



RESOLUTION NO. 2021- 79

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

A RESOLUTION APPROVING PLN21-097, A MINOR AMENDMENT TO THE KEYSTONE RESORT PUD TO MODIFY LANGUAGE IN THE EMPLOYEE HOUSING SECTION AND DEFINITIONS IN EXHIBIT C TO ALLOW FOR 100 ADDITIONAL TEMPORARY BEDS AT TENDERFOOT EMPLOYEE HOUSING FOR A PERIOD OF THREE (3) YEARS FOR THE 2121/2022, 2022/2023, AND 2023/2024 PEAK SEASONS; LOTS 1-3, TENDERFOOT SUB, ZONED KEYSTONE PUD (Applicant: Summit Vail Resorts, Inc.); and

WHEREAS, Summit Vail Resorts, Inc. has submitted an application to the Board of County Commissioners (“BOCC”) for a Minor Amendment to the Keystone Resort PUD to modify language in the Employee Housing section and definitions in Exhibit C to allow for 100 additional temporary beds at Tenderfoot Employee Housing for a period of three (3) years for the 2121/2022, 2022/2023, and 2023/2024 peak seasons; and

WHEREAS, the Planning Department did review the application and recommends approval of the application to the Board of County Commissioners, subject to certain findings and conditions; and

WHEREAS, the Board of County Commissioners has held a public hearing, with public notice as required by law, on November 9, 2021, and has considered all relevant testimony and evidence; and

WHEREAS, in light of such considerations, the Board of County Commissioners of Summit County, Colorado finds that:

1. The proposed temporary PUD amendment will not affect, in a substantially adverse manner, the enjoyment of land abutting upon or across the street from the are being impacted by this modification, or the public interest because, without limitation (i) the boundaries of the PUD are not changing; (ii) the purpose and intent of the PUD will not be impacted by the proposed minor changes, and the PUD will result in providing, on a temporary basis, additional seasonal employee housing opportunities that will further the development of a year round resort; and, (iii) major PUD provisions are not being impacted.
2. The PUD amendment is not granted solely to confer a benefit upon any one person because, without limitation, the PUD amendment will facilitate the ability for the applicant to temporarily increase its opportunities to meet their employee housing needs and provide housing for those outside of the PUD during a time of an extreme housing shortage.
3. The proposed PUD amendment is in general conformity with the advisory goals, policies and provisions of the Summit County Countywide Comprehensive Plan and the Snake River Master Plan, as both plans fully support the provision of affordable/employee housing. The proposed amendment will further fulfill the employee housing obligations set forth in the PUD designation that must be met by Vail Summit Resorts.
4. The proposed PUD modification is consistent with the purpose and intent of the County’s Zoning Regulations because, without limitation, (i) Areas subject to environmental constraints, including but not limited to wetlands and steep slopes, are being protected; (ii) natural features are being protected; and (iii) the requirements of the PUD designation will ensure adequate provisions are made for access, parking, landscaping, open space and other necessary design requirements as mandated by the PUD, the Summit County Land Use and Development Code and the Snake River Master Plan.

5. The proposed PUD amendment is consistent with the County's Rezoning Policies because no new density is proposed and the modifications will not affect the PUD provisions in place which ensure that land with development constraints are avoided, that new development is compatible with existing development, that there is adequate infrastructure, and that wildfire hazards are mitigated due to the fact that the proposed language simply affords the applicant the opportunity to temporarily provide additional beds in an existing employee housing development.
6. The proposed PUD amendment is consistent with the public health, safety and welfare due to the fact that there will be no substantive impacts to the public health, safety and welfare associated with this minor PUD amendment as the application requests to increase the supply of employee housing beds for a specific limited period of time (2021/2022, 2022/2023, and 2023/2024 ski seasons) and as such will only be temporary in nature. In addition, the proposal furthers the efficiency and economy use of land and its resources because the modification continues to ensure that there will be adequate employee housing available for employees on a Countywide basis, without creating more development.
7. The proposed PUD amendment is not substantial and conforms to the intent of the original PUD as the purpose of the application is to increase the supply of employee housing beds for a specific limited period of time (2021/2022, 2022/2023 and 2023/ 024 ski seasons) and will be temporary in nature. The intent of the proposed PUD amendment is clearly not to create this increase in occupancy for the Tenderfoot units in perpetuity and will facilitate the supply of additional employee beds which is consistent with the intent of the original PUD designation. The PUD amendment has been determined to be a minor amendment in accordance with Section 12202.04 of the Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO THAT Planning Case PLN21-097; a Minor Amendment to the Keystone Resort PUD to modify language in the Employee Housing section and definitions in Exhibit C to allow for 100 additional temporary beds at Tenderfoot Employee Housing for a period of three (3) years for the 2121/2022, 2022/2023, and 2023/2024 peak seasons; Lots 1-3, Tenderfoot Sub, zoned Keystone PUD, is hereby approved.

ADOPTED THIS 9th DAY OF NOVEMBER 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