

City of Loveland Construction Advisory Board
Meeting Minutes
January 25th, 2012

Roll Call:

Board Members: David Eads, Greg Meisinger, Garold Smith, Chris Rosenberger, Jon Rudolph, David Stamps, Ingrid McMillan-Ernst, Teri Volk, Bill Stenberg, Jason Baker, and Blaine Rappe

Board Members Absent:

City Staff Members Present: Tom Hawkinson

City Staff Council Members Present: Ralph Trenary

City Staff Council Members Absent:

I. Call to Order: Chairman Greg Meisinger called the meeting to order at 6:02 PM

II. Approval of Minutes: The motion to approve meeting minutes was made by Teri Volk, and was seconded by Garold Smith. The motion passed unanimously.

III. Reports:

a. Citizen:

None

b. Board and Commission Members:

None

c. Staff (Hawkinson / Building Division):

None

d. Monthly Building Permit Report (Hawkinson / Building Division):

There was a handout – see Old Business for more detail.

e. FRAC - Mary Moore (Chairperson):

None, Mary was not in attendance this month.

IV. New Business:

a. Robert Paulsen - Current Planning Division - Development Review Fee Increases:

If previous fees were below the cost recovery amount they were flagged. The top 12 fees in the handout were previously \$0.00. It was recommended to city staff that fees be established at a 50% cost recovery rate (per review times). The City agreed and

forwarded the recommendation to City Council. These new fees are already in place (as of January 1st, 2012). These fee changes are the first phase of the fee review. Bob Paulsen went through each of the 12 new fees with the CAB. Site development review is now separate from the building permit. Environmentally sensitive areas are assessed and rated by the city's Parks Division. Some small areas throughout the city have not been mapped for environmental sensitivity. The administrative variances are similar in function to the setback variances. General development plan / preliminary development plan – When zoned PUD there are three levels to be classified under. City staff put in a considerable amount of time to do research on appeals to the Planning Commission. Appeals to City Council are usually appeals of an appeal. The planned sign program is a separate appeal than the sign permit, usually for multi-tenant areas like Target. Variance requests used to be \$60 or \$150. A variance request goes before a hearing, whereas an administrative variance is not before a hearing. Jason Baker asked if the City had assessed to see if any fees were too high. Bob said yes, and they checked Loveland's fees versus local communities similar in size. Our fees are relatively low compared to comparable local communities. The city is trying to be aware of the current economic conditions and the construction industry's strength. Loveland didn't want to raise all fees across the board in one year. Jon Rudolph asked if the city needed to recover 50% of the costs that were incurred. He also asked if fee values could be in a range, rather than an exact amount. Bob could not speak specifically to the financial end of the fees. Ralph Trenary noted the city had a public meeting prior to implementation. City Council voted and told city staff to meet the 50% threshold. He also said the fees were not permanent and irrevocable if some need to be changed. Greg Meisinger clarified that the CAB asked Bob Paulsen to come in because he'd received an email saying fees were raised (without telling the CAB). Greg asked Ralph to take this conversation to City Council. Ralph said he could bring the 2013 fees up to City Council for further review and discussion before implementation. Greg said the CAB has had a hard time increasing fees in the current economic conditions. David Stamps asked where the added fees go. Bob replied that the added fees are deposited in the General Fund. The city projects the new fees will add \$20,000 per year to the General Fund. Ingrid McMillan-Ernst asked if these fees keep with the local jurisdictions in the area for major and minor appeals (range of fees). Bob noted that these fees are on the lower end of the average comparative fees for this area. He also noted that the city is planning on reviewing fees yearly and bringing their findings to the CAB and Planning Commission. Currently the city does not reduce fees; it would have to be a reimbursement. Jon Rudolph asked if a market sensitivity assessment had been done. Ralph said no, but there were study sessions. It was a fine tuning process in this slow period for construction. Blaine Rappe mentioned that these fees are now on the submittal checklists. Jason Baker agrees that the fees are reasonable, and they're less than an engineer or consultant would charge. Chris Rosenberger made clear that the taxpayers were previously footing the bill for these fees. Bob said the city was facing a structural deficit and these fees helped cover the costs. Bill Stenberg asked if the charge for development application fees is different by city, and Bob replied that the fees are structured very differently so it's difficult to compare Loveland to Fort Collins, Greeley, Longmont, etc. Bob also noted that Loveland is not trying to achieve Fort Collins' fee level. The per-sheet fee is for each unique drawing sheet, not the number of copies of a sheet being reviewed. These fees were previously discussed with the Planning

Commission. The only major item they wanted addressed was appeal fee reimbursement if an appeal was won by the appealing party.

b. Melissa Morin – Water Department – Water Booster Pumps:

Water and Power is funded by utility fees. This water boosted pump issue was brought to the CAB in July 2008. It was also brought to LUC in December 2011. The goal is to prohibit irrigation booster pumps from being directly tied to the city's water system. Neighboring communities already have this prohibition in their code. Pressure booster systems can still be used (air gap / tank style), the city just wants to prevent direct-connects. Fire boosters are still acceptable, as are interior water booster systems. A grandfather clause was added to address currently installed irrigation booster pumps. Chris Matkins (Water Utility Manager) said other work programs were addressed before this booster pump item, and now it's being finalized. Melissa is looking for a recommendation from the CAB to implement the irrigation booster pump prohibition. A motion to recommend the irrigation booster pump prohibition was made by David Stamps and seconded by Garold Smith.

c. Review of 2012 Work Program:

- 2012 Code Review will begin this year. Tom will email update out to CAB in the coming month.
- Review of the Use Tax handout
- Monitoring Green Construction Codes
- Citizens Access is complete. Review and inspection access online and real time online. You can pull up old information too. Permit history reports are now available.
- CEF review update. Council deemed it as a "must complete" this year.
- Review of the Colorado ICC Legislative Review. Single family fire sprinkler bill (no bill yet). HB1004 addressing beetle kill wood use in buildings. SB026 addressing state agency creating unfunded mandate on local governments.
- Jason Baker asked for an update on basement finishes without permits, what has changed? Is the city seeing more permits? If inspectors can't see it they cannot sign-off on it. Walls must be open to see the construction in basement finishes. Buyers don't want to inherit liability of un-permitted basement finishes.
- Jason Baker wanted to know if the Air Freezing Index is included in Loveland Code. Tom believes it's in the IBC Amendments. Jason noted we only need 12" for frost protection, and that's what is required for insulation in most small additions. Jason will follow up on Air Freezing Index inclusion in Loveland's Code.

c. Review of Permit Fee Handout:

See permit fee handout. Tom briefly addressed a few items from the handout.

V. Old Business:

None

VI. Adjournment:

A motion for adjournment was made by Garold Smith, and was seconded by Jason Baker. The motion passed unanimously. The meeting adjourned at 7:39 PM.

Sincerely,
David Eads