

Planning Commission

Agenda

**February 8, 2024
City Hall, Council Chambers
749 Main Street
6:30 PM**

Members of the public are welcome to attend and give comments remotely.

- 1) **You can call in to +1 253 215 8782 or +1 346 248 7799 Webinar ID # 823 1948 7837 Passcode 773858**
- 2) **You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/planningcommission**

The Commission will accommodate public comments during the meeting. Anyone may also email comments to the Commission prior to the meeting at: planning@louisvilleco.gov

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes – November, December
5. Public Comment on Items Not on the Agenda
6. New Business
 - a. **Housekeeping Informational Items** (no vote/discussion needed):
 - i. 2024 Open Government Pamphlet
 - ii. Rules of Procedure
 - b. **Housekeeping Voting Items:**
 - i. Election of Officers for 2024
 - ii. Approval of Posting locations for agendas

Persons planning to attend the meeting who need sign language interpretation, translation services, assisted listening systems, Braille, taped material, or special transportation, should contact the City Clerk's Office at 303 335-4536 or MeredythM@LouisvilleCO.gov. A forty-eight-hour notice is requested.

Si requiere una copia en español de esta publicación o necesita un intérprete durante la reunión, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574.

- iii. Approval of Expected Planning Commission 2024 Meeting Dates
 - c. **EV Charging** - Resolution 1, Series 2024 recommending to the City Council approval of an ordinance amending Louisville Municipal Code Section 17.20.170 - Electric Vehicle Charging Infrastructure
 - d. **Comprehensive Plan Update** – Project introduction, process, and initial targeted questions to inform next steps
- 7. Planning Commission Comments
 - 8. Staff Comments
 - 9. Items Tentatively Scheduled for Future Meetings
 - a. Comprehensive Plan Vision and Values Discussion – March 14
 - b. Housing Plan Final Draft
 - c. Project Updates: Highway 42 Planning, Downtown Vision Plan
 - 10. Adjourn

Planning Commission

Meeting Minutes

**November 9, 2023
City Hall, Council Chambers
749 Main Street
6:30 PM**

Call to Order – Chairperson **Brauneis** called the meeting to order at 6:30 PM.

Roll Call was taken, and the following members were present:

Commission Members Present: Steve Brauneis, Chair
Jeff Moline, Vice Chair
Keaton Howe, Secretary
Tamar Krantz
Allison Osterman
Cullen Choi
Debra Baskett

Staff Members Present: Jeff Hirt, Planning Manager
Rob Zuccaro, Community Development
Director
Ben Jackson, Planning Clerk

APPROVAL OF AGENDA

Motion to approve was moved by **Howe**, seconded by **Osterman**, and adopted by voice vote.

APPROVAL OF MINUTES

Baskett moved to approve the minutes for the September 14, 2023, and October 12, 2023, meetings with a condition that the roll call vote is included and with future adjustments on formatting. **Moline** seconded, and the motion was adopted by voice vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None were heard.

CONTINUED BUSINESS – DISCUSSION ITEM:

A. Housing Plan Strategy Framework

Hirt summarized the staff presentation from the October meeting, and explained the strategies that were included in the proposed framework. He noted that Baskett and Krantz previously provided written comments on the plan.

Baskett said she wanted to recap the high points of the housing needs assessment. She noted its importance in setting the stage for the comprehensive plan. She also noted the findings of the assessment regarding the number of new housing units that would be needed to accommodate the City's projected population growth.

Krantz said she appreciated the detail of the report. She noted she had spoken to other residents who questioned whether the projected population growth was inevitable or necessary for the City. She asked Baskett whether she accepted the methodology and growth metrics in the report.

Baskett said that she did accept them, but questioned whether the City would need to change its planning policies to accommodate the full population growth projected in the report.

Krantz said that she felt the Commission should question the conclusions of the report as they evaluate the proposed strategies.

Zuccaro added that the pro-rata share of growth was a factual number from the State. He said that the proposed policies would all still be applicable and useful regardless of any housing unit target the City may set. He noted that State law had recently changed to prohibit population caps and growth limits. He asked the Commission to consider whether these were good policies regardless of the pro-rata share number.

Brauneis said that he agreed with Zuccaro.

Choi said he also agreed with Zuccaro. He noted that the projections are for the whole County, and that the data is presented to show Louisville working in conjunction with neighboring cities. He would like to be able to focus exclusively on the actions Louisville can take, and not compare it to the other cities. However, he noted that it was important to take this into consideration and said that this should be expanded to include Broomfield.

Brauneis said the Commission would have to consider whether the draft strategies would be good approaches for the City.

Moline said that he appreciated Choi's comments, and that the lack of affordability in Louisville stood out to him. He was concerned about how the City's character would change if people who worked in Louisville could no longer afford to live there. He said that the report's detailing of the percentage of current residents who could not afford to buy their current properties today was of particular concern. He added that affordability affected every part of the City and was an important issue to address.

Brauneis asked whether there were any specific strategies Commissioners wanted to discuss.

Choi said that he really liked strategies 1 and 5. He was curious about the inclusion of the word “allowances” in strategy 2, and wondered why it was not omitted from the strategy.

Zuccaro clarified that there were currently areas of the City where housing might be allowed by special review use or conditional use, but that they could allow for use by right in strategic areas to help spur housing development. He noted that this was not calling for broad rezoning to residential, but to instead look at where transitioning to residential would make the most sense.

Krantz asked which stakeholders were involved in producing the plan and asked what parts of the zoning code they felt needed updating.

Zuccaro clarified that the stakeholder interviews were conducted by the consultant. He said that the first round was open to the public, and subsequent rounds were more targeted. He also noted that the majority of the zoning code was written in the 1970s and 1980s and had only received targeted updates since then. It did not reflect modern land use policy and practices.

Brauneis invited members of the public to comment on the proposed strategies.

Sherry Sommer, a resident, said that she had spoken to many residents during her recent mayoral campaign, and found that many people liked that Louisville had the character of a small town. She felt that the Commission needed to look at what was in the best interests of the City. She noted that there continued to be migration to the City, and that demand for housing would be inexhaustible as a result. She agreed with Moline that people who worked in Louisville should be able to live there but noted that any federal grant money could not be used to exclusively fund housing for those people alone. She also noted the cost-of-living pressures many residents are facing, including the increased property tax burden over recent years.

Baskett said that the proposed strategies were an important first step. She noted from the report that 64% of Louisville workers live outside of the City. She wanted the Commission to consider how each of the strategies would help the City achieve its goals.

Choi asked the Commission to discuss the confluence of strategies 1, 2 and 5. He said that the development would likely happen in areas that were undeveloped or underdeveloped, and that the City needed to be proactive and plan out where the growth will happen.

Brauneis asked Choi how he thought about the questions presented by staff regarding strategies 1, 2 and 5.

Choi said that he felt the strategies were missing an opportunity for industry to be able to innovate with any proposed development. The strategies may not deviate far enough from the status quo.

Brauneis asked whether the strategies as written pointed towards allowing for innovation.

Choi said that he was not sure.

Moline asked how the housing strategies would integrate with the comprehensive plan.

Zuccaro said that the comprehensive plan would look at future land uses in addition to the existing zoning code. He added that the plan would include a market study and examination of fiscal balance. He discussed the importance of having a balance of commercial and residential zoning to maximize economic vitality.

Hirt said that one of the potential strategies would be to identify which areas could be appropriate for residential uses that currently aren't zoned for it. These strategies would give the City a head start in identifying some of these underutilized areas in consultation with the community in the upcoming comprehensive plan update.

Moline said that those strategies identifying areas appropriate for residential development most resonated with him.

Krantz said that she found strategies 3 and 6 resonated the most with her. She felt that they were missing a strategy to help those who were still displaced by the Marshall Fire. She wanted to know if the matrix could include information on the long-term costs of the strategies, their economic impacts, their environmental attributes, and how they would affect the tax base.

Osterman said that strategies 1, 2, 3 and 5 resonated the most with her. She wanted to know if the report would address the inclusionary housing ordinance, particularly about whether the requirement should be increased from 12%.

Zuccaro said that staff had been discussing this with the consultants, and that there would be a recommendation on the inclusionary housing ordinance in the final report. He said that one of the possible recommendations was to have the fee-in-lieu option at a higher rate than if the affordable units were included on the site.

Brauneis again invited public comment.

Sherry Sommer, a resident, brought up the possibility of converting underutilized office space to affordable housing units. She also suggested that the City could buy existing small houses to use as affordable housing, as they would already be integrated into the neighborhoods of the City. She was unsure about the effectiveness of the 12% affordable housing unit requirement.

Cindy Bodell, a resident, asked how much each new resident costs the City.

Zuccaro said that the complex fiscal model showed that there was still a cost to each new resident, and that new tax revenue did not make up for increased demand for services. He noted that there were cases, such as with underutilized and underperforming commercial corridors, that residential development can make more financial sense, but that this is not captured in the fiscal model.

Brauneis agreed with Zuccaro's assessment and asked whether the Colorado Department of Local Affairs had updated their estimates since the 1997 figure.

Zuccaro added that market rate housing would have less of a negative impact on the fiscal balance than affordable housing due to the higher amount of property tax and use

tax they would generate. High end, luxury housing could be fiscally positive for this reason.

Choi concurred with this assessment and added that appropriate residential development was good for commercial development too. This would help to expand the catchment area for local businesses.

Brauneis asked Hirt what additional feedback staff were looking for.

Hirt said staff were logging all the Commission's comments and would use them to inform the draft of the housing plan. He did not think there were any additional areas the Commissioners had yet to cover.

Choi commented that the suggested actions did not always seem to check the boxes of the specific strategies they were attached to. He suggested that each strategy could identify a particular area of the city where they could be implemented to help visualize how they could work.

Moline said that he was having difficulty prioritizing the strategies, though many of them did resonate with him. He noted that some of the strategies would be more appropriate in different areas of the city than others.

Brauneis again invited public comment.

Sherry Sommer, resident, said she appreciated the deliberative tone of the Commission's discussion, and thought that it would be valuable to have listening sessions with the various neighborhoods to gather their input on how these strategies would directly affect them.

Howe said that he felt many of the strategies could potentially compromise the nature and character of the city. He thought it would be important for the city to approach population growth with caution, so as not to put too much strain on City resources. None of the strategies singularly stood out to him as a solution.

Brauneis said that the strategies were solid enough to move forward with. He noted that they would involve additional outreach in the future, and that this sort of change was not something that could just happen overnight.

Moline said that change can be good. He added that the City had changed in many good ways since he moved there 30 years ago, particularly in downtown Louisville.

Brauneis concurred and noted that the many empty commercial spaces were distinct from the businesses that gave the City its small town character.

Hirt said that Brauneis' comments were valuable for the comprehensive plan, as values were very important to that process. The policies would need to be calibrated to meet the City's values.

Howe was interested to see how the comprehensive plan would differ from the last one in 2013. He noted the top priority from citizens in that plan was open space and parks and would like to see if that had changed.

Krantz felt there were still some things missing from the strategies. She agreed with **Osterman's** comments about the possibility of having an increased affordable housing percentage in exchange for rezoning. She also agreed with Sherry Sommer's comments about giving consideration to repurposing office buildings and having the City purchase some small homes to preserve as affordable housing. She was still concerned about how these strategies would impact those who were still by the Marshall Fire. She reiterated that she would appreciate a way to visualize the strategies, as this would make them easier to understand. She would also like to see how the Commissioners would rank their priorities for the housing plan.

Hirt said that the housing plan would have a better prioritization of these strategies, and that they would break them down into near-term, medium-term, and long-term priorities.

Krantz said that she would like to see multiple alternative growth scenarios for the City, such as high, medium, and low growth scenarios.

Baskett really liked Krantz's idea. She asked whether there had been any consideration given to the City forming a housing authority, particularly if the City was planning on owning some of the housing directly.

Zuccaro said that it was not included in any of the strategies. He noted that the City did formerly have a housing authority, but that Boulder County took over providing those services for the City, and that they would continue to do so. He added that they were looking at partnering with the City of Boulder to aid in providing affordable housing services.

Hirt said that staff plan to present the draft housing plan to the Commission in early 2024.

PLANNING COMMISSION COMMENTS

Baskett asked staff about the status of the comprehensive plan.

Hirt said that they had a consultant under contract, but that they were in the process of deciding how it would be completed. Staff intend to bring an update to the Commission in early 2024. The lead consultant is Design Workshop.

STAFF COMMENTS

Hirt said that the next Commission meeting in December would cover zoning code amendments for PUDs.

ADJOURN

A motion to adjourn was moved **Howe** and seconded by **Choi**. The motion was approved by voice vote. The Commission adjourned at 7:40pm.

Planning Commission

Meeting Minutes

**December 14, 2023
City Hall, Council Chambers
749 Main Street
6:30 PM**

Call to Order – Chairperson **Brauneis** called the meeting to order at 6:30 PM.

Roll Call was taken, and the following members were present:

Commission Members Present: Steve Brauneis, Chair
Keaton Howe, Secretary
Tamar Krantz
Allison Osterman
Cullen Choi
Debra Baskett

Commission Members Absent: Jeff Moline, Vice Chair

Staff Members Present: Rob Zuccaro, Community Development
Director
Jeff Hirt, Planning Manager
Amelia Brackett Hogstad, Senior Planner
Ben Jackson, Planning Clerk

APPROVAL OF AGENDA

Motion to approve the agenda was moved by **Howe** and seconded by **Baskett**. The motion was adopted by voice vote.

APPROVAL OF MINUTES

Motion to approve the minutes of the November 2023 meeting was moved by **Baskett** and seconded by **Krantz**. The motion was adopted by voice vote.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None were heard.

PUBLIC HEARING ITEMS – NEW BUSINESS

- a. **Final PUD, SRU, Plat, Easement Vacation, and Annexation Agreement Amendment – 1303 Empire Road.** Adoption of Resolution 19, Series 2023 regarding approval of a final planned unit development (PUD), Special Review Use (SRU), plat, easement vacation, and annexation agreement amendment to allow a distillery, tasting room, and event space at 1303 Empire Road.

Howe said that he had a client relation with a member of the applicant team, but that this would not impact his decision making on this case.

Staff Presentation:

Brackett Hogstad introduced the presentation for the application. She said that the site was located on Empire Rd, was zoned for industrial use, and had been annexed into the City in 1986. The proposal was for a PUD and SRU, plat and easement vacation, and an amendment to annexation agreement. She discussed the proposed layout from the PUD, and noted the presences of the historic “Joe’s Metal Shop” structure, and how the applicant intended to use it. She also explained the SRU and parking standards for the site, and why the annexation agreement needed to be modified.

Staff Recommendation:

Staff recommended approval of Resolution 19, Series 2023, with 2 conditions.

Commissioner Questions of Staff:

Baskett spoke about the history of the no build zone from the annexation agreement.

Brackett Hogstad noted it was an unusual covenant.

Baskett noted that it was intended to preserve a gateway for Highway 42 and Empire Road.

Brackett Hogstad said that staff had looked at City Council records and noted that it provided a buffer. She added that the site was zoned for industrial use by Boulder County.

Baskett asked whether EV parking would include EV chargers.

Brackett Hogstad deferred to Zuccaro.

Zuccaro said he would have to look it up, noting that there were three different categories of readiness for electric vehicle charging. He assumed that there would be some, but that he would have to look up the exact number.

Baskett thought including them would be appropriate.

Baskett asked why the proposed trail along Empire Road was not going to be paved.

Brackett Hogstad said that Parks and Open Space would prefer an impervious surface.

Baskett asked about the offsite parking agreement, and whether there would be a trail linking the two.

Brackett Hogstad said that there would not be a defined trail, but there had been impromptu trail used in the past.

Choi asked about whether there was consideration of including parking on City owned land on the north side of the property.

Brackett Hogstad said that it may not be desirable as it was in use. She was not sure if this had been discussed.

Choi asked about whether there was consideration of adding further crossing improvements between the trail on the south side and Highway 42.

Brackett Hogstad said that there were not specific plans to include upgraded pedestrian crossings, and that this would not be required as part of the application.

Zuccaro said that he had found number of EV chargers.

Brauneis asked Zuccaro if there were improvements planned to the Highway 42 and Empire Rd intersection as part of the Highway 42 plan.

Choi added that he was concerned that there was not protected left turn from southbound Highway 42 onto Empire Rd, and that this could create traffic issues. He asked if the City had evaluated the intersection, and how they would go about doing that.

Zuccaro clarified Choi's question about the potential inclusion of a protected left turn lane. He said that he would have to look this up. He added that traffic studies were not typically done on single lot developments.

Brackett Hogstad added that there was no request from Public Works to do a traffic study.

Zuccaro said that Public Works felt it was minor enough that a traffic study would not be warranted.

Zuccaro said that there would be 9 spaces with EV chargers installed, 6 spaces classed as EV ready, and 13 spaces classed as EV capable.

Howe asked where the loading dock was located, and whether it could conflict with the neighboring lot.

Brackett Hogstad pointed it out. She noted that it would have limited impact on the neighboring facility as it was a decent distance away, with landscaping marking the border between the two.

Howe noted it was mainly northwest facing, and that this would help shield it from the adjacent property.

Howe asked whether there would be lighting on the new trail from the overflow lot.

Brackett Hogstad said that she would have to check.

Zuccaro said that staff wanted to be respectful of the buffer and said that it would help preserve a good transition downtown. He noted that changes to the annexation agreement would allow changes to use by right even if the current applicant abandoned their proposal. He added that the language proposed by staff would only change the buffer for this development and not permanently.

Krantz asked what expiration date would be for the plat and SRU.

Zuccaro said that the annexation agreement and plat would not expire, the SRU would expire after a year if not implemented, and the PUD would expire after 3 years.

Krantz clarified whether the changes to the buffer would expire.

Zuccaro said that it would not expire as it would be part of the annexation agreement.

Brackett Hogstad reiterated that the intention of the annexation agreement amendment was to preserve the buffer.

Krantz asked about the capacity of the tasting room and how this would impact the amount of required parking.

Brackett Hogstad said that the IDDSG are not being used for this application as it would not be applicable for the SRU. She said that they were instead using the citywide standards from section 17.20 of the LMC and setting the parking ratios from that.

Krantz asked what the maximum capacity for the venue would be.

Brackett Hogstad said that the tasting room and the event space had to be evaluated separately. She said that the tasting room was set with one space per three seats, while the distillery was done by number of employees per section.

Brauneis asked what plans the City had for the neighboring property that had the dump station on it.

Brackett Hogstad said that she was not sure of any plans.

Zuccaro said he wasn't sure either.

Brauneis asked whether the orchard would be part of a privately operated protected agricultural space, and whether people could potentially go pick them.

Brackett Hogstad said that it was not an agricultural lease, and the only request Parks had for the applicant was that they maintain the orchard properly.

Brauneis asked if the orchard agreement would be forced on any subsequent property owners.

Brackett Hogstad said that she believed there was a clause in the agreement that included what would happen to the orchard.

Brauneis asked to compare the sizes of the current and proposed no build areas.

Brackett Hogstad showed the comparison from the presentation.

Choi asked about the inclusion of the event stage on the site plan, and how it was contemplated that this would interact with the no build zone.

Brackett Hogstad said that activation of the event stage was a positive for the landmarked building, and would allow it to be showcased rather than just sitting there.

Choi asked about how the historic building was planned to be used.

Brackett Hogstad said that building was planned to be used flexibly.

Applicant Presentation

Andy Johnson, DAJ Design, resident, introduced the Ironton Distillery presentation. He noted that the design and development process had been ongoing for two years. He introduced co-owner Lance Peterson, nonresident, co-owner and marketing manager Kallyn Romero, and co-owner and head distiller Laura Walters.

Peterson discussed the history of the business, and what made them unique. He noted that they wanted to help beautify that part of the City. He said that they were one of only four distillery brew pubs in Colorado.

Romero explained why they chose Louisville and noted their community orientation.

Walters discussed the operations of the distillery, and their focus on sustainability. She said that they focused on local and self-grown ingredients.

Romero and **Peterson** discussed the event space and parking requirements.

Johnson discussed the details of the PUD. He noted that the site had been empty for a long time, and many had struggled to develop it. He discussed the connectivity of the site, with connections to trails. He addressed the history of the site and noted that there was no discussion in Council of the no build line. He discussed the proposed layout of the buildings, and the Joe's Metal Shop historic structure. He added that the stage was intended to be removable.

Further Commissioner Questions of Staff:

Zuccaro suggested changing the resolution around the no build line to include it as part of the PUD approval rather than as a change to the annexation agreement.

Howe asked for clarification around whether there was a difference between the buffer and the no build line.

Zuccaro clarified that he meant the no build line.

Brauneis asked whether staff was suggesting removing the no build line altogether.

Zuccaro said yes, as they believed the proposed application was in keeping with the spirit of the no build line.

Commissioner Questions of Applicant:

Johnson noted that the applicant would rather the no build line be removed entirely, but that the proposed alternative in the staff report would be acceptable.

Krantz asked why removing it would be a priority if they only wanted to put the historic structure in it.

Johnson said that future development would be the priority, and that removing it would more easily allow for future expansions.

Krantz asked whether they would have changed design of building if the line could not be removed.

Johnson said not necessarily, and that it was important to look at the context of the building and its surroundings. He noted that it was not surrounded by open space, and that it would likely remain a weed patch if it were not developed.

Brauneis asked why the City would want to vacate the no build line.

Zuccaro said he understood the concern, but that staff expected the building to be there for a long time, or to otherwise be reused. Removing the line would make it easier to expand the building in the future.

Brauneis asked whether changes to the line would still be open to a request in the future if it were kept in place.

Zuccaro said yes, it would be open to a request, but it would have to go through a PUD review. He noted that this was very different to a typical industrial use.

Choi asked whether the temporary stage would conflict with the no build line.

Zuccaro said that it could just be written into the annexation agreement, and that the no build area didn't disallow landscaping or flatwork. Staff's interpretation was that it was a no building zone, and as such it could allow temporary structures.

Choi asked whether there would be ADA requirements for an elevator in the building.

Johnson said not for the distillery, but that the tasting room and event space would be subject to the ADA.

Choi asked whether ADA requirements for distillery would change its design.

Johnson said it would not as the interior could be easily changed. The internal layout included in the PUD was a potential design they could use, but the exact layout had not been determined yet.

Krantz asked whether the exterior lights would be dark sky compliant.

Johnson said yes.

Krantz asked whether the distillery would require any environmental permits.

Walters said not to her knowledge in Denver. She noted that they did have a requirement for CO₂ monitoring and smell monitoring, and they did have to comply with wastewater permitting.

Krantz asked how many trucks each day they were expecting.

Walters said they were currently receiving 2 trucks per month, and that their distributor used small vans.

Krantz asked whether applicant was aware of City herbicide bans for the orchard.

Walters said they would likely have a landscaper manage the orchard for them.

Krantz asked whether the crusher fines in the open space area would provide the same level of drainage as grass.

Johnson said that they would.

Public Comment:

Cindy Bodell, resident, asked why the no build line was there, and what its purpose was. She thought that they should leave the no build line there, given that it could not be put back. She liked the dark sky compliant lighting and would like it to be required.

Sherry Sommer, resident, would like to maintain the no build zone. She noted that the applicant could request waivers in the future and would provide protection to the City. She thought that the unusual drainage was more of a reason to keep it. She was also curious about the maintenance agreement and wondered whether it had been decided yet. She appreciated Choi's comments on safety of intersection at Hwy 42.

Additional Commissioner Questions:

Brauneis asked why the application did not include any shady plants in the parking lot to help reduce the urban heat island effect.

Johnson said it was to reduce plantings around the building, and that there was no room to plant on north side with the emergency access easement. He said that access to the

site limited their ability to have plants. They still had many plants, they were just condensed in other locations.

Krantz asked whether there would be plants in the parking lot.

Johnson clarified that there would be some plants in the parking lot strip, but noted that they would have fewer than what was required in the code because of the topography of the lot.

Closing Statement by Applicant:

Johnson said that there was no record on why the no build line was created, and that it was arbitrary. He added that they had provided open space as they felt that this was important.

Discussion by Commissioners:

Baskett was in strong support of the project and said that it would be a strong addition to the City. She noted its connection to open space and downtown. She had no issue with moving the no build line, particularly to add the historic structure. She thought that the inclusion of the historic structure was really important and was in support of the resolution as written.

Howe said thought was compliant with PUD criteria and waivers and was supportive of resolution as written regarding the no build zone. He also felt that it met all of the SRU criteria, and agreed with the way the annexation agreement amendment was written. He thought it was win-win-win, and a big win for the City, particularly over current site use. He was strongly in favor.

Osterman said she was very excited about the proposal. Her one confusion was around the no build line, and whether a future owner could turn the site back to an industrial use. She wanted to make sure that the annexation agreement was not being amended improperly.

Krantz said that she agreed with Howe's analysis and was fully in support with the condition that the no build line be moved and not eliminated entirely.

Choi said that he was in favor and noted that the lack of justification for the creation of the no build line and the landscaping choices stood out to him. He said that the line seemed to be arbitrary, and it would be hard to convince him to keep an arbitrary line. He was appreciative of permeable surfaces for the parking spaces but would prefer concrete over asphalt for the loading area and drive aisles. He thought it was a very thoughtfully and tastefully done application and was a vast improvement over the current use of the site.

Brauneis said that he was in favor of the resolution as written. He viewed no build zone as a giant setback, though he was not comfortable with removing the line outright.

Howe moved to approve Resolution 19, Series 2023 with the conditions as presented in the staff report and was seconded **Choi**. The motion was adopted by a vote of 6 to 0.

- b. **Expedited PUD Review Process.** Adoption of Resolution 20, Series 2023 regarding revisions to the expedited planned unit development (PUD) process.

Staff Presentation:

Hirt introduced the presentation for the expedited PUD review process proposal. He outlined the background of how the PUD process worked, and the hearings required for them. He noted that there was very limited scope for expedited PUDs currently. The purpose of this proposal was to broaden the number of PUDs that could go straight to final PUD process. He outlined the proposed changes, and some example scenarios of how they would be applied.

Staff Recommendation:

Staff recommended approval of Resolution 20, Series 2023.

Commissioner Questions of Staff:

Baskett asked about the 7 acres in the example scenarios.

Hirt said that it was what was in the LMC, but that they did not know where it came from.

Baskett asked whether this was part of the bigger picture code revisions.

Zuccaro said it may just be a band aid, but there had been suggestions of moving to a comprehensive code review after the comprehensive plan. It would simplify the PUD process in code and would codify the current processes.

Baskett asked whether staff had received feedback on this from the development community.

Hirt said that they had not on this specific change, but that they had heard from them about issues with the PUD process. The consensus was that many projects could be adequately evaluated with the final PUD process.

Zuccaro added that the intention of the PUD process was to protect the neighborhoods and neighboring property owners. He said that this proposal would capture projects that were small enough to where a single PUD hearing was adequate. He noted that there could be benefit to doing a preliminary PUD for more complicated projects.

Choi asked whether the planning director could have the discretion to only require a final PUD for a project under the proposed revision.

Hirt said that it was written as “shall” be eligible if the project met the criteria, but that the director would have a veto over it for reasons relating to material impacts.

Choi asked whether staff would have to decide whether an eligible application would follow a full or expedited PUD process.

Hirt said yes, and that the reasoning for their decision would be included in the staff report for the PUD.

Brauneis said that Commission could still continue an expedited case if they had more questions.

Hirt agreed, and noted that it would still have to be approved by the Planning Commission and City Council.

Krantz asked about whether this would apply to Old Town given the lot sizes.

Hirt said that the old rules were limited to newer areas like the McCaslin corridor and noted that the details of where it would and would not apply were included in the staff report. He added that Old Town would be eligible for expedited PUDs under the proposal.

Howe asked whether there was any way an expedited PUD could go straight to City Council.

Hirt said no, it would still have to go to the Planning Commission first.

Public Comments:

Sherry Sommer, resident, said that the proposal made sense as it would remove some unreasonable hurdles. She appreciated that it would only apply to lots smaller than 7 acres.

Commissioner Discussion:

Choi said that he liked the requirements staff was keeping and appreciated the elimination of undue burden. He was in support.

Krantz said that she was in support.

Osterman said that she was in support.

Howe said that he was in support. He noted that PUDs had a lifespan of 3 years before they were required to be renewed. He thought that this should help act as an incentive to developers to complete their projects within a reasonable time frame.

Baskett said that she was in support.

Brauneis said that he was in support, and that he hoped it would make things less cumbersome with no loss of oversight by the City.

Motion to approve Resolution 20, Series 2023 was moved by **Krantz** and seconded **Osterman**. The motion was adopted by a vote of 6 to 0.

PLANNING COMMISSION COMMENTS

Howe gave thanks to staff, to his fellow Commissioners, and to the citizens of Louisville.

Krantz thanked staff and everyone for their help and wished the rest of the Commission the best of luck moving forward.

Osterman bid farewell to the Commission and said thanks for the opportunity to serve.

Brauneis thanked the Commissioners for their hard work and service.

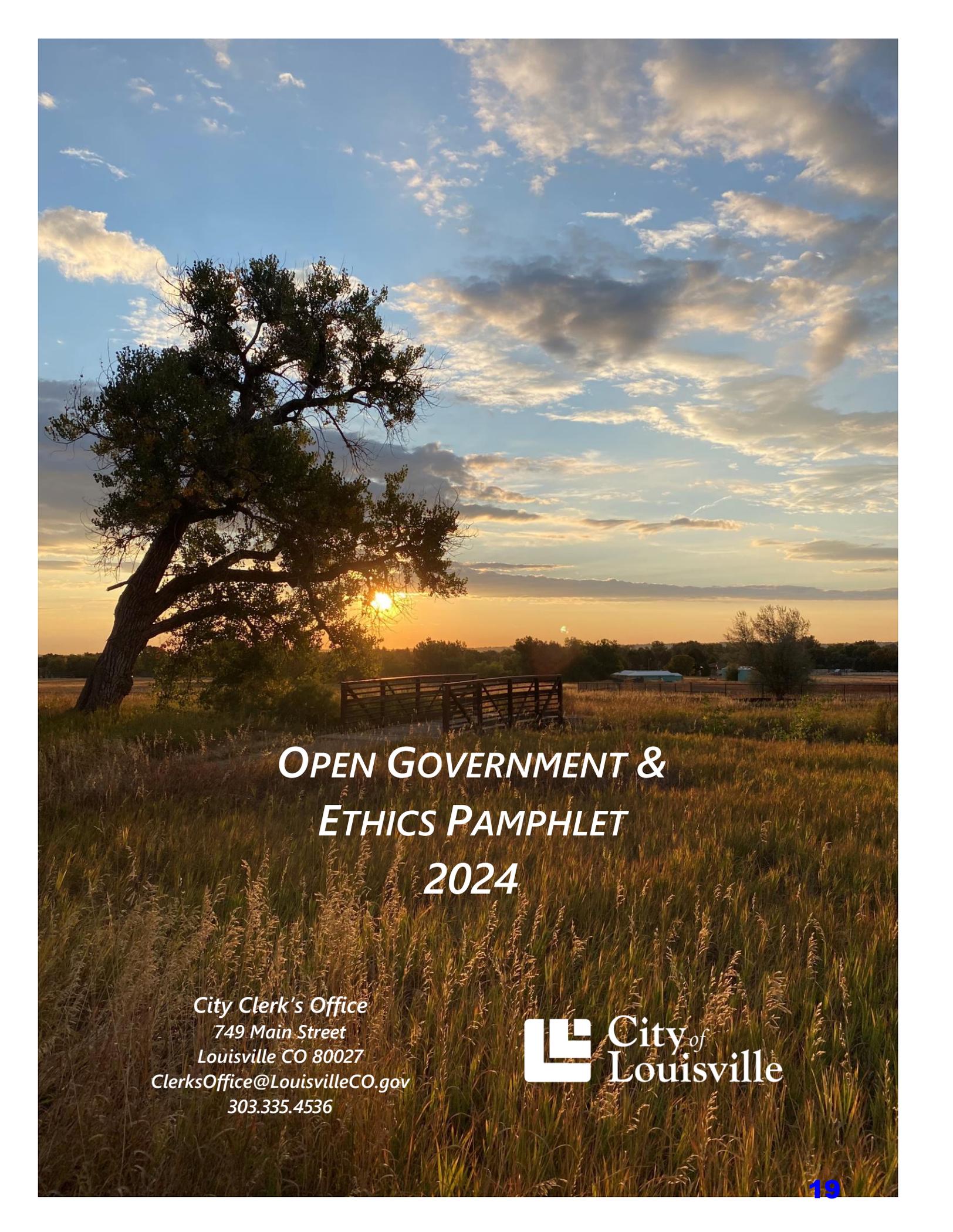
STAFF COMMENTS

Zuccaro echoed Brauneis' words of thanks for the hard work of the Commissioners.

ADJOURNMENT

Motion to adjourn was moved by **Krantz**, seconded by **Osterman**, and adopted by voice vote.

The Commission adjourned at 9:24pm.



***OPEN GOVERNMENT &
ETHICS PAMPHLET
2024***

*City Clerk's Office
749 Main Street
Louisville CO 80027
ClerksOffice@LouisvilleCO.gov
303.335.4536*



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Citizen Participation in Government

The City of Louisville encourages citizen involvement and participation in its public policy process. There are many opportunities for citizens to be informed about and participate in City activities and decisions. All meetings of City Council, and of appointed Boards and Commissions, are open to the public and include an opportunity for public comments. No action or substantive discussion on an item may take place unless that item has been specifically listed as an agenda item for a regular or special meeting. Some opportunities for you to participate include:

Reading and inquiring about City Council activities and agenda items, and attending and speaking on topics of interest at public meetings

City Council Meetings:

- Regular meetings are generally held the first and third Tuesdays of each month at 6:00 PM in the City Council Chambers, located on the second floor of City Hall, 749 Main Street;
- Study sessions are generally held the second and fourth Tuesdays of each month at 6:00 PM in the Library Meeting Room, located on the first floor of the Library, 951 Spruce Street;
- Regular meetings include a remote participation option via Zoom, are broadcast live on Comcast Channel 8, and are available on demand on the City's website;
- Special meetings may be held occasionally on specific topics. Agendas are posted a minimum of 48 hours prior to the meeting.

Meeting Agendas for City Council meetings, other than special meetings, are posted a minimum of 72 hours prior to the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City website at www.LouisvilleCO.gov

Meeting packets with all agenda-related materials for regular meetings are available 72 hours prior to each meeting and may be found at these locations:

- Louisville Public Library Reference Area,
- 951 Spruce Street,
- City Clerk's Office, City Hall, 749 Main Street,
- City website at www.LouisvilleCO.gov

You may receive eNotifications of City Council news as well as meeting agendas and summaries of City Council actions by registering for eNotifications on the City's web site at www.LouisvilleCO.gov.

Meeting minutes of all regular and special meetings are available in the City Clerk's office and on the City's website (www.LouisvilleCO.gov) once they are approved.

Information about City activities and projects, as well as City Council decisions, is included in the *Community Update* newsletter, mailed to all City residents and businesses. Information is also often included in the monthly eNewsletter.

Communicating Directly with the Mayor and City Council Members

Contact information for the Mayor and City Councilmembers is available at www.LouisvilleCO.gov, as well as at City Hall, the Louisville Public Library, and the Recreation/Senior Center. You may email the Mayor and City Council as a group at CityCouncil@LouisvilleCO.gov.

Mayor's Town Meetings and City Council Ward Meetings are scheduled periodically. These are informal meetings at which all residents, points of view, and issues are welcome. These meetings are advertised at City facilities and on the City's website (www.LouisvilleCO.gov).

Mayor or City Council Elections

City Council members are elected from three Wards within the City and serve staggered four-year terms. There are two Council representatives from each ward. The mayor is elected at-large and serves a four-year term. City Council elections are held in November of odd-numbered years. For information about City elections, including running for City Council, please contact the City Clerk's Office, at ClerksOffice@LouisvilleCO.gov or 303.335.4536.

Serving as an Appointed Member on a City Board or Commission

The City Council makes Board and Commission appointments annually. Some of the City's Boards and Commissions are advisory, others have some decision-making powers. The City Council refers questions and issues to these appointed officials for input and advice. (Please note the Youth Advisory Board has a separate appointment process.)

The City's Boards and Commissions are:

- Board of Adjustment
- Building Code Board of Appeals
- Cultural Council
- Historic Preservation Commission
- Historical Commission
- Library Board of Trustees
- Local Licensing Authority
- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board
- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

Board information, meeting agendas, and schedules are available on the City's website (www.LouisvilleCO.gov).

Agendas for all Board and Commission meetings are posted a minimum of 72 hours prior to each meeting at these locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- City web site at www.LouisvilleCO.gov

Copies of meeting packets containing agenda-related materials are available at least 72 hours prior to each meeting and may be found at the following locations:

- Louisville Public Library Reference Area, 951 Spruce Street;
- City Clerk's Office, City Hall, 749 Main Street
- City web site at www.LouisvilleCO.gov

Planning Commission

The Planning Commission evaluates land use proposals against zoning laws and holds public hearings as outlined in City codes. Following a public hearing, the Commission makes a recommendation of approval or denial to the City Council for all land use proposals.

- Regular Planning Commission meetings are held at 6:30 PM on the second Thursday of each month.
- Overflow meetings are scheduled for 6:30 PM on the 4th Thursday of the month as needed.
- Study Sessions are held occasionally as needed.
- Regular meetings include a remote participation option via Zoom, are broadcast live on Comcast Channel 8, and are available on demand on the City's website.

Open Government Training

All City Council members and members of a permanent Board or Commission are required to participate in at least one City-sponsored open government-related seminar, workshop, or other training program at least once every two years.

Open Meetings

The City follows the Colorado Open Meetings Law ("Sunshine Law") as well as additional open meetings requirements found in the City's Home Rule Charter. These rules and practices apply to the City Council and appointed Boards and Commissions (referred to as a "public bodies" for ease of reference). Important open meetings rules and practices include the following:

Regular Meetings

All meetings of three or more members of a public body (or a quorum, whichever is fewer) are open to the public.

All meetings of public bodies must be held in public buildings and public facilities accessible to all members of the public. Meetings may be held electronically under specific circumstances.

All meetings must be preceded by proper notice. Agendas and agenda-related materials are posted

at least 72 hours in advance of the meeting at the following locations:

- City Hall, 749 Main Street
- Police Department/Municipal Court, 992 West Via Appia
- Recreation/Senior Center, 900 West Via Appia
- Louisville Public Library, 951 Spruce Street
- On the City web site at www.LouisvilleCO.gov

Study Sessions

Study sessions are also open to the public however, study sessions have a limited purpose:

- Study sessions are to obtain information and discuss matters in a less formal atmosphere;
- No preliminary or final decision or action may be made or taken at any study session; further, full debate and deliberation of a matter is to be reserved for formal meetings. If a person believes in good faith that a study session is proceeding contrary to these limitations, they may submit a written objection. The presiding officer will then review the objection and determine how the study session should proceed.
- A written summary of each study session is prepared and is available on the City's website.

Executive Sessions

The City Charter also sets out specific procedures and limitations on the use of executive sessions. These rules, found in Article 5 of the Charter, are intended to further the City policy that the activities of City government be conducted in public to the greatest extent feasible, in order to assure public participation and enhance public accountability. The City's rules regarding executive sessions include the following:

Timing and Procedures

The City Council and City Boards and Commissions may hold an executive session only at a regular or special meeting. No formal action of any type, and no informal or "straw" vote, may occur at any executive session. Rather, formal actions,

such as the adoption of a proposed policy, position, rule or other action, may only occur in open session.

Prior to holding an executive session, there must be a public announcement of the request and the legal authority for convening in closed session. There must be a detailed and specific statement as to the topics to be discussed and the reasons for requesting the session.

The request must be approved by a supermajority (two-thirds of the full Council, Board, or Commission). Prior to voting on the request, the clerk reads a statement of the rules pertaining to executive sessions. Once in executive session, the limitations on the session must be discussed and the propriety of the session confirmed. If there are objections and/or concerns over the propriety of the session, those are to be resolved in open session.

Once the session is over, an announcement is made of any procedures that will follow from the session.

Executive sessions are recorded, with access to those tapes limited as provided by state law. Those state laws allow a judge to review the propriety of a session if in a court filing it is shown that there is a reasonable belief that the executive session went beyond its permitted scope. Executive session records are not available outside of a court proceeding.

Authorized Topics

For City Council, an executive session may be held only for discussion of the following topics:

- Matters where the information being discussed is required to be kept confidential by federal or state law;
- Certain personnel matters relating to employees directly appointed by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;
- Consideration of water rights and real property acquisitions and dispositions, but only as to appraisals and other value estimates and strategy for the acquisition or disposition; and

- Consultation with an attorney representing the City with respect to pending litigation. This includes cases that are actually filed as well as situations where the person requesting the executive session believes in good faith that a lawsuit may result, and allows for discussion of settlement strategies.

The City's Boards and Commissions may only hold an executive session for consultation with its attorney regarding pending litigation.

Ethics

Ethics are the foundation of good government. Louisville has adopted its own Code of Ethics, which is found in the City Charter and which applies to elected officials, public body members, and employees. The Louisville Code of Ethics applies in addition to any higher standards in state law. Louisville's position on ethics is perhaps best summarized in the following statement taken from the City Charter:

Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.

The City's Code of Ethics (Sections 5-6 through 5-17 of the Charter) is summarized in the following paragraphs. While the focus is to provide a general overview of the rules, it is important to note that all persons subject to the Code of Ethics must strive to follow both the letter and the spirit of the Code, so as to avoid not only actual violations, but public perceptions of violations. Indeed, perceptions of violations can have the same negative impact on public trust as actual violations.

Conflicts of Interest

One of the most common ethical rules visited in the local government arena is the "conflict of interest rule." While some technical aspects of the rule are discussed below, the general rule under the Code of Ethics is that if a Council, Board, or Commission member has an "interest" that will be affected by his or her "official action," then there is a conflict of interest and the member must:

- Disclose the conflict, on the record and with particularity;
- Not participate in the discussion;
- Leave the room; and
- Not attempt to influence others.

An "interest" is a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss. However, an "interest" does not include any matter conferring similar benefits on all property or persons similarly situated. (Therefore, a City Council member is not prohibited from voting on a sales tax increase or decrease if the member's only interest is that he or she, like other residents, will be subject to the higher or lower tax.) Additionally, an "interest" does not include a stock interest of less than one percent of the company's outstanding shares.

The Code of Ethics extends the concept of prohibited interest to persons or entities with whom the member is associated. In particular, an interest of the following persons and entities is also an interest of the member: relatives (including persons related by blood or marriage to certain degrees, and others); a business in which the member is an officer, director, employee, partner, principal, member, or owner; and a business in which member owns more than one percent of outstanding shares.

The concept of an interest in a business applies to profit and nonprofit corporations, and applies in situations in which the official action would affect a business competitor. Additionally, an interest is deemed to continue for one year after the interest has ceased. Finally, "official action" for purposes of the conflict of interest rule, includes not only legislative actions, but also administrative actions and "quasi-judicial" proceedings where the entity is acting like a judge in applying rules to the specific

rights of individuals (such as a variance request or liquor license). Thus, the conflict rules apply essentially to all types of actions a member may take.

Conflicts

In addition to its purchasing policies and other rules intended to secure contracts that are in the best interest of the City, the Code of Ethics prohibits various actions regarding contracts. For example, no public body member who has decision-making authority or influence over a City contract can have an interest in the contract, unless the member has complied with the disclosure and recusal rules. Further, members are not to appear before the City on behalf of other entities that hold a City contract, nor are they to solicit or accept employment from a contracting entity if it is related to the member's action on a contract with that entity.

Gifts and Nepotism

The Code of Ethics, as well as state law, regulates the receipt of gifts. City officials and employees may not solicit or accept a present or future gift, favor, discount, service or other thing of value from a party to a City contract, or from a person seeking to influence an official action. There is an exception for the "occasional nonpecuniary gift" of \$15 or less, but this exception does not apply if the gift, no matter how small, may be associated with the official's or employee's official action, whether concerning a contract or some other matter. The gift ban also extends to independent contractors who may exercise official actions on behalf of the City.

The Code of Ethics also prohibits common forms of nepotism. For example, no officer, public body member, or employee shall be responsible for employment matters concerning a relative. Nor can they influence compensation paid to a relative, and a relative of a current officer, public body member or employee cannot be hired unless certain personnel rules are followed.

Other Ethics Rules of Interest

Like state law, Louisville's Code of Ethics prohibits the use of non-public information for personal or private gain. It also prohibits acts of advantage or

favoritism and, in that regard, prohibits special considerations, use of employee time for personal or private reasons, and use of City vehicles or equipment, except in same manner as available to any other person (or in manner that will substantially benefit City). The City also has a "revolving door" rule that prohibits elected officials from becoming City employees either during their time in office or for two years after leaving office. These and other rules of conduct are found in Section 5-9 of the Code of Ethics.

Disclosure, Enforcement, and Advisory Opinions

The Code of Ethics requires that those holding or running for City Council file a financial disclosure statement with the City Clerk. The statement must include, among other information, the person's employer and occupation, sources of income, and a list of business and property holdings.

The Code of Ethics provides fair and certain procedures for its enforcement. Complaints of violations may be filed with the City prosecutor; the complaint must be a detailed written and verified statement. If the complaint is against an elected or appointed official, it is forwarded to an independent judge who appoints a special, independent prosecutor for purposes of investigation and appropriate action. If against an employee, the City prosecutor will investigate the complaint and take appropriate action. In all cases, the person who is subject to the complaint is given the opportunity to provide information concerning the complaint.

Finally, the Code allows persons who are subject to the Code to request an advisory opinion if they are uncertain as to applicability of the Code to a particular situation, or as to the definition of terms used in the Code. Such requests are handled by an advisory judge, selected from a panel of independent, disinterested judges who have agreed to provide their services. This device allows persons who are subject to the Code to resolve uncertainty before acting, so that a proper course of conduct may be identified. Any person who requests and acts in accordance with an advisory opinion issued by an advisory judge is not subject to City penalty, unless material facts were omitted or misstated in the request. Advisory opinions are posted for public

inspection; the advisory judge may order a delay in posting if the judge determines the delay is in the City's best interest.

Citizens are encouraged to contact the City Clerk's Office with any questions about the City's Code of Ethics or to request a copy. A copy of the Code is also available at the City's website (www.LouisvilleCO.gov).

Other Laws on Citizen Participation in Government

Preceding sections of this pamphlet describe Louisville's practices intended to further citizen participation in government. Those practices are intended to further dissemination of information and participation in the governing process. Some other laws of interest regarding citizen participation include:

Initiative and Referendum

The right to petition for municipal legislation is reserved to the citizens by the Colorado Constitution and the City Charter. An initiative is a petition for legislation brought directly by the citizens; a referendum is a petition brought by the citizens to refer to the voters a piece of legislation that has been approved by the City Council. In addition to these two petitioning procedures, the City Council may refer matters directly to the voters in the absence of any petition. Initiative and referendum petitions must concern municipal legislation—as opposed to administrative or other non-legislative matters. By law the City Clerk is the official responsible for many of the activities related to a petition process, such as approval of the petition forms, review of the signed petitions, and consideration of protests and other matters. There are minimum signature requirements for petitions to be moved to the ballot; in Louisville, an initiative petition must be signed by at least five percent of the total number of registered electors. A referendum petition must be signed by at least two and one-half percent of the registered electors.

Public Hearings

In addition to the opportunity afforded at each regular City Council meeting to comment on items not on the agenda, most City Council actions provide opportunity for public comment through a public hearing process. For example, the City Charter provides that a public hearing shall be held on every ordinance before its adoption. This includes opportunities for public comment prior to initial City Council discussion of the ordinance, as well as after Council's initial discussion but before action. Many actions of the City are required to be taken by ordinance, and thus this device allows for citizen public hearing comments on matters ranging from zoning ordinances to ordinances establishing offenses that are subject to enforcement through the municipal court.

Additionally, federal, state, and/or local law requires a public hearing on a number of matters irrespective of whether an ordinance is involved. For example, a public hearing is held on the City budget, the City Comprehensive Plan and similar plans, and a variety of site-specific or person-specific activities, such as annexations of land into the city, rezonings, special use permits, variances, and new liquor licenses. Anyone may provide comments during these hearings.

Public Records

Access to public records is an important aspect of citizen participation in government. Louisville follows the Colorado Open Records Act (CORA) and the additional public records provisions in the City Charter. In particular, the Charter promotes the liberal construction of public records law, so as to promote the prompt disclosure of City records to citizens at no cost or no greater cost than the actual costs to the City.

The City Clerk is the custodian of the City's public records, except for police records which are handled by the Police Department. The City maintains a public policy on access to public records, which includes a records request form, a statement of fees, and other guidelines. No fee is charged for the inspection of records or for locating or making records available for copying, except in cases of voluminous requests or dated records, or when the

time spent in locating records exceeds two hours. No fees are charged for the first 25 copies requested or for electronic records.

Many records, particularly those related to agenda items for City Council and current Board and Commission meetings, are available directly on the City's website (www.LouisvilleCO.gov). In addition to posting agenda-related material, the City maintains a communication file (email) for the City Council which is available on the City's website (www.LouisvilleCO.gov).

CORA lists the categories of public records that are not generally open to public inspection. These include, for example, certain personnel records and information, financial and other information about users of City facilities, privileged information, medical records, letters of reference, and other items listed in detail in CORA. When public records are not made available, the custodian will specifically advise the requestor of the reason.

Citizens are encouraged to review the City's website (www.LouisvilleCo.gov) for information, and to contact the City with any questions regarding City records.

Public Involvement Policy

Public participation is an essential element of the City's representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

Guiding Principles for Public Involvement

Inclusive not Exclusive - Everyone's participation is welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.

Voluntary Participation - The process will seek the support of those participants willing to invest the time necessary to make it work.

Purpose Driven - The process will be clearly linked to when and how decisions are made. These links will be communicated to participants.

Time, Financial and Legal Constraints - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.

Communication - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.

Adaptability - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.

Access to Information - The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.

Access to Decision Making - The process will give participants the opportunity to influence decision making.

Respect for Diverse Interests - The process will foster respect for the diverse values, interests and knowledge of those involved.

Accountability - The process will reflect that participants are accountable to both their constituents and to the success of the process.

Evaluation - The success and results of the process will be measured and evaluated.

Roles and Responsibilities - City Council

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

Roles and Responsibilities - City Staff and Advisory Boards

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure the Guiding Principles direct their work. In addition to the Guiding Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- fostering long-term relationships based on respect and trust in all public involvement activities;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

All Participants

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively,
- offering ideas, suggestions and alternatives;
- listening carefully and actively considering everyone's perspectives;

- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

Updated December 2023

This pamphlet is prepared pursuant to the Home Rule Charter of the City of Louisville.

This is a compilation of Articles 4 and 5 of the Charter of the City of Louisville and is available at all times in the City Clerk's Office, 749 Main Street, Louisville, Colorado, and on the City's web site at www.LouisvilleCO.gov.

This pamphlet is also provided to every member of a public body (board or commission) at that body's first meeting each year.



BOARD & COMMISSION

RULES OF PROCEDURE

Adopted November 6, 2023 – by Resolution No. 66, Series 2023

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RULES OF PROCEDURE FOR THE BOARDS AND COMMISSIONS OF LOUISVILLE, COLORADO

I. DEFINITIONS

“Advisory Board” means all of the following boards which are tasked with giving advice to the City Council as specified in their formation documents:

- Arts & Culture Advisory Board
- Historical Museum Advisory Board
- Library Board of Trustees
- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

“Charter” means the [Home Rule Charter of the City of Louisville, Colorado](#).

“Chair” means the member of the Board who presides over a meeting subject to Rule VII.B below.

“City” means the City of Louisville, Colorado.

“Code” means the Louisville Municipal Code.

“Board” means any of the following bodies:

- Arts & Culture Advisory Board
- Board of Adjustment
- Building Code Board of Appeals
- Historic Preservation Commission
- Historical Museum Advisory Board
- Library Board of Trustees
- Local Licensing Authority
- Open Space Advisory Board
- Parks & Public Landscaping Advisory Board
- Planning Commission
- Recreation Advisory Board
- Revitalization Commission
- Sustainability Advisory Board
- Youth Advisory Board

“Board Member” means each member of a City board.

“Electronic Participation” means attendance at a meeting by computer, telephone, or other electronic means.

“Entire Board” means all current members of a board.

“Member of the Board” means each board member.

“Quasi-Judicial Board” means any of the following boards which have specific legal decision-making authority under the Charter or Code:

- Board of Adjustment
- Building Code Board of Appeals
- Historic Preservation Commission
- Local Licensing Authority
- Planning Commission

“Rules” means the Board & Commission Rules of Procedure.

“Staff Liaison” means the City staff member assigned by the City Manager to assist the board and to ensure all rules and regulations are met.

II. AUTHORITY

The following Rules shall be in effect upon their adoption by the City Council until such time as they are amended or new Rules adopted.

In order to efficiently and effectively complete City business facing a Board, all meetings must be conducted in an orderly and respectful manner. These Rules are intended to provide guidelines for the procedures to be followed for the conduct of all Board meetings.

If any Rule, on its face or as applied, conflicts with applicable provisions of the [Home Rule Charter of the City of Louisville](#) or ordinances, those provisions shall apply and that Rule shall not. Nothing herein shall prevent a Board from adopting its own rules of procedure specific to its roles and responsibilities so long as they do not conflict with these Rules.

III. MEETING CIVILITY

- A. CIVILITY AMONG MEMBERS OF THE BOARD: The Board shall preserve reasonable order and decorum and confine members of the public to discussion of the questions under consideration.

During Board meetings, members shall preserve reasonable order and decorum and shall not delay or interrupt the proceedings or refuse to obey

the order of the Chair or the Rules. Every member of the Board desiring to speak shall address the Chair, and upon recognition by the Chair, shall confine themselves to the questions under debate. Once recognized, no member of the Board shall be interrupted while speaking unless called to order by the Chair or unless a point of order is raised by another member.

- B. MEMBERS OF THE PUBLIC: Members of the public desiring to address the Board on any item on the agenda shall be recognized by the Chair, state their names, and are requested to state their place of residence (by city, town, or county of residence). Each member of the public shall speak in an audible tone for the record.

IV. **GENERAL RULES**

- A. LOCATION: All in-person Board meetings shall take place in a public building that is accessible to members of the public, with or without reasonable accommodation in accordance with applicable law.
- B. OPEN TO THE PUBLIC: All meetings, including those conducted by Electronic Participation pursuant to Section V.F, shall be open to the public. A Board may conduct executive sessions only in accordance with the Charter, Code, and applicable provisions of the Colorado Open Meetings Law.
- C. MEETING NOTICE: Notice for all meetings sessions shall be given as required by the Charter and as set by administrative rule. At the first regular meeting of every year, each Board shall designate the locations for posting of notices of its meetings.
- D. MINUTES: Minutes of each regular and special meeting shall be taken and retained permanently in the records of the City.
- E. QUORUM: A quorum is needed for the transaction of business at each meeting of a Board. A quorum shall be defined as a majority of the members of the Board holding office at the time of the meeting.
- F. ABSENCES: No member of the Board shall miss more than twenty-five percent (25%) of regular Board meetings during any calendar year. Missing more than twenty-five percent (25%) of meetings shall be cause for removal.
- G. APPLICABILITY OF THE OPEN GOVERNMENT POLICIES AND CODE OF ETHICS: Each member of the Board shall adhere to the City's Open

Government Rules and the Code of Ethics (Charter Section 5-6).

- H. DISCLOSURE OF INTEREST AND RECUSAL: Any member of the Board who has an interest in, or whose interest would be affected by, any proposed official action before the Board shall immediately and publicly disclose the nature and extent of the interest; shall not participate in any discussion or decision concerning the proposed action; shall not attempt to publicly or privately influence the Board, any public body, or any employee in connection with the action; and shall leave the room where the discussion or decision is taking place during the time the proposed action is being discussed and the decision is being made.
- I. CHAIR: The Chair is the member of the Board who presides over a Board meeting and shall do so according to these Rules and applicable law. The Chair serves as Chair of all Board meetings at which the Chair is present. In the Chair's absence, the Vice-Chair will serve as Chair. In the absence of the Chair and Vice-Chair, Board members will appoint one member to act as Chair for that meeting.

V. MEETINGS

- A. REGULAR MEETINGS: Each Board shall set a regular meeting schedule at the first meeting of each year identifying the date, time, and location of meetings.
- B. COMMITTEE MEETINGS: A committee meeting may be called if it can be properly noticed a minimum of 72 hours in advance. Committee meetings must meet all the same rules as a regular meeting.
- C. EXECUTIVE SESSIONS: A board may hold an executive session only for pending litigation and only with the City Attorney present.
- D. RESCHEDULING: A Board may reschedule meetings for dates and times outside its annual meeting schedule to avoid holidays, elections, and other matters, to achieve a quorum, or to allow for additional time for a meeting. To reschedule such meetings, the Board first must provide notice and approve of the proposal to reschedule.
- E. CANCELLATION: Any scheduled meeting may be cancelled by members or the Staff Liaison in the event there are no items for the board to discuss or in the event unforeseen emergent conditions exist which make conduct of the meeting impractical (for example, in the case of power outage) or travel to the meeting unduly hazardous (for example, in the case of blizzard conditions).

- F. **ELECTRONIC PARTICIPATION:** When it is feasible, an electronic attendance option shall be available for Board members, applicants, and members of the public including for quasi-judicial hearings. If it is not feasible due to technological or other reasons, the in person meeting shall continue if a quorum is present.
1. All meetings that have a remote attendance option will note that on the agenda and include information on the agenda about how to join the meeting electronically.
 2. Board members and members of the public attending electronically shall participate in the meeting under the same rules as those in the room.
 3. Public hearings on quasi-judicial matters may be taken during a meeting with Electronic Participation.
- G. **FULLY REMOTE MEETINGS:** The Staff Liaison with input from the board members may, in their discretion, change board meetings to a fully remote setting if needed. If a fully remote meeting is scheduled, it must be properly noticed as such and public access options must be provided on the meeting agenda.

VI. CHAIR AND VICE-CHAIR

- A. Each Board will elect a Chair and Vice-Chair at the first meeting of the year. The City recommends the Chair and Vice-Chair be rotated among Board members each year.
- B. The Chair shall preside over meetings of the Board when present and able to perform these responsibilities. The Chair shall have the same voting powers as any Board member.
- C. The Vice-Chair shall assume the duties of Chair when the Chair is absent or otherwise unable to perform the responsibilities of Chair.
- D. In the absence of the Chair and Vice-Chair, Board members will appoint one member to act as Chair for that meeting.

VII. MEETING PROCEDURE

A. PREAMBLE

1. A bedrock principle of a representative democracy is notice of impending governmental action and an opportunity for members of the public and their representatives to be heard. Principles of good government include deep respect for citizens; prudent stewardship of public resources, including the time of its citizens, staff members and appointed officials; direction that is clear and decisive; and decision making that is reasonably consistent, equitable, flexible, and transparent.
2. Through the application of these Rules, the City intends to ensure that it balances the principles described in the previous section in a way that ensures robust debate and accountability of City government to its residents. To that end, these procedures are not meant to be employed for the purpose of unreasonable rigidity, surprise, suppression of competing views, or needless prolonging of action.

B. CHAIR'S DISCRETION & RIGHT OF APPEAL The Chair shall have reasonable discretion in the application of these procedures subject to section XI.A.

C. AGENDAS: Each board will have a formal agenda for each meeting. The agenda will be set by staff for quasi-judicial boards and set by the chair in conjunction with the staff liaison for advisory boards. Each agenda will be posted as required prior to the meeting. Items cannot be added to the agenda at the meeting.

D. PUBLIC COMMENTS AT MEETINGS: All Board meetings, including Committee meetings, shall be open to the public. Members of the public shall have a reasonable opportunity to be heard at Board meetings.

The following provisions apply to any section of the agenda where public comments are allowed.

1. Members of the public desiring to address the Board on any item on the agenda shall be recognized by the Chair, state their name, and are requested to state their place of residence (by city, town, or county of residence).

2. Each board will have a section on its agenda for “Public Comments on Items Not on the Agenda.” Each speaker shall be limited to three (3) minutes.
 3. Each Board will permit public comment on any item at the time such item is being discussed by the Board. Each speaker shall be limited to three (3) minutes.
 4. Multiple citizens may designate someone to speak for them and aggregate their three-minute limit time up to a maximum of six (6) minutes of speaking time for their designated spokesperson. Those pooling their time must be physically present, identify themselves, and designate their spokesperson. A designated spokesperson may not speak for more than one group.
 5. The Chair, the Staff Liaison, or a designated board member shall enforce compliance with the time limits, and time shall be kept on a public comment clock.
- E. **WRITTEN COMMUNICATIONS:** Interested parties, or their authorized representatives, may address the Board by submitting written communication concerning any matter on the Board agenda. Such a written communication may be submitted by electronic mail or by addressing the communication to the Staff Liaison who will distribute copies to the Board. The communication will be entered into the record without the necessity of reading. A copy of the communication shall be posted at the meeting for the public to review. Anonymous written communications will not be accepted into the record.
- F. **VOTING:** For a motion to pass it requires the affirmative vote of a majority of the members of the Board present.

VIII. EXPECTATIONS OF STAFF LIAISON

A. COMMUNICATION:

1. The Staff Liaison will provide Board members with direct, open, and transparent communication about city priorities, projects, and budget.
2. The Staff Liaison will act as the conduit of information from the Board to City Council and from City Council to the board.
3. The Staff Liaison will respond to emails, phone calls, and text messages from Board members within two (2) business days and will

communicate with the Board members if a response will take more than two (2) business days.

B. **ADVOCACY:** The Staff Liaison will advocate ideas to City staff and leadership on the Board's behalf. The Staff Liaison will advocate for budget requests and CIP requests from the Board through the City's established budget process.

C. **MEETINGS:**

1. The Staff Liaison with input from the Board chair will create and publish meeting agendas and packets in accordance with bylaws, rules, and schedule established by the City Clerk's Office.
2. The Staff Liaison will work with the Chair to ensure meetings are concise and do not run exceedingly long and to ensure the discussion is limited to those items on the agenda.
3. The Staff Liaison will attend all meetings, to the best of their ability. If the Staff Liaison cannot attend a Board meeting, an alternate staff liaison will be appointed and the Chair will be notified in advance.

D. **COLLABORATION:**

1. The Staff Liaison will include Board members, when appropriate, in relevant projects and planning processes.
2. The Staff Liaison will include Board members on relevant communications, when appropriate, with outside organizations and individuals.

IX. EXPECTATIONS OF BOARD MEMBERS

A. **COMMUNICATION:**

1. There will be open and consistent communication between Board members and the Staff Liaison.
2. Board members will not speak on behalf of the Board unless specifically appointed to do so by the Board. Board members will include the Staff Liaison on all communications with outside organizations.

3. The Staff Liaison is the point of contact for all City operations related to the Board. The Staff Liaison will bring in any additional City staff as necessary for Board projects.
4. The Staff Liaison or the City's Communications Division will create all memos, marketing, and outreach materials for the Board. Board members shall not use City logos or letterhead without City approval.
5. Board members shall not create social media accounts on behalf of the Board or speak on social media on behalf of the Board or City.
6. Board members will only contact their Staff Liaison through a dedicated City email address, office phone, or cell phone (including texting) and will not contact the Staff Liaison through their personal emails, social media, or personal cell phones.

B. ADVOCACY:

1. Board members will go through proper channels when advocating for Board projects.
2. Board members will adhere to all regulations of the Fair Campaign Practices Act as they relate to City elections.

C. MEETINGS:

1. Board members will attend all meetings, to the best of their ability. If a Board member cannot attend a meeting, the member will send communication via email to the Staff Liaison with as much advance notice as possible.
2. If a Board member would like an item on an agenda, the member will reach out in advance to the Staff Liaison and the Chair. Topics not included on the agenda may not be discussed at a meeting per the City Charter.
3. Board members will meet all packet deadlines as established by the Staff Liaison and the City Clerk's Office. Items that are late may be postponed to a later meeting.

X. QUASI-JUDICIAL ACTIONS

A. PROCESS:

1. Quasi-judicial decisions are a determination of the rights, duties or obligations of a specific individual or entity. Board members making quasi-judicial decisions must do so based on the facts developed at a public hearing and through the application of presently existing legal standards of policy considerations of the facts.
2. Legally reversible decisions are almost always based on a lack of due process or procedural irregularities

B. DUE PROCESS: A quasi-judicial public hearing must include property public notice, a meaningful opportunity for interested parties to be heard, and basic fairness in procedure.

C. PREPARATION: Board members will review the meeting packet prepared by staff, understand the scope of the hearing, and be familiar with the relevant decision criteria in a case. Board members must act as impartial decision makers

D. EX PARTE CONVERSATIONS: Board members will not speak with one side or the other before or outside of the hearing process. This includes via email. Board members will disclose any unavoidable “ex parte” conversations and participate only if they are sure they can still make an unbiased decision.

E. CONDUCTING THE HEARING: Follow uniform/consistent steps for all hearings.

- Introduce Item
- Call for Disclosures
- Open Public Hearing
- Staff Report
- Applicant Presentation
- Public Comment
- Questions by Board members
- Close Public Hearing
- Deliberations
- Action

Once a hearing is closed the Board will not re-open it to hear only certain individuals, if a hearing is re-opened anyone who has not already spoken

may have the opportunity to speak.

If the Board holds and closes a hearing at one meeting and deliberates at the next, the Board cannot reopen the hearing without providing additional notice.

F. MAKING THE DECISION

1. Board members shall not make their decision on the basis of irrelevant criteria. Board members shall not base a decision on things a member “knows” but did not “learn” at the hearing. Board members will not participate in the decision if they cannot be fair and unbiased.
2. A Board members shall not participate in the decision if they did not participate in the entire hearing.

If a public hearing is opened and then continued to a later meeting, a member who missed the first meeting may review the video and all materials from the first meeting and then participate in the next one. This should be disclosed at the hearing.

3. Board members should ask for staff advice if they are unsure of the decision they are being asked to make or if they are unsure of the applicable legal criteria.
4. If appropriate, a Board may make a tentative decision and direct staff to prepare a draft written decision.

XI. PARLIAMENTARY PROCEDURE

- A. POINTS OF ORDER: The Chair shall determine all points of order, subject to the rights of any member of the Board to appeal to the Board, in which case the point of order shall be resolved by vote of a majority of the members of Board present.
- B. RIGHT OF THE FLOOR: Any member of the Board desiring to speak shall be recognized by the Chair.
- C. MOTIONS: Motions may be made by any member of the Board, including the Chair, provided that before the Chair offers a motion, the opportunity for making a motion should be offered to other members of the Board. Any member of the Board, other than the person offering the motion, may second a motion.

D. PROCEDURES FOR MOTIONS: The following is the general procedure for making motions:

1. Before a motion can be considered or debated it must be seconded; however, no action taken shall be invalidated simply because a motion was not properly made, seconded or recorded.
2. Once the matter has been discussed and the Chair calls for a vote, no further discussion will be allowed; provided, however, that members of the Board may be allowed to explain their votes.

E. DISCUSSION: Board members shall confine themselves to the question under discussion. All discussion must be germane to the agenda item.

F. MOTION TO END DEBATE: Any member of the Board may make a motion to end debate (also known as “calling the question”). If such a motion is made and seconded, the Chair shall immediately call for a vote on the motion. If the motion is not approved by 2/3 of the members of the Board present and voting, the Chair shall allow for debate to continue. If the motion is approved, the Chair shall call for a motion on the matter under consideration.

G. ALL MEMBERS MAY SPEAK: Each member of the Board shall have the right to speak and ask questions prior to a vote.

H. AFTER VOTING: Once a vote has been taken on a motion, there shall be no further discussion on that motion unless a motion to reconsider is properly made, seconded, and adopted.

XII. REMOVAL FROM BOARD

(City Council Resolutions No. 16, Series 2009 & No. 59, Series 2016)

A. The City Council greatly appreciates the contributions made by City residents who volunteer their time to serve on the City’s various boards and commissions. In order to help encourage citizens to volunteer and to promote an environment in which participation is productive and rewarding, the Council expects all board and commission members to work in a cooperative, constructive and civil manner.

B. To help maintain this environment the City Council has established that, during the term of office, a board member shall be removed only for cause. Cause shall include but not be limited to:

1. Violation of city or state ethics laws;

2. Conviction of a felony or of any other crime involving moral turpitude;
3. Absence from more than 25 percent of the regular meetings in any 12-month period;
4. Inefficiency, neglect of duty or malfeasance in office;
5. Knowing violation of any statute, ordinance, resolution, rule, policy or bylaw applicable to the board or commission;
6. Physical or mental disability rendering the board or commission member unable to perform his or her duties;
7. Knowing disclosure of confidential information, which is defined to mean information which is not available to the general public under applicable laws, ordinances and regulations, and which is obtained by reason of the board or commission member's position with the City;
8. Failure to maintain the qualifications of a board or commission member for the board or commission on which the member serves;
9. Behaving in a harassing, hostile, threatening or otherwise inappropriate manner, or unreasonably disrupting or interfering with the conduct of any meeting of a board or commission; or
10. Other grounds constituting cause as established by law.

C. The procedure for removal of a member of a City board or commission shall be as follows:

1. Any person who believes that there is cause to remove a member of a City board or commission as provided above shall present the evidence of such cause to the City Manager.
2. The City Manager (or their designee) shall review the evidence presented and conduct additional investigations as the City Manager deems necessary. If the City Manager determines there is sufficient evidence supporting further action, the City Manager shall contact the board or commission member who is the subject of the allegation, outline the allegation against the member and provide the member with an opportunity to respond to the allegation. After considering all information received, the City Manager shall make a

determination as to whether removal or other action is warranted.

3. If the City Manager determines there are grounds for removal, the City Manager shall present a proposed resolution for removal to the City Council for its consideration and action. The member shall be provided written notice of the grounds for removal and the time and place of the City Council's consideration of the matter, at which time the member may address the City Council regarding the grounds for removal. Removal of a member shall require the affirmative vote of a majority of the entire City Council.
4. A member may resign from a board or commission at any time by providing a written resignation letter to the Mayor or City Manager. A resignation is effective upon submission or such later date as stated in the resignation letter, without requirement for acceptance thereof.

Planning Commission

2024 Public Posting Locations for Agendas

Louisville City Hall, 749 Main Street

Louisville Public Library, 951 Spruce Street

Louisville Police Department, 992 West Via Appia Way

Louisville Recreation Center, 900 West Via Appia Way

City of Louisville Website: www.louisvilleco.gov

Planning Commission

2024 Planned Meeting Dates

The following are the planned dates for Planning Commission meetings in 2024 on the second Thursday of each month at 6:30 p.m. The Planning Commission chair may make modifications to these dates or call special meetings.

February 8
March 14
April 11
May 9
June 13
July 11
August 8
September 12
October 10
November 14
December 12

- ITEM:** LMCA-000498-2023 – Zoning Ordinance Amendment, Electric Vehicle Charging Update
- PLANNER:** Rob Zuccaro, AICP, Community Development Director
- REQUEST:** Approval of Resolution 21, Series 2024 recommending to the City Council approval of an ordinance amending Louisville Municipal Code Section 17.20.170 - Electric Vehicle Charging Infrastructure

SUMMARY:

Attached for recommendation to the City Council is a draft ordinance that updates the City’s standards for Electric Vehicle Charging Infrastructure that must be installed with new development. The update is intended to align with the standards set forth in the Colorado Model Electric and Solar Ready Code, published by the Colorado Energy Office.

BACKGROUND:

The City adopted Ordinance No. 1816, Series 2021 on October 19, 2021, which established Electric Vehicle (EV) Charging Infrastructure requirements for all new residential and commercial developments in the City and additions that add 25% or more new building area to an existing development. The standards established categories for *EV Installed*, *Capable* and *Ready* parking spaces. An *EV Installed* parking space is a fully functional charging station. An *EV Ready* parking space is wired for a charging station but does not have the charger installed. An *EV Capable* parking space has a conduit for a future wiring and space reserved in the electrical service panel to install future wiring and a charger. The City based the number of spaces required on a review of similar ordinances from other jurisdictions and anticipated demand by use. The table in Table 1 below summarized the number of spaces required by use.

In 2021 and 2022, the City also adopted a series of building code amendments to improve energy efficiency in new development and redevelopments. This included adoption of the 2021 International Energy Conservation Code, with amendments, requirements for all new commercial development to incorporate all-electric water and space heating systems as a way to limit the use of fossil fuels, and a requirement for certain commercial and multi-family developments to meet minimum *Energy Use Intensity* (EUI) ratings.

Following the adoption of each of these ordinances, the City Council asked City staff to conduct additional outreach to businesses, commercial property owners and developers to address concerns over feasibility of implementing certain parts of these new ordinances. The City held a public open house in August of 2023 to review the codes and gather input. Included in the input from this open house was that the City consider aligning its EV charging infrastructure standards with the Colorado Model Electric and

Solar Read Code, which the Colorado Energy Office adopted June 1, 2023. This new model code has less stringent standards than what the City has adopted.

Table 1: EV Charging Standards Established by Ordinance No. 1816, Series 2021

	EV Installed	EV- Ready	EV Capable
Residential Uses			
Single-Family unit		1 space	1 space
Multi-Family unit, with dedicated parking spaces or garages		1 space	1 space
Tier 1			
Multi-Family, without dedicated parking spaces or garages			
Hotel, Motel, Extended Stay Lodging Facility	10% of spaces	10% of spaces	50% of spaces
Tier 2 – Employment oriented uses			
Business and Professional Offices			
General research facilities, light industrial facilities including manufacturing, assembly, warehouse and fabrication	7% of spaces	10% of spaces	15% of spaces
Hospital			
Tier 3 – Service and Sales oriented uses			
Private and public recreational and social facilities, membership clubs, lodges, and fraternal organizations			
Religious institution			
Commercial amusement, indoor and outdoor	5% of spaces	10% of spaces	10% of spaces
Schools, including public, private, vocational or business			
Restaurant			
Retail			
Personal service			
Medical and dental clinics			

PROPOSAL:

The proposed ordinance update would combine use types into three categories: commercial, multifamily residential (commercial R-2 occupancies), and other residential uses. A new category of *EV Capable Light* parking spaces is added. This category only requires a conduit from the electrical panel to the parking space for future upgrades, but does not require electrical panel capacity for the circuit. The number of required *EV Installed*, *Ready* and *Capable* parking spaces would all be reduced under the proposal from the current ordinance for commercial and multifamily development. The number of required spaces for other residential development would remain the

same as the current ordinance. Table 2 below provides a summary of the proposed number of EV charging spaces.

Table 2: Proposed Revised EV Charging Standards

Building Type	EVSE Installed Space	EV Ready Space	EV Capable Space	EV Capable Light Space
Commercial Buildings: Non R-2 Occupancies				
With 10 or less parking spaces	0	2 spaces	0	0
With greater than parking spaces	2% of spaces	8% of spaces	10% of spaces	10% of spaces
Commercial Buildings: R-2 Occupancies				
With 10 or less parking spaces	0	15% of spaces	10% of spaces	10% of spaces
With greater than 10 parking spaces	5% of spaces	15% of spaces	10% of spaces	30% of spaces
Residential Buildings				
Per Dwelling	0	1 space	1 space	0

The proposal also adds definitions to the zoning code (LMC Title 17) that currently only exist in the building code (LMC Title 15) for ease of reference. A definition for *EV Capable Light* space would also be added to the code. No other changes are proposed to the code, which would require installation of the minimum number of EV charging parking spaces for all new development and additions to existing developments that add 25% or more new building area.

ANALYSIS:

In a review of other local codes, the City’s existing EV Charging Infrastructure code is more stringent than some and less stringent than others. For example, Boulder County’s EV charging code requires a lower percent of EV Installed spaces for commercial development and does not require for EV Capable or Ready spaces (see Attachment 4). Lafayette’s code does require EV Capable and Ready spaces in addition to Installed Spaces, but with some categories at a higher percentage than the City’s existing code (see Attachment 5). Aligning with the Colorado Model Electric and Solar Ready Code is a way to provide more consistency and predictability for property developers, while still meeting the City’s goals to promote EV infrastructure.

PUBLIC COMMENTS:

No public comments have been submitted.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution XX, Series 2024 recommending approval of an ordinance amending Louisville Municipal Code Section 17.20.170 - Electric Vehicle Charging Infrastructure.

ATTACHMENTS:

1. Resolution 21, Series 2024
2. Draft Ordinance Amending Louisville Municipal Code Section 17.20.170 - Electric Vehicle Charging Infrastructure
3. Colorado Model Electric and Solar Ready Code
4. Boulder County Building Code Section K111.4, and R329
5. Lafayette Building Code Sections CD103, RD103, RD104, and RD105

**RESOLUTION NO. 1
SERIES 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING
LOUISVILLE MUNICIPAL CODE SECTION 17.20.170 - ELECTRIC VEHICLE
CHARGING INFRASTRUCTURE**

WHEREAS, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

WHEREAS, City of Louisville municipal code Title 17, Zoning, establishes standards for the development of land within the City, including standards for parking and energy efficient development; and

WHEREAS, by Ordinance No. 1816 adopted on October 19, 2021, the City Council amended the Zoning Code to require new construction include electric vehicle charging infrastructure; and

WHEREAS, the City of Louisville remains committed to its adopted goals to reduce energy consumption, increase clean energy sources, and support the transition to a low-carbon community as outlined in the Sustainability Action Plan and Resolution 25, Series 2019, "A Resolution Setting Clean Energy and Carbon Reduction Goals";

WHEREAS, the Planning Commission desires to amend the City's electric vehicle charging standards to better align with the Colorado Model Electric Ready and Solar Ready Code, published June 1, 2023 by the Colorado Energy Office; and

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of an ordinance amending Title 17 of the Louisville Municipal Code establishing a Concept Plan Review process

PASSED AND ADOPTED this 8th day of February, 2024.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Jeffrey Moline, Secretary
Planning Commission

ORDINANCE NO. _____, SERIES 2023

AN ORDINANCE AMENDING TITLE 17 OF THE LOUISVILLE MUNICIPAL CODE CONCERNING ELECTRIC VEHICLE CHARGING INFRASTRUCTURE

WHEREAS, the City of Louisville remains committed to its adopted goals to reduce energy consumption, increase clean energy sources, and support the transition to a low-carbon community as outlined in the Sustainability Action Plan and Resolution 25, Series 2019, “A Resolution Setting Clean Energy and Carbon Reduction Goals”; and

WHEREAS, the City Council desires to add requirements for solar readiness, electric vehicle charging infrastructure, and building electrification to build a more resilient building stock and support future building and transportation electrification efforts pursued by residents and businesses; and

WHEREAS, by Ordinance No. 1816 adopted on October 19, 2021, the City Council amended the Zoning Code to require new construction include electric vehicle charging infrastructure; and

WHEREAS, the City Council desires to amend the City’s electric vehicle charging standards to better align with the Colorado Model Electric Ready and Solar Ready Code, published June 1, 2023 by the Colorado Energy Office; and

WHEREAS, the Planning Commission, after property notice required by law, held a public hearing on this ordinance on _____ and provided a recommendation to the City Council on its adoption; and

WHEREAS, the City Council, after proper notice as required by law, has held a public hearing on this ordinance providing for the adoption of said code; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. Louisville Municipal Code Section 17.20.170. – Electric Vehicle Charging Infrastructure, is hereby amended as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 17.20.170. – Electric Vehicle Charging Infrastructure.

A. Purpose and Intent. The purpose and intent of this section is to facilitate and encourage the use of electric vehicles, to expedite the establishment of convenient and cost-effective electric vehicle infrastructure, and establish the minimum requirements for such infrastructure to serve both short and long-term parking needs.

B. Definitions. The following definitions shall apply to this Section:

Commercial Buildings, for this section, means commercial buildings and R-Occupancies that are covered by the International Building Code.

Electric Vehicle (EV) means a vehicle registered for on-road use, primarily powered by an electric motor that draws current from a rechargeable storage source that is charged by being plugged into an electrical current source.

Electric Vehicle Supply Equipment (EVSE) means the electrical conductors and associated equipment external to the electric vehicle that provide a connection between the premises wiring and the electric vehicle to provide electric vehicle charging.

Electric Vehicle (EV) Capable Space means a designated parking space that is provided with conduit sized and rated for a minimum 40-amp, 208/240-Volt dedicated branch circuit and shall be no less than 1" in size. Conduit must be continuous from the future or existing electrical panelboard or switchboard location(s) and end at a junction box or receptacle located within close proximity of the parking space. The electrical panel serving the parking space shall have sufficient capacity and physical space for a dual-pole, 40-amp breaker. The conduit shall be sealed at the junction or outlet box that is capped off, with the conduit sealed and the cap labeled as "For future electric vehicle charging."

Electric Vehicle (EV) Capable Light Space means a designated parking space that is provided with conduit sized and rated for a minimum 40-amp, 208/240-Volt dedicated branch circuit and shall be no less than 1" in size and has sufficient physical space adjacent to the existing electrical equipment for future electric upgrades.

Electric Vehicle (EV) Ready Space means a designated parking space that is provided with a dedicated branch circuit with wiring capable of supporting a minimum 40-ampere, 208/240-Volt circuit that terminates at a receptacle, plug, junction box, or an installed electric vehicle supply equipment within close proximity of the parking space. There shall be adequate reserved space in an electrical panelboard or switchboard to meet the electric vehicle requirements.

Electric Vehicle Supply Equipment (EVSE) Installed Space means a designated parking space with dedicated electric vehicle supply equipment capable of supplying a minimum 40-amp, dedicated circuit rated at 208/240 Volt from a building electrical panelboard.

Electric vehicle charging stations (EVCS) means a public or private parking space that is served by battery charging station equipment that has

as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric vehicle charging station – private restricted use means an electric vehicle charging station that is:

1. Privately owned and restricted access (e.g., single-family dwelling unit, executive parking, designated employee parking, assigned parking at multi-family residential building); or
2. Publicly owned and restricted (e.g., fleet parking with no access to the general public).

Electric vehicle charging station – public use means an electric vehicle charging station that is:

1. Publicly owned and publicly available (e.g., Park-n-ride, public library parking lot, Recreation and Senior Center lot, etc); or
2. Privately owned and available to visitors of the use (e.g., shopping center, hotel, office, etc.)

Electric vehicle parking space means any marked parking space that identifies the use to be exclusively for the parking of an electric vehicle.

Residential Buildings, for this section, means dwellings that are covered by the International Residential Code

C. Number of required electric vehicle charging stations. The following table sets forth the number of required charging stations for all new development or redevelopments as required in Chapter 15.18 of the Louisville Municipal Code. This list is not intended to be exhaustive of each use category, however is intended to establish general categories of use tiers. The Director of Planning and Building Safety shall determine the appropriate tier if the use is not identified in the table below.

1. Requirements will be rounded up to the nearest whole number.
2. Minimum electrical and hardware requirements for EVSE Installed, EV Ready, and EV Capable are set forth in Chapter 15.18 of the Louisville Municipal Code.

	EV Installed	EV- Ready	EV Capable
Residential Uses			
— Single-Family unit		1 space	1 space
— Multi-Family unit, with dedicated parking spaces or garages		1 space	1 space
Tier 1			
— Multi-Family, without dedicated parking spaces or garages	10% of spaces	10% of spaces	50% of spaces
— Hotel, Motel, Extended Stay Lodging Facility			
Tier 2 – Employment oriented uses			
— Business and Professional Offices	7% of spaces	10% of spaces	15% of spaces
— General research facilities, light industrial facilities including manufacturing, assembly, warehouse and fabrication			
— Hospital			
Tier 3 – Service and Sales oriented uses			
— Private and public recreational and social facilities, membership clubs, lodges, and fraternal organizations	5% of spaces	10% of spaces	10% of spaces
— Religious institution			
— Commercial amusement, indoor and outdoor			
— Schools, including public, private, vocational or business			
— Restaurant			
— Retail			
— Personal service			
— Medical and dental clinics			

Building Type	EVSE Installed Space	EV Ready Space	EV Capable Space	EV Capable Light Space
Commercial Buildings: Non R-2 Occupancies				
With 10 or less parking spaces	0	2 spaces	0	0
With greater than parking spaces	2% of spaces	8% of spaces	10% of spaces	10% of spaces
Commercial Buildings: R-2 Occupancies				

With 10 or less parking spaces	0	15% of spaces	10% of spaces	10% of spaces
With greater than 10 parking spaces	5% of spaces	15% of spaces	10% of spaces	30% of spaces
Residential Buildings				
Per Dwelling	0	1 space	1 space	0

D. Permitted locations.

1. EVCS are permitted in every zoning district when accessory to a principal permitted use. Such stations located a single-family and designated multi-family units shall be private restricted use only.

2. If the primary use of the parcel is the retail electric charging of vehicles, then the use shall be considered an automotive fueling station for zoning purposes. Installation shall be located in zone districts which permit this use.

E. General requirements.

1. Accessible spaces. A charging station will be considered accessible if it is located adjacent to, and can serve, an accessible parking space as defined and required by the ADA. It is not necessary to designate the EVSE exclusively for the use of vehicles parked in the accessible space.

2. EVCS – public use shall be subject to the following requirements.

a. The EVCSs shall be located in a manner that will be easily seen by the public for informational and security purposes.

b. The EVCSs shall be located in desirable and convenient parking locations will serve as an incentive for the use of electric vehicles.

c. The EVCSs must be operational during the normal business hours of the use(s) that it serves.

d. The EVSE shall be maintained in all respects, including the functioning of equipment. A phone number or other contact information shall be provided on the equipment for reporting problems with the equipment or access to it.

e. The property owner may collect a service fee for the use of EVSE.

Section 2. If any article, section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. The repeal or modification of any provision of any prior ordinance by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this _____ day of _____, 2023.

, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this _____ day
of _____, 2023.

, Mayor

ATTEST:

Meredyth Muth, City Clerk

DRAFT



COLORADO
Energy Office

Colorado Model Electric Ready and Solar Ready Code

Published: June 1, 2023



COLORADO
Department of Local Affairs

Chapter 1 Scope and Administration

SECTION 101 SCOPE AND GENERAL REQUIREMENTS.

101.1 Title. This code shall be known as the **Electric Ready and Solar Ready Code** of [NAME OF JURISDICTION], and shall be cited as such. It is referred to herein as “this code”.

101.2 Scope. This code applies to all buildings and dwelling units, and the buildings’ sites and associated systems and equipment.

101.3 Intent. This code shall regulate the design and construction of buildings to prepare new buildings for solar photovoltaic or solar thermal, electric vehicle charging infrastructure, and electrification of building systems. This code is intended to provide flexibility and balance upfront construction costs with the future cost to retrofit buildings to accommodate these systems. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes or ordinances.

101.4. Applicability. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern.

101.4.1 Residential Buildings. *Residential buildings* must comply with the Residential Chapters of this code.

101.4.2 Commercial Buildings. *Commercial buildings* must comply with the Commercial Chapters of this code.

SECTION 102 WAIVER AND VARIANCE.

102.1 Scope. The following waivers shall be permitted to be requested if buildings meet the following requirements.

102.1.1 Commercial Buildings Greater than 10,000 sq. ft. *Commercial buildings* that have a gross floor area greater than 10,000 sq. ft. shall be eligible to request

a partial waiver to the requirements of this code if they meet the requirements of Section **102.2**.

102.1.2 Buildings Impacted by a Natural Disaster. [NAME OF JURISDICTION] is permitted to authorize, upon appeal in specific cases, a waiver from the requirements of this code where, owing to a declared natural disaster that has destroyed buildings or resulted in other exceptional and extraordinary circumstances as determined by [NAME OF JURISDICTION], and [NAME OF JURISDICTION] determines enforcement of the provisions of this code will result in unnecessary hardship.

102.2 Substantial Cost Differential Waiver. [NAME OF JURISDICTION] shall be permitted to authorize, upon appeal, a waiver from the requirements of this code for an applicant that asserts that compliance with this code will result in a substantial cost differential. [NAME OF JURISDICTION], when authorizing such a waiver, shall be permitted to waive certain requirements of this code only until the cost differential for compliance with the remaining requirements reaches one percent or less. The burden of proof is upon the applicant to provide substantiation of a cost differential, such as quotes or other licensed design professional analyses as *approved* by [NAME OF JURISDICTION].

102.2.1 Substantial Cost Differential. For the purposes of Section **102.2**, “substantial cost differential” means costs incurred as a result of compliance with the requirements of this code would exceed one percent of total mechanical, electrical, and plumbing construction costs inclusive of materials and labor.

SECTION 103 CONSTRUCTION DOCUMENTS.

103.1 General. Construction documents and other supporting data shall be submitted in one or more sets, or in a digital format where allowed by the *code official*, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the *code official* is authorized to require necessary construction documents to be prepared by a registered design professional.

Exception: The *code official* is authorized to waive the requirements for construction documents or other supporting data if the *code official* determines they are not necessary to confirm compliance with this code.

103.2 Information on Construction Documents. Construction documents shall be drawn to scale on suitable material. Electronic media documents are permitted to be submitted where *approved* by the *code official*. Construction documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed, and show in sufficient detail pertinent data and features of the building, systems, and equipment as herein governed. Details shall include, but are not limited to, the following as applicable:

1. Location and size of the *solar-ready zone*.
2. Structural design loads of roof dead load and roof live load.
3. Pathways for routing of conduit from the *solar-ready zone* to the electrical service panel.
4. Number and location of *EV capable light spaces*.
5. Number and location of *EV capable spaces*.
6. Number and location of *EV ready spaces*.
7. Number and location of *EVSE installed spaces*.
8. Locations of conduit and termination points serving the aforementioned parking spaces.
9. Location for condensate drainage where *combustion equipment* for space heating and water heating is installed.

103.3 Examination of Documents. The *code official* shall examine or cause to be examined the accompanying documents and shall ascertain whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances. The *code official* is authorized to utilize a registered design professional, or other *approved* entity not affiliated with the building design or construction, in conducting the review of the plans and specifications for compliance with the code.

103.3.1 Approval of Construction Documents. When the *code official* issues a permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "Reviewed for Code

Compliance". Such *approved* construction documents shall not be changed, modified, or altered without authorization from the *code official*. Work shall be done in accordance with the *approved* construction documents.

One set of "Reviewed for Code Compliance" construction documents shall be retained by the *code official*. The other set shall be returned to the applicant, kept at the site of work, and shall be open to inspection by the *code official* or a duly authorized representative.

103.3.2 Previous Approvals. This code shall not require changes in the construction documents, construction, or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned; except that the *code official* is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each.

103.3.3 Phased Approval. The *code official* shall have the authority to issue a permit for the construction of part of a solar ready, EV ready, or electric ready installation before the construction documents for the entire system have been submitted or *approved*, provided that adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire solar ready, EV ready, or electric ready installation will be granted.

103.4 Amended Construction Documents. Changes made during construction that are not in compliance with the *approved* construction documents shall be resubmitted for approval as an amended set of construction documents.

103.5 Retention of Construction Documents. One set of *approved* construction documents shall be retained by the *code official* for a period of not less than 180 days from the date of completion of the permitted work, or as required by state or local laws.

103.6 Building Documentation and Closeout Submittal Requirements. The construction documents shall specify that the documents described in this section be

provided to the building owner or owner's authorized agent within 90 days of the date of receipt of the certificate of occupancy.

Exception: *Residential buildings.*

103.6.1 Record Documents. Construction documents shall be updated to convey a record of the completed work. Such updates shall include mechanical, electrical, and control drawings that indicate all changes to size, type, and location of components, equipment, and assemblies.

103.6.2 Compliance Documentation. Compliance documentation and supporting calculations shall be delivered in one document to the building owner as a part of the project record documents or manuals, or as a standalone document. This document shall include the specific energy code edition utilized for compliance determination for each system.

SECTION 104 INSPECTIONS.

104.1 General. Construction or work for which a permit is required shall be subject to inspection by the *code official*, his or her designated agent or an *approved agency*, and such construction or work shall remain visible and able to be accessed for inspection purposes until *approved*. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain visible and/or able to be accessed for inspection purposes. Neither the *code official* nor the jurisdiction shall be liable for expenses entailed in the removal or replacement of any material, product, system or building component required to allow an inspection to validate compliance with this code.

104.2 Required Inspections. The *code official*, his or her designated agent or an *approved agency*, upon notification, shall make the inspections set forth in Sections **104.2.1** through **104.2.4**.

104.2.1 Solar Ready. Inspections shall verify all of the following as required by this code, *approved plans*, and specifications:

1. The location and size of the *solar-ready zone* or the capacity of an installed on-site renewable energy system.
2. Electrical capacity and reserved physical space for circuit breakers in the main electrical service panel that are properly labeled.

104.2.2 Electric Vehicle Ready. Inspections shall verify all of the following as required by this code, *approved* plans, and specifications:

1. *EV* power transfer infrastructure requirements.
2. Electrical equipment associated with each parking space type, including branch circuits, conduit and/or raceway, junction boxes, receptacles, and *EVSE* are properly labeled and installed.
3. Electrical capacity and reserved physical space for circuit breakers in the main electrical service panel are properly labeled, if applicable.

104.2.3 Electric Ready. Inspections shall verify all of the following as required by this code, *approved* plans, and specifications:

1. Branch circuits, conduit and/or raceway, wiring, junction boxes, and receptacles for *future electric equipment* or appliances are properly labeled and installed, as applicable.
2. Reserved physical space for *future electric equipment* or appliances.
3. Electrical capacity and reserved physical space for circuit breakers in the main electrical service panel are properly labeled.

104.2.4 Final Inspection. The final inspection shall include verification of the installation and proper labeling of all requirements of this code.

104.3 Reinspection. A building shall be reinspected where determined necessary by the *code official*.

104.4 Approved Inspection Agencies. The *code official* is authorized to accept reports of third-party inspection agencies not affiliated with the building design or construction, provided that such agencies are *approved* as to qualifications and reliability relevant to the building components and systems that they are inspecting.

104.5 Inspection Requests. It shall be the duty of the holder of the permit or their duly authorized agent to notify the *code official* when work is ready for inspection. It shall

be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

104.6 Reinspection and Testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be resubmitted to the *code official* for inspection and testing.

SECTION 105 NOTICE OF APPROVAL.

105.1 Approval. After the prescribed inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the *code official*.

105.2 Revocation. The *code official* is authorized to suspend or revoke, in writing, a notice of approval issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise, or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 106 VALIDITY.

106.1 General. If a portion of this code is held to be illegal or void, such a decision shall not affect the validity of the remainder of this code.

SECTION 107 REFERENCED STANDARDS.

107.1 General. The codes and standards referenced in this code shall be listed in Section **107.2**, and such codes and standards shall be considered as part of the requirements of this code to the prescribed extent of each such reference.

107.2 Referenced Codes and Standards. The codes and standards referenced in this code are as follows:

1. International Building Code
 - a. Chapter 3
 - b. Chapter 11
2. International Energy Conservation Code
3. International Fire Code

4. International Residential Code
5. National Electrical Code Article 625
6. UL2202 and 2594

107.2.1 Conflicts. Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

107.2.2 Provisions in Referenced Codes and Standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

107.3 Applications of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section, or provision of this code.

107.4 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state, or federal law.

SECTION 108 STOP WORK ORDER.

108.1 Authority. Where the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

108.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property, the owner's authorized agent, or the person performing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

108.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

108.4 Failure to Comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to fines established by [NAME OF JURISDICTION].

SECTION 109 BOARD OF APPEALS.

109.1 General. In order to hear and decide appeals of orders, decisions, or determinations made by the *code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The *code official* shall be an ex officio member of said board but shall not have a vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

109.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall not have the authority to waive the requirements of this code.

109.3 Qualifications. The board of appeals shall consist of members who are qualified by experience and training and are not employees of [NAME OF JURISDICTION].

Chapter 2 Definitions

SECTION 201 GENERAL.

201.1 Scope. Unless stated otherwise, the following words and terms in this code shall have the meanings indicated in this chapter.

201.2 Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural includes the singular.

201.3 Terms Defined in Other Codes. Terms that are not defined in this code but are defined in the International Building Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Energy Conservation Code, or International Residential Code shall have the meanings ascribed to them in those codes.

201.4 Terms not Defined. Terms not defined by this chapter or the codes listed under 201.3 shall have ordinarily accepted meanings such as the context implies.

SECTION 202 GENERAL DEFINITIONS.

APPROVED. Acceptable to the *code official*.

APPROVED AGENCY. An established and recognized agency that is regularly engaged in conducting tests or furnishing inspection services, or furnishing product certification, where such agency has been approved by the *code official*.

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative.

COMBUSTION EQUIPMENT. For this code, any equipment or appliance used for space-heating, service water heating, cooking, clothes drying or lighting that uses *fuel gas* or *fuel oil*.

COMMERCIAL BUILDING. For this code, all commercial buildings and R-Occupancies that are covered by the International Building Code.

CORE AND SHELL. The first phase of a commercial project that has the outer building envelope constructed and may contain interior lighting and heating and has not received a permanent Certificate of Occupancy.

DIRECT CURRENT FAST CHARGER (DCFC) EVSE. Equipment capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the *EVSE* that will then directly charge the *electric vehicle*.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, including but not limited to, passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, and electric motorcycles, primarily powered by an electric motor that draws current from a building electrical service, *EVSE*, a rechargeable storage battery, a fuel cell, a photovoltaic array, or another source of electric current. Off-road, self-propelled electric mobile equipment, including but not limited to, industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, and boats are not considered electric vehicles.

ELECTRIC VEHICLE CAPABLE LIGHT SPACE (EV CAPABLE LIGHT SPACE). A designated vehicle parking space that has conduit and/or raceway installed to support future implementation of *electric vehicle* charging installation, and has sufficient physical space adjacent to the existing electrical equipment for future electric upgrades.

ELECTRIC VEHICLE CAPABLE SPACE (EV CAPABLE SPACE). A designated vehicle parking space that has the electric panel capacity and conduit and/or raceway installed to support future implementation of *electric vehicle* charging.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). A designated vehicle parking space that has the electric panel capacity, raceway wiring, receptacle, and circuit overprotection devices installed to support future implementation of *electrical vehicle* charging.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). An *electric vehicle* charging system or device that is used to provide electricity to a plug-in *electric vehicle* or *plug-in hybrid electric vehicle*, is designed to ensure that a safe connection has been made between the electrical grid and the vehicle, and is able to communicate with the vehicle's control system so that electricity flows at an appropriate voltage and current level.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE INSTALLED SPACE). A vehicle parking space that is provided with a dedicated *EVSE* connection.

FIRST TENANT FINISH. The first tenant finish(es) in a new structure or *core and shell* building that is credited towards meeting the requirements of this Chapter.

FUEL GAS. A natural gas, manufactured gas, liquefied petroleum gas, or mixtures of these gasses.

FUEL OIL. Kerosene or any hydrocarbon oil having a flash point of not less than 100°F (38°C).

FUTURE ELECTRIC EQUIPMENT. Equipment or appliances necessary to support future all-electric space and water heating, cooking, or clothes drying.

PLUG-IN HYBRID ELECTRIC VEHICLE. An *electric vehicle* having a second source of motive power.

RESIDENTIAL BUILDING. For this code, one- and two-family dwellings and townhouses as defined in the International Residential Code.

SOLAR-READY ZONE. A section or sections of the roof or building overhang designated and reserved for future installation of a solar photovoltaic system or solar thermal system.

Chapter 3 Electric Ready

PART 1 RESIDENTIAL ELECTRIC READY

SECTION RE301 SCOPE

RE301.1 General. These provisions shall be applicable for all new buildings, and major renovations and additions.

SECTION RE302 ADDITIONAL ELECTRIC INFRASTRUCTURE

RE302.1 Additional Electric Infrastructure. *Combustion equipment in residential buildings* must meet the requirements of Sections **RE302.2** through **RE302.6**.

Exceptions:

1. Interior fireplaces that do not serve as a primary source of heating.
2. Exterior fireplaces and firepits.

RE302.2 Combustion Equipment. *Combustion equipment* shall be provided with all of the following:

1. A dedicated, appropriately phased branch circuit sized to accommodate *future electric equipment* or appliances to serve a comparable capacity to meet the heating load.
2. An electric receptacle or junction box that meets the requirements of Section **RE302.5**, and is connected to the electrical panel through the branch circuit. Each electrical receptacle or junction box shall have reasonable access to the *combustion equipment* or dedicated physical space for *future electric equipment* with no obstructions other than the current *combustion equipment*.

3. Where *combustion equipment* is used for space or water heating, dedicated physical space shall be provided for *future electric equipment*, including an electric resistance backup coil for ducted systems, if applicable.

Exception: Dwelling units with installed air conditioning systems are not required to provide additional dedicated physical space for an outdoor heat pump.

RE302.3 Electrical Panel Space. The electrical panel shall have a reserved space for a minimum two-pole circuit breaker for each branch circuit provided for *future electric equipment* or appliances.

RE302.4 Labeling. The junction box or receptacle and the dedicated circuit breaker space serving *future electric equipment* or appliances in the electrical panel shall be labeled for their intended use.

RE302.5 Adjacency. The electrical receptacle or junction box must be provided within 3 feet of the *combustion equipment* or appliances, or within 3 feet of the dedicated physical space for *future electric equipment* or appliances.

Exception: For *combustion equipment* dedicated to space or water heating, the electrical receptacle or junction box shall be located not more than 6 feet from the *combustion equipment* or the dedicated physical space for *future electric equipment*.

RE302.6 Condensate Drain. Where *combustion equipment* for space heating and water heating is installed, a location shall be provided for condensate drainage.

PART 2 COMMERCIAL ELECTRIC READY

SECTION CE301 SCOPE

CE301.1 General. These provisions shall be applicable for all new buildings, additions, and *first tenant finish* permits.

CE301.1.1 First Tenant Finishes. In the case that a *first tenant finish* to a commercial *core and shell* building or unfinished space is credited towards meeting the requirements of this Chapter, the *code official* shall not issue a

Certificate of Occupancy to the tenant until the requirements of Section **CE302** are met.

SECTION CE302 ADDITIONAL ELECTRIC INFRASTRUCTURE

CE302.1 Additional Electric Infrastructure. *Combustion equipment* in commercial buildings shall meet the electric infrastructure requirements of Sections **CE302.2** or **CE302.3**.

Exceptions:

1. Interior fireplaces that do not serve as a primary source of heating.
2. Exterior fireplaces and fire pits.
3. Additions to buildings that do not provide new space-heating equipment will not be required to provide additional electrical infrastructure to the existing space-heating equipment.

CE302.2 Commercial Buildings Less than 10,000 sq. ft. and all R-Occupancies. *Commercial buildings* that have a gross floor area of less than 10,000 sq. ft., and all R-occupancies of any size, shall comply with Sections **CE302.2.1** through **CE302.2.5**.

CE302.2.1 Combustion Equipment. *Combustion equipment* shall be provided with all of the following:

1. A dedicated, appropriately phased branch circuit sized to accommodate *future electric equipment* or appliances to serve a comparable capacity to meet the heating load.
2. An electric receptacle or junction box that meets the requirements of Section **CE302.2.5**, and is connected to the electrical panel through the branch circuit. Each electrical receptacle or junction box shall have reasonable access to the *combustion equipment* or dedicated physical space for *future electric equipment* with no obstructions other than the current *combustion equipment*.
3. Where *combustion equipment* is used for space or water heating, dedicated space shall be provided for all *future electric equipment*,

including an electric resistance backup coil for ducted systems if applicable.

Exception: Buildings with installed air conditioning systems are not required to provide additional dedicated physical space for an outdoor heat pump.

CE302.2.2 Electrical Panel Space. The electrical panel shall have reserved physical space for a minimum two-pole or three-pole circuit breaker for each branch circuit provided for *future electric equipment* or appliances. The physical space in the electrical panel for each circuit breaker shall be sized with sufficient breaker capacity to meet the electrical demand of the *future electric equipment* or appliance that is sized to serve a comparable capacity to meet the heating load.

CE302.2.3 Labeling. The junction box or receptacle and the dedicated circuit breaker space serving *future electric equipment* or appliances in the electrical panel shall be labeled for their intended use.

CE302.2.4 Adjacency. The electrical receptacle or junction box must be provided within 3 feet of the *combustion equipment* or appliances or within 3 feet of the dedicated physical space for *future electric equipment* or appliances.

Exception: For *combustion equipment* dedicated to space or water heating, the electrical receptacle or junction box shall be located not more than 6 feet from the *combustion equipment* or the dedicated physical space for *future electric equipment*.

CE302.2.5 Condensate Drain. Where *combustion equipment* dedicated to space heating and water heating is installed, a location shall be provided for condensate drainage.

CE302.3 Commercial Buildings 10,000 sq. ft. or Greater. All *commercial buildings* that have a gross floor area of 10,000 sq. ft. or greater shall comply with the following requirements.

Exception: R-occupancies.

CE302.3.1 Combustion Equipment or Appliances. All *combustion equipment* shall be provided with the following:

1. A junction box that is located in the same physical space as the *combustion equipment* and is reasonably accessible, and that is connected to the electrical panel by continuous conduit and/or raceways.
2. Dedicated electrical panel space for an appropriately phased branch circuit sized to accommodate *future electric equipment* or appliances to serve a comparable capacity to meet the heating load.
3. Where *combustion equipment* is used for space and water heating, dedicated physical space shall be provided for all *future electric equipment*.

CE302.3.2 Electrical Panel Space. The electrical panel shall have reserved physical space for a minimum two-pole or three-pole circuit breaker for each branch circuit provided for *future electric equipment* or appliances. The physical space in the electrical panel for each circuit breaker shall be sized with sufficient breaker capacity to meet the electrical demand of the *future electric equipment* or appliance that is sized to serve a comparable capacity to meet the heating load.

CE302.3.3 Labeling. The dedicated circuit breaker space serving *future electric equipment* or appliances in the electrical panel shall be labeled "For future electric equipment".

CE302.3.4 Physical Space. Dedicated physical space shall be provided for additional electric equipment, including but not limited to transformers and cabinets, necessary for electrical service to *future electric equipment* or appliances.

Chapter 4 Solar Ready

PART 1 RESIDENTIAL SOLAR READY.

SECTION RS401 SCOPE.

RS401.1 General. These provisions shall be applicable for new buildings, and major renovations and additions.

SECTION RS402 SOLAR READY ZONE.

RS402.1 General. New *residential buildings* with not less than 600 square feet of roof area oriented between 110 degrees and 270 degrees of true north or that is a low-sloped roof, shall comply with Sections **RS402.2** through **RS402.8**.

Exceptions:

1. New residential dwelling units with a permanently installed on-site renewable energy system that provides electricity to the dwelling unit's electrical system.
2. A building where all areas of the roof that would otherwise meet the requirements of Section **RS402** are in full or partial shade for more than 70 percent of daylight hours annually.

RS402.2 Construction Document Requirements for Solar-Ready Zone. Construction documents shall indicate the *solar-ready zone*.

RS402.3 Solar-Ready Zone Areas. The total *solar-ready zone* area for each dwelling unit shall be not less than 300 square feet exclusive of mandatory access or setback areas as required by the International Fire Code. The *solar-ready zone* shall be composed of areas not less than 5 feet in width and not less than 80 square feet exclusive of access or setback areas as required by the International Fire Code.

Exception: New townhouses three stories or less in height above grade plane and with a total floor area less than or equal to 2,000 square feet of conditioned space per townhouse unit shall have a *solar-ready zone* area of not less than 150 square feet.

RS402.4 Obstructions. *Solar-ready zones* shall be free from obstructions, including but not limited to, vents, chimneys, and roof-mounted equipment.

RS402.5 Shading. The *solar-ready zone* shall be set back from any existing or new permanently affixed object on the building or site that is located south, east, or west of the *solar-ready zone* a distance not less than two times the object's height above the nearest point on the roof surface. Such objects include, but are not limited to, taller portions of the building itself, parapets, chimneys, antennas, signage, rooftop equipment, trees, and roof plantings either existing at the time of permit application or planned for on the construction documents.

RS402.6 Roof Load Documentation. The structural design loads of roof dead load and roof live load shall be clearly indicated on the construction documents.

RS402.7 Interconnection Pathway. Construction documents shall indicate at least one potential pathway for routing of conduit and/or raceway from the *solar-ready zone* to the electrical service panel and shall be labeled as "Potential Pathway" on the construction documents.

RS402.8 Electrical Service Reserved Space. The main electrical service panel shall have sufficient reserved space to allow the installation of a dual pole circuit breaker for future solar electric installation and shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location.

RS402.9 Construction Documentation Certificate. A permanent certificate, indicating the *solar-ready zone* and other requirements of this Part, shall be posted near the electrical distribution panel, water heater, or other conspicuous location.

PART 2 COMMERCIAL SOLAR READY

SECTION CS401 SCOPE

CS401.1 General. These provisions shall be applicable for new buildings, and major renovations and additions.

SECTION CS402 SOLAR-READY ZONE

CS402.1 General. A *solar-ready zone* shall be located on the roof of all new *commercial buildings* that are oriented between 110 and 270 degrees of true north or have low-sloped roofs. *Solar-ready zones* shall comply with Sections **CS402.2** through **CS402.7**.

Exceptions:

1. A building with a permanently-installed, on-site renewable energy system that meets the following criteria.
 - a. The system produces the energy output equivalent to covering 40 percent of the net roof area with solar photovoltaic calculated as the horizontally projected gross roof area less the area covered by skylights, occupied roof decks, vegetative roof areas, and mandatory access or set back areas as required by the International Fire Code.
 - b. The system is located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building, on the building premises, on covered parking, or another *approved* location installed with the building project and under the same property ownership.
2. A building with a *solar-ready zone* that is shaded for more than 70 percent of daylight hours annually.
3. A building where a licensed design professional certifies that the incident solar radiation available to the building is not suitable for a *solar-ready zone*.
4. A building where a licensed design professional certifies that the *solar-ready zone* area required by Section **CS402.3** cannot be met because of extensive rooftop equipment, skylights, vegetative roof areas, or other obstructions.

CS402.2 Construction Document Requirements for a Solar-Ready Zone. Construction documents shall indicate the *solar-ready zone*.

CS402.3 Solar-Ready Zone Area. The total *solar-ready zone* area shall not be less than 40 percent of the roof area calculated as the horizontally projected gross roof area less the area covered by skylights, occupied roof decks, vegetative roof areas, and mandatory access or set back areas as required by the International Fire Code. The *solar-ready zone* shall be a single area or smaller, separated sub-zone areas. Each sub-zone area shall be not less than 5 feet in width in the narrowest dimension.

The *solar-ready zone* shall be located on the roof or overhang of the building or on the roof or overhang of another structure located within 250 feet of the building, on the building premises, on covered parking, or another *approved* location installed with the building project and under the same property ownership .

CS402.4 Obstructions. *Solar-ready zones* shall be free from obstructions, including pipes, vents, ducts, HVAC equipment, skylights, and roof-mounted equipment.

CS402.5 Roof Loads and Documentation. The structural design loads for roof dead load and roof live load shall be indicated on the construction documents.

CS402.6 Interconnection Pathway. Construction documents shall indicate at least one potential pathway for routing of conduit and/or raceway from the *solar-ready zone* to an electrical service panel and shall be labeled as "Potential Pathway" on the construction documents.

CS402.7 Electrical Service Reserved Space. The main electrical service panel shall have a minimum bus bar rating of not less than 200 amps. The main electrical service panel shall have a reserved space to allow installation of a dual-pole circuit breaker for future solar electric. This space shall be labeled "For Future Solar Electric." The reserved space shall be positioned at the end of the panel that is opposite from the panel supply conductor connection.

PART 3 RESIDENTIAL SOLAR PANEL CAPACITY

SECTION RS410 SCOPE

RS410.1 General. These provisions shall be applicable for all new buildings, and major renovations and additions.

RS410.2 Electric Service Reserved Space. The main electrical service panel shall have sufficient reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled “For Future Solar Electric.” The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location.

Exception: A dwelling unit that already must comply with the solar ready provisions in Chapter 4 or that has a permanently installed on-site renewable energy system that provides electricity to the dwelling unit’s electrical system.

PART 4 COMMERCIAL SOLAR PANEL CAPACITY

SECTION CS410 SCOPE

CS410.1 General. These provisions shall be applicable for new buildings, and major renovations and additions.

CS410.2 Electric Service Reserved Space. The main electrical service panel shall have a minimum bus bar rating of not less than 200 amps. The main electrical service panel shall have sufficient reserved space to allow installation of a dual pole circuit breaker for future solar electric installation and shall be labeled “For Future Solar Electric.” The reserved space shall be positioned at the opposite (load) end from the input feeder location or main circuit location.

Exception: A building that already must comply with the solar ready provisions in Chapter 4 or that has a permanently installed on-site renewable energy system that provides electricity to the building’s electrical system.

Chapter 5 Electric Vehicle Ready

PART 1 RESIDENTIAL ELECTRIC VEHICLE READY

SECTION RV501 SCOPE

RV501.1 General. These provisions shall be applicable for all new buildings, and major renovations and additions.

SECTION RV502 ELECTRIC VEHICLE POWER TRANSFER INFRASTRUCTURE

RV502 Electric Vehicle Power Transfer Infrastructure. New vehicle parking spaces for *residential buildings* shall be provided in accordance with Sections **RV502.1** and **RV502.3**.

RV502.1 One- and Two-family Dwellings and Townhouses. Each dwelling unit with a dedicated attached or detached garage or other onsite designated parking provided for the dwelling unit shall be provided with one *EV ready space* per dwelling unit.

RV502.2 EV Ready Spaces. Each *EV ready space* shall have a branch circuit that complies with all of the following:

1. Terminates at a receptacle, located within 3 feet of each *EV ready space* it serves. *EV ready* includes two adjacent parking spaces if the receptacle for the electrical facilities of this section is installed adjacent to and between both parking spaces.
2. Has a minimum circuit capacity of 8.3 kVA (40A 208/240V).
3. The electrical panel, electrical distribution equipment directory, and all outlets or enclosures shall be marked "For future electric vehicle supply equipment".

Exception: A receptacle need not be provided if a hard-wired *EVSE* is installed.

RV502.3 Identification. Construction documents shall designate the *EV ready space* and indicate the locations of raceway and/or conduit and the termination points serving them. The circuits or spaces reserved in the electrical panel for *EV ready spaces* shall be clearly identified in the panel or subpanel directory.

PART 2 COMMERCIAL ELECTRIC VEHICLE READY

SECTION CV501 SCOPE

CV501.1 General. These provisions shall be applicable for all new buildings, and major renovations and additions.

SECTION CV502 ELECTRIC VEHICLE POWER TRANSFER INFRASTRUCTURE

CV502 Electric Vehicle Power Transfer Infrastructure. Where new parking is provided for *commercial buildings*, it shall be provided with *electric vehicle* power transfer infrastructure in compliance with Sections **CV502.1** through **CV502.9**.

CV502.1 Quantity. The number of required *EVSE installed spaces*, *EV ready spaces*, *EV capable spaces*, and *EV capable light spaces* shall be determined in accordance with this Section and **Table CV502.1** based on the total number of provided vehicle parking spaces and shall be rounded up to the nearest whole number. This includes all covered parking under carports or detached garages.

CV502.1.1 Where more than one parking lot is provided on a building site, the number of provided vehicle parking spaces required to have *EV* power transfer infrastructure shall be calculated separately for each parking lot.

CV502.1.1.1 R-2 Occupancies, as defined in Chapter 3 of the International Building Code, shall use the total parking requirement for the entire development to determine the *EV* power transfer infrastructure requirements using **Table CV502.1**.

CV502.1.2 For *commercial buildings* that install a *DCFC EVSE*, each *DCFC EVSE* installed shall be permitted to be substituted for other space types as follows:

1. *Commercial buildings* other than R-2 Occupancies shall be permitted to substitute up to 10 spaces when the building provides a minimum of 20 percent of parking spaces as a combination of *EV Capable*, *EV ready*, or *EVSE installed spaces*.
2. R-2 Occupancies shall be permitted to substitute up to 5 spaces when the building provides a minimum of 60 percent of parking spaces as a combination of *EV Capable light*, *EV Capable*, *EV ready*, or *EVSE installed spaces*.

CV502.1.3 *EVSE installed spaces* that exceed the minimum requirements of this section are permitted to be used to meet minimum requirements for *EV ready spaces*, *EV capable spaces*, and *EV capable light spaces*.

CV502.1.4 *EV ready spaces* that exceed the minimum requirements of this section are permitted to be used to meet minimum requirements for *EV capable spaces* and *EV capable light spaces*.

CV502.1.5 *EV capable spaces* that exceed the minimum requirements of this section are permitted to be used to meet the minimum requirements for *EV capable light spaces*.

CV502.1.6 All attached garages with direct connection to a dwelling unit will be required to have one *EV ready space*.

Table CV502.1: EV Power Transfer Infrastructure Requirements

Building Type / Space Type	EVSE Installed Space	EV Ready Space	EV Capable Space	EV Capable Light Space
All commercial buildings, except for R-2 occupancies, with 10 or less parking spaces.	0	2 spaces	0	0
Commercial buildings, except for R-2 occupancies, with greater than 10 parking spaces.	2% of spaces	8% of spaces	10% of spaces	10% of spaces
R-2 occupancies with 10 or less parking spaces	0	15% of spaces	10% of spaces	10% of spaces
R-2 occupancies with greater than 10 parking spaces.	5% of spaces	15% of spaces	10% of spaces	30% of spaces

CV502.2 EV Capable Light Spaces. Each *EV capable light space* shall comply with all of the following:

1. A continuous raceway and/or conduit shall be installed between a suitable electrical panel or other electrical distribution equipment and terminate within 3 feet of the *EV capable light space* and shall be capped. *EV capable light* includes two adjacent parking spaces if the raceway and/or conduit terminates adjacent to and between both parking spaces.
2. Installed raceway and/or conduit shall be sized and rated to supply a minimum of 208 volts and a minimum of 40-ampere rated circuits.
3. Dedicated physical space to accommodate all equipment necessary for electrical service to future *EVSE*.
4. The routing of the raceway and/or conduit must be noted on the construction documents and the raceway shall be permanently and visibly marked "EV CAPABLE" at the load center and termination point locations.

CV502.3 EV Capable Spaces. Each *EV capable space* shall comply with all of the following:

1. A continuous raceway and/or conduit shall be installed between a suitable electrical panel or other electrical distribution equipment and terminate within 3 feet of the *EV capable space* and shall be capped. *EV capable* includes two adjacent parking spaces if the raceway and/or conduit terminates adjacent to and between both parking spaces.
2. The installed raceway and/or conduit shall be sized and rated to supply a minimum of 208 volts and a minimum of 40-ampere rated circuits.
3. The electrical panel or other electrical distribution equipment to which the raceway and/or conduit connects shall have sufficient dedicated space and spare electrical capacity to supply a minimum of 208 volts and a minimum of 40-ampere rated circuits.
4. The termination point of the conduit and/or raceway and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 8.3 kVA (40A 208/240V) for each *EV capable space*.

CV502.4 EV Ready Spaces. Each *EV ready space* shall have a branch circuit that complies with all of the following:

1. Terminates at a receptacle or junction box located within 3 feet of each *EV ready space* it serves. *EV ready* includes two adjacent parking spaces if the receptacle is installed adjacent to and between both parking spaces.
2. Has a minimum circuit capacity of 8.3 kVA (40A 208/240V).
3. The electrical panel, electrical distribution equipment directory, and all outlets or enclosures shall be marked "For future electric vehicle supply equipment (EVSE)."

CV502.5 Electric Vehicle Supply Equipment (EVSE). All *EVSE* shall meet all of the following requirements:

1. The installed *EVSE* shall meet one of the following requirements:
 - a. A power capacity of at least 6.2 kVa (or 30A at 208/240V) and has the ability to connect to the internet.
 - b. An inductive charging system for battery-powered *electric vehicles* that:
 - i. Is ENERGY STAR certified; and
 - ii. Has the ability to connect to the internet.
2. An *electric vehicle* charging system shall be wall-mounted or pedestal style and may provide multiple cords to connect with *electric vehicles*.
3. An *electric vehicle* charging system shall be listed and labeled for *EV* charging and must comply with the current version of Article 625 of the National Electrical Code.

CV502.6 EVSE Installed Spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple *EVSE installed spaces*. Each *EVSE* installed serving either a single *EVSE installed space* or multiple *EVSE installed spaces*, shall comply with all of the following:

1. Have a minimum charging rate in accordance with Section **CV502.7**.
2. Be located within 3 feet of each *EVSE installed space* it serves.
3. Be installed in accordance with Section **CV502.8**.
4. Have a minimum circuit capacity of 8.3 kVA (40A 208/240V).
5. Must meet the requirements of Section **CV502.5**.

CV502.7 EVSE Minimum Charging Rate. Each installed *EVSE* shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple *EVSE installed spaces* and controlled by an energy management system providing load management, be capable of simultaneously sharing each *EVSE installed space* at a minimum charging rate of no less than 3.3 kVA.

CV502.8 EVSE Installation. *EVSE* shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594. When serving an accessible parking space, *EVSE* shall be accessible in accordance with the International Building Code Chapter 11.

CV502.9 Identification. Construction documents shall designate all *EVSE installed spaces*, *EV ready spaces*, *EV capable spaces*, and *EV capable light spaces*, and indicate the locations of raceway and/or conduit and termination points serving them. The circuits or spaces reserved for *EVSE installed spaces*, *EV ready spaces*, and *EV capable spaces* shall be clearly identified in the panel or subpanel directory. The raceway and/or conduit for *EV ready spaces*, *EV capable spaces* and *EV capable light spaces* shall be clearly identified at both the panel or subpanel and the termination point at the parking space.

IBC APPENDIX CHAPTER K
ADMINISTRATIVE PROVISIONS

SECTION K111
ELECTRICAL PROVISIONS

Note: Delete the published text for Section K111.4 and replace it with provisions for electric vehicle charging receptacles.

K111.4 Electric vehicle (EV) charging receptacle outlets. Level 2 (240-volt) electric vehicle (EV) charging receptacle outlets are to be installed for all new commercial, industrial or multiple-family residential buildings or additions or alterations to existing such buildings that increase the existing total floor area of the building by either fifty percent or by 5,000 square feet in accordance with Table K111.4. Charging receptacle outlets shall be installed in accordance with the requirements of Article 625 of the Electrical Code.

TABLE K111.4
ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE OUTLETS

TOTAL PARKING SPACES PROVIDED	1-19	20-50	51-100	101-150	151-200	201-250	251-300	301-350	351-400	401-450	451-500	501 and over
REQUIRED MINIMUM NUMBER OF EV CHARGING OUTLETS	0	1	2	3	4	5	6	7	8	9	10	2% of total

R327.5.13 Weed barrier and gravel or crushed rock. A weed barrier and gravel or crushed rock not less than 3/4-inch in diameter applied at least 2 inches thick must be installed beneath decks, unenclosed floors, and around the perimeter of the building to extend at least 3 feet beyond the exterior walls and at least 2 feet beyond the driplines of decks, bay windows and other eaves and overhangs.

Exception: Noncombustible surfaces, such as poured concrete or asphalt, or other approved noncombustible materials, such as a weed barrier and brick, concrete or stone pavers, may satisfy this requirement.

SECTION R328

SOLAR PRE-WIRE OPTION

R328.1 Solar pre-wire option. In accordance with Section 1, Article 37.7 of title 38 of the Colorado Revised Statutes, every new single-family detached residence shall include one of the following:

1. A residential photovoltaic solar generation system or a residential solar thermal system, or both, or
2. Upgrades of wiring or plumbing, or both, installed by the builder to accommodate the future installation of a residential photovoltaic solar generation system or a residential solar thermal system, or both, or
3. A metallic chase or conduit, or both, constructed to allow ease of future installation of the necessary wiring or plumbing for a residential photovoltaic solar generation system or a residential solar thermal system, or both.

IRC SECTION R329

ELECTRIC VEHICLE CHARGING PRE-WIRE OPTION

R329.1 Electric vehicle charging pre-wire option. In addition to the one 125-volt receptacle outlet required for each car space by NEC Section 210.52(G)(1.), every new garage or carport that is accessory to a one- or two-family dwelling or townhouse shall include at least one of the following, installed in accordance with the requirements of Article 625 of the Electrical Code:

1. A Level 2 (240-volt) electric vehicle charging receptacle outlet, or
2. Upgraded wiring to accommodate the future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet, or
3. Electrical conduit to allow ease of future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet.

IRC CHAPTER 4 FOUNDATIONS

SECTION R401 GENERAL

R401.3 Drainage.

R401.3.1 Gutters and downspouts. Gutters, downspouts, and downspout extensions are required on all buildings.

Exceptions:

1. Post framed buildings.
2. Buildings where, in the opinion of the building official, the gutters will become damaged by sliding snow.
3. Roofs with eaves or overhangs of six feet or greater.
4. Roofs that are constructed with internal roof drains
5. Buildings where an approved alternate means of drainage is designed by a soils engineer or other qualified registered design professional.

IRC CHAPTER 8

ROOF-CEILING CONSTRUCTION

SECTION R806 ROOF VENTILATION

R806.1 Roof ventilation. See the provisions of Section R327.4.12 for attic ventilation in Wildfire Zone 1.

IRC CHAPTER 9

ROOF ASSEMBLIES

SECTION R902 ROOF COVERING MATERIALS

Add a sentence to Section R902.1, as follows:

R902.1 Roof covering materials. See Section R327.4.1 for roof covering materials requirements in Wildfire Zone 1 and Section R327.5.1 for roof covering materials requirements in Wildfire Zone 2.

SECTION R903 ROOF DRAINAGE

R903.4.1.1 Sizing of roof drains, scuppers, and downspouts. The rainfall amount to be used to size roof drainage components shall be 2.4 inches per hour.

CB 102 General Definitions

MAJOR ALTERATION. Any building where the work area exceeds 50 percent of the aggregate area of the building.

CB103 Solar-Ready Zone

CB103.1 General. A solar-ready zone shall be located on the roof of all new buildings that are subject to the commercial provisions of the IECC and that are oriented between 110 degrees and 270 degrees of true north or have low-slope roofs. Solar-ready zones shall comply with Sections CB103.2 through CB103.9.

This section hereby creates and adopts a new **Appendix CD EV Readiness - Commercial:**

APPENDIX CD

EV READINESS - COMMERCIAL

CD101 Scope

CD101.1 Purpose and Intent. The purpose and intent of this Appendix CD is to accommodate the growing need for EV charging infrastructure. Including these measures during initial commercial construction substantially reduces the costs and difficulty of installing EV infrastructure at a later date.

CD101.2. Applicability. This Appendix CD shall apply to all new commercial construction to which the current International Building Code applies and to major alterations, which the current International Existing Building Code applies.

Section CD102 Definitions.

AUTOMOBILE PARKING SPACE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE: EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the *EVSE* that will then directly charge the *electric vehicle*.

EV LOAD MANAGEMENT SYSTEM: A system designed to allocate charging capacity among multiple *EVSE* and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood *electric vehicles*, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the *electric vehicle* connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the *electric vehicle*.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE space). An automobile parking space that is provided with a dedicated *EVSE* connection.

ELECTRIC VEHICLE CAPABLE SPACE (EV CAPABLE SPACE). A designated automobile parking space that is provided with electrical infrastructure, such as, but not limited to, raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an *EVSE*.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). An automobile parking space that is provided with a branch circuit and either an outlet, junction box or receptacle, that will support an installed *EVSE*.

MAJOR ALTERATION. Any building where the work area exceeds 50 percent of the aggregate area of the building.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches (3048 mm) with 36-inch access aisles (915 mm) on each side.

CD103 Electrical Vehicle Readiness

CD103.1 Electric vehicle power transfer infrastructure. New parking facilities shall be provided with *electric vehicle* power transfer infrastructure in compliance with Sections CD104.1 through CD104.6, CD105, and CD106.

CD103.2 Quantity. The number of required *EVSE* spaces, *EV ready* spaces, and *EV capable* spaces shall be determined in accordance with this Section and Table CD104.1 based on the total number of *automobile parking spaces* and shall be rounded up to the nearest whole number. For R-2 buildings, the Table requirements shall be based on the total number of dwelling units or the total number of *automobile parking spaces*, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required *automobile parking spaces* required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Where one shared parking facility serves multiple building occupancies, the required number of spaces shall be determined proportionally based on the floor area of each building occupancy.
3. Installed *EVSE* spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV ready* spaces and *EV capable* spaces.
4. Installed *EV ready* spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV capable* spaces.
5. Where the number of *EV ready* spaces allocated for R-2 occupancies is equal to the number of dwelling units or to the number of *automobile parking spaces*, whichever is less, requirements for *EVSE* spaces for R-2 occupancies shall not apply.

6. In commercial multi-family (R-2, R-3, and R-4) complexes, four stories or greater, that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.
7. Requirements for a Group S-2 parking garage shall be determined by the occupancies served by that parking garage. Where new *automobile parking spaces* do not serve specific occupancies, the values for Group S-2 parking garage in Table CD104.1 shall be used.
8. Direct Current Fast Charging. The number of *EVSE* spaces for Groups A, B, E, I, M and S-2 Occupancies may be reduced by up to ten per *DCFC EVSE* provided that the building includes not less than one parking space equipped with a *DCFC EVSE* and not less than one *EV ready* space. A maximum of fifty spaces may be reduced from the total number of *EVSE* spaces.

Exception: Parking facilities, serving occupancies other than R-2 with fewer than 10 *automobile parking spaces*.

TABLE CD103.1
REQUIRED EV POWER TRANSFER INFRASTRUCTURE

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
Group A, B, E, M	15% ^b	5%	30%
Group F, I, R-3, R-4	2% ^b	0%	5%
Group R-1 and R-2 ^a	25% ^b	5%	60%
Group S-2 Parking Garages	10% ^b	5%	0%

- a. Where all (100%) parking serving R-2 occupancies are EV ready spaces, requirements for EVSE spaces for R-2 occupancies shall not apply.
- b. For each EV installed space above the required percentage, 4 EV ready spaces can be eliminated.

CD103.2 EV capable spaces. Each *EV capable* space used to meet the requirements of Section CD103.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet (914 mm) of the *EV capable* space and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with CD103.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.
4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each *EV capable* space.

CD103.3 EV ready spaces. Each branch circuit serving *EV ready* spaces used to meet the requirements of Section CD103.1 shall comply with all of the following:

1. Terminate at an outlet or enclosure, located within 3 feet (914 mm) of each *EV ready* space it serves.
2. Have a minimum circuit capacity in accordance with CD104.5.
3. The panelboard or other electrical distribution equipment directory shall designate the branch circuit as "For electric vehicle supply equipment (EVSE)" and the outlet or enclosure shall be marked "For electric vehicle supply equipment (EVSE)."

CD103.4 EVSE spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple *EVSE* spaces. Each *EVSE* installed to meet the requirements of Section CD103.1, serving either a single *EVSE* space or multiple *EVSE* spaces, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with CD103.5.
2. Have a minimum charging rate in accordance with CD103.4.1.
3. Be located within 3 feet (914 mm) of each *EVSE* space it serves.
4. Be installed in accordance with Section CD103.6 and CD103.7.

CD103.4.1 EVSE minimum charging rate. Each installed *EVSE* shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple *EVSE* spaces and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE* space at a minimum rate of no less than 3.3 kVA.

- When serving *EVSE* spaces allowed to have a minimum circuit capacity of 2.7 kVA in accordance with CD103.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE* space at a minimum rate of no less than 2.1 kVA.

CD103.5 Disbursement. Required *EVSE*, *EV Ready*, and *EV Capable* spaces shall be disbursed throughout parking areas in commercial developments that contain multiple buildings so that each building has access to roughly the same number of spaces.

CD103.6 Circuit capacity. The capacity of electrical infrastructure serving each *EV capable* space, *EV ready* space, and *EVSE* space shall comply with one of the following:

- A branch circuit shall have a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each *EV ready* space or *EVSE* space it serves.
- The requirements of CD103.5.1.

CD103.6.1 Circuit capacity management. The capacity of each branch circuit serving multiple *EVSE* spaces, *EV ready* spaces or *EV capable* spaces designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

- Have a minimum capacity of 4.1 kVA per space.
- Have a minimum capacity of 2.7 kVA per space when serving *EV ready* spaces or *EVSE* spaces for a building site where all (100%) of the automobile parking spaces are designed to be *EV ready* or *EVSE* spaces.

CD103.7 EVSE installation. *EVSE* shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

CD103.8. EVSE ENERGY STAR. All *EVSE* shall be ENERGY STAR certified.

CD104 Universal Vehicle Charging Stations.

CD104.1 Universal vehicle charging stations. Where *electric vehicle* charging stations are provided for public use, or where *electric vehicle* charging stations are shared by multiple multi-family dwelling units, the number of universal vehicle charging stations shall be provided in accordance with Table CD104.1. When multiple stalls are required, access aisles may be shared.

TABLE CD104.1

UNIVERSAL EV SPACE REQUIREMENTS

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
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1 or more	25%
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CD105. Identification.

CD105.1 Identification. Construction documents shall designate all *EV capable spaces*, *EV ready spaces* and *EVSE spaces* and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the *EV capable spaces*, *EV ready spaces*, and *EVSE spaces* shall be clearly identified in the panel board directory. The conduit for *EV capable spaces* shall be clearly identified at both the panel board and the termination point at the parking space.

Residential Provisions of the IECC

Section R101 Scope and General Requirements

R101.1 Title. This code shall be known as the International Energy Conservation Code of the City of Lafayette, Colorado, and shall be cited as such. It is referred to herein as “this code”.

Section R103 Construction Documents

Section R103.2 Information on construction documents, is amended by adding items 10, 11, and 12 as follows:

- 10. Details of additional electric infrastructure, including branch circuits, conduit, or pre-wiring, and panel capacity in compliance with the provisions of this code.
- 11. Location of pathways for routing of raceways or cable from the solar ready zone to the electrical service panel.
- 12. Location of designated EVSE spaces, EVSE Universal spaces, EV-Ready spaces, and EV-Capable spaces in parking facilities, as applicable.

Section R202 GENERAL DEFINITIONS is amended to add the following definitions in alphabetical order:

ALL-ELECTRIC BUILDING. A *building* and building site that contains no *combustion equipment*, or plumbing for *combustion equipment*, and that uses heat pump technology as the primary supply for heating, cooling, and service water heating loads.

COMBUSTION EQUIPMENT: Any equipment or appliances used for space heating, cooling, water heating (including pools and spas), cooking, clothes drying or lighting that uses natural gas, propane, other fuel gas, or fuel oil.

INVOLUNTARY DEMOLITION OR INVOLUNTARY DESTRUCTION. The destruction or demolition of a structure caused by natural forces such as fire, flood, or tornado but not by human forces or human error.

R408.2.2 More efficient HVAC equipment. Heating and cooling equipment shall meet one of the following efficiencies:

1. Greater than or equal to 10 HSPF/16 SEER air source heat pump.
2. Greater than or equal to 3.5 COP ground source heat pump.

Section R408.2.3 Reduced energy use in service water-heating option is amended as follows:

R408.2.3 Reduced energy use in service water-heating option. The hot water system shall meet one of the following efficiencies:

1. Greater than or equal to 2.0 EF electric service water-heating system.
2. Greater than or equal to 0.4 solar fraction solar water-heating system.

Appendix RB is hereby adopted and amended to read: “**Appendix RB Solar Ready Provisions.**”

Section RB101 Scope

RB101.1 General. These provisions shall be applicable for new construction and major alterations where solar-ready provisions are required.

RB103 Solar-Ready Zone

RB103.1 General. New residential buildings with not less than 600 square feet (55.74 m²) of roof area oriented between 110 degrees and 270 degrees of true north shall comply with Sections RB103.2 through RB103.8.

Exceptions:

1. Residential buildings with a permanently installed on-site renewable energy system.
2. A building where all areas of the roof that would otherwise meet the requirements of section RB103 are in full or partial shade for more than 70 percent of daylight hours annually.

This section hereby creates and adopts a new **Appendix RD EV Readiness – Residential:**

APPENDIX RD

EV READINESS - RESIDENTIAL

RD101 Scope

RD101. Purpose and intent. The purpose and intent of this Appendix RD is to accommodate the growing need for EV charging infrastructure, in particular meeting preferences for charging at home. Including these measures during initial construction substantially reduces the costs and difficulty of installing future EV infrastructure.

RD101.2 Applicability. This Appendix RD shall apply to all new residential construction and to major alterations to which the International Residential Code applies.

RD102. Definitions.

AUTOMOBILE PARKING SPACE. A space within a building or private or public parking lot, exclusive of driveways, ramps, columns, office, and work areas, for the parking of an automobile.

DIRECT CURRENT FAST CHARGING (DCFC) EVSE: EV power transfer infrastructure capable of fast charging on a 100A or higher 480VAC three-phase branch circuit. AC power is converted into a controlled DC voltage and current within the *EVSE* that will then directly charge the *electric vehicle*.

EV LOAD MANAGEMENT SYSTEM: A system designed to allocate charging capacity among multiple *EVSE* and that complies with the current National Electric Code.

ELECTRIC VEHICLE (EV). An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood *electric vehicles*, and electric motorcycles, primarily powered by an electric motor that draws current from an electric source.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). Equipment for plug-in power transfer including the ungrounded, grounded, and equipment grounding conductors, and the *electric vehicle* connectors, attachment plugs, personal protection system and all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the *electric vehicle*.

ELECTRIC VEHICLE SUPPLY EQUIPMENT INSTALLED SPACE (EVSE space). An automobile parking space that is provided with a dedicated *EVSE* connection.

ELECTRIC VEHICLE CAPABLE SPACE (EV CAPABLE SPACE). A designated automobile parking space that is provided with electrical infrastructure, such as, but not limited to, raceways, cables, electrical capacity, and panelboard or other electrical distribution equipment space, necessary for the future installation of an *EVSE*.

ELECTRIC VEHICLE READY SPACE (EV READY SPACE). An automobile parking space that is provided with a branch circuit and either an outlet, junction box or receptacle, that will support an installed *EVSE*.

MAJOR ALTERATION. Any building where the work area exceeds 50 percent of the aggregate area of the building.

UNIVERSAL VEHICLE CHARGING STATION. A charging station installed in a parking space for a minimum vehicle width of 120 inches (3048 mm) with 36-inch access aisles (915 mm) on each side.

RD103 One- and two- Family Dwellings and Townhouses

RD103.1 General. One *EV ready* space shall be provided for each dwelling unit. The branch circuit shall be identified as *EV ready* in the service panel or subpanel directory, and the termination location shall be marked as *EV ready*.

Exception: Dwelling units where no parking spaces are either required or provided.

RD103.1.1 Receptacle. The EV ready space shall be provided with a receptacle, over current protection, and GFCI protection as required by NFPA 70.

RD103.1.2 Voltage and ampacity. The EV ready space shall be supplied with 240 volts and 40 amps.

RD104 Residential Multi-Family Dwellings

RD104.1 General. New dwelling units for residential multi-family buildings, other than duplexes and townhomes, shall be provided with *electric vehicle* power transfer infrastructure in compliance with Sections RD104.1 through RD104.6 and Sections RD105 through RD106.

RD104.2 Quantity. The number of required *EVSE* spaces, *EV ready* spaces, and *EV capable* spaces shall be determined in accordance with this Section and Table RD105.1 based on the total number of *automobile parking spaces* and shall be rounded up to the nearest whole number. For R-2 buildings, the Table requirements shall be based on the total number of dwelling units or the total number of *automobile parking spaces*, whichever is less.

1. Where more than one parking facility is provided on a building site, the number of required *automobile parking spaces* required to have EV power transfer infrastructure shall be calculated separately for each parking facility.
2. Installed *EVSE* spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV ready* spaces and *EV capable* spaces.
3. Installed *EV ready* spaces that exceed the minimum requirements of this section may be used to meet minimum requirements for *EV capable* spaces.
4. Where the number of *EV ready* spaces allocated for R-2 occupancies is equal to the number of dwelling units or to the number of *automobile parking spaces* allocated to R-2 occupancies, whichever is less, requirements for *EVSE* spaces for R-2 occupancies shall not apply.
5. In residential multi-family complexes that contain multiple buildings, required EV spaces shall be dispersed throughout parking areas so that each building has access to a similar number of spaces per dwelling unit.

TABLE RD104.2

REQUIRED EV POWER TRANSFER INFRASTRUCTURE FOR MULTI-FAMILY

BUILDING TYPE	MINIMUM EV INSTALLED SPACES	MINIMUM EV READY SPACES	MINIMUM EV CAPABLE SPACES
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Group R-1 and R-2^a	15%	5%	40%
Group R-3 and R-4	2%	0%	5%

a. Where all (100%) parking serving R-2 occupancies are EV ready spaces, requirements for *EVSE* spaces for R-2 occupancies shall not apply.

RD104.3 EV capable spaces. Each *EV capable* space used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. A continuous raceway or cable assembly shall be installed between an enclosure or outlet located within 3 feet (914 mm) of the *EV capable* space and a suitable panelboard or other onsite electrical distribution equipment.
2. Installed raceway or cable assembly shall be sized and rated to supply a minimum circuit capacity in accordance with RD104.5
3. The electrical distribution equipment to which the raceway or cable assembly connects shall have sufficient dedicated space and spare electrical capacity for a 2-pole circuit breaker or set of fuses.
4. The electrical enclosure or outlet and the electrical distribution equipment directory shall be marked: "For future electric vehicle supply equipment (EVSE)."
5. Reserved capacity shall be no less than 4.1 kVA (20A 208/240V) for each *EV capable* space.

RD104.4 EV ready spaces. Each branch circuit serving *EV ready* spaces used to meet the requirements of Section RD105.1 shall comply with all of the following:

1. Terminate at an outlet or enclosure, located within 3 feet (914 mm) of each *EV ready* space it serves.
2. Have a minimum circuit capacity in accordance with RD104.5.
3. The panelboard or other electrical distribution equipment directory shall designate the branch circuit as "For electric vehicle supply equipment (EVSE)" and the outlet or enclosure shall be marked "For electric vehicle supply equipment (EVSE)."

RD104.5 EVSE spaces. An installed *EVSE* with multiple output connections shall be permitted to serve multiple *EVSE* spaces. Each *EVSE* installed to meet the requirements of Section RD104.1, serving either a single *EVSE* space or multiple *EVSE* spaces, shall comply with all of the following:

1. Have a minimum circuit capacity in accordance with RD104.5.
2. Have a minimum charging rate in accordance with RD104.4.1.
3. Be located within 3 feet (914 mm) of each *EVSE* space it serves.

4. Be installed in accordance with Section RD104.6 and RD104.7

RD104.5.1 EVSE minimum charging rate. Each installed *EVSE* shall comply with one of the following:

1. Be capable of charging at a minimum rate of 6.2 kVA (or 30A at 208/240V).
2. When serving multiple *EVSE* spaces and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE* space at a minimum rate of no less than 3.3 kVA.
3. When serving *EVSE* spaces allowed to have a minimum circuit capacity of 2.7 kVA in accordance with RD104.5.1 and controlled by an energy management system providing load management, be capable of simultaneously charging each *EVSE* space at a minimum rate of no less than 2.1 kVA.

RD 104.6 Disbursement. Required *EVSE*, *EV ready*, and *EV capable* spaces shall be disbursed throughout the parking areas in Residential Multi-family developments that contain multiple buildings so that each building has access to roughly the same number of spaces.

RD104.7 Circuit capacity. The capacity of electrical infrastructure serving each *EV capable* space, *EV ready* space, and *EVSE* space shall comply with one of the following:

1. A branch circuit shall have a rated capacity not less than 8.3 kVA (or 40A at 208/240V) for each *EV ready* space or *EVSE* space it serves.
2. The requirements of RD104.5.1.

RD104.7.1 Circuit capacity management. The capacity of each branch circuit serving multiple *EVSE* spaces, *EV ready* spaces or *EV capable* spaces designed to be controlled by an energy management system providing load management in accordance with NFPA 70, shall comply with one of the following:

1. Have a minimum capacity of 4.1 kVA per space.
2. Have a minimum capacity of 2.7 kVA per space when serving *EV ready* spaces or *EVSE* spaces for a building site when all (100%) of the automobile parking spaces are designed to be *EV ready* or *EVSE* spaces.

RD104.8 EVSE installation. *EVSE* shall be installed in accordance with NFPA 70 and shall be listed and labeled in accordance with UL 2202 or UL 2594.

RD104.9. EVSE ENERGY STAR. All *EVSE* shall be ENERGY STAR certified.

RD105 Universal vehicle charging stations

RD105.1 General. Where *electric vehicle* charging stations are provided for public use, or where *electric vehicle* charging stations are shared by multiple multi-family dwelling units, the number of universal vehicle charging stations shall be provided in accordance with Table RD105.1. When multiple stalls are required, access aisles may be shared.

TABLE RD105.1

UNIVERSAL EV SPACE REQUIREMENTS

TOTAL # OF EV CHARGING STATIONS	MINIMUM # OF UNIVERSAL VEHICLE CHARGING STATIONS
1 or more	25%

RD106. Identification

RD 106.1 General. Construction documents shall designate all EV Capable spaces, EV Ready spaces and EV Installed spaces and indicate the locations of conduit and termination points serving them. The circuit breakers or circuit breaker spaces reserved for the EV Capable spaces, EV Ready spaces, and EV Installed spaces shall be clearly identified in the panel board directory. The conduit for EV Capable spaces shall be clearly identified at both the panel board and the termination point at the parking space.

Article 10 – Amendments to the 2021 International Swimming Pool and Spa Code

Chapter 1. Chapter 1 is hereby deleted. Please refer to the 2021 International Building Code Chapter 1 and 2023 Lafayette Building Code Chapter 1 amendments to the International Building Code for Scope and Administrative requirements.

Article 11 – Amendments to the 2021 International Property Maintenance Code

Chapter 1. Chapter 1 is hereby deleted. Please refer to the 2021 International Building Code Chapter 1 and 2023 Lafayette Building Code Chapter 1 amendments to the International Building Code for Scope and Administrative requirements.

ITEM: Comprehensive Plan Update

PLANNER: Jeff Hirt, AICP, Planning Manager; Rob Zuccaro, AICP, Community Development Director

SUBJECT: Comprehensive Plan Update

PURPOSE

The purpose of this agenda item is to:

- Provide Planning Commission with an overview of what a comprehensive plan is,
- Share the plan for the City’s Comprehensive Plan Update launching in 2024, and
- Solicit initial feedback from Planning Commission to inform next steps.

BACKGROUND:

The City is launching an update to one of its most important policy documents – the Comprehensive Plan. The Plan is adopted by City Council and required by state law.¹ Louisville Municipal Code (LMC) Section 17.64.050 also requires a Plan update at least every ten years. The last Plan update was in



2013. The Plan update is an opportunity for the community to refresh the City’s overall vision, values, and policies on a range of topics including but not limited to land use, development, and infrastructure. The time horizon the Louisville Comprehensive Plan will address is about 20 years. The Community Development Department will manage the Plan update in close coordination with City Council, Planning Commission and numerous other City boards, commissions, and departments with a consultant team led by Design Workshop with subconsultants Fehr and Peers (transportation), Economic and Planning Systems (economics analysis), and Spirit Environmental (sustainability, resilience).

The typical components of a most comprehensive plans that City staff expects will be included in the Plan update include:

- *Existing Conditions Assessments*: this will include analysis of trends related to the built environment (e.g., land use and development), social and economic trends, etc.
- *Vision and Values Statements*: this will be heavily informed by community input to articulate what is most important to Louisville community members that the Plan’s policies should hinge on. This may also take the form of guiding principles. In addition to acting as a foundation for the Plan’s policies, the vision and values statements can be a helpful lens for a range of future City decisions like City Council work planning and budgeting.

¹ C.R.S. Sec. 30-28-106, 31-23-206.

- *Future Land Use Framework*: this will likely include maps and accompanying policies that establish the City’s desired vision for future land uses. These policies will act as a foundation for land use decisions on both public and private land. For example, the Louisville Municipal Code (LMC) requires that most development proposals (e.g., Planned Unit Developments, rezonings) be evaluated for consistency with Comprehensive Plan policies.



2013 Louisville Comprehensive Plan Cover

- *Future Transportation Framework*: this will include maps and accompanying policies that establish the City’s desired vision for future transportation connections. The Plan update will build off the City Council adopted 2019 Transportation Master Plan. These policies will act as a foundation for transportation decisions both for City initiated capital improvement projects and incremental transportation improvements as development and redevelopment occurs on private property.
- *Policy Statements by Topic*: as the plan is comprehensive, it will address a range of other topics that emerge from community input. For example, the Plan update is an opportunity to establish or reinforce City policies on topics “adjacent” to land use, development, and infrastructure. The project team anticipates topics like Equity, Diversity, and Inclusion (EDI), environmental sustainability, resilience and hazard mitigation, and housing affordability (among others) to be front and center in the Plan update.

Community Engagement

Community input that reflects a broad range of perspectives and opinions will be vital to the Plan update’s success. The project team is planning on three community engagement “windows” over the course of the project. During each of these windows, there will be a wide range of engagement opportunities with the intent of ensuring broad representation and meeting people where they are at. The table below summarizes each of these engagement windows.

The project team is planning City Council and Planning Commission check-ins and requests for input throughout the project and within each of these engagement windows.

Comprehensive Plan Community Proposed Engagement Windows

Engagement Window	Engagement Types	Est. Timing (subject to change)
<p>Engagement Window #1: Community Vision and Values</p> <p>The purpose of this engagement window is to raise awareness about the project and solicit community input on the Plan’s vision, values, and goals.</p>	<ul style="list-style-type: none"> • City Council, Planning Commission • City boards and commissions • Focus groups by topic (e.g., development, transportation, sustainability, etc.) • Public events • Online engagement through Engage Louisville (e.g., surveys) 	<p>First quarter of 2024</p>
<p>Engagement Window #2: Community Choices, Strategy Framework</p> <p>The purpose of this engagement window will be to solicit community input on the Plan’s draft framework, which will include key community choices that will be driven by input during engagement window #1 (e.g., specific land use options).</p>	<ul style="list-style-type: none"> • City Council, Planning Commission • City boards and commissions • Public events • Online engagement through Engage Louisville (e.g., surveys) • Intercept events (e.g., at planned community gatherings) 	<p>Third quarter of 2024</p>
<p>Engagement Window #3: Draft Plan</p> <p>The purpose of this engagement window will be to inform the community of the draft plan and determine the leadership, timing, and funding considerations and prioritizations of actions.</p>	<ul style="list-style-type: none"> • City Council, Planning Commission • Online information sharing through Engage Louisville (e.g., surveys) 	<p>Early/mid 2025</p>

Active City Projects Related to the Comprehensive Plan

The City has several active related projects that the Comprehensive Plan will need to align with. The table below highlights three notable, active plans slated for future City Council adoption and examples of how the Comprehensive Plan could align with those efforts.

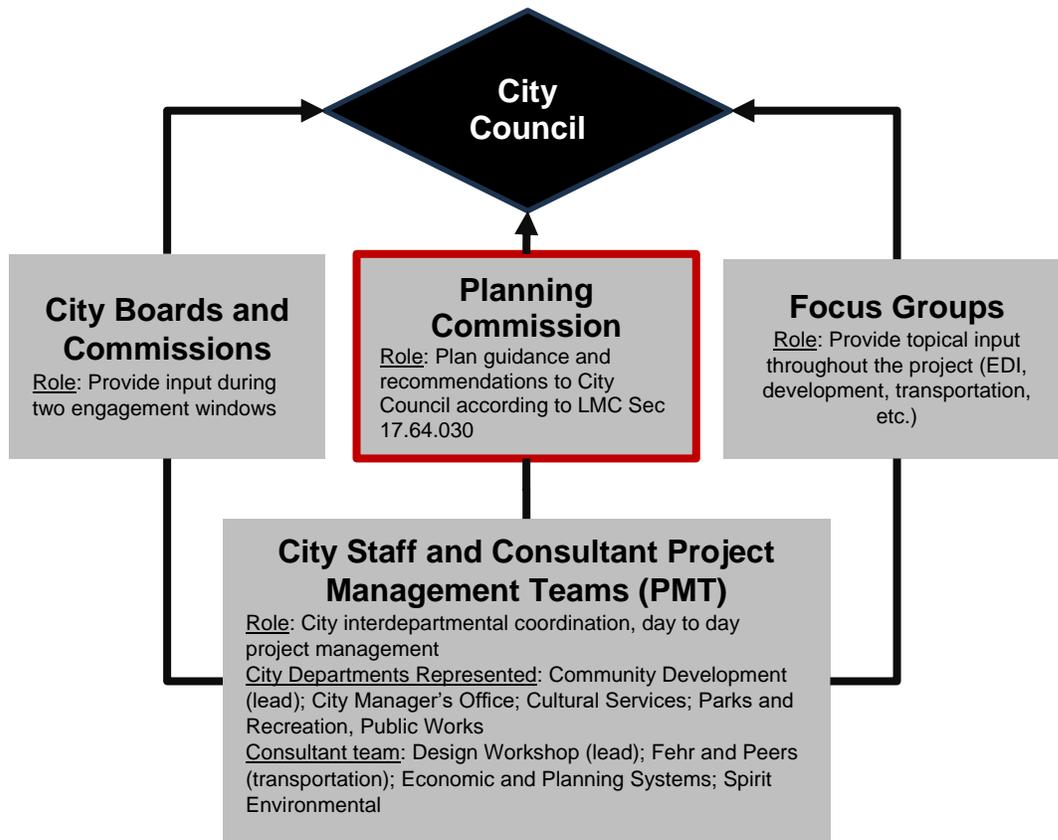
Summary of Select Related and Active City Planning Projects

Related City Plan	Brief Summary	Comprehensive Plan Alignment Examples	Est. Timing
Parks, Recreation, Open Space, and Trails (PROST) Master Plan Update	Guiding document for planning, acquisition, development, and administration of related facilities.	The Comprehensive Plan’s related policies and future land use recommendations should align with any such content in the PROST Master Plan update.	Public launch planned for mid-2024
Louisville Downtown Vision Plan (LDVP)	To enhance public spaces downtown (e.g., streetscape, wayfinding, etc.).	The Comprehensive Plan will likely have a more granular future land use and transportation plan for downtown that will need to align with any LDVP recommendations.	Community engagement planned for early 2024, City Council adoption planned for late 2024
Housing Plan	Includes a housing needs assessment, related policy statements, and an action plan.	The Housing Plan will likely call for increasing opportunities for more residential development in Louisville. The Comprehensive Plan’s future land use component is an important tool to identify which areas of the community may be appropriate for any such land use changes.	Early 2024 City Council adoption

Project Structure

LMC Section 17.64.030 establishes the Planning Commission as the recommending body to City Council to adopt the Comprehensive Plan. Community input will be supplemented by input from City boards, commissions, and focus groups to inform Plan recommendations to City Council. The project team consists of an interdepartmental group that interfaces with the Plan and the consultants. The graphic below summarizes the proposed project structure. Attachment 1 includes the consultant scope of work and contract that City Council approved on June 6, 2024.

Comprehensive Plan Update Proposed Project Structure



PROPOSED SCHEDULE AND NEXT STEPS

The Plan update is just getting started with a public launch anticipated for early 2024 and a planned adoption by late Summer/early Fall 2025. An abbreviated proposed project schedule is provided below. Planning Commission and City Council discussions will occur during the engagement windows and throughout the project with specific dates to be determined.

The specific next steps include a public launch planned for February 2024. The project team plans to inform the community of the opportunities for engagement repeatedly throughout Engagement Window #1 through the City's social media platforms, newsletters, signs around the community, and direct mailers, among other notification methods.

Proposed Abbreviated Comprehensive Plan Update Schedule (subject to change)

	2024				2025		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Engagement Window #1: Vision and Values							
Engagement Window #2: Choices and Plan Framework							
Engagement Window #3: Draft Plan							
Draft Plan Framework and Key Community Choices							
Draft Plan (* = planned City Council adoption)							*

REQUESTED PLANNING COMMISSION FEEDBACK

City staff are requesting feedback from Planning Commission on the following two questions to inform next steps:

- What does a successful Comprehensive Plan update look like to you?
- What are the top three items that the Comprehensive Plan update should address?

LINKS:

1. 2013 Comprehensive Plan - <https://www.louisvilleco.gov/local-government/government/departments/planning/comprehensive-plans-studies-reports>.
2. Plan Update Engage Louisville webpage: <https://www.engagelouisvilleco.org/comp-plan>.

ATTACHMENT

1. Comprehensive Plan consultant scope of work approved by City Council June 6, 2024

**AN AGREEMENT BY AND BETWEEN THE CITY OF LOUISVILLE
AND DESIGN WORKSHOP
FOR CONSULTING SERVICES**

1.0 PARTIES

This AGREEMENT FOR CONSULTING SERVICES (this “Agreement”) is made and entered into this 6th day of June, 2023 (the “Effective Date”), by and between the **City of Louisville**, a Colorado home rule municipal corporation, hereinafter referred to as the “City”, and Design Workshop, Inc, a Colorado Corporation hereinafter referred to as the “Consultant”.

2.0 RECITALS AND PURPOSE

- 2.1 The City desires to engage the Consultant for the purpose of providing consultant services to develop a Comprehensive Plan, as further set forth in the Consultant’s Scope of Services (which services are hereinafter referred to as the “Services”).
- 2.2 The Consultant represents that it has the special expertise, qualifications and background necessary to complete the Services.

3.0 SCOPE OF SERVICES

The Consultant agrees to provide the City with the specific Services and to perform the specific tasks, duties and responsibilities set forth in Scope of Services attached hereto as Exhibit “A” and incorporated herein by reference.

4.0 COMPENSATION

- 4.1 The City shall pay the Consultant for services under this agreement a total not to exceed the amounts set forth in Exhibit “B” attached hereto and incorporated herein by this reference. The City shall not pay mileage and other reimbursable expenses (such as meals, parking, travel expenses, necessary memberships, etc.), unless such expenses are (1) clearly set forth in the Scope of Services, and (2) necessary for performance of the Services (“Pre-Approved Expenses”). The foregoing amounts of compensation shall be inclusive of all costs of whatsoever nature associated with the Consultant’s efforts, including but not limited to salaries, benefits, overhead, administration, profits, expenses, and outside consultant fees. The Scope of Services and payment therefor shall only be changed by a properly authorized amendment to this Agreement. No City employee has the authority to bind the City with regard to any payment for any services which exceeds the amount payable under the terms of this Agreement.
- 4.2 The Consultant shall submit monthly an invoice to the City for Services rendered and a detailed expense report for Pre-Approved Expenses incurred during the previous month. The invoice shall document the Services provided during the preceding month, identifying by work category and subcategory the work and tasks performed and such other information as may be required by the City. The Consultant shall provide such additional

backup documentation as may be required by the City. The City shall pay the invoice within thirty (30) days of receipt unless the Services or the documentation therefor are unsatisfactory. Payments made after thirty (30) days may be assessed an interest charge of one percent (1%) per month unless the delay in payment resulted from unsatisfactory work or documentation therefor.

5.0 PROJECT REPRESENTATION

- 5.1 The City designates Rob Zuccaro as the responsible City staff to provide direction to the Consultant during the conduct of the Services. The Consultant shall comply with the directions given by Rob Zuccaro and such person's designees.
- 5.2 The Consultant designates Alison Bourquin as its project manager and Jessica Garrow as the principal in charge who shall be providing the Services under this Agreement. Additional staff will support work under direct supervision of Jessica Garrow and Alison Bourquin.

6.0 TERM

- 6.1 The term of this Agreement shall be from the Effective Date to December 31, 2024, unless sooner terminated pursuant to Section 13, below. The Consultant's Services under this Agreement shall commence on the Effective Date and Consultant shall proceed with diligence and promptness so that the Services are completed in a timely fashion consistent with the City's requirements.
- 6.2 Nothing in this Agreement is intended or shall be deemed or construed as creating any multiple-fiscal year direct or indirect debt or financial obligation on the part of the City within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision. All financial obligations of the City under this Agreement are subject to annual budgeting and appropriation by the Louisville City Council, in its sole discretion. Notwithstanding anything in this Agreement to the contrary, in the event of non-appropriation, this Agreement shall terminate effective December 31 of the then-current fiscal year.

7.0 INSURANCE

- 7.1 The Consultant agrees to procure and maintain, at its own cost, the policies of insurance set forth in Subsections 7.1.1 through 7.1.4. The Consultant shall not be relieved of any liability, claims, demands, or other obligations assumed pursuant to this Agreement by reason of its failure to procure or maintain insurance, or by reason of its failure to procure or maintain insurance in sufficient amounts, durations, or types. The coverages required below shall be procured and maintained with forms and insurers acceptable to the City. All coverages shall be continuously maintained from the date of commencement of services hereunder. The required coverages are:

- 7.1.1 Workers' Compensation insurance as required by the Labor Code of the State of Colorado and Employers Liability Insurance. Evidence of qualified self-insured status may be substituted.
- 7.1.2 General Liability insurance with minimum combined single limits of ONE MILLION DOLLARS (\$1,000,000) each occurrence and TWO MILLION DOLLARS (\$2,000,000) aggregate. The policy shall include the City of Louisville, its officers and its employees, as additional insureds, with primary coverage as respects the City of Louisville, its officers and its employees, and shall contain a severability of interests provision.
- 7.1.3 Comprehensive Automobile Liability insurance with minimum combined single limits for bodily injury and property damage of not less than FOUR HUNDRED THOUSAND DOLLARS (\$400,000) per person in any one occurrence and ONE MILLION DOLLARS (\$1,000,000) for two or more persons in any one occurrence, and auto property damage insurance of at least FIFTY THOUSAND DOLLARS (\$50,000) per occurrence, with respect to each of Consultant's owned, hired or non-owned vehicles assigned to or used in performance of the services. The policy shall contain a severability of interests provision. If the Consultant has no owned automobiles, the requirements of this paragraph shall be met by each employee of the Consultant providing services to the City of Louisville under this Agreement.
- 7.1.4 Professional Liability coverage with minimum combined single limits of ONE MILLION DOLLARS (\$1,000,000) each occurrence and ONE MILLION DOLLARS (\$1,000,000) aggregate.
- 7.2 The Consultant's general liability insurance, automobile liability and physical damage insurance, and professional liability insurance shall be endorsed to include the City, and its elected and appointed officers and employees, as additional insureds, unless the City in its sole discretion waives such requirement. Every policy required above shall be primary insurance, and any insurance carried by the City, its officers, or its employees, shall be excess and not contributory insurance to that provided by the Consultant. Such policies shall contain a severability of interests provision. The Consultant shall be solely responsible for any deductible losses under each of the policies required above.
- 7.3 Certificates of insurance shall be provided by the Consultant as evidence that policies providing the required coverages, conditions, and minimum limits are in full force and effect, and shall be subject to review and approval by the City. No required coverage shall be cancelled, terminated or materially changed until at least 30 days' prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy and any endorsement thereto.
- 7.4 Failure on the part of the Consultant to procure or maintain policies providing the required coverages, conditions, and minimum limits shall constitute a material breach of contract upon which the City may immediately terminate this Agreement, or at its discretion may procure or renew any such policy or any extended reporting period thereto and may pay

any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by Consultant to the City upon demand, or the City may offset the cost of the premiums against any monies due to Consultant from the City.

- 7.5 The parties understand and agree that the City is relying on, and does not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, § 24-10-101 et seq., C.R.S., as from time to time amended, or otherwise available to the City, its officers, or its employees.

8.0 INDEMNIFICATION

To the fullest extent permitted by law, the Consultant agrees to indemnify and hold harmless the City, and its elected and appointed officers and its employees, from and against all reasonable liability, claims, and demands, on account of any injury, loss, or damage, which arise out of or are connected with the services hereunder, if and to the extent such injury, loss, or damage is caused by the negligent act, omission, or other fault of the Consultant or any subcontractor of the Consultant, or any officer, employee, or agent of the Consultant or any subcontractor, or any other person for whom Consultant is responsible. The Consultant shall investigate, handle, and respond to, any such liability, claims, and demands. The Consultant shall further bear reasonable costs and expenses incurred by the City or Consultant and related to any such liability, claims and demands, including but not limited to court costs, expert witness fees and attorneys' fees if the court determines to the extent that these incurred costs and expenses are related to such negligent acts, errors, and omissions or other fault of the Consultant. The City shall be entitled to its costs and attorneys' fees incurred in any action to enforce the provisions of this Section 8.0. The Consultant's indemnification obligation shall not be construed to extend to any injury, loss, or damage which is caused by the act, omission, or other fault of the City.

9.0 QUALITY OF WORK

Consultant's professional services shall be in accordance with the prevailing standard of practice normally exercised in the performance of services of a similar nature in the Denver metropolitan area.

10.0 INDEPENDENT CONTRACTOR

It is the expressed intent of the parties that the Consultant is an independent contractor and not the agent, employee or servant of the City, and that:

- 10.1. Consultant shall satisfy all tax and other governmentally imposed responsibilities including but not limited to, payment of state, federal, and social security taxes, unemployment taxes, worker's compensation and self-employment taxes. No state, federal or local taxes of any kind shall be withheld or paid by the City.
- 10.2. **Consultant is not entitled to worker's compensation benefits except as may be provided by the Consultant nor to unemployment insurance benefits unless**

unemployment compensation coverage is provided by the Consultant or some entity other than the City.

- 10.3. Consultant does not have the authority to act for the City, or to bind the City in any respect whatsoever, or to incur any debts or liabilities in the name of or on behalf of the City.
- 10.4. Consultant has and retains control of and supervision over the performance of Consultant's obligations hereunder and control over any persons employed by Consultant for performing the Services hereunder.
- 10.5. The City will not provide training or instruction to Consultant or any of its employees regarding the performance of the Services hereunder.
- 10.6. Neither the Consultant nor any of its officers or employees will receive benefits of any type from the City.
- 10.7. Consultant represents that it is engaged in providing similar services to other clients and/or the general public and is not required to work exclusively for the City.
- 10.8. All Services are to be performed solely at the risk of Consultant and Consultant shall take all precautions necessary for the proper and sole performance thereof.
- 10.9. Consultant will not combine its business operations in any way with the City's business operations and each party shall maintain their operations as separate and distinct.

11.0 ASSIGNMENT

Except as provided in section 22.0 hereof, Consultant shall not assign or delegate this Agreement or any portion thereof, or any monies due or to become due hereunder without the City's prior written consent.

12.0 DEFAULT

Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default.

13.0 TERMINATION

- 13.1 This Agreement may be terminated by either party for material breach or default of this Agreement by the other party not caused by any action or omission of the other party by giving the other party written notice at least thirty (30) days in advance of the termination date. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

13.2 In addition to the foregoing, this Agreement may be terminated by the City for its convenience and without cause of any nature by giving written notice at least fifteen (15) days in advance of the termination date. In the event of such termination, the Consultant will be paid for the reasonable value of the services rendered to the date of termination, not to exceed a pro-rated daily rate, for the services rendered to the date of termination, and upon such payment, all obligations of the City to the Consultant under this Agreement will cease. Termination pursuant to this subsection shall not prevent either party from exercising any other legal remedies which may be available to it.

14.0 INSPECTION AND AUDIT

The City and its duly authorized representatives shall have reasonable access to any books, documents, papers, and records of the Consultant that are related to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

15.0 DOCUMENTS

All plans, documents photographic images, tests, maps, surveys, and copies of electronic files generated in the performance of this Agreement or developed for the City in performance of the Services are and shall remain the sole and exclusive property of the City. All such materials shall be promptly provided to the City upon request therefor and at the time of termination of this Agreement upon payment from the City. Consultant shall not provide copies of any such material to any other party without the prior written consent of the City.

16.0 ENFORCEMENT

16.1 In the event that suit is brought upon this Agreement to enforce its terms, the prevailing party shall be entitled to its reasonable attorneys' fees and related court costs.

16.2 This Agreement shall be deemed entered into in Boulder County, Colorado, and shall be governed by and interpreted under the laws of the State of Colorado. Any action arising out of, in connection with, or relating to this Agreement shall be filed in the District Court of Boulder County of the State of Colorado, and in no other court. Consultant hereby waives its right to challenge the personal jurisdiction of the District Court of Boulder County of the State of Colorado over it.

17.0 COMPLIANCE WITH LAWS

- 17.1 Consultant shall be solely responsible for compliance with all applicable federal, state, and local laws, including the ordinances, resolutions, rules, and regulations of the City; for payment of all applicable taxes; and obtaining and keeping in force all applicable permits and approvals.
- 17.2 Consultant acknowledges that the City of Louisville Code of Ethics provides that independent contractors who perform official actions on behalf of the City which involve the use of discretionary authority shall not receive any gifts seeking to influence their official actions on behalf of the City, and that City officers and employees similarly shall not receive such gifts. Consultant agrees to abide by the gift restrictions of the City's Code of Ethics.

18.0 INTEGRATION AND AMENDMENT

This Agreement represents the entire Agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

19.0 NOTICES

All notices required or permitted under this Agreement shall be in writing and shall be given by hand delivery, by United States first class mail, postage prepaid, registered or certified, return receipt requested, by national overnight carrier, or by facsimile transmission, addressed to the party for whom it is intended at the following address:

If to the City:

City of Louisville
Attn: City Manager
749 Main Street
Louisville, Colorado 80027
Telephone: (303) 335-4533
Fax: (303) 335-4550

If to the Consultant:

Design Workshop
Attn: Jessica Garrow
22860 Two Rivers Road, Suite 102
Basalt, CO 81621
Telephone: 970-925-8354

Any such notice or other communication shall be effective when received as indicated on the delivery receipt, if by hand delivery or overnight carrier; on the United States mail return receipt, if by United States mail; or on facsimile transmission receipt. Either party may by similar notice given, change the address to which future notices or other communications shall be sent.

20.0 EQUAL OPPORTUNITY EMPLOYER

- 20.1 Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, disability or national origin. Consultant will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, age, sex, disability, or national origin. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of the Equal Opportunity Laws.
- 20.2 Consultant shall be in compliance with the applicable provisions of the American with Disabilities Act of 1990 as enacted and from time to time amended and any other applicable federal, state, or local laws and regulations. A signed, written certificate stating compliance with the Americans with Disabilities Act may be requested at any time during the life of this Agreement or any renewal thereof.

21.0 NO THIRD PARTY BENEFICIARIES

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to City and Consultant, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third party on such Agreement. It is the express intention of the parties that any person other than City or Consultant receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.

22.0 SUBCONTRACTORS

Consultant may utilize subcontractors identified in its qualifications submittal to assist with non-specialized works as necessary to complete projects. Consultant will submit any proposed subcontractor and the description of its services to the City for approval. The City will not work directly with subcontractors.

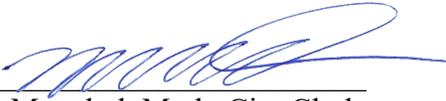
23.0 AUTHORITY TO BIND

Each of the persons signing below on behalf of any party hereby represents and warrants that such person is signing with full and complete authority to bind the party on whose behalf of whom such person is signing, to each and every term of this Agreement.

In witness whereof, the parties have executed this Agreement to be effective on the date first above written.

CITY OF LOUISVILLE,
a Colorado Municipal Corporation

By: 
Dennis Maloney, Mayor

Attest: 
Meredyth Muth, City Clerk

CONSULTANT:


By: Jessica Garrow

Title: Principal

Exhibit A – Scope of Services

The following narrative describes a list of services required to complete a Comprehensive Plan that articulates the community's vision for the future. While the following scope is organized in a linear manner, many of the tasks may proceed in a parallel or concurrent fashion.

Phase 1 **Project Initiation: Laying the Foundation for Louisville's Comprehensive Plan**

Project management is critical to keep the project on schedule and budget, effectively communicate progress and to ensure the highest levels of success. This includes the following sub-tasks.

Task 1.1 SKO & Consultant Team Site Visit

We will begin with a Strategic Kick Off (SKO) workshop with the consultant team and key City staff to review and refine the scope of work and schedule, roles and responsibilities, define critical success factors, discuss community engagement goals, data needs requests, and other factors of project success. It will lay the foundation for an inclusive process and identify clear communications and community engagement opportunities. Following the SKO we will conduct a consultant team and city staff walking tour to see successes of the previous plan efforts, areas of opportunities and areas of concern.

Task 1.2 Project Management Plans, Biweekly Meetings and Reporting

Every phase will involve project management from Design Workshop's Principal-in-Charge and the Project Manager. A Project Management Plan (PMP) is an essential tool for successful project planning will serve as the team roadmap and will chart roles and responsibilities, schedule of milestones and deliverables, and tools to ensure team members stay on track. To facilitate efficient communication, we are anticipating time for biweekly virtual progress meetings to provide project tracking updates. We will also include progress updates with our monthly invoicing.

Task 1.3 Community Engagement Plan and Ongoing Stakeholder Management

We will prepare a Plan and Schedule for effective public engagement, referred to as Community and Stakeholder Engagement Plan, based on your knowledge of your community as well as our knowledge and experience in conducting successful engagement processes. We will work with you to identify the best methods to engage with the community such as polling questions, planning exercises, group discussions, pop-up meetings and web-based technology to allow a variety of ways for people to voice opinions, and to participate in the creation of the plan. As part of this, we will work with staff to categorize the groups and individuals that will be identified as key stakeholders that should be engaged in the process. Discussion of these stakeholders will begin with the Strategic Kickoff, which will identify the optimum role for these groups within the project. We anticipate city staff may support some engagement efforts, our team will provide all materials needed to coordinate effective and meaningful engagement. Project staff will monitor stakeholder engagement and strategic touchpoints throughout the process to track engagement and metrics. Updates and review of the tracking system, and engagement with targeted stakeholder groups will be assessed at key milestones (3x) during the project to ensure adaptability and efficacy of stakeholder engagement.

1.4 Project Communications and Project Branding

Given the nature of this project, it will be important to distribute information to the community regularly. We suggest regular advertisement in the local community newspapers and radio that provides information on the project on a regular schedule. We assume the city would be responsible for all ad placements and associated costs, as well as communication with the media. The consultant team will provide a content schedule to assist city staff in important project milestones to be shared – and recommends city staff consider scheduling time with the media at three specific milestones (existing conditions, recommendations, and draft plan) to provide updates on the project.

- **Project Branding.** A project brand will be created to provide consistency in messaging and communication. This branding can be used for online materials, as well as more tactile materials like yard signs, sidewalk painted signs, and business cards. This would include the creation of a common project title and logo to create recognizable project identity.
- **Website.** Engage Louisville will serve as an interactive community engagement hub hosting planning process information and interactive public input tools and opportunities. Design Workshop team members have been working with the Bang the Table platform since 2012 and are well versed in its application across planning project types. The team will create content for a project page which will be available throughout the life-cycle of the project with regularly scheduled updates corresponding to key milestones.
- **Social Media.** As part of the communications plan, we will include a schedule indicating when advertisements and social media posts should announce various planning efforts and information. This will link them to the project website and project information. Leveraging existing communication channels and socials will serve to amplify the opportunities for community engagement and provide distinct metrics for reporting project reach.
- **FAQs and Q&As.** Sharing information in easy to digest ways provides transparency for recommendations or questions around the comprehensive plan. We recommend gathering questions through Engage Louisville or on social media, website or email and followed up with a Q&A session live stream where staff answers questions about the project. A recording and a transcription can be posted to the website. Alternatively, the Engage Louisville website could be updated to include an FAQ section.
- **Traditional Media.** Create a media release announcing the launch of the project, and at major project milestones, and provide a “press packet” to local news outlets and community information sources and channels.
- **Contact.** We recommend the city create a dedicated project phone and email.

Task 1.5 Board Presentations

Throughout the process, we anticipate regular updates to the Planning Commission. Three (3) meetings have been included in the schedule at the completion of each phase of work to ensure the project is progressing appropriately and local leaders have an opportunity to provide key direction.

We anticipate these would occur at key milestones: existing conditions and trends, recommendations, and draft plans.

Task 1 Deliverables:

- *Strategic Kick-off, Agendas, Presentations and Summary Materials.*
- *Project Management Plan (PMP) including detailed work plan, project schedules and deliverables, assignments, roles and responsibilities, project critical success factors and engagement goals.*
- *One day consultant team site visit, observations and inventory assessment.*
- *Biweekly (every other week) calls with the Project Team, including meeting project tracking report, agendas, notes with action items (up to 32 one-hour calls).*
- *Percentage complete project report by task and monthly invoices (16 Total).*
- *Community Engagement and Communication Plan, draft and final formats provided in MS Word and PDF format.*
- *Creation of stakeholder management tracker and regular updates to tracker. Assessment engagement 'reach' and metrics after (3) key project milestones.*
- *Associated communication materials including content for the project website. Up to four (4) content updates including one (1) round of edits for each.*
- *Text for newspaper advertisements, anticipated to be provided four (4) times (Project Launch) and talking points for radio and newspaper stories, anticipated to be provided three (3) times (Existing Conditions, Recommendations, Draft Plan).*
- *Three (3) project process update presentation/reports for Planning Commission, anticipated to be virtual.*

Phase 2 Vision & Trends: Understanding Louisville

We will begin the process with a clear understanding of the work that has been done, the underlying fundamentals of the community and develop an understanding of how the plan can best serve critical issues and opportunities. The following subtasks are included:

Task 2.1 Past Plan Review

Using directives and outcomes from the Strategic Kick-Off, Design Workshop will conduct a high-level review of previous reports, studies and plans to ensure previous priorities and plans are reflected in the Comprehensive Plan. This Synthesis of Past Planning Efforts is intended to recognize the significant work already completed and harness that momentum rather than starting over. We will inventory past plans and studies to determine what goals and objectives have been achieved, which still need to be addressed and which are no longer relevant and share through a Summary Matrix.

Task 2.2 Advisory Group

It is important that the process be informed by the key stakeholders to serve as a Comprehensive Plan Advisory Group. We will work with City staff to categorize the groups and individuals that will be identified as

key stakeholders to be engaged in the process. We anticipate this group will include business leaders, members from the Chamber, staff and decision makers, local non-profits, economic development groups, builders and developers, infrastructure service providers and public works, transportation providers and other local leadership as determined with City Staff. These meetings would be facilitated by Design Workshop with support from city staff. We anticipate being involved in up to three (3) Advisory Committee meetings, taking place roughly every 3 months to guide the project progress, provide key input and serve as liaisons to reaching the broader community.

Task 2.3 Focus Groups

To begin our Community Engagement, we propose a series of Roundtable Focus Group discussions to understand the important issues to community members as determined with the city staff in the SKO. We will work with staff to develop a list of stakeholders and schedule focus group meetings early in the planning process to gather their thoughts on the areas' opportunities and challenges. We will host a total of 6 topical conversations – this input will lay the groundwork for understanding priorities and trade-offs for the plan.

Task 2.4 Engagement Window #1: Community Vision

We strongly believe in an engagement process that is highly interactive. Open and transparent communication with the community and stakeholders (residents, businesses, referral entities and stakeholders), elevates the plan's relevance and can help ensure its adoption and future action. In order to reach a broad spectrum of county residents, we recommend translating engagement and outreach material into Spanish. Design Workshop as included Spanish translation of the survey as a base service and can provide additional translations for virtual tools as well as materials such as flyers and engagement boards as an additional service. The first phase of engagement will consist of the Community Workshop, Online and in person Idea Walls, Community Surveys.

- **Community Survey** | We will work with city staff to develop an open questionnaire and online survey to capture what people love about Louisville and their hopes for the future. This may cover a full range of land use considerations that need to be informed by public opinion including housing options, mobility options, density preferences, economic development, and the natural environment. Design Workshop uses Qualtrics, an online program, to create and analyze surveys. Our scope anticipates Design Workshop will create the online survey and the City will distribute their website and social media channels. In addition, we suggest using business cards with a QR code and Flyers around the community to share information. The survey would be provided in English and Spanish. Handouts and/or business cards with a QR code will be provided for distribution at community events encouraging people to take the online survey.
- **Community Workshop 1: Community Visioning.** The goal of every workshop undertaking is to engage the community in meaningful ways to spur excitement and creativity and build capacity. The purpose of this workshop is to capture and reflect the needs and priorities of all residents and ultimately, demonstrate to the community that their stories, concerns and hopes and will drive the formation of the comprehensive plan. We will gather feedback around growth needs and concerns and current trends to aid the process in understanding the various elements that citizens feel are important to a long-term vision for the Louisville Community. Exercises may include Mapping, Sticky Wall or SWOT for idea collection, Visual preference Survey for community values and/or

Story Cards for icebreaking and storytelling.

- **Pop Up Events.** Stations at existing community events serve as an outreach method and to gain further insight into community preferences. These pop-ups represent an excellent opportunity to engage large cross-sections of the community and capture their thoughts on evolving iterations of the comprehensive plan. Pop up stations could be located at community parks and trailheads, downtown, farmers markets or other common areas. Design Workshop will provide a toolkit and one day of in-person facilitation, then provide materials and instructions for staff and/or community ambassadors to hold additional events.

Task 2.5 Transportation Assessment

Fehr & Peers will review Louisville's 2019 Transportation Master Plan to gain a good understanding of the work and recommendations developed previously. Fehr & Peers will develop an assessment that focuses on the major changes in Louisville's transportation network and travel patterns since the 2019 Transportation Master Plan was completed. Transportation assessment will include updated maps of the transportation network, identification of major projects and policies that have been completed since 2019, high-level analysis of existing travel patterns, and an identification of gaps and opportunities that the transportation element of the Comprehensive Plan can address.

Task 2.6 Environmental Assessment

Louisville includes specific habitats and ecotypes representing various levels of connectivity, diversity, and historical occurrences of specific species. By overlaying source data from several state and federal sources, the Design Workshop and Spirit Environmental team will be able to present a set of ecological baseline conditions that will inform potential steps to inform the comprehensive plan. Spirit Environmental will explore the highest potential to support diverse wildlife populations through a review open space maps, potential for threatened and endangered species

to occur, and private land to make holistic determinations and support effective land use decisions that find the right balance between the human and non-human residents of Louisville. Whether looking at the Davidson Mesa or the Aquarius Open space, or even some of the undeveloped land at the CTC, the potential will be evaluated and presented in a summary document that outlines the potential and known environmental attributes and benefits of various land areas in Louisville.

The Environmental assessment will also include the role of fire in the ecosystem and findings from reputable sources on the future anticipated climate impacts for Louisville's natural environment. The availability of fire risk data will also allow for inclusion of risks for the more urbanized parts of Louisville to include the built environment for future fire planning and resiliency efforts as well as identifying any particularly vulnerable areas to other climate impacts such as water shortages and increased heat

Task 2.7 Market Analysis of Growth Potential and Trends

A key component of this plan will be a market analysis to document economic influences on development, particularly impacts on retail. This analysis will focus on how market trends impact city land use, and be used to inform new programs and policies within the Plan. Because policy recommendations are best formed within a contextual understanding, the market study will benchmark trends for the Boulder and

Denver Metro markets as a whole, as well as specific subareas within Louisville or the region that can be used as points of reference. Our team will work in coordination with the housing assessment.

This will also include analysis of Marshall Fire rebuilding and how that impacts the local market. The market analysis will include a specific focus on retail market trends and opportunities, including a leakage analysis to understand where Louisville may be able to capture resident spending that is currently taking place outside of the City. Additionally, this analysis will consider development opportunities (both infill and greenfield) to understand where future growth is most likely to occur. The goal of this analysis is to provide guidance on future investments and the types of developments that will best meet community needs and ensure Louisville remains competitive in the region.

Task 2.8 Existing Conditions and Trends Assessment

Using directives and outcomes from a review of all existing conditions memos, we will summarize the above tasks and align with community and stakeholder feedback to develop an Existing Conditions and Trends Assessment Summary. This will establish a baseline and identify opportunities going forward. We will include a map atlas with up to 12 Maps including land use patterns, transit and circulation, streetscape, parks and urban spaces, vacant or underutilized lands, infrastructure and facilities, transportation and connectivity. Our analysis will also include mapping and summary narrative and of issues and opportunities of community land use conditions, challenges, trends and goals which may be key to accommodating growth relevant to future development in the Plan.

Task 2 Deliverables:

- *Existing Plan Review Summary Memo, including Identification of policies implemented and what remains to be completed from the previous Community Plan (review of up to 8 plans).*
- *Existing Conditions Assessment and one (1) revision cycle of the draft document.*
- *Meeting notices and project fact sheets and flyers (per engagement window) formatted for print and for digital distribution.*
- *Draft and final survey questions, survey administration and survey summary. Up to 25 questions in English and Spanish.*
- *Community Engagement Materials Engagement Planning Worksheets, Draft and Final Engagement Materials, Engagement Summary for each engagement window.*
- *Materials including workshop materials, popup activities and toolkits, and surveys with one day of in person support.*
- *Community Engagement Summary, including one (1) round of edits.*
- *Up to 6 in person or virtual focus group meetings, meeting planning and facilitation work sheet, and meeting summaries.*
- *Three (3) project process update presentation/reports for the Advisory Committee and meeting summaries.*

Phase 3 **Future Framework:** Envisioning Louisville

Planning for the future includes determining the land use, open space and infrastructure frameworks that new growth and opportunity can build onto and position the entire community for new opportunities. This includes the following sub-tasks:

Task 3.1 Initial Plan Vision, Core Values and Draft Goals

Community input and analysis efforts completed in Phase 1 will inform a review of the 2013 Comp Plan vision and core values that inform the new plan. The vision will be updated based on community feedback. Core values will be removed, revised or added to reflect where the community is today and where they want to go.

Task 3.2 Plan Opportunities

Based on feedback from the stakeholders and the community, we will outline opportunity areas, including a discussion of future land use types, and location and character desired for economic, social, and environmental conditions. We will identify strategies to provide direction for the future of the qualities that make Louisville great, leveraging local assets and expanding opportunities for the community thrive. This will include key transportation corridors and their potential to become more multimodal, opportunities for increased economic development including base industries and future business and industry which contribute towards a thriving future, spatial equity in terms of the provision of services, parks, affordable housing, social and utility infrastructure, and address the future demand for multi-family, workforce housing and higher density residential development that can promote housing diversification and affordability.

Task 3.3 Land Use Framework and Three Mile Plan

We will develop graphics and maps to illustrate existing and desired future conditions including the future land use maps to be included in the Comprehensive Plan. We will create a Three-Mile Plan that considers potential future infrastructure and growth within three miles of the City boundary. We will create a series of maps to outline preferred future conditions using the findings and community preferences from previous phases of work. A series of land use criteria narratives will be included.

Task 3.4 Engagement Window #2: Community Choices and Priorities

We will conduct a series of facilitated “Design Workshops” that engage the community in a series of discussions and activities that leads to a vision, goals and strategies, actions, priorities and a preferred land use plan for the future of Louisville.

- **Community Workshop 2.** We will present draft plan concepts for review and comment from the community including the project vision, guiding principles, and goals of the draft comprehensive plan. Engagement will focus on prioritization exercises to gauge reaction to plan ideas. Ideas will be shared at an in person open house and we will work with the City to prepare a virtual presentation and exercises to host on the Engage Louisville website.
- **Block Parties (Neighborhood Area Community Meetings).** Block parties are conversations targeting target specific neighborhoods and HOAs and would include a review of the project vision and core values, and discussion on issues and opportunities for the neighborhood and subsequent

impacts for the community. The scope anticipates that the consultant team and city staff would participate in these as facilitators. Content for these would be created by the Design Workshop team. Meeting summaries would be provided for inclusion on virtual platforms. We assume the city would provide drinks and snacks for in-person engagement to support the block party feel.

Task 3.5 Strategy Framework

Recommend strategies and actions that connect community priorities to a clearly described action playbook that has clear tasks, roles, responsibilities and time frames for completion. This draft will include an Actions that provides a guide for short, medium, and long-term implementation. We will create a matrix that shows tasks, responsibilities, time frame and priorities. Consider investment and funding types and strategies, along with incentives to enhance the potential for success.

Task 3 Deliverables:

- *Initial plan vision and draft goals and one virtual discussion to review.*
- *Plan Opportunities and Strategies Memorandum in Microsoft Word.*
- *Draft Future Lane Use Plan, land use designations and character, 3-mile Plan Framework, outcomes narrative, graphics for ultimate inclusion in the Comprehensive Plan.*
- *Community Engagement Materials Engagement Planning Worksheets, Draft and Final Engagement Materials, Engagement Summary for each engagement window.*
- *Materials for workshops and block parties with one day of in person support.*
- *Community Engagement Summary, including one (1) round of edits.*
- *Recommendations and Strategies Memorandum in Microsoft Word and supporting diagrams, maps and illustrations to be included in the draft document.*
- *Implementation matrix for projects, including theme impacts, resource availability, and suggested timelines.*

Phase 4 Strategies and Implementation: Realizing the Plan for Louisville

The plan document needs to be compelling and user friendly. Crafting a format and style for your document that is uniquely Louisville will contribute to its use and success. This includes the following sub-tasks:

Task 4.1 Draft Outline and Templates

We will create a draft document outline (Table of Contents) and a visual template for the document that captures the essence of the community and instills a sense of importance and quality to the effort. We will share a writing style guide to designate the appropriate grammatical uses and terminology for the plan document.

Task 4.2 Plan Development (50% and 80% Drafts)

Based on all feedback to date and staff input, the Design Workshop team will develop a draft plan which will compile all relevant data from the existing conditions summary, community engagement summary, plan vision, guiding principles and goals memo and plan opportunities and strategies memos. The production of memos for review and approval throughout the process is intended to create an efficient review process. We will create a graphically engaging document that is clear, concise, and easy to understand that can be delivered to a variety of audiences in an accessible way. We anticipate one Administrative Draft which staff will review and collate all comments. Upon receipt of one set of consolidated, non-conflicting comments, Design Workshop will review the comments with City staff and develop an approach to address the comments and prepare the final draft document.

Task 4.3 Engagement Window #3: Community Draft Plan Review

We will conduct a final virtual community presentation to showcase the final plan and demonstrate how community input was incorporated into the final content.

- **Community Presentation or Video.** We will share a presentation online in a virtual format for the community to participate. The primary purpose of this community engagement is to inform and educate the community on the outcomes of the Community Plan and to build momentum for supporting Plan adoption.
- **Poster Roadshow.** We will create up to posters of the final plan and highlights for the city to share throughout the community.

Task 4.4 Final Plan (95% and 100%)

After receiving final comments from the community, stakeholders and city Staff, we will complete the final Louisville Comprehensive Plan. Following the presentation to City Council and Planning Commission, and receiving final comments from city Staff, we will complete the final Plan.

Task 4.5 Plan Adoption

Prepare executive level presentation to share with municipal leadership. We recommend staff have one-on-one briefings with municipal leadership and planning commissioners prior to adoption. Our team, along with city staff, will complete the final plan for adoption, a visionary, yet practical roadmap detailing strategies and actions necessary to take into the future. Design Workshop will work with staff to prepare an update presentation to be used for the adoption hearings.

Task 4 Deliverables:

- *Table of Contents in Microsoft Word, Writing style guide and document template with graphic design for review and approval.*
- *One (1) digital copy of Draft Mid-Town Community Plan document at 50% complete in Microsoft Word and at 80% Complete in pdf format, (1) Comment tracking log, One (1) revision cycle of the draft document at each review.*
- *Presentation or Video of Final Plan Concepts and Posters with QR code to online plan*

- *95% (pre-adoption) and 100% (post-adoption) Louisville Comprehensive Plan in pdf format and InDesign format, One (1) revision cycle of the final document.*
 - *One (1) digital copy of Final Plan document and appendices and one (1) pdf of all maps included in the final plan and (1) one digital version of GIS shape files used to prepare maps.*
 - *Two (2) final adoption meetings (Comprehensive Plan) by City Council.*
-

Optional Additional Services:

The following task items are optional to the above scope and can be included for additional time and fee.

Spanish Ambassadors

We recommend a native Spanish speaker as a liaison at events who can support additional Spanish translation, we would coordinate as an additional service.

Statistically Valid Survey

Generally, a statistically valid survey means that a random selection of the population of interest (usually adults or households in the community) are chosen to participate in the survey. If desired, we would work with City staff to create a survey with representational input requires targeting input from citizens that typically do not participate in planning processes. A sampled online survey with cards mailed to a representative sample will help to achieve a more representative sampling of citizen opinions.

Additional attendance at adoption meetings

Sometimes adoption can take longer than anticipated, or you need additional consultant attendance at a key milestone. We have created flexibility on when in-person meeting attendance could occur. If additional travel is needed, we have outlined the add-on service for each consultant team on a per trip basis.

Virtual Block Party

While in person meetings are preferred, virtual meetings may be needed. We propose to utilize 3-D virtual room software to create a 'virtual block party' that will provide for an interactive, creative, and dynamic participant experience. The 'virtual block party' will allow for the project team to guide discussions with community members while still providing for opportunities for community members to 'tour' information stations and speak with project team members.

Video Scripts

We propose utilizing short project videos to provide updates at key intervals of the project to summarize project milestones and next steps, and encourage staff members to participate and take ownership of this initiative with support from DW. This would include Project Milestone video scripts (3), including one (1) round of edits and a project closeout update video script with one (1), including one (1) round of edits.

EXHIBIT B

Consultant Service Pricing

		Fee
Phase 1	Project Initiation	\$63,730
Task 1.1	SKO and Consultant Team Site Visit	\$12,680
Task 1.2	Project Management Plans, Biweekly Meetings and Reporting	\$23,350
Task 1.3	Community Engagement Plan and Ongoing Stakeholder Management	\$5,900
Task 1.4	Project Communications and Project Branding	\$11,260
Task 1.5	Board Presentations	\$10,540
Phase 2	Vision & Trends	\$113,400
Task 2.1	Past Plan Review	\$4,100
Task 2.2	Advisory Group	\$11,900
Task 2.3	Focus Groups	\$11,820
Task 2.4	Engagement Window #1 (Survey, Workshop, Pop Ups)	\$20,880
Task 2.5	Transportation Assessment	\$13,150
Task 2.6	Environmental Assessment	\$8,650
Task 2.7	Market Analysis of Growth Potential and Trends	\$32,600
Task 2.8	Existing Conditions and Trends Assessment	\$10,300
Phase 3	Future Framework	\$72,680
Task 3.1	Initial Plan Vision, Core Values, and Draft Goals	\$3,920
Task 3.2	Plan Opportunities	\$25,060
Task 3.3	Land Use Framework and Three Mile Plan	\$10,160
Task 3.4	Engagement Window #2	\$24,920
Task 3.5	Strategy Framework	\$8,620
Phase 4	Strategies and Implementation	\$89,740
Task 4.1	Draft Outline and Templates	\$7,060
Task 4.2	Plan Development (50 and 80% Drafts)	\$42,980
Task 4.3	Engagement Window #3	\$16,020
Task 4.4	Final Plan (95% and 100%)	\$17,620
Task 4.5	Plan Adoption	\$6,060
	Fees	\$339,550
	Estimated Reimbursable Expenses	\$10,450
	Total Fees	\$350,000

Optional Task	Fee
Spanish Ambassadors	\$600 per event
Statistically Valid Survey	\$25,000
Additional In-Person Meeting Attendance	\$2,500 per trip
Virtual Block Party	\$7,500
Video Scripts	\$5,500

Employee Name	Hourly Rate
Jessica Garrow	\$250
Alison Bourquin	\$175
Reilly Thimons	\$175
Nino Pero	\$175
Charlie Alexander	\$225
Carly Sieff Hart	\$210
Sydney Provan	\$150
Conor Merrigan	\$225
Bekah Bailey	\$140
Daniel Guimond	\$260
Rachel Shindman	\$195

Planning Commission

February 8, 2024

Citywide Comprehensive Plan Update



Meeting Purpose

1. Planning Commission to gain understanding of project and process
2. Targeted questions to inform next steps



Comprehensive Plan Overview

- Required by state law and city code to be updated every ten years
- City Council adopted policy that is not regulatory but serves important purposes
- Focuses on land use, development, and infrastructure but covers wide range of topics



Typical Parts of a Comprehensive Plan

- Existing conditions
- Vision and values statements
- Future land use and transportation framework
- Policy statements by topic (comprehensive)
- Action plan

City of Louisville Comprehensive Plan

The Vision Statement and Core Community Values

The 20 Year Plan for the City of Louisville has been a major component which guides the direction and implementation of the 2012 Comprehensive Plan Update.

The first step in the process was the Vision Statement and Core Community Values. The Vision Statement and Core Community Values are supported by the second key component, the Framework Plan.

Louisville's Vision Statement and Core Community Values define how the City will itself and identify the vision that should be carried out in the future. The Vision Statement and Core Community Values were developed through extensive public outreach and represent the vision of residents, business and community leaders, and elected and appointed officials. The Vision Statement and Core Community Values were adopted by the City Council in 2012.

The Framework Plan illustrates Louisville's community character and development expectations reflected in the Vision Statement and Core Community Values. Together, the Vision Statement and Core Community Values illustrated by the Framework Plan represent the long-range integrated land use, transportation and other resource plan for the City.

Vision Statement

Established in 1878, the City of Louisville is an inclusive, family-friendly community that manages its continued growth by blending a forward-thinking outlook with a small-town atmosphere which engages its citizens and provides a walkable community form that enables social interaction. The City strives to preserve and enhance the high quality of life it offers to those who live, work, and spend time in the community. Louisville retains connectivity to the City's modest mining and agricultural beginnings while continuing to transform into one of the most livable, innovative, and economically diverse communities in the United States. The structure and operations of the City will ensure an open and responsive government which integrates regional cooperation and citizen involvement with a broad range of high-quality and cost-effective services.

The Framework

and assist in governing the city's capital improvement program. Together, the Vision Statement, the Core Community Values and the Framework establish community expectations, and provide policy guidance for the anticipated pace of change and stability in the City.

The Framework's composition of land use enables a plan for existing and future residents to live, work, shop, and play. The composition of use mix is a key element to maintain the City's high quality of services.

The Framework also positions the City to establish an sound market strategies that will allow the City's revenue generating land use to stay competitive with neighboring municipalities and the surrounding region.

The core component of the Framework is the identification and development of three mixed use urban centers in the City over the next twenty years.

1. Downtown / the Highway 42 Revitalization District;
2. Highway 42 and South Boulder Road east;
3. McClellin Boulevard.

The Framework also designates McClellin Boulevard (north of Cherry Street and south of the Airport), South Boulder Road (east of Via Appia), and HWY 42 (north of South Boulder Road) as urban corridors. The special districts of the City are defined to include Central City, Coal Creek Recreational Park, the Colorado Technology Center, Main Street/Olden Road, and the Phillip 66 property.

The plan identifies various suburban, urban, and rural neighborhoods throughout the City and outlines the parks and open space areas within the City. The following table summarizes the various types of streets and their intended use.

Streets and their use (primary and secondary streets)

Primary Streets are those streets that are positioned for retail business. The traffic volume and visibility these streets provide requires the provision of most land uses on the ground floor of the buildings adjacent to them. Other commercial uses may be located on an elevated story, above the ground floor retail use. Residential land uses are not found on Primary Streets.

Retail Secondary Streets have the potential for retail business, but their location and traffic volumes suggest that other commercial uses, such as office, may present a more economically viable land use option. Retail land uses should be located in locations on secondary streets where visibility and access exist. Residential land uses are not found on Retail Secondary Streets.

Mixed Use Primary Streets are those streets that are located and designed for a mix of complementary uses. These streets may function as the center of a larger mixed use district, and as such are ideally situated for residential, commercial and ground floor commercial uses. Residential uses may occupy the upper floors of a mixed use building on a Mixed Use Primary Street.

Mixed Use Secondary Streets are those streets that are located and designed for a mix of complementary uses, but they are not located in the heart, or center, of the district. The location of the streets and the corresponding reduced traffic volumes suggest that uses other than retail or office may be more appropriate on the ground floor of buildings fronting the street. Residential uses may be the only use in a building located on a Mixed Use Secondary Street.

Vision and Values

- Community driven statements of what is most important to Louisville
- Act as foundation for plan's policy development
- Examples of how it is actionable:
 - Policies tied to specific vision/values statements
 - City Council work plans
 - Budgeting



Core Community Values

The following Core Community Values are the foundation upon which the City of Louisville will make decisions and achieve the Community's vision.

We Value...

- A Sense of Community** ... where residents, property owners, business owners, and visitors feel a connection to Louisville and to each other, and where the City's character, physical form and accessible government contribute to a citizenry that is actively involved in the decision-making process to meet their individual and collective needs.
- Our Usable Small Town Feel** ... where the City's size, scale, and land use mixture and government's high-quality customer service encourage personal and commercial interactions.
- A Healthy, Vibrant, and Sustainable Economy** ... where the City understands and appreciates the trust our residents, property owners, and business owners place in it when they invest in Louisville, and where the City is committed to a strong and supportive business climate which fosters a healthy and vibrant local and regional economy for today and for the future.
- A Connection to the City's Heritage** ... where the City recognizes, values, and encourages the promotion and preservation of our history and cultural heritage, particularly our mining and agricultural past.
- Sustainable Practices for the Economy, Community, and the Environment** ... where we challenge our government, residents, property owners, and our business owners to be innovative with sustainable practices so the needs of today are met without compromising the needs of future generations.
- Unique Commercial Areas and Distinctive Neighborhoods** ... where the City is committed to recognizing the diversity of Louisville's commercial areas and neighborhoods by establishing customized policies and tools to ensure that each maintains its individual character, economic vitality, and livable structure.
- A Balanced Transportation System** ... where the City desires to make motorists, transit customers, bicyclists and pedestrians of all ages and abilities partners in mobility, and where the City intends to create and maintain a multimodal transportation system to ensure that each user can move in ways that contribute to the economic prosperity, public health, and exceptional quality of life in the City.
- Families and Individuals** ... where the City accommodates the needs of all individuals in all stages of life through our parks, trails, and roadway design, our City services, and City regulations to ensure they provide an environment which accommodates individual mobility needs, quality of life goals, and housing options.

The Vision Statement and Core Community Values

- Integrated Open Space and Trail Networks** ... where the City appreciates, manages and preserves the natural environment for community benefit, including its ecological diversity, its outstanding views, clear cut boundaries, and the interconnected, integrated trail network which makes all parts of the City accessible.
- Safe Neighborhoods** ... where the City ensures our policies and actions maintain safe, thriving and livable neighborhoods so residents of all ages experience a strong sense of community and personal security.
- Ecological Diversity** ... where the City, through its management of parks and open space and its development and landscape regulations, promotes biodiversity by ensuring a healthy and resilient natural environment, robust plant life and diverse habitats.
- Excellence in Education and Lifelong Learning** ... where the City allocates the appropriate resources to our library services and cultural assets and where the City actively participates with our regional partners to foster the region's educational excellence and create a culture of lifelong learning within the City and Boulder County.
- Civic Participation and Volunteerism** ... where the City engages, empowers, and encourages its citizens to think creatively, to volunteer and to participate in community discussions and decisions through open dialogue, respectful discussions, and responsive action.
- Open, Efficient and Fiscally Responsible Government** ... where the City government is approachable, transparent, and ethical, and our management of fiscal resources is accountable, trustworthy, and prudent.

Land Use Framework

- Future land use designations (status quo or calling for changes) that acts as foundation for land use decisions
- Examples of how it is actionable:
 - Private development requests required to show plan consistency
 - Changes to zoning code to align desired features of places to regulations (design, context, etc.)
 - Future public facilities, land acquisitions

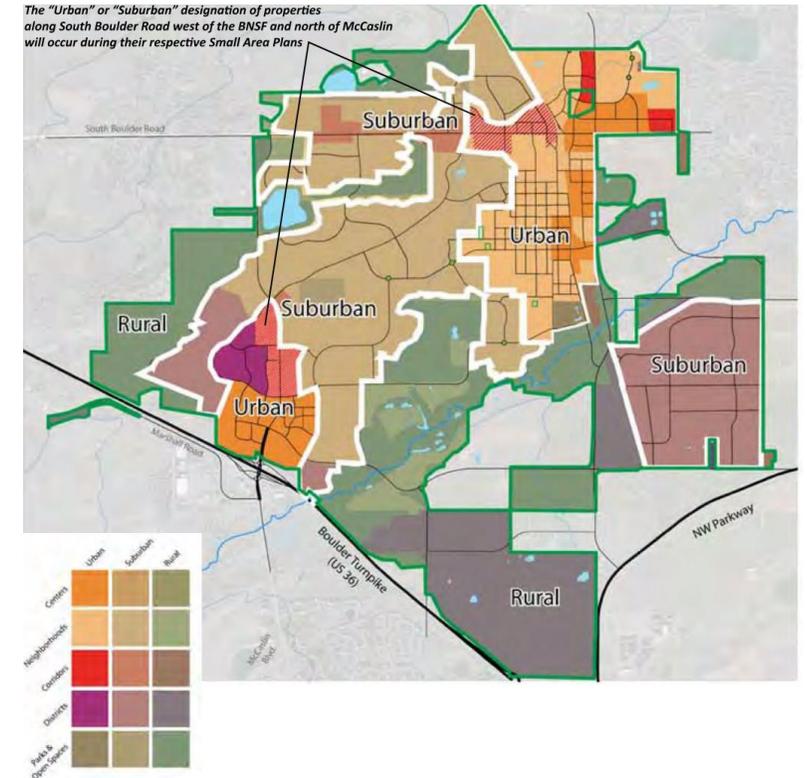
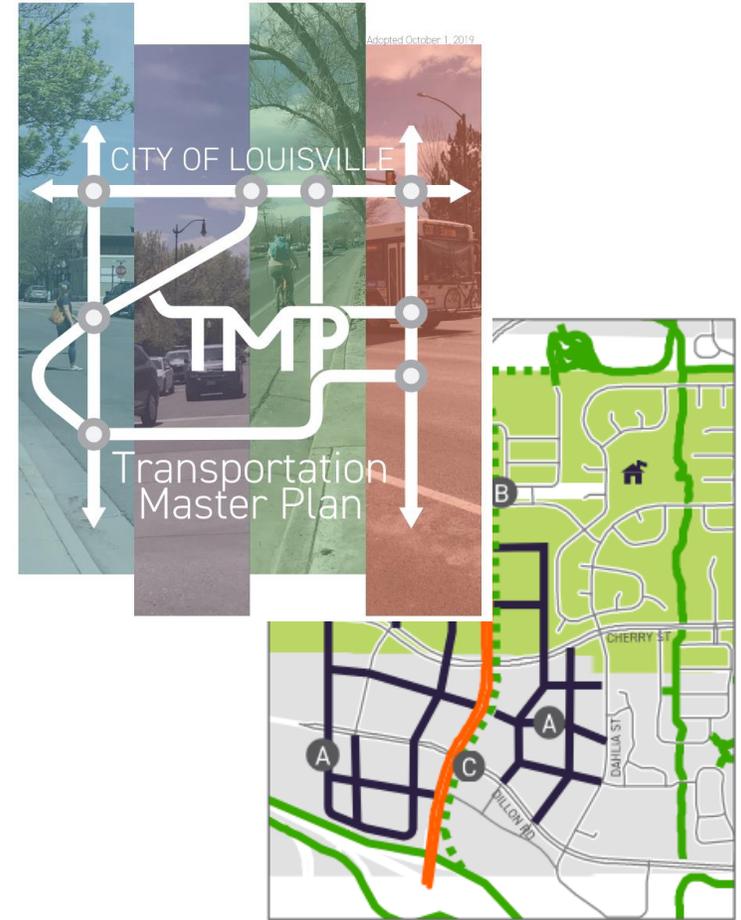


Image from 2013 Comprehensive Plan

Transportation Framework

- Future transportation system
- Acts as foundation for transportation decisions
- Examples of how it is actionable:
 - Private development requests required to provide transportation connections
 - Changes to street design standards to align with desired street types
 - Capital Improvements Planning (CIP) for city-initiated transportation projects



Images from 2019 TMP

Topical Policy Statements

Can be freestanding in Comprehensive Plan or align/reinforce from other City plans on topics like:

- Environmental sustainability
- Equity, Diversity, and Inclusion
- Historic preservation
- Parks, recreation, open space
- Housing affordability
- Economic development and fiscal health
- Recovery and resilience

The Framework

to the City and the entire metro region. The City should work with its neighboring jurisdictions and RTD to provide transit service along HWY 42/96th Street between Lafayette and Broomfield and introduce transit service to Avista Hospital, the Colorado Technology Center, the Monarch Campus, and, as development occurs, the Phillips 66 property.

Policy TMA-1.7: Walkability is a key ingredient to livable cities and neighborhoods. Great cities and neighborhoods all feature street level experiences that invite and stimulate pedestrian and bicycling activities. Walkability enhances public safety, fosters personal interactions, improves public health, and increases economic vitality.

Louisville has an excellent recreation trail network and generally a high quality walking environment on its City streets. The intent of this Comprehensive Plan is to establish a transportation policy which raises the bar and better integrates the City's recreational trail network with City's street network. This interconnection will help create a more balanced transportation system that serves the entire City and is designed for all users of all ages and ability levels.

Policy TMA-1.8: Louisville has four at-grade crossings of the Burlington Northern Santa Fe (BNSF) Rail line. Three of the crossings: Main Street, Griffith Street and South Boulder Road are located within, or immediately adjacent to established residential neighborhoods. The fourth is located at Dillon Road near the Colorado Technology Center and proposed relocation of the St. Louis Catholic Church and School.

Federal Railroad Administration regulations require locomotive horns be sounded for 15-20 seconds before entering all public at-grade crossings, but not more than one-quarter mile in advance. This federal requirement preempts any state or local laws regarding the use of train horns at public crossings, unless certain improvements are made to the crossings.

The noise level of the horns negatively impacts the quality of life for residents and employees living and working near the rail corridor. It is a recommendation for the City of Louisville to work with its neighboring jurisdictions and the BNSF to create safe Federal Railroad Administration qualifying upgrades to all four rail crossings in the City. The timing of these investments was tied to FasTrack's Northwest Rail Corridor improvements. However, because of the uncertainty of the Northwest Rail Project, the City of Louisville should continue to advance implementation of the four crossings improvements necessary for a City-wide Quiet Zone in a strategy separate from the Northwest Rail Study.

PRINCIPLE TMA-2: The City of Louisville should develop and implement area-specific and City-wide transportation plans through an open and collaborative process to achieve the principles and policies outlined above.

Policy TMA-2.1: The Planning and Building Safety Department, Public Works Department and the Parks and Recreation Department shall collaboratively generate multimodal transportation plans for the residential neighborhoods and commercial areas of the City. At a minimum, this work shall include:

- Safe Routes to School
- Parking Management
- Pedestrian Circulation
- Bicycle Circulation
- Vehicular Circulation and Neighborhood Traffic Calming

Policy TMA-2.2: The Planning and Building Safety Department, Public Works Department and the Parks and Recreation Department shall collaboratively generate multimodal transportation corridor plans for HWY 42/96th Street, McCaslin Boulevard, South Boulder Road, and Dillon Road which shall include:

- Long-Term Land Use Vision and Urban Design Assessment
- Near-term and Long-term multimodal transportation performance evaluation
- Parking
- Transit Circulation and pedestrian access
- Pedestrian and bicycle crossings

Policy TMA-2.3: The Planning and Building Safety Department, Public Works Department and the Parks and Recreation Department shall generate a City-wide multimodal Transportation Master Plan that incorporates and consolidates the findings of each neighborhood, commercial area, and corridor plan. The plan shall include:

- Traffic Management and Traffic Calming Program
- Pedestrian Master Plan
- Bicycle Master Plan

Policy TMA-2.4: The Departments of Planning and Building Safety, Public Works and Parks and Recreation will review and update the current design and construction standards including Resolution 9, Series 1994 (Roadway Construction and Design Standards); and LMC Chapter 12 – Streets and Sidewalks; Chapter 16.16 – Design Standards; and Chapter 17.14 – Mixed Use Zone District.

The review and update will ensure they reflect the best design standards and guidelines to provide flexibility for context-sensitive design. The roadways will be designed within the context of the neighborhood and corridors, recognizing all streets are different. The user, mobility, and land use needs will be balanced and consistent with the context sensitive multimodal transportation policy stated above.

d. Transit Service Plan
e. Primary Corridor Plan
f. Transportation Demand Management

2013 Comprehensive Plan

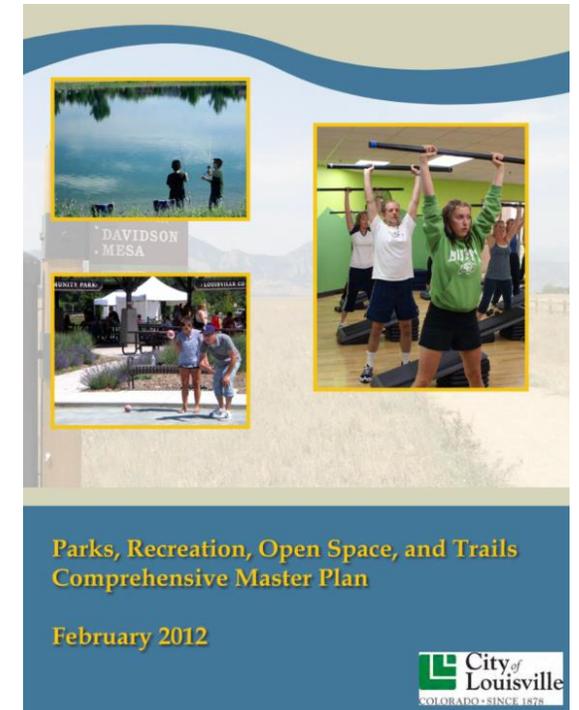
Image from 2013 Comprehensive Plan



Active Parallel City Projects

- PROST Master Plan Update
- Louisville Downtown Vision Plan (LDVP)
- Housing Plan

2023
HOUSING PLAN
City of Louisville



Community Engagement

Engagement “Windows”

1. Community Vision and Values
2. Community Choices, Strategy Framework
3. Draft Plan

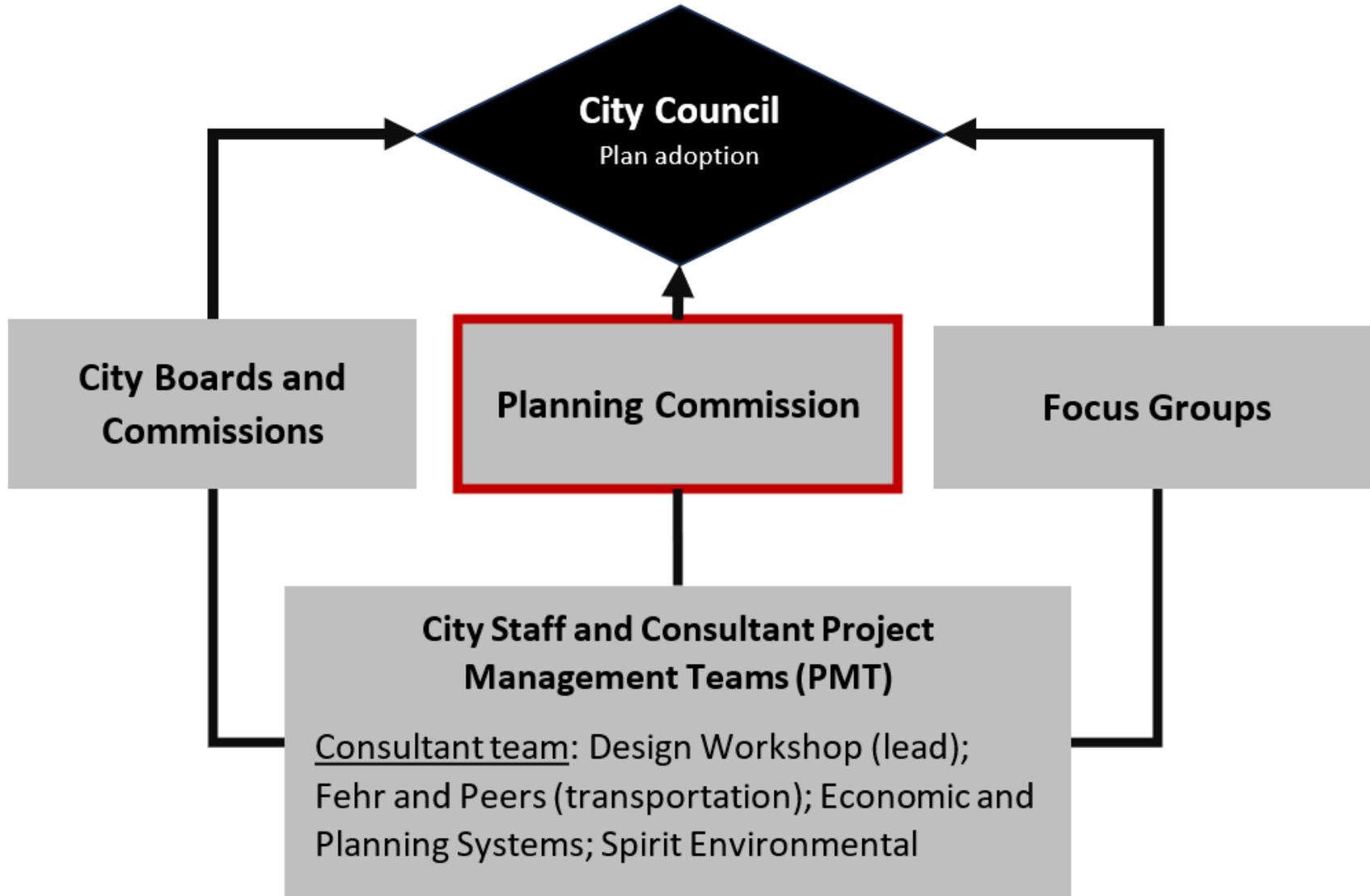


Community Engagement

Engagement Types

1. City Council, Planning Commission throughout
2. City boards and commissions
3. Focus groups (e.g., EDI, businesses)
4. Public events (virtual, in person)
5. Engage Louisville online engagement (e.g., surveys)
6. Intercept events

Project Structure



Schedule

Proposed Abbreviated Comprehensive Plan Update Schedule (subject to change)

	2024				2025		
	Q1	Q2	Q3	Q4	Q1	Q2	Q3
Engagement Window #1: Vision and Values							
Engagement Window #2: Choices and Plan Framework							
Engagement Window #3: Draft Plan							
Draft Plan Framework and Key Community Choices							
Draft Plan (* = planned City Council adoption)							*

Requested Planning Commission Feedback

1. What does success look like to you for this project?
2. What are the top three issues the project should address?



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