



COLORADO
Department of Public
Health & Environment

May 23, 2020

John Kefalas, District I, Chair Pro Tem
Steve Johnson, District II, Chairman
Tom Donnelly, District III
Larimer County Board of County Commissioners
200 W. Oak Street, Suite 2200
Fort Collins, CO 80521

Thomas Gonzales, Director
Larimer County Health Department

RE: Larimer County Variance Request from portions of **Executive Order D 20 044** and
Public Health Order 20-28

Dear Commissioners:

Thank you for your second application to the Colorado Department of Public Health and Environment (CDPHE) of a variance request to portions of **Executive Order D 20 044 Safer at Home** and **Public Health Order 20-28 Safer at Home**. I have had an opportunity to review your request, consider the information provided, and have determined that the request is approved, with amendments, as explained further below.

Your variance application proposes alternate restrictions for the following areas or sectors: public gatherings, indoor malls, personal services, restaurants, bars, general recreation and camping, graduation, child care, day camps, places of worship, gyms, theaters, bowling alleys, outdoor group activities, pools, recreational equipment rental, short term lodging, libraries, and long term care facilities.

In reviewing Larimer County's current status with respect to the COVID-19 pandemic, we note that Larimer County has a two week disease incidence rate of 23 per 100,000 people during the last 2 weeks. Per the application, Larimer County Public Health has a robust public health system, including disease investigation and surveillance activities, testing, and sufficient hospital capacity to take care of COVID-19 cases. Based on this data, much of your variance request is being approved, as detailed further below.

Your request for variances for the following are approved, with some additional requirements set forth below: public gatherings, indoor malls, personal services, restaurants, general recreation and camping, graduation, places of worship, gyms, theaters, bowling alleys, pools, recreational

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equipment rental, short term lodging, and libraries. Additional requirements that must be met are as follows:

- In each confined indoor space, in order to achieve 6 ft social distancing, the limit is 50% of the posted occupancy code limit ensuring a minimum 28 square feet per person not to exceed more than 175 people at any given time.
- For indoor malls, the mall operator must submit a detailed plan to Larimer County Public Health addressing at a minimum all of the areas addressed in your variance application. It is critical that the indoor common areas be well-managed at all times such that no gatherings are occurring and instead customers are moving from one destination to the next, and admitted into each confined indoor retail space as permitted based on 50% occupancy of that confined indoor space.
- Schools requesting to hold graduation events must provide a detailed plan to the Larimer County Public Health addressing at a minimum all of the areas addressed in your variance application.

The following requests are not authorized to move forward at this time, but you may wish to resubmit at a later date as new guidance is released:

- Bars
- Child care
- Day camps
- Outdoor group activities
- Long term care facilities

This variance approval is granted based on the facts and circumstances today as you have described them in your request. If the county received reports of more than 25 new cases or 10% of individuals tested on three separate days over a 14 day period, 15 new hospital admissions per day of presumptive positive cases on three separate days over a 14 day period, or more than 65 patients are being treated for COVID throughout the two major hospital systems in Larimer County, this variance is automatically rescinded. Additionally, CDPHE reserves the right to modify or rescind this variance approval as circumstances warrant. This approval is in effect until the final expiration of PHO 20-28, which will be extended in some capacity beyond the current expiration date next week.

I appreciate your thoughtful approach to these challenging issues, and wish you all the best in your continuing efforts to ensure that Larimer County residents are safe and healthy as we deal with this global pandemic. Larimer County is a valued partner, and we are available to answer any questions and work with you on these matters. Please give me a call if you have any questions.

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Sincerely,

A handwritten signature in black ink that reads "Jill Hunsaker Ryan". The signature is written in a cursive, flowing style.

Jill Hunsaker Ryan, MPH
Executive Director