



Date: Thursday, August 17, 2023
Time: 3:30 PM
Location: Virtual Only, Zoom Link: https://larimer-org.zoom.us/webinar/register/WN_08yBSfJCThuGUSmm01Qt1Q

ESTES VALLEY PLANNING ADVISORY COMMITTEE ADDENDUM MINUTES

The Larimer County Estes Valley Planning Advisory Committee (EVPAC) met on Thursday, August 17, 2023, at 3:30 p.m. virtual video only.

Committee members present included: Rex Poggenpohl, David Converse, Mike Kennedy, Scott Stewart, and Drew Webb.

Commissioner Jody Shadduck-McNally attended.

Staff present included Rebecca Everette, Jenny Axmacher, Matt Lafferty, Samantha Lasher, Michael Whitley, Laura Culleton, Alan Kee, and Christina Scrutchins.

PUBLIC COMMENT REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA OR FUTURE PROPOSAL

None.

ADOPTION OF THE AGENDA

Member Converse moved, and member Webb seconded the motion to adopt the agenda. *Motion carried (5-0).*

APPROVAL OF MINUTES

The following amendment was made under "Amended Item – Discussion on the Comprehensive Implementation Priorities" from "CpayAW" to "CPW".

Member Stewart moved, and member Webb seconded the motion to approve the July 20, 2023, minutes of the Larimer County Estes Valley Planning Advisory Committee. *Motion carried (5-0).*

COMMUNICATION ITEMS

COMMISSIONER UPDATES

Commissioner Shadduck-McNally mentioned that she was in San Juan attending the Regional Opioid Abatement Conference. Larimer County is in the middle of the budget process. Staff were required to submit a budget with reductions due to the County's concern regarding Proposition HH which will influence the Larimer County's Budget. Larimer County started the Strategic Plan for 2019 to 2023 which is coming to an end. The Commissioner asked Staff to send the Count Resiliency Survey to the EVPAC. She made closing comments stating she has been visiting Estes Park weekly and she will soon catch up with the EVPAC soon

STAFF UPDATES

Staff mentioned that Tracy Hicks, Planner II, is no longer with the County and the position will soon be available on the Larimer County Website. The Planning Department has hired Jacy McNulty as a Planner I. Also, as a matter of coordination, Staff, meets three (3) times a year with the town of Estes, in the Community Development Department, engineering other groups, and coordinates at the staff-to-staff level to share projects that are being worked on along with updates that would be relevant to both sides.

COMMITTEE MEMBER UPDATES

Chair Poggenpohl mentioned that Rebecca suggested the EVPAC and the Estes Valley Water Shed Coalition have a joint meeting so they can share their ideas regarding the Comp Plan Action List.

DISCUSSION ITEM(S)

ITEMS NO.1 - FRANKLIN SHORT-TERM RENTAL, FILE NO. 21-ZONE3163

Applicants: Russell Franklin

Owner: Trudy and Russel Franklin

Request: Administrative Special Review approval for a small Short-Term Rental (STR) located in the existing 3-bedroom single-family residence to accommodate a total maximum occupancy of six (6) guests; two (2) guests per bedroom.

The subject property is located at 732 Windy Rose Drive, Estes Park, CO 80517. The property currently contains an existing single-family residence. The subject property is currently zoned EV E - Estes Valley Estate. The property currently contains an existing single-family residence and is currently served by the Town of Estes Park Water District and Upper Thompson Sanitation District and is accessed from Windy Rose Drive. The applicant/owner can provide adequate off-street parking for the proposed STR, providing two (2) total parking spots on-site in front of the garage. In reviewing an administrative special review application, the director must consider the following 5 general review criteria. In addition to the review criteria as stated in the land use code, there are also additional standards that apply to small short-term rentals.

ESTES VALLEY PLANNING ADVISORY COMMITTEE AND STAFF COMMENTS

The proposed property meets the half-acre lot size requirement and would only need to post a sign to notify the public if they need to complete a public hearing while the project is under review. Staff confirmed that the proposed property is a new short-term rental (STR) proposal and has been on the wait list since 2021. Some members would like to discuss the issue of road maintenance safety and what the road would look like during the wintertime accessory by the fire departments. Some members would like for the applicant to confirm if they would not post the STR via the web/internet and that the property manager would be within one hour of the proposed STR. Staff referred the proposed STR to the Estes Valley Fire Protection District, and they completed an inspection confirming the proposed property had met their standards but did note the owners would need to put up an approved address sign that is visible from the road. The applicants are required by the County to provide an escape route map for their guests in case of an emergency.

ESTES VALLEY PLANNING ADVISORY COMMITTEE AND APPLICANT COMMENTS

The applicant stated they are not planning on renting the STR right away and would use it as an emergency income as well as provide affordable income to nurses, traveling, the fire department, etc. The applicants would be managing the STR with three people available to respond/assist guests at any time. The applicant confirmed that if they did rent out the STR it would be one or two months out of the year.

PUBLIC COMMENT

None.

ESTES VALLEY PLANNING ADVISORY COMMITTEE DISCUSSION

Some members are opposed because of the density of existing short-term rentals in the proposed area and feel it will continue to have a negative impact on the neighborhood.

Staff mentioned that the basis for decisions regarding STR applications would be if they follow the review criteria listed within the previous code and not the new regulations and verify whether all of the review criteria have been met or haven't been met. The director will then issue a final decision based on whether the criteria have been met.

MOTION

Member Kennedy moved that the Community Development Director administratively approve the Franklin Short-Term Rental, File No. 21-ZONE3163. Member Stewart seconded the motion. Motion carried (3-2).

ITEM NO. 2 - FRANKLIN SHORT-TERM RENTAL, FILE NO. 21-ZONE3162

Applicants: Russell Franklin

Owner: Deanna and Russ Franklin

Request: Administrative Special Review approval for a small Short-Term Rental (STR) located in the existing 3-bedroom single-family residence to accommodate a total maximum occupancy of six (6) guests; two (2) guests per bedroom.

The subject property is located at 1436 Narcissus Drive Estes Park, CO 80517. The property currently contains an existing single-family residence. The subject property is currently zoned EV E - Estes Valley Estate. An STR use that allows 10 or fewer guests is classified as a Low-Intensity Accommodation use per the Larimer County Land Use Code and is permitted in the EV E - Estes Valley Estate zone district following Administrative Special Review. The existing residence is currently served by the Town of Estes Park Water District and Upper Thompson Sanitation District and is accessed from Narcissus Drive. The applicant/owner can provide adequate off-street parking for the proposed STR, providing two (2) total parking spots on-site in front of the garage. In reviewing an administrative special review application, the director must consider the following 5 general review criteria. In addition to the review criteria as stated in the land use code, there are also additional standards that apply to small short-term rentals.

ESTES VALLEY PLANNING ADVISORY COMMITTEE AND STAFF COMMENTS

Staff stated that there is only one licensed STR currently on Narcissus Drive. If there are any other STRs then they would be unlicensed.

ESTES VALLEY PLANNING ADVISORY COMMITTEE AND APPLICANT COMMENTS

The applicant stated that the property is owned by the Franklin Family Trust. The applicant has not lived at the residence for the past three years but would like to visit one last time prior to going into a nursing home. The owner would like to request for the property to be licensed as an STR to help supplement her income. The property cannot be sold until 15 years after the current owner has passed and they feel that the property is giving some affordable housing until it can be sold. The property needs some work to be completed and will not be rented out immediately if the property is approved for an STR license. The applicant's plan is that after the current long-term renter's six-month lease is up, then the STR would be available for short-term renters in the summer for approximately two to three months. Chair Poggenpohl noted that the applicant has a large parking area, and the guests shouldn't have to park by the next-door neighbor's driveway.

PUBLIC COMMENT

Calle Russel

Comments:

- Vehemently opposed to the STR due to the property being so close to their property.
- The proposed STR does have another road access they can use other than the shared driveway.
- Concerns regarding the number of cars the STR would bring with six guests.

APPLICANTS REBUTTAL

The applicants would not be the type of STR that allows six guests with multiple numbers of cars and will have guests use other access points to drive to the proposed STR property. Their goal is to not have the STR listed via the internet but to be by other local resources. The alternative access point is on the West side of the property.

ESTES VALLEY PLANNING ADVISORY COMMITTEE DISCUSSION

None.

MOTION

Member Kennedy moved that the Community Development Director administratively approve the Franklin Short-Term Rental (1436 Narcissus Dr), File No. 21-ZONE3162. Member Webb seconded the motion. Motion carried (5-0).

ITEM NO. 3 - ESTES FORWARD COMPREHENSIVE PLAN IMPLEMENTATION PRIORITIES

Staff has started to create a questionnaire to help the Committee members narrow down and identify which action items they feel might be the highest priority. Staff asked if the members felt the questionnaire would be helpful to complete and send prior to the following meeting.

ESTES VALLEY PLANNING ADVISORY COMMITTEE AND STAFF COMMENTS

Members feel it would be very helpful if the questionnaire was sent out. Some members would like to collaborate with the Estes Valley Residence Association due to the Association having a similar action plan. Some members would like for Staff to send information regarding the Development Codes. Staff will include what they feel is relevant to the EVPAC regarding Land Use and Land Development. Some members feel that the Estes Forward Comprehensive Plan Implementation Priorities should become a special meeting discussion to make progress.

ADJOURN

With there being no further business, the meeting adjourned at 5:24 p.m.