TOWN OF GRAND LAKE
BOARD OF TRUSTEES – WORKSHOP/SPECIAL MEETING
MONDAY NOVEMBER 12, 2018     5:00-7:00 P.M. – TOWN HALL

Statement of Purpose: Workshops are held in the afternoon prior to each regular Board of Trustees meeting. Workshops are conducted:
1. To insure that the Board members have adequate information and background to make informed decisions on various agenda items.
2. To provide the Trustees with a forum to frame emerging issues and to discuss potential alternatives to address these issues.
3. To learn about important events affecting the Town and to provide a chance for citizens to bring "for your information" items to the Trustees.
4. To make efficient and effective use of citizens' time at Board meetings but allow citizens time to make their comments known in a recorded evening meeting.

Please turn cell phones off during the meeting. Be respectful and take personal conversations outside.

AMENDED AGENDA

CALL TO ORDER

ROLL CALL

CONFLICTS OF INTEREST

DELEGATIONS
1.) Jeremy Krones, Program Director- Colorado Headwaters Land Trust
2.) Nate Shull & DiAnn Butler- Grand Lake Creatives Event, “Creatives Under the Big Top”
3.) James Newberry & Elliott Van Steele- West Portal Bridge Update

DISCUSSION
1.) Town Manager Update
2.) Erin ORourke, Code Administrator- Business License Required for Nightly Rental License Holders? (Page A1)
3.) Nate Shull, Town Planner- Reappointment of Planning Commissioners for another six year term and appointment of Board Member to the Planning Commission. (Page A15)
4.) Meeting Updates

BOARD ACTION ITEMS FOR EVENING MEETING:
# 1.) Consideration of Resolution to Adopt Budget No. XX-2018. (Page E15)
# 2.) Consideration of Resolution to Appropriate Sums of Money No. XX-2018. (Page E61)
# 3.) Consideration of Resolution to Set Mill Levies No. XX-2018. (Page E64)

LOCAL LIQUOR LICENSING AUTHORITY: NONE.

FOR YOUR INFORMATION
1.) Letter from First Tech Robotics Team (Page A16)
2.) Disaster Preparedness Workshop (Page A19)
3.) Thank you Letter from Rocky Mountain Repertory Theatre (Page A21)
4.) Community Potluck and Presentation (Page A22)

*items attached to workshop agenda   #items attached to evening agenda
November 12, 2018

To: Board of Trustees
From: Erin O'Rourke, Code Administrator
Re: Business License Required for Nightly Rental License Holders?

In the most recent budget workshop (October 29) Staff informed the Trustees in attendance that that the Municipal Code requires all businesses in Town to purchase an annual Grand Lake Business License in order to operate within the Town (Attachment A). Staff's original interpretation was that Nightly Rental properties should be considered a business and therefore must purchase a business license. Upon further review of the 2005 Ordinance which amended the zoning regulations to allow nightly rentals, Staff has updated their opinion on the business license requirement.

Ordinance 1-2005 (Attachment B) states that “WHEREAS, the Board of Trustees finds and determines that the practice of nightly rentals in districts in which residential uses are permitted creates an unfair disadvantage to businesses that provide the same service, since such businesses purchase a business license, collect sales tax and are assessed at a commercial property rate, and therefore find it difficult to remain competitive while still retaining a profit; and,”.

Additionally, Municipal Code 12-2-31(B)4(a)4 (Attachment C) states “Should the county elect to assess the (residential) property at a commercial rate, the owner has the option of purchasing a business license in lieu of the Nightly Rental License.”.

Based on the information in the documents noted above, Staff has concluded that business licenses are NOT required for property owners who have been issued a Nightly Rental License.

The Board of Trustees may direct staff to draft a new ordinance to include the business license requirement or leave it as written.
business conducted on such premises.

(J) "Town" means the Town of Grand Lake, Colorado.

6-4-2 Purpose
The purposes of this Article are:

(A) to promote the economic growth and development of the Town;

(B) to generate revenues for advertising and promoting the Town;

(C) to provide for the general health, safety, and welfare of the Town;

(D) to require the annual licensing and appropriate regulation of all businesses conducted on premises within the Town; and

(E) to provide a uniform procedure for the issuance, administration, enforcement, and revocation of licenses issued by the Town.

To those ends, the provisions contained in this Article shall be liberally construed in order that the true meaning and intent of this Article may be carried out.

6-4-3 License Required
It shall be unlawful for any person to commence or carry on any business within the Town without having first obtained a license from the Town. It shall be unlawful for any person to operate or carry on a business under the license of another and no licensee shall allow or permit any other person to operate under the licensee’s permit.

(A) The Town of Grand Lake shall not issue this license unless the applicant (its constituents or members) are current with the Town and all Town enterprises for all fees, assessments, charges, taxes, or amount due of any type.

(B) Exception Electricians complying with (C.R.S. 12-23-111-15).

6-4-4 Separate Premise or Separate Business Requires License
A separate license shall be obtained for each separate business in Town regardless of whether the business conducted is a separate business at the same locale or is a branch, division or agency of a licensee situated at another premise in Town. Each realtor licensed by the State of Colorado and engaging in business in Town shall be required to obtain a business license. At the time of license application, the Town Clerk shall determine how many business licenses are required of the licensee. A licensee may appeal the determination of the Town Clerk to the Board of Trustees and their determination shall be final. A finding by the Town Clerk of any one of the following conditions shall be prima facie evidence that the licensee has more than one business:

(A) Separate physical locales;

(B) Separate business activities in segregated portions of the same building;
(C) Issuance of multiple sales tax licenses;
(D) Issuance of multiple sign permits advertising businesses at the same locale; or
(E) Separate business ownerships.

6-4-5 Exemptions
Persons exempt from the provision of this Article are:
(A) Churches or established religious organizations
(B) Tax exempt organizations
(C) Schools
(D) Governments
(E) Persons exempt under federal or Colorado law
(F) Persons engaged in a casual transaction
(G) Wholesalers of Vinous and Spirituous Liquors

6-4-6 Obligations of License
Every licensee shall:
(A) Ascertain and at all times comply with all laws and regulations applicable to a licensed business.
(B) Avoid any illegal, unreasonably dangerous or harmful practices or conditions which are detrimental to the public property, health, welfare, peace or safety.
(C) Not be in default under the provisions of this Article nor be in default financially to the Town in any manner.
(D) Refrain from engaging in business in Town whenever the license for that business is revoked or suspended.

6-4-7 Miscellaneous License Provisions
(A) Unlawful to Use Public Streets and Rights-of-Way
   It shall be unlawful to conduct business on any public street or right-of-way except in accordance with the Ordinances of the Town.

(B) License to be Posted
   Post the current and valid license in a conspicuous place on the premises, or other place as appropriate, at all times.
AN ORDINANCE AMENDING CHAPTER TWELVE, ARTICLE TWO, ZONING REGULATIONS FOR OPEN, RESIDENTIAL ESTATE, SINGLE FAMILY RESIDENTIAL HIGH DENSITY, SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL LOW DENSITY, MULTIPLE FAMILY RESIDENTIAL LOW DENSITY, MULTIPLE FAMILY RESIDENTIAL MEDIUM DENSITY, MULTIPLE FAMILY RESIDENTIAL HIGH DENSITY, COMMERCIAL TRANSITIONAL, COMMERCIAL, RESORT DISTRICTS, PLANNED DEVELOPMENTS/PLANNED UNIT DEVELOPMENTS WITHOUT UNDERLYING ZONING and SUPPLEMENTAL REGULATIONS.

WHEREAS, the Town Board of Trustees finds and determines that there have been numerous incidents where the nightly rental of residences has resulted in conditions that are extremely disturbing and disruptive to persons residing next to or in close proximity to the nightly rental; and,

WHEREAS, the Board of Trustees further finds and determines that the nightly rental of properties located in residential areas creates special problems for those persons who live near the nightly rentals including, but not limited to, ownership of nightly rentals by nonresident owners who often are not fully aware of how their property is being used on a day to day basis; overcrowding of the nightly rental; noise disturbances emanating from the nightly rental; insufficient parking to accommodate all of the persons who occupy the nightly rental; and inadequate disposal of trash generated from the use of the nightly rental; and,

WHEREAS, the Board of Trustees finds and determines that the practice of nightly rentals in districts in which residential uses are permitted creates an unfair disadvantage to businesses that provide this same service, since such businesses purchase a business license, collect sales tax and are assessed at a commercial property rate, and therefore find it difficult to remain competitive while still retaining a profit; and,

WHEREAS, the Town of Grand Lake Planning Commission appointed an ad hoc committee to make recommendations to the Planning Commission; and,

WHEREAS, the ad hoc committee’s recommendations are reflected in this document; and,

WHEREAS, the Town of Grand Lake Planning Commission held a public meeting, following public notification, on December 7, 2005; and,

WHEREAS, the Board of Trustees held a public hearing, following public notification, on January 9, 2006; and,

WHEREAS, following the public hearing, the Board of Trustees agreed with the recommendation of the Planning Commission regarding the proposed amendments to the Zoning Regulations of the Town of Grand Lake Code; and,

WHEREAS, the Board of Trustees finds and determines that this Ordinance is timely in that current laws and Town regulations are insufficient to adequately address the aforementioned problems;
NOW THEREFORE BE IT ORDAINED BY THE TOWN OF GRAND LAKE BOARD OF TRUSTEES AS FOLLOWS:

1. In order to clarify the Board's intent, Chapter 12, Article 2 shall be amended as follows:

12-2-6 Nightly Rental -- A structure, dwelling or dwelling unit that is rented for periods of time of less than thirty (30) consecutive days. The term "Nightly rental" shall not include hotel, motel or bed and breakfast establishments

12-2-8 (a)(6), (b)(9) Nightly Rentals

12-2-9 (a)(7), (b)(5) Nightly Rentals

12-2-10 (a)(6), (b)(5) Nightly Rentals

12-2-11 (a)(6), (b)(5) Nightly Rentals

12-2-12 (a)(6), (b)(5) Nightly Rentals

12-2-13 (a)(6), (c)(5) Nightly Rentals

12-2-14 (a)(6), (b)(5) Nightly Rentals

12-2-15 (a)(6), (b)(5) Nightly Rentals

12-2-17 (a)(14) Nightly Rentals

12-2-18 (a)(9) Nightly Rentals

12-2-21 (a)(7) Nightly Rentals

12-2-23 (j) The following shall apply only to the following districts: OPEN, RESIDENTIAL ESTATE, SINGLE FAMILY RESIDENTIAL HIGH DENSITY, SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL LOW DENSITY, MULTIPLE FAMILY RESIDENTIAL LOW DENSITY, MULTIPLE FAMILY RESIDENTIAL MEDIUM DENSITY, and MULTIPLE FAMILY RESIDENTIAL HIGH DENSITY

Nightly Rentals -- In addition to other Town requirements, no person shall rent a structure, dwelling, dwelling unit, or lock-off unit for nightly rental purposes, except in accordance with the provisions of Section 12-2-23(j). Nightly rentals of such units shall only be authorized if all of the following conditions are met:

1. Applicant must provide two copies of a site plan that displays
conformance with the following criteria, an application fee of $150, and a Nightly Rental License fee of $400. No person shall rent or advertise for rent their structure, dwelling or dwelling unit unless a Nightly Rental License has been granted by the Town Clerk. A Nightly Rental License must be obtained for each structure, dwelling, or dwelling unit. If an application is subsequently denied, the applicant shall be refunded $400.

2. Application can be made for a Nightly Rental License as early as June 1st for the subsequent year and the first Nightly Rental License for any applicant may be valid for a period of up to 19 months (June 1st of current year through December 31st of following year). In instances when a license is issued for a period of time other than 12 months, the fee shall be prorated for the number of months in which it is being issued. Other than the first issued license, all Nightly Rentals shall be valid for 12 months, from January 1st to December 31st.

3. No person shall be granted a Nightly Rental License unless a state sales tax number has been received to provide for the collection of state, local sales and lodging taxes. If the structure, dwelling, or dwelling unit is operated by a third party as defined in Section (j)(4), the third party may use a pre-existing sales tax number for purposes of this paragraph.

4. At the time an application for a license is submitted, the licensee shall provide to the Town Clerk the name, address and telephone number of any current management company, rental agency or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental. It shall be the duty of the licensee to update such information throughout the term of the license so that the Town Clerk always has the correct and current information.

5. At the time of the application of the license the licensee shall provide to the Town Clerk the name, address and telephone number of a local contact person who is authorized by the licensee to receive communications from the Town concerning the nightly rental. The local contact person may be a management company, rental agent or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental. The local contact person shall maintain a residence or permanent place of business within 15 minutes driving distance to the Town and must be available 24 hours per day, seven days per week, during periods in which the structure is being rented. The designated local contact person may be changed by the licensee from time to time throughout the term of the license. To effect such change, the licensee shall notify the Town Clerk of the change in writing in advance of the change and shall, at the same time, provide the Town Clerk with the name, address and telephone number of the licensee’s replacement contact person. Any replacement contact person shall meet the requirements of this subparagraph.
Site Plan Criteria:

6. Adequate parking shall be shown on the site plan, as outlined in Section 12-2-23(a). For purposes of Section 12-2-23(j), parking requirements for nightly rentals shall be calculated from Group III. The motor vehicles of all occupants of the nightly rentals shall be parked only on the site of the nightly rental, or in a Town-designated parking area located off of the site of the nightly rental. No motor vehicles shall be parked on the lawn or landscaped areas of a nightly rental, or in the public street or right of way adjacent to the nightly rental. No person shall be permitted to stay overnight in any motor vehicle which is parked at a nightly rental.

7. There is a clearly-defined trash storage area and an adequate number of trash containers provided and the trash company hired for regular pick-up must be identified.

8. The dwelling to be used as a nightly rental shall provide on site snow storage that is equivalent to one-third (1/3) of the designated parking area and shall be in addition to and not part of the required parking area.

9. The scale, building materials and colors of the building shall be consistent with the neighborhood and shall not be used to draw attention to the structure.

10. The applicant shall obtain HOA sign-off if the property resides within an HOA.

Town Action:

11. If Town Staff determines that the application satisfies the requirements of Section 12-2-23(j), all adjoining property owners or all owners within 100', whichever includes the largest number of properties, will be notified in writing by the Town of the applicants proposed use. All notified property owners will be given fifteen (15) days to object to the proposed use in writing.

12. If one (1) or more notified property owners object to the proposed use in writing, the application shall be treated as a conditional use as outlined in Section 12-2-23(b). The owner of the subject property shall be given a copy of all written complaints. In consideration of the proposed use, the Planning Commission may hold a Public Meeting to determine its recommendation to the Board of Trustees. The Board of Trustees may hold a Public Hearing on the proposed use to decide whether to approve, modify, or disapprove the Planning Commission's recommendation.

13. If zero notified property owners object to the proposed use, Town Staff shall issue the Nightly Rental License administratively.
14. Once approved, the Town shall notify the county in writing that the subject property's use now includes nightly rentals. Should the county elect to assess the property at a commercial rate, the Nightly Rental License Fee shall only be $165.

15. Once approved, the Town will send notice to all adjoining property owners or all owners within 100', whichever threshold is greater, with the name and 24 hour contact number(s) of the person in charge of the management of the subject property.

Additional Criteria:

16. While occupying or visiting a nightly rental, no person shall make, cause or permit unreasonable noise to be emitted from the nightly rental that is audible upon private premises in excess of the limits set forth in Sections 25-12-101 through 25-12-109, Colorado Revised Statutes.

17. At no time shall a nightly rental qualify for a sign permit. Signs for advertising shall not be permitted at nightly rentals except as outlined in Section 6-2-1(c), Town of Grand Lake Sign Code.

18. If more than one property is accessed by a shared driveway, written permission to access the drive must be obtained from each affected property owner.

19. Compliance with the conditions set forth in Section 12-2-23(j) shall be the non-delegable responsibility of the owner of the nightly rental; and each owner of a nightly rental shall be strictly liable for complying with the conditions set forth in this Section or imposed by the Board of Trustees.

20. Licensee to Receive Conditions. At the time of the issuance of a license, the Town Clerk shall provide the licensee with a copy of the special conditions set forth in Section 12-2-23(j) or imposed by the Board of Trustees.

21. Licensee to Post License and Conditions. The licensee shall post a copy of the license and the conditions set forth in Section 12-2-23(j) or imposed by the Board of Trustees in a conspicuous location in the nightly rental. The license and the conditions shall remain continuously posted in the nightly rental throughout the term of the license.

22. Licensee to Provide Management Company with Conditions. The licensee shall provide any management company, rental agency or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental with a copy of the conditions set forth in Section 12-2-23(j) or imposed by the Board of Trustees.
Renewal

23. If zero complaints have been filed in the previous 12 months, and the applicant is current on all taxes, fees and other charges owed the Town, the applicant must only repurchase their Nightly Rental License. For purposes of Section 12-2-23(j), a complaint must be either an official police citation or a letter signed by the complaining party.

24. If one (1) or more complaints have been filed in the previous 12 months, the applicant must pay an application fee of $150 and a Nightly Rental License fee of $400. The Town shall provide notice to all adjoining property owners or all owners within 100', whichever includes the largest number of properties, and the application shall be treated as a conditional use as outlined in paragraph twelve (12) of Section 12-2-23(j).

Penalties

25. Any person found to be advertising a Nightly Rental without a license to rent that property will be notified by certified mail to cease and desist all advertisements. Upon receipt of that notice, the offending party shall have 10 days to remove the offending advertisement. After this grace period has ended, or upon a second or further violation, the offending party shall be determined to be in violation of this Ordinance and shall be ticketed for each offense.

26. A violation of any part of this Article is punishable by a fine of up to $300 for each occurrence. Each day of violation is a separate offense.

27. The Town may also seek an injunction in addition to all other remedies and penalties provided for by local ordinance or available law.

28. All these remedies shall be in addition to all other remedies and penalties provided for by local ordinance or available at law.

The following shall apply only to the following districts: COMMERCIAL TRANSITIONAL, COMMERCIAL, and RESORT DISTRICTS

Nightly Rentals – In addition to other Town requirements, no person shall rent a structure, dwelling, dwelling unit, or lock-off unit for nightly rental purposes, except in accordance with the provisions of Section 12-2-23(k). Nightly rentals of such units shall only be authorized if all of the following conditions are met:

1. Applicant must provide two copies of a site plan that displays conformance with the following criteria and a Nightly Rental License fee of $400. No person shall rent or advertise for rent their structure, dwelling or
dwelling unit unless a Nightly Rental License has been granted by the Town Clerk. A Nightly Rental License must be obtained for each structure, dwelling, or dwelling unit. If an application is subsequently denied, the applicant shall be refunded $400.

2. Application can be made for a Nightly Rental License as early as June 1st for the subsequent year and the first Nightly Rental License for any applicant may be valid for a period of up to 19 months (June 1st of current year through December 31st of following year). In instances when a license is issued for a period of time other than 12 months, the fee shall be prorated for the number of months in which it is being issued. Other than the first issued license, all Nightly Rentals shall be valid for 12 months, from January 1st to December 31st.

3. No person shall be granted a Nightly Rental License unless a state sales tax number has been received to provide for the collection of state, local sales and lodging taxes. If the structure, dwelling, or dwelling unit is operated by a third party as defined in Section (k)(4), the third party may use a pre-existing sales tax number for purposes of this paragraph.

4. At the time an application for a license is submitted, the licensee shall provide to the Town Clerk the name, address and telephone number of any current management company, rental agency or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental. It shall be the duty of the licensee to update such information throughout the term of the license so that the Town Clerk always has the correct and current information.

5. At the time of the application of the license the licensee shall provide to the Town Clerk the name, address and telephone number of a local contact person who is authorized by the licensee to receive communications from the Town concerning the nightly rental. The local contact person may be a management company, rental agent or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental. The local contact person shall maintain a residence or permanent place of business within 15 minutes driving distance to the Town and must be available 24 hours per day, seven days per week, during periods in which the structure is being rented. The designated local contact person may be changed by the licensee from time to time throughout the term of the license. To effect such change, the licensee shall notify the Town Clerk of the change in writing in advance of the change and shall, at the same time, provide the Town Clerk with the name, address and telephone number of the licensee’s replacement contact person. Any replacement contact person shall meet the requirements of this subparagraph.

Site Plan Criteria:
6. Adequate parking shall be shown on the site plan, as outlined in Section 12-2-23(n). For purposes of Section 12-2-23(k), parking requirements for nightly rentals shall be calculated from Group III. The motor vehicles of all occupants of the nightly rentals shall be parked only on the site of the nightly rental, or in a Town-designated parking area located off of the site of the nightly rental. No motor vehicles shall be parked on the lawn or landscaped areas of a nightly rental, or in the public street or right of way adjacent to the nightly rental. No person shall be permitted to stay overnight in any motor vehicle which is parked at a nightly rental.

7. There is a clearly-defined trash storage area and an adequate number of trash containers provided and the trash company hired for regular pick-up must be identified.

8. The dwelling to be used as a nightly rental shall provide on site snow storage that is equivalent to one-third (1/3) of the designated parking area and shall be in addition to and not part of the required parking area.

9. The scale, building materials and colors of the building shall be consistent with the neighborhood and shall not be used to draw attention to the structure.

10. The applicant shall obtain HOA sign-off if the property resides within an HOA.

Town Action:

11. If Town Staff determines that the application satisfies the requirements of Section 12-2-23(k), the Nightly Rental License will be issued.

12. Once approved, the Town shall notify the county in writing that the subject property’s use now includes nightly rentals. Should the county elect to assess the property at a commercial rate, the Nightly Rental License Fee shall only be $165.

13. Once approved, the Town will send notice to all adjoining property owners or all owners within 100’, whichever threshold is greater, with the name and 24 hour contact number(s) of the person in charge of the management of the subject property.

Additional Criteria:

14. While occupying or visiting a nightly rental, no person shall make, cause or permit unreasonable noise to be emitted from the nightly rental that is audible upon private premises in excess of the limits set forth in Sections 25-12-101 through 25-12-109, Colorado Revised Statutes.
15. At no time shall a nightly rental qualify for a sign permit. Signs for advertising shall not be permitted at nightly rentals except as outlined in Section 6-2-1(c), Town of Grand Lake Sign Code.

16. If more than one property is accessed by a shared driveway, written permission to access the drive must be obtained from each affected property owner.

17. Compliance with the conditions set forth in Section 12-2-23(k) shall be the non-delegable responsibility of the owner of the nightly rental; and each owner of a nightly rental shall be strictly liable for complying with the conditions set forth in this Section or imposed by the Board of Trustees.

18. Licensee to Receive Conditions. At the time of the issuance of a license, the Town Clerk shall provide the licensee with a copy of the special conditions set forth in Section 12-2-23(k) or imposed by the Board of Trustees.

19. Licensee to Post License and Conditions. The licensee shall post a copy of the license and the conditions set forth in Section 12-2-23(k) or imposed by the Board of Trustees in a conspicuous location in the nightly rental. The license and the conditions shall remain continuously posted in the nightly rental throughout the term of the license.

20. Licensee to Provide Management Company with Conditions. The licensee shall provide any management company, rental agency or other person employed or engaged by the licensee to manage, rent or supervise the nightly rental with a copy of the conditions set forth in Section 12-2-23(k) or imposed by the Board of Trustees.

Renewal

21. If the applicant is current on all taxes, fees and other charges owed the Town, the applicant must only repurchase their Nightly Rental License.

Penalties

22. Any person found to be advertising a Nightly Rental without a license to rent that property will be notified by certified mail to cease and desist all advertisements. Upon receipt of that notice, the offending party shall have 10 days to remove the offending advertisement. After this grace period has ended, or upon a second or further violation, the offending party shall be determined to be in violation of this Ordinance and shall be ticketed for each offense.

23. A violation of any part of this Article is punishable by a fine of up to $300 for each occurrence. Each day of violation is a separate offense.
24. The Town may also seek an injunction in addition to all other remedies and penalties provided for by local ordinance or available law.

25. All these remedies shall be in addition to all other remedies and penalties provided for by local ordinance or available at law.

12-2-23 (l) The following shall apply only to the following districts: PD and PUD.

Planned Developments/Planned Unit Developments—Are considered one in the same; PD’s that have no underlying zoning or area zoned PD or PUD shall be governed under Section 12-2-23 (i).

2. Except as specifically hereby amended, Chapter 12, Article 2 shall remain in full force and effect.

3. Repeal - Existing ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the taking effect of this ordinance.

4. Validity - If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town of Grand Lake hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


Votes Approving: 5
Votes Opposing: 0
Absent: 1
Abstaining: 1

ATTEST:

Ronda Kolinski
Town Clerk

TOWN OF GRAND LAKE

By: Judy M. Burke
Mayor
4. Nightly Rental Conditional Use Permits

Nightly Rental Conditional Use Permits depend on the zoning district which the proposed rental is located. In addition to other Town requirements, no person shall rent or advertise to rent a Single Family structure, dwelling, dwelling unit, or lock-off unit for nightly rental purposes, except in accordance with the provisions of this Article. Nightly Rental CUP applications and renewals will be exempt from the Conditional Use Permitting deposit but may be assessed other fees, as defined within the provisions of this Article.

(a) Nightly Rental Conditional Use Permits by Zone

1. The following shall apply only to the following districts: OPEN, RESIDENTIAL ESTATE, SINGLE FAMILY RESIDENTIAL HIGH DENSITY, SINGLE FAMILY RESIDENTIAL MEDIUM DENSITY, SINGLE FAMILY RESIDENTIAL LOW DENSITY, MULTIPLE FAMILY RESIDENTIAL MEDIUM DENSITY, and MULTIPLE FAMILY RESIDENTIAL HIGH DENSITY.

   (i) Town Action:

   1. If Town Staff determines that the application satisfies the requirements of Section 12-2-31(B)4, all adjoining property owners or all owners within 100’, whichever includes the largest number of properties, will be notified in writing by the Town of the applicants proposed use. All notified property owners will be given fifteen (15) days to object to the proposed use in writing.

   2. If one (1) or more notified property owners object to the proposed use in writing, the application shall be treated as a conditional use as outlined in Section 12-2-31(B)3. The owner of the subject property shall be given a copy of all written complaints. In consideration of the proposed use, the Planning Commission may hold a Public Meeting to determine its recommendation to the Board of Trustees. The Board of Trustees may hold a Public Hearing on the proposed use to decide whether to approve, modify, or disapprove the Planning Commission’s recommendation.

   3. If zero notified property owners object to the proposed use, Town Staff shall issue the Nightly Rental License administratively.

   4. Once approved, the Town shall notify the county in writing that the subject property’s use now includes nightly rentals. Should the county elect to assess the property at a commercial rate, the owner has the option of purchasing a business license in lieu of the Nightly Rental License.
TO: Mayor and Trustees

FROM: Nathaniel Shull, Town Planner

DATE: 08/17/18

RE: Reappointment of Planning Commissioners for another six (6) year term; appointment of Board member to the Planning Commission.

Dear Mayor and Trustees,

In approving Ordinance 06-2018, the Board of Trustees is obligated to reappoint current members of the Planning Commissioner that have reached (or exceeded in this case) their six-year term on the Commission. Additionally, one member of the Board of Trustees is to be appointed to serve on the Planning Commission.

As Ordinance 06-2018 officially became effective on 11/08/18, the Board of Trustees may, at any point from here on out, perform these reappointments and new Board member appointment. I would suggest doing so at the next BOT meeting in order to allow staff to gather a list of those current Planning Commission members whose terms have exceeded six years, and to confirm the voluntary resignation of any of these current Planning Commission members.

Staff asks the Board to weigh in on this matter and provide direction.

Regards,

Nathaniel J. Shull
Town Planner
Dear Town of Grand Lake, I'm writing you today on behalf of our FIRST Tech Robotics team. We are looking for donations to purchase tools and materials for our robots. Any support you can provide would be greatly appreciated.

Thank you,
Tyler Holmes
Date: October 15, 2018

Dear Town of Grand Lake,

We are excited to have two FIRST® Tech Challenge Teams this year at East Grand Middle School.

First Tech Challenge is an out-of-school program for students, grades 7-12, to learn about the fields of science, technology, engineering, and math (STEM) through hands-on learning of the field of robotics. We are here today in hope of seeking team funding.

Through the First Tech Challenge program, my robotics team members build and program robots. These robots then complete at regional competitions, with the potential of qualifying for the First Tech Challenge Colorado State Tournament and the World Championship Competition.

Our first team, the Metal Minds - Team #13879, consists of 7 team members, 4 - 8th graders and 4 - 7th graders. Our second team is a new addition this year, EGMS Gadgetrons - Team #15289, consists of 7 members, 3 - 8th graders and 4 - 7th graders. We have two coaches, Ms. Quinn, the EGMS Technology Teacher, and Ms. Chernin, 8th Grade Science Teacher, who are helping to mentor us through the process.

Participating in FIRST Tech Challenge allows us to learn more about math and science, while expanding my knowledge of careers involving computer programming, business, and engineering. As you may know, getting young people interested in these fields is very important, to our community, our state and our great nation.

Since this program is volunteer based, community support is important. Our team would like to set up a time with you to explain why we are so excited about FIRST Tech Challenge. We'd also like to share with you the benefits of becoming a gold, silver and bronze sponsor and other ways to support FIRST Tech Challenge. We will be contacting you soon to set up a meeting.

More information about our program can be found by contacting our coach, Missy Quinn and Rebecca Chernin at East Grand Middle School. Additional information about the FIRST Tech Challenge program can be found at http://firstinspires.org/robotics/ftc.

Sincerely,

FIRST Tech Challenge Teams #13879 and #15289
Local Business Sponsor Form
EGMS Robotics

Thank you for your generous sponsorship of our FIRST Tech Robotics Challenge Team at East Grand Middle School. This is a large expense and we appreciate your **tax deductible** financial assistance, enabling students to participate in this unique opportunity. We are thankful for any amount you are able to donate.

Team #13879 - EGMS Metal Minds
Team #15289 - EGMS Gadgetrons

**SPONSOR LEVELS:** (please indicate)

- Gold - $500+ donation
- Silver - $250 - $499 donation
- Bronze - $100 - $249 donation

Thank you for being a member of the community, we appreciate ANYTHING you are able to donate!

Name of Donating Business: ________________________________

Contact Address: _________________________________________

Contact Phone number: ____________________________________

Contact Person: __________________________________________

Make out your tax-deductible check to: **EGSD**
Please mail payment or drop off to:
East Grand Middle School, 251 W. Diamond Ave., PO Box 2210
Granby CO 80446

For questions and information, contact
Missy Quinn - missy.quinn@egsd.org or Rebecca Chernin - rebecca.chernin@egsd.org
Disaster Preparedness Workshop for Local Governments

Friday, December 7, 2018
8:00 AM - 4:00 PM
Eagle County Building
500 Broadway, Eagle, CO 81631
Cost: $25 includes lunch

Make checks payable to NWCCOG, PO Box 2308, Silverthorne, CO 80498 or pay online HERE.
RSVP: to rachel@nwccog.org by Friday, November 30.
Visit NWCCOG's website here for more information.

FYI for Nov 12th meeting...
Thanks,
Jim
This summer, major wildfire incidents touched every county in our region, and raised awareness of many community leaders as to the need to be better prepared. What steps can leaders can take to position their jurisdiction for an incident that exceeds local response capabilities? The workshop is for those in local government who may find themselves asked to make decisions during an incident who are not professionally trained in emergency management. It is intended to get local elected officials, town managers and other department heads oriented as to what they should be doing well ahead of an incident to prepare their organization, themselves and their community for that worst day before it arrives. Few of us want to think about our community's "Worst Day" before it arrives, but if you are an elected official, it is your legal responsibility to be sure your community has taken key steps to prepare itself.
Dear Friends of Rocky Mountain Repertory Theatre,

I am writing to thank you personally for the contribution you recently made to RMRT. Your interest and support is received with deep gratitude.

Sincerely,

Barbara Meyer
President of the RMRT Board of Trustees
Community Potluck and Presentation

Growing Grand Lake’s Legacy: The Lake is our Biggest Asset

Thursday, Nov 15th
6:00 PM - 8:00 PM

Grand Lake Community House - 1025 Park Ave

Come join us for an evening of festive gathering as we share in good food and company to celebrate and promote our biggest asset; the Lake! Evening will include:

- A short presentation on the history of Grand Lake and its water-based activities
- Personal stories and experiences by local residents about the Lake
- Design and community engagement exercise to encourage innovative ideas about future Lake use and activities
Cost Analysis - Nightly Rental License
Internal Working Document

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Not Included
Additional Staff Time for Enforcement/Follow Up
Board Meeting Prep for License Review - Staff Time
Marketing dollars - Chamber
Attainable Housing Fund