



MINUTES OF THE BOARD OF COUNTY COMMISSIONERS

MONDAY, APRIL 21, 2025

LAND USE HEARING

The Board of County Commissioners met at 3:00 p.m. with Jenny Axmacher, Planning Manager. Chair Stephens presided. Commissioner Shaddock-McNally and Commissioner Kefalas were present. Also present were Kassidee Fior, Christina Scrutchins, Melissa Bruski, Shalana Lysaght, Samantha Mott, Ryane Oswandel, and Michael Whitley, Community Development; Amy White, Code Compliance Supervisor; Conor Sheldon and Traci Shambo, Engineering; Ashton Brodahl and Lea Schneider, Environmental Health; Frank Haug and Christine Luckasen, County Attorney's Office; and Dianne Cheney, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

The Board did not wish to remove any items from the Consent Agenda. No members of the public wished to remove any items from the Consent Agenda.

PUBLIC HEARING CONSENT ITEMS:

1. MURDOCK PROPERTIES LLC REZONING, FILE NO. 24-ZONE3605: This request is a rezoning of a 1.0-acre parcel from RR-2 – Rural Residential to CC – Commercial Corridor.

The subject property at 3420 S County Road 5 is a 1.0-acre parcel that is zoned RR-2 – Rural Residential.

Scott Murdock purchased the subject property in 1992. At that time, it contained a home that was used as a rental and a two-car garage. Mr. Murdock also owns two parcels south of the subject property. Those properties are zoned CC – Commercial Corridor and are used for trailer display and sales. In 1997, the home was removed, and the property began to be used for overflow storage of vehicles and parts.

The owner maintains that the acquisition of additional right-of-way for the expansion of I-25 has reduced the inventory storage area available on the southern parcels. In response, the property owner began storing inventory on the northern parcel without benefit of zoning approval. Vehicle storage and vehicle sales are not allowed uses in the RR-2 zoning district. Those uses are allowed in the CC – Commercial Corridor zoning district with Site Plan Review approval.

If the proposed rezoning is approved, the property owner intends to pursue Site Plan Review approval to legally extend the trailer sales business onto the subject property. I-25 and properties east of the interstate are within the Johnstown town limits. Larimer County does not have an intergovernmental agreement with the Town of Johnstown regarding land use and the property is not in a Growth Management Area (GMA).

The Framework Map in the Comprehensive Plan identifies this area as part of the Urban/Rural Interface framework category. That framework category is used for properties adjacent to municipal planning boundaries that could possibly be incorporated into a GMA.

The Future Land Use Map in the Johnstown Comprehensive Plan identifies this property, and others along the I-25 corridor as appropriate for “High Density/Intensity” (HDI) land use which is described as “generally characterized by a high percentage of non-residential uses, with some residential possibly integrated into larger development areas. These HDI corridors and nodes will accommodate and experience larger volume of traffic and be located along busy arterial and highway corridors, and especially at interchanges and intersections.”

The Development Services Team has no concerns with the proposed rezoning and finds that the CC – Commercial Corridor zone district is appropriate for the property. If the property is rezoned, it is anticipated that the property owner will apply for a Site Plan Review process to legally extend his existing trailer sales business onto the subject property.

The Development Services Team finds that the Murdock Properties LLC Rezoning File No. 24-ZONE3605 complies with the Rezoning Review Criteria found in Section 6.6.1.D of the Land Use Code and complies with the General Review Criteria found in Section 6.3.8.D of the Land Use Code.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Murdock Properties LLC Rezoning File No. 24-ZONE3605.

M O T I O N

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the items on the Consent Agenda for Monday, April 21, 2025, subject to the conditions in the staff report and further moved to authorize the Chair to sign the Findings and Resolution.

Motion carried 3-0.

FIRST READING NOCO HUMANE THIRD REVISED ORDINANCE: Revise Chapter 6 Animal Ordinance to prohibit the roadside sale of animals.

Amy White, Code Compliance Supervisor, shared that recently, there has been strong interest in prohibiting the sale of roadside puppies and kittens, primarily as it has been becoming more frequent.

The animals being sold are largely from out of state and are not regulated, and the state authority is not able to respond in time if these sellers even qualify for the appropriate licensure. Thus, there are people selling pets without any oversight or protection for the animals or the consumers. NOCO Humane receives many complaints about these activities throughout the year and throughout the County but are limited to looking at only welfare violations and cannot prevent the actual sale of animals.

Code Compliance proposes to add Article VIII, Roadside Sale of Animals Prohibited, in the County's Animal Ordinance to enhance the enforcement opportunities for NOCO Humane. This would still allow for those entities who do meet the state requirements to continue to care for animals and continue to operate. This addition does not interfere with current business or shelter/rescue activities which are still needed.

Ms. White read the proposed new language for Article VIII Roadside Sale of Animals Prohibited section 6-153.

There were no comments from the Board. The Board mentioned that public comment on this item will be welcome at the second hearing about this item.

PUBLIC HEARING DISCUSSION ITEM CONTINUED FROM MARCH 24, 2025:

1. PLATTE RIVER POWER AUTHORITY RAWHIDE 1041 PERMIT 24-ZONE3715:
Kassidee Fior, Principal Planner, mentioned that this was a continuance from a previous hearing and provided some background on what had transpired since the previous hearing. Ms. Fior discussed the timeline of the project and explained that this item was on the public hearing discussion agenda for March 10, 2025. The Board of County Commissioners requested continuation of the hearing until March 24, 2025, for the purpose of obtaining more information regarding review criteria C, D and E, the additional review for power plants criteria D, and the climate impact analysis and how it relates to the Larimer County Comprehensive Plan.

The applicant requested further continuation of the hearing from March 24, 2025, until April 21, 2025, and the motion was approved by the Board at the March 24, 2025, hearing.

The applicant provided a supplemental submittal on March 28, 2025, which includes additional information as requested by March 10, 2025, motion for continuance. The Larimer County Development Services Team has reviewed the additional information provided by the applicant and confirms that the information includes how the application is consistent with the Larimer County Land Use Code and Comprehensive Plan.

Additional written public comments have been received since March 10, 2025.

The Board requested Ms. Fior to read over the Review Criteria. Ms. Fior indicated the ten themes that constitute the review criterion for all 1041 Permits, and the additional review criteria for power plants that were outlined during the meeting on March 10, 2025.

The Board iterated that the focus of tonight's meeting would be centered on criterion C in regard to the applicant adequately considering reasonable siting and design alternatives and that the project is the best alternative available based on consideration of consistency with the Comprehensive plan and Land Use Code; and criterion E, in that the development, to the greatest extent possible, has mitigated any impacts to the environment and natural resources; and will not significantly degrade the environment or natural resources, or exacerbate or worsen climate change.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends approval of the Platte River Power Authority Rawhide 1041 Permit 24-ZONE3715, subject to the following conditions:

1. Technical Review and approval are required prior to any construction at the site and prior to applying for any permits from the County.
2. All construction activities associated with the approval of this 1041 Permit shall be in compliance with all applicable regulations and obtain all required county, state, and federal permits.
3. Failure to comply with any conditions of this 1041 approval may result in reconsideration and possible revocation of the approval by the Board of County Commissioners.
4. This approval shall automatically expire unless the applicant takes affirmative action consistent with this approval within three years of the date of final approval.
5. If cultural resources are found during Technical Review or construction, the applicant shall notify the County immediately, consult with the State Historic Preservation Office, and begin appropriate measures to preserve the cultural resource, including historic or archeological excavation, reasonable project redesign, or relocation activities. Any such mitigation efforts shall be taken in coordination with and with the approval of the County or their designee.
6. At the time of Technical Review, the following shall be submitted for review, comment, and approval by Larimer County Staff:
 - a. Floodplain Hydraulic/Hydrologic Modeling Report.
 - b. If required, a viewshed and simulation of potential visual impacts from Soapstone Prairie Natural Area.

Health Conditions:

Fugitive Emissions During Project Construction

7. Platte River Power Authority and/or respective contractors shall create a fugitive dust control plan specifically addressing controls used for the turbine construction project. The fugitive dust control plan shall be submitted as part of Technical Review.
8. Platte River Power Authority and/or respective contractors shall create an air quality management plan (or emission control plan) for reducing impacts of construction activity-related air pollution emissions beyond the required dust control plan.
9. If required, the applicant shall obtain any applicable APEN before construction and comply with Colorado AQCC regulations during construction.

Turbine Construction and Overall Operational Noise

10. Turbine construction noise levels shall comply with construction activity sound thresholds as set out in the Larimer County Noise Ordinance. Any exceptions shall be evaluated by Larimer County including Health, Planning, and Engineering.
11. As stated in the Noise Analysis, the manufacturer's noise control mitigation shall be applied to ensure that the turbines and associated compressors will be in compliance with the Larimer County Noise Ordinance for residential property lines.
12. An outreach plan shall be submitted at the time of the Technical Review, outlining how any community concerns will be managed. As part of this plan, easily visible signage with contact information for Platte River Power Authority and related contractors (phone number, email, and website, if created) for addressing questions and concerns shall be posted along East County Road 82 at the construction entrances.
13. Audible observation and sound monitoring and measuring shall be conducted by a third party within 30 days of commencing turbine operations in conjunction with the coal unit and current turbine operations to verify compliance with the County Noise Ordinance for nearby residential property lines. The report of the findings shall be provided to Larimer County Community Development and Health and Environment Departments for evaluation to determine if additional mitigation is necessary.

Air Quality:

14. If the 1041 permit is approved, a report of how the AERMOD results differ based on 5 turbines rather than 6 turbines shall be provided at the time of Technical Review.

Hazardous Materials:

15. At the time of Technical Review, a Hazardous Materials Management Plan shall be submitted for review, comment and approval by Larimer County Staff containing a list of chemicals that will be new to the project and site, relative quantities, estimated locations, and wastewater characteristics and systems to be installed. The plan shall also include detailed construction plans, operational conditions, safety and spill prevention and control measures for all aqueous ammonia, demineralized water, and wastewater systems and infrastructure.
16. At the time of Technical Review, an HMIA shall be submitted for review and comment by Larimer County staff in alignment with current hazardous material management plans.

Engineering Conditions:

Construction – Schedule and Inspections

17. The applicant must obtain a Larimer County Development Construction Permit for the planned construction activities. As applicable, the applicant or its contractors will also be required to obtain other Larimer County permits. These could include but are not limited to Building Permits and/or Floodplain Development Permits.
18. The applicant must submit a detailed construction schedule, including anticipated phasing, planned workdays and hours, and haul routes for construction traffic.

19. The applicant shall allow access to Larimer County staff and consultants for inspections and construction observation as appropriate.

Construction – County Roadways

20. Whenever it is necessary to cross, close, or obstruct roads, driveways, and walks, whether public or private, the applicant will provide and maintain suitable and safe detours or other temporary expedients for the accommodation of public and private travel, emergency vehicles, delivery services, garbage pickup, school bus stops, etc.
21. When construction activity is taking place within or impacting Larimer County ROW in any way, the applicant shall obtain and abide by the standards and conditions of the applicable County ROW permit(s), per the Code of Ordinances and the Land Use Code. Construction plans detailing the work to be completed will need to be provided. Additionally, Traffic Control Plans, developed by a certified traffic control company, must be submitted for all work performed within road ROW or that will directly affect the traveling public.
22. Larimer County regulates access to county roads to maintain safe traffic flow, road drainage facilities, and efficient use of the County's roads. Access Permits will be required for any new access from Larimer County ROW regardless of whether they are to be used for temporary construction purposes or are to be permanent. Staff may also require an Access Permit for existing access points proposed for temporary construction or permanent access.
23. The applicant shall be required to designate planned haul routes. The existing surface condition of all planned haul routes will need to be evaluated prior to construction. If the County Engineer determines that the roadway surface has deteriorated more rapidly during or after construction due to construction traffic, equipment, or hauling, the applicant will be required to restore the roadways to their prior condition. This may include regrading and/or resurfacing.
24. Heavy equipment traffic will be subject to all weight limit restrictions along adjacent roadways and will obtain oversized/overweight permits.

Construction – Drainage and Erosion Control

25. The applicant shall obtain a stormwater discharge and construction dewatering permit from the Colorado Department of Public Health and Environment for construction at drainage crossings and land disturbances of one acre or more. The permit will include the preparation of a Storm Water Management Plan and Best Management Practices to prevent stormwater runoff and sediment in disturbed areas from reaching nearby waterways or otherwise leaving the site. Multiple state permits may be required for the different project areas.

Post-Construction Requirements (Closeout, Operation, and Maintenance)

26. All disturbed areas must be regraded and revegetated to match or exceed their preconstruction condition.
27. If required, the applicant shall submit an analysis of impacts on any County roads and repair any project-caused damage.

28. The applicant shall provide Larimer County with as-built construction drawings and certifications prepared by a Colorado-registered professional engineer.

Wildlife and Vegetation Conditions:

29. A site-specific Stormwater Management Plan and Erosion and Sediment Control Plan shall be developed and submitted to the County for approval.
30. At the time of Technical Review, a Noxious Weed Management Plan must be submitted to the satisfaction of Larimer County Natural Resources.
31. During construction and post-construction, the applicant shall permit Larimer County to inspect the project site for adherence to the Noxious Weed Management Plan and to survey for new weed populations.
32. At the time of Technical Review, additional information will be provided to the satisfaction of the Larimer County Environmental Planner or other staff, including but not limited to:
 - i. Stormwater and erosion control measures;
 - ii. Soil salvage and topsoil management;
 - iii. Reclamation and revegetation measures;
 - iv. Management of noxious weed populations onsite;
 - v. Satisfaction of Migratory Bird Treaty Act requirements;
 - vi. Avoidance and/or remediation of existing PFA/C contamination;
 - vii. A Lighting Plan or Alternative Compliance Plan, if required; and,
 - viii. Consultation with Colorado Parks and Wildlife regarding potential lighting impacts on both on- and off-site wildlife and Soapstone Prairie Natural Area, particularly black-footed ferrets, and bats (Chiroptera)

APPLICANT PRESENTATION:

Kathleen Pritchard, an attorney with Welborn Sullivan Meck and Tooley, P.C. gave a presentation on behalf of Platte River Power Authority (PRPA). Ms. Pritchard gave a brief overview of who the PRPA is and why they submitted this application. Ms. Pritchard understands that there have been a number of comments regarding this project and application but stressed that the question at hand is whether the PRPA's application meets the criteria outlined in the Land Use Code. Ms. Pritchard believes that the application meets the criteria as it allows PRPA to close its coal fire facilities and replace it primarily with wind and solar while providing affordable power to Larimer County. There is widespread support for this project from independent experts, elected officials and the community. The proposed turbines will complement the swings of renewable energy by filling in when the wind is blowing or there is fluctuation in renewable energy resources.

This application allows the PRPA to protect its foundational pillars of reliability, environmental responsibility, and financial stability. Utilities need gas turbines to complement other natural resources such as wind and solar to move to a decarbonized future. PRPA is not adding these resources to swap coal for gas. These resources are necessary to bring more renewable energy online. Wind and solar are used first but utilities need a reliable safety net to keep the grid stable. Other options to gas turbines are not feasible due to the cost and the potential for more emissions. Wind and solar are intermittent, the proposed turbines balance out the intermittency.

In specific reference to criteria C and E, Ms. Pritchard shared that PRPA looked at other sites, but the existing site is the most feasible to align with the Larimer County Land Use Code. Additionally, the feasibility of four-hour battery technology cannot be the only solution because the current technology is more expensive and less reliable. Reliance on using the existing gas turbines only would result in more emissions and less reliability due to limitations on the current turbines. In conclusion, Ms. Pritchard stated that this project aligns with the Larimer County Comprehensive Plans principles and policies and that the proposed turbines comply with all of the Federal and State air quality regulations under all possible permitting.

The Board thanked Ms. Pritchard for her presentation but had additional questions. With regard to criteria 10.9.C, is there a need for five aeroderivative combustion turbines? What is the need for the additional megawatts of dispatchable capacity if the Integrated Resource Plan (IRP) states that 160 megawatts are sufficient? If four turbines can reach 160 megawatts, why is there a need for five turbines at 285 megawatts? The Board also had a question concerning the battery storage project that PRPA has worked out with one of the providers regarding how that plays a role in providing an alternative backup to the use of gas turbines. How can the Board assure the public that PRPA is not going up to 285 megawatts? What is the role of joining the Southwest Power Pool? The Board had a concern that was also raised by the public about exporting energy into the Southwest Power Pool on high ozone alert days. What assurances can be given to the public that on air quality alert days exporting is not taking place and is doing damage to the air?

The Board asked for clarification since there has not been an independent energy assessment by the National Renewable Energy Laboratory (NREL) and that an estimated reserve margin analysis predicts a 38.9% reserve margin by 2030. If PRPA does not know what the changes are, why the need for five turbines? A 38.9% reserve seems like a lot if the need is being overstated.

In response to the Board, PRPA's Chief Executive Officer Jason Frisbie, shared that the megawatt capacity output for turbines is calculated at sea level under optimum conditions. At higher altitudes, the capacity output becomes derated. PRPA's Board approved an optimal 200 megawatts of output, which is the predicted output for the five turbines at a mile high altitude. Regarding the question about battery storage, Mr. Frisbie shared that they just signed a contract with Nexter for 100 megawatts of battery power that will discharge over a four-hour period. The batteries need to be recharged after that period and used the next day, so the batteries would only be good for approximately 1/16 of a day. The contract states that you cannot recharge and immediately discharge use. Battery technology can be part of their three-prong solution, but not the only solution. Looking to balance cost and reliability, long-term battery storage is promising but currently cost prohibitive. This will be a game changer over the next 20 years. PRPA shared in response to the question about assuring the public that the turbines cannot go up to the 285 megawatts of output, that at a mile high, only 200 megawatts of maximum capacity output can be produced.

Mr. Frisbie commented that the role of joining the Southwest Power Pool market allows energy providers to socialize all of the renewables on the system and do it over a larger footprint. PRPA anticipates that there will be times when they have more wind and solar production than is needed, and being in the market allows PRPA to provide non-carbon energy to someone else who may need

it. Conversely, there may be times when PRPA is short, and they can bring in renewables from others in the market. The market works because each entity can prove that they can stand on their own in the market and keep the system operating in a reliable fashion. The market cannot guarantee PRPA that when they are short, they will be able to buy, they have to prove that they can meet the needs independently and turn on what they need to in order to keep the system reliable without the market. With respect to limiting the exportation of energy on high ozone alert days, Mr. Frisbie responded that the PRPA cannot make that guarantee. PRPA cannot be a market participant if they were withholding energy when the market is calling for it.

With reference to the five turbines versus four turbines, PRPA cannot predict that all five turbines will be functional at the same time. The need for the five turbines provides for the most efficient and reliable service to PRPA's customers while working towards the goal of shutting down the coal unit by 2030.

Matt Tribby, Senior Air Quality with PRPA also addressed NO_x-emissions on high ozone alert days.

PUBLIC COMMENT:

Chair Stephens opened public comment.

The following members of the public spoke in favor of the application in person: Travis Walker, Andrew Bennett, Leo Grassens, Adam Bromley, Scott Cook, Holly Tarry, Bob Hyatt, Steven Hultin, Sean Dougherty, and Connor Duffy. Daniel Hodges and Mark Gabriel also offered comments online.

The following members of the public spoke in opposition to the application in person: Michael Foote, Sam Killmeyer, Kevin Cross, Barbara Krupnik-Goldman, Tom Moore, Doug Henderson, Megan Bodin, Crystal Mantecon, Kathleen Sands, Sheldon Sands, Shari Due, Susan McFaddin, and Julie Rowan-Zoch. Ethan Augreen, Kay Baldwin, Ken Baldwin, and Ira Klages also offered comments online.

Commenters in favor of the application spoke about the history of PRPA's providing safe, reliable, and affordable power since 1973. This plan will enable PRPA to transition to renewable energy, and this is a question of physics and not politics or policy. PRPA is not alone in their conclusions, other utilities in Colorado are looking at a similar plan in that they cannot retire coal units without replacing them with some type of gas capacity to back up large-scale renewable energy additions. Commenters felt that there was a need to have power available to share in the market and if PRPA can help other markets when they have need, then market neighbors will help PRPA when needed.

Some reasons the commenters spoke against approval of this application include concerns that the applicant still had not proved that this is the best available alternative, nor does it mitigate impacts on the environment, especially on high ozone days. In addition to environmental concerns, commenters also expressed that PRPA will not commit to burning hydrogen instead of natural gas, that an unbiased third-party review has not been done, and that the plan to shut down the coal facility violates current federal executive orders.

Chair Stephens closed public comment.

APPLICANT REBUTTAL

Jeni Arndt, Mayor of Fort Collins, and Board Chair for PRPA; and Jackie Marsh, Loveland Mayor and PRPA Board Member, spoke on behalf of the applicants during rebuttal. Comments included that all four cities who are a part of the PRPA were asked about the need for a third-party review. The four cities trusted their utility directors and PRPA and did not feel like it would be wise use of money to seek a third-party review. This IRP has been recommended by Larimer County staff; the Planning Commission; and all four mayors and utility directors that are served by the PRPA. Additional comments iterated that PRPA is four and a half years away from the deadline and will need about 700 megawatts of energy once the coal plants are taken down. The turbines will be used as backup only after going to the market for renewable energy.

QUESTIONS FOR APPLICANT AND STAFF:

The Board asked the applicant about the federal landscape act, and what guarantees does the Board have that the plans to shut down the coal facility will happen? Additional questions that the Board wanted the applicants to address included appendix A (revised air dispersion modeling report) that was handed out during public comments regarding PRPA having the highest Nox emissions in the North Front Range Region. More clarification regarding the extra reserve and having the five turbines versus four. The Board understands the value of being able to share excess power in the market, but if PRPA sells to areas outside of what they serve, can restrictions be put on the sale of energy during high ozone alert days? Are there other forms of storage available beyond battery storage, and can PRPA respond to the prevalence of dark calm days and how often they occur?

Mr. Tribby said that there is still a path to retire the coal facility, and there is no change in direction with what is going on at the federal level. Air modeling that was done with the air permit graphic shows 2 pollutants Nox (NO₂) and PM_{2.5}. The graph shows the results of the larger modeling. PRPA came in under emissions output at a maximum impact scenario under the Environmental Protection Agency (EPA) guidelines. PRPA is mitigating emissions as much as possible and is compliant with Federal and State regulations. Mr. Frisbie shared, regarding alternate forms of storage, that there are other promising storage facilities out there and he hopes that pricing will come down, so it is more competitive over four-hour storage. Right now, PRPA needs time and technology to make the costs more competitive. Mr. Frisbie and Melie Vincent, Chief Power Supply Officer, addressed the questions regarding the Southwest Power Pool market. They commented that the vast amount of energy that is going to be shared in the market is non-carbon energy. The market's job is to pick the most cost-effective solution. There is no incentive to sell gas when no one else needs it.

The Board took a brief recess.

The Board returned to session.

DELIBERATION:

The Board discussed adding several conditions of approval before approving the application.

The Board asked about per and polyfluoroalkyl substances (PFAS) mitigation as part of the criteria of conditions of approval. Ms. Fior shared that they would have to do the cleanup of PFAS regardless of whether the turbines were replaced or not.

Ms. Pritchard stated that the applicant would like to have the opportunity to confer about the conditions of approval prior to speaking. Mr. Tribby asked for clarification on some of the conditions.

Lea Schneider, with Environmental Health, commented that CDPHE does not enforce or inspect the PRPA, and it would be better to operate under a best management practice. Ms. Schneider did not have specific ideas regarding best management practices regarding air quality limitations on high alert days and informed the public that Larimer County does not inspect PRPA and does not issue or enforce air permits.

The applicant asked for a brief recess so that they could discuss the conditions of approval.

The Board took a brief recess.

The Board returned to session.

Kathleen Pritchard spoke on behalf of PRPA. Ms. Pritchard responded to the conditions of approval that were discussed by the Board, specifying which items PRPA could agree to and which they could not.

The Board commented that they were willing to accept the conditions of approval. The Board appreciated the presentations of the applicants and thanked the members of the public who testified and commented both in person and in writing along with the concise reports that were submitted to public comments regarding this proposal. The Board shared that engagement, thorough discussion and public comment are important on 1041 Permit applications. The process is robust and has become more stringent and aids to minimize the impact on the community. The Board thanked PRPA and staff along with the power departments and mayors of the other cities who are environmental advocates and work to reduce the impact of coal on the environment. The Board felt like there is enough willingness from the applicant to support the proposal going forward. The Board appreciates that the public is disappointed but feels that this is the best opportunity at this time to move forward. The Board acknowledges concerns about climate and air quality, and reminded the public that everyone is responsible for affecting the ozone layer. Eliminating the coal facility is a huge step in improving Larimer County's air quality.

MOTION

Commissioner Kefalas moved that the Board of County Commissioners approve the application for a 1041 Permit for the Platte River Power Authority Rawhide 1041 Permit File No. 24-ZONE3715, subject to the conditions recommended by staff report and the additional conditions of approval as follows:

32. i.x. An Exterior Lighting Management Plan shall be provided at the time of Technical Review that outlines specific requirements and best management practices to be implemented by Platte River Power Authority and associated contractors related to lighting operations during construction, with the goal of minimizing light pollution, disturbance to nearby residents, and disturbance to migratory birds and other wildlife. Lighting outside of the standard operating hours should be avoided and is subject to review and approval by Larimer County Staff on a case-by-case basis. Lighting should be avoided during times of peak spring and fall migration, as determined and agreed by Platte River Power Authority and Larimer County Staff on an annual basis, in consultation with Colorado Parks and Wildlife and the local Audubon Society.
33. The applicant will be required to submit a detailed analysis at the time of Technical Review that details how membership in the Southwest Power Pool will be used to manage renewable energy intermittency and potentially reduce the need for gas combustion turbine capacity.
34. That the applicant will have conversations with staff during Technical Review regarding potential best management practices or best efforts to limit operation of the new aeroderivative natural gas turbines for the purpose of exporting power outside of the Platte River Power Authority service area on forecasted high ozone days, exclusive of times when there is a demand for power in place.
35. That a comprehensive and transparent analysis be provided at the time of Technical Review that justifies the amount of energy generation that is required to maintain reliability, including a comparison to those identified energy demands as outlined in the current Platte River Power Authority Integrated Resources Plan.
36. That a comprehensive alternative long-term emissions reduction strategy or plan be prepared and provided to Larimer County in 2029 or at the time of the next Integrated Resource Plan update, whichever is sooner, that identifies alternatives to reduce emissions if hydrogen does not become a viable alternative energy source.
37. Through the CDPHE permitting process, the applicant will consult with CDPHE to identify opportunities to further reduce emissions for gas and coal units during the interim period when the new aeroderivative turbines and the existing coal unit are operating simultaneously.

Motion carried 3.0.

PUBLIC HEARING DISCUSSION ITEMS:

STONEWALL ESTATES SUBDIVISION, FILE NO. 21-LAND4194: Senior Planner Samantha Mott gave a presentation on a request by the owners to divide an existing parcel of land to create three additional lots. The existing parcel is 19.97.87-acres, and the applicant proposes to create one 3.95-acre lot, one 3.17-acre lot, one 3.67-acre lot, and one 6.55-acre lot. The existing residence and

outbuildings would be contained on the 3.95-acre lot with frontage on S County Road 23. The property currently has a driveway with direct access onto S County Road 23.

The existing parcel is located approximately 250 feet north of the intersection of W. County Road 6 and S County Road 23 on the east side of the road. The Sweck Lateral Ditch runs along the south side of the western portion of the parcel. The subject parcel, as well as the surrounding parcels are currently RR-2 Rural Residential zoning district, and the proposed lots would meet the minimum lot size of 2.3-acres. Surrounding properties are developed with single-unit residential and agricultural uses consistent with the existing zoning district. This area is characterized by a mix of lot sizes ranging from an approximate 19.99-acre lot to the south, a 20.16-acre lot to the north, an 8.39 and 8.75-acre lot to the west and a subdivision to the east, Western Mini-Ranches, with lots approximately 2 acres in size. The lots immediately adjacent to the east are 2.16-acres and 2.27-acres in size. This parcel is currently being used for residential purposes and the proposed new lots are for residential use as well. There is a single-unit dwelling and outbuildings on the property.

The existing home is served by the Little Thompson Water District and an on-lot septic system. The newly proposed lots would also be served by Little Thompson Water and on-lot septic systems. The property is located adjacent to S County Road 23 and includes an existing access. The applicants are proposing a new road which would be accessed from S County Road 23. The existing access point will need to be closed, and the existing residence and the new lots will be required to take access from the new roadway. Larimer County mapping indicates it is an area of low geologic hazards and it is not in a wildfire hazard area. Larimer County mapping indicates that the western portion of the parcel has a potential area of important wildlife habitat area identified as neighborhood species richness area. The project was referred to both U.S. Fish and Wildlife and Colorado Division of Wildlife. U.S. Fish and Wildlife indicated there were no issues or concerns and Colorado Division of Wildlife did not provide any comments. Larimer County mapping indicates that there could be potential wetlands on the property. A wetland delineation report provided by the applicant indicated that there are no wetlands on the property.

The application was sent out to both referral agencies and neighboring property owners.

Comments were received from the following referral agencies: Larimer County Engineering, Larimer County Health and Environment, Larimer County Environmental Planner, Larimer County Code Compliance, Larimer County Wildfire, Berthoud Fire Protection District, Berthoud Sanitation, Little Thompson Water District, Division of Water Resources, Colorado Geologic Survey, Town of Berthoud, U.S. Fish and Wildlife, and Dry Creek Lateral Ditch Company.

Notice of the public hearing phase was sent to property owners within 500 feet of the property. Comments were received from five community members in opposition to this request or with concerns during this phase of the application.

A neighborhood meeting was required for this proposed subdivision. There were approximately 25-30 attendees at the meeting.

REVIEW CRITERIA

Ms. Mott shared that in reviewing a proposed preliminary plat application for a subdivision, the review and decision-making bodies shall consider the general approval criteria in Article 6.3.8.D of the Land Use Code, General Review Criteria, and if the proposed subdivision meets the preliminary plat criteria in Article 6.5.5.D.1 of the Land Use Code in addition to Article 4 and Article 5 of the Land Use Code. The criteria are addressed below.

Article 6.3.8.D General Review Criteria:

1. Generally
 - a. Unless otherwise specified in this Code, County review and decision-making bodies shall review all development applications submitted pursuant to this article for compliance with the general review criteria stated below.
 - b. The application may also be subject to additional review criteria specific to the type of application, as set forth in Articles 6.4 through 6.7.
 - c. If there is a conflict between the general review criteria in this section and the specific review criteria in Articles 6.4 through 6.7, the specific review criteria in Articles 6.4 through 6.7 control.

The review criteria found in Article 6.5.5D.1 (Preliminary Plat) are applicable to this request. Those criteria are addressed below.

2. Compliance with this Code. The proposed use and development shall comply with all applicable standards in this Code unless the standard is lawfully modified or varied. Compliance with these standards is applied at the level of detail required for the subject submittal. The principal requirements for the Preliminary Plat review are located within Article 4 (Development Standards) and Article 5 (Subdivision Standards) of the Larimer County Land Use Code. The proposed land division can and will comply with the requirements of the Land Use Code.

Article 4.0 Development standards.

Article 4.3 Adequate Public Facilities

Sub-Article 4.3.3 Road Capacity and Access to Public Roads:

The purpose of the road capacity and level of service standard is to ensure that all development will have safe and adequate access to public roads and transportation related services and to ensure that development does not create demand for public improvements and services that cannot be met with existing public resources.

The property is located adjacent to S County Road 23. The applicants are proposing a new roadway off S County Road 23. All lots will take access off the new roadway. The existing access for the home off S County Road 23 will be closed and the newly created lot with the existing improvements will also take access off the new roadway.

Sub-Article 4.3.4 Drainage:

A Preliminary Drainage Report has been provided, and Larimer County Engineering is not requesting any additional information to be provided in the report. A Geotechnical Report was also provided that indicated that "Groundwater was not encountered in the completed borings to the depths explored (about 15 to 16½ feet below ground surface) when checked immediately after the completion of drilling. When checked two days after the completion of drilling, the borings remained dry to the depths explored. Groundwater levels will vary seasonally and over time based on weather conditions, site development, irrigation practices and other hydrologic conditions." According to comments provided by the Dry Creek Lateral Ditch Company "there may be subsurface waters that arise around this development and that there are periods of time when, due to water flowing within the ditch system and otherwise, that portions of the property receive significant amounts of subsurface water that is very near to the surface or resides on the surface." Therefore, site specific geotechnical analysis will be required prior to building permit issuance for each of the lots.

Sub-Article 4.3.5 Wastewater Disposal:

Wastewater disposal for the existing residence is provided by an on-site wastewater treatment system (OWTS) and an OWTS is proposed for the new residential lots. With the proposed lot sizes of over 3 acres in size, there should be adequate land to ensure the applicable setbacks are met. If the application is formally approved, a septic permit will be required as part of the building permit process to develop the new vacant lots. Site and soil evaluations will be required at the time of permit application.

Sub-Article 4.3.6 Fire Protection:

The Berthoud Fire Protection District has provided comments indicating that new dwellings must be within 500 feet of a hydrant that provides adequate water pressure and flows, or fire sprinklers will be required. In addition, a 100-foot-diameter turnaround shall be provided at the dead end of the roadway and shown on the Plat. These have been made conditions of approval.

Sub-Article 4.3.7 Domestic Water:

The current home on the property is served by Little Thompson Water District (LTWD). The proposed new lots will also be served by LTWD. A letter of commitment from the district was provided with the land division application. The Division of Water Resources has indicated that there is an existing well that must be plugged and abandoned prior to final approval of this project and the Department of Health and Environment has also indicated this must be done. This has been made a condition of approval.

Article 4.4 Environmental Resource Standards:

Sub-Article 4.4.2 Wetlands:

Larimer County GIS mapping indicates that this property is potentially in an area with wetlands. The applicants had a wetland delineation completed for the property and the environmental reviewer indicated that the provided wetland delineation report notes the potential wetland basin has appeared to have dried up and no longer contains hydric soils or

vegetation other than a few cottonwoods therefore no wetland buffer is required. This application was referred to the Army Corps of Engineers and no comments were provided.

Sub-Article 4.4.3 Hazard Areas:

According to Larimer County GIS data, the property is in a low geological hazard area, does not contain any slopes greater than 30%, and is not in a mapped wildfire hazard area or floodplain area.

Sub-Article 4.4.4 Wildlife:

Larimer County mapping indicated that the western portion of the parcel was in a potential area of important wildlife habitat area identified as neighborhood species richness area. The project was referred to both U.S. Fish and Wildlife and Colorado Division of Wildlife. U.S. Fish and Wildlife indicated there were no issues or concerns and Colorado Division of Wildlife did not provide any comments.

Sub-Article 4.4.5 Commercial Mineral Deposits:

Larimer County's GIS database does not identify aggregate resources on the property. Notice to mineral interest holders of record has been provided in compliance with state law.

Article 4.6 Off-Street Parking and Loading:

Two parking spaces are required for each single-unit residential home. The proposed lots are large enough to provide an adequate number of parking spaces.

Article 4.7 Landscaping:

No landscaping is required for this subdivision.

Article 4.10 Exterior Lighting:

Outdoor light fixtures are required to be shielded so the light source does not trespass on to adjacent properties.

Article 4.13 Irrigation Facilities:

This property is adjacent to the Sweck Lateral to the south which is under the jurisdiction of the Dry Creek Lateral Ditch Company. This section is intended to protect irrigation facilities from adverse development impacts. The ditch company provided comments indicating notes they would like to see on the final plat.

Article 5.0 of the Land Use Code includes subdivision standards.

This section contains standards for lot location and configuration and for local roads within subdivisions. The subdivision design and lot configuration generally appears to meet the standards found in this Article.

Sub-Article 5.2 Lot and Block Standards:

As previously discussed, the four proposed residential lots would be approximately 3.95-acres, 3.17-acres, 3.67-acres, and 6.55-acres in size. The proposed residential lots would meet the

required minimum lot size for the RR-2 Rural Residential zone district of 2.3-acres or 100,000 square feet for lots with on-lot septic.

Article 5.3 Street and Access Standards:

Sub-Article 5.3.1.A – Public Right of Way Required:

This Article states that “all roads within the boundary of land divisions must be a public right-of-way.” The applicants are dedicating the new roadway created with this plat as public right-of-way.

Sub-Article 5.3.1.C.2 Road Standards:

This Article states that “the design and construction of private roads need to meet the applicable county road or street standards.” Connor Sheldon indicated that the roadway should meet the requirements of the Larimer County Rural Area Road Standards (LCRARS). The LCRARS Local Low Volume road section typically requires a 60-foot minimum right-of-way width. However, due to the utility easement constraint, Larimer County Engineering supports the proposal of a 40-foot-wide dedicated right-of-way. However, it should be noted that the Local Low Volume roadway section will still be required, and roadside drainage will need to be adequately conveyed. In addition, the new access point will be required to meet the access design standards and specification listed in section 10.4 of the LCRARS. This will include the access point being paved from the edge of the road to the right-of-way line. Comments from Connor Sheldon’s were included in the report. These can be addressed at the final plat.

Sub-Article 5.4 Easement and Utility Standards:

The applicant will need to provide the required easements on the final plat. The final plat will need to include utility easements that meet the requirements included in Article 5.4 which include utility easement locations and sizes and the requirement for utilities to be located underground.

3. Compliance with Other Applicable Regulations

The proposed use and development shall comply with all other County regulations and with all applicable regulations, standards, requirements, or plans of the federal or state governments and other relevant entities with jurisdiction over the property or the current or proposed use of the property.

This application was referred to multiple referral agencies who have reviewed the application with regard to other County, State, and Federal regulations, such as the Colorado Department of Public Health and Environment. None of the referral agencies had any objections to this request. Their comments have been addressed or will be addressed as conditions of approval or at the next phase of the subdivision process, the final plat phase.

4. Compliance with Prior Approvals

The proposed use and development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval for all or part of the property that is in effect and not proposed to be changed. This includes consistency with any approved phasing plan for development and installation of public improvements and amenities.

This criterion is not applicable as the parcel was not part of a previous land use approval. The only previous approvals on this parcel are building permits for the existing home and some of the outbuildings.

5. Compliance with Zoning District Standards

The proposed development shall comply with the standards of the zoning district in which it is located and any standards applicable to the particular use, as identified in §3.3, Use-Specific Standards.

Applicable zoning district standards are noted in the Preliminary Plat review criteria below. The property is zoned RR-2 Rural Residential which requires a minimum lot size of 2.3 acres if on septic. All four of the residential lots will exceed this minimum lot size. Any development on these lots will also be subject to the requirements of the RR-2 zoning district such as setbacks, allowed uses, and height restrictions.

6. Compliance with Development Standards

The proposed development shall comply with the applicable standards in Article 4.0, Development Standards.

The proposed use shall comply with Article 4.0, Development Standards which are outlined in this report under General Review Criterion #2 above.

7. Compliance with Other Code Provisions

The proposed development shall comply with all other standards imposed on it by all other applicable provisions of this Code, including but not limited to standards relating to establishment and operation of uses, layout of the site, and general development characteristics.

The proposed subdivision shall comply with all the applicable standards as outlined in Article 4, Development Standards, and Article 5, Land Division Standards, in the Land Use Code. These articles are discussed under #2 above.

Article 6.5.5.D.1 Preliminary Plat Review Criteria

- A. Complies with all applicable use, density, development, and design standards set forth in this Code that have not otherwise been modified or waived pursuant to this Code and that would affect or influence the layout of lots, blocks, and streets.

The proposed land division would create four lots intended for residential development consistent with the intent of the zone district as well as with the existing development in the surrounding area. The proposed residential lots would meet the required minimum lot size for the RR-2 Rural Residential zone district of 2.3-acres or 100,000 square feet for lots on septic. The proposed land division complies with all applicable use, density, development, and design standards set forth by the Larimer County Land Use Code.

- B. Provides a layout of lots, roads, driveways, utilities, drainage, and other public facilities and services designed to minimize the amount of disturbance to sensitive natural areas or other community resources;

Larimer County GIS mapping indicates that this property is potentially in an area with wetlands. The applicants had a wetland delineation completed for the property and the environmental reviewer indicated that the provided wetland delineation report notes the potential wetland basin has appeared to have dried up and no longer contains hydric soils or vegetation other than a few cottonwoods therefore no wetland buffer is required.

- C. Provides evidence to show that all areas of the proposed subdivision that may involve other natural hazards including flood and wildfire have been identified and mitigated to the maximum extent practicable;

According to Larimer County GIS data, the property is in a low geological hazard area, does not contain any slopes greater than 30%, and is not in a mapped wildfire hazard area.

- D. Provides evidence that provision has been made for a public sewage disposal system or, if other methods of sewage disposal are proposed, adequate evidence that such system shall comply with state and local laws and regulations;

As mentioned above, wastewater disposal for the existing residence is provided by an on-site wastewater treatment system (OWTS), and an OWTS is proposed for the new residential lots, Lot 2-4. The proposed new lots should provide ample land area to support an OWTS, as well as accommodate the applicable setback requirements. If the application is formally approved, a septic permit will be required as part of the building permit process to develop the additional lots. Site and soil evaluations will be required to determine the placement and design of the future septic systems. For more information, a comment letter from the Department of Health and Environment for was included in the report.

- E. As applicable, provides proposed phasing for development of the subdivision that is rational in terms of available infrastructure, capacity, and financing;

Phasing has not been proposed for this proposed land division.

- F. The subdivision is consistent with the subdivision sketch plan, if applicable unless detailed engineering studies require specific changes based on site conditions.

The Stonewall Estates Subdivision is consistent with what was originally proposed at the Sketch Plan Review phase. As noted previously, the proposed land division would create four total residential lots. The overall character, density, and land use are consistent with the intent of the zone district as well as with the existing development in the surrounding area.

DEVELOPMENT SERVICES TEAM RECOMMENDATION:

The Development Services Team recommends the approval of the Stonewall Estates Subdivision, File No. 21-LAND4194, subject to the following conditions:

1. The final plat shall be consistent with the approved preliminary plat and with the information contained in the Stonewall Estates Subdivision, File No. 21-LAND4194, except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Stonewall Estates Subdivision.
2. The following fees shall be collected at building permit issuance for new single-unit dwellings: Poudre R-1 school district fee, Larimer County fees for County and Regional Transportation Capital Expansion, Larimer County Regional Park Fees (in lieu of dedication) and drainage fees. The fee amount that is current at the time of the building permit application shall apply.

3. The applicant must comply with the requirements of Berthoud Fire Protection District as indicated in their attached comment letter dated January 16, 2025. All new residential dwellings will be required to have residential fire sprinkler systems unless the applicants provide documentation that adequate water supply is available.
4. All habitable structures will require an engineered foundation system. Such engineered foundation system designs shall be based upon a site-specific soils investigation. The lowest habitable floor level (basement) shall not be less than 3 feet from the seasonal high-water table. Mechanical methods proposed to reduce the groundwater level, unless it is a response after construction, must be proposed on a development-wide basis.
5. Passive radon mitigation measures shall be included in the construction of residential structures on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to the issuance of a certificate of occupancy shall be submitted to the Building Division. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.
6. Transportation Capital Expansion Fees will be due at building permit issuance.
7. A Development Construction Permit is required prior to commencing improvements.
8. The applicant will need to comply with the requirements for addressing and street naming with the final plat phase.
9. All necessary easements shall be in place and shown on the final plat according to Article 5.4 of the Land Use Code including those needed for any utility lines.
10. The applicant will need to address any unresolved engineering issues discussed in the Engineering Department's referral comments at the final plat phase. Refer to Connor Sheldon's letter dated September 17, 2024, and February 3, 2025.
11. Prior to final plat approval, the well (permit 60783) must be plugged and abandoned in accordance with the requirements set by the Division of Water Resources.

The Board asked about drainage and if the road is privately maintained. Is there anything that can be done to address the entry point as there is low visibility due to trees and sight distance, especially at night on that curve? How are staff and the applicant addressing that this area is potentially a seasonal wetland area. Is there something that will be addressed regarding road maintenance?

Connor Sheldon, Civil Engineer, shared that the road is in a public right of way and there will be a road maintenance agreement that will need to be signed off on. Mr. Sheldon shared that a preliminary drainage report was submitted. The report was prepared by a professional engineer, and it concluded there will be minimal impact and will mimic current historic flows. There will be roadside drainage that will provide swales on either side of the road to allow runoff. Mr. Sheldon shared that the current standing water issues that some neighbors have commented on cannot be resolved at this time, however the Engineering Department would have a final say on what approach they will take on the drainage issues during the final plat process and will determine at that time if further testing and drainage is warranted.

In regard to the road, Mr. Sheldon shared that moving the access point as far north as possible will help to mitigate some of the impact of visibility and sight distance. Staff did not feel that a turn lane would be necessary. The road will be gravel and compacted to meet requirements. The anticipation is

that there will be an average of 40 trips per day which are under the 200-trips per day threshold for treating gravel roadways.

Ms. Mott shared that there was a potential wetland buffer identified, however the wetland delineation demonstrated that it had been dried up, therefore there was no wetland buffer or wetland there currently.

APPLICANT PRESENTATION:

Joel Seamons with Rocky Ridge Civil Engineering, gave a presentation on behalf of the owner. Mr. Seamons and his team worked with a variety of parties and got them to agree on the location of the right of way access. There will be a roadside ditch for drainage purposes so the likelihood of generating additional flow will be low due to the nature and configuration of the site. Drainage patterns will not be changed from how they currently flow, which meets state requirements.

The Board asked when the lots are sold, will the buyers be made aware that they cannot change the topography to change the swale of the drainage and how will purchasers of the lots be informed about potential issues with high water?

Mr. Seamons stated that it will be difficult to alter the topography of the land. Mr. Sheldon shared that when lots come in for their building permits, they are required to submit a drainage certification. Additionally, Mr. Sheldon stated that there were no concerns with the proposed layout about flooding. Due to the soil in the area, there are some issues with standing water during large weather events. The drainage report will take into consideration the areas where there has been a historic standing water situation. Ms. Mott shared that there is a document called a disclosure notice that outlines items that potential buyers should be aware of and a development agreement as part of the sale of lots. Both of these documents get recorded in addition to the final plat.

PUBLIC COMMENT:

Chair Stephens opened public comment. No one made public comment.

Chair Stephens closed public comment.

QUESTIONS FOR APPLICANT AND STAFF:

The Board wanted confirmation that there was not a flood plain in this area. Mr. Sheldon confirmed that there was no flood plain.

DELIBERATION:

The Board appreciated the comments and concerns from neighbors and believes that criteria are in place for the development of these lots. The Board appreciates that there are things that will be put into place to make buyers aware of the standing water issues and percolation due to the variety of soil

types. The Board feels like this is appropriate land use in this area even though they understand that some neighbors do not want more development in this area.

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Stonewall Estates Subdivision, File No. 21-LAND4194 subject to the conditions as outlined above.

Motion carried 3.0.

With there being no further business, the meeting was adjourned at 8:15 p.m.

TUESDAY, APRIL 22, 2025

ADMINISTRATIVE MATTERS MEETING

The Board of County Commissioners met at 9:00 a.m. with County Manager Lorenda Volker. Chair Stephens presided. Commissioner Kefalas was present. Also present were Sarah Martin, Tom Clayton, Commissioners' Office; and Dianne Cheney, Deputy Clerk.

Chair Stephens opened the meeting with the Pledge of Allegiance.

1. PUBLIC COMMENT:

Costas Sofianos, a resident of Laporte, discussed the sale of the old firehouse station #7 by the Poudre Fire District in Laporte. He is seeking assistance from Larimer County for the purchase of the fire station to create a community center for Laporte. He offered suggestions to the Board and mentioned that Laporte serves members of the area foothills and mountain communities, and that the community center would not only be a good place for Laporte residents to congregate but would also serve surrounding communities and could be used as an evacuation shelter during an emergency declaration in the area.

The Board thanked Mr. Sofianos for bringing notice of the sale to their attention. Commissioner Kefalas mentioned that he also received email correspondence regarding the sale and would be meeting with County Manager Volker to brainstorm some ideas.

Chair Stephens closed public comment.

Commissioner Shadduck-McNally joined the meeting.

2. APPROVAL OF THE MINUTES FOR THE WEEK OF APRIL 14, 2025:

MOTION:

Commissioner Kefalas moved that the Board of County Commissioners approve the minutes for the week of April 14, 2025.

Motion carried 3.0.

3. REVIEW OF THE SCHEDULE FOR THE WEEK OF APRIL 28 AND MAY 5, 2025:
Ms. Martin reviewed the upcoming schedule with the Board. The Board made several additions to the upcoming schedule.

4. CONSENT AGENDA:

ABATEMENTS

1. PETITION FOR ABATEMENT OR REFUND OF TAXES: #RO488577 – Michael H and Michelle M Freund – Tax Year 2023

APPOINTMENTS

1. RECOMMENDED REAPPOINTMENT TO THE ENVIRONMENTAL AND SCIENCE ADVISORY BOARD – Anna Cloud

2. RECOMMENDED APPOINTMENT TO THE LAND STEWARDSHIP ADVISORY BOARD – Michael Hayes, Jesse Dillon, and Patrick Bickley

LETTERS OF SUPPORT

1. DEPARTMENT OF LOCAL AFFAIRS STRONG COMMUNITIES GRANT (AGREEMENT NUMBER 188585 AMENDMENT REQUEST)

LIQUOR LICENSES

1. SPECIAL EVENT LIQUOR PERMIT – COLORADO MEDIEVAL FESTIVAL CREEPY WALK IN THE WOODS INC – SPECIAL EVENT LIQUOR PERMIT 6% – LOVELAND, COLORADO

2. LIQUOR LICENSE RENEWAL – SHIV LLC dba CHILL – TAVERN – FORT COLLINS, COLORADO

3. SPECIAL EVENT LIQUOR PERMIT – TIMBERVIEW TRAIL RUN ATHLETES IN TANDEM INC – SPECIAL EVENT LIQUOR PERMIT 6% – BELLVUE, COLORADO

MISCELLANEOUS

1. CENTERRA OFFICE TECH II STIPULATION AS TO TAX YEAR 2024 VALUE

2. CENTERRA OFFICE TECH I STIPULATION AS TO TAX YEAR 2024 VALUE
3. CENTERRA FLEX TWO LLC STIPULATION AS TO TAX YEAR 2024 VALUE
4. CENTERRA FLEX ONE LLC STIPULATION AS TO TAX YEAR 2024 VALUE
5. CENTERRA MARKETPLACE PROPERTIES LLC STIPULATION AS TO TAX YEAR 2024 VALUE
6. PPHC LOVELAND LLC (.73) HHP LOVELAND LLC (.27) STIPULATION AS TO TAX YEAR 2024 VALUE
7. FDC OFFICE II LLC STIPULATION AS TO TAX YEAR 2024 VALUE
8. BENENSON BOARDWALK FT COLLINS CO LLC STIPULATION AS TO TAX YEAR 2024 VALUE
9. BOSTON PARTNERSHIP LLC (.8573) GKH PROPERTIES LLC (.1429) STIPULATIONS AS TO TAX YEAR 2024 VALUE
10. Q1 2025 PUBLIC TRUSTEE REPORT
11. LARIMER COUNTY IMPROVEMENT DISTRICT BYLAWS
12. RETAIL MARIJUANA STORE LICENSE AND RETAIL CULTIVATION FACILITY LICENSE
13. ENVIRONMENTAL AND SCIENCE ADVISORY BOARD BYLAWS
14. LARIMER COUNTY LEGISLATIVE POSITIONS
15. LETTER OF ADVOCACY TO REPRESENTATIVES EVANS AND BOEBERT ON TAX EXEMPT MUNICIPAL BONDS

RESOLUTIONS

1. FINDINGS AND RESOLUTION APPROVING THE EHRLICH APPEAL

MOTION

Commissioner Shadduck-McNally moved that the Board of County Commissioners approve the Consent Agenda for April 22, 2025.

Motion carried 3.0.

5. **COMMISSIONERS' GUESTS:** The Commissioners did not have any guests.
6. **DISCUSSION ITEMS:** There were no discussion items.
7. **COUNTY MANAGER UPDATE:** County Manager Volker briefly detailed the events of the previous week.
8. **COMMISSIONER ACTIVITY REPORTS:** The Board detailed their attendance at events during the previous week.
9. **LEGAL MATTERS:** None requested.

With there being no further business, the meeting was adjourned at 9:40 a.m.



KRISTIN STEPHENS, CHAIR
BOARD OF COUNTY COMMISSIONERS

TINA HARRIS
CLERK & RECORDER

ATTEST:


Dianne Cheney, Deputy Clerk

