

**REVISED 3/13/24**

## **Planning Commission**

### **Agenda**

**March 14, 2024**

**ELECTRONIC MEETING ONLY – NO IN PERSON OPTION**

**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](http://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](mailto:planning@louisvilleco.gov)

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes – February
5. Public Comment on Items Not on the Agenda
6. New Business
  - a. **Expedited PUD** - Resolution 2, Series 2024 recommending to the City Council approval of an ordinance amending Title 16 and Title 17 of the Louisville Municipal Code to revise the expedited PUD process, minor subdivision procedures, and subdivision definitions.
  - b. **Comprehensive Plan Discussion** – project update, vision and values discussion

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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](mailto: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.

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7. Planning Commission Comments
8. Staff Comments
9. Select Items Tentatively Scheduled for Future Meetings
  - a. Housing Plan Final Draft - April 11
10. Adjourn

# ***Planning Commission***

## ***Meeting Minutes***

**February 8, 2024  
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  
Debra Baskett, Secretary  
David Bangs  
Cullen Choi  
Jennifer Hunt  
Jonathan Mihaly

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

### **APPROVAL OF AGENDA**

Motion to approve the agenda was moved by **Mihaly**, seconded by **Moline**, and adopted by voice vote.

### **APPROVAL OF MINUTES**

Motion to approve the minutes for the November 2023 meeting was moved by **Moline**, seconded by **Baskett**, and adopted by voice vote.

Motion to approve the minutes for the December 2023 meeting was moved by **Choi**, seconded by **Baskett**, and adopted by voice vote.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA**

None were heard.

**PUBLIC HEARING ITEMS – NEW BUSINESS**

a) **Housekeeping Informational Items**

**Hirt** went over the 2024 Open Government Pamphlet and the Rules of Procedure for the Commission.

b) **Housekeeping Voting Items**

i) **Election of Officers**

**Choi** nominated **Brauneis** as Chair, **Moline** as Vice Chair, and **Baskett** as Secretary. This was seconded by **Hunt**. The nominations were confirmed by a vote of 7 to 0.

ii) **Approval of Posting Locations**

Motion to approve the posting locations was moved by **Brauneis** and seconded by **Mihaly**. The motion was adopted by a vote of 7 to 0.

iii) **Approval of Expected Planning Commission 2024 Meeting Dates**

Motion to approve the 2024 meeting dates was moved by **Mihaly** and seconded by **Bangs**. The motion was adopted by a vote of 7 to 0.

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

Staff Presentation:

**Zuccaro** introduced the presentation for the proposal. He said that the City first adopted EV charging standards in 2021 as part of the energy efficiency and emissions reductions codes. He noted that there was pushback from the business community, primarily due to feasibility concerns. City Council gathered public input on their implementation during a series of open houses in August 2023. He said that the zoning code portions were the only ones relevant to the Commission.

**Zuccaro** noted that the EV charging standards were stringent compared to other cities. There had been some discussion of adapting the state's template code, which is what the proposal was based on. He added that the tiers in the proposed code were different from the one adopted in 2021.

Staff Recommendation:

Staff recommended approval of Resolution 1, Series 2024.

Commissioner Questions of Staff:

**Mihaly** asked whether the code would apply to renovations, or if it would only apply to new buildings.

**Zuccaro** said that it would only apply to renovations that added more than 2500 square feet.

**Mihaly** asked whether exceeding the requirement for one category would satisfy the requirements of the lower categories.

**Zuccaro** said that the categories built on each other, so the same number would still be required.

**Baskett** said she had concerns about multi-family dwellings and felt that they needed to have a requirement to include EV chargers.

**Zuccaro** said that they were required for multi-family dwellings and clarified what the code covered. He again noted the changes from the old code.

**Baskett** asked who would be responsible for completing EV charger upgrades.

**Zuccaro** said staff were trying to strike a balance between current and future demand. There would not be a regulatory requirement to convert an EV designated space from ready to install, for example, but the proposed code would make this simpler and easier. Staff's intention was to leave final installation to market forces.

**Mihaly** asked how a duplex would be categorized.

**Zuccaro** said that they would be categorized as residential buildings as they were single family dwellings.

**Mihaly** similarly asked how a row of townhomes would be categorized.

**Zuccaro** said that they would also be categorized as residential buildings.

**Mihaly** asked whether an apartment building was the only type that would classify as a commercial building.

**Zuccaro** said yes.

**Mihaly** said he felt the number of EV spaces should account for the number of units in the building complex. He also asked how the number of spaces would round if they were not an exact number.

**Zuccaro** said that accounting for the number of units would be an alternative way to create the code. It was his understanding that the code said the number of chargers would always round up.

**Hunt** asked whether EV ready meant that the space just needed to have a charger installed.

**Zuccaro** said yes.

Brauneis said that EV ready could have a plug or could be hardwired.

**Zuccaro** said yes, it would either have a closed electrical box or an outlet in place of the charger.

**Bangs** asked whether the conversion or renovation of big box stores would require the installation of EV chargers.

**Zuccaro** said that they would not.

**Bangs** noted that parking spaces did not necessarily correlate to the number of units in an apartment block.

**Zuccaro** agreed. He noted that the general parking standard was one parking space per bedroom.

**Bangs** asked whether the City would adopt any future changes made to the State's template code.

**Zuccaro** said that there were a lot of unknowns with the future of EVs. He said that most demand for charging was expected to be at the home, but it was unclear if there would be demand in other spaces. He said that the state could make this a mandatory minimum code at some point.

**Choi** asked how staff arrived at the language in the code, particularly with reference to the location of chargers being "desirable and convenient".

**Zuccaro** said that this was carryover language from the 2021 ordinance, though he was not sure how it was developed at the time. Staff now thought that it meant developers could not just put EV chargers on the edge of their lots or in other inconvenient locations.

**Baskett** said that she had found EV chargers were often in inconvenient locations from her experience, and that their location made a statement about the priorities of the community. She asked whether staff could consider stronger language.

**Zuccaro** said that they could consider a prescriptive standard, such as distance from the entrance.

**Brauneis** suggested they could consider a common standard such as being next to ADA spaces. He also suggested that convenience could also include shelter from weather and snow.

**Hunt** wanted to go over the changes that staff was proposing from the old code.

**Zuccaro** said that Staff did not have any additional changes in mind, but they were open to suggestions for changes or conditions from Commissioners.

**Hunt** asked to clarify that the changes were just to the ratios.

**Zuccaro** confirmed this.

**Brauneis** added that it also included new category of EV capable light.

**Brauneis** asked why there were some areas that did not require any EV spaces.

**Zuccaro** said that this was what was in the model language.

**Moline** asked about average cost of the installation of an EV charging station.

**Zuccaro** said that he would need to check the numbers from the 2021 analysis. He added that the cost was not linear on a per space basis.

**Brauneis** noted that the future cost of retrofitting would be far higher.

**Zuccaro** added that Xcel could force the installation of a new transformer or other electrical infrastructure in that sort of scenario which would greatly increase the cost. The electricity service to the building was the main cost factor.

**Moline** asked whether developers could be induced to make changes just below the threshold.

**Zuccaro** said that increased cost was unlikely to be a factor at that point. He said that it would be interesting to see whether this had an impact on multi-family dwelling developments.

**Hunt** noted that this could be advertised as an amenity.

**Brauneis** said that it could be an equity issue, as some may have access to free charging whilst others must pay for it.

**Zuccaro** said that staff's hope was that the market would take care of this at some point, but in meantime they wanted to incentivize it.

**Brauneis** said market would take care of it at luxury end, but not necessarily at lower end.

**Mihaly** asked whether a mixed-use development would be treated the same as a standard apartment building.

**Zuccaro** said that the EV space calculations would be done separately for commercial and residential uses.

**Mihaly** asked whether this would require an upgrade to Louisville's electrical infrastructure beyond Xcel's current plans.

**Zuccaro** said that there had been questions whether Xcel could accommodate the new energy codes. He noted that new developments would have to bear the costs of the Xcel upgrades, which could be very expensive for large developments.

**Choi** asked about the minimum service level for the chargers in EV installed spaces.

**Zuccaro** said that he would need to check the ordinance.

**Choi** said he appreciated the level 2 minimum service for EV ready and EV capable spaces.

**Brauneis** asked whether they should make sure that the level 2 minimum service level was included for installed EV chargers.

**Zuccaro** suggested that the Commission could include a condition that would require staff to include it if it wasn't in the existing ordinance.

**Baskett** asked whether there were any requirements for electric bicycle charging.

**Zuccaro** said no.

**Baskett** asked whether other cities had requirements for this.

**Zuccaro** said that he wasn't sure.

**Baskett** said that she had worked on a couple of projects in Westminster, where there was a condition for developers to include it but there was not an ordinance.

Public Comment:

None were heard.

Discussion by Commissioners: (43:30)

**Choi** said he had been thinking about the ratios of EV spaces and noted that there was actually a decrease if non-R-2 zoned buildings moved from 10 to 11 spaces. He would have liked to see an increase in the number of EV ready spaces.

**Mihaly** asked whether Choi wanted to increase the ratio to 8% or 2 spaces, whichever was higher.

**Choi** said he would increase the ratio for EV ready spaces for non-R-2 residential buildings with greater than 10 spaces to 20% from the proposed 8%.

**Moline** asked Choi whether he would change the ratio of EV capable or capable light spaces.

**Brauneis** noted that as written, a developer would have to meet the requirements for each category.

**Choi** said that he would reduce the number of EV capable and capable light spaces to accommodate the extra EV installed spaces. He noted that the cost of the components for the chargers were relatively cheap, and that the cost per space decreased if they were using the same transformer. The largest cost consideration came from the charger itself.

**Hunt** asked Choi whether he would consider increasing the ratio to 15%.

**Brauneis** said he was not as concerned about the ratios, his concern was with the categories that required zero spaces.

**Bangs** noted that a parking lot with 11 spaces would not be obligated to include an EV ready space, and he felt that this needed to be changed.

**Zuccaro** said that a 10 stall parking area would require 2 EV ready spaces and no EV installed, whereas an 11 stall parking area would require 1 EV installed space and 1 EV ready space.

**Hunt** noted that the difference above 10 spaces was that there would be a requirement for EV installed spaces.

**Zuccaro** said that language said to round up, so an 11 space parking area would require 1 EV installed, 1 EV ready, 2 EV capable, and 2 EV capable light spaces.

**Mihaly** asked to clarify that 1.1 spaces would round up to 2 spaces.

**Zuccaro** said yes.

**Moline** wondered whether it would be a little bit too complicated or convoluted for applicants to understand.

**Zuccaro** said that the proposal was not perfect, but that they wanted to align with the state code as this could help create standardization.

**Choi** felt that the installed chargers should be at least level 2. He also wondered why the draft ordinance included language referring to the chargers being operational during normal business hours.

**Brauneis** suggested that businesses may not want people to use their chargers overnight.

**Hunt** said that the City would not want to be able to authorize people to use business's electricity outside of their operating hours.

**Brauneis** noted that there would likely be a fee for those using the chargers, so the businesses may not want to shut them off overnight. This would not be the case if they were free, however.



**Choi** said that he had been thinking of this from the perspective of the chargers coming from a provider.

**Brauneis** said that a provider would likely want the chargers to remain on so that they could continue to profit off them.

**Choi** noted that Section 1, Part E, General Requirements 2B of the draft ordinance had a typo in it, as it was missing the word “that”.

**Brauneis** asked the Commissioners for their further thoughts on the quotas.

**Mihaly** noted the challenge of scale, and that the difference between 8% and 10% for a big box store with much larger parking lot would be appreciable. He also said that he appreciated that the proposed code would bring Louisville into line with neighboring cities.

**Hunt** said that there would be value in aligning with the state guidance as it would make it easier for developers. She added that they did not want to get too far ahead of demand, and that demand would hopefully take care of this in the future.

**Brauneis** felt that the multi-occupancy buildings should have at least 1 EV installed space rather than the 0 in the proposed code.

**Moline** asked whether Brauneis was meaning commercial R-2 buildings.

**Brauneis** said that he was wondering about non-R-2 occupancies as well.

**Hunt** felt that homes should stay at 0 as a charger could always be installed there later if it was EV ready.

**Moline** asked to clarify whether Brauneis wanted to see at least 1 EV installed space at all commercial buildings.

**Brauneis** said that he was not sure what the best approach would be, but that this should be a consideration.

**Zuccaro** suggested that they could exchange 1 EV ready space, or a small percentage of EV ready spaces, for EV installed spaces.

**Brauneis** said that he was not dead set on this.

**Bangs** asked how many new builds would be built with less than 10 parking spaces.

**Zuccaro** said that there would be very few.

**Brauneis** said that this could be more applicable to buildings that are expanded by 25% or more. He noted that there could be more application of this to downtown than the McCaslin corridor.

**Mihaly** asked how this code would be applied if a new building were constructed that utilized an existing parking lot.

**Zuccaro** said that this would require its own PUD, and staff would evaluate it on an individual basis. They may require a carve-out from the existing parking lot.

**Bangs** asked whether the City had a minimum number of parking spaces that were required for buildings.

**Zuccaro** said yes.

**Bangs** noted that the general consensus was that the proposed code required very few spaces.

**Choi** said that getting the number of spaces as right as possible was a worthwhile effort. He added that a percentage based application of the code could be very difficult to meet, and that Xcel's electricity infrastructure remained an impediment. He said that he also did not see where in the proposed code it said that this was a minimum, and that this would be an important clarification to make.

**Zuccaro** said that state code included credit for the other categories for developers that went above the levels required in the code, however he did not include this in the draft ordinance for simplicity.

**Choi** said that this credit language could be very useful for economies of scale in the construction process.

**Zuccaro** said that staff would interpret this as a minimum code, and that staff would not prohibit developers from going beyond it.

**Mihaly** thought that it would be advantageous to allow developers to trade lower tiers of EV spaces for more EV installed spaces.

**Zuccaro** said that they could add language that said that requirements EV capable light, EV capable spaces, etcetera, could be offset by having additional higher tier spaces installed.

**Brauneis** said that he was reconsidering his earlier position and suggested that multi-family occupancies with less than 10 spaces could be increased from 0 to 5%. He said he was in support of conditions for the level 2 chargers and allowing for developers to "trade up" their charger levels.

**Moline** said that he was in support, and that he found the discussion very helpful.

**Choi** said that he did not see value in keeping the EV capable category given presence of the new EV capable light category. He felt that the allocated circuits for EV capable spaces could easily be misused or reused inappropriately for other things like household appliances.

**Brauneis** said that since the code used the state's model language, this would be tested out across the state.

**Zuccaro** said that the value of requiring the circuit panel space was that this was the most cost prohibitive part of upgrading a parking space, and that he felt it was unlikely to be misused. He noted that the definition of EV capable could be changed to require that the intended use of the circuit space be labeled as "reserved for future".

**Brauneis** wondered whether this would be sufficient to stop people from misusing the panel.

**Zuccaro** said that there were scenarios where people could try and get around the code, but he felt that they should not let the perfect be the enemy of the good.

**Mihaly** said that he wanted the City to be in line with nearby communities, and this was a good step to achieving that. He initially had concerns about whether this would apply to vacant big box stores but was relieved that it would only apply to renovation that included an expansion. He was in support of the proposal.

**Choi** said that he was in support with the proposed conditions.

**Baskett** said that she was in support with the proposed conditions

**Moline** said that he was in support with the proposed conditions.

**Hunt** said that she was in support with the proposed conditions and reiterated that there was value in following the state guidelines.

**Bangs** said that he was in support with the proposed conditions. He added that it would be interesting to see how many of the EV ready spots would later be converted to EV installed.

**Brauneis** said that he was in support with the proposed conditions.

**Brauneis** reiterated that the four proposed conditions were that level 2 chargers be installed, that EV installed spaces for multi-family dwellings be increased from 0 to 5%, that the value additions were inclusive of the lower value options, and that the future reserved circuits for EV capable spaces be labeled as such.

**Choi** moved to approve Resolution 1, Series 2024 with the proposed conditions, and was seconded by **Hunt**. The motion was adopted by a vote of 7 to 0.

- d. **Comprehensive Plan Update** – Project introduction, process, and initial targeted questions to inform next step (1:22:00)

Staff Presentation:

**Hirt** introduced the presentation for the comprehensive plan update. He said that the intention was to give commissioners understanding of what the comp plan was, and what it entailed. He noted that it was required by state law and by city code to be updated every 10 years. He discussed what it covered and the sections that were to be included in it. The “Vision and Values” section would include a lot of community engagement, as staff wanted the plan to reflect community priorities. He noted that there were 3 proposed community engagement windows to gather feedback.

**Jessica Garrow** and **Alison Cotey** gave a presentation on behalf of the consulting team. They highlighted some of the plans they had recently completed for other municipalities in Colorado, and noted the experience they had in completing this kind of project.

**Hirt** outlined the proposed schedule for the plan. He said that it was expected to take around 18 months, and that they wanted to undertake community engagement during the summer months to maximize the response rate.

Commissioner Questions of Staff:

**Brauneis** said that the plan should reflect community desires, be understandable, and be actionable for the planning department.

**Choi** said that the consultant group were very good. He agreed with Brauneis’ assessment and said that it provided opportunity to find what was next.

**Bangs** asked about how the timing of the comprehensive plan interacted with the timing of the ongoing housing plan, and asked which would be prioritized.

**Hirt** said that the housing plan was intended to be finished by March with adoption in May. He said that both would be City Council adopted documents, so therefore they would have equal weight, and that the housing plan would segue into the comprehensive plan. He noted that the housing plan would have broader recommendations for land use changes, whereas the comprehensive plan would more specifically target those changes to different areas of the City.

**Zuccaro** added that City Council had wanted to implement some of the items from the housing plan before the comprehensive plan was finished. They wanted to try and work on some of the higher priority items in the interim.

**Moline** asked whether there would be a hard rule about examining within a 3 mile radius of the City's boundaries, and whether they could consider more regional view given the City had very little room to expand.

**Hirt** said this had not been discussed yet.

**Zuccaro** said that there would be little to address within the 3 mile radius as there were very limited opportunities for future annexations.

**Garrow** said that this would not be a major feature of the plan as, unlike other cities, there were not many areas that could be annexed.

**Baskett** said her top three priorities for the plan were achieving an agreement around growth and around future land use, and to identify areas for focus and investment.

**Mihaly** said that he agreed on the importance of addressing growth and added that affordable housing would be important for the plan. He said that he was interested in balancing these aspects with the character and values of the City. He added that it would be important to assess the City's transportation infrastructure and future transport needs.

**Brauneis** said that it was interesting to see art included as a consideration. He thought that it would be important to embed diversity, equity and inclusion (D.E.I.) into the fabric of the document. His top issues were housing and affordability. He also wanted to see a discussion on how to address the ongoing development and redevelopment of the McCaslin corridor.

**Mihaly** said that he would like to see mixed-use development on the corridor.

**Brauneis** added environmental issues, water, and solid waste were also of interest.

**Choi** said that he wanted to ensure that the different ongoing plans were not duplicating each other, and that they would instead build on each other.

**Bangs** said that the key word for him was balance. He said that the City needed to find a balance between aspiration and affordability, whilst also supporting the local economy.

**Hunt** said that she broadly agreed with the other Commissioner's priorities. She wondered whether the proposed northwest rail line would be included as part of the plan.

**Moline** said that he wanted the plan to keep a focus on livability and walkability in the City.

Public Comment:

**Tamar Krantz**, resident, thanked the new Commissioners for their work, and thanked Hirt for his choice of consultants. She said that the Planning Commission should consider an advisory committee to provide a high-level perspective on the comprehensive plan and on community engagement. This would allow them to take that off the plate of the whole Commission. She noted that an advisory committee had been considered by the City Council, but they elected to give the responsibility to the Planning Commission at-large. She added that the language in the City Code did not preclude the Commission from doing this unilaterally. She said that there should be an inclusion of statistically valid surveys so that they could utilize individual responses rather than just summaries. She also had concern that there was not enough focus on open space and wildlife. She was unsure how the included environmental assessment would be factored into the comprehensive plan.

**Sherry Sommer**, resident, said that she wanted sustainability to be considered in the comprehensive plan. She also wanted the plan to reflect the “small town” nature of the City. She agreed that plan should be approachable and actionable, and that there needed to be a reflection of the broad range of views in the community.

**PLANNING COMMISSION COMMENTS**

None were heard.

**STAFF COMMENTS**

None were heard.

**ADJOURNMENT**

Motion to adjourn was moved by **Moline**, seconded by **Mihaly**, and adopted by voice vote.

The Commission adjourned at 8:34pm.

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**ITEM:** LMCA-000491-2023 – Zoning Ordinance Amendment  
Revising the Expedited PUD Process

**PLANNER:** Matt Post, Senior Planner

**REQUEST:** Approval of Resolution 2, Series 2024 recommending to the City Council approval of an ordinance amending Title 16 and Title 17 of the Louisville Municipal Code to revise the expedited PUD process, minor subdivision procedures, and subdivision definitions.

**SUMMARY:**

Attached for recommendation to the City Council is a draft ordinance to update which planned unit development (PUD) applications are eligible to go straight to final PUD (“expedited PUD”) and which subdivision plat applications are eligible to go straight to final subdivision plat.

Staff presented a previous draft ordinance on this topic to the Planning Commission on December 14, 2023. This draft did not include proposed updates to the minor subdivision procedure and subdivision definitions. Upon further review, staff determined that the minor subdivision procedure and subdivision definitions required parallel updates to align with the proposed changes to the expedited PUD process.

**BACKGROUND:**

All development in Louisville, except for residential development up to 6 units and less than an acre, requires approval of a PUD. A PUD establishes the site plan, landscaping plan, drainage, grading, utilities, lighting, and architecture, with development subject to the City’s applicable development and design guidelines.

Pursuant to Louisville Municipal Code (LMC) Sec. 17.28.150, when subdivision review is required for the proposed development, it must be evaluated concurrently with the PUD. The subdivision establishes the final development pattern and condition for the subject property, including lot layout, site design, and the location of public and private streets.

Most new PUDs need an approved preliminary PUD and subdivision plat with Planning Commission and City Council public hearings before requesting final PUD and plat approval per LMC Sec. 17.28.170. The preliminary PUD and subdivision plat establish major features like street connections, lot layout, potential easement locations, and proposed land uses. The final PUD and plat are more granular with a detailed site plan and plat. Under the current process, a typical PUD and subdivision plat application will include four public hearings to reach a final decision – two for preliminary, two for final.

LMC Section 17.28.250 (Expedited PUD) sets forth a procedure where an applicant for a new PUD can request to go straight to final PUD. To be eligible for expedited PUD the subject property and proposal must be:

- Less than seven acres;
- Previously subdivided;
- No more than one building and principal use;
- Governed by a general development plan in the planned community district; and
- Subject to “covenants of record addressing the use and development of the property.”

The purpose of expedited review is not clearly stated or documented in City archives. The current process only applies to specific areas of Louisville and for specific types of projects that tend to have comparably minor impacts.

### **PROPOSAL:**

The proposed changes update the types of projects eligible for expedited PUD review and that can go straight to final subdivision plat review. The proposed changes to Title 16 and 17 address the expedited PUD process, subdivision process, and subdivision definitions as follows:

#### Regarding the Expedited PUD Process:

- Maintain the size requirement of less than seven acres with changes to clarify the language.
- Maintain the requirement that the property has been previously subdivided but add a requirement that any new platting must be within the minor subdivision thresholds, coupled with targeted changes to the minor subdivision section (see subdivision plat bullet points below).
- Eliminate the following eligibility requirements:
  - That PUDs must be in an approved general development plan in the planned community district.
  - That they must be limited to one land use and one building.
  - That they must be subject to covenants of record addressing the use and development of the property.
- Add the requirement that the project will not have “material” changes in the type of public improvements, easements, arrangement of streets, open space, or utilities. This is parallel to the proposed language in LMC Sec. 16.12.110 (subdivisions) to address those PUD applications and new subdivisions that may have impactful changes but are previously platted and are under seven acres.

### Regarding Subdivision Plats:

- Amend LMC Sec.16.12.110.C.1 (Minor Subdivision Procedure) as follows. A subdivision plat must meet one of four criteria and the following is one of them. *The subdivision is a replat of an approved final subdivision plat which does ~~not increase the number of lots or increase density, and which does not result in a material change in the extent, location, or type of public improvements, easements, arrangement of streets, open space, or utilities.~~*

The amended provision would read as follows: *The subdivision is a replat of an approved final subdivision plat which does not result in a material change in the type of public improvements, easements, arrangement of streets, open space, or utilities.*

- Amend the definition of “Planned Unit Development” in LMC Sec. 16.080.020 to allow for the submittal and review of a final PUD without prior preliminary plat review when a project is eligible for expedited PUD review.

### **ANALYSIS:**

Staff finds that there are three main limitations of the current code. One, some PUD applications that do not meet all four of the expedited PUD criteria in LMC Sec. 17.28.250 may not need both the preliminary and final PUD processes to adequately evaluate the proposal. Two, limiting the expedited PUD process to properties governed by a general development plan and in the planned community zone district excludes, for example, properties near Old Town, much of the Colorado Technology Center (CTC), and most of the South Boulder Road corridor. Three, portions of the expedited PUD review process have confusing language (e.g., “covenant of record addressing the use and development of the property”).

Overall, the goal of the proposed changes is to allow broader access to the expedited PUD process for appropriate projects. This ordinance does not change anything about the final PUD or final subdivision plat process, including the requirement for Planning Commission and City Council public hearings for both and the applicable review criteria.

The proposed changes to LMC Title 17 (Zoning) provide clearer language and would enable more PUDs to be eligible to apply for a final PUD and bypass the preliminary PUD than what is currently permitted (e.g., < 7 acres, only replats that are minor, etc.).

The proposed changes to LMC Title 16 (Subdivisions) are necessary to comprehensively address the current limitations of the expedited PUD process given that subdivision review must be carried out simultaneously with PUDs pursuant to LMC Sec. 17.28.150 (Coordination with subdivision regulations).

The proposed revision to LMC Sec.16.12.110 (Minor Subdivision procedure) will allow expanded access to the expedited PUD process and ensure that appropriate projects may be eligible for final subdivision plat review and will not need to undergo preliminary plat review. Staff anticipate that the proposed revision will reduce redundancies in the review process while supporting the administration of applicable engineering and zoning regulations and policies. The proposed revision will not remove the requirement that all



requests for subdivision, regardless of scope or scale, be approved by the Planning Commission and City Council at a public hearing.

The proposed changes to LMC Title 16 (Subdivisions) would parallel the expedited PUD approach while acknowledging that the subdivision plat process is not intended to evaluate density, location and extent of easements, or number of lots on a discretionary level. The review of a subdivision plat is whether it meets the objective standards or not (e.g., minimum lot sizes, sizes of easements to meet engineering standards, etc.). A subdivision plat will still need to satisfy the review criteria of LMC Title 16 for staff to recommend approval.

The table below summarizes three scenarios where an applicant could request expedited PUD review under the proposed changes and the likely outcomes.

<b>Scenarios for PUDs with Proposed Expedited PUD Changes</b>	
<b>Project Type</b>	<b>Eligible for Expedited PUD with Proposed Changes?</b>
Single use commercial building on one property; < 7 acres; previously subdivided.	Yes, the application would likely be eligible for the expedited PUD process. This type of development would typically not need to replat beyond the minor subdivision thresholds.
Multi-building, mixed use development (e.g., residential and commercial); < 7 acres; previously subdivided.	Yes, the application would likely be eligible for the expedited PUD process. It is previously platted, less than 7 acres, and eligible for the minor subdivision process if it meets one of four criteria in LMC Sec. 16.12.110.
Multi-building, mixed-use, commercial, or industrial; > 7 acres; previously subdivided.	No, the application would not be eligible for the expedited PUD process. The site is greater than 7 acres even though it has been previously subdivided.

**PUBLIC COMMENTS:**

No public comments have been submitted.

**STAFF RECOMMENDATION:**

Staff recommends approval of Resolution 2, Series 2024 recommending approval of an ordinance amending Title 16 and Title 17 of the Louisville Municipal Code to revise the expedited PUD process, minor subdivision procedures, and subdivision definitions.

**ATTACHMENTS:**

1. Resolution 2, Series 2024
2. Draft Expedited PUD Review, Minor Subdivision Procedure, and Subdivision Definitions Ordinance.

**RESOLUTION NO. 2  
SERIES 2024**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING  
TITLE 17 AND TITLE 16 OF THE LOUISVILLE MUNICIPAL CODE TO REVISE THE  
EXPEDITED PUD REVIEW PROCESS, THE MINOR SUBDIVISION PROCEDURE,  
AND SUBDIVISION DEFINITIONS**

**WHEREAS**, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

**WHEREAS**, City of Louisville municipal code Title 17, Zoning, establishes development review application processes for the development of land within the City;

**WHEREAS**, City of Louisville municipal code Title 16, Subdivisions, establishes development review application processes for the division of land within the City;

**WHEREAS**, the expedited PUD process is an effective tool for appropriate PUD applications but has a limited scope of eligible applications; and

**WHEREAS**, the City desires to revise the expedited PUD review process so a broader range of appropriate PUD applications can utilize the process; and

**WHEREAS**, the City desires to revise the minor subdivision procedure and subdivision definitions to align with the revised expedited PUD process.

**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 and Title 16 of the Louisville Municipal Code to revise the expedited PUD process, the minor subdivision procedure, and subdivision definitions.

**PASSED AND ADOPTED** this 14<sup>th</sup> day of March, 2024.

By: \_\_\_\_\_  
Steve Brauneis, Chair  
Planning Commission

Attest: \_\_\_\_\_  
Jeffrey Moline, Secretary  
Planning Commission

**ORDINANCE NO. XXXX  
SERIES 2024**

**AN ORDINANCE AMENDING TITLE 16 AND TITLE 17 OF THE LOUISVILLE  
MUNICIPAL CODE TO REVISE THE EXPEDITED PUD REVIEW PROCESS, THE  
MINOR SUBDIVISION PROCEDURES, AND SUBDIVISION DEFINITIONS**

**WHEREAS**, the City of Louisville (the “City”), is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City of Louisville Home Rule Charter (the “City Charter”);

**WHEREAS**, the expedited PUD process is an effective tool for appropriate PUD applications but has a limited scope of eligible applications;

**WHEREAS**, the City desires to revise the expedited PUD review process so a broader range of appropriate PUD applications can utilize the process;

**WHEREAS**, the City desires to revise the minor subdivision procedures and subdivision definitions to align with the revised expedited PUD process;

**WHEREAS**, after a duly noticed public hearing held \_\_\_\_\_, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated \_\_\_\_\_, the Louisville Planning Commission has recommended the City Council adopt the amendments to the LMC set forth in this ordinance; and

**WHEREAS**, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice.

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

**Section 1.** Louisville Municipal Code Chapter 17.28 – Planned Unit Developments is hereby amended as follows:

**Sec. 17.28.250. - Expedited PUD procedure.**

- A. The purpose of this section is to provide an expedited process for planned unit developments (PUDs) that can be adequately evaluated for consistency with applicable City rules and policies without a related preliminary planned unit development. An applicant may request expedited review of a planned unit development application upon submittal of all applications and information required in this title for consideration of a planned unit development. The requirement of filing a preliminary planned unit development plan and holding a public hearing thereon is waived under this expedited PUD procedure. Review of a planned unit development meeting the criteria for expedited review shall be conducted by the planning

commission and the city council under the procedures authorized for final development plan approval.

- B. A planned unit development application meeting all of the following criteria shall be eligible for expedited PUD review if:
1. The property is a minimum of one and no more less than seven acres in area;
  2. The property has been previously subdivided and any proposed replat with the planned unit development application is eligible for the minor subdivision procedure in Sec. 16.12.110; and
  3. The Director determines the application will not result in a material change in the extent, location, or type of public improvements, easements, arrangement of streets, open space, or utilities.
  4. The property is governed by an approved general development plan as part of a planned community zone district;
  5. The proposed planned unit development contains no more than one building and principal use; and
  6. The property is subject to covenants of record addressing the use and development of the property.

**Section 2.** Louisville Municipal Code Chapter 16.12 – Procedure is hereby amended as follows:

**Sec. 16.12.110 – Minor Subdivision procedure.**

- A. Subdivider may apply through the minor subdivision procedure by submitting all the applications and information required in this title for consideration of a subdivision. The planning commission shall hold a public hearing after notice is given as set forth in [section 16.04.070](#), concerning such minor subdivision and may give approval of a final plat at that time. Notice by mail shall only be required to be made to real property owners located within 750 feet of the property line of the proposed subdivision. The requirement of filing a preliminary plat and holding a public hearing thereon is waived under this process. The planning commission after holding a public hearing shall approve, disapprove or approve such final plat with modifications and submit the plat together with the commission's recommendations to the city council.
- B. Upon receipt of the plat and recommendations of the planning commission, the city council shall approve, disapprove or refer the plat back to the planning commission for further study. Following acceptance of the final plat by the city council, the plat shall be signed by the mayor and attested by the city clerk. The city clerk shall then record the plat as provided for other subdivisions in this chapter.
- C. A subdivision application meeting one or more of the following criteria shall be eligible for review as a minor subdivision:
1. The subdivision contains solely residential use and results in not more than four dwelling units;
  2. The subdivision is a replat of an approved final subdivision plat which does not increase the number of lots or increase density, and which does not result in a

- material change in the ~~extent, location, or~~ type of public improvements, easements, arrangement of streets, open space, or utilities;
3. The subdivision results in no more than two lots; each lot is adjacent to and has access to an accepted and maintained public street; the improvements required by [chapter 16.20](#) are already in existence and available to serve each lot; each lot will meet the requirements of the city's zoning regulations without the necessity for a modification; no modification or variance has been granted within the three previous years to any lot; and, no part of the subdivision has been approved as part of a minor subdivision within three years prior to the date of the submission of the minor subdivision plat;
  4. The subdivision is of a lot, previously created by an approved final subdivision plat, which is split or subdivided into no more than two lots and the lots created by the split comply with the applicable dimensional requirements of the city's zoning regulations.

**Section 3.** Louisville Municipal Code Chapter 16.08 – Definitions is hereby amended as follow:

**Sec. 16.08.020 – Definitions**

*Planned Unit Development* means a project of a single owner or a group of owners acting jointly, involving a related group of residences, businesses, or industries and associated uses; and planned as a single entity and therefore subject to development and regulation as one land use unit rather than as an aggregation of individual buildings located on separate lots. The planned unit development includes usable, functional, open space for the mutual benefit of the entire tract and is designed to provide variety and diversity through the variance of normal zoning and subdivision standards, so that maximum long-range benefits can be gained and the unique features of the development or site preserved and enhanced, while still being in harmony with the surrounding neighborhood. Approval of a planned unit development does not eliminate the requirements of subdividing. ~~A preliminary plat and a final plat must be submitted and processed through the subdivision procedures as provided in chapter 16.12.~~

**Section 4.** If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

**Section 5.** The repeal or modification of any provision of the Municipal Code of the City of Louisville 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 and all proper actions, suits, proceedings, and prosecutions for the enforcement of

the penalty, forfeiture, or liability, as well as 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 6.** 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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Dennis Maloney, 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 \_\_\_\_\_, 2024.

\_\_\_\_\_  
Dennis Maloney, Mayor

ATTEST:

\_\_\_\_\_  
Meredyth Muth, City Clerk

**ITEM:** Comprehensive Plan Update

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

**SUBJECT:** Comprehensive Plan Vision and Values Discussion

## PURPOSE

The purpose of this agenda item is to:

- Provide an update on the Comprehensive Plan's ("Plan") current and ongoing opportunities for community engagement;
- Clarify Planning Commission's role and expectations throughout the plan's timeline; and
- Seek input from Planning Commission on the vision and values element(s) of the plan.

The project's consultants (Design Workshop) will facilitate the discussion with Planning Commission on March 14.

## BACKGROUND:

### Upcoming Public Engagement

The Plan's first community engagement window (Engagement Window #1) is open and will run through mid-April. Staff encourage Planning Commissioners to get involved in the Plan and spread the word in the community outside of the regularly scheduled Planning Commission meetings. The purpose of Engagement Window #1 is to seek community input at the vision and values level from the range of voices that reflect Louisville, with particular emphasis on those that are hard to reach or typically don't engage on projects like this. The project team has set the following opportunities for public input in the near term, with more coming:

- *Survey:* the project's community survey is currently live and will be open through mid-April. The survey includes 15 questions and takes about 10 minutes. The purpose of the questions is to get actionable input related to community vision and values both broadly but also by specific topics that will be addressed in the Plan. The survey is available on the project webpage at: <https://www.engagelouisvilleco.org/comp-plan>.
- *Public Open House:* Thursday, March 21 at the Louisville Recreation and Senior Center from 5:30 – 7:30 p.m.
- *Business-Focused Open House:* Thursday, March 21 from 7:00 – 9:00 a.m. at the Louisville Chamber
- *Pop up events and focused Conversations with community groups* ongoing through Engagement Window #1.

The planned methods of community notification during Engagement Window #1 of the survey and upcoming events include but are not limited to:

- Direct mailer to all households
- One page insert in the Community Update for Spring 2024 that was distributed to all addresses in Louisville by mail
- Insert in utility bills that went to all addresses in Louisville
- Multiple social media postings
- Direct email to all Engage Louisville subscribers (4,000+)
- Yard signs throughout community
- Banner in front of City Hall
- Direct outreach to select stakeholders including the Boulder Valley School District and other community organizations.

Planning Commission Draft Schedule

The project team anticipates the following Planning Commission meetings throughout the Plan’s development and adoption. The topics will likely evolve as may the timeline and number of meetings.

Planning Commission Meeting and Select Expected Topics		Est. Timeline
1	Project Introduction and Initial Aspirations	February ✓
2	Vision and Values Focus	March
3	<ul style="list-style-type: none"> <li>• Key Issue Identification</li> <li>• Project Direction</li> <li>• Endorsement of Draft Vision and Values</li> </ul>	May or June
4	<ul style="list-style-type: none"> <li>• Plan Framework</li> <li>• Key Issues Deep Dive</li> <li>• Preview of Engagement Window 2</li> </ul>	Mid-Summer
5	Key Issues Deep Dive	Early Fall
6	Draft Plan Review	Spring 2025
7	Plan Adoption Recommendation to City Council	Summer 2025

**NEXT STEPS:**

Engagement Window #1 will run through mid-April, followed by an analysis of input received to inform next steps. The target date for Engagement Window #2 is late Summer 2024. The project team will spend the second quarter of 2024 developing content for the next engagement window, drafting vision and values statements, and identifying the key issues that need a deeper dive.



## **REQUESTED PLANNING COMMISSION FEEDBACK**

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

- What are the most important topics we should be asking the community about during upcoming public events?
- What should an initial draft of the Plan's vision and values look like? The Design Workshop team will facilitate a structured discussion on March 14 on this question. (see Attachment 1 for reference)

## **ATTACHMENT**

1. 2013 Comprehensive Plan Vision and Values

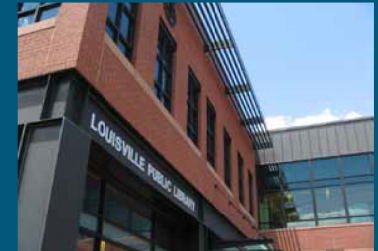
# The Vision Statement and Core Community Values

The 20 Year Plan for the City of Louisville has two primary components which guide the direction and implementation of the 2012 Comprehensive Plan Update.

The first key component is 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 sees itself and identify characteristics that should be carried into the future. The Vision Statement and Core Community Values were developed through extensive public outreach and represent the views of residents, business and property owners, and elected and appointed officials. The Vision Statement and Core Community Values serve as the rubric against which the Framework Plan was developed and how future City policies and decisions should be evaluated. All of the recommendations, principles, and policies in this Comprehensive Plan are designed to further the goals of the Vision Statement and Core Community Values.

The Framework Plan illustrates Louisville's community character and development expectations verbalized in the Vision Statement and Core Community Values. Together, the Vision Statement and Core Community Values visualized by the Framework Plan represent the long-range integrated land use, transportation and natural resource vision 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 citizenry 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 connections 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 operation of the City will ensure an open and responsive government which integrates regional cooperation and citizen volunteerism with a broad range of high-quality and cost-effective services.*



## The Vision Statement and Core Community Values

### 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 Livable 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.



**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.

