



LOVELAND PLANNING COMMISSION MEETING AGENDA

**Monday, May 13, 2019
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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LOVELAND PLANNING COMMISSIONERS: Patrick McFall (Chair), Michael Bears, Jeff Fleischer, Rob Molloy, Tim Hitchcock, David Hammond, Milo Hovland, Susan Peterson, and Deborah Tygesen.

CALL TO ORDER

I. PLEDGE OF ALLEGIANCE

II. REPORTS:

a. Citizen Reports

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

b. Current Planning Updates

1. Monday, May 27, 2019 – No Meeting due to Holiday

2. Monday, June 10, 2019

i. Camp Bow Wow – SDP Conditional Use – Public Hearing

ii. Mehaffey Enclave Annexation/Zoning - Public Hearing

c. City Attorney's Office Updates

d. Committee Reports

e. **Commission Comments**

III. APPROVAL OF MINUTES

Review and approval of the March 25, 2019 meeting minutes

IV. REGULAR AGENDA

1. Memo – UDC Corrections – Kerri Burchett, Principal Planner

This is an informational item that requires no action by the Planning Commission. As provided for by the Unified Development Code (UDC), the Director of Development Services has the authority to make minor, non-substantive corrections to the UDC. Upon making the corrections, the UDC stipulates that the Planning Commission and City Council are be informed of the adjustments. The Memorandum provided by Planning staff itemizes the corrections as required. Staff will summarize the corrections and respond to questions. Staff will provide this information to the City Council at an upcoming meeting.

2. Amendments to Municipal Code. Public Hearing -- Alison Hade, Community Partnership

This amendment to Title 18 of the Municipal Code requires a public hearing and a recommendation by the Planning Commission to the City Council. The amendment relates to affordable housing incentives. The same amendments were reviewed and recommended for City Council approval by the Planning Commission in October of 2018; but, the amendments were not incorporated into the Unified Development Code when it was adopted in December of 2018. As stated, the amendments require that fire impact fees, while they can be waived for affordable housing projects, must be backfilled or reimbursed. The amendments also broaden the allowance for Community Housing Development Funds, specifying the funds can be used to support the Community Partnership office as determined by the City Council. The amendments are supported by the Community Partnership office.

PRIOR TO HEARING ITEM 3. THE PLANNING COMMISSION MUST ADJOURN AND OPEN THE PUBLIC HEARING ON ITEM 3 AS THE ZONING BOARD OF ADJUSTMENT

3. 4117 Roaring Fork Drive Variance Request. Public Hearing: Zoning Board of Adjustment Hearing -- Troy Bliss, Senior Planner

This is a variance request to adjust a shoreline setback on Horseshoe Lake to allow the construction of 1,250 square foot lakeside accessory dwelling unit on a residential property located at 4177 Roaring Fork Drive. The applicant is Adam Carriker, the homeowner and resident at the aforementioned address. Given the unusual and complex nature of this variance application, this item was forwarded from the Zoning Board of Adjustment Hearing Officer to the full Board of Adjustment.

The subject property, zoned PUD for residential use, is located on the west side of the Horseshoe Lake peninsula. This 2-acre lot is among several estate lots located along the west side of Roaring Fork Drive. The lot is developed with a single family home. This lot, along with other lots on the west side of the peninsula, is encumbered with a significant shoreline setback

requirement that restricts construction within 115 feet of the shoreline. The setback was established prior to development of the Horseshoe Lake First Subdivision to protect wildlife habitat along the shoreline. The applicant is seeking relief from the setback to allow construction of a lakeside accessory dwelling unit within 68 feet of the shoreline. Staff is recommending denial of the variance.

3. ADJOURNMENT

SUPPLEMENTARY INFORMATION

Public Hearing Procedures

The purpose of a public hearing is for the Planning Commission (PC as used below) to obtain full information as to the matter under consideration. This includes giving all interested parties the opportunity to speak (provide testimony) at the hearing. The public hearing is a formal process. Below is the typical hearing sequence to be followed by the Planning Commission. *Annotations have been provided for clarity.*

- 1. Agenda item is recognized by the Chair**
- 2. Public hearing is opened***
- 3. Staff presentation**
(May include clarifying questions to staff from Commissioners)
- 4. Applicant presentation**
(May include clarifying questions to applicant from Commissioners)
- 5. Public comment**
(All public comment should be made from the podium upon the PC Chair acknowledging the citizen speaking. Citizens should provide their name and mailing address in writing at the podium, and introduce themselves. The PC may ask clarifying questions of the citizens. At a public hearing, the PC does not respond to questions from citizens; questions directed to the applicant or staff should be requested through the Chair.)
- 6. Applicant response**
(The Chair typically requests that applicants respond to comments and questions raised during public comment)
- 7. PC questions to staff, the applicant and possibly to citizens who presented**
(Commissioners may use this step in the process to gain a more detailed understanding of relevant information)
- 8. Close public hearing**
(Unless specifically permitted by the Chair, further testimony is not allowed after the public hearing is closed)
- 9. Motion**
(Motions are made by a PC member with possible conditions)
- 10. Motion is seconded**
(A 2nd is required before the motion can be considered; a motion that fails to obtain a second dies)
- 11. PC discussion**
(The PC discusses the application and whether it satisfies the required findings)
- 12. PC Chair requests that the applicant agree to any conditions prior to a vote**
(If an applicant does not accept the proposed conditions, the PC may deny the application)
- 13. Vote**
(The decisions of the PC must address relevant findings of fact. These findings are specified in adopted plans and codes, and serve to guide zoning and annexation decisions. Relevant findings are itemized in the Staff Report and referred to in the recommended motion.)

* Note that the Planning Commission may place time limits on presenters. All presenters should communicate clearly and concisely, refraining from duplicating detailed information that has been provided by others.