



1278698

Kathleen Neel – Summit County Recorder

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RESOLUTION NO. 2021-94

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

A RESOLUTION APPROVING PLANNING CASE #PLN21-086; AMENDMENTS TO THE SHORT-TERM RENTAL REGULATIONS CONTAINED IN THE LAND USE AND DEVELOPMENT CODE IN CHAPTERS 3 AND 4 INCLUDING BUT NOT LIMITED TO THE ESTABLISHMENT OF OVERLAY ZONES AND LICENSE TYPES, AN UPDATE TO THE FEE SCHEDULE, AND OTHER AMENDMENTS TO ACCOMPLISH THE FORGOING. (Applicant: Summit County Planning Department);

WHEREAS, Summit County Government has applied to the Board of County Commissioners for a an amendment to the Summit County Land Use and Development Code for the purpose of smoothly transition to an STR Licensing Program; and,

WHEREAS, the Countywide Planning Commission has reviewed and recommended that the Board of County Commissioners approve the Code Amendment at a public hearings on November 1 and 8, 2021; and,

WHEREAS, the Board of County Commissioners has reviewed the application at a public hearing held on December 20, 2021, and considered the evidence and testimony presented at the meeting; and,

WHEREAS, the Board of County Commissioners finds as follows:

1. The proposed Code amendments generally described in the staff report serve to make a distinction between resort areas and neighborhood areas by establishing overlay zones and license types applicable to each overlay zone. Uniform application procedures will be established and the distinction between the overlay zones encourages the economic health of Summit County with regulations that speak to both resort character and neighborhood character:
 - i. Establishing uniform application procedures and development standards to promote the equitable handling of all development applications.
 - ii. Coordinate the development of land with the County’s and other agencies’ ability to provide essential services.
 - iii. Encourage the economic health of Summit County.
2. Overall, the amendments generally described above give consideration to the goals and policies in the Summit County Countywide Comprehensive Plan and the applicable basin and sub-basin master plans because, without limitation, the proposed amendments will help to maintain the character of Summit County by ensuring compatibility of uses while protecting the tourist-based economy in Summit County.
3. Pursuant to the County land use statutes at C.R.S. 30-28-101 et seq. and the Local Government Land Use Control Enabling Act at C.R.S. 29-20-101 et seq., the County has broad authority to regulate the use of land and to adequately protect the health, safety and welfare of community at large. The proposed amendment is in conformance with applicable State Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO, THAT PLN21-086: Amendments to the short-term rental regulations contained in the Land Use and Development Code in Chapters 3 and 4 including but not limited to the establishment of overlay zones and license types, an update to the fee schedule, and other amendments to accomplish the forgoing with the following condition.

1. In the Planning Department's Fee Schedule, "Non-compliant License" shall be updated to "Pre-existing License as shown on the attached Fee Schedule.

ADOPTED THIS 20TH DAY OF DECEMBER 2021.



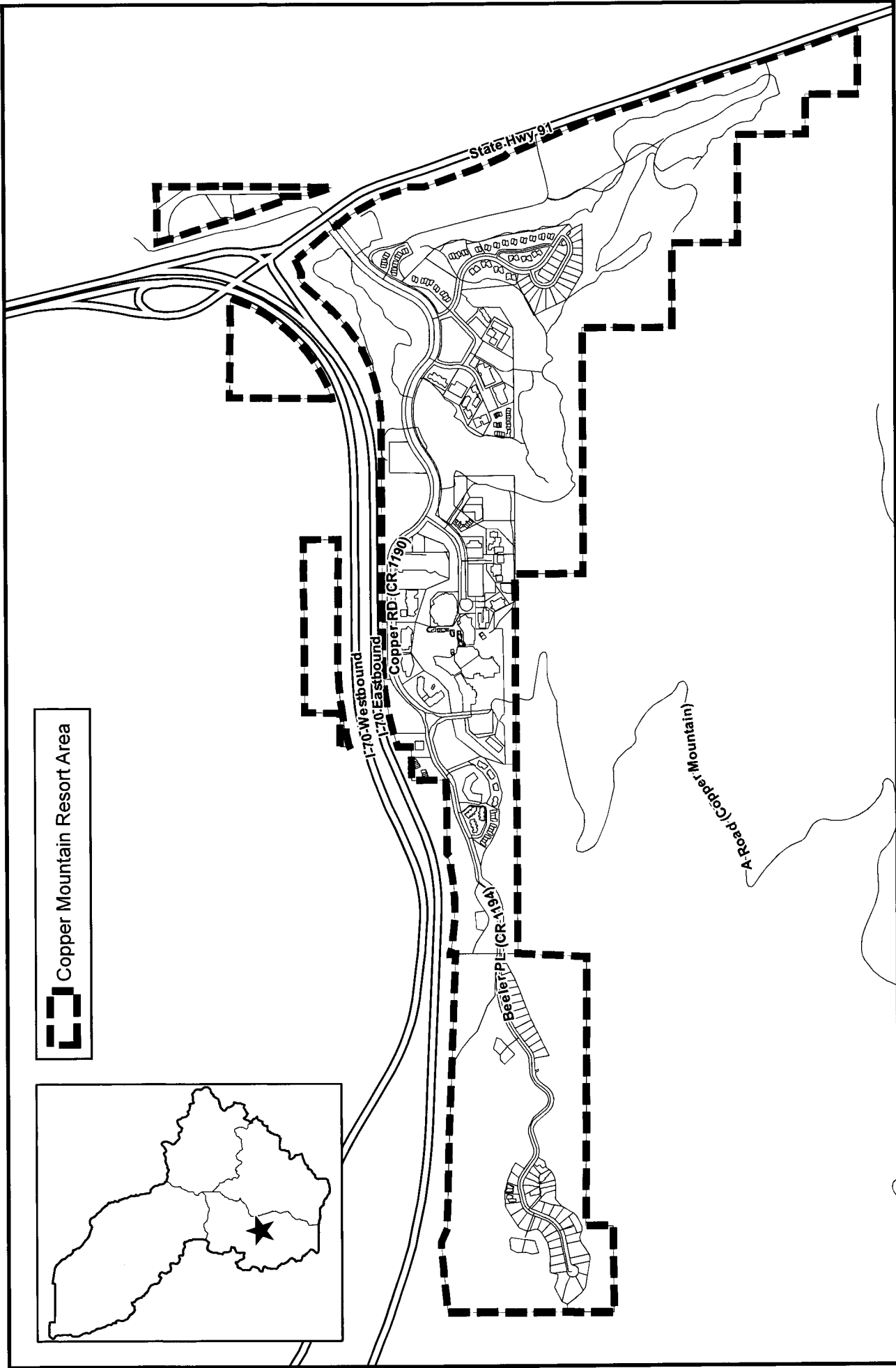
COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS

Elisabeth Lawrence
Elisabeth Lawrence, Chair

ATTEST:

Kathleen Neel
Kathleen Neel, Clerk & Recorder

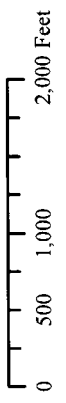
RESORT OVERLAY ZONE: COPPER MOUNTAIN AREA



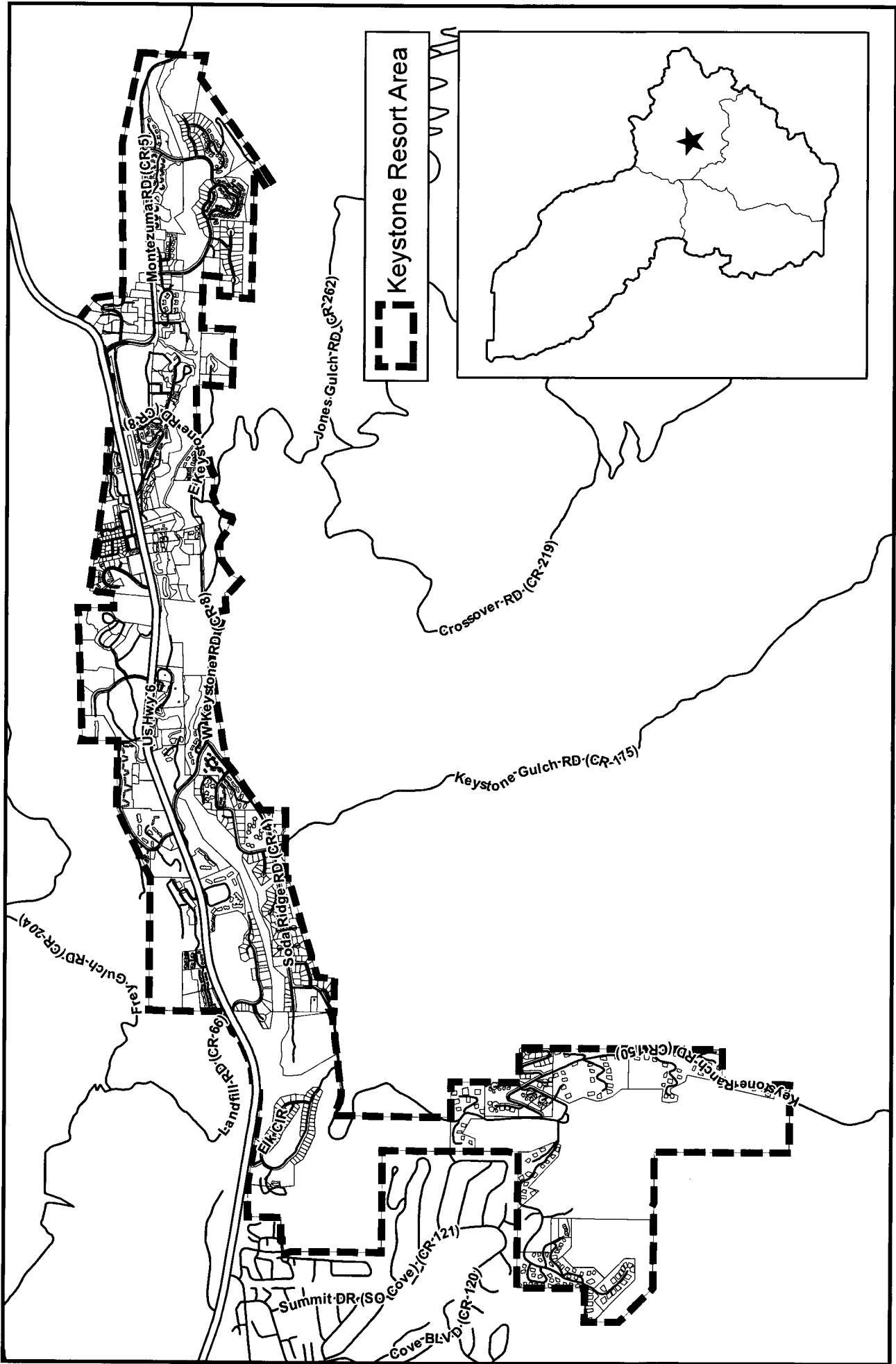
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1 Inch = 1,208.19 Feet



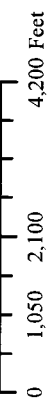
RESORT OVERLAY ZONE: KEYSTONE AREA



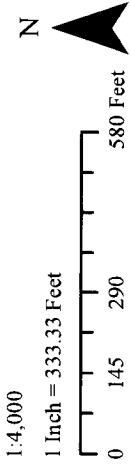
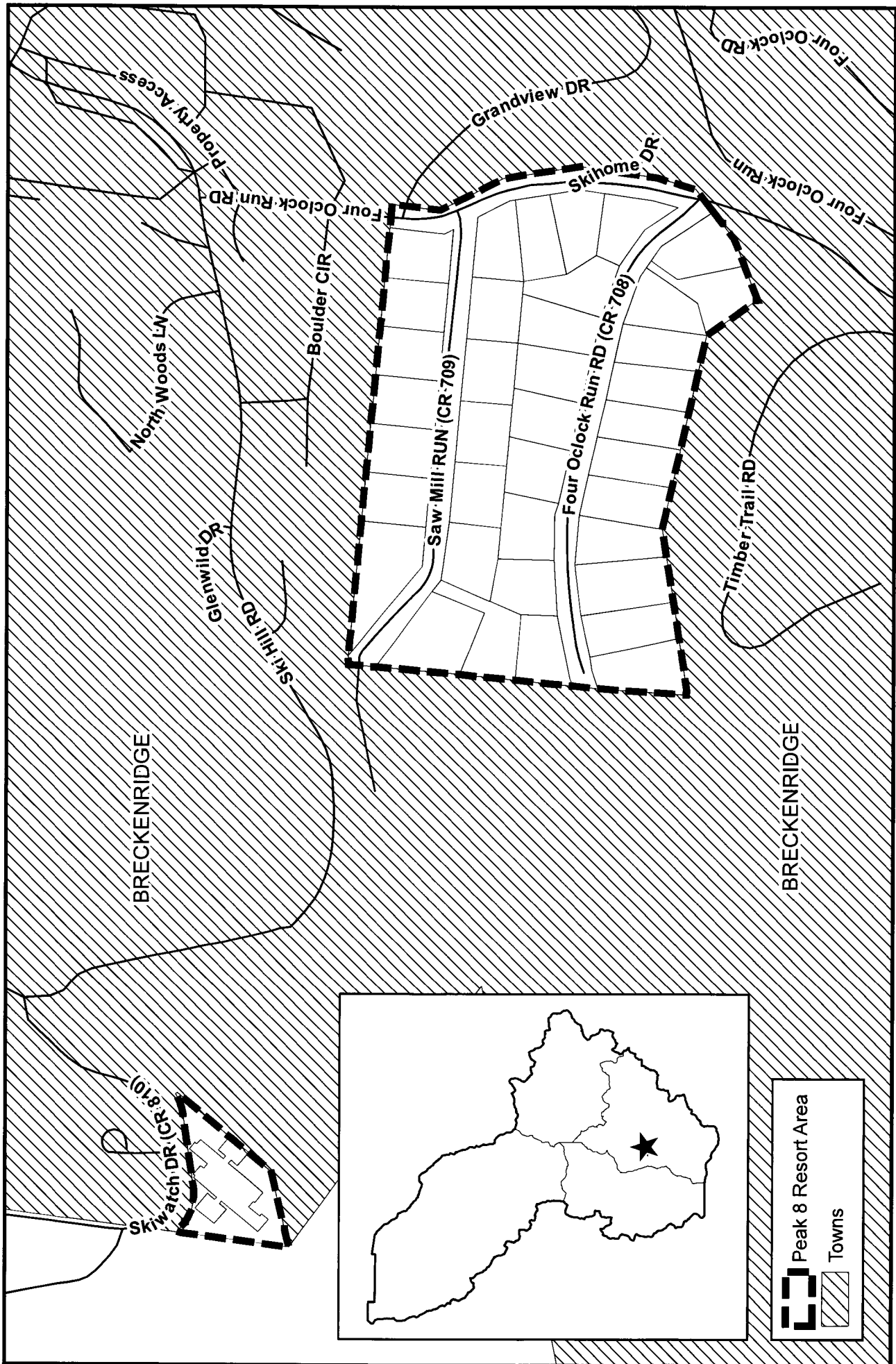
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1 Inch = 2,500 Feet

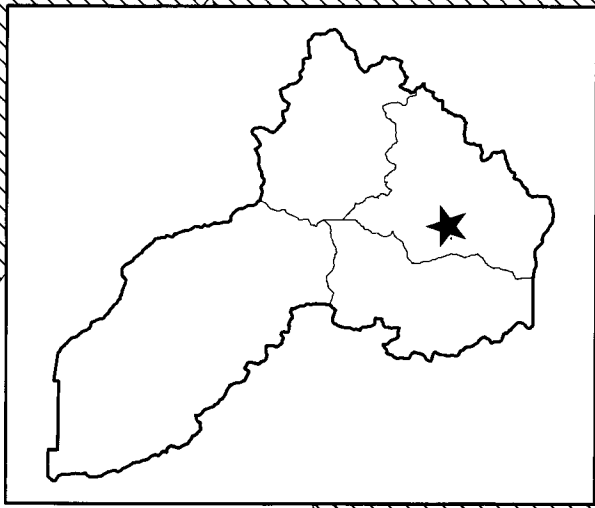


RESORT OVERLAY ZONE: PEAK 8 AREA



BRECKENRIDGE

BRECKENRIDGE

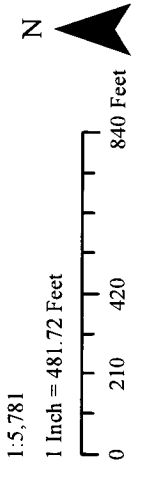
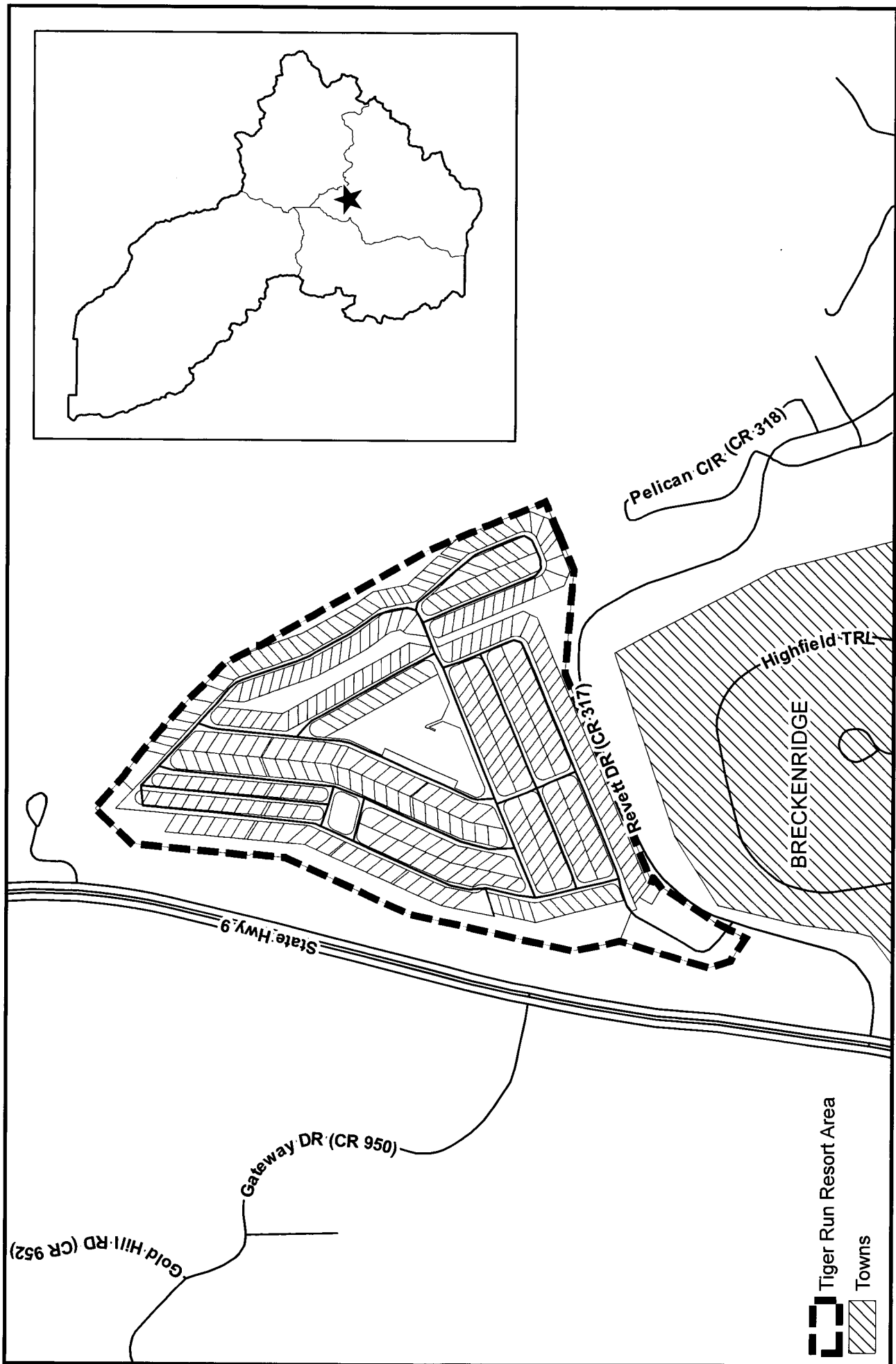




Peak 8 Resort Area

Towns

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RESORT OVERLAY ZONE: TIGER RUN AREA



 Tiger Run Resort Area
 Towns

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SUMMIT COUNTY PLANNING DEPARTMENT

Development Review Fee Schedule

March 2021

WORK SESSIONS			
ALL TYPES-Class 3		\$2,015.00	
Review by Planning Commission only		\$6,790.00	
Review by PC and BOCC			
ZONING			
	RESIDENTIAL	OTHER STRUCTURAL	NON-STRUCTURAL
PRELIMINARY- Class 5			
\$ 4,565.00 plus	\$210.00/dwelling unit or lodge room	\$210.00/1,000 sq. ft.	\$12.00/acre
FINAL- Class 6			
\$3,000.00 plus	\$210.00 /dwelling unit or lodge room	\$210.00/1,000 sq. ft.	\$12.00/acre
PLANNED UNIT DEVELOPMENT (PUD) AMENDMENTS			
	RESIDENTIAL	OTHER STRUCTURAL	NON-STRUCTURAL
Major- Class 5			
\$4,565.00 plus	\$210.00 /dwelling unit or lodge room	\$765.00 /1,000 sq. ft. for the 1 st 30,000 sq. ft. and \$150.00/1,000 sq. ft. thereafter	\$12.00/acre
For those major PUD Amendments that do not involve residential units, structural or non-structural uses, the fee will be the base fee plus hourly.			
Minor- Class 6		\$1,535.00	
SITE PLAN REVIEW			
	RESIDENTIAL	OTHER STRUCTURAL	NON-STRUCTURAL
Multifamily, Commercial, Industrial, other- Class 4			
\$4,565.00 plus	\$210.00 /dwelling unit or lodge room	\$765.00 /1,000 sq. ft. for the 1 st 30,000 sq. ft. and \$150.00 /1,000 sq. ft. thereafter	\$12.00/acre
Single Family, Duplex- Class 1		\$0, except that if the plan requires Planning Commission review, then the fee is \$2,035.00	
Site plan reviews- Class 2		Hourly	
Site Plans in the Backcountry ("BC") zoning district		\$985.00	
VARIANCES			
All types- Class 4		\$2,015.00	
Renewals- Class 2		\$985.00	
CONDITIONAL USE PERMITS			
Industrial, Mining, or Milling CUP's- Class 4		\$6,110.00 base fee plus \$185.00/hr. for each hour spent reviewing the amendment beyond the initial 30 hours of review time.	
All Other CUP's- Class 4		\$4,565.00, no fee for backcountry snow plowing. \$1,345.00 for accessory apartments that require planning commission review.	
TEMPORARY USE PERMITS			
Class 2 TUP's (Real estate sales offices, construction offices, off-premise construction staging areas, manufactured homes or R.V. as a temporary dwelling unit)		\$985.00, no fee will be charged for these types of TUPs if identified on a site plan and approved by the applicable review authority.	
Class 4 TUP's (Establishment of uses not listed, outdoor vendors)		\$4,565.00	
NON CONFORMING PARCEL PLAN REVIEW			
Platted lots in legally created subdivisions- Class 1		\$185.00	
Unplatted parcels- Class 4		\$2,015.00	
Renewals for Unplatted Parcels- Class 2		\$985.00	

SUBDIVISION	
Preliminary Plat- Class 5	\$4,565.00 plus \$210.00 per lot shown on plat
Final Plat- Class 6	\$2,210.00 plus \$210.00 per lot shown on plat
Subdivision Exemptions	
A. General Exemptions- Class 6	\$2,210.00 plus \$210.00 per lot shown on plat
B. Duplex Subdivisions- Class 2	\$2,210.00 plus \$210.00 per lot shown on plat
C. Lot Split on Wells- Class 5	\$2,210.00 plus \$210.00 per lot shown on plat
D. Condo/Townhouse Plats- Class 2	\$1,530.00
E. Correction Plats- Class 2	\$2,210.00
F. Right-of-way dedication plats- Class 6	\$1,530.00
G. Alteration or elimination of plat notes- Class 6	\$1,530.00
H. Lot Line Adjustment- Class 6	\$2,210.00 plus \$210.00 per lot shown on plat
I. Easement/Lot Line Vacation- Class 6	\$440.00, no fee when required in order to comply with County merger requirements.
Public Use Area Fee	\$1,500.00 per residential unit and/or 1,000 square feet of floor area for new buildings with industry and business, retail, and service type uses.
Rural Land Use Subdivision- Class 5	Conceptual Development Plan -- \$1,240.00 RLUS Review -- \$2,210.00
MARIJUANA	
New Medical Marijuana Business	
A. Type 1 Center (up to 300 patients)	\$3,395.00
B. Type 2 Center (300 to 500 patients)	\$7,975.00
C. Type 3 Center (over 500 patients)	\$12,760.00
D. New Optional Premise Cultivation License	\$2,490.00
E. New Medical Marijuana-Infused Product Manufacturer's License	\$2,490.00
Retail Marijuana Business	
A. Retail Marijuana Store	\$3,395.00
B. Retail Marijuana Products Manufacturing	\$2,490.00
C. Retail Marijuana Cultivation Facility	\$2,490.00
D. Retail Marijuana Testing Facility	\$2,490.00
Renewals	
Annual Renewals for each license	50% of the new license fee
Other	
A. Change of Ownership of Business License or Application	\$285.00
B. Corporation of LLC Structure Change (per person)	\$105.00
C. Change of Location	\$590.00
D. Modification of Premises	\$170.00
HOME OCCUPATION PERMITS	
Home Occupation, Low impact, Class 2	\$185.00
Home Occupation, Moderate impact, CUP, Class 4	\$2,840.00
CLASS 2 PERMITS NOT LISTED ELSEWHERE	
Caretaker units when listed as a permitted use, CUP for animal keeping, non-residential outdoor storage areas, Short-Term Rental	\$1,530.00
Accessory apartments not reviewed by planning commissions	\$650.00
Manufactured Homes or RVs As Temporary Dwellings while Primary Residence is Under Construction	\$0
CODE AMENDMENT	
Initiated by general public	\$2,015.00 base fee plus \$185.00/hr. for each hour spent reviewing the amendment beyond the initial 10 hours of review time.

TDR MAP AMENDMENT	
Review- Class 5	\$4,615.00
TDR ADMIN FEE	
TDR Admin Fee	\$2,915.00 Base Fee + \$360 per TDR or fraction greater than 1
DEVELOPMENT AGREEMENTS & SITE SPECIFIC DEVELOPMENT PLANS- Class 5	
For applications that are processed independently of another type of application (e.g., Site Plan, PUD proposal, etc.) the fee shall be \$2,045.00 base fee, plus \$185.00/hr. for each hour spent reviewing the application beyond the initial 10 hours of review time. For applications processed concurrently with another type of application the fee shall be \$185.00 per hour for each hour spent reviewing the Development Agreement and/or Site Specific Development Plan separate from the other type of application with which it is associated.	
LOCATION AND EXTENT	
Location and Extent Review – Class 4	\$4,565.00
SPECIAL/METROPOLITAN DISTRICT	
Review	\$4,565.00
AREAS & ACTIVITIES OF STATE INTEREST	
Pre-application Fee	\$2,015.00 - This fee will be used to cover costs related to the staff time required to make the Director's Determination of whether a Project is Exempt, warrants a Finding of No Significant Impact, a Permit is required, or the Level of Permit Amendment. If a permit, or permit amendment, is required, any unused portion of the pre-application fee will be applied to the Permit Fee below.
Minor Permit Fee	\$10,205.00 initial deposit (see Section 10200 of the Code for a more detailed description of fees for Areas and Activities of State Interest).
Major Permit Fee	\$30,695.00 initial deposit (see Section 10200 of the Code for a more detailed description of fees for Areas and Activities of State Interest).
RENEWAL OF CLASS 2-6 APPROVALS	
Unless otherwise specified: \$2,210.00 or original fee if less than \$2,210.00	
SIGNS	
SIGN PROGRAM – Initial submittal- Class 4	\$1,620.00 base fee plus \$185.00/hr. for each hour spent reviewing the application beyond the initial 8 hours of review time.
SIGN PROGRAM – Amendments Major Amendment- Class 4 Minor Amendment- Class 2	\$985.00 base fee plus \$185.00/hr. for each hour spent reviewing the amendment beyond the initial 5 hours of review time. \$185.00
SIGN PERMIT - Staff Review- Class 2	\$185.00
SHORT-TERM VACATION RENTAL (STR) LICENSES	
Resort Overlay Zone: STR Resort License / Renewal	\$250
Neighborhood Overlay Zone: STR Type I License / Renewal	\$300
Neighborhood Overlay Zone: STR Type II License / Renewal	\$300
Neighborhood Overlay Zone: STR Type III License / Renewal	\$100 (Does not include CUP fee)
Neighborhood Overlay Zone: Renewal of Pre-Existing License	\$500
STR Responsible Agent Change Request	\$50
STR License Revocation Hearing Fee	STR License Fee
Appeal Fee	2x the STR License Fee
FLOODPLAIN DEVELOPMENT	
Permits	\$1065.00
GRADING PERMITS	
Single Family	\$1,550.00 + \$55.00 for each inspection over the allowed 3
Duplex	\$2,330.00 + \$55.00 for each inspection over the allowed 3
Multi Family, Commercial, Industrial	\$2,330.00 plus \$35.00/1,000 SF of disturbance over 10,000 SF + \$55.00 for each inspection over the allowed 5
Road Construction	Same as above
Plan Review	\$55.00 Plan review projects not requiring a grading permit
RIGHT OF WAY/ ROAD EASEMENT VACATION	
Review	\$985.00
VARIANCE TO ROAD AND BRIDGE STANDARDS	
Individual Request	\$315.00
Project Request	\$650.00

BOND/LETTER OF CREDIT ADMIN FEE	
Less than or equal to \$5,000	\$315.00
Greater than \$5,000	2% of the bond/letter of credit amount plus \$315.00 to a maximum fee of \$5,440.00
AMENDMENTS	
Major	Fee equal to the type of application with which it is associated.
Minor	Fee equal to half the cost of the type of application with which it is associated (excluding Site Plan amendments reviewed by staff, which are charged by the hourly rate).
COMBINATIONS	
Any combination of steps or applications	Total fee for each step or application multiplied by 0.85
APEALS	
Fees for appeals to the Board of County Commissioners shall be equal to half of the fee for the type of application involved. Fees for appeals of Code Administrator decisions shall be \$2,015.00. The appeal fee shall be refunded to those appellants who are successful in their appeal.	
SPECIAL STUDIES	
Per Sec. 12006 of the Summit County Land Use and Development Code, the Board of County Commissioners, Planning Commission, or Planning Department shall have the authority to require special studies to be prepared for projects which have potential for significant impacts either because of the project's location, physical characteristics of the site, type or scale of development. The consultant or individual preparing the study shall be selected by mutual agreement of the County and the applicant. The cost of the study shall be paid by the applicant proposing the project.	
HOURLY RATES	
For non-standard development reviews, the Planning Director and/or County Engineer may allow an application to be reviewed at an hourly rate. Also, per Sec. 12005 of the Summit County Land Use and Development Code, if the time required for review of a particular submittal exceeds the typical rate, because it is especially complex or because of delays caused by the applicant, the Planning Director and/or County Engineer may levy an additional fee to cover the County's cost of review.	
Hourly Rate	\$185.00
COLORADO GEOLOGIC SURVEY REVIEW	
Applicants submitting preliminary plats for review by the County must also pay fees charged by the Colorado Geologic Survey for review of subdivisions. Current fees are: \$600.00 for subdivisions of 1-3 dwelling units and less than 100 acres \$950.00 for subdivisions of greater than 3 dwelling units and less than 100 acres \$1550.00 for subdivisions greater than or equal to 100 acres and less than 500 acres \$2500.00 for subdivisions greater than or equal to 500 acres A separate check made payable to the Colorado Geologic Survey shall be submitted at the time an application for subdivision review is made.	
COLORADO STATE FOREST SERVICE REVIEW	
Applicants submitting preliminary plats for review by the County must also pay fees charged by the Colorado State Forest Service for review of subdivisions. Current fees are: \$100.00 for total area less than 35 acres \$155.00 for total area from 36 up to 100 acres \$205.00 for total area greater than 100 acres A separate check made payable to the Colorado State Forest Service shall be submitted at the time an application for subdivision review is made.	
OTHER FEES AND WAIVERS	
Fees for applications not specifically listed in this fee schedule will be determined by the Planning Director in accordance with Section 12005 of the Summit County Land Use and Development Code. The Planning Director shall have the authority to approve waivers of submittal fees for projects which have broad community benefits. Examples include employee housing and housing meeting needs for low and moderate income groups, child care facilities, medical and emergency service facilities, public water and sewer facilities and community centers. The Board of County Commissioners must confirm all fee waivers. Fees for certain conditional use permit and site plan applications may be reduced, at the discretion of the Board of County Commissioners subsequent to the conclusion of the review process, when the applicable application fee is more than 25% of the structural value of the proposed improvements located on the property being reviewed and the potential effect of the proposed use or structure on adjacent property or the environment of Summit County is determined to be minimal. In order to be eligible for a fee reduction an applicant must provide adequate documentation to prove the value of the proposed structural improvements on the property. The Board of County Commissioners must confirm all fee reductions.	

A re-inspection fee of \$185.00 per inspection will be assessed when staff is called to perform a site inspection and the work for which the inspection was performed was determined to be substantially incomplete.

Pre submittal meetings -- No fees will be charged for up to two presubmittal meetings. Any presubmittal meetings beyond two shall be charged at the hourly rate indicated in this fee schedule for each staff person involved in the meeting.