



Community Development & Neighborhood Services
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BUILDING REVIEW BOARD

February 26, 2015

1:00 pm – 3:00 pm

Council Chambers

300 Laporte Ave

AGENDA

1. Introductions and welcoming new BRB member Tim Johnson
2. Approve minutes from the January 29, 2015 Meeting
3. Old Town Neighborhoods Plan (attached handout)
4. Follow-Up Reports:
 - Case Follow up – None
5. Other Business
 - a. Migrant Dust follow up postponed. Melissa Hovey will reschedule
 - b. Board training from Christine Macrina 416-2525 (required form attached)
 - c. Staff to schedule board training on legal issues regarding the BRB and how the BRB functions as well as roles and rules as established in the Municipal Code

<p>FORT COLLINS BUILDING REVIEW BOARD Regular Meeting – January 29, 2015 1:00 p.m.</p>	
Council Liaison: Karen Weitkunat	Staff Liaison: Mike Gebo (416-2618)
Chairperson: Alan Cram	

A regular meeting of the Building Review Board was held on Thursday, January 29, 2015 at 1:00 p.m. in the Council Chambers of the Fort Collins Municipal Building at 300 Laporte Avenue, Fort Collins, Colorado.

BOARD MEMBERS PRESENT:

George Smith, Chair
Torey Lenocho, Vice Chair
Rick Reider
Andrea Dunlap
Justin Montgomery
Mike Doddridge

STAFF MEMBERS PRESENT:

Melanie Clark, Staff Support to the Board
Mike Gebo, Chief Building Official
Paul Eckman, Deputy City Attorney

ROLL CALL

The meeting was called to order and roll call was taken.

1. APPROVAL OF SEPTEMBER 25, 2014 MINUTES:

Dunlap noted the word few on page 5 should be fee.

Dunlap made a motion, seconded by Reider, to approve the minutes of the September 25, 2014 meeting as amended.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Lenocho

Nays: None

Abstain: None

2. ELECTION OF OFFICERS

Dunlap made a motion, seconded by Smith, to appoint Reider as Board Chair.

Reider declined the appointment.

Smith made a motion to appoint Montgomery as Board Chair.

Montgomery declined the appointment.

Reider made a motion, seconded by Montgomery, to appoint Smith as Board Chair.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Lenocho

Nays: None

Abstain: None

Reider made a motion, seconded by Doddridge, to appoint Lenocho as Vice Chair.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Lenocho

Nays: None

Abstain: None

3. FUGITIVE DUST PROJECT

Melissa Hovey, Environmental Services, announced a public open house on February 4th regarding the topic and noted there is a page on the City's website from which draft Code language and a draft guidance manual can be downloaded and comments can be made.

Hovey defined fugitive dust as air pollutants that are not being conveyed through a stack chimney or vent and noted the dust can contain high concentrations of asbestos along roadways, among other pollutants known to cause health and environmental impacts. Additionally, fugitive dust involves nuisance and aesthetic impacts, including safety and visibility issues.

Hovey noted Fort Collins Inspectors and Code Compliance Officers do not have the authority to enforce state and county rules with regard to such issues and went on to show slides of examples of these issues in Fort Collins. Hovey stated citizens have requested that the City address fugitive dust and continued to detail staff's recommended approach which will include: a new Code section, an accompanying guidance manual, internal administrative policies, training and support for contractors and Code inspection and compliance staff, and public outreach.

Hovey stated there is a certain level of background dust; therefore, it is nearly impossible to have a zero dust emissions standard and the standard instead relates to whether or not dust control measures are being implemented. Hovey noted water would address approximately 90% of the complaints received.

Reider asked who drafted the proposed Code language. Hovey replied she worked with the City Attorney's Office to draft the language.

Reider asked how many earth moving companies were involved in assisting with the draft Code language. Hovey replied none were involved in actually writing the language; however, she stated all earth moving companies were invited to a stakeholder meeting December 16th and some changes were made to the language based on that feedback.

Doddridge asked if the Dust Control Manual identifies ways in which contractors can comply with the dust control measures. Hovey replied in the affirmative and noted dust control plans will not be required of contractors. She stated these changes would not require any new full time employees, permits, fees, or scheduled inspections.

Doddridge asked how penalties for non-compliance will be addressed. Hovey replied the Code addresses penalties noting non-compliance is a civil, nuisance-related issue. She stated staff is planning a “soft” roll out for at least a year, during which time penalties would not be assessed.

Doddridge expressed concern regarding the potential extra cost dust mitigation measures would add to a small project. Hovey noted the Code language has been crafted to address projects which *are* generating dust and *are* going off-property and a list of engineering controls is available from which contractors can choose.

Doddridge asked about the dust containment procedure for leaf blowing activity. Hovey replied it is primarily best practices in how the equipment is used and whether or not it is used during wind.

Dunlap asked how far penalties would go in terms of best efforts of contractors. Hovey replied no penalties will be assessed if dust control measures are attempted or if the wind is greater than 30 mph.

Reider stated he would support the City adopting these measures as part of its own practice for a year or two prior to general roll-out and encouraged the involvement of smaller leaf-blowing companies in the process.

Montgomery asked how the City's proposed language differs from that of the state and county. Hovey replied the language is similar and noted, at this point, the City does not have the authority to respond to citizen complaints and the City's language will apply to more of the smaller, localized point sources which are not addressed at the state level.

Montgomery asked how many complaints are received regarding small projects versus larger land development projects. Hovey replied it is difficult to say, as many complaints are not formally recorded; however, she estimated approximately half of the complaints come from smaller projects.

Montgomery asked if there are specific exceptions or exclusions listed in the language, such as agriculture. Hovey replied agriculture is not included, nor is it specifically excluded.

Montgomery asked what opposition has been received from contractors. Hovey replied cost issues have been the primary concern.

Lenoch questioned the “economically reasonable” aspect of the language and whether or not guidelines or metrics will be provided in order to allow Boards to determine the definition of such a term. Hovey replied the terms “technologically feasible” and “economically reasonable” are virtually standard in most air pollution control regulations on a federal and state level.

Doddridge expressed concern relating to dust-creating projects being shut down when winds are over 30 mph. Hovey replied any land development project that is large enough to have an air permit from the state already includes the wind-related restriction. Additionally, those restrictions only apply to earth-moving activities.

Smith supported the idea of the City implementing the measures for its own practices and expressed concern regarding the process not involving many of the people it would affect.

Gebo suggested the Board reexamine the item at its next meeting in order to further consider the language.

Lenoch made a motion, seconded by Montgomery, to postpone a recommendation on the item to the Board's February 26th meeting to allow for additional public comment.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Leno

Nays: None

Abstain: None

4. 2014 ANNUAL REPORT

Reider made a motion, seconded by Dunlap, to accept the 2014 Annual Report as amended.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Leno

Nays: None

Abstain: None

5. 2015 WORK PLAN

Gebo noted the Work Plan was previously accepted via email.

Vote:

Yeas: Dunlap, Smith, Montgomery, Reider, Doddridge, Leno

Nays: None

Abstain: None

6. OTHER BUSINESS

Gebo stated Tim Johnson has applied, and will most likely be approved, for the remaining Board vacancy.

Reider requested additional case follow-up reports in the future regarding contractor licensing appeals.

Dunlap requested a follow-up report regarding the fugitive dust project and the Eastside-Westside Neighborhood Plan.

Doddridge asked about the role of the Building Department in enforcement of dust control measures. Gebo replied Building Inspectors will be part of the enforcement team but writing tickets will not be part of the Building Inspectors' duties.

The Board held a brief discussion regarding Board expectations of staff and Gebo discussed the upcoming Code revision cycle.

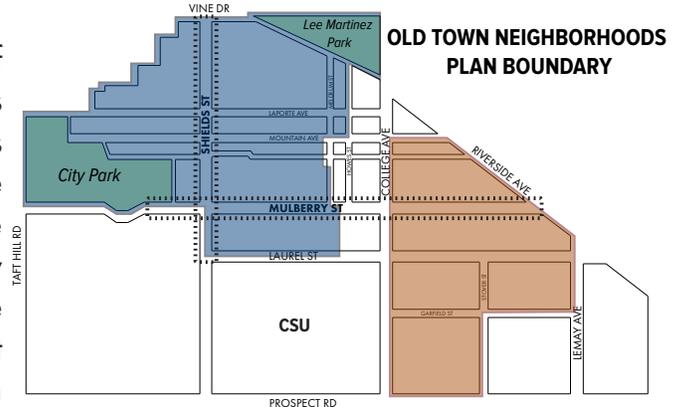
The meeting adjourned at 2:22 p.m.

Mike Gebo, Chief Building Official

George Smith, Chair

WHAT IS THE OLD TOWN NEIGHBORHOODS PLAN?

The City is currently updating two neighborhood plans that encompass what is known colloquially as Old Town, which are the neighborhoods to the east and west of downtown. This update will combine the two old area plans into one new plan called the Old Town Neighborhoods Plan (OTNP). The two former plans under revision are the East Side and West Side Neighborhood Plans. These plans were the first sub-area plans created by the City and were adopted in 1986 and 1989 respectively. These plans responded to concerns, issues and pressures at that time. In addition, the OTNP will feature a set of design guidelines. These design guidelines will not be a refresh of the existing design standards. The new design guidelines will include a “pattern book” that will assist developers and builders with creating compatible buildings in the Old Town neighborhoods.



PURPOSE

The purpose of updating the original East Side and West Side Neighborhood Plans is to revisit the original visions, policy directives, and implementation actions in the existing documents and revise these elements based on emerging issues and trends. While the new approach reflects a single plan, the planning process and evaluation of both neighborhoods will not be compromised in the depth of analysis. The proposed effort will provide more efficiency of resources, effective community engagement and opportunity for collaboration of stakeholders and desired outcomes.



The main outcomes of this planning process include **1)** greater awareness and agreement about the levels and kinds of change in the neighborhoods, **2)** retention and enhancement of the irreplaceable, defining character of the neighborhoods as they continue to age and change, and **3)** the City will also address transportation issues on the Shields and Mulberry corridors, which are recognized as constrained arterials. Through the planning process, the City will perform a cursory overview of these two corridors to assess potential enhanced bicycle and pedestrian facilities, including streetscape design.

PLANNING PROCESS

The OTNP will take form over the course of the next year with many opportunities to get involved and share your thoughts. The plan will be broken down into the 5 phases as illustrated below.



Phase I: (Discovery) Where are we now?

Initiate project with existing conditions analysis of each neighborhood’s character, context, transition areas (land use), transportation, and sustainability.

Phase II: (Dialogue) Where do we want to go?

Reconfirm plan vision and framework for neighborhoods and corridors.

Phase III: (Design) What is our overarching framework?

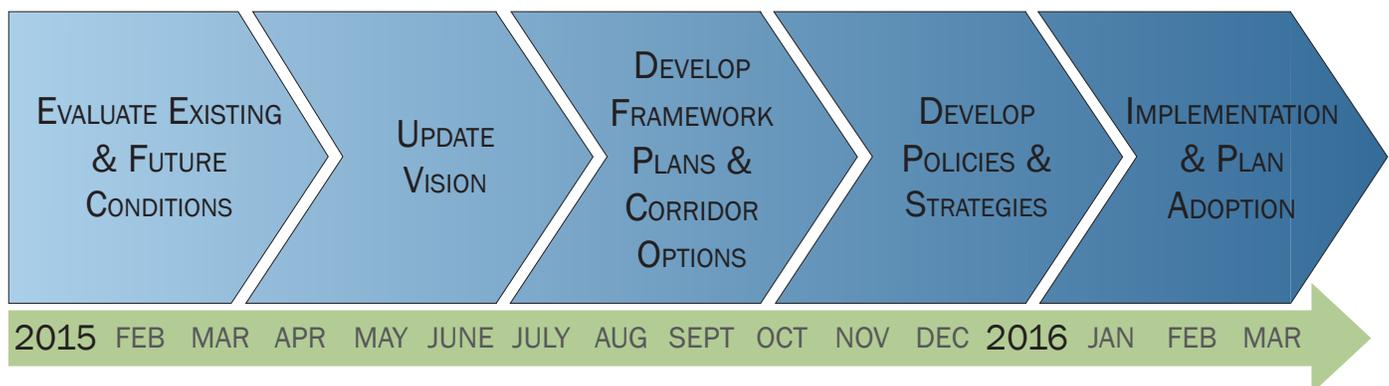
Develop policy frameworks and corridor alternatives.

Phase IV: (Development) How are we going to get there?

Develop potential strategies, policies and design solutions.

Phase V: (Delivery) What are our priorities?

Create a plan with tools, systems, and actions for implementation and adoption.



Get Involved!

Visit fcgov.com/oldtownneighborhoods for more information about the plan, upcoming events and how to stay involved. You may also contact Pete Wray at pwray@fcgov.com or 970.221.6754 for more information about the planning process.

DVD Board and Commission Training

The following individual has viewed the recorded training sessions including *“What Every Board and Commission Member Should Know”* and *“Legal Issues for Board and Commission Members.”*

_____ Boardmember Name
_____ Boardmember Signature
_____ Name of Board/Commission
_____ Date Completed

Please return signed/completed form to:

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