

City Council Special Meeting Agenda

Tuesday, July 30, 2024
Council Chambers
749 Main Street
5:00 PM

Members of the public are welcome to attend and give comments remotely; however, the in-person meeting may continue even if technology issues prevent remote participation.

- You can call in to +1 719 359 4580 or 877 853 5247 (toll free)
Webinar ID #876 9127 0986.
- You can log in via your computer. Please visit the City's website here to link to the meeting: www.louisvilleco.gov/council

The Council will accommodate public comments during the meeting. Anyone may also email comments to the Council prior to the meeting at Council@LouisvilleCO.gov.

1. CALL TO ORDER & ROLL CALL

2. EXECUTIVE SESSION

REAL PROPERTY ACQUISITIONS AND DISPOSITIONS

Louisville Home Rule Charter Section 5-2(c) and C.R.S. 24-6-402(4)(a))

The Mayor is Requesting the City Council Convene an Executive Session for the Purpose of Real Property Acquisitions Concerning Properties in Louisville Only as to Appraisals and Other Value Estimates and Strategy

Citizen Information

If you wish to speak at the City Council meeting in person, please fill out a sign-up card and present it to the City Clerk at the meeting; if you are attending remotely, please use the "raise hand" icon to show you wish to speak in public comments.

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 (303.335.4536 or 303.335.4574) or ClerksOffice@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 del Consejo, por favor llame a la Ciudad al 303.335.4536 o 303.335.4574 o email ClerksOffice@LouisvilleCO.gov.

- Requests for Executive Session
- City Clerk Statement
- City Attorney Statement of Authority
- City Council Action on Motion for Executive Session
- Council Convenes Executive Session
- Council Reconvenes in Open Meeting

3. REPORT – DISCUSSION/DIRECTION/ACTION – REAL PROPERTY ACQUISITIONS/DISPOSITION

***THE FOLLOWING MEETING ITEMS WILL START
NO EARLIER THAN 6 PM***

4. CONSENT AGENDA

The following items on the City Council Agenda are considered routine by the City Manager and shall be approved, adopted, accepted, etc., by motion of the City Council and voice vote unless the Mayor or a City Council person specifically requests an item be considered under “Regular Business.” In such an event the item shall be removed from the “Consent Agenda” and Council action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading “Consent Agenda” will appear in the Council Minutes in their proper order.

- A. Approval of Building Safety Division Professional Services Budget Requests for Marshall Fire Rebuild Services
- B. Approval of Contract for Interim City Manager

5. REVITALIZATION COMMISSION UPDATE AND 2024 WORK PLAN

- Presentation
- Public Comments (Please limit to three minutes each)
- Council Discussion
- Action

6. DISCUSSION/DIRECTION – CONSIDERATION OF WILDLAND-URBAN INTERFACE AND HOME HARDENING BUILDING CODES

- Presentation
- Public Comments (Please limit to three minutes each)
- Council Discussion
- Direction

7. ADJOURN

SUBJECT: APPROVAL OF BUILDING SAFETY DIVISION PROFESSIONAL SERVICES BUDGET REQUEST FOR MARSHALL FIRE REBUILD SERVICES

DATE: JULY 30, 2024

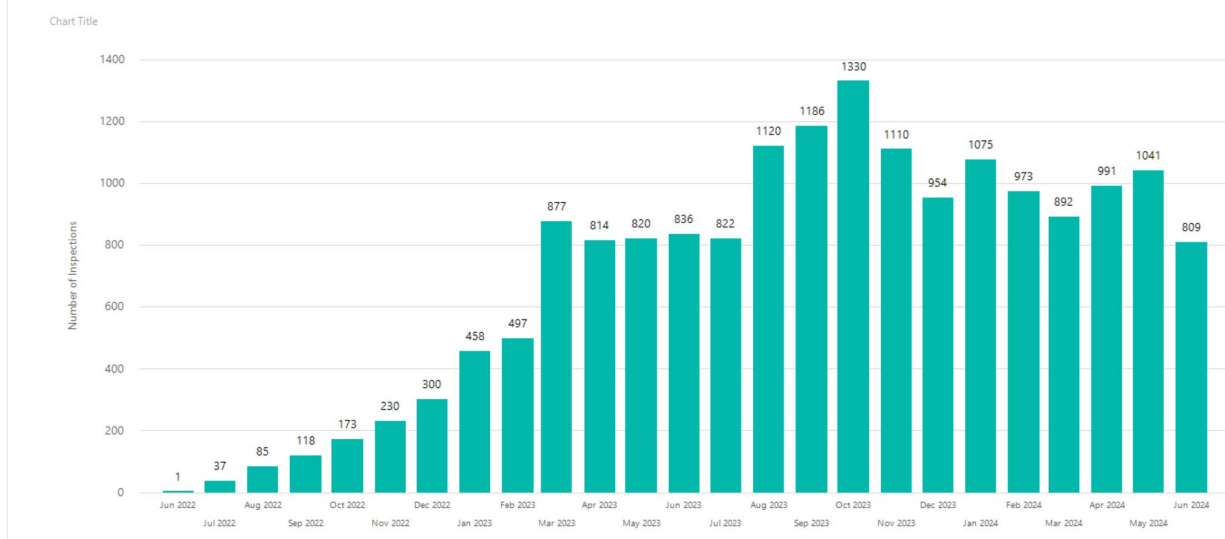
PRESENTED BY: ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUMMARY:

Staff is seeking Council concurrence of a \$200,000 budget amendment to cover City consultant costs related to administering building permits for the Marshall Fire. This would increase the budget from \$200,000 to \$400,000. The 2024 budget assumed that the volume of inspections and plan review services that were needed to be covered by the City’s on-call consultants would level out and begin to decrease significantly in 2024 as the Marshall Fire rebuild efforts continued to evolve. In 2023, the City budgeted \$336,347 for Building Division consultant services and spent \$200,441.

In the current phase of Marshall Fire rebuilding, the City is needing to accommodate a significantly higher number of building inspections than was originally anticipated and has expended the full 2024 budget. City inspectors can accommodate about 60 inspections per day. When more inspections than that are called in, the City uses an on-call consultant to help with those inspections. The consultants also help cover when inspectors have vacation or training scheduled. This ensures next-day inspection services, which are critical to help the rebuilding effort run smoothly and without delay. Without the supplemental consultant services, inspections would be backlogged and need to be scheduled several days out from when the requests are made.

Inspections on Marshall Fire Rebuild Permits by Month









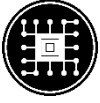

FISCAL IMPACT:

The City collects building permit and plan review fees to cover the costs of providing Building Division services, including consultant fees. Staff is proposing adjusting both Permit Revenue (GL Account # 101016-421500), and Building Division Professional Services (GL Account # 101530-540140) by \$200,000 resulting in a net impact to the General Fund of \$0.

STAFF RECOMMENDATION:

Staff recommends approval of this item by motion, which would result in a formal budget amendment being presented with other late-2024 budget amendment requests.

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

SUBJECT: EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER

DATE: JULY 30, 2024

PRESENTED BY: KATHLEEN KELLY, CITY ATTORNEY

SUMMARY:

On July 16, 2024, the City Council appointed Samma Fox as Interim City Manager, subject to execution of an employment agreement and designated Mayor Leh and Councilmember Kern to negotiate the agreement. The attached Employment Agreement for Interim City Manager is presented for City Council consideration.

FISCAL IMPACT:

During her term as Interim City Manager, Ms. Fox would receive the salary and benefits as set forth in the agreement.







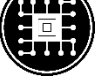

RECOMMENDATION:

City Council to consider the proposed Agreement and approve it if the Council finds its terms acceptable.

ATTACHMENT(S):

1. Employment Agreement for Interim City Manager

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER

THIS EMPLOYMENT AGREEMENT FOR INTERIM CITY MANAGER

("Agreement") is made effective as of the 16th day of July, 2024, by and between the City of Louisville, a Colorado home rule municipal corporation, hereinafter known as "CITY", and Samma L. Fox, hereinafter known as "INTERIM CITY MANAGER" or "FOX."

WHEREAS, the City desires to employ the services of Samma L. Fox as Interim City Manager of the City of Louisville, Colorado; and

WHEREAS, Fox is currently employed by the City as Deputy City Manager; and

WHEREAS, the City and Fox desire to set forth certain specifics concerning her employment by the City as Interim City Manager, and to establish conditions of employment related thereto; and

WHEREAS, Fox desires to accept employment as Interim City Manager of the City of Louisville under the terms and conditions set forth herein.

NOW THEREFORE, in consideration of the following mutual covenants and conditions the parties agree as follows:

1. Duties; Residency. The City agrees to employ Samma L. Fox as Interim City Manager to perform the functions and duties of City Manager specified by Colorado State Statutes, Article 8 of the Louisville Home Rule Charter and Section 2.04.030 of the Louisville Municipal Code, and any other applicable laws, ordinances, or regulations of the City of Louisville. The Interim City Manager is not currently a Louisville resident and will not be required to reside in the City of Louisville throughout the Interim City Manager's appointment. The Interim City Manager agrees to perform any legally permissible and proper duties and functions as the City Council of the City shall from time-to-time assign to her as Interim City Manager. The Interim City Manager acknowledges this is an in-person role, with remote work typically to be performed outside of normal working hours (Monday-Friday, from 8:00 am to 5:00 pm).
2. Term. The Interim City Manager is an employee at will. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the City Council of the City to terminate the services of the Interim City Manager at any time, subject to the provisions set forth in Section 4 herein. Nothing

in the Agreement shall prevent, limit or otherwise interfere with the right of the Interim City Manager to resign at any time from her position upon thirty (30) days prior written notice, unless the City designates a shorter period, subject only to the provisions as set forth in Section 4 herein. Fox's first day of employment as Interim City Manager was July 16, 2024. The term of this Agreement shall begin on the effective date and shall terminate no later than midnight, February 28, 2025 ("Expiration Date"); provided, however, that this Agreement may be terminated prior to said Expiration Date in accordance with this Agreement, and provided further the Interim City Manager agrees the City Council may extend this Agreement for not more than three (3) thirty-day (30-day) periods under the same terms and conditions by providing written notice of the same to the Interim City Manager ("Extended Expiration Date"). Under no circumstances shall this Agreement be effective after the Extended Expiration Date unless the parties agree in writing to extend this Agreement under terms and conditions mutually satisfactory to the parties.

3. Compensation. The City agrees to pay to Fox for her services as Interim City Manager rendered pursuant hereto an annual base salary of \$218,163.00, commencing with the first pay period starting after July 16, 2024 and payable in biweekly installments at the same time as other employees of the City are paid. In lieu of compensation for "Temporary, Acting or Interim (TAI) Assignments" in the City's Personnel Guidelines, the City further agrees to pay to Fox a bonus in the amount of \$2,000.00 for the time she served as the Acting City Manager, with such bonus to be paid in a lump sum in the next pay period following execution of this Fourth Amended Employment Agreement.

The position of Interim City Manager is an exempt position under the provision of the Fair Labor Standards Act. As such, the Interim City Manager shall not be bound by the record keeping or overtime provisions of the Act, and shall not earn overtime pay.

4. Termination & Position Restoration. Fox's employment as Interim City Manager may be terminated by the City Council at any time, with or without cause. In the event of her termination as Interim City Manager by the City Council for any reason, except as expressly provided below, Fox shall be restored to her former position as Deputy City Manager, at which point she will become subject to the provisions contained in the City's Personnel Guidelines, and with all benefits existing thereunder as of the date of termination of this Agreement, including any accrued retirement and leave.

Additionally, City Council may select a candidate to fill the position of City Manager at any time during the course of Fox's employment, at which time she shall be restored to her former position as Deputy City Manager, and will become subject to the provisions of the City's Personnel Guidelines and with all benefits existing thereunder as of the date of termination of this Agreement, including any accrued retirement and leave. In the case of restoration to her former position under either of the foregoing sentences, Fox's compensation shall be adjusted to her Deputy City Manager salary as of the date of this contract plus a 5% increase and benefits, including any accrued retirement and leave, as in effect at the date of termination of this agreement, and with retirement and leave balances adjusted to reflect time accrued and used while serving as Interim City Manager. If Fox is terminated from the Interim City Manager position prior to a City Manager being hired, is terminated rather than being restored to the Deputy City Manager position, or is terminated within six months of being restored to the Deputy City Manager position, the City shall pay Fox six months' salary at the rate of Fox's Deputy City Manager salary then in effect upon Fox's execution of a release of claims against the City in a form to be approved by the City Council. Notwithstanding any of the foregoing provisions of this Section 4 to the contrary, it is understood that in the event the Interim City Manager is terminated because of her conviction of any illegal act involving personal gain to the Interim City Manager, or because of her conviction of any felonious act or due to any act of moral turpitude, or because of insubordination, nonfeasance, or malfeasance in the performance of duties, the Interim City Manager shall have no right to be restored to her former position as Deputy City Manager.

5. Performance Evaluation. The City Council shall set performance goals for Interim City Manager within 45 days after mutual execution of this Agreement, reduced to writing. The City Council shall review and evaluate the performance of the Interim City Manager on a periodic basis, with prior notification of any review to be provided to the Interim City Manager.
6. Automobile. The City shall provide the Interim City Manager with an automobile allowance of \$500.00 per month, commencing with the first pay period starting after July 16, 2024, and payable via payroll check on the first pay date of each month. The Interim City Manager shall then provide her own transportation as necessary in the performance of her duties. The Interim City Manager shall maintain all liability insurance as required by the State of Colorado.

7. Paid Illness Leave and Leave Time. The Interim City Manager shall receive 4.0 hours of Extended Illness Bank ("EIB") leave for each 80 hours worked, to be used in accordance with the City's Personnel Guidelines. Illness leave time shall be accrued on a biweekly basis, coincidental with established pay dates. The Interim City Manager may accrue up to a maximum of 480 hours of illness leave time. Upon termination of her employment with the City, the Interim City Manager shall not be paid for any accrued, unused illness leave time.

The Interim City Manager shall also receive paid leave time. Paid leave time ("PLB"), which consists of vacation, holiday, and personal leave, shall be accrued on a biweekly basis, coincidental with established pay dates, at a rate of 12.32 hours per pay period. The Interim City Manager may accrue up to a maximum of 480 hours of paid leave time ("Maximum Leave Time"); if the Interim City Manager's accrued but unused leave time reaches the Maximum Leave Time, leave time will cease to accrue until such time as the Interim City Manager uses enough leave time to reduce her remaining accrued but unused leave time below the Maximum Leave Time. Upon termination of her employment with the City, the Interim City Manager shall be paid for all accrued, unused paid leave time.

8. Insurance. The Interim City Manager shall be entitled to receive the same health, dental, disability, life, liability, and other insurance coverage as set forth under the terms of the group insurance coverages provided by the City to all employees. The Interim City Manager must meet all of the terms and conditions required by the individual carriers in order to receive said coverages.
9. Retirement. The City agrees to pay an amount equal to six and one-half percent (6.5%) of the Interim City Manager's base salary into the International City Management Association Retirement Corporation's (ICMA-RC) 401-A Money Purchase Plan, which is the current uniform percentage rate paid for all employees participating in the plan. The Interim City Manager shall contribute at a rate in accordance with the City's personnel policies. Each payment shall be made on a biweekly basis according to the City's payroll schedule, with the City contribution being 6.5% of the base salary paid for such payroll period. In the event the City Council approves any change in the uniform percentage rate paid for all employees participating in the plan, the above-stated 6.5% rate shall automatically adjust to the new rate, effective as of the effective date of the change. All of the City's contribution will vest to the Interim City Manager from her date of employment.

10. Deferred Compensation. The City agrees to pay an amount equal to five percent (5%) of the Interim City Manager's base salary into the International City Management Association Retirement Corporation's (ICMA-RC) Section 457 Deferred Compensation Plan, subject to contribution limits under federal law. Each payment shall be made on a biweekly basis according to the City's payroll schedule, with the City contribution being 5% of the base salary paid for such payroll period. All of the City's contribution will be vested to the Interim City Manager from her date of employment.
11. Other Terms and Conditions of Employment. The City Council shall fix such other terms and conditions of employment, as it may determine from time to time, relating to the performance of the Interim City Manager, provided such terms and conditions are not inconsistent with the provisions of this Agreement, federal and Colorado law, or the Louisville Home Rule Charter or Municipal Code.

It is understood that the Interim City Manager is not to be treated as an employee under the provisions contained in the City's Personnel Guidelines. It is further understood that the rights and obligations contained in said Guidelines are not binding upon the City with respect to the employment of the Interim City Manager except as expressly enumerated in this Agreement.

12. Dues and Subscriptions. The City agrees to budget and pay for reasonable professional dues and subscriptions of the Interim City Manager necessary for her participation in national, regional, state, and local associations and organizations necessary and desirable for her continued professional participation, growth, and advancement, and which are for the good of the City. The City also agrees to budget and pay for necessary travel expenses for the Interim City Manager to adequately pursue official and other functions for the City. By way of example, such functions include, but are not limited to, meetings and conferences of the International City Management Association and the Colorado Municipal League.
13. Reimbursement of General Expenses. The City recognizes that certain expenses of a non-personal and job-related nature will be incurred by the Interim City Manager, and hereby agrees to reimburse reasonable general expenses.
14. Outside Activities. The Interim City Manager shall not spend any time in remunerated business outside of this Agreement, nor shall she spend more

than ten hours per week in non-remunerated non-City connected business, without the prior approval of the City Council. No such outside activities shall be contrary to the interests of the City.

15. Funding. Notwithstanding any other provisions contained herein, this Agreement is subject to an annual appropriation by the City Council of sufficient funds to pay the full amount due, or which may be due hereunder for the following year. A failure to appropriate such funds shall constitute a termination pursuant to Section 4 of this Agreement.
16. Constitutionality. The parties hereto do not extend this Agreement to be a multiple fiscal year financial obligation within the meaning of Article X, Section 20 of the Colorado Constitution, and this Agreement shall be interpreted so as to avoid any such meaning.

This Agreement is held to be the entire Agreement of the parties thereto. In addition, this Agreement shall be binding upon and inure to the benefit of the heirs, representatives, and assigns of the Interim City Manager.

If any provision or portion of this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable and shall remain in full force and effect.

17. Indemnification. The Interim City Manager shall be defended and indemnified in her actions undertaken in her official capacity pursuant to all insurance coverages maintained by the City and pursuant to the terms of the Colorado Governmental Immunity Act ("CGIA"), C.R.S. § 24-10-101, *et seq.*); provided, however, the Interim City Manager shall not be indemnified for any act or omission that is willful or wanton as those terms are defined in the CGIA.

This Section survives the termination of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth adjacent to their respective signatures, intending the same to be effective as of the 16th day of July, 2024; the parties agree that electronic signatures are sufficient and binding for this Agreement.

[Signatures on Following Page]

CITY OF LOUISVILLE

By: _____
Christopher M. Leh, Mayor

Date: _____

ATTEST:

Meredyth Muth, City Clerk

INTERIM CITY MANAGER

Samma L. Fox

Date: _____

**SUBJECT: REVITALIZATION COMMISSION UPDATE AND
2024 WORK PLAN**

DATE: JULY 30, 2024

PRESENTED BY: VANESSA ZARATE, CECD, ECONOMIC VITALITY MANAGER

1. HIGHLIGHTS AND SUCCESSES OF THE PAST YEAR FOR THE BOARD:

The Louisville Revitalization Commission has achieved many objectives in the last twelve months to include:

- **Downtown Vision Plan**
 - The LRC has been working with City Staff and a consultant team over the last twelve months to complete a Downtown Vision Plan. This plan was made through site visits, community engagement and best practices. The plan is currently finalizing the preferred vision for improvements in the Downtown core, predominantly on Main and Front Streets.
 - LRC intends to adopt the preferred plan at a meeting before the end of 2024.
- **Property Improvement Program**
 - The LRC has adopted a new Property Improvement Program, aimed at providing incentives to rehabilitate the interior of buildings within the urban renewal area.
 - This program is intended to compliment the widely used façade improvement program and help assist with rehabilitation and upgrade costs for buildings downtown. As many of the buildings in the urban renewal area are older, some historically designated, there can be significant costs to upgrade the buildings and align with current market needs. This program will assist property owners as they make improvements to the district, reduce vacancy and add vibrancy.
- **Consultant Engagement**
 - The LRC has started engagement with the consultant firm Trestle Strategy Work to do some space planning with cooperative property owners in the urban renewal area.
 - While the LRC explored multiple consultant routes with Trestle, they have decided to move forward with highest and best use planning at 833 Main Street. This effort is intended to provide the LRC and property owner with a real estate analysis showing the various redevelopment and development opportunities for the site.
- **Old Town Skate**
 - In 2023, the LRC contributed significant funding to assist the City in bringing the downtown ice skating rink internal to the City. This assistance included purchasing of capital equipment such as the skates.

- In 2024, the LRC continued to support the ice skating rink by providing funding for operations and electricity for the 2024-2025 season.
- Bonding
 - In June 2024, the LRC provided Staff direction to move forward with bonding up to \$10 million of future revenues to fund large scale capital improvements throughout the urban renewal process.
 - The LRC is still early in this process and will vote on final bond terms and amounts before the end of 2024. This funding is intended to be used for large scale capital and infrastructure projects such as the Downtown Vision Plan implementation.
- Provided Incentives
 - The LRC has a variety of incentive programs to include the Façade Improvement Program, the Property Improvement Program, Direct Assistance (TIF funding), and Public Infrastructure Assistance.
 - The LRC continues to timely review applications as they come in and compare against program eligibility, blight impact, plan objectives, private investment leveraged and available funding.

2. 2024 BOARD WORK PLAN:

The Louisville Revitalization Commission is implementing priorities identified in the 2023 Work Plan. The Commission intends to update the workplan for 2025, creating another two-year work plan. Priorities for this year include:

- Bonding Revenues
 - The LRC will continue through the bonding process to bond future revenues for capital investments. At a future meeting date in 2024, the LRC will vote on the full set of bond terms and agreement.
 - The LRC will then vote on how to allocate these funds throughout the urban renewal area for capital investments and projects.
- Downtown Vision Plan Implementation
 - The Downtown Vision Plan is nearing completion of the visioning effort and preferred plan. Once adopted, the LRC intends to move forward into full design and construction work. The LRC and City Staff are hopeful that design work will be completed in the next year and construction will begin in 2025.
 - The LRC will work with Economic Vitality staff to engage with the business community throughout the design and construction periods. This could include promotion campaigns, assistance during construction, new communication channels or others.
- Consultant Engagement
 - The LRC intends to implement an approved contract with Trestle Strategy Group over the next year. While not anticipated to take twelve months, the LRC will work with property owners and interested parties throughout the urban renewal area to continue redevelopment and development of strategic and catalyst sites.

- Provide Incentives
 - The LRC will continue to evaluate incentive requests as they are received and provide funding to qualified and impactful projects.
 - The LRC also intends to evaluate the impact of current incentives and make adjustments as necessary to make sure incentives provided meet property owner and business needs while addressed the urban renewal plan objectives and positively impacts blight.

3. ARE THERE AREAS IN WHICH THE BOARD WOULD LIKE CITY COUNCIL INPUT/FEEDBACK?

The LRC would like feedback from Louisville City Council on what their priorities are for downtown over the next one to ten years. The LRC is working on a variety of projects that will need City support in order to implement. As the LRC moves forward with approving projects and allocating funds, they would like more feedback from City Council on how these projects align with Council priorities and council support.

4. WHAT QUESTIONS DO YOU HAVE FOR THE CITY COUNCIL?

The LRC would like to learn more about what the Economic Vitality Committee is doing and their objectives for the year.









ATTACHMENT(S):

1. LRC 2023 Work Plan

RECOMMENDATION:

Discussion and approval of annual work plan.

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>	 Financial Stewardship & Asset Management	<input type="checkbox"/>	 Reliable Core Services
<input type="checkbox"/>	 Vibrant Economic Climate	<input type="checkbox"/>	 Quality Programs & Amenities
<input checked="" type="checkbox"/>	 Engaged Community	<input type="checkbox"/>	 Healthy Workforce
<input type="checkbox"/>	 Supportive Technology	<input type="checkbox"/>	 Collaborative Regional Partner

**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



2023 Priority Projects

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Downtown Coordinated Streetscape Plan	<ul style="list-style-type: none"> • Discuss scope and funding • Review Request for Proposal • Council approval/collaboration • Contract for consultant • Public Engagement/plan development • Plan adoption • May include EV charging, alleyway activation, and district branding signage 	Q1-Q4	4-6	TBD
Commission and Board URA Project Support	<ul style="list-style-type: none"> • Create proposal process and criteria for Boards and Commissions • Conduct outreach to Cultural Council and others that may be interested in participation • Review and approve proposals 	Q1-Q4	3+	\$50,000
Funding/Incentive Development	<ul style="list-style-type: none"> • Amend cooperation agreement • Review and develop new incentive programs for existing business improvements • New business attraction and business retention incentives for the URA • Could include historic preservation component • Market program • Review/approve funding opportunities 	Q2-Q4	3+	TBD
Sustainability Grant Program	<ul style="list-style-type: none"> • Explore program for energy efficiency building upgrades/EV charging grants (consider partnership with County PACE) • Consult with Sustainability Coordinator 	Q3-Q4	2+	TBD
Marketing Strategy for URA	<ul style="list-style-type: none"> • Update current marketing materials • Potential hiring of marketing/graphics consultant • Develop materials for new LRC programs 	Q1-Q4	As needed	\$150,000

**Louisville Revitalization Commission
2023 Work Plan Prioritization Table**



Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
South Street Underpass	<ul style="list-style-type: none"> Engage with City Council on next steps for funding and design Potential DRCOG TIP grant 	Q2-Q3	1+	TBD
DBA Engagement	<ul style="list-style-type: none"> Meeting w/ DBA to identify projects and partnership opportunities Support creation of DBA BID district funding/election 	Q3	1-2	TBD
Small Business Retention/Attraction	<ul style="list-style-type: none"> Consider Development of Grant Program to attract/retain small businesses within URA 	Q3-Q4	2-4	TBD
Hwy 42 Plan Development	<ul style="list-style-type: none"> DRCOG TIP funded design grant Engage in planning and design 	Q3-Q4	1-2	N/A
SBR Corridor Plan	<ul style="list-style-type: none"> DRCOG corridor planning grant Engage in planning and design 	Q3-Q4	1-2	N/A
2024 CIP Planning/Coordination	<ul style="list-style-type: none"> Develop project list Projects may include bicycle and pedestrian improvements, SBR sidewalk widening, etc. Make recommendations on projects and funding/cost share on priority projects 	Q3	2-3	N/A
10 Year Comprehensive Plan Update	<ul style="list-style-type: none"> Provide feedback on plan development Project will extend into 2024 	Q3 or Q4	1-2	N/A
Façade Improvement Program Application Review	<ul style="list-style-type: none"> Review and approve applications Expand marketing materials 	Q1-Q4	As needed	\$300,000
Development Assistance Application Review	<ul style="list-style-type: none"> Review proposals and develop incentive agreements 	Q1-Q4	As needed	TBD
Downtown Street Light Conversation	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$480,000
Downtown ADA Project	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$120,00
Electric Vehicle Charging Stations	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$26,000
Downtown Conduit and Paver Repair	<ul style="list-style-type: none"> Potential project update 	TBD	1	\$420,000

Louisville Revitalization Commission
2023 Work Plan Prioritization Table



Other Potential Projects

Project	Potential Steps	Timeline	Estimated Number of Meetings	Funding
Small Business Survey	<ul style="list-style-type: none"> Possible partnership with DBA and/or Chamber 	TBD	TBD	TBD
Shuttle Service to CTC	<ul style="list-style-type: none"> Create program and hire private shuttle service between CTC and Downtown Survey DTC to see if it would be desired. 	TBD	TBD	TBD
Inventory Local Events	<ul style="list-style-type: none"> Create inventory of events and track attendance Focus on marketing local events Develop strategy/use for data 	TBD	TBD	TBD
Cooperative Incubator	<ul style="list-style-type: none"> Define scope and intent of program Identify location, staffing and resources needed Lease incubator space for business start up 	TBD	TBD	TBD
Commissioner Outreach to Property Owners	<ul style="list-style-type: none"> Develop strategy for direct Commissioner outreach to property owners regarding redevelopment opportunities Inform businesses of current programs/façade program 	TBD	TBD	TBD
Parking Lot Management	<ul style="list-style-type: none"> Improve Sports Complex parking to provide additional downtown parking 	TBD	TBD	TBD
Downtown WiFi Network	<ul style="list-style-type: none"> Develop program and contribute to funding Presentation on Downtown communications options 	TBD	TBD	TBD

SUBJECT: DISCUSSION/DIRECTION – CONSIDERATION OF WILDLAND-URBAN INTERFACE AND HOME HARDENING BUILDING CODES

DATE: JULY 30, 2024

PRESENTED BY: ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR
CHAD ROOT, CHIEF BUILDING OFFICIAL

SUMMARY:

Staff is seeking direction from Council on the potential development of a *Wildland-Urban Interface* (WUI) and/or *Home Hardening* building code. A WUI building code provides standards for development that are meant to mitigate fire spread between human development and areas with wildland vegetation or vegetative fuels. The concept of Home Hardening is integral to a WUI building code but could also be more broadly applied to address issues of fire conflagration, which is the uncontrolled spread of fire between structures.

BACKGROUND/DISCUSSION:

Wildfire Spread

Fire spreads from a wildland area to structures by either embers, radiant heat, or direct flame contact. Ember spread is the most common form of wildland fire spread to a structure. This can occur by igniting fuel around the structure, penetrating the structure through a vent or other opening, or directly igniting the exterior of the structure. Understanding the most likely ways for fires to transition from wildlands into urban interfaces helps to prioritize mitigation standards. For example, a Home Hardening building code may put the most focus on ember spread, since it is the most common type of fire spread. A WUI building code may focus more on landscaping maintenance that could spread direct flame from trees or shrubs.

Link: [Summary of How Fire Spreads in the WUI \(nist.gov\)](https://www.nist.gov)

Link: [IBHS Video on Ember Spread https://www.youtube.com/watch?v=QQIHtMQ_y5k](https://www.youtube.com/watch?v=QQIHtMQ_y5k)

There are three main environmental factors that influence the potential for wildland fire intensity and spread: topography, weather, and fuel. Steep slopes and gullies will increase the rate of fire spread and there is limited control over these natural features. Wind and drought will also significantly influence fire spread and cannot be controlled. For the Marshall Fire, both wind and drought played significant roles in the spread of the fire both from the wildland into urban areas and the conflagration of the fire within neighborhoods. The type and amount of vegetation and vegetative fuels will impact fire intensity, and different vegetation types produce different characteristics related to ember, radiant heat, and flame spread potential. While grasslands that are largely

absent of trees and shrubs tend to have the lowest potential for fire intensity, with the right drought and wind conditions, grasslands can provide a considerable potential for fire spread from a wildland area into an urban environment.

Link: [Fuel Models for Colorado \(bouldercounty.gov\)](http://bouldercounty.gov)

Wildfires and Conflagration

A conflagration fire is one that spreads uncontrollably from structure to structure. It is important to acknowledge that wildfires are a natural part of our environment and needed to maintain healthy ecosystems and lower the amount of potential for wildland fire fuels. In addition, wildland fire suppression efforts over the decades have exacerbated wildfire intensity in many areas of the western United States where the natural fire cycles were disrupted. The graph below shows a trend line of a decreasing annual occurrence of wildfires but more acres burned with each fire. Population density and development has continued to increase in many areas prone to wildfire, resulting in an increasing number of wildfires entering urban environments and turning into conflagration fires. More information, including an analysis of the Marshall Fire conflagration event, can be found at the following link.

Link: [Return of Conflagration to the Built Environment \(ibhs.org\)](http://ibhs.org)

United States Annual Fire Occurrence Data: Interagency Fire Center

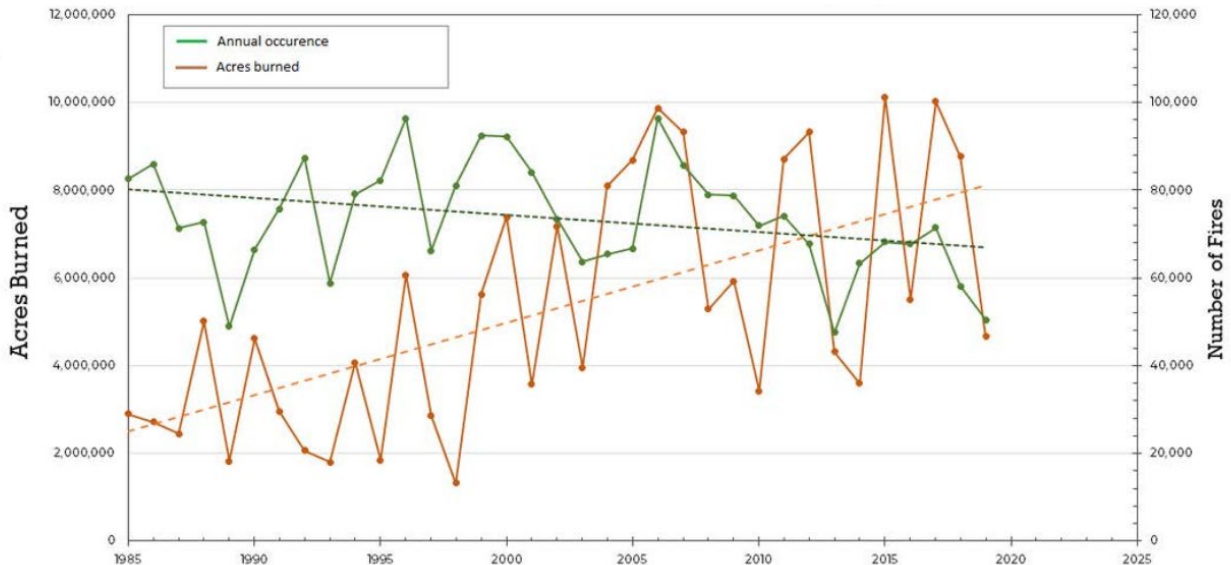


Figure 5. Number of fires (green) and acres burned (brown) since 1985. Linear trend lines (dashed) are also included. Data courtesy of the Interagency Fire Center.

Source: IBHS – Suburban Wildfire Adaptation Roadmaps

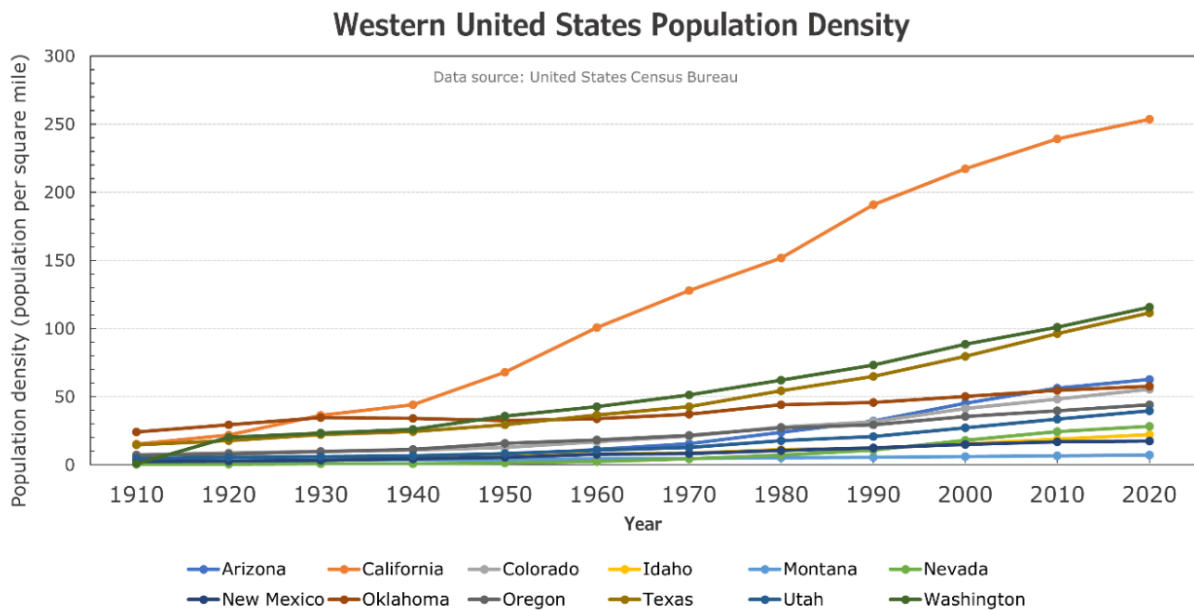


Figure 1: Time history of population density across thirteen western US states. Data source: US Census Bureau

Source: IBHS – The Return of Conflagration in the Built Environment

WUI Building Codes

There are many examples of local and national codes that have been developed for the regulation of development in the WUI. A few example codes are provided in the following links:

- [International Wildland Urban Interface Code \(IWUIC\)](#)
- [State of Washington WUI Code](#)
- [Boulder County WUI Code](#)
- [Colorado Springs WUI Code](#)

The City of Louisville utilizes the International Code series (I-Codes). The IWUIC is one of the codes within this series. The following is a description of the main elements of the IWUIC and how it would likely apply to Louisville:

Defining the Wildland Urban Interface: The IWUIC would require that the City define and map areas that would be designated as the Wildland Urban Interface (WUI). These areas would typically only include the parcels immediately adjacent to an area with wildland vegetation. The IWUIC lists two potential western grassland fuel types that could represent wildland vegetation (Fuel Model A and L, Appendix D). These are considered “light fuel” types and result in “moderate” fire hazard severity. The City would also need to determine if smaller areas of wildland vegetation would trigger inclusion in the WUI, or only larger contiguous areas of wildland vegetation (i.e. small internal greenways and

trail corridors within developed neighborhoods, vs. large contiguous open spaces such as the North Open Space and Davidson Mesa).

TABLE 502.1 FIRE HAZARD SEVERITY

FUEL MODEL ^b	CRITICAL FIRE WEATHER FREQUENCY								
	≤ 1 Day ^a			2 to 7 days ^a			≥ 8 days ^a		
	Slope (%)			Slope (%)			Slope (%)		
	≤ 40	41-60	≥ 61	≤ 40	41-60	≥ 61	≤ 40	41-60	≥ 61
Light fuel	M	M	M	M	M	M	M	M	H
Medium fuel	M	M	H	H	H	H	E	E	E
Heavy fuel	H	H	H	H	E	E	E	E	E

E = Extreme hazard;
 H = High hazard;
 M = Moderate hazard.

a. Days per annum.

b. Where required by the code official, fuel classification shall be based on the historical fuel type for the area.

Source: 2021 IWUIC

Area Requirements: The IWUIC “area requirements” address minimum emergency vehicle access and water supply requirements for development in the WUI. As an urbanized area, staff anticipates that most of Louisville could easily meet the access and water supply requirements.

Defensible Space Requirements: The “defensible space” is the minimum area between the wildland vegetation and the structure where the landscaping is modified or maintained to limit the spread of a fire. Within the defensible space, trees must be setback and trimmed to maintain a minimum distance from structures. Storage of certain materials is prohibited and debris and deadwood must be removed within the designated area. Ornamental landscaping may be allowed. For areas designated with “moderate” fire hazard severity, the minimum required defensible space is 30 ft. (but may be modified depending on class of building construction).

Building Construction Requirements: The IWUIC includes three classes of ignition-resistant construction standards designated Class 1, 2 or 3, with Class 1 being the most fire resistant and Class 3 the least. The factors that determine which Class of construction is required are the 1) Fire Hazard Severity, 2) Water Supply Availability, and 3) Defensible Space. With the assumptions that our local WUI would have “moderate” fire hazard severity based on the predominate grassland vegetation and adequate water supply, construction standards would be a Class 2 if the minimum 30 ft. of defensible space is not provided, or Class 3 if a minimum of 30 ft. of defensible space is provided. If 1.5x the minimum defensible space is provided (45 ft.), then the code does not require any special

construction requirements. The following table from the 2021 IWUIC includes areas highlighted in red showing what standards would likely apply in Louisville.

TABLE 503.1 IGNITION-RESISTANT CONSTRUCTION^a

DEFENSIBLE SPACE ^c	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply ^b		Water Supply ^b		Water Supply ^b	
	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e
Nonconforming < 30ft	IR 2 Class 2	IR 1	IR 1	IR 1 N.C.	IR 1 N.C.	Not Permitted
Conforming ≥ 30ft	IR 3 Class 3	IR 2	IR 2	IR 1	IR 1	IR 1 N.C.
1.5 × Conforming ≥ 45ft	Not Required	IR 3	IR 3	IR 2	IR 2	IR 1

a. Access shall be in accordance with Section 403.
 b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.
 IR 1 = Ignition-resistant construction in accordance with Section 504.
 IR 2 = Ignition-resistant construction in accordance with Section 505.
 IR 3 = Ignition-resistant construction in accordance with Section 506.
 N.C. Exterior walls shall have a fire-resistance rating of not less than 1 hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.
 c. Conformance based on Section 603.
 d. Conformance based on Section 404.
 e. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

Source: 2021 IWUIC

Construction standards address the following areas to limit the ability of fire spread and ignition within these building components:

- Roof Assembly Rating
- Gutter Covers and Materials
- Eaves Materials and Eave Vent Coverings
- Exterior Wall Materials
- Fire Rating of Glazing (windows) and Doors
- Uderfloor Enclosure Ratings
- Fire Suppression Systems
- Detached Accessory Structure Location and Construction

Cost Impact of WUI Building Codes and Affordability

Based on a 2020 study by the National Association of Homebuilders, implementing the 2018 version of the IWUIC in Colorado would result in an estimated increase in construction cost for a two-story, 2,600 sq. ft. home between \$6,248 and \$48,095. As Council is aware, the City has also adopted a net-zero residential code for new construction, with some exceptions for Marshall Fire rebuilding, that results in increased construction costs above the base I-Codes for residential construction (estimated at \$19,780 by a 2022 City study for an average size Marshall Fire home). Staff recommends that Council be cognizant of the total cost impact of the adoption of any

new building codes and cost in relation to surrounding jurisdictions, as this may impact affordability of housing and inclusivity of the community, and the ability to attract homebuilders into the community.

Link: [Cost Impact of Building a House in Compliance with IWUIC \(nahb.org\)](#)

Community-Wide Home Hardening Building Codes

The Louisville Fire Protection District has submitted a letter requesting consideration of adopting certain Home Hardening standards that would be applied community-wide with new construction or when the building components were replaced (see Attachment No. 1). The building components that they recommend addressing include the following:

- *Class A Roof*
- *Double or triple-pane windows*
- *Fire resistance siding*
- *Fire resistance decking*
- *Fire resistance fencing within 5 ft of the home*
- *Small screen over attic vents*

This type of code would apply to the entire City and could be considered in lieu of or in addition to adoption of a WUI building code. The purpose of the code would be geared more towards addressing concerns with fire conflagration, whether the fire was a result of a wildfire or other source.

Additional detailed information on suburban-context home hardening options can be found at the following link.

Link: [Suburban Wildfire Adaptation Roadmap \(ibhs.org\)](#)

Cost Impact Community-Wide Home Hardening Building Codes and Affordability

Costs for implementation of a Home Hardening building code would vary depending on the standards adopted under each category. Almost all new roof shingle installations and replacements are Class A asphalt shingles, thus, no cost increase would be anticipated for making this a minimum code standard. Additionally, the City's adopted energy code already requires double-pane windows at a minimum to meet energy efficiency standards. However, other components of a window, including providing metal or fiber glass frames and tempered glass, could be considered to provide additional fire resistance above a standard double-pane vinyl window and would have additional costs. Limiting the fire-resistant decking code to the decking boards and railings but allowing the posts and joists to be untreated, vs all components having fire resistant material, would have a significant difference in cost.

Using the 2020 study by the National Association of Homebuilders as a guide, staff has the following estimates for the potential costs to implement the Fire District's recommendations:

- *Class A Roof*: \$0 considering Class A shingles are near universally used
- *Double or triple-pane windows*: \$0 if limited to requirement for double pane windows with no other requirements. \$2,661-\$2,840 for adding tempered glass. Requiring fiberglass frames would add additional cost, potentially up to double the cost.
- *Fire resistance siding*: \$0-\$33,665. Depending on comparison siding material there could be cost savings (e.g. natural wood vs fiber cement siding).
- *Fire resistance decking*: \$1,371
- *Fire resistance fencing within 5 ft of the home*: Not addressed in NAHB report. Staff estimates approximately \$500-\$1,000
- *Small screen over attic vents*: \$410

As previously mentioned, staff recommends that Council be cognizant of the total cost impact of the adoption of any new building codes and cost in relation to surrounding jurisdictions, as this may impact affordability of housing and inclusivity of the community, and the ability to attract homebuilders into the community.

Community Education and Mitigation Plan Development

An additional option is to continue to offer, promote, and educate community mitigation through the Fire Department, Recovery & Resilience Division as well as already established partner programming. This could include having a neighborhood audit and creation of a mitigation plan that would be voluntary but encouraged for implementation. An example of this is the Wildfire Partners program for the development Community Mitigation plans throughout the City.

Link: [Community Mitigation – Wildfire Partners](#)

Boulder County's Community Wildfire Protection Plan (CWPP) will also be released this Fall, which includes recommendations to reduce risk of fires and increase resilience practices over the next five (5) years. The City intends to use the CWPP and implement mitigation programming to align with some recommendations from the CWPP and the Wildfire Risk Assessment (WRA). The City's Wildfire Risk Assessment (2023) provides recommendations to drive mitigation efforts within public spaces. An additional option is to continue to use this Risk Assessments to educate, promote, and offer community mitigation programs.

General Resources on WUI

For more in-depth information on WUI code considerations, staff recommends the following resources.

Link: [National Institute of Standards and Technology \(NIST\) Wildland Urban Interface Fire Group](#)

Link: [Insurance Institute for Business and Home Safety \(IBHS\) Wildfire Building Codes and Standards](#)

Link: [National Fire Protection Association \(NFPA\) Wildfire Division](#)

PUBLIC COMMENTS:

Public comments are included as Attachment No. 2.

FISCAL IMPACT:

Implementation of a WUI or Home Hardening building code will take additional staff and city resources that could require funding. Staff would provide a more detailed fiscal impact analysis as part of consideration of a code adoption depending on the scope of the code directed by Council.

STAFF RECOMMENDATION:









Staff is seeking direction on drafting a WUI and/or Home Hardening building code for consideration. Any potential code would be reviewed by the Building Code Board of Appeals for their recommendation before being presented to City Council for adoption. Options for consideration include, but are not limited to, the following:

1. Development of a WUI building code that is limited to regulating new development and redevelopment in areas where development is adjacent to wildland areas. The IWUIC is an example code that could be adopted to meet this option.
2. Development of a Home Hardening building code that is broadly applicable to all development in the city. This would likely not include defensible space standards, but instead focuses on some of the more common building standards for mitigation of fire spread.
3. Development of both a WUI and Home Hardening building code. The WUI building code would likely have more stringent building construction standards than the Home Hardening building code and standards for maintenance of defensible space.
4. If not adopting a WUI or Home Hardening build code, expand and continue programs for community mitigation planning and providing technical assistance to promote best practices for WUI development and Home Hardening. An example of this is the Boulder County Wildfire Partners Community Mitigation Program.
5. Council may direct other options for consideration.

ATTACHMENTS:

1. June 12, 2024 Louisville Fire Protection District Letter
2. Public Comments
3. Staff Presentation

STRATEGIC PLAN IMPACT:

<input type="checkbox"/>		Financial Stewardship & Asset Management	<input checked="" type="checkbox"/>		Reliable Core Services
<input type="checkbox"/>		Vibrant Economic Climate	<input type="checkbox"/>		Quality Programs & Amenities
<input checked="" type="checkbox"/>		Engaged Community	<input type="checkbox"/>		Healthy Workforce
<input type="checkbox"/>		Supportive Technology	<input type="checkbox"/>		Collaborative Regional Partner



LOUISVILLE FIRE
PROTECTION DISTRICT

"OUR FAMILY SERVING YOUR FAMILY"

895 VIA APPIA WAY LOUISVILLE, CO 80027
HEADQUARTERS: 303.666.6595 | FAX: 303.666.7659
LOUISVILLEFIRE.COM

June 12, 2024

City Council
City of Louisville

Dear Mr. Mayor and City Council,

I believe the City will be reviewing and adopting new building codes this fall. The Louisville Fire Protection District would like to suggest adopting an amendment to help the Fire District protect homes. The amendment would have the following items for home hardening;

- Class A roof
- Double or triple-pane windows
- Fire resistance siding
- Fire resistance decking
- Fire resistance fencing within 5 ft of the home
- Small screen over attic vents

These items would be required only if it was new construction or if the above item is being replaced.

Hardening homes in the City will help the District protect homes from exposure to a next-door structure fire or another wildland fire. I would happily answer any of your questions or concerns and look forward to conversations as we get closer to the new codes.

In Fire Safety



John Willson
Fire Chief

From: [Joanne Speirs](#)
To: [City Council](#); [Building Safety](#); [Chad Root](#)
Subject: Home hardening for wildfires
Date: Monday, July 15, 2024 8:55:48 PM

I understand that in the next couple of weeks, the City will be addressing potential updates to the building codes. I have attached a recent article in The NY Times discusses home hardening, insurance rates, and “firewise” communities. Clearly the Insurance Industry supports home hardening practices and in a very effective demonstration in the article, shows the impact of fire hardening on homes.

My husband and I recently moved into our rebuild in the Enclave neighborhood. We have home hardened our rebuild in the hopes that it will help save our lives, (we have BOCO alerts), save some insurance costs and just might slow the fire down so that it won’t burn out our neighbors. In the meantime, a neighbor near us just planted 21 juniper trees.

I know folks are tired of hearing from fire survivors, but safety is in the forefront of our minds. This is a minor but important measure that the City could take to help prevent or mitigate another disaster.

Here's a gift link: https://www.nytimes.com/2024/07/15/business/wildfires-home-insurance-building-standards.html?unlocked_article_code=1.7U0.VIwh.XiLqhzUToo6G&smid=url-share.

Please contact me if you are unable to open the attachment.

Kind Regards,
Joanne Speirs
1112 W. Enclave Circle
Louisville, CO 80027
303 589 2877

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From: [Ann Brennan](#)
To: [City Council](#); [John Willson](#); jhenderson@louisvillefire.com
Cc: [Kevin Brennan](#)
Subject: fire hardening for spec houses
Date: Sunday, April 21, 2024 6:16:39 PM

Dear Council members:

We would like to ask you again to take up urgent consideration of requiring Marshall Fire lots being bought and developed to implement fire hardening techniques including landscaping and fencing. We believe the LFPD should be supporting this as well as a public safety measure.

We are disheartened by the inconsistency of voluntary hardening happening in the rebuilds, especially the cedar fencing going up. We understand it's an economic issue for our neighbors, but disappointed that we're missing this opportunity to help protect the community.

Two spec homes are now for sale in the Cornerstone neighborhood for \$1.78 million and \$2.15 million respectively. They are being built setback-to-setback, further exacerbating the community's fire risk. These huge, expensive homes and those that will come on the lots being sold will change the character of our neighborhood. Money is clearly not an obstacle at those list prices. Now is the time to require these homes to fully fire harden. We need both fire-resistant building materials and designs, and firewise landscaping and fencing. This is a proven technique in California for slowing the progression of wildfires, and it is urgent that we capitalize on the opportunity of these rebuilds to add some resilience to our community.

Respectfully,

Ann & Kevin Brennan
888 Larkspur Court
Louisville, CO 80027

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From: [Lisa Hughes](#)
To: [City Council](#)
Subject: Emergency consideration of fire hardening in Marshall Fire areas
Date: Friday, November 17, 2023 10:40:22 AM

Dear Louisville Mayor Maloney and City Council Representatives:

I am writing to ask you to take up consideration of an emergency requirement for WUI fire hardening and mitigation under certain circumstances in the Marshall Fire rebuild areas. Specifically regulations should apply to lots being sold, and could be made an opt-out option for fire victims who are rebuilding. We are at a critical time as vacant lots in the area are beginning to be purchased by developers and non-locals for investment purposes with spec and production houses being built. Although some builders like Homebound are doing WUI-compliant houses in Superior, they are choosing to not do it in Louisville because it's not required. Many of us fire survivors who are rebuilding are voluntarily complying with WUI requirements to help protect ourselves, our neighborhoods, and the entire community. If developers or non-locals are allowed to come in and build conventional housing it will significantly reduce the impact of our voluntary compliance and miss a critical opportunity to make Louisville safer. This would be the City's chance to draft ordinances that work for our residents before the City will have to comply with state WUI code in 2025 if you don't come up with your own first. The opportunity in rebuild areas will be missed long before 2025 though. Our own experience is that simple hardening and mitigation measures add less than \$10,000 to the purchase price, of which \$5,000 has been offset by the state grant. Additionally, people not impacted by the fire who are lower income are eligible for a \$5000 retrofit as a result of Rep Junie Joseph's bill that was passed last session.

We are at the east--downwind--end of Larkspur Court and back up to City open space and near the fire dept open space which has very high grass. As a result, we are fire hardened as those grasses and the neighbors upwind and to the west of us pose a threat in the event of another fire. Three lots are currently for sale, with another 2 standing vacant with no decisions by their owners. If those are sold, that would be 5 of the 13 houses immediately upwind of us that could be built without fire hardening, partially negating all our hard work. I understand this is a complicated conversation for the whole community, but an emergency ordinance focused on a subset of fire properties would be an important first step in improving the resilience of the community. This is a climate resilience issue as well and we as residents on the W side of the city are the buffer to protect other neighborhoods .

Thank you for your consideration.
Lisa Hughes
887 Larkspur Court
Louisville Co 80027

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From: [Ann](#)
To: [City Council](#)
Cc: [Jeff Durbin](#); [Kiana Freeman](#)
Subject: emergency consideration of fire hardening in Marshall Fire areas
Date: Wednesday, November 1, 2023 5:49:38 PM

Dear Louisville Mayor Maloney and City Council Representatives:

I am writing to ask you to take up consideration of an emergency requirement for WUI fire hardening and mitigation under certain circumstances in the Marshall Fire rebuild areas. Specifically regulations should apply to lots being sold, and could be made an opt-out option for fire victims who are rebuilding. We are at a critical time as vacant lots in the area are beginning to be purchased by developers and non-locals for investment purposes with spec and production houses being built. Although some builders like Homebound are doing WUI-compliant houses in Superior, they are choosing to not do it in Louisville because it's not required. Many of us fire victims who are rebuilding are voluntarily complying with WUI requirements to help protect ourselves, our neighborhoods, and the entire community. If developers or non-locals are allowed to come in and build conventional housing it will significantly reduce the impact of our voluntary compliance and miss a critical opportunity to make Louisville safer. Our own experience is that simple hardening and mitigation measures add less than \$10,000 to the purchase price, of which \$5,000 has been offset by the state grant. We are at the east--downwind--end of Larkspur Court and are fully WUI-hardened. Three lots are currently for sale, with another 2 standing vacant with no decisions by their owners. If those are sold, that would be 5 of the 13 houses immediately upwind of us could be built without fire hardening, partially negating all our hard work. I understand this is a complicated conversation for the whole community, but an emergency ordinance focused on a subset of fire properties would be an important first step in improving the resilience of the community.

Thank you for your consideration.

Ann & Kevin Brennan
888 Larkspur Court
Louisville, CO 80027

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From: [Lisa Hughes](#)
To: [City Council](#)
Subject: WUI risk
Date: Wednesday, August 16, 2023 7:20:10 AM

Dear Council,

The article below is from today's Denver Post. Improves as many residents and survivors of the Marshall Fire have said over and over again the need for a WUI code. The article references the fact that the six major metro counties are now more at risk for wildfire than other areas. This should be a wake up call to you to enact a wildfire urban interface code in this city, or at least to begin the discussion. If you don't, you'll be forced into the states one in 2025 and it may not turn out the way you want. Our surrounding neighbors are doing it now. Since you were working on updating the comprehensive plan for the city, this would be a perfect time to enact a code.

This is an issue for us as an entire city, and an important one not just for fire survivors, and those of us rebuilding. The next fire can easily happen in the eastern part of Louisville or Lafayette, or somewhere nearby and more people will be impacted. Many residents in the city have been doing extensive research on this topic around mitigation, fire, hardening, etc. and would be happy to talk with you all about it.

Thank you,
Lisa Hughes

Report: More than 332,000 homes at risk

https://edition.pagesuite.com/popovers/dynamic_article_popover.aspx?guid=7af4121c-c40a-44a5-8e87-5ca38dcb5988&appcode=DEN371&eguid=fd578b64-2961-4cbc-b115-6a91226bb093&pnum=21#

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From: [Tawnya Somauroo](#)
To: [City Council](#)
Subject: Maui fire
Date: Saturday, August 12, 2023 12:01:51 AM

Dear Council,

For anyone that thinks the Marshall fire was a 'fluke', please note that 5 years ago there was another fast-moving brush fire in Lahaina, Maui that burned 7 homes and 1500 acres:

<https://www.cnn.com/2018/08/24/us/maui-hawaii-brush-fire/index.html>

We should be asking, did they learn all the lessons they could have learned from the previous fire? Did they improve their disaster preparedness, did they pass WUI code, did they mitigate open space fuels? The emergency evacuations in Lahaina appear to have largely failed this week, scores of people died including small children on foot trying to escape.

I asked Mt. View Fire Protection District how many fires have started upwind of our community in the past 10 years and was told there were 29 grass and structure fires with an electrical origin alone (exclusive of the Marshall fire). That does not include fires of other origins.

We need to acknowledge that fast-moving grass fires are an existential threat to our community and promote fire hardening in the rebuilt areas, possibly by passing WUI code. We cannot rely on open space fuels mitigation alone to protect us. As the recent Watershed Center [Grasslands Management in Boulder County report](#) states:

In these extreme conditions, the reality is that almost no combination or scale of mitigation practices is able to fully prevent wildfires from spreading as rapidly as the Marshall Fire did, **which is why it is important that individuals take specific measures on their property that will help stack the odds towards reducing hazards, and therefore risks.**

Please table discussing home fire hardening at a Council meeting soon. We must learn from Maui - another grass fire could very well come our way and we have not done everything we can to reduce the risks to our community. We even have grant money for property owners to fire harden, Louisville should be requiring all home owners to use that money.

Boulder County passed WUI code. Superior passed WUI code. Even Loveland recently passed WUI code. Louisville stands out alone in its shortsightedness.

Regards,
Tawnya Somauroo

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City Council

July 30, 2024

Wildland Urban Interface (WUI) and Home Hardening Building Codes

Discussion/Direction

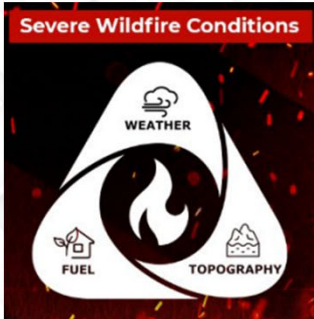


WUI and Home Hardening Building Codes

- **Wildland Urban Interface (WUI) Building Code** – Regulates the built environment (buildings, landscaping, emergency access, water supply, etc.) where development abuts wildland areas with vegetative fuels to limit the potential for spread of a wildland fire.
- **Home Hardening Building Code** – Regulates building construction to limit potential for conflagration fires, which is the uncontrolled spread of fire from building to building.



How Wildfires Spread



How Fire Spreads in the WUI

PREVENTING OR ISOLATING FIRE THROUGHOUT A COMMUNITY CAN SAVE HOMES.

Large destructive fires transition from wildlands into urban/urban-interface conflagrations via radiation, direct flame contact, and ember exposures.

- **Radiant** exposures occur when large flames from either wildfire or structural fires are close to exposed structural elements. The intensity of thermal radiation reduces with increasing distance.
- **Direct flame contact** occurs when flames from nearby fires, such as burning wood piles, vegetation, or structures come in direct contact with structural components.
- **Embers** are responsible for the majority of structure losses in WUI fires. Embers present high fire hazards as they can:
 1. directly ignite exterior structural components by radiant heating.
 2. accumulate and the pile of smoldering embers can ignite the fuel which may transition to flaming.
 3. penetrate the structure via openings and ignite flammable components within the structure.
 4. ignite vegetative fuels and other combustibles.
 5. spread fire hours after the "fire front" has passed.



How Wildfires Spread

TABLE 502.1 FIRE HAZARD SEVERITY

FUEL MODEL ^b	CRITICAL FIRE WEATHER FREQUENCY								
	≤ 1 Day ^a			2 to 7 days ^a			≥ 8 days ^a		
	Slope (%)			Slope (%)			Slope (%)		
	≤ 40	41-60	≥ 61	≤ 40	41-60	≥ 61	≤ 40	41-60	≥ 61
Light fuel	M	M	M	M	M	M	M	M	H
Medium fuel	M	M	H	H	H	H	E	E	E
Heavy fuel	H	H	H	H	E	E	E	E	E

E = Extreme hazard;
 H = High hazard;
 M = Moderate hazard.
 a. Days per annum.
 b. Where required by the code official, fuel classification shall be based on the historical fuel type for the area.



How Wildfires Spread

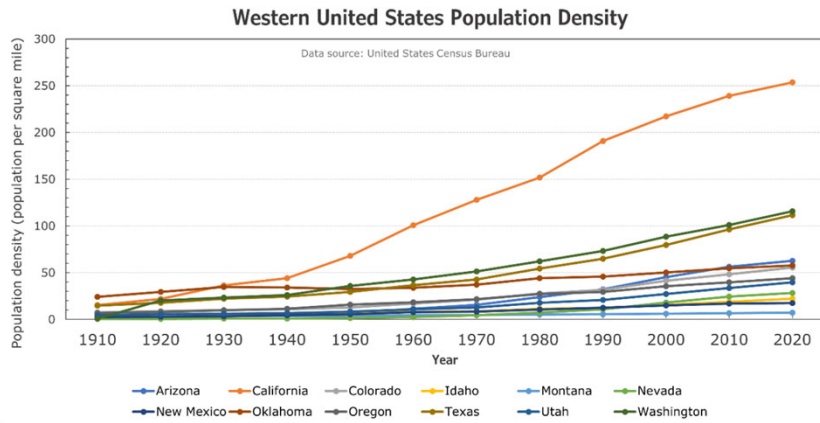


Figure 1: Time history of population density across thirteen western US states. Data source: US Census Bureau



How Wildfires Spread

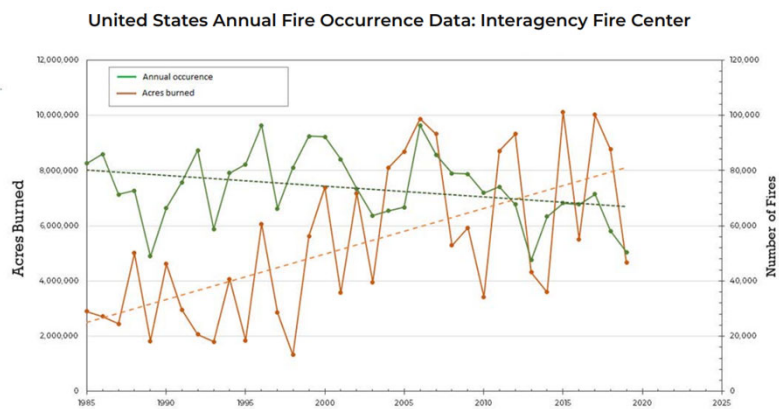
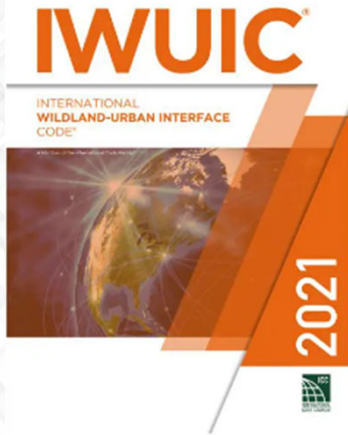


Figure 5: Number of fires (green) and acres burned (brown) since 1985. Linear trend lines (dashed) are also included. Data courtesy of the Interagency Fire Center.



International Wildland Urban Interface Code (IWUIC)



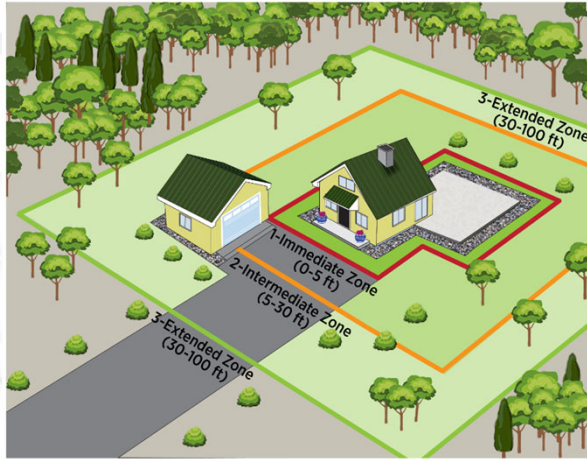
- Identify WUI – Map areas with wildland vegetation subject to regulation
- Area Requirements – Access and water supply
- Defensible Space – Landscaping, debris and storage of materials
 - ✓ 30-foot minimum distance for moderate fire hazard areas
- Building Construction – Ignition resistant materials and systems
 - ✓ E.g. Class A roofs, vent covers, wall and eave materials, tempered and double-pane windows, decking materials

International Wildland Urban Interface Code (IWUIC)



Figure 11. Importance of 0-5 ft noncombustible zone (home ignition zone) for a home under ember attack.

International Wildland Urban Interface Code (IWUIC)



International Wildland Urban Interface Code (IWUIC)

TABLE 503.1 IGNITION-RESISTANT CONSTRUCTION^a

DEFENSIBLE SPACE ^c	FIRE HAZARD SEVERITY					
	Moderate Hazard		High Hazard		Extreme Hazard	
	Water Supply ^b		Water Supply ^b		Water Supply ^b	
	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e	Conforming ^d	Nonconforming ^e
Nonconforming < 30ft	IR 2 Class 2	IR 1	IR 1	IR 1	IR 1	Not Permitted
Conforming ≥ 30ft	IR 3 Class 3	IR 2	IR 2	IR 1	IR 1	IR 1
1.5 x Conforming ≥ 45ft	Not Required	IR 3	IR 3	IR 2	IR 2	IR 1

a. Access shall be in accordance with Section 403.
 b. Subdivisions shall have a conforming water supply in accordance with Section 402.1.
 IR 1 = Ignition-resistant construction in accordance with Section 504.
 IR 2 = Ignition-resistant construction in accordance with Section 505.
 IR 3 = Ignition-resistant construction in accordance with Section 506.
 N.C. Exterior walls shall have a fire-resistance rating of not less than 1 hour and the exterior surfaces of such walls shall be noncombustible. Usage of log wall construction is allowed.
 c. Conformance based on Section 603.
 d. Conformance based on Section 404.
 e. A nonconforming water supply is any water system or source that does not comply with Section 404, including situations where there is no water supply for structure protection or fire suppression.

Source: National Association of Homebuilders



International Wildland Urban Interface Code (IWUIC)

Table 6 Cost Impact Summary, Two-Story House

Component*	Southern California		Colorado		Eastern Texas	
	Low Cost	High Cost	Low Cost	High Cost	Low Cost	High Cost
Roof covering	\$0	\$0	\$0	\$0	\$0	\$0
Soffit and Fascia	\$1,247	\$1,247	\$1,323	\$1,323	\$1,235	\$1,235
Gutters and Downspouts	\$470	\$470	\$499	\$499	\$466	\$466
Exterior wall (siding)	(\$5,628)	\$31,364	(\$5,969)	\$33,265	(\$5,571)	\$31,047
Windows	\$2,509	\$2,678	\$2,661	\$2,840	\$2,483	\$2,651
Door	\$0	\$0	\$0	\$0	\$0	\$0
Vents	\$386	\$386	\$410	\$410	\$382	\$382
Total impact for house components	(\$1,016)	\$36,146	(\$1,077)	\$38,337	(\$1,005)	\$35,781
Exterior Deck	\$1,293	\$1,293	\$1,371	\$1,371	\$1,280	\$1,280
Defensible space	\$1,550	\$1,550	\$1,644	\$1,644	\$1,534	\$1,534
Automatic Sprinklers	NA	NA	\$4,311	\$6,743	\$4,024	\$6,294
Total	\$1,827	\$38,989	\$6,248	\$48,095	\$5,832	\$44,888

**Net Zero Code Cost Estimate: Average of \$19,780 above base code



Community-Wide Home Hardening Building Code

Louisville Fire Projection District Request

Dear Mr. Mayor and City Council,

I believe the City will be reviewing and adopting new building codes this fall. The Louisville Fire Protection District would like to suggest adopting an amendment to help the Fire District protect homes. The amendment would have the following items for home hardening;

- Class A roof
- Double or triple-pane windows
- Fire resistance siding
- Fire resistance decking
- Fire resistance fencing within 5 ft of the home
- Small screen over attic vents

These items would be required only if it was new construction or if the above item is being replaced.



Community-Wide Home Hardening Building Code

- *Class A Roof*: Not required by base code, but standard roof type installed in city
- *Double or triple-pane windows*: Double-pane required by energy code
- *Fire resistance siding*: \$0-\$33,665. Depending on comparison siding material there could be cost savings (e.g. natural wood vs fiber cement siding).
- *Fire resistance decking*: \$1,371
- *Fire resistance fencing within 5 ft of the home*: Not addressed in NAHB report. Staff estimates approximately \$500-\$1,000
- *Small screen over attic vents*: \$410



Community-Wide Home Hardening Building Code



Community Mitigation Planning and Education



Wildfire Partners Expands Services to East County Residents

Wildfire Partners hosted a [Community Mitigation Planning Information Session](#) on Dec. 12, 2023. The meeting was recorded and posted online.

The information on this page applies to homeowners of Boulder County outside the City of Boulder

Your community is located in Unincorporated Boulder County, Erie (Boulder County portions), Jamestown, Lafayette, Longmont, Louisville, Lyons, Nederland, Superior and Ward.



Discussion/Direction

- ✓ Development of a WUI building code limited to regulating development adjacent to wildland areas?
- ✓ Development of a Home Hardening building code that is broadly applicable to all development in the city?
- ✓ Development of both a WUI and Home Hardening building code?
- ✓ If not adopting a WUI or Home Hardening build code, expand and continue programs for community mitigation planning and technical assistance?
- ✓ Other options?

