

SUBJECT: ORDINANCE NO. 1896, SERIES 2025; AN ORDINANCE
AMENDING LOUISVILLE MUNICIPAL CODE SECTION 17.72.190
REGARDING YARD AND BULK REQUIREMENTS FOR GENERAL
DEVELOPMENT PLANS – 1ST READING, SET PUBLIC HEARING

DATE: JUNE 3, 2025

PREPARED BY: ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

PRESENTED BY: ROB ZUCCARO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

SUMMARY:

The applicant, Portercare Adventist Health Systems, has submitted a proposed amendment to Louisville Municipal Code (LMC) Sec. 17.72.190 - Yard and Bulk Requirements (see Attachment Nos. 1 and 2 for draft ordinance and application respectively). The proposed amendment would allow General Development Plans (GDPs) for properties zoned Planned Community Zone District (PCZD) to specify the desired yard and bulk standards, including building setbacks, building height, and lot coverage. The current ordinance limits yard and bulk standards to be in “general conformance” with certain existing zoning districts. The following reflects the proposed amendments:

Sec. 17.72.190. Yard and bulk requirements.

Yard and bulk requirements under a planned community zone district shall be specified on the general development plan filed for the different areas of the district. Such yard and bulk requirements shall be consistent with the comprehensive development plan or other adopted plan of the city and the desired character of the district. Such If not specified in the general development plan for an area of the district, the yard and bulk requirements shall be in general conformance with the yard and bulk requirements set forth in chapter 17.12 of this Code—based on the most similar zoning district ~~Yard and bulk requirements set forth in the general development plan shall be in general conformance with the zones as set forth below:~~

Agricultural use—A Zone.

Industrial use — I Zone.

Commercial and office use — C-N, C-B, C-C, O Zones.

Residential use — R-E, R-L, R-M, R-H, SF Zones.

The proposed ordinance amendment would be broadly applicable to all property in the City zoned PCZD. The applicant owns several properties within the City, including all properties located within the Avista Adventist Hospital GDP and Lot 1, Block 2 Redtail Ridge Filing No. 1 located within the ConocoPhillips Campus GDP.

BACKGROUND / PRIOR DISCUSSIONS:

The City established the PCZD and standards for GDPs by Ordinance No. 806, Series 1983. This ordinance limited yard and bulk standards for GDPs to be in “general conformance” with existing comparable yard and bulk standards in the zoning code (see Attachment Nos. 3 and 4 for ordinance and City Council public hearing minutes respectively). While the ability to alter yard and bulk standards with a GDP is limited, most property within a GDP district is also subject to a future Planned Unit Development (PUD) approval and yard and bulk standards could be waived with the PUD process after the City approves a GDP. [LMC Sec. 17.28.110](#) provides the waiver standards for PUDs:

...any such requirements may be waived or modified through the approval process of the planned unit development if the spirit and intent of the development plan criteria contained in section 17.28.120 are met and the city council finds that the development plan contains areas allocated for usable open space in common park area in excess of public use dedication requirements or that the modification or waiver is warranted by the design and amenities incorporated in the development plan, and the needs of residents for usable or functional open space and buffer areas can be met.

Some previously approved GDPs include yard and bulk standards that differ significantly from the comparable zoning despite the restrictions in Sec. 17.72.190. For example, the Avista Adventist Hospital GDP, approved in 2002, allows building heights up to four stories and 63’ to the roof and 77’ to the mechanical screen. The adopted comparable zoning standards limits height to 35’ to the roof and 42’ to the mechanical screen. In 2010, with the approval of the ConocoPhillips Campus GDP, the City recognized that Section 17.72.190 did not allow significant deviations from the adopted comparable zoning standards and that any differences between the GDP and the comparable zoning could be subject to legal challenge.

Planning Commission Recommendation:

At their May 8, 2025 meeting, the Planning Commission passed Resolution 6, Series 2025 recommending approval of the draft ordinance concerning yard and bulk standards for GDPs as drafted (Attachment No. 6). Minutes from this meeting will be included with the second reading memo. The meeting video is at the following link (minutes 0:6:45 - 1:02:45)

ANALYSIS:

LMC Sec. 17.72.010 states the purpose of the PCZD, including that the district is to encourage “the use of contemporary land planning principles and coordinated community design....” Any property that is zoned PCZD must be at least 30 acres in size and under single ownership at the time the City designates the property as PCZD and approves the GDP. Effectively, the GDP establishes a master-planned custom zoning for larger parcels that reflect the intended character of the district outside of what the City’s standard districts provide.

LMC Sec. 17.72.030 lists the minimum content of a GDP:

- A. The proposed use of all lands within the subject property;*
- B. The type or character of development and the number of dwelling units per gross acre proposed; [emphasis added]***
- C. The proposed location of school sites, parks, open spaces, recreation facilities and other public and quasi-public facilities;*
- D. The proposed location of all streets shall be coordinated with the adopted general street plan for the city.*

Subsection B typically results in the GDP establishing design standards custom to the planned community zone district, including yard and bulk standards, which are also explicitly required under Sec. 17.72.190. However, the adopted standards may not reflect the actual intended character of the development due to the restrictions in the current code language. Consequently, the intent and purpose of the PCZD GDP to establish “contemporary land planning principles and coordinated community design” and to outline the “type and character of development” could be seen in conflict with Sec. 17.72.190.

Removing the restrictive language in Sec. 17.72.190 that requires “general conformance” of yard and bulk standards with baseline zoning standards would allow the City to adopt GDP standards that more comprehensively set the intended character of the district. The primary argument to defer to the future PUD process is that the PUD will provide complete architectural and site plans for the proposed development and any yard and bulk waivers can be considered in the context of the full set of plans. However, design standards and other restrictions can be established as part of a GDP to address site design. For example, a GDP that allows buildings taller than three stories could establish standards for building materials, building step backs and articulations, and define zones or critical view corridors within the GDP area where building height should be treated differently. The subsequent PUD then must demonstrate compliance with the design standards.

2025 COUNCIL WORK PLAN:

The [2025 City Council Work Plan](#) establishes four priorities, and initiatives within each of the four priorities. Under the Economic Vitality priority, City Council has set a goal to initiate targeted code amendments ahead of the Comprehensive Plan adoption and land development code rewrite that will follow (see Figure 1 below). Even though this code amendment is not being initiated by the City, it could be considered to fall under this section of the 2025 City Council Work Plan.

Figure 1: City Council 2025 Work Plan Excerpt

2025 Comprehensive Plan Implementation - Targeted Development Code Amendments	Identify near term, targeted, priority development code updates to implement the 2025 Comprehensive Plan that should occur prior to the development code rewrite project that is planned to begin in early 2026. Such code changes include but are not limited to parts of Title 16 (Subdivisions) and Title 17 (Zoning).	Potential council actions include discussion and direction, if needed, as well as adoption of targeted code amendments.
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One of the primary purposes of the anticipated land development code rewrite is to provide more predicable codes and procedures. Current codes and procedures are generally considered to be outdated and in need of modernization. The subject ordinance, for example, originated in 1983. Another purpose of the land development code rewrite is to create a more business-friendly approach to land development review processes in the City. This targeted amendment to Sec. 17.72.190 eliminates a vague and contradictory section of the current land development code and will allow more predictable processes for PCZD zoned properties and for the implementation of GDPs.

FISCAL IMPACT:**Budgeted?: Not Applicable**

Approval of the ordinance could lead to reduced demand on staff time for development review by providing more clarity to applicants and staff on the desired character of development in PCZD zoned districts.

ALTERNATIVE(S):**Alternatives Include:**

- Adopt the amended code language as drafted. This will update the standards for GDPs to allow establishment of yard and bulk standards that reflect the final desired condition within the district.
- Decline to adopt the amended code language. This will maintain the current process of requiring yard and bulk standards to be listed on GDPs but require that they be in “general conformance” with certain zoning districts, and thus, require PUD waivers if there is going to be any deviation from the referenced zoning districts.

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DATE: JUNE 3, 2025

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RECOMMENDATION:

Staff recommends approval of Ordinance No. 1896, Series 2025 on first reading and setting the public hearing for a date to be determined by the City Council.

ATTACHMENT(S):

1. Ordinance No. 1896, Series 2025
2. Application
3. Ordinance No. 806, Series 1983
4. August 16, 1983 City Council Minutes
5. Public Comment
6. Planning Commission Resolution 06, Series 2025
7. Staff Presentation

**ORDINANCE NO. 1896
SERIES 2025**

**AN ORDINANCE AMENDING LOUISVILLE MUNICIPAL CODE SECTION 17.72.190
REGARDING YARD AND BULK REQUIREMENTS
FOR GENERAL DEVELOPMENT PLANS**

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, Chapter 17.72 of the Louisville Municipal Code (“LMC”) sets forth standards for the Planned Community Zone District, which include approval of general development plans with supplemental development standards for property within the boundaries of the plans; and

WHEREAS, the City desires to amend the standards for the Planning Community Zone District so that yard and bulk requirements may be established through a general development plan that are different from those of the corresponding zone districts, so long as such yard and bulk requirements are consistent with the City’s comprehensive development plan or other adopted plan of the City and they further the desired character of the district; and

WHEREAS, after a duly noticed public hearing held May 8, 2025, where evidence and testimony were entered into the record, including the Louisville Planning Commission Staff Report dated May 8, 2025, the Louisville Planning Commission has recommended the City Council adopt the amendments to the LMC set forth in this ordinance;

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

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

Section 1. Section 17.72.190 of the Louisville Municipal Code is hereby amended to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 17.72.190. Yard and bulk requirements.

Yard and bulk requirements under a planned community zone district shall be specified on the general development plan filed for the different areas of the district. Such yard and bulk requirements shall be consistent with the comprehensive development plan or other adopted plan of the city and the desired character of the district. ~~Such~~ ~~If not specified in the general~~

~~development plan for an area of the district, the yard and bulk requirements shall be in general conformance with the yard and bulk requirements set forth in chapter 17.12 of this Code; based on the most similar zoning district Yard and bulk requirements set forth in the general development plan shall be in general conformance with the zones as set forth below:~~

Agricultural use—A Zone.

Industrial use — I Zone.

Commercial and office use — C-N, C-B, C-C, O Zones.

Residential use — R-E, R-L, R-M, R-H, SF Zones.

Section 2. 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 3. 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 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

**INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED
PUBLISHED** this ____ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PUBLIC HEARING AND SECOND READING WILL BE THE ____ DAY OF _____, 2025, AT 6:00 P.M. AT LOUISVILLE CITY HALL, 749 MAIN STREET, LOUISVILLE, CO 80027.

PASSED AND ADOPTED ON SECOND AND FINAL READING, this ____ day of _____, 2025.

Christopher M. Leh, Mayor

ATTEST:

Genny Kline, Interim City Clerk

Development Review Application Form

Please complete this form and include it with the submittal documents for your development review application. Applications will not be processed until all required information is provided to the satisfaction of the City of Louisville Planning Department.

Property Information

Common Address(es): _____

Legal Description:

Lot 1 _____ Block 2 _____ Subdivision _____ Redtail Ridge Filing No. 1 _____

Lot Area: _____ Sq. Ft. or 40 _____ Acres

LAND USE PROCESS (check all that apply)

- ☐ Annexation
- ☐ Concept Plan
- ☐ Easement Vacation
- ☐ Oil and Gas
- ☐ General Development Plan (GDP)
 - ☐ Amendment
 - ☐ New GDP
- ☐ Planned Unit Development (PUD)
 - ☐ Amendment
 - ☐ Preliminary
 - ☐ New PUD
- ☐ Rezoning
- ☐ Special Review Use (SRU)
 - ☐ Amendment
 - ☐ New SRU
- ☐ Subdivision
 - ☐ Final or Replat
 - ☐ Preliminary Plat
- ☐ Temporary Use Permit
- ☐ Variance
- ☐ Vested Property Right
- ☐ Wireless Facility
- ☒ Other: Zoning Text Amendment

PROJECT DESCRIPTION:

Development of AdventHealth Louisville
Zoning Text Amendment to Sec. 17.72.190
Regarding GDP Yard and Bulk Standards

Property Owner Information

Name: BRETT SPENST Entity (if applicable) PORTERCARE ADVENTIST HEALTH SYSTEM

Address: 6061 S. WILLOW DRIVE, SUITE 210, GREENWOOD VILLAGE, CO 80112

Phone: _____ Email: BRETT.SPENST@ADVENTHEALTH.COM

Application Representative Information

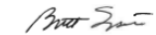
Name: VALERIE WILKINS Entity (if applicable) ADAMS MANAGEMENT SERVICES

Address: 336 BROAD STREET, SUITE 300, ROMA, GA 30161

Phone: 720-799-3041 Email: VWILKINS@ADAMSPMC.COM

Certification/Signature

I certify that the information I have submitted is true and correct to the best of my knowledge and in filing the application and submittal documents, I am acting as and/or with the knowledge and consent of those persons who are owners of the subject property or are parties to this application.



BRETT SPENST

04/10/2025

Signature*

Print Name

Date

*If acting as a representative/agent of the owner, include written authorization from the owner that certifies the agent's right to submit this application

April 7, 2025

VIA EMAIL

Rob Zuccaro, Community Development Director
City of Louisville
749 Main Street
Louisville, CO 80027

Re: Code of Ordinance Amendment Request
Redtail Development – AdventHealth Louisville

Dear Rob:

Below please find the request to amend Code of Ordinance Title 17 - Zoning, Chapter 17.72 Planned Community Zone District, Section 17.72.190 Yard and Bulk Requirements.

Sec. 17.72.190. Yard and bulk requirements.

Yard and bulk requirements under a planned community zone district shall be specified on the general development plan filed for the different areas of the district. Such yard and bulk requirements shall be consistent with the comprehensive development plan or other adopted plan of the city and the desired character of the district. If not specified in the general development plan for an area of the district, the yard and bulk requirements shall be in general conformance with the yard and bulk requirements set forth in chapter 17.12 of this Code based on the most similar district as set forth below:

Agricultural use—A Zone.

Industrial use — I Zone.

Commercial and office use — C-N, C-B, C-C, O Zones.

Residential use — R-E, R-L, R-M, R-H, SF Zones.

Please advise any additional information is needed. Thank you for your assistance with this matter.

Sincerely,



Brett Spent
AdventHealth Rocky Mountain Region
President and CEO

ORDINANCE 806

AN ORDINANCE AMENDING TITLE 17
OF THE LOUISVILLE MUNICIPAL CODE
BY PROVIDING FOR A NEW ZONING
DISTRICT WITHIN THE CITY OF
LOUISVILLE CALLED THE PLANNED
COMMUNITY ZONE DISTRICT.

WHEREAS, the City Council of the City of Louisville believes that a new zoning district would serve the purposes of the City; and

WHEREAS, the City Council believes that the establishment of a planned community zone district within the City would aid in the orderly planning and growth of the City.

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

Section 1. The following Chapter 17.72 is hereby added to Title 17 of the Louisville Municipal Code:

17.72 Planned Community Zone District

17.72.010 Purpose

The purpose of the planned community zone district is to encourage, preserve and improve the health, safety and general welfare of the people of the City by encouraging the use of contemporary land planning principles and coordinated community design. The planned community zone district is created in recognition of the economic and cultural advantages that will accrue to the residents of an integrated, planned community development of sufficient size to provide related areas for various housing types; retail and service activities; recreation, schools, public facilities; and other uses of land. This district is designed for use where the area comprising such development project is under single ownership or control at the time of its classification of this district.

17.72.020 Minimum Planned Community Area

(a) The minimum area required for a planned community zone district is one hundred sixty (160) contiguous acres and must be held under single ownership at the time of the application for such zone.

(b) An area of less than one hundred sixty (160) contiguous acres may be added to an existing planned community zone district, provided such land is made a part of the original or existing planned community general development plan prior to its incorporation into such district by way of amendment of the planned community general development plan.

(c) In the computation of the minimum one hundred sixty (160) acres, those areas included in any public right-of-way may be included in such computation to the section line.

17.72.030 Procedure and Applicability

The planned community zone district may be applied only to such land as the city shall determine to be suitable for such a development. Any request to place property in a planned community zone district shall be accompanied by a general development plan for the entire property to be zoned as a planned community district. The form of the which general development plan must be first approved by the director of community development prior to its submission to the planning commission for review and prior to adoption by City Council. Such development plan shall consist of a map or maps, together with supplementary text materials, and an agreement between Developer and City which includes a phasing plan, shall set forth the following:

- (1) The proposed use of all lands within the subject property;
- (2) The type of character of development and the number of dwelling units per gross acre proposed;
- (3) The proposed location of school sites, parks, open spaces, recreation facilities and other public and quasi-public facilities;
- (4) The proposed location of all streets shall be coordinated with the adopted general street plan for the City.

17.72.040 Action Before the Planning Commission and City Council

(a) The planning commission shall conduct a public hearing on the proposed zoning request and general development plan under this article, and make recommendation to City Council with respect to the request and plan.

(b) The City Council shall establish a date for a public hearing to consider the zoning application and general development plan which shall take place within sixty (60) days of the planning commission's recommendation. The City Council shall then approve such zoning by ordinance and the general development plan, not grant such zoning or approval of the plan or refer the question back to the planning commission for additional consideration by the Planning Commission.

17.72.050 General Plan and Standards of Development

The planned community general development plan and supplementary development standards, after approval and adoption as provided herein, shall be recorded in the office of the county clerk and recorder of the proper county, and all development within the district shall substantially comply therewith, unless the development plan is amended. The standards and regulation contained in this article, together with any amendments thereto as may be adopted, shall limit and control the issuance and validity of all building and occupancy permits within the planned community zone district.

17.72.060 Amendment

(a) Any adopted planned community general development plan and supplementary development standards may be amended, revised or territory added thereto, pursuant to the same procedure and subject to the same limitations and requirements by which such plan was originally approved.

(b) The director of community development may permit amendments to the planned development community general plan, when such amendments will not effect an increase in the permitted gross density of dwelling units or result in a change in character of the overall development plan. Any such amendment by the director of community development shall have approval by City Council prior to the amendment becoming effective or City Council may direct that such change be made as through (a) of this section.

17.72.070 Planning Area

The terms "planning area", as used herein, shall be defined as an area within the planned community zone district, as

shown on the adopted planned community general development plan. The planning areas are designated as to general land use categories, such as residential, commercial, industrial, agricultural, office, and public uses. Unless otherwise specified by the adopted planned community general development plan, the uses permitted within each planning area and the corresponding development standards shall be as set forth herein.

17.72.080 Residential

(a) Generally. It is the intention of this section to promote the development of balanced residential neighborhoods containing a variety of housing types and related recreational and community facilities.

(b) Uses permitted. The following uses may be permitted within any planning area designated for residential use by the adopted planned community general development plan:

- (1) Single-family detached dwellings;
- (2) Single-family attached dwellings;
- (3) Multiple-family dwellings;
- (4) Churches and synagogues;
- (5) Public and private schools;
- (6) Municipal recreational areas;
- (7) Public libraries;
- (8) Golf courses and country clubs;
- (9) Institutions for higher education;
- (10) Clubs and lodges;
- (11) Private, noncommercial recreational facilities;
- (12) Accessory structures and uses necessary and customarily incidental to the above uses;
- (13) Governmental and public facilities;
- (14) Family care home.

17.72.090 Commercial and Office

(a) Generally. This section is intended to promote the development and well-planned shopping centers and facilities that provide a variety of shopping, professional, business, cultural and entertainment facilities designed to create an attractive and pleasant shopping atmosphere.

(b) Uses permitted. The following commercial and noncommercial uses may be permitted within any planning area designed "commercial" on the adopted planned community development general plan:

- (1) Any retail trade or service business;
- (2) Professional, business and administrative offices;
- (3) Motels and hotels;
- (4) Cultural facilities, such as museums, theaters, art galleries and churches;
- (5) Pedestrian plazas and pedestrian ways, including such amenities as outdoor art exhibit facilities, statuary, fountains and landscaping features;
- (6) Outdoor specialty uses, including sidewalk cafes and outdoor market places to provide unique congregating places for sales and shopper interest;
- (7) Recreational facilities, both indoors and outdoors, such as ice skating and roller skating rinks which may be designed as integral parts of a center;
- (8) Restaurants, both indoor and drive-in types, food-to-go facilities, sidewalk cafes;
- (9) Hospitals and medical clinics;
- (10) Transportation terminals, parking lots and parking buildings;
- (11) Animal hospitals and clinics;
- (12) Automobile service stations, subject to prescribed performance and development standards;
- (13) Nursing and rest homes;
- (14) Small and large child care centers;
- (15) Financial offices, including banks and savings and loans;
- (16) Accessory structures and uses necessary and customarily incidental to the above uses;
- (17) Governmental and public facilities.

17.72.100 Industrial

(a) Uses permitted. The following industrial and nonindustrial uses may be permitted within any planning area designated "industrial" on the adopted planned community development general plan:

- (1) All those uses permitted in the I - industrial zone of the City;
- (2) Automobile service stations, subject to prescribed performance and development standards;

- (3) Other uses as established by City Council for industrial planning areas;
- (4) Governmental and public facilities.

17.72.110 Agriculture Areas

Within the planned community zone district, the continued use of the land for agricultural purposes and other uses similar in character and all necessary structures and appurtenances shall be permitted. These areas are subject to further planning consideration as development progresses. Until such time, these planning areas shall be reserved primarily for agricultural pursuits, particularly for crops and cattle raising.

17.72.120 Open Area

Open space areas are intended to be preserved in a non-developed manner. Permitted uses shall include agricultural and open areas with no structures being allowed to be constructed except those which are necessary for the agriculture uses. No commercial activity shall be allowed in the area.

17.72.130 Automobile Service Station Standards

The following performance and development standards shall apply to all permitted automobile service station uses within a planned community zone district.

- (1) Uses permitted: An automobile service station shall be a retail place of business engaged in the sale of motor fuels and in supplying goods and services generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorists' needs. Major automotive repairs, painting, body and fender work are prohibited.
- (2) Building line regulations: Building setback line for all structures shall be twenty (20) feet from the ultimate street right-of-way line, except canopy roofs over pump islands and lighting fixtures may be cantilevered to within five (5) feet of the ultimate street right-of-way line.
- (3) Exterior displays and trash and storage: No displays or storage of merchandise, automobiles, parts or refuse shall be located closer than twenty (20) feet from the ultimate street right-of-way line, and all trash and refuse shall be stored in a building or within an area enclosed by a wall at least six (6) feet high.
- (4) Lighting: All lighting shall be designed and located so as to confine direct rays to the premises.

- (5) Outside activity: All activities, other than the sale of motor fuels and the normal services incidental thereto, are prohibited outside of the main building.
- (6) Screening: A masonry wall shall be installed and maintained along property lines where the premises abut a residential area. Such wall shall have a total height of not less than six (6) feet, except within twenty (20) feet of any ultimate street right-of-way line, where the height shall be not less than three (3) feet nor more than three and one-half (3 1/2) feet.
- (7) Landscaping:
 - (a) Boundary landscaping is required for a minimum depth of five (5) feet along all property lines abutting streets, except for the area required for street openings.
 - (b) Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least six (6) inches higher than the adjacent vehicular area.
 - (c) Permanent watering facilities shall be provided for all landscaped areas.
 - (d) Required landscaping shall be maintained in a neat, clean and healthy condition. This shall include proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of plants, when necessary, and the regular watering of all plantings.

17.72.140 Boundaries and Dimensions

Planning area boundaries shall not be construed as precise boundaries; provided, that all development subject to a particular planning area substantially conforms to such planning area boundaries, as shown on the planned community development general plan. Unless otherwise indicated on the planned community development general plan, planning area dimensions shall be determined by scale, measured from centerlines of street.

17.72.150 Development of Plan

The construction and development of every planned community general plan shall be commenced within a time mutually agreed upon. All development within the district shall occur in accordance with the provision of Title 16 and Title 17 of the Louisville Municipal Code.

17.72.160 Effect of Registered and Recorded Plans

All final plans registered and recorded or filed hereunder shall be binding upon the applicants therefor, their

successors and assigns, shall limit and control the issuance and validity of all building permits and shall restrict and limit the construction, location, use and operation of all land and structures included within such plans to all conditions, and limitations set forth in such plans.

17.72.170 Amendment of Approved Plans

Amendment of plans previously approved shall be pursuant to the same procedure and subject to the same limitations and requirements by which such plans were originally approved.

17.72.180 Filing Fees

- (1) Application for planned community zoned district is \$10.00 per acre.
- (2) Application for amendment to development plan is \$500.00.

17.72.190 Yard and Bulk Requirements

Yard and bulk requirements under a planned community zoned district shall be specified on the general development plan filed for different areas of the district. Said yard and bulk requirements shall be in general conformance with the yard and bulk requirements set forth in Section 17.12.040 of the Louisville Municipal Code. Yard and bulk requirements set forth in the general development plan shall be in general conformance with the zones as set forth below:

Agricultural use - A zone

Industrial use - I zone

Commercial and Office use - C-N, C-B, C-C, O zones

Residential use - R-E, R-L, R-M, R-H zones

of July INTRODUCED, READ AND ORDERED PUBLISHED this 19th day
of July, 1983.

✓ Monte A. Meier
Mayor

ATTEST:

Cleo M. Mudrock
City Clerk

ADOPTED AND APPROVED on second and final reading this
16th day of August, 1983.

Mark A. Meier
Mayor

ATTEST:

Jay Deard
City Clerk

ORDINANCE NO. 806

AN ORDINANCE AMENDING TITLE 17
OF THE LOUISVILLE MUNICIPAL CODE
BY PROVIDING FOR A NEW ZONING
DISTRICT WITHIN THE CITY OF
LOUISVILLE CALLED THE PLANNED
COMMUNITY ZONE DISTRICT.

The following amendments were passed and adopted with respect to Ordinance No. 806 on second and final reading:

17.72.030 Procedure and Applicability

Such development plans shall consist of a map or maps, together with supplementary text materials, and an agreement between developer and City which includes a phasing plan, and such development plan shall set forth the following:

17.72.060 Amendment

(b) Any such amendment by the director of community development shall have approval by City Council prior to the amendment becoming effective or City Council may direct such change be made through paragraph (a) of this section.

17.72.080 Residential

(b) 5. Public and Private Schools

17.72.120 Open Area

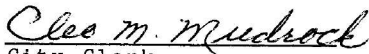
Open areas are intended to be preserved in a non developed manner. Permitted uses may include crop raising and animal husbandry and open areas with no structures being allowed to be constructed except those which are necessary for the crop raising and animal husbandry uses. No other commercial activities shall be allowed in the area.

ADOPTED AND APPROVED on second and final reading this 16th day of August, 1983.



Mayor

ATTEST:



City Clerk

The determination of the accessory use for STC would be given by the Variance Board should this situation arise; but solely as an added benefit for its employees.

Chief Building Inspector
Steve Ferris - Licensing

Advised a use for a Day Care Center or any of the child care operations must have the approval of the State, then it is the City's responsibility to see that all the Codes are met, i.e. proper exits, etc.

Beth Avore, Fantasyland

Stated everyone having a child care center including STC would have to obtain a license from the State Department of Social Services.

Vote on Motion

Question called for on the amendment to Ordinance #804 to allow a Special Review Use in the Office Zone. All in favor. Motion carried unanimously.

Councilman Leary

Commented that a Neighborhood Child Care Center was for 1-12 children, anything over 12 would be considered a full Day Care Center i.e. LaPetite - wished to verify this. Attorney Rautenstrauss advised this was so.

Mayor Meier closed the public hearing.

ADOPTION OF ORDINANCE #804
AS AMENDED

Councilman Fauson moved, Councilman Leary seconded that Ordinance #804 - Child Care Zoning be adopted as amended. Roll call vote:

Leary	Yes
Morris	Yes
Fauson	Yes
Cummings	Yes
Ferrera	Yes
Meier	Yes

Motion carried unanimously.

ORDINANCE #806 - PLANNED
COMMUNITY ZONE DISTRICT
PUBLIC HEARING

Councilmembers had a copy of the ordinance; Attorney Rautenstrauss read it by title only and certified proper publication.

Mayor Meier opened the public hearing. Attorney Rautenstrauss certified proper publication of the public hearing notices. He also advised that after the study session held by council the following changes were made to the ordinance - adding a section which required an agreement between the developer and the City, which included a phasing plan.

Amendments to the development plan which did not effect an increase in the density or would result in a character change of the development - would be reviewed by the Director of Community Development but would not become effective until City Council had reviewed the plan and determined if they wished to make a change through a total zoning change as required through the original adoption of the zoning plan. Was also amended to allow for private schools when the use is permitted in residential areas. Also, a new type of use was added known as a lease - open space use. Generally would allow agricultural use but not structures.

Mayor Meier continued the public hearing and asked if there was anyone in favor of the ordinance - none. Anyone in opposition of the ordinance - none. Any public questions - none. Staff comments - Director Rupp stated they would recommend Council adopt the ordinance. Council comments or questions.

Councilman Leary

Wished clarification of the agricultural - open space use. Rautenstrauss advised this would be that no commercial activity would be allowed. Suggested perhaps agricultural be changed to crop farming and animal husbandry pursuits.

Amendment to Ordinance #806

Councilman Leary moved, Councilwoman Morris seconded that an amendment be added to Ordinance #806 to change agricultural or open space to crop farming and animal husbandry use.

Councilman Ferrera

Wished to verify that this was not being designated - Open Space Zone. Rautenstrauss advised that it was not, but rather that it was naming uses permitted in open space.

Mayor Meier

Remarked would then a golf course be considered and open space use, or would this ordinance preclude that use? Rautenstrauss did not feel this use would be precluded, rather referred to drainage swales, or areas within a general development plan that were always going to be farms. Meier suggested that these be clearly defined in the ordinance, i.e. drainage swales, 100 year flood plain, 1500' buffer along Highway 36, etc. since it applies primarily to the Homart development.

Councilman Ferrera

Wished to verify - when a developer dedicates 12% of the property to the City as open space, does this mean that a park could not be built on the open space land, or perhaps construct a swimming pool. Rautenstrauss advised that it did not, the open space term did not apply to property dedicated to the City or recreation uses, but would simply be an area that would always be set up for no development. Ferrera suggested the wording be changed to state undeveloped areas rather than open space.

Director Rupp

Stated he had a problem with this as he felt the intent of the zone is try to forecast what those uses are going to be in the future. Because their plans may be 5,10,15, or 20 years in the future. When the City is attempting to develop plans from the standpoint of open space, arterials, utilities, etc. if there is a large area of 160 acres just as undeveloped, it is going to be very difficult to rationalize that in the future whether it is an acceptable use or not. He felt that in the general development plan there may be planning areas within that plan that would be just left for open areas; not to be developed at all and they should be so stated.

Councilman Leary

Asked how parks and golf courses are presented on the development plan? Rupp stated they would be within a planning area that might identify residential as the principle use or they may show 20 acres of public land dedication for public park, public school, fire station, etc. It could come in with residential, commercial or industrial zoning.

Addition to the Amendment of Ordinance #806

Councilman Leary moved, Councilwoman Morris seconded that the following be added to his original motion the wording "Open Space" under section 17.72.120 be changed to read "Open Areas"; also the word shall be changed to may include agricultural, etc. Discussion by council relative to number of acres for animal husbandry in respect to adjoining residential zones-to be dealt with in the agreement.

Vote on the Amendment

Question called for. All in favor. Motion carried unanimously.

Mayor Meier closed the public hearing on Ordinance #806.

ADOPTION

Councilman Cummings moved, Councilman Ferrera seconded that Ordinance #806 - Planned Community Zone District be adopted as amended. Roll call vote:

Morris	Yes
Cummings	Yes
Fauson	Yes
Meier	Yes
Leary	Yes
Ferrera	Yes

Motion carried unanimously.

RESOLUTION #27 - LA PETITE
FINAL PLAT & P.U.D. &
SPECIAL REVIEW USE

Councilmembers had a copy of the resolution; Attorney Rautenstrauss read it in its entirety. Councilmembers were also provided with information from Director Rupp and recommendation of Planning Commission for approval. La Petite provided Council with copies of their Child Care Survey in Boulder County.

ADOPTION

Councilman Leary moved, Mayor Meier seconded that Resolution #27 - La Petite Final Plat and P.U.D. and Special Review Use be adopted.

Director Rupp

Advised he had added to the report those items that dealt with the Special Review Use, taken from the Code, i.e. location of the site, access, the intensity of use, environmental qualities and the department had no particular objection to the proposal.

Dennis Rosengarten, Applicant

Mr. Rosengarten stated that if Council had any questions he invited to the meeting, Ray Shelton one of the owners of the property, Frances Rock, the Colorado Director, and Ben LaFrance, National Director of Operations. He stated at the last Council meeting he attended several questions were brought up regarding traffic, safety, and the aspect of need as stated.

Councilwoman Morris

Commented that she felt the information provided did cover the questions of traffic impact and safety; however wished to know how the need was determined, i.e. 50, 100, or 200 children.

Frances Rock

Stated she was pleased with Council's concerns relative to the quality of the City. La Petite shared the concern of quality for their center. In regard to need, felt that choice was very important also. Since both parents work now

Rob Zuccaro

Subject: FW: Please reject Portercare Adventist Health Systems's application to amend Louisville Municipal Code Section 17.72.190

From: tamar krantz <tamarkrantz@gmail.com>

Sent: Saturday, May 3, 2025 1:23 PM

To: Planning <planning@Louisvilleco.gov>

Cc: Steve Brauneis <stevebrauneis@hotmail.com>

Subject: Please reject Portercare Adventist Health Systems's application to amend Louisville Municipal Code Section 17.72.190

Dear Planning Commissioners,

Please reject Portercare Adventist Health Systems's application to amend Louisville Municipal Code Section 17.72.190. If the applicant is seeking lot coverage and setbacks for their properties within the Avista GDP and the RTR (conocophillips) GDP, they should submit a PUD with their desired changes. Since this change is not associated with a PUD, it is not clear what their intentions are.

In your meeting packet, staff present this code change as a part of the anticipated development code rewrite that will come after the comprehensive plan. This should not be initiated with a quasi-judicial application. The packet includes the work plan item that allows for city council discussion and direction on targeted code amendments. Has there been any discussion and direction regarding yard and bulk requirements for GDPs? Residents should have the opportunity to discuss this with commissioners and their city council representatives.

If the applicant's intention is indeed to change the lot coverage and setback requirements for their properties, this packet doesn't include enough particulars. For example, Table 1, GDP Yard and Bulk Comparison gives a general indication of how this may affect the Conocophillips GDP. The GDP requires a 50 foot setback for buildings over 30,000 square feet. It seems to me that this code change would reduce that to 20 to 25. It would be useful to understand how this compares to existing setbacks for large commercial buildings so that commissioners can visualize this change.

Please address these code changes outside of the context of Avista's application. You should have the opportunity to analyze the impact of this change to all GDPs, not just a sampling. You should also have a complete analysis of the changes and impacts for all existing GDPs. Finally, I believe that there could be a more straightforward way to re-write this code for future GDPs— if any are anticipated.

Thanks for considering this.

Tamar Krantz
Louisville

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**RESOLUTION NO. 7
SERIES 2025**

**A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING
LOUISVILLE MUNICIPAL CODE SECTION 17.72.190 REGARDING YARD AND
BULK REQUIREMENTS FOR GENERAL DEVELOPMENT PLANS**

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 Planning Commission finds that the current standards in Louisville Municipal Code Sec. 17.72.190 are not consistent with the purpose of the Planned Community Zone District (PCZD) and associated General Development Plans (GDPs) to promote contemporary land planning principles and coordinated community design; and

WHEREAS, the Planning Commission desires to provide more flexibility as part of the GDP approval process to establish yard and bulk standards that are consistent with the City’s Comprehensive Plan and the City’s desired character for PCZD districts; and

WHEREAS, the Planning Commission has considered the proposal at a duly noticed public hearing on May 8, 2025, where evidence and testimony were entered into the record.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Louisville, Colorado does hereby recommend approval of an ordinance amending Title 17 of the Louisville Municipal Code to regarding yard and bulk requirements for GDPs.

PASSED AND ADOPTED this 8th day of May, 2025.

By: _____
Steve Brauneis, Chair
Planning Commission

Attest: _____
Cullen Choi, Secretary
Planning Commission

City Council Review

June 3, 2025

1st Reading and Set Public Hearing

ORDINANCE 1896, SERIES 2025

AN ORDINANCE AMENDING LOUISVILLE MUNICIPAL CODE SECTION 17.72.190 REGARDING YARD AND BULK REQUIREMENTS FOR GENERAL DEVELOPMENT PLANS

Presented by: Rob Zuccaro, Community Development Director



Proposal

- Request by PorterCare Adventist Health Systems (owner of two properties zoned PCZD)
- Allow Planned Community Zoned District (PCZD) properties to establish custom yard and bulk standards (height, setbacks, lot coverage) standards on General Development Plans
- Current regulations restrict GDP yard and bulk standards to be in “general conformance” with comparable zone districts



Proposal

Sec. 17.72.190. Yard and bulk requirements.

Yard and bulk requirements under a planned community zone district shall be specified on the general development plan filed for the different areas of the district. Such yard and bulk requirements shall be consistent with the comprehensive development plan or other adopted plan of the city and the desired character of the district. Such If not specified in the general development plan for an area of the district, the yard and bulk requirements shall be in general conformance with the yard and bulk requirements set forth in chapter 17.12 of this Code. based on the most similar zoning district Yard and bulk requirements set forth in the general development plan shall be in general conformance with the zones as set forth below:

Agricultural use—A Zone.

Industrial use — I Zone.

Commercial and office use — C-N, C-B, C-C, O Zones.

Residential use — R-E, R-L, R-M, R-H, SF Zones.

PCZD Zoning Background

- Code adopted in 1983
- Set standards for PCZD and GDPs
- Yard and bulk “General Conformance” standard not defined and inconsistently applied
- Relies on Planned Unit Development (PUD) waiver process to vary yard and bulk

Analysis

- Purpose of PCZD is to encourage “the use of contemporary land planning principles and coordinated community design.”
- GDPs are to establish: *“The type or character of development...”*
- Yard and bulk standards required to be provided on GDPs as part of defining type and character of development
- “General conformance” standard could be seen as in conflict with purpose of PCZD and GDPs

Analysis

- Code amendment allows the City to adopt more comprehensive development standards on a GDP to establish the intended character of the district.
 - ✓ Planning Commission and Council do not need to adopt yard and bulk standards inconsistent with the comparable zoning unless applicant provides adequate design standards on the GDP
 - ✓ Planning Commission and Council will also have design review at the PUD stage of the process
- Provides a more predictable process for property owners to plan developments

City Council Work Plan

- Near-term, targeted, priority development code updates to improve the City's development review process and create a more business friendly approach to development review.

2025 Comprehensive Plan Implementation - Targeted Development Code Amendments	Identify near term, targeted, priority development code updates to implement the 2025 Comprehensive Plan that should occur prior to the development code rewrite project that is planned to begin in early 2026. Such code changes include but are not limited to parts of Title 16 (Subdivisions) and Title 17 (Zoning).	Potential council actions include discussion and direction, if needed, as well as adoption of targeted code amendments.
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Staff Recommendation

Staff recommends approval on first reading and setting the public hearing.