



## City Council

March 21, 2023  
Packet Addendum #1

**From:** [Clif Harald](#)  
**To:** [City Council](#)  
**Subject:** Ordinance No. 1851, Series 2023  
**Date:** Monday, March 20, 2023 11:49:48 AM

---

Some people who received this message don't often get email from [clif.harald@gmail.com](mailto:clif.harald@gmail.com). [Learn why this is important](#)

Members of City Council,

Like you, I've heard concerns voiced about Ordinance 1851, Series 2023 (and the citizens' initiative). Concerns such as sending a negative message about Louisville as a place to do business, or having no measurable impact on gas consumption and GHG emissions, or encouraging Louisville residents to spend even more of our retail dollars in Superior and Lafayette.

While I share these and other concerns with many in the community, gas stations themselves may not be the most important issue for your consideration. Maybe the real concern is setting precedents with the potential for unintended consequences.

If this ordinance is adopted, will the city set a precedent that encourages some residents to pursue more citizens' initiatives, empowering the most vocal, often narrow, interests in our community to undermine your role as our elected representatives or even discourage the engagement of other residents in local government? At best, the gas station initiative may be intended to force City Council's hand to pass this ordinance. At worst it could further distract city officials, staff and residents from more pressing priorities and even necessitate a ballot measure costing taxpayers tens of thousands of dollars.

By prohibiting more gas stations, will the city set another precedent of discriminating against a subset of Louisville businesses - with little regard for evolving market conditions? Are we so confident in our understanding of our retail sector that we can afford to prohibit new retailers? And if the city singles out gas stations now, which other businesses might be next? Liquor stores? Fast food franchises? Banks?

Clif Harald  
Mesa Point Subdivision, Ward 2

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

**From:** [David Blankinship](#)  
**To:** [City Council](#)  
**Subject:** Boards and commissions discussion  
**Date:** Monday, March 20, 2023 12:28:23 PM

---

Dear City Council,

I had a few comments that I wanted to pass along as it relates to the boards and commissions discussion that council will be participating in at the March 21 meeting. I am unfortunately unable to attend and wanted to weigh in based on my experience as a member and chair of the open space advisory board, although keep in mind that this input is coming from me as a private citizen not as a statement on behalf of the board.

I think that our city boards and commissions have the potential to be a great asset, but there are a few things that need to be improved. First of all, I think that the constitution of the boards is enhanced by seating people who are knowledgeable, passionate, and experienced in a particular area. I know that EDI initiatives are important to the city so let's do what we can to effectively market our boards to members of the public from a variety of backgrounds. However, let's not do these appointments via quotas or other techniques that end up not seating qualified, enthusiastic applicants. Also, when it comes to term limits, I would hope that we would see experience on a board as generally an asset rather than a detriment. If we do need to go the route of designating term limits, let's pick a relatively generous tenure of about 12 years to ensure that we aren't losing members during their prime.

Another important aspect of board reappointments is that council should have more information than just an application and an attendance record (and sometimes an interview) to determine who should continue to serve on a board. Those serving on the board itself have the most visibility into the effectiveness of board members and whether they bring enough value to continue to serve. Let's consider providing a simple review process that could be used by council as another metric in the reappointment process. During the late summer or early fall, we should do peer reviews among board members that could be factored into the process of board reappointments that typically take place in November and December of each year.

Thanks for all that you do to help the city and I hope that this feedback is helpful in determining what the future of boards in Louisville looks like.

Sincerely,  
David Blankinship

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

**From:** [Joshua Cooperman](#)  
**To:** [City Council](#)  
**Subject:** A compromise on limiting gasoline stations in Louisville  
**Date:** Monday, March 20, 2023 11:11:49 PM

---

Dear members of the Louisville City Council,

This Tuesday evening you will consider an ordinance that caps the number of gasoline stations in Louisville. I strongly support limiting gasoline stations in Louisville, and I urge you to strengthen this ordinance as expounded below.

I suggest a compromise between the ordinance contained in the citizens' initiative to prohibit new gasoline stations and the ordinance drafted by City staff to cap the number of gasoline stations. After presenting this compromise, I detail a range of arguments in support of limiting gasoline stations. In making these arguments, I engage with discussions of the draft ordinance that took place at the relevant Planning Commission, Economic Vitality Committee, and Sustainability Advisory Board meetings.

**I begin by proposing a compromise between the initiative ordinance and the draft ordinance.**

As one of the petitioners for the citizens' initiative to prohibit new gasoline stations in Louisville, I would of course like City Council to adopt the initiative ordinance in place of the ordinance drafted by City staff. The initiative ordinance would place stronger restrictions on gasoline stations in Louisville. I recognize that City Council might not fully support these stronger restrictions, and I am not completely tied to the initiative ordinance's stronger restrictions, so I would be willing to accept an ordinance that achieves a compromise. If City Council adopted such a compromise as an ordinance, then I would very likely not proceed further with the citizens' initiative.

I would like to believe that, given the economic arguments advanced below, a cap on the number of gasoline stations would be sufficient to prevent any new gasoline stations from locating in Louisville. On the other hand, since a cap might effectively amount to a prohibition, I would prefer to have the security of a prohibition. Still, I could support a compromise between the initiative ordinance and the draft ordinance that cuts either way.

If City Council decides to proceed with a cap rather than a prohibition, then I would like such an ordinance to include the following additional features.

- The cap on the number of gasoline stations would reduce to five gasoline stations in the event that the recently approved sixth gasoline station does not come to fruition.
- The cap on the number of gasoline stations would reduce by one each time an existing gasoline station closes.
- The expansion of existing gasoline stations would be prevented by disallowing the installation of additional gasoline storage tanks and additional gasoline pumps.
- New gasoline stations would be prevented from occupying locations not previously developed as gasoline stations.
- The exception for a seventh gasoline station as part of a marketplace development would be eliminated.

The first four additional features would align the draft ordinance more closely with the initiative ordinance. The last additional feature finds motivation in the following arguments.

- The draft ordinance waives the 1000-foot separation requirement for a seventh gasoline station. If this seventh gasoline station were constructed less than 1000 feet from another gasoline station, then the surrounding area would be unfairly overburdened with gasoline stations. The 1000-foot separation requirement is intended precisely to prevent such overburdening.
- The design of marketplace developments, especially those with associated gasoline stations, typically promotes gasoline-powered vehicular transportation (and electric vehicular transportation) over sustainable modes of transportation like walking and bicycling. The City should match its development goals to its sustainability goals.
- A marketplace development may not be economically sustainable, especially as its associated gasoline station becomes increasingly unprofitable. Over the past several years, Louisville has lost a few marketplace developments (that did not have associated gasoline stations). Moreover, Louisville's neighboring

municipalities already host a few nearby marketplace developments.

- A marketplace development aligns with neither the City's efforts to promote locally-owned businesses nor the City's efforts to preserve its small-town character.

If City Council decides to proceed with a prohibition rather than a cap, then I would be willing to sacrifice some of the initiative ordinance's alterations to Louisville's building codes.

**I now turn to the arguments in support of limiting gasoline stations.** Most of these arguments concern preventing various negative effects that would result from the construction and operation of a new gasoline station.

**First, I present environmental arguments** for limiting gasoline stations.

**The construction of a new gasoline station would result in an increase in greenhouse gas emissions, and the operation of a new gasoline station would likely result in an increase in greenhouse gas emissions (at very least in the long term).**

- Prohibiting new gasoline stations would not result in a decrease in greenhouse gas emissions in the short term: existing gasoline stations would continue to provide gasoline for gasoline-powered vehicles.
- Constructing a new gasoline station would result in greenhouse gas emissions associated with the construction process. Operating a new gasoline station would result in greenhouse gas emissions associated with the building's operations (unless the gasoline station were constructed to be net zero). As discussed below, fugitive emission from gasoline storage tanks and pumps include greenhouse gases.
- Combusting gasoline dispensed from a new gasoline station would not result in an increase in greenhouse gas emissions (at least in the short term) unless demand for gasoline increased.
- Combusting gasoline dispensed from a new gasoline station would likely result in an increase in greenhouse gas emissions in the long term: the construction and operation of a new gasoline station represents a considerable cost to its developer; to recoup this cost and reap profits, its developer would be incentivized to operate the gasoline station for as long as feasible; existing gasoline stations have already recouped some or perhaps all of this cost, so their developers are not incentivized to operate their gasoline stations as far into the future.
- The Comprehensive Plan lists "Sustainable Practices for the Economy, Community, and Environment" as a core community value, noting that City should "challenge[] [its] government, residents, property owners, and [its] business owners to be innovative with sustainable practices so the needs of today are met without compromising the needs of future generations". The City's Resolution Number 25 Series 2019 and the Sustainability Action Plan call for "reduc[ing] core community greenhouse gas emissions annually below the 2016 baseline through 2030", and the Sustainability Action Plan sets the goal of "increas[ing] the use of carbon free energy and transition[ing] away from fossil fuels".

In discussions at the relevant Planning Commission and Sustainability Advisory Board meetings, participants asserted that a new gasoline station would not result in an increase in greenhouse gas emissions unless demand for gasoline increased. As explained above, this assertion is not entirely correct on multiple accounts.

**Prohibiting new gasoline stations would help to convey the message that gasoline-powered vehicles will no longer be an appropriate mode of transportation in the relatively near future.**

- Permitting the construction and operation of a new gasoline station would convey the message that gasoline-powered vehicles will continue to be an appropriate mode of transportation beyond the relatively near future.
- Again, the City's Resolution Number 25 Series 2019 and the Sustainability Action Plan call for "reduc[ing] core community greenhouse gas emissions annually below the 2016 baseline through 2030", and the Sustainability Action Plan sets the goal of "increas[ing] the use of carbon-free energy and transition[ing] away from fossil fuels". Moreover, the Sustainability Action Plan sets the goals of "provid[ing] and maintain[ing] sustainable and safe transportation choices for all Louisville residents to enhance community connectivity while reducing environmental impact" and sets the external objective of "support[ing] the public adoption of electric vehicles".

**The construction and operation of a new gasoline station would further degrade our air quality.**

- Gasoline stations release fugitive emissions of various gaseous chemicals through their pumps and storage tank vents. These chemicals include the carcinogen benzene and the precursors of ground-level ozone; the Environmental Protection Agency currently classifies our region as a severe nonattainment zone of its standards for ground-level ozone air pollution. Some of these chemicals are also greenhouse gases.
- While prohibiting new gasoline stations would not improve our air quality (at least in the short term), a new gasoline station would increase fugitive emissions even if the demand for gasoline does not increase. The net emissions from pumps might not increase, but new storage tanks would constitute a new source of emissions.

In discussions at the relevant Planning Commission meetings, participants asserted that a new gasoline station would not further degrade our air quality unless demand for gasoline increased. As explained above, this assertion is not entirely correct.

**The construction and operation of a new gasoline station would further degrade our soil and water quality.**

- Gasoline stations result in soil and water pollution when gasoline inadvertently spilled during pumping washes into nearby landscaping and sewers. Over a gasoline station's lifetime, gasoline might also leak from its storage tank into the surrounding soil; newer gasoline stations are considerably less prone to such leakage.
- While prohibiting new gasoline stations would not result in a decrease in this pollution, a new gasoline station would be another source of such pollution. The total amount of such pollution would not increase if the demand for gasoline does not increase, but the spatial extent of such pollution would increase.
- The Sustainability Action Plan sets the goals of "mitigat[ing] the impact of the built environment and human behavior on our natural systems and improv[ing] the health and resiliency of Louisville's ecosystems", sets the internal objective of "identify[ing] opportunities to enhance policies related to ecological health" by "further integrat[ing] ecosystem health and biodiversity factors into City plans and policies", and sets the external objective of "minimiz[ing] the volume of pollutants entering Louisville's terrestrial and aquatic ecosystems".

**Second**, I present **economic arguments** for limiting gasoline stations.

**Louisville has no identified need for new gasoline stations.**

- Louisville currently has five gasoline stations with a sixth gasoline station recently approved for construction, and Louisville's neighboring municipalities have a number of nearby gasoline stations. These gasoline stations are not overburdened with customers purchasing gasoline.
- The Transportation Master Plan does not identify a need for additional gasoline stations.
- During the City Council hearing on the 7-Eleven gasoline station along 96th Street, two public speakers voiced their support for this development. One spoke to the convenience store providing food options for employees of the Colorado Technology Center, and one spoke to the convenience of a gasoline station located near Louisville's southeast gateway, but neither spoke to the necessity of another gasoline station.
- During the City Council hearing on the approved Murphy Express gasoline station along McCaslin Boulevard, no public speakers voiced their support for this development.
- Of the many Louisville residents to whom I spoke while canvassing for the citizens' initiative, not one expressed the opinion that Louisville needs more gasoline stations.
- As rates of electric vehicle usage continue to increase, the demand for gasoline will continue to decrease. While Louisville may experience some population growth, and our neighboring municipalities are experiencing some population growth, the growth in electric vehicle usage will likely outpace the growth in demand for gasoline driven by population growth.

A developer might believe that a new gasoline station in Louisville would reap profits; this does not entail that a new gasoline station is necessary to meet Louisville's or the surrounding region's needs.

**New gasoline stations would not be economically sustainable enterprises.**

- With the continuing transition to electric vehicles, gasoline stations are predicted to become increasingly unprofitable. For instance, a recent study from Boston Consulting Group predicts that eighty percent of gasoline stations will be unprofitable by 2035 (<https://www.bcg.com/publications/2019/service-stations-future>).

- The Comprehensive Plan lists “A Healthy, Vibrant, and Sustainable Economy” and “Sustainable Practices for the Economy, Community, and Environment” as core community values.

**Closed gasoline stations represent an impediment to redevelopment.**

- The site of a closed gasoline station must be remediated before redevelopment; this remediation cost (normalized by the size of the redevelopment site) typically exceeds that of most other types of businesses in Louisville even before accounting for possible soil pollution from gasoline storage tank leaks.
- Closed gasoline stations may remain unremediated long after closing as remediation is not required upon closing.

**Prohibiting new gasoline stations might divert investment from fossil fuel supply.**

- The International Energy Agency's report Net Zero by 2050 provides "a roadmap for the global energy sector" to attain net zero greenhouse gas emissions by 2050. This report calls for no new investment in fossil fuel supplies and tremendous new investment in renewable energy (<https://www.iea.org/reports/net-zero-by-2050>).
- Preventing new investment in fossil fuel supplies—gasoline stations supply fossil fuels—might increase investment in renewable energy.

Several members of Louisville's business community asserted that limiting gasoline stations in Louisville would send the message that Louisville is unfriendly to businesses in yet another way. I do not doubt that there is some truth to this assertion: members of Louisville's business community clearly believe this assertion. Given the previous four arguments, however, these business members have not fully considered the ramifications for Louisville's economic vitality of not limiting gasoline stations.

**Third**, I present **social arguments** for limiting gasoline stations.

**Prohibiting new gasoline stations is unlikely to adversely affect residents who earn relatively low incomes.**

- Prohibiting new gasoline stations would not result in the closing of existing gasoline stations, which would continue to compete with one another.
- The number of gasoline stations in Louisville was not previously identified as a concern for residents earning relatively low incomes. The price of gasoline in Louisville (compared to surrounding communities) was not previously identified as a concern for residents earning relatively low incomes.
- Since existing gasoline stations would not close, a prohibition on new gasoline stations should not represent a concern for residents earning relatively low incomes.

In discussions at the relevant Planning Commission meeting, participants paid considerable attention to potential adverse effects on residents who earn relatively low incomes. While I applaud such considerations, these considerations were largely predicated on the unjustified assumption that existing gasoline stations would close.

**New gasoline stations would host new convenience stores whose food offerings do not align with the Sustainability Action Plan's commitments to and goals for local agriculture and food.**

- Virtually all gasoline stations incorporate convenience stores. As recently explored on the Freakonomics podcast (<https://freakonomics.com/podcast/gas-stations/>), standalone gasoline stations are not sufficiently profitable businesses. Most of the food typically sold at convenience stores is not sourced locally, heavily packaged, and heavily processed.

Thank you for reading and considering my thoughts.

Best,  
Josh



**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**



**From:** [Jojo Follmar](#)  
**To:** [City Council](#)  
**Subject:** Ordinance capping gas stations in Louisville  
**Date:** Monday, March 20, 2023 9:31:50 PM

---

Dear City Council Members,

Thank you for considering this ordinance to limit the gas stations in Louisville. I am writing as an individual resident not representing the Open Space Advisory Board.

Limiting greenhouse gas emissions in our community is essential to achieving our climate goals and ensuring a livable planet for everyone right now, my generation in the future, and all generations to come. Adding new gas stations is not compatible with this goal, and that is what makes this ordinance so essential.

While it has been argued that adding more gas stations wouldn't increase greenhouse gas emissions, just meet an existing demand, the opposite is actually true. Building a new gas station is a giant investment in fossil fuel infrastructure, and numerous groups, including the International Energy Organization, have repeatedly emphasized that **we cannot invest in any more fossil fuel infrastructure if we are to reach net zero carbon emissions by 2050**, something that is essential to staying on track with the Paris Climate Agreement to limit global temperature increases to 1.5 degrees Celcius and preventing devastating climate catastrophes. Building new gas stations isn't just investing further in fossil fuels, but it's also making our economy more reliant on them. That infrastructure is expensive to put in place, but it's also extremely expensive to remove and clean up. Additionally, once the oil companies have invested in a gas station, they're not going to simply give up on their gas stations by 2035, when we should be fully on track for transitioning off fossil fuels. They're going to want to keep their gas stations open for decades, and it will be really hard to remove them once they're already built.

Another way that gas stations contribute to greenhouse gas emissions more directly is through fugitive gas emissions. **Gas stations have a huge emission of greenhouse gasses at the pump, especially of VOCs.** Tamar Krantz summed this portion of the impact up very well and I encourage you to refer to her email on this topic.

Because of all of these reasons, I highly encourage you to pass this ordinance and please also consider adding some additional conditions to make it more effective:

- Reduce the cap on the number of new gas stations every time one closes, as this is the market dictating that the gas station is no longer necessary and it will allow us to transition away from fossil fuels more effectively
- Eliminate the exception for a seventh gas station in Louisville as part of a marketplace development, as six is already sufficient (LSAB recommended this condition)
- Prohibit the development of a gas station in the Phillips 66 Rural Special District
- Reduce the cap to five in the event that the Murphey's Express is not built (LSAB recommended this condition as well)

Thank you for your time and for considering this ordinance,  
Jojo Follmar  
Ward 1

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

**From:** [Laura Pederson](#)  
**To:** [City Council](#)  
**Subject:** Vote YES to Limit the Number of Gas Stations in Louisville  
**Date:** Monday, March 20, 2023 5:24:04 PM

---

Some people who received this message don't often get email from lppederson@comcast.net. [Learn why this is important](#)

Louisville Council Members,

The upcoming vote on the ordinance to limit the number of gas stations in Louisville is one of those moments when the council must demonstrate their values and their stated commitment to meaningful climate change.

Please show that you take climate change seriously, and that you understand your responsibility to ensure the health and well being of the Louisville residents who depend on you to keep our safety and best interests as a top priority.

Thanks and Regards,

Laura Parks-Pederson

2297 Cliffrose Lane

Louisville, Co. 80027

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

**From:** [Audrey Knight](#)  
**To:** [City Council](#)  
**Subject:** Gas Station Ordinance  
**Date:** Tuesday, March 21, 2023 12:32:12 PM

---

Some people who received this message don't often get email from aeknight01@bvsd.org. [Learn why this is important](#)

Hello!

I am a freshman at Centaurus High School and I am in favor of the gas station ordinance to limit gas stations in Louisville to 6. A gas station is a huge investment in fossil fuel infrastructure. The IEA (international energy agency says that if we are to reach net zero by 2050 we cannot invest in any new fossil fuel infrastructure today. In addition to the current ordinance, I think it would be beneficial to reduce the cap on gas stations by one each time an existing station closes as it will not be necessary.

Thank you!

- Audrey

**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

**From:** [Eric Lund](#)  
**To:** [City Council](#)  
**Subject:** Special Meeting today regarding limiting the number of gas stations ordinance  
**Date:** Tuesday, March 21, 2023 3:12:31 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[Gas Station Ordinance signed.pdf](#)

---

The Louisville Chamber of Commerce is requesting a no vote regarding the ordinance today in limiting the number of gas stations in the city. Please see the letter attached.

Thank you,

**Eric J Lund**

*Executive Director*

Louisville Chamber of Commerce

 [619-992-8989](tel:619-992-8989)  
 [eric@louisvillechamber.com](mailto:eric@louisvillechamber.com)  
 [www.louisvillechamber.com](http://www.louisvillechamber.com)  
 901 Main St Ste. A



**==CAUTION: EXTERNAL EMAIL==**

**This email originated from outside the City of Louisville's email environment. Do not click links or open attachments unless you validate the sender and know the content is safe. Please contact IT if you believe this email is suspicious.**

March 21, 2023



City of Louisville, CO

749 Main St

Louisville, CO 80027

Honorable Mayor Maloney and Council Members,

The Louisville Chamber of Commerce Board of Directors has taken an official position regarding the following:

**ORDINANCE 1851, SERIES 2023 – AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CAPPING THE MAXIMUM NUMBER OF GASOLINE AND AUTOMOBILE SERVICE STATIONS LOCATED WITHIN THE CITY OF LOUISVILLE**

As a Chamber of Commerce and being a voice for the business community, we wish to urge the Council to not pass this ordinance as written. We believe that if an ordinance is passed it should specifically address the installation of more charging stations but not limit the number of gas stations that can be built in the City as the planning commission is the entity that should make those recommendations to the Council. We believe this ordinance would be viewed as being punitive to potential future business and sends a negative message to the business community.

Being solution oriented, we do recommend working with the business community to identify new, additional locations where rapid charging stations might be installed and looking at programs that already exist to make this development a positive for the community. This could be at any new gas stations, parking lots, private business lots, such as the shopping center off of McCaslin, and any location that makes sense.

We thank the Mayor and Council Members for their due diligence in reviewing this ordinance but believe it will not make any improvement towards our sustainability and is therefore completely unnecessary and would be viewed as a negative impact with regards to the relationship between the city, and local business. In a recent newsletter, 77.8% of respondents responded NO to our poll on Constant Contact regarding the question of: *"Do you agree with this ordinance, to limit Louisville to six gas station facilities?"*

We therefore urge the Council to vote NO on this ordinance and ask you to look for more positive ways to work with the business community to improve our wonderful city.

Thank you,

A handwritten signature in blue ink, appearing to read "Eric J Lund", is written over a faint, light blue background graphic that resembles a stylized signature or logo.

Eric J Lund, Executive Director

*Louisville Chamber of Commerce  
910 Main St., Louisville, CO 80027*