

# Larimer County Land Use Hearing Procedures

The Planning Commission and the Board of County Commissioners hold regular public hearings to make decisions on land use matters, including development applications, rezoning requests, Land Use Code amendments, and long-range plans. The following procedures are specific to “quasi-judicial” hearings on development applications, where the Board or Commission is acting as a judge and final decision-maker on the matter.

## Order of Hearing Proceedings:

The Planning Commission and Board of County Commissioner Land Use Hearings follow the procedures outlined below:

1. Introduction and overview of process (Board Chair and Staff)
2. Staff presentation (includes project description and staff report)
  - a. Clarifying questions (from Commissioners)
3. Applicant presentation\*
  - a. Clarifying questions (from Commissioners)
4. Public testimony (generally limited to 3 minutes per commenter)
5. Applicant response (generally limited to 5 minutes)\*
6. County Staff response to public comments and applicant rebuttal
7. Commissioner questions for staff and applicant
8. Deliberation and decision\*\*

\*Note: To promote efficiency and afford all interested parties a fair opportunity to comment, applicant presentations are generally limited to 10 minutes for more routine applications, with additional time typically allowed for more complex or broad applications. An applicant can request additional time for their presentation and response no later than one week prior to the hearing by reaching out to their case planner. The Board Chair of the meeting has the discretion to grant or deny the request. With respect to time limits, the term “applicant” is intended to include any individuals representing the development application or request, including property owners, consultants, subject matter experts, or other representatives.

\*\*Note: The Land Use Code requires written notice of the decision from staff to the applicant within 10 days, typically in the form of an email. Decisions are then finalized through a Findings & Resolution document, which is presented for approval during a public meeting that occurs after the hearing on the application.

## Public Comment Procedures:

- **Members of the public are encouraged to sign up for public comment in advance** of the hearing through the website or by calling County staff. Sign-up will also be available at the entrance to the hearing room prior to the meeting.
- **Speakers may attend in-person at 200 W. Oak St. or online via Zoom.** The link for the Zoom meeting can be found at the top of the meeting agenda. Speakers will generally be called on in the order of the sign-up list, and those who sign up in advance will be called on to speak first. Individuals must be present in-person or on Zoom at the time they are called upon to speak.
  - Note: For those on Zoom, attendees will be muted until they are recognized by the Chair. If an online attendee wishes to speak or request an item to be moved from the consent agenda to the discussion agenda, they should use the “raise hand” function on the Zoom control bar or press \*9 on their phone.

*(continued on next page)*

# Larimer County Land Use Hearing Procedures

- **Comments will generally be limited to 3 minutes per person**, unless the Board Chair determines that less time is warranted based on the number of commenters and/or how many total items are on the hearing agenda. The Board Chair may also set a total time limit for public comment overall. Time limits are within the discretion of the Board Chair and shall be applied equally to all commenters.
- **Commenters are only permitted to speak once** during public testimony, regardless of whether or not they used their full time allotment. If a hearing continues over multiple dates, there will not be a second opportunity for public comment by the same individual.
  - Note: for items that require a hearing with both the Planning Commission and the Board of County Commissioners, those meetings are treated as separate land use hearings, with two opportunities for public testimony.
- **Commenters may not “pool” their time** for longer presentations. Commenters may sign up as a group and queue themselves to comment in a specific order, as individuals, but one person cannot receive extra time to present on behalf of someone else.
- **Comment and testimony should be directed to the Board**, not to staff or the audience. Members of the audience shall not approach the Commissioners before or during the hearing, including during public testimony.
- If any hard copy materials are shared as part of public testimony (e.g., fliers, photos, or documents), a minimum of 7 copies should be provided to County administrative staff to distribute prior to the start of the meeting. These materials will not be returned to the provider and will become part of the official record for the project.
- If an applicant or commenter would like to share a presentation as part of their testimony, files must be provided to County staff in advance by emailing: [planningboards@co.larimer.co.us](mailto:planningboards@co.larimer.co.us).
  - The deadline to submit presentation materials is 12:00 p.m. on the day of the hearing. Any presentation materials submitted after the deadline may not be accepted. All presentation materials must specifically address the land use item being considered.
  - Due to security risks, flash drives with presentation files will not be accepted.
  - The Board Chair can choose to not allow slide shows or other electronic presentations due to concerns such as: potential delays to the hearing, additional demands on staff time, and cybersecurity concerns.
- No items or behavior that will interrupt or inhibit the meeting will be allowed.
- Appointed members of County boards or commissions are not permitted to speak on behalf of their board or commission on a quasi-judicial matter. However, they may represent themselves as individuals and share their own personal opinions.
- All land use hearings are live broadcast on FCTV, streamed live on YouTube, streamed live on Zoom, and recorded for on-demand viewing after the meeting via FCTV/YouTube.