



Date: Monday, May 24, 2021
Time: 3:00 PM
Location: Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins

LAND USE HEARING AGENDA

Call to Order

Pledge of Allegiance

Public Hearing Consent Items:

*Will not be discussed unless requested by Commissioners or members of the audience.

**Board to sign F&R at the Hearing

1. **Crystal Lakes 15th PUD Lot 8 Building Envelope, File No. 21-LAND4124

Staff Contacts: Tracy Hicks, Planning, Lea Schneider, Health, Connor Sheldon, Engineering

Request: Request to increase the size of the original building envelope for future improvements to the property.

Location: 113 Mosquito Drive Red Feather Lakes, CO 80545

Applicants/Owners: Don and Sandra Tait 6211 W 15th Street Greeley, CO 80634

Development Services Team Recommendation: The Development Services Team recommends approval of the Crystal Lakes 15th PUD Lot 8 Building Envelope, File Number 21-LAND4124 with the following conditions:

1. All conditions of approval shall be met and the Amended Building Envelope Exhibit recorded by October 27, 2021, or this approval shall be null and void.
2. The lot is subject to all covenants, deed restrictions, or other conditions that apply to the original lots in the subdivision.

2. **Rocky Mountain Ohana Ranch Preliminary Plat and Appeals, File No. 19-LAND3887

Staff Contacts: Samantha Mott, AICP, Planning; Steven Rothwell, Engineering; Lea Schneider, Health Department

Request: A) Preliminary Plat approval of a Conservation Development to divide a 35-acre parcel into one single-family residential lot and one residual lot with a residential building envelope; and B) Appeals to Section 8.14.1.H of the Land use Code (Lot Width-to-Depth Ratio), Section 8.14.1.M of the Land Use Code (Right-of-Way Dedication), and Section 8.14.1.R of the Land Use Code (Connectivity).

Location: 6701 W County Road 18, Loveland; located approximately 1/2 mile west of the intersection of S. County Road 23E and W. County Road 18 on the north side of the road.

Applicants/Owners: Doreen Ketterer 6701 County Road 18 Loveland, CO 80537

Development Services Team Recommendation: Commissioner Barnett moved that the Planning Commission adopt the following Resolution:

BE IT RESOLVED that the Planning Commission recommends to the Larimer County Board of County Commissioners to approve the Rocky Mountain Ohana Ranch Preliminary Plat and Appeals, File No. 19-LAND3887 subject to the following conditions.

1. The Final Plat shall be consistent with the approved preliminary plan and with the information contained in the Rocky Mountain Ohana Conservation Development, File #19-LAND3887 except as modified by the

conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Rocky Mountain Ohana Conservation Development.

2. The following fees shall be collected at building permit issuance for new single-family dwellings: Thompson R2-J school fee, Larimer County fees for County and Regional Transportation Capital Expansion, Larimer County Regional Park Fees (in lieu of dedication). The fee amount that is current at the time of building permit application shall apply.
3. Fire Requirements – All new residential structures will be required to have residential fire sprinkler systems. This condition must be noted on the final plat.
4. All habitable structures will require an engineered foundation system. Such engineered foundation system designs shall be based upon a site-specific soils investigation. The lowest habitable floor level (basement) shall not be less than 3 feet from the seasonal high-water table. Mechanical methods proposed to reduce the ground water level, unless it is a response after construction, must be proposed on a development wide basis.
5. Passive radon mitigation measures shall be included in construction of residential structures on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to issuance of a certificate of occupancy shall be submitted to the Building Department. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.
6. Revise the Final Plat to show the easement width as specified in the comments from Western Area Power Association.
7. Revise the lot names on the plat to reflect Residual Lot A and the newly proposed residential lot as Lot 1.

MOTION PASSED: 9-0

3. **Boxelder Heights RLUP, Lot 15 Building Envelope Amendment, File No. 21-LAND4099

Staff Contacts: Doug May, Planning, Steven Rothwell, Engineering, Lea Schneider, Health Department

Request: To amend the building envelope on Lot 15 of the Boxelder Heights RLUP for the purposes of constructing a new home with a walkout basement.

Location: 5647 Inspiration Drive, Fort Collins

Applicant/Owner: Jeremy and Jennifer Merck 39111 Hilltop Circle, Severance, CO 80610

The Development Services Team recommendation: The Development Services Team recommends Approval of the Building Envelope Amendment for Lot 15 of the Boxelder Heights RLUP, File Number 21-LAND4099 and authorization for the chairman to sign the Findings and Resolution:

1. All conditions of approval shall be met, and the Findings and Resolution recorded by November 24, 2021 or this approval shall be null and void.
2. Lot 15 shall remain subject to any and all covenants, deed restrictions, or other conditions that apply to the original lot.

4. **Holiday Twin Special Event 1st Appeal, File No. 21-GNRL0511

Staff Contacts: Don Threewitt, AICP, Community Development; Katie Beilby, Community Development

Request: An appeal to Section 6.7.2.B.1.c of the Larimer County Land Use Code to allow the applicant to host special events within the 60-day review time of a companion Special Event appeal.

Location: 2206 South Overland Trail, Fort Collins, CO 80526

Applicant: Josh Cisar

Owners: Webb Real Estate Holdings, LLC 4202 Rolling Gate Road Fort Collins, CO 80526

Development Services Team Recommendation: The Development Services Team recommends approval of this appeal for the Special Event permit application based on the following considerations: this holiday event has been successfully conducted in 2020 without negative impacts, the event is subordinate to the primary use of the property as a drive-in theatre, and that upon review the event will comply with all standards. The applicant is pursuing appropriate processes to review other proposed events that provide alternative access to the performing arts during a challenging time. If allowed to apply for the Special Events permit, the permit will be subject to review and conditions of approval that are consistent with input from the reviewer and referral agencies.

Public Hearing Discussion Items:

1. First National Bank Sign Appeal, File No. 21-GNRL0510

Staff Contacts: Michael Whitley, AICP, Planning, Steven Rothwell, Engineering, Lea Schneider, Health

Request: A) An appeal to the Director's determination that an approximately 50% face change of a nonconforming freestanding sign from a "flex face" material to a digital electronic message center is a change from the original materials of the sign and is a physical and structural alteration; and B) An appeal to Section 10.14.A.2 of the Land Use Code to allow the addition of a digital electronic message center to a nonconforming sign without bringing the sign into conformance with current standards.

Location: 1700 SE Frontage Road, Fort Collins; located southeast of the intersection of Prospect Road and I-25

Applicants: Marie Hashaw, DaVinci Sign Systems, Inc., 4496 Bents Drive, Unit A, Windsor, CO 80550 and Todd G. Messenger, Esq, Fairfield and Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202

Owner: I-B Investments, Inc., 1435 Lake Drive, Loveland, CO 80538

Development Services Team Recommendation: The Development Services Team recommends denial of the First National Bank Sign Appeals, File 21-GNRL0510.

2. Amendments to the Larimer County Land Use Code regarding Private Parks and Recreation Uses in the Estes Valley Residential Zoning Districts and Outdoor Recreation Facilities Countywide, File No. 21-CODE0253

Staff Contacts: Lesli K. Ellis, Community Development Director, AICP CEP

Request: To amend the Larimer County Land Use Code Article 13, Table 13.1, to remove the "Park and Recreation Facilities, Private" use from Residential Zoning Districts; and to amend Article 3, Tables 3.1 and 3.2 to remove the "Recreation Facility, Outdoor" use from zoning districts where it currently applies. The changes will allow for further community input and refinements to the standards.

Location: Larimer County

Applicants: Community Development Department

Development Services Team Recommendation: Community Development staff recommend approval of the Land Use Code amendments for "Park and Recreation Facilities, Private" uses in the Estes Valley and "Recreation Facility, Outdoor" uses countywide and outside the Estes Valley. This is considered to be a temporary change to the Code for the Estes Valley while the community has the conversation through the comprehensive plan process about compatible recreational uses, and for other County boards and commissions and public to give input on the topic of countywide outdoor recreational uses. Some of the zoning districts (e.g., FO and CD) are immediately adjacent to the Estes Valley Planning Area. Recommended proposed LUC changes include:

1. Remove the "Park and Recreation Facilities, Private" use in Table 13.1 for the Estes Valley EV RE-1, EV RE, EV E-1, EV E, EV R, EV RM zoning districts, as shown in the table excerpt above.
2. Remove the "Recreation Facility, Outdoor" use in Table 3.1 for the following County zoning districts: NR, FO, A, ACE, RR-1, RR-2, IR, and RC zoning districts and in Table 3.2 for MU-C, CC, CN, CD, IL, and AP zoning districts, as shown in the table excerpt above.

3. Amendments to the Larimer County Land Use Code regarding Articles 6.5.7, 6.5.8 and 6.5.11, File No. 21-CODE0254

Staff Contacts: Matt Lafferty

Request: To amend the Larimer County Land Use Code By:

1. Repealing Article 6.5.7. Director-Approved Plat Modifications and replacing it with Article 6.5.7.
2. Director-Approved Property, Re-configuration and Plat Modifications,
3. Repealing and replacing Article 6.5.8. Board-Approved Plat Modifications,
4. Adding Article 6.5.11. Minor Land Divisions,
5. Amending Table 6-1: Development Review Procedures Summary in Article 6.2. Summary Table of Review Procedures, and
6. Amending the Table of Contents. Said amendments will address errors and omissions associated with administrative and non-administrative procedures and requirements for property and plat modifications and Minor Land Divisions that occurred during transition from the previous Land Use Code to the current Land Use Code.

Location: Larimer County

Applicants: Larimer County Community Development

Development Services Team Recommendation: Staff recommends that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the proposed amendments to the Larimer County Land Use Code, file #21-CODE0254.

Adjourn

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at beilbykm@larimer.org or by calling 970-498-7719 or Relay Colorado 711 "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.