

CHERRY HILLS VILLAGE
COLORADO

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City Council Agenda
Tuesday, January 20, 2015

6:30 p.m.

1. Call to Order
2. Roll Call of Members
3. Pledge of Allegiance
4. Police Department Presentations
5. Audience Participation Period (limit 5 minutes per speaker)
6. Consent Agenda
 - a. Approval of Minutes – January 6, 2015
 - b. Resolution 3, Series 2015; Approving a Second Amendment to the Intergovernmental Agreement Between the City of Cherry Hills Village and the South Metro Fire Rescue Authority for the Administration and Operation of a Joint Service Facility
 - c. Request for Information for Improved Telecommunications Infrastructure Analysis
7. Items Removed From Consent Agenda
8. Recommendation from the Public Art Commission – Deborah Butterfield
9. Unfinished Business
 - a. Public Hearing - Council Bill 14, Series 2014; Amending Chapter 16 of the Municipal Code Concerning Legal Nonconforming Uses, Short Term Rental of Single Family Dwellings and Associated Provisions (*Public Hearing and second and final reading*)
 - b. Public Hearing and Request for Continuance - Request by the Arapahoe Tennis Club for an Expanded Use Permit to Install a Paddle Court with Lights and Paddle Hut (*continued from January 6, 2015*)
10. New Business
11. Reports
 - a. Mayor
 - b. Members of City Council
 - c. Reports from Members of City Boards and Commissions
 - d. City Manager and Staff
 - (i) Department Monthly Reports
 - (ii) Unaudited Financial Statements
 - e. City Attorney
12. Executive Session pursuant to CRS 24-6-402(4)(a) and (e) for the purpose of discussing matters related to the possible acquisition of real property and to develop strategy for negotiations and to instruct negotiators relating to such real property.
13. Adjournment

Notice: Agenda is subject to change.
If you will need special assistance in order to attend any of the City's public meetings, please notify the City of Cherry Hills Village at 303-789-2541, 48 hours in advance.

Minutes of the
City Council of the City of Cherry Hills Village, Colorado
Held on Tuesday, January 6, 2015 at 6:30 p.m.
At the Village Center

FINAL MEETING OF THE OUTGOING CITY COUNCIL

Mayor Doug Tisdale called the meeting to order at 6:30 p.m.

ROLL CALL

Mayor Doug Tisdale, Councilors Mark Griffin, Russell Stewart, Alex Brown, Scott Roswell, Klasina VanderWerf, and Katy Brown were present on silent roll call. Also present were City Manager John Patterson, City Attorney Linda Michow, Deputy City Manager and Public Works Director Jay Goldie, Finance Director Karen Proctor, Community Development Director Rob Zuccaro, Police Chief Michelle Tovrea, Human Resource Analyst Kathryn Barlow, Special Projects Coordinator Emily Kropf, Parks, Trails & Recreation Administrator Ryan Berninzoni, Public Works Project and Right-of-Way Manager Ralph Mason, and City Clerk Laura Smith.

Absent: none

PLEDGE OF ALLEGIANCE

The City Council conducted the pledge of allegiance.

AUDIENCE PARTICIPATION PERIOD

None

APPROVAL OF MINUTES

Mayor Pro Tem Stewart moved, seconded by Councilor VanderWerf to approve the December 9, 2014 City Council meeting minutes.

The motion carried unanimously.

REPORTS OF OUTGOING COUNCIL MEMBERS

Councilor Roswell expressed gratitude for his eight and a half years of service and indicated he had appreciated every opportunity to interact with members of the community. He indicated that he enjoyed working with staff and hoped he had not been too burdensome on them. He stated that he looked forward to Councilor-elect Gallagher serving on Council.

Mayor Pro Tem Stewart indicated it had been a privilege to serve and that Council had accomplished a significant amount in the last eight and a half years including the Master Plan, the code of ethics, construction staging for the building department, bulk plane and floor area ratio standards, retaining walls, and protecting trees among others. He gave credit to Councilor Roswell for spearheading the Joint Public Safety Facility with South Metro Fire Rescue. He expressed gratitude for the opportunity to serve and noted that he looked forward to continuing to assist with the Utility Line Undergrounding Study Committee and with the management of Quincy Farm.

Mayor Tisdale reported that he had talked with Denver Water Executive Director Jim Lochhead who was very supportive of the High Line Canal Working Group and looked forward to working collaboratively with the Village and other communities in continuing the High Line Canal as a recreational amenity. He remembered his late wife and her influence on his civic involvement. He indicated that he genuinely appreciated the opportunity to serve as Mayor. He noted that he had endeavored to serve all, engage all and connect all, both within the Village and with the surrounding region. He indicated that the City was an important part of the region and could serve as a significant voice in the region. He indicated that if at any time during his tenure he had failed to fulfill those objectives he offered his apology, and that if he had succeeded then he shared his success with Council. He thanked Council for their patience and thanked the City board and commission members for their hard work. He thanked staff and wished sincere good luck to the new Mayor and Council members. He indicated that the outgoing Council was turning over the number one best suburb of America to live in and asked the new Council to keep it that way.

PRESENTATION BY CITY MANAGER

City Manager Patterson presented awards to Mayor Tisdale, Mayor Pro Tem Stewart and Councilor Roswell on behalf of staff for their dedicated service to the Village. He indicated that over the course of their collective tenure the Village had made significant achievements and had significant events, including the construction of the Joint Public Safety Facility; the formation of the Village Center Conceptual Plan; the Citizen's City Center Committee Report; the creation and implementation of the Residential Development Standards Committee's (RDSC) recommendations through a series of ordinances; the adoption of the 2008 Master Plan; balanced budgets during the past eight plus years; the acquisition of park and open space land including 125 Meade Lane, Quincy Farm, Station 38, and the Alan Hutto Memorial Commons; the significant improvement in the appearance and maintenance of City parks since excluding from South Suburban; the creation and engagement of several committees and commissions including the Parks, Trails and Recreation Commission, the Public Art Commission, the RDSC and the Utility Line Undergrounding Study Committee; completion of the Public Works study; the letter of understanding from Denver Water for use of their Hillcrest site for the possible location of a future public works facility; the Quincy Farm Visioning Committee report; the establishment of several partnerships and projects involving the High Line Canal; the Wildlife Management Program; the US Amateur and BMW Championship golf tournaments; expansion of special events and community

engagement; staff training; accreditation of the Police, Public Works, and Community Development Departments; infrastructure improvements particular with roads and drainage; updating and improving the City's software and technology; improved cell phone coverage in the Village; media outreach; Channel 22; and many other achievements that had enhanced the quality of life for Village residents. He stated that the outgoing Council members were leaving the City in better shape than when they had started on Council. He thanked them for their willingness to serve, their vision, leadership and support.

ADJOURNMENT

The meeting adjourned at 6:46 p.m.

ORGANIZATIONAL MEETING OF THE NEW CITY COUNCIL

OATHS OF OFFICE

City Clerk Smith administered the Oath of Office for Mayor Laura Christman and Council members Earl Hoellen, Mike Gallagher and Katy Brown.

Mayor Christman called the meeting to order at 6:55 p.m.

ROLL CALL

Mayor Christman noted that all members of Council were present.

APPOINTMENT OF MAYOR PRO TEM

Councilor VanderWerf moved, seconded by Councilor Griffin to nominate Councilor A. Brown as Mayor Pro Tem.

The motion carried unanimously.

AUDIENCE PARTICIPATION PERIOD

None

CONSENT AGENDA

Mayor Pro Tem A. Brown moved, seconded by Councilor Griffin to approve the following items on the Consent Agenda:

- a. Appointment of City Clerk, City Treasurer and City Attorney
- b. Appointment of Municipal Court Judge

- c. Resolution 1, Series 2015; Designating a Public Place for Posting Notices of Regular and Special Meetings
- d. Resolution 2, Series 2015; Re-establishing the Roles of Members of the Utility Line Undergrounding Study Committee

The motion carried unanimously.

ITEMS REMOVED FROM CONSENT AGENDA

None

UNFINISHED BUSINESS

Public Hearings – Utility Line Undergrounding

Special Projects Coordinator Kropf presented Council Bill 12, Series 2014 and Council Bill 13, Series 2014 on second and final reading. She explained that Council Bill 12 would amend Section 16-16-200 of the Municipal Code to require the burial of utility service lines in conjunction with the development of new homes and institutional structures or the addition of 50% or more of existing square footage. She explained that Council Bill 13 would amend Section 17-5-50 of the Municipal Code to require the burial of existing overhead utilities in conjunction with the subdivision of land. She noted that both bills had passed on first reading at the November 18, 2014 Council meeting and there had been no changes since first reading. She added that both bills had been reviewed by the Utility Line Undergrounding Study Committee (ULUSC) and Planning and Zoning Commission (P&Z) prior to first reading by Council and recommended approval. She explained that the City currently requires the burial of new utilities with the subdivision of land but does not require the relocation or burial of utilities with other types of development. Council Bill 12, Series 2014 would require the burial of new and existing utilities in conjunction with all new homes, nonprofit institutions, private clubs, public recreational facilities and nonprofit recreational facilities. The burial of utilities would also be required for the addition or replacement of 50% or more of existing square footage. Council Bill 13, Series 2014 would require that existing overhead utilities that are located on the subdivided property or in the public right-of-way immediately adjacent to the property between the street edge and the property be relocated underground. Existing overhead utilities may remain above ground if the City Council determines that the subdivider has provided acceptable documentation from a utility provider that states that relocation is not possible due to physical constraints or that the cost of undergrounding outweighs the public benefit and relocation is not necessary to meet the goals and strategies of the Master Plan.

Mayor Christman disclosed that she served as Chair of P&Z when both of these council bills had been discussed by the Commission and therefore recused herself from the Council's discussion and vote.

Mayor Pro Tem A. Brown noted that these council bills had come out of the work of the ULUSC and were consistent with the objectives of the Master Plan and other community surveys that indicated public support for undergrounding utility lines whenever possible.

Councilor K. Brown moved, seconded by Councilor VanderWerf to approve Council Bill 12, Series 2014 on second and final reading adding Municipal Code Section 16-16-200 as proposed as Exhibit B of the January 6, 2015 staff memorandum establishing utility line undergrounding requirements for new development and additions.

The following votes were recorded:

Katy Brown	yes
Mark Griffin	yes
Earl Hoellen	yes
Mike Gallagher	yes
Klasina VanderWerf	yes
Alex Brown	yes

Vote on the Council Bill 12-2014: 6 ayes. 0 nays. The motion carried.

Councilor K. Brown moved, seconded by Councilor VanderWerf to approve Council Bill 13, Series 2014 on second and final reading amending Municipal Code Section 17-5-50 as proposed in Exhibit C of the January 6, 2015 staff memorandum amending the design principles for utilities in conjunction with the subdivision of land.

Mark Griffin	yes
Earl Hoellen	yes
Mike Gallagher	yes
Klasina VanderWerf	yes
Alex Brown	yes
Katy Brown	yes

Vote on the Council Bill 13-2014: 6 ayes. 0 nays. The motion carried.

City Attorney Michow reminded Council that these council bills were the subject of public hearings and asked if anyone had signed up to speak during the public hearings.

City Clerk Smith replied that they had not.

Council Bill 15-2014; A Bill for an Ordinance Amending Section 2-3-40(b) of the Municipal Code Concerning Delegation of Duties and Powers of the Mayor to the City Manager (first reading)

City Attorney Michow presented Council Bill 15, Series 2014 on second and final reading. She indicated that the council bill was recommended by former Mayor Pro Tem

Stewart and would clarify the administrative duties of the Mayor that were delegated to the City Manager.

Mayor Christman indicated that the bill paraphrased the Charter and suggested that instead it simply refer to Charter Sections 5.4(i) and (m) to read “As authorized by Section 5.7 of the Charter, the City Manager shall have all of the duties and powers enumerated in Section 5.4 of the Charter, except as set forth in Sections 5.4(i) and 5.4(m).”

City Attorney Michow concurred with the recommended revision.

Mayor Pro Tem A. Brown moved, seconded by Councilor Griffin to approve Council Bill 15, Series 2014, a Bill for an Ordinance of the City of Cherry Hills Village Amending Section 2-3-40(b) of Chapter 2 of the Municipal Code Concerning the Delegation of Duties and Powers of the Mayor to the City Manager, on second and final reading as amended per the language proposed by Mayor Christman.

The following votes were recorded:

Earl Hoellen	yes
Mike Gallagher	yes
Klasina VanderWerf	yes
Alex Brown	yes
Katy Brown	yes
Mark Griffin	yes

Vote on the Council Bill 15-2014: 6 ayes. 0 nays. The motion carried.

NEW BUSINESS

Public Hearing – Request by the Arapahoe Tennis Club for an Expanded Use Permit to Install a Paddle Court with Lights and a Paddle Hut

Mayor Christman advised the public that this was a quasi-judicial matter.

Director Zuccaro presented the request from the Arapahoe Tennis Club (ATC) to install a paddle court with lights and a paddle hut. He explained that the ATC was located south of East Quincy Avenue on the east side of South Dahlia Street surrounded by R-1 properties. He described the current set up and the proposed additions. He noted that P&Z had reviewed similar requests in April and June of 2014, but the applications had been withdrawn, revised and resubmitted. He explained that the current proposal placed a new paddle court with lights in the northwest corner of the property and a new paddle hut in the southeast corner. He noted that both the proposed structures were outside of the property’s setbacks. He explained that the ATC also proposed planting trees as a buffer for the new structures and designating overflow parking. He noted that drainage improvement was not required for the proposed project. He indicated that P&Z had

extensive discussions regarding the traffic and parking concerns. He noted that staff recommended a membership cap as an alternative to completing a traffic and parking analysis. He indicated that staff recommended that the language on the Development Agreement and site plan be updated to reflect the membership cap. He explained that P&Z recommended approval with 11 conditions, all of which the applicant had met except turning off the new paddle court lights at 9 p.m. The applicant offered to plant 24 foot tall trees as landscape screening as an alternative to turning off the lights at 9 p.m. He indicated that staff recommended approval with the conditions that the lights on the new paddle court be turned off at 9pm every night and the language on the Development Agreement and site plan be updated to reflect the membership cap. He noted that tonight's public hearing had been noticed in the Villager Newspaper and at the property and certified letters had been sent to neighboring properties. He indicated that comment letters received by staff were included in the Council packet and on the dais.

Councilor Hoellen asked how the development plan related to the development agreement.

Director Zuccaro replied that the development plan would be recorded with the development agreement and would be enforceable by the City.

Mayor Christman asked when the applicant changed their proposal for landscape screening.

Director Zuccaro replied that the applicant proposed 24 foot pines after the P&Z meeting and before tonight's City Council meeting.

Mayor Christman asked about public notice of the change in proposed landscape screening.

Director Zuccaro replied that the proposed change was included in the plans that had been on file and available to the public at the Building Department during the public notice period.

Councilor Griffin asked about enforcement of the lights turning off at 9 p.m. and the membership cap.

Director Zuccaro replied that P&Z and staff recommended that the lights be installed with timers that would automatically shut them off at 9 p.m., and the City would investigate if they were notified of potential violations. He explained that the ATC would be required to report their enrollment numbers annually to the City to ensure compliance with the proposed membership cap.

Councilor Griffin asked about the overflow parking on the property.

Director Zuccaro replied that the overflow parking area was grass and there were no surface improvements proposed, therefore the area may not be usable for parking in inclement weather.

Mayor Pro Tem A. Brown asked why the new proposed lights would have back shields but the old lights would not be upgraded to include back shields.

Director Zuccaro replied that new lights were required to comply with the current Code but existing facilities were grandfathered in unless the Code specified otherwise. He noted that the applicant had offered to bring the current lights into compliance with the current Code but they were not required to do so.

Councilor Gallagher asked about the landscape screening.

Director Zuccaro explained that the landscape screening in the form of trees was proposed to block the light source from neighbors. He noted that the glow would not be blocked but that the trees would help to diffuse the glow.

Councilor K. Brown noted that there were two different membership numbers in the packet, 220 and 225.

Director Zuccaro replied that 220 was the membership number most recently given to staff by the applicant.

Councilor K. Brown noted that several of the current structures on the property appeared to be in the setback.

Director Zuccaro confirmed that several of the existing structures were in the setback and that variances must have been granted in the past.

Councilor K. Brown asked how much square footage was built in the setbacks.

Director Zuccaro replied he had not calculated that amount but that the structures extended approximately 25 feet into the 50 foot setback.

Councilor Griffin asked if the entire property was lit at night.

Director Zuccaro replied that only the paddle courts were lit at night.

Councilor K. Brown indicated that the addition of a four player paddle court would not seem to lead to an increase in traffic, but that if the new facility was to be used for events then capping the membership would not be a useful way of addressing traffic and parking issues.

Director Zuccaro replied that the applicants proposed the new paddle court for use by members when leagues use the existing courts.

Councilor K. Brown asked about the maintenance of the trees.

Director Zuccaro replied that the development agreement required the ATC to maintain the trees in good condition in perpetuity and replace them if they die.

Councilor Gallagher asked about the noise condition in the development agreement.

Director Zuccaro replied that a request during the public hearing at P&Z had resulted in the reference in the development agreement to the noise regulations in the current Code. He clarified that the reference was not intended to set a higher standard but rather to simply reflect and reiterate the current Code.

Mayor Christman expressed concern with the proposed LED lighting and asked if staff had looked into different colors of LED lighting.

Director Zuccaro replied that staff had not analyzed different LED colors.

Don MacKenzie, retiring president of the Arapahoe Tennis Club, explained that the ATC had been going through this process for more than a year and had received four to zero approval from the P&Z for the current proposal. He indicated that the ATC had maintained dialogue with its neighbors throughout the process. He noted that LED lights have one fifth the light flow of halogen lights, and that LED lights did not have multiple colors, are 15 times the cost but use one tenth the energy. He explained that the landscaping changes between the P&Z meeting and the Council meeting were all in reaction to the P&Z public hearing and that the ATC proposed to mitigate the light by planting 24 foot tall trees so that the lights could stay on until 11 p.m. He explained that the initial proposal had been determined by the ATC membership to crowd too many structures in the proposed areas. He noted that the ATC had been established 50 years ago and in that time membership had gone incrementally from 150 families to the current 220. He indicated that the ATC was not often crowded and that adding one paddle court would not result in a significant increase in traffic. He stated that P&Z's motion for conditional approval had been vague and had not specified the species of tree for the landscape screening and had not mentioned the membership limit. He added that the focus of the membership cap was not the membership itself but parking, and the ATC had already agreed to add clear signage on the property to direct visitors to the overflow parking. He noted that in 2014 the ATC had used its overflow parking only four times. He indicated that the ATC had agreed to conform to the City's residential standards for noise and light even though they were specifically exempt. He stated that the ATC had worked with many neighbors over the course of the application process and had support from many of them. He expressed concern with the proposed membership cap.

Mayor Christman noted that she had been Chair of P&Z during the first two applications from the ATC and asked Mr. MacKenzie if the ATC intended to aggregate all three proposals for Council's consideration tonight.

City Attorney Michow clarified that only the latest proposal was being considered by Council tonight and therefore Mayor Christman was able to ask questions and participate in the discussion.

Mr. MacKenzie agreed that the ATC was only requesting Council's approval of the latest proposal. He noted that the leagues use the paddle courts from fall to spring on Monday-Thursday nights and were currently filled with members. He noticed that guests had to pay additional fees.

Councilor Griffin asked about league events.

Mr. MacKenzie replied that the ATC hosted paddle tournaments.

Councilor VanderWerf asked if the current paddle courts were utilized from sunrise to 11 p.m.

Mr. MacKenzie replied that it was rare for the courts to be used as late as 11 p.m. but it did happen.

Councilor VanderWerf asked if the ATC was adverse to the membership cap.

Mr. MacKenzie replied that was correct.

Councilor VanderWerf asked if the ATC was willing to conduct a traffic and parking study instead.

Mr. MacKenzie replied that the ATC had agreed to parking standards and did not have a parking problem.

Mayor Pro Tem A. Brown asked about the ATC's membership numbers.

Mr. MacKenzie replied that the ATC had increased its membership from 190 to 220 over four years about 10 years ago because of a rapid demographic shift.

Mayor Pro Tem A. Brown asked what recourse the City would have if the ATC increased membership again.

Mr. MacKenzie replied that the City would have no recourse if the membership increase were not attached to an expanded use permit. He noted that the ATC was a private club, the same as the others in the City. He indicated that it was not the ATC's intent to raise membership and that they did not have the staff to support more members.

Mayor Pro Tem A. Brown asked if the ATC had any expectation of increasing membership.

Mr. MacKenzie replied the current board of the ATC did not.

Mayor Pro Tem A. Brown asked if the paddle court lights stayed on when not in use.

Mr. MacKenzie replied that users turned off the lights when they were done and that this requirement had been added to the development agreement.

Mayor Pro Tem A Brown suggested installing motion sensors that would turn off the lights if no motion was detected for a certain period of time.

Mr. MacKenzie replied that they could look into that but expressed concern with the lights turning off if a player was injured. He noted that the ATC had video cameras to help them enforce users turning off the lights when they left the courts.

Mayor Christman asked about different colors of LED lights.

Mr. MacKenzie replied that the lights were white by definition and no other colors were offered for this class of light.

Mr. Dan Sheldon from the ATC added that the ATC would consider any new technology as it became available but that these were the best lights currently available for this purpose.

Mayor Christman asked if the height of the lights was designated by the manufacturer.

Mr. MacKenzie replied that the height was designated by the United States Paddle Association.

Mayor Christman asked if the ATC was opposed to a membership cap so that membership could increase going forward at a similar rate as in the past.

Mr. MacKenzie replied that a membership cap had never been part of the dialogue surrounding the proposal and the staff report for tonight's meeting was the first time the membership cap was stated in a document.

Councilor Hoellen asked if the membership cap was staff's recommendation as an alternative to a parking study.

Director Zuccaro confirmed that was correct.

Councilor Hoellen stated that for the purposes of this hearing the ATC had to choose between the membership cap and a parking study unless staff had another basis upon which to waive the requirement for the parking study.

Mr. MacKenzie referred to P&Z's discussion and the staff memo for an earlier proposal.

City Attorney Michow advised that the earlier proposals were not relevant.

Mr. MacKenzie indicated that the previous proposal had been approved by P&Z.

Councilors Hoellen and K. Brown replied that the proposal had to be approved by Council separate from P&Z's recommendation.

Councilor Hoellen asked if the ATC believed a parking study had been completed or if it was unnecessary.

Mr. MacKenzie stated that a parking evaluation had been established as unnecessary by staff, P&Z and the City Attorney. He indicated that the membership cap was not included in P&Z's motion for recommendation. He noted that the ATC had agreed to the strictest parking regulations in the City Code which was the same parking as churches. He added that the dialogue the ATC had with their neighbors was about noise and light and not about parking.

Councilor VanderWerf asked if the ATC would agree that if their membership ever increased a parking study would have to be completed.

Mr. MacKenzie replied that he was worried about unintended consequences with the ATC constituents and other clubs.

Councilor VanderWerf noted that Council was restricted by the City Code.

Councilor Griffin indicated that it was not in anyone's best interest to attempt to restrict membership of private clubs. He suggested that Council stop discussing a membership cap and instead focus on the real issue, which was parking and traffic.

Councilor VanderWerf agreed.

Councilor Hoellen stated that the ATC needed to conduct a parking study or receive a waiver from staff or Council.

Mayor Christman indicated that the City's schools and churches had to complete parking evaluations for their expanded use permit requests.

Mr. MacKenzie replied that there were significant differences between the ATC and the schools and churches.

Mayor Christman called a break prior to the public hearing.

Mayor Christman opened the public hearing at 8:55 p.m.

Karyn Bristow, 5 Blackmer Road, stated that she also owned 1 Blackmer Road and was directly impacted by the ATC. She indicated that LED lights were intensely bright and

that the species of tree chosen by the ATC for their landscape screening, Austrian Pines, did not have dense foliage. She noted that the previous proposal had been at a lower elevation. She asked why the lights were only back shielded and not fully shielded. She expressed concern with parking and traffic on Dahlia Street.

Pam Clute, 4300 S. Dahlia Street, stated that the previous plan had been better for the neighborhood because it was at a lower elevation and although the lights would have been visible they would not have been as noticeable or distracting. She indicated that the current proposal had lights clearly visible from Quincy and constituted a nuisance not in keeping with the City's Master Plan or Dark Sky directives. She expressed concern that Austrian Pines do not have dense foliage and would not block the light. She asked Council to stipulate that the landscape screening have thick and dense vegetation and be difficult to see through.

Peter Clute, 4300 S. Dahlia Street, read Brad Calkins' email to Director Zuccaro into the record, which clarified that the Calkins' project had not received approval as Mr. MacKenzie had incorrectly stated; that the Calkins had never asked for the ATC's endorsement or public appearances on their behalf; that while the Calkins had been contacted about the previous proposal they had not been contacted about the current proposal; that the Calkins did not feel the proposed landscaping would be adequate and questioned if the ATC could access their courts if the appropriate amount of landscaping were planted, based on a history of the ATC accessing their courts through the Calkins property and threatening that trees would have to be removed when access through the Calkins property was not granted; that the previous proposal would have less of an impact and the Calkins would support that location, but did not feel the new court was appropriate in its current proposed location. Mr. Clute then made his own statements, and indicated that that the current overflow parking is a catchment for drainage. He indicated that the LED lights were very bright and would be higher in the current proposed location than the previous proposal. He stated that the ATC were bad neighbors and lacked respect for the neighborhood. He expressed concern with noise, shouting, cars speeding and not stopping at the Quincy/Dahlia stop signs, and playing past 11 p.m. He indicated that the ATC was a public nuisance and asked that no more development take place on the property.

Dale Deleo, 4980 E. Quincy Avenue, indicated that he had never been contacted by the ATC and the location of the public hearing sign was not easily visible to the public. He stated that he did not support a membership cap. He asked why lighting was allowed on paddle courts when it was not allowed on tennis courts and why they had to play until 11 p.m. He warned that the proposal would negatively affect the view corridor over Quincy.

Mayor Christman asked staff to address Ms. Bristow's question regarding shielding for the lights.

Director Zuccaro explained that per the City Code lights were fully shielded when the bulb was fully recessed and the shield was opaque.

Councilor Griffin asked about timing for lights.

Director Zuccaro replied that for recreational use lighting taller than 12 feet the City Code required that they be turned off from 11 p.m. until sunrise the next day. He noted that the lighting code referenced the expanded use criteria which referenced the lighting part of the Zoning Code, and the recreational use lighting was still relevant. He added that under the expanded use criteria the Council was allowed to impose reasonable conditions related to the health, safety and welfare of the City.

Councilor Griffin asked if other courts were lit in the City.

Director Zuccaro replied that paddle courts at the Village Club were lit.

Councilor Griffin asked how long the paddle courts at the ATC had been lit.

Director Zuccaro replied over 10 years.

Mayor Christman invited Mr. MacKenzie to respond to the comments from the public.

Mr. MacKenzie indicated that the ATC was flexible on the tree species for the landscape screening and that the Austrian Pine was chosen because it provided a middle canopy to help block the light. He stated that he understood the opposition and appreciated the different perspectives. He noted that the ATC had over-mailed the required notices to more residents than just the required adjacent neighbors and had attempted to promote and maintain open dialogue with neighbors throughout the process. He noted that some neighbors preferred the previous proposal. He indicated that the current proposal was only three feet higher than the previous proposal, was farther from the nearest existing house, was surrounded by existing established trees and occupied less land base. He stated that a lot of the traffic on Dahlia was going to the High Line Canal and while some cars sped it was not a high percentage. He added that Quincy was a major thoroughfare for the City. He stated that the ATC had existed for 50 years, had paddle courts since 1972, added two courts for a total of four in 1984, and the proposed fifth court was an important incremental improvement for the ATC.

Mayor Christman asked about the change in location of the proposed paddle court from the southeast corner in the previous proposal to the northwest corner in the current proposal.

Mr. MacKenzie replied that because of the existing pool and topography of the southeast corner an additional paddle court would have a higher impact and light would be more concentrated if located in that corner.

Hearing no further comments Mayor Christman closed the public hearing at 9:37 p.m.

Mayor Pro Tem A. Brown indicated that based on neighborhood concerns with traffic he had asked the Police Department for information on traffic issues in the area around the ATC.

Chief Tovrea reported that the Police Department had 12 entries regarding traffic issues and noise complaints in 2014 near the ATC and trailhead on Dahlia Street. Six of those were traffic related consisting of one failure to stop at a stop sign and no proof of insurance, one DUI but the violation occurred near Kent Denver, one traffic complaint, one hit and run at the High Line Canal trail head, one violation of a broken brake light, and one parking ticket for parking at the bridge. The other six entries consisted of three noise violations, one criminal trespass of a vehicle, one suspicious vehicle, and one extra patrol requested by the manager of the ATC to address neighborhood concerns with noise.

Councilor Hoellen indicated that the proposal was a legitimate use of the property. He noted significant neighborhood concerns, but warned against using the proposal to deal with other issues.

Councilor K. Brown thanked everyone for their patience and recognized that it was a long process. She noted that because of the quasi-judicial nature of the process the Council had not seen the previous applications. She added that although P&Z reviewed the previous application that residents preferred Council had not. She indicated that she did not feel the proposal would significantly impact parking and traffic and none of the 2014 traffic incidents in the area were related to the ATC. She noted that Council needed to be sensitive to the impact lighting would have on the view corridor in the evening, dusk and at night. She indicated that in the distant past the City had granted variances to allow the ATC to place structures in the setbacks of the property and she noted that if all the structures were moved within the setbacks there would likely not be enough space to build an additional paddle court. She stated that the Master Plan directed Council to preserve the open character of the City and Council would not permit residents to build solidly from one property line to the other. She expressed concern that the lot was developed to this extent. She indicated that she was not in favor of restricting the ATC's membership but that if Council allowed the ATC to develop their entire lot then they may be able to support a higher membership. She noted that Council was charged with thinking long term for the City. She indicated that the ATC had been there for 50 years and while residents accepted the status quo when they purchased their properties they were not necessarily agreeing to amplification of the situation going forward. She noted that these were difficult issues.

Councilor Griffin indicated that Council wanted to encourage the City's quasi-commercial clubs, schools etc. to be good neighbors and work with the City. He noted that the ATC had made a good effort to be a good neighbor. He indicated he would not endorse a membership cap but supported Councilor VanderWerf's suggestion of a requiring a parking study if the membership was increased in the future. He noted that the existing situation was present when neighbors bought their properties so there was a level of implied consent. He stated that lighted courts had existed for over a decade,

the ATC had done its best to mitigate the impacts of the proposed additional court, and they had a right to utilize their property.

Mayor Christman expressed concern that the future owners of the lot on the Calkins property would be directly affected by the new development which was not a consideration when the house was sited. She noted that the previous proposal was more acceptable to neighbors than the current proposal.

Councilor Gallagher stated that this was a tough decision with many stakeholders. He noted that the Master Plan directed Council to maintain the semi-rural character of the City. He agreed with Mayor Christman that the impact of the development on the property values of the Calkins lots was concerning. He indicated that the neighbors' concerns with lights and noise were valid. He added that there did not seem to be significant parking or traffic issues.

Councilor VanderWerf noted that the issues seen in this situation between the ATC and its residential neighbors were similar to issues seen by the Residential Development Standards Committee when two zone districts meet. She indicated that the club was convenient for families and its evolution over the years was understandable. She noted that no position would make everyone involved happy. She stated that she was a proponent of dark skies and was conflicted.

Mayor Pro Tem A. Brown indicated that Council referenced the City Code, considered public testimony and attempted to balance the desires of the property owner with the concerns of effected neighbors. He expressed concern that removing the membership cap would preclude any future discussion between the ATC and Council regarding membership, parking and traffic issues without another expanded use application. He added that he would find it difficult to support the request without the membership cap. He indicated that the light pollution was a great concern and suggested that staff and the applicant discuss further limits to the lighting. He stated that he was in favor of a continuance to allow staff and the applicant to explore mutually acceptable language for the development agreement.

Councilor Hoellen indicated he could understand the ATC's opposition to a membership cap. He noted that the citizens, HOAs, clubs, and retail were all important parts of the fabric of the City.

Councilor Griffin indicated he agreed with Councilor VanderWerf's suggestion of requiring a parking and traffic study if the ATC increased its membership in the future.

Mayor Pro Tem A. Brown clarified that it was not the intent of the language to prohibit the ATC from ever increasing its membership.

Councilor K. Brown suggested applying a requirement to all clubs that an increase in membership of a certain percentage would necessitate an expanded use permit.

Mayor Pro Tem A. Brown replied that it was more of a case by case issue.

Councilor K. Brown indicated that reviewing possible parking and traffic impacts of any club's membership increase could be beneficial for the City.

Councilor Gallagher noted that this situation was unique because recreational lighting is allowed until 11 p.m. on paddle courts per the City Code and that was a significant amount of night time light in the winter.

Mayor Christman suggested that a compromise might be that the lights were normally turned off at 9 p.m. as requested by the neighbors but could remain on until 11 p.m. in the case of a special event.

Councilor Griffin asked about the timing of the lights for other paddle courts in the City.

Mayor Christman replied that the Village Club paddle court lights stayed on until 10 p.m.

Councilor Hoellen indicated that there must be a solution that would make everyone less unhappy. He noted that the solution might involve returning to the previous proposal for the southeast corner or turning the lights off at 9 p.m.

Councilor K. Brown noted that tonight's hearing did not involve an alternate location to the current proposal.

Mayor Pro Tem A. Brown moved, seconded by Councilor Hoellen to continue consideration of the application by the Arapahoe Tennis Club for an expanded use permit to the next Council meeting on January 20th.

Councilor K. Brown asked if Council could give specific direction to staff.

Mayor Pro Tem A. Brown indicated that the purpose of the continuance was to allow continued discussion regarding the lighting and further mitigation options.

Mayor Christman added that the hours of lighting should be further considered.

Councilor Griffin added the discussion about membership should be considered.

Mayor Pro Tem A. Brown clarified that he was willing to consider a staff recommendation that would address the issue in another way.

City Attorney Michow asked for clarification if Council anticipated hearing further public comments at the next meeting.

Mayor Christman confirmed they would.

City Attorney Michow clarified the motion to include a start time of 6:30 p.m.

The motion carried unanimously.

Board and Commission Vacancies

City Clerk Smith explained that due to the recent election and a resignation the City now had four open positions on boards and commissions. She noted that staff had posted notice of these openings in November as well as contacted previous applicants and currently had a pool of eight applicants. She asked that two Councilors be chosen to assist with the interview process and make recommendations for appointments to Council.

Mayor Christman and Councilor Hoellen expressed interest in assisting with the process.

Councilor K. Brown moved, seconded by Mayor Pro Tem A. Brown to appoint Mayor Christman and Councilor Hoellen to interview candidates for the open board and commission seats.

The motion carried unanimously.

Councilor Griffin advised that the new member of the Board of Adjustment and Appeals (BOAA) clearly understand the role of BOAA.

City Council Study Sessions, Working Sessions and Retreats

Mayor Christman indicated that there were several topics that Council would benefit discussing in study sessions.

Council directed staff to schedule a study session for next week.

REPORTS

Mayor's Report

Mayor Christman asked for input regarding Council's annual review of the City Manager.

Mayor Pro Tem A. Brown indicated that last year all Councilors had participated and that had been an effective method. He noted they had conducted the review in Executive Session.

Mayor Christman asked if criteria for the review had already been created.

Councilor K. Brown replied that last year's criteria could be adjusted for this year.

Members of City Council

Mayor Pro Tem A. Brown reported that the ULUSC would be sending out a Request for Information (RFI) letter to telecommunication experts to determine their interest and willingness to engage with the City. He clarified that this was not a request for proposals and there would not be an award as part of this process. He indicated that Council should approve the RFI as a matter of procedure at their January 20th meeting.

Councilor VanderWerf had no report.

Councilor Gallagher had no report.

Councilor Hoellen indicated he was honored to serve and hoped he could maintain the legacy of District 2 Council members.

Councilor Griffin stated he was happy to be working with the new Council members. He advised fiscal vigilance as reduced oil prices might negatively impact the real estate market and subsequently City revenues.

Councilor K. Brown reported the Centennial Airport Noise Round Table meeting scheduled for tomorrow had been cancelled. She noted Jan Wondra had written articles about the Round Table for the Villager Newspaper. She indicated that a possible change in takeoff patterns would divert traffic that currently flew over the City. She noted that Council should discuss their liaison assignments in the near future. She reported that the Parks, Trails and Recreation Commission (PTRC) would hold a public input session regarding John Meade Park on Thursday at 5:30 p.m. She asked City Attorney Michow if Councilors could attend these meetings without having to recuse themselves from any future Council discussions.

City Attorney Michow advised that Council should feel free to attend the meeting on Thursday and that quasi-judicial restrictions did not apply until an application was submitted, but she advised Council not to voice strong opinions in anticipation of an application eventually coming to Council for consideration.

Members of City Boards and Commissions

None

City Manager & Staff

City Manager Patterson reported that Commander Weathers was back to work full time after extended leave for health reasons; the three art pieces by Emmett Culligan had been installed at the entry feature at Bellevue and Holly; THK & Associates would hold a public input meeting on Thursday at 5:30 at the Village Center; the latest edition of the Village Crier was edited by Accounting Clerk Jessica Sager and Councilor VanderWerf

Draft

Draft

Draft

with help from former editor Martha Welborn; staff had received \$97,000 in use tax from automobile purchases in December 2014.

City Attorney

City Attorney Michow had no report.

ADJOURNMENT

The meeting adjourned at 10:40 p.m.

Laura Christman, Mayor

Laura Smith, City Clerk

RESOLUTION NO. 03
SERIES OF 2015

INTRODUCED BY: _____
SECONDED BY: _____

**A RESOLUTION
OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING A SECOND AMENDMENT TO THE INTERGOVERNMENTAL
AGREEMENT BETWEEN THE CITY OF CHERRY HILLS AND THE SOUTH
METRO FIRE RESCUE AUTHORITY FOR THE ADMINISTRATION AND
OPERATION OF A JOINT SERVICE FACILITY**

WHEREAS, the City Council of the City of Cherry Hills Village (the "Village") is authorized to enter into contracts pursuant to Section 1.2 of the Home Rule Charter and Section 31-15-101(1)(c), C.R.S.; and

WHEREAS, the Village and the South Metro Fire Rescue Authority ("Authority") entered into that Intergovernmental Agreement for the Construction, Ownership, Administration and Operation of a Public Safety Facility dated as of September 6, 2011 (the "Agreement"), as amended, whereby the Village and Authority agreed to jointly construct, own, and operate a common public safety facility to serve their common needs; and

WHEREAS, through the operation of the facility, the Village and the Authority have determined that certain operational provisions in the Agreement result in inefficiencies, duplicated efforts and unnecessary expenditures; and

WHEREAS, the Village and the Authority wish to amend Section V.C(7) concerning the Administrator's Duties to obtain insurance for the facility, Section V.D. concerning the Administrative Fee and Section XII concerning the Payment and Accounting of Costs and Expenses to operate the facility.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO THAT:

Section 1. Approval of Second Amendment to IGA. The City Council hereby approves a Second Amendment to the Intergovernmental Agreement between the City of Cherry Hills Village and the South Metro Fire Rescue Authority in the form set forth in Exhibit A, attached hereto.

Section 2. Effective Date. This Resolution shall be effective immediately.

Introduced, passed and adopted at the
regular meeting of the City Council this 20th day
of January, 2015, by a vote of ___ yes and ___ no.

(SEAL)

Laura Christman, Mayor

ATTEST:

Approved as to form:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

EXHIBIT A

**SECOND AMENDMENT TO INTERGOVERNMENTAL AGREEMENT
FOR THE CONSTRUCTION, OWNERSHIP, ADMINISTRATION AND
OPERATION OF A PUBLIC FACILITY**

This Second Amendment (“Second Amendment”) to the Intergovernmental Agreement for the Construction, Ownership, Administration and Operation of a Public Safety Facility is made by and between SOUTH METRO FIRE RESCUE AUTHORITY (the “Authority”) and CITY OF CHERRY HILLS VILLAGE, COLORADO (the “City”). The Authority and the City are collectively referred to herein as, the “Parties.” This Agreement is effective this ___ day of _____, 201_.

RECITALS

The Parties entered into that Intergovernmental Agreement for the Construction, Ownership, Administration and Operation of a Public Safety Facility dated as of September 6, 2011 (the “Agreement”), whereby the Parties agreed to jointly construct, own, and operate a common public safety facility to serve their common needs; and

The Parties, after having obtained experience operating the joint facility under the terms of the Agreement, have determined that certain operational provisions therein result in inefficiencies, duplicated efforts and unnecessary expenditures; and

The Parties wish to amend Section V.C.(7) concerning the Administrator’s Duties to obtain insurance for the facility, Section V.D. concerning the Administrative Fee and Section XII concerning the Payment and Accounting of Costs and Expenses to operate the facility.

NOW, THEREFORE, in consideration of the mutual performance of the covenants and agreements contained herein, the Parties agree as follows:

Amendment to Section V.C.(7) Section V.C.(7) of the Agreement concerning the Administrator’s Duties to procure insurance is hereby amended to read in full as follows:

Ensure standard policies of insurance are in place and remain effective through either Party’s insurer for the Facility Property and Common Personal Property with coverage types ordinarily acceptable in the property management industry to protect the Parties from loss resulting from destruction of the Facility Property and said equipment and from general liability for personal injury or property damage with general liability limits as set forth as the limits of liability under the CGIA, or such higher amounts as approved by the Management Board. The Parties will cooperate in securing the most economical and best insurance coverage for the Facility Property and Common Personal Property and will share the cost, as operating costs, equally between the Parties. In addition, each Party shall maintain separate insurance as described in Section XIII.C.

Amendment to Section V.D. Section V.D. of the Agreement entitled “Administrative Fee” is hereby amended to read in full as follows:

Administrative Fee. The Administrator shall be agreed upon by the Management Board. The Administrative Fee, as determined upon mutual agreement between the Parties, shall be allocated between the Parties according to their respective Ownership Interests.

Amendment to Sections XII.A and B. Sections XII.A. and XII.B. of the Agreement concerning the payment and accounting of costs and expenses to operate the facility are hereby amended to read in full as follows:

A. Within thirty (30) days after the close of each quarter, the Administrator shall:

- (1) Determine the actual Operating Costs, Repair Costs and any other costs and expenses associated with the Facility Property;
- (2) Debit or credit, as appropriate, the account of any Party that has paid more or less than its Operating Share or share of other costs and expenses; and
- (3) Provide to each party an invoice reflecting each Party's Operating Costs to be paid after considering all applicable credits, debits and adjustments for the previous quarter within thirty (30) days of receipt of such statement.

B. The Administrator, if a Party, may elect to receive a credit against its Operating Share in an amount not to exceed the Administrative Fee.

Definitions. All capitalized, undefined terms used in this Second Amendment shall have the meanings ascribed to them in the Agreement, except where the context indicates otherwise.

Remaining Provisions Unaffected. Except as specifically amended by this Second Amendment, the Agreement remains unaffected and in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Second Amendment to be executed as of the date first written above.

**SOUTH METRO FIRE RESCUE
AUTHORITY**

By: _____
Patrick F. Mulhern, Chairman

Attest:

Allan Johnson, Secretary

**CITY OF CHERRY HILLS VILLAGE,
COLORADO**

By: _____
Laura Christman, Mayor

Attest:

Laura Smith, City Clerk

**CHERRY HILLS VILLAGE
COLORADO**

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 6c

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: EMILY KROPF, SPECIAL PROJECTS COORDINATOR

SUBJECT: REQUEST FOR INFORMATION FOR IMPROVED TELECOMMUNICATIONS
INFRASTRUCTURE ANALYSIS

DATE: JANUARY 20, 2015

The Utility Line Undergrounding Study Committee has explored several supplementary projects that could be completed at the same time as the undergrounding of overhead utility lines to further benefit the community. One such proposal is the installation of a fiber optic network or improved telecommunications infrastructure. Several communities have pursued improved telecommunications like fiber optics in order to provide competitive prices for telecommunications services and offer improved cable and telephone signals and internet communication.

In anticipation of asking residents to support funding for undergrounding and an improved telecommunications infrastructure in the 2015 election cycle, Ballot Question 2F was submitted to voters in November 2014. Senate Bill 05-152 requires the approval of voters to restore authority to local governments the right to use municipal communication network facilities, improvements and fiber optic infrastructures to provide directly or indirectly high-speed internet, advanced telecommunications and cable television services to residents and businesses. Ballot Question 2F passed by an 80% majority. It was recommended that the next step in the pursuit of improved telecommunications is to receive feedback from interested telecommunications firms through a Request for Information.

ATTACHMENTS:

Exhibit A: Draft Request for Information

CITY OF CHERRY HILLS VILLAGE

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

REQUEST FOR INFORMATION/INVITATION TO RESPOND:

The City of Cherry Hills Village is soliciting information from telecommunications firms for an *Improved Telecommunications Infrastructure Analysis*. The City would like to develop business partnerships with a firm or firms that can support and/or provide improved telecommunications services (i.e. 1 Gbps symmetric service) to residents to be implemented contemporaneously with the undergrounding of overhead utility lines. The City does not wish to be a direct service provider but instead would like to facilitate the development of a fiber optic or other platform to be used by private entities in the delivery of telecommunications services to all City residents and property owners. This could involve a combination of fiber, wireless or other technologies. The City's role in funding, construction, ownership of conduits and improved telecommunications infrastructure and easements is negotiable. The City is interested in an open access system that would allow unrestricted entry for service providers that would not involve exclusive long-term rights to provide services.

CALENDAR:

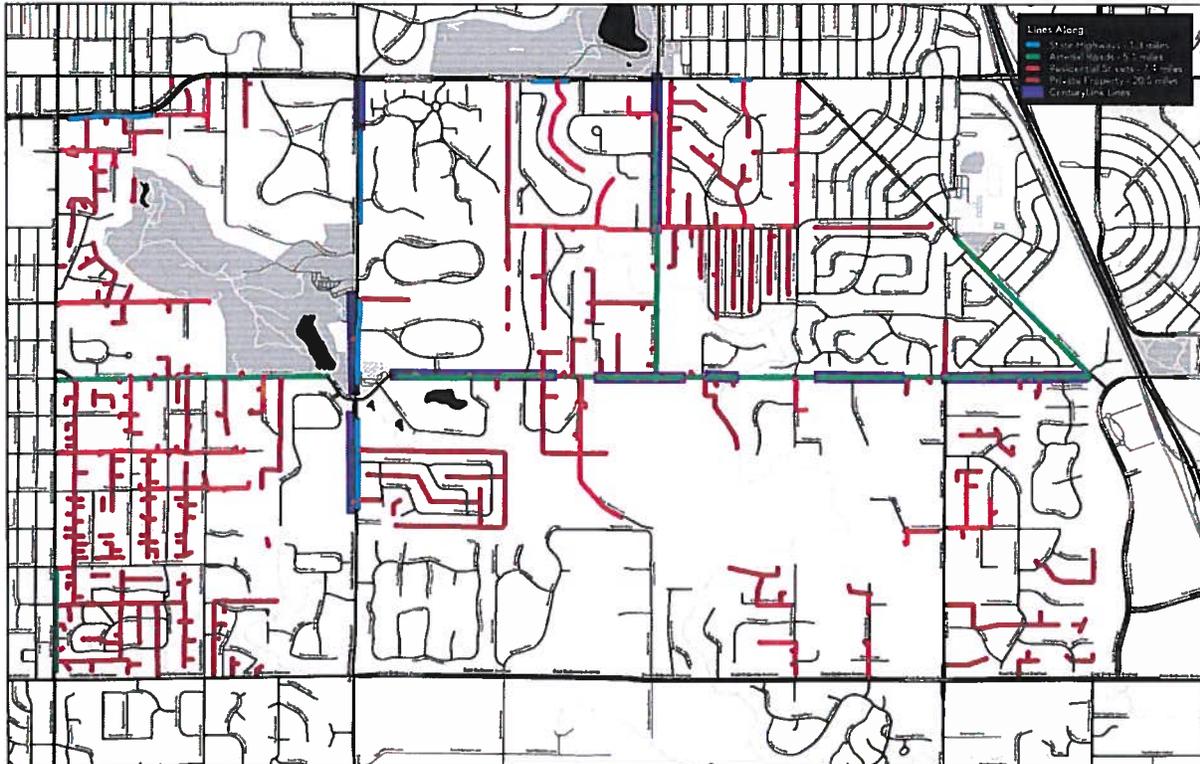
- | | |
|-------------------|--|
| January 21, 2015 | Publish Request for Information (RFI) |
| February 4, 2015 | Deadline for submission of questions and clarifications of the RFI |
| February 11, 2015 | If questions/clarifications are raised, an addendum to answer submitted questions will be issued by City staff |
| February 18, 2015 | Deadline for Submission of Information/Response to RFI 4:00 PM |

Questions, requests for clarifications and responses should be submitted to Emily Kropf, Special Projects Coordinator, City of Cherry Hills Village, at 2450 E. Quincy Avenue, Cherry Hills Village, CO 80113. You must email the City at ekropf@cherryhillsvillage.com with the contact information form to be included in all official notifications including any addenda. Available supplementary documentation for this RFI may be found at:
<http://www.cherryhillsvillage.com/uluscrequest.aspx>.

COMMUNITY PROFILE:

The City of Cherry Hills Village, Colorado is located in northwest Arapahoe County and is bounded on the west by the City of Englewood, the north and east by the City and County of Denver and to the south by the City of Greenwood Village. The Village today consists of

approximately 6 ½ square miles in total land area. The Village has a population of approximately 5,987 residents based on the 2010 Census. The median household income is approximately \$211,000. The community is predominately residential and consists of approximately 2,150 households. There are three schools, two country clubs and eight churches located in the Village and a small commercial district with six businesses. Projected growth potential is limited as the City is almost completely built-out and land locked on all sides. See below for Village map with existing overhead utility lines.



BACKGROUND:

The Cherry Hills Village Master Plan identifies the task of burying overhead lines throughout the Village as a City goal as it would improve efficiency of the system and aesthetics of the community. Undergrounding contributes to public safety by eliminating traffic hazards and removing a significant cause of storm-related power outages and reduces the need for removal or aggressive trimming of the Village's tree canopy located in or near rights-of-way enhancing the visual appearance of the community. The City's Master Plan articulates the goal of burying overhead utilities to protect and enhance certain identified view corridors within the Village. Voters were previously asked to approve a ballot initiative in 2000 to fund the burial of overhead utility lines along several arterial roadways, but the initiative failed as 60% of voters elected not to approve the \$5,000,000 increase in debt.

In 2014, the City Council established the Utility Line Undergrounding Study Committee to explore the long-standing goal of undergrounding overhead utility lines. The City Council charged the Committee with considering several matters, including: the estimated cost of undergrounding, policy recommendations for cost-sharing, a priority ranking for the sequence of undergrounding, suggested changes to the Municipal Code or Village policies, a plan to finance the project and all other relevant matters. While exploring the goal of undergrounding, the Committee determined that the City should explore complementary projects like enhanced telecommunications services in order to further benefit the community for a minimal cost while incurring the expenses associated with undergrounding.

In the process of analyzing ownership of overhead lines, the cost and responsibility for undergrounding and individual franchise agreements, the Committee has determined that an improved telecommunications infrastructure including a fiber optic and/or wireless network may represent one cost-efficient solution for providing enhanced telecommunications services to the City and its residents. In conjunction with undergrounding certain existing overhead electric and telecommunications infrastructure, there exists a clear opportunity to install additional telecommunications infrastructure, including but not limited to conduit and fiber optic lines, for a small marginal cost increase. In order to finance the undergrounding project in a timely fashion, which is anticipated to include the installation of additional fiber optic and/or wireless facilities, the City will likely need approval from voters to authorize a dedicated revenue stream sufficient to raise the funding required for the City to successfully undertake and complete the comprehensive project that is currently envisioned by the Committee.

In anticipation of asking City voters to support funding for the project in the 2015 election cycle, Ballot Question 2F was submitted to voters in November of 2014. Senate Bill 05-152 requires the approval of voters to restore authority to local governments the right to use municipal communication network facilities, improvements and fiber optics infrastructure to provide directly or indirectly high-speed internet, advanced telecommunications and cable television services to residents and businesses. Ballot Question 2F asked voters to restore the local authority to the City of Cherry Hills Village in order to foster a more competitive marketplace, by authorizing the right to provide telecommunications services directly or indirectly with public or private sector partners. Ballot Question 2F passed by an 80% majority.

Available Documentation

City of Cherry Hills Village Master Plan

One of the objectives of the Master Plan is to improve the efficiency of utilities and public infrastructure within the Village. The impacts of weather, wildlife and landscaping on above-ground utilities have often resulted in power outages and disruptions. Above-ground utility lines can also disturb scenic views in the community. The Master Plan states that the Village should explore opportunities and funding mechanisms to place utility lines underground so as to improve efficiency and aesthetics.

Utility Line Undergrounding Study Committee Interim Report

The Utility Line Undergrounding Study Committee began meeting in February 2014 to discuss a City-wide undergrounding project. Several topics were explored during the Committee's meetings, including: responsibility for undergrounding, communication with utility providers, the cost of undergrounding, financial scenarios, enhanced services and Municipal Code amendments. The findings of the Committee and proposed next steps are included in the Committee's interim report. A final report is expected to be presented to the City Council in June 2015.

REQUESTED INFORMATION:

The City is currently seeking information regarding several topics related to the installation and/or use of improved telecommunications infrastructure, including:

- A description of the firm and its current business activities and services;
- A statement of interest in discussing a partnership with the City for the installation and/or use of conduit or other telecommunications infrastructure;
- A description of the role and support the firm can provide to the City in pursuit of its objectives;
- A description, review and discussion of a business model for providing improved telecommunications services (i.e. 1 Gbps symmetric service) to a high demand/low-population density community;
- An explanation of how fiber, wireless or other technology can be used to provide services;
- A description of suggested roles for funding, construction and ownership of conduits and telecommunications infrastructure;
- A description of how development and ownership of an improved technology network would function;
- A list of similar telecommunications projects that have been successfully completed by the firm; and
- A list of any potential issues that should be addressed prior to the installation of enhanced telecommunications infrastructure, including a fiber optic and/or wireless network.

IMPROVED TELECOMMUNICATIONS INFRASTRUCTURE ANALYSIS
REQUEST FOR INFORMATION

CONTACT INFORMATION FORM

CITY OF CHERRY HILLS VILLAGE

(Please Print)

COMPANY NAME: _____

CONTACT PERSON: _____

ADDRESS: _____

PHONE: _____

FAX: _____

DATE: _____

E-MAIL ADDRESS: _____

All addendums will be posted on Rocky Mountain Bid System and emailed to individuals who submit this registration form.

Please submit this sheet to:

ekropf@cherryhillsvillage.com

Or fax to 303-761-9386 Attention: Emily Kropf

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
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FAX 303-761-9386

ITEM: 8



MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE

SUBJECT: RECOMMENDATION FROM THE PUBLIC ART COMMISSION – DEBORAH BUTTERFIELD PIECE

DATE: JANUARY 20, 2015

ISSUE

The Public Art Commission is seeking approval from Council to begin a large-scale fundraising effort to commission and purchase a signature art piece by Deborah Butterfield for placement in front of the Joint Public Safety Facility (JPSF).

BACKGROUND

A Signature Piece

The Public Art Commission was formed in 2011 with the purpose of selecting, locating, placing and maintaining art in public places and exposing the community to the arts.

From early in the Commission's work many of the Commissioners had the goal of acquiring a signature art piece for the Village. A signature art piece is a sculpture created by a nationally recognized artist which will capture the character of the Village. The Commission feels that a horse represents an ideal image for the Village. Caring for horses, riding horses, belonging to Pony Club or Westernnares, and/ or just looking at horses is highly valued in Cherry Hills Village. Horses epitomize the privilege to live in a community which is both rural and urban.

The Commission feels that the JPSF is the perfect setting for a signature piece. The JPSF is a beautiful architectural structure and finding a piece that would enhance the beauty of the building is important.

Deborah Butterfield

Deborah Butterfield, a nationally acclaimed sculptor, soon rose to the top of the Commission's list (see Exhibit A for larger photos). Each piece she creates is a one-of-a-kind as the molds cannot be reused due to her complicated and unique bronzing process. The Art Commission contacted several curators, collectors, and gallery owners when considering whether to take on this project. Contacts included: Ann Daley, curator Jan and Fred Mayer Collection, Tina Goodwin, owner Goodwin Fine Arts, Bill Rey, co-owner (with Sally and Ray Duncan) Claggett Rey Gallery, Vail, Thomas Smith, Director of Petrie Institute of Western American Art at the Denver Art Museum, and Craig Ponzio, private collector in Colorado. Below is a short biography of Deborah Butterfield. It is important to note that not only is her art what appealed to us, she herself is passionate about her love of horses.

Deborah Butterfield was born in San Diego, California on May 7, 1949. She studied at the University of California Davis where she met and married fellow art student John Buck. The pair left California and moved to Bozeman, Montana in 1976. Both artists maintain studios in Hawaii and Montana where they raised their children and created their art. On their ranch in Montana, Butterfield practices the art of dressage as well as sculpting. In addition, she runs a handicapped riding program at her stables.

Butterfield Pieces are exhibited in the following places:

- Whitney Museum of American Art, NY
- Metropolitan Museum of Art, NY
- Israel Museum, Tel Aviv
- San Francisco Museum of Modern Art, CA
- Oakland Museum, CA
- Walker Art Center Sculpture Garden, Minneapolis, MN
- Portland International Airport, Oregon
- Kansas City Zoo, MO
- Denver Art Museum, CO
- Seattle Art Museum, WA
- Phoenix Art Museum, AZ
- Numerous private collections

To learn more about this artist and her construction process, please go to this link: <http://vimeo.com/59622007>. The video is about 5 minutes in length.

The Denver Botanical Gardens will feature a Deborah Butterfield exhibition from May 23-October 18, 2015. Their exhibition will give the Commission a perfect opportunity to view a retrospective of her work and at the same time bring her name and work to the attention of our residents.

Art Commission and South Metro

The Commission discussed the possibility of pursuing a Deborah Butterfield piece at their October, November and December meetings (see Exhibits B-D for meeting minutes). The Commission approved proceeding in this effort 3 to 1 on December 15, 2014. The Commission contacted South Metro Fire Rescue through City staff regarding the possible placement of a Deborah Butterfield piece in front of the JPSF and received approval from SMFR on December 15, 2014.

NEXT STEPS

The Commission will need to raise approximately \$400,000 of private funds to purchase, deliver and install a signature piece by Deborah Butterfield. They are seeking approval from City Council to move forward with fundraising efforts to acquire a Butterfield piece.

BUDGET IMPACT STATEMENT

The Commission intends to raise all the funds necessary to acquire a Deborah Butterfield piece for the Village through fundraising efforts.

RECOMMENDED MOTION

“I move to approve the Cherry Hills Village Public Art Commission project of beginning to raise money to purchase a Deborah Butterfield horse to be placed on the Cherry Hills Village campus property.”

ATTACHMENTS

Exhibit A – Deborah Butterfield Art Photos

Exhibit B – October 27, 2014 Art Commission Minutes

Exhibit C – November 24, 2014 Art Commission Minutes

Exhibit D – Draft December 15, 2014 Art Commission Minutes





© LINA TORRELLA, 2006



© Л.А. ТЕРИНА, 2006

Chair Polumbus directed staff to arrange a two month period for Mr. O'Hagan to hold an art show in the Community Room early next year.

Financial Report

City Clerk Smith noted that the financial report was unchanged since the last meeting.

Deborah Butterfield

Chair Polumbus indicated that she wanted to have a thorough discussion on the possibility of the Commission acquiring a piece by artist Deborah Butterfield. She stated that a piece would cost around \$375,000 and that the Commission would have to fundraise for the purchase. She noted that they should not move forward unless there was unanimous consent on the Commission and that because Commissioner Smooke was not present action should not be taken until the November 24th meeting at which point the Commission should make a decision as to whether they should move forward or not.

Councilor VanderWerf noted that a Butterfield piece would fit well in front of the Joint Public Safety Facility (JPSF). She stated that a piece in that space would have to be approved by both the City and South Metro Fire Rescue as they are co-owners of the land. She added that a more modern or contemporary piece might make the approval more difficult.

Chair Polumbus indicated that the Commission should ask themselves questions that residents would be likely to ask if the Commission went ahead with fundraising efforts. First, why the City needs a signature piece, clarifying that "signature" meant a piece costing hundreds of thousands of dollars from a nationally recognized artist; second, why a horse; and third, why a Butterfield horse.

Commissioner Warren replied that a horse sculpture fits in very well with the equestrian and rural traditions of the Village.

Commissioner Harbaugh asked if the Commission was ready for an endeavor of this magnitude and if they should work on acquiring a piece by top local artist first. She wondered if it would be difficult for the Commission to continue work on smaller projects after a project this large. She asked about the timeframe for acquisition.

Chair Polumbus replied that it would take Ms. Butterfield approximately a year to construct a horse piece.

Commissioner Harbaugh indicated that the Commission had sufficient funds for two installations and a small purchase every year. She commented that they should not spend all their funds on one large purchase and be unable to make smaller purchases for several years.

Chair Polumbus replied that was what the Commission had been doing but they did not want to fill the Village with art.

Commissioner Harbaugh noted that if a new Village Center were ever built there may be a more appropriate location on the campus for a large piece of art, someplace more landscaped and not so near a building.

Chair Polumbus replied that the piece could be moved if the Village Center campus changed.

Councilor VanderWerf suggested that art work could start at the JPSF and then be moved to other permanent locations in the City. She indicated that the possibility of acquisition of a Deborah Butterfield piece for the City was one of the reasons she had joined the

Commission. She commented that the piece would be in-between representational and non-representational because while it was identifiable as a horse it was more of a suggestive than an accurate depiction. She noted that it was not bad to have a large goal and that was part of the Commission's purpose. She compared it to the deer sculpture at Kent Denver.

Chair Polumbus indicated that Ms. Butterfield considers her horse sculptures to be self-portraits and that she only creates mares and each one has a name. She added that Ms. Butterfield is an equestrian herself. She noted that the Butterfield pieces and the JPSF fit together. She indicated that she had been in touch with Ms. Butterfield's representative who had quoted the \$375,000 price and that the City would have to put down one third of the price to have Ms. Butterfield start work on a new piece specifically made for the City. She noted that resident Tracy McInnes, who had helped create the Commission's logo, had volunteered to help with this project including creating a business plan and fundraising. She emphasized that this project would need the support of the entire Commission to move forward and would seek support from the City Council, other boards and commissions, and residents. She noted that Craig Ponzio had suggested that the Commission print a photo of a Butterfield horse on a puzzle and then give one piece of the puzzle to everyone who makes a donation towards the purchase.

Councilor VanderWerf suggested that once the fundraising was complete the Commission could hold a party and have everyone bring their puzzle piece to put the image back together.

Chair Polumbus indicated that the Commission could start in January to build support and commitment. She noted that the Commission members would have to financially support the project in order to lead the fundraising effort.

Commissioner Warren suggested that the Commission could work with Ms. Butterfield's schedule to set up a meeting with her.

Chair Polumbus asked if they should invite Ms. Butterfield to their annual fundraiser.

Commissioner Warren replied that a party specifically for Ms. Butterfield would be more appropriate.

Commissioner Harbaugh agreed that a Butterfield horse fits in with the rural and natural aspects of the Village and would be a good bridge between contemporary and abstract art.

Chair Polumbus indicated that this would need to be on the Commission's November 24th agenda and asked that the Commission make a final decision at that meeting.

Councilor VanderWerf stated that the Commission was ready to do this project and it would be an inspiration.

Commissioner Harbaugh agreed it might serve as motivation for the Commission to continue larger projects.

Councilor VanderWerf noted that the Commission would learn a lot from this project about their ability to fundraise in the community.

Commissioner Warren asked what would happen if the Commission raises the amount required for Ms. Butterfield to begin work on the piece but is then unable to raise the remaining amount.

Chair Polumbus replied that it might take another year to raise the rest of the funds.

Deputy City Manager/Director Goldie suggested that the Commission could enter into a pre-contract contract with Ms. Butterfield that would allow them to use her name for fundraising without putting down any initial funds, and then enter into a full contract once the Commission had the funds and Ms. Butterfield could start work on the piece.

Councilor VanderWerf asked how long it would take Ms. Butterfield to make a piece.

Chair Polumbus replied it would take one year.

Deputy City Manager/Director Goldie suggested that the Commission look into funding through the Scientific and Cultural Facilities District (SCFD).

Commissioner Warren asked if donors would receive a tax deduction.

Chair Polumbus and Deputy City Manager/Director Goldie replied that they would.

Commissioner Warren asked when they should bring the idea to City Council.

Councilor VanderWerf warned that they should not begin fundraising before getting approval from City Council.

Deputy City Manager/Director Goldie suggested that they bring the concept to City Council and South Metro Fire Rescue for approval before fundraising. He added that they could ask a SCFD representative to attend a Commission meeting to discuss funding possibilities.

Emmett Culligan Art Work

Commissioner Harbaugh reported that while the three *Crew* series pieces did not fit in front of the JPSF they would look very nice in the median on Holly just north of Belleview. She indicated that Mr. Culligan was very excited about that location.

Councilor VanderWerf moved, seconded by Commissioner Harbaugh to accept Emmett Culligan's gift of three *Crew* series pieces and placement at the entry feature median at Holly and Belleview, contingent on City Council's approval.

Deputy City Manager/Director Goldie commented that a piece from the *Rubric* series would look very nice on the Quincy side of the JPSF to either side of the fire truck door.

Chair Polumbus noted that the Commission could pay Mr. Culligan \$8,000 to create a piece which would then be on loan to the City, and if the City chose to purchase the piece the price would be an additional \$7,000.

Commissioner Harbaugh, seconded by Councilor VanderWerf moved to approve expenditure of \$8,000 for Emmett Culligan to create a new piece from his *Rubric* series for placement on the Quincy side of the JPSF, contingent on City Council's approval.

The Commission agreed to present these two recommendations to City Council at the November 18th City Council meeting.

The Commission agreed to plan an extra meeting on Monday December 15th at 8:30 a.m.

Snow Plow Painting Project

Commissioner Harbaugh reported that the snow plow painting project was complete, the plows looked wonderful, and *Villager* reporter Jan Wondra had taken photos.

The Commission discussed ways to provide information to residents regarding purchasing public art pieces.

Deborah Butterfield

Commissioner Smooke noted that the wheels had already been set in motion regarding the fundraising for a Deborah Butterfield piece. He noted that if the Commission were starting from scratch on the process of commissioning a large piece they would engage curator support; develop a list of artists; evaluate the artists based on cost, availability and preference; create a short list; and evaluate based on marketability, risk and reward. They would evaluate pieces based on style and material, and evaluate their own fundraising ability versus the cost of the pieces. They would evaluate the artists' market value to determine if their pieces would have long term importance. He indicated the Commission had started at the opposite end of the process by choosing an artist and piece first and proposed to develop a fundraising strategy around that piece. He noted that because of this it would be inconsiderate of the curators' time to ask for their input on artists and pieces. He indicated that the Commission needed to develop an action plan explaining why they had chosen this course of action, how they would fund the art piece, the impact on other Commission initiatives, the timeline, why they chose this artist over others, and to justify their actions. He noted that it would be expected that the Commissioners would also donate their personal money towards the piece.

Commissioner Harbaugh indicated that she had brought up similar concerns at the November 24th meeting. She noted that a Butterfield horse was semi-representational and would work well with the equestrian style of the Village.

Councilor VanderWerf noted that it was important to consider the practicalities of such a large endeavor. She indicated that although this process was different than the CaFE requests in that the Commission had already chosen an artist and piece, she believed this was a legitimate process as well. She noted that a Butterfield horse would fit well in the Village and would not alienate people as much as some other more abstract and modern pieces. She suggested that the Commission could approve pursuit of a Butterfield piece contingent upon creation of a plan.

Commissioner Smooke expressed concern that such an endeavor would change the Commission's work and would require fundraising efforts from each of them.

Commissioner Harbaugh asked how the Commission would move forward with fundraising efforts.

Councilor VanderWerf explained that they would start by soliciting pledges from top supports whom they already knew, then from residents who might donate a lesser amount, and lastly to the public. She noted that they would give donors recognition.

Commissioner Warren added Craig Ponzio's idea of auctioning off puzzle pieces of a picture of the horse.

Commissioner Harbaugh asked about this project's impact on smaller installations.

Commissioner Smooke agreed that this project's effect on other initiatives was an important part of the pre-planning process.

Commissioner Harbaugh noted the possibility of a sculpture garden at the Alan Hutto Memorial Commons (AHMC).

Councilor VanderWerf added that an evaluation of the AHMC would be included in the John Meade Park Master Plan next year.

Commissioner Smooke indicated that the Commission needed a plan before moving forward.

Councilor VanderWerf noted that Tracy McInnes could provide a lot of help.

Commissioner Smooke suggested that the Commission meet with Ms. McInnes to continue this discussion.

Councilor VanderWerf indicated that the meeting would have to be noticed.

City Clerk Smith confirmed that 24 hour notice was required for a public meeting.

Commissioner Smooke suggested the Commission inquire as to whether Ms. Butterfield's pieces at the Denver Botanic Gardens were for sale.

The Commission agreed to meet again in December to continue this discussion.

Crier

Councilor VanderWerf reported that she would write an article about Yoshi Saito's art for the November/December issue along with Ms. Polumbus' article.

Commissioner Harbaugh added that she would submit articles about the snow plow painting project and Emmitt Culligan's art for the January/February issue.

Commissioner Smooke suggested an article about art shows for the March/April issue.

Kent Lemon

Commissioner Harbaugh reported that the Cherry Hills Land Preserve wanted to donate a painting by Kent Lemon entitled *High on Country* to be hung in the JPSF.

Commissioner Smooke noted issues with owning art that should be considered before donations were accepted.

Director Proctor noted that the Police Department and South Metro Fire Rescue would have to approve the painting before it was hung.

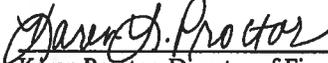
Councilor VanderWerf moved, seconded by Commissioner Warren to accept the gift of *High on Country* by Kent Lemon to place at the Public Art Commission's discretion and contingent upon acceptance by South Metro Fire Rescue.

The motion passed unanimously.

ADJOURNMENT

There being no further business the meeting was adjourned at 9:43 a.m. The next Art Commission meeting is scheduled for Monday, December 15, 2014.


Ann Polumbus, Commission Chairperson


Karen Proctor, Director of Finance


Laura Smith, City Clerk

CHVAC

CHERRY HILLS VILLAGE ART COMMISSION ■

Minutes of the Public Art Commission
City of Cherry Hills Village, Colorado
Monday, December 15, 2014
at the Village Center

8:30 a.m.

ROLL CALL

Commission members in attendance: Chair Ann Polumbus, Gay Warren, Councilor Klasina VanderWerf.

Commissioner Doug Smooke participated by speaker phone.

Commission members absent: Teresa Harbaugh.

Employees present: Director of Finance Karen Proctor, City Clerk Laura Smith.

CALL TO ORDER

Chair Polumbus called the meeting to order at 8:30 a.m.

AUDIENCE PARTICIPATION

None.

APPROVAL OF MINUTES

Commissioner Warren moved to approve the November 24, 2014 minutes. Councilor VanderWerf seconded the motion and it passed unanimously.

FINANCIAL REPORT

Director Proctor reported no changes since the November meeting.

BUSINESS

Deborah Butterfield

Chair Polumbus noted that the Commission had discussed the possible pursuit of a Deborah Butterfield horse sculpture at their last two meetings. She asked the Commissioners to report on any curators or gallery owners whose opinion they had solicited regarding this project.

Councilor VanderWerf reported that she had contacted Tina Goodwin, owner of Goodwin Fine Arts, who considered a Butterfield horse to be perfect for the Village.

Commissioner Warren reported that Ann Daley, curator of Jan and Fred Mayer's collection, had given her contact information for a curator at the Denver Art Museum but she had misplaced the information.

Chair Polumbus reported that she had contacted Bill Rey, co-owner of the Claggett-Rey Gallery in Vail, Colorado, and Thomas Smith, Director of the Petrie Institute of Western American Art at the Denver Art Museum, who considered pursuit of a Butterfield horse to be a great idea but cautioned the Commission to choose the right horse. She noted they were willing to confer with the Commission on the choice of horse. She indicated that Mr. Rey had suggested the Commission research buying a Butterfield horse at auction. She reported that Greg Casera-Kucera, owner of the Greg Kucera Gallery in Seattle, Washington, had quoted a Butterfield horse at \$425,000, with a discount to \$395,000 for public art.

Commissioner Smooke reported that as he had stated in the last meeting he did not feel it was appropriate to contact curators when the Commission had already decided on a particular artist and piece.

Village resident Tracy McInnes noted that she had lived in the Village for 35 years and believed that a Butterfield horse represented the Village's history, present and future. She indicated she was excited to work on the project with the Commission and to dedicate her time and energy to fundraising for the piece. She added that a Butterfield horse would represent the Village in a professional manner.

Councilor VanderWerf moved, seconded by Commissioner Warren to proceed in the effort to purchase a Deborah Butterfield horse sculpture.

The motion carried 3 to 1.

Chair Polumbus added that Commissioner Harbaugh could not attend but had indicated her yes vote via a text message.

ADJOURNMENT

There being no further business the meeting was adjourned at 8:39 a.m. The next Art Commission meeting is scheduled for Monday, January 26, 2014.

Ann Polumbus, Commission Chairperson

Karen Proctor, Director of Finance

Laura Smith, City Clerk

**CHERRY HILLS VILLAGE
COLORADO**

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Village Center
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ITEM: 9a

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COUNCIL BILL 14, SERIES 2014; AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL CODE CONCERNING LEGAL NON-CONFORMING USES, SHORT-TERM RENTAL OF SINGLE FAMILY DWELLINGS AND ASSOCIATED PROVISIONS (SECOND READING – PUBLIC HEARING)

DATE: JANUARY 20, 2015

ISSUE:

Should the City Council approve Council Bill 14, Series 2014 on second and final reading, updating the City's non-conforming use standards, including the creation of a certification process for legal non-conforming uses and licensing requirements for legal non-conforming short-term rental of single-family dwellings?

FIRST READING:

The City Council approved Council Bill 14, Series 2014 on first reading at the November 18, 2014 City Council meeting (see Exhibit B for minutes). Since first reading, the following changes have been made to the Council Bill:

- The licensing requirement for short-term rentals to comply with a minimum building code standards to protect the health, safety and welfare of occupants was amended to reference the more specific standard of "Residential Group R-3 Boarding House" with exclusions for Chapter 13, Energy Efficiency; Chapter 14, Exterior Walls; and Chapter 16, Structural Design (see Sec. 16-14-90(c)(4)).
- The licensing requirement for short-term rentals to have a local property manager available to respond to tenant and neighborhood concerns was amended to require the property manager to reside or be physically located within 60 miles of the rental (see Sec. 16-14-90(c)(8)).
- The licensing requirement for short-term rentals to have the owner provide copies of government issued identification for each occupant has been amended to require that the primary adult occupant of the rental be responsible for supplying identification upon reasonable request by the City (see Sec. 16-14-90(c)(10)).

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- The licensing requirement for short-term rentals was amended to reference applicable penalties for any violations of the requirements (see Sec. 16-14-90(f)).

PLANNING AND ZONING COMMISSION REVIEW:

The Planning and Zoning Commission reviewed the original draft of the ordinance on Oct. 28, 2014 (see Exhibit C for minutes). The Commission voted unanimously to recommend approval with the following changes incorporated into the draft:

1. An applicant requesting certification of a legal non-conforming short-term rental of a single family dwelling shall have 60 days to apply for legal non-conforming status from the effective date of the ordinance. (The Commission also recommended that mailings be sent to all Village residents notifying them of this requirement)
2. An applicant for a legal non-conforming short-term rental license shall have 180 days to comply with all licensing requirements, and until a license is granted, any rental shall not constitute a continuation of such use.
3. All renters will be required to provide government-issued photo identification.

BACKGROUND AND DISCUSSION:

Non-Conforming Use Certification

The proposed amendments will benefit property owners that want to maintain legally established non-conforming uses by providing a clear certification process and criteria. The updated language also appropriately puts the burden of proof on the property owner rather than the City to verify that the non-conforming use was legally established, is a primary, non-accessory use of the property and that there has been a substantial investment in the property related to the use. The proposal also reduces the amount of time from twelve months to six months that a discontinuation of a non-conforming use would be considered abandonment of the use and the certification revoked. This provides a reasonable threshold for abandonment and discontinuation of a use that is no longer consistent with the City's zoning ordinance.

Licensing Requirements for Legally Non-Conforming Short-term Rentals

On July 17, 2012, the City Council approved Ordinance 9, Series 2012 (Exhibit D). The purpose of the ordinance was to clarify that, despite a reference in the definition of Dwelling Unit to weekly rentals, that short-term rental of single family properties was not what was intended nor specified as an allowed use within the City's Zoning Ordinance. Specifically, Ordinance 9, Series 2012 clarified the definition of Dwelling Unit, defined Short-term Rental as any rental of less than 90 days, and expressly prohibited Short-term Rentals and advertising or renting a single-family residence for parties or special events.

Staff is aware of multiple short-term rentals that have taken place over the past several years, including rentals in Old Cherry Hills, Glenmoor Country Club and Cherry Moor South. Staff believes that other properties in the Village are being offered for rent for special events such as weddings. Staff finds that short-term rentals have been an ongoing issue across the City and could be more wide spread than currently known. The proposed ordinance provides a process and time limit to identify and certify any legally established non-conforming short-term rentals.

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If any short-term rentals are determined to be legally non-conforming, the proposed licensing requirements are intended to ensure that negative impacts to the Village's character and to property owners surrounding such short-term rentals are limited and the health, safety and welfare of the community is maintained. Negative impacts could include, but are not limited to, excessive noise due to late night arrivals, parties with numerous guests, insufficient parking, trash accumulation, lack of investment in the property and transient occupancy of the property. The proposed licensing standards are intended to help to ensure that properties are appropriately maintained, that occupants do not violate any City nuisance ordinances, and that adequate parking is provided.

The health, safety and welfare considerations for the renters are also a primary purpose of the licensing requirements. As many in Colorado are aware, a tragedy occurred in 2008 when a family of four from Denver died from carbon monoxide poisoning in a short-term rental house near Aspen that did not have monoxide detectors installed. Use of single-family residences for transient occupancy is similar to a commercial hotel, motel or boarding house use for which renters are accustomed to minimum safety and building codes. Thus, staff recommends that the proposed licensing standards require that legal non-conforming short-term rentals meet the Group R-3 Boarding House occupancy requirements of the International Building Code, with exclusion for certain energy efficiency, exterior wall and structural design standards that could be considered unreasonable upgrades on an existing residence. The City's Chief Building Official has provided a summary of the minimum code requirements for the Group R-3 Occupancy that the City would verify as part of the licensing requirement (see Exhibit E).

The City of Boulder is also currently studying issues surrounding the short-term rental of single family homes. The Boulder City Attorney's office recently issued a policy summary on short-term rentals (see Exhibit F), noting that short-term rentals have the structure of a hotel or motel and are illegal in many of the City's zone districts. The policy statement also notes that legally operating hotels and motels are subject to code inspections, licensing, property taxes and lodging taxes that illegally operating short-term rentals are not currently subject to.

Review of Short-Term Rental Regulations

For background on what other communities have adopted to regulate short-term rentals, the ordinance from Durango, CO; Sonoma County, CA and Santa Cruz County, CA are provided as Exhibits G, H and I respectively. The following is a brief summary of each ordinance.

Durango, CO

- Allows vacation rentals only through a special use permit or conditional use permit.
- The maximum number of occupants is limited to two persons per bedroom plus two additional occupants and all occupants must be accommodated by on-site parking.
- The rental may not have more than one tenancy every seven days.

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COLORADO

Sonoma County, CA

- Allows vacation rentals through issuance of a special Zoning Permit and are subject to a Transient Occupancy Tax.
- The maximum number of occupants is limited to two persons per bedroom plus two additional people, up to a maximum of 12 persons.
- Minimum on-site parking requirements are required based on the number of guestrooms.
- Special events are only allowed under a separate permit and are limited to up to four times per year in some zone districts.

Santa Cruz County, CA

- Requires permitting and Transient Occupancy Tax registration with the County. A public hearing may be required for new rentals.
- The maximum number of occupants is limited to two persons per bedroom plus two additional people.
- Celebrations are allowed between 8:00 a.m. and 10:00 p.m. with the maximum number of allowed guests not to exceed twice the occupant limit for the rental and all guests and occupants must be accommodated by on-site parking.

PUBLIC COMMENT:

Notice of the public hearing was published in the January 1, 2015 edition of The Villager. Staff has received one comment letter attached as Exhibit J.

RECOMMENDATION:

Staff recommends approval of Council Bill 14, Series 2014 as drafted in Exhibit A.

RECOMMENDED MOTIONS:

"I move approve Council Bill 14, Series 2014 on second and final reading, amending Chapter 16 of the Cherry Hills Village Municipal Code concerning legal non-conforming uses, short-term rental of single family dwellings and associated provision, as submitted in Exhibit A to the January 20, 2015 staff memorandum."

ATTACHMENTS

Exhibit A: Council Bill 14, Series 2014

Exhibit B: November 18, 2014 City Council Minutes

Exhibit C: October 28, 2014 Planning and Zoning Commission Minutes

Exhibit D: Ordinance 9, Series 2012

Exhibit E: Summary of Group R-3 Occupancy Code Requirements

Exhibit F: Boulder City Attorney Policy Summary on Vacation Rental by Owner

Exhibit G: Durango, CO Vacation Rental Ordinance

Exhibit H: Sonoma County, CA Vacation Rental Ordinance

Exhibit I: Santa Cruz County, CA Vacation Rental Ordinance

Exhibit J: Public Comment Letter

COUNCIL BILL 14
SERIES OF 2014

INTRODUCED BY: _____
SECONDED BY: _____

**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING CHAPTER 16 OF THE CHERRY HILLS VILLAGE MUNICIPAL
CODE CONCERNING LEGAL NON-CONFORMING USES, SHORT TERM
RENTAL OF SINGLE FAMILY DWELLINGS AND ASSOCIATED PROVISIONS**

WHEREAS, the City of Cherry Hills Village ("Village") is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, pursuant to its home rule authority and Article 23, Title 31 of the Colorado Revised Statutes, the Village has broad, local authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the Village has adopted zoning regulations codified in Chapter 16 of the Municipal Code and an official zoning map that designates zone districts in which permitted, conditional and prohibited uses are established; and

WHEREAS, the Village is a semi-rural residential community in which large lots and low density residential zoning districts comprise the majority of the City; and

WHEREAS, the Village Master Plan acknowledges that the existing low-density development pattern and semi-rural character makes Cherry Hills Village a unique community in the Denver metropolitan area; and

WHEREAS, the Village Master Plan discourages rezoning of property that would increase residential density or the intensity of the use of residential properties; and

WHEREAS, based on the experience in the Village and in other jurisdictions, it is known that short term vacation rentals create or have the potential to create negative land use impacts for neighboring residential uses and the community at large; and

WHEREAS, identified negative impacts to the character of the Village resulting from short term rentals within the Village's residential zoning districts include, but are not limited to, noise disturbances due to late night arrivals and parties with numerous guests; insufficient parking; trash accumulation; lack of investment in the property; and the regularity of transient occupants and guests; and

WHEREAS, the City Council finds that short term rentals of single family residential properties will negatively impair the stability of the semi-rural, residential character of the City; and

WHEREAS, the use of single family dwellings for transient occupancy poses building safety and health risks to members of the public who stay in these dwellings; and

WHEREAS, the use of a single family dwelling for transient occupancy is substantially similar to a commercial hotel, motel, or boarding house and that the use of a single family dwelling for short term transient occupancy is not a residential use of property; and

WHEREAS, persons seeking short term rental of residential property have a reasonable expectation that such rental will include amenities customarily associated with commercial short

term rental such as commercial-level fire safety systems and emergency egress improvements; and

WHEREAS, in order to protect the residential character of the Village, the City Council previously adopted Ordinance No. 9, Series 2012 to prohibit short term rentals of less than ninety (90) days of residential dwelling units; and

WHEREAS, it has come to the attention of the City Council that existing short term rental uses may qualify, under limited or unique circumstances, as legal non-conforming uses; and

WHEREAS, the City Council finds that amendments to the existing legal non-conforming provisions of the Municipal Code are necessary to clarify the purpose, scope and procedures to declare and maintain legal non-conforming uses; and

WHEREAS, the City Council further finds that regulations must be adopted to address legal non-conforming short term rental uses of property in order to mitigate the negative effects of such commercial-oriented uses on the City's existing residential neighborhoods; and

WHEREAS, the City Council proposes to regulate legal non-conforming short term rental uses as set forth in this Ordinance; and

WHEREAS, in compliance with the Municipal Code, the Planning and Zoning Commission considered the changes proposed in this Ordinance at a duly noticed public meeting and has recommended approval of the Ordinance.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. The following definitions set forth in Section 16-1-10, titled *Definitions*, are amended or deleted to read as follows with underline to show added text and strike-through to show deleted text:

Dwelling, single-family means a detached residential dwelling unit other than a mobile home, designed for and occupied by one (1) family only on a stable and permanent basis.

Dwelling unit means a single unit providing complete independent living facilities for one or more persons meeting the definition of a family, including permanent improvements and provisions for living, sleeping, eating, cooking and sanitation. ~~one (1) room or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, or rental or lease, physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.~~

~~Nonconformance means structures, lots, and uses of land, structures or lots which do not meet the requirements of this Chapter but which were legally established and maintained at the time of adoption of the initial ordinance codified herein, or are otherwise deemed to be lawful structures by this Chapter.~~

Section 2. Section 16-14-10, titled *General*, of Article XIV of the Municipal Code is hereby amended to read as follows with underline to show added text and strike-through to show deleted text:

Sec. 16-14-10. General.

(a) Purposes. The purpose of this Article is to provide for the control, improvement and termination of uses or structures which do not conform to the regulations of this Chapter for the district in which they are located. The protection afforded owners of property under this Article exists only in order to permit the continuance of a legal non-conforming use of land, structure or lot to the extent necessary to safeguard the investment of the property owner. The specific purposes of requiring certification and licensure of legal non-conforming short term rental use of properties are to: (1) ensure the safety of guests and occupants of short term rental properties through compliance with building code requirements applicable to transient residential occupancy; (2) maintain the stability of the rural, residential character of the City; and (3) mitigate the negative effects that short term rentals pose within residential neighborhoods in terms of trash, parking and noise issues.

(b) Application. Subject to the provisions of this Article, any use of land, structure, or lot which does not meet the requirements of this Chapter shall be lawful only if one or more of the following conditions apply:

(1) The use of land was legally established and maintained at the time of adoption of the initial ordinance codified herein or of any amendment causing nonconformance, thereby constituting a non-conforming use. For purposes of this section, "legally established and maintained" means compliance with each of the following criteria: (i) the use of land was, at time of commencement in compliance with all applicable federal, state and City regulations; (ii) the financial investment in the use or property improvements must be of a substantial nature so as to warrant protection under this Article; (iii) the use is not accessory to the primary or principle use; and (iv) the use of property is determined to be legally established and maintained by City administrative certification as set forth in subsection (d) of this Section 16-14-10. The casual, intermittent, temporary or illegal use of land or structures shall not be sufficient to establish the existence of a non-conforming use. The existence of a non-conforming use on a portion of a lot or parcel of land shall not be construed to establish a non-conforming use on the entire lot or parcel of land.

(2) Any structure or portion of a structure which was not legally established and maintained but has existed unmodified for more than twenty (20) years; or

(3) Any lot which was not so legally established but on which a residence was located prior to September 6, 1987.

(c) Burden of proof. In any administrative or judicial proceeding wherein it is claimed that a structure, lot or use is allowed as a non-conforming use, the party asserting that such non-conforming status exists shall have the burden of providing proof of the same by a preponderance of the evidence. Evidence of legal non-conforming use shall show that the criteria in subsection (b) (1) above have been met and may include the following: approved permits, copies of applicable zoning, building or other code provisions in effect at the time of establishment of legal nonconformity; leases; and verified affidavits of persons with personal knowledge of the circumstances of the use.

(d) Non-conforming use certification. To establish a legal non-conforming use, the owner or designated representative of the owner must apply for and obtain a non-conforming use certification from the Community Development Director. The application for legal non-conforming certification shall include: (1) proof of ownership of the property; (2) evidence of reasonable financial investment in the improvements on the property necessary to operate the claimed non-conforming use; (3) narrative explanation of the claimed non-conformity; (4) documentation of the date that the use/activity commenced and evidence of continuous operation for each successive year; (5) any judicial determinations affirming legal non-conforming use status; and (6) a site plan including boundaries of the property, total area of the property, use and dimensions of all existing buildings and structures including setbacks, dimensioned parking lay-out, north arrow and scale, and precise location and limits of use to be certified. The Community Development Director shall deny any certification if it appears that the evidence presented does not show the existence of a prior legal non-conforming use by a preponderance of the evidence in accordance with the criteria set forth in subsection (b) (1) above. Any certification issued by the Community Development Director shall include a detailed description of the specific use constituting a non-conforming use for the property.

Section 3. Section 16-14-60, titled *Discontinuance of non-conforming use of land or structure*, of Chapter 16 of the Municipal Code is hereby retitled and amended to read in full as follows:

Sec. 16-14-60. Discontinuance of non-conforming use.

If a nonconforming use of land or of a structure is discontinued for one (1) year or longer, no nonconforming use may be reestablished upon such land or within such structure. No land or structure or portion thereof used in whole or in part for a non-conforming use that remains idle or unused for a continuous period of six (6) months, whether or not any equipment, fixtures, improvements or facilities are maintained, shall again be used except in conformity with the regulations of the zoning district in which such land or structure is located.

A certification of non-conforming use issued by the Community Development Director shall be invalid and void in the event that a certified non-conforming use is discontinued for a continuous period of six (6) months.

Section 4. Section 16-14-70, currently titled *Change in non-conforming use*, of Chapter 16 of the Municipal Code is hereby retitled and amended to read in full as follows:

Sec. 16-14-70. No change or expansion of non-conforming use, structures.

(a) A non-conforming use may be maintained and continued, provided there is no expansion in the area or volume occupied or devoted to such non-conforming use, and further provided there is no increase in intensity of such non-conforming use except as otherwise provided in this chapter.

(b) A non-conforming use of land or of a structure shall not be changed to another non-conforming use, except with the approval of the Board of Adjustment and Appeals. The Board of Adjustment and Appeals, in granting or denying such an application or in conditioning approval of such application, shall consider the degree of incompatibility of

the present and proposed uses, the interests of the applicant and of neighboring property owners and the objectives of the City's Master Plan and this chapter.

Section 5. Section 16-14-90, titled *VariANCES by Board of Adjustment and Appeals*, of Chapter 16 of the Municipal Code is hereby renumbered as Sec. 16-14-100 with no other amendments.

Section 6. Section 16-14-100, titled *Fees*, of Chapter 16 of the Municipal Code is hereby renumbered as Sec. 16-14-110 with no other amendments.

Section 7. A new Section 16-14-90 of Chapter 16 of the Municipal Code is hereby enacted to read in full as follows:

Sec. 16-14-90. Legal non-conforming short-term rental of a single-family dwelling.

(a) General Requirements. Any short term rental of a single family dwelling seeking certification as a non-conforming use and operating within the City shall comply with the requirements in this Section.

(b) Certification. The owner of property operated as a short term rental must submit an application to the Community Development Director for legal non-conforming use certification as set forth in Section 16-14-10(d) above within sixty (60) days of [insert effective date of this Ordinance]. Any property owner may seek an extension of up to thirty additional days for submission of application upon good cause shown.

(c) License requirement. An annual short term rental license issued by the City is required to operate a legal non-conforming short term rental of a single family dwelling. Upon receiving a legal non-conforming use certification, an owner of a short term rental shall apply for a short term rental license and bring the property into compliance with all building code and licensing requirements set forth in this subsection (c) within one hundred eighty (180) days of the date of certification of legal non-conforming use status. The Community Development Director may grant requests for extensions of time up to an additional one hundred eighty (180) days to comply with such requirements upon a finding that the necessary improvements cannot be completed within the 180 days due to scope of improvements or other good cause shown by the owner. The following licensing requirements shall be met as a condition of license issuance and continued operation of a certified non-conforming short term rental property within the City:

(1) The owner of the non-conforming short term rental shall provide the City with a copy of each short term rental lease at least five (5) business days in advance of the rental period, along with the information required in subsections (c)(10) and (c)(11) below.

(2) Unless otherwise further limited in the non-conforming use certification, the maximum number of overnight occupants for any short term rental period allowed shall not exceed the number of occupants that can be accommodated by the available off-street parking and shall not exceed two (2) occupants per bedroom up to a maximum of ten (10) occupants.

(3) All parking shall occur off-street on a paved driveway or in a garage. There shall be a minimum of one (1) parking space per bedroom.

(4) Notwithstanding any provision to the contrary in the City building code, single family dwellings used for short term rentals shall be considered a "Residential Group R-3 Boarding House" occupancy due to the transient nature of occupancy and shall be subject to applicable building code regulations adopted by the City, as may be amended. The structure and the property shall be brought into compliance for Residential Group R-3 Boarding House occupancy under the International Building Code, as adopted by the City, except that Chapter 13, entitled *Energy Efficiency*, Chapter 14, entitled *Exterior Walls*, and Chapter 16, entitled *Structural Design*, of the International Building Code shall not apply, as a condition of issuance of a license to operate a legal non-conforming short term rental use.

(5) By operating short term rentals of a single family dwelling, the owner agrees to authorize, at a minimum, annual on-site inspections by appropriate building, fire and zoning officials to ensure compliance with these licensing requirements.

(6) Properties and structures in which short term rentals occur shall comply with all applicable City ordinances and regulations including but not limited to zoning, noise, nuisance, lighting and building codes.

(7) Short term rental properties shall not be altered to change the residential character or outside appearance of the property through the use of paint colors, materials, signage or lighting, or by the addition or alteration of accessory structures, recreational structures/uses or garages.

(8) Short term rentals shall have a designated local property manager that resides or is physically located within sixty (60) miles of the short term rental property and is available by phone twenty-four (24) hours a day to respond to tenant and neighborhood questions and concerns. The owner is required to provide to the City updated contact information of the local property manager, including address and telephone number.

(9) Solicitation, advertising or rental of a single family dwelling for the purpose of holding a party, special event, social gathering, wedding or similar use is prohibited.

(10) Prior to occupancy of each short-term rental of a single-family dwelling, the owner shall provide to the City's Community Development Department the name and home address and copy of a government issued identification of each occupant and relation of each occupant in order to confirm compliance with the City's definition of *single family*. Prior to occupancy, the owner shall also provide to the City a written acknowledgment signed by the primary adult occupant of the short term rental that such occupant: (i) he or she is legally responsible for compliance by all occupants of the short term rental or their guests with all applicable laws, rules and regulations pertaining to the use and occupancy of the property; (ii) shall cooperate with City officials to determine compliance with this section; and (iii) shall provide identification of all occupants upon reasonable request of any City official.

(11) The owner shall provide the City with evidence of payment of all applicable taxes and fees, including applicable state sales tax for each period of short term rental use.

(d) Licensing Fees; Revocation. Application and licensing fees shall be set forth by City Council resolution. In accordance with the procedures set forth in Article I, Chapter 6 of the Municipal Code, the City may revoke a short term rental license if the owner, operator, tenants or guests of a short term rental property violate any provision of this Code or these licensing requirements. If a license is revoked, an owner or operator may not apply for a new license within 90 days of the effective date of revocation.

(e) Continued operation during certification and licensure. During the period in which the owner is actively seeking licensure for operating a short term rental, the owner shall be permitted to use the property for short term rentals pursuant to fully executed leases or rental agreements in effect as of the effective date of this Ordinance, provided that any such short term rental may not be relied on to assert that a legal non-conforming use is not discontinued in accordance with Section 16-14-60.

(f) Violation. It is unlawful for any person to use or allow the use of property in violation of this Section. Penalties for violations of this Section shall be as provided in Sections 16-2-60 and 1-4-20 of this Code.

Section 8. Severability. If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 9. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. ____ Series 2014, by the City Council of the City of Cherry Hills Village, Colorado this __ day of _____, 2015.

Laura Christman, Mayor

ATTEST:

Approved as to form:

Laura Smith, City Clerk

Linda C. Michow, City Attorney

Published in the Villager

Published: _____
Legal # _____

RECORD OF PROCEEDINGS

City Attorney Michow advised that motions should be made separately for each council bill.

Mayor Pro Tem Stewart moved, seconded by Councilor Griffin to approve Council Bill 12, Series 2014 on first reading adding Municipal Code Section 16-16-200 establishing utility line undergrounding requirements for new development and additions.

The following votes were recorded:

Scott Roswell	yes
Alex Brown	yes
Katy Brown	yes
Mark Griffin	yes
Russell Stewart	yes

Vote on the Council Bill 12-2014: 5 ayes. 0 nays. The motion carried.

Councilor A. Brown moved, seconded by Councilor K. Brown to approve Council Bill 13, Series 2014 on first reading amending Municipal Code Section 17-5-50 concerning the design principles for utilities in conjunction with the subdivision of land, as proposed in Exhibit and B of the November 18, 2014 staff memorandum.

The following votes were recorded:

Alex Brown	yes
Katy Brown	yes
Mark Griffin	yes
Russell Stewart	yes
Scott Roswell	yes

Vote on the Council Bill 13-2014: 5 ayes. 0 nays. The motion carried.

Council Bill 14, Series 2014: Amending Chapter 16 of the Municipal Code Concerning Legal Nonconforming Uses, Short Term Rental of Single Family Dwellings and Associated Provisions (first reading)

Director Zuccaro presented Council Bill 14, Series 2014 on first reading. He explained that the proposed bill would create a certification process for nonconforming uses, in addition to operational and licensing requirements for legal nonconforming short term rental of single family dwellings. He added that the proposed bill would require a proposed legal nonconforming use to be established either through an application to the City for certification or by judicial proceedings, and would require licensing and operational requirements for any short term rental of a single family dwelling that is legally nonconforming. He reminded Council that they had passed Ordinance 9, Series 2012 which had prohibited short term rentals. He explained that if a short term rental of a single family dwelling is certified by the City or determined by judicial proceedings to be legally nonconforming, staff believes it would be beneficial for the City to create licensing and operational requirements for short term rentals in order to ensure that all City regulations are being met, negative impacts are mitigated, and the health, safety and welfare of the community is maintained. He noted that these requirements included limited occupation, parking, compliance with current building codes, identification of a local property manager, prohibition of special events, and verification of single family status. He indicated that the Planning and Zoning Commission (P&Z) had reviewed the proposed bill at their October 28th meeting and recommended approval with three proposed changes to the bill: an applicant requesting certification shall have 60 days to apply for legal nonconforming status; an applicant shall have 180 days to comply with

all licensing requirements; and all renters will be required to provide government-issued photo identification. He noted that Council A. Brown had pointed out that minors do not often possess IDs and suggested that section of the bill be re-worded. He noted that if Council approved the bill on first reading he suggested that the public hearing and second reading be postponed until January 20th to avoid being too close to the holidays for interested parties to attend.

Councilor Roswell expressed his support with postponing the public hearing and second reading until January 20th.

Councilor A. Brown asked if a government issued ID was required anywhere else in the Code to verify compliance with City regulations.

Mayor Tisdale noted that the definition of a single housekeeping unit included relatives by blood, marriage or adoption, or less than three unrelated individuals.

Councilor A. Brown commented that there was therefore no reason to verify single family status unless there were four or more renters.

Mayor Tisdale added that Sonoma County required that the property manager be located within one hour of the property and asked if P&Z had discussed that regulation.

Director Zuccaro replied that they had not.

Mayor Tisdale asked about Residential Group R building code regulations which would be required by the proposed bill.

Director Zuccaro replied that Residential Group R was a category from the International Building Code.

Mayor Tisdale suggested adding "International Building Code" to that section for clarification.

City Attorney Michow indicated that the City's building official would determine which class applied under the R category.

Councilor K. Brown asked about the parking regulation.

City Attorney Michow replied that the description of the legal nonconforming use would be attached to the certification application and the nonconforming use would then be limited to that description starting with the date of certification.

Councilor A. Brown indicated that he was in support of the bill with the exception of the ID requirement. He explained that he could appreciate the reasoning behind the regulation but did not support the inconsistency in the Code that it would create. He noted that applicants were required to certify a list of renters and that should be sufficient.

Councilor K. Brown agreed and added that IDs do not demonstrate family relationships.

Mayor Pro Tem Stewart agreed.

Mayor Tisdale asked that a requirement of proximity for a meaningful response be added to the section regarding the local property manager. He advised staff to schedule the public hearing and second reading for January 20th.

Mayor Pro Tem Stewart moved, seconded by Councilor A. Brown to approve Council Bill 14, Series 2014 on first reading, amending Chapter 16 of the Cherry Hills Village Municipal Code concerning legal nonconforming uses, short term rental of single family dwellings and associated provision, as submitted in Exhibit A to the November 18, 2014 staff memorandum.

The following votes were recorded:

Katy Brown	yes
Mark Griffin	yes
Russell Stewart	yes
Scott Roswell	yes
Alex Brown	yes

Vote on the Council Bill 14-2014: 5 ayes. 0 nays. The motion carried.

REPORTS

Members of City Council

Councilor Griffin had no report.

Mayor Pro Tem Stewart reported that he would like the Council to follow up on the recommendations from the Quincy Farm Visioning Committee and would bring a proposal to form a 501c(3) corporation to the December 9th meeting. He indicated that the 501c(3) would be able to fundraise and Council could appoint members to staggered terms. He suggested that Council could appoint fewer members to start with and appoint more later. He noted that the initial work for the corporation would be achieving tax exempt status. He suggested adding funds into the 2015 proposed budget for legal fees. He also reported that he would work with City Attorney Michow to amend Section 2-3-40 of the Code to clarify the responsibilities delegated to the City Manager.

Councilor A. Brown reported that he would be participating in Denver Water's new advisory committee which would evaluate a proposed rate structure for 2015.

Councilor Roswell reported that he had attended South Metro Fire Rescue Chief Qualman's retirement party and noted that Chief Qualman had been a longtime friend to the Village.

Councilor K. Brown commended staff and City Clerk Smith for their professional and competent representation of the City during the last month. She reported that the Parks, Trails and Recreation Commission (PTRC) would not meet in December but would meet twice a month beginning in January when the John Meade Park Master Plan process would begin. She thanked Public Works Administrative Assistant Pamela Broyles and PTRC Chair Bill Lucas for their work on the PTRC Retreat in October. She noted that a Denver Arts and Venues comprehensive study stated that "parks and open space are the number one way people define a cultural experience." She commented that this was particularly meaningful for the Village.

Mayor's Report

Mayor Tisdale congratulated the newly elected officials. He reported that he had attended Chief Qualman's retirement party along with Councilor Roswell. He noted that Mayor-elect Laura Christman would join him for the next Mayors, Managers and Commissioners breakfast which would be hosted by the City.

RECORD OF PROCEEDINGS

Minutes of the
Planning and Zoning Commission of the City of Cherry Hills Village, Colorado
Held on Tuesday, October 28, 2014 at 6:30 p.m.
At the Village Center

CALL TO ORDER

Chair Christman called the meeting to order at 6:34 p.m.

ROLL CALL

Present at the meeting were the following Planning and Zoning Commissioners: Chair Laura Christman, Commissioner Steve Szymanski, Commissioner Al Blum, Commissioner Jim Rubin, and Commissioner Peter Niederman.

Present at the meeting were the following staff members: Robert Zuccaro, Community Development Director; Marcus McAskin, Deputy City Attorney; and Cesarina Dancy, Community Development Clerk.

Absent from the meeting were Vice Chair Peter Savoie and Commissioner David Wyman.

APPROVAL OF MINUTES

Commissioner Szymanski made a motion, which was seconded by Commissioner Niederman, to accept the October 14, 2014 minutes as written. The motion passed unanimously.

AGENDA ITEMS

- a. *Proposed Ordinance Amendments to Article XIV, Chapter 16 of the Municipal Code Concerning Establishment and Certification Requirements for Legal Nonconforming Uses and Operational and Licensing Requirements for Legal Nonconforming Short Term Rental of Single Family Dwellings.*

Mr. Zuccaro stated that Staff is presenting for recommendation to City Council amendments to Article XIV of the Zoning Ordinance to provide updated provisions for the establishment and certification of nonconforming uses and operational and licensing requirements for legal nonconforming short-term rental of single-family dwellings.

Mr. Zuccaro stated that the ordinance would require a proposed legal nonconforming use to be established either through an application to the City for certification or by judicial proceedings. He continued to say that new regulations are proposed that would require licensing and operational requirements for any short term rental of a single family dwelling that is legally nonconforming.

Mr. Zuccaro stated that the new amendment would also change the amount of time which the nonconforming use can remain unused from one year to six months.

Mr. Zuccaro stated that in 2012 the City Code made clarification on the definition of short-term rental and changed the minimum term of rental to 90 days.

Mr. Zuccaro stated that there are several operational requirements which would be required to operate as a legal nonconforming short term rental. He continued to say these requirements include: the City must be provided with a copy of each short-term rental lease at least 5 business days in advance of the rental period; the maximum number of occupants allowed shall not

Planning and Zoning Commission Meeting

October 28, 2014

exceed 2 per bedroom up to a maximum of 10 occupants; all parking shall be off street parking with a minimum of one parking space per bedroom; all such properties will be considered "Residential Group R" and are subject to applicable building code regulations adopted by the City; the owner agrees to authorize at minimum, annual on-site inspections by appropriate building, fire, and zoning officials to ensure compliance; all properties shall comply with all applicable City ordinances and regulations including, but not limited to zoning, noise, nuisance, lighting, and building codes; properties shall not be altered to change the residential character or outside appearance of the property through the use of paint colors, materials, signage, or lighting; properties shall have a designated property manager that is available 24 hours a day; rental of properties for special events is prohibited; property owners shall provide to the City the name and address of each occupant and relation of occupants in order to verify compliance with the City definition of family; and the owner shall provide the City with evidence of payment of all applicable taxes and fees.

Commissioner Niederman asked if a home could be rented out weekly for an event, such as the recent golf tournament.

Mr. Zuccaro replied no because it would be for less than 90 days.

Commissioner Blum asked how many legal nonconforming properties are in the City.

Mr. Zuccaro replied that the number is unknown.

Commissioner Szymanski asked if houses used as short-term rentals prior to 2012 that were grandfathered in would also lose their status if they did not rent for a six month period.

Mr. Zuccaro replied yes.

Mr. Zuccaro continued to say that if owners were conducting the short-term rental prior to 2012 it is possible they could be grandfathered in. He stated that they would still have to certify with the City.

Commissioner Blum asked how owners would prove their legal nonconforming status.

Mr. Zuccaro replied that they would have to provide documentation that shows when their legal nonconforming use was established, prove that they have a substantial financial investment, and that the use is not as an accessory to the primary use.

Commissioner Szymanski asked how many houses were granted legal nonconforming status after 2012.

Mr. Zuccaro replied that there has never been a formal process for owners to come forward, so there is no way to know.

Mr. Zuccaro stated that currently the burden of proof of legal nonconforming status is on the City; the new ordinance will transfer the burden of proof of legal nonconforming status to the property owner.

Commissioner Niederman asked what are the current consequences of using property as a short term rental illegally.

Mr. Zuccaro replied that owners can be issued a municipal citation.

Deputy City Attorney McAskin stated that the City is concerned about rental activity being conducted and that setting up licensing and other requirements would require properties to be up to code.

Chair Christman stated that a party atmosphere lends itself to nuisance problems, including noise, as well as life safety issues and disrupting nearby animals.

Mr. Zuccaro stated that the properties would be held to the same standards as all other properties in the City.

Chair Christman asked how the properties would be consistently checked.

Mr. Zuccaro stated that the City would encourage neighbors to make formal complaints with the police regarding any issues. He continued to say that requiring licensing can be beneficial, as complaints can be tied to a specific license and would give property owners incentive to comply with all regulations.

Chair Christman asked what the consequence would be if an occupant violated the law.

Mr. Zuccaro replied that the City could revoke the license, but not the legal nonconforming status.

Commissioner Szymanski asked what the fine per offense would be.

Assistant City Attorney McAskin stated that judges like to have the freedom to impose their own fines, but that maximum fines are up to \$2,450 per day of the violation.

Commissioner Niederman asked why the short term use cannot be removed totally for the properties renting after July 2012.

Assistant City Attorney McAskin replied that amortizing uses is no longer legal. He continued that the use can be continued with conditions.

Chair Christman asked how renters would show they were a family.

Mr. Zuccaro replied that the City would follow the criteria set forth in item 10 of the ordinance.

Chair Christman asked if occupants could be required to provide government-issued identification.

Assistant City Attorney McAskin stated that renters could use identification belonging to other people and that there was no real way to verify it.

Commissioner Niederman asked how this information will be conveyed to residents.

Mr. Zuccaro replied that the requirements will be sent to anyone known to be using property for rentals. He continued to say that the City Council meeting would also be a public hearing.

Chair Christman stated that animals should be prohibited as they could potentially be a nuisance and disruptive to neighboring animals. After a discussion, the Commission decided to not include a statement regarding animals.

Commissioner Niederman stated that there should be a time frame for those seeking nonconforming status to come forward and identify themselves, as well as a time frame to make license application and bring their property up to code.

After a discussion regarding options for timing of various, the Commission determined that residents should apply for legal nonconforming status within 60 days of the passing of the ordinance. The Commission also determined that after a resident achieves legal nonconforming status, they will then have 180 days to apply for and comply with licensing requirements.

Commissioner Rubin asked if owners would be allowed to rent their property while they were bringing the property into compliance.

Commissioner Niederman stated that income could be negatively affected if owners are not allowed to rent during that six month period.

Assistant City Attorney McAskin stated that if the applicant has a signed lease which precedes the licensing requirements they should be allowed to continue renting.

Mr. Zuccaro stated that the City would be in the difficult position of honoring some leases but not others.

Commissioner Niederman made a motion, which was seconded by Commissioner Rubin to approve the proposed ordinance as drafted with the following additions:

1. Residents will have 60 days to apply for legal nonconforming status from the date of the passing of the ordinance.
2. Residents will have 180 days to apply for and comply with all licensing requirements once legal nonconforming status is granted.
3. All renters will be required to provide government-issued photo identification.

The motion passed unanimously.

Chair Christman stated that she would like the Commission to consider having once monthly scheduled meetings, with the right to call special meetings as needed.

Commissioner Rubin asked what the time frame for public notification regarding meetings is.

Mr. Zuccaro replied that generally staff needs to know about 4 weeks prior to the meeting so that the property notice can be arranged.

Commissioner Blum stated that he would like the option of a flexible meeting date.

Commissioner Blum made a motion, which was seconded by Commissioner Szymanski, to adjourn the meeting.

The motion passed unanimously.

ADJOURNMENT

The meeting was adjourned at 8:04 p.m.



Laura Christman, Chair



Cesarina Dancy, Community Development Clerk

ORDINANCE NO. 9

Series 2012

June 19, 2012: Introduced as Council Bill 9, Series 2012 by Councilor Stewart, seconded by Councilor Roswell and considered in full text on first reading. Passed by a vote of 6 yes and 0 no.

July 17, 2012: Considered in full text on second reading. Passed by a vote of 5 yes and 0 no.

A BILL FOR AN ORDINANCE
OF THE CITY OF CHERRY HILLS VILLAGE
AMENDING MUNICIPAL CODE SECTIONS 16-1-10 AND 16-5-10
CONCERNING SHORT-TERM RENTAL OF SINGLE-FAMILY DWELLINGS
AND RENTAL OF SINGLE-FAMILY DWELLINGS FOR
PROHIBITED COMMERCIAL USES

ABF554

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, the City of Cherry Hills Village is authorized to regulate property and construction within the boundaries of the City to further the health, safety and welfare of the citizens of the City of Cherry Hills Village; and

WHEREAS, the City of Cherry Hills Village has determined that it is in the best interest of the citizens of the City to amend Sections 16-1-10 and 16-5-10 of the Cherry Hills Village Municipal Code to establish a definition for short-term rental of single family dwellings, prohibit the short-term rental of single-family dwellings, and clarify that rental of single-family dwellings for the purpose of holding a party, special event, social gathering, wedding or similar use is a commercial use of the property and prohibited.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

Section 1. Section 16-1-10 of the Cherry Hills Village Municipal Code is amended to read as follows:

Sec. 16-1-10. Definitions.

Dwelling unit means one (1) room or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease ~~on a weekly, monthly or longer basis,~~ physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking and sleeping facilities.

Short-term rental means the renting or leasing of a single-family dwelling unit for a period of less than ninety (90) consecutive days, other than a house exchange for which there is no payment.

Section 2. Section 16-5-10 of the Cherry Hills Village Municipal Code is amended to read as follows:

Sec. 16-5-10. Permitted uses.

The following uses shall be permitted in the R-1 District:

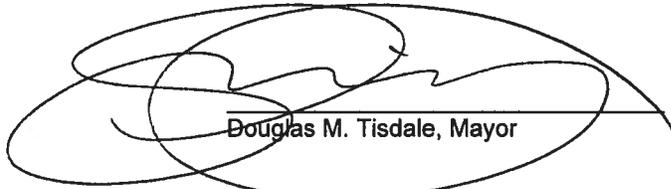
- (1) Single-family dwellings: single-family dwellings, provided that short-term rental of a single-family dwelling unit shall be prohibited. Solicitation, advertising or rental of a single-family dwelling unit for the purpose of holding a

party, special event, social gathering, wedding or similar use shall be considered a commercial use of the property and is prohibited.

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid.

Section 4. Effective Date. This Ordinance shall become effective ten (10) days after publication on second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 9, Series 2012, by the City Council of the City of Cherry Hills Village, Colorado this 17th day of July, 2012.


Douglas M. Tisdale, Mayor

ATTEST:

APPROVED AS TO FORM:



Laura Smith, City Clerk



Kenneth S. Fellman, City Attorney

Published in *The Villager*
Published: 7-26-12
Legal #: 2545

CITY OF CHERRY HILLS VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 9, SERIES 2012

A BILL FOR AN ORDINANCE OF THE
CITY OF CHERRY HILLS VILLAGE
AMENDING MUNICIPAL CODE SEC-
TIONS 16-1-10 AND 16-5-10 CONCERN-
ING SHORT-TERM RENTAL OF SINGLE
FAMILY DWELLINGS AND RENTAL OF
SINGLE-FAMILY DWELLINGS FOR
PROHIBITED COMMERCIAL USES

Copies of the Ordinances are on file at the
office of the City Clerk and may be in-
spected during regular business hours.

Published in *The Villager*
Published: July 26, 2012
Legal # 2546



Colorado Code Consulting, LLC

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(303) 400-6564
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Mountain Office
152 Larson Lane
PO Box 1261
Frisco, CO 80443
(303) 591-9258

Memorandum

To: Rob Zuccaro, Community Development Director

From: Steve Thomas, Building Official

Date: January 12, 2015

Re: Short Term Rentals

This memorandum is in response to your request for information on the code ramifications of the proposed ordinance regarding short term rentals of single family residences in Cherry Hills Village. It is my understanding that the proposed ordinance would require an owner to comply with the provisions of the International Building Code for Group R-3 Occupancies. This memorandum provides an overview of the potential revisions to a single family dwelling that would be required under this proposed requirement. The following upgrades will be dependent on the age of the home and if any renovation have been done to the building. The requirements are based on the 2012 International Building Code as adopted by the city.

- The building would be reclassified from a single family dwelling under the International Residential Code to a Group R-3 Boarding House under the International Building Code (IBC).
- The garage will be classified as a Group U Occupancy. It will be limited to 3,000 square feet in area. If it exceeds 3000 square feet, the garage will need to be classified as a Group S-2 occupancy. A Group U Occupancy is required to be separated from the dwelling unit by ½ inch gypsum board on the garage side of the separation. If it is classified as a Group S-2 Occupancy, the dwelling will need to be separated by one-hour fire-resistive rated construction and 45 minute opening protectives.
- Interior finishes will need to be evaluated to confirm that they meet the required flame spread requirements of the IBC.
- An automatic fire sprinkler system installed in accordance with NFPA 13D will be required throughout the building.
- A smoke alarm system will need to be installed throughout the building. Smoke alarms will need to be provided in each bedroom, outside of each bedroom and every story of the dwelling unit. The system will be required to be powered by the building electrical system. It will also need to be interconnected so that if one alarm is activated, all of the alarms will provide notification throughout the dwelling unit.

- Carbon Monoxide alarms will be required to be installed outside every sleeping room within the dwelling unit.
- If the dwelling unit exceeds 2,000 square feet in area, two means of egress in accordance with Chapter 10 of the IBC will be required out of the building.
- Existing stairs may be required to be revised to comply with the provisions of the current code for stair geometry.
- Interior and Exterior stairways will be required to be provided with illumination.
- Guardrails will be required to be replaced with railings complying with the current height and opening requirements of the IBC.
- Emergency escape and rescue openings will be required to be provided in each sleeping room and basement.
- Glazing in areas considered to be hazardous locations will need to be replaced with safety glazing where it does not currently exist.
- The mechanical and plumbing system will need to be evaluated to determine compliance with the current code. Combustion air will need to be provided for mechanical equipment not already provided with such ducts.
- The electrical system will need to be upgraded to comply with the current code including ground fault circuit interruption, arc fault protection, fault current calculations and wiring methods. In some cases, the electrical system including the service will need to be replaced.

The above list is only a summary of the potential code upgrades that will be provided if the dwelling unit is required to be brought up to the current code. It is not intended to be a complete list of requirements. The amount of work will depend on the age of the building and the code that the building was constructed under. Each dwelling unit will need to be evaluated individually to determine the exact requirements that must be met. A complete inspection and evaluation will need to be conducted to determine a complete list of requirements.

Thank you for the opportunity to provide this information regarding the proposed ordinance. If you need any additional information, please let me know.

Vacation Rental by Owner (VRBO)

City policies involving vacation rentals to be discussed Feb. 10; city rescinds notices and suspends enforcement action at this time

In recent weeks, the Zoning Enforcement Office for the City of Boulder sent approximately 20 enforcement letters to property owners in response to complaints regarding short-term rental such as “vacation rental by owner,” “Airbnb” or “Homeaway.”

These letters provided code references and background information about the legal status of short-term rentals and included “cease and desist” language suggesting potential enforcement action. Since City Council had previously scheduled a review of vacation rental by owner (VRBO) policy issues in early 2015 (see below), the letters were premature.

New letters are being sent to the property owners that previously received notices to inform them that no enforcement action will be taken at this time.

On Feb. 10, 2015, council will review VRBO policies at its regularly scheduled study session (see “Status and Potential Next Steps” below). The outcome of that discussion will inform future actions and steps that may be taken; no enforcement activity will be pursued on current complaints until further notice.

City Council Study Sessions are televised on Comcast channel 8 and are streamed live on www.BoulderChannel8.com. Community members are encouraged to provide comments related to the study session discussion to council@bouldercolorado.gov or via mail or fax to: Alisa Lewis, City Clerk, PO Box 791, Boulder, CO 80306 | fax: 303-441-4478.

Summary

When the owner of a property that has a single-family or multi-unit dwelling rented out for a short period of time (usually less than 30 days), it is often referred to as a Vacation Rental by Owner (VRBO). Like other cities across the United States, the City of Boulder has seen an increase in such rentals.

The rentals are often advertised online with such companies such as Airbnb, HomeAway, and FlipKey, to name a few. They are also found listed in other types of media and through some real estate companies. Many times, VRBOs are found in areas of the city that are not zoned for such transactions and are therefore illegal under current city codes.

Not all VRBOs are the same. To date, staff is aware of three types of VRBOs.

1. The owner lives in the residence and rents out a room or rooms (on an ongoing basis or indefinite in length) to help pay the rent and other bills.
2. The owner lives in the residence and rents out one or more rooms for short periods of time to different people on an ongoing basis.
3. The owner may stay in the residence a few weeks or months per year and the rest of the time the residence is rented out on a short-term or longer-term basis.

There are two major policy issues associated with these types of rentals. First, it is an illegal zoning use in many areas of the city since it has the structure of a short-term stay in a hotel or motel. While hotels and motels are subject to code inspections, licensing, or other requirements that legal businesses incur, the short-term rentals follow none of these requirements. The policy issue is, should these short-term rentals fall under similar requirements as other short-term rentals such as hotels and motels?

The second policy issue is that these types of illegal businesses, while operating much like a hotel or motel, do not contribute the same revenues that legally licensed businesses do in the city. While hotels and motels pay property taxes on an assessed valuation of 29 percent of market price, VRBOs pay on an assessed value that is less than 8 percent of market value. This is because they are not categorized as commercial businesses, but are instead classified as residential. Hotels and motels must also have a business license and pay lodging taxes of 9.5 percent of the lodging price and pay use taxes of 3.45 percent on equipment or furnishings used to provide their services.

On the expense side, the city must still provide city services for these illegal businesses if service is ever needed (fire, police, transportation, etc.). Therefore, no revenue is generated to offset the specific costs that these businesses generate. Overall, they are not subject to the rules, regulations, other regulatory requirements, licensing procedures, and fees and taxes that legal businesses in the city pay. The policy issue is, should these short-term rentals be required to pay similar fees and taxes as other short-term rentals such as hotels and motels?

Based on discussions with staff in mountain communities that do license and collect fees and taxes from these types of businesses, it is evident that collecting these types of fees and revenues will be time consuming, labor intensive, and difficult to gain compliance and access to financial records that prove the VRBO transactions have taken place. Therefore, it is both a compliance and a financial issue.

Status and Potential Next Steps

At the Feb. 10, 2015 City Council study session, staff will present options for addressing the VRBO issues of legal compliance and financial equity when compared to similar businesses. Current options being considered range from continuing as is to making this type of transactions legal and subject to rules, regulations, regulatory requirements, fees, and taxes that will recover the cost of such rules and

regulations and contribute to the costs generated by such businesses. Staff is also reviewing how other communities in Colorado and across the United States are responding to the VRBO issues.

Code or other changes proposed for council consideration after the Feb. 10 study session will be scheduled for formal council action and involve public notice and a public hearing.

Contact

Contact Chief Financial Officer Bob Eiche at 303-441-1819.

Staff		
Tom Carr City Attorney	Maureen Rait Executive Director of Public Works	Chief Financial Officer Bob Eiche

Durango

10-1-27 *Vacation home rentals.* A vacation home rental shall be allowed only through a special or conditional use permit.

- (a) *Purpose/goals:*
- (1) Vacation rentals within the city have generated a considerable number of complaints involving excessive noise, overcrowding, illegal vehicle parking and accumulation of refuse at such locations. The transitory nature of occupants of vacation rental homes makes continued enforcement against the occupants difficult. The provisions of this chapter are necessary to prevent the continued burden on services and impacts on residential neighborhoods posed by vacation rental homes. Special regulation of these uses is necessary to ensure that they will be compatible with surrounding residential uses and will not act to harm and alter the neighborhoods in which they are located.
 - (2) Maintenance of Durango's existing residential neighborhoods is essential to its continued economic strength. It is the intent of this section to minimize the impact of vacation rentals on adjacent residences, and to minimize the impact of the commercial character of vacation rentals.
- (b) *Applicability:*
- (1) All requirements, regulations and standards imposed by this section are intended to apply in addition to any other applicable requirements, regulations and standards imposed elsewhere in this Code.
 - (2) This section adds more detail to the permitting of vacation home rentals; it is not a new regulation. Vacation rentals have previously been regulated as tourist homes. This section will not allow previously illegally operated tourist homes to be grandfathered as legally nonconforming uses.
 - (3) With the adoption of the ordinance enacting this section, the term "Tourist Home" shall be replaced by "Vacation Home Rental" in the Land Use and Development Code.
- (c) *Location:*
- (1) Within all residential land use categories, no residential vacation rental shall be located within five hundred (500) feet of a parcel on which is located any other residential vacation rental or other type of visitor-serving accommodation, outside the Light Commercial (LC) and Central Business (CB) land use categories, where there is no distance separation requirement. The five hundred (500) foot buffer distance shall be measured from the edges of the legally described lot on which the vacation rental home is located.
 - (2) Vacation home rentals shall be allowed in Planned Development (PD) districts subject to the PD Amendment process, in accordance with section 6-5-7. Changing a PD to allow vacation home rentals shall constitute a major amendment to the PD.
- (d) *Vacation rental tenancy:* Rental of a residence shall not exceed one (1) individual tenancy within seven (7) consecutive calendar days. No additional occupancy (with the exception of the property owner) shall occur within that seven-day period. A residential vacation rental shall only be used for the purposes of occupancy as a vacation rental or as a full time occupied unit. No other use (i.e., home occupation, temporary event) shall be allowed on the site.
- (e) *Number of occupants allowed:* The maximum number of occupants allowed in an individual residential vacation rental shall not exceed the number of occupants that can be accommodated consistent with the on-site parking requirement, and shall not exceed two (2) persons per bedroom plus two (2) additional renters overall. The code administrator shall specify the maximum number of occupants allowed in each individual vacation rental.
- (f) *Appearance and visibility:* The residential vacation rental is not to change the residential character of the outside appearance of the building, either by the use of colors, materials, lighting; or by the construction of accessory structures or garages visible off-site and not of the same architectural character as the residence; or by the emission of noise, glare, flashing lights, vibrations or odors not commonly experienced in residential areas.
- (g) *Signs:* Signage shall only be displayed in accordance with the requirements of subsection 10-1-12(a)(2)(c), for signage for home occupations. Signs shall not exceed two (2) square feet and shall be affixed to the structure (not free-standing).
- (h) *On-site parking required:* All parking associated with a vacation home rental shall be entirely on the same lot as the vacation home rental, in the garage, driveway, or otherwise out of the roadway. There shall be one (1) parking space per bedroom, as that term is defined and described in subsection (n)(3)(a) of this section 10-1-27.
- (i) *Noise:* All residential vacation rentals shall comply with the standards of city ordinances regulating noise.
- (j) *Local contact person:* All residential vacation rentals shall designate a local property manager. The local property manager shall be available twenty-four (24) hours a day to respond to

tenant and neighborhood questions or concerns. Where a property owner lives within the same community as the residential vacation rental, the property owner may designate themselves as the local contact person. All the requirements enumerated in this section shall continue to apply.

- (1) The name, address and telephone number(s) of the local contact person shall be submitted to the department of planning and community development, the Durango Police Department, and the local fire protection provider. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies as specified in this subsection.
 - (2) If the local contact person is unavailable or fails to respond, the complaining party may contact the police department. The police will attempt to reach the local contact person. In cases where the police are unable to reach the local contact person, the penalties as set forth in subsection (p) shall apply.
- (k) *Effect on existing residential vacation rentals:* Each individual vacation rental in existence on the effective date of this section shall be subject to a lodger's tax license, a sales tax license and a current business license and all stipulations of this section regarding location. A license shall be applied for within one hundred twenty (120) days of the effective date of the ordinance enacting this section. If the business license and transient occupancy tax registration have not been requested within the time frames set forth in this section, the penalties listed in this section shall apply. This registration may be filed concurrently with the application for a permit under this section.
- (l) *Violation—Vacation rental:* It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. Additional penalties for violation of this section may include revocation of the business license. If a local contact person is not able to be reached by the police department more than three (3) times in any consecutive six-month period, this shall be grounds for revocation of the business license consistent with city code.
- (m) *Health- and safety-code inspections:* Vacation home rentals shall be subject to the same safety and health inspections to which other licensed places of accommodation are subject.
- (n) *Permitting—Vacation home rental permit requirements:* Further requirements include:
- (1) Vacation home rental permits will be approved either by special use permit (SUP), pursuant to LUDC §§ 4-5, 4-7 and 4-8, or conditional use permit (CUP), pursuant to LUDC §§ 4-6 through 4-8, depending upon the zoning of the proposed vacation home rental.

Any proposed vacation home rental to be located within a planned development must be approved by the homeowners' association within the planned development prior to application to the city for a permit. If no homeowners' association exists within the planned development, consent to the proposed use must be obtained from a majority of the homeowners within the planned development prior to application for such permit. The affected homeowners may request the establishment of criteria and procedures to review the proposed vacation home rental.
 - (2) Separate special use permit or conditional use permit is required for each vacation home rental. The permit shall be issued only to the owner of the vacation home rental. The owner of the vacation home rental is responsible for compliance with the provisions of this section.
 - (3) An application for vacation home rental permit must be filed with the planning department before use of the property as a vacation home rental and must contain the following information:
 - a. Acknowledgment that all designated bedrooms contain a minimum of seventy (70) square feet and meet all requirements of the current International Residential Code.
 - b. The number of bedrooms, approximate total square footage in the vacation home rental, and the maximum number of overnight occupants.
 - c. A diagram or photograph of the premises showing and indicating the number and location of designated on-site parking spaces and the maximum number of vehicles allowed for overnight occupants. The parking limit shall not be exceeded.
 - d. Acknowledgment that the owner, agent, and local contact person have read all regulations pertaining to the operation of a vacation home rental.
 - e. Acknowledgment that the owner, agent, or local contact person has or will post the vacation home rental with the required notices.
 - f. Other information the code administrator deems reasonably necessary to administer this chapter.

- (4) The owner of the vacation home rental must post a copy of the permit, including the information from (n)(3) above, and information related to trash pick-up, providing notification that trash and refuse must not be left or stored on the exterior of the property except from 6:00 p.m. of the day prior to trash pick-up to 6:00 p.m. on the day designated for trash pick-up.
- (5) If the information supplied by the property owner on the application for a vacation home rental permit is not consistent with city records, an inspection can be required prior to or after the issuance of the vacation home rental permit.
- (o) **Application and renewal fees:** Fees for vacation rental permits are the same as special use permits or conditional use permits, as applicable. An annual renewal fee will be established by city council which permit holders must pay when renewing their permit issued pursuant to this section.
- (p) **Violation and administrative penalties:**
 - (1) The following conduct is a violation for which the permit may be suspended or revoked:
 - a. The owner has failed to comply with the standard conditions specified in this section.
 - b. The owner has failed to collect or remit to the city the lodging taxes as required by this Code.
 - c. Any false or misleading information supplied in the application process.
 - d. The dwelling unit to which the vacation rental permit applies shall be used only for a vacation home rental or a residential unit. No other use shall be allowed without the proper authorization from the department of planning and community development. If an unauthorized use is discovered in a unit permitted for a vacation rental, penalties for violation as described in subsection 10-1-27(p)(2) shall apply, in addition to any other enforcement actions required by the department.
 - (2) The penalties for violations specified in subsection (p)(1) are as follows:
 - a. For the first violation within any twelve-month period, the penalty is a warning notice of violation;
 - b. For the second violation within any twelve-month period, the penalty is a second warning notice of violation or an administrative fine not to exceed five hundred dollars (\$500.00) or both such notice and fine;
 - c. For a third violation within any twelve-month period, the penalty is a suspension of the permit for a period not to exceed ninety (90) days; and
 - d. For a fourth violation within any twelve-month period, the permit shall be permanently revoked. An owner may petition the board for reinstatement of a revoked permit no sooner than twelve (12) months after revocation.
- (q) **Procedure for imposition of penalties, suspension and revocation:** Failure to follow the conditions of the permit will be subject to the procedures as listed in section 4-6-2 of the LUDC.
- (r) **Definitions:** The following terms and phrases, as used in this section, shall have the meanings designated below:
 - (1) **Local contact person** - A local property manager, owner, or agent of the owner, who is available to respond to tenant and neighborhood questions or concerns, or any agent of the owner authorized by owner to take remedial action and respond to any violation of this ordinance [section].
 - (2) **Managing agency or agent** - A person, firm, or agency representing the owner of the vacation home rental, or a person, firm, or agency owning the vacation home rental.
 - (3) **Operator** - The person who is proprietor of a transient lodging facility, whether in the capacity of owner, lessee, sub-lessee, mortgagee in possession, licensee, or any other capacity. Where the operator performs his functions through a managing agent of any type or character, other than an employee, or where the operator performs his functions through a rental agent, the managing agent or the rental agent has the same duties as his principal. Compliance with the provisions of this section by either the principal or the managing agent or the rental agent is considered to be compliance by both.
- (s) **Permits not transferable:** All vacation home rental permits shall be granted solely to the applicant and shall not be transferable to any other person or legal entity. The approved permit is valid only for the applicant at the address for which application is made, as shown on the land use application form at the time of application for the vacation home rental permit. The vacation home rental permit shall include a nontransferability clause and the use shall be terminated automatically upon the sale or change of ownership of the property for which a permit has been previously issued.
- (t)

Restrictions or outside storage at vacation rental homes: Outdoor storage of certain items may not be appropriate on vacation home rental lots. Storage of recreational vehicles, motorcycles, snowmobiles, boats, jet skis, vehicles such as modified jeeps that may not be legally operated on public streets, and other similar vehicles, machines, or recreational devices, is allowed on paved parking areas on the same lot as the vacation rental, in accordance with the restrictions placed upon the storage of such items already addressed elsewhere in the Land Use and Development Code, such as in section 10-1-23 (recreational vehicles) or elsewhere. These items may not be stored on the public right-of-way. If there is not enough legal on-site parking for the storage or parking of recreational vehicles/devices, the rental tenants or owner must provide alternative arrangements for their storage. The determination of what constitutes a vehicle or device, as described above, shall be determined by the administrator.

- (u) *Fire extinguishers:* All vacation rental homes shall be required to keep a fire extinguisher in good working order on the premises. The location of the fire extinguisher shall be shown or described in the posted local contact notice, as required by subsection 10-1-27(j).

ORDINANCE NO. 5908

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY CODE (THE ZONING CODE) TO ADD REGULATIONS FOR VACATION RENTALS

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. The Board finds and declares that the adoption of this Ordinance is necessary to enable expanded opportunities for visitor serving uses to support the tourism industry, ensure neighborhood compatibility, protect the general welfare of residents in the County, protect the existing housing stock and residential land supply, facilitate economic growth, and further the public necessity and convenience. The Board hereby finds that the facts supporting the adoption of this Ordinance are as follows:

- 1. Transient rentals of single-family homes have become a significant segment of the local tourism economy, generating significant transient occupancy taxes for the County.**
- 2. While the majority of these units operate without a problem, there have been numerous complaints to the Sonoma County Sheriff and Permit and Resource Management Department regarding excessive noise, parking, litter, and concerns regarding, septic capabilities, security, public safety, and trespass.**
- 3. The Sonoma County General Plan Housing Element calls for a program to prohibit vacation rentals and timeshares in high density residential zoning districts and to develop standards for vacation rentals in other districts to ensure they are operated in a manner consistent with the intent of the purposes of the underlying zoning districts; to prevent conversion of the housing stock or residential land supply to non-residential or visitor-serving use, and, to ensure public safety and neighborhood compatibility.**
- 4. The Sonoma County Zoning Code does not currently include provisions that allow the use of single family homes as vacation rentals. Visitor serving uses are classified separately from residential uses including bed and breakfast inns, motor courts, and hotels. Visitor serving uses with the exception of one-room bed and breakfast inns generally require a Use Permit in all zoning districts to ensure compatibility.**
- 5. The adoption of the proposed regulations is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines because allowing vacation rentals meeting the standards adopted herein to be located within existing single-family residences will not involve an expansion of use beyond that currently existing; and further, is exempt under Section 15061 (b)(3) because it can be seen with certainty that adoption of the Ordinance does not result in a physical change in the environment. Implementation of the regulations does not increase residential density or the intensity of use as the standards adopted herein are consistent with otherwise allowable residential use and any activities that may exceed the residential character would be subject to further discretionary review.**

SECTION II. Chapter 26 of the Sonoma County Code (the Zoning Ordinance) is amended as follows:

(a) Section 02-140 is amended to revise the definition of "Dwelling Unit," and replace to read:

Dwelling Unit – See Residential – Dwelling Unit

(b) Section 02-140 is amended to add the following definitions in their alphabetical order:

Residential - Dwelling unit means a room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one (1) kitchen, which constitute an independent housekeeping unit, occupied by or intended for one (1) household on a long-term basis. Dwelling unit does not include a tent, travel trailer, recreational vehicle or similar vehicle or structure.

Lodging - Hotel or Motel means a building or buildings, or portion(s) thereof, containing six (6) or more guest rooms that are used, designed or intended to be used, let or hired out, for transient occupancy for one (1) or more guests. Hotels and motels have an on-site manager and may include a variety of services in addition to lodging, such as restaurants, meeting facilities, and personal services.

Transient use or transient occupancy means occupancy of a lodging facility or residence by any person other than the primary owner by concession, permit, right of access, license, gift or other agreement for a period of thirty (30) consecutive calendar days or less, counting portions of calendar days as full days.

Vacation rental means a property with a dwelling unit or guest house intended for permanent occupancy that is occupied by any person other than the primary owner for transient use; or is otherwise occupied or utilized on a transient basis. Vacation rental does not include a bed and breakfast inn permitted and operated in accordance with this Code, or occasional home exchanges that are not otherwise subject to TOT.

(c) Section 26-06-010 (Permitted Uses - Land Extensive Agriculture Zoning District) is amended to add a new (n), as follows:

(n) Vacation rentals subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120, except on lands under a Williamson Act Contract,

(d) Section 26-06-020 (Uses Permitted with a Use Permit - Land Extensive Agriculture Zoning District) is amended to add a new (q), to read:

(q) Vacation rentals exceeding the standards in Section 26-88-120, except on lands under a Williamson Act Contract,

(e) Section 26-08-010 (Permitted Uses - Diverse Agriculture Zoning District) is amended to add a new (n), to read:

(n) Vacation rentals subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120, except on lands under a Williamson Act Contract;

(f) Section 26-08-020 (Uses Permitted with a Use Permit - Diverse Agriculture Zoning District) is amended to add a new (q), to read:

(q) Vacation rentals exceeding the standards in Section 26-88-120, except on lands under a Williamson Act Contract;

(g) Section 26-10-010 (Permitted Uses - Resources and Rural Development Zoning District) is amended to add a new (gg), to read:

(gg) Vacation rentals subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120, except on lands under a Williamson Act Contract;

(h) Section 26-10-020 (Uses Permitted with a Use Permit - Resources and Rural Development Zoning District) of the Sonoma County Code is amended to add a new (qq), to read:

(qq) Vacation rentals exceeding the standards in Section 26-88-120, except on lands under a Williamson Act Contract;

(i) Section 26-16-010 (Permitted Uses - Agriculture and Residential Zoning District) is amended to add a new (dd), to read:

(dd) Vacation rentals subject to issuance of a Zoning permit and conformance with the standards in Section 26-88-120;

(j) Section 26-16-020 (Uses Permitted with a Use Permit - Agriculture and Residential Zoning District) is amended to add a new (x), to read:

(x) Vacation rentals exceeding the standards in Section 26-88-120;

(k) Section 26-18-010 (Permitted Uses - Rural Residential Zoning District) is amended to add a new (x), to read:

(x) Vacation rentals, subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120;

(l) Section 26-18-020 (Uses Permitted with a Use Permit - Rural Residential Zoning District) is amended to add a new (x), to read:

(x) Vacation rentals exceeding the standards in Section 26-88-120;

(m) Section 26-20-010 (Permitted Uses - Low Density Residential Zoning District) of the Sonoma County Code is amended to add a new (u), to read:

(u) Vacation rentals subject to issuance of a Zoning Permit and conformance with the standards in Section 26-88-120;

(n) Section 26-20-020 (Uses Permitted with a Use Permit - Low Density Residential Zoning District) is amended to add a new (q), to read:

(q) Vacation rentals exceeding the standards in Section 26-88-120;

(o) Article 88 is amended to add a new section 26-88-120, to read:

26-88-120. Vacation Rentals.

- (a) **Purpose.** This Section provides standards for the operation of vacation rentals. These standards are intended to ensure that vacation rentals are compatible with and do not adversely impact surrounding residential and agricultural uses.
- (b) **Applicability.** The provisions of the Section shall apply to all vacation rentals except where there is a primary owner in residence. As used in this section, "primary owner" does not include residences or condominiums owned as a timeshare, Limited Liability Partnership or Corporation, or fractional ownership of six (6) or more interests. Vacation rentals shall not be permitted in non-habitable structures or on lands under a Williamson Act Contract. Vacation rentals shall also not be permitted within structures or dwellings with covenants or agreements restricting their use, including but not limited to affordable housing units, agricultural employee units, second dwelling units, farmworker housing, or farm family units.
- (c) **Permit Requirements.** Vacation rentals that meet the standards outlined in this Section shall be allowed as provided by the underlying zoning district, subject to issuance of a Zoning Permit. Vacation rentals that exceed the standards in this Section may be permitted, subject to the granting of a Use Permit.
- (d) **Term of Permit.** Zoning Permits shall run with the landowner and shall automatically expire upon sale or transfer of the property. Use Permits shall run with the land but may be issued for limited term, as specified by the decision-maker. Both types of permits may be revoked for failure to comply with adopted standards, subject to the administrative and revocation procedures of Article 92 unless otherwise specified by this Section
- (e) **Property Development Standards.** Vacation rentals not utilizing existing structure(s) shall conform to all property development standards of the zoning district and combining zones in which they are located, including limitations on activities and vegetation removal along the Russian River or within any Biotic Resource (BR) Combining Zone, except as modified by these performance standards.
- (f) **Performance Standards.**
 - 1. **Maximum Number of Guestrooms.** Vacation rentals may have a maximum of five (5) guestrooms or sleeping rooms. Vacation rentals with more than

five (5) guestrooms or sleeping rooms may only be allowed if adequate sewage disposal capacity exists and neighborhood compatibility can be demonstrated, subject to the granting of a Use Permit.

2. **Maximum Overnight Occupancy.** Maximum overnight occupancy for vacation rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of twelve (12) persons, excluding children under three (3) years of age. For homes on a conditional septic system, the maximum overnight occupancy for vacation rentals shall be equal to the design load of the septic system. Vacation rentals with larger overnight occupancies may only be allowed subject to the granting of a Use Permit.
4. **Maximum Number of Guests and Visitors.** The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property, or eighteen (18) persons, whichever is less, excluding children under three (3) years of age. Vacation rentals with larger numbers of guests and visitors may only be allowed subject to the granting of a Use Permit. Notwithstanding, maximum guest limits may be exceeded on the following national holidays: Easter, Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Eve and Christmas, so long as the holiday event does not otherwise trigger the requirement for a Special or Cultural Events Permit.
5. **Per Parcel Limit on Number of Residences or Structures.** Only a single residence, and legally established guest house meeting current standards shall be used as a vacation rental. Only one (1) tenant shall be allowed on-site at any given time: second residences or accessory structures shall not be leased, subleased, rented or sub-rented separately from the main dwelling. Parcels containing multiple residences or habitable structures may only be used as vacation rentals subject to the granting of a Use Permit, except that two residences or structures may be used when the total number of guestrooms does not exceed five (5.) Tents, yurts and RVs are not allowed as a part of a vacation rental.
6. **Required On-site Parking.** Parking shall be provided as set forth in 26-90: one (1) on-site parking space for a vacation rental with up to two (2) guestrooms or sleeping rooms; two (2) on-site parking spaces for a three (3) or four (4) guestroom vacation rental. Larger vacation rentals must demonstrate adequate parking with a minimum of three (3) spaces. On-street parking may be considered.
7. **Noise Limits.** All activities associated with the vacation rental shall meet the General Plan Noise Standards contained below. Quiet hours shall be from 10:00 p.m. to 9:00 a.m.

Hourly Noise Metric ¹ , dBA	Activity hours	
	9:00 a.m. to 10:00 p.m.	Quiet Hours 10:00 p.m. to 9:00 a.m.
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (5 minutes in any hour)	60	55
L02 (1 minute in any hour)	65	60

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 1 minute in any hour.

If the ambient noise level exceeds the standards above, adjust the standard to equal the ambient level, up to a maximum of 5dBA above the standard, provided that no measurable increase (i.e. 1.5 dBA or more) shall be allowed.

Reduce the applicable standards above by 5 dBA for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises, such as dog barking.

8. **Amplified Sound.** Outdoor amplified sound shall not be allowed at any time associated with a vacation rental unless specifically permitted by a Cultural or Special Event Permit, or Use Permit.
9. **Cultural or Special Events.** Occasional special events, parties, weddings or other similar activities over the maximum daytime occupancy (indoors or outdoors) may be permitted only with a Cultural or Special Event Zoning Permit up to four (4) times per year for a maximum one (1) year, or by Use Permit, except in the RR (Rural Residential) and R1 (Urban Residential) zoning districts where special events, outdoor events, lawn parties, weddings or similar activities associated with a vacation rental are not allowed at any time.
10. **Pets.** Pets shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
11. **Trash and Recycling Facilities.** Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards.
12. **Septic Systems and Sewer Connections.** The owner shall maintain a properly functioning septic system or sewer connection. In some cases, a per-room sewer fee may be applied.
13. **Transient Occupancy Tax.** The vacation rental owner or authorized agent shall maintain a Transient Occupancy Tax License and remain current on all required reports and payments. Owner or authorized agent shall include the license number on all contracts or rental agreements, and in any advertising or websites.
14. **Designated Representative.** Applicant shall provide a current 24-hour working phone number of the property owner, property manager or other designated representative to all neighbors within a 100' radius of the subject property boundaries, and to the Sonoma County Permit and Resource Management Department, and any change shall also be reported and noticed

to neighbors within 30 days. Said property owner or designated representative must be available during the rental period within a one-hour drive of the subject property.

- 15. Emergency Access.** Any vacation rental located behind a locked gate or within a gated community shall provide gate code or a lockbox with keys ("Knox Box" or similar) for exclusive use by the Sheriff and Emergency or Fire Services Departments.
- 16. Posting of Standards.** The owner shall post these standards in a prominent place within the vacation rental and include them as part of all rental agreements. All advertising handouts, flyers, or any other information provided for vacation rentals shall conform to the approved occupancy limits and standards as stated on the vacation rental permit. Advertising may only be conducted for properties operating under a valid permit.

(g) Enforcement Process.

1. Initial complaints on vacation rentals shall be directed to the contact person identified in the Zoning Permit or Use Permit, as applicable. If the issue reoccurs, the complaint will be addressed by PRMD Code Enforcement Section who shall conduct an investigation to determine whether there was a violation of a Zoning or Use Permit condition. Code Enforcement may accept neighbor documentation consisting of photos, sound recordings and video to support proof of a violation. If Code Enforcement verifies that a Zoning or Use Permit condition violation has occurred, a Notice of Violation shall be issued and a penalty may be imposed in accordance with Chapter 1 of the Sonoma County Code.

At the discretion of the Code Enforcement Officer, the Zoning Permit or Use Permit may be scheduled for a revocation hearing with the Board of Zoning Adjustments. If the permit is revoked, a Zoning or Use Permit for a vacation rental may not be reapplied for or issued for a period of at least one (1) year.

2. An annual fee may be adopted by the Board of Supervisors and collected by PRMD or the Sonoma County Tax Collector to pay for monitoring and enforcement of vacation rentals.

SECTION III. Notwithstanding the new standards and permit procedures set forth in Section II of this ordinance, existing vacation rentals with up to 6 guestrooms or with multiple structures/units that are registered with the Sonoma County Auditor and Tax Collectors office and have paid Transient Occupancy Tax during the previous 24 months from the effective date of this ordinance may be permitted with a zoning permit, provided that they conform to all other standards herein adopted, and further provided that any septic system serving the vacation rental shall be properly functioning and shall meet Class 3 standards or better, as verified by a registered Civil Engineer, registered Environmental Health Specialist or C-42 contractor. New vacation rentals established after the date of adoption of this ordinance shall conform to the standards and the permit procedures adopted herein.

SECTION IV. Any existing vacation rentals shall be subject to the permit requirements and standards contained herein, except that any rental agreements entered into prior to September 28, 2010, shall not be subject to the occupancy limits set forth herein until September 1, 2011.

SECTION V. The Board of Supervisors hereby finds and declares that project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the State CEQA Guidelines because it can be seen with certainty that the Ordinance does not increase residential density or the intensity of use as the standards adopted herein are consistent with otherwise allowable residential use and any activities that may exceed the residential character or environmental standards would be subject to further discretionary review; and

SECTION VI: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VII: This Ordinance shall be and the same is hereby declared to be in full force and effect from and after January 1, 2011, and shall be published once before the expiration of fifteen (15) days after passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

SECTION VIII. The Stay of enforcement action previously adopted by the Board of Supervisors by Resolution 09-1040, is hereby lifted. A new limited stay on enforcement shall apply to:

(1) existing vacation rentals in all zoning districts except LIA, which are registered with the Sonoma County Auditor-Controller-Treasurer-Tax Collector's to pay Transient Occupancy Tax prior to the effective date of this ordinance, and that have submitted a complete application for a Zoning Permit or Use Permit, as applicable, within 60 days of the effective date of this Ordinance. If the permit process is pursued with diligence by the operator, the new limited stay shall remain in effect until final approval or denial of the application by the County. If the permit process is not completed with diligence by the operator, the County shall provide the operator with 30 days written notice to correct the deficiency or cease operation as a vacation rental. If the deficiency is not corrected within 30 days of such notice and the operation has not ceased, the stay shall be automatically lifted as to that property and enforcement may commence; and

(2) for existing vacation rentals within the Land Intensive Agricultural (LIA) District which are registered with the Sonoma County Auditor-Controller-Treasurer-Tax Collector's to pay Transient Occupancy Tax prior to the effective date of this ordinance, a one year stay on enforcement shall apply in order to allow further study on permitting and rezone options within this District. The stay on enforcement for the LIA zone shall automatically expire at the end of one year from the effective date of this ordinance unless otherwise extended by the Board of Supervisors, which extension may be enacted by Resolution of the Board.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted SECTIONS I, II, and IV-VIII, inclusive, on the 9th day of November, 2010, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Kerns: abstain Zane: aye Kelley: abstain Carrillo: aye Brown: aye

Ayes: 3 Noes: 0 Absent: 0 Abstain: 2

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted SECTION III on this 9th day of November, 2010, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Kerns: aye Zane: aye Kelley: aye Carrillo: aye Brown: aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sandra Burnett
Clerk of the Board of Supervisors

Santa Cruz County Vacation Rental Ordinance

13.10.694 Vacation rentals.

(A) The purpose of this section is to establish regulations applicable to dwellings that are rented as vacation rentals for periods of not more than 30 days at a time. These regulations are in addition to all other provisions of this title. This section does not apply to Pajaro Dunes where vacation rentals are governed by an existing development permit.

(B) Vacation rentals are allowed in all zone districts that allow residential use with no requirement for any other use, except that any vacation rental meeting the requirements of subsections (C)(1) and (D)(1) of this section may be permitted in any zone district.

(C) For the purposes of this section, the following terms have the stated meanings:

(1) "Existing vacation rental" means a dwelling unit that was used as a vacation rental prior to April 5, 2011.

(2) "New vacation rental" means a dwelling unit that was not used as a vacation rental prior to April 5, 2011.

(3) The "Live Oak Designated Area" means the Yacht Harbor Special Community (as described in the General Plan—Local Coastal Program and depicted on the General Plan—Local Coastal Program map) and that portion of Live Oak that lies east and south of East Cliff Drive and Portola Drive from the intersection of 9th Avenue and East Cliff Drive to the intersection of Portola Drive and 41st Avenue, as depicted in Figure LODA, attached hereto.

(4) "Block" means the properties abutting both sides of a street extending from one intersecting street to another or to the terminus of the street.

(D) Permit Requirements. A vacation rental permit and transient occupancy tax registration are required for each residential vacation rental. Each vacation rental permit shall run with the land in perpetuity, except that each vacation rental permit issued for a vacation rental located in the Live Oak Designated Area shall expire five years from the date of issuance of the original permit. If an application for renewal has been submitted and is deemed complete prior to the expiration date, the

expiration of the permit will be stayed until final action on the renewal application. No application for renewal of a vacation rental permit shall be accepted more than 180 days before the expiration date. The Planning Director may approve extensions of permit expiration dates or application submittal dates based on demonstrated hardship to the applicant or for other good cause. Approval of a vacation rental permit does not legalize any nonpermitted use or structure. Vacation rental permits are subject to revocation as provided for in SCCC 18.10.136.

(1) Existing Vacation Rental. An initial permit shall be obtained. No public hearing shall be required and no notice of an application for a permit for an existing vacation rental shall be given. For an existing vacation rental to be considered a legal use the applicant shall provide the following to the Planning Department within 90 days after the certification of the ordinance codified in this chapter by the California Coastal Commission:

(a) Completed application form.

(b) Plans, which do not need to be drawn by a professional, drawn to scale including the following:

(i) Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.

(ii) Floor plan showing all rooms with each room labeled as to room type.

(c) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter.

(d) Copy of a rental/lease agreement, which shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed); number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(e) Proof that a dwelling unit was being used as a vacation rental prior to April 5, 2011. Such proof may consist of, among other things, the following items:

(i) Documentation that the owner paid County of Santa Cruz transient occupancy tax for the use of the vacation rental; or

(ii) Documentation that there has been vacation rental use of the unit. This could include the following: the owner allowed transient guests to occupy the subject property in exchange for compensation and the applicant furnishes reliable information, including but not limited to records of occupancy and tax documents, guest reservation lists, and receipts, showing payment and dates of stay.

(f) Retroactive Payment of Transient Occupancy Tax. For those applicants who provide adequate documentation that a dwelling unit was used as a vacation rental prior to April 5, 2011, but where the owner has not registered and paid transient occupancy tax, proof of retroactive payment of the transient occupancy tax amount due to the County to the extent allowed by law for the time during which a dwelling unit was being used as a vacation rental shall be submitted.

(g) Number of People Allowed. The maximum number of guests allowed in an existing individual residential vacation rental shall not exceed two people per bedroom plus two additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums.

(2) New Vacation Rental. Except as provided in SCCC 18.10.124(B), no public hearing shall be required and action on these applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance of the permit, pursuant to SCCC 18.10.222(C) and (D). Appeals of the proposed action on the application may be made by the applicant or any member of the public. Pursuant to SCCC 18.10.124(B), the Planning Director may refer the application to the Zoning Administrator or Planning Commission for a public hearing.

(a) When a public hearing is required, notice of such a public hearing shall be provided not less than 10 calendar days before the public hearing, pursuant to SCCC 18.10.223.

(b) In the Live Oak Designated Area, no new vacation rental shall be approved if parcels with existing vacation rentals on the same block total 20 percent or more of the total parcels on that block that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District. In addition, no more than 15 percent of all of the parcels that allow residential use in the Live Oak Designated Area, excluding those parcels in the Mobile Home Park Combining Zone District, may contain vacation rentals. Notwithstanding these maximums, each block in the Live Oak Designated Area that has parcels that allow residential use, excluding those parcels in the Mobile Home Park Combining Zone District, may have at least one vacation rental.

(c) Applicants for a permit for a new vacation rental shall provide the following to the Planning Department:

(i) Completed application form.

(ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.

(iii) Plans, which do not need to be drawn by a professional, drawn to scale including the following:

A. Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.

B. Floor plan showing all rooms with each room labeled as to room type.

(iv) Copy of a rental/lease agreement, which shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed); number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street); noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(v) Copy of a County of Santa Cruz transient occupancy registration certificate for the purpose of the operation of a vacation rental.

(d) Number of People Allowed. The maximum number of guests allowed in a new residential vacation rental shall not exceed two people per bedroom plus two additional people, except for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., when the maximum number of people allowed is twice the maximum number of guests allowed. Children under 12 are not counted toward the maximums.

(3) Renewal of Vacation Rental Permits in the Live Oak Designated Area. In the Live Oak Designated Area only, vacation rental permits must be renewed every five years. An application to renew a permit for a vacation rental in the Live Oak Designated Area shall be made no sooner than 180 days before expiration of the existing permit. Determination that the application is complete shall stay the expiration of the existing permit until final action is taken on the renewal application. Except as provided in SCCC 18.10.124(B), no public hearing shall be required and action on permit renewal applications shall be by the Planning Director or designee, with notice of the proposed action provided not less than 10 calendar days before issuance or denial of the permit, pursuant to SCCC 18.10.222(C) and (D). Appeals of the proposed action on the renewal application may be made by the applicant or any member of the public.

(a) If a public hearing is required, the Planning Director shall schedule the public hearing before either the Zoning Administrator or the Planning Commission, at the Planning Director's discretion. Notice of such a public hearing shall be provided

not less than 10 calendar days before the public hearing, pursuant to SCCC 18.10.223.

(b) Applicants for renewal of a permit for a vacation rental in the Live Oak Designated Area shall provide the following to the Planning Department:

(i) Completed application form.

(ii) Nonrefundable application fee as established by the Board of Supervisors, but no greater than necessary to defray the cost incurred by the County in administering the provisions of this chapter, except that if the application requires a public hearing due to referral of the application to the Zoning Administrator or Planning Commission, then the application will be converted to an "at cost" application and the applicant will be billed for staff time associated with processing the application.

(iii) Proof of payment of transient occupancy tax for the use of the dwelling as a vacation rental and a summary of the dates the unit was used as a vacation rental between the time of issuance of the existing permit and the date of application for the renewal. Renewal applications must show significant rental use of the unit for two of the previous five years.

(c) The renewal process shall include a staff review of County records and other pertinent information specific to complaints, if any, that have been received about the particular vacation rental. Approval of a vacation rental renewal permit shall be based on affirmative findings as set forth in SCCC 18.10.230(A). Denial of an application for renewal shall be based on one or more of the required findings not being able to be made, as set forth in SCCC 18.10.230(A).

(E) Local Contact Person. All vacation rentals shall designate a contact person within a 30-mile radius of the vacation rental. The contact person shall be available 24 hours a day to respond to tenant and neighborhood questions or concerns. A property owner who lives within a 30-mile radius of the vacation rental may designate himself or herself as the local contact person.

The name, address, and telephone number(s) of the local contact person shall be submitted to the Planning Department, the local Sheriff Substation, the main County Sheriff's Office, and the local fire

agency, and supplied to the property owners of all properties located within a 300-foot radius of the boundaries of the parcel on which the vacation rental is located. The name, address and telephone number(s) of the local contact person shall be permanently posted in the rental unit in a prominent location(s). Any change in the local contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified in this subsection.

(F) Signs. All vacation rentals shall have a sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information, which shall be placed no more than 20 feet back from the nearest street. The sign may be of any shape, but may not exceed 216 square inches. There is no minimum sign size so long as the information on the sign is legible from the nearest street.

(G) Posting of Rules. Vacation rental rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to, the following: number of guests allowed (two/bedroom plus two, children under 12 not counted; for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., the maximum number of people allowed is twice the maximum number of guests allowed), number of vehicles allowed (not to exceed the number of existing on-site parking spaces, plus two additional on-street), noise, illegal behavior and disturbances, trash management (e.g., trash to be kept in covered containers only).

(H) Noise. All residential vacation rentals shall comply with the standards of Chapter 8.30 SCCC, Noise, and a copy of that chapter shall be posted inside the vacation rental in a location readily visible to all guests. No use of equipment requiring more than standard household electrical current at 110 or 220 volts or activities that produce noise, dust, odor, or vibration detrimental to occupants of adjoining dwellings is allowed.

(I) Transient Occupancy Tax. Each residential vacation rental owner shall meet the regulations and standards set forth in Chapter 4.24 SCCC, including any required payment of transient occupancy tax for each residential vacation rental unit.

(J) Dispute Resolution. By accepting a vacation rental permit, vacation rental owners agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising from the use of a dwelling as a vacation rental. Unless an alternative dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.

(K) Violation. It is unlawful for any person to use or allow the use of property in violation of the provisions of this section. The penalties for violation of this section are set forth in Chapter 19.01 SCCC, Enforcement of Land Use Regulations. If more than two documented, significant violations occur within any 12-month period a permit may be reviewed for possible amendment or revocation. Evidence of significant violations includes, but is not limited to, copies of citations, written warnings, or other documentation filed by law enforcement; and copies of homeowner association warnings, reprimands, or other association actions, or other documents which substantiate allegations of significant violations.

(L) It is unlawful to make a false report to the Sheriff's Office regarding activities associated with vacation rentals. [Ord. 5092 § 6, 2011].

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January 14, 2015

Linda Michow
Widner Michow & Cox
13133 E. Arapahoe Rd., Ste 100
Centennial, CO 80112

Copy sent via email to lmichow@wmcattorney.com

Re: Cherry Hills Village, Council Bill 14, Series of 2014
Non-conforming uses, short-term rentals

Dear Linda:

As you are aware, I represent Michael Cooper who is the owner of the property located at 10 Viking Drive in Cherry Hills Village which is used for short term rentals to single families over the past few years. The purpose of writing this letter is to attempt to convince your client to accept the decision of Judge Wheatley in the case of the People of the City of Cherry Hills Village v. Michael Cooper and to move forward to improve the situation rather than to use the disguise of regulation to accomplish what the judge rejected. I would appreciate it if you could pass on this information to your client for their consideration at the January 20, 2015 meeting with the hopes that Council Bill 14 in its current form is not passed. While my client does not oppose reasonable regulation, he does oppose any attempt to restrict or eliminate his nonconforming use.

Mr. Cooper has tried to work with the City to make sure that the renters of his property are good neighbors and do not cause problems. In return the City continues to take actions which infringe on Mr. Cooper's rights to continue to use his property as it was zoned prior to the City's campaign of legislation and lawsuits against him. While there is nothing in the City's ordinances that prohibit the use of a single family residence for events such as a wedding, a large birthday party or a children's sports team gathering, Mr. Cooper has placed such a restriction in his lease. While there are generally not prohibitions against a homeowner or guests from parking in the street, Mr. Cooper has placed such restrictions in his lease. He has placed restrictions in his lease as to the number of individuals that can occupy the property and does require that they are related so as to meet the definition of a single-family as set forth in the CHV Municipal Code.

Mr. Cooper is willing to continue to take steps to work with the City. He will gladly notify the City as to when the property is rented although I am not sure why a copy of the lease would be required. He will check with the state and county and pay any lodging taxes that may be applicable to the rental of his unit. He will allow annual inspections for health and safety violations. He will have a contact reasonably available should there be an issue. On the other hand, Mr. Cooper is also willing to continue the legal battle in Arapahoe County District Court should the City continue its course of action.

I do believe that Mr. Cooper's property is the only short-term rental property which qualified as a non-conforming use as of August 2012 when the City prohibited rentals of less than 90 days. If this is true, it becomes quite obvious that the City is simply attacking Mr. Cooper's use of his property and is not addressing any city-wide concern or any significant issue. The City's expenditure of a significant amount of resources such as its staff time and its attorneys' time to investigate and draft the proposed ordinance which is directed at one residential property within the City is difficult to justify. This is especially true when the renters of the property have not caused problems for which the police have needed to respond. Rather I believe the City's police responds when it knows that tenants are present at Mr. Cooper's residence in an attempt gain information with which to cite Mr. Cooper. There is no probable cause for the police visit as in the case which was the basis for the last court action when the police choose to visit the residence and question the guests the day before Thanksgiving.

Other than its August 2012 attempt to ban short-term rentals, the City has not taken any action to regulate any other type of rental or short term use such as when a homeowner in Cherry Hills Village exchanges homes for a week with another person seeking to have a vacation in the Denver area or when a resident leases his or her residence for 90 days or more. Yet, are the risks not the same? There is no attempt to register, to obtain a copy of the exchange agreement or longer-term lease, to make sure the persons using the home are a single family as defined by Cherry Hills Village Code. If the concern is to insure use by single families, should not all purchase transactions be scrutinized? If Mr. Cooper has bad renters, it is for a week or longer. Under the types of arrangements that the City seems content with, bad neighbors can last for months or years. When I think about some of the concerns of the City when coming up with this proposed ordinance, I am puzzled as to why the same concerns do not apply to the exchange of properties on a weekly basis or the rental of properties for 90 days or longer. In fact many of the concerns probably apply to home ownership as well. Why does the family staying a week at Mr. Cooper's property need to have a property that is brought up to commercial standards, when the family exchanging the property with another can find themselves in a less than desirable living accommodations?

Mr. Cooper advertises his property as a vacation home. He does not label it as anything else such a bed and breakfast, a hotel or by any other description. Guests do not expect an on-site manager, on-site food or service facilities normally associated with a commercial property. The persons coming to the property are expecting a single family home, not a commercial property. Because this is not a one-time rental or exchange, Mr.

Cooper probably has more incentives to keep the condition of the property safe and desirable. If he does not, he faces the risk of bad reviews and loss of future rentals. While some type of annual inspection to make sure that there are no significant health or safety factors may be acceptable, inspections for the purpose of insuring compliance with commercial standards are not necessary and appear to be solely for the purpose of preventing Mr. Cooper from using his property in accordance with the zoning in effect up until August 2012.

The City is going to have to explain all of this in the Arapahoe County Court case if the ordinance is passed in present form. The City is going to have to demonstrate that the concerns are based in fact and not on fears. Police records will be reviewed relating to calls regarding Mr. Cooper's property and visits to the property. It is not enough to say that other cities have similar regulations. The history and circumstances in that other city are likely to be totally different than in Cherry Hills Village. Those situations do not necessarily deal with a situation where the short-term rental was allowed under previous zoning and has been found by a court to be a non-conforming use. How can the City possibly justify the provisions that required Mr. Cooper to apply to the City for a determination as to whether his use of his property is a non-conforming use, when the City is bound by the decision of its municipal court finding just that?

The City's desire is to have quiet residential neighborhoods. In furtherance of that the City has adopted a single family requirement, noise ordinances and other types of ordinances that apply throughout the City. These are the same rules that are there to insure that Mr. Cooper's property fits into the neighborhood even though the occupants may vary from time to time. Mr. Cooper is not an absentee landlord or a large corporation. He continues to live in the area and is concerned about his property.

I am enclosing an article from HomeAway, Inc. which discusses some of the myths and truths regarding vacation home rentals. Hopefully, it will provide some additional insights.

Should the City adopt Council Bill 14 in its current form, I would ask the City to consider delaying its effective date so as to allow time to get a ruling from the District Court. If not, additional preliminary court hearings will be required seeking to temporarily enjoin CHV from enforcing its revised Code. This just results in additional expense for both sides. In addition if we do continue to battle in court, Mr. Cooper will ask the court to determine everything that is allowable under his non-conforming use. I believe that the zoning in place prior to August 2012, does allow the holding of events, does allow on-street parking and does allow the tenants or owners of a property to invite additional guests to stay with them for a few nights. Again, Mr. Cooper is trying to work with the City. This attempt started with your predecessor Mr. Fellman. Hopefully the City Council can approach this matter as improving short-term rentals rather than trying to indirectly banning them through onerous legislation. I will monitor the events of the

January 20th council meeting and will be in touch afterwards. Please thank the Council in advance for taking the time to review this information.

Sincerely,
Kevin Ehlers Law, P.C.

A handwritten signature in black ink that reads "Kevin L. Ehlers". The signature is written in a cursive style with a large, prominent "K" and "E".

Kevin L. Ehlers



SHORT-TERM RENTALS

SUBMITTED BY HOMEAWAY TO THE CITY OF AUSTIN

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Background

HomeAway, Inc. [AWAY] operates the world's leading online marketplace of vacation rentals, with sites representing over 625,000 paid vacation rental home listings throughout more than 145 countries. HomeAway® offers an extensive selection of vacation properties rented as short-term rentals (STRs). Some of those properties on the flagship site, HomeAway.com are in Austin, which has ranked for the past two years as one of the fastest growing destinations in supply (number of STRs for rent) and demand (travelers choosing to stay in STRs)¹. The growth Austin has seen highlights the significant impact on and economic opportunity STRs have for the city.

HomeAway is a major Austin employer, with more than 425 employees based in Austin at our Headquarters, and another 470 throughout the world. With Austin as our hometown, HomeAway is a clear stakeholder in the city's STR regulation process. We participated in the stakeholder working group facilitated by the Planning Commission Codes and Ordinances Subcommittee and commend Planning Commissioners Danette Chimenti, Mandy Dealey and Sandra Kirk for their work in keeping the group focused on regulations that work for both the short-term rental owners and concerned neighborhood associations.

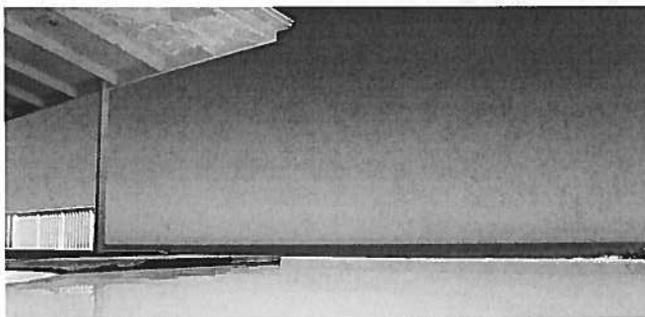
We offer this paper as a resource containing facts about STR regulations and to outline some of what we believe are the best and worst regulatory practices we have encountered in cities throughout the country. We hope the information presented is useful to you as Austin works through the ordinance process.

It's most important to note, HomeAway supports appropriate and fair regulation of STRs. Appropriate regulation encourages and enhances accountability of owners of such properties and security for travelers who rent them. However, to be effective, regulation must be fair, easy to understand and comply with, and enforceable at a reasonable cost. Municipalities address regulation with a variety of approaches - from easy to follow rules yielding a high level of compliance - to outright bans (including what amounts to constructive bans because of over-burdensome regulation),

which may be unconstitutional. In our view, the best regulations are those that (1) establish a reliable way for the municipality to identify and contact the STR owner; (2) make the tax collection and remittance obligations clear to the STR owner; and (3) treat STR tenants the same as long-term rental tenants. The regulations accomplishing all three can achieve a high level of compliance and are highly effective.

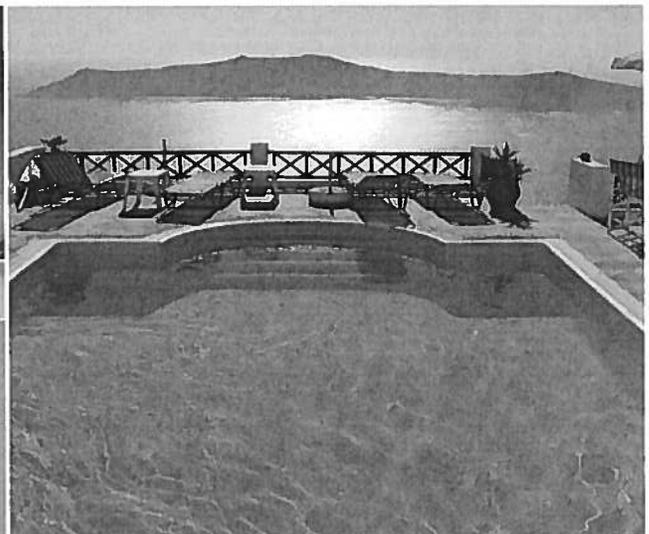
Short-term rental of residences is not new. Globally, homeowners have rented their properties to tenants on a short-term basis as long as they have rented to tenants on a long-term basis. What has changed in recent years is the awareness of this type of rental, which is a simple result of the fact that homeowners today use the Internet to advertise the rental of their homes as opposed to solely using newspaper classifieds, real estate brokers and agents and word of mouth. As citizens have gained greater access to information about which homes are rented on a short-term and long-term basis, some have grown concerned about STRs and developed a fear that there will be a mass proliferation of STRs that take over neighborhoods. To our knowledge, this has not occurred in any major city in the U.S., nor are we aware of it occurring anywhere in the world. In Austin for example, HomeAway estimates STRs advertised on our websites represent far less than one percent (0.10%) of the 354,241 total housing units in the City of Austin and only 0.15 percent of the 441,240 total housing units in Travis County².

With both short-and long-term landlords and tenants there are certainly bad neighbors. Those in opposition of STRs may claim STR tenants are different because a person who owns or rents long-term is more invested in the area, has a heightened desire to get along with his or her neighbors and is more willing to be courteous and compliant. Anyone who has a bad neighbor for one year or 10 years knows that this is not reality. Whereas it is ideal to have a neighborhood full of wonderful, courteous neighbors, cities cannot impose regulation to weed out bad neighbors or create good ones.

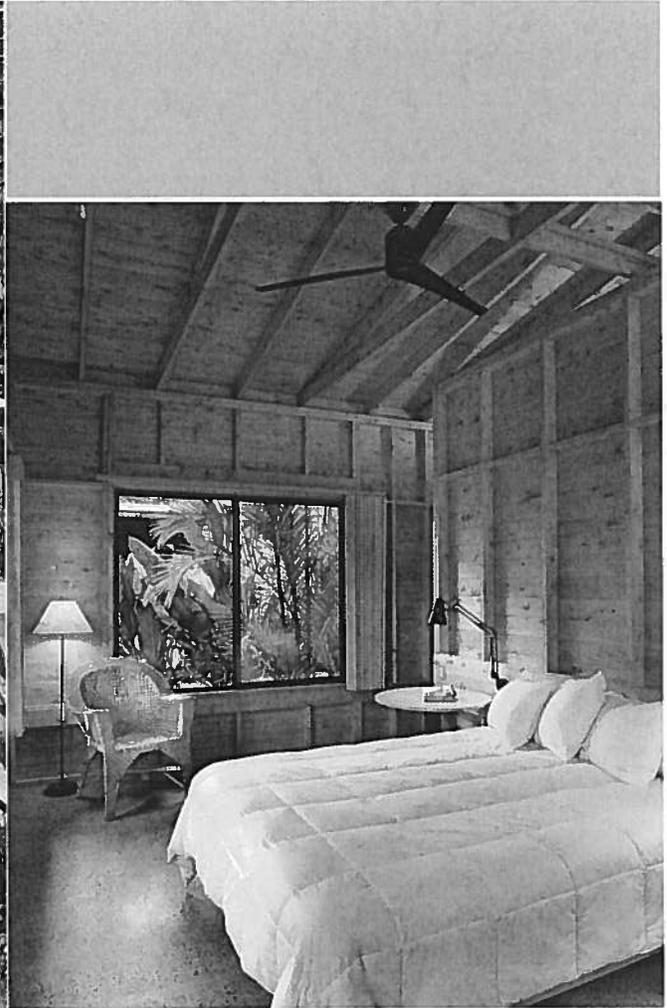


¹ Q1-Q4 2009, Q1-Q3 2010 or Q1 2011 HomeAway Vacation Rental Marketplace Report.

² As of August 26, 2011 - HomeAway estimates it has a total of 370 vacation rentals in Austin city and 694 rentals in Travis County. According to the 2010 US Census, there are 354,241 total housing units in Austin city and 441,240 in Travis County, respectively.



Defining STRs



One of the major goals of STR regulations should be to properly define STRs. A definition of a STR does not exist in the current Austin City Code. Typically, municipalities choose to define STRs as residential rentals for periods of time of 30 days or less. Jurisdictions choose to specifically define STRs (as opposed to long-term rentals) not because they are something other than residential uses, but because those owners hosting short-term tenants are often required to collect and remit occupancy taxes, as is the case here in Austin. Defining a separate STR category reinforces the requirement for owners renting on a short-term basis to collect and remit taxes and makes the owners easily identifiable to the City's taxing officials. Austin needs a clear definition of STR, and "a rental of residences for 30 days or fewer" is a workable, reasonable definition. Many definitions have been discussed in the working group meetings, but the City of Austin must be careful not to create a definition that defines STRs as something they are not:

STRs are not commercial uses.

These properties are residences, and when challenged have been held to be residential uses throughout the country.

STRs are not hotels.

In a hotel, multiple rooms are rented to multiple separate parties on a single premises, there is a full-time staff and daily maid and linen services and food is commonly prepared on the site.

STRs are not bed and breakfast or inns³.

A bed and breakfast serves multiple guests within a single-family structure but on a significantly smaller scale than a hotel. In a bed and breakfast, the use is not the same as the use within a single-family dwelling, with one related party residing together on the premises. Within a bed and breakfast, a group of private bedrooms in a residential structure are rented to separate parties. And because the parties have no communication between one another and no connection – such as is the case within a hotel – heightened safety measures are important to keep all the unrelated parties safe.

Myths and Truths

Myth: Entire neighborhoods will be consumed by STRs operated by large corporations and/or hotel chains.

Truth: HomeAway advertises STRs throughout the world, and we are not aware of any corporations buying single-family residences for short-term rentals.

Myth: STRs are commercial uses rather than residential because they generate income for the owner.

Truth: Any collection of rent generates income for the owner, but generation of income does not change the character of the residential use. By this definition, renting long-term would also not be a residential use because the owner generates income from renting the home. This is clearly not the case, nor is it the case with STRs.

Myth: The number of STRs in Austin is so prolific that STRs are taking over neighborhoods.

Truth: The U.S. Census data shows 354,241 total housing units in Austin, yet on HomeAway, the largest advertiser of STRs, there are approximately 370 STRs listed in Austin, representing less than one percent (0.10%) of total housing units.

Myth: Most STR owners own multiple STRs in neighborhoods throughout the city.

Truth: HomeAway estimates STR owners have an average of only one home in any given market, and there is nothing about Austin indicating any different trend⁴.

Myth: Tourists, visitors and STRs are bad for the character and fabric of neighborhoods.

Truth: The core demographic of travelers who stay in STRs are families who prefer these alternative accommodations because of the value and space found, versus that of a hotel. These families are patrons of the local businesses in the neighborhood and should pay occupancy taxes, which benefit all neighborhoods in the city.

Myth: STRs are reducing residential housing stock.

Truth: The typical owner does not want to sell their second residence; they usually want to preserve it for their future personal use. In fact, nearly 60 percent report they plan to leave it to their heirs or return and move into the home and stop renting to travelers⁵.



Myth: STRs are responsible for the recent AISD decision to close inner-city schools.

Truth: There are documented reasons unrelated to STRs why inner-city schools are closing. The reasons include the facts that Austinites are having fewer children and Austin families earning median income find it difficult to afford to live in inner-city neighborhoods. Further, many suburban neighborhood homes are larger and newer than inner-city homes, making it more attractive to families with children. Lastly, STRs make up such a small percentage of the overall housing in Austin that their existence could not have a significant impact on schools⁶.

⁴ HomeAway's internal research shows that 58 percent of our advertisers own only one STR and 22 percent own two. We can estimate that approximately 80 percent of vacation rental homeowners in the U.S. own 1-2 homes. *November 2010 Market Sizing Study commissioned by HomeAway from Radius Global Market Research.*

⁵ According to a HomeAway internal owner survey conducted from April 22 – 27, 2011 of 640 vacation rental owners.

⁶ *Austin American-Statesman* article, April 23, 2011, [Where have urban Austin's children gone?] "...as real estate prices rose, families with school-age children became rarer over the past decade in places such as Crestview, University Hill, Barton Hills, Bouldin Creek, and most all of Central East Austin."

Myths and Truths (cont'd)

Myth: STRs bring down property values.

Truth: There are more indicators suggesting STRs support property value, or even raise property value, than bring it down. In order to keep their properties desirable, owners must maintain the home. Most employ lawn services and maintenance personnel to keep the home attractive and marketable. According to a HomeAway Vacation Rental Marketplace Report issued May 2011, 62 percent of STR owners say they use their STR rental income to make improvements and upgrades to the home⁷.

STR owner Bob Easter elaborates, "As a property owner renting out my property, I am required to keep the property in good physical and structural condition or it won't be attractive to visitors. As an example, in the past year I have landscaped my STR property using the City of Austin Water Wise plant suggestions and installed a sprinkler system to save water. These two improvements ran over \$5,500, which flowed right back into the Austin economy. In the past few years we have made upgrades to the electrical system, plumbing, water and energy saving improvements exceeding \$28,000. The home is safe, clean and well maintained."

Myth: STRs reduce long-term rental options.

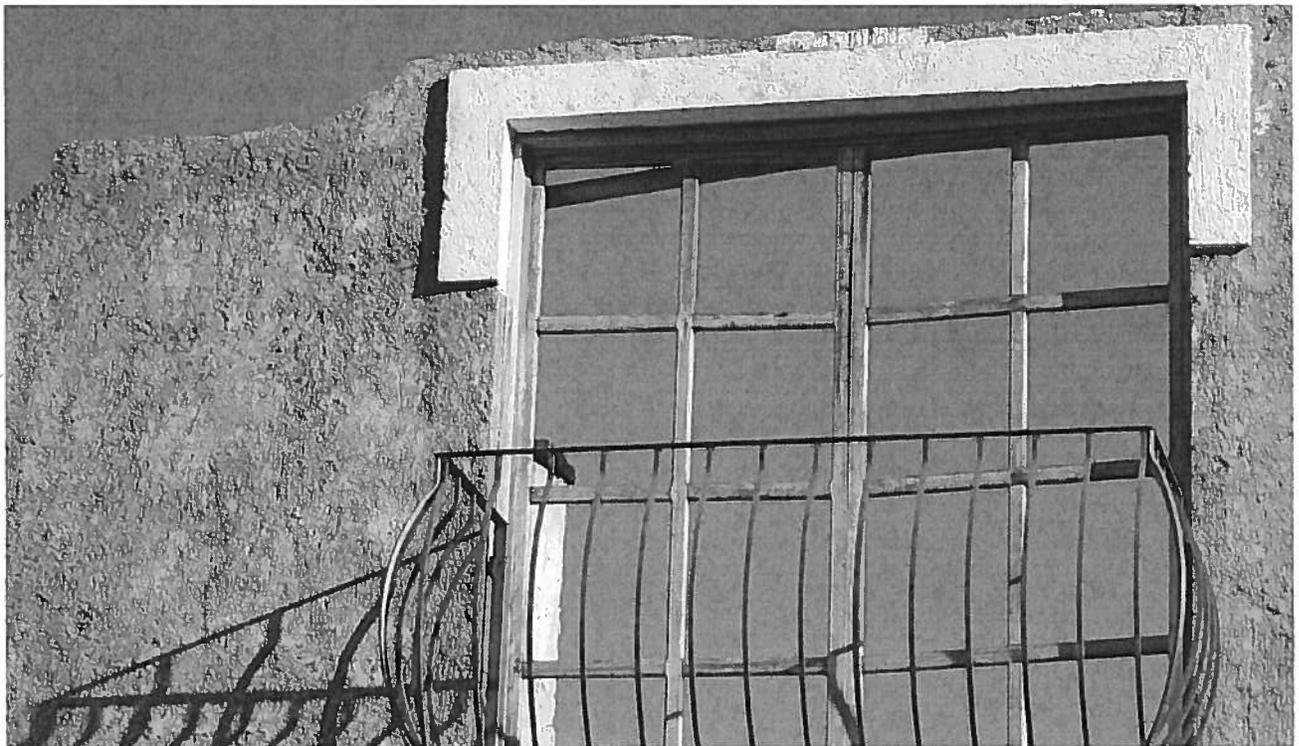
Truth: As stated above, the number of short-term rentals as compared to the number of other residences within Austin neighborhoods is extremely low. Since the number of non-STR residences is far greater than the number of STRs, there are many long-term rental options and STRs are not numerous enough to threaten the existence of those opportunities.

Additionally, many STR owners also rent their homes to long-term tenants from time to time. STRs don't necessarily remain STRs forever.

Finally, not every home is suited to be a short-term rental. To attract visitors, the property must be fully furnished and well maintained.

Myth: STRs impact affordable home sales by attaching commercial revenue to residential property.

Truth: Again, STRs, just like long-term rentals, generate income but that income has no direct impact on property values in an area. Thus, the presence of an STR does not affect the affordability of home sales.



7 May 2011 Vacation Rentals Strong Going into Peak Season: Number of Owners Who Cover Bulk of Their Mortgage with Rental Income Increasing.

What Should be Included in the Austin STR Ordinance?

In our experience, successful STR ordinances achieve:

- Clarity for the operation of STRs, so that the homeowners who are subject to the regulation are aware of and understand it and can easily comply with its requirements
- An operational system that promotes trust and secure experiences for visitors and neighbors while acknowledging and respecting short-term tenants as equal to and having the same rights as long-term tenants
- Compliance with existing regulations
- A high level of compliance at a minimum cost to taxpayers and a minimum administrative cost to the City

There are several workable aspects of the currently-proposed STR ordinance, including:

Definition – HomeAway supports the definition of a “Short-term Residential Rental” as the rental of any portion of any residential structure for a period of 30 days or less. STRs can be any type of residence, including single-family houses, condominiums, mobile homes, etc., so the definition must be inclusive of all types of residential structures.

Registration – Many communities use registration as a way to “keep track” of short-term rentals for tax collection purposes. Although the City of Austin currently requires anyone renting any portion of a residential structure to register with the City Controller and to collect and remit occupancy tax, it is not clear that those renting their residences (as opposed to those who operate hotels, motels and bed and breakfasts) know and understand that the “Hotel Occupancy Tax” provisions even apply to a STR. Requiring registration allows the City to keep record of who should pay taxes and makes it clear to owners that the provision applies to STRs. It also gives the City an opportunity to make the landlord aware of city rules related to noise, parking, etc.

Collection and Remittance of Occupancy Tax – All the stakeholders appear to agree that anyone who rents their residential property on a short-term basis is subject to and should pay occupancy taxes. As already stated herein, the City’s regulations should be targeted toward gaining a high level of compliance with these tax payment regulations. HomeAway believes when taxes are not collected and remitted, it is most often because the homeowner is unaware the rental is subject to such taxes.

What Should the City Remove from the Proposed Ordinance?

In HomeAway’s opinion, there are a few provisions in the proposed ordinance that should be eliminated, because they (1) are unenforceable; (2) will foster “hiding” and non-compliance (which, in turn, results in loss of Occupancy Tax revenue); (3) are comprehensively covered in the City Code and applicable to short-term residential rental properties like all residential properties; or (4) draw a biased distinction between short-term tenants and long-term tenants. Those provisions include:

1000-Foot Distance Separation – The 1000-foot separation is unworkable for several reasons, including:

- (i) STRs are not always “permanent” uses. A homeowner may rent to short-term tenants for four months of a particular year, then rent to long-term tenants the other eight months of that year. The next year, they may opt to rent for only one month. Yet, under this requirement a homeowner would never relinquish their STR license even if they weren’t using it for those eight months or eleven months of a year, effectively blocking other nearby owners from renting on a short-term basis.
- (ii) A distance requirement encourages “hiding” and, as a result, loss of tax revenue. A person who is banned from renting because of his proximity to another STR under the distance requirement is likely to rent anyway, particularly because the rule will be virtually impossible for the City to enforce.
- (iii) The City does not have the resources or manpower to keep up with monitoring the distance requirement and expired licenses.
- (iv) Unlike with a bed and breakfast (the regulation for which is the source of the idea of a distance separation), the City will not be able to visit and inspect a normal residence to determine if it is used as an STR. The City could show up one day and there would be a long-term tenant on the property or no tenant at all, when the next day there may be a short-term tenant. Again, because the STR use is not a “permanent” use of a residence, there is no way to conclusively verify that the use is occurring.
- (v) There is a reasonable potential for the distance regulation to be misused by STR opponents to affect a ban on STRs, even though that is not the City’s intent. To establish a constructive ban on a street or in a neighborhood, opponents could seek their own STR licenses and hold licenses in perpetuity to prevent other STRs from being established within the vicinity. This is clearly not the Planning Commission’s intent, but there is no way – if such a ban is imposed – to stop such misuse from occurring.

What Should the City Remove from the Proposed Ordinance (cont'd)

At a minimum, the City should not attempt to impose a distance regulation unless there is evidence that spacing and the numbers of STRs is an issue.

Requirement that an Emergency Contact must be Local – The requirement to provide a “local” emergency contact is illogical. It equates to requiring all landlords to reside locally or be forced to hire local property management companies, neither of which should be necessary, and both of which are inconsistent with the way STRs are developing worldwide. A person does not need to reside locally for the City or a concerned citizen to be able to contact them. As long as a contact name and phone number are provided, there is no basis to regulate where that person lives.

Permit Requirement for “Business” Rentals – Requiring registration is more reasonable and enforceable than requiring a permit or license. The majority of short-term rental owners own one rental home and do not consider the ownership of that home their “business.” Accordingly, they will likely not think the “business” permit applies to them and will not comply with the permitting requirement. A different approach is to require a permit only for ownership of multiple rentals – two or more – but require only registration for single STR owners.

Inspections – Single-family homes are not subject to periodic safety inspections, even when rented long-term. Accordingly, there is no rationale for requiring a property rented for 30 days to undergo an inspection while a property rented for 31 days is not required to have an inspection. The City will not be able to collect a large-enough fee to cover the actual cost of the manpower required for inspections. As an alternative, the City should require registrants to certify by notarized document that their home meets certain basic requirements, such as having a fire extinguisher and being in compliance with code. However, we believe the notion of a self-inspection submitted as part of the registration process could be useful in educating the STR owner about requirements for smoke detectors, fire extinguishers, etc., and therefore promote tenant safety.

Homestead Requirement – The homestead requirement is complicated, unnecessary, irrelevant to the issue and inconsistent with state and federal homestead laws. How a property is designated as homestead doesn’t necessarily equate to how much time is spent at a property. So, it is incorrect to use “homestead” designation as the measure to distinguish homeowners who live at a property the majority of the time and rent it a minority of the time from those doing the opposite. A better measure to distinguish different types of STR landlords would be owners of one property versus the owners of more than one.

Limitation of Rental Days for Non-Business Permit – The limitation of days rented per year is unenforceable and encourages tax avoidance by signaling people to sign up for the limited license, collect and pay taxes for those 15 or 60 days and then stop reporting on additional days rented. We suggest the City consolidates these categories by eliminating the requirement for a limited number of days.

Prohibition of “Gatherings” – Gatherings should not be prohibited. The line between a permitted gathering and a prohibited one is impossible to draw in a fair and reasonable way. Furthermore, the problems a prohibition of gatherings is trying to address (primarily noise and excessive parking) are already clearly addressed and regulated in existing code and neighbors have appropriate remedies when these ordinances are violated. The short-term tenant of a home should have the same rights as a long-term tenant, and the city does not prohibit long-term renters from having gatherings in their homes.



Conclusion

The STR working group spent considerable time discussing the opponents' concerns. It became clear early on the idea of banning STRs (or regulating them so much that they could not exist) stemmed from a fairly large neighborhood that had only three operating STRs, and the arguments of why these three STRs are problematic are based on "what ifs" as opposed to actual occurrences. It also became apparent the problems the opponents faced are issues every property owner may face with his or her neighbors, whether those neighbors are homeowners, long-term tenants or short-term tenants. These examples include noise, excessive number of cars, excess occupancy, etc., all of which are currently and clearly regulated in Austin code. HomeAway believes that where regulation already exists, it is unnecessary to recreate regulation and doing so makes the code confusing.

The exceptions to the list of issues raised by opponents that are not addressed in existing code are (1) individuals would not know their neighbors and (2) STRs change the character of neighborhoods. Whereas it may be true a person may feel their quality of life is compromised if they have a renter whom they don't know live next door, this issue is not one that is resolved by city regulation, and it is inappropriate for the City to try to force neighbors to know one another. Moreover, given the low percentage of homes in a neighborhood comprised of STRs, the short-term tenants would not likely change the character of a neighborhood.

Finally, HomeAway continues to advocate for effective, efficient regulations that encourage participation by all STR owners to support a safe, trusted experience for travelers, owners and neighborhoods. In adopting regulation, however, it is critical the

City not discourage compliance since the City's ultimate goals are to discern which properties are rented short-term, who to contact about the properties and to collect tax revenue. Unenforceable regulation will not cause STRs to stop, but instead, encourage STRs to go underground, with no tax benefit to the City, a higher risk to neighbors, less safe conditions for travelers and less oversight.



Appendix

Housing & Transportation

Housing

Housing Units

A housing unit is a living quarters in which the occupant or occupants live separately from any other individuals in the building and have direct access to their living quarters from outside the building or through a common hall. Housing units are usually houses, apartments, mobile homes, groups of rooms, or single rooms that are occupied as separate living quarters.

Census 2010 Geography	Total Housing Units	Occupied Units		Vacant Units	
		#	%	#	%
Places					
Austin city	354,241	324,892	91.7	29,349	8.3
States					
Texas	9,977,436	8,922,933	89.4	1,054,503	10.6

Source: 2010 Census Summary File 1—Texas[machine-readable data files]/prepared by the U.S. Census Bureau, 2011. Tables H1 & H3.

Housing & Transportation

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Census 2010 Geography	Total Housing Units	Occupied Units		Vacant Units	
		#	%	#	%
Counties					
Travis County	441,240	404,467	91.7	36,773	8.3
States					
Texas	9,977,436	8,922,933	89.4	1,054,503	10.6

Source: 2010 Census Summary File 1—Texas[machine-readable data files]/prepared by the U.S. Census Bureau, 2011. Tables H1 & H3.

End Notes

Small area Census geographies are named by their FIPS codes (State FIPS-County FIPS-Tract FIPS-Block group FIPS & Block FIPS).

For more information on Census 2010 Redistricting Data, see:

<http://www.census.gov/prod/cen2010/p194-171.pdf>

**CHERRY HILLS VILLAGE
COLORADO**

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 9b

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT A. ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST BY ARAPAHOE TENNIS CLUB FOR AN EXPANDED USE PERMIT TO INSTALL A PADDLE TENNIS COURT WITH LIGHTS AND PADDLE HUT (PUBLIC HEARING) (REQUEST FOR CONTINUANCE)

DATE: JANUARY 20, 2015

ISSUE:

At the January 6, 2015 City Council Meeting, the Council continued the Arapahoe Tennis Club Expanded Use Permit request to construct a paddle tennis court with lights and paddle hut to the January 20, 2015 City Council meeting. The applicant requests a further continuance to the February 17, 2015 City Council meeting so that they have adequate time to research and address the Council's questions and requests for information.

RECOMMENDED MOTION:

"I move to continue the public hearing for the Arapahoe Tennis Club Expanded Use Permit request to construct a paddle court with lights and paddle hut to the February 17, 2015 City Council meeting at 6:30 p.m."

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
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ITEM: 11d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: ROBERT ZUCCARO, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: COMMUNITY DEVELOPMENT DEPARTMENT MONTH END REPORT FOR DECEMBER 2014

DATE: JANUARY 20, 2015

BUILDING PERMITS SUMMARY:

	<i>December 2014</i>	<i>YTD 2014</i>	<i>YTD 2013</i>	<i>YTD % Change</i>
Total Permits	63	972	961	1%
Total Revenue	\$123,999	\$1,139,253	\$795,491	43%
New Home Permits	2	10	17	-41%
New Home Revenue	\$91,067	\$324,087	\$405,945	-20%
Remodel/Addition Permits	8	136	160	-15%
Remodel/Addition Revenue	\$11,235	\$229,581	\$223,820	3%

PLANNING AND ZONING COMMISSION:

- December 2nd Regular Meeting: The Commission held a public hearing to review an Expanded Use Permit Request for the Arapahoe Tennis Club. The Commission recommended conditional approval of the application.

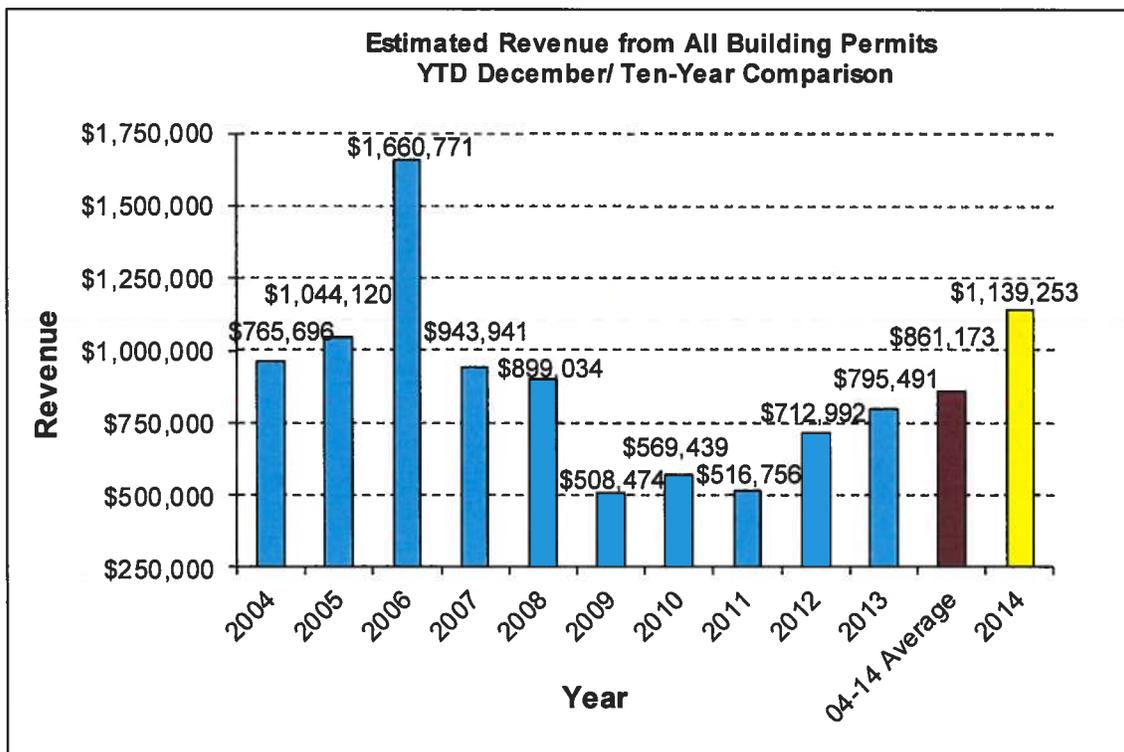
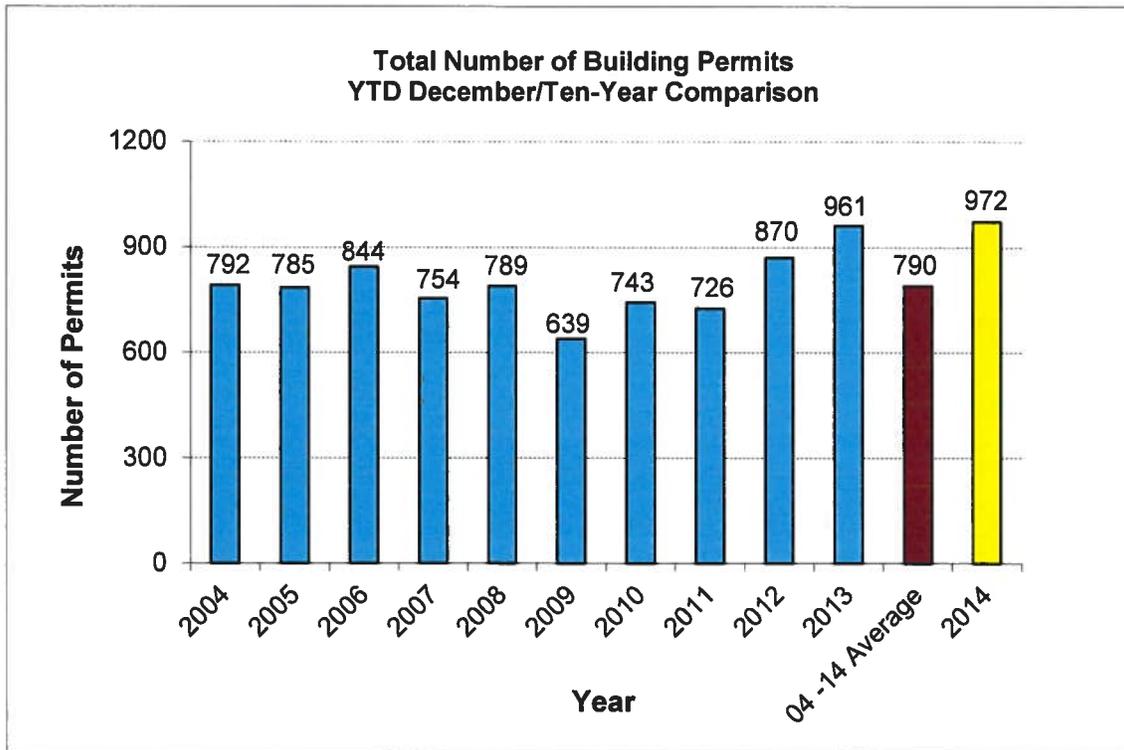
BOARD OF ADJUSTMENT AND APPEALS:

- December 4th Regular Meeting: The Board held a public hearing to review a setback and bulk plane variance request for an addition at 4200 E. Quincy Avenue and public hearing to review a setback and bulk plane variance request for a new home at 4401 S. Downing Street. Both applications were approved.

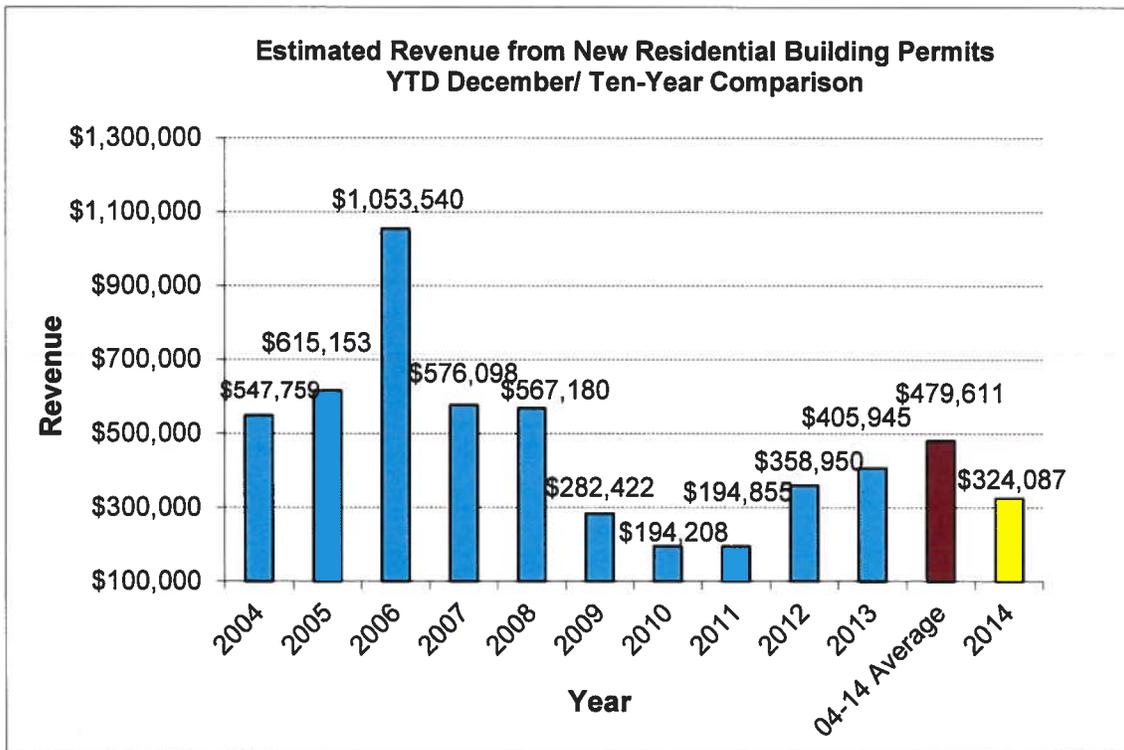
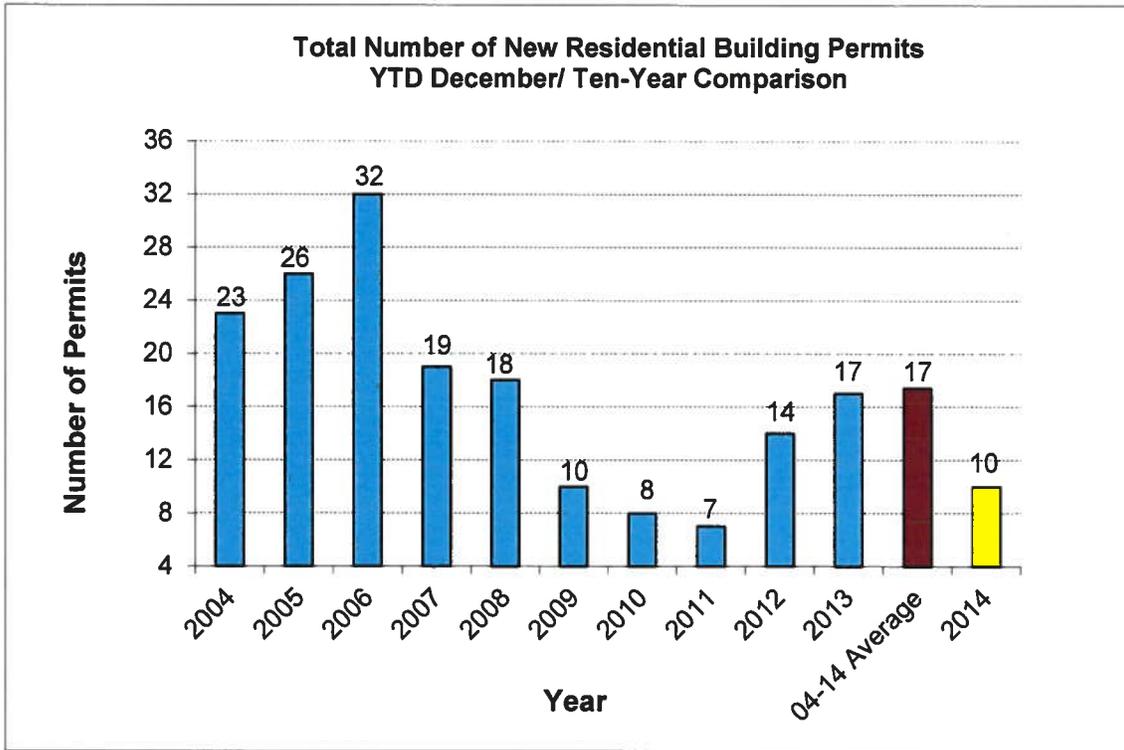
ATTACHMENTS:

- Exhibit A: Year-to-Date Permit Activity Graphs
- Exhibit B: Permit Summary Table
- Exhibit C: Issued Permit Report

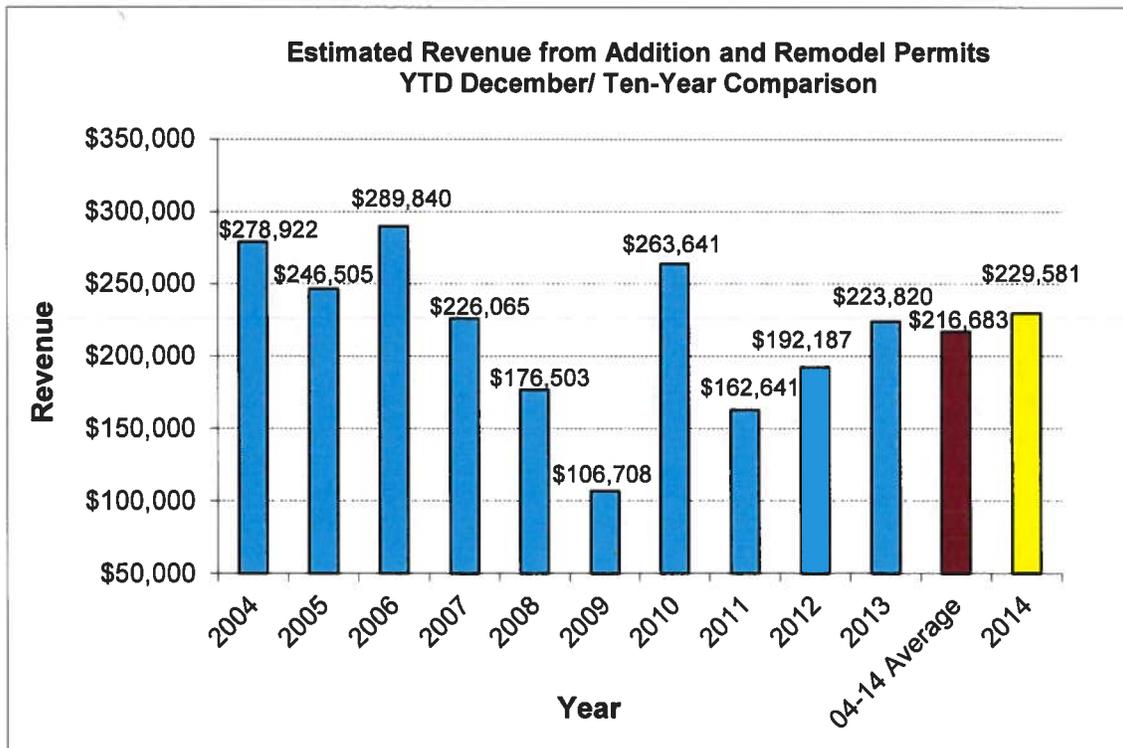
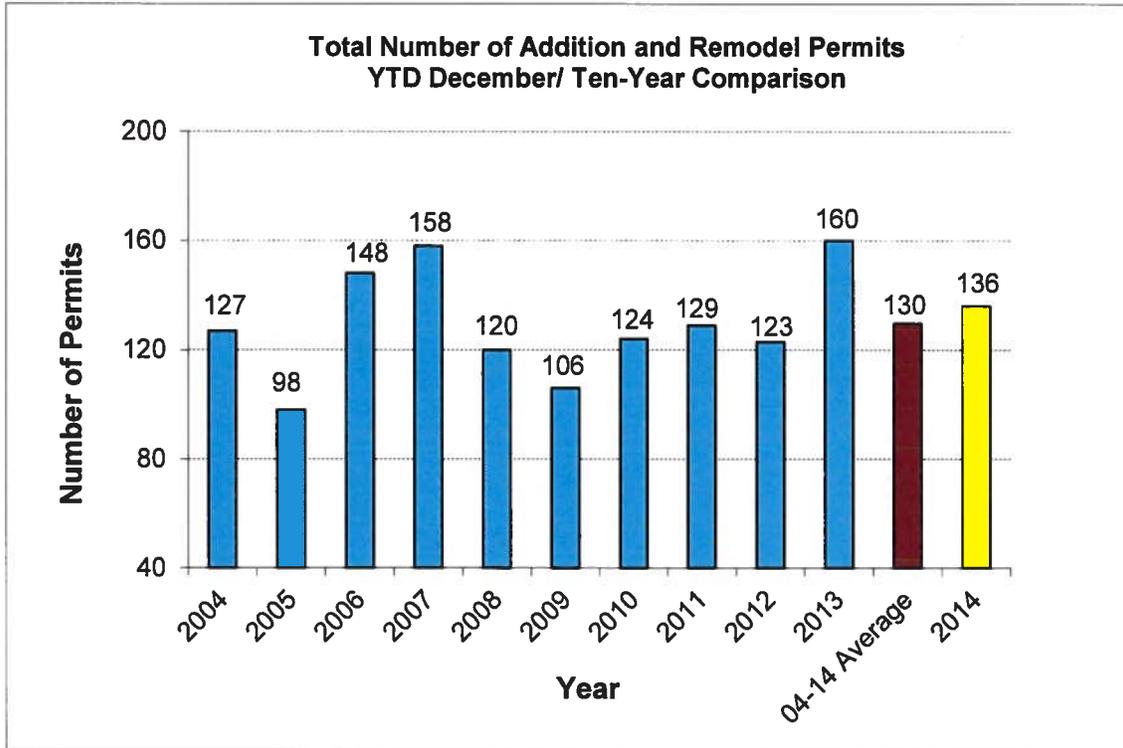
**TOTAL PERMITS
YTD THROUGH DECEMBER
10 YEAR COMPARISON**



NEW RESIDENCES YTD THROUGH DECEMBER 10 YEAR COMPARISON



**ADDITIONS & REMODELS
YTD THROUGH DECEMBER
10 YEAR COMPARISON**



**CITY OF CHERRY HILLS VILLAGE BUILDING DEPARTMENT
MONTHLY REPORT FOR
DECEMBER 1-31, 2014**

	2014 YTD	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
I Residences													
Number Issued	10	1	0	0	0	0	0	2		1	2	2	2
Project Valuation	\$19,480,841.08	\$775,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,907,715.00	\$2,000,000.00	\$0.00	\$2,947,932.80	\$4,071,061.28	\$6,779,132.00
Bldg. Permits	\$206,144.23	\$11,500.00	\$3,589.66	\$0.00	\$3,484.42	\$0.00	\$811.74	\$29,077.15	\$20,000.00	\$0.00	\$29,479.33	\$40,110.61	\$68,091.32
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Check Fee	\$29,688.02	\$825.00	\$0.00	\$0.00	\$2,400.00	\$900.00	\$138.02	\$4,500.00	\$3,750.00	\$0.00	\$5,100.00	\$5,475.00	\$6,600.00
Service Exp. Fee	\$88,253.75	\$7,585.50	\$0.00	\$0.00	\$0.00	\$589.05	\$13,927.10	\$11,993.90	\$11,993.90	\$0.00	\$22,114.20	\$15,668.70	\$16,375.30
II Additions & Remodels/Alterations													
Number Issued	136	13	7	12	15	11	15	10	13	11	17	4	8
Project Valuation	\$14,109,335.03	\$787,616.00	\$189,776.00	\$925,838.70	\$1,651,272.00	\$1,231,500.00	\$1,895,826.00	\$827,000.00	\$1,325,291.00	\$403,500.00	\$4,057,465.33	\$195,450.00	\$618,800.00
Bldg. Permits	\$165,515.57	\$16,241.16	\$2,647.76	\$35,536.23	\$10,612.72	\$11,457.38	\$12,001.46	\$9,720.00	\$13,252.91	\$5,205.00	\$40,579.65	\$1,954.50	\$6,306.80
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Check Fee	\$44,564.73	\$3,800.00	\$1,500.00	\$3,300.00	\$3,000.00	\$2,802.38	\$5,412.35	\$4,350.00	\$4,650.00	\$3,300.00	\$7,500.00	\$1,350.00	\$3,600.00
Service Exp. Fee	\$19,500.90	\$1,026.00	\$240.70	\$751.66	\$825.40	\$2,738.44	\$3,310.90	\$2,547.90	\$0.00	\$29.70	\$6,642.20	\$59.60	\$1,328.40
III Accessory & Recreational													
Number Issued	31	4	2	5	5	7	3	5	6	7	8	0	8
Project Valuation	\$4,494,699.00	\$111,300.00	\$91,100.00	\$281,995.00	\$689,725.00	\$573,441.00	\$57,620.00	\$125,785.00	\$752,900.00	\$1,182,900.00	\$189,665.00	\$0.00	\$438,268.00
Bldg. Permits	\$38,680.31	\$1,231.73	\$1,840.49	\$1,840.93	\$7,511.61	\$5,855.33	\$576.20	\$1,270.00	\$1,449.00	\$10,475.69	\$1,896.65	\$0.00	\$4,732.68
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Check Fee	\$20,210.05	\$2,650.00	\$900.00	\$1,429.02	\$1,535.16	\$1,645.87	\$1,500.00	\$1,500.00	\$1,800.00	\$2,400.00	\$2,550.00	\$0.00	\$2,400.00
Service Exp. Fee	\$10,304.50	\$353.40	\$281.60	\$1,056.00	\$1,156.80	\$2,073.60	\$43.60	\$307.20	\$41.20	\$2,806.50	\$1,153.40	\$0.00	\$1,031.20
IV Other Bldgs, Structures, & Misc.													
Number Issued	520	29	22	35	44	51	45	59	47	61	59	42	26
Project Valuation	\$32,851,242.88	\$1,941,937.73	\$290,346.00	\$283,632.88	\$500,925.00	\$7,895,534.20	\$15,680,379.00	\$700,888.63	\$792,733.80	\$1,038,541.40	\$1,663,085.68	\$1,273,350.46	\$779,088.10
Bldg. Permits	\$300,384.32	\$18,460.37	\$2,865.11	\$5,166.58	\$4,677.94	\$78,615.87	\$128,953.71	\$7,000.38	\$7,977.48	\$10,216.99	\$16,619.99	\$12,811.72	\$7,018.18
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Check Fee	\$34,005.07	\$4,400.00	\$1,200.00	\$1,300.00	\$1,500.00	\$7,050.00	\$9,282.55	\$2,151.51	\$600.00	\$750.00	\$1,500.00	\$1,821.01	\$2,450.00
Service Exp. Fee	\$56,698.20	\$17,051.40	\$39.20	\$0.00	\$0.00	\$16,900.00	\$20,484.00	\$108.00	\$0.00	\$0.00	\$0.00	\$0.00	\$105.60
V Electrical													
Number Issued	246	13	12	18	24	21	31	31	17	22	18	20	19
Project Valuation	\$5,969,120.00	\$163,474.00	\$303,005.00	\$101,421.00	\$167,345.00	\$135,932.00	\$333,819.00	\$4,182,420.00	\$98,162.00	\$75,095.00	\$100,362.00	\$154,760.00	\$153,325.00
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Bldg. Permits	\$123,131.91	\$2,529.45	\$6,589.50	\$2,081.50	\$4,128.75	\$3,544.00	\$7,531.96	\$82,766.50	\$2,512.75	\$2,064.00	\$2,511.50	\$3,212.75	\$3,659.25
Plan Check Fee	\$1,800.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$600.00	\$300.00
VI Totals													
Number Issued	972	60	43	70	88	90	94	107	84	101	104	68	63
Project Valuation	\$76,905,237.99	\$3,779,327.73	\$874,227.00	\$1,592,887.58	\$3,009,267.00	\$9,837,407.20	\$17,977,644.00	\$8,743,608.63	\$4,969,086.80	\$2,700,036.40	\$8,958,510.81	\$5,694,621.74	\$8,768,613.10
Bldg. Permits	\$833,856.34	\$49,962.71	\$17,532.52	\$44,625.24	\$30,415.44	\$99,472.58	\$148,875.07	\$129,834.03	\$45,192.14	\$27,961.68	\$91,087.12	\$58,089.58	\$89,808.23
Reinspection/Investigation Fee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Plan Check Fee	\$130,267.87	\$11,575.00	\$3,600.00	\$6,029.02	\$8,435.16	\$12,398.25	\$17,232.92	\$12,501.51	\$10,800.00	\$6,450.00	\$16,650.00	\$9,246.01	\$15,350.00
Service Exp. Fee	\$174,757.35	\$26,016.30	\$561.50	\$1,807.66	\$1,982.20	\$23,712.04	\$24,437.55	\$16,890.20	\$12,035.10	\$2,836.20	\$29,908.80	\$15,728.30	\$18,940.80

Permit Listing - Monthly Report

Permits Issued

Parameters:
 Date Issued Is between
 12/1/2014 and 12/31/2014

Sorted By:
 Work Start (Asc)

Grouped By:
 Permit Type (Asc)

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Accessory Structure				
75924 389 Accessory Structure 12/3/14 12/9/14	78 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7114	R-3 Council District 1 Chry Hls Farm Fing 1	REDDY, SYAMA M / REDDY, SYAMA M / HAWK CONSTRUCTION INC / 303-972-0317	115,000 / 1,593.75 12/9/14 / 6/8/16 Active
Description of Work: OUTDOOR KITCHEN/ ENTERTAINMENT AREA WITH COVERED DECK ABOVE				
75921 402 Accessory Structure 12/2/14 12/9/14	2801 E STANFORD DR ENGLEWOOD, CO 80113-6026	R-3 Council District 1 Chryidge	WILKINSON, BRIAN R & JANA L / 303-376-54 WILKINSON, BRIAN R & JANA L / 303-376-54 ELEVATE BY DESIGN / 303-567-6300	35,000 / 693.75 12/9/14 / 6/8/16 Active
Description of Work: CONCRETE PATIO WORK, GRADING, CONCRETE STEPPERS, SMALL RETAINING WALL, FIRE BOWLS, FENCE				
75926 278 Accessory Structure 12/3/14 12/9/14	1110 E LAYTON AVE ENGLEWOOD, CO 80113-7036	R-3 Council District 4 Chry Hls Vlg Acrs Amnd	IGINLA, JEROME / IGINLA, JEROME / HYDRO DYNAMIC SERVICES / 303-257-2971	115,000 / 2,513.10 12/9/14 / 6/8/16 Active
Description of Work: POOL AND SPA				
75930 211 Accessory Structure 12/4/14 12/11/14	4701 S FRANKLIN ST ENGLEWOOD, CO 80113-5940	R-3 Council District 1	SPAHR, LATON / 612-868-4966 SPAHR, LATON / 612-868-4966 AQUALITY CONSTRUCTION / 303-469-2229	117,268 / 1,979.27 12/1/14 / 6/10/16 Active
Description of Work: IN GROUND SWIMMING POOL				
75913 278 Accessory Structure 11/26/14 12/11/14	1110 E LAYTON AVE ENGLEWOOD, CO 80113-7036	R-3 Council District 4 Chry Hls Vlg Acrs Amnd	IGINLA, JEROME / IGINLA, JEROME / EUGENE GREGORY / 303-803-6326	24,000 / 570.00 12/1/14 / 6/10/16 Complete
Description of Work: TEMPORARY SEASONAL ICE RINK				
75953 83 Accessory Structure 12/12/14 12/18/14	4785 S FRANKLIN ST ENGLEWOOD, CO 80113-5940	R-3 Council District 3	MBB REVOCABLE TRUST / MBB REVOCABLE TRUST / EUGENE GREGORY / 303-803-6326	24,000 / 715.60 12/18/14 / 6/17/16 Active
Description of Work: SET UP A TEMPORARY SEASONAL ICE RINK 28X52 WITH CHILLER				
75961 294 Accessory Structure 12/16/14 12/18/14	12 SOUTH LN ENGLEWOOD, CO 80113-7023	R-3 Council District 4 Chry Hls Vlg Acrs Amnd	POLLOCK, ERIC M & ELLEN L / POLLOCK, ERIC M & ELLEN L / GRUBER REMODELING / 720-434-6942	4,000 / 345.00 12/18/14 / 6/17/16 Active
Description of Work: PERGOLA ON BACK PORCH				

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
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 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
75952 37 Accessory Structure 12/12/14 12/18/14	1199 E LAYTON AVE ENGLEWOOD, CO 80113-7017	R-3 Council District 4 Swastika Acres 1	BRADY & O'DONNELL, MICHAEL & ELLEN / BRADY & O'DONNELL, MICHAEL & ELLEN / CORNERSTONE CUSTOM HOMES / 303-783 Active	4,000 / 345.00 12/18/14 / 6/17/16 Active
Description of Work: ADD FIREPIT. CONVERT FIREPLACE TO BBQ				

Total Permits Issued (Accessory Structure) : 8

Total Cost: 438,268.00

Total Fees: 8,755.47

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Building Permit - Other				
75920 705 Building Permit - Other 12/2/14	46 SEDGWICK DR ENGLEWOOD, CO 80113-4110	R-2	ROTHMAN, D RICHARD / ROTHMAN, D RICHARD / APPLEWOOD PLUMBING & HEATING CO / 3 Complete	4,000 / 45.00 12/2/14 / 6/1/16
Description of Work: INSTALL 2.50 GALLON 40K BTU WATER HEATERS				
75903 316 Building Permit - Other 11/21/14	3211 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6009	R-3 Council District 1 Chryridge	CARROLL, KEVIN / 720-203-4440 CARROLL, KEVIN / 720-203-4440 JIM BLACK CONSTRUCTION / 303-563-9643 Active	35,000 / 693.75 12/2/14 / 6/1/16
Description of Work: REPAIR DRYWALL FROM WATER DAMAGE, MINOR PLUMBING				
75929 1320 Building Permit - Other 12/4/14	14 CHERRY LANE DR ENGLEWOOD, CO 80113-4233	R-2 Council District 6 Chry Hls Annex	CAULKINS, BUZZ & MEREDITH / 720-318-1818 CAULKINS, BUZZ & MEREDITH / 720-318-1818 TODD COMPANIES, INC / 303-710-5812 Complete	5,000 / 56.25 12/4/14 / 6/3/16
Description of Work: SEPTIC SYSTEM FAILED. REPLACING SEWER TAP				
75935 1372 Building Permit - Other 12/8/14	12 MOCKINGBIRD LN ENGLEWOOD, CO 80113-4813	R-3 Council District 4 Chry Hls Meadow	HAMILTON, PAIGE A / HAMILTON, PAIGE A / BLUE SKY PLUMBING & HEATING / 303-421- Active	3,200 / 36.00 12/8/14 / 6/7/16
Description of Work: REPLACE FURNACE WITH 80K BTU 80% EFFICIENT TRANE NAT GAS FIRED FURNACE.				
75937 1085 Building Permit - Other 12/9/14	4225 S FOREST CIR ENGLEWOOD, CO 80113-5008	R-4	MULLEN, PETER R & ANN L W / MULLEN, PETER R & ANN L W / PELLA WINDOW AND DOOR / 720-810-5272 Active	3,500 / 39.38 12/9/14 / 6/8/16
Description of Work: REPLACE FOUR WINDOWS LIKE FOR LIKE				
75936 825 Building Permit - Other 12/9/14	5315 NASSAU CIR E ENGLEWOOD, CO 80113-5102	R-4	KERSTEIN, JO ANN / KERSTEIN, JO ANN / PELLA WINDOW AND DOOR / 720-810-5272 Active	8,100 / 91.13 12/9/14 / 6/8/16
Description of Work: REPLACE 4 WINDOWS LIKE FOR LIKE				
75943 1115 Building Permit - Other 12/9/14	4021 S DAHLIA ST ENGLEWOOD, CO 80113-5145	R-5	ANDERSON DECEDENTS TRUST / ANDERSON DECEDENTS TRUST / FRONT RANGE MECHANICAL SERVICES / 3 Complete	3,300 / 37.13 12/9/14 / 6/9/16
Description of Work: REPLACE EXISTING FURNACE WITH AMANA 80% 120,000 BTU FURNACE				
75923 1880 Building Permit - Other 12/2/14	37 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3	BORGEN, LUIS & ELAINE / BORGEN, LUIS & ELAINE / KONA CONTRACTORS / 720-935-4922 Complete	11,824 / 433.58 12/9/14 / 6/8/16
Description of Work: REPLACE DECKING AND DECK RAIL. ADD SMALL NEW DECK AREA				

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
75922 1698 Building Permit - Other 12/2/14	58 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	SULLIVAN, ANDREW / 303-725-5888 SULLIVAN, ANDREW / 303-725-5888 D ENTERPRISE LLC / 720-398-7928	7,000 / 484.35 12/9/14 / 6/8/16 Active
Description of Work: ROOF TO MATCH EXISTING HOME ON POOL MECHANICAL ROOM				
75946 1010 Building Permit - Other 12/10/14	5367 E OXFORD AVE ENGLEWOOD, CO 80113-5120	R-4	JACOBSEN, ERIC & JENNIFER / 303-335-746 JACOBSEN, ERIC & JENNIFER / 303-335-746 CORNERSTONE CUSTOM HOMES / 303-783	500 / 20.00 12/11/14 / 6/10/16 Active
Description of Work: MASONRY MAILBOX POST 52X30X30				
75960 336 Building Permit - Other 12/15/14	2275 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7125	R-3 Council District 1 Chry Hls Farm West	MONTGOMERY, JAMES & TONYA / MONTGOMERY, JAMES & TONYA / HORIZON MECHANICAL / 303-346-3466	5,849 / 65.80 12/15/14 / 6/14/16 Active
Description of Work: FURNACE REPLACEMENT				
75958 1767 Building Permit - Other 12/15/14	5901 E PIEDMONT DR ENGLEWOOD, CO 80111-1195	R-1	ROITMAN, STEVE / ROITMAN, STEVE / A&J LANDSCAPE IRRIGATION / 303-435-277	14,000 / 157.50 12/15/14 / 6/14/16 Active
Description of Work: NEW CONCRETE DRIVEWAY				
75967 2437 Building Permit - Other 12/19/14	4500 E HAMPDEN AVE ENGLEWOOD, CO 80113-4223		BETHANY LUTHERAN CHURCH / 303-639-43 BETHANY LUTHERAN CHURCH / 303-639-43 MCGRATH INC / 720-331-8045	2,700.00 12/19/14 / 6/18/16 Active
Description of Work: REPLACE 8 ROOFTOP UNITS				
75971 1536 Building Permit - Other 12/22/14	6093 E PRINCETON AVE ENGLEWOOD, CO 80111-1032	R-4 Council District 1	WITT, KAREN / 303-912-0845 WITT, KAREN / 303-912-0845 MASTER EXCAVATING / 720-882-3381	1,000 / 20.00 12/22/14 / 6/21/16 Complete
Description of Work: YARD ONLY SEWER REPAIR WITH CLEAN OUTS				

Total Permits Issued (Building Permit - Other) : 14

Total Cost: 342,273.10

Total Fees: 4,879.87

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
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Construction Trailer

75822 1090 Construction Trailer 10/22/14 12/5/14	5050 E QUINCY AVE ENGLEWOOD, CO 80113-5048	R-1	DOMINICK FAMILY INTERESTS LTD / DOMINICK FAMILY INTERESTS LTD / CADRE GENERAL CONTRACTORS / 303-94- Complete	0 / 20.00 12/5/14 / 6/4/16 Complete
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Description of Work: TEMPORARY CONSTRUCTION TRAILER

Total Permits Issued (Construction Trailer) : 1

Total Cost: 0.00

Total Fees: 20.00

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
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 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Electrical				
75917 1895 Electrical 12/1/14	76 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3	JAMES M & MARILYN A OSTERHOFF / JAMES M & MARILYN A OSTERHOFF / SC ELECTRIC / 303-435-5074	7,200 / 174.00 12/1/14 / 6/1/16 Active
Description of Work: ELECTRICAL FOR REMODEL				
75916 314 Electrical 12/1/14	77 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3	VIERRA, FRED A & ROXANNE S / 303-781-77 VIERRA, FRED A & ROXANNE S / 303-781-77 SATO ELECTRICAL SOLUTIONS / 720-209-8	15,000 / 326.25 12/1/14 / 6/1/16 Active
Description of Work: ELECTRICAL FOR REMODEL AND SERVICE UPGRADE TO 350 AMP				
75925 1884 Electrical 12/3/14	56 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7167	R-3 Council District 1 City Vale Acrs Flng 2	VITALIE, LAUREN & JAMES / 303-781-8550 VITALIE, LAUREN & JAMES / 303-781-8550 ZAPP ELECTRIC / 720-272-3598	6,000 / 130.50 12/3/14 / 6/2/16 Active
Description of Work: ELECTRICAL FOR POOL				
75928 1815 Electrical 12/4/14	9 CARRIAGE LN LITTLETON, CO 80121-2010	R-2 Council District 3 Pheasant Ridge	LUND, BRETT / 303-884-2545 LUND, BRETT / 303-884-2545 BRANT ELECTRIC / 720-641-2189	5,000 / 108.75 12/4/14 / 6/3/16 Active
Description of Work: WIRE POOL AND POOL HOUSE WITH NEW 200 AMP SERVICE				
75934 420 Electrical 12/5/14	4502 S VINE WAY ENGLEWOOD, CO 80113-6028	R-1 Council District 1 Chrymoor South	ALLEN, KEVIN B & JENNIFER L / ALLEN, KEVIN B & JENNIFER L / DELMAR ELECTRICAL / 303-910-1214	12,000 / 261.00 12/5/14 / 6/4/16 Active
Description of Work: ELECTRICAL FOR REMODEL KITCHEN, BATH, FAMILY ROOM AND LAUNDRY				
75942 1057 Electrical 12/9/14	4050 S HUDSON WAY ENGLEWOOD, CO 80113-5114	R-4	HAYMONS, CHRIS / 303-506-3174 HAYMONS, CHRIS / 303-506-3174 CROTZER ELECTRIC LLC / 303-638-1709	2,500 / 65.25 12/9/14 / 6/8/16 Complete
Description of Work: SNOW MELT SYSTEM INSTALLED IN FRONT WALKWAY				
75940 398 Electrical 12/9/14	3050 E STANFORD DR ENGLEWOOD, CO 80113-6042	R-3 Council District 1 Chryridge	COUSINO, SCOTT R & KRISTEN L / COUSINO, SCOTT R & KRISTEN L / BRANT ELECTRIC / 720-641-2189	100 / 50.00 12/9/14 / 6/8/16 Complete
Description of Work: TEMP POWER				
75949 1689 Electrical 12/11/14	48 CHARLOU CIR ENGLEWOOD, CO 80111-1103	R-3	6455 E TUFTS AVE / 303-437-6844 LICHT, BRAD / 303-437-6844 BRENT HOLLOWAY ELECTRIC / 720-436-02	16,000 / 381.25 12/1/14 / 6/10/16 Active
Description of Work: REWIRE KITCHEN, MASTER BATH, FAMILY ROOM AND BASEMENT				

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
75950 2437 Electrical 12/12/14	4500 E HAMPDEN AVE ENGLEWOOD, CO 80113-4223		BETHANY LUTHERAN CHURCH / 303-639-43 BETHANY LUTHERAN CHURCH / 303-639-43 PINE VALLEY ELECTRIC INC / 303-841-1032	17,500 / 391.50 12/12/14 / 6/11/16 Complete
Description of Work: REPLACE 2 SPRINT CABINETS AND 3 ANTENNAE				
75951 1880 Electrical 12/12/14	37 GLENMOOR DR ENGLEWOOD, CO 80113-7116	R-3	BORGEN, LUIS & ELAINE / BORGEN, LUIS & ELAINE / SIMPSON ELECTRICAL SERVICES / 720-201 Active	4,000 / 87.00 12/12/14 / 6/11/16 Active
Description of Work: ADD 2- 15 AMP CIRCUITS, 14 RECESSED CAN LIGHTS, 3 SINGLE POLE SWITCHES, 4 110 VOLT OUTDOOR RECEPTACLES.				
75959 1090 Electrical 12/15/14	5050 E QUINCY AVE ENGLEWOOD, CO 80113-5048	R-1	DOMINICK FAMILY INTERESTS LTD / DOMINICK FAMILY INTERESTS LTD / VISION ELECTRICAL SERVICES LLC / 720-3-Complete	500 / 55.00 12/15/14 / 6/14/16 Complete
Description of Work: WIRE FEEDER TO TEMP CONSTRUCTION TRAILER				
75957 784 Electrical 12/15/14	3 LYNN RD ENGLEWOOD, CO 80113-4901	R-1 Council District 2 Chry Hls Sub	ALLEN, MARTIN & DEANNA / ALLEN, MARTIN & DEANNA / AVALON INDUSTRIES INC / 303-919-5019	2,000 / 55.00 12/15/14 / 6/15/16 Complete
Description of Work: POWER FOR NEW CAR CHARGERS				
75954 278 Electrical 12/15/14	1110 E LAYTON AVE ENGLEWOOD, CO 80113-7036	R-3 Council District 4 Chry Hls Vlg Acrs Amnd	IGINLA, JEROME / IGINLA, JEROME / LAGRANGE ELECTRIC / 720-490-8792	850 / 55.00 12/15/14 / 6/14/16 Complete
Description of Work: WIRING FOR ICE RINK				
75962 336 Electrical 12/16/14	2275 CHERRY HILLS FARM DR ENGLEWOOD, CO 80113-7125	R-3 Council District 1 Chry Hls Farm West	MONTGOMERY, JAMES & TONYA / MONTGOMERY, JAMES & TONYA / MAXIMUM ELECTRIC / 303-564-6924	150 / 50.00 12/16/14 / 6/16/16 Active
Description of Work: RECONNECT FURNACE REPLACEMENT				
75969 1407 Electrical 12/19/14	3600 S CLARKSON ST ENGLEWOOD, CO 80113-7526		ST GEORGE'S EPISCOPAL CHURCH / ST GEORGE'S EPISCOPAL CHURCH / MOUNTAIN BROTHERS ELECTRIC / 303-422 Active	10,250 / 239.25 12/19/14 / 6/19/16 Active
Description of Work: ELECTRIC FOR REMODEL				
75968 2478 Electrical 12/19/14	55 CHERRY LANE DR CHERRY HILLS VILLAGE, CO 80		ZAITZ, SAM / ZAITZ, SAM / PICUCCI ELECTRIC / 303-628-7576	41,000 / 1,191.75 12/19/14 / 6/18/16 Active
Description of Work: WIRE NEW HOUSE				

Permit Listing - Monthly Report

Permits Issued

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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
75972 74 Electrical 12/22/14	1010 E LAYTON AVE ENGLEWOOD, CO 80113-7018	R-3 Council District 4 Swastika Acres 1	PECKHAM, MARY ELLEN / PECKHAM, MARY ELLEN / LET THERE BE LIGHT ELECTRIC / 303-359-3	975 / 55.00 12/22/14 / 6/22/16 Active
Description of Work: INSTALL TEMPORARY CONSTRUCTION METER				
75973 1159 Electrical 12/29/14	3800 E HAMPDEN AVE ENGLEWOOD, CO 80113-4196		FIRST CHURCH OF THE NAZARENE / 303-7610-000 / 217.50 FIRST CHURCH OF THE NAZARENE / 303-7612-29/14 / 6/29/16 CENTERLINE SOLUTIONS / 303-993-3293 Active	
Description of Work: UPGRADE SPRINT WIRELESS FROM 100 TO 200 AMPS				
75974 316 Electrical 12/30/14	3211 CHERRYRIDGE RD ENGLEWOOD, CO 80113-6009	R-3 Council District 1 Chryridge	CARROLL, KEVIN / 720-203-4440 CARROLL, KEVIN / 720-203-4440 Ruby Electric Inc / 303-899-9658	2,300 / 65.25 12/30/14 / 6/30/16 Active
Description of Work: Add 7 recess cans, smokeys to code, add 5 outlets in basement and replace all outlets where water damage.				
Total Permits Issued (Electrical) : 19			Total Cost: 153,325.00	Total Fees: 3,959.25

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
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Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Elevator				
75898 Elevator 11/20/14	9 SANDY LAKE RD ENGLEWOOD, CO 80113-4140	R-3A Council District 2 Buell Mansion	DESTINY HOLDINGS LLC / DESTINY HOLDINGS LLC / MORNING STAR ELEVATOR / 303-217-6786	14,495 / 663.07 12/1/14 / 6/1/16 Active
Description of Work: PROVIDE AND INSTALL NEW ELEVATOR.				
75927 Elevator 12/3/14	3800 E HAMPDEN AVE ENGLEWOOD, CO 80113-4196		FIRST CHURCH OF THE NAZARENE / 303-785,100 / 1,707.38 FIRST CHURCH OF THE NAZARENE / 303-785,100 / 1,707.38 THYSEENKRUPP ELEVATOR / 720-274-3479	Active
Description of Work: INSTALL ONE NEW ELEVATOR				
Total Permits Issued (Elevator) : 2			Total Cost: 99,595.00	Total Fees: 2,370.45

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
--	--------------------------------------	---	--	---

Fence/Wall/Gate

75919 1186 Fence/Wall/Gate 12/2/14 12/3/14	15 CHERRY LANE DR ENGLEWOOD, CO 80113-4209	R-2	15 CHERRY LANE LLC / 15 CHERRY LANE LLC / SPLIT RAIL FENCE / 303-909-7230	6,000 / 67.50 12/3/14 / 6/2/16 Active
--	---	-----	---	---

Description of Work: INSTALLING A 3 RAIL VINYL FENCE TO ENCLOSE BACKYARD.

Total Permits Issued (Fence/Wall/Gate) : 1

Total Cost: 6,000.00

Total Fees: 67.50

Permit Listing - Monthly Report

Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
--	--------------------------------------	---	--	---

Minor Addition

75875 746 Minor Addition 11/12/14 12/2/14	2 SEDGWICK DR ENGLEWOOD, CO 80113-4105	R-2	LOUIS C HAMPERS TRUST / 970-331-9544 LOUIS C HAMPERS TRUST / 970-331-9544 CADRE GENERAL CONTRACTORS / 303-905 Active	32,800 / 1,325.61 12/2/14 / 6/1/16
---	---	-----	--	---------------------------------------

Description of Work: 3 CAR GARAGE ADDITION

75885 1553 Minor Addition 11/18/14 12/3/14	5700 S HAPPY CANYON DR ENGLEWOOD, CO 80111-1005	R-4	EVANS, CHRISTOPHER S & / EVANS, CHRISTOPHER S & / CASTLEVIEW / 303-489-5919	110,000 / 2,942.94 12/3/14 / 6/2/16 Active
--	--	-----	---	--

Description of Work: GARAGE EXPANSION/ GAME ROOM ADDITION/ DETACHED ONE CAR GARAGE

Total Permits Issued (Minor Addition) : 2
 Total Cost: 142,800.00
 Total Fees: 4,268.55

Permit Listing - Monthly Report
Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
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 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
Single Family Residence				
75713 718 Single Family Residence 9/19/14	4501 S MONROE LN ENGLEWOOD, CO 80113-6103	R-1 Chrymoot South	4501 S MONROE LLC / 4501 S MONROE LLC / NEWMYER CONSTRUCTION INC / 303-806-6 Active	5,279,132 / 73,168.44 12/1/14 / 6/1/16
Description of Work: NEW SINGLE FAMILY HOME				
75690 Single Family Residence 9/12/14	13 CHERRY LANE DR ENGLEWOOD, CO 80113		HAMILTON, FERRIS / HAMILTON, FERRIS / BROWN, ROBERT C & CONSTANCE A /	1,500,000 / 26,372.10 12/22/14 / 6/2/16 Active
Description of Work: NEW SINGLE FAMILY RESIDENCE				
Total Permits Issued (Single Family Residence) : 2			Total Cost: 6,779,132.00	Total Fees: 99,540.54

Permit Listing - Monthly Report
Permits Issued

Cherry Hills Village, CO
 2450 E. Quincy Avenue
 Phone : (303) 789-2541
 Fax : (303) 761-9386

Permit Nbr / Parcel Permit Type Applied for / Approved	Address Unit Address / Lot Number	Zoning Use Municipal Area Subdivision	Applicant Name / Phone Owner Name / Phone Work Done By / Phone	Project Cost / Fee Work Start / End Date Status
--	--------------------------------------	---	--	---

Total Permits Issued : 63

Total Cost: 8,768,613.10

Total Fees: 134,679.88

CHERRY HILLS VILLAGE
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Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 11d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL
FROM: TERRI LITTLEFORD/COURT CLERK
SUBJECT: MUNICIPAL COURT MONTH END REPORT FOR DECEMBER 2014
DATE: JANUARY 20, 2015

DISCUSSION

Municipal Court Statistics

Monthly Totals	2014	2013	Difference
Citations filed	88	111	-21%
Court appearances/guilty to original	99	101	-02%
Plea by mail letters sent	91	80	12%
Revenue	\$21,155.00	\$23,040.00	- \$1,855.00

BUDGET IMPACT STATEMENT

Through December, the Municipal Court has collected 116% of the total budgeted revenue amount.

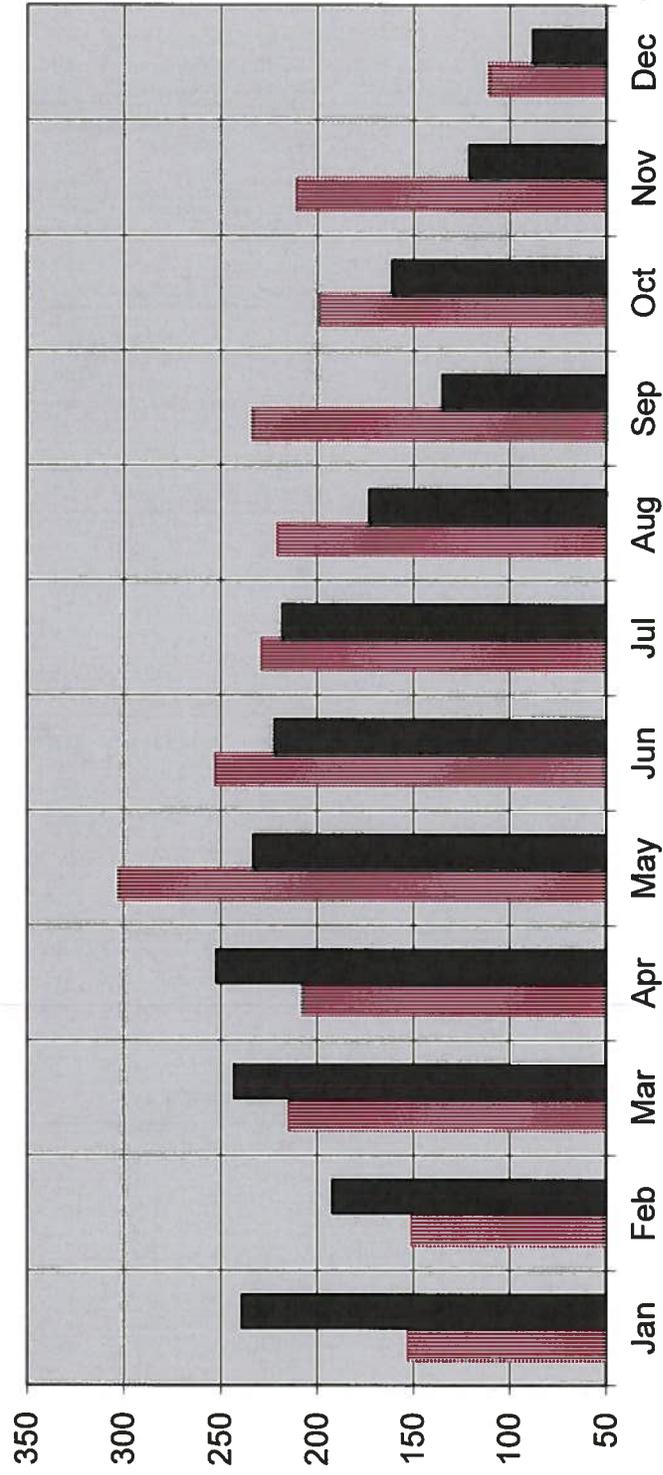
ATTACHMENTS

Exhibit A: Municipal Court Monthly Activity and Graphs

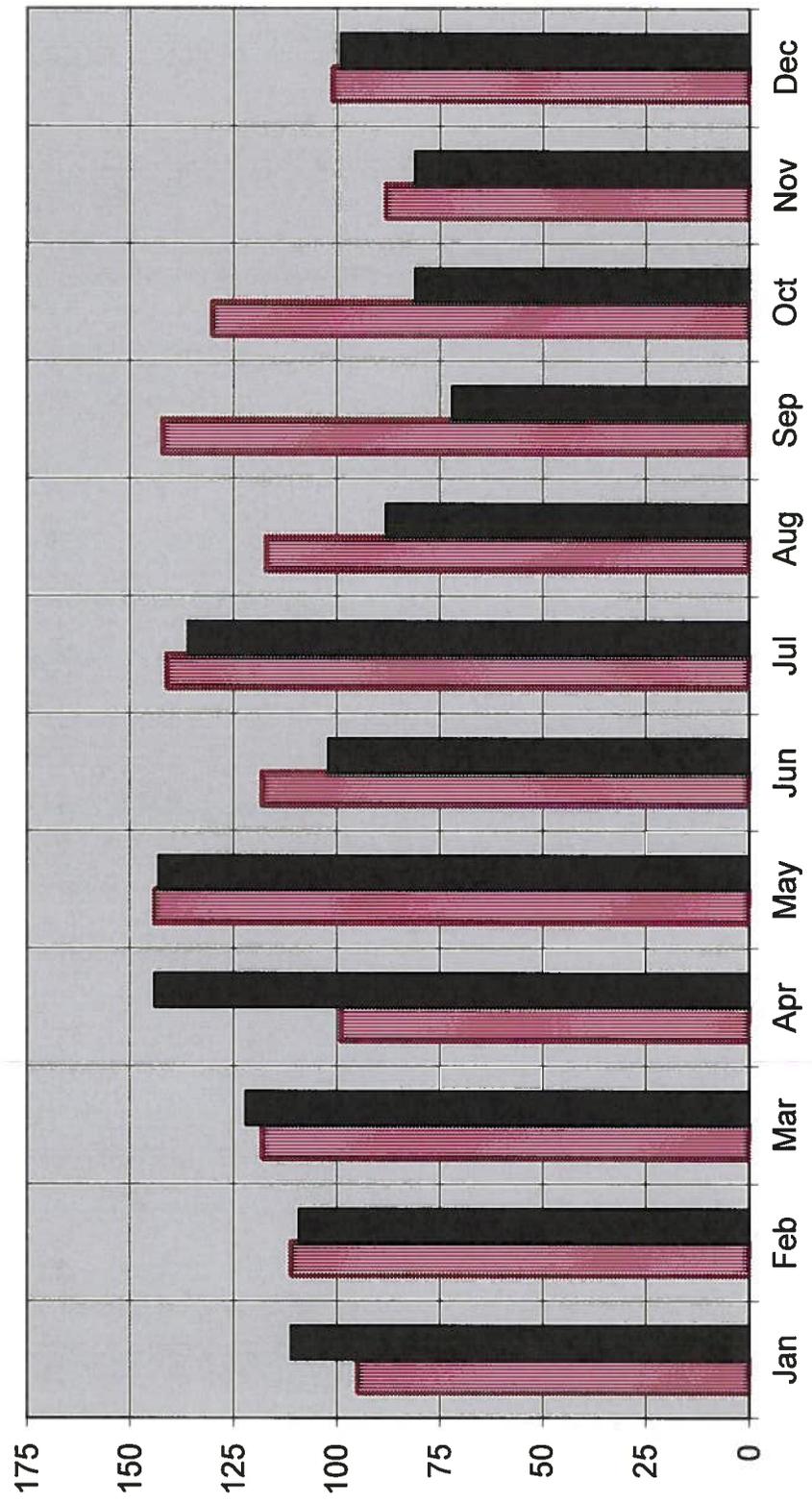
**CHERRY HILLS VILLAGE MUNICIPAL COURT
MONTHLY ACTIVITY
Dec-14**

	MONTH	YTD	PRIOR YTD
<u>COMPLAINTS FILED</u>			
TRAFFIC	86	2,146	2,331
PARKING	0	46	68
DOG	0	23	37
OTHER	2	77	83
TOTAL	88	2,292	2,519
<u>CLOSED BY CLERK</u>			
CLOSED BY CLERK	4	148	274
TOTAL	4	148	274
<u>PLEA BY MAIL</u>			
GLTY PLEA BY MAIL	91	1,220	1,185
TOTAL	91	1,220	1,185
<u>COURT ACTIVITY</u>			
GLTY TO ORIG	35	317	280
GUILTY TO AMENDED	47	502	532
DEFERRED JUDGMENTS	3	91	170
NOT GUILTY (set to trial)	0	14	12
NOT GUILTY (set to jury)	0	0	0
DISMISSED (proof of ins provided)	11	226	462
DISMISSED	3	33	38
SHOW CAUSE HEARINGS	0	2	2
<u>TRIAL TO COURT</u>			
CONVICTIONS	0	3	5
AQUITTALS	0	0	0
DISMISSED	0	0	0
<u>TRIAL TO JURY</u>			
CONVICTIONS	0	0	0
AQUITTALS	0	0	0
DISMISSED	0	0	0
MISTRIALS	0	0	0
NUMBER OF PEOPLE IN COURT	99	1,188	1,501
<u>TOTAL MONEY COLLECTED</u>	\$21,155.00	\$275,941.55	

Citations Filed

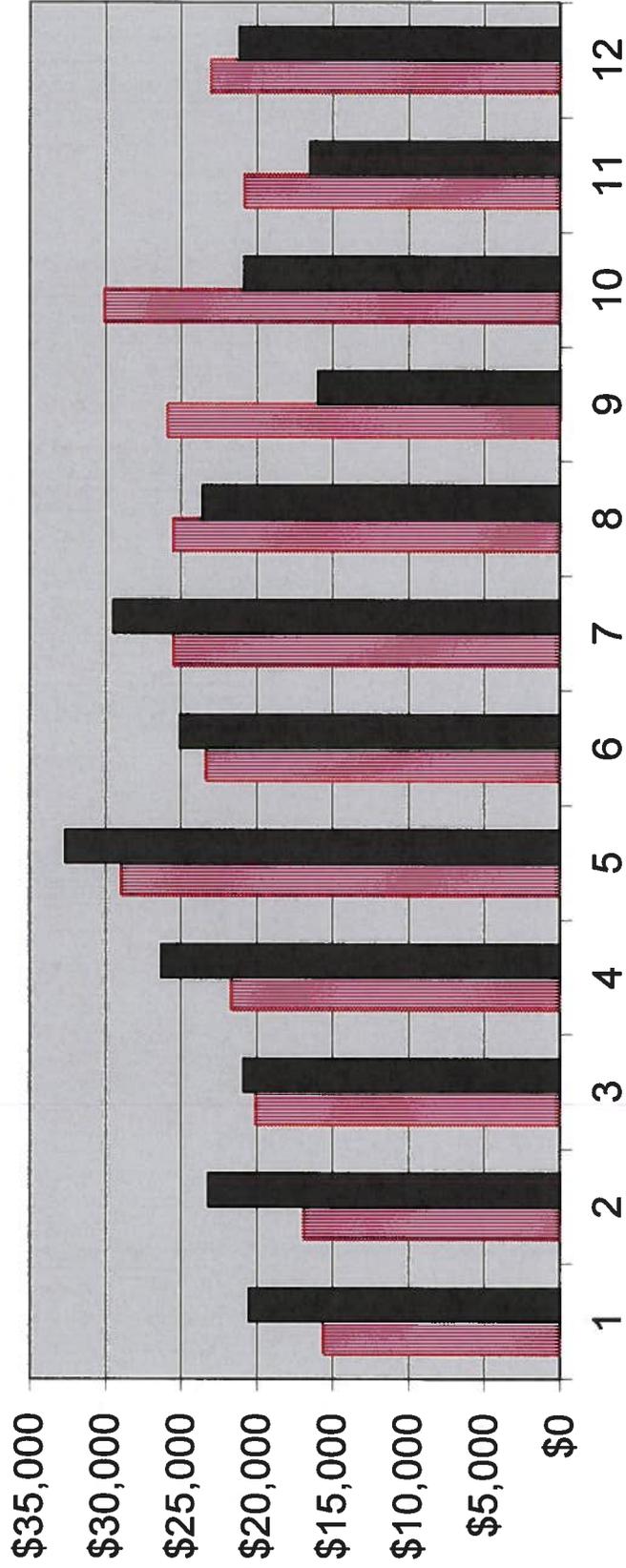


Court Appearances

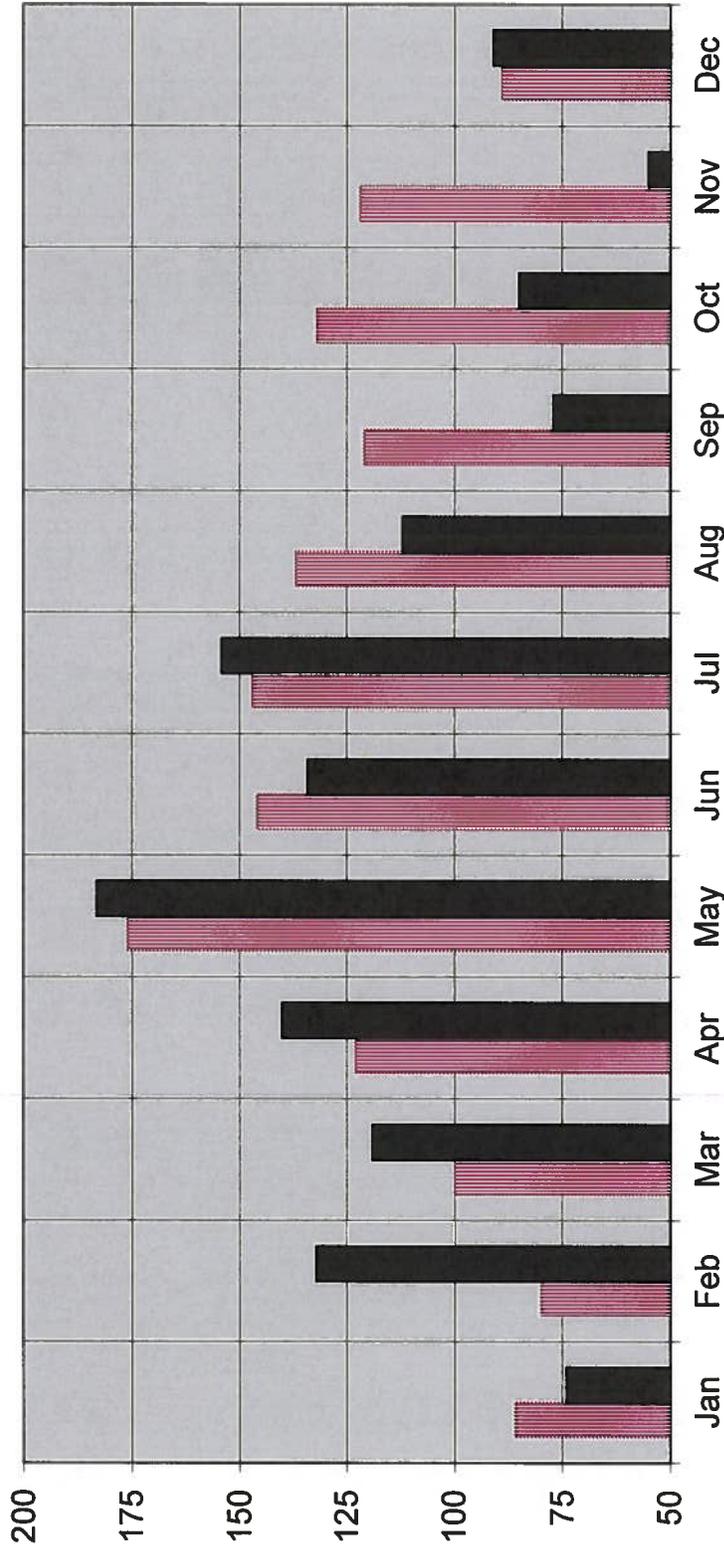


Fines Collected

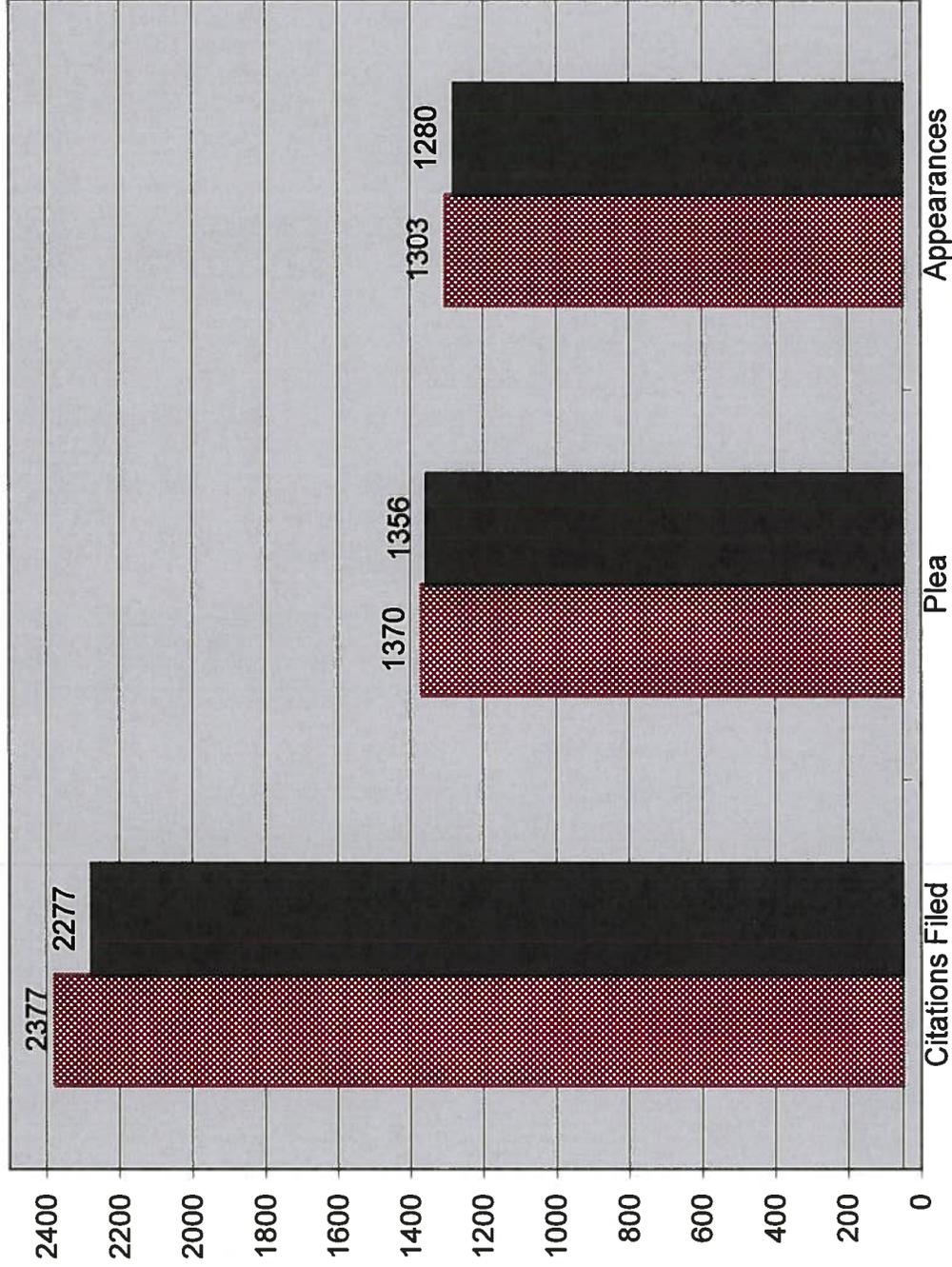
■ 2013 ■ 2014



Plea By Mail Offered



Year to Date Totals



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Cherry Hills Village, CO 80113
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ITEM: 11d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: MICHELLE TOVREA, POLICE CHIEF

SUBJECT: DECEMBER REPORT

DATE: JANUARY 20, 2015

In December staff met with Judge Turre, City Prosecutor Ausmus and the City Manager to discuss several items with regard to municipal court. Topics included fines for various charges to include no insurance and accidents involving injuries. Ms. Littleford provided statistical data for the surrounding area as well as Cherry Hills Village. Judge Turre and Mr. Ausmus were very satisfied with the performance of the officers responding to court.

The police department welcomed Officer Nathan Fischer to our ranks. Nathan comes to us with previous experience at Columbine Valley PD. His swearing in ceremony will take place soon.

In December the staff began working with on the Sergeants Promotional Process with Consultant Mary Wamsley of Jack Clancy and Associates. The job description was reviewed; dimensions have been established along with the framework for the assessment exercises. Another meeting has been scheduled for the middle of January. The actual testing will be conducted the first week of February.

Investigations Case Summary:

There was 1 child abuse report in the month of December:

- The reporting party stated that a juvenile discussed possible abuse by an adult caretaker with him. The investigation disclosed that these accusations proved to be untrue and that the juvenile was dishonest about what actually had occurred. **This case is closed – unfounded.**

There were 2 fraud reports in the month of December:

- In the first, the victim stated that someone fraudulently used his credit card for purchases totaling approximately \$351.00. The victim already notified the financial institution about the fraudulent activity on the account. **This case is inactive – no new leads.**
- In the second, the victim stated that someone fraudulently used his personal information to open several credit card accounts of which two were denied and one was approved. The unknown individual(s) used the approved account to fraudulently purchase cell phones and tablets. **This case remains under investigation.**

There were 3 theft reports in the month of December:

- In the first, the reporting party stated that three golf car chargers used during the BMW Golf Championship were unaccounted for and presumed taken during that timeframe. The three chargers are valued at approximately \$1,735.00. **This case is inactive – no new leads.**
- In the second, the victim stated that someone took two men’s prescription sunglasses from his unlocked locker in the men’s locker room of the Cherry Hills Country Club. The value of the stolen items is estimated at \$1,150.00. **This case is inactive – no new leads.**
- In the third, the victim stated that his ex-wife fraudulently used a bank account of which he is the sole owner to pay for her expenses. The monetary loss is estimated at \$800.00. **This case remains under investigation.**

There were 3 burglary reports in the month of December:

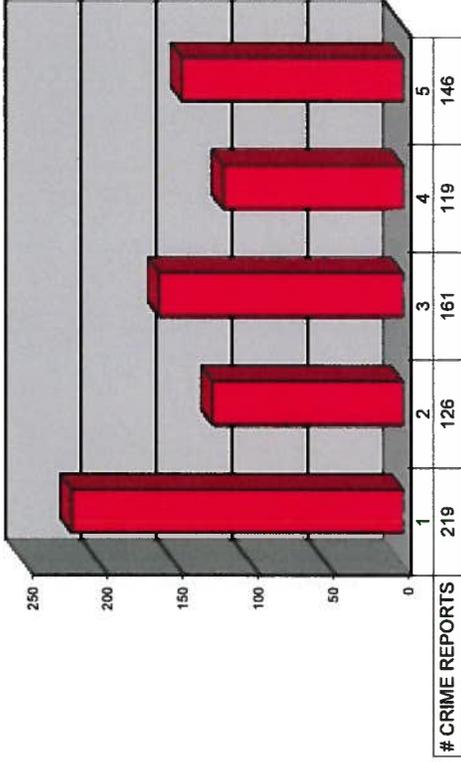
- In the first, the reporting party stated that someone gained access to several locked offices inside a local church and stole an unknown number of gift cards and currency from two congregations. The estimated damage to the property is \$2,300.00. **This case remains under investigation.**
- In the second, the victim stated someone gained access to his unlocked garage and stole two bicycles. The estimated value of both bicycles is \$4,400.00. **This case is inactive – no new leads.**
- In the third, the reporting party stated that someone gained access to the residence by breaking a window from an entry door while the homeowners were on vacation. The unknown individual(s) stole several pieces of jewelry and electronics. The value of the items taken is currently unknown. **This case remains under investigation.**

CHERRY HILLS POLICE DEPARTMENT MONTHLY STATISTICS

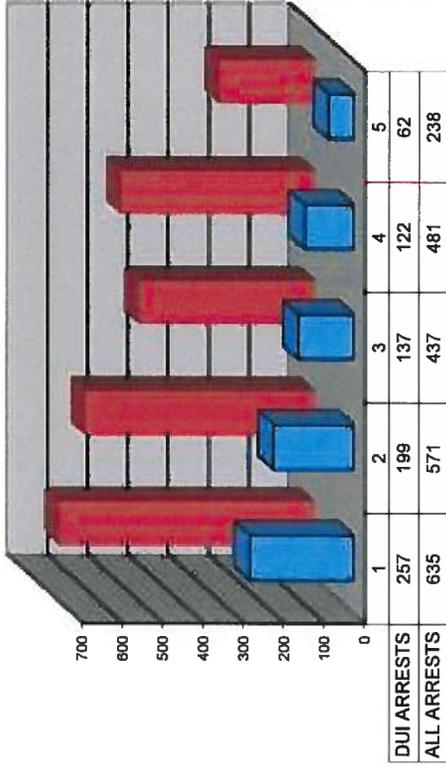
	Dec 2014	YEAR TO DATE 2014	YEAR TO DATE 2013	PERCENT CHANGE
TRAFFIC ACCIDENT	27	283	313	-10%
ALL CITATIONS	105	2553	3005	-15%
PARKING TICKETS	0	46	64	-28%
TRAFFIC WARNINGS	97	1846	2576	-28%
DUI ARRESTS	4	62	122	-49%
DUS ARRESTS	5	121	231	-48%
# CRIME REPORTS	14	146	119	23%
# ALARMS	29	463	460	1%
# ARRESTS (INCLUDES DUI'S & DUS's)	10	238	481	-51%
CITIZEN ASSISTS	7	186	245	-24%
ASSIST TO OTHER AGENCY	13	224	285	-21%
PROPERTY CHECKS (HW&BLDG)	1439	18138	16731	8%
CRIME PREVENTION NOTICES	47	458	520	-12%
FIELD INTERVIEW CARDS	3	117	106	10%

CHERRY HILLS VILLAGE / YEAR-TO-DATE THROUGH DECEMBER (2010-2014)

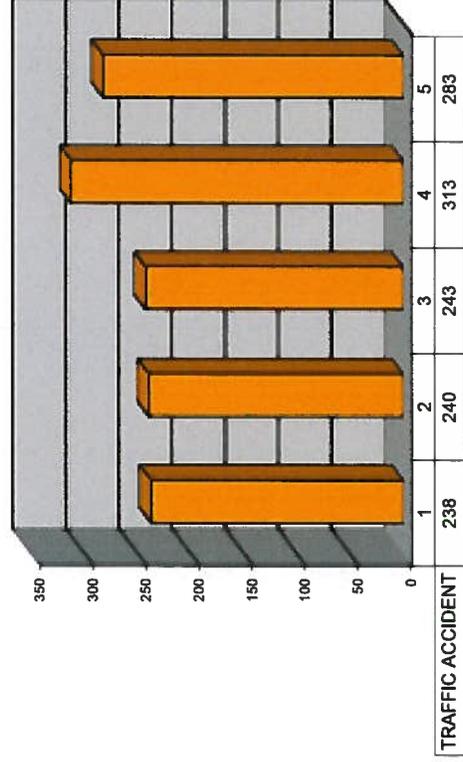
CRIME REPORTS



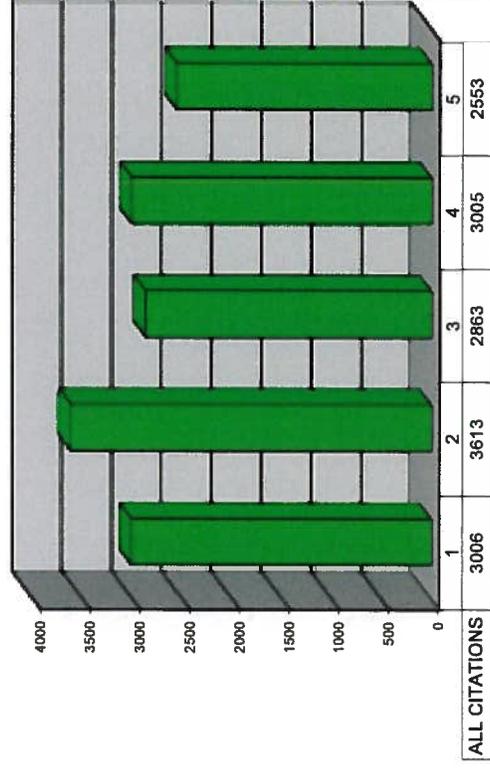
ARRESTS



TRAFFIC ACCIDENTS



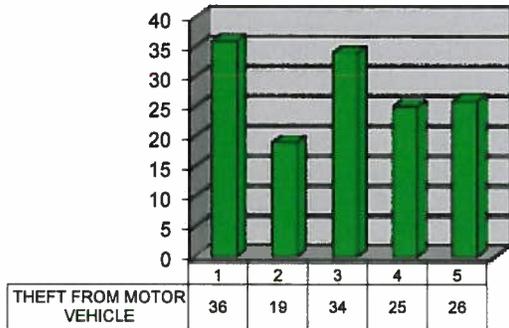
CITATIONS



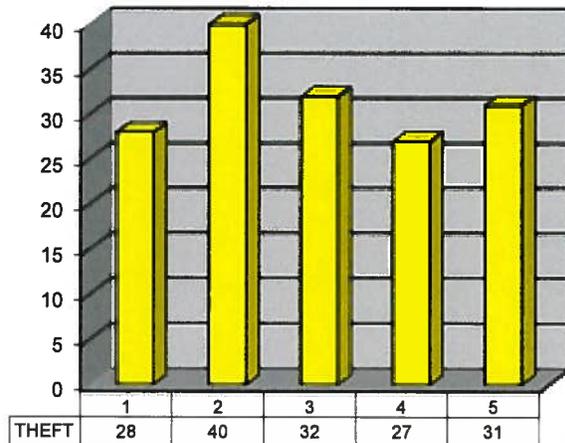
Cherry Hills Village Crime Statistics

YEAR-TO-DATE THROUGH DECEMBER (2010-2014)

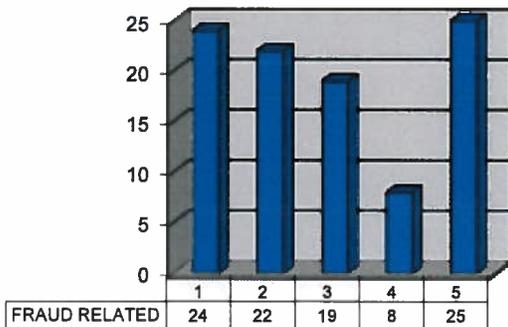
THEFT FROM MOTOR VEHICLE



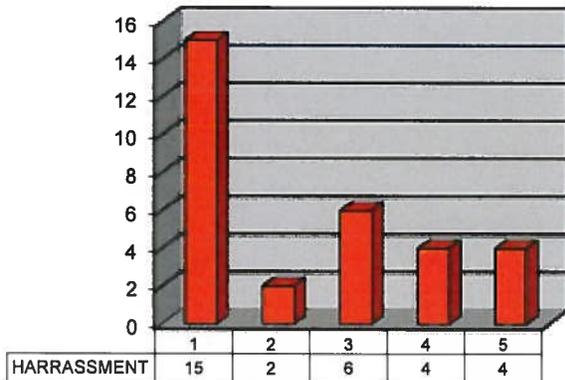
THEFT



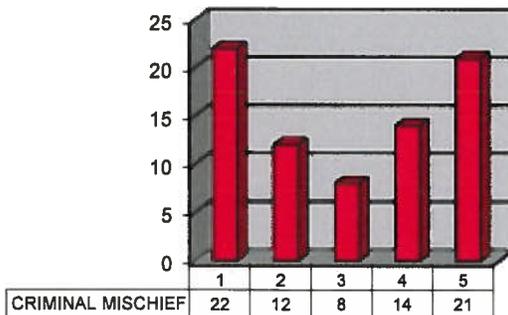
FRAUD RELATED



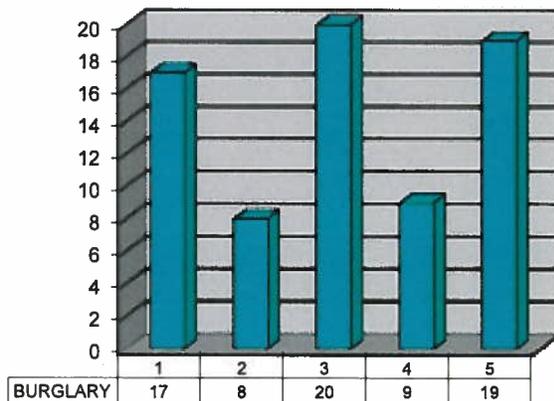
HARRASSMENT



CRIMINAL MISCHIEF

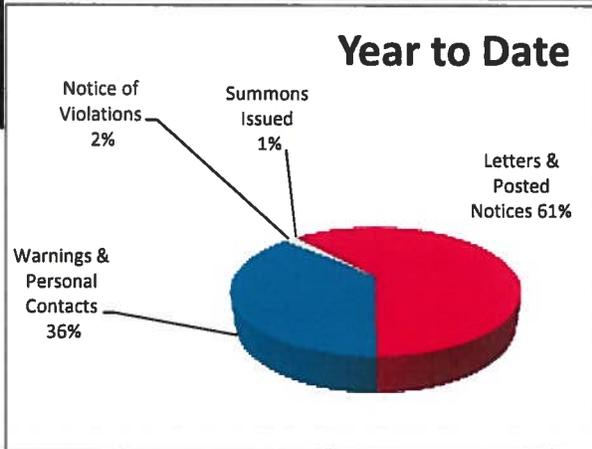
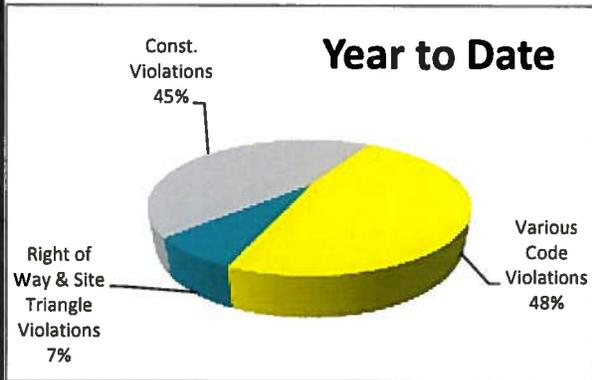
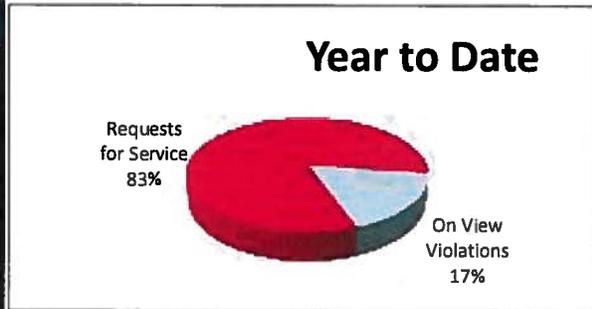


BURGLARY



Cherry Hills Village Code Enforcement Statistics December 2014

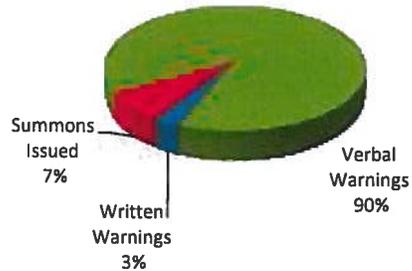
Code Enforcement Issues	Month	YTD
On View Violations	46	1326
Requests for Service	8	277
Sight Triangle Violations	0	12
Construction Site Violations	18	799
Permit Violations	0	69
Stop Work Orders Served	0	56
Fence Violations	0	24
Weed Violations	0	78
Trash, Debris and Junk	1	28
Trees/Bushes Violations	0	52
Zoning Violations	0	18
Right of Way Violations	6	133
Roll-offs/Port-a-let Violations	4	41
Sign Violations	25	457
Warnings/Personal Contacts	23	941
Letters/Posted Notices	0	243
Summons Issued	0	19
Notice of Violations	1	43
Misc. Code Violations	13	278



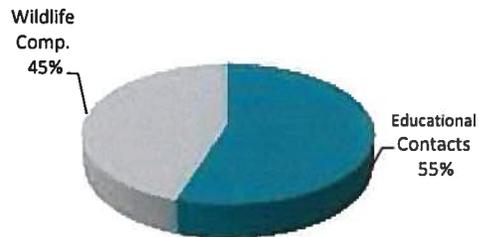
Cherry Hills Village Animal Control Statistics December 2014

Animal Control Issues	Month	YTD
Educational Contacts	6	148
Control of Dogs	8	123
Barking Dogs	2	48
Aggressive Dogs	0	2
Wildlife Complaints	4	121
Verbal Warnings	11	144
Written Warnings	0	5
Summons Issued	0	12

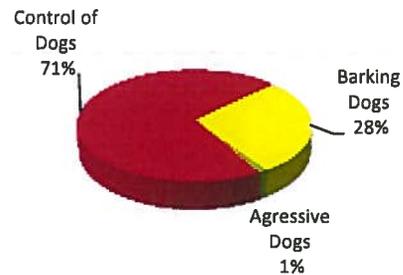
Year to Date Warnings/Summons



Year to Date Complaints & Contacts



Year to Date Dog Issues



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ITEM: 11d(i)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: JAY GOLDIE, DEPUTY CITY MANAGER/DIRECTOR OF PUBLIC WORKS

SUBJECT: PUBLIC WORKS DEPARTMENT MONTH END REPORT FOR DECEMBER 2014

DATE: JANUARY 20, 2015

The Streets crew spent the majority of December sanding and removing ice and snow. The crew did Citywide street sweeping and hauled several loads of leaf and sand sweepings to the landfill. In early December the crew completed the Cherrymoor Drainage Project that included finishing the block wall, rock rip rap and follow-up landscaping. The drainage project will help with the standing water issue caused from non-maintainable stormwater and will reduce mosquitos and the foul odors associated with the standing water. As weather permitted the crew worked on asphalt to prepare for the 2015 chipseal project this summer.

The Parks crew also spent many hours in December performing snow removal operations throughout the Village. In addition, the crew worked on trash pick-up, City wide sweeping of paved trails, fence repair and miscellaneous shop work. The Parks staff spent several hours preparing for the annual Holiday Tree Lighting event on December 12th including building numerous props for the event. The Holiday Tree Lighting event was a great success with great weather and fun for all.

The year-end right-of-way permit spreadsheet is attached. The City issued 141 permits in 2014 with a majority pertaining to utility work being conducted in the right-of way. The number of right-of-way permits continues to increase annually due to increased education efforts by our Code Enforcement Officer and Right-of-Way Inspector. The permitting process allows City staff to monitor and protect the City's infrastructure to ensure that work being conducted in the right-of way meets the Public Work's construction and excavations standards.

CHERRY HILLS VILLAGE
COLORADO

Also attached are the 2014 year-end work log spreadsheets for the Streets and Parks crew.

ATTACHMENTS:

Exhibit A: December Daily Logs

Exhibit B: 2014 Year-end Daily Logs

Exhibit C: Right-of-Way Permit Report

DECEMBER 2014 STREETS RECORD LOG SHEET

EXHIBIT A

	Week 49	Week 50	Week 51	Week 52		
ad - Administrative Office Work	17	31	27	4.25		79.25
as - Asphalt patching operations						0
bm - Building Maintenance						0
cn - Concrete repairs						0
cp - Overseeing contractor operations	1					1
cr - Sealing Operation						0
dr - Drainage Work	54	27				81
fn - Fence repairs						0
gm - General Maintenance	33	18				51
gv - Gravel road maintenance						0
hl-d - Loads to dump				2.5		2.5
hl-po - Materials hauled to shop						0
hl-r - Loads to recycle plant						0
hl-s - Loads to shop	2					2
ir - Irrigation repairs						0
ln - Landscape Repairs						0
Misc		9		25.25		34.25
mw-p - Mowing parks						0
mw-r - Mowing Rights of Ways						0
mw-t - Mowing Trails						0
pm - Preventative Maintenance						0
po - Purchasing materials	4	10	5			19
pt - Street Painting						0
sg - Sign Work	6			5.5		11.5
sh - Shouldering work for Asphalt						0
shp - Shop Work	6	7		3		16
sn - Snow removal operations		3	20	68		91
sw - Sweeper operations & cleanup	8	30	72.5	4		114.5
tr - Training & Conferences	13	4				17
ts - Trash (cans and loose)						0
tt - Tree Trimming						0
wd-p - Weed cutting parks						0
wd-r - Weed cutting rights of ways						0
wd-s - Weed Spray						0
wd-t - Weed cutting trails						0
pto - Paid time off	10	21	20	10		61
to-c - Time off comp						0
to-w - Time off workers comp						0
Hol - Holiday						0
TOTALS	154	160	144.5	122.5	0	581

MATERIALS

as-in - Asphalt (Shop-Laid)	tons					0
as-out - Asphalt (demo)	tons					0
rb - Road base	tons					0
cn - Concrete (Demo)	tons					0
cn - Concrete	yards					0
ts - Topsoil	yards					0
Mulch	yards					0
tb - Tree Branches	loads					0
cf - Crusher Fines	tons					0
ss - Salt/Sand	tons					0
ms - Misc.	loads					0
sw-dump - Sweepings	tons					0
sw-shop - Sweepings	tons			60		60
Ditch Dirt	loads					0
Rock	tons	2				2
water, mag						0
Trash	loads					0
Construction Debris	loads					0

2014 YEAR-END STREETS RECORD LOG SHEET

EXHIBIT B

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
ad - Admin. Office Work	198.0	131.0	38.0	67.0	52.0	55.0	64.0	93.0	131.0	68.0	58.5	79.25	1034.8
as - Asphalt patch oper.	36.0	83.0	309.0	96.0	124.0	112.0	256.0	288.0	197.0	86.0	0.0	0.0	1587.0
bm - Building Maintenance	0.0	0.0	0.0	2.0	0.0	0.0	0.0	14.0	0.0	6.0	0.0	0.0	22.0
cn - Concrete repairs	84.0	0.0	14.0	0.0	0.0	0.0	63.0	8.0	182.5	106.0	0.0	0.0	457.5
cp - Oversee contractor	0.0	0.0	5.0	9.0	1.0	76.0	20.0	2.0	28.0	3.0	2.0	1.0	147.0
cr - Sealing Operation	0.0	0.0	0.0	474.0	0.0	0.0	0.0	0.0	0.0	263.0	0.0	0.0	737.0
dr - Drainage Work	0.0	2.0	10.0	40.0	36.0	124.0	124.0	46.0	9.0	16.0	104.0	81.0	592.0
fn - Fence repairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0	0.0	0.0	0.0	0.0	10.0
gm - General Maintenance	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0	7.0	0.0	51.0	68.0
gv - Gravel Road Maint	0.0	48.0	12.0	3.0	61.0	3.0	66.0	40.0	0.0	32.0	21.0	0.0	286.0
hl-d - Loads to dump	0.0	17.0	36.0	12.0	37.0	37.0	12.0	20.0	20.0	27.0	21.0	2.5	241.5
hl-po - Mat hauled to shop	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
hl-r - Loads to recyc. plant	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	1.0
hl-s - Loads to shop	0.0	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	2.0	5.0	2.0	10.0
ir - Irrigation repairs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
ln - Landscape Repairs	0.0	0.0	10.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	10.0
Misc	0.0	0.0	1.0	0.0	22.0	7.0	9.0	62.0	57.8	19.0	7.0	34.25	219.0
mw-p - Mowing parks	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
mw-r - Mowing ROWs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
mw-t - Mowing Trails	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
pm - Preventative Maint.	96.5	50.0	23.0	19.0	10.0	27.0	16.0	44.0	16.0	55.0	42.0	0.0	398.5
po - Purchasing materials	6.0	6.0	21.0	8.0	7.0	6.0	13.0	2.0	2.0	14.0	2.0	19.0	106.0
pt - Street Painting	0.0	0.0	0.0	9.0	150.0	31.0	0.0	2.0	0.0	0.0	0.0	0.0	192.0
sg - Sign Work	4.0	5.0	0.0	18.0	17.0	105.5	149.0	22.0	8.0	13.5	2.0	11.5	355.5
sh - Shoulder wk Asphalt	0.0	0.0	0.0	16.0	0.0	0.0	0.0	19.0	0.0	0.0	0.0	0.0	35.0
shp - Shop Work	68.0	48.0	99.0	32.0	50.0	8.0	0.0	6.0	22.0	0.0	30.0	16.0	379.0
sn - Snow removal oper.	256.5	154.0	7.0	16.0	17.0	0.0	0.0	0.0	0.0	0.0	121.0	91.0	662.5
sw-Sweeper operation/clnup	34.0	60.0	83.0	109.0	0.0	40.0	20.0	0.0	0.0	61.0	4.0	114.5	525.5
tr - Training & Conferences	15.0	36.0	10.0	19.0	34.0	37.0	8.0	25.0	28.0	2.0	5.0	17.0	236.0
ts - Trash (cans and loose)	0.0	0.0	12.0	0.0	0.0	0.0	0.0	0.0	2.0	0.0	0.0	0.0	14.0
tt - Tree Trimming	0.0	0.0	0.0	0.0	25.0	37.0	0.0	0.0	16.0	0.0	0.0	0.0	78.0
wd-p - Weed cutting parks	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
wd-r - Weed cutting ROWs	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
wd-s - Weed Spray	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
wd-t - Weed cutting trails	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
pto - Paid time off	40.0	95.0	114.0	41.0	72.0	51.5	108.0	111.0	34.5	15.5	133.5	61.0	877.0
to-c - Time off comp	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
to-w - Time off work comp	0.0	0.0	0.0	0.0	0.0	2.0	0.0	0.0	0.0	21.0	7.0	0.0	30.0
Hol - Holiday	0.0	0.0	0.0	0.0	0.0	0.0	60.0	0.0	0.0	0.0	80.0	0.0	140.0
TOTAL HOURS	838.0	735.0	805.0	990.0	715.0	760.0	988.0	814.0	763.75	817.0	645.0	581.0	9451.75

MATERIALS

as-in- Asphalt (tons)	8.0		61.0	21.0	32.0		63.0	85.5	109.6	48.0			428.1
as-out- Asphalt (tons)			67.0	18.0	23.0	18.0	60.0	78.0	52.0				316.0
rb- Road base (tons)	5.0		30.0		3.8	55.0		4.0	7.5				105.3
cn- Concrete demo (tons)	16.0		10.0										26.0
cn- Concrete (yards)													0.0
ts- Topsoil (yards)					3.0						5.0		8.0
Mulch - (yards)													0.0
tb- Tree branch (loads)													0.0
cf- Crusher fines (tons)													0.0
ss- Salt/Sand (tons)													0.0
ms - Misc. materials											2.0		2.0
sw-dump- Sweep (tons)				26.0									26.0
sw-shop - Sweep (tons)		48.0		72.0		24.0	8.0			40.0		60.0	252.0
Ditch Dirt - (loads)						1.0	5.0			5.0			11.0
Rock - (tons)										3.0	5.0	2.0	10.0
Trash													0.0
Water/Mag							8500.0						8500.0
Const. Debris - (loads)		4.0	8.0	44.0	197.0	142.0	57.0	6.0	64.0	148.0	52.0		722.0

2014 RIGHT-OF-WAY PERMITS
MONTHLY REPORT

JANUARY 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
8	1	2		1	12
FEBRUARY 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
2					2
MARCH 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
3	4	5	1		13
APRIL 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
6	3	3			12
MAY 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
9	3	1		1	14
JUNE 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
11	5				16
JULY 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
8	2	2			12
AUGUST 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
2	3	4		1	10
SEPTEMBER 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
7	1	2			10
OCTOBER 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
10	9	1	1		21

2014 RIGHT-OF-WAY PERMITS
MONTHLY REPORT CONTINUED

NOVEMBER 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
6	1	1	2		10
DECEMBER 2014					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
9					9

2014 RIGHT-OF-WAY PERMITS YEAR-END REPORT					
UTILITY WORK	DRIVEWAY INSTALL/REPAIR	OCCUPANCY PERMITS	BRIDLE TRAIL	MAJOR JOBS	TOTAL PERMITS
81	32	21	4	3	141

CHERRY HILLS VILLAGE
COLORADO

2450 E. Quincy Avenue
Cherry Hills Village, CO 80113
www.cherryhillsvillage.com

Village Center
Telephone 303-789-2541
FAX 303-761-9386

ITEM: 11d(ii)

MEMORANDUM

TO: HONORABLE MAYOR CHRISTMAN AND MEMBERS OF THE CITY COUNCIL

FROM: KAREN PROCTOR, DIRECTOR OF FINANCE AND ADMINISTRATION

SUBJECT: UNAUDITED FINANCIAL STATEMENTS- DECEMBER 2014

DATE: JANUARY 20, 2015

ISSUE How do the City of Cherry Hills Village finances through December compare to budget?

DISCUSSION

- **Background**

The City Council approved the 2014 General Fund budget with revenues equal to expenditures and a Capital Fund with an approved 2014 budget deficit of (\$722,998).

- **Analysis**

At the end of December actual General Fund revenues exceeded expenditures by \$1,323,783. Forecasted revenue and expenditures through December 2014 show revenues exceeding expenditures by approximately \$1,299,975.

At the end of December, actual Capital Fund expenditures exceeded revenues by (\$113,638). Forecasted revenues and expenditures through December 2014 show expenditures exceeding revenue by approximately (\$113,638).

The 2014 annual financial audit is scheduled for the week of February 23rd, 2015.

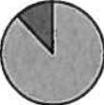
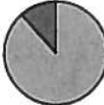
ATTACHMENTS

Exhibit A: Financial Snapshot for December 2014

Exhibit B: General Fund Statement of Revenue and Expenditures Summary

Exhibit C: December 2014 Financial Statements

The City of Cherry Hills Village Financial Snapshot For December 2014

			<u>% of 2014 Budget</u>	<u>Notes:</u>
GENERAL FUND (01)				
Revenues				
Budget:	\$	6,364,238		
Received to Date:	\$	7,061,763		
% of Year Completed:		100%		
% Received YTD:		111%		
Expenditures				
Administration				
Budget:	\$	1,880,441		
Expended to Date:	\$	1,698,206		
% of Year Completed:		100%		
% Expended YTD:		90%		
Community Development				
Budget:	\$	462,527		
Expended to Date:	\$	407,258		
% of Year Completed:		100%		
% Expended YTD:		88%		
Public Safety				
Budget:	\$	2,785,539		
Expended to Date:	\$	2,522,087		
% of Year Completed:		100%		
% Expended YTD:		91%		
Public Works				
Budget:	\$	994,808		
Expended to Date:	\$	879,805		
% of Year Completed:		100%		
% Expended YTD:		88%		

To Year End General Fund Revenues are Projected to Exceed Expenditures By:
\$1,299,975

CAPITAL FUND (02) EXPENDITURES

Budget:	\$	1,018,000	
Expended to Date:	\$	665,321	
% of Year Completed:		100%	
% Expended YTD:		65%	

PARKS AND RECREATION (30) EXPENDITURES

Budget:	\$	1,660,694	
Expended to Date:	\$	1,498,359	
% of Year Completed:		100%	
% Expended YTD:		90%	

**GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES**

	2011 ACTUAL	2012 ACTUAL	2013 ACTUAL	2014 ESTIMATE	2014 BUDGET
REVENUE					
Current Property Taxes @ 7.30 Mills	2,604,199	2,187,185	2,196,853	2,123,466	2,119,134
Use/Tax Motor Vehicles	929,962	870,486	1,101,958	1,146,976	917,018
Sales Tax	1,008,508	956,783	1,205,914	1,086,921	1,000,000
Service Expansion Fees	86,970	139,217	160,094	164,276	120,000
Building Permits	419,800	500,905	477,725	811,537	550,000
Franchise Fees	415,009	394,361	431,275	383,014	320,000
Highway Users Tax	241,197	241,851	242,555	227,877	236,949
Municipal Court Fines	243,227	243,971	277,314	278,627	240,000
County Road & Bridge Levy	131,896	120,153	120,336	113,504	115,682
Specific Ownership Tax	-	22,481	-	-	93,040
Other Revenues	547,145	609,239	566,998	725,566	652,415
TOTAL OPERATING REVENUE	6,627,913	6,286,632	6,781,022	7,061,763	6,364,238
EXPENDITURES					
Administration	1,199,582	1,400,081	1,572,634	1,707,737	1,880,440
Judicial	80,969	81,888	82,124	90,457	89,063
Data Processing	67,575	84,465	98,899	128,484	134,060
Community Development	366,553	393,763	424,062	413,213	462,527
Crier	17,132	17,009	16,364	19,854	17,800
Public Safety	2,638,665	2,447,430	2,507,255	2,522,229	2,785,539
Public Works	757,500	727,318	787,375	879,814	994,808
Capital Improvements	1,149,662	-	-	-	-
TOTAL OPERATING EXPENDITURES	6,277,638	5,151,954	5,488,714	5,761,788	6,364,238
Management Contingency/Transfer Out	-	-	-	-	-
TOTAL EXPENDITURES	6,277,638	5,151,954	5,488,714	5,761,788	6,364,238
OPERATING GAIN/(LOSS)	350,275	1,134,678	1,292,309	1,299,975	0
EXTRAORDINARY EXPENSES					
Village Center	-	-	-	-	-
Transfer to Capital Fund	9,161,576	-	965,029	1,065,944	1,065,944
TOTAL EXTRAORDINARY EXPENSES	9,161,576	-	965,029	1,065,944	1,065,944
BEGINNING FUND BALANCE	12,704,598	3,893,297	4,790,700	5,027,975	5,262,006
ADD/(SUBTRACT) OPERATING DIFFERENCE	350,275	1,134,678	1,292,309	1,299,975	0
LESS: EXTRAORDINARY EXPENSES	(9,161,576)	-	(965,029)	(1,065,944)	(1,065,944)
ENDING FUND BALANCE	3,893,297	5,027,975	5,117,980	5,262,006	4,196,062
EMERGENCY RESERVE	627,764	515,195	548,871	576,179	636,424
AVAILABLE FUND BALANCE	3,265,533	4,512,779	4,569,108	4,685,827	3,559,638

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

GENERAL FUND

ASSETS

01-1000	CASH - COMBINED FUND	(	1,138,293.21)	
01-1011	CASH ON HAND-GEN FUND		350.00	
01-1029	CASH ON DEPOSIT-CRIER	(	36,239.75)	
01-1031	CASH-COUNTY TREASURER GENERAL		986.63	
01-1032	CASH-CTY CLERK USE TAX		97,356.86	
01-1041	INVEST ACCT GEN'L FUND		1,497,981.85	
01-1042	INVESTMENT ACCT-CSAFE		102,777.52	
01-1043	INVEST ACCT-COLOTRUST+		4,890,756.32	
01-1045	1ST BANK CD'S		505,010.30	
01-1046	STEELE STREET BANK CD'S		508,732.87	
01-1051	TAXES RECEIVABLE	(	12,623.08)	
01-1151	ACCOUNTS RECEIVABLE		401.24	
01-1311	DUE FROM OTHER FUNDS		1,542,490.56	
01-1551	PREPAID INSURANCE		35,124.97	
01-1601	LAND		15,169,580.08	
01-1631	BUILDINGS		4,986,859.61	
01-1632	GROUND IMPROVEMENTS		223,820.14	
01-1641	PUBLIC WORKS EQUIPMENT		1,434,414.18	
01-1642	PUBLIC SAFETY EQUIPMENT		633,363.60	
01-1643	ADMINISTRATION EQUIPMENT		232,947.35	
01-1701	COMPUTER LOAN PROGRAM		7,416.18	
	TOTAL ASSETS			30,681,214.22

LIABILITIES AND EQUITYLIABILITIES

01-2014	PAYROLL PAYABLES-ZERO BALANCE		.08	
01-2015	FICA/FWH PAYABLES	(	672.17)	
01-2017	457 PAYABLES	(	1,082.74)	
01-2020	HEALTH SAVINGS PAYABLES		35,018.91	
01-2021	DEPENDENT FLEX PAYABLES		392.32	
01-2022	FSA PAYABLES		9,000.00	
01-2023	RETIREMENT PAYABLES		422.48	
01-2025	HEALTH/DENTAL INSUR PAYABLES		62,508.00	
01-2030	MISC PR PAYABLES		11,767.96	
01-2101	HEALTH CARE SPENDING ACCT	(	44,005.24)	
01-2201	RECOGNIZANCE BONDS		310.00	
01-2202	JURY FEES - ESCROW	(	50.00)	
01-2221	RESERVE-TAXES RECEIV.	(	12,623.08)	
01-2251	CHERRY HILLS GIFT FUND ESCROW		17,328.56	
01-2252	ART COMMISSION DONATIONS		53,762.75	
01-2261	POLICE DEPT SEIZURE ESCROW		.35	
01-2370	BUILDING ESCROW		74,047.15	
01-2381	HIGHLINE CANAL MAYORS CONTEST		362.59	
01-2641	INVESTMENT IN FIXED ASSETS		22,680,984.96	
	TOTAL LIABILITIES			22,887,472.88

FUND EQUITY

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

GENERAL FUND

01-2952	TABOR EXCESS		1,078,951.30	
	UNAPPROPRIATED FUND BALANCE:			
01-2900	FUND BALANCE	5,391,006.81		
	REVENUE OVER EXPENDITURES - YTD	<u>1,323,783.23</u>		
	BALANCE - CURRENT DATE		<u>6,714,790.04</u>	
	TOTAL FUND EQUITY			<u>7,793,741.34</u>
	TOTAL LIABILITIES AND EQUITY			<u><u>30,681,214.22</u></u>

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>					
01-310-3111	(115.52)	2,123,466.24	2,119,134.00	(4,332.24)	100.2
01-310-3121	.00	.00	93,040.00	93,040.00	.0
01-310-3161	30,895.37	383,013.78	320,000.00	(63,013.78)	119.7
01-310-3162	.00	105,391.41	100,000.00	(5,391.41)	105.4
01-310-3191	(17.33)	5,868.95	6,000.00	131.05	97.8
01-310-3192	.00	.00	(20,000.00)	(20,000.00)	.0
01-310-3193	.00	.00	(200.00)	(200.00)	.0
01-310-3311	79,431.26	1,086,920.62	1,000,000.00	(86,920.62)	108.7
01-310-3312	102,480.96	1,146,975.69	917,018.00	(229,957.69)	125.1
01-310-3313	.00	150,000.00	150,000.00	.00	100.0
TOTAL TAX REVENUES	212,674.74	5,001,636.69	4,684,992.00	(316,644.69)	106.8
<u>LICENSE AND PERMIT REVENUES</u>					
01-320-3211	1,811.50	8,350.25	7,257.00	(1,093.25)	115.1
01-320-3213	.00	27,400.00	30,000.00	2,600.00	91.3
01-320-3221	34,868.24	811,536.90	550,000.00	(261,536.90)	147.6
01-320-3222	9,112.30	164,275.70	120,000.00	(44,275.70)	136.9
01-320-3223	150.00	1,700.00	2,000.00	300.00	85.0
01-320-3224	.00	3,600.00	3,600.00	.00	100.0
01-320-3225	9,750.00	129,455.07	80,000.00	(49,455.07)	161.8
01-320-3226	150.00	150.00	500.00	350.00	30.0
01-320-3227	20.00	2,990.00	3,000.00	10.00	99.7
01-320-3228	4,887.50	55,152.50	45,000.00	(10,152.50)	122.6
01-320-3229	300.00	3,300.00	2,000.00	(1,300.00)	165.0
01-320-3230	300.00	3,900.00	10,000.00	6,100.00	39.0
TOTAL LICENSE AND PERMIT REVENUES	61,349.54	1,211,810.42	853,357.00	(358,453.42)	142.0
<u>INTERGOVERNMENTAL REVENUES</u>					
01-330-3321	1,599.00	26,625.00	24,000.00	(2,625.00)	110.9
01-330-3342	290.33	3,186.18	3,000.00	(186.18)	106.2
01-330-3352	21,183.82	227,877.40	236,949.00	9,071.60	96.2
01-330-3371	5,675.22	113,504.32	115,682.00	2,177.68	98.1
TOTAL INTERGOVERNMENTAL REVENUES	28,748.37	371,192.90	379,631.00	8,438.10	97.8

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>CHARGES FOR SERVICES REVENUES</u>					
01-350-3420	EXTRA DUTY SERVICE CHARGES	6,110.00	53,740.00	55,000.00	1,260.00 97.7
01-350-3421	FALSE ALARM FEES	.00	5,500.00	1,000.00 (	4,500.00) 550.0
01-350-3511	MUNICIPAL COURT FINES	21,155.00	278,626.55	240,000.00 (	38,626.55) 116.1
01-350-3512	DUI FINES	645.15	11,886.03	18,000.00	6,113.97 66.0
01-350-3513	FUEL SURCHARGE	1,810.00	23,965.00	23,000.00 (	965.00) 104.2
01-350-3514	PHOTO RED LIGHT FINES	.00	325.00	55,000.00	54,675.00 .6
	TOTAL CHARGES FOR SERVICES REVENUES	29,720.15	374,042.58	392,000.00	17,957.42 95.4
<u>MISCELLANEOUS REVENUES</u>					
01-360-3611	INTEREST INCOME	1,779.20	11,475.85	10,498.00 (	977.85) 109.3
01-360-3612	PENALTY-BUILDING PERMITS	100.00	5,935.15	2,500.00 (	3,435.15) 237.4
01-360-3650	CRIER CONTRIBUTIONS	400.00	7,886.00	8,000.00	114.00 98.6
01-360-3660	CRIER ADVERTISEMENT	1,140.00	9,375.50	6,000.00 (	3,375.50) 156.3
01-360-3680	OTHER REVENUES	8,836.59	60,847.71	20,000.00 (	40,847.71) 304.2
01-360-3690	LEASE PROCEEDS	605.00	7,560.00	7,260.00 (	300.00) 104.1
	TOTAL MISCELLANEOUS REVENUES	12,860.79	103,080.21	54,258.00 (	48,822.21) 190.0
	TOTAL FUND REVENUE	345,353.59	7,061,762.80	6,364,238.00 (	697,524.80) 111.0

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ADMINISTRATION DEPARTMENT</u>					
01-411-1011 PERSONNEL SERVICES	40,808.21	492,410.02	504,409.00	11,998.98	97.6
01-411-1012 FEE PERSONNEL	.00	13,800.00	17,600.00	3,800.00	78.4
01-411-1013 SOCIAL SECURITY TAXES	1,889.42	35,578.72	40,353.00	4,774.28	88.2
01-411-1014 RETIREMENT 401-NONSWORN	1,055.60	13,701.16	30,265.00	16,563.84	45.3
01-411-1015 RETIREMENT	1,280.04	14,370.78	65,000.00	50,629.22	22.1
01-411-1016 HEALTH-LIFE-DENTAL INSURANCE	6,575.38	65,218.23	465,690.00	400,471.77	14.0
01-411-1017 UNEMPLOY-WORKMENS COMP INS	.00	43,424.00	120,000.00	76,576.00	36.2
01-411-1019 OVERTIME	213.23	2,171.43	.00	(2,171.43)	.0
01-411-2021 OFC-SUPPLIES-POSTAGE	496.81	11,385.63	17,027.00	5,641.37	66.9
01-411-2022 PRINTING-REPRODUCTION	55.88	1,296.04	1,500.00	203.96	86.4
01-411-2028 SPECIAL MATERIALS	18.61	1,433.76	2,700.00	1,266.24	53.1
01-411-3031 GAS-HEAT-LIGHT	4,086.68	22,624.54	17,800.00	(4,824.54)	127.1
01-411-3033 COMMUNICATIONS	2,880.41	31,244.07	33,000.00	1,755.93	94.7
01-411-3035 SEWER	.00	(6.01)	3,073.00	3,079.01	(.2)
01-411-4040 COUNTY TREASURER FEES	(1.37)	23,993.59	21,191.00	(2,802.59)	113.2
01-411-4041 COUNTY USE TAX FEES	5,124.07	57,348.88	45,851.00	(11,497.88)	125.1
01-411-4042 AUDIT	.00	7,500.00	7,500.00	.00	100.0
01-411-4043 LEGAL	9,872.00	107,672.55	130,000.00	22,327.45	82.8
01-411-4049 OTHER CONTRACTUAL SERVICES	483.88	14,954.46	35,860.00	20,905.54	41.7
01-411-6061 INSURANCE-BONDS	911.03	133,902.65	126,839.00	(7,063.65)	105.6
01-411-6062 ELECTION EXPENSE	.00	.00	8,600.00	8,600.00	.0
01-411-6063 TRAIN.-DUES-TRAVEL-SUBSC	11,933.69	64,672.48	151,509.00	86,836.52	42.7
01-411-6064 TESTING-PHYSICALS	.00	54.50	1,000.00	945.50	5.5
01-411-6066 LEGAL PUBLICATIONS	.00	.00	500.00	500.00	.0
01-411-6067 SPECIAL EVENTS	1,337.77	1,828.70	1,700.00	(128.70)	107.6
01-411-6068 MISCELLANEOUS EXPENSES	2,175.49	56,951.44	50,474.00	(6,477.44)	112.8
01-411-7071 EQUIPMENT	.00	1,557.96	1,000.00	(557.96)	155.8
TOTAL ADMINISTRATION DEPARTMENT	91,196.83	1,219,089.58	1,900,441.00	681,351.42	64.2
<u>JUDICIAL DEPARTMENT</u>					
01-412-1011 PERSONAL SERVICES	3,725.54	63,403.44	65,253.00	1,849.56	97.2
01-412-1012 FEE PERSONNEL	1,000.00	12,000.00	10,400.00	(1,600.00)	115.4
01-412-1013 SOCIAL SECURITY TAXES	286.31	4,863.21	5,220.00	356.79	93.2
01-412-1015 RETIREMENT	.00	1,183.84	.00	(1,183.84)	.0
01-412-1016 HEALTH-LIFE-DENTAL INSURANCE	1,079.54	15,018.32	.00	(15,018.32)	.0
01-412-2021 OFC SUPPLIES-POSTAGE	.00	115.42	200.00	84.58	57.7
01-412-2022 PRINTING-REPRODUCTION	.00	822.51	500.00	(322.51)	164.5
01-412-4050 JURY-WITNESS FEES	.00	5.00	150.00	145.00	3.3
01-412-6063 TRAIN.-DUES-TRAVEL-SUBSC	.00	399.00	560.00	161.00	71.3
01-412-6067 INTERPRETERS	106.25	685.00	1,100.00	415.00	62.3
01-412-6068 MISCELLANEOUS EXPENSES	525.00	7,162.65	5,680.00	(1,482.65)	126.1
TOTAL JUDICIAL DEPARTMENT	6,722.64	105,658.39	89,063.00	(16,595.39)	118.6

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>DATA PROCESSING DEPARTMENT</u>					
01-414-2028 SOFTWARE	.00	1,258.00	1,758.00	500.00	71.6
01-414-4049 OTHER CONTRACTUAL SERVICES	6,142.50	85,758.28	98,432.00	12,673.72	87.1
01-414-5052 EQUIPMENT MAINTENANCE	472.00	472.00	3,000.00	2,528.00	15.7
01-414-6068 MISCELLANEOUS EXPENSES	.00	20,528.11	21,870.00	1,341.89	93.9
01-414-7071 EQUIPMENT	.00	13,297.58	9,000.00	(4,297.58)	147.8
TOTAL DATA PROCESSING DEPARTMENT	6,614.50	121,313.97	134,060.00	12,746.03	90.5
<u>COMMUNITY DEVELOPMENT DEPARTME</u>					
01-418-1011 PERSONNEL SERVICES	12,796.84	166,911.38	170,905.00	3,993.62	97.7
01-418-1013 SOCIAL SECURITY TAXES	795.68	12,595.54	13,672.00	1,076.46	92.1
01-418-1014 RETIREMENT 401-NONSWORN	460.20	5,935.26	.00	(5,935.26)	.0
01-418-1015 RETIREMENT	189.82	289.82	.00	(289.82)	.0
01-418-1016 HEALTH-LIFE-DENTAL INSURANCE	1,586.78	18,342.22	.00	(18,342.22)	.0
01-418-2021 OFCE SUPPLIES-POSTAGE	3.89	859.48	4,200.00	3,340.52	20.5
01-418-2022 PRINTING-REPRODUCTION	46.40	2,470.50	1,800.00	(670.50)	137.3
01-418-2028 SPECIAL MATERIALS	18.23	212.63	200.00	(12.63)	106.3
01-418-3033 TELEPHONE	100.50	753.68	850.00	96.32	88.7
01-418-4041 GREEN BUILDING REBATES	.00	.00	20,000.00	20,000.00	.0
01-418-4042 CONTRACTED PLAN REVIEW	3,800.00	81,200.00	55,000.00	(26,200.00)	147.6
01-418-4045 ENGINEERING SERVICES	2,455.75	16,594.29	25,000.00	8,405.71	66.4
01-418-4047 BUILDING INSPECTION	9,536.48	117,565.57	140,000.00	22,434.43	84.0
01-418-4049 OTHER CONTRACTUAL SERVICES	.00	1,328.95	20,000.00	18,671.05	6.6
01-418-6063 TRAIN.-DUES-TRAVEL-SUBSC	.00	3,481.11	5,500.00	2,018.89	63.3
01-418-6068 MISCELLANEOUS EXPENSE	250.00	3,284.89	3,600.00	315.11	91.3
01-418-7071 EQUIPMENT	.00	.00	1,800.00	1,800.00	.0
TOTAL COMMUNITY DEVELOPMENT DEPARTME	32,040.57	431,825.32	462,527.00	30,701.68	93.4
<u>VILLAGE CRIER DEPARTMENT</u>					
01-419-1012 FEE PERSONNEL	.00	3,600.00	4,200.00	600.00	85.7
01-419-2021 OFFICE SUPPLIES, POSTAGE	789.28	5,850.91	5,600.00	(250.91)	104.5
01-419-2022 PRINTING	1,435.78	10,403.24	8,000.00	(2,403.24)	130.0
TOTAL VILLAGE CRIER DEPARTMENT	2,225.06	19,854.15	17,800.00	(2,054.15)	111.5

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC SAFETY DEPARTMENT</u>					
01-421-1011 PERSONNEL SERVICES	147,115.23	1,906,552.24	1,919,239.00	12,686.76	99.3
01-421-1013 SOCIAL SECURITY TAXES	3,524.40	49,174.08	57,577.00	8,402.92	85.4
01-421-1014 POLICE PENSION CONTRIBUTIONS	10,444.61	136,986.07	145,000.00	8,013.93	94.5
01-421-1015 RETIREMENT	2,852.01	40,521.38	.00	(40,521.38)	.0
01-421-1016 HEALTH-LIFE-DENTAL INSURANCE	23,828.50	288,174.02	.00	(288,174.02)	.0
01-421-1018 UNIFORM EXPENSE	3,349.30	10,214.01	23,000.00	12,785.99	44.4
01-421-1019 OVERTIME	949.35	37,107.83	70,000.00	32,892.17	53.0
01-421-1020 EXTRA DUTY	3,697.00	47,247.89	70,000.00	22,752.11	67.5
01-421-2021 OFC SUPPLIES-POSTAGE	543.82	7,431.42	8,250.00	818.58	90.1
01-421-2022 PRINTING-REPRODUCTION	47.69	4,347.32	5,500.00	1,152.68	79.0
01-421-2023 CRIME PREVENTION	.00	575.00	2,000.00	1,425.00	28.8
01-421-2024 DARE	.00	1,430.92	2,000.00	569.08	71.6
01-421-2028 SPECIAL MATERIALS	520.89	7,029.63	10,500.00	3,470.37	67.0
01-421-2029 ANIMAL CONTROL	.00	215.27	1,000.00	784.73	21.5
01-421-3031 ELECTRIC/GAS	9,068.27	30,309.73	23,100.00	(7,209.73)	131.2
01-421-3032 WATER	79.55	1,688.03	3,000.00	1,311.97	56.3
01-421-3033 TELEPHONE	3,138.09	15,364.07	29,350.00	13,985.93	52.4
01-421-3035 SEWER	.00	568.97	500.00	(68.97)	113.8
01-421-4048 VEHICLE MAINTENANCE CONTRACT	1,054.74	28,002.04	42,500.00	14,497.96	65.9
01-421-4049 OTHER CONTRACTUAL SERVICES	2,190.91	120,218.93	154,628.00	34,409.07	77.8
01-421-4050 PHOTO RED LIGHT EXPENSES	.00	.00	55,000.00	55,000.00	.0
01-421-5051 BUILDING MAINTENCE	389.97	5,221.67	28,200.00	22,978.33	18.5
01-421-5052 EQUIPMENT MAINTENANCE	132.00	2,994.25	5,895.00	2,900.75	50.8
01-421-5053 VEHICLE MAINTENANCE	129.82	3,847.11	6,600.00	2,952.89	55.3
01-421-5054 GASOLINE-OIL	3,234.00	44,668.38	60,000.00	15,331.62	74.5
01-421-6063 TRNG-DUES-TRAVEL-SUBSC	1,002.50	11,241.31	22,000.00	10,758.69	51.1
01-421-6064 TESTING AND PHYSICAL EXAMS	441.00	2,491.08	8,000.00	5,508.92	31.1
01-421-6065 PRISONER EXPENSES	.00	5,277.70	7,800.00	2,522.30	67.7
01-421-6066 SPECIAL INVESTIGATIONS	100.00	1,436.97	2,800.00	1,363.03	51.3
01-421-6068 MISCELLANEOUS EXPENSES	500.00	11,507.01	12,500.00	992.99	92.1
01-421-7071 EQUIPMENT	25,464.00	29,137.59	9,600.00	(19,537.59)	303.5
TOTAL PUBLIC SAFETY DEPARTMENT	243,797.65	2,850,781.92	2,785,539.00	(65,242.92)	102.3

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PUBLIC WORKS DEPARTMENT</u>					
01-431-1011 PERSONNEL SERVICES	37,822.28	531,563.13	593,850.00	62,286.87	89.5
01-431-1013 SOCIAL SECURITY TAXES	2,263.67	39,238.28	47,508.00	8,269.72	82.6
01-431-1014 RETIREMENT 401-NONSWORN	953.52	11,977.68	.00 (	11,977.68)	.0
01-431-1015 RETIREMENT	209.62	5,361.68	.00 (	5,361.68)	.0
01-431-1016 HEALTH-LIFE-DENTAL INSURANCE	7,844.06	92,312.04	.00 (	92,312.04)	.0
01-431-1018 UNIFORM EXPENSE	.00	1,602.75	4,400.00	2,797.25	36.4
01-431-1019 OVERTIME	929.61	5,641.16	13,000.00	7,358.84	43.4
01-431-2021 OFC SUPPLIES-POSTAGE	39.53	1,100.43	2,000.00	899.57	55.0
01-431-2024 SNOW-ICE MATERIALS	4,929.38	30,994.04	20,000.00 (	10,994.04)	155.0
01-431-2025 ROAD MAINT. MATERIALS	815.74	22,205.07	50,000.00	27,794.93	44.4
01-431-2026 CURB-GUTTER-SIDEWALKS	.00	.00	5,000.00	5,000.00	.0
01-431-2027 TRAFFIC CONTROL DEVICES	3,214.64	10,242.81	8,000.00 (	2,242.81)	128.0
01-431-2028 SPECIAL MATERIALS	760.85	6,147.46	6,000.00 (	147.46)	102.5
01-431-3032 WATER	50.00	1,976.00	1,750.00 (	226.00)	112.9
01-431-3033 COMMUNICATIONS	688.29	3,382.68	7,050.00	3,667.32	48.0
01-431-3034 STREET LIGHTING	335.10	6,102.63	5,000.00 (	1,102.63)	122.1
01-431-4045 ENGINEERING SERVICES	5,097.30	15,706.05	5,000.00 (	10,706.05)	314.1
01-431-4048 VEHICLE MAINTENANCE CONTRACT	7,067.81	27,706.89	48,000.00	20,293.11	57.7
01-431-4049 OTHER CONTRACTUAL SERVICES	2,554.15	44,514.84	47,000.00	2,485.16	94.7
01-431-5051 BUILDING MAINTENANCE	593.02	32,788.58	30,000.00 (	2,788.58)	109.3
01-431-5052 EQUIPMENT MAINTENANCE	6,022.23	9,877.48	8,000.00 (	1,877.48)	123.5
01-431-5053 VEHICLE MAINTENANCE	764.26	12,269.12	20,000.00	7,730.88	61.4
01-431-5054 GASOLINE-OIL	(64,952.27)	42,569.25	28,000.00 (	14,569.25)	152.0
01-431-6063 TRNG-DUES-TRAVEL-SUBSC	(200.56)	15,725.42	15,000.00 (	725.42)	104.8
01-431-6064 TESTING PHYSICALS	136.00	692.00	1,750.00	1,058.00	39.5
01-431-6068 MISCELLANEOUS EXPENSES	2,507.00	11,354.20	8,500.00 (	2,854.20)	133.6
01-431-7000 PUBLIC ART	.00	2,267.83	15,000.00	12,732.17	15.1
01-431-7071 EQUIPMENT	685.41	4,136.74	5,000.00	863.26	82.7
TOTAL PUBLIC WORKS DEPARTMENT	21,130.64	989,456.24	994,808.00	5,351.76	99.5
TOTAL FUND EXPENDITURES	403,727.89	5,737,979.57	6,384,238.00	646,258.43	89.9
NET REVENUE OVER EXPENDITURES	(58,374.30)	1,323,783.23	(20,000.00)	(1,343,783.23)	6618.9

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

CAPITAL FUND

ASSETS

02-1000	CASH - COMBINED FUND	3,982,898.29	
02-1031	CASH-COUNTY TREASURER GENERAL	8,547.39	
02-1043	INVSEST ACCOUNT-COLOTRUST	1,920,404.38	
02-1051	TAXES RECEIVABLE	(259,430.30)	
	TOTAL ASSETS		<u><u>5,652,419.76</u></u>

LIABILITIES AND EQUITY

LIABILITIES

02-2012	S. METRO JOINT FACILITY FUNDS	.01	
02-2221	RESERVE-TAXES RECEIVABLE	(259,430.30)	
	TOTAL LIABILITIES		(259,430.29)

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
02-2900	FUND BALANCE	6,025,488.16	
	REVENUE OVER EXPENDITURES - YTD	(113,638.11)	
	BALANCE - CURRENT DATE		<u>5,911,850.05</u>
	TOTAL FUND EQUITY		<u>5,911,850.05</u>
	TOTAL LIABILITIES AND EQUITY		<u><u>5,652,419.76</u></u>

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CAPITAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>					
02-310-3111	(13.48)	270,232.68	290,292.00	20,059.32	93.1
02-310-3121	26,477.13	279,489.62	3,210.00	(276,279.62)	8706.8
TOTAL TAX REVENUES	26,463.65	549,722.30	293,502.00	(256,220.30)	187.3
<u>MISCELLANEOUS REVENUES</u>					
02-360-3611	187.81	1,961.08	.00	(1,961.08)	.0
02-360-3680	.00	.00	1,500.00	1,500.00	.0
TOTAL MISCELLANEOUS REVENUES	187.81	1,961.08	1,500.00	(461.08)	130.7
TOTAL FUND REVENUE	26,651.46	551,683.38	295,002.00	(256,681.38)	187.0

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CAPITAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>CAPITAL FUND EXPENDITURES</u>					
02-441-1000 TRAIL IMPROVEMENTS	.00	252.00	40,000.00	39,748.00	.6
02-441-1101 VILLAGE CENTER IMPROVEMENTS	.00	19,373.80	100,000.00	80,626.20	19.4
02-441-2103 POLICE EQUIPMENT	.00	32,013.93	39,300.00	7,286.07	81.5
02-441-2104 POLICE VEHICLES	.00	141,011.64	137,000.00	(4,011.64)	102.9
02-441-3101 STREET IMPROVEMENT PROGRAM	.00	351,032.71	405,000.00	53,967.29	86.7
02-441-3102 PUBLIC WORKS EQUIPMENT	.00	.00	37,100.00	37,100.00	.0
02-441-3103 PARKS EQUIPMENT	.00	27,841.75	45,000.00	17,158.25	61.9
02-441-3104 PUBLIC WORKS VEHICLES	.00	990.15	.00	(990.15)	.0
02-441-3106 STORM SEWERS	.00	.00	25,000.00	25,000.00	.0
02-441-3110 CRACK SEAL	.00	11,370.01	25,000.00	13,629.99	45.5
02-441-3111 CURB AND GUTTER	891.00	67,535.82	40,000.00	(27,535.82)	168.8
02-441-3112 RIGHTS-OF-WAY IMPROVEMENTS	.00	.00	100,000.00	100,000.00	.0
02-441-4000 LAND PURCHASE	.00	13,899.68	24,600.00	10,700.32	56.5
TOTAL CAPITAL FUND EXPENDITURES	891.00	665,321.49	1,018,000.00	352,678.51	65.4
TOTAL FUND EXPENDITURES	891.00	665,321.49	1,018,000.00	352,678.51	65.4
NET REVENUE OVER EXPENDITURES	25,760.46	(113,638.11)	(722,998.00)	(609,359.89)	(15.7)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

CONSERVATION TRUST FUND

ASSETS

07-1000	CASH - COMBINED FUND	556,512.89	
07-1041	INVESTMENT ACCT CONSER TRUST	167,745.06	
	TOTAL ASSETS		724,257.95

LIABILITIES AND EQUITY

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
07-2900	FUND BALANCE	664,792.16	
	REVENUE OVER EXPENDITURES - YTD	59,465.79	
	BALANCE - CURRENT DATE		724,257.95
	TOTAL FUND EQUITY		724,257.95
	TOTAL LIABILITIES AND EQUITY		724,257.95

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CONSERVATION TRUST FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>INTERGOVERNMENTAL REVENUES</u>					
07-330-3358 COLORADO LOTTERY	14,088.92	59,591.13	50,000.00	(9,591.13)	119.2
TOTAL INTERGOVERNMENTAL REVENUES	14,088.92	59,591.13	50,000.00	(9,591.13)	119.2
<u>MISCELLANEOUS REVENUES</u>					
07-360-3611 INTEREST ON INVESTMENTS	16.40	192.66	250.00	57.34	77.1
TOTAL MISCELLANEOUS REVENUES	16.40	192.66	250.00	57.34	77.1
TOTAL FUND REVENUE	14,105.32	59,783.79	50,250.00	(9,533.79)	119.0

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CONSERVATION TRUST FUND

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>CONSERVATION TRUST EXPENDITURE</u>						
07-450-4521	TRAIL IMPROVEMENTS	.00	318.00	30,000.00	29,682.00	1.1
	TOTAL CONSERVATION TRUST EXPENDITURE	.00	318.00	30,000.00	29,682.00	1.1
	TOTAL FUND EXPENDITURES	.00	318.00	30,000.00	29,682.00	1.1
	NET REVENUE OVER EXPENDITURES	14,105.32	59,465.79	20,250.00	(39,215.79)	293.7

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

CH ANDERSON LAND DONATION FUND

ASSETS

08-1000	CASH - COMBINED FUND	(168,103.96)	
08-1041	INVESTMENT ACCT LAND DONATION	814,048.55	
	TOTAL ASSETS		645,944.59

LIABILITIES AND EQUITY

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
08-2900	FUND BALANCE	403,838.82	
	REVENUE OVER EXPENDITURES - YTD	242,105.77	
	BALANCE - CURRENT DATE		645,944.59
	TOTAL FUND EQUITY		645,944.59
	TOTAL LIABILITIES AND EQUITY		645,944.59

CITY OF CHERRY HILLS VILLAGE
REVENUES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CH ANDERSON LAND DONATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LICENSE AND PERMIT REVENUES</u>					
08-320-3221 RECREATION REIMBURSEMENT DONAT	750.00	1,600.00	1,000.00	(600.00)	160.0
TOTAL LICENSE AND PERMIT REVENUES	750.00	1,600.00	1,000.00	(600.00)	160.0
<u>MISCELLANEOUS REVENUES</u>					
08-360-3611 INTEREST-INVESTMENTS	79.61	934.97	1,000.00	65.03	93.5
08-360-3680 MISCELLANEOUS REVENUES	.00	3,065.35	.00	(3,065.35)	.0
08-360-3681 EXCISE TAX	.00	237,124.50	100.00	(237,024.50)	23712
TOTAL MISCELLANEOUS REVENUES	79.61	241,124.82	1,100.00	(240,024.82)	21920.
TOTAL FUND REVENUE	829.61	242,724.82	2,100.00	(240,624.82)	11558.

CITY OF CHERRY HILLS VILLAGE
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

CH ANDERSON LAND DONATION FUND

		<u>PERIOD ACTUAL</u>	<u>YTD ACTUAL</u>	<u>BUDGET</u>	<u>UNEXPENDED</u>	<u>PCNT</u>
<u>LAND DONATION FUND EXPENDITURE</u>						
08-450-9093	THREE POND PARK WATER RIGHTS	.00	619.05	620.00	.95	99.9
	TOTAL LAND DONATION FUND EXPENDITURE	.00	619.05	620.00	.95	99.9
	TOTAL FUND EXPENDITURES	.00	619.05	620.00	.95	99.9
	NET REVENUE OVER EXPENDITURES	829.61	242,105.77	1,480.00	(240,825.77)	16358.

CITY OF CHERRY HILLS VILLAGE
 BALANCE SHEET
 DECEMBER 31, 2014

SID # 7 BOND FUND

ASSETS

13-1000	CASH - COMBINED FUND		267.56	
13-1047	COLOTRUST		25,093.13	
			<u> </u>	
	TOTAL ASSETS			<u>25,360.69</u>

LIABILITIES AND EQUITY

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:			
13-2900	FUND BALANCE	21,497.38		
	REVENUE OVER EXPENDITURES - YTD	3,863.31		
		<u> </u>		
	BALANCE - CURRENT DATE		25,360.69	
			<u> </u>	
	TOTAL FUND EQUITY			<u>25,360.69</u>
	TOTAL LIABILITIES AND EQUITY			<u>25,360.69</u>

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

SID # 7 BOND FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>MISCELLANEOUS REVENUES</u>					
13-360-3611 INTEREST INCOME	2.45	43.36	1,000.00	956.64	4.3
13-360-3612 INTEREST ON ASSESSMENT	.00	15,772.93	15,840.00	67.07	99.6
13-360-3630 ASSESSMENTS REVENUE	.00	71,277.64	66,432.00	(4,845.64)	107.3
TOTAL MISCELLANEOUS REVENUES	2.45	87,093.93	83,272.00	(3,821.93)	104.6
TOTAL FUND REVENUE	2.45	87,093.93	83,272.00	(3,821.93)	104.6

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

SID # 7 BOND FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>SID # 7 BOND FUND EXPENDITURES</u>					
13-470-4041 COUNTY TREASURER FEES	.00	870.50	823.00	(47.50)	105.8
13-470-7072 INTEREST EXPENSE	5,730.12	12,360.12	13,365.00	1,004.88	92.5
13-470-7073 BOND PRINCIPAL PAYMENT	.00	70,000.00	75,000.00	5,000.00	93.3
TOTAL SID # 7 BOND FUND EXPENDITURES	<u>5,730.12</u>	<u>83,230.62</u>	<u>89,188.00</u>	<u>5,957.38</u>	<u>93.3</u>
TOTAL FUND EXPENDITURES	<u>5,730.12</u>	<u>83,230.62</u>	<u>89,188.00</u>	<u>5,957.38</u>	<u>93.3</u>
NET REVENUE OVER EXPENDITURES	<u>(5,727.67)</u>	<u>3,863.31</u>	<u>(5,916.00)</u>	<u>(9,779.31)</u>	<u>65.3</u>

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

ARAPAPAHOE COUNTY OPEN SPACE F

ASSETS

14-1000	CASH - COMBINED FUND	(729,566.50)	
14-1042	INVESTMENT ACCOUNT-CSAFE	260,546.15	
14-1043	INVEST ACCT-COLOTRUST	1,196,902.56	
	TOTAL ASSETS		727,882.21

LIABILITIES AND EQUITY

LIABILITIES

14-2071	ARAP CO SALES TAX COLLECTED	22,120.11	
	TOTAL LIABILITIES		22,120.11

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
14-2900	FUND BALANCE	575,010.07	
	REVENUE OVER EXPENDITURES - YTD	130,752.03	
	BALANCE - CURRENT DATE	705,762.10	
	TOTAL FUND EQUITY		705,762.10
	TOTAL LIABILITIES AND EQUITY		727,882.21

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

ARAPAPAHOE COUNTY OPEN SPACE F

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LICENSE AND PERMIT REVENUES</u>					
14-320-3200 OPEN SPACE SHAREBACK	.00	129,570.32	115,000.00	(14,570.32)	112.7
14-320-3220 SALES TAX COLLECTION FEE	1,164.22	3,064.38	1,600.00	(1,464.38)	191.5
TOTAL LICENSE AND PERMIT REVENUES	1,164.22	132,634.70	116,600.00	(16,034.70)	113.8
<u>MISCELLANEOUS REVENUES</u>					
14-360-3611 INTEREST INCOME	140.66	1,476.36	1,200.00	(276.36)	123.0
14-360-3681 GRANT REVENUE	.00	165,000.00	.00	(165,000.00)	.0
TOTAL MISCELLANEOUS REVENUES	140.66	166,476.36	1,200.00	(165,276.36)	13873.
TOTAL FUND REVENUE	1,304.88	299,111.06	117,800.00	(181,311.06)	253.9

CITY OF CHERRY HILLS VILLAGE
 EXPENDITURES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

ARAPAPAHOE COUNTY OPEN SPACE F

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>OPEN SPACE FUND EXPENDITURES</u>					
14-450-9091 TRAIL IMPROVEMENTS	1,794.85	15,902.45	71,000.00	55,097.55	22.4
14-450-9092 PARK IMPROVEMENTS	.00	12,003.57	15,000.00	2,996.43	80.0
14-450-9093 OTHER EXPENDITURES	245.00	7,052.51	103,500.00	96,447.49	6.8
14-450-9094 QUINCY FARMS PROJECT	.00 (	665.00)	.00	665.00	.0
14-450-9096 QUINCY FARMS VISIONING CONSULT	.00	2,679.50	.00 (	2,879.50)	.0
14-450-9097 WOODIE HOLLOW PARK CREEK GRANT	.00	130,809.00	.00 (	130,809.00)	.0
14-450-9098 JOHN MEADE PARK MASTER PLAN	366.00	577.00	.00 (	577.00)	.0
TOTAL OPEN SPACE FUND EXPENDITURES	2,405.85	168,359.03	189,500.00	21,140.97	88.8
TOTAL FUND EXPENDITURES	2,405.85	168,359.03	189,500.00	21,140.97	88.8
NET REVENUE OVER EXPENDITURES	(1,100.97)	130,752.03	(71,700.00)	(202,452.03)	182.4

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

WATER AND SEWER FUND

ASSETS

20-1000	CASH - COMBINED FUND	(40,007.50)	
20-1041	INVESTMENT ACCOUNT	735,011.37	
20-1151	ACCOUNTS RECEIVABLE	5,184.00	
20-1551	SEWER LINES	708,364.00	
20-1601	ACCUMULATED DEPRECIATION	(460,103.00)	
	TOTAL ASSETS		<u>948,448.87</u>

LIABILITIES AND EQUITY

LIABILITIES

20-2212	FAIRFAX WATER LINE	29,116.50	
20-2214	LEVY WATER LINE ESCROW	950.00	
	TOTAL LIABILITIES		<u>30,066.50</u>

FUND EQUITY

20-2901	RETAINED EARNINGS	345,894.62	
20-2951	CONTRIBUTED CAPITAL-TAPS	438,450.00	
20-2961	CONTRIBUTED CAPITAL-SEWER	571,808.00	
	UNAPPROPRIATED FUND BALANCE:		
20-2900	FUND BALANCE	(425,309.23)	
	REVENUE OVER EXPENDITURES - YTD	(12,461.02)	
	BALANCE - CURRENT DATE	(437,770.25)	
	TOTAL FUND EQUITY		<u>918,382.37</u>
	TOTAL LIABILITIES AND EQUITY		<u>948,448.87</u>

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

WATER AND SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>LICENSE AND PERMIT REVENUES</u>					
20-320-3220 SEWER TAP FEES	.00	20,000.00	.00	(20,000.00)	.0
20-320-3221 WATER TAP FEES	.00	9,000.00	.00	(9,000.00)	.0
20-320-3226 SEWER ADMINISTRATION FEES	.00	5,208.00	1,812.00	(3,396.00)	287.4
20-320-3228 W/S REPAIR & REPLACEMENT FEES	.00	28,560.00	22,650.00	(5,910.00)	126.1
TOTAL LICENSE AND PERMIT REVENUES	.00	62,768.00	24,462.00	(38,306.00)	256.6
<u>MISCELLANEOUS REVENUES</u>					
20-360-3611 INTEREST INCOME	71.88	844.21	800.00	(44.21)	105.5
20-360-3680 MISCELLANEOUS INCOME	.00	25.00	.00	(25.00)	.0
TOTAL MISCELLANEOUS REVENUES	71.88	869.21	800.00	(69.21)	108.7
TOTAL FUND REVENUE	71.88	63,637.21	25,262.00	(38,375.21)	251.9

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

WATER AND SEWER FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>WATER & SEWER EXPENDITURES</u>					
20-461-4042 LEGAL COUNSEL	1,202.50	1,287.00	.00	(1,287.00)	.0
20-461-4043 CHERRYMOOR SOUTH EXPENSES	.00	.00	1,000.00	1,000.00	.0
20-461-4049 OTHER CONTRACTUAL	.00	.00	10,000.00	10,000.00	.0
20-461-5052 SEWER REPAIRS & MAINTENANCE	1,268.50	70,207.23	100,000.00	29,792.77	70.2
20-461-6063 TRAINING, DUES & SUB	.00	854.00	854.00	.00	100.0
20-461-6068 MISCELLANEOUS	.00	3,750.00	.00	(3,750.00)	.0
20-461-7050 DEPRECIATION	.00	.00	26,750.00	26,750.00	.0
TOTAL WATER & SEWER EXPENDITURES	2,471.00	76,098.23	138,604.00	62,505.77	54.9
TOTAL FUND EXPENDITURES	2,471.00	76,098.23	138,604.00	62,505.77	54.9
NET REVENUE OVER EXPENDITURES	(2,399.12)	(12,461.02)	(113,342.00)	(100,880.98)	(11.0)

CITY OF CHERRY HILLS VILLAGE
BALANCE SHEET
DECEMBER 31, 2014

PARKS AND RECREATION FUND

ASSETS

30-1000 CASH - COMBINED FUND	(1,492,526.89)	
30-1031 CASH-COUNTY TREASURER GENERAL	1,055.96	
30-1041 INVEST ACCT. WF	1,514,463.37	
30-1042 INVESTMENT ACCOUNT-CSAFE	(25,111.57)	
30-1043 INVEST ACCT-COLOTRUST+	2,350,387.67	
30-1051 TAXES RECEIVABLE	20,563.96	
30-1551 PREPAID INSURANCE	98,570.68	
30-1632 GROUND IMPROVEMENTS	39,485.00	
30-1646 PARKS & TRAILS EQUIPMENT	184,020.70	
30-1701 COMPUTER LOAN PROGRAM	378.12	
	<hr/>	
TOTAL ASSETS		<u>2,691,287.00</u>

LIABILITIES AND EQUITY

LIABILITIES

30-2011 VOUCHERS PAYABLE	(2,013.39)	
30-2014 PAYROLL PAYABLES-ZERO BALANCE	2,286.57	
30-2015 FICA/FWH PAYABLES	1,542,495.37	
30-2101 HEALTH CARE SPENDING ACCT	(44.09)	
30-2221 DEFERRED TAX REVENUE	20,563.96	
30-2371 ASPHALT OVERLAY PROJECT GRANT	2,277.72	
30-2372 VOLUNTEER PARK PROJECT	439.41	
30-2373 LITTLE DRY CREEK PROJECT GRANT	(625.41)	
30-2374 JOHN MEADE PARK HORSE ARENA GR	(87.72)	
30-2375 ASPHALT TRAIL OVERLAY PHASE 3	(134.88)	
30-2641 INVESTMENT IN FIXED ASSETS	223,505.70	
	<hr/>	
TOTAL LIABILITIES		1,788,663.24

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:		
30-2900 FUND BALANCE	929,244.30	
REVENUE OVER EXPENDITURES - YTD	(26,620.54)	
	<hr/>	
BALANCE - CURRENT DATE		902,623.76
	<hr/>	
TOTAL FUND EQUITY		902,623.76
		<hr/>
TOTAL LIABILITIES AND EQUITY		<u>2,691,287.00</u>

CITY OF CHERRY HILLS VILLAGE
 REVENUES WITH COMPARISON TO BUDGET
 FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

PARKS AND RECREATION FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>TAX REVENUES</u>						
30-310-3111	CURRENT PROPERTY TAXES	(73.18)	1,466,977.36	1,472,944.00	5,966.64	99.6
30-310-3121	SPECIFIC OWNERSHIP TAXES	.00	.00	177,750.00	177,750.00	.0
TOTAL TAX REVENUES		(73.18)	1,466,977.36	1,650,694.00	183,716.64	88.9
<u>MISCELLANEOUS REVENUES</u>						
30-360-3611	INTEREST INCOME	342.59	4,760.65	10,000.00	5,239.35	47.6
TOTAL MISCELLANEOUS REVENUES		342.59	4,760.65	10,000.00	5,239.35	47.6
TOTAL FUND REVENUE		269.41	1,471,738.01	1,660,694.00	188,955.99	88.6

CITY OF CHERRY HILLS VILLAGE
EXPENDITURES WITH COMPARISON TO BUDGET
FOR THE 12 MONTHS ENDING DECEMBER 31, 2014

PARKS AND RECREATION FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>PARKS & RECREATION EXPENDITURE</u>					
30-432-1011	PERSONAL SERVICES	22,138.98	321,754.10	346,687.00	24,932.90 92.8
30-432-1013	SOCIAL SECURITY TAXES	1,715.53	24,888.47	27,735.00	2,846.53 89.7
30-432-1014	RETIREMENT 401-MGMT	342.80	4,456.40	4,500.00	43.60 99.0
30-432-1015	RETIREMENT 457 DEF COMP	597.74	7,593.19	8,000.00	406.81 94.9
30-432-1016	HEALTH-LIFE-DENTAL INSURANCE	4,960.95	53,395.07	58,698.00	5,302.93 91.0
30-432-1018	UNIFORM EXPENSE	326.95	2,330.76	2,500.00	169.24 93.2
30-432-1019	OVERTIME	123.02	1,506.63	2,500.00	993.37 60.3
30-432-2021	OFC-SUPPLIES-POSTAGE	.00	171.73	1,000.00	828.27 17.2
30-432-2023	PLANT SUPPLIES	.00	2,242.46	2,500.00	257.54 89.7
30-432-2025	GENERAL INFRASTRUCTURE MAINT	370.01	15,982.12	15,500.00	(482.12) 103.1
30-432-2026	SNOW AND ICE MELT	.00	183.71	1,000.00	816.29 18.4
30-432-2027	PARK SIGNAGE	65.00	430.00	1,000.00	570.00 43.0
30-432-2028	SPECIAL MATERIALS	2,771.44	4,556.24	3,500.00	(1,056.24) 130.2
30-432-3032	WATER	500.44	17,525.02	30,000.00	12,474.98 58.4
30-432-3033	COMMUNICATIONS	600.68	2,180.60	3,200.00	1,019.40 68.1
30-432-4041	COUNTY TREASURER FEES	(.73)	14,669.79	14,729.00	59.21 99.8
30-432-4043	LEGAL/SURVEYING	.00	1,800.00	4,000.00	2,200.00 45.0
30-432-4046	ENGINEERING	886.50	5,515.50	4,000.00	(1,515.50) 137.9
30-432-4047	FORESTRY/ROW TREE MAINT.	84.00	33,934.04	28,000.00	(5,934.04) 121.2
30-432-4048	VEHICLE MAINTENANCE CONTRACT	3,293.87	6,928.61	16,500.00	9,571.39 42.0
30-432-4049	OTHER CONTRACTUAL SERVICES	.00	.00	4,500.00	4,500.00 .0
30-432-5052	EQUIPMENT MAINTENANCE	84.93	3,404.09	6,000.00	2,595.91 56.7
30-432-5053	VEHICLE MAINTENANCE	618.34	2,280.81	4,500.00	2,219.19 50.7
30-432-5054	GASOLINE-OIL	1,617.47	22,228.62	25,000.00	2,771.38 88.9
30-432-5055	GROUNDS MAINTENANCE	2,544.63	18,926.23	20,000.00	1,073.77 94.6
30-432-6063	TRAIN-DUES-TRAVEL-SUBSC	352.51	5,055.56	5,420.00	364.44 93.3
30-432-6064	TESTING-PHYSICALS	.00	55.00	500.00	445.00 11.0
30-432-6066	SPECIAL EVENTS	.00	121.00	.00	(121.00) .0
30-432-6067	SPECIAL EVENTS	4,508.69	13,177.41	15,000.00	1,822.59 87.9
30-432-6068	MISCELLANEOUS EXPENSES	250.00	3,506.96	5,000.00	1,493.04 70.1
30-432-6069	RECREATION REIMBURSEMENT PROGR	27,252.58	119,284.42	210,000.00	90,715.58 56.8
30-432-7071	EQUIPMENT	2,951.41	14,649.01	15,600.00	950.99 93.9
30-432-7072	INTEREST EXPENSE	.00	12,895.00	12,895.00	.00 100.0
30-432-7073	PRINCIPAL EXPENSE	.00	735,730.00	735,730.00	.00 100.0
30-432-7075	ADMINISTRATIVE SERVICES	.00	25,000.00	25,000.00	.00 100.0
	TOTAL PARKS & RECREATION EXPENDITURE	78,957.74	1,498,358.55	1,660,694.00	162,335.45 90.2
	TOTAL FUND EXPENDITURES	78,957.74	1,498,358.55	1,660,694.00	162,335.45 90.2
	NET REVENUE OVER EXPENDITURES	(78,688.33)	(26,620.54)	.00	26,620.54 .0