

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS**MONDAY, MAY 11, 2026****LAND USE HEARING**

The Board of County Commissioners met at 3:00 p.m. with Jenny Axmacher, Planning Manager. Chair Shadduck-McNally presided. Commissioner Stephens and Commissioner Kefalas were present. Also present were Samantha Lasher, Laura Collier and Ryane Oswandel, Community Development; Connor Sheldon, Engineering; Christine Luckasen, Assistant County Attorney, and Deirdre O'Neill, Deputy Clerk.

Chair Shadduck-McNally opened the meeting with the Pledge of Allegiance.

ITEMS THAT WILL BE TABLED:

- 1. DORY FAMILY TRUST SUBDIVISION & APPEAL, FILE NO. 24-LAND4421 (TABLED TO JUNE 22, 2026)**

PUBLIC HEARING CONSENT ITEMS:

- 1. LEYPOLDT REZONING, FILE NO. 25-ZONE3826:** This is a request to rezone from O-Open to A-Agriculture to align with the property owners intended uses and allow for the possibility of an Agritourism Enterprise in the future.

The subject property is 35.09-acres located at 4654 Aldridge Road in Wellington, Colorado. The property is approximately half a mile east of the intersection of County Road 7 and Aldridge Road, just west of I25. There is a home and two outbuildings on the property, and it is zoned O-Open. The uses on the property include single-unit residential and agricultural uses.

The A-Agriculture zoning district would allow for existing residential and agricultural uses to continue while permitting additional agricultural and animal uses. An accessory agritourism enterprise would also be permitted, subject to approval through the appropriate planning process identified in table 3-3 of the Larimer County Land Use Code. Upon application for additional uses on the property, County staff and referral agencies will evaluate the proposal(s) for compliance with Larimer County Land Use Code standards and other applicable regulations.

DEVELOPMENT SERVICES TEAM RECOMMENDATION: The Development Services Team recommends that the Planning Commission recommend to the Board of County

Commissioners approval of the Leypoldt Rezoning, File No. 25-ZONE3826, from O-Open to A-Agriculture.

The Board did not wish to remove any items from the Consent Agenda. No members of the public wished to remove any items from the Consent Agenda.

M O T I O N

Commissioner Kefalas moved that the Board of County Commissioners approve the Consent Agenda subject to the conditions in the staff reports and further moved to authorize the Chair to sign the Findings and Resolution.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEMS:

1. REESE APPEAL, FILE NO. 25-GNRL0579: Samantha Lasher presented this item to the Board. This is a request to appeal appendix G, standards of the Larimer County Rural Area Roadway, found in Article 3.3.5.B.2.aa of the Land Use Code for a proposed short-term rental. This does require Administrative Special Review approval and is being reviewed under File No. 25-ZONE3809.

Ms. Lasher informed the Board that the subject property is located at 1458 Jungfrau Trail in Estes Park, Colorado and is zoned EVE-IS - Estes Valley Estates Short Term Rental. The property is Lot 1 of the Mountain View Townhome plat and is in the Windcliff Estates subdivision. The property contains one single-unit residence, in which the owners propose converting it to a short-term rental.

Ms. Lasher stated that the applicant must provide a Certification of Adequate Access demonstrating that the site's "Primary Access Route" is in substantial conformance with the Larimer County Rural Area Roadway Standards (LCRARS) appendix G. The short-term rental's primary access route refers to the local roadways extending from the site's property boundary to either a Numbered County Roadway, State Highway, or a Collector/Arterial Roadway shown on another jurisdiction's Master Street Plan.

The sections of appendix G that directly relate to the safety and adequacy of access roadways are Road Width (G.7.1), Road Grade (G.7.2), Horizontal Curves (G.7.3), Dead End and Turnarounds (G.7.6), and Drainage Facilities (G.7.8).

Ms. Lasher went on to explain that this appeal application is limited exclusively to the remaining stretch of roadway required to connect the previously approved terminus at the Eiger Trail and Jungfrau Trail intersection to the subject property. All segments up to that intersection were authorized under a prior appeal (Windcliff Estates Appeal, File No. 24-GNRL0558) in November 2024. Therefore, these segments do not require reevaluation. The only section of appendix G that is being appealed is road width. The measured widths of the subject roadway segment range from 16-

18 feet, not meeting the 20-foot standard. Community notice was provided to 33 property owners within 500 feet of the subject property. No community member comments have been received.

If this appeal application is approved, the subject property can receive approval for a short-term rental through the Administrative Special Review process.

REVIEW CRITERIA

Article 6.7.2.B.5 –REVIEW CRITERIA FOR APPEALS TO DEVIATE FROM STANDARDS OR REQUIREMENTS OTHER THAN MINIMUM LOT SIZE

When considering whether to approve an appeal to deviate from standards or requirements of this Code, other than minimum lot size requirements, the Board of County Commissioners may grant the appeal subject to safeguards and conditions consistent with their findings concerning the following factors. The Board of County Commissioners will consider each of the following factors and make findings pertaining to each one which, in their discretion, applies to the appeal:

- a. Approval of the appeal will not subvert the purpose of the standard or requirement.
- b. Approval of the appeal will not be detrimental to the public health, safety, or property values in the neighborhood.
- c. Approval of the appeal is the minimum action necessary.
- d. Approval of the appeal will not result in increased costs for the general public.
- e. Approval of the appeal is consistent with the intent and purpose of the Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Reese Appeal, File No. 25-GNRL0579 subject to the following condition:

1. The use of the subject property as a short-term rental must receive approval through the Administrative Special Review process.

QUESTIONS FOR STAFF: The Board did have concerns about whether the roads are wide enough for fire trucks to enter this area at the same time as vehicles leaving the area in case of an evacuation. Connor Sheldon, Engineering stated that Estes Valley Fire provided comments stating that they “have no issues with this appeal.” The roads are wide enough for fire apparatuses, and they are paved and maintained in the winter. Mr. Sheldon explained to the Board that staff does rely heavily on fire districts for input, which is why these road standards and requirements were added to the Land Use Code. Mr. Sheldon said that the measured widths of the access roads to the subject property are less than 20 feet in multiple locations, with no portions of the roads being narrower than 16 feet, which requires an appeal. Mr. Sheldon went on to say that all other roadway standards have been met, and that Windcliff Estates have year-round road maintenance, and the subdivision owns their own snow removal equipment.

Ms. Lasher added that the turn at the intersection of Windcliff Drive and Eaglecliff Drive was found to be too sharp for full-sized emergency vehicles to navigate so the Windcliff Property Owners

Association funded and oversaw the reconstruction of the intersection to widen it. Fire trucks and other emergency vehicles can now reach the highest elevations in Windcliff Estates.

APPLICANT PRESENTATION: The property owner, Malinda Reese said that she understands the Board's questions on fire evacuation safety and takes these seriously as Ms. Reese herself is from California and has been evacuated multiple times due to wildfires. Ms. Reese informed the Board that the roads have been improved and maintained since 1971 by the active road association, and many nightly rental homes are, and have been served by the road system for decades. Ms. Reese believes this appeal does meet all the review criteria and approval is consistent with the intent and purpose of the code. Ms. Reese mentioned that Windcliff Estates has a fully staffed gatehouse that routinely provides information and directions to visitors, year-round road maintenance, and clear road signage for homeowners as well as visitors.

The Board thanked Ms. Reese for her presentation.

PUBLIC COMMENT: No public comment in person or online.

Chair Shadduck-McNally closed public comment.

DELIBERATION: The Board stated they are in support of this application as it meets all review criteria.

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the Reese Appeal, File No. 25-GNRL0579.

Motion carried 3-0.

With there being no further business, the meeting was adjourned at 3:40 p.m.

TUESDAY, MAY 12, 2026

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with County Manager Lorenda Volker. Chair Shadduck-McNally presided. Commissioner Stephens and Commissioner Kefalas were present. Also present were Sarah Martin and Tom Clayton, Commissioners' Office, and Deirdre O'Neill, Deputy Clerk.

Chair Shadduck-McNally opened the meeting with the Pledge of Allegiance.

1. **PUBLIC COMMENT:** Cindy Buckardt, President of the Larimer County 4-H Foundation, spoke of the long history of the foundation founded in 1953 and of the scholarships that have been

awarded over the years. Ms. Buckardt has concerns about the removal of the Larimer County 4-H Foundation from the Ranch complex. Ms. Buckardt states that over the last year, she submitted a petition with over 200 signatures requesting the 4-H Foundation be given full access to the Ranch and has not received any response to this request and does not understand how a long-standing organization is being denied access to a building created for youth.

Chair Shadduck-McNally closed public comment.

The Board thanked Ms. Buckardt for her comments as well as her dedication to the Larimer County 4-H Foundation but stated that they respectfully disagree with her statements.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF MAY 4, 2026:

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners approve the minutes for the week of May 4, 2026.

Motion carried 3-0.

4. REVIEW OF THE SCHEDULE FOR THE WEEK OF MAY 18, 2026: Ms. Martin reviewed the upcoming schedule with the Board.

5. CONSENT AGENDA:

AGREEMENTS

1. ADMINISTRATIVE SERVICES AGREEMENT

APPOINTMENTS

- 1. RECOMMENDED APPOINTMENTS TO THE ENVIRONMENTAL AND SCIENCE ADVISORY BOARD** – Ryan Call and Sandra Hicks
- 2. RECOMMENDED APPOINTMENTS TO THE ENVIRONMENTAL AND SCIENCE ADVISORY BOARD** – Tony Van Goor
- 3. RECOMMENDED APPOINTMENTS TO THE THUNDER MOUNTAIN PUBLIC IMPROVEMENT DISTRICT** – Curt Gleaves, Loren Shriver, and Ian Woolley
- 4. RECOMMENDED REAPPOINTMENTS TO THE PLANNING COMMISSION** – Lisa Chollet and Shelby King
- 5. RECOMMENDED APPOINTMENT TO THE PLANNING COMMISSION** – Heather Dehner

6. RECOMMENDED MIDTERM APPOINTMENT TO THE PLANNING COMMISSION – Jon Slutsky
7. RECOMMENDED MIDTERM APPOINTMENT TO THE PLANNING COMMISSION – Nataly Handlos

LIQUOR LICENSES

1. LIQUOR LICENSE SPECIAL EVENT PERMIT 6% – LAPORTE FESTIVAL – LAPORTE, COLORADO
2. LIQUOR LICENSE SPECIAL EVENT PERMIT 6% – LAPORTE FESTIVAL – LAPORTE, COLORADO
3. LIQUOR LICENSE RENEWAL – THE MASONVILLE MERCANTILE – LOVELAND, COLORADO

MISCELLANEOUS

1. ADOPTION OF REVISED BYLAWS ADOPTED BY THE DIRECTORS OF THE ESTES PARK LOCAL MARKETING DISTRICT
2. LARIMER COUNTY LEGISLATIVE POSITONS
3. INITIAL TITLE V PERMIT APPLICATION
4. STIPULATION FOR NEXGEN RIVERBED HOLDINGS LLC AS TO TAX YEAR 2025
5. STIPULATION FOR WEST PROSPECT STATION LLC AS TO TAX YEAR 2025
6. STIPULATION FOR D AN N HOUSKA FAMILY LLC AS TO TAX YEAR 2025
7. STIPULATION FOR D AN N HOUSKA FAMILY LLC AS TO TAX YEAR 2025
8. STIPULATION FOR D AN N HOUSKA FAMILY LLC AS TO TAX YEAR 2025
9. STIPULATION FOR WELLINGTON RESOURCES LLC AS TO TAX YEAR 2025
10. STIPULATION FOR MMF RAILWAY LLC AS TO TAX YEAR 2025

RESOLUTIONS

1. FINDINGS AND RESOLUTION APPROVING THE WH PROPERTY HOLDINGS LLC SPECIAL REVIEW

2. A RESOLUTION FOR THE REGULATION OF NOXIOUS WEEDS BY THE BOARD OF COUNTY COMMISSIONERS OF LARIMER COUNTY

M O T I O N

Commissioner Kefalas moved that Board of County Commissioners approve the Consent Agenda for May 12, 2026.

Motion carried 3-0.

6. COMMISSIONERS' GUESTS: The Commissioners did not have any guests.

DISCUSSION ITEM:

1. A JOINT PROCLAMATION DESIGNATING MAY 2026 AS CLEAN AIR MONTH: Bob McDonald, Environmental Health Services Director, Lea Schneider, Environmental Health Planner, and Noel Udell, Environmental Health Specialist, presented this proclamation to the Board of County Commissioners.

Mr. McDonald thanked the Board for recognizing this proclamation designating May 2026 as Clean Air Month. Mr. McDonald introduced his staff.

Ms. Udell spoke of some of the areas that her team focuses on including inspection of oil and gas drilling sites, mining operations, concrete and asphalt plants, auto repair shops, and fuel stations. Part of the investigations include monitoring dust/visible emissions and odors through public complaints. Ms. Udell also mentioned that her team reviews burn permit requests with local fire districts. Ms. Udell stated that Larimer County is one of the only counties that uses optical gas imaging cameras to detect any potential leaks at fueling stations. Ms. Udell said that in 2025 six sites were inspected and four of those were found with emission issues and were then re-inspected in 2026 to make sure those issues were resolved.

Ms. Udell informed the Board that the Larimer County Department of Health and Environment (LCDHE) launched an outreach campaign for the month of January, in partnership with Larimer County Colorado State University Extension. This was funded by the Colorado Department of Public Health and Environment (CDPHE). This campaign aimed to increase public awareness regarding radon testing, mitigation strategies, and the health risks associated with exposure.

Ms. Schneider spoke to the Board about radon awareness and how it is the leading cause of lung cancer in people who have no history of smoking. Radon is a naturally occurring, colorless, and odorless radioactive gas that comes from the soil and enters homes and other buildings through small openings like cracks in foundations, openings around pipes, drains and crawl spaces. The only way to know if your home has harmful levels of radon is to test. Ms. Schneider said that test kits are available through many local retail or hardware stores and that the City of Fort Collins offers discounted kits for those who qualify.

Ms. Schneider updated the Board regarding educational materials, updates to website resources, social media and digital advertising and podcasts so that the public can remain informed. More information can be found at Larimer.gov/radon.

Ms. Schneider provided information to the Board about the upcoming outreach and community educational events taking place throughout Larimer County for Air Quality Awareness Week. The LDCHE is partnering with the City of Fort Collins, the Regional Air Quality Control Council, Colorado State University, CDPHE and other organizations to work together to promote clean air.

The Board thanked staff for their thorough presentation and hard work and asked if they could provide some best practices for the public to become engaged in supporting clean air. Ms. Schneider said that taking simple steps to reduce ozone emissions includes taking fewer road trips, carpooling, using alternative forms of transportation, and refueling in the evenings or early mornings are great first steps to cleaner air. The Board said that everyone can agree that all benefit from clean air, land and water.

Commissioner Stephens read the Joint Proclamation Designating May 2026, as National Clean Air Month. The Board stated that Larimer County recognizes the critical role air quality plays in the health of all residents and visitors. Emissions from vehicles, industry, household products, vegetation, and lawn/garden equipment combine with sunlight on hot, dry, stagnant summer days to form ground-level ozone impacting children, older adults, and people with lung and heart disease. Commissioner Stephens said that wildfire smoke and other sources of fine particulate matter can significantly degrade air quality, posing additional health risks to residents. The Board encouraged residents to replace gas-powered lawn equipment with electric or battery-operated equipment and stated that there is financial support for such initiatives.

The U.S. Environmental Protection Agency has downgraded the northern Front Range from a serious to severe violator of federal ozone standards, triggering new rules meant to improve local air quality in the region. The LCDHE has increased education, monitoring, and other tools to aid in achieving compliance with regulations and activities to address air quality in the area.

The Board announced an upcoming Intermountain West Ozone Exchange Conference that will be held in October at the Ranch Events Complex in Loveland. This conference brings together scientists, policymakers, and industry leaders to discuss air quality and ozone trends.

MOTION

Commissioner Stephens moved to approve the Proclamation declaring May 2026 as Clean Air Month.

Motion carried 3-0

The Board took a brief pause for a photo.

The Board returned to session.

7. **COUNTY MANAGER UPDATE:** County Manager Volker briefly detailed the events of the previous week.

8. **COMMISSIONER ACTIVITY REPORTS:** The Board detailed their attendance at events during the previous week.

9. **LEGAL MATTERS:** None requested.

With there being no further business, the meeting was adjourned at 10:25 a.m.



JODY SHADDUCK-MCNALLY, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:


Deirdre O'Neill, Deputy Clerk

