

**Date:** Wednesday, October 13, 2021  
**Time:** 6:00 PM  
**Location:** Hybrid: In-Person, Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins or Virtual, Zoom link - [https://larimer-org.zoom.us/webinar/register/WN\\_tCEwPN4HQ3-2cvGEB5z0dQ](https://larimer-org.zoom.us/webinar/register/WN_tCEwPN4HQ3-2cvGEB5z0dQ)

## PLANNING COMMISSION MEETING MINUTES

The Larimer County Planning Commission met in a session on Wednesday, October 13, 2021, at 6:00 p.m. in the Hearing Room as well as virtual video. Commissioners Gary Green, Bob Choate and Anne Best-Johnson attended virtually. Commissioners John Barnett, Nancy Wallace, Jordana Barrack, and Sean Dougherty physically attended with Commissioner John Barnett presiding as Chairman. The Larimer County staff that physically attended were Lesli Ellis, Community Development Director; Don Threewitt, Planning Manager; Matt Lafferty, Principal Planner; Jenn Cram, Planner II; Frank Haug, Assistant County Attorney II; Christina Scrutchins, Recording Secretary and no one attended virtually.

### AMMENDMENTS 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.

### DISCUSSION ITEMS

**ITEM #1 – AMENDMENTS TO THE LAND USE CODE REGARDING AGRICULTURAL COMPONENTS SUCH AS INTENT STATEMENTS, ZONE DISTRICT USE ALLOWANCES, USE SPECIFIC STANDARDS, AND DEFINITIONS. FILE #21-CODE0257:** Mr. Lafferty gave a brief presentation regarding the request the following: Amend Article 2.0. Zoning Districts by expanding the intent statement for the Agriculture (A) zone district in Section 2.2.2. Intent Statements for Base Zoning Districts, amend Article 3.0. Use Regulations related to agriculture by aligning and adding agricultural uses in the use tables, adding new uses and descriptions for the keeping and processing of livestock (poultry) and adding use specific standards for new and expanded uses, and amend Article 20.0. Rules of Interpretation and Definitions by modifying and adding new use definitions related to proposed amendments related to agriculture. Background and Public Outreach; Phase 1 of LUC Update include a modernized and tailored approach to Agriculture: Introduced character areas Created new agricultural districts Added new agricultural uses (e.g., Agriculture Operation); May- October 2021: 3 virtual public open houses 1 workshop with staff 2 meetings with the Agricultural Advisory Board 3 PC/BoCC joint work sessions. Poultry Uses (Minor Edits to Current Draft): 3.3.2.I. Poultry Keeping, Rural - Rural poultry keeping operations shall be located outside of established GMA's, the Laporte Plan Area and the Estes Valley Planning Area and shall comply with the following standards. 3.2.2.J. Poultry Keeping, Urban - Urban poultry keeping operations shall be located within established GMA's, the Laporte Plan Area, or the Estes Valley Planning Area, and shall comply with the following standards. 3.4.4.D. Backyard Poultry Backyard Poultry uses shall be located within established GMA's, the LaPorte Plan Area, or the Estes Valley Planning Area, and shall comply the following standards. 3.4.4.D.1.a. No more than 50 birds shall be kept on one lot. Mr. Lafferty closed the presentation with the suggested motion.

### PLANNING COMMISSION COMMENTS

None

## **PUBLIC COMMENT**

None

## **PLANNING COMMISSION DISCUSSION**

Commissioner Dougherty and Barnett expressed their thanks to all the staff for the work regarding the Amendments to the Land Use Code Regarding Agricultural Components such as Intent Statements, Zone District Use Allowances, Use Specific Standards, and Definitions.

## **MOTION**

*Commissioner Dougherty moved that the Planning Commission adopt the following Resolution:*

*BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Land Use Code Amendments, as presented, including to Amend Article 2.0 Zone Districts by expanding intent statement for the Agriculture (A) zone district in Section 2.2.2.C. Intent Statement for Base zoning Districts, Amend Article 3.0 Use Regulations related to agriculture by aligning and adding agricultural uses in the use tables, adding new uses and descriptions related to the keeping and processing of livestock (poultry) and adding uses specific standards for new and expanded uses, and Amend Article 20.0 Rules of Interpretation and Definitions by modifying and adding new use definitions related to proposed amendments related to agriculture. These Amendments are found in File 21-CODE0257 – Agricultural Code Amendments and Attachments B (redline version) and C (clean version) attached to the Planning Commission hearing packet subject to the following, including the proposed changes presented by staff. The effective date of the regulations shall be November 1, 2021.*

*Commissioner Wallace seconded the motion.*

## **VOTE**

Commissioner Barrack, Wallace, Dougherty, Green, Best-Johnson, Choate and Chair Barnett voted in favor of the motion.

Motion passed 7-0.

## **ITEM #2 – LAND USE CODE AMENDMENTS RELATED TO HOUSING TYPES AND AFFORDABILITY, FILE**

**#21-CODE0259**Ms. Cram gave a brief presentation regarding the request to the following: 1.) Amendments to Article 2.0. Zoning Districts by expanding the intent statement for the Manufactured Housing Park (MHP) zone district in Section 2.5. Urban Districts, 2.) Amendments to Article 3.0. Use Regulations by a. Amending Section 3.2. Tables of Allowed Uses for Residential Uses in the Rural and Urban Districts, b. Amending Section 3.3. Use Specific Standards for Agricultural Labor Housing, Manufactured Homes and Manufactured Housing Parks, c. Amending Sub-section 3.4.5. Additional Standards for Accessory Dwelling Units, and 3.) Amendments to Article 20 Rules of Interpretation and Definitions by modifying and adding new use definitions for proposed amendments related to housing. The intent of proposed Phase II amendments to the Land Use Code are to align with the Comprehensive Plan adopted in 2019 that emphasized the importance of providing a diversity of housing types and to provide contemporary standards for the development of housing in Larimer County to support affordability and other housing goals. Housing affordability in Larimer County and the region is an important and complex topic. The Land Use Code can influence the types of housing, location of housing types and development standards associated with each type. Currently, the Land Use Code already allows for a diversity of housing types. The location and/or density of housing types is also based logically on the availability of public facilities and services. proposed amendments are focused on use specific standards for Agricultural Labor Housing, Manufactured Homes, Manufactured Housing Parks and Accessory Dwelling Units. Proposed amendments to

Agricultural Labor Housing found in Section 3.3. allows for greater flexibility with the type of housing proposed related to the context of the property and surrounding uses. Proposed amendments to Manufactured Housing Parks also found in Section 3.3. update the design standards related to setback requirements, site conditions, streets, connectivity, parking, outdoor storage, screening, outdoor recreation areas, landscaping, and maintenance. Proposed amendments to Accessory Dwelling Units found in Sub-section 3.4.5. increase the maximum allowable square footage for accessory living areas based on the lot area and allow them to be rented long-term with short term rentals being prohibited. Minor revisions are also proposed to Extended Family Dwellings and Farmsteads. Lastly, modified, and new definitions are proposed in Article 20 to provide further clarification on terms and uses related to housing. Ms. Cram closed the presentation with additional comments, review criteria, the summary of the Development Review Teams Findings and the suggested motion.

### **PLANNING COMMISSION COMMENTS**

Commissioner Dougherty asked what the difference in recommendations were made by the Board of County Commissioners and the Planning Commissioners regarding the Accessory Dwelling Units sizes.

Ms. Cram stated that some of the Planning Commissioners felt that the base of 900 square footage was too small and could be larger. The Board of County Commissioners were comfortable with raising the 900 square footage to 1200 square footage based on site area.

Mr. Lafferty wanted to make note that the Board of County Commissioners had only discussed the staff's recommendation regarding the square footage during a work session and will decide during the Land Use Hearing on October 25, 2021.

### **PUBLIC COMMENT**

None

### **PLANNING COMMISSION DISCUSSION**

Commissioner Choate recommended that the 1200 square footage be raised to 1400 square footage

Commissioner Dougherty, Best-Johnson, Green, and Chair Barnett expressed comments in agreement with Commissioner Choate's recommended motion.

### **MOTION**

*Commissioner Choate moved that the Planning Commission adopt the following Resolution:*

*BE IT RESOLVED that the Planning Commission recommend Table 3-15: Accessory Living Area Maximum Size by Lot Area: Up to 15,000 - 40 percent of the square footage of the single-family dwelling or 1,000 square feet, 15,000 to 100,000 - 40 percent of the square footage of the single-family dwelling or 1,200 square feet, Greater than 100,000 - 40 percent of the square footage of the single-family dwelling or 1,4200 square feet.*

*Commissioner Dougherty seconded the motion.*

### **VOTE**

Commissioner Green, Choate, Barrack, Dougherty, Best-Johnson, and Chair Barnett voted in favor of the motion.

Commissioner Wallace voted in opposition of the motion.

Motion passed 6-1.

### **MOTION**

Commissioner Dougherty moved that the Planning Commission adopt the following Resolution:

*BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners approval of the Land Use Code amendments related to housing as presented by 1.) Amending Article 2.0. Zoning Districts to expand the intent statement for the Manufactured Housing Park (MHP) zone district in Section 2.5. Urban Districts 2.) Amending Article 3.0. Use Regulations by a. Amending Section 3.2. Tables of Allowed Uses for Residential Uses in the Rural and Urban Districts, b. Amending Section 3.3. Use Specific Standards for Agricultural Labor Housing, Manufactured Homes and Manufactured Housing Parks, c. Amending Sub-section 3.4.5. Additional Standards for Accessory Dwelling Units, and 3.) Amending Article 20 Rules of Interpretation and Definitions by modifying and adding new use definitions for proposed amendments related to housing. These amendments are found in File# 21-CODE0259 and Attachments B (redline version) and C (clean version) attached to the Planning Commission hearing packet subject to the following motion made to amend Table 3.15 and the effective date of the regulations shall be November 1, 2021.*

Commissioner Best-Johnson seconded the motion.

### **PLANNING COMMISSION DISCUSSION**

Commissioner Choate, Wallace, and Barnett expressed their thanks to all the staff for the work regarding the Land Use Code Amendments Related to Housing Types and Affordability.

### **VOTE**

Commissioner Wallace, Choate, Dougherty, Barrack, Best-Johnson, Green, and Chair Barnett voted in favor of the motion.

Motion passed 7-0.

### **REPORT FROM STAFF**

Mr. Threewitt gave information regarding the American Planning Association, Planning Commissioner membership.

### **ADJOURN**

With there being no further business, the hearing adjourned at 6:33 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.