



Date: Thursday, October 21, 2021
Time: 3:30 PM
Location: Virtual - Zoom Registration Link: https://larimer-org.zoom.us/webinar/register/WN_mkVF7TJ7To2rDpjXdULO7g

ESTES VALLEY PLANNING ADVISORY COMMITTEE MINUTES

The Larimer County Estes Valley Planning Advisory Committee (Committee) met via Zoom. The meeting started at 3:30 p.m.

All committee members were present, including David Converse, Olivia Harper, Mike Kennedy, Linda Moak, Rex Poggenphol, Frank Theis, and Drew Webb.

Commissioner Jody Shadduck-McNally attended.

Staff present Included: Don Threewitt, Michael Whitley, Frank Haug, and Lesli Ellis

Jessica Garner, Town of Estes, Community Development Director, attended along with one member of the public

AGENDA

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. AGENDA REVIEW**
- D. APPROVAL OF MINUTES FROM SEPTEMBER 16 MEETING**
- E. COMMUNICATION ITEMS**
- F. PUBLIC COMMENT**
- G. ACTION ITEMS**
- H. DISCUSSION**
- I. ADJOURN**

APPROVAL OF AGENDA

Member Webb made a motion to approve the agenda as presented. Member Poggenpohl seconded the motion. All committee members voted in favor of the agenda.

APPROVAL OF MINUTES FROM SEPTEMBER 16, 2021

Member Webb made a motion to approve the September 16 minutes. Member Kennedy seconded the motion. All committee members voted in favor. *(Member Poggenpohl abstained because he wasn't present for the full meeting in September.)*

COMMUNICATION ITEMS

Commissioner Update. Commissioner Shadduck-McNally thanked the committee and mentioned the new electric charging station near Rocky Mountain National Park. Public health emergencies are in effect. She was in Washington D.C. last week for national peace memorial service. Land Use Changes are moving forward, including 1041 Regulations. A lot is on the plate with the comprehensive plan and other topics, and staff is busy. It is budget season for service proposals, with a hearing in November. Members can still give feedback on that and how the County spends the American Rescue dollars. Larimer County was nationally recognized this week by the National Council of Wellbeing for Mental Health Care program, and that is a well-deserved national recognition. It affects Estes Park, where we'll be breaking ground in December.

Planning Training Opportunities.

Staff mentioned that the group might want to hear more about "Planning 101" and could offer some historical and other background. This came out of the commissioner review of the board a month ago and discussion with member Poggenpohl. It's a question for this group.

Member Poggenpohl offered to put together background about the planning system and where planning came from, why, and comprehensive plans. He could sit down one-on-one or write up information. Staff is responsible for overseeing this. The committee is getting educated about the Code as they go, and they are delving into the Comprehensive Plan heavily, so there are advantages to understand that process more.

Committee members would like to be part of that. Members Poggenpohl and Theis will work on an outline. It should include various regulations that we have to work on (e.g., STRS and accessory dwelling units).

If committee members send requests for topics to staff (Ellis), she will distribute them to committee Chair/Vice Chair and others. While staff should avoid spending a lot of time on this, it's important to control and oversee. Possible resources include Colorado Municipalities Association training for Planning Commissioners, American Planning Association. "Citizen's Guide to Planning" is a helpful resource at the library.

Note: Member Poggenpohl provided a list of resources after the meeting, and they are attached to these minutes.

Lesli will communicate comments to Rex and Frank and Rex will discuss ideas before next meeting

Revisions to Short-Term Rental Approach (Administrative Special Review). Staff proposed to fine tune the approach to cases and how or if they go to public hearings and are looking at the bylaws, types of cases, and how committees review them. It's a good idea to try to be consistent among committees. Staff proposes minor adjustments to bylaws for this committee because they do not align with the new Code (i.e., Administrative Special Review process is not included). For Short-term Rentals – they are looking at the process and perhaps trying to propose some efficiencies. The committee should not be holding a public hearing, as that's not the intent of an advisory group, and for cases that are intended for administrative review. Staff proposes to bring all the cases and information, and have an opportunity to provide a recommendation, but may simplify the approach to cases.

Committee members expressed concerns about limiting or restricting the committee's ability to provide input. They understand the process shouldn't be repetitive, but commissioners wanted representatives in the Estes Valley speaking to the county. County staff and commissioners are not as involved with the events of the valley. Even though the committee doesn't make decisions, but they are still valuable.

Staff clarified the intention is about structural changes to the format of the meeting and that the committee's input is valued. Additionally, the administrative process was designed to not be a public hearing process, so be careful about

taking the administrative process into a public hearing. Can still have input and public comment. A hearing with cross examinations and rebuttal brings formality that wasn't intended.

Certain members learn a lot from the public comments and don't want to be rubber stamps. Staff confirmed the committee will get all the information from the applicant and responding letters for review.

It would be helpful to expedite the discussion if the committee could get a map of where the short-term rentals are located by block and how many.

Note: Staff confirmed a heat map is available and has provided it for future meeting reference.

A committee member asked if this change came from complaints from applicants, and staff explained it is from observations from volume of cases and the need to stay within procedural boundaries. There is a concern the public misunderstands the committee meeting is a public hearing with a decision and then may be confused about testifying at the commissioner's hearing.

Be very clear about the purpose – to get public input and giving advice to commissioners. Don't discourage public input. It is also very important to provide the community local input to the County.

Moving forward, encourage the public to go to the BCC hearings when relevant.

Staff confirmed they will continue to fine-tune the process through the next few meetings and provide an explanation at the beginning of presentations. It would also be helpful to make sure the communications about next steps happen and that commissioners get minutes. Follow up to be sure the committee and public understands the next step. Staff explained how notification would be made and could send an email reminder to the committee about hearings.

Update on the Code Article 13 Changes. On Sept. 27, the Board of County Commissioners approved the minor edits that the committee reviewed in August. They've been implemented and have been worked into the Land Use Code – the Accommodation district change and the townhome provision.

When the committee is done with the comprehensive plan for the Town, will there be Code changes? Staff indicated possibly so. There were some comments about the A zone and STRs in the future. Some committee members think it should be a Use by Right in the future.

PUBLIC COMMENTS

None.

DISCUSSION ITEMS

One Plan Document vs. Separate Plans. Staff provided a summary of the one-page paper in the packet on this subject.

Some committee members expressed reservations about One Plan, while others prefer that approach and do not see logic in preparing two plans.

Staff clarified the 3-mile boundary. There were some concerns about the Estes Park Planning Commission zoning changes that affect the Town and if they affect the unincorporated area. One member observed the CompPAC committee needs better County representation and asked about the County role in the grant.

Jessica Garner, Community Development Director, was present at the meeting and answered questions regarding the coordination between the County and Town, and representation on the committees. The majority of the work being done on the plan is within the Town limits – the plan pertains to the Town more than the County. The plan is outdated

after its adoption in 1996. Current changes to the Estes Code are not running afoul with the plan. For instance, the building height change is related to the Downtown Plan. Be careful about waiting for the plan to be done for all matters.

Some members have participated in the CompPAC meetings and were welcomed and made comments and suggestions. Encourage others to be part of the CompPAC meetings. They are helpful and answer questions.

The committee discussed population in the County vs. Town. On Engageestes.org, there's a link with documents. The first one is the Snapshot with existing conditions. Demographics shows that there are 9,830 residents within the 3-mile study area, 5,904 in the Town, and 1,280 residents in the unincorporated area. It used to be 50:50, and now it's higher in the Town from the 2020 Census. Voter counts are different, and there are almost equal number of voters. From the standpoint of a community, the population figures are important. There are fewer children in the town than the 2010 census. Schools have lost children which is surprising and troubling.

State statute regarding the comprehensive plan for a Town says to look at the area outside the area and consider growth areas.

Clarification on Growth Areas – A member suggested that the way the language in the table is written, it sounds like the growth areas are the sole responsibility of the Town, and it's unclear about which entity might administer. That's a concern and it should be clarified.

Garner explained the growth areas get defined during the comprehensive planning process, involving all the stakeholders, and she does not anticipate a lot of growth and annexation because the Town is busy dealing with the boundaries they have at the moment. Annexations, when they happen, occur through a transparent process. The comprehensive plan is a chance to daylight the concerns and address where growth should and shouldn't occur. Usually, the plan leads to code changes and IGAs.

Garner says the town is invested in the comp plan and working with everyone to adopt a solid plan with guardrails, and that the time to talk about the IGA will in the future.

Commissioner Shadduck-McNally confirmed it's right to not talk about the IGA, yet. This is a great discussion, and there are reservations about the plan – there has been distrust and old feelings about it. It's important that everyone is heard and transparent. Try to build relationships as the meetings go forward. County commissioners approved funding part of this alongside the DOLA grant. The County is also investing in this plan. Think about the end goal that we would like to see. The plan should be far forward. Maybe there is another meeting to facilitate this conversation if there is desire by this committee. Keep speaking up and sharing the information.

Staff confirmed there is lot of work to do on the vision and goals as a shared community, and the one plan conversation may be "cart before the horse" right now. It is not critical to decide right now, and it will not hinder our work no.

Another committee member expressed reservations that the County needs and objectives don't necessarily align with the Town, suggesting one plan might not yet be appropriate. Others suggested it may be appropriate to work together and see how it unfolds.

Draft Materials from Consultant: Issues Summary and Snapshot. Staff urged the committee members to review the materials in the packet. They are also on Engageestes.org. The Plan Audit is also on the webpage. Consultants will meet with the committee at upcoming meetings.

Committee members expressed that the materials are well done, and the consultants are doing a nice job. Consider also "sustainability" as an important factor for this community along with resiliency.

Staff confirmed that sustainability is baked into each component of the plan, but it may need to be clearer. There is an investment to look at resiliency and sustainability to complement each other and the plan. Considering the floods and fires. Sustainability is the long term about maintaining character too.

SWOT review. And Visioning Exercise. The committee reviewed the SWOT results from page 61. This is the revised batch of information; staff did some work compiling after committee members sent in. It represents commonly identified themes and questions sent in by the group. Suggestions included:

- Nice job of distilling the information to reflect the flavor of conversations. Glad that the comment about “too much wildlife” came out as well as “no growth.”
- Correction - EVCA – is “Estes Valley Citizens for Accountability.” Not crisis advocates.
- Viability of the schools is a local problem.
- Strengths on the list looks good. Committee members have varying degrees of priority. Wildlife, legacy, jobs/housing, working families and retirees – how to leverage off these for sustainability economy and protect them. The balance between conservation and development is important. Maintain the unique lifestyle and environment – balanced against job creation, homes, etc. Important to make sure the strengths are the ones we agree to leverage for the community for the next 25 years. Access to the front range maybe isn’t as important to that.
- Concern about trust and divisiveness in the community. Important to think about strengths – and glaring weaknesses. It’s a rare opportunity to bring things together. The comment about schools was important – and their perception was important.
- The point about trust is good. Could that be under opportunities – “building trust in the community”?
- There doesn’t appear to be anything that refers to the pushing on the Wildland Urban Interface – that seems to be a weakness, and the committee and Commissioner Shaddock-McNally discussed this as a threat and possibly opportunity. Clarify the threats section. Other communities have a similar problem with wanting to build homes in these areas. It may be worth having as a separate item. Separate growth vs. visitors. Concept of smart growth might make sense – balanced. Opportunity.
- This comprehensive plan might be an opportunity to limit visitation. There’s a point at which Estes Park can grow beyond its means and deteriorate. Put a governor on visitation. Is it a threat (unlimited growth), or is it an opportunity (to limit growth)?
- Address annexation but not sure it belongs in this document.
- Make this concise.
- Do one final iteration to drop the questions and clean it up.
- Clarify under “Threats” natural and human disasters and visitor and commercial growth.
- Prioritizing these would be a complex and difficult task (with a group).

The committee deferred visioning work to later meetings. (Note: Staff requested by email that if anyone had additional information to submit regarding the visioning topics, staff will share that with the consultant team the week of November 16.)

Staff announced upcoming events: Nov. 3 and Nov. 17.

Received vision statement from 3 people. Staff will email the language from the existing 1996 comprehensive plan for reference. It still sounds relevant. You could do another turn if you submitted something for the vision language.

The next EVPAC meeting is on Nov. 18.

Proposed joint work session with the CompPAC group on December 16 at 9:00 a.m. morning session. Consultants are working on a “workshop in a box” so that community members can bring that information. (Note: it was sent to the committee on Nov. 16.)

The committee thanked Jessica Garner for her participation. Is there a formalized better way to relay the work that this committee does to the Town? Looking forward to the joint meeting. She is there to forge a better relationship and work together.

The meeting adjourned around 5:50 p.m.