

# LARIMER COUNTY PLANNING COMMISSION

## Minutes of May 20, 2020

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The Larimer County Planning Commission met in session on Wednesday, May 20, 2020, at 6:00 p.m. in the Hearing Room as well as virtual video. Commissioners Dougherty, Jensen, and Miller physically attended with Commissioner Dougherty presiding as Chairman. Commissioner Choate, Johnson, Barnett, Wallace, Stasiewicz and True attended virtually. The Larimer County staff that physically attended were Lesli Ellis, Community Development Director; Don Threewitt, Planning Manager; Jenn Cram, Planner II and Christina Scrutchins, Recording Secretary. Larimer County staff that attended virtually were Eric Fried, Chief Building Official; Steven Rothwell, Civil Engineer II; Lea Schneider Environmental Health; and Frank Haug County Attorney.

Chairman Dougherty read the following from the agenda.

At this time, we are highly discouraging in-person testimony. If you wish to have your opinions on this matter voiced at the hearing, please send an email to, [beilbykm@larimer.org](mailto:beilbykm@larimer.org) with your name and phone number. This meeting may also be viewed online at <https://www.larimer.org/broadcast>.

Members of the public were noticed to register to attend the meeting by audio or to submit comments in writing. Staff monitored the doors of the building to admit any members of the public wanting to attend the meeting and speak.

Applicants were invited to participate via two-minute time limit video/dial-in conferencing should any questions or concerns be presented for them to address. Mr. Fried present via video conferencing and Mrs. Ellis moderated and invited public attendees that wished to speak via virtual options.

### **COMMENTS BY THE PUBLIC REGARDING THE COUNTY LAND USE CODE:**

None

### **COMMENTS BY THE PUBLIC REGARDING OTHER RELEVANT LAND USE MATTERS NOT ON THE AGENDA:**

None.

### **AMENDMENTS TO THE AGENDA:**

Chairman Dougherty stated Item #2 – Sky View Campground Location and Extent, File #20-ZONE2670 was taken off consent and moved to a discussion item.

### **APPROVAL OF THE MINUTES FOR THE MARCH 4, 2020 AND APRIL 15, 2020 MEETINGS:**

*MOTION by Commissioner Jensen to approve the minutes*

*Commissioner Miller seconded the motion*

*This received unanimous voice approval.*

*Motion passed 9-0*

## **CONSENT ITEMS:**

### **ITEM #1 – ADOPTION OF THE 2020 NATIONAL ELECTRICAL CODE WITHOUT AMENDMENT BY LARIMER COUNTY, FILE #20-CODE0246:**

Eric Fried gave a brief presentation. On July 1, 2020, the Larimer County Building Division will assume responsibility for electrical permitting and inspections in unincorporated Larimer County from the Colorado Electrical Board. When the Larimer County Board of County Commissioners adopted the 2018 editions of eight of the model building codes, effective February 1, 2019, it also adopted the latest edition of the National Electrical Code (NEC) as adopted and enforced by the State of Colorado Electrical Board. Right now, the 2017 NEC is the adopted state electrical code. Colorado Electrical Board staff have informed Larimer County that they plan to adopt the 2020 NEC effective August 1, 2020, without amendment. Per state law, the current NEC adopted by the state is the minimum legal electrical code for the state and all city and county governments subject to state law. Local codes may be more stringent, but not less stringent, than the state code. If no action is taken by the appropriate county boards, the 2017 NEC will be administered and enforced locally from July 1 to August 1, 2020, at which point the 2020 will take effect. Although they are similar, having two different NEC editions take effect within one month could lead to unnecessary confusion and complexity for customers and staff alike. The Building Official is proposing to adopt the 2020 NEC, without amendment, to be effective on July 1, 2020. The Board of Appeals on May 13, 2020, recommended adoption of the 2020 NEC by a vote of 4-0 (one abstention).

Commissioner Jensen asked Mr. Fried what the changes would be from the 2017 code to the 2020 code.

Mr. Fried explained that surge protection and outdoor emergency disconnects will be required for dwelling units, and ground fault circuit interruption requirements increase.

Chairman Dougherty asked if the changes made were only by the state and not with the county.

Mr. Fried explained the changes were made by the National Fire Protection Association which writes the code and approved at code hearings. The code will be going into effect on August 1, 2020 due to the state adopting the NEC.

Commissioner Jensen asked if before an individual would like to make changes to a home, will they need to bring the home to code and what will the cost be for an individual dwelling to be added to a home.

Mr. Fried stated if an individual wanted to make a change or add an addition to the home, they do not have to bring the entire electrical system up to code. Mr. Fried said he did not calculate the cost of code changes because they will take effect in any case, with the only question being whether that happens on July 1 or August 1, 2020,

Commissioner Choate asked if we are adopting the 2020 code due to the changes being made are more stringent.

Mr. Fried explained that State law defines electrical is as a matter of statewide importance and that any County that administers an electrical code must adopt a code that is as stringent as the State.

Commissioner Jensen asked for a brief history regarding the current electrical permit jurisdictional transfer process.

Mr. Fried stated that customers have asked the Board of County Commissioner over the years to take responsibility for local electrical permits and inspections, but due to the county not being able to provide enough staff with the fees allowed under state law, the program run at a loss. With the 2019 change in state law, the state and county fees are no longer connected, and the Board approved the county building division taking on this service area. The county has hired 2 electrical inspectors with a 3<sup>rd</sup> inspector possible in the future and is moving ahead to adopt the electrical codes.

## **DISCUSSION**

None

## **MOTION**

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

*BE IT RESOLVED that the Planning Commission recommend to the Board of County Commissioners adoption the 2020 national electrical code and repeal of the 2017 national electrical code effective on July 1, 2020*

*Commissioner Miller seconded the motion.*

*Commissioners Jensen, Stasiewicz, Barnett, Miller, Choate, True, Johnson, Wallace and Chair Dougherty all voted in favor of the motion.*

*Motion passed 9-0.*

## **DISCUSSION ITEMS:**

**ITEM #2 – SKY VIEW CAMPGROUND LOCATION AND EXTENT, FILE #20-ZONE2670:** Jenn Cram gave a presentation for a request for Larimer County Natural Resources to construct a new campground with 15 recreational vehicle and associated tent sites on approximately 6 acres. Each site will include a tent camping pad as well. The site will be located approximately 14 miles southwest of Loveland, a little over a mile southeast of the Carter Lake Marina on County Road 31 across the road from the existing Carter Lake Knolls campground. The proposed campground will have three main group sites with five individual sites within each group. Each of the three group sites will have a concrete center fire pit for gatherings. The campground will also include a centralized pavilion area, two single vault toilets that are ADA accessible, ADA compliant parking areas, a concrete pad for telescopes, a natural experience/playscape area and approximately 1,000 lineal feet of soft surface trails for access to educational kiosks.

To approve a Location and Extent application, the Larimer County Planning Commission must find that the proposal is consistent with the Larimer County Comprehensive Plan, based on consideration of relevant Comprehensive Plan principles, maps and elements.

Larimer County Parks Master Plan Adopted 2017:

Chapter 2 – Foundations, notes that the Mission of the Department of Natural Resources relative to the reservoir parks is to ensure a nationally recognized park system, providing diverse recreational opportunities integrated within a larger recreational network.

Chapter 3 – Goals and Objectives, One of Seven Goals: Provide Safe and Appropriate Recreation Opportunities. Objectives: Ensure that safe public access to the four reservoirs continues to be available.

- Explore opportunities for additional low-intensity activities.
- Support the Larimer County ranger program and work closely with local emergency services providers.
- Improve and maintain facilities to ensure a high quality and safe recreation experience.

Chapter 4 – Projects Summary, Specific to Carter Lake, one of the desired activities includes highly social and developed full-service camping adjacent to the reservoir, including multiuse campsites, cabins, and walk-in tent sites.

Since adoption of the Parks Master Plan the campground was moved slightly and renamed Sky View.

Chapter 4 – Implementation, discusses the economic benefits of Larimer County’s vast open spaces making the county a unique place to live and work. The high quality of life provided by these open space amenities plays a critical role in the county’s economic development.

Under Implementation Table 4.2, notes that the Big Landia or Sky View Campground is a priority project along with a natural swim area and south entrance station at Carter Lake.

Larimer County Comprehensive Plan Adopted 2019:

Chapter 2 – Vision, The Mission Statement: Larimer County upholds and advances the community’s health, safety, well-being, and quality of life.

Plan Themes – #1. – Inclusive Opportunities includes, ensuring agriculture, recreation and tourism remain balanced and viable long-term segments of Larimer County’s economic, cultural, and social fabric.

Chapter 3 – Policy Framework,

Community: C6. Rural Development, 6.11 Conserve natural resources and, where appropriate, support recreational uses within public lands.

Economy: E3. Economic Health and Resiliency, 3.4 Accommodate recreation and land conservation as economically valuable land uses in rural areas.

Framework Categories, Natural Resources, Preferred Uses include outdoor recreation on publicly accessible lands.

The Larimer County Comprehensive Plan notes the Larimer County Parks Master Plan as a Foundational and Relevant plan. As referenced above, the proposed Sky View Campground is consistent with the Larimer County Parks Master Plan and the Larimer County Comprehensive Plan by adding to the inventory of campgrounds that provides a greater diversity of recreational opportunities to support economic health and resiliency as well as the quality of life for Larimer County residents and visitors.

Engineering and Health were sent referral for comments and both didn’t have any concerns regarding the proposal. Comments from surrounding neighbors did email the county with concerns and are also waiting to speak and voice their concerns to the Planning Commission.

The Development Services Team finds that this proposal, which includes a new campground with 15 recreational vehicle and tent sites near Carter Lake, is consistent with the Larimer County Parks Master Plan and the Larimer County Comprehensive Plan and is recommending approval.

Ms. Cram wanted everyone listening to know that per section 13 of the Larimer County Land Use Code the required process for the campground is a Location and Extent followed will be a technical review of the plan.

Commissioner Johnson wanted to know how many campsites will be added to the campground.

Ms. Jones, Natural Resource Department Project Manager, stated the total will be 15 campsites.

Mr. Brink, Visitor Service Program Manager, confirmed that the amount will be 15 campsites.

Commissioner Johnson asked what year was the land conceived?

Mr. Brink stated it was 2016.

Commissioner True asked how the community was notified.

Mss. Jones and Mr. Brink explained that invitations were sent out, three public meetings, focus groups, post cards, and had face to face interaction.

Chairman Dougherty asked for Ms. Cram to clarify the notification that was given for the Sky View Campground Location and Extent.

Ms. Cram explained that because the project is a Location and Extent, public notification is not required but because it is a Larimer County project and they knew the community would be interested, a notification was mailed out within 500-foot radius from the project site.

Commissioner Stasiewicz asked if a traffic study was done or will it be required in the future.

Ms. Jones stated that a traffic study was not required but it will be completed during the technical review.

Mr. Rothwell confirmed that during the Location and Extent phase a traffic study is not required but during the technical review it would be required.

Commissioner Jensen asked in the future, how Chimney Hollow Reservoir would and this campsite interact with each other?

Ms. Jones stated that a management plan for Chimney Hollow will take place within the next few tears. It will determine recreational activities for the property. Camping is not allowed at Chimney Hollow due to the current IDA and Northern Water and Sky View Campground will have higher recreational activity compared to Chimney Hollow.

## **PUBLIC COMMENTS**

Oppose Becky Maitlen, Sonya Frick, Alissa Clousing, Darren Clifford, Russell Frick, Henry Knutzen, Chevy Cote, Jeff Maitlen, Sharon McGonigal, and Sandra Branch.

### Concerns

- Wildlife
- Traffic
- Campers
- Small area
- Fire pits
- Winds
- Noise
- Over traffic in the campground
- Odor
- Damn
- Parking in subdivision
- Overwhelmed park rangers
- Lake being overwhelmed
- Check in stations
- Parking
- No Neighbor Notification
- 500 ft. not far enough of a notice
- Motor accidents
- Property Values
- Is this only for the revenue

## **RESPONSE TO PUBLIC COMMENTS:**

Mr. Dougherty asked if the area is accommodating campers only or campers and boats?

Ms. Cram explained the 15 campsites will accommodate campers with RV's and tents. There will be a boat ramp if the campers bring a boat. One of the main reasons this site was chosen was because it had better ADA accessibility.

Chairman Dougherty asked were the camper would park the boat if they had an RV and a boat?

Mr. Brink stated this site would be one of the first sites to build a modern design so the campsite can accommodate boats.

Chairman Dougherty asked what the purpose would be to extent the current campground.

Ms. Cram referred to her presentation and explained the Larimer County Comprehensive plan talks about our quality of life as well as being economically viable.

Chairman Dougherty asked if the other campsite in Larimer County bring in a lot of revenue or are, they more of a benefit for the residents?

Mr. Brink confirmed the campsite are more for the residents.

Chairman Dougherty asked if Carter Lake is or has been overwhelmed?

Mr. Brink explained they use physical Carrington capacity to keep the levels of boating safe, the amount of parking spaces that are wrapped around the reservoir, and when the parks full they do not allow any more people to load boats into the lake.

Chairman Dougherty asked if there will be an increase in Carter Lake beach?

Mr. Brink explained they would like to, in the future, close down the current beach and create pocket beaches along the reservoir.

Chairman Dougherty asked if camping is not allowed at Chimney Hollow.

Mr. Brink confirmed you are not allowed to cap at Chimney Hollow Reservoir.

Ms. Cram wanted to note that the Location and Extent is a big portion of the project and a technical review will still need to be completed for the more detailed portion of the project.

Commissioner Miller asked if once the new constructed campsites are developed will the older campsites be closed down?

Mr. Brink stated that is their goal and to better define the safety of the residents and visitors.

Commissioner Miller stated that what he heard from public comment was concern in the increase in campers and visitation to the campsite. He also asked if the campsite would be a net zero gain on camping and eliminating parking that is not allowed.

Mr. Brink stated that he is confident that with the new parking plan there will be a decrease in the parking issues.

Commissioner True asked if the project is approved or denied how is the County going to address the parking concern.

Mr. Brink stated they are monitoring the parking as best they can as well as using the rangers that will monitor the campsite.

Commissioner Wallace stated that she feels programs like the campsite could have success.

Commissioner John asked if the L&E is approved and the technical review is the next step how are the public's concern taken into effect and what is the final decision?

Ms. Cram explained that the technical review is the administrative review and the details that would be looked at would include traffic, etc. but would not be looking at public process.

Commissioner Stasiewicz wanted to clarify that the administrative review would be the final decision.

Ms. Cram confirmed that is correct.

## **DISCUSSION**

Commissioner Choate, Stasiewicz, Jensen, Miller, and Dougherty expressed their understanding in concerns of the public but are in support of this project.

## **MOTION**

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

*BE IT RESOLVED that the Planning Commission approve the Sky View Campground Location and Extent, File #20-ZONE2670.*

*Commissioner Miller seconded the motion.*

*Commissioners Wallace, True, Miller, Stasiewicz, Choate, Jensen, Johnson, and Chair Dougherty all voted in favor of the motion.*

*Commissioner Barnett was in opposition.*

*Motion passed 8-1.*

## **REPORT FROM STAFF:**

Mrs. Ellis gave information regarding the Estes Valley position. The Board of County Commission have not started the interview process yet. On June 27<sup>th</sup> there will be a work session through zoom and the public can listen but there will not be public comments. June 10<sup>th</sup> is being held for a possible work session. June 17 is a Planning Commission Hearing date. June 24 is the first step in presentations from staff and the applicant for the NISP project. At this time notification of when the building will be open but will keep the Planning Commission and the staff updated.

Mr. Threewitt gave information regarding upcoming L&E cases. He also explained the case that was to be presented tonight was pushed due to the applicant getting the corona virus and requesting to postpone till June. A curtesy notice was mail to the surrounding neighbor of the change in hearing date. Also, in June there will be a few L&E's. There will be a L&E for CSU as well as the Transfer Station.

Commissioner Choate asked if the Zoom participation will be continuing.

Mrs. Ellis explained that it is correct at this time but could have in the future a combined viewing in person and with Zoom.

With there being no further business, the hearing adjourned at 8:13 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.

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Sean Dougherty, Chairman

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Nancy Wallace, Secretary