SAN MIGUEL COUNTY PLANNING COMMISSION

PLANNING COMMISSION MEETING AGENDA
THURSDAY, APRIL 21, 2022 – 9:00 AM

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: http://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8692 or 1-253-215-8782 (long-distance rates may apply)

1. 9:00 A.M. CALL TO ORDER

2. APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS

Approval of the March 10, 2022 minutes
pc.3.10.22 minutes.final.docx

3. 9:15 A.M. PUBLIC HEARING: LAND USE APPLICATION

Representative: SE Group and Klem Cote Edwards Citron LLC

Applicant(s): Town of Telluride / San Miguel County

Property owner: Diamond Ridge Telluride, LLC

Location: Last Dollar Road

Parcel(s): Lots 1-R-A, 2-R, 3-R Diamond Ridge; PIN# 456530318011, 456530317012, 456530317013

Zone District: (F) Forestry, Agriculture and Open

Proposal: Request to Rezone a portion of the subject property to the Community Housing (CH) Zone District, LUC Section 5-324, with the remainder of the property to continue to be zoned Forestry, Agriculture and Open (F), LUC Section 5-307. MOTION

CPC Packet Materials Diamond Ridge Rezone 042122.pdf

4. LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION

Amending LUC Section 5-307, Forestry, Agriculture and Open (F) adding Social and Scenic Uses as a use subject to Two-step Special Use Permit Review. MOTION

CPC Packet Wedding Venues in F zone 042122.pdf

5. ADJOURN

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than

scheduled. For more information contact Planning Department at (970) 728-3083.

If special accommodations are necessary per ADA, contact 970-728-3844, via email at bocc@sanmiguelcountyco.gov prior to the meeting.

The official, designate posting place for all meeting notices will be online at https://www.sanmiguelcountyco.gov/liveagenda. Use this link to view the live agenda with any last-minute changes. To be automatically notified, please sign up at www.sanmiguelcountyco.gov, sign up for alerts, and follow the prompts.

AGENDA ITEM

TITLE:
Approval of the March 10, 2022 minutes

Presented by:
Time needed:

PREPARED BY:
Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
pc.3.10.22 minutes.final.docx

Description:

SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING

March 10, 2022

Online Meeting

Present:	Lee Taylor, Chair Josselin Lifton-Zoline, Vice-Chair M.J. Schillaci, Secretary Ian Bald, Member Matthew Bayma, Member Tobin Brown, Jr. Alternate
Planning Staff Present:	Kaye Simonson, Planning Director John Huebner, Senior Planner Troy Hangen, Senior Planner
County Staff Present:	Amy Markwell, County Attorney

9:02 a.m. Chair called the meeting to order.

APPROVAL OF MINUTES

MOTION by MJ Schillaci to approve the February 10, 2002 minutes as presented.
SECONDED by Ian Bald **VOTE PASSED 4-0.**

Lee Taylor	**Aye**	**Nay**	**Abstain**	**Absent**
Ian Bald	**Aye**	**Nay**	**Abstain**	**Absent**
M.J. Schillaci	**Aye**	**Nay**	**Abstain**	**Absent**
Josselin Lifton-Zoline	**Aye**	**Nay**	**Abstain**	**Absent**
Matthew Bayma	**Aye**	**Nay**	**Abstain**	**Absent**
Tobin Brown	**Aye**	**Nay**	**Abstain**	**Absent**

PLANNING COMMISSION AND STAFF COMMENTS

Kaye Simonson said the next meeting will be held on April 21, 2022.
Two mineral exploration applications are scheduled for the BOCC on March 16, 2022.
The Lawson Hill project l is scheduled for BOCC on April 20, 2022.
The Planning Commission requested an update regarding the Society Turn project. Kaye stated that there are SMPA access issues to be worked out by applicant.
James Van Hooser, who formally worked for the Town of Telluride, has started as Assistant County Manager and will be assisting planning with special projects.

WORKSESSION:

Topics to be discussed;

1. Business ownership of deed-restricted units
2. Affordable Housing Impact Mitigation Fee Update
3. LUC Section 5-1303 Affordable Housing in the Telluride R-1 School District – Mitigation level (LUC Sections 5-1303A_F)

4. ADU Deed Restriction Moratorium on Terminations
5. County policies to create affordable housing opportunities

Kaye Simonson provided an update of the March 9, 2022 work session with the Board of County Commissioners regarding short-term rentals. There are currently 35 permitted Short Term Rentals. It is believed that there are around 125-140 total STRs in the county. Although they are not all permitted, it is believed most of them are submitting their sales tax. One permit was turned down recently as it did not meet egress requirements. It was appealed to the Building Board of Appeals and they upheld Building Official Matt Gonzales 'decision.

The Commission discussed short-term rental policies such as one short-term rental per property owner, and the requirement that it must be a primary residence. Properties are being bought and used solely as short-term rentals, which severely decreases the housing inventory in the area. It was commented that if an owner is using the property commercially it should be taxed accordingly. Amy Markwell, County Attorney said this is not how the law is written. There is some legislation in the works, but right now it is left up to the local government to regulate through local permitting or licensing programs. For example, Denver only allows short-term rentals in a primary residence. It should be noted that Denver is a home rule municipality and is not a statutory county. Because the use is residential, for the condos and homes being rented, the properties are classified as residential even though they are being rented commercially.

Planning staff and the Board of County Commissioners wish to establish the number of these units and where they are located. Much of this data can be found on-line. The Commission discussed their support of cataloging these properties, limiting the rentals to no more than 30 days, and requiring a business license for these entities with those licensing monies going towards enforcement. The commission agreed that these rentals should be limited to primary residences. This will help regulate corporations from overtaking the housing stock. It is a large concern that STRs are changing the character of neighborhoods from residential to commercial areas.

It was inquired what types of units are in the rental pool. People have listed everything from tents and trailers to studios and condos, up to entire houses for rent. Planning staff has updated the Land Use Code for health and safety issues and any reported violations have been quickly addressed by the county.

When the Community Housing Zone District was created, the regulation of STRs there was omitted and that will be a clean-up item to do. Deed-restricted properties in the area are not allowed to be used as short-term rentals.

In the past, the commercial aspect of these properties was captured with personal property taxes. The exemption limit has been $7,500 but this last year was changed to $50,000 during Covid-19 which eliminated many of these STR properties from that personal property tax being picked up.

Amy Markwell, County Attorney, added there was a bill in 2020 that gave counties the ability to license STRs, however, we already have the permitting process in place within the Land Use Code.

Kaye Simonson, Planning Director discussed the goal of "scraping" the most common platforms to discover and account for these properties. From the Planning department side, doing community outreach with advertisements in the newspaper to get the word out that people need to get a permit may be helpful. There was an uptick in permits during COVID due to the Covid-19 protocols and those who were trying to comply with the health protocol were discovered to be unpermitted and went into compliance. Some new owners are not aware that they need a permit. The planning department is working to improve by informing permittees what their responsibilities are in regards to having a short-term rental property in San Miguel County. A good example is a property must post the info for a key contact person in case of an emergency that can immediately respond and solve the problem. The neighboring homes should also have access to that contact person's information. These are good neighbor policies.

Currently, permits are for two years. The permit fees have risen from a nominal $10 to $150, which is split evenly between building and planning.

Amy Markwell brought up that there are lodging sales tax revenues that are being remitted. From a few hundred dollars from properties in the west end, around $12,000 in Norwood, and approximately $49,000 collected in the unincorporated R-1 district.

She then segued into a synopsis of a presentation the county had been given by a company that does this analysis and monitoring work. Their fees begin at $75 per property and increase with additional items and services. With our $150 permit fee, this is not practical for the county to utilize that type of outside support at this time. An interesting element of all these platforms was a complaint button that would quickly communicate an issue to both the platform and the lister, a useful tool.

The commission asked if there could be an additional sales tax, an additional taxing layer. The county could do a tax based on what is allowed statutorily to be collected and would also have to go to the voters. Without further research, unsure what limits are allowed.

Kaye added that there is a shift in tourism, uses, and a new economy. Revocation of permits needs to be added to the code. There have been cases of over-renting to too many people and issues such as a septic system unable to handle it. Another issue is bunkrooms in houses, with much more occupancy than a bedroom. The county is addressing this OWTS issue by taking an amendment to the BOCC regarding definitions and how to accommodate additional occupancy for a bunkroom vs. bedroom. Enforcement is difficult. There is a civil complaint process, but none of this process is quick. The Town of Telluride required having the business license number on their VRBO website ads, which made them easier to vet.

Affordable Housing Impact Mitigation Fee Update

John Huebner presented to the commission the methodology regarding the Affordable Housing Mitigation Gap Fee with some scenario comparisons of calculating the Market Affordability Gap Fee. Three (3) years of sales data are used for the market study.

The presentation included increasing the minimum SF of housing required per employee for affordable housing mitigation currently identified by LUC regulations, and identifying a maximum floor area limit at which full payment of fees in lieu of mitigation may occur. To require newly constructed accessory dwelling units to be deed-restricted, whether the units are voluntary or required for mitigation. And finally, to establish the required percentage of mitigation, which is currently 37%. The BOCC discussed these issues in the March 9, 2022 meeting and they favor a 400 s.f. minimum of housing per employee and a 75% mitigation rate. Currently, the Town of Telluride has a 90% rate and the Town of Mountain Village is proposing to go to 60%. Commissioners did want to consider a graduated scale mitigation rate for locals building modest-sized houses under 2000 s.f. and favored requiring any secondary 'guest house' units built to be deed-restricted and would also include an affordable housing covenant outlining the terms of occupation for that unit. The commissioners were undecided if applicants should be required to actually build the units or to just pay the mitigation fee.

The Commission discussed the existing ADU inventory and how to utilize the inventory. It was also debated about a graduated scale with the larger, 6,000 sf+ homes being held to a higher, perhaps 90%, mitigation rate. It was suggested for smaller square footage homes they could be exempt from such mitigation fees if they voluntarily put their home under a deed restriction.

Further discussion focused on making it mandatory to build ADUs while there is still land available. If not, the only available land will be further and further out from where people work. How does building an ADU fit in with the water supply? It was commented how many local people are being priced out as many homes are being sold to non-local population and are used as second homes and no longer primary residences. It was reasoned that smaller homes should be encouraged on some level as they do not use as much energy, or materials, and are more efficient.

LUC Section 5-1303 Affordable Housing in the Telluride R-1 School District – Mitigation level (LUC Sections 5-1303A-F)

Kaye Simonson discussed current requirements for affordable housing mitigation in PUD and commercial developments. The county has allowed the dedication of other property to fulfill the mitigation. For example that is how the land for the Sunnyside property, which came from the Sunnyside Ranch development, was acquired. The Mill Creek and Deep Creek PUDs will eventually be transferring property to the county that can be used for AH development. The question is what sort of mitigation rate we want for these types of properties, which are currently at 15%. The BOCC was not able to broach this topic in their work session due to time constraints. Kaye added that our county does not have very much commercial development that is outside PUDs and zoned for commercial development. There was a study from 2005 that recommended a 37% commercial mitigation rate but the BOCC instead chose to require a 15% mitigation rate at that time. The Town of Telluride mitigation rate is 40% for commercial development and the county could consider being in line with that rate.

ADU Deed Restriction Moratorium on Terminations

The BOCC adopted a moratorium on the termination of deed-restricted Accessory Dwelling Units (ADUs) in October 2020, has extended it to late April 2022 and did express they would like to further extend the moratorium. These are the mandatory ADUs required under deed restriction that was in place from 1994-to 2007 but never had any covenants with details regarding occupancy. Some of those deed restrictions were never signed. Some of the units were never actually built. The Planning Department has collaborated with the San Miguel Regional Housing Authority (SMRHA) and the San Miguel County Attorney to investigate the existing deed-restricted ADUs in the county. There was a discussion of two examples of the wording in these deed restrictions and who can use the ADU units. There is no mention of the units having to be rented; the units can sit empty. The BOCC asked that the county, within the planning and building departments, coordinate a system so that a situation like this does not occur again with unused housing inventory and failed deed restrictions.

Potential Policies for ADUs, as presented to the BOCC on October 13, 2021

1. Establish a Termination Fee commensurate with the original payment-in-lieu fee of $80,000 with an option to adjust for inflation.
2. Initiate an incentive for owners to have qualified tenants occupy ADUs (i.e. elimination of future building permit fees, development permit fees, and OWTS fees.)
3. Terminate non-signed ADU Deed Restrictions upon request by the Owners.
4. Proceed with a case-by-case review, evaluating the merits of each request.
5. To the extent possible under the Deed Restriction and other applicable regulations, require Owners to have the ADUs occupied by qualified tenants.

The commission considered how an incentive could be created to rent these units to locals.

Business ownership of deed-restricted units

Kaye Simonson began the discussion of businesses being able to buy into the deed-restricted market. It is currently allowed in Lawson Hill and Industrial live-work residences. There are also exception agreements with Telluride Ski and Golf (TSG) and the school district to own units in Two Rivers in Ilium and a variance was granted to let BIT purchase a lot in Lawson Hill to build housing for their employees. The thought is that as businesses are buying deed-restricted properties they are displacing potential workforce buyers out of the market. The BOCC was open to businesses building their own housing to increase stock, but not to buying up existing housing stock.

County policies to create affordable housing opportunities

There is a feasibility analysis being done on the Pathfinder Pit in Matterhorn and how it could be used for housing. An amendment to the Public and Parks Zone districts to allow for housing of essential workers and on-call employees will be on a future agenda. The F zone could possibly allow for more than one caretaker unit as the well permits allow for up to three dwelling units.

In the future, staff needs to work with water providers to determine capacity and locations that can be served where density could be increased. Also, the acquisition of water rights that could be used for future residential development should be investigated.

12:17 p.m. Adjourned.

Respectfully Submitted,

_____

Nancy Hrupcin, Legal Assistant, County Attorney

Approved on _____, 2022.

SAN MIGUEL COUNTY PLANNING COMMISSION

_____

M.J. Schillaci, Secretary

:\PC Planning Commission\PC Minutes\2022\pc.3.10.22 minutes.docx]

DRAFT

AGENDA ITEM

TITLE:

Representative: SE Group and Klem Cote Edwards Citron LLC

Applicant(s): Town of Telluride / San Miguel County

Property owner: Diamond Ridge Telluride, LLC

Location: Last Dollar Road

Parcel(s): Lots 1-R-A, 2-R, 3-R Diamond Ridge; PIN# 456530318011, 456530317012, 456530317013

Zone District: (F) Forestry, Agriculture and Open

Proposal: Request to Rezone a portion of the subject property to the Community Housing (CH) Zone District, LUC Section 5-324, with the remainder of the property to continue to be zoned Forestry, Agriculture and Open (F), LUC Section 5-307. MOTION

Presented by:
Time needed:

PREPARED BY:
Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet Materials Diamond Ridge Rezone 042122.pdf

Description:

PUBLIC MEETING RECORD
County Planning Commission
Application: The Ridge – Community Housing Project: Request to Rezone Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, from Forestry, Agriculture and Open (F) to Community Housing (CH)
Date: April 21, 2022

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).

3. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated April 21, 2022.

3a. Draft County Planning Commission Resolution #2022-01.

4. Application submitted by SE Group and Klein Cote Edwards Citron LLC dated March 18, 2022.

5. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 and C.R.S. 24-65.5-103(1) dated March 22, 2022; March 25, 2022; April 8, 2022; and April 12, 2022.

6. Planning Commission Meeting Agenda Notice published in the Norwood Post and Telluride Daily Planet on Wednesday, April 6, 2022.

AGENCY COMMENTS

7. Memo from Kaye Simonson, Planning Director, to Review Agencies dated March 22, 2022.

8. Letter received from J. David Foley, SMC County Surveyor to Planning Department dated March 24, 2022.

9. Email from Kaye Simonson, Planning Director to J. David Foley, SMC County Surveyor dated March 29, 2022.

10. Email received from J. David Foley, SMC County Surveyor to Kaye Simonson, Planning Director dated March 30, 2022.

11. Email received from J. David Foley, SMC County Surveyor to Tim Barnett, SGM Project Surveyor dated April 4, 2022.

12. Email received from Matt Gonzales, County Building Official to Kaye Simonson, Planning Director dated April 1, 2022.

13. Letter received from Nick Farkouh, Meadows at Deep Creek Mesa Homeowners Company to Kaye Simonson, Planning Director dated April 11, 2022.

14. Letter received from Robert McMahon, Aldasoro Ranch Homeowners Company Board President to County Planning Commission dated April 12, 2022.

15. Letter received from James W. Farrar, Deep Creek Ranches Homeowners Association Board President to County Planning Commission dated April 12, 2022.

PUBLIC COMMENT

16. Letter received from Morgan C and Sarah Lavender Smith, with additional signatories to County Planning Commission dated April 8, 2022.

17. Letter received from David Lavender, 3115 Last Dollar Road to County Planning Commission dated April 9, 2022.

18. Letter received from James W and Angela L Farrar, 2805 Last Dollar Road to County Planning Department dated April 11, 2022.

19. Letter received from The Aldasoro's family members to County Planning Commission dated April 12, 2022.

20. Email received from Dave Pressler, 3620 Last Dollar Road to County Planning Commission dated April 12, 2022.

21. Letter received from Frannie and Erik Aura, 2887 Last Dollar Road to County Planning Commission dated April 12, 2022.

22. Email from Kaye Simonson, Planning Director to Erik and Frannie Aura dated April 12, 2022.

23. Letter received from Lisa Henson, 3620 Last Dollar Road to County Planning Department on April 12, 2022.

24. Letter w/attachments received from Morgan C Smith, Last Dollar Road to County Planning Department dated April 12, 2022.

25. Letter received from Sarah Lavender Smith, 3130 Last Dollar Road to County Planning Commission dated April 12, 2022.

26. Email received from Todd Creel, Town of Telluride resident to County Planning Commission dated April 12, 2022.

27. Email received from Jennifer Barker, Deep Creek Mesa resident to County Planning Commission dated April 13, 2022.

28. Letter received from Virginia Lucarelli, 2965 Last Dollar Road to County Planning Department on April 13, 2022.
29. Letter received from Jim Lucarelli, 2965 Last Dollar Road to County Planning Department on April 13, 2022.

30. Letter received from Morgan C Smith, Last Dollar Road to County Planning Department dated April 13, 2022.

31. Letter received from Scott Bennett, Last Dollar Road to County Planning Department dated April 13, 2022.

32. Comments received from Dan Collins and Laurie Lundquist to County Planning Commission dated April 13, 2022.

33. Comments received from Aubry Mable to County Planning Commission dated April 14, 2022.

34. Comments received from Julia Fallman to County Planning Commission dated April 14, 2022.

35. Comments received from John Henry to County Planning Commission dated April 14, 2022.

36. Comments received from Jerry Mark to County Planning Commission dated April 14, 2022.

37. Comments received from Chambers Squier to County Planning Commission dated April 14, 2022.

38. Comments received from Emily Robinson to County Planning Commission dated April 14, 2022.

39. Comments received from Catherine Cypher to County Planning Commission dated April 14, 2022.

40. Comments received from Oliver Henry to County Planning Commission dated April 14, 2022.

41. Comments received from Jacquelyn Garcia to County Planning Commission dated April 14, 2022.

42. Comments received from Kristen Nassar to County Planning Commission dated April 14, 2022.

43. Comments received from Katherine Borsecnik to County Planning Commission dated April 14, 2022.

44. Comments received from Jason Aurand to County Planning Commission dated April 14, 2022.

45. Comments received from Beth Quatman to County Planning Commission dated April 14, 2022.

46. Comments received from Laura West to County Planning Commission dated April 14, 2022.

47. Comments received from Joana Spindler to County Planning Commission dated April 14, 2022.

48. Comments received from Shanda Yagel to County Planning Commission dated April 14, 2022.

49. Comments received from Andres Vargas-Johnson to County Planning Commission dated April 14, 2022.

50. Comments received from Molly Perrault Daniel to County Planning Commission dated April 14, 2022.

51. Comments received from Alex Rollison to County Planning Commission dated April 14, 2022.

52. Comments received from Cara Wilder to County Planning Commission dated April 14, 2022.

53. Comments received from Sheamus Croke to County Planning Commission dated April 14, 2022.

54. Comments received from Amanda Baltzley to County Planning Commission dated April 14, 2022.

55. Comments received from Anna Langer to County Planning Commission dated April 14, 2022.

56. Comments received from Shan Thorpe to County Planning Commission dated April 14, 2022.

57. Comments received from Aaron Kennedy to County Planning Commission dated April 14, 2022.

58. Comments received from Jenna Cichanski to County Planning Commission dated April 14, 2022.

59. Comments received from Sam Barnes to County Planning Commission dated April 14, 2022.

60. Comments received from Tim Lafferty to County Planning Commission dated April 14, 2022.

61. Comments received from Tyler Wilson to County Planning Commission dated April 14, 2022.

62. Comments received from Claudia Garcia Curzio to County Planning Commission dated April 14, 2022.

63. Comments received from Elaine Williams to County Planning Commission dated April 14, 2022.

64. Comments received from Patrick Latcham to County Planning Commission dated April 14, 2022.

65. Comments received from Luke Leighton to County Planning Commission dated April 14, 2022.

66. Comments received from Jared McCullough to County Planning Commission dated April 14, 2022.

67. Comments received from Kevin Iverson to County Planning Commission dated April 14, 2022.

68. Comments received from Evan MacMillan to County Planning Commission dated April 14, 2022.

69. Comments received from Elena Hausser to County Planning Commission dated April 14, 2022.

70. Comments received from Crisanne Schworn to County Planning Commission dated April 14, 2022.

71. Comments received from Trang Pham to County Planning Commission dated April 14, 2022.

72. Comments received from Carolina Brinkley to County Planning Commission dated April 14, 2022.

73. Comments received from Lindsey Welter to County Planning Commission dated April 14, 2022.

74. Comments received from Nicole Siegel to County Planning Commission dated April 14, 2022.

75. Comments received from Meghan Macgeorge to County Planning Commission dated April 14, 2022.

76. Comments received from Loren Knobbe to County Planning Commission dated April 14, 2022.

77. Comments received from Hunter Emmons to County Planning Commission dated April 14, 2022.

78. Comments received from Kathleen Howell to County Planning Commission dated April 14, 2022.

79. Comments received from Cady Metzger to County Planning Commission dated April 14, 2022.

80. Comments received from Kyle Castracane to County Planning Commission dated April 14, 2022.

81. Comments received from Amy Levek to County Planning Commission dated April 14, 2022.

82. Comments received from Corina Estrada to County Planning Commission dated April 14, 2022.

83. Comments received from Robert Garcia to County Planning Commission dated April 14, 2022.

84. Comments received from Karen Gauvey to County Planning Commission dated April 14, 2022.

85. Comments received from Lindsay Wright to County Planning Commission dated April 14, 2022.

86. Comments received from Tara Carter to County Planning Commission dated April 14, 2022.

87. Comments received from Geneva Shaunette to County Planning Commission dated April 14, 2022.

88. Comments received from Heidi Sarazen to County Planning Commission dated April 14, 2022.

89. Comments received from Gloria Chavira to County Planning Commission dated April 14, 2022.

90. Comments received from Jennifer Laney to County Planning Commission dated April 14, 2022.

91. Comments received from Pam Lifton-Zoline to County Planning Commission dated April 14, 2022.

92. Comments received from Carly de Frondeville to County Planning Commission dated April 15, 2022.

93. Comments received from Kathleen Cole to County Planning Commission dated April 15, 2022.

94. Comments received from Stefanie Smith to County Planning Commission dated April 15, 2022.

95. Comments received from Stash Wislocki to County Planning Commission dated April 15, 2022.

96. Comments received from Ben Marshall to County Planning Commission dated April 15, 2022.

97. Comments received from Laura Cerrezin to County Planning Commission dated April 15, 2022.

98. Comments received from Kathy Green to County Planning Commission dated April 15, 2022.

99. Comments received from Chris Dickson to County Planning Commission dated April 14, 2022.

100. Comments received from Shelby Stephenson to County Planning Commission dated April 15, 2022.

101. Comments received from Turner Kilgore to County Planning Commission dated April 15, 2022.

102. Comments received from Trevor Howell to County Planning Commission dated April 15, 2022.

103. Comments received from Maggie Stevens to County Planning Commission dated April 15, 2022.

104. Comments received from Paul Phillips to County Planning Commission dated April 15, 2022.

105. Comments received from Sierra Hawksley to County Planning Commission dated April 15, 2022.

106. Comments received from Lollie Lavercombe to County Planning Commission dated April 15, 2022.

107. Comments received from Emma Christensen to County Planning Commission dated April 15, 2022.

108. Comments received from Molly Norton to County Planning Commission dated April 15, 2022.

109. Comments received from Natalie Price to County Planning Commission dated April 15, 2022.

110. Comments received from Seth Cagin to County Planning Commission dated April 15, 2022.

111. Comments received from Beatrice Bischoff to County Planning Commission dated April 15, 2022.

112. Comments received from Dominique Bruneau to County Planning Commission dated April 15, 2022.

113. Comments received from Rosie Cusack to County Planning Commission dated April 15, 2022.

114. Comments received from Miller Daniel to County Planning Commission dated April 15, 2022.

115. Comments received from Alexander Laney to County Planning Commission dated April 15, 2022.

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: Kaye Simonson, AICP, Planning Director
RE: The Ridge – Community Housing Project: Request to Rezone Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, from Forestry, Agriculture and Open (F) to Community Housing (CH)
DATE: April 21, 2022
[Z:\Applications\2022_Diamond_Ridge_Rezone]

Background

San Miguel County and the Town of Telluride are currently under contract to purchase Lots 1-R-A, 2-R, and 3-R, Diamond Ridge. The intent is to rezone a portion of the property to Community Housing (CH), for the purpose of developing affordable housing in the future. A development plan has not been prepared. The rezone application is purposefully at a big-picture level. Should the property be rezoned and the purchase completed, the Town and County would then move forward with development plans, at which time specific details regarding density, site design, and services would be addressed.

Community Housing Zone District

At the direction of the BOCC, and following joint work sessions between the Board of County Commissioners (BOCC) and the County Planning Commission (CPC) on October 11, November 4 and November 17, 2021, staff prepared a draft Land Use Code Amendment for a new Community Housing (CH) zone district, with the goal of streamlining the land use permitting process, removing regulatory barriers, and facilitating higher density residential development, and to promoting the County's Housing goals and policies and encouraging the construction of workforce and community housing.

Land Use Code Section 5-324, Community Housing (CH) was considered by the CPC and BOCC at a joint meeting on December 8, 2021. The Land Use Code amendment was adopted by the BOCC via Resolution 2021-38 (Exhibit C to the application, p. 110). Concurrently, the CPC adopted CPC Resolution No. 2021-08, amending the San Miguel County Comprehensive Plan with regards to housing.

Diamond Ridge

The proposed rezone is for a portion of Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision. Together, the three lots contain about 105 acres. The rezone area will be approximately 39 acres. The subject lots were originally part of Diamond Ranch Subdivision, recorded April 21, 2003, which created ten lots. Eight lots were 35 acres in size, and two lots contained about 70 acres.

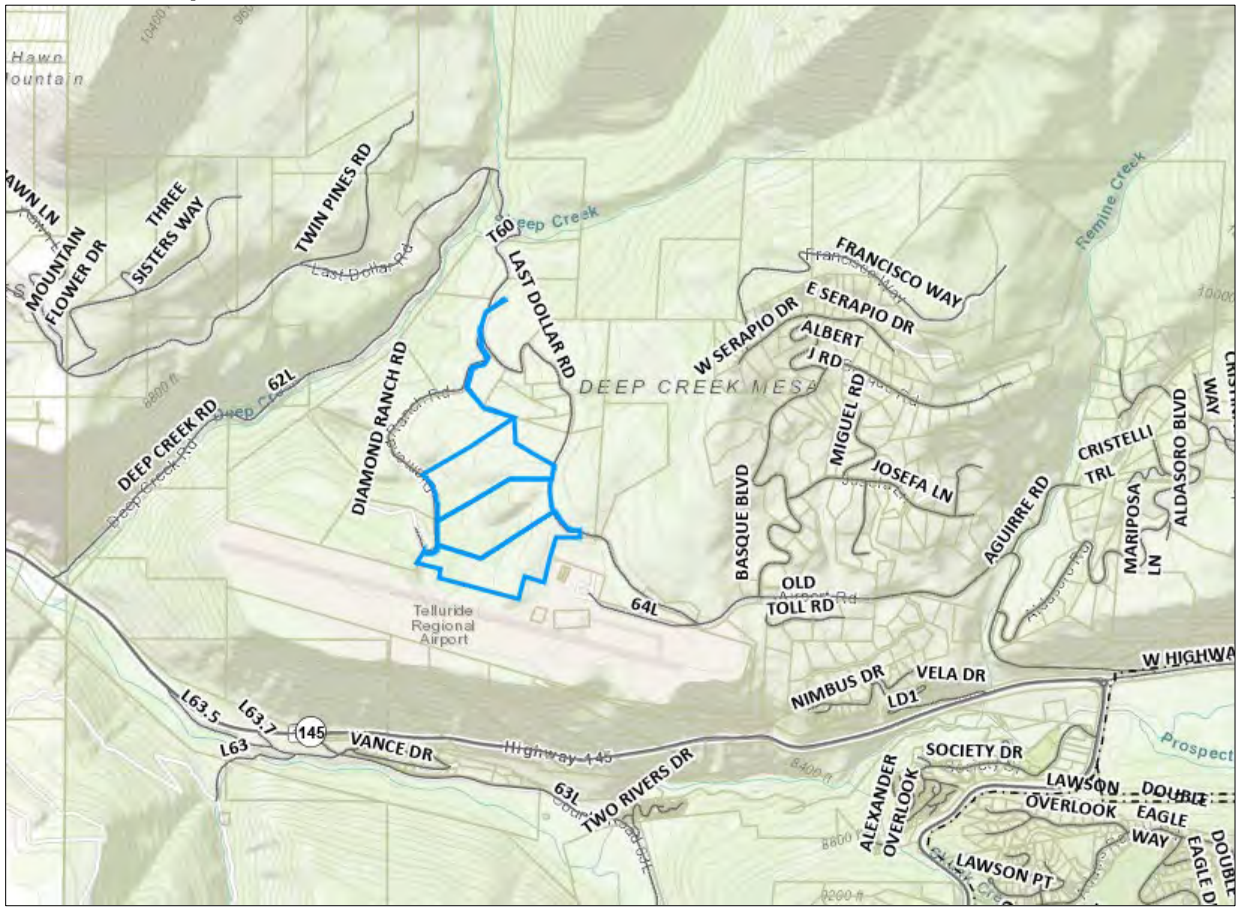
A Replat Survey of Lots 5-R, 6, 7, 8, and 10 resulted in the creation of Lots 1, 2, and 3, Diamond Ridge Subdivision, all containing about 35 acres. It was recorded March 12, 2008.

A Replat Survey to further adjust boundaries in both Diamond Ridge and Diamond Ranch was recorded on December 21, 2016. Diamond Ridge Lot 1-R was increased to 38.48 acres while Lots 2-R and 3-R remained at 35.02 and 35.03 acres, respectively. (See Exhibit A2, p. 21 of the application.)

Because all parcels involved to this point were 35 acres in size or larger, the subdivisions and replats were not subject to County review and approval. A Subdivision Exemption Plat for a lot line adjustment between Diamond Ridge Lot 1-R-A (35.02 acres) and Lot 1-R of Deep Creek Ranches (6.25 acres) was approved by the Board of County Commissioners on April 26, 2017. The Subdivision Exemption process was required because one of the lots was less than 35 acres. Diamond Ridge Lot 1-R-A includes a flag that extends north to a well located within Diamond Ranch Lot 1R.

Moving forward, the lot lines for Diamond Ridge Lots 2-R and 3-R can be adjusted by deed or survey plat, without BOCC approval, provided they continue to be 35 acres or larger. Any boundary line adjustment involving Diamond Ridge Lot 1-R-A requires one-step BOCC review of a Subdivision Exemption, even if all parcels remains larger than 35 acres, since it was created through a County-approved Subdivision Exemption process.

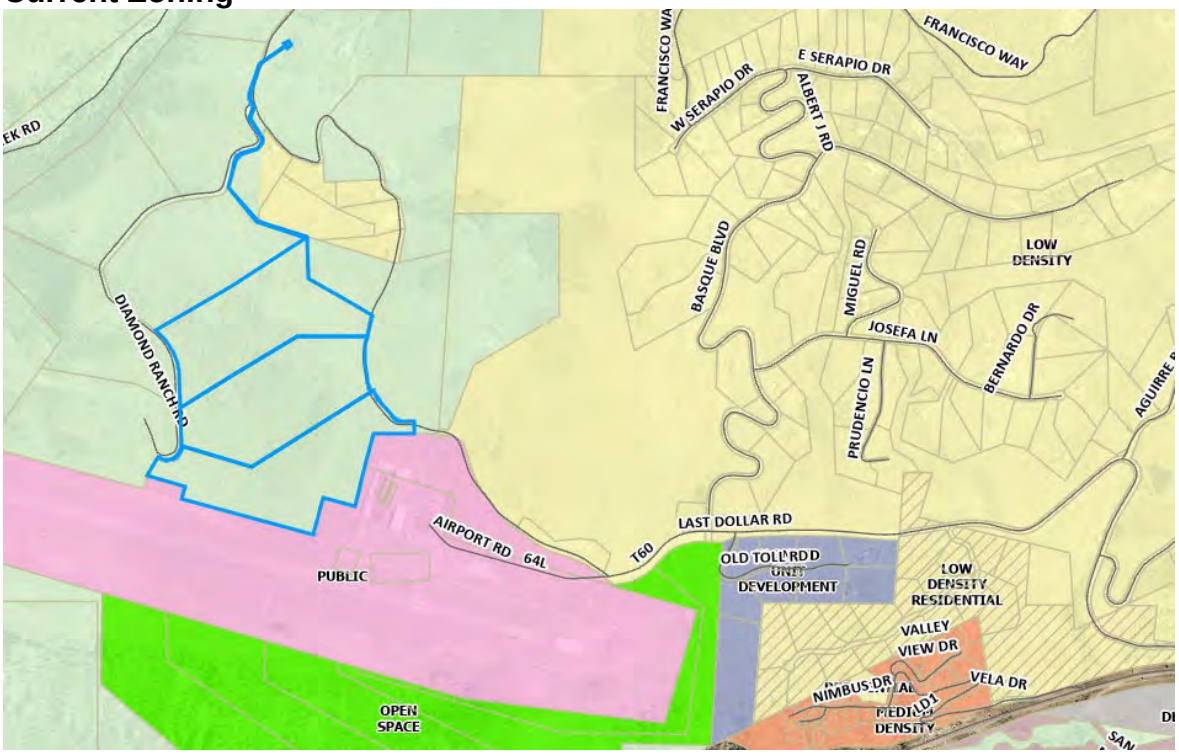
Location Map



Aerial Photo



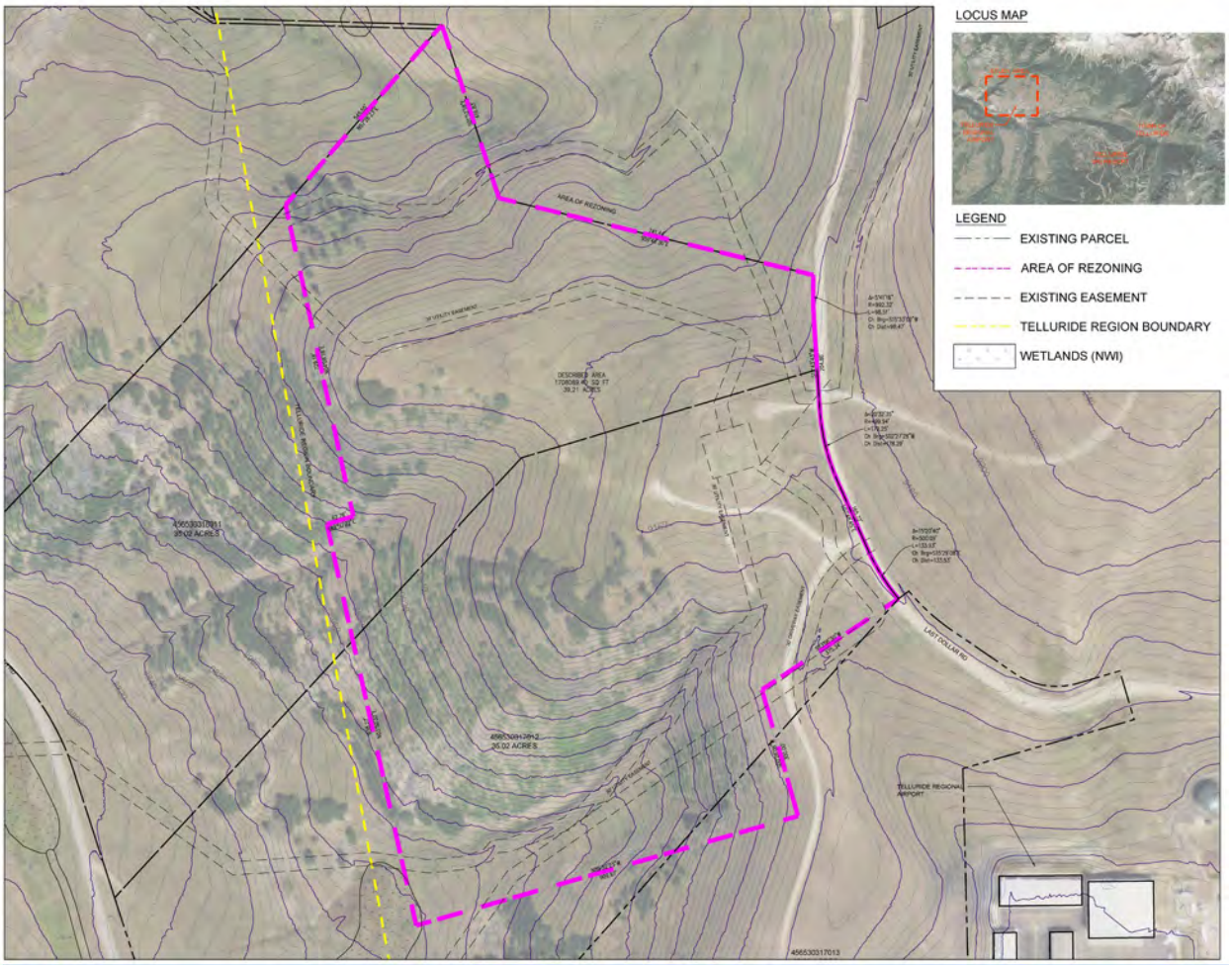
Current Zoning



Proposed Rezone

The subject of the proposed rezone application is Lots 1-R-A, 2-R and 3-R of Diamond Ridge, containing about 105 acres. The property is currently zoned Forestry, Agriculture and Open (F). The airport is immediately to the south and is zoned Public (P). The Deep Creek Ranches subdivision to the north is zoned Low Density (LD), while the other adjoining parcels are zoned F. Aldasoro Ranch, farther to the east, is also zoned LD

It is proposed to rezone only a portion of the three parcels to Community Housing (CH), with the remainder continuing to be zoned F. If approved, the BOCC resolution will include a legal description describing the boundaries of the zone district. As shown in the map below (p. 81 of the Application), the majority of the rezone area lies on the east halves of Lots 1-R-A and 2-R, with a small portion of Lot 3-R also included, and containing 39.21 acres. The proposed west line of the rezone area approximately follows the west boundary of the Telluride Regional Area Master Plan boundary, shown in yellow below.



SITE UTILIZATION MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Split zoning of parcels is not expressly prohibited by the Land Use Code. Issues can be alleviated by very specific delineation of the zoning in the approving resolution. Because the Town and County have not yet purchased the property, a property line adjustment application has not been submitted; the current owner would not want the property reconfigured. If the property is purchased, staff strongly recommends proceeding with a property line adjustment application so no parcel has more than one zoning designation.

The following figure shows the anticipated development area, based on topography and other site considerations. There is a developed access point from Last Dollar Road. It is expected that development would be clustered, leaving a significant amount of area for open space, recreational trails, and other uses. Water service would come from the Town of Telluride; the Town has stated that they would be able to serve this property. Wastewater would either go to the regional wastewater treatment plant, or to an onsite system, depending on cost, design, and other development-specific considerations.

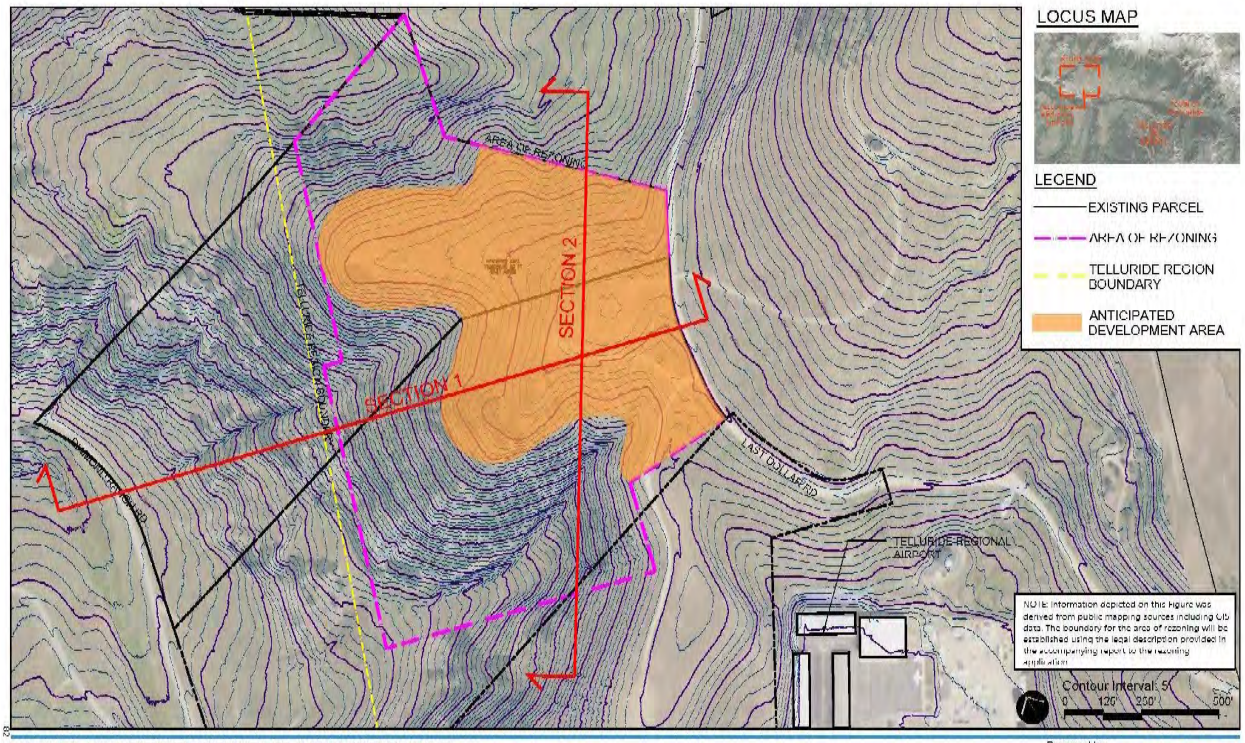


FIGURE 5 | DEVELOPMENT ANALYSIS MAP
The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Because the actually number of units that would be developed is not known, it is not possible to do a full traffic study at this time. It is known that Last Dollar Road would have to be paved from the intersection with Airport Road to the property.

Figures 1-12 of the application (pages 78-91) show existing conditions of the site, including steep slopes, floodways, geologic hazards, wildfire risk, wildlife habit, wetlands and riparian areas, and airport zones and height limits.

Public Noticing
As required by LUC Section 3-9, notice was mailed to all property owners within 500 feet of the subject parcels prior to March 31, 2022. Notice was mailed to the Bureau of Land Management as mineral rights holder on March 22, 2022. Notice of the public meeting was posted on the property on March 25, 2022 and reposted on April 8, 2022 after the original notice was discovered to have been removed. Removal of posted notices by parties other than the applicant does not invalidate the posting of the notice as required by the Land Use Code. The posting of the required sign was photographically documented both times.

The meeting agenda was published in the Telluride Daily Planet and Norwood Post on April 6, 2022. The application has been available online since March 21, 2022.

Referral Agencies
The application for the proposed rezone was sent to the County Manager, County Attorney, County Road and Bridge Director, County Parks and Open Space Director, County Sheriff, County Building Official, County Site Inspector, County Surveyor, San Miguel Authority for Regional Transportation, Telluride Fire Protection District, Telluride R-1 School District, Town of Telluride, Town of Mountain Village, Telluride Regional Airport, Federal Aviation Administration, Black Hills Energy, San Miguel Power Association, and Idarado Mining Company for review and comment. In addition, Aldasoro Ranch Owners Company, Meadows at Deep Creek Mesa Homeowners Association (HOA), Deep Creek Ranches HOA, Last Dollar PUD Association, Grayhead Property Owners Association and Deep Creek Mesa Ranches received referrals. (Responses were received from the underlined entities.)

County Building Official: No comments

County Surveyor: The County Surveyor requested corrections to the legal description of the proposed rezoning area, which were forwarded to the Applicant's surveyor. He also had questions regarding the timing of a possible property line adjustment.

Aldasoro Ranch Owners Company: Aldasoro Ranch Owners Company stated they do not feel there was sufficient information in the application to fully comment, and noted that they believe development that would be allowed under the CH zone district will have negative impacts on the natural environment, wildlife, traffic generation and road safety, and demands on public facilities and existing infrastructure.

Meadows at Deep Creek Mesa (MDCM) HOA: The Meadows at Deep Creek HOA feels the application raises more questions than it answers and does not provide comprehensive information regarding traffic, wildlife, water, sewer, and fire protection. They reference private agreements that may be binding upon the property, state that they believe there are alternate properties that would be better suited for housing development, and question public noticing for this application as well as the prior Master Plan and Land Use Code amendments.

Deep Creek Ranches HOA: The Deep Creek Ranches HOA believes the application is inadequate and there is not enough information to understand it and provide comments. They are concerned about the density, lack of infrastructure (particularly water), traffic safety and impacts to resident wildlife.

Public Comments
As of the writing of this report, 99 written comments from 97 individuals have been received. (One person has submitted 3 letters.) Of those, 77 have been in support of the rezoning and 22 (20 individuals) have been in opposition. Those in support have written of the significant community need for affordable, workforce housing.

The key concerns cited by those in opposition have included compatibility with the surrounding area; impacts on wildlife; increased traffic; doubts over the ability to serve the property with water; and proximity to the airport. They also have requested that the Planning Commission table or continue consideration of the application, and raise questions about the adequacy of the application; public noticing; the creation and adoption of the CH zone district; the process by which the Town and County have entered into a purchase contract; the purchase price; conceptual development plans the current owner may have prepared for the property; whether a private agreement affecting the properties will be honored; and other sites that are perceived to be more suited for development of housing.

Of those issues, application completeness and public notice are the only two that are relevant to consideration of the rezone. Staff has verified that all required and applicable items are contained within the rezone application. It is up to the Planning Commission to determine whether application, as presented, has demonstrated compliance with the standards for rezoning. It is also up to the Planning Commission to decide whether to make a recommendation to the BOCC or continue the application. Public notice has been completed as required by the Land Use Code. The Planning Commission meeting was moved one week later in the month in consideration of spring break.

Review Standards
Requests for rezoning shall be considered pursuant to Land Use Code Section 5-1803. *Staff analysis is in italics.*

5-1803 Rezoning

Rezoning may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the standards in this Section. Refer to Sections 3-6 and 4-6 for procedures and submission contents.

The rezoning application was submitted by SE Group and Klein Coté Edwards Citron LLC, (Representatives) for the Town of Telluride and San Miguel County (Applicants), regarding property owned by Diamond Ridge Telluride LLC (Property Owner). Letters of agency are included in the application.

5-1803 A. The Planning Commission and the Board of County Commissioners shall approve or disapprove rezoning on the basis of whether the proposed rezoning:

I. Meets any applicable Sections of the Land Use Code;

The application, as submitted, meets the requirements of LUC Sections 4-2 and 4-6. The process, as outlined in LUC Section and 3-202 and 3-602, is being followed, and public notice has been provided as required by LUC Section 3-9. LUC Section 5-324, Community Housing notes that lands zoned F may be considered for rezoning to CH where water can be developed. The Town of Telluride has indicated that they are able to serve the property with water. As required by the CH zone, the property is within the Telluride R-1 School District.

The application addresses portions of Section 5-4, Areas and Activities of Local and State Interest/"1041" Hazard Review. The standards of Section 5-4 are applied at the time of development, rather than at rezoning. However, certain standards should be considered with respect to feasibility of development. These are discussed in Section IV of the Standards Report, and begin on p. 74 of the application. Areas and Activities that are discussed include floodplain hazards, geologic hazards, historic and archaeological resources, wildfire hazard, and wildlife habitat areas. Analysis is also provided regarding the property's location within the Airport Impact Area (LUC Section 5-418), showing that development on the property can comply with the height limitation zones.

II. Is consistent with the San Miguel County Comprehensive Development Plan;

The San Miguel County Comprehensive Development Plan is the vision document for the community, providing a framework for the consideration of land use applications. The portion of the subject property proposed for rezoning is within the Telluride Region Area Master Plan (TRAMP) boundaries. Goal D, Objective 7 of the TRAMP states, "Encourage residential developments that are intended to house persons (and their families) who live and earn their incomes primarily in the Telluride Region."

Section E of the TRAMP specifically addresses Affordable Housing, with a stated Goal to "Provide an adequate self-contained supply of affordable and community housing to the meet the needs of seasonal employees and permanent residents." Objectives that are particularly relevant to the proposed rezone include:

12. Allow for the construction of residential development that will provide community, workforce and affordable housing where it is possible to provide adequate water and wastewater treatment; has access to traffic corridors; and is not located where hazards exist.
13. Work to develop housing for first responders, essential personnel, medical workers, teachers, and others who provide key services in the community.
15. Encourage the development of a variety of community, affordable and workforce housing types, including large- and small-scale housing projects, infill housing, and mixed use development.

In TRAMP Section III. Future Land Use Element, Section J describes the "R-1 Housing Future Land Use Category," as follows:

The R-1 Housing Future Land Use Category is distinguished by its purpose, to provide affordable housing exclusively for persons and their families who are employed and earn their economic living in the local economy and in the R-1 School District. This designation is applied to lands currently providing housing which meets the intended purpose. In addition, any land in the Telluride Region, or any development outside of the area defined as the Telluride Region under which all increases in residential density are deed restricted by the R-1 housing Deed Restriction, may be eligible for treatment under the R-1 Housing Future Land Use District upon satisfactory demonstration of consistency with the intended purpose and adopted criteria. Principal uses may include clustered single-family, duplex-family and multi-family residential units, as well as more innovative types of residential development such as zero lot line houses, townhouses, patio homes and atrium homes. The density of residential development in the District may vary from one dwelling unit per two (2) acres to a maximum density of twenty (20) units per acre or more, depending upon an analysis of factors such as neighborhood compatibility, availability of urban services, road capacities, usable open space and consistency with the adopted goals and objectives of the Telluride Regional Area Master Plan. Higher density associated with community, affordable and workforce housing should not be the determining factor when making a finding of neighborhood compatibility.

III. Is compatible with surrounding Zone Districts and land uses, considering existing land, neighborhood characteristics, and community character, with the understanding that different densities and intensity of uses are not in and of themselves incompatible;

The surrounding area includes a variety of housing densities, ranging from the medium-density Last Dollar Subdivision, to the low-density Aldasoro Ranch Subdivision, and the 35-acre parcels of Diamond Ranch and the surrounding area. The property is adjacent to the Telluride Airport, and a solar farm is nearby. The Community Housing zone district allows for the construction of all types of housing, including single-family, two-family and multi-family, as well as certain associated and community uses. The zone district includes flexible development standards to facilitate design that will suit the site and surrounding area. As shown on the Development Analysis Map and described in the application, it is the intent to cluster development in a way that will suit the land.

The Community Housing zone district Purpose statement, LUC Section 5-324 A, emphasizes, "<u>It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surround land uses, neighborhood characteristics or community character</u>." It goes on to say, "Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties."

IV. Would not result in unsupportable demands on public facilities, and would not exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, school and emergency medical facilities;

The application states that the property can "practically and feasibly be connected to existing

water service from the Town of Telluride upon completion of engineering and design." Wastewater service could be provided by the regional wastewater treatment facility, or by an onsite package wastewater treatment system. Storm drainage will be part of the site design.

Referral agencies included SMART, Telluride Fire Protection District, Telluride R-1 School District, and San Miguel County Sheriff's Office, none of whom provided comments indicating that they are not capable of serving future development. The Telluride Hospital District is currently planning a new expanded facility, which should be able to serve the future residents of the development. All agencies will be consulted throughout the development process.

The CH zone district encourages energy efficient design and alternative energy generation. The location of the site supports the development and use of solar energy, which can offset power needs related to the water and sewer service.

V. Would not result in significant adverse impacts on the natural environment;

The Telluride region includes range for a number of wildlife species, including elk, deer, bear, etc. There are also geotechnical considerations, vegetation, and other components. With almost any development, the natural environment must be taken into consideration and mitigation measures included in the design. Numerous developments have been constructed in the Telluride region, including some in close proximity to the subject property. All developments have been required to mitigate impacts on the environment, and the development plan for this property will be expected to include appropriate and necessary measures. As shown on the Development Analysis Map on page 5, above, the intent is to cluster development in areas that avoid steep slopes and leave a significant part of the property open. This indicates the feasibility of mitigating impacts on the environment.

Carbon emissions contribute to climate change, which impacts the local natural environment. It is hoped that by increasing the supply of housing for local workers, commuter trips will be reduced, thereby reducing carbon emissions. Development in the CH zone is also encouraged to use renewable and alternative energy sources, i.e. solar power, for which the property is well suited.

VI. Would not be in conflict with the public interest; and

It is in the public interest to increase the supply of housing for people who live and work in the community. The 2018 Housing Needs Assessment (included in the application) indicated that 441 units were needed at that time to catch up and meet the existing deficit, and an additional 325 housing units would be needed by 2026 to meet employment and population growth, for a total of 760 units. While development on this site would not fully meet the housing needs of the community, it would be a significant step forward, creating housing on a scale not seen since Lawson Hill was developed in the early 1990s.

The 2019 report, The Impacts of Workforce Housing on the Telluride Area Economy and Community, prepared by the Trust for Community Housing, related how deed restricted housing for essential workers, emergency service workers and those who support the local economy is necessary for the well-being of the community. Having workers close to their jobs is critical for maintaining the economy and the community. As has been seen in the past few years, the lack of employees has impacted business operations. Many employers have related how the lack of

housing has limited their ability to hire staff. Some employers have begun purchasing housing specifically for their staff.

According to the draft "Affordable Housing Fee Methodology Report," a 4-person household earning 100% of the Area Median Income ($85,200 in 2020), could afford a home priced at $334,000, yet the market price for a duplex or multi-family unit in the Telluride Region was $843,927. At present, there are just a handful of properties for sale under $850,000, all studio and one-bedroom units, and nothing that would be affordable to anyone earning an average income. In the Norwood area, there are just a few houses on the market that could be considered affordable.

While housing has been or is being constructed (e.g. Silver Jack, Longwill, Sunnyside, TSG Q Lots), the need has only increased in the past few years, as houses that were traditionally rentals were sold or owners who could work remotely decided to occupy them. Housing impacts are now being felt regionally, as seen in rising prices and low inventory in surrounding counties. Businesses are having difficulty finding and retaining employees due to the lack of housing. Increased commuting has led to even greater impacts and congestion on our roads, which in turn leads to increased carbon emissions. All of these factors are detrimental to the community and harm the public interest.

VII. Would help achieve the Land Use Policies, as set forth in Article 2 of this Land Use Code.

Land Use Code Article 2, Land Use Policies, contains numerous policies that are intended to be used as a guide when applying the Code. Policies to be considered include Section 2-6, Compatibility with Existing Adjacent Neighborhoods; Section 2-17 Adequate Provision of Water; Section 2-18, Sewage Treatment and Collection; Section 2-19, Road System Impacts; and Section 2-23, Extension of Utilities. The application addresses all of the Policies and indicates the ability to implement these policies at the time of development (beginning on p. 366 of the application). The project is specifically intended to help achieve the policies of Section 2-29, Housing, including:

> *2-2902: Provide a wider choice of housing alternatives for persons of low or moderate incomes living in the community.*
>
> *2-2903: Insure that future development alleviates rather than contributes to problems of inadequate housing for persons residing or working within the County.*

5-1803 B. The Planning Commission and the Board of County Commissioners shall also consider whether conditions affecting the subject parcel have changed or whether the surrounding neighborhood supports the proposed amendment.

Conditions in the area surrounding the subject have not significantly changed. Development over the last 40 years has included the medium-density Last Dollar Subdivision, the low-density Aldasoro Ranch and Deep Creek Ranches Subdivisions, and the airport, in addition to the large-lot properties in the F zone. As noted above in the public comments, a number of people in the surrounding area do not support the proposed rezone.

5-1803 C. The Planning Commission and the Board of County Commissioners shall also consider the effect of the proposed amendment on traffic generation and road safety.

The property is accessed from Last Dollar Road, which is currently unpaved past the airport turnoff. Traffic generation will be dependent on the total number of units that are ultimately built. Exhibit H in the application (p. 122) is a letter describing the traffic engineer's traffic operations and safety review. The letter notes potential operational concerns at the intersection of Last Dollar Road (Airport Road; CR T60) onto the W. Colorado Avenue spur, particularly with regards to left turns, which can be mitigated through improvements. The letter goes on to state that impacts can be mitigated through the provision of transit services to reduce trips, and that roadway improvements including paving of the road, shoulder improvements, vegetation management, and wildlife management, can also be effective.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

1-402 Implement Policies

To implement the policies of San Miguel County regarding land use and development, housing, growth and related issues, as adopted and amended from time to time.

1-403 Create Common System of Administration and Regulation

To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.

1-404 Simplify the Land Use Regulatory Process

To simplify the application and review process for such regulatory system.

1-405 Protect Health, Safety and Welfare

To protect the health, safety and public welfare of San Miguel County.

As discussed above, the proposed rezoning and future development site would implement County policies, particularly with regard to housing. The intent of the CH zone district is to simplify the review process for community housing development. Finally, a sufficient supply of housing for local residents, workforce, and emergency and essential workers is critical for the health, safety and public welfare of the region and the County.

Discussion

In considering the proposed rezoning, the Planning Commission should focus on the criteria and whether the application contains information to make affirmative findings. A number of issues that have been raised by members of the public are not relevant to the rezone application and should not factor in to the decision-making process. For

example, some suggest that there are better sites for housing development. Since no applications have been submitted for those other locations, that renders the point moot. Land use and development review is based on the application that is presented, not the hypothetical application some might wish to see.

The property is currently under contract for purchase by San Miguel County and the Town of Telluride. The rezone application is part of the due diligence period. If the property is not rezoned, the Town and County will not purchase it, as three 35-acre parcels in the F zone will serve no use in meeting housing goals. While hypothetically over 700 units could be developed on 39 acres under the CH zoning (20 units per acre), it is expected that about 150 units will be built, given site constraints. The actual number would be determined through the development design and review process. If the property is rezoned and developed, it would be the most significant affordable housing development in the region in years. Lawson Hill is now close to build-out, with development plans being prepared for nearly every vacant lot in both upper Lawson and in the Two Rivers area. According to the SMC Housing Needs Assessment, only 101 deed-restricted units were constructed between 2011 and 2017. Without significant land acquisition, the affordable housing deficit will grow larger.

The Community Housing zone district was created and adopted in 2021, after a series of public work sessions between the Planning Commission and Board of County Commissioners. One of the goals of the CH zone district is to remove barriers to the development of housing by focusing on the most significant issues. Prior to the adoption of the CH zone, the only means by which high-density housing could be proposed was through a Planned Unit Development (PUD), a lengthy 5-step process requiring extensive studies and engineering analysis and design up front. PUDs typically grant modifications and variances to development standards in exchange for the granting of a public benefit. In the case of community housing development, the benefit is already built in, making the PUD process unnecessary. The rezone process looks at the big picture and general feasibility. The rezone application provides assessments and assurances in lieu of studies, and defers a significant amount of analysis to the development phase, but that should not be considered disqualifying. If the rezone application is approved, detailed studies and development plans will be provided for the next phase, which will include a public review process.

The most critical issues with regards to rezoning are the ability to provide services, especially water, traffic impacts, proximity to the airport, and impacts on the natural environment. The Town of Telluride, as the potential water provider, has stated that it is feasible and practical to serve the property with sufficient water for the anticipated development. It is known that adding additional traffic to Last Dollar Road will have impacts, especially at the intersection with the Spur. That intersection already experiences Level of Service issues due to existing traffic; if rezoning is approved, a full traffic study will be conducted as part of the planning for the development, and possible solutions will be examined. Regarding the airport, there are height limits based on proximity and elevation relative to the runway. Figure 12, Airport Zones and Height Limits, shows that it is possible to develop the property while meeting both the CH zone

district height limits and the Airport horizontal height limits. Finally, the application shows that development would be clustered on the site, avoiding steep slopes and leaving substantial open areas. As with every other development in the area, impacts on wildlife will be considered and mitigated within the design.

Finally, the San Miguel County Commissioners have made increasing affordable housing opportunities one of their primary goals. The creation of the CH zone district was a first step. Rezoning this property to CH allows the County to move that much closer to addressing the housing shortage in the community.

Sample Motion:

I move to adopt Resolution No. 2022-01 and recommend the Board of County Commissioners approve rezoning a portion of Lots 1-A-R, 2-A and 3-A, Diamond Ridge, to Community Housing, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;

2. The proposed rezoning is consistent with the Purpose of Land Use Code Section 5-324, Community Housing and the higher density that may be proposed is not incompatible with surrounding land uses, neighborhood characteristics or community character;

3. The Applicant and Representatives have demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; mitigation of geohazards; site access; and mitigation of impacts on the environment, consistent with the purpose and standards of Land Use Section 5-324 Community Housing;

4. The proposed rezoning implements Land Use Code Article 2, Land Use Policies and in particular the policies of Section 2-29, Housing;

5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;

6. The proposed rezoning is consistent with and implements the Telluride Regional Area Master Plan, an element of the San Miguel County Comprehensive Development Plan, and in particular Section E, Affordable Housing, in that it will help provide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents.

**RESOLUTION OF THE COUNTY PLANNING COMMISSION,
SAN MIGUEL COUNTY, COLORADO,
RECOMMENDING APPROVAL OF THE RIDGE – COMMUNITY HOUSING PROJECT
REQUEST TO REZONE LOTS 1-R-A, 2-R AND 3-R, DIAMOND RIDGE
SUBDIVISION, FROM FORESTRY, AGRICULTURE AND OPEN (F)
TO COMMUNITY HOUSING (CH)**

Resolution 2022-01

WHEREAS, SE Group and Klein Cotè Edwards Citron LLC (Representatives) on behalf of the Town of Telluride and San Miguel County (Applicants), for property owned by Diamond Ridge Telluride, LLC (Property Owner), has submitted an Application (Application) to rezone a portion of Lots 1-R-A, 2-R, and 3-R Diamond Ridge Subdivision (Property), more particularly described in Exhibit A, Legal Description Summary, from Forestry Agriculture and Open (F) to Community Housing (CH); and

WHEREAS, Applicants have entered into a purchase contract with the Property Owner to acquire the Property for the purpose of developing affordable housing; and

WHEREAS, the Property contains about 105 acres and the Applicant is seeking approval to rezone approximately 39 acres of the Property to Community Housing (CH), with the remainder of the lots continuing to be zoned Forestry, Agriculture and Open (F), as shown on Exhibit B, Site Utilization Map; and

WHEREAS, increasing affordable housing opportunities is one of the primary goals of the San Miguel County Commissioners; and

WHEREAS, the purpose of the CH zone district as stated in Land Use Code (LUC) Section 5-324 A is to “provide for the development of high-density, clustered housing for people who live and work within San Miguel County;” and

WHEREAS, the purpose statement of the CH zone states with emphasis, “It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land use, neighborhood characteristics or community character;” and

WHEREAS, the CH zone district specifies that properties that may be considered for rezoning to the CH district shall be located within the Telluride R-1 School District boundaries, and that properties in the F zone district may be rezoned to the CH zone district where water can be developed; and

WHEREAS, as presented within the application, Representatives and Applicants have described how the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; mitigation of geohazards; site access; and mitigation of impacts on the environment; and

WHEREAS, the Application was referred to the County Manager, County Attorney, County Road and Bridge Director, County Parks and Open Space Director, County Sheriff, County Building Official, County Site Inspector, County Surveyor, San Miguel Authority for Regional Transportation, Telluride Fire Protection District, Telluride R-1 School District, Town of Telluride, Town of Mountain Village, Telluride Regional Airport, Federal Aviation Administration, Black Hills Energy, San Miguel Power Association, and Idarado Mining Company for review and comment. In addition, Aldasoro Ranch Owners Company, Meadows at Deep Creek Mesa Homeowners Association (HOA), Deep Creek Ranches HOA, Last Dollar PUD Association, Grayhead Property Owners Association and Deep Creek Mesa Ranches received referrals for review and comment; and

WHEREAS, notice was provided as required by Land Use Code Section 3-9, including mailing to all property owners within 500 feet of the subject parcels prior to March 31, 2022; mailing to the Bureau of Land Management as mineral rights holder on March 22, 2022; and posting of the notice of the public meeting on the property on March 25, 2022 and again on April 8, 2022 after the original notice was discovered to have been removed; and

WHEREAS, the meeting agenda was published in the Telluride Daily Planet and Norwood Post on April 6, 2022; and

WHEREAS, a list of the items included in the Public Meeting Record is attached to this resolution as Exhibit C; and

WHEREAS, the Planning Commission considered this application, along with relevant evidence and testimony, at a public meeting on Thursday, April 21, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of San Miguel County, Colorado, recommends the San Miguel County Board of Commissioners approve rezoning a portion of Lots 1-A-R, 2-A and 3-A, Diamond Ridge, to Community Housing, based on the following findings:

1. The proposed rezoning complies with the standards of Land Use Code Section 5-1803, Rezoning;

2. The proposed rezoning is consistent with the Purpose of Land Use Code Section 5-324, Community Housing, and the higher density that may be proposed is not incompatible with surrounding land uses, neighborhood characteristics or community character;

3. The Applicant and Representatives have demonstrated that the Property can be developed in a way that protects the public health, safety and welfare, including the provision of water and wastewater treatment; mitigation of geohazards; site access; and mitigation of impacts on the environment, consistent with the purpose and standards of Land Use Section 5-324 Community Housing;

4. The proposed rezoning implements Land Use Code Article 2, Land Use

Policies and in particular the policies of Section 2-29, Housing;

5. The proposed rezoning is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code;

6. The proposed rezoning is consistent with and implements the Telluride Regional Area Master Plan, an element of the San Miguel County Comprehensive Development Plan, and in particular Section E, Affordable Housing, in that it will help provide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents.

BE IT FINALLY RESOLVED that all written representations of the representatives and applicants in the application, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the County Planning Commission of San Miguel County, Colorado, on April 21, 2022.

SAN MIGUEL COUNTY, COLORADO
PLANNING COMMISSION

By: _____
Lee Taylor, Chair

Vote:	Lee Taylor	Aye	Nay	Abstain	Absent
	Ian Bald	Aye	Nay	Abstain	Absent
	M.J. Schillaci	Aye	Nay	Abstain	Absent
	Josselin Lifton-Zoline	Aye	Nay	Abstain	Absent
	Matthew Bayma	Aye	Nay	Abstain	Absent
	Tobin Brown	Aye	Nay	Abstain	Absent

ATTEST:

By: _____
M.J. Schillaci, Secretary

EXHIBIT “A” Legal Description Summary
EXHIBIT “B” Site Utilization Map
EXHIBIT “C” Public Meeting Record list

EXHIBIT “A”
LEGAL DESCRIPTION SUMMARY

LOT 1RA DIAMOND RIDGE SUBDIVISION EXEMPTION FOR LOT LINE ADJUSTMENT PL BK 1 PG 4918 MAY 1 2017 448285 CONT. 35.02 ACRES MOL

LOT 2R DIAMOND RIDGE ACC TO THE REPLAT SURVEY OF LOTS 1R 3R 4R 5RB 7R 8RA AND 9R DIAMOND RANCH AND LOTS 1R 2R AND 3R DIAMOND RIDGE PL BK 1 PG 4835 445551 DEC 21 2016 SMC CO CONT. 35.02 ACRES MOL

LOT 3R DIAMOND RIDGE ACC TO THE REPLAT SURVEY OF LOTS 1R 3R 4R 5RB 7R 8RA AND 9R DIAMOND RANCH AND LOTS 1R 2R AND 3R DIAMOND RIDGE PL BK 1 PG 4835 445551 DEC 21 2016 SMC CO CONT. 35.03 ACRES MOL

EXHIBIT "B"
SITE UTILIZATION MAP

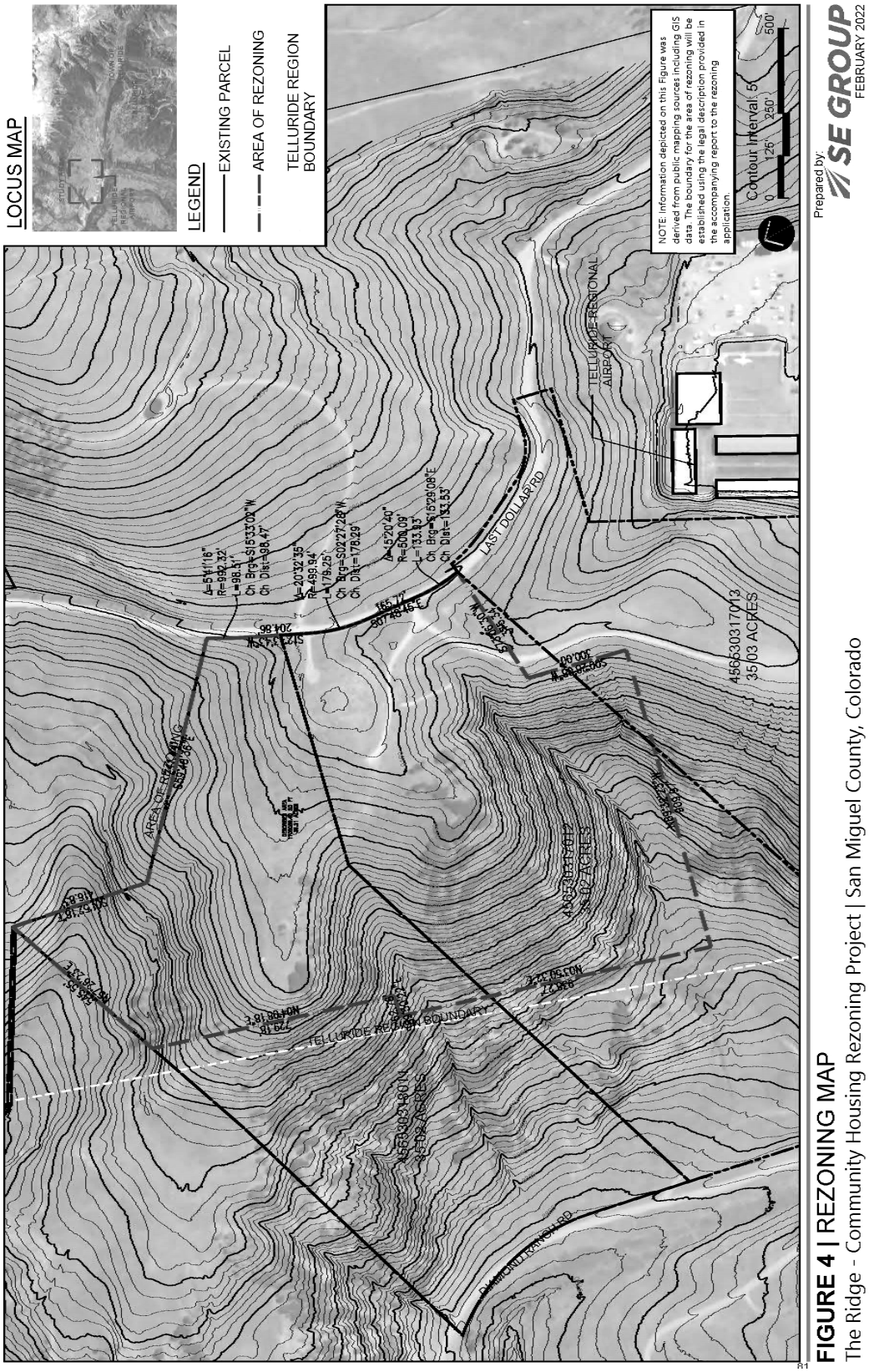


FIGURE 4 | REZONING MAP
The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

EXHIBIT "C"
PUBLIC MEETING RECORD

County Planning Commission
Application: The Ridge – Community Housing Project: Request to Rezone Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, from Forestry, Agriculture and Open (F) to Community Housing (CH)
Date: April 21, 2022

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).

3. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director dated April 21, 2022.

3a. Draft County Planning Commission Resolution #2022-01.

4. Application submitted by SE Group and Klein Coté Edwards Citron LLC dated March 18, 2022.

5. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 and C.R.S. 24-65.5-103(1) dated March 22, 2022; March 25, 2022; April 8, 2022; and April 12, 2022.

6. Planning Commission Meeting Agenda Notice published in the Norwood Post and Telluride Daily Planet on Wednesday, April 6, 2022.

AGENCY COMMENTS

7. Memo from Kaye Simonson, Planning Director, to Review Agencies dated March 22, 2022.

8. Letter received from J. David Foley, SMC County Surveyor to Planning Department dated March 24, 2022.

9. Email from Kaye Simonson, Planning Director to J. David Foley, SMC County Surveyor dated March 29, 2022.

10. Email received from J. David Foley, SMC County Surveyor to Kaye Simonson, Planning Director dated March 30, 2022.

11. Email received from J. David Foley, SMC County Surveyor to Tim Barnett, SGM Project Surveyor dated April 4, 2022.

12. Email received from Matt Gonzales, County Building Official to Kaye Simonson, Planning Director dated April 1, 2022.

13. Letter received from Nick Farkouh, Meadows at Deep Creek Mesa Homeowners Company to Kaye Simonson, Planning Director dated April 11, 2022.

14. Letter received from Robert McMahon, Aldasoro Ranch Homeowners Company Board President to County Planning Commission dated April 12, 2022.

15. Letter received from James W. Farrar, Deep Creek Ranches Homeowners Association Board President to County Planning Commission dated April 12, 2022.

PUBLIC COMMENT

16. Letter received from Morgan C and Sarah Lavender Smith, with additional signatories to County Planning Commission dated April 8, 2022.

17. Letter received from David Lavender, 3115 Last Dollar Road to County Planning Commission dated April 9, 2022.

18. Letter received from James W and Angela L Farrar, 2805 Last Dollar Road to County Planning Department dated April 11, 2022.

19. Letter received from The Aldasoro family members to County Planning Commission dated April 12, 2022.

20. Email received from Dave Pressler, 3620 Last Dollar Road to County Planning Commission dated April 12, 2022.

21. Letter received from Frannie and Erik Aura, 2887 Last Dollar Road to County Planning Commission dated April 12, 2022.

22. Email from Kaye Simonson, Planning Director to Erik and Frannie Aura dated April 12, 2022.

23. Letter received from Lisa Henson, 3620 Last Dollar Road to County Planning Department on April 12, 2022.

24. Letter w/attachments received from Morgan C Smith, Last Dollar Road to County Planning Department dated April 12, 2022.

25. Letter received from Sarah Lavender Smith, 3130 Last Dollar Road to County Planning Commission dated April 12, 2022.

26. Email received from Todd Creel, Town of Telluride resident to County Planning Commission dated April 12, 2022.

27. Email received from Jennifer Barker, Deep Creek Mesa resident to County Planning Commission dated April 13, 2022.

28. Letter received from Virginia Lucarelli, 2965 Last Dollar Road to County Planning Department on April 13, 2022.

29. Letter received from Jim Lucarelli, 2965 Last Dollar Road to County Planning Department on April 13, 2022.

30. Letter received from Morgan C Smith, Last Dollar Road to County Planning Department dated April 13, 2022.

31. Letter received from Scott Bennett, Last Dollar Road to County Planning Department dated April 13, 2022.

32. Comments received from Dan Collins and Laurie Lundquist to County Planning Commission dated April 13, 2022.

33. Comments received from Aubry Mable to County Planning Commission dated April 14, 2022.

34. Comments received from Julia Fallman to County Planning Commission dated April 14, 2022.

35. Comments received from John Henry to County Planning Commission dated April 14, 2022.

36. Comments received from Jerry Mark to County Planning Commission dated April 14, 2022.

37. Comments received from Chambers Squier to County Planning Commission dated April 14, 2022.

38. Comments received from Emily Robinson to County Planning Commission dated April 14, 2022.

39. Comments received from Catherine Cypher to County Planning Commission dated April 14, 2022.

40. Comments received from Oliver Henry to County Planning Commission dated April 14, 2022.

41. Comments received from Jacquelyn Garcia to County Planning Commission dated April 14, 2022.

42. Comments received from Kristen Nassar to County Planning Commission dated April 14, 2022.

43. Comments received from Katherine Borsecnik to County Planning Commission dated April 14, 2022.

44. Comments received from Jason Aurand to County Planning Commission dated April 14, 2022.

45. Comments received from Beth Quatman to County Planning Commission dated April 14, 2022.

46. Comments received from Laura West to County Planning Commission dated April 14, 2022.

47. Comments received from Joana Spindler to County Planning Commission dated April 14, 2022.

48. Comments received from Shanda Yagel to County Planning Commission dated April 14, 2022.

49. Comments received from Andres Vargas-Johnson to County Planning Commission dated April 14, 2022.

50. Comments received from Molly Perrault Daniel to County Planning Commission dated April 14, 2022.

51. Comments received from Alex Rollison to County Planning Commission dated April 14, 2022.

52. Comments received from Cara Wilder to County Planning Commission dated April 14, 2022.

53. Comments received from Sheamus Croke to County Planning Commission dated April 14, 2022.

54. Comments received from Amanda Baltzley to County Planning Commission dated April 14, 2022.

55. Comments received from Anna Langer to County Planning Commission dated April 14, 2022.

56. Comments received from Shan Thorpe to County Planning Commission dated April 14, 2022.

57. Comments received from Aaron Kennedy to County Planning Commission dated April 14, 2022.

58. Comments received from Jenna Cichanski to County Planning Commission dated April 14, 2022.

59. Comments received from Sam Barnes to County Planning Commission dated April 14, 2022.

60. Comments received from Tim Lafferty to County Planning Commission dated April 14, 2022.

61. Comments received from Tyler Wilson to County Planning Commission dated April 14, 2022.

62. Comments received from Claudia Garcia Curzio to County Planning Commission dated April 14, 2022.

63. Comments received from Elaine Williams to County Planning Commission dated April 14, 2022.

64. Comments received from Patrick Latcham to County Planning Commission dated April 14, 2022.

65. Comments received from Luke Leighton to County Planning Commission dated April 14, 2022.

66. Comments received from Jared McCullough to County Planning Commission dated April 14, 2022.

67. Comments received from Kevin Iverson to County Planning Commission dated April 14, 2022.

68. Comments received from Evan MacMillan to County Planning Commission dated April 14, 2022.

69. Comments received from Elena Hausser to County Planning Commission dated April 14, 2022.

70. Comments received from Crisanne Schworn to County Planning Commission dated April 14, 2022.

71. Comments received from Trang Pham to County Planning Commission dated April 14, 2022.

72. Comments received from Carolina Brinkley to County Planning Commission dated April 14, 2022.

73. Comments received from Lindsey Welter to County Planning Commission dated April 14, 2022.

74. Comments received from Nicole Siegel to County Planning Commission dated April 14, 2022.

75. Comments received from Meghan Macgeorge to County Planning Commission dated April 14, 2022.

76. Comments received from Loren Knobbe to County Planning Commission dated April 14, 2022.

77. Comments received from Hunter Emmons to County Planning Commission dated April 14, 2022.

78. Comments received from Kathleen Howell to County Planning Commission dated April 14, 2022.

79. Comments received from Cady Metzger to County Planning Commission dated April 14, 2022.

80. Comments received from Kyle Castracane to County Planning Commission dated April 14, 2022.

81. Comments received from Amy Levek to County Planning Commission dated April 14, 2022.

82. Comments received from Corina Estrada to County Planning Commission dated April 14, 2022.

83. Comments received from Robert Garcia to County Planning Commission dated April 14, 2022.

84. Comments received from Karen Gauvey to County Planning Commission dated April 14, 2022.

85. Comments received from Lindsay Wright to County Planning Commission dated April 14, 2022.

86. Comments received from Tara Carter to County Planning Commission dated April 14, 2022.

87. Comments received from Geneva Shaunette to County Planning Commission dated April 14, 2022.

88. Comments received from Heidi Sarazen to County Planning Commission dated April 14, 2022.

89. Comments received from Gloria Chavira to County Planning Commission dated April 14, 2022.

90. Comments received from Jennifer Laney to County Planning Commission dated April 14, 2022.

91. Comments received from Pam Lifton-Zoline to County Planning Commission dated April 14, 2022.

92. Comments received from Carly de Frondeville to County Planning Commission dated April 15, 2022.

93. Comments received from Kathleen Cole to County Planning Commission dated April 15, 2022.

94. Comments received from Stefanie Smith to County Planning Commission dated April 15, 2022.

95. Comments received from Stash Wislocki to County Planning Commission dated April 15, 2022.

96. Comments received from Ben Marshall to County Planning Commission dated April 15, 2022.

97. Comments received from Laura Cerrezin to County Planning Commission dated April 15, 2022.

98. Comments received from Kathy Green to County Planning Commission dated April 15, 2022.

99. Comments received from Chris Dickson to County Planning Commission dated April 14, 2022.

100. Comments received from Shelby Stephenson to County Planning Commission dated April 15, 2022.

101. Comments received from Turner Kilgore to County Planning Commission dated April 15, 2022.

102. Comments received from Trevor Howell to County Planning Commission dated April 15, 2022.

103. Comments received from Maggie Stevens to County Planning Commission dated April 15, 2022.

104. Comments received from Paul Phillips to County Planning Commission dated April 15, 2022.

105. Comments received from Sierra Hawksley to County Planning Commission dated April 15, 2022.

106. Comments received from Lollie Lavercombe to County Planning Commission dated April 15, 2022.

107. Comments received from Emma Christensen to County Planning Commission dated April 15, 2022.

108. Comments received from Molly Norton to County Planning Commission dated April 15, 2022.

109. Comments received from Natalie Price to County Planning Commission dated April 15, 2022.

110. Comments received from Seth Cagin to County Planning Commission dated April 15, 2022.

111. Comments received from Beatrice Bischoff to County Planning Commission dated April 15, 2022.

112. Comments received from Dominique Bruneau to County Planning Commission dated April 15, 2022.

113. Comments received from Rosie Cusack to County Planning Commission dated April 15, 2022.

114. Comments received from Miller Daniel to County Planning Commission dated April 15, 2022.

115. Comments received from Alexander Laney to County Planning Commission dated April 15, 2022.

KLEIN COTÉ EDWARDS CITRON LLC
ATTORNEYS

HERBERT S. KLEIN* hsk@kceclaw.com
LANCE R. COTÉ, PC** cote@kceclaw.com
JOSEPH E. EDWARDS, III, PC jee@kceclaw.com
KENNETH E. CITRON*** kcitron@kceclaw.com
MADHU B. KRISHNAMURTI mbk@kceclaw.com

101 SOUTH MILL STREET
SUITE 200
ASPEN, COLORADO 81611
TELEPHONE: (970) 925-8700
www.kceclaw.com

*also admitted in Hawaii
**also admitted in California
***also admitted in New York and Massachusetts

March 18, 2022

Kaye Simonson
Planning Director
San Miguel County Planning Department
333 W. Colorado Ave., 3rd Floor
Telluride, Colorado 81435

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Property");
Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013;
Applications to Rezone and for 1041 Approval for the Property

Dear Kaye:

SE Group and this office represent The Town of Telluride and San Miguel County with respect to their application to rezone (and for 1041 approval with respect to) the above-referenced property (the "Application"). The owner of the Property is Diamond Ridge Telluride LLC, a Colorado limited liability company ("Owner"). The Owner has authorized Telluride and San Miguel to file the Application. Please accept our application for Rezoning of the Property together with any necessary 1041 approval which is submitted with this letter.

We believe we have addressed all of the required criteria and provided all of the information needed pursuant to the Pre-Application Conference Summary you provided dated February 25, 2022. Please let Mike Bordogna or Lance McDonald know if you need any additional information.

Very truly yours,
KLEIN COTÉ EDWARDS CITRON LLC

By: _____
Joseph E. Edwards, III

Cc: Mike Bordagna
Lance McDonald

THE RIDGE - COMMUNITY HOUSING REZONING PROJECT
REZONING APPLICATION
TABLE OF CONTENTS

FOLDER	FILE	DESCRIPTION
Required Background Information (SMCLUC 4-202)	LAND USE APPLICATION.PDF	Required and executed land use application form
	EXHIBIT D - AUTHORIZATION – OWNERS TO BUYERS_Signed 03.17.22.PDF	Authorization for Town of Telluride and San Miguel County to act as representatives and authorized agents for property owner.
	EXHIBIT D1 - AUTHORIZATION – BUYERS TO SE GROUP_Signed 03.17.22.PDF.PDF	Authorization for SE Group to act as designated representative to buyers for rezoning.
	EXHIBIT D2 - AUTHORIZATION – BUYERS TO JOSEPH EDWARDS_Signed 03.17.22.PDF.PDF	Authorization for Joseph E. Edwards III to act as designated representative to buyers for rezoning.
Parcel Description (SMCLUC 4-203)	EXHIBIT A - LEGAL DESCRIPTION.PDF	A Legal Description, Prepared by SGM, describing the rezoning area
	EXHIBIT A1 - VICINITYMAP.PDF	Vicinity Map showing the Parcels in context to the County.
	EXHIBIT A2 – REPLATSURVEY.PDF	Replat Survey of Lots 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, and 9-R, Diamond Ranch, and Lots 1-R, 2-R, and 3-R DIAMOND RIDGE, As recorded by San Miguel County on December 21st, 2016 on Pages 4835-4848.
Disclosure and Proof of Ownership (SMCLUC 4-204)	EXHIBIT E – TitleCommitment.PDF	Title Commitment for properties, transaction costs redacted.
	EXHIBIT E1 – Mineral Interests Letter.PDF	Letter regarding mineral interests related to the property.
Legal Access (SMCLUC 4-205)	EXHIBIT F - ACCESS.PDF	Figure showing the location of the subject parcels relative to Last Dollar Road (County Road T60).
Standards Report (SMCLUC 4-206)	STANDARDS REPORT.PDF	Required Standards Report that demonstrates that the proposed rezoning complies with the applicable substantive review standards.
	FIGURE1_EXISTING CONDITIONS.PDF	Graphic figure showing existing parcels, topography and landmarks within the vicinity of the area of rezoning and subject parcels
	FIGURE2_SLOPE MAP.PDF	Graphic figure showing the general range of topographic slopes within the vicinity of the area of rezoning and subject parcels

FOLDER	FILE	DESCRIPTION
	FIGURE3_EXISTINGZONING.PDF	Graphic figure showing the current zoning within the vicinity of the area of rezoning and subject parcels
	FIGURE4_REZONING.PDF	Graphic figure showing the proposed area of rezoning
	FIGURE5_DEVELOPMENTANALYSIS.PDF	Graphic figure showing the area of rezoning and the anticipated development area
	FIGURE6_CROSSSECTIONS.PDF	Graphic figure showing topographic cross-sections 1 and 2 as defined on FIGURE5
	FIGURE7_FLOODWAYS.PDF	Graphic plan identifying known floodways within the vicinity of the area of rezoning and subject parcels
	FIGURE8_SLOPESANDGEOLOGICALHAZARDS.PDF	Graphic plan identifying steep slopes and potential geological hazards within the vicinity of the area of rezoning and subject parcels
	FIGURE9_WILDFIRERISK.PDF	Graphic plan identifying potential wildfire risk within the vicinity of the area of rezoning and subject parcels
	FIGURE10A_ELKHABITAT.PDF	Graphic plan identifying potential Elk habitat within the vicinity of the area of rezoning and subject parcels
	FIGURE10B_MULEDEERHABITAT.PDF	Graphic plan identifying potential Mule Deer habitat within the vicinity of the area of rezoning and subject parcels
	FIGURE10C_BIGHORNHABITAT.PDF	Graphic plan identifying potential Big Horn Sheep habitat within the vicinity of the area of rezoning and subject parcels
	FIGURE11_WETLANDSRIPARIAN.PDF	Graphic plan identifying potential wetlands and riparian areas within the vicinity of the area of rezoning and subject parcels
	FIGURE12_AIRPORTZONESHEIGHTLIMITS.PDF	Graphic plan identifying potential height constraints associated with the Telluride Regional Airport within the vicinity of the area of rezoning and subject parcels
Pre-Application Conference Summary Sheet (SMCLUC 4-207)	EXHIBIT G - DIAMONDRIDGE_REZONE_22522	Pre-Application conference summary prepared by Kaye Simonson, Planning Director for San Miguel County for meeting on February 25th with SE Group.
Site Plan (SMCLUC 4-208)	EXHIBIT B- SITE UTILIZATION MAP.PDF	Graphic plan showing the rezoning area relative to the subject parcels and the legal description of the rezoning area.

FOLDER	FILE	DESCRIPTION
Supportive Information	EXHIBIT C – RESOLUTION 2021-038.PDF	Resolution 2021-038 of San Miguel County establishing the Community Housing (CH) zone district.
	EXHIBIT H – Traffic.PDF	Letter from Traffic Engineering addressing potential traffic issues associated with the rezoning.
	EXHIBIT I – MTNMIGRATION.PDF	Report from Northwest Colorado Council of Governments on Mountain Migration and a discussion of long-term impacts of COVID on housing and services – 2021
	EXHIBIT J – HOUSINGNEEDS.PDF	Final Report from EPS and RRC on the Housing Needs Assessment for San Miguel County – August 2018
	EXHIBIT K – SMCLUC 2 RESPONSES.PDF	Reponses to the minimum submission requirements (SMCLUC Section 2) for all applications
	EXHIBIT L – SMCLUC 4-2 RESPONSES.PDF	Responses to SMCLUC Section 4-2
	EXHIBIT M – SMCLUC 4-6 RESPONSES.PDF	Reponses to SMCLUC Section 4-6

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

LAND USE APPLICATION

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

REQUIRED BACKGROUND INFORMATION

SMCLUC SECTION 4-202

CONTENTS

Required Background Information (SMCLUC 4-202)	LAND USE APPLICATION.PDF	Required and executed land use application form
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	EXHIBIT D1 - AUTHORIZATION – BUYERS TO SE GROUP.PDF	Authorization for SE Group to act as designated representative to buyers for rezoning.
	EXHIBIT D2 - AUTHORIZATION – BUYERS TO JOSEPH EDWARDS.PDF	Authorization for Joseph E. Edwards III to act as designated representative to buyers for rezoning.

LAND USE APPLICATION

SAN MIGUEL COUNTY – PLANNING DEPARTMENT

P.O. Box 548, Telluride CO 81435
Phone (970) 728-3083 www.sanmiguelcountyco.gov

Permit # _____
Project # _____
Received _____
Paid _____

Property Owner: Diamond Ridge Telluride, LLC, a Colorado limited liability company

Mailing Address: 858 Happy Canyon Rd, STE 200 Castle Rock, CO, 80108

E-mail: Manager: Jack A Vickers III **Phone:** 303-688-6300

Representative/Agent: Lance McDonald / Mike Bordogna

Mailing Address: Town of Telluride and San Miguel County PO Box 397 and PO Box 1170 Telluride, CO 81435

E-mail: LMcDonald@telluride-co.gov, mikeb@sanmiguelcountyco.gov **Phone:** 970-728-2155 and 970-708-8648

Project Location/Address: Last Dollar Road

Parcel ID Number: 456530318011 / 456530317012 /: 456530317013 **Zone District:** Forestry/Agriculture/Open (F)

Project Title: The Ridge - Community Housing Rezoning Project

Describe your project:

This application seeks rezoning of the land area described herein from the Forestry/Agriculture/Open (F) zone district to the Community Housing (CH) zone district pursuant to Section 5-1803 of the San Miguel County Land Use Code (LUC).

Project Type (check all that apply)

- ☐ Special Use Permit – 1-step
- ☐ Special Use Permit – 2-step
- ☐ Subdivision Exemption
- ☐ Subdivision
- ☐ Planned Unit Development
- ☐ Substantial Plat Amendment
- ☐ Substantial PUD Amendment
- ■ Rezoning
- ☐ Land Use Code Amendment
- ☐ Master Plan Amendment

☐ Insubstantial Plat Amendment

☐ Insubstantial PUD Amendment

☐ Minor Amendment to Special Use Permit

☐ Right-of-Way Vacation

☐ Variance

☐ Area of Local/State Interest

☐ Scenic Foreground Overlay Review

☐ Major Review – Single Family Residence

☐ Mineral Exploration and Mining

☐ Logging

☐ Major Oil and Gas Facility

☐ Minor Oil and Gas Facility

☐ Temporary Use

☐ Flood Plain

☐ Wetland

☐ Other: _____

SUBMIT THE FOLLOWING:

■ 2 sets of paper copies of all submittal requirements (refer to the Pre-Application letter for submission requirements)

■ Complete Set of Electronic Files (25MB maximum per file)

■ Legal Description

■ Proof of Ownership

■ Authorization of Representative if other than Owner

I hereby certify, subject to penalty of perjury, that the above is true and accurate to the best of my knowledge and that I understand all provisions of County and State Codes applicable to the proposed development, and all information requested by this document. I agree to abide by any and all conditions placed upon the proposed development by the Decision-Making Body. I also understand that if I violate any applicable provisions of County and/or State codes, I may be required to remedy such violation(s) through appropriate legal processes imposed by the County, including moving or removing structures and ceasing construction and/or uses,

See Authority letter	3/17/2022
Owner	Date
	3/17/2022
Representatives	Date
Mike Cardogna	3/17/2022
Representatives	

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT D

Property Owner:
Diamond Ridge Telluride, LLC, a Colorado limited liability company
858 Happy Canyon Rd, STE 200
Castle Rock, CO, 80108
303-688-6300
Manager: Jack A Vickers III

San Miguel County Planning Department

Re: PIDs: 456530318011; 456530317012; 456530317013
Application for Rezoning

Dear Planning Director Simonson:

Diamond Ridge Telluride, LLC "Property Owner" is the current owner of the property comprised of the three above-referenced PIDs (the "Subject Property"). Property Owner is currently under Contract, as "Seller" thereunder, to sell the Subject Property to the Town of Telluride and San Miguel County (together, the "Buyers"). The Buyers are currently in the process of performing their due diligence with regards to the Subject Property and the suitability of the Subject Property for Buyers' prospective uses thereof.

As provided in the Contract for the purchase and sale of the Subject Property, Property Owner has authorized the Town of Telluride and San Miguel County to conduct a broad range of due diligence on the Subject Property, including, in Buyer's discretion, representing the Subject Property before agencies, jurisdictions and entities. Property Owner acknowledges that this authorization includes Buyers' filing and pursuit of any land use applications submitted to your office relating to the Subject Property, as the Buyers may deem appropriate, provided that the Buyers and their representatives do not encumber the Subject Property, nor otherwise obligate the current Property Owner.

Diamond Ridge Telluride, LLC

By _____
Jack A Vickers III, Manager

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT D1

DocuSign Envelope ID: 22134E1E-7A29-421A-881B-444F31491F16

Property Owner:
Diamond Ridge Telluride, LLC, a Colorado limited liability company
858 Happy Canyon Rd, STE 200
Castle Rock, CO, 80108
303-688-6300
Manager: Jack A Vickers III

Authorized Agents:
Town of Telluride and San Miguel County
PO Box 397 and PO Box 1170
Telluride, CO 81435
970-728-2155 and 970-708-8648

County Community Development Department

Re: PIDs: 456530318011; 456530317012; 456530317013
Application for Rezoning

Dear Planning Director Simonson:

Town of Telluride and San Miguel County are authorized agents of the property comprised of the three above-referenced PIDs.

We do hereby authorize **SE Group** to act as our designated representative with respect to any land use applications submitted to your office concerning the Property. **SE Group** is authorized to submit such land use applications as he/she/they shall deem appropriate concerning the Property, including an application for rezoning. Further, he/she/they is/are authorized to represent us in any meetings or hearings with staff and the County's decision-making bodies.

Should you have any need to contact us during the course of your review of this application, please do so through Lance McDonald, 970-728-2155 and Mike Bordogna 970-708-8648.

DocuSigned by:
6634783FB0864E8...
Lance McDonald

DocuSigned by:
Mike Bordogna
6BB1DEF17C9841E...
Mike Bordogna

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT D2

DocuSign Envelope ID: 22134E1E-7A29-421A-881B-444F31491F16

Property Owner:
Diamond Ridge Telluride, LLC, a Colorado limited liability company
858 Happy Canyon Rd, STE 200
Castle Rock, CO, 80108
303-688-6300
Manager: Jack A Vickers III

Authorized Agents:
Town of Telluride and San Miguel County
PO Box 397 and PO Box 1170
Telluride, CO 81435
970-728-2155 and 970-708-8648

County Community Development Department

Re: PIDs: 456530318011; 456530317012; 456530317013
Application for Rezoning

Dear Planning Director Simonson:

Town of Telluride and San Miguel County are authorized agents of the property comprised of the three above-referenced PIDs.

We do hereby authorize **Joseph E. Edwards III** to act as our designated representative with respect to any land use applications submitted to your office concerning the Property. **Joseph E. Edwards III** is authorized to submit such land use applications as he/she/they shall deem appropriate concerning the Property, including an application for rezoning. Further, he/she/they is/are authorized to represent us in any meetings or hearings with staff and the County's decision-making bodies.

Should you have any need to contact us during the course of your review of this application, please do so through Lance McDonald, 970-728-2155 and Mike Bordogna 970-708-8648.

DocuSigned by:
6634783FB0864E8...
Lance McDonald

DocuSigned by:
Mike Bordogna
6BB1DFF17C9841E...
Mike Bordogna

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

PARCEL DESCRIPTION

SMCLUC SECTION 4-203

CONTENTS

Parcel Description (SMCLUC 4-203)	EXHIBIT A - LEGAL DESCRIPTION.PDF	A Legal Description, Prepared by SGM, describing the rezoning area
	EXHIBIT A1 - VICINITYMAP.PDF	Vicinity Map showing the Parcels in context to the County.
	EXHIBIT A2 – REPLATSURVEY.PDF	Replat Survey of Lots 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, and 9-R, Diamond Ranch, and Lots 1-R, 2-R, and 3-R DIAMOND RIDGE, As recorded by San Miguel County on December 21st, 2016 on Pages 4835-4848.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT A

Exhibit A - AREA OF REZONING LEGAL DESCRIPTION

AREA OF RE-ZONING
LEGAL DESCRIPTION

An Area of Re-zoning situated within the lands previously described as Parcel B and Parcel C, The Corrals at Deep Creek Mesa, according to the plat thereof recorded January 11, 1995 as Reception No. 296713, also situated within the lands currently described as Lots 2-R and 3-R, Diamond Ridge, according to the Re-plat Survey of Lots 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A and 9-R, Diamond Ranch and Lots 1-R, 2-R and 3-R, Diamond Ridge recorded December 21, 2016 as Reception No. 445551, also situated within the lands currently described as Lot 1-R-A, Diamond Ridge, according to the Subdivision Exemption for a Lot Line Adjustment for Lot 1-R-A, Diamond Ridge and Lot 1-R, Deep Creek Ranch recorded May 1, 2017 as Reception No. 448285, lying, for reference, in Section 30, Township 43 North, Range 9 West of the N.M.P.M., in the County of San Miguel, State of Colorado, described as follows:

BEGINNING at the southwest corner of said Parcel C, The Corrals at Deep Creek Mesa;

Thence along the west line of said Parcel C, The Corrals at Deep Creek Mesa the following three (3) courses:

1. N 03°50'32" E a distance of 938.27 feet;
2. S 89°50'22" E a distance of 62.76 feet;
3. N 04°08'18" E a distance of 729.18 feet to a point on the north line of said Lot 1-R-A, Diamond Ridge;

Thence along the north line of said Lot 1-R-A, Diamond Ridge the following four (4) courses:

1. N 57°26'23" E a distance of 545.55 feet;
2. S 01°52'18" E a distance of 416.83 feet;
3. S 59°48'36" E a distance of 741.44 feet;
4. 98.51 feet along a non-tangent curve to the left, having a radius of 992.32 feet, a central angle of 005°41'16", the chord of which bears S 15°33'02" W a distance of 98.47 feet to the northeast corner of said Parcel C, The Corrals at Deep Creek Mesa;

Thence along the east and south lines of said Parcel C, The Corrals at Deep Creek Mesa the following seven (7) courses:

1. S 12°43'43" W a distance of 204.86 feet;

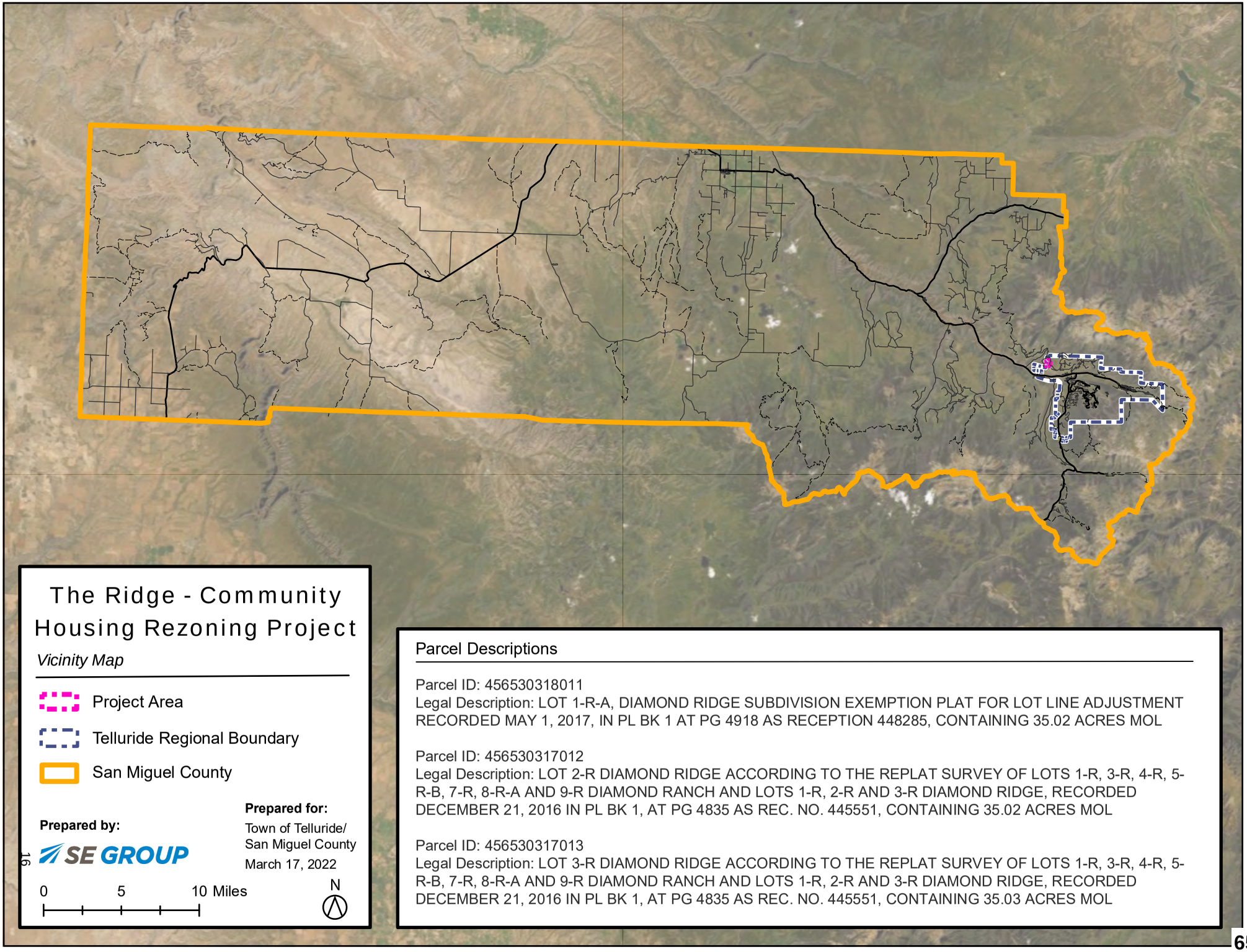
2. 179.25 feet along a non-tangent curve to the left, having a radius of 499.94 feet, a central angle of 020°32'35", the chord of which bears S 02°27'28" W a distance of 178.29 feet;
3. S 07°48'45" E a distance of 165.72 feet;
4. 133.93 feet along a non-tangent curve to the left, having a radius of 500.09 feet, a central angle of 015°20'40", the chord of which bears S 15°29'08" E a distance of 133.53 feet;
5. S 73°06'30" W a distance of 375.34 feet;
6. S 00°28'08" W a distance of 300.00 feet;
7. N 89°32'23" W a distance of 909.97 feet to the POINT OF BEGINNING.

Said Area of Re-zoning containing 39.21 acres, more or less.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT A1



The Ridge - Community Housing Rezoning Project

Vicinity Map

- Project Area
- Telluride Regional Boundary
- San Miguel County

Prepared by:

SE GROUP

Prepared for:

Town of Telluride/
San Miguel County

March 17, 2022

0 5 10 Miles

N

16

Parcel Descriptions

Parcel ID: 456530318011
Legal Description: LOT 1-R-A, DIAMOND RIDGE SUBDIVISION EXEMPTION PLAT FOR LOT LINE ADJUSTMENT RECORDED MAY 1, 2017, IN PL BK 1 AT PG 4918 AS RECEPTION 448285, CONTAINING 35.02 ACRES MOL

Parcel ID: 456530317012
Legal Description: LOT 2-R DIAMOND RIDGE ACCORDING TO THE REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R DIAMOND RIDGE, RECORDED DECEMBER 21, 2016 IN PL BK 1, AT PG 4835 AS REC. NO. 445551, CONTAINING 35.02 ACRES MOL

Parcel ID: 456530317013
Legal Description: LOT 3-R DIAMOND RIDGE ACCORDING TO THE REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R DIAMOND RIDGE, RECORDED DECEMBER 21, 2016 IN PL BK 1, AT PG 4835 AS REC. NO. 445551, CONTAINING 35.03 ACRES MOL

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT A2

NOTICE:

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.

NOTES:

1. The property lies within Flood Zone "X" (areas determined to be outside 500-year flood plain) as shown on Flood Insurance Rate Map: 08113C0330 C, effective September 30, 1988
2. Approval of this plat may create a vested property right pursuant to Article 68 of Title 24, C.R.S. as amended.
3. Lineal Units U.S. Survey Feet

NOTES OF CLARIFICATION:

1. Lots deleted by this document:

   DIAMOND RANCH: Lot 1 Diamond Ranch, Lot 3 Diamond Ranch, Lot 4 Diamond Ranch, Lot 5-R-A Diamond Ranch, Lot 8-R Diamond Ranch and Lot 9 Diamond Ranch, and
   DIAMOND RIDGE: Lot 1 Diamond Ridge, Lot 2 Diamond Ridge and Lot 3 Diamond Ridge

2. Lots created by this document:

   DIAMOND RANCH: Lot 1-R Diamond Ranch, Lot 3-R Diamond Ranch, Lot 4-R Diamond Ranch, Lot 5-R-B Diamond Ranch, Lot 7-R Diamond Ranch, Lot 8-R-A Diamond Ranch, and Lot 9-R Diamond Ranch, and
   DIAMOND RIDGE: Lot 1-R Diamond Ridge, Lot 2-R Diamond Ridge, Lot 3-R Diamond Ridge

3. The following easements have not been vacated, deleted, or terminated by this document:

   Last Dollar Road (467 ROW) County Road 162 & Subsurface Utility Easement recorded in Plat Book 1 at page 1794; Book 384 at page 396, Reception No. 317402, Reception No. 323922; Reception No. 336894.
   Diamond Ranch Road and Subsurface Utility Easement recorded in Plat Book 1 at page 3128;
   14' Subsurface Utility Easement recorded in Plat Book 1 at page 3128;
   30' Augmentation Pond Access Easement recorded in Plat Book 1 at page 3128;
   Augmentation Pond Easement recorded in Plat Book 1 at page 3128;
   Entry and Landscape Easement recorded Dec. 21, 2016 at Reception No. 445571 burdening Lot 1-R Diamond Ranch;
   Declaration of Entry and Landscape Easement recorded Dec. 21, 2016 at Reception No. 445572 burdening Lot 3-R Diamond Ranch;
   Entry and Landscape Easement recorded Dec. 21, 2016 at Reception No. 445573 burdening Lot 1-R Diamond Ridge;
   30' Waterline Easement recorded in Plat Book 1 at page 3128-3130;
   Water Tank Easement recorded in Plat Book 1 at page 3128;
   30' Water Tank Access Easement recorded in Plat Book 1 at page 3128;
   20' Water Tank Drainage Easement recorded in Plat Book 1 at page 3128;
   Telecommunications Easement recorded in Book 557 at page 244;
   Grading Ditch & Subsurface Utility Easement recorded in Plat Book 1 at page 1794;
   Fill Slope Easement recorded at Reception No. 367152;
   20' Substitute Easement Agreement recorded in Book 531 at page 637;
   Water System Easement Agreement recorded January 3, 2014 at Reception No. 402872;
   Boundary Line, Fence Agreement and Easement recorded January 15, 2016 at Reception No. 440999;
   Pipeline Easement Agreement recorded Dec. 21, 2016 at Reception No. 445570;
   Access Easement Agreement for the benefit of Lot 1-R Diamond Ranch recorded Dec. 21, 2016 at Reception No. 445569;
   Access Easement Agreement for the benefit of Lot 3-R Diamond Ranch recorded Dec. 21, 2016 at Reception No. 445568;
   Well and Pipeline Easement Agreement recorded Dec. 21, 2016 at Reception No. 446574

4. The following easements have been vacated and terminated:

   Driveway & Subsurface Utility Easement located on Lot 2, Diamond Ridge recorded in Plat Book 1 at page 3128 in accordance with the Vacation of Driveway & Subsurface Utility Easement recorded Dec. 21, 2016 at Reception No. 445566;
   Entry and Landscape Easement recorded in Plat Book 1 at page 3128 in accordance with the Vacation of Entry and Landscape Easement recorded Dec. 21, 2016 at Reception No. 445550;

5. Notwithstanding any release on any plats or maps recorded prior to the date of recording of this Replat Survey that pertain to Lot 1-R, Diamond Ranch, Lot 1-R, Diamond Ridge, Lot 2-R, Diamond Ridge, and Lot 3-R, Diamond Ridge (each a "Subject Property", and collectively the "Subject Properties"): (i) no Colorado common interest community, owner or community association or similar entity or organization exists for the Subject Properties, (ii) no covenants, conditions and restrictions, declarations or use restrictions have been recorded, are in effect or are proposed to be in effect or encumber the Subject Properties, and (iii) no covenants, conditions and restrictions or declarations or other use limitations shall be imposed upon or encumber a Subject Property without the written consent of the owner of a Subject Property to be encumbered; PROVIDED, HOWEVER, the terms and conditions of the San Miguel County Land Use Code and that certain Agreement regarding Aldasoro PUD Agreement recorded September 25, 2000 at Reception No. 336895, as may be amended do apply to the Subject Properties. Any and all covenants on any plats or maps pertaining to the Subject Properties that have been recorded prior to the date of the Replat Survey which reference a homeowners or community association and any documents pertaining to a Colorado common interest ownership community or association are deemed to be terminated, released, void and of no further force and effect. The Subject Properties are not and are not intended to be subject to the Colorado Common Interest Ownership Act, C.R.S. 38-33.3-101 et seq.

6. Lot 1-R, Diamond Ranch is subject to that certain Agreement Concerning Status of Diamond Ranch/Diamond Ridge Community Documents recorded at Reception No. 440852 and that certain Closing Agreement regarding Water Matters recorded January 5, 2016 at Reception No. 440863.

7. The "Homesite" depicted on Lot 1-R Diamond Ranch has been designated in accordance with the terms and conditions of that certain Agreement regarding Aldasoro PUD Agreement recorded September 25, 2000 at Reception No. 336895, as amended.

BASIS OF BEARINGS:

The BASIS OF BEARINGS for this Survey was Summit Boundary Line of the Aldasoro Ranch Filing 2 per the Plat filed in Plat Book 1 at Page 1406 (Page 14 of 15), being **N 04°59'34" E.**

EASEMENT RESEARCH:

Lot 1, Diamond Ranch: Easement research by Land Title Guarantee Company Order No. TLR8005652-3, Effective Date 08-09-2016 at 5:00 P.M.

Lot 3, Lot 4, Lot 5-R-A, Lot 8-R, and Lot 9 Diamond Ranch: Easement research by Land Title Guarantee Company Order No. TLR8005661-3 Effective Date 11-25-2016 at 5:00 P.M.

Lots 1, 2, and 3 Diamond Ridge: Easement research by Land Title Guarantee Company Order No. TLR8005662-3 Effective Date 11-25-2016 at 5:00 P.M.

PROPERTY DESCRIPTION:

Lots 1, 3, 4 and 9 Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

Lots 5-R-A, and 8-R, Diamond Ranch Replat Survey Lots 5-R, 6, 7, 8, & 10 Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10 Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado

SURVEYOR'S CERTIFICATE:

I, Christopher R. Kennedy, of San Juan Surveying, being a Colorado Licensed Land Surveyor do hereby certify that this plat and survey of the REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R Diamond Ranch AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE was made by me and under my direct supervision in compliance with the applicable provisions of Title 38 Article 51 C.R.S. and it is true and accurate to the best of my knowledge and belief.

Christopher R. Kennedy — P.L.S. 34577 — 12/16/2016

OWNER'S CERTIFICATE (Lot 1 Diamond Ranch):

KNOW ALL MEN BY THESE PRESENTS that Morgan and Sarah Smith Family Trust of 2000, as amended and restated in 2012, as the owner of the following described land:

Lot 1 Diamond Ranch according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

Easement as created in document recorded September 25, 2000 under Reception No. 336894

County of San Miguel,
State of Colorado

We, the owners, hereby state that the Replat as shown hereon is with the free consent and in accordance with the desires of the undersigned owners.

By: Morgan and Sarah Smith Family Trust of 2000, as amended and restated in 2012

By: Morgan C. Smith, Trustee

By: Sarah L. Smith, Trustee

★ see Owner Authorization and Consent recorded Dec-21, 2016 at Reception No. 446552

State of _____)
County of _____) ss

Subscribed and sworn to before me by Morgan C. Smith, Trustee and Sarah L. Smith, Trustee, trustees of the Morgan and Sarah Smith Family Trust of 2000, as Amended and Restated in 2012.

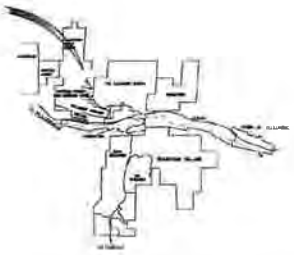
on this _____ day of _____, 2016.

Witness my hand and official seal.

Notary Public

My Commission Expires:

AREA OF SURVEY



VICINITY MAP
NTS

OWNER'S CERTIFICATE (Lots 3, 4, 5-R-A, 8-R, and 9 Diamond Ranch):

KNOW ALL MEN BY THESE PRESENTS that Diamond Ranch, LLC, a Colorado limited liability company, as the owner of the following described land:

Lots 3, 4, and 9, Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at pages 3128

And

Lots 5-R-A and 8-R Diamond Ranch, Replat Survey Lots 5-R, 6, 7, 8, & 10 Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166

County of San Miguel
State of Colorado

OWNER CONSENT FOR DIAMOND RANCH LLC, A COLORADO LIMITED LIABILITY COMPANY IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. 445553

SECURITY INTEREST HOLDER'S CONSENT:

The undersigned, as a beneficiary of a deed of trust which constitutes a lien upon

Lots 3, 4, and 9, Diamond Ranch according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

And

Lots 5-R-A, and 8-R, Diamond Ranch, Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.,

Recorded March 02, 2016 at Reception Number 441528 in the San Miguel County Clerk and Recorder's real property records., hereby consents to the replat of the real property as depicted on this plat.

By: Alpine Bank, a Colorado Banking Corporation

By: Chris Meagher, President

By: _____

State of Colorado)
County of San Miguel) ss

Acknowledged and sworn to before me by Chris Meagher, President of Alpine Bank

on this 19th day of December, 2016

Witness my hand and official seal.

Notary Public

My Commission Expires: 12/28/20

ROBIN M. WATKINSON
NOTARY PUBLIC
STATE OF COLORADO

OWNER'S CERTIFICATE (Lots 1, 2, and 3 Diamond Ridge):

KNOW ALL MEN BY THESE PRESENTS that Diamond Ridge Telluride LLC, a Colorado limited liability company, as the owner of the following described land:

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.

OWNER CONSENT FOR DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. 445554

SECURITY INTEREST HOLDER'S CONSENT:

The undersigned, as a beneficiary of a deed of trust which constitutes a lien upon

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.,

Recorded June 14, 2004 at Reception Number 367553 in the San Miguel County Clerk and Recorder's real property records, hereby consents to the separation of the real property as depicted on this plat.

SECURITY INTEREST HOLDER'S CONSENT IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. 445555

TITLE INSURANCE COMPANY CERTIFICATE:

Land Title Guarantee Company does hereby certify that we have examined the title to all lands herein shown on this plat and that the title to this land is in the names of those persons shown in the aforementioned Commitment which is on the date hereof and is free of all liens and taxes, except as follows: As reflected herein and Deed of Trust recorded at Reception No. 367553 as assigned or modified; and Deed of Trust recorded at Reception No. 441528

The Land Title Guarantee Company Representative — Date: 12/14/16

COUNTY TREASURER'S CERTIFICATE:

According to the records of the San Miguel County Treasurer, there are no liens against the property for unpaid State, County, Municipal or Local taxes or special assessments due and payable on such property, in accordance with Land Use Code Section 3-101

Mahara Dahlke — 12/19/16
San Miguel County Treasurer — Date

445551
REPLAT
SMITH MORGAN & SARAH
FAMILY TRUST
DIAMOND RANCH LLC
DIAMOND RIDGE TELLURIDE LLC
TO
LOTS 1 R 3 R 4 R 5 R B 7 R 8 R A
DIAMOND RANCH
LOTS 1 R 2 R & 3 R
DIAMOND RIDGE

State of Colorado)
County of San Miguel) ss
Filed for Record at 12 O'Clock P.M. DECEMBER 21, 2016
and duly recorded in plat book PLAT1 page 4835 4848

M. Kathleen Erie
County Clerk and Recorder
By _____ Deputy
Fee: $71.00

SAN MIGUEL COUNTY CLERK'S ACCEPTANCE:

This Replat was accepted for filing in the office of the Clerk and Recorder of San Miguel County, Colorado on the 21st day of December, 2016.

Plat Book Number PLAT1, Page Number 4835-4848

Reception Number 445551, Time 9:17 AM

San Miguel County Clerk

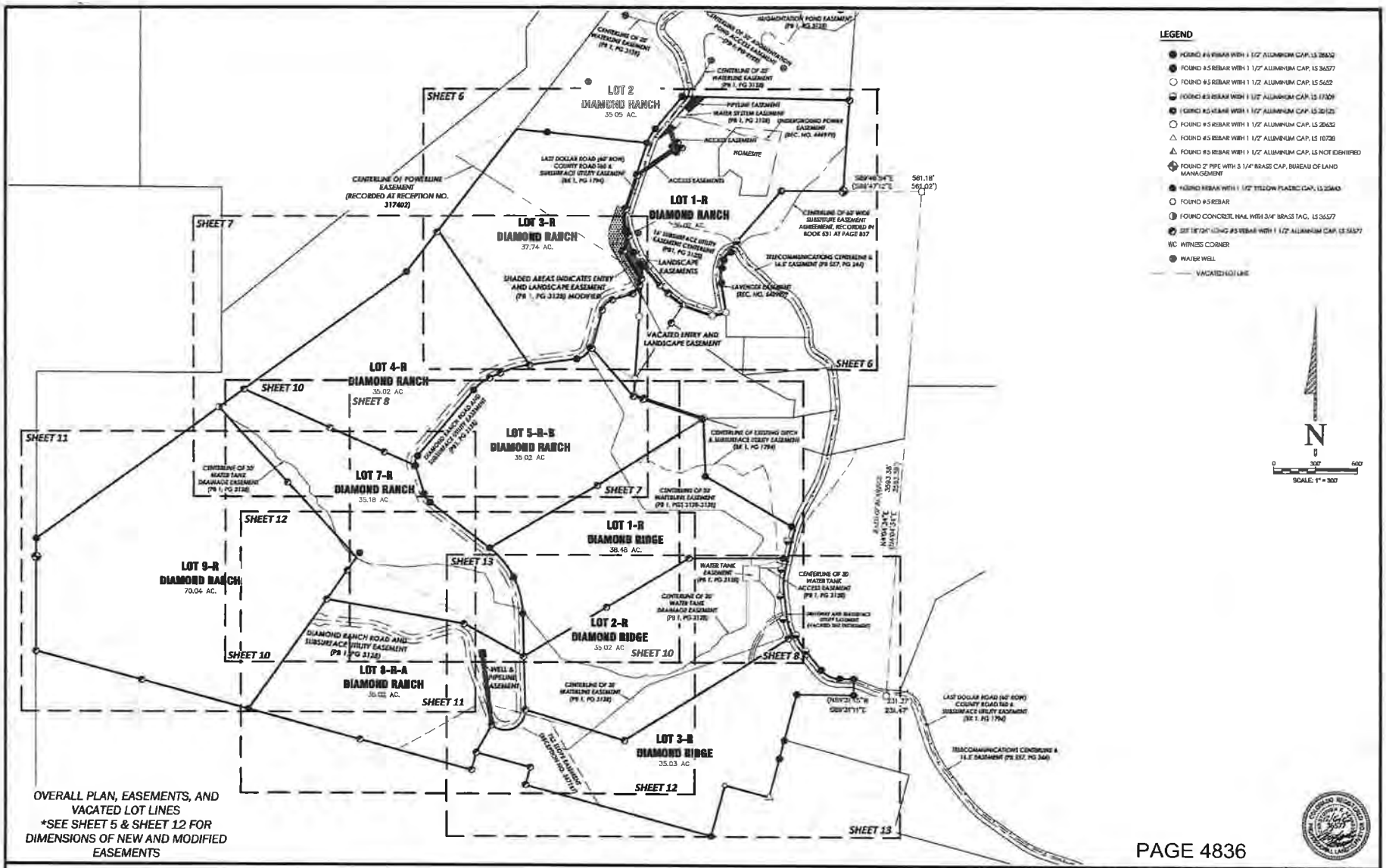
PAGE 4835

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado.

SAN JUAN SURVEYING
SURVEYING * PLANNING
332 SOCIETY DRIVE, TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 8001 fax
office@sanjuansurveying.net

DATE: 12/13/2016
JOB: [illegible]
DRAWN BY: KDW
CHECKED BY: CRK
REVISION
DATE(S):
SHEET: 3 OF 34



OVERALL PLAN, EASEMENTS, AND VACATED LOT LINES
*SEE SHEET 5 & SHEET 12 FOR DIMENSIONS OF NEW AND MODIFIED EASEMENTS

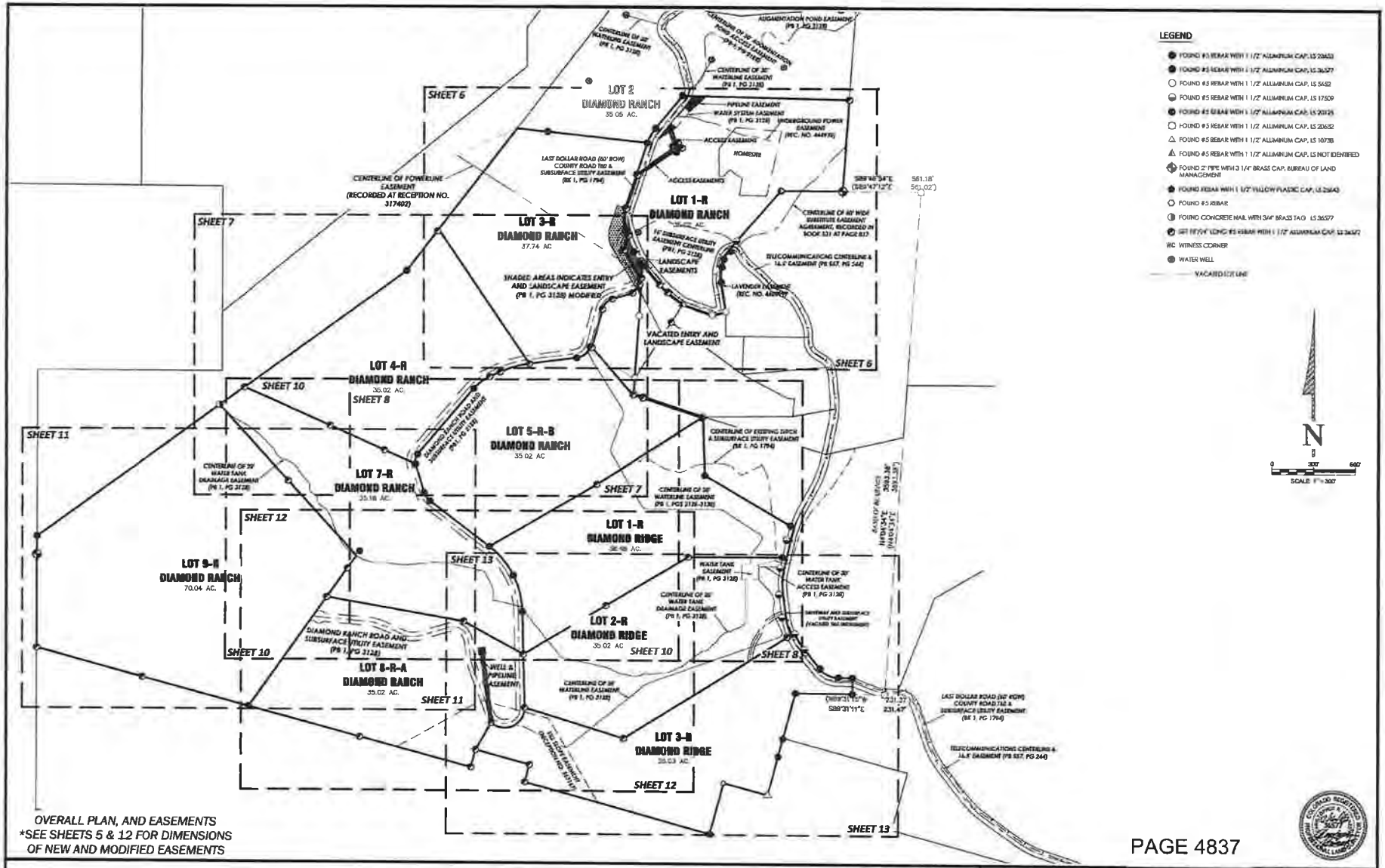
PAGE 4836

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

DATE: 12/13/2016
JOB:
DRAWN BY: ADM
CHECKED BY: DBK
REVISION DATES:
SHEET: 2 OF 14



OVERALL PLAN, AND EASEMENTS
*SEE SHEETS 5 & 12 FOR DIMENSIONS OF NEW AND MODIFIED EASEMENTS

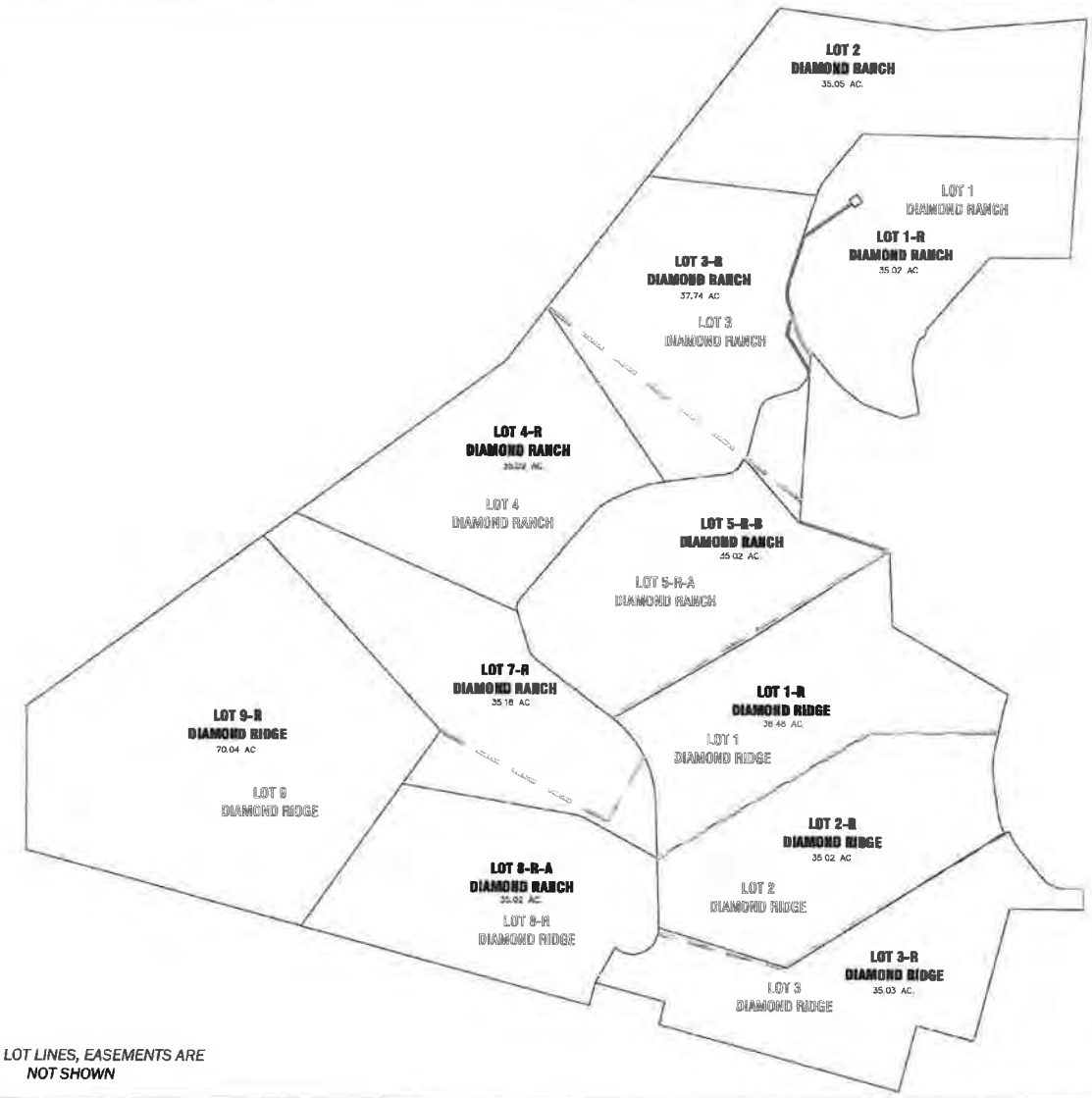
PAGE 4837

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

DATE: 12/13/2016
JOB: DRDR
DRAWN BY: ADM
CHECKED BY: CPR
REVISION DATE:
SHEET 1 OF 14



LEGEND

- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 28652
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 36577
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 5652
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 17509
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 20125
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 20632
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 10738
- FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS NON-IDENTIFIED
- FOUND 2" PIPE WITH 3 1/4" BRASS CAP, BUREAU OF LAND MANAGEMENT
- FOUND REBAR WITH 1 1/2" YELLOW PLASTIC CAP, LS 25643
- FOUND #5 REBAR
- FOUND CONCRETE NAIL WITH 3/4" BRASS TAG, LS 36577
- SET 18"/24" LONG #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 36577
- WC WITNESS CORNER
- WATER WELL
- VACATED LOT LINE

N

0 300' 600'

SCALE: 1" = 300'

VACATED LOT LINES, EASEMENTS ARE NOT SHOWN

PAGE 4838

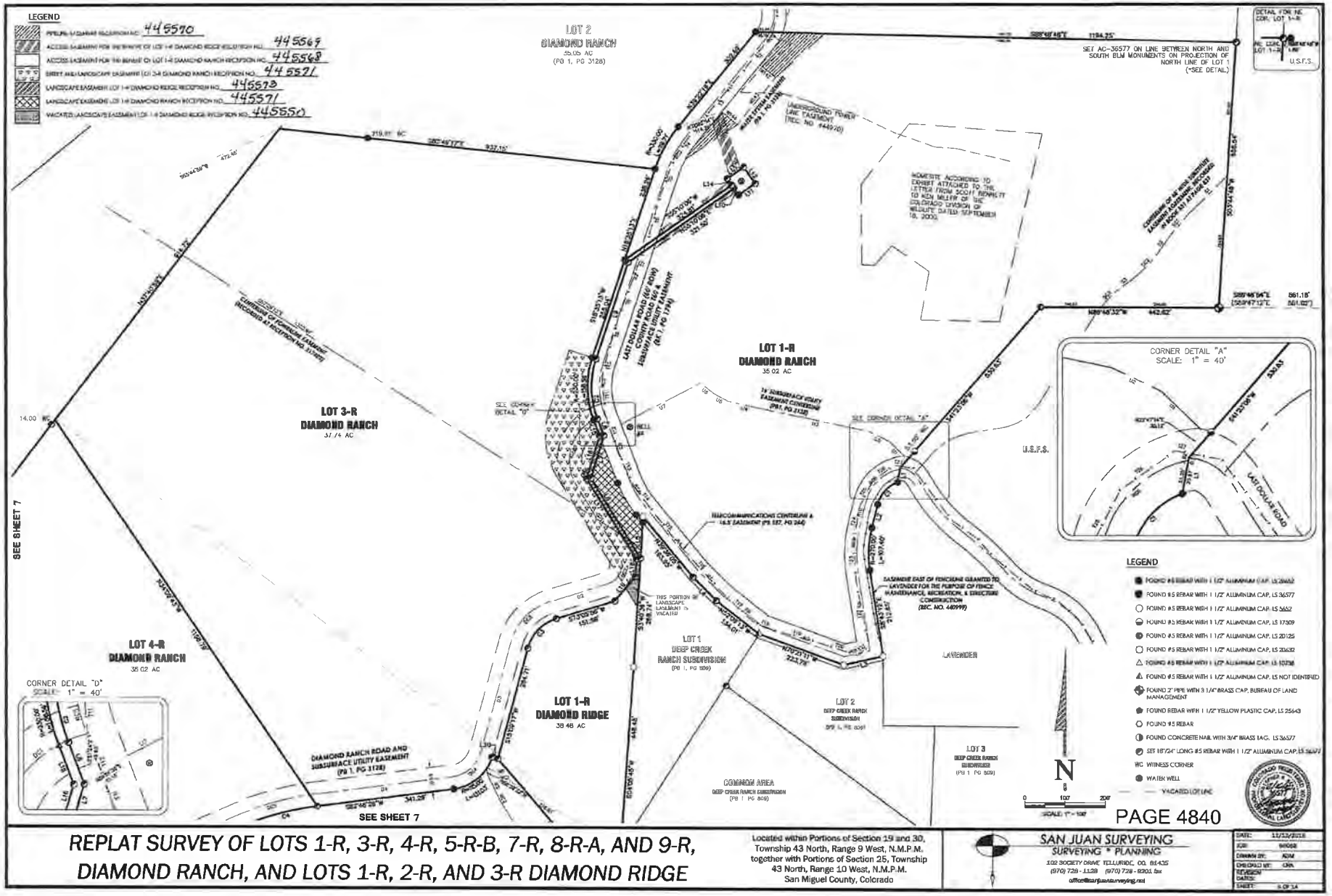
REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728-1128 (970) 728-9201 fax
office@sanjuansurveying.net

DATE:	12/13/2016
JOB:	08089
DRAWN BY:	KDW
CHECKED BY:	CRK
REVISION DATES:	
SHEET	4 OF 14

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE
8-R-A, AND 9R, DIAMOND RANCH,
Located Within Portions of Section 13 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado
SAN JUAN SURVEYING
SURVEYING * PLANNING
100 SOUTH PINE ROAD, UNIT C, 81433
(970) 728 - 3428 / (970) 728 - 9004 fax
office@sanjuansurveying.net
LOT 1-R
DIAMOND RANCH
35.02 AC
LOT 3
JEEP CREEK
RANCH SUBDIVISION
NEW AND MODIFIED EASEMENTS, SEE SHEET 12 FOR LOT 8-R-A
LEGEND
VACATED LOT LINE
WATER WELL
WITNESS CORNER
SET 1/2"ø LONG #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 38527
FOUND CONCRETE NAIL WITH 3/4" BRASS TAG, LS 38527
FOUND #5 REBAR
FOUND 2" PIPE WITH 3 1/4" BRASS CAP "BUREAU OF LAND MANAGEMENT"
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP "LS 10738" IN MONUMENT WELL
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 10738
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 30420
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 31709
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 5452
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 38527
FOUND #5 REBAR WITH 1 1/2" ALUMINUM CAP, LS 28452
SCALE: 1" = 60'
0
60'
100'
N
PAGE 4839
PIPELINE EASEMENT RECEPTION NO. 445570
ACCESS EASEMENT FOR 5/12 BEARING OF LOT 1-R DIAMOND RIDGE RECEPTION NO. 445569
ACCESS EASEMENT FOR THE BENEFIT OF LOT 1-R DIAMOND RANCH RECEPTION NO. 445568
ENTRY AND LANDSCAPE EASEMENT LOT 3-R DIAMOND RANCH RECEPTION NO. 445571
LANDSCAPE EASEMENT LOT 1-R DIAMOND RIDGE RECEPTION NO. 445573
LANDSCAPE EASEMENT LOT 1-R DIAMOND RANCH RECEPTION NO. 445571
VACATED LANDSCAPE EASEMENT LOT 1-R DIAMOND RIDGE RECEPTION NO. 445570

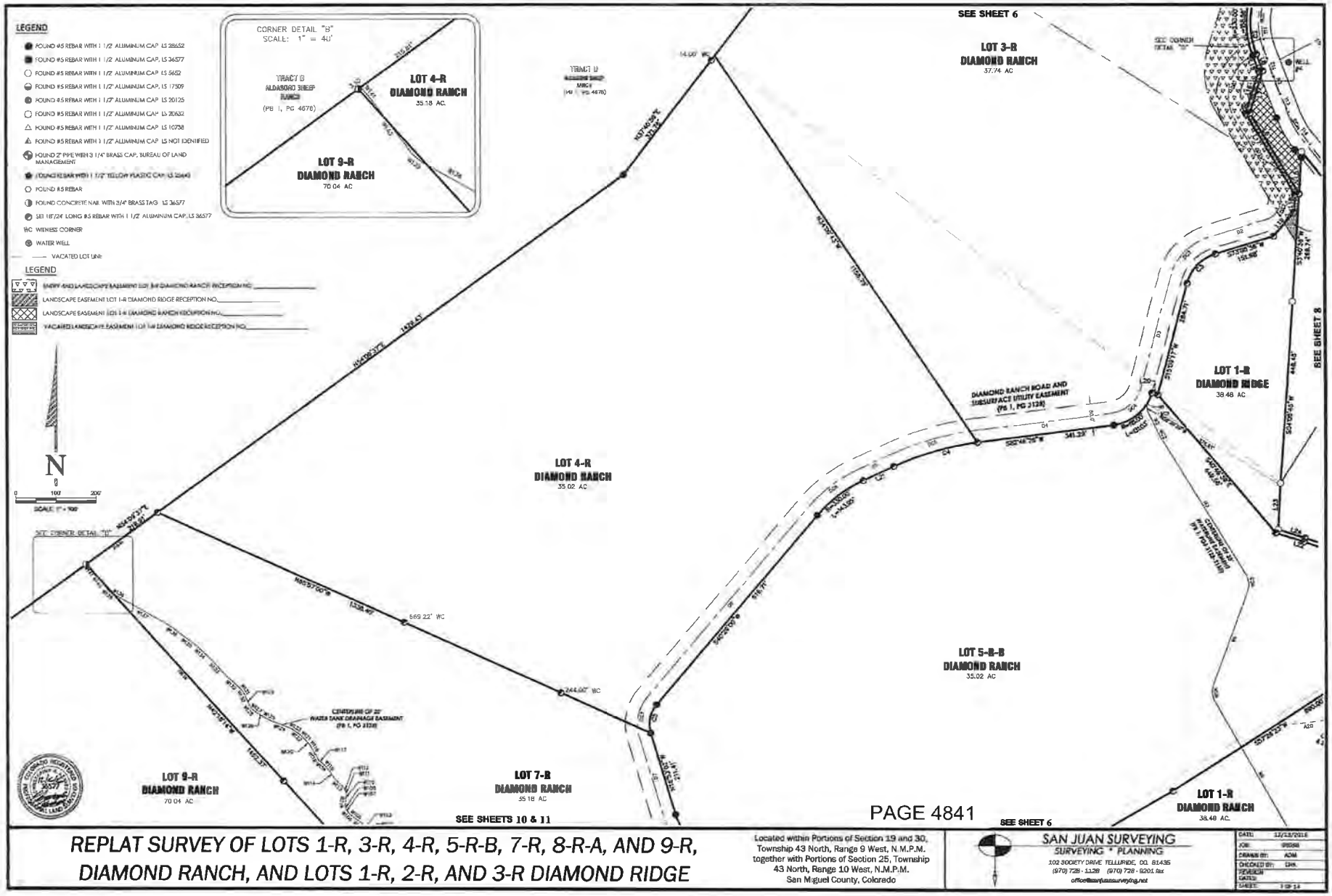


REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 8200 fax
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DATE: 12/13/2018
JOB: 940928
DRAWN BY: ADM
CHECKED BY: CMA
REVISION DATES:
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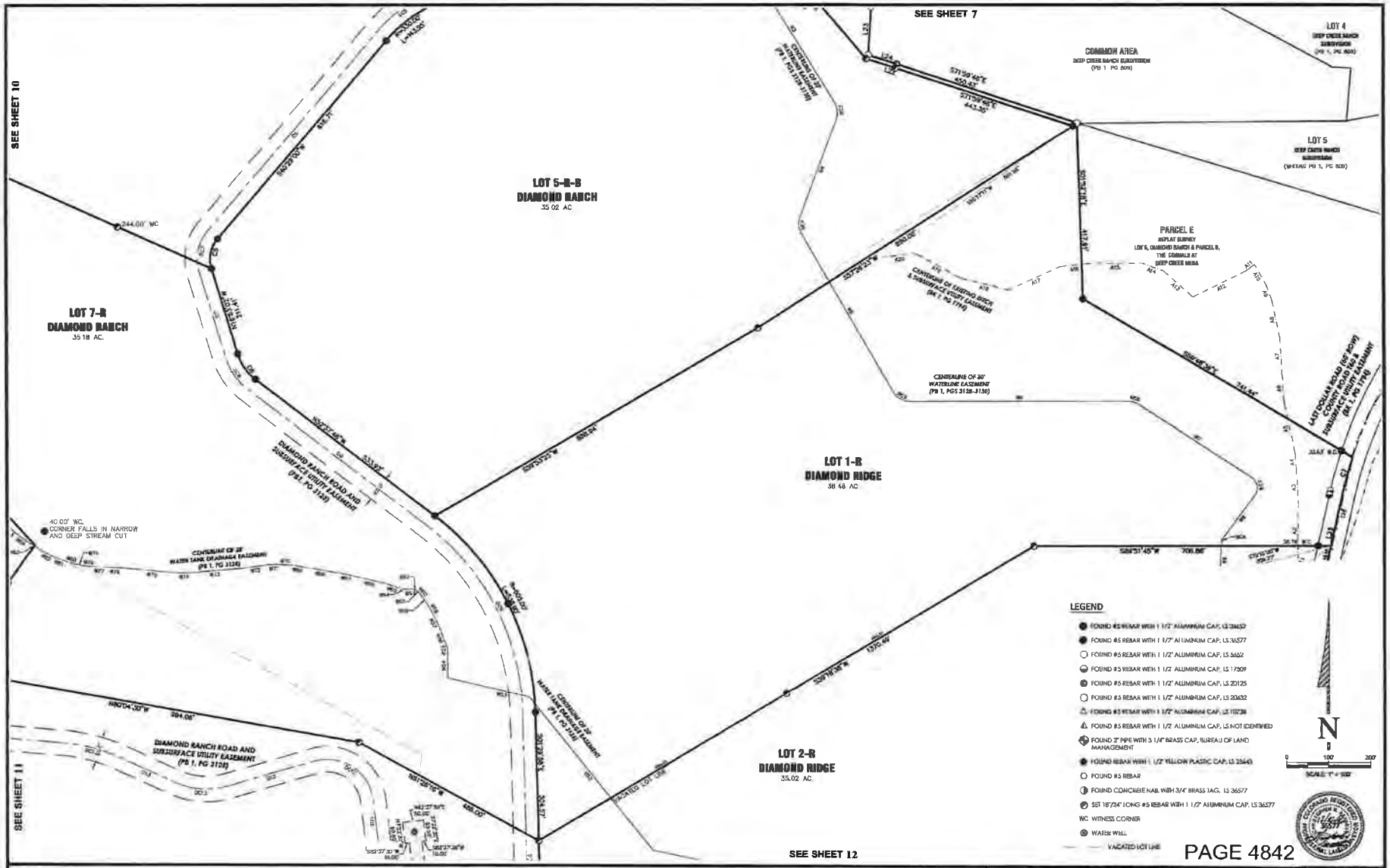
PAGE 4841

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

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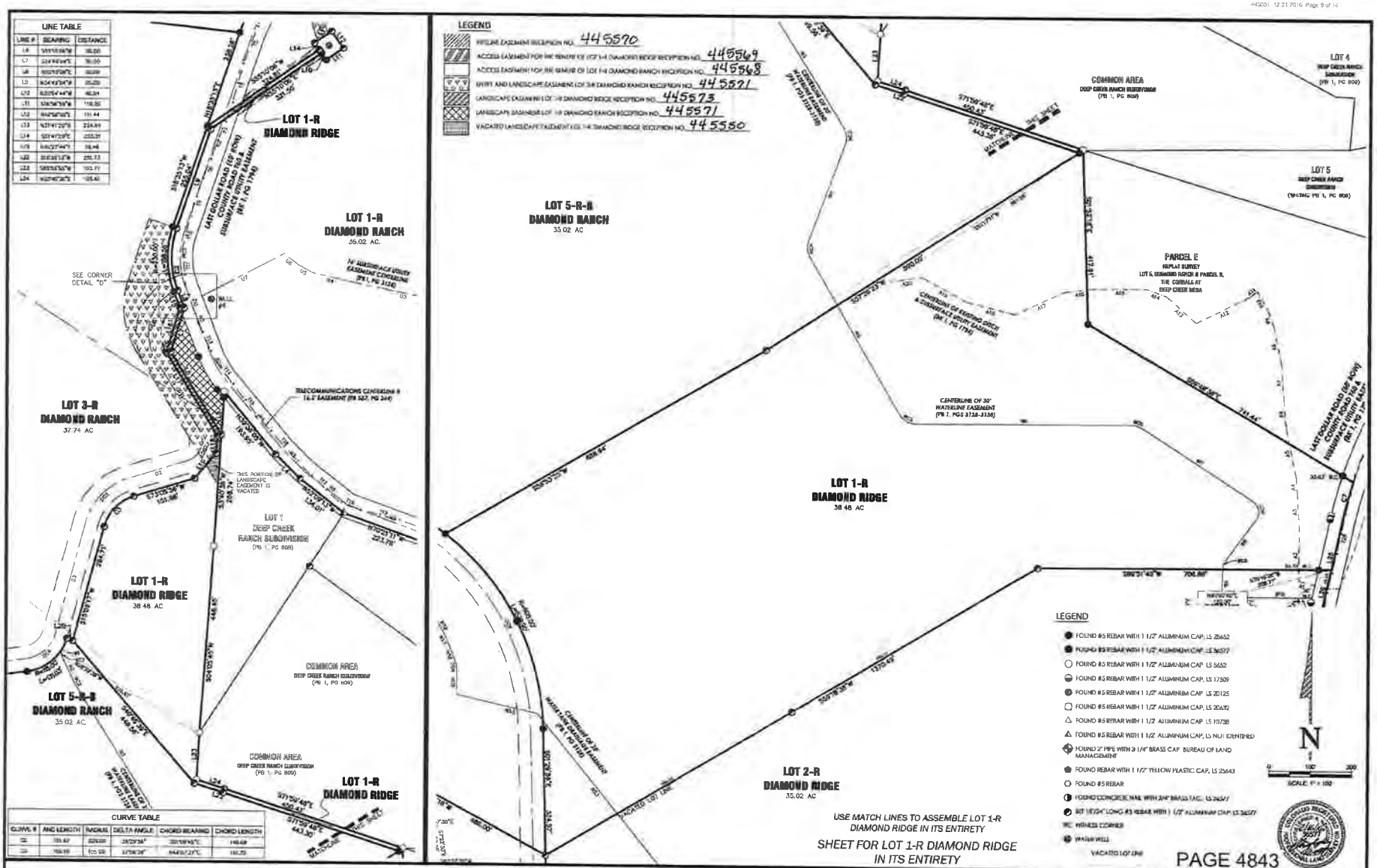
PAGE 4842

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 1128 (970) 728 - 6201 fax
office@sanjuansurveying.net

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JOB:	180086
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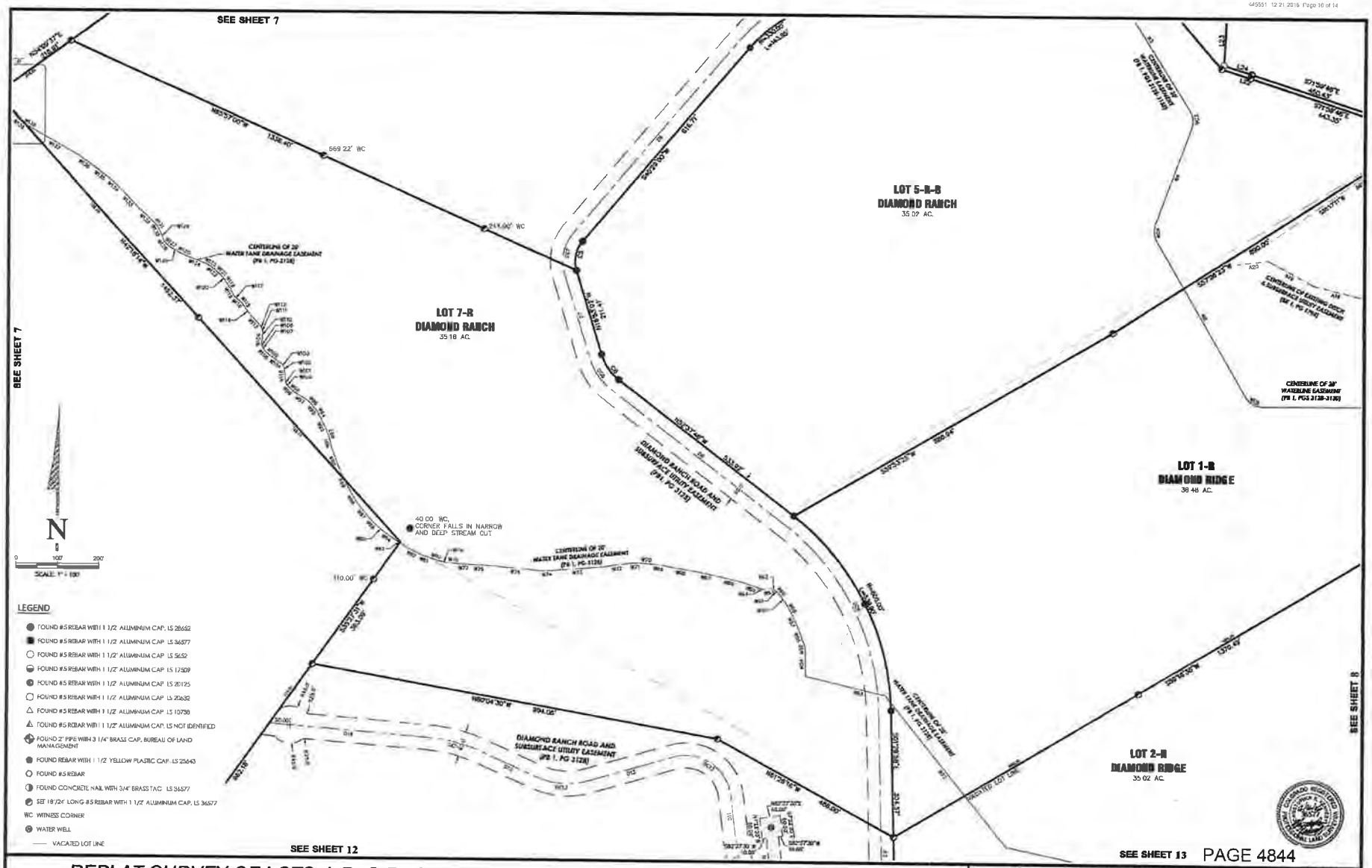


REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

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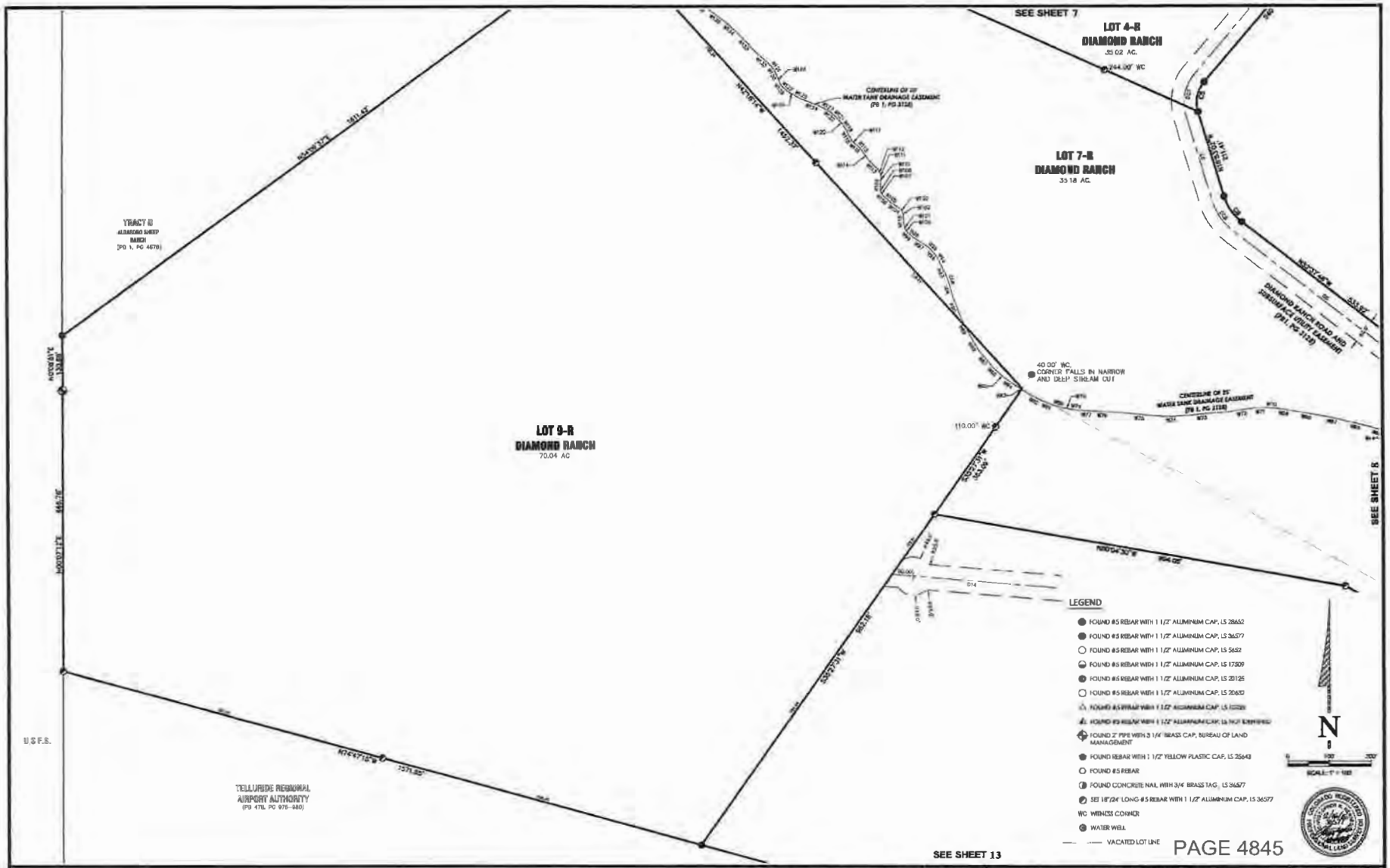


REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SURVEYING * PLANNING
102 SOCIETY DRIVE, TELLURIDE, CO 81435
(970) 728-1128 (970) 728-8201 fax
office@sanjuansurveying.net

DATE:	12/15/2016
JOB:	161102
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SHEET:	10 OF 14



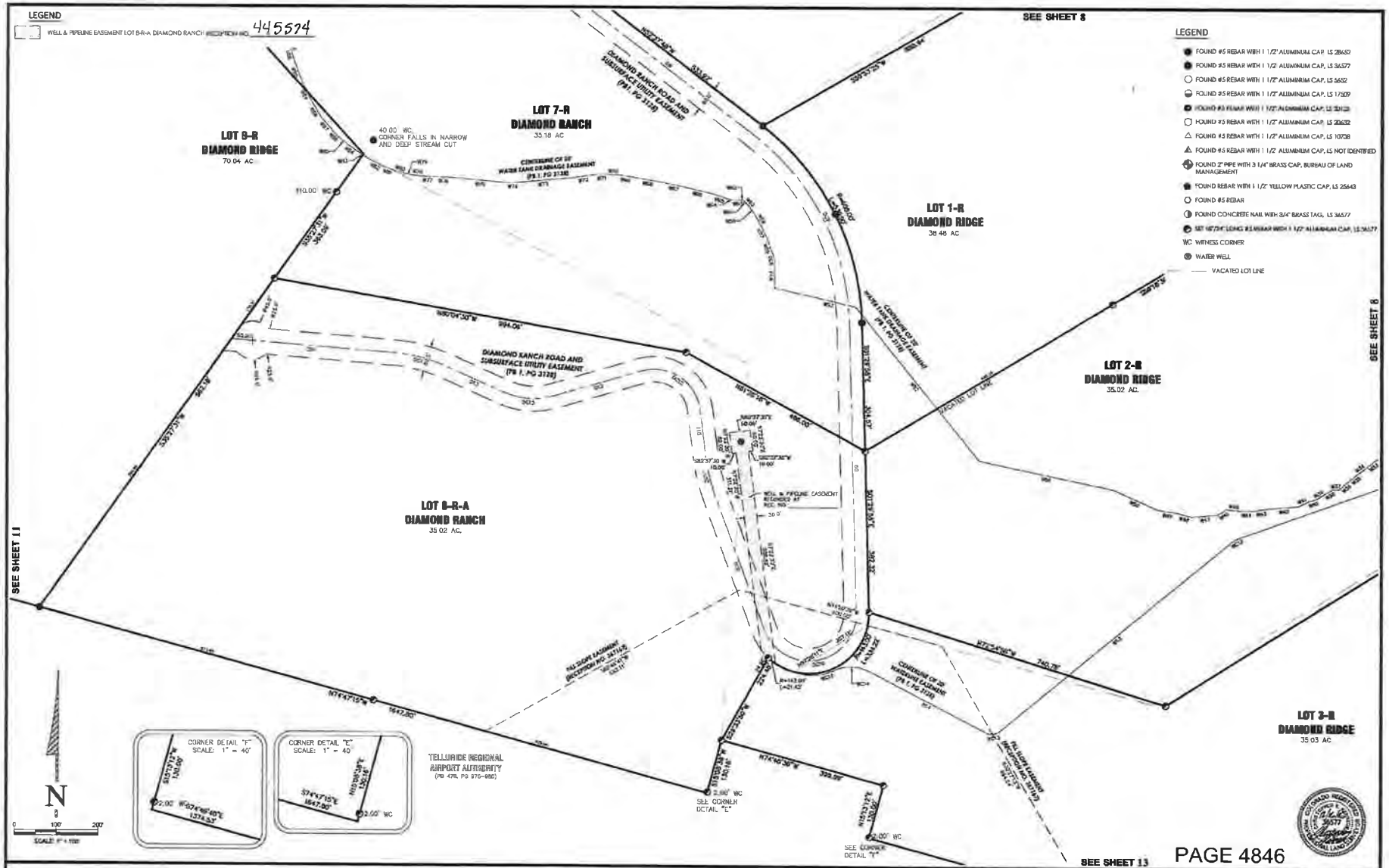
PAGE 4845

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728- 9201 fax
office@sanjuansurveying.net

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JOB:
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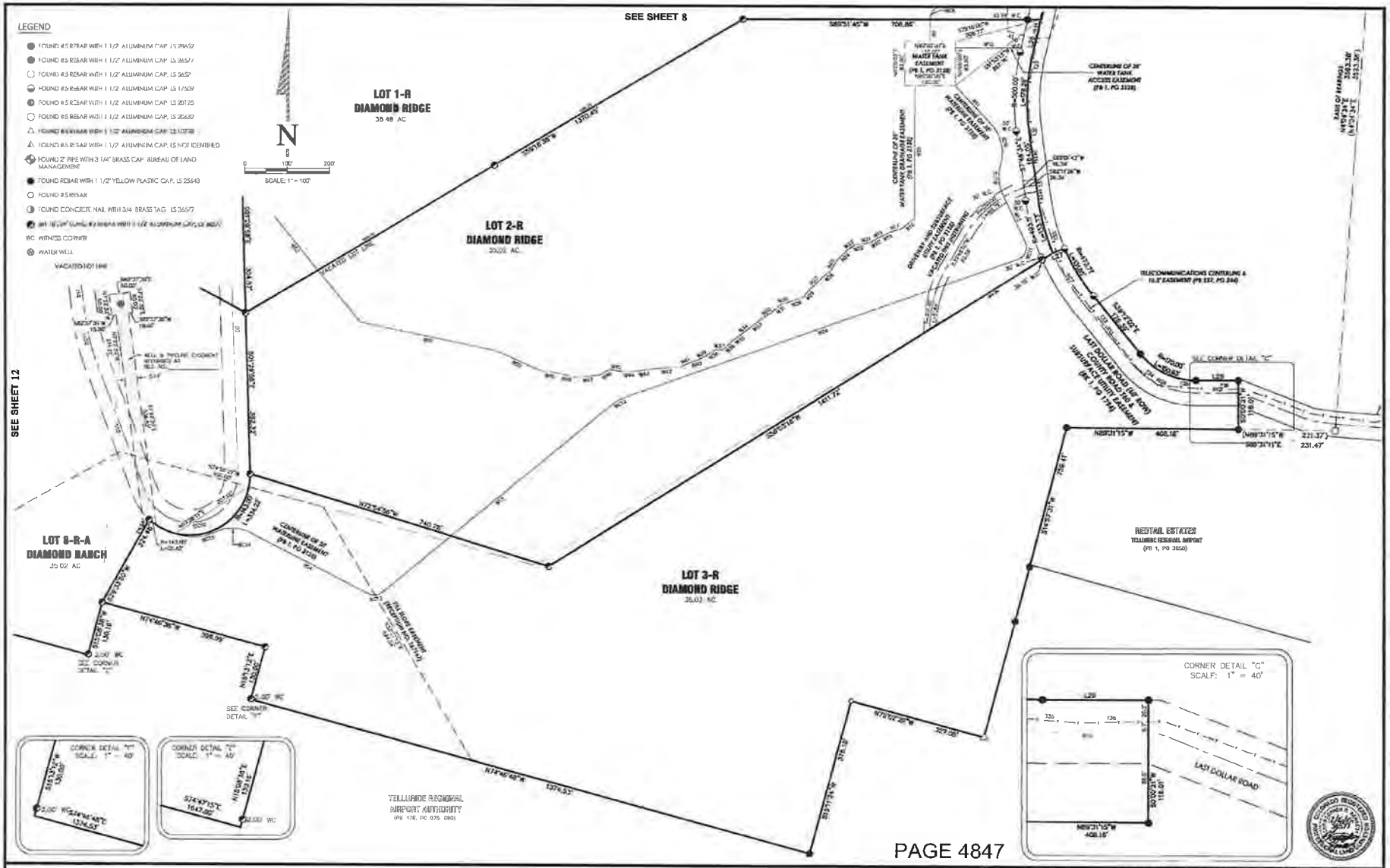
PAGE 4846

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

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SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

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JOB:	16008
DRAWN BY:	ADM
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REVISION:	
DATE:	
SHEET:	12 OF 14



REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. Together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 1128 (970) 728 0301 fax
office@sanjuansurveying.net

DATE:	12/13/2016
JOB:	16088
DRAWN BY:	ADM
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REVISION DATES:	
SHEET:	13 OF 14

EXISTING DITCH CENTERLINE AND SUBSURFACE UTILITY EASEMENT LINE TABLE (PB 1, PG 1794)

LINE TABLE		
LINE #	BEARING	DISTANCE
A1	N76°40'42"W	99.97
A2	N00°23'13"W	126.63
A3	N03°32'42"W	81.42
A4	N03°32'42"W	38.18
A5	N11°16'41"W	124.06
A6	N05°49'11"W	66.37
A7	N02°45'36"W	63.14
A8	N12°03'13"W	94.25
A9	N20°30'53"W	37.68
A10	N28°20'20"W	54.43

LINE TABLE		
LINE #	BEARING	DISTANCE
A11	S53°23'33"W	24.84
A12	S64°08'37"W	141.26
A13	N48°50'58"W	93.97
A14	N69°42'41"W	52.22
A15	S89°51'20"W	127.36
A16	S83°18'21"W	69.83
A17	S85°39'54"W	131.53
A18	N78°22'37"W	117.40
A19	N61°59'01"W	123.35
A20	S82°51'52"W	77.24

TELECOMMUNICATIONS CENTERLINE EASEMENT LINE TABLE (PB 557, PG 244)

LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S12°59'04"W	6.10
T2	S38°51'19"W	121.90
T3	S40°01'16"W	179.30
T4	S29°22'27"W	85.91
T5	S20°06'53"W	112.44
T6	N15°20'27"W	103.14
T7	S21°14'53"W	124.42
T8	S21°18'28"W	76.56
T9	S16°48'25"W	94.96
T10	S13°08'26"W	66.74
T11	S04°31'31"E	88.88
T12	S18°32'03"E	94.50
T13	S24°23'00"E	97.07
T14	S27°17'43"E	80.98
T15	S38°09'28"E	102.96
T16	S42°02'38"E	151.95
T17	S46°44'36"E	114.83
T18	S81°38'42"E	97.36

LINE TABLE		
LINE #	BEARING	DISTANCE
T19	S75°21'38"E	112.44
T20	S72°52'24"E	105.74
T21	N43°49'18"E	37.06
T22	N11°34'39"E	157.60
T23	N03°04'35"W	106.78
T24	N10°31'53"E	84.72
T25	N27°37'28"E	68.59
T26	N54°07'53"E	66.84
T27	S76°52'58"E	17.74
T28	S13°05'14"W	271.62
T29	S09°27'55"W	128.18
T30	S05°44'35"E	177.34
T31	S07°53'29"E	70.43
T32	S18°59'56"E	189.79
T33	S38°02'41"E	277.98
T34	S57°05'18"E	66.10
T35	S85°39'52"E	123.94
T36	N85°54'12"E	87.37

SUBSURFACE UTILITY EASEMENT LINE AND CURVE TABLE (PB 1, PG 3128)

LINE TABLE		
LINE #	BEARING	DISTANCE
U1	N45°59'27"W	53.71
U2	N64°40'56"W	56.11
U3	N78°21'09"W	268.02
U4	N77°11'28"W	90.47
U5	N61°03'20"W	39.04
U6	N32°29'40"E	42.74
U7	S82°20'13"W	222.10

WATERLINE AND WATER TANK EASEMENTS LINE AND CURVE TABLE (PB 1, PG 3128)

LINE TABLE		
LINE #	BEARING	DISTANCE
W1	S09°09'21"W	3.07
W2	S29°59'39"E	61.03
W3	S37°06'52"E	365.44
W4	S25°23'01"E	444.91
W5	S30°03'31"E	425.16
W6	N89°53'00"E	101.81
W7	S37°19'13"E	316.37
W8	S36°32'16"E	124.70
W9	S01°11'03"E	55.03
W10	N90°00'00"E	165.77
W11	S44°21'21"E	135.00
W12	S25°43'09"E	121.96
W13	S52°44'58"E	705.30
W14	N82°51'02"W	213.44
W15	S00°00'00"E	316.19
W16	S33°49'28"E	90.81
W17	S74°03'58"E	77.61
W18	S81°47'09"E	21.25
W19	S12°59'04"W	16.10
W20	S15°20'27"W	103.14
W21	S27°17'43"E	80.98
W22	S38°09'28"E	102.96
W23	S42°02'38"E	151.95
W24	S46°44'36"E	114.83
W25	S81°38'42"E	97.36
W26	S12°59'04"W	6.10
W27	S75°21'38"E	112.44
W28	S72°52'24"E	105.74
W29	S43°49'18"E	37.06
W30	S11°34'39"E	157.60
W31	S03°04'35"W	106.78
W32	S10°31'53"E	84.72
W33	S27°37'28"E	68.59
W34	S54°07'53"E	66.84
W35	S76°52'58"E	17.74
W36	S13°05'14"W	271.62

LINE TABLE		
LINE #	BEARING	DISTANCE
W37	N90°00'00"E	14.01
W38	S89°03'21"W	23.17
W39	S56°01'21"W	22.17
W40	S71°18'46"W	19.85
W41	S55°14'20"W	24.79
W42	S80°32'00"W	70.57
W43	S81°28'55"W	18.45
W44	N90°00'00"W	30.42
W45	N62°17'47"W	32.54
W46	S57°32'56"W	24.78
W47	S84°00'20"W	61.72
W48	N72°16'02"W	33.80
W49	N81°07'54"W	48.92
W50	N65°39'45"W	114.84
W51	N79°00'31"W	228.04
W52	S89°03'31"W	166.62
W53	N27°07'20"W	198.42
W54	N42°29'14"W	50.62
W55	N34°43'45"W	14.50
W56	N21°17'34"W	52.34
W57	N24°13'53"W	28.21
W58	N20°10'53"W	33.60
W59	N35°35'52"W	28.42
W60	N41°08'58"W	9.21
W61	S49°01'22"W	8.13
W62	N66°08'36"W	7.62
W63	S86°47'37"W	16.22
W64	N82°15'14"W	12.43
W65	N71°40'29"W	42.22
W66	N76°53'45"W	58.90
W67	N79°20'15"W	45.67
W68	N86°25'19"W	79.72
W69	N84°45'28"W	28.84
W70	N86°20'42"W	22.69
W71	S89°37'47"W	22.08
W72	S83°54'30"W	65.64
W73	S86°12'48"W	126.88

LINE TABLE		
LINE #	BEARING	DISTANCE
W74	S87°35'25"W	16.34
W75	N86°01'13"W	132.61
W76	N82°41'54"W	44.04
W77	N89°20'10"W	30.33
W78	N44°17'13"W	21.13
W79	N78°06'10"W	21.80
W80	N71°43'56"E	23.50
W81	N70°07'29"W	29.39
W82	N63°45'10"W	33.94
W83	N57°04'11"W	44.20
W84	N39°05'05"W	18.39
W85	N60°04'40"W	23.02
W86	N44°53'03"W	18.63
W87	N39°05'58"W	45.98
W88	N31°13'41"W	38.84
W89	N28°53'32"W	58.54
W90	N20°38'10"W	50.24
W91	N14°29'19"W	26.70
W92	N1°16'50"W	12.88
W93	N25°51'49"W	38.65
W94	N28°52'12"W	18.50
W95	N39°09'25"W	17.32
W96	N43°39'13"W	11.69
W97	N57°47'07"W	41.57
W98	N32°21'44"W	9.71
W99	N41°11'20"W	9.12
W100	N39°18'32"W	8.78
W101	N21°25'31"W	6.39
W102	N10°03'09"W	10.00
W103	N34°26'11"W	8.67
W104	N30°04'45"W	25.74
W105	N31°09'25"W	17.46
W106	N14°47'09"W	11.26
W107	N30°56'11"W	8.56
W108	N13°28'54"W	2.90
W109	N04°50'07"E	16.54
W110	N25°20'41"E	10.70

LINE TABLE		
LINE #	BEARING	DISTANCE
W111	N06°32'24"W	8.50
W112	N24°54'10"W	8.37
W113	N44°56'46"W	33.70
W114	N34°44'43"W	28.13
W115	N36°09'37"W	13.07
W116	N30°01'50"W	12.31
W117	N49°27'46"W	6.18
W118	N59°45'54"W	22.69
W119	N28°17'29"W	28.38
W120	N31°30'58"W	12.73
W121	N39°09'04"W	17.60
W122	N30°29'37"W	14.33
W123	N18°59'50"W	17.06
W124	N66°30'26"W	30.63
W125	N83°06'21"W	18.62
W126	N59°08'50"W	24.38
W127	N01°16'06"E	11.73
W128	N41°38'15"W	8.09
W129	N73°06'21"W	27.58
W130	N21°16'56"W	10.12
W131	N36°39'10"W	11.01
W132	N15°09'46"W	50.46
W133	N47°41'14"W	60.30
W134	N47°33'14"W	38.56
W135	N32°39'55"W	90.90
W136	N54°34'08"W	42.50
W137	N66°46'04"W	127.64
W138	N60°58'25"W	28.24
W139	N41°16'17"W	12.76
W140	N36°06'38"W	62.15
W141	N39°37'54"W	21.37
W142	N50°23'41"E	50.00
W143	N39°22'19"E	100.00
W144	S50°37'41"E	50.00

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
WC1	18.85	30.00	35°58'39"	S08°24'49"E	18.55
WC2	10.78	100.00	6°10'53"	S24°01'26"E	10.78
WC3	45.97	50.00	52°40'43"	S05°46'31"E	44.37
WC4	44.31	50.00	50°46'32"	S04°45'56"E	42.88
WC5	50.38	50.00	57°43'29"	S61°06'18"E	48.30
WC6	28.62	50.00	32°47'46"	S73°43'10"E	28.23
WC7	43.14	30.00	82°22'29"	S30°23'39"E	39.53
WC8	16.91	30.00	32°17'12"	S18°51'29"W	16.69
WC9	106.14	100.00	58°40'12"	S13°31'15"E	101.56
WC10	73.53	100.00	42°08'07"	S04°41'37"E	71.90
WC11	50.37	50.00	96°17'53"	S23°24'40"W	44.60
WC12	34.48	100.00	19°45'29"	S80°23'42"W	34.31
WC13	31.72	30.00	60°34'00"	S63°36'38"W	30.26
WC14	90.40	100.00	51°48'47"	N85°48'25"W	87.43
WC15	90.48	100.00	44°49'33"	S67°43'08"W	88.06

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
WC16	18.85	30.00	35°58'39"	S08°24'49"E	18.55
WC17	10.78	100.00	6°10'53"	S24°01'26"E	10.78
WC18	45.97	50.00	52°40'43"	S05°46'31"E	44.37
WC19	44.31	50.00	50°46'32"	S04°45'56"E	42.88
WC20	50.38	50.00	57°43'29"	S61°06'18"E	48.30
WC21	28.62	50.00	32°47'46"	S73°43'10"E	28.23
WC22	43.14	30.00	82°22'29"	S30°23'39"E	39.53
WC23	16.91	30.00	32°17'12"	S18°51'29"W	16.69
WC24	106.14	100.00	58°40'12"	S13°31'15"E	101.56
WC25	73.53	100.00	42°08'07"	S04°41'37"E	71.90
WC26	50.37	50.00	96°17'53"	S23°24'40"W	44.60
WC27	34.48	100.00	19°45'29"	S80°23'42"W	34.31
WC28	31.72	30.00	60°34'00"	S63°36'38"W	30.26
WC29	90.40	100.00	51°48'47"	N85°48'25"W	87.43
WC30	90.48	100.00	44°49'33"	S67°43'08"W	88.06

LAST DOLLAR ROAD CENTERLINE LINE AND CURVE TABLE (PB 1 PG 1794)

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N43°32'19"E	202.89
L2	S0°49'31"E	491.33
L3	N28°54'44"E	186.66
L4	N39°36'08"E	207.67
L5	N47°17'43"E	79.53
L6	N52°56'13"E	194.81

LINE TABLE		
LINE #	BEARING	DISTANCE
L7	N78°03'11"E	214.79
L8	S0°49'31"E	49.62
L9	S58°43'12"E	194.66
L10	S14°04'16"W	59.82
L11	S35°37'58"E	176.39
L12	N52°56'13"E	193.12

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
RC1	31.96	100.00	12°15'01"	N33°04'46"E	31.92
RC2	106.83	300.00	20°47'06"	N28°58'45"E	106.23
RC3	137.88	200.00	39°29'56"	N30°09'34"W	135.19
RC4	81.55	250.00	18°41'24"	N30°15'26"W	81.19
RC5	119.34	300.00	22°47'30"	S63°46'33"W	118.55
RC6	123.29	109.40	64°34'15"	S46°21'25"W	116.87
RC7	145.01	500.00	16°36'39"	S31°10'43"E	139.55
RC8	177.56	200.00	50°52'04"	S64°36'03"E	171.79

SUBSTITUTE EASEMENT AGREEMENT LINE AND CURVE TABLE (PB 531, PG837)

LINE TABLE		
LINE #	BEARING	DISTANCE
S1	N45°28'01"E	122.41
S2	N34°21'24"E	23.03
S3	N53°00'34"E	43.26

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
SC1	99.71	536.41	10°38'39"	N40°09'43"E	99.57
SC2	99.16	312.09	18°12'08"	N43°56'00"E	98.79
SC3	64.58	275.58	13°25'51"	N46°15'08"E	64.43

PROPERTY BOUNDARY LINE AND CURVE TABLE

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N0°00'00"E	30.00
L2	N0°00'00"E	69.60
L3	N17°55'51"E	146.76
L4	S89°57'46"E	30.74
L5	N03°40'36"E	103.45
L6	S31°41'26"E	233.31
L7	S0°00'00"W	140.30
L8	S0°00'00"W	44.27
L9	S0°00'00"W	261.70
L10	N34°46'54"W	20.00
L11	S0°00'00"W	50.00
L12	S34°46'54"E	30.00
L13	N55°13'06"E	50.00
L14	N34°46'54"W	30.00
L15	N0°00'00"E	40.84

LINE TABLE		
LINE #	BEARING	DISTANCE
L16	N0°00'00"E	111.44
L17	N0°00'00"E	234.64
L18	N0°00'00"E	93.34
L19	N89°27'14"E	70.46
L20	N0°00'00"E	99.91
L21	N0°00'00"E	63.50
L22	N0°00'00"E	99.29
L23	N0°00'00"E	113.89
L24	N0°00'00"E	45.49
L25	N0°00'00"E	111.39
L26	N0°00'00"E	98.30
L27	N0°00'00"E	80.54
L28	N0°00'00"E	100.77

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	77.09	75.41	58°34'16"	N41°52'16"E	74.08
C2	151.67	224.69	38°39'56"	S81°09'16"E	148.68
C3	106.19	125.00	48°39'29"	N44°07'37"E	103.02
C4	41.20	200.00	11°47'47"	S34°07'28"E	214.00
C5	75.09	75.00	57°22'02"	S31°47'59"E	72.00
C6	78.87	125.00	36°08'49"	N34°48'25"E	77.58
C7	68.62	100.00	39°18'40"	N39°53'26"E	67.30

DIAMOND RANCH ROAD CENTERLINE LINE AND CURVE TABLE (PB 1, PG 3128)

LINE TABLE		
LINE #	BEARING	DISTANCE
D1	S31°41'29"E	200.99
D2	S73°05'56"W	147.34
D3	S15°09'17"W	278.40
D4	S82°46'26"W	341.29
D5	S85°28'32"W	83.91
D6	S43°28'00"W	616.71
D7	S16°53'02"E	211.41

LINE TABLE		
LINE #	BEARING	DISTANCE
D8	S52°37'48"E	533.92
D9	S01°29'58"E	686.89
D10	N20°28'53"W	327.44
D11	N06°48'29"W	98.04
D12	S73°47'26"W	216.00
D13	N89°31'31"W	146.29
D14	N80°17'35"W	364.03

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
DC1	187.13	115.00	93°14'00"	S14°55'31"W	167.16
DC2	81.45	50.00	104°07'25"	S20°42'14"W	79.22
DC3	151.70	150.00	57°56'39"	S44°07'37"W	145.32
DC4	100.32	85.00	67°37'09"	S48°57'52"W	94.59
DC5	226.43	750.00	17°17'54"	S74°07'29"W	225.58
DC6	157.03	380.00	24°59'33"	S52°58'46"W	155.79
DC7	106.13	105.00	57°22'02"	S31°47'59"W	100.76
DC8	93.58	150.00	35°44'46"	S34°45'25"E	92.07
DC9	513.13	575.00	51°07'51"	S27°03'53"E	496.27
DC10	317.57	115.00	158°16'25"	S79°00'45"W	222.91
DC11	119.27	500.00	13°40'03"	N13°38'31"W	118.99
DC12	180.64	110.00	89°04'05"	N56°30'33"W	162.79
DC13	123.23	175.00	40°20'43"	N86°02'13"W	120.70
DC14	136.84	400.00	19°25'44"	N75°54'45"W	134.89

PAGE 4848

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
1222 SOUTH 1ST ST. TELLURIDE, CO. 81435
(970) 728-1128 (970) 728-2201 fax
office@sanjuansurveying.net

DATE: 12/13/2016
JOB: 940.09
DRAWN BY: ADW
CHECKED BY: CRM
REVISION DATES:
SHEET: 14 OF 14

DISCLOSURE AND PROOF OF OWNERSHIP
SMCLUC SECTION 4-204

CONTENTS

Disclosure and Proof of Ownership (SMCLUC 4-204)	EXHIBIT E – TitleCommitment.PDF	Title Commitment for properties, transaction costs redacted.
	EXHIBIT E1 – Mineral Interests Letter.PDF	Letter regarding mineral interests related to the property.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT E

Land Title Guarantee Company
Customer Distribution

PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Order Number: **ABS86012570-2** Date: **02/28/2022**

Property Address: **(VACANT - LOTS 1RA, 2R AND 3R) LAST DOLLAR ROAD, TELLURIDE, CO 81435**

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

For Closing Assistance
Rob n Watk nson
191 S PINE ST #1C
TELLURIDE, CO 81435
PO BOX 277
(970) 728-1023 (Work)
(877) 348-5414 (Work Fax)
rwatkinson@ltgc.com
Contact L cense: CO338561
Company L cense: CO44565

Closing Associate
L ndsey Murray
191 S PINE ST #1C
TELLURIDE, CO 81435
PO BOX 277
(970) 609-0104 (Work)
(800) 315-9706 (Work Fax)
lmurray@ltgc.com
Contact L cense: CO500065
Company L cense: CO44565

Closers Assistant
Gay ene Anderson
191 S PINE ST #1C
TELLURIDE, CO 81435
PO BOX 277
(970) 728-1023 (Work)
(877) 348-5414 (Work Fax)
ganderson@ltgc.com
Contact L cense: CO380183
Company L cense: CO44565

Closing Processor
A ysha Dan e
191 S PINE ST #1C
TELLURIDE, CO 81435
PO BOX 277
(970) 728-1023 (Work)
(877) 348-5414 (Work Fax)
adaniel@ltgc.com
Company L cense: CO44565

Closing Processor
Jack e Kennef ck
191 S PINE ST #1C
TELLURIDE, CO 81435
PO BOX 277
(970) 728-1023 (Work)
(877) 348-5414 (Work Fax)
jkennefick@ltgc.com
Company L cense: CO44565

For Title Assistance
George R etsch
5975 GREENWOOD PLAZA BLVD
GREENWOOD VILLAGE, CO 80111
(303) 850-4151 (Work)
grietsch@ltgc.com

Buyer/Borrower
TOWN OF TELLURIDE
Attent on: LANCE MCDONALD
De vered v a: E ectron c Ma

Attorney for Buyer
TOWN OF TELLURIDE
Attent on: KEVIN GEIGER
PO BOX 397
113 W COLUMBIA AVE
TELLURIDE, CO 81435
(970) 728-3164 (Work)
(970) 728-3078 (Work Fax)
kge ger@te ur de-co.gov
De vered v a: E ectron c Ma

Seller/Owner
DIAMOND RIDGE TELLURIDE LLC
Attent on: JACK VICKERS
De vered v a: E ectron c Ma

LAND TITLE GUARANTEE COMPANY
Attent on: ROBIN WATKINSON
191 S PINE ST #1C
PO BOX 277
TELLURIDE, CO 81435
(970) 728-1023 (Work)
(970) 728-5079 (Work Fax)
rwatk nson@ tgc.com
De vered v a: E ectron c Ma

Land Title Guarantee Company
Estimate of Title Fees

Order Number: **ABS86012570-2** Date: **02/28/2022**

Property Address: **(VACANT - LOTS 1RA, 2R AND 3R) LAST DOLLAR ROAD, TELLURIDE, CO 81435**

Part es: **TOWN OF TELLURIDE, COLORADO AND SAN MIGUEL COUNTY, COLORADO**

DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY

V s Land T e's Webs e a **www.ltgc.com** for d rec ons o any of our off ces

Estimate of Title insurance Fees	
"ALTA" Owner's Po cy 06-17-06 Bu der/Deve oper Rate	[redacted]
De et on of Standard Except on(s)	[redacted]
Endorsement Patent-06	[redacted]
Tax Cert f cate (3)	[redacted]
	[redacted]
If Land T t e Guarantee Company w be c os ng th s transact on, the fees sted above w be co ected at c os ng.	
Thank you for your order!	

Note: The documents nked n th s comm tment shou d be rev ewed carefu y. These documents, such as covenants cond t ons and restr ct ons, may affect the t t e, ownersh p and use of the property. You may w sh to engage ega ass stance n order to fu y understand and be aware of the mp cat ons of the effect of these documents on your property.

Chain of Title Documents:

San Miguel county recorded 05/01/2017 under reception no. 448295

San Miguel county recorded 05/01/2017 under reception no. 448294

San Miguel county recorded 05/01/2017 under reception no. 448292

San Miguel county recorded 12/27/2016 under reception no. 445657

San Miguel county recorded 12/21/2016 under reception no. 445577

San Miguel county recorded 12/21/2016 under reception no. 445561

San Miguel county recorded 12/21/2016 under reception no. 445560

San Miguel county recorded 12/21/2016 under reception no. 445559

San Miguel county recorded 12/21/2016 under reception no. 445557

San Miguel county recorded 07/15/2009 under reception no. 407856

San Miguel county recorded 07/15/2009 under reception no. 407855

San Miguel county recorded 09/10/2008 under reception no. 403672

San Miguel county recorded 05/01/2008 under reception no. 401280

Plat Map(s):

San Miguel county recorded 05/01/2017 under reception no. 448285 at book 1 page 4918

San Miguel county recorded 12/21/2016 under reception no. 445551 at book 1 page 4835

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule A

Order Number: ABS86012570-2

Property Address:

(VACANT - LOTS 1RA, 2R AND 3R) LAST DOLLAR ROAD, TELLURIDE, CO 81435

1. **Effective Date:**

   01/20/2022 at 5:00 P.M.

2. **Policy to be Issued and Proposed Insured:**

   "ALTA" Owner's Po cy 06-17-06 Bu der/Deve oper Rate [redacted]
   Proposed Insured:
   TOWN OF TELLURIDE, COLORADO AND SAN MIGUEL
   COUNTY, COLORADO

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

   A FEE SIMPLE

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

   DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY

5. **The Land referred to in this Commitment is described as follows:**

   LOTS 1-R-A, DIAMOND RIDGE, ACCORDING TO THE SUBDIVISION EXEMPTION FOR A LOT LINE ADJUSTMENT FOR LOT 1-R-A, DIAMOND RIDGE AND LOT 1-R, DEEP CREEK RANCH RECORDED MAY 1, 2017 IN PLAT BOOK 1 AT PAGE 4918, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

   LOTS 2-R AND 3-R, DIAMOND RIDGE, ACCORDING TO THE REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R, DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R, DIAMOND RIDGE RECORDED DECEMBER 21, 2016 IN PLAT BOOK 1 AT PAGE 4835, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

Copyr ght 2006-2022 Amer can Land T t e Assoc at on. A r ghts reserved.

The use of th s Form s restr cted to ALTA censees and ALTA members n good stand ng as of the date of use. A other uses are proh b ted. Repr nted under cense from the Amer can Land T t e Assoc at on.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABS86012570-2

All of the following Requirements must be met:

This proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.

Pay the agreed amount for the estate or interest to be insured.

Pay the premiums, fees, and charges for the Policy to the Company.

Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

NOTE: THE ISSUANCE OF THE POLICIES AND/OR ENDORSEMENTS REFERENCED IN THIS COMMITMENT ARE SUBJECT TO THE APPROVAL OF THE UNDERWRITER OF SAID POLICIES AND/OR ENDORSEMENTS. THIS COMMITMENT MAY BE REVISED AS REQUIRED BY THE UNDERWRITER TO ISSUE THE POLICIES AND/OR ENDORSEMENTS REQUESTED. THIS NOTE WILL BE DELETED UPON THE RECEIPT OF SAID APPROVAL.

1. PROVIDE LAND TITLE GUARANTEE COMPANY WITH A CURRENT IMPROVEMENT LOCATION CERTIFICATE OF SUBJECT PROPERTY. THIS REQUIREMENT IS NECESSARY TO DELETE STANDARD EXCEPTIONS 1 THROUGH 3. UPON REVIEW, ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS MAY BE NECESSARY.

   NOTE: ANY MATTERS DISCLOSED BY SAID IMPROVEMENT LOCATION CERTIFICATE WILL BE REFLECTED ON SAID POLICY(S) TO BE ISSUED HEREUNDER.

   NOTE: LAND TITLE IS NOT RESPONSIBLE FOR ORDERING SAID IMPROVEMENT LOCATION CERTIFICATE.

2. RELEASE OF DEED OF TRUST DATED JUNE 14, 2004 FROM DIAMOND RANCH, LLC, A COLORADO LIMITED LIABILITY COMPANY TO THE PUBLIC TRUSTEE OF SAN MIGUEL COUNTY FOR THE USE OF COMMUNITY BANKS OF COLORADO TO SECURE THE SUM OF $8,000,000.00 RECORDED JULY 08, 2004, UNDER RECEPTION NO. **367553**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED JUNE 16, 2006 UNDER RECEPTION NO. **384836**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED AUGUST 21, 2007 UNDER RECEPTION NO. **395887**.

   MODIFICAITON AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED JULY 15, 2009 UNDER RECEPTION NO. **407858**.

   SAID DEED OF TRUST WAS ASSIGNED TO COMMUNITY BANKS OF COLORADO, A DIVISION OF NBH BANK, N.A. IN ASSIGNMENT RECORDED AUGUST 30, 2012 UNDER RECEPTION NO. **424478**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED DECEMBER 01, 2014 UNDER RECEPTION NO. **435474**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED DECEMBER 01, 2014 UNDER RECEPTION NO. **435475**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED AUGUST 19, 2015 UNDER RECEPTION NO. **438926**.

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445578**.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABS86012570-2

All of the following Requirements must be met:

MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED MAY 01, 2017 UNDER RECEPTION NO. **448293**.

3. RELEASE OF DEED OF TRUST DATED MARCH 04, 2020 FROM DIAMOND RIDGE TELLURIDE, LLC TO THE PUBLIC TRUSTEE OF SAN MIGUEL COUNTY FOR THE USE OF ARNOLD WHITMAN TO SECURE THE SUM OF $1,200,000.00 RECORDED FEBRUARY 08, 2021, UNDER RECEPTION NO. **468248**.

4. WRITTEN CONFIRMATION THAT THE INFORMATION CONTAINED IN STATEMENT OF AUTHORITY FOR DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY RECORDED MAY 1, 2017 AT RECEPTION NO. **448284** IS CURRENT.

   NOTE: SAID INSTRUMENT DISCLOSES JAMES C. WORTH AND/OR JACK A. VICKER, III AS THE MANAGERS AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF SAID ENTITY. IF THIS INFORMATION IS NOT ACCURATE, A CURRENT STATEMENT OF AUTHORITY MUST BE RECORDED.

5. CERTIFIED COPY OF RESOLUTION OF THE GOVERNING BOARD OF THE TOWN OF TELLURIDE AUTHORIZING THE ACQUISITION OF THE SUBJECT PROPERTY AND THE EXECUTION OF NECESSARY DOCUMENTS.

6. CERTIFIED COPY OF RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SAN MIGUEL AUTHORIZING THE ACQUISITION OF THE SUBJECT PROPERTY AND THE EXECUTION OF NECESSARY DOCUMENTS.

7. WARRANTY DEED FROM DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY TO TOWN OF TELLURIDE, COLORADO AND SAN MIGUEL COUNTY, COLORADO CONVEYING SUBJECT PROPERTY.

8. EVIDENCE SATISFACTORY TO THE COMPANY THAT THE TERMS, CONDITIONS AND PROVISIONS OF THE REAL ESTATE TRANSFER ASSESSMENT IN THE AMOUNT OF 3/4 OF 1% AS SET FORTH IN AGREEMENTS REGARDING ALDASORO PLANNED UNIT DEVELOPMENT APPROVAL IN SECTION 4.1.1. OF INSTRUMENT RECORDED FEBRUARY 8, 1991 IN BOOK 474 AT PAGE **850** AND IN SECTION 3 OF THE INSTRUMENT RECORDED SEPTEMBER 25, 2000 UNDER RECEPTION NO. **336895** HAS BEEN SATISFIED.

   NOTE: THE COMMITMENT DOES NOT REFLECT THE STATUS OF TITLE TO WATER RIGHTS OR REPRESENTATION OF SAID RIGHTS.

   REQUIREMENTS TO DELETE THE PRE-PRINTED EXCEPTIONS IN THE OWNER'S POLICY TO BE ISSUED

   A. UPON RECEIPT BY THE COMPANY OF A SATISFACTORY FINAL AFFIDAVIT AND AGREEMENT FROM THE SELLER AND PROPOSED INSURED, AND AN IMPROVEMENT LOCATION CERTIFICATE OF THE LAND, ITEMS 1-4 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED. ANY ADVERSE MATTERS DISCLOSED BY THE FINAL AFFIDAVIT AND AGREEMENT AND IMPROVEMENT LOCATION CERTIFICATE WILL BE ADDED AS EXCEPTIONS.

   B. IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTIONS AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH, ITEM 5 OF THE PRE-PRINTED EXCEPTIONS WILL BE DELETED.

   C. UPON RECEIPT OF PROOF OF PAYMENT OF ALL PRIOR YEARS' TAXES AND ASSESSMENTS, ITEM 6 OF THE PRE-PRINTED EXCEPTIONS WILL BE AMENDED TO READ:

   TAXES AND ASSESSMENTS FOR THE YEAR 2022 AND SUBSEQUENT YEARS.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part I

(Requirements)

Order Number: ABS86012570-2

All of the following Requirements must be met:

NOTE: ITEM 8 UNDER SCHEDULE B-2 WILL BE DELETED UPON PROOF FROM THE OWNER STATING THERE ARE NO LEASES OR TENANTS ON SUBJECT PROPERTY.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: ABS86012570 2

This commitment does not republish any covenants, condition, restriction, or limitation contained in any document referred to in this commitment to the extent that the specific covenant, conditions, restriction, or limitation violates state or federal law based on race, color, religion, sex, sexual orientation, gender identity, handicap, familial status, or national origin.

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**
2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**
3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**
4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**
5. **Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**
6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**
7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**
8. LEASES AND TENANCIES, IF ANY.
9. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED OCTOBER 24, 1899 IN BOOK 78 AT PAGE **378**.
10. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED JANUARY 22, 1900 IN BOOK 78 AT PAGE **403**.
11. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED NOVEMBER 20, 1900 IN BOOK 78 AT PAGE **473**.

ALTA COMMITMENT

Old Republic National Title Insurance Company

Schedule B, Part II

(Exceptions)

Order Number: ABS86012570 2

12. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED DECEMBER 02, 1904 IN BOOK 99 AT PAGE 7.

13. RIGHT OF THE PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES HEREBY GRANTED, AND A RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES, AS RESERVED IN UNITED STATES PATENT RECORDED JANUARY 30, 1905 UNDER RECEPTION NO. 35236.
(BOOK 99 AT PAGE 9)

14. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLAT OF CORRALS AT DEEP CREEK RECORDED JANUARY 11, 1995 IN PLAT BOOK 1 AT PAGE 1794.

15. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS RECORDED FEBRUARY 08, 1991 IN BOOK 474 AT PAGE 850. FIRST AMENDMENT RECORDED MARCH 21, 1991 IN BOOK 475 AT PAGE 860, AND AGREEMENT REGARDING ALDASORO PUD AGREEMENT RECORDED SEPTEMBER 25, 2000 UNDER RECEPTION NO. 336895.

16. RIGHT OF WAY EASEMENT AS GRANTED TO US WEST COMMUNICATIONS IN INSTRUMENT RECORDED FEBRUARY 13, 1996, IN BOOK 557 AT PAGE 244.

17. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED RECORDED JULY 28, 1997 IN BOOK 584 AT PAGE 396.

18. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED RECORDED MARCH 09, 1998 AT RECEPTION NO. 317402.

19. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED RECORDED JANUARY 28, 1999 AT RECEPTION NO. 323927.

20. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT DEED RECORDED SEPTEMBER 25, 2000 AT RECEPTION NO. 336894.

21. TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF PURCHASE CONTRACT PROVISION RECORDED SEPTEMBER 25, 2000 AT RECEPTION NO. 336898.

22. TERMS, CONDITIONS AND PROVISIONS OF TEMPORARY ACCESS EASEMENT RECORDED OCTOBER 10, 2000 UNDER RECEPTION NO. 337229.

23. TERMS, CONDITIONS AND PROVISIONS OF TEMPORARY ACCESS EASEMENT RECORDED JUNE 14, 2001 UNDER RECEPTION NO. 341977.

24. TERMS, CONDITIONS AND PROVISIONS OF WATER INFRASTRUCTURE AGREEMENT AND GRANT OF EASEMENT RECORDED AUGUST 24, 2001 AT RECEPTION NO. 343411.

25. TERMS, CONDITIONS AND PROVISIONS OF WELL SHARING AGREEMENT RECORDED AUGUST 24, 2001 AT RECEPTION NO. 343412.

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26. TERMS, CONDITIONS AND PROVISIONS OF NON-EXCLUSIVE EASEMENT FOR UNDERGROUND POWER LINE AND RELATED FACILITIES RECORDED AUGUST 14, 2002 AT RECEPTION NO. **350886**.

27. TERMS, CONDITIONS AND PROVISIONS OF EASEMENT AGREEMENT RECORDED JUNE 13, 2005 AT RECEPTION NO. **375445**.

28. EASEMENTS, CONDITIONS, COVENANTS, RESTRICTIONS, RESERVATIONS AND NOTES ON THE PLATS OF:
#1 - DIAMOND RANCH RECORDED APRIL 21, 2003 IN PLAT BOOK 1 AT PAGE **3128** AS AMENDED BY VACATION OF EASEMENT (ENTRY AND LANDSCAPE EASEMENT) RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445550**;
#2 - REPLAT SURVEY LOT 5, DIAMOND RANCH, PARCEL B, THE CORRALS AT DEEP CREEK MESA & "TRACT ON LAST DOLLAR ROAD, CO" RECORDED DECEMBER 1, 2008 IN PLAT BOOK 1 AT PAGE **4031**;
#3 - REPLAT SURVEY LOTS 5-R, 6, 7, 8 & 10, DIAMOND RANCH AND THE COMMUNITY MAP OF DIAMOND RIDGE RECORDED MARCH 12, 2009 IN PLAT BOOK 1 AT PAGE **4166** AS AMENDED BY VACATION OF EASEMENT (DRIVEWAY & SUBSURFACE UTILITY EASEMENT) RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445549**;
#4 - REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R DIAMOND RIDGE RECORDED DECEMBER 21, 2016 IN PLAT BOOK 1 AT PAGE **4835** AND CONSENTS RECORDED DECEMBER 21, 2016 UNDER RECEPTION NOS. **445552**, **445553**, **445554** AND **445555**; AND
#5 - SUBDIVISION EXEMPTION PLAT FOR A LOT LINE ADJUSTMENT OF LOT 1-R-A, DIAMOND RIDGE AND LOT 1-R, DEEP CREEK RANCH RECORDED MAY 1, 2017 IN PLAT BOOK 1 AT PAGE **4918** AND CONSENTS RECORDED MAY 1, 2017 UNDER RECEPTION NOS. **448286**, **448287**, **448288**, **448289** AND **448290**.

29. TERMS, CONDITIONS AND PROVISIONS OF GRANT OF EASEMENT RECORDED MAY 01, 2008 UNDER RECEPTION NO. **401281**.

30. TERMS, CONDITIONS AND PROVISIONS OF WATER SYSTEM EASEMENT AGREEMENT RECORDED JANUARY 05, 2016 AT RECEPTION NO. **440877**.

31. TERMS, CONDITIONS AND PROVISIONS OF MEMORANDUM OF AGREEMENT RECORDED JANUARY 05, 2016 AT RECEPTION NO. **440881**.

32. TERMS, CONDITIONS AND PROVISIONS OF CLOSING AGREEMENT REGARDING WATER MATTERS RECORDED JANUARY 05, 2016 AT RECEPTION NO. **440883**.

33. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ACCESS EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445568** AND CORRECTIVE AFFIDAVIT RECORDED APRIL 14, 2017 UNDER RECEPTION NO. **448078**.

    SECURITY INTEREST HOLDER'S AUTHORIZATION AND CONSENT TO EASEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445575**.

34. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ACCESS EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445569**.

35. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN PIPELINE EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445570**.

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36. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN LANDSCAPE AND ENTRY EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445571**.

37. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN DECLARATION OF ENTRY AND LANDSCAPE EASEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445572**.

    AUTHORIZATION AND CONSENT TO EASEMENTS RECORDED MAY 4, 2017 UNDER RECEPTION NO. **448375**.

38. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN ENTRY AND LANDSCAPE EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445573**.

    SECURITY INTEREST HOLDER'S AUTHORIZATION AND CONSENT TO EASEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445575**.

39. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN WELL AND PIPELINE EASEMENT AGREEMENT RECORDED DECEMBER 21, 2016 UNDER RECEPTION NO. **445574**.

    AUTHORIZATION AND CONSENT TO EASEMENT RECORDED MAY 4, 2017 UNDER RECEPTION NO. **448375**.

40. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN RESOLUTION 2017-05 GRANTING A SUBDIVISION EXEMPTION FOR A LOT LINE ADJUSTMENT FOR LOT 1, DEEP CREEK AND AND LOT 1-R, DIAMOND RIDGE RECORDED MAY 02, 2017 UNDER RECEPTION NO. **448321**.

41. ANY RIGHTS OR INTERESTS OF THIRD PARTIES WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE RIGHT OF WAY OF LAST DOLLAR ROAD (COUNTY ROAD #T60) OR DIAMOND RANCH ROAD AS DISCLOSED ON THE PLATS OF SAID SUBDIVISION AND ON THE COUNTY ASSESSOR'S MAP, IMAGE **27124097**.

LAND TITLE GUARANTEE COMPANY
DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

(A) The Subject rea property may be ocated n a spec a tax ng d str ct.

(B) A cert f cate of taxes due st ng each tax ng jur sd ct on w be obta ned from the county treasurer of the county n wh ch the rea property s ocated or that county treasurer's author zed agent un ess the proposed nsured prov des wr tten nstruct ons to the contrary. (for an Owner's Po cy of T t e Insurance perta n ng to a sa e of res dent a rea property).

(C) The nformat on regard ng spec a d str cts and the boundar es of such d str cts may be obta ned from the Board of County Comm ss oners, the County C erk and Recorder, or the County Assessor.

Note: Effect ve September 1, 1997, CRS 30-10-406 requ res that a documents rece ved for record ng or f ng n the c erk and recorder's off ce sha conta n a top marg n of at east one nch and a eft, r ght and bottom marg n of at east one ha f of an nch. The c erk and recorder may refuse to record or f e any document that does not conform, except that, the requ rement for the top marg n sha not app y to documents us ng forms on wh ch space s prov ded for record ng or f ng nformat on at the top marg n of the document.

Note: Co orado D v s on of Insurance Regu at ons 8-1-2 requ res that "Every t t e ent ty sha be respons b e for a matters wh ch appear of record pr or to the t me of record ng whenever the t t e ent ty conducts the c os ng and s respons b e for record ng or f ng of ega documents resu t ng from the transact on wh ch was c osed". Prov ded that Land T t e Guarantee Company conducts the c os ng of the nsured transact on and s respons b e for record ng the ega documents from the transact on, except on number 5 w not appear on the Owner's T t e Po cy and the Lenders Po cy when ssued.

Note: Aff rmat ve mechan c's en protect on for the Owner may be ava ab e (typ ca y by de et on of Except on no. 4 of Schedu e B, Sect on 2 of the Comm tment from the Owner's Po cy to be ssued) upon comp ance w th the fo ow ng cond t ons:

(A) The and descr bed n Schedu e A of th s comm tment must be a s ng e fam y res dence wh ch nc udes a condom n um or townhouse un t.

(B) No abor or mater a s have been furn shed by mechan cs or mater a -men for purposes of construct on on the and descr bed n Schedu e A of th s Comm tment w th n the past 6 months.

(C) The Company must rece ve an appropr ate aff dav t ndemn fy ng the Company aga nst un-f ed mechan c's and mater a -men's ens.

(D) The Company must rece ve payment of the appropr ate prem um.

(E) If there has been construct on, mprovements or major repa rs undertaken on the property to be purchased w th n s x months pr or to the Date of Comm tment, the requ rements to obta n coverage for unrecorded ens w nc ude: d sc osure of certa n construct on nformat on; f nanc a nformat on as to the se er, the bu der and or the contractor; payment of the appropr ate prem um fu y executed Indemn ty Agreements sat sfactory to the company, and, any add t ona requ rements as may be necessary after an exam nat on of the aforesa d nformat on by the Company.

No coverage w be g ven under any c rcumstances for abor or mater a for wh ch the nsured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, not ce s hereby g ven:

Th s not ce app es to owner's po cy comm tments d sc os ng that a m nera estate has been severed from the surface estate, n Schedu e B-2.

(A) That there s recorded ev dence that a m nera estate has been severed, eased, or otherw se conveyed from the surface estate and that there s substant a ke hood that a th rd party ho ds some or a nterest n o , gas, other m nera s, or geotherma energy n the property; and

(B) That such m nera estate may nc ude the r ght to enter and use the property w thout the surface owner's perm ss on.

Note: Pursuant to CRS 10-1-128(6)(a), It s un awfu to know ng y prov de fa se, ncomp ete, or m s ead ng facts or nformat on to an nsurance company for the purpose of defraud ng or attempt ng to defraud the company. Pena t es may nc ude mpr sonment, f nes, den a of nsurance, and c v damages. Any nsurance company or agent of an nsurance company who know ng y prov des fa se, ncomp ete, or m s ead ng facts or nformat on to a po cyho der or c a mant for the purpose of defraud ng or attempt ng to defraud the po cyho der or c a mant w th regard to a sett ement or award payab e from nsurance proceeds sha be reported to the Co orado D v s on of Insurance w th n the Department of Regu atory Agenc es.

Note: Pursuant to Co orado D v s on of Insurance Regu at ons 8-1-3, not ce s hereby g ven of the ava ab ty of a c os ng protect on etter for the ender, purchaser, essee or se er n connect on w th th s transact on.

Note: Pursuant to CRS 10-1-11(4)(a)(1), Co orado notar es may remote y notar ze rea estate deeds and other documents us ng rea -t me aud o-v deo commun cat on techno ogy. You may choose not to use remote notar zat on for any document.

JOINT NOTICE OF PRIVACY POLICY OF LAND TITLE GUARANTEE COMPANY, LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY LAND TITLE INSURANCE CORPORATION AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Th s Statement s prov ded to you as a customer of Land T t e Guarantee Company as agent for Land T t e Insurance Corporat on and O d Repub c Nat ona T t e Insurance Company.

We want you to know that we recogn ze and respect your pr vacy expectat ons and the requ rements of federa and state pr vacy aws. Informat on secur ty s one of our h ghest pr or t es. We recogn ze that ma nta n ng your trust and conf dence s the bedrock of our bus ness. We ma nta n and regu ar y rev ew nterna and externa safeguards aga nst unauthor zed access to your non-pub c persona nformat on ("Persona Informat on").

In the course of our bus ness, we may co ect Persona Informat on about you from:

- app cat ons or other forms we rece ve from you, nc ud ng commun cat ons sent through TMX, our web-based transact on management system;
- your transact ons w th, or from the serv ces be ng performed by us, our aff ates, or others;
- a consumer report ng agency, f such nformat on s prov ded to us n connect on w th your transact on;

  and
- The pub c records ma nta ned by governmenta ent t es that we obta n e ther d rect y from those ent t es, or from our aff ates and non-aff ates.

Our po c es regard ng the protect on of the conf dent a ty and secur ty of your Persona Informat on are as fo ows:

- We restr ct access to a Persona Informat on about you to those emp oyees who need to know that nformat on n order to prov de products and serv ces to you.
- We may share your Persona Informat on w th aff ated contractors or serv ce prov ders who prov de serv ces n the course of our bus ness, but on y to the extent necessary for these prov ders to perform the r serv ces and to prov de these serv ces to you as may be requ red by your transact on.
- We ma nta n phys ca , e ectron c and procedura safeguards that comp y w th federa standards to protect your Persona Informat on from unauthor zed access or ntrus on.
- Emp oyees who v o ate our str ct po c es and procedures regard ng pr vacy are subject to d sc p nary act on.
- We regu ar y assess secur ty standards and procedures to protect aga nst unauthor zed access to Persona Informat on.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT STATED ABOVE OR PERMITTED BY LAW.

Cons stent w th app cab e pr vacy aws, there are some s tuat ons n wh ch Persona Informat on may be d sc osed. We may d sc ose your Persona Informat on when you d rect or g ve us perm ss on; when we are requ red by aw to do so, for examp e, f we are served a subpoena; or when we suspect fraudu ent or cr m na act v t es. We a so may d sc ose your Persona Informat on when otherw se perm tted by app cab e pr vacy aws such as, for examp e, when d sc osure s needed to enforce our r ghts ar s ng out of any agreement, transact on or re at onsh p w th you.

Our po cy regard ng d spute reso ut on s as fo ows: Any controversy or c a m ar s ng out of or re at ng to our pr vacy po cy, or the breach thereof, sha be sett ed by arb trat on n accordance w th the ru es of the Amer can Arb trat on Assoc at on, and judgment upon the award rendered by the arb trator(s) may be entered n any court hav ng jur sd ct on thereof.

Commitment For Title Insurance

Issued by Old Republic National Title Insurance Company

NOTICE

MPORTANT READ CAREFULLY TH S COMM TMENT S AN OFFER TO SSUE ONE OR MORE T TLE NSURANCE POL C ES ALL CLA MS OR REMED ES SOUGHT AGA NST THE COMPANY NVOLV NG THE CONTENT OF TH S COMM TMENT OR THE POL CY MUST BE BASED SOLELY N CONTRACT

TH S COMM TMENT S NOT AN ABSTRACT OF T TLE REPORT OF THE COND T ON OF T TLE LEGAL OP N ON OP N ON OF T TLE OR OTHER REPRESENTAT ON OF THE STATUS OF T TLE THE PROCEDURES USED BY THE COMPANY TO DETERM NE NSURAB L TY OF THE T TLE NCLUD NG ANY SEARCH AND EXAM NAT ON ARE PROPR ETARY TO THE COMPANY WERE PERFORMED SOLELY FOR THE BENEF T OF THE COMPANY AND CREATE NO EXTRACONTRACTUAL L AB L TY TO ANY PERSON NCLUD NG A PROPOSED NSURED

THE COMPANY'S OBL GAT ON UNDER TH S COMM TMENT S TO SSUE A POL CY TO A PROPOSED NSURED DENT F ED N SCHEDULE A N ACCORDANCE W TH THE TERMS AND PROV S ONS OF TH S COMM TMENT THE COMPANY HAS NO L AB L TY OR OBL GAT ON NVOLV NG THE CONTENT OF TH S COMM TMENT TO ANY OTHER PERSON

COMMITMENT TO ISSUE POLICY

Subjec o he No ice Schedule B Par Requiremen s Schedule B Par Excep ions and he Commi men Condi ions Old Republic Na ional Ti le nsurance Company a Minneso a corpora ion (he "Company") commi s o issue he Policy according o he erms and provisions of his Commi men This Commi men is effec ive as of he Commi men Da e shown in Schedule A for each Policy described in Schedule A only when he Company has en ered in Schedule A bo h he specified dollar amoun as he Proposed Policy Amoun and he name of he Proposed nsured f all of he Schedule B Par Requiremen s have no been me wi hin 6 mon hs af er he Commi men Da e his Commi men ermina es and he Company's liabili y and obliga ion end

COMMITMENT CONDITIONS

1 DEF N T ONS
   (a) "Knowledge" or "Known" Ac ual or impu ed knowledge bu no cons ruc ive no ice impar ed by he Public Records
   (b) "Land" The land described in Schedule A and affixed improvemen s ha by law cons i u e real proper y The erm "Land" does no include any proper y beyond he lines of he area described in Schedule A nor any righ i le in eres es a e or easemen in abu ing s ree s roads avenues alleys lanes ways or wa erways bu his does no modify or limi he ex en ha a righ of access o and from he Land is o be insured by he Policy
   (c) "Mor gage" A mor gage deed of rus or o her securi y ins rumen including one evidenced by elec ronic means au horized by law
   (d) "Policy" Each con rac of i le insurance in a form adop ed by he American Land Ti le Associa ion issued or o be issued by he Company pursuan o his Commi men
   (e) "Proposed nsured" Each person iden ified in Schedule A as he Proposed nsured of each Policy o be issued pursuan o his Commi men
   (f) "Proposed Policy Amoun " Each dollar amoun specified in Schedule A as he Proposed Policy Amoun of each Policy o be issued pursuan o his Commi men
   (g) "Public Records" Records es ablished under s a e s a u es a he Commi men Da e for he purpose of impar ing cons ruc ive no ice of ma ers rela ing o real proper y o purchasers for value and wi hou Knowledge
   (h) "Ti le" The es a e or in eres described in Schedule A

2 f all of he Schedule B Par Requiremen s have no been me wi hin he ime period specified in he Commi men o ssue Policy Commi men ermina es and he Company's liabili y and obliga ion end

3 The Company's liabili y and obliga ion is limi ed by and his Commi men is no valid wi hou
   (a) he No ice
   (b) he Commi men o ssue Policy
   (c) he Commi men Condi ions
   (d) Schedule A
   (e) Schedule B Par Requiremen s and
   (f) Schedule B Par Excep ions and
   (g) a coun er signa ure by he Company or i s issuing agen ha may be in elec ronic form

4 **COMPANY'S RIGHT TO AMEND**

The Company may amend his Commi men a any ime f he Company amends his Commi men o add a defec lien encumbrance adverse claim or o her ma er recorded in he Public Records prior o he Commi men Da e any liabili y of he Company is limi ed by Commi men Condi ion 5 The Company shall no be liable for any o her amendmen o his Commi men

5 **LIMITATIONS OF LIABILITY**
   (a) The Company's liabili y under Commi men Condi ion 4 is limi ed o he Proposed nsured's ac ual expense incurred in he in erval be ween he Company's delivery o he Proposed nsured of he Commi men and he delivery of he amended Commi men resul ing from he Proposed nsured's good fai h reliance o
      i comply wi h he Schedule B Par Requiremen s
      ii elimina e wi h he Company's wri en consen any Schedule B Par Excep ions or
      iii acquire he Ti le or crea e he Mor gage covered by his Commi men
   (b) The Company shall no be liable under Commi men Condi ion 5(a) if he Proposed nsured reques ed he amendmen or had Knowledge of he ma er and did no no ify he Company abou i in wri ing
   (c) The Company will only have liabili y under Commi men Condi ion 4 if he Proposed nsured would no have incurred he expense had he Commi men included he added ma er when he Commi men was irs delivered o he Proposed nsured
   (d) The Company's liabili y shall no exceed he lesser of he Proposed nsured's ac ual expense incurred in good fai h and described in Commi men Condi ions 5(a)(i) hrough 5(a)(iii) or he Proposed Policy Amoun
   (e) The Company shall no be liable for he con en of he Transac ion den ifica ion Da a if any

(f) n no even shall he Company be obliga ed o issue he Policy referred o in his Commi men unless all of he Schedule B Par Requiremen s have been me o he sa isfac ion of he Company
(g) n any even he Company's liabili y is limi ed by he erms and provisions of he Policy

6 **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

(a) Only a Proposed nsured iden i ied in Schedule A and no o her person may make a claim under his Commi men
(b) Any claim mus be based in con rac and mus be res ric ed solely o he erms and provisions of his Commi men
(c) Un il he Policy is issued his Commi men as las revised is he exclusive and en ire agreemen be ween he par ies wi h respec o he subjec ma er of his Commi men and supersedes all prior commi men nego ia ions represen a ions and proposals of any kind whe her wri en or oral express or implied rela ing o he subjec ma er of his Commi men
(d) The dele ion or modifica ion of any Schedule B Par Excep ion does no cons i u e an agreemen or obliga ion o provide coverage beyond he erms and provisions of his Commi men or he Policy
(e) Any amendmen or endorsemen o his Commi men mus be in wri ing and au hen ica ed by a person au horized by he Company
(f) When he Policy is issued all liabili y and obliga ion under his Commi men will end and he Company's only liabili y will be under he Policy

7 **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agen is he Company's agen only for he limi ed purpose of issuing i le insurance commi men s and policies The issuing agen is no he Company's agen for he purpose of providing closing or se lemen services

8 **PRO-FORMA POLICY**

The Company may provide a he reques of a Proposed nsured a pro forma policy illus ra ing he coverage ha he Company may provide A pro forma policy nei her re lec s he s a us of Ti le a he ime ha he pro forma policy is delivered o a Proposed nsured nor is i a commi men o insure

9 **ARBITRATION**

The Policy con ains an arbi ra ion clause All arbi rable ma ers when he Proposed Policy Amoun is $2 000 000 or less shall be arbi ra ed a he op ion of ei her he Company or he Proposed nsured as he exclusive remedy of he par ies A Proposed nsured may review a copy of he arbi ra ion rules a h p //www al a org/arbi ra ion

N W TNESS WHEREOF Land Ti le nsurance Corpora ion has caused i s corpora e name and seal o be affixed by i s duly au horized officers on he da e shown in Schedule A o be valid when coun ersigned by a valida ing officer or o her au horized signa ory

ssued by:
Land Title Guarantee Company
3033 East First Avenue Suite 600
Denver Colorado 80206
303 32 880

Craig B Rants Senior Vice President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111

By _____ President
Attest _____ Secretary

This page is only a par of a 2016 ALTA® Commi men for Ti le nsurance issued by Old Republic Na ional Ti le nsurance Company This Commi men is no valid wi hou he No ice he Commi men o ssue Policy he Commi men Condi ions Schedule A Schedule B Par Requiremen s and Schedule B Par Excep ions and a coun er signa ure by he Company or i s issuing agen ha may be in elec ronic form

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THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT E1

KLEIN COTÉ EDWARDS CITRON LLC
ATTORNEYS

HERBERT S. KLEIN* hsk@kceclaw.com
LANCE R. COTÉ, PC** cote@kceclaw.com
JOSEPH E. EDWARDS, III, PC jee@kceclaw.com
KENNETH E. CITRON*** kcitron@kceclaw.com
MADHU B. KRISHNAMURTI mbk@kceclaw.com

101 SOUTH MILL STREET
SUITE 200
ASPEN, COLORADO 81611
TELEPHONE: (970) 925-8700
www.kceclaw.com

*also admitted in Hawaii
**also admitted in California
***also admitted in New York and Massachusetts

March 18, 2022

Kaye Simonson
Planning Director
San Miguel County Planning Department
333 W. Colorado Ave., 3rd Floor
Telluride, Colorado 81435

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Property");
Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013

Dear Kaye:

This office represents The Town of Telluride and San Miguel County with respect to their application to rezone (and for 1041 approval with respect to) the above-referenced property (the "Application"). The owner of the Property is Diamond Ridge Telluride LLC, a Colorado limited liability company ("Owner"). The Owner has authorized Telluride and San Miguel to file the Application. This letter is intended to provide to you a list of the owners of any subsurface mineral interests. I reviewed the Title Insurance Commitment provided by Land Title Guarantee Company, Commitment No. ABS86012570-2 with respect to the Property in order to determine whether there were any severed mineral interests, and for purposes of this letter I am relying on such Commitment. A copy of that Commitment is included with the Application.

There is only one minerals reservation and it appears in the five Patents related to the Property. The reservation states: "subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law." That reservation appears in the following Patents related to the Property:

DATE RECORDED	BOOK and PAGE
October 24, 1899	Book 78 at Page 378
January 22, 1900	Book 78 at Page 403
November 20, 1900	Book 78 at Page 473
December 2, 1904	Book 99 at Page 7
January 30, 1905	Book 99 at Page 9

Section 24-65.5-103(2)(a), C.R.S., on which San Miguel County Land Use Code §4-204. is based, requires that notice be sent "to the last-known address of the mineral estate owner as shown by such records." I reviewed each of these Patents and none of the above-described Patents lists an address for notice as required by the Statute or Code. However, the Patents each reference the General Land Office of the United States of America. Based on an internet search, the General Land Office is a Department of the Bureau of Land Management, which is itself a part of the US Department of the Interior. According to the website for the BLM, the mailing address for the BLM is:

760 Horizon Drive
Grand Junction, CO 81506

I see no evidence in the Commitment that any of those rights reserved to the United States have been assigned to any other party.

Please let me know if you have any questions or need any additional information.

Very truly yours,
KLEIN COTÉ EDWARDS CITRON LLC

By: _____
Joseph E. Edwards, III

Cc: Mike Bordagna
Lance McDonald

LEGAL ACCESS

SMCLUC SECTION 4-205

CONTENTS

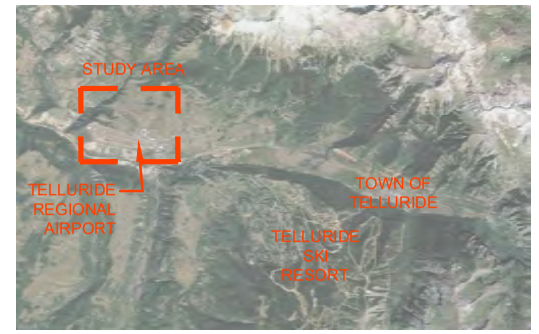
Legal Access (SMCLUC 4-205)	EXHIBIT F - ACCESS.PDF	Figure showing the location of the subject parcels relative to Last Dollar Road (County Road T60).

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT F

LOCUS MAP



LEGEND

- EXISTING PARCEL
- EXISTING EASEMENTS
- TELLURIDE REGION BOUNDARY

LEGAL ACCESS: LAST DOLLAR ROAD (COUNTY ROAD T60)

30' UTILITY EASEMENT
30' UTILITY EASEMENT
30' UTILITY EASEMENT
30' UTILITY EASEMENT
30' DRIVEWAY EASEMENT
TELLURIDE REGION BOUNDARY
DIAMOND RANCH RD
456530318011
35.02 ACRES
456530317012
35.02 ACRES
456530317013
35.03 ACRES
LAST DOLLAR RD
TELLURIDE REGIONAL AIRPORT
TERMINAL BUILDING
FILL SLOPE EASEMENT

NOTE: Information depicted on this Figure was derived from public mapping sources including GIS data.

Contour Interval: 20'

0 250' 500' 1,000'

LEGAL ACCESS MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by: SE GROUP

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

STANDARDS REPORT

SMCLUC SECTION 4-206

CONTENTS

Standards Report (SMCLUC 4-206)	STANDARDS REPORT.PDF	Required Standards Report that demonstrates that the proposed rezoning complies with the applicable substantive review standards.
	FIGURE1_EXISTING CONDITIONS.PDF	Graphic figure showing existing parcels, topography and landmarks within the vicinity of the area of rezoning and subject parcels
	FIGURE2_SLOPE MAP.PDF	Graphic figure showing the general range of topographic slopes within the vicinity of the area of rezoning and subject parcels
	FIGURE3_EXISTINGZONING.PDF	Graphic figure showing the current zoning within the vicinity of the area of rezoning and subject parcels
	FIGURE4_REZONING.PDF	Graphic figure showing the proposed area of rezoning
	FIGURE5_DEVELOPMENTANALYSIS.PDF	Graphic figure showing the area of rezoning and the anticipated development area
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	FIGURE10A_ELKHABITAT.PDF	Graphic plan identifying potential Elk habitat within the vicinity of the area of rezoning and subject parcels
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	FIGURE12_AIRPORTZONESHEIGHTLIMITS.PDF	Graphic plan identifying potential height constraints associated with the Telluride Regional Airport within the vicinity of the area of rezoning and subject parcels

REZONING APPLICATION

STANDARDS REPORT

I. PROJECT DESCRIPTION

General: This application seeks rezoning of the land area described herein from the Forestry/Agriculture/Open (F) zone district to the Community Housing (CH) zone district pursuant to Section 5-1803 of the San Miguel County Land Use Code (LUC).

The area of land proposed for rezoning ("the rezoning area") is located on the Deep Creek Mesa and involves portions of three contiguous parcels ("subject parcels") located northwest of the Telluride Regional Airport. The subject parcels are described as follows:

Parcel Details: 456530318011

Owner Name and Address

DIAMOND RIDGE TELLURIDE LLC A CO LLC
858 HAPPY CANYON RD STE 200
CASTLE ROCK CO 80108

Parcel ID 456530318011

Tax Account R1030018011

Tax District 103

Legal Description

LOT 1-R-A, DIAMOND RIDGE SUBDIVISION EXEMPTION PLAT FOR LOT LINE ADJUSTMENT RECORDED MAY 1, 2017, IN PL BK 1 AT PG 4918 AS RECEPTION 448285, CONTAINING 35.02 ACRES MOL

Parcel Details: 456530317012

Owner Name and Address

DIAMOND RIDGE TELLURIDE LLC A CO LLC
858 HAPPY CANYON RD STE 200
CASTLE ROCK CO 80108

Parcel ID 456530317012

Tax Account R1030017012

Tax District 103

Legal Description

LOT 2-R DIAMOND RIDGE ACCORDING TO THE REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R DIAMOND RIDGE, RECORDED DECEMBER 21, 2016 IN PL BK 1, AT PG 4835 AS REC. NO. 445551, CONTAINING 35.02 ACRES MOL

Parcel Details: 456530317013

Owner Name and Address

DIAMOND RIDGE TELLURIDE LLC A CO LLC

858 HAPPY CANYON RD STE 200

CASTLE ROCK CO 80108

Parcel ID 456530317013

Tax Account R1030017013

Tax District 103

Legal Description

LOT 3-R DIAMOND RIDGE ACCORDING TO THE REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A AND 9-R DIAMOND RANCH AND LOTS 1-R, 2-R AND 3-R DIAMOND RIDGE, RECORDED DECEMBER 21, 2016 IN PL BK 1, AT PG 4835 AS REC. NO. 445551, CONTAINING 35.03 ACRES MOL

An existing conditions plan showing the location of the subject parcels in relationship to their context is provided as **FIGURE 1 – EXISTING CONDITIONS**. At present, the subject parcels are mostly undeveloped with two small sheds and unimproved driveways providing access from Last Dollar Road into the site. The terrain within the subject parcels falls away from Last Dollar Road (County Road T60), towards the west and southwest, with the areas more proximate to the roadway on flatter ground. Slopes are depicted on **FIGURE 2 – SLOPE MAP.** Areas of steeper slopes are located on the western side of the subject parcels with a west-southwest aspect. Diamond Ranch Road extends along the downhill (west and southwest) frontages for each parcel.

The boundaries for the subject parcels were established and recorded as part of the two plats referenced in the Parcel Details above. Re-platting of the property is not required as part of this rezoning process.

Existing Zoning: The subject parcels are currently zoned Forestry/Agriculture (F) according to the LUC and the County's official Zoning Map. The land immediately to the south, encompassing the airport property, is zoned Public. The areas north and to the east of the subject parcels are zoned primarily Low Density (LD) and contain residential structures on large lots. To the northeast, there is a trailhead to the Mount Sneffels Wilderness called the Deep Creek Trailhead. The parcels to the west are also zoned Forestry/Agriculture (F). **FIGURE 3 – EXISTING ZONING** identifies the pattern of existing zoning in relationship to the proposed rezoning area.

Rezoning Area:
The area of rezoning is portions of the subject parcels.

As shown on **FIGURE 4 – REZONING MAP**, the rezoning area encompasses 39.21 acres and has frontage along Last Dollar Road. This application is limited to a request for the rezoning of the rezoning area and does not address potential future development applications for the parcels.

The boundary for the rezoning area, is legally described in **EXHIBIT A**, prepared by Professional Land Surveyors at SGM, and is shown in **EXHIBIT B - SITE UTILIZATION MAP**.

II. PURPOSE OF THE COMMUNITY HOUSING (CH) ZONING DISTRICT

As described in Article 5, Section 5-324 A. of the LUC, the purpose of the Community Housing (CH) district is "***to provide for the development of high-density, clustered housing for people who live and work within San Miguel County.*** *Housing may be in attached or detached single-family homes, duplexes, multi-family buildings, or rooming houses. Development may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development*."

Section 5-324 of the LUC identifies several attributes specific to rezoning to Community Housing. This application lists each of the attributes with a response from the applicant.

Location within the Telluride R-1 School District Boundaries: "*Properties that may be considered for rezoning to the Community Housing (CH) zone district shall be located within the Telluride R-1 School District boundaries*."

RESPONSE: The rezoning area is located within the Telluride R-1 School District. Refer to **FIGURE 4 – REZONING MAP.**

Water: "*Zone districts that are most appropriate for rezoning to CH are those that can be served by municipal water, including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered where water can be developed*."

RESPONSE: The rezoning area is presently within the Forestry, Agriculture and Open (F) zone district. Given its proximity to existing water service within the Town of Telluride, a connection to the Town's municipal water is practicable and feasible. The specifics of the necessary service and system will be determined at the time of site-specific development plan. Refer to **FIGURES 3 – EXISTING ZONING and 4 – REZONINGMAP.**

Uses and Development Types: "*Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations*."

RESPONSE: The nature of the rezoning area enables future clustering of development. A **DEVELOPMENT ANALYSIS MAP (Figure 5)** was prepared to study the land within the proposed rezoning area. The map shows the portions of the rezoning area and the lands where future development is generally suitable within the attributes of the CH zone district and site constraints such as steep slopes. This plan evaluated the general location appropriate for building on and demonstrated that clustered development can be comfortably achieved within a portion of the rezoned area. Due to the feasibility of

clustering housing within the area to be rezoned, future development applications can include substantial open spaces, recreational trail access, and other improvements such as transit stops. A set of cross-sections was also prepared to show the rezoning area and the area most suitable for future development. Refer to **FIGURE 6 – CROSS SECTIONS**.

At the time of site-specific development, all appropriate guarantees for the protection of public health, safety and welfare will be provided and addressed. The rezoning area can practically and feasibly be connected to existing water service from the Town of Telluride upon completion of engineering and design. Similarly, future needs for wastewater treatment could be addressed either through the extension of Telluride municipal services or through the development of an on-site package wastewater treatment plan of sufficient capacity to accommodate the anticipated needs. The engineering and design for any wastewater line extension or package wastewater treatment plan would conform with all applicable State and County regulations and follow required approval processes.

Energy Efficient Design: "*All development in the Community Housing zone district is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy with measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems*."

RESPONSE: While the specific design program for future development within the rezoning area is not established, the lands that are the most suitable for development have significant southern and western exposure. This orientation supports the potential use of solar energy as a part of the energy needs for future homes. Please refer to the **FIGURE 5 - DEVELOPMENT ANALYSIS MAP**.

III. STANDARDS OF REVIEW FOR REZONING PER §5-1803, LUC

First, it must be noted that this is an application for rezoning; it is not an application for development. After rezoning, a separate application will be filed for development of the rezoning area. That development application will address all the relevant criteria for the specific development project proposed at that time. There is an inherent tension between rezoning criteria and development criteria. The question to be resolved in a rezoning is whether the proposed rezoning is in general conformity with the master plan, in which case the rezoning need only relate to the general welfare of the community; or, if not in general conformity with the master plan, whether there have been changed circumstances in the neighborhood since the date of the master plan which justify the rezoning. *King's Mill Homeowners Association v. City of Westminster*, 192 Colo. 305, 310-311 (1976). To the contrary, a specific development plan must address all the details of the standards and criteria for the specific development plan in that zone district and in light of the physical conditions of that area (steep slopes, etc.).

The intent is to rezone the rezoning area to CH. In the CH Zone District purpose section at LUC §5-324A in **BOLD UNDERLINED** typeface it states:

> **It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**

Obviously, community housing is a high priority that has been exacerbated by the effects of the COVID-19 pandemic. Housing costs for those wanting to live and work in San Miguel County have doubled in the past two years making a very bad situation much worse. A copy of **Resolution No. 2021-038** is attached as **Exhibit C**. The WHEREAS clauses of this Resolution demonstrate the compelling need for community housing and the justification for rezoning the rezoning area.

The above admonitions should be kept in mind while reviewing the below standards. LUC Subsection 5-1803A identifies seven (7) standards and Subsections 5-1803B & C identify two additional standards that the Planning Commission and the Board of County Commissioners shall consider when deciding whether to approve an application for rezoning. Each of those standards is addressed below.

Section 5-1803 A.

I. Meets any applicable Sections of the Land Use Code.

RESPONSE: As demonstrated throughout this application, the proposed rezoning of the rezoning area to CH satisfies all applicable sections of the LUC, including §§3-6, 4-2, 4-6, 5-324, 5-1803, and Article 2. In addition, the application addresses Areas and Activities of State and Local Interest (C.R.S. 24-65.1-101,et seq. commonly known as 1041 Environmental Hazards) per Section 5-4 of the LUC. We are adding this information as a courtesy and out of

an abundance of caution. Further 1041 analysis and review will occur as part of a site-specific development application. Part IV of this report addresses this.

The rezoning area meets the criteria of the new CH zone district because of its location within the Telluride R-1 school district boundaries. Further, LUC §5-324 states that lands zoned "F" may be considered for rezoning to "CH" where water can be developed.

II. <u>Is consistent with the San Miguel County Comprehensive Development Plan</u>.

RESPONSE: The San Miguel County Comprehensive Development Plan (SMCCDP, as amended through December 8, 2021) provides a broad policy framework to support decision-making for land development within the County. The SMCCDP breaks up the geography of the County into five planning areas, including the Telluride Regional Area, within which the rezoning area is located.

The SMCCDP includes, by reference, the Telluride Regional Area Master Plan (TRMP, as adopted on July 12, 1989, and as amended through December 2021) which provides the policy framework for the Telluride Regional Area. The TRMP addresses relevant topics impacting land development (patterns of development, preservation of community, affordable housing, transportation, environmental and scenic quality). The goals and objectives set forth in the TMRP are described below along with how the proposed rezoning supports them.

<u>Future Land Use Pattern (TRMP, Part II, Page 13):</u> A goal for the TRMP is to "*[p]romote a clustered development pattern for urban densities in nodes or villages in order to protect and enhance scenic quality, preserve usable public and private open space, minimize the adverse environmental impacts associated with development, and provide a wide range of recreational and housing opportunities for all residents and visitors to the Region*."

RESPONSE: The proposed rezoning to Community Housing, supports an expansion of housing options for residents in the Telluride Regional Area and the CH zoning encourages clustered development, whereas the existing zoning does not.

Objectives supporting this goal include the avoidance of environmentally sensitive areas, the minimization of automobile dependency, the minimization of adverse impact on airport operations, and the need for adequate measures to mitigate adverse impacts from traffic.

The **DEVELOPMENT ANALYSIS MAP** (**FIGURE 5**) assesses the area appropriate for potential residential development within the proposed rezoning area and demonstrates that areas of environmental sensitivity can be avoided.

Future development in the rezoning area is not anticipated to cause undue impacts to operations at the intersections along Last Dollar Road. See **EXHIBIT H**. At the time of a future development application, a more in-depth traffic analysis will be conducted to determine required mitigation measures.

As described later in this report, while the area of rezoning is near the Telluride Regional Airport and within the Airport Impact Area, potential airport-related noise and flight path considerations will not materially limit prospects for future land development under the Community Housing zoning designation. FAA review will be required at the time of site-specific development review.

One of the intentions of the Community Housing district is to have clustered development. The **DEVELOPMENT ANALYSIS MAP** depicted in **FIGURE 5** shows that clustering is feasible on this site. It allows for adequate open space on the rest of the site. The site is proximate to recreation opportunities and trails.

Environmental Quality (TRMP, Part II, Page 14): A goal for the TRMP is to *"[p]rotect environmentally sensitive areas and prohibit development from occurring in areas that are unsuitable for development. Environmentally sensitive areas include wetlands, floodplains, steep slopes, riparian areas and other wildlife habitats, geologic hazard areas, etc.*"

RESPONSE: The **DEVELOPMENT ANALYSIS MAP** assesses residential development within the rezoning area in consideration of this spectrum of environmental resources. Refer to **FIGURE 5**.

Site review and available GIS mapping analysis do not indicate any identified floodplains, wetlands, or riparian areas. Refer to **FIGURE 7 – FLOODWAYS, FIGURE 11- WETLAND AND RIPARIAN AREAS**. Areas of steep slopes (more than 30%) can be avoided to address potential geologic challenge. Refer to **FIGURE 8 – SLOPES AND GEOLOGIC HAZARDS**.

GIS data from the County and Colorado Parks and Wildlife (CPW) on Elk, Mule Deer, and Bighorn Sheep habitat confirms the potential presence of some habitats within or near the area of rezoning. Specifically, winter Elk habitat range is identified within the area of rezoning, as well as across broad swaths of the Deep Creek Mesa area including the airport and neighboring subdivisions. Refer to **FIGURE 10A – ELK HABITAT**.

Similarly, Mule Deer summer and winter range is also identified within the area of rezoning. Refer to **FIGURE 10B – MULE DEER HABITAT.** Again, the GIS mapping indicates significant areas of potential Mule Deer Habitat across the broader region. The GIS mapping does not indicate the presence of any severe winter range or established migration corridors within or near the rezoning area.

According to County and CPW GIS data, no Bighorn sheep habitat or winter range is identified within the area of rezoning. Refer to **FIGURE 10C – BIGHORN SHEEP HABITAT**.

While *potentially* present within the area for rezoning, these habitats are common within the broader region and are not affected by the rezoning. As a goal within the TRMP, the consideration of these habitats is facilitated through Section 5-407 of the LUC, which will be

applicable in any development of the rezoning area. This is described in Section IV of this document.

Objective #9 of the Environmental Quality goal of the TRMP states "encourage noise-sensitive land uses to locate outside the boundaries of high-noise areas, impacted by airport and highway operations." A detailed sound study will be completed for any future development applications that will address the need for any required mitigation. It is also expected that future development would consider appropriate site or architectural design measures to successfully mitigate noise impact should they be deemed an issue.

Scenic Quality (TRMP, Part II, Page 29): A goal for the TRMP is to *"[p]reserve and enhance the scenic quality along State Highway 145 for the benefit of residents and the continued viability of the Regional Area's recreation-based economy which is primarily dependent upon the quality of the physical setting.***"**

RESPONSE: The rezoning area, located adjacent to the Telluride Regional Airport on the elevated Deep Creek Mesa, is outside of the "scenic foreground" along State Highway 145 and is outside of the established Scenic View Planes as presented on page 54 of the TRMP.

Preservation of Community (TRMP, Part II, Page 30): A goal for the TRMP is to *"[m]aintain* and enhance the distinctive sense of community which is present in the Telluride Region Area today**."**

RESPONSE: This broad goal speaks to supporting a balance between the needs of year-round residents and visitors. The objectives that support this goal cover an array of issues, but central among them is to *"[e]nsure the provision of affordable housing to serve both permanent and seasonal employees. Without a stable resident population, the sense of community will soon be lost."* The proposed rezoning to Community Housing is clearly supportive of this objective and the broader goal. The adoption of the Community Housing zoning district into the LUC was clearly directed at expanding housing opportunities due to high local demand. Additionally, the proposed rezoning supports the objective to "*[e]ncourage residential developments that are intended to house persons (and their families) who live and earn their incomes primarily in the Telluride Region*." This is precisely what the CH zone district is intended to accomplish.

Objective #7 in the Preservation of Community Section of the TRMP also supports the proposed rezoning. The product of this rezoning will be one step towards achieving the objective which is to *"encourage residential developments that are intended to house persons (and their families) who live and earn their incomes primarily in the Telluride region."*

Affordable Housing (TRMP, Part II, Page 31): The primary goal of the TRMP is to *"[p]rovide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents***."**

RESPONSE: The proposed rezoning to Community Housing is clearly supportive of this goal. The provisions of the Community Housing zoning district require deed-restrictions that promote housing affordability. The density allowances in the district and the characteristics of the developable portions of the rezoning area will support housing forms that are affordable to develop. This application focuses on the rezoning and a future development application will identify specific housing types and unit mixes.

Objectives #12 and #15 within the Affordable Housing goals specifically support this application for rezoning. Objective #12 states to *"Allow for the construction of residential development that will provide community, workforce and affordable housing where it is possible to provide adequate water and wastewater treatment; has access to traffic corridors; and is not located where hazards exist."* As stated elsewhere in this application the area of rezoning is proximate to utilities, is adjacent to Last Dollar Road, and is not susceptible to hazards. If rezoned to the CH district, the area of rezoning will comply with Objective #15 which is to *"Encourage the development of a variety of community, affordable and workforce housing types, including large- and small-scale housing projects, infill housing, and mixed use development."*

III. Is compatible with surrounding Zone Districts and land uses, considering existing land use, neighborhood characteristics, and community character, with the understanding that different densities and intensity of uses are not in and of themselves incompatible.

RESPONSE: As mentioned above, in establishing the purpose of the CH zone district, San Miguel County expressly states (with **bold underlined** typeface in the LUC) that "**the higher density that may be achieved in that zone [CH] shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**" As the recitals of Resolution No.2021-038 (**Exhibit C**) establish, there is a compelling public policy behind that finding. While rezoning will enable the higher densities afforded to the CH zone district, the uses would be residential, and consistent to the broader land use pattern. The location of the rezoning area is proximate to Last Dollar Road, enabling good connectivity to the overall County Road network and established public transit routes. As stated in the Project Description (Part I), the existing surrounding zone districts are LD, F, and P.

The rezoning area is adjacent to the airport and all required services are nearby. The existing land uses there are a public airport and rural residential. The community characteristics of the rural residential is lower density residential. The rezoning area is between the public airport and the low-density residential areas and would provide a good transition from the higher activity commercial to a higher density residential and then to the lower density residential to the north and east of the rezoning area. As the standard states: different densities are not in and of themselves incompatible; and, in this case, a higher density would address a community need while providing a transition from the higher intensity commercial activity of the airport to the lower density residential areas beyond the rezoning area.

IV. <u>Would not result in unsupportable demands on public facilities and would not exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, school and emergency medical facilities.</u>

RESPONSE: This is a rezoning application, not an application for a development plan. Any extension of new services and impacts on public facilities would require a review of available capacities and services in the context of a site-specific development program sought under the CH zoning designation. The rezoning of the rezoning area will not, in and of itself, result in ANY demand much less unsupportable demand on public facilities. The demand on public facilities results from development and these issues will all need to be addressed more carefully when a site-specific development plan is proposed.

Nevertheless, the impact on public facilities is discussed at a high level in the following paragraphs.

The rezoning area is located along a County road and is within the Telluride Regional Area. This location affords the opportunity for future development to connect to established public roadways and existing regional transit systems. As previously described, the location also enables future connections to the Telluride municipal services for water supply and potentially wastewater. Alternatively, an onsite package treatment facility could support the wastewater needs for future development.

Similarly, future site-specific development of the rezoning area would address impacts on local schools, but would, like all development, be subject to mitigation requirements (i.e., dedication of lands, fee in lieu).

The rezoning area is near to existing recreational infrastructure, trails and open spaces, that could be connected to a future site-specific development plan.

Medical facilities will be analyzed at the time of a site-specific development plan.

V. <u>Would not result in significant adverse impacts on the natural environment.</u>

RESPONSE: This is a rezoning application and the rezoning, in and of itself, will have no impacts on the natural environment – that would occur with development. Nevertheless, the ultimate development of the rezoning area will not have significant adverse impacts on the natural environment. As described above in the review of the SMCCPD and TRMP, as well as in the discussion below (Part IV of this report) on Areas of State and Local Interest and 1041 Environmentally Sensitive Areas, the rezoning area has few natural resource constraints. This greatly limits the potentially for any adverse impacts to the natural environment from future development of community housing.

VI. <u>Would not be in conflict with the public interest</u>.

RESPONSE: To the contrary, rezoning is directly aligned with the greater public interest. Resolution 2021-038 and the goals and objectives of the SMCCPD and TRMP expressly identify the pressing need for affordable community housing.

The rezoning will enable future development of community housing in a location with few natural constraints, where negative impacts on broader community goals are minimal, and where infrastructure can easily be developed to support it.

VII. <u>Would help achieve the Land Use Policies, as set forth in Article 2 of this Land Use Code.</u>

RESPONSE: Again, this is an application for rezoning and not for development. Many of the policies clearly relate to development, are not applicable in this context and will, necessarily, be addressed when the subject parcels are proposed to be developed. The rezoning of the rezoning area from F to CH satisfies the applicable Policies in Article 2, LUC as described below.

Exhibit K in the application packages goes through responses to each of the Article 2 Land Use Policies.

Two of these policies espouse positions that the rezoning would actively support and help to achieve.

> *Policy 2-2902 (SMCLUC, Article 2, Page 2-10): Provide a wider choice of housing alternatives for persons of low or moderate incomes living in the community.*

RESPONSE: The Community Housing zone district supports greater residential densities and supportive housing forms that are, especially coupled with deed restrictions, more affordable to low- and moderate-income members of the Telluride Region.

> *Policy 2-2903 (SMCLUC, Article 2, Page 2-10: Insure that future development alleviates rather than contributes to problems of inadequate housing for persons residing or working within the County**.***

RESPONSE: Again, the central purpose of the Community Housing zone district is to support the development of housing for those who reside or work within the County.

Section 5-1803 B.

The Planning Commission and the Board of County Commissioners shall also consider whether conditions affecting the subject parcel have changed or whether the surrounding neighborhood supports the proposed amendment.

RESPONSE: As described in Section I of this report, the existing land uses of nearby parcels include large lot, low-density homes, and the Telluride Regional Airport. Since the zoning of the subject parcels and subsequent adoption of the TRMP, the presence of the Telluride Regional Airport (built in 1985) has changed the character of the area. As a result, the rezoning area is considerably less desirable for large-lot, high end residential uses for which the subject parcels are currently zoned. A rezoning of this area would be a catalyst to reconsider the appropriate land uses for these parcels, and the parts of parcels that are the subject of this application.

Additionally, there has been a change in the LUC which allows the rezoning, which is the adoption of Resolution 2021-038. It is uncertain whether the surrounding neighborhood supports the proposed rezoning, but it can be assumed that many of the neighbors will be opposed to the rezoning because of the potential for increased density in the area. A public meeting will be held at the Planning Commission (PC) and a public hearing will be held at the Board of County commissioners (BOCC). In both cases, the neighborhood will be given an opportunity to provide written and oral public comment and present their views and concerns. The PC and BOCC should consider all these comments in making their decisions. Obviously, the PC and BOCC need to make decisions based on the needs of the entire community, not just one neighborhood.

Although affordable housing in the Telluride Region has been a long-standing priority for the community, and for which there have been considerable efforts to address, the acuteness of the issue has sharply risen recently as documented in the **2021 Mountain Migration Report** (see **EXHIBIT I**). This recent change to the community as documented in the report is in addition to the housing demands described in the **2018 San Miguel County Housing Needs Assessment** (see **EXHIBIT J**), which estimated a then deficit of approximately 400 housing units, with a projected need of approximately 900 additional units over the next 20-year time horizon. In response to these changing conditions, the County adopted the Community Housing (CH) zone district in December of 2021 to encourage and facilitate the development of new affordable housing the County.

Section 5-1803 C.

The Planning Commission and the Board of County Commissioners shall also consider the effect of the proposed amendment on traffic generation and road safety.

RESPONSE: Again, rezoning vacant land, in and of itself, does not have any effect on traffic generation and that is all that is requested here. Nevertheless, while any development of the rezoning area will increase traffic generation (even under current zoning) development at the densities allowed under the CH zoning designation can be safely accommodated. Please refer to **EXHIBIT H**, a professional opinion letter from Paul Brown, PE, PTOE, Felsberg, Holt and Ulleveg, who has analyzed the proposed rezoning area and found that development within the CH Zone District standards, and the associated increase in traffic generation, would not result in unsafe conditions along Last Dollar Road or unmitigable levels of service at the West Colorado Ave. Spur and Last Dollar Road intersection.

IV. AREAS OF LOCAL AND STATE INTEREST / C.R.S. 1041 ENVIRONMENTAL HAZARD REVIEW (LUC SECTION 5-4)

Areas of Local and State Interest: Pursuant to the required review process for rezoning, consideration is needed for Areas of Local and State Interest within San Miguel County. The following area the designated Areas of Local and State Interest:

- *Floodplain hazard areas (refer to Section 5-403)*
- *Geologic hazard areas (refer to Section 5-404)*
- *Historic and archaeological resource areas (refer to Section 5-405)*
- *Wildfire hazard areas (refer to Section 5-406)*
- *Wildlife habitat areas (refer to Section 5-407)*

Each of these areas are described below and responses provided relative to the proposed rezoning.

5-403 Floodplain Hazard Areas *In addition to the development standards in 5-402 and the San Miguel County Floodplain Regulations (refer to Section 5-28), the standards in this section apply to mapped floodplain hazard areas as depicted in the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, National Flood Insurance Program, and to areas later found to be in flood hazard areas.*

RESPONSE: The proposed area for rezoning does not include any areas mapped as floodplain hazard. Refer to **FIGURE 7 – FLOODWAYS**.

5-404 Geologic Hazard Areas *This section identifies development standards applicable to specific geologic hazard areas in addition to the general standards in Section 5-402.*

RESPONSE: The proposed area for rezoning includes areas of steeper slopes (30%+, refer to **FIGURE 8 - SLOPES AND GEOLOGIC HAZARDS).** While no detailed geotechnical review has been completed for the purposes of this rezoning, the anticipated envelope within which future development would occur avoids these steeper areas and provides buffering to existing vegetated areas. The preservation of vegetated slopes and avoidance of impact to steeper areas (30%) for residential development minimizes the potential issues related to landslide and rockfall. A future site-specific development plan would address all relevant standards, including engineering and geotechnical conditions, as necessary.

5-405 Historic and Archaeological Resource Areas *In addition to the development standards in 5-402, the standards in this section apply to development; changes in the amount or character of open space; exterior alteration or remodeling of any existing structure within the site, or any addition thereto; or the demolition or destruction of structures or buildings within the site.*

RESPONSE: As this is a proposed rezoning, the standards of this section do not apply.

5-406 Wildfire Areas *Development within areas designated as wildfire areas on San Miguel County's adopted wildfire maps or on densely vegetated slopes in excess of 30 percent shall comply with the standards in this section.*

RESPONSE: The proposed area for rezoning is identified as LOW for fire hazard risk in the 2018 San Miguel County All-Hazards Mitigation Plan. Refer to **FIGURE 9 – WILDFIRE RISK**. All areas that are densely wooded on slopes more than 30% are not developable. Refer to **FIGURE 5 – DEVELOPMENT ANALYSIS PLAN**.

5-407 Wildlife Habitat Areas *This section establishes land use standards for wildlife habitat areas in addition to the general standards in Section 5-402. The standards apply to areas mapped by the Colorado Parks and Wildlife (CPW) on the County's adopted Wildlife Resource Information System and to areas known to be wildlife habitat areas by the Colorado Parks and Wildlife, and areas mapped by the Colorado Natural Heritage Program. Agricultural and Ranching activities are exempt from this Section.*

RESPONSE: As described above in Section III, some potential areas of wildlife habitat are indicated relying on the CPW data. As outlined in Section 5-407A of the LUC, the standards for addressing potential wildlife habitat issues include requiring clustering, minimizing the removal of vegetation, and other detailed measures. Addressing these standards in detail would be required during a development review process for a specific design program.

Activities of Local and State Interest: In addition to Areas of Local and State Interest, this section of the LUC identifies the Telluride Regional Airport as an "*Activities of Local and State Interest within San Miguel County*". As described in Section 5-416 of the LUC, "*This section shall apply to all land within the Airport Impact Area for the Telluride Regional Airport, which includes all unincorporated land beneath the 'Imaginary Surfaces Plan Existing Boundaries,' which appears as Appendix "D" of this Code.***"** The rezoning area is located within the Airport Impact Area which establishes two administrative objectives related to land development (5-418 C):

I. *Encourage land use patterns for housing and other uses that will separate uncontrollable noise sources from residential and other noise sensitive areas; and*
II. *Avoid danger to public health and safety and to property due to aircraft crashes.*

Each of these objectives are discussed below.

Addressing the Impact of Noise: The rezoning area is located uphill of the Telluride Regional Airport (Refer to **FIGURE 4 – REZONING AREA**). Per Section 5-417E (Land Uses in Airport Impact Areas) of the LUC, residential uses within areas where day-night noise levels exceed 65 dB[A] are prohibited. This section goes to state that "*Residential uses in Airport Impact Areas shall be designed to minimize impacts from airport noise and all other potentially adverse effects of aircraft operation by utilizing construction techniques to reduce noise and other adverse effects to levels acceptable to the Federal Aviation Administration."*

RESPONSE: Addressing these standards would only be applicable during a site-specific development review process when the details of any proposed land use are provided. As

previously noted, addressing any potential issues related to noise would potentially implicate site and architectural design.

That being said, the most suitable portions of land within the rezoning area are at some distance from the airport, allowing natural attenuation of sound and lessening the potential for any noise impact. And importantly, the airport does not operate at night, clearly suggesting that an average day-night noise level would be reduced markedly.

Airport Operations and Development in Surrounding Areas: Sections 5-418F and 5-418G of the LUC establish height limitation zones and height limits, respectfully. Four zones, reflective of "imaginary surfaces" extending outwards from the runway, establish spatial boundaries within which height limits apply. The location of the subject parcels and rezoning area suggest that two of these zones are applicable:

- *Transitional Zones - The limiting surface slopes 20 feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extends 150 feet above the elevation of the runway. In addition, the limiting surface slopes 7 feet outward for each foot upward, beginning at the sides of and at the same elevation as the approach surface, and extends to the intersection of the horizontal and/or conical surface(s)*

- *Horizontal Zone - The limiting surface lies 150 above the runway elevation. On terrain above the runway elevation, the limiting surface lies 60 feet directly above the ground surface*

RESPONSE: As part of the analysis and review process for this rezoning application, the impact of these two zone districts was considered. For purposes of this assessment, the "official" runway elevation at the Telluride Regional Airport is 9,070 feet as presented in the 2016 Telluride Regional Airport Master Plan. Based on this elevational control, the 7:1 transitional surface extends northwards from the edge of the approach surface (i.e., the 200-foot corridor containing the runway). (Refer to **FIGURE 12 -AIRPORT HEIGHT ZONES AND HEIGHT LIMITS**) The transitional zones' maximum elevation is 9,220 feet or 150 feet above the primary surface elevation. The inclining nature of the 7:1 transitional zone means that the allowable height below it steadily increases with the distance north from the airport runway.

Based upon the assessment completed for this rezoning application (**FIGURE 12 -AIRPORT HEIGHT ZONES AND HEIGHT LIMITS**), no portion of the rezoning area is within this transitional zone.

The LUC (Section 5-418 G, III) also establishes a limiting elevation within the horizontal zone as the primary surface elevation (9070) plus 150 feet or 9,220 feet. This horizontal zone extends 5,000 feet outwards from the centerline of the runway, therefore implicating the entirety of the rezoning area. Within the horizontal zone the maximum height is sixty feet above the natural ground plane or 9,220 feet, whichever is lower. Given this, our analysis indicates that the maximum height limits within the area for rezoning range from 45 feet to over 60 feet. (Please Refer to **FIGURE 12 -AIRPORT HEIGHT ZONES AND HEIGHT LIMITS**.

Overall, while the standards prescribed by LUC Section 5-418 establish some potential limitations to the overall height of structures within the rezoning area, the residential forms supported within the Community Housing zoning district are readily accommodated within those limitations. These heights are in excess the heights allowed within the CH zone district. The maximum heigh allowed for buildings in the CH district is 35 feet.

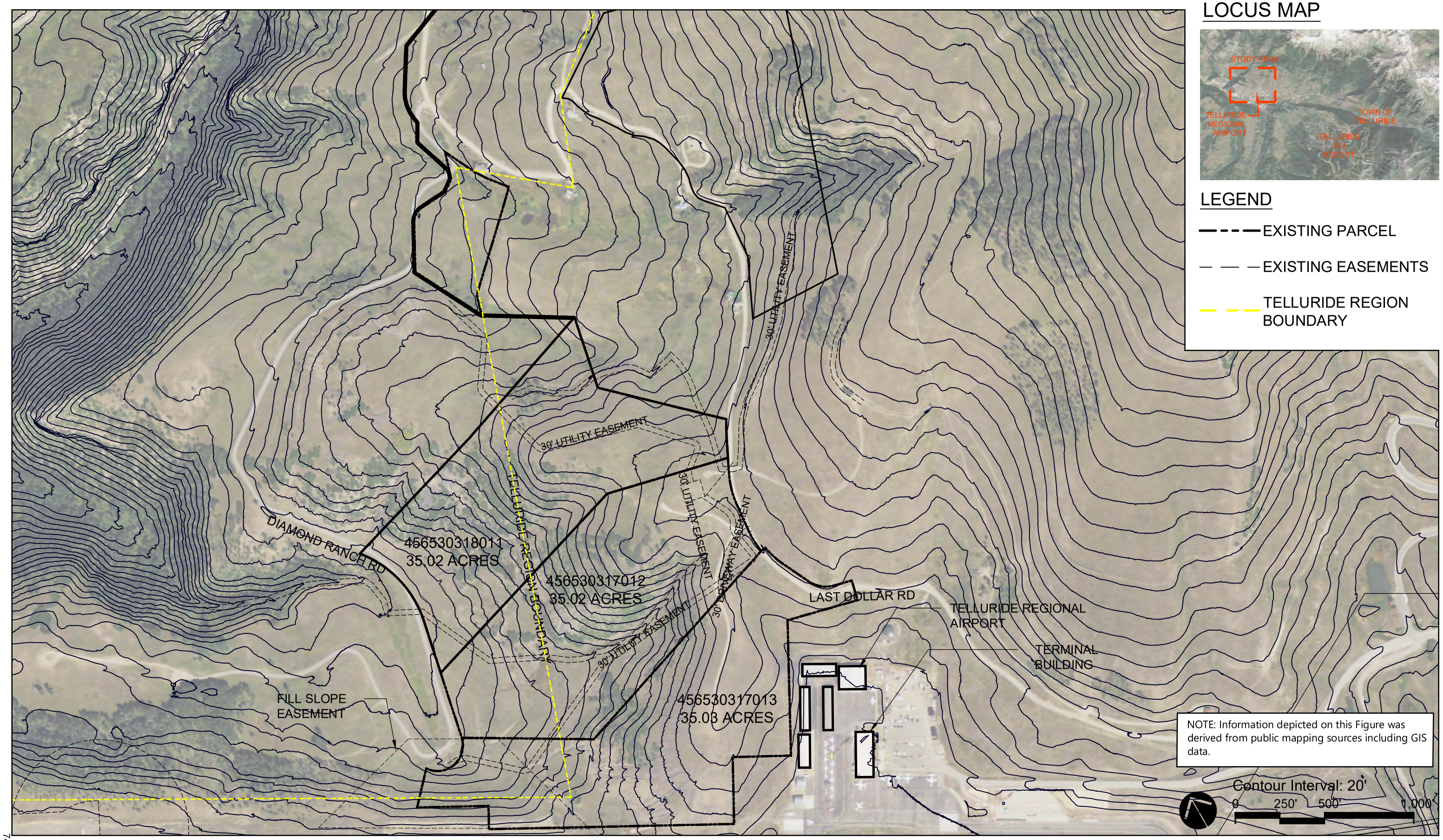
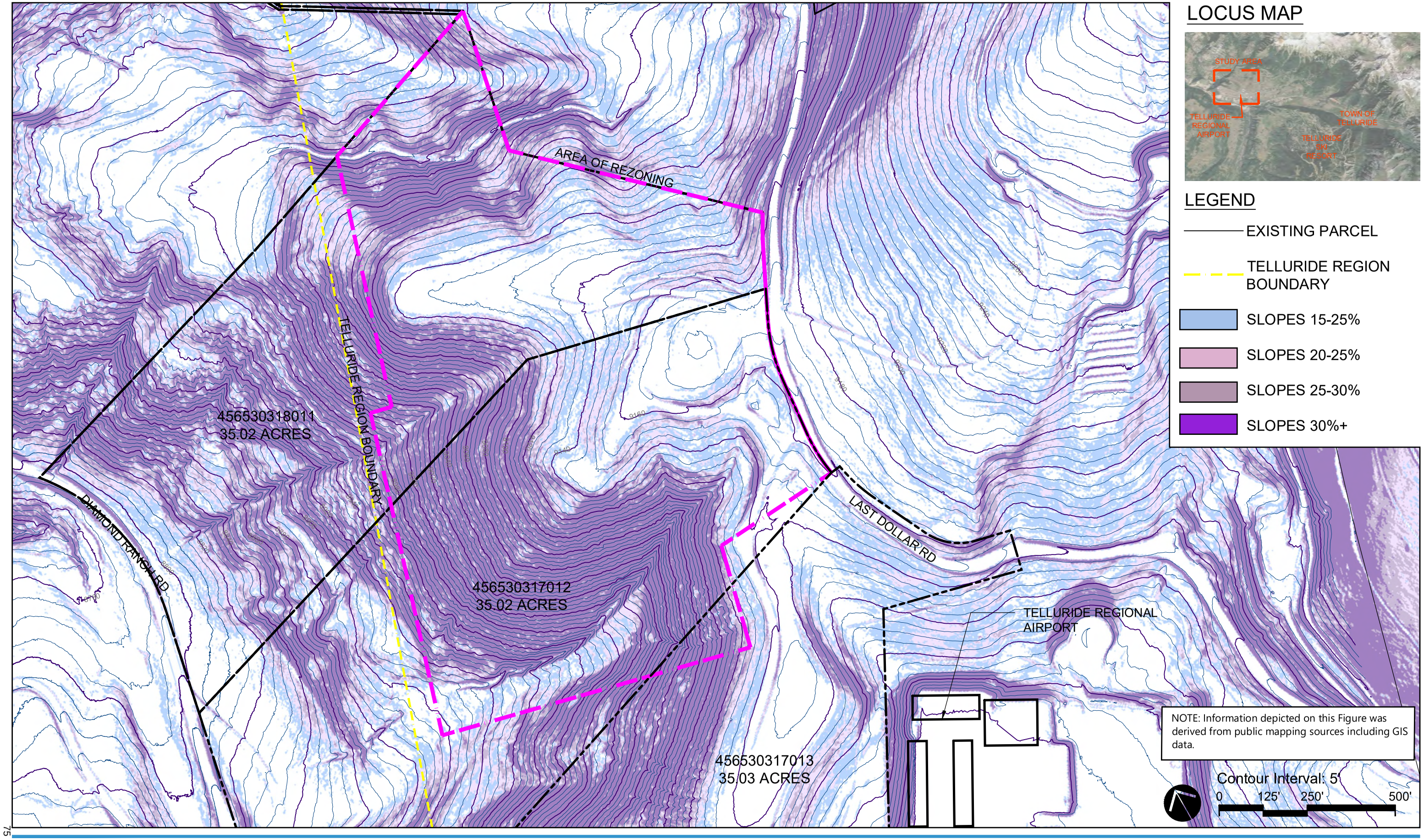


FIGURE 1 | EXISTING CONDITIONS

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by: SE GROUP

FEBRUARY 2022



LOCUS MAP

LEGEND

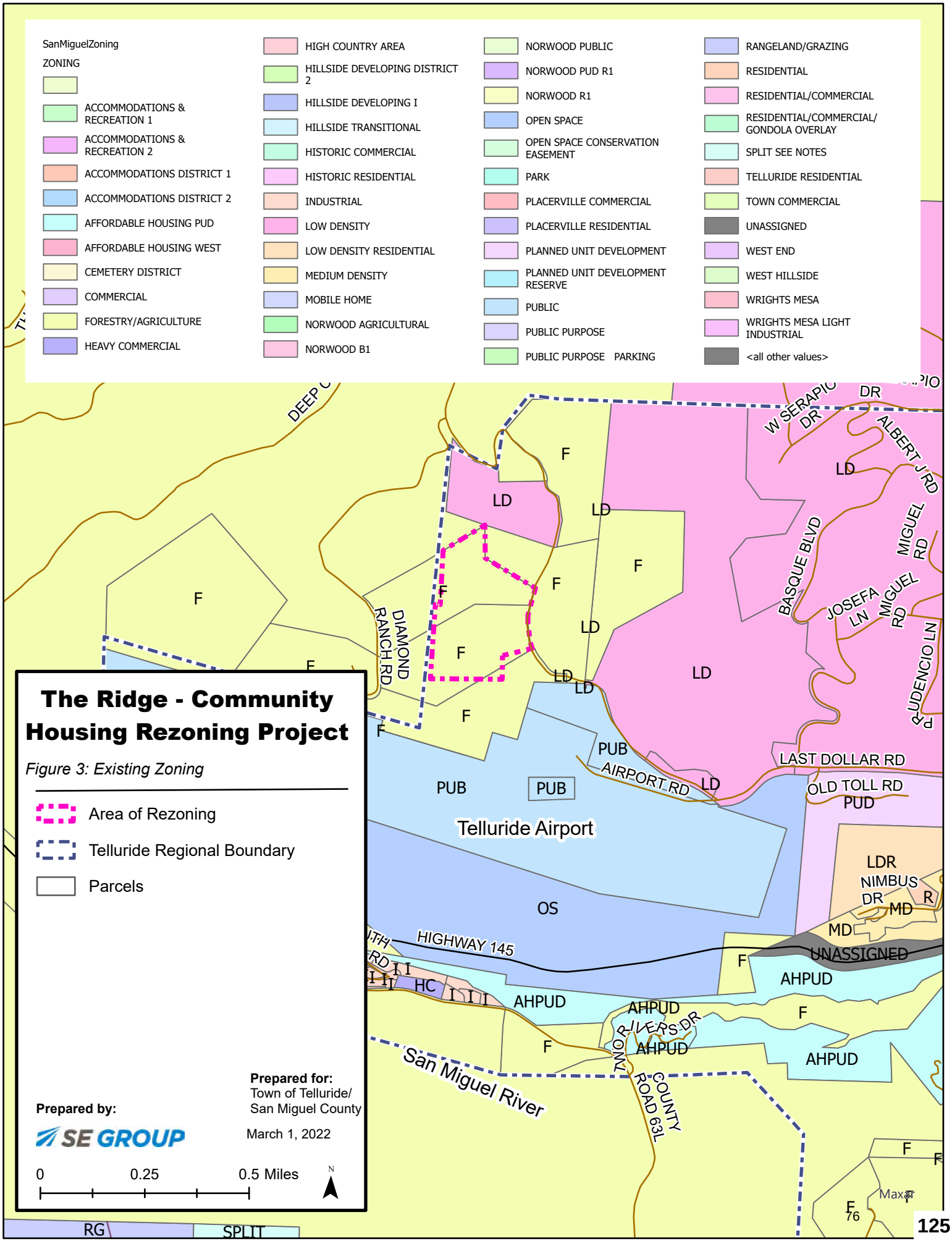
- EXISTING PARCEL
- TELLURIDE REGION BOUNDARY
- SLOPES 15-25%
- SLOPES 20-25%
- SLOPES 25-30%
- SLOPES 30%+

FIGURE 2 | SLOPE MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by: SE GROUP

FEBRUARY 202


SanMiguelZoning
ZONING
ACCOMMODATIONS & RECREATION 1
ACCOMMODATIONS & RECREATION 2
ACCOMMODATIONS DISTRICT 1
ACCOMMODATIONS DISTRICT 2
AFFORDABLE HOUSING PUD
AFFORDABLE HOUSING WEST
CEMETERY DISTRICT
COMMERCIAL
FORESTRY/AGRICULTURE
HEAVY COMMERCIAL
HIGH COUNTRY AREA
HILLSIDE DEVELOPING DISTRICT 2
HILLSIDE DEVELOPING I
HILLSIDE TRANSITIONAL
HISTORIC COMMERCIAL
HISTORIC RESIDENTIAL
INDUSTRIAL
LOW DENSITY
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY
MOBILE HOME
NORWOOD AGRICULTURAL
NORWOOD B1
NORWOOD PUBLIC
NORWOOD PUD R1
NORWOOD R1
OPEN SPACE
OPEN SPACE CONSERVATION EASEMENT
PARK
PLACERVILLE COMMERCIAL
PLACERVILLE RESIDENTIAL
PLANNED UNIT DEVELOPMENT
PLANNED UNIT DEVELOPMENT RESERVE
PUBLIC
PUBLIC PURPOSE
PUBLIC PURPOSE PARKING
RANGELAND/GRAZING
RESIDENTIAL
RESIDENTIAL/COMMERCIAL
RESIDENTIAL/COMMERCIAL/ GONDOLA OVERLAY
SPLIT SEE NOTES
TELLURIDE RESIDENTIAL
TOWN COMMERCIAL
UNASSIGNED
WEST END
WEST HILLSIDE
WRIGHTS MESA
WRIGHTS MESA LIGHT INDUSTRIAL
<all other values>
DEEP C
W SERAPIO DR
DR
ALBERT J RD
LD
F
BASQUE BLVD
MIGUEL RD
JOSEFA LN
MIGUEL RD
JUDENCIO LN
DIAMOND RANCH RD
PUB
AIRPORT RD
LAST DOLLAR RD
OLD TOLL RD
PUD
Telluride Airport
OS
LDR
NIMBUS DR
MD
HIGHWAY 145
UNASSIGNED
AHPUD
HC
RIVERS DR
COUNTY ROAD 63L
San Miguel River
RG
SPLIT
The Ridge - Community Housing Rezoning Project
Figure 3: Existing Zoning
Area of Rezoning
Telluride Regional Boundary
Parcels
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N

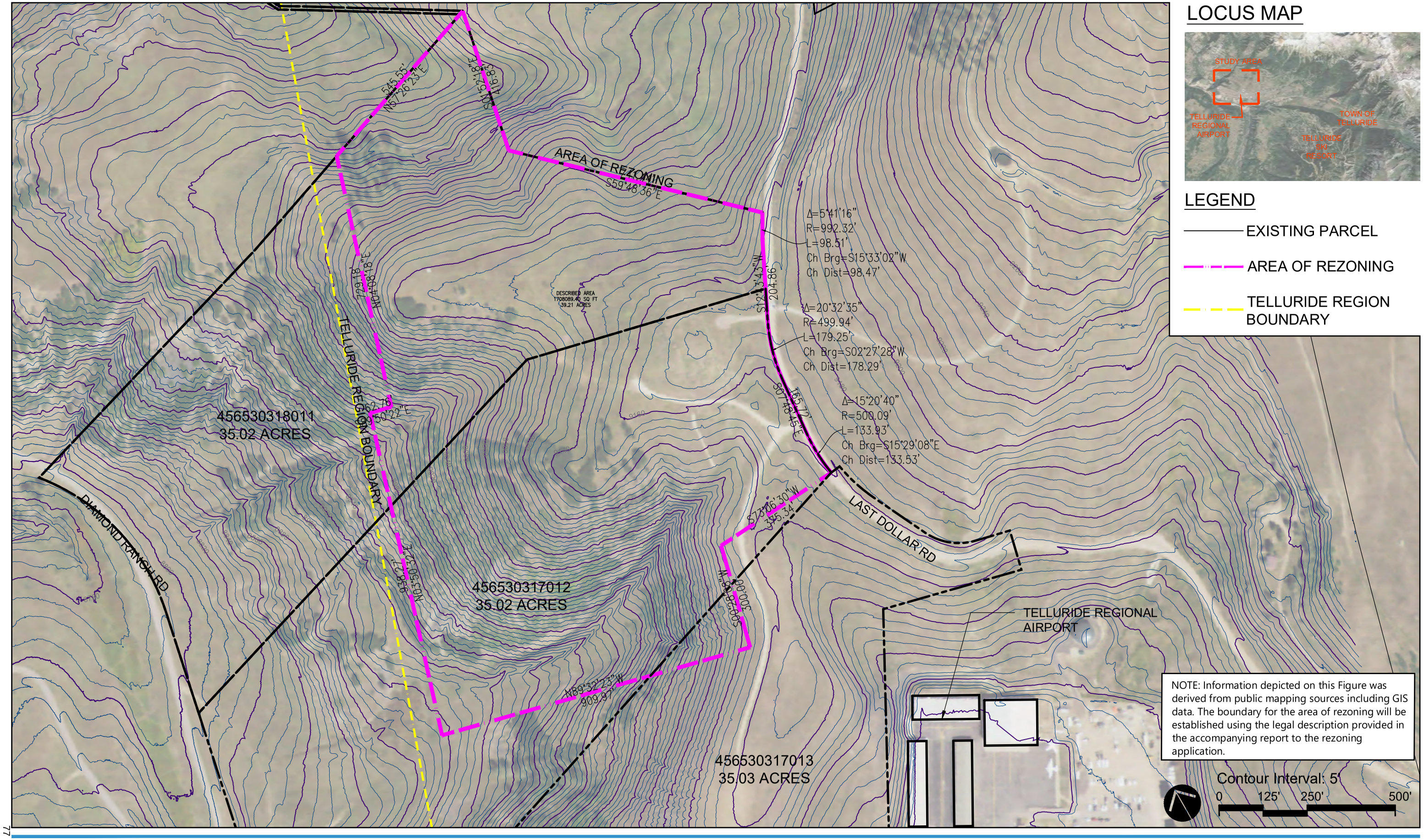


FIGURE 4 | REZONING MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by: SE GROUP

FEBRUARY 202

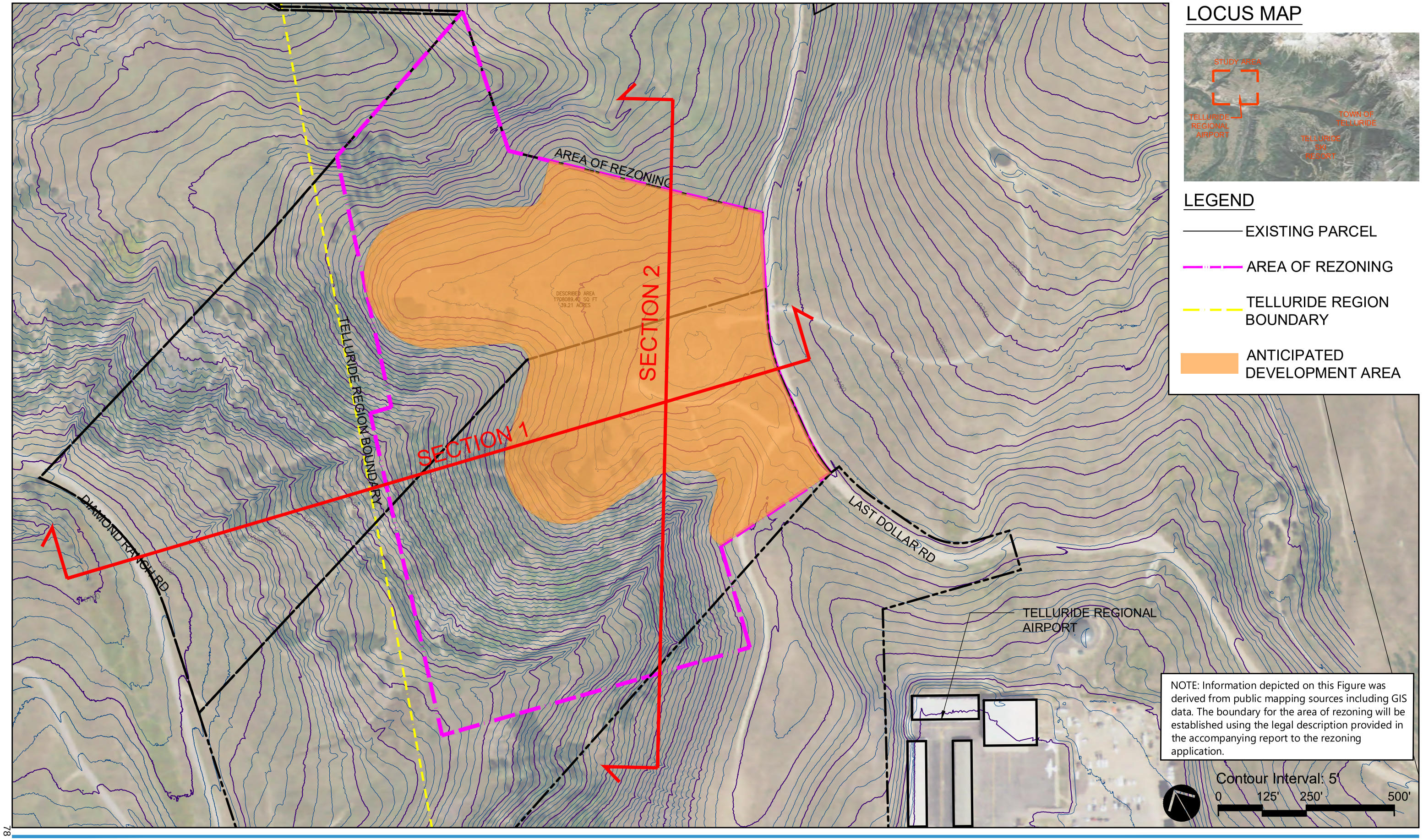
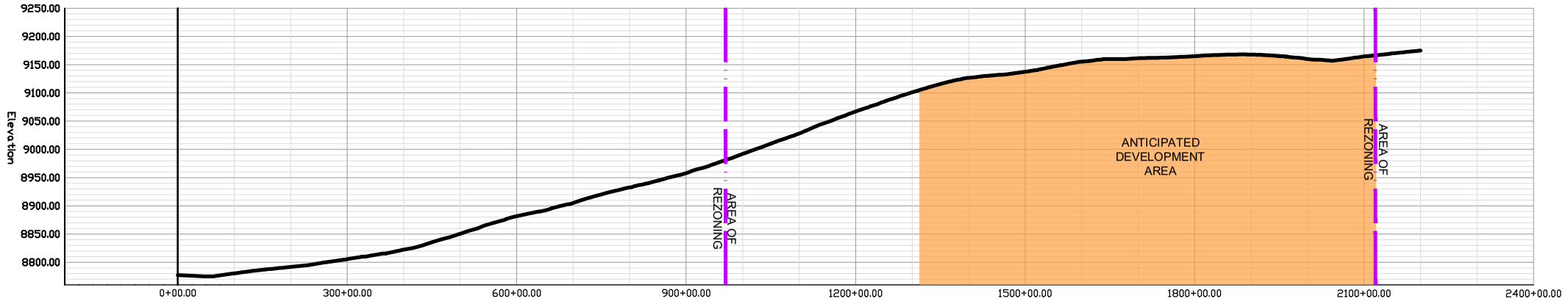


FIGURE 5 | DEVELOPMENT ANALYSIS MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

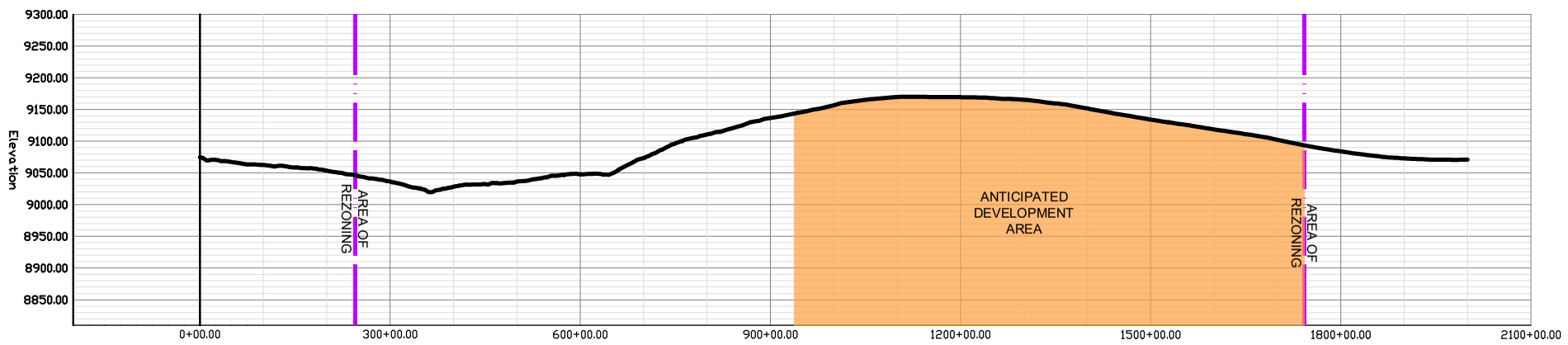
Prepared by: SE GROUP

FEBRUARY 202



CROSS-SECTION 1

(SEE FIGURE 5 FOR LOCATION)



CROSS-SECTION 2

(SEE FIGURE 5 FOR LOCATION)

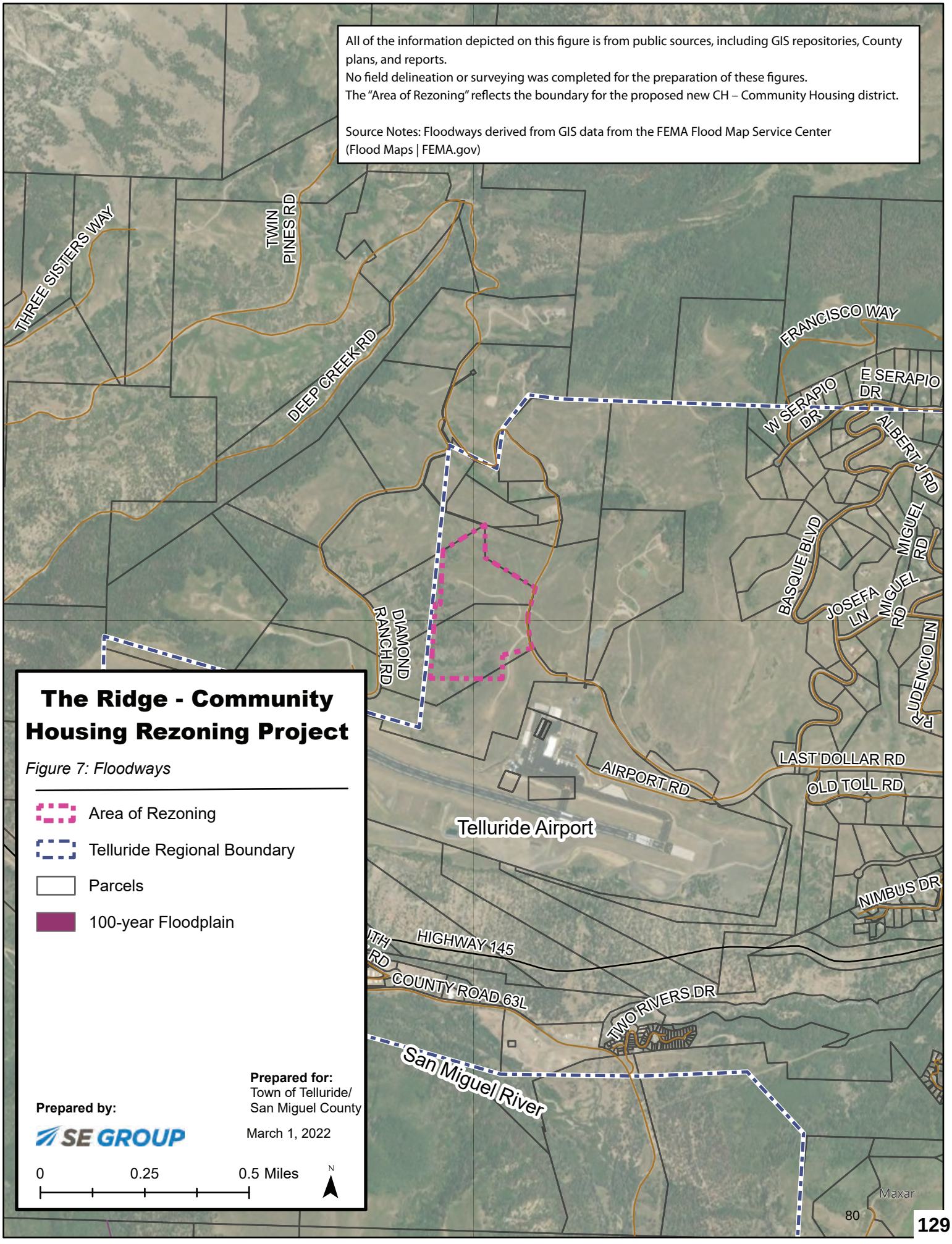
NOTE: Information depicted on this Figure was derived from public mapping sources including GIS data. The boundary for the area of rezoning will be established using the legal description provided in the accompanying report to the rezoning application.

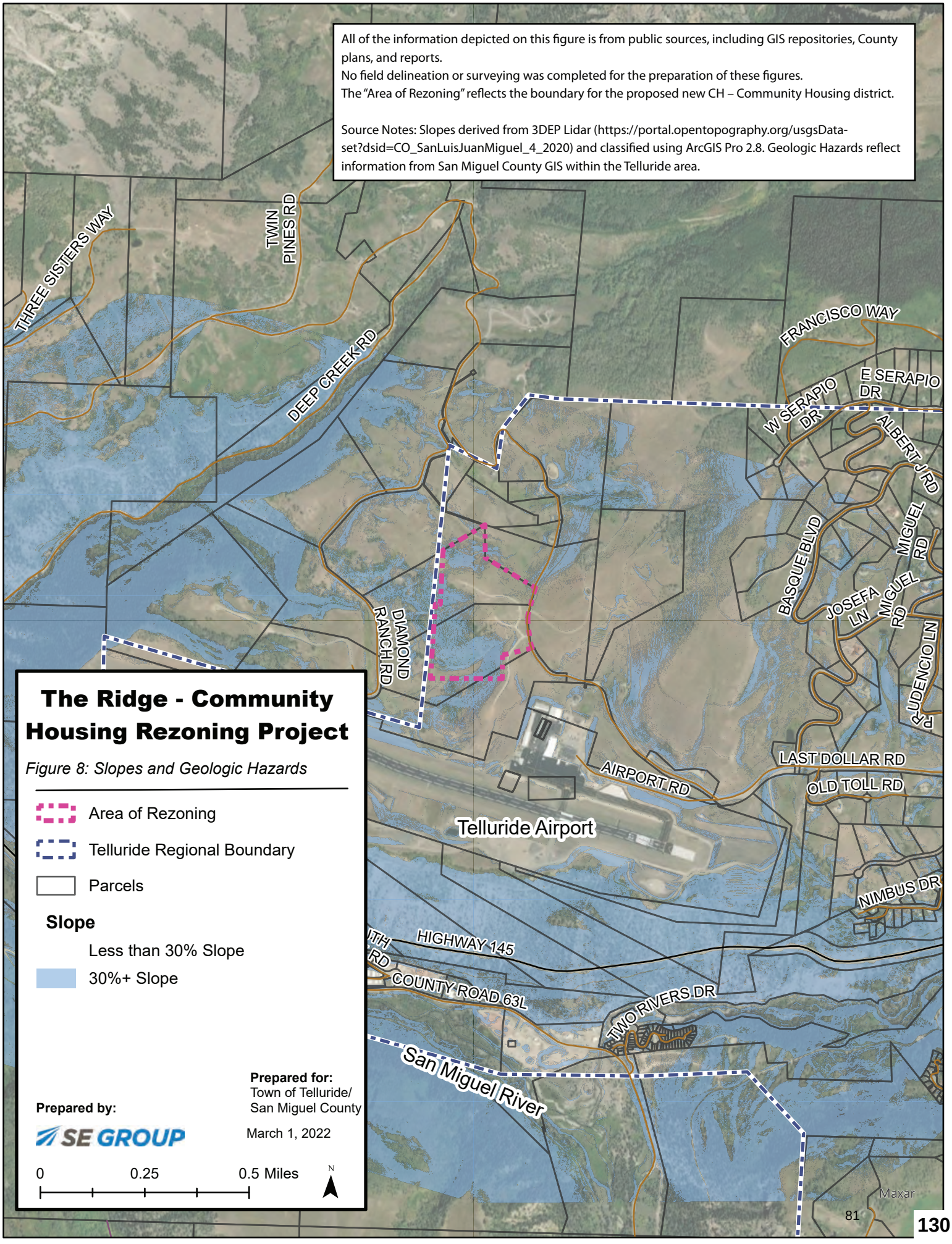
0 125' 250' 500'

FIGURE 6 | CROSS-SECTIONS

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

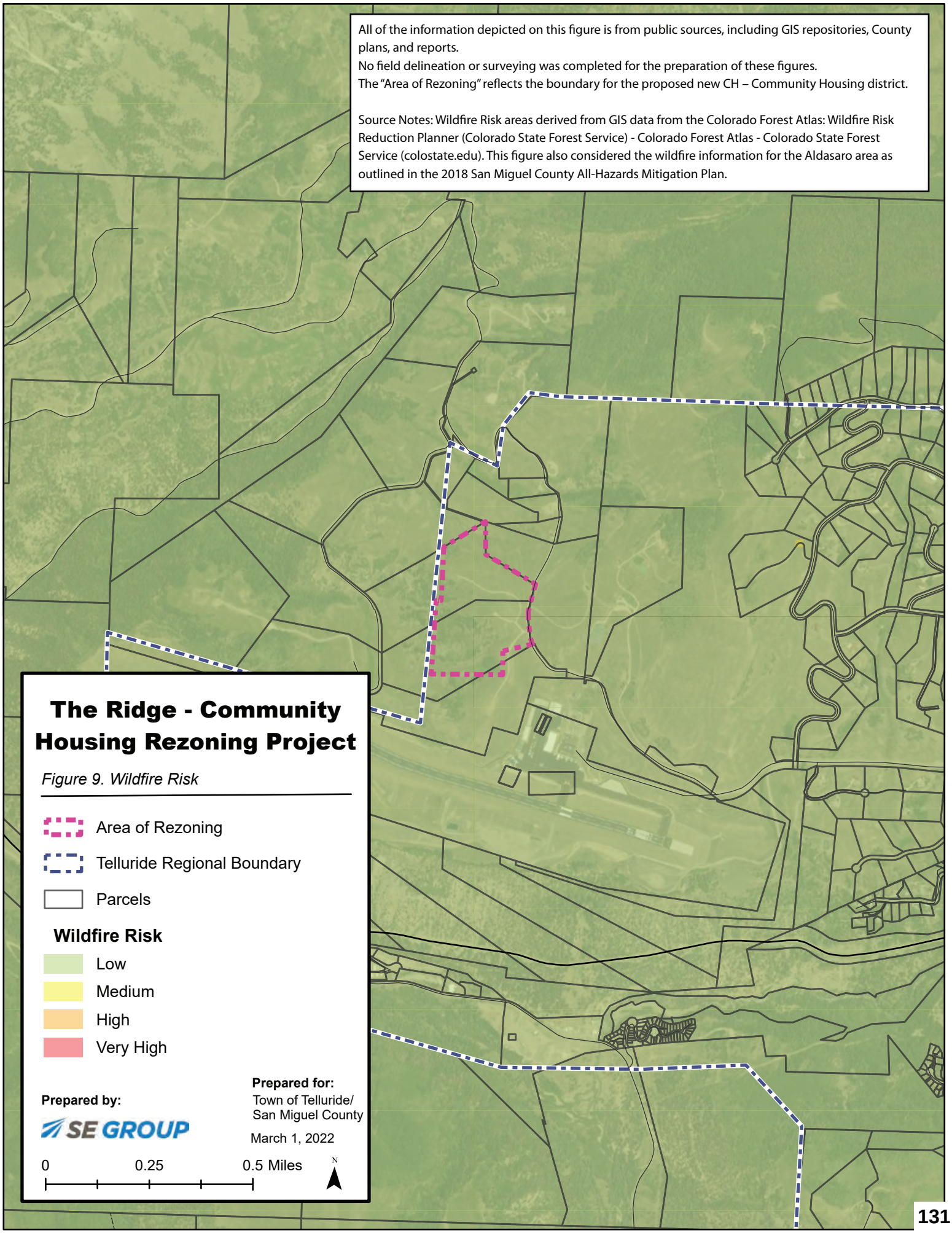
Prepared by: SE GROUP

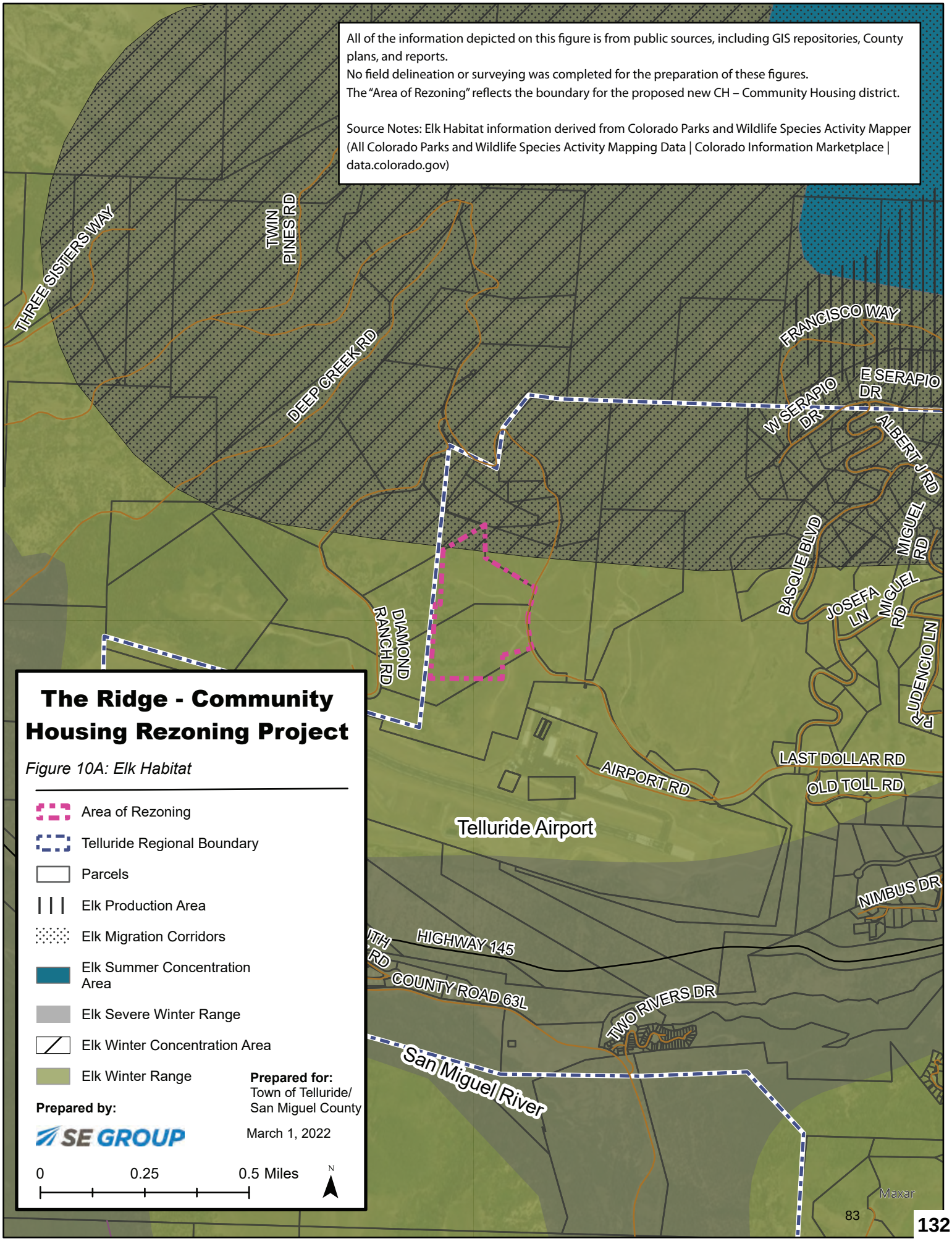

All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Floodways derived from GIS data from the FEMA Flood Map Service Center (Flood Maps | FEMA.gov)
THREE SISTERS WAY
TWIN PINES RD
DEEP CREEK RD
FRANCISCO WAY
E SERAPIO DR
W SERAPIO DR
ALBERT J RD
MIGUEL RD
BASQUE BLVD
JOSEFA LN
MIGUEL RD
LUDENCIO LN
DIAMOND RANCH RD
AIRPORT RD
LAST DOLLAR RD
OLD TOLL RD
Telluride Airport
NIMBUS DR
HIGHWAY 145
COUNTY ROAD 63L
TWO RIVERS DR
San Miguel River
The Ridge - Community Housing Rezoning Project
Figure 7: Floodways
Area of Rezoning
Telluride Regional Boundary
Parcels
100-year Floodplain
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N
Maxar
80

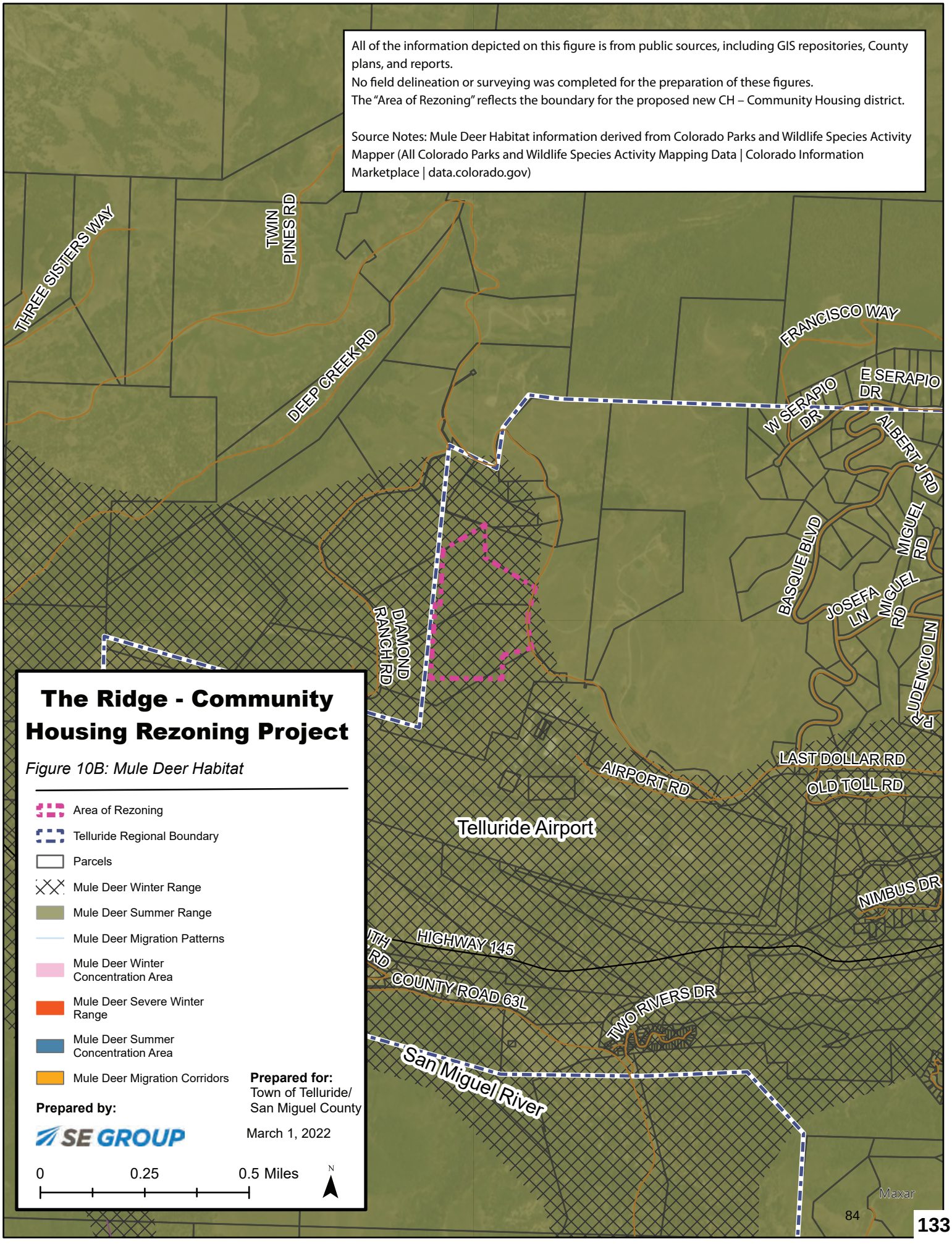

All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Slopes derived from 3DEP Lidar (https://portal.opentopography.org/usgsData-set?dsid=CO_SanLuisJuanMiguel_4_2020) and classified using ArcGIS Pro 2.8. Geologic Hazards reflect information from San Miguel County GIS within the Telluride area.
THREE SISTERS WAY
TWIN PINES RD
DEEP CREEK RD
FRANCISCO WAY
E SERAPIO DR
W SERAPIO DR
ALBERT J RD
MIGUEL RD
BASQUE BLVD
JOSEFA LN
MIGUEL RD
LUDENCIO LN
DIAMOND RANCH RD
AIRPORT RD
LAST DOLLAR RD
OLD TOLL RD
Telluride Airport
NIMBUS DR
HIGHWAY 145
COUNTY ROAD 63L
TWO RIVERS DR
San Miguel River
Maxar
The Ridge - Community Housing Rezoning Project
Figure 8: Slopes and Geologic Hazards
Area of Rezoning
Telluride Regional Boundary
Parcels
Slope
Less than 30% Slope
30%+ Slope
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N

All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.

Source Notes: Wildfire Risk areas derived from GIS data from the Colorado Forest Atlas: Wildfire Risk Reduction Planner (Colorado State Forest Service) - Colorado Forest Atlas - Colorado State Forest Service (colostate.edu). This figure also considered the wildfire information for the Aldasaro area as outlined in the 2018 San Miguel County All-Hazards Mitigation Plan.

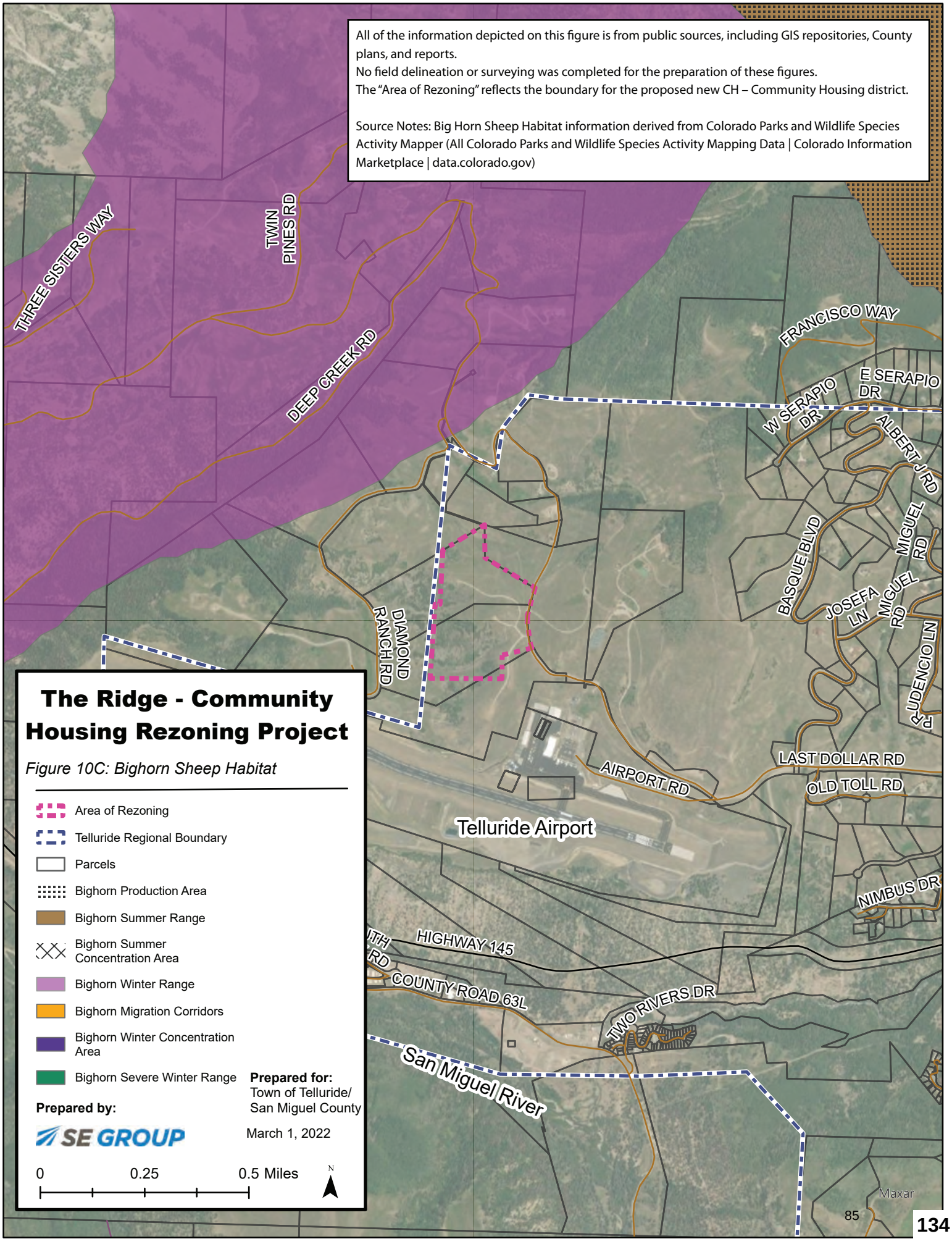



All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Elk Habitat information derived from Colorado Parks and Wildlife Species Activity Mapper (All Colorado Parks and Wildlife Species Activity Mapping Data | Colorado Information Marketplace | data.colorado.gov)
THREE SISTERS WAY
TWIN PINES RD
DEEP CREEK RD
FRANCISCO WAY
E SERAPIO DR
W SERAPIO DR
ALBERT J RD
MIGUEL RD
BASQUE BLVD
JOSEFA LN
MIGUEL RD
JUDENCIO LN
DIAMOND RANCH RD
AIRPORT RD
LAST DOLLAR RD
OLD TOLL RD
Telluride Airport
NIMBUS DR
HIGHWAY 145
COUNTY ROAD 63L
TWO RIVERS DR
San Miguel River
Maxar
The Ridge - Community Housing Rezoning Project
Figure 10A: Elk Habitat
Area of Rezoning
Telluride Regional Boundary
Parcels
Elk Production Area
Elk Migration Corridors
Elk Summer Concentration Area
Elk Severe Winter Range
Elk Winter Concentration Area
Elk Winter Range
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N


All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Mule Deer Habitat information derived from Colorado Parks and Wildlife Species Activity Mapper (All Colorado Parks and Wildlife Species Activity Mapping Data | Colorado Information Marketplace | data.colorado.gov)
THREE SISTERS WAY
TWIN PINES RD
DEEP CREEK RD
FRANCISCO WAY
E SERAPIO DR
W SERAPIO DR
ALBERT J RD
MIGUEL RD
BASQUE BLVD
JOSEFA LN
MIGUEL RD
JUDENCIO LN
DIAMOND RANCH RD
AIRPORT RD
LAST DOLLAR RD
OLD TOLL RD
Telluride Airport
NIMBUS DR
HIGHWAY 145
COUNTY ROAD 63L
TWO RIVERS DR
San Miguel River
Maxar
The Ridge - Community Housing Rezoning Project
Figure 10B: Mule Deer Habitat
Area of Rezoning
Telluride Regional Boundary
Parcels
Mule Deer Winter Range
Mule Deer Summer Range
Mule Deer Migration Patterns
Mule Deer Winter Concentration Area
Mule Deer Severe Winter Range
Mule Deer Summer Concentration Area
Mule Deer Migration Corridors
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N

All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.

Source Notes: Big Horn Sheep Habitat information derived from Colorado Parks and Wildlife Species Activity Mapper (All Colorado Parks and Wildlife Species Activity Mapping Data | Colorado Information Marketplace | data.colorado.gov)



The Ridge - Community Housing Rezoning Project

Figure 10C: Bighorn Sheep Habitat

- Area of Rezoning
- Telluride Regional Boundary
- Parcels
- Bighorn Production Area
- Bighorn Summer Range
- Bighorn Summer Concentration Area
- Bighorn Winter Range
- Bighorn Migration Corridors
- Bighorn Winter Concentration Area
- Bighorn Severe Winter Range

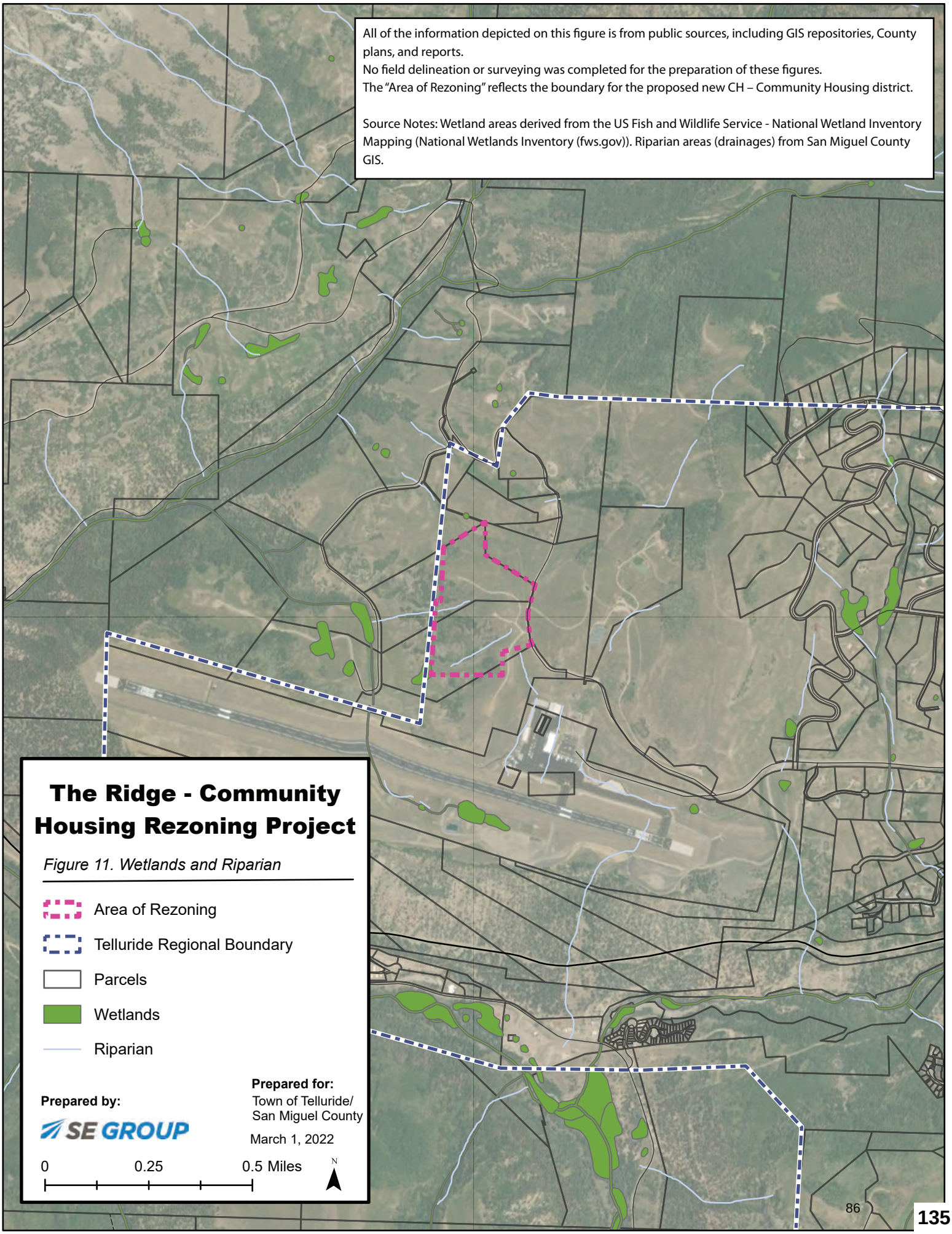
Prepared by:
SE GROUP

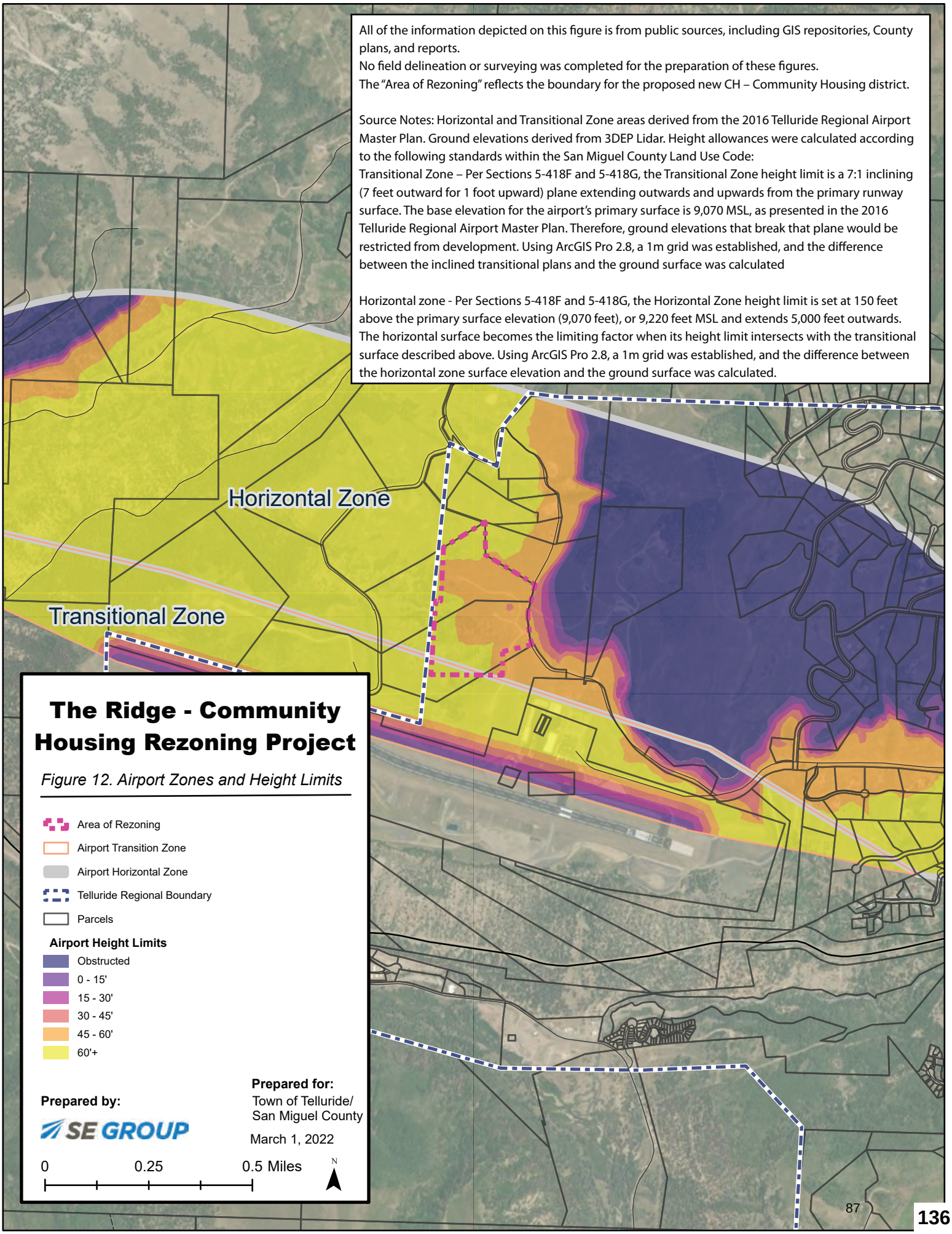
Prepared for:
Town of Telluride/
San Miguel County

March 1, 2022

0 0.25 0.5 Miles

N


All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Wetland areas derived from the US Fish and Wildlife Service - National Wetland Inventory Mapping (National Wetlands Inventory (fws.gov)). Riparian areas (drainages) from San Miguel County GIS.
The Ridge - Community Housing Rezoning Project
Figure 11. Wetlands and Riparian
Area of Rezoning
Telluride Regional Boundary
Parcels
Wetlands
Riparian
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N


All of the information depicted on this figure is from public sources, including GIS repositories, County plans, and reports.
No field delineation or surveying was completed for the preparation of these figures.
The "Area of Rezoning" reflects the boundary for the proposed new CH – Community Housing district.
Source Notes: Horizontal and Transitional Zone areas derived from the 2016 Telluride Regional Airport Master Plan. Ground elevations derived from 3DEP Lidar. Height allowances were calculated according to the following standards within the San Miguel County Land Use Code:
Transitional Zone – Per Sections 5-418F and 5-418G, the Transitional Zone height limit is a 7:1 inclining (7 feet outward for 1 foot upward) plane extending outwards and upwards from the primary runway surface. The base elevation for the airport's primary surface is 9,070 MSL, as presented in the 2016 Telluride Regional Airport Master Plan. Therefore, ground elevations that break that plane would be restricted from development. Using ArcGIS Pro 2.8, a 1m grid was established, and the difference between the inclined transitional plans and the ground surface was calculated
Horizontal zone - Per Sections 5-418F and 5-418G, the Horizontal Zone height limit is set at 150 feet above the primary surface elevation (9,070 feet), or 9,220 feet MSL and extends 5,000 feet outwards. The horizontal surface becomes the limiting factor when its height limit intersects with the transitional surface described above. Using ArcGIS Pro 2.8, a 1m grid was established, and the difference between the horizontal zone surface elevation and the ground surface was calculated.
Horizontal Zone
Transitional Zone
The Ridge - Community Housing Rezoning Project
Figure 12. Airport Zones and Height Limits
Area of Rezoning
Airport Transition Zone
Airport Horizontal Zone
Telluride Regional Boundary
Parcels
Airport Height Limits
Obstructed
0 - 15'
15 - 30'
30 - 45'
45 - 60'
60'+
Prepared by:
SE GROUP
Prepared for:
Town of Telluride/
San Miguel County
March 1, 2022
0
0.25
0.5 Miles
N

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

PRE-APPLICATION CONFERENCE SUMMARY SHEET

SMCLUC SECTION 4-207

CONTENTS

Pre-Application Conference Summary Sheet (SMCLUC 4-207)	EXHIBIT G - DIAMONDRIDGE_REZONE_22522	Pre-Application conference summary prepared by Kaye Simonson, Planning Director for San Miguel County for meeting on February 25th with SE Group.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT G

PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

February 25, 2022

Mark Kane, SE Group via email: mkane@segroup.com
Gabby Voeller, SE Group via email: gvoeller@segroup.com

Re: Pre-application Conference Summary: Rezoning of Diamond Ridge Lots 1-R-A, 2-R and 3-R to Community Housing (CH) and Lot Line Adjustment

Dear Mark and Gabby,

The purpose of this correspondence is to serve as an updated Pre-application Conference Summary, based on our meeting of February 24, and in accordance with San Miguel County Land Use Code (LUC) Section 4-207 A. It is proposed to rezone of a portion of the subject property to the Community Housing (CH) Zone District, LUC Section 5-324, pursuant to the review standards in Land Use Code Section 5-18 Land Use Code Amendments and Rezoning. It is expected that the remainder of the property will continue to be zoned Forestry, Agriculture and Open (F). This letter also provides direction for submission and review of a Subdivision Exemption Plat, in accordance with LUC Section 5-1203 Lot Line Adjustments, to align parcel lines with the proposed zone district boundaries. It is expected that the Lot Line Adjustment will occur at a later date; the Lot Line Adjustment application does not have to be submitted and reviewed concurrently with the Rezone application.

LUC Section 4-2 contains the minimum submission requirements for all applications. Sections 4-210 Revegetation Plan, and 4-211 Weed Control Plan, are not applicable to the Rezone or Lot Line Adjustment. Those items would be addressed in the actual development plan. LUC Section 4-212 Employee Housing Mitigation Plan is also not applicable, as the Community Housing zone district specifies that dwelling units constructed in that district are subject to the County's R-1 Housing Deed Restriction.

<u>Rezone</u>
Rezoning is identified in LUC Section 5-1803 and Section 3-601 E as a development application subject to Two-step Review, i.e. review and recommendation at a public meeting by the Planning Commission (CPC) and Public Hearing review and action at a public hearing by Board of County Commissioners (BOCC). Key materials in the application would be a narrative explaining how the standards of LUC Section 5-1803 A

can be met, and any supporting studies, reports and maps. In addition to the rezoning standards, applicable policies in LUC Article 2 Land Use Policies, and the Telluride Regional Area Master Plan Section of the County Comprehensive Development Plan will be considered.

LUC Article 2:
https://www.sanmiguelcountyco.gov/DocumentCenter/View/211/Article-2---Land-Use-Policies--Updated-1121-PDF

Telluride Regional Area Master Plan:
https://www.sanmiguelcountyco.gov/DocumentCenter/View/223/Section-3---Telluride-Regional-Area-Master-Plan-PDF

Lot Line Adjustment
In order to complete the rezoning of only a portion of the three parcels, a replat will be necessary to adjust property lines so no parcel has split zoning. It is expected the Lot Line Adjustment application will be submitted and considered at a later date. Should the rezoning be approved, the resolution will specify when that rezone becomes effective. For example, it may stipulate that the rezone will not be effective unless and until the replat is also approved and recorded, or it may be effective upon closing of the property sale. This will be decided during the review process.

Lots 2-R and 3-R were created by a replat survey pursuant to C.R.S. 38-51 and as recorded at Plat Book 1, Page 4835. As parcels 35 acres or greater in size, the subdivision of those parcels has never been subject to County review; the boundaries of those lots can be adjusted by preparing and recording a replat survey wherein all lots continue to be 35 acres or larger in size, pursuant to C.R.S. 38-51. However, Lot 1-R-A was created through a subdivision exemption plat that also included Lot 1-R Deep Creek Ranch, a 6.25-acre parcel, approved by the Board of County Commissioners and recorded at Plat Book 1, Page 4919. Therefore, the boundaries of Lot 1-R-A can only be adjusted through a Subdivision Exemption Plat pursuant to LUC Section 5-1203 Lot Line Adjustments.

A Lot Line Adjustment application requires a One-step review by the Board of County Commissioners (BOCC) pursuant to Land Use Code Section 3-501 B. and 5-1203. The application should address the Subdivision Exemption standards, the reason for the proposed lot line adjustment, and include a copy of the proposed Subdivision Exemption Plat (prepared by a licensed surveyor).

Submission Requirements

See Attached ***Submission Requirements***

Review Standards

See Attached ***Review Standards***

Review Fees

As a public project initiated by San Miguel County, the application fee will not be charged.

Scheduling of Application Consideration

Please submit two paper copies and a complete set of electronic files (e.g. thumb drive or e-mail) of the complete application(s) that conforms to all applicable Land Use Code requirements. We may request additional paper copies if it is determined to be the best method to transmit the application to the Planning Commission and Board of County Commissioners. The Planning Department can then schedule the application for consideration by the Planning Commission. The Planning Commission meets the second Thursday of each month. A complete application must be submitted at least one month prior to the requested meeting date.

The Planning Department will refer the application to the County Administrator, County Attorney, County Road and Bridge Director, County Parks and Open Space Director, County Sheriff, County Building Official, County Site Inspector, County Surveyor, San Miguel Authority for Regional Transportation, Telluride Fire Protection District, Telluride R-1 School District, Town of Telluride, Town of Mountain Village, Telluride Regional Airport, Federal Aviation Administration, Black Hills Energy, San Miguel Power Association, and Idarado Mining Company. In addition, Aldasoro Ranch Owners Company, Meadows at Deep Creek Homeowners Association (HOA), Deep Creek Ranches HOA, Last Dollar PUD Association, Grayhead Property Owners Association and Deep Creek Mesa Ranches will receive referrals. Other referrals will be determined upon receipt of the application.

Prior to 20 days before any meeting for which consideration of any land use application is scheduled, the applicant shall **notify by First Class mail** every property owner and condominium unit owner within 500 feet of the perimeter of the subject property as listed in the records of the San Miguel County Assessor. In addition, prior to 20 days before any meeting for which consideration of any land use application is scheduled, the applicant shall **post notice** (*letter and sign to be obtained from the Planning Department*) of the scheduled consideration of the application. Mailing and posting of notice by an applicant prior to a meeting that is not a public hearing shall be carried out pursuant to Section 3-903 A., B. and C. In addition to the general notice provisions of Section 3-9, the San Miguel County Land Use Code may require additional notice for certain property owners and parties outside the 500-foot perimeter of the subject property for certain specific development applications, as set forth in the Land Use Code. An applicant's failure/refusal to submit the required certification of notice required by C.R.S. §§24-65.5-103(4) and 104(2), will result in the public meeting or hearing being rescheduled to a later date.

Pursuant to C.R.S. § 24-65.5-102(2)(a), a land use application that is subject to the requirements of public notice for neighboring property owners and the subsurface mineral estate underneath the subject property includes, but is not limited to, all public hearings and public meetings before either the County Planning Commission or the County Board of Commissioners, including preliminary or final plat for a subdivision, rezoning, any subdivision exemption creating more than one (1) new parcel, a planned unit development, and applications for special use permits where such applications are in anticipation of new surface development. In such case, the applicant shall provide notice, pursuant to C.R.S. §§ 30-28-133(10) and 24-65.5-103(1), to all owners and lessees of a mineral interest of record on the subject property of the pending application. For purposes of identifying the mineral estate owner on the subject property, the applicant or his representative shall examine the records in the office of the San Miguel County Clerk and Recorder. Notice to the mineral estate owner shall be provided by first class mail to the last-known address of record of the mineral estate owner *not less than thirty (30) days* before the date scheduled for the initial public meeting by San Miguel County.

Please contact the Planning Department if you have questions. Thank you.

Sincerely,

Kaye Simonson, AICP
Planning Director

Attachments: Submission Requirements
Review Standards

[Z:\Applications letters\Preapp\DiamondRidge.rezone.lla]

SUBMISSION REQUIREMENTS - REZONING AND LOT LINE ADJUSTMENT

Land Use Code Section 4-2 establishes the minimum submission requirements for all development applications:

4-201 General

All development applications shall include, at minimum, the information and materials specified in this section of the Code. During the pre-application conference the Planning Office staff may authorize modifications to the required submission contents.

4-202 Required Background Information

A letter signed by the property owner containing the property owner's name, the applicant's name, address and telephone number, and if applicable, the name, address and telephone number of the representative authorized to act on behalf of the property owner.

4-203 Parcel Description

The street address and current legal description of the parcel on which the development is proposed to occur and an 8-1/2" x 11" vicinity map locating the subject property within San Miguel County.

4-204 Disclosure and Proof of Ownership

A disclosure of ownership of the parcel on which the development is proposed to occur, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all holders of subsurface mineral interests of record listed in the real estate records of the San Miguel County Clerk and recorder, mortgages, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application. This shall normally require proof of complete ownership or written consent from all owners. The staff may also request the applicant to supply information regarding the subject property and contiguous property sufficient to indicate that the subject lot was legally created.

4-205 Legal Access

Sufficient information to demonstrate that the applicant has adequate legal access to the parcel for the development proposal.

4-206 Standards Report

A written report demonstrating that the proposed development complies with the applicable substantive review standards.

4-207 Pre-Application Conference Summary Sheet

A copy of the pre-application conference summary sheet provided to the applicant at the pre-application conference.

4-208 Site Plan

The number of copies of 24" x 36" and 8-1/2" x 11" site utilization maps as specified by the staff during the pre-application conference. During the pre-application conference, the Planning Office may authorize an applicant to consolidate or delete specific maps which may not be applicable to a particular development proposal. The 24" x 36" site utilization maps must be folded to fit within a legal-size folder

with the name of the application visible. Site maps shall include identification of Areas of Local and State Interest as set forth in Section 5-4 and Wetland Areas as set forth in Section 5-22, for all areas where development activity is proposed.

4-209 Copies of Application

During the pre-application conference the staff shall specify the number of copies of the application to be submitted.

4-210 Revegetation Plan

A plan for revegetation of all surfaces disturbed in conjunction with development that preferably employs native species, includes replacement of topsoil and specifies a maintenance schedule and techniques.

4-211 Weed Control Plan

A plan for control of noxious weed, as listed in the San Miguel County Weed Identification List, for all surfaces disturbed in conjunction with Development, as approved by County staff. Disturbed surfaces over one cumulative acre in size will require bonding for revegetation and weed control.

4-212 Employee Housing Mitigation Plan

A plan that complies with Section 5-13 of this Code to provide appropriate employee housing mitigation for the proposed development in the R-1 School District, if applicable.

Review Standards - Rezoning

5-1803 Rezoning

Rezoning may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the standards in this Section. Refer to Sections 3-6 and 4-6 for procedures and submission contents.

5-1803 A. The Planning Commission and the Board of County Commissioners shall approve or disapprove rezoning on the basis of whether the proposed rezoning:

I. Meets any applicable Sections of the Land Use Code;

II. Is consistent with the San Miguel County Comprehensive Development Plan;

III. Is compatible with surrounding Zone Districts and land uses, considering existing land, neighborhood characteristics, and community character, with the understanding that different densities and intensity of uses are not in and of themselves incompatible;

IV. Would not result in unsupportable demands on public facilities, and would not exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, school and emergency medical facilities;

V. Would not result in significant adverse impacts on the natural environment;

VI. Would not be in conflict with the public interest; and

VII. Would help achieve the Land Use Policies, as set forth in Article 2 of this Land Use Code.

5-1803 B. The Planning Commission and the Board of County Commissioners shall also consider whether conditions affecting the subject parcel have changed or whether the surrounding neighborhood supports the proposed amendment.

5-1803 C. The Planning Commission and the Board of County Commissioners shall also consider the effect of the proposed amendment on traffic generation and road safety.

Review Standards and Submission Requirements – Lot Line Adjustment

5-1203 Lot Line Adjustments

A subdivision exemption to adjust a lot line between separately deeded adjacent parcels or lots may be permitted (refer to Section 3-5 and 4-6 for procedures and submission contents) provided that:

5-1203 A. The adjustment creates not more than the original number of lots or parcels.

5-1203 B. The purpose or effect of the lot line adjustment is not the creation of a new lot or parcel (that is, one substantially different in size or dimensions), or renders a previously buildable lot unbuildable.

5-1203 C. In the case of conforming lots and parcels, any resulting lot or parcel shall conform to the minimum requirements for area and width established by the provisions of the Code.

5-1203 D. In the case of a nonconforming size lot or parcels, any resulting lot or parcel shall not increase in nonconformity.

5-1203 E. The applicant shall prepare a subdivision exemption lot line adjustment map (final plat).

I. The requirements for a final plat will vary according to whether all of the lots, tracts or streets in the application meet the definition of “Platted Subdivision” per C.R.S. 38-51-102(15).

II. For an application that has all of the lots, tracts or streets that meet the definition of “Platted Subdivision” per C.R.S. 38-51-102(15), the applicant shall prepare a final plat in compliance with Sections 4-502, 4-503 and 4-504, and comply with the additional requirements in Section 5-1203 F.

III. For an application that has one or more of the lots, tracts or streets that does not meet the definition of “Platted Subdivision” per C.R.S. 38-51-102(15), the applicant shall prepare a final plat in compliance with the requirements in Sections 4-502 A. through 4-502 I, inclusive; Section 4-504; Section 5-1203 F; and comply with the additional requirements of Section 5-1203 G.

5-1203 F. Lots, Tracts and Streets that are a “Platted Subdivision” per C.R.S. 38-51-102(15):

I. Tract Border

The new agreed-upon common boundary lines of the final plat shall be designated by a heavy solid line and labeled as “Boundary Line by Agreement of Adjoiners” or similar language. The previous common boundary lines that are no longer applicable should be indicated by a less prominent dashed or background line type and labeled as “vacated lot line” or similar language. Such lines shall not interfere with the legibility of figures or other data.

II. Lot Numbering

All lots or tracts of the final plat that are part of an approved and recorded plat in the office of the Clerk and Recorder shall be indicated with a new lot number that is a slight variation to the old lot number. For example, Lots 1 and 2 can be redesignated as Lots 1A and 2A.

III. Streets

a. All streets having a lot line adjustment on the final plat shall be named exactly with the same name as existed previous to the lot line adjustment.
b. All County Roads that are within the legal description being finally platted shall be dedicated to San Miguel County on the final plat. All public roads within the legal description being finally platted shall dedicate an easement for public road right-of-way.

IV. Monument Data

Monuments that marked the previous common boundary and are no longer applicable after the lot line adjustment is approved and recorded shall be tied to the survey with dimensions and be indicated on the plat as removed from the ground. Monuments so indicated shall be actually removed.

V. Owner's Certificate *(to be used in lieu of Section 4-503 A)*

A certificate signed and acknowledged by all parties having any record title interest in the land described in the legal description per Section 4-502 L., consenting to the preparation and recordation of said plat, shall be worded substantially as follows:

Owner's Certificate

Know all persons by these presents:
That (name of owner(s) of record), being the owner(s) of the land described at Reception No. _____ in the office of the Clerk and Recorder, further described as follows:
(insert legal description of the first parcel, previous to the lot line adjustment)

That (name of owner(s) of record), being the owner(s) of the land described at Reception No. _____ in the office of the Clerk and Recorder, further described as follows:
(insert legal description of the second parcel, previous to the lot line adjustment),

(repeat as necessary for each owner)

under the name of (Title of final plat per Section 4-502 E., in capital letters), do hereby agree upon the property lines as set forth hereon and do further grant, sell and convey to the other owners such of their real property as may lie on the other party's side of the boundary lines set forth on this plat and do hereby agree that the boundary lines as shown on this plat are the boundary lines by agreement of adjoiners pursuant to the provisions of C.R.S. 38-44-112.

VI. Licensed Surveyor *(to be used in lieu of Section 4-503 C)*

A certificate by the Colorado licensed surveyor responsible for the survey and final plat, to which shall be affixed the surveyor's official seal:

Land Surveyor's Certificate

I, (printed name of Land Surveyor, indicating firm affiliation, if any) being a Colorado Licensed Surveyor, do hereby certify that this plat and survey of (Title of final plat per Section 4-502 E., in capital letters) was made by me or under my responsible charge in compliance with the applicable provisions of the San Miguel County Land Use Code and Title 38, Article 51, C.R.S., and that both are true and accurate to the best of my knowledge and belief. I further certify that all monuments were set in the ground as required by San Miguel County Land Use Code section 5-1203 and Article 51 of Title 38, C.R.S. and that all monuments were removed from the ground as required by San Miguel County Land Use Code section 5-1203 F. III.

(signature)_____
P.L.S. No. ___ Date

VII. Nature and Purpose

The final plat shall have a statement explaining the reason for the final plat to be prepared and filed.

5-1203 G. Lots, Tracts and Streets that are not a "Platted Subdivision" per C.R.S. 38-51-102(15)

I. Land Survey Plat

A complete land survey and monumentation of the final plat boundary for any of the lots, tracts or streets that meet the definition of "platted subdivision" per C.R.S. 38-51-102(15) is required, which shall include all information necessary to comply with the requirements of C.R.S. 38-51-106. A complete land survey and monumentation of the boundary for any of the lots, tracts or streets that do not meet the definition of "platted subdivision" per C.R.S. 38-51-102(15) is not required, and the survey of such lots, tracts or streets does not need to comply with the requirements of C.R.S. 38-51-106. A complete land survey and monumentation of the new agreed-upon boundary line is required. Final plats shall include all information listed in the requirements of C.R.S. 38-51-106 (a),(e),(g) (h) and (I).

II. Legal Description

A legal description of the land to be final platted shall be indicated in the Owner's Certificate (see Section 5-1203 F. V.). The description may utilize generally accepted methods to describe the land being final platted such as aliquot, proportional, metes and bounds, or lot, block and subdivision formats.

III. Lot Numbering

All lots or tracts of the final plat which are part of an approved and recorded plat in the office of the Clerk and Recorder shall be indicated with a new lot number that is a slight variation to the old lot number. For example, Lots 1 and 2 can be redesignated as Lots 1A and 2A. Parcels that are not part of an approved and recorded plat in the office of the Clerk and Recorder shall be labeled with the owner's name and deed recording information. Patented mining claims shall also indicate the claim name and mineral survey number.

IV. Monument Data

a. The accurate location and description of all monuments, both found and set, which mark the boundaries of any of the lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15) shall be shown on the final plat. The accurate location and description of all monuments, both found and set, which mark the boundaries of the new agreed-upon common boundary lines shall be shown on the final plat, and all control monuments used in conducting the survey shall be shown.

b. Monuments shall comply with the requirements pursuant to C.R.S. 38-51-104 and 38-51-105 and to Rules of the State Board of Registration for Professional Engineers and Professional Land Surveyors, and conform to the standards of Section 5-706 of the Land Use Code.

c. Monuments shall be set at all corners, angle points, and points of curvature on the boundaries of any of the lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15), and at all corners, angle points, and points of curvature of the new agreed-upon boundary line of the final plat.

d. Any conflicting boundary evidence for the boundaries of any of the lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15) shall be shown. Any conflicting boundary evidence for the terminus at each end of the new agreed-upon boundary lines shall be shown.

V. Lot Dimensions

a. Sufficient data must be shown to readily determine the dimensions of lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15), and for the new agreed-upon common boundary line with respect to each of the lots, tracts, parcels or streets being modified.

b. Dimensions of lines shall be shown in feet and hundredths of a foot. All bearings and central angles shall be shown to the nearest second. The dimensions shown around the perimeter of all lots, tracts and streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15) must close within a tolerance of 0.02 feet.

c. New agreed-upon common boundary lines and boundary lines for lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15), must show ties to any controlling monuments used in the boundary survey.

d. Sufficient data for all curves that are dimensioned shall be shown to enable establishment of curves on the ground. Such data shall include radius, central angle and arc length for each tangential circular curve. In addition, non-tangential circular curves that are dimensioned shall be indicated as such and shall also include the long chord bearing and chord length. Inclusion of a curve data chart is optional.

VI. Easements

a. For lots, tracts or streets that meet the definition of “platted subdivision” per C.R.S. 38-51-102(15), the final plat shall show the location, width

and dimensions of all recorded easements to which such lots, tracts or streets are subject, and also show any apparent easements, not of record. For lots, tracts or streets that do not meet the definition of "platted subdivision" per C.R.S. 38-51-102(15), the final plat does not need to show recorded or apparent easements to which such lots, tracts or streets are subject.

b. Apparent easements, not of record, which intersect the new agreed-upon common boundary line shall be noted on the plat.

c. Easements shown that are recorded must be clearly labeled with a reference to the document of record.

d. If an easement is being created by the final plat, proper language for the creation of such easement including the beneficiaries and purposes for said easement shall be set out in the Owner's Certificate.

e. Easements shall be indicated with dashed or other broken line types, not as a solid line type similar to lot or boundary lines.

f. Dimension and tie all easements that are being created by the final plat. Sufficient ties are required to definitely locate the easements with respect to each lot, tract or right-of-way on the final plat. Easement ties along the sidelines of lots must be shown in a manner that will not cause confusion with lot dimensions.

VII. Certificates and Acknowledgements

At a minimum, the certificates and acknowledgements from Section 5-1203 F. V., VI. and VII., and Section 4-503 B., D., F., G., H., I., L. and J. shall be required on the final plat, shall be placed on the first page of the final plat and shall be worded substantially as described in each Section.

5-1203 H. Waiver of Requirements

If unusual circumstances warrant, a waiver of any of the requirements of Sections 5-1203 E., 5-1203 F. or 5-1203 G. can be obtained if approved by the Planning Director and the County Surveyor.

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

SITE PLAN

SMCLUC SECTION 4-208

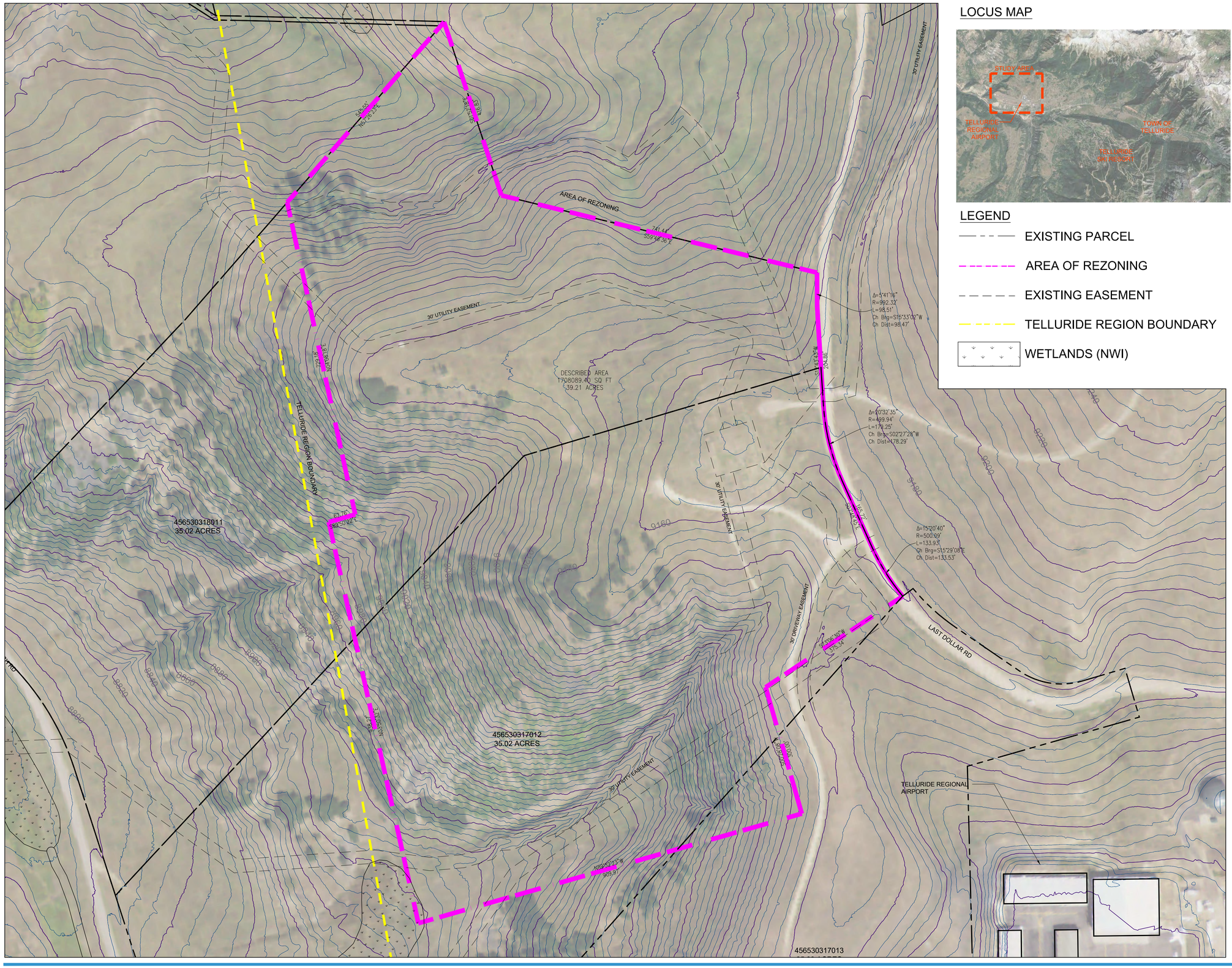
CONTENTS

Site Plan (SMCLUC 4-208)	EXHIBIT B- SITE UTILIZATION MAP.PDF	Graphic plan showing the rezoning area relative to the subject parcels and the legal description of the rezoning area.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT B



LOCUS MAP

LEGEND

- EXISTING PARCEL
- AREA OF REZONING
- EXISTING EASEMENT
- TELLURIDE REGION BOUNDARY
- WETLANDS (NWI)

SGM
www.sgm-inc.com

AREA OF RE-ZONING
LEGAL DESCRIPTION

An Area of Re-zoning situated within the lands previously described as Parcel B and Parcel C, The Corrals at Deep Creek Mesa, according to the plat thereof recorded January 11, 1995 as Reception No. 296713, also situated within the lands currently described as Lots 2-R and 3-R, Diamond Ridge, according to the Re-plat Survey of Lots 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A and 9-R, Diamond Ranch and Lots 1-R, 2-R and 3-R, Diamond Ridge recorded December 21, 2016 as Reception No. 445551, also situated within the lands currently described as Lot 1-R-A, Diamond Ridge, according to the Subdivision Exemption for a Lot Line Adjustment for Lot 1-R-A, Diamond Ridge and Lot 1-R, Deep Creek Ranch recorded May 1, 2017 as Reception No. 448285, lying, for reference, in Section 30, Township 43 North, Range 9 West of the N.M.P.M., in the County of San Miguel, State of Colorado, described as follows:

BEGINNING at the southwest corner of said Parcel C, The Corrals at Deep Creek Mesa;

Thence along the west line of said Parcel C, The Corrals at Deep Creek Mesa the following three (3) courses:

1. N 03°50'32" E a distance of 938.27 feet;
2. S 89°50'22" E a distance of 62.76 feet;
3. N 04°08'18" E a distance of 729.18 feet to a point on the north line of said Lot 1-R-A, Diamond Ridge;

Thence along the north line of said Lot 1-R-A, Diamond Ridge the following four (4) courses:

1. N 57°26'23" E a distance of 545.55 feet;
2. S 01°52'18" E a distance of 416.83 feet;
3. S 59°48'36" E a distance of 741.44 feet;
4. 98.51 feet along a non-tangent curve to the left, having a radius of 992.32 feet, a central angle of 005°41'16", the chord of which bears S 15°33'02" W a distance of 98.47 feet to the northeast corner of said Parcel C, The Corrals at Deep Creek Mesa;

Thence along the east and south lines of said Parcel C, The Corrals at Deep Creek Mesa the following seven (7) courses:

DURANGO 555 RiverGate Lane, Suite B4-82 | Durango, CO 81301 | 970.385.2340

SGM
www.sgm-inc.com

1. S 12°43'43" W a distance of 204.86 feet;
2. 179.25 feet along a non-tangent curve to the left, having a radius of 499.94 feet, a central angle of 020°32'35", the chord of which bears S 02°27'28" W a distance of 178.29 feet;
3. S 07°48'45" E a distance of 165.72 feet;
4. 133.93 feet along a non-tangent curve to the left, having a radius of 500.09 feet, a central angle of 015°20'40", the chord of which bears S 15°29'08" E a distance of 133.53 feet;
5. S 73°06'30" W a distance of 375.34 feet;
6. S 00°28'08" W a distance of 300.00 feet;
7. N 89°32'23" W a distance of 909.97 feet to the POINT OF BEGINNING.

Said Area of Re-Zoning containing 39.21 acres, more or less.

This description is based entirely on documents of record, and not a field survey performed by this Surveyor. The purpose of this description is to re-zone an area.

Legal Description Created By:

Timothy A. Barnett
Colorado PLS No. 38404
For, and on behalf of SGM Inc.

COLORADO LICENSED TIMOTHY A. BARNETT 38404 3/25/22 PROFESSIONAL LAND SURVEYOR

DURANGO 555 RiverGate Lane, Suite B4-82 | Durango, CO 81301 | 970.385.2340

NOTE: Information depicted on this Figure was derived from public mapping sources including GIS data. The boundary for the area of rezoning will be established using the legal description provided in the accompanying report to the rezoning application.

0 50' 100' 200'

Contour Interval: 5'

SITE UTILIZATION MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by:
SE GROUP
FEBRUARY 2022

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT

REZONING APPLICATION

SUPPORTIVE INFORMATION

CONTENTS

Supportive Information	EXHIBIT C – RESOLUTION.PDF	Resolution of San Miguel County establishing the Community Housing (CH) zone district.
	EXHIBIT H – Traffic.PDF	Letter from Traffic Engineering addressing potential traffic issues associated with the rezoning.
	EXHIBIT I – MTNMIGRATION.PDF	Report from Northwest Colorado Council of Governments on Mountain Migration and a discussion of long-term impacts of COVID on housing and services – 2021
	EXHIBIT J – HOUSINGNEEDS.PDF	Final Report from EPS and RRC on the Housing Needs Assessment for San Miguel County – August 2018

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT C

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SAN MIGUEL COUNTY, CO
STEPHANNIE VAN DAMME, CLERK-RECORDER
12-13-2021 08:16 AM Recording Fee $0.00

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS, SAN MIGUEL COUNTY, COLORADO, APPROVING AN AMENDMENT TO THE LAND USE CODE ADDING SECTION 5-324 COMMUNITY HOUSING (CH) ZONE DISTRICT WITH ASSOCIATED AMENDMENTS

Resolution 2021-038

WHEREAS, based on the 2018 San Miguel County Housing Needs Assessment, the need for additional community housing is critical, with an estimated shortage of 441 units at the time of the study, and a projected shortage of an additional 325 units by 2026; and

WHEREAS, the 2019 report, The Impacts of Workforce Housing on the Telluride Area Economy and Community, done by the Trust for Community Housing, identified the importance of deed restricted housing for retaining essential workers, emergency service workers and those who support the local economy, and having workers close to their jobs as critical for maintaining the economy and the community; and

WHEREAS, it is imperative to meet the housing needs of people who work in San Miguel County, in order to preserve community and ensure the County continues to be a viable residential community with a stable resident workforce; and

WHEREAS, the lack of community housing is leading to overcrowding in current units and excessive commuting, which increases carbon emissions; and

WHEREAS, the lack of affordable housing for permanent and seasonal residents is resulting in difficulties in finding and retaining workers, thus impacting local businesses; and

WHEREAS, local real estate sales and rental trends due to the COVID pandemic have resulted in significant displacement of local renters, further exacerbating the availability of affordable housing in San Miguel County; and

WHEREAS, the lack of community housing close to employment centers requires significant other expenditures on transit, parking, roads, law enforcement and other county and local government services; and

WHEREAS, streamlining the permitting process, removing regulatory barriers, and facilitating higher density residential development will help to further San Miguel County's Housing goals and policies and encourage the construction of workforce and community housing; and

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado (BOCC) has a legitimate interest in ensuring adequate community housing exists for the above mentioned reasons; and

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WHEREAS, C.R.S. § 30-28-102, as amended, authorizes the BOCC to provide for the physical development of the unincorporated territory within the County and for the zoning of all or any part of such unincorporated territory subject to other statutory provisions; and

WHEREAS, C.R.S. § 30-28-111, as amended, grants authority to the County Planning Commission (CPC) to create a zoning plan for zoning all or any part of the unincorporated territory within the County, to include but not limited to, recommendations for the regulation by districts or zones of the location, height, bulk, and size of buildings and other structures, percentage of lot which may be occupied, the density and distribution of population, the location and use of buildings and structures residence, or other purposes; and

WHEREAS, ,Governor Polis signed House Bill 21-1117 into law on May 28, 2021, which amended C.R.S. § 29-20-104, adding (1)(e.5) and (1)(e.7) encouraging local governments to increase the overall number and density of housing units within its jurisdictional boundaries or to promote or create incentives to the construction of affordable housing units by adopting changes to its zoning or land use policies to increase the number of housing units allowed on a particular site, and/or permitting more than one dwelling unit per lot in traditional single-family lots, and/or promoting denser housing development near transit stations and places of employment, and/or grant reduced parking requirements to residential or mixed-use developments that include housing near transit stations or affordable housing developments, and/or grant density bonuses to development projects that incorporate affordable housing units; and

WHEREAS, at the direction of the Board of County Commissioners, the Planning Director has prepared a draft Land Use Code (LUC) Amendment, creating Section 5-324, Community Housing Zone District, with associated amendments to LUC Section 5-1803, Rezoning, and Article 6, Definitions; and

WHEREAS, the draft amendment was referred to the County Attorney; County Manager; County Building Official; County Road and Bridge Director; County Sheriff; County Parks and Open Space Director; County Site Inspector; County Road and Bridge Director; County Building Official; San Miguel Regional Housing Authority; Town of Telluride; Town of Mountain Village; Town of Sawpit; Town of Ophir; Town of Norwood; Telluride Fire Protection District; and Colorado Division of Water Resources; and

WHEREAS, the draft LUC Amendment was discussed within joint work sessions by the CPC and the BOCC on October 11, November 4 and November 17, 2021, with direction given to staff regarding the proposed amendment; and

WHEREAS, at a joint meeting with the BOCC held on Wednesday, December 8, 2021, following its consideration of the proposed LUC Amendment, the CPC unanimously recommended approval of the Land Use Code Amendment; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, is consistent with Land Use Code Section 1-4,

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Purposes of the Land Use Code, and implements the Land Use Code Policies for Housing as contained in Section 2-29; and

WHEREAS, a Public Hearing Notice for the proposed Land Use Code Amendment and the Board of County Commissioners meeting to be held on December 8, 2021 was published in the Norwood Post and the Telluride Daily Planet on November 24, 2021; and

WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit A; and

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this Land Use Code amendment, along with relevant evidence and testimony, at a public hearing on Wednesday, December 8, 2021.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the amendments to San Miguel County Land Use Code, adding Section 5-324 Community Housing (CH) as a new zone district:

5-324 COMMUNITY HOUSING (CH)

5-324 A. Purpose

The purpose of the Community Housing zone district is to provide for the development of high-density, clustered housing for people who live and work within San Miguel County. Housing may be in attached or detached single-family homes, duplexes, multi-family buildings, or rooming houses. Development may also include alternative living units such as spaces for RVs, tiny homes or yurts. Dwelling units shall be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304 and 5-1305), unless free-market units are allowed within the development.

Properties that may be considered for rezoning to the Community Housing (CH) zone district shall be located within the Telluride R-1 School District boundaries. Zone districts that are most appropriate for rezoning to CH are those that can be served by municipal water, including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered where water can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas. **It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.**

Clustered development is encouraged to maintain open space, to be efficient in design and construction of infrastructure, and to mitigate impacts on adjacent properties. Recreational, civic and public uses may be part of the development where appropriate. All development shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include,

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but are not limited to, provision of water and wastewater treatment; mitigation of geohazards; site access; and any other applicable site-specific considerations.

All development in the Community Housing zone district is encouraged to include energy efficient design and alternative energy generation such as solar power. Net zero development – producing enough energy through the use of measures such as solar panels, passive design, and other means to offset the energy consumed on an annual basis – is strongly encouraged. Sites that are not suited to net-zero development should strive to be as energy efficient as possible, through design, construction, and building systems.

5-324 B. Uses Allowed by Right

I. Customary residential accessory buildings and uses;

II. Day care homes; and

III. Home occupations.

5-324 C. Uses Allowed Subject to Administrative Review

I. Temporary Alternative Living Space sites;

II. Day care centers;

III. Public transportation facilities primarily serving the development; and

IV. Public utilities and infrastructure to primarily serve the development.

5-324 D. Uses Allowed Subject to One-Step Planning Commission Review

I. Dwelling units – on parcels five (5) acres or less:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (no more than twenty (20) percent of total units);

II. Churches, community meeting halls, libraries, and other civic and community-serving facilities;

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III. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development; and

IV. One (1) Free-market (not deed restricted) dwelling unit.

5-324 E. Uses subject to Two-Step Special Use Permit Review

I. Dwelling units – on parcels greater than five (5) acres:

a. Single-family dwellings, attached and/or detached;

b. Duplexes;

c. Multi-family dwellings;

d. Rooming houses;

e. RV, tiny home, yurt and other Alternative Living Spaces (twenty one (21) percent or more of total units);

II. Parks, playgrounds, playing fields, and other recreational facilities to serve residents of the development and regional residents;

III. Fire stations, schools, and other public facilities and uses; and

IV. Free-market (not deed restricted) dwelling units:
a. Comprising ten (10) percent or less of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty (20) percent or less of the total units for a development that is net zero on an annual basis.

5-324 F. Uses Allowed Subject to Board of County Commissioner Approval Pursuant to Planned Unit Development (PUD) Procedure

I. Free-market (not deed restricted) dwelling units:
a. Comprising eleven (11) percent or more of the total units for a development that is not net zero on an annual basis; or
b. Comprising twenty-one (21) percent or more of the total units for development that is net zero on an annual basis;

II. Neighborhood Commercial Uses that offer goods and services needed by residents of the PUD on a daily or frequent basis, including convenience store, drug store, liquor store, self-service laundry, medical and dental offices and clinics, and postal service substation; and

III. Flex Space.

5-324 G. Area and Bulk Requirements Permitted by Right

I. Maximum Density – twenty (20) units per acre

II. Minimum Lot Area – None

III. Setbacks

a. Setbacks from any development to property lines of any abutting parcel zoned other than Community Housing and to any right-of-way – twenty (20) feet;

b. Front yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal front yard setback;

b. Rear yard – ten (10) feet to adjacent buildings; otherwise, to allow flexibility in the design process, there is no minimum internal rear yard setback;

c. Side yard:

i. Detached Principal buildings – ten (10) feet to adjacent buildings;

ii. Attached Principal buildings – zero (0) feet on the attached side(s) and ten (10) feet to adjacent buildings on the detached side.

d. Accessory buildings – five (5) feet to the nearest building(s), all sides.

IV. Maximum Building Height:

a. Thirty-five (35) feet;

b. For development that is net zero on an annual basis, forty-five (45) feet.

V. Minimum Common Open Space – thirty (30) percent, to be developed as either Active or Passive Open Space

VI. Minimum Off-street Parking

Clustered parking areas are encouraged. Off-street parking shall be provided for each principal use as required in Section 5-702, with the

following exceptions:

a. Studio and one (1) bedroom dwelling units: one (1) parking space per unit;

b. All other dwelling units: two (2) spaces per unit;

c. Rooming house: one (1) parking space per sleeping room, except where the property is served by public transit, in which case the parking requirement shall be two (2) spaces for every three (3) sleeping rooms;

d. Alternative Living Spaces: one (1) parking space per unit.

5-324 H. Review Standards

An applicant seeking approval for a development in this zone district must demonstrate to the satisfaction of the Decision Maker substantial compliance with the applicable standards of LUC Sections 5-5, 5-6 and 5-7, and with the standards in this section:

I. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use;

II. There shall be adequate water supply to serve the development that meets the standards of Section 5-605. If the water service provider has a lower per capita standard than that specified by Section 5-605, or the developer can demonstrate lower water demand for the development, the average daily demand per capita may be reduced. Water shall be treated by a method determined by the County or state health department to conform to minimum local and state requirements;

III. The wastewater treatment system shall meet the standards of Section 5-607;

IV. The property shall have direct access to a state highway or a County road that is maintained year-round;

V. A traffic study may be required to determine the adequacy of the access and surrounding road network, and to identify any needed improvements;

VI. Fencing shall be "wildlife friendly fences," in compliance with Colorado Parks and Wildlife fencing standards, as described in LUC Section 5-407;

VII. In areas where development is proposed that has been or may be designated as being in any area of local or state interest or being an activity of local or state interest, the requirements of Section 5-4 shall be met;

VIII. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable area of the site;

IX. Any proposed structures are located outside the Scenic Foreground Overlay Zone District or are designed consistently with the Scenic Foreground Overlay standards; and

X. A development agreement or covenants may be required to ensure there is a responsible homeowners association or entity to maintain the systems and infrastructure.

BE IT FURTHER RESOLVED, LUC Section 5-1803 Rezoning is hereby amended to clarify and add an additional standard to LUC Section 5-1803 A:

Additions to the following section are indicated with underline. Deletions are indicated with ~~strike-through~~.

5-1803 Rezoning

Rezoning may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the standards in this Section. Refer to Sections 3-6 and 4-6 for procedures and submission contents.

5-1803 A. The Planning Commission and the Board of County Commissioners shall approve or disapprove rezoning on the basis of whether the proposed rezoning:

I. Meets ~~Conflicts with~~ any applicable Sections of the Land Use Code;

II. Is consistent with the San Miguel County Comprehensive Development Plan;

III. Is compatible with surrounding Zone Districts and land uses, considering existing land use, ~~and~~ neighborhood characteristics, and community character, with the understanding that different densities and intensity of uses are not in and of themselves incompatible;

IV. Would not result in unsupportable demands on public facilities, and ~~so~~ would not exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, school and emergency medical facilities;

V. Would not result in significant adverse impacts on the natural environment;

~~VI. Is consistent and compatible with the community character; and~~

VII. Would not be in conflict with the public interest; and

VII. Would help achieve the Land Use Policies, as set forth in Article 2 of this Land Use Code.

5-1803 B. The Planning Commission and the Board of County Commissioners shall also consider whether conditions affecting the subject parcel have changed or whether the surrounding neighborhood supports the proposed amendment.

5-1803 C. The Planning Commission and the Board of County Commissioners shall also consider the effect of the proposed amendment on traffic generation and road safety.

BE IT FURTHER RESOLVED, Article 6 Definitions is amended to add the following definitions:

Alternative Living Space
A structure that is built or designed outside of mainstream construction, such as a "Tiny Home," recreational vehicle, yurt, or cargo container, that may not meet all building code requirements for a dwelling, or may be classified as a vehicle, but can provide housing that includes facilities for cooking, bathing, and sleeping. Cooking and bathing facilities may be located in a separate or communal service building. Alternative Living Spaces shall be limited to five hundred (500) square feet in floor area, excluding loft spaces with an average height of no more than four (4) feet. (A small house built on a foundation, in accordance with applicable building codes, is considered a Dwelling Unit.)

Tiny Home
A small house built on a trailer that includes cooking and bathing facilities, generally classified as a recreational vehicle. A Tiny Home may or may not comply with Federal Motor Vehicle Safety Standards and/or other applicable regulations. (A small house built on a foundation, in accordance with applicable building codes, is considered a Dwelling Unit.)

BE IT FURTHER RESOLVED, this resolution is adopted based on the finding that the proposed amendment complies with the statutory powers of the Board of County Commissioners to regulate land use within all or any part of the unincorporated territory of San Miguel County and the standards of Land Use Code Section 5-1802, Land Use Code Amendments; is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code, in that it implements the policies of San Miguel County regarding housing, simplifies the application and review process, and protects the public health, safety and welfare of San Miguel County; and implements the Land Use Policies for Housing as contained in LUC Section 2-29, by providing mechanisms to increase available housing for people who live and work within the County, ensures community character is protected, and helps the residential communities within the County continue to be viable.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on December 8, 2021.

SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

DocuSigned by:
By: Lance Waring
Lance Waring, Chair

Vote:	Lance Waring	x	Aye	Nay	Abstain	Absent
	Hilary Cooper	x	Aye	Nay	Abstain	Absent
	Kris Holstrom	x	Aye	Nay	Abstain	Absent

ATTEST:

DocuSigned by:
By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

DS

EXHIBIT A – Public Hearing Record list

[Z:\Applications\2021_Community Housing_LUC Amendment_MP Amendment]

EXHIBIT A
PUBLIC HEARING RECORD

County Planning Commission
Board of County Commissioners
Application: Amendment to the San Miguel County Land Use Code adding Section 5-324 Community Housing (CH) zone district, with associated amendments

Date: December 8, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)

3. Memorandum to the San Miguel County Planning Commission and San Miguel County Board of County Commissioners from Kaye Simonson, Planning Director, dated December 8, 2021

4. Draft Resolution

5. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on September 22, 2021

AGENCY COMMENTS

6. Agency Referral email dated October 18, 2021

7. Email from Karen Guglielmone, Town of Telluride, dated October 27, 2021

8. Email from Lance McDonald, Town of Telluride, dated October 18, 2021

PUBLIC COMMENT

None

OTHER

None

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT H

FELSBURG HOLT & ULLEVIG
connecting & enhancing communities

March 17, 2022

Mr. Kevin Geiger, Town Attorney
Mr. Lance McDonald, Program Director
Town of Telluride
Rebekah Hall
113 W. Columbia
Telluride, CO 81435

Reference: Last Dollar Road Rezoning – Traffic Review
FHU Project # 122053-01

Gentlemen:

Felsburg Holt & Ullevig (FHU) has reviewed your proposed residential rezoning concept along Last Dollar Road in Telluride, Colorado, located generally north of Telluride Airport. We understand that you plan to amend the current zoning to Community Housing. This letter summarizes our traffic operations and safety review of the concept based on our initial traffic assessment.

Traffic from the potential residential units would use Last Dollar Road as their main access route, typically traveling to and from the southeast past Basque Boulevard and Aldasoro Boulevard to W Colorado Avenue. Given our understanding of land uses along Basque Boulevard and Aldasoro Boulevard, we do not expect that traffic from the proposed rezoning would significantly affect operations at these Last Dollar Road intersections. Since W Colorado Avenue is the main roadway into and out of Telluride, the Last Dollar Road intersection at W Colorado Avenue serves higher volumes. Based on our review of this intersection, there is the potential for operational concerns for left turns from Last Dollar Road onto W Colorado Avenue due to increased development along Last Dollar Road. This is typical of left turns from minor streets onto busier roadways, and various mitigation measures could be considered to improve operations. A dedicated shuttle or expansion of existing SMART transit services could also be used to reduce drive-alone trips to and from the site and surrounding area. These concepts should be explored further as the proposed rezoning advances.

In general, changes in traffic conditions may affect overall roadway safety performance and increases in volumes often lead to increases in incidents. Based on our initial review of the specific conditions along Last Dollar Road, the roadway segment between the site access and Airport Road should be paved to current rural paved roadway design standards to improve safety for motorists accessing the site. If found to be needed, additional safety improvements could include shoulder improvements, vegetation management to improve sight distances, and wildlife management along the existing paved section of the roadway.

Based on the analyses presented herein, we do not foresee significant traffic issues based on the proposed rezoning. Please let me know if you have further questions regarding this initial traffic review.

Sincerely,

FELSBURG HOLT & ULLEVIG



Paul F. Brown, PE, PTOE
Project Manager

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT I













The Mountain Migration Report

2021 | Are COVID Impacts on Housing & Services Here to Stay?

Northwest Colorado Council of Governments

Eagle, Grand, Pitkin, Routt, San Miguel & Summit Counties




ENRIDGE MUSIC FESTIVAL



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1 INTRODUCTION

Study Purpose

Since the COVID-19 pandemic escalated in March of 2020, national media reported an outflow of residents flocking from cities to high quality-of-life places such as the mountain resort communities covered in this report. Residents of these communities observed that their communities were busier—and consistently so, breaking the typical patterns of high and low visitation. But was the in-migration real? And what did we know about the people coming to these places who appeared more like residents than visitors? Was it only a COVID driven wave that would recede? How would it impact known community challenges such as workforce retention, affordable housing, rental stock and that mountain community holy grail that is quality-of-life? A desire for a better understanding of the answers to these and many other questions being asked led to this Mountain Migration report.

We listened to our membership through 2020, there was a sense among those reflecting already that the COVID Mountain Migration experiment might prove instructive, providing a glimpse ahead for those who drive policy. That idea was the origin of this report. To get it done, Northwest Colorado Council of Governments (NWCCOG) sought a partnership with Colorado Association of Ski Towns (CAST) to scope and fund this report. That partnership led to a grant from the Colorado Department of Local Affairs (DOLA), and funding from a recovery grant from the Economic Development Administration (EDA) to match dues from NWCCOG and CAST membership. NWCCOG is deeply appreciative of these partners, the many contributors listed in the Acknowledgements page and the amazing communities that we are honored to serve.

The findings of this report should help local leaders better understand current trends and motivate them to address evolving community needs. While the data was gathered from six Colorado mountain resort counties, the results should provide widespread insights for other high amenity places throughout the Mountain West. In Colorado, most solutions are local, but many of the impacts outlined in this report can only be addressed through regional and state-level cooperation, and in some cases structural changes to policy, practice and law.

Many public and private sector professionals have spent their careers on these issues, many of the communities studied have been "doing housing" for decades, and many are innovating in the housing sector right now, though, few are putting all options on the table. There is always that sticky matter of political courage and public resistance to change. We think this Mountain Migration trend reveals a tipping point for these communities that cannot be ignored.

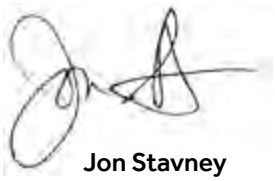
We thought such a report without ANY suggestions would be a mistake. To that, NWCCOG and CAST would like to thank Wendy Sullivan and Melanie Rees, the consultants who we sought out for this work. The Possible Solutions/ Next Steps section at the end derived from their years of experience combined with input during this project. Although they tolerated edits and input from us as NWCCOG and CAST Executive Directors, the report is their work, and is intended as a tool for reference. It is not a reflection of the positions of either organization or our membership.

That said, we don't mind going out on a limb here. May this report be a wakeup call for local leaders, a renewed call to action for those already involved in tackling community challenges, and a reference point for those seeking to understand the trends so they can have a positive impact on the places they live. The consequences are real.

Will some communities reach a tipping point of unfillable jobs that are necessary to sustain their reputations and quality of life? Will some communities be fully commoditized and lose their soul? The report notes that no place yet has "built their way out" of the issue. Is that possible? Does that mean that a community "couldn't?" There are many approaches to the issue. We recommend looking at each of them again.

We hope this report may provide some cover for bold elected officials partnering with others to propose such structural changes. Policies that made sense need to be reassessed, could include reviewing deed restriction language to address remote work, or recalibrating Area Medium Income limits because even locally employed professionals are being priced out. These are incremental, known things to tweak. Some things that were taboo may need to be put on the table, those could include inventorying all lands owned by public taxing entities for viability for affordable housing – school lands, oversized parking lots, and prized civic properties like adjacent federal lands and, (gasp) open space. There is open talk these days about whether STRs should be taxed as commercial properties? The conversation these days isn't all about local or state policies. What about federal lending practices that favor single family homes over multi-family developments? This is returning as an equity issue. Some states such as California have streamlined multi-family developments as a by-right development for affordable projects where density is not a public input point. Others states legislatures in the West are discussing abandoning single family zoning altogether. And then there is the question, where is that in the budget? Most solutions like public land banking, purchasing deed restrictions from existing residents cost money and often require additional taxes. For those who wish to open the barn door, break the glass (insert your metaphor here), there are no shortage of ideas being discussed somewhere out there today.

The countervailing challenge is this. People really like it up here because it isn't the city. Periods of intense growth pressure in mountain communities often result in a not-in-my-backyard backlash which creates resistance to the very actions necessary to address the challenges outlined in this report. Such reactions often impact attempts to create affordable housing more than they do higher-end projects. Whether this dynamic can be overcome will require considerable finesse, vision and community buy-in earned by community leaders. We applaud those who endeavor to do so.



Jon Stavney
Executive Director NWCCOG

Margaret Bowes

Margaret Bowes
Executive Director CAST

Northwest Colorado Council of Governments

Colorado Association of Ski Towns

EDA U.S. Economic Development Administration

Colorado Department of Local Affairs

Geographic Area

Aside from each county or municipality therein being members of NWCCOG and/or CAST, additional criteria were used to focus the study area to ensure that this analysis will have wide applicability to a variety of other amenity-rich communities throughout the west. First, high-profile resort communities are located in each county. These have long attracted investment from second homeowners and strong interest from visitors. On average only about 50% of homes are occupied by full-time residents in the entire study area, with the rest being owned and occupied by part-time residents, investment buyers, and visitors. Second, each county differs in its relative accessibility from population centers, with some being easily accessible from the more urban Colorado Front Range cities and others being relatively isolated. This leads to variability among these counties, reflected in other unique factors such as each county's demographic, economic, and visitor profiles. Communities not directly included in the study should, therefore, be able to reference a county or combination of counties that best resemble their area to get a picture of the most applicable migration profiles presented in this report.

This study includes six counties within the NWCCOG and CAST network:
Eagle County, Pitkin County, Summit County, Routt County, Grand County, and San Miguel County.



Methodology

ONLINE RESIDENT SURVEY

The resident survey conducted as part of this study provides the core information presented in this report. The survey was distributed with significant local assistance to reach full-time residents, part-time residents, and new residents. Nearly 5,000 responses were received, about one-fourth of which were from part-time residents, as summarized in the table below.

RESIDENCY STATUS	COUNTY						
	Eagle	Grand	Pitkin	Routt	San Miguel	Summit	TOTAL
Full-time	508	769	254	400	496	1,048	**3,475**
Part-time	91	446	192	64	62	380	**1,235**
TOTAL	**599**	**1,215**	**446**	**464**	**558**	**1,428**	**4,710**

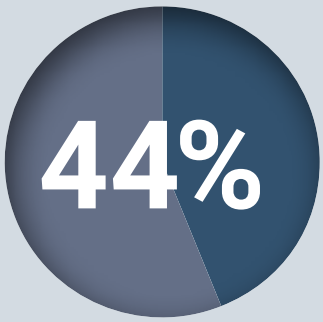
Reaching the desired mix of respondents required a diverse outreach plan. The survey was advertised through local media and newspapers and distributed with the cooperation of local boards of REALTORS®, school districts, water and utility billings, chambers of commerce, and local non-profits, among other avenues, as indicated in the Acknowledgements section.

Results were weighted to coincide with the proportion of total full- and part-time resident households that each county comprises in the study region. Given that the purpose of the study was to gauge differences in home usage and service needs in the community based on residency status, other weighting was not applied. The demographic profile of respondents is provided in the Appendix.

Survey results are primarily reported based on the residency status of respondents, as follows:

- **PART-TIME RESIDENT:** include respondents that reported that they do not live in their respective county on a full-time or primary residence basis. Part-time respondents predominately reside in their respective mountain county for 6-months or less each year (90%).
- **FULL-TIME RESIDENT:** include respondents that reported that they live in their respective county on a full-time or primary residence basis. Full-time respondents predominately reside in their respective mountain county for more than 6-months each year (91%).
- **NEWCOMERS:** include respondents that started residing in the area as a full- or part-time resident within the past two years. Forty-four percent of newcomers did not spend time in their respective mountain county on a regular basis prior to the COVID outbreak in 2020.
- **LONG-TIMERS:** include respondents that have resided in their respective mountain county for ten years or more either full-time, part-time, or both.

Significant differences that were observed by county are also noted.



Forty-four percent of newcomers did not spend time in their respective mountain county on a regular basis prior to the COVID outbreak in 2020.

PROPERTY MANAGERS, REAL ESTATE AGENTS & HOUSING MARKET DATA

Interviews were conducted with nine property managers throughout the six counties. A focus group was conducted with eight real estate agents representing each county within the study area. The purpose was to gather housing market changes (prices, availability and competition), gain insights into changes in unit use, such as from year-round rentals into short-term rentals, and understand new resident motivations, preferences and needs. Housing market analyses from Land Title Guarantee Company, the predominant title company for each county in the study area, provided the housing sales data presented in this report.

OTHER LOCAL DATA

Discussions with various water and sanitation districts, school districts, chambers of commerce, and tourism boards and districts were conducted to identify various local indicators that communities in the study area were tracking to try to understand changes. This research led to compilation of several indicators presented in this report, including sales and lodging tax collections, vacation rental occupancy through DestiMetrics and Key Data tracking systems, and water usage and wastewater data. It is important to note that the scope of this report did not attempt to capture information about traditional tourism or visitors.

Base Survey Data is available only to members for CAST and NWCCOG upon request.



2 SUMMARY OF KEY FINDINGS

Key Findings

Have part-time residents changed the amount of time they spend in the region?

The short answer is yes. About one-fifth did spend more time in their part-time residence in 2020. Interestingly, however, about an equal number spent less time, effectively balancing out their impacts over the year.

This does not mean that the impacts of part-time residents that increased their stay was not felt. Many did so during periods when they have typically been elsewhere and, therefore, did help to boost sales tax collections and contribute to the busier-than-usual feeling in most communities during typically slower times of the year (i.e., mid-week and fall months).

There was much speculation before this study that the increased crowds, parking impacts, and other effects of having more people than typical in these communities was due primarily to part-time owners occupying their homes. While part-time residents were a contributor, the greater population surge and the crowds about which so many residents commented were instead caused by a combination of:

- Newcomers moving in and either buying or renting;
- Growth in the demand for and use of homes for a month or season;
- Visitors who stayed in lodging, short-term, and mid-term rentals, or camped with many others in the backcountry;
- Residents and visitors alike staying for consistent and longer stretches, rather than coming up only on the weekends or during holidays, thereby flattening out the typical peaks and valleys in visitation during the week and certain times of the year;
- Year-round residents traveling out of the area less frequently during COVID;
- Day trippers and drive-in traffic seeking relief from COVID isolation; and, also,
- Part-time residents occupying their homes.

This surge illustrated yet another impact of the strong part-time and visitor occupancy of homes in these counties. With currently only 50% of housing units in the study area being occupied by full-time residents, the influx of more owners and visitors staying in part-time homes and short- and mid-term accommodations can, in theory, allow the population in the area to double seemingly overnight; and this does not include visitors that may be in commercial (hotel) lodging units. This, for example, occurred in Telluride last fall when the total population in town was about twice the resident population of 4,145 people.

With currently only 50% of housing units in the study area being occupied by full-time residents, the influx of more owners and visitors staying in part-time homes and short- and mid-term accommodations can, in theory, allow the population in the area to double seemingly overnight; and this does not include visitors that may be in commercial (hotel) lodging units.

When stays are increased and extended over longer periods of time, as occurred during COVID, the stress on the community and infrastructure is felt by all.

Do part-time residents have plans to permanently relocate?

Part-time residents expect to increase the time they spend in their homes by an average of 30% (1.2-month increase) in 2022 to 2025 from pre-COVID averages. A small percentage, however, plan to become full-time residents, which are largely offset by plans of full-time residents to leave the area or reduce the time they spend in the county.

Newcomers are also mixed, with some stating that they will move out of the county and others hoping to buy a home in the county. About 18% are uncertain.

Evaluating the motivations for newcomers and part-time residents to move to or spend more time in the area sheds light on factors that will influence their staying power:

Part-time residents expect to increase the time they spend in their homes by an average of 30% (1.2-month increase) in 2022 to 2025 from pre-COVID averages.

- Changes in employer remote work policies. Home is now the workplace for most newcomers and part-timers. One-half of newcomers were motivated to spend more time in the area because they could work remotely. About 20% who work remotely are uncertain about their ability to do so in the future, pending remote worker policy changes by their employer.

- Concerns about COVID and, to a lesser extent, civil unrest. Safety/security was one of the most important considerations among residents when choosing where to live. Newcomers will stay and more people will want to move in should the pandemic continue and possibly worsen.

- The availability of housing stock to absorb newcomers. The housing shortage is felt by all. Newcomers earn much higher incomes and are in a stronger position to compete for homes than are existing residents who make their living in the community. As raised in more detail below, however, for sale inventory is at historic lows and rental inventory is largely non-existent, meaning that even newcomers cannot acquire housing if it is not available. The housing crisis is at a peak.

Are residents working remotely, employed locally or retired?

The location neutral, or remote, worker is a trend that was already occurring, which the pandemic rapidly accelerated. It is also a trend that will continue to make mountain towns popular places to live for location neutral workers.

Over half of all newcomers, full-time residents, and part-time residents surveyed include at least one person who works at home. About 60% of newcomers and 70% of part-time residents work for an employer outside of the county, compared to about one-fourth of full-time residents.

This accelerated location-neutral worker trend brings potentially positive changes, but also brings some challenges:

- Rising interest from location neutral workers to relocate to the mountain communities has the potential to bring more economic diversification. New location-neutral worker residents earn more and can spend more at local businesses. Their incomes are not tied to employment generated in the mountains. If the ability for location neutral workers to work from home changes, instead of leaving the community to again commute to their job, some may instead choose to stay in the community, increasing the entrepreneurial potential in these communities.

About 60% of newcomers and 70% of part-time residents work for an employer outside of the county, compared to about one-fourth of full-time residents.

- In addition, with more residents to support local businesses, shifting economic priorities for some communities may be on the horizon. For example, tourism marketing and expenditures focused primarily on the visitor experience may become less of a need, with increased focus on capital projects that support livability and quality-of-life improvements for new residents. Visitors may always anchor the resort economy, but as these communities add year-round residents, tourism may become a less dominant economic driver.

- On the other hand, finding employees to fill resident and visitor service jobs necessary to maintain a community will likely become even more challenging. Incoming location-neutral workers will not be filling local jobs and will outcompete local workers for housing. This hurts the ability for local businesses to find, keep, and attract employees, lowering the level and quality of services they can provide to residents and visitors alike. This has been a struggle for resort communities for years; and is primed to get worse, at least in the near term. Businesses, existing residents, and communities may face a tough transition in the years ahead.

Will the sharp rise in home prices and high demand for housing continue & what does this mean for residents holding local jobs?

The ability for people working in these mountain towns to live in the same communities as they work took a big hit from the pandemic. Housing availability and affordability, which were by no means new problems, became significantly worse.

- Home prices reached record highs.
- Rents increased 20% to 40% in one year.
- Availability of homes for rent and purchase plummeted to critical levels in many communities.
- Newcomers with significantly higher incomes than year-round residents more often won the competition for scarce housing units.

Some correction is possible for home prices and rents; however, the wide perception among area real estate agents was that the high-demand, short supply housing market is here to stay, at least for a while. Construction activity picked up, but current activity levels cannot produce anywhere near the rate nor volume to meet the demand. The shortage in construction labor and building materials, lack of developable land, topography constraints, and limited infrastructure capacity are just a few of the limiting factors. It is widely recognized that these communities have been unable to build their way out of this problem.

Home prices in mountain towns tend to be more volatile than in diversified urban areas, as witnessed during the Great Recession of 2008, when downward adjustments were significant. Given how far prices have moved beyond levels affordable for locally employed residents, however, property values would need to plummet further than they did during the Great Recession to bring affordability back for local workers in these communities. It seems unlikely that prices will correct to the extent that year-round residents will be able to purchase market homes or compete with part-time renters and newcomers for rental housing. In most communities in the six-county region this is already the case, where the only housing that the majority of local employees can afford are homes that are deed restricted for local workforce occupancy and/or price limited. There are fewer and fewer full-time residents employed locally that will be able to afford free market construction if trends continue.

The negative impacts on housing affordability and availability were recognized by newcomers, long-time residents, and part-time residents to almost the same extent as full-time residents. With the increase in the severity of the problem and the widespread acknowledgment of it, now is the time to mobilize governments, communities, and regions to strengthen, broaden, and reinvent workforce housing polices, programs, and efforts.

The rising focus of residential units being used as employment centers by location-neutral workers presents new challenges for the traditional housing programs implemented in many of these communities. Innovative strategies to increase the supply of deed restricted homes that are limited to occupancy by persons who are employed in local businesses allow local workers to compete against the strong outside demand for housing in these amenity-rich communities. Practices protecting those deed restrictions are clearly needed to fill local jobs, support the economy, and sustain communities. The "Next Steps" section of this report presents several concepts for consideration.

Do community service needs differ among existing and new residents and what are their priorities?

One purpose of this study was to evaluate if significant shifts in current community service priorities would occur as new migrants came to the area and some part-time residents increased their time in their homes.

Results indicate that there is not much difference in community and business service priorities and needs among newcomers, full-time, and part-time residents. Full-time residents may use s ervices more frequently, but all residents report a similar need for each service. Interestingly, part-time residents generally feel that existing services are higher quality than do full-time residents.

The results indicate that communities do not need to make significant changes to the way they deliver basic services to their residents, but they will need more of the same if increased home usage continues and newcomers keep coming. Providing higher levels of services to meet the larger population should be the focus rather than necessarily providing different or new services.

3

UNDERSTANDING CHANGES IN HOUSING OCCUPANCY



The number of homes occupied by full-time and part-time residents was higher in all counties in the study area in June through December 2020 compared to the prior year. The scale of this increase and whether increased home occupancy by part-time residents in particular are here to stay are larger questions that this section seeks to address.

This section first summarizes several indicators that communities in the study region have been tracking to varying degrees to better understand changes experienced during the COVID pandemic in 2020. The indicators presented herein – sales and lodging tax collections, vacation rental occupancy, and water usage and wastewater data - all point to increased occupancy of homes by residents in the summer and fall of 2020, after COVID-19 public health restrictions were put into place at state, county, and local levels in the region.

This is followed by information from the resident survey to understand more specifically how much more time residents spent in their homes, future resident plans, and motivations behind occupancy changes.

Sales & Lodging Taxes

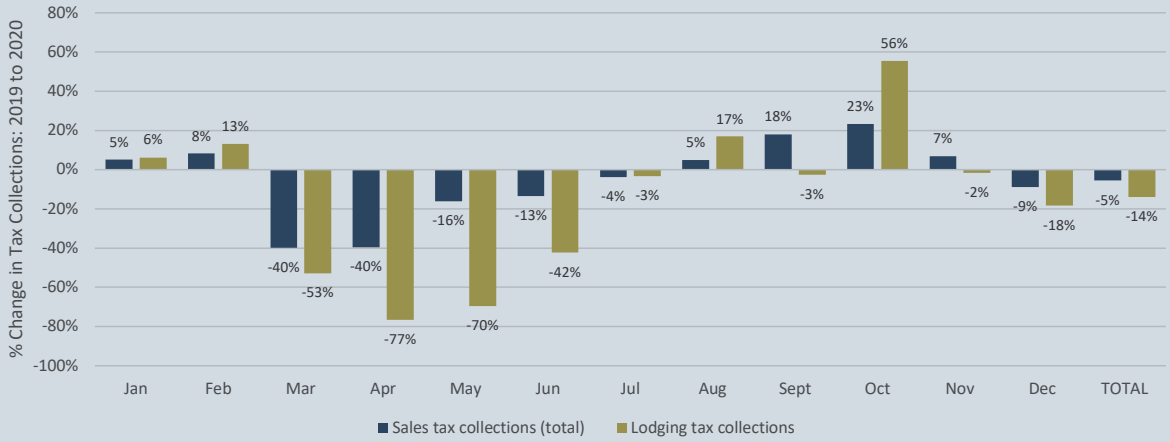
Despite COVID-19 restrictions that were tough on businesses, the counties and communities in the six-county study area experienced less negative effect on sales taxes than anticipated, with some areas showing sales tax gains from the prior year.

Overall, for the region sales[1] taxes declined by about 5% in 2020 compared to 2019. As illustrated in the following chart, sales tax collection changes varied throughout the year:

- The largest negative impact occurred in March, when COVID-19 public health orders closed or decreased capacity for many businesses, including in particular restaurants, hotels/short-term rentals, and retailers. This impact was felt throughout the spring.
- Some recovery and positive gains occurred throughout the summer as public health were orders lifted, lodging occupancy permissions were increased, and businesses reopened.
- Collections again dropped into the late fall when COVID cases started rising and tighter restrictions were again put into place in many counties.

[1] *Sales taxes by month were consolidated for the region and included collections for five of the six counties, plus many of the primary resort communities in each county for 2019 and 2020 tax years. Routt County and Steamboat Springs; Summit County and Breckenridge, Frisco and Silverthorne; Eagle County and Vail; Pitkin County and Aspen and Snowmass Village; Winter Park in Grand County; and San Miguel County and Telluride.*

PERCENTAGE CHANGE IN SALES & LODGING TAX COLLECTIONS
Six County Region • 2019-2020



Source: Town and County Finance Departments, Sales Tax Reports

The hardest hit tax collection sectors included businesses with a higher reliance on tourism and visitor traffic:

- Lodging tax collections were down about 14% in total for the region and as much as 40% in some areas. Residential vacation rental collections, where tracked separately from commercial lodging (e.g., hotels, etc.), and were much less impacted, with some communities reporting increased 2020 collections (e.g., Frisco, Breckenridge, Vail); and

- Bar/restaurant collections falling 20% or more were not uncommon.

Sectors that tend to be more impacted by resident spending, including essential businesses which stayed open throughout the pandemic, were more likely to show collection gains. This includes, for example, grocery and home improvement/construction. If the migration persists these trends are likely to continue.

Online tax collections were able to begin in November 2018 in Colorado, although many communities did not receive distributions until well into 2019 after 2020 budget revenue projections were established. This unpredictable windfall from the Wayfair Supreme Court decision was timely during the COVID year. The increases will be predicted and absorbed in upcoming years. The ability to collect online sales taxes helped make up for declines from local business collections. As online sales continue to weaken main street businesses it will be interesting how it plays out over time for Colorado communities which are largely dependent on sales tax to provide many basic services.

Finally, liquor and marijuana sales were generally up in every county and community, attributed to a mix of resident and visitor spending. This could be simply a COVID isolation bump.

Vacation Rental Occupancy

Information was available for five of the six counties in the study area that track lodging occupancy stays for a portion of the professionally managed commercial and residential vacation properties.[2] Overall, the below information substantiates the perceptions by residents that more part-time residents were occupying their homes in the summer and fall of 2020 compared to 2019.

Paid stays by visitors can be differentiated from unpaid stays, which typically means owners and/or friends/family of owners are occupying the unit.[3] In general, increases in unpaid stays decreases the availability of units for visitors and impacts lodging tax revenue. Longer-term part-time resident use of units also impacts infrastructure, traffic, parking, services, and many other factors, as discussed later in this report.

Eagle, Routt, Pitkin, and Summit counties collect occupancy data for approximately 67% (10,225 units) of the professionally managed inventory in the four-county region utilizing DestiMetrics. For purposes of this study, Inntopia compiled this information and evaluated the percentage of total stays that were due to unpaid (or owner) stays in 2019 compared to 2020. As shown below:

- Unpaid stays as a percentage of total lodging stays showed a dramatic increase beginning in April 2020, with increased owner stays lasting through December 2020. The large increase in April was due a combined reduction in total stays (due to lodging occupancy restrictions beginning in March) and a rise in owners occupying their units.

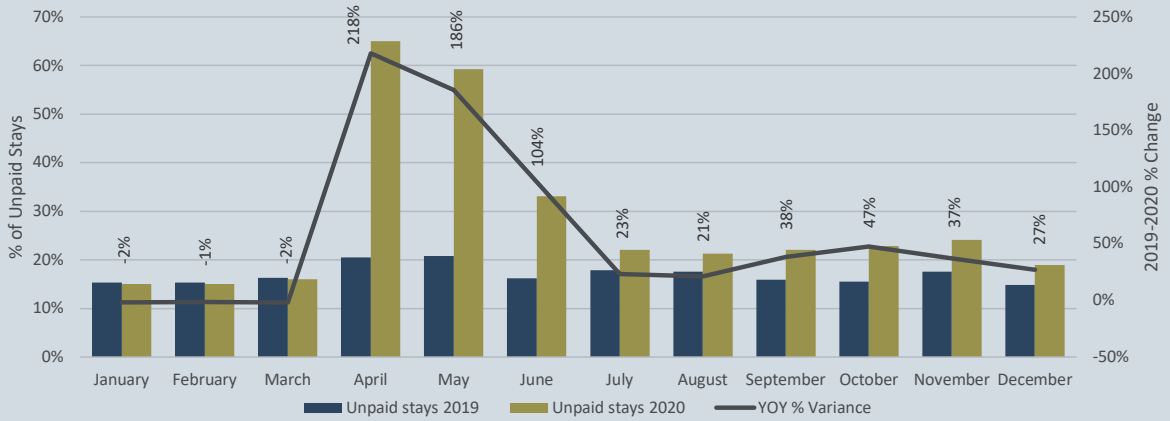
- The percentage of unpaid stays decreased in mid-summer as lodging occupancy restrictions were reduced and more paying visitors returned, but still remained 20 percent higher through the summer than in 2019.

- Unpaid stays were over 30 percent higher in September through November compared to 2019, contributing to the more crowded feel of the mountain communities during this period when visitors typically decline.

Each of the four counties follow a similar pattern, just with different degrees of change throughout the year. Generally, the trend is most pronounced in communities that are more isolated from a combination of urban center or major interstate access (e.g., Pitkin County) and less pronounced in more readily accessible communities (e.g., Eagle and Summit Counties).

PERCENTAGE OF TOTAL STAYS THAT ARE UNPAID STAYS IN PROFESSIONALLY MANAGED VACATION UNITS*

Eagle, Pitkin, Routt & Summit Counties • 2019-2020



Source: Town and County Finance Departments, Sales Tax Reports

The Telluride area in San Miguel County followed a similar pattern as well. About 63% (over 1,000 units) of professionally managed lodging in the Telluride area in San Miguel County is monitored through the Key Data system by the Telluride Tourism Board. Unpaid (i.e., owner) stays of non-commercial units increased from 2019 levels beginning in June through December 2020. The percentage of units occupied by owners increased by about 40% in September and November and near 50% in October and the typical peaks and valleys associated with visitor fluctuations throughout the week flattened out.

[2] Confidentiality concerns limit the level of detail that can be presented from this information, but permitted data and summaries are presented in this section.

[3] While unpaid stays typically means that the unit is occupied by the owner and/or friends/family, the unit may also be vacant or occupied by an unreported renter. This measure is an indicator of increased owner usage rather than a definitive count.

Water Usage

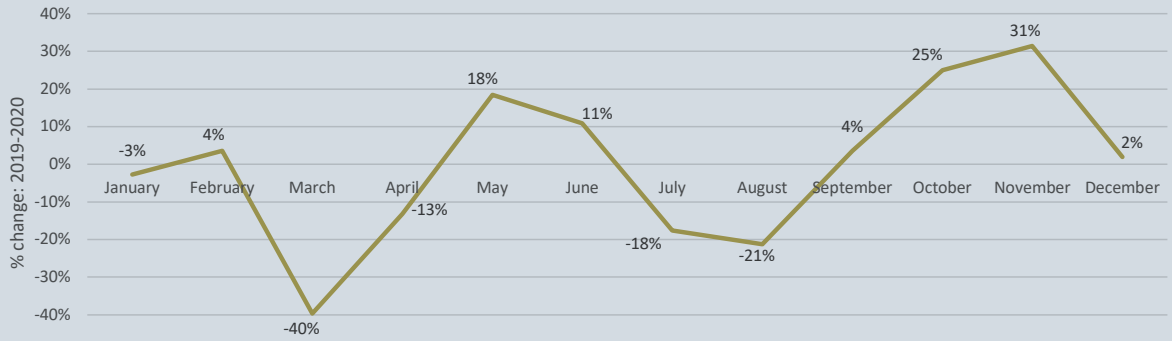
Many communities do not track water usage as a data point for community policy and planning; one exception is Telluride.

The Telluride Tourism Board monitors wastewater data and associated daily population estimates that are provided by the Telluride Regional Wastewater Treatment Plant. While estimating population from wastewater information is not a simple task, with many complicated variables to consider, with diligent wastewater tracking and proper adjustments, population estimates can be made.

Based on tracking wastewater volumes, the average daily population in the Telluride treatment area in October and November 2020 was 25% to 31% higher than in 2019. It is estimated that 1,600 units, in addition to full-time resident homes, were occupied during October. Assuming an average 2.6-people per unit, the population in the area in October 2020 was about twice the resident population of 4,145 people. Key Data visitation information, presented above, indicates that a significant proportion of the population rise was due to more owners occupying their homes.

PERCENTAGE CHANGE IN MONTHLY POPULATION

Telluride Wastewater Treatment Area • 2019-2020



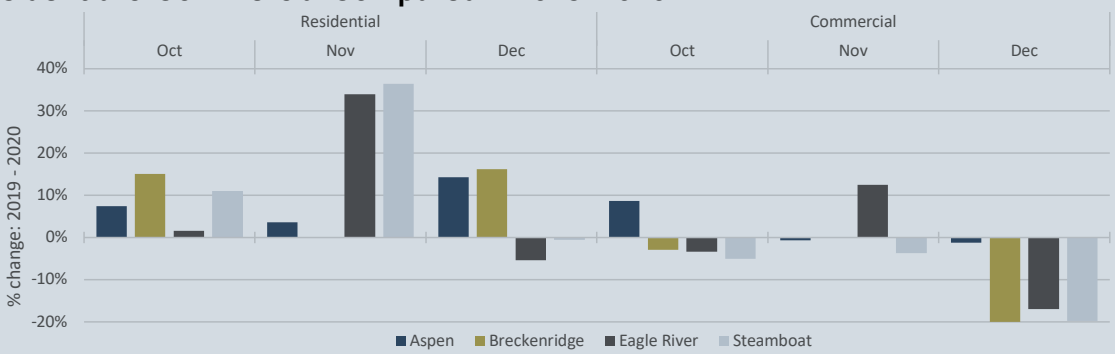
Source: Telluride Tourism Board, Telluride Regional Wastewater Treatment Plant

Water usage can also be used as an indicator of residential occupancy and commercial use; however, it has limited utility to provide a clear narrative during high-irrigation periods. Comparing water usage in 2019 and 2020 for communities within Pitkin, Summit, Eagle and Routt counties during the low irrigation months of October, November, and December exhibits a similar trend as that noted for Telluride, above.

Residential water usage was up in most communities during this period and down among commercial users. November had the largest increase in residential water consumption, which is typically a low visitation month. December had the greatest drop in commercial water use.

PERCENTAGE CHANGE IN WATER USE BY MONTH

Residential & Commercial Compared • 2019-2020



Source: City of Aspen, Town of Breckenridge, Eagle River Water and Sanitation District, City of Steamboat Springs

Change in Resident Occupancy of Homes

The indicators presented above do not indicate whether increased usage of homes by part-time residents will continue. To understand future resident plans, survey respondents were asked a series of questions regarding the estimated amount of time that they spent in their homes in each respective county in 2019 pre-COVID and 2020, expected use this year (2021) and anticipated use in the next few years (2022-2025). This was followed by questions on home use pattern changes that occurred in 2020 and how they expect their residency in the county to change in coming years.

All residents on average have increased time spent in their respective county and expect to continue a higher rate of usage of their homes. Existing and future home usage varied, however, depending upon the residency status of respondents. This includes new residents who moved to a county in the study area within the past year, existing part-time residents, and existing full-time residents. As shown below:

- New residents expect to reside in their respective county for close to 9-months per year on average this year and in future years, increasing their time spent in the county pre-COVID by over 6-months. About 44% of new residents did not spend any time in their respective county on a regular basis pre-COVID.

- Even though 17% of part-time residents increased their time in their county home in 2020 for an average of about 3-months, about 20% decreased their time in county since 2019. As a result, part-time residents showed little change in their average length of stay in total last year (0.1 months). Looking ahead, however, part-time residents expect to increase their time in their county home by about 30% (1.2-months) by 2022-2025.

- Full-time residents showed little change in home occupancy and expect to continue to reside in county for over 11-months per year on average.

Part-time residents in five of the six counties also expect to increase their stay by about 30% by 2022-2025 from pre-COVID stays, which is consistent with the region overall. Part-time resident respondents in Routt County, however, indicated potentially doubling their average time in the county to about 6-months on average by 2022-2025.

ESTIMATED LENGTH OF STAY IN COUNTY HOME (MONTHS)

ESTIMATED LENGTH OF STAY	NEW RESIDENTS* (<1 year)	FULL-TIME RESIDENTS	PART-TIME RESIDENTS
Pre-COVID	2.5	11.0	3.6
Year 2020	4.9	11.4	3.7
Current year (2021)	8.8	11.4	4.1
Future years (2022-2025)	8.9	11.2	4.8
Net change: pre-COVID to 2022-25	6.4	0.2	1.2

Source: 2021 Mountain Migration Survey

**New residents are differentiated from "newcomers" in that these are residents that moved within the past year. Newcomers moved within the past two years (see definition on page 3). New residents may have spent time in the area on a regular basis as a visitor, but not a part-time or full-time resident, which is why "pre-COVID" is not 0.*

The motivation for residents to alter their time in the study area also varied – COVID was not the sole reason. Residents were asked whether certain COVID-related or civil unrest factors affected resident travel and occupancy in 2020. As shown below:

- The ability to work remotely was a larger factor for newcomers (49%) and part-time residents (36%) to spend more time in the county than COVID contagion risks and concerns about civil unrest combined.
- Residents that increased their time in the study area in 2020 were more likely to cite each of the below factors as influencing their decision. The ability to work remotely (50%) and COVID contagion risks (44%) were most common. Civil unrest influenced a lower 15% of respondents.

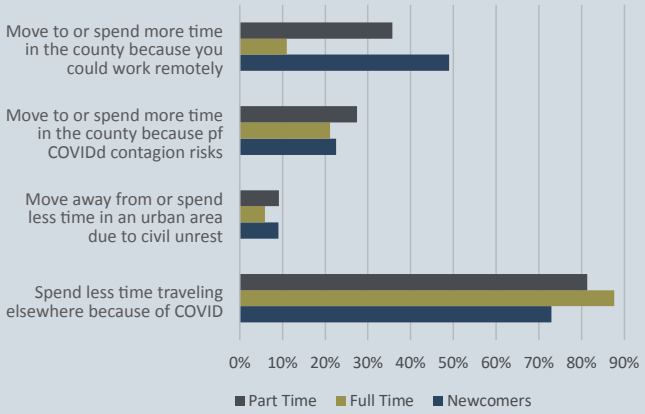
Finally, respondents were asked whether they expect to change their residency status (e.g., from part-time to full-time, full-time to part-time, leave the area, etc.) within the next three years. As shown below:

- Newcomers are more likely than other residents to make changes in the coming years, but the changes are relatively mixed. About 8% indicated they will leave the county and 16% desire to purchase a home in the county. About 18% are unsure.
- Most part-time residents will remain part-time; however, about 9% desire to become full-time residents. Another 12% are unsure.
- Of full-time residents, about 6% plan to leave the county and 8% desire to buy a home.

Results are fairly consistent across all counties in the study area, with part-time residents being more likely to indicate they will become full-time residents in Grand and Routt counties.

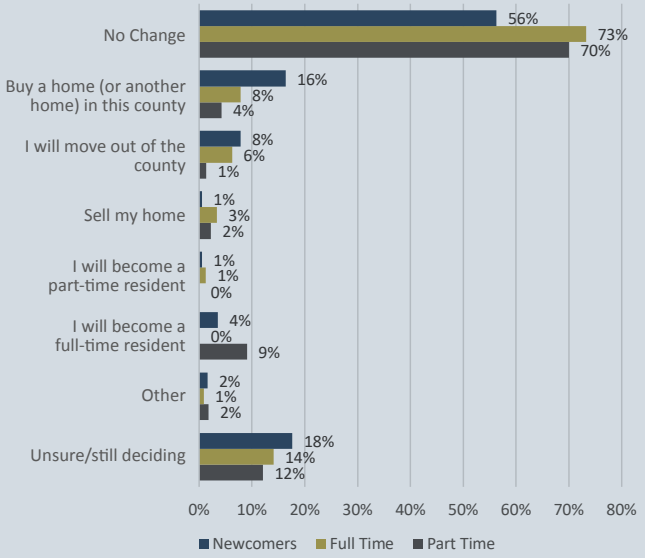
Responses from full-time residents that rent shows the relative instability and uncertainty of renters in the study area. Renters are much more likely to leave, desire to buy a home, or be uncertain of future changes.

TRAVEL & RESIDENCY CHANGES RELATED TO COVID



Source: 2021 Mountain Migration Survey

HOW DO YOU EXPECT YOUR RESIDENCY IN THE COUNTY TO CHANGE OVER THE NEXT 3 YEARS?



Source: 2021 Mountain Migration Survey

HOW DO YOU EXPECT YOUR RESIDENCY IN THE COUNTY TO CHANGE OVER THE NEXT 3 YEARS?

FULL-TIME RENTERS	
I will move out of the county	17%
Buy a home (or another home) in this county	32%
No change	35%
Unsure/still deciding	28%

Source: 2021 Mountain Migration Survey

The primary motivating factors for the changes or indecision noted by residents included:

- Housing reasons (30%). This encompassed both sides, from those looking to cash in, move in, or purchase homes to those being unable to afford to rent or purchase, having a lack of housing opportunities or inventory, and housing uncertainty and instability for those working locally;
- Job, retirement, age/health or other family changes (30%);
- Undesirable changes or conditions in the county, mostly related to growth over the years (15%); and
- Enjoyment of the area and a desire to stay (15%).

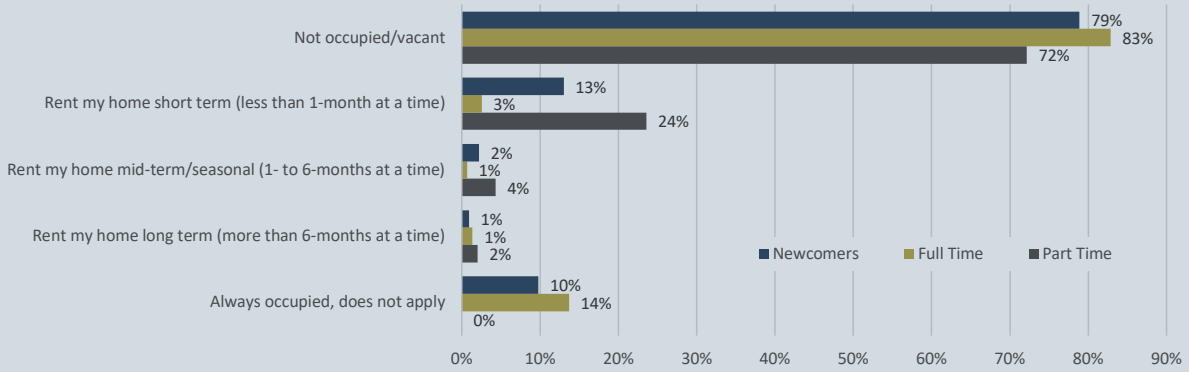
Lesser factors included financial conditions and cost of living, uncertainty about COVID and related concerns, and the climate/cold winters.

Use of Homes

The majority of homeowners use the property themselves or for friends and family at least part, if not all, of the time. When homes are not in use:

- Part-time residents (24%) and newcomers (13%) are much more likely than full-time residents (3%) to lease their homes short-term (less than one month at a time).
- A small percentage of part-time owners rent their home mid-term for more than 30 days (4%), and a handful lease homes long-term for 1- to 5-months.
- Usage was similar across all counties in the study area, with the exception that part-time residents are more likely to lease homes short-term in Pitkin County (32%) and less likely in Eagle County (11%). Mid-term was more prominent in San Miguel County (11%).

WHEN YOU AND YOUR FRIENDS/FAMILY ARE NOT OCCUPYING YOUR HOME, HOW IS IT TYPICALLY USED?



Source: 2021 Mountain Migration Survey

Over the next three years, another 8% of part-time owners and 4% of newcomers anticipate also renting their homes short term.

HOW WILL THE USE OF YOUR HOME CHANGE OVER THE NEXT 3 YEARS?

	PART-TIME	FULL-TIME	NEWCOMERS
Rent my home out short-term	8%	1%	4%
Rent my home out long-term	2%	1%	2%

Source: 2021 Mountain Migration Survey

4

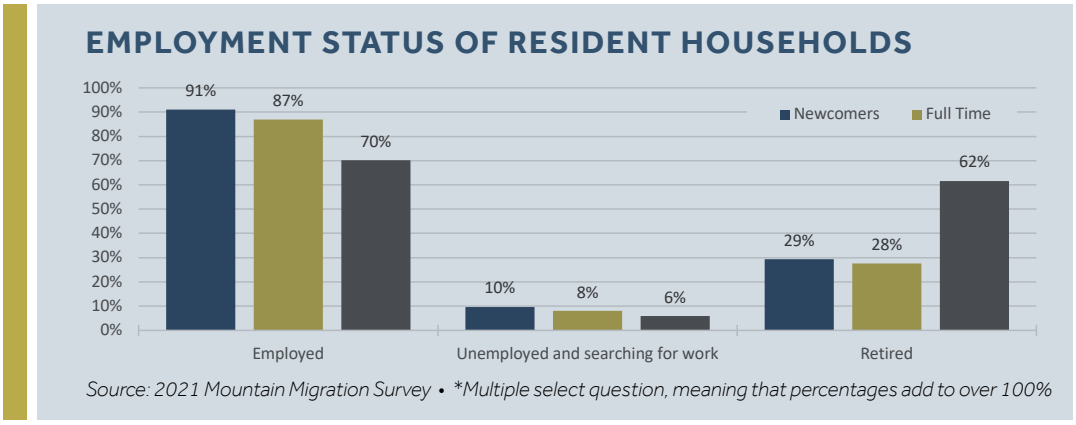
RESIDENT EMPLOYMENT PATTERNS



With the increase in residents occupying homes, it is important to understand whether residents are working remotely, employed locally or retired. The source of employment can affect the potential stability of new residents and the extent to which remote work policy changes may impact their ability or desire to stay. It also impacts the local sustainability of businesses and their ability to keep and attract employees if, for example, new residents with outside employment or retired part-time residents are displacing local employees that fill jobs.

Employment Status

The employment status of newcomer households is more similar to full-time resident households than part-time, with about 90% of households having at least one employed person. Part-time residents are much more likely to have at least one retired person in their household than other residents.



*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

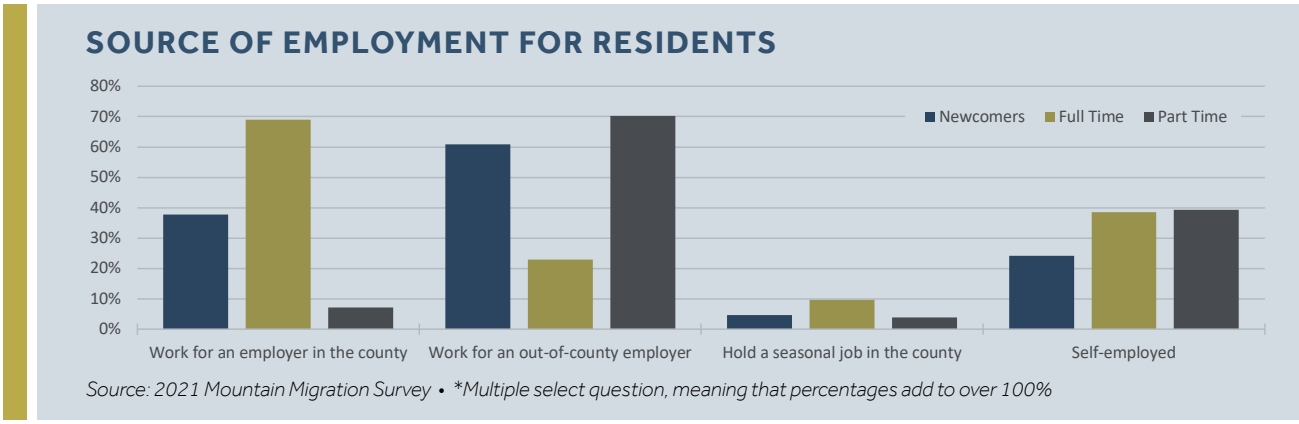


Ninety percent of newcomer and full-time resident households have at least one employed person.

Employment Location

Potential changes in remote working policies may affect newcomers more so than other residents. Newcomers are mostly employed by an out-of-county employer and are less likely to be self-employed than full-time or part-time residents.

Employment location patterns were relatively consistent across all counties in the region, with the exception that full-time residents in Routt and Grand counties were slightly more likely to have a household member working for an out-of-county employer.



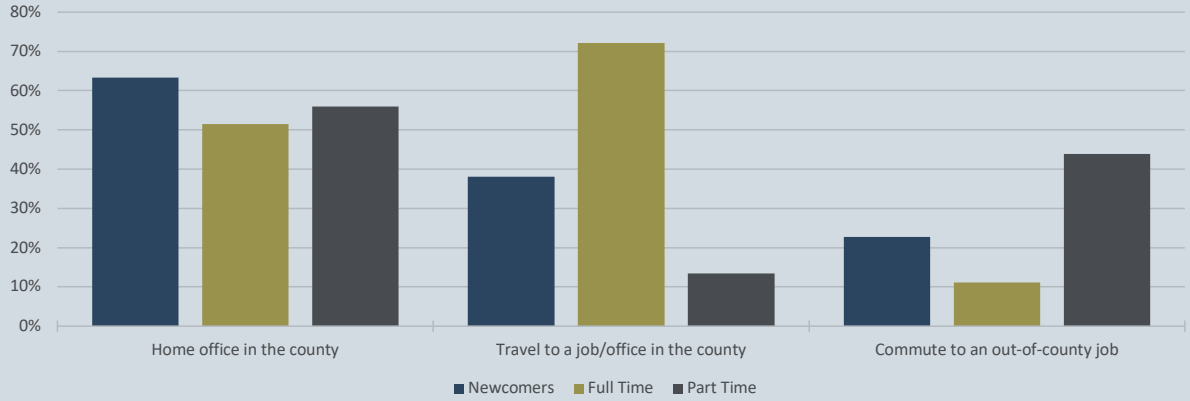
*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

Over 50% of all households have someone working from home. Newcomers are more likely than other residents to have a household member working from a home office.

The majority of full-time households have at least one person who commutes to a job in the county. With the high proportion of visitor service, retail, bar/restaurant, and lodging jobs in the study area, not to mention construction, many full-time residents have jobs that require at least some, if not all, of their work to occur at their place of employment.

Over fifty percent of all households have someone working from home.

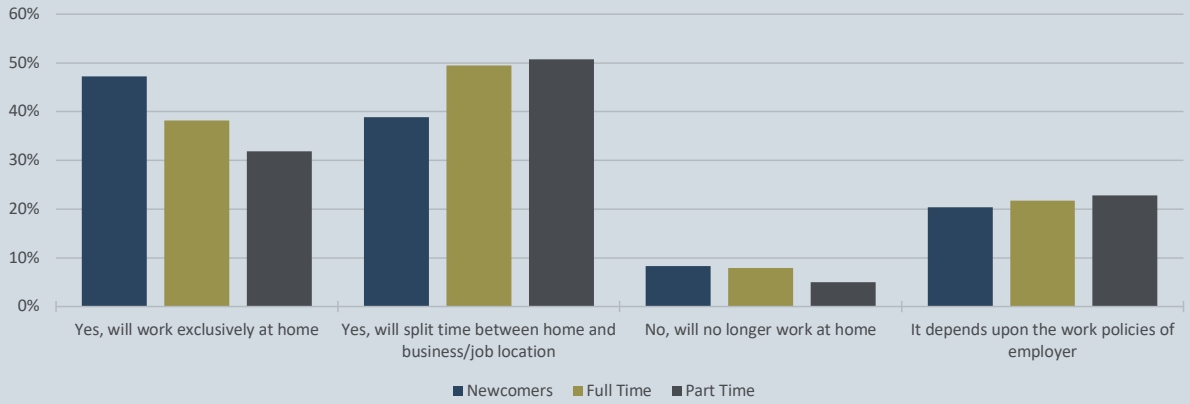
DO RESIDENTS COMMUTE TO A JOB OR WORK FROM HOME?



*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

Most respondents expect to be able to continue working from home. About 20% indicated, however, that it depends upon work policies of their employer. Changes in work policies is a key factor that can impact how many new and part-time residents can stay in their respective county and for how long.

WILL RESIDENTS CONTINUE TO WORK FROM HOME IN 2022-2025?



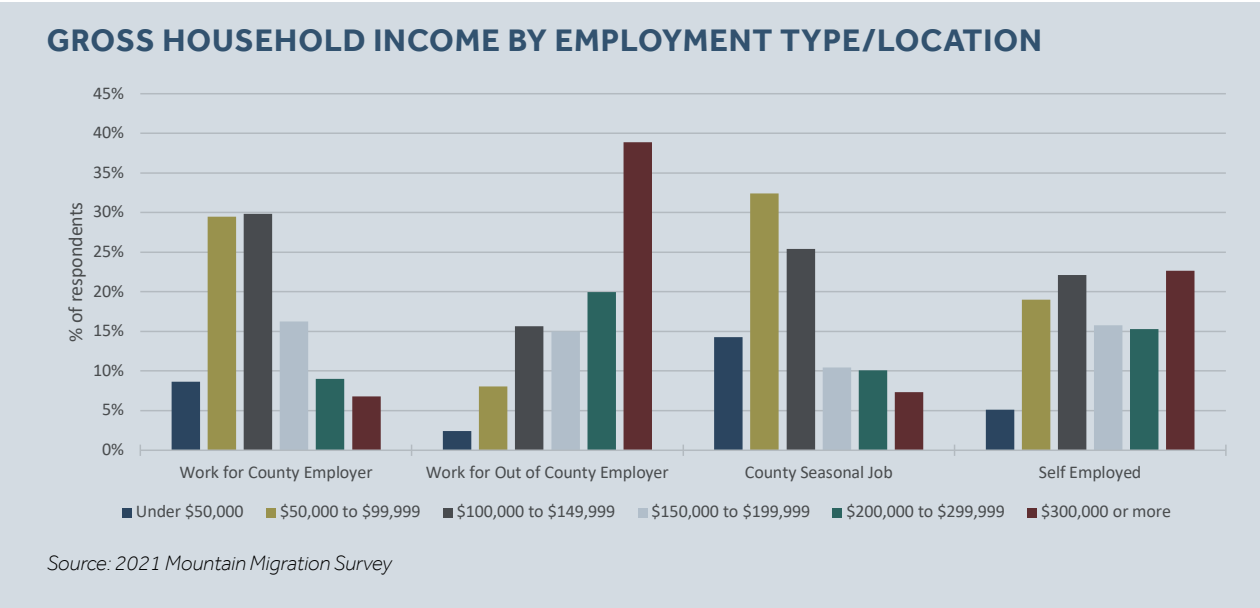
Source: 2021 Mountain Migration Survey

Household Income by Employment Location

The household incomes of residents who work in local county jobs compared to residents who work for out-of-county employers illustrates the extreme difficulty that residents employed locally have when competing for homes with newcomers and part-time residents. As shown below:

- The majority of households working for county employers within the study area earn under $150,000 per year (70%).
- Households working for out-of-county employers, which predominately include newcomers and part-time residents, mostly earn over $150,000 per year (75%).

In other words, the majority of full-time residents employed locally cannot successfully compete for housing when escalated demand and prices are driven by households earning much higher incomes.



Source: 2021 Mountain Migration Survey

HOUSING MARKET IMPACTS



The COVID pandemic rapidly accelerated trends that have been going on for years in amenity rich mountain communities. Prior to COVID-19, the housing markets in the six-county study area were already in a state of too much demand for too little supply, resulting in fast rising prices. High part-time resident demand for homes, visitor demand for vacation rentals, and investment buyers were all competing for the scarce housing inventory with residents who make their living locally. The increased housing demand fueled by the ability to work from home and, to a lesser extent, COVID fears and civil unrest, has further added to this competition, causing an explosion in home prices and plummeting inventory.

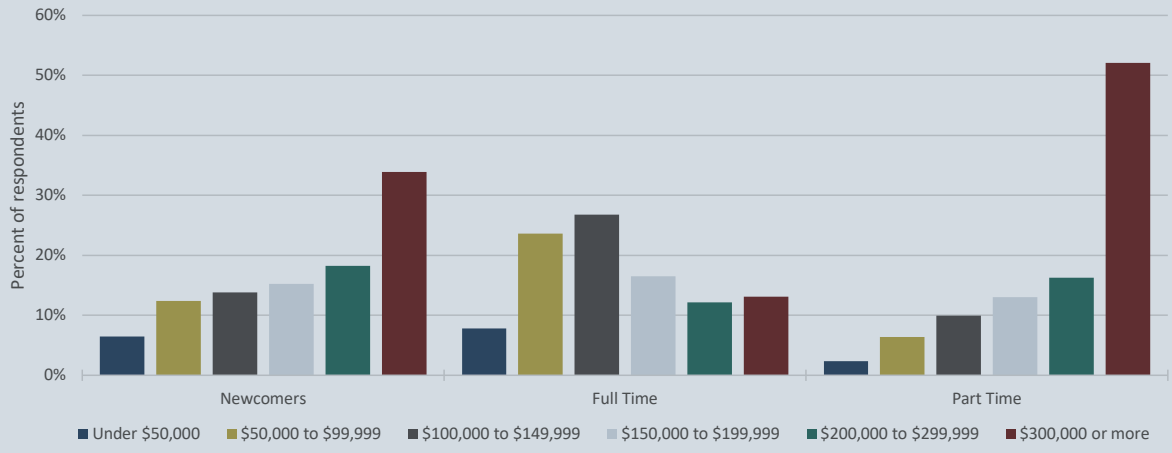
The below chart illustrates the income disparity between full-time residents who fill local jobs and newcomers and part-time residents, who primarily earn their living elsewhere:

- Close to 70% of newcomers and 80% of part-time residents have household incomes over $150,000 per year.
- In contrast, 60% of full-time residents earn under $150,000 in household income per year.

The majority of full-time residents making their living in the county do not have the income to compete for housing in the current high competition environment.

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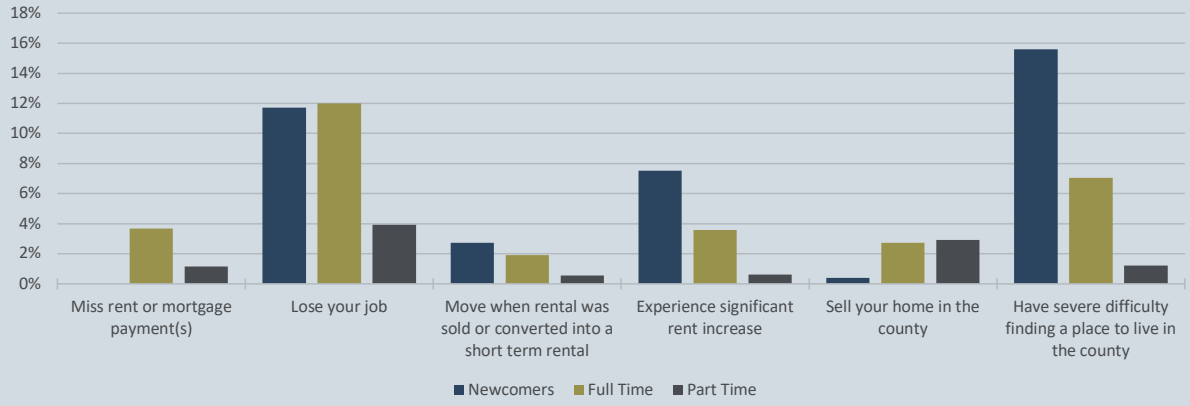
GROSS HOUSEHOLD INCOME BY LENGTH OF RESIDENCY



Source: 2021 Mountain Migration Survey

Newcomers and full-time residents are the most susceptible to housing problems related to the COVID pandemic and corresponding high-demand and short-supply of housing. Despite their income advantage over full-time residents, about 16% of newcomers still had severe difficulty finding a place to live. Job loss and significant rent increases were the next most common issues.

HOUSING PROBLEMS AFFECTING RESPONDENTS IN 2020



Source: 2021 Mountain Migration Survey

Renters are commonly in the most unstable housing situations in these communities, as shown below. Nearly one-third had severe difficulty finding a place to live, one-fourth lost a job, and almost one-in-five faced significant rent increase in 2020.

HOUSING PROBLEMS AFFECTING RENTERS IN 2020

FULL-TIME RESIDENT RENTERS	
Miss rent or mortgage payment(s)	8%
Lose your job	24%
Move when rental was sold or converted into a short-term rental	8%
Experience significant rent increase	18%
Have severe difficulty finding a place to live in the county	31%

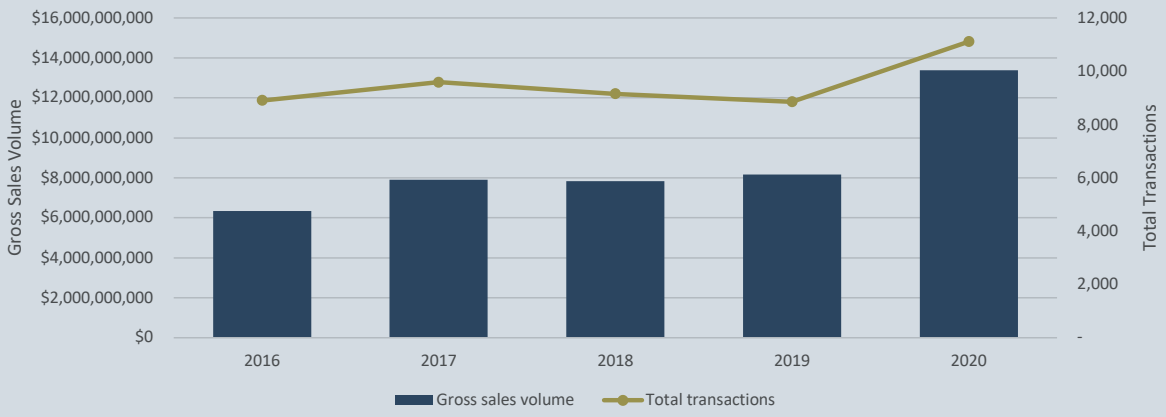
Source: 2021 Mountain Migration Survey

OWNERSHIP MARKET

Rapid Escalation in Sales, Sharp Drop in Availability

The buying frenzy has resulted in a record-breaking year for gross sales volume and total transactions. Activity into 2021 has not slowed down. From 2019 to 2020, transactions increased 26% and gross sales volume rose 64% in the six-county region. A total of $13.4 billion in sales were logged in 2020, compared to $8.2 billion the year before. Gross sales volume in four of the six counties increased about 50% or more.

CHANGE IN GROSS SALES VOLUME AND NUMBER OF TRANSACTIONS
Six County Region • 2016-2020



Source: Land Title Guarantee Company

CHANGE IN GROSS SALES VOLUME & NUMBER OF TRANSACTIONS
By County • 2019-2020

	2020 GROSS SALES VOLUME	% CHANGE: 2019-2020	TOTAL TRANSACTIONS	% CHANGE: 2019-2020
Eagle County	$3,493,843,331	53%	2,572	27%
Grand County	$994,701,568	39%	2,016	15%
Pitkin County	$4,083,249,373	129%	1,028	46%
Routt County	$1,345,486,314	49%	1,883	36%
San Miguel County	$1,151,324,169	94%	811	50%
Summit County	$2,319,029,219	22%	2,800	15%

With such a rapid escalation in buyer demand, the supply of homes for sale are at record lows. Many communities are lucky if they have one month of inventory. The buying frenzy at the start of the pandemic absorbed available inventory faster than new units were coming onto the market.

- In Routt County during the first quarter of 2021, homes were selling at nearly twice the rate that they have been coming available, quickly depleting already scarce inventory.

> "Demand is so high that construction could not keep up even if we had the land capacity. "
>
> *Local Realtor*

- In Telluride, as of March 2021, only seven homes were on the market, placing availability in critical status.
- In addition to an already depleted inventory, Grand County suffered the East Troublesome Fire in October 2020, losing over 100 homes. While several short-term rental owners stepped up and helped house some of the displaced residents, finding long-term replacement housing for those who lost homes has been a struggle.

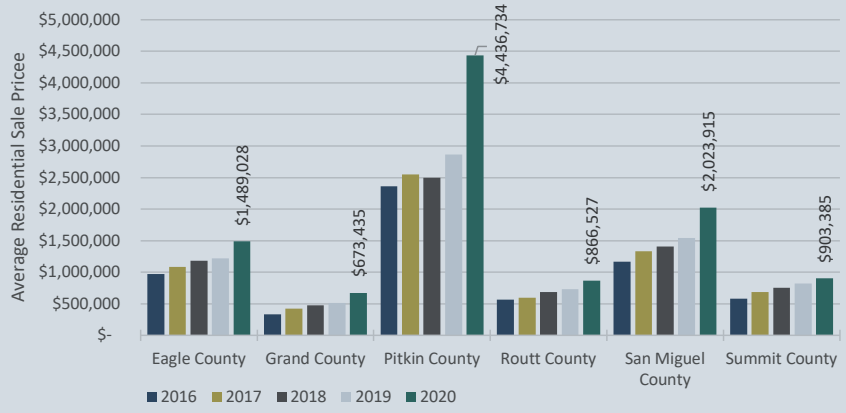
The housing shortage has spurred some development activity in Eagle County in the down valley communities where land is still available and there are approved projects. Other communities, such as Telluride, do not have that luxury. Telluride are constrained by public lands and dramatic topography and is mostly built-out; the nearest meaningful land available to develop is 45 minutes or more away. Pitkin County has a similar dynamic. The consensus among focus group members from these communities is that the demand is so high, they could not keep up with the growing housing shortage even if they had the land capacity upon which to build.

Prices at Record Highs

Housing prices in all counties are at record highs. Between 2019 and 2020, the average sale prices of all homes (single family and multi-family combined) increased from 10% in Summit County up to of 55% in Pitkin County. These prices continue to de-couple from those earning working wages from employment in these places.

- In Telluride and Pitkin County, where average homes sale prices are multiple millions of dollars, fixer uppers sell for $1 million or more.
- Even in Grand County, which had the lowest average home sale price last year of about $670,000, only ten homes are available on the for under $1 million.
- It is not uncommon for properties to receive 20 offers per home; a good portion of them in cash.

AVERAGE SALE PRICE OF HOMES: 2016 TO 2020



Source: Land Title Guarantee Company

> "We attempted to buy a home in Grand County in Oct of 2020. We offered their asking price of $749,000. We were one of 7 offers, all higher than ours. They accepted a cash offer for $250,000 over asking."
>
> *Full-time Resident*

WORKFORCE HOUSING

All counties in the study area have workforce housing programs in place, with some communities having thousands of homes permanently deed restricted for local workforce occupancy and/or price limited. By ensuring that a supply of homes remain available for residents that make their living in the community, deed restrictions effectively remove homes from the speculative buying market, meaning that residents do not have to compete with outside buyers and that homes are protected from the resulting extreme escalation in prices, which can quickly outpace local wages. While homes dedicated for residents working locally are needed now more than ever, the widespread consensus is that, in this environment, the existing and currently pending supply is not nearly enough.

- Summit County has 22 new deed restricted homes coming available. They had 66 applicants.
- The employee housing program in Aspen has been in place since the 1970's; they recently received 75 applications for one 1-bedroom home. They frequently have ten-times more applications than units available.
- Many deed restrictions do not adequately address remote work.

LAND SALES

Where buyers had historically looked to build their own home as a less expensive alternative to purchasing existing homes, this option is largely gone as well.

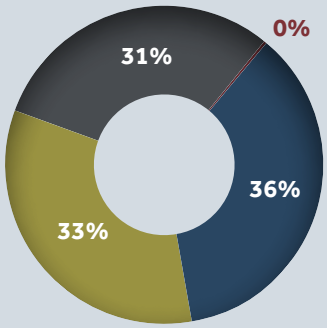
- Land prices have escalated over 100% in some communities. In Aspen, a lot sells for $20 million.
- Construction materials and labor costs have drastically increased. In Routt County, it is not uncommon to pay $500 or more per square foot to build a home.
- Labor is scarce. In Grand County and Telluride, contractors are commonly booked three-years out. It is an ironic cycle – many contractors cannot hire laborers because there is no housing.

> Many contractors cannot hire laborers because there is no housing.

Full-time Residents Are Losing Ground

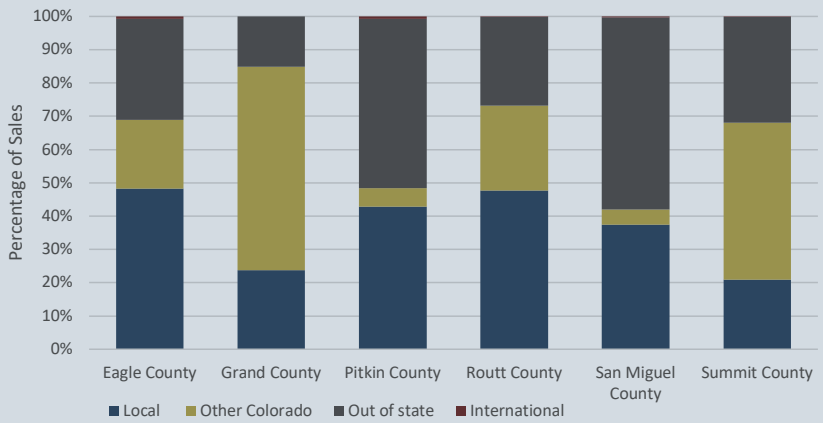
The demand for homes from part-time owners and other interests has long constrained the housing inventory that is available to local workers. As shown below, only about 36% of all homes sales in 2020 were to full-time residents in the study area. This varied from a low of 20% to a high of 50%, depending upon the county.

RESIDENCE OF BUYER
Six-County Region



Source: Land Title Guarantee Company (County Clerk & Recorder's and Assessor's Offices)

RESIDENCE OF BUYERS BY COUNTY
2020



Source: Land Title Guarantee Company (County Clerk & Recorder's and Assessor's Offices)

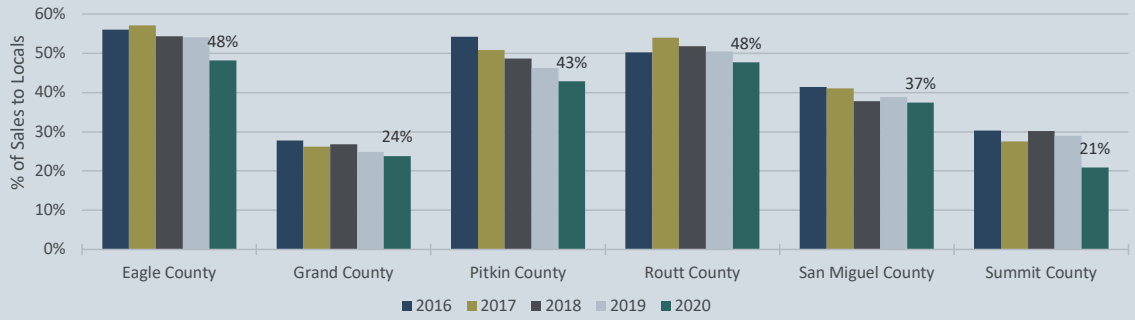
The percentage of homes purchased by local buyers dropped six percentage points since 2016 in region the region – this is a loss of over one point per year. As shown below:

- The largest decline occurred in Pitkin County, dropping nearly three percentage points per year, followed by Summit County and Eagle County. This loss accelerated in most counties in 2020.

Local buyers have been losing ground for several years, which accelerated in most counties in 2020.

- Buyers from other areas in Colorado showed the largest rise in all but Pitkin and San Miguel counties, where out of state buyers are more prominent.

PERCENTAGE OF TOTAL SALES TO COUNTY RESIDENTS
2016 - 2020



Source: Land Title Guarantee Company (County Clerk & Recorder's and Assessor's Offices)

It should be noted that, although the percentage of homes sold to local residents dropped in 2020 compared to 2019, the total number of homes sold to local residents increased in 2020 in every county in the study area, except Summit County. This is in large part due to the large increase in sales in total in each of these counties in 2020. Prior to 2020, the number of sales to local residents had been dropping in the study area as a whole since 2017.

The counties in the study area have seen an exaggerated trickle-down effect during COVID due to constrained housing supplies and fast rising prices in all counties. Where local buyers have had to compromise on their home location for years due to being priced out of their first or second choice communities, all buyers are experiencing the same problem. The town of Breckenridge has seen more $2 million sales in the past few months than in the prior twelve, in part because these buyers could not find homes in other higher priced counties. Likewise, Grand County has had multi-million dollar properties selling within days, rather than taking the typical many months.

The other side of the coin is "who is selling." Real estate agents indicated that a mix of part-time and full-time residents have been selling their homes, but at too slow of a pace to keep up with demand.

- Locals cashing out on their homes. The majority of these residents move away either by choice (e.g., to cash out at a peak, move to warmer climates, to be nearer family, medical reasons, etc.) or because they do not have a choice (e.g., cannot find another home). In Pitkin County, younger sellers move down valley, but older sellers typically leave. In Eagle County, the 30% or so that stay in the county will move down valley where homes are typically less expensive. Some are using the high prices to their advantage and retiring early.

- Part-time owners upgrading. This includes selling ski condominiums to purchase properties in town center or more rural areas. Or upgrading units, not necessarily location, with the intent to use it more.

Buyer Preferences & Home Use

Real estate agents noted a shift of focus with new buyers compared to prior years.

- More new buyers were motivated by their ability to work remotely than in the past. Many buyers during COVID were reorienting priorities. Work from home opportunities opened up options to relocate where they wanted. Most buyers were purchasing with the intent to use their homes, and for more time on average than in the past. Others were coming to sample a community for a few months and see if it sticks.

- Correspondingly, the speculative buyer, who purchased with the intent to flip or use homes solely for profit, was not as prevalent during this migration period.

The motivation of the buyer affects the type of home product needed:

- Fixer uppers were not preferred – most wanted turn-key homes or homes that were immediately livable.

- Home office space was a premium.

- Having enough room for families to live, rather than simply visit.

- Rural and in-town locations were equally in demand.

Will the Buyer Frenzy Continue?

While the rapid rise in prices and buying frenzy mirrors the events prior to the 2007/08 recession, this market is driven by a different buyer – one who wants to move in and use their home rather than investors. The prevalent perception among area real estate agents was that the high-demand, short-supply housing market is here to stay, at least for the foreseeable future:

> "More to come" and "interesting changes ahead."
>
> *Local Real Estate Agents*

- Buyers last year were the first wave of location-neutral movers and others that see "it can work" are continuing to come. Demand in the early part of 2021 is still accelerating.

- The other side is shrinking supply. Despite demand remaining high, many areas are facing a stagnant market and large drop in sales simply due to a supply problem. Some communities are already at critical low sale inventory. In Aspen, brokers are calling homeowners asking if they want to sell to find homes. For the most part, those that wanted to cash in have; others that might cash in are not because they will not find another home.

The Start of a New Reality?

Many see the current boom being a start to a new reality for mountain towns, bringing some positive change, but also increasing many historic challenges.

On the potentially positive side:

- Rising interest from location-neutral workers to relocate to these mountain communities has the potential to bring more economic diversification for these predominantly tourism-driven economies. New location-neutral worker residents earn more and can spend more at local businesses. If the ability for location-neutral workers to work from home continues, instead of leaving the community to again commute to their job, some may choose to stay and invest locally, or start businesses, increasing the entrepreneurial potential in these communities.

- With more residents in town to support local businesses, shifting economic priorities for some communities may be on the horizon. Tourism marketing and expenditures focused primarily on the visitor experience may become less of a priority. Pressure to complete capital projects supporting livability and quality-of-life improvements will increase.

On the challenging side:

- Finding employees to fill service jobs for residents as well as jobs geared for visitors will be increasingly difficult. The basic human capital necessary to maintain a community will likely become even less possible. Incoming location-neutral workers will not be filling these "local jobs" and will outcompete local workers for housing. This hurts the ability for local businesses to find, keep, and attract employees, lowering the level and quality of services they can provide to residents and visitors alike. This has been a struggle for resort communities for years; and is primed to get worse, at least in the near term.

- Barring a recession that surpasses the fall in property values seen in 2008, many do not see what could bring affordability back for local workers.

Given these factors, businesses and communities are facing a potentially tough transition in the years ahead.

RENTAL MARKET

The Big Picture – From Shut Down to Frenzy

Governor Polis announced the closure of all Colorado ski areas on Saturday, March 14th, near the end of the 2019/20 season. While it caught many employees and visitors by surprise, the fortuitous timing minimally impacted the rental market since it occurred at a time when many renters are in transition, out of work or without income for a month or two. Communities had very few vacant long-term rental units prior to COVID. Most year-round renters remained in their units during COVID, meaning that the availability of long-term rentals did not increase. Many seasonal workers left; however, including J1 visa holders. As seasonal rentals were vacated, property managers responded by converting shared bedrooms into single/couple occupancy and increased cleaning of common areas. Employers who provide housing turned away all but their employees, unlike in typical years when they maintain full-occupancy by renting to the general population. This contributed to a rental unit shortage.

By June, the market heated up with inquiries from people outside the community, most from urban areas, wanting to move to the mountains. By July, rents were starting to spike above their already high levels. The frenzy continued through the fall into winter with property managers in the six counties reporting a constant stream of inquiries. In Summit County, a property manager who normally takes in $700/year in $30 application fees received about $4,000 from applications between October 1st and December 15th.

A Routt County property manager called the onslaught from people wanting to move to the mountains a trifecta created by a combination of the ability to work remotely (the single biggest factor) in combination with concerns about COVID contagion and civil unrest.

Impacts on Long-term Rental Inventory – Gains & Losses

Although most property owners reported managing about the same number of units in 2020 as in 2019, there were shifts in the rental inventory. Initially, there were some gains in the number of long-term rentals when the March shutdown and cancellation of all festivals and other events fueled fears that tourism would be way down in the summer. As such, some owners converted their short-term vacation rentals (STR's) into long-term rentals. The local workforce did not benefit from this increase, however, as newcomers working remotely could pay much higher rents.

The inventory of long-term rentals was reduced when some units were sold by their owners, as noted above. Rentals were primarily purchased by new owners moving in and occupying their homes, although inventors were also active in the market with high rents and low interest rates making it possible to cash flow units. Six 900 square foot multifamily units in Aspen built for rentals sold at $1,800 to $1,900 per square foot and only one remained a rental unit.

One positive impact the pandemic had on the rental market was a reduction in the number of long-term rentals being converted into short-term rentals. While the boom in the popularity of short-term rentals has negatively impacted long-term workforce rental housing throughout the mountains in recent years, none of the property managers interviewed reported this occurring in 2020.

Impacts on Rents – Locals Get Relief But Market Rates Spike

The timing of the shutdown in the spring, when most leases in the mountain expire, turned out to be a stroke of luck for many renters. With fears that tenant incomes would plummet, rents were held steady by many property owners. At least one property owner in Telluride provided one month free. The town of Telluride provided a free month of rent to residents in 187 town-owned rental housing in both April 2020 and January 2021, funding for which was later provided by the Colorado Department of Local Affairs. The Town of Breckenridge forgave one month rent on about 150 Town-owned rentals if impacted by COVID and agreed to reduced payment plans if further assistance was required. In Eagle County, all residents of Lake Creek Village Apartments received free rent in April and reduced rent in May and June. Some property managers in Grand County and Summit County reported no increases in rents in 2020.

Rent delinquencies were not a widespread problem. Managers reported some renters had higher incomes than typical in the spring, from a combination of unemployment, stimulus payments, and Paycheck Protection Program (PPP) payments. Rent assistance, however, was crucial for some. The Family and Intercultural Resource Center (FIRC) in Summit County, with funds from the Colorado Department of Local Affairs and significant contributions from local governments, provided rental assistance countywide. According to one property manager in Grand County, some renters took advantage of the eviction moratorium imposed in Colorado and chose not to pay rent, but most remained current with their payments.

Since these early concerns, market rents have skyrocketed beyond the level that most locally employed renters can afford. In 2020 increases in market rents ranged from about 20% to 40% on units that turned over, and on some where leases were renewed. Rent escalations were highest among the larger, family friendly, more expensive homes. While rents have long been high in Colorado's ski towns, this rate of increase was unprecedented. Some examples:

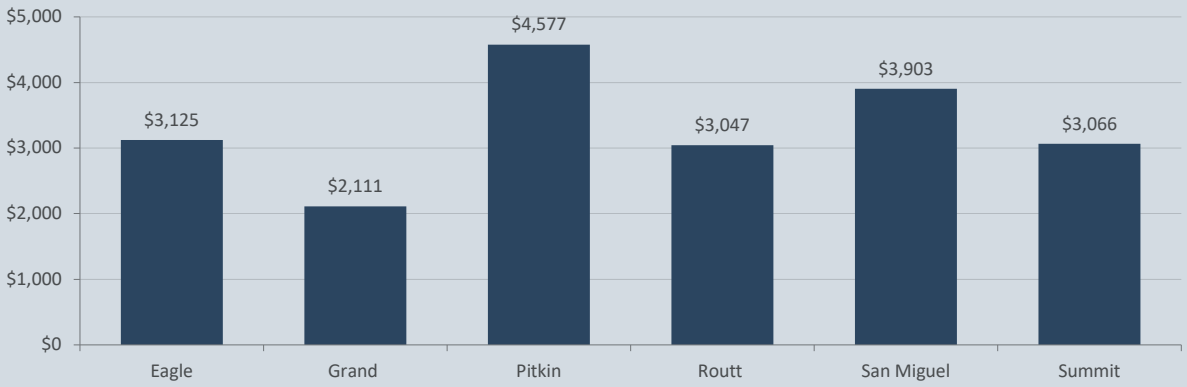
> Market rents skyrocketed 20% to 40% higher in 2020.

- In Aspen, a three-bedroom townhome was renting for $6,800/month. When it turned over in October 2020, the rent was raised to $10,000/month.
- In Summit County, a unit at $6,000 was increased to $8,000/month, one at $4,500 went to $6,000, and another at $3,900/month for one year went to $6,200/month for the ski season.

The overall market rent for listings in February and March in the six counties averaged $3,245 per month for all types of units combined. This includes rentals for high-end properties as well as those for workers. While rents have long been curtailed in the mountain towns by the dominance of low wage tourism-based jobs, the influx of renters who work remotely has clearly increased rates far beyond levels that local wage earners can pay. As shown below:

- Rents are highest in Pitkin County, followed by San Miguel County.
- Rates are similar among Eagle, Routt, and Summit counties.
- Rents are lowest in Grand County.

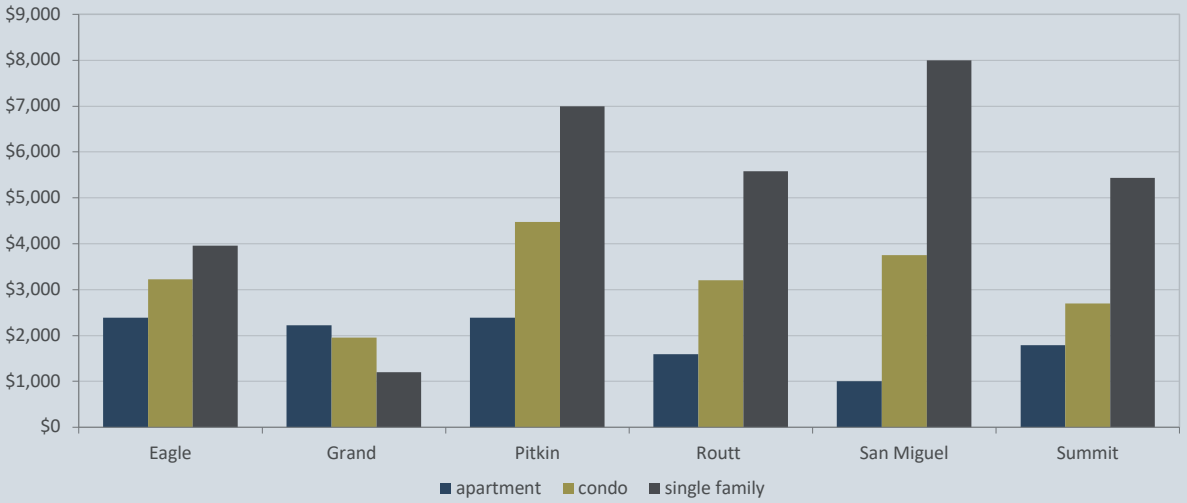
AVERAGE RENT BY BEDROOMS



Consultant search of local and online for rent listings, February and March 2021

Rents now average over $5,000 per month for single family homes. Condominiums average over $3,000 per month in most of the region.

AVERAGE RENT BY UNIT TYPE & COUNTY



Consultant search of local and online for rent listings, February and March 2021

Note: With only 1 apartment listing in San Miguel County, the average rent of $1,000 should not be considered representative of the market and in Grand County, the one single family home advertised for rent at $1,200 per month was not indicative of market rates.

Rental Availability – What Availability?

In February and March 2020, tracking of online listings in the six counties identified a total of 260 listings for long-term units. This equated to an extremely low vacancy rate of approximately 1.5%.

Some property managers stopped accepting inquiries. Others created waitlists for the first time. As of May 2021, there were no signs that the market was softening.

RENTAL LISTINGS
March & April 2020

COUNTY	APARTMENT*	CONDO	SINGLE FAMILY	# OF LISTINGS	RENT RANGE
Eagle	$2,392	$3,227	$3,963	82	$1,100-$7,000
Grand	$2,227	$1,955	$1,200	26	$875-$6,000
Pitkin	$2,388	$4,478	$7,000	43	$1,500-$10,000
Routt	$1,588	$3,209	$5,583	26	$1,450-$7,500
San Miguel	$1,000	$3,753	$8,000	10	$1,000-$8,000
Summit	$1,787	$2,698	$5,436	73	$1,392-$10,000
Grand Total	**$2,119**	**$3,207**	**$5,464**	**260**	

Consultant search of local and online for rent listings, February and March 2021
**Apartment refers to a unit in an apartment building in which all units are owned by one owner and individual units cannot be sold separately. This is differentiated from a condo, which are homes that can be individually owned and sold, meaning that one building may have a different owner for each unit.*

Demand remained high for all types of rental units. Some property managers reported than one bedroom and other small units were the most sought after by established locals because, with concerns about COVID contagion, it was important to have few or no roommates. Larger units were very popular, however, with newcomers moving in since many were families.

Short-Term & Mid-Term Rentals

While some short-term rentals were converted into long-term rentals during the shutdown, other noteworthy changes include:

- Visitors stayed longer. Units that typically rented for several days to a week were often rented for several weeks.
- Owners moved into their short-term rentals, removing them from the rental pool. A manager of high-end STR's in the Vail area reported that owners moved into three of their 14 units for most of 2020.
- The mid-term (i.e, a one- to five-month rental) and seasonal rental market expanded. A Summit County manager provided an example of a couple from New York who spent the summer on Nantucket, fall in New England, and ski season in Breckenridge.
- Cost was not an issue for many short- and mid-term renters. A Steamboat manager reported that the highest increase in rents occurred among the most expensive units.
- Size was important. Demand for large homes with enough bedrooms to accommodate extended families became exceptionally strong.

Renter Profiles – Demographics Changing

As reported by property managers, newcomers in 2020 differed from long-term residents in several ways, including their commitment to community. They remained flexible by avoiding long-term commitments while testing living in the mountains and exploring how long they might be able to work remotely. They often kept their homes elsewhere. They rented to stay flexible and to avoid maintenance responsibilities.

Many new rental households included children. Historically, renters moving to mountain ski towns have been singles and younger couples who do not have children until after becoming established in communities. The new renters are generally older (30's and 40's), well established in their careers, and have children.

The characteristic of new renters that stands out most to property managers is their wealth. The income levels of newcomers are much higher than renters who have moved to the mountains in the past. As one property manager said, "Even young families with children have tons of money."

The increase in rents and lack of inventory led some long-time residents to move away. Residents who sold homes when prices climbed were seldom able to find a rental that would allow them to stay in their communities. As one property manager in Telluride said, "Our community has moved to Ridgway."

6

SERVICES NEEDS AND PREFERENCES



Planning for the future provision of community, business and home services necessitates understanding their importance to, usage of, and quality for residents needing and desiring the services.

This section evaluates whether newcomers, full-time and part-time residents have varying service needs or priorities. If increased use of properties continues, this information can help communities plan for future needs.

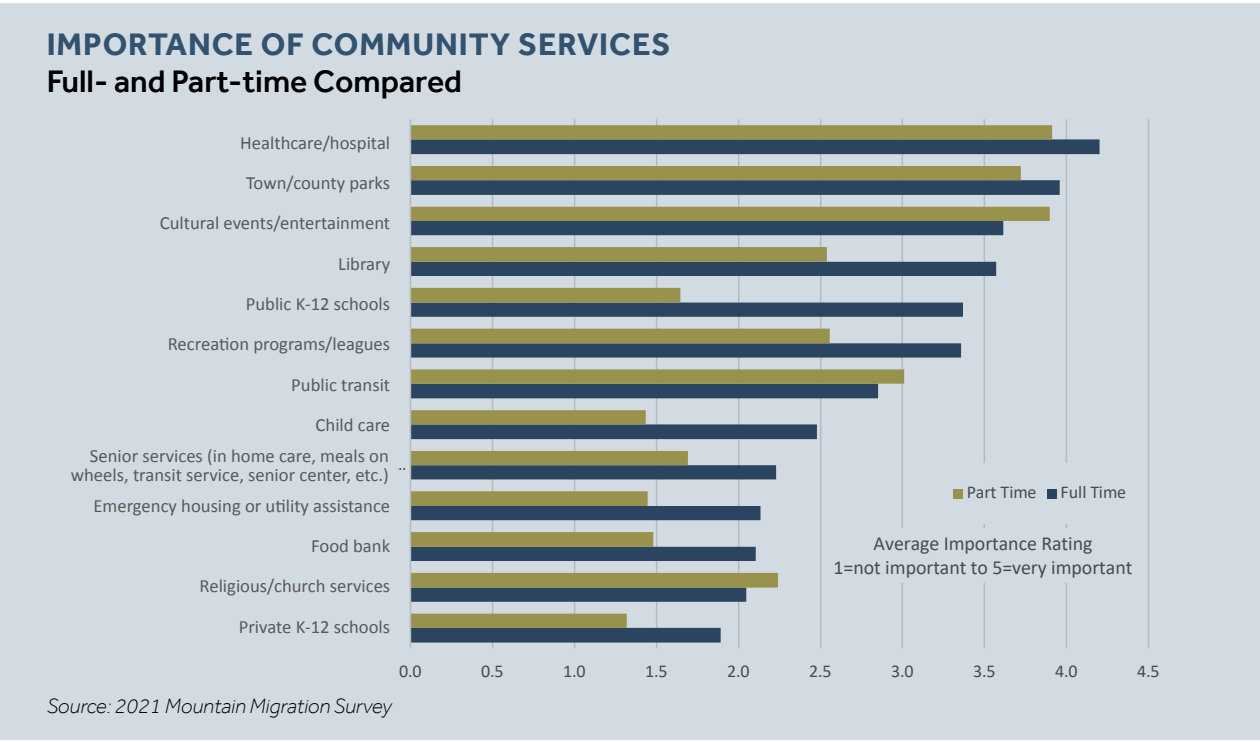
Community Services & Amenities

The importance that residents place on community services is directly related to how often they use those services, with a few exceptions.

In the time of COVID, health care/hospital ranked the most important community service of 13 services. COVID increased the awareness of limitations in health care availability, such as the lack of ICU beds in many mountain hospitals.

Town and county parks were also very important to residents as were cultural events/entertainment.

Full-time residents generally place greater importance on, and more often use, most community services. The exceptions are cultural events/entertainment, religious/church services and public transit, which part-time residents use more frequently than full-time residents.



Full-time residents more often use health care, schools, childcare, the library, recreation programs and parks than do part-time residents. There were a few differences between newcomers and long-timers in importance placed on community services. The key difference was the greater importance long-timers placed on senior services (in home care, meals on wheels, transit service, senior center, etc.), church services, food banks, and emergency housing or utility assistance.

Also, this use of community services is similar among newcomers and long-timers. An interesting difference is that newcomers placed slightly more importance on public transit and used it more often than long-timers.

Differences between full-time owners and renters are minimal, although renters place greater importance on three community services – housing or utility assistance, food bank, and public transit, which they use more often than owners.

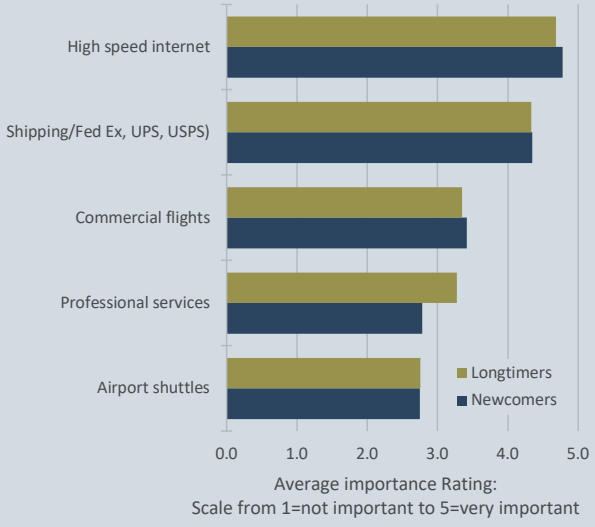
There was only slight variation in the importance placed on community services among the six counties. Some nuances include:

- San Miguel County residents rated town/county parks, recreation programs, the library, and public schools the highest.
- Pitkin County residents placed greater importance on public transit and cultural events and entertainment.

Business Services

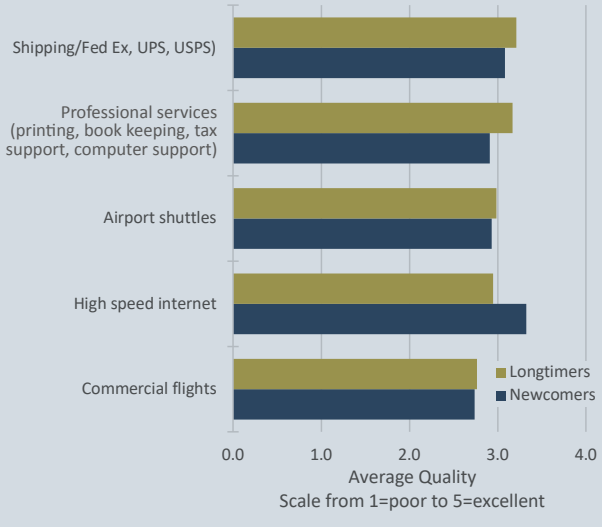
As with community services, newcomers and long-timers place a similar level of importance on business services. The most notable difference was in professional services (printing, book keeping, computer support, tax support, etc.), these were less important to newcomers who are less likely to be self-employed and more likely to work for out-of-county employers for which this business support may be provided elsewhere. Quality high speed internet was rated as the most important service by both long-timers and newcomers.

IMPORTANCE OF BUSINESS SERVICES
Newcomers & Long-timers Compared



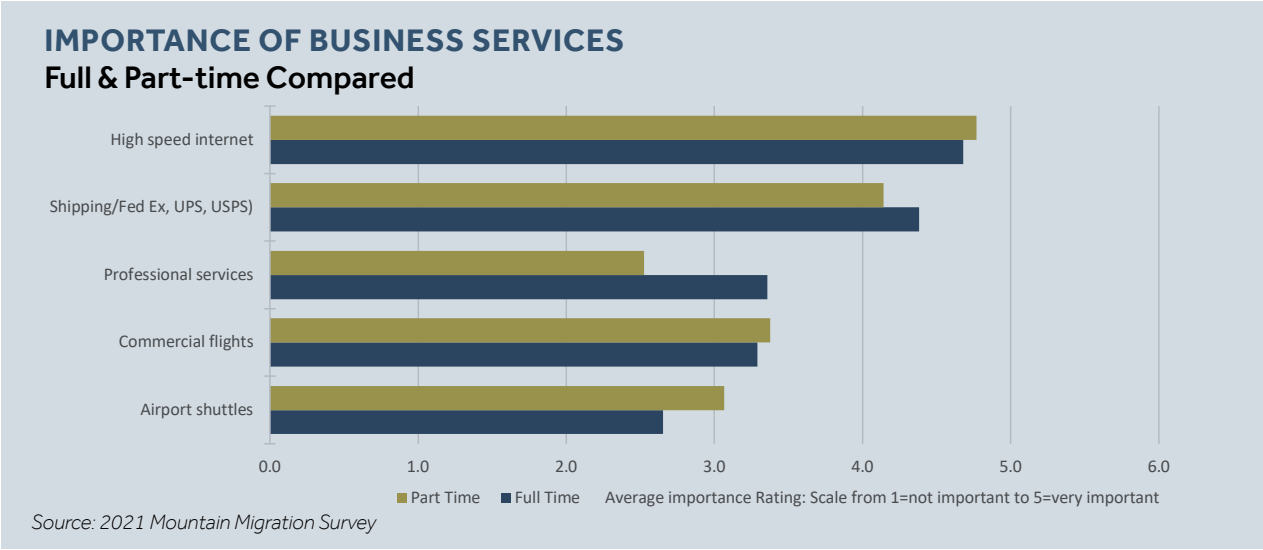
Source: 2021 Mountain Migration Survey

QUALITY OF BUSINESS SERVICES
Newcomers & Long-timers Compared



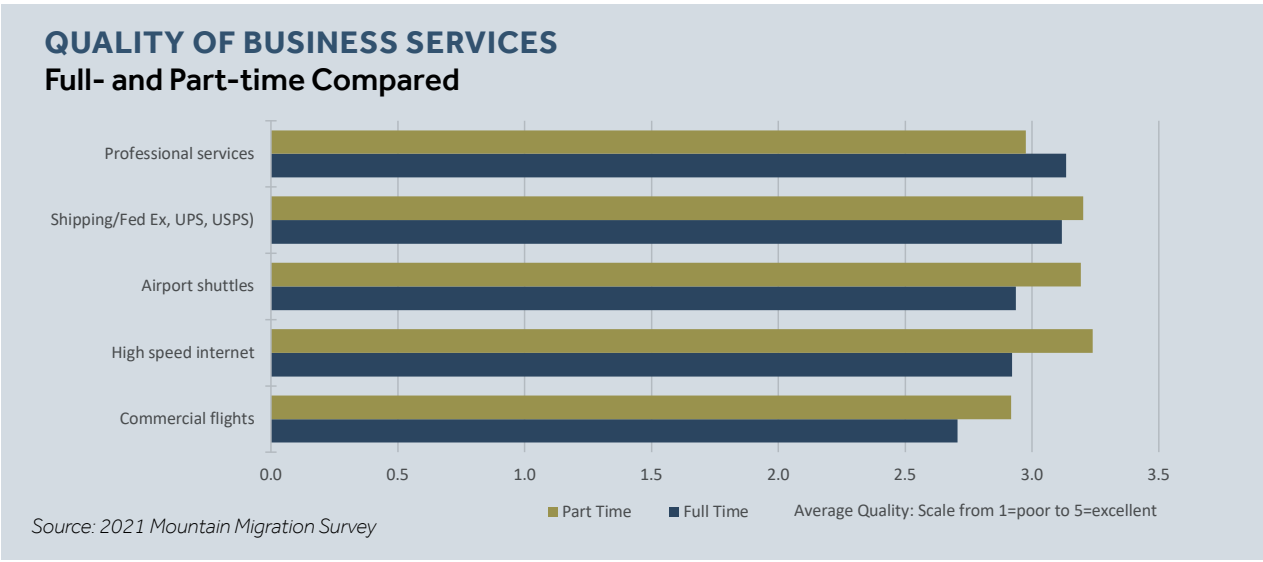
Source: 2021 Mountain Migration Survey

There were also few differences between full and part-time residents, except for professional services, which are more important to and used more often by full-time residents, and airport shuttles, which are more important to part-time residents.



Year-round residents may not realize how good they have it when it comes to the quality of business services. Part-time residents who have perspective from using these services elsewhere rate all services, except for professional services, higher than full-time residents.

While there has been much discussion and concern expressed in Colorado's mountain towns about the availability of high-speed internet, it seems adequate among residents who have recently moved from other areas and part-time residents who also have perspective from elsewhere. It is adequate in the parts of these counties where newcomers are in-migrating.

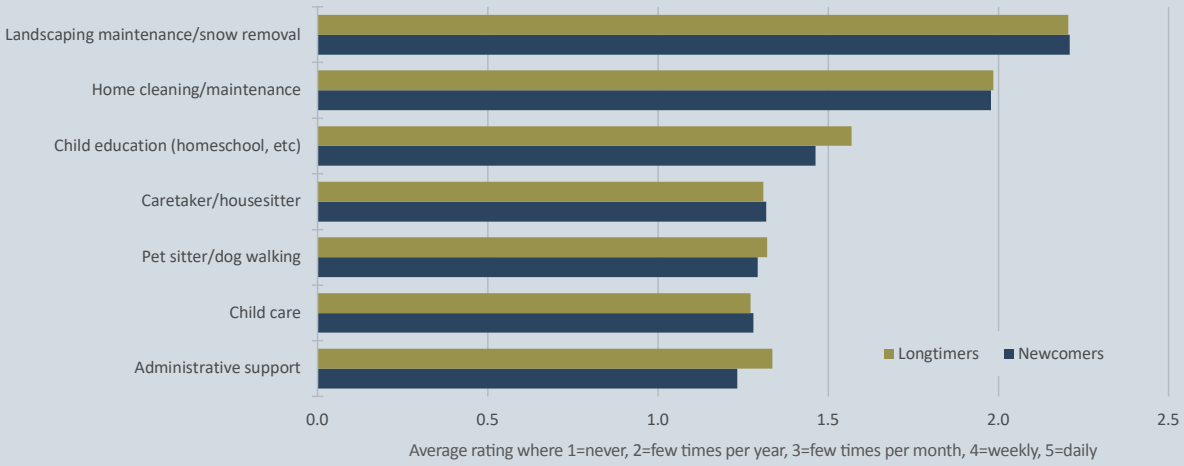


There are no notable differences between full-time owners and renters. Nor were there many differences based on the source of employment – working for in-county versus out-of-county employers made little difference.

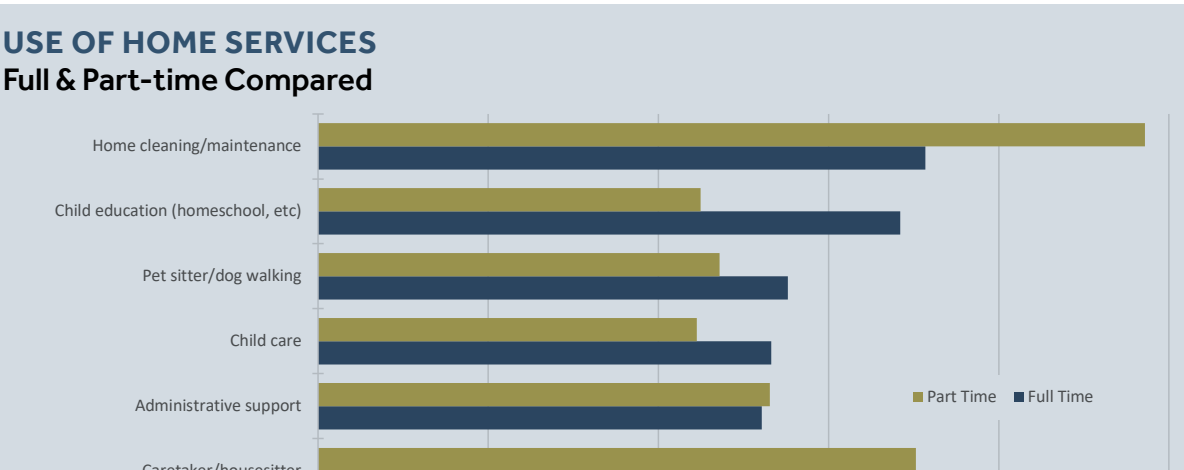
Results were also very similar among the six counties except for the quality of commercial flights, which rated lower in in Grand County (no commercial airport) and San Miguel County (small aircraft in good weather).

Home Services

The influx of new residents will require more of the same services in about the same relative proportion. The frequency by which newcomers and long-timers used home services was very similar.

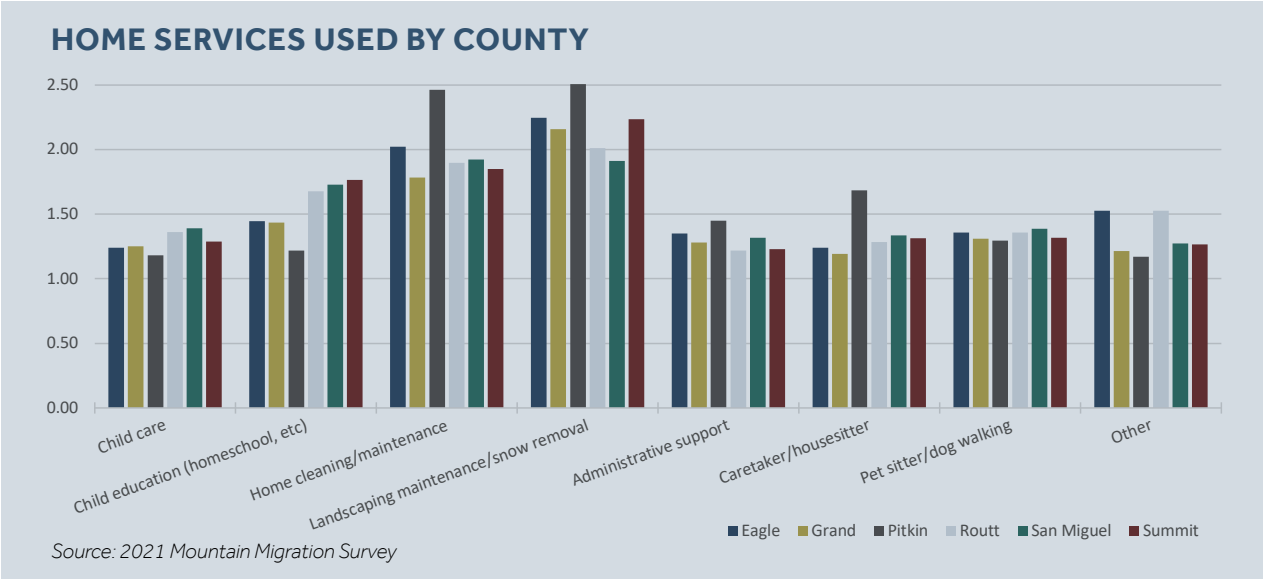


Part-time residents more frequently used services related to maintenance, upkeep and care of their homes whereas full-time residents more often use child-related and pet care services. Full-time homeowners used all of the seven home services tested more than renters.



Use of home services is similar among the six counties. Primary differences include:

- Pitkin County residents more often use services related to home upkeep and are less likely to use home education services.
- Summit County residents more often use landscaping services.



Other Services

When asked to write in other services used, most responses fell into the following categories:

- Grocery stores with comments focusing on need for additional and lower cost stores
- Home maintenance and repair
- Snow removal
- Restaurants and food/restaurant delivery
- Cell phones, with remarks about poor/worsening coverage in Summit County
- Home health care
- Wellness and spa services
- Veterinary and pet care services
- Property management
- Auto repair
- Law enforcement with protection of homes and cars in parking lots

7

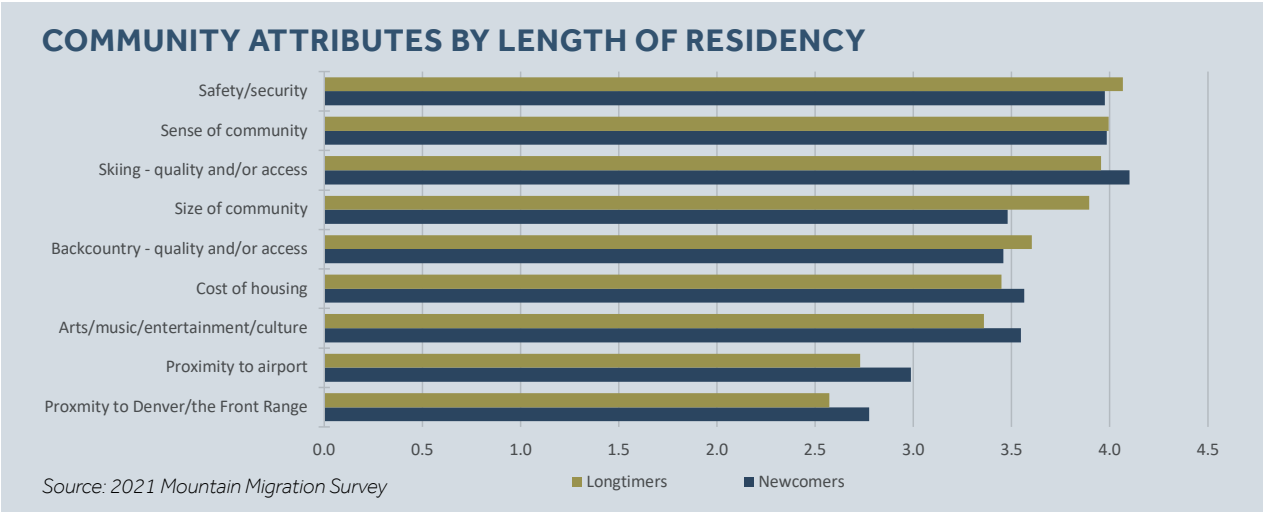
QUALITY OF LIFE



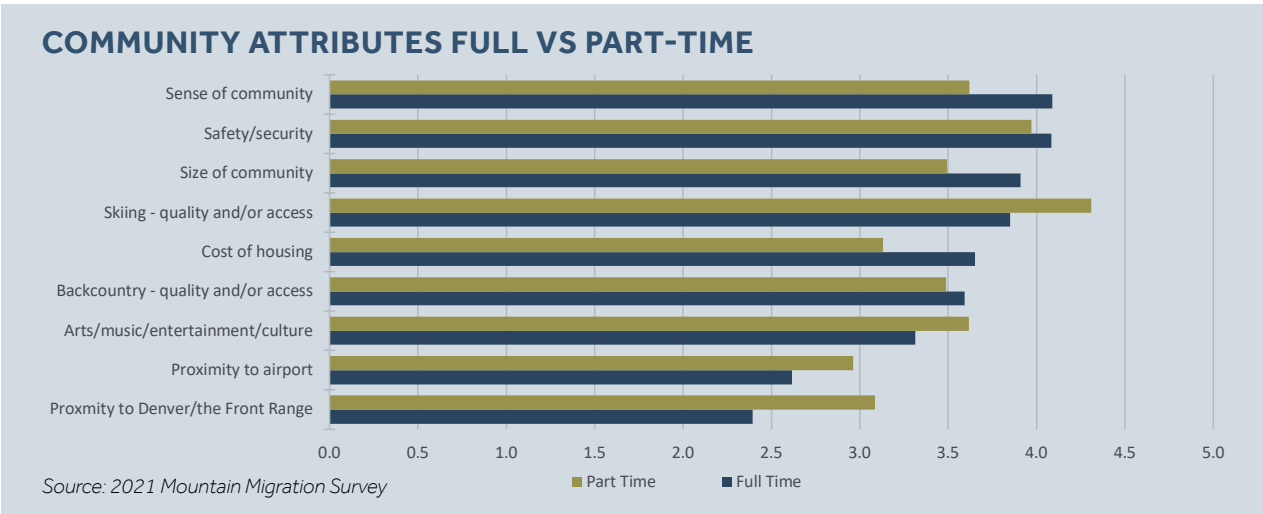
With currently only 50% of housing units in the study area being occupied by full-time residents, the influx of more owners and visitors staying in part-time homes and short- and mid-term accommodations can, in theory, allow the population in the area to double overnight. This does not include visitors that may be in commercial (hotel) lodging units. When stays were extended over longer periods of time during COVID, the stress on the community and infrastructure was felt by all, as indicated in this section.

Factors Influencing Community Choice

Safety and security, sense of community, and skiing quality and/or access topped the list in importance overall when choosing where to live among nine attributes offered. There was little difference between long-timers and newcomers; however, the size of community and the quality of/access to the backcountry were more important to long-time residents.



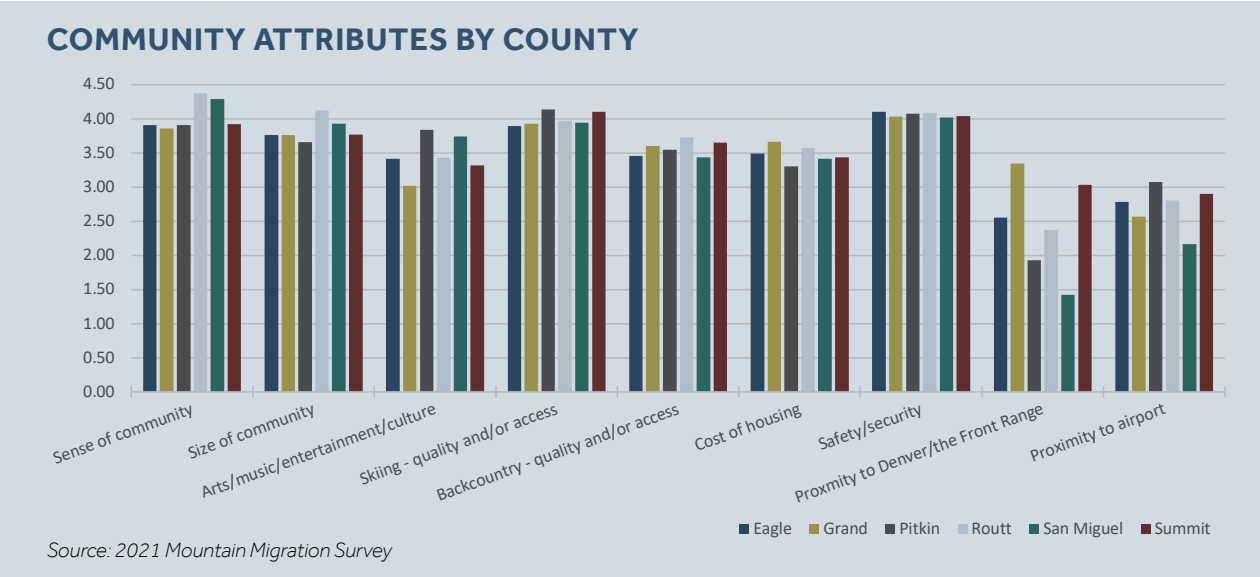
There are clear distinctions between full-time and part-time residents which should be considered when preserving characteristics valued by each group. When choosing where to live, full-time residents placed greater importance on the sense of community, the size of community, and the cost of housing. Part-timers cared more about skiing, proximity to the Front Range, proximity to an airport, and arts/entertainment/culture.



Full-time owners and renters were similar in the relative ranking they placed on community attributes when they chose where to live. In general, owners rated most considerations higher. One exception – renters scored the cost of housing slightly higher than owners. Among part-time residents, renters ranked the cost of housing, safety/security, and proximity to an airport higher than owners.

Ratings were similar among the six counties. Notable exceptions included:

- Proximity to Denver/the Front Range were more important for residents in Grand and Summit counties.
- Proximity to an airport was more important for Pitkin County residents.
- While differences by county in the importance of the cost of housing were slight, it was most important for residents of Grand County, which has the lowest housing costs of the six counties, and least important in Pitkin County, where housing costs are the highest.



Source: 2021 Mountain Migration Survey

Community Impacts in 2020

Since COVID, mountain residents noticed many changes in their communities. Far more residents perceived the changes to be more negative than positive. The perceptions about the impacts of this year provide a glimpse into the future of these communities, whether or not the current influx of new residents and part-time residents are here to stay. These communities have been discovered, and will continue to attract new residents. Learning from this experience and working to address the negative impacts can only better prepare these communities for what is on the horizon.

Far more resident perceived the changes to be more negative than positive.

As shown below, an overwhelming percentage of respondents felt that housing availability, housing affordability, and crowds in the backcountry were worse than before the migration began. About 50% of respondents felt that each of traffic congestion, environmental impacts, quality of life, and parking were worse.

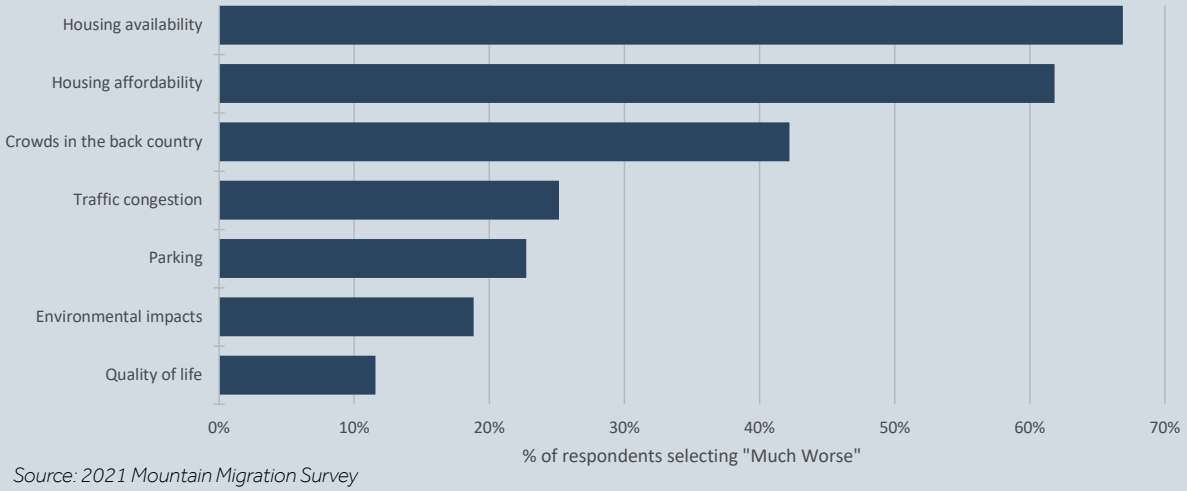
OBSERVED CHANGES IN 2020



Source: 2021 Mountain Migration Survey

Findings suggest that now is the time for mountain communities to grow and improve their housing programs since community awareness of the problem is high. While 90% of respondents felt housing availability and housing affordability have gotten worse overall, as shown below, over 60% felt they got "much worse." Full-time renters gave housing the highest "much worse" rating although all types of residents – full-time, part-time, new to the area and long time, felt the change in housing availability and affordability were worse than other changes in their counties.

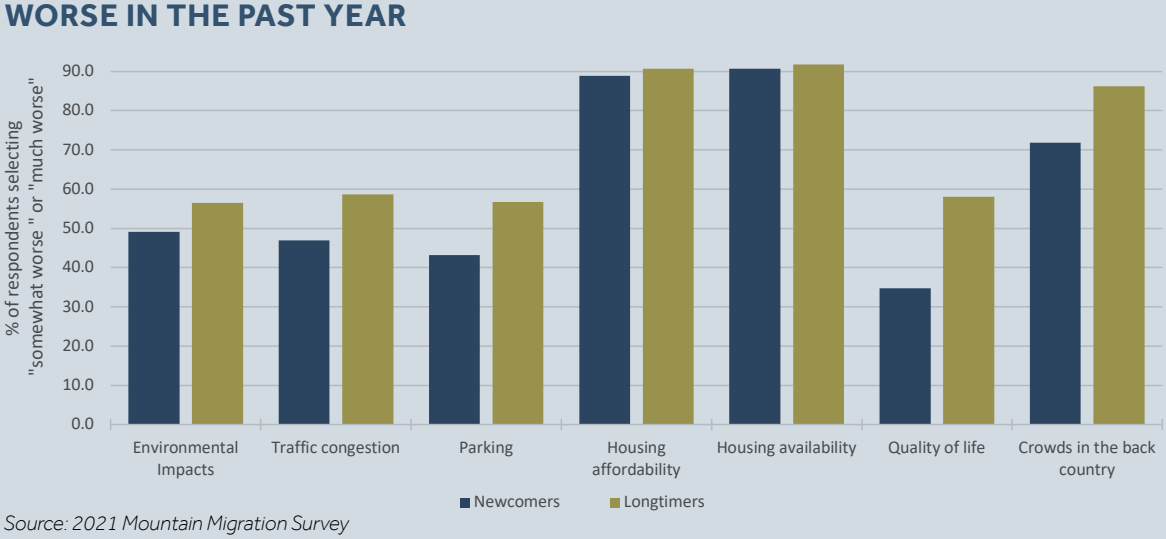
OVERALL RATING OF MUCH WORSE



Source: 2021 Mountain Migration Survey

Perceptions about crowds in the backcountry were also so negative as to indicate actions to correct the problem (additional restrictions/limits on access and use) could have support among residents. The impacts of the migration on recreation are worthy of further study.

Long-time residents (>10 years) perceived changes to be worse than newcomers, which is not surprising given their greater knowledge about pre-2020 conditions. Long-time residents were much more likely to feel their quality of life had worsened. They were in close alignment, however, in their perceptions about housing affordability and availability regardless of when they moved to their mountain community.

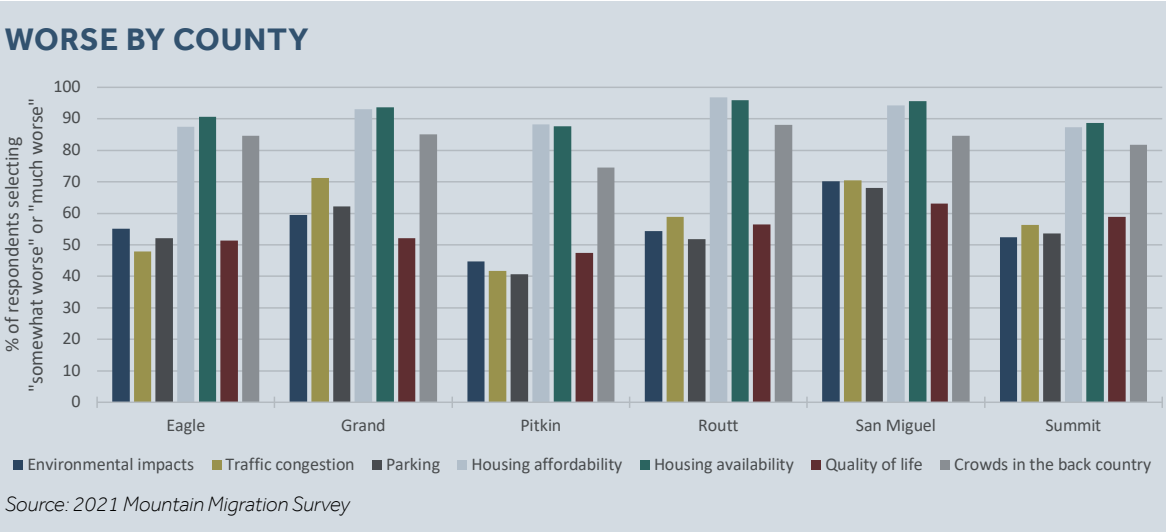


Source: 2021 Mountain Migration Survey

Full-time residents were more likely than part-time residents to indicate that conditions had gotten much worse. Part-time residents more often noticed no change in the past year.

Full-time owners and renters were generally comparable in terms of how they felt about changes in the past year.

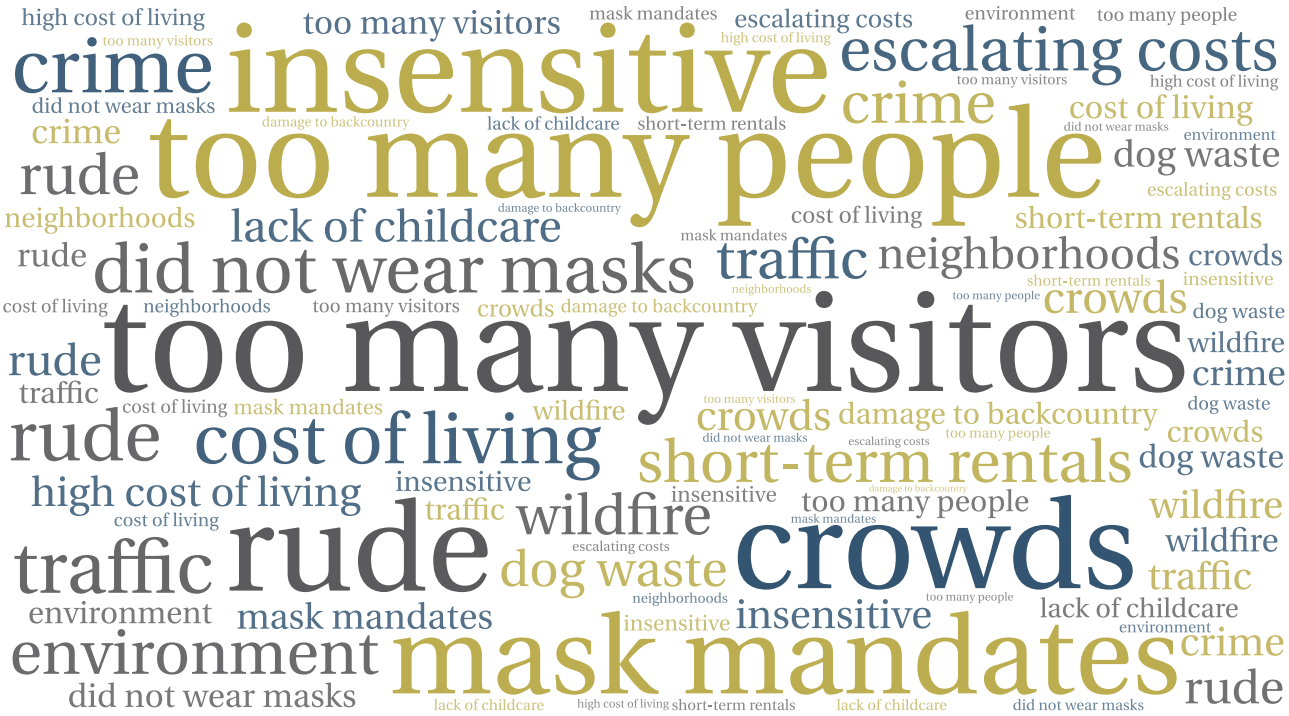
Residents among all six counties were similar in the factors they indicated had gotten worse – housing availability, housing affordability, and crowds in the backcountry were the top three concerns. Residents in Pitkin County, however, were less likely to indicate worsening among all factors, whereas San Miguel County residents noticed the highest overall level of negative change.



Source: 2021 Mountain Migration Survey

The survey also asked a write-in question, "Are there other changes you feel have occurred that affect your quality of life in the community? Nearly 1,900* responses were received in the following categories:

- 742 related to crowds -- "too many visitors", "too many people" and the impacts created by crowds throughout the community and back country. Numerous respondents commented on the behavior of visitors and newcomers, calling it rude, insensitive to locals, and disrespectful.
- 542 about COVID that revealed much division on how the pandemic was managed. Some complained about masks mandates while others expressed concerns about how people, visitors especially, did not wear masks or practice social distancing.
- 236 on housing, the cost of living and short-term rentals focused primarily on escalating housing costs, and the impacts of short-term rentals on rents and neighborhoods.
- 91 about services, particularly the lack of availability and the high cost of groceries and lack of adequate childcare.
- 60 on the environment with many expressing concerns about wildfire, especially the East Troublesome fire in Grand County, litter and damage in the backcountry, and an increase in dog waste.
- 200+ on government, development, jobs and how difficult it is to find employees, more traffic, increasing crime and health (lack of services and impacts of the pandemic on mental health).



*Baseline data for this report is available upon request only to CAST and NWCCOG member jurisdictions.

8 SUPPORT FOR COMMUNITY ORGANIZATIONS



More residents spending time in their mountain towns should improve the financial stability of community organizations or the type of organizations that get financial support. The demographic shift may have other impacts on these organizations, especially those who address community-support needs.

- Full-time residents support more community organizations than part-time residents with donations, volunteering time and attending events. While the dollar value of donations may be similar between full and part-time residents, spending more time in mountain communities should result in community organizations receiving more financial support.

- The percentage of full-time residents that volunteer time far surpasses part-time residents, lending needed hands to help organizations undertake tasks and programs. In communities with a small full-time resident base, finding volunteer community participants is often a challenge.

- Even though their incomes are lower, renters tend to support almost as many organizations as owners.

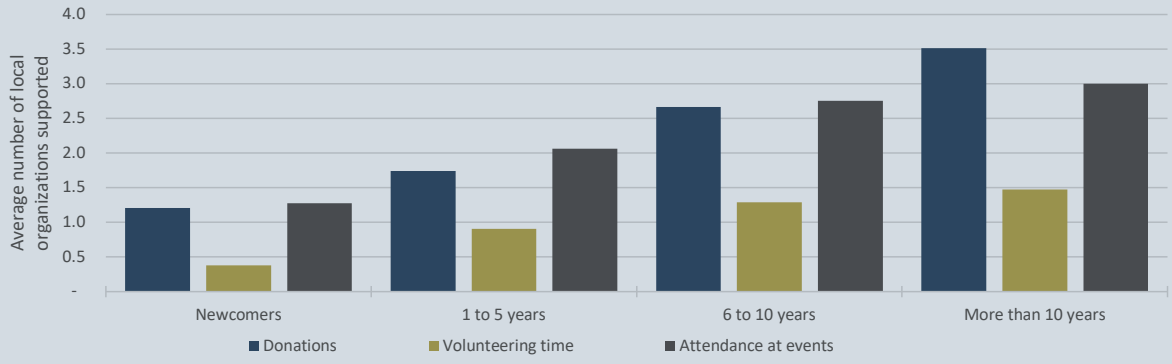
NUMBER OF ORGANIZATIONS SUPPORTED

AVERAGE # SUPPORTED	FULL-TIME	PART-TIME
Donations	3.4	1.6
Volunteering Time	1.6	0.3
Attendance at Events	3.1	1.7
% PROVIDING NO SUPPORT	**FULL-TIME**	**PART-TIME**
Donations	16%	32%
Volunteering Time	33%	81%
Attendance at Events	19%	36%

Source: 2021 Mountain Migration Survey

Nonprofit and other community organizations need to reach out to newer residents for support. There is a clear relationship between the amount of support given and the length of residency. Long-term residents (> 10 years) donate to four times as many community organizations than newcomers, and also volunteer and attend more events.

TYPE OF SUPPORT BY LENGTH OF RESIDENCY



Source: 2021 Mountain Migration Survey

The near-term future looks good for community organizations.

- About half of residents, both full and part-time, will continue to support at the same levels as in the past and roughly one-third will increase donations and/or volunteer time.
- Newcomers, however, plan to increase both donations and volunteer time, indicating interest in investing more time and resources in their community.
- Relatively few residents plan to decrease their support in the next two to three years; renters are more likely than owners to provide lower levels of support in the future.

SUPPORT OVER THE NEXT 2 TO 3 YEARS

	FULL-TIME	PART-TIME	NEWCOMERS	LONG-TIMERS
Stay the same	50%	52%	26%	53%
Increase donations	35%	43%	60%	34%
Increase volunteer time	39%	25%	57%	32%
Decrease donations	4%	1%	2%	4%
Decrease volunteer time	3%	1%	1%	3%

Source: 2021 Mountain Migration Survey
**Multiple select question, meaning that percentages add to over 100%*

Support for community organizations varies by county. The number of organizations receiving support through donations and time are highest in Routt and San Miguel counties; attendance at events is highest in San Miguel County. Fewer organizations receive support on average in Grand and Summit counties.

AVERAGE NUMBER OF ORGANIZATIONS SUPPORTED BY COUNTY

	EAGLE	GRAND	PITKIN	ROUTT	SAN MIGUEL	SUMMIT
Donations	3.1	2.2	3.2	4.1	3.7	2.5
Volunteering Time	1.4	1.1	1.2	1.5	1.7	1.2
Attendance at Events	2.9	2.1	2.7	2.9	4.1	2.5

Source: 2021 Mountain Migration Survey

9

SCHOOL ENROLLMENT



The K-12 education system in all counties in the study area underwent significant challenges and changes under the COVID pandemic, as did schools throughout the country. Many schools in the study area experienced a surge of inquiries into new enrollment and programs over the summer of 2020 from newcomers and from parents of existing students interested in COVID protocols, but most schools had actual fall enrollments that were lower than in 2019, primarily due to concerns about COVID transmissions.

Being located in resort areas, most schools are used to a lot of in- and-out-migration of students at different times of the year, with part-time or new residents arriving and enrolled students moving or leaving. This year also had increased incidence of parents undertaking homeschooling or enrolling in online education programs from other schools, rather than enrolling locally, given the variety of options. Most schools in the study region implemented online learning platforms and hybrid online and classroom programs. A handful kept schools open for full-time classroom learning from the start.

This section presents information on school enrollment by residents in the study area and planned enrollment for the next 2021/2022 school year. The scope of this study did not differentiate between school systems within the studied communities, or compare these to schools in the specific communities from which new residents came or in which some part-time residents enrolled their children. A number of the communities in the study area also have high-end private school options. The study did not differentiate between these and the public school system, but rather asked about public and private enrollment generally.

For the most part, residents that are currently enrolled in local schools indicated that they will again enroll in 2021/2022, with many home-schooled children likely returning to the local school system. A few respondents remain undecided about future plans.

Current School Enrollment

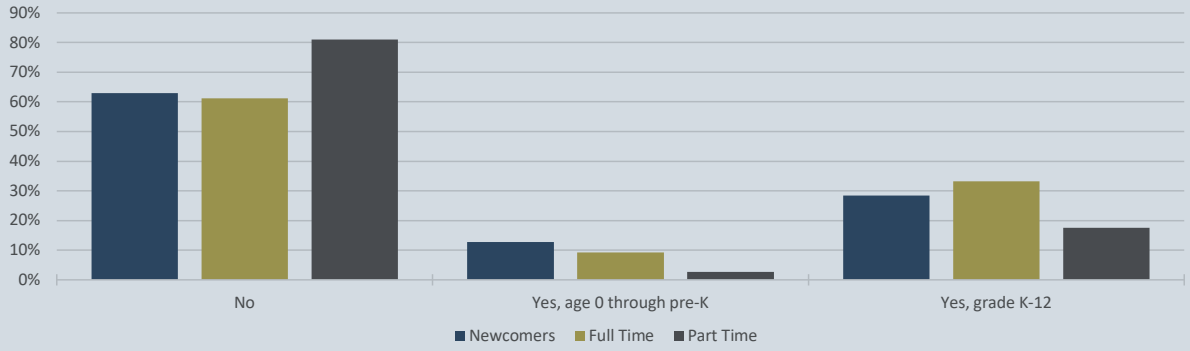
About one-third of survey respondents had at least one school-aged child in their household.

- Newcomers and full-time residents are similarly as likely to have children, but newcomers were more likely to have young children between 0 and pre-K.
- Part-time residents that have children are likely to have older children.

Newcomers and full-time residents are similarly as likely to have children, but newcomers were more likely to have young children between 0 and pre-K.

The near-term future looks good for school districts.

HOUSEHOLDS WITH CHILDREN BY RESIDENCY

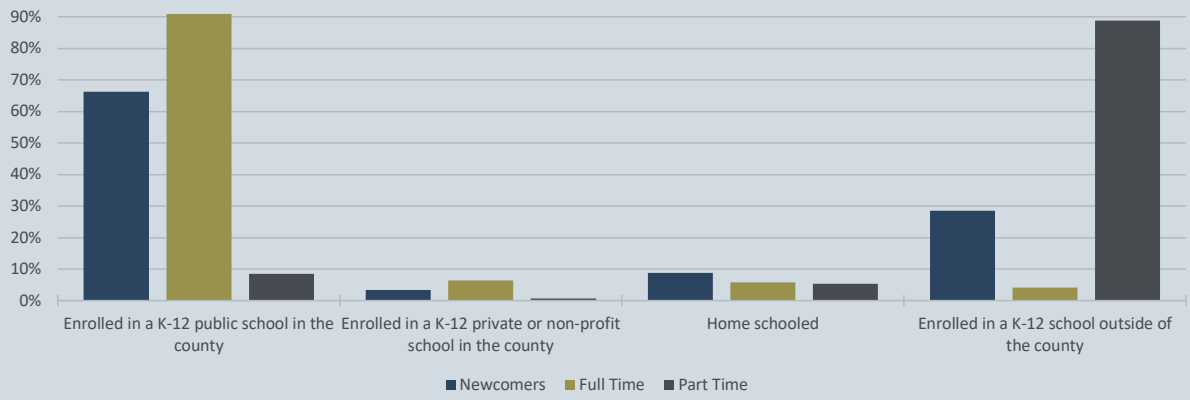


*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

Full-time residents are likely to enroll their children in local schools. Part-time residents are likely to enroll their children outside of the county. Newcomers have mixed enrollment.

The vast majority of newcomers that have children enrolled locally are full-time residents. Newcomers with children enrolled outside of the county (29%) may be less likely to stay in the area.

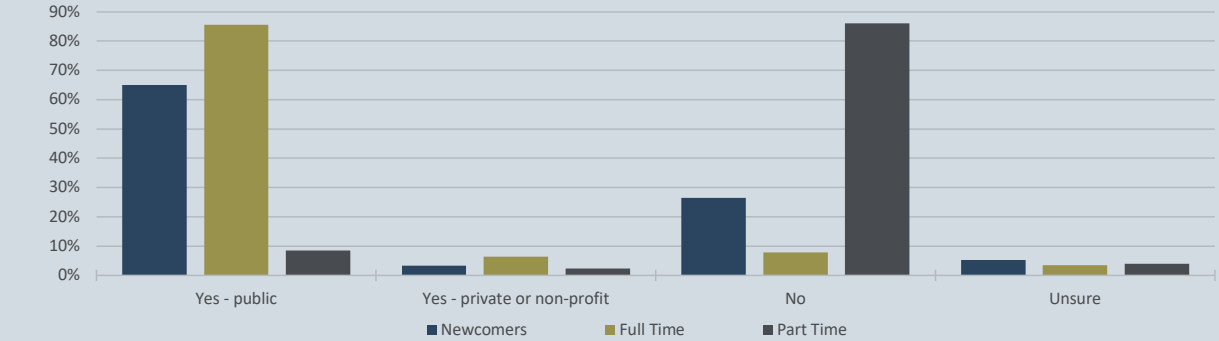
LOCATION OF K-12 SCHOOL ENROLLMENT BY RESIDENCY



*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

Future School Enrollment

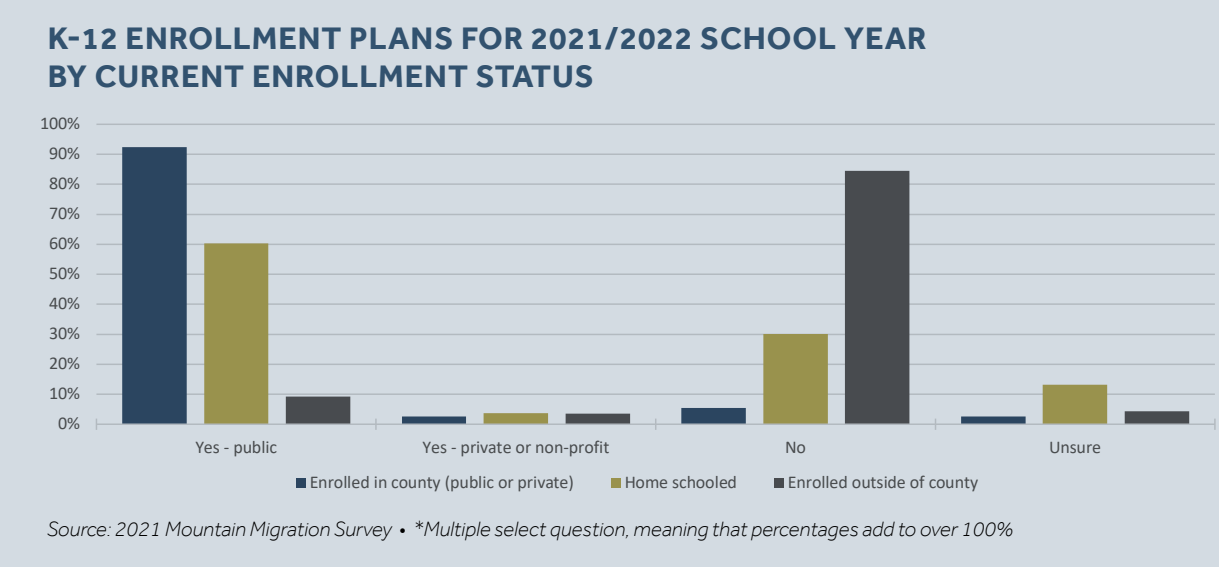
Residents report little change in expected K-12 enrollment for 2021-2202. The slight decline in full-time resident enrollment is mostly due to students graduating or households moving out of the county. About 5% of residents are unsure about their plans.



*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

Evaluating future enrollment plans by current enrollment status shows that:

- Currently enrolled families will largely stay enrolled;
- The majority of students that are home schooled will enroll locally;
- A handful of out of county enrollees will enroll locally (10%); and
- About 5% of residents are unsure. Residents with home schooled children are the most uncertain.



*Source: 2021 Mountain Migration Survey • *Multiple select question, meaning that percentages add to over 100%*

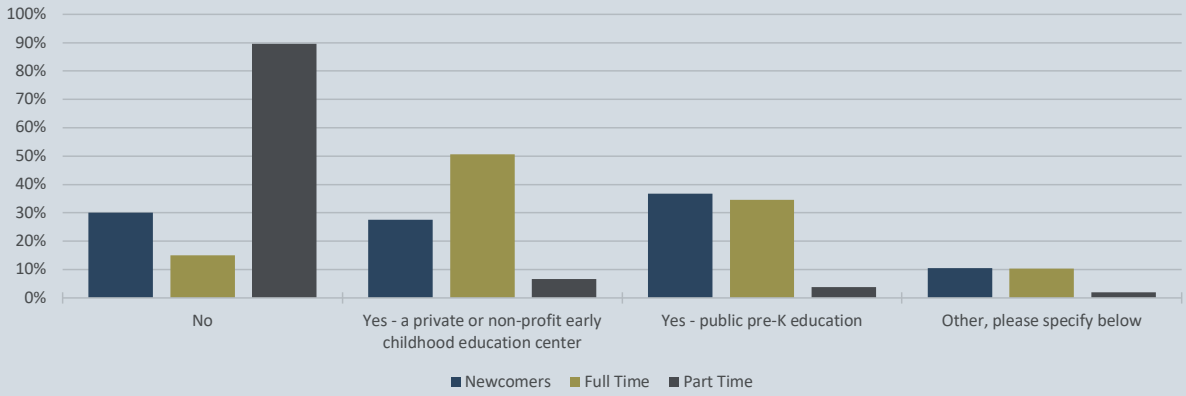
The vast majority of families that are not enrolling their children locally or are unsure reported that they live elsewhere and will continue to do so, have children that are graduating from the K-12 system, and/or are moving out of the county (80%). Less common reasons include:

- Concerns over the quality of education, including curriculum diversity and options, instruction methods, and quality of online programs offered (10%).
- Preference for homeschooling in general (5%).
- Frustration with COVID restrictions, mostly desiring classes to again be full-time, mask-free, and uninterrupted by quarantines (5%).

Regarding pre-K enrollment plans for residents with younger children:

- About three-fourths of full-time residents stated they will enroll their children in either a public or private/non-profit pre-K program.
- Newcomers were mixed and part-time residents were predominately not interested in local programs.
- Respondents selecting "other" indicated that their children will be enrolled in kindergarten, day care, or home schooled, that they are still exploring options, or that they cannot find options locally.

PRE-K ENROLLMENT PLANS FOR 2021/2022 SCHOOL YEAR BY RESIDENCY



Source: 2021 Mountain Migration Survey
**Multiple select question, meaning that percentages add to over 100%*



10 NEXT STEPS

This section presents several suggestions from the consultants, WSW Consulting, Inc. and Rees Consulting, Inc., for possible next steps.

Motivate to Take Action Together

The impacts that amenity-rich mountain communities have felt from the recent COVID-accelerated migration is real. This report has shown significant impacts on housing availability and prices first and foremost, but also community services, outdoor recreation, and quality of life. Whether the changes felt now are here to stay, or will scale down before slowly ramping back up again, this past year has given the mountain communities a glimpse of the future.

What is clear is that the impacts are not isolated to some communities over others. All mountain communities in this study experienced many of the same impacts at similar scales. With wide recognition of the shared impacts, now seems ripe for the mountain communities and regions to increase their capacity to work together and address common solutions. Through collective action on creative and bold initiatives it is hoped that observed and pending changes can be leveraged into positive opportunities for improvement.

Much expertise exists across the study region in implementing local resident and employee housing programs; however, many communities recognize that more innovative tools are needed to address the mountain migration challenge. The below suggestions present a few ideas for strengthening some existing tools and exploring new options to effect the greater local, regional, and larger changes needed to address the mountain migration challenge.

Collaborate on Larger Policy Changes

Amenity-rich communities throughout the state should collaborate to change limiting federal and state of Colorado policies and statutes and open up more opportunities for communities to address impacts.

STATE HOUSING FINANCING PROGRAMS

Allow state resources to serve higher income households by increasing Area Median Income (AMI) thresholds. Current programs are limited primarily to households earning 80% or less of the area median income. Most households earning 200% AMI or more are now struggling to afford homes.

SHORT-TERM RENTALS

Tax residential units that are used as short-term rentals at the higher commercial property tax rate. Likewise, require short-term rentals to meet the same public safety standards as commercial hotel and lodge properties.

REAL ESTATE TRANSFER TAXES

Unlock a known tool for creating revenue from overheated real estate sales to mitigate the impacts. Allow municipalities and counties to adopt new real estate transfer taxes. This provides a significant and flexible source of revenue for communities to apply toward housing programs.

VACANT HOME IMPACTS

Generate additional revenue options for communities to address the shortage of housing for local residents and employees. Examples may include allowing a vacancy tax for homes that are underutilized and charging part time (second) homes a higher residential property tax rate than homes occupied as a primary residence.

CONDOMINIUMS AND MIXED-USE

Lobby to remove construction financing and buyer lending impediments on condominiums and mixed-use construction. Residential units above commercial in downtown areas help communities with limited land increase residential densities and provide options for workers to be near jobs. Condominiums provide more affordable home options, but only if purchasers can acquire loans.

STATE OWNED LANDS

Lobby the state to inventory all state public lands for housing suitability and make excess state land available for local resident and employee housing. Help connect the communities where suitable state lands are located with affordable housing developers to produce the housing needed by local residents and employees.

Explore Local & Regional Actions

Many tried and innovative tools exist and are used by various communities. Every community that is already involved in housing needs to review policies and be sure they are using every available tool as robustly as they can. Some suggestions to enhance community housing programs include:

REGIONAL AND LOCAL PARTNERSHIPS

- Develop regional partnerships that cooperatively allocate available resources for shared housing problems.
- Optimize the efficient use of resources by reducing situations where multiple agencies provide the same housing services, particularly when they end up competing with each other.
- Generate an environment where businesses, government, local and regional organizations, and the private sector can cooperatively work together and creatively address local resident and employee housing needs.

LOCAL EMPLOYEE DEED RESTRICTIONS

Include provisions in deed restrictions that permanently limit the occupancy of homes to persons who are employed by a local business or in a local position serving the community. This is especially important for deed restrictions that do not have income limits. The objective is to create a secondary real estate market of deed-restricted homes that are occupied as a primary residence by local employees, thereby eliminating the competition from higher-income out-of-area buyers.

PURCHASE DEED RESTRICTIONS ON EXISTING HOMES

Prepare a deed restriction purchase program with readiness to respond if opportunities arise. This means having funds available to purchase existing homes, then permanently deed restricting the homes for occupancy by local employees. This program recognizes that preserving existing homes for permanent resident occupancy is a necessary compliment to new construction in mountain communities to meet housing needs.

ADOPT OR INCREASE RESIDENTIAL LINKAGE PROGRAMS

Mitigate workforce housing demand generated by residential construction. This can be done through residential linkage programs, which require new construction to pay a fee, or build below market housing, to compensate for the housing needed by workers filling jobs demanded by new residences and their occupants.

MID-TERM RENTALS

Homes rented for one- up to five-months increased significantly during COVID and contributed to the highest increase in market rents ever experienced in Colorado mountain towns. Mid-term rentals, however, are not subject to short-term rental limitations that communities may have in place. Eliminate this loophole by addressing the mid-term leasing trend through permitting/licensing, taxation, and restrictions on the number and location of mid-term rentals similar to those imposed in some communities on short-term rentals.

REALLOCATE FUNDS TO HOUSING

Reallocate funds from other priorities, for example marketing and tourism promotion, to housing. This includes paying for employee housing out of enterprise funds for employees of those services.

RENTAL HOUSING STOCK

- Preserve existing and create new rental housing for local employees.
- Take advantage of the recent passage of HB 21-1117 in May 2021 by adopting inclusionary zoning standards that require a portion of new or redeveloped rentals be priced affordable for local employees.

BALLOT INITIATIVES

Consider ballot initiatives to fund housing building upon the lessons learned in communities where taxes for housing have been approved in recent years. With the gap between market housing prices and the prices affordable for local wage earners now much wider than pre-COVID, additional sources of revenue are needed.

CONSTRUCTION LABOR SHORTAGE

Explore options for addressing the shortage in construction labor. Building homes affordable for the local workforce will be difficult to achieve even if funding for housing is significantly increased. Examples include:

- Promoting vocational/technical education.
- Creating apprenticeship programs.
- Employing residential construction crews for housing construction and maintenance, such as through a housing authority.

PUBLIC LANDS FOR LOCAL RESIDENT AND EMPLOYEE HOUSING

- Communities and regions should review existing federal, state, and local public lands, including those owned by school districts, for housing suitability and conduct land swaps as needed to open up more developable land for housing.
- Communities should purchase land, master plan to drive a vision, then seek partners to develop the property.

EMBRACE DENSITY FOR LOCAL EMPLOYEE HOUSING DEVELOPMENTS

The development of housing for local residents and employees should no longer been seen as negotiable in the mountain communities severely impacted by the COVID migration. This includes negotiations that typically occur during the discretionary development approval process, too often resulting in fewer homes for local employees than zoning or land capacity allows, and sometimes halting projects altogether. Communities should evolve zoning and policies to reflect this necessity by, for example:

- Allowing attached and multi-family homes in all residential zones. Some areas have banned single-family home zoning altogether (e.g., Oregon).
- Ensuring accessory dwelling units (ADUs) are permitted in all zones, ideally with local employee occupancy requirements. Work with homeowner's associations to ensure bylaws also permit ADUs.
- Establishing permitted zoning densities and density bonuses that incentivize housing for local employees as by-right, rather than discretionary, standards. This means that if the proposed density is within established guidelines, then the density is approved; it is not a topic to be negotiated in the discretionary approval process. By-right will ideally be applied to other development design standards to streamline the review process and expedite approval.
- Revisiting zoning density limits overall, either increasing permitted residential densities where appropriate, or providing increased density bonus incentives for projects providing local employee housing.
- With any areas that are upzoned to higher densities, pair this with an inclusionary zoning requirement, which will ensure that a good portion of the new development will be permanently deed restricted for local employees.

When completing comprehensive and land use plans to guide your community's future:

- Consider the shift toward more people working in homes and that relatively less office space will be necessary.
- Recognize that significant increases in population are possible without additional new development when so many homes are used for part-time occupancy.
- Commit to "housing as infrastructure" as a necessary component, like clean water and sanitation, for the health of any community. Defining housing for local employees as necessary infrastructure can help generate support for governments and others to be involved in and allocate monies toward housing in support of the public health, safety, and welfare.

Better track the use and occupancy of homes by increasing the utilization of existing information. This information is invaluable to planning and community development departments to track progress and changes. Some suggested monitoring methods include:

TRACK THE USE/OCCUPANCY OF RESIDENTIAL UNITS

Systems could be created to continuously track residential use, possibly using a combination of Assessor data, rental licenses, changes in utility accounts, title company cooperation, visitor tracking services, and property manager assistance. Waiting for Census data to be released every 10 years and relying upon the American Community Survey in the interim is not adequate for understanding rapidly changing conditions and adjusting service delivery.

UNDERSTAND POPULATION FLUCTUATIONS

- Enhance water use/wastewater flow monitoring systems and data interpretation to continually measure the number of persons in the area. Communities can track water use and wastewater to monitor changes with little lag time. This will require most to enhance their tracking/billing systems to:
- Easily distinguish between residential and commercial accounts;
- Track consistently by category and adjust for any changes in tracking systems over time to ensure comparable results year-to-year;
- Adjust for anomalies when they occur due to events like water line breaks, changing of meters, taking systems off line for improvements, garbage disposal use (for wastewater), etc.
- Track changes in use by accounts when they change from one owner to another to understand changes in the use or occupancy of homes.

Regarding the impacts of increased residency and visitation on public lands surrounding mountain communities:

PUBLIC LANDS USAGE IMPACTS

- Work with public lands managers who oversee USFS and BLM property surrounding mountain communities to mitigate the impacts from overcrowding at trailheads and in the backcountry. Institute permit systems, create remote parking/shuttle services (e.g., Maroon Bells), mobilize volunteers to supplement the work of employees, increase sanitation services (dumpsters, porta potties, dump stations), and implement a strong education campaign.

APPENDIX



Demographic Profile of Survey Respondents

ARE YOU CURRENTLY A FULL-TIME OR PART-TIME RESIDENT OF THE COUNTY?

	Part-time Resident	Full-time Resident	New-comers	Long-timers	TOTAL Respondents
Full-time	0%	100%	65%	79%	76%
Part-time	100%	0%	35%	21%	24%
TOTAL	**1,237**	**3,478**	**309**	**3,058**	**4,721**

DO YOU OWN OR RENT YOUR HOME IN THE COUNTY?

	Part-time Resident	Full-time Resident	New-comers	Long-timers	TOTAL Respondents
Own	97%	84%	69%	92%	87%
Rent	2%	15%	28%	7%	12%
Other	1%	1%	3%	1%	1%
TOTAL	**1,237**	**3,478**	**309.0**	**3,054**	**4,718**

HOW MANY PEOPLE LIVE IN YOUR HOUSEHOLD?

	Part-time Resident	Full-time Resident	New-comers	Long-timers	TOTAL Respondents
1	7%	11%	7%	11%	10%
2	62%	42%	43%	47%	46%
3	9%	19%	18%	17%	17%
4	15%	22%	23%	20%	20%
5+	7%	6%	10%	5%	6%
TOTAL	**1,210**	**3,443**	**306.0**	**3,010**	**4,663**
Average	**2.5**	**2.7**	**2.9**	**2.6**	**2.7**

WITHIN WHICH AGE CATEGORIES DO HOUSEHOLD MEMBERS FALL?

	Part-time Resident	Full-time Resident	New-comers	Long-timers	TOTAL Respondents
Under 18	20%	38%	39%	33%	33%
18 to 29	12%	14%	24%	11%	13%
30 to 64	66%	80%	86%	73%	76%
65 and over	44%	24%	6%	36%	29%
TOTAL	**1,206**	**3,444**	**306.0**	**3,008**	**4,662**

WHAT IS YOUR GROSS ANNUAL HOUSEHOLD INCOME?

	Part-time Resident	Full-time Resident	New-comers	Long-timers	TOTAL Respondents
Under $50,000	2%	8%	6%	7%	7%
$50,000 to $99,999	6%	24%	12%	20%	20%
$100,000 to $149,999	10%	27%	14%	25%	23%
$150,000 to $199,999	13%	17%	15%	17%	16%
$200,000 to $299,999	16%	12%	18%	12%	13%

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We also extend special thanks to our advisory group which provided valuable input on the structure of each component of the project. NWCCOG would like to thank their Council for supporting the concept, and each of the key funding partners to the project: CAST, DOLA and EDA.

COUNTY ADVISORY GROUP REPRESENTATIVES

Kim Bell Williams • *Eagle County Housing and Development Authority, Director*

Ellen Sassano • *Pitkin County, Senior Long Range Planner*

Kathi Meyer • *Steamboat Springs City Council Member, District II*

Amy Priegel • *Summit Combined Housing Authority, Executive Director*

Tamara Pogue • *Summit County Commissioner*

Lars Carlson • *Telluride Town Council Member, Real estate agent*

Keith Riesberg • *Winter Park, Town Manager*



INTERVIEWS, SURVEY OUTREACH ASSISTANCE, & LOCAL DATA SUPPORT

REAL ESTATE AGENTS – FOCUS GROUP

Betsy Laughlin, *Eagle County*

Kristie DeLay, *Grand County*

Deb Brynoff, *Grand County*

Ashley Chod, *Pitkin County*

John Wade, *Routt County*

Doug Labor, *Routt County*

Lars Carlson, *San Miguel County*

Todd Rankin, *Summit County*

BOARDS OF REALTORS®

Vail Board of REALTORS®, *Eagle County*

Grand County Board of REALTORS®, *Grand County*

Aspen Board of REALTORS®, *Pitkin County*

Steamboat Springs Board of REALTORS®, *Routt County*

Telluride Association of REALTORS®, *San Miguel County*

Summit REALTORS®, *Summit County*

WATER PROVIDERS

Eagle River Water and Sanitation District, *Eagle County*

Grand County Water & San District # 1, *Grand County*

Winter Park Water & San District, *Grand County*

Upper Valley Wastewater Treatment Plant, *Grand County*

City of Aspen Water Department, *Pitkin County*

Aspen Consolidated Sanitation District, *Pitkin County*

City of Steamboat, Public Works, *Routt County*

Mt. Werner Water and Sanitation, *Routt County*

Town of Breckenridge Water, *Summit County*

Upper Blue Sanitation District, *Summit County*

CHAMBERS & TOURISM DISTRICTS

Vail Valley Partnership, *Eagle County*

Steamboat Springs Chamber, *Routt County*

Telluride Tourism Board, *San Miguel County*

Summit Chamber of Commerce, *Summit County*

Breckenridge Grand Vacations, *Summit County*

SCHOOL DISTRICTS

Eagle Schools, *Eagle County*

East Grand Schools, *Grand County*

Aspen School District, *Pitkin County*

Steamboat Springs School District, *Routt County*

Telluride Schools, *San Miguel County*

Summit Schools, *Summit County*

NON-PROFITS & OTHER ORGANIZATIONS

Grand Foundation, *Grand County*

Summit Foundation, *Summit County*

St. Anthony Summit Medical Center, *Summit County*

Family & Intercultural Resource Center, *Summit County*

Telluride Arts District, *San Miguel County*

Telluride Foundation, *San Miguel County*

Aspen Center for Environmental Studies, *Pitkin County*

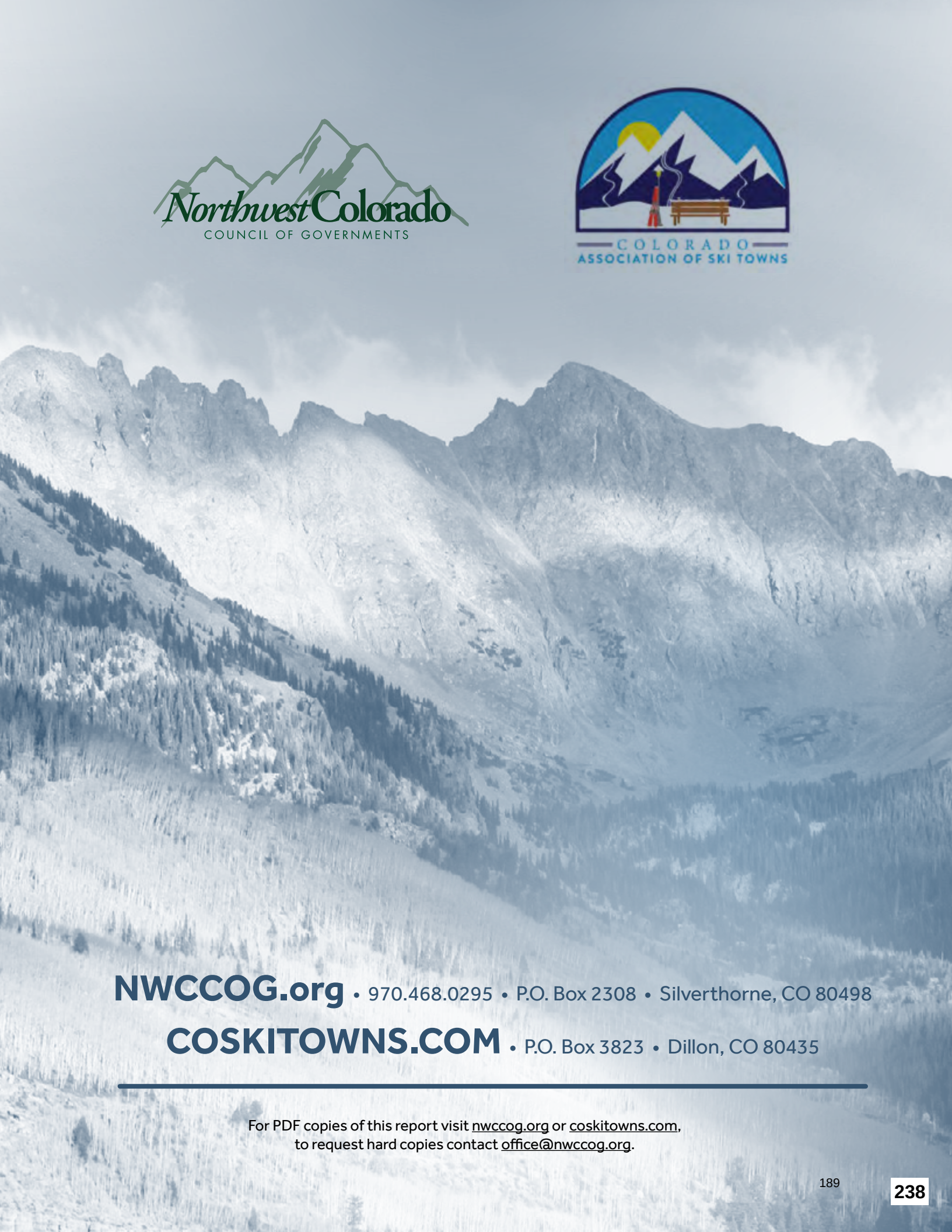
Aspen Institute, *Pitkin County*

Aspen Music Festival and School, *Pitkin County*

United Way, *Routt County*

DESTIMETRICS VISITOR DATA COMPILATION

Tom Foley, Inntopia Business Intelligence



NWCCOG.org • 970.468.0295 • P.O. Box 2308 • Silverthorne, CO 80498

COSKITOWNS.COM • P.O. Box 3823 • Dillon, CO 80435

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THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT J

Final Report

San Miguel County Housing Needs Assessment

The Economics of Land Use

Prepared for:

San Miguel Regional Housing Authority

Prepared by:

Economic & Planning Systems, Inc.

in association with

RRC ASSOCIATES

August 30, 2018

Economic & Planning Systems, Inc.
730 17th Street, Suite 630
Denver, CO 80202-3511
303 623 3557 tel
303 623 9049 fax

Denver
Los Angeles
Oakland
Sacramento

www.epsys.com

EPS #173086

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1. INTRODUCTION

Purpose

The San Miguel Regional Housing Authority (SMRHA) contracted Economic & Planning Systems (EPS) and RRC Associates (RRC) to provide a Housing Needs Assessment for San Miguel County. There is a well-recognized deficit of affordable housing for the local workforce. To address this deficit, the County and local jurisdictions have established goals, programs, policies, and funding sources that have collectively created a sizeable inventory of locals housing. Previously completed Housing Needs Assessments have played an integral role in informing these policy decisions and have served to guide the direction of the local programs. This current study updates past data sets and provides an understanding of how recent trends have affected current housing targets.

It should be noted that a regional needs assessment is not an affordable housing strategy. The two differ as an assessment documents conditions, trends, and identifies targets. The need is expressed in terms of an existing deficit (catch-up) and a forecasted deficit based on growth projections (keep-up). These targets are general in nature and form the parameters for a strategy. An affordable housing strategy then builds on the assessment and is used to define specific production plans, often within a five-year planning horizon. The strategy includes a clear evaluation of locations by jurisdiction, timing of projects accounting for market absorption, balance of tenure, and a strategy to address financial gaps.

In terms of this Housing Needs Assessment, the following report provides a summary of housing needs and conditions in San Miguel County with greater clarity about a range of factors affecting the supply and demand for housing—such as employment growth, housing production, commuting trends, job holdings, etc. It also provides estimates on the depth of need, both in terms of existing and projected. The sections that are included are as follows:

- **Summary of Findings –** This section provides a summary of key conclusions and recommendations that the County and local jurisdictions can pursue to help alleviate the existing housing deficits and provide the community with additional affordable housing options.
- **Economic and Demographic Framework** – This section provides a comprehensive documentation of the context in San Miguel County, which then informs the current need for housing.
- **Housing Trends and Conditions –** A summary of the production of market rate and affordable dwelling units as well as other key metrics related to pricing and availability of both market rate and affordable housing options.
- **Summary of Survey Findings** – EPS has partnered with RRC to develop, distribute, and analyze household, employer, and commuter surveys. These surveys were distributed to households, employers, and commuters and therefore reflect a broad spectrum of options represented in the region. Results have been tabulated to isolate San Miguel County residents from the larger set of responses, depending on the issue, with the full set of responses listed in some cases. For most of the survey analysis, the pool of respondents has

been limited to San Miguel County residents. Many of the same questions have been included from previous efforts, and results from the 2011 survey effort are listed next to current results to show trends.

- **Housing Gaps and Housing Need –** Based on the framework and survey results summarized in other sections of this report, the analysis summarizes key housing issues in San Miguel County and provides an estimate of existing housing gaps and quantifies the current and future need for additional housing.
- **Summary of Prior Studies** – This component of the study documents key findings from previous housing studies and provides the historical backdrop for the current evaluation.

Study Area

The focus of this study is on the housing needs of residents, employees, and employers in San Miguel County, shown in **Figure 1**. As noted earlier, the report relies on the survey data set for San Miguel County residents for much of the report. Residents of outlying communities such as Ridgway, Nucla, Naturita, and others have been captured via commuter surveys or distribution of the household survey, and responses have been included to address broader regional issues. Special consideration is also given to the Telluride Region, which represents the largest population and employment center in the County, shown in **Figure 2**.

Figure 1
San Miguel County

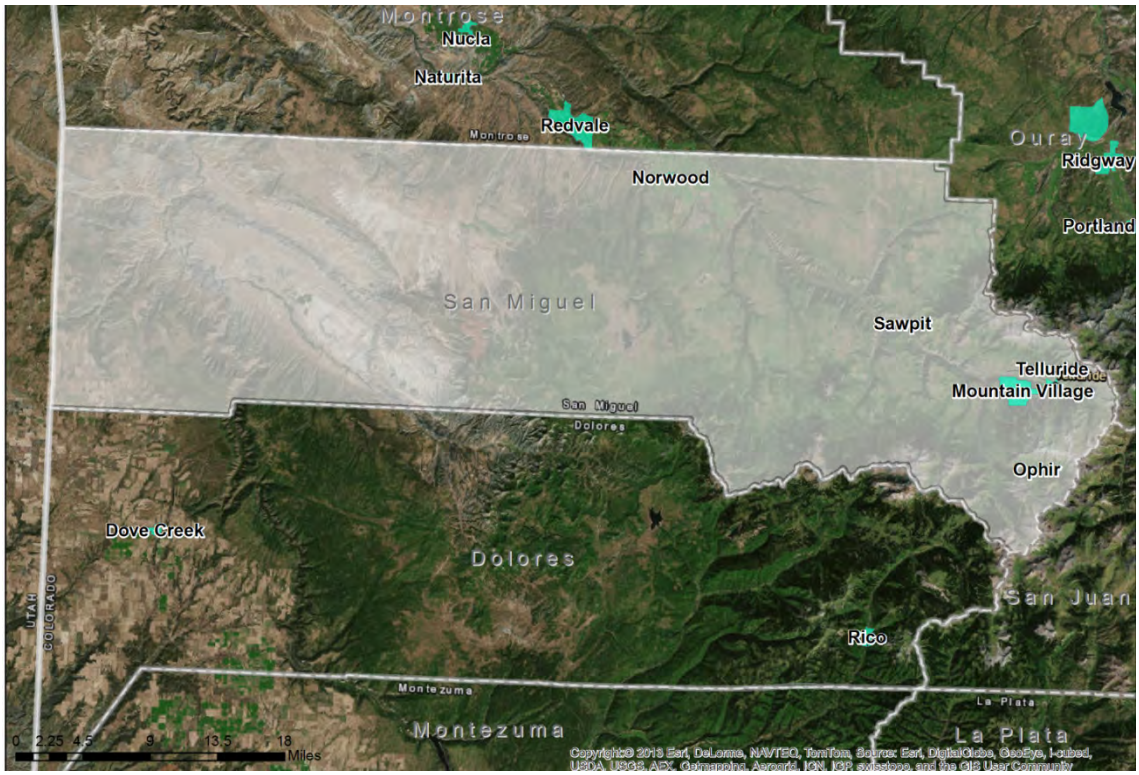
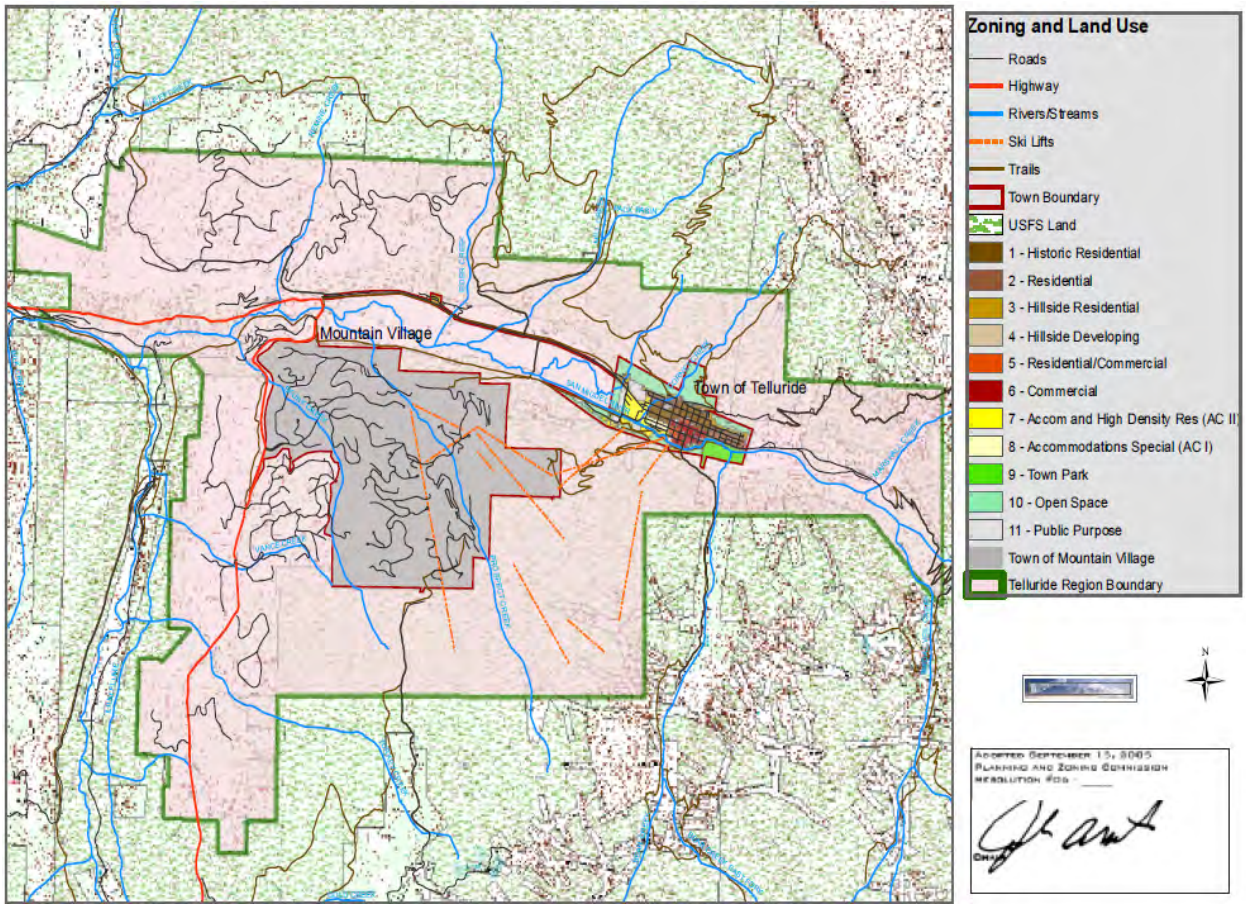


Figure 2
Telluride Region



Acknowledgments

This study was primarily sponsored by the San Miguel Regional Housing Authority in partnership with the local jurisdictions in the County. This study was directed by a local task force with representatives from each of these jurisdictions that included the following:

- Shirley Diaz – San Miguel Regional Housing Authority
- Ross Herzog and Lance McDonald – Town of Telluride
- Lynn Black – San Miguel County
- Kim Montgomery and Michelle Haynes – Town of Mountain Village

2. SUMMARY OF FINDINGS

1. The Telluride Region is expected to continue its economic growth.

Since the end of the recession and through 2016, employment growth in San Miguel County has averaged 150 new jobs per year and the County economy has expanded with a total of 900 new jobs since 2010. This growth contrasts the contraction that occurred following the Great Recession, in which total employment contracted at 1.4 percent per year and the region lost nearly 1,015 jobs from the peak in 2007 to the trough in 2010. Accordingly, additional housing will be needed to support future economic activity and without additional local housing and a corresponding workforce, the local economy will be limited.

The forecasted rate of expansion, 1 percent per year, is realistic given the relatively large base upon which growth will occur. Moreover, the rate projected spans a 10-year horizon and is adequately modest to accommodate a contraction during this time horizon. That said, the State's Department of Local Affairs forecasts the next decade at 2.7 percent annually. Historically, employment has expanded at 2.8 percent annually (1990 to 2016). If actual growth rates are higher than the 1 percent projection, housing need will increase.

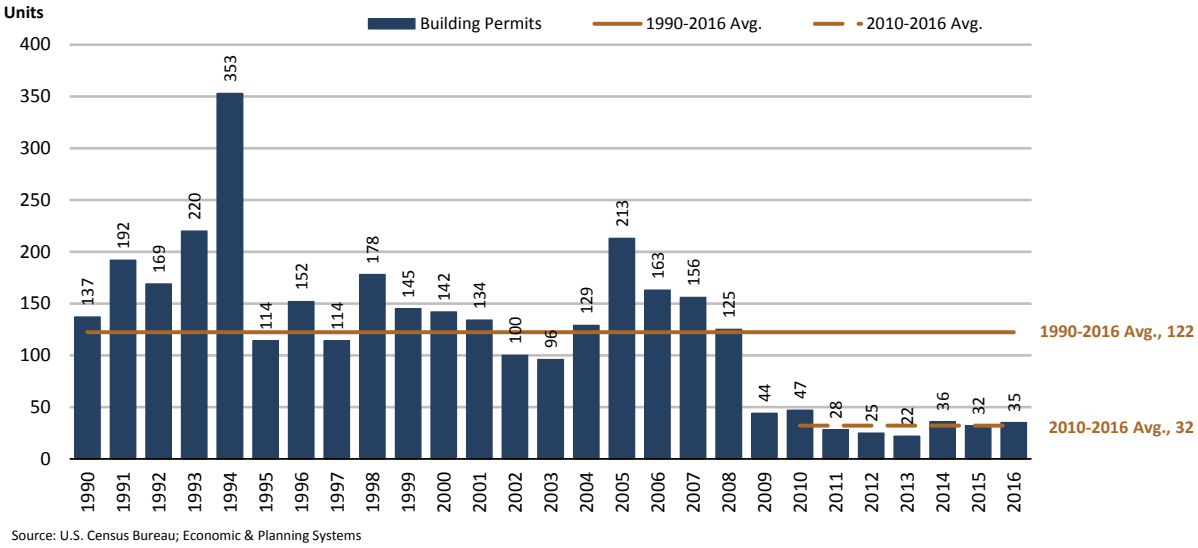
2. The growth in the community has been substantial. Population growth since 2010 has averaged 107 new people per year in the County. The larger population has increased pressure on the housing market, with the following implications:

- **Housing Costs**: Ownership and Rental—the average sales price in San Miguel County is currently (as of Q2 2018) just under $1.5 million. Rental rates for market rate units range from $1,600 per month (based on survey data) upwards to $2,500 per unit, based on current listings.
- **Job Holdings**: The housing pressure has also increased the number of jobs people hold in the region. On average, employees hold 15 percent more jobs per person than previously recorded in 2011.
- **Commuting Trends**: The tighter housing market conditions have driven commuting numbers to their highest levels. The cohort of commuting employees from outside of the County now accounts for 30 percent of total employment, up from 19 percent in 2000 and 25.4 percent in 2004.

3. Following the Great Recession there was a significant decline in building activity throughout San Miguel County. Building activity has been slow to recover and remains below pre-recession averages.

Between 1990 and 2016, the number of building permits issued in San Miguel County averaged 122 (**Figure 3**). Following the Great Recession (December 2007 to June 2009), building came to a virtual standstill and has been slow to recover. Between 2010 and 2015, building permits have averaged 32 units per year.

Figure 3
Residential Construction Activity, San Miguel County, 1990-2016

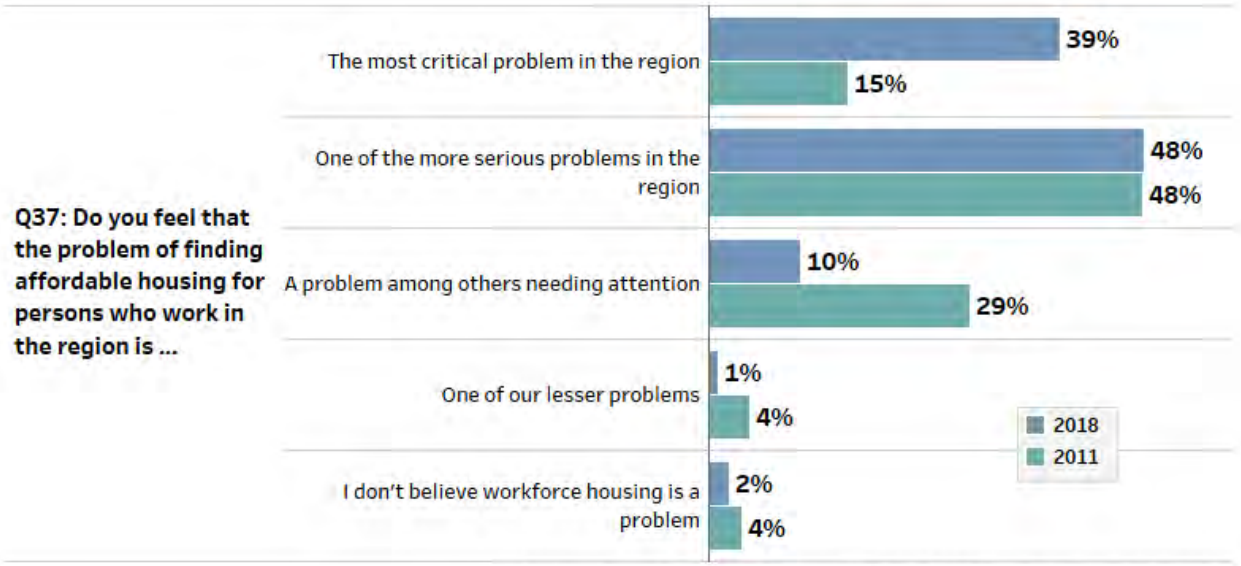


Source: U.S. Census Bureau; Economic & Planning Systems

4. *The community-wide perception of the affordable housing issue as a critical problem has risen to a new high.*

The number of residents who believe affordable housing is the most critical problem in the region has significantly increased between 2011 and 2018 as 39 percent of residents believe that affordable housing is the most critical issue in region (up from 15 percent in 2011).

Figure 4
Affordable Housing Issue



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

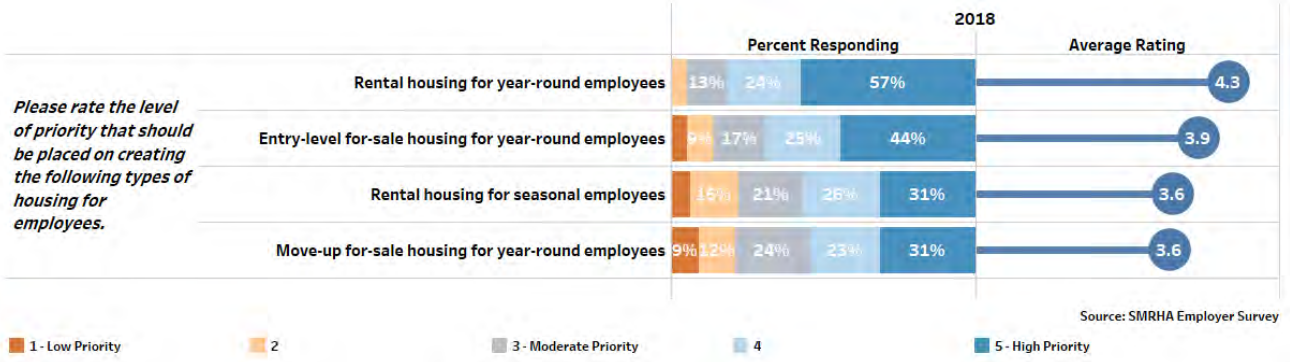
5. The rental housing supply is particularly constrained.

It is common to find tight market conditions in communities similar to those in the Telluride Region. However, it is unusual to see the very low number of available units, several months prior to the peak winter season. Current vacancy rates are running at just 2.5 percent for deed restricted housing. Vacancy rates for market rate rental housing are also reported to be at all-time lows.

6. Employers are concerned about the lack of available housing.

Based on data from the employer survey, it is estimated that there are currently 150 unfilled jobs, largely attributed to the lack of available housing. While all employee segments are critical to the community, the following ranking by employers should be used in planning future projects.

Figure 5
Employee Housing Prioritization



7. The community can view the existing supply of affordable units that are priced competitively for both local owners and renters as a success. Similarly, the administrative operations and regional organization are good elements that will serve long-term community needs.

The evaluation of gaps shows the historic investments in properties, both rental and ownership, geared to lower income households. The gap analysis shows a greater proportion of units at the lower end of the spectrum, based on a comparison of the distribution of household income to the distribution of housing costs.

8. The current housing need in San Miguel County is defined by the existing deficit (catch-up) and the projected need over the next 10 years (keep-up).

Current catch-up need for housing is estimated by evaluating potential housing demand from the number of unfilled jobs, as reported by employers, and the number of in-commuters who would prefer to move into the County. Total catch-up housing need is estimated at 441 units (64 units from unfilled jobs and 377 from in-commuters).

In addition to current deficits, the study anticipated growth—which is used to forecast the keep-up need. Between 2016 (the most recent year with accurate employment estimates) and 2026, total employment in the County is estimated to increase jobs by 760, which is estimated to translate to demand for an additional 325 housing units.

Many factors affect the catch up and keep up targets, including commuting ratios, employment ratios, rate of loss of existing inventory to seasonal residents, and job growth. It is important to note that the keep-up target is based on a 1 percent growth rate, which falls below the state estimate of 2.7 percent and the historic rate of 2.8 percent.

The study also captured preferences for location, tenure, and unit type. While household preferences are important (and shown in detail in the study), the parameters that are the most indicative of need reflect existing tenure split (60/40 for owner/renter households) and employment distribution (38/36/26 for the Town of Telluride/Mountain Village/County-Other).

9. ***The next step for the Telluride Region is to build upon this housing needs assessment and develop affordable housing strategies.***

   These strategies should provide specificity for a five-year horizon, based on community requirements, existing plans in place, and stakeholder input, and should evaluate locational options in each of the three jurisdictions. It will be important to account for the trends of new income-restricted housing to be generated against the units lost through conversions to seasonal residents. Additional specificity, if possible, should be provided with details regarding targets, absorption, timing, and ways to close financial gaps.

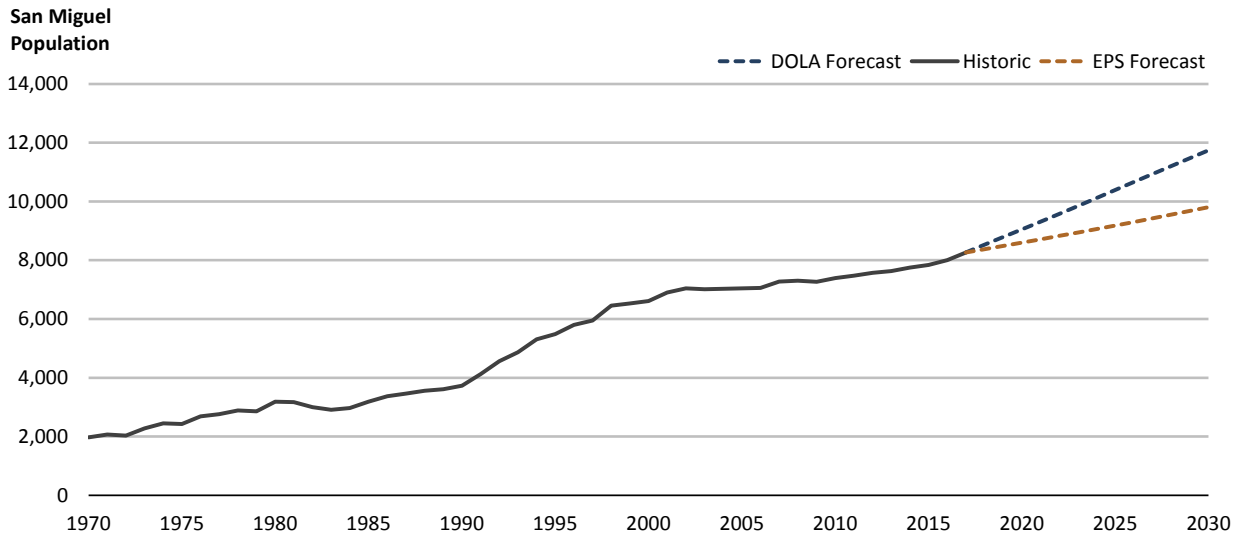
3. ECONOMIC AND DEMOGRAPHIC FRAMEWORK

This section provides a summary of economic and demographic trends and conditions in San Miguel County. This section addresses current conditions, historic trends, and forecasted changes in the County's population and general household characteristics.

Population

- The current population of San Miguel County is estimated at 8,266. Telluride and Mountain Village represent 31.7 and 17.6 percent of the total population, respectively. Norwood, Ophir, and Sawpit combined represent 10 percent of the total population and the remaining 40.8 percent is made up of residents living in unincorporated San Miguel County (**Table 1**).
- Between 1980 and 2016, the population of San Miguel County has increased by 2.6 percent per year or 134 people per year. The majority of this growth occurred in Telluride, Mountain Village, and unincorporated areas of the County. The most dramatic growth occurred between 1990 and 2000. Since 2000, the annual growth rate has declined (**Figure 6**) from very high rates of growth during the 1990's.
- Population growth since 2010 has averaged just 1.4 percent per year or 107 people per year in the County as a whole. Throughout the County, growth rates have been relatively consistent between incorporated and unincorporated areas (**Table 2**).
- The Colorado Department of Local Affairs (DOLA) has forecasted the population of San Miguel County to increase from 8,266 in 2017 to 11,742 in 2030, an increase of 2.7 percent per year or 267 people per year. Based on the available supply of developable parcels this forecast is likely too optimistic. To bracket population estimates in 2030 and to provide a potentially more realistic estimate of future population, EPS has developed an independent forecast based in historic growth rates since 2010. The EPS forecast estimates the population of the County to increase from 8,266 in 2017 to 9,804 in 2030, a growth rate of 1.3 percent per year or 118 people per year (**Table 3** and **Figure 6**).

Figure 6
Historic Population Trend (DOLA), 1990-2016



Source: DOLA; Economic & Planning Systems

Table 1
Population Estimate, ACS 5-Year, 2016

Description	DOLA Estimate 2017	% of Total
San Miguel County	**8,266**	**100.0%**
Telluride	2,621	31.7%
Mountain Village	1,451	17.6%
Norwood	580	7.0%
Ophir	200	2.4%
Sawpit	45	0.6%
Unincorporated Area	3,369	40.8%

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates; Economic & Planning Systems

Table 2
Historic Population Trend (DOLA), 1980-2016

Description	1980	1990	2000	2010	2016	1980-2016 Total	1980-2016 Ann. #	1980-2016 Ann. %	2010-2016 Total	2010-2016 Ann. #	2010-2016 Ann. %
San Miguel County											
Telluride	1,047	1,309	2,253	2,319	2,537	1,490	41	2.5%	218	36	1.5%
Mountain Village	0	0	992	1,313	1,404	852 [1]	41 [1]	4.5% [1]	91 [1]	15 [1]	1.1% [1]
Norwood	478	429	447	517	561	83	2	0.4%	44	7	1.4%
Ophir	38	69	114	180	194	156	4	4.6%	14	2	1.3%
Sawpit	41	36	25	40	44	3	0	0.2%	4	1	1.6%
Unincorp. Area	1,588	1,764	2,784	2,987	3,260	1,672	46	2.0%	273	46	1.5%
Total	**3,192**	**3,607**	**6,615**	**7,356**	**8,000**	**4,808**	**134**	**2.6%**	**644**	**107**	**1.4%**

[1] 1995 to 2016

Source: DOLA; Economic & Planning Systems

Table 3
Population Forecast (DOLA), 2017-2040

Year	EPS Forecast Population	EPS Forecast # Change	DOLA Forecast Population	DOLA Forecast # Change
2017	8,266	266	8,266	266
2018	8,376	109	8,530	264
2019	8,486	111	8,791	261
2020	8,598	112	9,050	259
2021	8,712	114	9,312	262
2022	8,827	115	9,577	265
2023	8,943	117	9,845	268
2024	9,062	118	10,117	272
2025	9,181	120	10,391	274
2026	9,302	121	10,664	273
2027	9,425	123	10,934	271
2028	9,550	124	11,204	270
2029	9,676	126	11,473	269
2030	9,804	128	11,742	269
Total Change	**1,537**		**3,476**	
Ann. #	**118**		**267**	
Ann. %	**1.3%**		**2.7%**	

Source: DOLA; Economic & Planning Systems

Household Characteristics

- The most current figures published by the U.S. Census Bureau estimate the number of households in San Miguel at 3,258 in 2016. The average household size in the County is estimated at 2.37 people per household (**Table 4**).
- There are an estimate 6,706 housing units in San Miguel County. Of these units, roughly 3,258 or 48.5 percent are estimated to be occupied and 3,448 or 51.4 percent are estimated to be vacant.
- The median income in the County is estimated at $58,170 in 2016. Roughly 44 percent of households earned less than $50,000 per year while 56 percent earned more than $50,000 per year (**Table 5** and **Figure 7**).

Table 4
Household Characteristics, ACS 5-Year, 2016

Description	Housing Units				Households	Avg. HH Size
	Total	Occupied	Vacant	% of Total		
San Miguel County	**6,706**	**3,258**	**3,448**	**51.4%**	**3,258**	**2.37**
Mountain Village	1,934	630	1,304	67.4%	630	2.45
Norwood	283	254	29	10.2%	254	2.80
Ophir	74	74	0	0.0%	74	2.34
Sawpit	19	14	5	26.3%	14	2.21
Telluride	2,020	848	1,172	58.0%	848	2.33
Unincorporated Area	2,376	1,438	938	39.5%	1,438	0.00

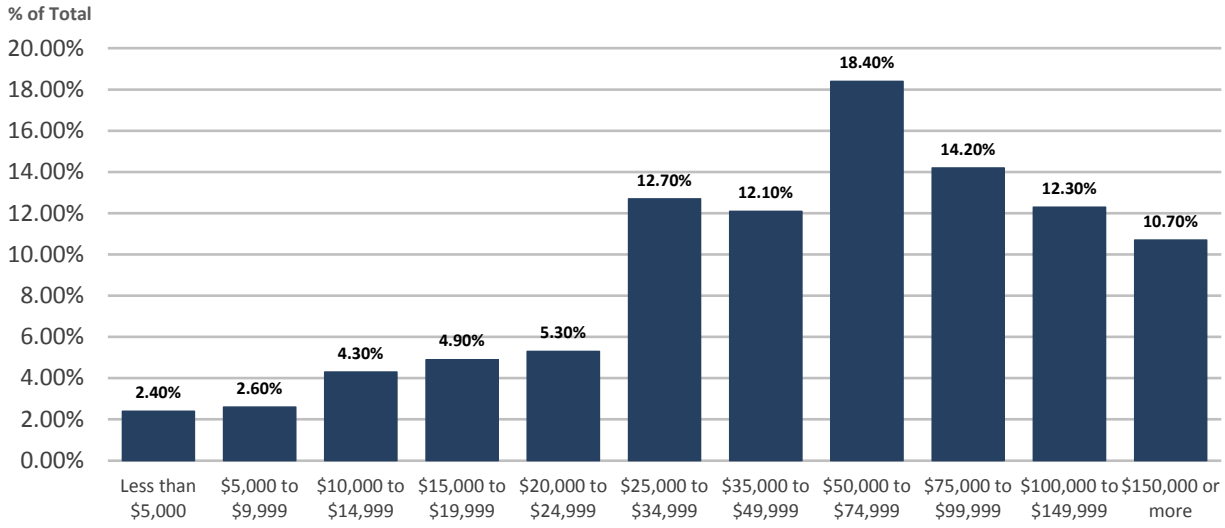
Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates; Economic & Planning Systems

Table 5
Household Income Distribution, ACS 5-Year, 2016

Description	Amount
Less than $5,000	2.40%
$5,000 to $9,999	2.60%
$10,000 to $14,999	4.30%
$15,000 to $19,999	4.90%
$20,000 to $24,999	5.30%
$25,000 to $34,999	12.70%
$35,000 to $49,999	12.10%
$50,000 to $74,999	18.40%
$75,000 to $99,999	14.20%
$100,000 to $149,999	12.30%
$150,000 or more	10.70%
Median HH Income	**$58,170**

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates: Economic & Planning Systems

Figure 7
Household Income Distribution, ACS 5-Year, 2016



Source: Household Characteristics, ACS 5-Year, 2016; Economic & Planning Systems

Employment

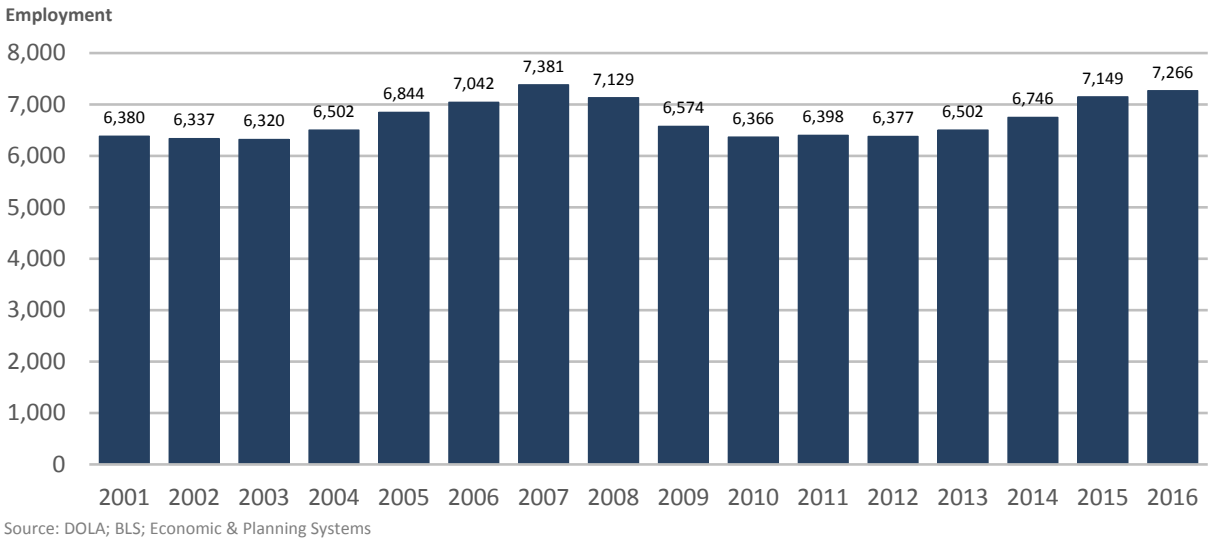
- Total employment in San Miguel County is estimated at just over 7,266 jobs (**Table 6** and **Figure 8**).
- Between 2005 and 2010, total employment decreased at 1.4 percent per year or nearly 100 jobs per year. While employment in the County increased between 2005 and 2007, there were significant losses in employment between 2007 and 2010 that were the result of the Great Recession (**Table 6** and **Figure 8**).
- Since the end of the recession, employment growth in San Miguel County has averaged roughly 2.2 percent per year or 150 new jobs per year (**Table 6** and **Figure 8**). Since 2010, the lowest level of employment in the recent past, the County economy has expanded with a total of 900 new jobs. More recent data are currently unavailable from the Department of Local Affairs, but the positive growth trends have not changed and current employment levels are expected to be higher than those stated for 2016.
- The largest employment sectors in San Miguel County are driven by the local tourism industry with recreation, accommodation and food services, and retail trade representing roughly 36 percent of total employment in the County. Combined these three sectors employ roughly 2,600 employees. Construction and public administration also represent relatively large employment sectors with 686 and 829 employees, respectively (**Figure 9**).
- Growth in tourism and recreation has driven the majority of the employment growth in San Miguel County. Recreation and accommodation and food services represent nearly 60 percent of the total employment growth since 2010. Between 2010 and 2016, employment in arts, entertainment, and recreation increased by 206 jobs; accommodation and food services increased by 262 jobs; and retail increased by 58 jobs (**Figure 10**).
- Similar to statewide trends, there was a significant contraction in construction employment in San Miguel County. Between 2010 and 2016, the construction sector lost a total 122 jobs. Many of these jobs were lost between 2008 and 2010 and the sector has been slow to recover. There were also losses in the information sector, which lost approximately 29 jobs between 2010 and 2016 (**Figure 10**).
- Current unemployment levels are at historic lows and are averaging roughly 3.0 percent. Rates at this level have not been seen since prior to the recession in 2007 and 2008 (**Figure 11**).

Table 6
Employment, San Miguel County, 2005-2016

Description	2005	2010	2016	2005-2010 Total	2005-2010 Ann. #	2005-2010 Ann. %	2010-2016 Total	2010-2016 Ann. #	2010-2016 Ann. %
Agriculture, Forestry, Fishing and Hunting	109	113	118	4	1	0.7%	5	1	0.7%
Mining, Quarrying, and Oil and Gas Extraction	0	0	0	0	0	---	0	0	---
Utilities	7	9	7	2	0	5.2%	-2	0	-4.1%
Construction	1,089	808	686	-281	-56	-5.8%	-122	-20	-2.7%
Manufacturing	132	111	169	-21	-4	-3.4%	58	10	7.3%
Wholesale Trade	42	33	43	-9	-2	-4.7%	10	2	4.5%
Retail Trade	486	474	532	-12	-2	-0.5%	58	10	1.9%
Transportation and Warehousing	55	52	48	-3	-1	-1.1%	-4	-1	-1.3%
Information	143	96	67	-47	-9	-7.7%	-29	-5	-5.8%
Finance and Insurance	152	89	112	-63	-13	-10.2%	23	4	3.9%
Real Estate and Rental and Leasing	627	554	677	-73	-15	-2.4%	123	21	3.4%
Professional, Scientific and Technical Services	411	402	471	-9	-2	-0.4%	69	12	2.7%
Management of Companies and Enterprises	3	0	8	-3	-1	-100.0%	8	1	---
Admin and Support and Waste Mgmt and Rem Srvcs	276	264	349	-12	-2	-0.9%	85	14	4.8%
Educational Services	96	114	154	18	4	3.5%	40	7	5.1%
Health Care and Social Assistance	217	222	284	5	1	0.5%	62	10	4.2%
Arts, Entertainment, and Recreation	451	608	814	157	31	6.2%	206	34	5.0%
Accommodation and Food Services	1,142	1,025	1,287	-117	-23	-2.1%	262	44	3.9%
Other Services, except Public Administration	496	516	577	20	4	0.8%	61	10	1.9%
Public Administration	789	833	829	44	9	1.1%	-4	-1	-0.1%
Total Jobs	**6,844**	**6,366**	**7,266**	**-478**	**-96**	**-1.4%**	**900**	**150**	**2.2%**

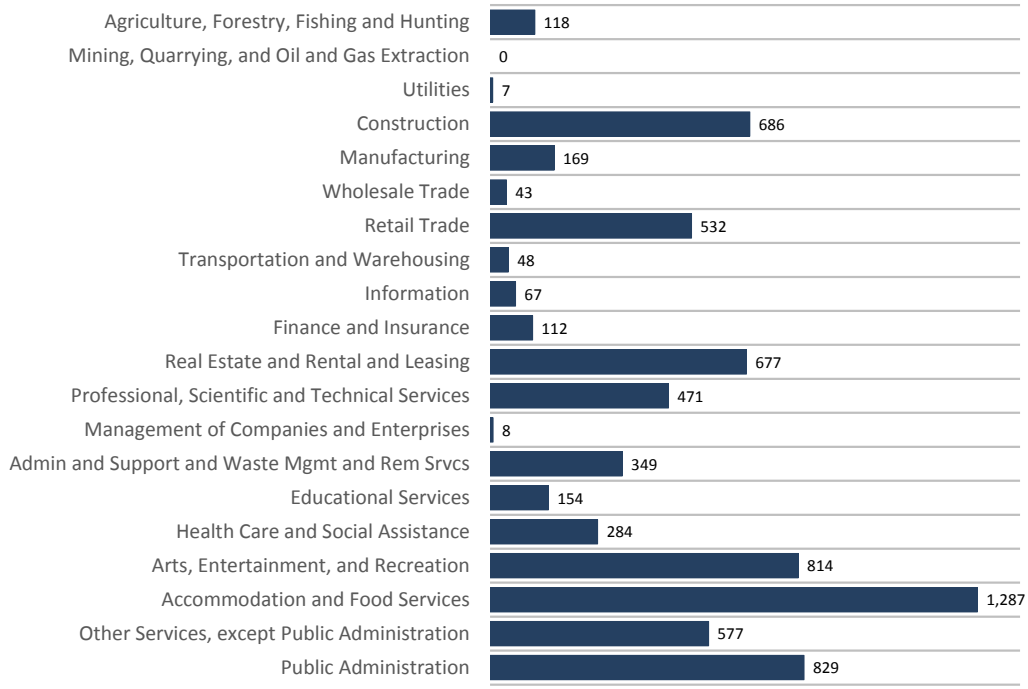
Source: DOLA; Economic & Planning Systems

Figure 8
San Miguel County Employment, 2001-2016



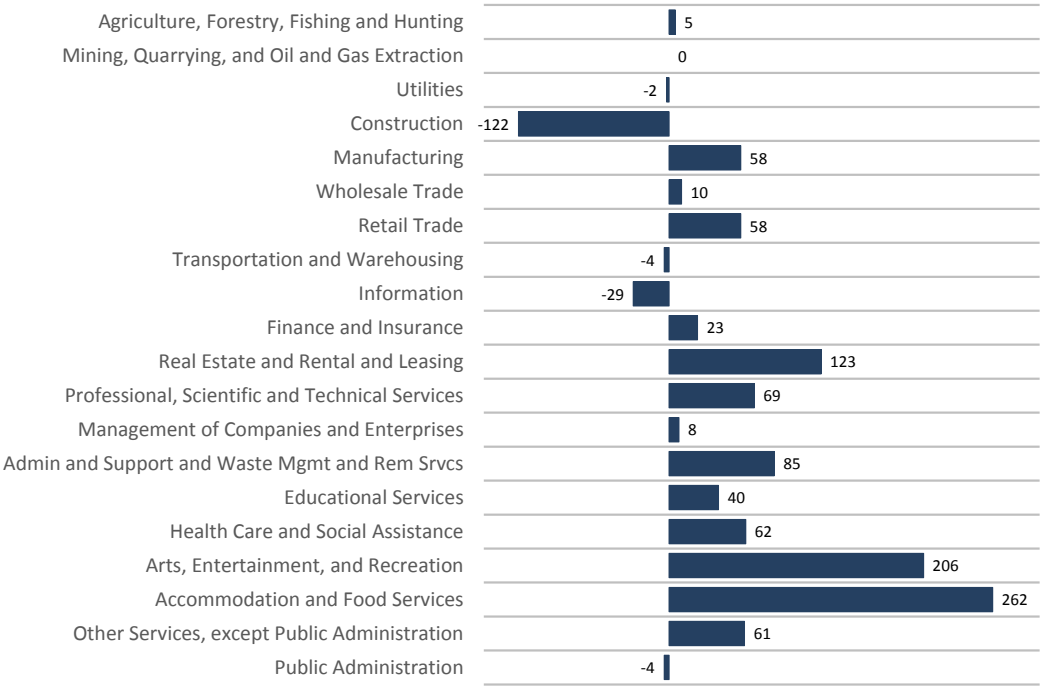
Source: DOLA; BLS; Economic & Planning Systems

Figure 9
San Miguel County Largest Sectors, 2016



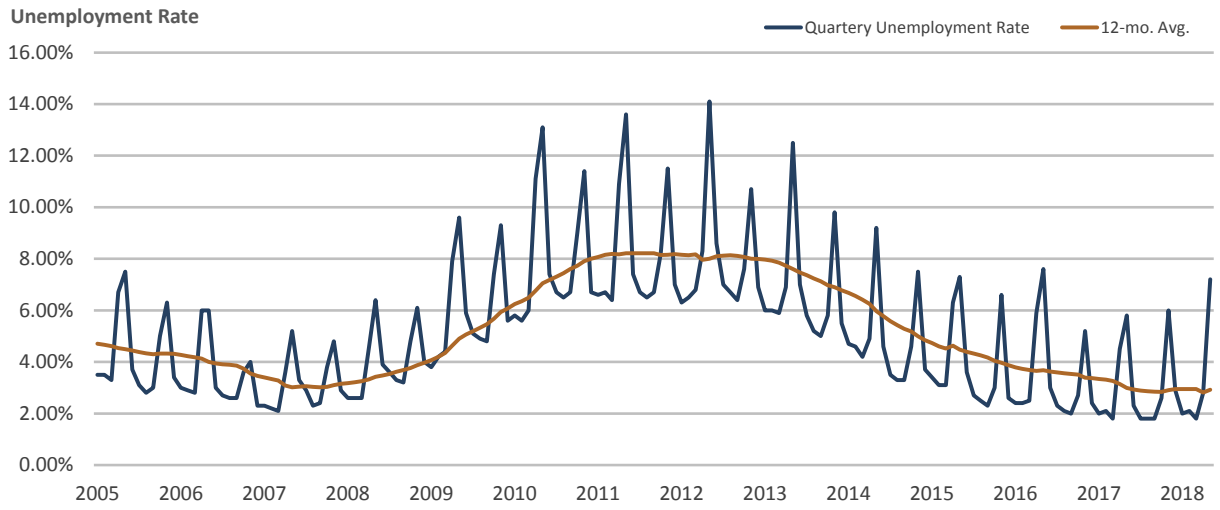
Source: DOLA; BLS; Economic & Planning Systems

Figure 10
San Miguel County Employment Change, 2010-2016



Source: DOLA; BLS; Economic & Planning Systems

Figure 11
San Miguel County Unemployment, 2005-2018



Source: BLS; Economic & Planning Systems

Regional Employment Trends

Employment in mountain communities can be classified based on three broad categories that include: Construction, Guest Oriented, and Local Oriented. Tracking employment in each of these categories since the peak in employment leading up to the Great Recession provides an indication of the level of recovery in specific counties. To show the change in total employment in San Miguel County and Colorado, this analysis provides an employment index that tracks employment levels from 2005 to 2016. The index is calculated by dividing total employment in 2005 by employment in each subsequent year and multiplying by 100. For example, the employment index in 2010 is calculated by dividing 6,844 (2005 employment) by 6,366 (2010 employment) and multiplying by 100, which equals roughly 93.

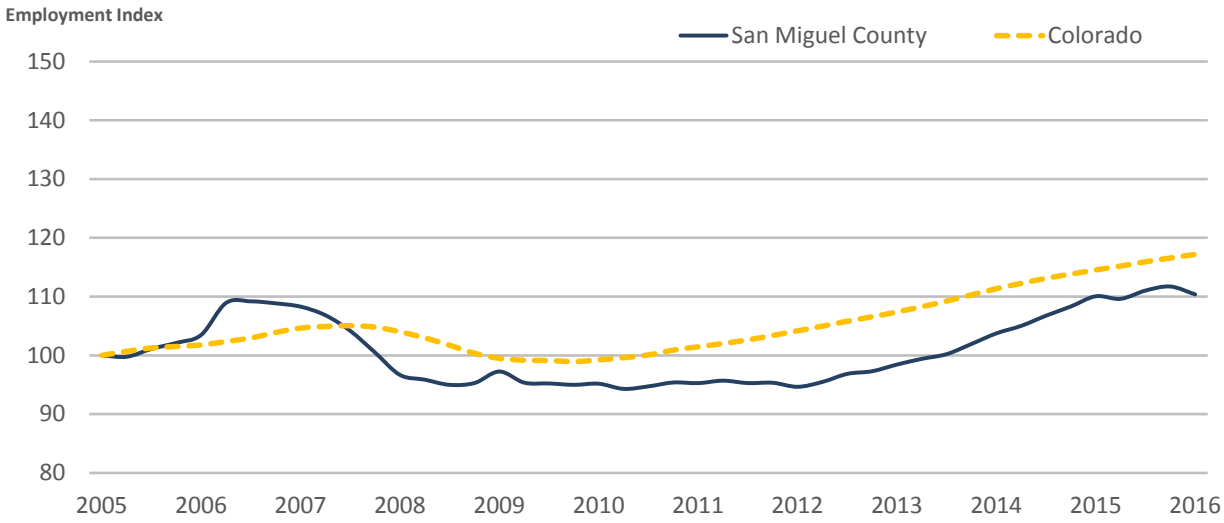
- **Total Employment** – In Colorado, total employment reached pre-recession levels between 2013 and 2014 and has continued to grow at a steady pace. While the recovery in San Miguel County has generally followed the recovery in other parts of Colorado, growth rates have lagged behind the state average (**Figure 12**).
- **Construction Employment** – In Colorado—and specifically in mountain communities—the construction industry was one of the hardest hit by the Great Recession. Across the state, construction employment levels still lag behind pre-recession levels. San Miguel County construction employment is at approximately 50 percent of pre-recession level. It is unlikely that construction will reach pre-recession levels in the near-term (**Figure 13**).
- **Guest Oriented Employment** – In Colorado and in San Miguel County, guest oriented employment experienced the smallest decline and the fastest recovery in employment following the Great Recession. In San Miguel County, guest-oriented employment is roughly 30 percent higher than it was at its previous peak in 2006 (**Figure 14**).
- **Local Oriented Employment** – Local oriented employment includes employment not directly linked to tourism, recreation, or construction. In Colorado, these sectors surpassed pre-recession levels between 2011 and 2012 and have experienced strong growth since. Local oriented employment in San Miguel County has lagged behind growth rates in the state and has just recently reached pre-recession levels (**Figure 15**).

Table 7
Employment Distribution by Type, 2017 (Q1)

Description	San Miguel County	Colorado
Local Oriented	40%	71%
Guest Oriented	54%	23%
Construction	6%	6%
Total	**100%**	**100%**

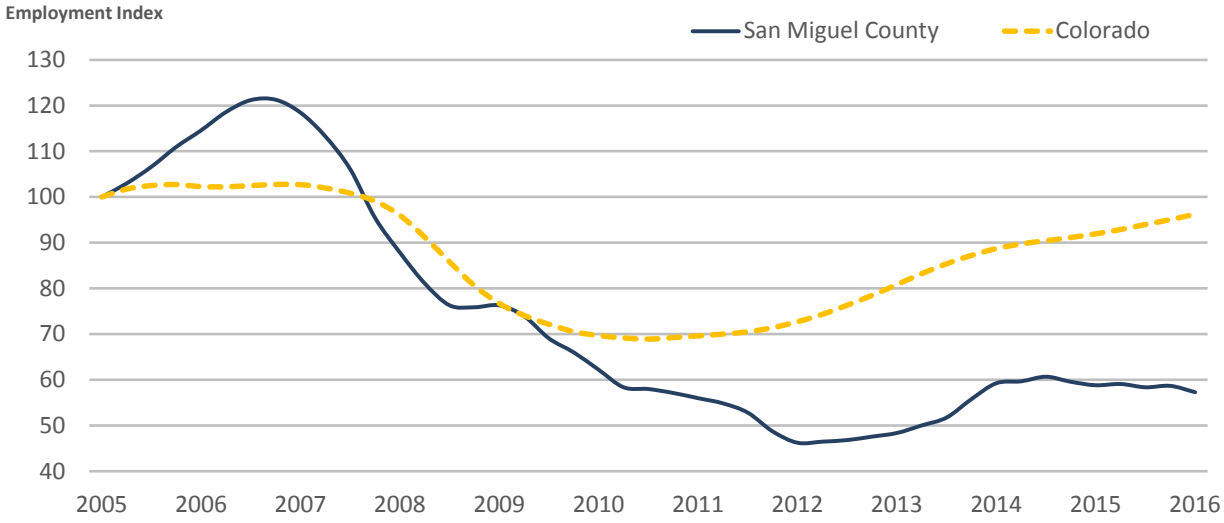
Source: BLS: Economic & Planning Systems

Figure 12
Employment Index, All Sectors, 2005-2016



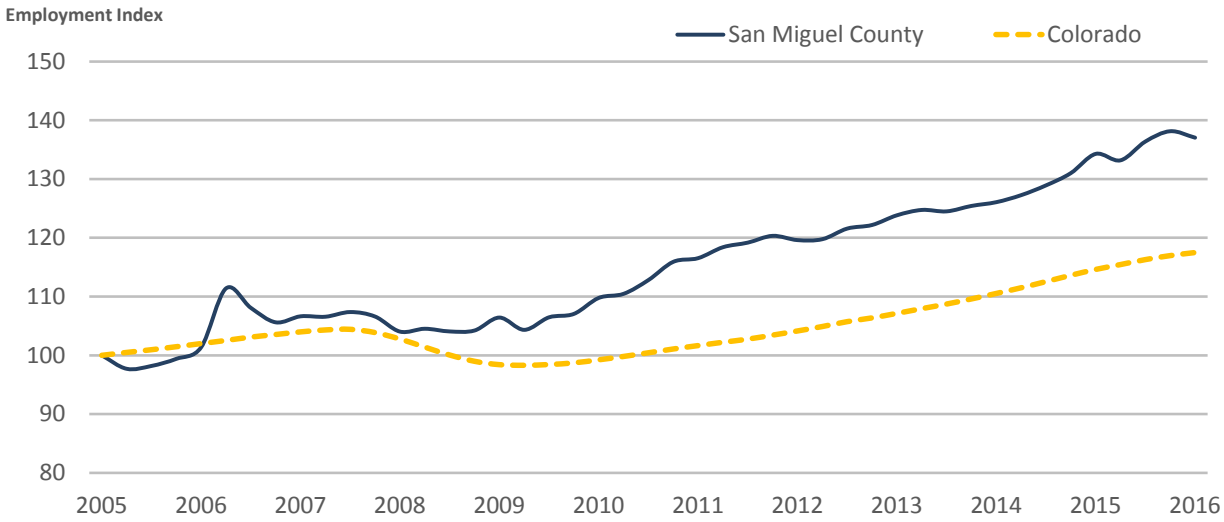
Source: BLS; Economic & Planning Systems

Figure 13
Employment Index, Construction, 2005-2016



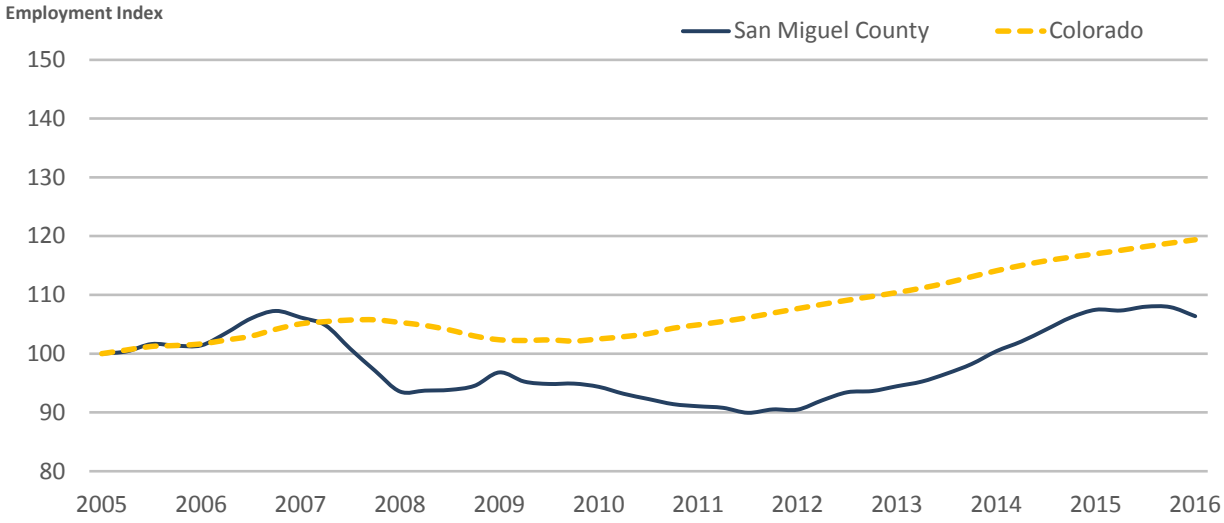
Source: BLS; Economic & Planning Systems

Figure 14
Employment Index, Guest Oriented, 2005-2016



Source: BLS; Economic & Planning Systems

Figure 15
Employment Index, Local Oriented, 2005-2016



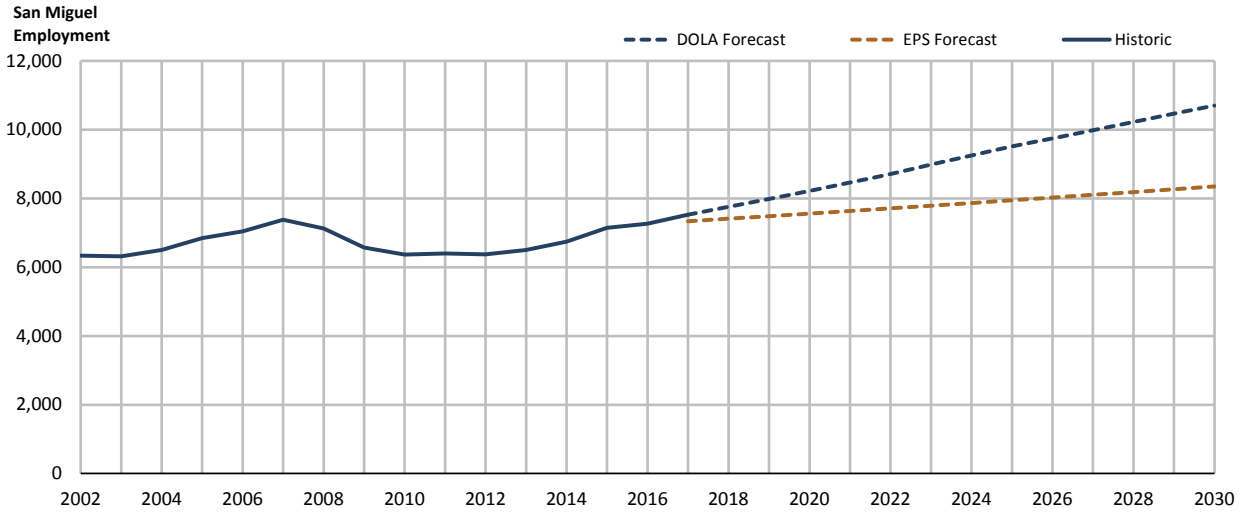
Source: BLS; Economic & Planning Systems

Employment Forecast

- DOLA has forecasted total employment in the County to increase from 7,266 in 2016 to 10,703 in 2030, which equates to a 2.7 percent annual increase or 244 new employees per year. This forecast is likely unrealistic based on the available supply of developable areas in San Miguel County (**Figure 16** and **Table 8**).

- Based on a review of historic trends since 2002, EPS has developed a forecast to bracket the estimate of total employment in 2030. Based on a 1.0 percent annual growth rate or an increase of 78 employees per year, total employment in the County is estimated at 8,352 in 2030 (**Figure 16** and **Table 8**).

Figure 16
Employment Forecast (DOLA), 2016-2030



Source: DOLA; Economic & Planning Systems

Table 8
Employment Forecast, 2016-2030

Year	EPS Forecast		DOLA Forecast	
	Employment	# Change	Employment	# Change
2016	7,266	---	7,266	---
2017	7,339	73	7,529	263
2018	7,412	73	7,758	229
2019	7,486	74	7,986	228
2020	7,561	75	8,220	234
2021	7,637	76	8,464	244
2022	7,713	76	8,711	247
2023	7,790	77	8,987	275
2024	7,868	78	9,251	264
2025	7,947	79	9,516	265
2026	8,026	79	9,747	232
2027	8,106	80	9,984	237
2028	8,188	81	10,225	240
2029	8,269	82	10,468	243
2030	8,352	83	10,703	235
Total	**1,013**		**3,174**	
Ann. #	**78**		**244**	
Ann. %	**1.0%**		**2.7%**	

Source: DOLA; Economic & Planning Systems

Average Wages

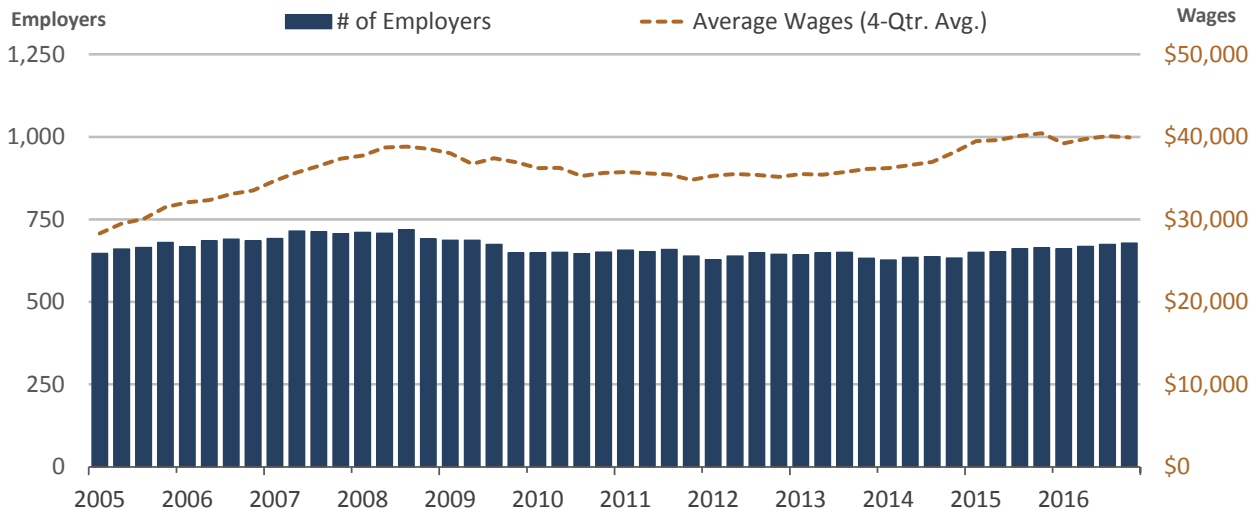
- Average wages in San Miguel County were estimated at $39,936 in 2016 (**Table 9**).
- Wages have increased by nearly $768 per year or a rate of 2.2 percent per year since 2005 (**Table 9**). Since 2010, wages have increased by $719 per year or 1.9 percent annually.
- The number of private employers has remained relatively constant between 2010 and 2016. In 2016, the total number of private employers in San Miguel County was estimated at 670, which represents an increase of roughly 21 employers compared to 2010 (**Table 9** and **Figure 17**). Nevertheless, these employers were growing, given the net increase of 900 new jobs from 2010 to 2016.

Table 9
Change in Average Wages and Number of Private Employers, 2005-2016

Description	# of Employers	Average Wages
2005	663	$31,486
2006	682	$33,501
2007	707	$37,349
2008	707	$38,545
2009	674	$36,946
2010	649	$35,620
2011	652	$34,788
2012	640	$35,165
2013	643	$36,101
2014	633	$38,129
2015	657	$40,443
2016	670	$39,936
2005-2016		
Total	7.3	$8,450
Ann. #	0.7	$768
Ann. %	0.1%	2.2%
2010-2016		
Total	21.5	$4,316
Ann. #	3.6	$719
Ann. %	0.5%	1.9%

Source: BLS; Economic & Planning Systems

Figure 17
Average Wages and Private Employers, 2005-2016



Source: BLS; Economic & Planning Systems

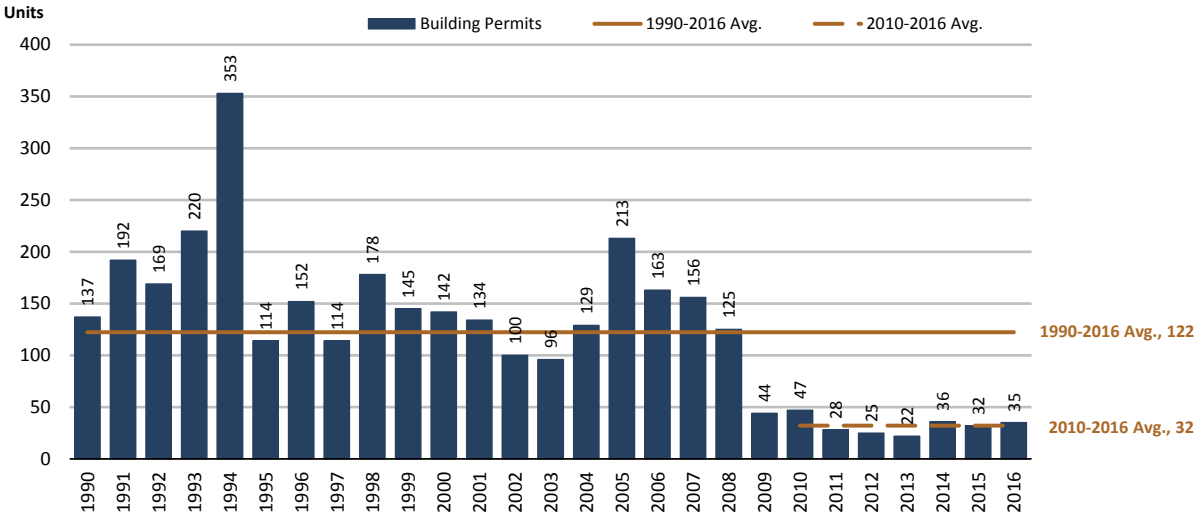
4. HOUSING TRENDS AND CONDITIONS

This section provides a summary of trends and conditions in the housing market in San Miguel County. Conditions relating to market rate and deed restricted housing are provided. In addition, availability and pricing of for-sale and rental housing is summarized.

Development Trends

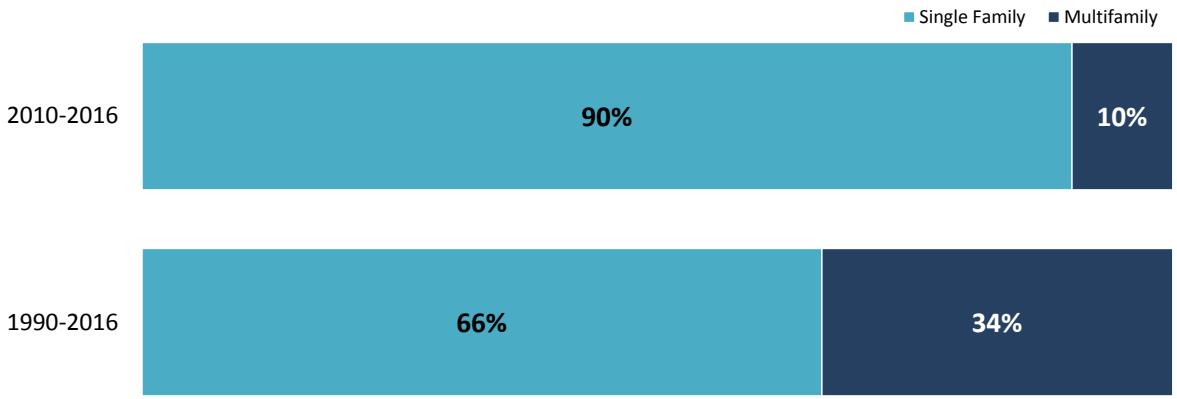
- Between 1990 and 2016, the number of building permits issued in San Miguel County averaged 122. There was a significant increase in the number of permits issued between 1991 and 1994 and between 2005 and 2008 (**Figure 18**).
- As was the case in many mountain communities, building came to a virtual standstill during and after the Great Recession (December 2007 to June 2009) and has been slow to recover. Between 2010 and 2015, building permits have averaged 32 units per year (**Figure 18**).
- There has been an even more pronounced reduction in the number of multifamily building permits issued. Between 1990 and 2016, multifamily permits represented roughly 34 percent of all residential building activity. Between 2010 and 2016, multifamily units have represented 10 percent of all building activity (**Figure 19**).
- Between 2010 and 2016, there have been 30 occupied units added in the County. During this same period there were 255 seasonal units (or vacant units as the Census classifies them) added to the regional housing supply. Thus, the ratio of change is nearly 9:1 of new vacant units to new local housing units. Due the size of the base, the overall percentage of seasonal and local housing units has remained relatively unchanged with a near 50/50 split between 2010 and 2016 (**Table 10**).
- When viewing only the pool of occupied housing units, the split between renters and owners has changed. The number of owner occupied housing units has dropped five percentage points from 64 percent to 59 percent of total occupied housing inventory. Conversely, the number of renter occupied housing units has increased five percentage points from 36 percent to 41 percent of total inventory (**Table 10**).

Figure 18
Residential Construction Activity, San Miguel County, 1990-2016



Source: U.S. Census Bureau; Economic & Planning Systems

Figure 19
Single Family vs Multifamily Construction, San Miguel County, 1990-2016



Source: U.S. Census Bureau; Economic & Planning Systems

Table 10
Housing Units by Tenure, 2010 and 2016

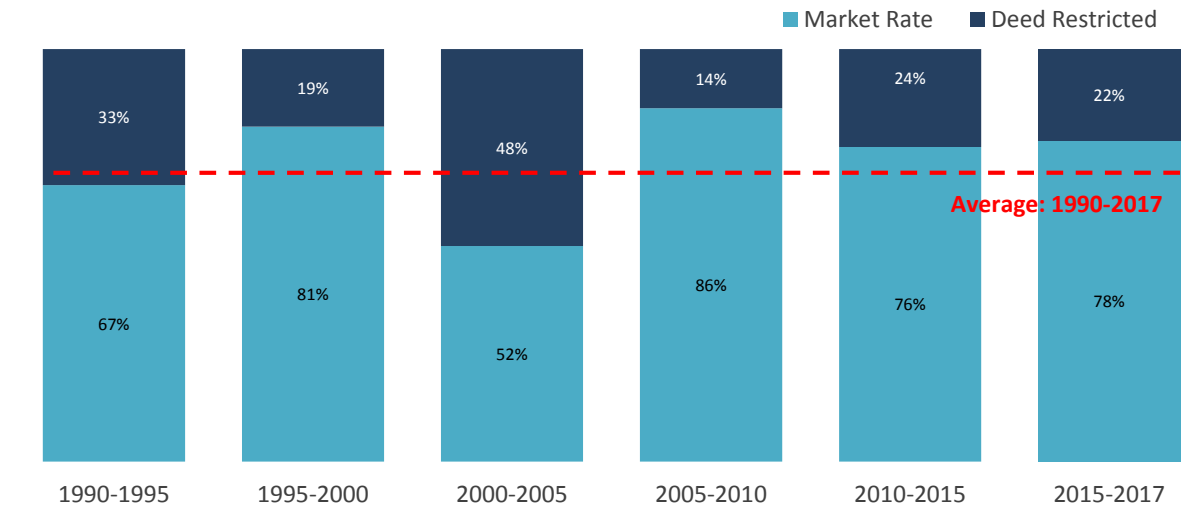
Description	2010	2016	2010-2016 Total	2010-2016 Ann. #	2010-2016 Ann. %
Housing Units					
Occupied Units	3,228	3,258	30	5	0.2%
Vacant Housing Units	3,193	3,448	255	43	1.3%
Total	**6,421**	**6,706**	**285**	**48**	**0.7%**
Occupied % of Total	50.3%	48.6%			
Vacant % of Total	49.7%	51.4%			
Occupied Housing Units					
Renter Occupied	1,151	1,326	175	29	2.4%
Owner Occupied	2,077	1,932	-145	-24	-1.2%
Total Occupied Units	**3,228**	**3,258**	**30**	**5**	**0.2%**
Renter % of Occ.	35.7%	40.7%			
Owner % of Occ.	64.3%	59.3%			

Source: U.S. Census Bureau; Economic & Planning Systems

Deed Restricted Housing

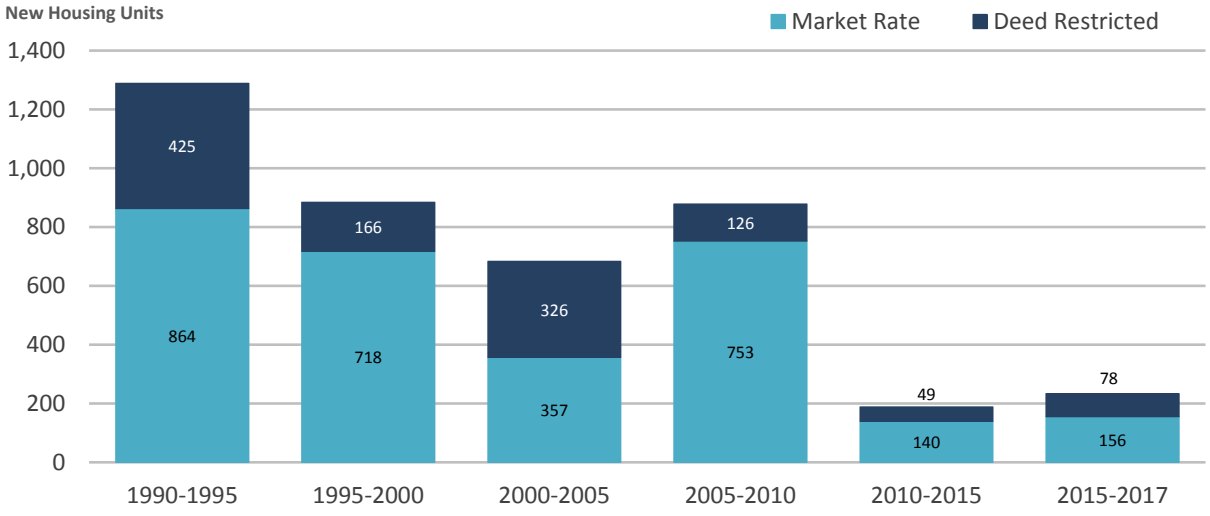
- As a percent of total development, deed restricted has ranged from 14 percent to nearly 50 percent for each five year period between 1990 and 2017. Between 1990 and 2010, deed restricted housing has represented 28 percent of the total number of units added on an annual basis. Since 2010, that has dropped to 23 percent of total (**Figure 20**).
- Similar to the level of construction activity of market rate housing units, the number of deed restricted units added on an annual basis dropped in the recent past and is lower than historical averages. Between 1990 and 2010, there was an average of 261 deed restricted units added every five years. Since 2010, there has been average of 41 deed restricted units added every five years (**Figure 21**).
- Between 2011 (the year of the last regional housing needs assessment study) and 2017, Telluride and Mountain Village have added the greatest number of deed restricted housing units. Telluride has added 74 units and Mountain Village has added 22 units. Areas in unincorporated San Miguel County have added five units. Collectively, all jurisdictions within the County have added 101 units since 2011 (**Table 11** and **Figure 22**).
- The split between rental and ownership for deed restricted units in Telluride is approximately 32 percent ownership and 78 percent rental; in Mountain Village 15 percent of units are ownership and the balance of 85 percent are rental; and in unincorporated San Miguel County 93 percent of units are ownership. In San Miguel County as a whole, 37 percent of deed restricted units are ownership and 63 percent are rental (**Figure 23**).
- The majority of rental deed restricted housing in the County are studios, 1-bedroom units, and 2-bedroom units. In Telluride, approximately 51 percent of units are 1-bedroom units and 33 percent of units are 2-bedroom and 3-bedroom (**Table 12**).
- In Mountain Village, there are a higher proportion of studio units. Approximately 56 percent of total units are studios, 22 percent are 1-bedroom units, and 20 percent are 2-bedroom units (**Table 12**).
- Vacancy rates for rental deed restricted units are low. In Telluride, current rental vacancy rates (as of July 31, 2018) for affordable rental properties averaged just 1.3 percent. That estimate includes two vacant units at Boarding House—which just recently opened—and one unit at Shandoka. In Mountain Village, there were 13 vacant units at Big Billies, which will undoubtedly be leased by Tell-Ski staff (**Table 13**). Thus, the Telluride Region has a total of 16 vacant rental units in income restricted properties and is essentially operating at full occupancy.

Figure 20
Number of Units as percent of Total, San Miguel County, 1990-2017



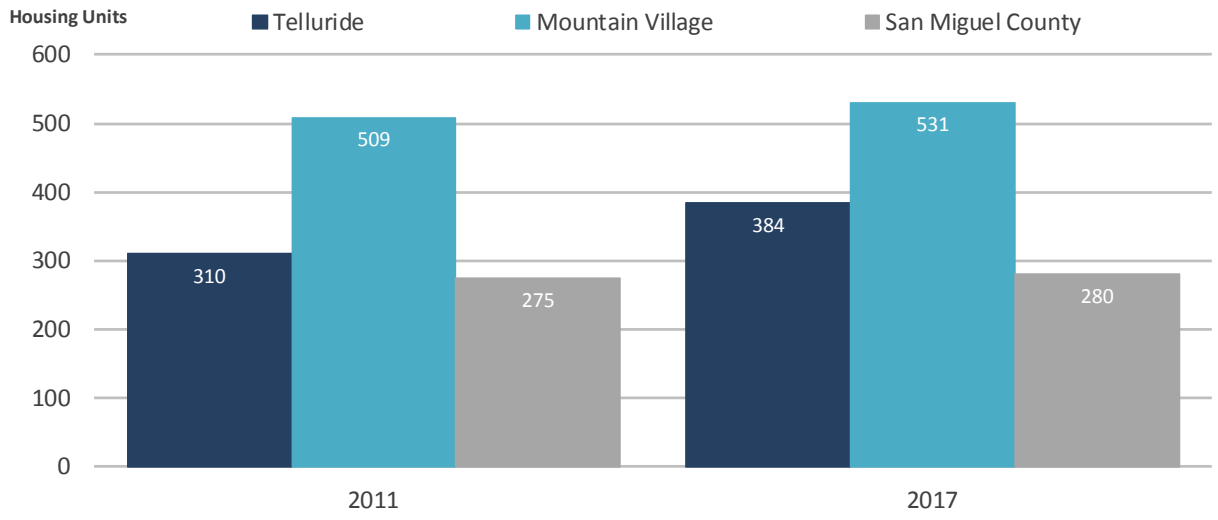
Source: U.S. Census Bureau; SMRHA; Economic & Planning Systems

Figure 21
Development Activity, San Miguel County, 1990-2017



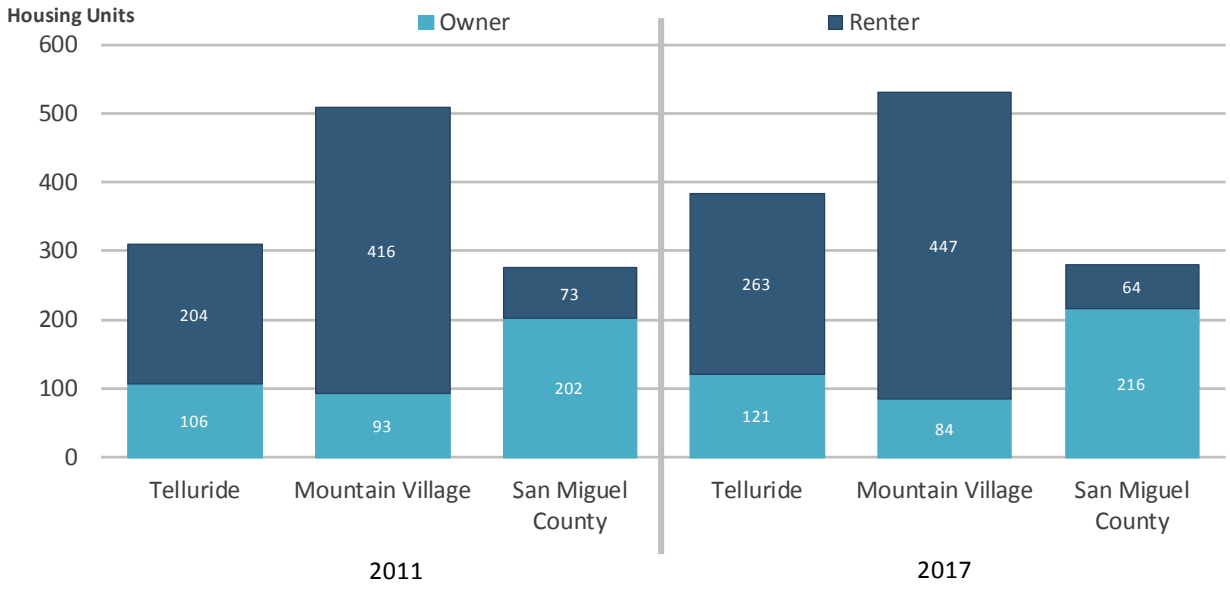
Source: U.S. Census Bureau; SMRHA; Economic & Planning Systems

Figure 22
Deed Restricted Housing Inventory by Location, San Miguel County, 2011-2017



Source: SMRHA; Rees Consulting; Economic & Planning Systems

Figure 23
Deed Restricted Housing Inventory by Tenure, San Miguel County, 2011-2017



Source: SMRHA; Rees Consulting; Economic & Planning Systems

Table 11
Change in Deed Restricted Inventory, 2011 to 2017

Description	2011	2017	Change
Telluride	310	384	74
Mountain Village	509	531	22
Unincorp. SMC	275	280	5
Total	**1,094**	**1,195**	**101**

Source: SMRHA; Economic & Planning Systems

Table 12
Deed Restricted Rental Inventory, 2018

Description	Studio	1 BR	2 BR	3 BR	4 BR	Total Units
Telluride						
Creekside	0	20	6	0	0	26
Shandoka	0	43	57	27	7	134
Virginia Placer	6	12	0	0	0	18
Boarding House[1]	0	32	0	0	0	32
Subtotal	**6**	**107**	**63**	**27**	**7**	**210**
% of Total	3%	51%	30%	13%	3%	100%
Mountain Village						
Big Billies	147	0	0	0	0	147
Hotel Madeline	1	6	3	0	0	10
Mountain View Apts	0	5	25	0	0	30
Village Court Apts	78	78	52	12	0	220
Subtotal	**226**	**89**	**80**	**12**	**0**	**407**
% of Total	56%	22%	20%	3%	0%	100%
Total	**232**	**196**	**143**	**39**	**7**	**617**
% of Total	38%	32%	23%	6%	1%	100%

[1] 18 single occupancy and 14 double occupancy rooms

Source: SMRHA; Economic & Planning Systems

Table 13
Deed Restricted Rental Vacancy, 2018

Description	Total Units	Vacant	Percent
Telluride			
Creekside	26	0	0.0%
Shandoka	134	1	0.7%
Virginia Placer	21	0	0.0%
Boarding House [1]	46	2	4.0%
Subtotal	**227**	**3**	**1.3%**
Mountain Village			
Big Billies	147	13	8.8%
Hotel Madeline	10	0	0.0%
Mountain View Apts	30	0	0.0%
Village Court Apts	222	0	0.0%
Subtotal	**409**	**13**	**3.2%**
Total	**636**	**16**	**2.5%**

[1] Represents 18 single units and 14-double occupancy rooms

Source: SMRHA; Economic & Planning Systems

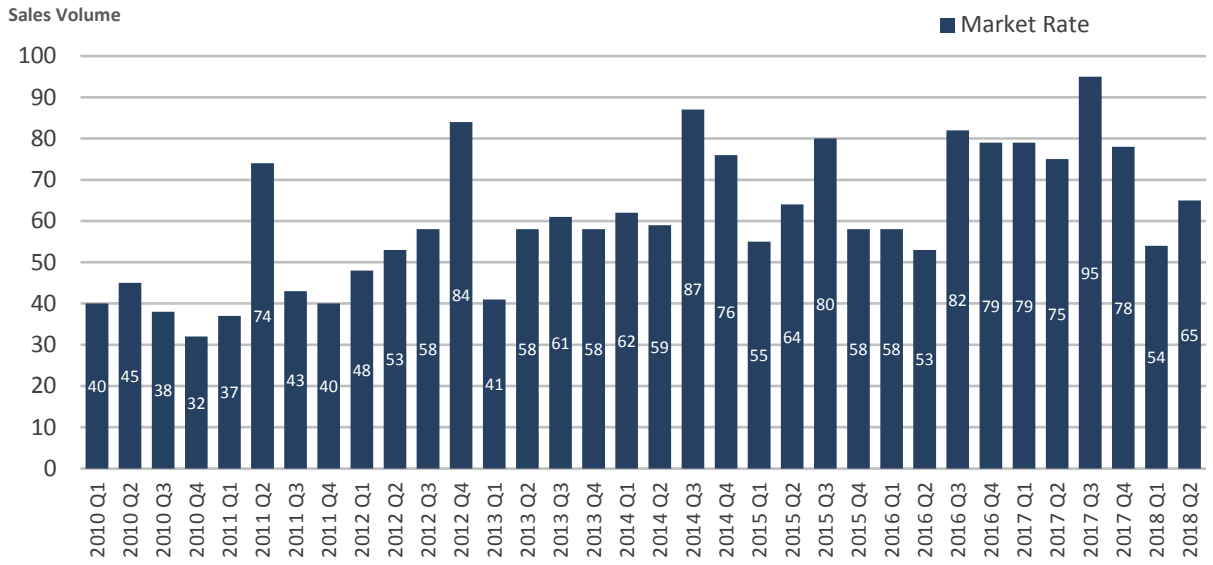
5. HOUSING COSTS

This section provides a summary of current housing costs in San Miguel County. Pricing and cost data is summarized for market rate, deed restricted, for-sale, and rental units.

Market Rate Ownership

- Since 2010, there has been an average of 61 sales per quarter or 245 sales per year in San Miguel County. Since 2016, sales volume has averaged 72 sales per quarter or nearly 290 sales per year (**Figure 24**).
- Roughly half of homes sold since 2013 were priced for households earning over 250 percent of the area median income (AMI). The remaining half of sales were relatively evenly distributed across households earning more than 31 percent AMI up to 250 percent AMI (**Figure 25**).
- The average sales price in San Miguel is currently (as of Q2 2018) just under $1.5 million. This is approximately $250,000 less than pre-recession levels but represents a recovery of approximately $500,000 per unit when compared to average sales prices in 2011 and 2012. Average prices in Mountain Village were just over the County average, while average prices in Telluride were roughly 25 percent lower than the countywide average. Average prices in other areas of San Miguel County were estimated at just over $500,000 per unit (**Figure 26**).
- As of Q2 2018, the average price per square foot for market rate sales was estimated at just over $600 per square in San Miguel County. The average price foot in Telluride was estimated at approximately $775 per square foot and the average price in Mountain Village matched the countywide average of $600 per square foot. The average price in other areas of San Miguel County was estimated at $275 per square foot (**Figure 27**).
- Examples of market rate product sold at prices affordable to households earning less than 100 percent of AMI include very small studios with limited kitchen facilities. They are typically condominiums designed and marketed for guests.

Figure 24
Market Rate For-Sale Housing Sales Volume, San Miguel County, 2010-2018



Source: FlexMLS; Economic & Planning Systems

Figure 25
Market Rate Sales Distribution by AMI, San Miguel County, 2013-2018

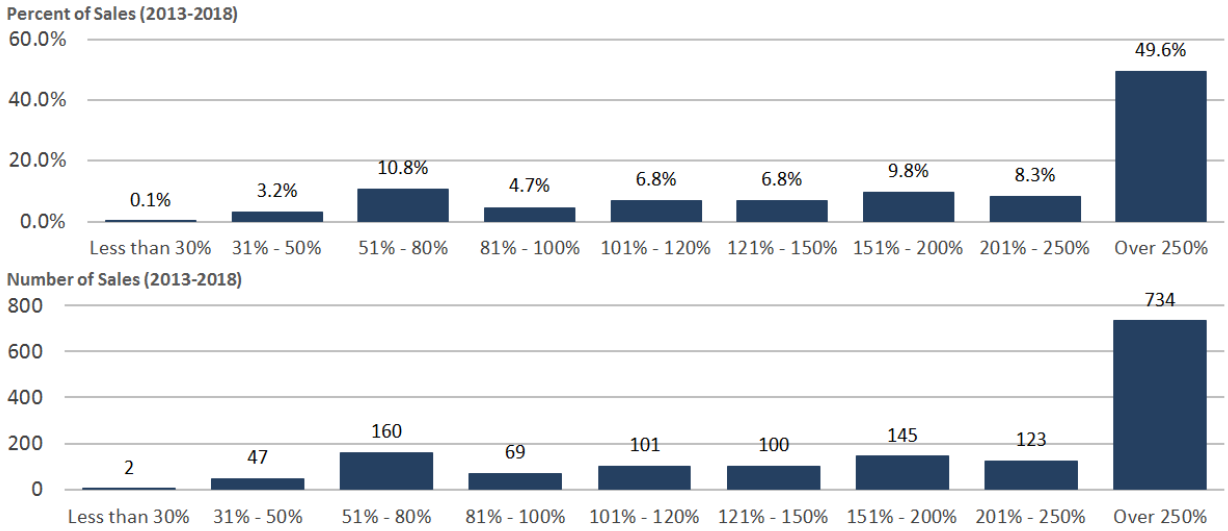
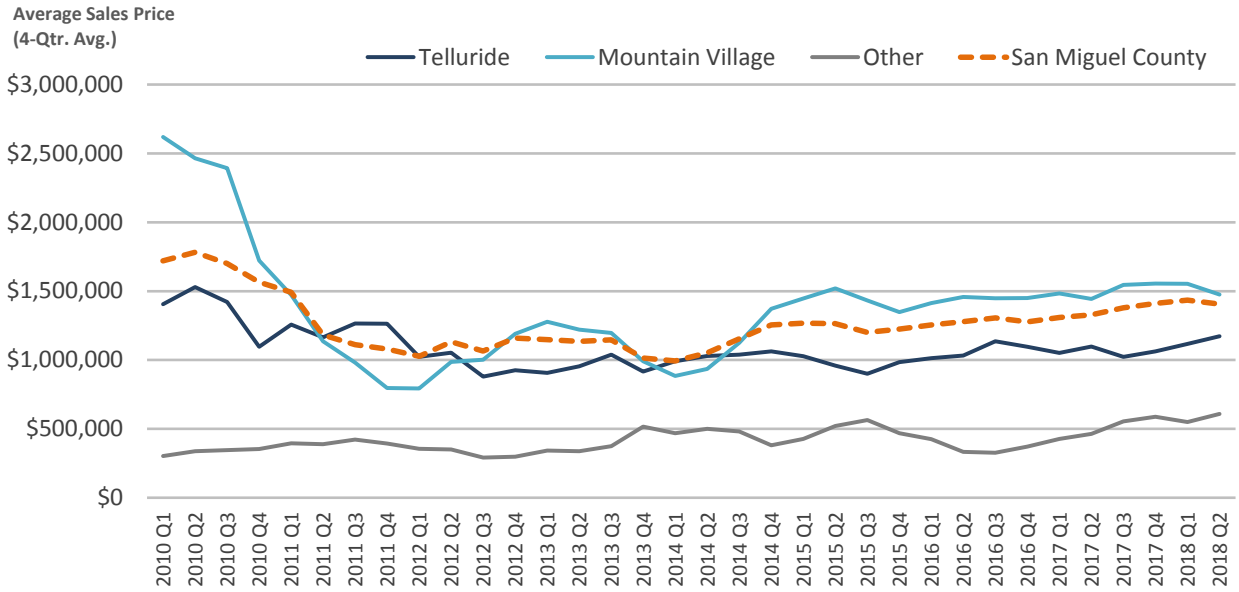
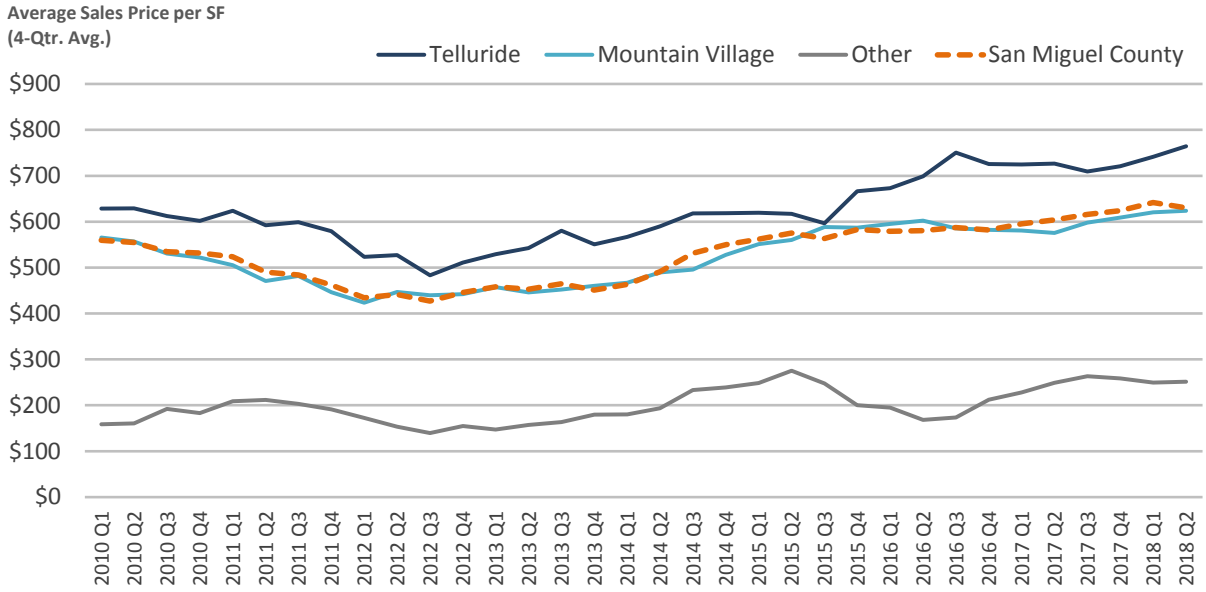


Figure 26
Market Rate Avg. Sales Price, San Miguel County, 2010-2018



Source: FlexMLS; Economic & Planning Systems

Figure 27
Market Rate Avg. Sales Price per Sq. Ft., San Miguel County, 2010-2018

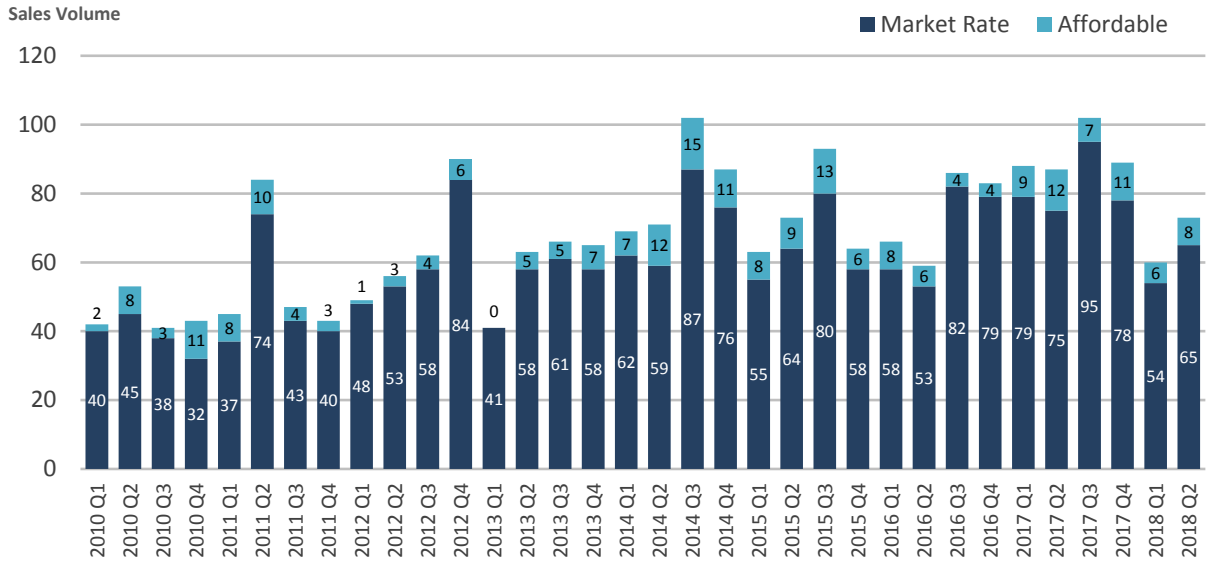


Source: FlexMLS; Economic & Planning Systems

Deed Restricted Ownership

- Historically, deed restricted sales have represented roughly 10 percent of total sales on an annual and quarterly basis. Since 2010 there has been an average of approximately 7 deed restricted sales per quarter or 28 sales per year (**Figure 28**).
- The majority of deed restricted sales were affordable to households earning between 51 percent and 120 percent of AMI. Between 2013 and 2018, approximately 30 percent of sales were affordable for households earning between 51 percent and 80 percent AMI, 25 percent of sales were affordable for households earning between 81 percent and 100 percent AMI, and 17 percent of sales were affordable for households earning between 101 percent and 120 percent AMI (**Figure 29**).
- Generally, the sales price of deed restricted homes is approximately 30 percent of the price of market rate homes in San Miguel County. In Q2 2018, the average sales price of a deed restricted home in San Miguel County was estimated at just over $400,000 per unit. Current average home prices for deed restricted housing has not yet reached pre-recession averages of over $500,000 per unit (**Figure 30**). It is important to note that for this data point, the deed restricted sales includes all types of restrictions, including those with price caps and those that float with the market based on local employment requirements.
- On a price per square foot basis, the average price of a deed restricted home is approximately 55 percent of the average for market rate homes. Current prices in San Miguel County are estimated just under $350 per square foot. This is approximately 55 percent higher than pre-recession levels (**Figure 31**).
- Between 2007 and 2017, approximately 36 percent of total deed restricted sales occurred in Lawson Hill (SMC R-1), 39 percent of sales were properties in Telluride, 24 percent of sales were properties in Mountain Village, and 2 percent of sales were properties located in other areas (**Table 14**).
- Since 2015, the highest average sales price was for deed restricted units was located in Lawson Hill. Average prices in Lawson Hill average $376,000 per unit. Average prices in Mountain Village were just slightly lower than prices in Lawson Hill at an average of nearly $340,000 per unit. Average sales prices in Telluride were approximately $230,000 per unit (**Table 15**).
- In 2017, there were 137 applicants for deed restricted housing. Of these applicants, approximately 43 percent were for ownership units and 57 percent were for rental units. Nearly 15 percent of all applications were for ownership units priced at less than 80 percent AMI. There were approximately twice as many applications for rental units priced at less than 80 percent AMI (**Table 16**).

Figure 28
For-Sale Housing Sales Volume, San Miguel County, 2010-2018(Q2)



Source: FlexMLS; Economic & Planning Systems

Figure 29
Deed Restricted Sales Distribution by AMI, San Miguel County, 2013-2018

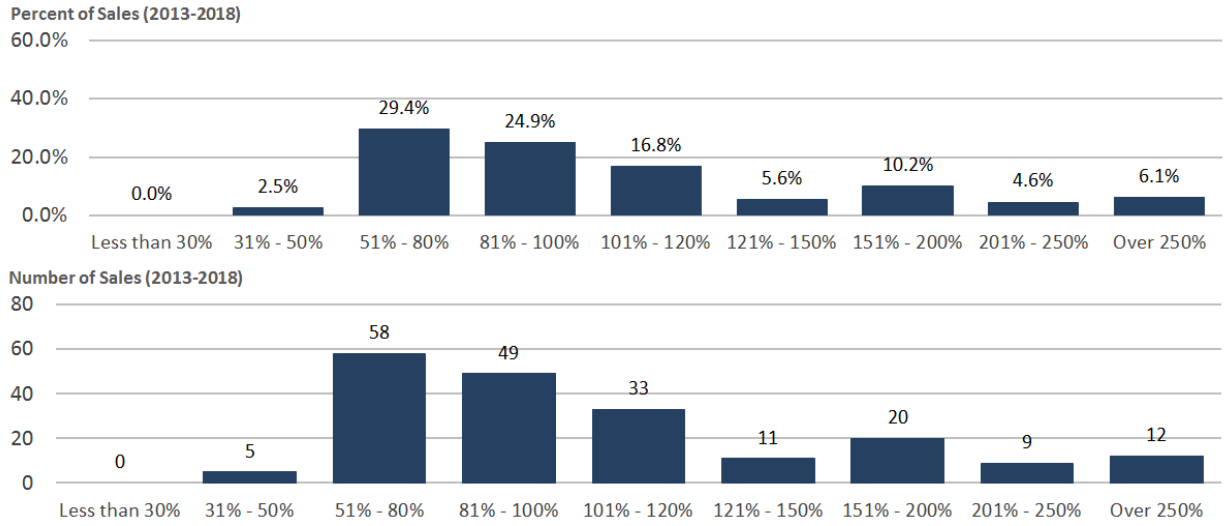
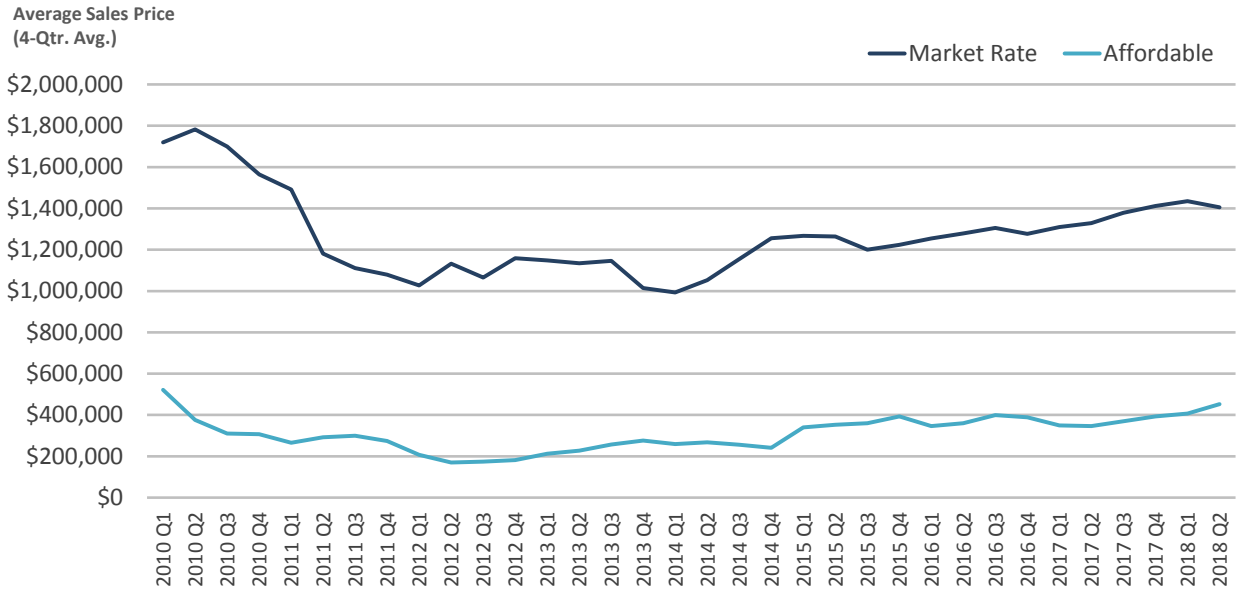
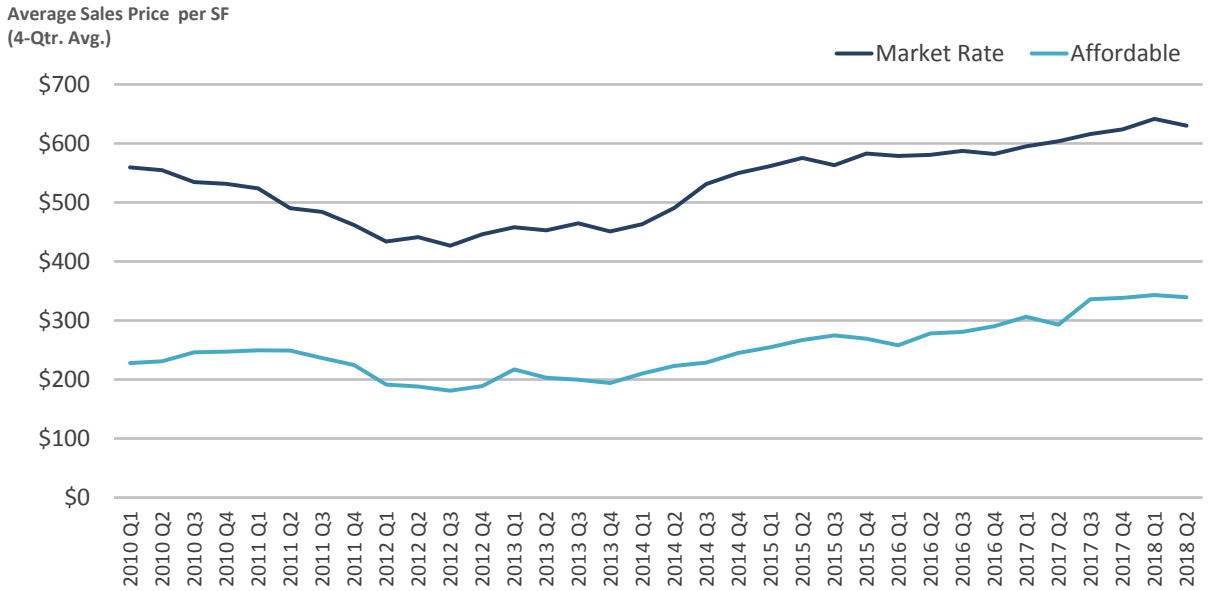


Figure 30
Sales Price, Market Rate and Affordable, San Miguel County, 2010-2018



Source: FlexMLS; Economic & Planning Systems

Figure 31
Price per Sq. Ft., Market Rate and Affordable, San Miguel County, 2010-2018



Source: FlexMLS; Economic & Planning Systems

Table 14
Deed Restricted Sales, 2007-2017

Description	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2007-2017 Average	2007-2017 Total	2007-2017 % of Total
SMC R-1	22	4	4	3	3	3	12	12	25	13	17	11	118	36%
SMC Price Capped	1	0	0	0	0	0	0	0	1	1	1	0	4	1%
Telluride	7	4	13	16	19	5	2	22	10	9	22	12	129	39%
Telluride EDU	0	1	0	0	0	0	0	0	0	1	0	0	2	1%
Mountain Village	16	7	6	3	4	1	6	13	8	10	4	7	78	24%
Total	**46**	**16**	**23**	**22**	**26**	**9**	**20**	**47**	**44**	**34**	**44**	**30**	**331**	**100%**

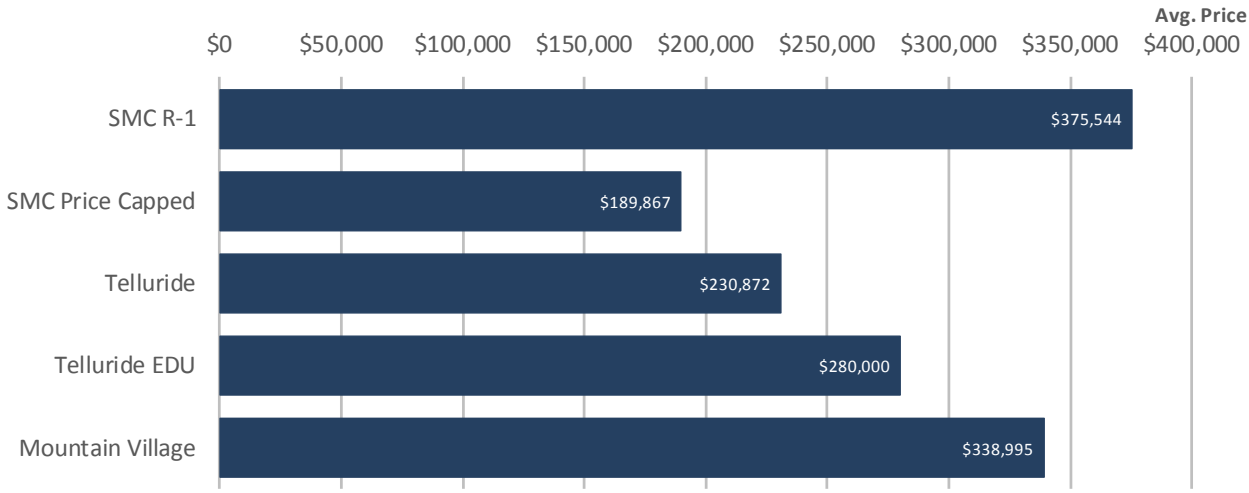
Source: SMRHA 2017 Annual Report; Economic & Planning Systems

Table 15
Deed Restricted Price by Location, 2007-2017

Description	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Average '07-'17	Average '15-'17
SMC R-1	$340k	$370k	$319k	$308k	$503k	$206k	$274k	$256k	$278k	$408k	$441k	$337k	$376k
SMC Price Capped	$317k	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$111k	$247k	$212k	$222k	$190k
Telluride	$164k	$193k	$275k	$253k	$255k	$216k	$217k	$217k	$248k	$182k	$263k	$226k	$231k
Telluride EDU	N/A	$440k	N/A	N/A	N/A	N/A	N/A	N/A	N/A	$280k	N/A	$360k	$280k
Mountain Village	$433k	$515k	$273k	$375k	$342k	$110k	$294k	$320k	$253k	$436k	$328k	$334k	$339k

Source: SMRHA 2017 Annual Report; Economic & Planning Systems

Figure 32
Deed Restricted Average Price by Location, 2015-2017



Source: SMRAH 2017 Annual Report; Economic & Planning Systems

Table 16
Deed Restricted Applicants, 2017

Description	SMC	Telluride	Mountain Village	Total	% of Total
Purchase					
Less than 80%	6	13	2	21	15.3%
80%-100%	4	5	1	10	7.3%
100.1%-120%	4	6	1	11	8.0%
120.1%-180%	5	3	2	10	7.3%
Over 180%	4	3	0	7	5.1%
Subtotal	**23**	**30**	**6**	**59**	**43.1%**
Rent					
Less than 80%	17	17	14	48	35.0%
80%-100%	2	6	5	13	9.5%
100.1%-120%	2	4	4	10	7.3%
120.1%-180%	2	2	2	6	4.4%
Over 180%	0	1	0	1	0.7%
Subtotal	**23**	**30**	**25**	**78**	**56.9%**
Total	**46**	**60**	**31**	**137**	

Source: SMRHA 2017 Annual Report; Economic & Planning Systems

Market Rate Rental

- Based on a review of market rate listings posted on Zillow and Craigslist, there were a limited number of market rate units available for rent. Between June and July of 2018 there were 12 listings in the Telluride Region and seven listings outside of the Telluride Region (**Table 17**).
- Current rental rates for market rate units are approximately $2,500 per unit or $2.46 per square foot in the Telluride Region. The average rental rate per bedroom, a common metric in mountain communities, was $1,560 per bed (**Table 17**).
- Outside the Telluride Region, average market rate rental rates are approximately $1,500 per unit or $0.99 per square foot. The average rental rate per bedroom was $488 per bed (**Table 17**).
- The rents identified in the survey fall well below those identified in the research conducted in the summer of 2018. Based on a review of market rate listings posted on Zillow and Craigslist, there were a limited number of market rate units available for rent. Between June and July of 2018 there were 12 listings in Telluride and seven listings outside of the Telluride Region (**Table 17**).
- It is likely that the survey included a broader section of the community, including renter households with established long-term situations. Additionally, the research shown below reflects a limited number of units (given that there were a very limited number of available rentals) and is likely to include those at the 'top of the market.' Regardless, all the data indicate that market rate options are at least twice the cost of the existing, income restricted inventory.
- Current rental rates for market rate units are approximately $2,500 per unit or $2.46 per square foot in Telluride. The average rental rate per bedroom, a common metric in mountain communities, was $1,560 per bed. Outside Telluride, average market rate rental rates are approximately $1,500 per unit or $0.99 per square foot. The average rental rate per bedroom was $488 per bed.

Table 17
Market Rate Rental Rates, 2018

Description	Sample Size	Size (SF)	Price per Month	Price per SF	Rent per Bed
Telluride Region					
1-Bed	7	694	$1,832	$2.52	$1,832
2-Bed	2	778	$2,738	$3.59	$1,369
3-Bed	1	2,500	$2,800	$1.12	$933
4-Bed	2	2,506	$4,448	$1.84	$1,112
Average		**1,203**	**$2,500**	**$2.46**	**$1,560**
Subtotal	**12**				
Outside Telluride Region					
1-Bed	1	500	$850	$1.70	$850
2-Bed	2	975	$825	$0.88	$413
3-Bed	2	1,200	$1,038	$0.88	$346
4-Bed	2	2,485	$1,900	$0.69	$475
Average		**1,644**	**$1,484**	**$0.99**	**$488**
Subtotal	**7**				
Overall Average		**1,375**	**$2,160**	**$1.89**	**$1,119**
Total	**19**				

Source: Craigslist; Zillow; Economic & Planning Systems

Deed Restricted Rental

- **Creekside** – Rental rates range from $645 for 1-bedroom units to $1,349 for 2-bedroom units.
- **Shandoka** – Rental rates range from $838 for 1-bedroom units to $1,648 for 4-bedroom units.
- **Virginia Placer** – Rental rates range from $700 for a tiny home to $1,430 for a 2-bedroom unit.
- **Boarding House** – The Boarding House is a recently completed shared unit development in Telluride; rental rates range from $385 for a double room to $450 for a single room.
- **Big Billies** – Rental rates average $688 per unit for studios.
- **Village Court** – Rental rates range from $680 per unit for a studio to $1,215 for a 3-bedroom unit.

Table 18
Deed Restricted Rental Rates, 2018

Unit Type	Telluride				Mountain Village	
	Creekside	Shandoka	Virgina Placer	Boarding House	Big Billies	Village Court
Studio	-	-	$850	-	$688	$680
1 Bedroom	$645 - 985	$838 - 872	-	-	-	$845
2 Bedroom	$725 - 1,349	$1,115 - 1,150	$1,400 - 1,430	-	-	$1,040
3 Bedroom	-	$1,435 - 1,541	-	-	-	$1,215
4 Bedroom	-	$1,616 - 1,648	-	-	-	-
Single Room	-	-	-	$450	-	-
Double Room	-	-	-	$385	-	-
Tiny Home	-	-	$700	-	-	-

Source: SMRHA; Economic & Planning Systems

Housing Cost Interviews

EPS completed a number of interviews with local property managers and real estate professionals. A summary of key takeaways and consistent themes heard from multiple individuals is summarized below.

- Management companies noted that the market pressure in the Telluride region is beginning to impact housing prices in outlying areas
- New hires are discouraged by the lack of available housing and will turn down jobs
- Difficult to hire workers with desired skills and talent
- Difficult to find workers for late night shifts due to employee's long commutes
- Easier to find a rental after living in the Region for a few years – landlords want to rent to locals
- Long term rental supply is shrinking – older properties are purchased and converted into upscale, seasonal homes
- The community is very aware of the housing issue and the impact it has on the local workforce and would like to see solutions
- Rental management staff report that locals feel as if they are getting pushed out
- Businesses/employers will provide carpools to alleviate burden on personal vehicles and make the commute less onerous.

6. HOUSEHOLD SURVEY

This section provides a summary of the 2018 Household Survey. A summary of the key findings is provided below. Specific findings regarding household characteristics, household income, housing cost, housing satisfaction, and housing preferences are summarized.

There were a total of 3,850 surveys mailed out to residents living in San Miguel County, Ridgway, and Nucla/Naturita, as shown in **Table 19**. There were a total of 806 survey responses which represents a response rate of 20.9 percent. This rate is strong, particularly for recent community surveys in which the response rate has been trending downward. Hitting above 20 percent response rate is strong and somewhat unusual.

Table 19
2018 Household Survey Responses

Description	# of Responses	% of Total
Telluride	221	27.4%
Lawson Hill	21	2.6%
Mountain Village	82	10.2%
Ilium, Ophir, Placerville, Sawpit	77	9.6%
Norwood	97	12.0%
Other San Miguel County	76	9.4%
Ouray	3	0.4%
Ridgway	77	9.6%
Other Ouray County	3	0.4%
Nucla / Naturita	69	8.6%
Rico	29	3.6%
Montrose	8	1.0%
Redvale	13	1.6%
Other	7	0.9%
No response	23	2.9%
Total	**806**	**100.0%**
Total Surveys Mailed	**3,850**	
Response Rate	**20.9%**	

Source: RRC; 2018 Household Survey; Economic & Planning Systems

Household Characteristics

- A significant share of local residents live in deed restricted housing. Based on 2018 survey data, 33 percent of San Miguel County (SMC) resident owners live in a deed restricted unit (up from 27 percent in 2011 survey) and 40 percent of SMC renters live in a unit with employment or income qualifications (**Figure 33**).
- Separately, 6 percent of residents say their employer provides or subsidizes their housing (similar to 8 percent in 2011).
- Among SMC resident renters, 24 percent have applied to live in deed restricted rental housing in the past 12 months, and 15 percent have applied to purchase (or been registered in the applicant pool for) deed restricted for-sale housing.
- The proportion of adult renters living alone has significantly decreased since 2011 (41 percent in 2011 to 27 percent in 2018), while the number of unrelated renters living together has increased (15 percent in 2011 to 20 percent in 2018) and the number of couples renting with children increased (10 percent in 2011 to 15 percent in 2018) (**Figure 35**).
- The number of employees per household has also increased in almost every age group. For respondents between the age of 25 and 34, the average number of jobs per household increased from 1.2 to 1.4 between 2011 and 2018 (**Figure 36**).
- For households that did participate in this survey, the average household size was larger than in past studies. This has, at least partially, contributed to reported higher household incomes. However, there are other factors such as increasing average wages and greater number of jobs per employee that have also contributed to higher household incomes.

Figure 33
Housing Type (Q1)

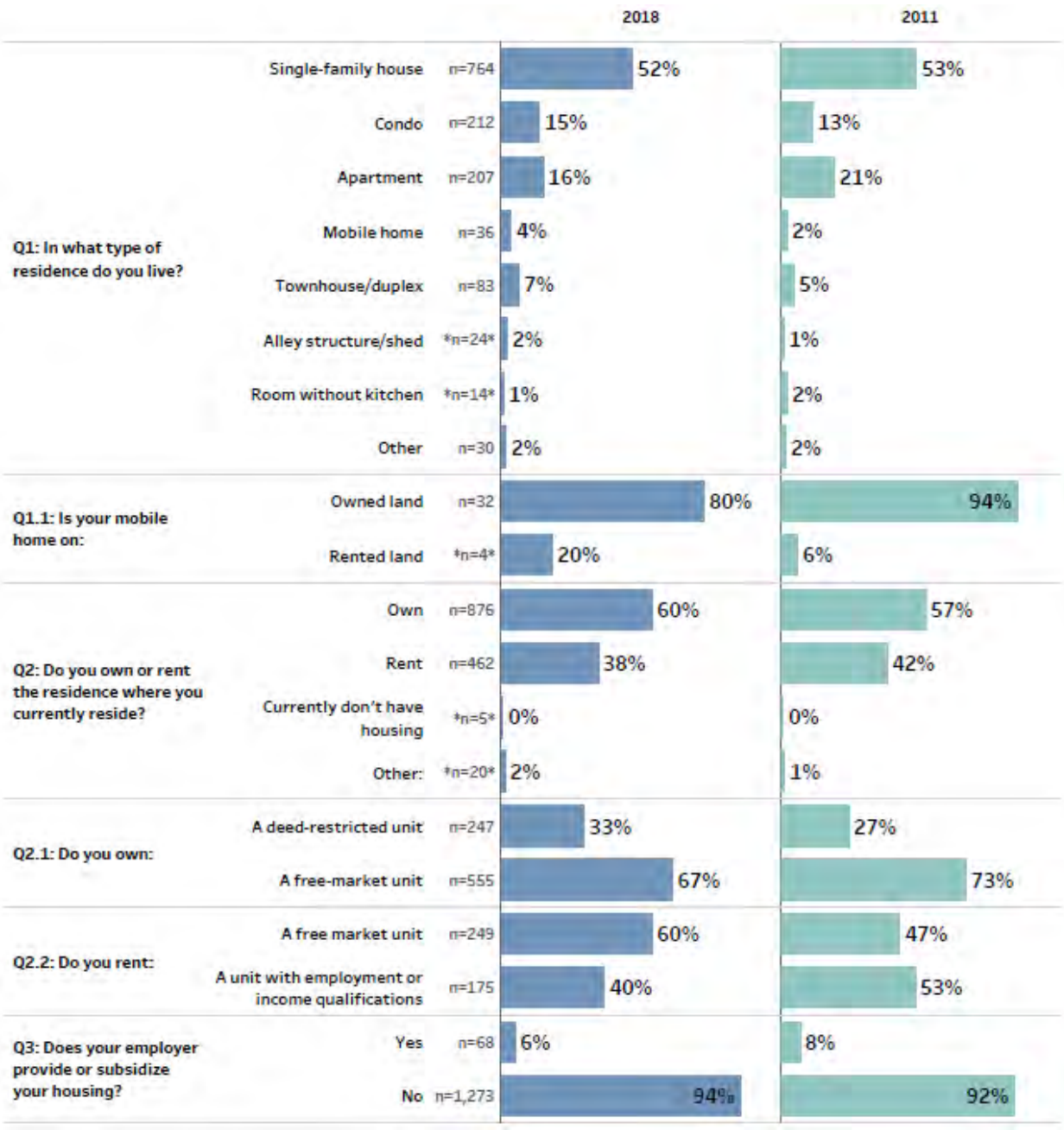
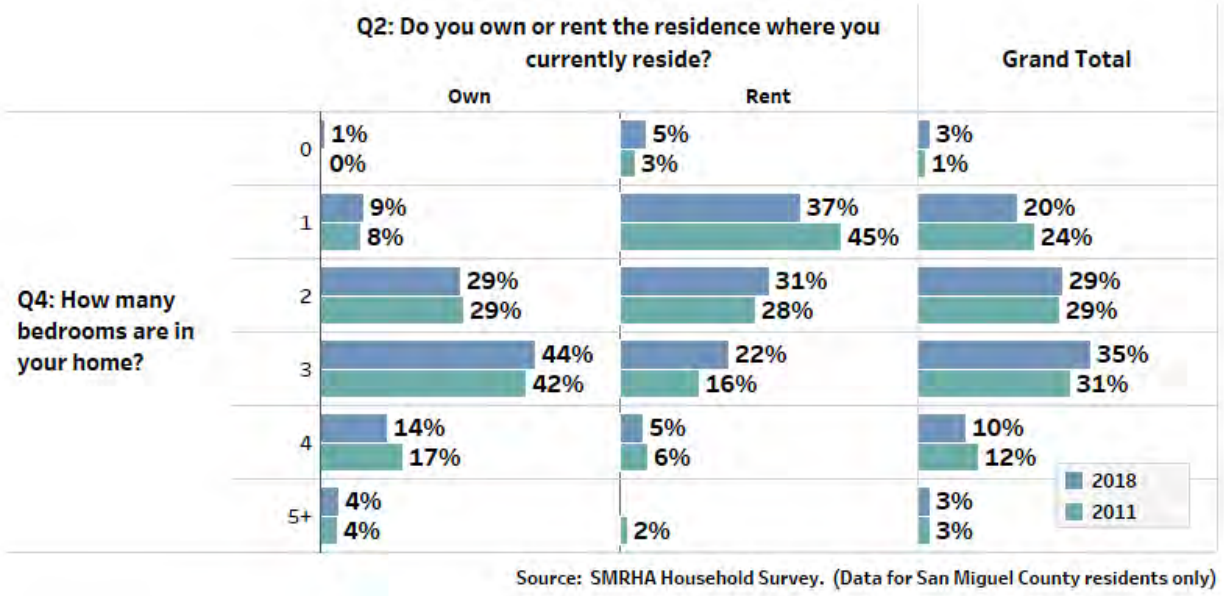
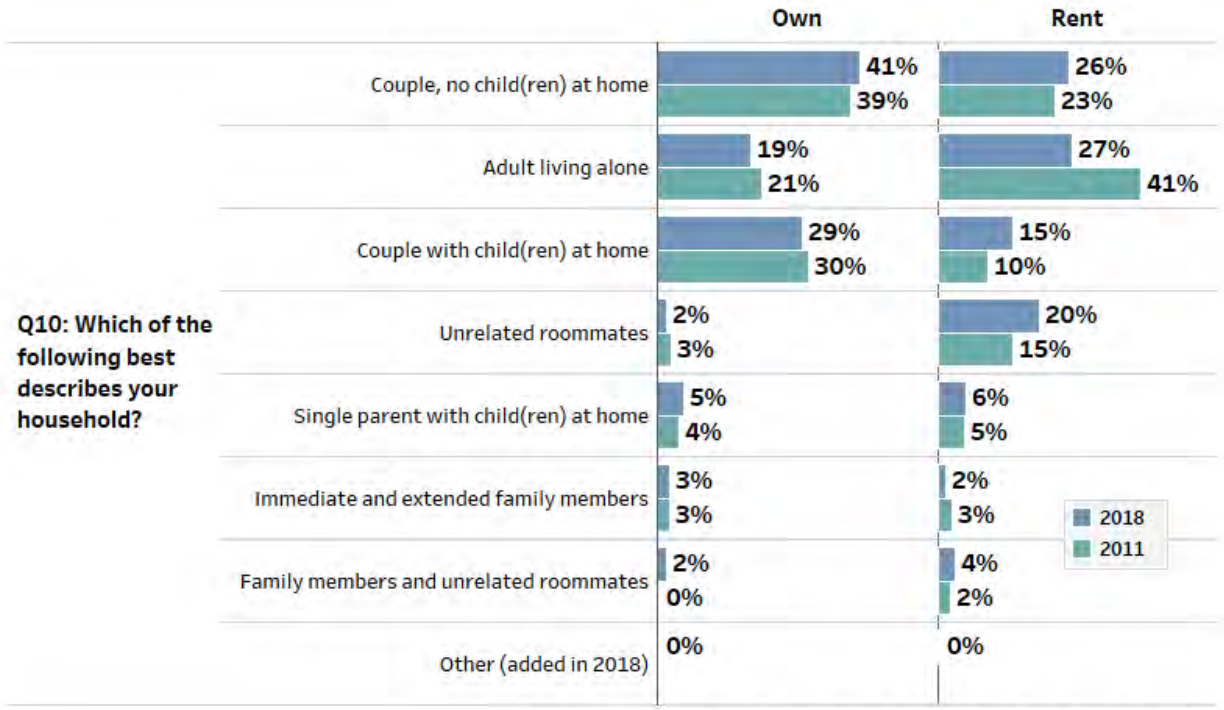


Figure 34
Number of Bedrooms (Q4)



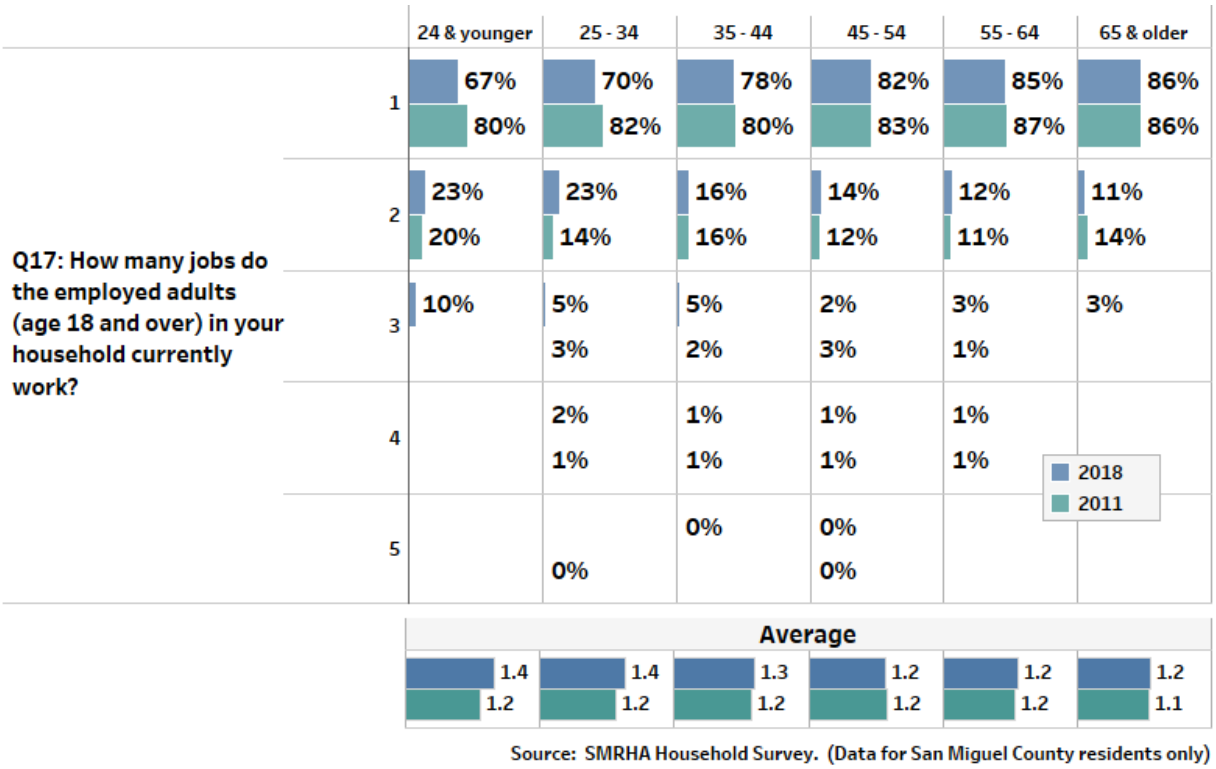
Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 35
Household Composition, Renter and Owner Households (Q10)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 36
Employees per Household (Q17)

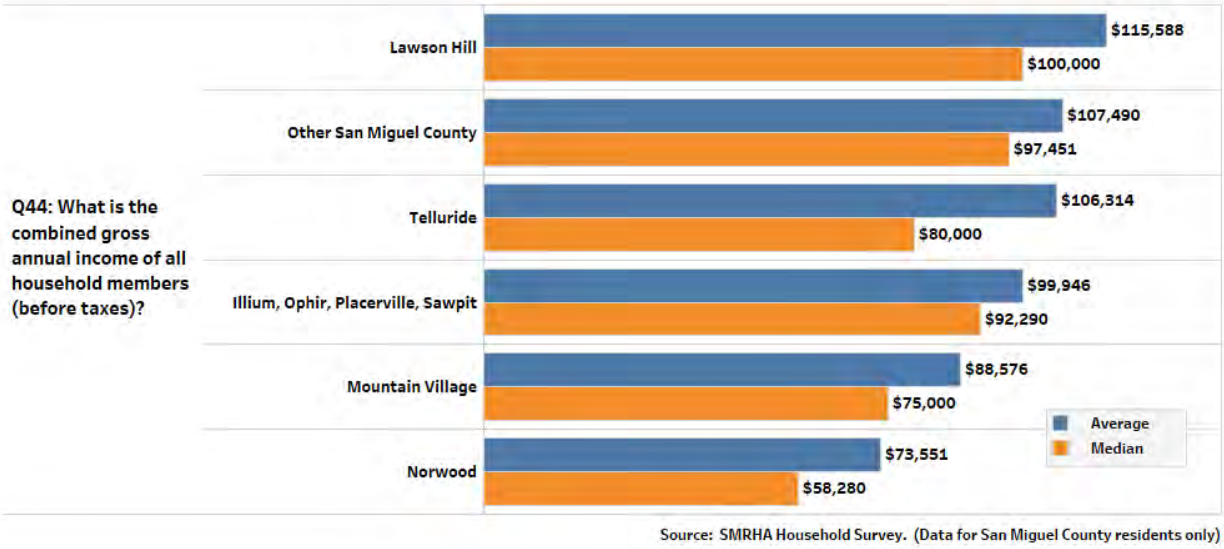


Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Household Income

- In 2018, SMC residents living in Lawson Hill had a median household income of $100,000 per year, the highest median household income in the County. The lowest reported median household in the County was in Norwood which was $58,280 per year. The median household income in Telluride was approximately $80,000 per year (**Figure 37**).
- Between 2011 and 2018, there was a significant decrease in the number of renter households that earned between $25,000 and $34,999. During this period households earning between $25,000 and $34,999 decreased from 38 percent of all renter households to just 21 percent of all renter households. There were general increases in the number of renters earning between $35,000 and $149,999 per year. The distribution of annual household incomes for owner households has remained relatively constant between 2011 and 2018 (**Figure 38**).
- Household income, as noted previously, has increased from a median of $50,000 per year to $80,000 per year (2011 to 2018), which translates to 7.0 percent annually. This has outpaced wage income advances of 1.9 percent annually for the same time period. As was previously noted, the significant growth in household income identified in the household survey is at least partially a result of a higher average household size.

Figure 37
Average and Median Gross Household Income by Area (Q44), 2018



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 38
Gross Household Income (Q44)

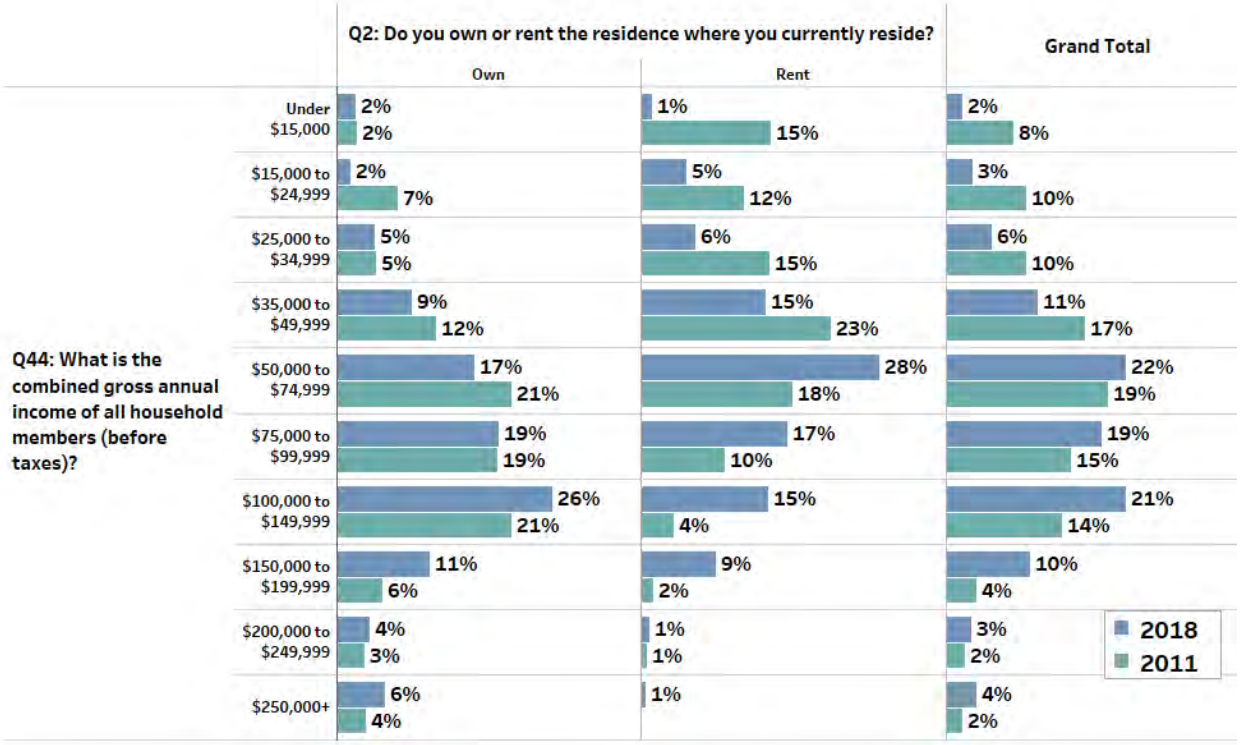
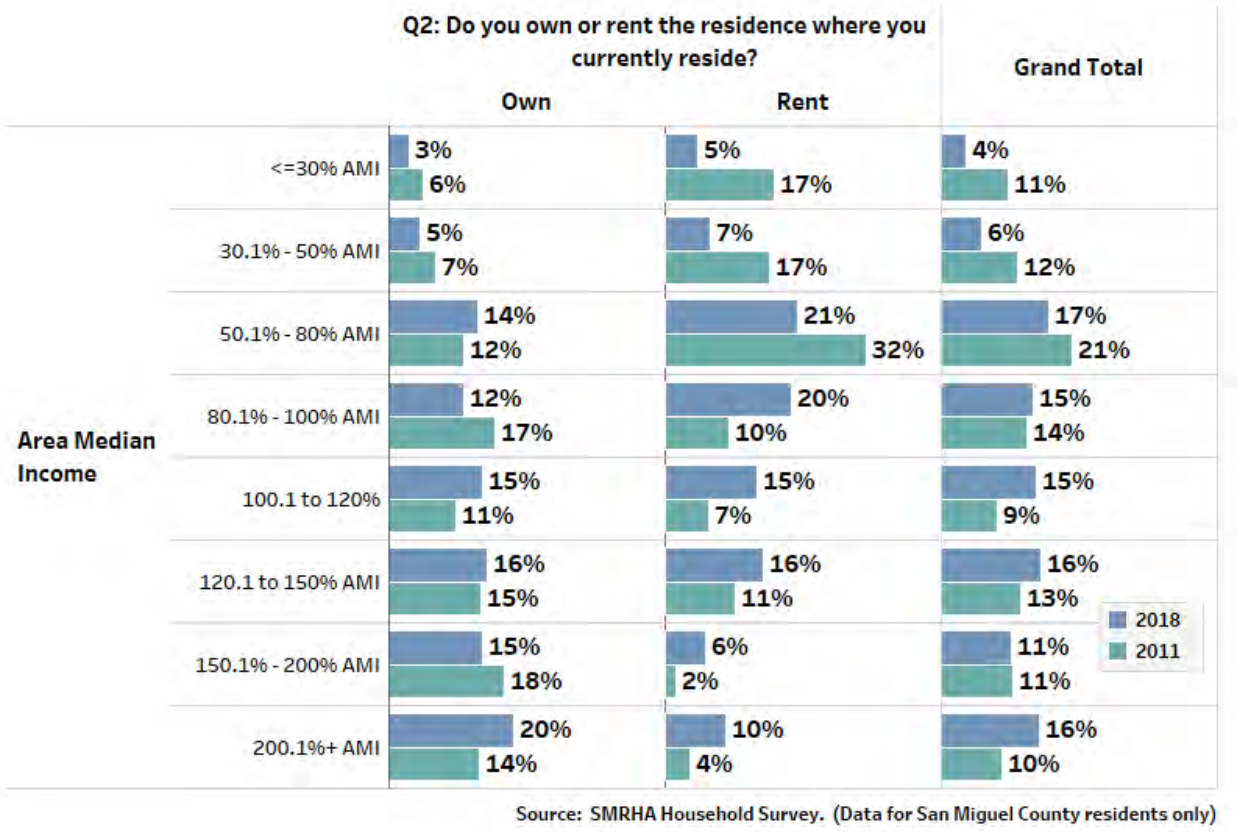


Figure 39
Area Median Income (AMI) by Renter and Owner Households



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Housing Cost

- Households spending over 30 percent of their annual household income on housing costs are considered to be cost burdened.
- In 2011, approximately 43.8 percent of households were considered cost burdened. In 2018, the number of households that are considered to be cost burdened has dropped to 23 percent of total (**Table 20**).
- In San Miguel County, the areas with the highest number of households that are cost burdened include Norwood (31 percent), other areas of San Miguel County (28 percent), Telluride (24 percent), and Illium, Ophir, Placerville, and Sawpit (23 percent). In Mountain Village and Lawson Hill only 14 percent of households reported that they spent over 30 percent of their household income on housing costs (**Table 21**). Households in Nucla/ Naturita were extremely cost burdened with an average of 37 percent of households spending over 30 percent of their household income on housing costs.
- For renter households, housing costs were most expensive in Telluride and Mountain Village. In Telluride the average rent in 2018 for a market rate unit was $1,686 per month (up from $1,435 per month in 2011) and in Mountain Village the average rent was $1,916 per month (up from $1,735 per month in 2011) (**Figure 40**).
- For units with employment or income qualifications, rental rates were roughly half of market rates in most areas across San Miguel County. Rental rates for income qualified units were $974 per month in Telluride and $820 per month in Mountain Village (**Figure 40**).
- For households that want to purchase a home, the majority (54 percent) would be willing to pay between $200,000 and $399,000. Based on survey responses, respondents would be willing to pay an average of $372,435 per unit (**Table 22**).
- Survey respondents would be willing to pay the most ($482,644 per unit) for a home in unincorporated areas of San Miguel County and the least for homes in Nucla and Naturita ($156,667). Respondents would be willing to pay an average of $390,496 per unit for a home in Telluride and $380,765 for a home in Mountain Village (**Figure 42**).
- For rental units, survey respondents would be willing to pay up to $1,638 per month for units in unincorporated areas of San Miguel County. In Telluride and Mountain Village, average desired rental rates drop to $1,298 per month and $1,113 per month, respectively (**Figure 43**).

Table 20
Housing Payment as a Percentage of Income, 2011 and 2018

Description	2011	2018	Change
Under 20%	29.6%	48.9%	19.3%
20-29.9%	26.6%	28.1%	1.5%
30-34.9%	9.2%	7.7%	-1.5%
35-39.9%	8.7%	4.3%	-4.4%
40-49.9%	9.6%	5.2%	-4.4%
50%+	16.3%	5.8%	-10.5%
Total	**100.0%**	**100.0%**	**0.0%**
Total cost burdened	**43.8%**	**22.9%**	**-20.9%**

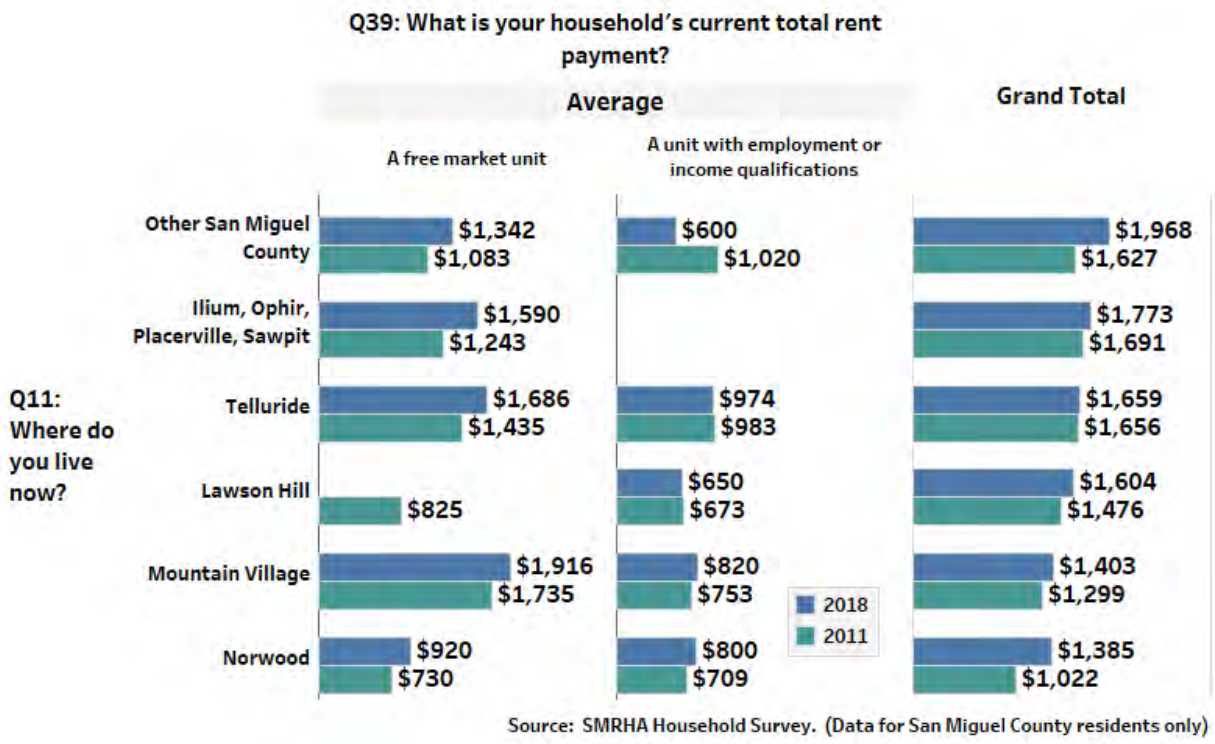
Source: SMRHA Household Survey; RRC; Economic & Planning Systems

Table 21
Housing Payment as a Percentage of Income by Area, 2018

Description	Telluride	Lawson Hill	Mountain Village	Illium, Ophir, Placerville, Sawpit	Norwood	Other San Miguel County	Ridgway area	Nucla / Naturita	Rico	Redvale
Under 20%	43%	71%	57%	51%	46%	45%	53%	50%	52%	50%
20-29.9%	33%	14%	29%	26%	23%	27%	33%	13%	39%	33%
30-34.9%	6%	7%	4%	11%	6%	18%	6%	21%	4%	0%
35-39.9%	4%	0%	4%	4%	5%	5%	2%	0%	0%	0%
40-49.9%	7%	7%	3%	4%	5%	5%	2%	0%	4%	0%
50%+	6%	0%	3%	4%	15%	0%	5%	17%	0%	17%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**
Average	**25%**	**18%**	**21%**	**23%**	**29%**	**23%**	**21%**	**29%**	**17%**	**23%**
Median	**22%**	**15%**	**19%**	**20%**	**22%**	**23%**	**20%**	**21%**	**20%**	**19%**
Total cost burdened	**24%**	**14%**	**14%**	**23%**	**31%**	**28%**	**15%**	**37%**	**9%**	**17%**

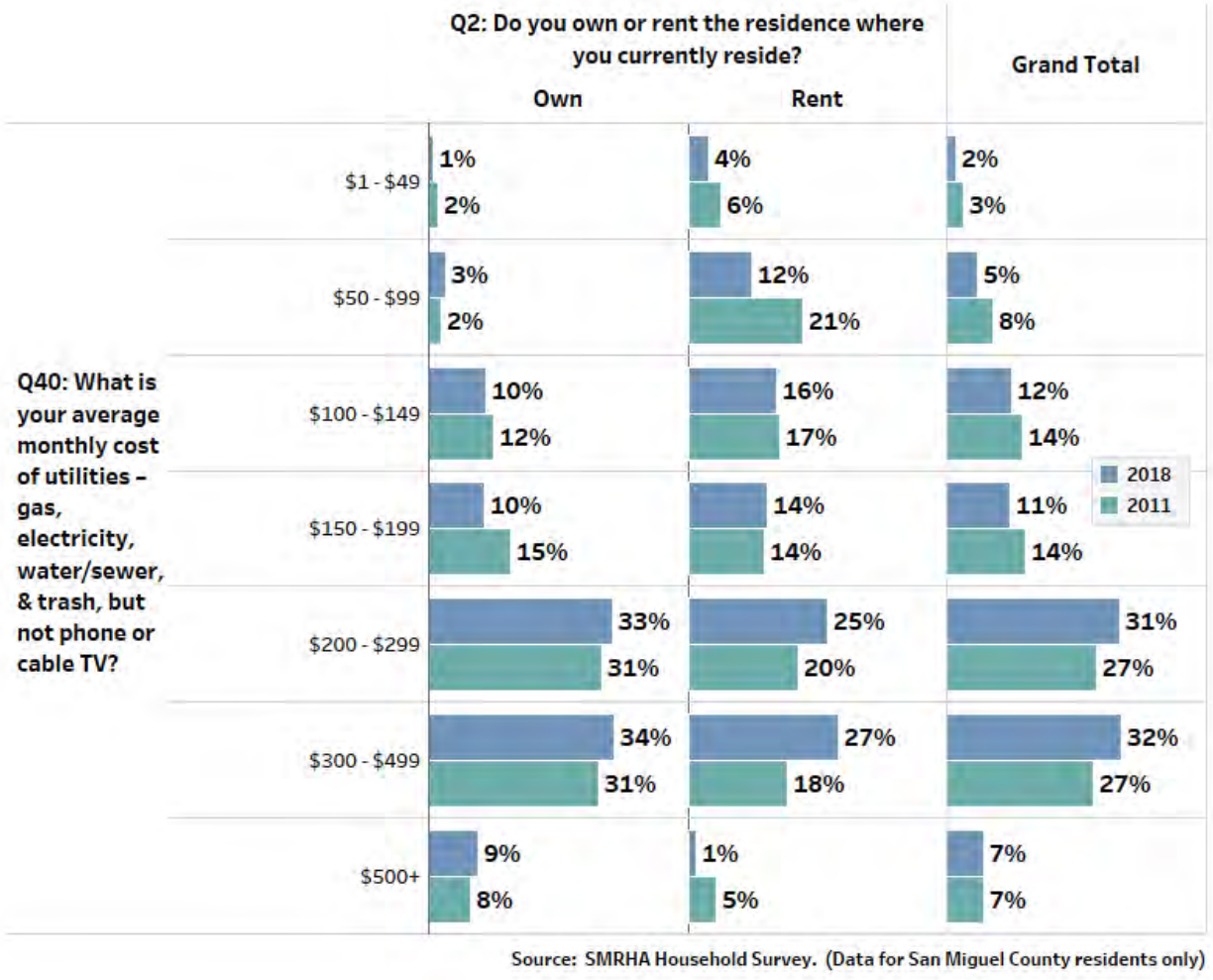
Source: SMRHA Household Survey; RRC; Economic & Planning Systems

Figure 40
Household Rent Payment (Q11)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 41
Household Utility Payments (Q40)



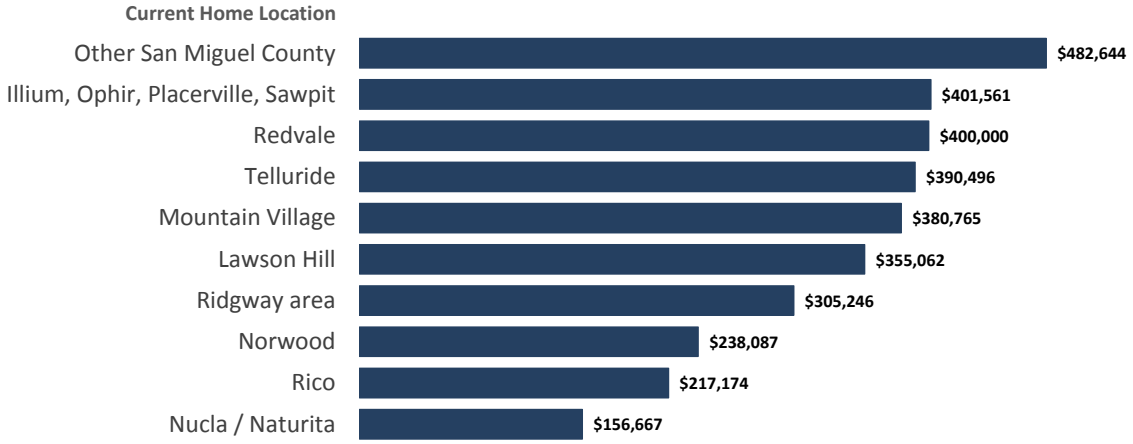
Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Table 22
Willingness to pay for households that want to purchase a home, 2018

Description	Ownership Households	Renter Households	All Households
Price not to exceed:			
Less than $100,000	3%	1%	2%
$100,000 - 199,999	0%	9%	5%
$200,000 - 299,999	22%	32%	29%
$300,000 - 399,999	28%	23%	25%
$400,000 - 499,999	17%	15%	16%
$500,000 or more	30%	21%	23%
Total	**100%**	**100%**	**100%**
Average	**$395,251**	**$366,340**	**$372,435**
Median	**$366,816**	**$300,000**	**$350,000**

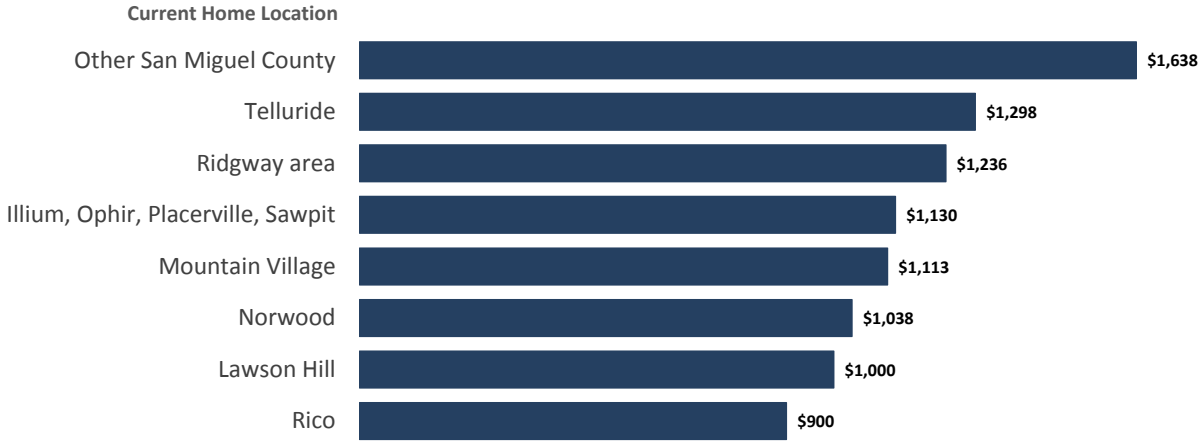
Source: SMRHA Household Survey; RRC; Economic & Planning Systems

Figure 42
Average Prices Desired by Residents Who Want to Live in Different Home, 2018



Source: SMRHA Household Survey; RRC; Economic & Planning Systems

Figure 43
Average Rents Desired by Residents Who Want to Live in Different Home, 2018



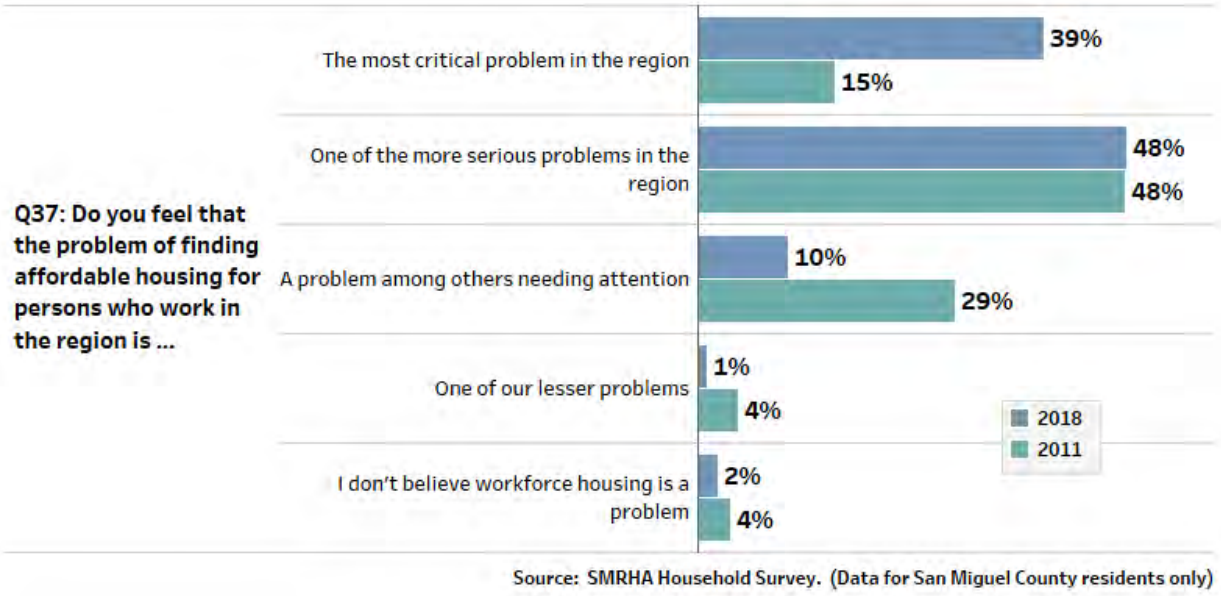
Source: SMRHA Household Survey; RRC; Economic & Planning Systems

Housing Satisfaction and Preference

- The number of residents who believe affordable housing is the critical problem in the region has significantly increased between 2011 and 2018. Thirty-nine percent of residents believe that affordable housing is the most critical issue in the region (up from just 15 percent in 2011) (**Figure 44**). Those living in Telluride and Mountain Village were more likely to state that finding affordable housing was the most critical issue in the region (**Figure 45**).
- Concerning their own existing housing, most 2018 owners are "very satisfied" (46 percent) or "satisfied" (38 percent) with their housing, while 16 percent are not satisfied or very dissatisfied (**Figure 46**). Renters are much less likely to be very satisfied (21 percent), more likely to be satisfied (48 percent), and more likely to be not satisfied or very dissatisfied (31 percent). Altogether, the share who are very satisfied has dipped since 2011 (from 55 percent to 46 percent), with more satisfied, and more not satisfied.
- The leading reason for dissatisfaction among owners and renters in 2018 is "too expensive" (26 percent and 34 percent respectively). Twenty-two percent of renters in 2018 indicated "poor maintenance" a reason for dissatisfaction (compared to 37 percent in 2011) followed by high utility bills (17 percent compared to 9 percent of owners) (**Figure 49**).
- Most renters express moderate interest in living in Shandoka and Village Court in the future, while Big Billies receives a disproportionately low level of interest from prospective renters. The responses regarding all rental properties suggest opportunities for improvements to rental housing developments. (**Figure 52**).
- Over the next five years, most SMC residents want to stay in their current home (61 percent), which represents an increase from 55 percent in 2011 (**Figure 54**). Among renters wanting to move, 56 percent want to buy, while 44 percent want to rent (**Figure 50**).
- Among the renters who want to rent, financial barriers to buying are the top reasons they want to rent, including "housing I want and can afford is not available" (65 percent) and "I do not have a down payment" (55 percent). Other factors in preferring to rent include "renting is cheaper" (33 percent), "can't qualify for a mortgage" (27 percent), "economic future is uncertain" (23 percent), etc. (**Figure 51**).
- Most residents say the community they are living in is their first choice location, although substantial minorities express a preference to living in other communities (except for residents of Telluride, 95 percent of whom prefer to live in Telluride, versus just 5 percent who would prefer to live elsewhere) (**Figure 57**).
- It is important to recognize that most renters plan to be long-term members of the community. Two-thirds of responding renters (66 percent) have lived in the area at least five years, and 79 percent of renters plan on living in the area at least another five years. A significant portion of existing residents see themselves as living in the Telluride Region for the next 20+ years.
- The most important housing unit features include in-unit washers and dryer, on-site wireless service, and private yard and/or outdoor space (**Figure 59**). Ability to have pets stands out for renters. There was relatively conformity between owners and renters in terms of the importance of specific features.

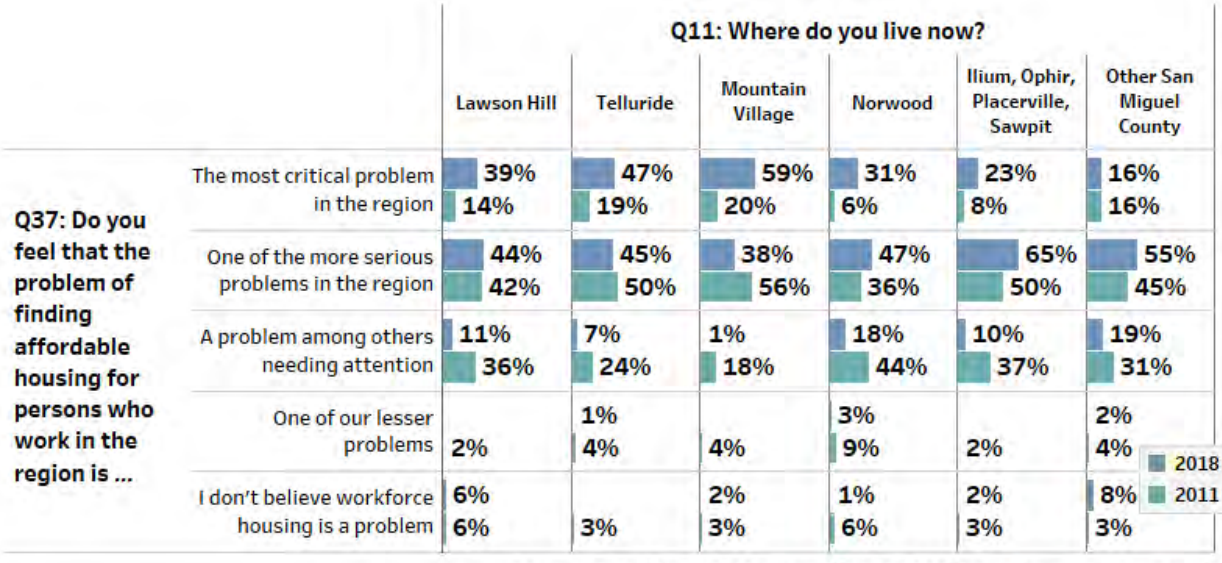
- When asked what features would warrant paying an additional 10 percent more per month, survey respondents rated the ability to walk and/or bike to work, the ability to walk and/or bike to shops/restaurants/entertainment, and the ability to cut commute time in half the highest. There were, however, differences in the preferences of renters and owners. Renters had a greater willingness to have the ability to walk/bike to work or various amenities than owners (**Figure 60**).

Figure 44
Affordable Housing Issue (Q37)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 45
Affordable Housing Issue by Area (Q37)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 46
Current Housing Satisfaction (Q5)

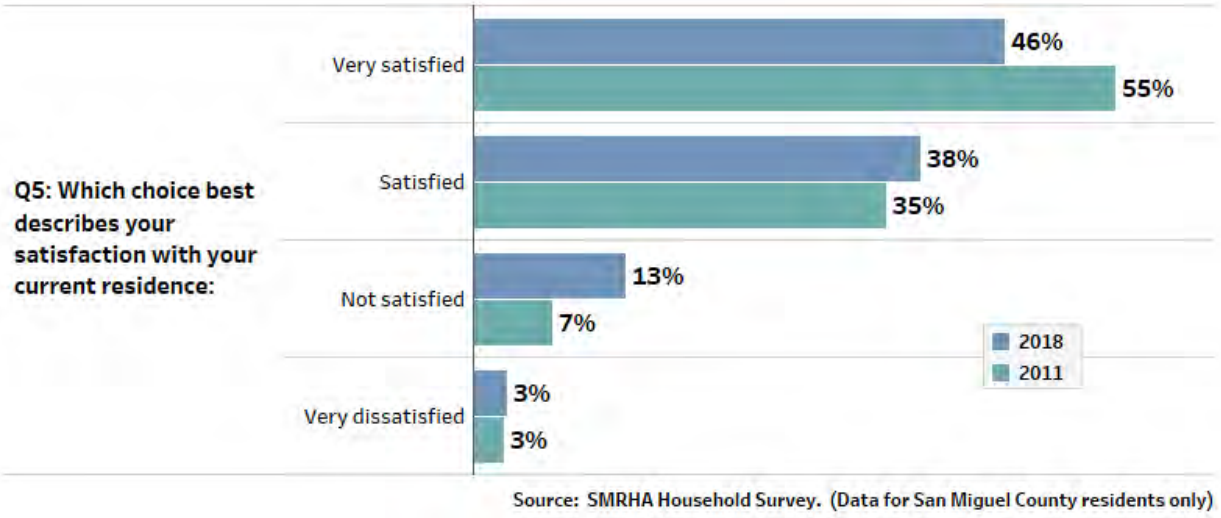


Figure 47
Current Housing Satisfaction by Location (Q5)

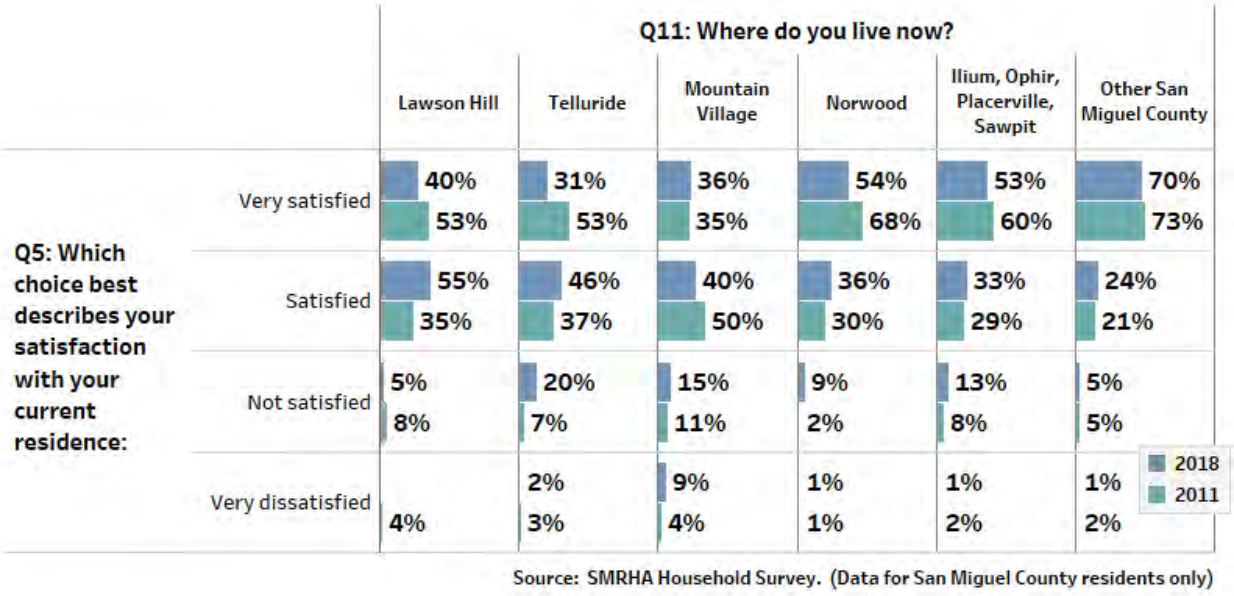
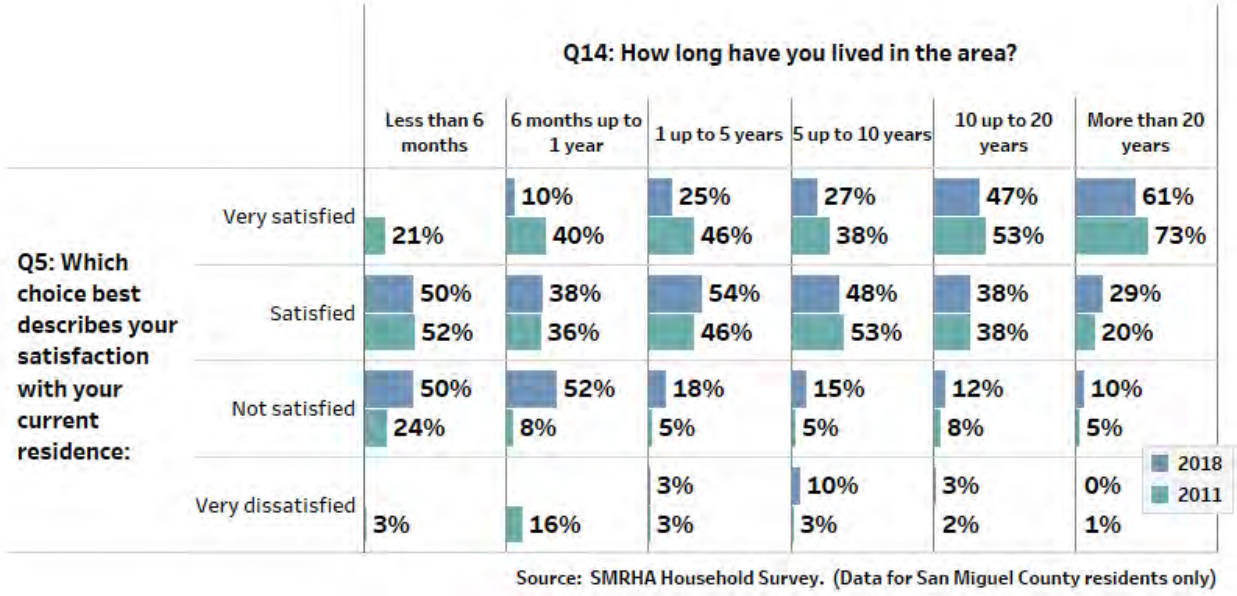
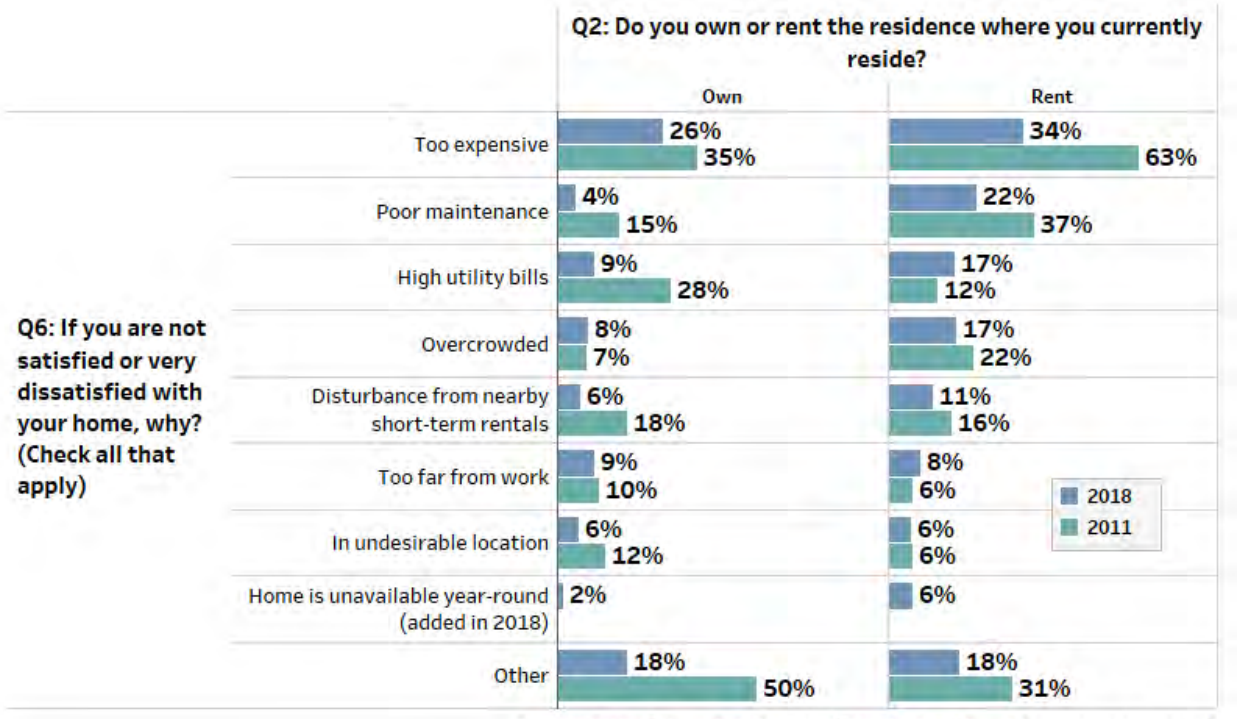


Figure 48
Current Housing Satisfaction by Length of Residence (Q5)



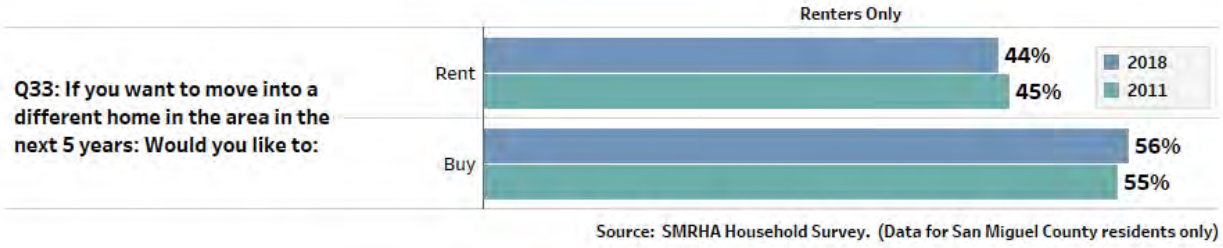
Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 49
Current Housing Satisfaction Reasoning (Q6)



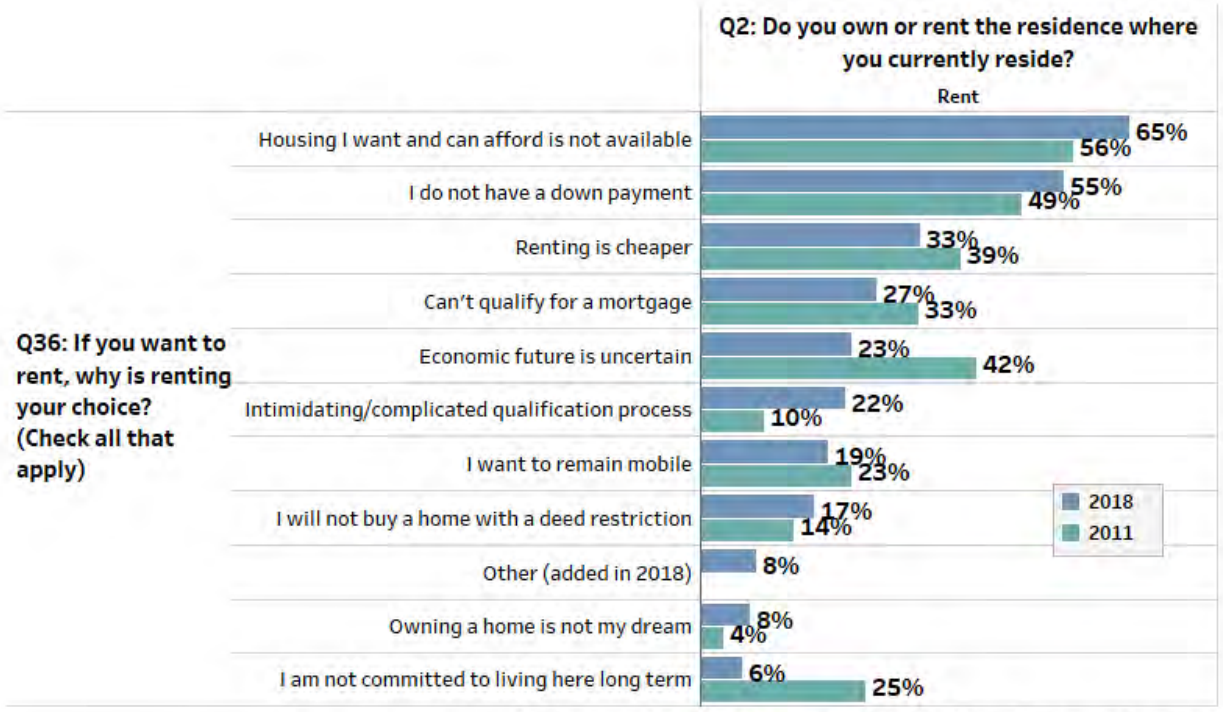
Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 50
Movers Buy vs Rent Preference (Renters) (Q33)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 51
Renters Reasoning for Continuing to Rent (Q36)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 52
Interest in Deed Restricted Housing Developments (Q31)



Figure 53
Housing Preference by Type (Q34)

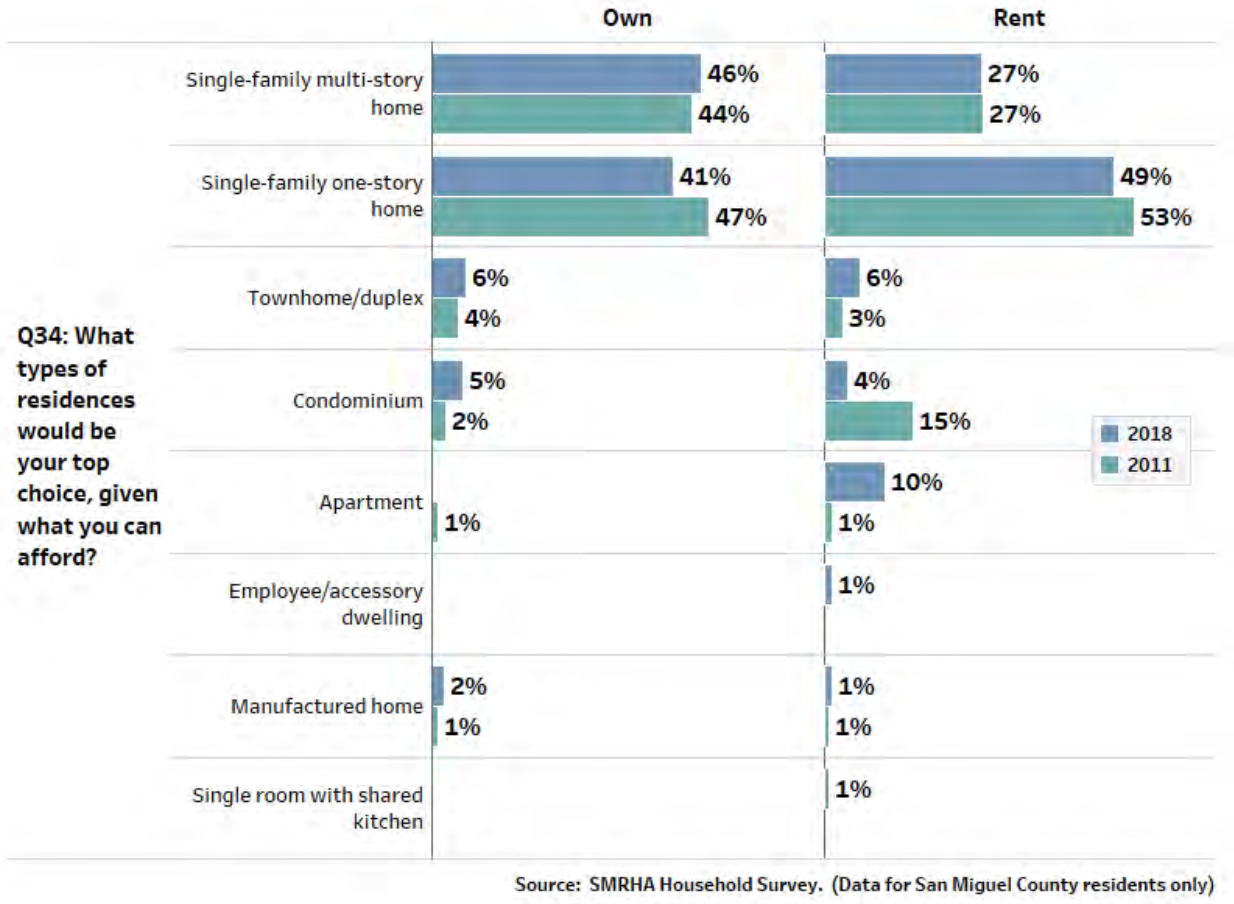


Figure 54
Want to Move in Five Years (Q32)

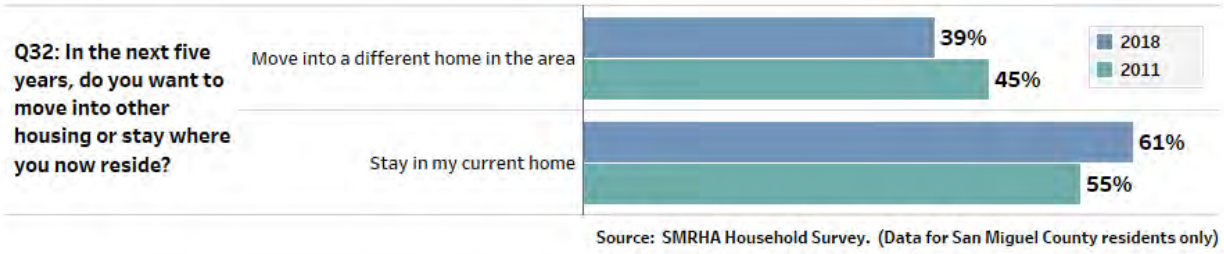


Figure 55
Number of Bedrooms Preference (Q34)

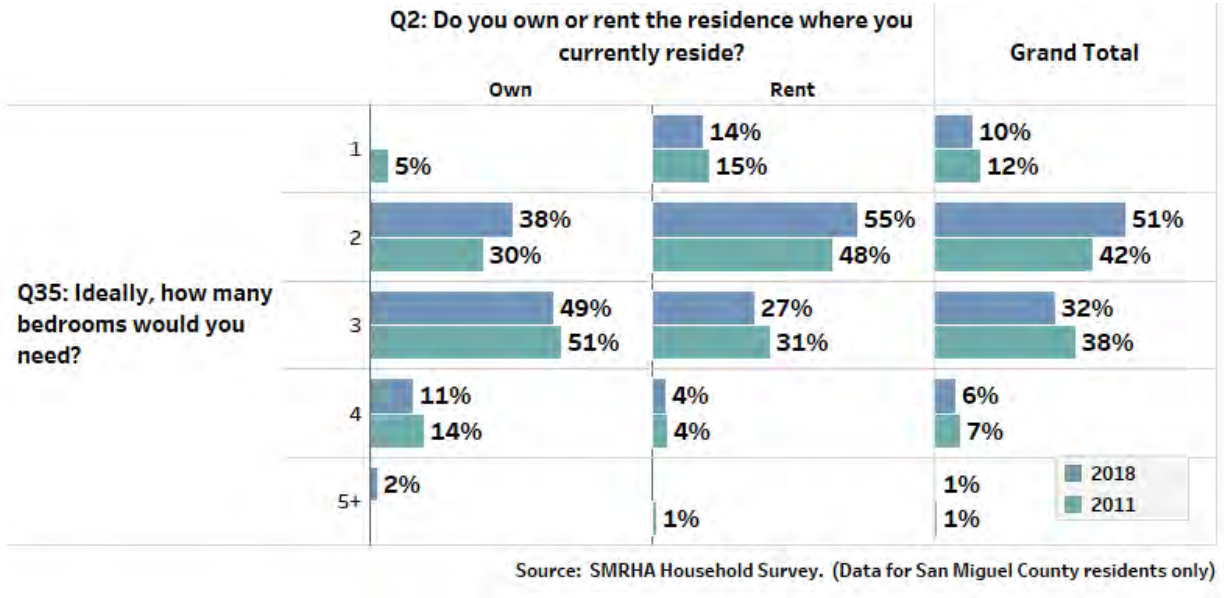
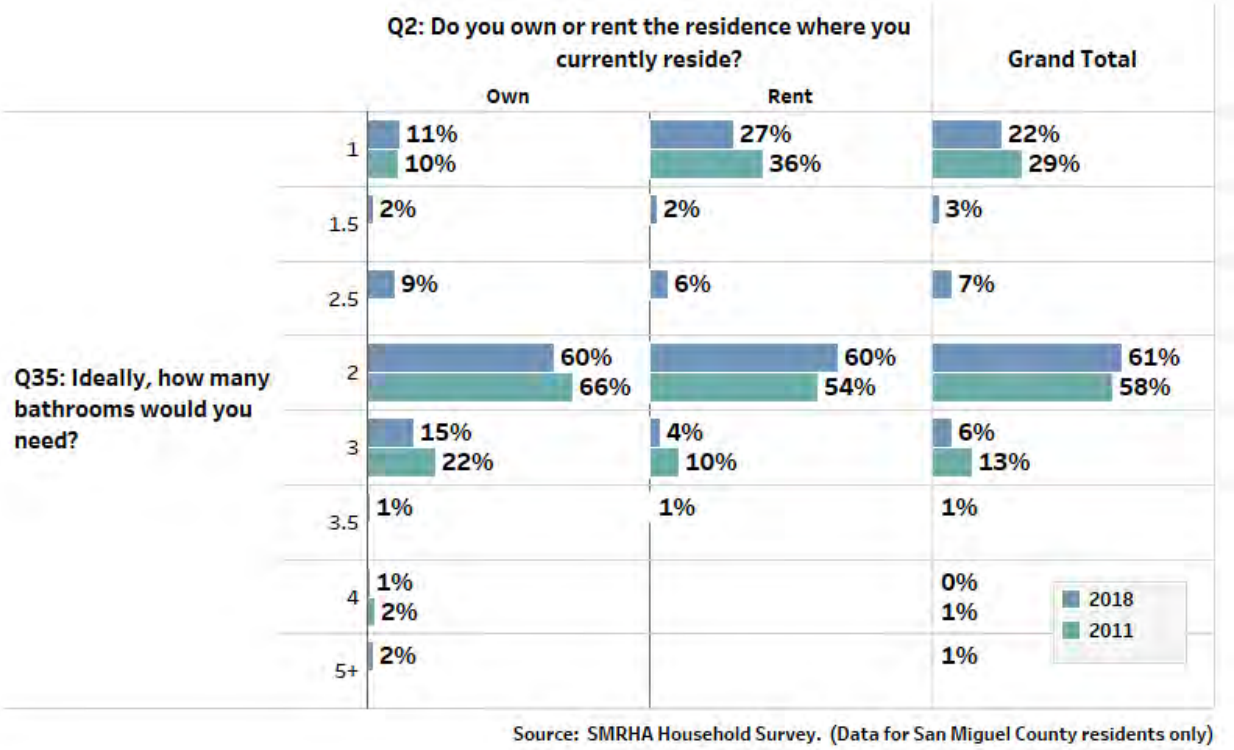
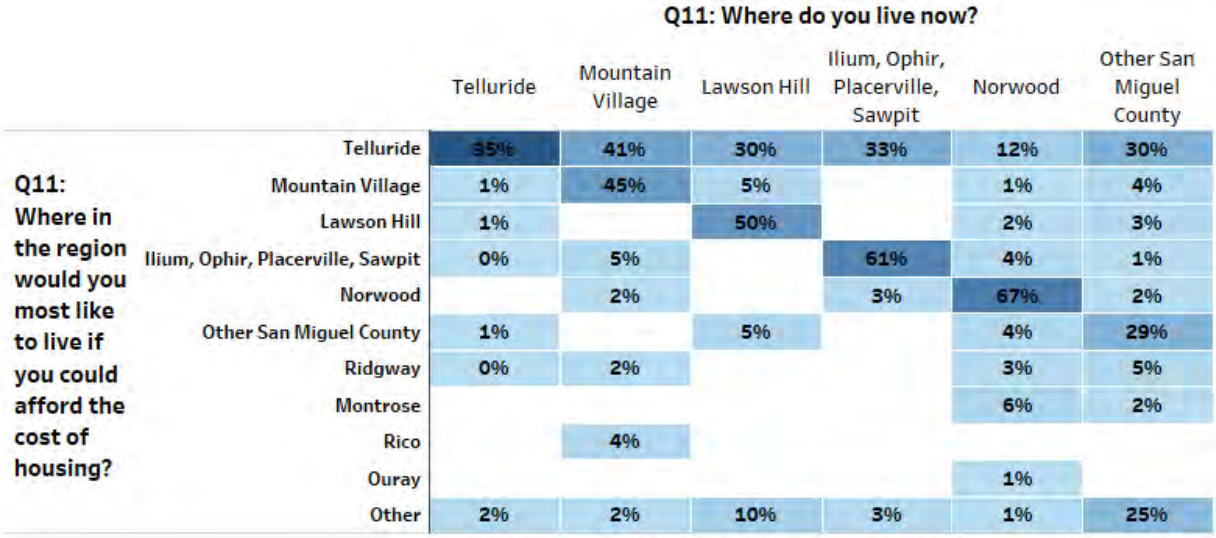


Figure 56
Number of Bathrooms Preference (Q34)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 57
Housing Location Preference by Current Location (Q11)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 58
Housing Preference by Unit Type and Tenure (Q6)

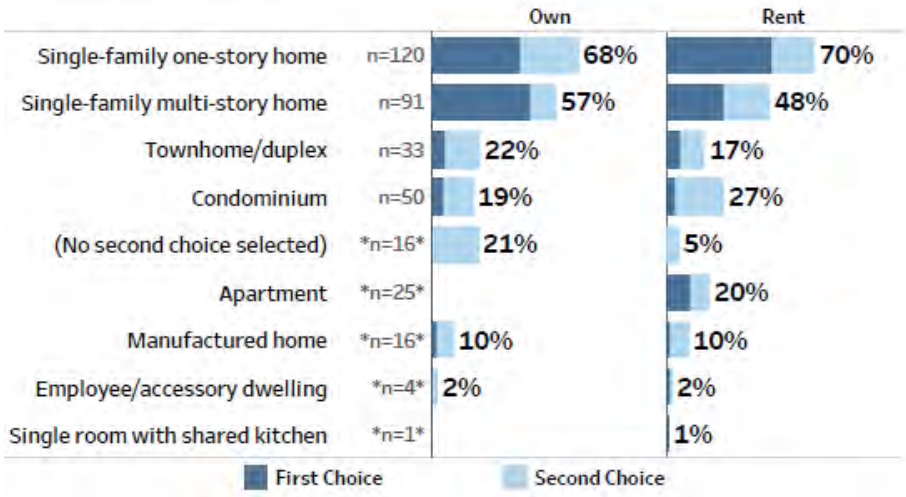


Figure 59
Importance of Features (Q27)

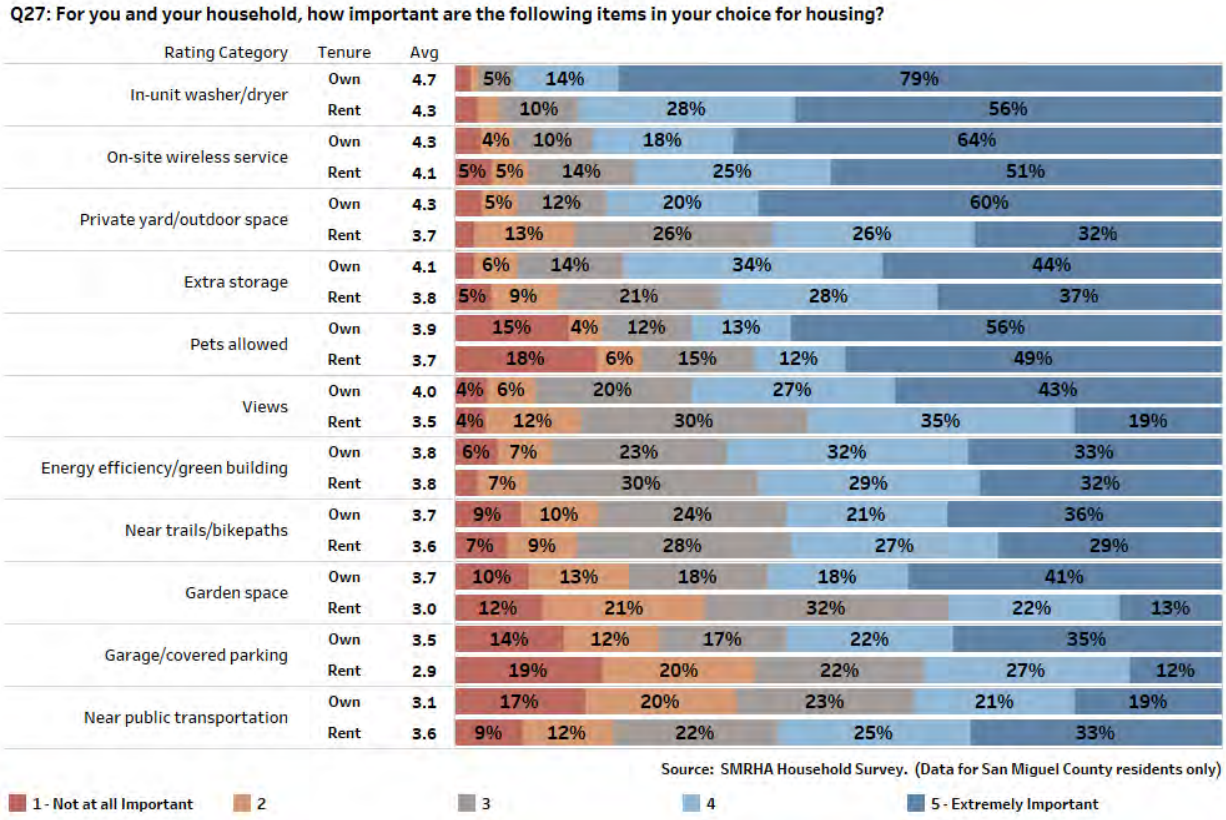
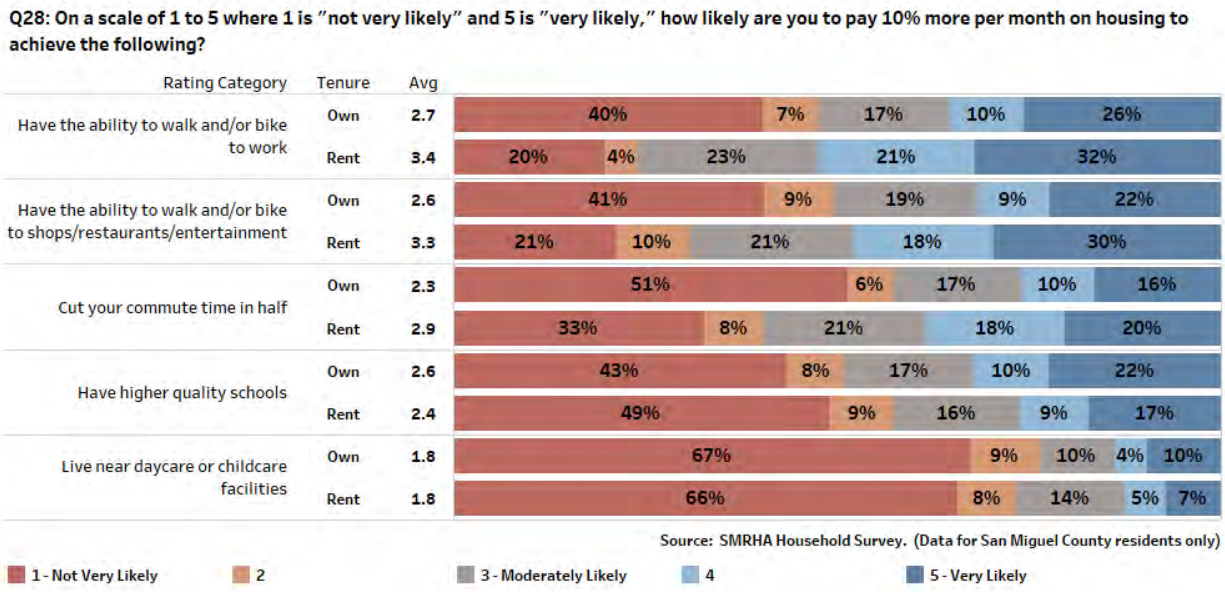


Figure 60
Willingness to Pay for Amenities (Q28)



7. EMPLOYER SURVEY

This section provides a summary of the 2018 Employer Survey. An overall situational assessment is provided along with employer perspectives on potential affordable housing solutions.

There were 771 employer survey invites distributed via email and 113 distributed via the USPS for a total of 884 invites distributed. There were 137 responses to the employer survey, which represents a response rate of approximately 15.5 percent.

Overall Situational Assessment

- Housing needs are pressing and appear to have gotten worse since 2011 when the last survey was completed (and the region was in midst of recession).
- An increased share of employers say affordable housing for local residents is the "most critical problem in the area" (32 percent in 2018 vs. 11 percent in 2011) or "one of the more serious problems" (47 percent vs. 42 percent). Fewer state that it is a moderate problem, one of our lesser problems, or not a problem (21 percent vs. 46 percent) (**Figure 64**).
- In 2018, 24 percent of San Miguel employers were unable to fill one or more jobs during the previous winter. In 2011, 17 percent of employers were unable to fill one or more jobs during the previous year.
- Most San Miguel employers say their ability to find and retain qualified employees has declined/gotten harder over the past three years (41 percent) or stayed about the same (33 percent); 1 percent say it has improved/gotten easier, and 25 percent don't know/say this is not applicable (there was no comparable question in 2011) (**Figure 65**).
- 63 percent of employers say the lack of available affordable housing is one of their primary challenges in recruiting and retaining employees, and 32 percent say transportation/long commutes are a challenge. Only 22 percent of employers say they have no challenges in recruiting/retaining employees (**Figure 67**).
- A majority of employers say it is "5 – very difficult" (on a 1-5 scale) for employees at all levels to find affordable housing in the region, ranging from 51 percent of upper management employees to 73 percent of retail/service clerks (**Figure 68**).
- Looking ahead, over the next five years, more employers anticipate increasing their number of employees (34 percent) than reducing their headcount (2 percent), while 51 percent anticipate staying about the same and 13 percent don't know. This anticipated growth is likely to further increase employee housing demand (**Figure 66**).

Potential Affordable Housing Solutions

- Relatively few responding employers currently provide housing (10 percent) or other types of housing assistance (6 percent) to employees, similar to findings in 2011.
- When asked if they would be willing to assist with the provision of affordable/employee housing in the future, 16 percent of employers say yes, while larger shares say no (31 percent) or are uncertain (54 percent), similar to results observed in 2011.
- Among those employers who say they would be willing to assist, the largest share say they would provide housing assistance for year-round employees (81 percent), followed by seasonal employees in ski season (50 percent) and seasonal employees in summer season (44 percent).
- Regarding priorities for creating housing for employees, on a 1-5 scale where 5=high priority, the largest share rate rental housing for year-round employees as a 5-high priority (57 percent), followed by entry-level for-sale housing for year-round employees (45 percent), move-up for-sale housing for year-round employees (32 percent), and rental housing for seasonal employees (31 percent).

Figure 61
Business Location (Q1)

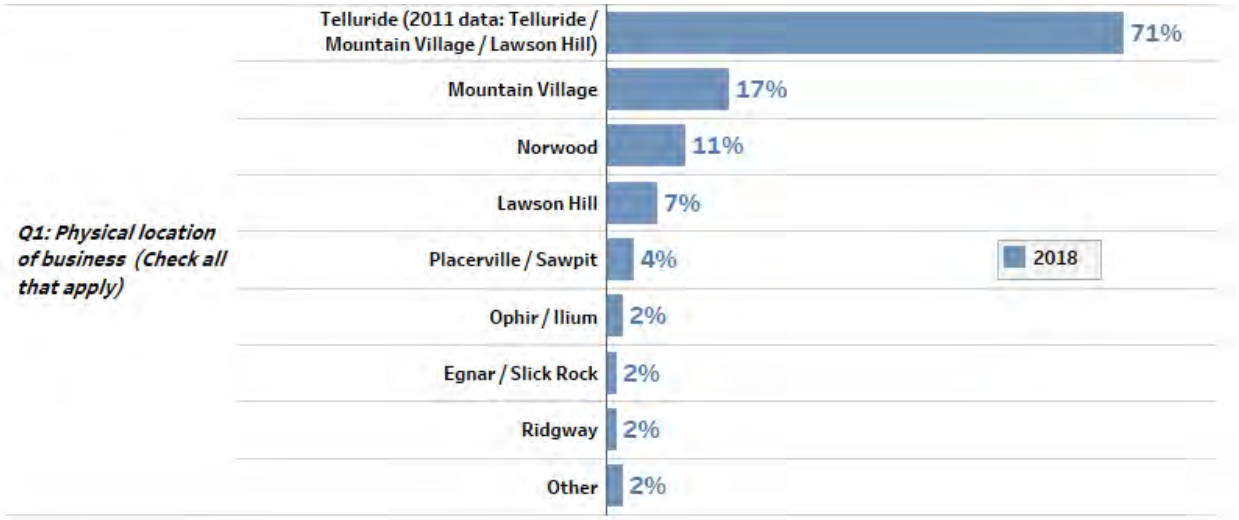


Figure 62
Employee Home Location by Place of Work

	Place of Work				
Place of Residence	Telluride, Mountain Village, Lawson Hill	Ophir / Ilium / Placerville / Sawpit	Norwood	Egnar / Slick Rock	All employers with a presence in San Miguel Co.
Telluride / Mountain Village / Lawson Hill	**49%**	**19%**	**17%**	**32%**	**48%**
Ophir / Ilium / Placerville / Sawpit	**8%**	**9%**	**8%**	**7%**	**8%**
Norwood	**13%**	**25%**	**27%**	**34%**	**14%**
Egnar / Slick Rock	**1%**	**7%**	**6%**	**1%**	**1%**
Rico / Dolores / Cortez	**4%**	**4%**	**4%**	**3%**	**4%**
Ridgway / Ouray / Montrose	**20%**	**23%**	**22%**	**12%**	**19%**
Nucla / Naturita / Redvale / Bedrock / Paradox	**2%**	**5%**	**8%**	**6%**	**3%**
Elsewhere in region	**3%**	**8%**	**8%**	**4%**	**3%**

Source: SMRHA Employer Survey; RRC; Economic & Planning Systems

Figure 63
Employee Home Location (Q5)

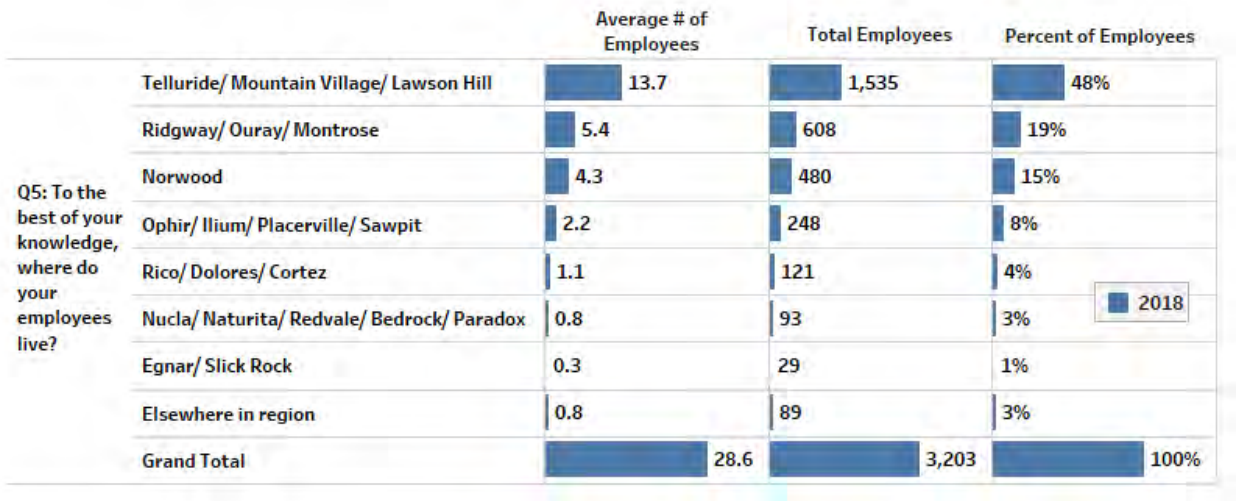


Figure 64
Affordable Housing Issue (Q16)

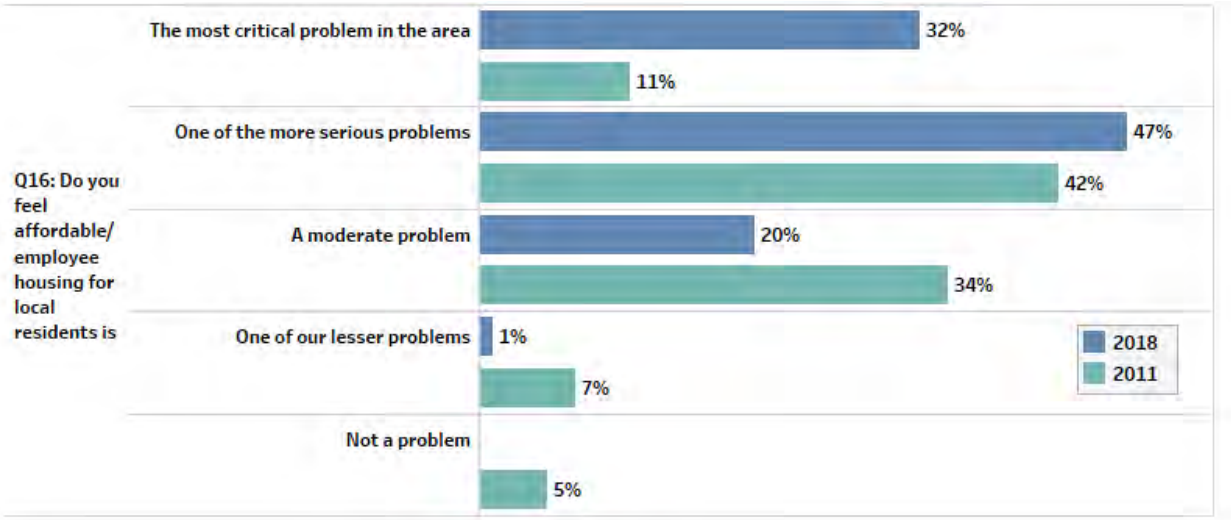


Figure 65
Affordable Housing Impact on Hiring (Q10)

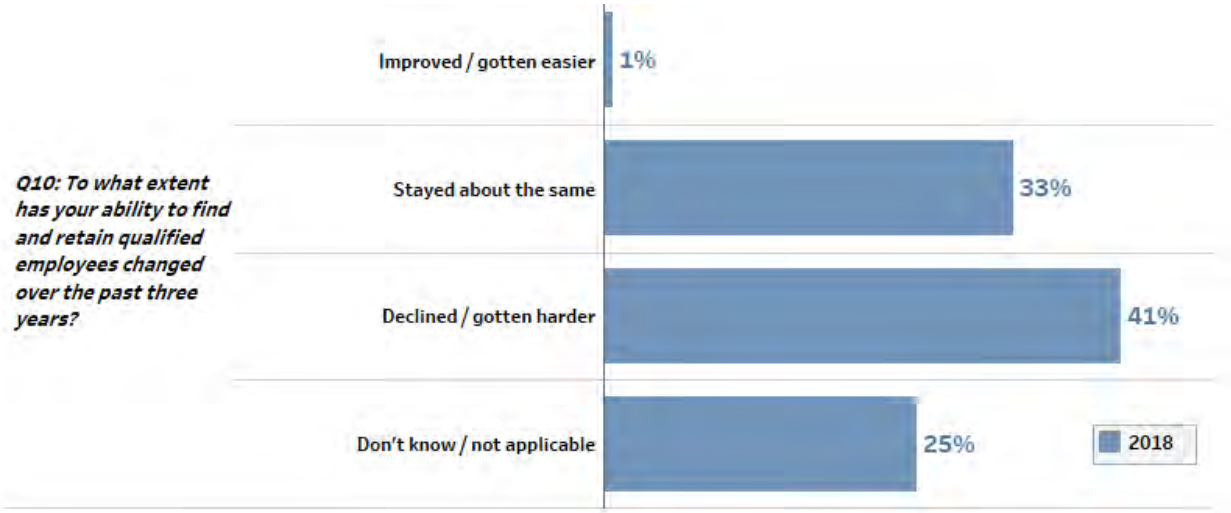


Figure 66
Five Year Plan (Q12)



Figure 67
Hiring Challenges (Q11)

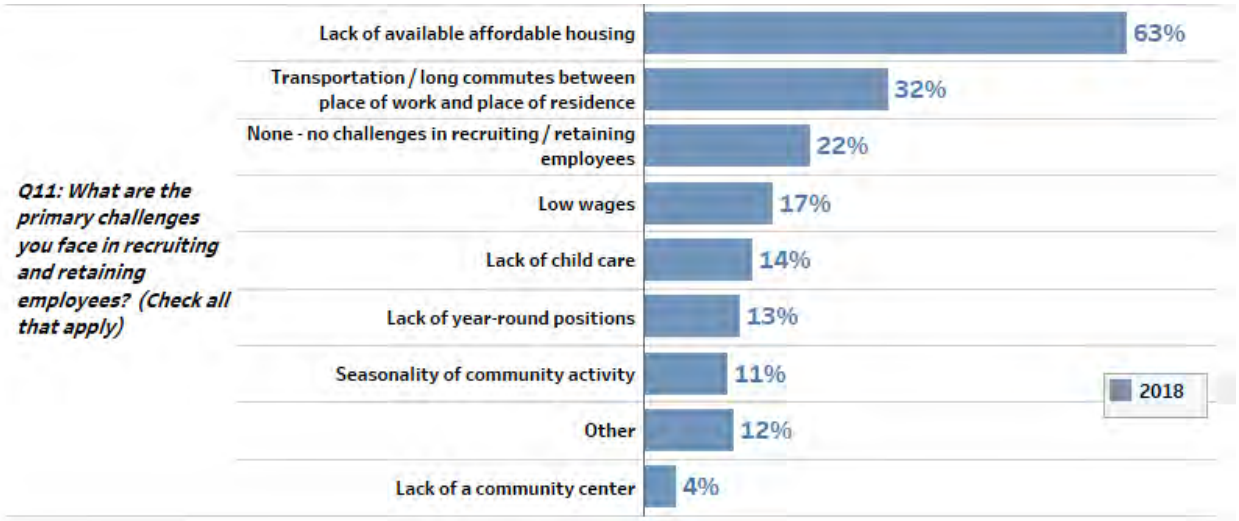


Figure 68
Employee Housing Challenge (Q14)

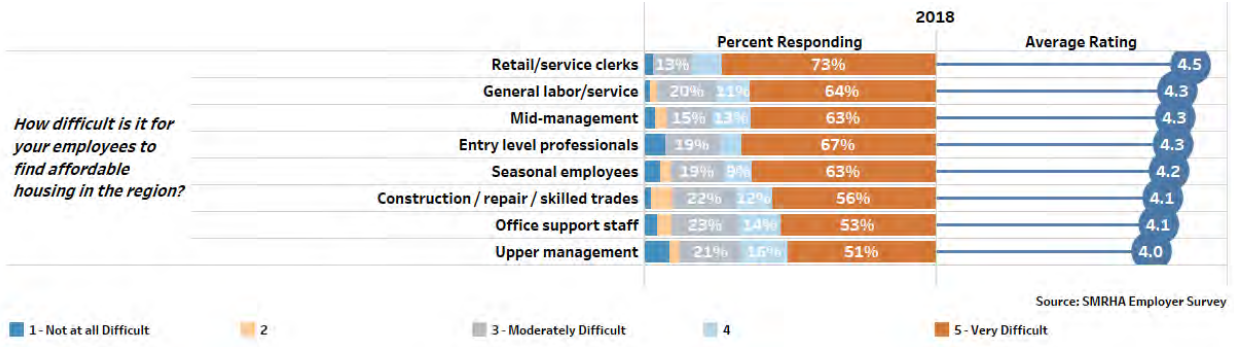


Figure 69
Employee Housing Prioritization (Q23)

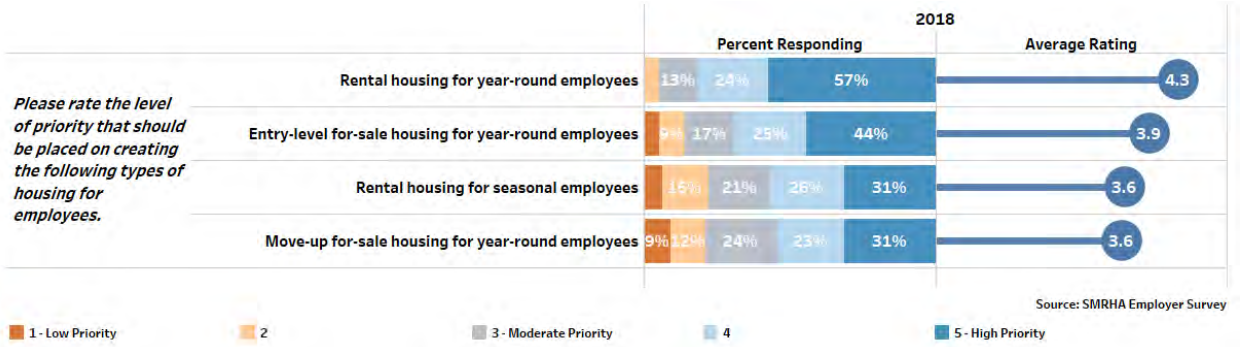


Figure 70
Affordable Housing Impact on Employee Performance (Q15)

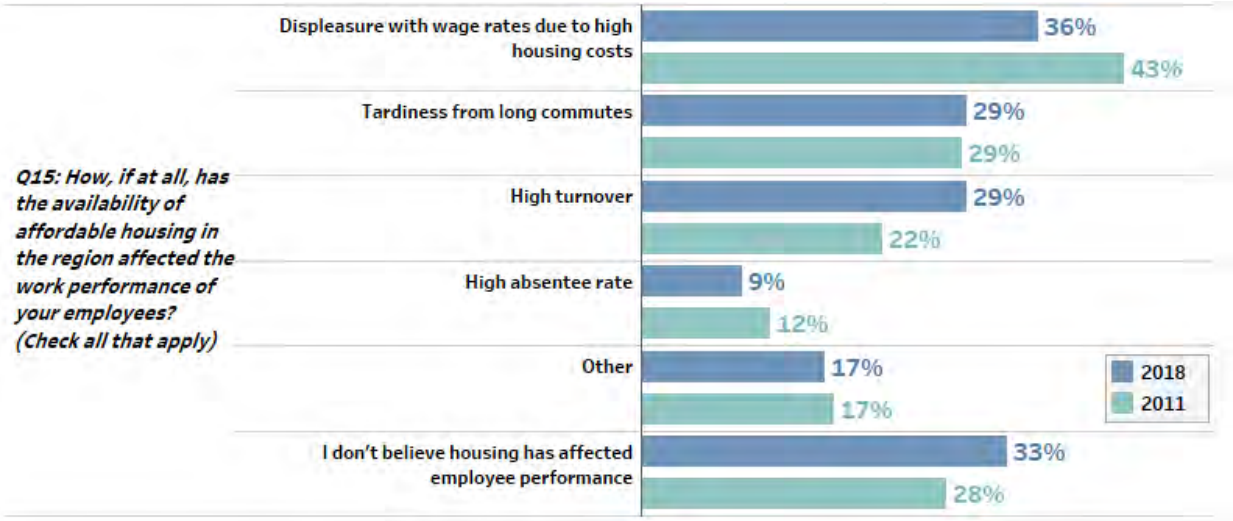
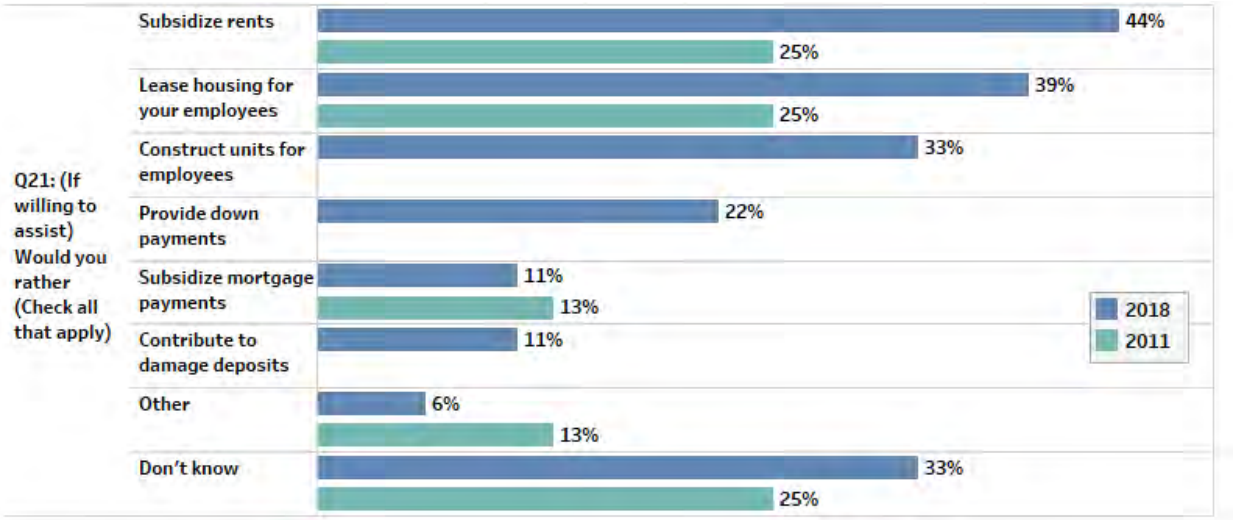


Figure 71
Willingness to Assist (Q21)

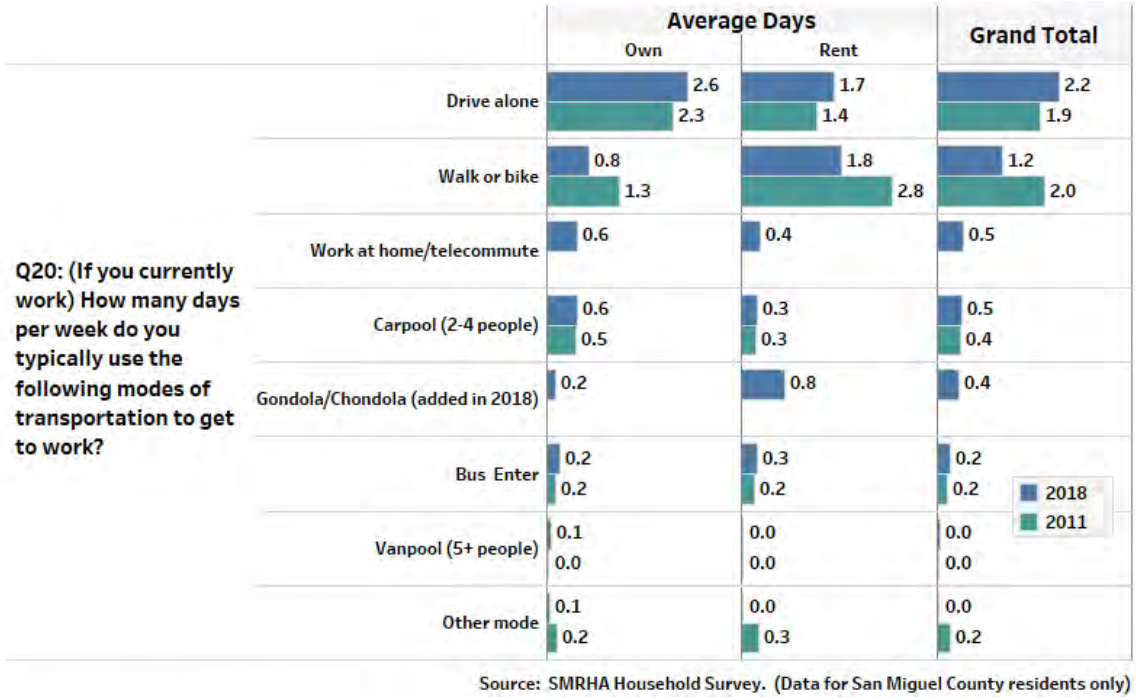


8. RESIDENT AND EMPLOYEE COMMUTING OVERVIEW

This section provides a summary of regional resident and employee commuting trends and conditions. An overview of commuting methods, times, travel distances, and reasons for commuting is provided in the section that follows.

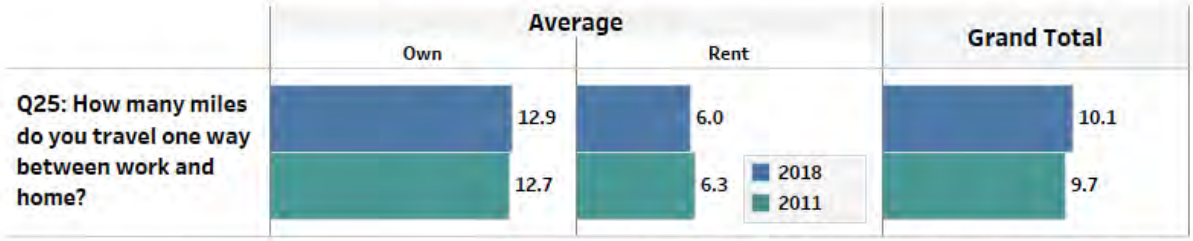
- 50 percent of SMC residents who work commute at least five miles one-way to work. Among those who commute more than five miles one-way, most cite the price of housing (59 percent) as a reason why they don't live and work in the same community, ahead of such other factors as 'Preferred type of home is unavailable in community where I work' (30 percent), 'Community character/prefer where I live now' (30 percent), and 'Don't mind the commute (25 percent).' (**Figure 73** and **Figure 74**).
- In 2000, the SMC Housing Needs Assessment identified 19 percent of employees commuting from outside the County. This number increased to 25.4 percent in 2004 based on a detailed study conducted on housing for the Town of Telluride. The 2011 Housing Needs Assessment identified a decrease in the commuting rate to 15.5 percent of total employees, a reflection of the impact of the Great Recession. In 2018, the number of in-commuters has increased to nearly 30 percent of total regional employees, which reflects the expansion of the economy and the lack of housing options.
- Between 2011 and 2018, there was an increase in the number of days employees drove to work alone and a decrease in the number of days that employees walked or biked to work (**Figure 72**). On average, survey respondents drove alone to work 2.2 days per week, walked or biked to work 1.2 days per week, and used an alternative mode of travel 1.6 days per week.
- A modest 8 percent of respondents say their employer provides/subsidizes their transportation, similar to 2011 (9 percent).
- 44 percent of survey respondents indicated a general willingness to use transit to commute to and from work, if it were made available. Renters had a greater willingness than owners (**Figure 76**).

Figure 72
Primary Modes of Transportation (Q20)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 73
Work and Home Travel Distance (Q25)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Table 23
Employees by Home Location, 2018

Place of residence of employee:	Total Employees	% of Total
San Miguel County		
Telluride / Mountain Village / Law:	1,592	47.6%
Ophir / Ilium / Placerville / Sawpit	261	7.8%
Norwood	477	14.3%
Egnar / Slick Rock	33	1.0%
Subtotal	**2,363**	**70.7%**
Outisde San Miguel County		
Rico / Dolores / Cortez	141	4.2%
Ridgway / Ouray / Montrose	647	19.4%
Nucla / Naturita / Redvale / Bedro	98	2.9%
Elsewhere in region	94	2.8%
Subtotal	**980**	**29.3%**
Total Employees	**3,343**	**100.0%**
Total In-Commuters	**980**	**29.3%**

Note: Sample size = 106

Source: RRC; 2018 Employer Survey; Economic & Planning Systems

Figure 74
Reason for Commuting (Q26)

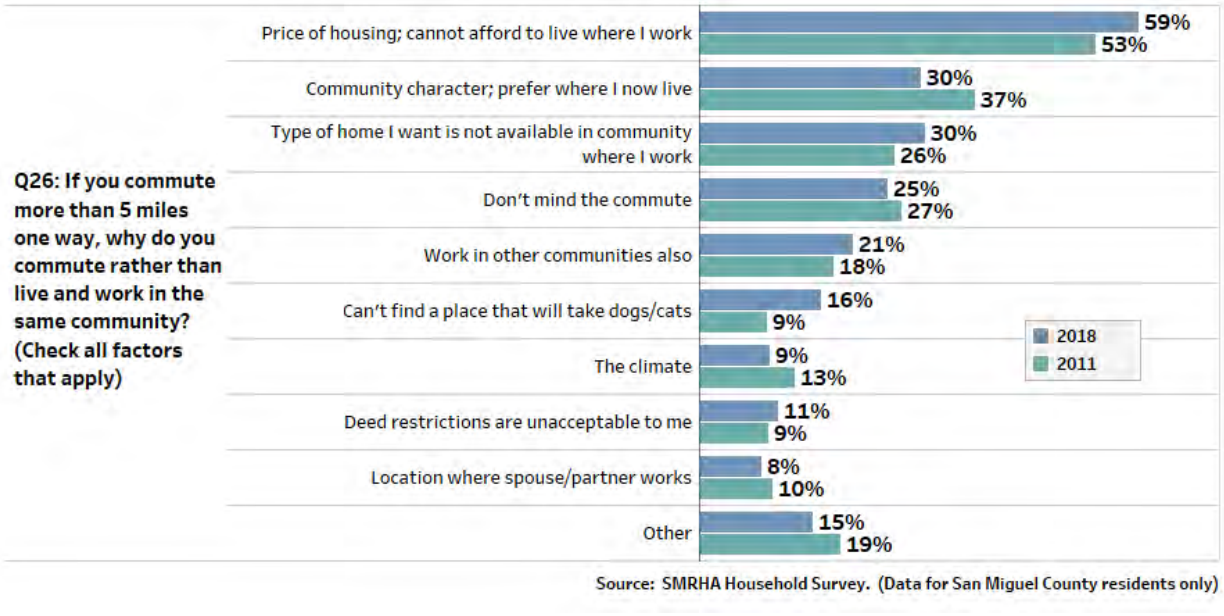
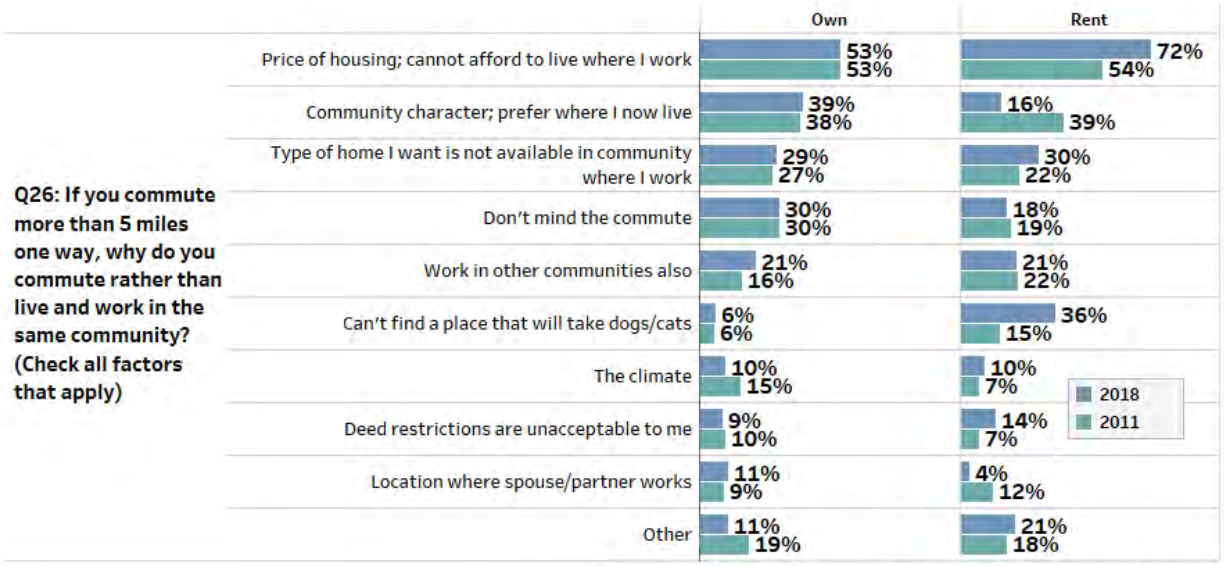
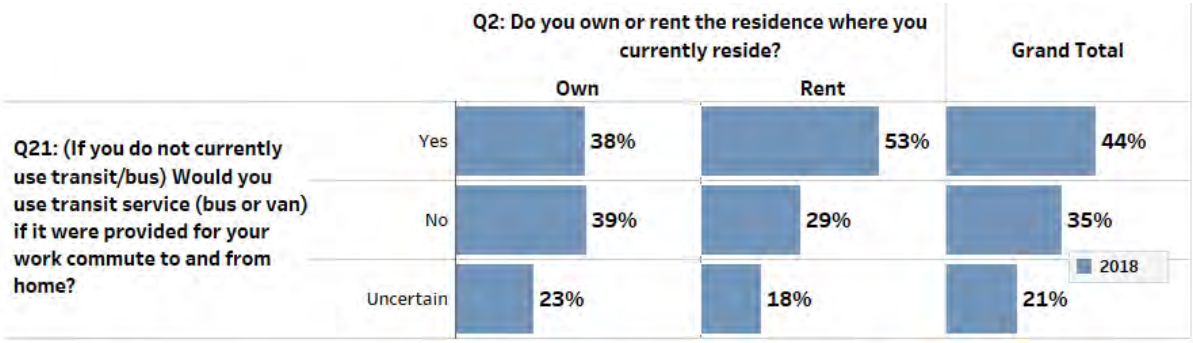


Figure 75
Reason for Commuting by Tenure (Q26)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Figure 76
Willingness to Use Transit (Q21)



Source: SMRHA Household Survey. (Data for San Miguel County residents only)

9. HOUSING GAPS AND HOUSING NEED

This section provides a summary of the housing gaps and the existing and projected housing need in San Miguel County. The housing gap analysis is used to identify the concentration of housing demand by income and housing cost. The housing need analysis is used to quantify the existing and future need for housing by type and location in San Miguel County.

Housing Gaps

The housing gaps analysis compares housing costs to incomes to determine alignment and misalignment. Area median incomes (AMI) are compared to rental rates and average sales prices in San Miguel County. San Miguel household income data is estimated based on data gathered through 2018 Household Survey, rental rates are also based on information collected through the Household Survey, and average home price data is based on information collected through the Multiple Listing Service (MLS).

The purpose is to compare the distribution of households and their ability to pay for housing to the cost of housing that is available. The analysis is expressed as a percent of the area median income (AMI) and is used to understand where the concentration of need is.

Rental Housing Gaps

Housing gaps in rental housing are estimated by comparing household incomes to average rental rates in San Miguel County. For market rate housing, housing gaps exist for households earning over 100 percent AMI. These gaps are common in many markets as households in this income range are more likely to buy and as a result the market provides fewer rental options at this price point.

For deed restricted housing, there is a proportionally higher amount of housing under 80 percent AMI and housing gaps exist over 80 percent AMI, with the largest gaps between 80 and 150 percent AMI. Again, this represents conditions in other comparable communities that have policies in place that prioritize rental housing for low income households, as is the case in San Miguel County.

Ownership Housing Gaps

Housing gaps between owner incomes and average sales prices are based on actual sales and are summarized for deed restricted housing and market rate housing. For market rate ownership housing, gaps exist for housing priced under 200 percent AMI. The largest market rate ownership gaps are for households earning between 80 and 120 percent AMI.

For deed restricted housing, the housing gap disappears for households earning between 50 and 120 percent AMI and housing gaps exist on the low and high end of the income spectrum. The most severe housing gaps exist for households earning between 120 and 150 percent AMI.

The data reflect the success of the community in building a sizeable inventory of affordable homes. Very few communities can report a net positive gap for households earning between 80 and 120 percent of AMI. Building on the existing success of the past, additional product should be targeted at this traditional segment (50 to 120 percent AMI) and also expanded to address incomes between 120 and 200 percent of AMI.

Table 24
Gaps in Rental Housing

Description	< 30%	31% - 50%	51% - 80%	81% - 100%	101% - 120%	121% - 150%	151% - 200%	> 200%
Rental Rates								
Low	$0	$542	$903	$1,445	$1,806	$2,168	$2,709	$3,613
High	$542	$903	$1,445	$1,806	$2,168	$2,709	$3,613	max
Market Rate								
Renter AMI's	5.4%	6.9%	20.8%	20.0%	14.6%	16.2%	6.2%	10.0%
Rental Rates	1.2%	20.7%	29.3%	20.7%	9.8%	11.0%	4.9%	2.4%
Gap	**-4.2%**	**13.8%**	**8.5%**	**0.7%**	**-4.9%**	**-5.2%**	**-1.3%**	**-7.6%**
Deed Restricted								
Renter AMI's	5.4%	6.9%	20.8%	20.0%	14.6%	16.2%	6.2%	10.0%
Rental Rates	11.5%	51.9%	26.9%	7.7%	1.9%	0.0%	0.0%	0.0%
Gap	**6.2%**	**45.0%**	**6.2%**	**-12.3%**	**-12.7%**	**-16.2%**	**-6.2%**	**-10.0%**

Source: Household and Commuter Surveys; Economic & Planning Systems

Table 25
Gaps in Ownership Housing

Description	< 30%	31% - 50%	51% - 80%	81% - 100%	101% - 120%	121% - 150%	151% - 200%	> 200%
Sales Prices								
Low	$0	$70,748	$142,031	$248,955	$320,238	$391,520	$498,444	$676,651
High	$70,748	$142,031	$248,955	$320,238	$391,520	$498,444	$676,651	max
Market Rate								
Owner AMI's	3.3%	5.2%	14.1%	11.7%	15.0%	15.5%	15.0%	20.2%
Sold Units (5 yrs)	0.1%	3.1%	13.0%	7.0%	8.0%	6.6%	9.8%	52.3%
Gap	**-3.2%**	**-2.1%**	**-1.1%**	**-4.7%**	**-7.0%**	**-8.9%**	**-5.2%**	**32.1%**
Deed Restricted								
Owner AMI's	3.3%	5.2%	14.1%	11.7%	15.0%	15.5%	15.0%	20.2%
Sold Units (5 yrs)	0.0%	2.5%	29.4%	24.9%	16.8%	5.6%	10.2%	10.7%
Gap	**-3.3%**	**-2.6%**	**15.4%**	**13.1%**	**1.7%**	**-9.9%**	**-4.9%**	**-9.5%**

Source: Household and Commuter Surveys; Economic & Planning Systems

Housing Need

Housing need is estimated based on the current need for housing that is driven by the number of unfilled jobs and in-commuters and the future need for housing that is driven by employment growth in San Miguel County.

Existing Need

Existing need, or "catch-up," is derived from the number of unfilled jobs and the number of long distance in-commuters that would like to move closer to their employment location. Housing need from unfilled jobs is estimated by starting with the number of unfilled jobs, as reported by employers in the 2018 Employer Survey, and discounted by the number of jobs per employee (1.50 jobs per employee) and the number of employees per household (1.56 employees per household). Total housing need from unfilled jobs is estimated at 64 units, as shown in Error! Reference source not found..

To calculate housing need from in-commuters, the total number of in-commuters—980, which includes commuters from outside San Miguel County—is multiplied by the percentage who would like to move into the County (60 percent, based on survey responses) and discounted by the number of employees per household (1.56 employees per household). Total need from in-commuters is estimated at 377 units. Combined, need from unfilled jobs and in-commuters is estimated at 441 housing units, as shown in Error! Reference source not found..

Table 26
Housing Need based on Unfilled Jobs and In-Commuting

Description	2011	2018
Unfilled Jobs		
Total unfilled jobs	126	150
Jobs per employee	1.31	1.50
Additional employees needed	96	100
Employees per household	1.60	1.56
Additional housing units needed	**60**	**64**
In-Commuters [1]		
Total in-commuters	745	980
% Want to move	56%	60%
# Want to move	417	588
Employees per household	1.60	1.56
Additional housing units needed	**260**	**377**
Total Additional Housing Units Needed	**320**	**441**

[1] Includes local employees living outside of San Miguel County.

Source: Household and Commuter Surveys; Economic & Planning Systems

Based on information collected through the 2018 Household Survey, it is possible to further parse housing need by tenure, type, and area, as shown in **Table 27**, **Figure 77**, **Figure 78**, and **Figure 79**. Estimated need by housing tenure is based on current conditions in the County, need by type and area are estimated based on the stated preferences of survey respondents. Need by area is also calculated based on the existing distribution of employees in the County.

There has been an ongoing "catch-up" need for housing that has been documented through previously completed housing studies. In 2011, the estimated "catch-up" need for housing was estimated at 320 housing units. The current estimated housing need in 2018 is roughly 38 percent higher than estimated need in 2011.

Table 27
Current Need by Type

Description	% of Total	Amount
Housing Need by Tenure [1]		
Rental	40.0%	176
Ownership	60.0%	265
Subtotal	**100.0%**	**441**
Housing Need by Type [2]		
Single-Family	78.0%	344
Condominium	5.0%	22
Apartment	7.0%	31
Townhome / Duplex	6.0%	26
Other	4.0%	18
Subtotal	**100.0%**	**441**
Housing Need by Area (Emp. Dist.) [3]		
Telluride	37.7%	166
Mountain Village	35.8%	158
Norwood	4.6%	20
Other	21.9%	97
Subtotal	**100%**	**441**
Housing Need by Area [4]		
Telluride	49.0%	216
Norwood / Placerville Area	24.0%	106
Mountain Village	11.0%	49
Other San Miguel County	11.0%	49
Lawson Hill	3.0%	13
Ridgway	1.0%	4
Outside San Miguel County	1.0%	4
Nucla / Naturita	0.0%	0
Subtotal	**100.0%**	**441**

[1] Current reported distribution of housing tenure types

[2] Preferred home type for SMC residents

[3] Based employee distribution in the county (2015).

[4] Preferred home location for SMC residents.

Source: Household and Commuter Surveys; Economic & Planning Systems

Figure 77
Existing Housing Need by Location and Tenure, 2018

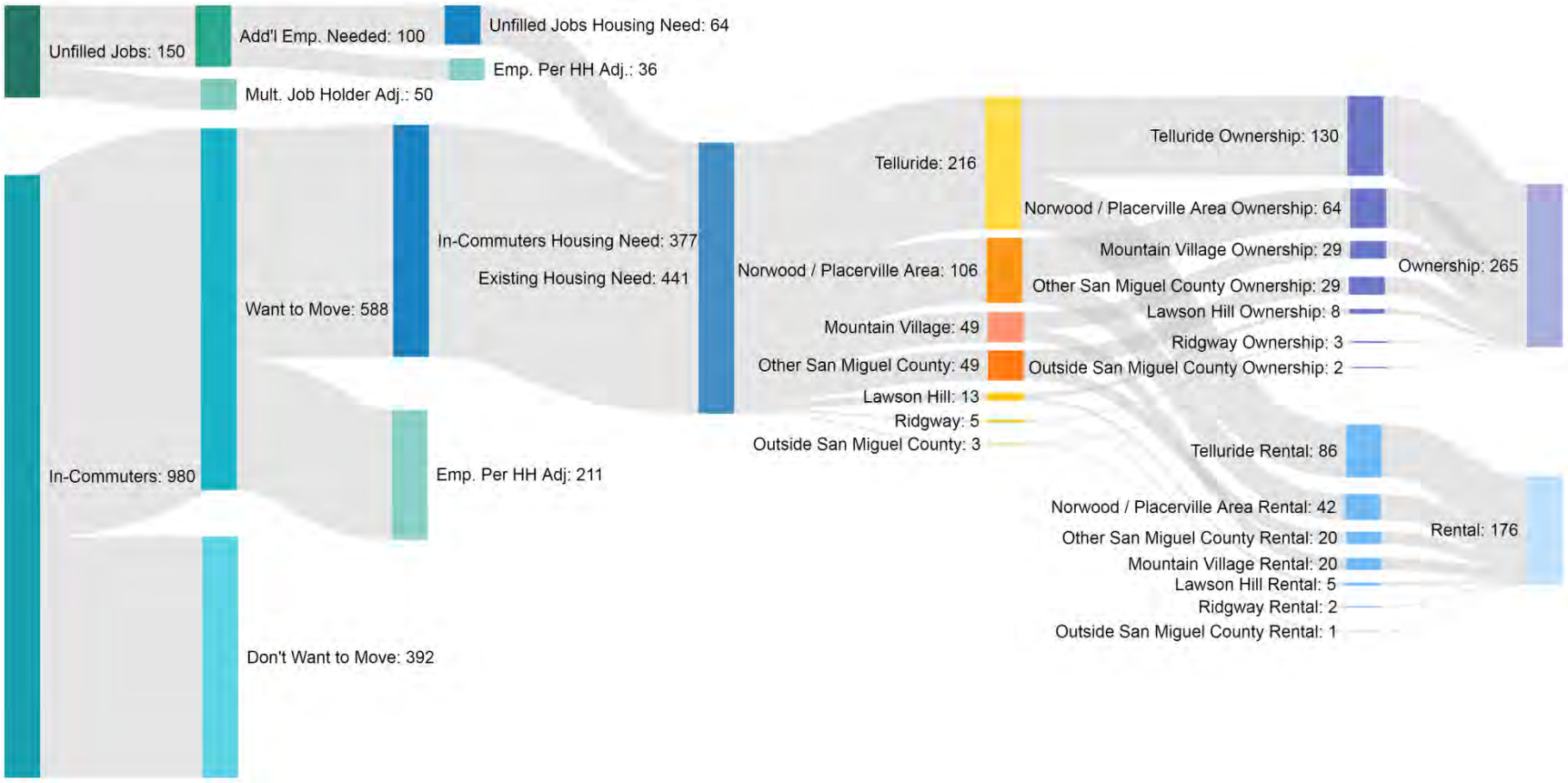
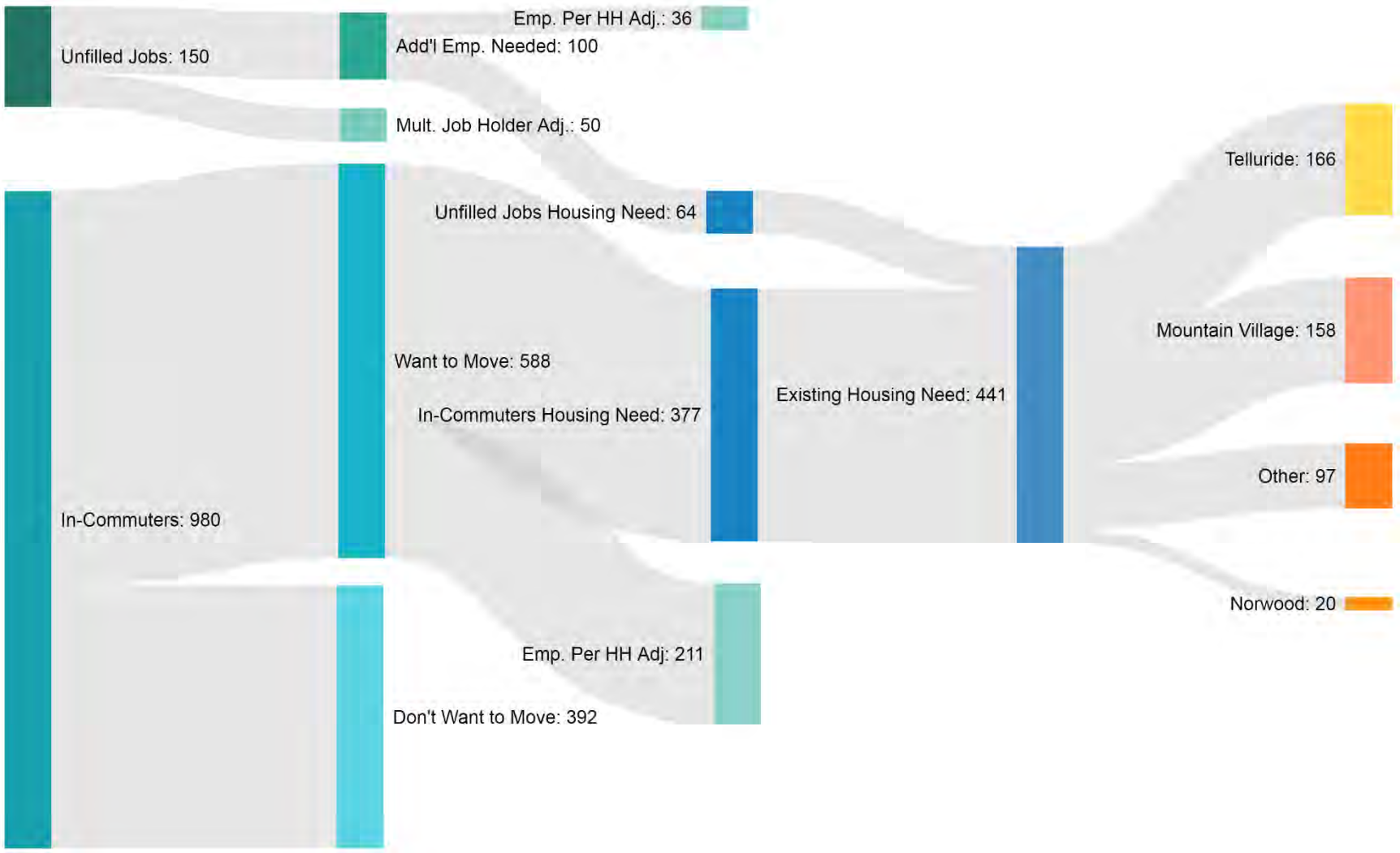


Figure 78
Existing Housing Need by Housing Type, 2018



Figure 79
Existing Housing Need by Employment Distribution, 2018



Forecasted Need

Future housing need is estimated based on forecasted employment growth between 2016 (the most recent year of employment data) and 2026. Over this period, employment is estimated to increase at roughly 1.0 percent per year, resulting in an additional 760 new jobs. Discounting for multiple job holders and the average number of employees per household, results in an estimated need for 325 housing units between 2016 and 2026, as shown in **Table 28**. Under a higher growth scenario, such as DOLA's forecast of 2.7 percent growth per year, need for additional housing units could increase as high as 948 units.

Based on the results of the 2018 Household Survey and the current distribution of employees throughout the County, forecasted need can also be broken out by tenure, type, geographic area, and employment type, as shown in **Table 29**, **Figure 80**, **Figure 81**, and **Figure 82**.

Table 28
Demand from Employment Growth, 2016-2026

Description	Amount
Employment Forecast	
Ann. Forecasted Growth Rate	1.00%
Employment (2016)	7,266
Employment (2026)	8,026
New Jobs	**760**
Employee Forecast	
Jobs per Employee	1.50
Additional Employees	**507**
Household Forecast	
Employees per household	1.56
Additional housing units needed	**325**

Source: Household and Commuter Surveys; Economic & Planning Systems

Table 29
Demand from Employment Growth by Type, 2016-2026

Description	% of Total	Amount
Housing Need by Tenure [1]		
Rental	40.0%	130
Ownership	60.0%	195
Subtotal	**100.0%**	**325**
Housing Need by Type [2]		
Single-Family	78.0%	253
Condominium	5.0%	16
Apartment	7.0%	23
Townhome / Duplex	6.0%	19
Other	4.0%	13
Subtotal	**100.0%**	**325**
Housing Need by Area (Preference) [3]		
Telluride	49.0%	159
Norwood / Placerville Area	24.0%	78
Mountain Village	11.0%	36
Other San Miguel County	11.0%	36
Lawson Hill	3.0%	10
Ridgway	1.0%	3
Outside San Miguel County	1.0%	3
Nucla / Naturita	0.0%	0
Subtotal	**100.0%**	**325**
Housing Need by Area (Emp. Dist.) [4]		
Telluride	37.7%	122
Mountain Village	35.8%	116
Norwood	4.6%	15
Other	21.9%	71
Subtotal	**100%**	**325**
Housing Need by Sector [5]		
Recreation/Entertainment	23.7%	77
Other occupation	19.4%	63
Professional Services, Real Estate, and Finance	19.3%	63
Bar, Restaurant, and Lodging	12.8%	42
Retail sales	11.3%	37
Health Care	8.4%	27
Construction	5.1%	17
Education and Child Care	0.0%	0
Government	0.0%	0
Subtotal	**100.0%**	**325**

[1] Current reported distribution of housing tenure types

[2] Preferred home type for SMC residents

[3] Preferred home location for SMC residents.

[4] Based employee distribution in the county (2015).

[5] Based on 2026 employment forecast by sector.

Source: Household and Commuter Surveys; Economic & Planning Systems

Figure 80
Future Housing Need by Location and Tenure, 2016-2026

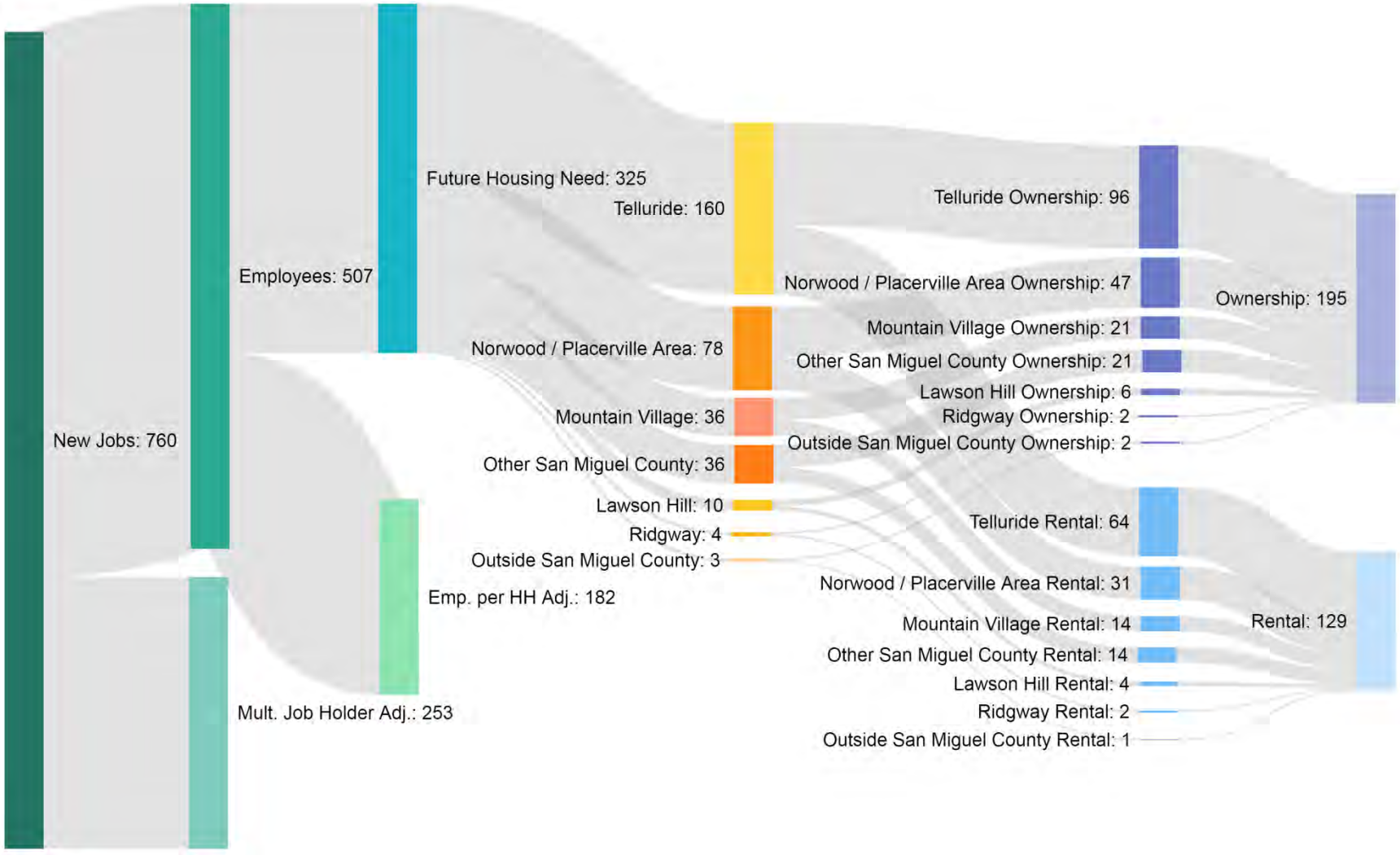


Figure 81
Future Housing Need by Housing Type, 2016-2026

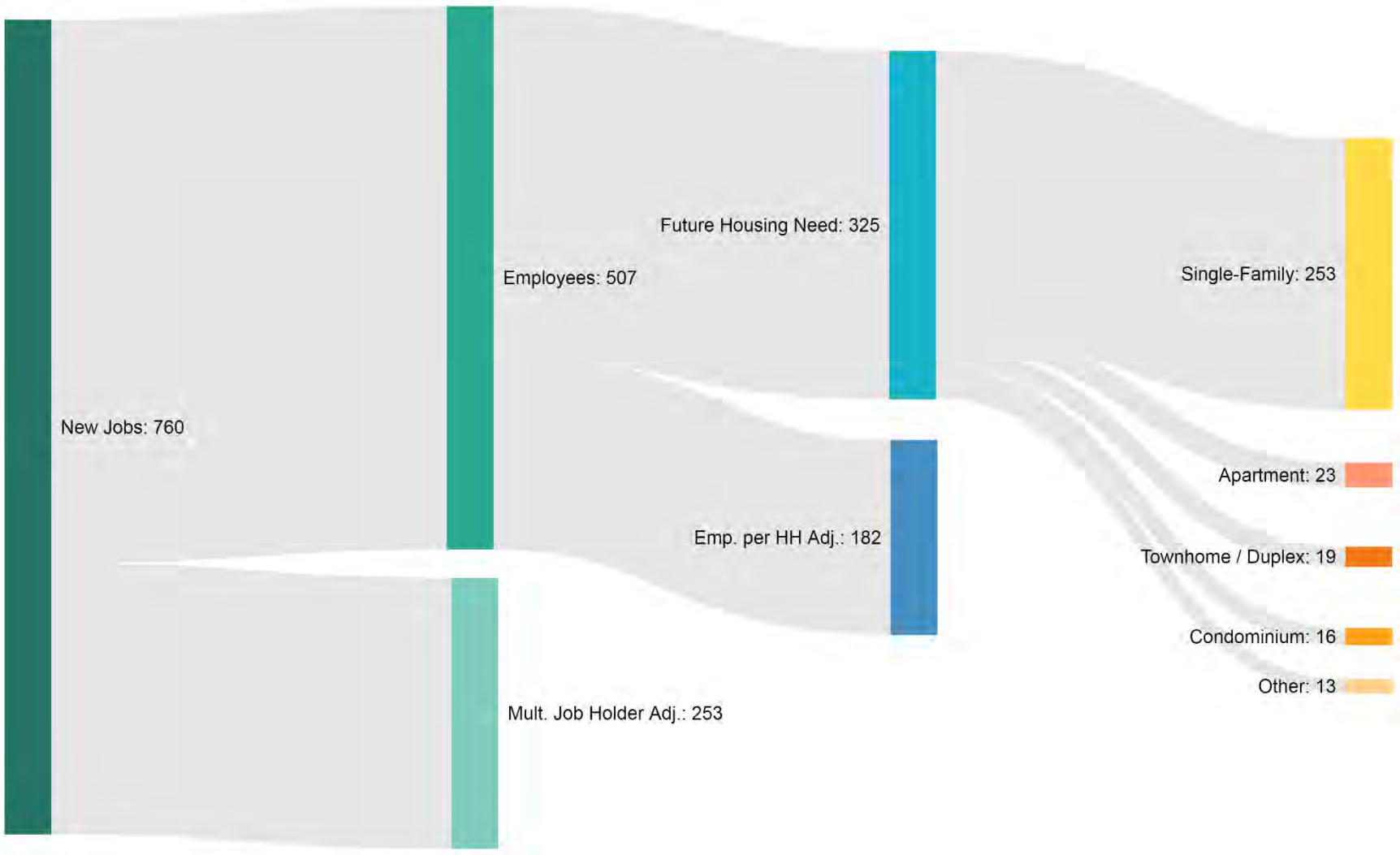
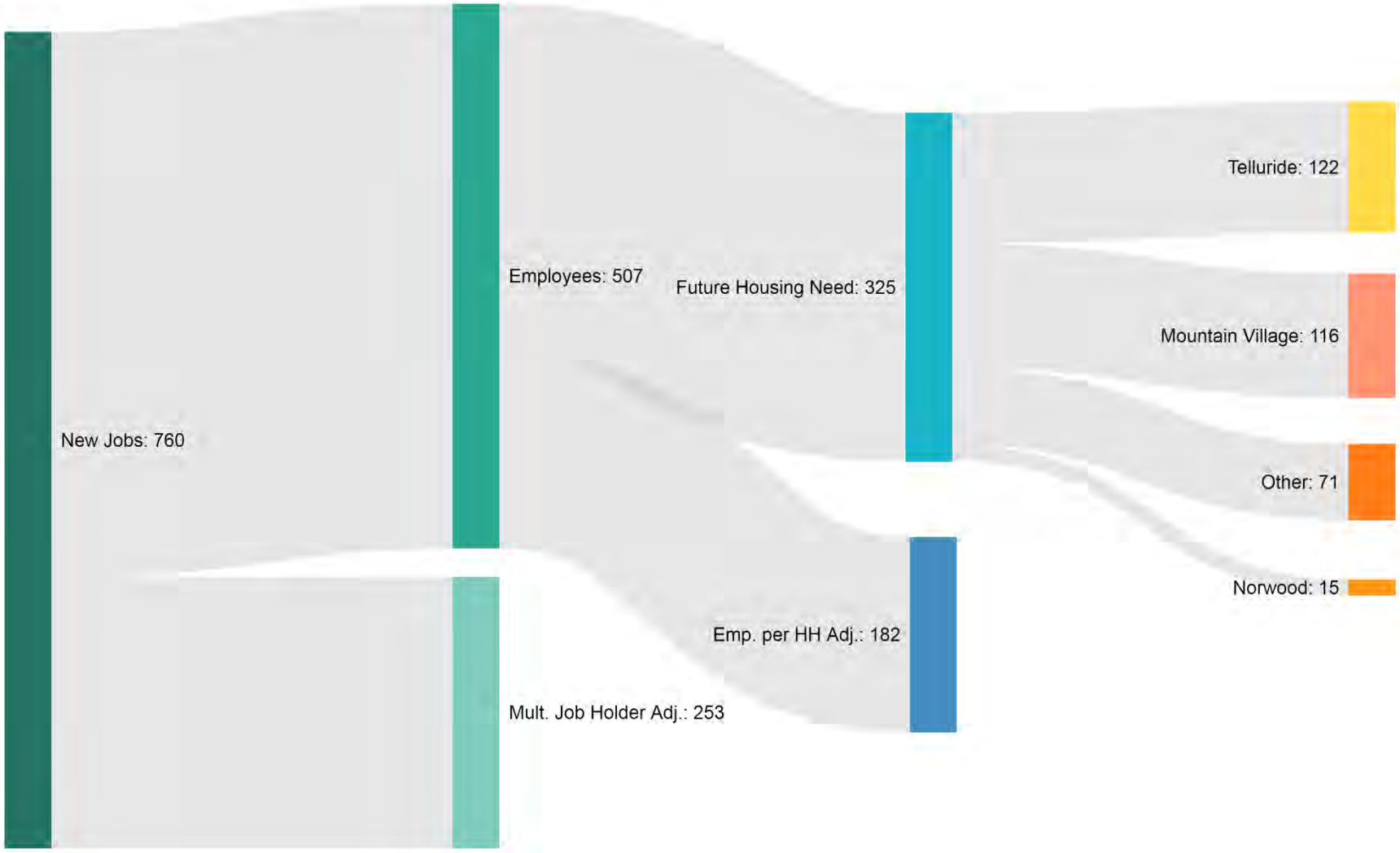


Figure 82
Future Housing Need by Employment Distribution, 2016-2026



Housing Need vs. Housing Demand

It is important to note the difference between stated housing need and actual housing demand. Housing need can be defined as the theoretical number of units that reflect the stated and calculated preference for housing. Housing demand is the actual number of units that the market will absorb as they are produced. Typically, actual housing demand is less than stated housing need, based on the following factors:

- Timing of product development and a given household's readiness to move often do not align.
- Unit type is a significant factor. Many households that are included in 'need' calculations are unwilling to move into units that are smaller and/or denser than what they prefer and thus would not be included in 'demand.'
- The loan qualification process eliminates many households that would be candidates for home ownership for any number of reasons.
- Regional factors play a role with a certain percentage of employees will simply not interested in living in San Miguel County or the Telluride Region.
- Deed restrictions on ownership units factor into demand. Some households would rather purchase a market rate unit in an outlying community, rather than one locally that comes with deed restrictions.

10. SUMMARY OF PRIOR STUDIES

To inform the work completed as part of this study, EPS reviewed and documented the information included in prior efforts. This information provides a comprehensive overview of the work completed in the past and established a solid foundation for the current study. The data and information obtained was analyzed to identify how the housing inventory, gap, and need have changed over time.

The following studies were reviewed to inform the analysis and recommendations included in this report.

- 2000 San Miguel Housing Needs Assessment
- 2004 Telluride Affordable Housing Strategic Plan
- 2008 Telluride Regional Housing Demand Analysis
- 2011 Ouray and San Miguel Counties Regional Housing Needs Assessment

The housing gaps and targets identified in the past were used as a starting point for the gap analysis completed in this study. A brief summary of previous studies is included to identify the key findings and housing analysis of the community at each point in time.

San Miguel Housing Needs Assessment (2000)

The San Miguel Housing Needs Assessment was conducted in 2000 by Rees Consulting to document the housing conditions, specifically the affordable housing supply. Household, employer, and commuter surveys were administered for the study and interviews were conducted with local real estate professionals, builders/developers, elected officials, and town staff.

The following provides a high level summary of the study's key findings:

- The assessment concluded that between 230 and 388 additional housing units were needed to bring housing demand and supply to a relative equilibrium.
- Results of the household survey determined that the majority of residents (97 percent) felt that finding affordable housing for people who work in San Miguel County is a problem.
- An estimated 715 households were burdened by the cost of the housing in which they reside, which directly impacted local employment.
- 60 percent of the employers reported unfilled jobs. During ski season there were 545 unfilled jobs and 714 unfilled jobs over the summer.
- There is an unmet demand for homeownership.

Telluride Affordable Housing Strategic Plan (2004)

The Telluride Affordable Housing Strategic Plan was completed in 2004 by EPS. The report is broken into five sections: affordable housing demand analysis; housing supply analysis; identification of housing needs; funding sources; and site identification.

The following provides a high level summary of the study's key findings:

- The net affordable housing need in 2004 was between 147 and 466 housing units based on a 60 percent target and 70 percent target, respectively.
- The potential supply of affordable housing units included the development of deed restricted housing, completion of partially built out developments, mitigation programs, and employee occupied free market units.
- There were an estimated 192 units that were lost to gentrification which also contributed to the reduction in the supply of affordable homes.
- Based on job growth and the existing shortfall, the estimated housing need by 2020 was between 1,096 and 1,573 housing units. It is important to note that need does not translate to actual demand on a one-to-one basis. By considering the impact of the market, the projected net demand of affordable housing units by 2020 was between 470 and 948 units.
- The plan identified the development potential of specific parcels to accommodate the existing and future housing demand. A proposed action plan included development goals in five-year increments through 2020.
- The study also evaluated the gap in demand and supply of housing for deed restricted renter and ownership households. Generally, regional deficits were concentrated in the rental market and ownership markets at 80 to 120 percent of AMI as well as the 120 percent and higher levels, as shown in **Table 30**. The greatest surplus was in rental units priced for households earning less than 60 percent of AMI.

Table 30
Telluride Region Deed Restricted Housing Gap, 2004

AMI Level	Owner	Renter
0%-60%	-2%	20%
60%-80%	17%	20%
80%-120%	6%	-12%
Over 120%	-29%	-20%

Source: Economic & Planning Systems

Telluride Regional Housing Demand Analysis (2008)

The Telluride Regional Housing Demand Analysis was conducted in 2008 by EPS. The scope of this study was to address the housing demand in the context of regional market conditions. The report focused on market supply, market demand, and market opportunities.

The following provides a high level summary of the study's key findings:

- Due to the substantial rental inventory produced to date, the focus should be on ownership projects.
- Optimal projects should include a mix of income levels and focus on larger units to balance the current inventory.
- A large percentage of the renter population cannot afford market rate units.
- Market rate for-sale housing was expected to appreciate at high annual rates, leaving a small percentage of market rate housing affordable for local workers.
- The net affordable housing need considers job growth, the historic deficit, and future deed restricted unit construction resulting in a deficit of 222 units.
- Because regional need does not translate directly to demand, future housing market absorption was projected at 30 to 35 units annually.
- Most local rental projects are used to address the needs below 80 percent of AMI. Therefore, the housing inventory for household incomes between 81 and 120 percent of AMI should be targeted for additional housing supply.
- The gap analysis, as shown in **Table 31**, had the largest gap at the lower income levels with 30 to 60 percent of AMI at 30 percent and 61 to 80 percent of AMI at 10 percent.

Table 31
Telluride Region Deed Restricted Housing Gap, 2008

AMI Level	Gap
31%-60%	-30%
61%-80%	-10%
81%-100%	-6%
101%-120%	1%
121%-150%	4%
151%-200%	5%
Over 200%	36%

Source: Economic & Planning Systems

Ouray and San Miguel Counties Regional Housing Needs Assessment (2011)

The Regional Housing Needs Assessment for Ouray and San Miguel Counties was conducted in 2011 by Rees Consulting and RRC Associates. The objectives were to update the affordable housing gap, test absorption scenarios, define the impacts of the commuter population, and to recommend strategies to guide decision making and local policy. Household, employer, and commuter surveys were administered for the study and interviews were conducted with town and County staff, mortgage lenders, realtors, property managers, transit operators, major employers, and non-profit organizations.

The following provides a high level summary of the study's key findings:

- In San Miguel County, the existing housing deficit was 320 units based on unfilled jobs and in-commuters.
- As a result of unfilled jobs, 60 units were needed to attract employees and 260 units were needed to house in-commuters who wanted to move into the County.
- Additional demand was identified for 2015 due to new job growth. The demand was 76 to 479 additional housing units, of which about half should be built in Telluride.
- The report included an action plan base on opinions about affordable housing from key stakeholders, analyst's recommendations, and an affordable housing development model that estimated the inventory to be developed by 2015.
- Gaps were identified for free market units up to the 200 to 250 percent AMI range based on sales the previous five years, as shown in **Table 32**. The gap extends to the 250 percent and over AMI category when the units listed for sale were examined. For deed restricted housing, the gap based on units sold in the previous five years was in the low-income households.

Table 32
San Miguel County Deed Restricted Housing Gap, 2011

AMI Level	Owner	Renter
30% or Less	-4.2%	-5.7%
30.1%-50%	-6.2%	30.0%
50.1%-80%	6.0%	2.4%
80.1%-100%	-13.9%	-0.9%
100.1%-120%	10.3%	-7.4%
120.1%-150%	10.8%	-
150.1%-200%	-1.6%	-
200.1%-250%	-0.6%	-
Over 250%	-0.5%	-

Source: RRC; Rees; Economic & Planning Systems

The study's recommendations included:

- Developing a comprehensive database of affordable housing inventory;
- Expanding the San Miguel Regional Housing Authority to serve Ouray County;
- Offering emergency housing assistance to provide funds to help with mortgage payments;
- A housing rehabilitation program to serve renters and owners;
- Leveraging funding from the Colorado Division of Housing and CHFA to develop more rental units in Telluride;
- Monitoring the number of mortgage lenders to insure mortgage availability is adequate;
- Efficiently summarizing the different types of deed restrictions in a document for the public to easily understand;
- Revisions and procedural changes to housing guidelines and deed restrictions should be considered to reduce the number of variances processed;
- Collaborating with economic development organizations to develop funding sources.

Prior Study Summary

Each report between 2000 and 2011 estimated an existing housing deficit for that period. **Table 33** summarizes the affordable housing deficit at each point in time. The range from the 2000 report is based on 9 percent and 39 percent of commuter households who might move to San Miguel County. The range from the 2004 report is based on a 60 percent and 70 percent target of employees living locally.

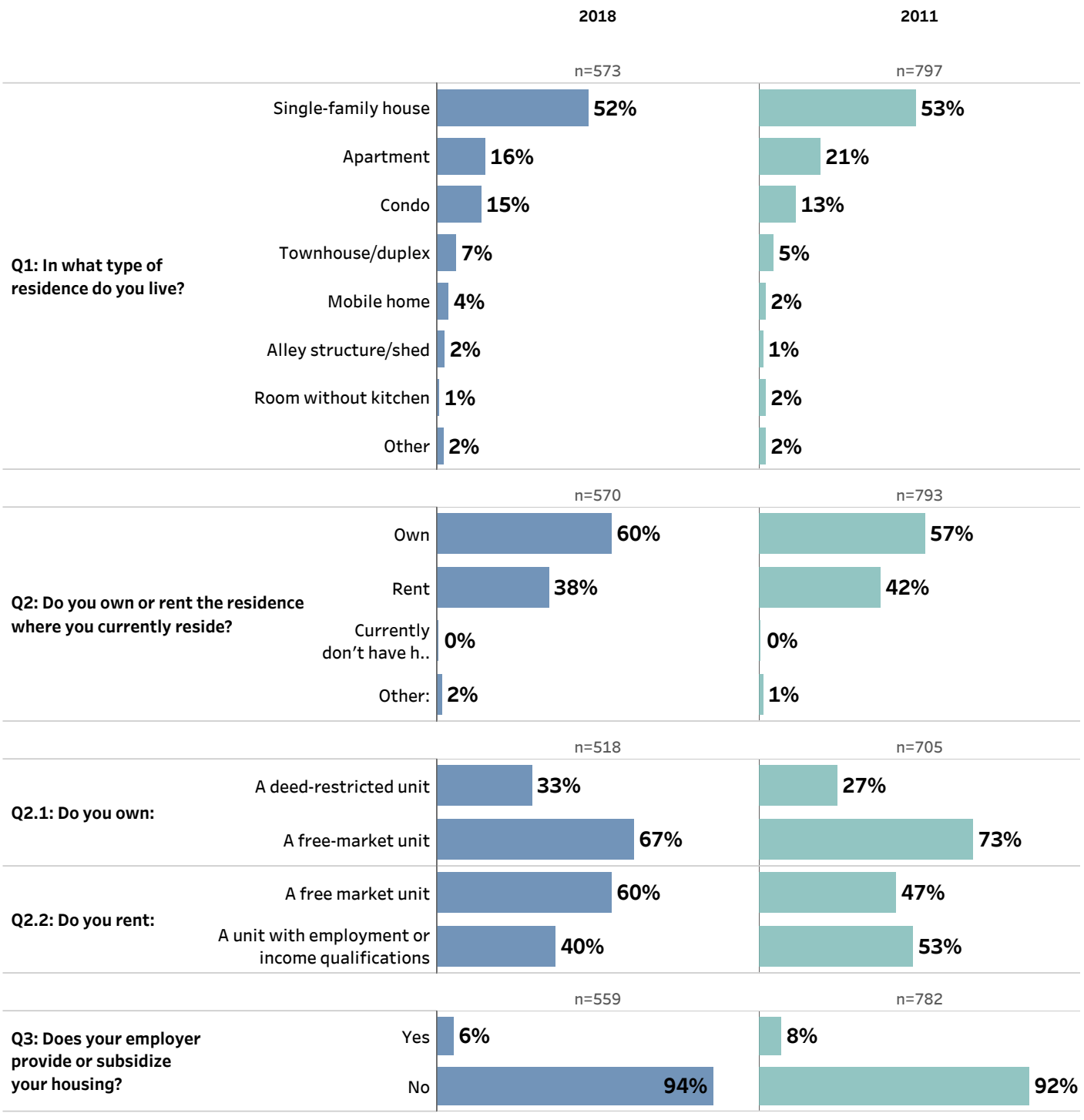
Table 33
Housing Deficit from Previous Reports

Description	2000	2004	2008	2011
Housing Deficit	230-388	147-466	222	320

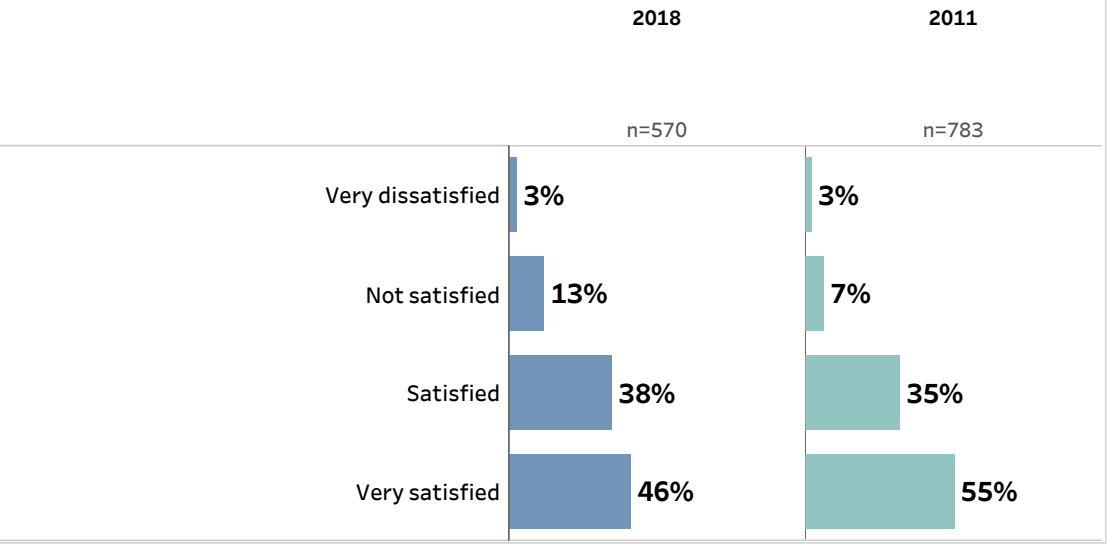
Source: Rees; RRC; Economic & Planning Systems



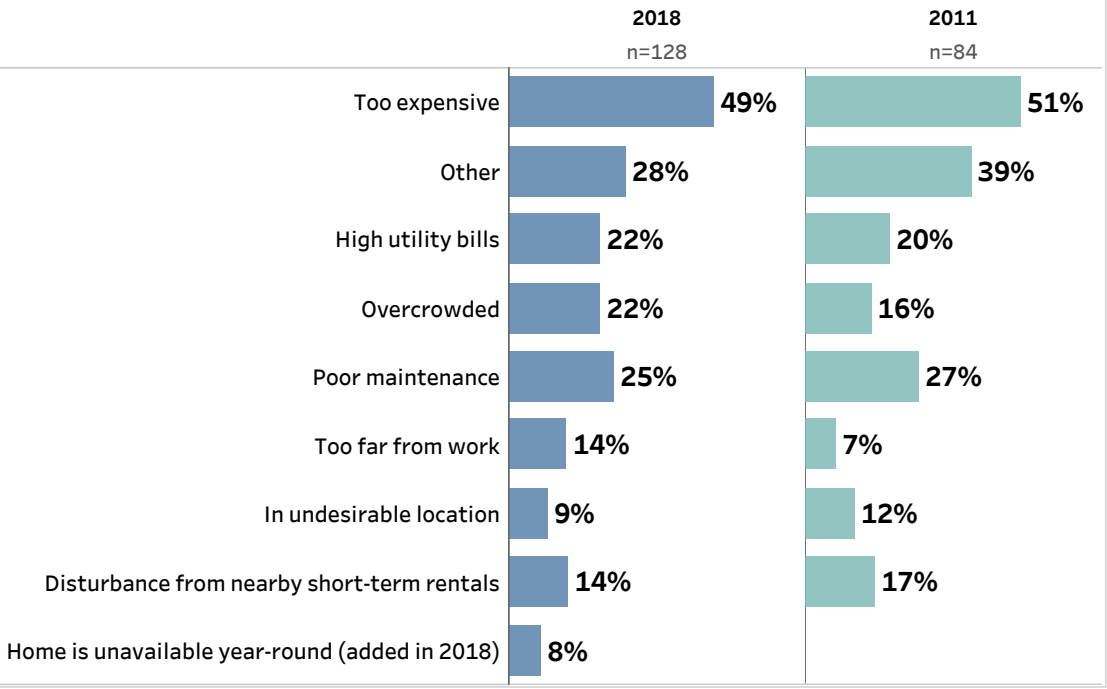
2018 Household Survey


2018
2011
n=573
n=797
Q1: In what type of residence do you live?
Single-family house 52% 53%
Apartment 16% 21%
Condo 15% 13%
Townhouse/duplex 7% 5%
Mobile home 4% 2%
Alley structure/shed 2% 1%
Room without kitchen 1% 2%
Other 2% 2%
n=570
n=793
Q2: Do you own or rent the residence where you currently reside?
Own 60% 57%
Rent 38% 42%
Currently don't have h.. 0% 0%
Other: 2% 1%
n=518
n=705
Q2.1: Do you own:
A deed-restricted unit 33% 27%
A free-market unit 67% 73%
Q2.2: Do you rent:
A free market unit 60% 47%
A unit with employment or income qualifications 40% 53%
n=559
n=782
Q3: Does your employer provide or subsidize your housing?
Yes 6% 8%
No 94% 92%
Average
n=562
n=728
Q4: How many of the following are in your home?
Bathrooms 1.9 1.9
n=568
n=772
Q4: How many of the following are in your home?
Bedrooms 2.4 2.4

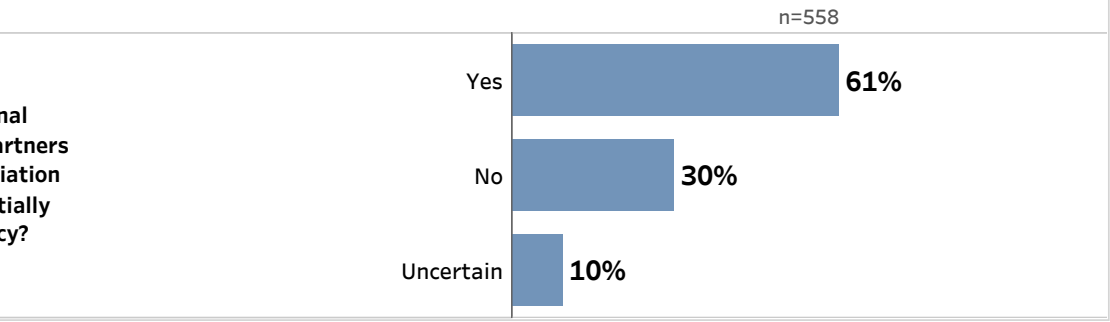
Q5: Which choice best describes your satisfaction with your current residence:



Q6: If you are not satisfied or very dissatisfied with your home, why? (Check all that apply)



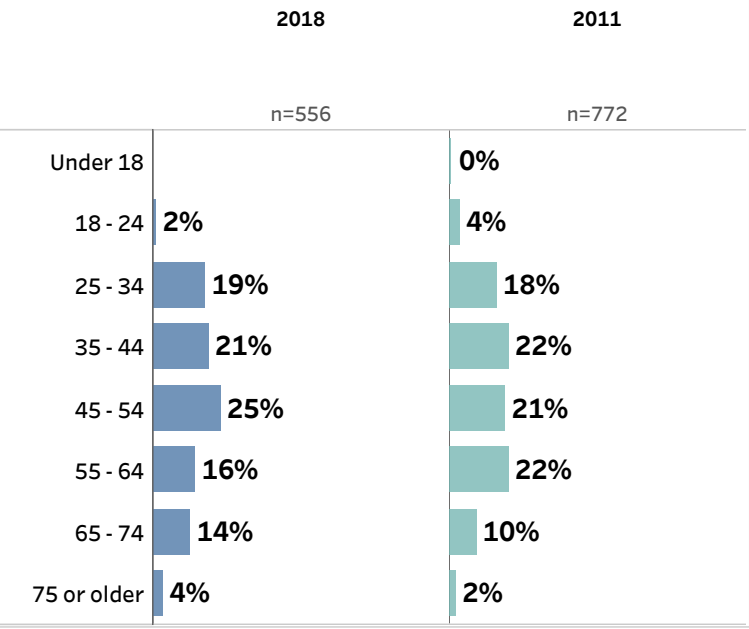
Q7: Are you aware of regional programs like EcoAction Partners or San Miguel Power Association that are available to potentially assist with energy efficiency?



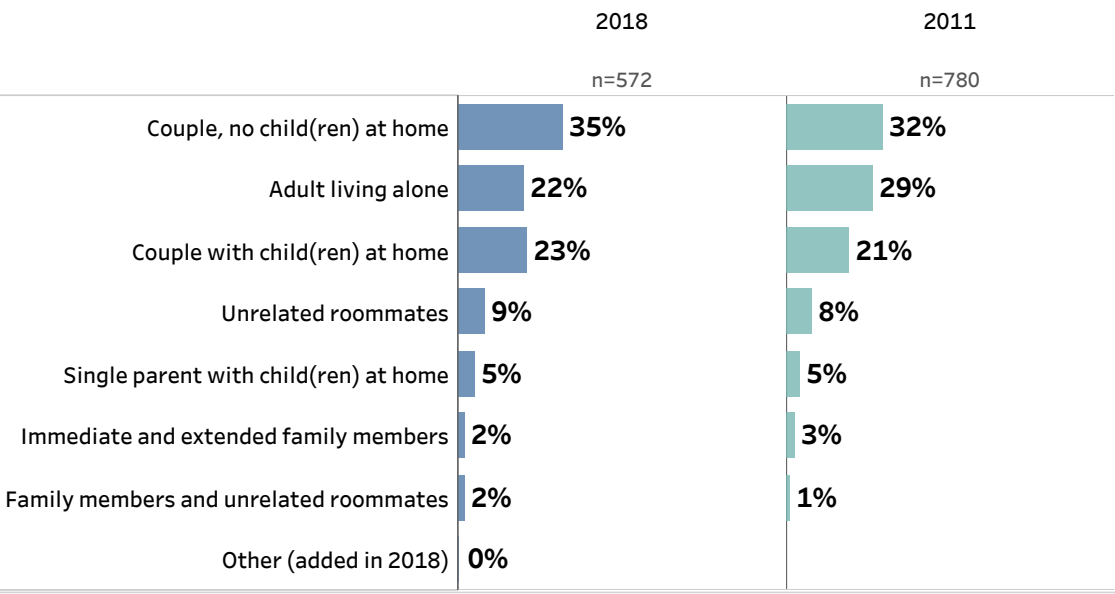
About Your Household | 2018 vs. 2011 San Miguel Only

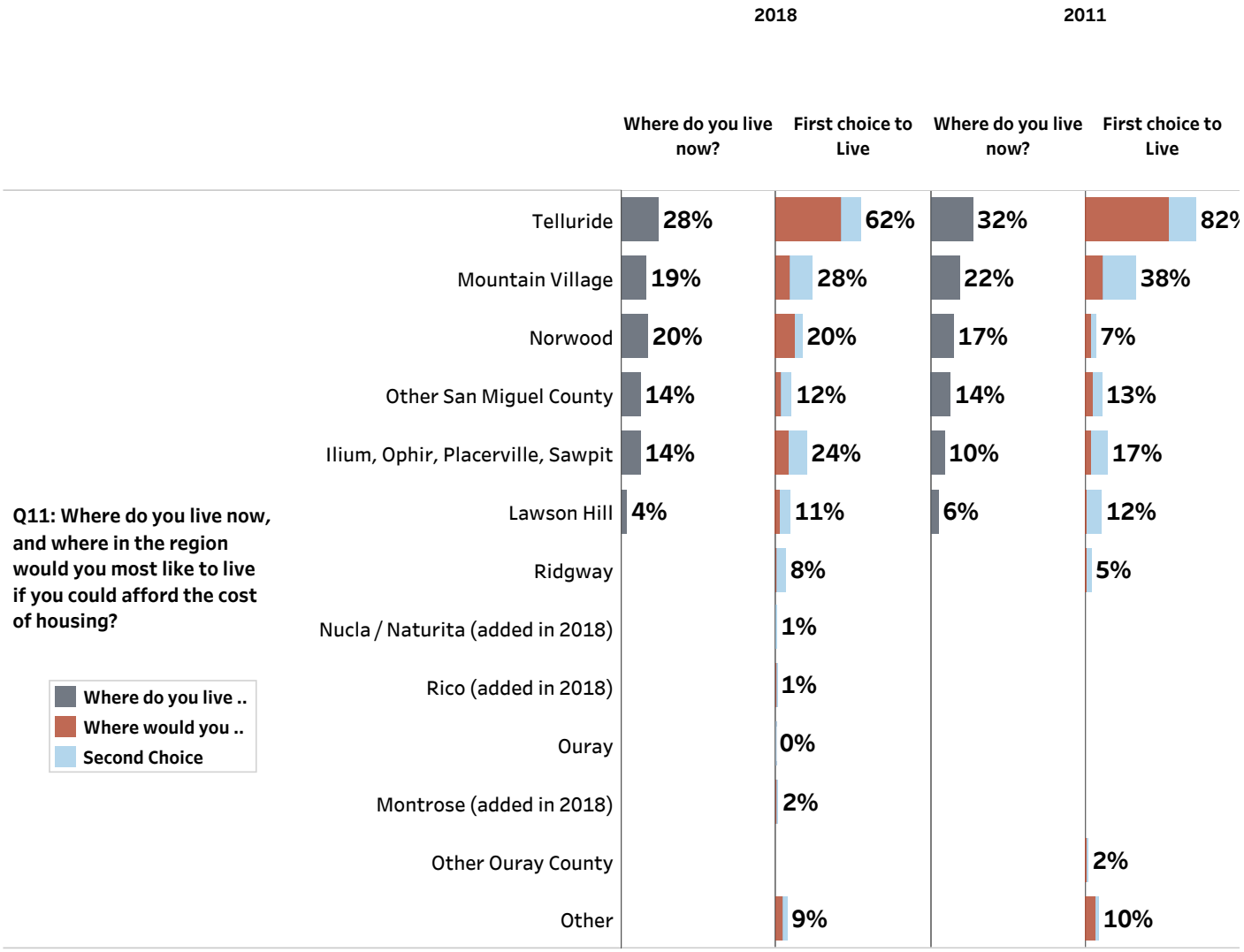
	Average	
	n=571	n=792
Q8: How many people live in your household, including yourself?	2.4	2.1
	n=572	n=792
Q8.1: How many of these persons are under the age of 18?	0.5	0.4

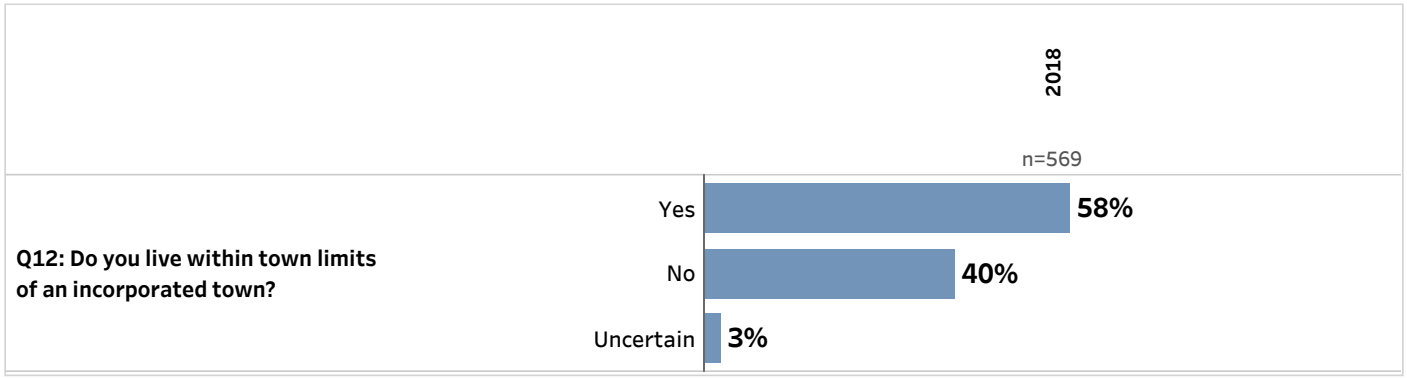
Q9: In what year were you born?

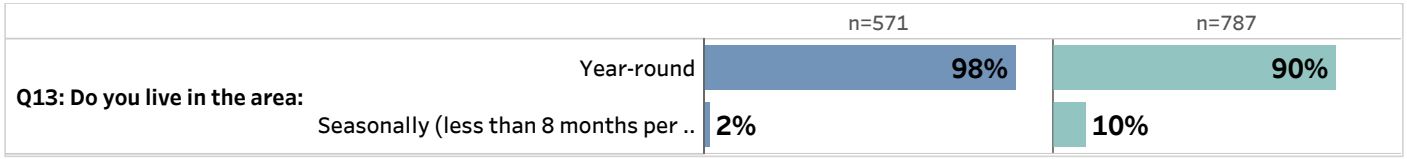


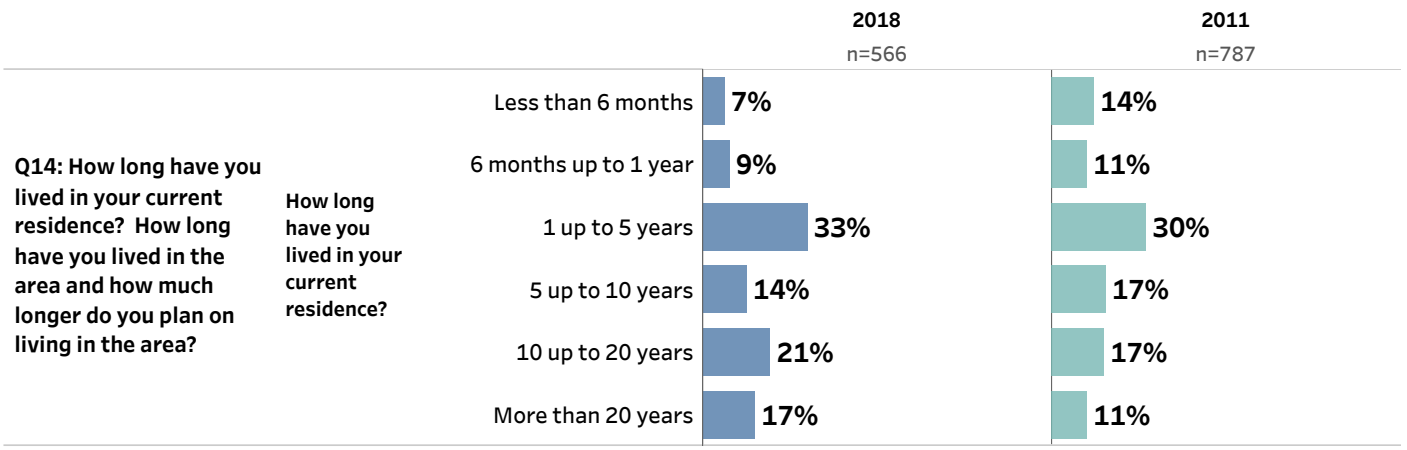
Q10: Which of the following best describes your household?

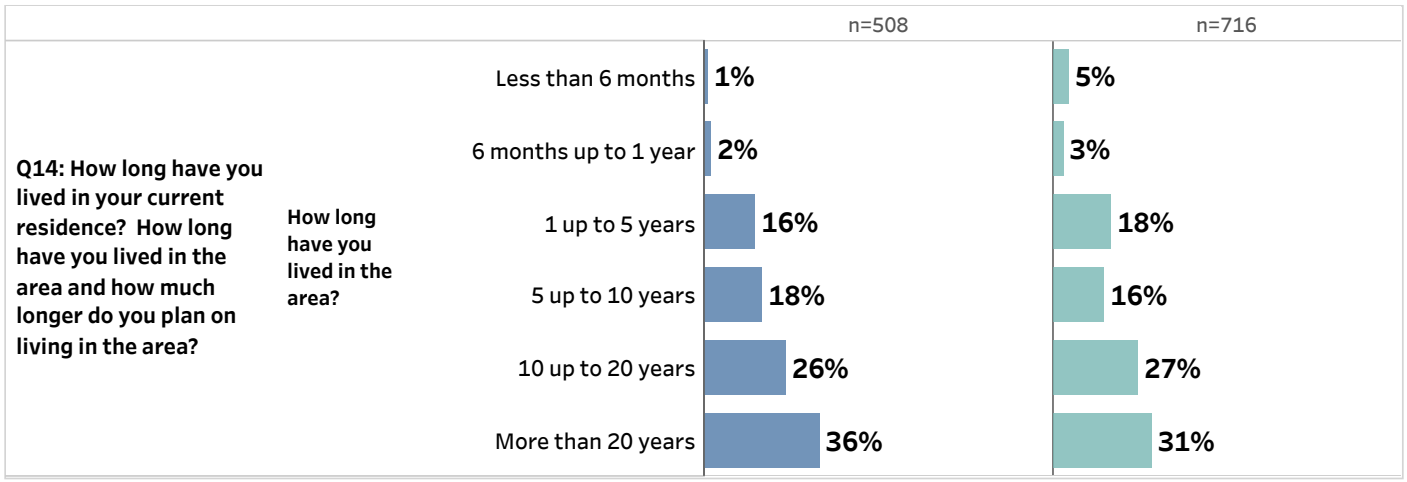


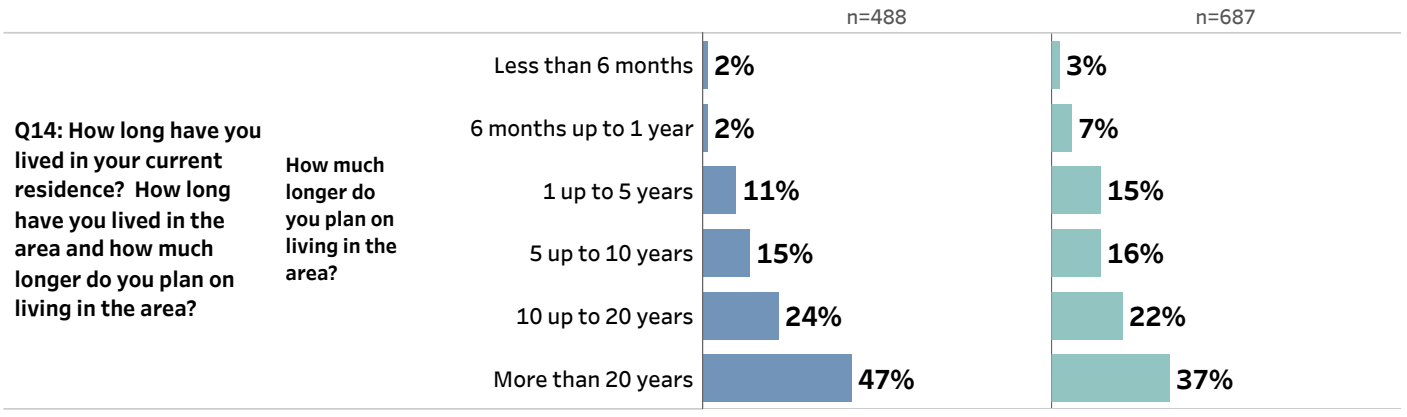

2018
2011
Where do you live now?
First choice to Live
Where do you live now?
First choice to Live
Telluride 28% 62% 32% 82%
Mountain Village 19% 28% 22% 38%
Norwood 20% 20% 17% 7%
Other San Miguel County 14% 12% 14% 13%
Ilium, Ophir, Placerville, Sawpit 14% 24% 10% 17%
Lawson Hill 4% 11% 6% 12%
Ridgway 8% 5%
Nucla / Naturita (added in 2018) 1%
Rico (added in 2018) 1%
Ouray 0%
Montrose (added in 2018) 2%
Other Ouray County 2%
Other 9% 10%
Q11: Where do you live now, and where in the region would you most like to live if you could afford the cost of housing?
Where do you live ..
Where would you ..
Second Choice


2018
n=569
Yes 58%
No 40%
Uncertain 3%
Q12: Do you live within town limits of an incorporated town?


n=571
n=787
Year-round 98% 90%
Seasonally (less than 8 months per .. 2% 10%
Q13: Do you live in the area:

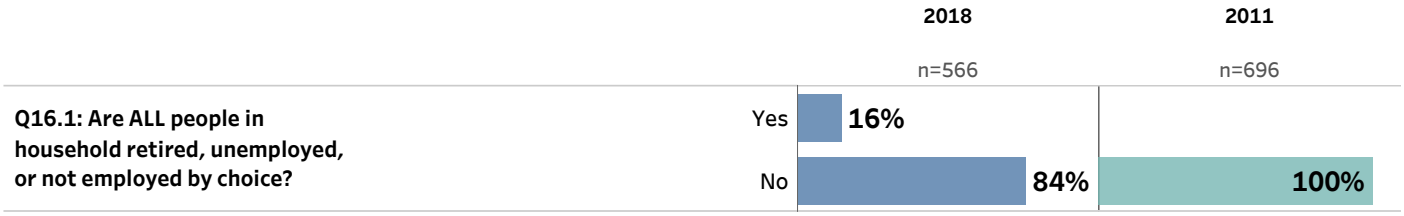

2018
n=566
2011
n=787
Q14: How long have you lived in your current residence? How long have you lived in the area and how much longer do you plan on living in the area?
How long have you lived in your current residence?
Less than 6 months
7%
14%
6 months up to 1 year
9%
11%
1 up to 5 years
33%
30%
5 up to 10 years
14%
17%
10 up to 20 years
21%
17%
More than 20 years
17%
11%


n=508
n=716
Q14: How long have you lived in your current residence? How long have you lived in the area and how much longer do you plan on living in the area?
How long have you lived in the area?
Less than 6 months
1%
5%
6 months up to 1 year
2%
3%
1 up to 5 years
16%
18%
5 up to 10 years
18%
16%
10 up to 20 years
26%
27%
More than 20 years
36%
31%

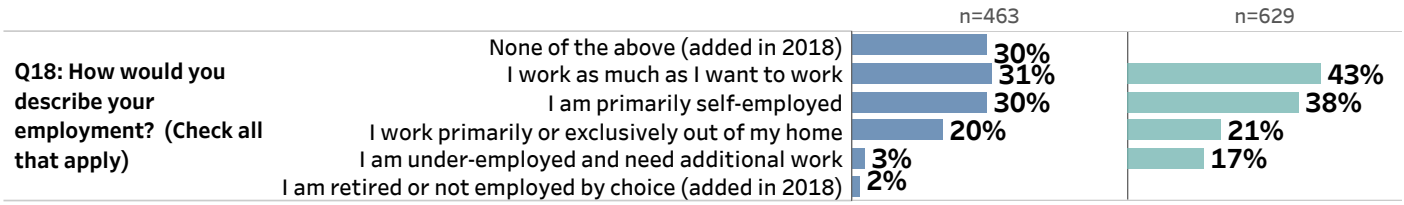

n=488
n=687
Q14: How long have you lived in your current residence? How long have you lived in the area and how much longer do you plan on living in the area?
How much longer do you plan on living in the area?
Less than 6 months
2%
3%
6 months up to 1 year
2%
7%
1 up to 5 years
11%
15%
5 up to 10 years
15%
16%
10 up to 20 years
24%
22%
More than 20 years
47%
37%

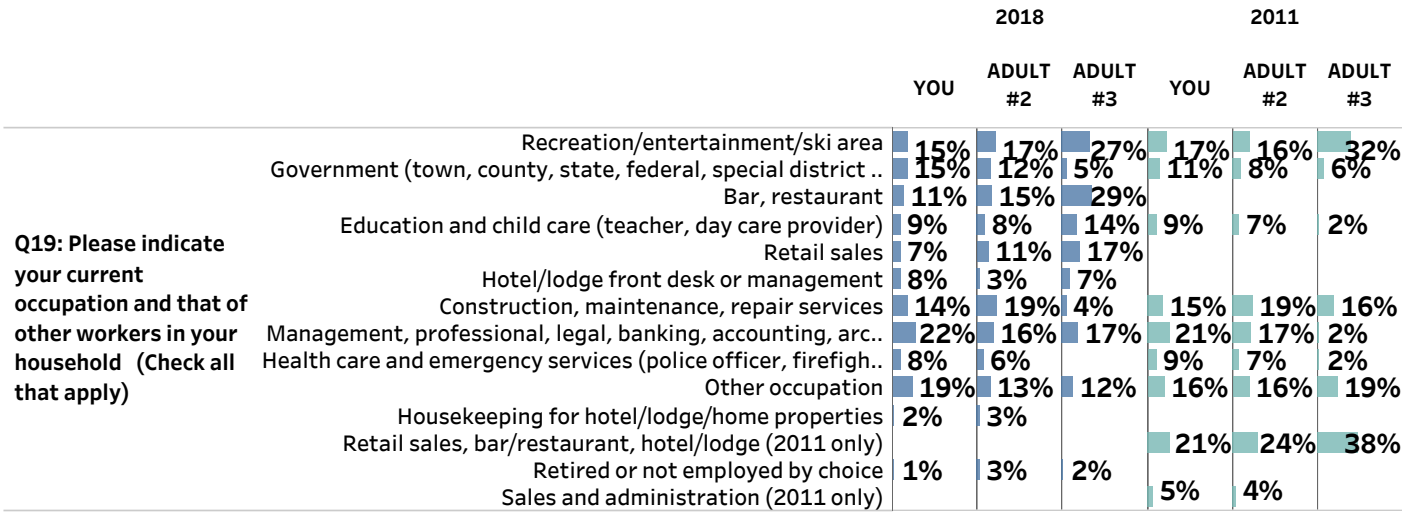

n=528
Q15: Are you registered..
Yes

		Average	
		n=564	n=696
Q16: Including yourself, how many adults (age 18 and over) in your household are in the following categories?	Employed	1.6	1.4
	Not employed by choice (e g , homemaker, student, volunteer, etc.)	0.1	0.0
	Retired	0.2	0.1
	Unemployed and looking for work	0.0	0.1



			Average	
Q17: How many jobs do the employed adults (age 18 and over) in your household currently work?	YOU (ADULT #1)	Full-time jobs (> 30 hrs/week)	0.9	0.9
		Part-time jobs (< 30 hrs/week)	0.5	0.5
		TOTAL JOBS	1.5	1.4
Q17: How many jobs do the employed adults (age 18 and over) in your household currently w..	OTHER ADULT (#2)	Full-time jobs (> 30 hrs/week)	0.9	0.8
		Part-time jobs (< 30 hrs/week)	0.5	0.4
		TOTAL JOBS	1.4	1.2
Q17: How many jobs do the employed adults (age 18 and over) in your household currently w..	OTHER ADULT (#3)	Full-time jobs (> 30 hrs/week)	0.9	0.9
		Part-time jobs (< 30 hrs/week)	0.6	0.5
		TOTAL JOBS	1.5	1.4



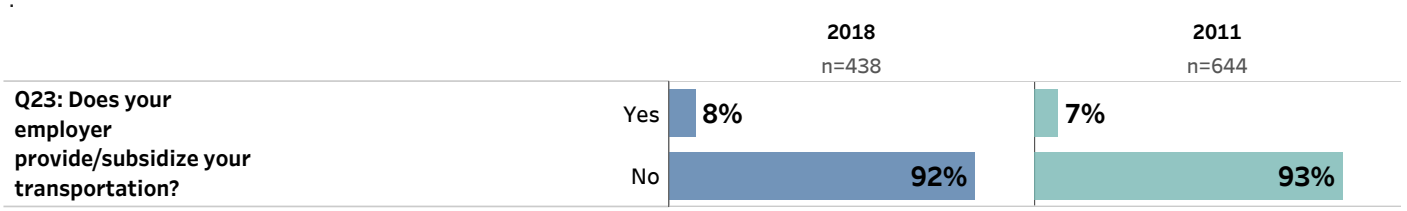


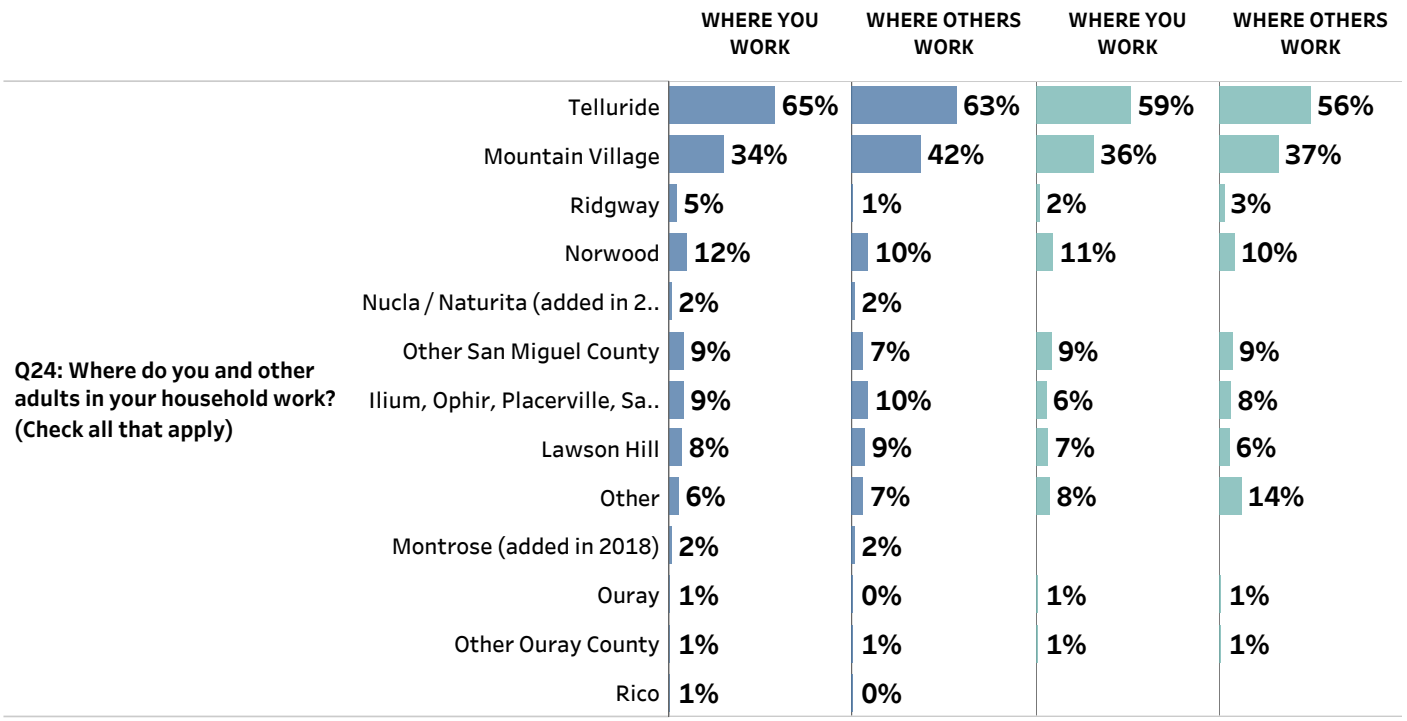
Employment and Commuting, Continued | 2018 vs. 2011 San Miguel Only

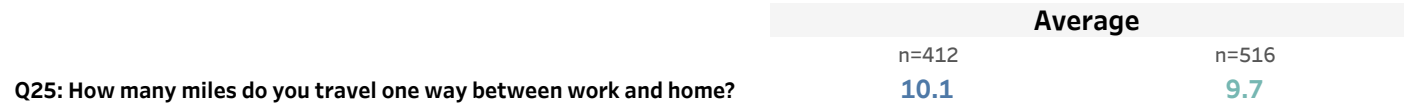
		Average	
		2018	2011
		n=372	n=554
Q20: (If you currently work) How many days per week do you typically use the following modes of transportation to get to work?	Drive alone	2.2	1.9
	Walk or bike	1.2	2.0
	Work at home/telecommute	0.5	
	Carpool (2-4 people)	0.5	0.4
	Gondola/Chondola (added in ..	0.4	
	Bus Enter	0.2	0.2
	Other mode	0.0	0.2
	Vanpool (5+ people)	0.0	0.0

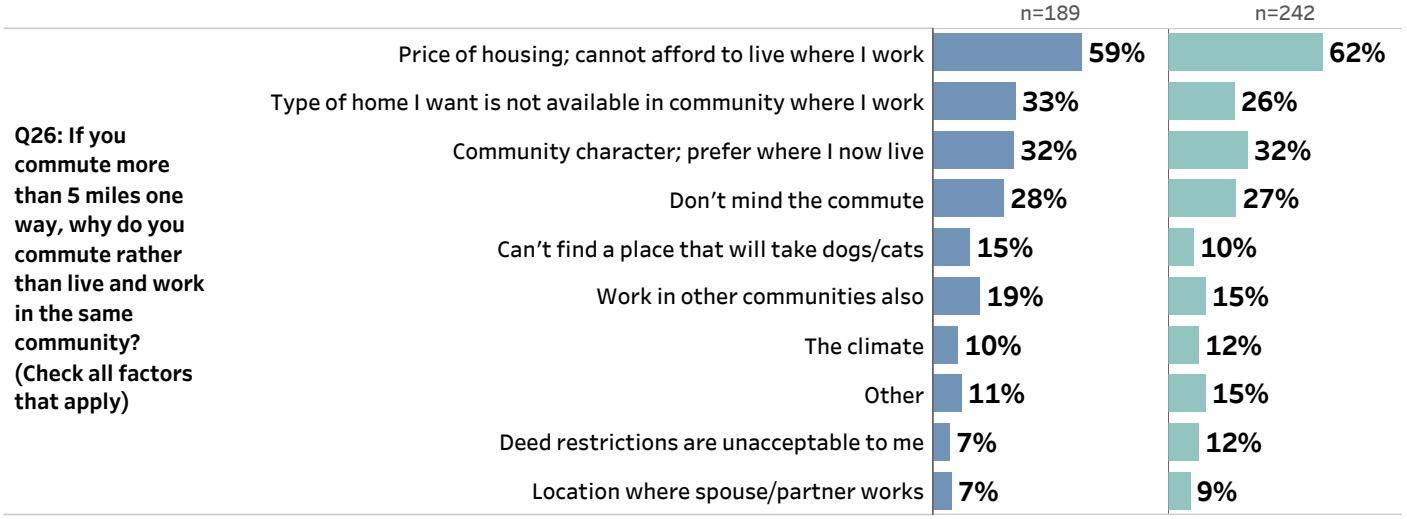
		n=400
Q21: (If you do not currently use transit/bus) Would you use transit service (bus or van) if it were provided for your work commute to and from home?	Yes	47%
	No	31%
	Uncertain	22%

		Arrival time at work	Departure time from work	Arrival time at work	Departure time from work
Q22: At what time do you typically arrive at and depart from your primary job? (Enter time and check AM or PM)	Before 7:00 AM	8%	2%	10%	4%
	7:00-7:59 AM	21%		25%	0%
	8:00-8:59 AM	36%	0%	39%	1%
	9:00-9:59 AM	21%		15%	
	10:00-10:59 AM	5%		4%	
	11:00-11:59 AM	0%	1%	2%	0%
	12:00-12:59 PM	1%	0%	1%	1%
	1:00-1:59 PM	1%	0%	0%	0%
	2:00-2:59 PM	1%	1%	1%	2%
	3:00-3:59 PM	3%	5%	1%	7%
	4:00-4:59 PM	2%	13%	2%	20%
	5:00-5:59 PM	0%	47%	1%	37%
	6:00-6:59 PM		13%		14%
	After 7:00 PM		16%	1%	13%


2018
n=438
2011
n=644
Q23: Does your employer provide/subsidize your transportation?
Yes
No
8%
92%
7%
93%


WHERE YOU WORK
WHERE OTHERS WORK
WHERE YOU WORK
WHERE OTHERS WORK
Q24: Where do you and other adults in your household work? (Check all that apply)
Telluride 65% 63% 59% 56%
Mountain Village 34% 42% 36% 37%
Ridgway 5% 1% 2% 3%
Norwood 12% 10% 11% 10%
Nucla / Naturita (added in 2.. 2% 2%
Other San Miguel County 9% 7% 9% 9%
Ilium, Ophir, Placerville, Sa.. 9% 10% 6% 8%
Lawson Hill 8% 9% 7% 6%
Other 6% 7% 8% 14%
Montrose (added in 2018) 2% 2%
Ouray 1% 0% 1% 1%
Other Ouray County 1% 1% 1% 1%
Rico 1% 0%


Average
n=412
n=516
Q25: How many miles do you travel one way between work and home?
10.1
9.7


n=189
n=242
Q26: If you commute more than 5 miles one way, why do you commute rather than live and work in the same community? (Check all factors that apply)
Price of housing; cannot afford to live where I work 59% 62%
Type of home I want is not available in community where I work 33% 26%
Community character; prefer where I now live 32% 32%
Don't mind the commute 28% 27%
Can't find a place that will take dogs/cats 15% 10%
Work in other communities also 19% 15%
The climate 10% 12%
Other 11% 15%
Deed restrictions are unacceptable to me 7% 12%
Location where spouse/partner works 7% 9%

Q27: For you and your household, how important are the following items in your choice for housing?

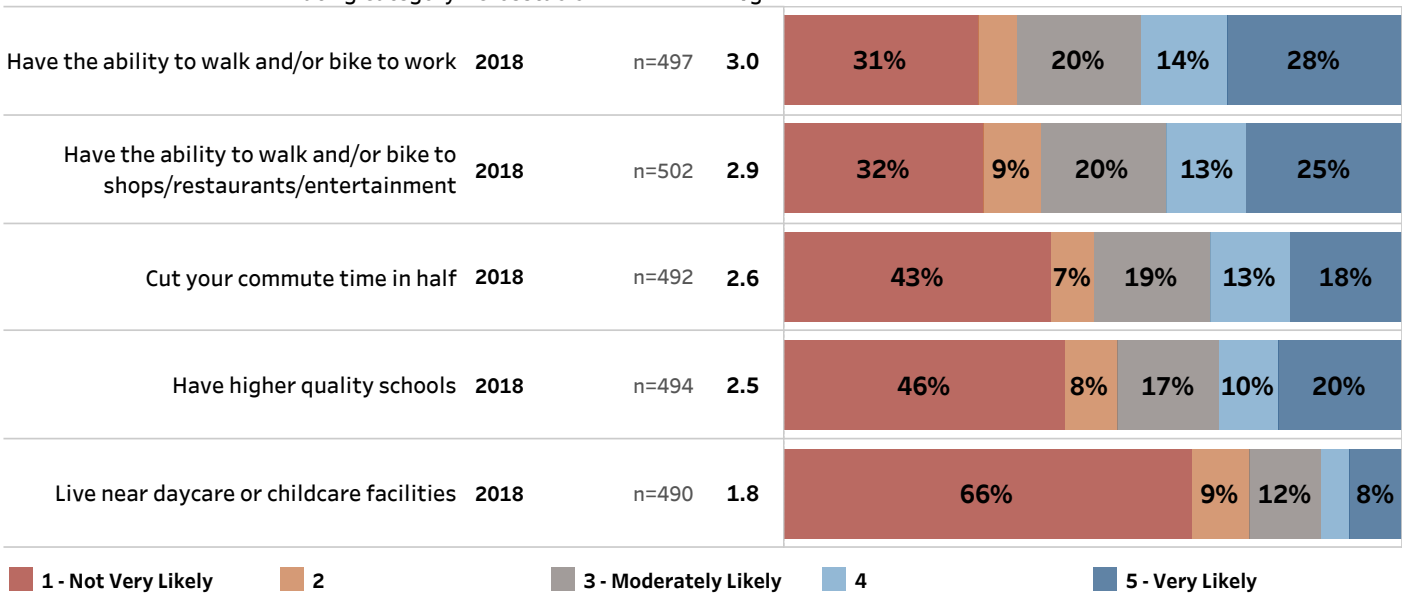
Rating Category	Crosstab by Calc	N=	Avg	1 - Not at all Important	2	3	4	5 - Extremely Important
In-unit washer/dryer	2018	n=530	4.5	7%			19%	70%
	2011	n=766	4.4		10%		19%	65%
Private yard/outdoor space	2018	n=533	4.1	8%		17%	22%	50%
	2011	n=767	4.0			16%	26%	47%
Extra storage	2018	n=526	4.0	7%		17%	32%	41%
	2011	n=760	3.9			22%	33%	36%
On-site wireless service	2018	n=528	4.3			11%	21%	59%
	2011	n=760	3.6	15%	8%	20%	18%	40%
Energy efficiency/green building	2018	n=530	3.8			26%	30%	33%
	2011	n=758	3.9			23%	37%	31%
Views	2018	n=533	3.8		9%	24%	29%	34%
	2011	n=757	3.9			21%	36%	32%
Pets allowed	2018	n=529	3.8	16%		13%	12%	53%
	2011	n=759	3.8	14%		14%	14%	51%
Near trails/bikepaths	2018	n=526	3.6	8%	10%	25%	23%	33%
	2011	n=758	3.7	8%	7%	20%	32%	31%
Garage/covered parking	2018	n=525	3.3	16%	15%	19%	24%	27%
	2011	n=762	3.4	12%	13%	25%	21%	29%
Garden space	2018	n=529	3.4	10%	16%	23%	20%	30%
	2011	n=761	3.3	18%	11%	24%	23%	24%
Near public transportation	2018	n=526	3.3	14%	16%	22%	22%	24%
	2011	n=758	3.3	15%	10%	26%	26%	23%

Q27.1: Would you be very likely to pay 20% or more to achieve any of the categories listed above?

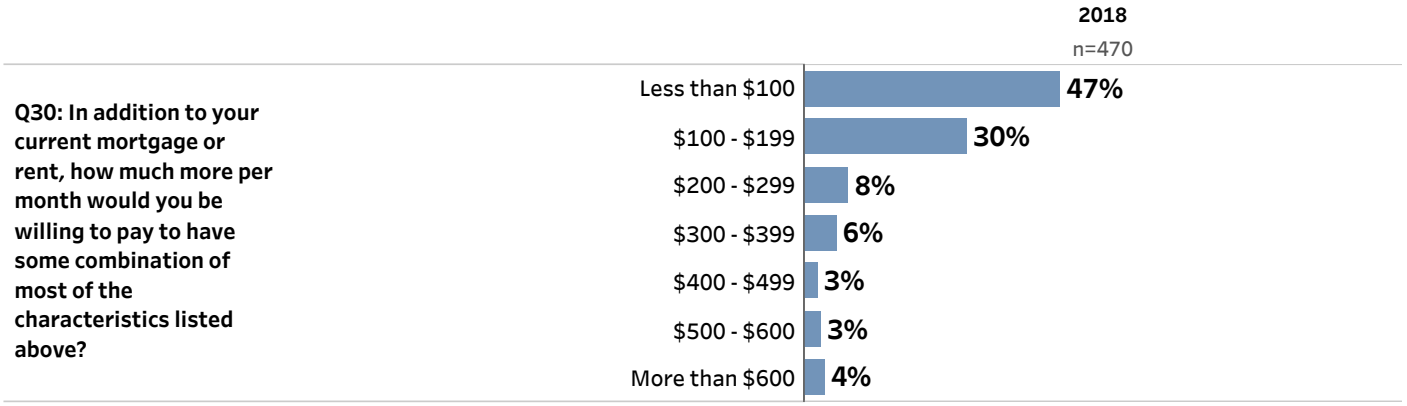


Q28: On a scale of 1 to 5 where 1 is "not very likely" and 5 is "very likely," how likely are you to pay 10% more per month on housing to achieve the following?

Rating Category	Crosstab b..	N=	Avg
Have the ability to walk and/or bike to work	2018	n=497	3.0
Have the ability to walk and/or bike to shops/restaurants/entertainment	2018	n=502	2.9
Cut your commute time in half	2018	n=492	2.6
Have higher quality schools	2018	n=494	2.5
Live near daycare or childcare facilities	2018	n=490	1.8



Q30: In addition to your current mortgage or rent, how much more per month would you be willing to pay to have some combination of most of the characteristics listed above?

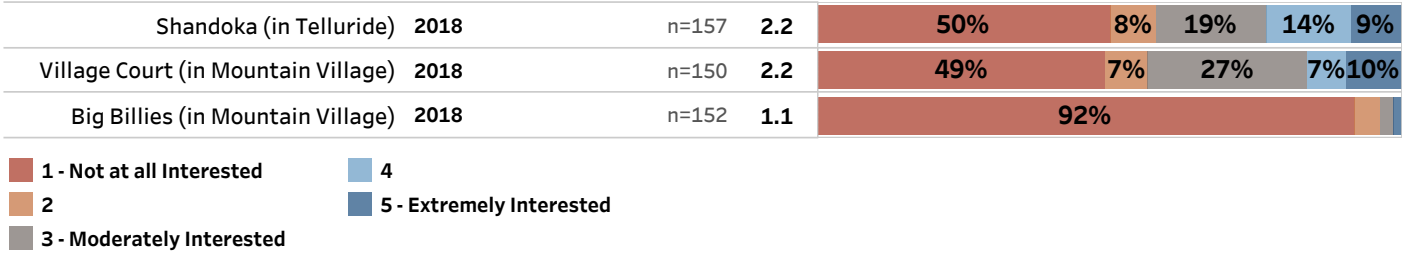


Q31: Do you currently live in any of the following rental properties? (Check if ap..



Q31.1: how interested would you be in living in these rental properties in the future?

Rating Category	Crosstab by Calc	N=	Avg
Shandoka (in Telluride)	2018	n=157	2.2
Village Court (in Mountain Village)	2018	n=150	2.2
Big Billies (in Mountain Village)	2018	n=152	1.1



Q32: In the next five years, do you want to move into other ..

	2018 n=533	2011 n=762
Move into a different home in the area	39%	45%
Stay in my current home	61%	55%

Q33: If you want to move into a different home in the area in the next 5 years: Would you like to:

	n=189	n=265
Buy	55%	37%
Rent	27%	36%
Checked both buy and rent (pa..	18%	27%

	Average	
	n=133	n=180
Q33: Buy, for a price not to exceed:	$372,435	$281,543
	n=79	n=152
Q33: Rent, for a monthly payment not to exceed:	$1,207	$957

Q34: What types of residences would be your top choice, given what you can afford?

	2018 n=185	2011 n=224	2011 n=228
Single-family one-story home	70%	52%	27%
Single-family multi-story home	50%	32%	33%
Townhome/duplex	19%	3%	10%
Condominium	25%	11%	6%
(No second choice selected)	10%		14%
Apartment	14%	1%	5%
Manufactured home	10%	1%	3%
Employee/accessory dwelling	2%		1%
Single room with shared kitchen	0%		0%

Q35: Ideally, how many bedrooms and bathrooms would you need?

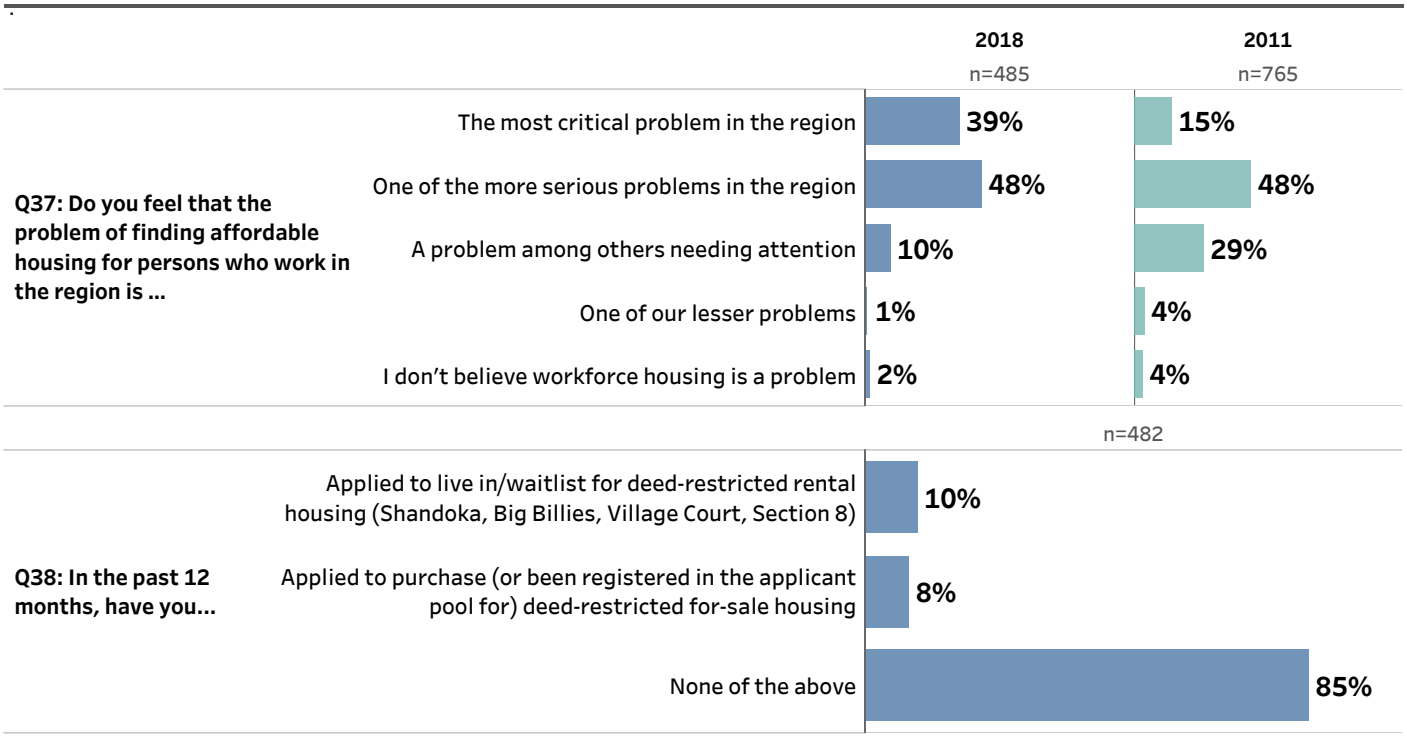
	Average	
	2018	2011
Bathrooms	1.9	1.9
Bedrooms	2.4	2.4

Q36: If you want to rent, why is renting your choice? (Check all that apply)

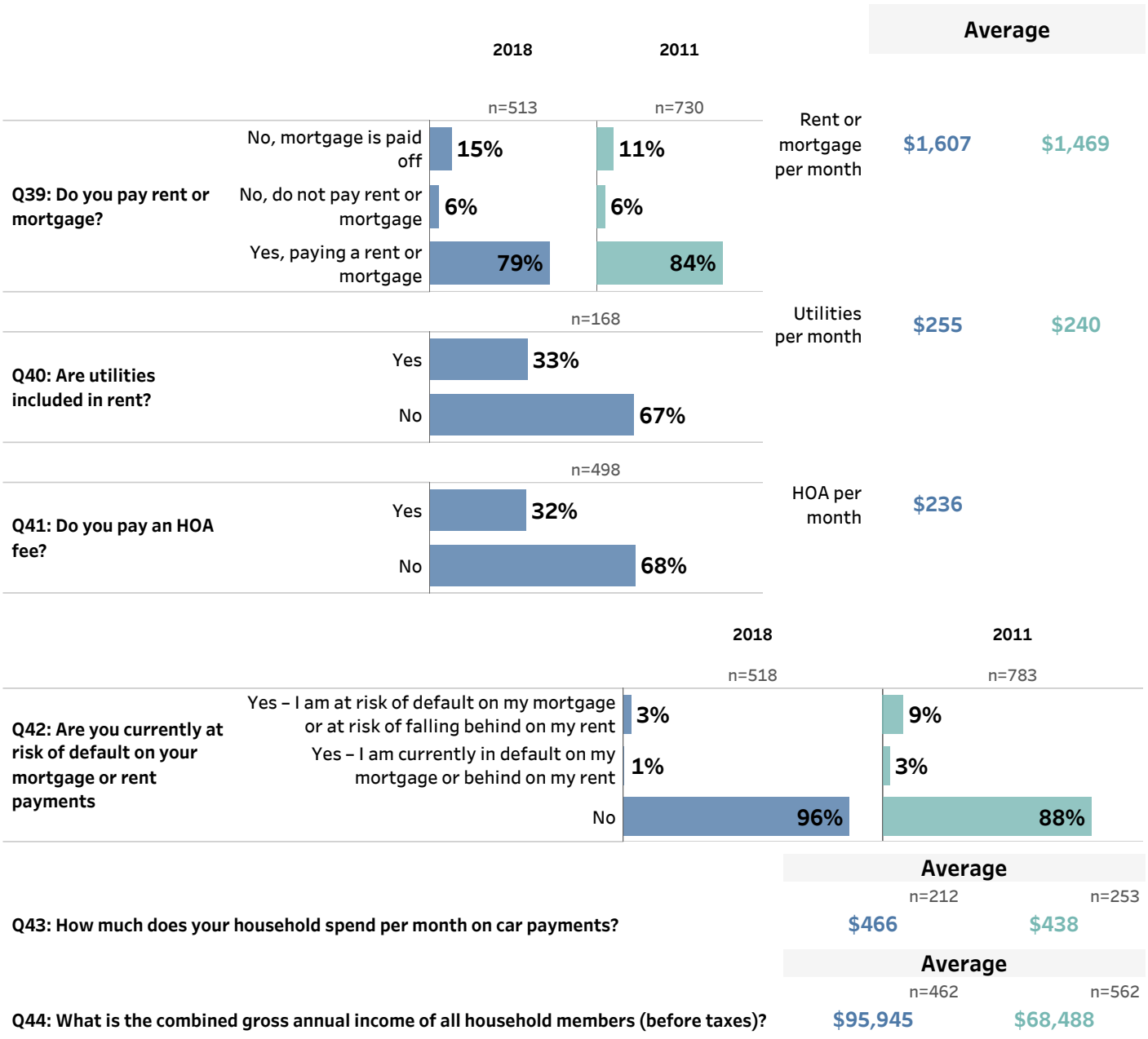
Housing I want and can afford is not available	63%	55%
I do not have a down payment	49%	46%
Renting is cheaper	32%	40%
Can't qualify for a mortgage	24%	32%
Economic future is uncertain	22%	43%
I want to remain mobile	20%	23%
Intimidating/complicated qualification process	20%	10%
I will not buy a home with a deed restriction	17%	15%
I am not committed to living here long term	10%	24%
Other (added in 2018)	9%	
Owning a home is not my dream	7%	4%

Source: SMRHA Household Survey. (Data for San Miguel County residents only)

Housing Preferences, Continued | 2018 vs. 2011 San Miguel Only



Cost of Living | 2018 vs. 2011 San Miguel Only



Appendix: Open-Ended Comments

San Miguel Regional Housing Resident Survey

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Other: Do you own or rent the residence where you currently reside?

Caretake
caretaker
Family property. Probate
HOA owned
housing provided by spouses employer
Job provides
Rent from ex-in laws with threat of eviction
in home -- no business space
Last Dollar PUD
Last Dollar Subdivision

Other: If you are not satisfied or very dissatisfied with your home, why?

Ability to live in space is attached to current employer
Being evicted to short term rent
Can't have dogs
Could be kicked out anytime
Eviction / teardown 04/2018
expensive, small
It's a studio
It's a truck
It's mfg. house
Mold in unit and rotten windows. poor attitude of property manager. poor parking and enforcement of the parking rules
Neighbors too close - personal issue
No bedroom, basement level
no windows, bad sound proofing
Noisy: Poorly sound-proofed
not enough room to grow as a family
not secure-owner may sell at any time
Old cloth wireing, asbestos siding, no closet space, and old plumbing that needs to be replaced
only available for 11 months
Small
Smokers smoke right outside my windows and I have a heart condition. So o basically can NEVER open my windows and even closed smoke still gets in.
TO SMALL
Too many restrictions
too small
Too small, HOA special assessment was assessed.
Too small, no washer dryer connections

Unstable

Other: Where do you live now?

Economic swings
Aldasoro
Delta
Dolores, but close to Rico
Eider Creek
Eider Creek
Hastings Mesa
Hillside
Log Hill, Ridgway zip code
Mesa
Redvale
Redvale
Redvale
Redvale
Ski Ranches
Ski Ranches
Ski Ranches
Ski Ranches
Two Rivers

If you checked other occupation above, please describe:

Ag/cattle
Airport
Alternative medicine
Architect
Art
Artist
artist
bakery
Brewer
Church job
coach, custom framing
Consultant
Consultant
Cook
Dog Walker

Engineer
equine caretaker
Event Planner
Event production
Family support services
Farming/ranching
Festival and Graphic design
festivals. catering
Fire&EMS
Forestry
Freelance writer
Front desk health care
Graphic Design
Graphic Design/ Web Development
Gymnastics coach and film festival
Health care non profit
Historical Museum
Hockey referee
Human resources
I am a contract cleaner for the post office
I am responsible for the daycare of my elderly mother who is blind, deaf, diabetic, chronic pain, etc...I can not work and care for her needs as well. So I do yard sales or temp work, when I can.
Interior design
International Development
land surveyor and business owner
Landscaper
Librarian
Librarian, own a small business, work for nonprofits
Manager of Quality Assurance
Marketing, public relations
massage therapist
Massage therapist
Massage therapist/spa concierge
Massage Therapy
media
Mining
Minister
Non profit
Nonprofit
Nonprofit
Non-Profit
non-profit, cleaner, mom

Non-profit. Massage. Yoga
Non-Profit/Arts
Office Assistant
office clerk
Office work at utility
Outreach
Outside sales
Owner of floral company
Owns manufacturing business
Pet care
pilot
Power plant
Print and packaging company
Psychotherapist
Public Policy Consultant
ranch
Rental Assistance
Researcher
Sanitation; ranching
seamstress
self employed engineer
Self employed landscaper
self employeed
Service and sales - ECOLAB
Service Industry: Dry Cleaning & Laundry
Service: Dry Cleaning & Laundry
Snow removal
Student
Transportation
Transportation
truck driver
Utility - gas company
Utility Company Employee
Wedding planner
wedding planning, ref hockey, coach figure skating, coach skate pe, coach adult skate classes
works over the phone, not sure what exactly
Yoga teacher

If you entered a number re: other commute mode, please describe the mode:

Hitch
I commute 4 - 5 days a week. I drive in the winter and bike in the summer
n/a
work at home

If you checked other location re: place of work, please specify:

Across US
all over
All over county
Anywhere in the world
Bedrock
Cortez
Cortez/Dolores
Delta
Delta, Redvaile
Denver/Remote
Hastings Mesa
in the home
Montezuma county
out of state
Out of state, currently.
Outside Ouray County
Salida
Shiprock
Ski Ranches
Ski Ranches
Southwest CO
Utah
varies out of town work
various
WESTER SLOPE
work from home

Other: If you commute more than 5 miles one way, why do you commute rather than live and work in the same community?

Can't find available housing in Telluride that is within budget
Construction business, need large shop

Go where needed
I like the outdoor play more
Illlium isn't in town and there isn't a bus system that goes there
Kids in Tell Schools
Live where I work
Love to live in Rico
Manage multiple properties around area
Moved to family ranch. Family heritage.
Na
Need my vehicle; multiple destinations in any given day
Need to haul supplies and tools
No jobs in Rico
Own home
p/u and d/o
Poor employer choices
sales job requires travel for work
Telluride pays more than anywhere else
There are no businesses in Redvale
Work in a 100-mile radius

Other: If you want to rent, why is renting your choice?

can no longer afford to live here and rents expensive, have to move too often due to only 6 mo or so rentals available, town closed 4 mo per year.....
i don't want the responsibility
I work here seasonally, Winter only
Might be going back to graduate school and unsure of career options in Telluride
My partner wants to build a home
Over qualified to purchase'
Potentially taking time in near future to travel in summers

Do you have any additional comments or suggestions on local housing issues?

Place of Residence	Comment
Ilium, Ophir, Placerville, Sawpit	Employers need to pay more! Allow trailers and RVs in county.
Ilium, Ophir, Placerville, Sawpit	Extremely difficult to find affordable housing for 2 people and a dog. I have not applied to any affordable housing rentals since none allow pets and no affordable homes have been for sale in our price range.
Ilium, Ophir, Placerville, Sawpit	I am in a great situation because I was able to build my house 20 years ago - The working class cannot afford to live in telluride or even in the outlying areas - there is just nothing affordable - my employers struggle to hire competent people when

	renting can cost as much as 60% of their salary - it is a sad situation we are in.
Ilium, Ophir, Placerville, Sawpit	I feel that there are too many restrictions on Deed Restricted Units. People should be allowed to have Dogs and rent their place if they are leaving for a week vacation on sites like Air B and B. It is not fair that we can not rent our place a couple times of year when we are gone. It is still so expensive to live in Deed Restricted Units and this would help out the locals so much. I own my own place and can't have a dog, even though everyone in this town has dogs. It is just not fair and has made it impossible to find people who would want to buy my home as they all have dogs. I am all for the financial and employment requirements but dog and short term rental issues are too much.
Ilium, Ophir, Placerville, Sawpit	I know there is a need. We were lucky to be able to buy and build our own house, but that also came with a lot of work and sacrifice. I believe if you want to make the housing you want work, then you can.
Ilium, Ophir, Placerville, Sawpit	I think it's important to build housing where the work is or provide adequate public transportation from cluster housing (Sawpit, San Bernardo, Ophir, Rico, MTD). Second homeowning without rental availability is a huge problem. Rentals are disappearing rapidly because of second homeowners buying for vacations and investments. How in the heck does a community handle that problem. Dark neighborhoods are depressing, creating "donut holes" in the fabric of our community. Does there need to be increased designated deed restricted housing created in T-ride and MTV? Thanks for the survey and the opportunity to comment. Hope it helps.
Ilium, Ophir, Placerville, Sawpit	I wish our homes in Illum would allow us to build on so we would not have to move down valley (because that would be the only place we could afford) when our family grows. This means we will be even farther away from town!
Ilium, Ophir, Placerville, Sawpit	If I hadn't owned a condo in the region prior to buying our home we couldn't have afforded the down payment. All my friends are being pushed out of Telluride in order to get a more "adult" home.
Ilium, Ophir, Placerville, Sawpit	If lots were not so expensive more people would build spec homes
Ilium, Ophir, Placerville, Sawpit	It took us almost 20 years to save up for a single family. We raised a boy in a small apartment for 20 years. It was not a great place, but we had a dog and it was affordable. Now we drive a lot more and have unreliable internet and have to have a roommdate but all in all we feel happy. Just took forever.
Ilium, Ophir, Placerville, Sawpit	Please allow working communities (Lawson, Two Rivers, etc.) to own dogs. I hear Aldosoro and Mtn Village have bought their way out of this rule, but working class people can't afford that option. We love dogs, too! Please allow homeowners to responsibly have a dog in their family!
Ilium, Ophir, Placerville, Sawpit	Please make this a local priority and get all govt entitites to participate
Ilium, Ophir, Placerville, Sawpit	Regarding the car payments question and gross annual income question: I do not know what my 2 housemates pay or what they earn. I have no car payment; I make $44,200 annually.
Ilium, Ophir, Placerville, Sawpit	The household information is for me only. I don't know what my roommates make per year. I currently pay two months of the winter that I won't be here. I would love to find reliable, single occupancy housing in Telluride from November to April 1 for under 700. Tiny houses for ski area employees? Thanks
Ilium, Ophir,	We desperately need homes for young families. The county government needs to take

Placerville, Sawpit	a more active leadership approach. We need better career/job opportunities and better infrastructure. Much of the county is "third world."
Lawson Hill	Even though we make good money and have a deed restricted home we live in a very small space and cannot have things that we would like - nor can we afford to upgrade to a bigger nicer place as the prices have gone insane on deed restricted units - we could not afford to pay what the homes are selling for today
Lawson Hill	I recently saw a statistic that 50 percent of the residences are unoccupied most of the year. Energy use in unoccupied housing--refrigerators and ghost lights, etc... Class divide in housing. Dogs in Lawson Hill. Discriminatory/lack of deed restriction enforcement.
Lawson Hill	Is there a way to label or name these housing surveys? I feel like I fill one out every few months and they overlap.
Lawson Hill	Stop subsidizing housing! You only hurt those who have worked hard to get where they are. Living here is a choice, not a right. If subsidized, develop down valley/Norwood and pump up the bus system like every other community in the U.S.
Lawson Hill	The number above does not include our roommate. I don't know what his income is.
Montrose	Make it less difficult for people to get in to. Also the more housing available the better
Mountain Village	Affordable is NOT $800K-$1M! Ridiculous! These homes should not be deed restricted! We feel there is no affordable "next step" 3+ bedroom in the area for our family. And our special assessment is killing us.
Mountain Village	Employees make the resort a successful function. if we can not be accommodated in housing and employment, we seek elsewhere to live and work, a loss of great employees who refuse to settle and move around in search of reasonable, firm housing. I came here for my career with the Town of Mountain Village, have been here going on 2 years, and at this point I am considering leaving behind my opportunities here due to housing affects and costs. I cant afford the groceries here so I have to travel which is also another expense it takes to survive here. I have spent a lot of money trying different housing, that the deposits, availability and offers don't satisfy my needs which are minimal. I work hard and would like a comfortable, well maintained place to call home that is affordable.
Mountain Village	Housing is so incredibly stressful here. Even though we live in a tiny studio where we really can't have friends over or store outdoor gear or have both our cars parked l, I feel so so lucky to live in VCA. It is affordable, conveniently located, and stable. Watching my friends stress over housing is difficult. It's so competitive and, once you find housing, often uncertain in its stability. Additionally, as a young adult thinking towards the future, a life in Telluride long term doesn't really seem feasible. While living in a studio apartment is now cheap and fine, as I get older and more established in my field, I really aspire to live in an affordable place with a full kitchen and room for friends to come over and maybe a dog. However, I feel I would have to just be ridiculously lucky to attain that in Telluride or Mountain Village. I just see no way for lower/middle class young people to be able to have a long term life in Telluride the way things are now. Furthermore, I am disgusted by the growing economic divide in this community; the differences between the haves and have nots, especially when it comes to housing, is stark and I am certain is antithetical to a cohesive, functioning community. I also am disgusted by the fact that ~50% of housing units in San Miguel County are considered vacant, especially when you consider that ~50% of households spend 30% or more on their mortgage or rent. Finally, I worry about the segregating

	effects the housing crisis exacerbates between the white and Latino communities. In sum, the housing crisis negatively affects the community beyond the workforce. I'd also posit that workforce concerns won't be solved by just improving housing but by also providing increased job stability, living wages, and health benefits (aka basic human rights). I'd love to see more affordable housing built, in addition to policy reform to decrease number of VRBOs and Airbnbs and new condominiums for the rich.
Mountain Village	I am a CPA that has lived in town for about 15 years. We are moving because there is nothing that meets my criteria and is somewhat reasonably priced. I feel like there is a real shortage of options for young professionals. We are very sad to be leaving the valley but having a home that we feel like we are proud of with some sort of small outside space is very important to myself, my husband and our 2 huskies.
Mountain Village	I am a young professional (teacher) with aspirations of owning some type of property, and possibly starting a family. Those goals seem far-fetched due to the housing situation in Telluride. I am very active in the community and commited to staying here. It would be great if there were more options besides VCA where I have lived for all 8 years of my residence.
Mountain Village	I am dependent on public transportation
Mountain Village	I moved here in 2009. I was able to afford housing in Telluride at that time. Rent has easily doubled since 2009. Unfortunately my wages have not doubled. I love this area and my job, I fear that I may not be able to afford to live here much longer. I am very passionate about my job and all the opportunities this area has to offer. I'd love to continue to live here and start a family/buy a house however that seems pretty far fetched at this point.
Mountain Village	Let the owners of the Boulders or Springcreek units buy out of their deed restrictions and use the money to build more affordable units.
Mountain Village	Let Village Court park in the big MV garage, and build more apartments where we park now. Then add another level to the MV parking garage.
Mountain Village	More housing options needed for people living with disabilities.
Mountain Village	no
Mountain Village	stuck in a one bedroom at the VCA have a 10month old child and another one on the way we can not get a two bed room unit while the property manager has moved one person by themselves into a two bed room unit and we are still stuck in a one bed room unit we apparently do not meet the requirements of being able to be moved up on the list when one person with out a family is some how more qualified to live in a two bed room then a 3 person family soon to be a 4 person family also soome how employees of the VCA are all able to be pushed up first on the list for two bedrooms while my wife an i are also town employees and are 15th on the list and there are single people in front of us to be moved into a two bed room before us. also have a serious mold issues in our unit and their fix was too just paint over it and cover it up dont know who is running things in the county but something needs to be done about it and changed
Mountain Village	Thanks for doing this! Glad to see that some people in this town still prioritize housing for workers, even though a small pocket of people are selling this place out from underneath our feet.
Mountain Village	The survey seems more to gauge ability to pay rather than actual demand.
Mountain Village	Young families need affordable houses to buy, not just rent. The affordable house at the Boulders in MV is priced at A MILLION DOLLARS! That is a freaking oxymoron to

	AFFORDABLE HOUSING!
Norwood	97% of Telluride worker bees live in West End, middle of county or other counties to west or north so daily commutes from Nucla area, Norwood, Montrose, and Olathe are a huge issue and expense!
Norwood	A lot of assumptions in the questions that everyone is miserable in their housing choices. Affordable housing is an issue - but not because people don't like where they live but more because this area is simply and expensive place to live. There is only one road to Telluride with traffic throughout the day - but the buses only run for 'office hours'. Many of the employees in Telluride do not work 8-5 or 9-6 jobs. Even with the deed restricted housing - it's not really affordable unless you make over $140k per year or more. OR are willing to drive to work. There are ZERO safe options to ride a bike to Telluride after the Round-a-bout. Although I know many who do risk their lives to ride their bikes.
Norwood	Affordable housing is outrageous and slim. I had to move to Redvale because it was all I could find.
Norwood	Cost of living in Telluride is prohibitive
Norwood	I don't think this survey applies to me as I've lived in the same house 52 years and plan to die here. This house has never had a mortgage.
Norwood	I love Norwood and dont mind staying here. I dont think Telluride will ever be a place I can afford. It would be nice to have more housing for the working class that dont make a lot of money.
Norwood	I think improving broadband access in places like Norwood could relieve some of the housing stress in Telluride
Norwood	It is frustrating to see folks just moving to town and moving into 'affordable ' town projects when long time locals and community members are told there are over year long wait lists. Housing like shamrocks is in poor shape with mold issues and overcrowded. Even so- I would live there if I could get a place. It's hard to know that even if I put in an application the likelihood to obtain a rental is at least a year out. Yet somehow- I meet folks that just rolled into town that move in to these places. Not sure how that kind of thing happens.
Norwood	Moved to Norwood 30 years ago so we could afford to live and work in San Miguel County
Norwood	Need more handicapped accessible housing and more home health and assisted living services in Norwood and West End
Norwood	Norwood, RICO are great places to build affordable house, cheaper, both has access to public transportation. These areas could use a boost $$ wise anyway. People should not be stuck on looking or building in Telluride. Unless Telluride is going to allow building of many more houses, other communities could help
Norwood	Please build for families, not just singles, couples or roommate situations. Think about this in depth. Way too many one bedroom and two bedrooms being build (seems like just for numbers; please build less, but build practically, again for families - we're the ones working the career jobs locally). If you make it impossible for us to live here, we will have to move away - I cannot count how many of my friends this has happened to in the last decade. Part of the character of telluride, and why the people who visit and spend their money choose telluride, is because of the locals. They want to feel like a local - this means eat where the locals eat, ski where we ski, hike where we hike etc (we can't really afford to shop locally either). If you push us all out of town, we will

	stop being in town except for working hours - then Telluride will lose its charm. We'll get more of the Aspen-ites for sure, and that may be the direction some are pushing us, but we will lose our current demographic and town will become more of a ghost town in the shoulder seasons. if you want year round vibrancy, you have to make it so the locals can live in town. (This current council (prior) and now too hopefully has made tremendous strides to address this issue and that is appreciated.) Also, please note when building multi bedroom units, multi baths are appreciated too. A 3 bdrm unit needs 2 baths for that many people.
Norwood	Put a trailer park in the valley floor
Norwood	RV/tiny home park would be useful for short-term. Building costs are high here just like food, because of remoteness; people should expect to pay more.
Norwood	Speaking for my children, there is no place affordable for them on Wright's Mesa or surrounding areas. Rents are more than 1/4 of their incomes, if anyplace is available.
Norwood	The County needs to rezone to create more 5 acre lots in the west end. 40 acres are not desirable/affordable choices.
Norwood	We had a very difficult time moving to the area which ultimately cost us living in the town we wanted to originally. We now both live and try to work full time in Norwood instead of telluride.
Norwood	We live very prudently. Most people can not live as we do and thus are struggling to find housing. We are constantly asked if we can rent living space. But codes prevent us from doing so. We can only rent for office space.
Nucla / Naturita	Almost all in the Nucla/Naturita area need to be torn down and rebuilt. I am so glad we were able to build our home. Our area does need assistant living that is affordable for those that will not or are not able to leave, but should not live on their own.
Nucla / Naturita	I rent two apartments for VERY cheap under my garage, so that people (workers) can make it in this town
Nucla / Naturita	Local and state governments should stay out of housing. All they want to do is tax locals to build cheap housing for illegal foreign nationals to displace the local work force.
Nucla / Naturita	Local housing means local jobs. More attention needs to be paid to developing jobs in the commuter communities like Norwood, Nucla, Naturita, Rico, Dolores, etc. not just Telluride.
Nucla / Naturita	Only way I am making it is with 3 working adults. Daily cost adds up and is never considered. Food cost here is so much more medical care for anything major is an added cost. It adds up and makes things hard. One job just cut hours. One is busy and great in summer and crazy slow and hard in winter and one steady job.
Nucla / Naturita	Resort towns and tourism are all consuming and produce nothing. As long as they thrive, the housing crisis will not be solved.
Other	Build it and they will come
Other Ouray County	Recommend co-housing be considered to lower cost for teachers and other public employees (fire, EMS, etc.) who serve their communities. Pricing should be at 60% or less than single family homes of similar size and location.
Other San Miguel County	Housing in our region is critical to recruit and retain staff for our shops and restaurants. But they also need to be paying staff a living wage, which is the conundrum…we know what increasing salaries cost. Need stable year-round employment - some sort of industry.
Other San Miguel	Housing/transportation is a serious issue. Others are medical center, school,

County	environmental standards.
Other San Miguel County	i support improvements on housing for legal Americans - but not at all for illegal.
Other San Miguel County	If the region does not solve the housing issue, Telluride/MV will have no employees or services to remain viable communities
Other San Miguel County	Loosen the deed restricted owner housing requirements. If the purpose is for people to live and work within the county, where their clientele live shouldn't make a difference. Make the purpose of the deed restricted housing to get people who want to live in the community all year and contribute to our community through taxes
Other San Miguel County	More large scale apartments like Doka and VCA. Nice work with new deed restricted - keep it going.
Other San Miguel County	Proximity and availability of health care will likely determine how long we can continue to live in SM County
Other San Miguel County	SMRHA inconsistent with upholding some guidelines
Other San Miguel County	We were fortunate to have purchased property 30 years ago, but we saved housing costs by actually constructing our own home/studio. However, I understand and sympathize with how difficult it is for working people in the region to afford housing in such a tight market.
Other San Miguel County	You're all doing an amazing job! Thank you for your concern.
Ouray	it was so hard to find a place to live with two dogs, took me two months to find a place to rent and it is 47 miles away from work.
Ouray	Our family is new to the area. I work in Telluride. My wife is a teacher and would love to find a teaching job in Telluride, but there is no way we can afford a single family home with a yard (for dogs) in Telluride. So she is not even applying for jobs up there. We are temporarily renting a house in Ouray. We plan to buy a house and will likely live closer to Montrose, and I will eventually work from home more to avoid the long commute. We want to buy a house a.s.a.p, but deed restricted housing requires us to work here for too long before we can even apply - so that's out. Also, deed restricted units where there is a cap on what you can earn on resale make no financial sense. We are not even considering those homes.
Redvale	Rent too expensive for young families, plus utilities, and daycare if needed
Rico	Need more 3bdr
Ridgway	Affordable housing has to start with the county lowering tap fees etc.
Ridgway	Build deed restricted housing (control buying and selling price). Do not lower/compromise building codes as this leads to substandard housing.
Ridgway	Housing would not be as much of a problem if the transportation problem was solved. Employers could start their own worker transport if they worked together on cost.
Ridgway	I don't currently have an ADU with a garage below. However, if there is an incentive to build one, I will strongly consider it. I will rent out long term to Ridgway residents.
Ridgway	I'm moving to Montrose because I'll never be able to afford to buy a free-market place in Telluride. I do not want anything deed-restricted. Even if I could afford Telluride, I'd rather take my money elsewhere and get more bang for my buck. I don't love Telluride so much that I would grossly overspend on a tiny little condo. I want a yard and a guest bedroom or two for family and friends. I'd gladly take a pay cut to have that quality of life. Telluride is overrated and you couldn't pay me to live there. Currently, I commute

	2+ hours per day to work in Telluride and my commute is not subsidized in any way. I'm going to leave a good job with good pay for the sake of my mental health. WORTH IT.
Ridgway	Keep up the great work! Would love to see a synthesis/analysis of the survey results.
Ridgway	Lack of affordable housing is not the only problem in the area, the lack of public transportation should also be addressed. The traffic through Ridgway at 'rush hour' is horrendous! Soon we'll need a 4 lane highway from Montrose to Telluride - yuck!
Ridgway	Make secondary structures available by motivating owners. Reduce use of auxiliary housing for short term.
Ridgway	No.
Ridgway	Ouray county needs political will for housing and an authority that works toward affordable housing goals .....
Ridgway	Thank you for your work on this!
Ridgway	The majority of short term renters have a disconnect to the community, i.e., let their dogs run, don't pick up dog poop, drive fast in neighborhoods
Ridgway	We NEED affordable housing in Ouray County and suggest the town of Ridgway use some of its existing land to build on.
Ridgway	We need affordable housing in Ouray County!
Ridgway	We need to have more affordable renting options!
Ridgway	We purchased in Ouray County because there was no housing we could afford or qualify for in the area. We would love to live in the area if we could. $400,000 is not affordable. Working with the utility my income is not qualified and would not fit in the deed restriction box without exception. Our children go to school in telluride and our friends live there. We live an hour away and travel because we have to.
Ridgway	We struggled years working hard to live and raise our kids here. Anyone would have liked housing to be more affordable at anytime. I am sad about what our town has turned into. We moved here years ago because we loved living in this mountain community. Now catering to tourists and people who can't appreciate how we live. Come and destroy our lands in the name of entertainment.
Telluride	A half bath more would be great
Telluride	Adjust the local deed restricted rules to better suit our economy rather than aligning with the nation wide ones.
Telluride	An option might be to create place(s) that do not have as much parking and uses that space for parking for more residential units. Stop providing for what people 'want' but actually what people will 'need'. Beds and baths and roofs over heads rather than all the perks. Less yards and garages and more units to live in to house the most people.
Telluride	As a single young professional, I feel that I am at a disadvantage for current housing requirements. My student loans, car payment, health insurance premiums, and general living expenses in Telluride take up so much of my income, yet I still do not qualify for affordable housing as a single person earning over 50k. I have been on a professional trajectory since moving to Telluride and I feel like I have to either stop my current career path or ask for less money so I can afford to live here, which makes so sense.
Telluride	As long as Telluride is a destination ski resort, housing will be an issue (given the inherent limitations involved in living in and near a tiny box canyon) and we must do the best we can but we must accept that we can't do everything.

Telluride	Being forced to camp out for a while helps remind people whether they really want to live here or not
Telluride	Beyond the need for housing that is affordable, we also need to address the problem of mid tier home pricing. There are plenty of people who would want to move out of currently restricted housing to something with a lesser restriction at a higher price point but there is nothing in the $400,000-$800,000 range. And for individuals making a living on their own without other support networks Anything beyond 500,000 tends to not be attainable. I would love to see some sort of a step up program in place so that families can live in the restricted homes, and then eventually move to some sort of a hybrid deed restricted free market situation in an affordable price range. I feel like failures way too many talented individuals because they cannot figure out a way to financially make this all work
Telluride	Cannot fix it in Telluride - start building in Norwood or down valley and expand transit
Telluride	Critically need more options and lower to moderate income options. As of now I will be leaving in 6-12 months due to this issue.
Telluride	Have a studio, no kitchen. Would love to have a 1BR 1BA. Been in Telluride 20 years but rent is too high to continue living here. Would love to have just 1 job as I am getting older.
Telluride	I am not opposed to subsidized employee housing but I do not feel that I benefit from it it any way and I do not want to pay for subsidizing Ski Area, T-ride Sports, etc.
Telluride	I applied for the Virginia Placer units. Make the basic requirements to qualify for application for deed restricted units more stringent! Reward people who have lived and worked in this community for at least 3+ years. It is really not hard to live here for 1 year and work at least 1400 hours. People come and go all the time, but those who have stable/permanent careers and who have made contributions to this community ought to be given preference.
Telluride	I don't like duplexes; no garage/shop
Telluride	I don't see how this survey will improve housing choices. Governments rationalize their decisions and do what they please; e.g. the town's mind-boggling decision to continue to heavily subsidize for sale 'affordable' housing, in spite of the crying need for rental housing. Among many other variables, the town and county HAs must consider that the ownership program, in addition to its poor economics, guarantees every greater discrepancy between 'affordable' ownership and free market properties. No amount of new rules will obviate this problem, where rental housing, permanently in public ownership, can respond to need and economics. The ownership program also fundamentally discriminates against ski bums, waitress, and kitchen help, especially the immigrant population.
Telluride	I feel like the income limit should be greater, especially for 2 people. It's so low, I had to get a cosigner for my loan from the bank to qualify. I currently live with my significant other, however if we get married will I get kicked out of my one bedroom place because our income together of 120,000/year is over the income limit for my unit? It's scary that both of us may need to find a new place to live if we decide to get married.
Telluride	I feel that purchasing a home is not an option for me at any point of my life if I choose to remain here. I live pay check to pay check as a professional fully employed with benefits who also works 2-3 part time jobs as well as care-taking the larger home to which my unit is attached. Car payments and groceries take up anything I would like to

	put into savings. My utilities are included in my rent. I do not have to have a roomate. My condition is enviable by many here and I consider myself very lucky. However, as someone who lives here year round and intends to live here for the long term, I have to come to terms with the fact that I will never be able to own my own property or live in a unit that has features such as outdoor space, guest rooms, or more than 500 square feet. Verdict is still out, but I'd like to see better options for locals and fewer empty mansions.
Telluride	I have a daughter who currently rents a home, and will have to find housing when the home sells. The online short term rentals are taking away the long term rentals. I moved 11 times in 10 years, looking for affordable housing. The service people need housing.
Telluride	I have a room that I'd like to rent to part-time employees. I would like to have that option.
Telluride	I have lived in the area for over 30 years, and do not/cannot pay for others housing. I camped for 6 years while I built my first mesa home. To put the burden on current home owners who have huge mortgages and children is not ethical. We all would like a deed restricted penthouse, walking distance to the G and of course an ocean view, but that's not going to happen. We cannot build housing for all the people in the world who would like to live here! How about charging an empty unit tax on second home/condo owners who keep their units empty. Keep in mind that when a local built this house, he made housing for employees. The recent trend to consider building houses creates an added need for employee housing doesn't make any sense. If this was true then the worst thing the town could do is build housing.
Telluride	I sure hope they'll pave and provide parking, including bikes (outside of Coonskin lot) for all the Virginia Placer housing tenants!
Telluride	I think the affordable housing issue is critical to creating a community. If workers cannot live where they work how can they be expected to give their time and energy to making a community strong. Not to mention that when ownership is lost, stewardship is also lost. If you work in the town of Telluride but live outside of town you can no longer have a say in town government, voting rights are lost and even though you are an integral part of keeping the community running your sense of responsibility and stewardship is taken away.
Telluride	I work from home for a company based in Grand Junction. I wish there was a way for me to qualify for deed restriction housing, because as of now, I do not. All of my money goes into the town of Telluride (food, rent, local buisnesses, ect), however, so I think that this needs to be changed.
Telluride	I would love to see more single family affordable housing provided such as the gold run houses. The effort made my the SMRHA is great for 'seasonal workers' but the recent spruce apartments were suited most for non-families other than the 3rd story unit.
Telluride	I would love to see some affordable units that are above ground, or have windows that don't look straight at a wall and aren't caverness. Perhaps even maybe something on the sunnyside?
Telluride	If you want people to work low income jobs (restaurants, ski resort), you need to provide affordable housing.
Telluride	If you've owned your home for 20+ years, exempt those folks from tax hikes so as not to force out people who have paid their dues and want to enjoy and afford living in

	their existing home. Don't replace a mortgage payment with a tax bill.
Telluride	It sure would be great to be able to live in a place that was maintained better and were people could be put with other like minded. At 45 dealing with a bunch of loud ski bums staying for a season is frustrating. The rent goes up every year and wages stay stagnant.
Telluride	Its time for the town of Telluride to better spend its money by building larger, higher density complexes outside of town. We need more cooperation between the town, MV and County. Subsidizing the cost by almost half for 8 units in town is silly. For example, why cannot the town sell a commercial lot in town that they own to the highest bidder and use that money to work with the county on 50+ units at Eider Creek? That starts to make a dent in the problem. We are creating an entitled base of Locals who think they have the right to live in the center of town at someone else's expense. Why are we publicly showing lotteries? This should be private as not to unnecessarily hurt the losers.
Telluride	keep condos and short-term rentals off of main street. There should be some kind of cap on what can be charged for long term rental units. i.e., it should not be permissible to rent a 300 sqft 'studio' without even a kitchen for $2500/mo simply because 'someone' will pay it.
Telluride	Keep Senior Housing options on your 'to do' list.
Telluride	Lack of affordable housing is the single biggest threat to our way of life here in Telluride. There are more houses that sit empty for most of the year than are lived in. Even more disturbing is that some of the owners of these houses put them on AirBnB for more per night than I pay in rent for a month! Granted I am very lucky with my housing situation presently, it could disappear overnight much like many other affordable spots recently. I think some of the rules that have been adopted in the past are helpful to this situation, some are somewhat contrived. I really like HARC, in that they preserve the character of our town. But there needs to be some sort of bribe stop in the system, not allowing big money to break the rules. Deed restricted units are a good idea, but the rules therein need to be adjusted. Like being able to rent out the units, but at no profit for the owner would be nice. Thanks for reaching out to the people on this very important issue. If there is no place for the service employees to live in town, we'll have to widen the spur sooner!
Telluride	Medical care in Telluride needs improvement and this is the most important issue concerning housing
Telluride	My boyfriend and I want to be long-term locals here and raise a family; however, the cost to purchase a home for a family is becoming more unrealistic and unattainable because of the millionaire second homeowners.
Telluride	Need more affordable housing. We have people come in to my place of work who have a job in Telluride but can not find housing. Some have moved here to take jobs in town, only to find the housing impossible.
Telluride	Need more places to purchase for long time locals. Type of housing isn't as important as a place I can own. I think this would take more pressure off the rental market for more seasonal workers.
Telluride	No residential on Main St.
Telluride	Our dream would be to buy affordable housing on the east end of town. Would suggest building more affordable housing single-family homes (3 bedrooms) past what is already there (near the cemetery, towards the mine.) There are SO many young

	families who want to make Telluride home, but buying free-market is absolutely impossible. We currently pay VERY high rent, but can not afford to buy unless there was a deed-restricted opportunity. Also suggest that SMRHA considers re-evaluating the maximum salary earnings to qualify to purchase deed-restricted. We work multiple jobs to to be able to afford renting in Telluride, but could never afford to buy free-market. SMRHA should be more realistic about cost of living when setting salary caps for deed-restricted homes. The goal should be to not punish those who work hard and make a descent living....we need young professionals in this community. And we need young families.
Telluride	People that live in affordable housing rentals for 8+ years should get an additional entry in housing lotteries
Telluride	Please provide more housing for lower income individuals. I believe I overqualify and thus won't apply, whereas people who make over $175K as a couple have low income housing units. Need to be more strict at time of purchase but not kick out those who end up working from home for out of area businesses.
Telluride	Rentals are ridiculous high especially for the value and outdated homes and condos are. Landlords don't care they are just greedy and no because of the lack of housing they ask for outragous prices. I work 3 jobs just to pay my portion of rent.
Telluride	Restrict or utilize limited permits for short term rentals (Airbnb, vrbo), reward private owners for long term rentals. Discourage changing properties from livable spaces to investment properties by 2nd homeowners or investors; closely scrutinize development applications and plans. Utilize alleyway shacks as studios or living solutions. Continue development of affordable housing in immediate vicinity of towns and near public transportation. Expand public transportation opportunities; develop regional system with other commuter communities.
Telluride	RHA needs to stop treating owners of deed-restricted housing as criminals. Please have some respect and treat all of us with dignity. Also, my home needs capital replacement items not allowed per price cap.
Telluride	Seriously take 2 to 10 acres of the valley floor, develop efficient housing, new hospital, school, rec center etc. Stop trying to develop in the dark/worst parts of town, or by packing every living inch into some of the most valuable land left in telluride. Sell that land to private developers to pay for efficient housing elsewhere. 1 % of the valley floor could solve all housing issues in the area plus benefit infrastructure/and services.
Telluride	Stop allowing non-residents to buy/build homes they only use for vacation rentals to make money off of.
Telluride	Stop demolishing the few available rental properties that remain in Telluride. I have lost 3 rentals that I lived in because the owner tore down the house to build a new mansion that nobody lives in.
Telluride	Telluride can't build 'out' to make room for more affordable housing, we are going to have to bite the bullet and build up! from our answers, it would seem that we as a family don't use public transport because the questions were about commuting to work, but my kids use the galloping goose every day to get to school or to visit friends around town and we use it to come back home after skiing.
Telluride	The current structure suggests that self employment income must come from clients that live in town - yet Telluride is built and run on out of town and tourist dollars. It is unrealistic to expect that we can grow as self employed people and not strive to capture out of town dollars to survive.

Telluride	The deed restriction program is a trap. We have owned our deed restricted home for a long Time and the value has decreased significantly, to the point that we cannot refinance it for enough to upgrade some of the wear and tear after many years. The houses are not selling for their value, and because of the deed restriction are now appraising for less than what it would cost to actually build it, which doesn't make sense. A change in the way this program works needs to be made. It is easier to get in because it is 'affordable' but you can't get out without losing your biggest investment, so it feels like a rental where the landlord can't afford to maintain it because of the declining value. Yes, it is a place to live, but the investment is not smart. Unfortunately, the buyers of deed restriction are not always saavy investors. The San Miguel County Commissikners have made exceptions in order to make it work for sellers, but that has corrputed the program. It's kind of mess.
Telluride	The management and rules for affordable housing are not realistic or concerned about maintaining a community. I owned a deed restricted condo in town for 11 years and was forced to sell because I struggled for a bit after my father unexpectedly passed. I have seen blatant disrespect on the part of the THA, SMRHA, and Town Council to numerous locals who did not successfully navigate the myriad of rules for affordable housing. My suggestion is to look WAY outside of the box that you have imposed on yourself and the inhabitants, and understand that to maintain a community you have to respect the ebb and flow of life. My suggestion would be to simply rent to people who can't afford the free market and eliminate home ownership of affordable housing. I don't think it works. Selling a home to an individual and then not providing the dignities and privacy of home ownership gives false hope and defeats the purpose of owning. I now know that I never really 'owned' my home, and was simply judged unworthy by a cast of characters that showed how little they cared about my health and well being. Good luck, you can do a LOT better. The rich will never really make this place a community, even though they make the decisions. Sad. Telluride is going in the wrong direction and the people that really made it are leaving by the day. I too, after my experience, don't see adding too many years to my 14 here.
Telluride	The reality is that we will always have a housing issue/shortage!
Telluride	The tiers may need to be revisited for deed restriction housing. When those income parameters were instituted health insurance was $250 per month for myself and SO. The same plan is now $1200 per month for myself and $1000 per month for my SO. The deductible went from combined $2500 to $6300 each. So the income allowance needs to nor'easter to reflect this ridiculous increase in health insurance costs.
Telluride	The Town of Telluride is building as much affordable housing as it can. Other municipalities, and especially private developers need to step up their contributions.
Telluride	The working population that never gets talked about or helped or addressed is the 'professional' population, who don't qualify for subsidized housing yet can't compete on the open market. We lose valuable professionals frequently because of housing issues, and Telluride will likely lose two more, as we cannot afford to buy and therefore can't have secure housing in the long term. This is a real problem.
Telluride	Too much for deed restricted, not enough for free market.
Telluride	Transportation is a huge part of this issue. Montrose MUST be included in the SMART plan.
Telluride	We have reached the breaking point. If I lose my current housing (I rent a backhouse in the Ski Ranches and the property is for sale), I may have to leave Telluride

	permanently after 11 years.
Telluride	While prioritizing building new affordable housing units be sure to continue to maintain existing buildings and apartments for their long term viability. Be more lenient about seasonable employees in terms of 4 or 6 month leases to give them more of a chance to establish themselves in town before moving here full time instead of forcing a long commute which makes integrating into a small community more challenging. Keep the focus of affordable housing in the town limits of Telluride to maintain the 'full' nature of this community, instead of a town of empty second homes and employees commuting down the valley floor. More bike racks. Implement the most current green construction practices to help make the construction of and living in these buildings as environmentally friendly as we can realistically do.
Telluride	While transit it a big piece of the puzzle, and there are many pros and cons to living in some of the satellite areas and commuting in to the TOT or MV for work, I think it is critical to continue to develop affordable housing within the Town of Telluride and Mountain Village - especially deed-restricted housing available for purchase. It's critical that we maintain a local community that lives in and is invested in the community where they work.
Telluride	Would like to have seen the town construct an inventory of single family units. All and all, I believe they have done a good job on the projects they have done.
Telluride	Would love better bus transportation from Norwood and Placerville and would consider living out in the sunny belt!
Telluride	Would love to have Open Houses when new projects are built. It would be nice to see what is currently being Made available.
Telluride	Yes telluride should be ashamed at the lack of housing for the less than millionaires considering affordable housing is available in aspen, Vail, EVERYWHERE ELSE BESIDES TELLURIDE. Yet we wonder why service sucks all over town.
Telluride	You are doing a great job!
Telluride	You guys keep doing a great job with what you have to work with
n/a	It is not the government's business to provide housing or to ask such questions. Lest we forget the USSR was the United Soviet SOCIALIST Republic, the Nazis were National SOCIALISTS. It does not work!!! The USA is not the United Socialists of America. Feel the burn.
n/a	It needs to be a priority as does spaces for local businesses. Thanks for putting this survey together.
n/a	Lazy people should not expect to be able to live in Telluride.
n/a	Not happy about housing going in. Half property should have been donated to town for kids bike riding.
n/a	Requalification process is difficult. I renew during shoulder season (October) and may or may not have qualification for work. Self-employed during that season.
n/a	What about a place for mom! Ha!



2018 Employer Survey

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Physical location of business	Telluride (2011 data: Telluride / Mountain Village / Lawson Hill)	72%	82%		
	Norwood	11%	21%		
	Mountain Village	17%			
	Ouray		1%		67%
	Ridgway	1%	3%	33%	43%
	Lawson Hill	7%			
	Placerville / Sawpit	4%	3%		
	Ophir / Ilium	2%	4%		
	Other	1%	3%	67%	5%
	Egnar / Slick Rock	2%	4%		
TOTAL		117%	121%	100%	114%
	n =	127	72	3	21
Please describe your type of business:	Other	12%	17%	20%	24%
	Retail trade (grocery, sporting goods, etc)	8%	17%		19%
	Professional, scientific, technical services (legal, accounting, architecture, etc)	17%	4%	20%	5%
	Construction	13%	11%		
	Real estate / property management	13%	6%	20%	5%
	Bar/restaurant	3%	15%	20%	
	Hotel / lodging	6%	7%		14%
	Government (excluding public schools)	6%	7%		10%
	Amusement, arts, entertainment, recreation	7%	1%		5%
	Health care/social assistance (medical, dental, ambulatory, psychiatric, shelters, etc)	7%	1%		
	Finance/banking/insurance	2%	7%		
	Other services (personal, daycare, auto repair, information/ publishing, etc)	4%	1%		5%
	Educational services (schools, training programs, etc)	1%	3%		10%
	Transportation/warehousing/utilities		3%		5%
	Manufacturing	1%		20%	
	Wholesale trade	1%			
TOTAL		100%	100%	100%	100%
	n =	127	72	5	21
(If hotel / lodging property) How many lodging units do you have?	21		17%		
	22		17%		
	26		17%		
	32				33%
	33	17%			33%
	37		17%		
	52				33%
	59	17%			
	60	17%			
	63	17%	17%		
	130	17%			
	255		17%		
	400	17%			
TOTAL		100%	100%		100%
Average		124.2	70.7	.	39.0
Median		61.5	31.5	.	33.0
n =		6	6	0	3

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
(If property management business) How many total rooms/units do you manage?	0	22%			
	6	11%			
	13	11%			
	28	11%			
	35	11%			
	150	11%			
	300	11%			
	350	11%			
TOTAL		100%			
Average		98.0	.	.	.
Median		28.0	.	.	.
n =		9	0	0	0
What is the approximate gross square footage of floor area your business occupies?	0 sq ft	4%	2%		7%
	1-999 sq ft.	52%	24%	67%	27%
	1,000-2,499 sq ft.	21%	39%	33%	20%
	2,500-4,999 sq ft.	11%	12%		27%
	5,000-9,999 sq ft.	3%	10%		7%
	10,000+ sq ft.	9%	12%		13%
TOTAL		100%	100%	100%	100%
Average		6,132	3,378	583	6,981
Median		750	1,600	600	2,000
n =		113	49	3	15

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Summer Employee Count		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Year-round, full-time	0	10%	11%		15%
	1-4	64%	44%	100%	41%
	5-9	11%	14%		11%
	10-24	7%	15%		19%
	25-49	2%	5%		7%
	50-99	2%	6%		7%
	100+	4%	6%		
TOTAL		100%	100%	100%	100%
Average		12.3	18.5	1.0	11.9
Median		2.0	4.0	1.0	3.0
n =		122	66	3	27
Year-round, part-time	0	51%	42%	33%	22%
	1-4	37%	39%	67%	52%
	5-9	6%	11%		7%
	10-24	2%	6%		19%
	25-49	3%	2%		
	100+	1%			
TOTAL		100%	100%	100%	100%
Average		3.1	2.8	.7	4.8
Median		.0	1.0	1.0	2.0
n =		122	66	3	27
Summer seasonal, full-time	0	77%	73%	67%	81%
	1-4	16%	8%	33%	4%
	5-9	2%	6%		15%
	10-24	2%	6%		
	25-49	2%	3%		
	50-99		5%		
	100+	1%			
TOTAL		100%	100%	100%	100%
Average		3.4	5.9	.3	1.0
Median		.0	.0	.0	.0
n =		122	66	3	27

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Summer Employee Count		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Summer seasonal, part-time	0	69%	77%	67%	59%
	1-4	22%	11%	33%	19%
	5-9	4%	2%		7%
	10-24	2%	6%		7%
	25-49	3%	5%		7%
TOTAL		100%	100%	100%	100%
Average		2.1	2.8	.3	4.0
Median		.0	.0	.0	.0
n =		122	66	3	27
Total Summer Employees	1-4	56%	30%	100%	26%
	5-9	14%	24%		19%
	10-24	13%	18%		33%
	25-49	8%	8%		
	50-99	3%	8%		22%
	100+	6%	12%		
TOTAL		100%	100%	100%	100%
Average		20.8	30.1	2.3	21.8
Median		4.0	9.0	2.0	11.0
n =		122	66	3	27

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Winter Employee Count		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Year-round, full-time	0	10%	12%		12%
	1-4	63%	43%	100%	42%
	5-9	11%	13%		12%
	10-24	5%	15%		19%
	25-49	3%	4%		8%
	50-99	3%	6%		8%
	100+	4%	6%		
TOTAL		100%	100%	100%	100%
Average		12.8	18.2	1.0	12.4
Median		2.0	4.0	1.0	3.5
n =		116	67	3	26
Year-round, part-time	0	48%	43%	33%	19%
	1-4	40%	39%	67%	54%
	5-9	4%	10%		8%
	10-24	4%	6%		19%
	25-49	3%	1%		
	100+	1%			
TOTAL		100%	100%	100%	100%
Average		3.3	2.7	.7	5.0
Median		1.0	1.0	1.0	2.0
n =		116	67	3	26
Seasonal, full-time	0	78%	76%	67%	100%
	1-4	12%	6%	33%	
	5-9	3%	6%		
	10-24	3%	4%		
	25-49	3%	3%		
	50-99		3%		
	100+	1%	1%		
TOTAL		100%	100%	100%	100%
Average		7.1	12.3	.3	.0
Median		.0	.0	.0	.0
n =		116	67	3	26

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Winter Employee Count		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Seasonal, part-time	0	72%	79%	67%	96%
	1-4	21%	6%	33%	
	5-9	3%	4%		
	10-24	2%	6%		4%
	25-49	3%	1%		
	50-99		1%		
	100+	1%	1%		
TOTAL		100%	100%	100%	100%
Average		5.1	7.1	.3	.8
Median		.0	.0	.0	.0
n =		116	67	3	26
Total Winter Employees	1-4	53%	31%	100%	38%
	5-9	16%	21%		19%
	10-24	13%	21%		19%
	25-49	8%	10%		12%
	50-99	3%	6%		12%
	100+	7%	10%		
TOTAL		100%	100%	100%	100%
Average		28.3	40.5	2.3	18.2
Median		4.0	9.0	2.0	7.0
n =		116	67	3	26

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Employee Living Location (Numeric)		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Telluride / Mountain Village / Lawson Hill	0	16%	19%	50%	100%
	1-4	54%	17%	50%	
	5-9	13%	19%		
	10-24	6%	14%		
	25-49	6%	6%		
	50-99	2%	14%		
	100+	3%	11%		
TOTAL		100%	100%	100%	100%
Average		13.7	48.6	.5	.0
Median		2.0	8.5	.5	.0
n =		112	36	2	8
Ophir / Ilium / Placerville / Sawpit	0	64%	94%	100%	100%
	1-4	28%			
	5-9	3%			
	10-24	3%	3%		
	25-49	2%			
	50-99	1%	3%		
TOTAL		100%	100%	100%	100%
Average		2.2	2.6	.0	.0
Median		.0	.0	.0	.0
n =		112	36	2	8
(Added in 2018) Rico / Dolores / Cortez	0	83%		100%	
	1-4	13%			
	5-9	2%			
	10-24	1%			
	50-99	1%			
TOTAL		100%		100%	
Average		1.1	.	.0	.
Median		.0	.	.0	.
n =		112	0	2	0

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Employee Living Location (Numeric)		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Norwood	0	63%	83%	100%	100%
	1-4	27%	8%		
	5-9	2%	3%		
	10-24	5%	3%		
	25-49	1%	3%		
	50-99	2%			
	100+	1%			
TOTAL		100%	100%	100%	100%
Average		4.3	1.9	.0	.0
Median		.0	.0	.0	.0
n =		112	36	2	8
(Added in 2018) Nucla / Naturita / Redvale / Bedrock / Paradox	0	86%		100%	
	1-4	9%			
	5-9	4%			
	10-24	1%			
	25-49	1%			
TOTAL		100%		100%	
Average		.8	.	.0	.
Median		.0	.	.0	.
n =		112	0	2	0
Egnar / Slick Rock	0	97%	97%	100%	100%
	1-4	2%	3%		
	25-49	1%			
TOTAL		100%	100%	100%	100%
Average		.3	.1	.0	.0
Median		.0	.0	.0	.0
n =		112	36	2	8

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Employee Living Location (Numeric)		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Ridgway / Ouray / Montrose	0	69%	97%	50%	13%
	1-4	21%	3%	50%	25%
	5-9	4%			13%
	10-24	2%			13%
	25-49	3%			13%
	50-99	1%			25%
	100+	1%			
TOTAL		100%	100%	100%	100%
Average		5.4	.0	.5	24.0
Median		.0	.0	.5	13.0
n =		112	36	2	8
Elsewhere in region	0	88%	97%	100%	88%
	1-4	7%	3%		
	5-9	2%			
	10-24	3%			13%
	25-49	1%			
TOTAL		100%	100%	100%	100%
Average		.8	.1	.0	1.4
Median		.0	.0	.0	.0
n =		112	36	2	8
Total Employees	1-4	57%	28%	100%	25%
	5-9	15%	22%		13%
	10-24	11%	14%		25%
	25-49	8%	8%		13%
	50-99	3%	14%		25%
	100+	6%	14%		
TOTAL		100%	100%	100%	100%
Average		28.6	53.2	1.0	25.4
Median		4.0	10.5	1.0	14.5
n =		112	36	2	8

11 Aug 18
Source: RRC Associates

Employee Living Location (Percent)		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Telluride / Mountain Village / Lawson Hill	0%	16%	19%	50%	100%
	1-15%	3%			
	16-30%	5%			
	31-45%	5%			
	46-60%	15%			
	61-75%	15%	3%		
	75-90%	8%			
	100%	33%	78%	50%	
TOTAL		100%	100%	100%	100%
Average		61.1%	79.9%	50.0%	0.0%
Median		70.0%	100.0%	50.0%	0.0%
n =		113	36	2	8
Ophir / Ilium / Placerville / Sawpit	0%	63%	94%	100%	100%
	1-15%	21%	3%		
	16-30%	7%			
	31-45%	3%			
	46-60%	4%			
	61-75%	2%			
	100%	1%	3%		
TOTAL		100%	100%	100%	100%
Average		8.4%	3.0%	0.0%	0.0%
Median		0.0%	0.0%	0.0%	0.0%
n =		113	36	2	8
Rico / Dolores / Cortez	0%	81%		100%	
	1-15%	14%			
	16-30%	2%			
	31-45%	1%			
	75-90%	1%			
	100%	1%			
TOTAL		100%		100%	
Average		3.1%	.	0.0%	.
Median		0.0%	.	0.0%	.
n =		113	0	2	0
Norwood	0%	61%	83%	100%	100%
	1-15%	20%	3%		
	16-30%	6%			
	31-45%	3%			
	46-60%	4%			
	100%	6%	14%		
TOTAL		100%	100%	100%	100%
Average		12.0%	14.3%	0.0%	0.0%
Median		0.0%	0.0%	0.0%	0.0%
n =		113	36	2	8

11 Aug 18
Source: RRC Associates

Employee Living Location (Percent)		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Nucla / Naturita / Redvale / Bedrock / Paradox	0%	86%		100%	
	1-15%	10%			
	16-30%	2%			
	31-45%	1%			
	46-60%	1%			
	61-75%	1%			
TOTAL		100%		100%	
Average		2.1%	.	0.0%	.
Median		0.0%	.	0.0%	.
n =		113	0	2	0
Egnar / Slick Rock	0%	97%	97%	100%	100%
	1-15%	2%	3%		
	100%	1%			
TOTAL		100%	100%	100%	100%
Average		1.0%	0.0%	0.0%	0.0%
Median		0.0%	0.0%	0.0%	0.0%
n =		113	36	2	8
Ridgway / Ouray / Montrose	0%	67%	97%	50%	13%
	1-15%	14%			
	16-30%	11%			
	31-45%	1%			
	46-60%	4%			
	61-75%	1%			
	100%	2%	3%	50%	88%
TOTAL		100%	100%	100%	100%
Average		8.8%	2.8%	50.0%	87.5%
Median		0.0%	0.0%	50.0%	100.0%
n =		113	36	2	8
Elsewhere in region	0%	88%	97%	100%	88%
	1-15%	7%	3%		
	16-30%	2%			
	31-45%	1%			
	46-60%	1%			
	100%	2%			13%
TOTAL		100%	100%	100%	100%
Average		3.4%	0.0%	0.0%	12.5%
Median		0.0%	0.0%	0.0%	0.0%
n =		113	36	2	8

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

English Speaking Employee Count		Is business present in San Miguel Co? Yes Year of Survey 2018	Is business present in San Miguel Co? No Year of Survey 2018
% Speak English as their primary language	0%	3%	
	16-30%	2%	
	31-45%	3%	33%
	46-60%	4%	
	61-75%	2%	
	75-90%	10%	
	91-99%	4%	
	100%	72%	67%
TOTAL		100%	100%
Average		89.7%	77.8%
Median		100.0%	100.0%
n =		115	3
% Speak English well or very well as their secondary language	0%	77%	67%
	1-15%	10%	
	16-30%	5%	
	31-45%	1%	33%
	46-60%	5%	
	100%	2%	
TOTAL		100%	100%
Average		6.8%	11.1%
Median		0.0%	0.0%
n =		115	3
% Do not speak English well or do not speak English at all	0%	88%	67%
	1-15%	5%	
	16-30%	3%	
	31-45%		33%
	46-60%	2%	
	61-75%	1%	
	100%	1%	
TOTAL		100%	100%
Average		3.5%	11.1%
Median		0.0%	0.0%
n =		115	3

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Number of currently unfilled full-time jobs	0	77%	100%
	1	12%	
	2	4%	
	3	2%	
	5	1%	
	6	2%	
	23	1%	
TOTAL		100%	100%
Average		.7	.0
n =		121	2
Number of currently unfilled part-time jobs	0	79%	50%
	1	13%	50%
	2	3%	
	3	1%	
	4	3%	
	8	1%	
	10	1%	
TOTAL		100%	100%
Average		.5	.5
n =		116	2
Total number of currently unfilled jobs	0	69%	50%
	1	14%	50%
	2	5%	
	3	3%	
	4	3%	
	5	1%	
	6	1%	
	9	1%	
	10	1%	
	11	1%	
	13	1%	
	23	1%	
TOTAL		100%	100%
Average		1.1	.5
n =		121	2

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
Were you unable to fill any jobs during this past winter? (2018 survey) / Have you been unable to fill jobs during the past year? (2011 survey)	Yes	24%	17%	25%	18%
	No	76%	83%	75%	82%
TOTAL		100%	100%	100%	100%
	n =	120	70	4	28
(If yes, unable to fill a winter job) How many jobs went unfilled?	0	14%			
	0		10%		
	1	24%	10%		67%
	2	28%	30%		
	3	7%	10%		
	4	7%			
	5	7%			33%
	7	7%			
	8		10%		
	10	7%	20%		
	15		10%		
TOTAL		100%	100%		100%
Average		2.8	5.3	.	2.3
n =		29	10	0	3

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
How many people, in your estimation, could not accept a job or left your employment in the past 12 months because they lacked affordable housing?	0	62%	70%	100%	92%
	1	14%	6%		
	2	8%	7%		
	3	4%	1%		4%
	4	2%	3%		
	5	3%	3%		
	6	2%			4%
	7	2%			
	8	1%			
	10	2%	3%		
	15		3%		
	20		1%		
	25	1%			
	30		1%		
	50	1%			
TOTAL		100%	100%	100%	100%
Average		1.7	2.0	.0	.3
n =		120	67	2	26
To what extent has your ability to find and retain qualified employees changed over the past three years?	Declined / gotten harder	42%			
	Stayed about the same	34%			
	Improved / gotten easier			33%	
	Don't know / not applicable	24%		67%	
TOTAL		100%		100%	
	n =	125		3	

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
What are the primary challenges you face in recruiting and retaining employees?	Lack of available affordable housing	63%	33%
	Transportation / long commutes between place of work and place of residence	32%	
	None - no challenges in recruiting / retaining employees	22%	33%
	Low wages	17%	
	Lack of child care	14%	
	Lack of year-round positions	13%	
	Other	12%	33%
	Seasonality of community activity	11%	
	Lack of a community center	4%	
TOTAL		187%	100%
	n =	119	3

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
During the next five years, do you plan to:	Increase your number of employees	34%	
	Reduce your number of employees	2%	33%
	Stay about the same	51%	33%
	Dont know	13%	33%
TOTAL		100%	100%
	n =	125	3
(If increase or reduce) By how many employees?	1	23%	
	2	47%	
	3	14%	
	5	5%	
	8	7%	
	10	5%	
TOTAL		100%	
Average		2.8	.
n =		43	0
Approximately how many of your employees will be retiring in the next five years?	0	70%	50%
	1	13%	50%
	2	10%	
	4	1%	
	5	3%	
	8	2%	
	10	1%	
	17	1%	
TOTAL		100%	100%
Average		.9	.5
n =		118	2

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

How difficult is it for your employees to find affordable housing in the region?		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Seasonal employees	1 - Not at all Difficult	6%	
	2	4%	
	3 - Moderately Difficult	19%	
	4	9%	
	5 - Very Difficult	63%	
TOTAL		100%	
Average		4.2	.
n =		54	0
Retail/service clerks	1 - Not at all Difficult	3%	
	3 - Moderately Difficult	13%	
	4	10%	
	5 - Very Difficult	73%	
TOTAL		100%	
Average		4.5	.
n =		30	0
General labor/service	1 - Not at all Difficult	2%	
	2	2%	
	3 - Moderately Difficult	21%	
	4	12%	
	5 - Very Difficult	63%	100%
TOTAL		100%	100%
Average		4.3	5.0
n =		43	1

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

How difficult is it for your employees to find affordable housing in the region?		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Construction / repair / skilled trades	1 - Not at all Difficult	3%	
	2	8%	
	3 - Moderately Difficult	23%	
	4	13%	
	5 - Very Difficult	55%	100%
TOTAL		100%	100%
Average		4.1	5.0
n =		40	1
Office support staff	1 - Not at all Difficult	5%	
	2	5%	
	3 - Moderately Difficult	23%	
	4	14%	
	5 - Very Difficult	53%	
TOTAL		100%	
Average		4.1	.
n =		64	0
Entry level professionals	1 - Not at all Difficult	7%	
	3 - Moderately Difficult	19%	
	4	7%	
	5 - Very Difficult	67%	
TOTAL		100%	
Average		4.3	.
n =		54	0

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

How difficult is it for your employees to find affordable housing in the region?		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Mid-management	1 - Not at all Difficult	4%	
	2	4%	
	3 - Moderately Difficult	15%	
	4	13%	
	5 - Very Difficult	63%	
TOTAL		100%	
Average		4.3	.
n =		52	0
Upper management	1 - Not at all Difficult	9%	
	2	4%	
	3 - Moderately Difficult	21%	
	4	16%	
	5 - Very Difficult	50%	100%
TOTAL		100%	100%
Average		3.9	5.0
n =		56	1
Other	1 - Not at all Difficult	14%	
	3 - Moderately Difficult	14%	
	4	14%	
	5 - Very Difficult	57%	
TOTAL		100%	
Average		4.0	.
n =		14	0

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
How, if at all, has the availability of affordable housing in the region affected the work performance of your employees?	Displeasure with wage rates due to high housing costs	36%	43%		18%
	I don't believe housing has affected employee performance	33%	28%	50%	61%
	Tardiness from long commutes	29%	29%		11%
	High turnover	29%	22%		11%
	Other	17%	17%	50%	14%
	High absentee rate	9%	12%		4%
TOTAL		153%	151%	100%	118%
	n =	109	69	2	28
Do you feel affordable/employee housing for local residents is:	Not a problem		4%		7%
	One of our lesser problems	1%	6%		10%
	A moderate problem	21%	31%		41%
	One of the more serious problems	47%	44%	50%	38%
	The most critical problem in the area	32%	14%	50%	3%
TOTAL		100%	100%	100%	100%
	n =	117	70	2	29
Do you provide housing or housing assistance to any of your employees?	No	84%	81%	100%	83%
	Yes, provide housing and/or housing assistance (2011)		19%		17%
	Yes - provide housing	10%			
	Yes - provide other type(s) of housing assistance	6%			
TOTAL		101%	100%	100%	100%
	n =	109	72	2	24

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

To how many employees of the following types do you provide HOUSING?		Is business present in San Miguel Co? Yes Year of Survey 2018
Year-round employees	0	20%
	1	30%
	4	20%
	6	10%
	8	10%
	10	10%
TOTAL		100%
Average		3.5
n =		10
Seasonal employees in summer season	0	80%
	1	10%
	14	10%
TOTAL		100%
Average		1.5
n =		10
Seasonal employees in ski season	0	80%
	3	10%
	14	10%
TOTAL		100%
Average		1.7
n =		10

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

To how many employees of the following types do you provide OTHER HOUSING ASSISTANCE?		Is business present in San Miguel Co?		
		Yes		No
		Year of Survey		Year of Survey
		2018	2011	2011
Year-round employees	0		23%	
	1	17%	15%	75%
	2	17%	8%	25%
	4	33%	8%	
	5		8%	
	6		8%	
	11		8%	
	12		8%	
	16		8%	
	18	17%		
	30	17%	8%	
TOTAL		100%	100%	100%
Average		9.8	6.8	1.3
n =		6	13	4
Seasonal employees in summer season	0	100%	77%	100%
	1		8%	
	10		8%	
	30		8%	
TOTAL		100%	100%	100%
Average		.0	3.2	.0
n =		6	13	4
Seasonal employees in ski season	0	100%	77%	100%
	1		8%	
	7		8%	
	30		8%	
TOTAL		100%	100%	100%
Average		.0	2.9	.0
n =		6	13	4

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

		Is business present in San Miguel Co?			
		Yes		No	
		Year of Survey		Year of Survey	
		2018	2011	2018	2011
In the future, would you be willing to assist with the provision of affordable/employee housing?	Yes	16%	13%		21%
	No	31%	30%		38%
	Uncertain	54%	57%	100%	42%
TOTAL		100%	100%	100%	100%
	n =	114	70	2	24
Would you rather...	Subsidize rents	44%	25%		40%
	Lease housing for your employees	39%	25%		
	Don't know	33%	25%		20%
	Construct units for employees	33%			40%
	Provide down payments	22%			
	Subsidize mortgage payments	11%	13%		
	Contribute to damage deposits	11%			
	Other	6%	13%		
TOTAL		200%	100%		100%
	n =	18	8		5
For what types of employees would you provide housing assistance?	Year-round employees	81%	100%		100%
	Seasonal employees in ski season	50%	22%		
	Seasonal employees in summer season	44%	11%		
TOTAL		175%	133%		100%
	n =	16	9		5

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Please rate the level of priority that should be placed on creating the following types of housing for employees		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Rental housing for year-round employees	2	5%	
	3 - Moderate Priority	13%	33%
	4	25%	
	5 - High Priority	57%	67%
TOTAL		100%	100%
Average		4.3	4.3
n =		112	3
Rental housing for seasonal employees	1 - Low Priority	7%	
	2	16%	
	3 - Moderate Priority	21%	50%
	4	26%	
	5 - High Priority	31%	50%
TOTAL		100%	100%
Average		3.6	4.0
n =		107	2
Entry-level for-sale housing for year-round employees	1 - Low Priority	5%	50%
	2	9%	
	3 - Moderate Priority	17%	
	4	24%	50%
	5 - High Priority	45%	
TOTAL		100%	100%
Average		4.0	2.5
n =		111	2

11 Aug 18
Source: RRC Associates

San Miguel Employer Survey 2018

Please rate the level of priority that should be placed on creating the following types of housing for employees		Is business present in San Miguel Co?	
		Yes	No
		Year of Survey	Year of Survey
		2018	2018
Move-up for-sale housing for year-round employees	1 - Low Priority	8%	50%
	2	12%	
	3 - Moderate Priority	25%	
	4	23%	50%
	5 - High Priority	32%	
TOTAL		100%	100%
Average		3.6	2.5
n =		106	2
Other	1 - Low Priority	32%	
	2	12%	
	3 - Moderate Priority	24%	100%
	4	9%	
	5 - High Priority	24%	
TOTAL		100%	100%
Average		2.8	3.0
n =		34	1

11 Aug 18
Source: RRC Associates

Appendix: Open-Ended Comments

San Miguel Regional Housing Employer Survey

Table of Contents

Physical location of business - Other 1

Please describe your type of business - Other 1

What are the primary challenges you face in recruiting and retaining employees? (Other) 1

Please describe the 'Other' type(s) of employees (re: employee groups' difficulty in finding affordable housing) 2

How, if at all, has the availability of affordable housing in the region affected the work performance of your employees? (Other) 2

Do you provide housing or housing assistance to any of your employees? (Yes - Other types of housing assistance) 2

(If willing to assist) Would you rather: (other) 3

Please describe the 'Other' type(s) of employee housing you rated above 3

Do you have any other comments or suggestions regarding affordable housing for employees in San Miguel County? 3

Physical location of business - Other

in home -- no business space
Last Dollar PUD
Last Dollar Subdivision

Please describe your type of business - Other

author and book sales
Bakery Deli
beauty and health
carpet cleaning and upholstery
Carpet cleaning/Installation
entrepreneur
Fire/EMS
Forestry Contractor
HOA Management
Interior Design
Landscaping
legal
Prof. services
Regional food purveyor
restaurant
Wholesale/retail herbal medicine

What are the primary challenges you face in recruiting and retaining employees? (Other)

Economic swings
HIGH cost of living
just me
Kids think that Telluride is a high paying environment - it's hard to get entry level employees that don't want experienced level wages.
lack of cultural menu
lack of quality personel
Let's remember lot of people moved here to smoke pot legally, clogging up our employee housing, and not really wanting to work. Nobody is taking this in account so far.
Not a lot of qualified workers
not skilled in my field
rate of wages
self employed / no employees

Unqualified
variable part time work load

Please describe the 'Other' type(s) of employees (re: employee groups' difficulty in finding affordable housing)

All
Fire fighter/EMS
I own multiple businesses. The wages here are not low, they are ridiculously high for the quality of employees. This is not a low wage community. It's misleading on your questionaire.
Restaurant servers and cooks
restaurant staff

How, if at all, has the availability of affordable housing in the region affected the work performance of your employees? (Other)

Forces them into long commutes, valuable time away from families, large gas expenses, large carbon footprint
hire remote admin support more often
Housing should have nothing to do with employee performance
I have created a business model that does not rely on having employees
Inability to take job because can't find housing
long commutes in bad weather
long days with the commute plus work hours
Low Morale
Morale for friends looking
overall stress for all in community... thus I moved to ridgway... better vibe/less frenetic
stressful situations
tardiness is occasional-- not often
Understaffing places pressure on everyone and reduces quality to customers

Do you provide housing or housing assistance to any of your employees? (Yes - Other types of housing assistance)

condos for relocated employees
Ff cDown payment Assistance only for 1st time buyer after 2yrs and housing allowance for Law enforcement
For management we provide COLA (Cost of living allowance)
Help pay cost of living
housing allowance for some positions
mitigation

pay higher wages

(If willing to assist) Would you rather: (other)

Get priority in a lottery

Please describe the 'Other' type(s) of employee housing you rated above

All employees
Employee housing more consistent with the modern economy, such as locals housing that would allow for more tech/entrepreneurial professionals to build the economy in Telluride.
Employees own housing
Housing for low income, retired, disabled
If you watched social media for a minute last fall - people could not find basic housing - even rental rooms were near impossible to find. If we are going to bring people in to work in the service industry, rental housing is a must! I can understand homeowners wanting short term rentals for the investment side - so that shouldn't be on them. Instead there should be more housing available such as small apartments, or dorm style apartments - with a dining hall.
Live work space, but its hard because when you provide assistance for one person on commercial rental space/owner space it creates unfair competition for someone who pays market rate.
Move-up for-sale housing for year round residents who work in the community whose earnings and savings increase as they age but still can't afford free market. Not necessarily needing more space.
Move-up housing for reasons beyond increasing family size such as financial success large enough to put you out of your current, lesser valued home, for a greater value property instead of just being forced out into free market housing that is still out of reach financially.

Do you have any other comments or suggestions regarding affordable housing for employees in San Miguel County?

Affordable 'for - sale' housing - but not deed restricted - should be a priority. This is critical to recruit and retain mid - upper level management positions where the candidates generally have families and are not willing to rent, don't qualify for deed - restriction and can't afford current market value homes in Telluride or MV.
Affordable housing is crucial to a strong economy in this county. If workers are pushed out due to houses being bought up by people who do not have intentions of spending even half of the year here, we are creating more traffic to bring people in to work, wasting time and resources to provide resort town services to homeowners who do not live here (Telluride) full time. These homeowners do not consistently contribute to the economy other than property taxes. We need people both living and working in this town so that businesses are not so reliant on the pulses of tourists and homeowners. An ability to keep/ attain employees is not the issue. It's customer base that has to cut their spending so significantly that my business sales are negatively effected at precise times of the year.
Any proposed housing developments should be explored in the surrounding county areas, i.e. Down Valley, Norwood, etc. to get the most 'bang for the buck' rather than building close to Telluride. There will still be plenty of those who complain about the distance but beef up the bus system and the problem is solved.

As employees are here longer, they really do want to have ownership in a home. Just like the rest of the world.
As much as I love working in Placerville, I've had to take a job elsewhere because I and my family can't afford to live here. Housing from Norwood to Telluride is a joke. In Norwood, low income housing is $1000.00 a month.
Build more employee housing. Stop harassing people that already own in the hope that you can make them sell to someone else. Just because someone has worked hard and gotten a pay raise or gotten married and increased their household income doesn't mean they should loose their home especially when there is no where else to go.
Coordination and working together between governments and major employers is key.
Develop a sewer system down valley so secondary units can be utilized as rentals
Employers would love the opportunity to secure a housing unit or two under the business to then fill with its own employees. This would be a major benefit. It's not that we want to pay their rent, by to have housing to offer would make it easier to secure staff when housing is a problem.
Housing Authority, regional governments and (new) housing trust should work with owners of live-work lots in Lawson Hill to figure out what it will take to create housing on those properties that have remained unbuilt for 20+ years (and not for lack of trying)!
Housing has been a problem here for as long as I can remember. The hard working locals can't even afford to live in the place they work. If we could built affordable housing instead luxury condos I think it would greatly benefit the town. We all understand how critical tourism and top dollar expenses are to our little community but I think it's time we took care of ourselves. Put US first for a change. Once WE are doing well enough we can support the town even further, creating an even BETTER environment for tourism and economy building.
Housing is a huge concern in Telluride however, question 19 is highly concerning. The local government has little awareness of what it truly takes for businesses to make it here. Housing should not be the burden of a business now or ever.
I am self-employed. No employees & I am not an employee. I don't want to pay for other business & gov't (school) employees. Telski, T-Sports, etc.
I am sharing my resident in order to get workers to complete projects.
I am very concerned that I will be able to continue to run a business here. I have had an ad in the paper for a month for employees and have had very few applicants. My wages are very high for my industry. But even with high wages, employees can't find anywhere to live.
I have been a CPA in town for the past 9 years and I cannot find acceptable housing for myself to grow into. I have a small condo now but there is no reasonable place for my family to expand into so we are moving. I have been in the Telluride valley for the past 15 years but sadly there is no space for me to grow into so me and my business are leaving.
I know the current situation is not sufficient, but I wonder how to monitor the longer term, if tenants have increased wages or no longer work in the county. I would not be in favor of lining the north side of the valley floor with affordable housing. I dream that Council can develop something that is affordable to build in Idarado, rather than spend so much money building in difficult locations.
I think y'all are doing a great job creating new housing consistently and please keep up the good work!
If SMART put some emphasis on running busses at other times (evenings for restaurant workers) that would help - then folks could find housing in surrounding areas and not have to navigate dangerous roads at night. And, See #20
It seems certain community and workforce people are giving more priority than other community members who may have been here longer. How can we better allow and support community members in affordable housing to plan and save for retirement?

It should be a high priority
Large employers need to do more to support housing. It can't be a purely governmental issue to solve which it has been until recently when TSG got into the housing game.
Mandate the occupancy of caretaker units
need more opportunity for good quality, affordable, housing for professional families with kids .Not so much focus on seasonal employee housing
need more pet friendly rentals
Need to take into consideration employees who then become retirees but want to stay in the area.
no
NONE
Norwood still seems like a great option for employee housing and public transportation if I were asked.
Our three major governments and TSG need to work together. We subsidize such a small number of units in the town of Telluride at a high cost when the town of Telluride needs to sell the land and work with the county to build at Eider Creek or with 10 miles. We need 80 units at a time, not 8. Don't we all want to live in the center of town regardless of deed restriction? When you ask if I would pay for affordable housing, I already do with my town of Telluride taxes and my personal real estate transfer taxes on numerous transactions. The rules for ownership need to be simplified. But I'm trying to make a go at buying free market at a huge cost, does affordable housing for my competitors put me at a disadvantage?
please describe affordable, it is not 495k We need more very entry level ownership housing (125) k or so
Please explore options throughout the county and not just in Telluride or MV. We need more options down valley as well.
separate from Society Turn Business Center, I provide housing for 8 local workers in 3 units, one of which is deed restricted. I have made a point to never house my employees but other employees - less awkward when they stop working for you. Every business owner should provide some long turn rental housing regardless if it is a positive cash flow.
SMRHA should not provide this housing. Employers should. Senior housing is a governmental obligation.
Thank you for taking action!! I hope this information becomes very helpful!
The biggest strain is among high-level management staff seeking a higher quality of life, and under financial stress due to the high cost of housing.
The cost to build is the main issue. Developer returns are not adequate. Need to perform a **study on why materials and labor to build are so high for this area to see if there is a creative way to lower this cost while still maintaining our building standards.
The Guidelines need to continue to adapt to a changing global economy, including telecommuting, internet businesses, etc.
The local governments are not doing enough to ensure availability of long-term housing. Through taxing short term rentals and incentivising free market apartments (increasing density), we could have more residents in Town.
The more that are able to live here, the better the economy is. Montrose is booming because so many live down there.
The ski resort should do more along with mtn. village
The system for housing is flawed because it appears to be subjective. Approvals are made for purchasing housing for some, but not for others, and not consistent. There are always exceptions, but not for everyone. Enforcement is selective. The decisions made have had a negative financial impact on more than one deed-restricted owner. Housing is a big issue, and careful thought should be given to all decisions that impact an family's biggest investment and expense. It feels like the process is designed to cause financial distress, not assistance.

The town is squandering its funds on ownership housing while seriously neglecting rental housing, especially for lower end workers.
This topic is often discussed and debated with no trust realistic programs or projects to address the issue. Boarding houses and dorm styled apartments are not normally conducive to a family home. The action must be a reasonable abode for an employee and their family.
Transportation!
Very difficult to get new developments approved
Wages need to increase. They are stagnant compared to the escalation in housing and construction costs.
We are lucky that we have had all but one of our employees for more than 10 years. Probably not the typical case.
We don't need owner occupied deed restricted housing. We need affordable apartments. For owner occupied, we need track homes in Norwood as well as apartments.
We don't owe it to people to house them here...
We need more high density affordable rental housing within a 10-20 mile radius of town.
We need more year round rentals and affordable deed restricted housing!
We need more, and I think all available areas in town that could become affordable housing should. Let's maintain a local community in town, otherwise we lose our culture and the value of the Telluride experience will become less rich for tourists and second home owners too.
We no longer own property in Telluride or San Miguel County. We've owned a home in Ridgway for 22 years, we now use as a home office. We've expanded our work/ architecture service several states.
We provide elevated compensation to either offset commuting or local cost of living

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT K

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT
REZONING APPLICATION

COMPLIANCE WITH ARTICLE 2 POLICIES

Again, this is an application for rezoning and not for development. Many of the policies clearly relate to development, are not applicable in this context and will, necessarily, be addressed when the subject parcels are proposed to be developed. The rezoning of the rezoning area from F to CH satisfies the applicable Policies in Article 2, LUC as described below.

SECTION 2-1: CONFORMANCE WITH ADOPTED COMPREHENSIVE PLAN

It is the policy of the County to insure that the use and development of land within San Miguel County and any actions committing such land to development or a change in use are consistent with San Miguel County's adopted Comprehensive Plans.

RESPONSE: See the Standards Report for a discussion of the conformance of the rezoning to the Comprehensive Plan.

SECTION 2-2: COMPREHENSIVE PLANNING

It is the policy of the County to adopt a Comprehensive Development Plan for the County and regularly update the plan.

RESPONSE: Not Applicable

SECTION 2-3: PHASING OF PUBLIC SERVICES AND FACILITIES

It is the policy of the County to insure the efficient phasing of public services. To this end, it is County policy to prevent the location of activities and developments resulting in significant changes in population densities that are inconsistent with adopted Comprehensive Development Plan.

RESPONSE: The location for the rezoning project is supportive of the land use and housing policies of the Comprehensive Development Plan.

SECTION 2-4: COMMUNITY BALANCE

It is the policy of the County to identify the carrying capacity of San Miguel County to achieve and maintain a social, economic and environmental balance in the community. Additionally, the County shall seek to maintain a balance between the peak population in the community and recreational activities and public services, taking into consideration the County's environmental carrying capacity and shall determine the appropriate service level required to maintain an adequate stock of affordable housing.

RESPONSE: The proposed rezoning supports the County's interest to provide an adequate stock of affordable housing. Increased residential density in this area is consistent with and supportive of the County's Comprehensive Development Plan.

SECTION 2-5: SKI AREA DEVELOPMENT

It is the policy of the County to seek a balance between ski area capacity and demands generated by skiers for tourist accommodations, commercial facilities and public services including transportation and affordable housing.

RESPONSE: Not Applicable

SECTION 2-6: COMPATIBILITY WITH EXISTING ADJACENT NEIGHBORHOODS

It is the policy of the County to insure that any land use applicant under the provisions of this Code consults with the local neighborhood caucus or homeowners' association, open to all residents, concerning the compatibility of the uses proposed with existing neighborhood and any adopted neighborhood goals and objectives, or that the procedures for the processing of any development application provide for notice to and hearing of such local groups.

RESPONSE: This rezoning application has been submitted for review consistent with established County procedures, including required legal notifications to neighbors. Through the regular two-step review process established by the Land Use Code, the rezoning project will afford neighbors and the broader community the opportunity to provide perspective and input to the Planning Commission and Board of County Commissioners.

SECTION 2-7: CONFORMANCE WITH OTHER LAWS

It is the policy of the County to consider whether approval of uses or development of lands within San Miguel County is consistent with applicable laws of the United States of America and the State of Colorado and the County Land Use Code.

RESPONSE: Not Applicable

SECTION 2-8: NATURAL AND MAN-MADE HAZARD AND RESOURCE AREAS

It is the policy of San Miguel County to prevent any use and development of land that may:

2-801 Unreasonably subject any person, or use, to natural or man-made hazards;

2-802 Unreasonably create or contribute to the danger of natural or man-made hazards that might affect lands or the use and development thereof;

2-803 Unreasonably subject other persons including the County to the risks and expenses necessary to mitigate hazardous conditions, respond to emergencies created by such conditions, or to rehabilitate any lands or improvements thereof;

2-804 Be unduly destructive to the natural resources of the County; or

2-805 Constitute a public or private nuisance.

RESPONSE: Not Applicable. The nature of rezoning does not establish any specific land use outcome.

SECTION 2-9: SOIL, SURFICIAL GEOLOGIC CHARACTERISTICS AND RADIATION

It is the policy of the County to discourage inappropriate land uses or development in hazard areas; those areas susceptible to radiation hazards or to structural damage or failure resulting from soil and surficial geological characteristics such as shrink-swell, inadequate bearing capacity, inadequate groundwater drainage, frost heaving, or chemical reactions.

RESPONSE: As described in the Standards Report, the rezoning area is not within any identified geologic hazard area. Nevertheless, as a part of any future development application details associated with the site geology will be evaluated.

SECTION 2-10: DRAINAGE

It is the policy of the County to preserve the integrity of existing and natural drainage patterns in order that future public and private development activities do not cause or contribute to storm drainage and floodwater patterns exceeding the capacity of natural or constructed drainage ways, subject other areas to increased potential for damage by flood, erosion or sedimentation, or cause or contribute to polluting natural streams. New development must provide for structures and/or detention facilities necessary to insure that the runoff characteristics of a site are no more disruptive to natural streams, or existing land uses, or drainage systems than are the runoff characteristics in its natural state.

RESPONSE: As described in the Standards Report, the anticipated development area within the area of rezoning avoids areas of steep slopes and known drainages and is not within a mapped flood hazard area. Nevertheless, as a part of any future development application details associated with how the project would address stormwater runoff, drainage, and other relevant criteria.

SECTION 2-11: EROSION

It is the policy of the County to prevent the acceleration of the erosion of soil and rock and whenever possible maintain vegetative cover to minimize soil disturbance.

RESPONSE: As described in the Standards Report, the anticipated development area within the area of rezoning avoids areas of steep slopes where erosion would be most problematic and areas of established natural vegetation. Nevertheless, as a part of any future development application details on how the project would address onsite erosion potential.

SECTION 2-12: SCENIC QUALITY

It is the policy of the County to preserve the scenic quality of lands within the County for the benefit of its residents and the continued viability of a resort economy that is dependent upon the quality of its rural and natural setting. To this end, it is the policy of the County to:

2-1201 Preserve the natural appearance of the mountain slopes, particularly from major activity areas, public roads, and trails by regulating the location, height, design and screening of development;

2-1202 Minimize the adverse scenic effects of roads and facilities by regulating the location and use of future development and the expansion of existing development where new or increased roads and facilities would be required to serve such areas and where the construction of such roads and facilities would impact the scenic quality of areas visible from public roads, trails or major activity centers;

2-1203 Minimize any adverse scenic effects of roads and other facilities by regulating their alignment, design, and construction so as to reduce their impact on the visual quality of any areas in the County, particularly public roads, trails and major activity areas;

2-1204 Control the use of natural areas to insure that development does not result in scars from fire, erosion or vandalism;

2-1205 Preserve and create scenic views of the surrounding mountains from public places within the County;

2-1206 Achieve visual quality within areas of existing and future development by prohibiting or mitigating the impacts of unsightly equipment, uses and structures; controlling the design and alignment of electricity and phone lines and similar facilities; and, where feasible, requiring such lines to be underground; specifying design standards such as setbacks, height limits, view corridors, historic zones and material requirements; controlling signs, and ensuring the rehabilitation of areas subject to temporary or discontinuous use, such as mines, pits and quarries; and

2-1207 Manage development within the designated view planes and the scenic foreground to preserve the natural appearances within the Telluride Region.

RESPONSE: As described in the Standards Report, the anticipated development area is not within the Scenic Foreground or View Planes as described in the Telluride Regional Area Master Plan. The act of rezoning, in and of itself, does not alter the scenic resources. Nevertheless, it is expected that a future development application would address all relevant factors associated with this policy.

SECTION 2-13: AIR QUALITY

It is the policy of the County to permit only that development which will not contribute significantly to degradation of air quality in the County.

RESPONSE: Not Applicable

SECTION 2-14: WATER RESOURCE AND WETLAND IMPACTS

It is the policy of the County to preserve and protect water resources, identified wetland areas, watershed basins, riparian areas and ecologically important ground waters, recognizing the County's semi-arid character and that the vested rights of senior appropriations in the basins have materially curtailed the availability of an already scarce water resource. To this end it is the policy of the County:

2-1401 To discourage development that would adversely affect the quantity, quality, or accessibility of the County's water resources; and to discourage development which would occur at the expense of established water-dependent agricultural activities or which would result in increased degradation of water resources, loss of minimum stream flows, further destruction of wildlife habitat or major expenditures to reacquire or redistribute major water resources; and

2-1402 To maintain a natural vegetative buffer along surface waters such that the surface and groundwater resources of the area are not encroached upon by land uses or other human activities which could cause degradation of water quality or impair the ecological functions and natural treatment processes provided by riparian areas, meadows and wetlands.

2-1403 To protect the significant ecological, recreational, aesthetic and water resource values of watershed basins of the upper San Miguel River, and in so doing protect the natural resources of the upper San Miguel River.

2-1404 To facilitate the protection and provision of public drinking water supplies, by protecting the integrity of the upper San Miguel River watershed, including ecological and drinking water functions of groundwater and the integrity of the San Miguel River ecosystem.

RESPONSE: As described in the Standards Report, the anticipated development area is not within an area identified as a wetland (via the National Wetland Inventory) or a riparian zone. Nevertheless, as a part of any future development application details on how the project would address wetlands and associated water resources would be fully addressed.

SECTION 2-15: NOISE

It is the policy of the County to discourage land uses that will generate noise that would adversely impact existing neighboring land uses or the enjoyment thereof

RESPONSE: As described in the Standards Report, the anticipated development of residential housing is not expected to generate significant noise.

SECTION 2-16: WILDLIFE PROTECTION

It is the policy of the County to identify and protect wildlife habitats for the preservation of wildlife, to encourage land use patterns that avoid disruptions to such habitat. The County will coordinate with Colorado Parks and Wildlife personnel regarding proposed development or uses within or adjacent to mapped wildlife habitat areas to mitigate impacts of development on wildlife.

> 2-1601 It is the policy of the County to protect, enhance and preserve Gunnison Sage-grouse populations and their habitats. To this end, the County will consider and, to the extent possible, implement the rangewide and local conservation strategies set forth in the Gunnison Sage-grouse Rangewide Conservation Plan, dated April 2005, and all amendments to the Plan (Colorado Parks and Wildlife) when considering land use activities and development that is located within Gunnison Sage-grouse habitat as mapped by the Colorado Parks and Wildlife.

RESPONSE: As described in the Standards Report, portions of the anticipated development area are within areas defined by CPW as having some habitat function. Nevertheless, it is expected that a future development application would address all relevant factors associated with this policy.

SECTION 2-17: ADEQUATE PROVISION OF WATER

It is the policy of the County to insure the availability of a water supply of adequate quality, quantity, pressure and dependability for fire protection and support of a proposed land use prior to approval of the use. The County shall encourage land uses to hook up to existing public systems if service is available.

RESPONSE: As described in the Standards Report, the opportunity exists to connect the development area with Town of Telluride water. Nevertheless, it is expected that a future development application would address all appropriate details and capacity needs associated with a site-specific plan.

SECTION 2-19: ROAD SYSTEM IMPACTS

It is the policy of the County to preclude development that generates traffic volumes in excess of the capacity of the County road system or results in significant service level reductions or extraordinary impacts, unless the proponents of the development pay their fair share of costs to be generated by the proposed development to upgrade on-site and off-site roads consistent with the County's Road Management Plan and other policies of the County. The County may deny or postpone development approvals to insure that the timing of development coincides with the County's road improvement program.

RESPONSE: As described in the Standards Report, while the proposed rezoning does not create any traffic, a review of the existing traffic conditions suggests that future development is possible that would not result in significant service level reductions. Furthermore, it is expected that a future development application would address all appropriate capacity determinations, and mitigative measures associated with a site-specific plan.

SECTION 2-20: NEW SUBDIVISION ROADS

It is the policy of San Miguel County to accept the dedication of new roads within subdivisions, when a developer demonstrates the roads are constructed in compliance with County standards and development will generate an adequate revenue stream for the County to maintain the roads without placing an additional tax burden on existing County residents.

RESPONSE: Not Applicable

SECTION 2-21: EXISTING SUBDIVISION ROADS

The County shall assist homeowners currently maintaining their subdivision roads to form districts to maintain existing subdivision roads. Additionally, the County shall insure that new development which impacts existing subdivision roads pays its fair share cost to mitigate the impacts of construction and daily traffic on existing subdivision roads.

RESPONSE: Not Applicable

SECTION 2-22: ROAD DESIGN AND CONSTRUCTION

2-2201 It is the policy of the County to insure that new and upgraded roadways are designed, engineered and constructed to minimize environmental or aesthetic damage and future maintenance costs consistently with public safety needs. The County shall utilize flexible road standards to design roadways to adapt to the landscape rather than requiring significant changes to the landscape by strictly applying standard engineering practices.

2-2202 This policy statement is intended to reflect the Goals and Objectives of the Telluride/Ophir High Country Area Sections of the County's Comprehensive Development Plan (Master Plan). It is the policy of the County in the High Country Area (HCA) Zone District to prohibit both public and private improvements to public roads, in order to retain the relatively undeveloped character of backcountry areas and maintain the present rough condition of existing mountain passes and roads to protect their historic character and recreational functions.

2-2203 Roads and driveways shall have minimal visibility from the Towns of Telluride, Mountain Village, or Ophir. 2-2204 The County shall prohibit public or private routine winter maintenance on public roads from November 1 through May 1 in the High Country Area (HCA) Zone District. The County Road and Bridge Department may, pursuant to Resolution 1996-23, in its reasonable discretion issue a Special Construction Permit authorizing winter maintenance on a portion of CR K69, also referred to as Lower Bridal Veil Road, a designated High Country Road, after November 1 and before May 1, based upon its determination that weather and snow pack conditions are reasonably safe and appropriate for such road maintenance activities as may be required to serve essential community facilities.

RESPONSE: Not Applicable.

SECTION 2-23: EXTENSION OF UTILITIES

It is the policy of the County to regulate utility extensions in a manner which insures that utility resources be directed to areas with or adjacent to existing development and to areas suitable for development consistent with the policies of the County. Such areas should be provided with necessary public utilities. The County shall discourage utility extensions:

2-2301 To areas which are not fully serviced and are premature for development;

2-2302 To areas that are not suitable for the type or amount of development necessary to support the service or development that is likely to result from such extension;

2-2303 That are not financially viable without additional public expenditures to extend or upgrade components of the system or for increased maintenance or operating needs;

2-2304 Which duplicate major lines or treatment facilities;

2-2305 Which would require unusual construction, maintenance or operating costs due to topographical, soil or geological conditions; and

2-2306 Which generate costs, including environmental impacts exceeding the benefit to be gained thereby

RESPONSE: As described in the Standards Report, the potential area of development within the rezoning area is proximate to existing public infrastructure. The details associated with most appropriate measures to connect or provide services are appropriate to address at the time of a development application.

SECTION 2-24: IMPACTS ON TAXES AND MANAGEMENT OF NECESSARY SERVICES AND FACILITIES

It is the policy of the County to insure that new development shall make a fair share contribution to San Miguel County or to special districts to insure that new development will not result in any reduction in the quality of services, or public facilities or programs provided to the community.

RESPONSE: Not Applicable.

SECTION 2-25: TRANSPORTATION

It is the policy of the County to encourage in any new development measures minimizing automobile congestion; promoting traffic safety and discouraging automobile sources of air pollution; promoting non-motorized transportation alternatives such as trails for bicycles, horses, pedestrians and cross-country skiers; encouraging the use of public transportation, as opposed to the individual use of the automobile; and reducing the number of vehicle trips per day.

RESPONSE: As described in the Standards Report, while the proposed rezoning does not create any traffic, a review of the existing traffic conditions suggests that future development is possible that would not result in significant service level reductions. Furthermore, it is expected that a future development

application would address appropriate factors related to transportation, access and trip reduction as a part of a site-specific plan.

SECTION 2-26: MASS TRANSIT

It is the policy of the County to require new developments to pay their fair share costs to enhance the mass transit system in San Miguel County.

RESPONSE: Not Applicable. Consideration of future mass transit needs would be appropriate at the time of a site-specific development application.

SECTION 2-27: COMPATIBILITY WITH AGRICULTURAL LANDS AND OPERATIONS

It is the policy of the County to promote the economic viability of agricultural lands and operations within San Miguel County and to insure that large tracts of land now committed to or capable of agricultural uses are preserved. To this end, the County shall:

2-2701 Insure that development in the vicinity of agricultural land shall not make continued agricultural operations impractical or economically infeasible; 2-2702 Encourage the exclusion of primarily agricultural lands from taxing districts that may be formed for purposes with little measurable benefit to agricultural operations;

2-2703 Preclude development or development patterns that remove so much water from agricultural use that there is an insufficient supply for agriculture;

2-2704 Encourage the preservation of agricultural lands and uses within the undeveloped portions of proposed or approved development wherever possible;

2-2705 Protect agricultural operations from disruptions resulting from domestic pets; and

2-2706 Encourage practices that eliminate noxious weeds, including use of weed-free hay. Any ground disturbance should incorporate appropriate weed control measures to be determined in consultation with the San Miguel Basin Weed Board.

RESPONSE: Not Applicable.

SECTION 2-28: COMPATIBILITY WITH HISTORICAL AND ARCHAEOLOGICAL RESOURCES

It is the policy of the County to protect any sites, structures and surrounding areas determined to have historical or archaeological significance to the community, the region, or the State of Colorado from any destruction or alteration of the site, structure or surrounding area that would detract from its historical and archaeological significance.

RESPONSE: As described in the Standards Report, no known historical or archaeological resources are found within the subject parcels or rezoning area. Nevertheless, it is expected that a future development application would address all relevant factors associated with this policy within the context of a site-specific plan.

SECTION 2-29: HOUSING

Resident and tourist speculative investment and the utilization of an increasing percentage of the housing stock as short-term accommodations or vacation homes are economic factors contributing to high housing costs and a contraction of the housing stock available for permanent and seasonal residents. Real estate market forces spur developers to create an exclusionary, homogenous, high income, second-home housing market absent of low and moderate income housing opportunities. It is the policy of the County to:

2-2901 Alleviate overcrowding, excessive commuting, and social instability prevalent in the permanent resident community resulting from speculative, second home and tourist influences in the permanent resident housing market;

2-2902 Provide a wider choice of housing alternatives for persons of low or moderate incomes living in the community;

2-2903 Insure that future development alleviates rather than contributes to problems of inadequate housing for persons residing or working within the County;

2-2904 Disapprove those developments that are exclusionary

2-2905 Assist the private sector in providing new affordable housing throughout San Miguel County, but primarily in the Telluride Region, to reduce the critical shortage of affordable housing;

2-2906 Prepare, adopt and continually update a Housing Action Plan addressing affordable housing; 2-

2907 Revise County land use policies and regulations based upon the adoption of the Housing Action Plan and updates to the Plan; and

2-2908 Insure that housing units that are intended to mitigate the impacts of development upon affordable housing are located in the same general area as the development.

2-2909 Insure that all new employee generating development contributes its fair share to the housing of local residents in order to reduce commuting traffic, create social investment and maintain vitality within our community. 2-2910 It is the policy of the County to provide

affordable employee housing for persons working in the County. This policy has been reiterated by the Board of County Commissioners and is formally recognized in this Code and by the establishment of the multi-jurisdictional housing authority created by San Miguel County and Towns of Mountain Village and Telluride. Revisions to this Code are necessary to further the goal of the County to provide housing that is affordable to the average person employed in the County so that further degradation of our community character is prevented and that the County continues to be a viable residential community.

San Miguel County has set the following priorities to further the goal of providing affordable housing:

1. Onsite construction of affordable housing units

2. Off-site construction of affordable housing units

3. Dedication of improved lots within a subdivision

4. Dedication of (raw or unimproved) land

5. Conversion of existing free market housing to deed restricted, appreciation Capped units in a manner acceptable to the Board of County Commissioner

6. Payment in-lieu (employee housing Impact Fees), to apply to development that has not otherwise fully mitigated its employee housing impacts.

RESPONSE: The essential purpose of this rezoning project is to support the County's policies, goals and objectives for expanding housing opportunities for residents. Future development within this rezoned area would help to alleviate the existing lack of affordable housing in San Miguel County. The Community Housing zoning district specifically addresses housing needs for "people who live and work within San Miguel County" and new dwelling units would be subject to the County's R-1 Housing Deed Restrictions. (See SMCLUC Section 5-324A). The CH zoning district is uniquely appropriate as a zoning designation to help achieve this policy objectives under Section 2-29.

SECTION 2-30: ENERGY CONSERVATION

It is the policy of the County to encourage features in any development that will conserve energy resources and minimize the consumption of energy. 2-3001 Encourage the utilization and incorporation of energy conservation measures, Green Building Standards (pursuant to Board of Commissioner Resolution 2005-44 regarding Prescriptive Energy Code and Green Building Standards), and alternative energy sources, including but not limited to passive solar design, wind generation, geothermal, photovoltaic, hydrogen fuel cells, etc., for all construction in the County.

RESPONSE: As described in the Standards Report, opportunities exist to support future energy conservation measures within the rezoning area. It is expected that a future development application would consider options for energy conservation as expressed in this policy within the context of a site-specific plan, as specifically required under the Community Housing zoning district (SMCLUC Section 5-324A).

SECTION 2-31: COMPATIBILITY WITH ADJACENT OR NEARBY PUBLIC LANDS

It is the policy of the County to preserve and protect public lands from the impacts of incompatible development. To this end it is the policy of the County to:

2-3101 Insure that development near or adjacent to public lands will not cause high concentrations of population in such areas;

2-3102 Discourage development that will encourage the intrusion of roads or high levels of human activities on such lands;

2-3103 Insure that any development will not result in adverse environmental impacts on such lands, such as water or air pollution and threats to wildlife habitat by dogs or human activity;

2-3104 Favor low-impact land uses that support non-motorized dispersed recreation and the preservation of wildlife habitat, scenic quality and air and water quality;

2-3105 Favor public land management practices, policies and plans that are consistent with County policies over other land management practices;

2-3106 Coordinate and cooperate with public land managers on the management of both public and private lands and interests consistent with County policies;

2-3107 Adhere to the policies and standards embodied in the San Miguel County Land Use Code, the San Miguel County Comprehensive Development Plan, Planned Unit Development agreements and State and federal regulations in addressing development of lands within or adjacent to public lands; 2-3108 Neither impose special standards nor waive existing standards in response to land use permitting in these areas;

2-3109 Pursue the implementation of these policies through a land use planning process, including public involvement and more specific legislation if necessary; and

2-3110 Strongly oppose land uses within wilderness areas that are not consistent with the Wilderness Act of 1964.

RESPONSE: Not Applicable.

SECTION 2-32: ACCESS TO PUBLIC LANDS

It is the policy of the County to preserve existing access points to public lands and to strive to secure new access points to public lands. To this end it is the policy of the County to:

2-3201 Insure open access to public lands while protecting the rights of private landowners;

2-3202 Favor pedestrian and non-motorized forms of access in pursuit of exercise, camping, hunting and fishing, nature study and similar uses minimizing impacts and preserving the natural environment over other types of access;

2-3203 Favor the maintenance of access into areas along routes that have been used in the past over the development of new access routes, unless the Master Plan recommends the development of a new route or if it is found that the abandonment of old access routes and the development of new ones will lead to significant reductions in environmental impacts and superior public access;

2-3204 Identify access routes in which the County has a legal interest and pursue the establishment of such interests by appropriate means;

2-3205 Identify those access routes of which preservation is essential to the maintenance of appropriate uses and activities, and take appropriate steps to secure those routes for ongoing public use; and

2-3206 Favor permanent and irrevocable rights of access over conditional or temporary rights.

RESPONSE: Not Applicable.

SECTION 2-33: PRIVATE LANDS SURROUNDED BY PUBLIC LANDS (INHOLDINGS)

It is the policy of the County to promote and encourage the transfer of private inholdings to public ownership with the objective of promoting consistent management of the public lands to reduce conflicts between private owners and developers and the public at large. To this end it is the policy of the County to:

2-3301 Pursue and promote the acquisition of private inholdings through purchase or exchange by the federal government, or, within the constraints of County budget and competing needs, by the County;

2-3302 Favor maintenance of inholdings for open space over the use of inholdings for any developmental purpose; and

2-3303 Subject any development of inholdings for any purpose to all applicable County land use standards including, but not limited to, zoning codes, building codes and land use codes.

RESPONSE: Not Applicable.

SECTION 2-34: REVEGETATION WITH NATIVE SPECIES

It is the policy of the County to prevent weed infestation and to ensure that all surface disturbances, especially of topsoil, are revegetated with native species.

RESPONSE: Not Applicable.

SECTION 2-35: MINING AND MINERAL PROCESSING OPERATIONS

It is the policy of the County to permit commencement or expansion of Mining and Mineral Processing operations only in appropriate areas identified pursuant to the County Comprehensive Development Plan, with review, as appropriate, under Land Use Code Section 5-4 and CRS 24- 65.1-101 et. seq.,

"Areas and Activities of State Interest," subject to adequate mitigation of environmental, noise, traffic, and other impacts of such activities.

RESPONSE: Not Applicable.

SECTION 2-36: CODE ENFORCEMENT

It is the policy of the County to enforce all provisions of the Land Use Code, Uniform Building Code, Colorado Department of Health and Environment regulations, and all other applicable County-adopted codes governing public health, safety and welfare, such that County personnel's knowledge of non-compliance discovered during the normal course of business shall result first in efforts to bring non-compliant situations into compliance, and then, if compliant can't be achieved within a reasonable time frame, in seeking appropriate remedies as described in Land Use Code Section 1-16.

RESPONSE: Not Applicable.

SECTION 2-37: PRESERVING THE HIGH COUNTRY AREAS 2-3701

It is the policy of the County to encourage private efforts to preserve land in the High Country Master Plan Area through conservation easements with land trusts, or by sale, transfer, or land exchange to a public land management agency. The County favors preservation and protection of these high country areas in the upper San Miguel Watershed for open space, public recreation, and watershed and source water protection over the use of these properties for any development purpose. 2-3702 Ensure that any development of property in the High Country Area Zone District is in keeping with the goals and objectives of the Telluride/Ophir High Country Area Sections of the Master Plan.

RESPONSE: Not Applicable.

SECTION 2-38: WIRELESS SERVICES AND COMMUNICATIONS FACILITIES

It is the policy of the County to ensure that residents, visitors, schools, public safety operations and businesses in unincorporated areas San Miguel County have reliable access to Personal Wireless Services while ensuring that this objective is achieved in a fashion that preserves the aesthetic character of the community and neighborhood and is accomplished according to the County's planning, zoning, and design standards.

RESPONSE: Not Applicable.

SECTION 2-39: PRESERVING THE DARK NIGHT SKY

2-3901 It is the policy of the County to protect the quality of starry nights and nocturnal environment, and to specifically protect the night sky for its scientific, natural, and educational values; cultural heritage; and/or public enjoyment.

2-3902 Ensure that all outdoor nighttime lighting in all county Zone Districts be designed wisely to minimize the harmful effects of light pollution. Lighting plans shall address the type, intensity, location, color, timing, and fixture design, as well as the specific needs of a property or facility's use.

RESPONSE: Not Applicable. A future development application addressing a site-specific plan would address relevant provisions of this policy.

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT L

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT
REZONING APPLICATION

MINIMUM SUBMISSION CONTENTS FOR ALL APPLICATIONS PER SMCLUC §4-2

4-201 General
All development applications shall include, at minimum, the information and materials specified in this section of the Code. During the pre-application conference the Planning Office staff may authorize modifications to the required submission contents.

RESPONSE: See below.

4-202 Required Background Information
A letter signed by the property owner containing the property owner's name, the applicant's name, address and telephone number, and if applicable, the name, address and telephone number of the representative authorized to act on behalf of the property owner.

RESPONSE: See Letters of Authorization (**Exhibits D, D1, and D2)** in the folder Required Background Information (SMCLUC 4-202)

4-203 Parcel Description
The street address and current legal description of the parcel on which the development is proposed to occur and an 8-1/2" x 11" vicinity map locating the subject property within San Miguel County.

RESPONSE: There is no street address. The legal descriptions of the subject parcels are provided in the Project Description above and the legal description of the rezoning area is attached as **Exhibit A**. A Vicinity Map is attached as **Exhibit A1**. The Replat Survey of Lots 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, and 9-R, Diamond Ranch, and Lots 1-R, 2-R, and 3-R DIAMOND RIDGE, As recorded by San Miguel County on December 21st, 2016 on Pages 4835-4848 is provided as **Exhibit A2.** See folder Parcel Description (SMCLUC 4-203).

4-204 Disclosure and Proof of Ownership
A disclosure of ownership of the parcel on which the development is proposed to occur, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all holders of subsurface mineral interests of record listed in the real estate records of the San Miguel County Clerk and recorder, mortgages, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application. This shall normally require proof of complete ownership or written consent from all owners. The staff may also request the applicant to supply information regarding the subject property and contiguous property sufficient to indicate that the subject lot was legally created.

RESPONSE: See Title Insurance Commitment attached as **Exhibit E.** Transaction costs have been redacted. See folder Disclosure and Proof of Ownership (4-204). Mineral reservations are address in the attached letter from Joseph E. Edwards III – as **Exhibit E2**.

4-205 Legal Access
Sufficient information to demonstrate that the applicant has adequate legal access to the parcel for the development proposal.

RESPONSE: The subject parcels and the rezoning area have access to Last Dollar Road. See **Exhibit F** in folder Legal Access (SMCLUC 4-205).

4-206 Standards Report
A written report demonstrating that the proposed development complies with the applicable substantive review standards.

RESPONSE: See Standards Report and associated supportive materials in folder Standards Report (SMCLUC 4-206)

4-207 Pre-Application Conference Summary Sheet
A copy of the pre-application conference summary sheet provided to the applicant at the pre-application conference.

RESPONSE: See **Exhibit G** in folder Pre-Application Conference Summary Sheet (SMCLUC 4-207).

4-208 Site Plan
The number of copies of 24" x 36" and 8-1/2" x 11" site utilization maps as specified by the staff during the pre-application conference. During the pre-application conference, the Planning Office may authorize an applicant to consolidate or delete specific maps which may not be applicable to a particular development proposal. The 24" x 36" site utilization maps must be folded to fit within a legal-size folder with the name of the application visible. Site maps shall include identification of Areas of Local and State Interest as set forth in Section 5-4 and Wetland Areas as set forth in Section 5-22, for all areas where development activity is proposed.

RESPONSE: See Site Utilization Map as **Exhibit B** in folder Site Plan (4-208).

4-209 Copies of Application
During the pre-application conference the staff shall specify the number of copies of the application to be submitted.

RESPONSE: Two paper copies attached and one electronic copy pursuant to the Pre-Application Conference Summary.

4-210 Revegetation Plan
A plan for revegetation of all surfaces disturbed in conjunction with development that preferably employs native species, includes replacement of topsoil and specifies a maintenance schedule and techniques.

RESPONSE: See **Exhibit G** in folder Pre-Application Conference Summary Sheet (SMCLUC 4-207).

4-211 Weed Control Plan

A plan for control of noxious weed, as listed in the San Miguel County Weed Identification List, for all surfaces disturbed in conjunction with Development, as approved by County staff. Disturbed surfaces over one cumulative acre in size will require bonding for revegetation and weed control.

RESPONSE: See **Exhibit G** in folder Pre-Application Conference Summary Sheet (SMCLUC 4-207).

4-212 Employee Housing Mitigation Plan

A plan that complies with Section 5-13 of this Code to provide appropriate employee housing mitigation for the proposed development in the R-1 School District, if applicable.

RESPONSE: See **Exhibit G** in folder Pre-Application Conference Summary Sheet (SMCLUC 4-207).

THE RIDGE

COMMUNITY HOUSING REZONING PROJECT

EXHIBIT M

THE RIDGE
COMMUNITY HOUSING REZONING PROJECT
REZONING APPLICATION

ADDITIONAL REQUIREMENTS FOR A MAJOR DEVELOPMENT APPLICATION PER SMCLUC §4-6

4-601 General

This part of the Code establishes the required submission contents for Group I development applications. Figure 4-1 of this Article 4 identifies the various land development applications in Group I, Code sections that contain the review procedures and the review standards applicable to each type of land development application.

RESPONSE: Not applicable.

4-602 Application Contents

Development applications for activities categorized as Major Development Applications (Group I) shall include the minimum submission contents for all land development applications listed in Section 4-2 and a written report demonstrating that an application complies with the applicable review standards identified in Figure 4-1 and with any other relevant Land Use Code standards.

RESPONSE: Minimum submission contents are set forth above, and the Rezoning Review Standards are addressed below.

4-603 Existing Official Plat or Planned Unit Development (PUD) Plan

An applicant shall submit copies of the approved plat or PUD plan.

RESPONSE: There is no County approved plat. The subdivision plats by which the subject parcels were created as state-exempt 35-acre subdivision parcels are attached as **Exhibit A2**. The rezoning area is not within a PUD. See folder Parcel Description (4-203).

4-604 Proposed Plat, Plan or Map

An applicant shall submit printed copies of the proposed plat or plan, map of the roads proposed to be accepted by the County, or area proposed for rezoning in the size and format directed by the Planning Department. Applicants for development in an Area of State and Local Interest (1041 environmental hazard review) need not submit this plat or map.

The rezoning area legally described on **Exhibit A** and shown on **Exhibit B**. See folder Parcel Description (4-203) and folder Site Plan (SMCLUC 4-208).

4-605 Special Submission Contents for Acceptance of Subdivision Roads

RESPONSE: Not applicable, no roads are proposed to be dedicated and accepted.

4-606 Special Submission Contents for All Applications for Development in an Area of Local and State Interest/ C.R.S. 1041 Environmental Hazard Review

RESPONSE: While this application is only for rezoning, the relevant standards under SMCLUC Section 4-606 are addressed in the Standards Report.

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9

San Miguel County and the Town of Telluride, Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

☒ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

☒ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Kent Sharp, President
Name

_San Miguel County and the Town of Telluride_____
___ (Insert Applicant's name if executed by agent)

_Parcels 456530318011, 456530317012, 456530317013, Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, San Miguel County, Colorado_____
Physical location of Property and/or legal description

__SE Group, Suite 201, PO Box 2729, 323 West Main Street, Frisco, CO, 80443 ___
Mailing Address (if different from above)

Date: 04/12/2022

Signature: _____

[text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.

March 22, 2022

NOTICE TO PROPERTY OWNERS,

The San Miguel County Planning Commission has been asked to consider an application submitted by SE Group and Klein Cote Edwards Citron LLC (Representatives) on behalf of the Town of Telluride and San Miguel County (Applicants), for property owned by Diamond Ridge Telluride, LLC (Property Owner). The application proposes to rezone a portion of Lots Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, from Forestry, Agriculture and Open (F) to Community Housing (CH). Rezoning requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. Thursday, April 21, 2022. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

The application is available on-line at https://www.sanmiguelcountyco.gov/DocumentCenter/View/7999/Diamond-Ridge---Rezoning-Application-032122.

Written comments of more than one page may not receive complete consideration if not received by April 13, 2022. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

The meeting on this proposal is not limited to those receiving copies of this notice. If you know of any neighbor or potentially affected property owner who, for any reason, has not received a copy of this notice, it would be appreciated if you would inform them of this public hearing.

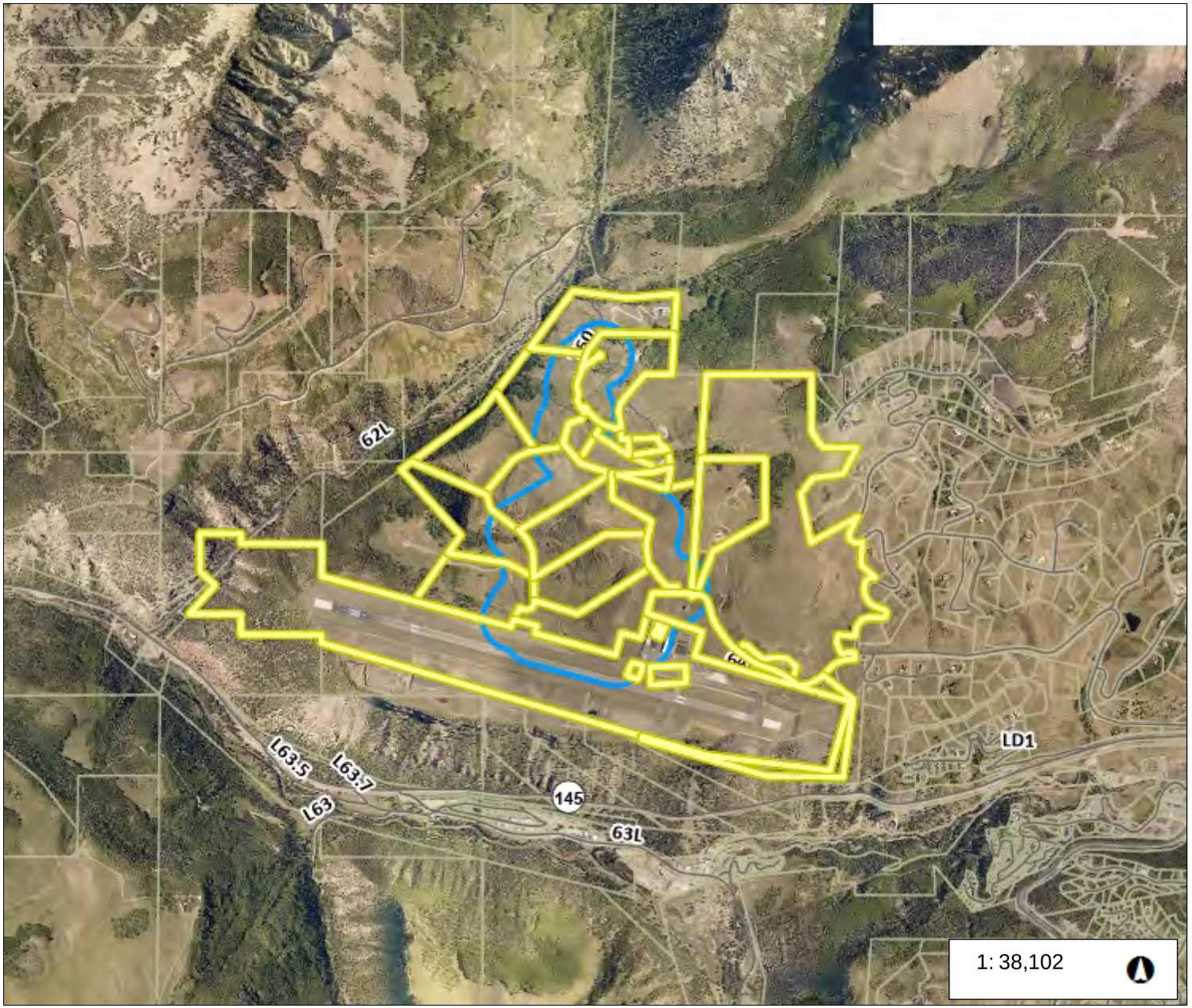
Respectfully,

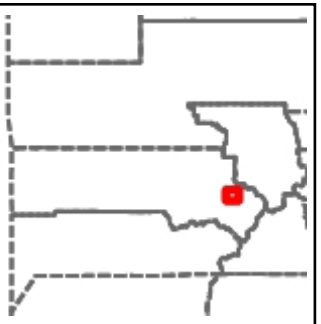
_____

Mark Kane, SE Group

NAME1	NAME2	ADDRESS2	CITY	STATE	ZIPCODE
ACP HOLDINGS INC AN AZ CORP	C/O YOUR SOURCE FINANCIAL	8 BILTMORE EST UNIT 304	PHOENIX	AZ	850162846
ALDASORO RANCH HOMEOWNERS CO		307 SOCIETY DR UNIT C	TELLURIDE	CO	814358919
AURA ERIK R AND	AURA FRANCES M AS JT	PO BOX 2912	TELLURIDE	CO	814352912
BARKER JENNIFER LEE 2006 TRUST		PO BOX 1982	TELLURIDE	CO	81435
BRUNJES H CURTIS		15 S STELLAR PKWY	CHANDLER	AZ	852263724
DIAMOND RANCH LLC A CO LLC	JACK A VICKERS III	858 HAPPY CANYON ROAD SUITE 200	CASTLE ROCK	CO	80108
DIAMOND RIDGE TELLURIDE LLC A CO LLC	JAMES C WORTH	7373 BROADWAY SUITE 308	SAN ANTONIO	TX	78209
DIAMOND RIDGE TELLURIDE LLC A CO LLC		858 HAPPY CANYON RD STE 200	CASTLE ROCK	CO	80108
ENGBRING PAUL AND GRACE JT		PO BOX 365	TELLURIDE	CO	814350365
ERDMAN ENERGY ENTERPRISES LLC A WI LLC		11 NIMBUS DRIVE	TELLURIDE	CO	81435
FARRAR ANGELA I AND JAMES W AS JT		PO BOX 860	TELLURIDE	CO	81435
FLINT CREEK HOLDING LLC A CO LLC		2622 COMMERCE ST	DALLAS	TX	752261402
HENSON LISA REVOCABLE TRUST		16000 VENTURA BLVD STE 900	ENCINO	CA	914362760
HERRICK EDWARD D IRREVOCABLE	TRUST DATED 6 1 2005	PO BOX 2675	TELLURIDE	CO	81435
INDEPENDENCE LAND TRUST		PO BOX 26982	TAMPA	FL	33623
LAST DOLLAR LEASING LLC A CO LLC		4062 YORK RD	NEW OXFORD	PA	173509118
LUCARELLI JAMES F AND VIRGINIA F		PO BOX 2281	TELLURIDE	CO	81435
NO QUARTER TRUST		2870 PEACHTREE RD NW APT 921	ATLANTA	GA	303052918
PRESCOTT STACY AND	ZERANGUE MICHAEL JT	PO BOX 344	NORWOOD	CO	814230344
SMITH MORGAN C ND SMITH SARAH L TTEES OF	SMITH MORGAN AND SARAH FAMILY TRUST OF 2000	PO BOX 3460	TELLURIDE	CO	814353460
SPITFIRE LLC A CO LLC		PO BOX 1455	NEWPORT	RI	028400996
TELLURIDE HANGAR UNIT 4 LLC A CO LLC	C/O THE STONEYFIELD GROUP LLC	20715 N PIMA RD STE 108	SCOTTSDALE	AZ	852556685
TELLURIDE REGIONAL AIRPORT AUTHORITY		PO BOX 1807	TELLURIDE	CO	814351807
TEX-N-TEX LLC A CO LLC		1 SKY VW	UVALDE	TX	788014876
WICKHAM TRUST DTD 7/1/20		PO BOX 532	PLACERVILLE	CO	814300532

San Miguel County, Colorado
Map Viewer





Legend

- San Miguel Road Label
- Road
- Tax Parcels cache
- Tax Parcel

Map Generated
3/21/22 2:45 PM

Notes

1.2 0 0.60 1.2 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

www.sanmiguelcountyco.gov

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF C.R.S. § 24-65.5-103(1)

San Miguel County and the Town of Telluride, Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of an application for development that is in anticipation of new surface development on the subject property. Applicant recognizes that the provisions of C.R.S. § 24-65.5-103(1) require public notice, at Applicant's expense and not less than thirty (30) days before the date scheduled for a public meeting or hearing, to all owners and lessees of a mineral interest of record on the subject property of the pending application.

Applicant or Applicant's agent(s) have examined the records in the Office of the San Miguel County Clerk and Recorder to determine the Mineral Estate Owner, as that term is defined in C.R.S. § 24-65.5-102(5). Applicant or Applicant's agent(s) hereby certifies that: (Check One)

☐ Following an examination of the records in the Office of the San Miguel County Clerk and Recorder, no separate Mineral Estate Owner(s) of record have been identified on the subject property of the pending application, and Applicant owns all of the mineral rights on the subject property.

OR

☒ Following an examination of the records in the Office of the San Miguel County Clerk and Recorder, public notice by first class mail has been provided to the owner(s) of record of the Mineral Estate (including owner(s) and lessee(s) of the Mineral Estate) on the subject property of the pending application for development. Such notice contained the time and place of the public meeting or hearing, the nature of the public meeting or hearing, the location of the property that is the subject of the meeting or hearing, the name of the applicant, the local government considering the application for development and the name and address of the Mineral Estate owner(s). **I hereby certify that I have attached a copy of this Mineral Estate owner(s) and lessee(s) list and the letter sent to them to this Certification.**

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the public meeting or hearing on a land use application in anticipation of new surface development if such applications are subject to the noticing requirements of C.R.S. § 24-65.5-103(1). I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the public meeting or hearing on a land use application will result in the public meeting or hearing being rescheduled to a later date.

Joseph E. Edwards, III
Name

San Miguel County
Town of Telluride
(Insert Applicant's name if executed by agent)

Lots 1-R-A, 2-R & 3-R, Diamond Ridge Subdivision, San Miguel County, Colorado
Physical location of Property and/or legal description

101 South Mill St., Ste. 200, Aspen, CO 81611
Mailing Address (if different from above)

Date: 3/22/22

Signature: Joseph E. Edwards III

[text/luc/certicifation.mineral.owner]

March 22, 2022

NOTICE TO MINERAL RIGHTS OWNERS,

The San Miguel County Planning Commission has been asked to consider an application submitted by SE Group and Klein Cote Edwards Citron LLC (Representatives) on behalf of the Town of Telluride and San Miguel County (Applicants), for property owned by Diamond Ridge Telluride, LLC (Property Owner). The application proposes to rezone a portion of Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision, from Forestry, Agriculture and Open (F) to Community Housing (CH). Rezoning requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

Pursuant to C.R.S. § 24-65.5-102(2)(a), a land use application that is subject to the requirements of public notice for neighboring property owners and the subsurface mineral estate underneath the subject property includes, but is not limited to, all public hearings and public meetings before either the County Planning Commission or the County Board of Commissioners, including preliminary or final plat for a subdivision, rezoning, any subdivision exemption creating more than one (1) new parcel, a planned unit development, and applications for special use permits where such applications are in anticipation of new surface development. In such case, the applicant shall provide notice, pursuant to C.R.S. §§ 30-28-133(10) and 24-65.5-103(1), to all owners and lessees of a mineral interest of record on the subject property of the pending application.

A public meeting on the above application will be held by the San Miguel County Planning Commission at 9:15 a.m. Thursday, April 21, 2022. This public meeting is the first step of a two-step review process by the Planning Commission and Board of County Commissioners. This meeting will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

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The meeting on this proposal is not limited to those receiving copies of this notice. If you know of any neighbor or potentially affected property owner who, for any reason, has not received a copy of this notice, it would be appreciated if you would inform them of this public hearing.

Respectfully,
Klein Cote Edwards Citron LLC

Joseph E. Edwards, III

KLEIN COTÉ EDWARDS CITRON LLC
ATTORNEYS

HERBERT S. KLEIN* hsk@kceclaw.com
LANCE R. COTÉ, PC** cote@kceclaw.com
JOSEPH E. EDWARDS, III, PC jee@kceclaw.com
KENNETH E. CITRON*** kcitron@kceclaw.com
MADHU B. KRISHNAMURTI mbk@kceclaw.com

101 SOUTH MILL STREET
SUITE 200
ASPEN, COLORADO 81611
TELEPHONE: (970) 925-8700
www.kceclaw.com

*also admitted in Hawaii
**also admitted in California
***also admitted in New York and Massachusetts

March 18, 2022

Kaye Simonson
Planning Director
San Miguel County Planning Department
333 W. Colorado Ave., 3rd Floor
Telluride, Colorado 81435

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Property");
Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013

Dear Kaye:

This office represents The Town of Telluride and San Miguel County with respect to their application to rezone (and for 1041 approval with respect to) the above-referenced property (the "Application"). The owner of the Property is Diamond Ridge Telluride LLC, a Colorado limited liability company ("Owner"). The Owner has authorized Telluride and San Miguel to file the Application. This letter is intended to provide to you a list of the owners of any subsurface mineral interests. I reviewed the Title Insurance Commitment provided by Land Title Guarantee Company, Commitment No. ABS86012570-2 with respect to the Property in order to determine whether there were any severed mineral interests, and for purposes of this letter I am relying on such Commitment. A copy of that Commitment is included with the Application.

There is only one minerals reservation and it appears in the five Patents related to the Property. The reservation states: "subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted as provided by law." That reservation appears in the following Patents related to the Property:

DATE RECORDED	BOOK and PAGE
October 24, 1899	Book 78 at Page 378
January 22, 1900	Book 78 at Page 403
November 20, 1900	Book 78 at Page 473
December 2, 1904	Book 99 at Page 7
January 30, 1905	Book 99 at Page 9

Section 24-65.5-103(2)(a), C.R.S., on which San Miguel County Land Use Code §4-204. is based, requires that notice be sent "to the last-known address of the mineral estate owner as shown by such records." I reviewed each of these Patents and none of the above-described Patents lists an address for notice as required by the Statute or Code. However, the Patents each reference the General Land Office of the United States of America. Based on an internet search, the General Land Office is a Department of the Bureau of Land Management, which is itself a part of the US Department of the Interior. According to the website for the BLM, the mailing address for the BLM is:

760 Horizon Drive
Grand Junction, CO 81506

I see no evidence in the Commitment that any of those rights reserved to the United States have been assigned to any other party.

Please let me know if you have any questions or need any additional information.

Very truly yours,
KLEIN COTÉ EDWARDS CITRON LLC

By: _____
Joseph E. Edwards, III

Cc: Mike Bordagna
Lance McDonald

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9

James Van Hoosen, Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

☐ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

☒ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

James Van Hooser
Name

SE Group-PKlein Cote Edwards Citron LLC
(Insert Applicant's name if executed by agent)

Lots 1-R-A, 2-R, and 3-R Diamond Ridge Subdivision
Physical location of Property and/or legal description

PO Box 1170 Telluride CO 81435
Mailing Address (if different from above)

Date: 3/25/22

Signature: [signature]

[text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.




SUNSHINE RIDGE

REPOSTING

APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9

James VanHoosen, Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

☐ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

☒ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

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James VanHoosen
Name

SE Group P Klein Cote Edwards Citron LLC
(Insert Applicant's name if executed by agent)

Lots 1-R-A, 2-R, and 3-R, Diamond Ridge Subdivision
Physical location of Property and/or legal description

PO Box 1170 Telluride CO 81435
Mailing Address (if different from above)

Date: 4/8/22

Signature: _____ [text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.


SAN MIGUEL COUNTY
PUBLIC HEARING NOTICE
APRIL 21, 2022
1 BAM
COUNTY
PLANNING COMMISSION

Please publish the following Legal Ad in the:

NORWOOD POST AND TELLURIDE DAILY PLANET on WEDNESDAY APRIL 6, 2022

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

COUNTY PLANNING COMMISSION

MEETING AGENDA
April 21, 2022
Online Meeting

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

1. **9:00 AM CALL TO ORDER.**

2. **APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS**

3. **9:15 AM PUBLIC MEETING:**

   Representative: SE Group and Klem Cote Edwards Citron LLC

   Applicant(s): Town of Telluride / San Miguel County

   Property owner: Diamond Ridge Telluride, LLC

   Location: Last Dollar Road

   Parcel(s): Lots 1-R-A, 2-R, 3-R Diamond Ridge; PIN# 456530318011, 456530317012, 456530317013

   Zone District: (F) Forestry, Agriculture and Open

   Proposal: Request to Rezone a portion of the subject property to the Community Housing (CH) Zone District, LUC Section 5-324, with the remainder of the property to continue to be zoned Forestry, Agriculture and Open (F), LUC Section 5-307. MOTION

4. **LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION:** Amending LUC Section 5-307, Forestry, Agriculture and Open (F) adding Social and Scenic Uses as a use subject to Two-step Special Use Permit

Review. MOTION

5. Adjourn

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083.

The official, designated posting place for all CPC notices, agendas is online at https://www.sanmiguelcountyco.gov/AgendaCenter. Use this link to view the agenda with any last-minute changes. To be automatically notified please sign up at www.sanmiguelcountyco.gov, signup for alerts, and follow the prompts.

Legal Notices

The Farmers' Water Development Company (FWDC) has received written request to replace a lost, destroyed or wrongfully taken share certificate # 818 currently issued in the name of Gene Sr., Catherine, & Gene Jr. Marable. Unless written notice of objection to the issuance of a replacement share certificate is filed with FWDC, PO Box 10, Norwood, CO 81423 within 30 days of the last date of publication in the Norwood Post, a replacement share certificate will be issued to the shareholder and the original share certificate will be permanently cancelled on the records of FWDC.

The Farmers' Water Development Company (FWDC) has received written request to replace a lost, destroyed or wrongfully taken share certificate # 758 currently issued in the name of Gene K. Marable Jr. Unless written notice of objection to the issuance of a replacement share certificate is filed with FWDC, PO Box 10, Norwood, CO 81423 within 30 days of the last date of publication in the Norwood Post, a replacement share certificate will be issued to the shareholder and the original share certificate will be permanently cancelled on the records of FWDC.

The Board of County Commissioners have been asked to consider an application submitted by the Telluride Mountain School and Lawson Hill Property Owners Company. The applicant seeks a Rezone and a Substantial PUD Amendment on Lots G (PIN#456532117065) & HI (PIN# 456532200602) of Lawson Hill PUD. Specifically, it is proposed to rezone Lot HI from Public (P) to Industrial (I) with corresponding changes to the Lawson Hill Land Use Matrix. A Rezone and Substantial PUD Amendment requires Two-step review by the County Planning Commission and Board of County Commissioners pursuant to Land Use Code Section 5-319 G VII.

In addition to the Rezone and Substantial PUD Amendment, the Applicants are requesting a Lot Line Adjustment between Lot G and Lot HI and Lot Line Vacation between Lot F1 (Parcel# 456532117063) and Lot F2 (Parcel# 456532117064) which both require a one-step review by the Board of County Commissioners (BOCC) pursuant to Land Use Code Section 3-501 B. and 5-1203 and Land Use Code Section 3-501 B. and 5-1214 respectively.

A public hearing on the above application will be held by the Board of County Commissioners at 10:00 a.m. Wednesday, April 20, 2022. This public hearing is the second step of a two-step review process by the Planning Commission and Board of County Commissioners. This hearing will be held online due to COVID-19 virus protocols. To provide comment or ask questions regarding the proposal, please join the meeting: https://zoom.us/join, Meeting ID: 534.180.495, Password: 014764; Audio only: Dial 1- 301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by April 13, 2022. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or to planning@sanmiguelcountyco.gov

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PLEASE TAKE NOTICE that the Norwood Planning and Zoning Commission will hold a public hearing on **MONDAY, APRIL 18, 2022** beginning at 7 p.m. and will consider the request for approval of a Small Scale Subdivision application creating two (2) additional lots located at 1120 Grand Avenue. If acted upon, the Planning and Zoning Commission will forward their recommendation to the Norwood Board of Trustees. Due to state and county restrictions and to protect the health and safety of the public, this meeting will be held in-person and virtually. Information on how to attend this meeting can be found at www.norwoodtown.com or you can call Town Hall at 970-327-4288.

PLEASE TAKE NOTICE that the Norwood Board of Trustees will hold a public hearing on **WEDNESDAY, MAY 11, 2022** beginning at 7 p.m. will consider the request for approval of a Small Scale Subdivision application creating two (2) additional lots located at 1120 Grand Avenue. Due to state and county restrictions and to protect the health and safety of the public, this meeting will be held in-person and virtually. Information on how to attend this meeting can be found at www.norwoodtown.com or you can call Town Hall at 970-327-4288.

PLACE A LEGAL?

Call
Telluride Local Media
TODAY!

Dial 728-9788
to find out more!

COUNTY PLANNING COMMISSION
MEETING AGENDA
April 21, 2022
Online Meeting

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: https://zoom.us/join, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

1. **9:00 AM CALL TO ORDER.**

2. **APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS**

3. **9:15 AM PUBLIC MEETING:**

   Representative: SE Group and Klem Cote Edwards Citron LLC

   Applicant(s): Town of Telluride / San Miguel County

   Property owner: Diamond Ridge Telluride, LLC

   Location: Last Dollar Road

   Parcel(s): Lots 1-R-A, 2-R, 3-R Diamond Ridge; PIN# 456530318011, 456530317012, 456530317013

   Zone District: (F) Forestry, Agriculture and Open

   Proposal: Request to Rezone a portion of the subject property to the Community Housing (CH) Zone District, LUC Section 5-324, with the remainder of the property to continue to be zoned Forestry, Agriculture and Open (F), LUC Section 5-307. MOTION

4. **LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION:** Amending LUC Section 5-307, Forestry, Agriculture and Open (F) adding Social and Scenic Uses as a use subject to Two-step Special Use Permit

   Review. MOTION

5. Adjourn

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083. The official, designated posting place for all CPC notices, agendas is online at https://www.sanmiguelcountyco.gov/AgendaCenter. Use this link to view the agenda with any last-minute changes. To be automatically notified please sign up at www.sanmiguelcountyco.gov , signup for alerts, and follow the prompts.

PERSONAL PROPERTY DECLARATION FILING REMINDER

The County Assessor reminds all persons owning, possessing, or controlling taxable personal property (furnishings, equipment and other movable personal property) that the deadline for filing a Personal Property Declaration Schedule is April 15. All persons who own, possess, or control taxable personal property with a total actual value greater than $50,000 per owner, per county, are required to report the personal property to the county assessor. Failure to declare your personal property each year by the deadline will result in the assessor valuing your property using the "best information available" and attaching a penalty to your tax bill. If you did not receive a declaration schedule, please contact the county assessor at 970-728-3174.

All personal property with a total actual value in excess of $50,000 (per owner, per county) is taxable unless specifically exempt by law.

Taxable personal property includes:

- All residential household furnishings used to produce income
- Equipment, furniture, and machinery used by commercial, industrial, and natural resource operations
- Property used in an agribusiness that does not qualify as agricultural pursuant to § 39-1-102(1.6)(a), C.R.S.
- Expensed assets with a life greater than one year
- Fully depreciated assets still in use
- Personal property in storage that is subject to IRS depreciation
- Leasehold improvements

Equipment that is licensed as a motor vehicle (SMM plate or Z-Tab) is not reported on the Personal Property Declaration Schedule.

If you have questions about the Personal Property Declaration Schedule, please contact the assessor's office at 970-728-3174.

District Court San Miguel County, Colorado Court Address: 305 W. Colorado Ave., Telluride, CO 81435	
In the Matter of the Estate of **KENNETH STEVEN TILTON aka KENNETH S. TILTON aka STEVE TILTON** **Deceased**	▲ COURT USE ONLY ▲
Attorney for Personal Representative: John J. Fleming, Jr. Fleming, Lowenberg & Cooling P.O. Box 1293 Montrose, CO 81402 Phone Number: (970) 240-2812 FAX Number: (970) 240-2860 Atty. Reg. #: 15786	Case Number: 22PR30001 Division Courtroom

NOTICE TO CREDITORS BY PUBLICATION PURSUANT TO § 15-12-801, C.R.S.

NOTICE TO CREDITORS

Estate of **KENNETH STEVEN TILTON aka KENNETH S. TILTON aka STEVE TILTON,** Deceased
Case Number 22PR30001

All persons having claims against the above-named estate are required to present them to the personal representative or to

☒ District Court of San Miguel, County, Colorado or
☐ Denver Probate Court of the City and County of Denver, Colorado

on or before August 8, 2022 (date)*, or the claims may be forever barred.

William J. Tilton
Type or Print name of Person Giving Notice

c/o Fleming, Lowenberg & Cooling, P.O. Box 1293
Address

Montrose, CO 81402
City, State, Zip Code

Publish only this portion of form.

FOOD

Mustards hold potential to change up cooking

BY KATIE WORKMAN
The Associated Press

Good old mustard. One of my favorite condiments in the world; I have at least three different open jars at any given time.

Yes, it's amazing on sandwiches. Burgers. Hot dogs. Pigs in a blanket.

But there's more to the world of mustard, and once you start exploring it, your cooking world will pop open in exciting ways.

Mustard appears in my daily cooking in amounts large and small. I use it in everything from macaroni and cheese to salad dressing to sauces to marinades. It adds brightness, acidity and dimension to all kinds of dishes.

The mustard plant is a member of the brassica family, which includes broccoli, cabbage and cauliflower. Its leaves are edible, usually cooked, as are its flowers. But it's the seeds that are the base of the condiment we know and love. They are blended with water, something acidic (like vinegar or lemon juice), sometimes wine or beer or another liquid, salt, and other flavorings and spices.

Mustard seeds comes in a variety of colors, sizes and pungencies. Yellow mustard seeds are the most common; they are the largest and mildest type of seeds. Then there are brown mustard seeds, the most pungent. The



This 2015 photo shows yellow mustard on top of a pair of grilled hotdogs. (AP Photo/Carolyn Lessard)

sharpest mustard varieties are made with the brown seeds, including mustards made in the Chinese, German and English styles. There are also black mustard seeds, which have a distinctive sharp flavor. These are often used in Indian cooking, but can also be blended into prepared mustards.

Mustard appears in cuisines throughout the Americas, Asia (China and India in particular), Africa and Europe.

TYPES OF MUSTARD

The prepared mustard we see on supermarket shelves falls into three basic categories: yellow, brown and Dijon.

Dijon mustard originated in Dijon France, though it is also made in other parts of the world now. The key ingredient (other than mustard seeds) is white wine, and the flavor is appealingly peppery-hot. It comes in a variety of grinds and flavors.

Brown mustard is popular in the U.S. on sandwiches, and accompanying cold or warm meat.

Stone ground mustards bring great flavor and an appealing nubby texture, since some or all of the seeds are left intact or just slightly crushed. These also might be labeled coarse ground or whole grain mustards. You might find brown or Dijon mustards made in stone ground varieties.

Prepared yellow mustard is mild, and may contain a higher level of sugar and extraneous ingredients. It's often bright yellow (I seem to end up eating it when I am wearing white jeans), and is often squirted on ballpark or backyard burgers and dogs, or spread on a ham and cheese-type sandwich.

Chinese mustard is usually made from mustard powder with a small amount of other ingredients, resulting in a thin, sharp (sinus-clearing!) mustard. You can find it in specialty stores and Asian sections of well-stocked grocery stores.

And flavored mustards abound, usually made from brown or Dijon mustards with other ingredients added, from herbs to curry.

Diversifying power supply

SMPA, from page 3

"Even though the board has given SMPA the go-ahead, it is still far from a final step in diversifying SMPA's power supply," said Felicelli. "Several critical pieces of the puzzle still need to be put into place."

For one, the methodologies of the partial requirements calculations still need final approval from the Federal Energy Regulatory Commission (FERC). Beyond that, new contracts will need to be negotiated and drawn up with both Tri-State and Guzman.

"We are on the 50-yard line," said Zaporski to illustrate the point.

Nonetheless, many are encouraged by recent developments, and even though the board has signaled that retail rates will likely not go down, there are still a myriad of potential benefits to be realized, including a lower carbon footprint, improved fire mitigation within the territory, a more reliable grid, greater stability through diversification in wholesale rates, and preserved Tri-State membership rights, including a seat on the Tri-State board. It also includes lower pressure on retail rates.

"The difficulties of the past few years have forced us to adapt," said Felicelli. "But the changes we are making in response have the potential to make us stronger than ever."

GMUG welcomes supervisor

GMUG, from page 3

to operate on currently-authorized roads and trails, and lays out a process to evaluate future requests for expanded access. The updated guidance also outlines the required environmental analysis and public input required before making future decisions to expand local e-bike access.

"National forests and grasslands are a place for all people to recreate, relax and refresh," said Forest Service Chief Randy Moore. "The additional guidance will help our district rangers and forest supervisors better serve their communities with a policy that allows managers to make locally based decisions to address e-bike use. This growing recreational activity is another opportunity to responsibly share the experience of the outdoors with other recreationists."

The U.S. Forest Service manages nearly 160,000 miles of trails in 42 states and Puerto Rico for a variety of activities. E-biking is one of many legitimate recreational activities, such as horseback riding, snowmobiling, mountain biking, cross-country skiing, hiking and backpacking, that the agency manages under its multiple use mission. The clarified guidance will support local forest service decision-makers as they consider opportunities to expand access for this emerging user group.

Other land management agencies, including the U.S. Department of the Interior's Bureau of Land Management and the National Park Service, allow for e-bike use on 18,000 miles and 16,000 miles of trails, respectively.

For more information on recreational activities, people should contact their local national forest or grassland. They may read the e-bike policy here: https://www.fs.usda.gov/about-agency/regulations-policies.

Music on the Green

MUSIC, from page 24

Revival, Sammy Brue, Tall Tall Trees and Emily Scott Robinson) or playing for the first time having had an interest for the last few years (Devon Worley and LVDY)," she said. "After six years of Music on the Green, the word about this series is out among emerging artists, so I am now being offered more talent than when I started in 2017. I continue to be diligent in pursuing the acts that I believe have bright futures, to support them on their way up. So while these artists may not be household names yet, they are all topnotch acts and musicians so the audience can be assured of good quality music."

The Music on the Green concert series is provided free of charge by presenting sponsor Telluride Mountain Village Owners Association, Madeline Hotel and Residences, Telski, and the Town of Mountain Village.

To learn more about Music on the Green, contact the Telluride Mountain Village Owners Association at 970-728-1904, or visit tmvoa.org or facebook.com/BeyondTheGroove.

Legal Notices

COUNTY PLANNING COMMISSION
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'Just Try One Bite'

BITE, from page 24

ing her to call the doctor.

Boldt filled the book with big movements and expressive faces, saying he was paying homage to Dr. Seuss' "The Cat in the Hat," which also has kids taking charge and creating a bit of chaos. "It's much easier to draw something when the words are incredibly descriptive and visual, because that feeds your imagination," he says.

He also has three children but, thankfully, they aren't that picky. "They actually like a lot of vegetables and foods that I wasn't sure they were going to," he says with a laugh. "Stuff I didn't like when I was a kid."

Alves has tips for parents of picky eaters beyond the classic one of making plates more fun by arranging the food into faces. One way she keeps the household happy is by sticking to good dietary rules all week and then having free-for-all-Friday, when everyone can eat what they want.

She also endorses letting each child choose a "throw-up vegetable" — one item they can skip as long as they try all the others. (Her throw-up veggie would be okra, a lifelong slimy enemy, she says.) Another tip: Encourage children to help cook in the kitchen to learn about ingredients.

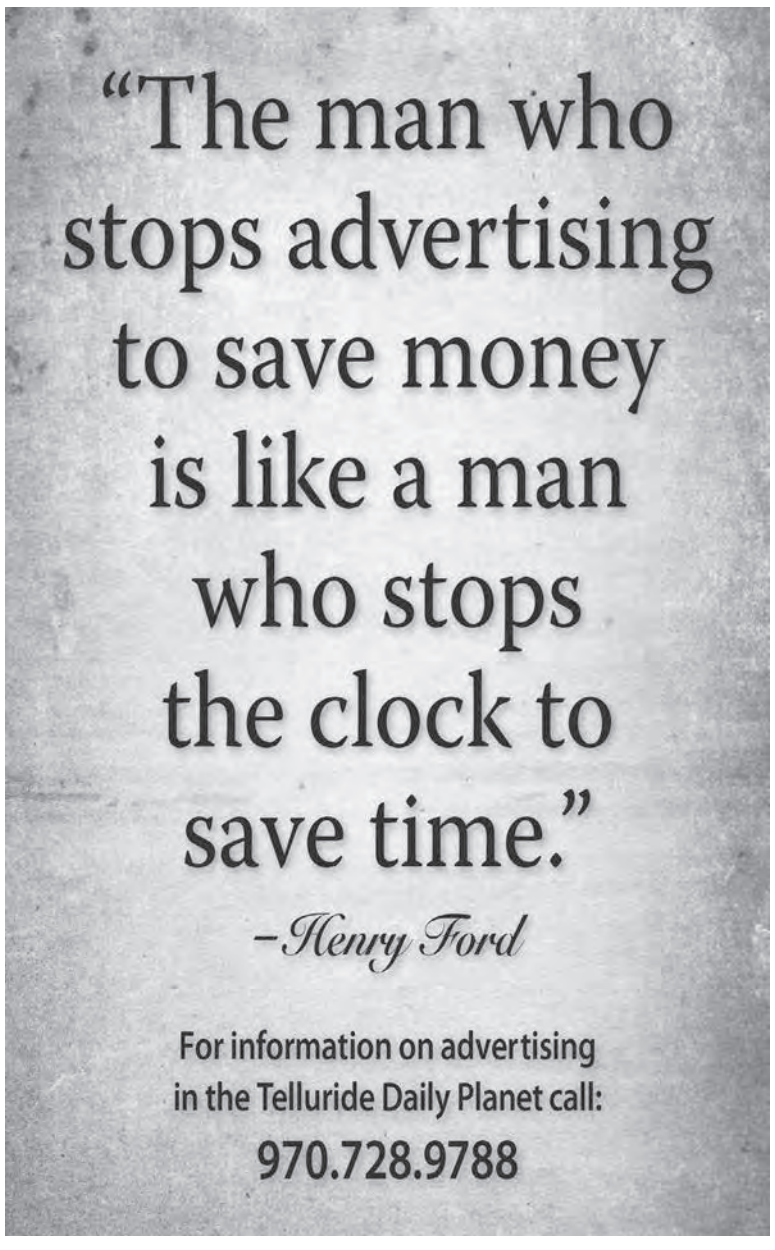
"My daughter would say, 'I really don't like onions.' And then once I'll get her to cook this meat sauce with me, she'll say, 'Oh, I can't eat this. You put onions on it.' I'll say, 'I put onions on this every time I cook it.'"

The Brazilian-born Alves grew up on a farm and moved to Los Angeles as a teenager. "The relationship with food and what it came from — from seed to table — was very vivid for me growing up," she says.

She tries to replicate what she grew up with by adding lots of colors to her plates — beets, beans, hearts of palm, tomatoes, roots and legumes. She prepares them simply, puts them in the middle of the table, and lets her kids and mother-in-law graze.

While she was growing up, her family never talked about moderating sugar, something she still struggles with. Her husband's family did talk about it, and she says he has a healthier relationship with sweets and dessert.

Alves advocates making small changes and embracing the notion that no one's perfect. She admits her kids have busted her on her chocolate addiction, and she's moving toward less sweet, darker versions. "No matter what stage you're in, there's always room to do a little bit better."



'Challenged'

BOOKS, from page 24

The two most challenged books on the ALA's top 10 list have been in the news often: Maia Kobabe's graphic memoir about sexual identity, "Gender Queer," and Jonathan Evison's "Lawn Boy," a coming-of-age novel narrated by a young gay man. Both have been singled out by Republican officials.

Last fall in Virginia, Glenn Youngkin backed a local school board's banning of the two books during his successful run for governor. Around the same time, South Carolina Gov. Henry McMaster supported a school board's decision to remove "Gender Queer."

In Florida recently, Gov. Ron DeSantis criticized "Gender Queer" and "Lawn Boy" upon signing a law that would force elementary schools to provide a searchable list of every book available in their libraries or used in instruction and allow parents, DeSantis said, "to blow the whistle."

Kobabe and Evison noted during recent interviews an irony of their books being targeted: Neither set out to write a story for young people. But they gained a following among students with the help of the American Library Association, which has given each book an Alex Award for works "written for adults that have special appeal to young adults, ages 12 through 18."

"I think a big part of our books getting so much attention is that they're award winners and ended up being purchased by libraries all over the country," Kobabe said.

Others on the ALA list, virtually all cited for LGBTQ or racial themes, include Angie Thomas' bestselling "The Hate U Give," centered on a police shooting of a Black teen; George Johnson's "All Boys Aren't Blue," Juno Dawson's "This Book Is Gay" and Susan Kuklin's "Beyond Magenta." Two older works that have been on the list before also appear: Sherman Alexie's autobiographical novel "The Absolutely True Diary of a Part-Time Indian" and Nobel laureate Toni Morrison's debut novel "The Bluest Eye."

The library association defines a "challenge" as a "formal, written complaint filed with a library or school requesting that materials be removed because of content or appropriateness." The ALA doesn't keep a precise figure for how many books have actually been removed, but cases have come up routinely over the past year. Last December, a school district in San Antonio, Texas, pulled hundreds of library books to "ensure they did not have any obscene or vulgar material in them."



M E M O R A N D U M

TO: Mike Bordogna, County Administrator
Amy Markwell, County Attorney
Ryan Righetti, County Road and Bridge Director
Starr Jamison, County Government Affairs and Natural Resources
Janet Kask, County Parks and Open Space
Bill Masters, County Sheriff
Matt Gonzales, County Building Official
Lisa Garrett, County Site Inspector
Dave Foley, County Surveyor
David Averill, San Miguel Authority for Regional Transportation
John Bennett, Telluride Fire Protection District
John Pandolfo, Telluride R-1 School District
Greg Sund, Town of Telluride
Paul Wisor, Town of Mountain Village
Kenny Maenpa, Telluride Regional Airport
John Sweeney, Federal Aviation Administration
Donald Green, Black Hills Energy
Wiley Freeman, San Miguel Power Association
Sarah Wallace, Idarado Mining Company
Devon Horntvedt, Idarado Mining Company
Aldasoro Ranch Owners Company
Meadows at Deep Creek Homeowners Association (HOA)
Deep Creek Ranches HOA
Last Dollar PUD Association
Grayhead Property Owners Association
Deep Creek Mesa Ranches

FROM: Kaye Simonson, Planning Director

RE: Rezoning a portion of Lots Lots 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision to Community Housing (CH)

APPLICANTS: Mark Kane and Gabby Voeller, SE Group
Joseph E. Edwards III, Klein Coté Edwards Citron LLC

DATE: March 22, 2021

The above-referenced application is available at https://www.sanmiguelcountyco.gov/DocumentCenter/View/7999/Diamond-Ridge---Rezoning-Application-032122 for your review and comment. The County Planning Commission meeting date is Thursday, April 21, 2022. Please provide your review comments by Tuesday, April 12, 2022 to Kaye Simonson, Planning Director, kayes@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.

J. David Foley
San Miguel County Surveyor
P. O. Box 825, Ophir, CO 81426
Phone/ Fax 970-728-9998
surveyfoley@gmail.com

John Huebner, Associate Planner
San Miguel County Planning Department
P. O. Box 548
Telluride, CO 81435

March 24, 2022

Re: Rezoning application for The Ridge Community Housing Rezoning Project

I have reviewed the application received by email from Kaye Simonson on March 22, 2022 and have the following comments:

pertaining to Exhibit A – Area of Rezoning Legal Description:

1. Parcels B and C, The Corrals at Deep Creek Mesa were vacated per the plat recorded at Plat Book 1 at page 3128, reception No. 356716. Therefore, the Legal Description should not reference these parcels that no longer exist. Use references to the currently platted Lots 1-R-A, 2-R and 3-R.
2. The Legal Description references 4 courses along the north line of said Lot 1-R-A, when in fact only 3 courses are along the north line and the fourth course is along the east line. Reference the fourth course as such.
3. The Legal Description should indicate where it enters and exits Lot 3-R.

Pertaining to Figure 4 Rezoning Map

4. The distance of 741.44' along the north line of Lot 1-R-A is illegible, being overwritten by "Area of Rezoning".

J. David Foley
San Miguel County Surveyor



Kaye Simonson <kayes@sanmiguelcountyco.gov>

Re: Rezoning application for Community Housing Project near airport

1 message

Kaye Simonson <kayes@sanmiguelcountyco.gov> Tue, Mar 29, 2022 at 4:19 PM
To: Dave Foley <surveyfoley@gmail.com>

Dave,

The Town and County do not yet own the property. They are in the due diligence period, part of which is to find out whether it would be rezoned. The current owner understandably does not want the property line adjustment to occur if the property is not sold, and obviously, the Town and County have no interest in purchasing the land if it cannot be rezoned. Therefore, any rezone will have to be conditioned upon doing the property line adjustment in the future, the particulars and timing of that to be determined, but after the property is purchased. Because of that, the legal description that would be attached to the rezone resolution needs to be a metes and bounds description describing only the portion that would be rezoned from F to CH. That description would then have to match the future boundary line adjustment.

Whether they need to reference the portion of Deep Creek Ranches as stated in the draft legal description, I have not had time to look into that and figure out exactly what it means. I've got a lot of stuff going right now. The legal description for the rezone will have to be resolved prior to the BOCC hearing, which is expected to be May 18. Let me know if you have any other questions. Thanks.

On Tue, Mar 29, 2022 at 3:15 PM <surveyfoley@gmail.com> wrote:

> Kaye,
>
> I am rather confused about several items in this application.
>
> Why are we Rezoning this land area before the Lot Line Adjustment? Can the Rezone and the Lot Line Adjustment be done simultaneously?
>
> The reason I am asking is because the applicant's Land Surveyor is insisting on a legal description for the area of Rezone that references and follows a set of dimensions around 2 previously vacated parcels (Parcels B and C of The Corrals at Deep Creek Mesa). For future County staff to be able to locate the area of Rezone from the legal description based on these two vacated parcels will be an extremely difficult task. I am reluctant to make a permanent record of the area of Rezone being described in a manner that only an expert Land Surveyor could actually follow.
>
> Can we do the 2 applications simultaneously? Then the legal description for the Rezone could simply be described as the newly created parcels.
>
> Secondly, in an effort to clarify the weird legal description based on vacated parcels, the project Land Surveyor is proposing an explanation at the end of his legal description. I attached a copy of this paragraph with a circle around the portion that I am confused about. Is this statement true? It seems that zoning conditions are related to the currently existing platted parcels, not to vacated parcels. The Corrals at Deep Creek Mesa and Diamond Ridge are both subdivisions of 35 acres or greater and never had County approval. I don't understand how specific zoning conditions could still be applicable to the vacated parcels of The Corrals at Deep Creek Mesa and not be applicable to their current configuration as Diamond Ridge.
>
> J. David Foley
>
> San Miguel County Surveyor

PO Box 825

Ophir, CO 81426

970-708-7633

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Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov



Kaye Simonson <kayes@sanmiguelcountyco.gov>

RE: Rezoning application for Community Housing Project near airport

1 message

surveyfoley@gmail.com <surveyfoley@gmail.com> Wed, Mar 30, 2022 at 11:43 AM
To: Kaye Simonson <kayes@sanmiguelcountyco.gov>

Thanks Kaye, I will work with the project Land Surveyor to make the legal description easier to follow.

When you get time, let me know if that statement is accurate about the zoning conditions on parcels B and C of the Corrals at Deep Creek Mesa.

Dave Foley

From: Kaye Simonson <kayes@sanmiguelcountyco.gov>
Sent: Tuesday, March 29, 2022 4:20 PM
To: Dave Foley <surveyfoley@gmail.com>
Subject: Re: Rezoning application for Community Housing Project near airport

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Kaye Simonson, AICP

Planning Director

San Miguel County Planning Department

Office: (970)369-5436

Cell: (970)729-9929

www.sanmiguelcountyco.gov

Kaye Simonson <kayes@sanmiguelcountyco.gov>

RE: County Surveyor review of rezoning application for The Ridge Community Housing

1 message

surveyfoley@gmail.com <surveyfoley@gmail.com> Mon, Apr 4, 2022 at 2:19 PM
To: Tim Barnett <timb@sgm-inc.com>
Cc: Mark Kane <mkane@segroup.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

Tim,

Hi Mr. Barnett,

Thanks for your response and for reaching out to me directly.

My desire for this legal description of a new Zone District is to make it understandable as best as we can for a future County staff person who may not be an expert Land Surveyor. To accomplish that, I will require this legal description to refer to current Lot configurations as much as possible, and when the description leaves currently platted lots and then follows the former boundaries of vacated Parcels, we will state that. To minimize the reliance upon following lines of old vacated Parcels will make more sense to a non-Land Surveyor. Plus, I will require a map exhibit of the legal description that shows the relationship of the vacated Parcels B and C overlaid onto the currently platted Lots.

Personally, I do not believe Parcels B and C will carry any previous zoning conditions once they are Rezoned, but I will leave that decision to the County Planning Director. I am waiting to hear back from her about your second last paragraph recently submitted, whether it is desirable and if it is correct.

So let's make some revisions to the legal description to follow existing Lot lines as much as possible and then cite vacated Parcels B and C when you leave existing Lot lines and follow the vacated lines. See my attached comments.

J. David Foley

San Miguel County Surveyor

PO Box 825

Ophir, CO 81426

970-708-7633

From: Tim Barnett <timb@sgm-inc.com>
Sent: Tuesday, March 29, 2022 12:58 PM
To: surveyfoley@gmail.com

Cc: Mark Kane <mkane@segroup.com>
Subject: County Surveyor review of rezoning application for The Ridge Community Housing

Good Afternoon Mr. Foley,

I been asked by my client for this project to reach out directly to you for our response to your comments on our legal description for the Re-Zoning Area. Thank you for your time reviewing this document. Please find a revised legal description attached, and here is specific responses to your comments:

Comment 1 – We feel that the purpose of this description is to describe a zoning area that, for the most part, follows the boundaries of vacated Parcel B and Parcel C. We understand your desire to not include vacated parcels in a legal description, and I would completely agree with that sentiment if this document was transferring land, however these vacated parcels still carry zoning conditions and the purpose of this document is to help address and clarify said conditions. We did revise the document to add clarification that the vacated parcels in in fact vacated, and a note at the end that explains the purpose of the references.

Comment 2 – Revised to describe north and east lines as opposed to only the north line for the courses.

Comment 3 – The legal description intersects vacated or existing lines in this manner 5 times in its course. We had revised the description to call to all of these intersections.

Please let us know if these revisions are satisfactory in your opinion.

Thanks,

Tim Barnett, PLS

Professional Land Surveyor

SGM
555 RiverGate Lane, Suite B4-82
Durango, CO 81301
970.403.0253
www.sgm-inc.com

20220404 County Surveyor review of Rezoning application The Ridge Community Housing.tiff.tiff
359K



Kaye Simonson <kayes@sanmiguelcountyco.gov>

Re: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

1 message

Matt Gonzales <mattg@sanmiguelcountyco.gov> Fri, Apr 1, 2022 at 10:41 AM
To: Kaye Simonson <kayes@sanmiguelcountyco.gov>

No comments from SMC Building Official.

Thanks,

Matt Gonzales
Building Official
San Miguel County, CO
970-369-5440 (o)
970-708-8821 (c)

For view only access to codes: https://codes.iccsafe.org/public/collections/I-Codes

On Tue, Mar 22, 2022 at 1:56 PM Kaye Simonson <kayes@sanmiguelcountyco.gov> wrote:

> The above-referenced application to rezone a portion of the subject property to Community Housing (CH) is available at https://www.sanmiguelcountyco.gov/DocumentCenter/View/7999/Diamond-Ridge---Rezoning-Application-032122 for your review and comment. The County Planning Commission meeting date is Thursday, April 21, 2022. Please provide your review comments by Tuesday, April 12, 2022 to Kaye Simonson, Planning Director, kayes@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.
>
> Thank you.
>
> --
> For information about San Miguel County's response to COVID-19 (Coronavirus), please visit https://www.sanmiguelcountyco.gov/590/Coronavirus
>
> Kaye Simonson, AICP
> Planning Director
> San Miguel County Planning Department
> Office: (970)369-5436
> Cell: (970)729-9929
> www.sanmiguelcountyco.gov

Date: 4/11/22

To: Kaye Simonson - Planning Director
San Miguel County Planning Department
333 W Colorado Avenue 3rd Floor, P.O. Box 548
Telluride, CO 81435
Sent via e-mail: kayes@sanmiguelcountyco.gov

Re: **Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property**

Dear Kaye:

On behalf of the homeowners of The Meadows at Deep Creek Mesa and M.D.C.M. Homeowners Company (collectively "MDCM"), please find below our comments with regard to the Application to Rezone and for 1041 Approval for the Property (collectively "Application"), submitted by SE Group and Klein Coté Edwards Citron, LLC on behalf of the Town of Telluride and San Miguel County (collectively "SMC-TOT").

As you will see in the forthcoming pages, the comments, and specifically the questions, that this application have spurred by the MDCM homeowners are many, and while attempts have been made to organize, consolidate, and temper, please pardon failures on any of those fronts if they exist. ***Given the quantity and significance of the comments and questions, MDCM respectfully, but ardently, requests that the 4/21/22 Planning Commission hearing be delayed, or if the hearing must be held, that the application be continued or denied entirely***. Grounds for this request are summarized immediately below, but are not intended to replace the detailed comments and questions provided on subsequent pages:

A. The Application causes enumerable questions – many more than it answers – and it is therefore an incomplete application that warrants rejection until the Application is more complete.

B. The Application omits comprehensive and vital studies, or provides initial reviews in lieu of comprehensive studies, including but not limited to the following:
    a. Traffic.
    b. Wildlife.

C. The Application does not provide any comprehensive information with regard to the following:
    a. Water service.
    b. Sewer service.
    c. Fire Protection.

D. It appears as if important and legally binding obligations of third-party Deep Creek Mesa property owners are potentially being disregarded by Application and/or SMC-TOT intends to negate or circumnavigate such obligations. The legal implications of this subject matter are not understood by MDCM, but MDCM is suspect, at a minimum, for ethical or moral wrongdoings.

E. MDCM believes the subject Property does not provide the best opportunity for community wide success as we try to tackle the housing crisis that faces our region. Alternate properties provide financial, environmental, resident quality-of-life, and numerous other advantages over the Property, and need be considered and developed well before community leaders turn attention toward sites requiring significant infrastructure, and which further encourage vehicular commuter traffic on secondary roads. MDCM welcomes further dialog on this subject, and in conjunction with other interested property owners on Deep Creek Mesa, are willing to provide specific suggestions to substantiate this claim.

F. Public disclosure, input and noticing and is suspect for deficiencies, from Master Plan and LUC amendments made in late 2021, all the way through the present Application. Proper disclosure to the Public, opportunity for the Public to be heard, and appropriate time for consideration are all paramount to achieving the best end result, and political will for a particular initiative, no matter how popular or sacred, should never be used as an excuse to abandon these principles.

G. The rushed process for Application is in stark contrast to the SMC Master Plan, and this "rush" seems indicative of a strategy aimed at steamrolling a potentially contentious application through the process – a strategy that is not in anyone's best interest, especially given the importance of the issues at hand.

Respectfully,



Nick Farkouh: MDCM BOD, and on behalf of:
Dirk de Pagter: MDCM BOD President
Jamey Schuler: MDCM BOD

Individual Signatories:

Lynda Johnson: Lot #1
David Johnson: Lot #1
Deborah Harvey: Lot #2
Jason Harvey: Lot #2
Nick Farkouh: Lot #3
Caroline Farkouh: Lot #3
Bernard King: Lot #4
Dirk de Pagter: Lot #5
Patrice de Pagter: Lot #5
Rachel Taber: Lot #6
Brett Taber: Lot #6
Jamey Schuler: Lot #7
Shelley Schuler: Lot #7
Joann Miller: Lot #8
Melanie Miller: Lot #8
Guy Miller: Lot #8

MDCM Comments/Questions

Historical / Contractual / Legal

1. From analysis of documents referenced in the Title Commitment provided in the Application, it is quite clear that numerous contractual obligations and private restrictions and/or covenants exist between present ownership of the parcels that contain the subject Property (Jack A. Vickers III), and both the current parcel owners in Diamond Ranch (purchased from Vickers), Aldasoro Sheep Ranch and the Aldasoro family in general. Specific references to rezoning, subdividing, etc. are made, but general interpretation of intent is summarized in this brief statement: Lot parcels, including any/all of those within the present Diamond Ranch and Diamond Ridge subdivisions were never intended, and are legally obligated, to never be developed with any more than one home per ~35 acre parcel. This intent certainly applies to the three lots currently under contract between Vickers and SMC-TOT, including the parcel identified as the Property, and intent is consistent with current zoning.

2. While MDCM does not have any claim, nor any direct involvement or standing in the above-mentioned covenants and/or restrictions presently on the Property, MDCM and all individual lot owners support the concept of respecting private covenants and contractual obligations. Although potentially obvious, reasons are stated below:

a. Governmental entities (or for that matter any entities) have every right to re-think contractual obligations internally or with parties to which obligations directly apply, but private third-party contractual obligations should be respected. MDCM vehemently objects to any attempts by the Town of Telluride (TOT) and/or San Miguel County (SMC) to negate, circumnavigate, condemn, etc. third-party private obligations, and especially in the manner and with the speed at which it appears attempts are being made.

b. MDCM also takes exception to the order of events by which SMC-TOT is attempting to negate private covenants. Using governmental resources, knowledge and power to make attempts to circumnavigate or negate private obligations before actually owning the Property is inappropriate and unethical, as those governmental “powers” are being exercised toward privately owned property. This is true even if private property owner has authorized such actions, and especially true if the private property owner stands to benefit from the covenant negation.

c. The thought of private obligations being negated, circumnavigated or condemned by governmental authorities for the Property is disheartening. The precedent it sets for additional and future parcels is disturbing.

d. On less of the principles that guide a. b. and c. above, and more in the realm of emotions, the proposed rezoning creates the potential for density that is clearly in violation of the intended Aldasoro legacy for Deep Creek Mesa, and is grossly uncharacteristic of, and detrimental to the long-term health of the land. A large portion of the reason MDCM owners purchased (or developed) their homes was with the knowledge and expectation that the character of Deep Creek Mesa would be preserved as intended by the Aldasoro family, and as legally formalized through contractual obligations. MDCM homeowners, and many other residents, are deeply invested – both emotionally and financially – in the quality-of-life Deep Creek Mesa provides due to its current zoning, and the steps the Aldasoro family took to insure low density in perpetuity.

General / Procedural / Public

3. The SMC Plan (page 41, Section 4) states the following as it relates to timing for a hearing regarding rezoning:

“In regard to the task of amending the zoning resolution and existing zoning to reflect the master plan, it is recommended that the county and private enterprise use a one or two year "no action" period to afford everyone the opportunity to amicably amend the zoning regulations by the development of workable zoning classifications and maps. It is recommended that during this time period no building permits will be issued on land which is presently zoned for uses not in conformance with this Plan, and at the same time, the zoning classifications will not be altered

by official action of the County. It is the stated intent that during or after such period fair solutions involving zoning and rezoning which will implement the concepts of this Plan should be reached"

The following timeline, while simplified, summarizes the noticing for the subject Application:

- SMC Referral Memorandum dated 3/22/22, was received by MDCM by e-mail on 3/22/22.
- SMC-TOT Notice to Property Owners (within 500' of Property per LUC 3-901) is dated 3/22/22, postmarked 3/30/22, and received as late as 4/5/22 by homeowners.
- TOT Press Release issued 3/24 on-line.

With a hearing scheduled for 4/21/22, this means a there was a maximum of 30 days, but as little as 16 days, between noticing and hearing for property owners most affected by the Application. Additionally, with comments for referrals and noticed property owners due on 4/12/22 and 4/13/22 respectively, as little as 8 days was given to review, investigate and comment on the Application. Not only is this timeline not in compliance with due process according to SMC's own Master Plan language, but it is just simply unreasonable.

Compounding even further, the timing of these notices was given even with the common local knowledge of the typical homeowner exodus and/or detachment from local affairs that occurs this time of year. While not a question of following due process, this timing is quite suspicious as the strategy for steamrolling a potentially contentious application through the process.

4. Per SMC LUC 3-901:

"Prior to 20 days before any meeting for which consideration of any land use application is scheduled, the applicant shall notify by First Class mail every property owner and condominium unit owner with 500 feet of the perimeter of the subject property as listed in the records of the San Miguel County Assessor…."

Using the SMC on-line Public Noticing Viewer, these properties were identified by MDCM, but after reaching to these homeowners, MDCM was made aware that one or more homeowners within 500' of the Property have not received Notice.

5. In the SMC Referral Memorandum dated 3/22/22, and in the Land Use Code, it is not clear what criteria SMC uses to determine which agencies, entities, subdivision, etc. are included in the referral process, but with the precedent set by virtue of those referrals that were included, it appears that the following "entities" were excluded, and therefore are preventative to the necessary and thorough referral process an application of this magnitude commands:

a. Colorado Parks and Wildlife – Department of Natural Resources (CPW): Beyond omission on the Referral Memorandum itself, please see **EXHIBIT A** as evidence that CPW was not even aware of the Application. As anyone who lives on Deep Creek Mesa will attest, wildlife, both migration and calving are a large part of "life on the Mesa". To not have CPW referred for such a high proposed density that will inevitably result from the Application is not a trivial omission.

b. Several subdivisions/HOA's equally as impacted by the Application as those subdivisions that were listed in the Referral Memorandum including:
   i. Golden Ledge.
   ii. Sunnyside East.
   iii. Sunnyside Ranch.
   iv. Sunnyside Reserve.

c. Several Independent Parcels on Deep Creek Mesa and/or in close proximity to the Property, but most certainly as affected by the Application as those properties/subdivisions that were included in the Referral Memorandum.

6. On 3/28/22, Morgan Smith, with cosignatories of a number of homeowners on Deep Creek Mesa, issued a documents request per the Colorado Open Records Act (CORA) to both the Town of Telluride (TOT) and San Miguel County (SMC). Those are provided as **EXHIBITS B and C** respectively. While TOT and SMC are responsible for the compressed timetable between noticing, comments, and hearing as mentioned above, both TOT and SMC have yet to produce documents using primarily time

as their reason. TOT and SMC replies to the CORA request are provided as **EXHIBITS D and E** respectively. As can be seen at the bottom of the second page of SMC Attorney Amy Markwell's reply to the CORA request in **EXHIBIT E**,

> ***" A response to a written request for public records will also be in writing and will be made within three working days or, when extenuating circumstances apply, within seven working days, (§ 24-72-203(3)(b), CRS). You will be notified within three working days if there are extenuating circumstances that do not allow us to respond to your request within three working days."***

The above information provided, one or more of the following scenarios appear to be in play:

a. Either TOT and SMC appear to be in default of State statute; or
b. At a minimum, TOT and SMC seem to be using off-season as an excuse for not producing documents, which is seemingly quite ironic given the short window of notice provided to homeowners;

Either way, IF it is reasonable to accept lack of time and personnel due to off-season as a valid "excuse" for not obliging a statutory CORA request, the same argument should be considered valid for a requested delay of the 4/21/22 Planning Commission hearing on behalf of concerned homeowners in the area, who were given inadequate and inappropriate time to review and comment on a very complex Application.

As a footnote, Morgan Smith, also with cosignatories from a number of homeowners, submitted a second set of CORA documents requests to SMC and TOT on 4/8/22. For simplicity only, these are not provided as Exhibits, though no documents requested in the 4/8/22 request have been received to date.

7. TOT-SMC has applied to the Colorado Department of Local Affairs (DOLA) for $5,000,000 in grant funds, specifically for acquisition costs and repayment of bridge loan for acquisition costs (See **EXHIBIT F**). Though MDCM maintains skepticism for a process that is much further along than SMC-TOT acknowledges, and having gotten to this point with minimal to no public awareness or input, MDCM takes no exception to this action by itself, as it is perceived as good proactive fund sourcing. However, upon review of the information packet presented at the 4/12/22 DOLA State Housing Board Meeting, SMC-TOT has advertised that ***"…the town will undertake the rezoning process upon closing on the property***". This is a flat out mis-representation of the actual process being undertaken, further evidence of selective/strategic conveyance of specific information and/or process manipulation on the part of SMC-TOT

8. It very much appears as if SMC and TOT have embarked on a public/media campaign that serves to build irreversible momentum for project before crucial details and due diligence has been performed. Whether stated a Town of Telluride press release, on Town Council members social media accounts, published in the Daily Planet and/or on KOTO radio news, one example of this is as follows: Procurement of 105 acres for development of community housing has been stated, without once disclosing that only +/-39 are applicable to the CH rezoning, and that only +/-12 acres are being considered developable by SMC-TOT Application itself. Omission of these facts serve simply to drum up excitement and momentum, but deprive the Public of the facts

9. What advertisement was provided and public input solicited for the adoption of amendments to the SMC Comprehensive Development Plan in late 2021?

10. What advertisement was provided and public input solicited for the adoption of LUC addition of the new Community Housing (CH) zone district that was adopted in late 2021? While admittedly anecdotal, three MDCM homeowners are professionals in the industry and track these kinds of items, yet still knew nothing of the adoption. Additionally, not a single person with whom we've conferred were even aware of the existence of a new CH zone district.

11. Why was the CH zone district created without the typical geographic mapping, or updated Zoning Map?

12. Questions 9, 10 and 11 above create air of a lack of transparency to a process that was administered under the cloak of COVID-19, and with a singular purpose of target zoning particular parcels. Additionally, and while only speculative, it appears as if a pre-meditated process of amending a Master Plan, creating a new zone district, and negotiating with a private land owner known to have ulterior motives was all done with minimal to no public awareness and input.

Application Specific / Technical

13. Traffic

a. Aside from single page "initial traffic review" letter prepared by Felsburg Holt & Ullevig (FHU), has a comprehensive traffic study been performed? Without one – and one which includes input from Deep Creek Mesa daily commuters, law enforcement officials, commercial transport companies, Airport operations staff, etc., and which acknowledges the true full-time potential population of Deep Creek Mesa of a fully developed rezoned Property versus current full-time population numbers (see 22.c below) – MDCM does not see how FHU can conclude their letter with the assertion "***Based on the analyses presented herein, we do not foresee significant traffic issues based on the proposed rezoning*****".**

b. FHU initial traffic review letter states ***"…there is potential for operational concerns for left turns from Last Dollar onto W Colorado Avenue due to increased development along Last Dollar Road."*** MDCM asserts quite firmly that this conclusion is grossly understated, and the casual solutions proposed ("***various mitigation measures***" and "***dedicated shuttle or expansion of existing SMART transit services***"), are useless hand-wave solutions for the actual challenges that will present itself at the Airport Road/Spur intersection. With the potential full-time population rezoning the Property could bring (see 22.c below), it would be impossible not to see dramatic impacts to the Airport Road/Spur intersection, and you need only be a resident of Deep Creek Mesa, or any commuter using The Spur, to be aware of the already existing challenges that exist at that intersection at the start and conclusion of every work/school day. Turns off of Airport Road to The Spur required substantial patience and can be extremely dangerous currently, especially during winter driving conditions. No simple or inexpensive mitigation measures will even come close to managing the traffic patterns that will develop if the full-time population of Deep Creek Mesa doubles (or more) overnight.

c. FHU initial traffic review letter states ***"…we do not expect that traffic from the proposed rezoning would significantly affect operations at these Last Dollar intersections***" when referring to Basque Boulevard and Aldasoro Boulevard intersections with Airport Road. Based on every-day experience, MDCM asserts that this conclusion is flawed, and notes the omission of analyses for the left-hand turn that serves the MDCM subdivision – a left-hand turn that is quite proximate to the right-hand turn from Airport Road to Basque Blvd.

d. Beyond challenging the safety component of traffic impacts caused by a population spike that will inevitably follow a rezoning of the Property, has consideration to day-to-day nuisance even been considered? The Telluride region community values greatly quality of life, from a lack of traffic congestion, to noise levels, and for those residents who have chosen Deep Creek Mesa as their home, these quality-of-life attributes are perhaps more sacred than to those who have chosen "downtown" living. It is borderline offensive to read FHU's closing remarks, and to know that SMC-TOT has simply accepted them as "fact".

14. Water

a. Have physical pathways been analyzed for piping of water to the Property from the TOT water system?

b. Will there be easements required across private property for water utility installations and perpetual maintenance? If so, how does SMC-TOT intend to attain these easements?

c. Have preliminary estimates been performed costs to design, and delivery TOT water service to the Property?

d. Is there actually "wet" water available to service a project of this magnitude? It is understood that there are already water restrictions in Town.

e. Is there truth to the speculation that SMC-TOT and Jack Vickers have struck a deal to provide much needed water to his remaining Diamond Ranch lots as a conditions of the purchase of his three Diamond Ridge parcels?

15. Sewer

a. Have physical pathways been analyzed for piping of water to the Property from the TOT sewer system?

b. Will there be easements required across private property for sewer utility installations and perpetual maintenance? If so, how does SMC-TOT intend to attain these easements?

c. Have preliminary estimates been performed costs to design, and delivery TOT sewer service to the Property?

16. **Wildlife:** As mentioned above, CPW has not been included in the Referral Memorandum. Additional to that important procedural omission, Figures 10A, 10B and 10C really do nothing to alleviate concerns for wildlife impacts, whether migration, calving or wellbeing in general. Not to question sources (especially if CPW themselves), but many property owners who live full time and frequent the areas depicted in the Application Figures would anecdotally disagree with the graphics presented – opinions which should not be discounted. As an additional note, MDCM has concerns for potential impacts to existing Deep Creek Mesa property owners should patterns abruptly need to be altered by the wildlife inhabiting the Mesa due to a dramatic spike in density that is inevitable should rezoning be permitted.

17. **Airport Proximity**

a. The Application clearly downplays concerns of proximity, and while the FAA is choosing not to provide comments, MDCM has learned that is due to 1) prior discussions FAA has had with Applicant regarding Application (a time saving decision), 2) admission that FAA regulations for non-federally owned airports do not carry the regulatory power needed to be impactful, and perhaps most meaningfully 3) acknowledgement that comments and concerns typically are expressed at the property development stage of the process, not at a rezoning application. Regardless, a phone dialog with John Sweeney at the FAA has produced the following comments, approval of which has been granted for paraphrasing and printing:
   i. "FAA in general does not like residential units, and especially high-density residential units near airports, primarily due to noise complaints that typically accompany. However, the FAA unfortunately does not have much in the way of regulatory teeth to back those dislikes".
   ii. "FAA is concerned that with SMC-TOT proposed rezoning and subsequent residential density, there will be significantly more opportunity for complaints that will end up potentially causing restrictions or closures to airport." This same concern was voiced by the former SMC Planning Director when a previous high-density proposal was attempted in the area a few years ago – SMC opposition that was contributary to the proposal not moving forward.
   iii. SMC-TOT technically needs to prove proposed development will not "negatively impact airport operations", and that development adjacent to the airport needs to "maintain compatible land use zoning to the greatest extent possible". Since proof of this is difficult to demand at a rezoning only hearing (as opposed to when a development plan is in place), the FAA is not asking for that proof at this time, even though statements express concern for just this type of negative impact.

   It is unfortunate that potential FAA comments and concerns this is the case, especially given how momentum that is achieved by the time a Development Permit is being sought can often override reasonable and consequential requirements like this.

b. According to first responders, there have already been three fatal and two non-fatal aviation crashes in direct proximity to the Property, including one on the Property itself. Regardless of SMC, Airport or FAA regulations/requirements, local pilots and first responders state convincingly that development pursuant to rezoning in this area is a bad idea.

18. **Fire Station Proximity:** Since the Property lies outside of five miles from the nearest fire station (See **EXHIBIT G**), it will be deemed to have an ISO rating of 10, which reflects a poor insurance rating. Costs for insurance for a newly formed HOA, not to mention individual unit owners, will be very high if this is the case, working counter to the end goal of providing sustainably affordable community housing. Should it be deemed necessary to add a fire station or mini-station, this creates yet additional infrastructure costs that further work against the Property being suitable for a community housing project, especially when compared to alternate properties.

19. **Wildfire Risk:** Although the Application indicates the Property to be in the same wildfire risk zone as the majority of properties on Deep Creek Mesa, there was no study, analysis or even commentary made in the Application regarding the potential increased risk of wildfire creation or spreading due to such a dramatic spike in the full-time population base that can result from

approval of rezoning that permits up to 700 units on the Property. Primary residents and second homeowners alike are all equally impacted by wildfire should one start and spread, not to mention insurance rates and/or insurability, and therefore, any increased risk by virtue of increased density is as issue that concerns Mesa property owners equally.

20. Recreational Use & Safety: No mention of recreational use and safety of such use was observed in the Application.

a. What are the considerations and plans to address recreational uses (bike, running, walking, etc.) on Airport road with the inevitable increases in vehicular traffic, specifically at dangerous/blind curves? Bike lanes? Shoulder widening? Decreased speed limit? Speed limit enforcement?

b. What are the considerations and plans to address and/or regulate use public trail networks on Deep Creek Mesa? An increase in primary residency, and ease of access "from on top" of the Mesa will inevitably put significantly more pressure on trails than presently exists.

c. What are the considerations and plans to address and/or assist with use regulation and enforcement of private trail networks on Deep Creek Mesa? There are already conflicts between subdivisions and trail users existing presently, and increase in primary residency combined with access "from on top" of the Mesa will inevitably magnify such conflicts. Is it fair to pass this burden along to subdivisions?

21. Parcel Subject to Rezoning / Property Lines

a. What is significance of the shape and parcel (and the Lot C reference) that is applied for up-zoning, as compared to the three parcels it seems to be within?

b. Why is just that parcel being considered for up-zoning?

c. Why acreage variance between stated (35 vs 39) and correlation to Parcel C & B in The Corral's plat?

d. Why have property lines not been redefined prior to considering a portion of several lots for up-zoning? MDCM has never seen an application submitted on a parcel that has no actual current and legitimate borders before.

Intended Unit Development

22. MDCM understands, that plans are subject to change and that this Application simply represents a rezoning of the property. However, considering statements made in CXXX Grant applications seem to vary from statements released in the press, the following questions/comments are asked with the belief that general intent or ranges of possibilities have to be known by SMC-TOT to be considering the purchase, and at the purchase price to which SMC-TOT has contracted the property:

a. How many units are intended to be built?

b. What is the intended type and distribution of units (i.e., single family, duplexes, multi-family, etc.) SMC-TOT intends to build on the Property?

c. What is the intended total population for the Property? With a potential density of 700 units per CH rezoning, it is feasible that the full-time population of the Property could potentially exceed 2,000 people (700 units x 3 per unit per SMC LUC 5-317 which states 2 - 4 per unit). That type of population would reside on +/-39 acres, the proposed development area per Application Figure 5. For perspective, Aldasoro Ranches, Deep Creek Mesa's most dense subdivision, houses approximately 665 people on ~1,515 acres, and a good percentage of those people are second home owners and therefore do not impact roads, trails, etc. on a daily basis like a full-time population. For additional perspective, the potential population that could inhabit the Property per the CH rezoning application rivals the population numbers and exceeds the density of the Town of Telluride itself.

d. With the potential populations outlined that are feasible on the Property, is SMC-TOT considering creating another village? Will it require its own governance?

e. Out of the total purchase price for 105 acres, +/-39 acres of which are being asked to be re-zoned, how much of that +/-39 acres is actually planned to be developed? Has a cost per buildable acre been determined?

23. SMC LUC 5-2102 A - Ridgeline Development states:

> "***No portion of any structure (except ski area, public utility and mining related structures) shall be allowed to extend above any ridgeline such that the subject development could be viewed from five miles away or less as silhouetted against the sky from any State Highway, County Road T60 between the Telluride Regional Airport and West Colorado Avenue, and any street in the Town of Telluride, unless the entire subject parcel is ridgeline, or is within a final platted, County approved subdivision. If the entire parcel is ridgeline, any development must comply with all standards of Section 5-2101. If necessary for evaluation of the proposed development, the Planning Director may require an applicant to erect visual devices, such as story poles, prior to issuance of any Development Permit."***

If the rezoning is successful, would it be SMC's intent to lean on the statement "If the entire parcel is ridgeline, any development must comply with all standards of Section 5-2101", which is a set of subjective mitigation techniques, and therefore essentially ignore a very vital and previously widely enforced regulation?

24. If the rezoning is successful, what considerations would SMC-TOT provide for concerns for nighttime light pollution. Even with of dark sky compliance for light fixtures themselves, a development of this size will inevitably create a glow visible to the entire region.

Financial – Community/Workforce/Taxpayer Benefit

25. What is the estimated total cost of this development, including, but not limited to:
- a. Due-diligence;
- b. Land purchase;
- c. Surveys;
- d. Legal/entitlements:
- e. Studies & mitigation (environmental, wetlands, traffic, wildlife);
- f. Geotechnical;
- g. Infrastructure (water, sewer, electric, gas, data, traffic/road improvements);
- h. Design (civil, architectural, structural, mechanical, electrical, etc.);
- i. Construction/building;
- j. Legal/HOA formation;
- k. Financing.

26. Is the intent to sell or to rent to individuals/families eligible for community housing.

27. What is the target or intended SMC-TOT subsidies per unit and in total if intent is to sell?

28. What is the target or intended SMC-TOT subsidy to rent and/or in total to the development if intent is to rent?

29. In the other SMC-TOT joint venture going on right now, what is the true cost of the Sunnyside project, both per square foot and per unit? Comments were made publicly that this could be completed (including everything) for $300/square foot. What are the actual costs today and what does that mean for people seeking affordable housing units?

30. Have any of TOT and/or SMC's previous affordable housing development projects been third-party independently audited for determination of final, unsubsidized, actual final costs – costs that can be comparted to private sector or PPP development where there is no benefit of multiple funds from which to draw?

31. Have any of TOT and/or SMC's previous affordable housing development projects been third-party independently audited to determine the projected cost compared to the actual finished costs? This track record needs to be of public record and considered for the viability of future projects

---

General / Speculation

32. While requested Purchase and Sale agreement between SMC-TOT and Jack A. Vickers III has not been provided, there is good reason to suspect that there is a provision in the contract that the SMC-TOT will use "best efforts" to extend water to the remaining Diamond Ranch lots if this deal goes through. Is this even legal? Either way, it is entirely unethical, non-transparent and deceptive to the community if a horse-trade has been made or even suggested between SMC-TOT and Vickers.

33. While request for the Purchase and Sale Agreement has yet to be honored, word on the street is that the Property has been contracted for in excess of $7 million. Is this true?

EXHIBIT A

From: Crane - DNR, Kelly <kelly.crane@state.co.us>
Sent: Thursday, April 7, 2022 9:01 AM
To: Scott Bennett <scott@telluride-home.com>
Subject: Re: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

Hi Scott-

After briefly reviewing the rezoning application I can say that we would have some concerns about the impacts to wildlife and specifically the elk winter range. Hopefully we get a request from the county for a formal wildlife impact statement.

Thanks, Kelly

On Fri, Apr 1, 2022 at 10:23 AM Scott Bennett <scott@telluride-home.com> wrote:

Kelly,

Yes I will and I will copy you on it as well.

Thank You,

Scott Bennett
Broker Associate
Telluride Real Estate Brokers
(970) 728-6667 Office
(970) 729-1666 Cell
scott@telluride-home.com
www.telluriderealestatebrokers.com
Retired Chief, Telluride Volunteer Fire Department
2017 Community Realtor of the Year
2005 Community Realtor of the Year

Please note my new email address scott@telluride-home.com

From: Crane - DNR, Kelly <kelly.crane@state.co.us>
Sent: Friday, April 1, 2022 10:15 AM
To: Scott Bennett <scott@telluride-home.com>
Subject: Re: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

Thanks Scott-

We aren't supposed to make wildlife impact statements unless we receive a formal request. Would you be willing to contact the planning department and ask them why they haven't referred the application to us for comments? And then request that they do so.

In the meantime I will start reviewing the application.

Kelly

On Fri, Apr 1, 2022 at 9:50 AM Scott Bennett <scott@telluride-home.com> wrote:
Kelly,

Good Morning! Please see attached and below referral agency memo from San Miguel County regarding an application to re-zone property on Deep Creek Mesa to allow up to 20 units/acre. This seems to be in conflict with the wildlife on the mesa and I thought you would be interested and I didn't see anyone from Colorado Parks and Wildlife on the memo. Please review and call or email me for any background information that might not be in the application. As you can imagine many owners on the mesa are not in favor of this.

Thank You,

Scott Bennett
Broker Associate
Telluride Real Estate Brokers
(970) 728-6667 Office
(970) 729-1666 Cell
scott@telluride-home.com
www.telluriderealestatebrokers.com
Retired Chief, Telluride Volunteer Fire Department
2017 Community Realtor of the Year
2005 Community Realtor of the Year

Please note my new email address scott@telluride-home.com

From: Kaye Simonson <kayes@sanmiguelcountyco.gov>
Sent: Tuesday, March 22, 2022 1:56 PM
To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>; Amy Markwell <amym@sanmiguelcountyco.gov>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Starr Jamison <starrj@sanmiguelcountyco.gov>; Janet Kask <janetk@sanmiguelcountyco.gov>; Bill Masters <billm@sanmiguelsheriff.org>; Matt Gonzales <mattg@sanmiguelcountyco.gov>; Lisa Garrett <lisag@sanmiguelcountyco.gov>; Dave Foley <surveyfoley@gmail.com>; David Averill <david.averill@smarttelluride.com>; Telluride Fire District <jbennett@telluridefire.com>;jpandolfo@telluridek12.co.us; tmanager@telluride-co.gov; Paul Wisor <pwisor@mtnvillage.org>; Kenny Maenpa <kenny@tellurideairport.com>; John.Sweeney@faa.gov; Marc.C.Miller@faa.gov; Green, Donald <Donald.Green@blackhillscorp.com>; Wiley Freeman <wiley@smpa.com>; WallaceS@ballardspahr.com; Devon Horntvedt <Devon.Horntvedt@newmont.com>; pbennett@aldasororanch.com; Anita Cody- Property Management of Telluride <info@propertymanagementoftelluride.com>; Thomas Kennedy <tom@tklaw.net>; grayheadpoa@gmail.com; Jennifer Dinsmore <jenniferd@sanmiguelsheriff.org>; Michelle Haynes <MHaynes@mtnvillage.org>; Ron Quarles <rquarles@telluride-co.gov>; Kevin Geiger <kgeiger@telluride-co.gov>
Cc: Troy Hangen <troyh@sanmiguelcountyco.gov>; John Huebner <johnh@sanmiguelcountyco.gov>;

James Van Hooser <jamesv@sanmiguelcountyco.gov>
Subject: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

The above-referenced application to rezone a portion of the subject property to Community Housing (CH) is available athttps://www.sanmiguelcountyco.gov/DocumentCenter/View/7999/Diamond-Ridge---Rezoning-Application-032122 for your review and comment. The County Planning Commission meeting date is Thursday, April 21, 2022. Please provide your review comments by Tuesday, April 12, 2022 to Kaye Simonson, Planning Director, kayes@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.

Thank you.

--
For information about San Miguel County's response to COVID-19 (Coronavirus), please visit https://www.sanmiguelcountyco.gov/590/Coronavirus

Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov

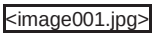


EXHIBIT B

Town Clerk
Town of Telluride
P.O. Box 397
Telluride, Colorado 81435

March 28, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should **not** be considered to include the Application cited above, as we are already in possession of that document.

Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the Town of Telluride or town staff and Klein Cote Edwards Citron LLC.

2. The contract between the Town of Telluride regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.

1. Any and all communication between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com and text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.

2. Any and all communication, between the Telluride Town Council or staff, with Jack Vickers' attorney including but not limited to by letter, email, text or other, from Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.

3. Any and all communication, between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

4. Any and all communication, between the Telluride Town Council or staff including but not limited to by letter, email, text or other, with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

5. Any and all notes, minutes or documents created by or provided to the Telluride Town Council or staff identifying the density of housing planned at the Subject Location.

6. Any and all notes, minutes, analysis or documents created by or provided to the Telluride Town Council or staff identifying any traffic studies regarding the Subject Location.

7. Any and all studies, research, cost analysis created by or provided to the Telluride Town Council or staff concerning providing municipal water and sewer to the Subject Property.

8. Any and all documentation on any notice provided regarding any meetings of the Town Council wherein the potential purchase of the property was discussed.

9. All documentation, emails or other communication wherein this purchase of the Subject Property or the potential rezoning of the Subject Property was discussed with the County Board of Commissioners or the County Planning Department or county staff.

10. All documentation, emails, or communication between the Town of Telluride and the County of San Miguel wherein the modification to the Land Use Code in San Miguel County was proposed to be amended to include a Community Housing (CH) zone with regard to resolution 2021-038.

11. Any billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.

12. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements, including prior drafts of the contract.

13. Any documents, maps, studies, analysis, emails, texts or letters prepared by or sent by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch including the Subject Property.

14. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the property was discussed with the County of San Miguel.

15. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning of the Subject Property, and the purchase of the Subject Property.

16. A summary of dates, locations and times of meetings held to discuss any matter related the purchase of the Subject Property.

17. Any and all documents and communication, including but not limited to all emails, letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the Town of Telluride seeking to purchase, zoning change, or property exchange for employee housing, or Community Housing, as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

If all or any portion of our request is denied, please also provide a written explanation, including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:

P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

Co-Signers

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

Donald S Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #10 LLC

Cristine Mitchell (4230 Last Dollar Rd., Telluride, Co 81435), individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC, and Molly C. Mitchell

Matt Mitchell (4230 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC

Angela M. Petersen, (4445 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #11 LLC and Deep Creek #8 and Deep Creek #1

Jim Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

Virginia Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

David Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Karen Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Jim Farrar (2805 Last Dollar Rd., Telluride, CO 81435), Individually and on behalf of the Deep Creek Ranches HOA (PO Box 2281, Telluride, CO 81435)

Angela Farrar (2805 Last Dollar Rd., Telluride, CO 81435)

Dirk de Pagter (334 Old Toll Rd., Telluride, CO 81435), individually on behalf of The Meadows at Deep Creek Mesa, HOA

Nick Farkouh (235 Old Toll Rd., Telluride, CO 81435)

Lisa Henson (3620 Last Dollar Rd., Telluride, CO 81435)

David Pressler (3620 Last Dollar Rd., Telluride, CO 81435)

Michael Phelan (153 Whipple Way, Telluride, CO 81435)

Tanya Phelan (153 Whipple Way, Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

EXHIBIT C

Stephannie Van Damme
County Clerk and Recorder
P.O. Box 548
Telluride, CO 81435-0548

March 28, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should **not** be considered to include the Application cited above, as we are already in possession of that document. This request does also **not** include any documents that were filed with the San Miguel County Clerk's office and available online regarding the Subject Property.

Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the County Board of Commissioners ("Board") or the Planning Department or county staff and Klein Cote Edwards Citron LLC.

2. The contract between the Board or the Planning Department regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.

3. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com, text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.

4. Any and all emails or text messaged between Mike Bordagna and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property.

5. Any and all emails or text messaged between Lance McDonald and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property.

6. Any and all summaries of conversation between Mike Bordagna and Jack Vickers or Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.

7. Any and all summaries of conversation between Lance McDonald and Jack Vickers, Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.

8. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers' attorney Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.

9. All communication, including but not limited to by letter or email, text or other communication between the Board, Planning Department or county staff with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

10. Any and all communication, including but not limited to by letter or email, text or other between the Board, Planning Department or staff with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

11. Any and all Board, Planning Department or county staff determinations or meeting minutes, note, analysis or documents regarding this proposed zoning change for the Subject Property.

12. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the density of housing planned at the Subject Location.

13. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the impact of placing 20 units per acre upon land currently zoned Forest/Agricultural at the Subject Property.

14. Any and all Board, Planning Department or county staff notes, minutes or documents identifying the source and cost or feasibility of providing water to the Subject Property from the Town of Telluride municipal sources.

15. Any and all Board, Planning Department or county staff notes, minutes or documents identifying any traffic analysis with developing the Subject Property.

16. Documentation on any notice provided regarding any meetings of the Board, Planning Department or staff wherein the potential purchase of the property was discussed.

17. Any and all notices provided regarding any meetings that involved the Planning Commission or the Board wherein the hiring of Klein Cote Edwards Citron LLC was discussed and/or voted upon.

18. Any and all documentation concerning the purchase of the Subject Property, including analysis, studies, notes, memorandum replied upon prior to any vote to proceed with the purchase contract of the Subject Property.

19. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the Subject Property was discussed with the Town of Telluride Council, or Town Staff.

20. Any and all notice provided to anyone regarding any meetings of the Planning Commission or the Board wherein the potential for seeking rezoning of the Subject Property was discussed.

21. Any and all documentation, including emails, text or other communication wherein this potential rezoning of the Subject Property was discussed and/or voted upon by the Planning Commission or the Board.

22. Any and all billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.

23. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements or other related documents.

24. Any and all notice provided regarding Board of Commissioners Resolution 2021-038.

25. Any and all meeting minutes regarding Board of Commissioners discussion of and passing of Resolution 2021-038.

26. Any and all drafts of Resolution 2021-038.

27. Any and all studies conducted by the County regarding the feasibility of resolution 2021-038.

28. All documentation, emails, or communication between the Board, Planning Commission or its staff and the Town of Telluride wherein the modification to the Land Use Code in San Miguel County Section was proposed to be amended to include a Community Housing (CH) zone under resolution 2021-038.

29. Any and all traffic studies done regarding Last Dollar Road/Airport Road from Highway 145 at the spur and to the point where Deep Creek meets Highway 145 for the last ten years.

30. Any and all studies, research, cost analysis of providing municipal water and sewer to the Subject Property.

31. Any documents, maps, studies, emails or letters prepared by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch that include the Subject Property.

32. Any PUD Sketch plans, applications, notes of discussion or any other document related to the Subject Property submitted with the last two years (not including the current Application described above).

33. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning and/or the purchase of the Subject Property, and the purchase of the Subject Property.

34. All documents, notes and memoranda concerning the Pre-Application Conference Summary held on February 25th (for the Subject Application) and any communications by letter, email, text or otherwise between anyone in regards to this Pre-Application Conference.

35. Any and all documents and communication, including but not limited to all emails, letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the County of San Miguel seeking to purchase, rezone, or conduct a property exchange for employee housing, or Community Housing as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

36. Any and all changes that were made to the San Miguel County Comprehensive Development Plan from 1-1-2019 through December 31, 2021.

If all or any portion of our request is denied, please also provide a written explanation including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:

P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

Co-Signers

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

Donald S Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #10 LLC

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Karen Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

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Angela Farrar (2805 Last Dollar Rd., Telluride, CO 81435)

Dirk de Pagter (334 Old Toll Rd., Telluride, CO 81435), individually on behalf of The Meadows at Deep Creek Mesa, HOA

Nick Farkouh (235 Old Toll Rd., Telluride, CO 81435)

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Michael Phelan (153 Whipple Way, Telluride, CO 81435)

Tanya Phelan (153 Whipple Way, Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

EXHIBIT D

TOWN OF TELLURIDE

OFFICE OF THE TOWN CLERK
Tiffany Kavanaugh, CMC

April 1, 2022

Morgan and Sarah Smith
3130 Last Dollar Rd.
P.O. Box 3460
Telluride, CO 81435
Via email to morgancsmith99@gmail.com

Re: CORA request – Diamond Ridge Parcels

Dear Mr. and Mrs. Smith:

This letter is in response to your open records request submitted to the Town of Telluride (the "**Town**") via hand delivery on March 28, 2022 and received on the afternoon of March 29, 2022. The request was made pursuant to the Colorado Open Records Act, C.R.S. § 24-72-200.1, *et seq.* ("**CORA**"). You have requested the following nineteen categories of records from the Town:

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the Town of Telluride or town staff and Klein Cote Edwards Citron LLC.
2. The contract between the Town of Telluride regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.
3. Any and all communication between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com and text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.
4. Any and all communication, between the Telluride Town Council or staff, with Jack Vickers' attorney including but not limited to by letter, email, text or other, from Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.
5. Any and all communication, between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

6. Any and all communication, between the Telluride Town Council or staff including but not limited to by letter, email, text or other, with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.
7. Any and all notes, minutes or documents created by or provided to the Telluride Town Council or staff identifying the density of housing planned at the Subject Location.
8. Any and all notes, minutes, analysis or documents created by or provided to the Telluride Town Council or staff identifying any traffic studies regarding the Subject Location.
9. Any and all studies, research, cost analysis created by or provided to the Telluride Town Council or staff concerning providing municipal water and sewer to the Subject Property.
10. Any and all documentation on any notice provided regarding any meetings of the Town Council wherein the potential purchase of the property was discussed.
11. All documentation, emails or other communication wherein this purchase of the Subject Property or the potential rezoning of the Subject Property was discussed with the County Board of Commissioners or the County Planning Department or county staff.
12. All documentation, emails, or communication between the Town of Telluride and the County of San Miguel wherein the modification to the Land Use Code in San Miguel County was proposed to be amended to include a Community Housing (CH) zone with regard to resolution 2021-038.
13. Any billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.
14. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements, including prior drafts of the contract.
15. Any documents, maps, studies, analysis, emails, texts or letters prepared by or sent by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch including the Subject Property.
16. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the property was discussed with the County of San Miguel.
17. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning of the Subject Property, and the purchase of the Subject Property.
18. A summary of dates, locations and times of meetings held to discuss any matter related the purchase of the Subject Property.
19. Any and all documents and communication, including but not limited to all emails,

letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the Town of Telluride seeking to purchase, zoning change, or property exchange for employee housing, or Community Housing, as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

Due to the large category of records being requested, the Town cannot complete this request within three (3) working days. The Town must spend significant time to complete searching for responsive records in the nineteen categories above, then must spend more time performing the necessary review for privileged information in those identified documents.

Of note, your request was misnumbered and ended with the number seventeen when in fact nineteen requests were made. In its response, the Town will use the numbering as set forth above to avoid this issue of misnumbering. Additionally, the category of documents requested in #19 (as identified above) is extremely broad encompassing an overwhelmingly large number of documents that the Town believes may be irrelevant given the nature of the rest of the CORA request. While the Town will certainly respond to this request as written, please consider clarifying the language of this request if the category of documents you seek is narrower than the current language reads. If required to respond to this request as written, staff time will be significantly higher than estimated below and will result in a higher fee.

Consistent with C.R.S. § 24-72-205(6), the Town assesses a research and retrieval fee of $33.58 per hour after the first hour for identifying, reviewing, redacting, and scanning responsive records to a CORA request. It is estimated that staff time to respond to this request will be approximately twenty-five (25) hours, representing a fee of **$805.92**. A check deposit made payable to the Town of Telluride must be delivered to my office at 135 West Columbia Avenue or mailed to: Town of Telluride, ATTN: Town Clerk, PO Box 397, Telluride CO 81435. Once the deposit is received, Town staff can recommence working to fulfill your request. If the Town's ultimate costs are less than estimated, the overpayment will be refunded to you. Conversely, if staff time exceeds this estimate, you will be billed for the Town's actual costs and payment in full will be required before the responsive documents can be transmitted to you or otherwise available for inspection

The Town will provide the required documents on the later of Tuesday, April 12, 2022 as permitted by C.R.S. § 24-72-203(3)(b), or seven (7) days after the deposit is received.

Regards,

Tiffany Kavanaugh
Town Clerk

cc: Greg Sund, Acting Town Manager
Kevin Geiger, Town Attorney

EXHIBIT E

From: Amy Markwell <amym@sanmiguelcountyco.gov>
Subject: Fwd: Online Form Submittal: Open Records Requests
Date: March 31, 2022 at 4:16:34 PM MDT
To: morgancsmith99@gmail.com
Cc: Nancy Hrupcin <nancyh@sanmiguelcountyco.gov>

Mr. Morgan,

Based on the expansive and broad nature of this request involving multiple staff, we have estimated that it would take approximately 35 hours to retrieve, review and release the documents requested. Pursuant to our CORA policy, we will require a deposit for $1,134.92 to continue with this request.

Please note that with off season starting, at least one if not more staff relevant to this request is out of the office over the next few weeks. In addition, we do not have full-time staff dedicated to working only on CORA requests. Therefore, we anticipate we can complete this request in the last week of April.

As stated previously, if you would like to narrow down your request or highlight documents that you need sooner rather than later, we can endeavor to get those to you as soon as possible.

Finally, there are several items listed below in which we do not have documents responsive to your request or are found on the county's website. I have noted where this is the case in RED below.

Please let me know if you have any questions.

Amy

Amy T. Markwell
County Attorney

P.O. Box 1170 (mailing address/USPS)
333 West Colorado Avenue, 3rd Flr. (physical address/Fed Ex & UPS)
Telluride, CO 81435

Tel.: 970-728-3879
FAX: 970-728-3718
amym@sanmiguelcountyco.gov

Under the Colorado Open Records Act (CORA), all messages sent by or to me on this county-owned e-mail account may be subject to public disclosure.

CONFIDENTIALITY NOTICE: This electronic mail transmission (email) has been sent by an attorney, and it is intended only for the use of the individual or entity to which it is addressed. This email may contain information that is attorney work product, privileged, confidential, exempt or otherwise legally protected from disclosure under applicable law. If the reader of this email is not the intended recipient or an employee or agent responsible for delivering the information to the intended recipient, you are hereby notified that any review, retention, use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this email in error, please immediately notify us by email at attorney@sanmiguelcountyco.gov and delete this message from all locations on your computer. Thank you.

---------- Forwarded message ---------
From: <noreply@civicplus.com>
Date: Mon, Mar 28, 2022 at 4:27 PM
Subject: Online Form Submittal: Open Records Requests
To: <attorney@sanmiguelcountyco.gov>

Open Records Requests

San Miguel County Open Records Request Form

PURPOSE
To ensure that any member of the public will be provided reasonable access to public records covered under the Colorado Open Records Act (CORA).

POLICY
San Miguel County is a public entity and its business documents and records are generally public in nature and are available to the public for inspection. The majority of requests by the public can be handled by staff when a member of the public walks in and makes the request to review a document or records. In order to maintain the integrity of public records, or the effective functioning of a county office or department, and for security reasons, certain conditions for reviewing or obtaining copies of records may apply. In addition to this policy, elected officials may also develop their own policies and procedures regarding public records in their custody.

A response to a written request for public records will also be in writing and will be made within three working days or, when extenuating circumstances apply, within seven working days, (§ 24-72-203(3)(b), CRS). You will be notified within three working days if there are extenuating circumstances that do not allow us to respond to your request within three working days.

Applicable fees for obtaining public records are to be charged based on the specific office or department procedures and actual costs to provide the requested record(s). Offices or departments are directed to publish and post a written policy and to inform the public up front concerning, the fee(s) to be charged § 24-72-205(6)(a), CRS. The public should request an estimate of the cost of its information request if they are requesting a substantial number of copies or extensive research by the record custodian.

IMPORTANT
Please complete this request form as accurately as possible and with as many details as possible. A request which is vague, broad, or which seeks voluminous records, may cause a delay in the time in which the County can produce the records.

First Name	Morgaan
Last Name	Smith
Email Address	morgancsmith99@gmail.com
Phone Number	510-928-5454
Address1	P.O. Box 3460
Address2	*Field not completed.*
City	Telluride
State	CO
Zip	81435
Records Requested	1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the County Board of Commissioners ("Board") or the Planning Department or county staff and Klein Cote Edwards Citron LLC. 2. The contract between the Board or the Planning Department regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property. 3. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com, text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years. 4. Any and all emails or text messaged between Mike Bordagna and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers'

attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property.

5. Any and all emails or text messaged between Lance McDonald and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property. **The County does not have documents responsive to this request.**

6. Any and all summaries of conversation between Mike Bordagna and Jack Vickers or Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.

7. Any and all summaries of conversation between Lance McDonald and Jack Vickers, Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.**The County does not have documents responsive to this request.**

8. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers' attorney Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.

9. All communication, including but not limited to by letter or email, text or other communication between the Board, Planning Department or county staff with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

10. Any and all communication, including but not limited to by letter or email, text or other between the Board, Planning Department or staff with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

11. Any and all Board, Planning Department or county staff determinations or meeting minutes, note, analysis or documents regarding this proposed zoning change for the Subject Property.

12. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the density of housing planned at the Subject Location.**The County does not have documents responsive to this request.**

13. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the impact of placing 20 units per acre upon land currently zoned Forest/Agricultural at the Subject Property. **The County does not have documents responsive to this request.**

14. Any and all Board, Planning Department or county staff notes, minutes or documents identifying the source and cost or feasibility of providing water to the Subject Property from the Town of Telluride municipal sources.

15. Any and all Board, Planning Department or county staff notes, minutes or documents identifying any traffic analysis with developing the Subject Property.

16. Documentation on any notice provided regarding any meetings of the Board, Planning Department or staff wherein the potential purchase of the property was discussed.

17. Any and all notices provided regarding any meetings that involved the Planning Commission or the Board wherein the hiring of Klein Cote Edwards Citron LLC was discussed and/or voted upon.

18. Any and all documentation concerning the purchase of the Subject Property, including analysis, studies, notes, memorandum replied upon prior to any vote to proceed with the purchase contract of the Subject Property.

19. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the Subject Property was discussed with the Town of Telluride Council, or Town Staff.

20. Any and all notice provided to anyone regarding any meetings of the Planning Commission or the Board wherein the potential for seeking rezoning of the Subject Property was discussed. **This information can be found on the County's website** https://www.sanmiguelcountyco.gov/661/Agendas-and-Minutes

21. Any and all documentation, including emails, text or other communication wherein this potential rezoning of the Subject Property was discussed and/or voted upon by the Planning Commission or the Board. **The County does not have documents responsive to this request.**

22. Any and all billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date. **The County does not have documents responsive to this request.**

23. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements or other related documents.

24. Any and all notice provided regarding Board of Commissioners Resolution 2021-038.

25. Any and all meeting minutes regarding Board of Commissioners discussion of and passing of Resolution 2021-038. **This information can be found on the County's website**
https://www.sanmiguelcountyco.gov/661/Agendas-and-Minutes

26. Any and all drafts of Resolution 2021-038.**This information can be found on the County's website as part of Planning Commission and BOCC meeting packets**
https://www.sanmiguelcountyco.gov/661/Agendas-and-Minutes

27. Any and all studies conducted by the County regarding the feasibility of resolution 2021-038. **The County does not have documents responsive to this request.**

28. All documentation, emails, or communication between the Board, Planning Commission or its staff and the Town of Telluride wherein the modification to the Land Use Code in San Miguel County Section was proposed to be amended to include a Community Housing (CH) zone under resolution 2021-038.

29. Any and all traffic studies done regarding Last Dollar Road/Airport Road from Highway 145 at the spur and to the point where Deep Creek meets Highway 145 for the last ten years.

30. Any and all studies, research, cost analysis of providing municipal water and sewer to the Subject Property.

31. Any documents, maps, studies, emails or letters prepared by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch that include the Subject Property.**The County does not have documents responsive to this request.**

32. Any PUD Sketch plans, applications, notes of discussion or any other document related to the Subject Property submitted with the last two years (not including the current Application described above).

33. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning and/or the purchase of the Subject Property, and the purchase of the Subject Property.

34. All documents, notes and memoranda concerning the Pre-Application Conference Summary held on February 25th (for the Subject Application) and any communications by letter, email,

	text or otherwise between anyone in regards to this Pre-Application Conference. 35. Any and all documents and communication, including but not limited to all emails, letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the County of San Miguel seeking to purchase, rezone, or conduct a property exchange for employee housing, or Community Housing as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years. 36. Any and all changes that were made to the San Miguel County Comprehensive Development Plan from 1-1-2019 through December 31, 2021.
Preferred Method of Delivery	Email

Email not displaying correctly? View it in your browser.

EXHIBIT F

COLORADO
Department of Local Affairs
Division of Housing

Project: 32734 SMC/Telluride Diamond Ridge OTK
Underwriter: Andrew Atchley
Asset Manager: D Horton

Project Name:	SMC/Telluride Diamond Ridge OTK	**DOH Application #**32734
Applicant:	San Miguel County/Town of Telluride	**Underwriter:** Andrew Atchley
Developer:	TBD	**Asset Manager:** D Horton
Contact For Applicant		
Name:	Mike Bordogna	**Organization:** San Miguel County/Town of Telluride
Title:	County Manager	**Email:** mikeb@sanmiguelcountyco.gov



Overview

Project County:	San Miguel
Project Address:	TBD Last Dollar Rd, Telluride, CO 81435
Project Type:	Homeownership
Project Activity:	Acquisition (land)
Type of Housing:	Single Family Detached
Population Served:	Family
# Stories in tallest building	TBD
# Elevators	TBD
Energy Efficiency Program/Certification	TBD
Affordable units created/preserved:	150

Requested Funding Amount:	$5,000,000.00
Staff Recommended Funding Amount:	$5,000,000.00
Proposed Funding Source:	OTK 1329 or HDG
Proposed Funding Activities:	Acquisition Costs/ Repayment of Bridge Loan for Acquisition Costs

Project Description

San Miguel County and the Town of Telluride (SMC/T) are requesting an allocation of $5,000,000 for the acquisition of 105 acres of undeveloped land near the Telluride Airport for the development of affordable housing. The Diamond Ridge property is considered to be one of the few remaining opportunities for a significant affordable housing project in the Telluride region. The ultimate goal of the partnership between the county and the town would be to develop a deed-restricted affordable neighborhood of at least 150 but up to 240 units. The property will be served by municipal water and has easy access to nearby community services.

The eventual project would target a range of incomes, with at least 50% of the units being affordably priced to those earning 120% AMI or below. The Town and County would plat the property then develop units, selling or renting the units to qualified owners and/or occupants upon completion. Qualification standards and/or resale price and rent cap would be placed on the units.

Timeline

DATE (Anticipated)	Milestone
06/2022	Acquisition
06/2022	Rezoning of the Property
10/2022	Infrastructure Planning/Site Specific Plan Design (Subdivision), Unit Design
02/2023	Site Specific Plan Approval
10/2023	Infrastructure Installation
11/2023	Lot Sales/Construction Start
11/2024	Completion of Town Developed Units

Proposed Future Unit Mix

Unit Type	0-BR	1-BR	2-BR	3-BR	4-BR	Total	Income Limit
Other Affordable	0	0	0	20	0	20	80% of AMI
Other Affordable	0	0	0	30	0	30	100% of AMI
Other Affordable	0	0	0	40	0	40	120% of AMI
Unrestricted	0	0	0	60	0	60	150% of AMI
	0	0	0	150	0	150	

Visitable units: TBD

Accessible units: TBD
Accessible units - sensory impairment: TBD

Project Acquisition Budget

Sources	Amount	Status/Notes
San Miguel County	$1,118,500.00	
Town of Telluride	$1,118,500.00	
DOH OTK 1329 or HDG	$5,000,000.00	
Total:	$7,237,000.00	

Uses	Amount	Notes
Acquisition Costs	$7,210,000.00	
Due Diligence Documentation	$24,000.00	
Closing Costs	$3,000.00	
Total:	$7,237,000.00	

DOH Eligible Activity(ies): Acquisition Costs
DOH Eligible Activity(ies): Repayment of Bridge Loan for Acquisition Costs

Project Assessment

Management Capacity

The Town of Telluride, in partnership with the Telluride Housing Authority, has a long history of developing and selling for-sale, price-capped, deed-restricted units, and also building, owning and operating affordable rental housing (approx. $70 million in the past 15 years), and are presently developing a $15,000,000 rental housing project in partnership with San Miguel County. San Miguel County has extensive experience in creating and approving deed-restricted residential subdivisions in the Telluride Region of San Miguel County.

The Town and County will develop the various sites through the construction approach, and an RFQ/P process for architectural and construction services would be used to obtain the necessary professional services. The Town and County would secure any necessary construction financing through collateralization of the project or other means. The Town and County hope to be able to price homes at $320,000 for 80% AMI households, $405,000 for 100% AMI households, and $487,000 for 120% AMI households.

Previous DOH funding received by the Applicant, Sponsor, or Developer:

N/A

Project Documentation

Site Control

The purchase contract between the County and Town and the seller is dated January 14, 2022, with a projected closing date of June 17, 2022, and a purchase price of $7,210,000. The County and Town will each contribute $1,118,500 toward the purchase of the property.

Zoning

Current zoning is Forestry/Agriculture, but the town will undertake the rezoning process upon closing on the property.

Appraisal
An appraisal performed by Valbridge Property Advisors valued the undeveloped land at $6,900,000.

Phase I
The draft of the Phase I Environmental Site Assessment, performed by Western Water & Land, found no Recognized Environmental Conditions, though it did find that the property includes small areas of wetlands and that the airport holds Above Ground Storage Tanks and is a Very Small Quantity Generator of hazardous waste.

Property Condition Report
N/A

Title Commitment
A title commitment was issued by Land Title Guaranty on February 28, 2022.

Survey
Received.

Geotechnical & Soils Report
A geotechnical report has been ordered and receipt will be a condition of funding.

Floodplain
The property is located in Zone X, area of minimal flood concern.

Financial Statements
The applicant's financial capacity has been analyzed and found to meet standards consistent with Operation Turn Key guidelines.

Future Permanent Sources & Uses

Sources	Amount	Status/Notes
Bank Loan	$75,095,275.00	
County/Town Fee Waivers	$2,237,000.00	
DOH OTK Grant	$5,000,000.00	
Total:	$82,332,275.00	

Uses	Amount	Notes
Acquisition Costs	$7,210,000.00	
Site Improvements	$5,900,000.00	
Construction	$65,790,900.00	
Professional Fees	$1,925,000.00	
Construction Finance	$1,304,500.00	
Soft Costs	$181,875.00	
Developer Fee/Consultants	$20,000.00	
Total:	$82,332,275.00	

Funding Recommendation

Staff Recommendation:

Staff recommends full funding of an OTK 1329 or HDG grant of up to $5,000,000.

Funding Amount:	$5,000,000.00
Source:	OTK 1329 or HDG
Type of Award:	Grant

Conditions to Funding:

- All other acquisition funding sources have been committed
- Availability of OTK 1329 or HDG funds
- Receipt of Geotechnical and Soils Report

EXHIBIT G

GRAY HEAD AT TELLURIDE

GOLDEN LEDGE

DIAMOND RANCH

ALDASORO RANCH

SUNNYSIDE RANCH WEST

SUNNYSIDE EAST

Distances Station 1

AldasoroPotentialStation
Station2
Station1
DeepCreekMesaDriveways
Roads

Travel_from_Station1
Travel Distance End (Miles)
1
2 3 4 5 6 7 8 9 10 11 12 13 14 15
SUBDIVISIONS_NEW

DISCLAIMER
This information is a product of the San Miguel County GIS Department and is intended for the display of relative positions and locations only. Users of this information agree that no assertion or warranty of any kind has been made by San Miguel County as to its accuracy. The presence on the map of a road feature does not indicate public access.

Path G:\GISProjects\AGENCIES\FIRE_DISTRICTS\TELLURIDE\TellurideFireProtectionDistrict\TellurideFireProtectionDistrict.aprx 7/28/2021
Heather Widlund gis@sanmiguelcountyco.gov

SAN MIGUEL COUNTY COLORADO

GRAY HEAD AT TELLURIDE

GOLDEN LEDGE

DIAMOND RANCH

ALDASORO RANCH

SUNNYSIDE RANCH WEST

SUNNYSIDE EAST

Distances Station 2

AldasoroPotentialStation

Station2

Station1

DeepCreekMesaDriveways

Roads

Travel_from_Station2

Travel Distance End (Miles)

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

SUBDIVISIONS_NEW

DISCLAIMER

This information is a product of the San Miguel County GIS Department and is intended for the display of relative positions and locations only. Users of this information agree that no assertion or warranty of any kind has been made by San Miguel County as to its accuracy. The presence on the map of a road feature does not indicate public access.

Path G:\GISProjects\AGENCIES\FIRE_DISTRICTS\TELLURIDE\TellurideFireProtectionDistrict\TellurideFireProtectionDistrict.aprx 7/28/2021

Heather Widlund gis@sanmiguelcountyco.gov

SAN MIGUEL COUNTY COLORADO

ALDASORO RANCH
HOMEOWNERS COMPANY

April 12, 2022

San Miguel County Planning Commission

The Aldasoro Ranch Homeowners Company (Aldasoro HOC) was asked as a “Referral Agency” and Noticed Owner to comment on the Rezoning of a portion of Lot 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision from Forestry/Agriculture (F) to Community Housing (CH) according to 3-202 E. of the Land Use Code.

The Aldasoro Homeowners Company strongly supports Community Housing. We recognize the importance for people who work within San Miguel County to have the opportunity to live in San Miguel County. Community housing is imperative to preserve and retain essential workers, emergency service workers and those who support the local economy. We are ready to work with San Miguel County and the Town of Telluride to find solutions to the urgent affordable housing deficit.

However, the information provided in the application is deficient. There is not sufficient detail and quantitative information that will allow us to “make comments and recommendations” as a referral agency and neighbor. We do observe though that a rezoning from Forestry/Agriculture to Community Housing in this area may not be appropriate because high density development is allowed in the CH zone district, and this will have negative impacts on the following:

1. the natural environment
2. wildlife
3. traffic generation and road safety
4. demands on public facilities and existing infrastructure.

Therefore, we respectfully ask the Planning and Zoning Commission to recommend to the BOCC either a denial of the rezone, or rezoning with conditions that ensure that such negative impacts will be sufficiently understood and mitigated, or denial of the rezone with a recommendation that the County consider a planned unit development so that such specifics can be managed with public input.

Thank you,
The Aldasoro Ranch Homeowners Company

Robert McMahon, Board President

307 Society Drive Unit C, Telluride, CO 81435 | aldasororanch.net
office: (970)728-5191

April 12, 2022

San Miguel County Planning Commission

The Deep Creek Ranches HOA was included as an addressee on the Memorandum dated 3/22/2021 (a typo?) and included with this letter. The Memorandum asks for comment on the Rezoning of a portion of Lot 1-R-A, 2-R and 3-R, Diamond Ridge Subdivision from Forestry/Agriculture (F) to Community Housing (CH) according to 3-202 E. of the Land Use Code.

The HOA did not receive this memorandum directly by mail or email but would like to comment.

We understand the importance of community housing and recognize the need for people who work in San Miguel County to live in the County.

That said, we believe the information provided in the application is inadequate. There is not enough detail for us to analyze and understand the application and provide comments and recommendations as a neighboring community.

We are concerned about the density allowed in the CH Zone District and believe this application needs much more study before this rezoning moves forward.

In particular we are concerned about the lack of existing infrastructure (water first and foremost), traffic and road safety, and the impacts to the resident wildlife.

Therefore, we respectfully ask the Planning and Zoning Commission to recommend to the BOCC either a denial of the rezone or an extension of the study period until more details can be provided.

Thank you,

Deep Creek Ranches HOA

James W. Farrar
President, Deep Creek Ranches Homeowner's Association

RECEIVED 4/11/22

San Miguel Planning Commission
County of San Miguel
P.O. Box 548
Telluride, CO 81435-0548

April 8, 2022

Re: Hearing on April 21, 2022 - Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041Approval for the Property

To the County of San Miguel Planning Commission:

The undersigned hereby request the April 21, 2022, hearing regarding the above matter be tabled and re-noticed after such time as to allow proper review of the proposal by interested parties, and after such time that the innumerable questions that the application causes have been answered. In the alternative, the below undersigned requests this matter be continued for good cause pursuant 3-1006 of the Land Use Code. This request has good cause based on three issues.

First, the County of San Miguel Master Plan states the following as to the timing of when a hearing for rezoning should occur.

> "In regard to the task of amending the zoning resolution and existing zoning to reflect the master plan, it is recommended that the county and private enterprise use a **one or two year "no action" period to afford everyone the opportunity to amicably amend the zoning regulations by the development of workable zoning classifications and maps**. It is recommended that during this time period no building permits will be issued on land which is presently zoned for uses not in conformance with this Plan, and at the same time, the zoning classifications will not be altered by official action of the County. It is the stated intent that during or after such period fair solutions involving zoning and rezoning which will implement the concepts of this Plan should be reached." (emphasis added)

This matter was only announced on March 21th, with a hearing set 30 days later. Notice of this application was mailed and postmarked to the affected landowners sent on March 30th providing less than 14 days by the time received to submit any objections longer than a single page. This notice is not in compliance with due process required for such a major change in zoning that will affect hundreds of people who live in the area.

Secondly, the County of San Miguel responded to our March 28th Open Records Request regarding this application on March 31st as follows:

> ". . .with off season starting, at least one if not more staff relevant to this request is out of the office over the next few weeks. In addition, we do not have full-time staff dedicated to working only on CORA requests. Therefore, we anticipate we can complete this request in the **last week of April**." (emphasis added)

Without the ability to review records requested, more questions than answers exist – questions that inevitably cannot be addressed at a hearing itself, and that may have significant impact on the end result of the hearing.

Thirdly, we found out that Colorado Parks and Wildlife office was not notified of this application by the County of San Miguel as they should have been for comment.

For the above reasons we request the April 21, 2022, hearing be tabled and re-noticed after such time as to allow proper review by interested parties of all documents per the 3/28/22 CORA and the 4/8/2022 CORA requests. In the alternative we ask that the matter be continued to a date certain to provide ample time for people to obtain and submit additional information for the consideration of the Planning Commission and the County Commissioners.

Sincerely,

Morgan C. Smith, (3130 Last Dollar Road)
Sarah Lavender Smith (3130 Last Dollar Road)

Additional Signatories

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

Donald S Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #10 LLC

Cristine Mitchell (4230 Last Dollar Rd., Telluride, Co 81435), individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC, and Molly C. Mitchell

Matt Mitchell (4230 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC

Angela M. Petersen, (4445 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #11 LLC and Deep Creek #8 and Deep Creek #1

Jim Farrar (2805 Last Dollar Rd., Telluride, CO 81435), Individually and on behalf of the Deep Creek Ranches HOA (PO Box 2281, Telluride, CO 81435)

Jim Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

Virginia Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

Angela Farrar (2805 Last Dollar Rd., Telluride, CO 81435)

Dan Collins (26 Deep Creek Road, Telluride, CO 81435)

Laurie Collins (26 Deep Creek Road, Telluride, CO 81435)

David Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Karen Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Lisa Henson (3620 Last Dollar Rd., Telluride, CO 81435)

David Pressler (3620 Last Dollar Rd., Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

Stacey Prescott, (3225 Last Dollar Rd., Telluride, CO 81435)

Michael Zerangue, (3225 Last Dollar Rd., Telluride, CO 81435)

Eric Aura (2887 Last Dollar Rd., Telluride, CO 81435)

Frannie Aura (2887 Last Dollar Rd., Telluride, CO 81435)

Lynda Johnson, Lot #1 (55 Old Toll Road, Telluride, CO 81435)

David Johnson, Lot #1 (55 Old Toll Road, Telluride, CO 81435)

Deborah Harvey, Lot #2 (195 Old Toll Road, Telluride, CO 81435)

Jason Harvey, Lot #2 (195 Old Toll Road, Telluride, CO 81435)

Nick Farkouh, Lot #3 (235 Old Toll Road, Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Caroline Farkouh, Lot #3 (235 Old Toll Road, Telluride, CO 81435)

Bud King, Lot #4 (335 Old Toll Road, Telluride, CO 81435)

Dirk de Pagter (334 Old Toll Rd., Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Patrice de Pagter, Lot #5 (334 Old Toll Road, Telluride, CO 81435)

Rachel Taber, Lot #6, (Meadows at Deep Creek Mesa)

Brett Taber, Lot #6, (Meadows at Deep Creek Mesa)

Jamey Schuler, Lot#7 (164 Old Toll Road, Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Shelley Schuler, Lot#7 (164 Old Toll Road, Telluride, CO 81435)

Joann Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

Melanie Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

Guy Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

9 April 2022

TO: San Miguel County Planning and Zoning Commission
FROM: David Lavender, 3115 Last Dollar Road

I am writing to express in the strongest possible terms my opposition to the proposed rezoning of the Deep Creek Mesa parcels currently under review by the members of the County Planning and Zoning Commission.

Last week, a letter appeared in *The Daily Planet* in which I mentioned a number of my concerns about the proposed development of these parcels (I'll attach a copy below); however, given the time constraints imposed by a lack of public notice and an unreasonably compressed review process that has left virtually no time for public comment (I'm about to take off for a spring break visit with my grandkids and just learned that written comments are due no later than next Wednesday), I've decided to leave it to others to point out the many, many ways in which the proposed development project is deeply flawed.

Instead, I'd like to use these comments to address two larger, perhaps more 'philosophical' questions that arise from this proposed rezoning: first, the notion that I or anyone else who objects to developing this property is acting entirely out of self-interest; and second, that the continued growth of our region is inevitable and, therefore, unstoppable.

In the two short weeks since this proposed project first came to light, I understand that its opponents have already been vilified on social media (something in which I personally don't participate) as "NIMBY assholes." This couldn't be further from the truth. The fact is that Deep Creek Mesa isn't just my backyard, it's our *community's* backyard–every bit as much as Bear Creek or Bridal Veil or the Valley Floor. Just ask anyone who bikes the Penelope Loop, or hikes the Deep Creek trail or takes a long run out Last Dollar Road (they won't be hard to find because it's just about everybody you know). I honestly believe that the preservation of this precious landscape isn't just in my interest, but in everyone's.

A little history about me and this Mesa:

For whatever reason (an unspoken worry over runaway growth and unsettling change?), ours is a community in which people tend to boast about how long they've lived here–be it ten years or twenty or thirty or more. I always respond that my family moved here back in the 80's–the 1880s. Apropos of planning and zoning, I'd like to point out that it was my great-great grandfather, Charles Painter, acting simultaneously as Town Mayor and County Clerk, who in 1882 traveled to the Lake City branch of the General Land Office and filed the town's original plat (and paid out the required fee of $98.21). My neighbor, Dan Collins, has a great-great-

grandfather who sold hay grown on this Mesa to another of my great-great-grandfathers, Ed Lavender, who ran mule trains up to the mines before branching out into cattle ranching. Two of the three members in the first-ever graduating class at Telluride High School were my great-grandfather, David Painter, and his sister. My grandfather's brother, Dwight, was an early and avid climber (and founding member of the San Juan Mountaineers) who put down numerous first ascents in the area (he was the one who named El Diente). Lavender Peak in the La Platas is named after him, just as Lavender Canyon over in Canyonlands is named after Ed. I could go on, but I'm sure you get the point.

Roots may not trump all other considerations when it comes to planning for the future, but I think they matter nonetheless. Certainly, this legacy has made me profoundly aware of the need to preserve this place, and has caused me to consider my home on Deep Creek Mesa as not so much owned by me, but rather held in trust for future generations. I think it is incumbent on all of us, whether we've lived here five months or five years, to take a similar view when it comes to time to ponder just how much additional development this lovely but, in terms of space, limited land can accommodate. Simply put, our box canyon is finite; growth *cannot* be infinite.

My grandfather, who was born in Telluride in 1910, had a long and illustrious career as a Western historian. Toward the end of that career, he wrote an informal (but eminently readable) history of our town, *The Telluride Story*, which my father updated as a sort of retirement project. In his introduction to the new version, my father expressed surprise that his father "did not give more space to a discussion of the boom and changes that were taking place as he penned his narrative [in 1987]". My father speculates that," this could be because he wanted to remember Telluride for what it was, not what it was becoming." Toward the end of his own afterward to the new edition, my father writes:

> Perhaps in another twenty years my son will update this book; he and his family live on Deep Creek Mesa, and they love Telluride. I hope that he will be able to observe that the though the area is still an enclave of the affluent, limited space for further construction will have kept change to a minimum. If so, he will be able to say that the Telluride region in 2027 will still be one of the most beautiful, desirable places on earth.
>
> On the other hand, it must be recognized that a bleaker scenario could unfold. Considerable diligence will be required to ensure that low density zoning laws and preservation of open space continue as priorities. Otherwise a new generation of developers might someday be able to undo all that so many have worked to preserve.

Obviously, I find that second paragraph particularly prescient; and I'm distraught to find that that "someday" may now be upon us. Which brings me to my second point: the idea that the need for more affordable housing is non-negotiable and that any argument against it is a non-starter.

I am a long-standing member of "the workforce" that the proposed project ostensibly supports. As someone who has spent almost twenty years teaching at the local high school, I am acutely aware of how difficult it is to hire new teachers when they are unable to find housing. However, I am every bit as aware of what's generating the need to hire these new teachers: unrestrained growth (my class sizes have more than doubled in the last decade). Growth begets growth. It's a vicious cycle. Ask any urban dweller who, bemoaning a creeping commute along four clogged lanes of highway, demands that two new lanes be constructed–only to see them immediately fill up with more traffic.

A proposed development that potentially adds 700 units on an unsuitable parcel of open space doesn't solve a problem; it perpetuates it.

And let's be honest. Whom are we really trying to house? A few teachers? Maybe. Some nurses and police officers? Sure. (All because of a demand we ourselves have blithely created). But mostly we're looking to house waiters and sales clerks and bartenders and maintenance workers and chambermaids and ski valets and shuttle drivers and construction workers and countless other wage earners to supply labor for a resort/real estate economy in which a minority of business owners' unquenchable thirst for profits threatens to destroy the unmatched beauty that draws visitors here in the first place. (If you want a glimpse of our future, look to our past and to the tensions between labor and capital that led to the miners' strikes at the turn of the previous century–or for that matter, to the eventual depletion of ore that turned the town's first boom to bust).

Yes, we have to address an immediate shortage of employee housing (now, not "several years" from now as this current project proposes), but we have to do it in a much more environmentally sensitive way (consider the massive infrastructure the proposed development would require). We need to keep town *in* town and look to available, town-owned parcels on which we can build much more quickly (and cheaply). And yes, we need to be more honest about the impact of short-term rentals.

I know how lucky I am to live here. My daily default setting is one of gratitude. But the sad truth is that everyone who wants to live here can't. Even my own children can't (though I hope someday they'll take my place up here on Last Dollar Road). I'm frankly tired of people wandering into town, saying, *This place is incredible!* and then demanding, *Now give me a place to live.* What are our alternatives? We can step aside and let the thousands, or tens of thousands, or hundreds of thousands of people who want to live here take up residence (Why not? We have the open space!). Or we can preserve an increasingly rare, still glorious landscape for them to visit now and again. Really, that's the choice in the end. Preserve our natural surroundings or exploit them.

Speaking of Nature, let me close by saying that I mostly work with young people. Over the past few years I've been alarmed at the way in which they increasingly despair over the future–or, in their minds, a lack thereof. (Check out the devastating article on teen suicide in this week's *New Yorker*). They aren't blind. They know that climate change is real, that resources are vanishing, that whereas there were just under three billion people on earth when I was born, we're now closing in on nine. The impotence–and frustration–they feel at our inability as adults to do something, *anything* in the face of catastrophe is palpable and real. They see a clear through-line between a skate park that's being built over and a burning planet. And they're right. We need radical change, and we need it now. We need, each of us, to live more modestly even as we recognize that the material wealth we think we desire cannot compare to the boundless riches that this landscape can daily provide us–if only we let it.

You're a Planning Commission. The old (and I think admirable) adage is to plan for the seventh generation. My grandchildren will be the seventh generation in my family to consider Telluride their home– or at least their loadstone no matter where they might currently live. Let's plan for *their* great-great-great grandchildren and do the right thing. Say no to the proposed rezoning.

Sincerely,

–David Lavender

RECEIVED 4.11.22

2805 Last Dollar Road
PO Box 860
Telluride, CO 81435

April 11, 2022

San Miguel Planning Department
P.O. Box 548
Telluride, CO 81435

planning@sanmiguelcountyco.gov

HAND DELIVERED AND SENT VIA EMAIL

Subject: Hearing on April 21, 2022 to Consider a Re-Zoning Application for Diamond Ridge Lots 1-R-A, 2-R, and 3-R

To the San Miguel County Planning Commission (CPC):

Because we own, and are year-round residents of, our only home at 2805 Last Dollar Road which is adjacent to the Subject Property, we are directly, immediately, and dramatically affected by this re-zoning application. The notification of this re-zoning application--which was received so recently as to suggest that it was done intentionally to make responding to it extremely difficult in order to frustrate, limit, or prevent our response--indicates Mr. Jack Vickers (the seller) and the Town of Telluride and the County of San Miguel (the buyers) want to re-zone the Subject Property to a newly established zoning district called Community Housing. The creation, review, and establishing process of that new zoning district was apparently withheld from the public which denied us our right to participate in public review and comment of that action. And, because the timing of this re-zoning application is suspiciously close to the establishment of the new zoning district, we believe that we should be afforded a fair and appropriate amount of time--up to two years as indicated in your own master plan--to conduct our research into the establishment of that zoning district and its relationship to this subject re-zoning action. Consequently, we ask that the CPC answer the following questions and provide supporting documentation for their answers:

1. When was the concept of adding a Community Housing zoning district first considered by the CPC and who proposed it?

2. When was the Community Housing zoning district formally enacted or established?

3. What other parcels have been or are being considered for re-zoning to Community Housing?

4. When was the public notified of the CPC's consideration of adding a Community Housing zoning district?

5. Did the CPC ask for and receive any input from the public on the concept of adding a Community Housing zoning district and what was that response?

6. Please explain the relationship that the draft of Section 5-324 titled Community Housing, dated December 8, 2021, located on San Miguel County's Planning Department web site, has with San Miguel County's Comprehensive Development Plan, as amended.

7. Please identify the dates of all meetings and/or discussions, and identify all parties who participated

in those meetings or discussions regarding the establishment of Section 5-324 titled Community Housing.

8. Please provide copies of all minutes and notes taken during meetings and/or discussions regarding the establishment of Section 5-324 titled Community Housing.

The establishment of the Community Housing zoning district and the re-zoning application of the Subject Property seem to have been developed simultaneously and in coordination with each other. Consequently, we also ask that the CPC answer the following questions and provide supporting documentation for their answers:

9. When did the CPC first become aware of Mr. Jack Vickers' intent to have his property re-zoned to Community Housing?

10. When was the application to re-zone Subject Properties first received?

11. Identify the dates of all meetings and/or discussions that occurred between Mr. Jack Vickers or his representatives, and the Town of Telluride and/or the County of San Miguel with regard to this application.

12. Please provide copies of any and all minutes and/or notes taken during meetings and discussions between Mr. Jack Vickers or his representatives, and the Town of Telluride and/or the County of San Miguel with regard to this application.

13. Identify by property address, all parcels within the jurisdiction of the Town of Telluride that have been identified, addressed, or considered, officially or unofficially, as potential candidates for affordable or community housing; the current status of those considerations and if they are not being pursued for affordable or community housing, why not?

14. Has the Town of Telluride executed the necessary legislative action to develop affordable or community housing within its own jurisdiction?

15. Where is this re-zoning application prioritized relative to the other parcels that have been previously identified as potential candidates for affordable or community housing within the Town of Telluride and/ or San Miguel County?

16. Is shifting the solution for the lack of affordable or community housing within the Town of Telluride from the Town of Telluride to San Miguel County a policy position adopted by the Town of Telluride?

Supporting documentation for this re-zoning application attempts to minimize the significance of the re-zoning application and miss-lead the reader into thinking this is nothing more than an inconsequential bureaucratic distraction by de-coupling it from developmental planning that is proposed for some unspecified later date. Beware, that depiction is intentionally deceptive and manipulative. In fact, in order to properly evaluate the merits and impacts of this re-zoning application, the petitioners need to submit their developmental plan in conjunction with this re-zoning application so the merits and impact can be fully understood in context. Changing the zoning without knowing the developmental plan lurking in the shadows is irresponsible and unfair to all parties who are impacted by such action. If the CPC naively agrees to this application, it then becomes much easier to simply ram through any later development plan without affording it the due diligence it deserves. Therefore, we ask that the CPC not fall for this deceitful attempt to "speed" past your responsibility to be responsive and considerate to all parties involved or impacted by this application.

We understand that governmental agencies are short-handled, over-tasked, and currently impacted by end of season vacations and absences. Therefore, we accept that delays in responding to our requests may occur. Accordingly, we ask that the CPC table all action, discussions, and consideration of this re-zoning

application until such time as the appropriate governmental agencies have been re-staffed, have provided us with the answers to our questions and the necessary supporting documents, and given us sufficient time to review and respond before considering this re-zoning application. San Miguel County's master plan (San Miguel County Comprehensive Development Plan, dated December 2021, section 4) indicates a period of one to two years be allowed for proper and thorough review of zoning actions. Therefore, we ask that the CPC halt all action on this application for a period of at least two years so that we may be afforded the time to conduct proper and thorough research into the merits of this application and evaluate how this re-zoning application will impact us, the owners and full-time residents of the property immediately adjacent to the Subject Property. Since we will be the most affected by this action, we feel that we are owed the most deference in your consideration of this re-zoning application.

Thank you for your consideration in this matter.

Sincerely,

James W. Farrar

Angela I. Farrar

April 12, 2022

San Miguel Planning Commission
PO Box 548
Telluride, CO 81435

Re: Hearing on April 21, 2022, Diamond Ridge Parcels 1-R-A, 2-R & 3-R Application to Rezone from Forestry/Agriculture/Open (F) zone District to the Community Housing zone district (CH)

To the San Miguel County Planning Commission:

The undersigned respectfully request that this Rezoning Application be Denied.

This application is in direct conflict with the Memorandum of Purchase Contract Provision recorded at Reception # 336898 (attached for your use) in the records of San Miguel County. This is also Exception # 21 on the Title Commitment for the Land Contract.

The agreement specifically states that: all parties are put on notice of the existence of a provision of the March 5, 1999, Purchase Contract between Aldasoro Brothers and Aldasoro Ltd. (Aldasoro) as Seller and Diamond Ranch, LLC (Jack Vickers) as Buyer.
The property legally described herein shall be subdivided into 35-acre residential lots and developed as such.

Any other use of the said property shall be subject to the prior approval of Seller (Aldasoro) in Seller's sole and absolute discretion.

The Rezone Application is applicable to Parcel C of the Purchase Contract.

The recorded Memorandum of Purchase Contract agreement goes on to say:
Solely with respect to Parcel C the restrictive 35-acre residential restriction shall not apply to Parcel C.

In the event that Buyer (Vickers) is permitted by San Miguel County to subdivide Parcel C into more than one residential lot, the development of Parcel C shall be limited to two residential lots which when combined shall not contain more acreage than Parcel C presently does (35.010 acres) and shall not include any land not presently part of Parcel C.

Therefore, Jack Vickers - Diamond Ridge LLC has the right to ask San Miguel County for the 35.010 acres that is Parcel C of the Corral Subdivision Plat recorded at Reception # 296716 of San Miguel County to be rezoned to two residential lots, nothing more.

The Aldasoro 's have and will continue to honor the agreements they are a party to and expect the same from Jack Vickers.

Please Deny the Diamond Ridge Rezoning Application.

Sincerely,
The Aldasoro's
Angie and Shanna Mae Petersen
Pam, Scott, and Chandler Bennett
Ashley and Luke Story
Cristine, Matt, Molly, and Ian Mitchell

336898
Page 1 of 3 336898
SAN MIGUEL COUNTY, CO
GAY CAPPIS CLERK-RECORDER
09/25/2000 10:28 AM Recording Fee $15.00

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Robert Erie, Esquire
P.O. Box 1247
220 East Colorado Avenue, Suites 213 & 214
Telluride, CO 81435

Space above this Line Reserved for Use by the Recorder

MEMORANDUM OF PURCHASE CONTRACT PROVISION

Contract:	Vacant Land/Farm and Ranch Contract to Buy and Sell Real Estate
Date of Contract:	March 5, 1999
Sellers:	Aldasoro Brothers, a Colorado general partnership, and Aldasoro, Ltd.. a Colorado limited partnership
Buyers:	Diamond Ranch, LLC, a Colorado limited liability company, and CPV, Inc., a Colorado corporation, assignees of Aberdeen Investments, Inc., a Colorado corporation
Legal Description:	Attached hereto as Schedule A (2 pages)

NOTICE: Pursuant to this Memorandum, all parties are put on notice of the existence of a provision of the March 5, 1999 Purchase Contract which states that the property legally described herein shall be subdivided into 35 acre residential lots and developed as such. Any other use of said property shall be subject to the prior approval of Seller in Seller's sole and absolute discretion. Provided, however, solely with respect to Parcel C, according to the Plat of the Corrals at Deep Creek, the Contract restriction set forth herein above shall not apply to Parcel C only in the event that Buyer is permitted by San Miguel County to subdivide Parcel C into more than one residential lot. If so permitted by San Miguel County, the development of Parcel C shall be limited to two residential lots which when combined shall not contain more acreage than Parcel C presently does and which lots shall not include any land not presently a part of Parcel C.

Dated this 22 day of September, 2000.

Aldasoro Brothers, a Colorado general partnership

By: Albert J. Aldasoro
Albert J. Aldasoro, Managing General Partner

SIGNATURES CONTINUE OF THE FOLLOWING PAGE

Aldasoro, Ltd, a Colorado limited partnership,
by Aldasoro Development Corporation, a Colorado corporation, its sole general partner

By: Albert J. Aldasoro
Albert J. Aldasoro, President

Diamond Ranch, LLC, a Colorado limited liability company

By: Angela N Elliott as power of attorney for Jack A. Vickers III
Jack A. Vickers III, Manager

CPV, Inc., a Colorado corporation

By: Angela N Elliott as power of attorney for Jack A. Vickers III
Jack A. Vickers III, President

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by Albert J. Aldasoro, Managing General Partner of Aldasoro Brothers, a Colorado general partnership.

Witness my hand and official seal.

My commission expires:
5/30/2002

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by Albert J. Aldasoro, President of Aldasoro Development Corporation, a Colorado corporation, the sole general partner of Aldasoro Ltd., a Colorado limited partnership.

Witness my hand and official seal.

My commission expires: 5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO)
) ss.
COUNTY OF SanMiguel)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by* Jack A. Vickers III, Manager of Diamond Ranch, LLC, a Colorado limited liability company.

* Angela N. Elliott as attorney in fact for

Witness my hand and official seal.

My commission expires:
5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO)
) ss
COUNTY OF SanMiguel)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by * Jack A. Vickers III, President of CPV, Inc., a Colorado corporation.

* Angela N. Elliott as attorney in fact for

Witness my hand and official seal.

My commission expires: 5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

John Huebner <johnh@sanmiguelcountyco.gov>

Rezoning of the Deep Creek Mesa parcels - Airport Apartment Complex

1 message

'Dave Pressler' via SMC Planning <planning@sanmiguelcountyco.gov> Tue, Apr 12, 2022 at 4:54 PM
Reply-To: Dave Pressler <davepressler@mac.com>
To: planning@sanmiguelcountyco.gov

April 12, 2022

To: San Miguel County Planning Commission

From: Dave Pressler 3620 Last Dollar Road

Regarding the Airport Apartments:

I am a home owner on Last Dollar Road. I am very concerned about The proposed project for the purchase of 105 acres to rezone and build an apartment complex by the Telluride Airport. The organizers of this project have rushed the process forward trying to get approval and skirting the rules of normal procedure, to the extent that their motives are very questionable. A PR campaign by town officials, which began even before notification to home-owners of the April 21 meeting, immediately raised concerns. Why is this development being rushed to approval, particularly in April when so many residents are away for the off season? Why is the change of zoning not being put through a serious and deliberative process? Why are people being asked to approve a development with no real information about the scale and cost of the project? This apartment complex is expected to be so large that it's being called a "new neighborhood" in town officials' social media, and which has the potential for 700 units is a something potentially the size of three of the Peaks Hotel (which has approx. 200 rooms!) And I'm not sure but I would imagine the water and power it takes to run the hotel is in excess of what the environment of Deep Creek can handle.

When we were building our home in Deep Creek we had to adhere to strict guidelines for building size and the amount of structures that could be built all to conserve the well water available to the area. This project claims that it will receive water from the town, it seems very unlikely with a pipe project that would have to be miles long and extremely costly. I am in favor of low cost housing, and there is a way to make it cost effective with little negative impact on the surrounding area, but this project is hiding behind the banner of low cost housing as an attempt to sell off land owned by Jack Vickers that he has not been able to unload for years, now he is hatching a secret plan that has been underway with out the knowledge or inclusion of the home owners in the area. The PR campaign is designed to make anyone who apposes it look like a villain.

A few years ago Vicker's had approached the Aldosaro family about building a resort on that land, which the land absolutely cannot sustain. He developed a full plan for a resort development, as if it were actually a possibility. Would the town give him permission to build such a thing which would have zero benefit to the community but would simply enrich Mr. Vickers and ruin the mesa? This also makes me very concerned about what he plans or what he will try to do with his other panels of land.
This will not only have impact on the home owners but the natural wildlife of the area. The scope of what they are proposing is not thoughtful, or well planed, if it was we would have been a part of the discussion from the start instead of trying to curtail their sneak attack at the last minute.

I strongly urge the County to please recommend that the rezoning of this parcel and the purchase of it be stopped unless and until these myriad issues are examined much more thoroughly.

Sincerely

Dave Pressler

Frannie & Erik Aura
PO BOX 2912
Telluride, CO 81435

April 12, 2022

San Miguel Planning Department
PO BOX 548
Telluride, CO 81435

Dear Commissioners,

Apologies in advance for any typos, this letter was written in haste in the midst of a family vacation when we were informed by our neighbors of your upcoming hearing.Sadly, we have had little time to prepare or research given the time constraints.
We are writing in response to the application for rezoning lots 1-R,1-R-A, and 3-R Diamond Ridge Subdivision. We are full time residents of Telluride and are the owners of Lot 4 Deep Creek, 2887 Last Dollar Road, Telluride. Our future home is currently under construction and will be completed in November 2022. We have attached a photo showing our house and an area circled by redlines of the proposed development of high density (20 units per acre) housing. We are concerned with the current speed and tactics of this process, since San Miguel County's own planning language says that the process for rezoning a master-planned area should take one to two years. **We are also surprised and disappointed that we have not been formally notified by San Miguel County of the proposed rezoning** and feel fortunate that our neighbors have been sharing information with us. We think the delivery of notice to our neighbors (we have someone checking our mail but have not received anything) during spring break in our school system is very suspicious and calculated timing. We hear that the letter is dated 3/22, but the postmark from Vermont is dated 3/29. We have invited the County Planning Commissioners to our property through a separate email. This request was denied by Kaye Simonson, planning director.

We purchased this lot in 2020 because we loved the characteristics of the neighborhood including low density homes, open space, expansive views, low light pollution, low traffic, abundant wildlife and a tranquil mesa setting. Currently you can see only 6 other homes from our property. We researched the zoning, land use and covenants of adjacent properties, including the aforementioned lots proposed for rezoning, prior to closing and found that only one residence per parcel was allowed. As we began the design process for our home, limited to a 100’ diameter building circle, we understood the potential development of the Diamond Ridge parcels. So we oriented our home in that direction towards the Wilson range, untroubled by the prospect of 1 future home on Lot 3-R in our view corridor.

We think this rezoning proposal would be in direct conflict with “community character, neighborhood characteristics, and is incompatible with surrounding land uses.” Most importantly, the rezoning request is being made **without** a developmental plan to even consider or do an impact study. This rapid process would not be a remote possibility if submitted under any other entity. It seems like community housing zoning classification is being proposed to circumvent standards of due process, to which every other development and developer would be held to.

- Has an impact study been done that we are not aware of?
- OR if one has not been done as part of due process, how will the rezoning affect the required impact studies? Are there financial and legal incentives to rezone prior to studies? Are you able to ignore covenants that would be mandated by the current zoning?
- Water is a huge concern, what sort of water studies are being done?
- The fact that this rezoning is trying to be passed in a 2 step process and decided by the the San Miguel Planning Commission during off-season is an over- reach of power and a conflict of interest
- There have been 4 fatalities from plane crashes in the proposed area of development, is this a safe area to be developed?
- One of the lots could not be developed without a large percentage being underground- the seller has a strong motive to rezone and sell the lots for double the the combined worth of all three.
- This will create light pollution on a dark quiet mesa
- traffic problems and safety hazards for humans and wildlife, in an otherwise quiet area
- Years of construction fraught with noise pollution, traffic delays
- Property right and legal dilemmas
- Had there been transparency, and we had knowledge of these plans, we would have purchased in another area- When did the San Miguel County Planning Commision first become aware of Mr. Jack Vickers' intent to have his property rezoned to Community Housing, as this would have directly affected our purchase price and or willingness to purchase
- the original planners of this area did not plan for density of this nature
- the density proposed is grossly incompatible with the current surrounding land use code
- when we built, the airport was not a consideration as there is minimal air traffic and it is not visible or audible, from our house, so that the notion that is a good transition from an area of higher density to lower density is ludicrous, it would be a gross expansion of a small airport

We are sensitive to the needs of the community to establish affordable housing because as small business owner’s (of 3 local businesses) we have been impacted by the lack of housing which is a direct blow to our workforce. To do our part, we are building a unit which we will rent to our employees and or full time locals. BUT a development of this density, should be adjacent to high density areas where it will have lower impact and be more compatible to the bordering neighborhoods. We look forward to hearing more about the other areas being considered for community housing and ask that you vote no to rezone the lots listed in the Diamond Ridge Subdivision.

Thank you,
Frannie and Erik Aura




GREENLEE



John Huebner <johnh@sanmiguelcountyco.gov>

Re: Site meeting for proposed rezoning of Diamond Ridge Lots

1 message

Kaye Simonson <kayes@sanmiguelcountyco.gov> Tue, Apr 12, 2022 at 2:38 PM
To: Erik Aura <erikaura11@gmail.com>
Cc: SMC Planning <planning@sanmiguelcountyco.gov>, Mike Bordogna <mikeb@sanmiguelcountyco.gov>

Erik and Frannie,

The Planning Commission members are not available to meet with you on site. I am including Mike Bordogna, County Manager, on this reply. He has been speaking to individual property owners regarding this proposal and hopefully will get back to you soon.

Kaye

On Tue, Apr 12, 2022 at 2:20 PM Erik Aura <erikaura11@gmail.com> wrote:

> Hi Planning Commissioners,
> We are the owners of 2887 Last Dollar Road where I currently have a house under construction. My 2 neighbors and I would like to meet on site to discuss the proposed rezoning of the Diamond Ridge lots. Would anyone be available to meet us Monday - Wednesday 4/18-4/20 next week?
> Thanks
> Erik and Frannie Aura

--
For information about San Miguel County's response to COVID-19 (Coronavirus), please visit https://www.sanmiguelcountyco.gov/590/Coronavirus

Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov

To the San Miguel Planning Department,

Regarding the Airport Apartments:

As a home-owner on Last Dollar Road, I am deeply concerned about the proposed apartments at the airport. While I am not in a position to oppose much needed low-cost housing, the size and speed of this development is alarming. Why is this development being rushed to approval, particularly in April when so many residents are away for the off season? Why is the change of zoning not being put through a serious and deliberative process? Why are people being asked to approve a development with no real information about the scale and cost of the project? A development so large that it's being called a "new neighborhood" in town officials' social media, and which has the potential for 700 units, is a something that must undergo serious scrutiny rather than rushed to approval. This plan has also been very obviously coordinated with a major PR effort, which in itself is somewhat suspicious. The performative, exclamatory PR campaign by town officials, which began even before notification to home-owners of the April 21 meeting, immediately raised concerns about process and appropriateness.

Deep Creek Mesa has a special "open" quality which is precious and unique in Telluride. The fields and ranch land are close to town yet feel far away, and the land is almost all utilized by herds of elk, as well as the occasional herd of sheep. The Aldosaro ranching tradition is still visible in Deep Creek. Telluride should be interested in maintaining the integrity of this beautiful area as the Aldosaros required in their last land sale to Jack Vickers. The family required that the land be sold in 35 acre parcels with only one house on each parcel. The land could have been sold for much more money if it were sold for denser development, but that was not their intention. They wanted to preserve the beauty and character of the mesa and it is disturbing that the town of Telluride and San Miguel County have given no thought to this whatsoever.

My family and I are deeply concerned about what will happen to the remaining parcels of land owned by Jack Vickers. The land has been sitting on the market (overpriced) for many years. Very importantly, the land is generally not suitable for development, and all the currently undeveloped land on Deep Creek Mesa is completely dry of groundwater. We need to see any correspondence between town and county officials regarding these other parcels of land, to learn whether something has been promised to Mr. Vickers in terms of developing or supplying water to that land. Several years ago, Mr. Vickers proposed to the Aldosaro family that they allow him to build a resort on that land, which the land absolutely cannot sustain! He proposed a full plan for the resort development, although it was an impossibility with the single home per 35 acres requirement. What has happened to Mr. Vickers' resort plan? Would the town give him permission to build such a thing, even though it would have zero benefit to the community but would simply enrich Mr. Vickers? Mr. Vickers and town officials have clearly been in negotiation and planning for many months before springing the airport apartments on us. What else do they have up their sleeves?

Maintaining the character and nature of Deep Creek Mesa should be a priority for Telluride. We need to call on the town and the county to promise to preserve the mesa from further development. Deep Creek Mesa does not need more homes and certainly not a resort. The remaining parcels should be taken off the market and dedicated to preservation, nature, public horseback riding, or public camping. This is something that would genuinely benefit the Telluride community just as much as the all-important low-cost housing. Undeveloped land (similar to our beloved valley floor) is a precious commodity to be treasured by everyone.

Lisa Henson
3620 Last Dollar Road

San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435-0548

RECEIVED
4-12-22
TH

April 12, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Hearing: April 21

This opposition to the above application is provided on behalf of myself, Morgan C. Smith. I live full time on Last Dollar Road. The purpose of this opposition is to raise and discuss the numerous legal issues that are created by this proposal. These issues are complex and will take a great deal of time to resolve.

Primary among the legal issues involves the existing restrictive covenants on the land that restrict its development to one single-family homes per 35-acre lot, as currently zoned under Forestry/Agriculture and Open. There is an additional limitation from a pre-existing covenant on the Parcel C (the parcel slated for Community Housing rezoning) which states that even if rezoned, that parcel's development must be limited to two homes. This document is still in full force and effective regardless of the County's current attempt to rezone for high density. Neither the Town's purchase of the land, nor the proposed rezoning, address these covenants and restrictions in any manner, and they need to be addressed.

Next, there is the complex and expensive water issue, which starts with the unknown but very large expense of bringing water up 2.5 miles to the location. Aside from the expense, this will require a revision of the Town Service Boundary, which will likely require Water Court approval to change the location of the water use, which is also a long process. On this same issue, I am not aware of any easement across the Aldasaro property or the SMVC property (which are situated in between the water supply and the Diamond Ridge property) available for carrying water to this project. That means the land would likely have to be condemned to create an easement for the passage of water and sewer, another very long process.

Finally, there is the entire question of whether this rezoning can even occur without first dealing with the Aldasaro PUD that covers 70 of these acres being purchased, 35 of which are covered by the 2000 PUD Agreement with the seller. This issue should go through the normal review process of changing an existing PUD before any rezoning occurs.

I have done my best to lay out these issues below. Thank you for your review and consideration.

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I. Due Process

First, the County of San Miguel Master Plan states the following as to the timing of when a hearing for rezoning should occur.

> "In regard to the task of amending the zoning resolution and existing zoning to reflect the master plan, it is recommended that the county and private enterprise use a **one or two year "no action" period to afford everyone the opportunity to amicably amend the zoning regulations by the development of workable zoning classifications and maps.** It is recommended that during this time period no building permits will be issued on land which is presently zoned for uses not in conformance with this Plan, and at the same time, the zoning classifications will not be altered by official action of the County. It is the stated intent that during or after such period fair solutions involving zoning and rezoning which will implement the concepts of this Plan should be reached." (emphasis added)

This matter was only announced on March 21, with a hearing set 30 days later. Notice of this application was mailed and postmarked to the affected landowners sent on March 30 providing less than 14 days by the time received to submit any objections longer than a single page. This notice is not in compliance with due process required for such a major change in zoning that will affect hundreds of people who live in the area.

Secondly, on March 28, only a week after the announcement, 25 neighbors jointly filed a Colorado Open Records Act request with both the County and Town seeking documents related to this issue. [**See Exhibit 19**.] The County of San Miguel responded on March 31 to our March 28 CORA request regarding this application as follows:

> ". . .with off season starting, at least one if not more staff relevant to this request is out of the office over the next few weeks. In addition, we do not have full-time staff dedicated to working only on CORA requests. Therefore, we anticipate we can complete this request in the **last week of April**." (emphasis added) **Id.**

The Town of Telluride responded to the March 28 request as follows:

> "Due to the large category of records being requested, the Town cannot complete this request within three (3) working days. The Town must spend significant time to complete searching for responsive records in the nineteen categories above, then must spend more time performing the necessary review for privileged information in those identified documents." **Id.**

The undersigned made an additional document request to the Town of Telluride and the County of San Miguel on April 8, seeking additional documents that were determined to be relevant to the proceeding after the initial request. [**See Exhibit 30**.] No time has yet been given for these responses.

Without the ability to review records requested, more questions than answers exist—questions that inevitably cannot be addressed at a hearing itself, and that may have significant impact on the end result of the hearing.

Thirdly, we found out that Colorado Parks and Wildlife office was not notified of this application by the County of San Miguel as they should have been for comment. [**See Exhibit 29** indicating that the Department "would have some concerns about the impacts to wildlife and specifically the elk winter range," adding that "[h]opefully we get a request from the county for a formal wildlife impact statement."]

For all these reasons, 43 concerned citizens signed a formal request to ask for a continuance of this hearing. [**See Exhibit 31**] This request was sent by email on April 8 and by regular mail on the same day. At the time of this filing, no response has been given.

For all these reasons, I again request that this hearing be either tabled until another time, or continued to another date certain.

II. History of the Land

A brief history of this land is provided here to illustrate the agricultural and ranching heritage of the property at issue.

This land was first used by settlers in the late nineteenth century and was held by notable early Telluride pioneers. Part of the land was owned by Charles Painter, the first mayor and town clerk, in the in the early 1900s. A generation later in the early 1900s, Edgar Lavender, a mule train operator who serviced the mines above town and worked cattle as well, owned large tracts of land on and around Deep Creek Mesa. The Collins family owned and worked the majority of the land on Deep Creek Mesa, raising hay and operating a dairy, for the early part of the 20th century, and the Collins barn still stands as testament to their time. [see Collins Barn Historical Survey regarding the historical value of Deep Creek Mesa, **Exhibit 24**.] In the late 1920s, Joaquin Aldasoro started to buy homesteads around Deep Creek Mesa to raise sheep, which he continued to work through his life and passed on the business to his son Albert who continued sheep ranching into the 1980s. Albert Aldasoro and three daughters, Pam Bennett, Cristine Mitchell and Angie Peterson, still own the northwest section of Deep Creek Mesa, with Pam and Cristine living full time on the land.

III. Present-Day Development

In the late 1980s, Albert Aldasoro desired to subdivide some of the ranch for development, resulting in the Aldasoro Ranch Planned Unit Development (the "Aldasoro PUD") filed in 1991. This PUD included a subdivision north of Airport Road with lots varying in size of around a couple of acres. This PUD also covered what was known as the Sheep Ranch, which includes parcels now called Diamond Ridge and Diamond Ranch, along with land farther along Last Dollar Road that remained within the ownership of the Aldasoro family. In 1991 this PUD

received approval from the County of San Miguel, and the PUD specified zoning requirements not only for the subdivision, but also for the Sheep Ranch as well. The PUD stated in section 24.3:

> "The Sheep Ranch is hereby rezoned to Forestry." (PUD page 31. See Diagram of Subdivision and Sheep Ranch attached as **Exhibit 1**)

In 1999, Albert Aldasoro decided to sell a portion of the Sheep Ranch to a group of three investors: Jack Vickers, Jim Worth and Gary Carter. Originally the entity that contracted for the sale was Aberdeen Investments, but during the pendency of the sale, the land was taken in the name of the two companies, Diamond Ranch, LLC and CPV, Inc. While Mr. Aldasoro was agreeable to selling his land, *he was adamant that the land retain its open and ranch-like character, which is why he specified that the land was to remain zoned Forest/Agricultural.*

In 1999 when the parties initially entered a contract, the following express terms were included on the restrictions that would apply upon this land after closing:

> ". . .the property will be restricted to (i) a residential development that includes a golf course; or (2) subdivision into 35 acre residential lots without a golf course. . . At the close Buyer and Seller shall cause an agreement reflecting the foregoing conditions to be recorded in San Miguel County" (p. 4, **Exhibit 2**)

The original purchase was for 430 acres, of which all but 35 acres were included and covered by the 1991 Aldasoro PUD under the Sheep Ranch. The additional 35 acres were part of an exchange with the federal government and came into Aldasoro's ownership after the 1991 PUD was filed. These 35 acres are known as Parcel C. (Parcel A and B are privately owned by other neighbors and not part of Diamond Ranch. See diagram showing Parcel C **Exhibit 3.**)

When this sale was finalized in 2000, the golf course was no longer part of the plan primarily due to County opposition to the development. Vickers and partners paid $9.5 million for the property with the restrictions on development generally limited to 35-acre parcels with a single-family home per parcel. (See LUC 5-307B).

Vickers and Diamond Ranch LLC entered into numerous contractual obligations that promise to keep the Diamond Ranch/Ridge property as 35-acre lots with development generally restricted to one single-family residence, on a total of 12 lots. During the 2000 purchase, the parties filed a number of agreements with the County that are relevant to this discussion. These agreements include the PUD Agreement (Reference No. 336895) between Vickers and Aldasoro, which applied specific requirements of the PUD to include **ALL** 430 acres of the purchase. Most important, the PUD Agreement referenced section 24.3 of the 1991 PUD as applying to the Diamond Ranch land, and included this additional language applicable to the entire 430 acres:

> **Zoning**. Pursuant to paragraph 24.3 of the PUD Agreement, the Sheep Ranch, including the Diamond Property shall **remain** zoned Forestry, Agricultural, and Open Zone District, unless otherwise agreed by Aldasoro and DRLLC/CPVINC. The Sheep Ranch,

including the Diamond Property shall be subject to San Miguel County Land Use Code, Section 5-307. [p. 1 **Exhibit 6**, emphasis added.]

An additional document was filed regarding the purchase having to do with Parcel C, which is the subject of the County of San Miguel's rezoning effort. In this September 2000 filing, the following was stated specifically regarding Parcel C. (Reference No. 336898):

> NOTICE: Pursuant to this Memorandum, all parties are put on notice of the existence of a provision of the March 5, 1999 Purchase Contract which states that the property legally described herein shall be subdivided into 35-acre residential lots and developed as such. Any other use of said property shall be subject to the prior approval of Seller [Aldasoro] in Seller's sole and absolute discretion. Provided, however, solely with respect to Parcel C, according to the Plat of the Corrals at Deep Creek, the Contract restriction set forth herein above shall not apply to Parcel C **only in the event that Buyer is permitted by San Miguel County to subdivide Parcel C into more than one residential lot. If so permitted by San Miguel Connty, the development of Parcel C shall be limited to two residential lots** which when combined shall not contain more acreage than Parcel C presently does and which lots shall not include any land not presently a part of Parcel C. **[Exhibit 4** emphasis added**].**

Furthermore, in the deed filed for the Diamond Ranch, the following restrictive language is included:

> 6. Paragraphs 4.1.1, 4.1.3, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 11.4, 11.5, 11.6, 17.2 (Change of Ownership) and **24.3 of the Resolution of the Board of County Commissioners,** San Miguel County, Colorado, Granting Preliminary Approval for the Aldasoro Ranch Planned Unit Development, recorded February 8, 1991 in Book 474 at page 850, and the First Technical Amendment to the Preliminary Development Plan Approval for the Aldasoro Ranch Planned unit Development recorded March 21, 1991 in Book 475 at page 860, and Agreement Regarding Aldasoro PUD Agreement dated [September 22, 2000] recorded [9/25/2000] Reception No. [336895]; SUBJECT to the terms and conditions, provision and obligations contained therein. [Deed p. 5, **Exhibit 5,** emphasis added]

The importance of this deed language is that the restriction on the use of the entire Diamond Ranch property, including the Diamond Ridge parcels, is subject to the 24.3 limitation on zoning for Forestry/Agricultural uses.

IV. Development of Diamond Ranch

The partners to Diamond Ranch basically divided up some of the property. Jim Worth owned Lot 1 and the 3 Diamond Ridge lots, Gary Carter owned Lot 2 and Jack Vickers owned the remainder. (**See Exhibit 10.**)

Following the purchases of the land, the owners started the develop the land as 35-acre lots for sale. They placed wooden fencing along Last Dollar Road to define the lots, brought in

utilities such as gas to service the 35-acre lots, as well as electrical boxes and phone lines. As part of this development, the owners ran into a problem. The only lots that had productive water wells were on Lots 1 and Lots 2 of Diamond Ranch. Since each lot did not have the ability to drill a well to find water for an "exempt well" [1] on each property, Diamond Ranch applied through the Water Court to create a water system that would use wells on Lots 1 and 2 to supply water to the other ten 35-acre lots. The majority of necessary pipeline was installed; however, the augmentation[2] pond required by the Water Court as part of the plan was never built. Consequently, the Diamond Ranch lots for sale, other than Lots 1 and 2, do not have a reliable source of water from their own dedicated well or from a completed water system that would extend water to those lots.

This water situation is relevant to the application at hand because it illustrates the water scarcity and Vickers' probable motivation for securing Town water to service this area and to gain water for future development of remaining Diamond Ranch lots for sale.

V. The Lavender-Smiths

In 2015, Jim Worth placed Diamond Ranch Lot 1 on the market as an individual lot for sale. This lot is directly across Last Dollar Road from the Lavender family cabin built in the early 1970s, and when my wife Sarah Lavender Smith and myself, Morgan Smith (the "Lavender-Smiths") saw that it was for sale, we were interested in buying the land. Worth also put the three Diamond Ridge lots for sale at the same time.

During the process of the us purchasing the land, a series of additional agreements were made and signed by Vickers that affirmed the nature of the property within his ownership and control as being restricted to 35-acre single-resident lot zoning. As part of the purchase of Diamond Ranch Lot 1, a section of Lot 1 needed to be removed and added to the Diamond Ranch lots at the south end, known as Diamond Ridge. The purpose of this plat change was to connect a water well to the Diamond Ridge lots, but this change could not occur until sometime after we purchased Lot 1. As part of this purchase, we entered into an Agreement to Replat wherein the following language on purpose of the land was discussed:

> The Parties shall reasonably cooperate with each other in good faith to finalize the plat language, certificates, depictions, consents, approvals and plat notes that are necessary to reconfigure the boundaries of the Lots in accordance with this Agreement and all applicable state and county laws and to reflect all easements, conditions, covenants, restrictions, reservations and notes that pertain to each of the Lots and any other matters that are necessary and customary for surveys, plats and replats of real property **in parcels of not less than 35 acres in San Miguel County, Colorado that are exempt from state and county subdivision regulations**, including any commercially reasonable conditions

[1] An exempt well in Colorado is a well that may be drilled as a matter of right if you own 35 acres or more of land in Colorado. An owner does not have to apply to Water Court for such as well, but it does need to be identified and properly permitted with the State.

[2] An Augmentation pond is a common requirement for a water system that basically fills with water when there is good flow in the Spring, and may be required to release into the rivers when water is low.

or requirements imposed by the Title Company in order to insure title to Reconfigured Lot 1. (Emphasis added. **Exhibit 7**)

Additionally, due to Diamond Ranch needing water from Lots 1 and Lots 2 for the other Diamond Ranch lots, we entered into an agreement entitled the Pipeline Easement, which allowed Vickers to move water across the Lot 1 land, but with certain restrictions:

> 2. Restrictions. (l) **Grantee shall operate and develop the Pipeline Improvements only in connection with the provision of domestic water for not more than all lots located in the Plat of Diamond Ranch**, recorded April 21, 2003 in Plat Book 1 at Page 3128 in the Office of Clerk and Recorder of San Miguel County, Colorado, except Lot 1, and/or Diamond Ridge communities existing as of the date of the Agreement which **consists of a total of eleven (11) residential lots (exclusive of Lot 1 of the Diamond Ranch Plat) each accommodating one single-family residence, an accessory dwelling unit and accessory structures** allowed by the San Miguel County Land Use Code. (Pipeline Easement p. 3, emphasis added. **Exhibit 24**)

After all the surveying and due diligence were completed by the parties, in December of 2016 the Replat for this property was completed and filed by Jack Vickers and Jim Worth. In this Replat the following language was included:

> Notwithstanding any reference on any plats or maps recorded prior to the date of recording of this Replat Survey that pertain to Lot 1-R, Diamond Ranch; Lot 1-R, Diamond Ridge; Lot 2-R, Diamond Ridge; and Lot 3-R, Diamond Ridge (each a "Subject Property", and collectively the "Subject Properties"): (i) no Colorado common interest community, owner or community association or similar entity or organization exists for the Subject Properties; (ii) no covenants, conditions and restrictions, declarations or use restrictions have been recorded, are in effect or are proposed to be in effect or encumber the Subject Properties; and (iii) no covenants, conditions and restrictions or declarations or other use limitations shall be imposed upon or encumber a Subject Property without the written consent of the owner of a Subject Property to be encumbered; **PROVIDED, HOWEVER, the terms and conditions of the San Miguel County Land Use Code and that certain Agreement regarding Aldasoro PUD Agreement recorded September 25, 2000 at Reception No. 336895, as may be amended do apply to the Subject Properties. (Exhibit 16,** p.1 Emphasis added)

Document 336895 is the PUD Agreement referenced above limiting the land to development of 35-acre lots with one single-family unit per lot. The Replat agreement was necessary to connect a water well on Diamond Ranch Lot 1 to supply water to residential units on the Diamond Ridge lots. This well is an "exempt" well that is only allowed for use of up to 3 single-family residences. *The entire purpose of the replat was to allow development of the three Diamond Ridge lots for single-family use, with a water well as part of the property and dedicated to that use.*

VI. Diamond Ridge Lots

When Jim Worth placed Diamond Ranch Lot 1 for sale, he also placed the three Diamond Ridge lots for sale. These are the lots closest to the Airport that are now being sold to the Town and County for rezoning and development. These lots, rebranded and marketed as Sunshine Ridge, were on the market without sale from 2015 to 2020, with a combined asking price of about $4.5 million with the restriction that such lots be sold only as 35-acre lots with one single-family unit per parcel. Mr. Worth was known to be interested in a sale of all three of them for around $3 million, but there were also no takers for that possible deal either. (See **Exhibit 18**.)

In February 2020, Jack Vickers purchased Jim Worth's interest in the three parcels of Diamond Ridge so that he would own them outright. Vickers paid a reported $2.1 million for the property.

VII. Legal Issues That Must Be Resolved

a. Condemnation Proceeding Required

While there any many legal issues that will arise out of this proposed transaction to rezone and purchase Diamond Ridge lots for Community Housing, I wanted to highlight a few of the key ones.

First of all, under the Colorado Supreme Court case of *Forest View v. Town of Monument*, 464 P.3d 774 (2020) the Court held that while a public entity may bring a condemnation action for land it had purchased to remove a private covenant restriction, such public entity must actually bring a condemnation action to accomplish such a result, which has not been done in this case. Therefore, the Town will be purchasing this land subject to the 35-acre restriction regardless of what rezoning is done by the County. Condemnation must take place and all parties will have to litigate this issue.

b. Change in Water Service Area

Exhibit 26 is a diagram showing the approximate service areas currently served by the Town of Telluride. This service boundary would need to be changed, and this change could lead to litigation. As stated in C.R.S. 37-92-103(5) "Change of water right" means a change in the type, place, or time of use. This change will require Water Court approval, and certainly will require the consent of Idarado that holds interest in the Town water supply. Both of these are potentially long and costly processes.

c. Easements

There are multiple issues of easements that will need to be addressed. Neither the Town nor County have any easement for digging through the Aldasoro land and subdivision, nor with the San Miguel Valley Corporation, which is not likely to voluntarily allow easements for the Town. But these easements are needed to deliver water to Diamond Ridge. While the County

may have the Power of Eminent Domain to buy an easement at reasonable market rates, that is a long process.

Aside from the easement issue, the cost of bringing water up to the subject development is unclear, not examined as of yet, but undoubtedly will be extremely expensive. **Exhibit 13** shows the 2.5 miles that will need to be piped with insulated 8-inch pipe or larger and dug down to a level of 8 feet below the surface (again mostly through land on which the Town or County do not have an easement for water service).

d. Notice of Purchase

Pursuant to Colorado Revised Statutes Title 31, Gov. Municipal § 31-25-202 the following applies:

No land or interest in land shall be purchased for the purposes set forth in section 31-25-201(1) until the governing body adopts an ordinance authorizing such purchase which states the location and legal description of the lands to be purchased, the price to be paid, and the manner of payment or unless the proposed purchase of such lands is submitted upon petition pursuant to section 31-25-203 and approved by the registered electors of such city.

The undersigned is not aware of any such ordinance authorizing the purchase of this land.

e. Annexation of the Property?

While the Town has communicated it has no intention of annexing this property, this purchase does raise some serious questions as to whether it actually is the equivalent of annexation without calling it as such. While there is no question the power of a municipality in terms of condemnation is broad, and includes the right to obtain land within or without its boundaries as determined in the case of *Town of Telluride v. San Miguel Valley Corp.* 185 P. 3d 161, this is an unusual and untested use of a town's authority.

Typically when a town wants to enlarge, it must follow the requirements for annexation contained in Title 31 § 31-25-202, which in the most relevant provision is that:

> (a) That not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.

This rule makes sense in that otherwise, you could have a "town" that could be all over the state of Colorado, wherever the Town has bought or condemned property and built upon. Here, the proposed land the Town is purchasing is approximately six miles from Town limits and not contiguous. It is unclear at this stage of planning what type of housing is planned to be developed if this sale and Community Housing rezoning proceed, but under state law, the Town likely cannot sell these units on condemned property to a private individual or entities. [Title 38 § 38-1-

101(1)(b).[3]] Residents in this new neighborhood thus would be renters. It is an unresolved question of whether the people who will live in this proposed development would have a right to vote in Town elections, given the Town purchased this land and will be the quasi-landlord.

f. Rezoning Parcels Included in the Aldasoro PUD

There is also the issue that since 70 of the 105 acres that the Town seeks to buy on Diamond Ridge are clearly within the 1991 Aldasoro PUD [**See Exhibit 1**], and the other 35 were added by 2000 PUD Agreement [**See Exhibit 6**] amendment to the PUD appears required before rezoning. Based on the majority of this land being part of the original PUD and the remainder of the land part of the PUD by agreement, it certainly appears that the County has to seek to amend the Aldasoro PUD with all the notice and process given for that project. (**See Exhibit 10**.)

A similar issue was raised when a ballot initiative was sought in 2019 to develop the Town land known as the Pearl Property right next to Town. The Town opposed that initiative on two legal grounds that are relevant to this situation. Town attorney Kevin Geiger stated in that regards to the ballot initiative to force development of the Pearl Property:

> "The right of initiative cannot be used as a sword to violate clear LUC (land use code) and State law provisions that are designed to protect not only the public interest in a PUD plan but also the private rights of 'residents, occupants, and owners' to enforce and maintain a PUD," (See Telluride Daily Planet, June 20, 2019: https://www.telluridenews.com/news/article_bb7132ba-921d-11e9-9c42-dfd9ed691f0c.html)

Mr. Geiger also stated:

> "I know a lot of the neighbors in that area are focused on this issue and concerned," he said. "Any type of a change would be a major change to what is out there right now with the zoning on the property. . ." *Id.*

Here, we have the Aldasoro PUD that is in place restricting the use of these three parcels, yet the County has done nothing to seek amendment to the Aldasoro PUD through the process Mr. Geiger stated must occur.

g. Collins Property on Deep Creek Road

As **Exhibit 27** shows, the Town and County would have to address the matter of the Collins' property at the bottom of Deep Creek Road. These historical structures are placed around the road. If the subject property is developed with several hundred new units, the traffic

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[3] "For purposes of satisfying the requirements of this section, "public use" shall not include the taking of private property for transfer to a private entity for the purpose of economic development or enhancement of tax revenue."

issues at this location would be obvious. Would this require a condemnation action to remove these historic homes to accommodate the increased traffic by straightening the road, and if so, at what cost to pay for that property and at what hardship to the present owners?

VIII. Alternative Re-Zoning

Since we all have little or no information about how or the County chose those particular 39 acres out of the 105 being purchased to rezone for Community Housing, I wanted to also raise the issue of alternative zoning. **Exhibit 26** shows the current plan for rezoning. The second page shows an alternative that moves the rezoning away from the ridge line, which would better hide the homes that would be visible to all neighbors farther down on Last Dollar Road. The question is, was this alternative considered? If not, why not? What criteria went into this rezoning decision as to the land chosen if any?

IX. Alternative Locations

While alternative locations are normally not something that comes into consideration in rezoning, we need to consider alternatives to this property for Community Housing development because the Town of Telluride is looking to spend many millions of dollars on land that may ultimately be too expensive to develop, and which may take years to resolve, thus conflicting with their desire to develop Community Housing as soon as possible. Without a doubt, there is an affordable housing shortage, and the key is to develop plans that can be accomplished soon, for good value and for immediate housing.

The following properties are suggested for consideration but are not meant to be an exhaustive list of all potential alternatives for housing development closer to Town.

a. Pearl Property

These six acres of land sit next to the town limits and immediately adjacent to town and all its services. [**See Exhibit 22**] It is important to understand that this property ***is not part of the Valley Floor condemnation*** and is owed by the town of Telluride [**See Exhibit 29**]. If it were zoned for Community Housing, it would support up to 120 units (20 units per acre) of housing that could house 300 people (under the average of 2.5 people per unit). As Geiger also stated specifically regarding this Pearl Street property:

> " ... The law is pretty clear on that; the use of town property [i.e. the Pearl Property] is administrative and subject to council's discretion as to what they're going to do, generally speaking, with town property." (See Telluride Daily Planet, June 20, 2019: https://www.telluridenews.com/news/article_bb7132ba-921d-11e9-9c42-dfd9ed691f0c.html)

Since the town has discretion concerning this parcel, it should be first in line to be considered for rezoning to Community Housing to provide relief for the Town's housing problems. I understand there are significant environmental issues involving this property, but

mitigation should be explored and considered. The wildlife and other environmental considerations for the subject property (Diamond Ridge) have not been adequately studied by comparison.

b. Land North of Highway 145

While I do not know the complexities of this property, I have heard that the restriction upon building on the County Land, which is right next to town, is that owner Neil Blue must first build a private home on the land west of this property before the County is allowed to develop the remaining land for housing. I have not seen these written agreements, but I suggest the following. We know the *Forest View* case allows for the removal of private covenants through the proper use of a condemnation action (which has not occurred with regard to Diamond Ridge). Therefore, can the County simply condemn the private covenant that restricts the building of employee housing on the land that the County has a right to?

c. Other Town Property

The Town should reconsider all Town parcels of land that are currently available for public bid for ideas for private development ideas. I understand that every project has its detractors, but allowing the free flow of ideas is what will change that reluctance. More and better ideas might help move many of these stuck projects along at much less cost. It makes little sense to rezone and build six miles from town until all the available land in town is developed at higher density.

X. Price for Property

I also have a concern that the price being paid for the land by the Town is extremely excessive in light of the restrictive covenants that exist limiting development. It also raises the question of why the County and Town would seek to rezone this land *before* the purchase, which arguable makes the land more valuable and costly.

As discussed before, these Diamond Ridge lots were originally bought by a group of individuals including Jack Vickers, Jim Worth and Gary Carter in the year 2000. These Diamond Ridge lots were for sale in either a package form or individually approximately $1.5 million to $1.75 million each for approximately 20 years without any sale. **[Exhibit 19]** In early 2020 Jack Vickers purchased all three lots from his partner Jim Worth for approximately $2.1 million. As was discussed in detail above, these lots are restricted under Land Use Code 5-307 for Forestry/Agriculture, and under contractual agreement with Vickers, limiting development to one single-family residence per lot.

It is a simple rule of real estate that the same piece of land is worth substantially more if it is zoned for high-density multifamily housing than for a single-family home.

We also know that if a public entity seeks to use eminent domain to buy a property from an unwilling seller, the seller is only allowed to receive "reasonable value" for the property. "The

owner must be put in as good position pecuniarily as if the property had not been taken." *Fowler Irrevocable Trust 1992-I v. City of Boulder*, 17 P.3d 797, 802 (Colo. 2001) There is a specific rule in Colorado entitled the Project Influence Rule, which states that "the condemnation project be disregarded in ascertaining the value of the property being taken." CJI-Civ. 36:3 (CLE ed. 2014)

So put together, we know that this property was purchased in 2020 for just over $2 million between partners and sat on the market prior to that for 22 years without any sale. The question is, why would a public entity ever consider rezoning the land *before* the purchase, thereby making it more valuable to the seller?

By rezoning this land first, it likely inflates the value and cost of the land to purchase. Why is the Town going along with a plan of rezoning that greatly increases the value of the property immediately prior to the purchase? If this "deal" falls through, the Town is in a much better position to acquire the land by eminent domain if the rezoning has not yet been done. Similarly, there is no legal reason why the rezoning should not be done after the purchase, and the purchase should be based on the value of the land without consideration of the rezoned use.

As part of this valuation, it cannot be overlooked the majority of this land is very steep and unusable. **Exhibit 12** is a Google Earth image showing the relative elevations of the total property. **Exhibit 14** and **Exhibit 17** show in highlight all the areas of the proposed rezoning that is not usable. This land is also next to the airport with all its sounds, lights and smells, which severely limited the salability of this property previously.

In short, out of the 105 acres to be purchased, only a small fraction is usable land with a price tag of a rumored $7 million. It is astonishing that these three lots, which were for sale for 20 years without a buyer, would command such a price, unless the price is based largely on the anticipated use of the property by the County and Town, which is not supposed to be a consideration on valuation under the Project Influence rule. (i.e. if the Town can condemn the property as of right, it should only pay the reasonable value as calculated for a condemnation action.) Any more than that is a waste of taxpayer funds for the benefit of seller Vickers.

XI. Conclusion

In summary, I first ask that this hearing be tabled or continued for additional time for all involved to obtain the documents request from the Town and County and have time for review of such documents and response. As noted at the beginning of this document under the Due Process section, the County's Master Plan states that rezoning hearings normally have a one to two year waiting period for a hearing, not 30 days.

Secondly, if this hearing is to take place, I ask the Planning Commission to recommend a rejection of this application because of all the concerns and legal issues raised above.

Sincerely,

Morgan C. Smith, Last Dollar Road

EXHIBIT 1

NC **269515** State of Colorado)
County of San Miguel.) ss

Filed for record: February 8, 1991. Time: 10:30 A.M. and duly recorded in Book 474 Pages 850-928.

Gay Cappis-Recorder

By Katherine Geese Deputy

541

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
GRANTING PRELIMINARY APPROVAL
FOR THE ALDASORO RANCH PLANNED UNIT DEVELOPMENT**

Resolution #1991-06

WHEREAS, ALDASORO LTD. seeks preliminary approval for the Aldasoro Ranch Planned Unit Development;

WHEREAS, the Preliminary Development Plan Approval for the Aldasoro Ranch Planned Unit Development describes in detail the findings and conditions, except for two additional conditions listed herein, upon which preliminary PUD approval by the Board of County Commissioners is based; and

WHEREAS, the Board of County Commissioners considered this application, along with relevant evidence and testimony, at a public hearing on Feb. 7, 1991.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, hereby grants preliminary approval for the Aldasoro Ranch Planned Unit Development and approves the Preliminary Development Plan Approval for the Aldasoro Ranch Planned Unit Development, contingent upon the developer:

> Amending Paragraph 9.14 of the General Declaration, prior to recording the General Declaration for the Aldasoro Ranch, to include Paragraph 5.9 of the General Declaration in the list contained therein.

APPROVED by the Board of County Commissioners of San Miguel County, Colorado, at its regular meeting on Feb. 7, 1991.

BOARD OF COUNTY COMMISSIONERS

By: Carmen N. Lawrence

Carmen N. Lawrence, Chairman

ATTEST:

By Barbara B. Stevenson
Deputy Clerk

ORIGINAL

PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR THE ALDASORO RANCH PLANNED UNIT DEVELOPMENT

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17/02/01/91

PRELIMINARY DEVELOPMENT PLAN APPROVAL

FOR

THE ALDASORO RANCH PLANNED UNIT DEVELOPMENT

EFFECTIVE DATE: February 7, 1991

1. INTRODUCTION.

WHEREAS, pursuant to the San Miguel County Land Use Code ("Land Use Code"), Aldasoro LTD., a Colorado limited partnership for itself and on behalf of Aldasoro Brothers, a Colorado general partnership, collectively referred to hereafter as "Aldasoro", have applied to San Miguel County ("County") for and hereby are granted Low Density Zone District zoning and P.U.D. approval for the real property described in Exhibit DP-1 that is attached hereto and incorporated herein by this reference. The real property described in Exhibit DP-1 shall be referred to hereafter as the "P.U.D."; and

WHEREAS, pursuant to the Land Use Code, Aldasoro has applied to the County and hereby is granted Low Intensity Industrial Zone District zoning for the real property described in Exhibit DP-2 ("Airport Park"), which is attached hereto and incorporated herein by this reference, in accordance with the Telluride Area Regional Master Plan; and

WHEREAS, pursuant to the Land Use Code, Aldasoro has applied to the County and hereby is granted Forestry, Agricultural and Open Zone District zoning for the real property described in Exhibit DP-2 ("Sheep Ranch"); and

WHEREAS, the P.U.D., the Airport Park and the Sheep Ranch were previously zoned as a Planned Unit Development-Reserve district pursuant to the Land Use Code; and

WHEREAS, pursuant to the Land Use Code, at a public meeting held on December 12, 1990, which was properly noticed in accordance with the Land Use Code, the San Miguel County Planning Commission, referred to hereafter as "Planning Commission", recommended approval of the Preliminary Development Plan and the Preliminary Plat submitted by Aldasoro; and

WHEREAS, pursuant to the Land Use Code, at a public hearing held on February 7, 1991, which was properly noticed in accordance with the Land Use Code, the San Miguel County Board of County Commissioners, referred to hereafter as "Board", approved the Preliminary Development Plan and the Preliminary Plat submitted by Aldasoro, thereby rezoning the P.U.D. to Low Density Zone District, the Airport Park to Low Intensity Industrial Zone District and the Sheep Ranch to Forestry, Agricultural and Open Zone District; and

WHEREAS, the Planning Commission and the Board approved the development plan submitted by Aldasoro pursuant to the terms and conditions set forth in this Preliminary Development Plan Approval For The Aldasoro Ranch Planned Unit Development, referred to hereafter as "P.U.D. Plan"; and

WHEREAS, the Planning Commission recommended and the Board have found that the rezoning of the P.U.D., the Airport Park and the Sheep Ranch pursuant to this P.U.D. Plan conforms to the Telluride Area Regional Master Plan, referred to hereafter as "Master Plan".

2. AFFORDABLE HOUSING.

WHEREAS, it is an objective of the Master Plan to encourage development to provide affordable housing; and

WHEREAS, Affordable Housing means housing restricted by the County's R-1 Deed Restriction; and

WHEREAS, it is the policy of the Master Plan to provide on-site affordable housing as part of each development in the Telluride Region; and

WHEREAS, Aldasoro voluntarily agreed to provide affordable housing lots for 15% of the population of the P.U.D.

NOW THEREFORE be it resolved that:

2.1 15%. In this P.U.D. Affordable Housing lots shall equal 15% of the lots in the P.U.D.

2.2 2-Year Interval. At every 2-year interval after the recording of the first final plat within the P.U.D., the then final platted Affordable Housing lots will be equal to at least 15% of the then platted lots in the P.U.D.

2.3. R-1 Housing Deed Restriction. All Affordable Housing lots located within the P.U.D. shall be guaranteed by the execution of the County's R-1 Housing Deed Restriction at the time of the final platting of the Affordable Housing lots.

2.4 Accessory Dwelling Unit. One Accessory Dwelling Unit, as defined in paragraph 26.1, may be constructed in conjunction with each single family Dwelling Unit constructed in the P.U.D., subject to the standards of the Land Use Code. Accessory dwelling units constructed in conjunction with single family units shall not be deed restricted or credited toward meeting Aldasoro's 15% Affordable Housing lot obligation.

3. QUALITY CONSTRUCTION.

WHEREAS, it is an objective of the Master Plan and Aldasoro Ltd. to encourage architectural styles that are compatible with the Telluride Region and practical for the regional climate.

NOW THEREFORE, be it resolved that:

3.1 Design Regulations. Aldasoro Ltd., in conjunction with the Design Review Board ("DRB") of The Aldasoro Ranch Homeowners Company, shall promulgate specific land use and architectural restrictions covering all property within the P.U.D. in order to insure that resulting construction within the P.U.D. will accomplish the following:

3.1.1 Minimize the impact of the development on the landscape.

3.1.2 Preserve unique physical characteristics.

3.1.3 Minimize visual impact from both within and outside the development.

3.1.4 Preserve and enhance property values.

3.1.5 Promote a safe, comfortable and harmonious living situation.

3.1.6 Prevent excessive or unsightly grading.

3.1.7 Prevent indiscriminate earthmoving or clearing of property.

3.1.8 Insure that the location and configuration of structures do not unreasonably block or impair scenic views and solar access for surrounding sites.

3.1.9 Insure that adequate landscaping and revegetation occurs in conjunction with any construction.

3.1.10 Insure that building design, location and construction techniques respond to energy consumption and environmental

quality considerations.

3.1.11 All exterior lighting will be shielded in a manner that will prevent the direct view of light bulbs from offsite and avoid excessive light and glare. Additionally, lights such as sodium vapor lights will not be allowed within the P.U.D.

3.1.12 Primary roofing materials will be non-metallic and non-reflective.

3.2 Minimum Construction Standards. The design regulations shall include but shall not be limited to the following minimum design standards:

3.2.1 Roofs shall be insulated to a minimum of R-30.

3.2.2 Walls shall be insulated to a minimum of R-19.

3.2.3 Openings in exterior walls and roofs shall be caulked all around.

3.2.4 Windows shall be double or triple glazed.

3.2.5 Windows and doors shall be weather stripped.

3.2.6 At all times the DRB shall enforce, to the extent permitted by law, the requirements set forth in this paragraph.

3.3 Building Permit and Certificate of Occupancy Limitation. No excavation permit, building permit or similar permit shall be issued by the County for the construction of Site Improvements, as defined in paragraph 3.3.1, unless the applicant has received a Certificate of Approval from the Design

Review Board pursuant to the Design Regulations. No temporary or final certificate of occupancy shall be issued by the County for any Site Improvements unless the applicant has received a Certificate of Compliance from the Design Review Board pursuant to the Design Regulations.

3.3.1 Site Improvements. Site Improvements shall include any improvements, regardless of nature, that the owner of any lot desires to construct on or in relation to his lot. Site Improvements shall not include infrastructure and landscape improvements preformed by Aldasoro or its agents or designees in relation to the development of the project.

4. TRANSPORTATION.

WHEREAS, the Master Plan requires all new developments to mitigate the transportation impacts they create; and

WHEREAS, due to the low density residential nature of the P.U.D., Aldasoro does not have to provide an alternate transportation system; and

WHEREAS, Aldasoro nevertheless has agreed to participate in preserving easements for alternate transportation corridors; and

WHEREAS, at the request of Aldasoro, Felsburg Holt & Ullevig have prepared that certain Traffic Impact Study: ALDASORO RANCH, November 1990 ("Transportation Study"); and

WHEREAS, the Transportation Study has shown that the P.U.D. will not generate a transportation demand that will require any form of mass transportation; and

WHEREAS, the P.U.D. will nevertheless produce transportation impacts and, therefore, Aldasoro has agreed to participate in funding regional transportation in full and complete satisfaction of any real or perceived need to mitigate transportation impacts; and

WHEREAS, Aldasoro may pay the cost of its internal and regional transportation obligations through such fees, taxes, assessments and charges as it may impose; and

WHEREAS, the County has determined that all persons developing property in the Telluride Region and all persons using or benefiting from the internal and regional transportation systems should pay their fair share of all costs of the transportation systems; and

WHEREAS, Aldasoro desires to provide a mechinism to mitigate any transportation impacts that may be created by the development and sale of the Sheep Ranch into parcels containing less than or equal to 100 acres; and

WHEREAS, Aldasoro is not obligated to mitigate the impacts created by the owners, lessees, residents, guests, invitees and licensees of other portions of the Telluride Region.

NOW THEREFORE, be it resolved that:

4.1 County or Regional Transportation Entity. On an equitable basis pursuant to paragraph 4.4.1, Aldasoro shall share in the provision of capital facilities and the development, operation and maintenance of either (i) a regional transportation entity ("Transit Entity"), or (ii) a transportation program established by the County ("County Program") that shall provide transportation for the benefit of all owners, lessees, residents, guests, invitees and licensees of the P.U.D., the Sheep Ranch and the balance of the Telluride Region; the County shall designate whether Aldasoro will participate in the Transit Entity or the County Program.

Aldasoro's participation in the Transit Entity or the County Program in the manner set forth herein shall constitute full and complete satisfaction of its obligation to mitigate transportation impacts, including the provision of capital facilities and operation and maintenance expenses, created by the P.U.D. and the Sheep Ranch.

4.1.1 Real Estate Transfer Assessment. Based upon the Transportation Study the County and Aldasoro acknowledge and agree that the transportation impacts created by the P.U.D. and the Sheep Ranch will be very limited and, therefore, the extent of the contribution by Aldasoro to either the Transit Entity or the County Program should be established on a corresponding equitable and pro-rata basis. Therefore, Aldasoro shall contribute (i) 3/4 of 1% of the real estate transfer assessment ("RETA Percentage") collected in the P.U.D. and (ii) a 3/4 of 1% real estate transfer assessment on all transfers of property in the Sheep Ranch that involve less than or equal to one hundred (100) acres. The format of the real estate transfer assessment imposed in the Sheep Ranch shall be substantially similar to the format utilized in the P.U.D., however, the maximum percentage that includes the 3/4 of 1% may vary.

4.1.2 Alternate Transportation Easement. Concurrent with the final platting of the servient estate, Aldasoro will establish an easement in gross over the area identified as "Alternate Transportation Easement" on sheet 11 of 12, Revised Road and Lot Layout and Alternate Transportation Easement, of The Aldasoro Ranch, Zoning and Preliminary Subdivision Plat. The purpose of this easement is to provide a transit corridor for future alternate transportation service for the Telluride Region.

4.1.3 Sheep Ranch Intercept Parking. In conjunction with the development of the Airport Site, Aldasoro shall preserve a site for an intercept parking lot that is sufficient to meet the demands that result if the Sheep Ranch was sold in parcels of 35 acres.

4.1.4 School Bus Stops. Within one year after (i) a resident of the P.U.D. is enrolled as a full-time student in the Telluride R-1 School

District and (ii) the Telluride R-1 School District provides school bus service to one or more of the three entrances to the P.U.D. that intersects the Airport road, Aldasoro shall cause a fully enclosed bus stop shelter to be constructed at one of the three entrances designated by Aldasoro.

4.1.5 Right-Of-Way - P.U.D./Airport Park. Subject to the provision of paragraph 4.1.7, at the time of recording any final plat of property adjacent to Deep Creek Road, Aldasoro shall dedicate a public right-of-way extending 30 feet either side of the centerline of the road in place at the time of recording the final plat.

4.1.6 Right-Of-Way - Sheep Ranch. Subject to the provisions of paragraph 4.1.7, prior to the conveyance of any parcels 40 acres or less located in the Sheep Ranch, Aldasoro shall dedicate a public right-of-way extending 30 feet either side of the centerline of the road in place at the time of recording the final plat.

4.1.7 Preservation of Homesteads. Aldasoro shall have no obligation to dedicate any right-of-way on that portion of the Deep Creek Road which lies within 600 feet of any improvement, including but not limited to springs, corrals, sheds, silos, houses, septic fields and barns located on any homestead, whether occupied or unoccupied, located within the Sheep Ranch.

4.1.8 Fencing. The County shall pay all costs incurred and shall construct all fences required by the widening of the right-of-way.

5. FIRE PROTECTION.

WHEREAS, it is an objective of the Master Plan to provide for adequate fire protection; and

WHEREAS, the County has determined that the P.U.D. will eventually add to the tax base of the Telluride Fire Protection District ("Fire District") thereby fortifying and enhancing the fire protection capabilities of the Fire District; and

WHEREAS, the County has determined that the ad valorem taxes collected from the P.U.D. will adequately mitigate a portion of the impacts imposed on the Fire

District by the P.U.D.; and

WHEREAS, pursuant to discussions with the Fire District, Aldasoro has agreed to pay certain impact fees to the Fire District that are intended to pay for the capital facilities necessitated by the P.U.D.; and

WHEREAS, the Fire District has approved the fire protection plan for the P.U.D. set forth in Memorandum 6 - The Aldasoro Ranch, Final Zoning and Preliminary Subdivision Plat Approval, Fire Protection Plan ("Fire Protection Plan").

NOW THEREFORE, be it resolved:

5.1 Plan Adopted. The provisions of the Fire Protection Plan are hereby adopted and incorporated herein by this reference.

5.2 Impact Fee. The total impact fee due for the P.U.D. shall be $77,688.00 based upon a density of 664 people (166 lots x 4 persons/lot) at a base impact fee rate of $117.00 per person.

5.2.1 Time of Payment. On or before the date when a final subdivision plat approval is granted by the Board of County Commissioners, Aldasoro shall tender certified funds to the Board of County Commissioners in the amount equal to the multiple of the "Current Fire Impact Rate" times the population density allowed under the final plat being approved. Promptly after receipt of any funds pursuant to this paragraph, the Board of County Commissioners shall tender the funds to the Treasurer of the Telluride Fire Protection District.

5.2.2 Current Fire Impact Rate. Based on $117.00 for 1991, the rate shall change at the beginning of each calendar year, commencing on

January 1, 1992, to reflect the trend of the purchasing power or the real value of the United States dollar. The adjustment shall be based on the annual average consumer price index for "All Items and Major Group Figures for All Urban Consumers (1967 = 100)", as published by the United States Department of Labor, Bureau of Statistics.

5.3 Changed Circumstances. The District shall have the right to impose additional impact assessments if the P.U.D. changes its residential character or use, increases its density or increases occupancy hazzarde.

6. SCHOOLS.

WHEREAS, it is an objective of the Master Plan to encourage and support planning at the school district level that is sufficient to anticipate and meet the demands placed on the Telluride R-1 School District by new residents; and

WHEREAS, the County has determined that impact fees will be required from developers in the Telluride R-1 School District to mitigate the impact that their developments may have on the Telluride R-1 School District; and

WHEREAS, the Land Use Code establishes the school impact fee for the P.U.D.

NOW THEREFORE be it resolved:

6.1 Impact Fee. Concurrent with the recording of each final plat within the P.U.D., Aldasoro Ltd. shall pay the school impact fees required pursuant to the Land Use Code.

7. OPEN SPACE.

WHEREAS, it is an objective of the Master Plan to preserve the aesthetic qualities of the Telluride Region by preserving open space; and

WHEREAS, it is an objective of the Master Plan to maintain the unique scenic vistas that draw both residents and tourists to the Telluride Region; and

WHEREAS, it is an objective of the Master Plan to require adequate and appropriate open space in subdivisions by promoting development that blends into the natural landscape; and

WHEREAS, pursuant to the approved Preliminary Plat, Aldasoro has established adequate open space as a condition of P.U.D. approval; and

WHEREAS, Aldasoro acknowledges the need to establish building sites on each lot within the P.U.D. to promote and maintain the open vistas.

NOW THEREFORE be it resolved that:

7.1 Common Open Space. The common open space within the P.U.D. shall not be substantially altered from the configuration set forth on the preliminary plat without the approval of the County.

7.2 40% Minimum. A minimum of 40% of the land contained within the P.U.D. shall be designated as common open space.

7.3 Building Site Locations. The Design Review Board shall enforce building site locations on each lot pursuant to covenants recorded for the P.U.D.

8. DENSITY LIMITATION.

WHEREAS, Aldasoro and San Miguel County have acknowledged and agreed upon the density of the P.U.D. that is allowed under the Land Use Code and the Master Plan.

NOW THEREFORE be it resolved:

8.1 The density limitation in the P.U.D. shall be 166 single family lots including 141 free market (unrestricted) lots and 25 deed restricted Affordable Housing lots. One Accessory Dwelling Unit may be constructed on each single family lot.

9. WATER SUPPLY AND QUALITY.

WHEREAS, it is an objective of the Master Plan to reserve valuable natural resources; and

WHEREAS, it is an objective of the Master Plan to protect the quantity and quality of water resources; and

WHEREAS, Aldasoro has submitted the Application for Water Rights, Water Storage Rights, Changes of Water Rights and Approval of Plan for Augmentation, dated June 28, 1990, prepared by Wright Water Engineers, Inc. and Leavenworth Lochhead, P.C.; and

WHEREAS, Aldasoro has submitted a report by Wright Water Engineers, Inc., dated June 25, 1990, RE: Aldasoro Augmentation Plan; and

WHEREAS, Aldasoro has submitted water quality test results prepared by Grand Junction Laboratories; and

WHEREAS, based upon the above information the County has determined that Aldasoro has sufficient water rights and a physical water supply which is sufficient in both quantity and quality to meet the needs of the P.U.D.; and

WHEREAS, on or before the day of recording the first final plat for the P.U.D. Aldasoro shall establish and incorporate The Aldasoro Ranch Homeowners Company ("Homeowners Company"); and

WHEREAS, one of the rights and obligations of the Homeowners Company will be to own and operate the water system for the P.U.D.; and

WHEREAS, on or before the recording of each final plat within the P.U.D. Aldasoro will convey to the Homeowners Company sufficient water rights to meet the needs of the population generated by the final plat; and

WHEREAS, it is an objective of the Master Plan to protect the quality of our rivers, lakes and streams by minimizing the sedimentation resulting from storm water run-off; and

WHEREAS, pursuant to Memorandum 14 - The Aldasoro Ranch, Final Zoning and Preliminary Subdivision Plat Approval, Preliminary Plat Drainage Analysis, Aldasoro has submitted a detailed drainage plan for the P.U.D. which as been approved by the County; and

WHEREAS, Aldasoro and the Town of Telluride have entered into that certain Sewer Connection Agreement For The Aldasoro Ranch (10-18-90 Final Redraft), referred to hereafter as "Sewer Agreement"; and

WHEREAS, pursuant to the Sewer Agreement the Town has agreed to provide sanitary sewer service to the P.U.D.

NOW THEREFORE, be it resolved that:

9.1 Adequate Supply to Proceed. So long as the physical water supply is adequate in both quantity and quality to meet the needs of the P.U.D., Aldasoro may continue to final plat lots within the P.U.D. If the physical water supply proves to be inadequate then the County may withhold further final plat approval until Aldasoro supplies adequate proof evidencing sufficient physical water supply.

9.2 Sanitary Sewer. Pursuant to the Sewer Agreement, Aldasoro shall provide sanitary sewage service to all lots within the P.U.D. with the exception of the four (4) lots located in the upper 478 acres and the one lot located on the western edge of the project ("Septic System Lots"). With respect

to the Septic System Lots, sanitary sewage service for each lot shall be provided by an individual septic system located on the respective lot.

9.3 Drainage Plan. Aldasoro shall construct all infrastructure improvements in conjunction with the Drainage Plan.

9.4 Augmentation Plan. Prior to the approval and recording of the first final plat in the P.U.D., Aldasoro shall have obtained an approved water augmentation plan from the District Court of Colorado, Water Division No. 4.

9.5 Wastewater Interceptor Application. Prior to construction of the sewer interceptor line, Aldasoro shall follow the Site Applications For Domestic Wastewater Treatment Works procedure set forth in 5 CCR 1002-12; additionally, the plans and specifications for the sewer interceptor line shall be approved by the Water Quality Control Division of the Colorado Department of Health.

9.6 Individual Systems. The construction of the individual sewage disposal systems serving the five (5) lots not in the sewer service area shall conform to all State and County regulations.

9.7 Water System Review. Prior to construction, the water system plans and specifications shall be reviewed and approved by the Drinking Water Unit of the Colorado Department of Health.

10. AIR QUALITY.

WHEREAS, clean air is a natural resource; and

WHEREAS, it is and objective of the Master Plan to mitigate air pollution impacts of developments; and

WHEREAS, the County has established air quality standards pursuant to the Board's Resolution 1986-20, as amended by Resolution 1990-33 ("County Air Quality Regulations").

NOW THEREFORE, be it resolved that:

10.1 Compliance with Standards. Aldasoro and the County hereby acknowledge and agree that the P.U.D. is and shall remain subject to the regulations set forth in the County Air Quality Regulations, including all existing and future amendments.

11. WILDLIFE.

WHEREAS, it is an objective of the Master Plan to protect wildlife as a valuable natural resource by developing a plan to protect wildlife habitats; and

WHEREAS, pursuant to the Wildlife Assessment Of The Proposed The Aldasoro Ranch, October, 1990, prepared by Western Ecosystems, Inc. and pursuant to the input and direction of the Colorado Division of Wildlife, Aldasoro has evaluated the impact of the development on wildlife; and

WHEREAS, pursuant to the recommendations of the Colorado Division of Wildlife and Western Ecosystems, Inc., Aldasoro has designed the development in a manner that the Colorado Division of Wildlife has determined will result in an acceptable impact upon the area's wildlife; and

WHEREAS, pursuant to the direction of the Colorado Division of Wildlife and Western Ecosystems, Inc. Aldasoro has developed a mitigation program for the P.U.D. and the Sheep Ranch.

NOW THEREFORE, be it resolved that:

11.1 Covenants. Aldasoro shall include the following covenants in its General Declaration for the P.U.D.

11.1.1 RESTRICTION ON ANIMALS. No animals shall be kept on any Property which bother or constitute a nuisance to other owners. Nothing to the contrary withstanding, no dogs shall be allowed anywhere in The Aldasoro Ranch at anytime. No horse may be kept on any Site. Horses will only be allowed on designated roadways, easements and portions of open/recreation space tracts. The owner of any horse kept or ridden within The Aldasoro Ranch shall immediately remove all horse droppings to a proper receptacle located on a Site owned by the responsible Owner. No horse may be kept or ridden within The Aldasoro Ranch without the written approval of the Homeowners Company.

11.1.2 RESTRICTION ON RECREATION VEHICLES. No motorcycle, motorbike, snowmobile, golf cart or other motorized vehicle shall be operated within or on the Property, except on designated roads or except as otherwise specifically permitted by rules and regulations of the Homeowners Company.

11.1.3 NO FENCES. No fences, walls or other barriers shall be permitted without the prior written approval of the Review Board and the Colorado Division of Wildlife.

11.1.4 HOLD HARMLESS/INDEMNIFICATION. Each Owner agrees to indemnify and hold the Colorado Division of Wildlife harmless for any damage that they may incur, to person or property, which results from either the actions or inactions of any wildlife within The Aldasoro Ranch.

11.1.4.1 Bear Relocation. The Homeowners Company agrees to pay all costs incurred by the Colorado Division of Wildlife that results from the removal and relocation of problem bears from The Aldasoro Ranch.

11.1.5 LIMITED HUNTING. Upon the mutual agreement of the Homeowners Company and The Colorado Division of Wildlife, limited hunting will be allowed in areas and at times mutually agreed upon by the Homeowners Company and the Colorado Division of Wildlife.

11.1.6 NO CARETAKERS-UPPER PARCEL. For the purpose of minimizing impacts on wildlife, no caretakers units will be allowed to be located in any lot located within the upper 478 acres of The Aldasoro Ranch.

11.1.7 BUILDING SITE ENVELOPES ESTABLISHED. All residential lots located in The Aldasoro Ranch shall be subject to a building site envelope limitation.

11.1.7.1 Border Lots. With respect to the following lots ("Northern Border Lots"), the designated building site envelope may not be moved in a northerly direction without the approval of both the Design Review Board and the Colorado Division of Wildlife. Movement in an easterly, westerly or southerly direction shall not

require the approval of the Colorado Division of Wildlife. The Border Lots are the following numbered lots set forth on the Preliminary Plat for The Aldasoro Ranch: Lots 30, 31, 35-37, 115-121, and 139-154.

11.1.7.2 Upper Parcel. With respect to the following lots located in the upper 478 acres ("Upper Lots"), the designated building site envelope may be up to four (4) acres in size and may not be moved in any direction without the approval of both the Design Review Board and the Colorado Division of Wildlife: Lots 161-164.

11.2 Lot Configuration. The configuration of the lot layout for the 161 lots located in the lower 1,072 acres of The Aldasoro Ranch shall substantially conform with the configuration set forth on the Road and Lot Layout which is contained in sheet 5 of 8 of The Aldasoro Ranch Final Zoning and Preliminary Subdivision Plat. Additionally, the 4 lots found in the upper 478 acres of The Aldasoro Ranch will be placed in the locations set forth in Exhibit DP-4, Wildlife Sensitivity Map, that is attached hereto and incorporated herein by this reference.

11.3 Conservation Easement. Aldasoro shall create conservation easements in gross, pursuant to C.R.S. 38-30.5-101 et. seq., for the benefit of the Division of Wildlife of the Department of Natural Resources of the State of Colorado. Accordingly the provisions of paragraphs 11.3.1 through 11.3.5 shall apply:

11.3.1 Open Space. Concurrent with the platting of any Active or Passive Open Space Tract in the P.U.D., Aldasoro shall impose a conservation easement on the open space being platted in the form set forth in Exhibit DP-5 that is attached hereto and incorporated herein by this reference.

11.3.2 Upper Four Parcels. Concurrent with the platting of the Upper Lots, as defined in paragraph 11.1.7.2, Aldasoro shall impose a conservation easement, on that portion of each of the Upper Lots not located within the designated building site envelope, in the form of Exhibit DP-6 that is attached hereto and incorporated herein by this reference.

11.3.3 Intent/Amendment. So long as the conservation goals of this paragraph 11 are preserved, the provisions of paragraph 11.3 and Exhibits DP-5 and DP-6 may be modified, upon the mutual agreement of Division of Wildlife, the County and Aldasoro, to maximize the income tax benefits to Aldasoro.

11.3.4 Forest Service Trade. The County acknowledges that Aldasoro may trade a portion of the P.U.D. to the United States Forest Service; Aldasoro shall not be required to impose a conservation easement on any property traded to the Forest Service.

11.4 Vegetation Management. If, in the future, it is determined necessary by the Division of Wildlife and Aldasoro, then from time to time Aldasoro and the Division of Wildlife shall mutually agree upon a mutually acceptable

vegetation management program intended to improve feed and forage for domestic animals and wildlife. The vegetation management program shall only be carried on within the boundaries of the Sheep Ranch.

11.5 Sheep Ranch Dog Limitation. No dogs, except working dogs, shall be allowed anywhere in the Sheep Ranch at anytime.

11.6 Sheep Ranch Building Sites. If development occurs in the Sheep Ranch, then Aldasoro and the Division of Wildlife shall mutually cooperate in locating building site envelopes in locations that minimize the impact and are not in conflict with the areas designated as "Sensitive Wildlife Areas" on Exhibit DP-4. Nothing in this paragraph shall be construed to limit or prevent Aldasoro from refurbishing and restoring existing homesteads located within the Sheep Ranch or performing normal ranching operations.

11.7 No Upper Trails. No trails will be developed in the upper northern 478 acres of the P.U.D. The upper northern 478 acres includes both the Upper Lots and the adjacent open space.

12. GEOLOGY.

WHEREAS, it is an objective of the Master Plan to restrict development in natural geologic hazard areas and flood plains; and

WHEREAS, it is an objective of the Master Plan to restrict development in hazard areas where possible; and

WHEREAS, it is a policy of the Master Plan to enforce building standards and hazard mitigation techniques in areas where public policy makes development in moderate hazard areas preferable in order to implement other goals; and

WHEREAS, the County recognizes that the development in the P.U.D. poses no flood plain problems; and

WHEREAS, the County recognizes that the development in the P.U.D. poses no avalanche problems; and

WHEREAS, the County has determined that the major problem in the P.U.D. with regard to geology is a potential for landslides; and

WHEREAS, the County has determined that two factors most likely to trigger landslides are the introduction of additional ground water and the severe cutting of natural topography; and

WHEREAS, Aldasoro has presented the County with mitigation techniques for these problems pursuant to geology studies conducted by Lambert and Associates, Inc. as set forth in Geologic Hazard and Feasibility Level Geotechnical Engineering Study ("Geology Report"); and

WHEREAS, the County has accepted and found suitable the mitigation techniques and program recommended by Lambert in the Geology Report; and

WHEREAS, Wright Water Engineers, Inc. has mapped and designated the locations of wetlands in the P.U.D.; and

WHEREAS, the County and Aldasoro wish to preserve the wetlands in the P.U.D., to the extent reasonably possible, through the Section 404 Permit process of the United States Clean Water Act; and

WHEREAS, with the exception of the construction of roads and infrastructure within the P.U.D., no residential improvements may be located within any wetland; and

WHEREAS, all roads and utilities constructed within the P.U.D. shall be approved by a certified engineer as well as the County's engineer; and

WHEREAS, Aldasoro will utilize a comprehensive revegetation plan for all areas disturbed by road and utility construction within the P.U.D.; and

WHEREAS, the Design Regulations shall require a detailed landscaping plan in conjunction with architectural design review for building construction on each lot.

NOW THEREFORE, be it resolved that:

12.1 Sanitary Sewer. Sanitary sewer service for the P.U.D. will be provided pursuant to the terms of paragraph 9 of this P.U.D. Plan.

12.2 Plat Notes. All final plats for the P.U.D. shall include plat notes that implement the following recommendations of the Colorado Geologic Survey:

12.2.1 Engineering - Lot Specific. Engineered, site-specific grading, foundation and drainage plans shall be required prior to the issuance of a building permit for each lot.

12.3 Wetlands. All final plats shall designate all wetland areas identified by Wright Water Engineers, Inc. or the County as non-buildable areas. Nothing in this paragraph shall be construed to preclude the construction of roads and utilities serving the P.U.D.

12.4 Roads/Utilities Designs. All roads and utilities constructed within the P.U.D. shall be approved by a certified engineer and the County's engineer.

12.5 Revegetation. All areas in the P.U.D. disturbed by construction activities shall be revegetated.

12.6 Landscape Plan. The Design Regulations shall require that a detailed landscaping plan will be provided in conjunction with the

architectural design review for building construction on each lot in the P.U.D.

12.7 Engineering - P.U.D. All roads, drainage structures and utilities shall be designed and constructed using detailed geological and geotechnical engineering designs and prudent construction procedures; these provisions shall apply regardless of the development schedule.

12.8 Information/Description. A description of each lot describing the geological conditions that can reasonably be expected to affect development costs and safety on each lot shall be made available to all potential lot owners. The description shall be prepared by geotechnical professionals using moderately detailed information.

13. HISTORICAL RESOURCE PRESERVATION.

WHEREAS, Aldasoro and the County recognize that the preservation of historical resources is important to the community; and

WHEREAS, no prehistorical or archeological resources have been found to exist within the P.U.D.; and

WHEREAS, a valuable historical resource in form of a portion of the Hogg Ranch abandoned homestead exists within the boundaries of the P.U.D.

NOW THEREFORE, be it resolved that:

13.1 Hogg Ranch. Before the Actual Population Level, as defined in paragraph 26.3, reaches 300, excluding Accessory Housing Unit density, Aldasoro shall stabilize and restore the buildings currently existing at the location of the Hogg Ranch Homestead.

14. SOLID WASTE DISPOSAL.

WHEREAS, Aldasoro has submitted a plan for solid waste disposal; and

WHEREAS, Aldasoro will contract with a trash company for pick-up and hauling; and

WHEREAS, Aldasoro is subject to the solid waste impact fee obligation set forth in the Land Use Code.

NOW THEREFORE be it resolved that:

14.1 Solid Waste Impact Fee. Concurrent with the recording of each final plat within the P.U.D., Aldasoro shall be required to pay the solid waste impact fees due pursuant to the Land Use Code.

14.2 Trash Pick-up Cost. The cost of trash pickup and hauling will be borne by the persons utilizing the trash service in the P.U.D. In the event no reliable companies are willing or able to provide trash pickup and hauling service for the P.U.D., then Aldasoro shall arrange to provide the service to the P.U.D.

14.3 Recycling and Solid Waste Disposal Plan. The Aldasoro Ranch will be serviced entirely by a private waste disposal contractor. This contractor will provide each home with one or two polycarts depending on the level of service needed as well as a special cart with three separate bins for recyclable materials such as aluminum cans, paper and glass. These will be picked up once a month. All polycarts will be stored inside the garage attached to each home and occupants will be provided with a pickup schedule so carts can be brought out on a specific day for service.

14.4 Advisory Commission. If the Board forms a solid waste advisory commission, Aldasoro Ltd., if requested, will serve on the commission in an attempt to solve the present

and future problems associated with solid waste disposal.

14.5 Recycling. Aldasoro will participate in any recycling program implemented in the Telluride Region and pay its pro rata portion of any costs required for such program. The regional recycling program shall be equitably and evenly imposed and enforced within the Telluride Region.

15. ASSESSMENT ON THE TRANSFER OF REAL PROPERTY.

WHEREAS, the County has determined that the imposition of a real estate transfer assessment will help equalize competition between land sales in the P.U.D. and land sales in the Town of Telluride and in the Telluride Mountain Village for so long as those entities continues to impose a real estate transfer tax or assessment; and

WHEREAS, pursuant to the Telluride Regional Airport Funding Agreement "Landowner's Agreement", recorded in Book 427 at page 534, Aldasoro is required to either (i) pay an Airport Impact Fee or (ii) levy an assessment on the transfer of real property located in the P.U.D. and pay a portion of the proceeds to the Telluride Company for reimbursement for costs incurred in the construction of the Telluride Regional Airport, and to pay the balance of the proceeds to the Telluride Regional Airport Authority to pay for costs for operating and maintaining the Telluride Regional Airport; and

WHEREAS, after it has discharged its obligations under the Landowner's Agreement, Aldasoro intends to continue to impose the real estate transfer assessment and utilize the proceeds for the benefit of the P.U.D.

NOW THEREFORE, be it resolved that:

15.1 Continuation of Assessment. Aldasoro may continue to impose the real estate transfer assessment beyond both the life of the Town's transfer tax and the period during which it

is obligated to make payments to the Telluride Company and the Telluride Regional Airport Authority.

16. TRAILS.

WHEREAS, it is a goal of the Master Plan to maintain existing trails and to plan and implement new multi-use, year-round and seasonal trails as identified in the Telluride Regional Area Trails Plan; and

WHEREAS, Aldasoro desires to participate in the Regional Trails Plan; and

NOW THEREFORE, be it resolved that:

16.1 Trail Easement Agreement. Concurrent with the approval of this P.U.D. Plan, Aldasoro and the County have entered into The Aldasoro Ranch Trail Easement, Effective Date February 7, 1991, the original of which is attached hereto as Exhibit DP-3 and is incorporated herein by this reference. Pursuant to paragraph 11.7 no trails may be developed in the upper northern 478 acres of the P.U.D.

17. CHANGE OF OWNERSHIP.

WHEREAS, it is the intention of the County to insure that the terms of this P.U.D. Plan shall apply to the P.U.D. regardless of ownership; and

WHEREAS, the County desires to eliminate any claims of subsequent owners that may be based upon a claim of a lack of knowledge of the contents of this P.U.D. Plan.

NOW THEREFORE, be it resolved:

17.1 Recording. Concurrent with the approval of this P.U.D. Plan, the County shall record the P.U.D. Plan in the office of the San Miguel County Clerk and Recorder and such recording

shall cause this document to constitute constructive notice to owners, residents, guests, licensees, lessees, and invitees of their duty to comply with the terms of this P.U.D. Plan. The terms of this P.U.D. Plan may be modified under applicable San Miguel County procedures and shall only require the approval of Aldasoro and the County and shall not require the approval of persons who are not signatories to this P.U.D. Plan.

17.2 Assignment of Obligations and Benefits. Aldasoro may transfer or assign any of the duties, obligations, burdens, benefits or rights set forth herein, to any person or entity, including but not limited to the Homeowners Company. However, as a condition of any transfer or assignment of any duty or obligation, Aldasoro shall remain responsible to the County for the performance of the duty or obligation.

18. IMPROVEMENTS BONDING AGREEMENT.

WHEREAS, if Aldasoro desires to file final plats in the P.U.D. prior to completing the roads and improvements serving the lots contained within the final plats, Aldasoro Ltd. shall be required to enter into an improvements bonding agreement with the County.

NOW THEREFORE be it resolved that:

18.1 Master Bonding Agreement. Concurrent with the approval of this P.U.D. Plan, Aldasoro Ltd. and the County have entered the Aldasoro Master Bonding Agreement, Effective Date February 7, 1991, the original of which is attached hereto as Exhibit DP-7.

18.2 Airport Road Bond. Prior to the approval and recording of the first final plat in the P.U.D. Aldasoro shall post a $5,000.00 bond, in a form acceptable to the Board, to ensure the proper and timely repair of any disturbance to the Airport Road. The bond

shall remain posted until one year after the roads and utilities in the P.U.D. have been constructed.

19. UNFORESEEN IMPACTS.

WHEREAS, the County recognizes that unforeseen impacts from development may arise during the development of the P.U.D.

NOW THEREFORE, be it resolved that:

19.1 Future Regulations. Aldasoro shall abide by all valid regulations, rules and ordinances duly enacted by the County and applied evenly throughout the County and the Telluride Region during the development of P.U.D. which rules, regulations, resolutions and ordinances are necessitated by the impacts of development on the health, safety and general welfare of the Telluride Region.

20. SEVERABILITY.

Be it resolved that:

20.1 Severability. The invalidity or unenforcability of any provision, clause, or section of this P.U.D. Plan, or any part thereof, shall not affect the validity or enforceability of any other provision of this P.U.D. Plan; the valid and enforceable portion of this agreement shall continue unimpaired and in full force and affect in the event any portion of this P.U.D. Plan is declared or otherwise found to be invalid or unenforceable.

21. INTENTIONALLY LEFT BLANK.

22. ENTIRE CONDITION.
Be it resolved that:

22.1 Entire Set. This P.U.D. Plan constitute the

entire set of conditions for preliminary development plan approval and may be amended only by an instrument in writing signed by both the County and Aldasoro utilizing the same formalities and procedures set forth in the Land Use Code.

23. LITIGATION.

WHEREAS, the County and Aldasoro acknowledge that superficial litigation can often times be avoided if the prevailing party is allowed to receive payment for the costs, fees and attorney's fees that it incurs in prevailing in the matter.

NOW THEREFORE, be it resolved that:

23.1 Attorney's Fees. In the event of any litigation arising between the County and Aldasoro regarding the terms of this P.U.D. Plan, the prevailing party, among other things, shall be entitled to an award of damages from the other party for all costs, fees, and reasonable attorney's fees incurred in litigating the matter.

24. ALLOWED USES.

WHEREAS, pursuant to the planned unit development review process the uses allowed within the P.U.D. will be designated on the final plats recorded for the P.U.D.; and

WHEREAS, the Airport Park is logically and physically separated from the P.U.D. and, consequently, the Airport Park should receive final subdivision plan approval under a separate and independent process; and

WHEREAS, Aldasoro and the County acknowledge and agree that the Airport Park should be rezoned to a Low Intensity Industrial Zone District; and

WHEREAS, the Sheep Ranch is physically and logically separated from the P.U.D.; and

WHEREAS, at the present time Aldasoro intends to maintain the P.U.D., the Sheep Ranch and the Airport Park as a bona fide ranching operation, subject to the final platting that may occur in the P.U.D.; and

WHEREAS, Aldasoro desires to have the Sheep Ranch rezoned to the Forestry, Agricultural and Open Zone District.

NOW THEREFORE, be it resolved that:

24.1 P.U.D. The P.U.D. is hereby rezoned to the Low Density Zone District and shall be allowed those uses more specifically identified from time to time on final plats approved by the County and recorded within the P.U.D.

24.2 Airport Park. The Airport Park is hereby rezoned to a Low Intensity Industrial Zone District.

24.3 Sheep Ranch. The Sheep Ranch is hereby rezoned to Forestry, Agricultural and Open Zone District.

25. RECREATIONAL AMENITIES.

WHEREAS, it is an objective of the Master Plan to balance growth in the Telluride Region with the provision of recreational amenities; and

WHEREAS, Aldasoro is required to mitigate the impacts created by the owners, residents, guests, lessees, licensees and invitees of the P.U.D.

NOW THEREFORE, be it resolved that:

25.1 Trails. Aldasoro shall construct and complete the trail system discussed in paragraph 16 of this P.U.D. Plan before the Actual Population, as defined in paragraph 26.3, reaches 400 people, excluding Accessory Dwelling Unit density. The construction timeframe condition set forth in the

preceeding sentence is in addition to the timeframe condition set forth in paragraph 2.3 of Exhibit DP-3.

25.2 Clubhouse. Before the actual population, as defined in paragraph 26.3, reaches 400 people, excluding Accessory Dwelling Unit density, Aldasoro shall construct and complete a clubhouse which shall include the following minimum amenities.

25.2.1 Swimming Pool

25.2.2 Exercise Room

25.2.3 Weight Room

25.2.4 Children's/Play Area

25.2.5 Men's and Women's Showers

25.2.6 Jacuzzi

25.3 Tennis Courts. Before the actual population, as defined in paragraph 26.3, reaches 300, excluding Accessory Housing Unit density, Aldasoro shall construct and complete 3 full-size outside tennis courts. "Bubbles" to cover the tennis courts shall not be permitted.

26. DEFINITIONS.

Be it resolved that the following terms shall be defined as follows:

26.1 Accessory Dwelling Unit: A second dwelling unit, limited to the maximum of 800 square feet, accessory to and contained within the primary residence on the lot.

26.2 Active Open Space Tract: Designates a tract of land intended to allow uses more intense then those allowed on Passive Open Space Tracts. Uses allowed on Active Open Space

Tracts include but are not limited to the following and similar uses:

Riding stables, equestrian facilities, tennis courts, children's play areas, cross country ski slopes, cross country snowmaking facilities, cross country ski racing structures, non-commercial refueling facilities, water wells, water storage tanks, water reservoirs, water treatment plants, communication receiving stations, communication transmitting stations, drainage ditches, drainage structures, drainage swales, access roads, service roads, maintenance roads, utility transmission lines, utility facilities, pedestrian trails, equestrian trails, vehicular recreation trails, transportation facilities, sewer collection system, storm drainage systems, retaining walls, benches, snow storage, landscaping, and all buildings and uses incidental or accessory to any of the above described uses.

Nothing to the contrary withstanding, no use shall be allowed on any Active Open Space Tract that is incompatible with the rural residential nature of The Aldasoro Ranch as determined by the San Miguel County Board of Commissioners. No use, including those specifically listed in this definition, may be placed in a location that is incompatible with the rural residential nature of The Aldasoro Ranch, as determined by the San Miguel County Board of Commissioners. It is hereby acknowledged that Active Open Space Tracts are not intended to be rezoned to allow for future real estate development.

26.3 Actual Population Level: The cumulative actual number of people that could be accommodated by single family residences, excluding Accessory Dwelling Units, that are located within the P.U.D. and have received a final certificate of occupancy from the San

Miguel County Building Department. The number of people shall be determined on the basis of four people per single family residence.

26.4 Affordable Housing: Residential dwelling units on lots permanently deed restricted by the County's R-1 Housing Deed Restriction to limit the use and occupancy to persons (and their families) who live and earn their living primarily within the R-1 School District of San Miguel County.

26.5 Master Plan: The Telluride Regional Area Master Plan.

26.6 Passive Open Space Tract: Land preserved free of development and structures, except for normal and customary agriculture and ranching activities and public access easements and rights-of-way and underground utility easements; intended to preserve land (including environmentally sensitive land and scenic vistas) in its natural state.

27. APPROVAL.

WHEREAS, the Board has reviewed this P.U.D. Plan for The Aldasoro Ranch; and

WHEREAS, the Board considered the approval of this P.U.D. Plan at a public hearing held on February 7, 1991 at which time it received relevant evidence and testimony.

NOW THEREFORE, be it finally resolved that:

27.1 Master Plan. This Preliminary Development Plan Approval for The Aldasoro Ranch is consistent with the current policies, goals and objectives of the San Miguel County Comprehensive Development Plan, including the Telluride Regional Area Master Plan.

27.2 Approval. Pursuant to the public hearing held on February 7, 1991, the Board of Commissioners of San Miguel County hereby approves this Preliminary Development Plan Approval for The Aldasoro Ranch and the rezoning contained herein.

Effective Date: February 7, 1991

SAN MIGUEL COUNTY

ATTEST:

By: Carmen N. Lawrence
Carmen N. Lawrence,
Chairperson of the
Board of Commissioners

By: Shauna Palmer
Shauna Palmer, Administrative
Assistant

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

Acknowledged, subscribed and sworn to before me this 7th day of February, 1991, by Carmen N. Lawrence as Chairperson of the Board of Commissioners for the San Miguel County and Shauna Palmer as Administrative Assistant.

Witness my hand and official seal.
My commission expires: 4/23/91

SEAL

KATHLEEN E. SOLT NOTARY PUBLIC STATE OF COLORADO

Kathy Nelson
Notary Public

ALDASORO LTD., a Colorado limited partnership by ALDASORO DEVELOPMENT CORPORATION, a Colorado Corporation, its sole general partner

By: Albert J. Aldasoro
Albert J. Aldasoro, President

By: Mary Louise Leonard
Mary Louise Leonard, Assistant Secretary

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

Acknowledged, subscribed and sworn to before me this 1st day of February, 1991, by Albert J. Aldasoro as President and Mary Louise Leonard as Assistant Secretary for the Aldasoro Development Corporation, a Colorado corporation, the sole general partner of Aldasoro LTD., a Colorado limited partnership.

Witness my hand and official seal.
My commission expires: May 29, 1994

SEAL

Pamela M. Story
Notary Public

ALDASORO BROTHERS, a Colorado general partnership

By: Albert J. Aldasoro
Albert J. Aldasoro, General Partner

By: Mary Louise Leonard
Mary Louise Leonard, General Partner

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

Acknowledged, subscribed and sworn to before me this 1st day of February, 1991, by Albert J. Aldasoro as general partner and Mary Louise Leonard as general partner for Aldasoro Brothers, a Colorado general partnership.

Witness my hand and official seal.
My commission expires: May 29, 1994

SEAL

PAMELA M. STORY NOTARY PUBLIC STATE OF COLORADO

Pamela M. Story
Notary Public

LIST OF EXHIBITS

PRELIMINARY DEVELOPMENT PLAN APPROVAL FOR THE ALDASORO RANCH PLANNED UNIT DEVELOPMENT

Exhibit DP-1	Description of P.U.D. (1, para. 1)
Exhibit DP-2	Airport Park (1, para. 2)
Exhibit DP-3	Aldasoro Ranch Trail Easement (para. 16.1)
Exhibit DP-4	Wildlife Sensitivity Map (para. 11.2)
Exhibit DP-5	Open Space Conservation Easement (para. 11.3.1)
Exhibit DP-6	Upper Lots Conservation Easement (para. 11.3.2)
Exhibit DP-7	The Aldasoro Ranch Master Improvements Agreement (para. 18.1)

A:FDPA2.PUD

EXHIBIT DP - 1

L E G A L D E S C R I P T I O N

A Tract of land located in Township 43 North, Range 9 West, N.M.P.M. described as Beginning at the southwest corner of Section 20, Township 43 North, Range 9 West, N.M.P.M.

THENCE North 03 degrees 43 minutes 01 seconds East for a distance of 2640.03 feet to the West 1/4 corner of Section 20

THENCE South 89 degrees 35 minutes 22 seconds East for a distance of 2637.31 feet to the Center 1/4 of section 20

THENCE South 89 degrees 39 minutes 20 seconds East for a distance of 2637.86 feet to the East 1/4 corner Section 20

THENCE North 89 degrees 57 minutes 50 seconds East for a distance of 2633.09 feet to the Center 1/4 corner of Section 21

THENCE South 03 degrees 40 minutes 15 seconds West for a distance of 2639.48 feet to the North 1/4 corner of Section 28

THENCE South 04 degrees 04 minutes 43 seconds West for a distance of 2640.19 feet to the Center 1/4 corner of Section 28

THENCE South 89 degrees 56 minutes 09 seconds West for a distance of 1199.78 feet to the line 14-13 of Oneita Placer MS 6809 Upper San Miguel Mining District

THENCE South 10 degrees 49 minutes 59 seconds East for a distance of 237.47 feet to Corner 5 of Scott and McDonald Placer MS 6809 Upper San Miguel Mining District

THENCE South 28 degrees 41 minutes 12 seconds West for a distance of 432.30 feet to east line of NW1/4 SW1/4 of Section 28

THENCE South 04 degrees 08 minutes West for a distance of 2026.7 feet to W1/16 of Sections 26, 33

THENCE North 89 degrees 56 minutes East for a distance of 1318.68 feet to the South 1/4 corner of Section 28

THENCE South 05 degrees 03 minutes 42 seconds West for a distance of 365 feet more or less along the east line of NE1/4 of Section 33 to the north Right-of-Way of State Highway 145

THENCE South 82 degrees 06 minutes West for a distance of 870 feet more or less along said Right-of-Way

Thence along a curve to the right with a radius of 5730 feet and an arc length of 525.04 feet being subtended by a chord of South 84 degrees 43 minutes 30 seconds West for 524.86 feet along said Right-of-Way

THENCE South 87 degrees 21 minutes West for a distance of 713.2 feet more or less to the East boundary of Navike Placer MS 736 Upper San Miguel Mining District

THENCE North for a distance of 142.9 feet to Corner 3 of said Navike Placer

THENCE North 81 degrees 52 minutes 18 seconds West for a distance of 544.3 feet along line 3-4 of said Navike Placer to the West line of Section 33

THENCE North 05 degrees 06 minutes East for a distance of 342.80 feet to the northwest corner of Section 33

THENCE North 89 degrees 36 minutes West for a distance of 310.86 feet to Line 6-1 of Scott & McDonald Placer MS 6809 Upper San Miguel Mining District

THENCE South 64 degrees 05 minutes 34 seconds West for a distance of 571.84 feet to Corner 1 of said Scott & McDonald Placer

THENCE North 03 degrees 26 minutes 52 seconds West for a distance of 254.00 feet along Line 1-2 of said Scott & McDonald Placer to the North line of Section 32

THENCE North 89 degrees 36 minutes 00 seconds West for a distance of 478.82 feet to the East 1/16 corner of Sections 29,32

THENCE North 04 degrees 06 minutes East for a distance 617.17 feet to line 7-10 of Bernice Placer MS 6809 Upper San Miguel Mining District

THENCE North 76 degrees 53 minutes West for a distance of 1146.35 feet to Corner 10 of said Bernice Placer

THENCE North 17 degrees 09 minutes 38 seconds East for a distance of 468.87 feet to the north line of the SW1/4 SE1/4 of Section 29

THENCE North 89 degrees 36 minutes 35 seconds West for a distance of 291.35 feet to the CS 1/16 corner of Section 29

THENCE South 04 degrees 08 minutes 48 seconds West for a distance of 615.88 feet along the west line of SW1/4 SE1/4 of Section 29 to the northeast corner of The Meadows at Deep Creek Mesa Subdivision

THENCE South 81 degrees 15 minutes 38 seconds West for a distance of 46.20 feet along the north line of said Subdivision

THENCE North 85 degrees 37 minutes 44 seconds West for a distance of 569.92 feet along the north line of said Subdivision

THENCE North 89 degrees 12 minutes 47 seconds West for a distance of 415.75 feet along the north line of said Subdivision

THENCE South 88 degrees 46 minutes 30 seconds West for a distance of 386.74 feet along the north line of said Subdivision

THENCE South 85 degrees 06 minutes 05 seoonds West for a distance of 157.56 feet along the north line of said Subdivision

THENCE North 89 degrees 16 minutes 00 seconds West for a distance of 457.74 feet along the centerline of Last Dollar Road

THENCE along a ourve to the left having a radius of 220.00 feet and an arc length of 60.41 feet, being subtended by a chord of South 82 degrees 52 minutes 00 seconds West for a distance of 60.22 feet along the centerline of said Road

THENCE South 75 degrees 00 minutes 00 seconds West for a distance of 85.34 feet along the centerline of said Road

THENCE along a curve to the left having a radius of 400.00 feet and an arc length of 223.40 feet, being subtended by a chord of South 59 degrees 00 minutes 00 seconds West for a distance of 220.51 feet along the centerline of said Road

THENCE South 43 degrees 00 minutes 00 seconds West for a distance of 167.15 feet along the centerline of said Road

THENCE along a curve to the right having a radius of 550.00 feet and an arc length of 378.21 feet, being subtended by a chord of South 62 degrees 42 minutes 00 seconds West for a distance of 370.80 feet along the centerline of said Road

THENCE South 82 degrees 24 minutes 00 seconds West for a distance of 63.63 feet to the intersection of the centerline of Last Dollar Road and a prolongation of the north line of a prescriptive easement for Last Dollar Road

THENCE North 55 degrees 00 minutes 00 seconds West for a distance of 217.59 feet along the north line of said easement

THENCE along a curve to the left having a radius of 1025.00 feet and an arc length of 304.13 feet, being subtended by a chord of North 63 degrees 30 minutes 00 seconds West for a distance of 303.01 feet along the north line of said easement

THENCE North 72 degrees 00 minutes 00 seconds West for a distance of 183.14 feet along the north line of said easement

THENCE along a curve to the right having a radius of 825.00 feet and an arc length of 185.43 feet, being subtended by a chord of North 63 degrees 30 minutes 00 seconds West for a distance of 184.75 feet along the north line of said easement

THENCE North 55 degrees 00 minutes 00 seconds West for a distance of 286.69 feet along the north line of said easement

THENCE along a curve to the right having a radius of 725.00 feet and an arc length of 215.11 feet, being subtended by a chord of North 46 degrees 30 minutes 00 seconds West for a distance of 214.32 feet along the north line of said easement

THENCE North 38 degrees 00 minutes 00 seconds West for a distance of 232.17 feet along the north line of said easement

THENCE along a curve to the right having a radius of 725.00 feet and an arc length of 253.06 feet, being subtended by a chord of North 27 degrees 59 minutes 59 seconds West for a distance of 251.78 feet along the north line of said easement

THENCE North 18 degrees 00 minutes 00 seconds West for a distance of 235.02 feet along the north line of said easement

THENCE along a curve to the left having a radius of 175.00 feet and an arc length of 207.13 feet, being subtended by a chord of North 51 degrees 54 minutes 30 seconds West for a distance of 195.25 feet along the north line of said easement

THENCE North 85 degrees 49 minutes 00 seconds West for a distance of 104.44 feet along the north line of said easement to a rebar & cap Banner Associates

THENCE North 04 degrees 04 minutes 19 seconds East for a distance of 3544.54 feet to a rebar & cap Banner Associates on the north line of Section 30

THENCE South 89 degrees 54 minutes 59 seconds East for a distance of 2079.87 feet to the Point of Beginning

EXHIBIT DP - 2

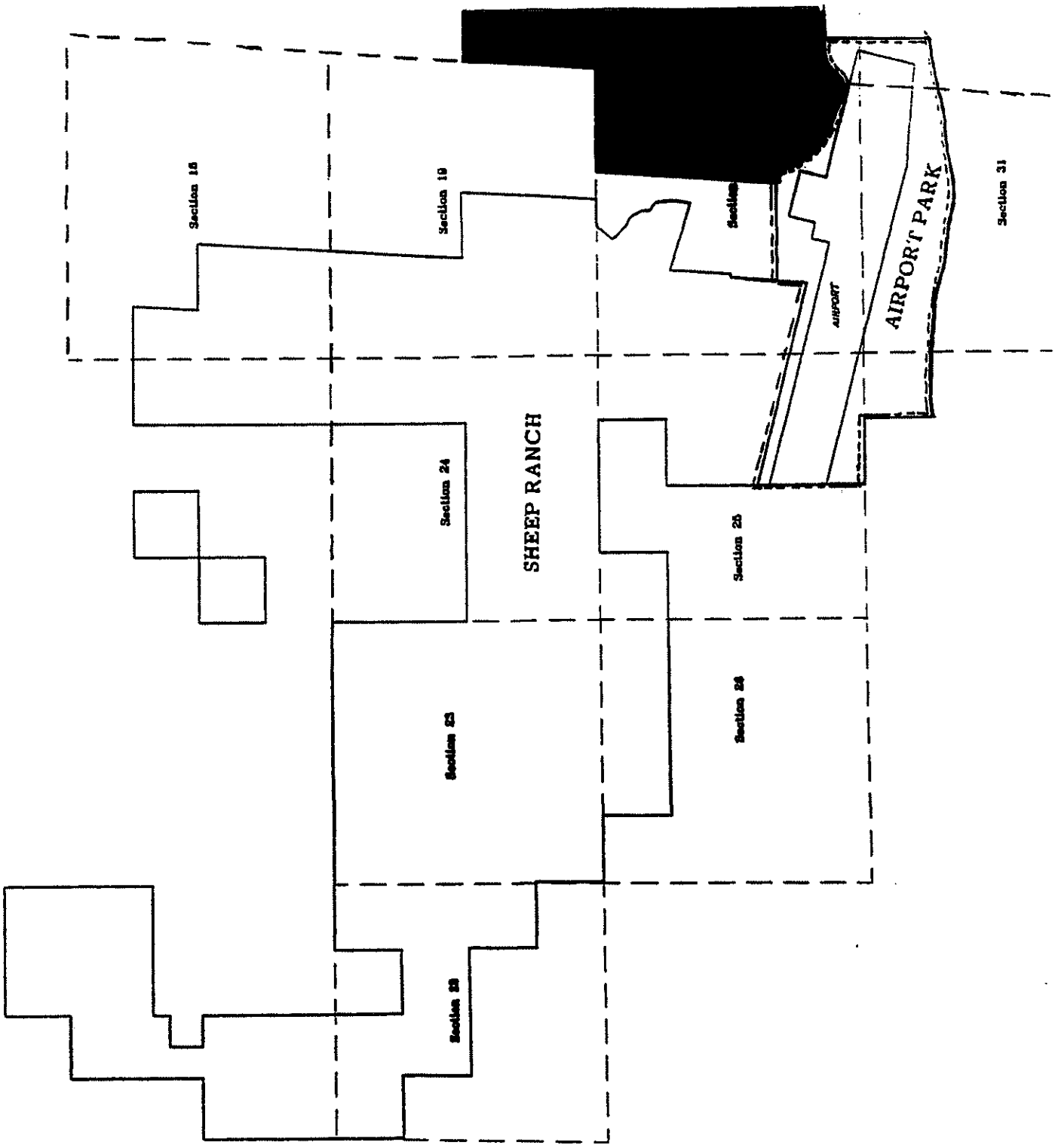

Section 18
Section 19
Section
AIRPORT
AIRPORT PARK
Section 31
SHEEP RANCH
Section 24
Section 25
Section 30
Section 29
Section 28

EXHIBIT DP-3

7/12/28/90
c:trail

THE ALDASORO RANCH TRAIL EASEMENT

AGREEMENT between the San Miguel County Board of Commissioners ("County") and Aldasoro Ltd. ("Aldasoro"), a Colorado limited partnership

WHEREAS, the County is in the process of establishing a comprehensive trail system for the Telluride Region, as the Telluride Region is defined in the San Miguel County Comprehensive Development Plan; and

WHEREAS, in conjunction with the approval of the Final Development Plan for the Aldasoro Ranch ("P.U.D. Plan"), approved by the County on February 7, 1991, Aldasoro agreed to be obligated to convey, from time to time, easements to the County for portions of the trail system.

NOW, THEREFORE, in consideration of ten dollars and other good and valuable consideration the receipt of which is hereby acknowledged by Aldasoro, the parties agree as follows:

1. Grant of Trail Easement. Concurrent with the recording of each final plat in The Aldasoro Ranch, Aldasoro shall quit claim to the County perpetual non-exclusive easements to construct, operate and maintain a pedestrian hiking trail and a non-motorized bicycle trail on, over and across that portion of the real property contained within the final plat and generally lying 5 feet on each side of the dash line set forth on Sheet 9 of The Aldasoro Ranch Zoning and Preliminary Subdivision Plat ("Trail Easement Area"). The parties agree that the precise location of the Trail Easement Area cannot be determined until each final plat is prepared and therefore the ultimate Trail Easement Areas will be determined in conjunction with the approval of each respective final plat. Aldasoro expressly reserves the right to use and occupy the Trail Easement Area for any purposes consistent with the rights granted to the County by the easements, which include but are not limited to the construction, operation and maintenance of underground utility lines, and which will not unreasonably interfere with or endanger the improvements located on the Trail Easement Area or the users of the Trail Easement Area.

2. Construction of Trail. All construction and maintenance performed on the Trail Easement Area shall be done pursuant to the following terms and conditions:

2.1 Design Review Board Approval. All construction and maintenance of improvements on the Trail Easement Area shall be done pursuant to a plan previously approved in writing by the Design Review Board of The Aldasoro Ranch Homeowners Company which approval shall not be unreasonably withheld; no construction, maintenance or repair shall occur to the Trail Easement Area prior to the receipt of the written approval of the Design Review Board.

2.2 Aldasoro Constructs and Maintains. Aldasoro shall be responsible for the construction and maintenance of that portion of the trail system located within the boundaries of The Aldasoro Ranch P.U.D. as such boundaries existed on the effective date of this agreement.

2.3 Timing. Within two years of recording each final plat, that portion of the trail located within the respective final plat shall be constructed.

3. Relocation of Trail Easement Area. Aldasoro shall have the right, from time to time, upon reasonable prior notice and for good cause, to relocate the Trail Easement Area. Any relocation of the Trail Easement Area pursuant to this agreement shall be done in a manner that will cause the replacement area to be reasonably equivalent to the portion of the Trail Easement Area being replaced with respect to its maintainability and aesthetic quality. Aldasoro shall perform all relocations in a manner that will avoid any unreasonable disruption in the use of the Trail Easement Area; Aldasoro shall be responsible for constructing the replacement portion of the Trail Easement Area and shall pay all costs incurred in constructing the replacement portion.

4. Rules and Regulations. From time to time, Aldasoro may impose rules and regulations which shall control the use of the Trail Easement Area; subject, however, to the limitation that such rules and regulations shall be uniformly applied throughout The Aldasoro Ranch and shall not unreasonably discriminate against persons who are not residents, guests, owners, lessees, licensees, or invitees of The Aldasoro Ranch.

4.1 No Dogs. The County shall impose regulations which require that no dogs shall be allowed on the Trail Easement Area at any time.

5. Successors and Assigns. The duties, obligations and rights granted and agreed to herein shall be binding upon and shall inure to the benefit of the designees, successors and assigns.

6. Future Easement. Nothing herein shall be construed to create an easement or easement rights, rather, this agreement establishes Aldasoro's obligation to grant the easement to the County at the time of recording each final plat.

EFFECTIVE DATE: February 7, 1991.

ATTEST:

By: Mary Louise Leonard
Mary Louise Leonard
Assistant Secretary

ALDASORO LTD., a Colorado limited partnership, by The ALDASORO DEVELOPMENT CORPORATION, a Colorado corporation, the sole general partner

By: Albert J. Aldasoro
Albert J. Aldasoro
President

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

Acknowledged, subscribed and sworn to before me this 1st day of February, 1991, by Albert J. Aldasoro as President and Mary Louise Leonard as Assistant Secretary for the Aldasoro Development Corporation, a Colorado corporation, the sole general partner of Aldasoro LTD., a Colorado limited partnership.

Witness my hand and official seal.
My commission expires: May 29, 1994

PAMELA M. STORY NOTARY PUBLIC STATE OF COLORADO SEAL

Pamela M. Story
Notary Public

ATTEST:

By: Shauna Palmer
Shauna Palmer
Administrative Assistant

SAN MIGUEL COUNTY, a government entity

By: Carmen N. Lawrence
Carmen N. Lawrence
Chairperson of the Board of Commissioners

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

Acknowledged, subscribed and sworn to before me this 17th day of February, 1991, by Carmen N. Lawrence as Chairperson of the Board of Commissioners for the San Miguel County and Shauna Palmer as Administrative Assistant.

Witness my hand and official seal.
My commission expires: 4/23/91

SEAL

KATHY NELSON NOTARY PUBLIC STATE OF COLORADO

Kathy Nelson
Notary Public

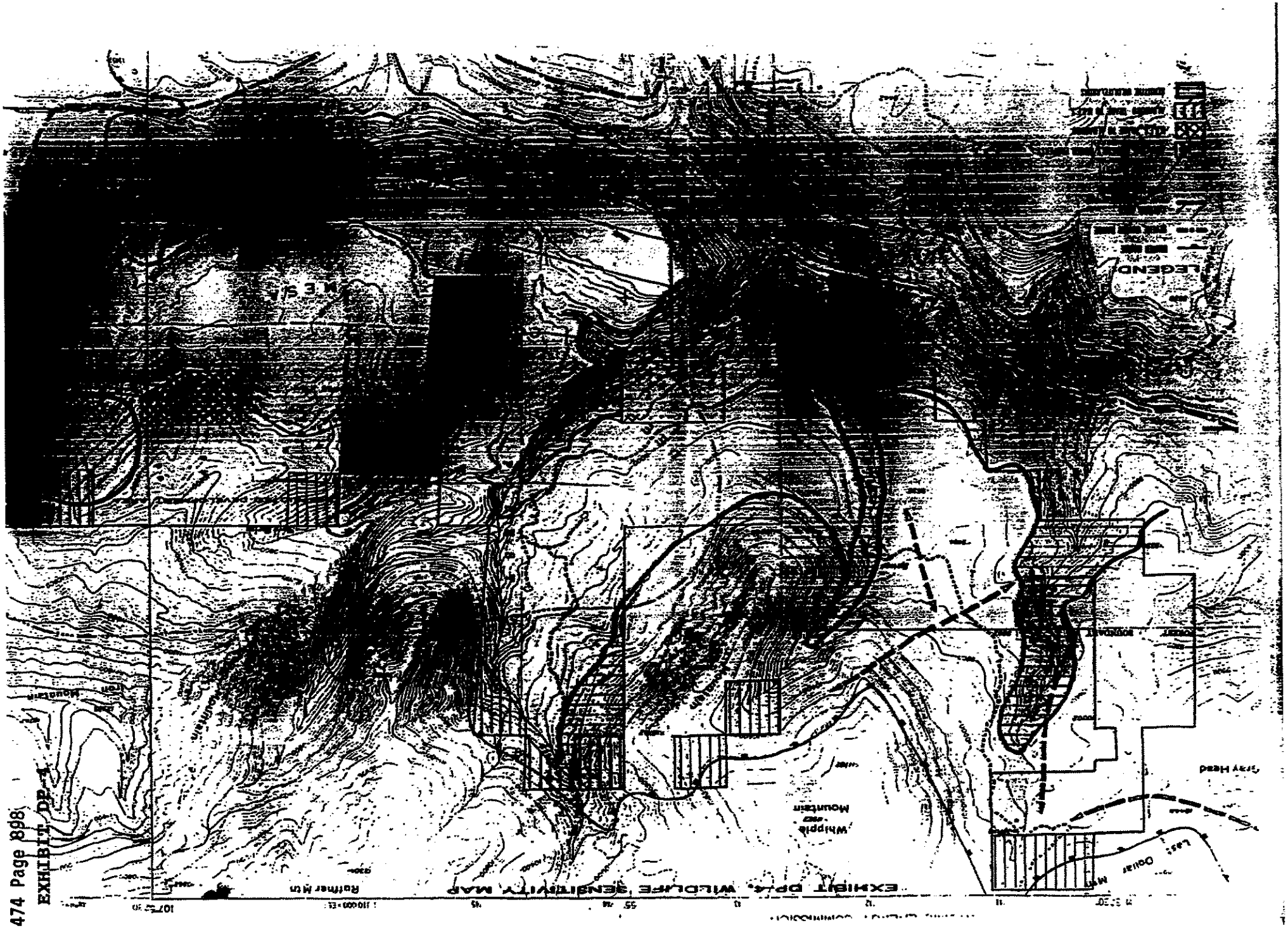


EXHIBIT DP-4
Book 474 Page 898

EXHIBIT 2

Telluride Real Estate Corp.
567 Mountain Village Blvd., Suite 106A
Mountain Village, CO 81435
Phone: 970-728-6655, Fax: 970-728-5480

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

VACANT LAND/FARM AND RANCH CONTRACT TO BUY AND SELL REAL ESTATE [SELLER OR PRIVATE THIRD PARTY]

March 5, 1999

1. PARTIES AND PROPERTY.

Aberdeen Investments, Inc., A Colorado Corporation, And/Or Assigns

buyer(s) [Buyer], (as joint tenants / tenants in common) agrees to buy, and the undersigned seller(s) [Seller], agrees to sell, on the terms and conditions set forth in this contract, the following described real estate in the County of San Miguel, Colorado, to wit: Parcel C, The Corrals and The Diamond Property as shown on Exhibit 1 and as legally described on Exhibit 2 attached hereto and incorporated herein by this reference; consisting of approximately 430 acres.

known as No. n/a (Street Address) Telluride (City) CO (State) 81435 (Zip)

together with all interest of Seller in vacated streets and alleys adjacent thereto, all easements and other appurtenances thereto, all improvements thereon and all attached fixtures thereon, except as herein excluded (collectively the Property).

2. INCLUSIONS/EXCLUSIONS. The purchase price includes the following items (a) if attached to the Property on the date of this contract: lighting, heating, plumbing, ventilating, and air conditioning fixtures, TV antennas, water softeners, smoke/fire/burglar alarms, security devices, inside telephone wiring and connecting blocks/jacks, plants, mirrors, floor coverings, intercom systems, built-in kitchen appliances, sprinkler systems and controls, built-in vacuum systems (including accessories), and garage door openers including n/a remote controls; (b) if on the Property whether attached or not on the date of this contract: storm windows, storm doors, window and porch shades, awnings, blinds, screens, curtain rods, drapery rods, fireplace inserts, fireplace screens, fireplace grates, heating stoves, storage sheds, all keys and (c) n/a

(d) Water Rights. Purchase price to include the following water rights: See Addendum Paragraph 21 C

(e) Growing Crops. With respect to the growing crops Seller and Buyer agree as follows: n/a

The above-described included items (inclusions) are to be conveyed to Buyer by Seller by bill of sale, n/a, deed or other applicable legal instrument(s) at the closing, free and clear of all taxes, liens and encumbrances, except as provided in Section 12. The following attached fixtures are excluded from this sale: n/a

3. PURCHASE PRICE AND TERMS. The purchase price shall be $ 9,500,000.00, payable in U.S. dollars by Buyer as follows. (Complete the applicable terms below.)

(a) Earnest Money, $ 100,000.00* in the form of a check, as earnest money deposit and part payment of the purchase price, payable to and held by Telluride Mountain Title, broker, in its trust account on behalf of both Seller and Buyer. Broker is authorized to deposit the earnest money in the broker's trust account at any federal bank.

*$50,000 due within 5 business days of acceptance.
*$50,000 due within 60 days of acceptance.

The balance of $ 9,400,000.00 (purchase price less earnest money) shall be paid as follows:

(b) Cash at Closing.

$ 9,400,000.00, plus closing costs, to be paid by Buyer at closing in funds which comply with all applicable Colorado laws, which include cash, electronic transfer funds, certified check, savings and loan teller's check, and cashier's check (Good Funds). Subject to the provisions of Section 4, if the existing loan balance at the time of closing shall be different from the loan balance in Section 3, the adjustment shall be made in Good Funds at closing or paid as follows: n/a

(c) New Loan. [OMITTED - INAPPLICABLE]

(d) Assumption. [OMITTED - INAPPLICABLE]

(e) Seller or Private Third-Party Financing. n/a

None

If Seller, after closing, fails to deliver possession on the date herein specified, Seller shall be subject to eviction and shall be additionally liable to Buyer for payment of $ 500.00 per day from the date of agreed possession until possession is delivered.

17. CONDITION OF AND DAMAGE TO PROPERTY. Except as otherwise provided in this contract, the Property and Inclusions shall be delivered in the condition existing as of the date of this contract, ordinary wear and tear excepted. In the event the Property shall be damaged by fire or other casualty prior to time of closing, in an amount of not more than ten percent of the total purchase price, Seller shall be obligated to repair the same before the date of closing. In the event such damage is not repaired within said time or if the damages exceed such sum, this contract may be terminated at the option of Buyer. Should Buyer elect to carry out this contract despite such damage, Buyer shall be entitled to credit for all the insurance proceeds resulting from such damage to the Property and Inclusions, not exceeding, however, the total purchase price. Should any Inclusion(s) or service(s) fail or be damaged between the date of this contract and the date of closing or the date of possession, whichever shall be earlier, then Seller shall be liable for the repair or replacement of such Inclusion(s) or service(s) with a unit of similar size, age and quality, or an equivalent credit, less any insurance proceeds received by Buyer covering such repair or replacement. The risk of loss for any damage to growing crops, by fire or other casualty, shall be borne by the party entitled to the growing crops, if any, as provided in Section 2 and such party shall be entitled to such insurance proceeds or benefits for the growing crops, if any.

18. TIME OF ESSENCE/REMEDIES. Time is of the essence hereof. If any note or check received as earnest money hereunder or any other payment due hereunder is not paid, honored or tendered when due, or if any other obligation hereunder is not performed or waived as herein provided, there shall be the following remedies:

(a) IF BUYER IS IN DEFAULT: (Check one box only.)

☐ (1) Specific Performance. Seller may elect to treat this contract as cancelled, in which case all payments and things of value received hereunder shall be forfeited and retained on behalf of Seller, and Seller may recover such damages as may be proper, or Seller may elect to treat this contract as being in full force and effect and Seller shall have the right to specific performance or damages, or both.

☒ (2) Liquidated Damages. All payments and things of value received hereunder shall be forfeited by Buyer and retained on behalf of Seller and both parties shall thereafter be released from all obligations hereunder. It is agreed that such payments and things of value are LIQUIDATED DAMAGES and (except as provided in subsection (c)) are SELLER'S SOLE AND ONLY REMEDY for Buyer's failure to perform the obligations of this contract. Seller expressly waives the remedies of specific performance and additional damages.

(b) IF SELLER IS IN DEFAULT: Buyer may elect to treat this contract as cancelled, in which case all payments and things of value received hereunder shall be returned and Buyer may recover such damages as may be proper, or Buyer may elect to treat this contract as being in full force and effect and Buyer shall have the right to specific performance or damages, or both.

(c) COSTS AND EXPENSES. Anything to the contrary herein notwithstanding, in the event of any arbitration or litigation arising out of this contract, the arbitrator or court shall award to the prevailing party all reasonable costs and expenses, including attorney fees.

19. EARNEST MONEY DISPUTE. Notwithstanding any termination of this contract, Buyer and Seller agree that, in the event of any controversy regarding the earnest money and things of value held by broker or closing agent, unless mutual written instructions are received by the holder of the earnest money and things of value, broker or closing agent shall not be required to take any action but may await any proceeding, or at broker's or closing agent's option and sole discretion, may interplead all parties and deposit any moneys or things of value into a court of competent jurisdiction and shall recover court costs and reasonable attorney fees.

20. ALTERNATIVE DISPUTE RESOLUTION; MEDIATION. If a dispute arises relating to this contract, and is not resolved, the parties and broker(s) involved in such dispute (Disputants) shall first proceed in good faith to submit the matter to mediation. The Disputants will jointly appoint an acceptable mediator and will share equally in the cost of such mediation. In the event the entire dispute is not resolved within thirty (30) calendar days from the date written notice requesting mediation is sent by one Disputant to the other(s), the mediation, unless otherwise agreed, shall terminate. This section shall not alter any date in this contract, unless otherwise agreed.

21. ADDITIONAL PROVISIONS: (The language of these additional provisions has not been approved by the Colorado Real Estate Commission).

See Addendum attached hereto, and made a part of this Contract.

22. RECOMMENDATION OF LEGAL COUNSEL. By signing this document, Buyer and Seller acknowledge that the Selling Company or the Listing Company has advised that this document has important legal consequences and has recommended the examination of title and consultation with legal and tax or other counsel before signing this contract.

23. TERMINATION. In the event this contract is terminated, all payments and things of value received hereunder shall be returned and the parties shall be relieved of all obligations hereunder, subject to Section 19.

24. SELLING COMPANY BROKER RELATIONSHIP. The selling broker, Telluride Real Estate Corp. and its salespersons have been engaged as Transaction Broker. Selling Company has previously disclosed in writing to the Buyer that different relationships are available which include buyer agency, seller agency, subagency, or transaction-broker.

25. NOTICE TO BUYER. Any notice to Buyer shall be effective when received by Buyer, or, if this box is checked ☒, when received by Selling Company.

26. **NOTICE TO SELLER.** Any notice to Seller shall be effective when received by Seller or Listing Company.

27. **MODIFICATION OF THIS CONTRACT.** No subsequent modification of any of the terms of this contract shall be valid, binding upon the parties, or enforceable unless made in writing and signed by the parties.

28. **ENTIRE AGREEMENT.** This contract constitutes the entire contract between the parties relating to the subject hereof, and any prior agreements pertaining thereto, whether oral or written, have been merged and integrated into this contract.

29. **NOTICE OF ACCEPTANCE: COUNTERPARTS.** This proposal shall expire unless accepted in writing, by Buyer and Seller, as evidenced by their signatures below, and the offering party receives notice of such acceptance on or before March 8, 1999 (Acceptance Deadline). If accepted, this document shall become a contract between Seller and Buyer. A copy of this document may be executed by each party, separately, and when each party has executed a copy thereof, such copies taken together shall be deemed to be a full and complete contract between the parties.

BUYER Aberdeen Investments, Inc., a Colorado Corporation, And/Or Assigns DATE 3.5.99
By: Jack A. Vickers, III, President

SELLER Aldasoro Brothers DATE 3/11/99
By: Albert J. Aldasoro, Managing Partner

SELLER Aldasoro Brothers Mary Louise Leonard (pursuant to Court Order) DATE 3-12-99
By: Mary Louise Leonard, General Partner

SELLER Aldasoro Ltd, a Colorado Limited Partnership by Aldasoro Development, a Colorado corporation, its sole general partner DATE 3/11/99
By: Albert J. Aldasoro, President

SELLER Aldasoro Ltd, a Colorado Limited Partnership by Aldasoro Development, a Colorado Corporation, its sold general partner DATE 3/11/99
By: Christine Mitchell, Secretary

The undersigned Broker(s) acknowledges receipt of the earnest money deposit specified in Section 3, and Selling Company confirms its Broker Relationship as set forth in Section 24.

Selling Company:

26. **NOTICE TO SELLER.** Any notice to Seller shall be effective when received by Seller or Listing Company.

27. **MODIFICATION OF THIS CONTRACT.** No subsequent modification of any of the terms of this contract shall be valid, binding upon the parties, or enforceable unless made in writing and signed by the parties.

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BUYER Aberdeen Investments, Inc., a Colorado Corporation, And/Or Assigns DATE 3.5.99
By: Jack A. Vickers, III, President

SELLER Aldasoro Brothers DATE 3/11
By: Albert J. Aldasoro, Managing Partner

SELLER Aldasoro Brothers Mary Louise Leonard (pursuant to Court Order) DATE 3-12-9
By: Mary Louise Leonard, General Partner

SELLER Aldasoro Ltd, a Colorado Limited Partnership by Aldasoro Development, a Colorado corporation, its sole general partner DATE 3/11/99
By: Albert J. Aldasoro, President

SELLER Aldasoro Ltd, a Colorado Limited Partnership by Aldasoro Development, a Colorado Corporation, its sole general partner DATE 3/11/99
By: Christina Mitchell, Secretary

The undersigned Broker(s) acknowledges receipt of the earnest money deposit specified in Section 3, and Selling Company confirms its Broker Relationship as set forth in Section 24.
Selling Company:

Telluride Real Estate Corp.
567 Mountain Village Blvd., Suite 106A
Mountain Village, CO 81435
Phone: 970-728-6655, Fax: 970-728-5480

By: _____ 3-6-99

Signature Donald R. McLean Date

Listing Company Dirk A. dePagter, Associate Broker, Telluride Real Estate Corporation

By _____ 3/11/99

Signature Date

P.O. Box 1739, Telluride, CO 81435

Address City State Zip

Phone 970-728-3111
Fax 970-728-3049

Note: Closing Instructions should be signed at the time this contract is signed.

ADDENDUM TO VACANT LAND/FARM AND
RANCH CONTRACT TO BUY AND SELL REAL ESTATE

21. ADDITIONAL PROVISIONS

A. Conditions Precedent to Buyer's Obligations. The obligation of Buyer to close under this Contract is expressly contingent upon, and subject to, the conditions set forth in sections (i) and (ii) of this paragraph 21.A. If either of said conditions are not satisfied, Buyer shall have the option to terminate this Contract in which event Buyer and Seller shall be free of any obligations hereunder and Buyer's Earnest Money shall be immediately returned to Buyer together with accrued interest thereon. If Buyer should so terminate this Contract and Seller thereafter contests the return of Buyer's Earnest Money, Seller shall reimburse Buyer for all reasonable attorney's fees and costs incurred by Buyer relating thereto. Notwithstanding anything contained herein to the contrary, Buyer shall have the unconditional right to waive all conditions by written notice to Seller and close within Sixty (60) days thereafter.

(i) Seller, at Seller's expense, shall obtain all zoning and related approvals from all relevant governing authorities including San Miguel County for the subdivision of the Property into residential lots and the construction and operation of an 18 hole golf course on the Property substantially as reflected in the conceptual design of Asmundson & Company, Inc. attached hereto as Exhibit 3 including the elements set forth in paragraph (a) below (collectively the "Golf Course Approval") on or before October 13, 1999. The Golf Course Approval shall include zoning approval and a development/excavation/wet-lands permit.

(a) Eleven (11) or Twelve (12) 35 acre residential lots subject to an easement thereon for an Eighteen (18) hole golf course including the construction of a clubhouse, restaurant, bar, pro shop, fitness facility, men's and women's locker facilities and a maintenance/equipment barn suitable for a golf course including affordable housing units on the second level thereof. Seller acknowledges that Buyer would prefer that the Golf Course Approval include Twelve (12) 35 acre residential lots instead of Eleven (11) such lots and Seller will use its best efforts to obtain Twelve (12) such lots unless Buyer and Seller conclude that including Twelve (12) such lots in the Proposed Golf Course Submittal will materially jeopardize the Golf Course Approval.

SN

AJA ml

Buyer and Seller acknowledge that the best interests of Buyer and Seller will be served if the Golf Course Approval is obtained. Within ten (10) days of the complete execution of this Contract, Seller shall deliver in writing to Buyer Seller's currently proposed golf course and residential plan for the Property which Seller proposes to submit to San Miguel County not later than June 14, 1999 for the July 14, 1999 meeting of the San Miguel County Planning Commission. ("Proposed Golf Course Submittal"). Thereafter, Buyer shall review same and present revisions thereof to Seller which Seller shall include in the Proposed Golf Course Submittal prior to submission to San Miguel County on June 14, 1999. During said review period Buyer and Seller shall freely exchange ideas and concepts to ensure that the Proposed Golf Course Submittal is developed and refined to enhance the ultimate design of the golf course and its amenities, and to maximize the potential of securing the Golf Course Approval, provided however that the final content of the Proposed Golf Course Submittal shall be determined by Buyer before presentation by Seller to San Miguel County. and seller

Once Seller has received the Golf Course Approval, Buyer shall have the right to accept or reject the Golf Course Approval in its sole, absolute, subjective and unconditional discretion within thirty (30) days of receipt from Seller of copies of all documents which constitute the Golf Course Approval. Buyer's acceptance or rejection of the Golf Course Approval shall be in writing and delivered to Seller prior to the expiration of said thirty (30) day period. Buyer's rejection of the Golf Course Approval shall terminate this Contract.

Seller shall use its best efforts to obtain the Golf Course Approval but cannot guaranty that the Golf Course Approval will in fact be obtained. Buyer recognizes the inherent risks associated with obtaining zoning and related approvals from governmental agencies and therefore releases Seller from any claims directly or indirectly relating to Seller's inability to obtain the Golf Course Approval.

(ii) Within thirty (30) days after Buyer's receipt of the Golf Course Approval from Seller ("Due Diligence Deadline"), Buyer shall have the right to approve in Buyer's sole, absolute, subjective and unconditional discretion, each and every aspect of the Property including, but by no means limited to, the economic feasibility of developing the Property as a golf course and/or 35 acre residential lots, and appurtenant water rights. Buyer's approval or disapproval shall be in writing and delivered to Seller prior to the expiration of the Due Diligence Deadline. Buyer's disapproval shall terminate this Contract.

$ n/a by Buyer executing a promissory note payable to:
n/a on the
note form as indicated: (Check one box only.)
☐ (UCCC - No Default Rate) NTD 82-3-95 ☒ NTD 81-11-83
☐ n/a
secured by a (1st, 2nd, etc.) n/a deed of trust encumbering the Property, using the form as indicated: (Check one box only.)
☐ Strict Due-on-Sale (TD72-7-96) ☐ Creditworthy (TD73-7-96) ☐ Assumable - Not due on sale (TD74-7-96)
☐

The promissory note shall be amortized on the basis of n/a years, payable at $ n/a per n/a including principal and interest at the rate of n/a % per annum. Payments shall commence n/a and shall be due on the ____ day of each succeeding n/a. If not sooner paid, the balance of principal and accrued interest shall be due and payable n/a after closing. Payments ☐ shall ☐ shall not be increased by n/a of estimated annual real estate taxes, and ☐ shall ☐ shall not be increased by n/a of estimated annual property insurance premium.
The loan shall also contain the following terms as indicated: If any payment is not received within n/a calendar days after its due date, a late charge of n/a % of such payment shall be due. Interest on lender disbursements under the deed of trust shall be n/a % per annum. Default interest rate shall be n/a % per annum.
Buyer may prepay without a penalty except
n/a

4. FINANCING CONDITIONS AND OBLIGATIONS.

(a) Loan Application(s). [OMITTED - INAPPLICABLE]

(b) Loan Approval. [OMITTED - INAPPLICABLE]

(c) Existing Loan Review. [OMITTED - INAPPLICABLE]

(d) Assumption Balance. [OMITTED - INAPPLICABLE]

(e) Credit Information. If Buyer is to pay all or part of the purchase price by executing a promissory note in favor of Seller or if an existing loan is not to be released at closing, this contract is conditional upon Seller's approval of Buyer's financial ability and creditworthiness, which approval shall be at Seller's sole and absolute discretion. In such case: (1) Buyer shall supply to Seller on or before n/a at Buyer's expense, information and documents concerning Buyer's financial, employment and credit condition; (2) Buyer consents that Seller may verify Buyer's financial ability and creditworthiness; (3) any such information and documents received by Seller shall be held by Seller in confidence, and not released to others except to protect Seller's interest in this transaction; (4) if Seller does not provide written notice of Seller's disapproval to Buyer on or before ____, then Seller waives this condition. If Seller does provide written notice of disapproval to Buyer on or before said date, this contract shall terminate.

5. APPRAISAL PROVISION.

(Check only one box) This Section 5 ☐ shall ☒ shall not apply.
If this Section 5 applies, as indicated above, Buyer shall have the sole option and election to terminate this contract if the purchase price exceeds the Property's valuation determined by an appraiser engaged by n/a
The contract shall terminate by the Buyer causing the Seller to receive written notice of termination and a copy of such appraisal or written notice of termination and a copy of such appraisal or written notice from lender which confirms the Property's valuation is less than the purchase price, on or before n/a (Appraisal Deadline). If Seller does not receive such written notice of termination on or before the appraisal deadline, Buyer waives any right to terminate under this section.

6. COST OF APPRAISAL. Cost of any appraisal to be obtained after the date of this contract shall be timely paid by
n/a

7. NOT ASSIGNABLE. This contract shall not be assignable by Buyer without Seller's prior written consent. Except as so restricted, this contract shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of the parties. See Addendum Paragraph 2.

8. EVIDENCE OF TITLE. Seller shall furnish to Buyer, at Seller's expense, either a current commitment for owner's title insurance policy in an amount equal to the purchase price or at Seller's choice, an abstract of title certified to a current date, on or before 30 days after acceptance (Title Deadline). If a title insurance commitment is furnished, Buyer may require at Seller that copies of instruments (or abstracts of instruments) listed in the schedule of exceptions (Exceptions) in the title insurance commitment also be furnished to Buyer at Seller's expense. This requirement shall pertain only to instruments shown of record in the office of the clerk and recorder of the designated county or counties. The title insurance commitment, together with any copies or abstracts of instruments furnished pursuant to this Section 8, constitute the title documents (Title Documents). Buyer, or Buyer's designee, must request Seller, in writing, to furnish copies or abstracts of instruments listed in the schedule of exceptions no later than 20 calendar days after Title Deadline. If Seller furnishes a title insurance commitment, Seller will pay the premium at closing and have the title insurance policy delivered to Buyer as soon as practicable after closing.

9. TITLE.

(a) Title Review. Buyer shall have the right to inspect the Title Documents or abstract. Written notice by Buyer of unmerchantability of title or of any other unsatisfactory title condition shown by the Title Documents or abstract shall be signed by or on behalf of Buyer and given to Seller on or before 45 calendar days after Title Deadline, or within (Five (5)) calendar days after receipt by Buyer of any Title Document(s) or endorsement(s) adding new Exception(s) to the title commitment together with a copy of the Title Document adding new Exception(s) to title, if

Seller does not receive Buyer's notice by the date(s) specified above, Buyer accepts the condition of title as disclosed by the Title Documents as satisfactory.

(b) Matters Not Shown by the Public Records. Seller shall deliver to Buyer, on or before the Title Deadline set forth in Section 8 true copies of all lease(s) and survey(s) in Seller's possession pertaining to the Property and shall disclose to Buyer all easements, liens or other title matters not shown by the public records of which Seller has actual knowledge. Buyer shall have the right to inspect the Property to determine if any third party(s) has any right in the Property not shown by the public records (such as an unrecorded easement, unrecorded lease, or boundary line discrepancy). Written notice of any unsatisfactory condition(s) disclosed by Seller or revealed by such inspection shall be signed by or on behalf of Buyer and given to Seller ~~on or before~~ ** . If Seller does not receive Buyer's notice by said date, Buyer accepts title subject to such rights, if any, of third parties of which Buyer has actual knowledge. **within 20 days of receipt of documents

(c) Special Taxing Districts. SPECIAL TAXING DISTRICTS MAY BE SUBJECT TO GENERAL OBLIGATION INDEBTEDNESS THAT IS PAID BY REVENUES PRODUCED FROM ANNUAL TAX LEVIES ON THE TAXABLE PROPERTY WITHIN SUCH DISTRICTS. PROPERTY OWNERS IN SUCH DISTRICTS MAY BE PLACED AT RISK FOR INCREASED MILL LEVIES AND EXCESSIVE TAX BURDENS TO SUPPORT THE SERVICING OF SUCH DEBT WHERE CIRCUMSTANCES ARISE RESULTING IN THE INABILITY OF SUCH A DISTRICT TO DISCHARGE SUCH INDEBTEDNESS WITHOUT SUCH AN INCREASE IN MILL LEVIES. BUYER SHOULD INVESTIGATE THE DEBT FINANCING REQUIREMENTS OF THE AUTHORIZED GENERAL OBLIGATION INDEBTEDNESS OF SUCH DISTRICTS, EXISTING MILL LEVIES OF SUCH DISTRICT SERVICING SUCH INDEBTEDNESS, AND THE POTENTIAL FOR AN INCREASE IN SUCH MILL LEVIES.

In the event the Property is located within a special taxing district and Buyer desires to terminate this contract as a result, if written notice is given to Seller on or before the date set forth in subsection 9 (b), this contract shall then terminate. If Seller does not receive Buyer's notice by the date specified above, Buyer accepts the effect of the Property's inclusion in such special taxing district(s) and waives the right to so terminate.

(d) Right to Cure. If Seller receives notice of unmerchantability of title or any other unsatisfactory title condition(s) as provided in subsection (a) or (b) above, Seller shall use reasonable effort to correct said unsatisfactory title condition(s) prior to the date of closing. If Seller fails to correct said unsatisfactory title condition(s) on or before the date of closing, this contract shall then terminate; provided, however, Buyer may, by written notice received by Seller, on or before closing, waive objection to said unsatisfactory title condition(s).

10. INSPECTION. Seller agrees to provide Buyer on or before N/A with a Seller's Property Disclosure form completed by Seller to the best of Seller's current actual knowledge. Buyer or Buyer's designee shall have the right to make inspection(s) of the physical condition of the Property and Fixtures at Buyer's expense. If unsatisfactory in Buyer's subjective discretion, Buyer may terminate this contract on or before N/A (Objection Deadline) the physical condition of the Property and Fixtures shall be deemed to be satisfactory to Buyer. If such notice is received by Seller on or before Buyer and Seller have not agreed in writing to a settlement thereof on or before N/A (Resolution Deadline) this contract shall terminate. If Buyer fails to timely deliver notice by the Objection Deadline, Buyer accepts the physical condition of the Property and Fixtures subject to Seller's obligation to maintain the Property as required herein. Buyer is responsible for any damage which occurs to the Property during such inspection.

11. DATE OF CLOSING. The date of closing shall be See Addendum #215, or by mutual agreement at an earlier date. The hour and place of closing shall be designated by Telluride Mountain Title.

12. TRANSFER OF TITLE. Subject to tender or payment at closing as required herein and compliance by Buyer with the other terms and provisions hereof, Seller shall execute and deliver a good and sufficient General Warranty deed to Buyer, at closing, conveying the Property free and clear of all taxes except the general taxes for the year of closing, and except Nothing else

Title shall be conveyed free and clear of all liens for special improvements installed as of the date of Buyer's signature hereon, whether assessed or not; except (i) distribution utility easements (including cable TV), (ii) those matters reflected by the Title Documents accepted by Buyer in accordance with subsection 9(a), (iii) those rights, if any, of third parties in the Property not shown by the public records in accordance with subsection 9(b), (iv) inclusion of the Property within any special taxing district, (v) subject to building and zoning regulations.

13. PAYMENT OF ENCUMBRANCES. Any encumbrance required to be paid shall be paid at or before closing from the proceeds of this transaction or from any other source.

14. CLOSING COSTS, DOCUMENTS AND SERVICES. Buyer and Seller shall pay, in Good Funds, their respective closing costs and all other items required to be paid at closing, except as otherwise provided herein. Buyer and Seller shall sign and complete all customary or required documents at or before closing. Fees for real estate closing services shall not exceed $ 1,000.00 and shall be paid at closing by 50% by Buyer/50% by Seller. The local transfer tax of n/a % of the purchase price shall be paid at closing by n/a. Any sales and use tax that may accrue because of this transaction shall be paid when due by n/a.

15. PRORATIONS. General taxes for the year of closing based on the taxes for the calendar year immediately preceding closing, rents, water and sewer charges, owner's association dues, and interest on continuing loan(s), if any, and Nothing else shall be prorated to date of closing.

16. POSSESSION. Possession of the Property shall be delivered to Buyer as follows: Upon Closing subject to the following lease(s) or tenancy(s):

Prior to the Due Diligence Deadline, Buyer and Buyer's agents and contractors shall have reasonable access to the Property and the right to conduct surveys and physical inspections of the Property, including soil and percolation tests, at Buyer's expense. Buyer shall be responsible for, and shall reimburse Seller for the cost of repairing any damage to the Property resulting from said inspections. Within Fifteen (15) days of the complete execution of this Contract by all parties, Seller shall deliver to Buyer copies of each of the following documents which may be in the possession or control of Seller relating to the Property: survey maps, topographical studies, soil tests, percolation tests, developmental designs and studies and grazing leases. Said documents shall be immediately returned by Buyer to Seller in the event of the termination of this Contract.

B. Date of Closing. The date of closing shall be Sixty (60) days after the Due Diligence Deadline.

C. Water Rights.

(i) At no additional cost to Buyer, at the close, Seller shall deliver to Buyer all water rights appurtenant to the Property. Said water rights shall be fully adjudicated. Within 60 days of the execution hereof, Seller shall deliver to Buyer for Buyer's review and comment, a draft of said water conveyance together with title documents relating thereto.

(ii) At no additional cost to Buyer, prior to the Due Diligence Deadline, Buyer and Seller shall agree on the form of a water service agreement, including all easements required in connection therewith, under which Seller shall make available to Buyer and the Property, water service from the presently existing Aldasoro Ranch central water system in perpetuity at the same rates charged to current users. Buyer shall be responsible for all costs relating to transporting said water to the Property and for storage thereof. Any augmentation or amendment to existing augmentation plans shall be at Buyer's expense.

D. Last Dollar Road Easement. At no additional cost to Buyer, at the close Seller shall deliver to Buyer, in recordable form, a non-exclusive easement in favor of Buyer for a 60 ft. right-of-way over, through and across Last Dollar Road for permanent ingress and egress to the Property. Such 60 ft. right-of-way shall extend 30' on either side of the center line of Last Dollar Road as travelled, except for those portions of Last Dollar Road where Seller does not own 30' on either side of the center

line thereof. Within 60 days of the execution hereof, Seller shall deliver to Buyer for Buyer's review and comment, a draft of said easement together with title documents relating thereto.

E. Utilities. At no additional cost to Buyer, at the close Seller shall assign to Buyer, Seller's rights applicable to the Property in existing easements for electrical power, telephone and natural gas as reasonably necessary to service the Property. Within Sixty (60) days of the execution hereof, Seller shall deliver to Buyer for Buyer's review and comment, drafts of said assignments together with title documents relating thereto.

F. Gravel And Top Soil. After the close, at a price to be agreed upon prior to the expiration of the Due Diligence Deadline, Seller shall make available to Buyer for Buyer's use on the Property such gravel and top soil as Buyer may require from the existing piles of gravel and top soil owned by Seller located adjacent to the Telluride Airport property and in filings 1 and 2 of the Aldasoro Ranch subdivision.

G. Buyer's Promotional Access To The Property. At all times prior to the close, Buyer shall have unrestricted access to the Property for the purpose of showing the Property to prospective purchasers, investors, designers, contractors, and related persons. Buyer shall use its best efforts to cause no disturbance to the Property related to such access and shall be responsible for the cost to repair any damage to the Property resulting from such access.

H. Buyer's Use Of The Property. With the exception of the Deed-Restricted Lots described in paragraph N, Buyer's use of the Property will be restricted to (i) a residential development which includes a golf course; or (ii) subdivision into 35 acre residential lots without a golf course, provided however that a caretaker's unit on any such lot shall be attached to the primary residence on any such lot. Buyer presently intends to develop the Property to include an 18 hole golf course. However, Buyer reserves the right not to develop a golf course on the Property if, after the close, Buyer determines in its sole, absolute, subjective and unconditional discretion that a golf course would be financially or economically infeasible or impractical in which event the Property will be subdivided into 35 acre residential lots as provided in section (ii) of this paragraph H. Any other uses of the Property shall be subject to the prior approval of Seller in Seller's sole and absolute discretion. At the close Buyer and Seller shall cause an agreement reflecting the foregoing conditions to be recorded in San Miguel County.

AHV

CMM

I. Certain Aldasoro Ranch PUD Provisions to Apply. At the close, Buyer shall restrict the Property with the following provisions of the Aldasoro Ranch PUD Agreement recorded February 8, 1991 in Book 474, Page 650 as they may be amended or supplemented: 4.1.1, 4.1.3, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 11.4, 11.5, 11.6, 17.2, and 24.3. The rights and obligations with regard to such PUD provisions are further defined in that certain agreement to be executed by Buyer and Seller prior to the expiration of the Due Diligence Deadline substantially in the form attached hereto as Exhibit 4.

J. Seller to Stake Property Corners / Legal Description Of Property. Seller shall cause the corners of the Property to be clearly staked and flagged within 75 days of the full execution of this Contract except as prevented by adverse weather conditions. Within Ten (10) days of the completion of the foregoing, Seller shall provide Buyer with the legal description of the Property as Exhibit 1 hereto.

K. Interest on Buyer's Earnest Money. Buyer's Earnest Money shall be deposited in, and maintained by Telluride Mountain Title Company in an interest bearing money market type trust account for the benefit of Buyer.

L. Effective Date of Title Insurance Policy. The title insurance policy to be delivered to Buyer by Seller under section 8 hereof shall be effective as of the Date Of Closing.

M. Golf Course Memberships to Seller. In the event that Buyer shall construct a golf course on the Property:

(i) Buyer shall issue lifetime memberships in the golf course for the exclusive use of each of the following persons ("Aldasoro Member") and his or her spouse, if and when requested by the Aldasoro Member: Mary Louise Leonard, Albert J. Aldasoro, Monica McDaid, Lydia Leonard, Angela Petersen, Pamela Bennett, Cristine Mitchell, Mark Leonard. Said memberships shall be issued at no charge except that each membership shall be subject to the same monthly dues and membership requirements as other dues-paying memberships. An Aldasoro Member may place his or her membership on an inactive status during which time the Aldasoro Member shall be relieved of the obligation to pay dues. In such event the Aldasoro Member may reactivate his or her membership subject to resuming the payment of dues, provided however, that no Aldasoro Member may inactivate the membership and thereafter reactivate the Membership more than two times. If Buyer does not offer memberships in the golf course, each Aldasoro Member, and his or her spouse, shall receive the lifetime right to play golf with no green

fee charge. The foregoing rights shall be non-transferable and shall automatically terminate upon the death of the Aldasoro Member, or his or her spouse, whichever shall be the last to occur.

(ii) Buyer shall reserve 25 golf memberships for the benefit of Aldasoro Ltd. to be conveyed to purchasers of Lots in the Aldasoro Ranch Subdivision. The terms of said purchase shall be no less favorable and on the same basis as other memberships offered by Buyer during the golf course pre-marketing period. All such memberships shall be subject to Buyer's golf course membership approval process and standards, excluding any geographic restrictions.

N. Two Deed Restricted Lots To Buyer. Subject to Buyer's purchase of the Property, but at no additional cost to Buyer, Seller shall convey two (2) deed-restricted lots in Aldasoro Ranch Filings 1 or 2 to Buyer at the close ("Deed-Restricted Lots"). The exact location of the Deed Restricted Lots shall be subject to the mutual agreement of Buyer and Seller prior to the expiration of the Due Diligence Deadline.

O. Tax Deferred Exchange.

(i) Buyer shall cooperate with Seller in the event that Seller desires to sell the Property as part of a 1031 tax deferred exchange of like-kind property under section 1031 of the Internal Revenue Code of 1986, as amended. However, in no event shall Buyer incur any obligation, indebtedness, liability, cost or expense as a result of such cooperation. Seller shall indemnify and hold Buyer harmless from and against any and all claims, suits, proceedings, liabilities, damages, losses, costs and expenses including without limitation, reasonable attorney's fees and costs asserted against, or incurred by Buyer as a result of, or in any way connected with any such exchange.

(ii) Seller shall cooperate with Buyer in the event that Buyer desires to sell the Property as part of a 1031 tax deferred exchange of like-kind property under section 1031 of the Internal Revenue Code of 1986, as amended. However, in no event shall Seller incur any obligation, indebtedness, liability, cost or expense as a result of such cooperation. Buyer shall indemnify and hold Seller harmless from and against any and all claims, suits, proceedings, liabilities, damages, losses, costs and expenses including without limitation, reasonable attorney's fees and costs asserted against, or incurred by Seller as a result of, or in any way connected with any such exchange.

P. Brokers. Buyer and Seller represent, each to the

Clarified

other, that the only real estate brokers acting for either of them in connection with this transaction are: Donald R. McLean of Telluride Real Estate Corp. acting as a Transaction Broker for the Buyer, and Dirk A. dePagter of Telluride Real Estate Corp. acting as Transaction Broker for the Seller. Buyer and Seller shall indemnify and hold the other harmless from any and all losses, expenses and causes of action arising out of claims for commissions or other entitlements made by any other person claiming to represent either party which are directly or indirectly related to this transaction. All commissions are to be paid by Seller, subject to closing hereunder.

Q. Attorney Fees. In the event of litigation to enforce any provision of this Contract, the prevailing party shall be entitled to recover reasonable attorney fees and costs.

R. Exhibits. All Exhibits to this Contract shall be deemed incorporated herein by reference and made a part hereof as though set forth in full.

S. Counterparts / Facsimile Copies and Signatures. This Contract may be executed in counterparts, and as so executed shall constitute a complete agreement notwithstanding that all parties are not signatory to the same counterpart. Facsimile copies hereof and signatures hereon shall be binding on all parties.

T. Headings. The section headings in this Contract are inserted only for convenient reference and do not define, limit or prescribe the scope of this Contract or the Exhibits attached hereto.

U. Applicable Law / Jurisdiction / Venue. This Contract shall be governed by and construed under the laws of the State of Colorado. Buyer and Seller submit to the jurisdiction of the State of Colorado, District Court for San Miguel County in connection with any legal action pertaining to this Contract or the Property. Venue for any legal action filed in regard to this Contract or the Property shall be San Miguel County.

V. Gender. The pronouns used herein shall include the masculine, feminine, singular, plural, individuals, partnerships or corporations where applicable.

W. Survival. Any and all representations, warranties, provisions, rights and obligations of the parties herein described and agreed to be performed or which by the nature thereof are or would be required to be performed subsequent to closing or termination of this Agreement shall survive

closing or termination of this Agreement.

X. Holidays. In the event that any provision of this Contract calls for performance of any act or the delivery of any notice on a Saturday, Sunday, or legal holiday, such act shall be deemed to be required to be performed, and such notices shall be deemed to be required to be delivered, on the first business day following such Saturday, Sunday or legal holiday.

Y. Confidentiality. Buyer and Seller agree to maintain confidentiality with respect to this Contract, and agree not to disclose the existence of this Contract, or the terms hereof, to any third parties, except their agents and associates.

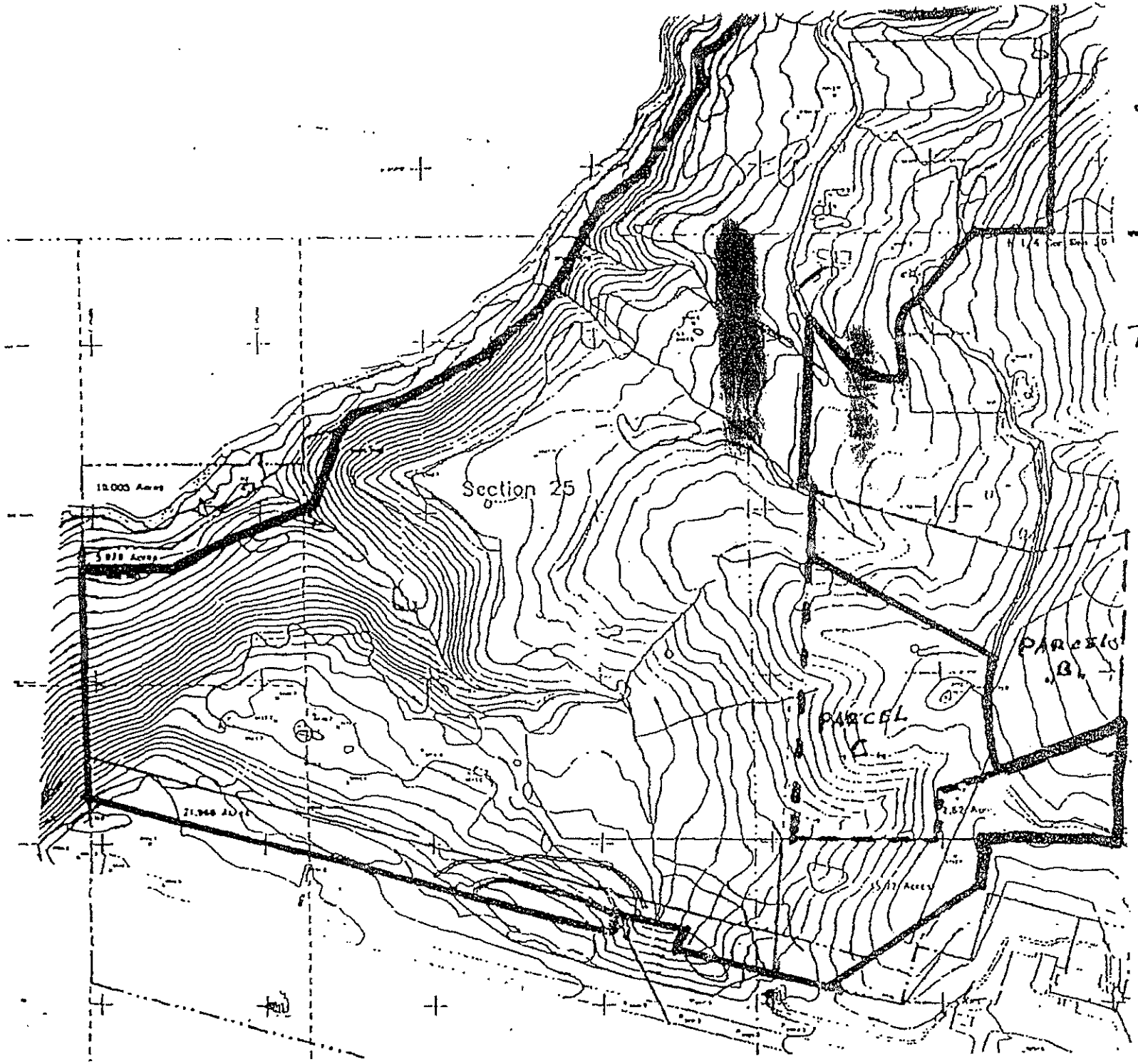
Z. Assignability. This Contract shall be assignable by Buyer with Seller's prior written consent, not to be unreasonably withheld. This Contract shall be assignable without Seller's consent to a to-be-formed entity which will include among its owners Jack Vickers III, James Wilson III, and Daniel Kirst III.

AA. Execution by Mary Louise Leonard. This Contract is wholly contingent upon approval and acceptance by Mary Louise Leonard, general partner of the Seller, which approval shall be within fourteen (14) days from the Buyer's execution hereof, unless Buyer is notified in writing to the contrary within said fourteen (14) day period. Upon approval of this Contract, Mary Louise Leonard acknowledges that Albert J. Aldasoro has full authority to execute all documents contemplated by this Agreement on behalf of Seller.

BB. Extension of Acceptance Deadline. The Acceptance Deadline set forth in paragraph 29 is extended from March 8, 1999 to March 12, 1999.

(Legal description of Property to be
furnished by Seller pursuant to
Addendum paragraph J)

EXHIBIT 1



PROPERTY BOUNDARY

BOUNDARY PARCEL "C"

TOTAL ACRES
± 430 AC.

EXHIBIT 2

ASMUNDSON & COMPANY, INC.

January 7, 1999

Mr. Dick dePagter
137 Colorado Avenue
P.O. Box 832
Telluride, CO 81435

Re: Aldasoro Ranch Golf Course

Dear Dick:

The following are some general comments with regard to the conceptual route and grading plan:

Topography

While the majority of slopes are between 8-15% gradient, we were unable to avoid the steeper gradients (15-50%). Consequently, some of the holes on the back nine are terraced into the protruding ridge, as is Hole 2. [redacted] I adjusted my scope of services to one concept for there [redacted] amount of constructable land. In reflection, I think there are definitely some variations to this concept route which should be explored. However, I will need input on residential as well as some geotechnical support.

Soils

Soils are essentially Gothic with high clay content, erosive and potentially unstable when saturated. Constraints associated with soils are:

- suitable for topsoil of golf course - may have to import material
- stability and suitability for dam construction (lake)
- ability to compact larger fills
- intercept drainage at top and toe of slopes both cut and fill
- maximum gradients for cut and fill slopes (presently 2:1 and 3:1 respectively)
- whether or not rock will be encountered in deeper cuts (50') and is it rippable with D-9/D-10

Golf Course Design
7764 East San Miguel Avenue
Scottsdale, Arizona 85250
Tel 602-596-1976/602-481-0449
Facsimile 602-596-0153

EXHIBIT 3

Wetlands

Relatively small and isolated occurrences will need to impact a majority of wetlands but is well below the 10 ac threshold for a project of this magnitude.

Vegetation

We are able to maintain and incorporate the majority of existing Aspen and Spruce woodlands that occupy the north end of the site.

Golf Route

While the majority of the golf holes are within a 200' elevation differential, there was not sufficient buildable land to accommodate all 18 holes and practice facility.

Consequently, I chose to locate the clubhouse, practice range and 1st hole on the highest portion of the site at corral area. Benefits of this are:

- dramatic downhill opening hole
- sufficient buildable land for clubhouse and parking
- downhill practice range
- limit public access, roads and utilities from penetrating site.
- allows residential in the interior for higher premium

The golf course is 7,000 yards par 71, championship length at this altitude. While there is 400' grade difference, the playing elevation is considerably less. Change in direction of the golf holes is excellent and the par 3's can be stunningly created at the edges of the steep west ridge.

The front nine plays off the upper ridge, traversing the slope and entering the lower valley that runs east/west and just north of the airport. The back nine shifts to a north/south orientation traversing the mountain sideslope. Hole 18 plays back up the valley to a greensite some 250' immediately below the clubhouse.

While this seems unusual, there are a couple of very distinctive golf courses with very similar situations: upper course at Castle Pines and the No.1 rated private course in Arizona - Forest Highlands.

On terrain like this and in the mountains, one must go to where the golf holes are rather than to force situations.

If one installed a funicular railway or shuttled players back up the slope, the golf course could be walkable. However, for tourists at this elevation it would be impractical not to ride.

The golf course is essentially non-returning but holes 9 and 10 are located in the middle of the site below the clubhouse and one could theoretically return after 9 holes of play.

Some comparisons with existing Telluride golf course:

- while disconnected in a couple of instances, our golf course is totally contiguous with no extended residential and road crossings
- Telluride has a 400' elevation difference and playing elevation is considerably more significant
- Telluride is shorter and has many ski area appurtenances that confuse its appearance
- totally non-returning
- extensive residential development - narrow with numerous out-of-bounds
- north versus predominantly west exposure - we will benefit significantly on both ends of the playing season

I would like to review the construction plans for Telluride to better understand the extent of original construction and the golf course itself for comparative purposes. This will help in final marketing determination.

Conclusions

Present route and grading plan calls for some 2 - 2.5 million yards of balanced cut/fill. The upper Cordillera course moved over 7 million.

The new Valley Club at Cordillera is an exceptional mountain golf course and I think we have the potential of being very similar in both playability and quality.

It is important that the golf course be playable for the average player and challenging for the expert. We have that opportunity.

We have a stunning and dramatic site and the golf course is a contiguous experience. While west winds will be a factor, the site has a warm orientation.

The golf course could cost $8 - $10 million to construct. Linking it with Aldasoro Ranch residential provides added value and marketing. A semi-private/high-end daily fee facility may be feasible. Valley Club at Cordillera is public after 2:00 p.m. at a cost of $180.

I would like to study some refinements to the present concept to potentially reduce earthwork, locate maintenance facility and to further study the potential for returning nines.

We need planning input on future residential as well as geotechnical engineering support to understand feasibility and cost implications.

At this point, we probably don't have anything to lose by submitting to the County. However, I would be more comfortable to not be on the public agenda until March.

I think we need more time to study all the issues. During this due diligence, should it be concluded that this site is not feasible from both engineering and cost perspective, one could always withdraw the application.

If the project 'pencils', I think that we can build an incredible golf course.

I look forward to talking to you on Thursday.

Sincerely,

ASMUNDSON & COMPANY, INC.

Michael S. Asmundson
President/Secretary

Scorecard

Holes	Yds	Par	Holes	Yds	Par
1	585	5	10	547	5
2	210	3	11	223	3
3	405	4	12	478	4
4	430	4	13	166	3
5	452	4	14	553	5
6	573	5	15	447	4
7	340	4	16	490	4
8	430	4	17	183	3
9	170	3	18	370	4
Out	3413	36	In	3587	35
			Out	3413	36
			Total	7000	71

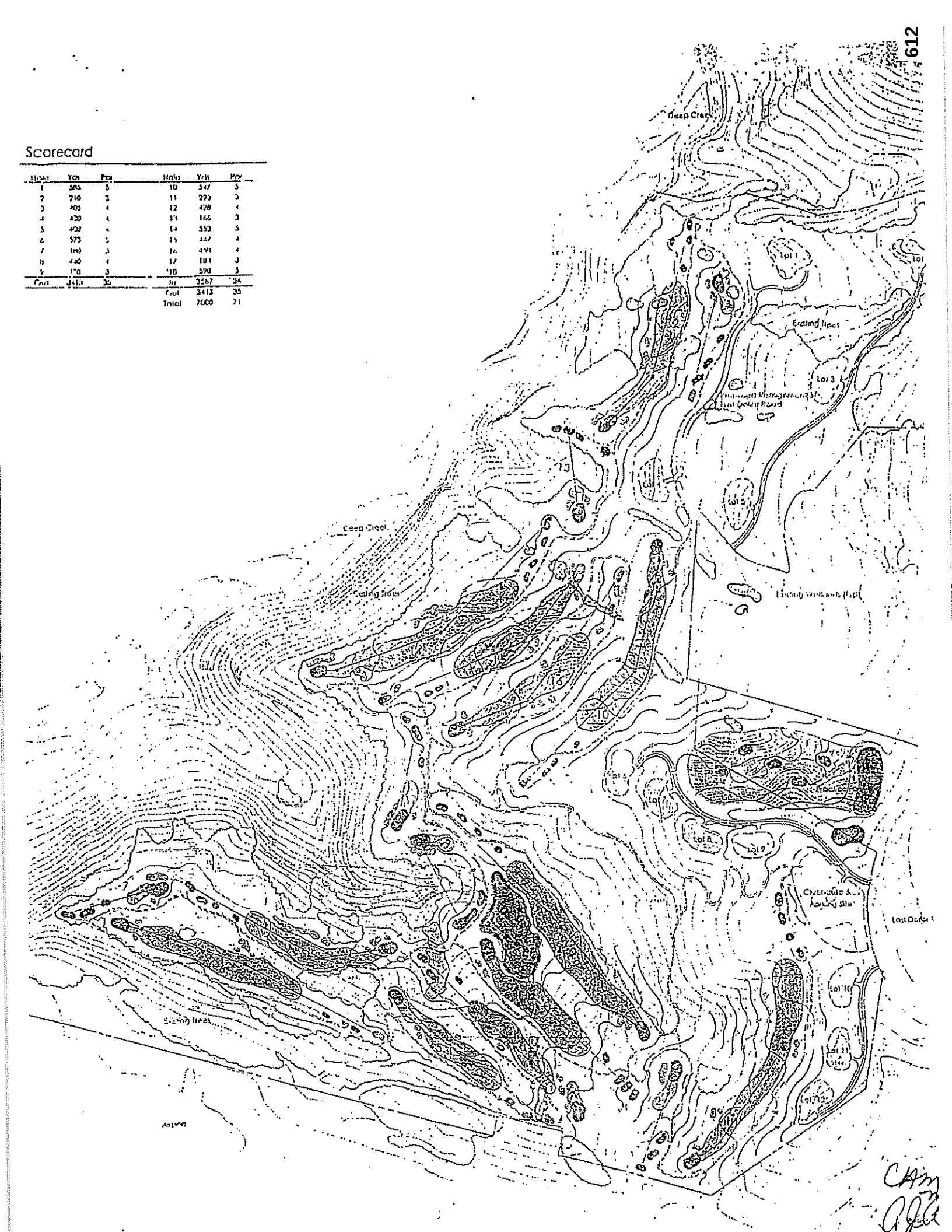


Exhibit 4

AGREEMENT
Regarding
Aldasoro PUD Agreement Dated February 7, 1991

This Agreement is entered into this ____ date of _____, 1999, by and among Aldasoro Brothers, a Colorado general partnership, Aldasoro Ltd., a Colorado limited partnership, (collectively, "Aldasoro") and Aberdeen Investments, Inc., a Colorado corporation ("Aberdeen").

Whereas, Aldasoro, Ltd., a Colorado limited partnership entered into that certain PUD Agreement dated February 7, 1991, as amended and supplemented, by and between Aldasoro and San Miguel County recorded February 8, 1991, in Book 474 at Page 850, in the records of the Clerk and Recorded of San Miguel Count ("PUD Agreement");

Whereas, Aldasoro, as Seller and Aberdeen, as Buyer executed that certain Contract for Sale dated March 9, 1999 wherein Aberdeen purchased 385 acres of the Sheep Ranch as more particularly described in Exhibit DIA-5 and DIA-6 attached hereto and incorporated herein by this reference ("385 Acre Parcel");

Whereas, certain provision of the PUD Agreement apply to the Sheep Ranch;

Whereas, the 385 Acre Parcel is part of the Sheep Ranch and is therefore subject to certain provisions of the PUD Agreement;

Whereas, the parties desire to specify the duties, obligations, burdens, benefits and rights of Aberdeen and Aldasoro with respect to certain PUD provisions on the terms and conditions contained herein:

Now Therefore, the parties agree as follows:

1. The following provisions of the PUD Agreement ("Applicable PUD Provisions") shall continued in full force and effect and shall continue to be applicable to the 385 Acre Parcel:

Paragraphs: 4.1.1, 4.1.3, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 11.4 11.5, 11.6, 17.2, and 24.3.

2. **Zoning.** Pursuant to Paragraph 24.3 of the PUD Agreement, the Sheep Ranch, including the 385 Acre Parcel shall remain zoned Forestry, Agricultural, and Open Zone District, unless otherwise agreed by Aldasoro and

Aberdeen. The Sheep Ranch, including the 385 Acre Parcel shall be subject to San Miguel County Land Use Code Section 5-307.

3. **Real Estate Transfer Assessment.** Pursuant to Paragraph 4.1.1 of the PUD Agreement, Aberdeen shall assume the duty, obligation and burden of paying to the appropriate governmental entity a Real Estate Transfer Assessment ("RETA") in the amount of 3/4 of 1% on all transfers of any portion of the 385 Acre Parcel containing less than or equal to one hundred (100) acres. Aberdeen shall indemnify and hold harmless Aldasoro from any and all liabilities, costs or claims arising out of the imposition of any RETA in connection with any conveyance of a parcel containing less than or equal to 100 acres of the 385 Acre Parcel that is subject to the RETA.

4. **Last Dollar Road.** Aldasoro shall convey to Aberdeen a non-exclusive easement granting to Aberdeen a sixty (60) foot right-of-way over, through and across Last Dollar Road. Such sixty (60) foot right-of-way shall extend thirty (30) feet on either side of the center line of the Last Dollar Road as traveled, except for those portions of Last Dollar Road where Seller does not own thirty (30) feet on either side of Last Dollar Road.

5. **Dogs.** Pursuant to Paragraph 11.5 of the PUD Agreement, Aberdeen acknowledges and agrees that no dogs, except working dogs, shall be allowed anywhere within the 385 Acre Parcel.

6. **Intercept Parking Lot.** Pursuant to Paragraph 4.1.3 of the PUD Agreement, Aldasoro shall reserve for the benefit of Aberdeen a site within the proposed Airport Park to provide for an intercept parking lot of a sufficient size to accommodate the maximum number of parking spaces that may be required by San Miguel County with regards to the a 385 Acre Parcel.

7. **Vegetation Management.** Pursuant to Paragraph 11.4 of the PUD Agreement, Aldasoro assigns all of its duties, obligations, burdens, benefits and rights with regards to the development of a vegetation management program in cooperation within the boundaries of the 385 Acre Parcel. Aldasoro shall have no control over the development of such vegetation management program affecting the 385 Acre Parcel. Aberdeen shall have no control over the development of a vegetation management program affecting the remaining property of the Sheep Ranch owned by Aldasoro or third parties.

8. **Building Sites.** Aldasoro assigns to Aberdeen all of its duties, obligations, burdens, benefits and rights under Paragraph 11.6 of the PUD Agreement, with regards to locating building site envelopes in cooperation with the Division of Wildlife within the 385 Acre Parcel. Aldasoro shall have no control over the location of building site envelopes within the 385 Acre Parcel. Aberdeen shall have no control over the location of building site envelopes

within the remaining property of the Sheep Ranch owned by Aldasoro or third parties.

9. **No Further Amendment to PUD Agreement.** Aldasoro agrees that they will not execute or agree to any amendments, modifications or supplements to the Applicable PUD Provisions without the prior written consent of Aberdeen.

10. **Aldasoro Liability.** Pursuant to Paragraph 17.2 of the PUD Agreement, Aldasoro shall remain responsible to San Miguel County for the performance of the duties and obligations of the Applicable PUD Provisions.

11. **Indemnification.** Aberdeen shall indemnify and hold harmless Aldasoro against any and all claims, liabilities and costs arising out of Aberdeen's failure to perform the obligations assumed pursuant to this Agreement. Aldasoro shall indemnify and hold harmless Aberdeen against any and all claims, liabilities and costs arising out of Aldasoro's failure to perform its obligations under the PUD Agreement.

12. This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by the laws of the State of Colorado.

13. Unless otherwise defined herein, initially capitalized terms defined in the PUD Agreement shall have the same meaning herein.

In Witness Whereof, the parties hereto have executed this Agreement this _____day of _____, 1999.

Aldasoro Brothers,
A Colorado General Partnership

By:_____ Dated:_____
Albert Aldasoro, Managing Partner

Aldasoro Ltd.,
A Colorado Limited Partnership

By:_____ Dated:_____
Albert Aldasoro, President

Attest By:_____ Dated:_____
Cristine Mitchell, Secretary

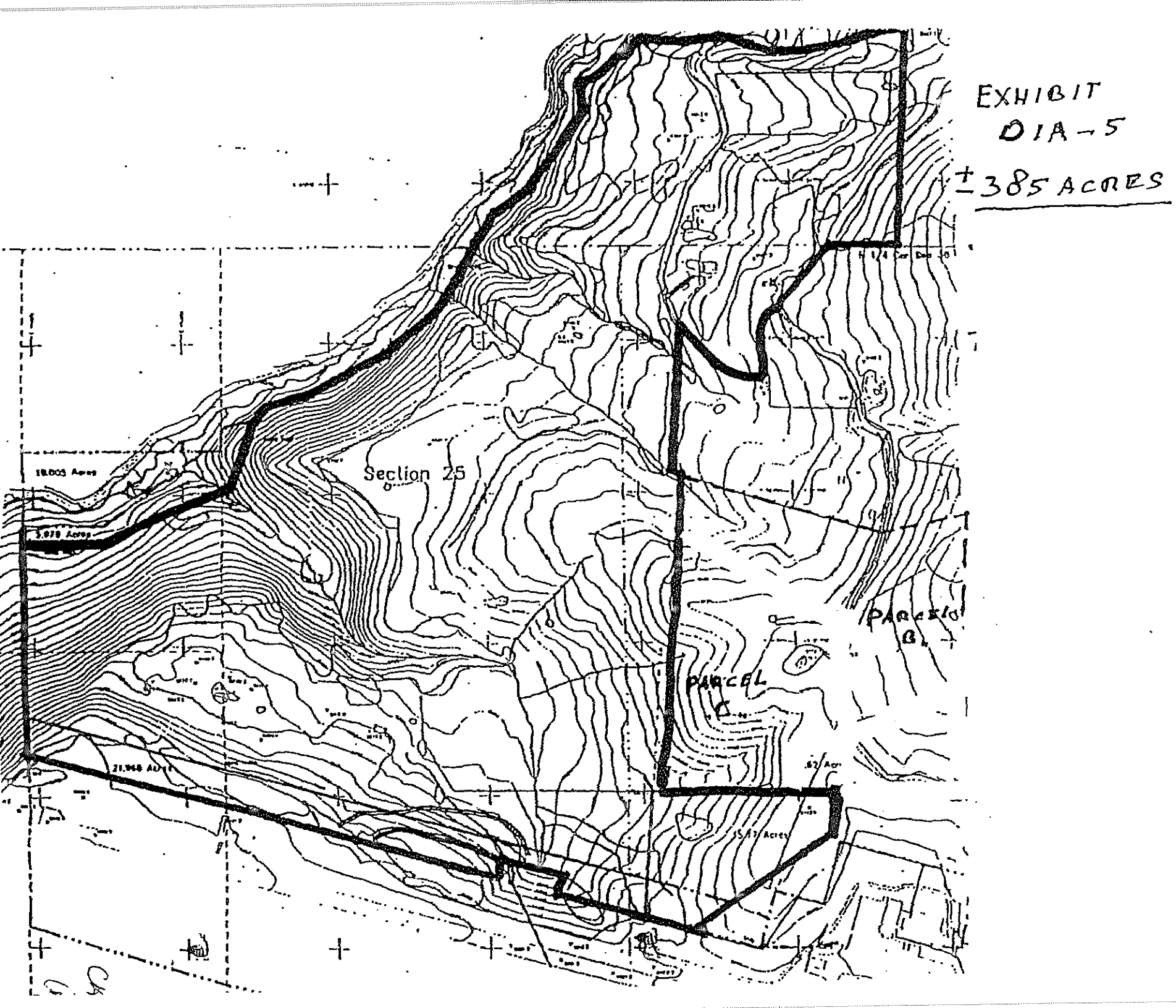

EXHIBIT
OIA-5
±385 ACRES
Section 25
PARCEL
C
PARCEL
B

EXHIBIT 3

296713 01/11/1995 10:53A B: PL81 P:1794
Gay Cappie, County Clerk, San Miguel County, CO

296713
PLAT
ALDASORO LTD
TO
CORRALS AT DEEP CREEK MESA

STATE OF COLORADO, COUNTY OF SAN MIGUEL } ss.
RECEPTION NUMBER 296713 10:53 AM, JAN. 11, 1995
BOOK 1 PAGE 1794
GAY CAPPIE
By Dixie Wellington Deputy
FEES $ 10.00

PARCEL A
1,525,035 sq.ft.
35.010 acres ±

PARCEL B

PARCEL B
1,525,035 sq.ft.
35.010 acres ±

PARCEL C
1,525,035 sq.ft.
35.010 acres ±

GRAPHIC SCALE
(IN FEET)
1 inch = 200 ft.

BASIS OF BEARING: EAST BOUNDARY LINE AS SHOWN COMMON WITH WEST BOUNDARY OF THE ALDASORO RANCH FILING 2 AS FILED IN PLAT BOOK 1, PAGES 1408-1420, RECORDED AS S 04°04'34" W

LEGEND
- PROPERTY BOUNDARY
- CENTERLINE OF 30' DITCH AND SUBSURFACE UTILITY EASEMENT
- CENTERLINE OF VEHICULAR, PEDESTRIAN AND SUBSURFACE UTILITY EASEMENT
- EXISTING FENCE LINE
- FOUND 3 1/4" BRASS CAP ON 2 1/2" PIPE, BLM 1976
- FOUND PIN & CAP, L.S. 20632 (BANNER)
- SET NO. 5 REBAR AND CAP, L.S. 17509
- FOUND PIN & CAP, L.S. 20125 (CALLARD-THOMPSON)

LINE	DIRECTION	DISTANCE
A-1	S 13°39'00" E	29.68
A-2	S 76°21'00" E	93.72
A-3	S 14°17'31" E	87.32
A-4	S 14°17'31" E	89.74
A-5	S 37°20'04" W	23.48
A-6	S 52°39'56" E	20.00
A-7	S 00°48'42" E	46.14
A-8	S 89°20'26" E	5.37
A-9	S 00°39'34" W	41.97
A-10	S 69°23'47" E	16.20
A-11	S 89°20'26" E	19.80
A-12	S 37°20'04" W	67.80
A-13	S 89°20'26" E	53.52
A-14	S 00°39'34" W	80.36
A-15	S 89°20'26" E	80.36
A-16	S 00°39'34" W	80.36
A-17	S 89°20'26" E	80.36
B-1	S 37°20'04" W	88.59
B-2	S 34°19'08" W	44.46
B-3	S 89°20'26" E	26.18
B-4	S 89°20'26" E	59.48
B-5	S 89°20'26" E	19.80
B-6	S 01°39'01" W	69.02
B-7	S 89°20'26" E	79.71
B-8	S 89°20'26" E	13.00
B-9	S 89°20'26" E	13.00
B-10	S 89°20'26" E	90.07
B-11	S 89°20'26" E	20.00
B-12	S 39°49'29" W	39.30
B-13	S 89°20'26" E	28.50
B-14	S 01°39'01" W	30.53
B-15	S 89°20'26" E	20.00
B-16	S 01°39'01" W	30.53
B-17	S 89°20'26" E	20.00
B-18	S 01°39'01" W	30.53
B-19	S 89°20'26" E	20.00
B-20	S 01°39'01" W	94.08
B-21	N 89°49'37" W	58.37
B-22	N 89°20'26" W	43.00
B-23	N 89°20'26" W	94.20
B-24	N 89°20'26" W	34.43
B-25	N 89°20'26" W	34.43
B-26	S 01°39'34" W	24.98
B-27	S 89°20'26" E	93.99
B-28	N 89°20'26" W	93.99
B-29	S 89°20'26" E	93.99
B-30	S 89°20'26" E	93.99
B-31	S 89°20'26" E	93.99
B-32	S 89°20'26" E	93.99

EXHIBIT 4

620

336898 336898
Page 1 of 3
SAN MIGUEL COUNTY, CO
GAY CAPPIS CLERK-RECORDER
09/25/2000 10:28 AM Recording Fee $15.00

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:

Robert Erie, Esquire
P.O. Box 1247
220 East Colorado Avenue, Suites 213 & 214
Telluride, CO 81435

Space above this Line Reserved for Use by the Recorder

MEMORANDUM OF PURCHASE CONTRACT PROVISION

Contract:	Vacant Land/Farm and Ranch Contract to Buy and Sell Real Estate
Date of Contract:	March 5, 1999
Sellers:	Aldasoro Brothers, a Colorado general partnership, and Aldasoro, Ltd., a Colorado limited partnership
Buyers:	Diamond Ranch, LLC, a Colorado limited liability company, and CPV, Inc., a Colorado corporation, assignees of Aberdeen Investments, Inc., a Colorado corporation
Legal Description:	Attached hereto as Schedule A (2 pages)

NOTICE: Pursuant to this Memorandum, all parties are put on notice of the existence of a provision of the March 5, 1999 Purchase Contract which states that the property legally described herein shall be subdivided into 35 acre residential lots and developed as such. Any other use of said property shall be subject to the prior approval of Seller in Seller's sole and absolute discretion. Provided, however, solely with respect to Parcel C, according to the Plat of the Corrals at Deep Creek, the Contract restriction set forth herein above shall not apply to Parcel C only in the event that Buyer is permitted by San Miguel County to subdivide Parcel C into more than one residential lot. If so permitted by San Miguel County, the development of Parcel C shall be limited to two residential lots which when combined shall not contain more acreage than Parcel C presently does and which lots shall not include any land not presently a part of Parcel C.

Dated this 22 day of September, 2000.

Aldasoro Brothers, a Colorado general partnership

By: Albert J. Aldasoro
Albert J. Aldasoro, Managing General Partner

SIGNATURES CONTINUE ON THE FOLLOWING PAGE

UNOFFICIAL DOCUMENT

Aldasoro, Ltd, a Colorado limited partnership,
by Aldasoro Development Corporation, a Colorado corporation, its sole general partner

By: Albert J. Aldasoro
Albert J. Aldasoro, President

Diamond Ranch, LLC, a Colorado limited liability company

By: Angela N Elliott as power of attorney for Jack A. Vickers III
Jack A. Vickers III, Manager

CPV, Inc., a Colorado corporation

By: Angela N Elliott as power of attorney for Jack A. Vickers III
Jack A. Vickers III, President

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by Albert J. Aldasoro, Managing General Partner of Aldasoro Brothers, a Colorado general partnership.

Witness my hand and official seal.

My commission expires:
5/30/2002

AARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

UNOFFICIAL DOCUMENT

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by Albert J. Aldasoro, President of Aldasoro Development Corporation, a Colorado corporation, the sole general partner of Aldasoro Ltd., a Colorado limited partnership.

Witness my hand and official seal.

My commission expires: 5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO)
) ss.
COUNTY OF San Miguel)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by * Jack A. Vickers III, Manager of Diamond Ranch, LLC, a Colorado limited liability company.

* Angela N. Elliott as attorney in fact for

Witness my hand and official seal.

My commission expires:
5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

STATE OF COLORADO)
) ss.
COUNTY OF San Miguel)

The foregoing memorandum was acknowledged before me this 22nd day of September, 2000, by * Jack A. Vickers III, President of CPV, Inc., a Colorado corporation.

* Angela N. Elliott as attorney in fact for

Witness my hand and official seal.

My commission expires: 5/30/2002

Notary Public

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

UNOFFICIAL DOCUMENT

EXHIBIT 5

624

FROM DEED ALDASORO TO DIAMOND.

EXHIBIT WD-DIA-2

1. Taxes for the year 2000 and subsequent years, a lien not yet due and payable.

2. Substitute Easement Agreement between the Lulu May Lloyd Von Hagen Trust and Aldasoro LTD., a Colorado limited partnership, recorded July 1, 1994 in Book 531 at page 837; SUBJECT TO the terms, conditions, provisions and obligations of said Agreement. (Parcel C, Corrals at Deep Creek)

3. Boundaries, fences, ditches, surface and subsurface utility easements, vehicular and pedestrian easements, and all other matters disclosed on the Plat of the subdivision recorded in Plat Book 1 at page 1794. (Parcel C, Corrals at Deep Creek)

4. Reservations, conditions, assessments, easements, options, covenants, agreements and limitations on title, and all other provisions contained in, or incorporated by reference into the General Declaration for The Corrals at Deep Creek Mesa, recorded September 13, 1995 in Book 550 at page 661, as amended or supplemented. (Parcel C, Corrals at Deep Creek)

5. Easement to U S West Communications, Inc., a Colorado corporation, recorded February 13, 1996 in Book 557 at page 244; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

6. Paragraphs 4.1.1, 4.1.3, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 11.4, 11.5, 11.6, 17.2 (Change of Ownership) and 24.3 of the Resolution of the Board of County Commissioners, San Miguel County, Colorado, Granting Preliminary Approval for the Aldasoro Ranch Planned Unit Development, recorded February 8, 1991 in Book 474 at page 850, and the First Technical Amendment to the Preliminary Development Plan Approval for The Aldasoro Ranch Planned Unit Development recorded March 21, 1991 in Book 475 at page 860, and Agreement Regarding Aldasoro PUD Agreement dated September 22, 2000 recorded 9-25-00 at Reception No. 336895; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

7. Right of Way for Last Dollar Road (County Road T60).

8. Easement Deed, recorded July 28, 1997 in Book 584 at page 396; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

9. Easement Deed, recorded March 9, 1998, at Reception No. 317402; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

10. Easement Deed, recorded January 28, 1999, at Reception No. 323927; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

11. Easement Deed, recorded 9-25-00, in Reception No. 336894; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

12. Resolution #2000-3 of the Planning Commission of San Miguel County, Colorado, denying a Special Use Permit for a Golf Course on Deep Creek Mesa, recorded March 1, 2000 at Reception No. 332735; SUBJECT TO the terms, conditions, provisions and obligations contained therein.

13. Any leases and/or tenancies.

14. Drainage Courses; Dirt Roads; Fences and Fencelines, discrepancies between fences and fencelines and property lines; Last Dollar Road (County Road T60); Vehicular, Pedestrian, and Subsurface Utility Easement; 30' Ditch and Subsurface Utility Easement; 16.5' Telecommunications Easement per Book 557 at page 244; 60' Substitute Easement per Book 531 at page 837; as disclosed by Improvement Survey Plat, dated September 15, 2000, by Alan E. Jacobsen, L.S. 28652, San Juan Surveying Inc.

625

FROM ALDASORO RANCH PUD

WHEREAS, at the present time Aldasoro intends to maintain the P.U.D., the Sheep Ranch and the Airport Park as a bona fide ranching operation, subject to the final platting that may occur in the P.U.D.; and

WHEREAS, Aldasoro desires to have the Sheep Ranch rezoned to the Forestry, Agricultural and Open Zone District.

NOW THEREFORE, be it resolved that:

24.1 P.U.D. The P.U.D. is hereby rezoned to the Low Density Zone District and shall be allowed those uses more specifically identified from time to time on final plats approved by the County and recorded within the P.U.D.

24.2 Airport Park. The Airport Park is hereby rezoned to a Low Intensity Industrial Zone District.

24.3 Sheep Ranch. The Sheep Ranch is hereby rezoned to Forestry, Agricultural and Open Zone District.

25. RECREATIONAL AMENITIES.

WHEREAS, it is an objective of the Master Plan to balance growth in the Telluride Region with the provision of recreational amenities; and

WHEREAS, Aldasoro is required to mitigate the impacts created by the owners, residents, guests, lessees, licensees and invitees of the P.U.D.

NOW THEREFORE, be it resolved that:

25.1 Trails. Aldasoro shall construct and complete the trail system discussed in paragraph 16 of this P.U.D. Plan before the Actual Population, as defined in paragraph 26.3, reaches 400 people, excluding Accessory Dwelling Unit density. The construction timeframe condition set forth in the

EXHIBIT 6

336895
Page 1 of 8
SAN MIGUEL COUNTY, CO
GAY CAPPIS CLERK-RECORDER
09/25/2000 10:17 AM Recording Fee $40.00

336895

627

AGREEMENT REGARDING ALDASORO PLANNED UNIT DEVELOPMENT APPROVAL DATED FEBRUARY 7, 1991

This Agreement is entered into this 22nd day of September, 2000 by and among Aldasoro Brothers, a Colorado general partnership and Aldasoro Ltd. a Colorado limited liability company on the one hand (collectively "Aldasoro") and Diamond Ranch LLC, a Colorado limited liability company and CPV, Inc. a Colorado corporation on the other hand, ("DRLLC / CPVINC") with reference to the following facts:

1. Aldasoro, Ltd. executed that certain Preliminary Development Plan Approval For The Aldasoro Ranch Planned Unit Development dated February 7, 1991, as amended and supplemented, recorded February 8, 1991 in Book 474 at Page 850 in the records of the Clerk and Recorder of San Miguel County, Colorado ("PUD Agreement");

2. Aldasoro as Seller and Aberdeen Investments, Inc., a Colorado corporation as Buyer executed that certain Vacant Land / Farm And Ranch Contract to Buy And Sell Real Estate dated March 5, 1999 for the purchase and sale of the real property legally described in Exhibit A hereto containing 420 acres ("Diamond Property"), and DRLLC/CPVINV are assignees of Buyer's rights under said Contract as to 350 acres and 70 acres of the Diamond Property respectively.

3. Certain provisions of the PUD Agreement apply to the "Sheep Ranch" as described therein;

4. All of the Diamond Property except for Parcel C, Corrals At Deep Creek Mesa is included within the "Sheep Ranch" and is therefore subject to the provisions of the PUD Agreement which apply to the "Sheep Ranch";

5. Aldasoro and DRLLC/CPVINC intend by this Agreement to specify the duties, obligations, burdens, benefits and rights of the parties with respect to those provisions of the PUD Agreement which apply to the Diamond Property.

NOW THEREFORE, the parties agree as follows:

1. The following provisions of the PUD Agreement ("Applicable PUD Provisions") shall continue to be applicable to the Diamond Property and shall continue in full force and effect:

Paragraphs 4.1.1, 4.1.3, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 11.4, 11.5, 11.6, and 24.3.

2. Zoning. Pursuant to paragraph 24.3 of the PUD Agreement, the Sheep Ranch, including the Diamond Property shall remain zoned Forestry, Agricultural, and Open Zone District, unless otherwise agreed by Aldasoro and

DRLLC/CPVINC. The Sheep Ranch, including the Diamond Property shall be subject to San Miguel County Land Use Code, Section 5-307.

3. **Real Estate Transfer Assessment.** Pursuant to paragraph 4.1.1 of the PUD Agreement, DRLLC/CPVINC shall assume the duty, obligation and burden of paying to the appropriate governmental entity a Real Estate Transfer Assessment ("RETA") in the amount of 3/4 of 1% on all transfers of any portion of the Diamond Property containing less than or equal to one hundred (100) acres. DRLLC/CPVINC shall indemnify and hold harmless Aldasoro from any and all liabilities, costs, or claims arising out of the imposition of any RETA in connection with the conveyance of any parcel of the Diamond Property containing less than or equal to one hundred (100) acres.

4. **Last Dollar Road.** Aldasoro shall convey to DRLLC/CPVINC a non-exclusive easement granting to DRLLC/CPVINC a sixty (60) foot right-of-way over, across, under and through Last Dollar Road for vehicular, pedestrian and equestrian access, ingress and egress. Such sixty (60) foot right-of-way shall extend thirty (30) feet on either side of the center line of Last Dollar Road as traveled, except for those portions of Last Dollar Road where Aldasoro does not own thirty (30) feet on either side of Last Dollar Road in which case Aldasoro shall convey a thirty (30) foot right-of-way on the side of Last Dollar Road owned by Aldasoro. No right-of-way greater than the existing location of the traveled surface of Last Dollar Road shall be granted which encroaches within 600 feet of any improvement, including, but not limited to springs, corrals, sheds, silos, houses, septic fields and barns located on any homestead, whether occupied or unoccupied, located on the Sheep Ranch. Pursuant to paragraphs 4.1.6, 4.1.7, and 4.1.8, within six (6) months of a demand therefor from Aldasoro, DRLLC/CPV shall dedicate Last Dollar Road to San Miguel County, provided however that DRLLC/CPV may request San Miguel County to accept said dedication prior to such demand; if San Miguel County does not accept such a request from DRLLC/CPV, DRLLC/CPV's obligation to make the dedication at the demand of Aldasoro shall remain in full force and effect. Said dedication shall reserve for DRLL/CPVINC access to the Diamond Property.

5. Dogs. Pursuant to paragraph 11.5 of the PUD Agreement, DRLLC/CPVINC acknowledges and agrees that no dogs, except working dogs, shall be allowed anywhere within the Diamond Property at any time.

6. **Intercept Parking Lot.** Pursuant to paragraph 4.1.3 of the PUD Agreement, Aldasoro shall reserve for the benefit of DRLLC/CPVINC and its successors and assigns, a site ("Site") within the proposed Airport Park (aka Airport Site) for an intercept parking lot that is sufficient to meet the demands of San Miguel County with regard to the Diamond Property as developed into 35 acre parcels. The dimensions of the Site shall be proportionate to the requirements of DRLLC/CPVINC as required by San Miguel County relative to DRLLC/CPVINC's future subdivision of the Diamond Property into 35 acre parcels. DRLLC/CPVINC's use of the Site shall be at no charge to DRLLC/CPVINC except that constructing, improving and maintaining the Site shall be at the sole cost of DRLLC/CPVINC.

7. **Vegetation Management.** Pursuant to paragraph 11.4 of the PUD Agreement, Aldasoro assigns, and DRLLC/CPVINC accepts, all of Aldasoro's duties, obligations, burdens, benefits and rights with regard to the development of a vegetation management program within the boundaries of the Diamond Property as determined by the Division of Wildlife and DRLLC/CPVINC. Aldasoro shall have no control over the development of a vegetation management program within the Diamond Property. DRLLC/CPVINC shall have no control over the development of a vegetation management program within the remaining property of Sheep Ranch owned by Aldasoro or third parties.

8. **Building Site Envelopes.** Aldasoro assigns to DRLLC/CPVINC, and DRLLC/CPVINC accepts, all of Aldasoro's duties, obligations, burdens, benefits and rights under paragraph 11.6 of the PUD Agreement with regard to locating building site envelopes in cooperation with the Division of Wildlife within the Diamond Property. Aldasoro shall have no control over the location of building site envelopes within the Diamond Property. DRLLC/CPVINC shall have no control over the location of building site envelopes within the remaining property of the Sheep Ranch owned by Aldasoro or third parties.

9. **No Further Amendment To PUD Agreement.** Aldasoro agrees that it will not execute or agree to any amendments, modifications or supplements to the Applicable PUD Provisions which relate to the Diamond Property without the prior written consent of DRLLC/CPVINC.

11. **Recordation.** Aldasoro shall record this Agreement with the San Miguel County Clerk and Recorder immediately at the close of DRLLC/CPVINC's purchase of the Diamond Property.

12. Continuing Aldasoro - DRLLC/CPVINC Liability. DRLLC and CPVINC may assign the obligations assumed by them under the PUD Agreement to their successors and assigns whereupon Aldasoro, DRLLC/CPVINC shall be relieved of any further obligation under the PUD Agreement.

13. Indemnification. DRLLC shall indemnify and hold Aldasoro harmless against any and all claims, liabilities and costs arising out of the failure by DRLLC to perform the obligations assumed pursuant to this Agreement with respect to the 350 acres of the Diamond Property to be owned by DRLLC. Aldasoro shall indemnify and hold DRLLC harmless against any and all claims, liabilities and costs arising out of Aldasoro's failure to perform its obligations under the PUD Agreement as such relates to the remaining property of the Sheep Ranch. CPVINC shall indemnify and hold Aldasoro harmless against any and all claims, liabilities and costs arising out of the failure by CPVINC to perform the obligations assumed pursuant to this Agreement with respect to the 70 acres of the Diamond Property to be owned by CPVINC. Aldasoro shall indemnify and hold CPVINC harmless against any and all claims, liabilities and costs arising out of Aldasoro's failure to perform its obligations under the PUD Agreement as such relates to the remaining property of the Sheep Ranch.

12. This Agreement shall be construed in accordance with, and all disputes hereunder shall be governed by the laws of the State of Colorado

13. Unless otherwise defined herein, initially capitalized terms defined in the PUD Agreement shall have the same meaning herein.

14. This Agreement contains the entire agreement of the parties with regard to the subject matter hereof and all prior agreements with respect to the subject matter hereof are merged with and integrated into this Agreement.

15. No modification of this Agreement will be binding upon any party unless reduced to writing and signed by all parties. The failure of any party to insist upon strict performance of any provision of this Agreement will not be construed as a waiver of any provision of this Agreement.

16. In the event of any dispute pertaining to this Agreement, including litigation, the prevailing party will be entitled to recover reasonable attorney's fees and costs from the other party.

UNOFFICIAL DOCUMENT

17. If any provision of this Agreement is declared unenforceable or invalid for any reason, such declaration will have no effect on the other provisions of this Agreement. If any such provision is declared unenforceable or invalid due to its scope or breadth, such provision will be deemed valid to the extent of the scope or breadth permitted by law.

18. This Agreement may be executed in one or more counterparts, each of which when executed shall be deemed an original but all of which taken together shall constitute one and the same agreement.

UNOFFICIAL DOCUMENT

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

In Witness Whereof, the parties hereto have executed this Agreement this 2nd day of September, 2000.

Aldasoro Brothers

By Albert J. Aldasoro
Albert J. Aldasoro
Managing Partner

Aldasoro Ltd. a Colorado Limited Partnership by Aldasoro Development, a Colorado corporation, its sole general partner

By Albert J. Aldasoro
Albert J. Aldasoro, Pres.

By Angela M. Petersen
~~Christine Mitchell~~, Sec.
ANGELA M. PETERSEN, ASSISTANT

Diamond Ranch LLC, a Colorado limited liability company

By Jack A. Vickers III
Jack A. Vickers III, Mgr.

CPV, Inc. a Colorado corporation

By Jack A. Vickers III
Jack A. Vickers III, Pres.

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing instrument was acknowledged before me this 2nd day of September, 2000 by Albert J. Aldasoro, Managing partner of Aldasoro Brothers and Albert J. Aldasoro, President of Aldasoro Development, a Colorado * Witness my hand and official seal.
My commission expires 5/30/2002.

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

* Corporation, sole General partner of Aldasoro Ltd, a Colorado limited partnership.

UNOFFICIAL DOCUMENT

STATE OF COLORADO)
) ss.
COUNTY OF SAN MIGUEL)

The foregoing instrument was acknowledged before me this 22nd day of September, 2000 by ~~Christine Mitchell~~ Angela M. Petersen, Assistant Secretary of Aldasoro Development, a Colorado corporation, sole General partner of Aldasoro Ltd, a Colorado limited partnership

Witness my hand and official seal.
My commission expires 5/30/2002

SHARON HELWIG-MILLER
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF ~~SAN MIGUEL~~ Douglas)

The foregoing instrument was acknowledged before me this 22nd day of September, 2000 by Jack A. Vickers, III

ANGELA N. ELLIOTT NOTARY PUBLIC STATE COLORADO

Witness my hand and official seal.
My commission expires 8/9/03.

Angela N Elliott
Notary Public

UNOFFICIAL DOCUMENT

EXHIBIT A.

REVISED LEGAL DESCRIPTION
DIAMOND PROPERTY
9/6/00

Portions of Sections 19 and 30, Township 43 North, Range 9 West, N.M.P.M. and a portion of Section 25, Township 43 North, Range 10 West, N.M.P.M. described as follows:

Beginning at the North ¼ corner of said Section 30 (the same being an angle point in the North line of Parcel A of the Plat of the Corrals at Deep Creek Mesa, as recorded in plat Book 1 at Page 1794, records of San Miguel County Colorado); thence N 89° 48' 32" W (recorded as N 89° 49' 08" W) along the North line of said Parcel A, 442.62 feet to the northwest corner of said Parcel A; thence S 41° 23' 06" W, 530.63 feet to the most westerly corner of said Parcel A; thence S 10° 25' 55" W, 36.18 feet to a point in the northerly line of that certain property described in the Deed recorded in Book 349 at Page 866 (6/25/74), said point being the beginning of a non-tangent curve concave to the southeast and having a radius of 79.40 feet (a radial line passing through said point bears S 20° 19' 42" E); thence southwesterly along said curve through a central angle of 55° 36' 00", an arc distance of 77.05 feet; thence S 14° 04' 18" W, 59.95 feet to the beginning of a curve, concave easterly and having a radius of 270.00 feet; thence southerly along said curve through a central angle of 22° 47' 30", an arc distance of 107.40 feet; thence S 8° 43' 12" E, 212.65 feet to an angle point in the North line of Lot 2 of the Plat of Deep Creek Ranch as recorded in plat Book 1 at Page 809, records of San Miguel County; thence S 77° 18' 55" W, along the northerly line of said Lot 2, 100.10 feet to an angle point therein; thence N 70° 21' 11" W, 223.78 feet to the corner common to Lots 1 and 2 per said Plat of Deep Creek Ranch; thence N 52° 09' 13" W along the northeasterly line of said Lot 1, 134.01 feet to an angle point therein; thence N 45° 17' 45" W, 81.74 feet; thence N 39° 36' 06" W, 193.95 feet to the most northerly corner of said Lot 1; thence S 03° 40' 36" W along the westerly line of said Lot 1, 372.19 feet to an angle point therein; thence S 04° 05' 45" W along said westerly line 448.45 feet to the most southerly corner of said Lot 1; thence S 02° 59' 51" E along the westerly line of that parcel defined as "common area" per the plat of said Deep Creek Ranch, 113.89 feet to an angle point therein; thence S 72° 40' 45" E along the southwesterly line of said "common area", 70.49 feet to the northwest corner of Parcel B per the said plat of The Corrals at Deep Creek Mesa; thence S 04° 08' 38" W along the westerly line of said Parcel B, 394.54 feet to the southwest corner of said Parcel B; thence S 59° 48' 36" E, 1255.22 feet to the corner common to Parcels B and C; thence along the line common to said Parcels B and C, S 12° 43' 54" W, 204.86 feet to the beginning of a curve concave easterly and having a radius of 500.00 feet; thence southerly along said curve, through a central angle of 20° 32' 28", an arc distance of 179.25 feet (chord bearing S 02° 27' 40" W, 178.30 feet); thence S 7° 48' 34" E, 165.72 feet to the beginning of a curve, concave northeasterly and having a radius of 500.00 feet; thence southeasterly along said curve through a central angle of 15° 20' 50", an arc distance of 133.93 feet (chord bearing S 15° 28' 59" E, 133.53 feet) to the corner common to said Parcels B and C; thence N 68° 21' 54" E along the southeasterly line of said Parcel B, 30.01 feet to the beginning of a non-tangent curve, concave to the northeast and having a radius of 470.00 feet; thence southeasterly along said curve through a central angle of 15° 56' 49" an arc distance of 130.81 feet (chord bearing S 31° 13' 38" E , 130.39 feet; thence S 39° 12' 02" E, 176.39 feet to the beginning of a curve, concave to the northeast and having a radius of 170.00 feet; thence easterly along said curve through a central angle of 50° 52' 03", an arc distance of 150.93 feet (chord bearing S 64° 38' 03" E, 146.02 feet); thence N 89° 55' 55" E, 100.77 feet; thence S 00° 00' 00" W, 116.01 feet; thence N 89° 31' 15" W, 408.16 feet; thence S 14° 57' 31" W, 759.41 feet to a corner of that certain property as described in the Deed recorded in Book 478 at Pages 975-980 (Telluride Regional Airport); thence N 75° 02' 29" W, 327.05 feet to an angle point therein; thence S 15° 11' 24" W, 375.18 feet to an angle point therein; thence N 74° 46' 48" W, 1374.53 feet to an angle point therein; thence N 15° 13' 12" E, 130.00 feet to an angle point therein; thence N 74° 46' 36" W, 399.99 feet to an angle point therein; thence S 15° 08' 38" W, 130.16 feet to an angle point therein; thence N 74° 47' 15" W, 3219.65 feet to a point in the west line of the SE1/4 said Section 25; thence N 00° 07' 12" E, 666.78 feet to the center 1/4 corner of said Section 25; thence N 00° 08' 51" E along the West line of the NE1/4 said section 25, 130.88 feet; thence N 54° 09' 37" E, 3259.75 feet; thence N 37° 40' 59" E, 2462.39 feet; thence S 82° 12' 18" E, 883.00 feet; thence N 85° 24' 42" E, 827.90 feet to the center south 1/16 corner said Section 19; thence S 03° 44' 48" W, 1322.51 feet to the Point of Beginning.

The above described parcel of land containing 420.22 acres.

COLORADO REGISTERED ALAN ERIC JACOBSEN 17652 PROFESSIONAL LAND SURVEYOR

EXHIBIT 7

AGREEMENT REGARDING REPLAT

THIS AGREEMENT REGARDING REPLAT ("**Agreement**") is entered into and made effective as of December 31, 2015 ("**Effective Date**") by and between STW Castle Pines, Ltd., a Texas Limited Partnership, STW Interests, Ltd., A Texas Limited Partnership, and JWI Partners, Ltd., a Texas Limited Partnership (collectively "**Seller**"), the Morgan and Sarah Smith Family Trust of 2000, as amended and restated 2012 ("**Buyer**"), and Diamond Ranch, LLC, a Colorado limited liability company ("**Diamond Ranch**") and Diamond Ridge Telluride LLC, a Colorado limited liability ("**Diamond Ridge**"). Seller, Buyer, Diamond Ranch and Diamond Ridge are sometimes each sometimes individually referred to as a "**Party**" and sometimes collectively as the "**Parties**".

Defined Terms:

Contract	shall mean that certain Contract For Purchase and Sale of Real Estate by and between Buyer and Seller dated September 2, 2015 and Addendum attached thereto, as amended for the purchase and sale of Lot 1
Lot 1	shall mean Lot 1, Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128, County of San Miguel, State of Colorado, which is owned by Seller
Lot 3	shall mean Lot 3 Diamond Ranch Subdivision according to the Plat Recorded April 21, 2003 in Plat Book 1 at Page 3128, County of San Miguel, State of Colorado, which is owned by Diamond Ranch, LLC
Lot 5-R-A	shall mean Lot 5-R-A Diamond Ranch Subdivision, Replat Survey Lots 5-R, 6, 7, 8 & 10, Diamond Ranch and the Community Map of Diamond Ridge according to the Plat Recorded March 12, 2009 in Plat Book 1 at Page 4166, County of San Miguel, State of Colorado, which is owned by Diamond Ranch, LLC
Lot 1 (DR)	shall mean Lot 1, Diamond Ridge, Replat Survey Lots 5-R, 6, 7, 8 & 10, Diamond Ranch and the Community Map of Diamond Ridge according to the Plat Recorded March 12, 2009 in Plat Book 1 at Page 4166, County of San Miguel, State of Colorado, which is owned by Diamond Ridge Telluride LLC
Lots	shall mean collectively, Lot 1, Lot 3, Lot 5-R-A and Lot 1 (DR)
Title Company	shall mean Land Title Guarantee Company

RECITALS

The Parties acknowledge and agree to the following recitals ("**Recitals**") and further agree that each of the Recitals: (a) form a portion of the basis of this Agreement; (b) are incorporated in this Agreement; and (c) are true and accurate as of the Effective Date.

A. Buyer and Seller entered into the Contract for the purchase and sale of Lot 1, which provides for the closing date for the transfer and conveyance of title to Lot 1 from Seller to Buyer on December 31, 2015 ("**Closing Date**").

B. As a condition of the purchase and sale of Lot 1 by Buyer, Seller requested and Buyer agreed to enable Seller to attempt to reconfigure the boundaries of the Lot 1 prior to Closing, which Seller has been unable to complete thus far. Nevertheless, Buyer, solely as an accommodation to Seller, has agreed to proceed with the closing on Lot 1 as currently configured and to cooperate with efforts by Seller to complete a replat of Lot 1, Lot 3, Lot 5-R-A and Lot 1 (DR) ("**Replat**") after the Closing Date, provided that the Replat meets the requirements of Buyer, as provided for in this Agreement as reasonably determined by Buyer. The Parties agree that the proposed Replat is intended to be substantially in the form of the draft replat survey prepared by San Juan Surveying dated December 10, 2015, attached hereto as **Exhibit "A"**.

C. Buyer is advised by Seller that the Replat cannot be finalized and recorded prior to the Closing Date due to various delays and scheduling constraints.

D. Buyer and Seller agree to reasonably cooperate with each other in good faith to cause the Replat and ancillary documents and actions which are set forth in and consistent with this Agreement, to be completed, executed and recorded in a timely manner the official records of the San Miguel County Clerk and Recorder ("**Official Records**") after the Closing Date and by no later than June 30, 2016.

E. Seller advises that Diamond Ranch as the owner of Lot 3 and Lot 5-R-A and Diamond Ridge as the owner of Lot 1 (DR) must execute the Replat in order to reconfigure the boundaries of Lots and further that all lenders holding a security interest in the Lots must execute lender consents for the Replat and partial lien releases to be recorded contemporaneously with the Replat.

F. In consideration of Buyer's agreement to reconfigure the boundaries of Lot 1 in accordance with the Replat, Seller has agreed to cause the certain ditch rights more particularly described in the Quit Claim Deed set forth in **Exhibit "B"** ("**Ditch Rights**") to be transferred and conveyed to Buyer (at no cost to Buyer) by Seller, Diamond Ranch and Diamond Ridge to the extent that such entities have any right, title and/or interest in such ditch rights.

G. Buyer and Seller are willing to proceed to close on the purchase and sale of Lot 1 on the Closing Date, in reliance upon and subject to the execution of this Agreement which requires the satisfaction and completion of conditions and obligations which shall occur after the Closing Date. It is expressly agreed that the requirements of this Agreement shall survive the closing and delivery of the deed to Lot 1 from Seller to Buyer and shall be enforceable by the Parties in the manner provided for herein and shall supersede and replace any provisions in the Contract pertaining to the replat or reconfiguration of Lot 1.

H. Seller and Buyer acknowledge and agree that this Agreement is being executed by Seller and Buyer as a condition of the purchase and sale of Lot 1 by Buyer from Seller.

I. Diamond Ranch and Diamond Ridge agree to cooperate with Buyer and Seller in order to complete the Replat and comply with the terms, conditions and obligation of this Agreement in a timely manner.

AGREEMENT

NOW, THEREFORE, in consideration of the Recitals, which are incorporated herein, and the mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged by the Parties, it is agreed by and between the Parties as follows:

1. **Replat.** The Parties agree to reasonably cooperate with each other in good faith and in a timely manner to complete and finalize the Replat for recordation in the Official Records and undertake the ancillary actions required by this Agreement by no later than June 30, 2016 in order to reconfigure the boundaries of Lot 1 ("**Reconfigured Lot 1**") as set forth and depicted on the Replat. Subject to confirmation of the requirements of Section 1.1, the Parties believe that the Replat represents the intended reconfigured boundaries of the Lots as agreed to by the Parties as of the Effective Date. The Parties shall reasonably cooperate with each other in good faith to finalize the plat language, certificates, depictions, consents, approvals and plat notes that are necessary to reconfigure the boundaries of the Lots in accordance with this Agreement and all applicable state and county laws and to reflect the all easements, conditions, covenants, restrictions, reservations and notes that pertain to each of the Lots and any other matters that are necessary and customary for surveys, plats and replats of real property in parcels of not

less than 35 acres in San Miguel County, Colorado that are exempt from state and county subdivision regulations, including any commercially reasonable conditions or requirements imposed by the Title Company in order to insure title to Reconfigured Lot 1.

1.1. **Reconfigured Lot 1 Conditions**. To be acceptable to Buyer, the Replat, with respect to Reconfigured Lot 1 shall meet the following criteria:

1.1.1. Reconfigured Lot 1 shall contain not less than 35.02 acres of continuous land as certified by a Colorado licensed surveyor and reflected on an updated Improvement Survey Plat ("**ISP**") issued to Buyer in form and content acceptable to Buyer and insured by the Title Company. The Title Company shall issue a survey endorsement to the updated or new title policy for Reconfigured Lot 1 based upon the Replat and updated ISP at Seller's cost. Pursuant to the San Miguel County Land Use Code, all monuments need to be noted on the Replat document and physically set on the property before the Replat can be recorded and before the surveyor can certify the acreage included in Reconfigured Lot 1.

1.1.2. Reconfigured Lot 1 shall have direct access to and from Last Dollar Road.

1.1.3. The homesite/building envelope ("**Homesite**") depicted on the Improvement Survey Plat prepared by Foley & Associates attached hereto as **Exhibit "D"** shall be depicted on the Replat and the Replat shall contain a plat note that describes the purpose of the Homesite, such as the requirements arising under that certain Agreement Regarding Aldasoro PUD Agreement recorded September 25, 2000 Under Reception No. 336895 and all Aldasoro PUD Agreements referenced in such agreement and pursuant to the letter dated September 18, 2000 from Scott Bennett to Ken Miller of the Colorado Division of Wildlife a copy of which is included in **Exhibit "D."**

1.1.4. The Parties acknowledge and agree that the Buyer shall be entitled to commence development and construction activities as well as any desired construction financing within the Homesite upon the closing on Lot 1.

1.1.5. Reconfigured Lot 1 needs to contain "Remaining Well #4," which is sited on Reconfigured Lot 1 in a location that meets all applicable setback requirements for such a well.

1.1.6. The portion of Lot 3 being integrated into Reconfigured Lot 1 must be conveyed free and clear of any liens or encumbrances and not subject to title exception documents which vary from the title exceptions documents disclosed to and accepted by Buyer for Lot 1.

1.1.7. The Replat prepared by San Juan Engineering shall depict and describe any and all existing easements burdening Reconfigured Lot 1, including the Easements set forth in Section 3 below.

1.1.8. The Replat, along with appropriate vesting deeds exchanging property between the affected parcels, needs to be duly executed by all persons or parties legally required to execute the Replat, including, without limitation, Sellers, the owner of Lot 3 and any lien holders.

1.1.9. The Replat shall include a plat note referencing the Agreement Concerning Status of Diamond Ranch/Diamond Ridge Community Documents being executed

and recorded at Closing. The Replat shall not otherwise include a note, certificate or other statement indicating that Reconfigured Lot 1 is: (a) subjected to or otherwise burdened by any current or future Diamond Ranch/Diamond Ridge Community CCR's or other similar documents, or (b) included or required to be included in any Diamond Ranch/Diamond Ridge Community homeowners association.

1.2. **Costs.** Seller shall be solely responsible for all costs associated with the Replat and ancillary documents, instruments and other matters, including, without limitation, all recording fees, real estate transfer assessments and/or taxes, filing fees, title and easement research fees, title insurance and all fees and expenses invoiced by San Juan Surveying.

1.3. **Lot Corners.** Seller shall cause San Juan Surveying to post and flag each corner of Reconfigured Lot 1 as depicted in the Replat with surveying stakes and surveying tape by no later than April 1, 2016.

1.4. **No Public Dedication**. The Replat shall not include any gift or dedication of any portion of any of the Lots to or for the general public or for any public purpose whatsoever.

1.5. **RETA Implications**. Seller shall indemnify Buyer from the imposition of any real estate transfer tax/assessment implications arising pursuant to the recordation of the Replat and the exchange of deeds in connection with the Replat. This indemnification shall also extend to the placement of any lien against Reconfigured Lot 1 for the failure to either pay the RETA or obtain an exemption.

2. **Ditch Rights**. In consideration of and reliance upon Buyer's agreement to cooperate with the Replat, Seller, Diamond Ranch and Diamond Ridge shall execute the Quit Claim Deed set forth in **Exhibit "B"** ("**Ditch Rights QCD**") and deliver the same to the Title Company to be held in escrow in accordance with the terms and conditions of this Agreement. The execution and delivery of the Ditch Rights QCD to the Title Company by December 31, 2015, shall be a condition precedent to Buyer's execution of the Agreement.

2.1. Seller, Diamond Ranch and Diamond Ridge shall use their best efforts to obtain releases of the Ditch Rights from any lenders holding a security interest encumbering the Ditch Rights ("**Lender Releases**"). Seller, Diamond Ranch and Diamond Ridge acknowledge and agree that the execution of Lender Releases in substantially the same form as set forth in **Exhibit "C"** by no later than June 30, 2016 is an express condition precedent of Buyer's obligation to execute the Replat. If the Lender Releases have not been delivered to the Title Company by June 30, 2016, the Buyer may elect to terminate this Agreement in accordance with Section 5 below.

2.2. Upon the recordation of the Replat and the delivery of the Lender Releases to the Title Company, the Title Company shall, without the requirement of further action, notice or consent of the any of the Parties, record the Ditch Rights QCD in the Official Records and shall cause the original recorded Ditch Rights QCD to be delivered to Buyer. Unless otherwise agreed to in writing by Buyer and Seller, if the Replat has not been recorded by July 1, 2016, this Agreement shall terminate and the Ditch Rights QCD shall be delivered by the Title Company to the Seller, without the requirement of any further action, notice or consent of any of the Parties hereto.

3. **Easements**.

3.1. The Parties agree that the easement agreements set forth in **Exhibit "E" (Pipeline Easement), Exhibit "F" (30' Access Easement), Exhibit "G" (10' Access Easement"), Exhibit "H" (10' Access Easement") and Exhibit "I" (10' Access Easement)** (collectively "**Easement Agreements**") shall be finalized, executed and recorded in the Official Records contemporaneously with and as a condition of the execution and recordation of the Replat. The Easement Agreements shall be recorded simultaneously with the Replat and shall be shown and depicted on the Replat and shall include appropriate plat notes as shall be agreed to by the Parties. The Parties agree to cooperate with each other to finalize the Easement Agreements in substantially the same form and content as set forth in Exhibits E, F, G, H and I. Seller shall be solely responsible for the recording costs for the Easement Agreements and the costs pertaining to the preparation of the legal descriptions for the Easement Agreements, which shall be prepared by Foley & Associates. Seller shall obtain lender consents for each Easement Agreement benefitting Buyer, which may be included in the Lender Consents described in Section 4 below. In the event that the Replat is not executed and recorded as provided for herein, then the Easement Agreements shall not be executed and recorded by the Parties and there shall be no continuing obligation for a Party to execute and deliver the Easement Agreements.

3.2 The Parties acknowledge and agree that there are currently certain pipelines located on Lot 1 that are not within any recorded easements burdening Lot 1 and therefore Seller or Diamond Ranch and Diamond Ridge are not authorized to keep, use, operate, repair or maintain such pipelines on Lot 1. Seller and Diamond Ranch and Diamond Ridge do hereby expressly disclaim any express or implied easement rights or other rights in Lot 1 with respect to the placement and retention of pipelines located on Lot 1 that are: (i) located outside of the Water System Easement to be recorded in connection with the Closing, or (ii) not located within any other existing road and utility easements that currently burden Lot 1.

4. **Lender Consents and Partial Lien Releases**. The Parties acknowledge that Lot 3, Lot 5-R-A and Lot 1 (DR) are encumbered by Deeds of Trusts recorded at Reception No. 367553, 401282, 422608 and 432222 in the Official Records ("**Deeds of Trust**"). In accordance with the terms and conditions of the Deeds of Trusts, the lenders under the Deeds of Trust must consent to the reconfiguration of the boundaries of Lot 3, Lot 5-R-A and Lot 1 (DR) and the recordation of the Replat and the granting of easements benefitting Buyer and Lot 1. In addition, any land being conveyed to Buyer to be included in Reconfigured Lot 1 must be conveyed free and clear of any lien of any Deed of Trust ("**Partial Lien Releases**"). Seller, Diamond Ridge and Diamond Ranch shall use their best efforts to obtain the written consents of each lender in the form and content approved by the Title Company ("**Lender Consents**") and the Partial Lien Releases by no later than June 30, 2016. Buyer shall be responsible for obtaining Lender Consents and Partial Lien Releases for any security interests encumbering Lot 1 that are recorded against Lot 1 by Buyer or with Buyer's consent, such as a construction loan agreement and deed of trust.

5. **Deadline for Recordation of Replat**.

5.1. In order for the Replat to be recorded the following acts must be completed and the following documents delivered to the Title Company by no later than June 30, 2016. The Parties acknowledge and agree that Seller is principally responsible for coordinating and completing of each of these undertakings. Buyer agrees to reasonably cooperate with Seller in completing each of these undertakings. The completion of each of the following described acts shall be a condition of each Party's obligation to execute the Replat:

(a) finalization of the Replat to the reasonable satisfaction of each of the Parties;

(b) finalization and execution of the Easement Agreements to the reasonable satisfaction of each of the respective Parties to each Easement Agreement;

(c) execution and delivery of the Lender Consents to the Replat;

(d) execution and delivery of the Partial Lien Releases for the Lots;

(e) execution and delivery of the vesting deeds conveying title to the portions of the Lots being reconfigured and evidence that the RETA has either been paid or an exemption granted;

(f) execution and delivery of the Lender Releases for the Ditch Rights; and

(g) execution of the Replat by all Parties and/or delivery of executed and notarized owner consents setting forth the agreement of each Party to the Replat and recordation of the Replat.

5.2. Each Party shall use its best efforts to cause all its respective duties, tasks and obligations set forth in this Agreement to be performed and the Replat finalized and recorded by no later than June 30, 2016. The Parties shall be required to act in good faith and in a commercially reasonable manner to accomplish the respective obligations of the Parties hereunder. Unless otherwise agreed to in writing by the Parties, in the event that all of the documents and tasks set forth above have not been completed by June 30, 2016 and the Replat has not been recorded by June 30, 2016, this Agreement shall automatically terminate on July 1, 2016 without the requirement of any further action, notice or consent of any of the Parties hereto and the Parties shall be fully released from any obligations hereunder and the Ditch Rights QCD shall be delivered by the Title Company to the Seller without the requirement of any further action, notice or consent of any of the Parties hereto.

6. **Updated/New Title Policy**. In connection with the recordation of the Replat, Seller, at Seller's sole cost and expense, shall cause the title insurance policy issued to Buyer by the Title Company in connection with the closing on Lot 1 under the Contract to be updated to reflect the new boundaries of Reconfigured Lot 1 in accordance with the Replat and ISP and to reflect the Easements and consistent with Section 1.1.1 above. In the event that the title policy cannot be updated, Seller shall cause a new title insurance policy to be issued by the Title Company to Buyer to reflect the new boundaries of Reconfigured Lot 1 and the Easements in accordance with the Replat and ISP, at Seller's sole cost and expense. The updated or new title insurance policy shall not include any new title exceptions that are not acceptable to Buyer.

7. **Miscellaneous.**

7.1. **Recording.** A Memorandum of Agreement setting forth the existence of this Agreement in the form attached hereto in **Exhibit "J"** will be recorded in the official records of the Clerk and Recorder for San Miguel County, Colorado. Upon the recordation of the Replat or termination of this Agreement in accordance with Section 5, the Parties shall execute such documents as may be required by the Title Company to remove the Memorandum of Agreement from the title to each of the Lots.

7.2. **Binding on Successors**. This Agreement shall be binding upon and shall inure to the benefit of the Parties hereto and their respective heirs, representatives, successors, and assigns, and shall inure to the benefit of all Parties hereto, individually and collectively, and their heirs,

respective representatives, successors, and assigns.

7.3. **Merger and Integration**. This Agreement constitutes the entire agreement concerning the subject matters and issues addressed herein. This Agreement supersedes and replaces all prior negotiations, and all agreements proposed or otherwise, whether written or oral, express or implied, specifically including but not limited to the Contract, concerning all subjects covered herein. Thus, any and all prior or contemporaneous discussions, negotiations, writings, commitments and/or undertakings related hereto are merged herein. Except as expressly set forth herein, no representations of any kind, oral or otherwise, express or implied, have been made by any Party or by a representative or agent of any Party.

7.4. **Modifications, Amendments, Waivers, and Extensions**. Except as otherwise expressly permitted herein, this Agreement may not be modified, amended, or supplemented except by written instrument, specifically identifying this Agreement and signed by all Parties hereto. No waiver of any breach of any agreement or provisions herein contained shall be deemed a waiver of any preceding or succeeding breach thereof or of any other agreement or provision herein contained. No extension of time for performance of any obligations or acts shall be deemed an extension of the time for performance of any other obligations or acts.

7.5. **Parties Representations**. In entering into this Agreement, the Parties acknowledge and agree and represent and warrant to each other as follows: (a) that they will perform their duties and obligations in a commercially reasonable and good faith manner and that this commitment is being relied upon by each other Party; (b) that the Parties will promptly provide a response to a notice when required, the response will be provided within the timeframe established and if no timeframe is stated, it shall be deemed to be 30 days and the failure to timely provide a response shall be deemed to be an approval; (c) that the Party is a duly qualified and existing entity, capable of doing business in the state of Colorado; and (d) that the Party has actual and express authority to execute this Agreement, has taken all actions necessary to obtain such authorization, the Agreement constitutes a binding obligation of the Party and the person signing below is duly authorized and empowered to execute this Agreement.

7.6. **Severability and Further Assurances**. If any term or provision or section of this Agreement, or the application thereof to any person or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Agreement or the applications or such term or provision or Article to persons or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby, and each remaining term and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law. Each Party shall execute and deliver such documents or instruments and take such action as may be reasonably requested by the other Party to confirm or clarify the intent of the provisions hereof and to effectuate the agreements herein contained and the intent hereof.

7.7. **Additional Documents**. The Parties to this Agreement agree to execute or secure the execution of any such other documents subsequently determined to be reasonably necessary to carry out the agreements and obligations set forth in this Agreement.

7.8. **Governing Law, Remedies, Costs and Expenses**. This Agreement shall be construed under and governed by the laws of Colorado, with jurisdiction and venue restricted to a court of competent jurisdiction in San Miguel County, Colorado. All of the rights and remedies of the Parties under this Agreement shall be cumulative and shall be binding upon, and inure to the benefit of, each of their respective successors, heirs, and assigns. Time is of the essence to the performance of any undertakings required by this Agreement. In any action to enforce or construe the terms of this Agreement, the substantially prevailing Party shall recover all legal and

related court costs, including all reasonable attorneys' fees. Wherever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law.

7.9. **Counterparts**. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, with the same force and effect as if all signatures appeared on the same document. A photocopy may serve in place of an original. A scanned/emailed or facsimile signature of this Agreement shall be deemed delivery of an original, executed counterpart.

7.10. **Survival**. This Agreement is intended to be independent from the Contract and shall survive the closing under the Contract and delivery of the deed to Lot 1 to Buyer from Seller. The warranties and representations of the Parties contained in this Agreement are deemed to survive the execution and effectiveness hereof.

7.11. **Industry Standards and Norms.** Customary industry practices, standards and norms shall be relied upon if and when necessary for purposes of interpreting, applying and enforcing the terms and conditions established in this Agreement.

7.12. **Notice.** All notices, demands or writings in this Agreement provided to be given or made or sent that may be given or made or sent by each Party hereto to the others, shall be deemed to have been fully given or made or sent when made in writing and delivered either by Fax, scan/email or United States Mail (certified, return receipt requests and postage pre-paid), and addressed to the Party, at the below stated mailing address, email address or fax number. The mailing address, email address or fax number to which any notice, demand or writing may be changed by sending written notice to each Party notifying the Party of the change.

Seller: Mailing Address: The James Worth Company Attn: James C. Worth 7373 Broadway Suite 308 San Antonio, TX 78209 Phone: 210-828-3657 Fax: 210-828-7867 Email: jamescworth@gmail.com	**Buyer:** Mailing Address: Morgan C. Smith and Sarah L. Smith, Trustees 6 Mesa Avenue Piedmont, CA 94611 Phone: P: 510-350-7616 Email:morgan.smith@cogentlegal.com
Diamond Ridge: Mailing Address: The James Worth Company Attn: James C. Worth 7373 Broadway Suite 308 San Antonio, TX 78209 Phone: 210-828-3657 Fax: 210-828-7867 Email: jamescworth@gmail.com	**Diamond Ranch:** Mailing Address: Jack A. Vickers, III 858 Happy Canyon Rd, Ste. 200, Castle Rock, CO 80108 Phone: 303-688-6300 Fax: 303-688-6985 Email: kathy@castlepinesvillage.com

[SIGNATURES ON THE FOLLOWING PAGES]

IN WITNESS THEREOF, the Parties have executed this Agreement intending that it become effective as of the Effective Date.

BUYER:

Morgan and Sarah Smith Family Trust of 2000,
as amended and restated 2012

By: _____ Date: 1/2/16
Morgan C. Smith, Trustee

By: _____ Date: 1/2/16
Sarah L. Smith, Trustee

STATE OF California)
) ss.
COUNTY OF Alameda)

The foregoing instrument was acknowledged before me this 2 day of January, ~~2015~~ 2016 by Morgan C. Smith and Sarah L. Smith, Trustees, of the Morgan and Sarah Smith Family Trust of 2000, as amended and restated 2012.

Witness my hand and official seal.

_____ My commission expires: 01/18/2018
Notary Public

JAS1 DARIAN STARKS COMM. # 2055480 NOTARY PUBLIC • CALIFORNIA ALAMEDA COUNTY My Commission Expires JANUARY 18, 2018 JAS1

SELLER:

STW Castle Pines, Ltd.,
a Texas Limited Partnership
By: J. Worth Enterprises, Inc., a Texas corporation, Its General Partner

By: _____ Date: 12/30/15
James C. Worth, President

STATE OF TEXAS)
) ss.
COUNTY OF NUECES)

The foregoing instrument was acknowledged before me this 30th day of December, 2015 by James C. Worth, President of J. Worth Enterprises, Inc., a Texas corporation, the General Partner of STW Castle Pines, Ltd., a Texas Limited Partnership.

Witness my hand and official seal.

Andrea Ford
Notary Public

My commission expires: _____

ANDREA FORD
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
07-15-2016

STW Interests, Ltd.,
a Texas Limited Partnership
Interests In
By: STW GP, LLC, a Texas limited liability company
Its General Partner

By: _____ Date: 12/30/15
James C. Worth, President

STATE OF TEXAS)
) ss.
COUNTY OF NUECES)

The foregoing instrument was acknowledged before me this 30th day of December, 2015 by James C. Worth, President of STW GP, LLC, a Texas limited liability company, the General Partner of STW Interests, Ltd., a Texas Limited Partnership.

Witness my hand and official seal.

Andrea Ford
Notary Public

ANDREA FORD
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
07-15-2016

My commission expires: _____.

JWI Partners, Ltd.,
a Texas Limited Partnership

By: J Worth Interests GP, LLC, a Texas limited liability company
Its General Partner

By: _____ Date: 12/30/15
James C. Worth, President

STATE OF TEXAS)
) ss.
COUNTY OF NUECES)

The foregoing instrument was acknowledged before me this 30th day of December, 2015 by James C. Worth, President of J Worth Interests GP, LLC, a Texas limited liability company, the General Partner of JWI Partners, Ltd., a Texas Limited Partnership.

Witness my hand and official seal.

Andrea Ford
Notary Public

ANDREA FORD
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
07-15-2016

My commission expires: _____

Diamond Ranch, LLC,
a Colorado limited liability company

By: Jack A. Vickers III Date: 12/31/15
Jack A. Vickers, III, Manager

STATE OF Colorado)
) ss.
COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 31st day of December, 2015 by Jack A. Vickers, III as the Manager of Diamond Ranch, LLC, a Colorado limited liability company.

Witness my hand and official seal.

Margaret H. Cawthra
Notary Public

My commission expires: _____.

MARGARET H. CAWTHRA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19934013920
MY COMMISSION EXPIRES SEPTEMBER 19, 2017

Diamond Ridge Telluride, LLC,
a Colorado limited liability company

By: _____ Date: 12/30/15
James C. Worth, Manager

STATE OF TEXAS)
) ss.
COUNTY OF NUECES)

The foregoing instrument was acknowledged before me this 30th day of December, 2015 by James C. Worth as the Manager of Diamond Ridge Telluride, LLC, a Colorado limited liability company.

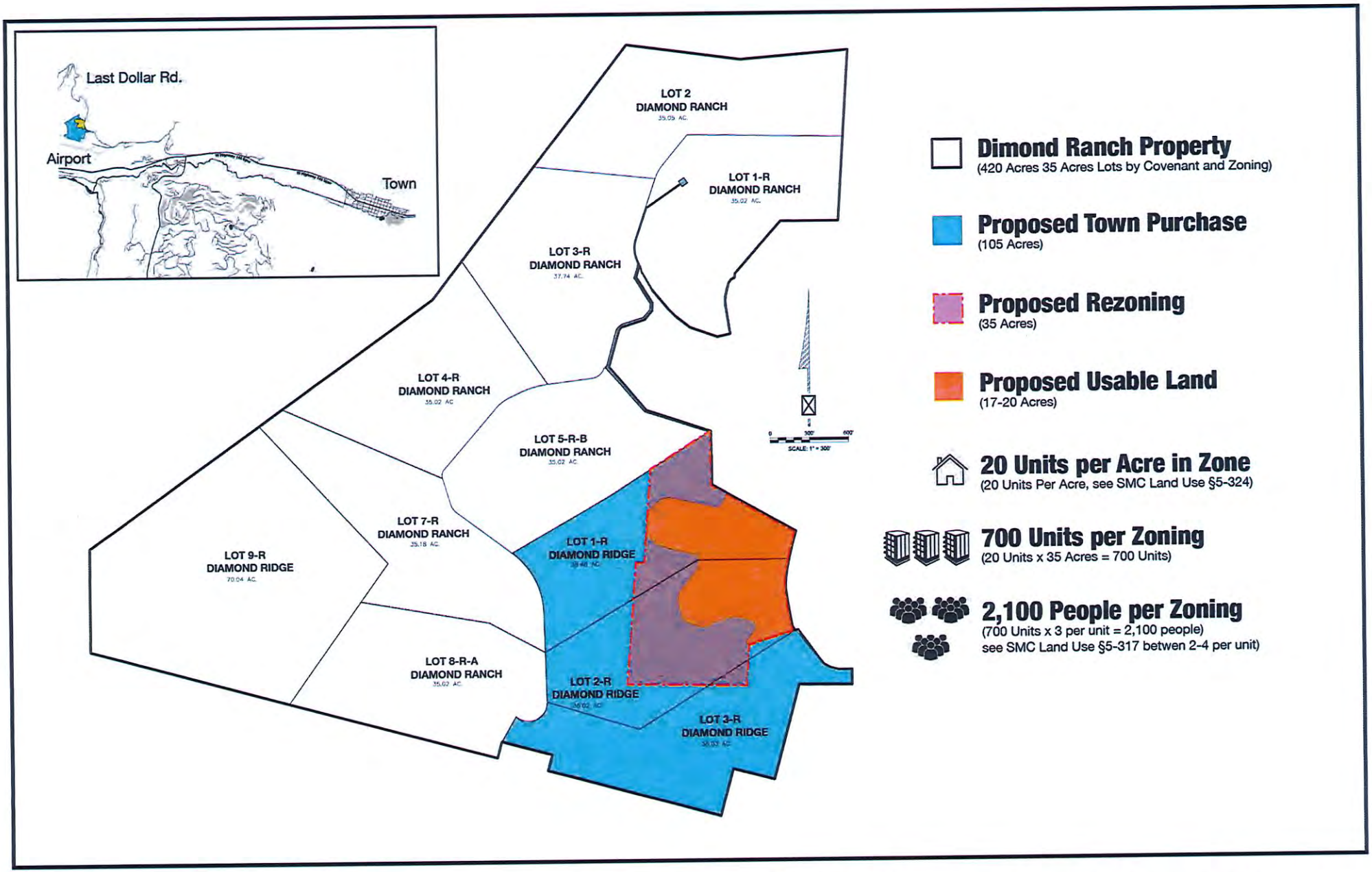
Witness my hand and official seal.

ANDREA FORD
NOTARY PUBLIC STATE OF TEXAS
COMMISSION EXPIRES:
07-15-2016

Andrea Ford
Notary Public

My commission expires: _____

EXHIBIT 8



Re-Zoning Application on Behalf of Town of Telluride and San Miguel County

EXHIBIT 9

Last Dollar Rd.
Airport
LOT 2
DIAMOND RANCH
35.09 AC.
LOT 1-R
DIAMOND RANCH
35.07 AC.
LOT 3-R
DIAMOND RANCH
37.74 AC.
LOT 4-R
DIAMOND RANCH
35.02 AC.
LOT 5-R-B
DIAMOND RANCH
35.02 AC.
LOT 7-R
DIAMOND RANCH
35.18 AC.
LOT 8-R-A
DIAMOND RANCH
35.02 AC.
LOT 9-R
DIAMOND RIDGE
70.04 AC.
LOT 1-R
DIAMOND RIDGE
38.48 AC.
LOT 2-R
DIAMOND RIDGE
35.02 AC.
LOT 3-R
DIAMOND RIDGE
35.03 AC.
SCALE 1" = 300'
Dimond Ranch Property
(420 Acres 35 Acres Lots by Covenant and Zoning)
Parcel "C"
(35 Acres)

Parcel "C"

EXHIBIT 10

Town of Telluride Proposed 105 Acre Purchase

EXHIBIT 11

Density Comparison with Rezoning Application and Existing Land Use

EXHIBIT 12

1985
Diamond Ranch Rd
Google Earth
Imagery Date: 9/11/2019 37°57'30.05" N 107°54'25.44" W elev 8983 ft eye alt 13904 ft
Graph: Min, Avg, Max Elevation: 9141, 9152, 9165 ft
Range Totals: Distance: 320 ft Elev Gain/Loss: 28.5 ft, -10 ft Max Slope: 23.0%, -20.0% Avg Slope: 9.7%, -10.5%
9165 ft
9150 ft
9125 ft
9100 ft
9075 ft
9050 ft
9025 ft
9000 ft
8975 ft
8950 ft
8925 ft
8900 ft
8875 ft
8850 ft
8825 ft
8807 ft
100 ft
200 ft
300 ft
400 ft
500 ft
600 ft
700 ft
800 ft
900 ft
1000 ft
1100 ft
1200 ft
1300 ft
1400 ft
1500 ft
1665 ft
9165 ft
4.5%

EXHIBIT 13

Google Earth - Edit Path
Name: Distance of Pipe
Description Style, Color View Altitude
Length: 2.61 Miles
Cancel
OK
Telluride Regional Airport
San Miguel Sheriff's Office
145
Telluride Fire Protection District
Imagery Date: 9/11/2019 37°57'12.49" N 107°53'02.19" W elev 9056 ft eye alt 21042 ft
Google Earth
Graph: Min, Avg, Max Elevation: 8650, 9013, 9184 ft
Range Totals: Distance: 2.61 mi Elev Gain/Loss: 635 ft, -123 ft Max Slope: 21.5%, -24.2% Avg Slope: 5.8%, -3.3%
9184 ft
9100 ft
9050 ft
9000 ft
8950 ft
8900 ft
8850 ft
8800 ft
8750 ft
8700 ft
8650 ft
8728 ft
7.6%
0.5 mi
1 mi
1.25 mi
1.5 mi
1.75 mi
2 mi
2.25 mi
2.61 mi

EXHIBIT 14

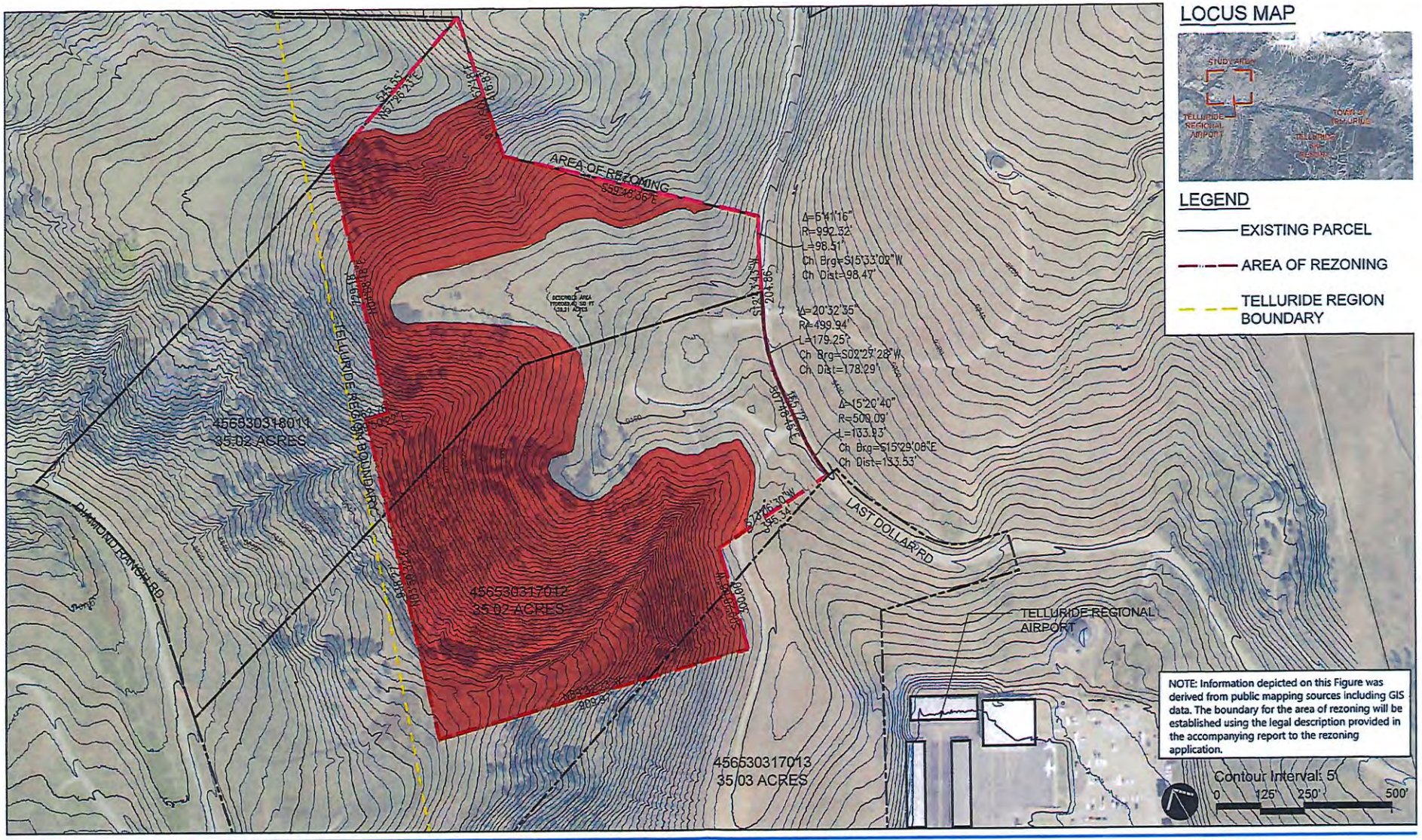


FIGURE 4 | REZONING MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

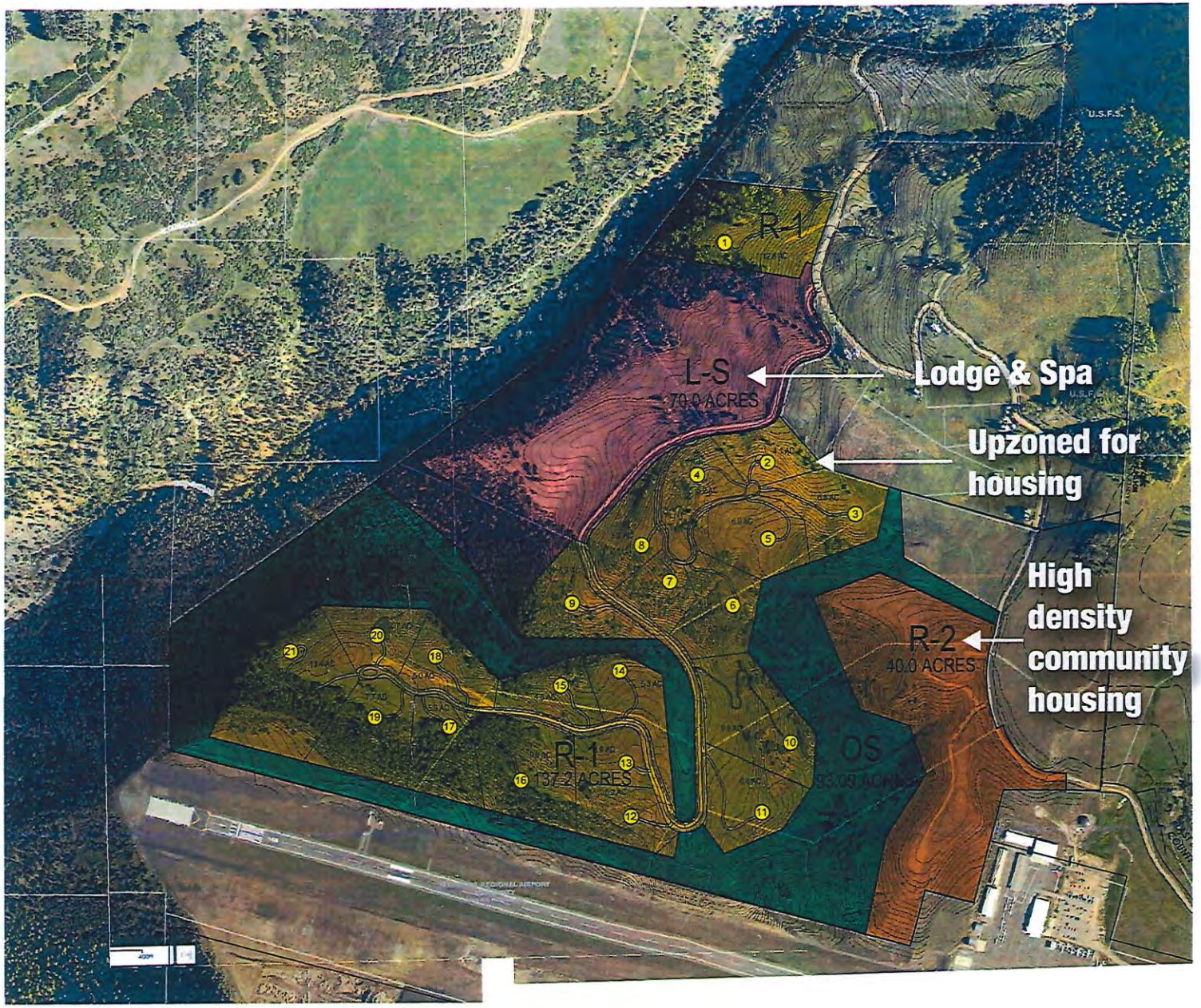
Prepared by:
SE GROUP
FEBRUARY 2022

EXHIBIT 15

Jack Vickers' 2020 Proposal for Development of Diamond Ranch

PROPOSED LAND USE SUMMARY

Planning Area / Zoning	General Uses Allowed	Acreage
R-1	Single Family	150.0 (137.2 + 12.8)
R-2	Work Force Housing	40.0
L - S	Lodge & Spa	70.0
OS	Open Space	93.09
Total / Overall		353.09 Acres



PUD / SKETCH PLAN

DIAMOND RANCH

SAN MIGUEL COUNTY, COLORADO

0 150' 300' 600'

SCALE: 1" = 300' - 0" (on a 24 x 36" sheet)

NORTH

DATE: 7-9-2020

EXHIBIT 16

NOTICE:

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.

NOTES:

1. The property lies within Flood Zone "X" (areas determined to be outside 500-year flood plain) as shown on Flood Insurance Rate Map 08113C0300 C, effective September 30, 1988.
2. Approval of this plat may create a vested property right pursuant to Article 68 of Title 24, C.R.S. as amended.
3. Lineal Units U.S. Survey Feet

NOTES OF CLARIFICATION:

1. Lots deleted by this document:

   DIAMOND RANCH: Lot 1 Diamond Ranch, Lot 3 Diamond Ranch, Lot 4 Diamond Ranch, Lot 5-R-A Diamond Ranch, Lot 8-R Diamond Ranch, and Lot 9 Diamond Ranch, and
   DIAMOND RIDGE: Lot 1 Diamond Ridge, Lot 2 Diamond Ridge and Lot 3 Diamond Ridge

2. Lots created by this document:

   DIAMOND RANCH: Lot 1-R Diamond Ranch, Lot 3-R Diamond Ranch, Lot 4-R Diamond Ranch, Lot 5-R-B Diamond Ranch, Lot 7-R Diamond Ranch, Lot 8-R-A Diamond Ranch, Lot 9-R Diamond Ranch, and
   DIAMOND RIDGE: Lot 1-R Diamond Ridge, Lot 2-R Diamond Ridge, Lot 3-R Diamond Ridge

3. The following easements have not been vacated, deleted, or terminated by this document:

   Last Dollar Road (60' ROW) County Road 160 & Subsurface Utility Easement recorded in Plat Book 1 at page 1794; Book 584 at page 396; Reception No. 317402; Reception No. 323927; Reception No. 336894;
   Diamond Ranch Road and Subsurface Utility Easement recorded in Plat Book 1 at page 3128;
   14' Subsurface Utility Easement recorded in Plat Book 1 at page 3128;
   30' Augmentation Pond Access Easement recorded in Plat Book 1 at page 3128;
   Augmentation Pond Easement recorded in Plat Book 1 at page 3128;
   Entry and Landscape Easement recorded _____, 2016 at Reception No. _____ burdening Lot 1-R Diamond Ranch;
   Declaration of Entry and Landscape Easement recorded _____, 2016 at Reception No. _____ burdening Lot 3-R Diamond Ranch;
   Entry and Landscape Easement recorded _____, 2016 at Reception No. _____ burdening Lot 1-R Diamond Ridge;
   30' Waterline Easement recorded in Plat Book 1 at page 3128-3130;
   Water Tank Easement recorded in Plat Book 1 at page 3128;
   20' Water Tank Access Easement recorded in Plat Book 1 at page 3128;
   20' Water Tank Drainage Easement recorded in Plat Book 1 at page 3128;
   Telecommunications Easement recorded in Book 557 at page 244;
   Existing Ditch & Subsurface Utility Easement recorded in Plat Book 1 at page 1794;
   Fill Slope Easement recorded at Reception No. 367167;
   60' Substitute Easement Agreement recorded in Book 531 at page 837;
   Water System Easement Agreement recorded January 5, 2016 at Reception No. 440277;
   Boundary Line, Fence Agreement and Easement recorded January 15, 2016 at Reception No. 440959;
   Pipeline Easement Agreement recorded _____, 2016 at Reception No. _____;
   Access Easement Agreement for the benefit of Lot 1-R Diamond Ridge recorded _____, 2016 at Reception No. _____;
   Access Easement Agreement for the benefit of Lot 1-R Diamond Ranch recorded _____, 2016 at Reception No. _____;
   Well and Pipeline Easement Agreement recorded _____, 2016 at Reception No. _____;

4. The following easements have been vacated and terminated:

   Driveway & Subsurface Utility Easement located on Lot 2, Diamond Ridge recorded in Plat Book 1 at page 3128 in accordance with the Vacation of Driveway & Subsurface Utility Easement recorded _____, 2016 at Reception No. _____;
   Entry and Landscape Easement recorded in Plat Book 1 at page 3128 in accordance with the Vacation of Entry and Landscape Easement recorded _____, 2016 at Reception No. _____;

5. Notwithstanding any reference on any plats or maps recorded prior to the date of recording of this Replat Survey that pertain to Lot 1-R, Diamond Ranch; Lot 1-R, Diamond Ridge; Lot 2-R, Diamond Ridge; and Lot 3-R, Diamond Ridge (each a "Subject Property", and collectively the "Subject Properties"): (i) no Colorado common interest community, owner or community association or similar entity or organization exists for the Subject Properties; (ii) no covenants, conditions and restrictions, declarations or use restrictions have been recorded, are in effect or are proposed to be in effect or encumber the Subject Properties; and (iii) no covenants, conditions and restrictions or declarations or other use limitations shall be imposed upon or encumber a Subject Property without the written consent of the owner of a Subject Property to be encumbered; PROVIDED, HOWEVER, the terms and conditions of the San Miguel County Land Use Code and that certain Agreement regarding Aldasoro PUD Agreement recorded September 25, 2000 at Reception No. 336895, as may be amended do apply to the Subject Properties. Any and all references on any plats or maps pertaining to the Subject Properties that have been recorded prior to the date of this Replat Survey which reference a homeowners or community association and any documents pertaining to a Colorado common interest ownership community or association are deemed to be terminated, released, void and of no further force and effect. The Subject Properties are not and are not intended to be subject to the Colorado Common Interest Ownership Act, C.R.S. 38-33.3-101 et seq.
6. Lot 1-R, Diamond Ranch is subject to that certain Agreement Concerning Status of Diamond Ranch/Diamond Ridge Community Documents recorded at Reception No. 440882 and that certain Closing Agreement regarding Water Matters recorded January 5, 2016 at Reception No. 440883.
7. The "Homesite" depicted on Lot 1-R, Diamond Ranch has been designated in accordance with the terms and conditions of that certain Agreement regarding Aldasoro PUD Agreement recorded September 25, 2000 at Reception No. 336895, as amended.

BASIS OF BEARINGS:

The BASIS OF BEARINGS for this Survey was derived from The West line of The Aldasoro Ranch, Filing 2 per the Plat filed in Plat Book 1 at Page 1406 (Page 14 of 15), being N 04°04'36" E.

EASEMENT RESEARCH:

Lot 1, Diamond Ranch; Easement research by Land Title Guarantee Company Order No. TLR86000832-3, Effective Date 08-09-2016 at 5:00 P.M.

Lot 3, Lot 4, Lot 5-R-A, Lot 8-R, and Lot 9, Diamond Ranch; Easement research by Land Title Guarantee Company Order No. TLR86005661-3, Effective Date 11-25-2016 at 5:00 P.M.

Lots 1, 2, and 3, Diamond Ridge; Easement research by Land Title Guarantee Company Order No. TLR86005662-3, Effective Date 11-25-2016 at 5:00 P.M.

PROPERTY DESCRIPTION:

Lots 1, 3, 4, and 9, Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

Lots 5-R-A, and 8-R, Diamond Ranch, Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.

SURVEYOR'S CERTIFICATE:

I, Christopher R. Kennedy, of San Juan Surveying, being a Colorado Licensed Land Surveyor, do hereby certify that this plat and survey of the REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R Diamond Ranch, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE was made by me and under my direct supervision in compliance with the applicable provisions of Title 38, Article 51 C.R.S. and it is true and accurate to the best of my knowledge and belief.

_____
Christopher R. Kennedy P.L.S. 36577

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR — CHRISTOPHER R. KENNEDY — 36577

OWNER'S CERTIFICATE (Lot 1 Diamond Ranch):

KNOW ALL MEN BY THESE PRESENTS that Morgan and Sarah Smith Family Trust of 2000, as amended and restated in 2012, as the owner of the following described land:

Lot 1 Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

Easement as created in document recorded September 25, 2000 under Reception No. 336894.

County of San Miguel,
State of Colorado.

We, the owners, hereby state that the Replat as shown hereon is with the free consent and in accordance with the desires of the undersigned owners.

BY: Morgan and Sarah Smith Family Trust of 2000, as amended and restated in 2012

By: _____
Morgan C. Smith, Trustee

By: _____
Sarah L. Smith, Trustee

State of _____ }
} SS
County of _____ }

Subscribed and sworn to before me by Morgan C. Smith, Trustee and Sarah L. Smith, Trustee, Trustees of the Morgan and Sarah Smith Family Trust of 2000, as Amended and Restated in 2012.

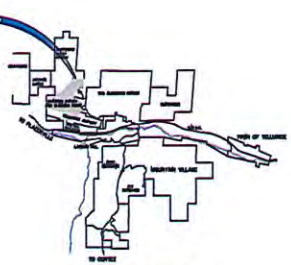
on this ____ day of _____, 2016.

Witness my hand and official seal.

_____
Notary Public

My Commission Expires: _____

AREA OF SURVEY



VICINITY MAP
NTS

OWNER'S CERTIFICATE (Lots 2, 4, 5-R-A, 8-R, and 9 Diamond Ranch):

KNOW ALL MEN BY THESE PRESENTS that Diamond Ranch, LLC, a Colorado limited liability company, as the owner of the following described land:

Lots 3, 4, and 9, Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

And

Lots 5-R-A, and 8-R, Diamond Ranch, Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.

OWNER CONSENT FOR DIAMOND RANCH LLC, A COLORADO LIMITED LIABILITY COMPANY IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. _____.

SECURITY INTEREST HOLDER'S CONSENT:

The undersigned, as a beneficiary of a deed of trust which constitutes a lien upon

Lots 3, 4, and 9, Diamond Ranch, according to the Community Map of Diamond Ranch recorded April 21, 2003 in Plat Book 1 at page 3128.

And

Lots 5-R-A, and 8-R, Diamond Ranch, Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado..

Recorded March 02, 2016 at Reception Number 441529 in the San Miguel County Clerk and Recorder's real property records, hereby consents to the replat of the real property as depicted on this plat.

By: Alpine Bank, a Colorado Banking Corporation

By: _____
Printed Name / Title

By: _____
Signature

State of _____ }
} SS
County of _____ }

Subscribed and sworn to before me by _____

on this ____ day of _____, 2016.

Witness my hand and official seal.

_____
Notary Public

My Commission Expires: _____

OWNER'S CERTIFICATE (Lots 1, 2, and 3 Diamond Ridge):

KNOW ALL MEN BY THESE PRESENTS that Diamond Ridge Telluride LLC, a Colorado limited liability company, as the owner of the following described land:

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado.

OWNER CONSENT FOR DIAMOND RIDGE TELLURIDE LLC, A COLORADO LIMITED LIABILITY COMPANY IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. _____.

SECURITY INTEREST HOLDER'S CONSENT:

The undersigned, as a beneficiary of a deed of trust which constitutes a lien upon

Lots 1, 2, and 3, Diamond Ridge, according to the Replat Survey Lots 5-R, 6, 7, 8, & 10, Diamond Ranch and the Community Map of Diamond Ridge recorded March 12, 2009 in Plat Book 1 at page 4166.

County of San Miguel,
State of Colorado..

Recorded June 14, 2004 at Reception Number 367553 in the San Miguel County Clerk and Recorder's real property records, hereby consents to the expansion of the real property as depicted on this plat.

SECURITY INTEREST HOLDER'S CONSENT IS RECORDED CONCURRENTLY WITH THIS REPLAT SURVEY AT RECEPTION NO. _____.

TITLE INSURANCE COMPANY CERTIFICATE:

Land Title Guarantee Company does hereby certify that we have examined the title to all lands herein shown on this plat and that the title to this land is in the names of those persons shown in the Informational Commitment which is on the face hereof and is free of all liens and taxes, except as follows: Ad valorem taxes

_____
Title Insurance Company Representative Date

COUNTY TREASURER'S CERTIFICATE:

According to the records of the San Miguel County Treasurer, there are no liens against the property for unpaid State, County, Municipal or Local taxes or special assessments due and payable on such property, in accordance with Land Use Code Section 3-101.

_____
San Miguel County Treasurer Date

SAN MIGUEL COUNTY CLERK'S ACCEPTANCE:

This Replat was accepted for filing in the office of the Clerk and Recorder of San Miguel County, Colorado on this _____ day of _____, 2016.

Plat Book Number_____, Page Number_____.

Reception Number_____, Time_____

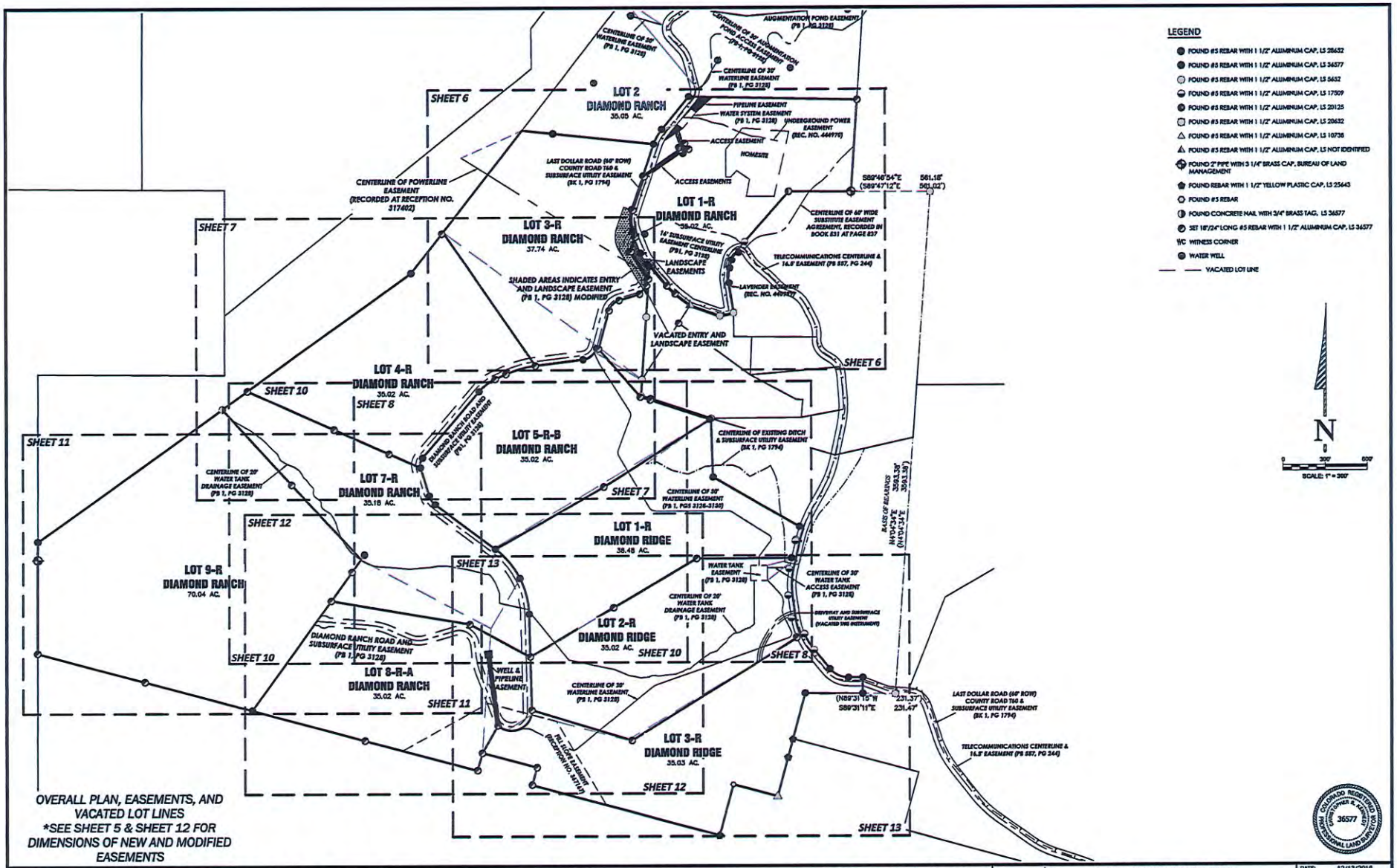
_____
San Miguel County Clerk

REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

DATE:	12/13/2016
JOB:	98088
DRAWN BY:	ADM
CHECKED BY:	CRK
REVISION DATES:	
SHEET:	1 OF 14



REPLAT SURVEY OF LOTS 1-R, 3-R, 4-R, 5-R-B, 7-R, 8-R-A, AND 9-R, DIAMOND RANCH, AND LOTS 1-R, 2-R, AND 3-R DIAMOND RIDGE

Located within Portions of Section 19 and 30, Township 43 North, Range 9 West, N.M.P.M. together with Portions of Section 25, Township 43 North, Range 10 West, N.M.P.M. San Miguel County, Colorado

SAN JUAN SURVEYING
SURVEYING * PLANNING
102 SOCIETY DRIVE TELLURIDE, CO. 81435
(970) 728 - 1128 (970) 728 - 9201 fax
office@sanjuansurveying.net

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR 36577

DATE:	12/13/2016
JOB:	98088
DRAWN BY:	ADM
CHECKED BY:	CHK
REVISION DATES:	
SHEET:	2 of 14

EXHIBIT 17

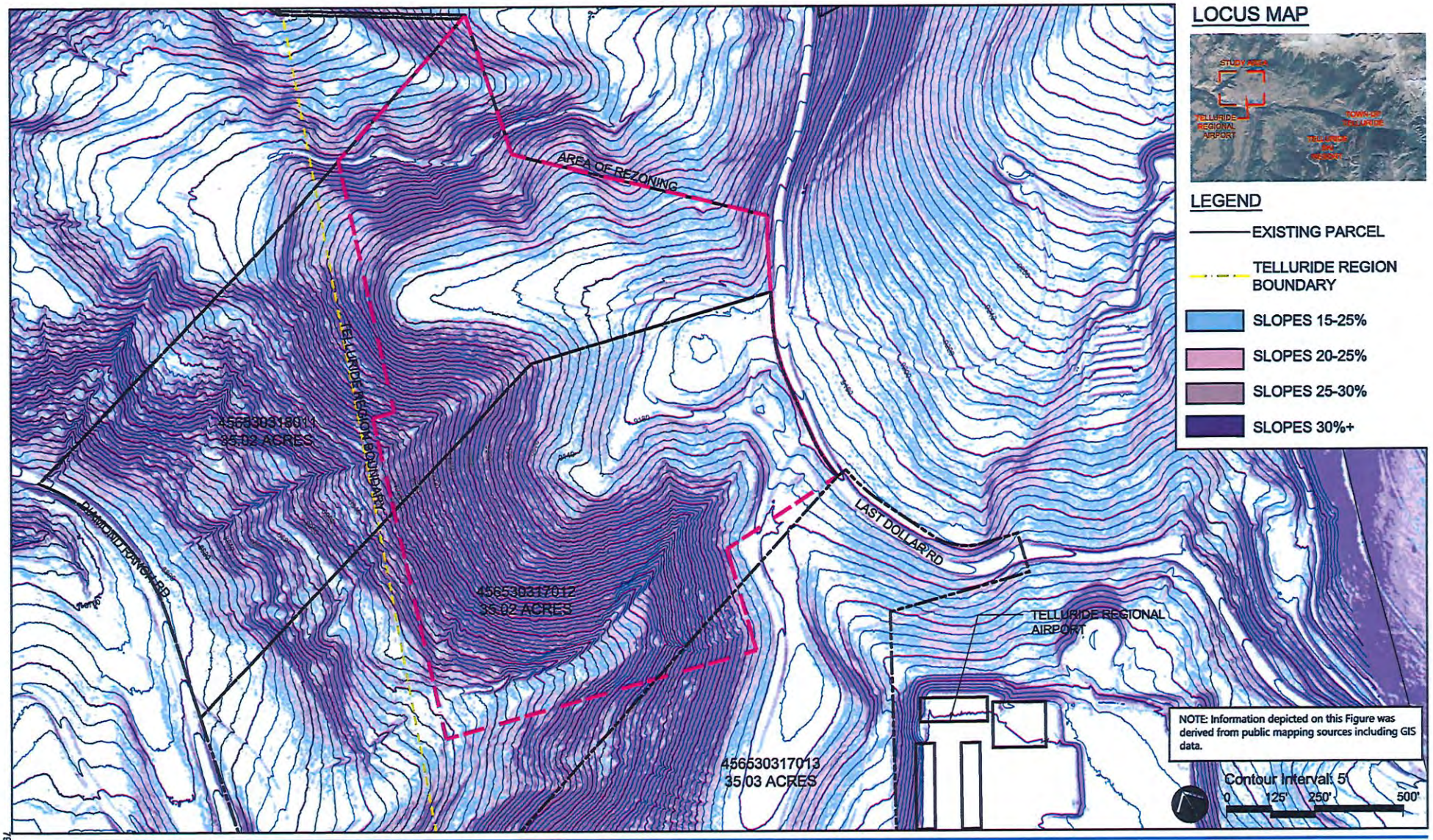


FIGURE 2 | SLOPE MAP

The Ridge - Community Housing Rezoning Project | San Miguel County, Colorado

Prepared by:
SE GROUP
FEBRUARY 2022

EXHIBIT 18



TBD LAST DOLLAR Road 2, Telluride, CO 81435
MLS #32730

Outstanding 35-acre lot with tremendous 360 degree views of Sunshine Mountain, Wilson Peak, Whipple Mountain and the Sneffels Range. Never before listed individually. One of the closest 35-acre parcels to the Historic Town of Telluride - only a 10 minute drive to Telluride and the Telluride Ski Resort. Only .5 miles on unpaved road. Exempt well in place.

Listing & Location Info

Sub-Type	County 35 - 70	Realtor.COM Type	Land
Area	Deep Creek Mesa - 32 (Major Area 30)	Asking Price	1,750,000
List Price Per/Acre	49,985.72	Lot #	2
County	San Miguel County	Lock Box	No
Short Sale	No	REO	No

Keywords Info

Water Supply	Well In	Electricity	To Lot Line
Sanitation	Need Septic	Trees	Aspen
Access Road	Gravel	Density	1
Deed Restrict	None		

General Info

Property Type	Land	Subdivision	Sunshine Ridge
Major Area	30	Nbr of Acres	35.01
Zoning	Agricultural		
Legal	LOT 2 DIAMOND RIDGE ACC TO REPLAT SURVEY OF LOTS 5-R 6 7 8 & 10 DIAMOND RANCH REC 3 12 09 PLAT BK 1 PG 4166-4167 35.010		
Directions	From the Airport Road, drive past the Telluride Regional Airport approximately .5 miles. Lot is on the left marked by a stone gate monument.		
View 1	San Sophias	View 2	Wilson

Financing Info

Assessor's Acct #	R1030090002	Taxes	148
Tax Year	2014	RETT	.75% Diamond Ranch RETA

Status Change Info

Status	Expired	Sold Price Per/Acre	0
Sold Non-MLS	No		

Details

Utility Info:	Phone Lines: Regular Phone; Cable TV: Unknown	**Special Location:**	None
Disclosures:	None		

Information is deemed to be reliable, but is not guaranteed. © 2022 MLS and FBS. Prepared by Jim Lucarelli on Friday, April 08, 2022 9:58 AM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.



TBD LAST DOLLAR Road 3, Telluride, CO 81435
MLS #32731

Outstanding 35-acre lot with tremendous 360 degree views of Sunshine Mountain, Wilson Peak, Whipple Mountain and the Sneffels Range. Never before listed individually. One of the closest 35-acre parcels to the Historic Town of Telluride - only a 10 minute drive to Telluride and the Telluride Ski Resort. Only .5 miles on unpaved road. Exempt well in place.

Listing & Location Info

Sub-Type	County 35 - 70	Realtor.COM Type	Land
Area	Deep Creek Mesa - 32 (Major Area 30)	Asking Price	1,550,000
List Price Per/Acre	44,260.42	Lot #	3
County	San Miguel County	Lock Box	No
Short Sale	No	REO	No

Keywords Info

Water Supply	Well In	Electricity	To Lot Line
Sanitation	Need Septic	Trees	Aspen
Access Road	Gravel	Density	1
Deed Restrict	None		

General Info

Property Type	Land	Subdivision	Sunshine Ridge
Major Area	30	Nbr of Acres	35.02
Zoning	Agricultural		
Legal	LOT 3 DIAMOND RIDGE ACC TO REPLAT SURVEY OF LOTS 5-R 6 7 8 & 10 DIAMOND RANCH REC 3 12 09 PLAT BK 1 PG 4166-4167 35.020		
Directions	From the airport road, drive past the airport and the lot is on the left marked by a stone gate monument.		
View 1	San Sophias	View 2	Wilson Peak

Financing Info

Assessor's Acct #	R1030090003	Taxes	148
Tax Year	2014	RETT	.75% Diamond Ranch RETA

Status Change Info

Status	Expired	Sold Price Per/Acre	0
Sold Non-MLS	No		

Details

Utility Info:	Phone Lines: T-1; Cable TV: Unknown	**Special Location:**	None
Disclosures:	None		

Information is deemed to be reliable, but is not guaranteed. © 2022 MLS and FBS. Prepared by Jim Lucarelli on Friday, April 08, 2022 9:58 AM. The information on this sheet has been made available by the MLS and may not be the listing of the provider.

EXHIBIT 19

Town Clerk
Town of Telluride
P.O. Box 397
Telluride, Colorado 81435

March 28, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should **not** be considered to include the Application cited above, as we are already in possession of that document.

Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the Town of Telluride or town staff and Klein Cote Edwards Citron LLC.

2. The contract between the Town of Telluride regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.

1. Any and all communication between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com and text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.

2. Any and all communication, between the Telluride Town Council or staff, with Jack Vickers' attorney including but not limited to by letter, email, text or other, from Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.

3. Any and all communication, between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

4. Any and all communication, between the Telluride Town Council or staff including but not limited to by letter, email, text or other, with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

5. Any and all notes, minutes or documents created by or provided to the Telluride Town Council or staff identifying the density of housing planned at the Subject Location.

6. Any and all notes, minutes, analysis or documents created by or provided to the Telluride Town Council or staff identifying any traffic studies regarding the Subject Location.

7. Any and all studies, research, cost analysis created by or provided to the Telluride Town Council or staff concerning providing municipal water and sewer to the Subject Property.

8. Any and all documentation on any notice provided regarding any meetings of the Town Council wherein the potential purchase of the property was discussed.

9. All documentation, emails or other communication wherein this purchase of the Subject Property or the potential rezoning of the Subject Property was discussed with the County Board of Commissioners or the County Planning Department or county staff.

10. All documentation, emails, or communication between the Town of Telluride and the County of San Miguel wherein the modification to the Land Use Code in San Miguel County was proposed to be amended to include a Community Housing (CH) zone with regard to resolution 2021-038.

11. Any billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.

12. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements, including prior drafts of the contract.

13. Any documents, maps, studies, analysis, emails, texts or letters prepared by or sent by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch including the Subject Property.

14. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the property was discussed with the County of San Miguel.

15. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning of the Subject Property, and the purchase of the Subject Property.

16. A summary of dates, locations and times of meetings held to discuss any matter related the purchase of the Subject Property.

17. Any and all documents and communication, including but not limited to all emails, letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the Town of Telluride seeking to purchase, zoning change, or property exchange for employee housing, or Community Housing, as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

If all or any portion of our request is denied, please also provide a written explanation, including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:

P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

Co-Signers

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

Donald S Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #10 LLC

Cristine Mitchell (4230 Last Dollar Rd., Telluride, Co 81435), individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC, and Molly C. Mitchell

Matt Mitchell (4230 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC

Angela M. Petersen, (4445 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #11 LLC and Deep Creek #8 and Deep Creek #1

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Karen Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Jim Farrar (2805 Last Dollar Rd., Telluride, CO 81435), Individually and on behalf of the Deep Creek Ranches HOA (PO Box 2281, Telluride, CO 81435)

Angela Farrar (2805 Last Dollar Rd., Telluride, CO 81435)

Dirk de Pagter (334 Old Toll Rd., Telluride, CO 81435), individually on behalf of The Meadows at Deep Creek Mesa, HOA

Nick Farkouh (235 Old Toll Rd., Telluride, CO 81435)

Lisa Henson (3620 Last Dollar Rd., Telluride, CO 81435)

David Pressler (3620 Last Dollar Rd., Telluride, CO 81435)

Michael Phelan (153 Whipple Way, Telluride, CO 81435)

Tanya Phelan (153 Whipple Way, Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

Stephannie Van Damme
County Clerk and Recorder
P.O. Box 548
Telluride, CO 81435-0548

March 28, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should **not** be considered to include the Application cited above, as we are already in possession of that document. This request does also **not** include any documents that were filed with the San Miguel County Clerk's office and available online regarding the Subject Property.

Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the County Board of Commissioners ("Board") or the Planning Department or county staff and Klein Cote Edwards Citron LLC.

2. The contract between the Board or the Planning Department regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.

3. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com, text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.

4. Any and all emails or text messaged between Mike Bordagna and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property.

5. Any and all emails or text messaged between Lance McDonald and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC concerning this Subject Property.

6. Any and all summaries of conversation between Mike Bordagna and Jack Vickers or Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.

7. Any and all summaries of conversation between Lance McDonald and Jack Vickers, Jack Vickers' attorneys or Klein Cote Edwards Citron LLC concerning this Subject Property.

8. Any and all communication between the Board, Planning Department or county staff, including but not limited to by letter, email, text or other, with Jack Vickers' attorney Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.

9. All communication, including but not limited to by letter or email, text or other communication between the Board, Planning Department or county staff with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

10. Any and all communication, including but not limited to by letter or email, text or other between the Board, Planning Department or staff with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

11. Any and all Board, Planning Department or county staff determinations or meeting minutes, note, analysis or documents regarding this proposed zoning change for the Subject Property.

12. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the density of housing planned at the Subject Location.

13. Any and all Board, Planning Department or county staff notes, minutes, studies, analysis or documents identifying the impact of placing 20 units per acre upon land currently zoned Forest/Agricultural at the Subject Property.

14. Any and all Board, Planning Department or county staff notes, minutes or documents identifying the source and cost or feasibility of providing water to the Subject Property from the Town of Telluride municipal sources.

15. Any and all Board, Planning Department or county staff notes, minutes or documents identifying any traffic analysis with developing the Subject Property.

16. Documentation on any notice provided regarding any meetings of the Board, Planning Department or staff wherein the potential purchase of the property was discussed.

17. Any and all notices provided regarding any meetings that involved the Planning Commission or the Board wherein the hiring of Klein Cote Edwards Citron LLC was discussed and/or voted upon.

18. Any and all documentation concerning the purchase of the Subject Property, including analysis, studies, notes, memorandum replied upon prior to any vote to proceed with the purchase contract of the Subject Property.

19. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the Subject Property was discussed with the Town of Telluride Council, or Town Staff.

20. Any and all notice provided to anyone regarding any meetings of the Planning Commission or the Board wherein the potential for seeking rezoning of the Subject Property was discussed.

21. Any and all documentation, including emails, text or other communication wherein this potential rezoning of the Subject Property was discussed and/or voted upon by the Planning Commission or the Board.

22. Any and all billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.

23. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements or other related documents.

24. Any and all notice provided regarding Board of Commissioners Resolution 2021-038.

25. Any and all meeting minutes regarding Board of Commissioners discussion of and passing of Resolution 2021-038.

26. Any and all drafts of Resolution 2021-038.

27. Any and all studies conducted by the County regarding the feasibility of resolution 2021-038.

28. All documentation, emails, or communication between the Board, Planning Commission or its staff and the Town of Telluride wherein the modification to the Land Use Code in San Miguel County Section was proposed to be amended to include a Community Housing (CH) zone under resolution 2021-038.

29. Any and all traffic studies done regarding Last Dollar Road/Airport Road from Highway 145 at the spur and to the point where Deep Creek meets Highway 145 for the last ten years.

30. Any and all studies, research, cost analysis of providing municipal water and sewer to the Subject Property.

31. Any documents, maps, studies, emails or letters prepared by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch that include the Subject Property.

32. Any PUD Sketch plans, applications, notes of discussion or any other document related to the Subject Property submitted with the last two years (not including the current Application described above).

33. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning and/or the purchase of the Subject Property, and the purchase of the Subject Property.

34. All documents, notes and memoranda concerning the Pre-Application Conference Summary held on February 25th (for the Subject Application) and any communications by letter, email, text or otherwise between anyone in regards to this Pre-Application Conference.

35. Any and all documents and communication, including but not limited to all emails, letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the County of San Miguel seeking to purchase, rezone, or conduct a property exchange for employee housing, or Community Housing as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

36. Any and all changes that were made to the San Miguel County Comprehensive Development Plan from 1-1-2019 through December 31, 2021.

If all or any portion of our request is denied, please also provide a written explanation including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:

P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

Co-Signers

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

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Matt Mitchell (4230 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC

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Michael Phelan (153 Whipple Way, Telluride, CO 81435)

Tanya Phelan (153 Whipple Way, Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

EXHIBIT 20

TOWN OF TELLURIDE

OFFICE OF THE TOWN CLERK
Tiffany Kavanaugh, CMC

April 1, 2022

Morgan and Sarah Smith
3130 Last Dollar Rd.
P.O. Box 3460
Telluride, CO 81435
Via email to morgancsmith99@gmail.com

Re: CORA request – Diamond Ridge Parcels

Dear Mr. and Mrs. Smith:

This letter is in response to your open records request submitted to the Town of Telluride (the "**Town**") via hand delivery on March 28, 2022 and received on the afternoon of March 29, 2022. The request was made pursuant to the Colorado Open Records Act, C.R.S. § 24-72-200.1, *et seq.* ("**CORA**"). You have requested the following nineteen categories of records from the Town:

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the Town of Telluride or town staff and Klein Cote Edwards Citron LLC.
2. The contract between the Town of Telluride regarding the hiring of Klein Cote Edwards Citron LLC to work on this application for the Subject Property.
3. Any and all communication between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Jack Vickers jack@castlepinesvillage.com and text number 303-721-0721 (or through his assistant amy@castlepinesvillage.com, or anyone with an email domain of castlepinesvillage.com) within the last five years.
4. Any and all communication, between the Telluride Town Council or staff, with Jack Vickers' attorney including but not limited to by letter, email, text or other, from Wayne Foreman (wforman@BHFS.com), or his firm Brownstein, Hyatt, Faber, Screck, or other law firm on behalf of Mr. Vickers within the last five years.
5. Any and all communication, between the Telluride Town Council or staff, including but not limited to by letter, email, text or other, with Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.

6. Any and all communication, between the Telluride Town Council or staff including but not limited to by letter, email, text or other, with any attorney for Diamond Ranch, LLC or Diamond Ridge Telluride, LLC within the last five years.
7. Any and all notes, minutes or documents created by or provided to the Telluride Town Council or staff identifying the density of housing planned at the Subject Location.
8. Any and all notes, minutes, analysis or documents created by or provided to the Telluride Town Council or staff identifying any traffic studies regarding the Subject Location.
9. Any and all studies, research, cost analysis created by or provided to the Telluride Town Council or staff concerning providing municipal water and sewer to the Subject Property.
10. Any and all documentation on any notice provided regarding any meetings of the Town Council wherein the potential purchase of the property was discussed.
11. All documentation, emails or other communication wherein this purchase of the Subject Property or the potential rezoning of the Subject Property was discussed with the County Board of Commissioners or the County Planning Department or county staff.
12. All documentation, emails, or communication between the Town of Telluride and the County of San Miguel wherein the modification to the Land Use Code in San Miguel County was proposed to be amended to include a Community Housing (CH) zone with regard to resolution 2021-038.
13. Any billing or invoicing of services from Klein Cote Edwards Citron LLC regarding the work preparing this application for the Subject Property to date.
14. The Contract for sale of the Subject Property, including any attachments, memorandum, agreements, including prior drafts of the contract.
15. Any documents, maps, studies, analysis, emails, texts or letters prepared by or sent by the company of Dave Evans & Associates, 1600 Broadway, Suite 800, Denver, CO 80202 regarding possible PUD subdevelopment of the Diamond Ranch including the Subject Property.
16. Any and all documentation, including but not limited to by letter or email, texting or other communication wherein this potential purchase of the property was discussed with the County of San Miguel.
17. A summary of dates, locations and times of meetings held to discuss any matter related to the rezoning of the Subject Property, and the purchase of the Subject Property.
18. A summary of dates, locations and times of meetings held to discuss any matter related the purchase of the Subject Property.
19. Any and all documents and communication, including but not limited to all emails,

letters, text or otherwise with any property owner in the Telluride Region as defined by the San Miguel Master Plan, regarding the Town of Telluride seeking to purchase, zoning change, or property exchange for employee housing, or Community Housing, as that is defined the Land Use Code in San Miguel County Section 5-324 in the last 3 years.

Due to the large category of records being requested, the Town cannot complete this request within three (3) working days. The Town must spend significant time to complete searching for responsive records in the nineteen categories above, then must spend more time performing the necessary review for privileged information in those identified documents.

Of note, your request was misnumbered and ended with the number seventeen when in fact nineteen requests were made. In its response, the Town will use the numbering as set forth above to avoid this issue of misnumbering. Additionally, the category of documents requested in #19 (as identified above) is extremely broad encompassing an overwhelmingly large number of documents that the Town believes may be irrelevant given the nature of the rest of the CORA request. While the Town will certainly respond to this request as written, please consider clarifying the language of this request if the category of documents you seek is narrower than the current language reads. If required to respond to this request as written, staff time will be significantly higher than estimated below and will result in a higher fee.

Consistent with C.R.S. § 24-72-205(6), the Town assesses a research and retrieval fee of $33.58 per hour after the first hour for identifying, reviewing, redacting, and scanning responsive records to a CORA request. It is estimated that staff time to respond to this request will be approximately twenty-five (25) hours, representing a fee of **$805.92**. A check deposit made payable to the Town of Telluride must be delivered to my office at 135 West Columbia Avenue or mailed to: Town of Telluride, ATTN: Town Clerk, PO Box 397, Telluride CO 81435. Once the deposit is received, Town staff can recommence working to fulfill your request. If the Town's ultimate costs are less than estimated, the overpayment will be refunded to you. Conversely, if staff time exceeds this estimate, you will be billed for the Town's actual costs and payment in full will be required before the responsive documents can be transmitted to you or otherwise available for inspection

The Town will provide the required documents on the later of Tuesday, April 12, 2022 as permitted by C.R.S. § 24-72-203(3)(b), or seven (7) days after the deposit is received.

Regards,

Tiffany Kavanaugh
Town Clerk

cc: Greg Sund, Acting Town Manager
Kevin Geiger, Town Attorney

From: **Morgan Smith** morgancsmith99@gmail.com
Subject: Re: Online Form Submittal: Open Records Requests
Date: April 11, 2022 at 8:34 AM
To: Amy Markwell amym@sanmiguelcountyco.gov
Cc: Nancy Hrupcin nancyh@sanmiguelcountyco.gov

On Mar 31, 2022, at 4:16 PM, Amy Markwell <amym@sanmiguelcountyco.gov> wrote:

Mr. Morgan,

Based on the expansive and broad nature of this request involving multiple staff, we have estimated that it would take approximately 35 hours to retrieve, review and release the documents requested. Pursuant to our CORA policy, we will require a deposit for $1,134.92 to continue with this request.

Please note that with off season starting, at least one if not more staff relevant to this request is out of the office over the next few weeks. In addition, we do not have full-time staff dedicated to working only on CORA requests. Therefore, we anticipate we can complete this request in the last week of April.

As stated previously, if you would like to narrow down your request or highlight documents that you need sooner rather than later, we can endeavor to get those to you as soon as possible.

Finally, there are several items listed below in which we do not have documents responsive to your request or are found on the county's website. I have noted where this is the case in RED below.

Please let me know if you have any questions.

Amy
Amy T. Markwell
County Attorney

P.O. Box 1170 (mailing address/USPS)
333 West Colorado Avenue, 3rd Flr. (physical address/Fed Ex & UPS)
Telluride, CO 81435
Tel.: 970-728-3879
FAX: 970-728-3718
amym@sanmiguelcountyco.gov

Under the Colorado Open Records Act (CORA), all messages sent by or to me on this county-owned e-mail account may be subject to public disclosure.

CONFIDENTIALITY NOTICE: This electronic mail transmission (email) has been sent by an attorney, and it is intended only for the use of the individual or entity to which it is addressed. This email may contain information that is attorney work product, privileged, confidential, exempt or otherwise legally protected from disclosure under applicable law. If the reader of this email is not the intended recipient or an employee or agent responsible for delivering the information to the intended recipient, you are hereby notified that any review, retention, use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this email in error, please immediately notify us by email at attorney@sanmiguelcountyco.gov and delete this message from all locations on your computer. Thank you.

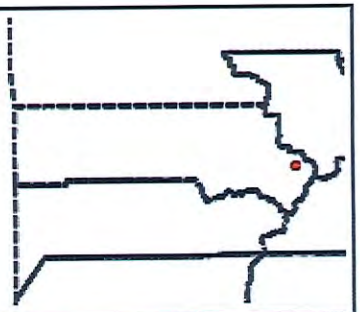
---------- Forwarded message ---------
From: <noreply@civicplus.com>
Date: Mon, Mar 28, 2022 at 4:27 PM
Subject: Online Form Submittal: Open Records Requests

EXHIBIT 22

San Miguel County, Colorado
Map Viewer

Pearl Property





Legend

- Road
- County Boundary
- Town Boundary
- Tax Parcels cache

Map Generated
3/22/22 2:58 PM

1:4,514

0.1 0 0.07 0.1 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

www.sanmiguelcountyco.gov

Notes

San Miguel County Assessor Data Site

Sarah Enders, P.O. Box 506, Telluride, CO, 81435
(P) 970 728-3174 | (F) 970 369-1007 | (E) assessor@sanmiguelcountyco.gov

Account Information

ACCOUNT NUMBER	R1010140001
PARCELNUMBER	456536333902
OWNER NAME	TOWN OF TELLURIDE
PROPERTY ADDRESS	
CITY	TELLURIDE
LEGAL SUMMARY	LOT A PEARL SUBDIVISION ACC TO LOT 48-A BACKMAN VILLAGE SUBDIVISION AND LOT A AND LOT B PEARL SUBDIVISION A LARGE SCALE SUBDIVISION OF LOT P-1 THE PEARL PROPERTY AND THE TOWN OF TELLURIDE PARCEL PER BOOK 420 AT PAGE 965 AND LOT 48-A BACKMAN VILLAGE SUBDIVISION TOWN OF TELLURIDE LOCATED WITHIN THE SW ¼ OF SEC 36 AND SE ¼ OF SEC 35 T43N R9W REC 01 23 2014 PLAT BK 1 PG 4625-4626 6.048 AC
SUBDIVISION	PEARL SUBDIVISION-7166
SECTION TOWNSHIP RANGE	Section 36 Township 43 Range 09
OWNER MAIL	PO BOX 397 TELLURIDE CO 81435 - 0397
CLASS DESCRIPTION	Exempt
PROPERTY CODES	9141-POL SUB. TOWN LAND
TAXAREAID	101
OCCUPANCY	
NEIGHBORHOOD	
ARCHITECTURAL STYLE	

Sales Information

Date	Deed Type	Doc Number	Grantor	Grantee	Amount
01/23/2014	QC	431024	BLOCK 23 HOUSING CORPORAT...	TOWN OF TELLURIDE	

Values and Estimated Taxes

Tax Year	Taxable	Actual	Mill Levy	Estimated Tax
2015	$2,020.00	$6,955.00		
2016	$2,020.00	$6,955.00		
2017	$2,020.00	$6,955.00		
2018	$2,020.00	$6,955.00		
2019	$2,020.00	$6,955.00		
2020	$2,020.00	$6,955.00	44.169	$89.22
2021	$2,020.00	$6,955.00		

Property Details

Model	Attribute Name	Attribute Value
LAND DETAIL 2		
	ABSTRACTCODE	9141
	LANDACRES	8.048
	LANDCLASS	
	LANDSF	263450.88
	LANDUNITCOUNT	1
	LEADESCRIPTIO	OPEN SPACE TOWN OF TELLURIDE
	ECONAREAID	5
	ECONAREADESCR	TOWN OF TELLURIDE

EXHIBIT 23

CULTURAL RESOURCE INVENTORY AND RECORDATION OF THE COLLINS BARN SITE (5SM6005) SAN MIGUEL COUNTY, COLORADO

by

Jonathon C. Horn
Principal Investigator

Alpine Archaeological Consultants, Inc.
PO Box 2075
Montrose, CO 81402
(970) 249-6761

Prepared for

San Miguel County
Open Space Recreation
PO Box 548
Telluride, Colorado 81435

July 2008

ABSTRACT

The Collins Barn (5SM6005) is listed on the San Miguel County Historical Register but has never been officially documented. The site is on private land within open space of the Deep Creek Ranches Home Owners Association, which is in the initial stages of attempting to stabilize and restore the structure. Before stabilization and restoration work was initiated, San Miguel County hired Alpine Archaeological Consultants, Inc. (Alpine) to document the barn and any associated features and to conduct a cultural resources inventory of 5.7 acres of adjacent open space land. Jon Horn, of Alpine, assisted by Chris Greubel, conducted the site documentation and cultural resource inventory on May 29, 2008. Although a small residence, former outhouse, and concrete building foundation are also present on the site, only the Collins Barn and its associated corrals are considered to be of historical significance. No additional cultural resources were identified during the inventory of the adjacent open space land. The documentation also enabled recommendations to be made regarding the manner that stabilization and restoration of the Collins Barn and its associated corrals should be performed. In addition to the documentation and inventory, initial historical research was performed about Deep Creek Mesa to put the site into context. Considerably more historical research will be necessary to fully develop a historical narrative of the area.

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A. Site Form

INTRODUCTION

Alpine Archaeological Consultants, Inc. (Alpine) conducted historical documentation of the Collins Barn site (5SM6005) and performed a cultural resource inventory of 5.7 acres of adjacent open space lands of the Deep Creek Home Owners Association in San Miguel County, Colorado, on May 29, 2008. The Collins Barn is listed on the San Miguel County Historical Register, but had not been previously documented. Because the home owners association is planning to conduct stabilization and restoration of the Collins Barn, San Miguel County hired Alpine to document the structure and any associated features and to conduct a cultural resource inventory of adjacent land. Jon Horn and Chris Greubel of Alpine conducted the documentation of the site and performed the cultural resource inventory. Field notes and photographs resulting from the project are on file at Alpine's office in Montrose, Colorado. No artifacts were collected during the course of the project.

LOCATION AND ENVIRONMENTAL SETTING

The Collins Barn is on Deep Creek Mesa about 5 miles west-northwest of Telluride, Colorado (Figure 1). This is on unsectioned land in what would correspond to the SE¼ of the NW¼ of Sec. 30, T43N, R9W, New Mexico P.M. Deep Creek Mesa is north of the San Miguel River and bisected by Deep Creek, a deeply entrenched tributary of the San Miguel River. The mesa is not truly flat, but slopes rather steeply south and westward east of Deep Creek and southeastward west of Deep Creek, terminating at the tops of steep drainage canyons. Elevations range between about 8,800 and 10,000 ft. The land is mainly open grassland from years of hay raising and livestock grazing, but includes pockets of aspen groves and stands of spruce and fir on more steep terrain. Mancos shale is the underlying geology of the area, which is covered by a mantle of organic silt loam.

HISTORICAL BACKGROUND AND DESCRIPTION

The land on which the site is situated is in Section 30 T43N R9W (Figure 2-J), initially acquired as part of a 160-acre Homestead Patent on April 15, 1902 by Hasten C. Collins. Collins had purchased the rights to the claim from Jonathan W. Carr for $1,800 on July 21, 1897, including a ¾ interest in the Carr and Waddle Ditch (Deed Book 69, Page 240 and Deed Book 99, Page 7). On September 13, 1897, he acquired the 78.89 acres belonging to Andrew L. Lawson adjacent to the west in Sections 19 and 30 T43N R9W and Section 25 T43N R10W (Figure 2-I) for $500 (Deed Book 75, Page 411).

Hasten C. Collins was born on December 15, 1854 in Baywood, Virginia. He married Martha Jane Moore in Baywood on November 6, 1875; Martha was born in Baywood on September 18, 1853. They had several children while they resided in Virginia. Tabitha E. Collins was born September 20, 1876; Mallie Margie Collins was born in November 6, 1878; Andrew Boyd Collins was born on April 16, 1880; Johnson Ezekiel Collins was born on February 6, 1882; Lulu Ann Collins wae born Sept 11, 1884. The family moved to Colorado in 1886, where they had four more children. Samuel Franklin Collins was born in Maher on November 27, 1887; Floyd Collins was born and died in 1889; Ollie Peggy Collins was born in Montrose on September 3, 1891; Eddie C. Collins was born in 1893 and died in 1895 (Freeman 1993:8). The family first lived in Greeley, then moved to Muddy Creek near Crawford, and then moved to Montrose. They moved onto the ranch on Deep Creek Mesa in April 1896 (Freeman 1993:10, 92, 151).

Collins raised hay and operated a dairy on the land and delivered milk in Telluride. The family lived in a small log cabin when they first arrived on the mesa, but built a seven-room house in 1900 (Roper 1969). During the winter months, the family lived in the town of San Miguel, so that the children could go to school (Freeman 1993:151). Their house in San Miguel was destroyed by fire in October 1900 (*Daily Journal* [Telluride] October 5, 1900:4). Collins acquired an additional 80 acres as a Cash Entry Patent in Section 19 T43N R9W (Figure 3-K) on May 13, 1904 (Deed Book 99, Page 430). A. Boyd Collins and his brother, Johnson Collins, bought the Last Dollar Ranch on Hastings Mesa from Samuel K. Nesbitt around 1900. Johnson died February 6, 1912, but Boyd

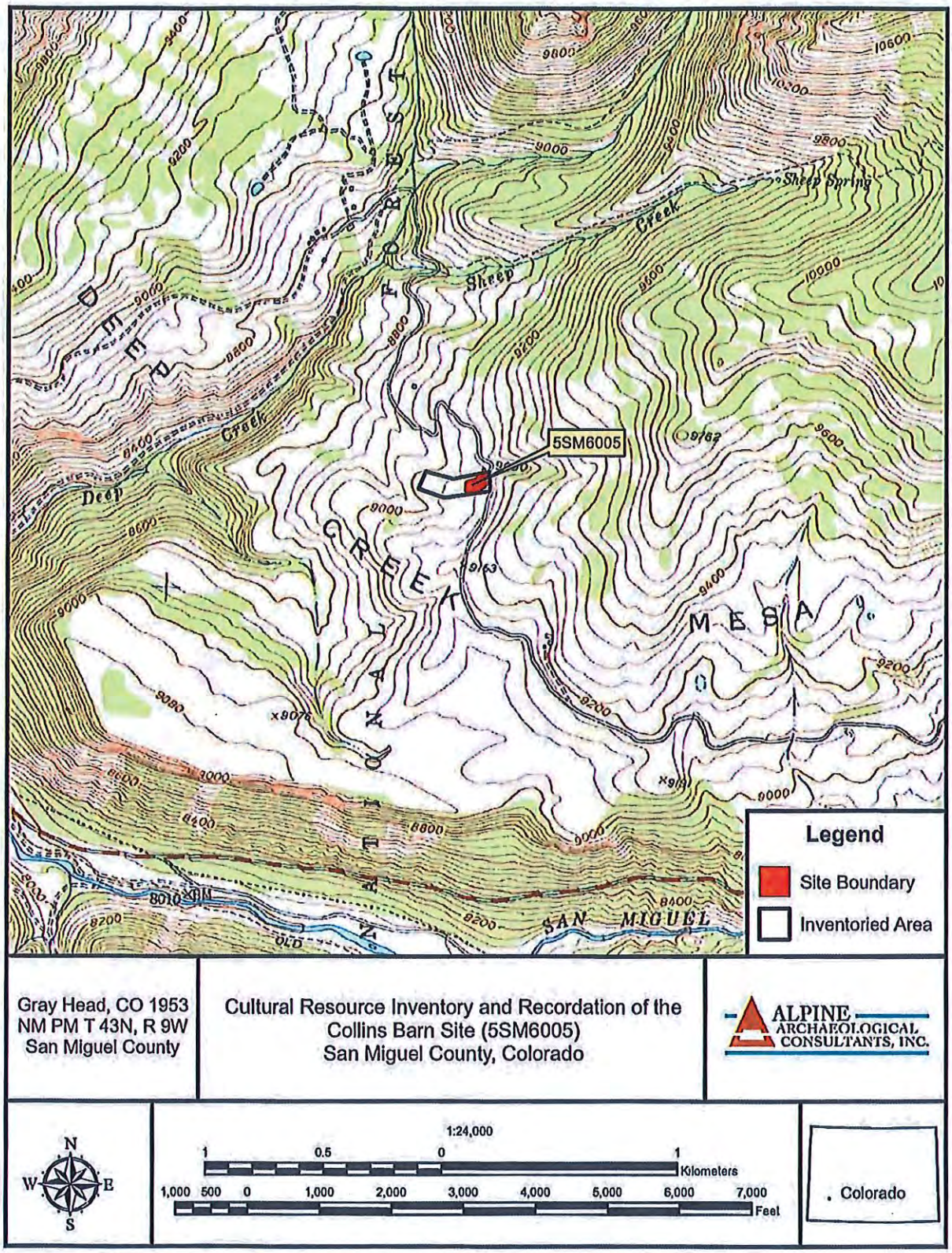


Figure 1. Map showing the location of the Collins Barn.

continued operating the ranch. In 1907, Hasten Collins purchased 112.9 acres of Section 30 T43N R9W from Reece and Walter Breckenridge. Collins deeded all of the land to his wife, Martha J. Collins, on January 14, 1911 and May 6, 1912 (Deed Book 104, Page 337 and Deed Book 109, Pages 35 and 232). She then deeded most of the land to their son, Samuel F. Collins, on August 15, 1914; a corrected deed for this transaction was prepared on August 10, 1917 (Deed Book 123, Pages 285 and 308). Sam Collins raised hay and ran a dairy. He and his family lived on Deep Creek Mesa, but not in the original farm house, and ran a store in Vanadium (Collins 1992). Hasten C. Collins died on August 22, 1925; what little land he had retained ownership of transferred to his wife, Martha. Martha continued to live in the family home until her death on July 30, 1940. The year before she died, on May 22, 1939, Martha transferred title to the small amount of land she had not previously passed on to Samuel F. Collins to her son, A. Boyd Collins (Deed Book 150, Page 423). The family home remained empty until about 1950, when Boyd's daughter, Francis G. "Fern" Collins Morss, began residing there. She lived in the house until her death on April 17, 1969. The contents of the home were given to the San Miguel County Historical Society (Freeman 1993:180; Roper 1969). The house was later destroyed by fire.

Ranchers on Deep Creek Mesa grew hay, operated dairies, and raised cattle. The nearby community of Telluride provided a strong market for hay, dairy products, and beef. Ranching on Deep Creek Mesa began about 1883, but formal filings on the land were not possible until the land was formally surveyed in the later 1880s. Land patents began to be issued in 1890, but continued into the early 1920s. The original surveys of the area were inaccurate, resulting in difficulties in establishing legitimate property boundaries. In some instances, land that was presumed to be included in a patented claim was, in reality, not legally held, so competing claims were made resulting in disputes over ownership. These problems were first identified in about 1901, and new surveys were completed by 1903 (*Daily Journal* [Telluride] August 26, 1901:2; December 9 1903:3). The following historical information is incomplete and represents only the initial results of research completed on the settlers on Deep Creek Mesa. Considerably more research will be needed to fully articulate the history of the area. The original land entries are presented in Table 1 and are keyed to locations shown in Figure 2 and Figure 3.

The Adams Ranch (Figure 2 and Figure 3, Parcels R and S) was the joint holding of John Henry Adams and Frank E. Adams; they were likely brothers. The Adamses reportedly began ranching on Deep Creek Mesa in 1883 (*Daily Journal* [Telluride] June 23, 1900:1). John Adams obtained a Cash Entry Patent for 160 acres in Section 30 T43N R9W on October 11, 1890; he originally filed on the land December 17, 1887 (Deed Book 49, Page 449 and Deed Book 78, Page 473). The property was sold to Fannie Osgood Adams on April 23, 1889 for $2,000 (Deed Book 10, Page 376). Frank Adams held property in Sections 30 and 31 T43N R9W obtained as a 135.39-acre Homestead Entry Patent on May 5, 1904 (Deed Book 99 Page 9) and in Sections 21 and 28 obtained as a 142.28-acre Cash Entry Patent on November 22, 1924 (Deed Book 99, Page 431). Frank was reportedly in the dairy business with Richard Jones until December 1903; they delivered milk in Telluride (*Daily Journal* [Telluride] November 28, 1903:3). The Adams Ranch was one of the larger dairy operations in the area. John H. Adams moved to the Gunnison Valley near Delta to go into the fruit-raising business in 1904. Frank Adams bought some land in the Palisade/Clifton area in 1906, where he began a fruit ranch with August Brodine. He reportedly sold his property on Deep Creek to Martin Ewing in 1906 (*Daily Journal* [Telluride] November 8, 1906:4). John Adams returned to Telluride in 1912 to operate a furniture store. The ranch on Deep Creek Mesa was run by his son, Buel, through at least 1915.

Elwood B. Anderson was another individual who reportedly began ranching on Deep Creek Mesa in 1883 (*Daily Journal* [Telluride] September 19, 1903:3). He acquired 168.93 acres in Sections 18 and 19 T43N R9W and Section 24 T43N R10W (Figure 2-B) as a Cash Entry Patent on September 18, 1891 after filing his initial paperwork for the claim on September 23, 1889 (Deed

Table 1. Initial Entrants on Deep Creek Mesa Keyed to Maps (Figure 2 and Figure 3).

Figure(s)	Map Key	Claimant Name	Entry†	Patent Date	Legal Description‡
2	A	James W. Scoville	HE	2/14/1900	E½ of SE¼, SE¼ of NE¼ Sec. 13; NE¼ of NE¼ Sec. 24 T43N R10W
2	B	Elwood B. Anderson	CE	9/18/1891	Lots 4, 9, 10 Sec. 18; Lots 3, 4 Sec 19 T43N R9W; SE of NE Sec. 24 T43N R10W
2	C	James P. Phillips	HE	6/12/1907	W½ SW¼ Sec. 18; W NW¼ Sec. 19 T43N R9W
2	D	Russell S. Painter	CE	9/18/1891	N½ of S½ 24 T43N R10W
2, 3	E	Herman L. Hummel	HE	4/27/1921	Lot 9 Sec. 19 T43N R9W
2, 3	F	Francis W. Waddell	HE	5/17/1897	Lots 7, 8, 11, 12 Sec. 19 T43N R9W
2	G	James B. Boyer	HE	9/6/1917	S½ of SE¼ Sec. 23; SW¼ of SW¼ Sec. 24; NW¼ of NW¼ Sec. 25 T43N R10W
2	H	Herman L. Hummel	HE	9/13/1917	SE¼ of SW¼; S½ of SE¼ Sec. 24 T43N R10W
2	I	Andrew L. Lawson	CE	9/20/1897	Lot 10 Sec. 19, Lots 3, 4 Sec. 30 T43N R9W; NE¼ of NE¼ Sec. 25 T43N R10W
2, 3	J	Hasten C. Collins	HE	4/15/1902	Lots 1, 2, 5, 6 Sec. 30 T43N R9W
3	K	Hasten C. Collins	HE	5/13/1904	SE¼ Sec. 19 T43N R9W
3	L	Nicholas P. Shay	HE	9/26/1906	SW¼ Sec. 20 T43N R9W
3	M	Annie Shay	HE	12/21/1908	SE¼ Sec. 20 T 43N R9W
3	N	Walter C. Breckenridge	HE	3/7/1902	NE¼ Sec. 30 T43N R9W
3	O	Walter C. Breckenridge	HE	4/24/1893	NW¼ Sec. 29 T43N R9W
2	P	David D. Dimond	HE	6/2/1904	S½ of NE¼, N½ SE¼ Sec. 25 T43N R10W
2	Q	Emanuel Richer (Heirs)	HE	3/30/1905	S½ of SE¼ Sec. 25 T43N R10W
2, 3	R	Frank E. Adams	HE	5/5/1904	Lots 8-11, Sec. 3; Lot 1 Sec. 31 T43N R9W
2, 3	S	John H. Adams	CE	10/11/1890	Lots 7, 12, W½ of SE¼ Sec. 30 T43N R9W
3	T	Reese [Reece] B. Breckenridge	CE	6/22/1908	W½ of SW¼ Sec. 29; E½ SE¼ Sec. 30 T43N R9W
3	U	Margaret E. Breckenridge	HE	6/22/1908	E½ of SW¼, SW¼ of NE¼, NW¼ of SE¼ Sec. 29 T43N R9W
3	V	George Sheahan	CE	12/17/1908	N½ of NE¼, NE¼ of NW¼ Sec. 31; NW¼ of NW¼ Sec. 32 T43N R9W
3	W	Frederick J. Jacobs	HE	1/30/1906	Lot 14 Sec. 29, Lots 1-3 Sec. 32, Lots 1 and 2 Sec. 33 T43N R9W

† HE = Homestead Entry Patent CE = Cash Entry Patent

‡ All in the New Mexico P.M. Currently shown on USGS quadrangle as unsectioned land.

Book 49, Page 451). He sold the land to Jonathan W. and Thomas J. Carr on May 9, 1891, prior to obtaining the land patent, but reacquired it on April 23, 1894 (Deed Book 10, Page 546). This may not reflect an actual absence from the property by Anderson, but may have been an irregular way of taking out a loan to make improvements, as Jonathan Carr was heavily involved in making loans in Telluride. By 1896, Anderson was reported to be residing in Delta.

James B. Boyer received a Homestead Entry Patent for 160 acres in Sections 23, 24, and 25 T43N R10W (Figure 2-G) on September 6, 1917 (Deed Book 99, Page 139). Prior to acquiring the land, he had been employed by the Smuggler-Union Mine. By 1920, he had a lot in San Miguel and may have resided there at least during the winter months. In 1922, it was reported that he was cutting timber on Bilk Creek to supplement his ranch income (*Daily Journal* [Telluride] September 1, 1922:4).

The Breckenridge Ranch was one of the largest landholdings on the mesa. Walter C. Breckenridge obtained 160 acres as a Cash Entry Patent in Section 29 T43N R9W (Figure 3-O) on April 24, 1893 (Deed Book 99, Page 552). He acquired another 160 acres in Section 30 (Figure 3-N) as a Homestead Entry Patent on March 7, 1902 (Deed Book 92, Page 5). On June 22, 1908, Reece B. Breckenridge was granted a 160-acre Homestead Entry Patent for 160 acres of adjacent land in Sections 29 and 30 (Figure 3-T). That same day, Margaret E. Breckenridge was also granted a 160-acre Homestead Entry Patent for adjacent land in Section 29 (Figure 3-U; Deed Book 99, Page 44). Margaret deeded her Homestead claim to Walter and Reece on December 21, 1909 (Deed Book 102, Page 543). Because of the irregular land lines in the area, Walter and Reece Breckenridge deeded a 112.9-acre portion of Section 30 to Hasten C. Collins on January 3, 1907 for $2,580 (Deed Book 102, Page 99). Margaret Elizabeth Ritenour Breckenridge was the mother of Walter and Reece; she married Thomas Edwin Breckenridge on January 30, 1851, and they moved to Hannibal, Missouri, where Walter and Reece were born (Putman 2008). In the 1890s, while Walter established a ranch on Deep Creek Mesa, Reece operated a packing operation at Pandora, transporting supplies to the Tomboy Mine and other mines of the area. Thomas Breckenridge died in Hannibal on April 23, 1897, and Margaret moved to Telluride to live with her sons (Putman 2008). In 1897, Reece went to the Klondike to prospect for gold. Although it was rumored that he was drowned in Whitehorse Rapids, he returned to Telluride in May 1900 and began ranching with his brother (*Daily Journal* [Telluride] January 6, 1898:4; May 7, 1900). The Breckenridges raised hay and ran a dairy operation (Brown 1990). Cattle raised on Deep Creek Mesa were wintered in the Norwood area. The brothers also conducted mining at the Royal Mine in Bridal Veil Basin between 1905 and 1915 (*Daily Journal* [Telluride] December 5, 1905). By 1932, the Breckenridge Ranch included the former holdings of John H. and Frank E. Adams, David Dimond, and the heirs of Emanuel Richer. The Breckenridge Ranch was sold to Edgar Narthall Lavender on January 30, 1932 (Deed Book 169, Page 26). Lavender was born January 25, 1872. He came to Telluride from South Dakota as a teenager and began freighting supplies to the mines. He evidently began ranching on Deep Creek Mesa by 1906, gradually acquiring land there. He reportedly brought 100 mules from Montrose to his ranch on Deep Creek Mesa in 1909 (*Daily Journal* [Telluride] April 15, 1909:3). His ranching operation worked in cooperation with the Breckenridges and other ranchers of the area (*Daily Journal* [Telluride] July 13, 1906). Gradually it expanded to include property in the Paradox Valley and around Lone Cone. Lavender married Edith Garrigues in 1921. She had previously been married to David Painter of Telluride, who she divorced after having two sons, David and Dwight. Lavender adopted both of the boys. Lavender was diagnosed with stomach cancer and died on May 21, 1935 (Lavender 2007:vi-vii). By some mechanism, perhaps through payment of back taxes, the entire southern portion of Deep Creek Mesa, except for land still owned by the Collins family, came into the ownership of John H. Moore. In addition to the former Breckenridge/Lavender Ranch, Moore had acquired the land of Nicholas and Annie Shay (Deed Book 179, Pages 41-42).

David D. Dimond acquired 160 acres in Section 25 T43N R10W (Figure 2-P) as a Homestead Entry Patent on June 2, 1904; Dimond initially filed on the land on May 16, 1899 (Deed Book 49,

Page 403 and Deed Book 99, page 9). Dimond was born December 9, 1852 and came to Telluride as a packer to the mines in Marshall and Savage Basins in 1890. He continued in that occupation until 1897, when he began ranching on Deep Creek Mesa. Dimond moved to Montrose in 1904, then continued on to Denver, and was living in Twin Falls, Idaho by 1911. He died in Twin Falls on May 31, 1923. His land was incorporated into the Breckenridge Ranch (*Daily Journal* [Telluride] August 3, 1897:4; May 6, 1911:4; June 5 1923:2).

Herman Leander Hummel was the youngest son of John W. Hummel, who settled on Hastings Mesa in the 1890s; Herman was born on January 24, 1881 (Cline 1976). He obtained 120 acres in Section 24 T43N R10W (Figure 2-H) as a Homestead Entry Patent on September 13, 1917. He then acquired an additional 18.22 acres of adjacent land in Section 19 T43N R9W (Figure 2-E) as another Homestead Entry Patent on April 27, 1921 (Deed Book 9, Pages 129 and 270). Hummel sold his land holdings to Albert Stephens on November 4, 1920, who then sold the land to John A. McKnight on October 9, 1925 (Deed Book 132, Page 228).

Frederick J. Jacobs was an immigrant from Bremen Germany who operated a dairy on Deep Creek Mesa from at least 1901 to 1906. He obtained portions of Sections 29, 32, and 33 T43N R9W (Figure 3-W) as a 120.2-acre Homestead Entry Patent on January 30, 1906 (Deed Book 99, Page 20). He began operating a slaughterhouse at what was known as the Walker House in 1906 (*Daily Journal* [Telluride] December 11, 1902:3; May 3, 1906:3). Jacobs sold his holdings in Sections 29 and 32 to Ezekiel M. and Theodosia Moore on March 24, 1909 for $6,000 (Deed Book 102, Page 406). The Moores sold the land to Gio Oberto on June 7, 1917 (Deed Book 124, Page 310).

Andrew L. Lawson obtained 78.89 acres in portions of Sections 19 and 30 T43N R9W and Section 25 T43N R10W (Figure 2-I) as a Cash Entry Patent on September 20, 1897; he filed on the land on December 15, 1896 (Deed Book 72, Page 553 and Deed Book 78, Page 403). Just prior to obtaining the patent, on September 13, 1897, he sold the property to Hasten C. Collins for $500 (Deed Book 75, Page 411).

Russell S. Painter obtained 160 acres in Section 24 T43N R10W (Figure 2-D) as a Cash Entry Patent on September 18, 1891 (Deed Book 60, Page 185). He sold the land to George F. Rock on December 13, 1911, who then sold it to Herman L. Hummel on June 26, 1917 for $1,200 (Deed Book 109, Page 518 and Deed Book 123, Page 295).

James Preston Phillips acquired 160 acres in Sections 18 and 19 T43N R9W (Figure 2-C) as a Homestead Entry Patent on June 12, 1907 (Deed Book 99, Page 134). Phillips worked at the Smuggler-Union Mine and the Bullion Tunnel until he was hit over the head and shot in the arm while exiting a bar in Telluride. He began working for the town and became the night marshal. He quit his marshal job and focused his activities on raising hay on his ranch from 1907 until at least 1916 (*Daily Journal* [Telluride] September 30, 1907:1).

Emanuel Richer filed on 80 acres of land in Section 25 T43N R10W (Figure 2-Q), but died before his Homestead Entry Patent was complete. The patent was granted to his heirs on March 30, 1905.

James W. Scoville obtained a 160-acre Homestead Entry Patent on February 14, 1900 in Sections 13 and 24 T43N R10W (Figure 2-A; Deed Book 78, Page 468). Scoville began raising hay on the mesa by at least 1896. He sold a half interest in his land to James Preston Phillips on October 19, 1900 for $800 (Deed Book 75, Page 556).

Nicholas P. Shay obtained 160 acres in Section 20 T43N R9W (Figure 3-L) as a Homestead Entry Patent on September 26, 1906 (Deed Book 99, Page 46). Shay worked at the Smuggler-Union and Cimarron Mines from at least 1900 to 1902. In 1902, he operated a ranch in partnership with

W. C. Bates. After that partnership ended on September 30, 1902, he bought the express and delivery business of Charlie Slocum. From 1906 to 1908, he was a tramway operator at the Smuggler-Union Mine. He then bought a ranch in Lewiston, Idaho, but returned to work at the Smuggler-Union and Tomboy Mines in 1909 (*Daily Journal* [Telluride] October 1, 1902:3; November 22, 1902:3; October 12, 1908:3). His sister, Annie Shay, acquired an adjacent 160 acres in Section 20 (Figure 3-M) as a Homestead Entry Patent on December 21, 1908 (Deed Book 99, Page 378).

George Sheahan acquired 160 acres in Sections 31 and 32 T43N R9W (Figure 3-V) as a Homestead Entry Patent on December 17, 1906 (Deed Book 99, Page 474). Sheahan was a County Commissioner in 1909. His 14-year-old daughter, Ivy, was shot with a .22 caliber rifle by her younger brother on July 2, 1923; she died July 21 (*Daily Journal* [Telluride] July 2 and 21, 1923).

Francis W. Waddell arrived in Telluride in 1877, but soon turned his attention to ranching on Deep Creek Mesa. He obtained 160 acres is Section 19 T43N R9W (Figure 2-F) as a Homestead Entry Patent on May 17, 1897 (Deed Book 78 Page 378). He sold his land to George F. Rock, who sold it to Samuel F. Collins on June 18, 1914 for $1,450 (Deed Book 123, Page 309). Waddell died of tuberculosis in August 1921 (*Daily Journal* [Telluride] August 24, 1921:1).

PREVIOUS WORK AND EXPECTED RESULTS

A site file search on the Colorado Historical Society's on-line Compass database was performed on May 27, 2008. No cultural resource projects have been carried out in the immediate vicinity of the project area. Although the Collins Barn is listed on the San Miguel County Historical Register, the site had not been previously documented and no other sites have been recorded close by.

Prior to entering the field, it was known that the Collins Barn would require recordation and it was anticipated that the remains of associated buildings, structures, and archaeological remains from occupation of the site as a ranch would be found and would be recorded as well. Most of these associated remains were expected to be within the open space area to be inventoried in the vicinity of the barn. Inventory away from the barn was expected to identify a few historic items associated with ranching. The identification of a prehistoric site within the inventory area was expected to be unlikely because they have only infrequently been encountered in the vicinity, the nearest being a small site on the west side of Deep Creek about 1.5 miles away (Horn 1989).

PROJECT OBJECTIVES

The objective of the project was to document the Collins Barn prior to its being modified by stabilization and restoration so that a permanent record of its current condition would be preserved on Colorado State site forms. In addition to describing and photographing the structure, it was thought important to identify important architectural elements, assess the integrity of the structure, and to provide suggestions that might be helpful in guiding the stabilization and restoration. In addition, an inventory of the Deep Creek Home Owners Association open space around the barn was conducted to identify and fully record any associated buildings, structures, or cultural remains of importance, including prehistoric sites, if present. As part of the Collins Barn recordation, recommendations regarding the significance were made using the criteria for determining eligibility for inclusion on the National Register of Historic Places (NRHP). The criteria for assessing site significance, as published in the U.S. Government Code of Federal Regulations (36 CFR 60), read as follows:

National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and

(a) that are associated with events that have made a significant contribution to the broad patterns of our history; or

(b) that are associated with the lives of persons significant in our past; or

(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(d) that have yielded, or may be likely to yield, information important in prehistory or history.

FIELD METHODS AND RESULTS

Documentation of the Collins Barn and the cultural resource inventory of nearby open space land were performed by Jon Horn and Chris Greubel of Alpine on May 29, 2008. Appropriate Colorado State site forms were completed which included writing a description of the barn and other associated structures and corrals, taking digital photographs, and preparing a map using a Trimble GeoXT Global Positioning System (GPS) unit capable of submeter accuracy. The site form is included in Appendix A. The cultural resource inventory was performed by walking parallel transects through the survey area at 15-m (50-ft) intervals. Historical research was performed by Jon Horn at the Telluride Historical Museum, the Wilkinson Library in Telluride, the Montrose County Public Library, and the San Miguel County Courthouse. General Land Office records were accessed on-line through the Bureau of Land Management's (BLM) database, Master Title Plats were accessed at the BLM office in Montrose, and other historical information was obtained on the internet.

The Collins Barn and associated structures, structure remains, corrals, and artifacts were recorded as site 5SM6005. No other cultural resources were identified as a result of the inventory of adjacent areas.

5SM6005 - Collins Barn

The Collins Barn site (5SM6005) is comprised of a historic barn (Structure 1) with associated corrals and a few artifacts, a fairly recent residential structure (Structure 2), the remains of an outhouse (Structure 3), a concrete foundation (Structure 4), and a disturbed leveled area where a residence stood at one time (Figure 4, Figure 5, and Figure 6). The 1.4-acre site is immediately west of the Last Dollar Road on private land held by the Deep Creek Home Owners Association. The area is a moderately steep west slope covered by grasses with a few currant bushes at an elevation of 9,080 ft.

The Collins Barn, Structure 1, is a 20 by 44-ft wood frame barn, oriented north to south, with 13½-ft-wide shed additions along the entire north and west sides. The main structure has a shingled gable roof, and the additions have shingled shed roofs that meet at the northwest corner (Figure 7). Wooden shingles are attached to 1 by 8-in. and 1 by 6-in. board skip sheathing on 2 by 6-in. rafters. The rafter eaves project slightly and are boxed. The barn is sided with 1 by 12-in. (¾ by 11½-in. actual dimensions) vertical boards with no battens over the gaps between the boards. A 1 by 10-in. board band runs beneath the eaves. The barn was originally painted with red oxide. The structure rests on a dry-laid sandstone and quartzite slab foundation one to six irregular courses high that is up to 2 ft tall (Figure 8). The foundation compensates for the irregular terrain on which the barn was built. No foundation stones are evident at the center of the east side of the barn, where the main entry is situated. Perimeter wall sill plates are set directly on the foundation stones except on the center of the east side, where the sill plate appears to have rotted away from resting directly on the ground (Figure 9 and Figure 10). This has resulted in settling of the wall at that location, causing a corresponding drop in the roofline and minor rot of the lower end of the siding boards. The

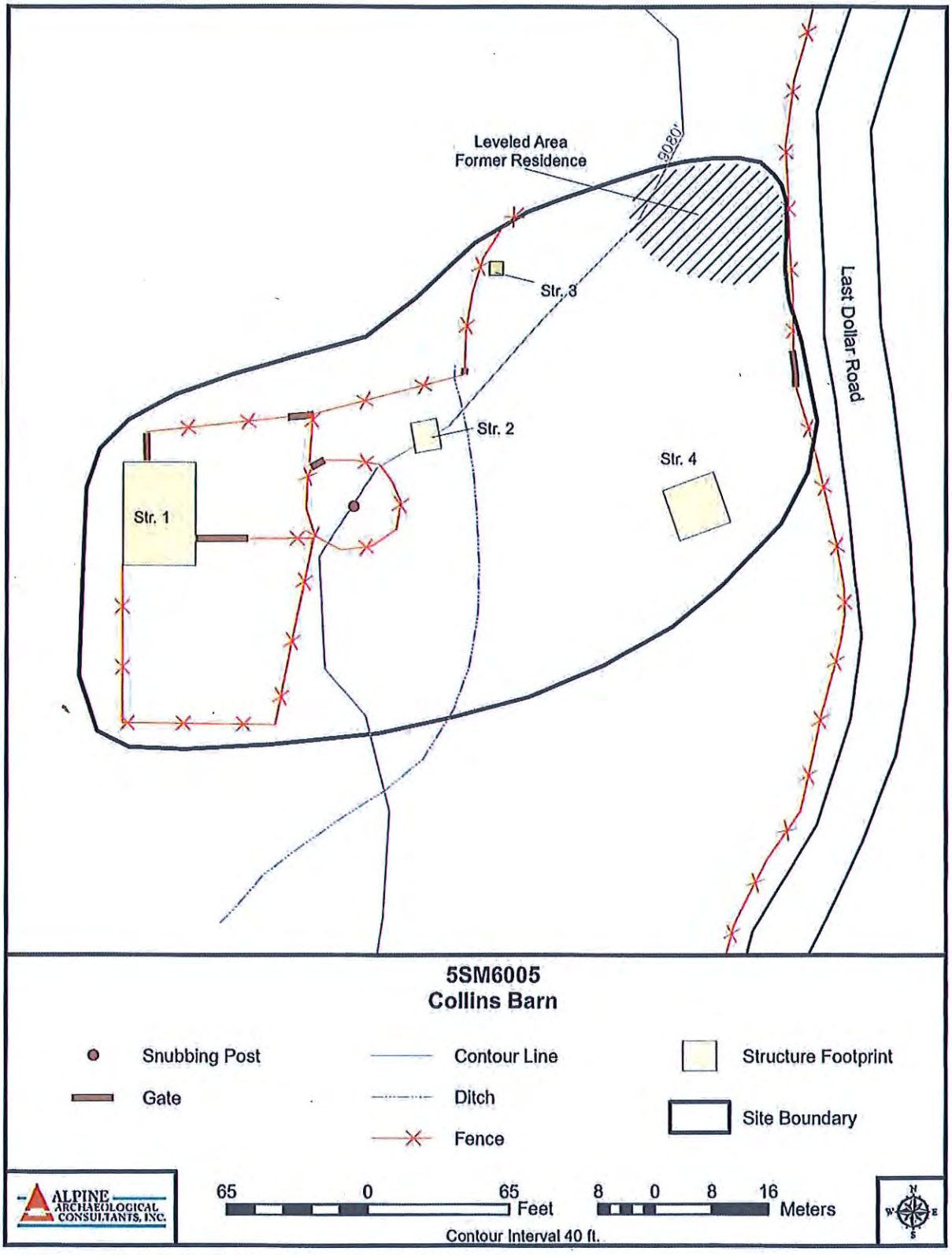


Figure 4. Map of the Collins Barn site (5SM6005).

sill plates are hand-hewn 7 by 7-in. beams connected to each other with flat-lap joints. Resting on the sill plates are 7 to 9-in.-diameter log floor joists that have been adzed flat on their tops to accommodate laying a 1 by 12-in. board floor. Also resting on the sill plates are upright posts that provide the framework for the barn. These are 5 by 6-in. hand-adzed posts at the corners, 6 by 7-in. posts at the center of the long walls, and hand-adzed posts of from 4½ by 4½ to 5 by 5½ in. irregularly spaced at 2 to 3½-ft intervals around the perimeter with 2 by 6-in. board spacers between (Figure 11). Double 2 by 8-in. boards form the wall top plate, and aspen logs span the width of the main structure at ceiling level, except for one hand-adzed beam and one milled beam.

The main entry into the barn is through a 7-ft-wide doorway at the center of the east side. It is covered by a sliding vertical board door with rolling hardware attached to its top that runs on overhead rail. A window opening with plain board molding is high on the south end of the east elevation. This was originally covered with a board shutter that was hinged on the south side; only one strap hinge remains. A 7-ft-wide doorway allows entry into the northern shed addition on the north end of the east elevation. The overhead track for a sliding door is still in place, but the door is no longer present. A small window opening is east of center on the north elevation; it was covered with chicken wire (Figure 12). At the west end of the north elevation is a 4½-ft-wide doorway that also has the overhead track for a sliding door still in place, but the door is not present. A 2½-ft-wide doorway that allowed entry into the main portion of the barn is near the center of the south elevation. It also still has overhead rail still in place for a sliding door that is no longer present (Figure 13). Just to the west is a window opening into the west shed addition; the opening is partly covered with boards. At the west end of the south elevation is a 5½-ft-wide doorway for which both the door and hardware are missing. Scrape marks to the right of the door indicate that it was also covered by a sliding door. High in the gable on the south side is a small opening just west of center through which a beam projects horizontally. The opening may have been expedient, but the function of the projecting beam is unknown. Nearly the entire west wall of the western shed addition has collapsed inward, dropping the shed roof rafters with it (Figure 14).

The interior of the western shed addition is partitioned by 7-ft-long walls into 9-ft-wide stalls with feed bins on their east ends (Figure 15). The backs of the feed bins are 27-in.-tall walls constructed of 1 by 6 and 1 by 8-in. horizontal boards. The stalls have earthen floors except on the south end where an expedient 4 by 8-in. plank floor is laid on log sills with their tops adzed flat. A similar expedient plank floor is in the northwest corner of the shed additions. Also in the northwest corner of the shed additions is a small sheep or hog pen with a feed bin along its south wall and a shallow feed trough in the southwest corner. The eastern portion of the northern shed addition has a partial plank floor and feed bins along the south side. The dividing wall between these and the pen to the west is of horizontal boards; the interior wall on the north side is of vertical boards. Short angled walls with a cross rail on the south side define the central feed area. The cross rail may have been used to secure animals during milking (Figure 16). A narrow doorway with a horizontal board door allowed access into the main barn from the east end of the northern addition.

The north, south, and west sides of the barn are enclosed by a 75 by 150-ft log post and barbed wire and log rail corral that attaches to the northwest and southwest corners of the barn. This corral is divided nearly in half by a divided fence with a large, 14-ft-wide pole gate that abuts the barn just south of the main entry on the east side of the barn (Figure 17). This is one of several gates on the site of similar design. The gates are made of 2-3-in.-diameter horizontal poles spaced at about 1-ft intervals that are set into drilled end posts. The hinge-side post is attached to a heavy fence post by a hand-made pin hinge at the base of the gate and adjustable linked eye bolts at the top. Rigidity of the gate is improved with diagonal-pole or strap-iron braces that run from corner to corner. Other gates on the corral are on the north end of the west side attaching to the barn and at the east end of the north side. Adjacent to the east side of the corral are the remains of what appears to have been a 40-ft-diameter corral with a gate on its northwest side (Figure 18). Although represented only by log posts, it probably had walls of log rails. In the center of the corral is a heavy,

short, snubbing post. The circular shape of the corral and the snubbing post suggests that the corral was used for breaking horses or mules.

Artifacts observed in association with the barn include a 50-gallon drum, corrugated sheet metal, riveted galvanized tanks, iron bed frames, window screen, barrel lid clamps, coffee cans, iron water pipe, overhead door rail, cinderblocks, an iron pulley, an aluminum tray, a stove pipe elbow, strap iron, fence posts, and barbed wire. Downslope to the west of the barn was on old Fresno-type scraper.

Structure 2 is a small residence of relatively recent age; it does not appear to be 50 years old but appears in a 1964 photograph of the ranch complex (Freeman 1993:179). The structure measures 12 by 14 ft, oriented north to south. It has a composition gable roof with aluminum flashing at its edges. Siding is 1 by 10-in. vertical boards with 1 by 2-in. battens; aluminum flashing is installed around the base of the walls. Entry into the residence is through a modern door on the center of the north side. Single-light, fixed, wood sash picture windows are on the south end of the west elevation and the west end of the south elevation. A single-light aluminum window is in the gable on the south elevation.

Structure 3 is a 3½ by 4-ft outhouse that has fallen downslope 10 ft westward from a rectangular depression where it had been originally placed. Its board door is adjacent to the depression. The structure has 1 by 10-in. vertical board siding and a plywood and tar paper shed roof. The structure is considerably less than 50 years old.

Structure 4 is a 24½ by 25 ft concrete slab foundation, oriented east to west, with 6-in.-thick sidewalls on the east and north sides. The east wall is 4 ft tall with ½-in.-diameter bolts irregularly spaced for wood frame wall attachment above. The north wall is 4 ft tall for the easternmost 8 ft, then is 2 ft tall to its west end. The concrete seems to have been poured in a plywood form, suggesting that the building represented is not particularly old. Remnants of burned wood on top of the walls and charcoal on the floor show that the structure burned. Artifacts observed include clear glass fragments, melted aluminum, melted plastic sewer pipe, barbed wire, wire nails, fence staples, window glass, and a hose bib spigot marked "HODES/KC MO." The spigot was manufactured by Hodes Company of Kansas City; the company was founded in 1943 and is still in business (Hodes Co. 2005). Figure 19 shows this to be the foundation of some sort of an outbuilding immediately south of the main residence. The location of the wood-frame farm house (Figure 19 and Figure 20) currently appears only as a disturbed leveled area in the northeastern portion of the site. After the structure was destroyed by fire, all evidence of it was obliterated except for a few pieces of window glass.

National Register Recommendation

The Collins Barn (5SM6005) is recommended as NRHP eligible under criteria A and C. Under criterion A, the site is one of the last vestiges of the important agricultural development that took place on Deep Creek Mesa. The barn is the focus of the site, but the fences, gates, and corrals are also important elements of the site that are representative of the historic agricultural landscape. Hasten Collins was an early homesteader on Deep Creek Mesa and was influential in the development of hay, dairy, and cattle agriculture. Arriving in 1896, members of the Collins family continuously occupied the original Homestead claim until 1969 and finally sold the property in the 1970s. They had the longest tenure of any of the original homesteaders on Deep Creek Mesa and amassed a sizable ranch by acquiring adjacent lands. Agriculture was important to the development of the nearby town of Telluride. Hay was produced as a commercial product that was necessary to feed the animals used in freighting supplies to and ore from the mines. The dairies and cattle ranches were relied upon to feed the citizens of Telluride and the surrounding mines. Under criterion C, the barn (Structure 1) is typical of ranching in the area, but has some unusual construction characteristics that may be considered to be rare survivals in the region. These are the hand-hewn posts, sills, and floor joists. Also contributing to the significance of the barn is the

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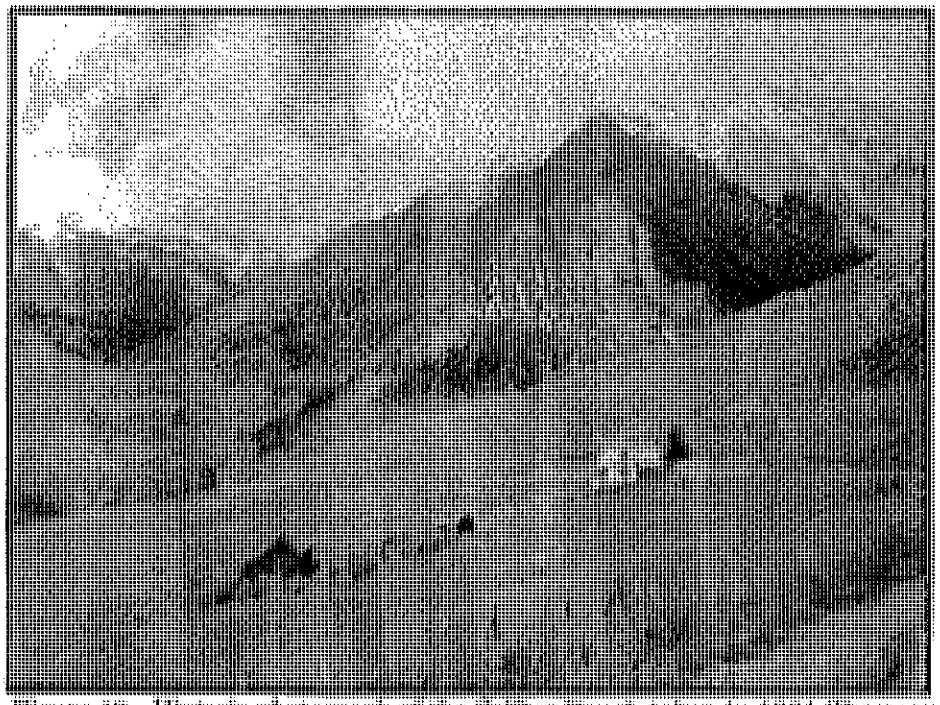


Figure 19. Historic photograph of the Collins home taken in 1904 (Freeman 1993:179).



Figure 20. Early 1900s photograph of the Heaton and Hooton Collins residence now represented by a disturbed leveled area (Freeman 1993:148).

attached corral, the round horse-breaking corral with central snubbing post, and the pole gates. Structures 2, 3, and 4 do not contribute to the significance of the site. No evidence was found to suggest that archaeological deposits of importance exist at the site.

Management Recommendations

Only the Collins Barn (Structure 1) and its associated corrals are considered to be important elements of site 5SM6005 that require further consideration as cultural resources. Stabilization and restoration work is currently underway on the Collins Barn. The most critical aspect of the initial work on the structure should be on getting a roof on the structure so that moisture is prevented from entering the interior. Although the original roof was of wooden shingles, replacement using wooden shingles is probably not practical and perhaps not desirable because of durability, cost, and fire considerations. A good interim solution would be to put a metal roof on the structure. This should be a corrugated metal roof, not a flat pro-panel roof. At a future date, consideration of other roofing materials can be made, including wooden shingles or metal roofing that mimics wooden shingles. The slight sag in the roofline is caused by deterioration of the sill beneath the floor joists near the center of the east side. Reestablishing a straight roofline should take place prior to installing new roofing. By replacing the rotted sill, the floor joists can be raised to their proper height, as can the corresponding wall support posts. The new sill should be of cedar, redwood, or treated lumber. It may be necessary to remove soil beneath the sill for installation of a dry-laid stone foundation similar to that found elsewhere on which the new sill can be installed so that it does not come in contact with moisture. Loose stone foundation stones should be refit beneath the wall sills elsewhere around the perimeter of the structure. The loosening of these stones has not caused the structure to become destabilized, but is thought to be important so that the structure remains stable and for cosmetic reasons. The original position of the slightly displaced foundation stones can be readily determined. The stones should remain dry-laid. It may be necessary to wedge in additional stones to obtain a tight fit or to slightly raise a wall sill to fit stones beneath it and then lower the sill back down to achieve the tight fit. Although deterioration of the shed additions has taken place, particularly on the west side, sufficient structural integrity exists so that surviving architectural elements (sills, wall studs, and rafters) can be used as patterns and duplicated as to dimensions, materials, and placement. Missing exterior siding should match the original in terms of size, material, and spacing. Existing siding can be used as a pattern; all should be rough-cut pine, as was used originally. Only a single layer of siding was installed originally, and the spaces between the boards were not covered with battens. The sliding board door on the east side of the barn is the only door that has survived. It can be used as a pattern for building replacement doors to cover the other door openings. Most of the overhead track on which the doors slid is still in place, though it is missing from the doorway at the southwest corner of the barn. Overhead track was observed in the debris removed from the barn and should be salvaged and reinstalled if possible. If it is not salvageable, similar or identical track can probably be found for use on the structure. Roller hardware for the doors will need to be found to hang the doors; attempts should be made to find hardware that matches what is still in place on the east door. Like the doors, the shutters that covered the window on the south end of the east side should be replaced. The strap hinge that remains should be matched for the second hinge that will be needed. The shutter itself should be made of the same materials and manner as the doors. To complete the restoration, the surrounding corral should be repaired with identical log posts and log and wire walls as were used originally and the log walls of the breaking corral should be reestablished. This will require the installation of fence posts where only stubs of missing posts are now evident. In addition, the pole gates are important elements of the corrals and should be repaired or restored using the existing elements as patterns.

SUMMARY

Alpine was hired by San Miguel County to document the Collins Barn and any other features of the site and to conduct a cultural resource inventory of adjacent open space land of the Deep Creek Home Owners Association. The documentation and inventory was conducted on May 27, 2008. The inventory resulted in the recordation of the Collins Barn site (5SM6005); no other sites were identified in the area. The absence of prehistoric sites in the inventoried area conformed to expectations. It was somewhat surprising that evidence of additional outbuildings associated with the ranching complex was not found at the site and that historic artifacts were not more abundant.

The Collins Barn and its adjacent corrals are considered historically significant and NRHP eligible. The barn was constructed of hand-hewn timbers, which is unusual for barns of the region. In addition, the barn and corrals are important elements of the historic landscape of the region and are among the last vestiges of historic ranching on Deep Creek Mesa. Care should be taken in stabilizing and restoring the barn that in-kind materials are used and that existing elements are used as patterns so that construction techniques and appearance are duplicated. This same care should be taken in repairing or restoring the corrals and gates.

REFERENCES CITED

Brown, Joseph A.
1990 *Oral Interview of Joseph A. Brown.* Interview No. OH18 on file at the Wilkinson Library, Telluride, Colorado.

Cline, Pearl
1976 *The Hummels in San Miguel County History.* Typed ms. on file at the Telluride Historical Museum.

Collins, Kathryn
1992 *Oral Interview of Kathryn Collins.* Interview No. OH79 on file at the Wilkinson Library, Telluride, Colorado.

Freeman, Dona Mullikin
1993 *Last Dollar Ranch: Hastings Mesa, San Miguel County, Colorado.* Vince Kontny, n.p.

Hodes Co.
2005 Company History. http://www.hodesco.com/default.aspx?page=customer&file=customer/hjhcor/customerpages/history.htm, accessed June 3, 2008.

Horn, Jonathon C.
1989 *Cultural Resource Inventory of San Miguel Power Association's Deep Creek Transmission Line, San Miguel County, Colorado.* Prepared by Alpine Archaeological Consultants, Inc., Montrose, Colorado. Prepared for San Miguel Power Association, Inc., Telluride, Colorado.

Lavender, David
2007 *One Man's West: New Edition.* University of Nebraska Press, Lincoln.

Putman, Bill
2008 The Breckenridge Family. http://www.billputman.com/Breckenridge.pdf, accessed June 19, 2008.

Roper, Beryl
1969 *Collins Family History.* Typed ms. on file at the Telluride Historical Museum.

EXHIBIT 24

445570
Page 1 of 9
SAN MIGUEL COUNTY, CO
M. KATHLEEN ERIE, CLERK-RECORDER
12-21-2016 09:17 AM Recording Fee $51.00

713

Recording requested by
and when recorded please return to:

Brownstein Hyatt Farber Schreck, LLP
Attention: Wayne F. Forman
410 17th Street, 22nd Floor
Denver, Colorado 80202

PIPELINE EASEMENT AGREEMENT

THIS PIPELINE EASEMENT AGREEMENT (this "Agreement") is entered into as of this 2 day of Sept, 2016, by and between MORGAN AND SARAH SMITH FAMILY TRUST OF 2000, AS AMENDED AND RESTATED IN 2012 (collectively, "Grantor") and DIAMOND RANCH, LLC, a Colorado limited liability company ("Grantee").

RECITALS

This Agreement is made with respect to the following facts:

A. Grantor is the owner of the real property located in the County of San Miguel, State of Colorado as more particularly describe on **Exhibit A** (the "Grantor's Property"); and

B. Grantor and Grantee have agreed to enter into this Agreement to create the Easement (as defined below) and to address matters related thereto.

C. The rights granted herein to the Grantee with respect to the installation and use of pipelines contemplated by this Agreement shall be used only in connection with the provision of domestic water for not more than eleven (11) residential lots as provided for in Section 2(l) below.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor and Grantee agree as follows:

1. Grant of Pipeline Easement. Grantor hereby grants to Grantee a non-exclusive, perpetual easement in gross (the "Easement") in, on, over, through and across that portion of the Grantor's Property described in **Exhibit B** and depicted on **Exhibit C** (the "Easement Area") for the limited purpose of installing, maintaining, repairing, replacing and improving existing and future underground water pipelines and all necessary underground and certain unobtrusive surface appurtenances, consisting of electrical or other control systems related thereto, cables, wires and connections, valves, vaults, manholes, control systems and ventilators (collectively, the "Pipeline Improvements"). Grantee, not Grantor, shall incur any and all costs and expenses associated with the foregoing permitted uses and shall keep the Grantor Property free and clear of any mechanic liens or encumbrances.

2. Restrictions. The Easement is granted subject to the following restrictions, conditions and covenants:



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(a) Grantee shall have the right of reasonable ingress and egress in, to, over, through and across the Grantor's Property as is reasonably necessary for the installation, maintenance, repair, replacement or improvement of the Pipeline Improvements, provided that Grantee shall promptly restore, revegetate and regrade the Grantor Property to the condition existing prior to such work.

(b) Grantor shall not construct or place any structure or building, water impoundment, fence, retaining wall, street light, power pole, yard light, mail box, or sign, temporary or permanent, on any part of the above the grade of the Easement Area without first obtaining the express written permission of Grantee. Any structure or building, water impoundment, fence (other than the fence existing as of the date of this Agreement, or a similar replacement fence therefor), retaining wall, street light, power pole, yard light, mail box, or sign, temporary or permanent, of any kind situated on the Easement Area as of or after the date of this Agreement may be removed by Grantee without liability for damages arising therefrom.

(c) Grantee shall have the right of subjacent and lateral support to whatever extent necessary or desirable for the full, complete and unmolested enjoyment of the rights hereinabove described. It is specifically agreed between the parties that Grantor shall take no action that would impair the earth cover over, or the lateral or subjacent support for, the Pipelines and appurtenances within the Easement.

(d) Grantee acknowledges and agrees that the Easement is non-exclusive. Grantor reserves the right to permit and/or authorize such other uses of the Easement Area, as will not interfere with Grantee's rights granted herein.

(e) Grantee, its agents, employees, contractors, concessionaires, representatives, successors and assigns ("Grantee's Responsible Parties") shall enter onto the Easement Area and exercise rights under the Easement at their own risk and they further assume all risks related to the same. Grantor shall have no liability to Grantee's Responsible Parties for any and all claims, damages, losses, liens, costs, liabilities, fines, and expenses (including reasonable attorneys' fees and court costs), damage to or destruction of property, and death of or injury to any person related to or arising from entry onto the Easement Area and Grantor is hereby irrevocably and forever released from the same.

(f) Indemnification. Grantee shall indemnify Grantor and its trustees, grantors, beneficiaries, members, managers, directors, officers, owners, partners, shareholders, employees, agents, attorneys and affiliates and their successors and assigns (collectively with Grantor, the "Grantor Indemnitees") against and hold Grantor Indemnitees harmless from any and all fees, expenses, claims, actions, liability, loss, damage, or suits (including reasonable attorneys' fees) and claims of liability or loss which arise out of the use and/or occupancy of the Easement Area; except to the extent that such claims of liability or losses are solely and exclusively attributable to the intentional actions of Grantor, its employees, contractors, servants or agents. The obligations of Grantee under this Section shall not apply only to the extent specifically prohibited by any law, including but not limited to Article XI of the Colorado Constitution and then only to the extent so limited and restricted.

(g) In all actions undertaken on the Easement Area by any of Grantee's Responsible Parties, all work shall be completed in a workmanlike manner, free of all liens (including mechanic's liens) and encumbrances on the Easement Area

(h) Grantee shall be solely responsible for all maintenance, repair and replacement of the Pipeline Improvements, and Grantor shall have no responsibility to maintain the Pipeline Improvements.

(i) Other than those Hazardous Materials (as defined below) typically stored or used in the construction, operation, or maintenance of water pipeline improvements, Grantee shall not cause, or permit to be caused by any of Grantee's Responsible Parties, any Hazardous Materials to be transported to, or dumped, spilled, released, permanently stored, or deposited on, over or beneath the Easement Area or any other lands owned by Grantor. "Hazardous Materials" means substances, materials or waste the generation, handling, storage, treatment or disposal of which is regulated by any local, state or federal government authority or laws, as a "hazardous waste," "hazardous material," "hazardous substance," "pollutant" or "contaminant" and including, without limitation, those designated as a "hazardous substance" under Section 311 or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. Secs. 1321, 1317), defined as a "hazardous waste" under Section 1004 of the Resource Conservation and Recovery Act (42 U.S.C. Sec. 6903), or defined as a "hazardous substance" under Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. Sec. 9601), and, including, without limitation, petroleum products and byproducts, PCBs and asbestos.

(j) Grantee shall comply with all applicable federal, state and local laws, rules and ordinances in connection with its use of the Easement.

(k) Grantee shall not install fencing or gates in the Easement Area without Grantor's prior written consent.

(l) Grantee shall operate and develop the Pipeline Improvements only in connection with the provision of domestic water for not more than all lots located in the Plat of Diamond Ranch, recorded April 21, 2003 in Plat Book 1 at Page 3128 in the Office of Clerk and Recorder of San Miguel County, Colorado, except Lot 1, and/or Diamond Ridge communities existing as of the date of the Agreement which consists of a total of eleven (11) residential lots (exclusive of Lot 1 of the Diamond Ranch Plat) each accommodating one single-family residence, an accessory dwelling unit and accessory structures allowed by the San Miguel County Land Use Code.

3. Insurance. Prior to commencing any construction within the Easement Area, or prior to the use of the existing pipelines within the Easement Area in any manner, Grantee shall provide Grantor a copy of its general liability insurance coverage containing minimum limits per occurrence of $1,000,000 and $2,000,000 in the aggregate ("Policy"), together with certificates of insurance naming Grantor as an additional insured. Such insurance shall be maintained in full force and effect for so long as construction work continues, or the pipelines are used for any purpose within the Easement Area, whichever is longer.

4. Binding Effect. The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns in the Grantor's Property and the Easement Area.

5. Recording. This Agreement will be recorded in the real property records of San Miguel County, Colorado.

6. No Public Dedication. Nothing contained in this Agreement will be deemed a gift or dedication of any portion of the Easement Area for the general public or for any public purpose whatsoever; this Agreement will be strictly limited to and be for the purposes set forth herein and will not

be interpreted or construed to create any third party beneficiary rights in any person not a party hereto, unless otherwise expressly provided in this Agreement.

7. Assignment. Notwithstanding any other term in this Agreement, Grantee may, without the consent of Grantor, freely convey or assign an interest in the Easement to any special district, public utility, homeowners association or other person or entity with responsibility for installing, operating and maintaining the Pipeline Improvements subject to the terms and conditions of this Agreement, provided that the party being assigned the rights under the Easement agrees in writing to be bound by all terms and conditions stated in this Agreement.

8. Headings. The captions and headings of any sections herein are not part of and in no manner or way define, limit, amplify, change or alter any term, covenant or condition of this Agreement.

9. Governing Law. Remedies. Costs and Expenses. This Agreement shall be construed under and governed by the laws of Colorado, with jurisdiction and venue restricted to a court of competent jurisdiction in San Miguel County, Colorado. Grantor or Grantee may pursue any and all available remedies under applicable law, including, without limitation, injunctive relief and specific performance and monetary damages. All of the rights and remedies of Grantor and Grantee under this Agreement shall be cumulative. In any action to enforce or construe the terms of this Agreement, the substantially prevailing party shall recover all legal and related court costs, including all reasonable attorneys' fees and expert witness fees, costs and expenses.

10. Severability. Wherever possible, each provision of this Agreement shall be interpreted in such a manner as to be effective and valid under applicable law. If any provision of this Agreement shall be found invalid or unenforceable, this shall not affect the validity of the remaining provisions of this Agreement, and the remaining provisions shall remain in full force and effect.

11. Parties Representations. In entering into this Agreement, the parties acknowledge and agree and represent and warrant to each other as follows: (a) that they will perform their duties and obligations in a commercially reasonable and good faith manner and that this commitment is being relied upon by each other party; (b) that the party is a duly qualified and existing entity, capable of doing business in the state of Colorado; and (c) that the party has actual and express authority to execute this Agreement, has taken all actions necessary to obtain such authorization, the Agreement constitutes a binding obligation of the party and the person signing below is duly authorized and empowered to execute this Agreement.

12. Entire Agreement. This Agreement contains the entire agreement and understanding of the parties with respect to the subject matter hereof, and no other representations, promises, agreements or understandings or obligations with respect to the payment of consideration or agreements to undertake other actions regarding the subject matter hereof shall be of any force or effect unless in writing, executed by all parties hereto and dated after the date hereof.

13. Counterparts. This Agreement may be executed in multiple counterparts, each of which will be deemed to be an original and all of which taken together will constitute one and the same agreement. The transmission of a legible facsimile, scanned or e-mailed copy of a counterpart signature page shall be an original for all purposes under this Agreement.

[Signature Page Immediately Follows]

EFFECTIVE as of the date first written above.

GRANTOR:

MORGAN AND SARAH SMITH FAMILY TRUST OF 2000,
AS AMENDED AND RESTATED IN 2012

By: _____ Date: 9/2/16
Morgan C. Smith, Trustee

By: _____ Date: 9/2/16
Sarah L. Smith, Trustee

STATE OF CA)
) ss.
COUNTY OF ALAMEDA)

The foregoing instrument was acknowledged before me this 2ND day of SEPTEMBER, 2016 by Morgan C. Smith and Sarah L. Smith, Trustees, of the MORGAN AND SARAH SMITH FAMILY TRUST OF 2000, AS AMENDED AND RESTATED IN 2012.

Witness my hand and official seal.

_____ My commission expires: 12/07/2016.
Notary Public

CINDY WAENI YOUNG
COMM. #2000201
NOTARY PUBLIC • CALIFORNIA
ALAMEDA COUNTY
Commission Expires DEC 7, 2016

LS01 LS01

GRANTEE:

DIAMOND RANCH, LLC, a Colorado limited liability company

By: JACK A VICKERS III
Name: JACK A. VICKERS III
Title: MANAGER

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me this 14 day of September, 2016, by Jack A. Vickers III as the Manager of Diamond Ranch, LLC, a Colorado limited liability company.
Witness my hand and official seal.

WITNESS my hand and official seal.

My commission expires: 5/21/19

Trish Wilkerson
Notary Public

PATRICIA WILKERSON
NOTARY PUBLIC - STATE OF COLORADO
My Identification # 20154020142
Expires May 21, 2019

EXHIBIT A

GRANTOR'S PROPERTY

Lot 1-R, Diamond Ranch, according to the Replat Survey of Lots 1R, 3-R, 4R, 5-R-B, 7-R, 8-R-A, and 9-R, Diamond Ranch, and Lots 1-R, 2-R, and 3-R Diamond Ridge, recorded in Plat Book 1 at page 4835, Reception No. 445551, in the records of the San Miguel County, Colorado Clerk and Recorder,

County of San Miguel,

State of Colorado

EXHIBIT 25

1993 Service Area

"The Town's geographic water service area remains as described in the 1993 Master Plan (Resource Engineering, 1993). Generally, it includes those areas that can be logically serviced through a gravity distribution system..." - Town of Telluride Water Effeciancy Plan 2020-2027

EXHIBIT 26

EXHIBIT 26

Current Re-Zoning

Alternative Re-Zoning

EXHIBIT 27

Telluride Regional Airport
3130 Last Dollar Rd
Pacomo "On The Mountain"
Transportation Department
San Miguel River
Sheriff's Office
145
63
Google Earth
Imagery Date: 9/11/2019 37°57'36.42" N 107°54'53.95" W elev 8717 ft eye alt 27667 ft

728

729

EXHIBIT 28

From: **Morgan Smith** morgancsmith99@gmail.com
Subject: Fwd: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone
Date: April 11, 2022 at 8:24 AM
To:



From: Crane - DNR, Kelly <kelly.crane@state.co.us>
Sent: Thursday, April 7, 2022 9:01 AM
To: Scott Bennett <scott@telluride-home.com>
Subject: Re: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

Hi Scott-

After briefly reviewing the rezoning application I can say that we would have some concerns about the impacts to wildlife and specifically the elk winter range. Hopefully we get a request from the county for a formal wildlife impact statement.

Thanks, Kelly

On Fri, Apr 1, 2022 at 10:23 AM Scott Bennett <scott@telluride-home.com> wrote:

> Kelly,
> Yes I will and I will copy you on it as well.
>
> Thank You,
>
> Scott Bennett
> Broker Associate
> Telluride Real Estate Brokers
> (970) 728-6667 Office
> (970) 729-1666 Cell
> scott@telluride-home.com
> www.telluriderealestatebrokers.com
> *Retired Chief, Telluride Volunteer Fire Department*
> *2017 Community Realtor of the Year*
> *2005 Community Realtor of the Year*
>
> Please note my new email address scott@telluride-home.com
>
> **From:** Crane - DNR, Kelly <kelly.crane@state.co.us>
> **Sent:** Friday, April 1, 2022 10:15 AM
> **To:** Scott Bennett <scott@telluride-home.com>
> **Subject:** Re: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone
>
> Thanks Scott-

We aren't supposed to make wildlife impact statements unless we receive a formal request. Would you be willing to contact the planning department and ask them why they haven't referred the application to us for comments? And then request that they do so.

In the meantime I will start reviewing the application.

Kelly

On Fri, Apr 1, 2022 at 9:50 AM Scott Bennett <scott@telluride-home.com> wrote:

> Kelly,
>
> Good Morning! Please see attached and below referral agency memo from San Miguel County regarding an application to re-zone property on Deep Creek Mesa to allow up to 20 units/acre. This seems to be in conflict with the wildlife on the mesa and I thought you would be interested and I didn't see anyone from Colorado Parks and Wildlife on the memo. Please review and call or email me for any background information that might not be in the application. As you can imagine many owners on the mesa are not in favor of this.
>
> Thank You,
>
> Scott Bennett
> Broker Associate
> Telluride Real Estate Brokers
> (970) 728-6667 Office
> (970) 729-1666 Cell
> scott@telluride-home.com
> www.telluriderealestatebrokers.com
> *Retired Chief, Telluride Volunteer Fire Department*
> *2017 Community Realtor of the Year*
> *2005 Community Realtor of the Year*
>
> Please note my new email address scott@telluride-home.com
>
> ---
>
> **From:** Kaye Simonson <kayes@sanmiguelcountyco.gov>
> **Sent:** Tuesday, March 22, 2022 1:56 PM
> **To:** Mike Bordogna <mikeb@sanmiguelcountyco.gov>; Amy Markwell <amym@sanmiguelcountyco.gov>; Ryan Righetti <ryanr@sanmiguelcountyco.gov>; Starr Jamison <starrj@sanmiguelcountyco.gov>; Janet Kask <janetk@sanmiguelcountyco.gov>; Bill Masters <billm@sanmiguelsheriff.org>; Matt Gonzales <mattg@sanmiguelcountyco.gov>; Lisa Garrett <lisag@sanmiguelcountyco.gov>; Dave Foley <surveyfoley@gmail.com>; David Averill <david.averill@smarttelluride.com>; Telluride Fire District <jbennett@tellurideFire.com>;jpandolfo@telluridek12.co.us; tmanager@telluride-co.gov; Paul Wisor <pwisor@mtnvillage.org>; Kenny Maenpa <kenny@tellurideairport.com>; John.Sweeney@faa.gov; Marc.C.Miller@faa.gov; Green

Donald <Donald.Green@blackhillscorp.com>; Wiley Freeman <wiley@smpa.com>; WallaceS@ballardspahr.com; Devon Horntvedt <Devon.Horntvedt@newmont.com>; pbennett@aldasororanch.com; Anita Cody- Property Management of Telluride <info@propertymanagementoftelluride.com>; Thomas Kennedy <tom@tklaw.net>; grayheadpoa@gmail.com; Jennifer Dinsmore <jenniferd@sanmiguelsheriff.org>; Michelle Haynes <MHaynes@mtnvillage.org>; Ron Quarles <rquarles@telluride-co.gov>; Kevin Geiger <kgeiger@telluride-co.gov>
Cc: Troy Hangen <troyh@sanmiguelcountyco.gov>; John Huebner <johnh@sanmiguelcountyco.gov>; James Van Hooser <jamesv@sanmiguelcountyco.gov>
Subject: Agency Referral: Diamond Ridge Lots 1-R-A, 2-R and 3-R Rezone

The above-referenced application to rezone a portion of the subject property to Community Housing (CH) is available athttps://www.sanmiguelcountyco.gov/DocumentCenter/View/7999/Diamond-Ridge---Rezoning-Application-032122 for your review and comment. The County Planning Commission meeting date is Thursday, April 21, 2022. Please provide your review comments by Tuesday, April 12, 2022 to Kaye Simonson, Planning Director, kayes@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.

Thank you.

--
For information about San Miguel County's response to COVID-19 (Coronavirus), please visit https://www.sanmiguelcountyco.gov/590/Coronavirus

Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov

EXHIBIT 29

From: noreply@civicplus.com
Subject: Online Form Submittal: Records Request Form
Date: April 8, 2022 at 11:41 AM
To: morgancsmith99@gmail.com

N

Records Request Form

Open Records Request

REQUEST FOR PUBLIC RECORDS
Our goal is to assure prompt and equitable service to customers requesting access to public records. It is our policy to make public records available for public inspection at reasonable times unless such records are protected from disclosure by law. There are fees associated with requests for copies or requests that require significant resources.

Open Records Request Fees	Fee Schedule

Continued... Open Records Request

Date of Request	04/08/2022
Name	Morgan Smith
Mailing Address	P.O. BOX 3460, TELLURIDE, CO, 81435
E-mail Address	morgancsmith99@gmail.com
Phone Number	510-928-5454
Detailed Description of Records Requested:	Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application) Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should not be considered to include the Application cited above, as we are already in possession of that document. This request does also not include any documents that were filed with the San Miguel County Clerk's office and available online regarding the Subject Property. Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning

one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the Town of Telluride or Town Staff and SE Group.

2. The contract between the Town of Telluride or Town Staff regarding the hiring of SE Group to work on the development of the Subject Property.

3. Any documents provided to the Town of Telluride or Town Staff from SE Group regarding the Subject Property.

4. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, or meeting notes between Town of Telluride or Town Staff and Wall Development Group regarding possible development or zoning changes to the Subject Property.

5. Any and all emails or text messaged between Lance McDonald and Jack Vickers, amy@castlepinesvillage.com, Jack Vickers' attorney(s) or Klein Cote Edwards Citron LLC, or SE GROUP concerning this Subject Property.

6. Any and all summaries of conversation between Lance McDonald and Jack Vickers, Jack Vickers' attorneys or Klein Cote Edwards Citron LLC or SE GROUP concerning this Subject Property.

7. Any and all OTK Grant Application with the Colorado Department of Local Affairs, supporting documents and correspondence regarding seeking funding for housing on the Subject Project.

8. Any and all Application for governmental funding other than OTK Grants, supporting documents and correspondence seeking funding for housing on the Subject Project.

9. Any and all documents regarding proposed development, designs, plans, sketches or drawings regarding the Subject Property in the possession of the Town.

10. Any and all documents regarding proposed development, designs, plans, sketches or drawings regarding the Diamond Ranch Property in the possession of the Town.

11. The full legal name of any non-profit, created by the Town of Telluride, or the for the benefit of the Town of Telluride, used for or connected with any construction, including the construction of any building structure utilizing Town of Telluride funds for the last ten years.

12. Profit and Loss statement for the last ten years (P&L) for any non-profit, created by the Town of Telluride, or the for the benefit of the Town of Telluride, used for or connected with any construction, including the construction of any building structure utilizing Town of Telluride funds.

If all or any portion of our request is denied, please also provide a written explanation including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:
P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

From: **Amy Markwell** amym@sanmiguelcountyco.gov
Subject: Fwd: Online Form Submittal: Open Records Requests
Date: April 8, 2022 at 12:19 PM
To: morgancsmith99@gmail.com
Cc: Nancy Hrupcin nancyh@sanmiguelcountyco.gov

AM

Mr. Smith,

Just wanting to clarify on whether this is a new request or whether this is narrowing or clarifying your previous request?

Thank you,

Amy Markwell
San Miguel County Attorney

Sent from a mobile device. May contain privileged, confidential or work product protected information.

Begin forwarded message:

From: noreply@civicplus.com
Date: April 8, 2022 at 11:44:34 AM MDT
To: attorney@sanmiguelcountyco.gov
Subject: Online Form Submittal: Open Records Requests

Open Records Requests

San Miguel County Open Records Request Form

PURPOSE
To ensure that any member of the public will be provided reasonable access to public records covered under the Colorado Open Records Act (CORA).

POLICY
San Miguel County is a public entity and its business documents and records are generally public in nature and are available to the public for inspection. The majority of requests by the public can be handled by staff when a member of the public walks in and makes the request to review a document or records. In order to maintain the integrity of public records, or the effective functioning of a county office or department, and for security reasons, certain conditions for reviewing or obtaining copies of records may apply. In addition to this policy, elected officials may also develop their own policies and procedures regarding public records in their custody.

A response to a written request for public records will also be in writing and will be made within three working days or, when extenuating circumstances apply, within seven working days, (§ 24-72-203(3)(b), CRS). You will be notified within three working days if there are extenuating circumstances that do not allow us to respond to your request within three working days.

Applicable fees for obtaining public records are to be charged based on the specific office or department procedures and actual costs to provide the requested record(s). Offices or departments are directed to publish and post a written policy and to inform the public up front concerning, the fee(s) to be charged § 24-72-205(6)(a), CRS. The public should request an estimate of the cost of its information request if they are requesting a substantial number of copies or extensive research by the record custodian.

IMPORTANT
Please complete this request form as accurately as possible and with as many details as possible. A request which is vague, broad, or which seeks voluminous records, may cause a delay in the time in which the County can produce the records.

First Name	Morgan
Last Name	Smith
Email Address	morgancsmith99@gmail.com
Phone Number	970-728-5814
Address1	P.O. Box 3460
Address2	*Field not completed.*
City	Telluride
State	CO
Zip	81435
Records Requested	Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application) Pursuant to the Colorado Open Records Request 24-72-203, the undersigned make the following public records request. We agree to pay any and all copying expenses in relationship to these documents, although we would prefer all documents in an electronic format where possible. The following request should not be considered to include the Application cited above, as we are already in possession of that document. This request does also not include any documents that were filed with the San Miguel County Clerk's office and available online regarding the Subject Property.

Please provide the documents as soon as possible, ideally within one week, in light of the April 21 San Miguel County Planning Commission meeting.

1. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, between the County Board of Commissioners ("Board") or the Planning Department or County Staff and SE Group.

2. The contract between the Board or the Planning Department regarding the hiring of SE Group to work on the development of the Subject Property.

3. Any documents provided to the County from SE Group regarding the Subject Property.

4. Any and all documentation, and correspondence including but not limited to by letter, email, text or other, or meeting notes between the County Board of Commissioners ("Board") or the Planning Department or County Staff and Wall Development Group regarding possible development or zoning changes to the Subject Property.

5. Any and all existing plans or documentation for the County widening of Airport Rd. and or pave the section of Last Dollar Rd. from Airport Rd. to the Diamond Ridge site.

6. Any and all OTK Grant Application with the Colorado Department of Local Affairs, supporting documents and correspondence regarding seeking funding for housing on the Subject Project.

7. Any and all Application for governmental funding other than OTK Grants, supporting documents and correspondence seeking funding for housing on the Subject Project.

8. Any and all documents regarding proposed development, designs, plans, sketches or drawings regarding the Subject Property in the possession of the County.

9. Any and all documents regarding proposed development, designs, plans, sketches or drawings regarding the Diamond Ranch in the possession of the County.

10. Any and all notes, comments, emails, decisions, recommendations and documents concerning the review of by Mike Rozychi of prior plans for developments of the Diamond Ranch property.

If all or any portion of our request is denied, please also provide a written explanation including a citation of each statutory exemption used to justify the withholding of records.

Please also provide any public records maintained in digital formats in the native digital format and provided to you via email in digital original formats. If the records are maintained in a sortable format, such as a spreadsheet, please provide the records in a sortable format. If the records are maintained in a searchable format, such as a searchable PDF, please provide for such records in the native searchable format.

We request all records be either provided by email in electronic form to morgancsmith99@gmail.com or physical copies sent to:
P.O. Box 3460
3130 Last Dollar Rd.
Telluride, CO, 81435

If you have any questions, please contact Morgan Smith at 970-728-5814.

Sincerely,

/signed/

Morgan C. Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)
Sarah Lavender Smith (3130 Last Dollar Rd., PO Box 3460, Telluride, CO 81435)

Preferred Method of Delivery	Email

Email not displaying correctly? View it in your browser.

EXHIBIT 30

San Miguel Planning Commission
County of San Miguel
P.O. Box 548
Telluride, CO 81435-0548

April 8, 2022

Re: Hearing on April 21, 2022 - Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041Approval for the Property

To the County of San Miguel Planning Commission:

The undersigned hereby request the April 21, 2022, hearing regarding the above matter be tabled and re-noticed after such time as to allow proper review of the proposal by interested parties, and after such time that the innumerable questions that the application causes have been answered. In the alternative, the below undersigned requests this matter be continued for good cause pursuant 3-1006 of the Land Use Code. This request has good cause based on three issues.

First, the County of San Miguel Master Plan states the following as to the timing of when a hearing for rezoning should occur.

> "In regard to the task of amending the zoning resolution and existing zoning to reflect the master plan, it is recommended that the county and private enterprise use a **one or two year "no action" period to afford everyone the opportunity to amicably amend the zoning regulations by the development of workable zoning classifications and maps.** It is recommended that during this time period no building permits will be issued on land which is presently zoned for uses not in conformance with this Plan, and at the same time, the zoning classifications will not be altered by official action of the County. It is the stated intent that during or after such period fair solutions involving zoning and rezoning which will implement the concepts of this Plan should be reached." (emphasis added)

This matter was only announced on March 21th, with a hearing set 30 days later. Notice of this application was mailed and postmarked to the affected landowners sent on March 30th providing less than 14 days by the time received to submit any objections longer than a single page. This notice is not in compliance with due process required for such a major change in zoning that will affect hundreds of people who live in the area.

Secondly, the County of San Miguel responded to our March 28th Open Records Request regarding this application on March 31st as follows:

> ". . .with off season starting, at least one if not more staff relevant to this request is out of the office over the next few weeks. In addition, we do not have full-time staff dedicated to working only on CORA requests. Therefore, we anticipate we can complete this request in the **last week of April**." (emphasis added)

Without the ability to review records requested, more questions than answers exist – questions that inevitably cannot be addressed at a hearing itself, and that may have significant impact on the end result of the hearing.

Thirdly, we found out that Colorado Parks and Wildlife office was not notified of this application by the County of San Miguel as they should have been for comment.

For the above reasons we request the April 21, 2022, hearing be tabled and re-noticed after such time as to allow proper review by interested parties of all documents per the 3/28/22 CORA and the 4/8/2022 CORA requests. In the alternative we ask that the matter be continued to a date certain to provide ample time for people to obtain and submit additional information for the consideration of the Planning Commission and the County Commissioners.

Sincerely,



Morgan C. Smith, (3130 Last Dollar Road)
Sarah Lavender Smith (3130 Last Dollar Road)

Additional Signatories

Pamela M Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #1 LLC and Deep Creek #10, LLC and Ashley C. Story, Luke A. Story and Chandler D. Bennett

Donald S Bennett, (567 Twin Pines Road) individually and on behalf of Deep Creek #10 LLC

Cristine Mitchell (4230 Last Dollar Rd., Telluride, Co 81435), individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC, and Molly C. Mitchell

Matt Mitchell (4230 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #7, LLC and Deep Creek #12, LLC

Angela M. Petersen, (4445 Last Dollar Rd., Telluride, Co 81435) individually and on behalf of Deep Creek #11 LLC and Deep Creek #8 and Deep Creek #1

Jim Farrar (2805 Last Dollar Rd., Telluride, CO 81435), Individually and on behalf of the Deep Creek Ranches HOA (PO Box 2281, Telluride, CO 81435)

Jim Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

Virginia Lucarelli (2965 Last Dollar Rd., Telluride, CO 81435)

Angela Farrar (2805 Last Dollar Rd., Telluride, CO 81435)

Dan Collins (26 Deep Creek Road, Telluride, CO 81435)

Laurie Collins (26 Deep Creek Road, Telluride, CO 81435)

David Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Karen Lavender (3115 Last Dollar Rd., Telluride, CO 81435)

Lisa Henson (3620 Last Dollar Rd., Telluride, CO 81435)

David Pressler (3620 Last Dollar Rd., Telluride, CO 81435)

Paul Engbring (P.O. Box 365, Telluride, CO 81435)

Grace Engbring (P.O. Box 365, Telluride, CO 81435)

Stacey Prescott, (3225 Last Dollar Rd., Telluride, CO 81435)

Michael Zerangue, (3225 Last Dollar Rd., Telluride, CO 81435)

Eric Aura (2887 Last Dollar Rd., Telluride, CO 81435)

Frannie Aura (2887 Last Dollar Rd., Telluride, CO 81435)

Lynda Johnson, Lot #1 (55 Old Toll Road, Telluride, CO 81435)

David Johnson, Lot #1 (55 Old Toll Road, Telluride, CO 81435)

Deborah Harvey, Lot #2 (195 Old Toll Road, Telluride, CO 81435)

Jason Harvey, Lot #2 (195 Old Toll Road, Telluride, CO 81435)

Nick Farkouh, Lot #3 (235 Old Toll Road, Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Caroline Farkouh, Lot #3 (235 Old Toll Road, Telluride, CO 81435)

Bud King, Lot #4 (335 Old Toll Road, Telluride, CO 81435)

Dirk de Pagter (334 Old Toll Rd., Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Patrice de Pagter, Lot #5 (334 Old Toll Road, Telluride, CO 81435)

Rachel Taber, Lot #6, (Meadows at Deep Creek Mesa)

Brett Taber, Lot #6, (Meadows at Deep Creek Mesa)

Jamey Schuler, Lot#7 (164 Old Toll Road, Telluride, CO 81435), individually and on behalf of MDCM Homeowners Company

Shelley Schuler, Lot#7 (164 Old Toll Road, Telluride, CO 81435)

Joann Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

Melanie Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

Guy Miller, Lot #8 (100 Old Toll Road, Telluride, CO 81435)

EXHIBIT 31

April 12, 2022

To: San Miguel County Planning Commission

From: Sarah Lavender Smith, 3130 Last Dollar Road

Re: buying and rezoning Diamond Ridge for community housing

I am writing to express my strong, passionate opposition to the town-county proposal to purchase 105 acres and rezone a little more than a third of it under a new Community Housing zoning that would allow 20 units per acre. I live approximately a half mile from the site, and my home is surrounded by other Diamond Ranch parcels also presently zoned Forestry/Agriculture and Open. I believe the town-county action of purchasing, rezoning, and providing water and infrastructure to this parcel will:

- forever change the rural character of Last Dollar Road and develop one of the most scenic and special open landscapes that could instead be acquired for public land use for future generations to use and appreciate;
- create unmanageable traffic not just on Airport Road but also on lovely, narrow Deep Creek Road that will be terribly disruptive and delaying for residents as well as for drivers from Mountain Village and Down Valley;
- harm the habitat for elk herds that almost daily cross Airport/Last Dollar Road in large numbers, and that roam and give birth on the parcel being rezoned and on all the other pastures on Deep Creek Mesa;
- cost the town-county millions for a protracted battle over a contentious development and untold millions more to put in deep pipes to pump water uphill approximately 2.5 miles to the mesa, which would also take getting an easement through property that the county currently doesn't have and will be a difficult and long process to get;
- create a neighborhood that inevitably will conflict with the Airport over noise, nighttime lights, and jet fumes.

Let me say upfront, I recognize that Community Housing is an extremely complicated issue with no easy solutions, and I don't pretend to have the answers. I have respect for the knowledge and experience of many of the affordable-housing advocates who are getting behind this plan. This potential rezoning, land acquisition, and development has made me grapple deeply with issues of privilege, growth and change, scarcity, and justice.

Because this is so complicated and contentious, that's even more reason why the county and town should have a transparent, slower, more thoughtful process, gaining buy-in from neighbors by explaining costs, design, and consequences, before securing grants and shoving through this proposal for the purchase and rezoning in a matter of weeks during off season. It boggles my mind that I and others who will be affected found out about this through a simplistic one-page press release shared on a town councilmember's Instagram post and

through a KOTO radio report calling it “a big surprise.” How does that make sense from a process standpoint?

To quote one of the reasonable comments on the comment thread that followed my April 8 posting about this topic on Facebook’s Telluride Sweet Rants & Bitching page: “Part of the problem is as soon as affordable housing is mentioned, it divides the community and is used as emotional leverage. If you oppose this project, then by default you are opposing affordable housing. It’s OK for us to scrutinize housing projects. And let’s also examine decisions like building hotels that create more jobs. We will never catch up with our housing needs as long as we are approving projects like new hotels.”

Let me explain why I’m here and why I care. My older brother David Lavender details in his letter to the Planning Commission our family roots here. I’m extremely lucky and grateful my dad and mom (whose CB radio handles in the 1970s were “Last Dollar” and “Deep Creek” because they loved this mesa so much) bought five acres and built a small cabin, where my brother now lives, on Last Dollar when I was 5 years old. Back then, before the Airport was built, our cabin’s light and the Aldasoro family’s light from their home a mile away were the only two lights at night on this entire mesa. So, we’ve seen it change, of course, since the days when the only traffic jam came from sheep herds clogging the all-dirt road. To date, this change has been gradual and reasonable. We’ve been impressed and grateful for how the Aldasoro family’s offspring have developed the area carefully and given land and access for trails. We always counted on the fundamental deal that the acreage across from the historic Hogg Barns to the Airport would be low-density housing, and the open land from the Airport to Gray Head would remain zoned Forestry/Agricultural/Open. Diamond Ranch would be restricted to 35-acre parcels with one single-family home per dwelling. It is zoned that way to preserve the landscape, character, and ranching heritage out here, and also, 35 acres is the minimum size allowed to have a dedicated water well. That’s what we understood, and our neighbor Jack Vickers agreed to in numerous ways, when we bought a Diamond Ranch parcel in 2016. The sharing of scarce water out here, under a complicated agreement, cannot handle development at a higher density.

My husband and I invested everything financially and emotionally to purchase this parcel directly across from my dad’s old cabin. We bought it to become caretakers of this undeveloped land, to live next door to my brother and sister-in-law, and to become full-timers in this amazing community. We built a house and barn as conscientiously as we could to fit in with the landscape. When plans surfaced in 2020 that Vickers would like to get out of the covenants that limit development and gain water and authority to develop his remaining parcels with a hotel and more upscale housing, our reaction was: no way, that’s a violation of longstanding agreements, and that’s not how this land is supposed to be stewarded.

I ask you to close your eyes and picture what you’re on the verge of recommending—or better yet, hike up the switchbacks of the Deep Creek Trail and look down at the parcel where a new neighborhood would go, and the other parcels next to it where Jack Vickers wants to develop. When the current residents along Last Dollar, and the hikers on the Deep Creek Trail, look

toward Sunshine Peak, they will see rows of rooftops instead of undulating grassland. They will see pavement on the road instead of dirt. They will see many, many cars instead of herds of roaming elk.

I have a different vision for this mesa. I picture more trails and perhaps camping areas on Diamond Ridge near the Airport and across the road from us. I also picture, perhaps, some kind of a public education center. This may sound far-fetched, but I got the idea when I spent time at the Dugout Ranch/Canyonlands Research Center at the entranceway to the Needles District of Canyonlands National Park. My grandfather, the historian David S. Lavender, and his stepfather Ed Lavender (who adopted him and gave us our Lavender name; my grandpa's last named started as Painter, as the grandson of Telluride town founder Charles Painter) used to ride to that ranch next to Canyonlands in the 1920s and '30s to buy cattle and drive the cattle herds by horseback all the way back to Paradox Valley in winter and to the base of the Lone Cone in summer. This ranch next to Canyonlands was on the verge of being developed into condos. But The Nature Conservancy saved it and preserved it as a public working ranch with a science research center. I am inspired by that example and others like it.

When people call me a "NIMBY a**hole" on Facebook, I say, this is Telluride's backyard, let's preserve it and gain access for low-impact recreational use so generations of Telluride can experience it as is, and so elk and other wildlife can continue to have their habitat undisturbed.

My idea for preserving Diamond Ridge next to the Airport isn't new. In late 2019, since the Ridge (branded and marketed unsuccessfully as "Sunshine Ridge") had sat dormant with no sellers for so long, my husband Morgan and I contemplated how we could preserve it as public open space. My husband reached out to the San Miguel Conservation Foundation and discussed it. We took a hard look at our finances and decided it was worth going deeper into debt and trying to fundraise to try to buy the three parcels that the town-county are now buying. In early 2020, we put in what was then a fair and reasonable offer of $2 million (which is why our jaws dropped when we heard through the grapevine the town-county is paying around $7 million for it). Our offer was rejected, and then the pandemic hit (nearly killing my husband and nearly sinking his business), so we shelved that idea. If only we had known, at the time, that Jack Vickers was cutting this sweeter deal to benefit himself by selling the land at a much higher price and getting the town-county to pay for the delivery of water out here, then we would've advocated harder at the time to buy it and get it under a conservation easement.

I know others will address traffic and road concerns, but I have to raise it too. I don't think anyone is thinking realistically about how hundreds of residents in this new neighborhood would impact Deep Creek Road, which is the logical and scenic route to drive to and from Down Valley toward Ridgway/Montrose. It doesn't make sense to go two sides of a triangle by driving out Airport Road toward town, then turning right down 145. People will want to drive from the new neighborhood north on Last Dollar to Deep Creek, then drive two miles down on Deep Creek Road to enter the highway there across from the CDOT facility. The problem is, Deep Creek is very narrow with a drop-off to the river; on a couple of blind corners, near-head-on close-calls are a common occurrence. Deep Creek Road meets 145 at a narrow S curve around

the historic structures where Dan Collins, Laurie Lundquist and others live. Vehicles going in opposite directions there must pause and move to the side to let one another carefully and slowly pass. You cannot introduce a large new traffic flow there without widening the road and destroying the homes at that S-curve.

As to the intersection of Airport Road and 145, I'm sure others will make this point, but it bears emphasizing: this intersection already is problematic and creates backups. I can't imagine a new neighborhood feeding into it. Sure, public shuttles may help, but families with kids and people going to work still will drive to town. Either you put in Telluride's first traffic light there (forever changing the bucolic entrance to town), or you force people to make a righthand turn to go to the roundabout. The roundabout is already crowded on weekday mornings, and cars on all points of the roundabout back up waiting to merge. I bet the commuters coming up from Down Valley, or down from Mountain Village, are going to be unhappy and frustrated about all these additional cars further clogging the roundabout when they're trying to get to school and work on time.

So where, then, does the needed housing go? Like I said at the top, I don't pretend to have the answers. I just implore you to reopen conversations on building on all the allegedly off-limit or unattainable parcels closer to town. Find a way to get housing near Carhenge, and/or across from the Shell Station on the north side of the Valley Floor, and/or near the cemetery, and/or perhaps mitigate the sensitive wetlands of the Pearl property for housing there. Please re-examine these parcels that would make more sense to build on from a cost and proximity standpoint.

Apparently and ironically, one person who shares and articulates this view is Town Councilmember Geneva Shaunette, who made the March 24 Instagram post lauding the proposed Diamond Ridge land acquisition and rezoning for Community Housing. I would encourage her and others to consider her well-stated position from an October 19, 2021, interview in the Telluride Daily Planet when she states why building in town makes the most sense financially and environmentally. She stated:

"My approach [to address housing needs] is to utilize land the Town of Telluride already owns, and that is zoned for higher density. These lots include Virginia Placer and Voodoo (planning already in progress), Canyonlands (the lot east of Clark's Market), Tower house, Carhenge, and Shandoka. We should not be afraid of density, and should build in parking for all residential units on the ground floor underneath so we don't take away from street parking. … Even if land cost/value is higher in the Town of Telluride than in surrounding areas, the extra costs and time to put in infrastructure for large neighborhoods make building out of town illogical to me right now. The cost of infrastructure development is a big one, but when we also consider the parking impacts of cars driving into town every day for work (instead of walking), and the environmental impacts of burning fossil fuels for those same commutes, it is clear to me that building community housing within the Town of Telluride is a sound financial and environmental choice." (https://www.telluridenews.com/news/article_f04fef74-3128-11ec-ac77-37444d3bf631.html)

I agree, building community housing within town is the sound choice, and the extra costs and time to put in infrastructure to a new neighborhood six miles outside of town—plus the costs to buy that land, and the time to negotiate thorny issues of easements and pre-existing covenants that restrict development there—make the Diamond Ridge land purchase and rezoning illogical to me.

Additionally, I implore you to slow the growth and the marketing of this region. I know this point may put me at odds with many, but we're on the verge of choosing sprawl over sustainability.

Meanwhile, please recommend that the rezoning of this parcel and the purchase of it be stopped unless and until these myriad issues are examined much more thoroughly, costs are made public, alternatives are seriously explored, legal issues involving existing covenants are negotiated, and everyone—especially the neighbors affected—has a clearer understanding of how this will profoundly affect the present and future of Deep Creek Mesa.

I'll end with something that may sound trite and corny, but I can't help sharing the lyrics that have been looping through my head for three weeks:

Don't it always seem to go
That you don't know what you got 'til it's gone
They paved paradise, and put up a parking lot…

Attachment: Elk that I photographed Friday, April 1, 2022 at daybreak on the Diamond Ranch parcels above the Airport proposed for high-density housing:





John Huebner <johnh@sanmiguelcountyco.gov>

Diamond Ridge proposal

1 message

Todd Creel <todd@telluriderealestate.net> Tue, Apr 12, 2022 at 1:26 PM
To: planning@sanmiguelcountyco.gov

Dear San Miguel County Planning Commissioners,

I am writing to you in regard to the proposed Diamond Ridge rezoning application you are currently considering. I am not a Mesa resident, but I have been a resident of the town of Telluride for 34 years. I have previously worked on the property in question extensively on behalf of Jack Vickers. I was present at the initial meeting between Mr. Vickers, Lance McDonald, and county planner Mike Bordogna.

I am a supporter of affordable housing in the Telluride region. Like many others I have been trying to determine the best possible options for our local workforce. While the Diamond Ridge proposal may have some merits, I am asking the planning commission to recommend denial of the application for a number of reasons:

Traffic - The amount of additional vehicular traffic this project will produce on the spur and on the airport road will be significant and problematic. The resources of the town and county should be focused on new construction on parcels already owned adjacent to and near the town limits;

Water - The subject property has a long history of a very limited water supply. The cost of providing town water, obtaining easements, and securing approval from Idarado, who ultimately controls the water, are considerable. Without water from the Town, the land could barely even support limited forest/ag development due to a series of dry wells;

Deed Restriction - When the subject land was sold from the Aldasoro family to Mr. Vickers there were specific agreements made between the parties. The restrictions were agreed to which limited development on these parcels to nothing smaller than 35 acres. The title commitment contained within the zoning application specifically references these agreements (See Reception #336898). These are binding representations and guarantees that were made between the buyer and seller. Both parties have been in Colorado for multiple generations. It is not the county's place to abrogate these good faith agreements;

Wildlife - The local elk herd on that part of the mesa is abundant and appears to be thriving. The migration corridor that was somewhat compromised with the approval of dogs at Aldasoro ranch has shifted west. The significant herd can be seen on a regular basis on the land in question as they access the meadow below and then into Deep Creek and beyond. The land adjacent to the runway to the north has become one of the last safe sanctuaries for the elk herd. A quick visit to the property would reveal the numbers of the herd and their total reliance on this corridor;

Price - It would appear that the price being paid for the property is approximately triple it's actual market value. Perhaps with the added value of new density, a price north of $7 million could be justified. But the land as it sits did not sell for many years at a fraction of the contracted price. The lack of water, impact from the airport, and lack of vegetation severely limits the value of this land. The millions of dollars that will be spent on the land, utilities, access and other improvements could be better used to immediately construct actual housing units on land currently owned by the two governments;

Alternatives - While many of the residents in opposition to this application have been portrayed as NIMBYs, the reality is that this location simply is not the best option for all of the above reasons. The Aldasoros, Lavendars and Bennett's are multi-generational families that have a right to be heard and to be respected. Agreements were made that need to be honored.

The town currently owns the Pearl property on the west edge of town. Although small portions of the property are wetlands, this property could be utilized and built on for the benefit of hundreds of local employees. Bachman Village, adjacent to the east, was once a wetland too. The town also owns a city block adjacent to the cemetery which is ready for development. The county has access to the 3-acre site that was part of the northside valley floor development approval. These are all viable options that are available today.

While many are reluctant to discuss the possibility of utilizing a small corner of the valley floor, it is an option that should be seriously considered. The Town citizens can take a vote and the conservation easement could be amended to provide housing with minimal visual impact, contiguous to other existing Town housing projects. The Idarado mill site at the east end of the valley could also provide housing within close proximity to town. All of our best options will allow people to get

on their bicycle or walk to work. More development that generates additional traffic and congestion is not the answer.

For these reasons I humbly request that the County Planning commission recommend denial of the Diamond Ridge application.

Thank you for your time and consideration,

Todd Creel
218 North Spruce Street
Telluride, CO 81435
979-729-2222

Diamond Ridge Application
Email Archive

'Jennifer Barker' via SMC Planning

Wed, Apr 13, 9:58 AM (2 days ago)

to planning

Dear San Miguel County Planning Commissioners,

I live on Deep Creek Mesa and I am writing to you regarding the re-zoning application and development plans for Diamond Ridge and Diamond Ranch. I am writing to you not as a disgruntled resident, but on behalf of the wildlife conservation efforts pertaining to our area, and my neighborhood specifically.

I have lived in Telluride since 2009. I have lived on other mesas in our region and want to convey my experience of living on Deep Creel Mesa, as it pertains to the elk herds, because it is different from the other Mesas. I have lived on Last Dollar Road since 2010, first as a renter, and as a homeowner since 2012.

I believe, and I think all of those who fought to preserve the precious valley floor would agree, the preservation of which sets us apart from other mountain ski resorts and small towns across our country, that once the facts come to light, that the proposed area is an inappropriate location for our much needed affordable housing for many reasons. This letter will focus on the Elk.

According to research, Aldasoro Ranch and Deep Creek Mesa literally sit on the most significant elk migration corridor in the Western Hemisphere. Despite our seeing healthy herds all around in the area almost daily and out on the Valley Floor, recent studies show that our elk populations in the Telluride area are actually declining, and have been for several years, as they are throughout Southwest Colorado. Parks and Wildlife has been investigating the phenomenon, but scientists have yet to understand why. It would be irresponsible to put further pressure on this invaluable wildlife resource, especially when other viable housing site options exist.

I have watched the shy elk bring their new babies down to frolic, graze, rest on Deep Creek mesa for over a decade now. They feel safe here. I watched as the elk herds were impacted when the “no dogs” rule was lifted off Deep Creek Mesa’s neighboring Aldasoro Ranch. After disappearing from Deep Creek Mesa for some time, the elk herds’ migration path eventually shifted slightly to the West, from Aldasoro to Deep Creek Mesa, presumably in order to avoid the new canine dangers next door. The subject land is now functioning as their primary path to the West from Aldasoro and the valley floor. It has become their east/west walkway, and the proposed site is where large numbers of elk spend a good amount of time almost every day.

The presence of this iconic species in our region is a gift. Not only does our tourism benefit from healthy elk herds grazing on the valley floor, (what better symbol is there of the old west?) but we have a responsibility to see that the expansion of Telluride housing takes into account conservation of our precious resources, and that would include the wildlife around us. It is fairly obvious that the proposed development on Deep Creek Mesa will adversely affect these already declining great elk herds.

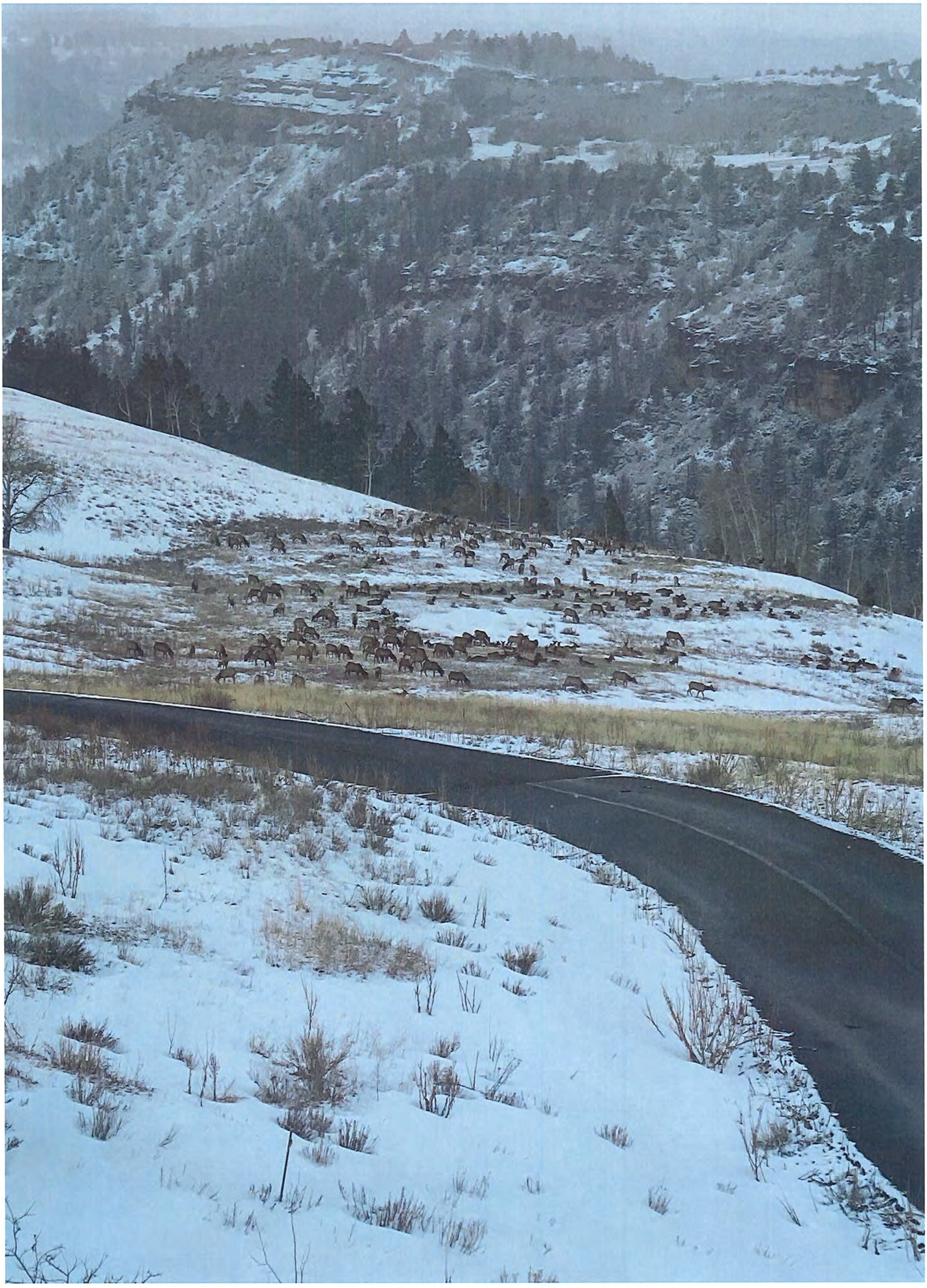
If we build these proposed housing units on the land by the airport, which people mistakenly assume is “trashed” by the airport’s very presence, we will not only be stripping the elk herds of their last remaining primary migration corridor (and hideaway) in the immediate area, but there is a very significant chance that once developed, there will be no more elk meandering on not only Deep Creek mesa and Aldesoro, but on the valley floor as well. These two small areas are intimately connected as pathways used by the elk. According to Dr. Garrett Smith, Director of science and research at Telluride Institute, “The valley floor acts as a transition zone for the elk, used when they migrate from the West End (Deep Creek Mesa) up into the high basins for calving. The nature of expanding human presence and increased outdoor recreation, has led to ‘fragmented landscapes’ and the health of a species like our elk should not be taken for granted, especially given the declining numbers.” Deep Creek mesa and the valley floor are contiguous elk habitat and are critical corridor pathways for our elk populations. Putting dense housing in this area will further fragment their habitat, and we risk untold harm to these iconic herds.

As far as I know, there have been no wildlife impact studies done to help us understand how this proposed development will affect the health and survival of the elk that live and calf here. Research must be done to determine the projected impacts to the indigenous wildlife anywhere dense development is proposed. Studies already show that the elk are struggling with their loss of habitat throughout southwestern Colorado and this proposed project would potentially push them out of our area completely. In any case, there’s little doubt that the herds would not suffer from the additional development and degradation of their natural habitat.

For the sake of our town and the wildlife with whom we share the land, I and many others who’ve chosen the natural and wild beauty of Telluride as their home, believe we have a responsibility to protect the wild animals and not make hasty decisions regarding development that impacts their health and survival. For once done, there is no going back.

Besides defining ourselves as a community by how we use our land, water and other resources, we have a higher duty to protect and nurture the wildlife that lives here.

Sincerely, Jennifer Barker





Elk as seen resting and grazing, often with their young, on any given day near the proposed building site. Diamond Ranch Rd is in the foreground.

Virginia Lucarelli
2965 Last Dollar Rd.
PO Box 2281
Telluride, CO 81435

San Miguel Planning Department
PO Box 548
Telluride CO 81435

April 13, 2022

Sent via email: planning@sanmiguelcountyco.gov and hand delivered

Subject: Hearing on April 21, 2022 to Consider Re-Zoning Application for Diamond Ridge Lots 1-R-A, 2-R, and 3-R

Dear Planning Commission,

My husband Jim and I have lived on Deep Creek Mesa since 1996 and raised our two girls here. We love the Telluride community and have been heavily involved in it for years, serving on boards ranging from the Telluride Education Foundation, to One to One and the Ski Club, Nature Conservancy Advisory boards and more. Jim was a 20-year volunteer fire fighter and is now on the Fire Protection District board.

When we built our house the road was unmaintained in the winter and our Ranch paid to plow to our neighbor's house below us. For a long time we were the only year-round residents of our Ranch. Needless to say a lot has changed since then, both on the mesa and in the greater Telluride community, and a lot of it has been positive. We have been happy to welcome new neighbors and see our neighborhood become more vibrant with more year-round residents. Sadly, this zoning application is NOT a positive development.

In the years since we moved to the mesa we have watched as Telluride made a series of short-sighted decisions that have led to where we are today. I say watched because this was all we could do – by moving out of town we were effectively disenfranchised and could not vote on the most pivotal community decisions, despite the fact that they affect us all. Among other things, the town rejected Idarado's annexation (losing affordable housing sites and RETT revenue), then they rejected the Valley Floor proposal choosing condemnation instead (costing the community millions and eliminating a number of much needed benefits – school site, housing sites, etc.) and more recently the Telluride Town Council rejected public/private partnerships proposed by the Telluride Foundation to build affordable housing in Telluride.

Now the Town and County are conspiring to purchase for 105 acres on Deep Creek Mesa, with existing recorded, agreements precluding anything but 1 per 35 development, in the name of affordable housing. This effectively exports the Town's issues to our neighborhood in a perfunctory, slipshod

process with no transparency. The deal has been rushed from the start and there is a shocking lack of information and solid details on the proposal.

We received our Notice of Hearing (postmarked 3/30 from Vermont) on Monday afternoon 4/4 for a 4/21 meeting where written comments are due by 4/13. These deadlines are tight to begin with but on top of this, all of this is happening in the heart of spring off season, when many of us travel to warmer climates and setting meetings with County staff and others is difficult, if not impossible in the time frame provided.

How much is this going to cost? Where are the wildlife studies? We have seen hundreds of elk calves born on these lots over the years. Where are the traffic studies? You have to improve the road up to the airport (first traffic light in our region where it intersects the spur?) *and* the road down Deep Creek. We see several cars a year go off the side of Last Dollar Road in places where it is not wide enough. Where is the water going to come from and how much will that cost? How much water will be needed – hard to say when we don't have any specifics on the actual development planned on the lots. Have the Town and County done any water studies? And what about Sewer?

Word on the street is that the land acquisition alone will cost over $7M for 105 acres, of which 39 acres will be rezoned to Community Housing (CH). As stated in the application the "rezoning area encompasses 39.21 acres and has frontage along Last Dollar Road. This application is limited to a request for the rezoning of the rezoning area and does not address potential future development applications for the parcels." What happens to the other 70 acres?

At 20 units per acre, 35 acres could translate into 700 units under the new CH zoning. With 4 people per unit this could be 2800 people. They say it won't be this big, but how are we to know when there is NO information on what they do want to do, and all meaningful studies are to come ***after*** the rezoning? Aldasoro Subdivision was originally zoned for 664 people. Think about that. This Ridge project is a mind-boggling potential upzone in a much smaller area.

And, the Town and County propose to do this in a two-step process where the County Commissioners are essentially voting on their own upzoning proposal. Yet we can't talk to them because they are "not allowed to engage with the public on matters related to the application." Really???

Is this the best test case for the new CH zone? Wouldn't starting smaller, with a project where the county itself isn't one of the applicants, make much more sense? How long have we been working on the Med Center's proposal? Would you even be hearing this application if it wasn't the Town and County applying?

Is this really a safe location? The airport is by definition a noisy commercial operation. Have you looked into safety issues? Over the years there have been four fatal crashes in direct proximity to this site:

- 2020, Vans RV4 airplane, N87LW in the Last Dollar PUD, 1 fatality
- 2014, Beech 35-33, N400DJ, 3 fatalities
- 2000, Sukhoi SU-26MX, N26KP, 1 fatality ON THE FENCE LINE
- 1997, Bellanca 7GCBC, N86708, 2 fatalities ON THE LOTS THEMSELVES, Jim responded as a firefighter

There was also another non-fatal crash where the plane ended up in the Meadows at Deep Creek:

- 1988, Navion G, N2498T crashed in Meadows at Deep Creek

How long has planning for the Med Center been in the works? 4+ years at least. Why is this deal, with an out-of-town developer, being pushed through overnight? What is in it for him regarding the remainder of his property on the mesa? Again, would you even be hearing the application if it wasn't the Town and County making the application?

The County master plan states "In regard to the task of amending the zoning resolution and existing zoning to reflect the master plan, **it is recommended that the county and private enterprise use a one or two year "no action" period to afford everyone the opportunity to amicably amend the zoning regulations by the development of workable zoning classifications and maps**. It is recommended that during this time period no building permits will be issued on land which is presently zoned for uses not in conformance with this Plan, and at the same time, the zoning classifications will not be altered by official action of the County. It is the stated intent that during or after such period fair solutions involving zoning and rezoning which will implement the concepts of this Plan should be reached."

How is this an amicable, well-thought out zoning change when neighbors feel ambushed and railroaded?

Wouldn't it make more sense, and be more fiscally responsible, to use the money this project will cost to build on property the town already owns? The town has a variety of properties in areas where the required utilities are already in place. What is happening with some of their more recent purchases? Tower House (acquired in 2018), Canyonlands lot (acquired in 2021), etc.? Why not finish building out the Virginia Placer? Carhenge? Why not build in town first and deliver the needed housing far more quickly, in places people want to live, where the utilities and commute are not an issue? Isn't the Southwest Area Conceptual Plan the Town has been working on also going to provide significant affordable housing? Building infill and adding density in the existing urban core would also be more compatible with the Climate Action Plan the Town is about to adopt.

In summary, we can do better. This is too rushed and has the potential to be a fiscally irresponsible boondoggle with public funds in pursuit of an unrealistic unattainable goal that will be far from "affordable" for the taxpayers footing the bill. I urge you to vote no on this proposal.

Additionally, just last night we learned that the Town and County applied to the Colorado Department of Local Affairs Division of Housing for funds for this project ($5M). In requesting the funding their application stated: "The ultimate goal of the partnership between the county and the town would be to develop a deed-restricted affordable neighborhood of at least 150 but up to 240 units." We don't yet have the full transcript of this meeting but we are told that in response to questions about why they need 105 acres for this they responded that this would be the first phase with two more phases to follow. When were they planning to disclose this to us? The application we have seen says they are looking to rezone roughly 35 acres. But the proposal to the Colorado Department of Local Affairs Division contemplates an $82M+ budget and completion by the end of 2024. How is it that they could provide these details to the state but not to us? This is far from a simple upzoning and should be given much more consideration.

The Planning Commission members and County Commissioners are precluded from speaking/meeting with us but a Town Council member can make social media posts bragging about securing funding as if this is already a done deal??? There are so many things wrong with this process.

Again, I urge you to vote no on this proposal. Or at a minimum postpone and require adequate study. The process to date has been a farce.

I understand that governmental agencies and volunteer boards are short-staffed and overworked and appreciate you taking the time to consider these comments.

Sincerely,



Virginia Lucarelli

April 13, 2022

San Miguel County

POB 548

Telluride, CO 81435

To All County Residents,

This ill-conceived plan (or lack there of) being pushed through with the speed of light flies in the face of any neighborly decency! Integrity and Due Process have been washed to the gutter and worse agreements between neighbors going back generations are being ignored and trampled upon. And why such a rush? An informed Citizen would ask how could this be at all possible when the community has been hard at work to approve a much needed Medical Center for over 4 years but this nefarious group intends to push this deal through in the quiet of off season.

1. Citizens should be able to trust Government and look to Government to uphold the law and enforce agreements such as The Memorandum of Purchase Contract Provision dated March 5, 1999 stipulating that the Diamond Ranch will always be 35 acre Residential Parcels. We should not have Lawyers who look for loopholes and underhanded ways to invalidate said agreements. If Vickers et al did not want to be bound to such agreements they never should have purchased this property in the first place. Is literacy not a requirement to serve in our County?

2. Failing to Plan is Planning to Fail and if this is where our Community is today we have truly failed! We have failed because this type of scenario – where is work force housing going to go - should have been thought through when the Town of Telluride voted down the annexation of Idarado and its affordable housing components. PLEASE NOTE THE RESIDENTS OF DEEP CREEK MESA WERE DISENFRANCHISED FROM THIS PROCESS! But we are now being forced to suffer the consequences of the ZERO planning and for lack of thought on the part of Telluride.

3. And please let us not overlook the Valley Floor debacle and the local, environmental group that hood winked the community into the conservation easement being the best for all. If the money time and energy that has been consumed saving 44 acres had been spent on work force housing we would not be having this conversation today. Once again another public process the Deep Creek Community was unable to weigh in on as this was a vote of Town voters only and not the County.

4. Due Process (clearly a foreign concept in San Miguel County!) The application before you is incomplete and would not be accepted ever under any conditions from any other party. No traffic study and no wildlife study - Shame On YOU!!!

5. There is only one place that this project belongs and that is directly behind the Shell Station. A nice flat building site walking distance to Town, On the Transportation System with the City's water and sewer mains running directly through the property.

6. NIMBY this is not about being a NIMBY but rather Telluride's front yard has become to holy and sacred for their own bad decisions. Look who's the NIMBY now. How is that the conservation easement is sacred and the agreements in our neighborhood are so insignificant?

We ask you today to keep Telluride's hideous choices in Telluride! Respect the law and perhaps even the residents of Deep Creek. Sorry for the terse tone of my letter but I am merely treating the officials that have promulgated this process with the same lack of respect and decency they have provided us.

Without Respect!

James F. Lucarelli

San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435-0548

April 13, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)

Hearing: April 21

To The San Miguel County Planning Board and Commissioners,

This letter, supplemental to the one I submitted yesterday, is to directly address the application filed and other San Miguel County regulations that apply to the determination for rezoning and my concerns for this application under the existing County Codes.

First of all, under the San Miguel County Land Use Code, any rezoning is classified as a "Major Development" and as such, the Code states that Section 3-6 applies.

> **3-601 E**. Rezoning (Refer to Section **4-6** for submission contents and Section 5-18 for review standards).

Under Section **4-6** the following sections apply:

> **4-602** Application Contents Development applications for activities categorized as Major Development Applications (Group I) shall include the minimum submission contents for all land development applications listed in Section 4-2 and a written report demonstrating that an application complies with the applicable review standards identified in Figure 4-1 and with any other relevant Land Use Code standards. (Emphasis added)

> **4-604** Proposed Plat, Plan or Map An applicant shall submit printed copies of the proposed plat or plan, map of the roads proposed to be accepted by the County, or area proposed for rezoning in the size and format directed by the Planning Department.

Finally, under **4-2 Minimum Submission Contents For All Land Use Applications**, under **4-208** Site Plan:

> A **site utilization map** shall be submitted. Where applicable, a preliminary or final plat shall also be submitted.

The undersigned is aware of no site utilization plan or proposed plat being filed with this application that would outline the proposed density of housing or utilization proposed of this land.

Without such a plan, this application is defective under San Miguel County Codes. Not only is it defective, the reason there is substantial community opposition to this proposals is that we, as neighbors, have no idea what is the actual plan for development, even in conceptual form. This does not meet the minimum requirements of due process for the community to be on actual notice of what the proposed plan for rezoning will include. The County would never approve a request from a third-party developer for rezoning without such documentation on what they plan on doing with the re-zoned property. This is especially true if the land is being re-zoned for 20 units per acre (over 700 units total allowed) without any provision of a plan on the use, not actual studies on water, sewer and traffic issues before any rezoning determination.

Additionally, when I attended the April 12 public hearing via Zoom before the state granting board, the DOLA (Department of Local Affairs), I heard Mike Bordogna's comments advocating for a $5 million grant for the property purchase, and the grant was given based on his comments. He was pressed to clarify the density and plans; the granting board wanted to know, why would we give the Town and County $5 m*illion to buy 105 acres if you're developing housing on only a small fraction of it? He said they'd look to rezone other parts of the purchased acres and build up to 700 units. Nobody in the community has been made aware of the ultimate plans to develop up to 700 units on this property.

As you know all know, below are the factors that must be considered by the Planning Commission and the Board of County Commissioners.

> **Section 5-18** Review Standards: **5-1803 A**. The Planning Commission and the Board of County Commissioners shall approve or disapprove rezoning on the basis of whether the proposed rezoning:
>
> I. Meets any applicable Sections of the Land Use Code;
>
> II. Is consistent with the San Miguel County Comprehensive Development Plan;
>
> III. Is compatible with surrounding Zone Districts and land uses, considering existing land, neighborhood characteristics, and community character, with the understanding that different densities and intensity of uses are not in and of themselves incompatible;
>
> IV. Would not result in unsupportable demands on public facilities, and would not exceed the capacity of such public facilities, including but not limited to transportation facilities, sewage facilities, water supply, parks, drainage, school and emergency medical facilities;
>
> V. Would not result in significant adverse impacts on the natural environment;
>
> VI. Would not be in conflict with the public interest; and

VII. Would help achieve the Land Use Policies, as set forth in Article 2 of this Land Use Code.

Under Article II of the San Miguel County Land Use Code the following provisions apply for consideration of this rezoning application.

SECTION 2-1: CONFORMANCE WITH ADOPTED COMPREHENSIVE PLAN It is the policy of the County to ensure that the use and development of land within San Miguel County and any actions committing such land to development or a change in use are consistent with San Miguel County's adopted Comprehensive Plans.

SECTION 2-3: PHASING OF PUBLIC SERVICES AND FACILITIES It is the policy of the County to insure the efficient phasing of public services. To this end, it is County policy to prevent the location of activities and developments resulting in significant changes in population densities that are inconsistent with adopted Comprehensive Development Plan.

SECTION 2-4: COMMUNITY BALANCE It is the policy of the County to identify the carrying capacity of San Miguel County to achieve and maintain a social, economic and environmental balance in the community. Additionally, the County shall seek to maintain a balance between the peak population in the community and recreational activities and public services, taking into consideration the County's environmental carrying capacity and shall determine the appropriate service level required to maintain an adequate stock of affordable housing.

SECTION 2-6: COMPATIBILITY WITH EXISTING ADJACENT NEIGHBORHOODS It is the policy of the County to insure that any land use applicant under the provisions of this Code consults with the local neighborhood caucus or homeowners' association, open to all residents, concerning the compatibility of the uses proposed with existing neighborhood and any adopted neighborhood goals and objectives, or that the procedures for the processing of any development application provide for notice to and hearing of such local groups.

SECTION 2-12: SCENIC QUALITY It is the policy of the County to preserve the scenic quality of lands within the County for the benefit of its residents and the continued viability of a resort economy that is dependent upon the quality of its rural and natural setting. To this end, it is the policy of the County to:

2-1201 Preserve the natural appearance of the mountain slopes, particularly from major activity areas, public roads, and trails by regulating the location, height, design and screening of development;

2-1202 Minimize the adverse scenic effects of roads and facilities by regulating the location and use of future development and the expansion of existing development where new or increased roads and facilities would be required to serve such areas and where the construction of such roads and facilities would impact the scenic quality of areas visible from public roads, trails or major

2-1203 Minimize any adverse scenic effects of roads and other facilities by regulating their alignment, design, and construction so as to reduce their impact on the visual quality of any areas in the County, particularly public roads, trails and major activity areas;

2-1206 Achieve visual quality within areas of existing and future development by prohibiting or mitigating the impacts of unsightly equipment, uses and structures; controlling the design and alignment of electricity and phone lines and similar facilities; and, where feasible, requiring such lines to be underground; specifying design standards such as setbacks, height limits, view corridors, historic zones and material requirements; controlling signs, and ensuring the rehabilitation of areas subject to temporary or discontinuous use, such as mines, pits and quarries; and 2-1207 Manage development within the designated view planes and the scenic foreground to preserve the natural appearances within the Telluride Region.

SECTION 2-16: WILDLIFE PROTECTION It is the policy of the County to identify and protect wildlife habitats for the preservation of wildlife, to encourage land use patterns that avoid disruptions to such habitat. The County will coordinate with Colorado Parks and Wildlife personnel regarding proposed development or uses within or adjacent to mapped wildlife habitat areas to mitigate impacts of development on wildlife.

SECTION 2-17: ADEQUATE PROVISION OF WATER It is the policy of the County to insure the availability of a water supply of adequate quality, quantity, pressure and dependability for fire protection and support of a proposed land use prior to approval of the use. The County shall encourage land uses to hook up to existing public systems if service is available.

SECTION 2-18: SEWAGE TREATMENT AND COLLECTION It is the policy of the County to insure that adequate facilities to collect, treat and dispose of anticipated types and quantities of sewage are available with suitable capacity, quality of discharge, suitable point of discharge and dependability, and that any proposed system is financially feasible based on the available tax base and other legal criteria prior to approval of any land use. The County shall encourage land uses to hook up to existing public systems if service is available.

SECTION 2-19: ROAD SYSTEM IMPACTS It is the policy of the County to preclude development that generates traffic volumes in excess of the capacity of the County road system or results in significant service level reductions or extraordinary impacts, unless the proponents of the development pay their fair share of costs to be generated by the proposed development to upgrade on-site and off-site roads consistent with the County's Road Management Plan and other policies of the County. The County may deny or postpone development approvals to insure that the timing of development coincides with the County's road improvement program.

SECTION 2-23: EXTENSION OF UTILITIES It is the policy of the County to regulate utility extensions in a manner which insures that utility resources be directed to areas with or adjacent to existing development and to areas suitable for development consistent with the policies of the County. Such areas should be provided with necessary public utilities. The County shall discourage utility extensions:

2-2301 To areas which are not fully serviced and are premature for development;

2-2302 To areas that are not suitable for the type or amount of development necessary to support the service or development that is likely to result from such extension;

2-2303 That are not financially viable without additional public expenditures to extend or upgrade components of the system or for increased maintenance or operating needs;

2-2305 Which would require unusual construction, maintenance or operating costs due to topographical, soil or geological conditions; and

2-2306 Which generate costs, including environmental impacts exceeding the benefit to be gained thereby

SECTION 2-27: COMPATIBILITY WITH AGRICULTURAL LANDS AND OPERATIONS It is the policy of the County to promote the economic viability of agricultural lands and operations within San Miguel County and to insure that large tracts of land now committed to or capable of agricultural uses are preserved. To this end, the County shall:

2-2701 Insure that development in the vicinity of agricultural land shall not make continued agricultural operations impractical or economically infeasible;

2-2703 Preclude development or development patterns that remove so much water from agricultural use that there is an insufficient supply for agriculture;

SECTION 2-28: COMPATIBILITY WITH HISTORICAL AND ARCHAEOLOGICAL RESOURCES It is the policy of the County to protect any sites, structures and surrounding areas determined to have historical or archaeological significance to the community, the region, or the State of Colorado from any destruction or alteration of the site, structure or surrounding area that would detract from its historical and archaeological significance.

SECTION 2-31: COMPATIBILITY WITH ADJACENT OR NEARBY PUBLIC LANDS It is the policy of the County to preserve and protect public lands from the impacts of incompatible development. To this end it is the policy of the County to:

2-3101 Insure that development near or adjacent to public lands will not cause high concentrations of population in such areas;

2-3102 Discourage development that will encourage the intrusion of roads or high levels of human activities on such lands;

2-3104 Favor low-impact land uses that support non-motorized dispersed recreation and the preservation of wildlife habitat, scenic quality and air and water quality;

2-3108 Neither impose special standards nor waive existing standards in response to land use permitting in these areas;

Sincerely,



Morgan C. Smith, Last Dollar Rd.

San Miguel County Planning Department
Via Email to Kaye Simonson <kayes@sanmiguelcountyco.gov>
P.O. Box 548
Telluride, CO 81435-0548
April 13, 2022

Re: Diamond Ridge Parcels 1-R-A, 2-R & 3-R (the "Subject Property"); Parcels No. 4565-303-18-011; 4565-303-17-012 and 4565-303-17-013; Applications to Rezone and for 1041 Approval for the Property (Subject Application)
Hearing: April 21

To The San Miguel County Planning Board and Commissioners,

First, I want to thank you for your service to the community of San Miguel County. I know being on a volunteer board is very time consuming and can be very challenging.

Planning is **the process of thinking regarding the activities required to achieve a desired goal**. Planning is based on foresight, and the fundamental capacity for mental time travel. The evolution of forethought, the capacity to think ahead, is considered to have been a prime mover in human evolution.

Albert Aldasoro worked his entire life on Deep Creek Mesa. He was directly involved in planning the future of Deep Creek Mesa, the Telluride Region and the entirety of San Miguel County. He worked with the County and other players in the region to ensure travel to Telluride was a long-term reality with the placement of the Airport on his ranch. He also wanted to help maintain the rural feel of Deep Creek Mesa particularly the Sheep Ranch west of what is known as windy ridge that extends uphill from the east end of the airport. This is the reason for placing including the Sheep Ranch zoning to Forest Agriculture into the PUD agreement for the Aldasoro Ranch and placing covenants and private restrictions on the sale of property including the Diamond Ranch (and Diamond Ridge). These covenants are part of the Title Commitment in the application Mr. Vickers has with the Town of Telluride and San Miguel County (Exception number 15 and 21). Albert was also part of the Telluride Region Master planning where zone districts were established to assign locations for high density pods including those for Mountain Village, West Meadows and the Valley Floor. The high-density pods were established to plan for the future of our region and consider the air quality, pedestrian access, traffic, parking, and wildlife to name a few. Mountain Village and Town of Telluride are the designated high-density pods. High-density development should occur in these locations to maintain the balance of the environment and development in the Telluride region.

Regarding the application in front of you; It is in direct conflict with the Master Planning of the region that Albert and others worked so hard on. This plan would export density from those

high-density pods and services, creating air quality impacts by placing more cars on the roads. It will exacerbate the already overwhelmed 145 spur leading to Town. The air quality, traffic, parking and wildlife impacts created by the proposed up-zoning will impact the region for generations to come.

There is no question we need to plan for community housing, and we need solutions now. This application creates more long-term problems than solutions to our current and future housing needs. There are better solutions that the Town and County should focus on. Properties currently on existing transportation networks and in water and sewer service areas. Community Housing to be effective need to be located in the high-density pods of Town and Mountain Village making them pedestrian friendly and reducing the impacts on air quality, traffic, parking and wildlife.

There is DOLA funding available to help fast tract projects that will create much needed Community Housing now. This project has conditional approval to receive $5 million toward the purchase of the property contemplated in this application, however it is bad planning. Up zoning this property creates more impacts than the benefits it is said to have. There are more appropriate projects that are closer to shovel ready to create Community Housing today and into the future.

We as a community have the opportunity to plan for our future and reduce the impacts to our environment at the same time. Those include changing zoning in the Lawson area, currently a food desert, by allowing for grocery and restaurants thus reducing the volume of traffic on the roads. Building community housing in locations such as Town owned East Telluride Lots, Car Henge, Mountain Village Meadows, the Pearl Property, rebuilding Shandoka to promote pedestrian access and reduce environmental impacts.

Please consider the Planning efforts made by Albert Aldasoro and deny this application. It is imperative to allow time to consider good planning options we as a community have. Thank you for your consideration to this matter.

Sincerely,

Scott Bennett
54-year resident of the Telluride Region
Retired Chief, Telluride Volunteer Fire Dept.
San Miguel Search & Rescue Member
Telluride Ski & Snowboard Club Retired Ski Coach

John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Wed, Apr 13, 2022 at 10:16 PM
Reply-To: dan.collins@asu.edu
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Development
First Name	Dan
Last Name	Collins
Email address	dan.collins@asu.edu
Please enter your comments	RE: Diamond Ridge Proposal To Whom It May Concern: We are middle class folks trying to preserve a shred of the character of our community. The Collins family was one of the original ranch families on Deep Creek Mesa that came into the region in the 1890s—and in fact owned the property currently being considered for high-density development. The old corral at the top of the mesa was originally built by Hasten Collins, my great grandfather. While ownership of the property passed out of the family back in the 70s, the connection to place and a sense of stewardship remains. The old Collins barn – built some 130 years ago in the swale below the corral – still stands, thanks to heroic efforts for preservation by folks such as Linda Luther and George Greenbank. Homes built over the last few years on the Mesa, constructed by residents with a deep commitment to preservation, the regional community, and the natural environment, have shown considerable care and respect in adding new structures that blend into and complement that precious landscape. These are not “dark mansions” like found elsewhere regionally, but vibrant light-filled homes. Since the early 60s, our family has owned the property at the base of Deep Creek Road. We have weathered numerous assaults—including the appearance of County and State road Maintenance facilities between our house and the river, significantly increased traffic, noise, dust. But the proposed

Diamond Ridge project will have impacts on the larger neighborhood that far exceed anything we've seen—including the building of the airport.

The idea of the new zoning district—Community Housing (CH)—is an important and creative addition to the toolkit available to address the challenges of regional affordable housing. But in this instance—one of the first examples of its application—we are witnessing a fundamental lack of appreciation for the specifics of context, scale, and timeframe that should accompany any planning process. There has also been a blatant disregard for open communication that is significantly undermining confidence in local government. This whole process has not operated with the kind of respect and openness that is essential for building and sustaining a sense of community. "Public opinion" is, apparently, viewed by local government as an impediment.

We've read many letters and comments that articulate the controversy—both pro and con. I accept that many of us with a long-term commitment to preserving the character of the land are being painted as "old school conservationists" with a NIMBY mindset. However, I do not think of the natural landscape as simplistically as MY back yard I think of it as is our collective "backyard" that everyone should be fighting to preserve.

Here is a bullet list of concerns:

--Sprawl and Mission Creep. Any assessment would see this deal with Jack Vickers for what it is—a real-estate scheme that will open the door for major development on the coat tails of affordable housing. What is really frightening is the inevitable sprawl across the Mesa that may well result from this initial backroom deal…including, long-term, a hotel and additional housing developments. Vickers struck a deal to sell to the town-county at an inflated price (around $7 million) and to rezone, leveraging the public's sentiment for much-needed affordable housing. This is just the first step in a process we've all seen before. It's inevitable that the remaining parcels would be developed at higher density too, once he has access to town water.

--Water. Pumping water 2.5 miles uphill to the highest point in the landscape below Last Dollar Road is unwise and energy intensive—it's expensive (millions of dollars) and it will require an incredible amount of energy to maintain supply to the proposed units. Existing restrictions on well permits for the Mesa are are legally binding.

--Transportation/Pollution. We are adding miles of commuting to our working community—many of whom will need to expend

time and fuel to make the regular commute to town. In the words Ashley Story, “creating dense housing developments even a few miles away will add to the parking issues we already experience in town, create a food desert that will require large numbers of people to travel 15-20 mins just to get to the closest grocery store.” Back down in our neck of the woods, the increased traffic will be a complete nightmare for the community of residents at the foot of Deep Creek.

--Bicycles. There will be increased danger to our local mountain biking community—many of whom tour the “local’s loop” daily. How will 500 – 1000 additional cars a day impact their safety and experience?

--Elk Corridors. There is an urgent need to better understand animal behavior—including migration, feeding, and mating behaviors of our magnificent Elk herds—across the mesa. I suggest we fund a longitudinal study of Elk behaviors specifically before embarking on one more impediment to their movements. Deep Creek mesa resident Jennifer Barker writes: “As far as I know, there have been no wildlife impact studies done to help us understand how this proposed development will affect the health and survival of the elk that live and calf here. Research must be done to determine the projected impacts to the indigenous wildlife anywhere dense development is proposed. Studies already show that the elk are struggling with their loss of habitat throughout southwestern Colorado and this proposed project would potentially push them out of our area completely. In any case, there’s little doubt that the herds would not suffer from the additional development and degradation of their natural habitat.
”

--Viewsheds. There’s a reason we as a community have not accepted high density development across the Valley Floor. A similar concern should animate at least part of our discussion across all of our high mountain landscapes—including Deep Creek mesa where the vistas to the south include uninterrupted views of Lizard Head, Sunshine Peak and the Wilson Massif.

A clear-eyed assessment would see this deal with Jack Vickers for what it is—a land grab and a real-estate boondoggle all in the name of affordable housing.

Respectfully,

Dan Collins and Laurie Lundquist

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 9:38 AM
Reply-To: aubreykanemable@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Project
First Name	Aubrey
Last Name	Mable
Email address	aubreykanemable@gmail.com
Please enter your comments	10000% in support of this initiative and the housing that it will create for locals! THIS IS CRUCIAL!!! As someone who has moved 4 times after being here for just 2 years, I can't stress enough how important stable, affordable housing is for the working class.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 9:56 AM
Reply-To: Juliafallman@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge
First Name	Julia
Last Name	Fallman
Email address	Juliafallman@gmail.com
Please enter your comments	I'm writing to voice my excited support for this project. This is an incredible opportunity to increasing housing in our community. It has been amazing to watch town council create so many housing opportunities closer to/ in town, AND we need to continue to pursue opportunities like this. I know that commuting and climate issues are a concern for housing developments farther from TOT, but this opportunity still provides a WAY shorter commute than other areas such as Norwood. All of the opposition here has a real NIMBY attitude. People want progression and housing but only if it doesn't obstruct their view. We all have to give a little to get tangible wins like this.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:03 AM
Reply-To: Johnmaxhenry@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond ridge
First Name	John
Last Name	Henry
Email address	Johnmaxhenry@gmail.com
Please enter your comments	Hugely in support of this project 💪

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:05 AM
Reply-To: jjmark4@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Jerry
Last Name	Mark
Email address	jjmark4@gmail.com
Please enter your comments	Born and raised resident here. In my eyes this project is a no brainer, affordable housing is crucial and needed for the current state of our county. Don't miss out on this affordable housing opportunity like the old opportunity near Pandora lane and the mine. Which now instead of affordable housing is mega mansions which sit empty… Thanks for all the effort and look forward to the process!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:09 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Chambers
Last Name	Squier
Email address	*Field not completed.*
Please enter your comments	I am in huge support of the ridge project. We have needed more housing for locals to help support our small businesses and over all our community- for a long time now! Housing is the hardest thing when it comes to hiring great staff- if we can provide housing for those already in the community and those who want to join- let's do it!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:10 AM
Reply-To: emily.scott.robinson@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Affordable Housing Project
First Name	Emily
Last Name	Robinson
Email address	emily.scott.robinson@gmail.com
Please enter your comments	Dear San Miguel County Commissioners, I am writing to support the rezoning of the Diamond Ridge parcels from Open Space / Agricultural to Community Housing in order to facilitate the purchase and construction of The Ridge affordable housing project. As a community member who has gotten deeply involved in the past year with activism for local housing, I am excited to see the opportunity for Town of Telluride and San Miguel County to collaborate on a project that could bring 150 new homes to the area. The Town of Telluride alone is in a serious deficit of affordable housing that has reached crisis levels— we were in need of 600-800 new housing units pre-pandemic. The Diamond Ridge parcel is an excellent option for a new affordable housing development, especially with the $5 million grant secured by the Town of Telluride to aid in its purchase. While I understand and empathize with the arguments for open space and environmental preservation on Deep Creek Mesa, I believe the need for affordable housing for the greater community outweighs these arguments. Thank you for your time and hard work on behalf of our county.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:24 AM
Reply-To: ccypher2010@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge neighborhood rezoning
First Name	Catherine
Last Name	Cypher
Email address	ccypher2010@gmail.com
Please enter your comments	Writing to support the affordable housing ridge rezoning! I'm strongly in favor of acquiring and rezoning this land.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:53 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Voodoo housing
First Name	Oliver
Last Name	Henry
Email address	*Field not completed.*
Please enter your comments	New affordable housing would only benefit this community.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:08 AM
Reply-To: Itsjacqueg@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The ridge project
First Name	Jacquelyn
Last Name	Garcia
Email address	Itsjacqueg@gmail.com
Please enter your comments	I've lived in Telluride for 4 years, and I have 3 jobs and work with 2 nonprofits. I love this town, and I want to make it my home, but investing so much in a place I have never had guaranteed long term housing is exhausting. I've moved 5 times since I've lived here, including one summer I spent living in my truck. I will never be able to buy a free market home here, and I'm on every waiting list for affordable housing that exists, but relying on that gamble provides little comfort when there is so much competition. This development could change so many people's lived in this town, and provide us with the worker base to sustain this town. Thank you for focusing your efforts on affordable housing.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:25 AM
Reply-To: NassarKristen@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Housing Project
First Name	Kristen
Last Name	Nassar
Email address	NassarKristen@gmail.com
Please enter your comments	I am so pleased to hear about the housing project on Diamond Ridge by the Telluride airport! 150 units will make a massive difference to the Telluride community and economy.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:25 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Housing Development
First Name	Katherine
Last Name	Borsecnik
Email address	*Field not completed.*
Please enter your comments	TO: Planning Commission I am writing to voice my support for the Diamond Ridge proposal. I know that a project of this scope considers a series of difficult challenges for the developing entities. There are valid and diverse strong perspectives about the cost and investment, the logistics, and the location, to name a few. A decision to proceed has significant implications, as does a decision not to proceed. I believe the essential perspectives to consider are the context of the affordable housing crisis in the region and the long-term impacts of the project, These factors convince me about the enduring wisdom in the project. As we are all painfully aware, the housing crisis has been building for years. Though much has been done by the local jurisdictions over the past decades, the shortage has become acute. This is particularly true over the past few years since the last housing needs assessment warned of the deficient of hundreds of units. Recent social and market conditions have exacerbated the problem, as some historically affordable units have moved to short-term rental, and others have become unavailable to local workers (as telecommuting increases). At the same time, private partnerships/developments for affordable units are increasingly infeasible, given the economics. And land suitable for scalable housing initiatives is exceedingly rare. The impact of the shortage is deeply concerning from both an economic and social perspective. Employers are faced with

recruitment and retention challenges, already difficult these days but made worse by housing shortages within commuting distance. When we can't house workers, we lose not just economically -- we lose the year-round lifeblood that fuels our creative, social and and nonprofit treasures.

On top of the challenges shared by similar communities, our region, though blessed with amazing geography and topography, presents limited affordable and accessible options. For the long-term benefit of the region, we need to very seriously consider the grave implications of housing shortage and the rare opportunity and significant impact of the Diamond Ridge proposal.

Respectfully, Katherine Borsecnik

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:27 AM
Reply-To: Jasona247@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge housing project
First Name	Jason
Last Name	Aurand
Email address	Jasona247@gmail.com
Please enter your comments	When local and state governments work together and achieve results to the tune of $7.2 mil. it seems clear that there is a perceived problem that both citizens in and out of the affected community are acknowledging. DOLA includes in their vision statement that they are there to strengthen Colorado local communities and building capacity. This is a great opportunity to fulfill their vision as well as ours, help bolster local and state relationships, and be leaders in what is already a growing problem in our state, housing shortage. I've witnessed and dealt with the struggles of realizing that know matter how much you work, volunteer, teach, etc.. for a town that you love you will not be able to be a home owner there. I fully support this project moving forward as it provides what is necessary for a town as great as Telluride to continue to thrive.

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:32 AM
Reply-To: Elizabethquatman@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Beth
Last Name	Quatman
Email address	Elizabethquatman@gmail.com
Please enter your comments	I'm thrilled for our community! Thank you to all of those who work so hard to acquire/plan/build affordable housing for those who make Telluride what it is! With great appreciation, A Telluride mom and teacher ❤️

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:34 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge
First Name	Laura
Last Name	West
Email address	*Field not completed.*
Please enter your comments	The location, the proposed amount of units, the views, the neighborhood... all of these contribute to making this a great investment for local housing. As a local, I am absolutely stoked that a few of these projects for housing are moving forward. The local workforce deserves housing close to Telluride, close to the Village, and if we build, we should build for long term growth and sustainability. I am in support of this plan!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:05 PM
Reply-To: jspindler@telluridelibrary.org
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	YES to Ridge Development/Re-zoning!
First Name	Joanna
Last Name	Spindler
Email address	jspindler@telluridelibrary.org
Please enter your comments	To whom it may concern- I would like to submit my wholehearted support for the re-zoning of the Ridge property near Telluride's airport. I have watched recent affordable housing evolutions with great interest, and I think this development is one of the most visionary, collaborative concepts yet. I'm extremely grateful to those in the Town of Telluride and San Miguel County who have worked together to make this development possible, and I believe the Colorado State funding granted to the project serves to underscore its critical importance to our town. YES to affordable housing development on the Ridge property! It is incredibly critical in this pivotal moment for our community. As context, I have lived in the Telluride area for nearly ten years, during which I have been a full time employee at the Wilkinson Public Library, served on many nonprofit boards and projects, and volunteered for countless local organizations. A lifelong supporter of the arts, I currently serve as San Miguel County's Poet Laureate. I'm also in a committed partnership with an individual who has been living, volunteering, and working in Telluride for almost 14 years and currently serves as a Director at Telski. We are established, contributing community members in our mid-30s, and we are unsure if we can ever have an actual foothold here. Please take that in. While we presently have housing security, thanks to the wonderful property owners of the 200-acre ranch we caretake on Hastings Mesa, we have both experienced a range of

housing difficulties during our time here. My partner and I have both had periods of housing loss so acute that we had to couch surf, camp, or live out of vehicles for a time. Even as professional, gainfully employed, stable adults, we've frequently had to jump from rental to rental. I've lived in Ouray, Downvalley, and Norwood. I have lived in unsafe housing out of sheer desperation.

Most importantly, even now, with all of this combined time in Telluride, we don't feel like we could own property here. We've been trying to find a space to buy over the last few years, but the market is so competitive that it just doesn't feel realistic anymore.

Telluride needs affordable workforce housing, and desperately, so that folks like us can imagine a future here. I applaud efforts to develop housing in the Town of Telluride, in Mountain Village, and in Ilium, down valley, Rico & Norwood. These projects are important- especially when local voices and voters so deeply need in-town representation. However, simply because of space and funding limitations, in-town projects will never be enough to fully address the extremity of our housing crisis. This is why the Diamond Ridge property holds such a beautiful opportunity for the essential working public of our community. We need neighborhoods close to Telluride that can accommodate more people! More families, more teachers & childcare professionals, more Med Center staff. More library staff, small business owners, Telski workers, tourism industry professionals...more workforce near the heart of our community.

In short, let's keep our community here. Let's continue to celebrate our regional wildlife, the Valley Floor and our hundreds of miles of surrounding wilderness, and let's also understand that shunting workforce further & further from town creates a massive detriment to the environment that can't be ignored.

I am immensely grateful to all who are working towards the future of housing in our community. Thank you from the bottom of my heart for your efforts!

If I can be of public service in supporting the Ridge development, and other affordable housing developments, I make myself available. I can be reached at the email address above.

Sincerely and with respect,
Joanna Spindler

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:17 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	I support Diamond Ridge
First Name	Shanda
Last Name	Yagel
Email address	*Field not completed.*
Please enter your comments	I support the rezoning and development of the Diamond Ridge property! I lived in Telluride for 14 years, and moved about a year ago. A large part of my decision to leave was based on the unsustainable housing situation in Telluride. I was constantly in fear that my already incredibly expensive housing would fall through and that I would be left with nowhere to go. Telluride needs as much affordable housing as they can get, and this potential project is an amazing opportunity for locals to have secure and reliable housing.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:25 PM
Reply-To: andresvargasjohnson@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge
First Name	Andrés
Last Name	Vargas-Johnson
Email address	andresvargasjohnson@gmail.com
Please enter your comments	Our community desperately needs more affordable housing. This will provide opportunities for families to live and work close to town. The greater needs of many should not be tossed aside for the desires of few.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:26 PM
Reply-To: mollyperrault@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Project
First Name	Molly
Last Name	Perrault Daniel
Email address	mollyperrault@gmail.com
Please enter your comments	I passionately support the Diamond Ridge Project. My husband and I have lived in Telluride for 8 years, and as full-time, year-round workers who are involved in this community, we have personally experienced the dire need for a large-scale housing project such as this one. The local housing crisis has caused us to move multiple times, and we've seen friends and coworkers struggle with retaining reliable housing. Local workers should live in, or as close to the Town of Telluride as possible to reliably do their jobs. Commuting from Norwood, Ridgway, Montrose, or other surrounding communities is not a feasible answer. Not only are these places their own communities dealing with their own housing issues (mostly caused by Telluride's lack of housing), but commuting to this scale is not sustainable for the environment or the workers themselves. Additionally, "creative/alternative solutions" such as tiny homes is offensive to hardworking locals (especially when second home owners in the area have thousands of square feet of housing that sit unused). We want our basic housing needs met, not to be living in a closet. In fact, many of us could afford to buy a condo or single-family unit in Telluride, but none exist on the market because so many free-market units are now short-term rentals or second homes unavailable to locals. Creating housing such as this near Telluride is not only a good idea, but a responsibility of an evolving community who cares for its own prosperity and workers. It's elitist to view the land surrounding us as only belonging to those wealthy enough, or those who have had the privilege of living there for generations. Density and zoning are human-made constructs that should be amended to create

opportunity and equity.

A real neighborhood built for locals right outside of town is the answer! Local working families would have a sunny and comfortable place to live (doesn't need to be fancy), close to town with real neighbors and a proper community. Lawson Hill filled that need in the 1990s, and the environment is still happy and beautiful and the elk still roam in the valley. We can make this happen again and properly mitigate our environmental impacts. The future of Telluride's vibrant community relies on bold projects like this to continue to thrive. Future generations will look back at this without regrets and be grateful that we took positive action.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:30 PM
Reply-To: alex.rollinson@aubergeresorts.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Alex
Last Name	Rollinson
Email address	alex.rollinson@aubergeresorts.com
Please enter your comments	As a 5 year local and employer of 30 staff members, I am in full support of the Ridge Project. The county and town collaboration on the parcel is a huge step forward for the future of Telluride.

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:33 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Support for The Ridge
First Name	Cara
Last Name	Wilder
Email address	*Field not completed.*
Please enter your comments	I am writing as a 12-year local in support of The Ridge project. We are all well aware of the need for affordable housing in and around Telluride. This provides workers that keep this community unique, moving, thriving, and beautiful an equitable opportunity to live where we work. I understand the views of those concerned or opposed to the project, but feel confident we can have productive discussions around them. My husband and I have participated in housing lotteries and are constantly searching for a permanent home; however, prices are out of reach unless we choose to add a significant commute which would ultimately remove us from the community were we work and play. As a future practicing counselor in the area, my goal is to stay ingrained in the community where I practice, not simply come here to work. I also recognize the affects of being excluded. Without affordable housing options, we are effectively saying to the working, middle-class that this isn't the place for them. Is that what Telluride wants to be? At 150+ units (per the grant requirements), the Ridge project feels like an option that gives locals like myself and husband a chance to own in a place that has otherwise felt unreachable. Shouldn't we also have access to beautiful views, a permanent home, and the opportunity to raise a family in this community? Shouldn't those without significant wealth or generational roots have the option to create the later for themselves? I understand that there is other land available to develop and we should look at options in town. Realistically it will likely take all of these options to truly address the crisis at hand. I think it

is good that the town is considering different options because everyone has different needs. Perhaps there are some who prefer to live on the outskirts of town, while others wished to be in the heart of the valley. This simply provides another option to the ones keeping working to keep this community the special place it is.

I hope that this is a project we can get behind together understanding that we all have a right to be included and cared for. I believe it can be done sustainably and with the concerns of those against it at the forefront, protecting the land, wildlife, and the people.

Thank you for your time.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 12:41 PM
Reply-To: sheamuscroke@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Property
First Name	Sheamus
Last Name	Croke
Email address	sheamuscroke@gmail.com
Please enter your comments	As someone deeply involved in the creation of affordable and accessible workforce housing, I am in favor of this project. No housing development (deed restricted or otherwise) is created without some amount of conflict of interest. However, I believe that if the TOT and the County continue to perform proper due diligence on this parcel and adequately address the cost, transit and wildlife concerns, this project has immense potential, and would be a major asset to the community.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:00 PM
Reply-To: baltzleya@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Rezoning
First Name	Amanda
Last Name	Baltzley
Email address	baltzleya@gmail.com
Please enter your comments	I support the new Ridge neighborhood rezoning. Having another affordable housing development is vital to the livelihood of the Telluride community. I appreciate that the town and the county have been able to work together to create another great opportunity for locals to be able to afford to live where they work. Thank you!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:01 PM
Reply-To: Anna.langer9@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge housing
First Name	Anna
Last Name	Langer
Email address	Anna.langer9@gmail.com
Please enter your comments	Hi, I'm just writing to voice my support for the Ridge housing project on Last Dollar. We need bold action to solve our housing crisis and I believe this project will provide many homes at affordable prices to locals. Locals deserve housing security and are the backbone of this community! Thank you, Anna

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:14 PM
Reply-To: Shaniecethorpe@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project Rezoning - Affordable Housing
First Name	Shan
Last Name	Thorpe
Email address	Shaniecethorpe@gmail.com
Please enter your comments	While this will most certainly be a lengthy project. I'm happy to support this build in anyway I can. As we all know, affordable stable* housing within this community will drastically change the local working conditions that this community desperately needs. Thanks

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:20 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The ridge project
First Name	Aaron
Last Name	Kennedy
Email address	*Field not completed.*
Please enter your comments	Obviously there are lots of logistics to figure out with this project but in general I think that the rezoning of this area just outside of town proper would be a good move in helping to address affordable housing. The area is ideally located for people to have short commutes into town making work even during inclement weather a viable option unlike housing our employees in Rico, Ridgway, Norwood and even further communities. It also makes a statement that the town of Telluride does actually care about the average working population continuing to reside here. Currently the land is zoned as Forestry & Agriculture and if it were to be rezoned to allow more high end single home development such as the rest of the last dollar/aldesaro area housing issues would continue to get worse. Rezoning to allow for more affordable housing would help to alleviate some of the issues that high end development has exasperated.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:23 PM
Reply-To: Jennacichanski@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Rezoning
First Name	Jenna
Last Name	Cichanski
Email address	Jennacichanski@gmail.com
Please enter your comments	Hello, I am writing today in support of the rezoning of Diamond Ridge to support local, affordable housing for the Telluride community. I firmly believe that any and all housing that the towns/county can create for our local workforce is a positive. I am lucky enough to own a deed restricted home in the Town of Telluride. Without it my family would have likely moved from the area, taking our kids from school and our local businesses with us. The need for affordable housing is becoming more and more obvious and we must do everything we can to keep up with this need. I believe a combination of units in and out of town are important. I would love to see more Gold Run single family home type development as well as condos for ownership and rent. Again, I am a lucky one. I have seen many friends and families give up and leave the area. Good people. Telluride's loss. I know there is a lot more conversation that must be had about this project but I firmly believe we can work together to make this work. I 100% support moving forward with this project so we can keep our local, year round community strong. Our workforce strong. Our school district strong. Thank you for your consideration and for fighting for the people of Telluride. Best, Jenna Cichanski.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:24 PM
Reply-To: sbarnes@mountainlodgetelluride.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Development
First Name	Sam
Last Name	Barnes
Email address	sbarnes@mountainlodgetelluride.com
Please enter your comments	Hello Telluride Community Planners, I'm writing today to support the purposed development at "The Ridge" on Last Dollar Road. As we all know our community is desperately in need of new housing solutions for locals and this plan is one of the best I have seen purposed in a long time. Giving locals the ability to live on the Mesa in one of the most beautiful areas in the valley is a great opportunity and a step forward towards solving our housing crisis. I've lived in Telluride for over 10 years and watched as housing in the region becomes more and more scarce. I've personally had to move several times when my house was purchased, torn down, and then a new house built which now sits empty year round. I find this incredibly wasteful and sad. The proliferation of 2nd home owners and wealthy newcomers has done a lot of damage to the culture of our town. We must do more to support the hardworking locals who make this community what it is. Please move forward with purchasing and developing "The Ridge" for local housing. There are not many more opportunities for housing like this left in the region. Thank you, Sam Barnes

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:30 PM
Reply-To: Timlafferty1@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge
First Name	Tim
Last Name	Lafferty
Email address	Timlafferty1@gmail.com
Please enter your comments	I am enthusiastically in favor of this development. The housing crisis in our valley has hit an all time high and I have friends that are leaving because they have no place to live. This development will provide a beautiful place to live which is essential in maintaining the quality of life for our community members. Way to go on the $5M grant! Woo hoo! I say develop all of it! Thank you for the hard work you are doing! Community not commodity!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:32 PM
Reply-To: twilson2011@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Development
First Name	Tyler
Last Name	Wilson
Email address	twilson2011@gmail.com
Please enter your comments	I've just become aware that the town/county received a $5M grant toward the purchase of Diamond Ridge land for the development of at least 150 housing units. I've heard that some community members have come out in opposition and I wanted to share a different perspective. I'm a Telluride resident and it is my first time ever submitting public comment here or in any other community I've been a part of. Too often we let a few loud voices be all that our government hears. Nearly a third of my closest friends in town lose their housing within 2 months and currently have no alternative lined up. They have put roots into Telluride, but the pandemic has changed the town so quickly that they may have to leave for lack of housing (both in town and in the surrounding area within 30 minutes drive). Without moves like this, we risk hollowing out our community of the people that live here full-time and invest their time in making this place special. I will not qualify for the affordable housing in this development. It's not about me, but rather about the strong community of of people that are here and have been here not being forced out. I hope you'll realize that there are a lot of people that feel strongly about this development that might not be the most aware of how to make their voices heard. Great work securing the grant - now let's make it happen!!

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 1:37 PM
Reply-To: Claudiajgarcia03@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge development
First Name	Claudia
Last Name	García Curzio
Email address	Claudiajgarcia03@gmail.com
Please enter your comments	I fully support this. More affordable housing for locals!! This is a HUGE need in our community!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:01 PM
Reply-To: Elainemarie989@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge
First Name	Elaine
Last Name	Williams
Email address	Elainemarie989@gmail.com
Please enter your comments	This is a letter in support of The Ridge affordable housing development. My name is Elaine Williams. My partner has lived here for 8 years and myself for almost 5. We met here, we work here, we love this community and this town. Our goal is to continue to build our lives here, put down roots and create a life here that we are proud of. Our dream is to buy a home here… but being that we are both lower income, it is what we strive for but we are unsure if it's something we will ever be able to afford. There are no homes to buy as a first time home buyer, nothing even close to what I can afford. It makes us feel defeated, unworthy… as we watch the homes we rent being bought up at astronomical prices just to be turned into an Airbnb… What hope do we have? How do we create a life here if where we want to live only caters to those with millions of dollars. We need The Ridge. We need homes for those of us who work so hard to live here… those of us who are always afraid that the rental units we live in will be pulled out from under us. We deserve to feel safe and supported by this community so that we may continue to support it and build it up. Thank you for your time.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:02 PM
Reply-To: Platcham@telski.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Rezoning
First Name	Patrick
Last Name	Latcham
Email address	Platcham@telski.com
Please enter your comments	Greetings, I am writing to express my strong support of this project from a resident perspective and an employer perspective. I am a San Miguel County resident of 10 years and the VP of Sales and Marketing for Telluride Ski Resort. I find this project crucial for our community and visitors. There is no doubt that we are in the midst of a housing crisis. This crisis has a domino effect that results in labor shortages, an over worked community, and poor customer service. As our town grows these problems will only be compounded unless we take serious action. While the Meadows, Voodoo, Eider Creek, Illium, and VCA phase II projects are key, this is the first project that has changed my outlook on affordable housing to optimistic due to size and proximity to town. While I am supportive of Ridgeway and Norwood initiatives we need big change near home too. This project helps reduce the need for additional parking in town by having a convenient and easy bus route. Having people live near town also supports a thriving local community and quality of life. Another benefit is that this project will free up rentals in town and mtn village when local residents move into these new units. This will help provide a soft landing opportunity for new employees with some rentals going back on the market. This project will also allow us to recruit top talent for new positions and businesses as well.

We have a resilient community that fought to receive an unprecedented grant for housing in our county. I hope we can all be reasonable and realize how lucky our destination is to have this opportunity.

While I understand the opposition, we have to think about the overall benefit and how this could shape our destination for the next 20 years and beyond. Today, it is hard to even imagine where we would be if we listened to the vocal minority that opposed the rezoning of Lawson Hill.

The ski resort applauds the efforts of the town and the county with projects like this as every project is a piece of the puzzle and the crisis at hands requires a collective effort from all parties.

Sincerely,
-Patrick Latcham

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:21 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond ridge
First Name	Luke
Last Name	Leighton
Email address	*Field not completed.*
Please enter your comments	This community needs affordable housing.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:28 PM
Reply-To: jaredpmc@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Re: Diamond Ridge Project
First Name	JARED
Last Name	MCCULLOUGH
Email address	jaredpmc@gmail.com
Please enter your comments	I'm a property owner within the county and I want to focus on a few key items that show my support for the Diamond Ridge Project. 1. This may be the easiest, closest and best piece of private land around Telluride that makes the most sense for affordable housing. 2. Building a sustainable housing ecosystem in such a beautiful, high mesa type of environment would require working with landowners around the project site 3. Deep Creek Mesa is incredibly special and sustaining it's natural beauty while providing AS MUCH affordable housing as possible should be the balance set out to achieve with the entire site project 4. Do not regulate short term rentals that force hotels to be built because there will be an imbalance of supply and demand. Too many hotels and tall buildings disrupt the wild nature of the region 5. Complete a paved bike path to the ridge from the one on the valley floor. Give people the ability to bike to and from work. 6. Consider the amount of runoff with all the pavement and minimize as much as possible to prevent chemicals going into the San Miguel River watershed Keep up the good work!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:33 PM
Reply-To: iverskev@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge project rezone
First Name	Kevin
Last Name	Iverson
Email address	iverskev@gmail.com
Please enter your comments	Writing to put forward my support for the rezoning of the Ridge Project. Telluride's deepest immediate need is for more affordable housing and sizable plots of land like the ridge project that is nearby Telluride is hard to come by. Maintaining a strong and vibrant community in and around Telluride is important to me and projects like this one are how we can maintain the spirit of Telluride that we all love. I hope to see this project move forward and one day house many local families and community members.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:42 PM
Reply-To: Evan.macmillan@hotmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Property
First Name	Evan
Last Name	Macmillan
Email address	Evan.macmillan@hotmail.com
Please enter your comments	Good afternoon, My name is Evan MacMillan and I'm currently living in placerville, but would love the opportunity to live closer to telluride where I work. The ridge project is a necessary addition to housing options for locals and I'm writing to express my support and interest. Thank you

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:43 PM
Reply-To: Elenahausser@berkeley.edu
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	In favor or new affordable housing grant
First Name	Elena
Last Name	Hausser
Email address	Elenahausser@berkeley.edu
Please enter your comments	We need this affordable housing act for our community to thrive and sustain its local workforce. I work at a non profit in town and struggle to find long term affordable housing. This housing development would help me and all my friends in this community that I know also struggle with affordable long term housing and are essential people for this town to run. Thank you.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:44 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Property
First Name	Crisanne
Last Name	Schworn
Email address	*Field not completed.*
Please enter your comments	I am writing in support of new affordable housing being built on the Ridge property on Last Dollar Road. This is such a wonderful opportunity for our town and county to show that they really care about the health and vitality of this community. The only option at this point is it to create affordable housing and by working together with surrounding neighbors and considering impacts on wildlife, we can create workforce housing that is close to town and provide families with opportunities to grow. This is so exciting! Please move forward on this project so we can have opportunities for locals to live, grow and love this town. Thank you so much for all of the hard work you all put into everything that you do!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 2:58 PM
Reply-To: Gnartgnart@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Housing Project
First Name	Trang
Last Name	Pham
Email address	Gnartgnart@gmail.com
Please enter your comments	I'm in huge favor of this housing project. As someone who recently secured her own apartment to be able to stay in Telluride long-term, it makes me happy to know that a lot many more people will have the opportunity to not have to worry about where they'll be living next. We need an actual solution to the housing shortage, and this project will relieve a lot of the burden that this town has been facing. I know many people who are trying to move onto the next phase of their lives by starting families here, but there just isn't any space to do so. We need to thing long term to provide housing not just for the people who are currently here but also for future generations.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 3:00 PM
Reply-To: binkley.caroline@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Affordable Housing Project
First Name	Caroline
Last Name	Binkley
Email address	binkley.caroline@gmail.com
Please enter your comments	I am in strong support of thoughtful intentional affordable housing development. I myself own my home next to the sunshine development, this is by no means a comment against affordable housing. However, I think the magic and beauty of Telluride is its thoughtful development thus far, being intentional about spread and over development. I grew up in rural ranching Colorado and have seen many ski towns become over developed and have spread out into suburban messes. Telluride is incredible because it has a walkable front door wilderness that is largely protected and ethically maintained. There are numerous other areas and sites for affordable housing that have not been exhausted yet in more developed areas of the valley, I would think including MV, Illium, and other town sites. I urge our community to exhaust these areas with already readably available water, power, paved roads to be considered first. Telluride is impressive and magical and has maintained an incredibly dense perspective to development that has afforded tremendous access and preservation to the region, I just encourage us to develop and seek solutions with the same mindset. Shipping affordable housing outside of town or already developed centers does not make sense to me and creates continuous sprawl that has characterized Colorado in my lifetime.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 3:21 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Rezoning Ridge Project
First Name	Lindsey
Last Name	Welter
Email address	*Field not completed.*
Please enter your comments	I support the process to rezone area around the airport for more affordable housing opportunities. Thank you for the effort and energy to move towards sustaining a workforce here in Telluride.

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 3:40 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Pro Ridge Housing Project!
First Name	Nicole
Last Name	Siegel
Email address	*Field not completed.*
Please enter your comments	All big issues, with big solutions, will have big disagreements! I have a lot of respect for the council people fighting for our community's well being. Unfortunately, all settlements everywhere tend to grow and nothing will be going back to how the first ski bums found this valley decades ago. We have to work together to be able to grow and evolve our town and community in a way it doesn't lose it's essence. That being said, I salute and welcome this project at heart. I don't want Telluride to auto-destruct itself to the housing and job crisis. Long commutes are dangerous in the mountains, and we all deserve good, affordable living situations. I've been keeping an eye open for all the Sunnyside progress for example, and can notice in the floorplans that our lifestyles were considered in the thought process. I completely trust our representatives to put on a project that will -make sense- for The Ridge. I have seen some people already against it, some unfortunately with a very "not in my backyard" mentality. I kind of get it, but there has to be a balance, there is not going to be a "Total win" and a "Total loss" for anybody, I believe. It's already hard to make your family decide where to eat and we can't presume to have a whole town agree on such a sensitive subject like housing. Here I list some things I hope are considered. -Respect the neighbors. We always need to respect the thoughts of the people "who were there before" as long as they are reasonable and allow for positive progress -Respect the WILDLIFE and NATURAL SPACES! This place is already very disperse so I think it shouldn't affect the plants and animals as if we were building a massive city or something, but I hope there's deep, important discussions on the

environmental impact of the project!
- I hope we all understand that thanks to the project being so young, we can all have some sort of input in how it develops. Hoping this will appease some people in the area who are against.
-Hope this increases the availability of public transportation around the area (I live in Eider Creek, and the 9:45-3pm bus silence is really, really annoying and limiting. Plus it will encourage more people to not drive into town and implode our limited parking spaces)

I know many are easier said than done. But again, I trust our representatives to do a great job and consider many points of view in the argument. Go affordable housing and a healthy, united growth! Thank you councilpeople!

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 4:07 PM
Reply-To: meghan.macgeorge@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Rezoning
First Name	Meghan
Last Name	Macgeorge
Email address	meghan.macgeorge@gmail.com
Please enter your comments	To whom it may concern, This is my submission in support of the rezoning of Diamond ridge for affordable housing. I have lived and worked in the Telluride community for nearly 8 years now. I recently lost my housing on April 1st. I lived in a Backhouse as a caretaker and the house is now being sold for $9 million and slim chance of the new owners wanting a tenant. I packed up my things and moved them to storage with no where permanent to go. Everything in the town of Telluride that I have found is $2k a month to share a bedroom in a house, an amount that it out of my reach as a graduate student. I am currently studying to be a licensed professional counselor- a field that so desperately needs more clinicians. The number one question I receive from community members and guests at the restaurant I work at is, “Do you plan to stay here after school?”. This is a question that is hard to answer as I do not feel it is up to me whether I get to stay here or not. Yes, I would love to build a practice here and support this community that has provided me so much. Yet, it scares me to pour my blood, sweat, and tears into a practice that can be uprooted at the drop of a pin due to housing instability. Having a local neighborhood close to town that is affordable will change my future trajectory. People will be more inclined to start a business or pursue a dream if they have the foundation of a home supporting them.

Thank you for taking the time to hear my story.

Meghan Macgeorge

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 4:35 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Neighborhood
First Name	Loren
Last Name	Knobbe
Email address	*Field not completed.*
Please enter your comments	I am in full support of the affordable housing ridge rezoning. I hope to also see the town and county take ample time and due diligence in their design and impact plans as well as addressing legitimate concerns of density, wildlife, water and other resource uses. I understand this new project will be no small endeavor and will have its hurdles, but I am Grateful to see council, town and county come together and continue addressing the housing crisis closer to its roots. We love the land and the vistas, and Telluride wants to remain a wild yet habitable space but the housing crisis cannot be pushed to further communities without first having a solution here. Thank you for working hard to provide a solution. Please keep the community informed and appraised of the developments as they come to pass.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 4:36 PM
Reply-To: hunter.emmons5@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond ridge
First Name	Hunter
Last Name	Emmons
Email address	hunter.emmons5@gmail.com
Please enter your comments	I am in full support of this new affordable housing project. Despite the inconvenience that it might pose to some people who live in that region, the reality is that our community in telluride will entirely lose its work force if people of lesser income lose opportunities to live close to the town of telluride. We know that telluride cannot expand more and this seems like an incredible opportunity to create more housing for people so that we can maintain our service workers and anyone who works for the town of telluride. I feel that this is a critical and opportune moment to keep our towns spirit alive.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 5:04 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge affordable housing
First Name	Kathleen
Last Name	Howell
Email address	*Field not completed.*
Please enter your comments	I am in full support of the Diamond Ridge affordable housing project. Please consider the incredible impact it will make on our community!

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 5:51 PM
Reply-To: Cadymetzger@outlook.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Property Employee Housing Near Telluride Airport is a Good Idea
First Name	Cady
Last Name	Metzger
Email address	Cadymetzger@outlook.com
Please enter your comments	I applaud the Ridge Property Development as a great way to provide Telluride employees with affordable housing which is needed now more than ever. The SM county commissioners have done a wonderful job moving this project along and obtaining grants to help with purchasing the land and developing it and Geneva Ida Shaumette has been communicating the progress of this process clearly and enthusiastically to us on social media. The Norwood/Redvale affordable employee housing developments are underway. Ridgway's employee housing is advanced and as we drove by today we could see the new structure being clad with insulation. It is heartening that Telluride, Norwood/Redvale and Ridgway all investing to try and solve this perennial and growing issue of providing affordable housing to those who serve our communities.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 6:10 PM
Reply-To: Kylestwilightzone@yahoo.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond ridge
First Name	Kyle
Last Name	Castracane
Email address	Kylestwilightzone@yahoo.com
Please enter your comments	Hi y'all I'm Kyle Castracane I've been living here for 5 years and I've been living in the boarding house here in Telluride for 3 1/2 years which was supposed to be temporary housing and I've been dreaming of my own place to live for a long time now but it's not available anywhere within an hours drive and I think that Dimond ridge could be a beautiful tiny house community or whatever they're gonna build that we would need to fill the gap in worker housing here without ruining the view and still make this a beautiful place to live without highrises

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 6:16 PM
Reply-To: arlevek@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Rezoning
First Name	Amy
Last Name	Levek
Email address	arlevek@gmail.com
Please enter your comments	Dear Planning Commissioners: I am a local resident deeply involved in planning issues, and housing issues in particular, for many years. I am very concerned about the erosion of community we are experiencing. As a result, I strongly support approval of rezoning for the Ridge Project and applaud San Miguel County and the Town of Telluride's housing initiatives. Affordable housing is critical to future of our community. It is essential to every aspect of life here – businesses, non-profits, recreation, boards and commissions, volunteerism. Without housing, no organization can function. We have a housing crisis now. The past few years have been brutal for workers and our community. Our region is being hollowed out. We lost at least 100 – 150 residents due to real estate sales in 2020 according to an analysis I did while working with the Trust for Community Housing. The trend continued in 2021. All one needs to do is look at the heart-breaking posts on Facebook and Instagram from your neighbors and friends who are searching for housing. I participated in the County's process to create a zone district that could accommodate affordable housing. The Community Housing District offers good tools for evaluating projects to ensure they meet the needs of the greater community as well as adjacent areas. The Ridge site offers the opportunity to provide another great option for our community workers within the Telluride region, similar to Lawson Hill. They can live close to their work in either towns or near Lawson Hill and the Ski Area. As you know, Lawson Hill was controversial when proposed, but has become a beloved and essential neighborhood. The Ridge can do the same.

We want people to live in the region, close to their jobs and activities, because it means more vitality. An empty place is not a place visitors or residents want to spend time. Having people living nearby also means more participation in the community – service on boards and commissions, volunteerism and caring about the community. It means a much healthier and real place, where people have an opportunity to engage because they are more connected to where they work.

This project, importantly, meets the intent of the Community Housing Zone District and the criteria for approval required by the Land Use Code for approval of a rezoning. It provides the potential for at least 150 units of critically needed affordable housing. The purpose of LUC Section 5-324 COMMUNITY HOUSING (CH) indicates that:

The purpose of the Community Housing zone district is to provide for the development of high density, clustered housing for people who live and work within San Miguel County. Housing may be in attached or detached single-family homes, duplexes, multi-family buildings, or rooming houses… Properties that may be considered for rezoning to the Community Housing (CH) zone district shall be located within the Telluride R-1 School District boundaries. Zone districts that are most appropriate for rezoning to CH are those that can be served by municipal water, including Low Density (LD), Low Density Residential (LDR), Medium Density (MD), and High Density (HD). The Forestry, Agriculture, and Open (F) zone district may be considered where water can be developed. Properties that are zoned High Country Area (HCA) or Rangeland Grazing (RG) shall not be considered for rezoning to CH. The maximum density of twenty (20) units per acre may be higher than that found in surrounding areas. It is the position of the County that housing for people who live and work in the local communities is a high priority. When rezoning land to the CH zone district, the higher density that may be achieved in that zone shall not be considered incompatible with surrounding land uses, neighborhood characteristics or community character.

The Ridge meets these criteria well.

It also complies with the County Master Plan by meeting these criteria in the Telluride Regional Master Plan:

D. Preservation of Community Goal: Maintain and enhance the distinctive sense of community which is present in the Telluride Region Area today. The essence of this sense of community is the small town way of life against the mountain backdrop. It includes the concept of neighbors sharing their successes and failures and helping each other to meet real human needs. It also means preserving the sense of smallness in the scale and style of man's impact upon the historic Town of Telluride and the majestic mountain setting. There are often references to creating a community that benefits both permanent residents and visitors alike. Reality often presents situations that are not necessarily beneficial to both permanent residents and visitors,

and when these conflicts occur, the Goals and Objectives' intent of the Master Plan should be to honor the concerns and interests of the local community as first priority.

Objectives: 1. Ensure the provision of affordable housing to serve both permanent and seasonal employees. Without a stable resident population, the sense of community will soon be lost.

7. Encourage residential developments that are intended to house persons (and their families) who live and earn their incomes primarily in the Telluride Region.

E. Affordable Housing Goal: Provide an adequate self-contained supply of affordable and community housing to meet the needs of seasonal employees and permanent residents.

Objectives: 1. Ensure an adequate mix of housing types and sizes within each sub-community to meet the needs of persons and their families which will be employed or generated as a result of the operation of any future development. Without a stable resident population, the sense of community will soon be lost.

4.. Identify the need for community and affordable housing and any inadequacy that exists in the supply of housing. Encourage the development of housing that is affordable and available for the permanent residents of the Regional Area.

5. Develop a plan to address any affordable housing shortfall. This plan might include an incentive program such as a new zoning category specifically for affordable long-term housing, allowing higher densities than are allowed in existing zone districts.

15. Encourage the development of a variety of community, affordable and workforce housing types, including large- and small-scale housing projects, infill housing, and mixed-use development.

This project will enable more people of our working community to be housed close to where they work. It’s critical to the health of our region. Please approve the Ridge project.

Amy Levek

PS. I’m attaching a link to the Trust for Community Housing economic research done in 2019. The report, The Impacts of Affordable Housing on the Telluride Area Economy and Community, provides a very good analysis of the importance of housing to a healthy community.
Link: https://static1.squarespace.com/static/60cbd61bd96579342da8c25c/t/61b7f041c0395f2189241146/1639444790810/Impacts+of+Workforce+Housing+%28final%29.pdf

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 7:09 PM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Housing
First Name	Corina
Last Name	Estrada
Email address	*Field not completed.*
Please enter your comments	Expanding our workforce housing will greatly benefit the economy and overall well-being of everyone who visits and lives in Telluride. I am in full support of this project and hope to see it come to fruition!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 8:52 PM
Reply-To: dao@tchnetwork.org
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridgway Rezoning
First Name	Robert
Last Name	Garcia
Email address	dao@tchnetwork.org
Please enter your comments	• A new affordable housing neighborhood is good for our community • Building high density in town and out of town is good for our community • This site gets sun for high quality of living, and is close to town making for easy public transportation routes • 150+ units is just the kind of ambitious and large project our community needs and wants • The $5 Million dollar grant from the State shows that even people from outside our community see this as a great project

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 9:35 PM
Reply-To: Kgauvey@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Possible Rezoning Last Dollar area
First Name	Karen
Last Name	Gauvey
Email address	Kgauvey@gmail.com
Please enter your comments	Why this place in such a hurry? US housing crunch iseverywhere. It seems this attempt to address SMC need has not been reviewed adequately to ensure our areas pristine few places left are protected. The water drought concerns let alone safety should be a priority. Please slow down and find another space. I suspect our Ute Forefathers would be alarmed and disappointed.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:02 PM
Reply-To: linds.c.wright@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Lindsay
Last Name	Wright
Email address	linds.c.wright@gmail.com
Please enter your comments	I am so excited at the prospect of the Ridge development to offer housing for our hardworking locals. As a mental health provider in the area, I have noticed the immense toll that housing instability has on the wellbeing of community members (including myself). It is my hopes that this project can give a home to our community's teachers, nurses, firefighters, EMTs, mental health & non-profit workers, small business owners and many more folks who help to make our town run.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:36 PM
Reply-To: Tara@ahhaa.org
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project - affordable housing
First Name	Tara
Last Name	Carter
Email address	Tara@ahhaa.org
Please enter your comments	I am writing to express my wholehearted support for the proposed affordable housing Ridge Project. As a member of Telluride's workforce who is desperately seeking housing, I can confidently say that moving forward with this project is crucial to the future viability of our town's economy. My boyfriend and I went from actively searching for a home to purchase to watching that dream become unattainable in a whirlwind of 18 months. It has been difficult to come to terms with the reality that earning enough income to own a home in this town is seemingly impossible while working for a local nonprofit organization. At this point, our goal is to find a way to continue renting so that we can continue working jobs we love, serving a community that has become our home. Finding housing is significantly more difficult than it was when we first arrived to the box canyon in 2016. The stock has been severely depleted by way of investment portfolios and high-earning remote workers. The free market units that are still available have seen rent and list prices skyrocket out of reach of our neighbors who were fortunate enough to secure housing pre-2020. Affordable housing projects driven by the town, county, and our surrounding communities are the best hope we have at preserving a town with people that actually live here. I hope you'll join me in supporting this project and taking action to address Telluride's housing crisis and the economic implications involved.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:43 PM
Reply-To: gshaunette@telluride-co.gov
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Rezoning
First Name	Geneva
Last Name	Shaunette
Email address	gshaunette@telluride-co.gov
Please enter your comments	Dear County Planning Commission Members, I'm speaking up today as a member of Telluride Town Council, and as a citizen of our county. Community Housing is the top priority for improvement in our region, and the primary reason I ran for office in 2017. Over the years of my first term I have learned a lot about the complex housing crisis we are in, and I continue to learn as things are shifting and opportunities and challenges are changing. I would like to share what I've learned. Most basically, we need to do a little bit of everything, even things that seem opposite. We need to build housing in denser urban centers, AND out in unincorporated county. We need to build smaller 10-20 unit projects, AND larger 100+ unit projects. We need apartments AND we need single family homes. We need rental units AND for-sale units. We need to build quickly on land we own now AND we need to land bank for future projects. We need to be thinking about short term AND long term solutions. We need units targeted at incomes from 50%-200% AMI. (That is a huge range!) We need to expand infrastructure to support new neighborhoods. In my 4 years experience in housing development, I have seen that much of the opposition response to literally ANY affordable housing project includes some sort of deflection to another site,

and the reasons why that location is better. I want to point out that if in fact, the suggested location is a feasible location for housing, please believe we are going to build housing on it ALSO. We have done the research, I promise. We simply must use every viable site for housing we can. There are many factors dictating which order we develop projects in. I will be the first to admit that we as the Town of Telluride need to do a better job of communicating about our dynamic future plans.

To those who point out another location as a better location, I implore you, come to those development plan meetings when it is time to discuss that location and support the project! Your arguments for why it is a “better” site are good arguments. The issue I must highlight here is that we cannot afford to do another site INSTEAD of the project in question. Our goals must be to build housing on every viable site, because like everything in life, balance is key and we cannot fix this problem in just a few select locations. We have to do some everywhere. The housing needs assessment conducted in 2018 outlined 766 more affordable units needed by 2026. Our needs have surely increased from previous estimates in a post pandemic world. Our community is adding jobs at an incredible rate and our population is growing.

The Town of Telluride’s 2022 Goals and Objectives include the following:

Preserve Community
Pursue Affordable Housing Opportunities
1. Implement existing projects
---Complete construction of Sunnyside housing collaboration with County
---Complete design and construction of Virginia Placer Phase 2A Project
---Complete design and commence construction on Voodoo Lounge (include deed-restricted commercial space)

2. Plan and prioritize future projects
---Complete plan for Shandoka Phase 3 remodel/replacement
---Complete design and commence construction on Canyonlands/Tower House Project
---Perform feasibility study and conceptual plan for parking structure/housing project on Shandoka Lot
---Consider other Town properties
---Continue to pursue land banking opportunities

3. Evaluate financial assistance available to support ongoing affordable housing needs

4. Foster regional collaboration
---Continue to explore partnerships with regional jurisdictions

The Ridge acquisition and rezoning is an exemplary project that touches on some of our key objectives:

Pursue land banking
Evaluate financial assistance available (grants!)
Foster regional collaboration

Land banking is good practice and all governments do it! This opportunity to acquire land that is feasible to build a real neighborhood on, close to transit, and close to town, is an opportunity we simply CANNOT let slip through our fingers. I have stood on the Ridge site and imagined our community members sitting on their decks in the sunshine, and kids riding bikes on trails of open space out the back yard. The potential of what we can build out there for our community fills me with so much hope, excitement, and joy. The views are incredible and its only an 11 minute drive from downtown Telluride. Our local families deserve to have the opportunity to live in such a beautiful place just as much as anyone else.

On a separate philosophical note, I would like to add: Community housing should be dense to create a community of neighbors - people who can carpool the kids home from soccer practice with, and have block parties and BBQs together. We should create more than one new neighborhood like this around the county. I hope that is is the first of more rezoning applications for the new Community Housing Zone District. Places like San Bernardo and Lawson Hill are obviously successful, and we need more real neighborhoods like them.

I appreciate the chance to share my philosophy and thoughts on housing here, and I hope that the planning commission will recommend this parcel for rezoning so that we can continue to move forward with the process.

Thanks you for your time and consideration,

Geneva Shaunette
Telluride Town Council

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 10:44 PM
Reply-To: Hsarazen@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge housing development
First Name	Heidi
Last Name	Sarazen
Email address	Hsarazen@gmail.com
Please enter your comments	I am writing in strong support of the housing development/initiative, the Ridge. This is very exciting I am so thankful for the work being down by our town and county to help address the housing crisis. While I know it is early in the process, I am excited to hear the development may be similar to Lawson Hill.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:00 PM
Reply-To: gstellachavira@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge
First Name	Gloria
Last Name	Chavira
Email address	gstellachavira@gmail.com
Please enter your comments	Hello, I 100% support the Diamond Ridge project because access to housing improves the health of communities. The people who keep this town alive should not have to experience housing insecurities. Thank you to all the people funneling energy and time towards this project!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Thu, Apr 14, 2022 at 11:26 PM
Reply-To: Jenjcipolla@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Jennifer
Last Name	Laney
Email address	Jenjcipolla@gmail.com
Please enter your comments	I'm writing in to support the planning of the Ridge Project and the land development and rezoning of the land near the airport. With the grant awarded and the ability to keep half of this project under AMI and provide the other half hopefully at a price point that serves Telluride's "middle class" in a realistic way, this promises many more additional home sites in our immediate community that we have little Opportunity to provide. When my family of three has opportunities like this to potentially have an actual home here in town where we work hard to support and participate in the local economy, it frees up our current employee housing for hourly employees etc who can afford that more realistically and so on. I support the movement to zone this land for residential purposes and to continue through the process of establishing the size and mix and price points that will service various sectors or our community. Telluride needs its workers to be able to live here so they can focus on providing world class service to visitors and locals - when our workforce at all levels is engaged and able to truly be part of the community the community benefits in so many ways, financially and otherwise. I believe supporting a project of this scope is absolutely necessary and an excellent opportunity to increase housing in a meaningful way .

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1 message

noreply@civicplus.com <noreply@civicplus.com>
Reply-To: pam@liftonzoline.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Fri, Apr 15, 2022 at 12:01 AM

Comment on a Planning Commission Application

Application name or item description	The Ridge Project
First Name	Pam
Last Name	Lifton-Zoline
Email address	pam@liftonzoline.com
Please enter your comments	To the Planning Commission, Dear Friends and Fellow Citizens, We are writing in strong support of this project. Many of us who live here would agree that Telluride and our region are facing an extreme crisis in terms of community housing. General gentrification, accelerated by the pandemic, has decimated our local housing, and we run the risk of becoming a town of the rich and super rich serviced by hordes of workers who travel very long distances to work. This is terrible for the quality of life of Telluride, of the so called 'bedroom communities', and for the landscapes and wildlife of the region. Although we are sympathetic to the concerns of the neighbors who, understandably, don't want significant changes, we do not agree that the Ridge property is unsuitable for the kind of density under discussion. Some of the neighbors protest that we have not studied the site enough (there will be much more study to come), and that it is in fact not moral to add so many people to our beautiful and fragile places. We feel that the issue of morality attaches to decisions that we have made over the years as a community to build a bigger and bigger economy. The size of the economy dictates the size of the workforce. What we find immoral is for the good folks of Telluride to be quite happy to harvest the flowers and fruits of the economy while dodging the real, structural costs and pushing the real, living community further and further down valley. At this point in every potential development the nimby factor insists that there must be other, better places to build this housing. Contrary to some of their assertions, the issue of other parcels of available land has been studied and evaluated, and the tough fact is that we will probably need the Ridge project and all of the other sites and more if we are to create and sustain a balanced, authentic Town and Community.

Respectfully,
Pam and John Lifton-Zoline

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 1:21 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project Rezoning
First Name	Carly
Last Name	de Frondeville
Email address	*Field not completed.*
Please enter your comments	I'm commenting in support of rezoning the land purchased for the Ridge Project to be more supportive of effective affordable housing, because I care about the community in Telluride. The price, the lack of available options, often the commute, and the size and privacy of accommodations on the rental market is dehumanizing. Having moved from the Bay Area, I knew what outrageous rent prices were, but finding even one option in the scarcity of housing in Telluride requires so much focused energy; it's hard to imagine committing to more than a year here, let alone a full life. We need more housing now, let's use this grant wisely.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 6:22 AM
Reply-To: telluridepresents@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Rezoning Diamond Ridge project
First Name	Kathleen
Last Name	Cole
Email address	telluridepresents@gmail.com
Please enter your comments	I am writing today to support the rezoning of the Diamond Ridge project. I am proud of the town and county finding this opportunity. I am even more thrilled that the state is supporting the project with a $5 million dollar grant. How exciting! I don't think we should let this opportunity be passed up to build more affordable housing. Please move forward with rezoning the 39 acres for community affordable housing. This will be such an amazing development and I look forward to seeing what becomes of this project. Thank you as always for all of your hard work and dedication to our community. Sincerely, Kathleen Cole

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 7:13 AM
Reply-To: Stef.smith11@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Rezoning
First Name	Stefanie
Last Name	Smith
Email address	Stef.smith11@gmail.com
Please enter your comments	A project for high density affordable housing is completely necessary for our town to be able to continue to operate our businesses. This project won't bring an insane amount of new working class to town, it will allocate comfortable housing situations to people who are currently living in a single unit with multiple families, or living in fear of being kicked out at a moments notice or commuting 45 + each way minutes everyday. Having the location so close to town will allow people to utilize public transportation/ bus service easily to reduce traffic and parking issues and will be better for pollution. Signed , Local business operator

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 8:01 AM
Reply-To: stash.wislocki@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Property for Affordable Housing
First Name	Stash
Last Name	Wislocki
Email address	stash.wislocki@gmail.com
Please enter your comments	I have lived and worked in San Miguel County for 30 years. In that time I have seen many changes to our region some good, some not so good. But I have never seen anything as pressing as our housing crisis. I am in full support of The Ridge Property for affordable housing as our region desperately need of it.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 8:19 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Affordable Housing Project
First Name	Ben
Last Name	Marshall
Email address	*Field not completed.*
Please enter your comments	Hello, I am writing in support of the new Ridge affordable housing project. High density housing, both in and out of the Town of Telluride and throughout the county is, in my opinion, our best option to address the housing crisis. 150 or more affordable housing units is a project of a scale to actually have a net positive effect on this crisis in our community. The $5 million dollar grant from the state also indicates support of this initiative from outside of our community from a higher level of government. This amount is by no means insignificant; it cannot be squandered. I have personally benefited from affordable housing projects in the Telluride area, starting with several years in Shandoka when I first moved to town and most recently with my acquisition of a Gold Run unit. Without these projects, I would not be able to live in this community. Therefore, I am passionately for ambitious projects such as the Ridge project that will give others a chance to experience this wonderful community and contribute to its vibrancy. If we fail to act on this project, then we take one more step to becoming just another empty resort town. Thank you, Ben Marshall

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 8:30 AM
Reply-To: laura.cerrezin@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Summit Ridge Comment - for housing
First Name	Laura
Last Name	Cerrezin
Email address	laura.cerrezin@gmail.com
Please enter your comments	As a local business owner who was facing homelessness with a toddler less than two days ago, I am in shock that the majority of the stakeholders in the Telluride region continue to be anti-housing. Whether disguised as concern for elk migrating or the fear of a large building (or multiple) blocking someone's view from their million dollar home, reading the the comments left by homeowners going against this proposed development turns my stomach and makes me feel nervous to raise a child in an area where home values and profits are routinely prioritized over human needs on a daily basis. Gas and vehicle prices are on the rise, the local bus schedules are super limited, and many jobs in Telluride offer a similar starting wage to Montrose Wal Mart ($16.50 for a hour without experience) - these conditions already put Telluride at a disadvantage for attracting a solid workforce from outside of the immediate area. I understand no one wants change within their neighborhood that doesn't directly benefit them, but to see multi million dollar monstrosities to be built left and right while affordable housing is continuously pushed to the side for some reason or another is concerning to me - both as a local worker and business owner. It seems like the Telluride region is chasing profit so aggressively it may fall off a cliff without realizing it until it is too late. Then there will be no longer a work force to pull from to keep the ski area running, restaurants staffed, and Airbnbs/hotels cleaned. I support the Summit Ridge affordable housing project and other proposed affordable housing developments.

Thank you for your time,
Laura Cerrezin

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 8:48 AM
Reply-To: kathy@boneconstruction.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge
First Name	Kathy
Last Name	Green
Email address	kathy@boneconstruction.com
Please enter your comments	Change is hard and often vehemently opposed. Our greater community needs the Ridge Project. If you were her in the early 1990's, please remember that Lawson was vehemently opposed during its review and ultimate approval. Over the past decades, some odd uses have been discussed for land by the airport - like an industrial park. Please think long range and very big picture, and get the Ridge started on its review process. Many of the neighbors' fears can be addressed by good design. Thank you for your hard work. Kathy Green

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:06 AM
Reply-To: C.dickson5@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Development
First Name	Chris
Last Name	Dickson
Email address	C.dickson5@gmail.com
Please enter your comments	I am writing to voice my overwhelming support for the Diamond Ridge affordable housing project. I have always thought the land near the airport would be ideal for providing more housing for the Telluride workforce and this project would be a huge step forward for our community. It's time we start looking beyond the box canyon for land to build affordable housing on. We need to re-zone this area as well as Aldosoro to accommodate for several well-designed and planned housing developments. Hearing about this proposed project actually gives me hope that I may someday be able to find stable and affordable housing in the Telluride region. Please do not pass on this amazing opportunity for people like me to find a permanent home here. Thank you for approving the re-zoning necessary to make this project become a reality!

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:16 AM
Reply-To: Shelbsstephenson@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge support
First Name	Shelby
Last Name	Stephenson
Email address	Shelbsstephenson@gmail.com
Please enter your comments	The idea of this neighborhood development is so exciting and gives me and my family hope to stay working/living in the place we love. We are currently apart of the housing search with no luck. Even though we will have had found housing or not by the time this neighborhood is developed…we hope that this will help other families stay in their community!!

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:19 AM
Reply-To: xturgorex@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge project
First Name	Turner
Last Name	Kilgore
Email address	xturgorex@gmail.com
Please enter your comments	My number one priority with using ToT tax dollars is that it needs to be part of the town of telluride! We are losing voting power being displaced from the town that is still our community. As for the things that should be planned into the development. Make it individually owned and rentals. Make a few small storefronts that must be used to serve the community there: restaurants, a small market. Make a park or some public spaces available. There could be a some bike and hiking trails. Make a plan to develop long term as well as the initial development. Thank you

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:31 AM
Reply-To: howelltrevor132@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge support
First Name	Trevor
Last Name	Howell
Email address	howelltrevor132@gmail.com
Please enter your comments	I believe that the new Ridge affordable housing development is a crucial attribute to the reformation for the community of telluride. The community is decreasing in long term locals every single day due to affordable housing and a project of that magnitude may be a great solution. As for the location I think it's perfect. There is enough land there to build a substantial amount of structures and it's not very far from town like some of the other affordable housing plans (Norwood/Ridgeway)

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:43 AM
Reply-To: Msteve23@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge
First Name	Maggie
Last Name	Stevens
Email address	Msteve23@gmail.com
Please enter your comments	As Telluride residents for 12 years and involved members of the community, my husband Sam McNichols and I are in support of the Ridge. We cannot turn down a chance to house so many vital workers with the housing crisis. I'm sure there are details that still need to be worked out and considerations to be made of the future neighbors, but we cannot forgo this opportunity.

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 9:45 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Project
First Name	Paul
Last Name	Phillips
Email address	*Field not completed.*
Please enter your comments	As someone who works in Telluride and has lost their housing, I can speak to the need for more affordable housing in the community. The ridge project is part of the solution. In order to house the people who live in Telluride year round, work here, and make this community flourish, we need as much affordable housing as possible. Housing density is good for our community! The state grant of $5 million is a clear indicator that this is a good thing. Thank you.

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 10:05 AM
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge development
First Name	Sierra
Last Name	Hawksley
Email address	*Field not completed.*
Please enter your comments	As a full-time local who owns and runs a small business and rents here, I'm well aware of how much the local workforce needs affordable housing to be able to support the housing here. It seems very exciting to have an opportunity to build more but the site chosen is very alarming to be jumping into without ecological considerations. The wildlife, including of course our elk, are going to be majorly negatively affected. And the water issue… how sustainable could it possibly be to send massive amounts of water uphill for miles to a dry mesa? Not just for a couple of new homes, but for hundreds and hundreds of units? Last Dollar road can't support that volume of cars and no studies have been done on how this will negatively affect the watershed, environment and animals with not only the building process but the daily emissions of hundreds of extra cars. Telluride can't claim to be environmentally conscious and forward thinking if we are willing to just decimate one of the closest open space habitats of elk and plenty of smaller species without even one study to determine the possible issues with this. Why not look into making it a campground for local workers (many of us love living out of our vans- I did it year-round my first 2 yrs here.) while giving it time to study and understand the infrastructure and environmental impacts of all the new roads, increased traffic, and the water supply issues.

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John Huebner <johnh@sanmiguelcountyco.gov>

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1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 10:18 AM
Reply-To: lollielav@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Property for Affordable Housing
First Name	Lollie
Last Name	Lavercombe
Email address	lollielav@gmail.com
Please enter your comments	I am in favor of this affordable housing project, and believe it is essential to our local community. A higher density housing project should be seen as a major win for Telluride. We need as many units as possible to house our local community members, and a neighborhood outside of town is one of many needed solutions. We need local housing in town and nearby out of town.

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 10:28 AM
Reply-To: Echristensen1213@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge Project
First Name	Emma
Last Name	Christensen
Email address	Echristensen1213@gmail.com
Please enter your comments	This project gives me hope for finding housing in the Telluride region, please approve the re-zoning necessary to see it come to fruition. We need more affordable housing in this community and The Ridge property is a creative and much-needed solution to our problems. I overwhelmingly support the County and Town of Telluride in moving ahead with this important project. Thank you for your time and consideration, Emma

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 10:46 AM
Reply-To: Matomlonovic@mac.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge
First Name	Molly
Last Name	Norton
Email address	Matomlonovic@mac.com
Please enter your comments	I am in support of more affordable housing and specifically the Diamond Ridge project. I understand many of the points the opposition is making but I trust the county and town to address issues of open space, transportation, truly making this affordable, etc. This is a dream location, affording locals an opportunity to live close to town, yet enjoy the peacefulness of the countryside. I currently live in whoville and absolutely love the location, the sunshine, the proximity to open space and recreation, and a community of friendly locals who actually live and work real jobs in this community. This project seems very similar and thus I'm supportive of rezoning to accommodate more affordable housing for locals in this stellar location.

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John Huebner <johnh@sanmiguelcountyco.gov>

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noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 10:55 AM
Reply-To: pricenatalieann@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Opposition to the Lack of Transparency in Rezoning the Diamond Ridge Property
First Name	Natalie
Last Name	Price
Email address	pricenatalieann@gmail.com
Please enter your comments	To whom it may concern, I am, once again, completely torn by the divisive politics surrounding housing in this community. As a young professional who has been living in Telluride for 7+ years and still unable to buy a house, or even find a long term rental more suitable for my partner and myself, I completely support affordable housing. But I am also aware that the buzz words "affordable housing" can create blind support for projects that have not been properly planned or discussed. I feel that the lack of transparency in the rezoning and future of the Diamond Ridge project from both the town and the county has led to even more turmoil within our community, turning neighbors and friends against each other. Rather than an open community led discussion that could lead to comprehensive solutions that everyone can support to help solve the glaring issue of housing in Telluride, we have another heated argument where some people feel threatened by local government actions and others rally support with sweeping generalizations that all new housing must be good housing. I understand and support the argument affordable housing, but cannot support a project that forces rezoning on land not even within the town of Telluride, that was seemingly negotiated and planned behind closed doors, with undefined plans for the future of the development, and seems rushed without real answers to questions regarding the impact on utilities, traffic, wilderness, parking, outdoor recreation and more. Respectfully, Natalie Price

Email not displaying correctly? View it in your browser.

John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 11:02 AM
Reply-To: seth@coraridgway.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	The Ridge Zoning Application
First Name	Seth
Last Name	Cagin
Email address	seth@coraridgway.com
Please enter your comments	I support allowing an affordable housing neighborhood to be permitted on Deep Creek Mesa, provided that the impacts are mitigated to the fullest reasonable extent possible. Mitigations include adequate infrastructure, transit, protection of view corridors, and environmental protections. Mitigation does not mean that there will be no adverse impacts whatsoever. Impacts of growth are inevitable. Indeed, the proposed Ridge affordable housing is a past-due mitigation of growth we have already permitted in the region, and that is precisely why it is urgently needed. Telluride history tells us that, of course, this last best place for affordable housing at sufficient scale in the Telluride Region to address the existing shortfall in housing, has already been controversial. In the last twenty years, we have, as a community, (controversially) rejected great locations for housing. Now, there are no good possible locations left, except for Deep Creek Mesa, adjacent to one of the biggest manmade developments in the entire region: the Telluride Regional Airport. This is not to suggest that Deep Creek Mesa is not beautiful, or to suggest it should be a sacrifice zone. It is to point out that clustering development is good planning. To reject this application would beg impossible questions. If not here, where? If not now, when? Because realistically, the alternative to approving this application is to accept our current dysfunction as a community, and to condemn us to seeing it worsen. A dire shortage of workers is already diminishing us as a community and eroding our quality of life. A town without locals means a town dependent on commuters, and that is an awful choice for a range of reasons: given the distances involved and our mountain roads, it is environmentally and socially unsound for us to export our housing impacts to surrounding regions. We have a moral obligation to house the folks we depend on to keep our region running nearby. They

are us. Locals. We fail to create affordable housing at the expense of our precious community.

I sympathize with residents of Deep Creek Mesa, who may feel like they could end up bearing the brunt of the region's past failures to create enough housing. None of us wants to see drastic change in a place we love. But change will happen either way: we can build housing and give ourselves a fighting chance to save our community or reject housing and watch what is left of the Telluride community wither away to the barest bones.

A failure to sustain the community not only means saying farewell to friends, neighbors and our own children when they are driven out by the shortage of affordable housing. It also results in a meaner, sadder, more stressed-out community left behind. Our schools, our medical center, our businesses, our festivals, our tourists, our second homeowners: all pay a high price when there's a shortage of workers. We are already paying it, and it's not a pretty picture.

Let's change course while we still can. Collectively we have created the unmet demand for affordable housing. Let us step up to the responsibility we have to provide it and save ourselves. It's in our own self interest, and it's the right thing to do.

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 12:01 PM
Reply-To: bbischoff@mac.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Ridge property rezoning
First Name	Beatrice
Last Name	Bischoff
Email address	bbischoff@mac.com
Please enter your comments	Hello esteemed representatives for the town of Telluride and San Miguel county, I have some questions and I thank you for your hard work in considering the many aspects of this pending deal with Jack Vickers III. I feel we need more time to fully review this deal before rushing into something that could turn out to be a bad deal that mainly favors a few people and is not actually in the best interest of our community as a whole or long term. I'm not sure this will be affordable. I'm not sure about the cost of infrastructure, taxes, road maintenance, sewer systems, or environmental impact. I'm not sure about the number of units that are actually feasible for the location. , I'm not sure about the environmental impact, I'm not sure about the sewer systems (I know we've had problems with this before). I'm not sure that we should be. I think we need to go through a full review process in order to fully understand what our best options are. Are there better properties - in our existing high density, commercially zoned, plowed communities of the town of Telluride, mountain village, Lawson hill, Norwood, rico, that we could put this money towards instead? Why aren't we developing the projects that we have already identified, already zoned, already bought. Is this our most affordable, most desirable option for long-term community members? Will the additional costs benefit us or will this project hurt the businesses in the town of telluride, mountain village, Lawson hill, and surrounding areas? I don't know because I haven't been able to find anyone who can answer my questions.

Why has this been rushed so quickly that the public hasn't had time to get answers for these questions? This project is supposed to be for the public.

If this isn't the most strategic, best option for our community, we don't need to make this deal. Our Master plan must be thoughtful, not rushed and naive.
I urge you to do your duty to ensure that the people are heard and that our community is developed strategically. Whatever the outcome is, following due process is our responsibility. This must not be rushed, we must make our informed decision collectively and the right way.
I'm concerned about all the questions I still have, the many questions I haven't even thought of yet, and the many answers we need before we can make a decision. We need more information and time, and for our representatives to follow best practice in protecting our interests and our futures.
Please don't rush this. Please let the people be heard and get their questions answered. Let's all be confident in our decision and informed of its potential impacts and pitfalls.

Thank you so much,
Bebe/Beatrice Bischoff

Email not displaying correctly? View it in your browser.

John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 11:59 AM
Reply-To: dominique.bruneau.s@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge affordable housing development
First Name	Dominique
Last Name	Bruneau
Email address	dominique.bruneau.s@gmail.com
Please enter your comments	I am in favor of the development of new affordable housing projects in the area, especially when they are close to town or in town. I find very important to contemplate sustainability in the new developments and this seems to be a good oportunity for that.

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 11:41 AM
Reply-To: Rosie@rosiecusack.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond ridge
First Name	Rosie
Last Name	Cusack
Email address	Rosie@rosiecusack.com
Please enter your comments	The current actions and comments by the county, Mike + and the TOT “officials” acting as if this property and project are a given / done deal is beyond unacceptable. There has never been a project more Proportion with any obvious environmental concern, fiscal responsibility, traffic concern and much much. Where is the data? Where is 100% of disclosure and community input? Yes yes i know about the meeting but all of this pre discussion and vague disclosure is insulting… to say the least. Do not act as if you are a group of experienced developers, please, you are NOT. Who pays and how much for the utilities ?? What is density ? Some of you say 150 some say 700? Or more! come on. Where is the data? Where is a real study about housing needs? There isn't one! Time for you all to take a pause right now. This PROPOSAL is out of line and unacceptable. Also.. we have plenty of lawyers here! Why Herb Kleins office in ASPEN ?? Do they represent Vickers??? Please respond with factual answers / Costs!!!!$$$$ Utilities Zoning Costs!!!!!$$$$ Vickers Price?? Traffic study?? Costs!!! $$$$ Wildlife study?? Ie: same elk are on path as all previous studies!! 80’s 90’s etc Needs analysis?? There is NO data.. costs?$$$ Grant ? A loan or is it FREE$$$$??? Hmmmm thx for the real answers. Aspen Lawyers? Vickers chosen law firm Utilities And … light pollution!? So much more!

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 11:29 AM
Reply-To: millerdd225@gmail.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Support for "the Ridge" affordable housing
First Name	Miller
Last Name	Daniel
Email address	millerdd225@gmail.com
Please enter your comments	I would like to give my support for the new affordable housing at "the Ridge". I have worked at a management level for eight years in the Telluride community. Housing was tough when I moved to the community in 2014, but the problem has only gotten worse. Each year that has passed has seen a greater struggle to hire workers and necessity to seek workers from ever farther reaches of the region, outside of our community. The truth is, any new affordable housing project that we do now will not actually be bringing in new laborers to town. It will provide more adequate housing to workers who already live here. By adding to the housing supply through changes in zoning rules, we will just begin to scratch the surface of this community's labor needs. If the labor situation is dire enough for organizations with large capital budgets that operate within our communities like Telski and Vail are struggling to fill their labor demand, consider the chilling effect this must be having on entrepreneurship in this community. How many cherished local businesses have closed over the years due to the difficulty of operating within this market space? One major driver of this crises is the downward pressure on the housing market. With no reasonable middle-income options available for purchase and rental in the town or immediately surrounding areas, the management class of our town is basically occupying price-capped rental properties instead of moving into single-family homes. This means that front line and service level laborers are often left with minimal or no housing options. This makes it nearly impossible for local business to hire the seasonal workers, some of whom will eventually become long-term, vested members of our community. We are currently experiencing a windfall of prosperity in our community, and we cannot let the opportunity pass to build up our community for all of its stakeholders before the landscape changes once again. By housing our workforce closer in, we invest in the safety of our workers now currently forced to commute, reduce our community's carbon footprint, and create

a better travel experience for our guests from the roads into town to the snow of our proud mountain.

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John Huebner <johnh@sanmiguelcountyco.gov>

Online Form Submittal: Comment on a Planning Commission Application

1 message

noreply@civicplus.com <noreply@civicplus.com> Fri, Apr 15, 2022 at 11:26 AM
Reply-To: Alexander_Laney@yahoo.com
To: johnh@sanmiguelcountyco.gov, shannonb@sanmiguelcountyco.gov

Comment on a Planning Commission Application

Application name or item description	Diamond Ridge Project
First Name	Alexander
Last Name	Laney
Email address	Alexander_Laney@yahoo.com
Please enter your comments	Good morning. I am writing today to express my support of the Diamond Ridge Project and the furthering of it. Our community needs this and while some residents are understandably upset by this, it unfortunately is necessary. “Affordable” housing is beyond crisis state for our community and the town and county have done a ton of work in my eyes to address this issue. Sadly, at this point, the efforts have been far outpaced by the need. It’s time to do something that addresses this issue. Simply put we need more units faster. And the best I can tell, this project is the start of that answer. Those who are opposing it are not offering any reasonable/realistic alternatives and stopping this project only elongates the problem. What is failing to be acknowledged on some level is that when you choke out the work force you will choke out the town. I hear arguments often that make the case, “what about my views, what about my property value, it’s going to take too much x to do y” Well, when there are no employees to sustain local businesses, their doors will shut. And when the ski area has no employees to run, it will cease to make sense to operate. And while I hate to admit it, when/if those things happen the town will cease to have a reason to exist. Then what with those property values, then what about those views? And will the pipes and electrical mean anything at that point? Simply put, no… We’re all trying to achieve a happy medium, but in the past 5 years that I’ve lived in Telluride, I seen dozens of attempts made at building housing for the masses that serve this community. Most of them denied and some that have been approved with prices that far exceed the financial capabilities of those they are stated to be intended to accommodate. Meanwhile, if you look around there are approvals for dozens of new homes to be built that will be used for a week or two a year and otherwise sit vacant. Why? We are quickly running out of

buildable acres.
If this project is killed, how long will we wait for the next project to be proposed? How long will we wait to get grants to offset costs. Developers and builders aren't going to lower their prices any time soon. Let's stop saying no and let's move forward with next steps. And in the meantime I urge the twin counsel and county commissioners to continue, as I know that are, to look for appropriate options and opportunities to build housing or simply allow it to be built in such a way that actually makes sense to the folks that make the town run.
For now, I offer my support of the Diamond Ridge Project.

Thanks for reading.
Alex Laney

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AGENDA ITEM

TITLE:

Amending LUC Section 5-307, Forestry, Agriculture and Open (F) adding Social and Scenic Uses as a use subject to Two-step Special Use Permit Review. MOTION

Presented by:
Time needed:

PREPARED BY:
Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:
CPC Packet Wedding Venues in F zone 042122.pdf

Description:

PUBLIC HEARING RECORD

County Planning Commission
Application: Amendment to the San Miguel County Land Use Code Section 5-307 F to Allow Social and Scenic Uses (wedding venues) in the Forestry, Agriculture and Open (F) zone

Date: April 21, 2022

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)

2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)

3. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director, dated April 21, 2022

AGENCY COMMENTS

4. Agency Referral email dated February 28, 2022

5. Email from Ron Quarles, Town of Telluride, dated February 28, 2022

PUBLIC COMMENT

6. Letter from Nicole Y. Pieterse, Atty. dated April 13, 2022

OTHER

None

M E M O R A N D U M

TO: San Miguel County Planning Commission
FROM: Kaye Simonson, AICP, Planning Director
RE: Amendment to the San Miguel County Land Use Code Section 5-307 F to Allow Social and Scenic Uses (wedding venues) in the Forestry, Agriculture and Open (F) zone
DATE: April 21, 2021
[Z:\Applications\2022_Wedding Venues in F Zone_LUC Amendment]

Background

In the past year, the Planning Department became aware of properties being used for wedding venues in the Forestry, Agriculture and Open (F) zone. LUC Section 5-307 lists the uses that may be permitted in that zone district, by right; by administrative review; by one-step Planning Commission review; by one-step BOCC review; and by two-step Special Use Permit review. Renting of property for weddings and similar events is considered a commercial activity but there are no listed uses under which it might be allowed in the F zone.

In determining where a use may be permitted, one first looks at the zone district where it is permitted. If the use is not found in any zone district, then one looks at where the most similar use (e.g. an assembly use) would be permitted. In the case of wedding venues, the Rangeland Grazing (RG) zone allows "Social and Scenic Uses," per LUC Section 5-318 D.II, which describes it as "a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials." Therefore, the only zoning district in which wedding venues can currently be considered is the RG zone district. Wedding venues are not permitted in the F zone.

Pursuant to LUC Section 5-1802, Amendments to the Land Use Code may be initiated by County (staff, CPC or BOCC), or by persons who are residents of or own property in San Miguel County. Staff had provided a pre-application letter to one property owner regarding applying for a Land Use Code amendment but they were reluctant to proceed, due in part to the application fee ($1000). At the February 10, 2022 meeting, the Planning Commission agreed that it was worth considering an amendment to allow wedding venues in the F zone.

Proposed Amendment

Section 5-307 F, Uses Allowed Subject to Two-Step Special Use Permit Review, would be amended to add the following:

> XV. <u>Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials, on parcels containing thirty-five (35) acres or more</u>.

Public Noticing

The meeting agenda has been published in the Telluride Daily Planet and Norwood Post on April 6, 2022.

Referral Agencies
The proposed Land Use Code text amendment was sent to the County Attorney; County Manager; Town of Telluride; Town of Mountain Village; Town of Norwood; Town of Ophir; and Town of Sawpit.

No substantive comments were received.

Public Comments
A comment letter has been submitted by Nicole Pieterse on behalf of clients who have been using their property as a wedding venue. Ms. Pieterse recommends establishing two tiers of review, with one-step Planning Commission approval for events hosting 200 or fewer people, and two-step special use permit review for events hosting more than 200 people.

Review Standards
Review Standards for Land Use Code Amendments are contained in LUC Section 5-1802 and state, "Land Use Code Amendments may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the following standard." This amendment was initiated by the County Planning Director and CPC in response to properties being used as wedding venues.

The only review standard, LUC Section 5-1802 A., states "Land Use Code Amendments shall be drafted in a form consistent with the organizational format and style of the code." The proposed amendment has been drafted in the format and style of the code.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

> 1-402 Implement Policies
>
> To implement the policies of San Miguel County regarding land use and development, housing, growth and related issues, as adopted and amended from time to time.
>
> 1-403 Create Common System of Administration and Regulation
>
> To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.
>
> 1-404 Simplify the Land Use Regulatory Process
>
> To simplify the application and review process for such regulatory system.
>
> 1-405 Protect Health, Safety and Welfare
>
> To protect the health, safety and public welfare of San Miguel County.

Discussion
As noted above, “Social and Scenic Uses,” which includes wedding venues, are currently allowed only in the Rangeland Grazing zone district. When the Forestry, Agriculture and Open (F) zone was adopted, using properties for special events was not in high demand. In the past decade or so, “destination” weddings have become more popular. As a result, properties have been made available for rent for special events, but without land use approval. The proposed amendment recognizes the demand, and provides a means by which property owners can obtain land use approvals.

Gatherings such as weddings would be considered an assembly type of use. The closest use listed in the F zone would be 5-307 F.VI., “Music or other festivals with anticipated attendance of more than 200 people.” Festivals are typically limited to a single short period of time, for a specific event or gathering. Wedding and special event venues are generally in use throughout the summer and fall, and even into winter and spring if the property has the appropriate facilities, e.g. a barn. There can be several separate events held each week, or even within a single day. The sizes of gatherings can also vary from just a few people to very large groups. Therefore, the impacts of these events can also vary greatly.

Following circulation of the draft amendment to referral agencies, staff added that the use would be limited to properties 35 acres or larger. (The RG zone district limits the use to properties 320 acres and larger and subject to conservation easements.) This would help to mitigate potential impacts on neighbors, and make it clear that it was not an appropriate use on smaller parcels. While specific use standards are not proposed, there is adequate precedent, in addition to the SUP standards of LUC Section 5-10, to place any necessary conditions on transportation, parking, noise including amplified music, lighting, sanitary facilities, trash, and other potential impacts.

As noted above, it has been requested that there be two levels of approval – one-step CPC approval for venues hosting less than 200 people and two-step SUP approval for venues hosting more than 200 people, similar to the Festival threshold. An applicant would have to specify within their application which one they are requesting, and if the SUP were granted for 200 or fewer, they could not increase their limit without obtaining a new SUP.

Recommendation
If the Planning Commission wishes to recommend establishing two event size tiers, the motion should reference both Land Use Code Sections 5-307 D and 5-307 F. If the recommendation is for only one level, with or without a limit on guests, the CPC should reference the section being amended and specify the recommended LUC language.

Sample Motion:
I move to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code *Section 5-307 D, Uses Allowed Subject to One-step Planning Commission Review and* Section 5-307 F, Uses Allowed Subject to Two-Step Special Use Permit Review, to allow “Social and Scenic Uses” in the Forestry,

Agricultural and Open (F) zone district, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code.

The Planning Commission may wish to include the following conditions:

1. *Amend Section 5-307 D to add:*

   XII. Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials, on parcels containing thirty-five (35) acres or more, and with attendance of two hundred (200) or fewer guests.

2. *Amend Section 5-307 F to add:*

   XV. Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials, on parcels containing thirty-five (35) acres or more, and with attendance of more than two hundred (200) guests.

Kaye Simonson <kayes@sanmiguelcountyco.gov>

Draft Land Use Code Amendment

1 message

Kaye Simonson <kayes@sanmiguelcountyco.gov> Mon, Feb 28, 2022 at 10:24 AM
To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Ron Quarles <rquarles@telluride-co.gov>, Michelle Haynes <MHaynes@mtnvillage.org>, Patti Grafmyer <grafmyer@norwoodtown.com>, Ken Haynes <manager@ophir.us>, Paul Wisor <pwisor@mtnvillage.org>, Mike Kimball <michaelnjoyce@msn.com>, tmanager@telluride-co.gov
Cc: John Huebner <johnh@sanmiguelcountyco.gov>, Troy Hangen <troyh@sanmiguelcountyco.gov>, Nancy Hrupcin <nancyh@sanmiguelcountyco.gov>

Please find attached for your review a draft amendment to the San Miguel County Land Use Code Section 5-307 F, adding "Social and Scenic Uses," also referred to as Wedding Venues, to Uses Allowed Subject to Two-Step Special Use Permit Review. If you have any comments, please submit them to me by Monday, March 21. This item is expected to be considered by the San Miguel County Planning Commission on Thursday, March 31.

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For information about San Miguel County's response to COVID-19 (Coronavirus), please visit https://www.sanmiguelcountyco.gov/590/Coronavirus

Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov

Draft LUC Section 5-307 F XV Wedding Venues in F zone 022821.pdf
69K

The following is a proposed Land Use Code Amendment to allow wedding and special event venues in the Forestry, Agriculture and Open (F) zone district (LUC Section 5-307). Proposed new text is underlined. There are no deletions.

5-307 F. Uses Allowed Subject to Two-step Special Use Permit Review

I. Water treatment plants;

II. Airports, sanitary landfill operations and sewage disposal areas, subject to Section 5-307 K.;

III. Kennels and veterinary hospitals;

IV. New ski area base facilities (also subject to the provisions of Section 5-1303 D.I.), ski lifts and related buildings, parking and incidental facilities (also subject to the provisions of Section 5-1303 D.II.);

V. Public utility structures, including dams and reservoirs (refer to Section 5-709);

VI. Music or other festivals with anticipated attendance of more than 200 people;

VII. Hotels, subject to Section 5-307 I;

VIII. Aircraft Landing Areas;

IX. Commencement and/or expansion of mining and mineral processing operations, including sand and gravel operations, in accordance with all provisions of Sections 5-10 and 5-16;

X. Wind Turbines for commercial uses;

XI. Golf Courses subject to a conceptual joint work session with the Planning Commission and Board of Commissioners prior to the applicant submitting engineering documents and survey drawings (subject to compliance with Standards in Section 5-1004);

XII. Single-family Dwellings greater than 12,000 sq. ft. of Floor Area on a minimum of 35 acres shall comply with the standards in Section 5-307 L. (LUC Section 5-10 does not apply).

XIII. Major Oil and Gas Facilities, including compressor stations, gas treatment facilities and pipelines (refer to Section 5-26).

XIV. Conditional Uses on Federal Lands – Mineral Exploration and Mining and Logging, subject to applicable State and Federal statutes and regulations

XV. Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials.

DRAFT

Kaye Simonson <kayes@sanmiguelcountyco.gov>

RE: Draft Land Use Code Amendment

1 message

Ron Quarles <rquarles@telluride-co.gov> Mon, Feb 28, 2022 at 10:43 AM
To: Kaye Simonson <kayes@sanmiguelcountyco.gov>, Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Michelle Haynes <MHaynes@mtnvillage.org>, Patti Grafmyer <grafmyer@norwoodtown.com>, Ken Haynes <manager@ophir.us>, Paul Wisor <pwisor@mtnvillage.org>, Mike Kimball <michaelnjoyce@msn.com>, Temp Manager <tmanager@telluride-co.gov>
Cc: John Huebner <johnh@sanmiguelcountyco.gov>, Troy Hangen <troyh@sanmiguelcountyco.gov>, Nancy Hrupcin <nancyh@sanmiguelcountyco.gov>

Thanks Kaye. Telluride Planning and Building has no comments.

Ron Quarles

Town of Telluride

Planning and Building Director

Office: 970-728-2150

From: Kaye Simonson <kayes@sanmiguelcountyco.gov>
Sent: Monday, February 28, 2022 10:25 AM
To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>; Amy Markwell <amym@sanmiguelcountyco.gov>; Ron Quarles <rquarles@telluride-co.gov>; Michelle Haynes <MHaynes@mtnvillage.org>; Patti Grafmyer <grafmyer@norwoodtown.com>; Ken Haynes <manager@ophir.us>; Paul Wisor <pwisor@mtnvillage.org>; Mike Kimball <michaelnjoyce@msn.com>; Temp Manager <tmanager@telluride-co.gov>
Cc: John Huebner <johnh@sanmiguelcountyco.gov>; Troy Hangen <troyh@sanmiguelcountyco.gov>; Nancy Hrupcin <nancyh@sanmiguelcountyco.gov>
Subject: Draft Land Use Code Amendment

Please find attached for your review a draft amendment to the San Miguel County Land Use Code Section 5-307 F, adding "Social and Scenic Uses," also referred to as Wedding Venues, to Uses Allowed Subject to Two-Step Special Use Permit Review. If you have any comments, please submit them to me by Monday, March 21. This item is expected to be considered by the San Miguel County Planning Commission on Thursday, March 31.

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Kaye Simonson, AICP

Planning Director

San Miguel County Planning Department

Office: (970)369-5436

Cell: (970)729-9929

www.sanmiguelcountyco.gov



Nicole Y. Pieterse, P.C.
REAL ESTATE, LAND USE & BUSINESS LAW

nicole.pieterse@lawtelluride.com

April 13, 2022

VIA EMAIL ONLY

Kaye Simonson, Planning Director
troyh@sanmiguelcountyco.gov
and
Troy Hangen, Senior Planner
troyh@sanmiguelcountyco.gov
San Miguel County, Colorado

Re: PUBLIC COMMENT LETTER
PROPOSED F ZONE DISTRICT LAND USE CODE AMENDMENT

Dear Kaye and Troy:

Thank you very much for taking the time to speak with me last month concerning the proposed amendment to San Miguel County's Land Use Code ("LUC") to expressly allow "social and scenic uses" in the County's Forestry, Agriculture and Open ("F") Zone District.

As you know, my client rents land at Golden Ledge for guests to use to host meetings, weddings, and other events for less than 200 people. The proposed amendment adds a subsection XV to LUC Sec. 5-307 F, which if approved would require two-step (planning commission then BOCC) review of special use permits for "**Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials**." In general, we support the County's effort to clarify the Land Use Code. We also suggest the following:

1. The anticipated number of event attendees is a critical consideration. Two-step review should be required for events over 200 people, which is currently the case for festivals under LUC Sec. 5-307.F.VI. Accordingly, the phrase "**with anticipated attendance of *more than 200 people*"** should be included in the proposed amendment adding LUC Sec. 5-307.F.XV.

2. By comparison, two-step review should <u>not</u> be required for gatherings of less than 200 people. In such cases administrative review is sufficient and staff may condition approval of special use permits for these smaller events on meeting certain requirements for parking, sanitation, etc. Accordingly, we request that the County also amend LUC Section 5-307.C. "Uses Allowed Subject to Administrative Review" to expressly allow by special use permit with administrative

review: "**Social and Scenic Uses, such as a location for weddings, meetings, retreats, reunions, video and film photo shoots and commercials with attendance limited to less than 200 people"**

We believe that the two amendments described above, would clear up the confusion over what events require a special use permit in the F Zone District. Please include this letter, together with any other public comments, the Planning Commission and BOCC board packets for their upcoming meetings.

Sincerely,

LAW OFFICE OF NICOLE Y. PIETERSE, P.C.
Nicole Pieterse
Nicole Y. Pieterse, Atty.