

Date: Wednesday, April 9, 2025
Time: 8:00 AM
Location: Jewell Lake Conference Room, 200 West Oak St., 4th floor, Fort Collins, CO 80521

BOARD OF APPEALS MINUTES 25-004

Call to Order

Board Chair Paul Higman and Board Members Greg Fisher, Clint Hanna and Steve Steinbicker attended in person. Board Member Wyatt Knutson joined remotely. County Building Official (CBO) Eric Fried and Board Liaison Katie James were present in person. Five board members being present, a quorum for transacting business was reached.

Personal Appearances

There were no personal appearances by members of the public wishing to address the Board in general.

Approval of Minutes

Board Chair Higman moved to approve the minutes of the previous meeting as corrected. Board Member Steinbicker seconded the motion, which passed 5-0.

Tabled Items There were no tabled items.

Hearing Item There are no hearing items.

Discussion Items

1. Agricultural Advisory Board Building Questions

Members of the Larimer County Agricultural Advisory Board (AAB) have expressed concern with Land Use and Building Code requirements for agricultural buildings, mainly farm stands. CBO Fried met with them a few years ago and again recently, to discuss which agricultural buildings require permits, relevant building codes, and how we draw a line with building and zoning regulations when members of the public can go inside a farm stand. Specific building code sections discussed with the AAB included foundation requirements, energy efficiency, and the provision of public toilet facilities. CBO Fried requested Board direction on whether they support adding flexibility for farm stands and similar agricultural buildings through amendments to the 2024 International Building Code and related codes.

Board members discussed issues including pole barns, fully enclosed buildings versus three-sided buildings with open fronts, means of egress, how many days of the year the building is used, energy requirements for seasonal buildings, size limits to code exceptions, Electric Vehicle charging stations, solar-ready requirements, utilities, bathrooms and the proper occupancy classification of farm stands (U-Utility or M-Mercantile).

Building Official Fried stated that a barn isn't always a barn, because some barns are used for wedding events, cooking classes, processing or sales, which takes them out of the U occupancy classification and the definition of an "agricultural building" in the building code and state law. While "agricultural facilities" are considered a lower risk category in the building code, once the public enters, the proper risk category is higher. He does not think classifying all farm stands as U occupancies is the solution.

Board members generally agreed that CBO Fried should propose amendments to International Building Code (IBC) Sections 1809.5 (frost protection for shallow foundations) and 2902 exception #3 (public toilet facilities for small structures and tenant spaces intended for quick transaction) and interpret the

International Energy Conservation Code (IECC) flexibly for seasonal farm stands not being heated or cooled for occupant comfort. Alternatively, amendments to IECC C402.1 could be considered.

2. Wildfire, Energy Code and 2024 I-Code Updates

CBO Fried discussed the draft Colorado Wildfire Resiliency Code (version 0.6), changes since the last draft, and the timeline for adoption. Most of the recent changes are clarifications to scope and exceptions, definitions, the requirement for periodic defensible space evaluations, and a new section titled “Ground Truthing” to allow for requests to reclassify the wildfire hazard on specific parcels based on locally available data and/or on-site inspection. CBO Fried favors requiring all properties in unincorporated Larimer County to meet Class 2 (moderate/high fire hazard) construction and site management requirements, and the Board is in general agreement. Because the deadline for comment is rapidly approaching, CBO Fried recommends board members read the code and offer individual comments if they choose, rather than have the Board reconvene to consider taking formal action.

An updated Colorado Low-Energy Code was recently published. CBO Fried stated there were not many changes from prior versions previously discussed by this Board, despite some public comments to the Energy Code Board that their draft code is too complicated with too many amendments to an already-challenging 2024 IECC. Discussion included whether a reasonable person could understand and follow this code and would there be a prescriptive compliance option? Board chair Higman said anything under 7,500 sq. ft. can be done prescriptively, but over that and multi-family was a different calculation. There is a section about Additions with requirements for how far design has to go.

CBO Fried said he wants to preserve a prescriptive path for property owners to not always require consultants. He added that Larimer County is not required to adopt the state code until we adopt a new building code on or after July 1, 2026, which will be after this code cycle. He recommends adopting the 2024 IECC, possibly including amendments for additional options to achieve the required additional energy efficiency credits, but not the state code itself during this cycle. The Board generally agrees.

Board chair Higman said he will continue to go through the energy code as there are questions about Solar and Electric, then send an email to board members with his comments.

CBO Fried reported that the joint code review group continues to meet including Larimer County, Fort Collins, Loveland, Wellington, Safe-Built, the Homebuilders and Engineers Association. The group has been reviewing the IBC, hoping to finish the IBC today and start on the plumbing and fuel gas codes. So far there has not been much controversy, but he expects more when discussing the International Residential Code and the IECC. Fried says the participating jurisdictions are trying to pare back existing code amendments, get closer to the base code, and align the codes between jurisdictions where possible for consistency and ease of use of our customers. However, there will be differences based on the desires of each governing body’s elected officials, who ultimately adopt the codes.

The Board was in general agreement with CBO Fried’s proposed amendment to IBC Section 2902.2 exception #5 regarding design of multi-user, gender-neutral toilet facilities and offered suggestions.

Adjournment

Board Chair Higman moved to adjourn the meeting. Board Member Steinbicker seconded the motion. The motion passed unanimously.

CONSIDERATION OF TODAY’S AGENDA AND MINUTES OF BOARD OF APPEALS

Paul Higman, Chair

Eric Fried, Staff Liaison

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