



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

NOTICE AND AGENDA
WORK SESSION
Idaho Springs City Council
1711 Miner Street
Monday, April 29, 2024 – 6:00 p.m.

NOTICE AND AGENDA OF WORK SESSION

MONDAY April 29th, 2024 6:00 p.m.

- ❖ **Four Points Residential Deed Restrictions**
- ❖ **Historic Sites & Facilities Ordinance**

IN-PERSON AND REMOTE MEETING PUBLIC ATTENDANCE AND PARTICIPATION INSTRUCTIONS

The Public is able to view and hear this meeting remotely at the following address on the City's website:

<https://www.colorado.gov/pacific/idahospings/city-council-live>

TO: Mayor and City Council
CC: City Administrator Andrew Marsh
FROM: Jonathan Cain, Assistant City Administrator
DATE: April 29, 2024
SUBJECT: Block 57 Project Funding Update
ATTACHMENTS:



INTRODUCTION

Following the City Council's previous direction and subsequent negotiations with Four Points Funding (4P), staff has reached a provisional agreement with Four Points (pending City Council approval) to purchase deed restrictions for 50 rental units within the Block 57 development. This report outlines the terms of the proposed agreement.

BACKGROUND

Block 57 is set to make a substantial impact on the local housing market by introducing 120 new units on the site of the former Golddigger football field. This project addresses a critical need for rental housing in our community.

The development of Block 57 has not been without its challenges. The project has faced significant delays and cost overruns due to unforeseen issues on the site. These challenges have necessitated a reassessment of the project's funding and operational strategies to ensure its viability and success. In March, the City Council directed staff to engage with Four Points Funding to explore the possibility of helping to fund the project through the purchase of deed restrictions in exchange for financial incentives. These incentives could include an infusion of American Rescue Plan Act (ARPA) funds, aimed at economic recovery and public health, and potentially a delay in the collection of water and sewer tap fees. This opportunity to secure deed-restricted units specifically tailored for our local workforce represents a strategic benefit to both the city and the broader region.

The incorporation of deed restrictions into this project would ensure a portion of these new units remains affordable over the long term, directly benefiting essential workers such as teachers, firefighters, police officers, and other city and county employees. This approach not only supports the city's workforce but also contributes to the economic diversity and stability of the region. Moreover, securing these deed restrictions aligns seamlessly with Proposition 123's objectives, potentially allowing the City to meet its affordable housing mandates through a single, impactful project.

Staff has reached a provisional agreement with Four Points, which is presented below for City Council consideration.

COUNTY COLLABORATION AND SUPPORT

In a significant show of support for the Block 57 development, Clear Creek County has expressed its commitment to the project's success by earmarking \$500,000 for the initiative. This substantial contribution will be allocated from the County's American Rescue Plan Act (ARPA) funds, underscoring a shared vision between the City and County for enhancing local housing availability and affordability.

UPDATED AGREEMENT OVERVIEW

Four Points Funding has committed to deed restrict 50 units, with an innovative income averaging strategy that sustains an average of 100% Area Median Income (AMI) in perpetuity. This commitment ensures long-term affordability tailored specifically to benefit our local workforce and public service employees.

What is Income Averaging?

Income averaging is a flexible housing strategy designed to cater to a diverse range of incomes within a community. Instead of setting income limits on a per-unit basis, this system allows for a balanced mix within the entire pool of available units. For example, if one unit is rented to a resident earning 60% AMI, another unit can be rented to someone earning 140% AMI. The overall effect is that the average income across all the restricted units aligns with 100% AMI. This strategy not only accommodates varying income levels but also ensures a dynamic and diverse community.

Why is Income Averaging Beneficial?

- **Flexibility:** Developers can adjust to market conditions and resident incomes in a manner that allows for greater rent reductions in some of the units for residents of our community without compromising their financial model.
- **Accessibility:** It expands housing opportunities for a broader range of the workforce, especially crucial for regions like ours where public service professionals such as teachers, firefighters, police officers, and city and county staff are essential to the community's fabric.

Focus on Local and Public Service Employees

Additionally, these deed-restricted units are aimed at supporting those who serve our community. By prioritizing local and public service employees, we ensure that those who contribute most to the welfare of Clear Creek County can access quality, affordable housing within their community. This not only aids in retaining essential services but also supports the overall health and stability of the area.

FINANCIAL STRUCTURE AND COMMITMENT

City Investment:

- **ARPA Funds:** \$400,000 will be allocated from the City's remaining American Rescue Plan Act funds.
 - **Consider utilization of entire \$465,719.70 in remaining ARPA Funds for this project**
 - During the last City Council conversation about this topic, Staff was given direction that we should allocate \$400,000 in the remaining ARPA funds for this project, holding in reserve the remainder for another contemplated housing project. ARPA funds must be allocated by December 31, 2024, and spent by December 31, 2026. It may not be possible to utilize them for other contemplated projects.
 - **Request for Direction:** Would City Council consider allocating the entire amount in remaining ARPA funds for this project?
- **Delayed Tap Fees:** Approximately \$567,000 in tap fees will be deferred to facilitate the immediate progression of the project.
 - **Consideration of Permanent Deed Restrictions in Lieu of Tap Fees**
 - Given the significant long-term benefit that the permanent deed restrictions on the 50 units at Block 57 would provide to our community, an alternative approach could be considered where Four Points Funding would not be required

to pay the tap fees in exchange for maintaining these deed restrictions in perpetuity.

- **Request for Direction:** Is there an enduring public benefit of guaranteed affordable housing that might justify waiving the tap fees or providing other funding as a one-time concession for this development to protect all of the deed restrictions??

County Contribution:

- **ARPA Funds:** The County will contribute \$500,000 from their ARPA allocation to support this housing initiative.

Total Investment: The combined investment from the City and County amounts to approximately \$1.467 million, translating to a cost of about \$30,000 per perpetual deed restriction, which represents a cost-effective approach to securing long-term housing affordability.

REQUEST FOR DIRECTION

Staff seeks Council's direction on the following points:

- **Finalization of the Financial Commitment:** Confirm the allocation of \$400,000 in ARPA funds and the deferral of \$567,000 in tap fees.
- **Structure of Deed Restrictions:** Confirm if and how deed restrictions should be retired upon payment of Tap Fees by Four Points
- **County Collaboration:** Endorse the joint funding arrangement with Clear Creek County.

CONCLUSION

The proactive steps taken with Four Points Funding to secure affordable housing options through deed restrictions demonstrate the City's commitment to sustainable community development and workforce stability. Staff recommends approval of the proposed financial and structural terms to proceed with this critical housing project.

TO: Mayor and City Council
CC: City Administrator Andrew Marsh
FROM: Jonathan Cain, Assistant City Administrator
DATE: April 29, 2024
SUBJECT: Revitalization and Future Direction of the Historic Sites and Facilities Committee
ATTACHMENTS:



INTRODUCTION

Following the March 25, 2024, Work Session, staff has been working on the framework for an ordinance to codify the Sites and Facilities Committee. This staff report is intended to present that framework and to seek further City Council input on several key considerations before finalizing a draft ordinance for consideration.

BACKGROUND

The Historic Sites and Facilities Committee, established in 2007, has been instrumental in overseeing the preservation and management of our City's historic sites. Given the evolving needs of our community and the importance of aligning with modern preservation standards, it is proposed that this committee be formalized by ordinance as a board within the City's governance structure.

PROPOSAL OVERVIEW

Following the direction from the City Council on March 25, it has been determined that the preferred approach to enhance the management and preservation of the City's historic sites and facilities is to transition the existing committee into a formally recognized board. The staff proposes that this board, to be named the "Historic Sites and Facilities Board," be established within the City's Municipal Code. This board would undertake a structured role, focusing on the oversight, stewardship, and enhancement of the City's designated historic sites and facilities.

Key Considerations:

1. **Establishment:** This board would be established as an official body of the City tasked with Oversight, Stewardship, and Preservation of designated Sites, Facilities, and Appurtenances owned by the City of Idaho Springs.
 - a. **Is this the appropriate scope of work for this board?**
2. **Purpose:** Staff proposes that the purpose of this Board be twofold:
 - a. **Preservation and Maintenance:** To ensure the preservation, protection, and maintenance of the City's historic assets are conducted with the utmost respect for their heritage and integrity. This includes overseeing all activities to ensure they adhere strictly to the highest standards of historic preservation, as delineated by both municipal guidelines and the National Park Service's preservation criteria.
 - b. **Appropriate Use and Enhancement:** To guide the appropriate use, enhancement, and adaptive reuse of historic sites and facilities in a manner that aligns with municipal goals, embodies community values, and meets or exceeds the rigorous standards set forth for historic preservation by both the City and the National Park Service. This

ensures that any alterations or improvements made to these assets not only preserve but also enhance their historical significance for future generations.

- c. **Work:** The Board would be charged with the critical task of reviewing, advising, and approving all proposed maintenance, restoration, rehabilitation, and improvement projects for the City's historic sites and facilities. This process will ensure all projects comply with the detailed preservation standards and guidelines that protect our historical heritage, thereby maintaining the historical authenticity and structural integrity of these valuable assets.

- 3. **Board Composition and Appointment:** Staff has evaluated various structural options for the composition of the proposed Historic Sites and Facilities Board. These considerations aim to find a balance between quick decision-making capabilities and broad representation and expertise. Staff recommends that members serve four-year staggered terms to ensure continuity and institutional memory. We seek further input from the Council on the preferred board configuration and qualifications for board members.

- a. **Options for Board Configuration:**

- i. **Three-Member Board:**

- 1. **Pros:** Enhances agility in decision-making, allowing the board to respond quickly when necessary. Smaller size may lead to faster consensus and streamlined meetings.
 - 2. **Cons:** May lack diversity in viewpoints and expertise, which could limit the board's perspective on complex preservation issues.

- ii. **Five-Member Board with Two Alternates:**

- 1. **Pros:** Offers broader representation and expertise, improving the quality of deliberations and decisions. Alternates can ensure the board is always at full capacity for decision-making.
 - 2. **Cons:** Larger size could slow decision-making processes. Coordination and scheduling may be more challenging.

- iii. **Terms:** *Staff Recommends* that Members serve four-year staggered terms, with no more than two members' terms expiring in any single year.

- b. **Additional Considerations:**

- i. **Professional Background Requirements:** Should a percentage of the board members be required to have a historic preservation or related educational background, similar to the Historic Preservation Review Commission (HPRC)? This could ensure expertise but may be challenging to achieve consistently due to the limited pool of local experts.
 - ii. **Appointment of Historical Society Members:** Should the Historical Society of Idaho Springs have the option of nominating a board member

c. **Council Input Sought:**

- i. **Preferred Board Configuration:** Does the Council favor a three-member board for its agility, or a five-member board for its inclusiveness and broader expertise?
- ii. **Member Qualifications:** What level of professional expertise should be required for board members?
- iii. **Historical Society Involvement:** How should members affiliated with the Historical Society be appointed?

4. **Scope of Responsibilities and Strategic Planning:** The board would oversee preservation, maintenance, appropriate use, and enhancement of City-owned historic assets in line with City goals and national preservation standards. This could include the following responsibilities:

- a. **Strategic Plan:** Create and present to the City Council for adoption a comprehensive strategic plan with a five-year outlook. This strategic plan could encompass a broad spectrum of initiatives aimed at preserving, enhancing, and sustainably utilizing the City's historic sites and facilities, such as:
 - i. **Rehabilitation Projects:** Restoration and rehabilitation of historic sites and facilities, prioritizing projects based on urgency, historical significance, and potential impact on community engagement and education.
 - ii. **Planned Maintenance:** A scheduled maintenance program that outlines routine and periodic maintenance tasks essential for the preservation of structural integrity and historical authenticity of the sites and facilities.
 - iii. **Site Enhancements:** Identification of opportunities for enhancements that increase accessibility, interpretive potential, and public engagement with the historic sites, while maintaining the historical character and integrity of each site.
 - iv. **Funding Strategies:** Development of a funding and resource allocation strategy that identifies potential sources of funding, including grants, partnerships, and City resources, to support the execution of the strategic plan.
 - v. **Compliance and Standards:** Assure that all proposed projects and activities within the strategic plan comply with local historic preservation guidelines, as well as the standards set forth by the National Park Service.
 - vi. **Community Engagement and Education:** Initiatives designed to engage the community with its historical heritage, including educational programs, events, and materials that highlight the significance and stories of the historic sites and facilities.
 - vii. **Sustainability and Resilience:** Consideration of sustainability practices and resilience planning in the preservation and enhancement of historic sites, ensuring that they are protected from environmental and climatic threats, and are preserved for future generations.

- b. **Oversight of Maintenance Practices and Project Review:** The Board could be tasked with ensuring that all maintenance, repair, capital improvements, and any forms of work carried out on City-owned historic sites and facilities is conducted according to the highest standards of historic preservation. This oversight includes:
 - i. **Projects Requiring a Certificate of Appropriateness (COA):** For any project impacting the exterior appearance of a historic property under the purview of the Board and thus requiring a COA, the Board could serve as the applicant in the submission process to the Historic Preservation Review Commission. This procedure guarantees that projects are assessed with a comprehensive understanding of preservation standards, ensuring the historical integrity and aesthetic of the property are maintained.
 - ii. **Minor Projects Not Requiring a COA:** Projects deemed minor and not necessitating a COA must still be presented to the Board for review. The Board could evaluate these projects against historic preservation standards, granting approval when compliance is assured.
 - iii. **Emergency Stabilization Work:** In emergencies where immediate action is required to safeguard a property's structural integrity or historical significance, such work may need to proceed without prior Board review. These emergency measures should be the minimum necessary for stabilization, executed to avoid unnecessary harm to the historic fabric of the building. All emergency work must be reported to the Board as soon as feasible, with further repairs or alterations requiring Board review and approval.
 - iv. **Demolition Approval:** This Board could help ensure that no historic site or facility owned by the City and under the purview of this Board be demolished without following the processes established by the Historic Preservation Review Commission (HPRC).
 - v. **Guidelines and Standards:** Reviews conducted by the Board should adhere to the City's historic preservation guidelines and the standards and recommendations of the National Park Service and other authoritative bodies in historic preservation.
- c. **Council Input Sought:**
 - i. Are there specific responsibilities the Council wishes to emphasize or modify?
 - ii. What priorities should be highlighted in the strategic planning process?

5. Governance and Oversight:

- a. It is proposed that this board would work much the same as Planning Commission, Variance Board and HPRC.
- b. Detailed guidelines for project review and approval, emergency work, and the handling of conflicts of interest would be formalized.
- c. It is proposed that this board meet quarterly, with all meetings open to the public.
- d. **Council Input Sought:**
 - i. Does the Council have recommendations on the governance structure or oversight mechanisms?
 - ii. Are there additional procedural elements the Council believes should be included?



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

NOTICE AND AGENDA
Special Meeting
Idaho Springs City Council
1711 Miner Street, City Hall
Monday, April 29, 2024
7:00 p.m.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **AGENDA APPROVAL**
 - a) Move to approve the agenda for the April 29, 2024 meeting
5. **CONFLICT OF INTEREST**
6. **APPROVAL OF MINUTES**
 - a) Move to approve the minutes from April 22, 2024
7. **APPROVAL OF BILLS**
 - a) Move to approve bills to April 29, 2024
8. **PUBLIC COMMENT**
9. **UNSCHEDULED PUBLIC COMMENT**
10. **RESOLUTIONS**
11. **ORDINANCE FIRST READING**
12. **ORDINANCE SECOND READING**
 - a) **Public Hearing:** Ordinance #14, Series 2024 An Ordinance Granting A Conditional Use To Permit Temporary Seasonal Employee Camping During The 2024 Rafting Season Only On Certain Property West Of The Shelly/Quinn Ball Fields Park, Also Known As Part Of The Silver Spruce Annexation To The City Of Idaho Springs.
13. **CITY ATTORNEY**
14. **PUBLIC WORKS DEPARTMENT**
 - a) Staff report submitted with one request for action. Move to approve a contract for services with HDR Engineering, for extended services on Virginia St. and Virginia Canyon reconstruction projects in the amount of \$296,729 from line item 23-00-5103.
15. **COMMITTEE REPORTS**
16. **CITY CLERK/TREASURER**
17. **MAYOR / COUNCIL**
18. **EXECUTIVE SESSION**

Executive session pursuant to CRS § 24-6-402(4)(a) and (e) to discuss the potential acquisition of real property, to determine strategy and to possibly instruct negotiators concerning the same.
19. **ADJOURN**
 - a) Next Work Session Monday May 13, 2024.
 - b) Next Regular Meeting on Monday, May 13, 2024

IN-PERSON AND REMOTE MEETING PUBLIC ATTENDANCE AND PARTICIPATION INSTRUCTIONS

The Public is able to view and hear this meeting remotely at the following address on the City's website:

<https://www.colorado.gov/pacific/idahosprings/city-council-live>

To appear on the agenda as Scheduled Public Comment (in person or remote), you must fill out the form at the following link and return to the Deputy City Clerk no later than Noon (12 p.m.) the Thursday before the meeting date:

<https://www.colorado.gov/pacific/sites/default/files/Fillable%20Council%20Public%20Comment%201.pdf>. For remote Public Comment, please use this link to join the meeting: <https://us02web.zoom.us/j/88123857147>

To provide in-person Unscheduled public comment, please sign-in at the entrance to the Council Chambers. To provide remote unscheduled comment, please use this link to join the meeting: <https://us02web.zoom.us/j/88123857147>. You will need to identify yourself when joining the Zoom meeting with an accurate first and last name. You will then need to raise your hand to be recognized for public comment at the designated time on the agenda.

Each Scheduled/Unscheduled Public Comment is limited to three (3) minutes.

**IDAHO SPRINGS CITY COUNCIL
REGULAR MEETING
April 22, 2024**

The City Council of the City of Idaho Springs held a regular meeting on April 22, 2024, in the city council chambers. Mayor Harmon called the meeting to order at 7:15 p.m.

Answering the roll were: Mayor Chuck Harmon, Mayor Pro Tem Jeremy Jones, Councilmember Scott Pennell, Councilmember Lisa Manifold, Councilmember Janine Mariani, Councilmember Jim Clark, and Councilmember Kate Collier. Also present were City Administrator Andrew Marsh, Assistant City Administrator Jonathan Cain, Community Development Planner Dylan Graves, Chief Nate Buseck, Public Works Superintendent Paul Crain, Water Facilities Superintendent Edward Sigward and City Attorney Carmen Beery attended via Zoom.

The Pledge of Allegiance was recited by all present.

AGENDA APPROVAL/MODIFICATION

Mayor Harmon made a motion to approve a modified agenda to remove Ordinance #12, Series 2024 and to table that ordinance until May 13, 2024. Councilmember Manifold seconded the modified agenda, second was followed by an all-in favor voice vote.

CONFLICT OF INTEREST

APPROVAL OF MINUTES

Mayor Pro Tem Jones moved to approve minutes from April 15th, 2024. Councilmember Mariani seconded, followed by an all-in favor voice vote.

APPROVAL OF BILLS

Councilmember Pennell moved to approve the bills to April 22nd, 2024. Mayor Pro Tem Jones seconded followed by an all-in favor roll call vote.

PUBLIC COMMENT

UNSCHEDULED PUBLIC COMMENT

LIQUOR LICENSING AUTHORITY

FINANCE OFFICER

March 2024 financial statements included in the packet for council review.

RESOLUTIONS

ORDINANCE FIRST READING

ORDINANCE SECOND READING

1. Mayor Pro Tem Jeremy Jones moved to approve Ordinance #10, Series 2024, An Ordinance approving an Amendment to the Occupancy Agreement for 2060 Miner Street between the City and the Historical Society of Idaho Springs. Councilmember Manifold seconded followed by an all-in favor roll call vote.
2. **PUBLIC HEARING** Ordinance #11, Series 2024, An Ordinance Rezoning an approximately 35,667 Square Foot Parcel owned by the city known as 2060 Miner Street from Park and Recreation (P) to Commercial 1 (C1). Mayor Harmon opened the hearing at **7:21 pm**.

STAFF- Community Development Planner Dylan Graves went over his staff report with Council. MR. Graves advised council that 2060 Miner Street has been historically zoned Parks (P), as the historic uses included a swimming pool, tennis courts to name a few. In 1992 the Visitor Center was built as this location so at that time, the Parks uses deceased. (P) Park zone does not permit a visitor center, or museum so the City Attorney suggested re-zoning this property. Mr. Graves stated he is recommending

a C1 zone as adjacent properties are also zoned C1 and the current operations of the visitor center would still be allowed. There are 7 criteria listed in Mr. Graves' staff report. Mr. Graves stated this re-zoning meets the goals of the Comp Plan and brings tourism to the area. Mr. Graves stated that there are no proposed changes to the site and there is a long-standing lease with the Historical Society. Mr. Graves advised council that he recommends approval of the re-zoning of this property with no proposed conditions.

APPLICANT- Jan Bowland 175 Divide View Drive. Mrs. Bowland thanked council and expressed appreciation for the opportunity. Mrs. Bowland stated that she could not believe that none of us noticed the zoning of Parks for the Visitor Center. Mrs. Bowland stated she was so glad to keep this going and get this property zoned properly. Mrs. Bowland stated there has been a very good operation of the visitor center this entire time, there is a synergistic program between the city and the Historical Society in the operation of this center. Mayor Harmon stated that he wanted to mention that the city only put in about \$100,000.00 into the building of the visitor center and Mrs. Bowland agreed and said that the Historical Society had applied for many grants to try to get the center built and that in the end, the school district was a lot of help as the Visitor Center was turned into a temporary school while Carlson Elementary was being remodeled. Mrs. Bowland stated that teamwork made it happen, and it was a big leap of faith. Councilmember Manifold stated this is a good thing, and it's good to have our ducks in a row. Mayor Harmon closed the public hearing at **7:31 pm**.

VOTE- Councilmember Pennell moved to approve Ordinance #11, Series 2024, An Ordinance Rezoning an approximately 35,667 Square Foot Parcel owned by the city known as 2060 Miner Street from Park and Recreation (P) to Commercial 1 (C1). Councilmember Manifold seconded followed by an all-in favor roll call vote.

CITY ATTORNEY

CITY ADMINISTRATOR

ADMINISTRATIVE DEPARTMENT

Assistant City Administrator- Staff report submitted with two requests for action.

Community Development Planner- Staff report submitted with no requests for action.

Deputy City Clerk – Staff report submitted with one request for action. Councilmember Collier moved to approve a sewer credit in the amount of \$863.58 to the estate of Alva W. F. Busch, 1104 Miner Street, due to the discovery of a running toilet. Councilmember Mariani seconded followed by an all-in favor roll call vote.

POLICE DEPARTMENT

Staff report submitted with no requests for action.

PUBLIC WORKS

Staff report submitted with one request for action. Councilmember Collier moved to approve a contract for services with HDR Engineering, for extended services on Virginia Street and Virginia Canyon reconstruction projects in the amount of \$43,670.00 from line item #23-00-5103. Councilmember Pennell seconded followed by an all-in favor roll call vote. Paul Crain wanted to mention that there was a typo in his staff report and that the crosswalks were being done this week, not next week.

WATER/WASTEWATER DEPARTMENT

Staff report submitted with no requests for action. Edward Sigward did mention to council that he is trying a new internet company in the hopes of saving a bit of money as the century link bill for the water treatment plant is over \$2,000.00 a month. Mr. Sigward is trying out a satellite internet company, Star link.

MAYOR/COUNCIL

Mayor Harmon addressed council and stated there was a request for a letter of support for the West Vail Pass Project and was council ok with signing this letter? City Administrator Andrew Marsh stated that he serves on the I70 Coalition and that this project is similar to the Floyd hill project in regard to widening the highway and increasing safety and that this project has ben scaled back substantially and if the roles were reversed, we would like our partners to sign for support of this project. All of Council agreed in signing onto the letter to support the West Vail Pass Project.

ADJOURN

Mayor Harmon adjourned the meeting at 7:41 pm.

Invoice	Type	Description	Invoice Date	Due Date	Total Cost	Terms	Period	GL Account
City of Idaho Springs (289)								
24IDSP-00024								
24IDSP-00024	Invoice	Building Permit for City Hall Impro	04/22/2024	05/22/2024	2,274.03	Open	04/24	21-61-7040
Total 24IDSP-00024:					2,274.03			
Total City of Idaho Springs (289):					2,274.03			
Colorado Analytical Lab (945)								
240220038								
240220038	Invoice	total coliform P/A compl	02/21/2024	04/30/2024	103.50	Open	02/24	51-00-5201
Total 240220038:					103.50			
240416043								
240416043	Invoice	bod-5	04/22/2024	05/22/2024	66.60	Open	04/24	52-00-5201
Total 240416043:					66.60			
Total Colorado Analytical Lab (945):					170.10			
Colorado Community Media (1981)								
110193								
110193	Invoice	Legal Publication	04/19/2024	05/19/2024	1,171.22	Open	04/24	10-20-5312
Total 110193:					1,171.22			
Total Colorado Community Media (1981):					1,171.22			
FlowRide Concepts (2028)								
170								
170	Invoice	Phase 2 VCMP	03/08/2024	05/08/2024	21,880.00	Open	02/24	21-00-6024
Total 170:					21,880.00			
174								
174	Invoice	Phase 2 VCMP	04/24/2024	05/24/2024	23,400.98	Open	03/24	21-00-6024
Total 174:					23,400.98			
168								
168	Invoice	Phase 2 VCMP	04/25/2024	05/25/2024	91,293.86	Open	01/24	21-00-6024
Total 168:					91,293.86			
Total FlowRide Concepts (2028):					136,574.84			
Grand Totals:					140,190.19			

Report GL Period Summary

GL Period	Amount
01/24	91,293.86
04/24	3,511.85
03/24	23,400.98
02/24	21,983.50
Grand Totals:	140,190.19

GL Period	Amount
Vendor number hash:	0
Vendor number hash - split:	0
Total number of invoices:	0
Total number of transactions:	0

CITY OF IDAHO SPRINGS
Clear Creek County, Colorado

Ordinance No.14, Series 2024

AN ORDINANCE GRANTING A CONDITIONAL USE TO PERMIT TEMPORARY SEASONAL EMPLOYEE CAMPING DURING THE 2024 RAFTING SEASON ONLY ON CERTAIN PROPERTY WEST OF THE SHELLY/QUINN BALL FIELDS PARK, ALSO KNOWN AS PART OF THE SILVER SPRUCE ANNEXATION TO THE CITY OF IDAHO SPRINGS

WHEREAS, the City Council and Planning Commission have authority pursuant to the laws of the State of Colorado and the Idaho Springs Zoning Ordinance to grant Conditional Uses within zone districts for property within the City; and

WHEREAS, Duke Bradford (the "Applicant") applied to the City for a Conditional Use to permit a trial run of temporary seasonal employee camping during the 2024 rafting season upon property located directly west of the Shelly/Quinn Ball Fields Park, south Exit 241 of Interstate 70, that was annexed into the City as part of the Silver Spruce Annexation of 1974, further described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, the Planning Commission reviewed all facts and circumstances relevant to the aforementioned application (the "Application") on April 3, 2024 and forwarded its recommendation to the City Council; and

WHEREAS, the Application was scheduled for public hearing before the City Council on April 29, 2024, and due notice thereof was given by publication, mailing and posting of the Property, all as required by the laws of the State of Colorado and the Zoning Ordinance of the City; and

WHEREAS, the public hearing was conducted on April 29, 2024, at which time all interested parties were afforded an opportunity to be heard; and

WHEREAS, as of the date of said public hearing, no written protests to the proposed Conditional Use had been received; and

WHEREAS, after reviewing all of the relevant evidence and testimony, the City Council has determined that the proposed Conditional Use conforms to the relevant requirements of the Idaho Springs Municipal Code ("ISMC"), is generally in conformity with the City's comprehensive plan, and will not impact adjacent properties in a manner that is significantly different than the impacts caused by uses that are permitted by right in the area, only upon the imposition of certain conditions, as further set forth herein.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Idaho Springs, Colorado, as follows:

Section 1. The above and foregoing Recitals are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The Property is allowed a Conditional Use for temporary seasonal employee camping during the 2024 rafting season only with the following conditions and limitations:

1. Approval will expire on October 1, 2024.
2. The Handbook and Lease (Attachment 1 to the Staff Report from Dylan Graves, Idaho Springs Community Development Planner) and the Map of the site (Attachment 2 to the same) are both expressly incorporated as conditions of approval.
3. Potable water must be available on-site at all times.
4. The Clear Creek Fire Authority shall sign off on the location of campsites, fire pits, and cooking areas prior to operation. Occupancy of the site cannot occur until the City receives confirmation that Fire Authority authorization has been provided.
5. All campsite locations shall be numbered and a map of the site, showing all campsites labeled, shall be provided to the City prior to operation and posted at the site.
6. Trash and recycling must be picked up weekly at minimum.
7. Adequate portable toilets will be provided on-site and will be pumped monthly at a minimum or as needed.
8. Prior to occupancy of the property, the applicant shall work with the City to assign an address to the property for the purposes of emergency response.
9. The applicant is required to provide to City Administration and the Police Department two (2) authorized contacts (a primary contact and backup contact) for the property who can physically respond to the site within sixty (60) minutes or less.
10. Parking spaces shall meet minimum parking standards,, shall be delineated on-site to the City's satisfaction, and shall include spaces for at least 38 vehicles (including 10 campervan spaces). A parking plan showing the layout of spaces shall be provided prior to occupation of the property. No parking associated with this use shall be permitted off site.
11. Public access across the property along the existing paved path shall be maintained and not blocked.
12. City Staff shall perform a site walk-through once all improvements proposed are established on-site to confirm compliance with the above conditions of approval.
13. The City Council may revoke this CUP at any time in accordance with the ISMC.
14. No natural (wood) fires are permitted on-site. Gas fires, including camp stoves, may be permitted on-site with Fire Authority authorization.
15. Signage shall be installed at the entrance to the trail underpass to I-70 at Edwards St. stating that no motorized vehicles are permitted. Signage stating that no motorized vehicles are permitted shall also be placed on the trail directly west of the proposed campsite to designate the end of access road sharing the trail.
16. "Share the Road" and speed limit signage similar to the signs installed on Riverside Drive and the Clear Creek Greenway Trail shall be installed both directions on the access road between the Shelly-Quinn Ballfields entrance and the entrance to the campground where pedestrians and vehicles may interact.
17. The Handbook and Lease Agreement shall be updated to state that up to ten (10) camper vans may be permitted on-site for overnight occupancy and specific campervan spaces shall be delineated prior to occupancy.

Nothing herein constitutes approval of any use of any type *not* specified by this Ordinance. Any such additional use would require its own distinct Conditional Use approval, if so required by the Code.

Section 3. Any and all Ordinances or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or part thereof shall not revive any other section or part of any Ordinance heretofore repealed or superseded.

Section 4. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various provisions are severable.

INTRODUCED, READ AND ORDERED PUBLISHED, on April 8, 2024, at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk

PASSED, ADOPTED AND APPROVED, after publication and public hearing, at a special meeting of the City Council of the City of Idaho Springs, Colorado, held on April 29, 2024.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk

EXHIBIT A

Legal description of property

THE LAND REFERRED TO IN TITLE COMMITMENT NO. CC2003-7925 AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE 6TH P.M., FURTHER DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 31; THENCE N86°04'30"E, 1262.58 FEET TO A POINT MARKED BY A STEEL PIN, WHICH POINT IS THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE N0°43'30"W, 838.80 FEET TO A STEEL PIN ON THE SOUTH BOUNDARY LINE OF U.S. HIGHWAY 6 AND 40 AS LOCATED ON JANUARY 28, 1993 (INTERSTATE HIGHWAY 70); THENCE SOUTHWESTERLY ALONG THE SOUTH BOUNDARY OF SAID U.S. HIGHWAY 6 AND 40 A DISTANCE OF 1332.40 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE WEST LINE OF SAID SECTION 31; THENCE S0°13'30"E, 522.02 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID SECTION 31, THE TRUE POINT OF BEGINNING, KNOWN AS SILVER SPRUCE ADDITION TO THE CITY OF IDAHO SPRINGS, COUNTY OF CLEAR CREEK, STATE OF COLORADO.



HIDDEN VALLEY CAMPGROUND'S HANDBOOK & LEASE AGREEMENT

AVA RAFTING & ZIPLINE | PUBLISHED 2024

WELCOME TO HIDDEN VALLEY - AVA'S IDAHO SPRINGS EMPLOYEE CAMPGROUND

Welcome to Hidden Valley Campground. We are excited you are considering staying with us and look forward to the season. This handbook is a reference that provides residents with Hidden Valley's policies, procedures, lease agreement and expectations, set forth by AVA Rafting & Zipline, to ensure the safety of all residents and guests staying at Hidden Valley. This handbook is not meant to be all inclusive as we cannot anticipate every circumstance that may occur, and we will make decisions on a case-by-case basis. AVA Rafting & Zipline reserves the right to update this handbook as needed. It is the responsibility of all residents to know and abide by current policies.

MISSION STATEMENT

The mission of Hidden Valley is to provide a clean, secure, and well-maintained communal environment that promotes a balanced and healthy lifestyle.

ELIGIBILITY

Hidden Valley accepts requests on a rolling basis from employees of AVA Rafting & Zipline. Hidden Valley is a designated campground for AVA Rafting & Zipline employees. Other persons, including but not limited to the employee's family, children, and friends, are not eligible to live at Hidden Valley.

Significant others staying at Hidden Valley are expected to be AVA employees. Exceptions to allowing non-AVA employed significant others can only be made by the Outpost Manager. If allowed, the employed AVA resident is responsible for paying their significant other's portion of rent deducted from their paycheck. Any non-AVA employed significant others must reside in the same living space as the employed AVA resident.

DUKE LLC/ Arkansas Valley Adventures LLC et. al. reserves the right to refuse, remove, and/or deny any employee eligibility of Hidden Valley at any time. Furthermore, eligibility is only during the operating season. All employees must move out when the outpost closes, regardless of any other eligibility.

OPENING AND CLOSING DATES

Hidden Valley officially opens during the first week of May and closes the second week of September. Aerial Guides working during the pre-season (before May) can begin camping 4/1/24 at the earliest.

RATES

AVA EMPLOYEE

Rent payment comes to \$400 for the season. All prices are per person.

SIGNIFICANT OTHERS

Rent payment comes to \$400 for the season. The employed AVA resident is responsible for paying their significant other's portion of rent. Significant others must reside in the same living space as the employed AVA resident.

RENT PAYMENT

Hidden Valley residents will be responsible for paying three-fourths of their rent payment (\$300 for a single resident) on or before 5/1/24. At that time, a valid credit card number will be obtained from the individual. The remaining one-fourth of the rent payment (\$100 for a single resident) will be charged on that card on 7/1/24. The \$400 per person rent payment will cover the cost of the entire season regardless of the resident's length of stay. All payments are non-refundable. Campsites will be distributed on a first-by-first basis based on the order of people who pay the \$300/person down payment. So, it is advised to submit payment early.

TERMINATION OF CONTRACT

This document establishes a lease agreement between the tenant and AVA Rafting & Zipline's Hidden Valley Employee Campground in Idaho Springs. The relationship with AVA Rafting & Zipline's Employee Campground and the tenant is based upon mutual consent. Either party has the right to terminate the contract at any time.

Hidden Valley is the property of Duke LLC/Arkansas Valley Adventures. Hidden Valley has been designated Employee Housing for AVA Rafting & Zipline employees located at the Idaho Springs Outpost. Termination from your position shall result in eviction. Any disciplinary action that is taken toward you while residing at Hidden Valley could affect, or result in the termination of, your employment and/or lease agreement with AVA Rafting & Zipline.

PAYROLL DEDUCTION AUTHORIZATION FOR ADDITIONAL FEES OR FINES

By signing the signature page of this handbook, you agree to the following

"I hereby authorize Arkansas Valley Adventures to payroll deduct any fines and fees related to Employee Housing as a result of my occupancy with AVA Rafting & Zipline Employee Campground. I understand that in the event that such deductions from payroll are not sufficient to cover the amount due, I will be obligated to pay any and all outstanding charges not covered by payroll deductions. I also realize that AVA Rafting & Zipline will take further legal action as necessary to collect the amount outstanding. Should that occur, I agree to be liable for all reasonable collection costs incurred, including but not limited to, reasonable attorney's fees."

ARRIVAL TO HIDDEN VALLEY

MOVE-IN

Alert the General Manager, Phill Walker (pwalker@peak1express.com) your move in date at least 48 hours prior so management is available and prepared to conduct a check-in and HR can sign off on your move in. Employees may move in one day before the start date on their offer letter. Rookies may move in 3 days before the start of Guide School.

ADDRESS AND CHECK IN

You will meet the Hidden Valley Mayor or general management at the Hidden Valley Campground. The coordinates are: 39°44'22.3"N 105°29'55.6"W. Check-in will be conducted at camp, located about 1.5 miles east of the outpost. If a manager is not available at Hidden Valley, they can be found at 431 Chicago Creek Rd, Idaho Springs CO, 80452, which is our Outpost address.

POLICIES, PROCEDURES, AND EXPECTATIONS

TRANSPORTATION

Due to limited parking at the Outpost, we highly recommend that every employee that stays at Hidden Valley bring a bicycle and bike to work. It is approximately a 12-minute, 1.5-mile bike ride from the campground to the Outpost along side streets and bike trails. Bikes can be parked and securely locked in a communal bike storage room at the Outpost while an employee is working.

QUIET HOURS

Quiet hours are from 10:00pm-7:00am every day. Please turn down your electronics, lower your voices, and do not play any musical instruments during this time. In addition, please avoid excessive/unnecessary noise (which includes car horns and slamming car doors) and disruption at all hours. We enforce 24/7 courtesy hours.

RULES AND REGULATIONS

- All sites are walk-in tent camping.
- Only tents are permitted and must be free standing and temporary, no permanent structures are allowed.
- All campsites must be out of view of residentially zoned neighboring structures.
- A single designated campsite must be used for the entire season.
- No vehicles are permitted in camping areas.

- Quiet hours are from 10:00pm to 7:00am, daily, and must be observed.
- The use of generators is prohibited during quiet hours.
- Due to limited space, no pets will be allowed at Hidden Valley.
- Absolutely no use of illegal drugs on property.
- Absolutely no use of fireworks on property.
- Firearms are not permitted on the premises.
- All permitted firepit(s) will be designated by the Hidden Valley Mayor or general management. No fires are permitted at private campsites.
- Gathering of wood from any standing trees, dead or alive, is prohibited.
- All fires must be completely extinguished, cool to touch, if unattended.
- All fires must be accompanied by a shovel and at least 5 gallons of water.
- Fires and charcoal cooking are prohibited during forest service fire ban periods.
- All garbage must be stored in provided containers or dumpsters, not at individual campsites. In addition, no burning of trash or food waste is permitted.
- Recycling bins are provided and shall be used appropriately.
- All food and cookware must be stored in sealed, airtight, animal-proof containers and never be left out unattended.
- Anyone living on property is required to secure their food and toiletries from the wildlife. This can include any commonly accepted practices such as bear-resistant food containers or in your vehicle. YETI coolers are bear resistant, and, as a guide, you receive 40% off coolers.
- You must abide by all posted signage.
- Neighboring private property and privacy must be respected at all times.
- A 5 MPH speed limit on the road to the campground must be obeyed for dust control and safety.
- Employees must use the toilet facilities provided; frequent urination and digging of cat holes at individual campsites is not permitted.
- All camping areas are subject to inspection and disciplinary action if necessary.
- Campsites must be inspected and approved by the property or operations manager before departure at the end of the season.
- Campsites will only be occupied during the operating rafting season and must be vacated at all other times.

PROHIBITED ITEMS

The following actions may result in a fine or disciplinary action up to eviction and termination of employment, or involvement of law enforcement where issues such as violence are concerned. The list is not all inclusive or limited to the following:

- Repeat activity for which disciplinary action has already been taken.
- The possession, evidence of use, sale, or paraphernalia of illegal drugs on company premises is expressly prohibited.
- The sale of marijuana and tobacco on company premises is expressly prohibited.
- Any suspected destruction, theft, misappropriation, or unauthorized possession of company, guest, or fellow employee property.
- Violence or threats of violence. This includes, but is not limited to intimidating, threatening or hostile behavior, physical abuse, vandalism, arson, sabotage, use of weapons, carrying weapons of any kind onto any AVA Rafting & Zipline property, or any other act that, in the sole opinion of the AVA Rafting & Zipline management team, is inappropriate to Hidden Valley.
- Unauthorized parties at Hidden Valley. Parties are defined by the noise and/or disruption to others that is created, up to the discretion of the Hidden Valley Mayor or general management.
- Violating any State and/or Federal laws (including but not limited to underage drinking and possession of drugs).
- Blatant disrespect towards another resident, guest, the Hidden Valley Mayor, general management, or AVA staff.
- Noise and disruption during quiet hours, 10:00pm-7:00am every day.
- Excessive/unnecessary noise and disruption at all hours. We enforce 24/7 courtesy hours.
- Physically altering the property without management approval.
- Damage or vandalism to Hidden Valley property, or contents, including but not limited to any structure's walls, windows, doors, or restrooms.

- Fireworks and firearms are expressly prohibited from Hidden Valley. Any employee found in possession of fireworks or firearms will be removed from Hidden Valley.

SAFETY

The safety and well-being of residents and guests are the priorities of Hidden Valley. It is important to complete the following:

- Report any suspicious persons or activities in Hidden Valley to the Hidden Valley Mayor, general management and/or HR.
- In case of an emergency, call 911.

DRUG AND DRUG PARAPHERNALIA POLICY

Absolutely no illegal drugs or drug paraphernalia are permitted or tolerated at Hidden Valley. The use of recreational or medical marijuana is only permitted at the employee's campsite, though not prior to or during a scheduled shift. The sale of marijuana is not permitted at Hidden Valley. Any employee who arrives at work under the influence of any drugs will be subjected to a drug test and face disciplinary action up to and including termination.

Employees regulated by federal motor carrier requirements (i.e., CDL drivers) are subject to federal government regulations which deem marijuana use a crime. Such employees must pass a drug test as a condition of employment. AVA has a zero-tolerance policy for possession and use of medical and recreational marijuana and paraphernalia by such employees.

ALCOHOL POLICY

Alcohol is permitted at employee's campsites only. Alcohol is not permitted at the Outpost, the Outpost Break Room, Boat Barn, or Fire Pit. The sale of alcohol is not permitted at Hidden Valley. Employees choosing to drink alcohol should do so responsibly. Excessive drinking and/or erratic behavior as a result of drinking will result in removal from Hidden Valley. Any employee who arrives at work under the influence of alcohol will be subjected to a drug test and face disciplinary action up to and including termination.

CAMPFIRE POLICY

With Colorado being a high desert, we are prone to forest fires. These are a threat to our wildlife and neighbors. Fire pits are a tremendous liability and responsibility. For this reason, they will be started, enjoyed, and put out sober. Alcohol will not be allowed. Any violation of this rule will result in the abolishment of this privilege at Hidden Valley. Additionally, all permitted fire pits will be designated by the Hidden Valley Mayor or general management. No fires are permitted at private campsites. All fires must be under control, fully contained within the designated fire pit, and are not to exceed 3 feet in diameter or 2 feet in height. No burning of food scraps, garbage, or any hazardous or explosive materials. Fires must also be accompanied by a shovel and at least 5 gallons of water to douse any escaped embers. All fires must be completely extinguished, cool to touch, if unattended. If it's too hot to touch, it's too hot to leave. When conditions are deemed hazardous, federal, state, and local entities will implement fire bans to reduce the risk of human-caused fires during periods of high fire danger. All restrictions outlined under these fire bans must be strictly adhered to.

SMOKING/VAPING POLICY

Smoking or vaping is not permitted within 20 feet of any building at Hidden Valley. Smoking or vaping in front of customers is not permitted. Smoking is also not permitted during a state issued fire ban period. The sale of nicotine and tobacco products is prohibited at Hidden Valley.

PETS

Pets will not be allowed at Hidden Valley. Space is limited, and there will not be the resources available to properly care for any pets.

WILDLIFE

Idaho Springs is home to a variety of wildlife, and everyone is responsible for following best practices to live with them. Black bears are intelligent, resourceful, and can smell food five miles away. When food and trash is accessible, bears will learn to take advantage of an easy meal. To avoid problems for yourself and the bears, keep a clean camp. Bears are attracted to odors of all kinds, including

food, beverages, toiletries, insect repellent, etc. Do not bring these items into your tent. Store food, cookware, and scented products in a bearproof container or cooler or in your vehicle. Approved coolers include but are not limited to YETI, RTIC, or ORCA.

ABSENCE FROM CAMP

Vacation or leave terms must be approved by HR (in addition to your General Manager), as per the Employee Handbook Agreement, if longer than one week. Rent will be charged for the space at Hidden Valley regardless of status.

SUBLEASING

All subleasing is strictly prohibited at Hidden Valley. Tenant shall not have the right or power to sublet or rent the Premises or any part thereof, nor to transfer or assign his/her rights hereunder without the express written permission of the Landlord.

GUESTS

Guests of residents may stay one night without prior approval. Any guest planning on spending more than one night at Hidden Valley must be approved by the Hidden Valley Mayor or general management and must be staying at the employee's campsite or at a vacant site. No guests are permitted to sleep in the mobile storage room.

Guests who stay at Hidden Valley for longer than 4 consecutive days or 3 consecutive nights will be added to the appropriate employee's Hidden Valley Rent payroll deduction. By accepting the terms of this lease agreement and by hosting said guest, the employee is agreeing to this payroll deduction.

Guests of residents will be required to follow the same policies set forth in this Handbook and Lease Agreement. The resident will be held liable for all actions by their guest including violation of the drug and alcohol policies.

USE OF FACILITY AND RIGHT TO ENTRY

AVA Rafting & Zipline respects the need for, and right to, privacy of each resident. However, AVA Rafting & Zipline reserves the right to enter and inspect tenant's living quarters at any time when it is deemed necessary to protect and maintain AVA Rafting & Ziplines' property and a safe environment.

LIABILITY

The AVA Rafting & Zipline Hidden Valley Employee Campground shall have no responsibility or liability for any loss, damage, or injury to tenant's own person or personal property located within the premises.

OFFICE AND PROPERTY MANAGEMENT SUPPORT

The Hidden Valley Mayor, general management, and HR are all resources for residents and guests in answering questions about Hidden Valley, the Outpost, and the local area. Please do not hesitate to stop in with questions, to voice concerns, and to share feedback about ways we can improve the experience within Hidden Valley.

FACILITIES

BATHROOMS

Standard portable toilets (outhouses) will be provided. While there will be a company to empty the outhouses, it is every guide's responsibility to make sure they stay clean for everyone. The Hidden Valley mayor can assign someone to clean an outhouse if needed. The bathrooms at the Outpost will be locked after the return of the last trip of the day and will not be allowed to be used after hours.

SHOWERS

While there will be no showers at Hidden Valley, employees will have free access to showers at the Clear Creek recreation center. This facility includes a gym, pool, jacuzzi, and full bathrooms as well.

WATER

Potable water will be brought into the campground by AVA. It is every guide's responsibility to make sure the water dispensing area stays clean for everyone.

KITCHEN

There is no kitchen at Hidden Valley, but there is a limited communal kitchen in the Employee Break Room at the Outpost. The refrigerator and freezer there are for everyone's use and should be kept clean. Any spoiled or rotten food will be thrown away. The Employee Break Room will be locked after the return of the last trip of the day and cannot be accessed afterhours. Camp stoves are permitted at campsites but must be kept clean and stored properly when not in use.

TRASH AND RECYCLING

Our goal is always to reduce waste at Hidden Valley and avoid attracting wildlife. There will be receptacles for trash and recycling. These are maintained by the Hidden Valley Mayor or general management. If these receptacles require attention, alert the Hidden Valley Mayor or general management. AVA Rafting & Zipline does not provide trash bags. All employees are responsible for disposing of their personal trash/recycling properly. Please break down your boxes before placing them in the appropriate bin. Failure to take your trash/recycling to the appropriate bins may result in a charge to your account. There is no composting permitted at Camp; all food waste must be disposed of properly to prevent animals. Any employee or guest found littering or keeping an unclean campsite will be removed from Hidden Valley. Employees are expected to assist the Hidden Valley Mayor and general management in the removal of recycling twice per month.

LIGHTING

There will be no additional light sources provided at Hidden Valley. Headlamps are highly encouraged to safely navigate the campgrounds at night.

PARKING

Absolutely no vehicles greater than 20 feet in length will be allowed. No camper trailers or RVs are permitted either. Each campsite is allotted one parking spot that can fit only a single vehicle. No additional vehicles will be allowed. All vehicles must be parked in the designated parking spots. Vehicles can never be driven into the campground. All sites are walk-in. No vehicles may be parked along the roadway or blocking any roads. Any abandoned vehicles will be towed at the owner's expense. Storage charges will apply. We reserve the right to terminate working and living relationships over abandonment of vehicles.

STORAGE

There are no storage lockers at Hidden Valley. Items must be stored at a campsite or in a vehicle. Raft guides will have a personal storage area at the Outpost to store gear. Aerial guides will have a place to store harnesses in the gear room at the Outpost.

WI-FI

There is no Wi-Fi provided at Hidden Valley.

LAUNDRY

There are no laundry facilities at camp for personal use; however, there is a laundromat in Idaho Springs: Clear Creek Laundromat at 1347 Idaho St, Idaho Springs, CO 80452. This is less than a half mile away from the Outpost.

MEDICAL CARE

There are a variety of local health and wellness clinics (medical, dental, behavioral, etc.) in Idaho Springs. For emergency medical care, dial 911.

GENERAL MEDICAL HEALTH CLINIC

Clear Creek County Health and Wellness Center | 1969 Minor St, Idaho Springs, CO 80452 | (303) 670-7540

MENTAL HEALTH SERVICES

Jefferson Center for Mental Health | 1969 Minor St, Idaho Springs, CO 80452 | (303) 425-0300

DENTAL SERVICES

Colorado Dental Co. | 521 Colorado Blvd, Idaho Springs, CO 80452 | (303) 567-4412

VISION SERVICES

Foothills Eye Clinic | 952 Swede Gulch Rd, Evergreen CO 80439 | (303)526-0534

MOVING OUT

CHECK-OUT PROCESS

Be sure to inform the General Manager, Camp Mayor, or HR at least 48 hours before you plan to move out so an inspection can be arranged. All employee campsites must be inspected and approved by the General Manager or Hidden Valley Mayor before an employee will be released from this Agreement. Any employee that leaves an unclean campsite at Hidden Valley with or without a campsite inspection may incur an additional Rent payment and fines, as detailed below, to cover the time needed to clean their campsite. Any employee that leaves an unclean campsite in Hidden Valley without inspection will not be permitted to stay at Hidden Valley for any subsequent seasons with AVA Rafting & Zipline.

TERMINATION OF RENTAL AGREEMENT (IMMEDIATE EVICTIONS)

Either party hereto shall have the right to terminate this Rental Agreement at any time upon giving not less than twenty-four (24) hours written notice to the other party, upon which Tenant shall vacate the Premises. Tenant shall not be considered to have vacated the Premises as long as he/she has failed to remove all personal items on property. It is expressly agreed and understood by Tenant that his/her tenancy is strictly dependent upon Tenant's continued employment and Tenant agrees to vacate the Premises within the time period as outlined within the termination notice. AVA Rafting & Zipline reserves the right to remove any resident immediately and without notice. As Tenant's failure to vacate the Premises will cause Landlord damages which are difficult or impossible to calculate, Tenant agrees that if Tenant does not vacate the Premises within the time period as outlined after the delivery of any termination notice, Landlord shall seek eviction with liquidated damages in the amount of fifty dollars (\$50) per day until Tenant vacates the Premises, in addition to the rents required by this lease. Failure to vacate the property within the time period as outlined after termination of rental agreement will result in the Landlord filing an eviction case with the courthouse and will proceed to take possession of the premises.

SUMMARY OF FINES

The following is a summary of fines that may be assessed for failing to comply with the policies outlined in this handbook and lease agreement.

- Failure to pay rent on time up to \$10.00/day
- Cleaning fee, \$50 to \$200
- Damage of company property, assessed according to the cost to repair or replace

HIDDEN VALLEY RENTAL AGREEMENT

This Rental Agreement is entered into this _____ (day) of _____ (month), 20____ (year), between AVA Rafting & Zipline. (hereinafter called "Landlord"), and _____ (hereinafter called "Tenant"). Whenever the words "Landlord" and "Tenant" are used in this lease as the context requires, they shall be deemed to refer equally to persons of both sexes and to corporations and partnerships, singular to include plural and plurals to include singular.

Landlord does hereby lease and rent to Tenant the living accommodations known as Hidden Valley, located in Idaho Springs, Colorado (the "Premises"). The Premises shall be used solely as a dwelling by Tenant commencing on the date stated above and continuing until terminated at the will of either Landlord or Tenant, provided, that in no event shall Tenant remain in possession of the Premises if Tenant's employment with Landlord (or binding company) is terminated for any reason.

IN CONSIDERATION WHEREOF, and the terms contained herein, it is hereby agreed as follows:

RENT

Tenant agrees to pay rent to Landlord, in the seasonal amount of **\$400.00** dollars per person. The Tenant will pay three-fourth of this rent (\$300/person) on or before 5/1/24. The Tenant will provide a valid credit card at that time. On 7/1/24, the Landlord will charge the remaining one-fourth of the rent payment (\$100/person) on the given credit card. The \$400 rent will cover the cost of a single resident for the entire 2024 AVA season at Idaho Springs. All payments are non-refundable. As this is seasonal rent, no discounts will be given to the Tenant if they decide to reside at the Premise for a shorter period than the Premises' seasonal operation from the first week of May (or April 1st for aerial guides working pre-season) to the second week of September. Notwithstanding that this Rental Agreement is a tenancy at will and rent shall accrue on a daily basis. Tenant hereby authorizes Landlord to deduct and agrees to the deduction from Tenant's compensation resulting from its employment with Landlord of any and all additional fees, fines, and amounts due that are surplus to the seasonal rent and payable by Tenant hereunder, in such amounts and at such frequency as Landlord may in its sole discretion determine. LANDLORD RESERVES THE RIGHT TO CHANGE THE RENTAL RATE AT ITS DISCRETION UPON FIFTEEN (15) DAYS PRIOR WRITTEN NOTICE TO TENANT. TENANT WILL HAVE THE OPTION TO EITHER (A) ACCEPT SUCH CHANGE OR (B) VACATE THE PREMISES, IN WHICH EVENT, IF THE PREMISES IS NOT VACATED BY THE EFFECTIVE DATE OF THE NEW RATE, SUCH RATE WILL BE DEEMED TO BE IN EFFECT AND ACCEPTED BY TENANT.

If Tenant fails to make the rental payments as specified above, Landlord has Tenant's express permission to evict Tenant under the provisions of the Laws of the State of Colorado, notwithstanding the fact that those sharing the property with Tenant may have paid their portion of the rent.

TERMINATION OF RENTAL AGREEMENT (IMMEDIATE EVICTIONS)

Either party hereto shall have the right to terminate this Rental Agreement at any time upon giving not less than twenty-four (24) hours written notice to the other party, upon which Tenant shall vacate the Premises. Tenant shall not be considered to have vacated the Premises as long as he/she has failed to remove all personal property. It is expressly agreed and understood by Tenant that his/her tenancy is strictly dependent upon Tenant's continued employment and Tenant agrees to vacate the Premises within the time period as outlined. As Tenant's failure to vacate the Premises will cause Landlord damages which are difficult or impossible to calculate, Tenant agrees that if Tenant does not vacate the Premises within seventy-two (72) hours after the delivery of any termination notice, Landlord shall seek eviction with liquidated damages in the amount of fifty dollars (\$50) per day until Tenant vacates the Premises, in addition to the rents required by this lease.

NO SUBLETTING OR ASSIGNMENT

Tenant shall not have the right or power to sublet or rent the Premises or any part thereof, not to transfer or assign his/her rights hereunder without the express written permission of Landlord. Any subletting, renting or assignment in violation of the preceding sentence shall be null and void and of no effect. Tenant shall not offer any portion of the Premises for lease or rent by placing on the same any "for rent," or any similar sign or notice, or by advertising the same in any newspaper or place or manner whatsoever without the consent in writing of Landlord.

TENANT'S DUTIES

Tenant, in consideration of the leasing of the Premises, agrees that it shall:

Pay three-fourth of the rent to the Arkansas Valley Adventures/AVA Rafting & Zipline on or before 5/1/24 and the remaining one-fourth of the rent on or before 7/1/24. After an Arrears Notice has been delivered, Tenant has twenty-four (24) hours to contact the HR Manager to arrange payment of past due rent.

Agree to and fully understand that this Rental Agreement is subject to and subordinate to the lien of existing mortgages or trust deeds and Tenant will execute any instrument subordinating this Rental Agreement if requested by Landlord.

Allow Landlord to retake possession of the Premises should the Premises be left vacant or any part of the rent be unpaid and re-rent same at terms in the discretion of Landlord, understanding that Landlord is not obligated to retake said Premises and that the retaking of the Premises does not in any way terminate this Rental Agreement nor Tenant's obligations there under.

Understand and agree that in a mountain environment there may be interruptions in basic services such as power, and water and hold Landlord harmless and not seek any damages against Landlord for any injury or loss resultant from such interruption.

Make all requests for maintenance through the Hidden Valley Mayor. Any maintenance requests not approved by the Hidden Valley Mayor will be the responsibility of the Tenant.

Abide by all rules set forth in the Employee Housing Handbook.

OTHER TERMS

In the event the Premises are rendered totally untenable by fire or other casualty, (whether or not the demised premises are affected) is so injured or destroyed that the Landlord determines within a reasonable time not to rebuild, this Rental Agreement shall cease and the rent shall be prorated as of the date of the fire or other casualty giving rise to such injury or damage. If the Premises shall be partially destroyed or injured by fire or other casualty not arising from the fault or negligence of the Tenant, such that the Premises is not rendered totally untenable, Landlord shall repair the same with reasonable diligence after notice of such destruction or injury and the rent, or an equitable proportion thereof, shall be abated during such time of repair and until such repairs or restoration are completed.

LANDLORD NOT LIABLE

It is expressly agreed and understood by Tenant that Landlord shall not be liable for any damage or injury by water or which may be caused by an act of God, or by carelessness, negligence, or improper conduct on the part of Tenant, or any other tenant. IT IS FURTHER AGREED THAT LANDLORD SHALL HAVE NO RESPONSIBILITY OR LIABILITY

WHATSOEVER FOR LOSS OR DAMAGE TO TENANT'S OWN PERSON OR PERSONAL PROPERTY LOCATED ON THE

PREMISES. Tenant agrees that Tenant will not make any claim, or bring any suit, against Landlord for any injury, loss or damage to person or property occurring on or about the Premises from any cause, and hereby waives any such claims against Landlord and releases and indemnifies Landlord from liability.

DEFAULT AND RE-ENTRY

Should Tenant (i) fail to pay the agreed upon rent, or any part thereof, as the same becomes due, (ii) commit waste in the Premises, or (iii) violate any other term or condition set forth in this Rental Agreement, Landlord shall have the right, at its option, to re-enter the Premises, remove and keep all of Tenant's belongings located on the Premises until such time as damages or unpaid rent is paid, and terminate this Rental Agreement. Any such re- entry shall not bar Landlord's right to recover the rent, or damages for violation of the terms of this Rental Agreement, nor shall the Landlord's receipt and acceptance of rent after such terms are breached be deemed a waiver of such breach.

FAILURE TO VACATE

It is expressly agreed and understood by Tenant that in the event that Tenant does not vacate the Premises within the time period as outlined, Tenant will be deemed a trespasser, subject to criminal prosecution and physical removal, and that Landlord shall have

the right, at its option, in addition to Landlord's other remedies set forth in this Rental Agreement, to re-enter the Premises and remove and keep all Tenant's belongings in the Premises until such time as any damages or unpaid rent are paid and Tenant.

FEES

Should Landlord be compelled to commence or sustain an action at law to collect said rents or part thereof, or for damages, or to dispossess Tenant or to recover possession of the Premises, Tenant agrees to pay all Landlord's costs and expenses in connection therewith, including reasonable attorney's fees and costs.

SALE OF PREMISES

Tenant acknowledges that the Premises may be placed for sale during the term of this Rental Agreement, and/or shown to prospective new lessees. In such event, Tenant shall cooperate with Landlord and allow the same to be shown upon reasonable request of the Landlord or the listing agent. In the event that the Premises is placed under contract for sale or exchange during the term of this Rental Agreement or any extension thereof, this Rental Agreement may be terminated by Landlord in the manner set forth, upon which Tenant shall vacate the Premises. Tenant's obligation to pay rent shall be prorated as of the date Tenant vacated the Premises due to such sale or exchange.

EMPLOYEE HOUSING AVAILABILITY

Any resident of the Premises must be an employee/significant other to an employee of Landlord. Tenant understands that housing is provided on a space available basis.

NO DISTURBANCE

Tenant shall not use, nor shall he/she allow others to use the Premises for any purpose which will injure the reputation of Landlord or which will disturb the tenants or inhabitants of the Premises or which is considered a nuisance.

RIGHTS TO ACCESS

It is mutually understood and agreed upon that the Landlord and its agents shall have access to the Premises at all times to perform any of the following:

- Inspection to determine compliance with the Rental Agreement Policies;
- Showing of the Premises to prospective tenants; or
- To make repairs, additions, or alteration, as necessary.

VANDALISM

To compensate for vandalism to Hidden Valley, Tenant hereby expressly agrees to assume a pro rata responsibility. All moneys needed to repair the areas affected by damage will be paid for in equal parts among all tenants of the Premises. Landlord may add such moneys to the rental payment(s) due from Tenant. Tenant shall be only responsible for the damage which occurred while Tenant resided on the Premises.

NO UNLAWFUL ACTS

Tenant agrees not to keep or permit or give permission to others to keep flammable fluids, firearms or other weapons, or explosives on the Premises. Tenant shall not permit or give permission for any unlawful act to be committed on the Premises nor shall he/she permit the Premises to be used as a boarding, or lodging, for any purpose which will increase the insurance rate or jeopardize Landlord's relationships. Tenant agrees they will not use the premises for illegal purposes.

ABANDONED BELONGINGS

On or before vacating the Premises, Tenant shall remove all of his/her personal property from the Premises. All property not so removed shall be deemed abandoned and may be disposed of by Landlord after a one-week period.

RULES AND REGULATIONS

Tenant shall comply with all the rules and regulations concerning the Premises which are now in force and posted on or about the Premises, or otherwise brought to the attention of Tenant, in regard to the grounds as a whole. Tenant shall comply with the rules otherwise found in the Hidden Valley Handbook and Rental Agreement documents and the AVA Rafting & Zipline Employee Handbook.

PHOTO RELEASE

I realize and understand that from time to time I may be photographed while in the performance of my duties or while participating in employee events such as employee gatherings and meals, or other events hosted by AVA Rafting & Zipline. I hereby give my permission and consent to AVA Rafting & Zipline to use my image, appearance, photograph and likeness throughout the world in perpetuity in any and all media now known or hereafter devised in connection with the promotion, advertising and publicizing of AVA Rafting & Zipline/Arkansas Valley Adventures or any future companies incorporated in common ownership or any event or activity sponsored or promoted by them and for any internal communications on the internet or in yearbooks, newsletters (collective the "Publicity"). I understand and agree that the Publicity may be conducted throughout the world in all forms of media including but not limited to all forms of television, cable, videos, photos, and the Internet.

I waive any right that I may have to inspect or approve any item that may use my name, voice, likeness or image in connection with the Publicity including any use of my recognizable likeness, name and/or image on merchandise. I acknowledge and agree that any use of my recognizable likeness, name and/or image which may appear in the Publicity will be without any further compensation to me. Parent/Guardian, if signing on behalf of a minor, does hereby acknowledge and agree to this release on behalf of the parent/guardian and the minor.

HIDDEN VALLEY HANDBOOK AND LEASE AGREEMENT

Hidden Valley

39°44'22.3"N 105°29'55.6"W

Idaho Springs, CO 80452

Full Name:

Date of Birth:

Phone Number:

E-mail:

Department/Company:

I hereby state that I have read and understand this Hidden Valley Lease Agreement and Handbook and agree to follow these guidelines and those explained to me by the Hidden Valley Mayor/General Management Team/HR staff upon check-in.

The undersigned has read the foregoing Hidden Valley Agreement and Handbook, agrees that ALL claims whatsoever, arising from this agreement, shall be GOVERNED BY COLORADO LAW and EXCLUSIVE JURISDICTION shall be in the Idaho Springs, Colorado, or in Federal Court for the District of Colorado.

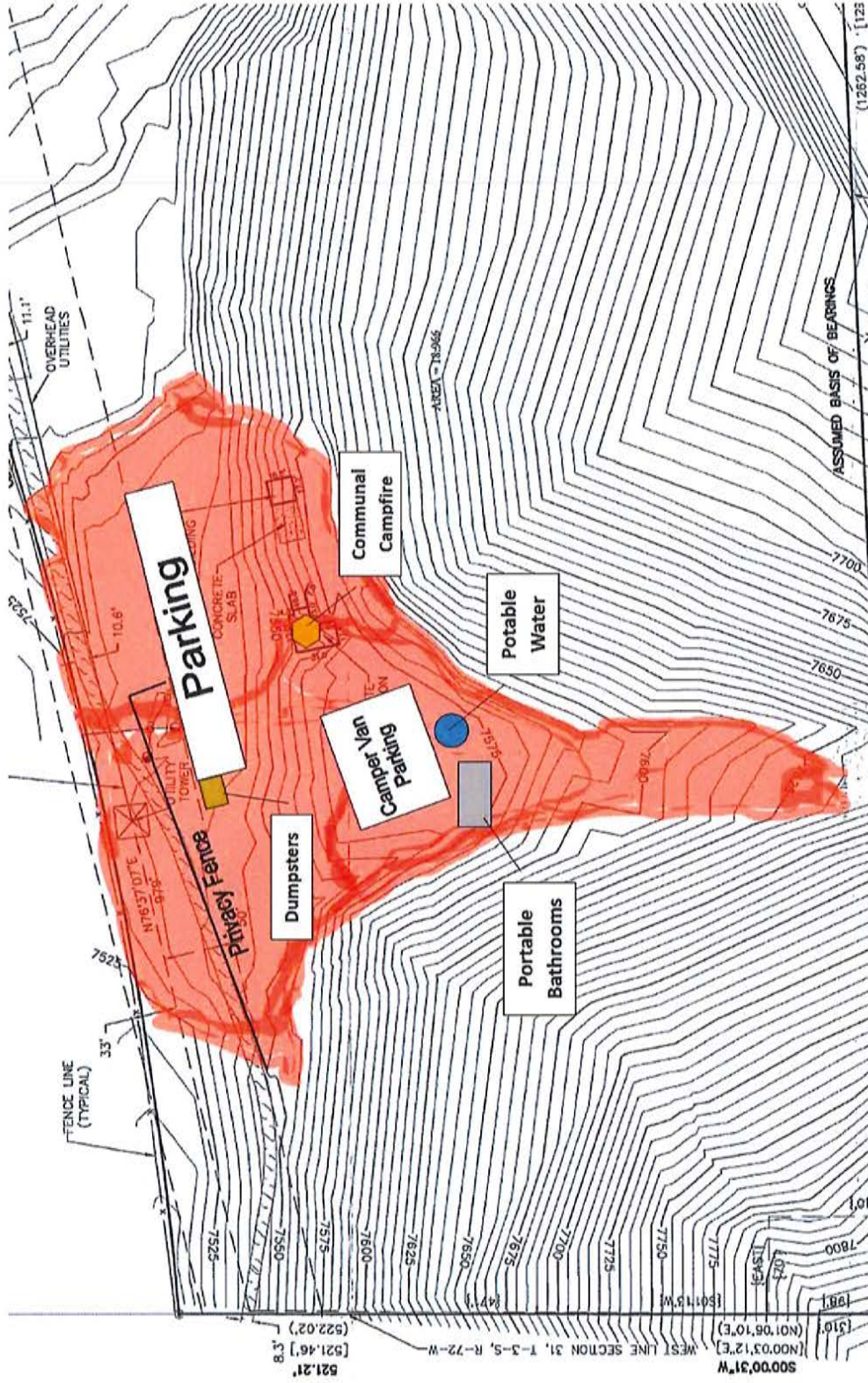
The foregoing Hidden Valley Rental Agreement and Handbook shall be binding to the fullest extent permitted by law. If any provision of this document is found to be unenforceable, the remaining terms shall be enforceable. This Release shall be binding upon Tenant/Resident's assignees, subrogees, distributors, heirs, next of kin, executors, and personal representatives.

THE UNDERSIGNED HAS CAREFULLY READ THIS AGREEMENT, UNDERSTANDS ALL ITS CONTENTS AND SIGNS IT WITH FULL KNOWLEDGE OF ITS SIGNIFICANCE.

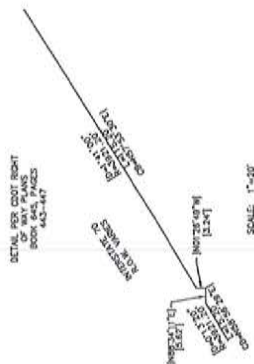
Resident Signature:

Hidden Valley Representative Signature:

Date:



LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF CLEAR CREEK, STATE OF COLORADO.



LEGAL DESCRIPTION:

[illegible]

NOTES

1. NOTICE
2. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY OF THE ABOVE-DESCRIBED FACTS WITHIN TWO YEARS AFTER YOU FIRST DISCOVER SUCH FACTS. IN ANY EVENT, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY OF THE ABOVE-DESCRIBED FACTS NO LATER THAN TWENTY YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. MONUMENT DEDICATING STATEMENTS
4. ANY PERSON WHO KNOWINGLY FALSIFIES, ALTERS OR OBTAINS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMETS A CLASS 1C (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-6-508, C.R.S.
5. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CLEAR MOUNTAIN SURVEYING, INC. FOR ANY UNRECORDED INTERESTS. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN NECESSARY EASEMENTS, RIGHTS-OF-WAY OR TITLE OF RECORD, CLEAR MOUNTAIN SURVEYING, INC. WILL BE RESPONSIBLE FOR RECORDING PLAT AND INFORMATION SUPPLIED BY CLIENT.
6. P.L.S. SEND COPIED RECORDS, VALID ONLY WITH NET SIGNATURE AND DATE WRITTEN BELOW THIS LINE.
7. EASINGS AND OR DISTANCES IN BRACKETS [BRC, DIST.] PER MAP OF SILVER SPRING SUBDIVISION, TOWNSHIP 46N, RANGE 107E, SECTION 36.
8. EASINGS AND OR DISTANCES IN PARENTHESIS [BRC, DIST.] FOR SCHEDULE A OF TITLE CLEAR DEED - CROWN ASBESTAC & TITLE.
9. EASINGS AND OR DISTANCES IN BRACKETS [BRC, DIST.] FOR PLAT/PROVIDED BY WAY AS SHOWN.
10. EASINGS AND OR DISTANCES IN BOLD WITHOUT BRACKETS OR PARENTHESIS REPRESENT

STUDIES OF READING

THE ASSUMED BEARING OF N87°24'10"E WAS DETERMINED BY THE FOUND 3" BRASS CAPS, MONUMENTING THE SOUTHWEST CORNER AND THE WEST SIXTEENTH CORNER OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 72 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

ALTA CERTIFICATION

PO: ROCKY MOUNTAIN INC., INC., A COLORADO NONPROFIT CORPORATION, 1283 SOUTH
SANTA FE DRIVE, DENVER, CO 80223

COMMITMENT DATE: OCTOBER 31, 2003. PREPARED BY CLEAR CREEK - GULPIN ABSTRACT & TITLE:

Year	Number of cases	Rate per 100,000
1990	1,000	1.0
1991	1,100	1.1
1992	1,200	1.2
1993	1,300	1.3
1994	1,400	1.4
1995	1,500	1.5
1996	1,600	1.6
1997	1,700	1.7
1998	1,800	1.8
1999	1,900	1.9
2000	2,000	2.0
2001	2,100	2.1
2002	2,200	2.2
2003	2,300	2.3
2004	2,400	2.4
2005	2,500	2.5
2006	2,600	2.6
2007	2,700	2.7
2008	2,800	2.8
2009	2,900	2.9
2010	3,000	3.0
2011	3,100	3.1
2012	3,200	3.2
2013	3,300	3.3
2014	3,400	3.4
2015	3,500	3.5
2016	3,600	3.6
2017	3,700	3.7
2018	3,800	3.8
2019	3,900	3.9
2020	4,000	4.0

FEED	BOPC	COMMENTS
		UNIT/PERCENT
1	30.225 PCE 10/12	
2	30.240 PCE 10/12	
3	30.240 PCE 10/12	
4	30.240 PCE 10/12	
5	30.240 PCE 10/12	
6	30.240 PCE 10/12	
7	30.240 PCE 10/12	
8	30.240 PCE 10/12	
9	30.240 PCE 10/12	
10	30.240 PCE 10/12	
11	30.240 PCE 10/12	
12	30.240 PCE 10/12	
13	30.240 PCE 10/12	
14	30.240 PCE 10/12	
15	30.240 PCE 10/12	
16	30.240 PCE 10/12	
17	30.240 PCE 10/12	
18	30.240 PCE 10/12	
19	30.240 PCE 10/12	
20	30.240 PCE 10/12	
21	30.240 PCE 10/12	
22	30.240 PCE 10/12	
23	30.240 PCE 10/12	
24	30.240 PCE 10/12	
25	30.240 PCE 10/12	
26	30.240 PCE 10/12	
27	30.240 PCE 10/12	
28	30.240 PCE 10/12	
29	30.240 PCE 10/12	
30	30.240 PCE 10/12	
31	30.240 PCE 10/12	
32	30.240 PCE 10/12	
33	30.240 PCE 10/12	
34	30.240 PCE 10/12	
35	30.240 PCE 10/12	
36	30.240 PCE 10/12	
37	30.240 PCE 10/12	
38	30.240 PCE 10/12	
39	30.240 PCE 10/12	
40	30.240 PCE 10/12	
41	30.240 PCE 10/12	
42	30.240 PCE 10/12	
43	30.240 PCE 10/12	
44	30.240 PCE 10/12	
45	30.240 PCE 10/12	
46	30.240 PCE 10/12	
47	30.240 PCE 10/12	
48	30.240 PCE 10/12	
49	30.240 PCE 10/12	
50	30.240 PCE 10/12	
51	30.240 PCE 10/12	
52	30.240 PCE 10/12	
53	30.240 PCE 10/12	
54	30.240 PCE 10/12	
55	30.240 PCE 10/12	
56	30.240 PCE 10/12	
57	30.240 PCE 10/12	
58	30.240 PCE 10/12	
59	30.240 PCE 10/12	
60	30.240 PCE 10/12	
61	30.240 PCE 10/12	
62	30.240 PCE 10/12	
63	30.240 PCE 10/12	
64	30.240 PCE 10/12	
65	30.240 PCE 10/12	
66	30.240 PCE 10/12	
67	30.240 PCE 10/12	
68	30.240 PCE 10/12	
69	30.240 PCE 10/12	
70	30.240 PCE 10/12	
71	30.240 PCE 10/12	
72	30.240 PCE 10/12	
73	30.240 PCE 10/12	
74	30.240 PCE 10/12	
75	30.240 PCE 10/12	
76	30.240 PCE 10/12	
77	30.240 PCE 10/12	
78	30.240 PCE 10/12	
79	30.240 PCE 10/12	
80	30.240 PCE 10/12	
81	30.240 PCE 10/12	
82	30.240 PCE 10/12	
83	30.240 PCE 10/12	
84	30.240 PCE 10/12	
85	30.240 PCE 10/12	
86	30.240 PCE 10/12	
87	30.240 PCE 10/12	
88	30.240 PCE 10/12	
89	30.240 PCE 10/12	
90	30.240 PCE 10/12	
91	30.240 PCE 10/12	
92	30.240 PCE 10/12	
93	30.240 PCE 10/12	
94	30.240 PCE 10/12	
95	30.240 PCE 10/12	
96	30.240 PCE 10/12	
97	30.240 PCE 10/12	
98	30.240 PCE 10/12	
99	30.240 PCE 10/12	
100	30.240 PCE 10/12	

LEGEND

- SET NO. 9 REBAR WITH ORANGE PLASTIC CAP, P.L.S. 22084
- FOUND MONUMENT AS NOTED
- FOUND 3.5" ALUMINUM CAP, COOT R.O.B. MONUMENT, PROJECT 12081
- ⊖ UTILITY POLE
- ⊖ GUY ANCHOR

1

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120	121	122	123	124	125	126	127	128	129	130	131	132	133	134	135	136	137	138	139	140	141	142	143	144	145	146	147	148	149	150	151	152	153	154	155	156	157	158	159	160	161	162	163	164	165	166	167	168	169	170	171	172	173	174	175	176	177	178	179	180	181	182	183	184	185	186	187	188	189	190	191	192	193	194	195	196	197	198	199	200	201	202	203	204	205	206	207	208	209	210	211	212	213	214	215	216	217	218	219	220	221	222	223	224	225	226	227	228	229	230	231	232	233	234	235	236	237	238	239	240	241	242	243	244	245	246	247	248	249	250	251	252	253	254	255	256	257	258	259	260	261	262	263	264	265	266	267	268	269	270	271	272	273	274	275	276	277	278	279	280	281	282	283	284	285	286	287	288	289	290	291	292	293	294	295	296	297	298	299	300	301	302	303	304	305	306	307	308	309	310	311	312	313	314	315	316	317	318	319	320	321	322	323	324	325	326	327	328	329	330	331	332	333	334	335	336	337	338	339	340	341	342	343	344	345	346	347	348	349	350	351	352	353	354	355	356	357	358	359	360	361	362	363	364	365	366	367	368	369	370	371	372	373	374	375	376	377	378	379	380	381	382	383	384	385	386	387	388	389	390	391	392	393	394	395	396	397	398	399	400	401	402	403	404	405	406	407	408	409	410	411	412	413	414	415	416	417	418	419	420	421	422	423	424	425	426	427	428	429	430	431	432	433	434	435	436	437	438	439	440	441	442	443	444	445	446	447	448	449	450	451	452	453	454	455	456	457	458	459	460	461	462	463	464	465	466
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

	Improvement Survey Plat	
	Clear Creek Surveying, 720 West 2154, Idaho Springs, CO 80422	No. of Stations Sheet No.

Attachment 4

Idaho Springs Council Members
1711 Miner St
Idaho Springs, CO 80452
18th March, 2024

Dear Council Members,

We are writing to request approval for a Conditional Use Permit that would grant us permission to camp our seasonal workers in the town of Idaho Springs.

For over 20 years, we have operated a rafting and zipline company in town, bringing thousands of people annually to experience the nature, beauty, and local establishments of the area. In that time, we have cultivated a deep love for Idaho Springs and care for the well-being and happiness of its citizens. However, we are also aware that our seasonal workers' choice of living arrangements has from time-to-time added strain to our relationship with the local community.

Recently, we've been able to procure a piece of property we feel would be ideal for seasonal camping. It is in an isolated area with no neighbors nearby. The property would allow us to achieve our vision of providing a clean, secure, and well-maintained communal environment that promotes a balanced and healthy lifestyle for around 20-30 of our seasonal employees. If approved for a CUP, our hope is to have our employees begin camping there in April this year, although the beginning of May might be a more achievable timeframe.

A map of the location with a concept plan has been included for your review. If allowed to camp, we plan on making the following improvements to the property:

Parking

We have mapped out two areas for parking on flat sections of the property. After clearing the brush in those areas, we have identified approximately 40-50 parking spots. Driving lanes were also identified. Our plan is to designate parking spots for our employees and erect a privacy fence along the preexisting road.

Bathrooms

We have sourced companies to procure portable bathrooms with the plan to set up 4 of them on the level area by the camper van parking lot.

Waste Management

We would have two large dumpsters for trash and recycling positioned in our parking lot and close to the preexisting road for easy access. Our plan is to employ the company we are currently using at our outpost in Idaho Springs to dispose of the waste.

Drinking Water

We would truck in potable water to the property and position the water station by the camper van parking lot. We already have a couple companies in mind to do so.

Camping

The plan is to construct raised platforms on the hillside for our employees to have flattened out campsites.

Communal Campfire

The property has a preexisting concrete area that we plan to convert into a communal campfire site. It is approximately 10' by 10' in size surrounded by cement. This would be the only location campfires are permitted on the premise, and we would ensure it follows all fire codes.

Our closest neighbors to this property are across the interstate with the interstate drowning out any camp noise. This means that there will be negligible impact on any neighbors. Due to its proximity to our outpost, our employees will be instructed to bike to work, which means there will be minimal increase in vehicle traffic in the area as well.

We are seeking a Conditional Use Permit to grant us camping for this 2024 summer season (April through middle of September). We can view this as a trial run. If the year is a success, our desire is to establish the campground as a permanent campground for our summer seasonal employees and plan to go through the processes necessary to do so. Also, we are aware that Clear Creek County has minor camping permits for outdoor recreation and suggest to base this variance off of the rules and regulations that already exist for the county.

We bring with us over 20 years of experience operating another seasonal workforce campground in Buena Vista. To give you an idea of how we manage camping for staff, we decided to include our camping manual and lease agreement for that location as well.

Our hope is that this proposal will alleviate any tensions moving forward with the community that have arisen from our staff camping in non-authorized areas so that all of us can best enjoy the town that we love.

Thank you for your time and consideration of our proposal.

Sincerely,
Duke Bradford

Comments – AVA Rafting and Ziplining Employee Camping Conditional Use Permit Request for Silver Spruce Annexation Parcel

1. Rick Wells, Clear Creek County Resident

Attention: Dylan Graves
Community Development Planner

Members of the Idaho Springs Planning Commission

I am unfortunately unable to attend tonight's meeting due to a prior commitment, but would like to put forth my concerns with this proposal for the commission's consideration.

I have been a resident in Clear Creek County since 2013 and I am a native Coloradan that has worked, played and invested my time and money in this community for as long as I can remember.

Around 7 or 8 years ago transient people and seasonal workers including some of the staff from AVA were largely responsible for the Forest Dept closing down much of the disbursed camping up 103 because they left the areas trashy (did not gather nor pack out their trash, made makeshift toilets areas leaving toilet paper and feces on the ground and lots of pet waste). They often had scattered campfires without regard to burn regulations and didn't fully extinguish fires before retiring for the evening. There were also similar issues with transient's and seasonal laborers near Montane Park and up Soda Creek on public and private property. My wife and I personally would go out to some of the more popular areas along the road and gather cans and bottles and what trash we could to keep it from further devolving, while the USFS was trying to get the situation under control. At the time I had a fairly close relationship with some of the Ranger's in the USFS including local leadership so this isn't speculation, this is listening to the first person frustration and actual plans as they were formed and implemented.

My concerns for the proposed campsite are:

1- Fire. Has the Clear Creek Fire Authority Signed off on this?

There is no access to water. Campfires should never be allowed.

There is no hydrant or water source nearby. All water would have to be trucked in to fight a fire.

Only one major vehicle road in, other egress is restricted to foot and bicycle traffic for the most part.

2- Trash and Waste. Will there be regular bear-proof trash receptacles emptied regularly? Will there be Portable toilets anchored, and cleaned? Who will be responsible for the overall condition of this campground?

3-Safety. Has the Idaho Springs PD signed off on the safety plan? The bike/walking path is frequently used by locals going to and from the city in the summer. Is there adequate parking that won't obstruct the path or interfere with other community events (RapidGrass, Sports, etc...)

4- Precedents. What is the likelihood that this act will open the door to many more such acts? It seems like an argument can be made that going forward, the Safeguards used and established for this purpose could or will be leveraged in the future and are we prepared for that consequence?

I'm not certain who will police the area to ensure it has adequate sanitation and trash removal and that fires will not be allowed in anyway that would jeopardize the community. With the ever increasing risk of drought and global warming I am more than concerned. I know we have a perplexing unmet need for seasonal worker's housing but this might not be the right answer if it is not regulated and supervised tightly.

I plan on attending the City Council Meeting on Monday to voice my concerns and see what safeguards are going to be provided should it move forward.

Rick Wells

IDAHO SPRINGS CITY COUNCIL STAFF REPORT

Meeting Date: Monday, April 29, 2024

Page 1 of 10

Item:

Conditional Use Permit for a Temporary, One Season AVA Rafting Employee Camping Use at Silver Spruce Annexation Parcel

Presented by:

Dylan Graves
Community Development Planner

PROPOSAL:

This is a request for a Conditional Use Permit (CUP) to allow for the establishment of a rafting company employee campground on the subject property for a period of one (1) rafting season, with a proposed CUP expiration date of October 1, 2024. The property would be used for the 2024 rafting season, from approximately May 1 to September 30, as a campground only for employees of AVA Rafting and Ziplining. The applicant, Duke Bradford, has a lease agreement in place with the owner of the subject property to operate a campground on-site. Mr. Bradford owns and operates AVA Rafting and Ziplining. AVA Rafting and Ziplining owns property at 431 Colorado 103 and uses this property for the headquarters of its ziplining and rafting operations, both of which operate in the City Limits. No changes to the property at 431 Colorado 103 are proposed and this site will still serve as the headquarters for operations, but the applicant would like to expand his operation to include camping at the subject property.

On April 3, 2024, Planning Commission voted to recommend approval of the subject application by a vote of 4-1.

ATTACHMENTS:

1. Proposed Lease Agreement
2. Proposed Concept Site Plan
3. Surveys of Shelly Quinn Ball Fields Park and subject property
4. Applicant Cover Letter
5. Submitted Public Comment

BACKGROUND:



The subject property is located directly west of the Shelly/Quinn Ball Fields Park in the City of Idaho Springs, south Exit 241 of Interstate 70. It was annexed into the City as part of the Silver Spruce Annexation in 1974 and zoned to Planned Unit Development (PUD). However, the property was never developed, and the express terms of the PUD approval were not met. As such, the property does not have an approved substantive zoning designation and must go through a rezoning process prior to any permanent proposed use or development of the site.

The Idaho Springs Municipal Code (ISMC) authorizes the granting of a Conditional Use in Sec. 21-105. Sec. 21-105 allows uses not specified as being by right in the various zoning districts to be approved and implemented by conditional use. This Section governs the application for and approval, administration, and enforcement of conditional uses. Conditional uses generally present special impacts upon adjacent properties which necessitate individualized review and consideration, and, in most instances, the approval of a conditional use requires the imposition of conditions or requirements designed to eliminate, reduce, or mitigate adverse impacts resulting from the proposed use.

The applicant, with the property owner's consent, has applied for a Conditional Use Permit (CUP) to allow his employees to camp on the property during the 2024 rafting season. If approved, Staff recommends that the approval be for the 2024 season only, expiring on October 1, 2024. Staff also recommends a condition that the CUP, if granted, is non-renewable to ensure that before any permanent or recurring use is established on the property, the property is properly zoned to allow for said uses.

The applicant has proposed that a maximum of 30 overnight occupants would be on-site at a time, using a mix of tents (up to 20) and camper vans (up to 10). The applicant has experience running a similar operation elsewhere in Colorado. He believes that his experience elsewhere will ensure that this Conditional Use would be successful and issue-free if approved on the subject property. He has an existing employee camping operation in Chaffee County that has been in operation for over 15 years and at its peak has had up to 90 employees living on-site at a given time. The applicant has submitted a proposed lease agreement for the subject property based on his experience in Chaffee County managing a similar operation that would manage and regulate the site should approval be granted for the proposed temporary use (Attachment 1).

In a bid to foster a safe, comfortable, and environmentally responsible living environment for employees residing on-site, the campground owner has outlined a set of operational guidelines. These measures, detailed below, are designed to address trash management, noise control, fire safety, privacy, and overall campground aesthetics, ensuring the site's harmonious integration with the surrounding community and adherence to City regulations. A dumpster will be provided on-site to manage trash, to be collected weekly. The proposed handbook regulates quiet hours, campfires, cooking procedures, and visitation allowances with an intent of maintaining good standing with adjacent property owners and the City at-large. Other improvements include a privacy fence along the north side of the property to screen the use from adjacent property owners to the north and ground platforms to provide specific camping locations for employees using tents on-site.

The applicant proposes a privacy fence along the northern portion of the property to screen dumpsters, camping areas, and sanitation facilities. A concept map showing the location of uses and facilities on-site is provided as Attachment 2. A communal campfire area is proposed. Staff recommends that a condition be included requiring approval and sign off from the Clear Creek Fire Authority (CCFA) on the location of any campfire facilities prior to occupancy of the site. The Clear Creek Sheriff's Office issues various levels of fire restrictions when needed for unincorporated parts of the County. The City typically follows these orders within corporate municipal boundaries. The site will be required to conform to any fire restrictions put in place at the County or City level.

Long-Term Process/Requirements for the Property and Use

The City does not have regulations allowing non-transient (greater than 30 days) camping on any property in the City that would allow local businesses to provide opportunities for their employees to camp on private property while employed seasonally. While current City regulations in the Idaho Springs Municipal Code (ISMC) do not permit a parcel to be used for seasonal employee camping, they do allow camping as a transient, short-term use (up to 30 days at a time). This type of short-term recreational camping is a use by right in the Commercial 3 (C-3) and Industrial 1 (I-1) zoning districts under the "Recreation, outdoor" category. This could allow for campgrounds meeting the definition included in Chapter 21 of the ISMC. Per Chapter 21 definitions, a campground is defined as "an area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, cabins or similar movable or temporary sleeping quarters of any kind." Notable is the word transient, which is not specifically defined in the ISMC but is included in the Short-Term Rental section of the ISMC as follows: "Short term rental means a primary residence or portion thereof used for lodging accommodations for transients for a period of less than thirty (30) consecutive days per transient renter." Staff thus believe that the City's campground allowance is for camping for a period of less than thirty days. So, at present the ISMC does not allow a campground to be used as temporary residences (longer than 30 days) as a use by right. Additionally, the City's zoning use table (Table 21-50-1) does not allow rafting headquarters to be collocated with employee camping. Mr. Bradford has not mentioned an interest in bringing operational headquarters to this area at any point in the future, but if that request came up in the future, the ISMC would not allow camping and headquarters on the same parcel.

Although seasonal, long-term camping is not a use by right in any zoning district, Staff believes that seasonal employee camping uses could be permitted if the property was zoned into a planned development (PD) in accordance with ISMC Sec. 21-107. A PD can be established as a zone district to provide greater flexibility in land development and use by allowing an applicant to propose specific use entitlements and development standards based upon a comprehensive, integrated, plan rather than upon development constraints as applicable to standard zone districts. The intended result is a development that is of higher quality and more desirable than one produced in accordance with conventional zoning controls. A PD would allow flexible design standards and unique zoning allowances that could differ from established zoning districts in the ISMC. While no zoning district allows seasonal employee camping as a use by right, a PD could establish that as a particular use without changing the ISMC to allow it in any other zoning district. It would also allow the applicant to request different development standards for the provision of water and wastewater/sewer infrastructure and other ISMC requirements. The closest City water main is a 2-inch line that serves the ballfields complex and the U.S. Forest Service maintenance facility. The closest City sewer main is on the north side of Interstate 70 in Colorado Boulevard. The ISMC typically requires a property to connect to municipal water and sewer facilities unless they are more than 100 feet from the boundary of the property in question, or unless exempted by the City Council for good cause and in conformity with applicable statutes and regulations.

Another option for permanent establishment of seasonal employee camping on the property would be through the approval of a Conditional Use Permit (CUP) in accordance with ISMC Sec. 21-105. This allows for uses not specified as being by right in various zoning districts to be approved and implemented through the permitting process. Once the property was zoned, a CUP could be granted that allows the additional use that would not otherwise be permitted by right in the district. Notably, however, all other development standards (water, sewer, etc.) would have to be met as a CUP does not grant variances from those standards. These processes (zoning, PD, CUP) require a significant time commitment and multiple public hearings and as such would not allow the applicant sufficient time to allow for use of the property this rafting season.

PLANNING COMMISSION ROLE:

The ISMC requires every application to go before the Planning Commission for review and recommendation of either approval or denial to Council. The City Council will act on a request for a conditional use permit by resolution after conducting its own public hearing after Planning Commission has moved to recommend either approval or denial.

The application was brought before the Planning Commission on April 3, 2024, and a public hearing was conducted. After presentations from Staff and the applicant and public comment from the CCMRD, Planning Commission discussed the proposal and decided, by a vote of 4-1, to recommend approval of the proposed CUP with the conditions included in the Staff Report with the changes noted below in the Planning Staff Recommendation.

CRITERIA FOR APPROVAL

For the Commission to recommend approval of a CUP for any application, the Commission shall determine that the application meets the following criteria in conformance with Sec. 21-105(F) of the ISMC:

- 1. The proposed use conforms to all requirements of this Article and all other applicable provisions and other development regulations, standards or requirements adopted by the City;**

The following items have been considered:

WATER AND WASTEWATER:

The provision of water and wastewater treatment on-site is something that must be considered and suitably handled. A City 2-inch water main serves the adjacent Ballfields property and the U.S. Forest Service Maintenance Facility but is more than 100' from the boundary of the subject parcel. However, there is no City sanitary sewer main serving these properties. Sec. 12-5 requires connection to public water and sewer except in cases where City facilities are more than one hundred (100) feet of the boundary of the parcel of property on which such improvements are located. Given that there is no sewer available near the parcel and the water line serving this area is potentially also further than 100' and is likely not wide enough to sufficiently cover the use, we believe that at least in the interim, connection to water or sewer would be unreasonably difficult to achieve. The applicant has proposed that as part of the Conditional Use permit, they truck in potable water and provide on-site portable toilets that will serve to satisfy their water and wastewater requirements. They further have intimated that they would provide employees with Clear Creek Metropolitan Recreation District (CCMRD) Recreation Center passes that could be used by staff both for recreation as well as for sanitation (such as showers). City Staff does not believe that this proposal would be a sufficient long-term solution, but for one rafting season, Staff believes that this may be sufficient as long as conditions are in place that if the portable toilets are not serviced regularly and/or water becomes unavailable, operations shall cease.

Allowing portable toilets for this one-time, temporary, seasonal use would also align with adjacent Clear Creek County standards, which allow portable toilets for up to 12 months. After 12 months, permanent sanitation shall be installed. Given the temporary nature of the request, it would not be reasonable to require permanent sanitation to be installed on-site so if Planning Commission and Council are amenable to the request in general, Staff has proposed a condition that before any additional seasonal employee camping occurs on the subject parcel beyond this year, permanent water and sanitation shall be installed. The applicant has stated that portable toilets will be serviced and emptied on a weekly basis. Since no water line is in the area to accommodate connection to municipal water, the applicant has proposed trucking the water to the site so potable water is available. The applicant has stated that 330 gallons of potable water is proposed to be on-site at any given time for drinking water purposes.

Should the applicant wish to apply for a more permanent employee camping use on the property for future seasons, water and sewer would need to be more appropriately addressed to determine whether an extension of water or sewer lines would be feasible or, if not, what type of permanent water and sewer infrastructure could be built and would be appropriate.

ACCESS:

E. Idaho Springs Road is suitably constructed to accommodate the proposed traffic intensity, however the access across the park parcel and onto the subject parcel is likely insufficient to accommodate long-term use. The City's *Standards and Specifications for Design and Construction* state that access serving more than 20 ADTs are classified as roadways rather than driveways. The access would be considered "Low Volume" per the City Standards with fewer than 450 ADTs. This would require a lane width of 12'. Existing surveys of the park parcel and subject parcel show that the existing access ranges in width from 10.6' to over 12' wide (surveys included as Attachment 3). The average is just below 12' wide across both parcels. This does not meet current City Standards, though this access has been in place and established for some time to access the property and it is paved. Given the temporary nature of the request, Staff believes that the use would not cause access-related issues and allowing the use would not cause public health, safety, or welfare concerns related to fire or emergency service access, though it does not meet the access width requirements for a low volume road and Staff would like the Fire Authority's confirmation that they can serve the property should emergency services be needed before the property can be occupied.

One final note on the proposed access is that the existing paved access road is considered public access and serves as a spur route for the Peaks to Plains Trail, which shall be maintained as public access across the parcel if the use is approved. The applicant cannot block access for non-motorized vehicles on the pathway. This is proposed as a condition of approval.

PARKING:

The proposal states the following: "Absolutely no vehicles greater than 20 feet in length will be allowed. No camper trailers or RVs are permitted either. Each campsite is allotted one parking spot that can fit only a single vehicle. No additional vehicles will be allowed. All vehicles must be parked in the designated parking spots. Vehicles can never be driven into the campground. All sites are walk-in. No vehicles may be parked along the roadway or blocking any roads. Any abandoned vehicles will be towed at the owner's expense."

The applicant proposed two parking areas. one is identified on the northern side of the property, just south of the existing access through the property. It would be adjacent to the existing access path and is proposed to be graveled. An additional parking area for camper vans is proposed on the property, which will also be gravel per the proposal. The applicant has provided a plan that could accommodate up to 40 vehicles on the property. Table Sec. 21-127-1: Parking Requirements by Use is included in the ISMC to regulate required off-street parking for uses in the City. A campground is not included in this table. The ISMC allows the City Administrator to calculate the required number of parking spaces by applying the requirement for the use listed which is most like the proposed use or shall require the applicant to submit to a parking study. Staff believes that the most similar use is multiple-family residential dwelling. This would require 1.25 spaces per efficiency unit. If 30 campsites are proposed, this would require 37.5 parking spaces. The applicant has stated that 40 parking spaces will be provided. Adequate space is available on-site to accommodate this amount of parking. If approved, Staff recommends a condition of approval that no parking occur on the existing paved access across the site and no off-site parking be permitted at the adjacent park site.

Sec. 21-126(A)(3) requires off-street parking to be surfaced with asphalt or concrete. As mentioned, the applicant has proposed two gravel parking areas. As such, this does not meet the standard included in the ISMC. It may be reasonable to allow the use temporarily without paved parking given that the proposed request is for a one-season camping use, as this would avoid requiring a large amount of pavement that may need to be removed should the site be developed in other ways in the future. While the ISMC needs to be met, installing significant permanent infrastructure on-site in association with a four-month use may not be desirable. Staff does not believe that allowing gravel parking temporarily before a permanent use is established would have adverse impacts on adjacent property owners or the City at-large. Staff requests direction on this topic. A condition of approval is proposed that all parking be delineated on-site and subject to inspection from City Staff.

TRASH/WASTE DISPOSAL:

The owner has provided a plan that includes an on-site dumpster that will be emptied weekly. The owner already has a contract in place for trash removal for their headquarters at 431 Colorado 103. Recycling will also be provided. The applicant has stated that trash and recycling will be picked up weekly.

NOISE:

The applicant has provided the City with a proposed handbook and lease agreement for on-site campers that states that quiet hours are from 10p.m. to 7a.m. No use of generators will be permitted during that period. Additionally, the applicant proposes to install a privacy fence prior to commencement of on-site camping operations. This will reduce visual impact concerns that neighboring properties in the City might have with the proposed use and is likely to reduce noise impacts to property north of the proposed use.

WILDFIRE RISK:

The applicant had originally intended to allow a communal campfire pit on-site, to be placed on a concrete pad. At the Planning Commission meeting, commissioners expressed concern about wildfire risk and imposed a condition of approval that no natural fires be permitted on-site. The idea being to align with the Fire Authority's recommendation (see below) that any fire appliances on-site be gas or propane. The applicant stated that he was on-board with that recommendation and would not permit natural fires on-site. The application proposes to allow camp stoves on the property at private campsites. Staff recommends a condition of approval that camp stoves and fires may only be operated on approved, non-impervious surfaces to reduce wildfire risk. The applicant has stated that 330 gallons of water would be available on-site and the property would be equipped with fire extinguishers as necessary to meet Fire Authority satisfaction. The specific standards must be discussed with and approved by the Fire Authority.

WILDLIFE:

The application states that all garbage is required to be stored in wildlife-resistant storage containers provided on-site. Requirements for proper food storage and waste disposal are included in the proposal.

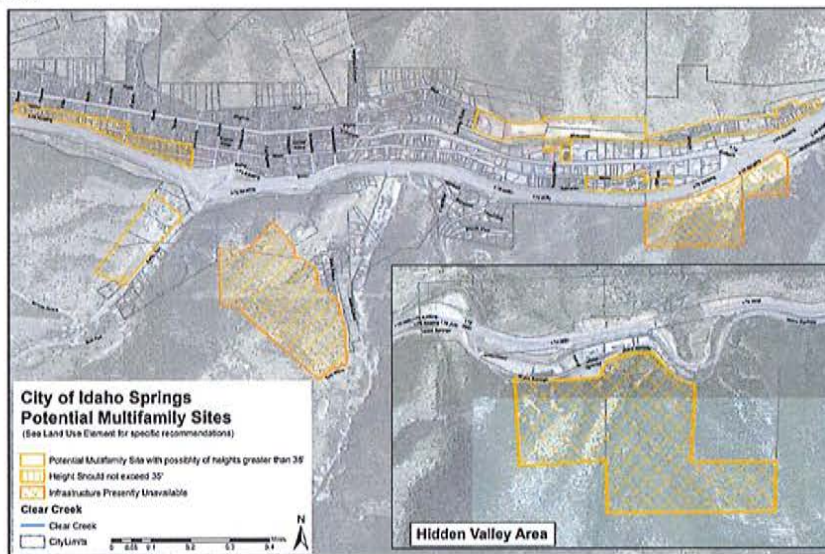
Staff believes that the proposed use meets Criterion 1 except for proposed access and parking, which as discussed above, do not fully meet City standards for width (access) and paving (parking). The current paved access to the site is slightly narrower than is required by City standards and the parking areas are proposed to be graveled rather than paved. The proposal appears to meet required life, health, and safety standards governing uses within the City regardless of this slight discrepancy. Staff discussed the proposal with the Fire Authority who stated that fire vehicles and ambulances will be able to access the site.

2. The proposed use is in general conformance with the applicable provisions of the Comprehensive Plan, or that changed conditions occurring since the adoption of the Comprehensive Plan support approval of the proposed conditional use of the property.

The City's Comprehensive Plan in the Land Use Element identifies the subject parcel as "Mixed Use and/or Parks." Employee housing or campground uses could both be considered suitable land uses, given the Comprehensive Plan designation. Given the temporary nature of the request, any future permanent uses on-site would also be subject to a Comprehensive Plan review through various Land Use processes, such as rezoning, the Planned Development (PD) process, or a Final Development Plan (FDP) review.

The Comprehensive Plan seeks solutions to both housing affordability and housing accessibility. Although this proposal is only a one-season request and does not involve the construction of permanent employee housing on the property, it would provide a legal, managed location within the City for a large proportion of the City's seasonal workforce to live with minimum levels of infrastructure necessary to ensure that their basic needs are addressed. If successful and implemented long-term, this could help provide workforce housing of a certain type for seasonal employees who do not require additional facilities. The proposed rent to occupy the site is \$400 for the season. The availability of a camping option for rafting employees may reduce seasonal demand for existing affordable housing stock that is only required by these seasonal employees during summer months. This could thus help meet the Comprehensive Plan's goals for housing.

The Comprehensive Plan identifies this parcel as a potential multifamily housing site. While the proposed seasonal employee camping use would not achieve permanent, long-term employee or multi-family housing, on a short-term basis the proposed use aligns with what the Comprehensive Plan identifies as a broad potential use of the site.



The subject parcel is also a part of the East End Overlay District (EEOD) and was included in the East End Action Plan (EEAP) from 2017. One of the goals of the EEAP is to offer more housing choices for people who work in Idaho Springs that allows them to both work and live in the community. Housing is identified in both the Comprehensive Plan and the EEAP with a goal of increasing the housing stock for the local workforce. While the EEAP and Comprehensive Plan envision permanent housing solutions, rather than camping, to provide workforce housing for employees, the proposed seasonal employee camping plan does achieve the broader goal of providing affordable housing options for the City's workforce. Given the seasonal

nature of the rafting industry, it is difficult to find housing that is affordable and available for only several months. By providing the necessary infrastructure on the property to ensure the use is safe for those on-site, this could be a way to trial seasonal, employee camping similar to the program that is in place in Clear Creek County and other communities in Colorado without committing long-term to a use that might not work.

Once concern brought up during the review process was with respect to quality of life. The City has had issues with other types of non-traditional housing within City Limits that do not provide high living standards for residents who occupy these spaces. The Comprehensive Plan seeks to ensure that development accommodates the various needs of residents to “live in Idaho Springs throughout their lives” and seeks to “maintain and enhance our community character and quality of life.” An argument could be made that camping does not foster or enhance community character or quality of life and that more permanent solutions to employee housing would better serve the community’s goal as stated in the Comprehensive Plan. Staff believes that although camping as a housing option may not serve the needs of every employee in the City, if adequate infrastructure and services are provided to ensure that the property is safe and healthy, quality of life can be maintained for those employees that choose to take advantage of the site. Staff does not believe that the use, in its proposed location or with its proposed intensity, would have an adverse impact on the broader community’s character.

3. The proposed use will not result in impacts to adjacent properties which are significantly different in nature, type, or extent than impacts caused by uses which are permitted by right in the zone district where the property is located.

Given that the requirements of the original PD zoning were not met, the property does not have defined allowed uses per the ISMC. With that in mind, it is difficult to determine how to compare the impacts of this proposed use to other uses that might be permitted in other zoning districts. The Comprehensive Plan identifies the site as mixed use or parks, which would allow for a variety of potential uses, including commercial and residential uses. The proposed use of the site – for up to 30 employees – would be comparable to mid-density residential development. The average household size in 2014, per the Comprehensive Plan, was 2.2 residents per household. Taking that as an average, the comparable density on-site would be 13-14 residential units. Alternatively, a variety of commercial uses are permitted per the ISMC and if the applicant applied to rezone the property to a commercial district, such as C-3, a number of uses could be permitted, including short-term, transient camping facilities or mixed-use residential and commercial development.

With the above caveat in place, Staff does not believe that the proposed use would result in impacts to adjacent properties which are significantly different in nature, type, or extent than impacts caused by the above-mentioned uses that could potentially be developed on-site. The proposed use is in line with other potential residential uses, the main difference being that while a traditional housing development would have a permanent structure on-site that residents would live in, employee camping would occur in tents or campervans, as described in the proposed lease agreement (Attachment 1) and on the concept campground map (Attachment 2).

The primary adjacent properties that could be impacted by the use would be the Shelly/Quinn Ball Fields Park, directly east of the parcel, and the United States Forest Service (USFS) parcel located at 111 E. Idaho Springs Road. Anyone occupying the campsite would have to access via County Road 314 (E. Idaho Springs Road) to the East, passing the park parcel. The primary impact anticipated would be vehicle trips to and from the property. The City’s *Standards and Specifications for Design and Construction* (“City Standards”) estimates that multi-family housing generates approximately 5 trips per dwelling unit per day (Average Daily

Trips or ADTs). With 30 employees on-site, that would relate to an estimated 120-150 daily trips to and from the site. Some of this may be non-vehicular travel, as AVA rafting's headquarters is also located in the City of Idaho Springs and employees could walk or bicycle the approximately 1.25-mile distance between the subject property and the AVA headquarters on Colorado 103. Some portion of the daily trips into the City for groceries, restaurants, the recreation center, and other destinations will also be car-free. The applicant estimates that the average on-site employee will have between zero and two daily car trips, which is lower than the City's standards. Regardless, the number of trips to and from the subject parcel will increase with the establishment of the proposed use.

However, Staff does not believe that the number of trips will exceed those that might occur with a permanent residential use on-site. Due to the limited parking available at the AVA headquarters, the applicant plans to encourage employees to walk or bicycle to work as much as possible, which would limit the impact of vehicles in the vicinity of the park. Otherwise, the proposed lease agreement states that quiet hours are from 10:00p.m. to 7:00a.m. to attempt to mitigate noise-related conflicts between the property and adjacent property owners. It also states that all campsites must be out of view of residentially zoned neighboring structures to ensure that the use does not have substantial visual impacts. The applicant proposes the construction of a privacy fence along the north side of the property to mitigate noise and visual impacts to the site. Staff believes that if the applicant works with the CCMRD and ensures that on-site management ensures that "tenants" respect adjacent properties and users, then there should not be substantial adverse impacts associated with the new use.

REFERRALS

This application was referred to the Idaho Springs Police Department, the Clear Creek Fire Authority, and the Clear Creek Metropolitan Recreation District ("CCMRD") for review and comment. Staff also reached out to the planning departments for Clear Creek County and Chaffee County, jurisdictions with existing regulations that attempt to manage employee seasonal camping on unincorporated properties.

Chief Buseck of the Idaho Springs Police Department provided comments expressing the following concerns:

- Scale of proposal – 30 people on-site may be higher than desired given that the use proposed has not previously been attempted in the City and without knowing potential impacts, the recommendation would be to reduce the number of people on-site for this season until more data can be gathered about the compatibility of the use.
- Enforcement – There is concern that City resources will be used on enforcement of issues that should be handled by the owner/manager of the property. A condition that a 24/7 contact be provided who can be contacted to handle issues and can respond within 60 minutes to any complaints that arise. This would be like the City's requirements for short term rentals, which require an available owner/authorized agent who can respond within 60 minutes (per Sec. 21-33(G)(4)).
- Addressing of property – Recommendation that the property be addressed prior to occupancy of the site to ensure that emergency response can occur efficiently.
- Revocation – If persistent issues or violations arise on-site, the Conditional Use permit should include language that allows the City Council to revoke the permit during the approved occupancy period. Revocation is always an option with a CUP for violations of the term of the permit, and this has been mentioned in the proposed conditions of approval.

The Fire Authority provided comments on March 29, 2024. The comments are as follows:

Our Engines and an ambulance can access the property as it is. I would be curious what Buena Vista required for the development they have there. The Fire Pit area is likely safe if managed and attended while in use. I would suggest a gas fired appliance that could be used during fire bans and with far less risk exposure from failure to fully extinguish.

It would be necessary to have a site plan for the proposed camp sites with contour lines to give us an idea of access ability for medical and other responses.

Cameron Marlin, General Manager of the Clear Creek Metropolitan Recreation District (CCMRD) provided comments at the Planning Commission meeting on April 3, 2024, and voiced support for the proposal with several caveats. CCMRD has some concern about potential conflict between AVA Rafting employees camping on the Silver Spruce Annexation property and park users, as well as concern about impacts during larger CCMRD events at the park that may lead to accessibility issues for the AVA parcel. Several conditions were added by the Planning Commission in an attempt to address some of these concerns. Staff would recommend collaboration between the CCMRD and AVA Rafting to ensure that any concerns or issues that arise are efficiently addressed.

Speaking with planning department staff from Chaffee County and Clear Creek County, both jurisdictions mentioned that their seasonal camping programs have been largely successful, and they had no record of violations on any of the properties that have been approved for the use. The planning director for Chaffee County mentioned that seasonal camping for rafting employees is not a permanent housing solution and is not meant to solve the community's housing problems altogether. Nevertheless, it solves a short-term problem that exists during the summer and the experience has been generally positive. Both communities mentioned the need to put time limitations in place to ensure that the use remains seasonal and does not allow winter camping during the off season. Enforcement of seasonal limitations is important.

STAFF ANALYSIS OF PROPOSAL:

Staff believes that the proposed Conditional Use of employee camping at the property west of the Shelly/Quinn Ball Fields Park could be a good trial to see whether camping within City Limits could help address seasonal workforce housing issues on a more permanent basis. It would not commit the City to any long-term issues should the trial period fail. If approved, the recommended conditions crafted from discussions with the City's Police Department, the Fire Authority, regulations from other communities, and the Planning Commission's recommendation, will hopefully address any potential concerns and ensure that if issues arise, they can be mitigated, or the use can be terminated.

Staff believes that the proposed use clearly meets the second and third criteria but has some concerns about compliance with the ISMC standards for access and parking. There are also long-term questions about water and wastewater provisions, but for one season the infrastructure proposed appears to be sufficient. Life, health, and safety standards appear to be met and the proposed use appears to be well considered by the applicant.

PLANNING STAFF RECOMMENDATION:

Staff is in general support of the application but notes that there are several concerns that were brought up during review. Staff asks City Council to consider the application after hearing discussion and analysis from Staff and from the applicant. If City Council approves the application for a one season, temporary Conditional Use Permit (CUP) for AVA Rafting and Ziplining employee camping on the proposed property, Staff

recommends the following conditions to approval be imposed, which reflect the Planning Commission's motion recommending approval:

1. Approval will expire on October 1, 2024.
2. The Handbook and Lease (Attachment 1) and the Map of the site (Attachment 2) are both expressly incorporated as conditions of approval.
3. Potable water must be available on-site at all times.
4. The Clear Creek Fire Authority shall sign off on the location of campsites, fire pits, and cooking areas prior to operation. Occupancy of the site cannot occur until the City receives confirmation that Fire Authority authorization has been provided.
5. All campsite locations shall be numbered and a map of the site, showing all campsites labeled, shall be provided to the City prior to operation and posted at the site.
6. Trash and recycling must be picked up weekly at minimum.
7. Adequate portable toilets will be provided on-site and will be pumped monthly at a minimum or as needed.
8. Prior to occupancy of the property, the applicant shall work with the City to assign an address to the property for the purposes of emergency response.
9. The applicant is required to provide to City Administration and the Police Department two (2) authorized contacts (a primary contact and backup contact) for the property who can physically respond to the site within sixty (60) minutes or less.
10. Parking spaces shall meet minimum parking standards, and shall be delineated on-site to the City's satisfaction, and shall include spaces for at least 38 vehicles (including 10 campervan spaces). A parking plan showing the layout of spaces shall be provided prior to occupation of the property. No parking associated with this use shall be permitted off site.
11. Public access across the property along the existing paved path shall be maintained and not blocked.
12. City Staff shall perform a site walk-through once all improvements proposed are established on-site to confirm compliance with the above conditions of approval.
13. The City Council may revoke this CUP at any time in accordance with the ISMC.
14. No natural (wood) fires are permitted on-site.
15. Signage shall be installed at the entrance to the trail underpass to I-70 at Edwards St. stating that no motorized vehicles are permitted. Signage stating that no motorized vehicles are permitted shall also be placed on the trail directly west of the proposed campsite to designate the end of access road sharing the trail.
16. "Share the Road" and speed limit signage similar to the signs installed on Riverside Drive and the Clear Creek Greenway Trail shall be installed both directions on the access road between the Shelly-Quinn Ballfields entrance and the entrance to the campground where pedestrians and vehicles may interact.
17. The Handbook and Lease Agreement shall be updated to clarify that up to ten (10) camper vans may be permitted on-site for overnight occupancy and specific campervan spaces shall be delineated prior to occupancy subject to the approval of the City Attorney.

PROPOSED MOTION:

Motion to approve Ordinance No. X, Series 2024.



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-2400
FAX (303) 567-0124

TO: MAYOR and COUNCIL
FROM: Paul Crain
DATE: April 29th, 2024
Re. STAFF REPORT PUBLIC WORKS

Action Items:

Move to approve a contract for services with HDR Engineering, for extended services on Virginia St. and Virginia Canyon reconstruction projects in the amount of \$296,729 from line item 23-00-5103

Mayor and Council, there was some confusion on my part for this same request on the April 22nd Council Session. The original request was for \$43,670.00, and I was unable to clarify with HDR Prior to the Meeting on the 22nd, but the actual amount needed to continue forward is \$296,729.00

Need: This is an extension of services from HDR for Virginia Canyon and Virginia St projects, to bring the Final design to 100% and facilitate easement realignment and procurement.

This is for the following:

- **Cleaning up the SOW to include final design.**
- **Additional fee needed to finish the final design of both Virginia Canyon Road and Virginia St.**
- **Additional fee needed to finalize the package splits for Phases 1 and 2**
- **Fee needed to assist with the pre-bidding process and constructability reviews.**
- **Fee needed to complete the environmental request required by SHPO**
- **Additional fee for cleaning up the ROW and dedicating roadway ROW for the northern section of Virginia Canyon Road.**
- **Fee needed for testholes on Virginia St.**
- **Fee needed for additional sewer scoping.**

**Paul Crain
Public Works Superintendent**

FREE ESTIMATE

[illegible]

Idaho Springs/Virginia St Armd 2
FEE ESTIMATE

FEE ESTIMATE

Fee Estimate

[illegible]