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CITY OF LOVELAND
PLANNING COMMISSION MINUTES
December 12, 2011

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on December 12, 2011 at 6:30 p.m. Members present: Chairman Molloy; Vice Chairman Meyers; and Commissioners Dowding, Crescibene, Fancher, Krenning, Leadbetter, Middleton and Ray. City Staff present: Robert Paulsen, Current Planning Manager; Sunita Sharma, Assistant City Attorney.

These minutes are a general summary of the meeting. For more detailed information, audio and videotapes of the meeting are available for review in the Community Services office.

STAFF MATTERS

Robert Paulsen, Current Planning Manager, spoke of the 2012 fee schedule adopted by City Council and noted that the schedule has been expanded to include fees for several application types for which fees were not established previously, including appeals. He reported that that the newly established fees were designed to recover approximately 50% of the personnel costs associated with project review efforts.

Commissioner Krenning stated he supported charging fees, but questioned if an appeal were to be successful would the fees be reimbursed.

Deputy City Attorney Judy Schmidt stated the intent of the charge is to assist in the cost recovery of staff time involved with the preparation of appeal materials.

Chair Molloy commented on the need for fees, but stated he thought the fees were too high.

Mr. Paulsen reported the Planning Commission and the Title 18 Committee previously discussed charging a fee for appeals but the recommendation to Council was simply to charge a flat and non-reimbursable fee for appeals. He also indicated that the newly established fees are lower than the fees charged by comparably-size communities in the region.

He reported that the Planning Commission would be electing officers, reviewing the 2011 accomplishments and setting 2012 goals at its January 9th meeting.

COMMITTEE REPORTS

Chair Molloy reported that the Title 18 Committee will not be meeting in December.

1 **APPROVAL OF AGENDA**

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3 *Commissioner Middleton made a motion to approve the Consent Agenda. Upon a second by*
4 *Vice Chair Meyers, the motion passed unanimously.*

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6 **APPROVAL OF MINUTES**

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8 *Commissioner Middleton made a motion to approve the Minutes of the November 14, 2011*
9 *Planning Commission meeting. Upon a second by Vice Chair Meyers the motion passed*
10 *unanimously.*

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12 *Commissioner Middleton made a motion to approve the Minutes of the November 28, 2011*
13 *Planning Commission meeting. Upon a second by Commissioner Crescibene the motion*
14 *passed unanimously.*

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16 **REGULAR AGENDA**

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18 **Larry Howard, Senior Engineer Water Resources** gave an introduction to this item. He stated
19 the Utilities Commission has recommended that the Raw Water Master Plan ("the Plan") be used
20 as a tool to help the City determine the steps necessary to assure that the estimated future
21 demands for raw water were adequately met. He stated the Plan would be updated periodically
22 based on the City's future water supplies and demands as well as future availability of alternate
23 water sources. He further stated that this report is the first update to the Plan.

24
25 He stated Council has given direction to the department that there be enough water to meet future
26 demand in a 1-in-100 year drought event. He stated that working with the Planning staff they
27 have looked at the Growth Management Area ("GMA") as it currently exists and looked at the
28 densities as the GMA is filled in.

29
30 He stated that staff and the LUC recommend the following:

- 31 • Continue to use 1-in-100 year drought planning
- 32 • Use the 2011 SWE Model Update and Report
- 33 • Use water wisely and use conservation as a tool to address more severe droughts
- 34 • Adopt a raw water demand target of 30,000 acre feet

35 He stated that further recommendations include:

- 36 • Require at least 40% of every water payment be made using a combination of BCT,
37 existing cash credits in the Water Bank or cash-in-lieu
- 38 • Keep the credit value of CBT, current 1.0 acre fee per unit
- 39 • Continue to purchase BCT acre foot units on an on-going basis under favorable market
40 conditions
- 41 • Allow cash-in-lieu on any transactions
- 42 • Keep the city's cash-in-lieu on any transaction

1 • Keep the city's cash-in-lieu fee 3% higher than the market price of CBT water

2

3 He reported on the water rights inventory as well as storage up and down stream. He stated that
4 this item has been presented to the Utilities Commission, Construction Advisory Board and the
5 Planning Commission for their recommendation and would be forwarded on to City Council for
6 consideration.

7

8 **Vice Chair Meyers** asked about the status of the Windy Gap Project.

9

10 **Mr. Howard** stated that Loveland is a 1/12th owner in the Windy Gap Project stated the project
11 is not progressing well due to the lack of storage. He clarified that there is a market for selling
12 water shares. He clarified that the collection of cash-in-lieu funding collected.

13

14 **Commissioner Middleton** thanked Mr. Howard and staff for all their work and stated that there
15 had been numerous changes in the GMA since 2002 and asked if those changes had been
16 considered.

17

18 **Karl Barton, Community and Strategic Planning**, responded by stating that he provided the
19 Water Division with the most current future land use map available the overall assumptions
20 numbers for overall population and population density are consistent with what staff believes
21 they will be. He stated the Plan would be updated on an ongoing basis.

22

23 **Mr. Howard** stated that there are no formal agreements or procedures in place on helping
24 communities in need. He stated one study component is how to proceed with the Windy Gap
25 Project and reported that it was built because they did not want to strip water from agriculture
26 land. He explained how water shares are calculated.

27

28 **Commissioner Krenning** thanked Mr. Howard and the staff for doing a great job and stated that
29 he appreciated everything that they have done. He stated that the City of Loveland has a lot to be
30 proud of by all of the City departments.

31

32 **Chair Molloy** questioned if storage is secure until 2030.

33

34 **Mr. Howard** responded to Commissioner comments noting that staff's projection is that storage
35 is secure until 2030 and that the Chimney Hollow project is projected to be online in 2018. He
36 commented that the City of Loveland has paid for its portion of the project.

37

PUBLIC INPUT

38 No public input.

39

40 **Commissioner Middleton made a motion to adopted Resolution 02, 2011 Recommending the
41 City Council Adopt the 2005 Comprehensive Master Plan be Amended by the Addition of a**

1 *Functional (Component) Plan Element Known as the 2011 Raw Water Master Plan, as*
2 *amended on the record. Upon a second by Commissioner Dowding the motion was*
3 *unanimously adopted.*

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5 **ADJOURNMENT**

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7 *Commissioner Middleton made motion to adjourn. Upon a second by Commissioner*
8 *Crescibene the motion was unanimously adopted.*

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11 Rob Molloy, Chair

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14 Vicki Mesa, Secretary

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