

## RECORD OF PROCEEDINGS

---

*Town of Estes Park, Larimer County, Colorado, April 2, 2009*

Minutes of a Regular meeting of the **COMMUNITY DEVELOPMENT COMMITTEE** of the Town of Estes Park, Larimer County, Colorado. Meeting held in Town Hall in said Town of Estes Park on the 2<sup>nd</sup> day of April 2009.

Committee: Chair Levine, Trustees Eisenlauer and Miller

Attending: Chair Levine, Trustees Eisenlauer and Miller

Also Attending: Deputy Town Administrator Richardson, Directors Pickering, Kilsdonk, Joseph and Marsh; Manager Mitchell, and Deputy Clerk Deats

Absent: Town Administrator Halburnt

Chair Levine called the meeting to order at 8:00 a.m.

### **PUBLIC COMMENT.**

Paul Fishman, Town resident and owner of 14ers Café, noted that the public restrooms located in the Dairy Queen parking lot and on Moraine Avenue remain closed, and said weekend visitors are being inconvenienced. Mr. Fishman read from an article written in 1949 that requested employees and shop owners to park outside of the main downtown business district in order to free up parking for visitors, and pointed out that these same parking problems still exist today.

### **CONVENTION & VISITORS BUREAU.**

#### **REPORTS.**

Reports provided for informational purposes and made a part of the proceedings.

- Marketing Committee
- Visitors Services

Dir. Marsh reported that the CVB has initiated two promotional programs (television advertising on Channels 4 and 9 and the Colorado.com e-newsletter) designed to stimulate lodging bookings for the summer season.

The Committee was encouraged by the Visitors Services Report that reflected a 30% increase in visitor traffic over first quarter 2008.

### **MUSEUM/SENIOR CENTER SERVICES DEPARTMENT.**

#### **O'CONNOR PAVILION FEE WAIVER REQUEST.**

During the March 2009 Community Development Committee meeting, local resident Steve Laing requested a waiver of the usage fee for the O'Connor Picnic Pavilion for a reunion of the Estes Park High School Class of 1979, scheduled to be held on August 8, 2009. Subsequent to the request and at the direction of Town Administrator Halburnt, staff researched information related to waivers of the rental fee for use of this site. The Town of Estes Park facility rental policy requires all lessees pay \$225 and a \$100 refundable security deposit for use of the pavilion. The fee was established to cover maintenance such as bathroom cleaning, trash removal, and normal wear and tear on the facility. Over the years, a variety of events have been held at the site, including class reunions, with no waivers having been granted to any of the public or private groups hosting the events.

The Committee discussed the issue and came to a consensus that, based on policy and

**Community Development – April 2, 2009 – Page 2**

past usage of the facility, a fee waiver is not justified at this time; stating the policy must be uniformly applied. The **Committee recommends the denial of the request for a fee waiver for use of the O'Connor Picnic Pavilion made by the Estes Park High School Class of 1979.**

**REPORTS.**

Reports provided for informational purposes and made a part of the proceedings.

- Museum Monthly Report
- Senior Center Monthly Report

The Committee noted that visitation at the Museum and the Senior Center is up, and that the first "Coffee Chat with the Mayor" attracted approximately 19 people, including staff.

**COMMUNITY DEVELOPMENT.**

**TEMPORARY BANNERS – DISCUSSION.**

Subsequent to last month's meeting, staff was directed to research a revision to the existing sign code related to banners. The current code prohibits banners of any kind. Staff researched a variety of communities and found that some municipalities allow banners as a permitted, temporary commercial sign with regulations related to the size of the banner and the length of time the banner can be displayed. Dir. Joseph stated that if the Committee intends to pursue sign code modifications to allow banners, staff will prepare a draft of proposed revisions for review by the Committee and the Town Board. After discussion of provisions related to banner permit fees, banner size, allowable event duration and number of events per year, the Committee concluded that additional information is required in order to move forward with a sign code revision. Deputy Town Administrator Richardson stated that Dir. Joseph will put together a task force to gather public input and draft sign code revisions to be brought before the Committee in June or July. The Committee will postpone moving forward with a temporary sign code revision in anticipation of the task force's findings and subsequent recommendations.

**REPORTS.**

Reports provided for informational purposes and made a part of the proceedings.

- Community Development Financial
- Monthly Building Permit Summary
- Smoke Alarm Complaint (Cipolla)

Dir. Joseph stated that he expects to see a decrease in permits for new, single family homes during 2009.

In response to a complaint filed by Patrick Cipolla concerning the inspection of his home for smoke alarms, Dir. Joseph and Chief Building Official (CBO) Birchfield summarized the history related to the adoption of the section of the building code that addresses smoke alarms. He stated that during the code adoption process, input is solicited from the community, contractors, designers, and other stakeholders in order to address local concerns; and that provisions addressing the retroactive installation of smoke alarms have been present in the building code since 1979. He stated that during the 2005 code adoption process, the Town Board was asked for specific guidance related to local amendments to the International Building Code (IBC) which require the retroactive installation of smoke alarms with virtually any interior work permit regardless of the dollar amount of the permit, and requiring the use of lithium batteries in the alarms. CBO Birchfield stated that the building department has been consistently and fairly administering this section of the code since its adoption. He stated that retrofitted smoke alarms are not required to be hardwired unless wiring is a significant part of the project and said that notice of the smoke alarm requirement is printed on the permit application. CBO Birchfield stated that the building inspectors make every effort to

**Community Development – April 2, 2009 – Page 3**

respect the homeowner's privacy and not intrude any more than necessary and said that Mr. Cipolla's contractor may not have made him aware of the inspection requirement. Deputy Town Administrator Richardson stated that Mr. Cipolla considered the inspection an infringement on his rights and that a legal opinion on this issue has been requested.

**ADMINISTRATION.**

**REPORTS.**

- Follow-Up to Sign Code/Banner Complaint (Steadman)

Ms. Steadman stated that since last month's Community Development meeting she has met with Deputy Town Administrator Richardson and CBO Birchfield to gain a better understanding of the sign code. She voiced discontent with the code's inconsistencies related to interpretation and enforcement, and was hopeful that these issues will be addressed by the task force.

There being no further business, Chair Levine adjourned the meeting at 9:05 a.m.

---

Cynthia Deats, Deputy Town Clerk