



**MINUTES**  
**LOVELAND CITY COUNCIL STUDY SESSION**  
**Tuesday, January 23, 2018 CITY COUNCIL CHAMBERS**  
**6:30 PM**

**COUNCIL PRESENT:** Marsh, Overcash, Fogle, Ball, Clark, Johnson, Olson, Jersvig, Wright

**1. STUDY SESSION ITEMS**

**Move item 1.3**

**Rod Wensing, Acting City Manager, asked to move item 1.3, to be heard first due to the consultant land use attorney presentation.**

**1.3 DEVELOPMENT SERVICES**

**FIRST DRAFT OF THE UNIFIED DEVELOPMENT CODE**

Greg George, Project Manager; Brett Limbaugh, Development Services Director; Bob Paulsen, Current Planning Manager; and Todd Messenger, Land Use Attorney; presented this item to Council to review with City Council the first draft of the entire Unified Development Code (UDC). The UDC first draft is the culmination of an intensive work effort beginning back in May 2016, when the City hired a consultant to assist City staff in modernizing Loveland's development codes. The primary objectives in the \$185,000 supplement budget request approved by City Council in 2015 were to:

1. Implement City Council policies contained in the newly adopted 2015 Comprehensive Plan;
2. Develop infill standards that allow for context sensitive flexibility;
3. Develop standards to promote mixed-use development and property reinvestment along Loveland's major transportation corridors;
4. Develop standards tailored to sub-areas of the community;
5. Develop new zoning districts to encourage a mix of residential densities where appropriate;
6. Reconstruct the Special Review process;
7. Update and eliminate outdated components of Loveland's Site Development Standards; and
8. Streamline the process for vacating easements to avoid taking them to City Council.

The UDC first draft includes new provisions reviewed by the Planning Commission and City Council during the period from September 2016 through September 2017. These provisions include new development approval procedures, standards for infill projects in existing neighborhoods, standards for development along Loveland's highway corridors, standards for Complete Neighborhoods, and standards to improve land use compatibility. The UDC first draft also includes changes and improvements resulting from the consolidation, standardization and modernization of the City's three existing development codes (subdivision, zoning and annexation) and Site Development Performance Standards and Guidelines.

The staff report describes the new provisions and important changes and improvements resulting from the standardization and modernization process. At the study session, the project team will also explain the basic structure of the UDC and demonstrate the functional capabilities of the enCodePlus™ software program.

The entire UDC first draft is at: (<http://online.encodeplus.com/regs/loveland-cov2/doc-viewer.aspx?secid=1100>). The Table of Contents is accessed by clicking on the "View" button in the upper left hand corner. Click on the file symbols to review specific division and sections in the Table of Contents. Note that the numbering system now reflects the UDC becoming Title 18 in the Loveland Municipal Code (replacing the current zoning code). Additional, more specific links are included in the staff report to make the review process easier and more efficient.

The UDC is a monumental accomplishment for the City of Loveland and a legacy project for the Planning Commission and Title 18 Committee. The UDC makes significant strides toward implementation of important policies in the Loveland Comprehensive Plan. Staff expects that the extent to which the UDC provides a one-stop, regulatory document with flexible standards and an efficient approval procedure will be correlated to the City's attractiveness to new and exciting development in the future, while providing better context-sensitivity to the fabric and character of the City's existing neighborhoods. The UDC will remove existing, unnecessary barriers to economic development opportunities in Loveland.

*Information Only*

**1.1 DEVELOPMENT SERVICES  
A DISCUSSION OF PROPOSED AMENDMENTS TO 2012 INTERNATIONAL  
CODES**

Brett Limbaugh, Development Services Director and John Schumacher, Chief Building Official presented this item to Council. Members of the Construction Advisory Board; Andrew Ross, Jon Rudolph, Jason Baker, Bob Dehn, Blaine Rappe, Chris Rosenberger and Kent Kerwood, were also available to answer questions. Currently adopted codes contain sections which have presented difficulties for citizens and business owners and that are also inconsistent with the adopted codes of neighboring jurisdictions are proposed to be amended. The adoption of amendments would meet the goals and needs of citizens and business owners and would create a permitting structure and requirements that aligns with neighboring jurisdictions. The amendments to reduce requirements for drinking fountains and energy codes related to townhomes would be adopted, lessening current requirements. New wind design requirements would be adopted to align with all neighboring jurisdictions. Permits for currently exempted projects would again be required, increasing the number of permits issued. Building Division revenues and expenditures would increase at a generally equivalent rate. Additional staffing in the Building Division would be required to accommodate increased permit and inspection volume. Proposed amendments were presented at the April and July 2017 public Contractor's meetings.

Council directed staff to move forward with the following proposed code changes: 1. An increase to an occupant load of 100 before requiring drinking fountains in B and M occupancies is proposed.

2. The International Energy Code requires that townhomes do not exceed 3 air changes per hour (ACH). An increase to 4 ACH is proposed.
  3. Adoption of the 2013 Colorado Wind Gust maps is proposed.
  4. Correction of many miscellaneous language conflicts within the currently adopted codes is proposed.
- The fifth item will be brought back to a future Study Session: Removal of exemption from permitting for all pergolas, re-roofing that does not involve roof sheathing, and for furnaces, water heaters and air conditioners is proposed.

*Information Only*

**1.2 DEVELOPMENT SERVICES  
NUISANCE AND ABATEMENT CODE AMENDMENTS**

**This item will be rescheduled to a future Study Session due to time constraints.**

Staff made an initial presentation to the City Council at a Study Session on August 22, 2017 and listed options for City Council to consider. Staff took City Council input from this study session and crafted an initial rough draft of the new ordinance including deadlines for abatement. Staff is prepared to discuss the code changes and abatement deadlines with City Council before finalizing the draft ordinance which would then be scheduled for a public hearing.

**1.4 MUNICIPAL COURT  
REQUEST FOR AN ADDITIONAL FTE**

Geri Joneson, Municipal Judge, presented this item to Council. Since 2015, Loveland Municipal Court has adopted two sentencing options that continues to grow in popularity and as a result, requires ongoing case management. The Court currently uses an independent contractor for 10 hours a week to facilitate the program. The Court is sentencing an increasing number of offenders a year, with an anticipated increase in municipal court filings. The Case Manager will meet with offenders to provide full-time case management Name, Title to monitor offenders and their cases.

The Case Manager annual cost is:

Position: \$60,671

JWorks Software License: \$880

Desktop Computer: \$1,500

Total: \$63,051

The budget impact of this additional staffing request is on the General Fund. There are not sufficient funds in the Municipal Court's 2018 Budget to fund this position. Since City Council has already approved the 2018 Budget this position request would require a supplemental appropriation.

Council was in support of the addition of a Case Manager to be brought back to a Regular Council Meeting.

*Information Only*

**1.5 CITY MANAGER**

**PROPOSED PROCEDURE FOR THE JANUARY 30, 2018 STUDY SESSION ON MUNICIPAL BROADBAND SERVICE**

Rod Wensing, Acting City Manager, presented this item to Council. This is an opportunity for City Council to discuss the procedure for the January 30, 2018 Loveland City Council Study Session. The topic included in the January 30, 2018 Study Session is the Municipal Broadband Service. Setting a procedure for the meeting will create a more efficient study session. City Council will have the opportunity to discuss and provide feedback and input regarding the Proposed Procedure.

Council discussion ensued and it was agreed that the procedures presented are fine with only written questions from the public.

**2. ADJOURN**

**Mayor Marsh adjourned the January 23, 2018 Study Session at 10:50 p.m.**

Respectfully Submitted,



  
Beverly A. Walker, City Clerk

  
Jacki Marsh, Mayor