



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, AUGUST 11, 2025

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Jenny Axmacher, Planning Manager. Chair Pro-Tem Shadduck-McNally presided. Commissioner Kefalas was present. Commissioner Stephens was excused. Also present were Cassidy Fior, Matt Lafferty, Jacee McNulty and Samantha Mott, Planning; Connor Sheldon, Engineering; Christina Scrutchins, Community Development Administration; Christine Luckasen, Assistant County Attorney; and Deirdre O'Neill, Deputy Clerk.

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

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.

Matt Lafferty, Principal Planner, announced that if item Number Four- Timnath Growth Management Area Overlay Zone District, File No.25-ZONE3774, is approved, the Board of County Commissioners will also be making a motion to certify the zoning map for Larimer County.

PUBLIC HEARING CONSENT ITEMS:

1. ANDERSON RANCHES, INC. & GIBBENS RIGHT OF WAY (ROW) VACATION, FILE NO 25-LAND4458: This is a request to vacate a portion of right-of-way, known as Beaver Hill Country Road or the Old Otter Road; as the road is located on property owned by Anderson Ranches, Inc. or Dixie Dee Gibbens.

The road in question crosses several ranch parcels owned by the applicants, including parcels 1724000049, 1724000044 (16246 Buckhorn Rd), 1725000002, 0719000030, 0730000016, and 1724000054 (17426 Buckhorn Rd). The road has not served a public function in more than 50 years, as it was intended to be abandoned following the rerouting and phased construction of Buckhorn Road, which now provides the public access initially served by the Old Otter Road.

The residence located at 17426 Buckhorn Road has its own separate, direct access point off of Buckhorn Road and does not rely on the old road for access. The residence located at 16246 Buckhorn Road will continue to use the former Beaver Hill Country Road/Old Otter Road as a private driveway. All affected parcels are owned by the applicants, and the vacation will not result in any parcel being left without access to a public road.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Anderson Ranches, Inc. & Gibbens Right-of-Way Vacation, File #25-LAND4458 subject to the following condition:

1. The required as-built permitting, identified within the Code Compliance staff report, must be completed after the approval of this request.

2. CUSHMAN'S LAKEVIEW DEVELOPMENT FIRST FILING, LOT 1 (PETTENDER) EASEMENT VACATION, FILE NO. 25-LAND4492: This is a request to vacate a 10-foot utility easement that runs 118.87 feet across the eastern portion of lot 1 of the Cushman's Lakeview Development Subdivision first filing.

The utility easement does not currently contain any utilities. This property contains a single-unit residence, two (2) detached garages, and one (1) shed. A portable metal carport has been removed. The easement vacation has been requested as one of the detached garage structures is located within the easement. A concurrent setback variance request has also been submitted to address existing deficient setbacks from various property lines to the single-unit dwelling, a garage, and shed, that will be heard separately by the Larimer County Board of Adjustment.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the request to vacate a 10-foot wide and 118.87-foot-long utility easement on lot 1 of the Cushman's Lakeview Development First Filing, File NO. 25-LAND4492.

3. DREILING REZONING, FILE NO. 24-ZONE3706: This is a request to rezone two properties from Rural Residential (RR2) to Rural Planned Development (RPD). The subject properties are within the Timnath Growth Management Area.

The subject properties are both 2.3 acres in size for a total development area of 4.6 acres. They are located at 3482 and 3488 SE Frontage Road, Fort Collins, approximately 600 feet north of the intersection of East County Road 48 and Southeast Frontage Road.

The properties are Lots 2 and 3 of the Miller Subdivision. Lot 2, the northern lot, includes a single-family dwelling. Lot 3, the southern lot, includes a 2,400 square foot storage building. The applicants went through the Public Site Plan process in 2016 and received approval for an Accessory Rural Occupation to allow 2000 square feet of indoor space to be used for a golf cart business as a part of a 9000 square foot building that included residence and personal storage, File No. 16-ZONE2091. The golf cart business was approved as an accessory use.

The property owners are now looking to sell the property and are requesting to rezone the property from RR-2 Rural Residential to a zoning district that provides more flexibility and allows for a wider range of commercial uses that maximize the property's utility and that align with the Town of Timnath's and Larimer County's Comprehensive Plans for this area.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners approval of the Dreiling Rezoning, File No. 24-ZONE3706, subject to the following conditions:

1. The rezoning shall match the uses, planning processes, and additional requirements listed in the Rural Planned Development Zoning Exhibit.
2. The proposed uses listed on the Rural Planned Development Zoning Exhibit are subject to applicable Article 4 Standards for all Development.

4. TIMNATH GROWTH MANAGEMENT AREA (GMA) OVERLAY ZONE DISTRICT, FILE NO.25-ZONE3774: This is a request for Legislative Rezoning amending the Larimer County Zoning Map by adopting a GMA Overlay Zone District for the planning area surrounding the Town of Timnath.

In September 2020, the Timnath Town Council and Larimer County Commissioners approved an Intergovernmental Agreement (IGA). The adopted IGA established how the Town and the County would cooperatively plan and manage land use objectives and development activities for a defined area surrounding the Town of Timnath. In December 2021, the IGA was amended to include development standards for roadways within the established GMA.

Since the adoption of the IGA, it has been determined that the way the GMA was established does not provide the County authority to require land use proposals that:

1. Conform with the land use objectives found in the Timnath Comprehensive Plan.
2. Administer appropriate land use applications for urbanizing areas.
3. Comply with urban level development standards

To remedy this current situation the County proposes to legislatively adopt a GMA Overlay Zone District requiring compliance with Article 2.7.2. – Growth Management Area (GMA) of the Larimer County Land Use Code. Once adopted the Timnath/Larimer County IGA will be amended to include the proper references acknowledging the GMA as an Overlay Zone District.

By establishing the GMA as an Overlay Zone District, the County will have provided the property owners affected by such action with the appropriate public process to express their opinion, for or against the proposal, for consideration by the Planning Commission and Board of County Commissioners.

If adopted, the land use regulations within Article 2.7.2. of the Larimer County Land Use Code will become effective for the affected area. If denied, the GMA Overlay Zone District will not be established, and land use matters will be administered in alignment with requirements of the Land Use Code for areas outside of a GMA.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

1. The Development Services Team recommends that the Planning Commission recommends to the Board of County Commissioners approval of the proposed Legislative Zoning Amendments to the Larimer County Zoning Map and the Larimer County Zoning Districts Map, Front Range Area (Planning File # 25-ZONE3774) to adopt the Timnath GMA Overlay Zone District as proposed by the Community Development Department.
2. Staff recommend that the Planning Commission Certify the Larimer County Zoning Map and the Larimer County Zoning Districts Map, Front Range Area as proposed.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the four items on the Consent Agenda for Monday, August 11, 2025, subject to the conditions in the staff report and further moved to authorize the Chair Pro-Tem to sign the Findings and Resolutions.

Motion carried 2-0.

With there being no further business, the meeting was adjourned at 3:10 p.m.

TUESDAY, AUGUST 12, 2025

ADMINISTRATIVE MATTERS MEETING

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

Chair Stephens opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT: The following members of the public spoke in support of the Transportation Sales and Use Tax for the November Ballot: Connor Duffy, Ann Hutchison, Fort Collins Chamber of Commerce and Bill Becker, Loveland Chamber of Commerce. They mentioned that this is a safety concern and a good investment for our County. They urge the public to vote in favor of this measure in the November election.

Chair Stephens closed public comment.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF AUGUST 4, 2025:

MOTION:

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the minutes for the week of August 4, 2025.

Motion carried 3-0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF AUGUST 18, 2025: Ms. Martin reviewed the upcoming schedule with the Board. The Board made several additions to the upcoming schedule.

4. CONSENT AGENDA:

ABATEMENTS

1. PETITION FOR ABATEMENT OR REFUND OF TAXES: R0068039: AMEND DECISION FROM AUGUST 5, 2025, TO ADOPT REFEREE'S RECOMMENDATION OF DENIAL OF ABATEMENT FOR PROPERTY VALUE AS \$724,400 FOR TAX YEAR 2023 – DECISION IS AMENDED TO ADOPT REFEREE'S RECOMMENDATION OF DENIAL OF ABATEMENT FOR PROPERTY VALUED AS \$685,800.

AGREEMENTS

1. MUTUAL AID AGREEMENT REGARDING ROUTT COUNTY SHERIFF OFFICE AND LARIMER COUNTY SHERIFF OFFICE

2. AMENDMENT TO MUTAL AID AGREEMENT REGARDING ROUTT COUNTY SHERIFF OFFICE AND LARIMER COUNTY SHERIFF OFFICE

LETTERS OF SUPPORT

1. TECHNICAL SUPPORT REQUEST

LIQUOR LICENSES

1. LIQUOR LICENSE SPECIAL EVENT PERMIT 6% – BREAKING BREAD AROUND THE WORLD, BREAD AND SOUP PAIRING – GLOBAL VILLAGE MUSEUM OF ARTS & CULTURE – FORT COLLINS, COLORADO

2. LIQUOR LICENSE SPECIAL EVENT PERMIT 6% – FALL EQUINOX MARATHON, HALF MARATHON & FIVE MILE – GREEN EVNETS INC – BELLVUE, COLORADO

MISCELLANEOUS

1. REQUEST FOR LEGAL ACTION

2. **REQUEST LEGAL ACTION FOR CODE COMPLIANCE CASE NO. 23-CCC0064**
3. **REQUEST FOR APPROVAL TO ENTER UPON LANDS**

RESOLUTIONS

1. **UPDATED LCSO RECORDS FEE SCHEDULE**
2. **RESOLUTION APPROVING FOURTH CERTIFICATION TO THE LARIMER COUNTY TREASURER OF ZONING VIOLATION PENALTIES AS SPECIAL ASSESMENT RE: 3620 E HIGHWAY 34, LOVELAND, COLORADO, 80537 (PARCEL NO. 851716701)**

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the Consent Agenda for Tuesday, August 12, 2025.

Motion carried 3-0.

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

6. DISCUSSION ITEMS:

1. PROVIDE AN UPDATE TO THE BOCC ON THE CURRENT FIRE DANGERS IN LARIMER COUNTY: Chief Justin Whitesell provided an update to the Board of County Commissioners on the current fire dangers in Larimer County. Chief Whitesell stated that the County entered into fire restrictions on Friday, August 8, 2025. The restrictions were enacted due to above normal temperatures, windy and dry conditions. The current active state fires are limiting available firefighting resources. Chief Whitesell explained that the restrictions at this time only apply to areas 6,000 feet or above due to access, fuels, and limited resources.

Chief Whitesell presented an interactive map showing the zone fire restriction areas and current drought conditions, which are abnormally dry. Larimer County is currently experiencing below normal precipitation, and the thirty-day temperature outlook is predicted to be hot and dry. The public can visit <http://aegis.larimer.gov> for more information. The map provides an at-a-glance view of current fire restrictions and bans across Larimer County, divided into three elevation zones.

Fire restrictions are precautionary measures that limit specific fire-related activities when conditions begin to increase fire risk. The restrictions are for unincorporated Larimer County. The Fire Department and Sheriff's Department will continue to monitor conditions and update the Board if things change or if the restrictions need to be further moved to a fire ban.

The Board thanked Chief Whitesell for the update and appreciated the data and scientific approach to monitoring fires. The Board did have questions on zoning and why the Carter Lake area is not included in the restricted areas. Chief Whitesell stated that they are in alignment with the National Weather Service Red Flag Warnings, which at this time only applies to zones above 6,000 feet or above zones, due to critical weather and fuel moisture conditions that could lead to rapid or dramatic increases in wildfire activity. The Board also mentioned that this Saturday, August 16, 2025, there will be a commemoration of the 5-year anniversary of the Cameron Peak Fire at Poudre Canyon Fire Station No 2. This is a way to mark the impacts, honor those affected, and celebrate the strength and unity of the community.

2. A RESOLUTION FOR A 0.15% COUNTY-WIDE TRANSPORTATION SALES AND USE TAX REFERRING A BALLOT ISSUE AND CALLING AN ELECTION:

Larimer County faces growing needs for transportation improvements—to enhance safety and mobility, reduce congestion, strengthen disaster resiliency, and ensure reliable access for first responders. Currently, the County has no dedicated source of transportation funding, and existing funds cannot keep pace with aging infrastructure and regional growth.

The Resolution describes the proposal for 0.15% sales and use tax—equivalent to 15 cents on every \$100 spent—to be placed on the November 2025 coordinated election ballot. Essentials such as groceries, gasoline, diapers, and prescription drugs would be exempt. The measure would sunset after 15 years and is projected to generate \$15 million annually for road, bridge, and intersections improvements across the County; helping to close the funding gap and support safer, more reliable travel.

The Board of County Commissioners have discussed this topic at several previous work sessions, including one on August 4, 2025.

Lesli Ellis, Community Planning, Infrastructure, and Resource Director presented this resolution to the Board. Ms. Ellis stated that currently, the County has no dedicated funding for transportation projects. Current funding cannot keep up with aging infrastructure and regional growth. This proposal is designed to close that gap and move the County toward safer and more reliable travel.

Ms. Ellis stated that there is a need for improvements to the transportation system in Larimer County, for improved safety and mobility, becoming more resilient against disasters, managing traffic congestion, and for multimodal transportation improvements including bicycle lanes/pedestrian routes, public transit, and community programs.

Ms. Ellis went on to explain that the County is responsible for maintaining approximately 767 centerline miles of mainline paved and unpaved roads; 900 miles of County roads and 421 bridges are used daily. Many of these bridges are over 50 years old. Local and regional access is essential for the well-being of the communities. Larimer County has a population of over 370,000 residents, which is 50,000 more than ten years ago and is projected to be over 490,000 by the year 2050. The need for infrastructure far exceeds the available funding. Without additional revenue by 2027 the County will have less than 25% of the total funding needed for road safety and traffic flow.

The Board thanked Ms. Ellis and her team for all their work on this resolution. The Board stated that the County's roads provide vital connections between communities and access to recreation. The

Board said that approximately 70% of Larimer County residents and employees commute outside of the community where they live, often using County roads.

The Board is in support of this resolution finding that a sales tax increase of 0.15% of taxable transactions (15 cents on every one-hundred-dollar purchase) will help Larimer County increase necessary funding to address priority transportation needs and could be used for improving safety and capacity on roads, improving intersections, adding sidewalks, and widening roads and bridges. It will promote the health, safety and welfare of the Larimer County community. Larimer County has a strong history of responsibility and efficiently managing taxpayers' transportation funding dollars however, increased traffic and road usage has contributed to a greater need for maintenance and improvement projects.

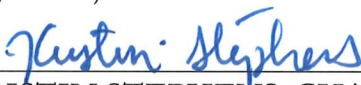
MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Resolution describing a proposal for a 0.15% County-Wide Transportation Sales and Use Tax to fund Road and Bridge and other Transportation Infrastructure Improvements focused on Safety, Congestion, Maintenance, and Mobility; Referring a Ballot issue to the 2025 Coordinated Election Ballot for the approval of such proposal; and Calling an Election.

Motion carried 3-0.

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.

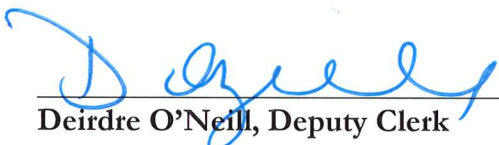
With there being no further business, the meeting was adjourned at 10:45 a.m.



KRISTIN STEPHENS, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK AND RECORDER

ATTEST:



Deirdre O'Neill, Deputy Clerk

