



Date: Thursday, January 20, 2022
Time: 3:30 PM
Location: Virtual - Zoom Registration Link: https://larimer-org.zoom.us/webinar/register/WN_TRbtMekgQV6x2FQp2WLyAg

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, Amy White, Alyssa Martin, and Lesli Ellis

AGENDA

- A. CALL TO ORDER
- B. ROLL CALL
- C. AGENDA REVIEW
- D. APPROVAL OF MINUTES FROM NOVEMBER 2021 MEETING
- E. COMMUNICATION ITEMS
- F. PUBLIC COMMENT
- G. ACTION ITEMS
- H. DISCUSSION
- I. ADJOURN

APPROVAL OF AGENDA

Member Kennedy made a motion to approve the agenda as presented. Member Converse seconded the motion. All members voted in favor of the agenda.

APPROVAL OF MINUTES FROM NOVEMBER 18, 2021

Member Webb made a motion to approve the November 18, 2021 minutes. Member Kennedy seconded the motion. All committee members voted in favor.

COMMUNICATION ITEMS

Commissioner Shadduck-McNally update. There was a lot of work last year and responsive staff to do it. She is on the State Forest Health Council. The County awarded recovery act moneys, some that benefit Estes Park, and there was representation for Estes. She shared information on Climate Smart and how to get involved. There are various workshops to sign up for (with follow up emails sent). In March, the Office of Emergency Management will be doing a session on how to be prepared. How to get alerts – opting in.

Members expressed they are grateful for the commissioner's participation.

Member Chair Theis gave an update on the Estes Valley Watershed Coalition's work on wildfire mitigation. It's valuable to update the community action plan.

PUBLIC COMMENTS

None

ACTION ITEMS

Derman, Bed and Breakfast

Planner Martin presented the item.

Questions from committee members included:

- The Division of Water Resources said they had no concerns about the well. That seems to be a big issue in the neighborhood. The owner can address it.
- There were not concerns or comments about fire mitigation. It's an owner-occupied Bed and Breakfast.
- What is the overall number of bed and breakfasts in neighborhood – and when is the tipping point that it becomes an accommodation district?
- There were some questions about the private road and maintenance. There were not engineering concerns about it.
- With a Bed and Breakfast, do the owners live there?
- The county does not follow up or do compliance except on a complaint basis.

Applicant Presentation.

Dan and Tonya Derman spoke. They are building the house. The owner misunderstood the original application. It's an application for up to 6 people.

Follow up questions included:

- Do the owners have previous experience at B&Bs? The owners have rented a unit downtown.
- This application has had more written complaints than usual. How have the conversations gone? Owner explained that the initial number of occupants may have spooked neighbors because of other short-term rentals in the area. That was emailed to others outside the area.

Public Comments

- Donabeth Downey - Concerns: wildlife and use of the road. Was there a wildlife impact report for the building and parking? Did anyone check the migration patterns as there are a lot of deer. Can larger homes with a lot of concrete be considered in future? Lights are an issue. Snowplowing and regrading. Oversight. Parking – why 4 vs. 3? Not required for single family homes or ASR.
- Kris and Tom O'Neil – They sent a copy of the comments. Highlighting Taniger road. They have evacuated a number of times. Safety is a critical component. A lot of STRs already there. It's high and heavy traffic on a narrow road.

- Barbara Werner – She shares the concerns and about the number of STRs or B&Bs that can be allowed in the neighborhood. It's a historic neighborhood. Values are eroded when people don't know neighbors. In the future reconsider that policy.
- Jack Irving – Is across the street and operates a STR. There is no road association, and it's unmaintained. It's narrow. Vehicles get stuck and have to wait for a tow truck. Can the county take over maintenance of the road? Water table is a concern. It's been a vacation home area for a number of years. Many are part-time residents due to the lack of city services. The water system is failing; therefore, owners are drilling wells. He would like the County to address these issues as they address the STR issue.

Committee Discussion

- The board discussed Public Improvement Districts – Process through Engineering for homeowners and associations to address the road maintenance.
- They suggested the need to address wildlife in the comprehensive plan as well as roads and usage and safety.
- Parking – in the driveway or otherwise. Parking in the Estes Area. Why wasn't it specified at the time they built the home?

Applicant followed up. The Dermans started this process with the County over a year ago with intentions to share this home with guests and aging parents or kids.

Motions – Recommendation that the director approve or deny.

Member Kennedy made a motion to not recommend approval, and the motion died for lack of a second.

The members had additional input as follows:

- On member stated that there are concerns and they want to address them. It appears the owners have been good at addressing the issues. There's been effort and work. There are water and road concerns.
- It appears that staff has done its job, and the technical issues have been addressed.
- Be sure they're aware of wells and water tables and check on the well permit.

Member Webb made a motion to recommend approval to the director. Member Poggenpohl seconded the motion. Six members voted in favor. One was opposed (Kennedy).

Election of Officers

The Bylaws state that the election of officers should take place in October, which did not happen in 2021. Members decided to re-elect the current officers, as follows: Frank Theis is chairperson, Rex Poggenpohl is vice chair, and David Converse is secretary.

All approved the elected officers.

Posting of Meetings

All the committees go through this posting process each January. Member Harper made a motion to approve. Member converse seconds. All in favor, except Rex left the meeting by this time.

Member Kennedy posts agendas in the paper when possible.

DISCUSSION ITEMS

The committee discussed Estes Forward, the Estes Valley Comprehensive Plan process and key choices brainstorming ideas in a set of Power Point slides.

Input included:

- The group decided to put commercial and employment topics toward the bottom of the list.

Growth Management and Planning Areas:

- Expand on this idea – designate where growth should and should not go.
- Yes, include the areas.
- Expanding outward does not need to be about growth – can be about service areas and capacity of higher density concentrations.
- It should be called a “growth management” area vs. a growth area. (or it could be called a service area).

Hazards and Natural Resources

- Parts of the valley should stay rural. There are larger parcels in the north end, maybe more suitable for agriculture and ranching. Cheley Camp on the south end is also more rural.
- Consider water resources.
- Yes to improve preparedness for environmental threats.

Climate Change

- Tie in with the regional stakeholder group – County’s Regional Climate Action Plan.
- The group was supportive of addressing these issues in the plan and see this as very important – air quality is a related topic.
- Sometimes the economic issues and equity need to be addressed. Consider aspirational vs. specific actions.

Housing

- It used to be that most employers provided housing. Should that be a solution?
- There are several units under contract. There’s an interesting proposal around the Fish Hatchery.
- This is an issue that needs to be resolved. As a policy in the unincorporated area seems less likely. Should be concentrated into the core where there is higher density and transportation and services.

Short-Term Rentals

- STRs are of keen interest to EVPAC.
- Consider that STRs are known to cause higher fire incidents – what does that mean considering Marshall Fire, Urban Fire Interface zone.
- Consider where they should and should not be. Good practice would not allow STRs in residential zones.
- Consider taxation – STRs are a commercial enterprise.
- Housing and STRs are part of the same policy equation. Consider how these relate. Be careful about NIMBYism.
- Could there be incentives for STRs to become long term rentals? (that could be a challenge for the big houses that wouldn’t be affordable anyway).
- Creating housing stock for people is important.

Year-Round Employment

- If you can’t have year-round economy, how can you have year-round employment?

- Opportunities for more work at home or smaller businesses.
- There's not much home health care, but that doesn't contribute much to the economy.
- Most jobs tend to be in service sector and not able to afford living in community.
- More industry, non-tourist – more diverse economy will take a long time. Not really interested in large industry.
- Ways to “keep kids at home” in the community.
- Consider innovative practices such as the specialty industry in Leadville for outdoor clothing. It brings people to the community and employs people locally.

Seasonal Traffic Issues and Bikability/Walkability

- Extend transportation planning further out – larger approach than just town.
- Bike path to north end. It's not safe to bike on the rural windy roads.
- “green community”

The committee did not have a chance to discuss commercial and employment areas, education and childcare, economic development, design guidelines topics.