



SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING AGENDA  
Tuesday, March 31, 2020, 1:30 p.m.  
County Commissioners' Meeting Room; Summit County Courthouse  
208 Lincoln Avenue, Breckenridge, Colorado

**Due to County building closures, the Special Meeting will be run remotely.**

**To participate, call 346.248.7799 and enter Meeting ID 810-971-272.**

*For assistance or questions regarding special accommodations, accessibility, or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. CITIZEN COMMENT
- V. PROCLAMATIONS & ANNOUNCEMENTS
  - A. Resolution Proclaiming And Celebrating The Month Of April 2020 As "The Month Of The Young Child" (Youth And Family)

Documents:

[PROCA - MONTH OF THE YOUNG CHILD.PDF](#)
  - B. Resolution Proclaiming The Month Of April 2020 As "Child Abuse Prevention Month"

Documents:

[PROCB - CHILD ABUSE PREVENTION MONTH PROCLAMATION.PDF](#)
  - C. Resolution Proclaiming April 12-18, 2020 As "National Public Safety Telecommuters Week" In Summit County, Colorado (Communications)

Documents:

[PROCC - TELECOMMUNICATOR WEEK.PDF](#)
- VI. CONSENT AGENDA

A. Approval Of 3.10.20 Regular Meeting Minutes

Documents:

[CONSENT A - 031020 REGULAR MEETING MINUTES.PDF](#)

B. Approval Of 3.17.20 Special Meeting Minutes

Documents:

[CONSENT B - 031720 SPECIAL BOCC MTG MIN.PDF](#)

C. Warrant List Of 3-1-20 To 3-15-20

Documents:

[CONSENT C - WARRANT LIST OF MARCH 01- 15.PDF](#)

D. Petition For Abatement Or Refund Of Taxes; Abatement No. 20AR-17; Schedule No. 6509025; Legal Property Description: Tract A, B Novak-Nelson Hotel; Owner: RCP Keystone Hotel LLC (Assessor)

Documents:

[CONSENT D1 - 20AR-17 STAFF REPORT.PDF](#)

[CONSENT D2 - 20AR-17 STIPULATION AGREEMENT.PDF](#)

[CONSENT D3 - 20AR-17 DPT PETITION.PDF](#)

[CONSENT D4 - 20AR-17 PETITION ATTACHMENTS.PDF](#)

E. Approval Of Reappointments For Various Planning Commissions (Planning)

Documents:

[CONSENT E - APPROVAL OF REAPPOINTMENTS FOR VARIOUS PLANNING COMMISSIONS.PDF](#)

F. Approval Of Certification Of Indebtedness To The Snake River Sewer Fund (Snake River Wastewater Treatment Plant)

Documents:

[CONSENT F1 - STAFF REPORT SNAKE RIVER SEWER FUND.PDF](#)

[CONSENT F2 - CERTIFICATION OF INDEBTEDNESS.PDF](#)

[CONSENT F3 - SNAKE RIVER SEWER FUND.PDF](#)

G. Approval To Exercise Option Agreement To Acquire The Climax Mining Claim (Snake River)

Documents:

[CONSENT G1 - STAFF REPORT CLIMAX MINING CLAIM.PDF](#)

[CONSENT G2 - CLIMAX MINING CLAIM MAP.PDF](#)

H. Clarification Of Resolution 2020-01 To Include Courthouse Front Door As Allowed Designated Posting Location (Attorney)

Documents:

## VII. NEW BUSINESS

- A. Final Plat To Subdivide A 2.23-Acre Lot Zoned Single-Family Residential (R-1) To Accommodate Two Single-Family Lots; Lot 2, Blue Sky Estates; (PLN19-099) Continued From The February 25, 2020 BOCC Regular Meeting

Documents:

NB A1 - PLN19-099 - STAFF REPORT.PDF  
NB A2 - ATTACHMENT A - BLUE SKY ESTATES PROPOSED PLAT.PDF  
NB A3 - ATTACHMENT B DRAFT RESO.PDF

## VIII. PUBLIC HEARING

- A. Preliminary Rezoning Of A 2.23-Acre Lot Zoned Rural Estates (RE) To Single-Family Residential (R-1) Lot 2, Blue Sky Estates; (PLN19-096) Continued From The February 25, 2020 BOCC Regular Meeting

Documents:

PH A1 - PLN19-096 - STAFF REPORT.PDF  
PH A2 - ATTACHMENT A - BLUE SKY ESTATES II NARRATIVE.PDF  
PH A3 - ATTACHMENT B - DRAWINGS.PDF  
PH A4 - ATTACHMENT C PLN19-096 DRAFT RESO.PDF  
PH A5 - ATTACHMENT D - LETTERS.PDF

- B. Final Rezoning Of A 2.23-Acre Lot Zoned Rural Estates (RE) To Single-Family Residential (R-1) To Accommodate Two Single-Family Lots; Lot 2, Blue Sky Estates; (PLN19-097) Continued From The February 25, 2020 BOCC Regular Meeting

Documents:

PH B1 - PLN19-097 - STAFF REPORT.PDF  
PH B2 - ATTACHMENT A - DRAFT RESO.PDF

- C. Preliminary Plat To Subdivide A 2.23-Acre Lot Zoned Single-Family Residential (R-1) To Accommodate Two Single-Family Lots; Lot 2, Blue Sky Estates; (PLN19-098) Continued From The February 25, 2020 BOCC Regular Meeting

Documents:

PH C1 - PLN19-098 - STAFF REPORT.PDF  
PH C2 - ATTACHMENT A - BLUE SKY ESTATES II NARRATIVE.PDF  
PH C3 - ATTACHMENT B - DRAWINGS.PDF  
PH C4 - ATTACHMENT C - DRAFT RESO.PDF  
PH C5 - ATTACHMENT D - LETTERS.PDF

- D. Building Code Adoption Of The 2018 IECC Amendments And Summit County Sustainable Code (Jeff Flynn) Continued From The February 25, 2020 BOCC Regular Meeting

Documents:

PH D1 - SUMMIT SUSTAINABLE BUILDING CODE STAFF REPORT.PDF  
PH D2 - 2018 ICC AMENDMENT PACKAGE WITH SUMMIT SUSTAINABLE

BUILDING CODE.PDF

IX. ADJOURNMENT

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

**RESOLUTION NO. 2020-**

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

**PROCLAIMING AND CELEBRATING THE MONTH OF APRIL 2020 AS "THE MONTH OF THE YOUNG CHILD"**

**WHEREAS**, children are this county's, this state's, and this nation's most valuable resource, and a resource which must be nurtured and developed to its utmost capacity; and

**WHEREAS**, the future of our county, our state, and our nation depends upon having a healthy and educated workforce; and

**WHEREAS**, it is acknowledged that it is in the best interest of all segments of society, including business, government, and the family, to prepare young people for the future; and

**WHEREAS**, all citizens of Colorado have been called upon to join together in a statewide mobilization that will raise awareness regarding the problems facing children in our state, what is being done to address these problems, and what still needs to be done; and

**WHEREAS**, the Summit County Board of Commissioners is committed to working with citizens locally and statewide to improve opportunities for our children.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, RESOLVES:**

1. To join forces with the Colorado Children's Campaign and other participating agencies in proclaiming April as "Month of the Young Child"; and
2. To join with Early Childhood Options and the Summit Child Care Association in declaring the month of April 2020 the Month of the Young Child in Summit County, Colorado; and
3. To support and participate in community-based family support and resource programs and activities during this special month; and
4. To celebrate the Month of the Young Child by recognizing Early Childhood Professionals with an Appreciation Mixer; and
5. To continue to support the Summit County Child Care Association, Early Childhood Options, Summit County Right Start Project and other community positions, agencies, and efforts dedicated to improving opportunities for the children of Summit County.

**ADOPTED THIS 31<sup>st</sup> DAY OF MARCH, 2020.**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder

**RESOLUTION NO. 2020-**

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

**RESOLUTION PROCLAIMING APRIL 2020 AS “CHILD ABUSE PREVENTION MONTH” IN SUMMIT COUNTY, COLORADO.**

**WHEREAS**, Summit County joins businesses, government agencies, nonprofits and many other organizations across Colorado in observing April as Child Abuse Prevention Month; and

**WHEREAS**, all children have the right to a safe and healthy childhood, to live in a loving and nurturing environment, and to be secure and well cared for in their homes, schools, and communities; and

**WHEREAS**, children are key to Summit County’s future but are also our most vulnerable community members, and thus, everyone plays a role in protecting children from harm; and

**WHEREAS**, through the new statewide child abuse and neglect hotline, all citizens can and should report suspected child abuse and neglect by calling 1-844-CO-4-KIDS; and

**WHEREAS**, we thank the many child care providers, service providers, doctors, nurses, parents, police officers, social workers, teachers, organizations and all others who dedicate their lives to caring for and protecting children; and

**WHEREAS**, child abuse and neglect can be prevented by supporting and strengthening families, because strong families and safe, healthy children reduce the likelihood that abuse and neglect will continue into the next generation; and

**WHEREAS**, we encourage families to surround themselves with a strong support system comprised of friends, loved ones and neighbors and remember to lean on them when times get tough; and

**WHEREAS** the Summit County Department of Social Services extends a helping hand to children and families in need by offering support and services throughout the year;

**NOW, THEREFORE, LET IT BE RESOLVED THAT APRIL 2020 IS HEREBY PROCLAIMED TO BE CHILD ABUSE PREVENTION MONTH IN SUMMIT COUNTY, COLORADO.**

**ADOPTED THIS 31<sup>st</sup> DAY OF MARCH, 2020.**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder

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

**PROCLAIMING APRIL 12-18, 2020 AS "NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK" IN SUMMIT COUNTY, COLORADO**

**WHEREAS**, telecommunicators and public safety dispatchers, are a vital link between the public and emergency service personnel by answering calls to 911, dispatching appropriate fire, medical, and law enforcement resources, monitoring activities by radio, providing critical information, and insuring safety for all; and

**WHEREAS**, public safety dispatchers at the Summit County 911 Center have continued to provide services to the citizens of Summit County with a heightened degree of compassion and professionalism since 1976; and

**WHEREAS**, emergencies can occur at any time that may require police, fire, medical or other emergency services. The prompt response of emergency service personnel is critical to the protection of life and preservation of property here in Summit County. The effectiveness and safety of emergency service personnel is dependent upon the quality and accuracy of information obtained from citizens who telephone dispatchers.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT** the week of April 12-18, shall be proclaimed as "*National Public Safety Telecommunicators Week*" in Summit County, Colorado in honor of the men and women whose diligence and professionalism help keep our county and citizens safe.

**ADOPTED THIS 31<sup>st</sup> DAY OF MARCH, 2020.**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS**  
**Tuesday, March 10, 2020 at 1:30 p.m.**  
**SUMMARY MINUTES**

*For assistance or questions regarding special accommodations, accessibility,  
or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

**I. CALL TO ORDER**

The Meeting of the Board of County Commissioners on Tuesday, March 10, 2020 was called to order by Chair, Karn Stiegelmeier, at 1:32 p.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

**II. ROLL CALL**

Board Members present and answered to the roll call were:

Karn Stiegelmeier, Chair  
Thomas C. Davidson, Commissioner  
Elisabeth Lawrence, Commissioner

Staff Present were as follows: Bentley Henderson, Assistant County Manager; Keely Ambrose, Assistant County Attorney; Stephanie Thompson, Deputy Clerk and Lori Dwyer, Deputy Clerk.

Additional Attendees: Claudine Norden, Emily Mulica, Stuart Dearnley

**III. APPROVAL OF AGENDA**

The agenda was approved, as presented.

**IV. CITIZEN COMMENT**

Claudine Norden thanked the Board for initiating a traffic study for her neighborhood in unincorporated Frisco.

Emily Mulica noted that traffic speed is also a concern in Dillon Valley. She stated that she has worked with neighbors to develop a list of requests for the Board for neighborhood spaces such as sidewalks and bike paths.

**V. PROCLAMATIONS & ANNOUNCEMENTS**

**A.** Resolution proclaiming the period from 8:30 p.m. to 9:30 p.m. on Saturday, March 28, 2020 as Earth Hour.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Lawrence to approve Resolution 2020-17, proclaiming the Period from**

**8:30 p.m. to 9:30 p.m. on Saturday, March 28, 2020 as Earth Hour.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**VI. CONSENT AGENDA**

- A.** Approval of 2-25-20 Regular Meeting Minutes. **Approved as presented; and**
- B.** Warrant List of 2-1-20 to 2-15-20 and 2-16-20 to 2-29-20 (Finance). **Approved as presented; and**
- C.** Intergovernmental Agreement with the Town of Breckenridge on Recreation Road and Trail Management (Golden Horseshoe) (OS&T). **Approved as presented; and**
- D.** Request for Public Hearing and Designation of Neighborhood for a New Liquor License for Keystone Coffee Company LLC dba STEEP; Brewpub; Elissa Slezak; Justin Slezak; located at 23110 U.S. Highway 6 Units #113-115, Keystone, CO (Clerk). **Approved as presented and scheduled for Public Hearing on April 28, 2020; and**

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Lawrence to approve the Consent Agenda, items A-D as referenced above.**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**VII. ADJOURNMENT**

The meeting was adjourned at 1:40 p.m.

Respectfully submitted,

Approved by:

---

Lori Dwyer, Deputy Clerk

---

Karn Stiegelmeier, Chair

NOTE: These minutes are a summary of the proceedings and motions of the March 10, 2020 Board of County Commissioners' Regular Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2<sup>nd</sup> Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.



**SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS  
Tuesday, March 17, 2020 at 11:15 a.m. Special Meeting  
SUMMARY MINUTES**

*For assistance or questions regarding special accommodations, accessibility,  
or available audio/visual equipment, please contact 970-453-3403 as soon as possible.*

**I. CALL TO ORDER**

The Meeting of the Board of County Commissioners on Tuesday, March 10, 2020 was called to order by Chair, Karn Stiegelmeier, at 11:17 a.m. in the County Commissioners' Meeting Room, Summit County Courthouse, 208 Lincoln Avenue, Breckenridge, Colorado.

**II. ROLL CALL**

Board Members present and answered to the roll call were:

Karn Stiegelmeier, Chair  
Thomas C. Davidson, Commissioner  
Elisabeth Lawrence, Commissioner

Staff Present were as follows: Scott Vargo, County Manager; Jeff Huntley, County Attorney; Bentley Henderson, Assistant County Manager; Marty Ferris, Finance Director; Sara Lopez, Administrative Assistant and Lori Dwyer, Deputy Clerk.

Additional attendees via conference phone: Sawyer D'Argonne

**III. APPROVAL OF AGENDA**

The agenda was approved, as presented.

**IV. NEW BUSINESS**

**A.** Discussion and consideration of proposed amendment of BOCC Resolution 2020-18 (Manager).

Jeff Huntley gave a background and introduction.

Commissioner Stiegelmeier thanked the Attorney's Office for their immense efforts.

**MOTION: A motion was made by Commissioner Davidson and seconded by Commissioner Lawrence to approve amendment of BOCC Resolution 2020-18 (Manager).**

**MOTION PASSED UNANIMOUSLY BY THE BOARD PRESENT**

**V. ADJOURNMENT**

The meeting was adjourned at 11:21 a.m.

Respectfully submitted,

Approved by:

---

Lori Dwyer, Deputy Clerk

---

Karn Stiegelmeier, Chair

NOTE: These minutes are a summary of the proceedings and motions of the March 17, 2020 Board of County Commissioners' Special Meeting. The complete digital recording is available in the Office of the Clerk & Recorder, Summit County Courthouse, 2<sup>nd</sup> Floor, 208 Lincoln Avenue, Breckenridge, Colorado 80424.

Warrant List, March 01 - 15, 2020

<b>10 - GENERAL FUND</b>	<b>103,196.76</b>
<b>10319 - ATTN CCTA/PTAC SEMINAR</b>	<b>700.00</b>
DUES - DUES	700.00
<b>10123 - AVALANCHE PT</b>	<b>300.00</b>
SVC - SERVICES	300.00
<b>12078 - BOULDER COUNTY</b>	<b>1,400.00</b>
GOVT - GOVERNMENT AGENCY	1,400.00
<b>10179 - BRECKENRIDGE ANIMAL CLINIC INC</b>	<b>466.16</b>
SVC - SERVICES	466.16
<b>10227 - CARY BROWN</b>	<b>130.12</b>
EE - EMPLOYEE REIMB	130.12
<b>12479 - CASSIE COMEAU</b>	<b>2,500.00</b>
SVC - SERVICES	2,500.00
<b>10239 - CCOM</b>	<b>510.00</b>
SUPP - SUPPLIES	510.00
<b>10247 - CENTURYLINK</b>	<b>984.91</b>
SVC - SERVICES	984.91
<b>10275 - CIVICPLUS, LLC</b>	<b>8,712.16</b>
SVC - SERVICES	8,712.16
<b>10307 - COLORADO ASSOCIATION OF SKI TOWNS</b>	<b>630.00</b>
DUES - DUES	630.00
<b>12056 - COLORADO ASSOCIATION PROPERTY POOL</b>	<b>14,564.63</b>
SVC - SERVICES	14,564.63
<b>10311 - COLORADO BUREAU OF INVESTIGATION</b>	<b>197.50</b>
GOVT - GOVERNMENT AGENCY	197.50
<b>10349 - COLORADO MOUNTAIN CLEANERS</b>	<b>46.19</b>
SVC - SERVICES	46.19
<b>12459 - COVETRUS NORTH AMERICA</b>	<b>108.00</b>
SUPP - SUPPLIES	108.00
<b>11644 - CROWN TROPHY</b>	<b>145.25</b>
SUPP - SUPPLIES	145.25
<b>10416 - CUSTOM AUDIO DESIGN</b>	<b>290.00</b>
SUPP - SUPPLIES	290.00
<b>12603 - DAVID ALEXANDER</b>	<b>285.00</b>
EE - EMPLOYEE REIMB	285.00
<b>10496 - EMORE INC</b>	<b>2,110.00</b>
SUPP - SUPPLIES	2,110.00
<b>10510 - EVA HENSON</b>	<b>79.35</b>
EE - EMPLOYEE REIMB	79.35
<b>10529 - FEDERAL EXPRESS</b>	<b>222.24</b>
SVC - SERVICES	222.24
<b>10538 - FIRST CALL OF COLORADO, INC</b>	<b>386.00</b>
SUPP - SUPPLIES	386.00
<b>10554 - FREDERIC PRINTING</b>	<b>19,749.36</b>

SUPP - SUPPLIES	19,749.36
<b>11908 - GARCIA CLINICAL LABORATORY, INC.</b>	<b>275.00</b>
SVC - SERVICES	275.00
<b>10569 - GARTH PREUTHUN</b>	<b>34.16</b>
SVC - SERVICES	34.16
<b>12639 - GARY WILKINSON</b>	<b>594.78</b>
EE - EMPLOYEE REIMB	594.78
<b>11747 - GRAND COUNTY BOARD OF COUNTY COMMISSIONERS</b>	<b>1,225.00</b>
GOVT - GOVERNMENT AGENCY	1,225.00
<b>11636 - JM SILVERTHORNE LLC</b>	<b>115.35</b>
SVC - SERVICES	115.35
<b>12604 - JONATHAN MOSHER</b>	<b>285.00</b>
EE - EMPLOYEE REIMB	285.00
<b>12264 - JULIANE DEMARCO</b>	<b>208.15</b>
EE - EMPLOYEE REIMB	208.15
<b>10741 - JUSTIN MILIZIO, DVM</b>	<b>707.00</b>
SVC - SERVICES	707.00
<b>10834 - LSV, LLC</b>	<b>1,300.00</b>
SVC - SERVICES	1,300.00
<b>10898 - MIND SPRINGS HEALTH, INC.</b>	<b>1,005.00</b>
SVC - SERVICES	1,005.00
<b>10959 - NEWCLOUD NETWORKS</b>	<b>2,762.65</b>
SVC - SERVICES	2,762.65
<b>12325 - NIELS HAGEN</b>	<b>1,500.00</b>
EE - EMPLOYEE REIMB	1,500.00
<b>11020 - PHILLIPS FEED SERVICE INC.</b>	<b>644.52</b>
SUPP - SUPPLIES	644.52
<b>12465 - SECURITY TRANSPORT SERVICES, INC.</b>	<b>1,110.12</b>
SVC - SERVICES	1,110.12
<b>11680 - SOUTHERN HEALTH PARTNERS, INC.</b>	<b>22,899.89</b>
SVC - SERVICES	22,899.89
<b>11271 - SUMMIT COMMUNITY CARE CLINIC</b>	<b>900.00</b>
SVC - SERVICES	900.00
<b>11287 - SUMMIT ROLL-OFFS</b>	<b>45.00</b>
SVC - SERVICES	45.00
<b>11335 - THE MASTER'S TOUCH, LLC</b>	<b>13,004.27</b>
SVC - SERVICES	13,004.27
<b>11674 - TRANSUNION RISK AND ALTERNATIVE</b>	<b>50.00</b>
SVC - SERVICES	50.00
<b>11452 - WEAR PARTS &amp; EQUIP CO., INC.</b>	<b>14.00</b>
SUPP - SUPPLIES	14.00
<b>20 - ROAD &amp; BRIDGE FUND</b>	<b>20,862.16</b>
<b>10040 - AIRGAS USA, LLC</b>	<b>83.72</b>
SVC - SERVICES	83.72
<b>10239 - CCOM</b>	<b>75.00</b>
SUPP - SUPPLIES	75.00
<b>10247 - CENTURYLINK</b>	<b>4.16</b>

SVC - SERVICES	4.16
<b>10276 - CIVIL INSIGHT, LLC</b>	<b>6,000.00</b>
SVC - SERVICES	6,000.00
<b>12568 - CNC TECHNICAL SERVICES LLC</b>	<b>1,738.10</b>
SVC - SERVICES	1,738.10
<b>11800 - GRAND GRAVEL PIT LLC</b>	<b>1,409.61</b>
SUPP - SUPPLIES	1,409.61
<b>11367 - TOWN OF BRECKENRIDGE</b>	<b>7,068.99</b>
GOVT - GOVERNMENT AGENCY	7,068.99
<b>11452 - WEAR PARTS &amp; EQUIP CO., INC.</b>	<b>4,482.58</b>
SUPP - SUPPLIES	4,482.58
<b>21 - TRANSIT FUND</b>	<b>1,274,072.05</b>
<hr/>	
<b>12448 - BUSINESS CONNECTION</b>	<b>404.70</b>
SVC - SERVICES	404.70
<b>10239 - CCOM</b>	<b>1,030.00</b>
SUPP - SUPPLIES	1,030.00
<b>10247 - CENTURYLINK</b>	<b>407.38</b>
SVC - SERVICES	407.38
<b>12460 - CESARE, INC.</b>	<b>346.93</b>
SVC - SERVICES	346.93
<b>10267 - CINTAS CORPORATION</b>	<b>107.99</b>
SUPP - SUPPLIES	107.99
<b>10276 - CIVIL INSIGHT, LLC</b>	<b>6,785.00</b>
SVC - SERVICES	6,785.00
<b>10380 - COMPLETE WIRELESS</b>	<b>1,743.25</b>
SVC - SERVICES	1,743.25
<b>12474 - PROTERRA INC</b>	<b>1,262,571.00</b>
SUPP - SUPPLIES	1,262,571.00
<b>11113 - ROCKY MOUNTAIN COFFEE ROASTERS</b>	<b>175.00</b>
SUPP - SUPPLIES	175.00
<b>11940 - SUMMIT EMBROIDERY</b>	<b>500.80</b>
SVC - SERVICES	500.80
<b>24 - 2010 FUND</b>	<b>1,409.10</b>
<hr/>	
<b>11335 - THE MASTER'S TOUCH, LLC</b>	<b>1,409.10</b>
SVC - SERVICES	1,409.10
<b>25 - AFFORDABLE HOUSING FUND</b>	<b>20,164.96</b>
<hr/>	
<b>12177 - ALPINE ECO</b>	<b>2,500.00</b>
SVC - SERVICES	2,500.00
<b>12413 - BRANDON HOWES</b>	<b>14.49</b>
EE - EMPLOYEE REIMB	14.49
<b>12455 - TAB ASSOCIATES, INC</b>	<b>17,650.47</b>
SVC - SERVICES	17,650.47
<b>32 - LEGACY OPERATIONS FUND</b>	<b>5,669.37</b>
<hr/>	
<b>11017 - PETROS &amp; WHITE</b>	<b>5,669.37</b>
SVC - SERVICES	5,669.37
<b>33 - LIBRARY FUND</b>	<b>1,535.59</b>
<hr/>	
<b>10057 - ALSCO</b>	<b>20.00</b>

SUPP - SUPPLIES	20.00
<b>10247 - CENTURYLINK</b>	<b>284.17</b>
SVC - SERVICES	284.17
<b>10496 - EMORE INC</b>	<b>900.00</b>
SUPP - SUPPLIES	900.00
<b>11009 - PEAK PERFORMANCE</b>	<b>331.42</b>
SVC - SERVICES	331.42
<b>36 - SOCIAL SERVICES FUND</b>	<b>2,050.87</b>
<hr/>	
<b>10115 - ASHLEY MERRILL</b>	<b>157.55</b>
EE - EMPLOYEE REIMB	157.55
<b>12486 - BERNADETTE MAJOR</b>	<b>172.80</b>
EE - EMPLOYEE REIMB	172.80
<b>12397 - DANIELLA LUGO</b>	<b>217.12</b>
EE - EMPLOYEE REIMB	217.12
<b>10746 - KARI MORENO</b>	<b>1,305.70</b>
SVC - SERVICES	1,305.70
<b>11455 - WENDY FRAZIER</b>	<b>197.70</b>
EE - EMPLOYEE REIMB	197.70
<b>50 - CAPITAL EXPENDITURES FUND</b>	<b>7,275.00</b>
<hr/>	
<b>10027 - ADAMSON POLICE PRODUCTS</b>	<b>7,275.00</b>
SUPP - SUPPLIES	7,275.00
<b>71 - SNAKE RIVER SEWER FUND</b>	<b>136,931.46</b>
<hr/>	
<b>10025 - ACZ LABORATORIES</b>	<b>133.40</b>
SUPP - SUPPLIES	133.40
<b>10247 - CENTURYLINK</b>	<b>1,256.48</b>
SVC - SERVICES	1,256.48
<b>10298 - COLORADO ANALYTICAL LAB</b>	<b>48.00</b>
SVC - SERVICES	48.00
<b>10330 - COLORADO DEPT OF PUBLIC HEALTH &amp; ENVIRONMENT</b>	<b>37,054.00</b>
GOVT - GOVERNMENT AGENCY	37,054.00
<b>10601 - GRAINGER</b>	<b>59.98</b>
SUPP - SUPPLIES	59.98
<b>12306 - HYDRO CONSTRUCTION COMPANY INC.</b>	<b>10,925.00</b>
SVC - SERVICES	10,925.00
<b>11989 - TETRA TECH, INC.</b>	<b>87,454.60</b>
SVC - SERVICES	87,454.60
<b>72 - SOLID WASTE FUND</b>	<b>914.99</b>
<hr/>	
<b>10057 - ALSCO</b>	<b>66.11</b>
SUPP - SUPPLIES	66.11
<b>10153 - BILL GILBERT</b>	<b>150.00</b>
EE - EMPLOYEE REIMB	150.00
<b>10239 - CCOM</b>	<b>40.00</b>
SUPP - SUPPLIES	40.00
<b>10247 - CENTURYLINK</b>	<b>58.88</b>
SVC - SERVICES	58.88
<b>11281 - SUMMIT JANITORIAL SYSTEMS INC.</b>	<b>600.00</b>
SVC - SERVICES	600.00

<b>80 - FLEET MAINTENANCE FUND</b>	<b>277,931.37</b>
<b>10539 - FIRST VEHICLE SERVICES</b>	<b>237,518.63</b>
SVC - SERVICES	237,518.63
<b>10842 - MANSFIELD OIL COMPANY</b>	<b>40,412.74</b>
SUPP - SUPPLIES	40,412.74
<b>81 - GROUP INSURANCE FUND</b>	<b>297,198.35</b>
<b>11498 - DELTA DENTAL OF COLORADO</b>	<b>2,185.27</b>
PR - PAYROLL VENDOR	2,185.27
<b>10478 - EBMS</b>	<b>295,063.58</b>
SVC - SERVICES	295,063.58
<b>12292 - GUARDIAN LIFE INSURANCE COMPANY OF AMERICA</b>	<b>-155.26</b>
PR - PAYROLL VENDOR	-155.26
<b>11509 - VSP</b>	<b>104.76</b>
PR - PAYROLL VENDOR	104.76
<b>90 - FLEXIBLE SPENDING FUND</b>	<b>5,725.26</b>
<b>10478 - EBMS</b>	<b>5,725.26</b>
SVC - SERVICES	5,725.26
<b>98 - PUBLIC TRUSTEE FUND</b>	<b>636.50</b>
<b>1023 - COLORADO MOUNTAIN NEWS ME</b>	<b>521.50</b>
- UNKNOWN	521.50
<b>1202 - GOVERNMENT TECHNOLOGY SYSTEMS LLC</b>	<b>90.00</b>
- UNKNOWN	90.00
<b>90820 - PUBLIC TRUSTEE ONE TIME</b>	<b>25.00</b>
SUPP - SUPPLIES	25.00
<b>99 - TREASURER'S FUND</b>	<b>23,249,903.08</b>
<b>1127 - ALPENSEE WATER DISTRICT BOND</b>	<b>38,547.23</b>
- UNKNOWN	38,547.23
<b>1128 - ALPENSEE WATER DISTRICT GENL</b>	<b>12,116.70</b>
- UNKNOWN	12,116.70
<b>1129 - BRECKENRIDGE MTN METRO DIST</b>	<b>140,538.17</b>
- UNKNOWN	140,538.17
<b>1246 - BRENNAN COLLINS</b>	<b>5,312.03</b>
- UNKNOWN	5,312.03
<b>1130 - BUFFALO MOUNTAIN METRO DIST</b>	<b>373,882.56</b>
- UNKNOWN	373,882.56
<b>90410 - CLERK ONE TIME</b>	<b>175.00</b>
SUPP - SUPPLIES	175.00
<b>1198 - COLORADO DEPT OF PUBLIC HEALTH</b>	<b>1,472.00</b>
GOVT - GOVERNMENT AGENCY	1,472.00
<b>1197 - COLORADO DEPT OF REVENUE</b>	<b>254,174.85</b>
GOVT - GOVERNMENT AGENCY	254,174.85
<b>1131 - COLORADO MOUNTAIN COLLEGE</b>	<b>2,455,539.94</b>
- UNKNOWN	2,455,539.94
<b>1132 - COLORADO RIVER WATER CONS</b>	<b>138,563.60</b>
- UNKNOWN	138,563.60
<b>90910 - COMMUNITY DEVELOPMENT ONE TIME</b>	<b>1,987.38</b>
SUPP - SUPPLIES	1,987.38

<b>1133 - COPPER MOUNTAIN CONS DIST</b>	<b>714,853.68</b>
- UNKNOWN	714,853.68
<b>1134 - CORINTHIAN HILL METRO DIST</b>	<b>29,155.82</b>
- UNKNOWN	29,155.82
<b>1228 - DANIEL CHARLES ROEMER</b>	<b>2,779.64</b>
- UNKNOWN	2,779.64
<b>1136 - EAST DILLON WATER DISTRICT</b>	<b>66,703.57</b>
- UNKNOWN	66,703.57
<b>1265 - FOURTH STREET CROSSING IMPROVEMENT DISTRICT</b>	<b>2,488.35</b>
- UNKNOWN	2,488.35
<b>1264 - FOURTH STREET CROSSING METRO DISTRICT</b>	<b>11,311.74</b>
- UNKNOWN	11,311.74
<b>1137 - HAMILTON CREEK METRO DIST</b>	<b>109,412.63</b>
- UNKNOWN	109,412.63
<b>1138 - HEENEY WATER DISTRICT</b>	<b>3,361.18</b>
- UNKNOWN	3,361.18
<b>1139 - KREMMLING MEM HOSPITAL DIST</b>	<b>46,044.06</b>
- UNKNOWN	46,044.06
<b>1140 - LAKE DILLON FIRE PROT DIST</b>	<b>2,587,432.06</b>
- UNKNOWN	2,587,432.06
<b>1141 - LOWER BLUE FIRE PROT DIST</b>	<b>10,352.54</b>
- UNKNOWN	10,352.54
<b>1067 - MARGARET MCCLURE</b>	<b>53.53</b>
- UNKNOWN	53.53
<b>1142 - MIDDLE PARK WATER CONS DIST</b>	<b>28,354.17</b>
- UNKNOWN	28,354.17
<b>1143 - RED, WHITE &amp; BLUE FIRE PROT DIST</b>	<b>2,504,356.60</b>
- UNKNOWN	2,504,356.60
<b>1144 - SOUTH MARYLAND CRK RANCH METRO DIST</b>	<b>171,551.22</b>
- UNKNOWN	171,551.22
<b>1200 - STATE OF COLORADO TREASURY</b>	<b>3,438.00</b>
SVC - SERVICES	3,438.00
<b>1204 - STEPHEN WINDSOR</b>	<b>2,285.67</b>
- UNKNOWN	2,285.67
<b>1145 - SUMMIT SCHOOL DISTRICT RE-1</b>	<b>9,435,569.78</b>
- UNKNOWN	9,435,569.78
<b>1146 - SUMMIT SCHOOL DISTRICT RE-1</b>	<b>2,340,339.20</b>
- UNKNOWN	2,340,339.20
<b>1148 - SWAN'S NEST METRO DIST</b>	<b>56,921.54</b>
- UNKNOWN	56,921.54
<b>1149 - TIMBER CREEK WATER DISTRICT</b>	<b>21,303.69</b>
- UNKNOWN	21,303.69
<b>1112 - TLC CLUB</b>	<b>3,018.98</b>
- UNKNOWN	3,018.98
<b>1150 - TOWN OF BLUE RIVER</b>	<b>224,431.07</b>
- UNKNOWN	224,431.07
<b>1151 - TOWN OF BRECKENRIDGE</b>	<b>926,500.66</b>

- UNKNOWN	926,500.66
<b>1152 - TOWN OF DILLON</b>	<b>142,992.65</b>
- UNKNOWN	142,992.65
<b>1153 - TOWN OF FRISCO</b>	<b>57,137.54</b>
- UNKNOWN	57,137.54
<b>1154 - TOWN OF MONTEZUMA</b>	<b>2,714.93</b>
- UNKNOWN	2,714.93
<b>1155 - TOWN OF SILVERTHORNE</b>	<b>33,717.52</b>
- UNKNOWN	33,717.52
<b>90810 - TREASURER ONE TIME</b>	<b>36,990.74</b>
SUPP - SUPPLIES	36,990.74
<b>1157 - WEST GRAND SCHOOL DISTRICT</b>	<b>17,688.48</b>
- UNKNOWN	17,688.48
<b>1156 - WEST GRAND SCHOOL DISTRICT</b>	<b>45,270.39</b>
- UNKNOWN	45,270.39
<b>1158 - WILLOW BROOK METRO DIST</b>	<b>186,392.01</b>
- UNKNOWN	186,392.01
<b>1259 - ZL INVESTMENTS LLC</b>	<b>2,669.98</b>
- UNKNOWN	2,669.98
<b>Grand Total</b>	<b>25,405,476.87</b>



## OFFICE OF THE COUNTY ASSESSOR

970.453.3480 ph | 970.453.3481 f  
www.SummitCountyCO.gov

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

### STAFF REPORT

TO: Board of County Commissioners

FROM: Frank Celico, County Assessor  
Mike Peterson, Chief Appraiser

FOR: March 31, 2020 2020 BOCC Special Meeting

SUBJECT: Petition for Abatement or Refund of Taxes; Abatement No. 20AR-17; Schedule No.  
6509025;

Legal Property Description: Tract A, B Novak Nelson Hotel; Owner: RCP Keystone Hotel LLC

---

Our office is recommending an abatement for Schedule No. 6509025. The adjustment is recommended after the Petitioner and the Assessor's Office agreed to a Stipulation prior to a hearing before the Board of Assessment Appeals (BAA). The reduction in value was made after a review of the unique characteristics of the subject property and examining the Petitioner's income and expense information. This resulted in a total value adjustment and tax refund as indicated on the following pages, based on the income approach to value.

ATTACHMENTS: Stipulation Agreement  
DPT Petition  
Petition Attachment and Documents

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: 75738

Summit County Schedule Number(s): 6509025

---

STIPULATION (As to Tax Year 2019 Actual Value)

---

**RCP Keystone Hotel LLC**

Petitioner(s),

vs.

**SUMMIT COUNTY BOARD OF EQUALIZATION,**

Respondent

---

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2019 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this stipulation is described as:

Tract A, B Novak-Nelson Hotel

2. The subject property is classified as Commercial property.
3. The County Assessor originally assigned the following actual value to schedule 6509025 for tax year 2019:

Land	\$ 5,690,089
Improvement	<u>\$ 1,891,129</u>
Total	\$ 7,581,218

4. After a timely appeal to the Board of Equalization, the Board of Equalization valued schedule 6509025 for tax year 2019 as follows:

Land	\$ 5,690,089
Improvement	<u>\$ 1,521,809</u>
Total	\$ 7,211,898

5. After further review and negotiation, Petitioners and County Board of Equalization agree to the following tax year 2019 tax value for schedule 6509025:

Land	\$ 4,017,211
Improvement	<u>\$ 1,333,503</u>
Total	\$ 5,350,714

6. The valuation, as established above, shall be binding only with respect to tax year 2019.

7. Brief narrative as to why the reduction was made:

After a review of the unique characteristics of the subject property and the petitioners income/expense information provided, the petitioner and respondent have agreed on a revised valuation based on the Income approach to value.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on February 18, 2020 be vacated.

**DATED this 17th day of January, 2020**



Petitioner's Agent  
Robert Herman  
Duff & Phelps, LLC  
1200 17<sup>th</sup> Street  
Denver, CO 80202

Telephone: (303) 749-9019



Cameron Turpin  
Assistant County Attorney for Respondent  
Summit County Board of Equalization  
PO Box 68  
Breckenridge, CO 80424

Telephone: (970) 453-2561



Frank Celico  
Summit County Assessor  
PO Box 276  
Breckenridge, CO 80424

Telephone: (970) 453-3480

Docket Number: 75738



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

**Section III:**

**Written Mutual Agreement of Assessor and Petitioner**

The commissioners of Summit County authorize the assessor by Resolution #2019-09 to review petitions for abatement or refund and to settle by written mutual agreement any such petition for abatement or refund in an amount of ten thousand dollars or less per tract, parcel, or lot of land or per schedule of personal property. 39-1-113 (1.5) C.R.S.

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

**See separate document attached to this petition for petitioner's agreement to Assessor Recommendation.**

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

**Section IV:**

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

WHEREAS, The County Commissioners of Summit County, State of Colorado, at a duly and lawfully called regular meeting held on 3/31/20 at which meeting there were present the following members: Karn Stiegelmeier, Chair; Thomas C. Davidson, Commissioner; Elisabeth Lawrence, Commissioner with notice of such meeting and an opportunity to be present having been given to the taxpayer and the Assessor of said County and said Assessor Frank Celico or his representative (**being present/not present**) and taxpayer RCP Keystone Hotel LLC (being present/not present); and WHEREAS, The said County Commissioners have carefully considered the within application, and are fully advised in relation thereto, **NOW BE IT RESOLVED**, That the Board (**agrees/does not agree**) with the recommendation of the assessor and the petition be (**approved/approved in part/denied**) with an abatement/refund as follows:

	Actual	<u>Tax Year 2019</u> Assessed	Tax	Actual	<u>Tax Year</u> Assessed	Tax
Original	\$7,211,898	\$2,091,450	\$108,176.07			
Correction	\$5,350,714	\$1,551,707	\$80,258.94			
<b>Abate/Refund</b>	<b>\$1,861,184</b>	<b>\$539,743</b>	<b>\$27,917.13</b>			

\_\_\_\_\_  
Chairperson of Board of County Commissioners

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

By: \_\_\_\_\_  
County Clerk's or Deputy County Clerk's Signature

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

**Section V:**

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

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

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

\_\_\_\_\_  
\_\_\_\_\_

Secretary's Signature

Property Tax Administrator's Signature

\_\_\_\_\_  
Date

# PETITION FOR ABATEMENT OR REFUND OF TAXES

County: Summit

Date Received \_\_\_\_\_  
(Use Assessor's or Commissioners' Date Stamp)

**Section I: Petitioner, please complete Section I only.**

Date: 1 / 17 / 2020  
Month Day Year

Petitioner's Name: RCP Keystone LLC c/o Duff & Phelps

Petitioner's Mailing Address: 1200 17th St. Ste. 990

Denver CO 80202  
City or Town State Zip Code

SCHEDULE OR PARCEL NUMBER(S)	PROPERTY ADDRESS OR LEGAL DESCRIPTION OF PROPERTY
<u>6509025</u>	_____
_____	_____
_____	_____

Petitioner requests an abatement or refund of the appropriate taxes and states that the taxes assessed against the above property for the property tax year 2018 are incorrect for the following reasons: (Briefly describe why the taxes have been levied erroneously or illegally, whether due to erroneous valuation, irregularity in levying, clerical error, or overvaluation. Attach additional sheets if necessary.)

Supporting evidence indicates a value adjustment for tax year 2018.

Petitioner's estimate of value: \$ 5,350,714 (2018)  
Value Year

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

\_\_\_\_\_  
Petitioner's Signature Daytime Phone Number ( \_\_\_\_\_ )  
Email \_\_\_\_\_

By Bruce Cartwright  
Agent's Signature\* Daytime Phone Number ( 303 ) 749-9003

Printed Name: Bruce Cartwright Email bruce.cartwright@duffandphelps.com

\*Letter of agency must be attached when petition is submitted by an agent.

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

**Section II: Assessor's Recommendation**  
(For Assessor's Use Only)

Tax Year \_\_\_\_\_

	<u>Actual</u>	<u>Assessed</u>	<u>Tax</u>
Original	_____	_____	_____
Corrected	_____	_____	_____
Abate/Refund	_____	_____	_____

Assessor recommends approval as outlined above.

If the request for abatement is based upon the grounds of overvaluation, no abatement or refund of taxes shall be made if an objection or protest to such valuation has been filed and a Notice of Determination has been mailed to the taxpayer, § 39-10-114(1)(a)(i)(D), C.R.S.

Tax year: \_\_\_\_\_ Protest?  No  Yes (If a protest was filed, please attach a copy of the NOD.)

Assessor recommends denial for the following reason(s):

\_\_\_\_\_  
Assessor's or Deputy Assessor's Signature



**Appointment of Agency for Property Tax Matters**

Duff & Phelps, LLC is authorized to represent RCP Keystone Hotel LLC with the assessment of property tax for the Hyatt Place Keystone located at 23044 US Hwy 6 in Keystone, Colorado regarding the real estate and personal property tax assessment matters in Summit County. Any and all previous authorizations are hereby revoked. Duff & Phelps, LLC is authorized to act on our behalf in obtaining and providing information, negotiating, settling and assessing for all real estate and personal property tax matters related to the property owned, possessed, or controlled by the undersigned at the above-referenced address. This agent is delegated full authority to act on the owner's behalf for all real estate and personal property tax matters relative to assessments and to represent us, with the assistance of legal counsel, if necessary, in the appeal process.

This appointment of agency remains in effect for tax years 2019 & 2020 until revoked in writing by RCP Keystone Hotel LLC or Duff & Phelps, LLC.

All correspondence should be directed to the following:

<b>Agent Name:</b>	Jodi Garman
<b>Agent Company:</b>	Duff & Phelps, LLC
<b>Agent Address:</b>	1200 17 <sup>th</sup> Street, Suite 990 Denver, Colorado 80202
<b>Agent Phone Number:</b>	(303) 749-9025
<b>Agent Email:</b>	jodi.garman@duffandphelps.com

<b>Property Address</b>	<b>Schedule Number</b>
23044 US Hwy 6	6509025

<b>Signed Name:</b>	<i>[Handwritten Signature]</i>
<b>Printed Name:</b>	BLAKE WOODM
<b>Signatory Title:</b>	PRESIDENT

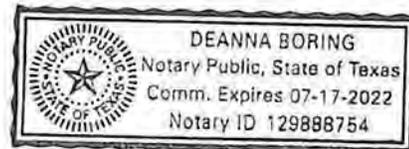
Notary Public

State of Texas, County of Dallas  
The foregoing letter of authorization and signatory was acknowledged before me on 8<sup>th</sup> day of February, 2019.

Witness my hand and official seal.

*[Handwritten Signature]*  
Notary Signature

OFFICIAL SEAL (stamp)





## PLANNING DEPARTMENT

970.668.4200  
www.SummitCountyCO.gov

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

To: Board of County Commissioners  
From: Lindsay Hirsh, Senior Planner  
Cc: Bentley Henderson, Jim Curnutte, Dan Osborn  
Subject: Planning Commission Appointment Update  
Date: BOCC meeting of March 31, 2020

**Background:** Each year, approximately one-third of all Planning Commission and Board of Adjustment terms expire, necessitating outreach to encourage citizens to apply to participate on these boards.

The Planning Commission and Board of Adjustment Bylaws (Chapter 16 of the Summit County Land Use and Development Code) stipulate the rules for each board as established by Colorado Revised Statute C.R.S. 30-28-105 et seq., including appointments and reappointments. Initial terms for all members are one year, with subsequent terms being up to three years, staggered so that approximately one third of the membership of each Board expires each March 31.

**Basin Planning Commissions:** Each Basin Planning Commission consists of nine commissioners (seven regular members and two alternates).

**Lower Blue Planning Commission (LBPC):** The membership of the LBPC is listed below, with those members whose **terms are expiring in bold**, and those -serving their initial one-year term underlined. There are two regular members with expiring terms, and two regular and two alternate members each completing their initial terms.

1. Ashley Smith (alternate regular member – probation - term expires 3/31/22).
2. Rebekah Barrington (regular member - term expires 3/31/22).
3. Joe Newhart - (alternate regular member - probation - term expires 3/31/20).
4. Vacant - (regular member - term expires 3/31/21).
5. David Domzal (regular member - term expires 3/31/22).
6. **James Donlan** (regular member - term expires 3/31/20)
7. Joshua Blanchard (regular member - term expires 3/31/21).
8. **Michael Good** (regular member - term expires 3/31/20).
9. Donald Langmuir (regular member - term expires 3/31/21). Donald lives in Silverthorne and is a consultant.

Potential Candidates: Rajeev Malik

Staff LBPC Recommendations:

- ❖ **Staff recommends that James Donlan and Michael Good be reappointed as regular members.**
- ❖ **Staff recommends Ashely Smith and Joe Newhart be reappointed to the Commission and Ashley be made regular member.**
- ❖ **Staff recommends that the BOCC direct staff to arrange an interview for Mr. Malik for the one vacant seat on the Lower Blue Planning Commission.**

**Snake River Planning Commission:** The membership of the SRPC is listed below, with those members whose **terms are expiring in bold**, and those serving their initial one-year term underlined. Additionally, there are two regular members with expiring terms, and one regular and one alternate member each completing their initial terms.

1. Maggie Murray (regular member - term expires 3/31/22).
2. Denise Levy (regular member – term expires 3/31/22).
3. Brad Bailey (Town of Dillon representative; regular member - term expires 3/31/22).
4. **Stephen Hornback** (Town of Montezuma representative; regular member - term expires 3/31/20).
5. **Vacant** (alternate member - term expires 3/31/20).
6. **Tamara Pogue** (regular member - term expires 3/31/20).
7. Erik Vermulen (regular member - term expires 3/31/21).
8. Marshall Masek (regular member - term expires 3/31/21).
9. Warren Reese (alternate member - term expires 3/31/21).

Potential Candidates: Larry Pruss

Staff SRPC Recommendations:

- ❖ **Staff recommends that Stephen Hornback and Tamara Pogue be reappointed to their positions.**
- ❖ **Staff recommends that the BOCC direct staff to arrange an interview for Ms. Fisher for the one vacant seat on the Snake River Planning Commission.**

**Ten Mile Planning Commission (TMPC):** The membership of the TMPC is listed below, with those members whose **terms are expiring in bold**, and those serving their initial one-year term underlined. There is one regular member with an expiring term, and one alternate member with an expiring term, and two other vacant positions.

1. Kelsey Withrow - (Town of Frisco representative; regular member - term expires 3/31/21).
2. Vacant - (regular member – term expires 3/31/22).
3. Mike Beernsten (regular member - term expires 3/31/22).
4. Tom Connolly (regular member – term expires 3/31/22).
5. **Ross Sheely** (alternate member – term expires 3/31/20).
6. Vacant - (alternate member - term expires 3/31/20).
7. **Lina Lesmes** (regular member - term expires 3/31/20).
8. Robert Franken (regular member - term expires 3/31/21).
9. Jeannette Gongloff (regular member - term expires 3/31/21).

Candidates: Gary Wilkinson

Staff TMPC Recommendations:

- ❖ **Staff recommends that Ross Sheely be reappointed and made a regular member and Lina Lesmes be reappointed.**
- ❖ **There are currently two vacant seats to be filled.**
- ❖ **Staff recommends that the BOCC direct staff to arrange an interview for Mr. Wilkinson for one of the vacant seats on the Ten Mile Planning Commission.**

**Upper Blue Planning Commission (UBPC):** The membership of the UBPC is listed below, with those members whose **terms are expiring in bold**. There are two regular members with expiring terms and Drew Goldsmith is term-limited, having served for 12 years.

1. Keith Gallacher (alternate member - term expires 3/31/22).
2. Larissa O'Neil (Town of Blue River representative; regular member - term expires 3/31/22).
3. Jay Beckerman (regular member - term expires 3/31/22).
4. **Drew Goldsmith** (regular member – termed off - expires 3/31/20).
5. **Graeme Bilenduke** (regular member - term expires 3/31/20).
6. **Ric Pocius** (regular member - term expires 3/31/20).
7. David Nelson (regular member - term expires 3/31/21)
8. Eli Yoder (regular member - term expires 3/31/21).
9. Lowell Moore (alternate member - term expires 3/31/21).

Potential Candidates: Ted Pilling and Steve Holcomb

- ❖ **Reappoint staff recommends Graeme Bilenduke and Ric Pocius** to their positions.
- ❖ **Appoint staff recommends Lowell Moore as a regular member.**
- ❖ **Staff recommends that the BOCC direct staff to arrange interviews with Ted Pilling and Steve Holcomb**

**Countywide Planning Commission (CWPC):** The CWPC consists of eleven commissioners (nine regular members and two alternates). One regular member is appointed from the membership of each of the four Basin Planning Commissions, with five at-large regular members and two at-large alternate members. The membership of the CWPC is listed below, with those members whose **terms are expiring in bold**, and those serving their initial one-year term underlined. There is one regular at-large member with an expiring term, the UBPC representative has an expiring term, two regular at-large members with expiring terms, and the TMPC and LBPC representatives and two at-large alternate members are each completing their initial terms.

1. Craig Campbell (at-large regular member - term expires 3/31/22).
2. **Vacant Drew Goldsmith** (UBPC representative; regular member - term expires 3/31/22).
3. Steve Rossetter (at-large alternate member - term expires 3/31/22).
4. **Ira Tane** (at-large alternate member - term expires 3/31/20).
5. Robert Franken (TMPC representative; regular member - term expires 3/31/21).
6. Michael Good (LBPC representative; regular member - term expires 3/31/22).
7. **Erik Vermulen** (SRPC representative; regular member - term expires 3/31/20).
8. **Marc Hogan** (at-large regular member – term expires 3/31/20).
9. Leigh Girvin (at-large regular member - term expires 3/31/21).
10. Kelly Owens (at-large regular member - term expires 3/31/21).
11. Molly Lee (at-large regular member - term expires 3/31/21).

Potential Candidates: None

- ❖ **Staff recommends that Ira Tane, Erik Vermulen and Marc Hogan each be reappointed to their positions.**
- ❖ **Staff recommends that the BOCC direct staff to request that the Upper Blue Planning**

**Commission make a recommendation to the BOCC on the Countywide Upper Blue Representative.**

**Board of Adjustment (BOA):** The BOA consists of seven members (five regular members and two alternates). The membership of the BOA is listed below, with those members whose **terms are expiring in bold**, and those serving their initial one-year term underlined. There is one regular member with an expiring term, and two alternate members completing their initial one-year terms.

1. Tony Lord (regular member – term expires 3/31/22).
2. Ira Tane (alternate member - term expires 3/31/21).
3. David Domzal (alternate member - term expires 3/31/22).
4. **Brian Birenbach** (regular member – term expires 3/31/20).
5. **Vacant - Mark Provino** (regular member – term expires 3/31/20).
6. **Ryan Taylor** (regular member - term expires 3/31/20).
7. **Vacant** -Donald Craig (regular member – term expires 3/31/21).

Potential Candidates: None

- ❖ **Staff recommends Brian Birenbach and Ryan Taylor each be reappointed to their positions. Mark Provino was requested not to be reappointed.**
- ❖ **Staff recommends that the BOCC direct staff to continue to look for candidates for the two vacant seats left by Donald Craig and Mark Provino.**



SNAKE RIVER WASTEWATER TREATMENT PLANT

970.668.4272 ph | 970.468.6393 f  
www.SummitCountyCO.gov

4344 Swan Mountain Rd.  
Dillon, CO 80435

TO: Board of County Commissioners, County Clerk and Recorder

FROM: Karen LeCocq, Account Manager

RE: Certification of Indebtedness to the Snake River Sewer Fund

DATE: March 31, 2020

---

Background: The Snake River Waste Water Treatment Plant (“SRWWTP”) charges service fees quarterly to the owners of properties connected to the SRWWTP’s system. The SRWWTP does not have the discretion to shut off service to properties that fail to pay the service fees. The SRWWTP’s remedy when service fees are outstanding is to request that the BOCC authorize liens being placed on the subject properties in the amount of the outstanding fees, which liens are collectable and curable in the same manner as unpaid taxes. Before bringing this request for the BOCC to authorize the liens, the SRWWTP provides the subject owners with at least one written notification of the impending lien for the arrearage. Further, the lien remedy is described in the Snake River Sewer Fund Tap Ownership Agreement entered by person requesting use of the SRWWTP system. The SRWWTP typically brings the request for the BOCC to authorize the liens once per year, which provides users even more opportunity to come into compliance before their properties being lienied. The attached exhibit lists the properties that are now at least two quarters in arrears on payment of SRWWTP service fees. Also attached are the Clerk and Recorder’s certificates of indebtedness, which are the actual amounts owing and the periods of time for which the indebtedness has accrued for each of the subject properties.

Legal Authority: Pursuant to Section 30-20-420, Colorado Revised Statutes (“C.R.S.”), “In the event that any user of the system neglects, fails, or refuses to pay the rates, fees, tolls, and charges fixed by the Board of County Commissioners for the connection with and use of the system, said user shall not be disconnected from said system or refused the use of said system...but the rates, fees, tolls and charges therefore may be certified by the County Clerk and recorder to the Board of County Commissioners of the county in which the subject property is located and shall become a lien upon the real property served by said system and collected in the manner as though they were part of the taxes.

Staff Recommendation: Staff recommends that the BOCC authorize liens for outstanding SRWWTP service fees be placed on the properties described in the attached exhibit.



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 16 MEADOW WOOD SUBDIVISION  
DATE: 03/31/2020  
OWNER: Ronald & Karen Anderson

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 221.07 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 20 BLK 2 SUMMIT COVE #7  
DATE: 03/31/2020  
OWNER: Wilmina Baker

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 221.07 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 18B KEY WEST FARMS  
DATE: 03/31/2020  
OWNER: Karl & Janet Bierbaum

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 390.85 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 1R TRACT F-1 EAST RANCH RESUB L 1  
DATE: 03/31/2020  
OWNER: Richard Boddy

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 1 PETERSEN SUB  
DATE: 03/31/2020  
OWNER: Catheryn Carlson

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 221.07 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 13 BLK 5 SUMMIT COVE 1  
DATE: 03/31/2020  
OWNER: Debra Cline

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 221.07 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 6 BLK 9 SUMMIT COVE SUB #4  
DATE: 03/31/2020  
OWNER: Kathryn Coyle

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 336.50 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: West Hills #6B  
DATE: 03/31/2020  
OWNER: Pedro Esteban

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L3 B11 SUMMIT COVE 2  
DATE: 03/31/2020  
OWNER: Robert Fay III

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 546.24 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 47 MEADOWWOOD SUB  
DATE: 03/31/2020  
OWNER: Derek & Mindy Gamburg

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 243.17 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 5 BLK 4 SUMMIT COVE 1  
DATE: 03/31/2020  
OWNER: Gateway Holdings Group LLC

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 221.07 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 4 SAW WHISKERS III  
DATE: 03/31/2020  
OWNER: Carlos Robles Gil

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 243.17 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: 110 SKI RUN CONDO AMENDED  
DATE: 03/31/2020  
OWNER: Steven Hall

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 17 BLK 8 SUMMIT COVE 2  
DATE: 03/31/2020  
OWNER: Whitney Henceroth

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 60B SUMMERWOOD  
DATE: 03/31/2020  
OWNER: Patrick Henkle

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 546.24 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 4 BLK 9 WHISPERING PINES  
DATE: 03/31/2020  
OWNER: Carol A. Keen

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 577.74 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: West Hills #5B  
DATE: 03/31/2020  
OWNER: Dru Martinson

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 10 TR B KEYSTONE RANCH #1  
DATE: 03/31/2020  
OWNER: Andrew McBryan

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 243.17 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)  
 ) ss  
COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: B2 BLDG B MEADOW COVE  
DATE: 03/31/2020  
OWNER: David Reichert

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 339.77 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: 304 SKI RUN  
DATE: 03/31/2020  
OWNER: Drouin Shimbel

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 64B KEY WEST FARMS  
DATE: 03/31/2020  
OWNER: Julie Smith

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 265.28 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: E9 BLDG E LAKE HAUS  
DATE: 03/31/2020  
OWNER: Nancy Stevens

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 451.93 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: L 11 BLK 1 LAST CHANCE  
DATE: 03/31/2020  
OWNER: TL 94 LLC

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 546.24 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office



## Snake River Sewer Fund

4344 Swan Mountain Rd.  
Dillon, CO. 80435  
970.668.4270  
fax 970.468-6393

### CERTIFICATION OF INDEBTEDNESS AND LIEN

TO: SUMMIT COUNTY BOARD OF COMMISSIONERS  
FROM: COUNTY CLERK AND RECORDER  
RE: West Hills #7B  
DATE: 03/31/2020  
OWNER: Mindy Zablocki

Pursuant to C.R.S. 30-20-420, I hereby certify that an indebtedness due the Snake River Sewer Fund in the amount of \$ 455.20 covering a service charge delinquency for the months of October 1, 2019 through March 31, 2020 is due and owing. By this certification, and in accordance with the aforesaid statute, that delinquency becomes a lien against the property.

---

Kathleen Neel  
Summit County Clerk and Recorder

STATE OF COLORADO)

) ss

COUNTY OF SUMMIT)

Kathleen Neel has appeared before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, and has attested to the truth and accuracy of the above recitation, under oath.

---

Deputy Clerk

c: Treasurer's Office

**Snake River Sewer Fund  
Certifications of Indebtedness  
March 31, 2020**

<b>Account</b>	<b>Amount Past Due</b>	<b>Surname</b>	<b>Legal Description</b>	<b>Schedule Number</b>
10384.01	\$ 221.07	Anderson	L 16 MEADOW WOOD SUBDIVISON	1001279
10900.01	\$ 221.07	Baker	L 20 BLK 2 SUMMIT COVE #7	1000693
11556.01	\$ 390.85	Bierbaum	L 18B KEY WEST FARMS	1001115
11233.02	\$ 455.20	Boddy	L 1R TRACT F-1 EAST RANCH RESUB L 1	4100174
10875.01	\$ 221.07	Carlson	L 1 PETERSEN SUB	6504451
10747.01	\$ 221.07	Cline	L 13 BLK 5 SUMMIT COVE 1	1000117
10067.01	\$ 336.50	Coyle	L 6 BLK 9 SUMMIT COVE SUB #4	1000243
12185.02	\$ 455.20	Esteban	West Hills #6B	6517821
10008.04	\$ 546.24	Fay III	L3 B11 SUMMIT COVE 2	1000143
11262.01	\$ 243.17	Gamburg	L 47 MEADOWWOOD SUB	1001310
10105.03	\$ 221.07	Gateway Holdings Group	L 5 BLK 4 SUMMIT COVE 1	1000128
11680.02	\$ 243.17	Gil	L 4 SAW WHISKERS III	4200453
11239.02	\$ 455.20	Hall	110 SKI RUN CONDO AMENDED	4200437
10152.02	\$ 455.20	Henceroth	L 17 BLK 8 SUMMIT COVE 2	1000139
11670.02	\$ 546.24	Henkle	L 60B SUMMERWOOD	6511185
11659.01	\$ 577.74	Keen	L 4 BLK 9 WHISPERING PINES	6505000
12161.02	\$ 455.20	Martinson	West Hills #5B	6517819
10730.03	\$ 243.17	McBryan	L 10 TR B KEYSTONE RANCH #1	3001137
10962.01	\$ 339.77	Reichert	B2 BLDG B MEADOW COVE	1000919
11100.02	\$ 455.20	Shimbel	304 SKI RUN	4200223
11910.04	\$ 265.28	Smith	L 64B KEY WEST FARMS	6512713
10045.01	\$ 451.93	Stevens	E9 BLDG E LAKE HAUS	1000032
10210.02	\$ 546.24	TL 94 LLC	L 11 BLK 1 LAST CHANCE	3000301
12183.02	\$ 455.20	Zablocki	West Hills #7B	6517823
	\$ 9,022.05			



## OPEN SPACE & TRAILS DEPARTMENT

970.668.4060 ph | 970.668.4225 f  
www.SummitCountyCO.gov

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

### **STAFF REPORT**

**TO:** Board of County Commissioners  
**FROM:** Katherine King, Senior Resource Specialist  
**DATE:** March 24, 2020  
**FOR:** March 31, 2020 Consent Agenda  
**REQUEST:** Approval to exercise option agreement to acquire the Climax Mining Claim (Snake River)

---

The OSAC made a unanimous recommendation at their September, 2019 meeting that the County pursue acquisition of the Climax mining claim (Snake River, see attached map).

Climax MS# 20017, Schedule No. 3009688, 10.10 acres. Owner: Thomas and Regina Meyers. Cost: \$25,000

The owners of the Climax mining claim reached out to Open Space staff to gauge the County's interest in acquiring the claim. It has been in their family for a number of years, and now that they are all getting older, they would like to sell it. Given its remote location above treeline on Teller Mountain, OSAC recommended the County acquire the claim for \$25,000. The BOCC gave their approval to move forward at that price shortly thereafter.

Since that time, the family has worked to consolidate ownership in the claim to be able to convey it to one person and minimize closing costs. Recently they finished the deed conveyances and recording, and signed the option agreement. Staff conducted a site visit in the fall of 2019 and does not believe there are any environmental concerns on the property.

Open Space Values: On the west flank of Teller Mountain near and above treeline, this backcountry mining claim contains high alpine habitat and is surrounded by other public lands. Open space values include:

- Extensions: The property is surrounded by USFS lands.
- Access/Recreational: The property currently only has rough 4WD road access. Development of the claim could result in a significant change in character to the area.
- View corridors: Development in this location above treeline would be visible throughout the Deer Creek basin.
- Unique lands: the Climax Claim contains mostly high alpine tundra.
- 

**STAFF RECOMMENDATION/REQUEST:** Staff concurs with OSAC's recommendation to pursue acquisition of the Climax Claim at a cost of \$25,000 to the Open Space fund. Staff requests BOCC approval to exercise the option agreement and move forward with closing in April.

Cc: Scott Vargo, Bentley Henderson, Jeff Huntley, Jim Curnutte



Climax mining claim  
10.10 acres

- Legend**
-  Summit Co Open Space
  -  Summit Co - partial interest claim
  -  Open Space Restrictive Covenant
  -  Private Parcels
  -  White River National Forest

0 0.125 0.25 0.5 Miles

**RESOLUTION NO. 2020 – \_\_\_\_**

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

**A RESOLUTION CLARIFYING RESOLUTION 2020-01 CONCERNING THE OFFICIAL POSTING LOCATION FOR MEETING NOTICES.**

**WHEREAS**, pursuant to BOCC Resolution No. 2020-01, the designated posting location for all official meeting notices is located in the south foyer on the main level of the Summit County Courthouse, 208 East Lincoln Avenue, Breckenridge, Colorado; and

**WHEREAS**, circumstances have arisen that require the closure of the Summit County Courthouse and such circumstances may arise in the future; and

**WHEREAS**, the Board has implemented Resolution 2020-01 during Courthouse closures by posting public notices on the glass doors of the south foyer so that members of the public may still view such notices; and

**WHEREAS**, Board desires to clarify Resolution 2020-01 to expressly include such implementation measures for the ongoing pandemic virus closure and any future Courthouse closures that may be required.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT**, the Summit County Board of County Commissioners hereby clarifies Resolution 2020-01 to add the following sentence at the end of Section 21:

“During any closure of the Summit County Courthouse, public meeting notices shall be posted on the glass front doors of the Courthouse entrance to the south foyer along with the applicable remote access information.”

**ADOPTED THIS 31<sup>st</sup> DAY OF MARCH, 2020.**

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

**ATTEST:**

\_\_\_\_\_  
Karn Stiegelmeier, Chair

\_\_\_\_\_  
Kathleen Neel, Clerk & Recorder



## OFFICE OF THE COUNTY ATTORNEY

970.453.3402 ph | 970.453.3535 f | 208 East Lincoln Ave. | PO Box 68  
www.SummitCountyCO.gov | Breckenridge, CO 80424

### **STAFF REPORT**

**TO:** Board of County Commissioners  
**FROM:** Jeff Huntley, County Attorney  
**DATE:** March 27, 2020  
**FOR:** BOCC Special Meeting March 31, 2020

**SUBJECT:** A Clarification of Resolution 2020-01 to include Courthouse Front Door as allowed designated posting location

---

### **BACKGROUND**

On January 14, 2020, the Board of County Commissioners approved Resolution 2020-01, Appointment of Chair and Vice Chair for 2020 and Consideration of Adoption of Resolution Concerning the Appointments to Various Boards, Committees, and Commissions. Staff wishes to clarify that the posting location noted in section 21 to include the glass foyer doors, should the County Courthouse have a closure during regular business hours.

**BOARD OF COUNTY COMMISSIONERS**  
**MARCH 31, 2020 (Continued from FEBRUARY 25, 2020 Meeting)**  
**PLANNING CASE #19-099: CLASS 6 – BLUE SKY ESTATES II – FINAL PLAT OF A 2.23-  
ACRE LOT ZONED R-1 TO ACCOMMODATE TWO SINGLE-FAMILY LOTS.**  
**NEW BUSINESS**

**PROJECT INFORMATION:**

**Location:** 0122 Ski Hill Road

**Project/Request:** Blue Sky Estates II –Final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots.

**ISSUES:**

None

**RESOLUTION STATUS**

Draft resolution attached

**STAFF RECOMMENDATION:**

Approval with the 7 findings and 5 conditions.

**ATTACHMENTS:**

Attachment A: Proposed Plat

Attachment B: Draft Resolution



PLANNING DEPARTMENT

970.668.4200  
[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

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

**STAFF REPORT**

**TO:** The Board of County Commissioners (“BOCC”)  
**FROM:** Lindsay Hirsh, Senior Planner  
**FOR:** Meeting of March 31, 2020 (Continued from the February 25, 2020 Meeting)  
**SUBJECT:** PLN19-097: Class 6: Blue Sky Estates II – Final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots.  
**APPLICANT:** Chris Hawkins, Alpine Planning, LLC  
**OWNER:** 122 Ski Hill, LLC  
**REQUEST:** Final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots.

**PROJECT DESCRIPTION**

**Location:** 0122 Ski Hill Road  
**Legal Description:** Lot 2, Blue Sky Estates  
**Proposed Use:** Residential  
**Other Uses:** Accessory to Residential – 1 (R-1)  
**Total site area:** 2.23 acres  
**Adjacent land uses:**  
    **East:** Ski Hill Road/Discovery Sub #1 (zoned R-2)  
    **West:** USFS lands (zoned NR-2)  
    **North:** Lot 1, Blue Sky Estates, (zoned RE)  
    **South:** Ski Hill Road

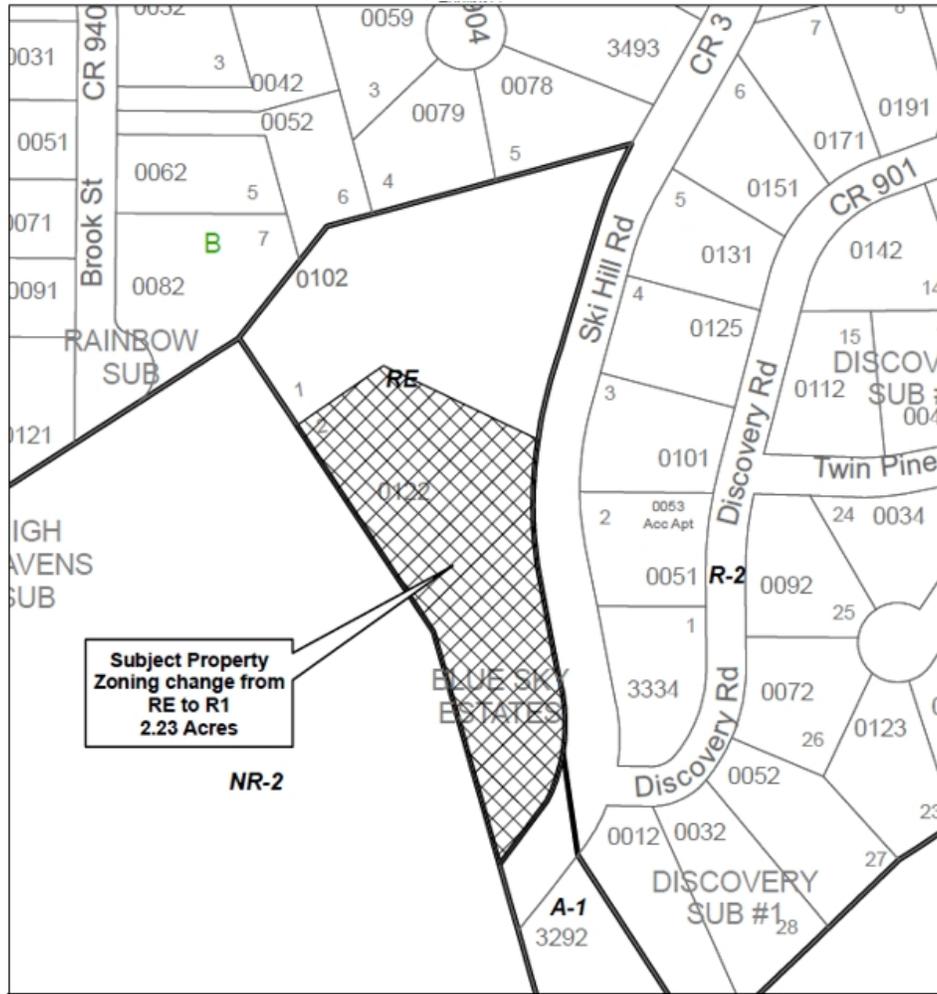
**Background:**

The subject property is located on the south side of the Peak 7 Neighborhood as indicated on the map on the following page. The property has approximately 430 feet of frontage onto Ski Hill Road on its eastern border. Based on the submitted topographical survey, the property has an average grade of approximately 14%. The property is relatively devoid of trees due to extensive blow down.

This Final Plat (PLN19-099) application is being concurrently reviewed with the preliminary rezoning request (PLN19-096) and the preliminary plat (PLN19-098). The preliminary rezoning and plat applications were heard and recommended for approval by the Upper Blue Planning Commission (“UBPC”) on January 23, 2020. All four applications were to be heard by the BOCC at their meeting of February 25, 2020 however they were all continued to the March 31, 2020 meeting.

For additional background information, please refer to the preliminary rezoning staff report (PLN19-096).

### Subject Property



#### **Criteria for Decision:**

Section 8302.01 of the Summit County Land Use and Development Code ("Code") states that the following criteria must be met to approve a Final Plat:

- A. The proposed final plat is consistent with the approved preliminary plat and the applicant has complied with all conditions of preliminary plat approval.
- B. The applicant has provided definitive evidence that provisions have been made for a water supply that is sufficient in terms of quantity, quality and dependability to provide an appropriate supply of water for the type of subdivision proposed.
- C. The applicant has provided definitive evidence to establish that, if a public sewage disposal system is proposed, provision has been made for such system, and if onsite sewage disposal is proposed, results from percolation tests and profile holes have been provided which demonstrate that sewage disposal systems would comply with state and local laws and regulations in effect at the time of submission of the preliminary plat.

- D. The proposed final plat complies with the County's Subdivision Regulations and standards.
- E. The applicant has provided certification from the County Treasurer's Office that all ad valorem taxes applicable to the proposed subdivision, for years prior to the year in which approval is under consideration, have been paid.
- F. The plat map is drawn in accordance with standards in the County's Subdivision Regulations (Chapter 8) and is suitable for recordation.
- G. No change has occurred which would result in an inability to make the findings required for approval of preliminary plats. Adequate provision has been made for water supply, sewage disposal, utilities and access for the subdivision in accordance with these regulations (Chapter 8) and Colorado State Law.

**DISCUSSION:**

**The Proposed Final Plat Is Consistent With The Preliminary Plat Approval:**

The application for preliminary plat is being heard concurrently with this request for final plat. The recommended conditions of approval from preliminary plat are listed below:

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department, a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

Staff is recommending that conditions #1 – #5 from the preliminary plat be made conditions of the final plat approval.

**Water Availability:**

The applicant has submitted a letter from the Town of Breckenridge Public Works Department indicating that water is available and the owner/developer will be responsible for bringing the water line to the property and Plant Investment Fees (PIF's) are due at time of building permit issuance.

**Sewer Availability:**

The applicant submitted a letter from the Upper Blue Sanitation District indicated that service is currently available and that the owner/developer is responsible for the installation/extension of the service lines and that PIF's will need to be paid.

**Compliance With Subdivision Regulations:**

The proposal is compliant with all regulations for subdivision, including but not limited to access, fire protection, and lot and block design criteria. Additional background information can be found in the preliminary plat staff report (PLN19-098) regarding compliance with applicable

subdivision regulations. Per Section 3509 of the Code, the establishment of a new residential lot triggers a Public Use Area Fee of \$1,500. A condition of approval is recommended that payment will be required prior to the recordation of plat.

**Taxes Paid:**

All taxes have been paid on the subject property. This has been confirmed with the Summit County Treasurer.

**The Plat Is Suitable For Recordation:**

The plat is suitable for recordation; it has been reviewed by the County Surveyor and is consistent with the subdivision regulations of the Code (Chapter 8).

**No Change Has Occurred From The Preliminary Plat; Provisions For Water, Sewer, Access, And Utilities Are Intact:**

The application for final plat is consistent with the application for preliminary plat. Adequate provisions have been made for water, sewer, and access.

**Staff Recommendation:**

Staff recommends that the BOCC approve PLN19-099, a final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots with the following findings and conditions:

**Findings:**

1. The proposed final plat is consistent with the approved Preliminary Plat. The relevant conditions of approval from preliminary plat have been carried over to the final plat.
2. The applicant has submitted definitive evidence that water will be supplied to the newly created lots by the Town of Breckenridge.
3. The applicant has provided definitive evidence that the Upper Blue Sanitation District will serve the newly created lots.
4. The proposal is consistent with subdivision regulations applicable to the subject property including but not limited to the use of building/disturbance envelopes, provisions for water/sewer/access, and fire protection.
5. All ad valorem taxes have been paid.
6. The plat map is drawn in conformance with the standards for subdivision and all other applicable standards contained in Chapter 8 of the Land Use and Development Code.
7. No change has occurred which would result in an inability to make the findings required for approval of Preliminary Plat. Adequate provisions have been made for water, sewer, utilities, and access.

**Conditions:**

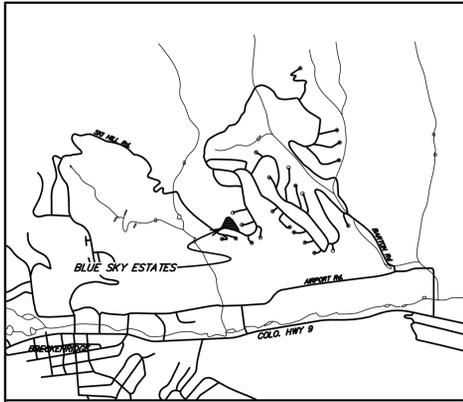
1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department, a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.

5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ATTACHMENTS**

Attachment A: Proposed Plat

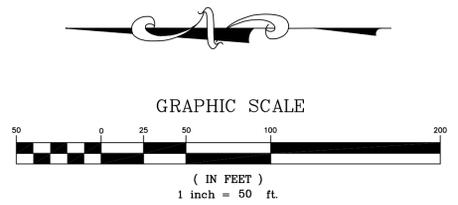
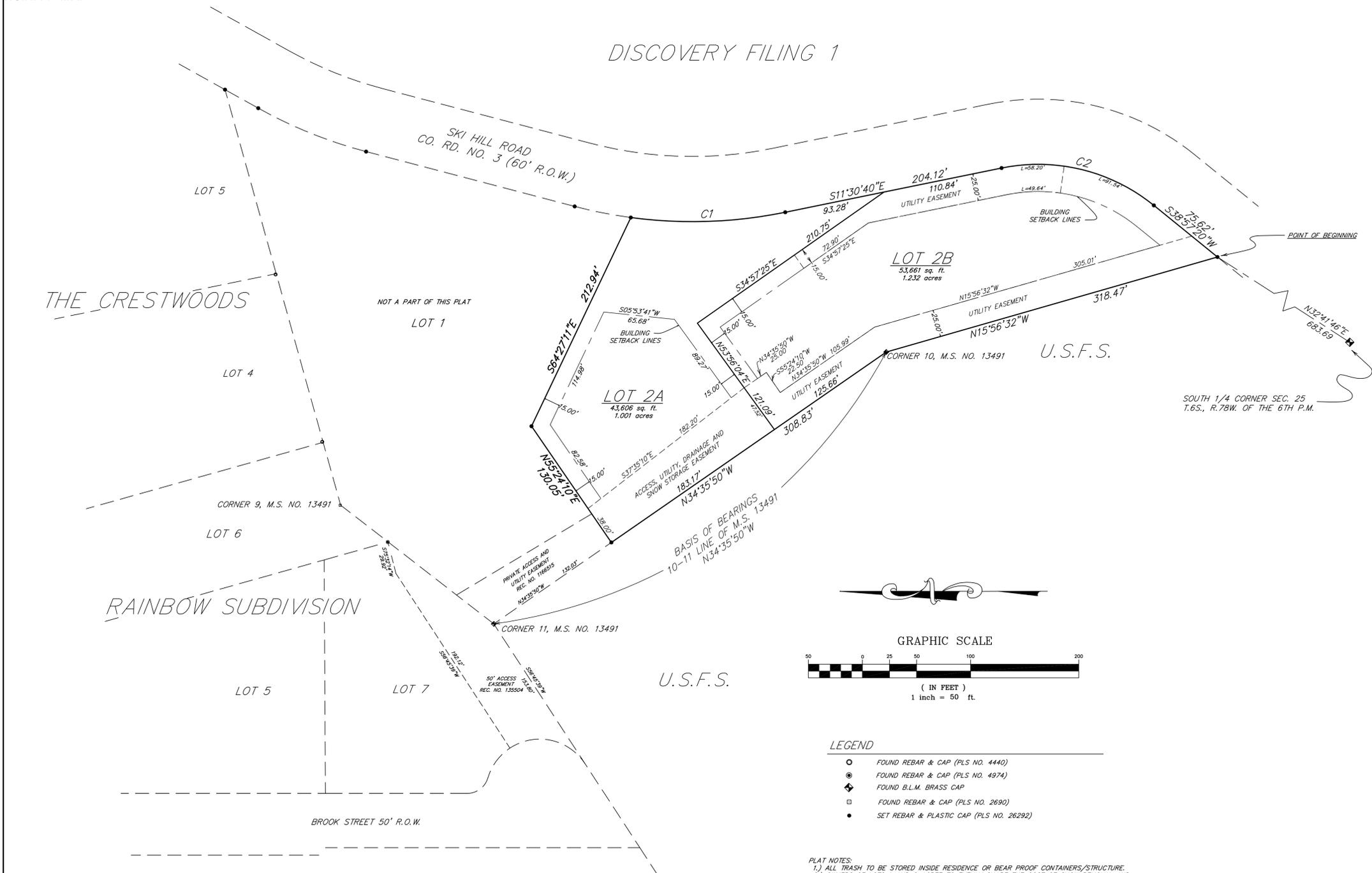
Attachment B: Draft Resolution



VICINITY MAP NO SCALE

A REPLAT OF  
**LOT 2, BLUE SKY ESTATES**  
 LOCATED IN SECTION 25, T.6S., R.78W. OF THE 6TH P.M.  
 SUMMIT COUNTY, COLORADO

DISCOVERY FILING 1



- LEGEND**
- FOUND REBAR & CAP (PLS NO. 4440)
  - FOUND REBAR & CAP (PLS NO. 4974)
  - ◆ FOUND B.L.M. BRASS CAP
  - FOUND REBAR & CAP (PLS NO. 2690)
  - SET REBAR & PLASTIC CAP (PLS NO. 26292)

**PLAT NOTES:**  
 1.) ALL TRASH TO BE STORED INSIDE RESIDENCE OR BEAR PROOF CONTAINERS/STRUCTURE.  
 2.) OWNERS OF LOTS 1 AND 2 AGREE TO EVENLY SHARE THE COST OF SNOW REMOVAL AND MAINTENANCE OF COMMON DRIVEWAY.  
 3.) ORIGINAL PLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 584631 ON 12/24/1998.  
 3.) A REPLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 1179899 ON 09/14/2018.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	143.58'	430.00'	19°07'51"	S01°56'44"E	142.91'
C2	149.74'	170.00'	50°28'00"	S13°43'20"W	144.94'

**DEDICATION:**  
 KNOW ALL PERSONS BY THESE PRESENTS THAT: 112 SKI HILL LLC BEING THE OWNER OF THE LAND DESCRIBED AS FOLLOWS:  
 LOT 2, BLUE SKY ESTATES  
 CONTAINING 2.23 ACRES  
 IN SUMMIT COUNTY, COLORADO  
 UNDER THE NAME AND STYLE OF "A REPLAT OF LOT 2, BLUE SKY ESTATES" HAS LAID OUT, PLATTED AND SUBDIVIDED SAME AS SHOWN ON THIS PLAT, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE COUNTY OF SUMMIT, STATE OF COLORADO, THE STREETS, ROADS AND OTHER PUBLIC AREAS AS SHOWN HEREON, INCLUDING BUT NOT LIMITED TO TRAILS AND OPEN SPACE, FOR USE AS SUCH AND HEREBY DEDICATE THOSE PORTIONS OF LAND LABELED AS UTILITY EASEMENTS TO THE COUNTY OF SUMMIT FOR USE BY THE UTILITY COMPANIES OR OTHER PROVIDERS OF UTILITIES IN THE INSTALLATION AND MAINTENANCE OF UTILITY LINES AND FACILITIES. IT IS UNDERSTOOD THAT THE DEDICATION OF PUBLIC RIGHTS-OF-WAY FOR STREETS AND ROADS DOES NOT NECESSARILY RESULT IN THE ACCEPTANCE OF ROADS CONSTRUCTED THEREIN FOR MAINTENANCE BY THE COUNTY OF SUMMIT.  
 IN WITNESS WHEREOF, THE SAID OWNER HAS CAUSED THEIR NAME TO HEREUNTO BE SUBSCRIBED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.

112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY  
 BY: BENJAMIN T RHOADES AS MANAGER  
**NOTARIAL CERTIFICATE:**  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY BENJAMIN T RHOADES AS MANAGER OF 112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY.  
 WITNESS MY HAND AND OFFICIAL SEAL:  
 \_\_\_\_\_  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES \_\_\_\_\_

**TITLE COMPANY CERTIFICATE:**  
 TITLE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS AS SHOWN HEREON AND TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.  
 AGENT \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
 I, ROBERT R. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY WAS PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 ROBERT R. JOHNS, P.L.S.  
 COLORADO REGISTRATION NO. 26292  


**BOARD OF COUNTY COMMISSIONERS' APPROVAL:**  
 THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, DOES HEREBY APPROVE THIS SUBDIVISION EXEMPTION PLAT AT A MEETING HELD ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND HEREBY ACCEPTS DEDICATION OF PUBLIC RIGHTS-OF-WAY, UTILITY EASEMENTS, AND OTHER PUBLIC AREAS AS SHOWN HEREON. ACCEPTANCE OF PUBLIC RIGHTS-OF-WAY FOR STREETS OR ROADS DOES NOT CONSTITUTE ACCEPTANCE FOR MAINTENANCE OF ROADS CONSTRUCTED THEREIN. THE PROCEDURE FOR ACCEPTANCE OF MAINTENANCE PURPOSES SHALL BE AS STATED IN THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS OR SUCH REGULATIONS AS SHALL BE ADOPTED IN LIEU OF THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS.  
 CHAIR OF THE BOCC \_\_\_\_\_

**MORTGAGE HOLDER CERTIFICATE:**  
 \_\_\_\_\_ DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS PLAT AS A LENDER FOR THE PROJECT AND DOES HEREBY APPROVE OF THIS PLAT.  
 BY: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**TREASURER'S CERTIFICATE:**  
 I THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF \_\_\_\_\_ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 SUMMIT COUNTY TREASURER

**RECORDER'S ACCEPTANCE:**  
 THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND FILED FOR RECORD AT \_\_\_\_ M., UNDER RECEPTION NUMBER \_\_\_\_.  
 SIGNATURE \_\_\_\_\_ BY: \_\_\_\_\_

Drawn RRU	Dwg LOT2-REPLAT	Project 19306
Checked RRU	Date 03/18/2020	Sheet 1 of 1

**RANGE WEST INC.**  
 ENGINEERS & SURVEYORS

P.O. Box 589  
 Silverthorne, CO 80498 303-468-6281

NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

R:\RRU\19306\dwg\LOT2-REPLAT.DWG, 3/18/2020 1:04:00 PM, RRU

**RESOLUTION NO. 2020-**

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

**A RESOLUTION APPROVING PLANNING CASE PLN 19-099**, Blue Sky Estates II – Final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates (Applicant: Chris Hawkins, Alpine Planning, LLC); and

**WHEREAS**, Chris Hawkins, Alpine Planning, LLC has applied to the Board of County Commissioners for a preliminary plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates; and

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

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public meeting held on February 25, 2020 and continued to the March 31, 2020 meeting and considered the evidence and testimony presented at the meeting; and

**WHEREAS**, the Board of County Commissioners finds as follows:

1. The proposed final plat is consistent with the approved Preliminary Plat. The relevant conditions of approval from preliminary plat have been carried over to the final plat.
2. The applicant has submitted definitive evidence that water will be supplied to the newly created lots by the Town of Breckenridge.
3. The applicant has provided definitive evidence that the Upper Blue Sanitation District will serve the newly created lots.
4. The proposal is consistent with subdivision regulations applicable to the subject property including but not limited to the use of building/disturbance envelopes, provisions for water/sewer/access, and fire protection.
5. All ad valorem taxes have been paid.
6. The plat map is drawn in conformance with the standards for subdivision and all other applicable standards contained in Chapter 8 of the Land Use and Development Code.
7. No change has occurred which would result in an inability to make the findings required for approval of Preliminary Plat. Adequate provisions have been made for water, sewer, utilities, and access.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a final plat of a 2.23 acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates is hereby approved with the following conditions:

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department, a wetlands delineation shall be submitted that indicates that no soil

disturbance will be located within 25 feet of any identified wetland.

3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ADOPTED THIS 31<sup>ST</sup> DAY OF MARCH, 2020**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder

**BOARD OF COUNTY COMMISSIONERS**  
**MARCH 31, 2020 (Continued from FEBRUARY 25, 2020 Meeting)**  
**PLANNING CASE #19-096: CLASS 5 – BLUE SKY ESTATES II – PRELIMINARY REZONING**  
**OF A 2.23-ACRE LOT ZONED RURAL ESTATES (RE) TO R-1 TO ACCOMMODATE TWO**  
**SINGLE-FAMILY LOTS.**  
**PUBLIC HEARING**

**PROJECT INFORMATION:**

**Location:** 0122 Ski Hill Road

**Project/Request:** Class 5: Blue Sky Estates II – Preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to Single-family Residential (R-1) to accommodate two single-family lots.

**ISSUES:**

None

**UPPER BLUE PLANNING COMMISSION RECOMMENDATION:**

The Upper Blue Planning Commission unanimously (7-0) voted to recommend approval of the preliminary rezoning.

**RESOLUTION STATUS:**

Resolution attached for the BOCC's consideration.

**STAFF RECOMMENDATION:**

Approval with six findings and four conditions.

**ATTACHMENTS:**

Attachment A: Applicant's Narrative

Attachment B: Site Plan and Visual Simulations

Attachment C: Draft Resolution

Attachment D: Letters



## PLANNING DEPARTMENT

970.668.4200  
[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

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

### **STAFF REPORT**

**TO:** The Board of County Commissioners (“BOCC”)  
**FROM:** Lindsay Hirsh, Senior Planner  
**FOR:** Meeting of March 31, 2020 (Continued from the February 25, 2020 Meeting)  
**SUBJECT:** PLN19-096: Class 5: Blue Sky Estates II – Preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots.  
**APPLICANT:** Chris Hawkins, Alpine Planning, LLC  
**OWNER:** 122 Ski Hill, LLC  
**REQUEST:** Preliminary rezoning of a 2.23-acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots.

### **PROJECT DESCRIPTION**

**Location:** 0122 Ski Hill Road  
**Legal Description:** Lot 2, Blue Sky Estates  
**Proposed Use:** Residential  
**Other Uses:** Accessory to Residential – 1 (R-1)  
**Total site area:** 2.23-acres  
**Adjacent land uses:**  
    **East:** Ski Hill Road/Discovery Sub #1 (zoned R-2)  
    **West:** USFS lands (zoned NR-2)  
    **North:** Lot 1, Blue Sky Estates, (zoned RE)  
    **South:** Ski Hill Road

### **Background:**

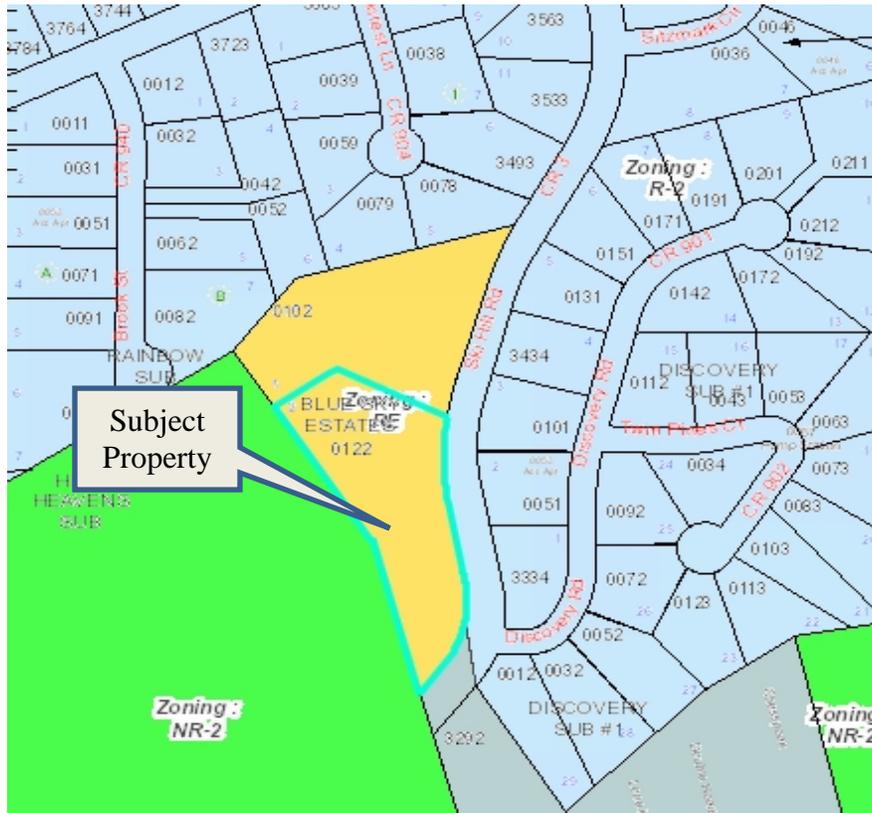
The subject property is located on the south side of the Peak 7 Neighborhood as indicated on the map on the following page. The property contains 2.23-acres and is currently zoned RE (Rural Estate) which has a minimum lot size of 2 acres. The property has approximately 430 feet of frontage onto Ski Hill Road on its eastern border. Based on the submitted topographical survey, the property has an average grade of approximately 14%. The property is relatively devoid of trees due to extensive blow down.

In 1988 the County approved the rezoning of the property from A-1 (Agricultural) to RE (Rural Estate) per Resolution Number 88-78. In 1998, the property was platted into the Blue Sky Estates Subdivision under Resolution Number 98-7, which created Lot 1 (2.26 acres) and Lot 2 (2.23-acres).

In 2005, a work session application (PLN05-095) was submitted to consider rezoning the

subject property, Lot 2, from RE to PUD to allow for 2 single-family residential lots, each approximately 1 acre in size and served via a driveway off of Ski Hill Road. At that meeting, the majority of the Planning Commissioners felt the density on the property should not be increased. However, others felt it could be supported if the access issues were resolved. A formal rezoning application under that development scenario was never submitted.

### Vicinity & Zoning Map



In 2013 another work session application (PLN13-024) was submitted to consider rezoning Lot 2 from RE to PUD to allow for four single-family lots, each approximately 0.5 acres in size. The Planning Commission offered the following comments regarding the proposal:

- Providing more information about the 2005 application would contribute to the overall analysis of the proposal.
- The proposal maximizes the development value, but the master plans have an overriding goal of reducing density. Increasing the density to four units triggers many issues. The impacts outweigh the proposed benefits.
- The additional traffic will have an impact on the neighboring properties.
- A maximum home size of 4,000 square feet is applauded, but is still big.
- The applicant should consider the community where this is proposed. The Home Energy Rating Standard (“HERS”) and the buy down proposals are great, but where is the benefit to the immediate neighborhood?
- Utilization of the TDR program is a good aspect of the application since there are few opportunities to utilize this program and fund the open space program.
- Three homes would be better than four.
- Building on steeper slopes does not meet numerous policies.

- Water is a very real issue.
- There is probably a good development plan out there for this property. The applicant should consider other alternatives that work better for this site.

A formal rezoning application under that development scenario was never submitted.

On April 25, 2019, the Planning Commission heard a work session request for a potential rezoning/subdivision for the subject lot from RE to R-1 to accommodate two single-family lots. The Planning Commission offered the following comments:

- The R-1 still provides a good transition
- Consistent with all applicable Master Plans.
- Better than what has been proposed in the past.
- Density is appropriate; utilization of a TDR is good.
- Consider disturbance envelopes to address potential visual impacts
- Property should be served by central water and sewer.
- If project moves forward, a visual analysis will be needed.
- Questioned how this proposal met the JUBMP Goal/Policy of a 25% density reduction.
- Be aware that there could be a Local Improvement District in the future.

Most recently, on January 23, 2020, the Upper Blue Planning Commission heard the subject request and on a 7 to 0 vote unanimously recommended approval of the preliminary rezoning request to the BOCC with the findings and conditions contained in this staff report.

For additional background information, staff has included the applicant's narrative for the BOCC's review and reference (Attachment A).

Based on the feedback provided at the work session, the applicant has submitted this application for a Preliminary rezoning (PLN19-096) and subdivision preliminary plat (PLN19-098), and a final rezoning (PLN19-097) and subdivision final plat (PLN19-099). The preliminary plat application was also considered and recommended for approval by the UBPC on January 23, 2020. All four applications will be considered by the BOCC at their meeting of February 25, 2020.

**Criteria for Decision:**

Section 12104.03 of the Code states that the BOCC may approve such a preliminary zoning amendment, only if the application meets all relevant County regulations and standards and provided the Review Authority make the following findings:

- A. The proposed rezoning is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
- B. The proposal is consistent with the purpose and intent of the County's Zoning Regulations.
- C. The proposal is consistent with the County's Rezoning Policies.
- D. The proposed rezoning is compatible with present area development and will not have a significant, adverse effect on the surrounding area.
- E. The proposal is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
- F. The proposed rezoning is justified either by the fact that the original zoning was in error, there have been changes in conditions in the vicinity or there have been changes in the

County's overall development policy.

## **DISCUSSION:**

### **General Conformance with Master Plan Goals and Policies**

The County's master plans are advisory documents and contain recommendations of the vision for the community in a number of different areas (e.g., envisioned use of land). These policies and vision are incorporated into the County's land use regulations via the Development Code, which makes "*general conformance*" with the provisions of master plans a requirement for certain development applications. The BOCC and planning commissions have the authority to consider and even require compliance with these plans and certain goals and policies contained therein in particular applications (i.e. rezoning's, PUDs, subdivisions, CUPs and regulatory revisions).

When using and applying a master plan, a Review Authority (i.e. BOCC, Planning Commission or Staff) is entitled to discretion in evaluating whether there has been "*general conformity*" and compliance with the County's master plans and assigning weight to particular goals and policies in the plans on a case-by-case basis. Accordingly, Chapter 15 of the Development Code defines general conformance as:

"When a development application is evaluated regarding its general conformance with applicable master plans, the Review Authority shall evaluate the application against the entirety of the goals, policies and actions contained in the master plans and need not require compliance with every provision contained therein. Nonetheless, the Review Authority may require that an applicant satisfy any particular goal, action or policy if such compliance is deemed necessary to attain general conformance."

The Countywide Master Plan (Comprehensive Plan), Upper Blue Master Plan (Master Plan), and the Joint Upper Blue Master Plan (JUBMP), each have policies that are applicable to this application. This application presents an opportunity for the Commission to consider the relative weight of particular goals and policies for this particular proposal, as intended under the scope of determining "general conformity".

The following represents a discussion of how the subject application addresses/considers all three of the Master Plans by topic:

### **Land Use:**

#### **Comprehensive Plan:**

The Comprehensive Plan sets forth policies to define urban areas and rural areas in basin master plans. This has been implemented in the Master Plan whereby each parcel has a designated Land Use Designation ("LUD") either under the urban or rural category. While the Comprehensive Plan does not provide definitions of rural and urban, it does include policies that describe the intent of these designations. Per the Comprehensive Plan, areas are considered urban if they:

- Are located in areas with existing or planned public sewer and water facilities.
- Are zoned for higher density uses.
- Are located in areas that avoid agricultural lands.
- Have densities high enough to support the provision of urban services and facilities in a cost-efficient manner and to promote a pedestrian-friendly environment.

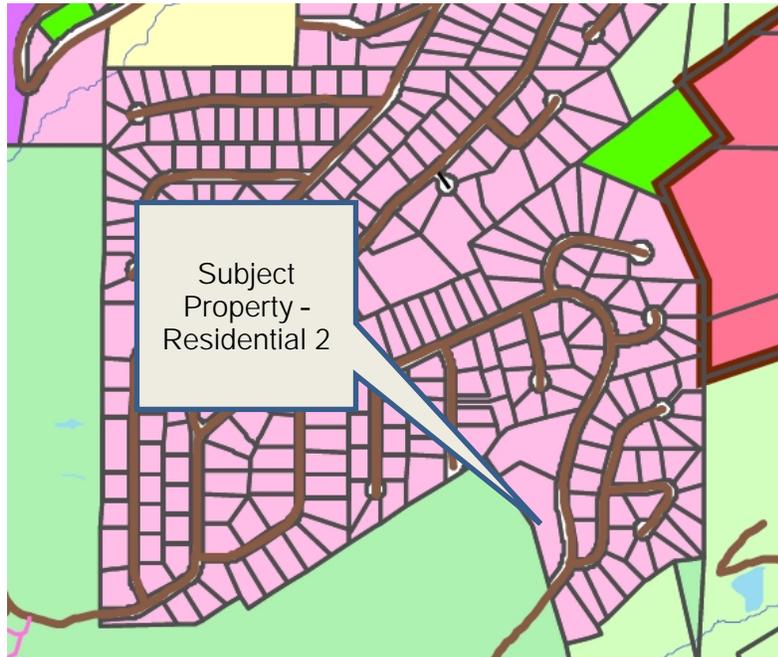
- Can facilitate mixed residential densities to create a diversity of housing types and sizes.

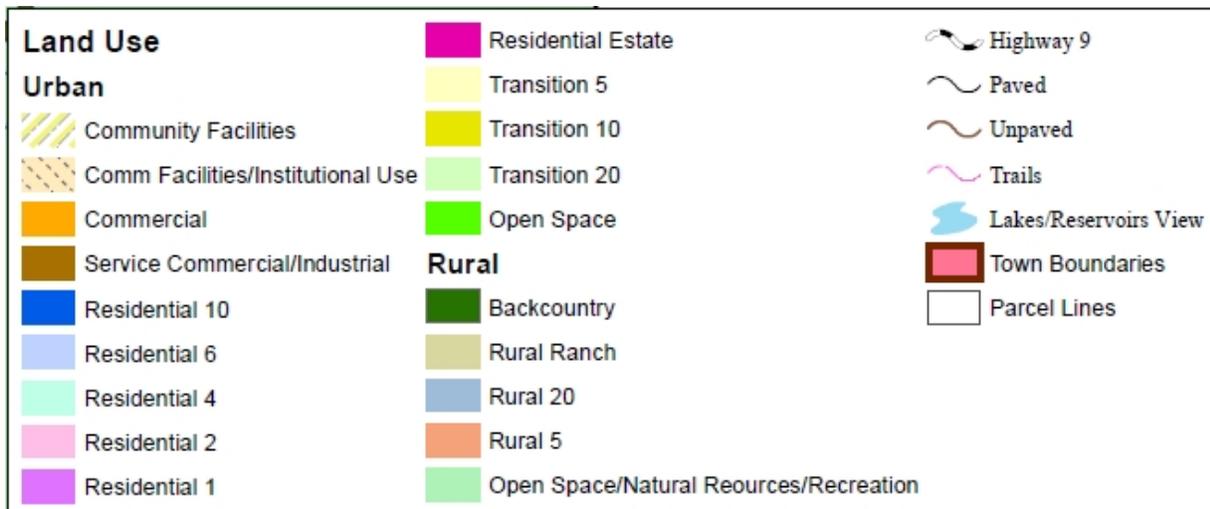
The subject property is mapped in the urban category; as the graphic/table below illustrates, the LUD for the property is identified as Residential 2.

**Master Plan:**

Since the application of master plan policies to this proposal is such a significant consideration with this application, it is important that the Review Authority be cognizant of the guiding tenets behind the master plan policies. In terms of land use, one of the key objectives of the Master Plan is to identify appropriate land uses within the unincorporated locations in the Basin. Per the direction of the Comprehensive Plan, land uses are divided under two primary headings: urban and rural. A number of land use designations are associated with each of these headings. These land use designations are identified on the Land Use Map (see below) and the associated uses are listed and described in the Master Plan. With only a handful of exceptions, the land use designations on the Land Use Map are intended to follow property boundaries.

**Upper Blue Basin Land Use Map – February 25, 2010**





The following are the applicable Master Plan Land Use Designations and description of uses per Table 2 of the Upper Blue Master Plan:

Plan Designation	Description of Uses
<b>Urban Area</b>	
Residential 2	Single-family residential uses with a maximum density of two units / acre.
Residential 1	Single-family residential uses with a maximum density of one unit / acre.

The land use designations contained in the Master Plan are not the equivalent of zoning and do not replace the zoning that is in effect on properties in the Basin. The Master Plan's land use designations contemplate uses and densities, but they are intended to represent the long-term vision and desired character of the community. The land use designations are intended to provide guidance for certain development proposals subject to master plan consideration, including: requests for rezoning, subdivision, conditional use permits, and a number of other development activities. When a rezoning of a property is proposed, the master plan land use designations provide guidance on the types of uses and intensities that are appropriate on the property.

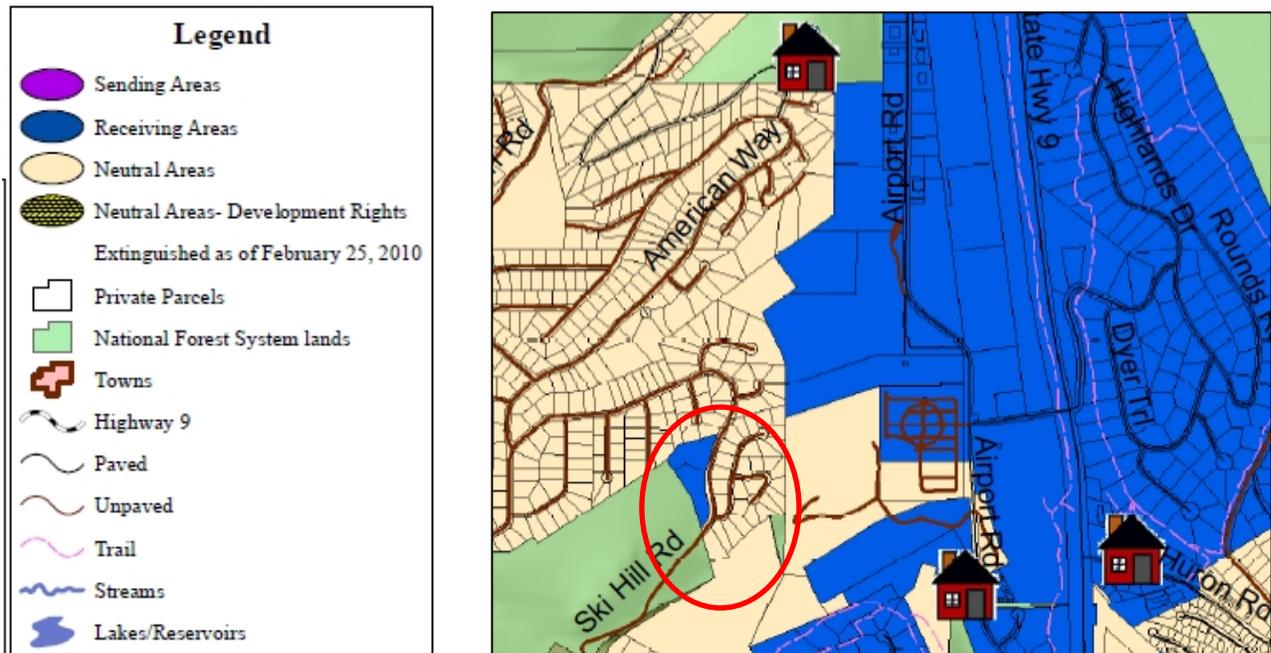
Goal A of the Master Plan states that: *“Future land use should be consistent with a land use pattern that focuses growth in existing urban areas and seeks to maintain the character of rural areas in the Basin”*. Policy/Action 1 further states that: *“The Land Use Map should be used to determine appropriate land uses within different unincorporated areas of the Basin....All rezoning proposals should be evaluated to determine if uses and densities proposed are consistent with the land use designations outlined on the Land Use Map”*.

Thus, under the current Land Use Designation (LUD), the proposal does meet the intent of the Residential 2 designation as the requested R-1 zoning district, which would allow one unit of density per acre, is less dense than what the Residential 2 LUD recommends. The subject property is surrounded by Residential 2 and Open Space designations.

TDRs:

The Transferrable Development Rights (TDR) designation for the property is “Receiving” as shown on the official TDR Map and in the Upper Blue Master Plan. Receiving Areas are eligible to receive density in conjunction with an upzoning and are discussed in detail in Section 3506.02.B.3 of the Code. While the designation of receiving does allow density be sent to the site, it does not guarantee the right to receive density. That decision will be made during the rezoning application based on the appropriateness of additional density on this site. Regardless, the TDR designation of “Receiving” does indicate that the site may be appropriate, and at a minimum, is eligible, to receive density. The applicant is aware that the rezoning proposal triggers a TDR requirement in order to accommodate the density provisions of the Code and Master Plans. Per Section 3506.02E.1. of the Code, one TDR for a single-family residence will allow up to 4,356 square feet of floor area. There are currently TDR’s available in the Upper Blue TDR bank and they are currently \$92,590 per development right. It should be noted that the TDR price has recently been recalculated. The previous price was \$85,000. The applicant has requested that he be allowed to purchase the TDR for \$85,000, which was the price of a TDR at the time his application for the rezoning was submitted. Unfortunately, as the TDR program is jointly operated with the Town of Breckenridge pursuant to an IGA, it is not within the scope of this application nor within the authority of the Planning Department to decide. The IGA sets forth the terms under which TDRs are to be sold and provides for an annual update of the price and the methodology for doing so. The applicant also has the option to acquire a TDR from the private market.

**Upper Blue Basin Transfer Development Rights (TDR) Map – September 8, 2017**



Joint Upper Blue Master Plan (JUBMP):

Applicable goals and policies of the JUBMP include the following:

- Goal A. Future land use decisions should advance an urban/rural development pattern and not increase overall density in the Basin.**

- Policy/Action 1. Locate new development within existing urban areas to the maximum extent possible.
- Policy/Action 3. No new density (beyond that currently zoned) shall be approved or allocated to any parcel within the Basin unless such density is transferred to the proposed development site in accordance with the guidelines established in basin transferable development rights (TDR) programs and the Town and County Development Codes.
- Policy/Action 4. Rezoning's or other actions which increase density beyond the level currently zoned should require a transfer of development rights in accordance with established TDR program regulations.
  - Identified TDR Receiving Areas for density transfers shall be able to accommodate additional development within the limits of available services and infrastructure, site constraints and neighborhood compatibility, and also be in conformance with the Towns and County Development Codes.

The proposal would require one (1) additional unit of density and thus a TDR would be required. Staff has addressed this issue as a draft condition of approval.

**Consistency with the Purpose and Intent of the County's Zoning Regulations**

**Density/Development Standards**

With the property being zoned RE, the density is set at one unit/2 acres to one unit/4.99 acres. While the Master Plan supports density up to one unit/.5, acres (Residential 2), such policy does not guarantee nor secure an upzoning to increased density. Many factors are involved in determining the appropriate density for a property including but not limited to environmental constraints, access, density of the surrounding neighborhood, and availability of water and sewer services.

In terms of density, the Code states the following regarding the RE and R-1 zoning designations:

**RE (Rural Estate)**

It is the intent of the Rural Estate Zoning District to provide for low-density residential areas as a transition between established urban growth centers and the rural areas of the County. Permitted residential densities range from one (1) primary dwelling unit/two (2) acres to one (1) primary dwelling unit/less than five (5) acres. Each primary dwelling unit shall be located on a separate lot of at least two (2) acres.

**R-1 (Single-family Residential)**

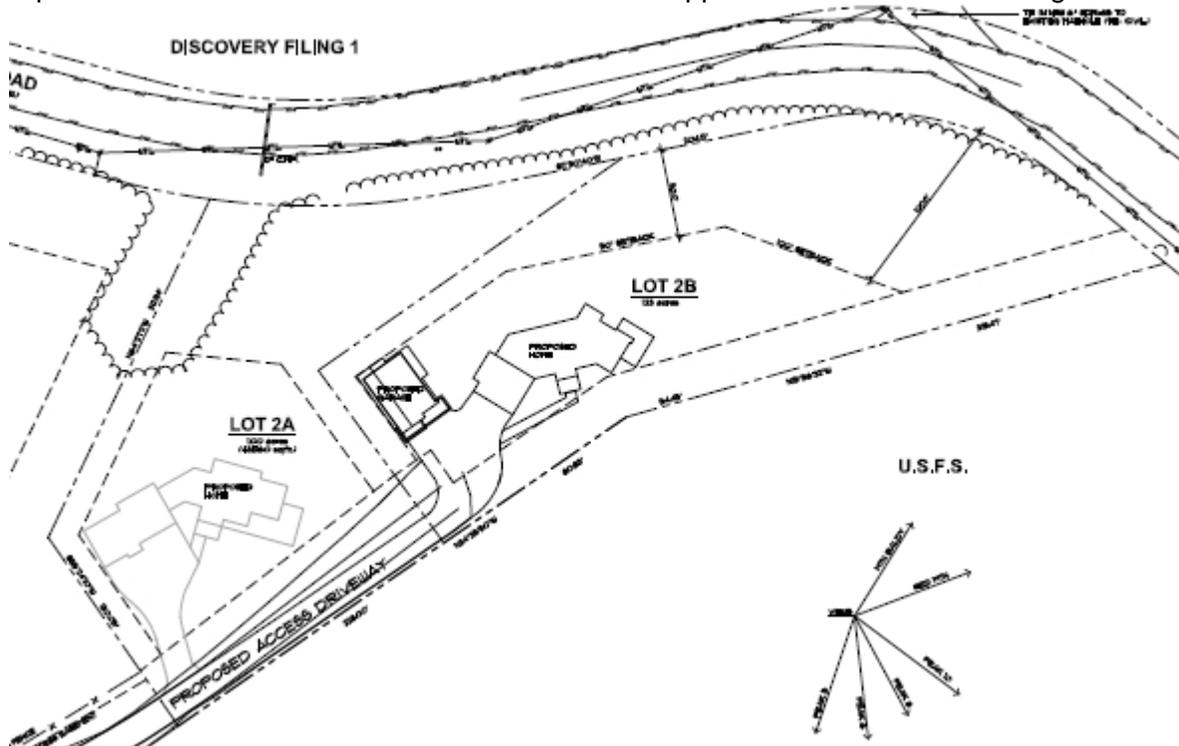
It is the intent of the R-1 Zoning District to provide for single-family residential neighborhoods at a density of no more than one (1) primary dwelling unit/acre, with no more than one (1) primary dwelling unit per lot. Land in this zoning district is usually located adjacent to established urban growth centers.

The following development standards for both districts are provided to illustrate the similarities and differences:

	<b><u>Required (R-E)</u></b>	<b><u>Required R-1</u></b>
<b>Setbacks</b>		
<b>Front:</b>	35 feet	35 feet (Adjacent to Ski Hill)

	Rd.)	
<b>Rear:</b>	35 feet	25 feet
<b>Side:</b>	35 feet	15 feet
<b>Building height:</b>	35 feet	35 feet
<b>Parking:</b>	2.0 spaces/unit	2.0 spaces/unit
<b>Density limit:</b>	1 unit/2 acres – 1 unit/4.99 acres	1 unit/40,000 sq. ft.
<b>Lot size (minimum):</b>	2 acres	40,000 sq. ft.
<b>Site coverage (maximum):</b>	None	35% Total Impervious

Based on the input from the Planning Commission work session the applicant intends on utilizing building envelopes (Attachment B). Subdivision regulations allow establishment of more limited disturbance envelopes at time of subdivision application review if there are concerns such as development constraints or another reason to limit disturbance. Staff supports the applicant's decision to use building envelopes for the two proposed lots however does believe that the proposed building envelopes can be further reduced that are adjacent to Ski Hill Road. The applicant understands Staff's concern regarding this issue and has agreed to pull the proposed building envelopes that abut Ski Hill Rd. on proposed Lot 2B up the hill by 100 feet as represented below. Staff has added a condition of approval to address this change.



Access:

The issue of access has been a focus of the previous work session reviews due to potential access utilizing Ski Hill Road. As the attached drawings indicate, this proposal instead shows access to serve the two proposed lots via Brook Street and two access easements. The Engineering Department initially required several technical driveway revisions and these revisions have been made to the satisfaction of the Engineering Department. In addition, the Engineering Department did indicate that on the Uncompahgre Engineering Sheet C3 Utility Plan, utilities are indicated to be installed outside of the proposed building envelopes and connecting directly to Ski Hill Road in two different locations. Wetlands are known to be present along Ski Hill Road in this location. This issue was discussed at the Upper Blue Planning

Commission meeting and it was agreed upon by both the Engineering Department and the applicant that if required by Engineering Department prior to issuance of a Grading and Excavation or Building permit, a wetlands delineation will need to be provided indicating that no wetlands or wetlands buffers (25') will be impacted by the proposed utility installation. If wetlands impacts are proposed, a wetlands disturbance plan by an Army Corps of Engineers approved Wetlands Consultant will need to be provided. Specifically, the location of all proposed disturbance on the properties, including any lot grading and location of all utilities, must be clearly shown to be outside of any wetlands, steep slopes, landslide areas, or any other areas of concern. The areas of concern need to be specifically shown on the plans, wetlands delineation provided, and all disturbance shown to be outside of steep slope and landslide areas. No construction or disturbance of any kind is permitted on the adjoining Forest Service land; construction fencing along the property line and erosion control fencing downhill of all proposed disturbance will need to be installed by the contractor and inspected by the Engineering Department prior to any earth disturbance, and remain in place until all construction on the property is complete.

The applicant is aware of these issues and is currently addressing them. All these comments are technical in nature and as such, staff has added the appropriate conditions to address these issues for the Board's consideration.

Official TDR Map Discussion:

As discussed in the Master Plan Section of this report, the site is designated as "Receiving" on the Official TDR Map. This designation means that the site is eligible to receive density should the Review Authority determine through the rezoning that additional density on this site is appropriate.

Should the Review Authority determine that the site is appropriate to receive density, one TDR will be required.

**Water:**

The applicant has submitted a letter from the Town of Breckenridge Public Works Department indicating that water is available and the owner/developer will be responsible for bringing the water line to the property and Plant Investment Fees (PIF's) are due at time of building permit issuance.

**Sewer:**

The applicant submitted a letter from the Upper Blue Sanitation District indicated that service is currently available and that the owner/developer is responsible for the installation/extension of the service lines and PIFs will need to be paid.

**Utilities:**

Xcel Energy reviewed the submitted information and indicated that they had no issues with the rezoning however once the property is divided into lots, sufficient easements will be required to provide electric and gas utilities to all lots.

**Cartographer:**

The County's Cartographer reviewed the submitted information and indicated that a change of address will need to occur if access to these properties will be off Brook St. (CR 940). Addresses will be assigned once building plans are submitted.

**Open Space and Trails:**

The Open Space and Trails Department has no concerns with the proposed lot subdivision; however, the applicant should be aware that a public use area fee in the amount of \$1,500 shall be required for the additional lot. This issue will be addressed as part of the subdivision application.

**Fire:**

At the time of writing this report, the Red, White and Blue Fire District (“RWB”) had not provided referral comments.

**USFS:**

Based on a response from the USFS, they had an initial concern regarding the proximity of the proposed driveway being so close to the National Forest lands that lie along the western boundary of the subject parcel. The USFS is concerned that both the construction of the driveway and ongoing maintenance/snow storage related to the driveway will encroach, intentionally and unintentionally, upon National Forest lands. The USFS would like the final plans to recognize this and provide for some set back distance from the property line to prevent inevitable trespass/encroachment on the forest. Staff has addressed this concern with as a condition of approval.

**Consistency with the County’s Rezoning Policies (Section 3200 Et. Seq.)**

Summit County has established policies (referred to herein as “Rezoning Policies”) that apply whenever a zoning amendment (rezoning) is proposed in the unincorporated area of the County (Section 3200 et seq.). These Rezoning Policies are intended to ensure that land with development constraints is avoided in accordance with the policies contained herein, and is designed in a manner consistent with the terrain and natural features of the site and is compatible with existing development in the vicinity. The Rezoning Policies are also intended to ensure that there is adequate infrastructure to accommodate a proposed zoning amendment, a project can accommodate the necessary improvements and wildfire hazards are mitigated. The Rezoning Policies in Section 3202 et seq. shall be applied by the Review Authority to all zoning amendment applications.

In determining appropriate densities for a particular property, the Review Authority shall take into account:

- the property's physical characteristics;
- the location of the property relative to available infrastructure, including but not limited to roads, water, sewer and other utility services, police protection and fire protection;
- the degree and intensity of development in the vicinity;
- the character of the surrounding neighborhood; and
- applicable master plan and TDR policies (e.g. preserving backcountry areas, preserving land with development constraints, or protecting water quality).

Per Section 3202.02 of the Code, it is the BOCC’s intent to obtain the best possible harmony between the physical characteristics of a site and the type and intensity of development proposed for the site. Accordingly, land having development constraints shall be reasonably avoided, and if development of such land cannot be reasonably avoided, it may be allowed by the County only if the impacts to land with development constraints are justified based on the implementation of a master plan policy, and the impacts to land with development constraints

are mitigated to the satisfaction of the BOCC. Slopes of greater than 30% are considered a development constraint per Section 3202.02.B of the Code. As stated above, the property has an average grade of approximately 14% and the only area of concern is the northeast portion of the property that contains an area of slopes 30% or greater. To address this issue the applicant is proposing a building envelope to avoid these areas. Based on known geotechnical/hazard concerns in the general vicinity, the Engineering Department and Colorado Geological Survey (“CGS”) requested additional information. The applicant did supply an additional supplemental report to the satisfaction of both departments/agencies.

Lastly, Section 3202.06 states that “In determining appropriate densities for a particular property, the BOCC will take into account: 1) the wildfire hazard; 2) the potential impact to the public health, safety and welfare; 3) wildfire mitigation measures as required and/or allowed by the County; and 4) the proximity of the proposed development site to existing fire stations and the corresponding response zone. Development projects seeking a zoning amendment shall ensure that wildfire hazard areas do not pose an undue risk to the public health, safety and welfare. As a part of a zoning amendment application, the County may require:

- A. The submittal of a forest management plan approved by the Colorado State Forest Service (“CSFS”) that includes proposed mitigation for any wildfire hazard area.
- B. Provisions for multiple points of access.
- C. Installation of fire suppression systems.
- D. Other measures as deemed necessary to reduce the wildfire hazard.

The subject property has experienced significant blow down of a vast majority of the trees on the property. The subject application has been reviewed by the Colorado State Forest Service and they offered the following comments:

- The wildfire hazard for the Blue Sky Estates parcel is **Low**.
- During the assessment, it was noted that existing fuel loads are light to moderate.
- It is highly recommended that defensible space be created around any new or existing development.
- It is recommended that noncombustible roof, decking and siding materials be used in all new construction.

The applicant is aware of these issues, which will be addressed as part of the building permit process prior to receiving a Certificate of Occupancy.

**The Proposed PUD is Compatible with Present Area Development, and Will Not Have a Significant, Adverse Effect on the Surrounding Area**

Surrounding land uses are primarily single-family residential in nature with a varying degree of lot sizes. More specifically, Staff has reviewed the surrounding subdivisions and their lot size ranges.

<b><i>Subdivision Name</i></b>	<b><i>Ranges of Lot Sizes</i></b>
Discovery Subdivision #1	0.50 - 0.66 acre lot sizes
Placer Acres Subdivision	0.48 - 1.08 acre lot sizes
Rainbow Subdivision	0.83 - 0.46 acre lot sizes
High Heavens Subdivision	0.46 - 0.54 acre lot sizes
Pine Vista Subdivision	0.50 - 0.70 acre lot sizes
Crestwood Subdivision	0.50 - 0.80 acre lot sizes

Based on review of the surrounding developments, the proposed rezoning and subsequent subdivision of the subject site would be compatible with the surrounding land uses as well as the Master Plan Land Use Designation for the area. The minimum lot sizes proposed in the application indicate lot sizes would be 1.00 acre and 1.23 acres. These lot sizes are larger than most of the surrounding lots located to the north, east, and northwest of the subject site. To the west of the subject site is U.S. Forest Service lands.

During the work session review of the application, there were a couple of adjacent property owners that expressed concern regarding potential visual impacts. These properties are located on Discovery Road, below the subject property. Based on the submitted visual simulations (Attachment C) and the existing topography, staff believes that the potential visual impacts on the surrounding properties will be minimal.

**The Proposal is Consistent with Public Health, Safety and Welfare, as Well as Efficiency and Economy in the Use of Land and Its Resources**

From a public health, safety and welfare perspective based on referral comments from Breckenridge Public Works, Upper Blue Sanitation District, and Xcel Energy, the proposed rezoning can be accommodated by the applicable utility agencies. From a perspective of efficiency and economy, the proposed R-1 density appears to be more consistent with the surrounding density and lot sizes than the existing RE two-acre minimum.

**The Proposed Rezoning is Justified Either by the Fact that the Original Zoning Was in Error, there have been Changes in Conditions in the Vicinity or there have been Changes in the County's Overall Development Policy**

Staff does not believe that the original or subsequent rezonings were made in error. However, because it can be found that the proposed rezoning is in conformance with the current applicable plans and zoning requirements, the proposed R-1 density appears to be more consistent than the existing RE two-acre minimum. In addition, the property can receive TDRs to accommodate the increase in density.

**Staff Recommendation**

Staff recommends that the BOCC approve PLN19-096, a preliminary rezoning of a 2.23-acre lot zoned Rural Estates (RE) to Residential (R-1) to accommodate two single-family lots with the following findings and conditions:

**Findings:**

1. The proposed rezoning is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
2. The proposal is consistent with the purpose and intent of the County's Zoning Regulations.
3. The proposal is consistent with the County's Rezoning Policies.
4. The proposed rezoning is compatible with present area development and will not have a significant, adverse effect on the surrounding area.
5. The proposal is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
6. The proposed rezoning is justified because there have been changes in conditions in the vicinity as development has occurred since the prior rezoning in 1988.

**Conditions:**

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ATTACHMENTS**

Attachment A: Applicant's Narrative

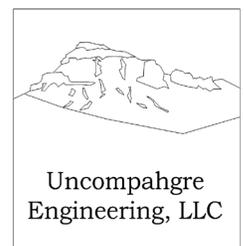
Attachment B: Site Plan and Visual Simulations

Attachment C: Draft Resolution

Attachment D: Letters

# Blue Sky Estates II

## Rezoning and Subdivision



## Background

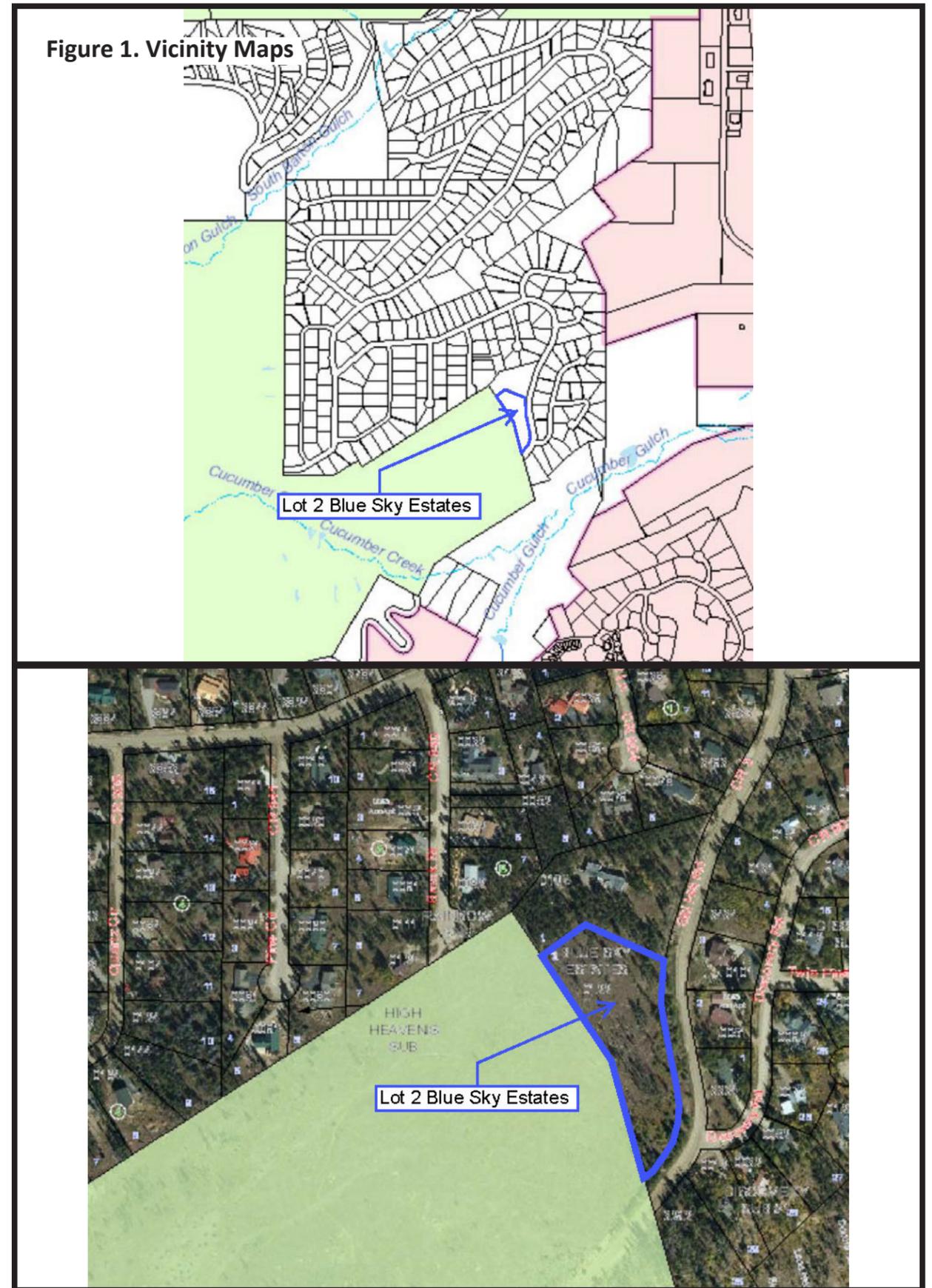
Ski Hill Road, LLC (“Owner”) proposes to rezone and subdivide Lot 2 Blue Sky Estates located at 122 Ski Hill Road (“Property”). The Owner is seeking the concurrent review and approval for the preliminary and final rezoning and subdivision of the Property. The concept is to rezone the Property from the RE Zone District to the R-1 Zone District to subdivide the Property into two lots. The proposed lot sizes range from 1 to 1.233 acres as shown in the proposed plat.

The Property is located on the south side of the Peak 7 Neighborhood as shown in Figure 1. The Property contains 2.23 acres and is located in the RE Zone District with most of it abutting the R-2 Zone District as shown in Figure 2. Table 1 outlines the geography and proposed Rezoning dimensional standards.

The Property has approximately 429 feet of frontage onto the Ski Hill Road Right-of-Way on its eastern border. The Property is gently sloping with a low United States Geological Survey elevation of 9748 and a high elevation of 9836 for an overall change of approximately 88 feet from the south to the north side over a distance of approximately 620 feet, with an average grade of approximately 14%. There are some small steep slopes areas that are 30% or greater in the northeast and southeast areas of the Property as shown on the Conceptual Plan. The Property is very open since most of the trees on the Property were blown down due to the extensive tree removal on the adjoining United States Forest Service land.

**Table 1. Geography and Dimensional Requirements**

	Existing	Proposed Rezoning
<b>Legal Description</b>	Lot 2 Blue Sky Estates	Blue Sky Estates No. 2, Lots 1, 2, 3
<b>Address</b>	122 Ski Hill Road	To Be Determined
<b>Lot Size</b>	2.23 acres	1 to 1.73 acres
<b>Zone District</b>	RE	R-1
<b>Density</b>	1 unit / 2 ac. - 1 unit/4.9 ac.	1 unit/1.12 acre
<b>Site Coverage</b>	None	50% or less
<b>Max. Floor Area Per Home</b>	NA	Each lot will have 4,356 sq. ft. or less of floor area
<b>Building Height</b>	35 feet	35 feet or less
<b>Proposed Min. Lot Width</b>	50 feet	50 feet or greater
<b>Proposed Rezoning Setbacks</b>		
Front (East)	50 feet	35 feet
Rear (West)	35 feet	25 feet
Side (North)	35 feet	15 feet
Side (South)	35 feet	15 feet
<b>Surrounding Land Uses</b>	East	Ski Hill Rd./Discovery Sub. #1
	West	USFS
	North	Rainbow Subdivision
	South	Ski Hill Rd./Discovery Sub. #1



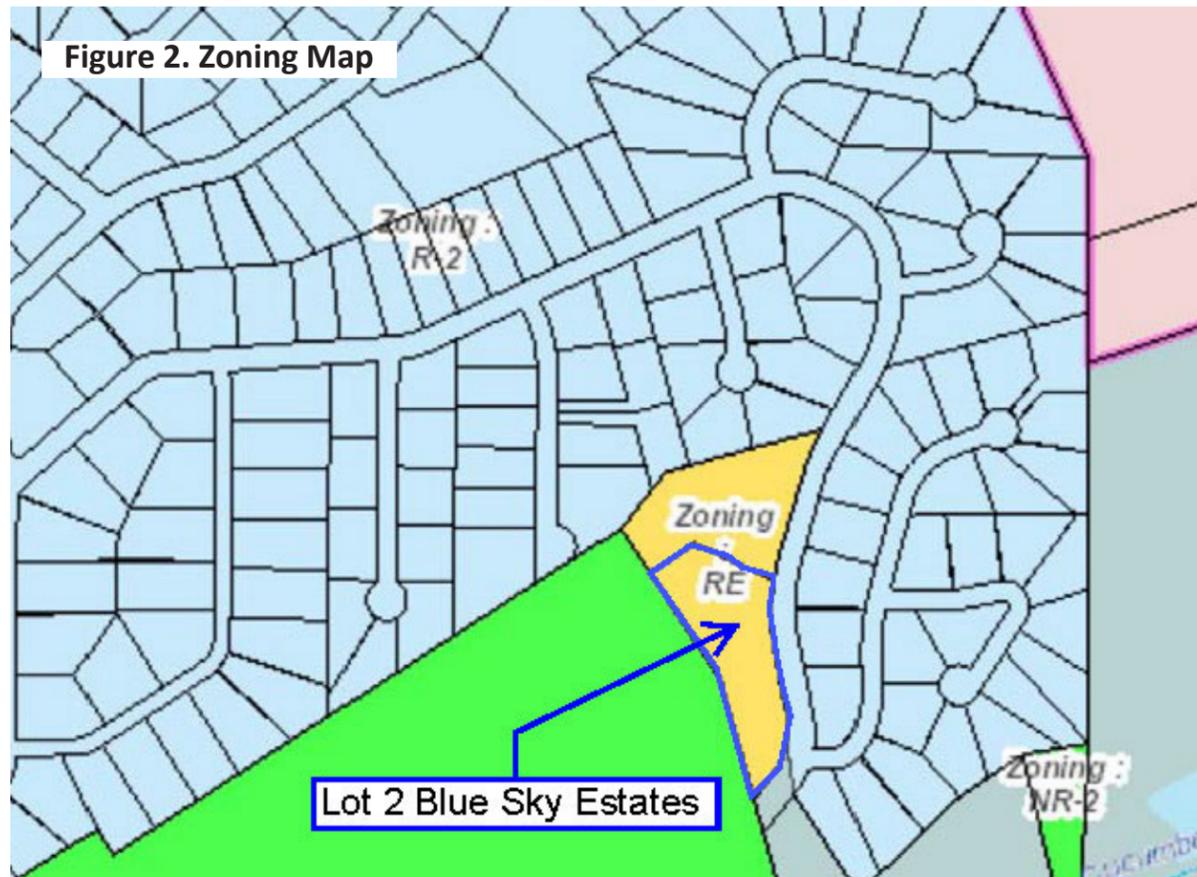


Figure 2. Zoning Map

## Property Entitlement History

**1998 Replat.** The Property was platted into the Blue Sky Estates Subdivision in January 1998 under Board of County Commissioners ("BOCC") Resolution Number 98-7 that created Lot 1 at 2.26 acres and Lot 2 at 2.23 acres. An access easement for the Property is provided from Brook Street through the Rainbow Subdivision. Lot 2 has a building envelope with an approximate size of 30,771 sq. ft. with no maximum home size limitations. The BOCC approved the preliminary plat under Resolution No. 97-118 in October of 1997.

**1988 Rezoning.** The County approved the rezoning of the Property from the A-1 to RE zone districts under Resolution Number 88-78. The rezoning was approved for the non-conforming A-1 zoned parcel to RE zoning with several findings, including the fact that the Upper Blue Master Plan designated the Property as residential, and access would be available by an access easement through the Rainbow Subdivision.

## Upper Blue Master Plan Envisioned Land Uses

The Joint Upper Blue Master Plan ("JUBMP") is very clear about the envisioned future use for the Property, with the Land Use Map showing Residential 2 designation as shown in Figure 3. Associated JUBMP policies in the Land Use Table call for "Single-family residential uses with a maximum density of two units/acre". The JUBMP Official Transferable Development Rights Map for the Upper Blue Basin reaffirms this vision showing the Property as a receiving site for density as shown in Figure 4.

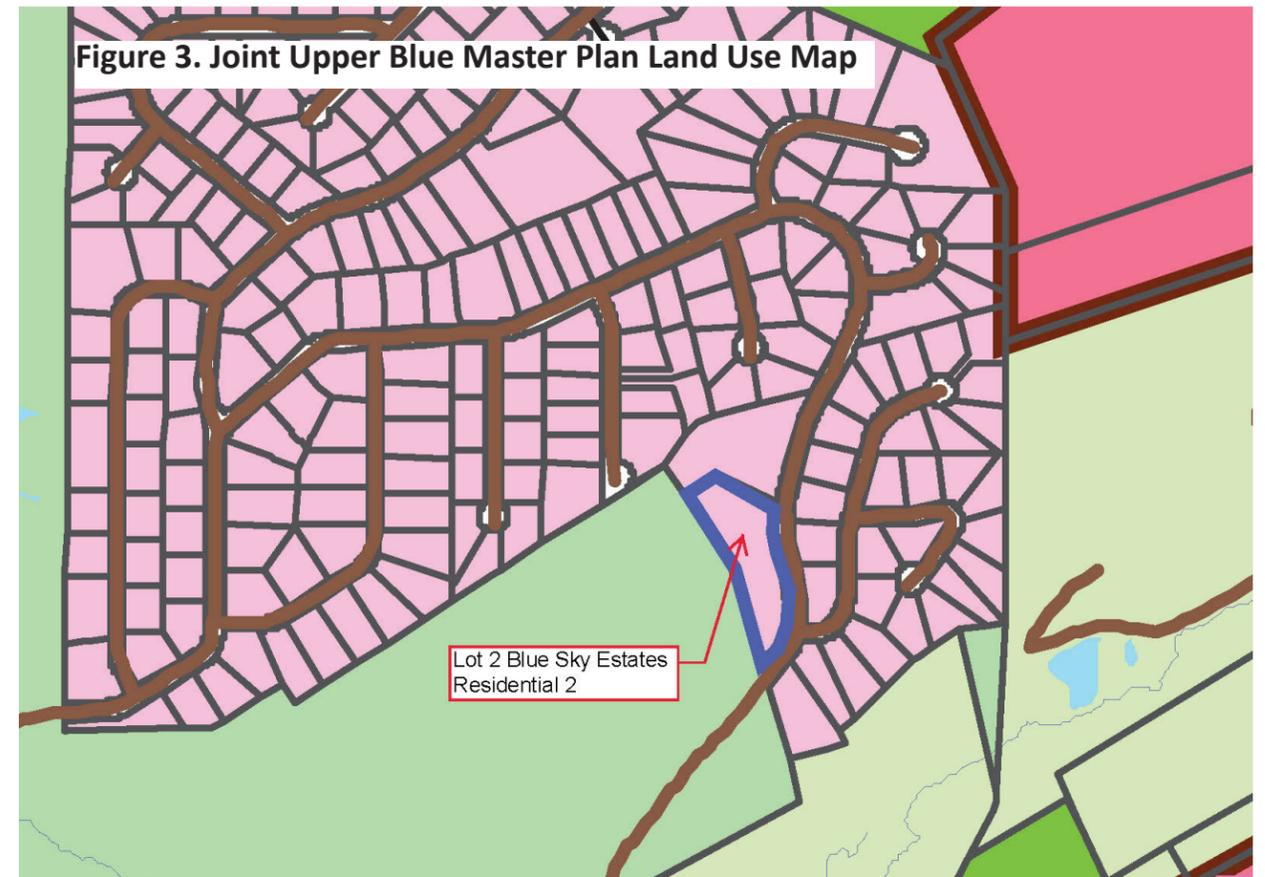


Figure 3. Joint Upper Blue Master Plan Land Use Map

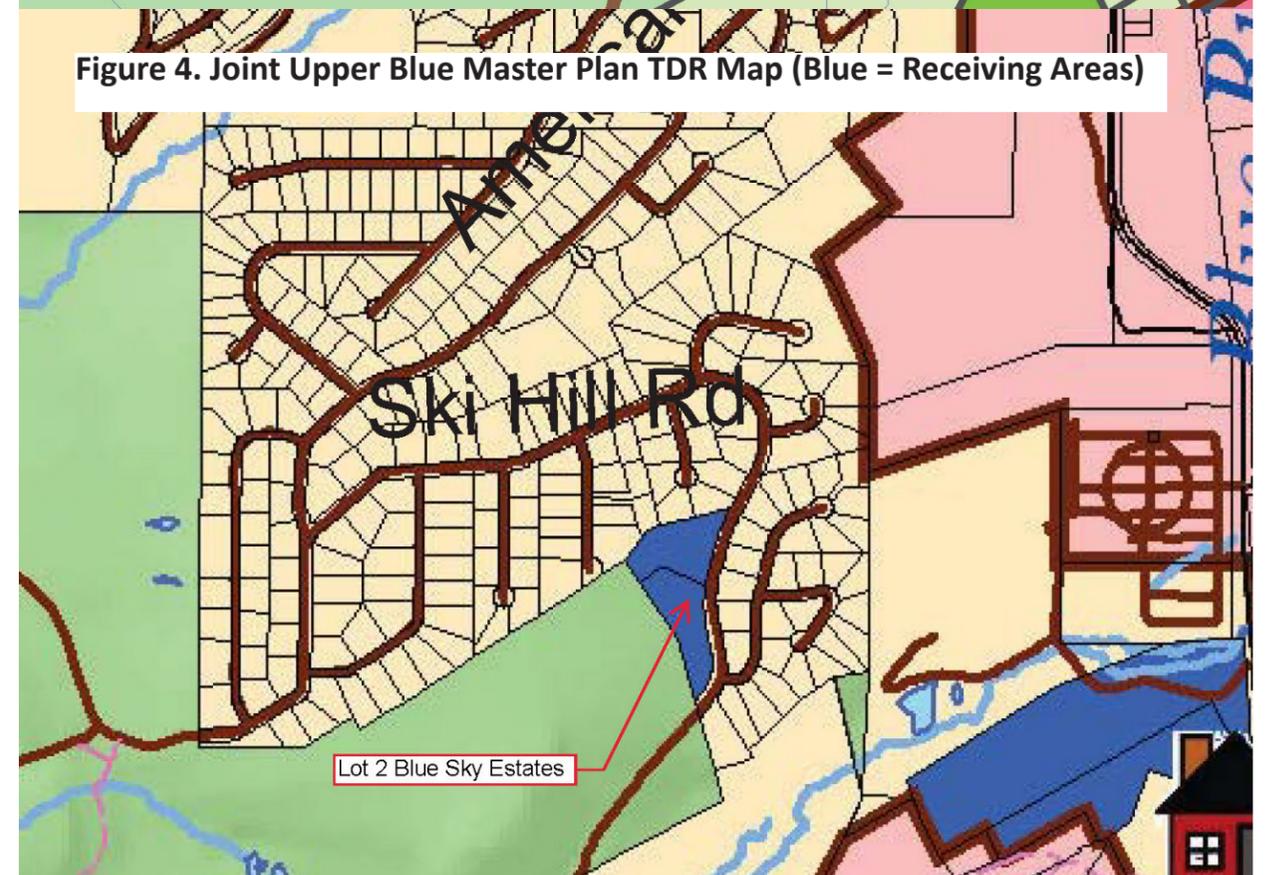


Figure 4. Joint Upper Blue Master Plan TDR Map (Blue = Receiving Areas)

## Compliance with Rezoning Criteria for Decision

### General Conformance with Applicable Plans

The proposed rezoning is in general conformance with the JUBMP. The JUBMP Land Use Map designates the Property with a Residential 2 classification. The JUMP states that the Residential 2 classification is for "...single-family residential uses with a maximum density of two units/acre" (Goal A, Policy/Action 1). The proposed rezoning also helps to protect the Upper Blue Basin's back-country character because one (1) unit of density will have to be moved to the site in accordance with the County's Transferable Development Rights ("TDR") Program, with the Property specifically designated as a TDR Receiving Area.

The proposed rezoning conforms to JUBMP Policy/Action 2 that states:

"Where existing platted lots are proposed to be subdivided, as part of subdivision review the following specific considerations or criteria should be evaluated to allow for a heightened level of scrutiny and may limit density permitted by zoning:"

- Research of historic records to ascertain the reasons for the layout of the existing lots.
- Impacts related to site characteristics and application of important planning principles such as site characteristics (steep slopes, topography, wetlands, soils, etc; environmental constraints such as sensitive areas or wildlife habitat; access; existing or planned services and facilities; trail connectivity; visually important lands; and historic resources.
- Surrounding land uses and community character such as relationship to surrounding land uses, community, neighborhood or adjacent development, and impacts to community character, residential compatibility or associated activities."

Policy/Action 2 further states that

"TDRs may be proposed and used to mitigate or offset impacts associated with or implicated by these factors."

The proposed rezoning will utilize one (1) single-family unit of density from the TDR Bank in order to meet the Development Code and JUBMP policies. The proposed rezoning is compatible with surrounding development that is located in the R-2 Zone District and fits into the neighborhood and overall community character. Most of the surrounding area is developed with a density of approximately two (2) units per acre. The rezoning will provide a transitional zoning from two units per acre to one unit per acre at the edge of the Peak 7 Neighborhood. The development of the Property will avoid steep slopes. There are no environmental constraints, wetlands or sensitive habitats on the Property.

The proposed rezoning generally conforms to the Countywide Comprehensive Plan because it: promotes growth in a location that is designated for an upzoning as a TDR Receiving Area; avoids environmental resources; preserves open space through County TDR Program; provides infill development that is focused into an existing urban area; maintains the current level of density in the County through the TDR Program; and avoids environmentally sensitive areas and visually prominent landscapes.

### Consistency with Purpose and Intent of County Zoning Regulations

The proposed rezoning is also consistent with the purpose and intent of the Zoning Regulations because it is compatible with surrounding area development that contains approximately two (2) units per acre; allows for the economical and efficient use of the land as envisioned in the JUBMP; and provides for adequate light and air within and for surrounding developments. The rezoning avoids land subject to environmental hazards and provides for good design and aesthetics that protect the County.

### Consistency with County Rezoning Policies

The proposed rezoning is in compliance with the Rezoning Policies contained in the Summit County Land Use and Development Code ("Development Code") Section 3200. The Property has physical characteristics that allow for development consistent with the Development Code, such as large areas that are free from development constraints and relatively moderate slopes of approximately 14%.

The Property is located next to required infrastructure. Water, sewer, electric and gas are available in the Ski Hill Road Right-of-Way. Access to the Property is available from Brook Street and a driveway that will be privately maintained. Police and fire protection are available from the Red, White and Blue Fire Protection District and the Summit County Sheriff, respectively. The proposed development is very compatible with and complimentary to existing development. The proposed rezoning is strongly supported by policies in the JUBMP.

The only development constraint on the Property is steep slopes that are 30% or greater as shown on the conceptual plan. These steep slopes were previously created by the construction of Ski Hill Road and some past mining activity on the Property. The development of the proposed lots will avoid disturbance to the steep slope areas.

There are no natural features on the Property. Wildfire hazard to the Property was extensively mitigated by the United States Forest Service clear cut to the west and the subsequent wind throw that blew down most of the trees on the Property. Future development on the Property will comply with the County's wildfire mitigation requirements.

### Compatibility with Present Area Development

The proposed rezoning is compatible with surrounding area development with a density of two (2) units on 2.23 acres, or approximately one (1) unit per 1.12 acres. The current proposed density is two units less than envisioned by the JUMP. The surrounding lots and most of the Peak 7 area are zoned R-2 that allows two units per acre. The Discovery Subdivision located to the east has lot sizes that are approximately 0.5 acre. The Crestwood Subdivision to the north has lot sizes around 0.5 acre to 0.6 acre. The Rainbow Subdivision to the north has lots that are also around 0.5 acre with a few larger lots. Thus, the proposed density fits right into, and is compatible with the surrounding area development.

### Consistency with the Public Health, Safety and Welfare

The proposed rezoning is consistent with the public health, safety and welfare. The proposed development is envisioned by the JUBMP as a Receiving Area with a maximum density of two (2) units per acre. The development is also compatible with surrounding area development that contains approximately two (2) units per acre.

Access to the Property will be from Brook Street and an existing access easement across the intervening properties. Access has been designed to meet County Road and Bridge Standards. The Owner and the Lot 1 owner to the north have agreed to relocate the access easement to the Property across Lot 1 of Blue Sky Estates as shown in the conceptual plan. The Red, White and Blue Fire Protection District has reviewed and approved the access plan to the Property.

The Breckenridge Sanitation District and the Breckenridge Water District have provided will serve letters. Police protection is available from the Summit County Sheriff’s Department.

### Rezoning Justification

The proposed rezoning is justified by changes in the County’s development policies. The County adoption of the JUBMP envisions the Property rezoned to allow for development with no more than two (2) units per acre in order to help protect backcountry areas. The JUBMP Land Use Map designates the Property with a Residential 2 designation and clearly identifies the site as a Receiving Area. The rezoning is also strongly supported by several Countywide Comprehensive Plan policies.

## Compliance with Subdivision Criteria for Decision

### Consistency with Zoning Regulations

The proposed subdivision conforms to the County Zoning Regulations as discussed in this narrative.

### Consistency with Subdivision Regulations

The proposed subdivision meets the Subdivision Regulations. Steep slope areas and wetland area will be protected from development. The subdivision has been designed to fit the topography of the site and avoid known areas subject to environmental hazards. The water system for the subdivision will be designed to meet the requirements set forth in the Fire Code. The lots have been designed in accordance with the R-1 Zone District requirements with good buildable areas. Each lot has frontage along platted access easements. Disturbance envelopes have been provided for on the plat. Each lot has great solar access to the south. A composite utility plan has been submitted that shows access to water, sewer, gas and electricity and telecommunications.

### General Conformance with Applicable Master Plans

The proposed subdivision is in general conformance with the Countywide Comprehensive Plan and the Joint Upper Blue Master Plan as discussed in this narrative.

### Water Service

The Breckenridge Water District will provide water service for the two proposed lots. A will serve letter has been provided to the County Planning Department as a part of the applications.

### Sewer Service

The Breckenridge Sewer District will provide water service for the two proposed lots. A will serve letter has been provided to the County Planning Department as a part of the applications.

### Soil and Topographical Conditions

A geotechnical report has been provided to the County as a part of the applications. This report does not identify any hazards or conditions that would preclude development on the Property.

### Subdivision Access

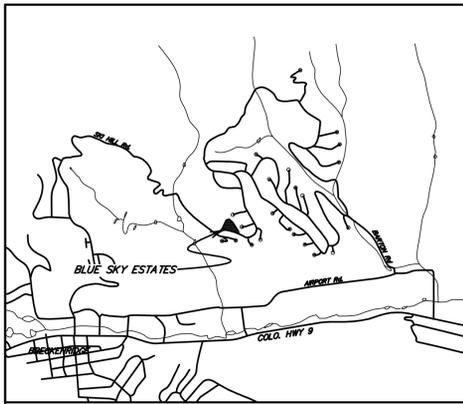
Access to the Property is provided off of Brook Street with existing platted access easements through Lot 7 of the Rainbow Subdivision and Lot 1 of the Blue Sky Estates Subdivision. The proposed new access drive has been designed to meet the County Road and Bridge Standards.

## LIST OF EXHIBITS

EXHIBIT	CONTENT
Exhibit A	Existing Conditions + Site Plan + Visual Analysis + Civil Plans + Proposed Plat
Exhibit B	Will Serve Letters

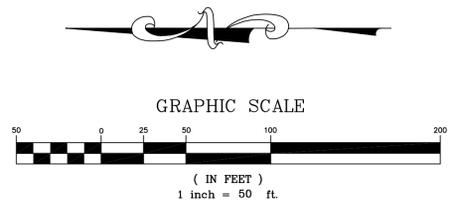
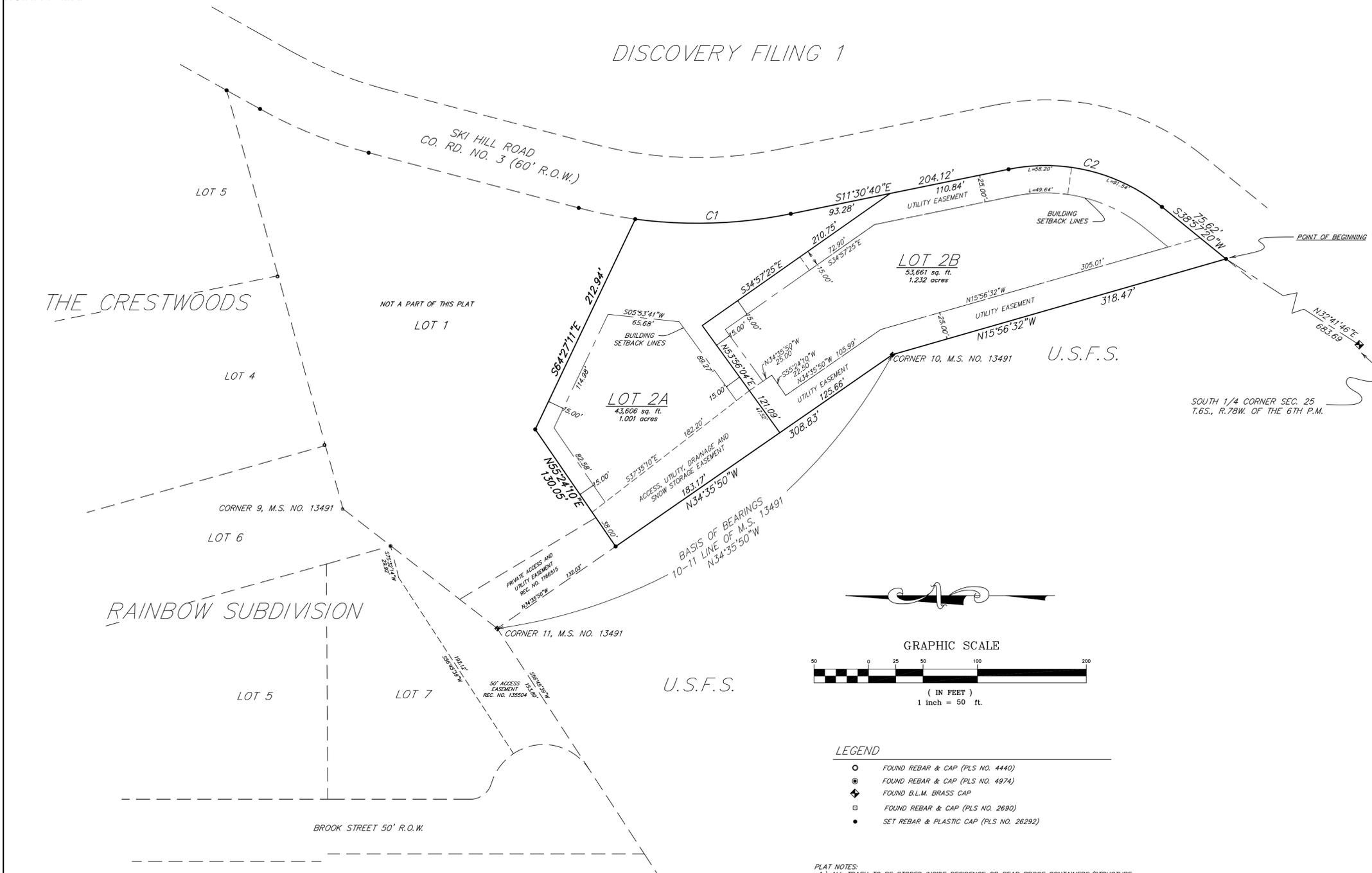
A REPLAT OF  
**LOT 2, BLUE SKY ESTATES**

LOCATED IN SECTION 25, T.6S., R.78W. OF THE 6TH P.M.  
SUMMIT COUNTY, COLORADO



VICINITY MAP NO SCALE

DISCOVERY FILING 1



- LEGEND**
- FOUND REBAR & CAP (PLS NO. 4440)
  - FOUND REBAR & CAP (PLS NO. 4974)
  - ◆ FOUND B.L.M. BRASS CAP
  - FOUND REBAR & CAP (PLS NO. 2690)
  - SET REBAR & PLASTIC CAP (PLS NO. 26292)

**PLAT NOTES:**  
 1.) ALL TRASH TO BE STORED INSIDE RESIDENCE OR BEAR PROOF CONTAINERS/STRUCTURE.  
 2.) OWNERS OF LOTS 1 AND 2 AGREE TO EVENLY SHARE THE COST OF SNOW REMOVAL AND MAINTENANCE OF COMMON DRIVEWAY.  
 3.) ORIGINAL PLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 584631 ON 12/24/1998.  
 3.) A REPLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 1179899 ON 09/14/2018.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	143.58'	430.00'	19°07'51"	S01°56'44"E	142.91'
C2	149.74'	170.00'	50°28'00"	S13°43'20"W	144.94'

**DEDICATION:**  
 KNOW ALL PERSONS BY THESE PRESENTS THAT: 112 SKI HILL LLC BEING THE OWNER OF THE LAND DESCRIBED AS FOLLOWS:  
 LOT 2, BLUE SKY ESTATES  
 CONTAINING 2.23 ACRES  
 IN SUMMIT COUNTY, COLORADO  
 UNDER THE NAME AND STYLE OF "A REPLAT OF LOT 2, BLUE SKY ESTATES" HAS LAID OUT, PLATTED AND SUBDIVIDED SAME AS SHOWN ON THIS PLAT, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE COUNTY OF SUMMIT, STATE OF COLORADO, THE STREETS, ROADS AND OTHER PUBLIC AREAS AS SHOWN HEREON, INCLUDING BUT NOT LIMITED TO TRAILS AND OPEN SPACE, FOR USE AS SUCH AND HEREBY DEDICATE THOSE PORTIONS OF LAND LABELED AS UTILITY EASEMENTS TO THE COUNTY OF SUMMIT FOR USE BY THE UTILITY COMPANIES OR OTHER PROVIDERS OF UTILITIES IN THE INSTALLATION AND MAINTENANCE OF UTILITY LINES AND FACILITIES. IT IS UNDERSTOOD THAT THE DEDICATION OF PUBLIC RIGHTS-OF-WAY FOR STREETS AND ROADS DOES NOT NECESSARILY RESULT IN THE ACCEPTANCE OF ROADS CONSTRUCTED THEREIN FOR MAINTENANCE BY THE COUNTY OF SUMMIT.  
 IN WITNESS WHEREOF, THE SAID OWNER HAS CAUSED THEIR NAME TO HEREUNTO BE SUBSCRIBED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.

112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY  
 BY: BENJAMIN T RHOADES AS MANAGER  
**NOTARIAL CERTIFICATE:**  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY BENJAMIN T RHOADES AS MANAGER OF 112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY.  
 WITNESS MY HAND AND OFFICIAL SEAL:  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES \_\_\_\_\_

**TITLE COMPANY CERTIFICATE:**  
 TITLE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS AS SHOWN HEREON AND TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.  
 AGENT \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
 I, ROBERT R. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY WAS PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 ROBERT R. JOHNS, P.L.S.  
 COLORADO REGISTRATION NO. 26292

**BOARD OF COUNTY COMMISSIONERS' APPROVAL:**  
 THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, DOES HEREBY APPROVE THIS SUBDIVISION EXEMPTION PLAT AT A MEETING HELD ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND HEREBY ACCEPTS DEDICATION OF PUBLIC RIGHTS-OF-WAY, UTILITY EASEMENTS, AND OTHER PUBLIC AREAS AS SHOWN HEREON. ACCEPTANCE OF PUBLIC RIGHTS-OF-WAY FOR STREETS OR ROADS DOES NOT CONSTITUTE ACCEPTANCE FOR MAINTENANCE OF ROADS CONSTRUCTED THEREIN. THE PROCEDURE FOR ACCEPTANCE OF MAINTENANCE PURPOSES SHALL BE AS STATED IN THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS OR SUCH REGULATIONS AS SHALL BE ADOPTED IN LIEU OF THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS.  
 CHAIR OF THE BOCC \_\_\_\_\_

**MORTGAGE HOLDER CERTIFICATE:**  
 \_\_\_\_\_ DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS PLAT AS A LENDER FOR THE PROJECT AND DOES HEREBY APPROVE OF THIS PLAT.  
 BY: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**TREASURER'S CERTIFICATE:**  
 I THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF \_\_\_\_\_ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 SUMMIT COUNTY TREASURER

**RECORDER'S ACCEPTANCE:**  
 THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND FILED FOR RECORD AT \_\_\_\_ M., UNDER RECEPTION NUMBER \_\_\_\_.  
 SIGNATURE \_\_\_\_\_ BY: \_\_\_\_\_

Drawn RRU	Dwg LOT2-REPLAT	Project 19306
Checked RRU	Date 03/18/2020	Sheet 1 of 1

**RANGE WEST INC.**  
ENGINEERS & SURVEYORS

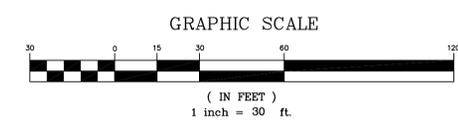
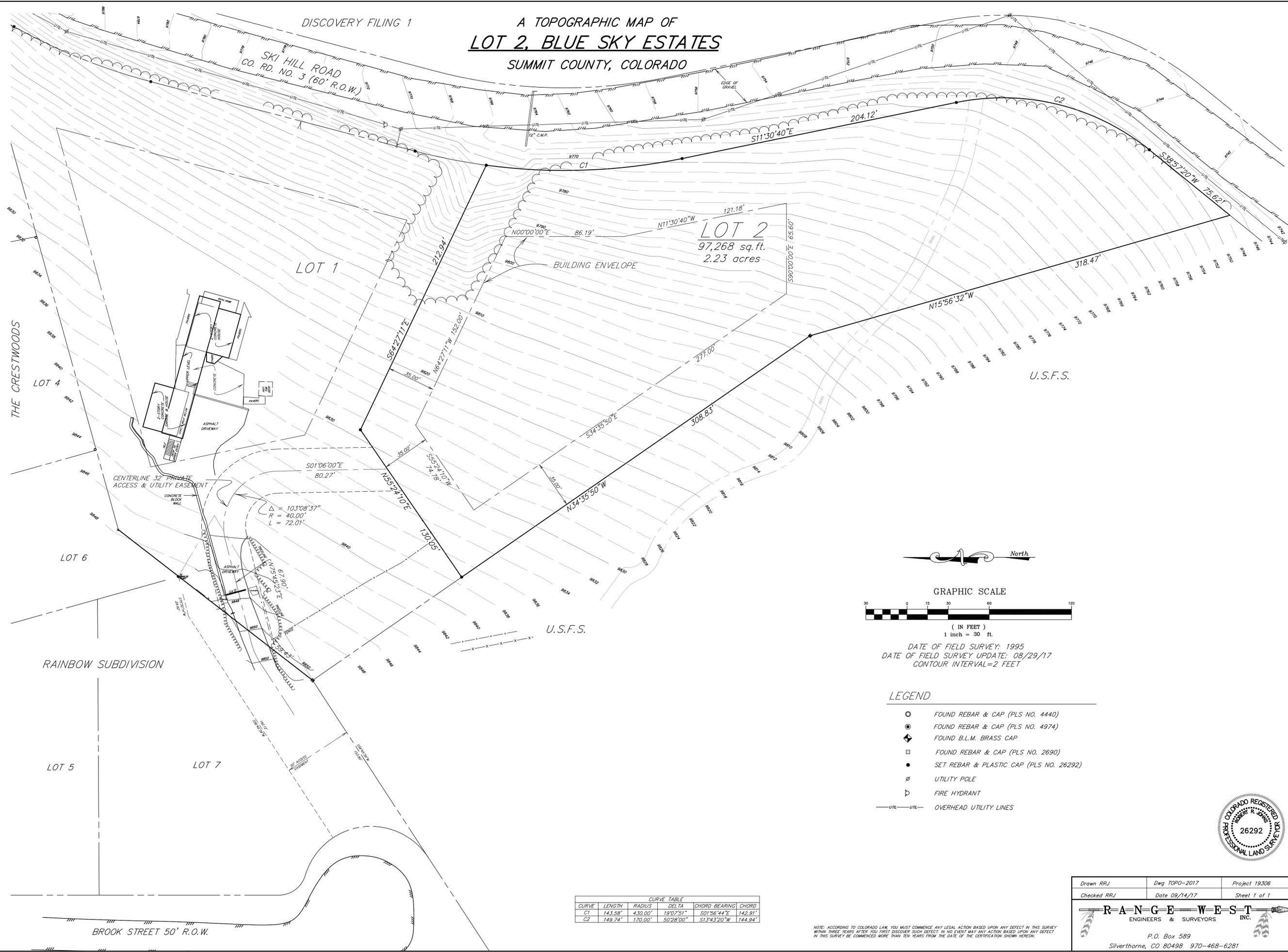
P.O. Box 589  
Silverthorne, CO 80498 303-468-6281

NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

R:\RRU\19306\dwg\LOT2-REPLAT.DWG, 3/18/2020 1:04:00 PM, RRU

DISCOVERY FILING 1

A TOPOGRAPHIC MAP OF  
**LOT 2, BLUE SKY ESTATES**  
SUMMIT COUNTY, COLORADO



DATE OF FIELD SURVEY: 1995  
DATE OF FIELD SURVEY UPDATE: 08/29/17  
CONTOUR INTERVAL=2 FEET

- LEGEND
- FOUND REBAR & CAP (PLS NO. 4440)
  - FOUND REBAR & CAP (PLS NO. 4974)
  - ◆ FOUND B.L.M. BRASS CAP
  - FOUND REBAR & CAP (PLS NO. 2690)
  - SET REBAR & PLASTIC CAP (PLS NO. 26292)
  - ∅ UTILITY POLE
  - ⊔ FIRE HYDRANT
  - UTL — OVERHEAD UTILITY LINES

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	143.58'	430.00'	19°02'51"	S01°56'44"E	142.91'
C2	149.74'	170.00'	50°28'00"	S1°34'20"W	144.94'

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



Drawn RRJ	Dwg TOPO-2017	Project 19306
Checked RRJ	Date 09/14/17	Sheet 1 of 1

**R-A-N-G-E-W-E-S-T**  
ENGINEERS & SURVEYORS INC.

P.O. Box 589  
Silverthorne, CO 80498 970-468-6281

R:\RRJ\19306.dwg\TOPO-2017.dwg, 9/14/2017 1:19:05 PM, RRJ



Uncompahgre  
Engineering, LLC

P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelopes	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Gas and Power	2020-02-12
Final Easemt Lines	2020-03-19

Blue Sky Estates II  
Subdivision  
Summit County  
Breckenridge, CO



CONTRACTOR TO REVIEW AND COMPARE ALL  
CHAPTERS AND INTERDISCIPLINARY DRAWINGS  
AND REPORT ANY DISCREPANCIES TO THE  
ARCHITECT PRIOR TO ANY FIELD WORK BEING  
DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Utility  
Plan

C3

WETLANDS NOTE:  
NO WETLANDS DELINEATION HAS BEEN PROVIDED TO THE  
ENGINEER AT THE TIME OF THIS DRAWING, BUT WILL BE REQUIRED  
PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. IF THE UTILITIES  
GO THROUGH A WETLANDS, A PERMIT WILL BE REQUIRED FROM  
THE THE ARMY CORPS OF ENGINEERS OR THE UTILITY ALIGNMENTS  
WILL BE RE-LOCATED.

INSTALL 2 ADJACENT 1-1/2" WATER  
TAPS AND EXTEND SERVICES TO  
EACH LOT AS SHOWN. CAP ENDS.

APPROX. MANHOLE LOCATION.  
END OF LINE (UPPERMOST  
MANHOLE)

TIE IN TWO SEPARATE 4" SDR 35 SERVICE LINES  
DIRECTLY TO THE MAIN AND JUST BELOW MANHOLE.  
COORDINATE TIE-IN WITH UTILITY PROVIDER.

LOCATE CURB STOPS OUTSIDE OF  
DITCH. COORDINATE WITH WATER  
COMPANY FOR FINAL LOCATION.

INSTALL WATER SERVICE LINES IN  
THE SAME TRENCH TO EDGE OF  
EASEMENT AS SHOWN

INSTALL SEWER SERVICE LINES IN  
THE SAME TRENCH AS SHOWN

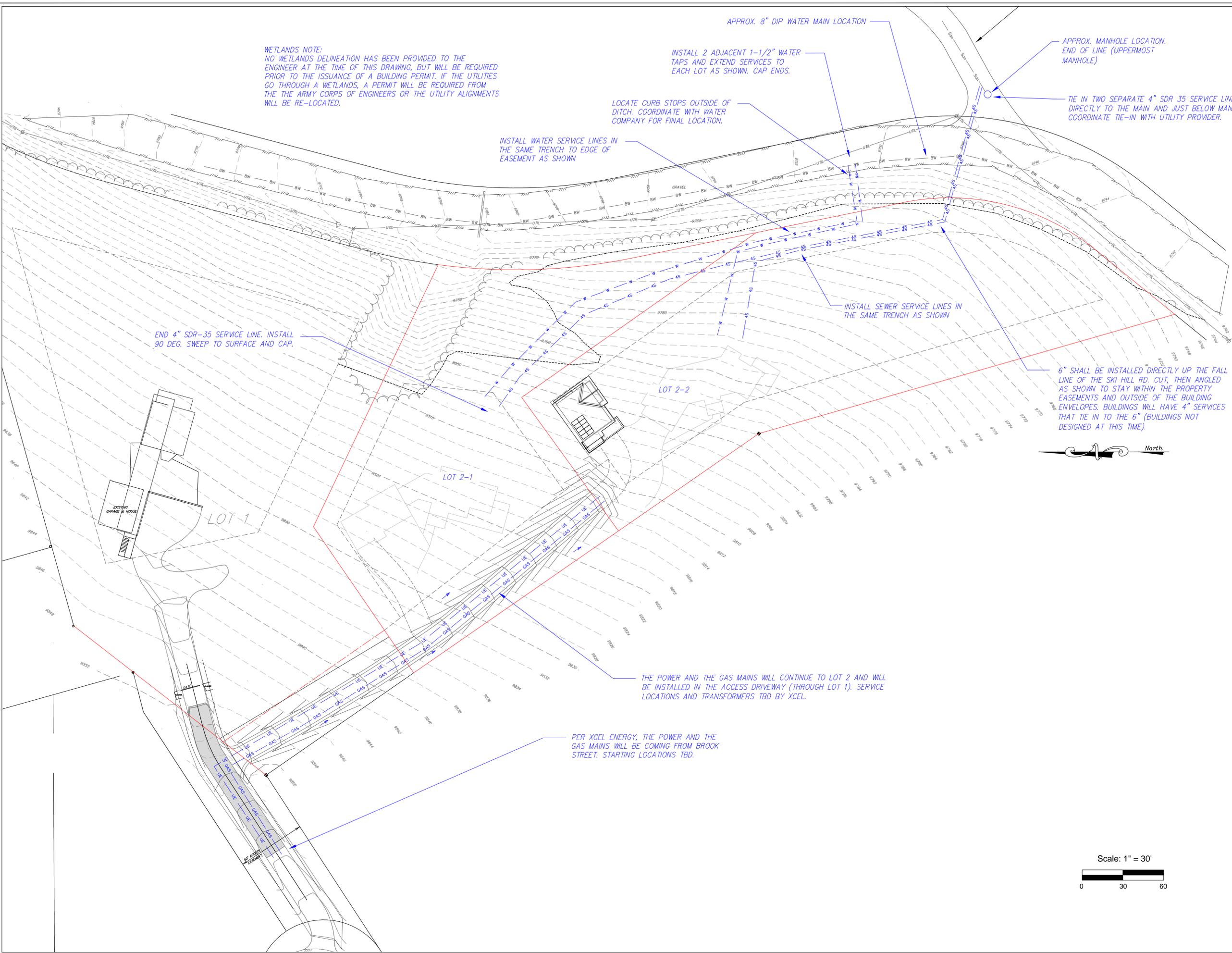
END 4" SDR-35 SERVICE LINE. INSTALL  
90 DEG. SWEEP TO SURFACE AND CAP.

6" SHALL BE INSTALLED DIRECTLY UP THE  
FALL LINE OF THE SKI HILL RD. CUT, THEN ANGLED  
AS SHOWN TO STAY WITHIN THE PROPERTY  
EASEMENTS AND OUTSIDE OF THE BUILDING  
ENVELOPES. BUILDINGS WILL HAVE 4" SERVICES  
THAT TIE IN TO THE 6" (BUILDINGS NOT  
DESIGNED AT THIS TIME).

THE POWER AND THE GAS MAINS WILL CONTINUE TO LOT 2 AND WILL  
BE INSTALLED IN THE ACCESS DRIVEWAY (THROUGH LOT 1). SERVICE  
LOCATIONS AND TRANSFORMERS TBD BY XCEL.

PER XCEL ENERGY, THE POWER AND THE  
GAS MAINS WILL BE COMING FROM BROOK  
STREET. STARTING LOCATIONS TBD.

Scale: 1" = 30'



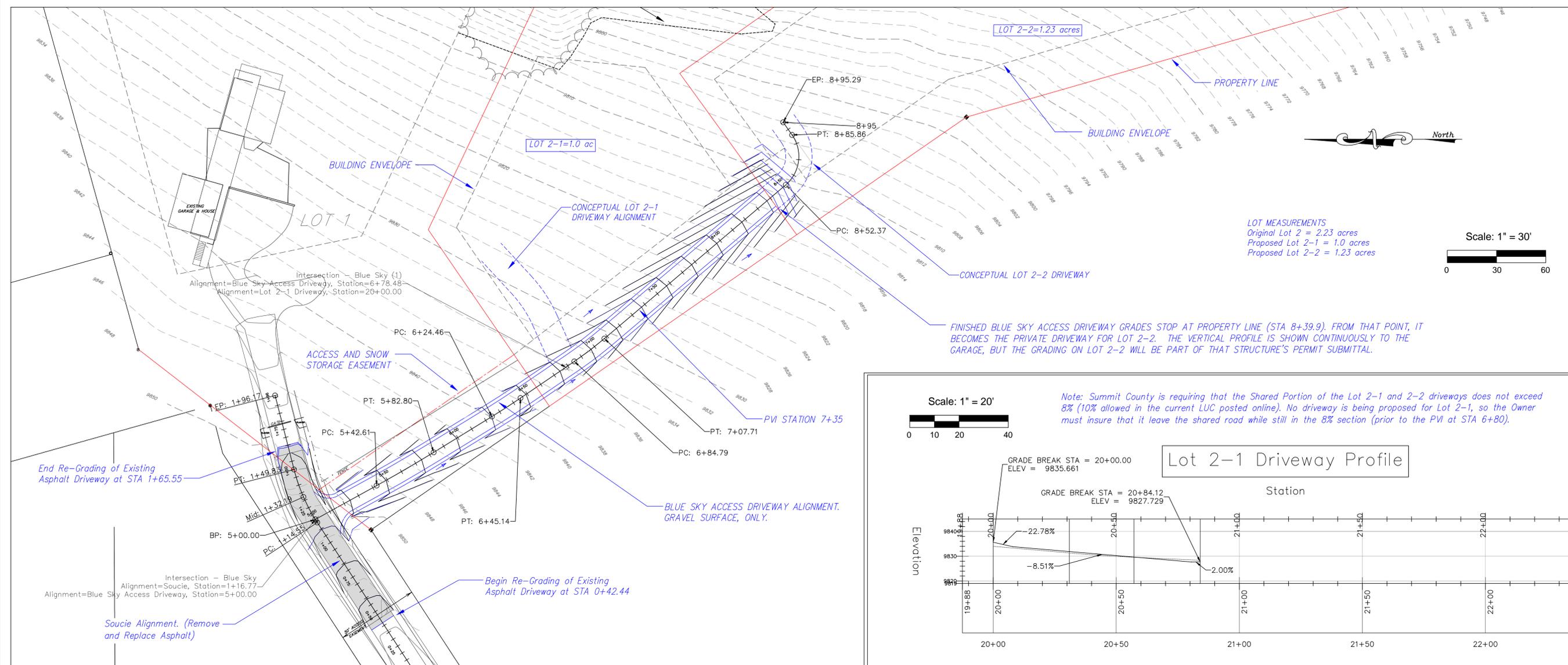


Uncompahgre Engineering, LLC

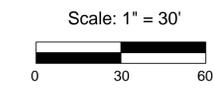
P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

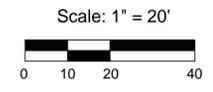
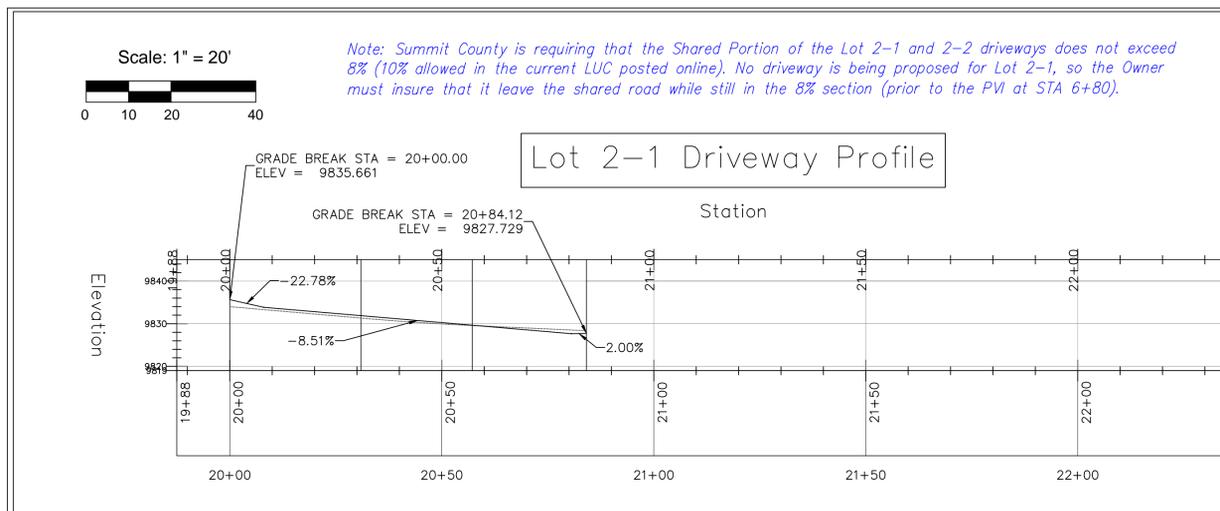
SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelope	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Final Easement Lines	2020-03-19



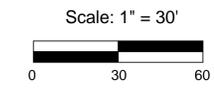
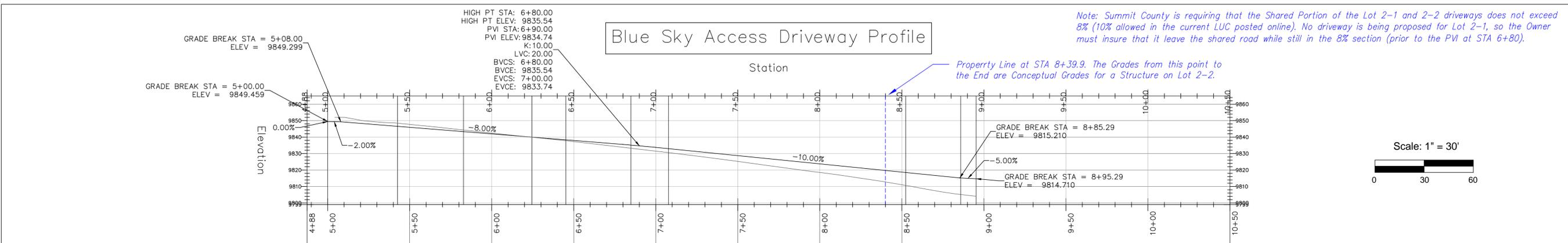
LOT MEASUREMENTS  
 Original Lot 2 = 2.23 acres  
 Proposed Lot 2-1 = 1.0 acres  
 Proposed Lot 2-2 = 1.23 acres



FINISHED BLUE SKY ACCESS DRIVEWAY GRADES STOP AT PROPERTY LINE (STA 8+39.9). FROM THAT POINT, IT BECOMES THE PRIVATE DRIVEWAY FOR LOT 2-2. THE VERTICAL PROFILE IS SHOWN CONTINUOUSLY TO THE GARAGE, BUT THE GRADING ON LOT 2-2 WILL BE PART OF THAT STRUCTURE'S PERMIT SUBMITTAL.

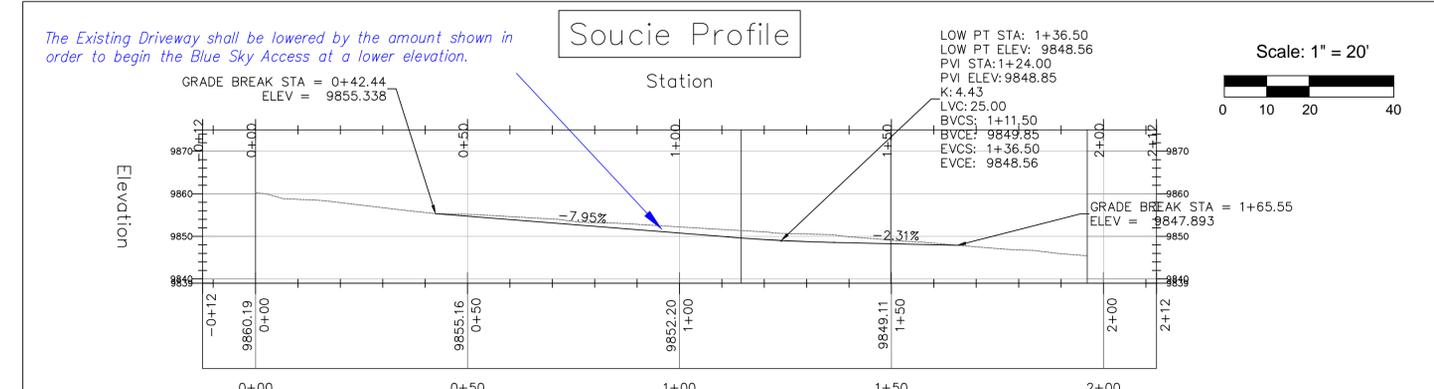
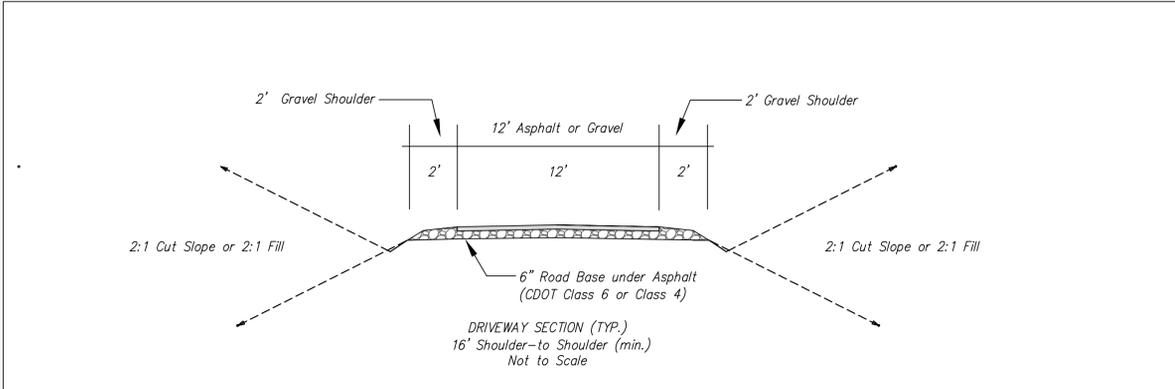


Note: Summit County is requiring that the Shared Portion of the Lot 2-1 and 2-2 driveways does not exceed 8% (10% allowed in the current LUC posted online). No driveway is being proposed for Lot 2-1, so the Owner must insure that it leave the shared road while still in the 8% section (prior to the PVI at STA 6+80).



Note: Summit County is requiring that the Shared Portion of the Lot 2-1 and 2-2 driveways does not exceed 8% (10% allowed in the current LUC posted online). No driveway is being proposed for Lot 2-1, so the Owner must insure that it leave the shared road while still in the 8% section (prior to the PVI at STA 6+80).

Property Line at STA 8+39.9. The Grades from this point to the End are Conceptual Grades for a Structure on Lot 2-2.



The Existing Driveway shall be lowered by the amount shown in order to begin the Blue Sky Access at a lower elevation.

Blue Sky Estates II  
 Subdivision  
 Summit County  
 Breckinridge, CO



CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Driveway  
 Plan  
 and  
 Profile

C2



Uncompahgre Engineering, LLC

P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelopes	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Final Plotted Easement Lines	2020-03-19

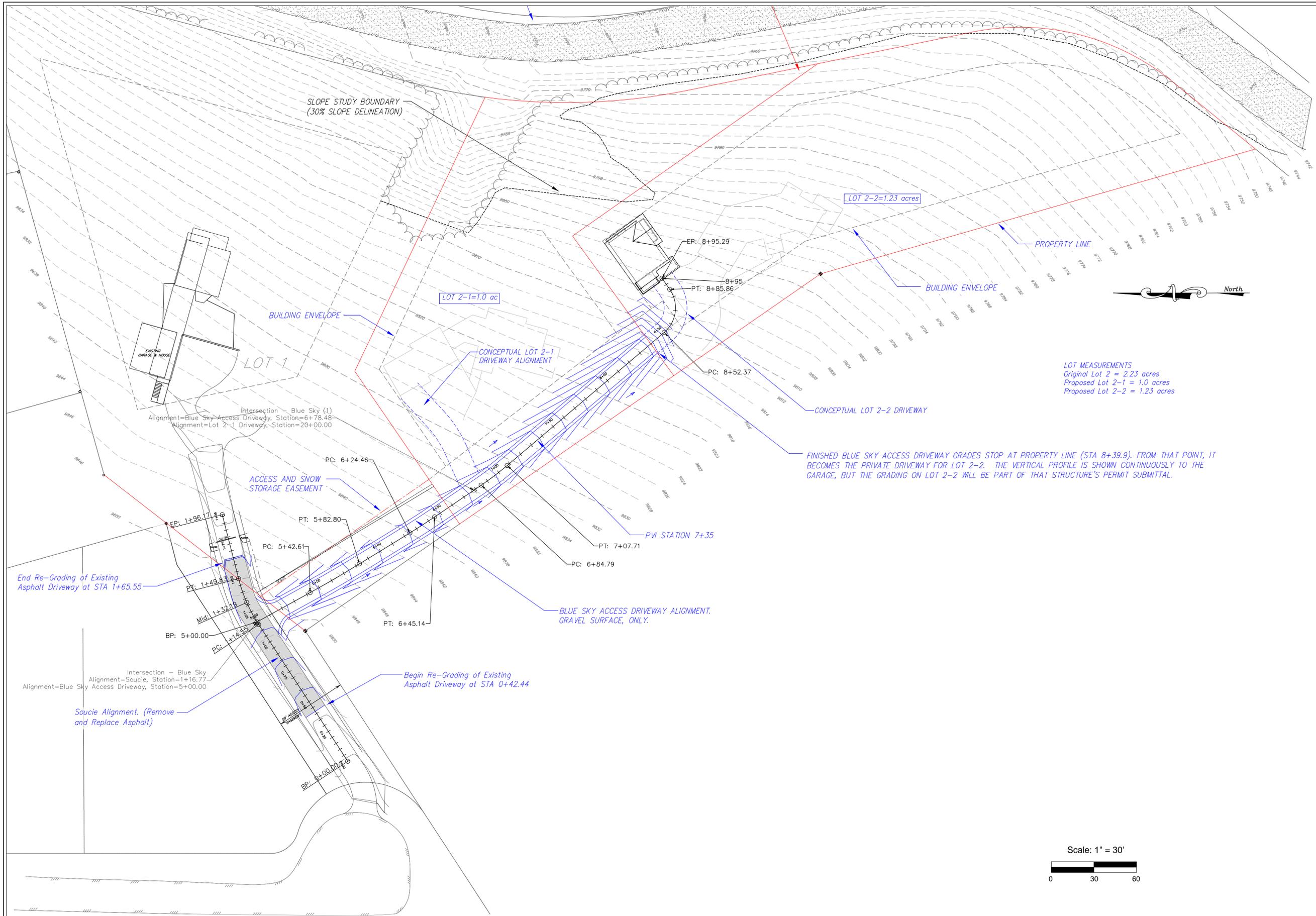
Blue Sky Estates II  
Subdivision  
Summit County  
Breckenridge, CO



CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Overall  
Site Plan

C1



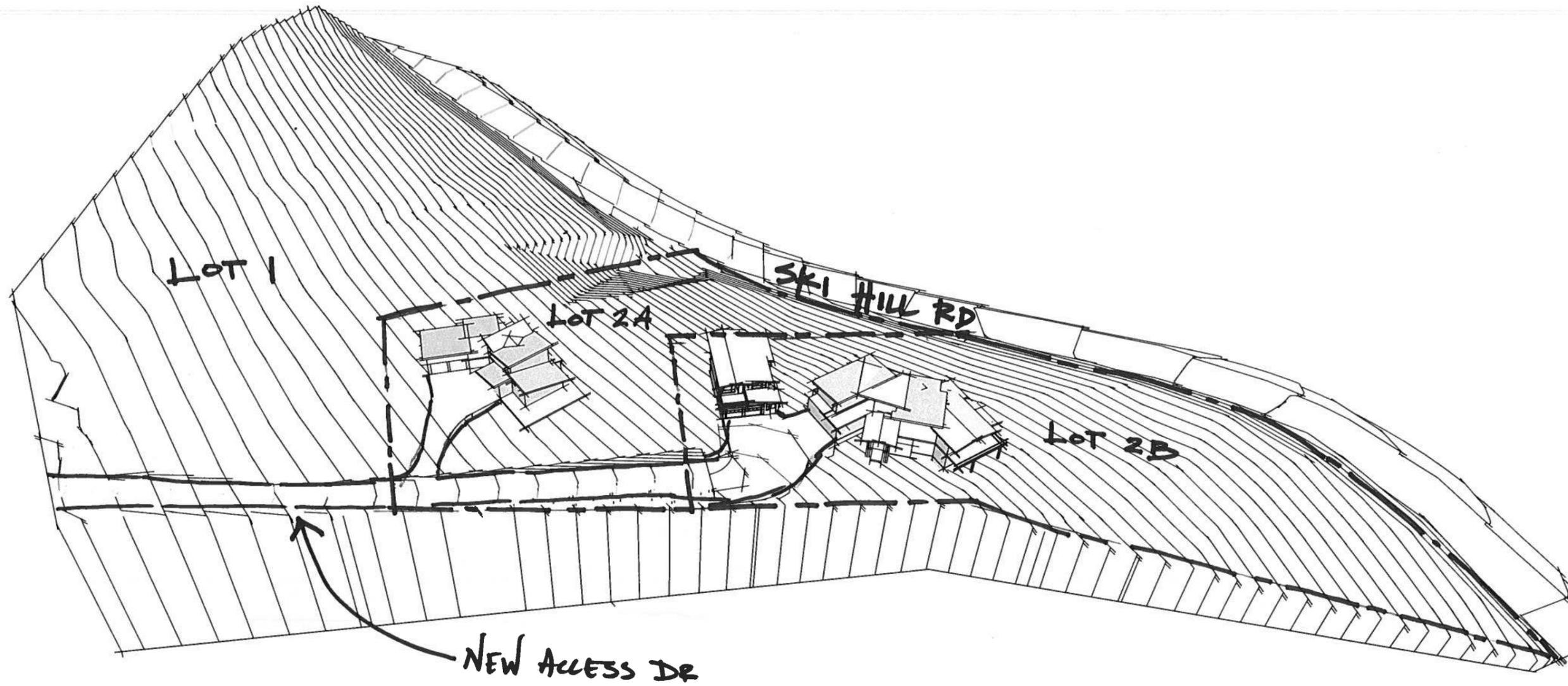


OVERHEAD VIEW

SITE MASSING STUDY

7.20.20

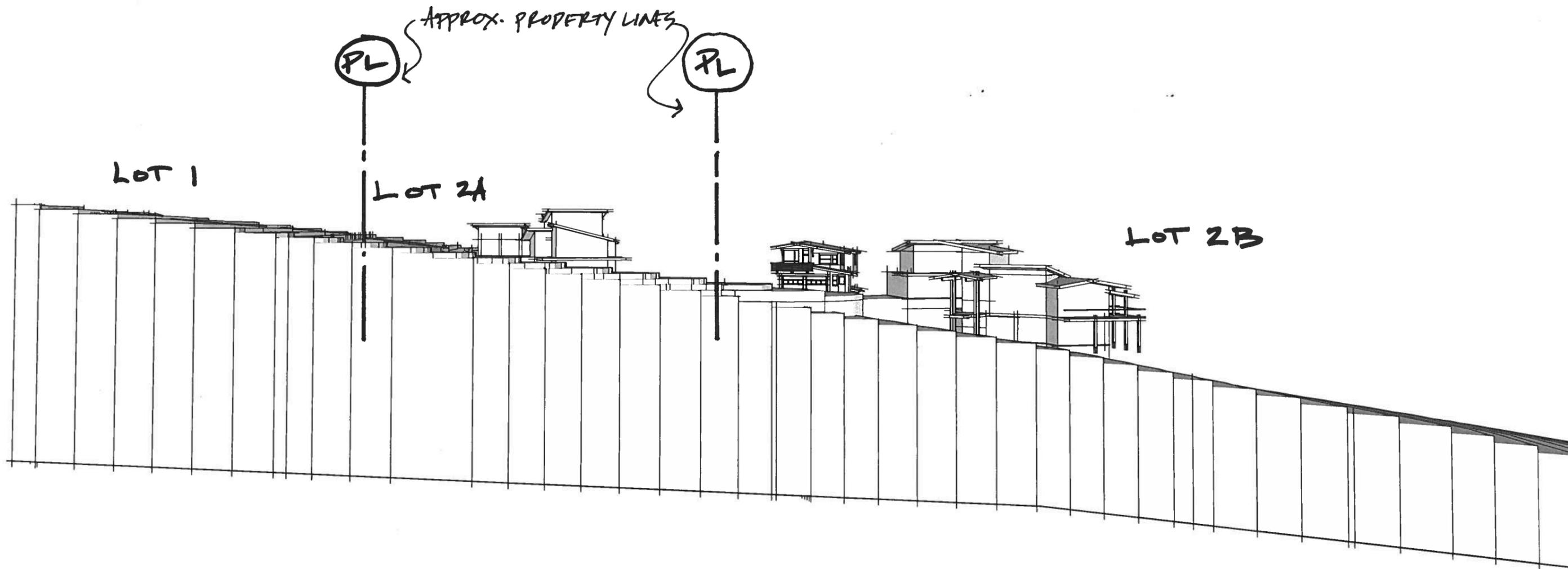
#11010.0



NORTH ←

VIEW LOOKING EAST  
SITE MASSING STUDY

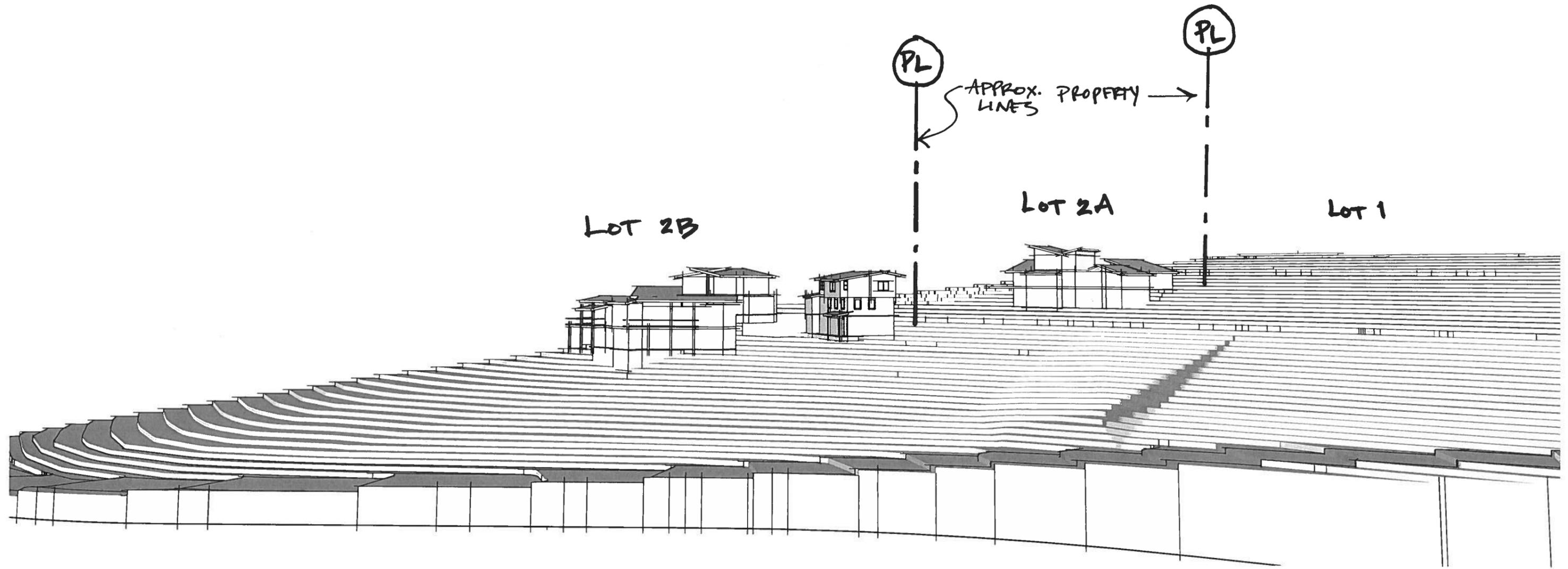
7-20-20  
#11010.D



# VIEW LOOKING WEST

SITE MASSING STUDY

3.20.20  
#11010.0



**RESOLUTION NO. 2020-**

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

**A RESOLUTION APPROVING PLANNING CASE PLN 19-096**, Blue Sky Estates II – Preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates (Applicant: Chris Hawkins, Alpine Planning, LLC); and

**WHEREAS**, Chris Hawkins, Alpine Planning, LLC has applied to the Board of County Commissioners for a preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates; and

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

**WHEREAS**, the Upper Blue Planning Commission reviewed the subject application at a public hearing on January 23, 2020 and recommended that it be approved; and

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public meeting held on February 25, 2020 and continued to the March 31, 2020 meeting and considered the evidence and testimony presented at the meeting; and

**WHEREAS**, the Board of County Commissioners finds as follows:

1. The proposed rezoning is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
2. The proposal is consistent with the purpose and intent of the County's Zoning Regulations.
3. The proposal is consistent with the County's Rezoning Policies.
4. The proposed rezoning is compatible with present area development and will not have a significant, adverse effect on the surrounding area.
5. The proposal is consistent with public health, safety and welfare, as well as efficiency and economy in the use of land and its resources.
6. The proposed rezoning is justified because there have been changes in conditions in the vicinity as development has occurred since the prior rezoning in 1988.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates is hereby approved with the following conditions:

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.

3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ADOPTED THIS 31<sup>ST</sup> DAY OF MARCH, 2020**

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

---

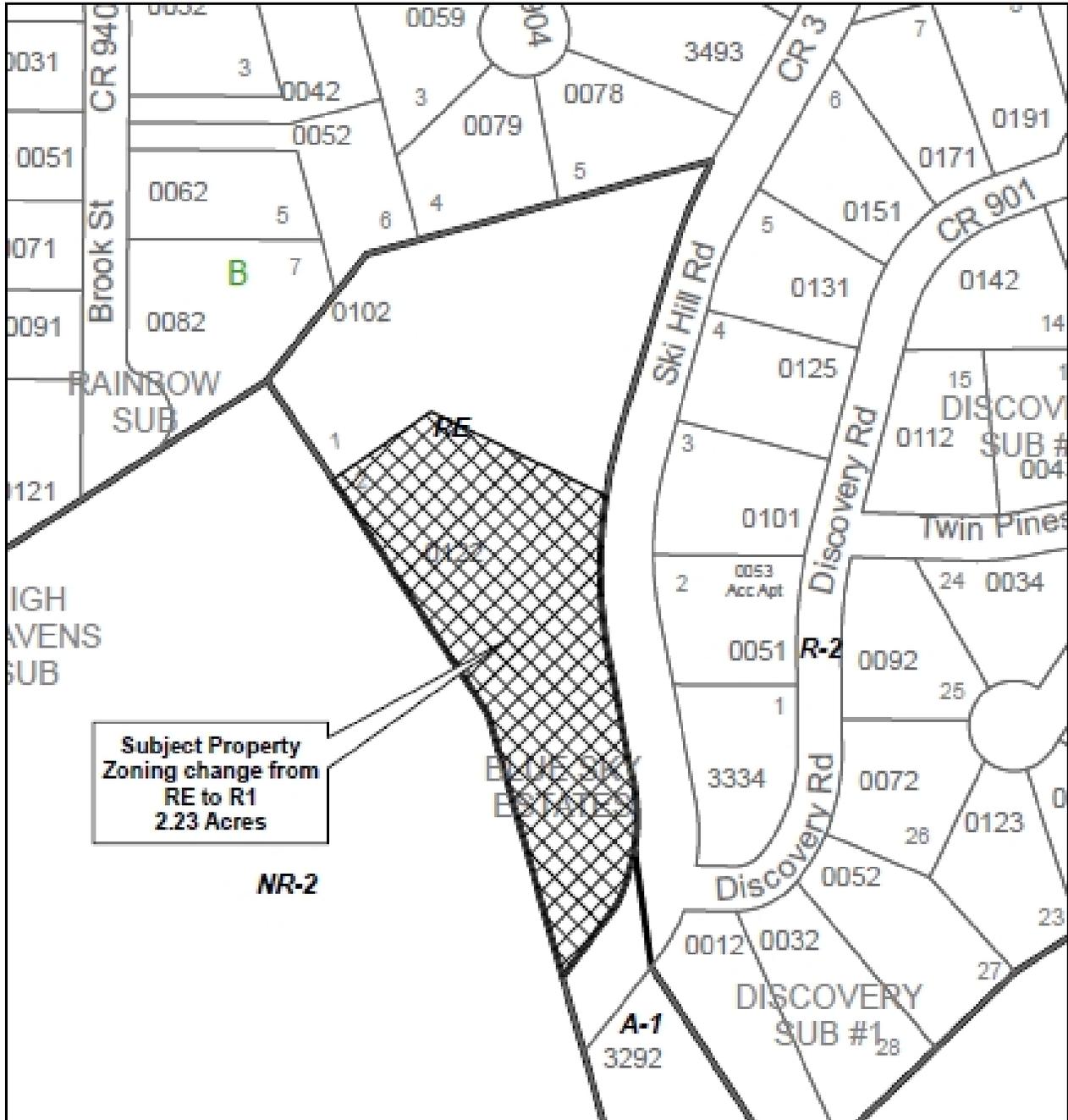
Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder

Exhibit A



Rezoning For: LOT 2 BLUE SKY ESTATES, in the Upper Blue Basin, Summit County, Colorado

Zoning Change from RE to R1

Planning Department



**SUMMIT COUNTY**

© 2015 SCS, Inc.  
This map is for display purposes only.  
Do not use for legal purposes. Not  
necessarily accurate by surveying  
standards and does not comply with  
National Mapping Accuracy Standards.  
© 2015 Summit County Government



To Planning Department and Board of County Commissioners,

Please consider this email as non-support of approving the proposed planning case PLN19-097. As a nearby fulltime year round resident in the Discovery Sub I ask this proposed project be considered for denial per the following.

Driveway - the proposed grade of 10% appears to be beyond the design standard of 8% for shared driveways per 5107.03, E. Leading to potential for vehicles parking along driveway and the cul-de-sac directly adjacent to the National Forest lands. Thus creating a visual impact uncharacteristic for the neighborhood. And at a time when snowplows are working to clear snow. This currently occurs off Discovery Road where visitors park their vehicles at intersection with Ski Hill Road and walk to their short term rental (STR). Many of us have had to incur extra costs to get our driveway to the required grade for a single lot with a SFH fulltime resident, so why is this variance being considered to enable a lot to be split for most likely no other reasons than profit.

Snow storage - 5107.03, L states "Snow storage for driveways shall be provided on the owner's property". With the driveway being proposed on the property border with the National Forest it appears the proposal is opening the door for snow storage on the National Forest and potential enforcement concerns.

Set back adjustment request – I do not know the setbacks for the area, however I feel the proposed setbacks should be required to meet the other properties in the neighborhood to maintain the character with bordering National Forest.

I have been a resident on Discovery Road for 11 years and have seen the subject property be requested for a variance, I believe, three different times/proposals now. Each time it is for greater density than the lot was original designed. It appears the many different owners of this property are continually trying to get greater density and will not stop until it is granted

While I appreciate the TDR from backcountry and I do not fully know the bank and possible properties of value to protect, I question if it is of as great of value as it once was when the program was created. At what point are an excess amounts of accommodations being made to allow a property something more than it was originally intended for and was knowingly purchased as.

I also have great concerns regarding the ultimate intended use of this property and potential for short term rental (STR) use. Our community, peak 7 and much of Summit County, is being overrun by STRs. Discovery Road and the spur road off Discovery of Twin Pines, both dead end roads have 22 homes of which 12 or more than 50% are being used for STR at some point of the year. In my short 11 years in this subdivision/peak 7 the character has changed. Increased traffic (renters, mgmt. company, cleaning vehicles, tow trucks) constant speeding vehicles, stuck vehicles, vehicles parked on roadway due to steepness of driveways or lack of parking, trash cans being left out causing increased bears, noise/music. As an hiring employee of a local business I first hand have seen the impacts of STRs adding to the lack of long term rentals for local workforce and creating an out of reach home ownership for many. The STR environment in Summit County appears to be a large part of creating an environment where it is very difficult to hire and retain quality people that become part of a greater community. The turnover of staff is a revolving door which personally it is troubling to see people come for their dream and a career only to have to leave due to not being able to afford permanent housing with a quality life.

**Lindsay Hirsh**

---

**From:** william randall <breckit@comcast.net>  
**Sent:** Thursday, January 23, 2020 3:50 PM  
**To:** Lindsay Hirsh  
**Subject:** Blue Sky Estates II

My wife and I are full time residents at 62 Brook St. We have reviewed the application for the Blue Sky Estates and feel that the project should be denied. If the access was off of the addressed road (Ski Hill), the impact on the Brook street residence would be next to none but having it off of Brook street has potential negative impacts for us and our neighbors.

While we understand the progression of development, and property owner's rights, we feel that subdividing this parcel creates issues both to the environment and the serenity of our area. The newer homes in our area have been used as short term rentals and has created increased volume of traffic and ignorance of safety by some drives.

In previous years, a similar project was proposed and denied. I would hope that this proposed project is denied based on the dividing the property.

Thank You

William and Kris Randall

**BOARD OF COUNTY COMMISSIONERS**  
**MARCH 31, 2020 (Continued from FEBRUARY 25, 2020 Meeting)**  
**PLANNING CASE #19-097: CLASS 6 – BLUE SKY ESTATES II – FINAL REZONING OF A**  
**2.23-ACRE LOT ZONED RURAL ESTATES (RE) TO R-1 TO ACCOMMODATE TWO**  
**SINGLE-FAMILY LOTS.**  
**PUBLIC HEARING**

**PROJECT INFORMATION:**

**Location:** 0122 Ski Hill Road

**Project/Request:** Blue Sky Estates II –Final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots.

**ISSUES:**

None

**RESOLUTION STATUS:**

Resolution attached for the BOCC's consideration.

**STAFF RECOMMENDATION:**

Approval with four findings and four conditions.

**ATTACHMENTS:**

Attachment A: Draft Resolution with Rezoning Exhibit A



PLANNING DEPARTMENT

970.668.4200  
[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

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

**STAFF REPORT**

**TO:** The Board of County Commissioners (“BOCC”)  
**FROM:** Lindsay Hirsh, Senior Planner  
**FOR:** Meeting of March 31, 2020 (Continued from the February 25, 2020 Meeting)  
**SUBJECT:** PLN19-097: Class 6: Blue Sky Estates II – Final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots.  
**APPLICANT:** Chris Hawkins, Alpine Planning, LLC  
**OWNER:** 122 Ski Hill, LLC  
**REQUEST:** Final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots.

**PROJECT DESCRIPTION**

**Location:** 0122 Ski Hill Road  
**Legal Description:** Lot 2, Blue Sky Estates  
**Proposed Use:** Residential  
**Other Uses:** Accessory to Residential – 1 (R-1)  
**Total site area:** 2.23 acres  
**Adjacent land uses:**  
    **East:** Ski Hill Road/Discovery Sub #1 (zoned R-2)  
    **West:** USFS lands (zoned NR-2)  
    **North:** Lot 1, Blue Sky Estates, (zoned RE)  
    **South:** Ski Hill Road

**Background:**

The subject property is located on the south side of the Peak 7 Neighborhood as indicated on the map on the following page. The property contains 2.23 acres and is currently zoned RE (Rural Estate) which has a minimum lot size of 2 acres. The property has approximately 430 feet of frontage onto Ski Hill Road on its eastern border. Based on the submitted topographical survey, the property has an average grade of approximately 14%. The property is relatively devoid of trees due to extensive blow down.

This Final Rezoning (PLN19-097) application is being concurrently reviewed with the preliminary rezoning request (PLN19-096) and the preliminary plat (PLN19-098) and the final plat (PLN19-099). The preliminary rezoning and plat applications were heard and recommended for approval by the Upper Blue Planning Commission (“UBPC”) on January 23, 2020. All four applications were to be heard by the BOCC at their meeting of February 25, 2020 however they were all continued to the March 31, 2020 meeting.



## **DISCUSSION:**

### **No Substantial Changes from the Approved Preliminary PUD Zoning**

This Criterion for Decision requires the BOCC to make a finding that the proposed final PUD zoning has not substantially changed from the approved preliminary PUD zoning, and the applicant has complied with conditions that had to be met prior to final zoning approval. The preliminary rezoning request approval by the BOCC had the following conditions:

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

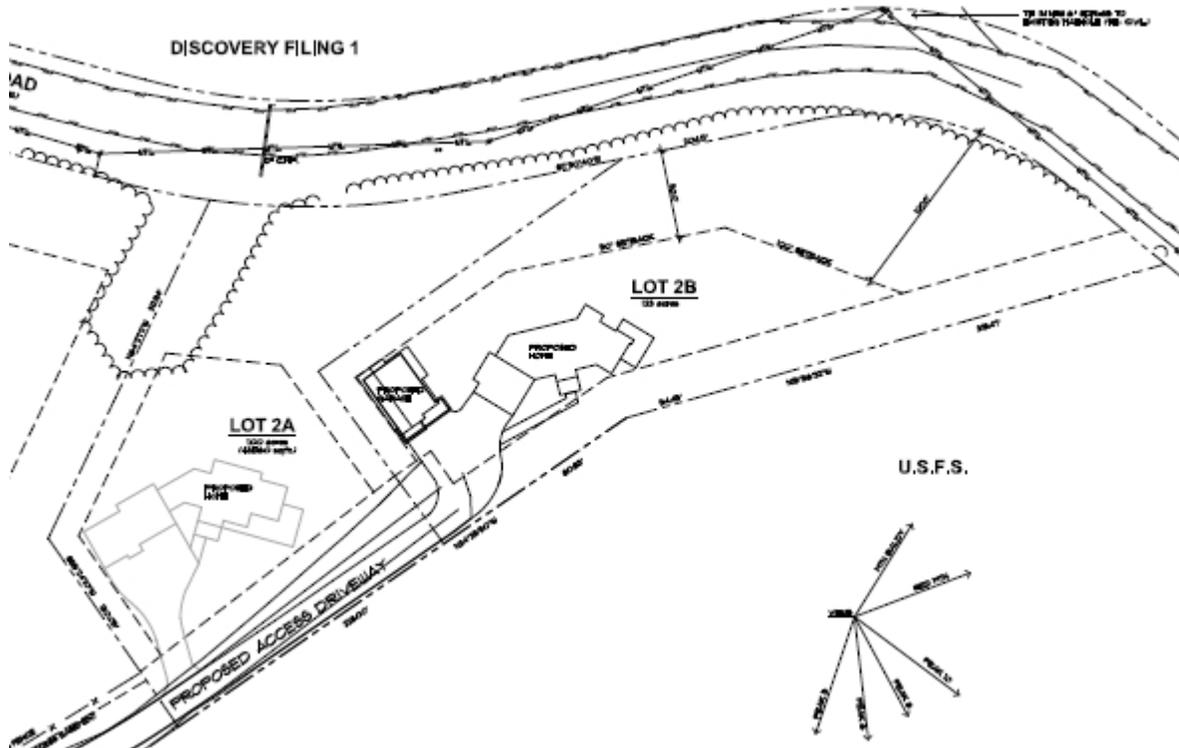
Staff has included the first condition of approval in the recommended conditions associated with the final rezoning request. As stated in the preliminary rezoning staff report, the applicant is aware of this requirement and is intending to purchase and/or acquire through private party transactions necessary TDRs to fulfill this condition. There are currently TDR's available in the Upper Blue TDR bank and they are currently \$92,590 per development right. It should be noted that the TDR price has recently been recalculated. The previous price was \$85,000. The applicant has requested that he be allowed to purchase the TDR for \$85,000, which was the price of a TDR at the time his application for the rezoning was submitted. Unfortunately, as the TDR program is jointly operated with the Town of Breckenridge pursuant to an IGA, it is not within the scope of this application nor within the authority of the Planning Department to decide. The IGA sets forth the terms under which TDRs are to be sold and provides for an annual update of the price and the methodology for doing so. The applicant also has the option to acquire a TDR from the private market.

The second condition regarding wetlands is in response to an Engineering Department referral comment of the potential to disturb off-site adjacent wetlands in a ditch along Ski Hill Road associated with utility installation and staff believes conditioned appropriately. As stated in the preliminary plat staff report, this issue was brought up at the Upper Blue Planning Commission meeting and the associated condition was agreed upon by both the Engineering Department and the applicant.

The third condition was based on a referral comment from the USFS and the proposed condition is simply to solidify/document that all grading or snow storage needs to be conducted on the subject property and not on the adjacent USFS lands.

Lastly, regarding the fourth condition, Subdivision regulations allow establishment of more limited disturbance envelopes at time of subdivision application review if there are concerns such as development constraints or another reason to limit disturbance. Staff supports the applicant's decision to use building envelopes for the two proposed lots however does believe that the proposed building envelopes can be further reduced that are adjacent to Ski Hill Road. The applicant understands Staff's concern regarding this issue and has agreed to pull the

proposed building envelopes that abut Ski Hill Rd. on proposed Lot 2B up the hill by 100 feet as represented below. Staff has added a condition of approval to address this change.



**Final Evidence of Adequate Water, Sewer, Access, Utilities**

The subject application includes verification that the property has adequate water, sewer, access, utilities and other required infrastructure to serve the intended use as per Table 3-4 Services Matrix of the Code.

**Taxes Have Been Paid**

The County Treasurer's Office has verified that all ad valorem taxes have been paid for the subject property for years prior to the year in which approval is under consideration.

**PUD Suitable For Recordation**

The rezoning have been reviewed by the County in accordance with the requirements of the Code and upon compliance with the acquisition of the required TDR, the zoning amendment is suitable for recordation.

**Preliminary PUD**

No change has occurred in the rezoning application that would result in an inability to make the findings required for approval of preliminary PUD zoning.

**Staff Recommendation**

Staff recommends that the BOCC approve PLN19-097, a final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to Residential (R-1) to accommodate two single-family lots with the following findings and conditions:

**Findings:**

1. The proposed final zoning is consistent with the approved preliminary zoning, and the

criteria related thereto, and the applicant has complied with any conditions that had to be met prior to final zoning amendment approval.

2. The applicant has provided final evidence of adequate water, sewer, access, utilities and other required infrastructure.
3. The applicant has provided certification from the County Treasurer's Office that all ad valorem taxes applicable to the proposed zoning amendment for years prior to the year in which approval is under consideration have been paid.
4. No change has occurred in the rezoning applications that would result in an inability to make the findings required for approval of preliminary zoning.

**Conditions:**

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ATTACHMENTS**

Attachment A: Draft Resolution with Rezoning Exhibit A

**RESOLUTION NO. 2020-**

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

**A RESOLUTION APPROVING PLANNING CASE PLN 19-097**, Blue Sky Estates II – Final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots as depicted on Exhibit A, Lot 2, Blue Sky Estates (Applicant: Chris Hawkins, Alpine Planning, LLC); and

**WHEREAS**, Chris Hawkins, Alpine Planning, LLC has applied to the Board of County Commissioners for a preliminary rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots as depicted on Exhibit A, Lot 2, Blue Sky Estates; and

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

**WHEREAS**, the Upper Blue Planning Commission reviewed the subject application at a public hearing on January 23, 2020 and recommended that it be approved; and

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public meeting held on February 25, 2020 and continued to the March 31, 2020 meeting and considered the evidence and testimony presented at the meeting; and

**WHEREAS**, the Board of County Commissioners finds as follows:

1. The proposed final zoning is consistent with the approved preliminary zoning, and the criteria related thereto, and the applicant has complied with any conditions that had to be met prior to final zoning amendment approval.
2. The applicant has provided final evidence of adequate water, sewer, access, utilities and other required infrastructure.
3. The applicant has provided certification from the County Treasurer's Office that all ad valorem taxes applicable to the proposed zoning amendment for years prior to the year in which approval is under consideration have been paid.
4. No change has occurred in the rezoning applications that would result in an inability to make the findings required for approval of preliminary zoning.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a final rezoning of a 2.23 acre lot zoned Rural Estates (RE) to R-1 to accommodate two single-family lots as depicted on Exhibit A, Lot 2, Blue Sky Estates is hereby approved with the following conditions:

1. Prior to the recordation of the final rezoning, the applicant shall obtain one TDR for the additional lot being permitted by the rezoning from RE to R-1.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.

4. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ADOPTED THIS 31<sup>ST</sup> DAY OF MARCH, 2020**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk & Recorder



**BOARD OF COUNTY COMMISSIONERS  
MARCH 31, 2020 (Continued from FEBRUARY 25, 2020 Meeting)  
PLANNING CASE #19-098: CLASS 5 – BLUE SKY ESTATES II – PRELIMINARY PLAT TO  
SUBDIVIDE A 2.23-ACRE LOT ZONED SINGLE-FAMILY RESIDENTIAL (R-1) TO  
ACCOMMODATE  
TWO SINGLE-FAMILY LOTS.  
PUBLIC HEARING**

**PROJECT INFORMATION:**

**Location:** 0122 Ski Hill Road

**Project/Request:** Class 5: Blue Sky Estates II – Preliminary plat to subdivide a 2.23-acre lot zoned Single-family Residential (R-1) to accommodate two single-family lots.

**ISSUES:**

None

**UPPER BLUE PLANNING COMMISSION RECOMMENDATION:**

The Upper Blue Planning Commission unanimously (7-0) voted to recommend approval of the preliminary plat.

**RESOLUTION STATUS:**

Resolution attached for the BOCC's consideration.

**STAFF RECOMMENDATION:**

Approval with seven findings and five conditions.

**ATTACHMENTS:**

Attachment A: Applicant's Narrative  
Attachment B: Proposed Plat, Site Plan and Visual Simulations  
Attachment C: Draft Resolution  
Attachment D: Letters



PLANNING DEPARTMENT

970.668.4200  
[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

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

**STAFF REPORT**

**TO:** The Board of County Commissioners (“BOCC”)  
**FROM:** Lindsay Hirsh, Senior Planner  
**FOR:** Meeting of March 31, 2020 (Continued from the February 25, 2020 Meeting)  
**SUBJECT:** PLN19-098: Class 5: Blue Sky Estates II – Preliminary plat to subdivide a 2.23-acre lot zoned Single-family Residential (R-1) to accommodate two single-family lots.  
**APPLICANT:** Chris Hawkins, Alpine Planning, LLC  
**OWNER:** 112 Ski Hill, LLC  
**REQUEST:** Preliminary plat to subdivide a 2.23 acre lot zoned R-1 to accommodate two single-family lots.

**PROJECT DESCRIPTION**

**Location:** 0122 Ski Hill Road  
**Legal Description:** Lot 2, Blue Sky Estates  
**Proposed Use:** Residential  
**Other Uses:** Accessory to Residential – 1 (R-1)  
**Total site area:** 2.23 acres  
**Adjacent land uses:**  
    **East:** Ski Hill Road  
    **West:** USFS lands (zoned NR-2)  
    **North:** Lot 1, Blue Sky Estates, (zoned RE)  
    **South:** Ski Hill Road

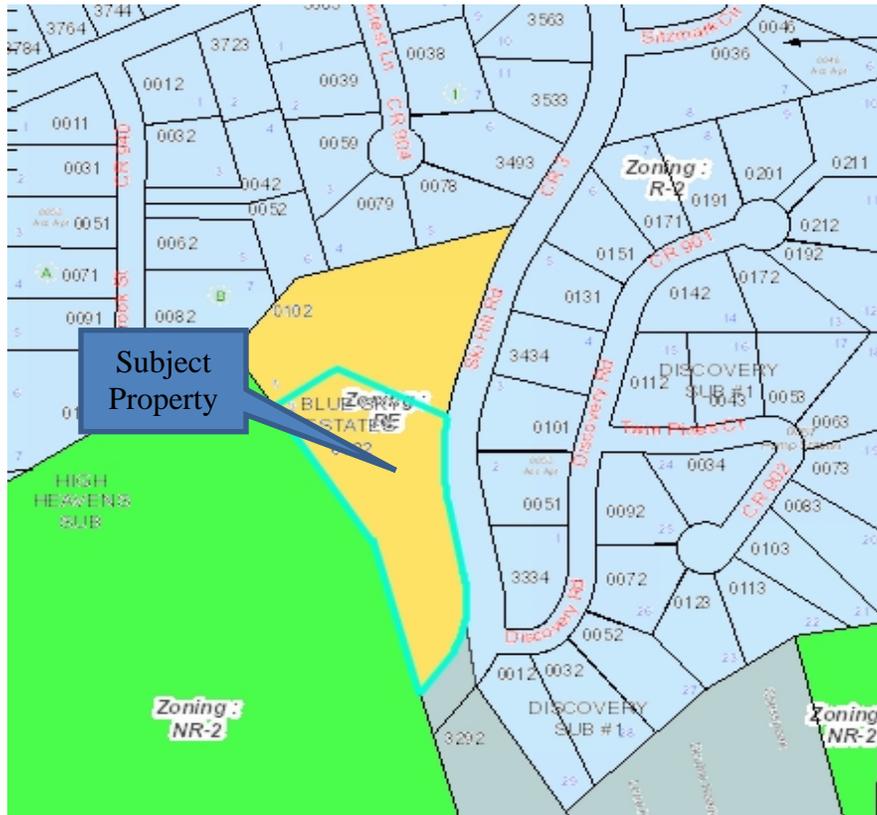
**Background:**

This application is being reviewed and processed concurrently with PLN19-096 and PLN19-097, preliminary/final rezoning applications to rezone the subject property from RE to R-1 and the final plat (PLN19-099.)

The subject property is located on the south side of the Peak 7 Neighborhood as indicated in the map on the following page. The property contains 2.23-acres and is currently zoned RE (Rural Estate). The property has approximately 429 feet of frontage onto Ski Hill Road on its eastern border. Based on the submitted topographical survey, the property has an average grade of approximately 14%. The property is relatively devoid of trees due to extensive blow down.

As illustrated in the attached drawings (Attachment B), the applicant is proposing to subdivide the subject 2.23-acre property into two lots (1.00 acres and 1.23 acres to accommodate single-family residences and the accessory uses that are allowed in the R-1 zoning district. An extension of an existing driveway off Brook Street has been designed to accommodate the proposed lots.

### Vicinity & Zoning Map



On January 23, 2020, the Upper Blue Planning Commission heard the subject request and on a 7 to 0 vote unanimously recommended approval of the preliminary plat request to the BOCC with the findings and conditions contained in this staff report.

For additional background information, please refer to the PLN19-096 staff report and the applicant's narrative (Attachment A).

#### **Criteria for Decision:**

Section 8252.01 of the Code states that the BOCC may approve such a preliminary plat, only if the application meets all relevant County regulations and standards and provided the Review Authority makes the following findings:

- A. The proposed subdivision is consistent with the Zoning Regulations applicable to the property.
- B. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property.

- C. The proposed subdivision is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans in accordance with Section 8004 of the Subdivision Regulations.
- D. The applicant has provided evidence that provisions can be made for a water supply that is sufficient in terms of quantity, quality and dependability to provide an appropriate supply of water for the type of subdivision proposed.
- E. The applicant has provided evidence to establish that, if a public wastewater treatment system is proposed, provision has been made for such system, and if onsite wastewater treatment is proposed, results from soil testing has been provided which demonstrate that wastewater treatment systems would comply with state and local laws and regulations in effect at the time of submission of the preliminary plat.
- F. The applicant has provided evidence to show that all areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed uses of these areas are compatible with such conditions.
- G. The applicant has provided evidence that all lots and parcels created by the subdivision will have access to the County road system and to the State highway system in conformance with the State access code.

**DISCUSSION:**

**Consistency with the Purpose and Intent of the County’s Zoning Regulations**

As stated above, this subdivision process is being reviewed concurrently with PLN19-096 and PLN19-097 to rezone the subject property from RE to R-1. In terms of density and development standards, the Code states the following regarding the R-1 zoning designation:

**R-1 (Single-family Residential)**

The purpose and intent of these regulations is to insure compatibility of land uses, efficient and economical use of land and adequate light and air in development projects. They are also intended to prevent development in areas subject to environmental hazards and encourage development projects that are functional, exhibit good design and aesthetics and protect the County’s natural resources and scenic beauty.

As discussed above, the property is currently zoned RE however this subdivision application is being processed concurrently with the rezoning request (PLN19-096) and as such cannot be approved until such time the zoning request is approved. Staff supports the recommendation to rezone the property to R-1. However, if the concurrent rezoning is not approved, the applicant will not be able to proceed with the proposed preliminary plat and will be required to withdraw their application request.

The following development standards for the R-1 zoning district are as follows:

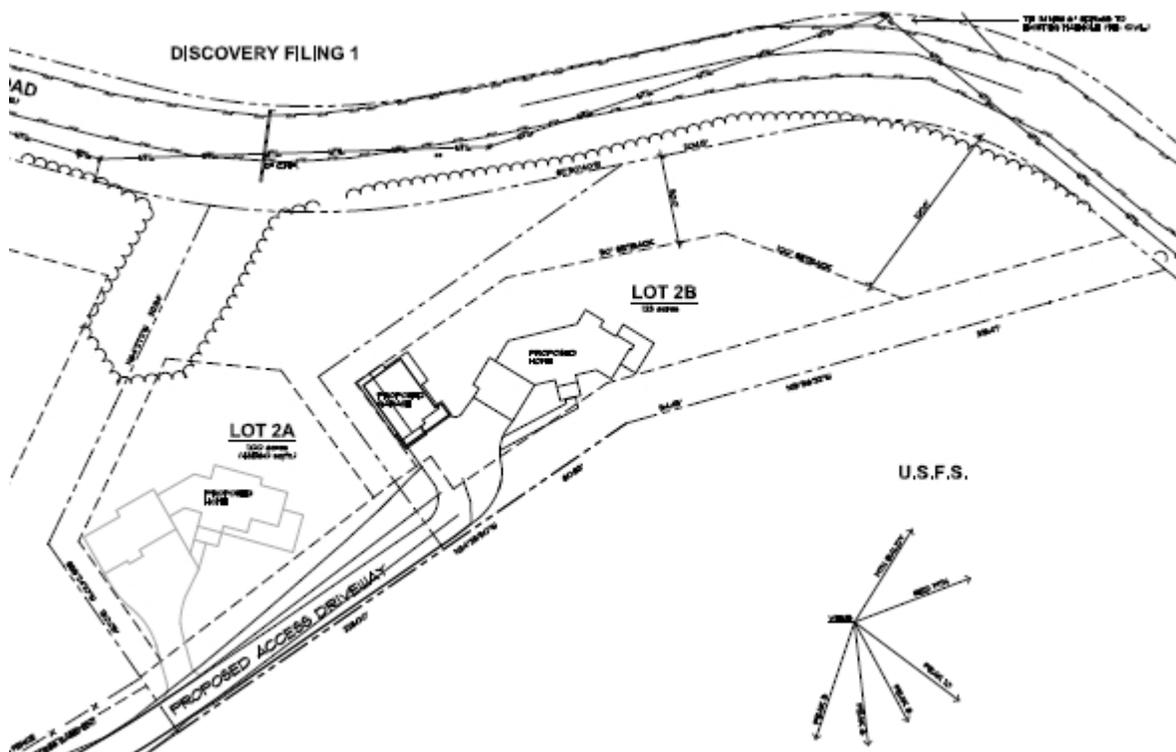
	<b><u>Required R-1</u></b>
<b>Setbacks</b>	
<b>Front:</b>	35 feet (Adjacent to Ski Hill Rd.)
<b>Rear:</b>	25 feet
<b>Side:</b>	15 feet
<b>Building height:</b>	35 feet
<b>Parking:</b>	2.0 spaces/unit
<b>Density limit:</b>	1 unit/1 acre (40,000 sq. ft.)
<b>Lot size (minimum):</b>	1 acre (40,000 sq. ft.)

**Site coverage (maximum):** 35% Total Impervious

Based on the input from the Planning Commission work session the applicant intends on utilizing building envelopes (Attachment B). Subdivision regulations allow establishment of more limited disturbance envelopes at time of subdivision application review if there are concerns such as development constraints or another reason to limit disturbance. Staff supports the applicant's decision to use building envelopes for the two proposed lots however does believe that the proposed building envelopes can be further reduced that are adjacent to Ski Hill Road. The applicant understands Staff's concern regarding this issue and has agreed to pull the proposed building envelopes that abut Ski Hill Rd. on proposed Lot 2B up the hill by 100 feet as represented below. Staff has added a condition of approval to address this change.

**Consistency with the County's Subdivision Regulations**

Chapter 8 of the County's Land Use and Development Code regulate proposals to subdivide land in unincorporated Summit County. The regulations for the subdivision of land to assure that lots created and uses developed by means of such subdivision processes provide an adequate water supply, means of wastewater treatment, and utilities, and ensure access to the public street. The proposed plat is attached as Attachment B of this staff report for the Board's consideration.



**Access:**

The issue of access has been a focus of the previous work session reviews due to potential access utilizing Ski Hill Road. As the attached drawings indicate, this proposal instead shows access to serve the two proposed lots via Brook Street and two access easements. The Engineering Department initially required several technical driveway revisions and these revisions have been made to the satisfaction of the Engineering Department. In addition, the

Engineering Department did indicate that on the Uncompahgre Engineering Sheet C3 Utility Plan, utilities are indicated to be installed outside of the proposed building envelopes and connecting directly to Ski Hill Road in two different locations. Wetlands are known to be present along Ski Hill Road in this location. This issue was discussed at the Upper Blue Planning Commission meeting and it was agreed upon by both the Engineering Department and the applicant that if required by Engineering Department prior to issuance of a Grading and Excavation or Building permit, a wetlands delineation will need to be provided indicating that no wetlands or wetlands buffers (25') will be impacted by the proposed utility installation. If wetlands impacts are proposed, a wetlands disturbance plan by an Army Corps of Engineers approved Wetlands Consultant will need to be provided. Specifically, the location of all proposed disturbance on the properties, including any lot grading and location of all utilities, must be clearly shown to be outside of any wetlands, steep slopes, landslide areas, or any other areas of concern. The areas of concern need to be specifically shown on the plans, wetlands delineation provided, and all disturbance shown to be outside of steep slope and landslide areas. No construction or disturbance of any kind is permitted on the adjoining Forest Service land; construction fencing along the property line and erosion control fencing downhill of all proposed disturbance will need to be installed by the contractor and inspected by the Engineering Department prior to any earth disturbance, and remain in place until all construction on the property is complete.

The applicant is aware of these issues and is currently addressing them. All these comments are technical in nature and as such, staff has added the appropriate conditions to address these issues for the Board's consideration.

Utilities:

Xcel Energy reviewed the submitted information and indicated that they had no issues with the application. However, they did indicate that once the property is divided into lots, sufficient easements will be required to provide electric and gas utilities to all lots. The applicant has worked with Xcel Energy on this issue and the appropriate easements have been placed on the proposed plat.

Cartographer:

The County's cartographer reviewed the submitted information and indicated that a change of address will need to occur if access to these properties will be off Brook St. (CR 940). Additional addresses will be assigned once building site plans are submitted.

Open Space and Trails:

The Open Space and Trails Department has no concerns with the proposed lot subdivision. However, the applicant should be aware that a public use area fee in the amount of \$1,500 shall be required for the additional lot. This issue has been included as a condition of approval.

Subdivision Improvements Agreement (SIA):

The applicant has submitted a SIA for the proposed improvements associated with the proposed two-lot subdivision. The SIA has been reviewed by the Engineering Department and appears to be revised for the scope of work being proposed. Prior to the issuance of a Grading and Excavation permit, the final SIA and financial guarantee covering the cost of the proposed improvements will need to be finalized. Staff has included this issue as a condition of approval for the Planning Commission's consideration.

### **General Conformance with Master Plan Goals and Policies**

The County's master plans are advisory documents and contain recommendations of the vision for the community in a number of different areas (e.g., envisioned use of land) and such goals or policies do not have the force and effect of law. Nevertheless, the Development Code makes "general conformance" with the provisions of master plans a requirement for certain development applications. The BOCC and planning commissions have the authority to consider and even require compliance with these plans and certain goals and policies contained therein in particular applications (i.e. rezonings, PUDs, subdivisions, CUPs and regulatory revisions).

When using and applying a master plan, a Review Authority (i.e. BOCC, Planning Commission or Staff) is entitled to discretion in evaluating whether there has been "general conformity" and compliance with the County's master plans and assigning weight to particular goals and policies in the plans on a case-by-case basis. Accordingly, Chapter 15 of the Development Code defines general conformance as:

"When a development application is evaluated regarding its general conformance with applicable master plans, the Review Authority shall evaluate the application against the entirety of the goals, policies and actions contained in the master plans and need not require compliance with every provision contained therein. Nonetheless, the Review Authority may require that an applicant satisfy any particular goal, action or policy if such compliance is deemed necessary to attain general conformance."

The Countywide Master Plan (Comprehensive Plan), Upper Blue Master Plan (Master Plan), and the Joint Upper Blue Master Plan (JUBMP), each have policies that are applicable to this application. This application presents an opportunity for the Commission to consider the relative weight of particular goals and policies for this particular proposal, as intended under the scope of determining "general conformity".

The following represents a discussion of how the subject application addresses/considers all three of the Master Plans by topic:

#### **Land Use:**

##### **Comprehensive Plan:**

The Comprehensive Plan sets forth policies to define urban areas and rural areas in basin master plans. This has been implemented in the Master Plan whereby each parcel has a designated Land Use Designation ("LUD") either under the urban or rural category. While the Comprehensive Plan does not provide definitions of rural and urban, it does include policies that describe the intent of these designations. Per the Comprehensive Plan, areas are considered urban if they:

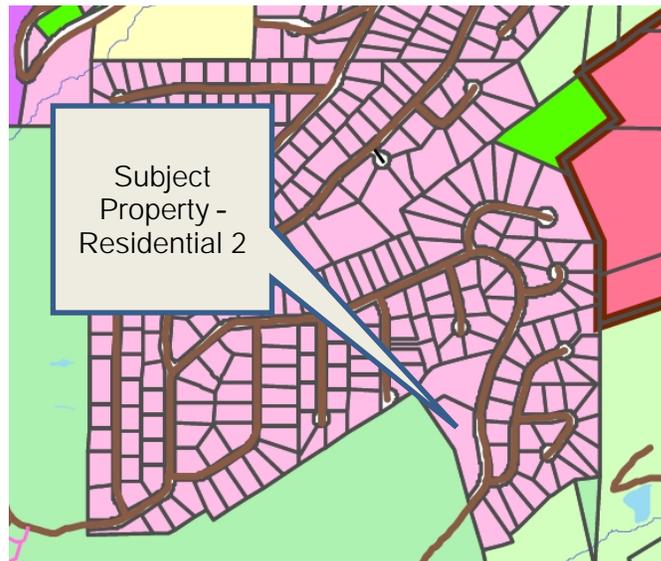
- ❑ Are located in areas with existing or planned public sewer and water facilities.
- ❑ Are zoned for higher density uses.
- ❑ Are located in areas that avoid agricultural lands.
- ❑ Have densities high enough to support the provision of urban services and facilities in a cost-efficient manner and to promote a pedestrian-friendly environment.
- ❑ Can facilitate mixed residential densities to create a diversity of housing types and sizes.

The subject property is mapped in the urban category; as the graphic/table below illustrates, the LUD for the property is identified as Residential 2.

**Master Plan:**

Since the application of master plan policies to this proposal is such a significant consideration with this application, it is important that the Board be cognizant of the guiding tenets behind the master plan policies. In terms of land use, one of the key objectives of the Master Plan is to identify appropriate land uses within the unincorporated locations in the Basin. Per the direction of the Comprehensive Plan, land uses are divided under two primary headings: urban and rural. A number of land use designations are associated with each of these headings. These land use designations are identified on the Land Use Map (see below) and the associated uses are listed and described in the Master Plan. With only a handful of exceptions, the land use designations on the Land Use Map are intended to follow property boundaries.

**Upper Blue Basin Land Use Map – February 25, 2010**



Land Use		
<b>Urban</b>		Residential Estate
Community Facilities	Transition 5	Highway 9
Comm Facilities/Institutional Use	Transition 10	Paved
Commercial	Transition 20	Unpaved
Service Commercial/Industrial	Open Space	Trails
Residential 10	<b>Rural</b>	
Residential 6	Backcountry	Lakes/Reservoirs View
Residential 4	Rural Ranch	Town Boundaries
Residential 2	Rural 20	Parcel Lines
Residential 1	Rural 5	
	Open Space/Natural Resources/Recreation	

The following are the applicable Master Plan Land Use Designations and description of uses per Table 2 of the Upper Blue Master Plan:

**Table 2. Upper Blue Basin Master Plan Land Use Designations**

<b>Plan Designation</b>	<b>Description of Uses</b>
<b>Urban Area</b>	
Residential 2	Single-family residential uses with a maximum density of two units / acre.
Residential 1	Single-family residential uses with a maximum density of one unit / acre.

The land use designations contained in the Master Plan are not the equivalent of zoning and do not replace the zoning that is in effect on properties in the Basin. The Master Plan’s land use designations contemplate uses and densities, but they are intended to represent the long-term vision and desired character of the community. The land use designations are intended to provide guidance for certain development proposals subject to master plan consideration, including: requests for rezoning, subdivision, conditional use permits, and a number of other development activities.

Goal A of the Master Plan states that: *“Future land use should be consistent with a land use pattern that focuses growth in existing urban areas and seeks to maintain the character of rural areas in the Basin”*. Policy/Action 1 further states that: *“The Land Use Map should be used to determine appropriate land uses within different unincorporated areas of the Basin....All rezoning proposals should be evaluated to determine if uses and densities proposed are consistent with the land use designations outlined on the Land Use Map”*.

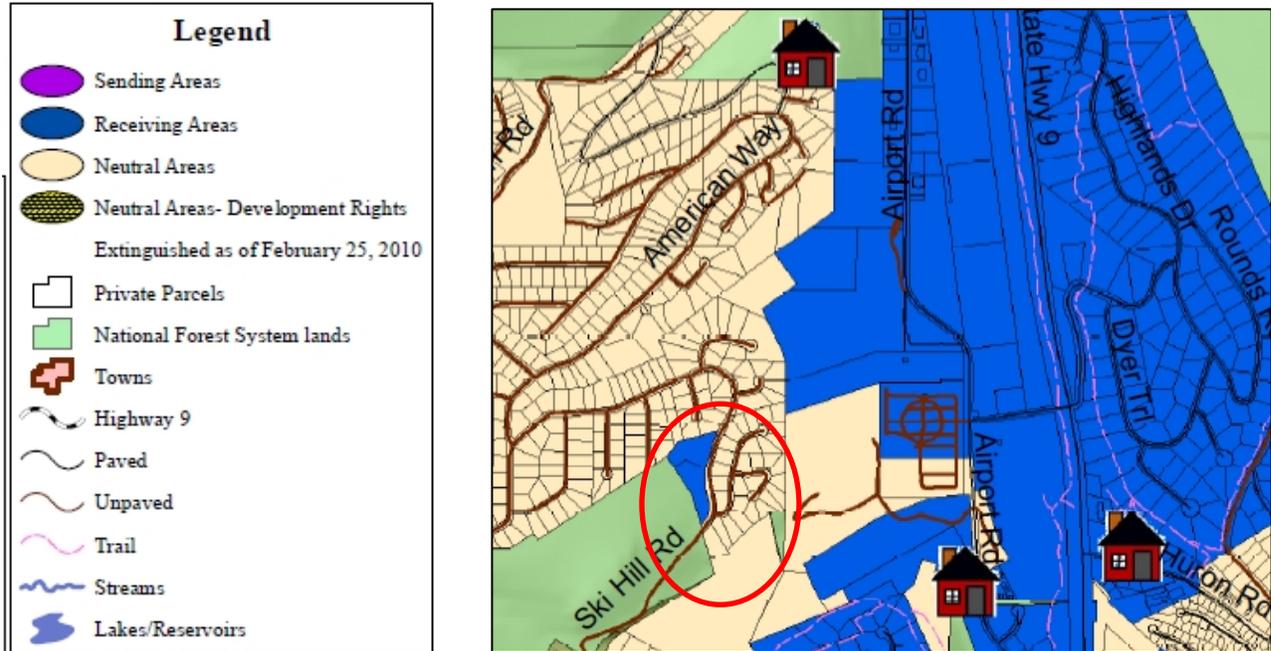
Thus, under the current LUD, the proposal does meet the intent of the Residential 2 designation as the requested R-1 zoning district is less dense than what the Residential 2 LUD recommends. The subject property is surrounded by a Residential 2 and Open Space designations.

**TDRs:**

The Transferrable Development Rights (TDR) designation for the property is “Receiving” as shown on the official TDR Map and in the Upper Blue Master Plan. Receiving Areas are eligible to receive density in conjunction with an upzoning and are discussed in detail in Section 3506.02.B.3 of the Code. While the designation of receiving does allow density be sent to the site, it does not guarantee the right to receive density. That decision will be made during the rezoning application based on the appropriateness of additional density on this site. Regardless, the TDR designation of “Receiving” does indicate that the site may be appropriate, and at a minimum, is eligible, to receive density. The applicant is aware that the rezoning proposal triggers a TDR requirement in order to accommodate the density provisions of the Code and Master Plans. Per Section 3506.02E.1. of the Code, one TDR for a single-family residence will allow up to 4,356 square feet of floor area. There are currently TDR’s available in the Upper Blue TDR bank and they are currently priced at \$92,590 per development right. It should be noted that the TDR price has recently been recalculated. The applicant has requested that he be allowed to purchase the TDR for \$85,000, which was the price of a TDR at the time his application for the rezoning was submitted. Unfortunately, as the TDR program is jointly operated with the Town of Breckenridge pursuant to an IGA, it is not within the scope of this application nor within the authority of the Planning Department to decide. The IGA sets forth the terms under which TDRs are to be sold and provides for an annual update of the price and the methodology for doing so. The applicant also has the option to acquire a TDR from the private

market.

### Upper Blue Basin Transfer Development Rights (TDR) Map – September 8, 2017



Joint Upper Blue Master Plan (JUBMP):

Applicable goals and policies of the JUBMP include the following:

**Goal A. Future land use decisions should advance an urban/rural development pattern and not increase overall density in the Basin.**

- Policy/Action 1. Locate new development within existing urban areas to the maximum extent possible.
- Policy/Action 3. No new density (beyond that currently zoned) shall be approved or allocated to any parcel within the Basin unless such density is transferred to the proposed development site in accordance with the guidelines established in basin transferable development rights (TDR) programs and the Town and County Development Codes.
- Policy/Action 4. Rezoning or other actions which increase density beyond the level currently zoned should require a transfer of development rights in accordance with established TDR program regulations.

- Identified TDR Receiving Areas for density transfers shall be able to accommodate additional development within the limits of available services and infrastructure, site constraints and neighborhood compatibility, and also be in conformance with the Towns and County Development Codes.

The proposal would require one (1) additional unit of density and thus a TDR would be required. This issue is further addressed in the rezoning applications.

**Evidence of Adequate Water Supply:**

The applicant has submitted a letter from the Town of Breckenridge Public Works Department indicating that water is available and the owner/developer will be responsible for bringing the water line to the property and Plant Investment Fees (PIF's) are due at time of building permit issuance.

**Evidence of Adequate Sewer Service:**

The applicant submitted a letter from the Upper Blue Sanitation District indicated that service is currently available and that the owner/developer is responsible for the installation/extension of the service lines and that PIF's will need to be paid.

**Evidence That All Areas Of The Proposed Subdivision That May Involve Soil Or Topographical Conditions Presenting Hazards Or Requiring Special Precautions Have Been Identified And That The Proposed Uses Of These Areas Are Compatible With Such Conditions:**

The subject subdivision was referred to the Colorado Geologic Survey (CGS) and the Middle Park Conservation District and they initially had some concerns related to the property being in a landslide area and some soil related issues. As a result, the applicant retained Kumar & Associates which conducted a more detailed study that has been reviewed by CGS, which found that the new report adequately addressed the initial concerns.

**Evidence That All Lots And Parcels Created By The Subdivision Will Have Access To The County Road System And To The State Highway System In Conformance With The State Access Code:**

As stated above, the proposal indicates access to serve the two proposed lots via Brook Street and two access easements. The proposed access has been reviewed by the County Engineer and as discussed in the rezoning staff report.

**Staff Recommendation**

Staff recommends that the BOCC approve PLN19-098, a preliminary plat of a 2.23-acre lot zoned R-1 to accommodate two single family lots with the following findings and conditions:

**Findings:**

1. This application is being processed concurrently with PLN19-096, a request to rezone the subject property from RE to R-1. If PLN19-096 is approved, the proposed subdivision will be consistent with the applicable Zoning Regulations because, without limitation, the subject property meets the density and lot size requirements of the R-1 zoning district. If PLN19-096 is not approved, this criterion will not be met and the application cannot be approved.
2. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property because, without limitation: a) fire protection is available from the Red, White and Blue Fire District; b) geologic or soil issues can be mitigated; c) the property has access to the County road system; and d) adequate utilities and services are available to the property.
3. The proposed subdivision is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and the Upper Blue Master Plan and the Joint Upper Blue Master Plan. Without limitation, the proposal is in general conformance with the Residential land use designation indicated in the Upper Blue Master Plan and the proposed building envelopes are placed to address areas with environmental constraints or visually prominent areas.

4. The applicant has provided evidence that the Town of Breckenridge Water Division will provide service to the subject property.
5. The applicant has provided evidence that Upper Blue Sanitation District will provide sewer services to the subject property.
6. Evidence has been provided to show that there are no significant geologic hazards present that cannot be addressed through standard engineering practices. The Colorado Geologic Survey and Middle Park Conservation District have indicated that the intended use can be engineered to address the soil or topographic conditions that exist and these conditions can be mitigated so that they would not prevent development of the subject property.
7. The applicant has provided evidence that all lots and parcels created by the subdivision will have access to the County road system and to the State highway system in conformance with the State access code. Access to the subject property is available from Brook Street.

**Conditions:**

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department, a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ATTACHMENTS**

Attachment A: Applicant's Narrative  
Attachment B: Site Plan and Visual Simulations  
Attachment C: Draft Resolution  
Attachment D: Letters

# Blue Sky Estates II

## Rezoning and Subdivision



## Background

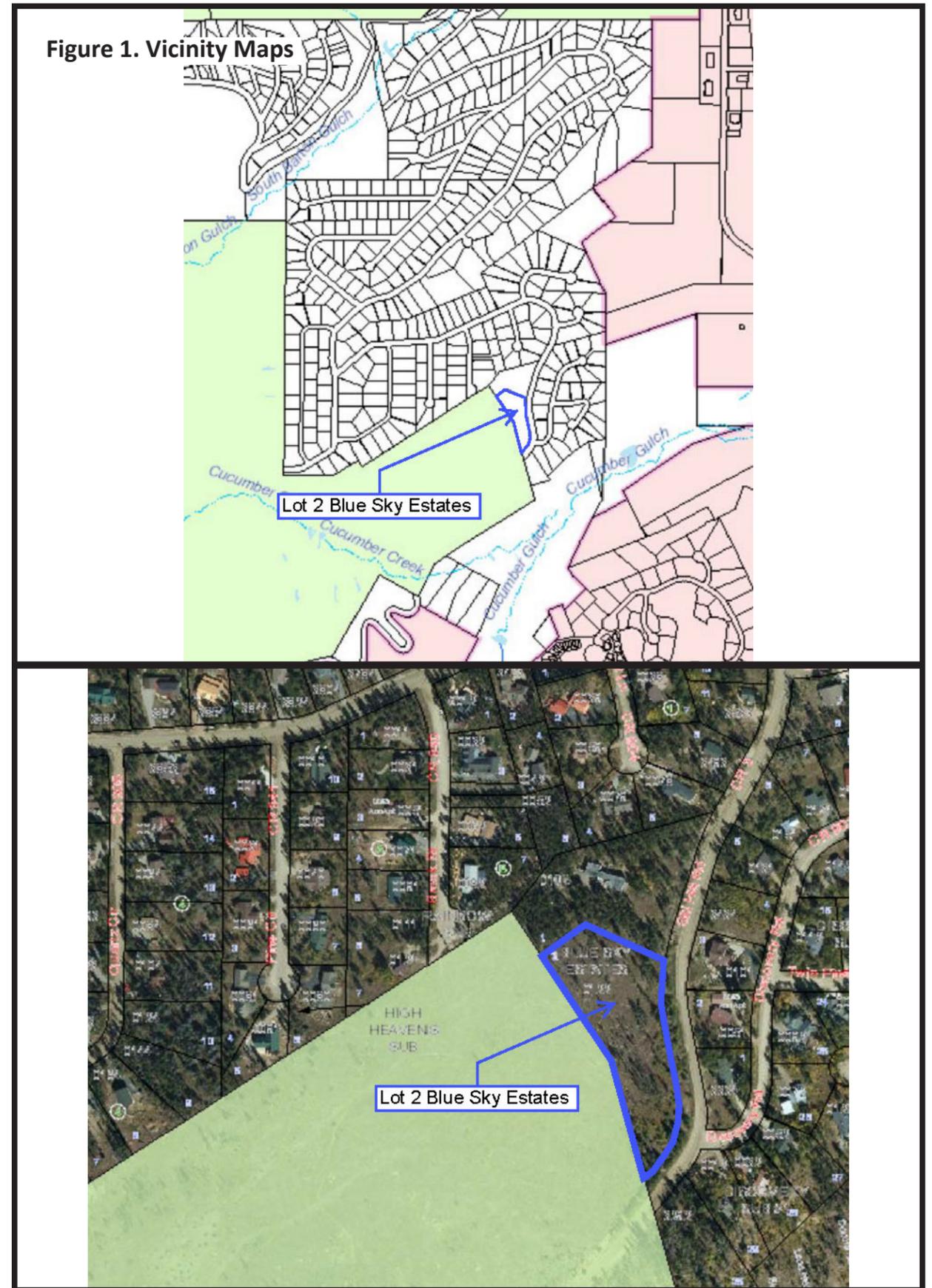
Ski Hill Road, LLC (“Owner”) proposes to rezone and subdivide Lot 2 Blue Sky Estates located at 122 Ski Hill Road (“Property”). The Owner is seeking the concurrent review and approval for the preliminary and final rezoning and subdivision of the Property. The concept is to rezone the Property from the RE Zone District to the R-1 Zone District to subdivide the Property into two lots. The proposed lot sizes range from 1 to 1.233 acres as shown in the proposed plat.

The Property is located on the south side of the Peak 7 Neighborhood as shown in Figure 1. The Property contains 2.23 acres and is located in the RE Zone District with most of it abutting the R-2 Zone District as shown in Figure 2. Table 1 outlines the geography and proposed Rezoning dimensional standards.

The Property has approximately 429 feet of frontage onto the Ski Hill Road Right-of-Way on its eastern border. The Property is gently sloping with a low United States Geological Survey elevation of 9748 and a high elevation of 9836 for an overall change of approximately 88 feet from the south to the north side over a distance of approximately 620 feet, with an average grade of approximately 14%. There are some small steep slopes areas that are 30% or greater in the northeast and southeast areas of the Property as shown on the Conceptual Plan. The Property is very open since most of the trees on the Property were blown down due to the extensive tree removal on the adjoining United States Forest Service land.

**Table 1. Geography and Dimensional Requirements**

	Existing	Proposed Rezoning
<b>Legal Description</b>	Lot 2 Blue Sky Estates	Blue Sky Estates No. 2, Lots 1, 2, 3
<b>Address</b>	122 Ski Hill Road	To Be Determined
<b>Lot Size</b>	2.23 acres	1 to 1.73 acres
<b>Zone District</b>	RE	R-1
<b>Density</b>	1 unit / 2 ac. - 1 unit/4.9 ac.	1 unit/1.12 acre
<b>Site Coverage</b>	None	50% or less
<b>Max. Floor Area Per Home</b>	NA	Each lot will have 4,356 sq. ft. or less of floor area
<b>Building Height</b>	35 feet	35 feet or less
<b>Proposed Min. Lot Width</b>	50 feet	50 feet or greater
<b>Proposed Rezoning Setbacks</b>		
Front (East)	50 feet	35 feet
Rear (West)	35 feet	25 feet
Side (North)	35 feet	15 feet
Side (South)	35 feet	15 feet
<b>Surrounding Land Uses</b>	East	Ski Hill Rd./Discovery Sub. #1
	West	USFS
	North	Rainbow Subdivision
	South	Ski Hill Rd./Discovery Sub. #1



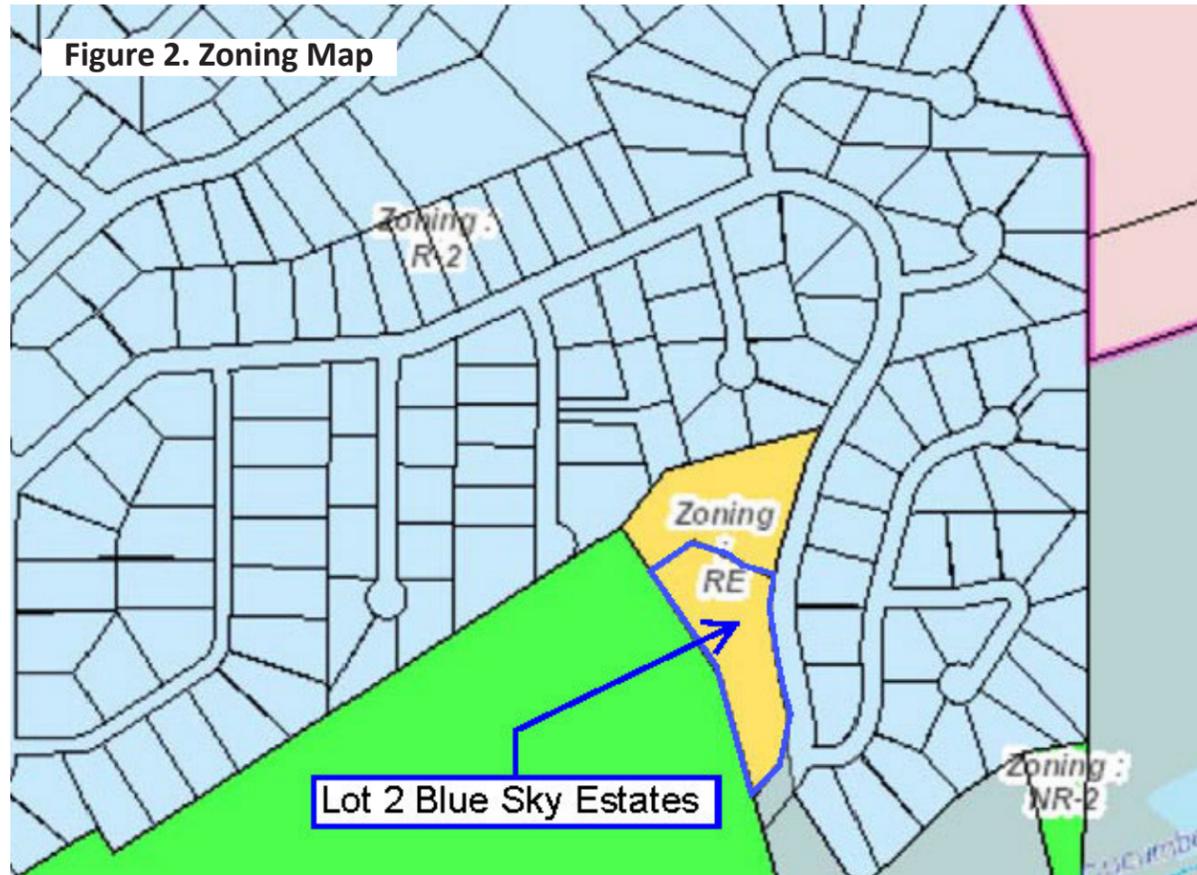


Figure 2. Zoning Map

## Property Entitlement History

**1998 Replat.** The Property was platted into the Blue Sky Estates Subdivision in January 1998 under Board of County Commissioners ("BOCC") Resolution Number 98-7 that created Lot 1 at 2.26 acres and Lot 2 at 2.23 acres. An access easement for the Property is provided from Brook Street through the Rainbow Subdivision. Lot 2 has a building envelope with an approximate size of 30,771 sq. ft. with no maximum home size limitations. The BOCC approved the preliminary plat under Resolution No. 97-118 in October of 1997.

**1988 Rezoning.** The County approved the rezoning of the Property from the A-1 to RE zone districts under Resolution Number 88-78. The rezoning was approved for the non-conforming A-1 zoned parcel to RE zoning with several findings, including the fact that the Upper Blue Master Plan designated the Property as residential, and access would be available by an access easement through the Rainbow Subdivision.

## Upper Blue Master Plan Envisioned Land Uses

The Joint Upper Blue Master Plan ("JUBMP") is very clear about the envisioned future use for the Property, with the Land Use Map showing Residential 2 designation as shown in Figure 3. Associated JUBMP policies in the Land Use Table call for "Single-family residential uses with a maximum density of two units/acre". The JUBMP Official Transferable Development Rights Map for the Upper Blue Basin reaffirms this vision showing the Property as a receiving site for density as shown in Figure 4.

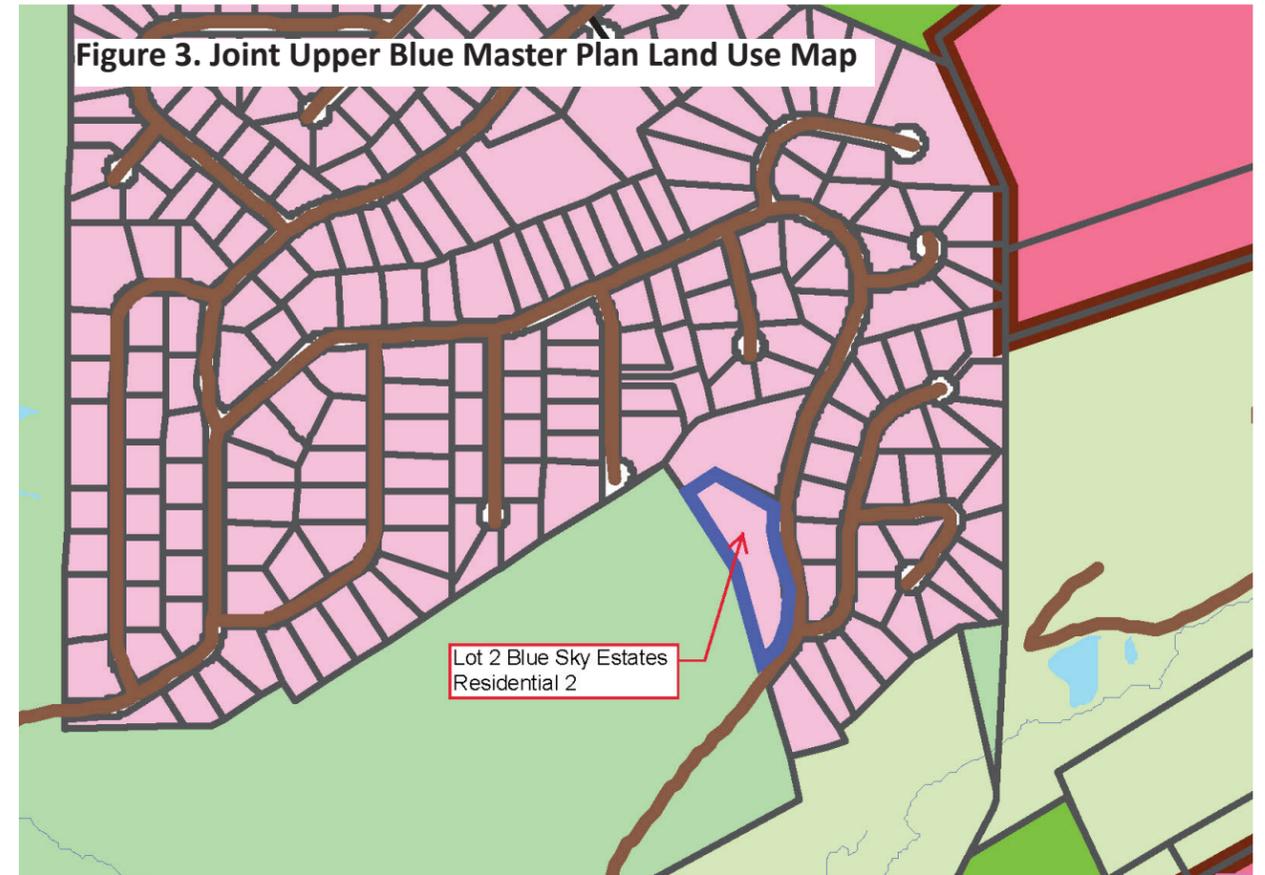


Figure 3. Joint Upper Blue Master Plan Land Use Map

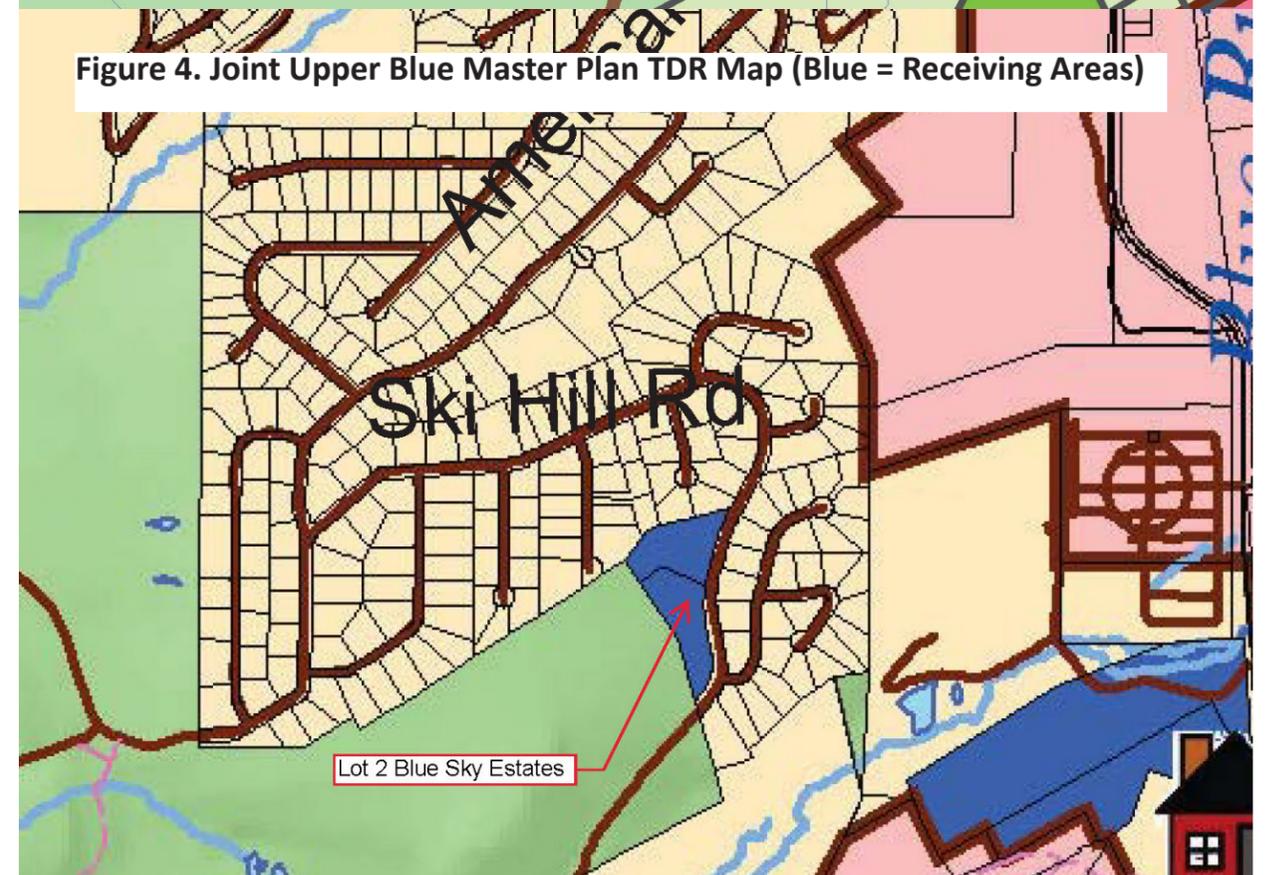


Figure 4. Joint Upper Blue Master Plan TDR Map (Blue = Receiving Areas)

## Compliance with Rezoning Criteria for Decision

### General Conformance with Applicable Plans

The proposed rezoning is in general conformance with the JUBMP. The JUBMP Land Use Map designates the Property with a Residential 2 classification. The JUMP states that the Residential 2 classification is for "...single-family residential uses with a maximum density of two units/acre" (Goal A, Policy/Action 1). The proposed rezoning also helps to protect the Upper Blue Basin's back-country character because one (1) unit of density will have to be moved to the site in accordance with the County's Transferable Development Rights ("TDR") Program, with the Property specifically designated as a TDR Receiving Area.

The proposed rezoning conforms to JUBMP Policy/Action 2 that states:

"Where existing platted lots are proposed to be subdivided, as part of subdivision review the following specific considerations or criteria should be evaluated to allow for a heightened level of scrutiny and may limit density permitted by zoning:"

- Research of historic records to ascertain the reasons for the layout of the existing lots.
- Impacts related to site characteristics and application of important planning principles such as site characteristics (steep slopes, topography, wetlands, soils, etc; environmental constraints such as sensitive areas or wildlife habitat; access; existing or planned services and facilities; trail connectivity; visually important lands; and historic resources.
- Surrounding land uses and community character such as relationship to surrounding land uses, community, neighborhood or adjacent development, and impacts to community character, residential compatibility or associated activities."

Policy/Action 2 further states that

"TDRs may be proposed and used to mitigate or offset impacts associated with or implicated by these factors."

The proposed rezoning will utilize one (1) single-family unit of density from the TDR Bank in order to meet the Development Code and JUBMP policies. The proposed rezoning is compatible with surrounding development that is located in the R-2 Zone District and fits into the neighborhood and overall community character. Most of the surrounding area is developed with a density of approximately two (2) units per acre. The rezoning will provide a transitional zoning from two units per acre to one unit per acre at the edge of the Peak 7 Neighborhood. The development of the Property will avoid steep slopes. There are no environmental constraints, wetlands or sensitive habitats on the Property.

The proposed rezoning generally conforms to the Countywide Comprehensive Plan because it: promotes growth in a location that is designated for an upzoning as a TDR Receiving Area; avoids environmental resources; preserves open space through County TDR Program; provides infill development that is focused into an existing urban area; maintains the current level of density in the County through the TDR Program; and avoids environmentally sensitive areas and visually prominent landscapes.

### Consistency with Purpose and Intent of County Zoning Regulations

The proposed rezoning is also consistent with the purpose and intent of the Zoning Regulations because it is compatible with surrounding area development that contains approximately two (2) units per acre; allows for the economical and efficient use of the land as envisioned in the JUBMP; and provides for adequate light and air within and for surrounding developments. The rezoning avoids land subject to environmental hazards and provides for good design and aesthetics that protect the County.

### Consistency with County Rezoning Policies

The proposed rezoning is in compliance with the Rezoning Policies contained in the Summit County Land Use and Development Code ("Development Code") Section 3200. The Property has physical characteristics that allow for development consistent with the Development Code, such as large areas that are free from development constraints and relatively moderate slopes of approximately 14%.

The Property is located next to required infrastructure. Water, sewer, electric and gas are available in the Ski Hill Road Right-of-Way. Access to the Property is available from Brook Street and a driveway that will be privately maintained. Police and fire protection are available from the Red, White and Blue Fire Protection District and the Summit County Sheriff, respectively. The proposed development is very compatible with and complimentary to existing development. The proposed rezoning is strongly supported by policies in the JUBMP.

The only development constraint on the Property is steep slopes that are 30% or greater as shown on the conceptual plan. These steep slopes were previously created by the construction of Ski Hill Road and some past mining activity on the Property. The development of the proposed lots will avoid disturbance to the steep slope areas.

There are no natural features on the Property. Wildfire hazard to the Property was extensively mitigated by the United States Forest Service clear cut to the west and the subsequent wind throw that blew down most of the trees on the Property. Future development on the Property will comply with the County's wildfire mitigation requirements.

### Compatibility with Present Area Development

The proposed rezoning is compatible with surrounding area development with a density of two (2) units on 2.23 acres, or approximately one (1) unit per 1.12 acres. The current proposed density is two units less than envisioned by the JUMP. The surrounding lots and most of the Peak 7 area are zoned R-2 that allows two units per acre. The Discovery Subdivision located to the east has lot sizes that are approximately 0.5 acre. The Crestwood Subdivision to the north has lot sizes around 0.5 acre to 0.6 acre. The Rainbow Subdivision to the north has lots that are also around 0.5 acre with a few larger lots. Thus, the proposed density fits right into, and is compatible with the surrounding area development.

### Consistency with the Public Health, Safety and Welfare

The proposed rezoning is consistent with the public health, safety and welfare. The proposed development is envisioned by the JUBMP as a Receiving Area with a maximum density of two (2) units per acre. The development is also compatible with surrounding area development that contains approximately two (2) units per acre.

Access to the Property will be from Brook Street and an existing access easement across the intervening properties. Access has been designed to meet County Road and Bridge Standards. The Owner and the Lot 1 owner to the north have agreed to relocate the access easement to the Property across Lot 1 of Blue Sky Estates as shown in the conceptual plan. The Red, White and Blue Fire Protection District has reviewed and approved the access plan to the Property.

The Breckenridge Sanitation District and the Breckenridge Water District have provided will serve letters. Police protection is available from the Summit County Sheriff’s Department.

### Rezoning Justification

The proposed rezoning is justified by changes in the County’s development policies. The County adoption of the JUBMP envisions the Property rezoned to allow for development with no more than two (2) units per acre in order to help protect backcountry areas. The JUBMP Land Use Map designates the Property with a Residential 2 designation and clearly identifies the site as a Receiving Area. The rezoning is also strongly supported by several Countywide Comprehensive Plan policies.

## Compliance with Subdivision Criteria for Decision

### Consistency with Zoning Regulations

The proposed subdivision conforms to the County Zoning Regulations as discussed in this narrative.

### Consistency with Subdivision Regulations

The proposed subdivision meets the Subdivision Regulations. Steep slope areas and wetland area will be protected from development. The subdivision has been designed to fit the topography of the site and avoid known areas subject to environmental hazards. The water system for the subdivision will be designed to meet the requirements set forth in the Fire Code. The lots have been designed in accordance with the R-1 Zone District requirements with good buildable areas. Each lot has frontage along platted access easements. Disturbance envelopes have been provided for on the plat. Each lot has great solar access to the south. A composite utility plan has been submitted that shows access to water, sewer, gas and electricity and telecommunications.

### General Conformance with Applicable Master Plans

The proposed subdivision is in general conformance with the Countywide Comprehensive Plan and the Joint Upper Blue Master Plan as discussed in this narrative.

### Water Service

The Breckenridge Water District will provide water service for the two proposed lots. A will serve letter has been provided to the County Planning Department as a part of the applications.

### Sewer Service

The Breckenridge Sewer District will provide water service for the two proposed lots. A will serve letter has been provided to the County Planning Department as a part of the applications.

### Soil and Topographical Conditions

A geotechnical report has been provided to the County as a part of the applications. This report does not identify any hazards or conditions that would preclude development on the Property.

### Subdivision Access

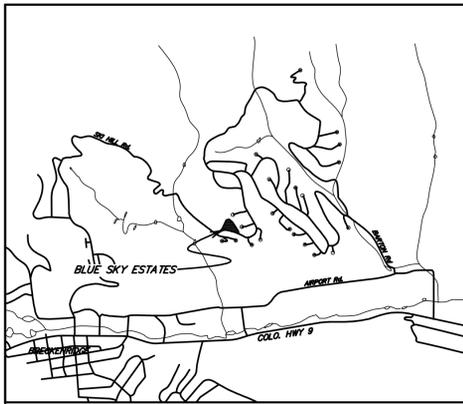
Access to the Property is provided off of Brook Street with existing platted access easements through Lot 7 of the Rainbow Subdivision and Lot 1 of the Blue Sky Estates Subdivision. The proposed new access drive has been designed to meet the County Road and Bridge Standards.

## LIST OF EXHIBITS

EXHIBIT	CONTENT
Exhibit A	Existing Conditions + Site Plan + Visual Analysis + Civil Plans + Proposed Plat
Exhibit B	Will Serve Letters

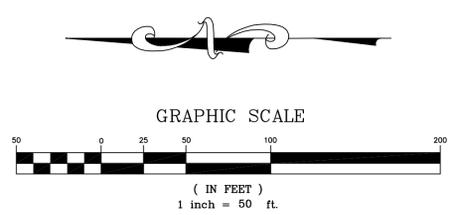
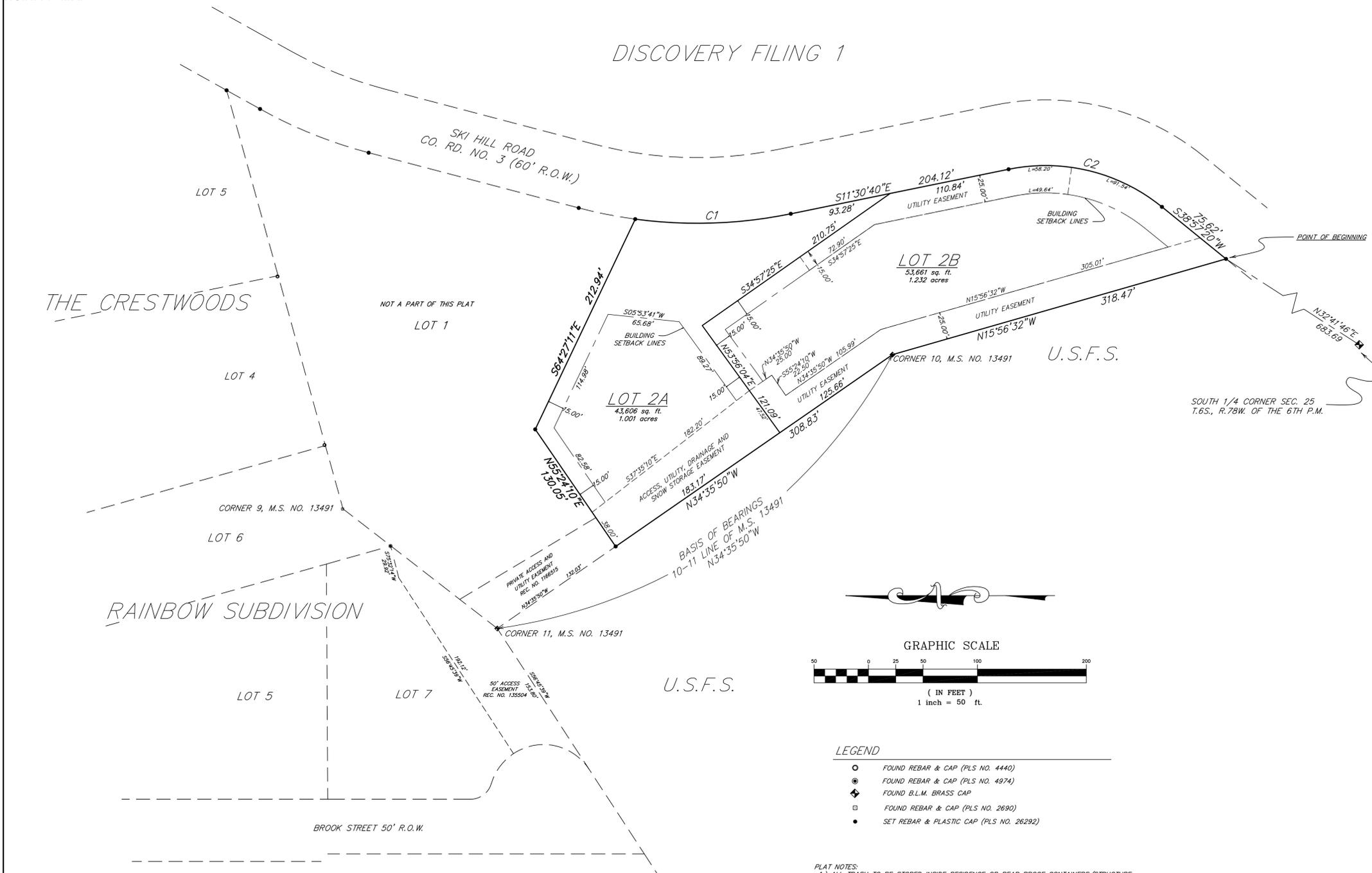
A REPLAT OF  
**LOT 2, BLUE SKY ESTATES**

LOCATED IN SECTION 25, T.6S., R.78W. OF THE 6TH P.M.  
SUMMIT COUNTY, COLORADO



VICINITY MAP NO SCALE

DISCOVERY FILING 1



- LEGEND**
- FOUND REBAR & CAP (PLS NO. 4440)
  - FOUND REBAR & CAP (PLS NO. 4974)
  - ◆ FOUND B.L.M. BRASS CAP
  - FOUND REBAR & CAP (PLS NO. 2690)
  - SET REBAR & PLASTIC CAP (PLS NO. 26292)

**PLAT NOTES:**  
 1.) ALL TRASH TO BE STORED INSIDE RESIDENCE OR BEAR PROOF CONTAINERS/STRUCTURE.  
 2.) OWNERS OF LOTS 1 AND 2 AGREE TO EVENLY SHARE THE COST OF SNOW REMOVAL AND MAINTENANCE OF COMMON DRIVEWAY.  
 3.) ORIGINAL PLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 584631 ON 12/24/1998.  
 3.) A REPLAT OF BLUE SKY ESTATES RECORDED UNDER RECEPTION NO. 1179899 ON 09/14/2018.

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	143.58'	430.00'	19°07'51"	S01°56'44"E	142.91'
C2	149.74'	170.00'	50°28'00"	S13°43'20"W	144.94'

**DEDICATION:**  
 KNOW ALL PERSONS BY THESE PRESENTS THAT: 112 SKI HILL LLC BEING THE OWNER OF THE LAND DESCRIBED AS FOLLOWS:  
 LOT 2, BLUE SKY ESTATES  
 CONTAINING 2.23 ACRES  
 IN SUMMIT COUNTY, COLORADO  
 UNDER THE NAME AND STYLE OF "A REPLAT OF LOT 2, BLUE SKY ESTATES" HAS LAID OUT, PLATTED AND SUBDIVIDED SAME AS SHOWN ON THIS PLAT, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE COUNTY OF SUMMIT, STATE OF COLORADO, THE STREETS, ROADS AND OTHER PUBLIC AREAS AS SHOWN HEREON, INCLUDING BUT NOT LIMITED TO TRAILS AND OPEN SPACE, FOR USE AS SUCH AND HEREBY DEDICATE THOSE PORTIONS OF LAND LABELED AS UTILITY EASEMENTS TO THE COUNTY OF SUMMIT FOR USE BY THE UTILITY COMPANIES OR OTHER PROVIDERS OF UTILITIES IN THE INSTALLATION AND MAINTENANCE OF UTILITY LINES AND FACILITIES. IT IS UNDERSTOOD THAT THE DEDICATION OF PUBLIC RIGHTS-OF-WAY FOR STREETS AND ROADS DOES NOT NECESSARILY RESULT IN THE ACCEPTANCE OF ROADS CONSTRUCTED THEREIN FOR MAINTENANCE BY THE COUNTY OF SUMMIT.  
 IN WITNESS WHEREOF, THE SAID OWNER HAS CAUSED THEIR NAME TO HEREUNTO BE SUBSCRIBED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.

112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY  
 BY: BENJAMIN T RHOADES AS MANAGER  
**NOTARIAL CERTIFICATE:**  
 STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_  
 THE FOREGOING OWNER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, BY BENJAMIN T RHOADES AS MANAGER OF 112 SKI HILL LLC, A COLORADO LIMITED LIABILITY COMPANY.  
 WITNESS MY HAND AND OFFICIAL SEAL:  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES \_\_\_\_\_

**TITLE COMPANY CERTIFICATE:**  
 TITLE COMPANY DOES HEREBY CERTIFY THAT IT HAS EXAMINED THE TITLE TO ALL LANDS AS SHOWN HEREON AND TITLE TO SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES, AND ENCUMBRANCES, EXCEPT AS FOLLOWS:  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_.  
 AGENT \_\_\_\_\_

**SURVEYOR'S CERTIFICATE:**  
 I, ROBERT R. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT AND SURVEY WAS PREPARED BY ME AND UNDER MY SUPERVISION AND THAT BOTH ARE ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 ROBERT R. JOHNS, P.L.S.  
 COLORADO REGISTRATION NO. 26292

**BOARD OF COUNTY COMMISSIONERS' APPROVAL:**  
 THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, DOES HEREBY APPROVE THIS SUBDIVISION EXEMPTION PLAT AT A MEETING HELD ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND HEREBY ACCEPTS DEDICATION OF PUBLIC RIGHTS-OF-WAY, UTILITY EASEMENTS, AND OTHER PUBLIC AREAS AS SHOWN HEREON. ACCEPTANCE OF PUBLIC RIGHTS-OF-WAY FOR STREETS OR ROADS DOES NOT CONSTITUTE ACCEPTANCE FOR MAINTENANCE OF ROADS CONSTRUCTED THEREIN. THE PROCEDURE FOR ACCEPTANCE OF MAINTENANCE PURPOSES SHALL BE AS STATED IN THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS OR SUCH REGULATIONS AS SHALL BE ADOPTED IN LIEU OF THE SUMMIT COUNTY ROAD & BRIDGE DESIGN AND CONSTRUCTION STANDARDS.  
 CHAIR OF THE BOCC \_\_\_\_\_

**MORTGAGE HOLDER CERTIFICATE:**  
 \_\_\_\_\_ DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS PLAT AS A LENDER FOR THE PROJECT AND DOES HEREBY APPROVE OF THIS PLAT.  
 BY: \_\_\_\_\_  
 NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**TREASURER'S CERTIFICATE:**  
 I THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF \_\_\_\_\_ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.  
 DATED THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_  
 SIGNATURE \_\_\_\_\_  
 SUMMIT COUNTY TREASURER

**RECORDER'S ACCEPTANCE:**  
 THIS PLAT WAS ACCEPTED FOR FILING IN THE OFFICE OF THE SUMMIT COUNTY CLERK AND RECORDER ON THIS \_\_\_\_ DAY OF \_\_\_\_, 20\_\_, AND FILED FOR RECORD AT \_\_\_\_ M., UNDER RECEPTION NUMBER \_\_\_\_.  
 SIGNATURE \_\_\_\_\_ BY: \_\_\_\_\_

Drawn RRU	Dwg LOT2-REPLAT	Project 19306
Checked RRU	Date 03/18/2020	Sheet 1 of 1

**RANGE WEST INC.**  
ENGINEERS & SURVEYORS

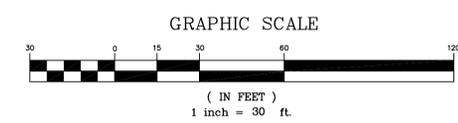
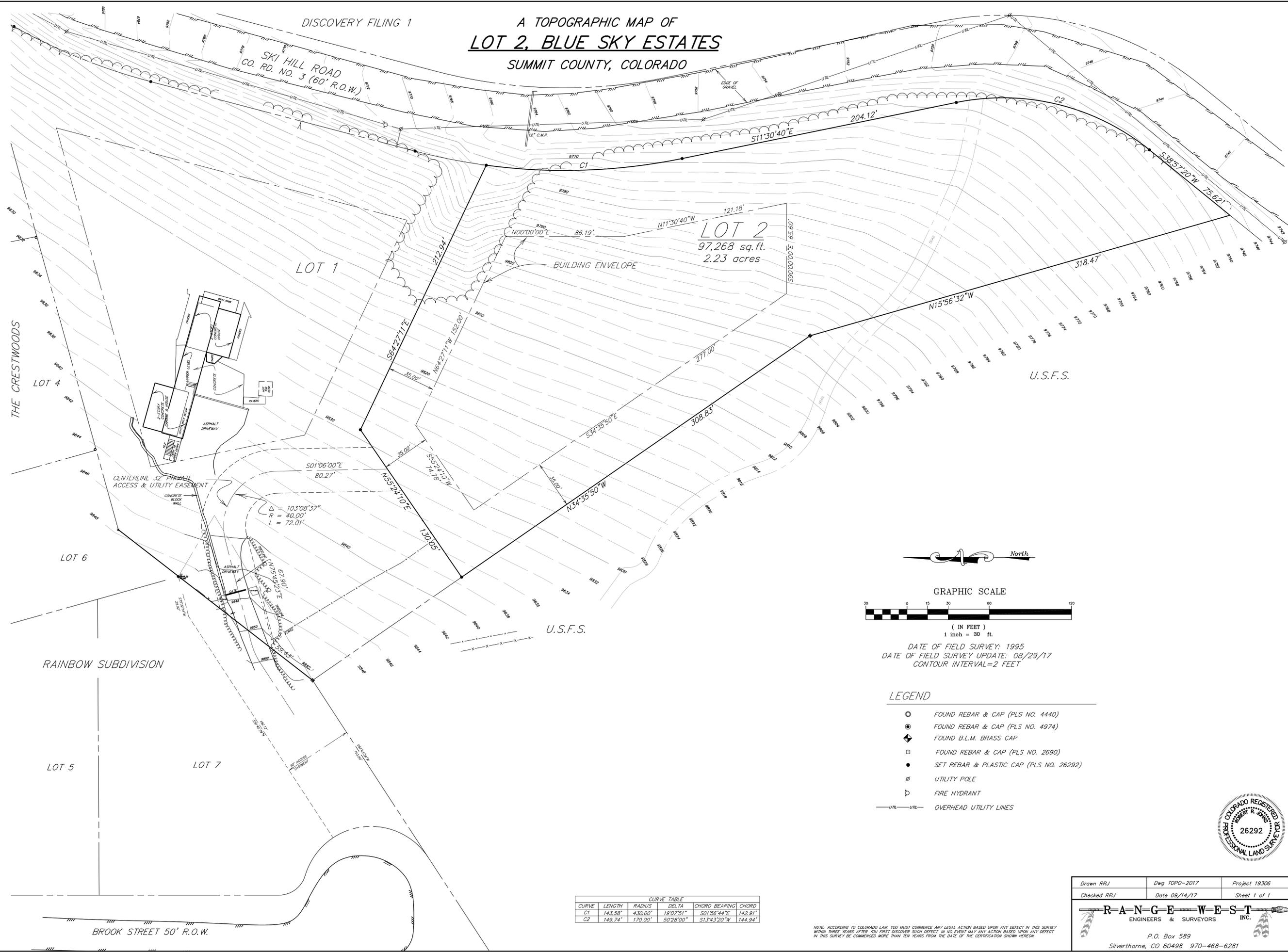
P.O. Box 589  
Silverthorne, CO 80498 303-468-6281

NOTE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

R:\RRU\19306\dwg\LOT2-REPLAT.DWG, 3/18/2020 1:04:00 PM, RRU

DISCOVERY FILING 1

A TOPOGRAPHIC MAP OF  
**LOT 2, BLUE SKY ESTATES**  
SUMMIT COUNTY, COLORADO



DATE OF FIELD SURVEY: 1995  
DATE OF FIELD SURVEY UPDATE: 08/29/17  
CONTOUR INTERVAL=2 FEET

LEGEND

- FOUND REBAR & CAP (PLS NO. 4440)
- FOUND REBAR & CAP (PLS NO. 4974)
- ◆ FOUND B.L.M. BRASS CAP
- FOUND REBAR & CAP (PLS NO. 2690)
- SET REBAR & PLASTIC CAP (PLS NO. 26292)
- ∅ UTILITY POLE
- ⊔ FIRE HYDRANT
- UTL — OVERHEAD UTILITY LINES

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	143.58'	430.00'	19°02'51"	S01°56'44"E	142.91'
C2	149.74'	170.00'	50°28'00"	S1°34'20"W	144.94'

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



Drawn RRJ	Dwg TOPO-2017	Project 19306
Checked RRJ	Date 09/14/17	Sheet 1 of 1

**R-A-N-G-E-W-E-S-T**  
ENGINEERS & SURVEYORS INC.

P.O. Box 589  
Silverthorne, CO 80498 970-468-6281

R:\RRJ\19306.dwg\TOPO-2017.dwg, 9/14/2017 1:19:05 PM, RRJ



Uncompahgre  
Engineering, LLC

P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelopes	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Gas and Power	2020-02-12
Final Easemt Lines	2020-03-19

Blue Sky Estates II  
Subdivision  
Summit County  
Breckenridge, CO



CONTRACTOR TO REVIEW AND COMPARE ALL  
CHAPTERS AND INTERDISCIPLINARY DRAWINGS  
AND REPORT ANY DISCREPANCIES TO THE  
ARCHITECT PRIOR TO ANY FIELD WORK BEING  
DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Utility  
Plan

C3

WETLANDS NOTE:  
NO WETLANDS DELINEATION HAS BEEN PROVIDED TO THE  
ENGINEER AT THE TIME OF THIS DRAWING, BUT WILL BE REQUIRED  
PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. IF THE UTILITIES  
GO THROUGH A WETLANDS, A PERMIT WILL BE REQUIRED FROM  
THE THE ARMY CORPS OF ENGINEERS OR THE UTILITY ALIGNMENTS  
WILL BE RE-LOCATED.

INSTALL 2 ADJACENT 1-1/2" WATER  
TAPS AND EXTEND SERVICES TO  
EACH LOT AS SHOWN. CAP ENDS.

APPROX. MANHOLE LOCATION.  
END OF LINE (UPPERMOST  
MANHOLE)

TIE IN TWO SEPARATE 4" SDR 35 SERVICE LINES  
DIRECTLY TO THE MAIN AND JUST BELOW MANHOLE.  
COORDINATE TIE-IN WITH UTILITY PROVIDER.

LOCATE CURB STOPS OUTSIDE OF  
DITCH. COORDINATE WITH WATER  
COMPANY FOR FINAL LOCATION.

INSTALL WATER SERVICE LINES IN  
THE SAME TRENCH TO EDGE OF  
EASEMENT AS SHOWN

INSTALL SEWER SERVICE LINES IN  
THE SAME TRENCH AS SHOWN

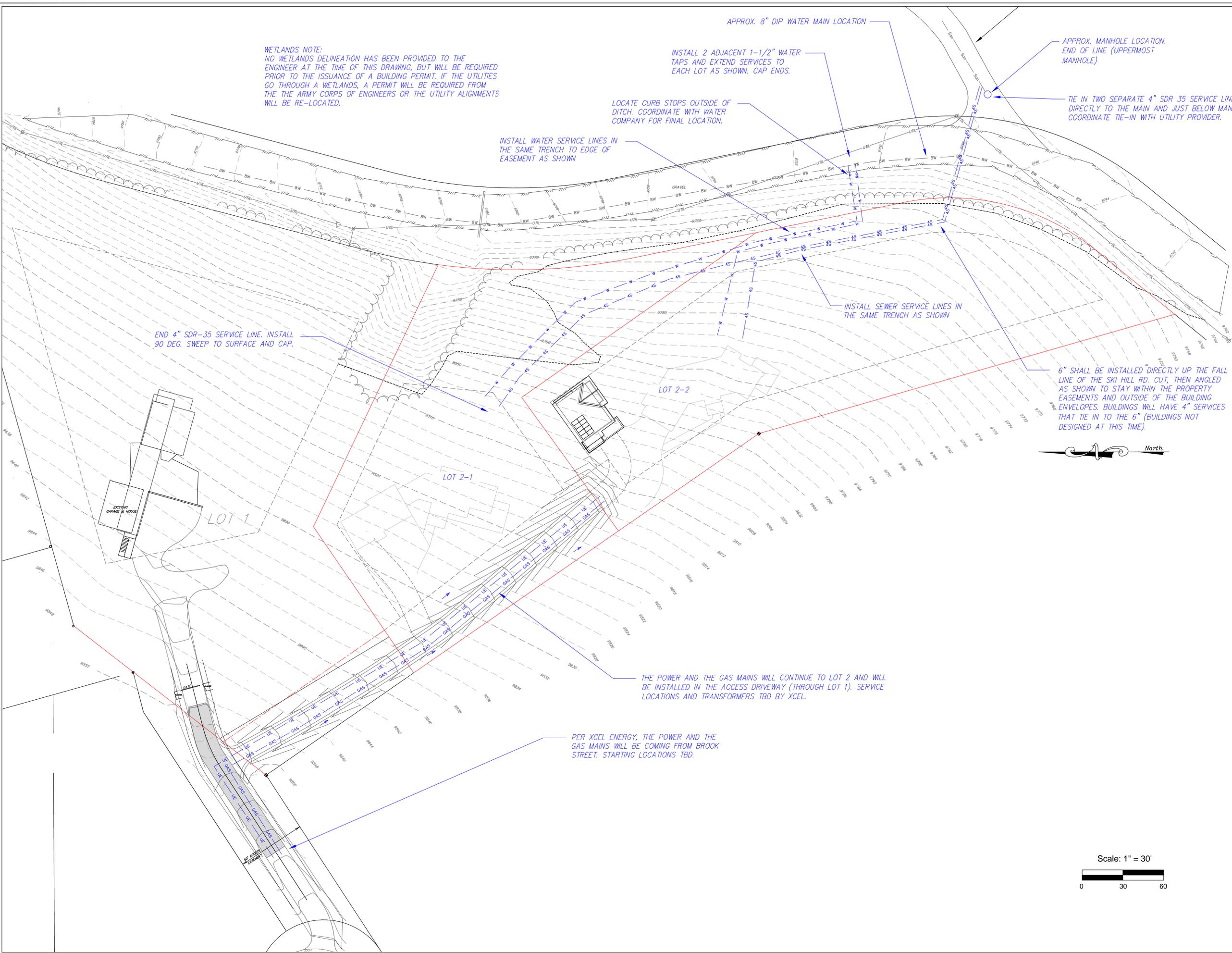
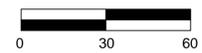
END 4" SDR-35 SERVICE LINE. INSTALL  
90 DEG. SWEEP TO SURFACE AND CAP.

6" SHALL BE INSTALLED DIRECTLY UP THE  
FALL LINE OF THE SKI HILL RD. CUT, THEN ANGLED  
AS SHOWN TO STAY WITHIN THE PROPERTY  
EASEMENTS AND OUTSIDE OF THE BUILDING  
ENVELOPES. BUILDINGS WILL HAVE 4" SERVICES  
THAT TIE IN TO THE 6" (BUILDINGS NOT  
DESIGNED AT THIS TIME).

THE POWER AND THE GAS MAINS WILL CONTINUE TO LOT 2 AND WILL  
BE INSTALLED IN THE ACCESS DRIVEWAY (THROUGH LOT 1). SERVICE  
LOCATIONS AND TRANSFORMERS TBD BY XCEL.

PER XCEL ENERGY, THE POWER AND THE  
GAS MAINS WILL BE COMING FROM BROOK  
STREET. STARTING LOCATIONS TBD.

Scale: 1" = 30'



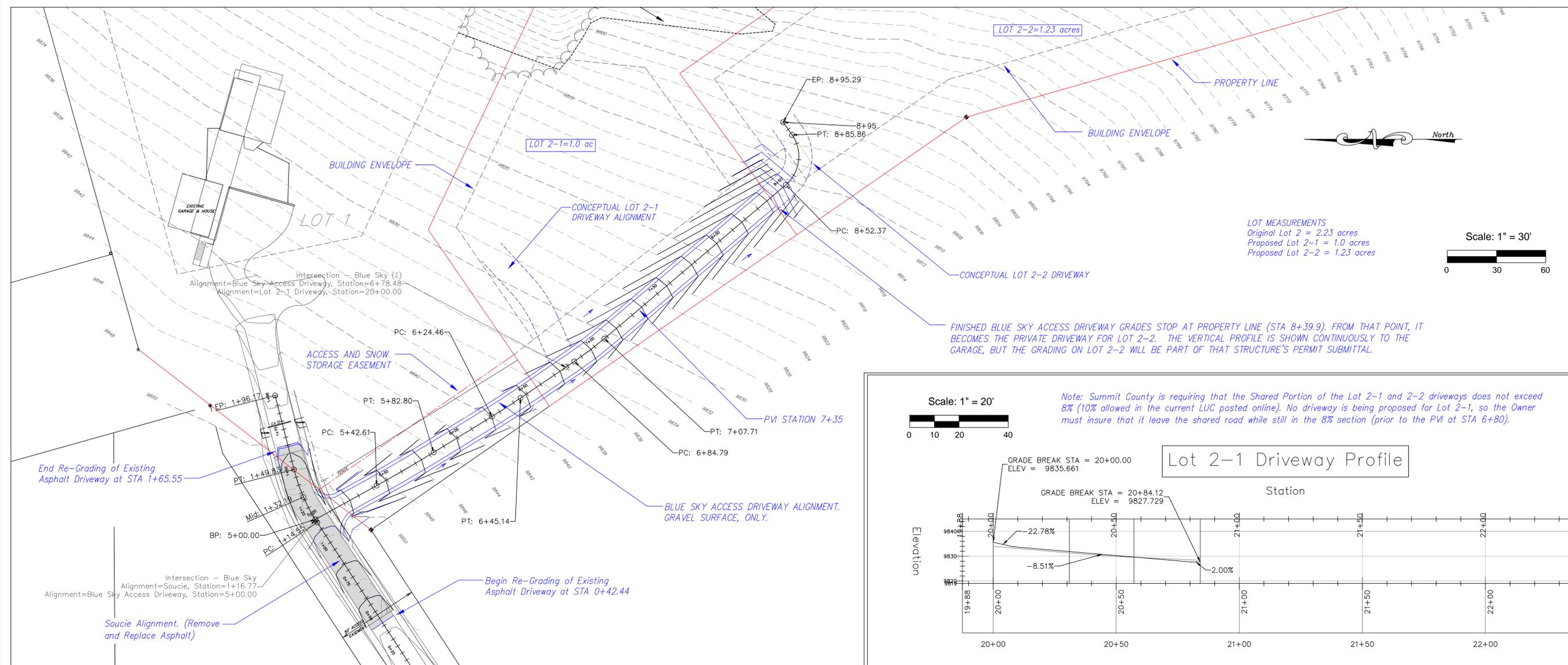


Uncompahgre  
Engineering, LLC

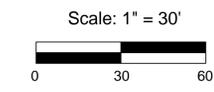
P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelope	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Final Easement Lines	2020-03-19



LOT MEASUREMENTS  
Original Lot 2 = 2.23 acres  
Proposed Lot 2-1 = 1.0 acres  
Proposed Lot 2-2 = 1.23 acres

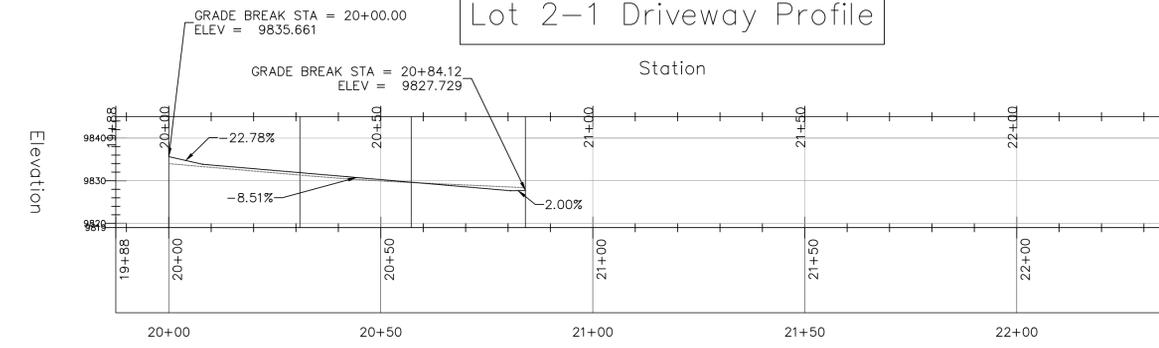


Scale: 1" = 20'

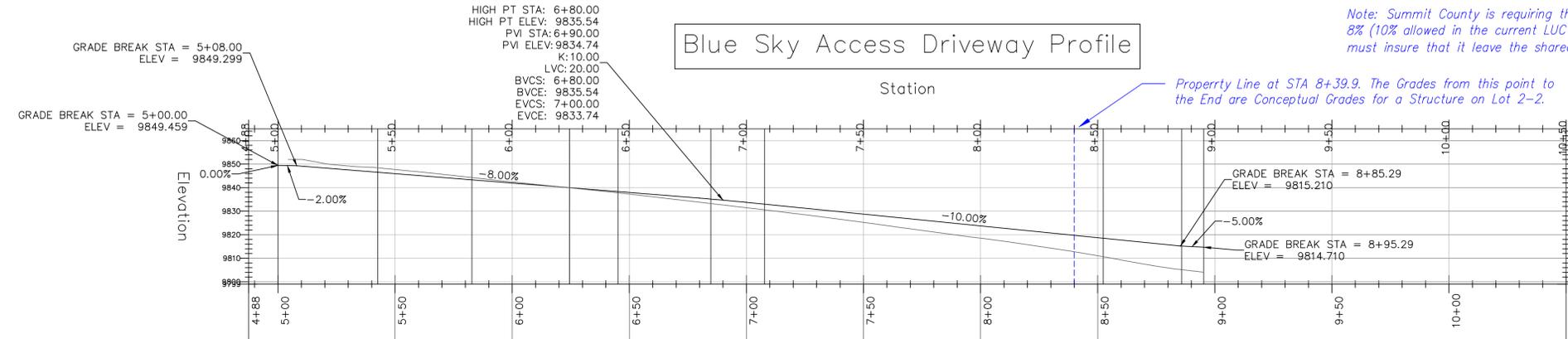


Note: Summit County is requiring that the Shared Portion of the Lot 2-1 and 2-2 driveways does not exceed 8% (10% allowed in the current LUC posted online). No driveway is being proposed for Lot 2-1, so the Owner must insure that it leave the shared road while still in the 8% section (prior to the PVI at STA 6+80).

Lot 2-1 Driveway Profile



Blue Sky Access Driveway Profile

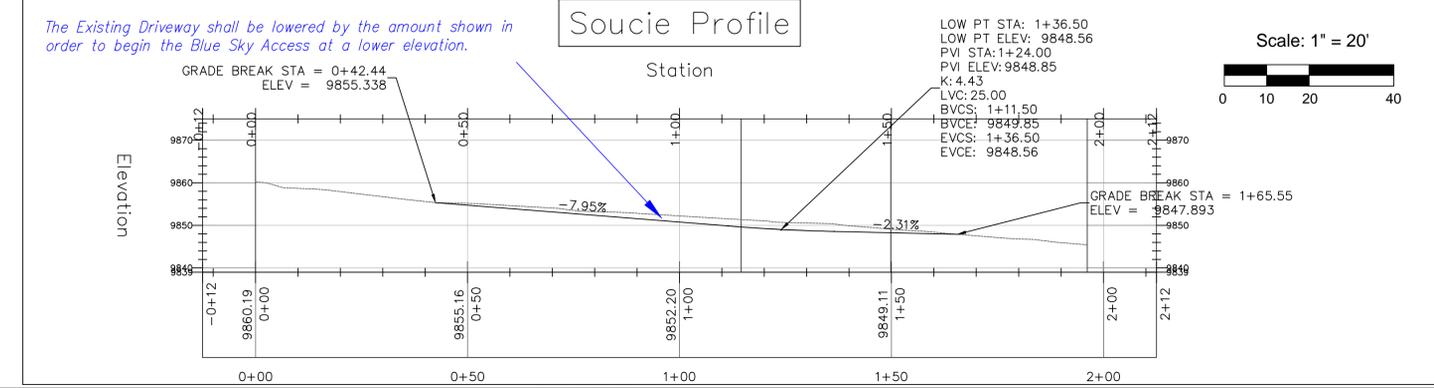


Note: Summit County is requiring that the Shared Portion of the Lot 2-1 and 2-2 driveways does not exceed 8% (10% allowed in the current LUC posted online). No driveway is being proposed for Lot 2-1, so the Owner must insure that it leave the shared road while still in the 8% section (prior to the PVI at STA 6+80).

Scale: 1" = 30'

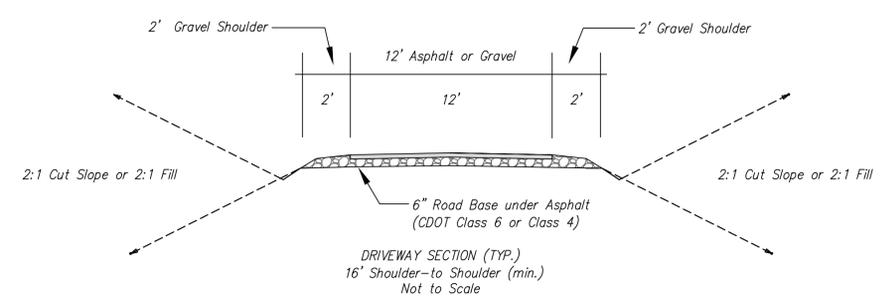


Soucie Profile



The Existing Driveway shall be lowered by the amount shown in order to begin the Blue Sky Access at a lower elevation.

Scale: 1" = 20'



Blue Sky Estates II  
Subdivision  
Summit County  
Breckenridge, CO



CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

Driveway

Plan  
and  
Profile

C2



Uncompahgre Engineering, LLC

P.O. Box 3945  
Telluride, CO 81435  
970-729-0683

SUBMISSIONS:

SUBMITTAL	2019-03-03
Revised Lot Line	2019-03-28
Revised Bldg Envelopes	2019-07-09
Final	2019-08-12
County Comments	2020-01-08
Show Private Drives	2020-01-17
Final Plotted Easement Lines	2020-03-19

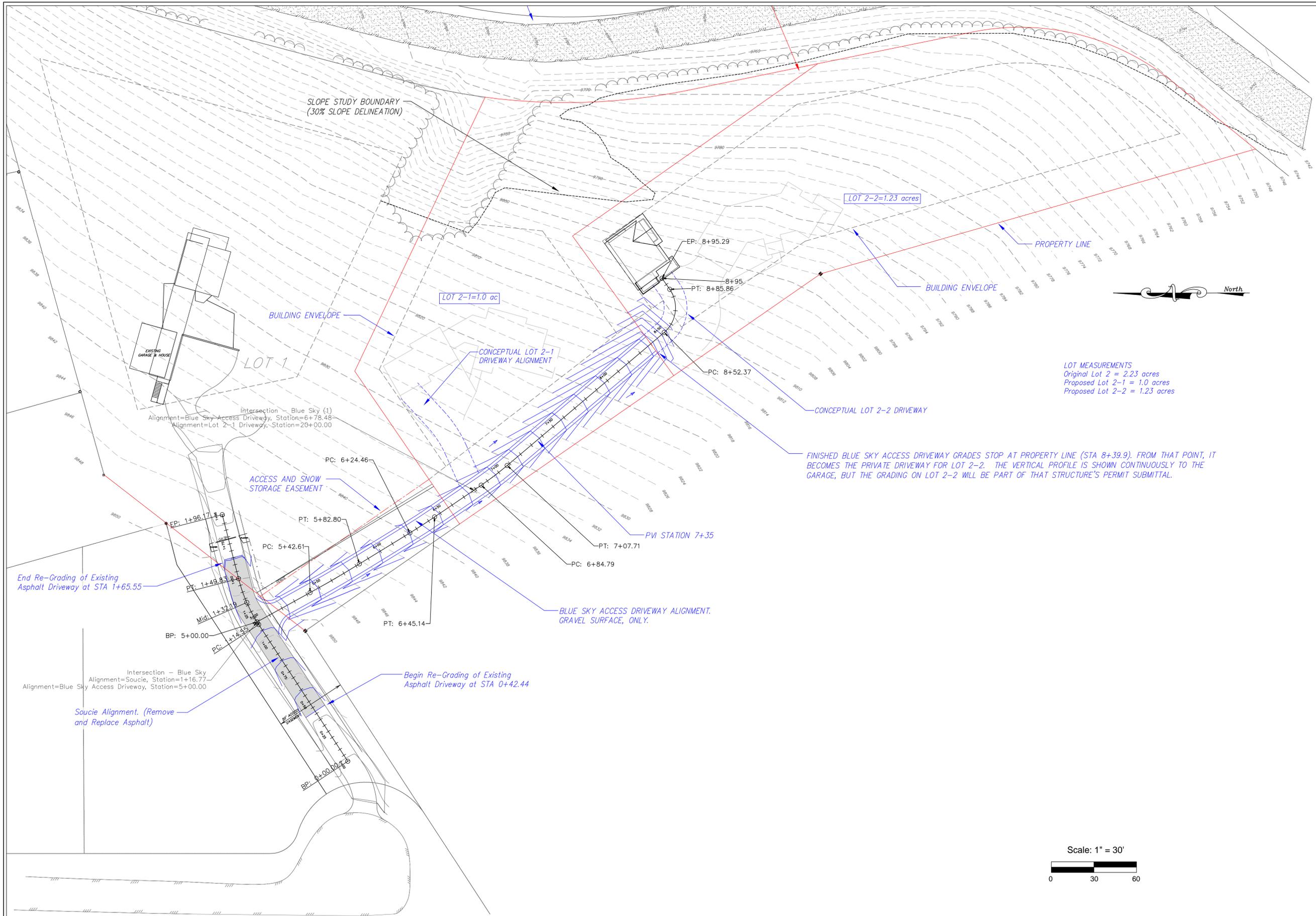
Blue Sky Estates II  
Subdivision  
Summit County  
Breckenridge, CO



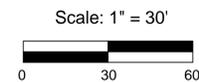
CONTRACTOR TO REVIEW AND COMPARE ALL CHAPTERS AND INTERDISCIPLINARY DRAWINGS AND REPORT ANY DISCREPANCIES TO THE ARCHITECT PRIOR TO ANY FIELD WORK BEING DONE IN ACCORDANCE WITH AIA DOCUMENT A201

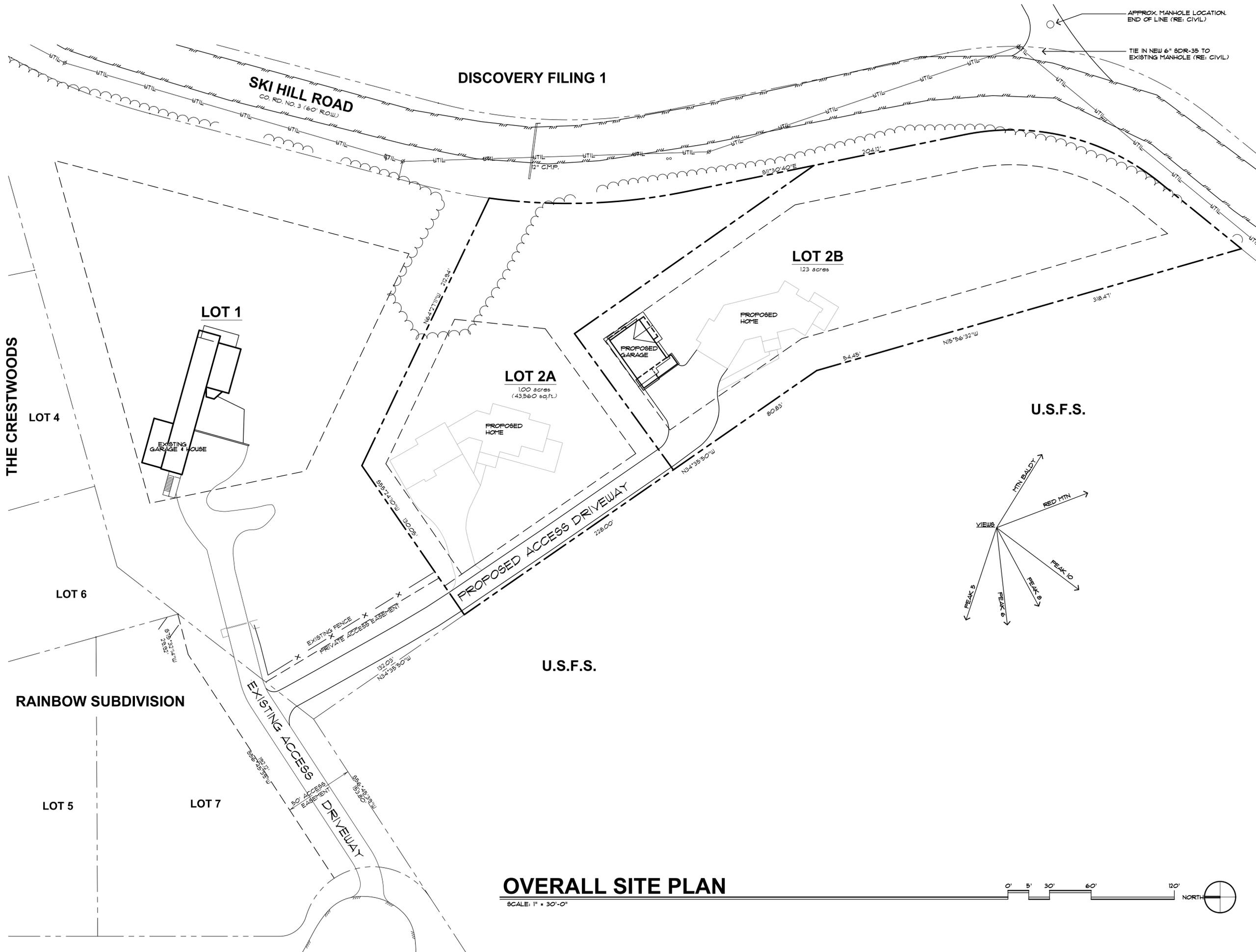
Overall  
Site Plan

C1



LOT MEASUREMENTS  
 Original Lot 2 = 2.23 acres  
 Proposed Lot 2-1 = 1.0 acres  
 Proposed Lot 2-2 = 1.23 acres





REVISIONS: LOT LINE: 09/23/19  
 JOB NO: 11010.1  
 DATE: 08/19/19  
 DRAWN BY: TRG  
 CHECKED BY: MPH  
 ©2019 THIS DRAWING IS COPYRIGHTED AND SHALL NOT BE REPRODUCED WITHOUT ARCHITECT'S WRITTEN PERMISSION

PERMIT:

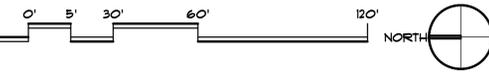
**bhh Partners**  
 P.O. BOX 931 160 EAST ADAMS BRECKENRIDGE, CO 80424 (970) 453-6860  
**BARBU GARAGE & APARTMENT**  
 RESUBDIVISION OF LOT 2, BLUE SKY ESTATES, SUMMIT COUNTY, COLORADO

© 2019  
 SHEET NUMBER:

**SP-1.0**  
 OVERALL SITE PLAN

**OVERALL SITE PLAN**

SCALE: 1" = 30'-0"

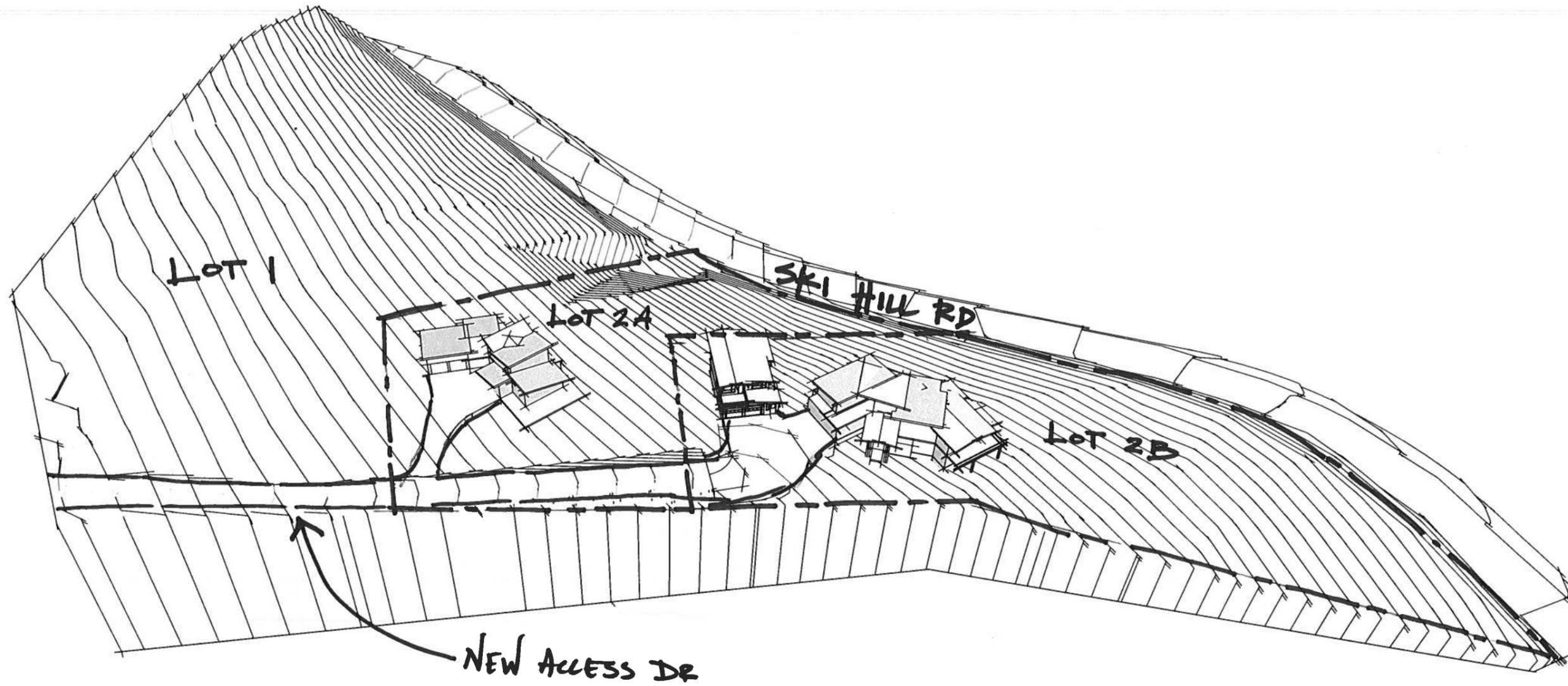


OVERHEAD VIEW

SITE MASSING STUDY

7.20.20

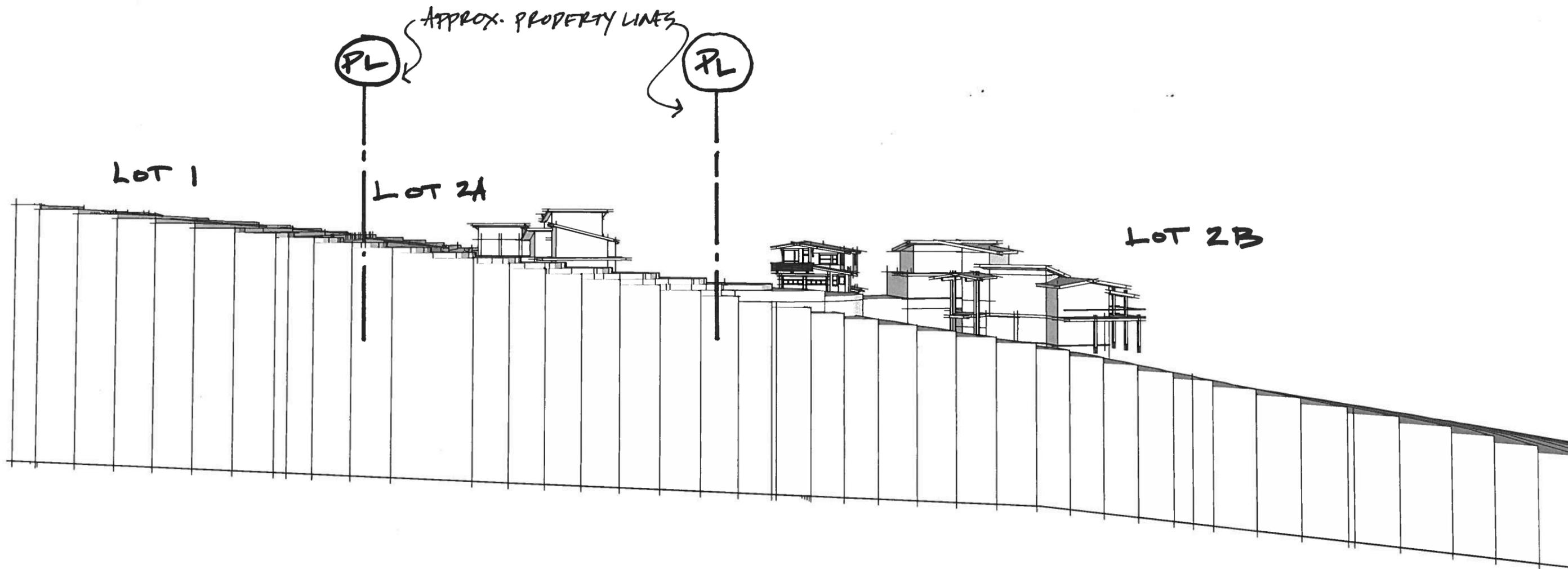
#11010.0



NORTH ←

VIEW LOOKING EAST  
SITE MASSING STUDY

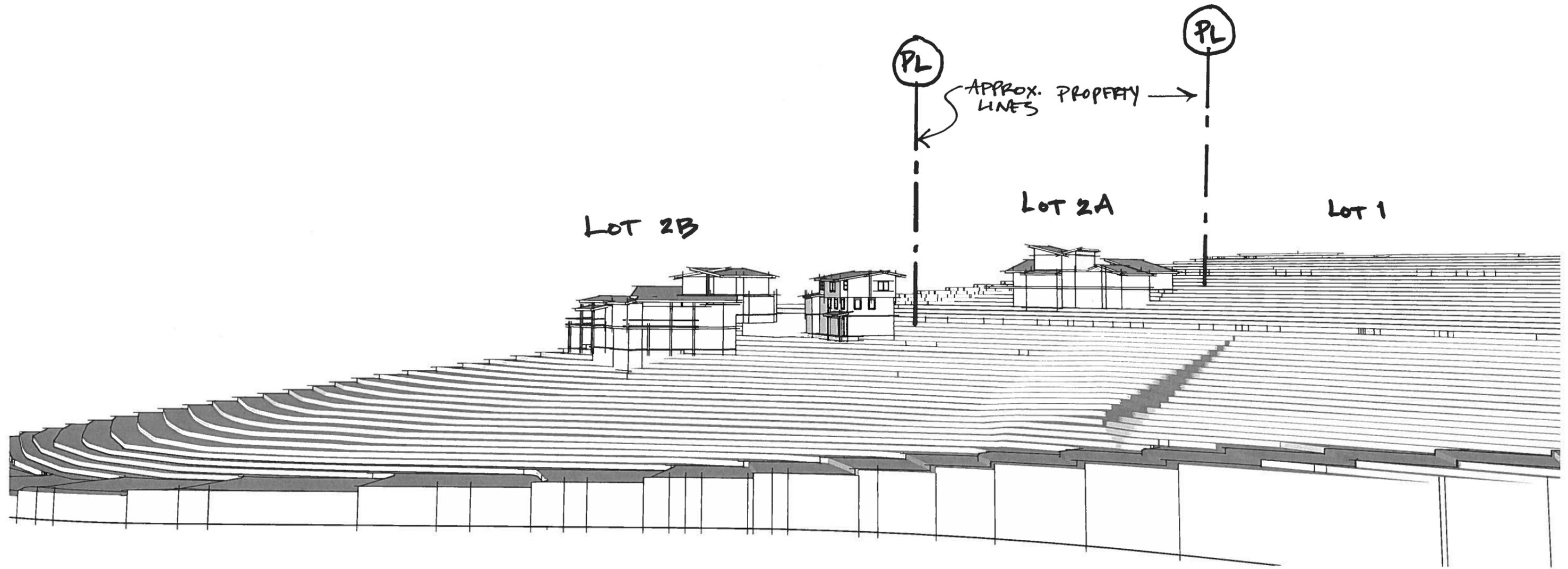
7-20-20  
#11010.D



# VIEW LOOKING WEST

SITE MASSING STUDY

3.20.20  
#11010.0



**RESOLUTION NO. 2020-**

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

**A RESOLUTION APPROVING PLANNING CASE PLN 19-098**, Blue Sky Estates II – Preliminary plat to subdivide a 2.23-acre lot zoned Single-family Residential (R-1) to accommodate two single-family lots, Lot 2, Blue Sky Estates (Applicant: Chris Hawkins, Alpine Planning, LLC); and,

**WHEREAS**, Chris Hawkins, Alpine Planning, LLC has applied to the Board of County Commissioners for a preliminary plat to subdivide a 2.23-acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates; and,

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

**WHEREAS**, the Upper Blue Planning Commission reviewed the subject application at a public hearing on January 23, 2020 and recommended that it be approved; and,

**WHEREAS**, the Board of County Commissioners has reviewed the application at a public meeting held on February 25, 2020 and on March 31, 2020 and considered the evidence and testimony presented at the meeting; and,

**WHEREAS**, the Board of County Commissioners finds as follows:

1. This application is being processed concurrently with PLN19-096, a request to rezone the subject property from RE to R-1. If PLN19-096 is approved, the proposed subdivision will be consistent with the applicable Zoning Regulations because, without limitation, the subject property meets the density and lot size requirements of the R-1 zoning district. If PLN19-096 is not approved, this criterion will not be met and the request cannot be approved.
2. The proposed subdivision is consistent with the Subdivision Regulations applicable to the property because, without limitation: a) fire protection is available from the Red, White and Blue Fire District; b) geologic or soil issues can be mitigated; c) the property has access to the County road system; and d) adequate utilities and services are available to the property.
3. The proposed subdivision is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and the Upper Blue Master Plan and the Joint Upper Blue Master Plan. Without limitation, the proposal is in general conformance with the Residential land use designation indicated in the Upper Blue Master Plan and the proposed building envelopes are placed to address areas with environmental constraints or visually prominent areas.
4. The applicant has provided evidence that the Town of Breckenridge Water Division will provide service to the subject property.
5. The applicant has provided evidence that Upper Blue Sanitation District will provide sewer services to the subject property.
6. Evidence has been provided to show that there are no significant geologic hazards present that cannot be addressed through standard engineering practices. The Colorado Geologic Survey and Middle Park Conservation District have indicated that the intended use can be engineered to address the soil or topographic conditions that exist and these conditions can be mitigated so that they would not prevent

development of the subject property.

7. The applicant has provided evidence that all lots and parcels created by the subdivision will have access to the County road system and to the State highway system in conformance with the State access code. Access to the subject property is available from Brook Street.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT** a preliminary plat to subdivide a 2.23 acre lot zoned R-1 to accommodate two single-family lots, Lot 2, Blue Sky Estates is hereby approved with the following conditions:

1. Prior to the recordation of the final plat, the applicant shall pay the public use area fee in the amount of \$1,500 for the additional lot.
2. Prior to the issuance of a building permit, if deemed necessary by the Summit County Engineering Department a wetlands delineation shall be submitted that indicates that no soil disturbance will be located within 25 feet of any identified wetland.
3. No earth disturbing activities or snow storage shall be conducted or located on adjacent USFS lands.
4. Prior to the issuance of a Grading and Excavation Permit, the applicant shall execute a Subdivision Improvements Agreement and provide a financial guarantee to the satisfaction of the County Engineering Department.
5. Prior to the recordation of the final plat, the proposed plat shall be amended to illustrate a 100 foot separation from the property line along Ski Hill Road and the building envelope.

**ADOPTED THIS 31<sup>ST</sup> DAY OF MARCH, 2020**

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

---

**Karn Stiegelmeier, Chair of the BOCC**

**ATTEST:**

---

**Kathleen Neel, Clerk & Recorder**

To Planning Department and Board of County Commissioners,

Please consider this email as non-support of approving the proposed planning case PLN19-097. As a nearby fulltime year round resident in the Discovery Sub I ask this proposed project be considered for denial per the following.

Driveway - the proposed grade of 10% appears to be beyond the design standard of 8% for shared driveways per 5107.03, E. Leading to potential for vehicles parking along driveway and the cul-de-sac directly adjacent to the National Forest lands. Thus creating a visual impact uncharacteristic for the neighborhood. And at a time when snowplows are working to clear snow. This currently occurs off Discovery Road where visitors park their vehicles at intersection with Ski Hill Road and walk to their short term rental (STR). Many of us have had to incur extra costs to get our driveway to the required grade for a single lot with a SFH fulltime resident, so why is this variance being considered to enable a lot to be split for most likely no other reasons than profit.

Snow storage - 5107.03, L states "Snow storage for driveways shall be provided on the owner's property". With the driveway being proposed on the property border with the National Forest it appears the proposal is opening the door for snow storage on the National Forest and potential enforcement concerns.

Set back adjustment request – I do not know the setbacks for the area, however I feel the proposed setbacks should be required to meet the other properties in the neighborhood to maintain the character with bordering National Forest.

I have been a resident on Discovery Road for 11 years and have seen the subject property be requested for a variance, I believe, three different times/proposals now. Each time it is for greater density than the lot was original designed. It appears the many different owners of this property are continually trying to get greater density and will not stop until it is granted

While I appreciate the TDR from backcountry and I do not fully know the bank and possible properties of value to protect, I question if it is of as great of value as it once was when the program was created. At what point are an excess amounts of accommodations being made to allow a property something more than it was originally intended for and was knowingly purchased as.

I also have great concerns regarding the ultimate intended use of this property and potential for short term rental (STR) use. Our community, peak 7 and much of Summit County, is being overrun by STRs. Discovery Road and the spur road off Discovery of Twin Pines, both dead end roads have 22 homes of which 12 or more than 50% are being used for STR at some point of the year. In my short 11 years in this subdivision/peak 7 the character has changed. Increased traffic (renters, mgmt. company, cleaning vehicles, tow trucks) constant speeding vehicles, stuck vehicles, vehicles parked on roadway due to steepness of driveways or lack of parking, trash cans being left out causing increased bears, noise/music. As an hiring employee of a local business I first hand have seen the impacts of STRs adding to the lack of long term rentals for local workforce and creating an out of reach home ownership for many. The STR environment in Summit County appears to be a large part of creating an environment where it is very difficult to hire and retain quality people that become part of a greater community. The turnover of staff is a revolving door which personally it is troubling to see people come for their dream and a career only to have to leave due to not being able to afford permanent housing with a quality life.

**Lindsay Hirsh**

---

**From:** william randall <breckit@comcast.net>  
**Sent:** Thursday, January 23, 2020 3:50 PM  
**To:** Lindsay Hirsh  
**Subject:** Blue Sky Estates II

My wife and I are full time residents at 62 Brook St. We have reviewed the application for the Blue Sky Estates and feel that the project should be denied. If the access was off of the addressed road (Ski Hill), the impact on the Brook street residence would be next to none but having it off of Brook street has potential negative impacts for us and our neighbors.

While we understand the progression of development, and property owner's rights, we feel that subdividing this parcel creates issues both to the environment and the serenity of our area. The newer homes in our area have been used as short term rentals and has created increased volume of traffic and ignorance of safety by some drives.

In previous years, a similar project was proposed and denied. I would hope that this proposed project is denied based on the dividing the property.

Thank You

William and Kris Randall



## COMMUNITY DEVELOPMENT DIVISION

970.668.4150  
www.SummitCountyCO.gov

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

### 2018 Summit Sustainable Building Code

**TO:** Board of County Commissioners (BOCC)

**FROM:** Jeff Flynn, Interim Chief Building Official

**SUBJECT:** Summit Sustainable Building Code and 2018 International Energy Conservation Code Adoption

**DATE:** Prepared for March 31, 2020 Public Meeting

---

#### **PURPOSE:**

The purpose of the March 31 public meeting is to present for the BOCC consideration to adopt the Summit Sustainable Building Code (SSBC), together with the 2018 International Energy Conservation Code (IECC) and associated amendments.

#### **BACKGROUND / CONTEXT:**

Over the past year, the County and towns have been working collaboratively to prepare for adoption and enforcement of the most current 2018 IECC, and to develop an updated version of the SSBC to serve as a new above-building code standard, requiring increased energy savings in new construction that exceeds the 2018 IECC code requirements. High Country Conservation Center (HC3) has been facilitating a collaborative inter-jurisdictional SSBC committee, with representation from the county, towns and building community, to tackle this effort.

#### Overview of SSBC - History and Current Requirements:

The first edition of the SSBC was adopted in 2008 as part of the 2006 International Code Council (ICC) code series adoption. It was developed by a collaborative group of building code officials, builders and designers, with facilitation from HC3 and Summit County Green Building Project (a community organization formed to provide education, technical support and facilitation of this effort). The 2008 SSBC provided a point-based system with a large menu of sustainable building options to choose from, to improve energy efficiency and resource conservation in construction, heating/cooling, recycling and water usage.

Over time, the energy codes have evolved to require increased building energy efficiency. Many of the original SSBC measures have been codified through the IECC and have become standard construction practices. During the 2012 ICC code adoption, the SSBC was therefore revised and condensed into a 2-page checklist. This 2-page checklist, which was applicable to all new residential construction and additions permitted under the IRC. Has been surpassed in its effectiveness with the adoption of the 2018 IECC.

There is not currently a SSBC for commercial buildings, although all residential commercial projects (i.e., large multifamily buildings) were required to be third party certified through LEED, Green Globes or another County-approved sustainable building rating system. This is a requirement of the amended 2012 International Building Code (IBC), Section 420.

### Context for Current Code Update:

Together with our Summit Climate Action Collaborative partners, Summit County adopted the Summit Community Climate Action Plan (CAP) in April 2019, which sets goals to reduce greenhouse gas (GHG) emissions in Summit County 50% by 2030 and 80% by 2050 (relative to a 2005 baseline). Summit County is actively working to develop and implement strategies to achieve these goals, in partnership with High Country Conservation Center, the towns, ski areas, utilities, and other Collaborative partners.

The County GHG emissions inventory, completed in 2018, shows that two-thirds of Summit County's emissions come from energy use in buildings - roughly one-third from residential buildings and one-third from commercial buildings. In order to reach the emissions reduction goals set forth in the CAP, we must pursue strategies to reduce building energy use and emissions from the Buildings sector. The overarching strategy outlined in the CAP is to transition to net zero energy buildings over the next decade (by 2030), to achieve highly efficient buildings powered by renewable energy and move away from natural gas. Relevant Building Energy Strategies set forth in the CAP include:

- Adopt and enforce the most updated version of the International Energy Conservation Code (IECC).
- Develop an above-building code standard for new construction.

To implement these strategies, the SSBC committee has been working collaboratively to help facilitate countywide adoption and enforcement of the most current 2018 IECC and an updated version of the Summit Sustainable Building Code (SSBC) to serve as a new above-building code standard for new construction.

### **OVERVIEW OF CODE DEVELOPMENT PROCESS AND TIMELINE :**

Over the past year (from January 2019 - March 2020), the SSBC committee has held numerous working group meetings to develop the proposed content of the updated SSBC. Representation on the committee includes town and county building officials, planners, builders, designers, engineers, and energy professionals. Technical assistance to inform the code development process has also been provided by contracted building energy consultants Jeff Dickinson and Matt Wright, the CO Energy Office, Southwest Energy Efficiency Project (SWEET), and the Department of Energy's Zero Energy Ready Home Program.

The committee concluded work to develop the proposed content of the updated SSBC in December 2019. Prior to and concurrently public hearings for code review and adoption by the BOCC and town councils were held. The following events are held to present the final draft of the proposed SSBC content to the building community, answer questions and solicit additional input.

- Open House: Thursday, January 29, 2020, 3:30 - 5pm, Summit Community & Senior Center
- Presentation at Summit County Builders Association Meeting: February 12, 2020
- Board of Review Meeting: February 18, 2020
- Countywide Planning Commission Meeting: March 2, 2020

### **REVIEW & ADOPTION by BOCC :**

We presented at four work sessions prior to this public meeting.

- BOCC Work Sessions on January 28, February 4, February 25 and March 10, 2020
- March 31, 2020 - Public Hearing for BOCC review and adoption

**Education & Trainings:** The SSBC committee also plans to continue working with the building

community after code adoption, to help educate and train local builders and designers on the new code requirements and compliance pathways. The committee will be offering a series of educational trainings from April - June 2020, prior to the proposed July 1, 2020 SSBC effective date. These trainings are being coordinated with support from the Colorado Energy Office and their code consultant, NORESKO. Additional trainings can also be scheduled as needed to address common questions that may arise throughout the proposed 6-month grace period / testing period for residential code compliance (from July 1, 2020 - January 1, 2021). In addition to live trainings, the Department of Energy's website provides instant access to expert information on hundreds of high-efficiency construction topics.

These are the training dates and classes we have scheduled.

- **April 1:**  
Building Science + Ventilation + Res Real World Application  
Lunch workshop: ZERH for Designers and Architects
- **May 7**  
Advanced Framing technique + Assemblies + Building envelopes
- **June 3:**  
ZERH for builders with someone from the DOE

#### **OVERVIEW OF SUMMIT SUSTAINABLE BUILDING CODE (SSBC) :**

The following five key elements are the body of the proposed SSBC.

1. **Zero Energy Ready Home National Program** - requiring all residential construction up to 5-story multifamily buildings to obtain a certification of compliance with the Department of Energy's Zero Energy Ready Home National Program.  
**Residential** : Homes certified through this program as Zero Energy Ready demonstrate increased energy efficiency and are designed to easily accommodate future installation of renewable energy systems that could then make the home fully net zero energy. Certification is verified by qualified third-party raters.  
Certification through the Zero Energy Ready Home Program requires meeting the standards of two federal building programs - ENERGY STAR for Homes and EPA Indoor airPLUS. In addition, homes are required to have ENERGY STAR appliances, WaterSense fixtures (or an efficient hot water distribution system), and solar PV ready design.  
Builders can meet the requirements of the Zero Energy Ready Home program using either the Prescriptive Path or the Performance Path. The Prescriptive Path requires compliance with a specific set of measures and requires no energy modeling. The Performance Path allows builders to choose from a number of measures, provided an energy model is submitted showing the home has achieved a pre-determined target Home Energy Rating System (HERS) score. The HERS Index is a nationally recognized system for calculating a home's energy performance. The index is based on a scale of 0 - 150, with 0 being a net-zero energy home. Each point is equivalent to a one percent increase/decrease in energy efficiency. Within the Zero Energy Ready Homes program, the target HERS score for each home is calculated based on application of a preferred set of energy measures to the respective home size. Larger homes require lower HERS scores (i.e., larger homes require more energy-efficient design),
  - **July 1 - December 31, 2020:** 6-month grace period / training period for SSBC and Zero Energy Ready Home Program compliance.
    - Applicants will be required to submit all required application materials and go through the full review process, but failure to obtain a final certification of

compliance with the Zero Energy Ready Home Program will not be cause for withholding County building permit approvals during the initial training period. This is a practice period for builders and designers to learn the new code requirements and practice taking homes through the new program to achieve compliance. The grace period will also provide an opportunity to work out any kinks with the Zero Energy Ready Home Program with the DOE before full compliance is required for all homes.

- o **January 1, 2021:** Effective date for full implementation of the Residential SSBC with Zero Energy Ready Home Program compliance required for all building permit approvals.

2. **EV charging infrastructure requirements** for residential and commercial developments. In addition to Zero Energy Ready Home Program certification, the proposed SSBC requirements for residential also include a requirement for electric vehicle (EV) charging infrastructure to be roughed into newly constructed homes and garages meeting the scope of the IRC. This includes an electrical box, conduit to run wire and a blank in the service panel. This would be an approximately \$100 improvement, which would allow for the installation of an EV charging station to be added to the residence in the future without tearing into the wall.

For one to two-family dwellings, the proposed SSBC requires at least one EV ready space per dwelling unit. EV ready spaces have installed electrical panel capacity and a raceway with conduit that terminates in a junction box or 240-volt charging outlet (typical clothing dryer outlet).

For multifamily dwellings (three or more units), the proposed SSBC includes the following requirements for a minimum number of electric vehicle supply equipment (EVSE) installed spaces and EV capable spaces to be provided, based upon the total number of parking spaces.

**Group R occupancies.** Group R occupancies with three or more dwelling units and/or sleeping units shall be provided with EV charging in accordance with Table C405.11.1. Calculations for the number of spaces shall be rounded up to the nearest whole number.

Total Number of Parking Spaces	Number of EVSE Installed Spaces	Number of EV Ready Spaces	Number of EV Capable Spaces
1	None	1	None
2 - 9	None	1	20% of spaces
> 10	5% of spaces (minimum one dual-port charging station)	10% of spaces	40% of remaining spaces

For commercial buildings, the proposed SSBC includes the following requirements for a minimum number of electric vehicle supply equipment (EVSE) installed spaces and EV capable spaces to be provided, based upon the total number of parking spaces.

**Group A, B, E, I, M and S-2 occupancies.** Group A, B, E, I, M and open or enclosed parking garages under S-2 occupancy shall be provided with electric vehicle charging in accordance with Table C405.11.2. Calculations for the number of spaces shall be rounded up to the nearest whole number.

**Exception:** The number of electric vehicle supply equipment (EVSE) installed spaces may be reduced by up to five provided that the building includes not less than one parking space equipped with an EV fast charger and not less than one EV ready space.

Total Number of Parking Spaces	Number of EVSE Installed Spaces	Number of EV Ready Spaces	Number of EV Capable Spaces
1	None	1	None
2 - 25	None	1	1
> 25	5% of spaces (minimum one dual-port charging station)	10% of spaces	40% of remaining spaces

3. **Requiring all commercial development to be 10% less energy consuming than the 2018 IECC** baseline code requirements, with the three proposed pathways for compliance.
  - Since adoption of the first SSBC in 2008, the SSBC has applied only to residential construction. Given that the 2020 code adoption will create the first sustainable code standards for commercial buildings in Summit County, the SSBC committee is recommending that above-code energy efficiency requirements for commercial buildings be provided within the structure of the 2018 IECC.
  - The SSBC committee hired a code consultant, Carbondale-based architect Jeff Dickinson of BioSpaces, to facilitate development of the recommended commercial sustainable code requirements. Mr. Dickinson suggested an energy modeling exercise to determine whether it would be feasible to require commercial new construction to achieve an additional 10 percent energy savings compared to the 2018 IECC. The engineering firm, Energetics, completed this modeling project, which demonstrated that 10 percent energy savings can be achieved following a number of different pathways.
  - Based on the work performed, the SSBC committee is recommending that Summit County jurisdictions require new commercial buildings to demonstrate 10 percent energy savings above the 2018 IECC, by following either the Prescriptive or Performance Pathway. Prescriptively, buildings will have to either install onsite solar PV to offset 10 percent of building energy use or install three energy efficiency packages as outlined in the 2018 IECC. If complying via the Performance Path, energy modeling must show that the proposed design will achieve 10 percent energy savings compared to the 2018 IECC code-defined baseline buildings.
  
4. **Water reduction fixture and appliance** requirements for commercial buildings. The SSBC for commercial buildings includes added water reduction requirements for commercial occupancies, to achieve water efficient plumbing fixtures and fittings, and efficient water-using appliances such as clothes washers and dishwashers. Recommended code came from the International Green Construction Code (IgCC).
  
5. **Requiring an energy audit** prior to building permit issuance for any residential remodels and additions valued at \$50,000 or more.
  - **Incentivizing Energy Efficiency Upgrades in Remodels & Additions:** Based on direction received from the BOCC and town councils, the SSBC committee was tasked with developing recommended strategies to help incentive energy efficiency upgrades during remodels and additions to existing structures.
  - The SSBC is to require a home energy assessment to obtain a building permit for residential additions and remodels valued at \$50,000 or more. This is intended to

provide the applicant (i.e., homeowner, designer and/or builder) with information on key opportunities to integrate recommended energy efficiency upgrades into the renovation project. Applicants will receive information on the recommended energy efficiency upgrades, the projected energy cost savings and payback period for each improvement, and information on available Xcel Energy and local rebates available to offset the out-of-pocket costs of the respective improvements. The goal of this approach is to encourage informed decision-making and catalyze energy efficiency upgrades through rebates and education on projected cost savings and return on investment. The energy audit recommendations and conclusions will not be required to be incorporated into the scope of work for the building permit.

**STAFF REQUEST AND RECOMMENDATION :** Staff is recommending the adoption of the Summit Sustainable Building Code and 2018 IECC code amendments to the BOCC with the changes discussed above.

cc: Jim Curnutte, Community Development Director  
Keely Ambrose, Assistant County Attorney  
Bentley Henderson, Assistant County Manager

**RESOLUTION NO. 2020-  
BOARD OF COUNTY COMMISSIONERS  
OF THE  
COUNTY OF SUMMIT  
STATE OF COLORADO**

**A RESOLUTION AMENDING THE SUMMIT COUNTY BUILDING CODE SO AS TO REPEAL AND REPLACE SECTION 3 OF EXHIBIT A TO RESOLUTION NO. 2019-44 AND REPEAL AND REPLACE THE FEE SCHEDULE SET FORTH IN EXHIBIT B TO RESOLUTION 2019-44.**

**WHEREAS**, the Board of County Commissioners of Summit County, Colorado has heretofore adopted the Summit County Building Code (Building Code) for the unincorporated areas of Summit County pursuant to C.R.S. 30-28-201, 1973, as amended; and

**WHEREAS**, pursuant to C.R.S. 30-28-204, the Board of County Commissioners is authorized to alter, and amend the Building Code from time to time after public hearing; and

**WHEREAS**, on June 25, 2019, the Board of County Commissioners adopted certain amendments to the Building Code as set forth in Resolution 2019-44; and

**WHEREAS**, the Board of County Commissioners directed the Building Department to work with its local partners and the towns to create amendments to the Building Code that would result in increased energy efficient building in our communities; and

**WHEREAS**, after numerous stakeholder and community input, meetings, and public meetings, the Summit Sustainable Building Code (“SSBC”) was created and recommended as an amendment to the Building Code; and

**WHEREAS**, the Building Department’s Board of Review considered the recommended amendment to the Building Code at a public meeting on February 18, 2020 and recommended that the Board of County Commissioners adopt such changes; and

**WHEREAS**, Summit County Countywide Planning Commission considered the recommended amendments to the Building Code at a work session on March 2, 2020, provided feedback, and recommends the adoption of the SSBC as an amendment to the Building Code; and

**WHEREAS**, the Board of County Commissioners has held a public hearing on March 31, 2020 regarding the proposed repeal of Section 3 of Exhibit A to Resolution 2019-44 in order to adopt the SSBC and also amend Exhibit B to Resolution 2019-44 in order to readopt the Fee Schedule, upon public notice pursuant to C.R.S. 30-28-204 and has considered the statements, evidence and testimony presented at such hearing; and

**WHEREAS**, upon consideration of the same, the Board of County Commissioners finds that the proposed amendments are reasonable and appropriate, will promote the public health, safety and welfare, and should accordingly be adopted;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, THAT THE SUMMIT COUNTY BUILDING CODE SHALL BE SUBJECT TO THE ADDITIONS, DELETIONS, AND MODIFICATIONS, SET FORTH IN THE ATTACHED EXHIBIT A, AND THE ACCOMPANYING FEE SCHEDULE, SET FORTH IN THE ATTACHED EXHIBIT B, WITH AN EFFECTIVE DATE OF JULY 1<sup>ST</sup>, 2020.**

**ADOPTED THIS 31st DAY OF MARCH 2020.**

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

---

Karn Stiegelmeier, Chair

**ATTEST:**

---

Kathleen Neel, Clerk and Recorder

## EXHIBIT A

### SECTION 3. AMENDMENTS.

The codes are hereby made subject to the incorporation of the following additions, deletions and modifications:

#### **2018 INTERNATIONAL BUILDING CODE.**

**Section 101.1 Title** is amended by adding the name, "Summit County".

**Section 101.4.3 Plumbing** is amended by deleting the last sentence that references the International Private Sewage Disposal Code.

**Section 101.4.4 Property Maintenance** is deleted in its entirety.

**Section 102.6 Existing Structures** is amended by removing the reference to the International Property Maintenance Code.

**Section 103.2 Appointment** is amended to read as follows:

**103.2 Building Official** . The Building Official is hereby authorized and directed to enforce all of the provisions of this code. Nevertheless, such authorization and direction shall be neither an express nor implicit guaranty that all buildings and structures have been constructed in accordance with all of the provisions of this code, nor be deemed as any representation as to the quality of such buildings or structures in any manner.

**Section 103.3 Deputies** is amended to read as follows:

**103.3 Deputies.** In accordance with the prescribed procedures of this jurisdiction, the building official shall have the authority to appoint a deputy building official, related technical officers, inspectors, plan examiners and other employees. Such employees shall have those powers and duties as have been expressly delegated by the building official, subject to modification from time to time.

**Section 104.8 Liability** is amended by adding the following first paragraph:

The adoption and implementation of this code, as well as any previous Building Construction and Housing Standards adopted by Summit County, shall not be deemed to give rise to a duty of care on the part of any public entity, public employee or agent. Neither this code nor any previous Building Construction and Housing Standards shall create any affirmative duty or be deemed to establish any affirmative representation on behalf of the Board of County Commissioners, the Building Official of the Summit County Government, its employees, officials or agents.

**Sections 105.1.1 and 105.1.2 Annual Permit and Annual Permit Records** are hereby repealed in their entirety.

**Section 105.5 Expiration** is amended to read as follows:

**105.5 Expiration.** (a) Every permit issued by the building official under the provisions of this code shall expire 18 months after the date of issue. The building official is authorized to grant an extension to the validity of such permits, for a period of time not to exceed 18 months. Such extensions shall be based upon written request by an applicant demonstrating, to the discretion of the Building Official, justifiable cause for the extension, and shall be effective as of the day of written approval. In special circumstance deemed by the Building Official, a secondary one year extension beyond the 1<sup>st</sup> extension may be granted for a fee of 50% of the original building permit fee. (b) Every stand-alone technical (mechanical, electrical, plumbing, fireplace, and photovoltaic) permit issued by the building official under the provisions of this code shall expire 6 months after the date of issue. Standalone window and hot tub permits issued by the building official under the provisions of this code shall also expire 6 months after the date of issue. The building official is authorized to grant an extension to the validity of such permits, for a period of time not to exceed

3 months. Such extensions shall be based upon written request by an applicant demonstrating, to the discretion of the Building Official, justifiable cause for the extension, and shall be effective as of the day of written approval.

**Section 107.1 General** is amended to read as follows:

**107.1 General.** Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in one or more sets with each permit application. The construction documents, to include structural analysis, shall be prepared by a registered design professional. The Building Official may waive the requirement for a design professional when it is found that the nature of the work is such that a design professional is not necessary to obtain compliance with the code. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

**Section 109.2 Schedule of Permit Fees** is amended to read as follows:

**109.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the Summit County Building Inspection Department Fee Schedule.

**Section 109.3 Building Permit Valuations** is amended to add the following sentence:

**109.3 Building permit valuations .** The applicant for a permit shall provide an estimated valuation at the time of application. The valuation used for the building permit shall include the valuation of work for which the permit is being issued, including labor and materials, for the plumbing, electrical, gas, mechanical and fireplace systems. If, in the opinion of the building official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the building official. Final building permit valuation shall be set by the building official.

**Section 109.4 Work Commencing Before Permit Issuance** is amended to read as follows:

**109.4 Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to fees for an investigation in addition to any other required permit fees. The investigation fee shall be as set forth in the Summit County Building Inspection Department Fee Schedule.

**Section 110.3.5 Lath and Gypsum Board Inspection** is amended by deleting the exception.

**Section 110 Inspections** is amended by adding a new subsection to read as follows:

**110.7 Reinspections .** A reinspection fee, as specified in the Summit County Building Inspection Department Fee Schedule, may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. Reinspection fees may be assessed when any of the following conditions exist:

- a. the inspection record card is not posted or otherwise available on the work site,
- b. the approved plans are not readily available to the inspector,
- c. the applicant fails to provide access on the date for which the inspection is requested, or
- d. deviation from plans requiring the approval of the building official.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the reinspection fees have been paid.

**Section 111.3 Temporary Occupancy** is amended to read as follows:

**111.3.1 Temporary occupancy.** The building official may issue a temporary certificate of occupancy before completion of the entire work covered by the permit, if, in the exercise of their discretion, they find that the following standards have been satisfied:

- a. Such portion or portions of the structure subject to the temporary certificate of occupancy may be occupied safely and present no threat of fire or to the life, health, or welfare of the occupants or the public;
- b. Construction of the structure subject to the permit is substantially complete and only minor items of the project remain for full completion and issuance of a full certificate of occupancy;
- c. The general contractor and/or owner requesting a temporary certificate of occupancy have provided sufficient assurances to the building official that the project will reach final completion and certificate of occupancy in a timely manner; and
- d. For any multi-family or multiple unit project, including without limit townhouse and condominium projects, a duplex development, or other projects consisting of five or more units under construction, temporary certificates of occupancy may be issued for no more than forty percent (40%) of those units under construction at any time.

**Section 111.3 Temporary Occupancy** is amended by adding nine new subsections to read as follows:

**111.3.1 Application for temporary occupancy.** Prior to obtaining a temporary certificate of occupancy, the applicant must meet the following requirements:

- a. All applications for a temporary certificate of occupancy must be completed and signed by the authorized agent for the general contractor and, where applicable, by the owner of the property in question; and
- b. Prior to the issuance of a temporary certificate of occupancy, the applicant must record in the records of the Summit County Clerk and Recorder a Notice of Temporary Certificate of Occupancy pertaining to the property in question. Upon issuance of a full certificate of occupancy for any project, the building official will issue a full release of said notice, also to be recorded in the records of the Summit County Clerk and Recorder.

**111.3.2 Issuance of temporary occupancy** . Temporary certificates of occupancy shall be issued for a duration of no longer than six months. Any temporary certificates of occupancy held beyond such six month period shall automatically expire and become null and void.

**111.3.3 Fee schedule** . Temporary certificates of occupancy shall be subject to the following fee schedule:

- a. For the first two months of such temporary certificate of occupancy, a fee of \$100 per month;
- b. For the third and fourth months of such temporary certificate of occupancy, a fee of \$200 per month;
- c. For the fifth and all subsequent months of such temporary certificate of occupancy, a fee of \$300 per month.

**111.3.4 Payment.** Payment for such fees shall be made in a cumulative fashion upon issuance of the temporary certificate of occupancy, with a total fee deposit payment of \$1,200.00 due upon such issuance. Applicants who complete all work required for issuance of a full certificate of occupancy and obtain such a certificate of occupancy within such six month period shall be entitled to a pro rata return of their \$1,200.00 fee deposit, calculated on a monthly basis.

**111.3.5 Failure to pay fees.** Failure to pay the fees as designated herein, or the fees as set forth under previous temporary certificate of occupancy programs administered by the Building Official, in a timely manner may result in the automatic termination and expiration of the temporary certificate of occupancy so issued, in accordance with the provisions of section 111.3.6 below.

**111.3.6 Regulatory program.** In establishing a regulatory program for the issuance of Building Permits, the Board of County Commissioners of Summit County finds as follows:

- a. Temporary certificates of occupancy issued prior to the adoption of the building regulations as set forth herein fail to properly address issues of great concern, such as the duration of

issuance of such temporary certificates of occupancy, assurances for final completion of the project, costs of administration, and public notice of such issuance.

- b. Moreover, the indefinite duration of such temporary certificates of occupancy creates concerns regarding life, health, and safety issues, including but not limited to the potential deterioration of the structures not finally completed.
- c. Accordingly, such temporary certificates of occupancy issued prior to the adoption of this set of building regulations are hereby considered to be legal nonconforming temporary certificates of occupancy.
- d. Given the inherent temporary nature of such temporary certificates of occupancy, the Board of County Commissioners finds that there is no reasonable long term expectation in the continued issuance and effectiveness of such authorizations.
- e. Accordingly, providing an amortization period of one year from the date of adoption of the building regulations set forth herein for the validity of all temporary certificates of occupancy issued prior to such adoption, allows the individual holder of such temporary certificates of occupancy property to enjoy the useful economic advantages of their certificate and take all reasonable steps to achieve a full certificate of occupancy prior to the expiration of such temporary certificate of occupancy.
- f. The amortization schedule contained herein is reasonable, given the balance between the costs involved to the individual holders of such certificates and the general concerns for the public health, safety and welfare served by gradually eliminating all such temporary certificates of occupancy issued under standards which do not meet the current concerns addressed by the building regulations set forth herein.

**111.3.7 Existing temporary occupancies** . All holders of temporary certificates of occupancy issued prior to the adoption of these building regulations may apply for a temporary certificate of occupancy in accordance with the revised procedure set forth herein at any time during the period in which such preexisting certificates are considered valid in accordance with this section 111.3.5.

**111.3.8 Violations.** A violation of any of the provisions of this section 111.3 may result in the automatic termination and expiration of the temporary certificate of occupancy so issued, and lead to the commencement of remedial action by the building department, pursuant to Sections 113 and 114 of this Code, Title 30, Article 28, part 2, C.R.S. (2002), and all other available means of enforcement.

**111.3.9 Termination.** All temporary certificates of occupancy which have been terminated or expired in accordance with this section 111.3 shall be subject to a notice of termination of temporary certificate of occupancy pertaining to the property in question, to be recorded in the records of the Summit County Clerk and Recorder.

**Section 111 Certificate of Completion** is amended by adding a new subsection to read as follows:

**111.5 Certificate of Completion.** A Certificate of Completion shall be issued for minor work not directly related to occupancy when such work complies with the provisions of this code and all other laws and regulations implemented by the code enforcement agency.

**Section 202 Definitions** is amended by adding the following definitions within the alphabetical order of the existing definitions:

**LOFT.** A habitable room or floor in a building that is open to the room or floor directly below, which may or may not qualify as a mezzanine.

**POTENTIAL SLEEPING ROOM.** A room or space within a dwelling unit having a floor area, with 5 feet or more of ceiling height, of at least 70 square feet will be considered a sleeping room in accordance with the following:

In a building defined as a dwelling or lodging house, any space or room having two of the following factors shall be considered a sleeping room. In a building defined as an apartment

house or hotel, any room or space having one of the following factors shall be considered a sleeping room:

- a. Has walls and doors to separate it from other habitable spaces
- b. Meets the definition of a loft as amended by Summit County
- c. Has a closet or similar provision for clothes storage
- d. Has a full or partial bathroom connected to the space or room, or has a path of travel to a full or partial bathroom which does not first pass through a habitable space.

Rooms or spaces determined by these criteria to be sleeping rooms, regardless of any names, labels, or intended uses proposed by the building designer or owner, shall have emergency escape and rescue opening per the 2018 International Building Code, Section 1030, smoke detectors per Section 907, and carbon monoxide detectors per IBC Section 915.

Any alteration to the room or space previously mentioned will be required to be made permanent in nature. The elimination of doors or closets will be made in such a manner that the construction cannot be readily reinstalled.

**STORAGE** . A room or space within a dwelling unit available for storing something.

**UNFINISHED SPACE** . A room or space within a dwelling unit with no interior partition walls, no gypsum board (unless required by code), no finishes (mud, tape, and/or paint) on areas requiring gypsum board, and no floor finishes.

**Section 501.2 Address Identification** is amended by changing 4" to 5" and by adding the following sentence:

The premise identification characters shall be reflective.

**Section 718 Concealed Spaces** is amended by adding two new subsections to read as follows:

**718.6 Factory-built fireplace enclosures.** Combustible construction enclosing factory-built fireplaces with class A chimneys shall be protected on the interior (fireplace) side by one-hour fire resistive construction.

**718.7 Factory-built chimney enclosures.** Factory-built class A chimneys shall be enclosed within a continuous enclosure protected on the interior (flue) side by not less than one-hour fire resistive construction.

**Exception** : The portion of the chimney located in the same room as the appliance and the portion of the chimney above the finished roof are not required to be enclosed. However, if they are enclosed, the interior of the shaft shall be protected by one-hour fire resistive construction.

**Section 901.5 Acceptable Tests** is amended by adding a new subsection to read as follows:

**901.5.1 Special inspector required.** All fire protection systems required by this code shall be reviewed at plan review, inspected and approved by an authorized representative of the fire department.

**Section 1010.1.9.4 Locks and latches item 2.2** is amended to read as follows:

**1010.1.9.4 Item 2.2** A readily visible durable sign is posted on the egress side on or adjacent to the door stating: **THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS.** The sign shall be in letters 1 inch high on a contrasting background.

**Section 1106 Parking and Passenger Loading Facilities** is amended to read as follows:

**1106.1 Required.** Where parking is provided, accessible parking spaces shall comply with the applicable parking provisions of Chapter 3 of the Summit County Land Use and Development Code, as enforced by the Summit County Planning Department.

**Table 1106.1 Accessible Parking Spaces** is hereby repealed in its entirety.

**Chapter 12 Interior Environment** is amended by adding a new section to read exactly as set forth in Appendix F of the 2018 IRC. This shall be applicable for R2 and R3 occupancies.

**Section 1503 Weather Protection** is amended by adding a new subsection and an exception to read as follows:

**1503.6 Snow-shed barriers.** Roofs shall be designed to prevent accumulations of snow from shedding onto exterior balconies, decks, pedestrian and vehicular exits from buildings, stairways, sidewalks, streets, alleys, areas directly above or in front of gas utility or electric utility meters, or adjacent properties.

**Exception:** Roof areas with a horizontal dimension of no more than 48 inches (1,219 mm) that will not receive snow shedding from a higher roof. The horizontal projection shall be measured perpendicular to the exterior wall line from the edge of the roof or eave to any intersecting vertical surface.

**Section 1505.1 General** is amended to read as follows:

**1505.1 General.** All roof coverings on new construction shall be Class A. Class A roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898.

**Table 1505.1 and all footnotes to the table Minimum Roof Covering Classification for Types of Construction** are hereby repealed in their entirety.

**Section 1507.1 Scope** is amended by inserting a new subsection to read as follows:

**1507.1.2 Ice dam protection.** An ice dam protection underlayment that consists of an approved self-adhering polymer modified bitumen sheet shall be used with all roof coverings. This ice dam protection underlayment shall extend up the slope of the roof from the drip-edge of the roof or eave and cover the entire roof decking surface.

**Section 1507.8 Wood Shingles** is amended to read as follows:

**1507.8 Wood shingles.** The installation of wood shingles shall comply with the provisions of this section.

**Table 1507.8 Wood Shingle and Shake Installation** is hereby repealed in its entirety.

**Section 1507.9 Wood Shakes** is amended to read as follows:

**1507.9 Wood shakes.** The installation of wood shakes shall comply with the provisions of this section.

**Section 1608.2 Ground Snow Loads** is amended to read as follows:

**1608.2 Snow loads.** The loads to be used in determining the design snow loads for roofs, exterior balconies and decks shall be as indicated in the Summit County Community Development Matrix. There shall be no reduction for duration. **Ground snow load is to not be utilized, and there are no ground snow load reductions.**

**Section 1612.3 Establishment of Flood Hazard Areas** is amended to read as follows:

**1612.3 Establishment of flood hazard areas.** To establish flood hazard areas Summit County Government has adopted a flood hazard map and supporting data. The flood hazard map includes areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study of Summit County," dated November 16<sup>th</sup>, 2011, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section, subject to modification from time to time to reflect current information of the subject.

**Section 1809.5 Frost Protection** is amended to add the following sentence:

Frost line of the locality is established as 40 inches below grade.

**Section 2113 Masonry Chimneys** is amended by adding the following subsections to read as follows:

**2113.21 Limitation on the type and number of devices.** Solid fuel burning devices that are not properly certified are prohibited in new construction. Outdoor wood-fired hydronic heaters shall not be allowed on properties less than 5 acres. The number of certified solid fuel burning devices that may be installed in newly constructed buildings shall not exceed the following limits:

- a. Detached or attached single family residences: one device per dwelling unit.
- b. Apartments, condominiums, hotel/motel rooms, accessory buildings, accessory apartments, commercial and industrial buildings: no solid fuel burning devices shall be allowed. One solid fuel-burning device shall be allowed in lobbies of hotels or motels or restaurants.
- c. In all buildings which are either occupied or have received a current and valid building permit prior to October 1, 1992, the installation of any solid fuel burning device is prohibited if the resulting number of solid fuel burning devices exceeds the limitations contained in this section. However, such limitations shall not apply to the replacement of a non-certified solid fuel-burning device with a certified solid fuel-burning device.

**CERTIFIED SOLID FUEL BURNING DEVICE** is a solid fuel burning device which is certified by the Air Pollution Control Division of the Colorado Department of Public Health and Environment, or one that is approved by the Building Official as meeting the EPA Phase II 'certification' or 'qualification' standard. These standards shall be independently tested by an accredited laboratory to meet the particulate emissions of 7.5 grams per hour for noncataclytic solid fuel building devices, or 4.1 gram per hour for catalytic solid fuel burning appliances. Masonry heaters shall be approved by the state or documentation shall be provided verifying that 'field test results' conducted by an EPA accredited laboratory show no violation of the existing 6.0 grams per kilogram emission standard per State Regulation No.4.

**NEW CONSTRUCTION**, for the purpose of this section, is construction of a residential, commercial, industrial, agricultural or accessory building. This shall include any modifications, replacement or relocation of existing solid fuel burning devices. However, modifications to solid fuel burning devices shall not include repair, replacement or relocation of flue pipe.

**SOLID FUEL BURNING DEVICES** are any fireplace, stove, firebox, or other device intended and/or used for the purpose of burning wood, coal, pulp, paper, pellets or other non-liquid or non-gaseous fuel.

**Section 2113.22 Factory built chimneys**

- a. Factory built chimneys shall be supported at intervals not to exceed 10 feet by wall straps or equivalent.
- b. Factory built chimneys shall have the outer wall of adjacent chimney sections fastened together by three sheet metal screws, installed approximately 120 degrees apart. Such fastenings shall be in addition to and not in lieu of those requirements mandated by the manufacturers' instructions, except when specifically prohibited by those instructions or the terms of their listing.

**Exception :** Where approved manufacturers' locking bands are used.

- c. The points of termination of a factory built chimney shall not be within 10 inches vertically of the point of termination of any adjacent chimney or appliance vent within 24 inches horizontally. No factory built chimney shall terminate closer than 24 inches to combustible finish materials.

**Section 2303.1.11 Round Timber Poles and Piles** is amended by adding the following paragraph:

All logs used in a structural capacity must be graded and marked by an approved grading agency, in conformance with DOC PS 20. In lieu of a grade mark, a certificate of an onsite inspection issued by a 3<sup>rd</sup> party lumber grading or inspection agency may be accepted.

**Section 2308.7.13 Wood Trusses** is amended by adding the following sentence:

Trusses shall be blocked at bearing points.

**Section 2901.1 Scope** is amended by deleting the reference to the International Private Sewage Disposal Code.

**Section 2308.7.13 Wood Trusses** is amended by adding the following sentence:

Trusses shall be blocked at bearing points.

**Section 2902.1 Minimum Number of Fixtures** is amended to add the following sentences:

An additional single-user toilet facility and bathing room shall be required where only separate sex facilities are provided. When this single-user toilet and bathing room requirement is applicable, the required separate sex toilet and bathtub/ shower counts required by Table 2902.1 is allowed to be reduced by one in the male and female toilet facility and bathing room.

**Section (P) 2902.1.2 Single-User Toilet Facility and Bathing Room Fixtures** is amended to read exactly as follows:

**Section (P) 2902.1.2 Single-User Toilet Facility and Bathing Room Fixtures.** The plumbing fixtures located in single-user toilet facilities and bathing rooms, including family or assisted-use toilet and bathing rooms that are required by Section 1109.2, shall contribute toward the total number of required plumbing fixtures for a building or tenant space. Single-user toilet facilities and bathing rooms and family or assisted-use toilet rooms and bathing rooms shall be identified as being open for use to all persons, regardless of gender. A single-occupant restroom is one that contains only one toilet and a sink, or a toilet and urinal with a sink, and is intended for use by one occupant at a time. Family or assisted-use restrooms must also be designated as gender-neutral. All gender neutral bathrooms are to be signed accordingly.

**Section 2902.2 Exception 2 Separate Facilities** is amended to read as follows:

**2902.2 Exception 2.** Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 30 or less.

**Section (P) 2902.2 Separate facilities** is amended to add a fifth exception:

**Exception 5.** Gender neutral single-user toilet facility and bathing room fixtures.

## **Chapter 36**

The International Building Code is amended to add Chapter 36 to read exactly as set forth in Chapter 45 of the IRC, Fire Mitigation.

## **2018 INTERNATIONAL EXISTING BUILDING CODE.**

**Section 101.1 Title** is amended by adding the name, "Summit County".

**Section 101.4.2 Buildings Previously Occupied** is amended by deleting the reference to the International Property Maintenance Code.

**Section 103.2 Appointment** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 103.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 104.8 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 105.5 Expiration** is amended to read exactly as set forth in IBC Amendment 105.5.

**Section 108.2 Schedule of Permit Fees** is amended to read as follows:

**108.2 Schedule of permit fees.** The fees for all associated permits shall be in accordance with the Summit County Permit Fee Schedule.

**Section 108.6 Refunds** is amended to read as follows:

**108.6 Refunds.** The code official shall authorize the refunding of fees in accordance with the Summit County Permit Fee Schedule.

**Section 109. Inspections** is amended to add a new subsection.

**109.7 Reinspections** to read exactly as set forth in IBC Amendment 110.7.

**Section 113.4 Violation Penalties** is amended to read exactly as set forth in IBC 114.4.

**Section 1301.3.2 Compliance with Other Codes** is amended by deleting the reference to the International Property Maintenance Code.

**Section 1301.4 Investigation and Evaluation** is amended to read as follows:

**Section 1301.4 Investigation and evaluation.** For proposed work covered by this section, the building owner shall cause the existing building to be investigated and evaluated in accordance with the provisions of this section by a design professional licensed to practice in the State of Colorado.

**Section 1301.6 Evaluation Process** is amended by adding the following first paragraph.

The building owner shall cause the existing building to be evaluated in accordance with the provisions of this section by a design professional(s) licensed to practice in the State of Colorado.

## 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE

**Section 101.1 Title** is amended by adding the name, "Summit County".

**Section 103.2 Appointment** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 103.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 103.4 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 105.5.3 Expiration** is amended to read exactly as set forth in IBC Amendment 105.5.

**Section 105.6.2 Fee schedule** is amended to read as follows:

**105.6.2 Fee schedule .** The fees for all associated permits shall be in accordance with the Summit County Permit Fee Schedule.

**Section 105.6.3 Fee refunds** is amended to read as follows:

**108.6 Fee refunds.** The code official shall authorize the refunding of fees in accordance with the Summit County Permit Fee Schedule.

**Section 106.18 Reinspection and testing** is amended to read exactly as set forth in IBC Amendment 110.7.

**Section 107.4 Violation Penalties** is amended to read exactly as set forth in IBC 114.4.

**Section 108. Means of Appeal** is amended to read exactly as set forth in IBC 113.

## 2018 INTERNATIONAL RESIDENTIAL CODE.

**Section R101.1 Title** is amended by adding the name, "Summit County".

**Section R101.2 Scope Exception** is amended to read as follows:

**Section R101.2 Exception.** The following shall be permitted to be constructed in accordance with this code.

**Section R102.7 Existing Structures** is amended by deleting the reference to the International Property Maintenance Code.

**Section R103.3 Deputies** is amended to read exactly as set forth in IBC amendment 103.3.

**Section R104.8 Liability** is amended by adding a first paragraph to read exactly as set forth in IBC amendment 104.8.

**Section R105.2 #1 Work Exempt from Permit** is amended to read exactly as set forth in IBC 105.2 #1.

**Section R105.5 Expiration** is amended to read exactly as set forth in IBC amendment 105.5.

**Section R106.1 Submittal Documents** the first paragraph is amended to read exactly as set forth in IBC amendment 107.1.

**Section R108.2 Schedule of Permit Fees** is amended to read exactly as set forth in IBC amendment 109.2.

**Section R108.3 Building Permit Valuations** is amended to read exactly as set forth in IBC 109.3 including the amendment.

**Section R108.6 Work Commencing Before Permit Issuance** is amended to read as set forth in IBC amendment 109.4.

**Section R109 Inspections** is amended by adding a new subsection to read as set forth in IBC amendment 110.7.

**Section R110.4 Temporary Occupancy** is amended to read exactly as set forth in IBC amendment 111.3.

**Section R202 Definitions** is amended by adding the following definitions within the alphabetical order of the existing definitions:

**HOMEOWNER BUILDER** is hereby defined as any individual who is the owner of the property subject to a building permit if the home is being built for the occupancy of the homeowner builder, and not for the purposes of commercial or residential development. Such homeowner builders may be allowed to pull building and technical permits to perform work on a detached single family residence, based in entirety upon their classification as a Homeowner. It shall be the duty of the individual applying for the permit to establish, to the satisfaction of the Building Official, that he or she is in fact a Homeowner Builder. Family trusts, Limited Liability Corporations and Partnerships do not meet the criteria of a Homeowner Builder, unless agreed to and approved by the Building Official.

**Exception:** An owner of an attached single family residence may be issued permits as a Homeowner Builder for exterior decks or detached accessory buildings.

The permits for Homeowner Builders may be pulled only after passing the required educational examinations for each permit. Homeowner Builders may pull permits no sooner than 2 years after receiving a certificate of occupancy on any previous project done as a Homeowner Builder, except that the ability to pull permits for alterations or additions to homes owned and occupied by any Homeowner Builder shall not be limited by any such time period constraints.

**LOFT** is amended to read exactly as IBC amendment 202.

**POTENTIAL SLEEPING ROOM** is amended to read exactly as IBC amendment 202.

**UNFINISHED SPACE.** A room or space within a dwelling unit with no interior partition walls, no gypsum board (unless required by code), no finishes (mud, tape, and/or paint) on areas requiring gypsum board, and no floor finishes.

**STORAGE** A non-habitable room or space within a dwelling unit used for storage. A storage room or space shall not have TV or internet outlets, closets, or other improvements outside of what is typical for storage areas. Light and ventilation is not required in the non-habitable space per code. This space is not approved for living, sleeping, eating or cooking.

**TOWNHOUSE** A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from foundation to roof and with a yard or public way on at least two sides.

**Table R301.2(1) Climatic and Geographic Design Criteria** is amended to read as follows:

**TABLE R 301.2 (1) – CLIMATIC AND GEOGRAPHICAL DESIGN CRITERIA**

ROOF SNOW LOAD	WIND SPEED MPH <sup>d</sup>	SEISMIC DESIGN CAT <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDERLAYMENT REQUIRED <sup>i</sup>	FLOOD HAZARDS	AIR FREEZING INDEX <sup>j</sup>	MEAN ANNUAL TEMP <sup>k</sup>
			weathering <sup>a</sup>	frost line depth <sup>b</sup>	termite <sup>c</sup>					
h	115	B	severe	40 inches	slight	-13°	yes	g	2500	35.4°

For SI: 1 pound per square foot = 0.0479 kN/m.0 2, 1 mile per hour = 1.609 km/h.

- (a) Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- (b) The frost line depth may require deeper footings than indicated in Figure R403.1 (1). This part of the table is filled in depending on whether there has been a history of local damage. Piers supporting only deck with no roof elements may be a minimum of 24” below grade. One story, detached garages, with no plumbing are allowed to have a 18” frost protected, monolithic slab as a foundation.
- (c) This part of the table is filled in depending on whether there has been a history of local damage.
- (d) Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- (e) Reflects local climates or local weather experience as determined by the building official.
- (f) Seismic Design Category determined from Section R301.2.2.2.
- (g) Summit County entered into the National Flood Insurance Program on December 16, 1980. The date of the currently effective Flood Insurance Reference Map is November 16, 2018.
- (h) The snow load to be used in the design of roofs or portions of roofs shall be as indicated in the Summit County Building Inspection Department Matrix. There shall be no reduction in snow load for duration. Ground snow load is not to be utilized.
- (i) In accordance with R905.1 as amended.
- (j) From the 100 year (99%) value on the National Climatic Data Center data table “Air Freezing Index- USA Method (Base 32degrees F)”
- (k) From the National Climatic Data Center data table “Air Freezing Index- USA Method (Base 32 degrees F)”

**Table R301.5 Minimum Uniformly Distributed Live Loads** is amended by deleting exterior balconies, decks and fire escapes from the table and by adding footnote (i) to read as follows:

- (i) The minimum uniformly distributed live loads for exterior balconies, decks and fire escapes shall be as required for roof snow loads.

**Section R302.1** is amended to read as follows:

**R302.1 Exterior walls.** Construction, projections, openings and penetrations of exterior walls of dwellings and accessory buildings shall comply with Table R302.1(1); or dwellings equipped throughout with an automatic sprinkler system installed in accordance with all applicable provisions of the governing fire district's code shall comply with Table R302.1(2).

**Table R302.1(2) Exterior Walls Footnote a - Dwellings with Fire Sprinklers** is hereby amended to read as follows:

**a.** For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler system installed, permitted and inspected to show compliance with all applicable requirements of the governing fire district's code, the fire separation for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

**Section R302.2.2 Common walls** items 1 and 2 are amended to read as follows:

1. Where a fire sprinkler system in accordance with requirements of the governing fire district's code is provided, the common wall shall be not less than a 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.
2. Where a fire sprinkler system in accordance with requirements of the governing fire district's code is not provided, the common wall shall be not less than a 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E119, UL 263 or Section 703.3 of the International Building Code.

**Section R302.13 Exception 1 Fire inspection of floors** is amended to read as follows:

**R302.13 Exception 1 .** Floor assemblies located directly over a space protected by an automatic sprinkler system permitted, installed and inspected as required by the fire district having jurisdiction.

**Section R302.13 Exception 2 Fire protection of floors** is amended to read as follows:

**R302.13 Exception 2.** Floor assemblies located directly over a crawlspace with a maximum 4' headroom occurring anywhere within the crawlspace. The headroom shall be measured from grade to the bottom of the floor joists.

**Section R310.1 Emergency Escape and Rescue Opening Required** exception 2 is amended to read as follows:

2. Where the dwelling or townhouse is equipped with an automatic sprinkler system installed in accordance with the requirements of the governing fire district's code, sleeping rooms in basements shall not be required to have emergency escape and rescue openings provided that the basement has one of the following:

- 2.1. One means of egress complying with Section R311 and one emergency escape and rescue opening.
- 2.2. Two means of egress complying with Section R311.

**Section R313** is hereby amended to read as follows:

**Section R313 Dwelling Unit Fire Sprinkler Systems and Internal Fire Protection .**

**Section R313 .1 General.** All structures under the scope of this code are to be provided sprinkler systems as designated, reviewed, installed and inspected by the applicable Fire District per section R313.1.1 through R313.1.2.

**Section R313 .1.1 Sprinklers required.** Structures greater than 6,000 square feet are to be sprinklered per the Fire District having jurisdiction. Square footages shall include all attached garages and any detached structures within 3 feet of the residence. Square footage shall be measured from exterior wall to exterior wall. Fire separations within the structure shall not be utilized to reduce the measured square footages of the structure(s).

**Section R313 .1.2 Additions.** Any addition which increases the total square footage of the residence to greater than 6,600 square feet is to be provided with sprinkler systems at the addition only. Where the size of the addition itself is greater than 6,000 square feet, the addition as well as the existing residence shall be provided with sprinklers. Where the addition increases the total square footage of the residence to greater than 6,600 square feet and the alterations to the existing structure results in the removal of interior wall and ceiling finishes exposing the structure, sprinkler systems shall be retro-fitted into the existing residence as well as the addition.

**Section R313.2 Internal fire protection.** Residences between 4,000 and 6,000 square feet shall be provided with 5/8" Type 'X' drywall or ½" cementitious board throughout the structure.

**Section R319.1 Address Identification** is amended to read as follows:

**R319.1 Address identification.** Approved numbers or addresses shall be provided for all new and altered buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address characters shall be reflective, at least five inches (127 mm) in height and shall be of a color that contrasts with the background on which they are mounted.

**Section 324.6.2.1 Alternative Setback at Ridge** shall be amended to read as follows:

**R324.6.2.1 Alternative setback at ridge.** Where an automatic sprinkler system is installed within the dwelling in accordance with NFPA 13D or all applicable requirements of the governing fire district's code, setbacks at ridges shall comply with one of the following:

1. For photovoltaic arrays occupying not more than 66 percent of the plan view total roof area, not less than 18-inch (457 mm) clear setback is required on both sides.
2. For photovoltaic arrays occupying more than 66 percent of the plan view total roof area, not less than a 36-inch (914 mm) clear setback is required on both sides of a horizontal ridge.

**Section R325.3 Area Limitation exception** is amended to read as follows:

**Section R325.3 exception.** The aggregate area of a mezzanine located within a dwelling unit equipped with a fire sprinkler system in accordance with the requirements of the governing fire district's code shall not be greater than one-half of the floor area of the room, provided that the mezzanine meets all of the following requirements:

1. Except for enclosed closets and bathrooms, the mezzanine is open to the room in which such mezzanine is located.
2. The opening to the room is unobstructed except for walls not more than 42 inches (1067 mm) in height, columns and posts.
3. The exceptions to Section R325.5 are not applied.

**Section R403.1.7 Footings on or Adjacent to Slopes** is deleted in its entirety; refer to the Summit County Land Use Development Code for all applicable engineering regulations.

**Section R502.1.1 Sawn Lumber** is amended to read as follows:

**R502.1.1 Sawn Lumber.** Sawn lumber, dimension lumber and logs for joists, beams and girders shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOC PS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection agency meeting the requirements of this section may be accepted.

**Section R602.1.1 Sawn Lumber** is amended to read as follows:

**R602.1.1 Sawn Lumber.** Sawn lumber, dimension lumber and logs for studs, plates and headers shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOC PS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection agency meeting the requirements of this section may be accepted.

**Section R802.1.1 Sawn Lumber** is amended to read as follows:

**R802.1.1 Sawn lumber .** Sawn lumber, dimension lumber and logs for rafters, trusses and ceiling joists shall be identified by a grade mark of a lumber grading or inspection agency that has been approved by an accreditation body that complies with DOC PS 20. In lieu of a grade mark, a certificate of inspection issued by a lumber grading or inspection agency meeting the requirements of this section may be accepted.

**Section R802.10.3 Bracing** is amended to read as follows:

Trusses shall be blocked at bearing points.

**Section R902.1 Roofing Covering Materials** is amended to read as follows:

**R902.1 Roofing covering materials.** Roofs shall be covered with materials as set forth in Sections R904 and R905. Class A roofing shall be installed on all new buildings. Class A roofing required to be listed by this section shall be tested in accordance with UL 790 or ASTM E 108. Roof assemblies with coverings of brick, masonry, slate, clay or concrete roof tile, exposed concrete roof deck, ferrous or copper shingles or sheets, and metal sheets and shingles, shall be considered Class A roof coverings. Where required for roof drainage, scuppers shall be placed level with the roof surface in a wall or parapet. The scupper shall be located as determined by the roof slope and contributing roof area.

**Section R905.1.2 Ice Barriers** is amended to read as follows:

**R905.1.2 Ice barriers .** An ice dam protection underlayment that consists of an approved self-adhering polymer modified bitumen sheet shall be used with all roof coverings. This ice dam protection underlayment shall extend up the slope of the roof from the drip-edge of the roof or eave and cover the entire roof decking surface.

**Section R1004.4 Unvented Gas Log Heaters** is amended to read as follows:

**R1004.4 Unvented gas log heaters.** Installation of unvented gas log heaters is prohibited.

**Section R1004 Factory-Built Fireplaces** is amended by adding a new subsection R1004.6 to read exactly as set forth in IBC amendment 718.6 and 718.7.

**Section R1005 Factory-Built Chimneys** is amended by adding three new subsections to read as follows:

**R1005.9 Factory-built chimney enclosures** is to read exactly as set forth in IBC amendment 718.7.

**R1005.10 Limitations on the type and number of devices** is to read exactly as set forth in IBC amendment 2113.21.

**R1005.11 Factory built chimney** is to read exactly as set forth in IBC amendment 2113.22.

**Section N1101.4. Above Code Programs.** is amended by adding section N1101.4.1 (IECC)

**Section N1101.4.1. Summit Sustainable Building Code. (SSBC)** All new structures defined as a Residential Building under Section N1101.6 of this chapter shall be designed and comply with the Department of Energy Zero Energy Ready Home National Program.

**Exception:** All new residential structures defined per section N1101.4.1 (IECC R102.1.1.1) shall register and submit to be reviewed and inspected through the Department of Energy Zero Energy Ready Home National Program as a training exercise per the Summit County Building Department. The training exercise program will be effective July 1<sup>st</sup>, 2020 through December

31<sup>st</sup>, 2020. Full compliance with the Department of Energy Zero Energy Ready Home National Program shall be effective January 1, 2021.

**Section N1101.4.2.** All new structures defined as a Residential Building under Section N1101.6 of this chapter shall be designed and comply to amended section N1104.2

**Table N1102.1.2 (IECC R402.1.2) Insulation and Fenestration Requirements by Component** Fenestration U-Factor column is amended to read 0.32 for Climate Zone 7 and 8.

**Exception:** applicable for replacement fenestrations or new fenestrations being installed is 60% or less of the existing fenestrations in additions, alterations or repairs.

**Table N1102.1.2 (IECC R402.1.2) Insulation and Fenestration Requirements by Component** is amended to add the following footnote:

**Table N1102.1.2 footnote j** R23 Blown in bibs are permitted to be installed in walls in lieu of the R20+5. If utilizing the R23, the roof/ceiling insulation reductions detailed in N1102.2.1 and N1102.2.2 are not allowed.

**Exception:** applicable for only alterations or remodels 1500sf or less.

**Section N1102.2.10 (IECC R402.2.10) Slab-on-Grade Floors** is amended to read as follows:

**N1102.2.2.10 (IECC R402.2.10) Slab-on-grade floors.** Slab-on-grade floors with a floor surface less than 40 inches below grade shall be insulated in accordance with Table N1102.1.2. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.2.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches of soil. The top edge of the insulation installed between the exterior wall and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79) angle away from the exterior wall.

**Section N1104** is amended by adding section N1104.2:

**N1104.2 Electric Vehicle (EV) charging for new construction.** New construction shall facilitate future installation and use of Electric Vehicle Supply Equipment (EVSE) in accordance with the National Electrical Code (NFPA 70).

**N1104.2.1 One- to two-family dwellings and townhouses.** For each dwelling unit, provide at least one EV Ready Space. The branch circuit or raceway shall be identified as “EV Ready” in the service panel or subpanel directory, and the termination shall be marked as “EV Ready.” The rough and final inspection shall include a blanked electrical box, and a raceway terminating in the electrical panel.

**N1107.1 (R501.1) Scope.** is amended by adding section R501.1.2

**N1107.1.1 (R501.1.2) Additions and alterations** . Additions and interior alterations to an existing building where the total valuation is \$50,000. & over an energy audit shall be provided for the existing structure prior to permit issuance. The energy audit recommendations and/or conclusions may but shall not affect the scope of the work submitted for permit.

**Exception:** Approved energy audit performed on the dwelling within the last five years, Certified energy star rated homes or equivalent certifications approved by the building official. Re-roofs, exterior siding and deck additions or deck alterations or deck repairs.

**Section M1701 General** is amended to add a new subsection to read as follows:

**M1701.3 Combustion air terminations.** All combustion air terminations shall be a minimum of 36 inches above finished ground level.

**Section M1804.2.5 Direct Vent Terminations** is amended to add the following sentence:

The bottom of the vent terminal shall be located at least 36 inches above finished ground level.

**Section M1804.2.6 (4) Mechanical Draft Systems** is amended to read as follows:

**M1804.2.6 (4) Mechanical draft systems.** The bottom of the vent terminal shall be located at least 36 inches above finished ground level.

**Section M2002.4 Flood-Resistant Installation** is amended to add the following sentence:

All mechanical rooms (boiler, water heater, and furnace rooms) are to be provided with a floor drain.

**Section M2101.10 Tests** is amended by adding the following sentence at the end of the paragraph: Hydronic tubing may be tested with a 50 (psi) air test for 30 minutes.

**Section M2103. 4 Testing** is amended by adding the following sentence at the end of the paragraph: Hydronic tubing may be tested with a 50 (psi) air test for 30 minutes.

**Section M2105. 28 Testing** is amended by adding the following sentence at the end of the paragraph: Assembled loop systems may be tested with a 50 (psi) air test for 30 minutes.

**Section G2406.2 Prohibited Locations** is amended to eliminate exceptions 3 and 4.

**Section G2406.3 Outdoor Locations** is amended to add the following sentence: All exterior fire pits and fireplaces shall not be installed on or under combustible structures unless the entire appliance is listed and tested as one unit for that application.

**Section G2407.11 #8 Combustion Air Ducts** is amended to read as follows:

**#8.** Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 36 inches vertically from the adjoining finished ground level.

**Section G2417.4.1 Test Pressure** is amended to read as follows:

**G2417.4.1 Test pressure.** The test pressure to be used shall be not less than one and one-half times the proposed maximum working pressure, but not less than 10 psig (69 kPa gauge) for threaded pipe, 60 psig for welded pipe, irrespective of design pressure. Where the test pressure exceeds 125 psig (862 kPa gauge), the test pressure shall not exceed a value that produces a hoop stress in the piping greater than 50 percent of the specified minimum yield strength of the pipe.

**Section G2425.8 Equipment Not R equired to be V ented** is amended to eliminate item #7: Room heaters listed for unvented use.

**Section G2427.4.1 Plastic Piping** is amended to add the following sentence: All plastic piping used as vents or combustion air is to be tested with a 5 psi air test for 15 minutes.

**Section 2427.8 #2 Venting System Termination Location** is amended to read as follows:

**#2.** A mechanical draft venting system, excluding direct-vent appliances, shall terminate not less than 4 feet below, 4 feet horizontally from, or 1 foot above any door, operable window or gravity air inlet into any building. The bottom of the vent terminal shall be located not less than 36 inches above finished ground level.

**Section G2432 General** is amended by adding a new subsection to read as follows:

**G2432.4 Gas logs.** Gas logs may be installed in solid-fuel-burning fireplaces provided:

- a. The gas log is installed in accordance with the manufacturer's installation instructions.
- b. If the fireplace is equipped with a damper it shall either be removed or welded in an open position.
- c. The flue passageway shall be not less than 1 square inch per 2,000 Btu/h input and not more than 4 square inches per 2,000 Btu/h input.
- d. Gas logs shall be equipped with a pilot and shall have a listed safety shutoff valve.
- e. Gas logs shall be vented with a Class A Chimney.

- f. Gas logs may be installed in factory-built fireplaces only when (a) the fireplace and gas logs are listed for use together as an individual unit (b) the fireplace is approved for use with any listed gas log or (c) the fireplace manufacturer provides prior written approval for the installation.
- g. Gas logs shall be provided with a motorized damper interlocked with the electronic ignition of the unit.

**Exception:** The installation of gas logs in factory built fireplace units for which the manufacturer cannot be identified or located may be approved by the building official in her or his discretion. Any approval shall be based at a minimum, on written evidence submitted by the gas log manufacturer that the installation of their product will not compromise the integrity of the existing fireplace.

**Section G2433 Log Lighters** is amended to read as follows:

**G2433 Log lighters** are prohibited.

**Exception:** Log lighters are allowed if listed as a component of EPA phase II appliances and approved by the Building Official.

**Section G2445 Unvented Room Heater** is amended to read as follows:

**G2445 Prohibited installation.** Installation of unvented room heaters is prohibited.

**Section P2503.5.1** the first paragraph is amended to read as follows:

**P2503.5.1 Rough plumbing.** DWV systems shall be tested upon completion of the rough piping installation by water or by air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping has been installed, as follows:

**Section P2503.6 Shower Liner Test:** This section is deleted in its entirety.

**Section P2503.7 Water-Supply System Testing** is amended to read as follows:

**P2503.7 Water-supply system testing** . Upon completion of the water-supply system or a section of it, the system or portion completed shall be tested and proved tight under a water pressure of not less than the working pressure of the system or, for piping systems, by an air test of not less than 50 psi. This pressure shall be held for not less than 15 minutes. The water used for tests shall be obtained from a potable water source.

**Section 2603.5.1 Sewer Depth** is amended to read as follows:

**P2603.5.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be protected in accordance with Summit County Environmental Health regulations.

**Section P2801.6.2 Pan Drain Termination** is amended to read as follows:

**P2801.6.2 Pan drain termination.** The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain. All water heater rooms shall be equipped with a floor drain.

**Section P2804.6.1 #5 Requirements of discharge pipe** is amended to read as:

**#5.** Discharge to the floor, to the pan serving the water heater or storage tank or to a waste receptor.

**Section P2904 Dwelling Unit Fire Sprinkler Systems** is repealed in its entirety.

**Sections P2910, P2911, P2912, P2913, and P3009 Nonpotable Water Systems, On-Site Nonpotable Water Reuse Systems, Nonpotable Rainwater Collection and Distribution Systems, Reclaimed Water Systems, and Subsurface Landscape Irrigation Systems** are amended to add the following sentence:

All non-potable water sources and reclaimed water systems are to be compliant to this code and the latest version of any amendments to State of Colorado plumbing code as adopted by the state plumbing board.

**Chapters 34 35 36 37 38 39 40 41 42 and 4 3 General Requirements, Electrical Definitions, Services, Branch Circuit and Feeder Requirements, Wiring Methods, Power and Lighting Distribution Devices and Luminaires, Appliance Installation, Swimming Pools, Class 2 Remote-Control, Signaling and Power-Limited Circuits** are repealed in their entirety.

**Chapter 45 Fire Hazard Mitigation Requirement for New Construction** The International Residential Code is amended by adding a new chapter as follows:

## **CHAPTER 45**

### **FIRE HAZARD MITIGATION REQUIREMENT FOR NEW CONSTRUCTION**

#### **SECTION 4501**

##### **GENERAL**

**4501.1 Purpose.** The purpose of this chapter is to establish minimum design and construction standards for the protection of life and property from fire, within the Wildland Urban **Interface**. These provisions are meant to aid in the prevention and suppression of fires and lessen the hazards to structures from wildland fires as well as the hazards to wildlands from structure fires.

**4501.2 Scope.** All new building construction, including any additions and decks, shall be compliant to the applicable provisions of Sections 4501.2.1 through 4501.2.6.

**Exception:** Temporary buildings and buildings or structures used for the sole purpose of providing shelter for agricultural implements, farm products, livestock or poultry.

**4501.2.1 Class A roof.** A Class A roof shall be provided on all structures.

**4501.2.2 Roof repair.** The roof covering on buildings or structures in existence prior to adoption of this code that are replaced or have 25 percent or more replaced in a 12-month period shall be replaced with a roof assembly that complies with a Class A rating when tested in accordance with ASTM E 108 or UL790.

**4501.2.3 Gutters and downspouts.** Gutters and downspouts shall be constructed of noncombustible material. Gutters shall be provided with an approved means to prevent the accumulation of leaves and debris in the gutter.

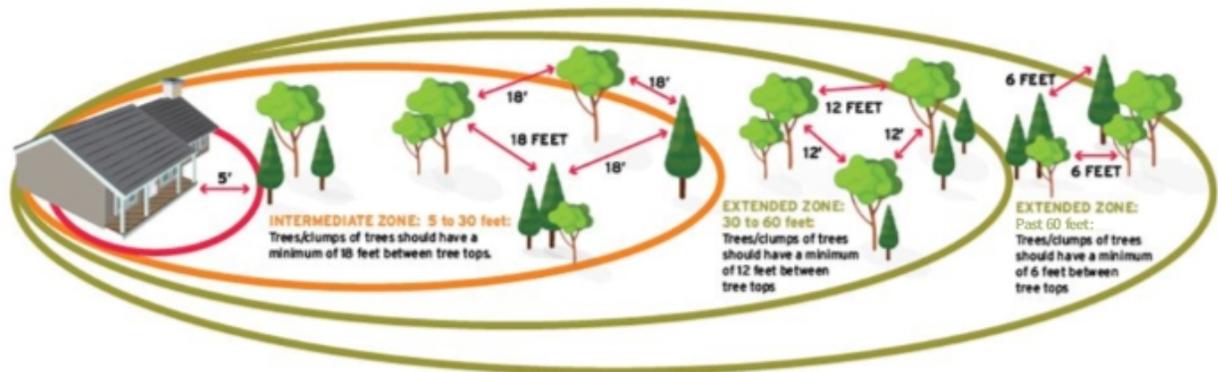
**4501.2.4 Exterior glazing.** Exterior windows, window walls and glazed doors, windows within exterior doors, and skylights shall be tempered glass, multilayered glazed panels, glass block or have a fire protection rating of not less than 20 minutes.

**4501.2.5 Soffit and gable vents.** All soffit and gable vents shall have a maximum 3/16 inch opening.

**4501.2.6 Defensible space.** A defensible space shall be provided as specified in the Sections (add Section numbers):

**4501.2.6.1 General.** The property shall be divided into three zones. These zones are (Figure 1):

#### **FIGURE 1**



**4501.2.6.1.1 The Immediate Zone** -- 0 to 5 feet from the furthest attached exterior point of the home. This is the most important zone of the defensible space, according to the Firewise® program, to take immediate action on as it is the most vulnerable to embers. The following specific standards apply to the creation of defensible space within the Immediate Zone:

**4501.2.6.1.1.1** All dead and diseased trees, shrubs, and other landscaping materials shall be removed.

**4501.2.6.1.1.2** All vegetation and combustible and flammable materials shall be moved away from exterior walls, under the eaves, and/or decks. This includes: mulch, ground fuels, flammable plants, leaves and needles, firewood piles.

**4501.2.6.1.2 The Intermediate Zone** -- 5 to 30 feet from the furthest attached exterior point of the home. This is the landscaping/hardscaping zone of the defensible space through the use of careful landscaping or creating breaks that can help influence and decrease fire behavior. The following specific standards apply to the creation of defensible space within the Intermediate Zone:

**4501.2.6.1.2.1** All dead and diseased trees, shrubs, and other landscaping materials shall be removed. Removal of ladder fuels (vegetation under trees) shall occur so a surface fire cannot reach the crowns of the trees.

**4501.2.6.1.2.2** Limb up trees to a height of 10 feet. For shorter trees, trim to a height of 1/3 the overall tree height.

**4501.2.6.1.2.3** Trees shall be spaced to have a minimum of eighteen feet between the crowns with the distance increasing with the percentage of slope.

**4501.2.6.1.2.4** Firewise® trees and shrubs in this zone should be limited to small clusters of a few each to break up the continuity of the vegetation across the landscape.

**4501.2.6.1.2.5** Irrigated trees, shrubs, and other landscaping material shall be preserved if they are limbed to remove dead branches and well-spaced to reduce the risk of a fire spreading to other vegetation or structures.

**4501.2.6.1.3 The Extended Zone up to 60 Feet** -- 30 to 60 feet and 60 feet to the property line from the furthest attached exterior point of the home. This zone focuses on interrupting a fire's path and keeping the flames smaller and on the ground. The following

specific standards apply to the creation of defensible space within the Extended Zone up to 60 feet:

**4501.2.6.1.3.1** All dead and diseased trees, shrubs, and other landscaping materials shall be removed.

**4501.2.6.1.3.2** The accumulation of ground litter and debris shall be disposed of or dispersed.

**4501.2.6.1.3.3** Small conifers growing between mature trees shall be removed.

**4501.2.6.1.3.4** Vegetation adjacent to storage or other outbuildings shall be removed.

**4501.2.6.1.3.5** Trees shall be spaced to have a minimum of twelve feet between the crowns with the distance increasing with the percentage of slope.

**4501.2.6.1.4 The Extended Zone Over 60 Feet** -- This zone focuses on interrupting a fire's path and keeping the flames smaller and on the ground. The following specific standards apply to the creation of defensible space within the Extended Zone over 60 feet:

**4501.2.6.1.4.1** All dead and diseased trees, shrubs, and other landscaping materials shall be removed.

**4501.2.6.1.4.2** The accumulation of ground litter and debris shall be disposed of or dispersed.

**4501.2.6.1.4.3** Small conifers growing between mature trees shall be removed.

**4501.2.6.1.4.4** Vegetation adjacent to storage or other outbuildings shall be removed.

**4501.2.6.1.4.5** Trees shall be spaced to have a minimum of six feet between the crowns with the distance increasing with the percentage of slope.

**Exception:** Nothing in this chapter shall require the removal of healthy trees, shrubs, and other landscaping materials required by a Town or the County as part of an approved landscaping plan. The removal of landscaping is limited by a property line.

**4501.3 Fees.** The fees for fire hazard mitigation inspections shall be in accordance with the Summit County Building Department Fee Schedule, and collected by the Fire District having jurisdiction.

## SECTION 4502

### DEFINITIONS

For the purpose of this chapter, certain terms are defined as follows:

**AUTHORITY HAVING JURISDICTION (AHJ)** is defined as Summit County Government or one of its designated representatives.

**BUILDING SIZE** as referenced in Section 4504 is the total floor area. Square footages shall include all attached garages and any detached structures within 3' of the residence. Square footage shall be measured from exterior wall to exterior wall.

**DEFENSIBLE SPACE** Defensible space is the natural or landscaped area around a dwelling or other structure that has been modified to reduce the spread of fire from an approaching wildland

fire, or to reduce a structure fire from moving into the surrounding vegetation. Creating Defensible Space does not usually require the removal of all trees or other vegetation.

**FIRE WISE LANDSCAPING** is defined as trees, shrubs, and other materials which meet the criteria for fire-resistant landscaping.

**GROUND FUELS.** All combustible materials such as grass, duff, loose surface litter, tree or shrub roots, rotting wood, leaves, peat, or sawdust that typically support combustion.

**MITIGATION.** Action that moderates the severity of a fire hazard or risk.

**STRUCTURE IGNITION ZONE.** The area around a specific structure and associated accessory structures, including all vegetation that contains potential ignition sources and fuels.

**TREE CROWN** is the needle or leaf bearing part of a tree. The crown edge is the tree's drip edge.

**WELL-SPACED** means that the space between the crowns of trees, or between the crowns of trees and the center point of other landscaping, is adequate to reduce the risk of a fire spreading to other vegetation or structures. The adequacy of spacing depends upon slopes, vegetation size, vegetation types (trees, shrubs, grass), and other fuel characteristics (including, but not limited to, fuel compaction and chemical content). In general, a minimum of ten-feet between the widest portion of the crowns of individual trees or groups of trees is adequate. Additional spacing may be required on steeper slopes.

**WILDLAND-URBAN INTERFACE.** The Wildland Urban Interface or WUI is defined as the line, area, or zone where structures and other human development meet or intermingle with undeveloped lands or vegetative fuels or as otherwise defined in the County Wildfire Protection Plan.

## **2018 INTERNATIONAL MECHANICAL CODE:**

**Section 101.1 Title** is amended by adding the name, "Summit County".

**Section 103.2 Appointment** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 103.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 103.4 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 106.4.3 Expiration** is amended to read exactly as set forth in IBC Amendment 105.5.

**Section 106.4.4 Extensions** is hereby repealed in entirety.

**Section 106.5.2 Fee Schedule** is amended to read as follows:

**106.5.2 Fee schedule.** The fees for mechanical work shall be in accordance with the Summit County Building Department Fee Schedule.

**Section 106.5.3 Fee Refunds** is amended to read as follows:

**106.5.3 Fee refunds .** The code official shall authorize the refunding of fees in accordance with the Summit County Building Department Fee Schedule.

**Section 107.2 Inspections and Testing** is amended to add a new subsection to read as follows:

**107.2.6 Reinspections** is to read exactly as set forth in IBC Amendment 110.7.

**Section 108.4 Violation Penalties** is amended to read exactly as set forth in IBC 114.4.

**Section 108.5 Stop Work Orders** is amended to read exactly as set forth in IBC 115.

**Section 109 Means of Appeal** is hereby repealed in its entirety and reenacted to read exactly as set forth in IBC section 113.

**Section 301 General** is amended to add a new subsection to read as follows:

**301.19 Floor drains.** All mechanical rooms (furnace, boiler, water heater rooms) shall be provided with a floor drain.

**Section 701 General** is amended by adding a new subsection to read as follows:

**701.2 Terminations.** Vent and combustion air ducts shall terminate a minimum of 36" above finished ground level.

**Section 804.3.4 Horizontal Terminations** is amended by changing #6 to read as follows:

**#6.** The bottom of the vent termination shall be located not less than 36 inches above finished grade.

**Section 805 Factory Built Chimneys** is amended by adding a new section to read exactly as set forth in IBC Amendments 718.6, 718.7, and 2113.22.

**Section 903.3 Unvented Gas Log Heaters** is amended to read as follows:

**903.3 Unvented gas log heaters.** Unvented gas log heaters are prohibited.

**Section 905 Fireplace Stoves and Room Heaters** is amended by adding a new subsection as follows:

**905.4 Limitation on the type and number of devices** is to read exactly as set forth in IBC Amendment 2113.21.

**Section M1208.1 Testing** is amended by adding a sentence at the end of the paragraph as follows:

Hydronic tubing may be tested with a 50 (psi) air test for 30 minutes.

## 2018 INTERNATIONAL PLUMBING CODE.

**Section 101.1 Title** is amended by adding the name "Summit County".

**Section 101.3 Intent** is amended to add the following:

The intent of this code is to meet or exceed the requirements of the State of Colorado Plumbing Code. When technical requirements, specifications or standards in the Colorado Plumbing Code conflict with this code, the more restrictive shall apply.

**Section 103.2 Appointment** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 103.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 103.4 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 106.5.3 Expiration** is amended to read exactly as set forth in IBC amendment 105.5.

**Section 106.5.4 Extensions** is hereby repealed in its entirety.

**Section 106.6.2 Fee Schedule** is amended to read as follows:

**106.6.2 Fee schedule.** The fees for plumbing work shall be in accordance with the Summit County Building Department Fee Schedule.

**Section 106.6.3 Fee Refunds** is amended to read exactly as set forth in IMC amendment 106.5.3.

**Section 107.2 Required Inspections and Testing** is amended to add a new subsection as follows:

**107.2.6 Reinspections** is to read exactly as set forth in IBC amendment 110.7.

**Section 108.4 Violation Penalties** is amended to read exactly as set forth in IBC 114.4.

**Section 108.5 Stop Work Orders** is amended to read exactly as set forth in IBC 115.

**Section 109 Means of Appeal** is repealed in its entirety and reenacted to read exactly as set forth in IBC section 113.

**Section 301 General** is amended to add a new subsection as follows:

**301.8 Floor drains.** All mechanical rooms (furnace, boiler, water heater rooms) shall be provided with a floor drain.

**Section 305.4.1 Sewer Depth** is amended to read as follows:

**305.4.1 Sewer depth.** Building sewers shall be installed in accordance with the standards and subject to the approval of the governing Sanitation District.

**Section 312.3 Drainage and Vent Air Test** is amended to delete the first sentence: 'Plastic pipe shall not be tested using air.'

**Section 312.5 Water Supply System Testing** is amended to delete the portion of the sentence reading "for piping systems other than plastic".

**Section 312.6 Gravity Sewer Test** is amended to read as follows:

**312.6 Gravity sewer test.** Testing of the building sewer shall be in accordance with the standards and subject to the approval of the governing Sanitation District.

**Section 312.7 Forced Sewer Test** is amended to read as follows:

**312.7 Forced sewer test.** Testing of the building sewer shall be in accordance with the standards and subject to the approval of the governing Sanitation District.

**Section 312.9 Shower Liner Test** is hereby repealed in its entirety.

**Section 403.1 Minimum Number of Fixtures** is amended to add the sentence as set forth in IBC amendment 2902.1.

**Section 403.2 Separate Facilities** is amended to add a fourth exception:

**Exception :** 4. Gender neutral single-user toilet facility and bathing room fixtures.

**Section 403.2.1 Family or Assisted-Use Toilet Facilities Serving as Separate Facilities** is amended to read exactly as set forth in IBC amendment 2902.1.2.

**Section 504.7.2 Pan Drain Termination** is amended to read as follows:

**504.7.2 Pan drain termination.** The pan drain shall extend full-size and terminate over a suitably located indirect waste receptor or floor drain.

**Section 608.18 Protection of Individual Water Supplies** is amended to read as follows:

**608.18 Protection of individual water supplies.** An individual water supply shall be located and constructed so as to be safeguarded against contamination in accordance with Summit County Environmental Health regulations.

**Section 608.18.1 through 608.18.8** are deleted.

**Section 610.1 General** is amended to read as follows:

**610.1 General.** New or repaired potable water systems shall be purged of deleterious matter and disinfected prior to utilization. The method to be followed in accordance with this requirement shall be that method or methods prescribed by the governing water authority.

**Section 701.2 Connection to Sewer Required** is amended to read as follows:

**701.2 Connection to sewer required.** Every building in which plumbing fixtures are installed and as well as all premises having drainage piping shall be connected to a public sewer, where

available, or an approved private sewage disposal system in accordance with Summit County Environmental Health Department requirements.

**Section 903.1 Roof Extension** is amended to add 12 inches.

**Chapter 13 and 14 Nonpotable Water Systems and Subsurface Landscape Irrigation Systems** are amended to add the following sentence:

All non-potable water sources and reclaimed water systems are to be compliant to this code and the latest version of any amendments to State of Colorado plumbing code as adopted by the state plumbing board.

## 2018 INTERNATIONAL FUEL GAS CODE

**Section 101.1 Title** is amended by adding the name, "Summit County".

**Section 103.2 Appointment** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 103.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 103.4 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 106.5.3 Expiration** is amended to read exactly as set forth in IBC Amendment 105.5.

**Section 106.5.4 Extensions** is hereby repealed in its entirety.

**Section 106.6.2 Fee Schedule** is amended to read as follows:

**106.6.2 Fee schedule.** The fees for fuel gas work shall be in accordance with the Summit County Building Department Fee Schedule.

**Section 106.6.3 Fee Refunds** is amended to read exactly as set forth in IMC amendment 106.5.3.

**Section 107.2 Required Inspections and Testing** is amended to add a new subsection to read as follows:

**107.2.6 Reinspections** to read exactly as set forth in IBC amendment 110.7.

**Section 108.4 Violation Penalties** is amended to read exactly as set forth in IBC 114.4.

**Section 108.5 Stop Work Orders** is amended to read exactly as set forth in IBC 115.

**Section 109 Means of Appeal** is hereby repealed in its entirety and reenacted to read exactly as set forth per IBC section 113.

**Section 303.2 Hazardous Locations** is amended to add a sentence to read as follows:

**Section 303.2 Hazardous locations.** All exterior fire pits and fireplaces shall not be installed on or under combustible structures unless the entire appliance is listed and tested as one unit for that application.

**Section 303.3 Prohibited Locations** is amended to eliminate exceptions 3 and 4.

**Section 304.11 Combustion Air Ducts #8** is amended to read as follows:

**#8.** Combustion air intake openings located on the exterior of a building shall have the lowest side of such openings located not less than 36 inches above finished ground level.

**Section 406.4.1 Test Pressure** is amended to read exactly as set forth in IRC Amendment G2417.4.1

**Section 501.8 Equipment Not Required to be Vented** is amended to eliminate exceptions 8 and 10.

**Section 503.4.1 Plastic Piping** is amended to add the following sentence:

All plastic piping used as vents or combustion air is to be tested with a 5 psi air test for 15 minutes.

**Section 503.8 Venting System Termination Location** is amended to add a sentence that reads as follows: (applicable to items 2 and 3)

The bottom of all vent terminations and air intakes shall be located not less than 36 inches above finished ground level.

**Section 506 Factory Built Chimneys** is amended by adding new subsections to read exactly as set forth in IBC Amendments 718.6, 718.7, 2113.21 and 2113.22.

**Section 602.1 General** is amended to read as follows:

**602.1 General.** Decorative appliances for installation in approved solid fuel-burning fireplaces shall be tested in accordance with ANSI Z21.60 and shall be installed in accordance with the manufacturer's installation instructions.

**Section 602 Decorative Appliances for Installation in Fireplaces** is amended by adding a new subsection **602.4 Gas logs** to read exactly as set forth in as IRC Amendment G2432.

**Section 603.1 General** is amended to read as follows:

**603.1 General.** Log lighters are prohibited.

**Section 618.4 Prohibited Sources** is amended to add a subsection as follows:

**Section 618.4.1 Outside Air Sources.** Outside air shall be obtained from an exterior opening located not less than 36 inches above finished ground level.

**Section 621 Unvented Room Heaters** is hereby repealed in its entirety.

**Section 634 Chimney Damper Opening Area** is hereby repealed in its entirety.

## 2000 ICC ELECTRICAL CODE - ADMINISTRATIVE PROVISIONS.

**Section 101.1 Title** is amended to read as follows:

**101.1 Title.** These regulations shall be known as the ICC Electrical Code™- Administrative Provisions of Summit County and shall be cited as such. The ICC Electrical Code™ - Administrative Provisions in combination with the separately adopted National Electrical Code will be referred to herein as "this code" The ICC Electrical Code™ - Administrative Provisions in combination with the separately adopted National Electrical Code will be referred to throughout all other building construction and housing standards adopted by Summit County as the ICC Electrical Code.

**Section 201.3 Terms Defined in Other Codes** is amended to delete the reference to the International Energy Conservation Code, the International Private Sewage Disposal Code, and the International Property Maintenance Code.

**Section 301.2 Building Official** is amended to read exactly as set forth in IBC Amendment 103.2.

**Section 301.3 Deputies** is amended to read exactly as set forth in IBC Amendment 103.3.

**Section 302.9 Liability** is amended to read exactly as set forth in IBC Amendment 104.8.

**Section 401.3 Work Exempt from Permit** is amended to establish the following additional exceptions:

**401.3 Work exempt from permits.** The following work shall be exempt from the requirements for a permit:

- a. Portable motors or other portable appliances energized by means of a cord or cable having an attachment plug end to be connected to an approved receptacle when that cord or cable is permitted by this code.

- b. Repair or replacement of fixed motors, transformers or fixed approved appliances of the same type and rating in the same location.
- c. Repair or replacement of current-carrying parts of any switch, contactor or control device.
- d. Repair or replacement of electrodes or transformers of the same size and capacity for signs or gas tube systems.
- e. The wiring for temporary theater, motion picture or television stage sets.
- f. Low-energy power, control, and signal circuits of Class II and Class III as defined in this code.
- g. The installation, alteration, or repair of electrical wiring, apparatus, or equipment, or the generation, transmission, distribution or metering of electrical energy, or in the operation of signals or the transmission of intelligence by public or private utilities in the exercise of their function as a serving utility.

**Section 403.2 Expiration** is amended to read exactly as set forth in IBC Amendment 105.5.

**Section 403.3 Extensions** is hereby repealed in its entirety.

**Section 403.6 Information on the Permit** is be amended to read as follows:

**403.6 Information on the permit.** The code official shall issue all permits required by this code on an approved form furnished for that purpose. The permit shall contain a general description of the operation or occupancy and its location and any other information required by the code official.

**Section 404.2 Schedule of Fees** is amended to read exactly as set forth in IBC Amendment 109.2.

**Section 404.3 Work Commencing Before Permit Issuance** is amended to read as follows:

**404.3 Work commencing before permit issuance.** Any person who commences any work before obtaining the necessary permits shall be subject to an investigation fee established by the code official, which shall be in addition to any other required permit fee. The investigation fee shall be as set forth in the Summit County Building Department Fee Schedule and subject to modification from time to time.

**Section 404 Fees** is amended by inserting three new subsections to read as follows:

**404.6 Reinspections** . Shall read exactly as set forth in IBC Amendment 110.7.

**404.7 Temporary heat inspections.** Inspections for authorizing temporary and/or permanent connection of the electrical system to the source of energy shall be deemed Temporary Heat inspections. To obtain this inspection, the applicant shall pay a Temporary Heat inspection fee in accordance with the Summit County Building Department Fee Schedule prior to the inspection being performed.

**Exception** : Temporary Heat inspections performed and approved during an electrical rough-in inspection.

**404.8 Plan Review Fees.** The plan review fees for electrical work shall be in accordance with the Summit County Building Department Fee Schedule.

**Chapter 11 Means of Appeal** is amended to read exactly as set forth in IBC Section 113.

**Section 1202 Provisions** and all subsections therein are hereby repealed in their entirety.

**Section 1203 Existing Electrical Provisions** and all subsections therein are hereby repealed in their entirety.

**Section C101.1** is amended by adding the name, "Summit County".

**Section C101** . Is amended by adding section C101.6:

**Section C101.6 Summit Sustainable Building Code. (SSBC)** In addition to the requirements of Section C101.5, new buildings shall comply with the Summit Sustainable Building Code, in accordance with Sections C101.6.1 and C101.6.2.

**C101.6.1 Residential SSBC.** All new structure residential groups R-2, R-3 and R-4 occupancies above 3 stories and not more than 5 stories shall be in compliance with the Department of Energy Zero Energy Ready Home National Program.

**Exception:** All new residential structures defined per section C101.6.1 shall register and submit to be reviewed and inspected through the Department of Energy's Zero Energy Ready Home National Program as a training exercise per the Summit County Building Department. The training program will be effective July 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020. Full compliance with the Department of Energy's Zero Energy Ready Home National Program shall be effective January 1, 2021.

**C101.6.2 Commercial SSBC.** All new structures defined as a Commercial Building in Chapter 2 except structures defined under C101.6.1 of this code shall comply with amended sections C401.2, C404.11 and C405.10.

**Section C202 Definitions** is amended by adding the following definitions within the alphabetical order of the existing definitions:

**ELECTRIC VEHICLE (EV).** A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE).** The electrical conductors and associated equipment external to the electric vehicle that provide a connection between the premises wiring and the electric vehicle to provide electric vehicle charging.

**ELECTRIC VECHILE SUPPLY EQUIPMENT (EVSE) INSTALLED SPACE.** A parking space with electric vehicle supply equipment capable of supplying a 40-ampere dedicated branch circuit rated at 208/240 volt from a building electrical panel board.

**EV CAPABLE SPACE.** A designated parking space which is provided with a listed raceway capable of accommodating a 40-ampere minimum 208/240-volt dedicated branch circuit for each future EV Ready or EVSE Installed parking space. Raceways shall not be less than trade size 1 (nominal 1-inch inside diameter). Raceways shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or enclosure in close proximity to the proposed location of the EV Capable parking spaces. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum 208/240-volt dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overprotection device.

**Section C401.2 #1, 2 & 3** Is amended to read as follows:

**C401.2 Application.** Commercial buildings shall comply with one of the following:

1. The requirements of ANSI/ASHRAE/IESNA 90.1. The building's annual energy cost shall achieve savings 25 percent or greater than the baseline building energy model developed using ASHRAE 90.1 Energy Cost Budget protocol.
2. The requirements of Sections C402 through C405 and C408. In addition, commercial buildings shall comply with amended Section C406 and tenant spaces shall comply with Section C406.1.1.

3. The requirements of Sections C402.5, C403.2, C403.3 through C403.3.2, C403.4 through C403.4.2.3, C403.10.1 through C403.10.3, C403.11, C403.12, C404, C405, C407, and C408. The building energy cost shall be equal to or less than 75 percent of the standard reference design building.

**Section C404 Service Water Heating** is amended by adding section C404.11:

**Exception:** All structures complying with the Department of Energy’s Zero Energy Ready Home National Program shall not have to comply to section C404.11

TABLE C404.11.1  
PLUMBING FIXTURES AND FITTINGS REQUIREMENTS

PLUMBING FIXTURE	MAXIMUM
Water Closets (toilets) - flushometer single-flush valve type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - flushometer dual-flush valve type	Full-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - single-flush tank-type	Single-flush volume of 1.28 gal (4.8 L)
Water Closets (toilets) - dual-flush tank-type	Full-flush volume of 1.28 gal (4.8 L)
Urinals	Flush volume 0.5 gal (1.9 L)
Public lavatory faucets	Flow rate - 0.5 gpm (1.9 L/min)
Public metering self-closing faucet	0.25 gal( 1.0 L) per metering cycle
Residential bathroom lavatory sink faucets	Flow rate - 1.5 gpm (5.7 L/min)
Residential kitchen faucets	Flow rate - 1.8 gpm (6.8 L/min) <sup>a</sup>
Residential showerheads	Flow rate - 2.0 gpm (7.6 L/min)
Residential shower compartment (stall) in dwelling units and guest rooms	Flow rate from all shower outlets total of 2.0 gpm (7.6 L/min)211 elk

a. With provision for a temporary override to 2.2 gpm (8.3 L/min) as specified in Section C404.11.1(g)

**C404.11. Building Water Use Reduction .**

**C404.11.1 Plumbing Fixtures and Fittings.** Plumbing fixtures (water closets and urinals) and fittings (faucets and showerheads) shall comply with the following requirements, as shown in Table 404.11.1:

**a. Water closets (toilets) - flushometer valve type.** For single-flush, maximum flush volume shall be determined in accordance with ASME A112.19.2/CSA B45.1 and shall not exceed 1.28 gal (4.8 L). For dual-flush, the full-flush volume shall not exceed 1.28 gal (4.8L) per flush. Dual-flush fixtures shall also comply with the provisions of ASME A112.19.14.

**b. Water closets (toilets) - tank-type.** Tank-type water closets shall be certified to the performance criteria of the USEPA WaterSense Tank-Type High-Efficiency Toilet Specification and shall have a maximum full-flush volume of 1.28 gal (4.8 L). Dual-flush fixtures shall also comply with the provisions of ASME A112.19.14.

**c. Urinals.** Maximum flush volume, when determined in accordance with ASME A112.19.2/CSA B45.1, shall not exceed 0.5 gal (1.9 L). Flushing urinals shall comply with the performance criteria of the USEPA WaterSense Specification for Flushing Urinals. Nonwater urinals shall comply with ASME A112.19.19 (vitreous china) or IAPMO Z124.9 (plastic) as appropriate.

**d. Public lavatory faucets.** Maximum flow rate shall not exceed 0.5 gpm (1.9 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1.

**e. Public metering self-closing faucet.** Maximum water use shall not exceed 0.25 gal (1.0 L) per metering cycle when tested in accordance with ASME A112.18.1/CSA B125.1.

**f. Residential bathroom lavatory sink faucets.** Maximum flow rate shall not exceed 1.5 gpm (5.7 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. Residential bathroom lavatory sink faucets shall comply with the performance criteria of the USEPA WaterSense High-Efficiency Lavatory Faucet Specification.

**g. Residential kitchen faucets** . Maximum flow rate shall not exceed 1.8 gpm (6.8 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. Kitchen faucets shall be permitted to temporarily increase the flow greater than 1.8 gpm (6.8 L/min) but shall not exceed 2.2 gpm (8.3 L/min) and must automatically revert to the established maximum flow rate of 1.8 gpm (6.8 L/min) upon physical release of the activation mechanism or closure of the faucet valve.

**h. Residential showerheads.** Maximum flow rate shall not exceed 2.0 gpm (7.6 L/min) when tested in accordance with ASME A112.18.1/CSA B125.1. Residential showerheads shall comply with the performance requirements of the USEPA WaterSense Specification for Showerheads.

**i. Residential shower compartment (stall) in dwelling units and guest rooms.**

The allowable flow rate from all shower outlets (including rain systems, waterfalls, bodysprays, and jets) that can operate simultaneously shall be limited to a total of 2.0 gpm (7.6 L/min).

Exception: Where the area of a shower compartment exceeds 2600 in.<sup>2</sup> (1.7m<sup>2</sup>), an additional 2600 in.<sup>2</sup> (1.7m<sup>2</sup>) of floor area or fraction thereof shall be permitted for each multiple of 2600 in.<sup>2</sup> (1.7m<sup>2</sup>) of floor area or fraction thereof, with a maximum flow of 2.0 gpm (7.6 L/min).

**j. Water-bottle filling stations.** Water-bottle filling stations shall be an integral part of, or shall be installed adjacent to, not less than 50% of all drinking fountains installed indoors on the premises.

**C404.11.2 Appliances.**

a. Clothes washers and dishwashers installed within dwelling units shall comply with the ENERGY STAR® Program Requirements for Clothes Washers and ENERGY STAR Program Requirements for Dishwashers. Maximum water use shall be as follows:

1. Clothes washers - Maximum water factor (WF) of 5.4 gal/ft<sup>3</sup> of drum capacity (0.72 L/L of drum capacity).
2. Dishwashers - Standard-size dishwashers shall have a maximum WF of 3.8 gal/full operating cycle (14.3 L/full operating cycle). Compact sizes shall have a maximum WF of 3.5 gal/full operating cycle (13.2 L/full operating cycle). Standard and compact size shall be defined by ENERGY STAR criteria.

b. Clothes washers installed in publicly accessible spaces (Informative Note: e.g., multifamily and hotel common areas), and coin- and card-operated clothes washers of any size used in laundromats, shall have a maximum WF of 4.0 gal/ft<sup>3</sup> of drum capacity normal cycle (.053 L/L of drum capacity normal cycle).

c. Commercial dishwashers in commercial food-service facilities shall meet all ENERGY STAR requirements as listed in the ENERGY STAR Program Requirements for Commercial Dishwashers, Version 2.0.

**C404.11.3 Commercial Food Service Operations.** Commercial food service operations (Informative Note: e.g., restaurants, cafeterias, food preparation kitchens, caterers, etc.):

- a. Shall use high-efficiency prerinse spray valves (i.e., valves that function at 1.3 gpm [4.9 L/min] or less and comply with a 26 second performance requirement when tested in accordance with ASTM F2324),
- b. Shall use dishwashers that comply with the requirements of the ENERGY STAR Program for Commercial Dishwashers,
- c. Shall use boilerless/connectionless food steamers that consume no more than 2.0 gal/h (7.5 L/h) in the full operational mode,
- d. Shall use combination ovens that consume not more than 10 gal/h (38 L/h) in the full operational mode,
- e. Shall use air-cooled ice machines that comply with the requirements of the ENERGY STAR Program for Commercial Ice Machines, and
- f. Shall be equipped with hands-free faucet controllers (foot controllers, sensor activated, or other) for all faucet fittings within the food preparation area of the kitchen and the dish room, including pot sinks and washing sinks.

**C404.11.4 Medical and Laboratory Facilities.** Medical and laboratory facilities, including clinics, hospitals, medical centers, physician and dental offices, and medical and nonmedical laboratories of all types shall:

- a. Use only water-efficient steam sterilizers equipped with (1) water-tempering devices that allow water to flow only when the discharge of condensate or hot water from the sterilizer exceeds 140°F (60°C) and (2) mechanical vacuum equipment in place of venturi-type vacuum systems for vacuum sterilizers.
- b. Use film processor water-recycling units where large-frame x-ray films of more than 6 in. (150 mm) in either length or width are processed. Small dental x-ray equipment is exempt from this requirement.
- c. Use digital imaging and radiography systems where the digital networks are installed.
- d. Use a dry-hood scrubber system or, if the applicant determines that a wet-hood scrubber system is required, the scrubber shall be equipped with a water recirculation system. For perchlorate hoods and other applications where a hood wash-down system is required, the hood shall be equipped with self-closing valves on those wash-down systems.
- e. Use only dry vacuum pumps unless fire and safety codes (Informative Note: e.g., International Fire Code) for explosive, corrosive, or oxidative gases require a liquid ring pump.
- f. Use only efficient water treatment systems that comply with the following criteria:
  - 1. For all filtration processes, pressure gages shall determine and display when to backwash or change cartridges.
  - 2. For all ion exchange and softening processes, recharge cycles shall be set by volume of water treated or based on conductivity or hardness.
  - 3. For reverse osmosis and nanofiltration equipment with capacity greater than 27 gal/h (100 L/h), reject water shall not exceed 60% of the feed water and shall be used as scrubber feed water or for other beneficial uses on the project site.
  - 4. Simple distillation is not acceptable as a means of water purification.
- g. With regard to food service operations within medical facilities, comply with Section 404.11.3.

**Section C405. Electrical Power and Lighting Systems** is amended by adding section C405.10:

**C405.10. EV charging for new construction.** The building shall be provided with electric vehicle charging in accordance with this section and the National Electrical Code (NFPA 70). When parking spaces are added or modified without an increase in building size, only the new parking spaces are subject to this requirement.

**C405.11.1. Group R occupancies.** Group R occupancies with three or more dwelling units and/or sleeping units shall be provided with EV charging in accordance with Table C405.11.1. Calculations for the number of spaces shall be rounded up to the nearest whole number.

**Table C405.11.1.**

Total Number of Parking Spaces	Number of EVSE Installed Spaces	Number of EV Ready Spaces	Number of EV Capable Spaces
1	None	1	None
2 - 9	None	1	20% of spaces
> 10	5% of spaces (minimum one dual-port charging station)	10% of spaces	40% of remaining spaces

**C405.11.2 Group A, B, E, I, M and S-2 occupancies.** Group A, B, E, I, M and open or enclosed parking garages under S-2 occupancy shall be provided with electric vehicle charging in accordance with Table C405.11.2. Calculations for the number of spaces shall be rounded up to the nearest whole number.

**Exception:** The number of electric vehicle supply equipment (EVSE) installed spaces may be reduced by up to five provided that the building includes not less than one parking space equipped with an EV fast charger and not less than one EV ready space.

**Table C405.11.2.**

Total Number of Parking Spaces	Number of EVSE Installed Spaces	Number of EV Ready Spaces	Number of EV Capable Spaces
1	None	1	None
2 - 25	None	1	1
> 25	5% of spaces (minimum one dual-port charging station)	10% of spaces	40% of remaining spaces

**C405.10.2 Identification.** Construction documents shall designate all electric vehicle capable and electric vehicle supply equipment installed spaces and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the electric vehicle capable spaces and electric vehicle supply equipment installed spaces shall be clearly identified in the panel board.

**C405.10.3 Accessible Parking .** Where new EVSE Installed Spaces and/or new EV Capable Spaces and new accessible parking are both provided, parking facilities shall be designed so that at least one accessible parking space shall be EV Capable or EVSE Installed.

**Section C406.1 Requirements.** Is amended to read as follows:

**C406.1 Requirements .** Buildings shall comply with the following:

1. On-site supply of renewable energy in accordance with Section C406.5.

**OWNER WARRANTY:** In the event an Owner of a new commercial building decides to comply with Section C406.1 #1 or utilize the exception of section C406.1 of this Code by doing a PV installation to comply with the requirement of on-site renewable energy, such Owner shall be responsible for warranting the PV installation for the life of the structure in order to ensure that compliance with this Code is ongoing. Such warranty shall ensure that the PV installation remains operational and functional as per its original purpose for the warranted period of time and shall run with the installation so as to be binding on

future owners. The warranty shall be void and approved by the Building Official in the event the structure is supplied with 100% renewable energy.

2. Provision of a dedicated outdoor air system for certain HVAC equipment in accordance with Section C406.6.
3. One additional package selected from the following:
  - a. More efficient HVAC performance in accordance with Section C406.2.
  - b. Reduced lighting power in accordance with Section C406.3.
  - c. Enhanced lighting controls in accordance with Section C406.4.
  - d. High-efficiency service water heating in accordance with Section C406.7.
  - e. Enhanced envelope performance in accordance with Section C406.8.
  - f. Reduced air infiltration in accordance with Section C406.9.

**Exception:** If the total on-site renewable energy installed per Section C406.5 is at least 10 percent of the energy used within the building for mechanical and service water heating equipment and lighting regulated in Chapter 4, then buildings shall not be required to comply with provisions 2 and 3 of Section C406.1.

**Section C406.5 On-site renewable energy.** Is amended to read as follows:

**C406.5 On-site renewable energy.** The total minimum ratings of on-site renewable energy systems shall be not less than 3 percent of the energy used within the building for building mechanical and service water heating equipment and lighting regulated in Chapter 4.

**Section C406.6 Dedicated outdoor air system.** Is amended by adding section C406.6.1:

**C406.6.1 Energy Recovery system.** Where the supply airflow rate of a fan system exceeds 30 cfm of outside air, the system shall include an energy recovery system. The energy recovery system shall be configured to provide a change in the enthalpy of the outdoor air supply of not less than 50 percent of the difference between the outdoor air and return air enthalpies, at design conditions. Where an air economizer is required, the energy recovery system shall include a bypass or controls that permit operation of the economizer as required by Section C403.5.

**Section R101.1** is amended by adding the name, "Summit County".

**Section R101.5 Compliance.** is amended by adding section R101.5.2. and R101.5.3

**Section R101.5.2 Sustainable Building Code.** All new structures defined as Residential Buildings under chapter 2 of this code shall be designed and comply with the Department of Energy Zero Energy Ready Home National Program.

**Exception:** All residential new structures defined per section R101.5.2 shall register and submit to be reviewed and inspected through the Department of Energy Zero Energy Ready Home National Program as a training exercise per the Summit County Building Department. The training exercise program will be effective July 1<sup>st</sup>, 2020 through December 31<sup>st</sup>, 2020. Full compliance with the Department of Energy Zero Net Energy Ready Home National Program shall be effective January 1, 2021.

**Section R101.5.3.** All new structures defined as a Residential Building under chapter 2 of this code shall be designed and comply to amended section R404.2

**Section R202 Definitions** is amended by adding the following definitions within the alphabetical order of the existing definitions:

**ELECTRIC VEHICLE (EV).** A vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE).** The electrical conductors and associated equipment external to the electric vehicle that provide a connection between the premises wiring and the electric vehicle to provide electric vehicle charging.

**ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) INSTALLED SPACE.** A parking space with electric vehicle supply equipment capable of supplying a 40-ampere dedicated branch circuit rated at 208/240 volt from a building electrical panel board.

**EV CAPABLE SPACE.** A designated parking space which is provided with a listed raceway capable of accommodating a 40-ampere minimum 208/240-volt dedicated branch circuit for each future EV Ready or EVSE Installed parking space. Raceways shall not be less than trade size 1 (nominal 1-inch inside diameter). Raceways shall originate at the main service or subpanel and shall terminate into a listed cabinet, box, or enclosure in close proximity to the proposed location of the EV Capable parking spaces. Raceways are required to be continuous at enclosed, inaccessible or concealed areas and spaces. The service panel and/or subpanel shall provide capacity to install a 40-ampere minimum 208/240-volt dedicated branch circuit and space(s) reserved to permit installation of a branch circuit overprotection device.

**EV READY SPACE.** A designated parking space which is provided with one minimum 40-ampere, 208/240-volt dedicated branch circuit for EVSE servicing Electric Vehicles. The circuit shall terminate in a suitable termination point such as a receptacle, junction box, or an EVSE, and be located in close proximity to the proposed location of the EV Ready parking spaces.

**Table R402.1.2 Insulation and Fenestration Requirements by Component** . is amended to add the following footnote:

**Table R402.1.2 footnote j.** R23 Blown in bibs are permitted to be installed in walls in lieu of the R20+5. If utilizing the R23, the roof/ceiling insulation reductions detailed in R402.2.1 and R402.2.2 are not allowed.

**Exception:** applicable for only alterations or remodels 1500sf or less.

**Table R402.1.2 Insulation and Fenestration Requirements by Component.** Fenestration U-Factor column is amended to read 0.32 for Climate Zone 7 and 8:

**Exception:** applicable for replacement fenestrations or new fenestrations being installed is 60% or less of the existing fenestrations in additions, alterations or repairs.

**R402.2.10** is amended to read as follows:

**R402.2.10 Slab-on-grade floors.** Slab-on-grade floors with a floor surface less than 40 inches below grade shall be insulated in accordance with Table N1102.1.1. The insulation shall extend downward from the top of the slab on the outside or inside of the foundation wall. Insulation located below grade shall be extended the distance provided in Table N1102.2.2 by any combination of vertical insulation, insulation extending under the slab or insulation extending out from the building. Insulation extending away from the building shall be protected by pavement or by a minimum of 10 inches of soil. The top edge of the insulation installed between the exterior wall and the edge of the interior slab shall be permitted to be cut at a 45-degree (0.79) angle away from the exterior wall.

**Section R404** is amended by adding section R404.2:

**R404.2 Electric Vehicle (EV) charging for new construction.** New construction shall facilitate future installation and use of Electric Vehicle Supply Equipment (EVSE) in accordance with the National Electrical Code (NFPA 70).

**R404.2.1 One- to two-family dwellings and townhouses.** For each dwelling unit, provide at least one EV Ready Space. The branch circuit shall be identified as “EV Ready” in the service panel or subpanel directory, and the termination shall be marked as “EV Ready.”

**Exception:** 1. EV Ready Spaces are not required where no parking spaces are provided.

2. This section does not apply to parking spaces used exclusively for trucks for delivery vehicles.

**R404.2.2 Multifamily dwellings (three or more units).** EV Ready and EV Capable Spaces shall be provided in accordance with Table R404.2.2. Where the calculation of percent served results in a fractional parking space, it shall round up to the next whole number. The service panel or subpanel circuit directory shall identify the spaces reserved to support EV charging, as “EV Ready” or “EV Capable.” The raceway location shall be permanently and visibly marked as “EV Capable.”

**TABLE R404.2.2  
EV Ready Space and EV Capable Space Requirements**

Total Number of Parking Spaces	Number of EVSE Installed Spaces	Number of EV Ready Spaces	Number of EV Capable Spaces
1	None	1	None
2 - 9	None	1	20% of spaces
> 10	5% of spaces (minimum one dual-port charging station)	10% of spaces	40% of remaining spaces

**Exception:** The number of electric vehicle supply equipment (EVSE) installed spaces may be reduced by up to five provided that the building includes not less than one parking space equipped with an EV fast charger and not less than one EV ready space.

**R404.2.3 Identification.** Construction documents shall designate all electric vehicle capable spaces, electric vehicle ready spaces, and electric vehicle supply equipment installed spaces and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the electric vehicle capable spaces, electric vehicle ready spaces, and electric vehicle supply equipment installed spaces shall be clearly identified in the panel board. The conduit for electric vehicle capable spaces shall be clearly identified at both the panel board and the termination point at the parking space.

**R404.2.4 Accessible Parking** Where new EVSE Installed Spaces and/or new EV Ready Spaces and new accessible parking are both provided, parking facilities shall be designed so that at least one accessible parking space shall be EV Ready or EVSE Installed.

**R501.1 Scope.** is amended by adding section R501.1.2

**R501.1.2 Additions and alterations** . Additions and interior alterations to an existing building where the total valuation is \$50,000. & over an energy audit shall be provided for the existing structure prior to permit issuance. The energy audit recommendations and/or conclusions may but shall not affect the scope of the work submitted for permit.

**Exception:** re-roofs, exterior siding and deck additions or deck alterations or deck repairs.

**THE UNIFORM CODE FOR BUILDING CONSERVATION.**

**Chapter 1** is amended by adding a new section to read as follows:

**SECTION 3 Violation Penalties** is to read exactly as set forth in IBC 113.4.

**SECTION 201 Administration** is to read exactly as set forth in IBC amendment 103.2.

**Section 205** is amended by adding the following additional first paragraph to read exactly as set forth in IBC amendment 104.8.

**Section 207** is amended to read as follows:

**SECTION 207 Board of Review** is to read exactly as set forth in IBC amendment 112.

**Section 301** is amended by amending the definition of Building Code to read as follows:

**BUILDING CODE** is the International Building Code or the International Residential Code, whichever is applicable, published by the International Code Council, Inc., as adopted by this jurisdiction.

**UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS.**

**Section 310** is amended by amending the definition of Building Code to read as follows:

**BUILDING CODE** is the International Building Code or the International Residential Code, whichever is applicable, published by the International Code Council, Inc., as adopted by this jurisdiction.

**Exhibit B**

<b>SUMMIT COUNTY BUILDING DEPARTMENT Fee Schedule</b>	
<b>BUILDING PERMIT FEES</b>	
<b>TOTAL VALUATION</b>	<b>PERMIT FEE</b>
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$1.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$100,001.00 to \$500,000.00	\$1,169.55 for the first \$100,000.00 plus \$6.73 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3663.00 for the first \$500,000.00 plus \$5.34 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$6332.22 for the first \$1,000,000.00 plus \$3.90 for each additional \$1,000.00, or fraction thereof.
<p><b>**Plan review fees</b> - When submittal documents are required by the building code, a mandatory plan review fee shall be paid at the time of submitting the documents for plan review. Said plan review fee shall be calculated as <b>65 percent of the building permit fee</b> (reference above table). Please see <a href="#">code amendment</a> document for additional fees. **</p>	
<b>WINDOW PERMIT FEES</b>	
<b>TOTAL VALUATION</b>	<b>PERMIT FEE</b>
\$1.00 to \$500.00	\$50.00
\$501.00 to \$2,000.00	\$50.00 for the first \$500.00 plus \$1.25 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,00.01 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
<b>FIREPLACE PERMIT FEES</b>	

<b>VALUATION</b>	<b>PERMIT FEE</b>
Multiply total fireplace valuation by a constant of 0.0075	Minimum fee \$50.00
<b>RESIDENTIAL HOT TUB PERMIT FEES</b>	
<b>PERMIT FEE</b>	
Including plan review	\$50.00
<b>ELECTRICAL PERMIT FEES</b>	
<b>UNIT AREA</b>	<b>PERMIT FEE</b>
Not more than 1,000 sq. ft.	\$104.02
Over 1,000 sq. ft., and not more than 1,500 sq. ft.	\$156.80
Over 1,500 sq. ft., and not more than 2,000 sq. ft.	\$209.59
Over 2,000 sq. ft.	\$209.59 plus \$9.32 per 100 sq. ft. or fraction thereof over 2,000 sq. ft.
<b>ALL OTHER FEES:</b> Except for inspection in mobile homes and travel parks, all other permit fees shall be computed on the dollar value of the electrical installation, including labor and material, and such fees shall be computed as follows:	
<b>VALUATION</b>	<b>PERMIT FEE</b>
Not more than \$2,000.00	\$104.02
More than \$2,000.00	\$9.32 per thousand or fraction thereof plus \$104.02
Mobile homes and travel parks per space	\$104.02
Additional plan review	\$65.00 per hour or fraction thereof
Reinspection on all above	\$65.00
Temporary Power Permit	\$51.23
Hot Tub Electrical Permit	\$104.02
**Plan review fees - The plan review fees for electrical work shall be calculated as <b>65 percent of the electrical permit fee.</b> **	
<b>PHOTOVOLTAIC PERMIT FEES</b>	
<b>RESIDENTIAL</b>	
<b>PLAN REVIEW</b>	<b>PERMIT FEE</b>
\$175.00	\$325.00
<b>COMMERCIAL</b>	
<b>PLAN REVIEW</b>	<b>PERMIT FEE</b>
\$350.00	\$650.00
<b>MECHANICAL PERMIT FEES</b>	
<b>VALUATION</b>	<b>PERMIT FEE</b>
Multiply total mechanical valuation by a constant of 0.0075	Minimum fee \$50.00
Plan review fee (when required)	65% of Mechanical Permit Fee
<b>PLUMBING PERMIT FEES</b>	
<b>VALUATION</b>	<b>PERMIT FEE</b>
Multiply total plumbing valuation by a constant of 0.0075	Minimum fee \$50.00
Plan review fee (when required)	65% of Mechanical Permit Fee
<b>MOBILE HOME FEES</b>	
<b>STANDARD MOBILE HOME SET</b>	<b>FEES</b>

Standard mobile home setting, landing, steps, and handrails necessary for entrance	\$15.00 Plan Review Fee \$35.00 Permit Fee
Additional structures	See "Building Permit Fees"
<b>FIRE HAZARD MITIGATION PERMIT FEE</b>	
To be collected by fire department	\$150.00
<b>MISCELLANEOUS FEES</b>	
<b>Description</b>	<b>Fee</b>
1. Inspections outside of normal business hours (minimum charge - two hours)	\$65.00 per hour <sup>1</sup>
2. Reinspection fee assessed	\$65.00
3. Investigation Fee	Equivalent to building permit fee
4. Inspections for which no fee is specifically indicated (minimum charge - one hour)	\$65.00 per hour <sup>1</sup>
5. Change of Contractor Fee	\$65.00
6. Prints/Copies	\$3.00 per page - 24x36 or larger \$2.00 per page - 18x24 \$.25 per page - 8.5x11
7. Additional plan review (minimum charge - one hour)	\$65.00 per hour <sup>1</sup>
8. For use of outside consultants for plan checking or inspections or both	Actual costs <sup>2</sup>
9. Clerical time for researching or duplicating records, or both (minimum charge -one hour)	\$65.00 per hour <sup>1</sup>
10. Building Board of Review appeals hearing	\$1,000.00; the appeal fee shall be refunded to those appellants who are successful in their appeal.
<sup>1</sup> Or the total hourly cost to the jurisdiction, whichever is greatest	
<sup>2</sup> Actual costs include administrative and overhead costs.	