



LOVELAND PLANNING COMMISSION MEETING AGENDA

**Monday, January 09, 2017
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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LOVELAND PLANNING COMMISSIONERS: Jeremy Jersvig (Chair), Carol Dowding (Vice-Chair), Michele Forrest, Pat McFall, Rob Molloy, and Mike Ray, David Cloutier, Jamie Baker Roskie, and Jeff Fleischer.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. REPORTS:

a. Citizen Comments

This is time for citizens to address the Commission on matters not on the published agenda.

b. Planning Staff Update

1. 1/23/2017 Agenda Preview:

i. Unified Development Code – Simplified Procedures

2. **Planning Commission and Title 18 City Tours: January 20th and February 10th from 1:00 p.m. to 4:00 p.m.**
3. **Boards and Commission Summit March 9th: 2 Commissioners to attend and present 2016 Accomplishments & 2017 Goals**
4. **Planning Commission Reappointments approved by City Council 1/3/17: Jeremy Jersvig, Mike Ray, Dave Cloutier**
5. **Hot Topics:**
 - c. **City Attorney Comments**
 - d. **Committee Reports**
 - e. **Commission Business & Comments**
 1. **Election of Officers for 2017**
 - **Chair**
 - **Vice Chair**
 - **Zoning Board of Adjustment Hearing Officer**
 - **ZBA Hearing Officer Alternate**

IV. APPROVAL OF MINUTES

Review and approval of the December 12, 2016 Meeting minutes

V. REGULAR AGENDA:

1. Historic Preservation Presentation

Jim Cox, Chair of the Loveland Historic Presentation Commission (HPC), will provide an overview of the City's historic preservation program and answer questions pertaining to this topic. Slides of the powerpoint presentation have been provided in advance to the Commissioners.

2. Determine 2016 Accomplishments and 2017 Goals

This information will be presented at the annual Boards and Commissions Summit. The 2017 goals will also be used to guide Commission activities throughout the year.

VI. ADJOURNMENT

**CITY OF LOVELAND
PLANNING COMMISSION MINUTES
December 12, 2016**

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on December 12, 2016 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Dowding, Molloy, Forrest, Ray, McFall, Roskie, Cloutier and Fleischer. Members absent: None. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, Assistant City Attorney; Linda Bersch, Interim Planning Commission Secretary.

These minutes are a general summary of the meeting. A complete video recording of the meeting is available for two years on the City's web site as follows: <http://loveland.pegcentral.com>

CITIZEN REPORTS

There were no citizen reports.

STAFF MATTERS

1. Staff Matters

- a. Mr. Paulsen, Current Planning Manager,** began his report by thanking the members of the Planning Commission for their service to the community in 2016.
- b. 12/26/16 Planning Commission Agenda Preview: Meeting Cancelled.**
Mr. Paulsen reminded the Commissioners that the December 26th meeting has been cancelled.
- c. 12/13/16 City Council Meeting: Commissioners are invited to attend the Study Session for the Unified Development Code.**
Mr. Paulsen noted that city council will hold a study session following their regular meeting agenda on December 13th. Planning commission members are encouraged to attend this session if they have time and interest as city council is following the UDC discussions that are taking place within the planning commission. The study session should begin around 7:00 PM.
- d. Draft Minutes from the November 28th Planning Commission Meeting were sent to the Larimer County Commissioners**
Mr. Paulsen indicated he has received an email from **Linda Hoffman, County Manager**, asking that the minutes from the November 28th Planning Commission meeting be adjusted to show that the proposed county building in Loveland is approximately 50,000 square feet instead of the 48,000 square feet reflected in the minutes.

e. Brian Burson, City Planner II, retired 12/9/16

Mr. Paulsen informed the Commissioners that **City Planner II, Brian Burson**, has retired after twenty-eight years of service to the Planning Department. He had presented to the Planning Commission many times.

f. Hot Topics:

Mr. Paulsen reported that **Commissioners, Jersvig, Ray and Cloutier** have interviewed for reappointment to the Planning Commission and are being re-nominated. The approval of City Council should be through the consent agenda on their January 3rd meeting. These Commissioners can continue to serve until the process is completed.

COMMITTEE REPORTS

ZBA update: 630 W. 5th Street Variance approval

Commissioner Forrest, ZBA Hearing Officer, reported the approval of a variance to the zoning setback requirements for 630 W. 5th Street. This is a scrape off of an existing house for a new build on the lot. Many neighbors did appear at the hearing with concerns about future development like this in their neighborhood. Even though the setbacks could have been approved through staff, **Commissioner Forrest** felt it was appropriate to give neighbors the opportunity to express concern about replacing the homes in the area with much larger homes that are not in keeping with the neighborhood. **Commissioner Forrest** said this brought up concerns for her regarding how the Planning Commission could or should be working with the Historic Preservation Commission. This variance was approved because the existing structure had no historic significance and the new house design was in keeping with the neighborhood.

After discussion amongst the Planning Commissioners, it was decided that the staff liaison from Historic Preservation would be invited to present information to the commission on:

- How does historic designation come about and what is its significance
- What happens if there is a conflict with the designation and private property rights
- What are the opportunities and restrictions of the designation
- What is the historic preservation commission process and how should it relate to the planning commission process. What kind of precedence will granting variances set?

Title 18 Committee

Commissioner Molloy reported that the next Title 18 Committee is set for Thursday, December 15. The meeting will focus on the discussion regarding the Uniform Development Code that will take place at the City Council study session on Tuesday.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner Dowding made a motion to approve the November 28, 2016 minutes as amended on the record; upon a second from Commissioner Roskie the minutes were unanimously approved.

CONSENT AGENDA

There were no items on the Consent Agenda

REGULAR AGENDA

1. Surrounding Communities: Planning Commission Diversity and Recruitment Research

Mr. Paulsen, reported that **Sidney Michl**, who is CSU Grad Student and intern and with the City Manager's office, has been conducting research relating to planning commission membership for selected Front Range communities. **Ms. Michl** is unable to be at this meeting so Mr. Paulsen presented the information she has gathered to date as it relates to the next agenda item. Other communities have opened the membership to their growth management areas.

Recruitment for the Planning Commission was discussed. **Mr. Paulsen** explained that the City Manager's office does handle the recruitment; however, the planning department does supplement that effort with their own e-mail list of people who are customers or have expressed interest in the planning process through special projects, etc. It was suggested that recruitment be expanded to include notifying the other city boards and commissions. **Commissioner Roskie** would like to see more diverse candidate recruitment for on the board.

2. Planning Commission – Expansion of Residency Requirements

The Commission had recently requested that staff forward a request to City Council for expansion of the residency requirement to include residents in the City's Growth Management Area (GMA) as eligible to serve on the Planning Commission. After further legal review of this requirement, Staff is recommending that the Commission consider a motion directing staff to prepare an Ordinance amending section 2.60.210 of the Loveland Municipal Code to expand potential membership of the Commission to include residents of the GMA.

Mr. Paulsen also recommended that a cap of GMA residents be considered.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner Ray** noted that the GMA is where the potential for growth and annexation into the city will take place and this proposal would allow those with “skin in the game” the opportunity to participate in the planning process. GMA residents would be in tune to the needs of that area of the community.
- **Commissioner Molloy** agreed that GMA residents are usually longer term residents and would have not only history with the growth of the city but with the city itself. They could provide great benefit. This would also bring more recruitment possibilities.
- **Commissioner Fleischer** indicated that this would bring more geographic diversity to the board.
- **Commissioner Roskie** sees no downside to the proposal
- **Commissioner Ray** felt a cap was necessary as a hotly contested area could load the board with commission members that would have a strong bias to an area. There are at least three openings on the board each year.
- After discussion amongst the commissioners, it was decided to include a limitation of two commissioners who reside outside the city limits but within the GMA in the motion to amend the Ordinance.

Commissioner Dowding moved to direct the Current Planning Manager to present to the Loveland City Council, upon recommendation by the Loveland Planning Commission, an ordinance to amend Section 2.60.210 of the Loveland Municipal Code, in part, to expand the potential membership of the Loveland Planning Commission from bona fide residents of the city of Loveland to bona fide residents of the city of Loveland and Colorado citizens residing within the city of Loveland Growth Management Area as defined in the city’s comprehensive master plan but no more than two members from the Growth Management Area. Upon a second by Commissioner McFall, the motion passed unanimously.

3. Process Improvements for Sign Approvals

Mr. Paulsen explained that the Current Planning office has developed plans to transfer the administration of sign permitting from the Building Division to the Planning Division in early 2017. He introduced **Emily Tarantini, Planning Technician**, who presented an overview of the current process that involves both the Building Division and Current Planning Staff. **Ms. Tarantini** went on to explain the proposed changes for sign permits would become similar to the process for Home Occupations and would involve a review by planning support staff and technicians. The applicant would accept responsibility for structural and safety compliance. The process eliminates an on-site inspection. The new fees have been approved through City Council action.

COMMISSIONER QUESTIONS AND COMMENTS:

Commissioner comments included:

- A concern about approval of monument signs without inspections or structural engineering.
- Would this bring too much burden on the Current Planning Department?
- Are fees too low and why is the wall sign fee higher than the fee for monument signs?
- Will there be an on-site inspection?
- Does this require code changes?

Mr. Paulsen and **Ms. Tarantini** explained that this process is based on the procedure used in Fort Collins. Fort Collins has not experienced any problems with the process or with indemnification as sign contractors and owners want to avoid any liability. This process is quicker, simpler and more affordable. Standards are applied to the permit request. Requests are processed through Planning Department's software, and there is not a physical permit.

This change is being implemented because sign contractors raised concerns about the time requirements for approval and the need for the structural engineering sign-off as well as the cost of the permit. Contractors follow best practices and have not had problems with sign's structural and wind load requirements. Planning feels these requirements are no longer necessary. While there is no threshold for very large signs, if there is any noncompliance we would go back to an inspection based process. Other communities have not had problems with this process because owners/contractors do not want the risk of non-compliance which would result in modifications to existing signs. The process will be monitored and if problems arise we could return to the old process. The Planning technicians are in the field daily and will do informal monitoring.

Mr. Paulsen indicated that while the building division is being removed from the process the new process will not result in a greater burden on planning staff.

Each application would have a flat fee based sign type. Fees would be substantially lower than the current fees. The fee structure is based on staff time to process the applications. Wall signs are more expensive because they do require more staff time. City Council has approved the fees.

Onsite inspections will not be routinely done as the permit process has standards regarding location, size; etc., that must be agreed to. If the sign has an electrical component, it would still need an electrical permit and inspection.

Some code changes will need to take place but we can implement and administer this process without those changes at this time. There are significant changes regarding signage as a result of court rulings regarding language on signs that are coming soon.

Any code changes will be incorporated at that time. Current Planning is hoping to implement this new process within the next six to ten weeks.

4. End of the Year Update

Mr. Paulsen reviewed planning-related events and accomplishments for 2016. He initiated a dialog with the Planning Commissioners regarding goals, needs and priorities they would like to set for 2017.

A list of accomplishments was presented and Mr. Paulsen ask the commissioners to review and add to the list any additions they may have.

For next year **Mr. Paulsen** suggested adding a couple of field trips or tours for the Commissioners to see a residential and commercial site. **Commissioner Ray** noted that the tours conducted in the past were very valuable. Meeting with the Planning Staff and having them show examples of the things we review and how a few changes can enhance a project is very valuable and would enhance our understanding of the code changes we will be looking at with the UDC. **Commissioners Jersvig** and **Molloy** agreed that the tours were helpful and would like have a residential and a commercial tour scheduled before May.

Mr. Paulsen stressed that the Commission's input on site and architectural design will be important as further work occurs on the unified development code. The Commission is uniquely qualified to provide guidance on the appropriate level of design requirements to be placed on developers and property owners. **Commissioner Fleischer** noted that designers want their designs to be the best they can be without too many restrictions so standards should not be too restrictive. **Commissioners Ray** and **Jersvig** felt the field trips would enhance input into this process.

The following priorities were listed for 2017:

- A residential neighborhood site visit and a commercial site visit
- An overview of the Historic Preservation Commission Process
- A collaborative meeting with the Transportation Advisory Board and other related Commissions such as Construction and Parks
- A procedure for Public Hearings on the Unified Development Code
- Training on why development standards are written the way they are and what are best practices. Perhaps some APA training before the field trips are scheduled. Books such as "For the Love of Cities" and Planning Commissioners Handbook would be helpful.

It was noted that study sessions could be on days other than the second and fourth Mondays.

Commissioners were asked to forward any other suggestions to Mr. Paulsen.

The next Planning Commission Meeting Agenda for January 9, 2017 was discussed and the following agenda items agreed to: Election of Officers for 2017; Discussion of the 2016 Accomplishments and 2017 Goals and the Overview of the Historic Preservation Program.

Mr. Paulsen asked the Commissioners for input on the monthly Development Services Update. Is it useful, would a quarterly Update be more appropriate? Commissioners indicated that the updates were informative and should continue but on a quarterly basis.

Chairman Jersvig closed the meeting by saying he is honored to serve with all the commission members, Mr. Paulsen and his staff and Mr. Garcia, as well as Kevin with IT who does the video recordings. He thanked everyone involved and wish all a Merry Christmas and Happy Holidays.

ADJOURNMENT

Commissioner Dowding, made a motion to adjourn. Upon a second by **Commissioner McFall**, the motion was unanimously adopted.

Commissioner Jersvig adjourned the meeting at 8:40 p.m.

Approved by: _____
Jeremy Jersvig, Planning Commission Chair

Linda Bersch, Interim Planning Commission Secretary.

LOVELAND'S HISTORIC PRESERVATION PROGRAM

- INITIAL SURVEY OF 2,300 PROPERTIES COMPLETED IN 1999, UPDATED IN 2009
- LOVELAND'S HISTORIC PRESERVATION
- PLAN WAS ADOPTED IN 2002



Historic Preservation Commission

- ▶ Jon Mark Patterson, Chair (Attorney)
 - ▶ Chris Wertheim, Co-Chair (Retired Executive Recruiter.)
 - ▶ Paula Sutton (Consultant. Masters degree in Museum Studies)
 - ▶ Stacey Kersley (Architect)
 - ▶ Jim Cox (Architect)
 - ▶ Morgan Sehi (High School Student)
 - ▶ Amanda Nash (Interior Designer)
 - ▶ Vacant
-
- ▶ Council Liaison, John Fogle
 - ▶ Staff Liaison, Nikki Garshelis

Purpose of Program

Chapter 15.56 Loveland Municipal Code/Historic Preservation

- ▶ Protect & enhance the elements of Loveland's cultural, social, economic, political and architectural history.
- ▶ Promote / encourage private ownership of historic properties
- ▶ Promote good urban design
- ▶ Stabilize and enhance neighborhood property values and the economy of the City
- ▶ Foster community pride in the beauty and noble accomplishments of the past



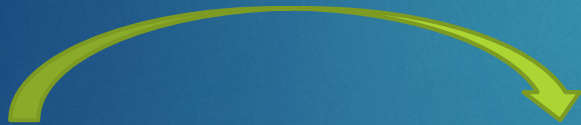
***First United
Presbyterian Church***

Benefits to Landmark Register designation

- ▶ Pride, Protection, Plaque
- ▶ Property value increases faster than non-landmark properties.
- ▶ Building Permit Fee Waiver for exterior restoration
- ▶ Tax Credits: 20% State income, 20% Federal income, 10% Federal income
- ▶ Colorado State Historical Fund grants
- ▶ Local Zero % Loan Program for exterior

Responsibilities

- ▶ Any exterior alterations to property must be reviewed and approved by HPC (*The Commission has no oversight over simple repairs, routine maintenance, landscaping, low fences or walls, painting, or interior modifications.*)
- ▶ Any demolitions to property must be reviewed and approved by HPC



- ❖ Demolitions of structures over 50 years old and not designated must also be reviewed by the HPC. The property owner has the final decision under Loveland's code.
- ❖ Loveland Historic Preservation program has been approved by the National Park Service and the Colorado State historic Preservation Office as a Certified Local Government (CLG) and follows the Secretary of Interiors Standards for Rehabilitation.

Eligibility for Historic Designation: Is Everything Old Historic? No

- ▶ 50+ yrs old
- ▶ Integrity – *historic character*
- ▶ Significance – connection to an important *theme, person, group or event*

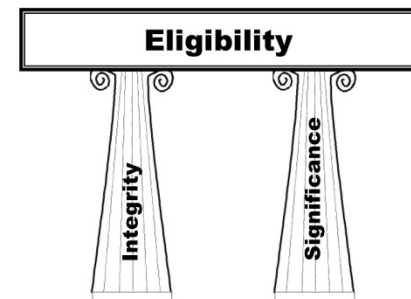


Figure 1.

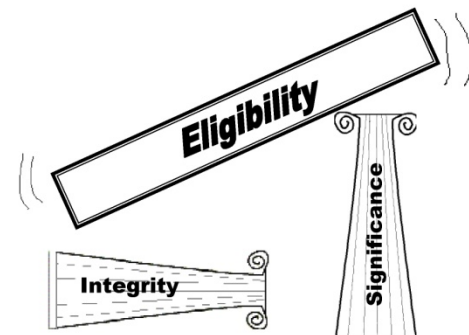


Figure 2.

Eligibility for Historic Designation: Is Everything Old Historic?

Examples of Historic Integrity



Moderate
integrity –
façade or site
compromised



High Integrity –
Defining features
intact

Eligibility for Historic Designation: Is Everything Old Historic?

Poor Integrity – no longer
recognizable



Eligibility for Historic Designation: Is Everything Old Historic?

Examples of Historical Significance



Bill Reed House /
Residential architecture



Settlement - 1873



Agriculture - 1892



Religious History



Commerce – c.1918

HISTORIC DESIGNATION PROCESS

In Loveland, designation is a voluntary process

1 Initiation of Designation Process

- Staff explains process, protection mechanism, incentives, and obligations to owner(s)
- Voluntary application from property owner submitted



2 Notification of Designation

- Notification of record of Designation Hearing



3 Historic Preservation Commission Public Hearing

- Historic Preservation Commission adopts resolution making recommendation to City Council to designate property or district



4 City Council Hearings and Action

Two readings



Questions & Comments





Current Planning Division

410 E. 5th Street • Loveland, CO 80537
(970) 962-2523 • eplan-planning@cityofloveland.org
www.cityofloveland.org/DC

MEMORANDUM

January 9, 2017

To: Planning Commission
From: Bob Paulsen, Current Planning Manager
Subject: **2016 Accomplishments & 2017 Goals**

At the beginning of each year, the Planning Commission reviews its accomplishments from the previous year and establishes goals for the new year. Below I have provided a draft list of items for the Commission's review.

Planning Commission Accomplishments in 2016

- Held 20 regular meetings in 2016 reviewing 54 separate agenda items, conducted 16 public hearings and held 6 study sessions including joint study sessions with the City Council and the County Commission and County Planning Commission.
- Guided the development and adoption of Create Loveland, the City's fully updated Comprehensive Plan. Create Loveland is the result of extensive citizen participation and significant Planning Commission input. The Plan provides long term guidance for community growth and development.
- Guided the development and adoption of the Flexible Zoning Overlay Code which gives developers the option to set their own development standards provided that input from neighboring property owners and residents is afforded.
- Initiated work on the Unified Development Code which has a scheduled completion date of November, 2017. The new code will replace a 40-yearold document with an integrated, clear and efficient means for guiding development.
- Guided improved cooperation between the City and other government entities including Thompson Schools and Larimer County. Approved a new Classical Schools campus, the Animal Humane Society facility and the County's new office campus on Denver Avenue.
- Facilitated expanded affordable senior housing options with approval of the Mirasol expansion
- Provided initial input on the Downtown Foundry project that is scheduled for public hearing in the first quarter of 2017.
- Helped plan the new Development Center that opened in May of 2016.

Planning Commission Goals for 2017

- Obtain information on best practices relating to site and architectural design standards; and, obtain training on how to develop site and architectural standards that achieve community goals. This information and training is designed to assist the Commission in guiding the development of the Unified Development Code.
- Conduct two field visits with staff that help prepare the Commission in guiding the development of site and architectural standards that will be included in the Unified Development Code.
- Conduct joint meetings with the Transportation Advisory Board and other commissions such as the Construction Advisory Board and the Parks and Recreation Commission to facilitate shared awareness and collaboration, including participation in the Unified Development Code process.
- Have an informational review of the City's Historic Preservation Program.
- Downtown Revitalization: Monitor and remain active in downtown planning and development initiatives.
 - ☐ Schedule regular staff briefings with the Commission
 - ☐ Participate on committees and in workshops
 - ☐ Monitor progress made by the Downtown Development Authority & the Loveland Downtown Team
- 287 Plan Implementation: Obtain regular updates on implementation efforts, ensuring that adequate resources and attention is given to corridor revitalization.