LARIMER COUNTY
COMMITTED TO EXCELLENCE

MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, FEBRUARY 9, 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 Kassidee Fior, Jared Seay, Jacy McNulty, Scott Benton, and Ryane Oswandel, Community Development; Lea Schneider, Health and Environment; Christine Luckasen, Assistant County Attorney; and Dianne Cheney, Deputy Clerk.

Chair 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.

PUBLIC HEARING CONSENT ITEMS:

1. **CROWNOVER AMENDED PLAT, FILE NO. 25-LAND4522:** This request is an amended plat to expand the building envelope on Lot 5 of the Ludwick Farm RLUP to include the existing deck and retaining wall, and to provide additional space for future projects.

The subject property is located at 3350 Paddy Lane in Loveland and is identified as Lot 5 of the Ludwick Farm RLUP. The property is zoned Rural Residential (RR-2) and is surrounded by single-unit residential and agricultural uses. The parcel contains approximately 3.58 acres and is currently developed with a 4,386 square-foot single-unit residence.

The Ludwick Farm RLUP, which subdivided approximately 160 acres into seven residential lots and one residual lot, was approved by the Board of County Commissioners in 1997. The approved plat (Reception No. 19980021057) established circular building envelopes of approximately one acre on each residential lot. The Declaration of Covenants, Conditions, and Restrictions for Ludwick Farm (Reception No. 19980021058) states that the building envelopes shall be approximately one acre in size and shall contain the primary residence, garages, barns, and accessory structures. These improvements are required to be clustered within the building envelope to minimize visual impacts and maintain the agricultural character of the development.

An amended plat for lot 5, lot 8, and the open space tract within the Ludwick Farm RLUP was approved in 2000. This amendment expanded the building envelopes on lots 5 and 8 and realigned the property boundary between lot 8 and the open space tract to accommodate the enlargement of an on-site pond.

The applicant is requesting this amended plat to expand the building envelope of lot 5 for a second time in order to include the existing deck and retaining wall and to provide additional space for future projects.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Crownover Amended Plat, File Number 25LAND4522, subject to the following conditions:

1. The property will be subject to all restrictions, covenants, and conditions as set forth in the plat of record for Ludwick Farm RLUP.

2. Any future uses on lot 5 shall obtain approval through the applicable review procedure as established in the Larimer County Land Use Code prior to commencement of the use.

3. The Findings and Resolution shall be a servitude running with the property. Those owners of the property, or any portion of the property, who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of this amended plat approval.

2. **OWL CANYON PANO AI APPEAL, FILE NO. 25-GNRL0582:** The applicant is requesting an appeal to Section 9.3.7 of the Land Use Code which allows the placement of cameras or other surveillance on wireless communication facilities (cell towers) only for the safety and security of the wireless communication facility. If approved, the appeal would allow for the placement of cameras on an existing tower for the detection of fires and dissemination of information to emergency responders.

The subject property is a 635.33-acre parcel located at 16238 N Highway 287, Livermore, CO 80536. The property is zoned O – Open.

The property contains a wireless communication facility with a cellular tower structure. There is an existing mining operation at the site, and the site is otherwise undeveloped aside from the existing cellular facility. The proposed wildfire camera will be constructed on an existing 190-foot-tall cellular pole approximately 130-feet above ground level.

This appeal is required to permit the placement of cameras on the existing 190-foot-tall tower for the detection of fires and dissemination of information to emergency responders. More specifically, Article 9, Section 9.3.7 (Cameras) of the Land Use Code states:

"Placement of cameras or other surveillance on Wireless Communication Facilities (WCFs) shall be used exclusively for the safety and security of the WCFs. No data secured through the use of camera, video, and biometric sensors (including facial recognition software) installed on WCFs shall be collected and shared without the expressed prior consent of citizens. Data collected from WCF security surveillance equipment will not be shared with law enforcement except within well-defined exigent circumstances. The applicant must identify in its application whether cameras or other surveillance equipment are to be utilized."

According to the applicant's project description, "Pano AI provides a platform for fire professionals to help detect threats, confirm fires, and disseminates information to the responders. Assisted by AI, Pano provides the information in real-time to the team and responders which makes it possible to quickly identify and contain wildfires allowing protection of lives, property, wildlife, and our natural resources."

Pano AI, Inc. submitted an appeal to Section 9.3.7 to allow them to install fire detection cameras on a 190-foot wireless communication facility. The cameras would be used exclusively for fire detection, not for the security of the facility itself.

Notice of this application was mailed to property owners within 500 feet of the parcel. No comments from surrounding property owners were received before the draft of this report.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommend that the Board of County Commissioners approve the Owl Canyon Pano AI Appeal, File No. 25-GNRL0582, subject to the following conditions:

1. To maintain privacy, access to the data collected by the cameras shall be restricted to the property owner, public utilities, fire districts, and public safety officials.

2. The use of cameras is limited to Pano AI, Inc. and any successors if Pano AI, Inc. is acquired by another company. An unrelated entity must obtain a separate appeal approval to utilize cameras installed by Pano AI, Inc. or to install new cameras.

3. The number of cameras is limited to the minimum necessary to achieve 360-degree coverage, not to exceed four cameras.

MOTION

Commissioner Stephens 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 Resolutions.

Motion carried 3-0.

PUBLIC HEARING DISCUSSION ITEMS:

1. 3653 HEARTHFIRE CELL TOWER EXPANSION & APPEAL: Jared Seay, Planner II, gave a presentation. The applicant is requesting an Administrative Special Review to extend a 60-foot monopine tower by an additional 10 feet, resulting in at total structure height of 70 feet. This request also includes an appeal to Article 9.4.2 (concealment standards) of the Land Use Code to allow the tower to remain as a monopine if approved. The applicant is a lessee of the 45'x 45' area on the 18.04-acre site and not the site owner or oil & gas facility.

The subject property is at 1229 E Douglas Road and is located on the southeast side of the intersection of East Douglas Road and North County Road 13 in Fort Collins.

Article 9.4.2.A.4 states that "Maximum height for WCFs shall be based on limits set forth in Table 16.A, except if they are structures, they shall comply with building height limits (e.g., for a silo)." Table 16.A (also known as Table 9-1) restricts the use of concealed towers to between 40 and 60 feet in height. Non-concealed towers are permitted through the applicable land use process up to 80 feet in height. As a result, this appeal is required to facilitate the extension of a concealed tower up to 70 feet in height. All WCFs, regardless of whether they are concealed or non-concealed, are required to meet the current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) and any other agency of the federal or state government with the authority to regulate WCFs, including standards related to safety lighting for aircraft.

In addition to the existing cellular tower facility, the property also contains an inoperable oil and gas production site. According to the Colorado Oil & Gas Conservation Commission and the State Department of Natural Resources, there are three existing oil wells located on the site. Based on information obtained through prior approvals for the site, this cellular facility was approved approximately 200 feet or more from the nearest oil well and is outside of the fall radius.

This proposal is to extend the existing concealed tower from 60 feet to 70 feet in height. The tower is already located within an existing 45'x45' lease area, The site is designed to allow for colocation of multiple cellular companies, with four 12'x20' ground equipment lease areas for tenants.

REVIEW CRITERIA

Mr. Seay gave an overview of the Review Criteria. In reviewing a proposed Administrative Special Review application, the Board of County Commissioners shall consider the general approval criteria and whether:

1. The proposed use has minimal impacts on existing and future development of the area.

2. Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.

3. The recommendations of referral agencies have been considered and adequately addressed.

4. Within a Growth Management Area (GMA) district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the Comprehensive Plan.

5. The applicant has demonstrated that this project can meet applicable additional criteria listed in Article 3.0, Use Regulations.

Additional review criterion regarding Article 9 Wireless Communication Facilities, General Review Criteria §6.3.8.D, Specific Review Criteria §6.4 through §6.7, and section §6.7.2.B.5 Appeal Review Criteria can be found in the Land Use Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommend that the Board of County Commissioners approve the 3653 Hearthfire Cell Tower Expansion & Appeal, File No. 25-WCF0193 subject to the following conditions:

1. The site shall be developed consistently with the approved plan and with the information contained in the 3653 Hearthfire Cell Tower Expansion & Appeal 25-WCF0193 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 Prospect Energy LLC Cell Tower Administrative Special Review.

2. This application is approved without the requirement for a Development Agreement. In the event the applicant fails to comply with any conditions of approval or fails to use the property consistent with the approved Administrative Special Review, the applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Administrative Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Administrative Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Administrative Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees. County may conduct periodic inspections of the property and reviews of the status of the Administrative Special Review as appropriate to monitor and enforce the terms of the Administrative Special Review approval.

3. The Findings and Resolution shall be a servitude running with the property. Those owners of the property, or any portion of the property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Administrative Special Review approval.

4. The owner is responsible for obtaining all required building permits for the cell tower and paying all applicable fees, including permit fees.

5. This Administrative Special Review approval will automatically expire without a public hearing if the use is not commenced within three years of the date of approval.

6. The plans submitted with the building permit shall demonstrate compliance with the access standards required of the existing facility.

7. The proposed extension shall be constructed so that there is a 2:1 ratio of distance between any oil and gas equipment so that the tower will not fall onto any of the oil and gas equipment on site.

8. The applicant shall provide landscaping that includes a mix of eighty (80) percent evergreen and twenty (20) percent deciduous species, and the applicant shall plant landscaping that is mature as possible.

9. The applicant will construct the facility in such a way that the top of the tower will visually taper to simulate natural growing patterns of a pine tree or spruce tree native to the Front Range region, to the satisfaction of County Planning staff.

10. The applicant will prepare a memorandum to be submitted at the time of a building permit that includes any applicable Colorado Parks and Wildlife (CPW) buffer zone requirements and seasonal construction restrictions related to adjacent wildlife and avian species. These requirements and restrictions will be noted on the related building permits and imposed during construction.

11. A field survey shall be completed to the satisfaction of County Staff which determines whether any existing ornamental landscaping located within the vegetative buffer on-site must be replaced. If required, the replacement of identified landscaping shall occur at the applicant's expense, in accordance with the approved Landscaping Plan, with living plantings of the same species within 12 months of this approval. Minor deviations may be permitted at the discretion of County Planning staff.

APPLICANT PRESENTATION: Michael Powers with Atlas Tower 1 LLC gave a presentation. Mr. Powers addressed the current landscaping and stated that the company is committed to relandscaping the leased area. Mr. Powers discussed the need for the additional height. Mr. Powers stated that DISH is currently using a portion for an existing antenna at 45 feet and there is a current application in review with Larimer County for T-Mobile to occupy the area above DISH at 50-60 feet. Verizon Wireless is interested in signing a contract; however, they have indicated that 30–40-foot co-location is too low to provide needed coverage. The structure is multi-use and capable of housing more than four carriers. Mr. Powers stated that there is a lightning rod that currently brings the monopine to 64 feet.

QUESTIONS FOR APPLICANT AND STAFF: The Board asked several questions of staff. Questions included location of the tower, who owned the property, and reclamation of the total land area. The Board asked staff to clarify if the reclamation of the site is a separate process and how the perished pieces of landscaping will be replaced. The Board inquired about the mechanisms for accountability should the requested height variance fail to resolve existing service gaps. In addition, the Board asked if there were any cellular carriers using the facilities currently, if a regular tower would be considered, and when the original permit was approved. The Board sought clarification on the tower height of 70 versus 74 feet with the addition of the lightning rod. The Board questioned that since the proposed use is within a Growth Management Area (GMA) district can staff expand on how the application meets the criteria and any concerns the City of Fort Collins had if the property became annexed.

Mr. Seay responded to the Board's questions. Mr. Seay understands the oil wells to be decommissioned and out of operation. The site will be reclaimed, although there is not a current timeline for reclamation. Jenny Axmacher, Planning Manager, clarified that while Prospect Energy still owns the land, the wells have been transitioned to the state's orphaned well program. Consequently, the state is now responsible for their reclamation. Mr. Seay confirmed the applicant intends to replace all perished landscaping, independent of the Board's decision on the tower height. Mr. Seay stated that DISH Network is currently co-located on the tower and T-Mobile's co-location has not been built out yet, but they are in process of permitting. The original tower permit was approved in January of 2023. Ms. Axmacher mentioned that Code Compliance can be contacted by the neighbors if they see issues with landscaping once new trees have been planted. Mr. Seay stated that when staff review cellular applications, they look at the bowl of the tower as their height, rather than the total height including the associated pole or concealment. The current structure in total measures 64 feet and the application is applying to add an additional 10 feet, bringing the total height of the structure to 74 feet. Mr. Seay stated that the City of Fort Collins did not disapprove of the application, however they did mention that if the property were annexed to the City of Fort Collins in the future, they would take it on as a non-conforming property, which is common with cellular facilities and other property types within the County.

The Board asked the applicant if there would be space for an additional carrier and if there will be an attempt to make the monopine look more natural. The Board wanted clarification of the lightning rod portion of the monopine and if it adds to the 70 feet that are being requested. The Board inquired about the use of the tower for co-location for emergency management systems (EMS) and if there are charges for the use of EMS equipment. The Board asked under the scenario of two carriers, how will the addition of the height add to the ability to extend the radius of the coverage for the surrounding area. Who is responsible for communication within the neighborhood for issues or problems at the site, including if landscaping perishes in the future. The Board asked the applicant to clarify the per foot increments of the co-locators on the tower.

Mr. Powers answered the Board's questions. It is unknown if another carrier could co-locate on the tower. It would depend on their ability to co-locate at a lower level. Mr. Powers stated that there would be an attempt to make the monopine look more natural by maintaining the density. Mr. Powers stated that the lightning rod currently sits above 60 feet. It can be located lower within the 60-foot height;

however, it may not operate as well. The request would be to add 10 feet to the current structure to accommodate the co-location for Verizon and that would bring the structure to 74 feet with the lighting rod. Currently, cellular coverage is poor as DISH is not operating as a cell coverage carrier. Any equipment that EMS users may want to add to the monopine can usually happen at a lower position on the monopine. Mr. Powers stated that Atlas Tower 1 LLC has traditionally provided a contract at a reduced rate for EMS users. Regarding communication with the surrounding neighborhood, Mr. Powers stated that there is a Federal Communications Commission (FCC) placard on site that will show the company's name and phone number along with a toll-free number for emergencies.

PUBLIC COMMENT: John Riley and Jim Miles spoke in favor of the tower. Comments in favor included the need in this area for improved cellular service for both public service and public safety. While they are in favor of improving service, commentors also spoke about the delay of two years in getting service in the area, the landscaping, and conditions for maintaining the landscaping.

David Haase spoke against the proposal siting the current visual state of the tower, lack of maintenance of the structure and the landscape, and that the company does not have to honor every carrier that wants to co-locate on the tower.

Chair Shadduck-McNally closed public comment.

PUBLIC COMMENT REBUTTAL: Mr. Powers shared that Atlas Tower 1 LLC will comply with the landscaping requirements as part of this proposal. In regard to coverage, Mr. Powers stated that if the additional height is not permitted, Verizon Wireless will not be interested in placing an antenna in this area.

DELIBERATION: The Board thanked the applicant and the public for speaking on this item. The Board commented that there is a need in this area for enhanced coverage for the communities surrounding the tower, especially for public safety. The review criteria have been met, and the conditions of approval allow for accountability. The Board felt that communication between the applicant and the community needs to be improved and the landscaping needs to take into consideration the maturity height of trees that have perished on the property.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the 3653 Hearthfire Cell Tower Expansion & Appeal, File No. 25-WCF0193 subject to the conditions as outlined in the report.

Motion carried 3-0.

2. **EXTENSION OF MORATORIUM ON DATA CENTER FACILITIES:** Jenny Axmacher, Planning Manager addressed the Board. Ms. Axmacher stated that this item was originally approved for 30 days at the January 27, 2026, Admin Matters Meeting. Currently, before the Board of

County Commissioners for consideration is an extension of the previously approved moratorium for six months or until August 25, 2026.

Staff have recently noticed an increased interest in developing data center facilities within Larimer County. Data centers are any large-scale facilities designed to house computer systems and associated components such as telecommunications and storage systems.

These facilities can have significant impacts on infrastructure, including demands on electrical power, water supply, telecommunications networks, and transportation systems, as well as potential impacts on surrounding land uses, natural resources, public services, and the character of the community.

These facilities can also generate a significant amount of property tax due to their significant size.

The County's Land Use Code does not currently contain specific regulations, standards, or definitions addressing the unique characteristics and impacts of data center facilities which is why a moratorium is being suggested.

Staff are already working with a University of Colorado-Denver graduate student on a research project which will help inform the County's approach to regulations. Staff have also had an initial conversation with the Environmental Science Advisory Board. Staff are requesting time to further explore how other communities are addressing the topic, if there are any existing model codes, and monitor any proposed legislation at the state level.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommend that the Board of County Commissioners approve extending the moratorium until August 25, 2026, to allow staff additional time to research and propose Land Use Code regulations to cover this type of use.

PUBLIC COMMENT: Bill Thomas, Joe O'Neil, Ben Denardo, Kevin Stearns, David Korostyshevsky and Mak Guieb provided public comments in person. Megan Eleazer, Casey Gollihugh, Elaine den Hoed, Amy Maxey, Ryan Van Pelt, Cathrine Hall and Tim Roeder provided public comments on-line. All members of the public spoke in favor of the moratorium being extended. The public asked for more public awareness while the process is occurring and that they would like more opportunities for the public to weigh in on allowing this type of land use.

Chair Shadduck-McNally closed public comment.

QUESTIONS FOR STAFF: The Board asked staff about the length of the moratorium and if extensions could take place. The Board asked for clarification if criterion is put in place if they will be able to reject applications if they do not meet the criteria. The Board asked if there would be a process during the moratorium for public engagement, and an opportunity for members of the public, who have some expertise, to provide input.

Ms. Axmacher stated that the County has the ability to enact a moratorium. The maximum time that a moratorium can be approved for is six months. Ms. Axmacher said that staff were aware of two groups that were potentially trying to submit active applications for this type of land use. The 30-day moratorium allowed the County to put something in place prior to applications being submitted. Ms. Axmacher shared that at the end of the 6-month moratorium period staff can consider whether or not they need to extend the moratorium. Christine Luckasen, Assistant County Attorney, stated that the Board is using state statute to enact this moratorium with the intent to give staff and the Board time to develop regulations. Regarding public input, Ms. Axmacher shared that while they have not concluded exactly what the process of development will look like, any amendment to the Land Use Code follows a public hearing process. Based on feedback from the public, Ms. Axmacher shared that there will most likely be some additional public outreach during the development process. Ms. Axmacher stated that the public can keep informed by going to https://engage.larimer.gov/ and sign up once the portal is created.

DELIBERATION: The Board thanked the members of the public for engaging in person and online. The Board mentioned that the moratorium cannot be extended for no reason. The Board stated that they would like to see an open forum and/or engagement portal during the moratorium to allow for some public engagement during the process. The Board appreciated the suggestions from the public including looking at this item from a social lens. The Board encouraged the public to stay engaged.

MOTION

Commissioner Stephens moved that the Board of County Commissioners approve the resolution to extend the temporary moratorium on data center facilities until August 25, 2026.

Motion carried 3-0.

With there being no further business, the Board recessed at 5:30 p.m.

LAND USE HEARING

The Board of County Commissioners met at 6:30 p.m. with Jenny Axmacher, Planning Manager. Chair Shadduck-McNally presided. Commissioner Stephens and Commissioner Kefalas were present. Also present were Kassidee Fior, Laura Collier, and Ryane Oswandel, Community Development; David Pringle, Engineering; Lea Schneider, Health and Environment; Christine Luckasen, Assistant County Attorney; and Dianne Cheney, Deputy Clerk.

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

PUBLIC HEARING DISCUSSION ITEMS:

1. CAMPIE SHORT-TERM RENTAL SPECIAL REVIEW, FILE NO. 25-ZONE3773: Laura Collier, Planner II, gave a presentation. The applicant requests Special Review approval for a four-bedroom, nine guest short-term rental (STR) in an existing single-unit residence.

The subject property is located at 579 Hemlock Dr, Lyons Colorado on the southwest side of Rainbow Lake in Big Elk Meadows. It is approximately 0.62-acres in size, and it is zoned O - Open. The property currently contains one single unit residence constructed in 1998. The property is served by Big Elk Meadows Water Association, on-site septic and the Big Elk Volunteer Fire Department. The property takes access from Hemlock Drive.

Short-term rental applications in the O – Open zone district are required to receive land use approval through the Special Review process and obtain a conversion permit from the Building Division prior to operating. A Short-term Rental is considered a Commercial Lodging Facility use and the review process required for such use depends on the zone district in which the property is located.

Ms. Collier reviewed the planning process for short-term rentals.

On June 23, 2025, notice of the Sketch Plan phase of this application was sent to 248 property owners and residents within 500 feet of the property and all of the property owners in Big Elk Meadows. As of July 20, 2025, 23 comments were provided in opposition, and one neutral comment was received regarding the proposed short-term rental.

As required by the Special Review Process, the applicant conducted a neighborhood meeting on September 10, 2025. On August 20, 2025, notice of the Neighborhood Meeting of this application was sent to 24 property owners within 1000 feet of the property. Twelve members of the community attended the neighborhood meeting.

Between the Sketch Plan Phase and the Public Hearing Phase, five comments were received from community members in opposition to the request, and two comments were received in support of the request. On November 11, 2025, notice of the Public Hearing Phase of this application was sent to the same 24 property owners within 1000 feet of the property. Two community members provided comments in opposition to the proposed short-term rental during this phase of the application. Ms. Collier stated that 37 community members' comments were received throughout all phases of the application from 30 unique individuals. Ms. Collier stated that there were 33 comments in opposition, four comments in support and one neutral comment.

During the public hearing phase, no comments were received from Big Elk Volunteer Fire Department, Big Elk Meadows Water Association, Colorado Parks & Wildlife, Larimer Emergency Telephone Authority (LETA) or Boulder County. Ms. Collier stated that an addendum was provided to the Planning Department during the sketch plan phase with comments from the Big Elk Volunteer Fire Department as requested by one of the neighbors.

REVIEW CRITERIA

To approve a Special Review application, the Board of County Commissioners must consider the following review criteria and find that each criterion has been met or determined to be inapplicable (Article 6.4.2.D.), in addition to the General Review Criteria found in Article 6.3.8.D.:

1. The proposed use has minimal impacts on existing and future development of the area.

2. Any impacts associated with the environment, wildlife, access, traffic, emergency services, utilities, parking, refuse areas, noise, glare, odor, and other adverse impacts have been adequately addressed and/or mitigated.

3. The recommendations of referral agencies have been considered and adequately addressed.

4. Within a GMA district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the Comprehensive Plan.

5. The applicant has demonstrated that this project can meet applicable additional criteria listed in Article 3.0, Use Regulations.

Additional review criteria including General Standards, Ordinance for Implementing and Enforcement of Short-term Rentals, Safety Standards, Floodplain Overlay District Standards and Local Roadway and Access Standards for Short-term Rentals can be found in the Land Use Code. In addition, to approve a Special Review application, the Board of County Commissioners must also consider Article 4.0, Development Standards, of the Land Use Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Larimer County Planning Commission and the Development Services Team recommend that the Board of County Commissioners approve the Campie Short-term Rental Special Review, File No. 25-ZONE3773 subject to the following conditions:

1. This Special Review approval shall automatically expire in three years if the use has not commenced and/or building permit and/or development construction permit are not issued.

2. This Special Review approval shall be subject to revocation at a noticed public hearing if the owner fails to comply with any conditions of approval or fails to use the property consistent with the approved Special Review.

3. The site shall be developed consistent with the approved plan and with the information contained in the Campie Short-Term Rental, File No. 25-ZONE3773, and the supplemental regulations listed above, except as modified by the conditions of approval or agreement of Larimer County and the property owner. The property owner shall be subject to all other verbal or written representations and commitments of record for the Campie Short-Term Rental Special Review.

4. The property owner is responsible for paying all applicable fees which may include building permit fees, impact fees, and Transportation Capital Expansion Fees (TCEF) applicable to the use.

5. Prior to operation as a short-term rental, the applicant shall obtain an approved Change of Occupancy Permit from the Larimer County Building Division and successfully pass the Life Safety Inspection.

6. The short-term rental is approved with four (4) bedrooms, and one (1) additional sleeping area, for a maximum occupancy of nine (9) people.

7. Re-certification shall be required upon notice by Larimer County, which is required approximately every two years. Failure to complete and resubmit the re-certification form to the Community Development Department shall be cause for consideration of revocation of this approval.

8. No parking shall be permitted in the right-of-way and all parking for the use shall be on-site.

9. The use must comply with the Larimer County Noise Ordinance, including reduced noise levels at property lines between 7pm and 7am.

10. Upon issuance of the Change of Occupancy Permit, the applicant shall include the approved File Number, 25-ZONE3773, on all advertising and booking websites.

11. The identified property manager must be located within the required distance of the Short-term Rental, per Section 3.3.5.B.2.P of the Larimer County Land Use Code.

12. Prior to operation as a short-term rental, the applicant shall post the property manager contact information outside the front door of the short-term rental.

13. Upon approval, the property owner shall mail the designated property manager's contact information to surrounding property owners within a 1000-foot radius of the property boundary. The owner shall also mail contact information to surrounding property owners whenever the designated property manager changes.

APPLICANT PRESENTATION: Meredith and William Campie addressed the Board. Mr. Campie stated that in 2018 the Big Elk Meadows community voted to allow short-term rentals and discussed some of the subsequent decisions made by the homeowners' association. Mr. Campie discussed the community meeting that was held and subsequent changes that were made to their information packet and property line signage based on input from the community. Mr. Campie stated that Big Elk Meadows is primarily a second home community. There are 169 homes in the community and only five are primary residences, with 30 homes owned by multiple families or groups of people. Mr. Campie stated that he and his wife are very active in the neighborhood and shared various roles and history regarding community activism. Mr. Campie informed the Board that they own two properties in Big Elk Meadows and plan to reside at their other property during much of the time that the property they are applying for is being used as a short-term rental. Mr. Campie discussed access and road safety and addressed comments provided during the sketch plan phase by the Big Elk Volunteer Fire Department.

PUBLIC COMMENT: Collin Isenhart, Tori Devore, Susan Smith, Elaine Murphy, Cynthia Ray, Catherine Faughnan, Christa Isenhart, Kent Broome, provided comments online against the proposal. Reasons for denial include inability for renters to understand the terrain, the arid community and what needs to be done to protect the area from fire, fragility of the environment, concerns about insurance denials, and resource challenges for both fire and medical from the volunteer fire department. Additional concerns expressed were related to increased traffic and the risk of transient guests not obeying rules.

Jennifer Martin, Craig Peterson, Pam Wanner, Cory Jakobsen, David Alvarado provided comments online in favor of the applicants. Reasons included dedication to the community, respect for their neighbors, and their commitment to being present. Additionally, they expressed confidence in the Campies to manage their short-term rental and the ability to be hands on due to the proximity of their other property.

Chair Shadduck-McNally closed public comment.

APPLICANT REBUTTAL: Mr. Campie thanked the public for their comments. Mr. Campie stated that the community voted to allow short-term rentals. Additional rebuttal comments from Mr. Campie included the property's six exterior property cameras that detect fire, their personal commitment to fire prevention, and the limited number of short-term rentals in the area. Mr. Campie also stated that the infrastructure was built for the total capacity of the community, and these homes are not occupied year-round by many of the residents.

QUESTIONS FOR APPLICANT AND STAFF:

The Board asked the applicant if they could address the concerns raised by the fire chief, especially in regard to access. The Board inquired as to the length of time it takes to get to the property from their home property. The Board asked if the applicant had a backup plan for communication should there be an issue, and will neighbors' concerns be addressed.

The Board asked staff about the current density of short-term rentals in the Elk Meadows community, and if there have been any complaints to the County regarding the existing rentals. The Board asked if the Fire Department's letter counts as a referral agency even though it came in during a different phase and if it can be considered as part of the criteria. The Board asked staff to speak to the engineering component of the road that the short-term rental is on and did it address the winding and steep portions of the neighborhood.

Mr. Campie shared that there is a lot of information provided in the packet including a signed statement by the renter that goes over all of the rules regarding fire regulations. Mr. Campie stated that as an applicant they have done what is necessary to have the roads onto their property properly engineered. Mr. Campie shared that they will be using the property personally and it will not be used as just a short-term rental. There will be open lines of communication as to any weather-related issues. Mr. Campie shared that the house has a generator, good Wi-Fi and a satellite phone. Mr. Campie stated that the property could function off grid for at least a year. Mr. Campie shared that they are proud to have gotten this far in the process and that they have been responsible throughout the process, showing their commitment to making this property safe. The rental packet has been changed based on community feedback, and they will continue to be open to thoughts and feedback from the neighborhood.

Staff shared that there are three current short-term rentals in the neighborhood. Ms. Axmacher stated that in general staff does not provide the comments received during the sketch plan phase. A new referral was sent to the volunteer fire department for comment, and they did not reply at that time. Christine Luckasen, Assistant County Attorney, provided additional comments stating that the answer to whether or not you can count it as a referral agency comment is that there is concern that the applicant may not have had a fair chance to rebut anything that comes in during the review process. Ms. Luckasen stated that the information can be considered as someone from the Big Elk Volunteer Fire Department testified to the letter and gave comment on behalf of that agency which the applicant did have an opportunity to respond to at the public hearing. Ms. Luckasen believes that the Board is okay considering the letter and weighing it within the criteria they are considering. Ms. Collier stated that there have not been any complaints to the Planning Department in regard to existing short-term rentals. Regarding the road inquiry, David Pringle, Engineering, stated that the infrastructure meets all County standards, as verified by a certified third-party engineering firm.

DELIBERATION:

The Board thanked the applicants for their presentation and the members of the community for their comments. The Board appreciated the character of the applicants and shared that they were impressed by the detailed response from the applicants after the community meeting. The Board shared concerns that the application does not meet criteria one and that the concerns of the volunteer fire department have not been adequately addressed. The Board believes that comments from neighbors speak to a lack of desire to have short-term rentals in the community.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners deny the Campie Short-term Rental Special Review, File No. 25-ZONE3773.

Motion carried 3-0.

With there being no further business, the meeting was adjourned at 8:00 p.m.

TUESDAY, FEBRUARY 10, 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 Michele Bird and Tom Clayton, Commissioners' Office, and Dianne Cheney, Deputy Clerk.

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

Chair Shadduck-McNally shared that the flow of today's meeting will change slightly and the discussion item on the agenda will occur after public comment.

1. **PUBLIC COMMENT:** Brian DaBuse addressed the Board to express concerns regarding abandoned vehicles within road rights-of-way. Mr. DaBuse stated that cars are parked with no license plates or tags, or with expired tags. Mr. DaBuse has reached out to the Sheriff's office along with Code Compliance with his concerns.

Eric Sutherland addressed the Board regarding concerns about Urban Renewal Authority laws, particularly in regard to Timnath and Loveland Urban Renewal Authority. Mr. Sutherland stated concerns about how Tax Increment Financing (TIF) is being abused.

Chair Shadduck-McNally closed public comment.

The Board thanked the public for their comments. The Board is currently developing an abandoned vehicle ordinance in collaboration with the Sheriff's Office and the County Attorney. This measure aims to refine the regulatory language to provide law enforcement with enhanced tools for addressing these concerns in Larimer County. The Board shared that there is an issue across the County with abandoned cars. The Board stated that they were not Commissioners when the referenced Urban Renewal Authorities were established in these areas. The Board shared that there are ongoing efforts to update the policy framework for Urban Renewal Authorities, focusing on stricter oversite, transparency and accountability.

2. **DISCUSSION ITEMS:**

1. **LARIMER COUNTY BOARD OF COMMISSIONERS APPROVAL AND SIGNING OF THE EARLY CHILDHOOD CHILDCARE PROGRAMS – PLANNING AND IMPLEMENTATION PHASE PROFESSIONAL SERVICES AGREEMENT:** The Early Childhood Council of Larimer County (ECCLC) was selected as the contract vendor to increase capacity and services related to early childhood care for families in Larimer County pursuant to the November 2025 voter-approved ballot measure 1B. Under this contract ECCLC will plan, implement, coordinate, and manage programs to support Larimer County families and childcare providers, with such programs being funded with revenue from the Early Childhood Sales & Use Tax.

Vanessa Fuel, Human Services Division Manager introduced Christina Taylor, Chief Executive Officer of Northern Colorado (NOCO) Kids Thrive. Ms. Taylor stated that voters approved measure

1B to lower childcare costs and strengthen early childhood services across the community. Ms. Taylor shared that in the first year of implementation of 1B tax dollars, NOCO Kids Thrive plans on distributing $3,000,000 directly to families, educators, and early childhood programs. Expected revenue generated by this tax is more than $20,000,000 annually, and Ms. Taylor stated that they are starting out slowly in the first year to ensure that funds are delivered equitably and responsibly. Ms. Taylor stated that NOCO Kids Thrive intends to work with the County as the administrative partner in a transparent and accountable manner to distribute these funds. Ms. Taylor concluded by stating that NOCO Kids Thrive has been in existence for 28 years serving the community as a trusted leader in supporting childcare providers and families. Ms. Taylor thanked Larimer County voters for passing this measure stating that this is a historic moment for bringing public funding into early childhood services.

Heather O'Hayre, Human Services Director, stated that her own work was impacted when she had to take her child to a provider where she felt that her child was not safe. As a parent this is very stressful. Ms. O'Hayre shared that she is personally grateful to the ongoing partnership with Ms. Taylor and her organization.

The Board asked if Ms. Taylor could expand on how the Early Childhood Council of Larimer County (served by NOCO Kids Thrive) was formed, why they are a chosen partner with the County, and the intersection between NOCO Kids Thrive and what funds come from the state for the Universal Preschool program. The Board asked how unincorporated portions of Larimer County will have a voice and what is the system in place to prioritize where investments may be made to help expand capacity and infrastructure in unincorporated areas or smaller municipalities such as Wellington. The Board asked what communication will be in place to show the transparency of how funding will be spent.

Ms. Taylor shared that the Early Childhood Council of Larimer County was established in 1997 by state statute to serve the early childhood system, as one of 35 early childhood councils across the state. The Council ensures high quality early childhood support and services in Larimer County and is the local coordinating organization for universal preschool. The Universal Preschool Program received approximately $16,000,000 last year in Larimer County to help support childcare. The program supports four-year-olds primarily with tuition assistance to access childcare in preschool settings up to 15 hours a week for most children. Ms. Taylor answered the question regarding having a voice in the distribution of funds by stating that they are committed to creating a family and provider voice council which will include diverse representatives from across the County. That council will inform the prioritization of funding to highest need areas first and foremost. If members of the community are interested in being engaged and informed, they should visit the NOCO Kids Thrive website. Ms. O'Hayre answered the Board's questions about transparency. Ms. Taylor shared that they will be implementing long-term tracking as to how children who receive 1B funding progress in school and will share that information with the Board and the public.

The Board thanked the staff of NOCO Kids Thrive and the children who were present for today's discussion item along with the taxpayers who approved this ballot measure. The Board shared their gratitude for the County staff, highlighting both their hard work in getting this measure on the ballot and their passion for championing our children. High quality childcare is important for young minds and for parents who need that support. The first five years are a critical time for children. This funding will help families, provide higher wages for childcare workers, support childcare providers, and assist children in important preparation for school. Benefits from this funding will have multiple impacts in other areas of the community.

Manager Volker shared that the work that is being done is based on data, research and a collaborative partnership.

M O T I O N

Commissioner Stephens moved that the Board of County Commissioners moved to approve the Early Childhood Childcare and Programs – Planning and Implementation Phase Professional Servies Agreement.

Motion carried 3-0.

The Board took a brief recess.

The Board returned to session

3. APPROVAL OF THE MINUTES FOR THE WEEK OF FEBRUARY 2, 2026:

M O T I O N:

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of February 2, 2026.

Motion carried 3-0.

4. REVIEW OF THE SCHEDULE FOR THE WEEK OF FEBRUARY 16, 2026: Ms. Bird reviewed the upcoming schedule with the Board. The Board made several additions to the upcoming schedule.

5. CONSENT AGENDA:

AGREEMENTS

1. AMENDMENT #1 TO CONSTRUCTION SERVICES AGREEMENT – ENGINEERING BID NO. B25-15; PROJECT NO. 6511; THE RANCH: CENTRAL LAWN EXPANSION

2. STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT: AQUATIC NUISANCE SPECIES PROGRAM

3. MUNICIPAL LAW ENFORCEMENT SERVICES AGREEMENT BY AND BETWEEN LARIMER COUNTY AND THE TOWN OF BERTHOUD

4. ATTACHMENT A – 2026 STATEMENT OF WORK AND BUDGET AGREEMENT BY AND BETWEEN COUNTY OF LARIMER AND TOWN OF BERTHOUD

APPOINTMENTS

1. RECOMMENDED MIDTERM APPOINTMENT TO THE NAMAQUA HILLS GENERAL IMPROVEMENT DISTRICT – Jodi Jalving

LIQUOR LICENSES

1. LIQUOR LICENSE RENEWAL – GLEN ECHO LIQUORS LLC DBA GLEN ECHO LIQUOR – BELLVUE, COLORADO

MISCELLANEOUS

1. LARIMER COUNTY LEGISLATIVE POSITIONS

2. COLORADO PARKS AND WILDLIFE IMPACT ASSISTANCE GRANT APPLICATION

3. BETTY KUHN REVOCABLE TRUST STIPULATION AS TO TAX YEAR 2025 VALUE

4. RUTH BRUNNER STIPULATION AS TO TAX YEAR 2025 VALUE

5. HOFFMAN LAKE PROPERTIES LLC STIPULATION AS TO TAX YEAR 2025 VALUE

6. CANVAS CREDIT UNION STIPULATION AS TO TAX YEAR 2025 VALUE

7. PINDUSTRIAL LLC STIPULATION AS TO TAX YEAR 2025 VALUE

8. CINDUSTRIAL SIX LLC STIPULATION AS TO TAX YEAR 2025 VALUE

9. CINDUSTRIAL SIX LLC STIPUATION AS TO TAX YEAR 2025 VALUE

10. RAMS VILLAGE APTS LLC STIPULATION AS TO TAX YEAR 2025 VALUE

11. POUDRE VALLEY HEALTH CARE INC STIPULATION AS TO TAX YEAR 2025 VALUE

12. FPA6 RAM PORTFOLIO LLC STIPULATION AS TO TAX YEAR 2025 VALUE

13. FPA6 RAM PORTFOLIO LLC STIPULATION AS TO TAX YEAR 2025 VALUE

14. **FPA6 RAM PORTFOLIO LLC STIPULATION AS TO TAX YEAR 2025 VALUE**

15. **TPG AG EBE III (LEN) MULTI STATE 3 LLC STIPULATION AST TO TAX YEAR 2025 VALUE**

M O T I O N

Commissioner Stephens moved that Board of County Commissioners approve the Consent Agenda for February 10, 2026.

Motion carried 3-0.

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

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.

LARIMER COUNTY CLERK
SEAL
COLORADO

Jody Shadduck-McNally

JODI SHADDUCK-MCNALLY, CHAIR
BOARD OF COUNTY COMMISSIONERS

JODY

TINA HARRIS
CLERK & RECORDER

ATTEST:

Dianne Cheney

Dianne Cheney, Deputy Clerk