

Date: Wednesday, December 18, 2024
Time: 6:00 PM
Location: Hybrid: In-Person, Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom link -

PLANNING COMMISSION MEETING MINUTES

The Larimer County Planning Commission met in the Hearing Room as well as virtually by Zoom video at 6:00 p.m., on Wednesday, December 18, 2024, at which time the following business was transacted.

Board Members Present: Patrick Rowe, Lisa Chollet, Conor Duffy, Jordana Barrack, Jon Slutsky, Shelby King, Nick Casady, Jon Weiss, and Adam Eggelston.

Staff Present: Rebecca Everette, Community Development Director; Kassidee For, Senior Planner; Michael Whitley, Senior Planner; Lea Schnieder, Environmental Health Planner; Christine Luckasen, Assistant County Attorney I; Melissa Bruski, CIRT and Ryane Oswandel, CIRT.

AMENDMENTS TO THE AGENDA

None.

COMMENTS BY THE PUBLIC REGARDING THE COUNTY LAND USE CODE OR REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA OR FUTURE PROPOSALS

None.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 20, 2024

Tabled to January 15, 2025

TABLED DISCUSSION ITEMS FROM NOVEMBER 20, 2024

ITEM NO. 1 – TECHNICAL AMENDMENT TO ARTICLE 4.10, EXTERIOR LIGHTING, OF THE LAND USE CODE, FILE NO. 24-CODE0281

[View Staff Presentation](#)

PLANNING COMMISSION AND STAFF COMMENTS

Commissioner Eggelston suggested exploring mechanisms like the Epic Home Loan program and energy efficiency initiatives to incentivize public adoption of efficient lighting and adherence to new design codes.

Staff Member Fior responded that the team is evaluating options to encourage compliance with dark-sky-friendly lighting fixtures and align land-use code changes with building codes. Fior mentioned the potential to collaborate with grant and assistance programs to support these efforts.

Director Everette added that Efficiency Works, a Platte River Power Authority initiative, aligns well with Larimer County's goals and benefits jurisdictions using Platte River Power Authority. Everette clarified that the Epic Home Loan program is specific to Fort Collins and emphasized the importance of connecting residents and businesses

to available resources.

Commissioner Slutsky raised concerns about exemptions for agricultural equipment and questioned whether facilities requiring nighttime access, such as for livestock, were considered.

Fior clarified that agricultural uses are exempt as they do not meet the defined development criteria. Fior explained the focus is on ensuring safe access while encouraging lighting only when necessary.

Commissioner Weiss highlighted the need for clearer guidelines in the document. Weiss pointed out ambiguities regarding sports fields, topography, and measurement methods for light impact. Weiss suggested adding explicit instructions and the use of current technologies to provide clarity and guidance for developers.

Fior acknowledged these points and explained ongoing discussions about addressing topography and slope issues. Fior emphasized the intent to use the best available technology and collaborate with consultants to improve compliance guidelines. Fior also noted that sports fields are treated as commercial uses subject to alternative compliance plans.

Director Everette supported Weiss's suggestion to add specific language about sports fields in the code. Everette noted that enforcement aligns with broader land-use regulations and emphasized the importance of leaving room for administrative discretion to adapt to evolving priorities and technologies.

Commissioner Chollet sought clarification on measurement requirements for lighting plans and questioned the vagueness in Section 4.10.7. Chollet argued for stronger language to ensure compliance and minimize ambiguity, emphasizing the importance of lighting plans for redevelopment.

Fior responded that flexibility in language was intentional to balance enforcement with collaborative compliance efforts. Fior noted that lighting plans are required for most redevelopment projects and clarified that single-family residential developments are excluded.

Everette supported the idea of rephrasing the language to strengthen compliance requirements while retaining flexibility to waive unnecessary documentation for minor changes.

Assistant County Attorney Luckasen recommended retaining discretionary language to avoid imposing undue burdens in all cases. Luckasen emphasized that discretion rests with the county, not the applicant.

Commissioner Rowe asked whether the facilities department was consulted regarding county buildings. Rowe highlighted the behavioral health facility as an example where better lighting practices could have been implemented.

Fior acknowledged the importance of engaging with the facilities department and noted plans to address the behavioral health facility's lighting.

Rowe also asked for further clarification on the agricultural exemption. Fior reiterated the intent to ensure safety for agricultural operations while promoting best practices for efficient lighting.

In closing, Rowe commended the team for their thorough work on these much-needed updates, supporting the dialogue around balancing compliance with reducing unnecessary burdens on applicants.

PUBLIC COMMENT

None.

PLANNING COMMISSION DISCUSSION:

None.

MOTION

Commissioner Duffy moved that the Planning Commission adopt the following Resolution: BE IT RESOLVED that the Planning Commission recommend to the Larimer County Board of County Commissioners approval of the Technical Amendment to Article 4.10, Exterior Lighting, Of the Land Use Code, File No. 24-CODE0281, subject to the following: 1. The effective date of the regulations will be February 13, 2025. Commissioner King seconded the motion. Motion carried (9-0).

DISCUSSION ITEMS

ITEM NO. 1 – NATURAL MEDICINE LAND USE CODE AMENDMENT, 24-CODE0282

[View Staff Presentation](#)

PLANNING COMMISSION AND STAFF COMMENTS

Commissioner Rowe inquired about the administration and zoning limitations for facilities related to natural medicine. Rowe asked whether those administering such facilities need to be licensed and whether these facilities would be restricted to industrial zones, similar to cultivation centers.

Staff Member Whitley confirmed the licensing requirement and explained that all licensed premises, including healing centers, cultivation centers, testing facilities, and distribution facilities, would be bundled under one land use. Whitley stated that the proposal restricts these uses to Industrial Light (IL) and Industrial Heavy (IH) zoning districts, mirroring Weld County's approach. Whitley noted that Weld County anticipates adopting similar regulations in early January.

Rowe questioned whether industrial zoning was appropriate for healing centers, expressing concern about whether such facilities might be better suited to non-industrial zones.

Whitley explained that the restrictive approach was intentional to start small and evaluate impacts before potentially expanding to commercial zones. Whitley emphasized that it's easier to expand permissions than to restrict them retroactively. Maps of IL and IH zoning showed these zones are typically near growth management areas, such as Fort Collins and Loveland, which could help manage proximity to residential areas.

Rowe expressed agreement with the rationale for starting small but appreciated the explanation.

Commissioner Chollet raised concerns about concentrating facilities in areas like East Mulberry, which already face law enforcement and homelessness challenges. Chollet cautioned that this could stigmatize the use and potentially undermine its intended benefits, such as mental health treatment.

Whitley and Director Everette acknowledged the concern. Everette highlighted Fort Collins' "wait and see" approach, which could lead to a dynamic where the county is more restrictive than the city. Whitley added that commercial and industrial zoning in unincorporated Larimer County is already concentrated along Mulberry and Highway 34 corridors, and starting with industrial zoning is a cautious step to manage potential community impacts.

Chollet suggested separating healing centers from cultivation centers in zoning regulations, arguing they have different dynamics and requirements.

Whitley noted that Larimer County could separate the uses in future updates. For now, the bundled approach was chosen to ensure initial regulations are in place to avoid defaulting to state licensing without local oversight.

Commissioner Slutsky pointed out the lack of a clear definition of "natural medicine" in the county's proposed code. Slutsky recommended citing the state's definition for clarity.

Whitley explained that the state's definition, which currently includes only psilocybin and psilocyn, is subject to change. Instead of duplicating the state definition, the county defers to state regulations. Whitley and Everette agreed to consider adding a statutory reference to guide users to the state definition without duplicating it.

Assistant County Attorney Luckasen supported deferring to state definitions to avoid inconsistencies. Luckasen suggested adding a statutory citation that references the state's evolving definition.

Rowe agreed with maintaining flexibility by referencing state definitions and emphasized the importance of clarity for users.

Commissioner Duffy inquired about co-location of natural medicine facilities with medical marijuana dispensaries and cultivation centers. Duffy expressed concerns about allowing such co-location, particularly in areas like Mulberry.

Whitley noted that the current code is silent on this matter and would default to state regulations. Whitley agreed to investigate whether the Colorado Natural Medicine Code addresses co-location and whether additional county regulations might be warranted.

Duffy suggested exploring prohibitions against co-location, as it could raise concerns among residents and create potential regulatory challenges.

PUBLIC COMMENT

None.

PLANNING COMMISSION DISCUSSION:

None.

MOTION

Commissioner King moved that the Planning Commission adopt the following Resolution: BE IT RESOLVED that the Planning Commission recommend to the Larimer County Board of County Commissioners approval of the Natural Medicine Land Use Code Amendment, File No. 24-CODE0282, subject to the following: 1. The effective date of the regulations will be January 13, 2025. Commissioner Duffy seconded the motion. Motion carried (9-0).

REPORT FROM STAFF

Director Everette provided updates on recent Board of County Commissioner decisions related to topics previously discussed by the Planning Commission. Everette reported that the Mobile Home Park Preservation Zone (MHP.P) district, which was reviewed by the Planning Commission last month, has been officially adopted by the Board of County Commissioners as proposed.

Everette also highlighted progress on the Water Master Plan, noting that while the Planning Commission had taken final action to adopt the plan, the Board of County Commissioners subsequently approved it as well. With the bureaucratic process now complete, the Water Master Plan has been fully adopted, posted on the county's website, and is already transitioning into the implementation phase.

In closing, Everette reminded Planning Commission members about the importance of responding to RSVP requests for attendance at hearings. Everette explained that RSVPs help with planning for food and ensuring a quorum, emphasizing the role of administrative staff in coordinating these efforts.

Everette concluded by wishing everyone happy holidays and encouraged them to enjoy a well-deserved break in the coming weeks.

ADJOURN

With there being no further business, the hearing adjourned at 7:30 p.m.

These minutes constitute the Resolution of the Larimer County Planning Commission for the recommendations contained herein which are hereby certified to the Larimer County Board of Commissioners.



PLANNING COMMISSION HEARING

December 18, 2024

Tech. Update to Art. 4.10 Ext. Lighting of
the LUC, File No. 24-CODE0281
Staff Presentation

LARIMER COUNTY PLANNING



ARTICLE 4.10 – EXTERIOR LIGHTING LAND USE CODE AMENDMENT 24-CODE0281

PLANNING COMMISSION 12/18/2024
STAFF PLANNER: KASSIDEE FIOR, AICP



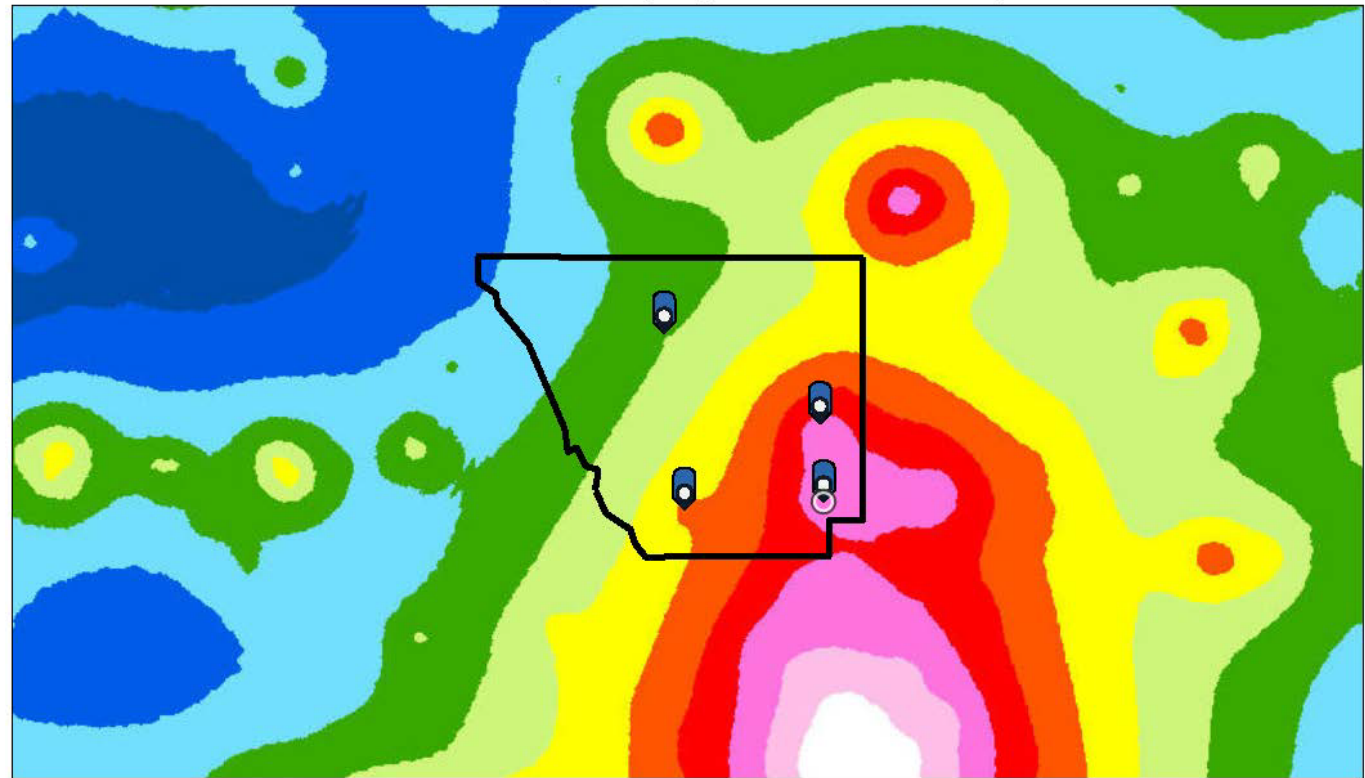
LAND USE CODE AMENDMENT TO ARTICLE 4.10, EXTERIOR LIGHTING



This continental scale map quantifies the ratio of artificial sky glow to the baseline or natural condition.

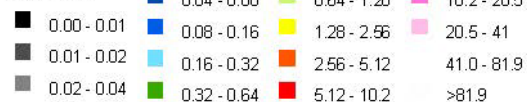
A pixel value of 0 is pristine. A pixel value of 0.5 means 0.5 times brighter (50%) than natural conditions, 1.00 = 1x brighter or 100% brighter than natural.

Larimer County All-Sky Light Pollution Ratio Map

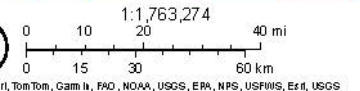


12/18/2024

ALR CONUS



World Hillshade



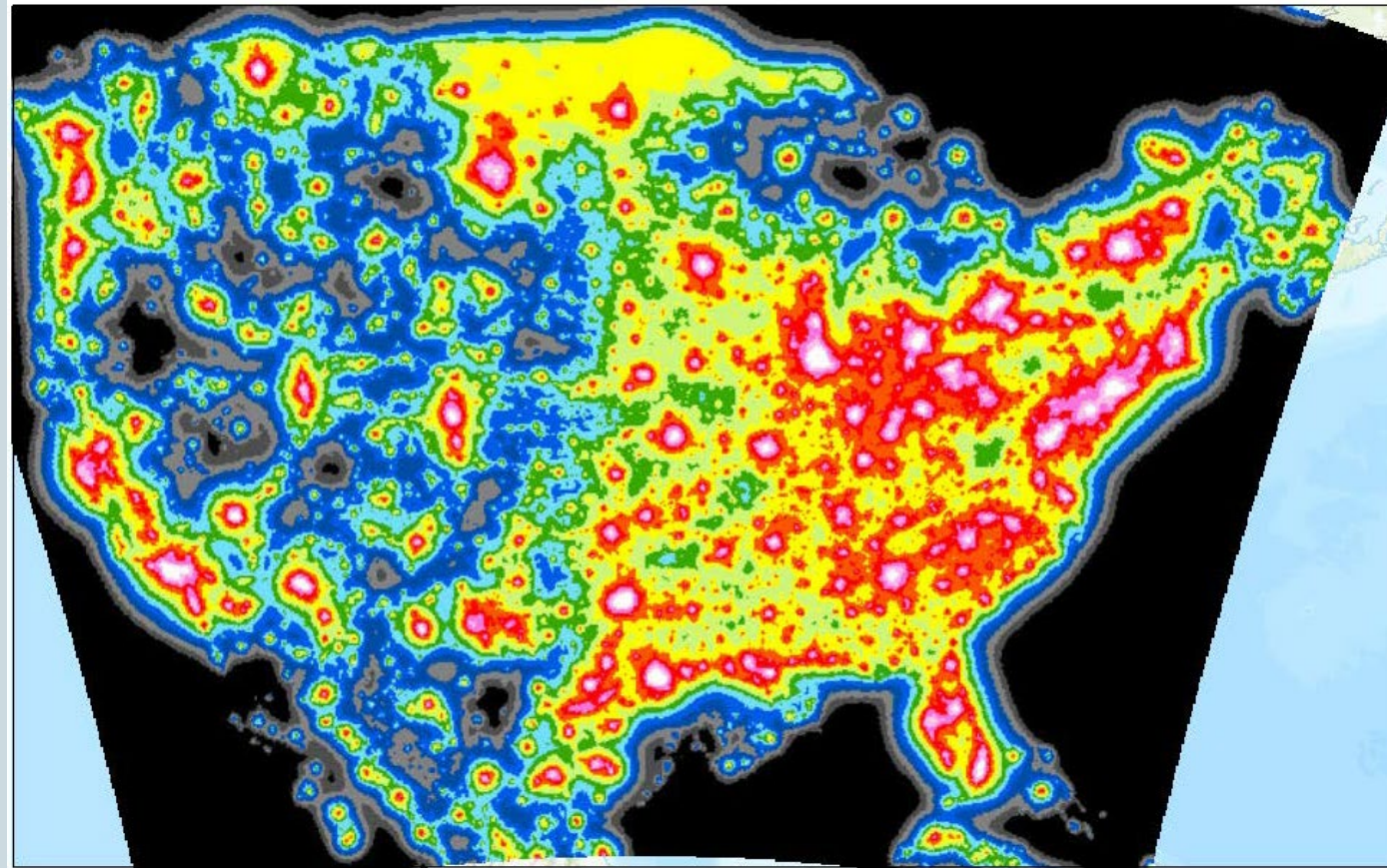
Source: National Park Service All-Sky Light Pollution Ratio Map

LAND USE CODE AMENDMENT TO ARTICLE 4.10, EXTERIOR LIGHTING



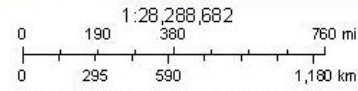
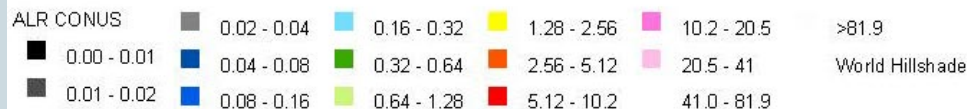
This continental scale map quantifies the ratio of artificial sky glow to the baseline or natural condition.

A pixel value of 0 is pristine. A pixel value of 0.5 means 0.5 times brighter (50%) than natural conditions, 1.00 = 1x brighter or 100% brighter than natural.



12/18/2024

ALR CONUS



Source: National Park Service All-Sky Light Pollution Ratio Map



GOALS, BACKGROUND AND PURPOSE

GOAL/COMMUNITY PRIORITY: Protecting dark, natural skies from light pollution through the identification and implementation of dark sky strategies in appropriate areas, reflected in the principles and policies of the Larimer County Comprehensive Plan including HS2.4 and H3.7.

HS2. ENVIRONMENTAL PUBLIC HEALTH

Larimer County works to improve environmental quality through reducing environmental public health impacts. (See [W&NR Principles](#))

2.4. Identify and implement dark sky strategies in appropriate areas to minimize light pollution.

H3. LAND DIVISION AND RESIDENTIAL PLANNING

Larimer County coordinates planning processes and land division patterns to attain efficient and responsible growth that maintains compatibility with adjacent areas, sensitive environmental areas, and promotes a sense of community.

- | | |
|---|---|
| <ul style="list-style-type: none">3.1. Cluster residential subdivisions and support the Rural Land Use Process and incentives (i.e. Transferable Density Units) in ways that maximize contiguity and connectivity of residual conserved lands.3.2. Encourage residential and mixed-use development in <i>Rural Centers</i> or where infrastructure is available or can be reasonably obtained, as shown on the Framework Map.3.3. Create standards to ensure compatibility between land uses to address potential conflicts (i.e. buffering). | <ul style="list-style-type: none">3.4. Support provision of and access to common areas and natural spaces in and around all types of residential developments.3.5. Require setbacks to minimize visual or direct impacts when siting new development and building envelopes on or near prominent landforms, landmarks, viewsheds, and natural features.3.6. Require measures to preserve unique or distinctive natural features and viewsheds in the design of new development.3.7. Mitigate negative effects of land uses that create high off-site impacts, such as noise, lighting, wildlife impacts, habitat fragmentation, barriers to wildlife movement and traffic, to the extent feasible. |
|---|---|

Map 4. Housing Existing Conditions and Adopted Plans

GOALS, BACKGROUND AND PURPOSE



GOAL/COMMUNITY PRIORITY: Protecting dark, natural skies from light pollution through the identification and implementation of dark sky strategies in appropriate areas, reflected in the principles and policies of the Larimer County Comprehensive Plan including HS2.4 and H3.7.

BACKGROUND: To address exterior lighting, the Larimer County Land Use Code (LUC) currently includes standards governing exterior lighting for defined development in Article 4.10 – Exterior Lighting.

GOALS, BACKGROUND AND PURPOSE



GOAL/COMMUNITY PRIORITY: Protecting dark, natural skies from light pollution through the identification and implementation of dark sky strategies in appropriate areas, reflected in the principles and policies of the Larimer County Comprehensive Plan including HS2.4 and H3.7.

BACKGROUND: To address exterior lighting, the Larimer County Land Use Code (LUC) currently includes standards governing exterior lighting for defined development in Article 4.10 – Exterior Lighting.

PURPOSE OF PROPOSED CHANGES: Minor, technical changes to reflect updated technical standards, address existing gaps, implement best practices, clarify applicability and submittal requirements for lighting plans, and to ensure that in addition to human health and safety, the natural environment is considered when site lighting is designed and selected.

PROJECT PHASES



Phase 1

- Project began in early 2024
- Initial work session held with the Planning Commission and Board of County Commissioners on October 9, 2024.
- Staff have engaged in several efforts to shape and refine the proposed changes since that time
- Staff have also begun to consider next steps to further implement lighting requirements, such as education campaigns and revisions to the Building Code.

Phase 2

- Next steps include collaborating with a qualified consultant to assist in delivering educational materials and information
- Identifying ways to align LUC and Building Code requirements for exterior lighting
- Conducting additional staff training and community outreach on lighting best practices.

WHO WE TALKED TO



- City of Fort Collins
- Town of Estes Park
- Town of Timnath
- City of Loveland
- Town of Berthoud
- Town of Westcliffe
- National Park Service Night Skies & Natural Sounds Program
- Rocky Mountain National Park
- Larimer County – Natural Resources, Planning, Environmental Planning, Building, Code Compliance

WHAT WE LOOKED AT



- Five Principles for Responsible Outdoor Lighting – Dark Sky International
- Colorado Department of Local Affairs – Template County Land Development Code
- Dark Sky Planning Guidance & Best Practices – Colorado Workforce Services & Colorado Plateau Dark Sky Cooperative
- City of Fort Collins Land Use Code
- Flagstaff Dark Skies Coalition – Model Lighting Ordinance
- City of Flagstaff, Arizona – Land Use Code
- Coconino County, Arizona – Zoning Ordinance
- Saving Our Stars – Streetlight and Commercial Lighting Guide
- Utah State University Extension – Dark Skies Toolkit
- Pattern Outdoor Lighting Code (USA, 2010) – based on International Dark Sky Association Lighting Code Handbook 2000.
- Model Lighting Ordinance – The Light Authority and International Dark Sky Association
- Town of Berthoud - Outdoor lighting and dark sky standards Ordinance 30-2-118

SUMMARY OF LAND USE CODE CHANGES



General Summary – 5 main changes

- Purpose

SUMMARY OF LAND USE CODE CHANGES



General Summary

- Purpose
- Environmental Considerations

SUMMARY OF LAND USE CODE CHANGES



General Summary

- Purpose
- Environmental Considerations
- Updates to Technical Standards and incorporating Best Practices

SUMMARY OF LAND USE CODE CHANGES



General Summary

- Purpose
- Environmental Considerations
- Updates to Technical Standards and incorporating Best Practices
- Lighting Plan Requirements and Alternatives

SUMMARY OF LAND USE CODE CHANGES



General Summary

- Purpose
- Environmental Considerations
- Updates to Technical Standards and incorporating Best Practices
- Lighting Plan Requirements and Alternatives
- Applicability and Exemptions



PURPOSE STATEMENT

- The purpose statement in Article 4.10 has been revised to reflect that it applies solely to exterior lighting, but that it also is intended to achieve a variety of goals.
- These include:
 - safety and security
 - enjoyment and function of the proposed land use
 - conservation of energy and resources
 - reduction of light trespass and glare
 - reduce artificial night glow and obtrusive light
 - protect the natural environment and public health from negative impacts of artificial lighting
 - encourage the use of quality lighting design and fixtures

Existing and Proposed Purpose Statement:

4.10. Exterior Lighting

4.10.1. Purpose

The purpose of this section is to encourage the wise use of exterior lighting and to provide enough light for a safe and comfortable nighttime environment. These standards implement the Comprehensive Plan goal to mitigate the negative effects of land uses that create high off-site impacts and minimize light pollution.

4.10.1. - Purpose.

The purpose of this section is to encourage the wise use of exterior lighting and to provide enough exterior light for the safety, security, enjoyment and function of the land use; conserve energy and resources; reduce light trespass, glare, artificial night glow, and obtrusive light; protect the local natural ecosystem and public health from damaging effects of artificial lighting; and encourage quality lighting design and fixtures. ~~a safe and comfortable nighttime environment.~~ These standards implement the Comprehensive Plan goal to mitigate the negative effects of land uses that create high off-site impacts, and minimize light pollution.



ENVIRONMENTAL CONSIDERATIONS

- Refined language emphasizing the reduction of artificial night glow and obtrusive light in natural areas.
- Proposed changes to address lighting in proximity to sensitive areas and features, including residential zone districts, natural areas, and other environmental features that may be more sensitive to, or impacted by, artificial lighting.
- A new subsection (§ 4.10.3.B.4) that limits all light trespass beyond property lines when adjacent to publicly protected open spaces, sensitive natural features such as streams, creeks, rivers, wetlands, lakes and reservoirs, and protected species habitat.
- Proposed § 4.10.3.B.4 also recommends additional consideration within known migratory corridors for birds and other wildlife, particularly during migration periods. Changes have also been made to reduce the correlated color temperature (CCT) of lighting immediately adjacent to publicly-protected open spaces, and to limit non-essential lighting overnight.
- Key Challenge – topography (see § 4.10.3.B.7)

UPDATES TO TECHNICAL STANDARDS AND BEST PRACTICES



- Variety of changes to reflect technological advancements and updates, as well as best practices.
- A number of sources were used to ensure that the proposed language reflects the most up-to-date technical standards, including:
 - *the Colorado Department of Local Affairs Template County Land Development Code*
 - *the Five Principles of Lightings from DarkSky International/Illuminating Engineering Society*
 - *Examples from adjacent municipalities.*
- These updates will assist in ensuring consistency across the region and reflect the most up-to-date standards and technical references.
- Changes proposed to reflect current technology and best practices for:
 - *Lighting types*
 - *Light fixtures*
 - *Outputs*
 - *Temperatures*
 - *Efficiency, and*
 - *Reduction of light trespass.*
- Examples of these updates include the inclusion of high-pressure sodium lights as a prohibited lighting type, removal of a diagram and related provisions permitting light trespass beyond a property line, and the introduction of additional performance standards like maximum lighting outputs for exposed LEDS, lighting efficiency, and stricter up-lighting limitations.

LIGHTING PLAN REQUIREMENTS AND ALTERNATIVES



- Specific requirements for Lighting Plans and Alternative Plans are contained in the Supplemental Materials to the LUC, which will be considered in a future phase of this project.
- However, it was discovered that some of the review criteria for alternative plans were not particularly applicable to lighting and are proposed to be updated to ensure they are more relevant to exterior lighting and the related priorities and goals contained within the Comprehensive Plan and LUC.
- There is also additional consideration for innovative designs and the conservation of energy and resources in the criteria for alternative plans.

APPLICABILITY AND EXEMPTIONS



- Expand exemptions from the standards in Article 4.10 to include:
 - *Emergency lighting*
 - *Traffic control lighting*
 - *Holiday/seasonal lighting*
 - *Lighting governed by other regulations or requirements such as the Federal Aviation Administration.*
- Additionally, it has been identified when and to what extent the replacement, addition, updating or redevelopment of non-compliant existing lighting systems (including light fixtures and light sources) would trigger the need to meet current standards.

NEXT STEPS



Proposed LUC Amendment

- If recommended, proceed to a Board of County Commissioners hearing in January 2025 (January 13, 2025)
- If approved, ensure that the Land Use Code (online and Municode version) are up to date
- In effect February 13, 2025

Phase 2 (Q1/2 2025)

- Engaging a consultant to assist with:
- Staff training
- Public education
- Dedicated webpage



REVIEW CRITERIA

Amending the text of this Code is a matter committed to the legislative discretion of the Board of County Commissioners. Per Section 6.6.2.D. to approve a change in the Land Use Code text, the Planning Commission in their review and recommendation, and the County Commissioners in their review and decision, shall consider whether the proposed change is consistent with the Comprehensive Plan and the intent and purpose of this Code.

- The proposed code amendments address technical advancements, updated best practices across the lighting industry and in recognition of those areas that can be impacted by increased lighting levels.
- As proposed, these amendments are intended to ensure that the Land Use Code maintains consistency with the Comprehensive Plan and community expectations.
- These changes are necessary and consistent with the Comprehensive Plan and are also consistent with the intent and purpose of the Land Use Code.



STAFF RECOMMENDATION

“County Staff recommend that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Article 4.10, Exterior Lighting Land Use Code Amendment, File No. 24-CODE0281, subject to the following condition:

- 1. The effective date of the proposed code amendments will be February 13, 2025. ”**



RECOMMENDED MOTION

“I move that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Article 4.10, Exterior Lighting Land Use Code Amendment, File No. 24-CODE0281, subject to the following:

- 1. The effective date of the regulations will be February 13, 2025.”**

QUESTIONS AND CONTACT INFORMATION



Contact Information

Kassidee Fior, Principal Planner

Phone: 970-498-7691

Email: fiorka@co.larimer.co.us



5 Principles for Responsible Outdoor Lighting

Five Lighting Principles for Responsible Outdoor Lighting



DarkSky



Illuminating
ENGINEERING SOCIETY

Responsible outdoor lighting is

1 Useful

Use light only if it is needed

All light should have a clear purpose. Consider how the use of light will impact the area, including wildlife and their habitats.



2 Targeted

Direct light so it falls only where it is needed

Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.



3 Low Level

Light should be no brighter than necessary

Use the lowest light level required. Be mindful of surface conditions, as some surfaces may reflect more light into the night sky than intended.



4 Controlled

Use light only when it is needed

Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.



5 Warm-colored

Use warmer color lights where possible

Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.





PLANNING COMMISSION HEARING

December 18, 2024

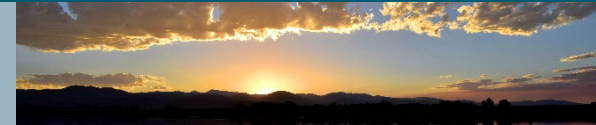
Natural Medicine Land Use Code Amendment, File No. 24-CODE0282 Staff Presentation

LARIMER COUNTY: PLANNING



NATURAL MEDICINE LAND USE CODE AMENDMENT, 24-CODE0282

PLANNING COMMISSION 12/18/2024
STAFF PLANNER: MICHAEL WHITLEY, AICP



1) ADD A DEFINITION OF LICENSED PREMISES PURSUANT TO THE COLORADO NATURAL MEDICINE CODE TO SECTION 20.2.4.K.

Add the following definition as 20.2.4.K.3:

Licensed Premises Pursuant to the Colorado Natural Medicine Code

The premises specified in an application for a license pursuant to the Colorado Natural Medicine Code (CRS 44-50-101, et seq.) that the licensee owns or is in possession of and within which the licensee is authorized to cultivate, manufacture, test, store, distribute, transport, transfer, or dispense regulated natural medicine or regulated natural medicine product in accordance with the Colorado Natural Medicine Code.

AMEND THE DEFINITION OF HOME OCCUPATION IN SECTION 20.2.7.D.2.

Amend the definition of Home Occupation in Section 20.2.7.D.2 to read,

Home Occupation

A business use conducted as a customary, incidental, and accessory use in the resident's dwelling unit, attached garage or detached building, including office work, the making of art or crafts, trade uses, the providing of personal or professional services, and similar activities, and including retail sales of products produced on the premises and products clearly incidental, secondary, and ancillary to the home occupation. Uses specifically excluded from home occupations include vehicle repair or similar activities, and retail marijuana establishments, and Licensed Premises Pursuant to the Colorado Natural Medicine Code.

3) AMEND TABLE 3-1 IN SECTION 3.2.6 TO ADD LICENSED PREMISES PURSUANT TO THE COLORADO NATURAL MEDICINE CODE TO THE TABLE.

Table 3-1: Table of Allowed Principal Uses – Rural

R = Allowed by Right SP = Site Plan S = Special Review AS = Administrative Special Review
AS* = Administrative Special Review Public Hearing Blank Cell = Prohibited use

[illegible]

4) AMEND TABLE 3-2 IN SECTION 3.2.7 TO ADD LICENSED PREMISES, ALLOW THE USE IN THE IL AND IH ZONING DISTRICTS WITH SITE PLAN REVIEW APPROVAL AND ADD REFERENCE TO SECTION 3.3.5.M AS APPLICABLE USE-SPECIFIC STANDARDS.

Table 3-2: Table of Allowed Principal Uses – Urban

R = Allowed by Right SP = Site Plan S = Special Review AS = Administrative Special Review
AS* = Administrative Special Review Public Hearing Blank Cell = Prohibited use

CHARACTER AREA	URBAN													
District	UR-1	UR-2	UR-3	MR	MHP	MU-N	MU-C	CC	CN	CD	IL	IH	AP	Use-Specific Standards
Helipad													S	3.3.5.H
Parking Lot or Garage							SP	SP	SP	SP	SP		S	
Transit Terminal or Station							SP	SP			SP		S	3.3.5.I
Transportation Depot								SP			SP		S	3.3.5.J
Vehicles & Equipment														
Truck Stop							SP	SP	SP	SP	SP		S	
Vehicle Fuel Sales						SP	SP	SP	SP	SP	SP		S	
Vehicle Repair, Major							S	SP	S	SP	SP		S	
Vehicle Repair, Minor							SP	SP	SP	SP	SP		S	
Vehicle Sales & Leasing								SP	AS	AS	SP		S	3.3.5.K
Vehicle Wash							SP	SP	SP	SP	SP		S	
Other Uses														
Adult Uses											S	S		3.3.5.L
General Commercial								SP			SP	SP		
Licensed Premises Pursuant to the Colorado Natural Medicine Code											SP	SP		3.3.5.M

5) AMEND SECTION 3.3.5 TO ESTABLISH STANDARDS FOR LICENSES PREMISES PURSUANT TO THE COLORADO NATURAL MEDICINE CODE AS 3.3.5.M.

Add Section 3.3.5.M.

Licensed Premises Pursuant to the Colorado Natural Medicine Code

1. No Licensed Premises Pursuant to the Colorado Natural Medicine Code shall operate within the unincorporated area of Larimer County without a valid natural medicine license from the State of Colorado Department of Revenue.
2. No Licensed Premises Pursuant to the Colorado Natural Medicine Code shall operate within the unincorporated area of Larimer County without compliance with all applicable Land Use Code standards.

6) AMEND SECTION 3.4.7.B (HOME OCCUPATION).

6) Amend Section 3.4.7.B (Home Occupation).

Amend Section 3.4.7.B.3 (Prohibited Home Occupations) to read:

The following uses are specifically prohibited as home occupations: lodging facilities, adult uses, vehicle repair including auto body or paint shops, assembly uses, light or heavy manufacturing uses, hazardous material storage and/or processing, flea markets, general retail, rentals of any kind, junkyards, shooting ranges, solid waste disposal or transfer centers, uses prohibited by state or federal law, value-added agriculture, uses classified as hazardous waste generators under state or federal legislation, outdoor storage of recreational vehicles, boats and other large items, ~~and~~ retail marijuana establishments., **and Licensed Premises Pursuant to the Colorado Natural Medicine Code.**

7) AMEND SECTION 3.4.7.C (RURAL OCCUPATION).

7) Amend Section 3.4.7.C (Rural Occupation).

Amend Section 3.4.7.C.3.a (Rural Occupation Use Standards) to read:

The following uses are specifically prohibited as accessory rural occupations: lodging facilities, adult uses, auto body or paint shops, assembly uses, light or heavy manufacturing uses (except for excavation using agricultural equipment), hazardous material storage and/or processing, flea markets, general retail, junkyards, commercial kennels with outdoor use, shooting ranges, solid waste disposal or transfer centers, uses prohibited by state or federal law, value-added agriculture, uses classified as hazardous waste generators under state or federal legislation, outdoor storage of recreational vehicles, boats and other large items, **and** retail marijuana establishments-, and Licensed Premises Pursuant to the Colorado Natural Medicine Code.

8) AMEND TABLE 4-4 IN SECTION 4.6.4 TO ADD LICENSED PREMISES PURSUANT TO THE COLORADO NATURAL MEDICINE CODE AND TO ESTABLISH PARKING REQUIREMENTS FOR THE USE.

Table 4-4: Minimum Off-Street Vehicle Parking Requirements		
Sq. ft. = square feet of gross floor area		
Use	Number of Spaces Required	
	Requirement in Urban Districts and GMAs	Recommendation in All Other Areas
Vehicle Sales & Leasing		
Vehicle Wash	One space per 200 sq. ft.	One space per 300 sq. ft.
Adult Uses		
All	One space per 200 sq. ft.	One space per 300 sq. ft.
Licensed Premises Pursuant to the Colorado Natural Medicine Code		
All	One space per 200 sq. ft.	One space per 200 sq. ft.

REVIEW CRITERIA

The proposed change is consistent with the Comprehensive Plan and the intent and purpose of this Code;

Comprehensive Plan policy E1.4 reads, “ Encourage small-business development and entrepreneurship in non-residential locations.” Policy 1.5 reads, “Consider opportunities for non-residential development that are appropriate for type, location, and infrastructure.”

The stated purpose of the Larimer County Land Use Code is to preserve, protect, and improve the health, safety, and general welfare of Larimer County residents. The Code’s purpose is also to preserve the character and quality of rural and urban areas (Section 1.3.2.A) and to foster convenience and compatibility among land uses (Section 1.3.2.B).

DEVELOPMENT SERVICES TEAM RECOMMENDATION

County staff recommend that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Natural Medicine Land Use Code Amendment, File No. 24-CODE0282 subject to the following:

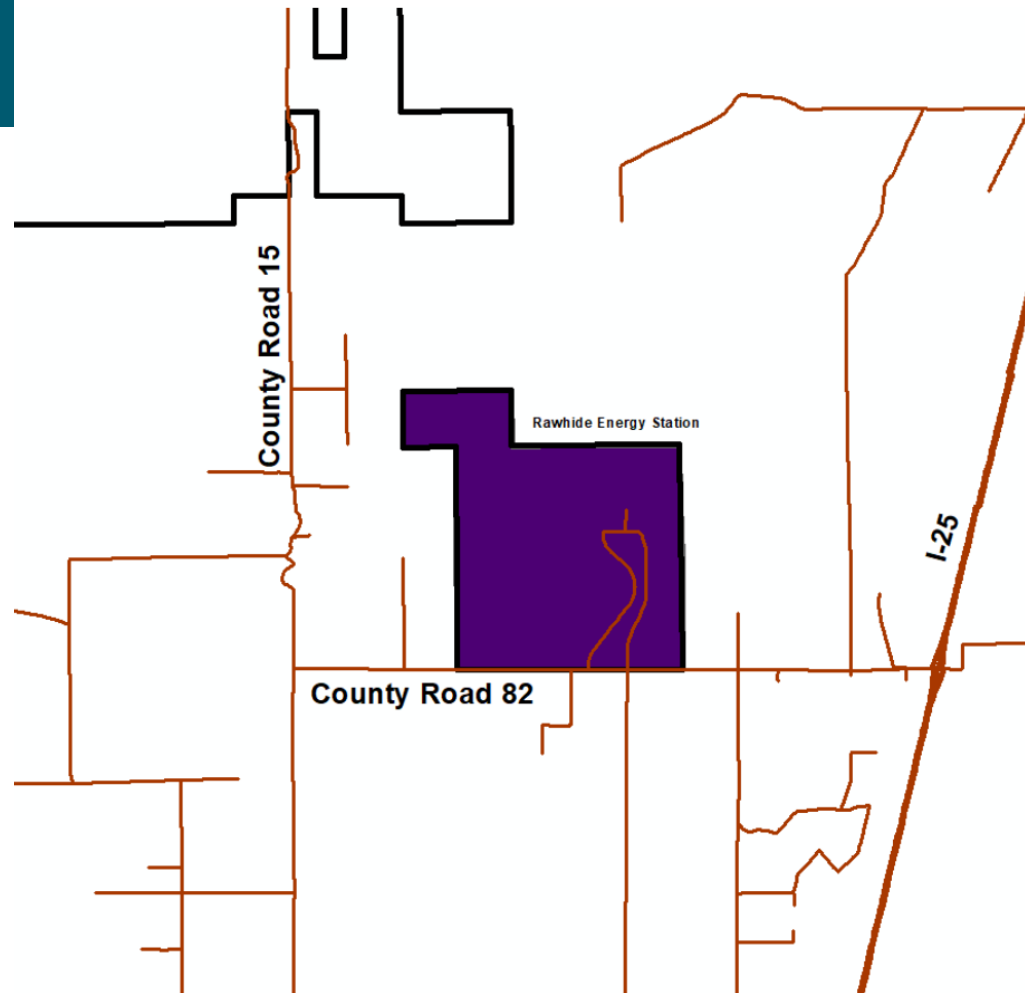
- 1. The effective date of the regulations will be January 13, 2025.**

SUGGESTED MOTION

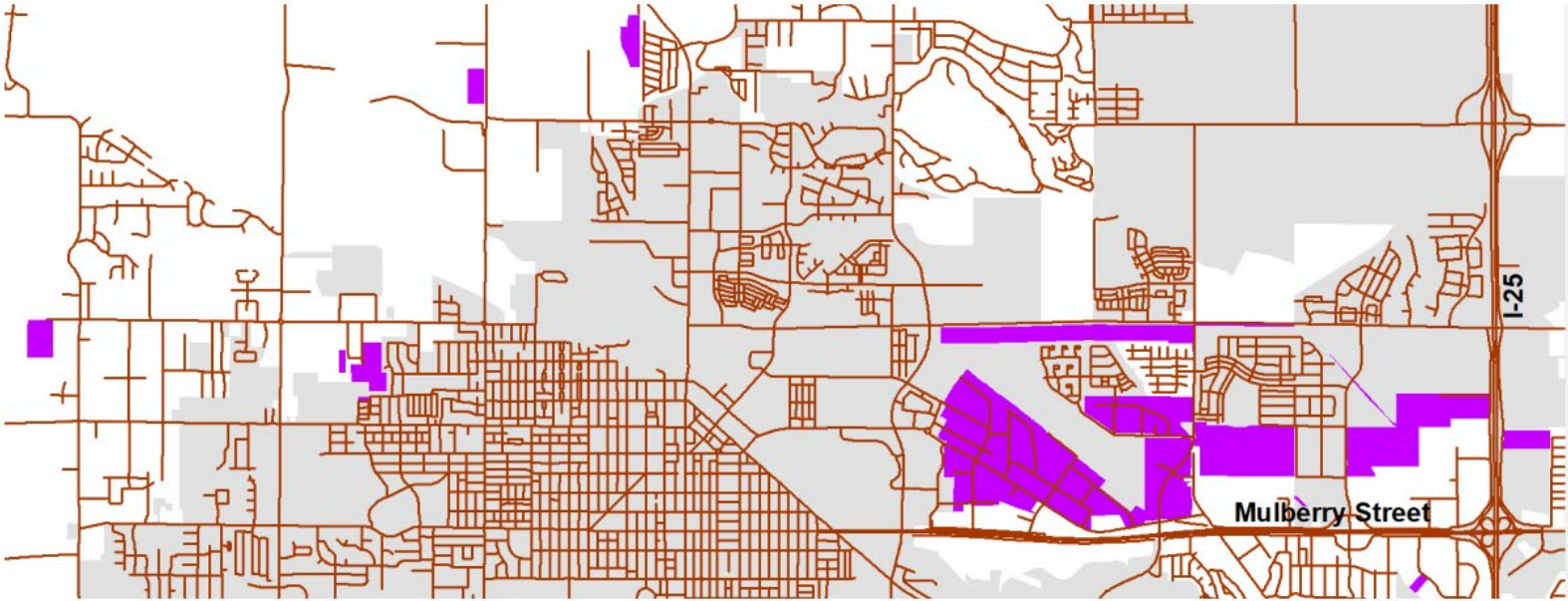
I move that the Larimer County Planning Commission recommend to the Board of County Commissioners approval of the Natural Medicine Land Use Code Amendment, File No. 24-CODE0282, subject to the following:

- 1. The effective date of the regulations will be January 13, 2025.**

Northern Larimer County



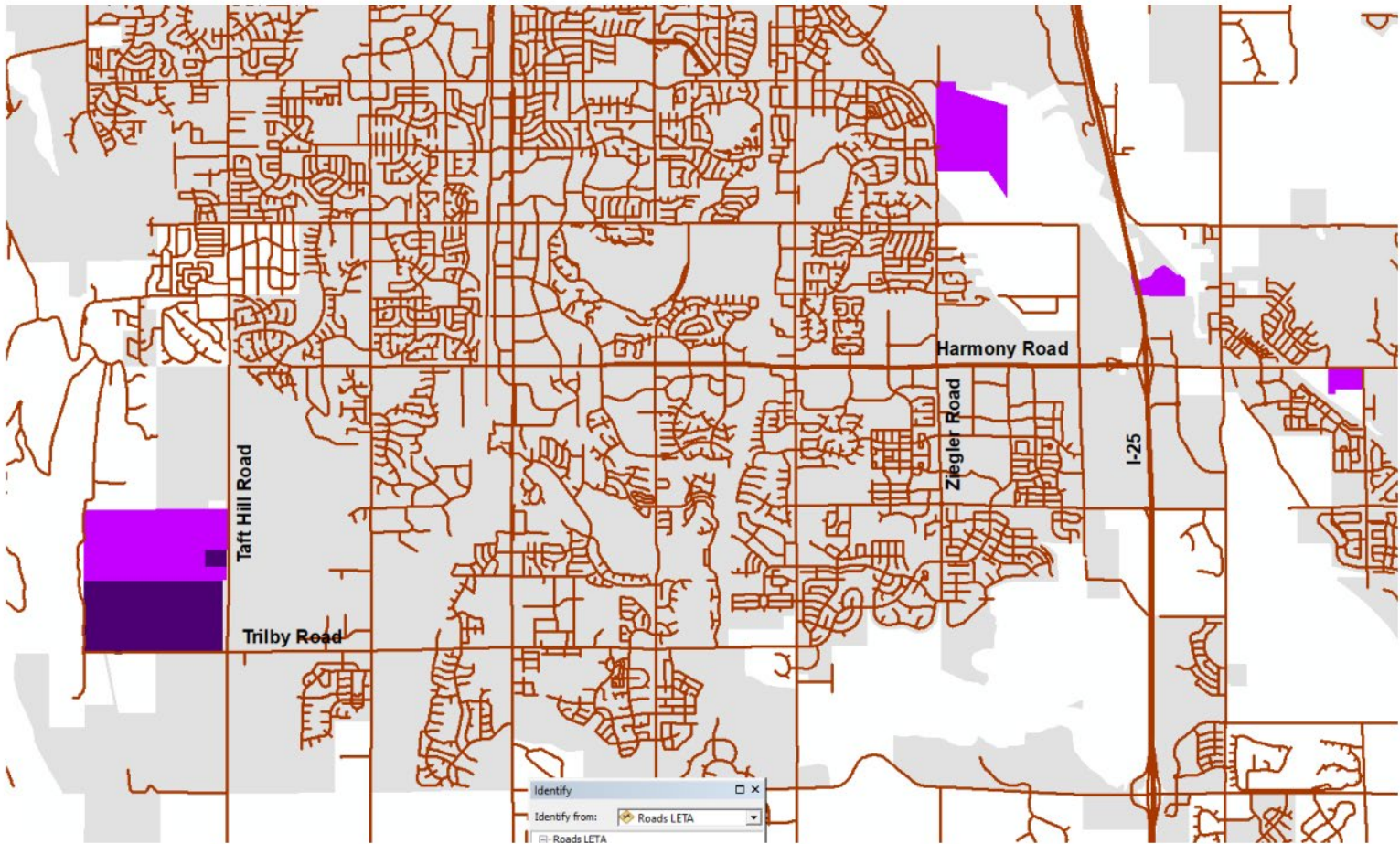
-  I-L - Industrial Light
-  I-H - Industrial Heavy
-  Incorporated Land



Northern Fort Collins

- I-L – Industrial Light
- I-H – Industrial Heavy
- Incorporated Land



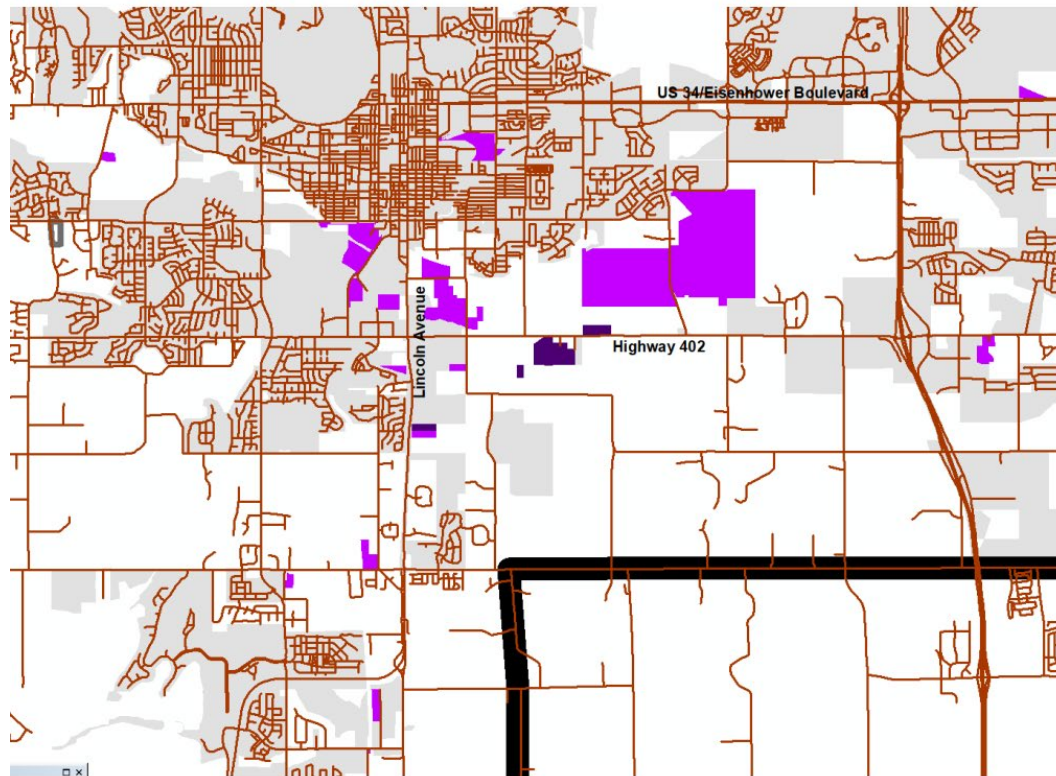


Southern Fort Collins



- I-L - Industrial Light
- I-H - Industrial Heavy
- Incorporated Land

Southern Loveland/Berthoud



-  I-L – Industrial Light
-  I-H – Industrial Heavy
-  Incorporated Land