



CITY OF LEADVILLE

800 HARRISON AVE.
LEADVILLE, CO 80461

REGULAR COUNCIL MEETING AGENDA

Tuesday
June 6th, 2023

6:00 P.M.

Council Chambers & Zoom

<https://leadville-co.gov.zoom.us/j/83526944548?pwd=aEdjdGtpNlEyZmt5YVQ1bDBQbnN4dz09>

Meeting ID: 835 2694 4548

Passcode: 80461

Dial by your location

+1 719 359 4580 US

6:00 pm	1.	Call to order of Regular Meeting of City Council
	2.	Roll Call
	3.	Approval of Agenda
	4.	Housekeeping Matters
	5.	Public comments about items not on the agenda
		Citizens wishing to speak to Council on issues <u>not</u> on the agenda are requested to send a message in the chat section or raise their hand in the participant's section of Zoom or in person. Staff will call on the public in order. Comments are limited to three (3) minutes (not including council questions). Action, if required, will be assigned to city staff. For matters <u>on the agenda</u> , public input will be heard prior to a vote being taken on the matter.
6:15 pm	6.	Presentations and Discussions: <ul style="list-style-type: none"> A. Leadville Boom Days Temporary Use Permit Discussion B. City Support for the Leadville Lake County Regional Housing Authority to Apply for Proposition 123 Funding on Behalf of the City of Leadville https://cdola.colorado.gov/proposition-123-concepts C. City Support for Lake County Build A Generation to Apply for a Grant to Cover the Cost of Updating the Needs Assessment for the Leadville Lake County Regional Housing Authority and an Inclusionary Zoning Report for the Housing Coalition D. Discussion Regarding Mayor Salary
7:00 pm	7.	Action Items: <ul style="list-style-type: none"> A. Resolution No.10, Series of 2023: Declaring a Vacancy and Appointment to Ward 3 Seat B. Summer Nights at Zaitz - Music in the Park Temporary Use Permit C. Ordinance No. 3, Series of 2023: An Ordinance Repealing and Reenacting Chapter 17.44 Of the Leadville Municipal Code Concerning the Regulations Governing the City's National Historic Landmark Overlay District- 1st Reading D. Resolution No. 11, Series of 2023: A Resolution Amending and Extending the Leadville Railyard Subdivision Improvement Agreement

* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.



8:20 pm	8.	Council Reports
	9.	Mayor's Report
	10.	Public Meetings Planner
	11.	Public Comments
8:45 pm	12.	Adjournment

City of Leadville

800 Harrison Avenue
Leadville, Colorado 80461
719-486-2092, Fax 719 486-1040

Email: adminservices@leadville-co.gov www.cityofleadville.com

Temporary Use Permit Application (Event)

A Temporary Use Permit is required for any organized activity involving the use of, or having impact upon, public property, public facilities, parks, sidewalks, paths, trails, streets or other public areas or the temporary use of private property in a manner that varies from its current land use, that lies within the boundaries of the City of Leadville. This application does not apply to nor will it be reviewed by any state or federal entity; this is the applicant's responsibility.

Impact is defined as: *Any closure, impedance, damage, destruction, abnormal wear and tear, interference or use of any public facility, property, roadway, trail, structure, ingress, egress or business function that causes extraordinary or unusual expense, or deters or detracts from other duties for any governmental agency within the City of Leadville, Colorado.*

All Event Permit applications are handled through the Director of Administrative Services office. After the applicant completes the Application and attaches any required documents, it is to be returned to the Director of Administrative Services. Applications are available on line at www.cityofleadville.com. They can be printed and faxed or emailed back to the City.

Reasons that your application may be denied are:

- Agencies may not have the resources to dedicate to your event,
- Your event may be deemed as too intrusive to the community,
- Your event may be deemed as inappropriate for the community or
- Your event may be deemed to be too destructive to the community.
- Other reasons may be expressed in the denial.

Acceptance of your application should in no way be construed as final approval or confirmation of your request. You will be notified if your event requires any additional information, permits, licenses or certificates. During the initial application screening process you will be given time to provide us with all pending documents (e.g. certificate of insurance, secondary permits, etc.). All documentation must be received before a Special Event Permit will be issued.

Permit applications must be received no later than thirty (30) days prior to the actual date of your event and may be submitted as early as one year before your event. **Information from your permit application is considered public information** and may be used in developing the calendar of community events or reviewed by the public under the Open Records Act.

Issuance of a Special Events Permit **does not create any liability** for the issuing entities outside of their normal responsibilities under Colorado Revised Statutes. **It does not create a contractual agreement** with you and the issuing entities to perform any duty, responsibility or to perform any function other than what is provided for under the permit. **The applicant will not have any fees returned after the permit has been issued due to weather, lack of participation or any other reason.**

The applicant is responsible to ensure appropriate porta-potties, trash receptacles, arrange for Fire, ambulance, or law enforcement to manage their event as needed. If the event is deemed by local officials that these needs have not been met and additional resources are called in, the event will pay for those costs.

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Email: admins@leadville-co.gov www.cityofleadville.com

APPLICATION

Event Title: Leadville Boom Days

Description: (Describe what your event is about, who and what will be involved, how it will work and any special information that you feel is important to help us understand the details of the event)

An Old West and Mining theme festival celebrating Leadville's history and Heritage. To include a parade, mining events, burro races, car show, childrens events and music.

Set up Date 8/54 Time 6 am Day of Week Friday
Event Starts Date 8/54 Time noon Day of Week Friday
Event Ends Date 8/76 Time 6 pm Day of Week Sunday
Dismantle Date 8/87 Time 8 am Day of Week Monday

Location(s) requested: Harrison Ave between 4th and 8th St. West 5th & West 6th to the alley, E 5th to the alley, E 6th for one block, W 7th & E 7th to the alley and Zantz Park.

Anticipated Attendance Total 5,000 Per Day 2,000
(not including participants)
Anticipated Participants Total 200 Per Day 70 Total: 1,200

Anticipated # of vehicles

Host Organization Leadville Boom Days, Inc. CONTACTS

Chief Officer of Host Organization Chris Tufte

Applicant (Contact) Name Chris Tufte

Address P.O. Box 596 City Leadville State Co Zip 80461

Telephone Number 751-587-2692 FAX Number _____

Pager/Cellular _____ E-Mail Address: Christufte@live.com

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APPLICATION, CONTINUED

If your event will impact city services please give description:

Street closures, police department patrolling, street
clept. no parking signs, traffic diversion plan.

**If your event involves alcohol, weapons, speed activities, high speed vehicles, pyrotechnics,
loud noise of any kind or any unusual activity please describe:**

Music Bands, Gunfighters, Motorcycle events, PA System
at courthouse, Mining event in ETKS Parking lot.

**If required, an original Certificate of Insurance must be received by the City of Leadville prior to the
approval and issuance of your Special Event Permit.**

The applicant will need commercial general liability insurance that names as Additional Insured, the "City of
Leadville its officers, employees, and agents" and any other public entities impacted by your event to which
this permit applies. Insurance coverage must be maintained for the duration of the event including setup and
dismantle dates.

Name of Insurance Agency _____

Address _____ City _____ State _____ Zip _____

Telephone Number _____ Pager/Cellular _____

Contact Name _____

Policy Type _____

Policy Amount _____ Policy Number _____

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APPLICATION, CONTINUED

Please Provide an Event Map that includes the following information

If the item does not apply please write N/A in the box.

- Location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access.
- Provision of minimum twenty foot (20') emergency access lanes throughout the event venue.
- Location of first-aid facilities and ambulances.
- Location of all stages, platforms, scaffolding, bleachers, grandstands, canopies, tents, portable toilets, booths, beer gardens, cooking areas, trash containers and dumpsters, and other temporary structures.
- A detailed or close-up of the food booth and cooking area configuration including booth identification of all vendors cooking with flammable gases or barbecue grills.
- Generator locations and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures.
- Other related event components not listed above. _____

CERTIFICATION:

I/we certify that the information contained in the foregoing application is true and correct to the best of my/our knowledge and belief that I/we have read, understand and agree to abide by the requirements, rules and regulations governing the proposed Special Event Permit under the City of Leadville. I/we agree to comply with all other requirements of the City, County, State, Federal Government, and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event, I/we agree to pay all fees, taxes and the City shall not be liable for the payment of such taxes. I/we agree to abide by the requirements of the Special Events Permit, and further certify that I/we, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible, in conjunction with the Host Organization, for any costs and fees that may be incurred by or on behalf of the Event to the City of Leadville.

Print Name Host Organization Leadville Boom Days

Print Name of Authorized Agent Christopher Tufte

Title President

* Signature 

* Date 4/19/23

Approved by: _____

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MUST BE SIGNED BY THESE DEPARTMENTS BEFORE SUBMITTING APPLICATION

DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City Street Dept: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Health Dept (food): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City of Leadville: (Council) CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

To be filled out by the respective departments, if applicable: total costs to the City in labor hours and/or dollars.

Police Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

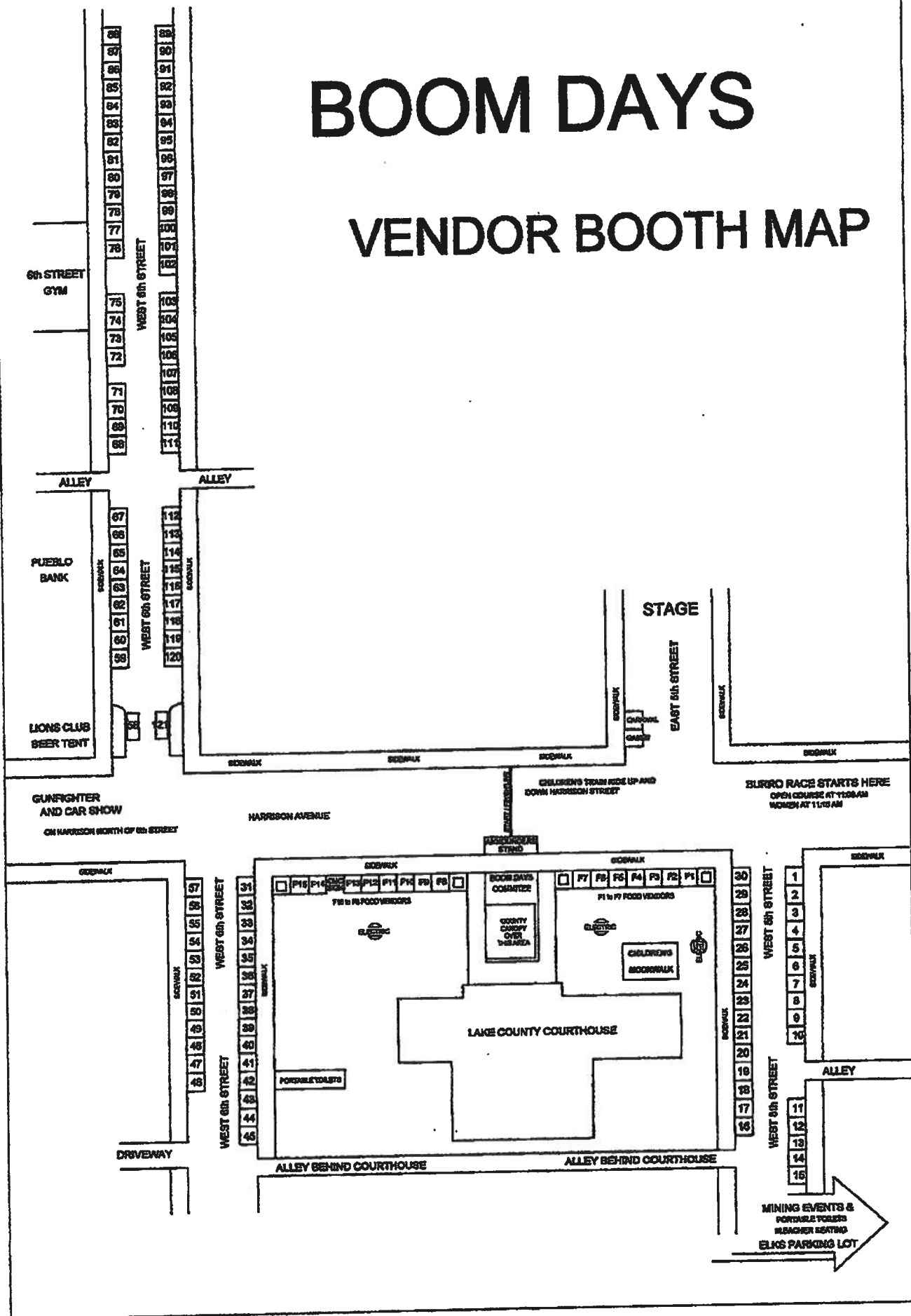
Street Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Fire Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Total Labor: _____ Total Fuel & Supplies: _____

BOOM DAYS

VENDOR BOOTH MAP

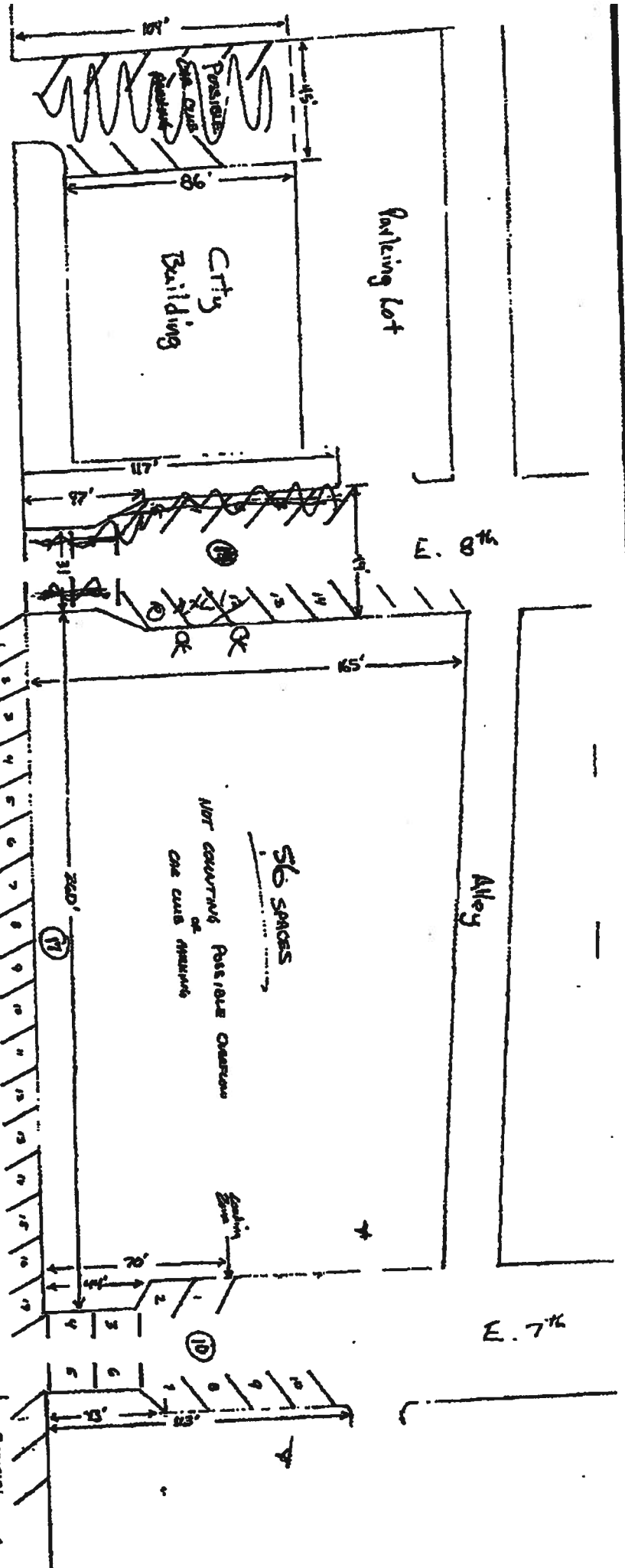


WAIVER, RELEASE, AND INDEMNIFICATION AGREEMENT FOR PARTICIPATION IN LEADVILLE BOOM DAYS

I intend to participate in and/or observe events taking place as part of Leadville Boom Days in Leadville Colorado. I understand that these events will involve many activities, including, but not limited to: a parade; motorcycle and bicycle riding events; contests involving mining activities; burro races; the presence of live animals; performances of old west gun fights; food and merchandise sold by vendors; a board walk; children's games and activities; and miscellaneous other activities. I understand that there will be motor vehicles moving through the area where these events take place. I understand that these activities and events present risks of personal injury, death, and property damage, including, but not limited to: damage or injury inflicted by animals, including burros; damage or injury inflicted by motorcycles, vehicles, or other mechanized equipment; damage or injury resulting from physical activities, including falls, such as cuts, bruises, sprains, fractures, and internal injuries; damage or injury from food poisoning from food vendors; damage or injury from fire or explosion; damage or injury from electrocution; damage or injury from products sold by arts and crafts vendors; damage or injury from tools used in mining events, and from flying debris created during mining events; damage or injury resulting from a multitude of other activities naturally occurring as part of Leadville Boom Days. I FREELY ACCEPT AND ASSUME ALL SUCH DANGERS AND RISKS AND THE POSSIBILITY OF PERSONAL INJURY, DEATH, PROPERTY DAMAGE, OR ANY LOSS RESULTING THEREFROM.

In consideration of being allowed to participate in and/or observe the activities described above, I hereby agree that I will have no claims of liability of any nature whatsoever against: Leadville Boom Days; the Leadville Boom Days Committee or its members; any volunteers of Leadville Boom Days; the City of Leadville; or Lake County. The entities, organizations, and individuals identified above will be collectively referred to herein as "RELEASEES." I further agree that I will indemnify and hold harmless the releasees from any claims of liability arising out of or relating to my participation in and/or observance of the activities described above.

I UNDERSTAND THAT THIS AGREEMENT IS A COMPLETE RELEASE AND WAIVER OF LIABILITY AGAINST ALL OF THE RELEASEES AND THAT I AM HEREBY FOREVER RELEASING, DISCHARGING, AND HOLDING HARMLESS THE RELEASEES FROM ANY AND ALL CLAIMS OF LIABILITY OF ANY NATURE WHATSOEVER RELATING TO THE EVENTS AND ACTIVITIES DESCRIBED ABOVE,



Boon Dey's Car Show

Harrison Ave.

Parking Lot

City Building

E. 8th

Alley

E. 7th

W. 8th

Alley

W. 7th

Possible Courtyard

SLIP SPACES

NOT COURTYARD OR USE HEREIN

Possible Sidewalk

(5)

(7)

(10)

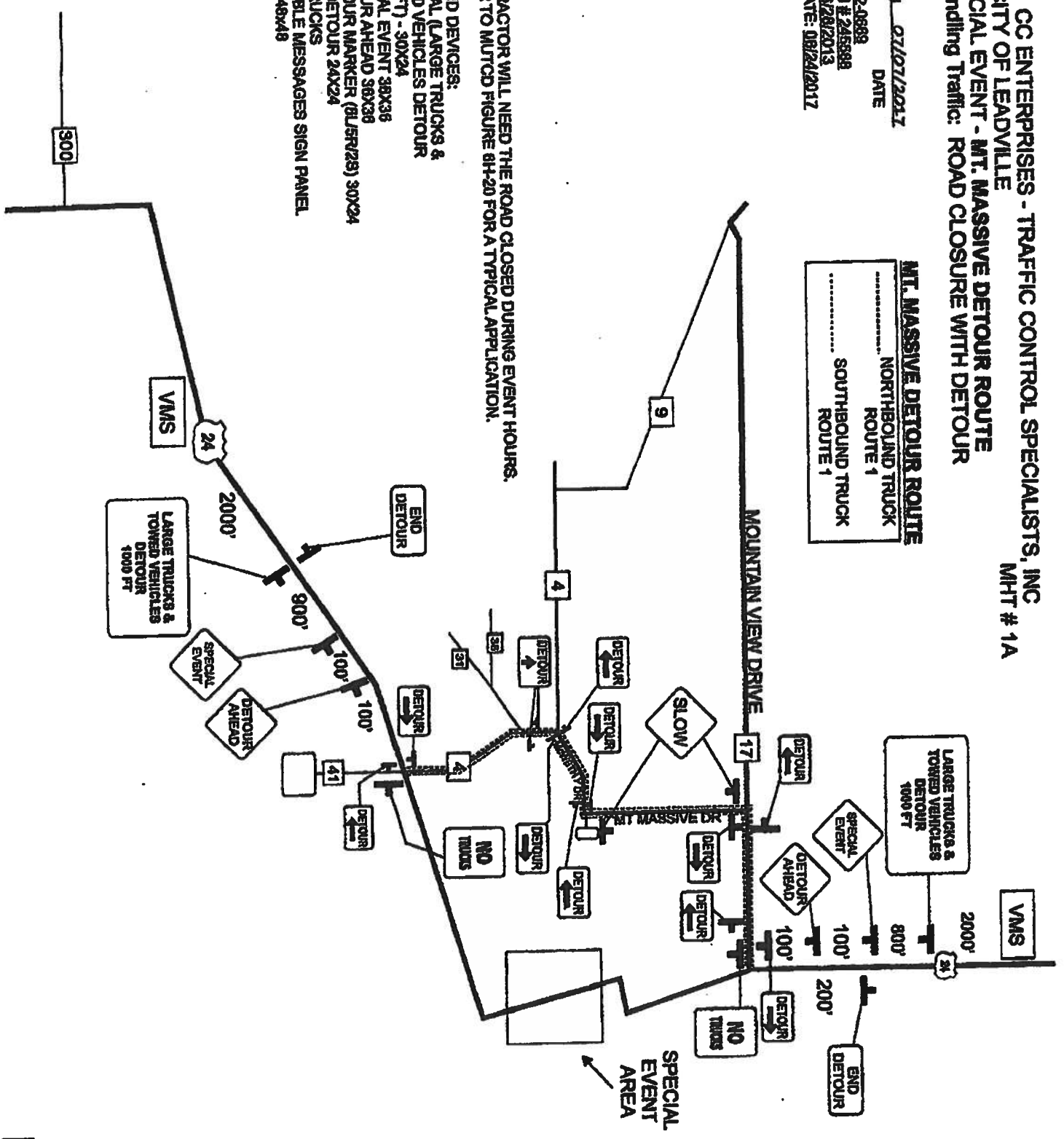
(11)

CC ENTERPRISES - TRAFFIC CONTROL SPECIALISTS, INC
MHT # 1A
Contractor: CITY OF LEADVILLE
Project: SPECIAL EVENT - MT. MASSIVE DETOUR ROUTE
Method of Handling Traffic: ROAD CLOSURE WITH DETOUR

PREPARED BY: *Leadville Edition* 07/07/2017
 DATE
 ATSSA TCB
 PHONE: 970-242-0898
 CERTIFICATION # 245988
 ISSUE DATE: 06/28/2013
 EXPIRATION DATE: 06/24/2017

MT. MASSIVE DETOUR ROUTE
 NORTHBOUND TRUCK ROUTE 1
 SOUTHBOUND TRUCK ROUTE 1

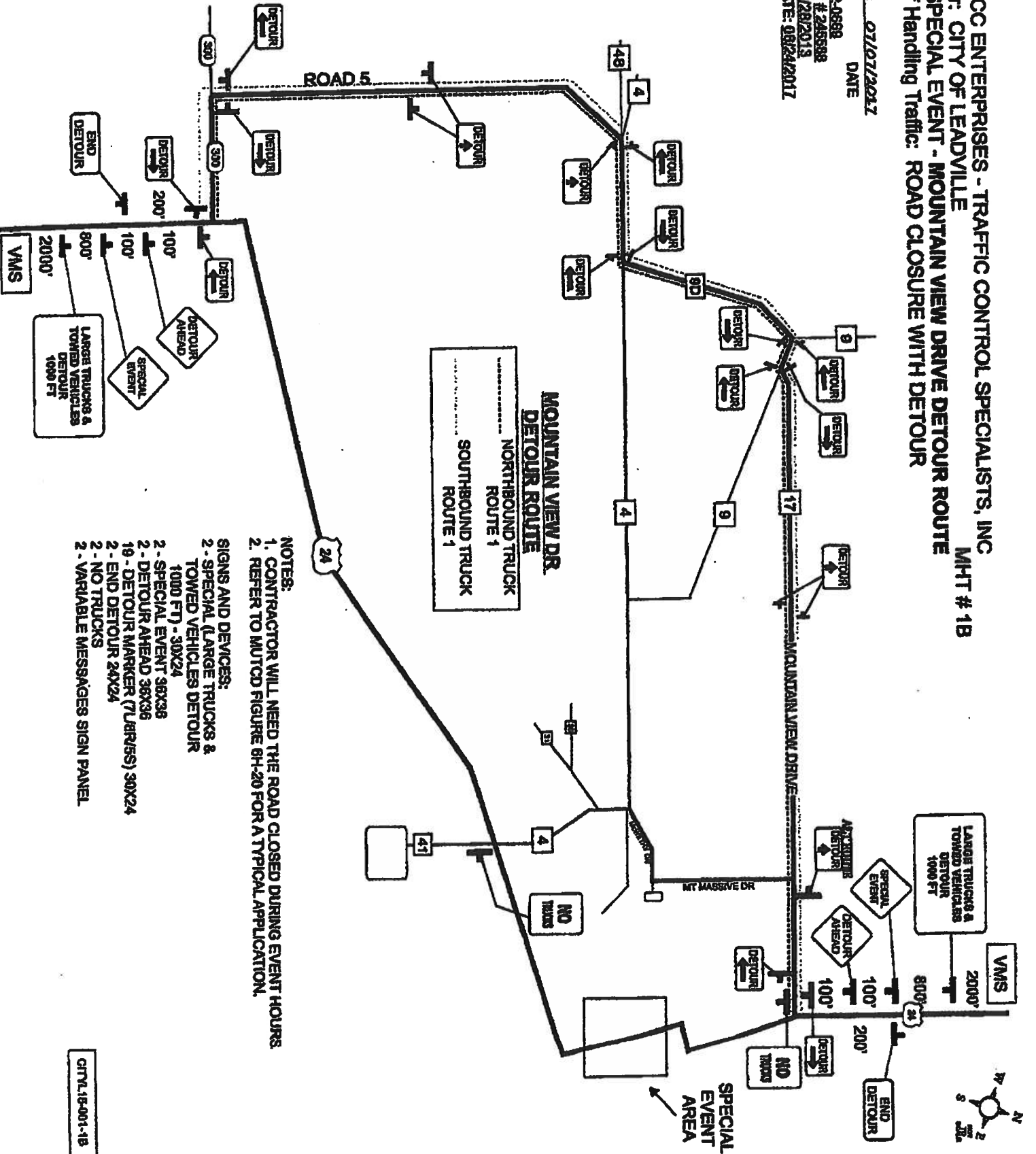
- NOTES:**
1. CONTRACTOR WILL NEED THE ROAD CLOSED DURING EVENT HOURS.
 2. REFER TO MUTCD FIGURE 8H-20 FOR A TYPICAL APPLICATION.
- SIGNS AND DEVICES:**
2. SPECIAL (LARGE TRUCKS & TOWED VEHICLES DETOUR 1000 FT) - 30X24
 2. SPECIAL EVENT 38X36
 2. DETOUR AHEAD 38X38
 2. END DETOUR 24X24
 2. NO TRUCKS
 2. VARIABLE MESSAGES SIGN PANEL
 2. SLOW 48x48



CC ENTERPRISES - TRAFFIC CONTROL SPECIALISTS, INC
Contractor: CITY OF LEADVILLE
Project: SPECIAL EVENT - MOUNTAIN VIEW DRIVE DETOUR ROUTE
Method of Handling Traffic: ROAD CLOSURE WITH DETOUR

MHT # 1B

PREPARED BY: *Leadville Eddy* 07/07/2017
 DATE
 ATSSA TCS
 PHONE: 970.292.1888
 CERTIFICATION # 248588
 ISSUE DATE: 08/28/2013
 EXPIRATION DATE: 08/24/2017



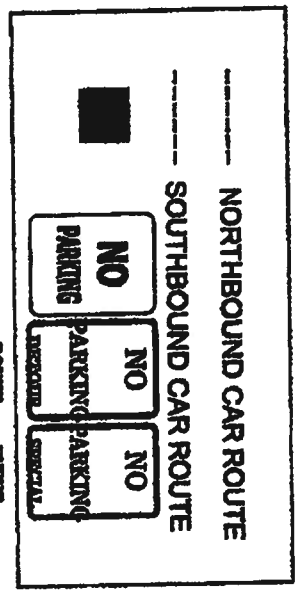
- NOTES:**
1. CONTRACTOR WILL NEED THE ROAD CLOSED DURING EVENT HOURS.
 2. REFER TO MUTCD FIGURE 6H-20 FOR A TYPICAL APPLICATION.

- SIGNS AND DEVICES:**
- 2 - SPECIAL (LARGE TRUCKS & TOWED VEHICLES) DETOUR (1000 FT) - 30X24
 - 2 - SPECIAL EVENT 36X36
 - 2 - DETOUR AHEAD 36X36
 - 19 - DETOUR MARKER (TUBRIS) 30X24
 - 2 - END DETOUR 24X24
 - 2 - NO TRUCKS
 - 2 - VARIABLE MESSAGES SIGN PANEL

GTTL18-001-1B

CC ENTERPRISES - TRAFFIC CONTROL SPECIALISTS, INC
Contractor: CITY OF LEADVILLE
Project: SPECIAL EVENT DETAIL
Method of Handling Traffic: ROAD CLOSURE WITH DETOUR /
SIDE STREET SETUP

PREPARED BY: Jennifer Ealey 07/07/2017
 DATE
 ATSSA TCS
 PHONE: 970-262-0889
 CERTIFICATION # 2489388
 ISSUE DATE: 08/28/2013
 EXPIRATION DATE: 08/24/2017

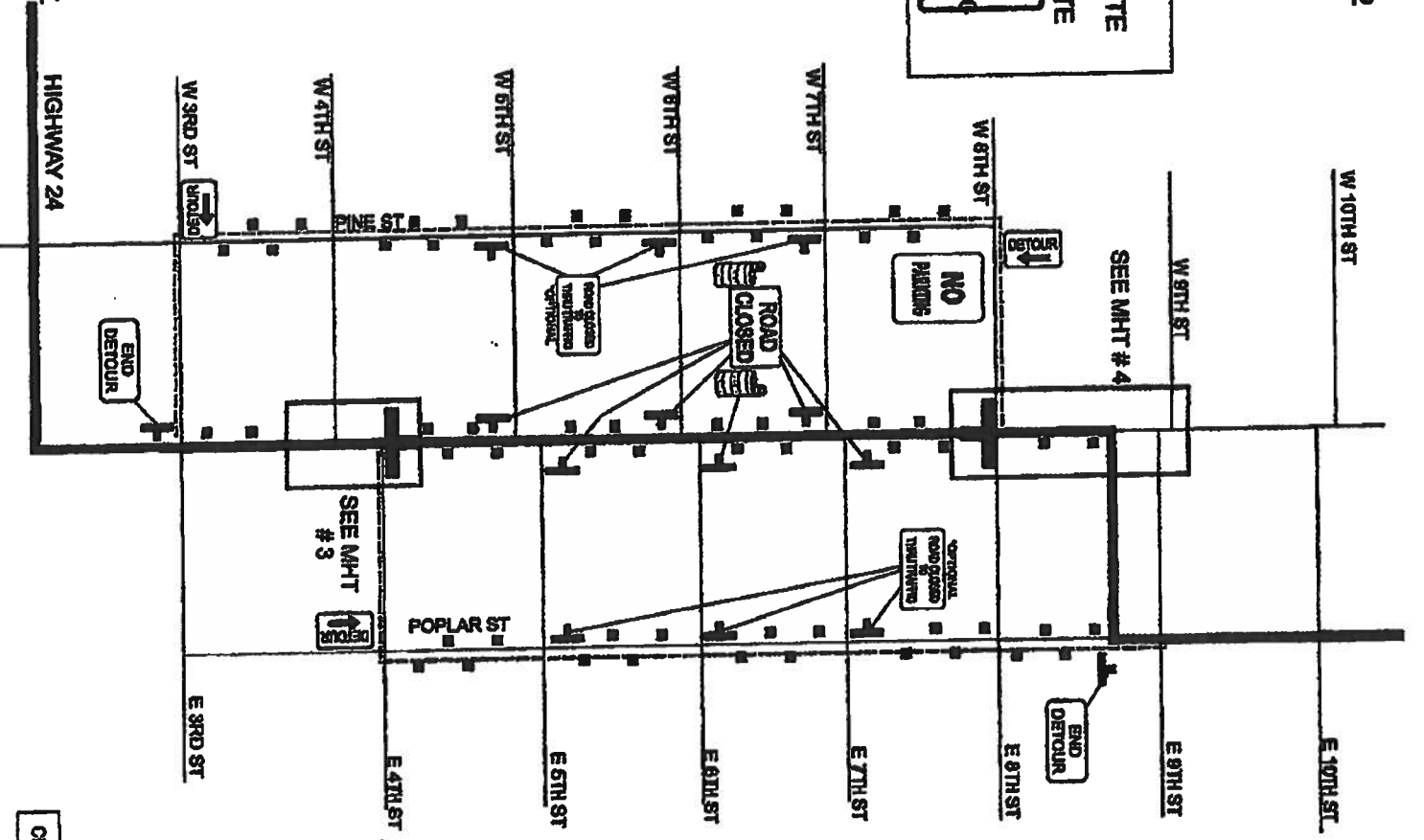


NO PARKING SIGNS TO BE PLACED IN ADVANCE OF SPECIAL EVENT AND AT THE DISCRETION OF THE CITY OF LEADVILLE. SOUTHBOUND HWY 24: NO PARKING SYMBOLS WILL BE PLACED FROM 8TH STREET TO 3RD STREET. NORTHBOUND HWY 24: NO PARKING SYMBOLS WILL BE PLACED FROM 4TH STREET TO 9TH STREET. NO PARKING SIGNS WILL ALSO BE USED ON THE SPECIAL EVENT DETOUR ROUTE: PINE STREET AND POPLAR STREET.

ADDITIONAL NO PARKING SYMBOLS MAY BE NEEDED ON SIDE STREETS WITHIN THE EVENT AREA DEPENDENT UPON SPECIAL EVENT NEEDS AND AT THE DISCRETION OF THE CITY OF LEADVILLE.

- NOTES:**
1. CONTRACTOR WILL NEED THE ROAD CLOSED DURING EVENT HOURS.
 2. REFER TO MUTCD FIGURE 6H-20 FOR A TYPICAL APPLICATION.

- SIGNS AND DEVICES:**
- 6 - ROAD CLOSED
 - 6 - ROAD CLOSED TO THRU TRAFFIC (OPTIONAL)
 - 3 - DETOUR MARKER (31)
 - 12 - DRUM
 - 40 - NO PARKING - QUANTITY WILL VARY DEPENDING ON EVENT.



CC ENTERPRISES - TRAFFIC CONTROL SPECIALISTS, INC
MHT # 3

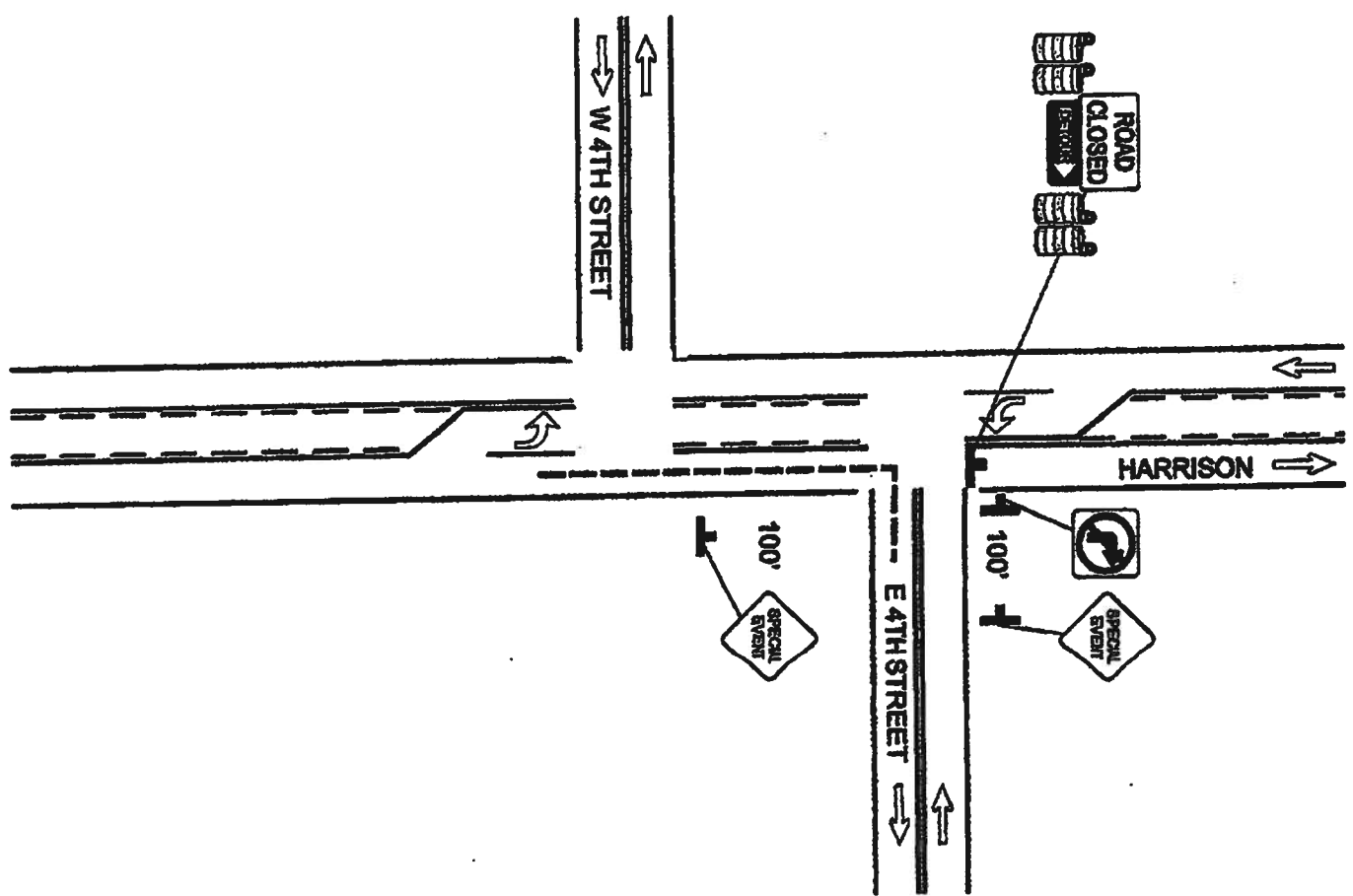
Contractor: CITY OF LEADVILLE
Project: SPECIAL EVENT - NORTHBOUND CAR ROUTE
Method of Handling Traffic: ROAD CLOSURE WITH DETOUR

PREPARED BY: Jennifer Ealey 07/07/2017
ATSSA TCS DATE
PHONE: 970-242-0888
CERTIFICATION # 245588
ISSUE DATE: 06/28/2013
EXPIRATION DATE: 08/24/2017



- NOTES:**
1. CONTRACTOR WILL NEED THE ROAD CLOSED WITH A DETOUR DURING SPECIAL EVENT HOURS.
 2. REFER TO MUTCD FIGURE 6H-20 FOR A TYPICAL APPLICATION.
 3. PLEASE REFER TO MHT'S #1A, #1B, 2 AND 4 FOR ENTIRE SPECIAL EVENT SETUP.

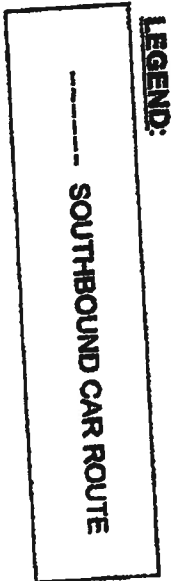
- SIGNS AND DEVICES:**
- 3 - SPECIAL EVENT
 - 1 - NO RIGHT TURN SYMBOL
 - 1 - ROAD CLOSED
 - 1 - DETOUR ARROW (1R)
 - 4 - DRUMS



CC ENTERPRISES - TRAFFIC CONTROL SPECIALISTS, INC
 MHT # 4

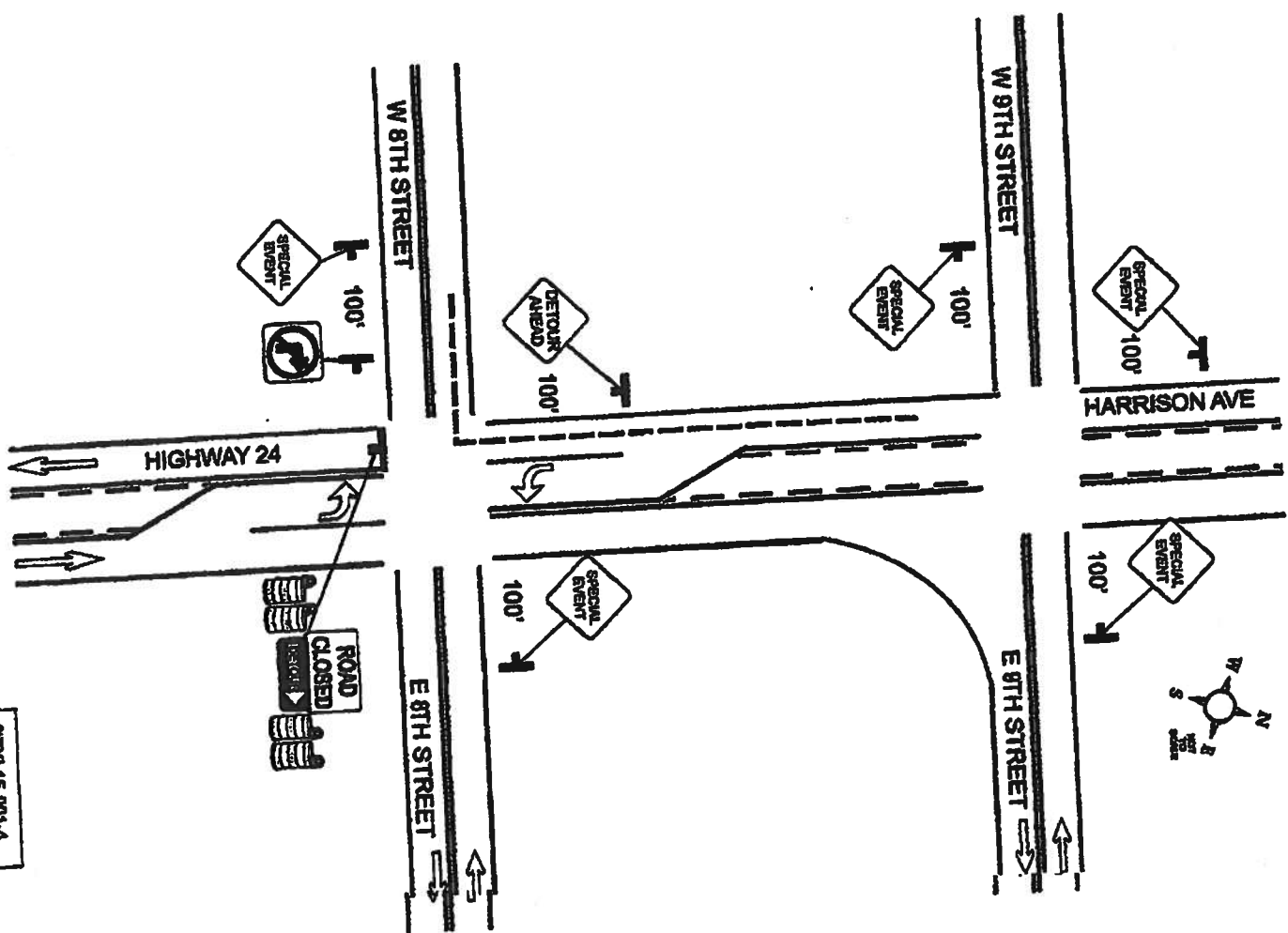
Contractor: CITY OF LEADVILLE
Project: SPECIAL EVENT - SOUTHBOUND CAR ROUTE
Method of Handling Traffic: ROAD CLOSURE WITH DETOUR /
LEFT LANE CLOSURE

PREPARED BY: Jessica Eddy 07/07/2017
 DATE
 ATSSA TCS
 PHONE: 970-249-0888
 CERTIFICATION # 248998
 ISSUE DATE: 08/28/2013
 EXPIRATION DATE: 08/24/2017



- NOTES:**
1. CONTRACTOR WILL NEED THE ROAD CLOSED WITH A DETOUR DURING SPECIAL EVENT HOURS.
 2. REFER TO MUTCD FIGURES 6H-33 AND 20 FOR TYPICAL APPLICATIONS OF THIS SETUP.
 3. PLEASE REFER TO MHT'S #1A, #1B, 2 AND 3 FOR ENTIRE SPECIAL EVENT SETUP.

- SIGNS AND DEVICES:**
- 5 - SPECIAL EVENT
 - 1 - NO RIGHT TURN SYMBOL
 - 1 - DETOUR AHEAD
 - 1 - ROAD CLOSED
 - 1 - DETOUR ARROW (1R)
 - CONES
 - 6 - DRUMS



QTYL15-001-4

Boom Days Traffic Control

General Traffic control and closures for Boom Days food and non-food vendors:

- Close Harrison Avenue AT 6 AM from 8th to 4th early Friday morning.
- East 6th, West 6th and East 5th, West 5th need to be cleared of vehicles by 8 AM Friday.
- Vendors will be open in the afternoon and require time to properly set up.
- Pine street no parking signs Thursday afternoon to allow traffic detour beginning Friday 8 AM.
- ~~West and East 7th~~ need to be clear of traffic by 8 AM Saturday for the Car Show. Parking allowed after 3 PM Saturday
- Sunday 6 PM Open Harrison Avenue to traffic.

Parade Traffic needs:

- 8 AM parade entrants begin assembling on W. 9th.
- Parade begins at 10 AM and proceeds down Harrison Avenue and turns off Harrison at W. 4th.
- Parade ends about 11 AM.
- Car show entrants follow the end of the parade and begin parking on Harrison Ave. We need help making sure no bandit groups try to enter the parade at the end (motorcycle kids), The car show volunteers need a police presence as cars are parking so ensure safety of spectators.

Traffic Control for the Burro Race on Sunday

- At 11:00 AM and 11:15 AM close the intersection of 7th and Poplar, 7th and Hemlock, 6th and Hemlock and 5th and Hemlock for the departing burro racers for about 5-10 minutes.
- Beginning at 1:00 PM, until 5 PM escort returning racers from Monroe & Harrison up Harrison Avenue to 4th Ave. After 5 PM no racers are allowed on the Avenue and are to stay on Toledo, turn left on W. 3rd, then turn right on the alley back to burro race parking on E. 4th.

Leadville Boom Days

Emergency Plan

2022

Emergency Procedures

- 1. For any serious injury or situation that involves possible harm to individuals, CALL 911 immediately. If any emergency personnel (police, firefighters, ambulance/EMT) are nearby, get their attention or have someone else go get them. After contacting emergency services, use the call roster to inform Boom Days officers by cell phone or walkie talkie.**
- 2. For minor injuries or medical inquiries, refer individuals to community Urgent Care or the St. Vincent's Emergency Room.**
 - a. St. Vincent's Hospital- 822 W. 4th St. – 719-486-0230**
 - b. Urgent Care Clinic- 735 US Hwy 24 – 719-486-0500**
- 3. The Boom Days tent in front of the courthouse will have personnel on staff throughout the event, and will have a first aid kit available for self-treatment of minor injuries.**
- 4. For emergencies on the Burro Race course, ham radio operators will be stationed throughout the course who can radio emergency information to the burro race director.**

Boom Days Emergency Roster

For any serious injury or situation CALL 911.

Contacts for minor injuries or situations:

Police	719-486-1365
Fire	719-486-2990
Ambulance/EMTs	719-486-7144

After contacting emergency services for any reason, contact Boom Days officers via cell phone or walkie talkie. Only one contact is necessary. Calls should be made in the following order until one or these people is reached.

1. A Chris Tuttle	651-587-2692
1. Mark Heyde	314-497-7139
2. Ric Eisenring	575-613-0645
3. Amy Tait	970-390-8954
4. Noreen Dewhirst	719-839-5642

For issues at the following events that do not rise to the level of emergencies, contact the committee chair for that event, who will be on site.

Mining Events	Sandy Booth	970-389-9297
Burro Race	Nathalie Eddy	720-935-7404
Children's Events	Traci Greenwood	970-319-4609
Motorcycle Events	Matt Boeve	719-293-1024
Vendors	Lora Flinn	816-204-1391
Car Show	Brent Hemer	970-409-9584
Sanitation/Recycling	Emily Olsen	719-465-6164
Gunfighters	Steve Whittington	336-782-1469

For any other events, or if you cannot reach the appropriate committee chair, contact the officers listed above or report the issue to the Boom Days tent located in front of the courthouse.

Emergency Medical Reporting Procedures

When reporting a medical emergency to 911 or emergency services, be prepared to provide the following information:

Nature of the emergency

Location of the emergency

Your name and phone number from which you are calling

In a medical emergency, do not move the victim unless absolutely necessary.

If personnel trained in First Aid are not available, as a minimum, attempt to provide the following assistance:

1. Stop the bleeding with firm pressure on the wounds (note: avoid contact with blood or other bodily fluids).
2. Clear the air passages using the Heimlich Maneuver in case of choking.

The Boom Days tent in front of the courthouse, behind the announcers stand, can also serve as a meeting point for minor emergencies. Personnel at the tent will be in contact with Boom Days officers if none are present. A first aid kit will be available at the tent for self-administered first aid. No Boom Days staff or untrained personnel shall administer medical aid except in life threatening situations.

Emergency Access Map

Primary emergency access will be through the alley between Harrison Avenue and Poplar Street. See map on the following pages. Roadblocks can also be moved on Harrison Avenue as necessary to accommodate emergency vehicles.

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MUST BE SIGNED BY THESE DEPARTMENTS BEFORE SUBMITTING APPLICATION

DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE [Signature] DATE 05/12/2023

City Street Dept: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Health Dept (food): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City of Leadville: (Council) CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

To be filled out by the respective departments, if applicable: total costs to the City in labor hours and/or dollars.

Police Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Street Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Fire Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Total Labor: _____ Total Fuel & Supplies: _____

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City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City Street Dept: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE [Handwritten Signature] DATE 5/25/23

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Health Dept (food): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City of Leadville: (Council) CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

To be filled out by the respective departments, if applicable: total costs to the City in labor hours and/or dollars.

Police Dept.: labor hrs; at \$ per hr plus \$ in fuel & supplies for a total \$
Street Dept.: labor hrs; at \$ per hr plus \$ in fuel & supplies for a total \$
Fire Dept.: labor hrs; at \$ per hr plus \$ in fuel & supplies for a total \$

Total Labor: Total Fuel & Supplies:

2023 Leadville Boom Days TUP

9 messages

Lori Tye <adminassistant@leadville-co.gov> Fri, May 12, 2023 at 3:09 PM
To: Steve Boyle <firemarshal@leadvillefire.org>, David McCann <dmccann@leadvillefire.org>, Dan Dailey <ddailey@leadvillefire.org>, Kenneth Chavez <kchavez@leadville-co.gov>, Joanna Lopez <jlopez@leadville-co.gov>, Perla Flores <pflores@leadville-co.gov>, Street Dept <streetdept@leadville-co.gov>, Anne Schneider <aschneider@co.lake.co.us>, Marla Bond <mbond@co.lake.co.us>, Karen Lewis <klewis@co.lake.co.us>, Felicia Federico <ffederico@co.lake.co.us>, Kelsy Maxie <kmaxie@co.lake.co.us>, Nancy Bailey <Director@leadvillemainstreet.org>, Greg Labbe <lvmayor@leadville-co.gov>, Alan Clubb <alan.clubb@state.co.us>, floyd.strader@state.co.us, Chapin LaChance <planningdirector@leadville-co.gov>, Laurie Simonson <cityadmin@leadville-co.gov>

Hello All,

I have attached the Temporary Use Permit application for the 2023 Leadville Boom Days to be held August 5th through August 7th. Please let me know if you have any questions or concerns for this upcoming event.

Per Laurie's instructions, please sign and return the approval/signature page (page 6) of the attached TUP form in the appropriate place for your department. You may email any comments or requirements like you have previously, or you may put them on the form when you sign. **EVEN IF** you have no comments or concerns, **please sign and return the attached TUP application signature page.**

Please have all comments/concerns and signatures back to me by **Thursday, 5/25/2023**. If you feel the need for a meeting with the applicant prior to your approval, please let me know as soon as possible so I can schedule. This TUP will go before the City Council for approval in June.



*Thanks,
Lori Tye
Administrative Assistant, City of Leadville
(719) 486-2092
800 Harrison Ave.,
Leadville, CO 80461*

 **Leadville Boom Days TUP 2023.pdf**
975K

Chapin LaChance <planningdirector@leadville-co.gov>
To: Lori Tye <adminassistant@leadville-co.gov>

Fri, May 12, 2023 at 6:41 PM

Lori,

Please see attached, signed by Planning.

Chapin LaChance, AICP
Director of Community Development and Planning
[City of Leadville](#)
[800 Harrison Avenue](#)
Leadville, CO 80461

Your copies are ready, I printed a sign off page as well, stop by whenever you want.

Lori

[Quoted text hidden]

--

Respectfully,
Lori Tye

Kenneth Chavez <kchavez@leadville-co.gov>

Thu, May 25, 2023 at 7:51 AM

To: Lori Tye <adminassistant@leadville-co.gov>

Cc: Street Dept <streetdept@leadville-co.gov>, Laurie Simonson <cityadmin@leadville-co.gov>

Lori,

I am good with the Boom Days TUP.

Ken

Kenneth Chavez
Interim Chief of Police
Leadville Police Department
800 Harrison Ave.
Leadville, CO 80461
kchavez@leadville-co.us
720 641-0213 cell

[Quoted text hidden]

Lori Tye <adminassistant@leadville-co.gov>

Thu, May 25, 2023 at 8:18 AM

To: Kenneth Chavez <kchavez@leadville-co.gov>

Cc: Street Dept <streetdept@leadville-co.gov>, Laurie Simonson <cityadmin@leadville-co.gov>

Thanks, Ken.

Lori

[Quoted text hidden]

--

Respectfully,
Lori Tye

City of Leadville

800 Harrison Avenue
Leadville, Colorado 80461
719-486-2092, Fax 719 486-1040

Email: adminservices@leadville-co.gov www.cityofleadville.com

MUST BE SIGNED BY THE DEPARTMENT SUPERVISOR FOR EACH APPLICATION

DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City Street Dept: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

Firebreaks labeled on map / 20' Fire Dept access required on Harrison / No parking in front of hydrants / alleys

SIGNATURE [Signature] DATE 05/15/2023

Health Dept (food): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City of Leadville: (Council) CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

To be filled out by the respective departments, if applicable: total costs to the City in labor hours and/or dollars.

Police Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Street Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Fire Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Total Labor: _____ Total Fuel & Supplies: _____

City of Leadville

800 Harrison Avenue
Leadville, Colorado 80461
719-486-2092, Fax 719 486-1040

Email: admins@leadville-co.gov www.cityofleadville.com

APPLICATION, CONTINUED

Please Provide an Event Map that includes the following information
If the item does not apply please write N/A in the box.

- Location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access.
- Provision of minimum twenty foot (20') emergency access lanes throughout the event venue.
- Location of first-aid facilities and ambulances.
- Location of all stages, platforms, scaffolding, bleachers, grandstands, canopies, tents, portable toilets, booths, beer gardens, cooking areas, trash containers and dumpsters, and other temporary structures.
- A detailed or close-up of the food booth and cooking area configuration including booth identification of all vendors cooking with flammable gases or barbecue grills.
- Generator locations and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures.
- Other related event components not listed above. _____

CERTIFICATION:

I/we certify that the information contained in the foregoing application is true and correct to the best of my/our knowledge and belief that I/we have read, understand and agree to abide by the requirements, rules and regulations governing the proposed Special Event Permit under the City of Leadville. I/we agree to comply with all other requirements of the City, County, State, Federal Government, and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event, I/we agree to pay all fees, taxes and the City shall not be liable for the payment of such taxes. I/we agree to abide by the requirements of the Special Events Permit, and further certify that I/we, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible, in conjunction with the Host Organization, for any costs and fees that may be incurred by or on behalf of the Event to the City of Leadville.

Print Name Host Organization Leadville Boom Days

Print Name of Authorized Agent Christopher Tufte

Title President

* Signature [Handwritten Signature]

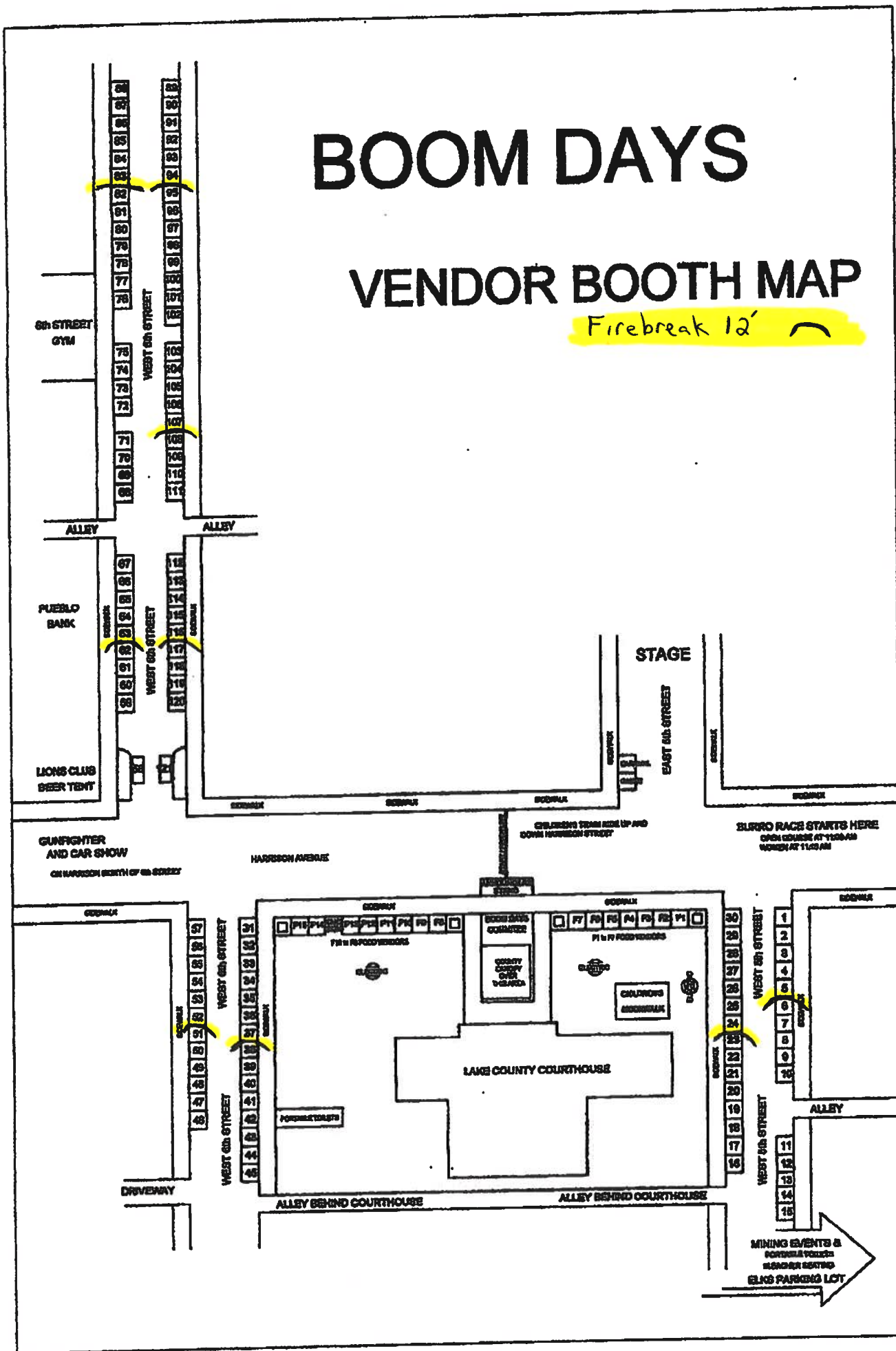
* Date 4/19/23

Approved by: _____

BOOM DAYS

VENDOR BOOTH MAP

Firebreak 12' 



City of Leadville

800 Harrison Avenue
Leadville, Colorado 80461
719-486-2092, Fax 719 486-1040

Email: adminservices@leadville-co.gov www.cityofleadville.com

MUST BE SIGNED BY THESE DEPARTMENTS BEFORE SUBMITTING APPLICATION

DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

City Street Dept: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

Health Dept (food): CONDITIONS / RESTRICTIONS/ COMMENTS/APPROVAL

must have all vendors approved 14 days prior to event w/proper paperwork.

SIGNATURE [Signature] DATE 5/17/23

City of Leadville: (Council) CONDITIONS / RESTRICTIONS/COMMENTS/APPROVAL

SIGNATURE _____ DATE _____

To be filled out by the respective departments, if applicable: total costs to the City in labor hours and/or dollars.

Police Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Street Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Fire Dept.: _____ labor hrs; at \$ _____ per hr plus \$ _____ in fuel & supplies for a total \$ _____

Total Labor: _____ Total Fuel & Supplies: _____



AGENDA ITEM #8A

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 6, 2023

SUBJECT: Resolution No. 10, Series of 2023, A Resolution of the City Council of the City of Leadville, Colorado, Declaring a Vacancy in Office for a City Council Member Representing Ward 3 and Filling Such Vacancy by Appointment

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION

I. **REQUEST OR ISSUE:**

Before City Council is Resolution No. 10, Series of 2023, (the "Resolution"), which declares a vacancy in, and appoints a candidate to fill, the City Council seat for Ward 3.

II. **BACKGROUND INFORMATION:**

When Council Member Max Forgensi expressed his intent to resign his City Council seat, it created a vacancy for Ward 3. City Council is asked to consider Resolution No. 10, Series of 2023 declaring a vacancy in that office and determining to fill such vacancy by appointment as permitted under state law (see Legal Issues section below for further discussion).

The City has received letters of interest from three people, Jim Evans, Cisco Tharp and Rebecca Thomas desiring to be considered for appointment to serve on City Council for the remainder of Council Member Forgensi's term.

According to their representations, all potential appointees meet the state law requirements that make them qualified to be a member of City Council (see Legal Issues section below for more information). The person appointed will serve the remainder of former Council Member Forgensi's term of office. Council Member Forgensi was elected to office in November 2021, and the next election for this seat will be in November 2025.

III. **FISCAL IMPACTS:**

N/A

IV. LEGAL ISSUES:

When a vacancy in a city council seat occurs, Council must adopt a resolution declaring the vacancy. The adoption of that resolution starts a 60-day clock. The City has 60 days (per C.R.S. 31-4-106 and 31-4-108(2)(b)) from the adoption of the resolution, or the date of vacancy declared in the resolution if different from the resolution adoption date, to either appoint a person to fill the vacancy or call a special election to fill the vacancy. If the City does not appoint someone to fill the vacancy in 60 days, then the City will need to call a special election. Here, City Council is presented with Resolution No. 10, Series of 2023 declaring a vacancy and determining to appoint a person to Council to fill the vacancy.

Per C.R.S. 31-4-106, any person appointed (or elected) to City Council must meet certain statutory requirements in order to hold that office. The person must be a resident of the ward to which they are elected or appointed for at least twelve (12) consecutive months prior to their election or appointment, and they must be a registered elector in their ward.

V. STAFF RECOMMENDATION:

Staff recommends that City Council approve Resolution No. 10, Series of 2023 and appoint one of the three candidates to fill the Council vacancy.

VI. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table the Resolution for further discussion and consideration.

VII. PROPOSED MOTION:

“I move to adopt Resolution No. 10, Series of 2023, A Resolution of the City Council of the City of Leadville, Colorado, Declaring a Vacancy in Office for a City Council Member Representing Ward 3 and Filling Such Vacancy by Appointment and appoint _____ to fill the vacancy on City Council.”

ATTACHMENTS:

Resolution No. 10, Series of 2023

Jim Evans’ Letter of Interest

Cisco Tharp’s Letter of Interest

Rebecca Thomas’ Letter of Interest and Resume

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 10
SERIES 2023**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE,
COLORADO, DECLARING A VACANCY IN OFFICE FOR A CITY COUNCIL
MEMBER REPRESENTING WARD 3 AND FILLING SUCH VACANCY BY
APPOINTMENT**

WHEREAS, Section 2.04.010 of the Leadville Municipal Code states that the City Council shall consist of the Mayor and six City Council Members elected from the three wards of the city; and

WHEREAS, Council Member Max Forgensi, representing Ward 3, indicated his intention to resign from his elective position of City Council Member; and

WHEREAS, in accordance with C.R.S. §§ 31-4-106 and 31-4-108(2)(b), the City Council must either appoint a person to fill the vacancy within sixty (60) days of the vacancy or schedule a special election; and

WHEREAS, the City Council desires to appoint a person to fill the vacancy in order to save the time and expense of conducting a special election; and

WHEREAS, the City Council has advertised the vacancy to seek a qualified candidate to fill the vacancy in Ward 3; and

WHEREAS, City Council desires to make an appointment from the pool of qualified candidates.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado as follows:

Section 1. The City Council hereby: (1) confirms the resignation of Council Member Max Forgensi; (2) declares a vacancy in the office of City Council Member for Ward 3 as of June 6, 2023; and (3) determines to fill the vacant Ward 3 seat by appointment.

Section 2. The City Council appoints _____ to serve on the City Council whose term shall commence on taking the oath of office and continue until the term of office of a successor elected at the next regular election on November 7, 2025 has commenced as provided in C.R.S. Section 31-4-106 and C.R.S. 31-4-108(2)(b).

Section 3. Effective Date. This Resolution shall take effect upon its adoption by the City Council.

CITY OF LEADVILLE, COLORADO:

By: _____
Greg Labbe, Mayor

ATTEST:

Deputy City Clerk
Hannah Scheer

ADOPTED by a vote of ___ in favor and ___ against, and ___ abstaining, this 6th day of June 2023.

25 April 2023
Re: Open Ward 3 City Council Seat

Dear Mayor Labbe, City Staff, and City Council Members,

I'm writing to express my interest in serving as the second Ward 3 Council Member to fill the seat recently opened by Max Forgensi's departure. Thank you for considering me!

It would be an honor to return to service alongside you on the City Council. As many of you know, I served in a Ward 2 seat for about a year until the end of May, 2022. My family and I moved a few blocks over the line from Ward 2 to Ward 3, so I vacated my seat. As of May 5th, 2023, I will have resided in Ward 3 for 12 months, and am excited to be involved again. I feel like I was just starting to be oriented and proficient to our municipal processes when I left my seat, and am eager to apply that learning.

I have lived in Leadville year-round for about 12 years (and a few seasonal years prior to that). I hold a Bachelor's degree in English and Spanish from Colorado State University (2007, *Magna Cum Laude*). Most recently, I have worked with Get Outdoors Leadville! as a Director of youth outdoor programs and seasonal Enrollment Coordinator for Rockies Rock. During that time I coordinated a multi-agency working group on Out of School Time endeavors in Lake County. Prior to GOL!, I worked for the Colorado Outward Bound School as the Associate Program Director of Course Delivery and Safety. I also have a background in journalism, creative writing, and event facilitation. I currently serve as VP of Bright Start Learning Center's Board of Directors, and, until last week, I served as the Secretary for the Leadville Lake County Regional Housing Authority. I have two children (7- and 9-years-old), one of whom I home school, and am married to a local business owner (Elsa Tharp of FREIGHT).

Here's how I do things: I prioritize the team - and the community - over myself. I'm not looking to be the loudest voice in the room. I have my opinions and perspectives, but I am always curious first. I value data and research, and I stay informed globally, regionally, and locally. One of the most important "data sets" are the stories and experiences that our community members share with us. I am quick to support as much as lead. Listen first, ask questions second, talk third. I'm passionate about identifying problems, building diverse teams, and creating community-driven solutions. I tend towards the collaborative side of the leadership spectrum, but don't hesitate to drive the process and make decisions when necessary. My leadership is a balance of empathy, analysis and action.

My experience and work with Get Outdoors Leadville! has connected me to over 200 families in Lake County, across a wide swath of demographics. On a daily basis I talked with parents in both Spanish and English; full time locals, part time locals, and visitors alike; families from Lake Fork, Mountain View, Mountain Valley Estates, downtown Leadville, greater Lake County and beyond. I know there is no one way to experience Leadville, and I will hold those diverse perspectives close to my heart in my role as council member.

Participation in the City Council is a tremendous responsibility and a big commitment. I take both seriously. I have plenty of space in my life and schedule at this time to not only make regular meetings and work sessions, but to also research the topics at hand, communicate with my constituents, keep an open ear to our community, and envision Leadville's future state.

Current topics that I am passionate about include: housing access; child care; collaboration with Lake County; economic health; local and global environmental health; city management and long term planning; and personal and family wellness ranging from recreation opportunities to essential services infrastructure.

Thank you for considering me for the Ward 3 council seat, and thank you for your service to our city!

Best wishes,



Francisco "Cisco" Tharp
Pronouns: he/him
Leadville, CO 8046



James (Jim) Evans

Retired United States Air Force

Last position was Test Director for the Pilot Candidate Selection Method

Served 2 terms as City Council Man in Converse Texas

Other past positions held:

Vice President of Converse Little League

Second Vice Commander of American Legion Post 593

Deputy Director of American Legion Riders Post 593

Past Mast of Mason Lodge 35

Current Worthy Patron Eastern Star Chapter 2

Umpire Lake County Softball

Participated in numerous other Community Activities

REBECCA THOMAS

May 19, 2023

Laurie Simonson, Administrator
City of Leadville
800 Harrison Ave.
Leadville, CO 80461

Dear Ms. Simonson:

I am writing to express my interest in the open City Council seat in Ward 3.

I have felt a deep connection to Leadville since I first began working here in the mid-1990s as the Environmental Protection Agency (EPA) project manager restoring water quality at the headwaters of the Arkansas River and remediating abandoned mine sites in the area. My husband and I bought our home here in 2009 and have grown to appreciate everything this community offers.

Throughout my professional career, I have had the opportunity to work with many County and City governments, and I recognize the positive influence a City Council can have on community. I would like to be part of that good work in Leadville.

If selected, I would bring to a position on City Council:

- A commitment to prepare for and attend all City Council meetings, Urban Renewal Authority meetings, and special work sessions
- A desire to be of service to my community
- Excellent project management skills developed throughout my career as an engineer with EPA
- An interest in historic preservation and working to maintain Leadville's unique character
- Advocacy for local business and economic development
- An interest in strong relationships with Leadville and Lake County's robust nonprofit sector

Thank you to Leadville's City Council and Mayor Labbe for considering me for a Council Member position, representing Ward 3. I plan to attend the City Council meeting on June 6th to introduce myself and answer any questions you may have.

Sincerely,
Rebecca J. Thomas

REBECCA THOMAS

Leadville, Colorado 80461



OBJECTIVE

I am seeking a position on Leadville's City Council, representing Ward 3.

PROFESSIONAL EXPERIENCE

U.S. Environmental Protection Agency (Retired)

Environmental Engineer and Project Manager, August 1988 – March 2019

- As an environmental engineer, I managed complex remediation projects across a six-state region. Most of this work focused on the cleanup of mining sites. I led diverse teams of technical, legal and communications professionals. I also worked closely with impacted communities to create solutions for areas heavily impacted by historic mining practices. I managed the California Gulch Superfund Site in Leadville from about 1997-2005.

DPRA, Inc.

Litigation Support Staff, August 1986 – August 1988

- As an environmental engineer, I worked to facilitate implementation of the Environmental Protection Agency's laws and regulations.

VOLUNTEER EXPERIENCE

St. George's Church

- Grant writing and project management for historic preservation of the Church.
- Assist in preparing community meals on a weekly basis.

C4

- Assist in waste diversion programs at various local events.

- Volunteer occasionally at C4's farm.

Project Worthmore

- Volunteer ESL Teacher and Citizenship Tutor
- Supported refugee family from Afghanistan.
- Food Pantry

Rotary Club

- Community Service Committee Chair
- Grant Writer

So All May Eat (SAME) Café

- Assist in preparing community meals

EDUCATION

Bachelor of Science, Industrial Engineering

Bachelor of Arts, French

Kansas State University, 1986

CERTIFICATIONS

- Teacher Training Certification, Teaching English as a Second Language
Oxford Seminars, 2019
- Nonprofit Management Certification
Metropolitan State University, 2022



AGENDA ITEM #7B

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 6th, 2023

SUBJECT: TUP for Leadville Main Street Program's 2nd Annual Summer Nights at Zaitz, Music in the Park

PRESENTED BY: Lori Tye

- ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Temporary Use Permit for Leadville Main Street Program to host Summer Nights at Zaitz, Music in the Park Concert Series on Thursdays, July 6th and August 3rd, 2023 from 5:00 pm until 8:00 pm.
- II. **BACKGROUND INFORMATION:** The Leadville Main Street Program (LMSP) is planning two (2) summer concerts in July & August, 2023 at Zaitz Park on Harrison Ave, with a beer garden. This is a fundraising event for LMSP, and the second year for this event. Staff considers this to be a "festival" use, which is allowed as a Temporary Use in all zoning districts.

17.64.010 Leadville Municipal Code - *Temporary use permits may be issued for the following uses in the following zoning districts and for the following periods of time. No person, party or organization shall engage in such temporary uses prior to the issuance of a temporary use permit. The following uses shall be allowed in the following districts, not to exceed the following periods of time:*

TABLE 4

D. Carnivals, circus, bazaars, fairs, tent meetings and festivals	All districts	2 weeks
---	---------------	---------

All City agencies have responded/approved with the following comments:

LLCFR Fire Marshal Steve Boyle approved with the following conditions:

1. Fire Pit to be monitored w/extinguisher in vicinity for the duration of the events.
2. Pop-up tent must be properly weighted down.

Street Department approved with the condition the applicant provide extra trash cans.

Health Department approved, noted no food service listed on permit application.

III. **FISCAL IMPACTS:** N/A

IV. **LEAGAL ISSUES:** N/A

- V. **STAFF RECOMMENDATION:** Consider and Review Temporary Use Permit Application for Leadville Main Street Program to host Summer Nights at Zaitz, Music in the Park Summer Concert Series on Thursdays July 6th & August 3rd, 2023 from 5:00 pm until 8:00 pm. Note any issues from last year's events and discuss with applicant. Staff recommends approval as there is very little impact on the City for these events.
- VI. **COUNCIL OPTIONS:** Approve, Approve with Condition or Deny
- VII. **PROPOSED MOTION:** I move to approve Temporary Use Permit for Leadville Main Street Program to host the Second Annual Summer Nights at Zaitz, Music in the Park on Thursdays, July 6th and August 3rd, 2023 from 5:00 to 8:00 pm, with the attached findings.
- VIII. **ATTACHMENTS:** Complete Temporary Use Permit Application, with venue map, agency approvals, this cover sheet and Findings.

FINDINGS:

17.64.020 General requirements for a temporary use permit.

- E. Approval Criteria. A temporary use permit may be issued to the applicant only upon a finding that all of the following criteria are met:
 - 1. The owner of the property on which the use is proposed consents in writing to the issuance of the permit;
 - 2. The use is allowable in the zone district;
 - 3. The referring agencies have indicated no concerns or requested no conditions for approval, or the applicant has provided to the satisfaction of the planning official or city council, as the case may be, that all conditions for approval will be satisfied and the permit is issued subject to satisfaction of such conditions;
 - 4. The use will not substantially impair the appropriate use of or adversely affect adjoining property or the neighborhood;
 - 5. The use will not alter the essential character of the district in which the subject property is located;
 - 6. The use will not adversely affect public health, safety or welfare;
 - 7. The use will not result in an undue concentration of such temporary uses upon or near the subject property so as to adversely affect public health, safety or welfare, or alter the essential character of the district in which the subject property is located, or substantially impair the appropriate use of or adversely affect adjoining property or the neighborhood; and
 - 8. The use is in compliance with the objectives, policies and other provisions of this title or other city regulations, ordinances or policies.



Email: adminassistant@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

APPLICATION

Event Title: LMSP Summer Nights @ Zaitz

Description: (Describe what your event is about, who and what will be involved, how it will work and any special information that you feel is important to help us understand the details of the event)

2nd Annual Summer Nights @ Zaitz - music in the park events in July and August. This is a program fundraiser that will also host a beer garden.

Set up Date 7/6/2023 8/3/2023 Time 8 AM Day of Week Thursday

Event Starts Date ↓ ↓ Time 5 PM Day of Week ↓ ↓

Event Ends Date ↓ ↓ Time 8 PM Day of Week ↓ ↓

Dismantle Date ↓ ↓ Time 8 PM Day of Week ↓ ↓

Location(s) requested: Zaitz Park

Anticipated Attendance Total _____ Per Day _____

(not including participants)

Anticipated Participants Total _____ Per Day _____ Total: 50-150
Approx per event

Anticipated # of vehicles _____

CONTACTS

Host Organization Lake County Community Fund

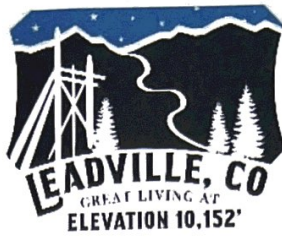
Chief Officer of Host Organization John McMurtry

Applicant (Contact) Name Nancy Bailey / LMSP

Address 116 E Elm St City Leadville State CO Zip 80461

Telephone Number 719 398 3132 FAX Number _____

Pager/Cellular _____ E-Mail Address: director@leadvillemainstreet.org



Email: adminassistant@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

APPLICATION, CONTINUED

If your event will impact city services please give description:

No street closures required

If your event involves alcohol, weapons, speed activities, high speed vehicles, pyrotechnics, loud noise of any kind or any unusual activity please describe:

Beer Garden @ Zaitz Park -
donated beer + wine only

Does your event require Harrison Ave/ HWY 24 to be closed? Please indicate in the box below. If it does require closure of Harrison/HWY 24 you will be required to adhere to the City of Leadville traffic control plan A or B. If you have comments related to this section please indicate in the space below.

YES NO

Does your event require Harrison Ave/ HWY 24 to be closed for a short term duration of up to a few hours? Please indicate in the box below. If it does require temporary closure of Harrison/HWY 24 you will be required to adhere to the City of Leadville traffic control plan C. If you have comments related to this section please indicate in the space below.

YES NO



Email: adminassistant@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

APPLICATION, CONTINUED

Please Provide an Event Map that includes the following information

If the item does not apply, please write N/A in the box.

- Location of fencing, barriers and/or barricades. Indicate any removable fencing for emergency access.
- Provision of minimum twenty-foot (20') emergency access lanes throughout the event venue.
- Location of first-aid facilities and ambulances.
- Location of all stages, platforms, scaffolding, bleachers, grandstands, canopies, tents, portable toilets, booths, beer gardens, cooking areas, trash containers and dumpsters, and other temporary structures.
- A detailed or close-up of the food booth and cooking area configuration including booth identification of all vendors cooking with flammable gases or barbecue grills.
- Generator locations and/or source of electricity.
- Placement of vehicles and/or trailers.
- Exit locations for outdoor events that are fenced and/or locations within tents and tent structures.
- Other related event components not listed above. _____

CERTIFICATION:

I/we certify that the information contained in the foregoing application is true and correct to the best of my/our knowledge and belief that I/we have read, understand and agree to abide by the requirements, rules and regulations governing the proposed Special Event Permit under the City of Leadville. I/we agree to comply with all other requirements of the City, County, State, Federal Government, and any other applicable entity which may pertain to the use of the Event venue and the conduct of the Event, I/we agree to pay all fees, taxes and the City shall not be liable for the payment of such taxes. I/we agree to abide by the requirements of the Special Events Permit, and further certify that I/we, on behalf of the Host Organization, am also authorized to commit that organization, and therefore agree to be financially responsible, in conjunction with the Host Organization, for any costs and fees that may be incurred by or on behalf of the Event to the City of Leadville.

Print Name Host Organization Leadville Main Street Program

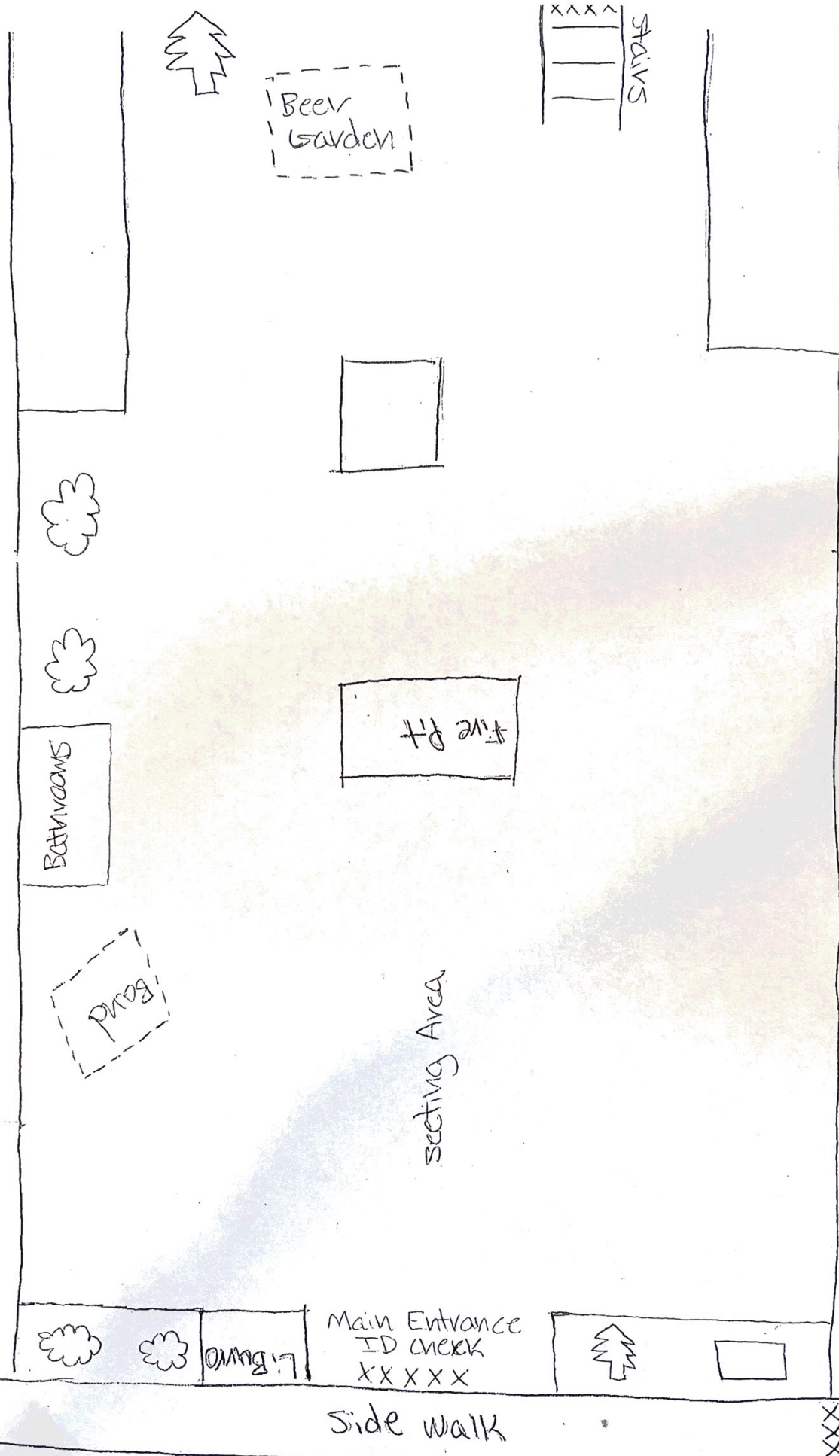
Print Name of Authorized Agent Nancy Bailey

Title Director

Signature Nancy Bailey

Date 5/17/23

Approved by: _____



XXXXX = Barricades / Fencing
 ☁ = Bush / Tree
 DR IT O

Harrison ave



Email: adminservices@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

FOR OFFICIAL USE ONLY: SIGN OFF REQUIRED FROM ALL CHECKED BOXES
***CAN BE EMAIL DIRECTED TO PLANNING OFFICAL BY DEPARTMENT HEAD**
DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE *Cheryl LaChance* DATE 06/02/2023

City Street Dept.: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Health Dept. (food): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Lake County Building & Land Use (HWY 24 Closure): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____



Email: admins@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

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***CAN BE EMAIL DIRECTED TO PLANNING OFFICAL BY DEPARTMENT HEAD**
DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

City Street Dept.: CONDITIONS / RESTRICTIONS/ COMMENTS

Extra Trash Cans

SIGNATURE *TJ Mc* DATE *5/25/23*

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Health Dept. (food): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Lake County Building & Land Use (HWY 24 Closure): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____



Email: admins@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

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***CAN BE EMAIL DIRECTED TO PLANNING OFFICIAL BY DEPARTMENT HEAD**
DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

City Street Dept.: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS

Sergeant [Signature]

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Health Dept. (food): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Lake County Building & Land Use (HWY 24 Closure): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____



Email: admins@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

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***CAN BE EMAIL DIRECTED TO PLANNING OFFICAL BY DEPARTMENT HEAD**
DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

City Street Dept.: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS

Fire Pit to be monitored w/ extinguisher in vicinity / POP-UP / Tent properly weighted down

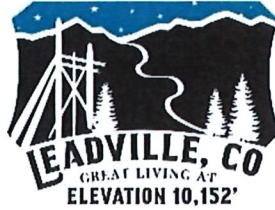
SIGNATURE Steph Boy DATE 05/25/2023

Health Dept. (food): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Lake County Building & Land Use (HWY 24 Closure): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____



Email: admins@leadville-co.gov

Phone: 719-486-2092 Fax: 719 486-5813

FOR OFFICIAL USE ONLY: SIGN OFF REQUIRED FROM ALL CHECKED BOXES
*CAN BE EMAIL DIRECTED TO PLANNING OFFICAL BY DEPARTMENT HEAD
DEPARTMENT INPUT (to be attached to the permit file copy):

City of Leadville (Planning Official): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

City Street Dept.: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Police Department: CONDITIONS / RESTRICTIONS/COMMENTS

SIGNATURE _____ DATE _____

Fire Department: CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____

Health Dept. (food): CONDITIONS / RESTRICTIONS/ COMMENTS

No food service listed on permit.

SIGNATURE *KPM* _____ DATE 5/25/23

Lake County Building & Land Use (HWY 24 Closure): CONDITIONS / RESTRICTIONS/ COMMENTS

SIGNATURE _____ DATE _____



AGENDA ITEM #7C

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 6, 2023

SUBJECT: Ordinance No. 3, Series of 2023: An Ordinance Repealing and Reenacting Chapter 17.44 Of the Leadville Municipal Code Concerning the Regulations Governing the City's National Historic Landmark Overlay District

PRESENTED BY: Chapin LaChance, AICP – Planning Director

- ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION
-

I. REQUEST OR ISSUE:

Before City Council for consideration on first reading is Ordinance No. 3, Series of 2023 (“Ordinance”), which if adopted will make comprehensive revisions to Chapter 17.44 of the Leadville Municipal Code in order to protect the City’s unique character and safeguard the City’s historic and cultural heritage as reflected within the National Historic Landmark Overlay District (“NHL District”). This ordinance for consideration would repeal and reenact the entirety of Chapter 17.44

II. BACKGROUND INFORMATION:

Staff’s memo to the City Council for the January 24, 2023 City Council Work Session is attached and includes detailed background information on this ordinance. This ordinance would make comprehensive amendments to Chapter 17.44 National Historic Landmark District Overlay District, accomplishing three (3) primary objectives:

1. require additions to existing structures, exterior alterations to existing structures, and new commercial construction within the NHL District to obtain a Certificate of Appropriateness (COA), either administratively or through a public hearing process,
2. subject reapplications for demolitions to the procedures and approval criteria in effect at the time of the reapplication, and

3. authorize staff to conduct site visits to properties with a pending COA application. The proposed code amendments have been reviewed by the City Council at a December 13, 2022 Joint Historic Preservation Commission (HPC) / City Council Work Session and also at a January 24, 2023 City Council Work Session. In addition, the HPC held two (2) open houses with the public on April 11 and May 9, 2023, with a total of approximately 40-50 members of the public attending the open houses. Revisions made since the last Council Work Session are highlighted in the attached redlines.

Revisions since the January 24, 2023 City Council Work Session

The HPC did find any comments received at the open houses warranted revisions to the proposed ordinance. Since the last Work Session, revisions have been made to address the following comments received from City Council:

“Under 17.44.070 Procedures for issuing a certificate of appropriateness (COA) for the demolition of historic structures, are we considering “such as efforts to sell the structure to a new owner who would save the structure from demolition” as a bar for a “good faith effort”? If not, is that necessary? It seems a bit ridiculous and offensive.” **This has been revised as follows, removing the example of selling the structure:**

3. Evidence that the applicant has made a good faith effort to **preserve the structure, such as efforts to sell the structure to a new owner who would save the structure from demolition.**

“Definitions and regulations for partial demolition and additions/alterations should be clear, and consistent with each other (i.e. not conflict).”

“Give guidance for what is considered a partial demolition that would be allowable.”

These comments have been addressed as follows:

Demolition is now defined as either “partial demolition” or “total demolition”.

B. Definitions. Unless otherwise required by context or use, the words and terms used in this chapter shall be defined as follows:

"Demolition, **total**" means any act or process which destroys, **in part or** in whole, **the a** historic **integrity of a** structure, **or otherwise alters the structure so that it no longer qualifies as a historic structure or historic landmark or a contributing property within the NHL district.**

“Demolition, partial” means any act or process which destroys, in part, a historic structure.

Separate review criteria is provided for each type of demolition. For partial demolition to be approved, it must be required for either preservation, restoration, or rehabilitation. Most projects will likely meet the definition of “Rehabilitation”.

Review Criteria for Total Demolition:

1. The structure proposed for demolition is not structurally sound; and
2. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property; and
3. The structure cannot be practically moved to another site in the City of Leadville; and
4. The applicant demonstrates that the proposal mitigates to the greatest extent practical the following:
 - a. Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur.
 - b. Any impact on the historic importance of the remaining structure(s) located on the property and adjacent properties.
 - c. Any impact to the architectural integrity of the remaining structure(s) located on the property and adjacent properties.
5. In the case of archeological sites, whether archeological information can be recovered as part of the demolition process.

Review Criteria for Partial Demolition:

1. The partial demolition is required for the preservation, restoration or rehabilitation of the building, structure or object;
2. The applicant has mitigated, to the greatest extent possible:
 - a. Impacts on the historic importance of the buildings, structures or objects located on the property, and
 - b. Impacts on the architectural integrity of the buildings, structures or objects located on the property.

The terms “preservation, restoration, rehabilitation” are now defined, using definitions from the U.S. Secretary of the Interior Standards.

“Preservation” means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

“Rehabilitation” means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

"Residential infill" means new residential development that is sited on vacant or undeveloped land within the existing properties in the established Leadville NHL district.

“Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

So, if a proposed addition or exterior alteration to a historic structure requires a partial demolition to the structure, that demolition can be approved if necessary for rehabilitation (i.e. making a compatible use of the property possible through the addition or alteration as long as that addition or alteration preserves the character defining features of the building (Ex: primary façade, gable-roofed form, rectilinear building forms, etc.)

Other minor technical amendments have been made by the City Attorney. Staff finds the recent amendments address the City’s Council comments from the Work Session.

III. FISCAL IMPACTS:

None.

IV. LEGAL ISSUES:

None.

VI. PLANNING AND ZONING COMMISSION, STAFF RECOMMENDATION:

The Planning and Zoning Commission (P&Z) will hold a public hearing of the proposed amendments at its June 14, 2023 meeting. Staff will forward the P&Z’s recommendation to the City Council for the City Council’s second reading. Staff recommends the City Council adopt the attached Ordinance No. 2, Series of 2023 on first reading and schedule second reading for a date certain.

VII. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Ordinance.
2. Adopt the Ordinance with amendments.
3. Table for further discussion and consideration.

VIII. PROPOSED MOTION:

“I move to adopt Ordinance No. 3, Series of 2023, an Ordinance Repealing and Reenacting Chapter 17.44 Of the Leadville Municipal Code Concerning the Regulations Governing the City’s National Historic Landmark Overlay District on first reading. I further move to schedule second reading of this Ordinance for City Council’s regular meeting on June 20, 2023.”

IX. ATTACHMENTS:

- Redline version of proposed amendments to Ch. 17.44
- Ordinance No. 3, Series 2023
- Planning Director’s memo to City Council for the January 24, 2023 Work Session

Chapter 17.44 NATIONAL HISTORIC LANDMARK DISTRICT OVERLAY (NHL) DISTRICT

17.44.010 Purpose.

This district was designated and created by the National Park Service of the U.S. Department of the Interior to encourage the conservation, historically appropriate and structurally sound renovation, and the creative and economically viable reuse of certain structures and areas contained within its boundaries. A map of the district is located with the planning official and in the Leadville comprehensive plan.

17.44.020 Purposes and definitions.

A. Purposes. Leadville's historic district was designated a National Historic Landmark (NHL) district by the National Park Service of the U.S. Department of the Interior in 1961. The NHL program was created to recognize the nation's most significant historic places. The Leadville district encompasses a large part of the city and is one of only a few Colorado communities to receive this prestigious designation. ~~A map of the NHL district is located in the Leadville comprehensive plan and with the planning official.~~ These special regulations for the NHL district and for other designated historic structures are intended to accomplish the following purposes:

1. To protect the unique character of Leadville;
2. To safeguard the city's historic and cultural heritage, as embodied and reflected in its designated National Historic Landmark district;
3. To foster and enhance civic pride in the attractiveness and accomplishments of the past development eras of the city;
4. To strengthen and enhance the economy of the city;
5. To protect and enhance the city's historical, cultural, architectural and related attractions for residents and visitors;
6. To stabilize and improve property values and commerce; and
7. To promote the uses of Leadville's NHL district, the designated structures therein and other designated historic structures in the city for the education, pleasure and welfare of residents and visitors.

B. Definitions. Unless otherwise required by context or use, the words and terms used in this chapter shall be defined as follows:

"Demolition, total" means any act or process which destroys, ~~in part or~~ in whole, ~~the a~~ historic integrity of a structure, ~~or otherwise alters the structure so that it no longer qualifies as a historic structure or historic landmark or a contributing property within the NHL district.~~

"Demolition, partial" means any act or process which destroys, in part, a historic structure.

"Design guidelines" means the guidelines promulgated by the historic preservation commission of Leadville and approved by city council outlining criteria for the review of applications for certificates of appropriateness for residential infill within the NHL district. The full title of the design guidelines is residential infill design guidelines and standards.

"Historic structure" means a site, structure, or object within the NHL district, or otherwise designated as a historic structure, under this chapter that is determined to be historically significant. Historically significant means the structure was: a) present during the period of significance and possesses sufficient integrity to convey its history, or b) independently meets the criteria for landmark designation. A contributing property may have experienced some degree of alteration from its original design, yet retains sufficient building fabric to still be considered contributing.

"HPC advisory committee" means the historic preservation commission advisory members and planning official.

"Modification, Insubstantial" means the following:

- a. the replacement of surface materials such as roofing or siding or an exterior architectural feature with materials and design substantially similar to the existing materials or design,
- b. the installation, removal or replacement of a fence, awning, or roofing material,
- c. the reuse of an existing window or door opening which has been covered or filled through installation of a replica of a historic door or glazing,
- d. the change in color scheme of a structure by the application of paint or whitewash, generally in conformance with historic paint palette, or
- e. those activities deemed to not detrimentally impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or the NHL district, or as deemed to be insubstantial upon petition to and determination by the HPC advisory committee.

2. "Modification, Substantial" means the following:

- a. an activity not defined or qualifying as an insubstantial activity, including, but not limited to: reconstruction, rehabilitation, remodeling, renovation, relocation, partial demolition, or total demolition,
- b. alterations, additions or other work performed on a building, structure or site that result in the increase or decrease of site coverage, floor area or exterior wall or roof surface,
- c. the installation, alteration or removal of a window or door opening,
- d. the replacement or repair of surface materials such as roofing or siding or an exterior architectural feature with materials or design not substantially similar to the existing materials or design,
- e. the cleaning of an exterior surface of a contributing or landmark building or structure by sandblasting, high-pressure spraying or other chemical or mechanical means,
- f. application of sealant, paint, stucco, texture or other material that would conceal, alter or damage the exterior of any contributing or landmark building with an existing unfinished or unpainted brick, masonry or other unfinished siding or structural element, or
- g. those activities deemed to potentially impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or designated historic district, or as deemed to be major upon petition to and determination by the HPC advisory committee and planning official.

"National Historic Landmark" means a building, site, structure, object or district that is officially recognized by the federal government for its outstanding degree of national historical or architectural significance.

"National Historic Landmark Overlay (NHL) district" means that portion of Leadville designated a National Historic Landmark, the boundaries of which are depicted in the Leadville Comprehensive Plan and labeled as the "Historic Conservation Overlay Boundary" and on file with the planning official.

"Preservation" means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

"Rehabilitation" means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

"Residential infill" means new residential development that is sited on vacant or undeveloped land within the existing properties in the established Leadville NHL district.

"Restoration" means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

17.44.030 Applicability.

A. These regulations shall apply to:

1. All new construction within the ~~retail core~~NHL district;
2. Any exterior alterations to any structure, existing at the date of adoption of the ordinance codified in this chapter within the ~~retail core~~NHL district;
3. Any exterior alterations to historic structures listed in the Leadville historic building inventory (available from the planning official), (on file and available from the planning official), as updated and amended from time to time.
4. Demolition of any historic structure in the NHL district of the city.

B. These regulations shall not apply to:

1. Any interior alteration, renovation, repair, reconstruction or rehabilitation of a historic structure, landmark, or for any other building or structure within the NHL district; or
2. Ordinary exterior maintenance and/or repair to any structure or building within the NHL district if such work involves and is carried out using materials and elements identical in appearance to the materials and elements being repaired or worked on, and such maintenance and/or repair does not substantially alter the appearance, composition or texture of the exterior appearance, feature or surface of the building or structure. Any additions to buildings or structures not listed in the Leadville Historic Building Inventory.

C. Nothing in this chapter shall prohibit the issuance of orders or correction notices, or the implementation of emergency enforcement actions, authorized by law for the purpose of correcting or abating conditions relative to any landmark, contributing or other building, structure or site determined to be dangerous to life, health or property in accordance with building and/or life and safety codes duly adopted by the city, and/or such other governing authority with jurisdiction, including, when deemed necessary, the demolition or partial

demolition of a building or structure. However, when the need for emergency action is not present, all work or activity normally subject to the provisions and procedures contained in this chapter shall be undertaken and performed in compliance therewith.

17.44.040 General restrictions.

- A. Unless otherwise provided in this chapter, any construction, exterior alteration, erection, relocation, demolition, restoration or improvement of any structure delineated in Section 17.44.030 **A** within the NHL district shall be prohibited unless the historic preservation commission shall first review and city council shall first approve such action by issuing a certificate of appropriateness (COA), except in such cases the ~~historic preservation commission~~ planning official deems the proposed exterior structural or cosmetic change to be insubstantial, as defined in subsection (A)(1) of this section 17.44.020 B. If any construction, exterior alteration, erection, relocation, demolition, restoration or improvement of any structure is deemed by the ~~historic preservation commission advisory committee, in consultation with the~~ planning official, to be an insubstantial modification, the planning official shall issue a COA administratively at no charge and without further review by HPC or city council, no further historic preservation commission review is required and no fee shall be charged or collected for a determination of insubstantial modification. Any potential applicant wishing to receive a determination of insubstantiality shall submit to the HPC advisory committee a completed certificate of appropriateness ~~pre-application~~ on a form provided by the ~~historic preservation commission~~ city, with supporting documentation including but not limited to photographs, drawings and any other appropriate material.

~~1. Insubstantial Modification. An insubstantial modification is defined as the following:~~

- ~~a. The replacement of surface materials such as roofing or siding or an exterior architectural feature with materials and design substantially similar to the existing materials or design.~~
- ~~b. The installation, removal or replacement of a fence, awning, or roofing material.~~
- ~~c. The reuse of an existing window or door opening which has been covered or filled through installation of a replica of a historic door or glazing.~~
- ~~d. The change in color scheme of a structure by the application of paint or whitewash, generally in conformance with historic paint palette.~~
- ~~e. Those activities deemed to not detrimentally impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or the NHL district, or as deemed to be insubstantial upon petition to and determination by the HPC advisory committee.~~

~~2. Substantial Modification. A substantial modification is defined as the following:~~

- ~~a. An activity not defined or qualifying as an insubstantial activity, including, but not limited to: reconstruction, rehabilitation, remodeling, renovation, relocation or demolition.~~
- ~~b. Alterations, additions or other work performed on a building, structure or site that result in the increase or decrease of site coverage, floor area or exterior wall or roof surface.~~
- ~~c. The installation, alteration or removal of a window or door opening.~~
- ~~d. The replacement or repair of surface materials such as roofing or siding or an exterior architectural feature with materials or design not substantially similar to the existing materials or design.~~
- ~~e. The cleaning of an exterior surface of a contributing or landmark building or structure by sandblasting, high-pressure spraying or other chemical or mechanical means.~~

~~f. Application of sealant, paint, stucco, texture or other material that would conceal, alter or damage the exterior of any contributing or landmark building with an existing unfinished or unpainted brick, masonry or other unfinished siding or structural element.~~

~~g. Those activities deemed to potentially impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or designated historic district, or as deemed to be major upon petition to and determination by the HPC advisory committee and planning official.~~

~~B. Nothing in this chapter shall be construed to prevent or inhibit the ordinary and routine maintenance and repair of structures in the NHL district.~~

~~C. No provision of this chapter shall in any way restrict the city from the normal enforcement of its repair, vacation or demolition of dangerous building regulations, as contained in city ordinances and the Uniform Code for the Abatement of Dangerous Buildings.~~

DB. Only buildings with brick, wood frame or clapboard exteriors that are non-reflective and are in keeping with Leadville's historic commercial architecture will be allowed on Harrison Avenue to the alleys east and west between Elm Street and 9th Street; 9th Street to the alleys north and south between Harrison and Poplar; and Poplar Street to the alleys east and west between 9th Street and 12th Street.

17.44.050 Procedures for historic structure designation and revocation.

A. Initial Designation of Historic Structures. Designated historic structures include:

1. All those listed in the Leadville historic building inventory, available from the planning official; and
2. All structures existing **at on June 20, 2000**, the date of adoption of **the Ordinance No. 8, Series 1999** codified in this chapter, which face onto Harrison Avenue from the two hundred (200) up to the nine hundred (900) blocks of Harrison Avenue.

B. Procedure for Designation of Additional Structures as Historic. The owner(s) of any structure located within the city may petition the city for designation of that structure as a historic structure by so requesting in writing to the planning official. The following materials shall be provided by the owner(s):

1. Proof of ownership of the structure and, if a representative, proof of authority to represent the owner(s);
2. A legal description of the property;
3. A color photograph of each side of the structure facing a public right-of-way;
4. A site plan showing the structure, its approximate size, bulk and location on the property;
5. A narrative statement, with any appropriate supporting information, describing the historic and architectural significance of the property.

Upon submittal of the appropriate material and the required application fee (see Section 17.96.020), petitions for the designation of a structure in the city as historic shall be processed in the same manner as conditional use permits (see Chapter 17.52).

The designation procedure described herein may be initiated by any owner of real property in the city, the commission, or city council.

C. Procedure for Revocation of Historic Structure Designation. The owner(s) of any historic structure may petition the city for revocation of the designation of that structure as historic by requesting such revocation in writing to the planning official with the following application information:

1. The application information specified in subsection B of this section;

-
2. A narrative statement, with any appropriate supporting information, describing why such revocation of a historic structure designation should be granted.

Upon submittal of the appropriate material and the required application fee (see Section 17.96.020), petitions for revocation of designation of a historic structure shall be processed in the same manner as conditional use permits (see Chapter 17.52).

The revocation procedure described herein may be initiated by any owner of real property in the city, the commission, or city council.

- D. Considerations in Designating, and Revoking Designations of, Historic Structures. In deciding whether to designate, revoke the designation of a historic structure, the historic preservation commission and city council shall base their decision on the following criteria:
 1. The goals objectives, policies and other provisions of the Leadville comprehensive plan, as amended;
 2. The character, interest and value of the structure as part of the development, heritage, history and culture of the city and the State of Colorado;
 3. The location of the structure and its site in relationship to historical events;
 4. The identification of the structure with a person or persons who significantly contributed to the development of Leadville and the surrounding area;
 5. The importance of the structure to the cultural, historical, social and economic heritage of Leadville;
 6. The extent to which the structure displays visual features either typical of or unique to a past historical period;
 7. The historic and economic relationship of the structure to surrounding structures and other features of importance within Leadville's NHL district.

17.44.060 Procedures for issuing a certificate of appropriateness (COA) except demolitions.

- A. Unless provided for in this chapter, any construction, exterior alteration, erection, relocation, restoration or improvement of any structure delineated in Section 17.44.030 or residential infill construction shall be prohibited unless: (a) the planning official or other city staff member, as appropriate, first considers the proposal to determine if the appropriate criteria have been met, and (b) the city council first approves such action by the issuance of a COA, where required.
 1. A COA ~~is not required in cases~~ may be approved administratively by the planning official where the proposed structural or cosmetic change is ~~approved administratively~~ determined to be as an insubstantial ~~project or activity~~ modification or where the city planning official determines, in accordance with Chapter 15.44 of this code, that the residential infill development ~~dev~~ complies with the design guidelines. See Section 17.44.040(A) regarding the procedures and criteria for historic preservation commission's determination of insubstantial changes. Such procedures and criteria, as well as consideration of the design guidelines, when applicable, shall also apply herein.
 2. The city shall issue an ~~automatic a~~ COA administratively and at no cost if the construction, exterior alteration, erection, relocation, restoration or improvement is certified by the Historic Preservation Officer of the State of Colorado.
 3. The city planning official or his or her designee shall be responsible for determining whether building permit applications for residential infill meet the criteria set forth in the design guidelines. The city administrator or his or her designee shall have the discretion to determine the necessity for review of a building permit application by the historic preservation commission and its recommendation on

whether to issue a COA for residential infill in the NHL district, necessary to properly interpret or apply the design guidelines.

- B. Applications for a COA shall be made on a form provided by the city, shall be accompanied by the required application fee (see Section 17.96.020) and shall include the following information:
1. The application information specified in Section 17.44.050(B)(1) through (3);
 2. Site Plan. A site plan or plans no smaller than eleven by seventeen inches drawn to a scale and with a level of detail acceptable to the historic preservation commission showing: (a) for existing structures all existing exterior architectural features of the structure and all proposed external improvements and changes to the existing exterior architectural features of the structure; and (b) for new structures in the NHL district all proposed exterior architectural features of the structure and its proposed dimensions and location within the site and its dimensional relationship to neighboring buildings. In the case of businesses, off-street parking and loading shall be considered (see Chapter 17.76);
 3. Additional Drawings. Other such architectural renderings, elevation plans and related information the historic preservation commission may deem necessary to reach an informed decision.
 4. Photographs. Photographs reasonably and accurately depicting the current status of the building, structure, site, or the relevant portion thereof that is the subject of the application. Applicants shall include photographs depicting all sides of a structure, particularly the front and any side affected by the proposed project. Applicants shall also include detailed photographs of the building features affected by the proposed project.
 5. Bids. If proposing to replace existing historic materials or features with replicas rather than repairing or restoring the features, firm bids must be provided for both restoration and replication.
 6. Materials. All materials and finishes and the manufacturer's product literature and material samples for the materials and finishes shall be provided. Product literature is required for replacement windows.
- C. Design Review Process. No building permit for work or activity requiring a COA shall be valid or issued by the city building official without the receipt by the official of the necessary COA as outlined in this section and chapter.
1. Pre-application Meeting.
 - a. An applicant shall meet with the historic preservation commission advisory members and planning official, who together constitute the "HPC advisory committee", to: (1) review and confirm the specific materials required to be submitted in conformance with subsection B; and (2) to make an initial determination of determine whether the proposed project is substantial or insubstantial in accordance with Section 17.44.040.
 - b. At such meeting, the applicant shall submit a written summary of the proposed activity in complete detail so that the HPC advisory committee may make an initial determination as to whether the project or activity is insubstantial or substantial, which initial determination is subject to the final determination of the planning official following submission of a complete application.
 2. Submittal of Ccomplete Application ~~for Substantial Projects~~.
 - a. The city shall not process any application until an A ~~applicant~~ ~~must~~ submits a complete application for a COA, including any required materials, as confirmed through the pre-application meeting with the HPC advisory committee, and payment of application fees as may be established by the city council.

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- b. Complete applications must include seven copies of all materials for ~~substantial~~ projects that were initially determined to be substantial during the pre-application meeting.
- c. The city planning official or designee will review the application for completeness and will contact the applicant within seven business days of receipt if there are omissions or questions concerning the application.
- d. Following receipt of a complete application, the planning official shall make a final determination of whether the application is for a substantial or insubstantial modification pursuant to section 17.44.040.
- e. The planning official shall administratively issue a COA for any insubstantial modification within seven (7) days of the date the application is deemed complete.
- f. If, following review of the application, the planning official determines a site visit would provide information necessary for the HPC to review and make an informed recommendation on the application to city council, the planning official or designee may, with consent of the applicant or property owner if applicant is not the property owner, conduct a site visit prior to forwarding the application to the HPC. With consent of the applicant or property owner, the HPC advisory members may attend the site visit. Any observations, information, photographs, and recommendations from the site visit shall be included in the planning official's written report to the HPC.
- a-g. Once the application is deemed complete, ~~the~~ the planning official will forward the application for any substantial modification to the HPC for review. The planning official or designee shall also provide a written report to the HPC which summarizes the application's compliance with the review standards contained in subsection D of this section and other applicable provisions of this chapter and the code. The technical and professional recommendations of other agencies, departments, and consultants shall be solicited in drafting the report as needed.
3. Review of Application for Substantial Projects. The HPC will schedule a formal review at a duly noticed public meeting of the HPC to be held within twenty (20) days of receipt of a complete application and report from the planning official, or such other time frame as agreed upon between the HPC and applicant. The planning official shall provide notice to the applicant of such review date and time at least ten (10) days prior to the review date.
4. HPC Decision. All HPC recommendations on COA applications shall be in writing and shall state the reasons for approval, conditional approval, or denial. The HPC will base its ~~decision recommendation~~ on the applicable guidelines. The HPC may continue the consideration of an application if necessary to obtain additional information from the applicant.
5. Council Review. HPC's recommendation will be forwarded to city council for a final determination at a public hearing. City council's decision must be in writing and shall state the reasons for approval, conditional approval, or denial. City council may condition approval on terms, limitations, or conditions deemed necessary to protect and preserve the structural, aesthetic or historic integrity of the building, structure or site to which it pertains. Building permits may be issued only after approval of a COA.
6. Actions Following Approval. By submitting an application the applicant certifies that the project will be completed as approved. The applicant should receive all HPC approvals before proceeding with final construction documents and must obtain COA before issuance of any required building permits. An approved application is an implied contract with the city and no deviations therefrom shall be allowed. If design changes are made after approval, the applicant must amend and resubmit the application for consideration and approval in accordance with the process set forth in this section.
- D. In deciding whether to issue a COA for a historic structure, national historic landmark, or contributing building or structure, the historic preservation commission and city council shall take into consideration the criteria contained in Section 17.44.050(D) and the following additional criteria:

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1. Reasonable efforts shall be made to provide for uses of a structure that require minimal alteration and redesign of the structure;
 2. The distinguishing original characteristics of a structure and its relationship to the environment shall not be destroyed and the removal or alteration of any historic material or architectural features shall be avoided when possible;
 3. Architectural changes that have taken place to a building since its construction often acquire significance in their own right and this significance shall be recognized and respected;
 4. Distinctive stylistic features or skilled craftsmanship that characterize or are in evidence on a structure shall be treated with sensitivity and preserved whenever possible;
 5. Deteriorated architectural features shall be repaired rather than replaced whenever possible and when replaced, the new material shall match the material being replaced in composition, color, texture and shape in so far as feasible;
 6. Cleaning and restoring exterior surfaces shall be undertaken with the least possible disruptive methods; sandblasting and similar techniques that damage historic exterior surfaces shall be discouraged;
 7. Additions and alterations to a structure shall be undertaken in a manner such that if the addition or alteration were removed in the future, the essential form and integrity of the original structure would be undamaged;
 8. All structures shall be recognized as products of their own time and place. Alterations or new structures with no historical basis and that seek to artificially create an earlier appearance shall be discouraged;
 9. Contemporary style structures, alterations and additions shall not be discouraged so long as they are compatible with the size, scale, texture and color of the existing structure and/or existing structures in the area;
 10. The unique historical and visual appearance of Leadville, as it exists at the present, shall be honored and protected in so far as possible.

E. In deciding whether to issue a COA for a non-historic, nonlandmark, or noncontributing building, structure or site within the NHL district, the HPC and city council shall consider the following minimum criteria:

1. Enhance District. Whether and/or to what extent the proposed work will enhance and advance the purposes and intent underlying the establishment of the NHL district.
2. Overall Character. New structures and additions to, or the exterior repair or alteration of, existing non-historic, nonlandmark, or noncontributing structures shall be compatible with the historic architectural character, scale, shapes, sizes, heights, façades and materials predominant in the district to the maximum extent feasible.
3. Specific Compatibility. New structures and additions to, or the exterior repair or alteration of, existing non-historic, nonlandmark, or noncontributing structures shall harmonize with neighboring historic, landmark and/or contributing structures or sites with regard to height, scale, shape, size, façade, materials, setback, landscaping and exterior architectural features to the maximum extent feasible.

17.44.070 Procedures for issuing a certificate of appropriateness (COA) for the demolition of historic structures.

- A. Unless otherwise provided for in this chapter, any demolition of a designated historic structure or the demolition of a portion of such structure shall be prohibited unless the historic preservation commission shall review and city council shall approve such action by the issuance of a COA.
- B. Applications for a COA shall be made on a form provided by the city, shall be accompanied by the required application fee (see Section 17.96.020) and shall include the following information:
1. The application information specified in Section 17.44.050(B)(1) through (3) and 17.44.060(B);
 2. A statement of the reasons such demolition is necessary, the visual and economic consequences of such demolition on the surrounding neighborhood, the consequences to the city and the Leadville NHL district, and the economic hardships that would result if such demolition did not occur;
 3. Evidence that the applicant has made a good faith effort to preserve the structure, such as efforts to sell the structure to a new owner who would save the structure from demolition.
 4. Any report or other official document issued by a fire department official or the building official declaring the structure proposed for demolition to be unsafe.
 5. For historic, landmark, or contributing structures that have not been declared unsafe by the fire marshal or building official, the applicant must submit a report prepared by an architect, appraiser, engineer, or other qualified person experienced in the rehabilitation, renovation, and/or restoration of historic structures addressing:
 - a. The structural soundness of the building or structure and its suitability for rehabilitation, renovation, restoration, or relocation;
 - b. The economic and structural/engineering feasibility of the rehabilitation, renovation or restoration of the structure at its current location; and
 - a-c. The economic and structural/engineering feasibility of relocating the structure.
- C. Application Review Process.
1. Pre-Application Meeting. Applicants for a COA for demolition shall meet with the ~~historic preservation commission~~ planning official or designee in an informal pre-application ~~study session~~ meeting to discuss the proposed demolition and the possible alternatives to demolition.
 2. Submission of Complete Application.
 - a. The city shall not process any application until an applicant submits a complete application for a COA, including any required materials, as confirmed through the pre-application meeting with the planning official and payment of application fees as may be established by the city council.
 - b. Complete applications must include seven copies of all materials.
 - c. The city planning official will review the application for completeness and will contact the applicant within seven (7) business days of receipt if there are omissions or questions concerning the application.
 - d. If, following review of the application, the planning official determines a site visit would provide information necessary for the HPC to review and make an informed recommendation on the application to city council, the planning official or designee may, with consent of the applicant or property owner if applicant is not the property owner, conduct a site visit prior to forwarding the application to the HPC. With consent of the applicant or property owner, the HPC advisory members

may attend the site visit. Any observations, information, photographs, and recommendations from the site visit shall be included in the planning official's written report to the HPC.

e. Following receipt of a complete application, the planning official will forward the application to the HPC for consideration at a public hearing. The planning official or designee shall also provide a written report to the HPC which summarizes the application's compliance with the review standards contained in subsection F of this section and other applicable provisions of this chapter. The technical and professional recommendations of other agencies, departments, and consultants shall be solicited in drafting the report as needed.

D. HPC Hearing. Applications for a COA shall ~~be~~ considered by the HPC at a public hearing that is noticed in accordance with the hearing notice requirements for processed in the same manner as applications for a conditional use permit (see Chapter 17.52). HPC recommendations to city council on COA applications following the public hearing shall be in writing and shall state the reasons for HPC's recommendation. The HPC will base its decision on the applicable guidelines, including the application approval criteria set forth in this section. The HPC may continue the hearing on an application to a time and date certain if necessary to obtain additional information from the applicant.

E. City Council Hearing. HPC's recommendation will be forwarded to city council for a final determination at a public hearing that is noticed in accordance with the hearing notice requirements for a conditional use permit set forth in chapter 17.52. City council's decision must be in writing and shall state the reasons for approval, conditional approval, or denial. City council may condition approval on terms, limitations, or conditions deemed necessary to protect and preserve the structural, aesthetic or historic integrity of the building, structure or site to which it pertains. Building permits or other permits necessary to complete the proposed work may be issued only after approval of a COA.

FE. No demolition of **a historic structure** may occur except as provided in this subsection FE. Applicants requesting a COA for demolition must provide evidence to clearly demonstrate that the request meets all of the following criteria:

Review Criteria for Total Demolition:

1. The structure proposed for demolition is not structurally sound; and
2. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property; and
3. The structure cannot be practically moved to another site in the City of Leadville; and
4. The applicant demonstrates that the proposal mitigates to the greatest extent practical the following:
 - a. Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur.
 - b. Any impact on the historic importance of the remaining structure(s) located on the property and adjacent properties.
 - c. Any impact to the architectural integrity of the remaining structure(s) located on the property and adjacent properties.
5. In the case of archeological sites, whether archaeological information can be recovered as part of the demolition process.

Review Criteria for Partial Demolition:

1. The partial demolition is required for the preservation, restoration or rehabilitation of the building, structure or object;

2. The applicant has mitigated, to the greatest extent possible:

a. Impacts on the historic importance of the buildings, structures or objects located on the property, and

b. Impacts on the architectural integrity of the buildings, structures or objects located on the property.

- F. In acting upon an application for a COA for the demolition of a designated historical structure, the historic preservation commission shall recommend and city council act to either:
1. Issue the requested certificate with or without reasonable conditions; or
 2. Deny the issuance of a certificate ~~and postpone the proposed demolition for a period not to exceed six months from the date of city council decision in order to allow for negotiations with the owner(s) of the structure for the purchase, lease or other action necessary to prevent the demolition of the structure.~~
- G. In the event city council acts to deny an initial application for a COA to demolish a designated historic structure, the city shall notify the applicant in writing by certified mail within ten (10) days of taking its action, stating the reasons why such application was denied. The notification shall also inform the applicant of the applicant's right to reapply for a COA to demolish the structure so long as such reapplication is made no less than six months from the date of the original application to demolish the structure. Reapplications shall be subject to the procedures and approval criteria in effect at the time of the reapplication.
- ~~H. Upon making reapplication for a COA to demolish a designated historic structure after the six-month period specified in subsection F of this section, the applicant shall be issued such COA by the building official within ten (10) days of application.~~

17.44.080 Special variance provisions.

- A. When deemed necessary for the conservation or restoration of a designated historic structure or a structure in the NHL district, the owner(s) or authorized agent of such structure may apply for a variance from any provision of this title, including but not limited to use variances, so long as the board of adjustment determines, in addition to the criteria contained in Section 17.88.020(C), that:
1. Such variance is necessary and in the public interest;
 2. Such variance would not prove harmful to the public health, safety, welfare and convenience of neighboring residents.
- B. Such special variance applications shall be processed in the normal manner for variance applications, as otherwise specified in Chapter 17.88.

17.44.090 Relationship of the NHL district to underlying districts.

Except as specified in this chapter, all of the regulations within the NHL district shall be as specified for the underlying district(s) and the procedures for district rezonings shall be as for all underlying zoning districts.

17.44.100 Standards for construction within the NHL district.

- A. All work performed in completion of an approved COA shall be in conformance with the most recent edition of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for

Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, published by the U.S. Department of the Interior, National Park Service, Cultural Resource Stewardship and Partnerships, Heritage Preservation Services, Washington, D.C., which is adopted herein by reference and referred to in this chapter as "Secretary of Interior Standards" and a copy of which is available for review in the Administrative Services Department, City of Leadville, 800 Harrison Avenue, Leadville.

- B. Subject to final approval by the city council, the HPC may devise, adopt, publish and implement design guidelines to supplement the criteria set forth in this chapter for the review, evaluation and approval of COAs, provided however, that in the event of conflict between HPC adopted design guidelines and the Secretary of Interior Standards, the Secretary of Interior Standards shall govern and take priority over HPC adopted design guidelines.
- C. The HPC has adopted, and city council has approved, the design guidelines for residential infill within the Leadville NHL District. The design guidelines set forth criteria for what shall and what should be considered with designing and approving residential infill plans within the NHL district. A copy of the design guidelines is on file with the city clerk. The design guidelines as adopted by the city's historic preservation commission are hereby adopted by reference as the City of Leadville Residential Infill Design Guidelines and Standards as if fully set out in this section.

17.44.110 Violations and penalties.

- A. Violation of the provisions of this chapter shall be punishable as set forth in Section 17.100.020 of this code. Additionally, each separate violation and each day any violation continues shall constitute a separate offense and be subject to the penalties specified in this section.
- B. Any development, activity, facility or structure which is continued, operated or maintained in violation of the provisions of this chapter, or the terms and conditions of a COA or any other permit, shall be subject to injunction, abatement and/or other appropriate legal remedy as may be sought and obtained by the city, in which event the city will be entitled to recover its reasonable costs and attorney fees from the offending party or parties.
- C. All penalties and remedies for violations of the provisions of this chapter shall be nonexclusive and cumulative, and the city's exercise of one remedy or penalty shall not foreclose or prohibit the exercise of alternative or other remedies.

**CITY OF LEADVILLE, COLORADO
ORDINANCE NO. 3
SERIES OF 2023**

**AN ORDINANCE REPEALING AND REENACTING CHAPTER 17.44 OF THE
LEADVILLE MUNICIPAL CODE CONCERNING THE REGULATIONS GOVERNING
THE CITY'S NATIONAL HISTORIC LANDMARK OVERLAY DISTRICT**

WHEREAS, the City of Leadville ("City") previously adopted regulations governing the City's National Historic Landmark Overlay District ("NHL District"), codified in Chapter 17.44 of the Leadville Municipal Code ("Code"); and

WHEREAS, the Historic Preservation Commission and the Planning and Zoning Commission have identified comprehensive revisions to Chapter 17.44 of the Code to protect the City's unique character and safeguard the City's historic and cultural heritage as reflected within the NHL District; and

WHEREAS, the City Council has reviewed the recommendations of the Historic Preservation Commission and Planning and Zoning Commission and finds that the revisions set forth in this Ordinance are consistent with the purpose and intent of Chapter 17.44 and the NHL District; and

WHEREAS, the City Council therefore finds that it is in the best interests of the public health, safety and welfare to adopt this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF LEADVILLE, COLORADO:

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

Section 2. Chapter 17.44 of the Leadville Municipal Code, titled National Historic Landmark District Overlay (NHL) District, is repealed in its entirety and reenacted in full to read as follows:

Chapter 17.44 NATIONAL HISTORIC LANDMARK DISTRICT OVERLAY (NHL) DISTRICT

17.44.010 Purpose.

This district was designated and created by the National Park Service of the U.S. Department of the Interior to encourage the conservation, historically appropriate and structurally sound renovation, and the creative and economically viable reuse of certain structures and areas contained within its boundaries. A map of the district is located with the planning official and in the Leadville comprehensive plan.

17.44.020 Purposes and definitions.

- A. Purposes. Leadville's historic district was designated a National Historic Landmark (NHL) district by the National Park Service of the U.S. Department of the Interior in 1961. The NHL program was created to recognize the nation's most significant historic places. The Leadville district encompasses a large part of the city and is one of only a few Colorado communities to receive this prestigious

designation. These special regulations for the NHL district and for other designated historic structures are intended to accomplish the following purposes:

1. To protect the unique character of Leadville;
2. To safeguard the city's historic and cultural heritage, as embodied and reflected in its designated National Historic Landmark district;
3. To foster and enhance civic pride in the attractiveness and accomplishments of the past development eras of the city;
4. To strengthen and enhance the economy of the city;
5. To protect and enhance the city's historical, cultural, architectural and related attractions for residents and visitors;
6. To stabilize and improve property values and commerce; and
7. To promote the uses of Leadville's NHL district, the designated structures therein and other designated historic structures in the city for the education, pleasure and welfare of residents and visitors.

B. Definitions. Unless otherwise required by context or use, the words and terms used in this chapter shall be defined as follows:

"Demolition, total" means any act or process which destroys, in whole, a historic structure.

"Demolition, partial" means any act or process which destroys, in part, a historic structure.

"Design guidelines" means the guidelines promulgated by the historic preservation commission of Leadville and approved by city council outlining criteria for the review of applications for certificates of appropriateness for residential infill within the NHL district. The full title of the design guidelines is residential infill design guidelines and standards.

"Historic structure" means a site, structure, or object within the NHL district, or otherwise designated as a historic structure, under this chapter that is determined to be historically significant. Historically significant means the structure was: a) present during the period of significance and possesses sufficient integrity to convey its history, or b) independently meets the criteria for landmark designation. A contributing property may have experienced some degree of alteration from its original design, yet retains sufficient building fabric to still be considered contributing.

"HPC advisory committee" means the historic preservation commission advisory members and planning official.

"Modification, Insubstantial" means the following:

- a. the replacement of surface materials such as roofing or siding or an exterior architectural feature with materials and design substantially similar to the existing materials or design,
- b. the installation, removal or replacement of a fence, awning, or roofing material,
- c. the reuse of an existing window or door opening which has been covered or filled through installation of a replica of a historic door or glazing,
- d. the change in color scheme of a structure by the application of paint or whitewash, generally in conformance with historic paint palette, or
- e. those activities deemed to not detrimentally impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or the NHL district,

or as deemed to be insubstantial upon petition to and determination by the HPC advisory committee.

2. "Modification, Substantial" means the following:
 - a. an activity not defined or qualifying as an insubstantial activity, including, but not limited to: reconstruction, rehabilitation, remodeling, renovation, relocation, partial demolition, or total demolition,
 - b. alterations, additions or other work performed on a building, structure or site that result in the increase or decrease of site coverage, floor area or exterior wall or roof surface,
 - c. the installation, alteration or removal of a window or door opening,
 - d. the replacement or repair of surface materials such as roofing or siding or an exterior architectural feature with materials or design not substantially similar to the existing materials or design,
 - e. the cleaning of an exterior surface of a contributing or landmark building or structure by sandblasting, high-pressure spraying or other chemical or mechanical means,
 - f. application of sealant, paint, stucco, texture or other material that would conceal, alter or damage the exterior of any contributing or landmark building with an existing unfinished or unpainted brick, masonry or other unfinished siding or structural element, or
 - g. those activities deemed to potentially impact or influence in any substantial way the historic integrity or appearance of a landmark building, structure, site or designated historic district, or as deemed to be major upon petition to and determination by the HPC advisory committee and planning official.

"National Historic Landmark" means a building, site, structure, object or district that is officially recognized by the federal government for its outstanding degree of national historical or architectural significance.

"National Historic Landmark Overlay (NHL) district" means that portion of Leadville designated a National Historic Landmark, the boundaries of which are depicted in the Leadville Comprehensive Plan and labeled as the "Historic Conservation Overlay Boundary" and on file with the planning official.

"Preservation" means the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.

"Rehabilitation" means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

"Residential infill" means new residential development that is sited on vacant or undeveloped land within the existing properties in the established Leadville NHL district.

"Restoration" means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

17.44.030 Applicability.

- A. These regulations shall apply to:
1. All new construction within the NHL district;
 2. Any exterior alterations to any structure, existing at the date of adoption of the ordinance codified in this chapter within the NHL district;
 3. Any exterior alterations to historic structures listed in the Leadville historic building inventory (available from the planning official), (on file and available from the planning official), as updated and amended from time to time.
 4. Demolition of any historic structure in the NHL district of the city.
- B. These regulations shall not apply to:
1. Any interior alteration, renovation, repair, reconstruction or rehabilitation of a historic structure, landmark, or for any other building or structure within the NHL district; or
 2. Ordinary exterior maintenance and/or repair to any structure or building within the NHL district if such work involves and is carried out using materials and elements identical in appearance to the materials and elements being repaired or worked on, and such maintenance and/or repair does not substantially alter the appearance, composition or texture of the exterior appearance, feature or surface of the building or structure.
- C. Nothing in this chapter shall prohibit the issuance of orders or correction notices, or the implementation of emergency enforcement actions, authorized by law for the purpose of correcting or abating conditions relative to any landmark, contributing or other building, structure or site determined to be dangerous to life, health or property in accordance with building and/or life and safety codes duly adopted by the city, and/or such other governing authority with jurisdiction, including, when deemed necessary, the demolition or partial demolition of a building or structure. However, when the need for emergency action is not present, all work or activity normally subject to the provisions and procedures contained in this chapter shall be undertaken and performed in compliance therewith.

17.44.040 General restrictions.

- A. Unless otherwise provided for in this chapter, any construction, exterior alteration, erection, relocation, demolition, restoration or improvement of any structure delineated in Section 17.44.030 **A** within the NHL district shall be prohibited unless the historic preservation commission shall first review and city council shall first approve such action by issuing a certificate of appropriateness (COA), except in such cases the planning official deems the proposed exterior structural or cosmetic change to be insubstantial, as defined in section 17.44.020 B. If any construction, exterior alteration, erection, relocation, demolition, restoration or improvement of any structure is deemed by the planning official to be an insubstantial modification, the planning official shall issue a COA administratively without further review by HPC or city council. Any potential applicant wishing to receive a determination of insubstantiality shall submit to the HPC advisory committee a completed certificate of appropriateness application on a form provided by the city, with supporting documentation including but not limited to photographs, drawings and any other appropriate material.
- B. Only buildings with brick, wood frame or clapboard exteriors that are non-reflective and are in keeping with Leadville's historic commercial architecture will be allowed on Harrison Avenue to the alleys

east and west between Elm Street and 9th Street; 9th Street to the alleys north and south between Harrison and Poplar; and Poplar Street to the alleys east and west between 9th Street and 12th Street.

17.44.050 Procedures for historic structure designation and revocation.

- A. Initial Designation of Historic Structures. Designated historic structures include:
1. All those listed in the Leadville historic building inventory, available from the planning official; and
 2. All structures existing on June 20, 2000, the date of adoption of Ordinance No. 8, Series 1999 codified in this chapter, which face onto Harrison Avenue from the two hundred (200) up to the nine hundred (900) blocks of Harrison Avenue.
- B. Procedure for Designation of Additional Structures as Historic. The owner(s) of any structure located within the city may petition the city for designation of that structure as a historic structure by so requesting in writing to the planning official. The following materials shall be provided by the owner(s):
1. Proof of ownership of the structure and, if a representative, proof of authority to represent the owner(s);
 2. A legal description of the property;
 3. A color photograph of each side of the structure facing a public right-of-way;
 4. A site plan showing the structure, its approximate size, bulk and location on the property;
 5. A narrative statement, with any appropriate supporting information, describing the historic and architectural significance of the property.

Upon submittal of the appropriate material and the required application fee (see Section 17.96.020), petitions for the designation of a structure in the city as historic shall be processed in the same manner as conditional use permits (see Chapter 17.52).

The designation procedure described herein may be initiated by any owner of real property in the city, the commission, or city council.

- C. Procedure for Revocation of Historic Structure Designation. The owner(s) of any historic structure may petition the city for revocation of the designation of that structure as historic by requesting such revocation in writing to the planning official with the following application information:
1. The application information specified in subsection B of this section;
 2. A narrative statement, with any appropriate supporting information, describing why such revocation of a historic structure designation should be granted.

Upon submittal of the appropriate material and the required application fee (see Section 17.96.020), petitions for revocation of designation of a historic structure shall be processed in the same manner as conditional use permits (see Chapter 17.52).

The revocation procedure described herein may be initiated by any owner of real property in the city, the commission, or city council.

- D. Considerations in Designating, and Revoking Designations of, Historic Structures. In deciding whether to designate, revoke the designation of a historic structure, the historic preservation commission and city council shall base their decision on the following criteria:
1. The goals objectives, policies and other provisions of the Leadville comprehensive plan, as amended;

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2. The character, interest and value of the structure as part of the development, heritage, history and culture of the city and the State of Colorado;
 3. The location of the structure and its site in relationship to historical events;
 4. The identification of the structure with a person or persons who significantly contributed to the development of Leadville and the surrounding area;
 5. The importance of the structure to the cultural, historical, social and economic heritage of Leadville;
 6. The extent to which the structure displays visual features either typical of or unique to a past historical period;
 7. The historic and economic relationship of the structure to surrounding structures and other features of importance within Leadville's NHL district.

17.44.060 Procedures for issuing a certificate of appropriateness (COA) except demolitions.

- A. Unless provided for in this chapter, any construction, exterior alteration, erection, relocation, restoration or improvement of any structure delineated in Section 17.44.030 or residential infill construction shall be prohibited unless: (a) the planning official or other city staff member, as appropriate, first considers the proposal to determine if the appropriate criteria have been met, and (b) the city council first approves such action by the issuance of a COA, where required.
1. A COA may be approved administratively by the planning official where the proposed structural or cosmetic change is determined to be an insubstantial modification or where the city planning official determines, in accordance with Chapter 15.44 of this code, that the residential infill development complies with the design guidelines. See Section 17.44.040(A) regarding the procedures and criteria for historic preservation commission's determination of insubstantial changes. Such procedures and criteria, as well as consideration of the design guidelines, when applicable, shall also apply herein.
 2. The city shall issue an a COA administratively and at no cost if the construction, exterior alteration, erection, relocation, restoration or improvement is certified by the Historic Preservation Officer of the State of Colorado.
 3. The city planning official or his or her designee shall be responsible for determining whether building permit applications for residential infill meet the criteria set forth in the design guidelines. The city administrator or his or her designee shall have the discretion to determine the necessity for review of a building permit application by the historic preservation commission and its recommendation on whether to issue a COA for residential infill in the NHL district necessary to properly interpret or apply the design guidelines.
- B. Applications for a COA shall be made on a form provided by the city, shall be accompanied by the required application fee (see Section 17.96.020) and shall include the following information:
1. The application information specified in Section 17.44.050(B)(1) through (3);
 2. Site Plan. A site plan or plans no smaller than eleven by seventeen inches drawn to a scale and with a level of detail acceptable to the historic preservation commission showing: (a) for existing structures all existing exterior architectural features of the structure and all proposed external improvements and changes to the existing exterior architectural features of the structure; and (b) for new structures in the NHL district all proposed exterior architectural features of the structure and its proposed dimensions and location within the site and its dimensional relationship to neighboring buildings. In the case of businesses, off-street parking and loading shall be considered (see Chapter 17.76);
 3. Additional Drawings. Other such architectural renderings, elevation plans and related information the historic preservation commission may deem necessary to reach an informed decision.
 4. Photographs. Photographs reasonably and accurately depicting the current status of the building, structure, site, or the relevant portion thereof that is the subject of the application. Applicants shall include photographs depicting all sides of a structure, particularly the front and any side affected by the proposed project. Applicants shall also include detailed photographs of the building features affected by the proposed project.
 5. Bids. If proposing to replace existing historic materials or features with replicas rather than repairing or restoring the features, firm bids must be provided for both restoration and replication.

6. Materials. All materials and finishes and the manufacturer's product literature and material samples for the materials and finishes shall be provided. Product literature is required for replacement windows.
- C. Design Review Process. No building permit for work or activity requiring a COA shall be valid or issued by the city building official without the receipt by the official of the necessary COA as outlined in this section and chapter.
1. Pre-application Meeting.
 - a. An applicant shall meet with the HPC advisory committee to: (1) review and confirm the specific materials required to be submitted in conformance with subsection B; and (2) to make an initial determination of whether the proposed project is substantial or insubstantial in accordance with Section 17.44.040.
 - b. At such meeting, the applicant shall submit a written summary of the proposed activity in complete detail so that the HPC advisory committee may make an initial determination as to whether the project or activity is insubstantial or substantial, which initial determination is subject to the final determination of the planning official following submission of a complete application.
 2. Submittal of Complete Application.
 - a. The city shall not process any application until an applicant submits a complete application for a COA, including any required materials as confirmed through the pre-application meeting with the HPC advisory committee and payment of application fees as may be established by the city council.
 - b. Complete applications must include seven copies of all materials for projects that were initially determined to be substantial during the pre-application meeting.
 - c. The city planning official or designee will review the application for completeness and will contact the applicant within seven business days of receipt if there are omissions or questions concerning the application.
 - d. Following receipt of a complete application, the planning official shall make a final determination of whether the application is for a substantial or insubstantial modification pursuant to section 17.44.040.
 - e. The planning official shall administratively issue a COA for any insubstantial modification within seven (7) days of the date the application is deemed complete.
 - f. If, following review of the application, the planning official determines a site visit would provide information necessary for the HPC to review and make an informed recommendation on the application to city council, the planning official or designee may, with consent of the applicant or property owner if applicant is not the property owner, conduct a site visit prior to forwarding the application to the HPC. With consent of the applicant or property owner, the HPC advisory members may attend the site visit. Any observations, information, photographs, and recommendations from the site visit shall be included in the planning official's written report to the HPC.
 - g. The planning official will forward the application for any substantial modification to the HPC for review. The planning official or designee shall also provide a written report to the HPC which summarizes the application's compliance with the review standards contained in

subsection D of this section and other applicable provisions of this chapter and the code. The technical and professional recommendations of other agencies, departments, and consultants shall be solicited in drafting the report as needed.

3. Review of Application for Substantial Projects. The HPC will schedule a formal review at a duly noticed public meeting of the HPC to be held within twenty (20) days of receipt of a complete application and report from the planning official, or such other time frame as agreed upon between the HPC and applicant. The planning official shall provide notice to the applicant of such review date and time at least ten (10) days prior to the review date.
 4. HPC Decision. All HPC recommendations on COA applications shall be in writing and shall state the reasons for approval, conditional approval, or denial. The HPC will base its recommendation on the applicable guidelines. The HPC may continue the consideration of an application if necessary to obtain additional information from the applicant.
 5. Council Review. HPC's recommendation will be forwarded to city council for a final determination at a public hearing. City council's decision must be in writing and shall state the reasons for approval, conditional approval, or denial. City council may condition approval on terms, limitations, or conditions deemed necessary to protect and preserve the structural, aesthetic or historic integrity of the building, structure or site to which it pertains. Building permits may be issued only after approval of a COA.
 6. Actions Following Approval. By submitting an application the applicant certifies that the project will be completed as approved. The applicant should receive all HPC approvals before proceeding with final construction documents and must obtain COA before issuance of any required building permits. An approved application is an implied contract with the city and no deviations therefrom shall be allowed. If design changes are made after approval, the applicant must amend and resubmit the application for consideration and approval in accordance with the process set forth in this section.
- D. In deciding whether to issue a COA for a historic structure, national historic landmark, or contributing building or structure, the historic preservation commission and city council shall take into consideration the criteria contained in Section 17.44.050(D) and the following additional criteria:
1. Reasonable efforts shall be made to provide for uses of a structure that require minimal alteration and redesign of the structure;
 2. The distinguishing original characteristics of a structure and its relationship to the environment shall not be destroyed and the removal or alteration of any historic material or architectural features shall be avoided when possible;
 3. Architectural changes that have taken place to a building since its construction often acquire significance in their own right and this significance shall be recognized and respected;
 4. Distinctive stylistic features or skilled craftsmanship that characterize or are in evidence on a structure shall be treated with sensitivity and preserved whenever possible;
 5. Deteriorated architectural features shall be repaired rather than replaced whenever possible and when replaced, the new material shall match the material being replaced in composition, color, texture and shape in so far as feasible;
 6. Cleaning and restoring exterior surfaces shall be undertaken with the least possible disruptive methods; sandblasting and similar techniques that damage historic exterior surfaces shall be discouraged;

7. Additions and alterations to a structure shall be undertaken in a manner such that if the addition or alteration were removed in the future, the essential form and integrity of the original structure would be undamaged;
 8. All structures shall be recognized as products of their own time and place. Alterations or new structures with no historical basis and that seek to artificially create an earlier appearance shall be discouraged;
 9. Contemporary style structures, alterations and additions shall not be discouraged so long as they are compatible with the size, scale, texture and color of the existing structure and/or existing structures in the area;
 10. The unique historical and visual appearance of Leadville, as it exists at the present, shall be honored and protected in so far as possible.
- E. In deciding whether to issue a COA for a non-historic, non-landmark, or noncontributing building, structure or site within the NHL district, the HPC and city council shall consider the following minimum criteria:
1. **Enhance District.** Whether and/or to what extent the proposed work will enhance and advance the purposes and intent underlying the establishment of the NHL district.
 2. **Overall Character.** New structures and additions to, or the exterior repair or alteration of, existing non-historic, non-landmark, or noncontributing structures shall be compatible with the historic architectural character, scale, shapes, sizes, heights, façades and materials predominant in the district to the maximum extent feasible.
 3. **Specific Compatibility.** New structures and additions to, or the exterior repair or alteration of, existing non-historic, non-landmark, or noncontributing structures shall harmonize with neighboring historic, landmark and/or contributing structures or sites with regard to height, scale, shape, size, façade, materials, setback, landscaping and exterior architectural features to the maximum extent feasible.

17.44.070 Procedures for issuing a certificate of appropriateness (COA) for the demolition of historic structures.

- A. Unless otherwise provided for in this chapter, any demolition of a designated historic structure or the demolition of a portion of such structure shall be prohibited unless the historic preservation commission shall review and city council shall approve such action by the issuance of a COA.
- B. Applications for a COA shall be made on a form provided by the city, shall be accompanied by the required application fee (see Section 17.96.020) and shall include the following information:
 1. The application information specified in Section 17.44.050(B)(1) through (3) and 17.44.060(B);
 2. A statement of the reasons such demolition is necessary, the visual and economic consequences of such demolition on the surrounding neighborhood, the consequences to the city and the Leadville NHL district, and the economic hardships that would result if such demolition did not occur;
 3. Evidence that the applicant has made a good faith effort to preserve the structure;
 4. Any report or other official document issued by a fire department official or the building official declaring the structure proposed for demolition to be unsafe.

5. For historic, landmark, or contributing structures that have not been declared unsafe by the fire marshal or building official, the applicant must submit a report prepared by an architect, appraiser, engineer, or other qualified person experienced in the rehabilitation, renovation, and/or restoration of historic structures addressing:
 - a. The structural soundness of the building or structure and its suitability for rehabilitation, renovation, restoration, or relocation;
 - b. The economic and structural/engineering feasibility of the rehabilitation, renovation or restoration of the structure at its current location; and
 - c. The economic and structural/engineering feasibility of relocating the structure.
- C. Application Review Process.
1. Pre-Application Meeting. Applicants for a COA for demolition shall meet with the planning official or designee in an informal pre-application meeting to discuss the proposed demolition and the possible alternatives to demolition.
 2. Submission of Complete Application.
 - a. The city shall not process any application until an applicant submits a complete application for a COA, including any required materials, as confirmed through the pre-application meeting with the planning official and payment of application fees as may be established by the city council.
 - b. Complete applications must include seven copies of all materials.
 - c. The city planning official will review the application for completeness and will contact the applicant within seven (7) business days of receipt if there are omissions or questions concerning the application.
 - d. If, following review of the application, the planning official determines a site visit would provide information necessary for the HPC to review and make an informed recommendation on the application to city council, the planning official or designee may, with consent of the applicant or property owner if applicant is not the property owner, conduct a site visit prior to forwarding the application to the HPC. With consent of the applicant or property owner, the HPC advisory members may attend the site visit. Any observations, information, photographs, and recommendations from the site visit shall be included in the planning official's written report to the HPC.
 - e. Following receipt of a complete application, the planning official will forward the application to the HPC for consideration at a public hearing. The planning official or designee shall also provide a written report to the HPC which summarizes the application's compliance with the review standards contained in subsection F of this section and other applicable provisions of this chapter. The technical and professional recommendations of other agencies, departments, and consultants shall be solicited in drafting the report as needed.
- D. HPC Hearing. Applications for a COA shall be considered by the HPC at a public hearing that is noticed in accordance with the hearing notice requirements for a conditional use permit (see Chapter 17.52). HPC recommendations to city council on COA applications following the public hearing shall be in writing and shall state the reasons for HPC's recommendation. The HPC will base its decision on the applicable guidelines, including the application approval criteria set forth in this section. The

HPC may continue the hearing on an application to a time and date certain if necessary to obtain additional information from the applicant.

- E. City Council Hearing. HPC's recommendation will be forwarded to city council for a final determination at a public hearing that is noticed in accordance with the hearing notice requirements for a conditional use permit set forth in chapter 17.52. City council's decision must be in writing and shall state the reasons for approval, conditional approval, or denial. City council may condition approval on terms, limitations, or conditions deemed necessary to protect and preserve the structural, aesthetic or historic integrity of the building, structure or site to which it pertains. Building permits or other permits necessary to complete the proposed work may be issued only after approval of a COA.
- F. No demolition of a historic structure may occur except as provided in this subsection F. Applicants requesting a COA for demolition must provide evidence to clearly demonstrate that the request meets all of the following criteria:
 - a. Review Criteria for Total Demolition:
 - 1. The structure proposed for demolition is not structurally sound; and
 - 2. The structure cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property; and
 - 3. The structure cannot be practically moved to another site in the City of Leadville; and
 - 4. The applicant demonstrates that the proposal mitigates to the greatest extent practical the following:
 - a. Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur.
 - b. Any impact on the historic importance of the remaining structure(s) located on the property and adjacent properties.
 - c. Any impact to the architectural integrity of the remaining structure(s) located on the property and adjacent properties.
 - 5. In the case of archeological sites, whether archaeological information can be recovered as part of the demolition process.
 - b. Review Criteria for Partial Demolition:
 - 1. The partial demolition is required for the preservation, restoration or rehabilitation of the building, structure or object;
 - 2. The applicant has mitigated, to the greatest extent possible:
 - a. Impacts on the historic importance of the buildings, structures or objects located on the property, and
 - b. Impacts on the architectural integrity of the buildings, structures or objects located on the property.
- G. In acting upon an application for a COA for the demolition of a designated historical structure, the historic preservation commission shall recommend and city council act to either:
 - 1. Issue the requested certificate with or without reasonable conditions; or
 - 2. Deny the issuance of a certificate.

- H. In the event city council acts to deny an initial application for a COA to demolish a designated historic structure, the city shall notify the applicant in writing by certified mail within ten (10) days of taking its action, stating the reasons why such application was denied. The notification shall also inform the applicant of the applicant's right to reapply for a COA to demolish the structure so long as such reapplication is made no less than six months from the date of the original application to demolish the structure. Reapplications shall be subject to the procedures and approval criteria in effect at the time of the reapplication.

17.44.080 Special variance provisions.

- A. When deemed necessary for the conservation or restoration of a designated historic structure or a structure in the NHL district, the owner(s) or authorized agent of such structure may apply for a variance from any provision of this title, including but not limited to use variances, so long as the board of adjustment determines, in addition to the criteria contained in Section 17.88.020(C), that:
1. Such variance is necessary and in the public interest;
 2. Such variance would not prove harmful to the public health, safety, welfare and convenience of neighboring residents.
- B. Such special variance applications shall be processed in the normal manner for variance applications, as otherwise specified in Chapter 17.88.

17.44.090 Relationship of the NHL district to underlying districts.

Except as specified in this chapter, all of the regulations within the NHL district shall be as specified for the underlying district(s) and the procedures for district rezonings shall be as for all underlying zoning districts.

17.44.100 Standards for construction within the NHL district.

- A. All work performed in completion of an approved COA shall be in conformance with the most recent edition of the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, published by the U.S. Department of the Interior, National Park Service, Cultural Resource Stewardship and Partnerships, Heritage Preservation Services, Washington, D.C., which is adopted herein by reference and referred to in this chapter as "Secretary of Interior Standards" and a copy of which is available for review in the Administrative Services Department, City of Leadville, 800 Harrison Avenue, Leadville.
- B. Subject to final approval by the city council, the HPC may devise, adopt, publish and implement design guidelines to supplement the criteria set forth in this chapter for the review, evaluation and approval of COAs, provided however, that in the event of conflict between HPC adopted design guidelines and the Secretary of Interior Standards, the Secretary of Interior Standards shall govern and take priority over HPC adopted design guidelines.
- C. The HPC has adopted, and city council has approved, the design guidelines for residential infill within the Leadville NHL District. The design guidelines set forth criteria for what shall and what should be considered with designing and approving residential infill plans within the NHL district. A copy of the design guidelines is on file with the city clerk. The design guidelines as adopted by the city's historic preservation commission are hereby adopted by reference as the City of Leadville Residential Infill Design Guidelines and Standards as if fully set out in this section.

17.44.110 Violations and penalties.

- A. Violation of the provisions of this chapter shall be punishable as set forth in Section 17.100.020 of this code. Additionally, each separate violation and each day any violation continues shall constitute a separate offense and be subject to the penalties specified in this section.
- B. Any development, activity, facility or structure which is continued, operated or maintained in violation of the provisions of this chapter, or the terms and conditions of a COA or any other permit, shall be subject to injunction, abatement and/or other appropriate legal remedy as may be sought and obtained by the city, in which event the city will be entitled to recover its reasonable costs and attorney fees from the offending party or parties.
- C. All penalties and remedies for violations of the provisions of this chapter shall be nonexclusive and cumulative, and the city's exercise of one remedy or penalty shall not foreclose or prohibit the exercise of alternative or other remedies.

Section 3. Severability. Should any one or more sections or provisions of this ordinance or enacted hereby 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 sections and provisions are severable.

Section 4. Repeal. Any and all ordinances or codes 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 code or part thereof shall not revive any other section or part of any ordinance or code provision heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance or code hereby repealed prior to the taking effect of this ordinance.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this ____ day of _____, 2023.

CITY OF LEADVILLE, COLORADO:

Greg Labbe, Mayor

ATTEST:

Deputy City Clerk

PUBLISHED in full in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, on the _____ day of _____, 2023.

PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED, with any amendments, this _____ day of _____, 2023.

CITY OF LEADVILLE, COLORADO:

Greg Labbe, Mayor

ATTEST:

Deputy City Clerk

PUBLISHED BY TITLE ONLY, with any amendments, in The Herald Democrat, a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this _____ day of _____, 2023.



MEMO

TO: Mayor Labbe and City Council

FROM: Chapin LaChance, AICP - Planning Director

MEETING DATE: January 24, 2023

SUBJECT: Work Session regarding amendments to Title 17 – National Historic Landmark District Overlay

Staff appreciates the opportunity to discuss the attached proposed code amendments with the City Council at the Work Session. Staff would like to preface the discussion with some background information regarding historic preservation in Leadville. A summary of the proposed code amendments is also provided below.

Historic Preservation in Leadville

Comprehensive Plan

The [2015 Leadville Comprehensive Plan](#) is the statutorily required advisory document that guides municipal code amendments and other planning related decisions. This is the City’s “Constitution” that lays out the value system for the City of Leadville. The Comprehensive Plan makes numerous references that speak to the importance of historic preservation in Leadville, which are shown in the attached Appendix. The Comp. Plan references the historic downtown as one of the community’s greatest assets, and identifies historic preservation as a goal to support one of the five economic growth strategies for the City.

National Historic Landmark District

Leadville’s historic district was designated a National Historic Landmark District by the National Park Service of the U.S. Department of the Interior in 1961. The program was created to recognize the nation’s most significant historic places. Leadville is listed as a National Historic Landmark because of its outstanding national significance. It is one of only 26 National Historic Landmarks in Colorado, along with sites such as Bent’s Old Fort, Red Rocks, and the US Air Force Academy, and one of only six cities in the State to hold National Historic Landmark status. The Leadville Historic Landmark District designation was based upon its encompassing of “*a scattered group of distinctive and important historic buildings supported by anonymous dwellings and business establishments that harmonize well with the central architectural themes associate with late 19th-century mining towns of the West. The anonymous architecture – frame, brand and stone – is varied in style but conveys in its details the Victorian flavor of the historic period.*”

The City's regulations for the NHL district and for other designated historic structures are intended to accomplish the following purposes:

1. To protect the unique character of Leadville;
2. To safeguard the city's historic and cultural heritage, as embodied and reflected in its designated National Historic Landmark district;
3. To foster and enhance civic pride in the attractiveness and accomplishments of the past development eras of the city;
4. To strengthen and enhance the economy of the city;
5. To protect and enhance the city's historical, cultural, architectural and related attractions for residents and visitors;
6. To stabilize and improve property values and commerce; and
7. To promote the uses of Leadville's NHL district, the designated structures therein and other designated historic structures in the city for the education, pleasure and welfare of residents and visitors.

Certified Local Government

The City of Leadville has been a Certified Local Government (CLG) through the State Office of Historic Preservation and the National Park Service since 2013. The City is one of 67 CLGs in the state. This certification represents that the City is certified to participate in the National Preservation Program while maintaining standards consistent with the National Historic Preservation Act and Secretary of Interior Standards for Archaeology and Historic Preservation. Benefits of this certification include eligibility to receive grant money, as well as various support from the State. Requirements of this certification include regular reporting to the State, public meeting procedures, and audits every four years.

Historic Preservation Commission

This Commission is appointed by the Mayor with consent of the Council. The full description of the HPC's powers and duties are explain in [Chapter 2.48](#) of the Code. Like the Planning and Zoning Commission, the **HPC is an advisory body to City Council**. For applications related to certain alterations, demolitions, relocations, or new construction, the HPC makes recommendations to the City Council for either approval, approval with conditions, or denial of these applications.

Harrison District Design Guidelines and Residential Infill Guidelines

The [Harrison District Design Guidelines](#) were adopted in 2014. These guidelines apply to all properties within the Retail Core. The [Residential Infill Guidelines](#) apply to any new construction within the NHL District. The City does not have any currently adopted Guidelines or Standards for modifications or additions to existing historic structures or for any kind of commercial development within remainder of the the NHL District.

Proposed Amendments

At the HPC's request, staff asked the City Attorney to prepare the attached draft amendments to Chapter 17.44 National Historic Landmark District Overlay District. These amendments would accomplish the following:

- 1) Ensure that new construction, additions, exterior alterations within the NHL District are reviewed for substantial compliance with appropriate design guidelines,
- 2) Address the 6-month loophole for demolition of historic buildings, and
- 3) Allow staff site visits to properties with a pending Certification of Appropriateness application.

Expanding the Applicability of the NHL District Regulations

Currently, the NHL District regulations are limited to new construction or exterior alterations of structures within the Retail Core (RC) zoning district, exterior alterations to the 59 historic structures listed in the Leadville historic building inventory, and demolition of historic structures in the NHL district of the City.

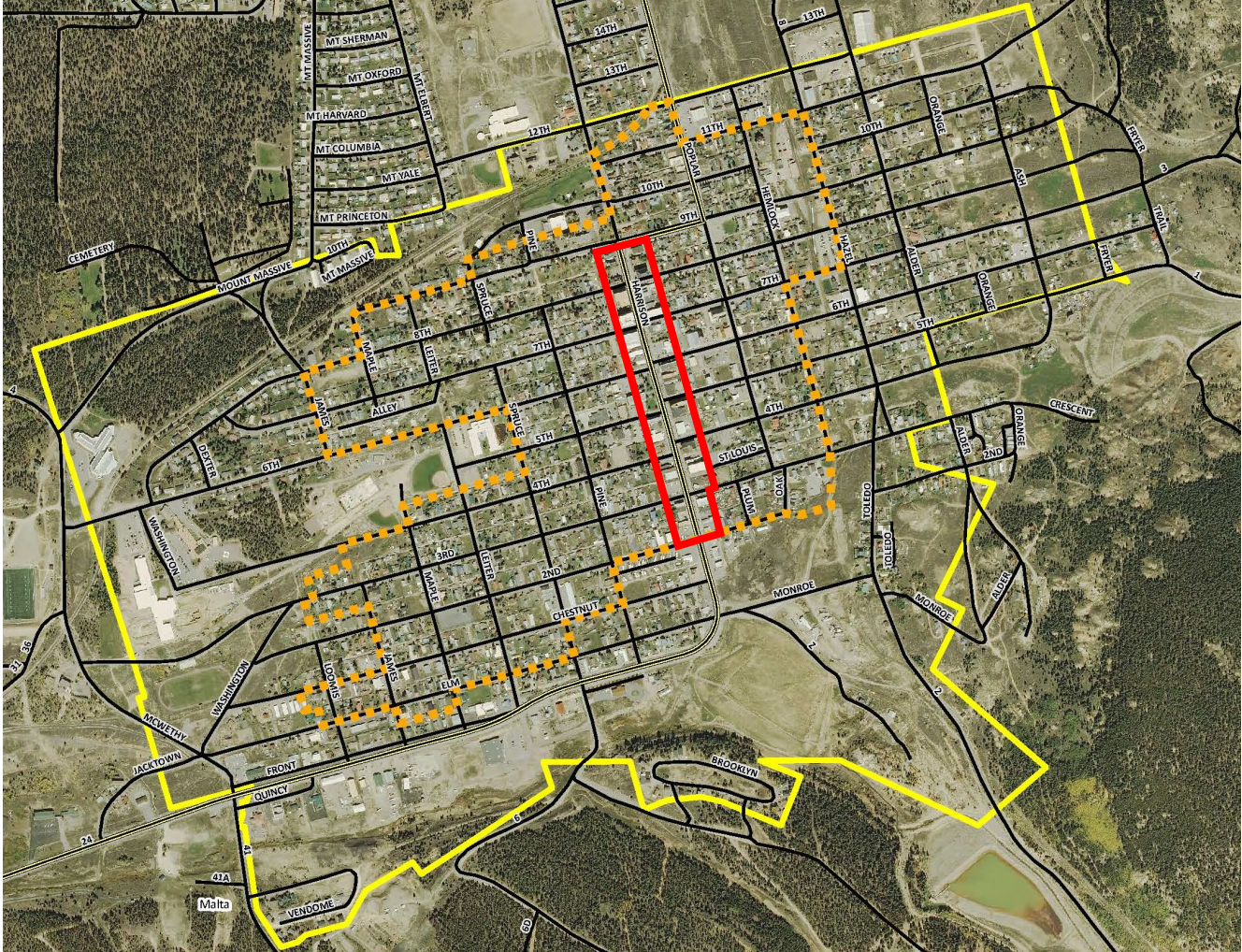


Image 1 (above): Yellow = City boundary, Orange = NHL District Boundary, Red = Retail Core (RC) Zone

Below are statistics for COA applications subject to the current applicability over the past three years. Considering the unique federal designation of the City’s historic district, and the development pressures facing the City in recent years due to the current real estate market, staff is concerned regarding the number of exterior alterations and additions to historic structures that could occur without being subject to any historic guidelines or HPC review.

Year	Total COA applications	Demolitions
2020 (No HPC)	4	2
2021	22	4
2022	10	2

- Case study: 218 E. 9th St. addition: In 2021, the City of Leadville received a COA application for an addition to a historic structure at 218 E. 9th St. (see rendering below). Because the property is located outside of the retail core, and the addition was not on a vacant lot and therefore not subject to the Residential Infill Guidelines, the application was approved as insubstantial without requiring approval by the HPC or compliance with any historic guidelines. This addition was significantly out of character with the historic structure and the NHL District, and risks the structure’s contributing status to the NHL District.



Image 2 (above): 3D rendering of proposed addition to historic structure at 218 E. 9th St.

- Case study: Breckenridge, CO National Register Historic District. In Breckenridge in 2018, the State Office of Historic Preservation removed 21 (18%) of their 118 original historic structures from contributing status in the National Register Historic District, due to non-compatible additions and alterations to those historic structures. This created a risk to Breckenridge’s National Register Historic District designation, necessitating moratoriums on development, numerous public hearings, open houses and public meetings, and revisions to the historic design standards to prevent further loss of contributing status.

Staff finds it is appropriate for projects which are outside of the RC Zone to be subject to the NHL regulations, other than solely demolition. It is imperative to anticipate future development, and subject future development to appropriate guidelines which ensure such development is approved without compromising the integrity of historic properties and the NHL District. Initial criteria for review can be the already adopted [Secretary of Interior Standards](#), until such time that these additional areas and cultural resources of the NHL District can be professionally surveyed and appropriate unique guidelines established.

6-Month Demolition Loophole

Section 17.44.070 currently allows for an automatic approval for demolition of a historic building six (6) months after denial of the original application. Allowing demolition of historic buildings without sufficient justification could have a disastrous long term effect on the City’s NHL District, in addition to the loss of the individual cultural resources themselves. If certain structures or too many structures are demolished, the City could lose the National Historic Landmark District designation.

Title 16 Subdivision Regulations and Title 17 Zoning Regulations combined contain a total of 10 various approval processes. Except for the NHL District regulations, none of these processes include an automatic approval process after an initial denial. Staff is unaware of any local mountain communities in Colorado who have a similar automatic approval process in their respective subdivision, zoning, land use, or development codes. Staff recommends the Council amend the code so that any additional application for demolition of a historic structure that is submitted after an initial denial will be subject to the code in effect at the time of the re-application. If

the Council has concerns with the content of the municipal code after denying an application for demolition, it is within the Council's purview to direct staff and the City Attorney to prepare an ordinance to amend the code to the Council's satisfaction. Once the ordinance is effective, the previously denied applicant may apply for approval of the demolition under the newly effective code.

Site Visits

The proposed amendments would allow the Planning Official and the Advisory Committee Members to conduct a site visit (if deemed necessary and with the property owner's consent) to the property owner in order to inspect the site and structure and take photographs to include in the staff report to the HPC. An example of when this might occur is when an applicant proposes to make modifications to a primary historic façade and staff needs to report to the Commission as to whether historic door or window openings are being modified.

Appendix: Key references to historic preservation in 2015 Comprehensive Plan

ECONOMIC GROWTH STRATEGY, *Downtown Support and Revitalization*, Page 8:

*“Leadville’s **historic downtown is one of the community’s greatest assets**. The historical significance provides a backdrop that creates pride for its residents, respects the rich historical context of the city’s physical form and is a draw for visitors. The Comprehensive Plan builds on and incorporates the 2014 Downtown Assessment by Downtown Colorado Inc. The Downtown Assessment provides a foundation for improving and capitalizing on the charm and unique character of the historic town core, developing strategies that harness and enhance existing assets, and encouraging appropriate and sensitive redevelopment and infill... The Leadville Historic Preservation Commission also serves a critical role in ensuring that future development relates to and respects the historic context of downtown.”*

ECONOMIC GROWTH ELEMENT GOALS AND STRATEGIES, *HISTORIC DOWNTOWN*, Page 24:

*“Introduction: The Historic Downtown Core of Leadville is one of the city’s greatest assets. The city possesses some of the **most representative and best-preserved architectural examples of mining heritage in the state**. These buildings and the compact development pattern tell a story of where Leadville and its people came from, and the **preservation of this precious resource is an important economic development goal**. Capitalizing on these resources by improving and maintaining assets within the historic core will pay dividends in the form of increased heritage tourism and momentum for a long-term strategy for enhancing the downtown.”*

GOAL 2.3 –PROVIDE SUPPORT AND RESOURCES TO ENSURE THE PRESERVATION AND MAINTENANCE OF HISTORIC STRUCTURES AND LANDMARKS IN THE DOWNTOWN CORE.

Strategy A – Work with the Historic Preservation Commission to develop a long-term strategy and funding sources (local, state and federal) to provide for financial assistance for property owners to pursue historic preservation efforts.

GOAL 2.4 – WORK WITH THE HISTORIC PRESERVATION COMMISSION TO ENSURE THAT THE REDEVELOPMENT AND INFILL IN THE HISTORIC DISTRICT ARE CONSISTENT AND DO NOT COMPROMISE THE INTEGRITY OF EXISTING HISTORIC VALUES.

Strategy A – Condense elements from the Historic Development Guidelines that pertain to redevelopment into concise standards listing specific parameters about scale, height, materials, colors, uses, architectural style, parking and other physical planning guidance to guide consistent and sensitive redevelopment in the Historic District.

TOURISM MARKETING AND VISITOR SERVICES, GOAL 2.10 – CAPITALIZE ON THE HERITAGE ASSETS TO ATTRACT VISITORS AND ENRICH THE VISITOR EXPERIENCE, Page 29. **Strategy A – Support historic preservation efforts to sustain heritage assets.**

CITY FUTURE LAND USE PLAN DESIGNATIONS, DOWNTOWN, Page 53: *Downtown is the historic center of commerce, celebrations, competitions and civic life. The most important priority for the future of downtown is to maintain and enhance the characteristics that have proven successful in the past. The intent is to stay true to the character of the historic downtown and yet encourage future development and redevelopment that will strengthen and expand the core of the community. A primary component of this will be to preserve and build support and resources to **ensure the preservation and maintenance of historic structures and landmarks in the downtown core** and to respect and relate to this historic character.*



AGENDA ITEM #7D

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 6, 2023

SUBJECT: Resolution No. 11, Series of 2023: A Resolution Authorizing a First Amendment to Subdivision Improvement Agreement by and between the City of Leadville and High Country Developers, LLC Concerning Leadville Railyard, Filing 1

PRESENTED BY: Chapin LaChance, Planning Director

ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

Before City Council for consideration is Resolution No. 11, Series of 2023 (“Resolution”), which authorizes a first amended Subdivision Improvement Agreement (“SIA”) with High Country Developers LLC (“HCD”) for the Leadville Railyard development. This Resolution would authorize a first amendment to the original SIA dated September 1, 2020, with the following terms included in the amendment:

- Extend the time period to complete public improvements from July 2, 2021 to September 30, 2024,
- Include a Remaining Phasing Plan, requiring the completion of the subdivision improvements in Remaining Phase 1A and Remaining Phase 1B prior to the issuance of Certificates of Occupancy for structures in the respective phases, as listed below:

Remaining Phase 1A

Remaining Subdivision Improvements:

Asphalt wearing surface (92 tons-Block 1 alley paving)

Concrete sidewalks (402 sq. yds., 1,105 lineal ft.)

Street signage (5 signs)

Parks landscape and irrigation (McClary Park and Mineral Belt Green)

Landscaping (street trees, sod, etc.)

Remaining Certificates of Occupancy to be issued only upon completion of Phase 1A Subdivision Improvements:

Block 2: Lots 4, 5, 6, 7

Block 3: Lots 2, 3, 4, 5, 6

Block 5: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 6: Lot 8

Remaining Phase 1B

Remaining Subdivision Improvements:

Concrete sidewalks (649 sq. yds., 1,460 lineal ft.)

Parks landscape and irrigation (Matchstick Green)

Remaining Certificates of Occupancy to be issued only upon completion of Phase 1B Subdivision Improvements::

Block 1: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 2: Lots 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15

Block 3: Lot 1

Block 4: Lots, 1, 2, 3, 7, 8, 14, 15, 19, 20

- Receive an additional escrow fund deposit from High Country Developers LLC in the amount of \$143,736.30 for remaining subdivision improvements in Remaining Phase 1A and Remaining Phase 1B.

II. **BACKGROUND INFORMATION:**

An SIA is a contract between a municipal government and a developer obligating the developer to install certain public improvements necessary to serve the development, such as public streets, curbs, sidewalks, signage, storm sewer, right-of-way landscaping, bike/pedestrian paths, and parks. This proposed amendment would be the first amendment to the Railyard SIA. The original SIA between the City of Leadville and HCD dated September 1, 2020 was for all of the subdivision improvements in Phase 1. It included an Escrow Agreement in the amount of \$581,890.00. Per staff's inspections, the public improvements are approximately 85% complete, but HCD does not intend to complete the remaining subdivision improvements until summer of 2024.

The original SIA authorizes HCD to receive disbursements from the escrow account as needed for improvements to be completed, but the SIA does not permit the escrow account balance to be below 10% of the original amount, which is \$58,189.00, until the subdivision improvements are completed and accepted by the city. HCD has received various disbursements since 2020 that have reduced the balance to approximately \$12,000, which is approximately 2% of the original amount and is less than the 10% minimum required. Through the amended SIA's Escrow Agreement, the escrow account will be re-funded to approximately 25% of the original balance. Considering recent inflation and increases in market prices for material and labor, this provides the financial surety that the subdivision improvements will be constructed to serve the

existing and future residents of the development, and the public.

Per the SIA, Section III: "A. Except where a shorter time period is prescribed, all Public Improvements and all matters herein agreed to be performed shall be installed, constructed, or performed by Developer within two (2) years from the date of Leadville's approval of the Final Plat. Extensions of time up to two additional one (year) periods for completion of Public Improvements may be granted by Leadville in writing for good cause shown. "Good Cause" shall be determined by Leadville in its sole discretion, notwithstanding the foregoing, Good Cause may include: (a) force majeure events; (b) unreasonable delay in the receipt of approval, notice, inspection, testing or other required response from Leadville; and (c) any extension agreed upon in writing by Developer and Leadville. Any extension of time to complete the Public Improvements beyond the initial (2) year period or any future increase in ECE to complete the Public Improvements shall require the Developer to submit updated ECE for completion of the remaining Public Improvements and to provide additional or replacement Escrow Funds, as hereinafter defined, in an amount equal to one hundred percent (100%) of the cost to construct the Public Improvements remaining to be completed, which cost estimate shall include a cost contingency of ten percent (10%), or twenty percent (20%) for any Public Improvements not constructed within two (2) years, of the total estimated costs to construct remaining Public Improvements."

Considering the Covid-19 pandemic as a force majeure event and good cause for extending the agreement, the agreement can be extended administratively until July 2, 2023 per the terms of the agreement. As the required subdivision improvements are not proposed to be completed until the summer of 2024, a July 2, 2023 expiration does not allow enough time for HCD to construct the remaining improvements. Extending the SIA further requires City Council approval per Leadville Municipal Code Chapter 16.36 - Subdivision Improvement Agreement. This requires the attached updated Engineer's Cost Estimate (ECE) documenting the cost of the remaining subdivision improvements, a phasing plan for construction of the remaining improvements, and escrow funds matching the ECE plus 20% contingency since the public improvements were not constructed within the original two (2) years.

Staff has been working with HCD since August 2022 on the proposed SIA Amendment, originally at the request of the developer via the attached email. On May 15, 2023, the city provided a formal letter to HCD providing notification of HCD's breach of the SIA. The letter provided 30 days' notice that the city will seek further enforcement if the SIA is not brought into compliance, with a deadline of June 15, 2023. HCD has submitted the requested documentation, and staff requests authorization to execute an amended SIA with HCD with the terms stated above. Following Council approval, the City Attorney's office will draft the SIA with the proposed terms for execution by the June 15 deadline.

III. FISCAL IMPACTS:

N/A

V. LEGAL ISSUES:

N/A

VI. STAFF RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 11, Series of 2023.

VII. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table for further discussion and consideration.

VIII. PROPOSED MOTION:

Staff recommends the following motion:

“I move to adopt Resolution No. 11, Series of 2023, Authorizing a First Amendment to Subdivision Improvement Agreement by and between the City of Leadville and High Country Developers, LLC Concerning Leadville Railyard, Filing 1.”

IX. ATTACHMENTS:

Resolution No. 11, Series of 2023
Proposed construction sequencing Exhibit
Phasing Plan map Exhibit
Engineer’s Cost Estimate
HCD’s August 2022 email requesting to extend the SIA

CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 11
Series of 2023

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LEADVILLE, COLORADO AUTHORIZING A FIRST AMENDMENT TO
SUBDIVISION IMPROVEMENT AGREEMENT BY AND BETWEEN
THE CITY OF LEADVILLE AND HIGH COUNTRY DEVELOPERS, LLC
CONCERNING LEADVILLE RAILYARD, FILING 1**

WHEREAS, the City of Leadville is authorized pursuant to Title 31, Article 23, C.R.S. and the City of Leadville Subdivision Regulations, codified at Chapter 16 of the Leadville Municipal Code, to regulate the subdivision of land; and

WHEREAS, the City Council previously conditionally approved an application for a combined preliminary plan and final plat in accordance with Section 16.20.020(C) of the Leadville Municipal Code (the “Final Plat”) for property legally described in **Exhibit A**, attached hereto and incorporated herein (the “Property”); and

WHEREAS, a copy of the Final Plat is on file with the City Clerk and is incorporated into this Resolution by reference; and

WHEREAS, the Final Plat subdivides the Property into lots, blocks and tracts as depicted therein; and

WHEREAS, in conjunction with the Final Plat and pursuant to Section 16.36.010(A) of the Leadville Municipal Code, the City and the Owner/Developer, High Country Developers, LLC, a Colorado limited liability company (“Developer”), entered into a subdivision improvement agreement dated September 1, 2020 and recorded in the Lake County Clerk and Recorder’s office on September 1, 2020 at Reception No. 378953 (“SIA”); and

WHEREAS, the City and Developer desire to amend the SIA to: (1) allow the Developer an extension of time in which to complete the public improvements required to be constructed under the SIA; (2) include a phasing plan and condition the issuance of certificates of occupancy for remaining lots on the completion of public improvements associated with each phase; and (3) incorporate an updated engineer’s cost estimate and required deposit of escrow funds in the amount of One Hundred Forty Three Thousand Seven Hundred Thirty Six Dollars and Thirty Cents (\$143,736.30).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado as follows:

Section 1. The foregoing recitals are incorporated herein by reference as findings and determinations of City Council.

Section 2. The City Council hereby authorizes an amendment to the SIA between High Country Developers, LLC and the City to: (1) allow the Developer additional time in which to complete the public improvements required to be constructed under the SIA; (2) include a remaining phasing plan and condition the issuance of certificates of occupancy for lots on the completion of public improvements associated with each phase as described in **Exhibit B**, attached hereto and incorporated herein; and (3) incorporate an updated engineer's cost estimate and required deposit of escrow funds in the amount of One Hundred Forty Three Thousand Seven Hundred Thirty Six Dollars and Thirty Cents (\$143,736.30), to be memorialized in a first amendment to Subdivision Improvement Agreement ("First Amendment").

Section 3. The City Council further directs the City Attorney to prepare the First Amendment consistent with the terms of this Resolution, in consultation with the Director of Community Development and Planning, and authorizes the Mayor to execute the First Amendment when in final form and as approved by the City Administrative Services Director and the City Attorney. Following mutual execution of the First Amendment between the City and High Country Developers, LLC, the City shall cause the First Amendment to be recorded in the real property records of Lake County, Colorado.

Section 4. **Effective Date.** This Resolution shall take effect upon its adoption by the City Council.

ADOPTED the ___ day of June, 2023, by a vote of ___ in favor, ___ against, and ___ absent.

CITY OF LEADVILLE, COLORADO

By: _____
Greg Labbe, Mayor

ATTEST:

City Clerk

Exhibit A

Legal Description

LOTS 1-8, BLOCK 1;
LOTS 1-15, BLOCK 2;
LOTS 1-6, BLOCK 3;
LOTS 1-23, BLOCK 4;
LOTS 1-8, BLOCK 5;
LOTS 1-18, BLOCK 6;
TRACTS A-F,
LEADVILLE RAILYARD, FILING 1,
CITY OF LEADVILLE, LAKE COUNTY, STATE OF COLORADO

BEING A PORTION OF LOT 1, LEADVILLE RAILYARD MINOR PLAT, LOCATED IN THE NE ¼ OF SECTION 23, THE SW ¼ OF SECTION 13, AND SE 1.4 OF SECTION 14 AND THE NW ¼ OF SECTION 24, TOWNSHIP 9 SOUTH, RANGE 80 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LEADVILLE, LAKE COUNTY, STATE OF COLORADO

Exhibit B Remaining Phasing Plan

Remaining Phase 1A

Remaining Subdivision Improvements:

Asphalt wearing surface (92 tons-Block 1 alley paving)

Concrete sidewalks (402 sq. yds., 1,105 lineal ft.)

Street signage (5 signs)

Parks landscape and irrigation (McClary Park and Mineral Belt Green)

Landscaping (street trees, sod, etc.)

Remaining Certificates of Occupancy to be issued only upon completion of Phase 1A Subdivision Improvements:

Block 2: Lots 4, 5, 6, 7

Block 3: Lots 2, 3, 4, 5, 6

Block 5: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 6: Lot 8

Remaining Phase 1B

Remaining Subdivision Improvements:

Concrete sidewalks (649 sq. yds., 1,460 lineal ft.)

Parks landscape and irrigation (Matchstick Green)

Remaining Certificates of Occupancy to be issued only upon completion of Phase 1B Subdivision Improvements:

Block 1: Lots 1, 2, 3, 4, 5, 6, 7, 8

Block 2: Lots 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15

Block 3: Lot 1

Block 4: Lots, 1, 2, 3, 7, 8, 14, 15, 19, 20

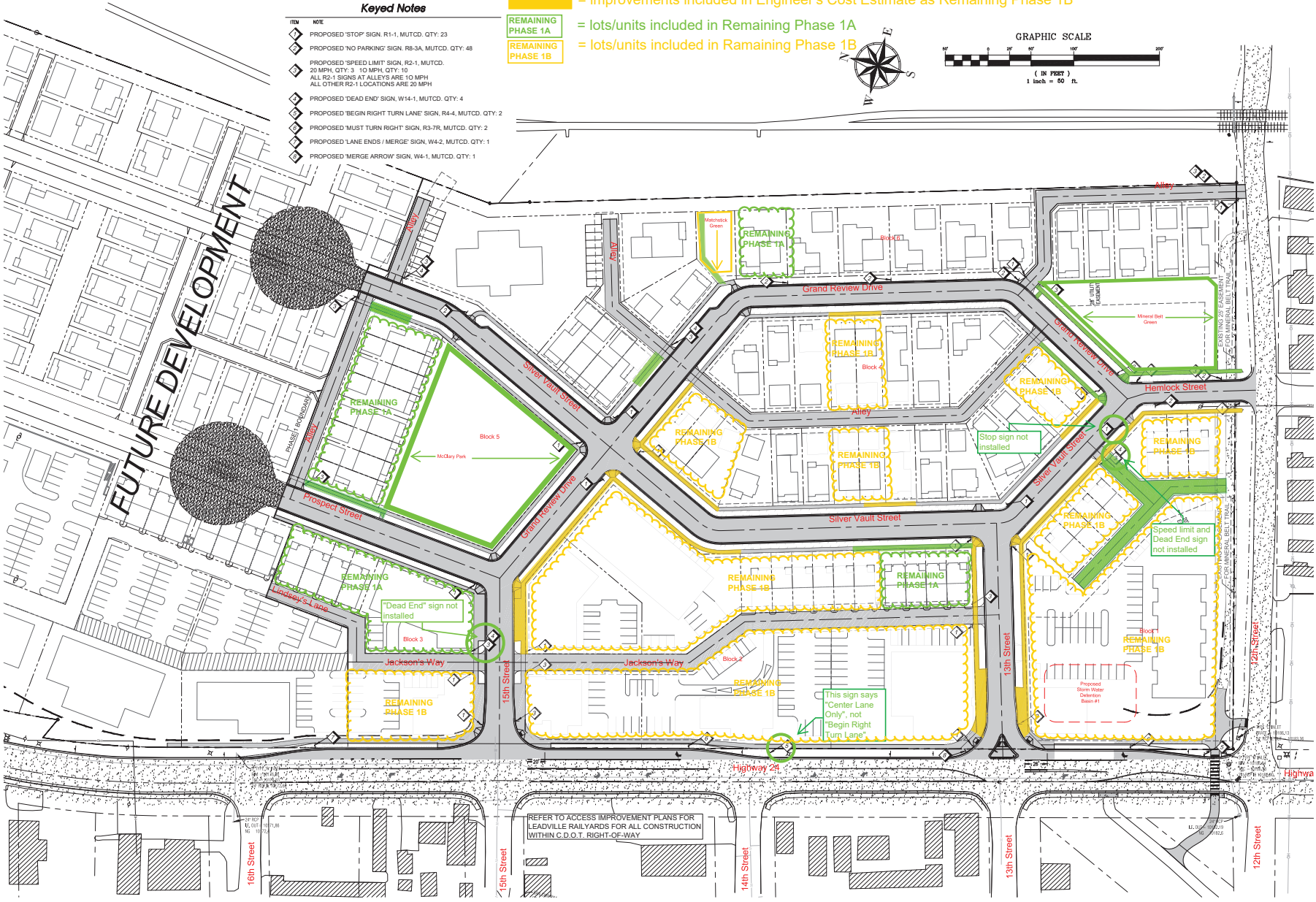
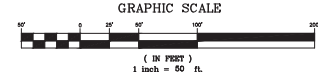
Railyard Phase 1 SIA Amendment - Remaining Phasing Plan

= improvements included in Engineer's Cost Estimate as Remaining Phase 1A
 Note: All street landscaping (street trees, sod, etc. not shown but included in Remaining Phase 1A

= improvements included in Engineer's Cost Estimate as Remaining Phase 1B
 = lots/units included in Remaining Phase 1A
 = lots/units included in Remaining Phase 1B

Keyed Notes

- ◆ PROPOSED 'STOP' SIGN, R1-1, MUTCD, QTY: 23
- ◆ PROPOSED 'NO PARKING' SIGN, R8-3A, MUTCD, QTY: 48
- ◆ PROPOSED 'SPEED LIMIT' SIGN, R2-1, MUTCD, 20 MPH, QTY: 3 10 MPH, QTY: 10
- ◆ ALL R2-1 SIGNS AT ALLEYS ARE 10 MPH
- ◆ ALL OTHER R2-1 LOCATIONS ARE 20 MPH
- ◆ PROPOSED 'DEAD END' SIGN, W14-1, MUTCD, QTY: 4
- ◆ PROPOSED 'BEGIN RIGHT TURN LANE' SIGN, R4-4, MUTCD, QTY: 2
- ◆ PROPOSED 'MUST TURN RIGHT' SIGN, R3-7R, MUTCD, QTY: 2
- ◆ PROPOSED 'LANE ENDS / MERGE' SIGN, W4-2, MUTCD, QTY: 1
- ◆ PROPOSED 'MERGE ARROW' SIGN, W4-1, MUTCD, QTY: 1



KE KOEHLER
ENGINEERING AND LAND SURVEYING, INC.

PEL-ONA
ARCHITECTS & URBANISTS

OWNER/DEVELOPER:
HIGH COUNTRY DEVELOPERS, LLC
240 EAST MAIN STREET
JACKSON, MO 65335
T: (573) 458-0206
CONTACT: JOHN LICHTENEGGER
EMAIL: John@highcountrysia.com

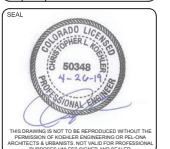
ARCHITECT:
PEL-ONA ARCHITECTS AND URBANISTS
4075 BROADWAY
BOLDER, CO 80504
T: (303) 441-7976
CONTACT: RONNIE PELONSO
EMAIL: Ron@pelona.com

CIVIL ENGINEER:
KOEHLER ENGINEERING AND LAND SURVEYING, INC.
1900 KENNEL CANYON DRIVE
CAPE GIRARDEAU, MO 63701
T: (573) 334-1000
CONTACT: CHRIS KOEHLER
ckoe@koehlereengineering.com

**CONSTRUCTION PLANS FOR
LEADVILLE RAILYARDS
LEADVILLE, COLORADO**

STREETS SIGNAGE PLAN

REV.	DATE	DESCRIPTION
1		ISSUE FOR REVIEW PER GRAND REVIEW
2		ISSUE FOR REVIEW PER JVA REVIEW
3		ISSUE FOR REVIEW PER JVA REVIEW
4		ISSUE FOR REVIEW PER JVA REVIEW
5		ISSUE FOR REVIEW PER JVA REVIEW
6		ISSUE FOR REVIEW PER JVA REVIEW
7		ISSUE FOR REVIEW PER JVA REVIEW
8		ISSUE FOR REVIEW PER JVA REVIEW
9		ISSUE FOR REVIEW PER JVA REVIEW
10		ISSUE FOR REVIEW PER JVA REVIEW
11		ISSUE FOR REVIEW PER JVA REVIEW
12		ISSUE FOR REVIEW PER JVA REVIEW
13		ISSUE FOR REVIEW PER JVA REVIEW
14		ISSUE FOR REVIEW PER JVA REVIEW
15		ISSUE FOR REVIEW PER JVA REVIEW



C-1.1.5

RELS. PACT NO. _____ DRAWN PACT NO. _____

DESIGNED BY: MK DATE: _____

DRAWN BY: MK DATE: _____

CHECKED BY: CK

Phase I A Sidewalks

(To be paved Summer of 2023 starting now)

East Side Hemlock	125'	Borders Mineral Belt
West Side Hemlock	120'	
Grand Review	150'	Bordering Mineral Belt
South Side Lot 15 B4	90'	
West Side Silver Vault	110'	Lots 4, 5, 6 and 7 B2

1.

McClary Park remaining	200'	Lots 1 thru 8 B5 under construction
West side of Prospect	225'	Lots 3, 4, 5, 6 – applied for permit
<u>Matchstick Green</u>	<u>85'</u>	

1105' = 4,420 ft²

Phase IB - 2024

(Sidewalks that must wait for Construction of Planned Buildings)

	Lot 3 B2	155'	
2	Lot 14 B2	265'	Permit applied
	Lot 15 B2	135'	Jacks
	Lot 4 B2	70'	West Side
	Lot 1 & 2 B1	200'	Replat to be filed July, 2023
3	Lots 5,6,7,8 B1	140'	4-Plex in 2024
	Lots 3,4,5 B1	110'	Owned by former wife
1	Lots 1,2,3 B4	205'	Under construction
	<u>Lots 7, 9, 14,15,19, 20 B4</u>	<u>180'</u>	<u>Northcraft</u>

1460' = 72.1 yds³

Engineer's Estimates
Based on Actual Bids

Phase 1A 2023 Completion

Sidewalks

Sidewalks per attached list – 1105 lineal feet 4420 ft ²	
Concrete 55 yards ³ @ \$216/yd	\$11,880.00
<u>Sales Tax 6.9%</u>	<u>819.72</u>
Cost of Concrete Delivered with tax	\$12,699.72
<u>Cost of form, pour and finish</u>	<u>\$13,193.70</u>
Total Cost – Phase Sidewalks 1A	\$25,893.42

Alley Paving – Block 1

250 lineal feet asphalt – 20' wide 3" thick on 6" CDOT base	
92 tons asphalt @ \$99/ton	\$ 9,108.00
Sales tax	\$ 728.64
<u>Hauling asphalt and paving per bid contract</u>	<u>\$17,500.00</u>
Total Cost of Alley Paving – Block 1	\$27,336.64

Irrigation – McClary Park and Mineral Belt Green

Irrigation equipment and supplies (Ferguson Quote)	\$ 5,730.02
Equipment rental – trencher	\$ 831.00
Installation labor and supervision	\$11,200.00
<u>Seed – blue grass 250#</u>	<u>\$ 1,375.00</u>
Total Cost – Irrigation	\$19,136.00
<u>Trees for Parks and Certain Tree Laws</u>	<u>\$12,500.00</u>
2023 Grand Total for Phase 1 A	\$84,866.06

Phase 1B

Paving Schedule – 2024

Sidewalks that must wait for construction of planned buildings

Sidewalks 1460 lineal feet per Schedule

72.1 yds ³ @ \$216/yd	\$15,573.60
<u>Sales Tax</u>	<u>1,074.58</u>
Total Concrete Cost plus tax	\$16,648.18
<u>Cost to form, pour & finish</u>	<u>\$17,520.00</u>
Total Concrete plus tax installed	\$34,168.18
Total Cost for Phase 1B Sidewalks	\$34,168.18

**ENGINEER'S ESTIMATE FOR
LEADVILLE RAILYARDS PHASE 1
LEADVILLE, COLORADO**

DATE: July 14, 2020

Revised:

30-May-23

- Notes:
1. All work within CDOT right-of-way has been bonded separately, and is not included in this estimate.
 2. Sanitary sewer has been previously constructed and is not included in this estimate.
 3. Domestic water has been previously constructed and is not included in this estimate.

ITEM NO.	DESCRIPTION	QUANTITY	COMPLETED	REMAINING	UNITS	UNIT PRICE	Installation	COST	OWNERSHIP	MAINTENANCE
GRADING										
1	Final Street Grading	1	1	0	Lump Sum	\$ 10,000.00			Developer	Developer
2	Detention Pond Grading (+)	8935	8935	0	Cu.Yd.	\$ 3.50			Developer	Developer
								SubTotal		
								\$ -		
STREETS, ALLEYS & SIDEWALKS										
3	Asphalt Wearing Surface (3" Thk.) (+1)	1216.5	1124.5	92.0	Ton	\$ 106.92	\$ 190.22	\$ 27,336.64	City	City
4	Asphalt Wearing Surface (4" Thk. In 2 lifts) (+1)	340.0	340.0		Ton	\$ 132.00		\$ -	City	City
5	Class B Aggregate Base (6" Thk.) (+2)	4493.3	4493.3		Ton	\$ 6.50		\$ -	City	City
6	24" Concrete Curb & Gutter		6634.0		Lin.Ft.	\$ 20.00		\$ -	City	City
7	Concrete Sidewalks (4' Wide x 4" Thk.)	2093	1042		Sq.Yd.	\$ 45.00		\$ -	City	City
7-P1A	Concrete Sidewalks (4' Wide x 4" Thk.) *	2093		402.22	Sq.Yd.	\$ 25.83	\$ 31.50	\$ 23,060.68	City	City
7-P1B	Concrete Sidewalks (4' Wide x 4" Thk.) *	2093		648.89	Sq.Yd.	\$ 25.83	\$ 31.50	\$ 37,202.93	City	City
8	8' Pedestrian Pathway (Phase 1) along Hwy 24	846.0	846.0		Sq.Yd.	\$ 45.00		\$ -	City	City
9	Concrete A.D.A. Ramps	247.3	247.3		Sq.Yd.	\$ 85.00		\$ -	City	City
10	Asphalt Trail (3" Thk. x 10' Wide)	217.3	217.3		Sq.Yd.	\$ 42.00		\$ -	County	County
								SubTotal		
								\$ 87,600.25		
STORM SEWER										
A	Catch Basins Installed, CB-4, CB-5, CB-16 to CB-18	5	5		Each			\$ -	City	City
B	Junction Manhole Installed, JB-3 to JB 9	6	6		Each			\$ -	City	City
C	18" RCP Installed, ST-6	74.8	74.8		Lin.Ft.			\$ -	City	City
D	24" RCP Installed, ST-8, ST-24	455.7	455.7		Lin.Ft.			\$ -	City	City
E	24" HP Installed, ST-19, ST-22, ST-25, ST-26	467.4	467.4		Lin.Ft.			\$ -	City	City
F	30" HP Installed, ST-27, ST-28	501.5	501.5		Lin.Ft.			\$ -	City	City
G	Delivery of RCP Products	1	1		Lin.Ft.			\$ -	City	City
11	12" HP Storm Drain, ST-32 (+4)	35.4	35.4		Lin.Ft.	\$ 9.28	\$ 20.00	\$ -	City	City
12	15" HDPE Storm Drain, ST-33	8.2	8.2		Lin.Ft.	\$ 12.51	\$ 20.00	\$ -	City	City
13	18" HP Storm Drain, ST-30 (+4)	56	56		Lin.Ft.	\$ 18.69	\$ 20.00	\$ -	City	City
14	18" HP Storm Drain, ST-1, ST-4 (+4)	65.2	65.2		Lin.Ft.	\$ 18.69	\$ 20.00	\$ -	City	City
15	24" HP Storm Drain, ST-11, ST-14, ST-16 (+4)	129.7	129.7		Lin.Ft.	\$ 27.32	\$ 20.00	\$ -	City	City
16	24" HP Storm Drain, ST-10, ST-12, ST-13, ST 15, ST-17-18; ST-20-21	410	410		Lin.Ft.	\$ 35.80	\$ 25.00	\$ -	City	City
17	24" HDPE Storm Drain, ST-31	7.8	7.8		Lin.Ft.	\$ 25.53	\$ 20.00	\$ -	City	City
18	30" HP Storm Drain, ST-29 (+4)	3.1	3.1		Lin.Ft.	\$ 40.55	\$ 20.00	\$ -	City	City
19	15" Flared End Section, FES-7	1	1		Each	\$ 485.00	\$ 200.00	\$ -	City	City
20	24" Flared End Section, FES-2 & FES-4	2	2		Each	\$ 725.00	\$ 225.00	\$ -	City	City
21	30" Flared End Section, FES-6	1	1		Each	\$ 1,100.00	\$ 250.00	\$ -	City	City
22	Catch Basins CB-1, 2, 8-15	10	10		Each	\$ 2,225.00	\$ 2,225.00	\$ -	City	City
23	Grate Inlet; CB-7	1	1		Each	\$ 1,615.00	\$ 1,615.00	\$ -	City	City
24	Junction Manhole, JB-1 & JB-2	2	2		Each	\$ 1,512.00	\$ 1,512.00	\$ -	City	City
25	Outlet Structure, OS-1 (+1)	1	1		Each	\$ 1,540.00	\$ 1,540.00	\$ -	Developer	Developer
26	Outlet Structure, OS-2 (+1)	1	1		Each	\$ 2,016.00	\$ 2,016.00	\$ -	Developer	Developer
27	Pond #2 forebay, concrete	1	1		Each	\$ -	\$ 3,000.00	\$ -	Developer	Developer
28	Emergency Spillways, locally available soil riprap	2	2		Each	\$ -	\$ 500.00	\$ -	Developer	Developer
								SubTotal		
								\$ -		
MISCELLANEOUS IMPROVEMENTS										
29	Street Signage **	1	0.98	0.02	Lump Sum	\$ 10,000.00		\$ 25.00	City	City
30	Landscaping (Street Trees, Sod, Etc.) ***	1		1	Lump Sum	\$ 13,875.00		\$ 13,875.00	Developer	Developer
31	Parks landscape & irrigation ****	1	0.3907	0.6093	Lump Sum	\$ 30,000.00		\$ 18,280.00	Developer	Developer
32	Conduit for Fiber Optic	1	1		Lump Sum	\$ 40,000.00		\$ -	Fiber	Fiber
								SubTotal		
								\$ 32,180.00		
Total								\$ 119,780.25		
Contingency, 20%								\$ 23,956.05		
Total Cost								\$ 143,736.30		

Footnote Key / Comments

Items which have been fully furnished, installed, and paid for

- (+) Based on material being excavated on-site and crushed for base. The excavation will be largely covered under the cost of base production.
- (+1) Based on Hard quote for materials and installation on-site
- (+2) Based on on-site material being crushed. Hard Quote of \$6.00 / ton to produce CDOT base with site material
- (+3) Based on casting structure on-site and installing with appropriate grates, frame, etc.
- (+4) Based on utilization of HP pipe at all locations where pipe is not directly under pavement.

* Phase 1A sidewalks North of Grand Review Dr. and West of Alley west of Matchstick Green, along the east side of Propsect and west side of Silver Vault west of McClary Park were installed on 5/30/2023.

** 4 of the missing 5 signs noted on the Plannign Review of 5/23 have been installed. 1 "Dead End Sign is on order and paid for, and will be installed upon receipt".

*** 20 - 10' ~ 12' Aspen trees are already purchased. Additional trees are on-order but not paid for as yet. Other plantings are to be determined, but would fall within allowance shown.

**** All topsoil is on-site, but not necessarily on the park areas or not fully spread. Grass seed and many trees have been purchased. Irrigation Equipment has been purchased.

Estimate prepared by:



Chris Koehler, PE

5/30/2023

Date

Estimate approved by:

Date

Fwd: Railyard Phase 1 SIA

Recipients

----- Forwarded message -----

From: **John Lichtenegger** <john@railyardleadville.com>

Date: Fri, Aug 26, 2022 at 10:02 AM

Subject: Railyard Phase 1 SIA

To: Laurie Simonson <cityadmin@leadville-co.gov>, Greg Labbe <lymayor@leadville-co.gov>

Cc: Leigh Flanagan <leigh@railyardleadville.com>, Brent Lichtenegger <brentgl677@gmail.com>

Laurie & Mayor,

I believe the SIA for Phase 1 provided a two year period within which to complete certain improvements which we are approaching. Most are completed or are under construction.

All paved streets were completed 2 years ago. Alleys have all been paved except for Lindsey's Lane. Most of the sidewalks in the residential parts are complete. We are pouring sidewalks in McClary Park today.

The SIA permits extensions on the dates for completion of all improvements. May this email serve as a formal request to extend the period for completion by one year.

I'll be glad to provide an itemized list of remaining items.

Thank you,

John

Sent from my iPhone

Sans Serif

Send

June 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29 Memorial Day - City Hall	30	31	1 6pm - LURA Board	2 5pm - Senior Motorcade	3
4	5	6 11am - BOCC @ 505 6pm - Regular CC Mtg	7	8 1pm - Leadville Municipal 5:15pm - Parkville Water	9	10 Main Street - Community
11	12 5:30pm - Police Dept.	13 4pm - HPC Meeting @	14 5pm - Sanitation @ 6pm - P&Z Meeting @	15	16 7am - LTF Marathon &	17 7am - LTF Marathon & 4pm - Leadville Pride
18	19	20 8:30am - Tourism Panel 11am - BOCC @ 500 6pm - Regular CC Mtg @	21	22	23	24
25 9am - Animal Shelter	26	27 4pm - HPC - Regular Mtg	28 6pm - P&Z Meeting @	29	30	1

July 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25 9am - Animal Shelter	26	27 4pm - HPC - Regular Mtg	28 6pm - P&Z Meeting @	29	30	1
2	3	4 Independence Day - City 11am - BOCC @ 505	5 6pm - Regular CC Mtg	6 6pm - LURA Board	7	8
9	10	11 4pm - HPC Meeting @	12 5pm - Sanitation @ 6pm - P&Z Meeting @	13 1pm - Leadville Municipal 5:15pm - Parkville Water	14	15
16	17	18 8:30am - Tourism Panel 11am - BOCC @ 500 6pm - Regular CC Mtg @	19	20	21	22
23	24	25 4pm - HPC - Regular Mtg	26 6pm - P&Z Meeting @	27	28	29
30	31	1 11am - BOCC @ 505 6pm - Regular CC Mtg	2	3 6pm - LURA Board	4	5

August 2023

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1 11am - BOCC @ 505 6pm - Regular CC Mtg	2	3 6pm - LURA Board	4	5
6	7	8 4pm - HPC Meeting @	9 5pm - Sanitation @ 6pm - P&Z Meeting @	10 1pm - Leadville Municipal 5:15pm - Parkville Water	11	12
13	14	15 8:30am - Tourism Panel 11am - BOCC @ 500 6pm - Regular CC Mtg @	16	17	18	19
20	21	22 4pm - HPC - Regular Mtg	23 6pm - P&Z Meeting @	24	25	26
27	28	29	30	31	1	2