

NOTICE OF PUBLIC HEARING
BEFORE THE
CITY AND COUNTY OF BROOMFIELD

DATE: September 23, 2025
TIME: 6:00 p.m.
PLACE: Council Chambers, George Di Ciero City & County Building
One DesCombes Drive
Broomfield, Colorado 80020

Notice is hereby given that a public hearing will be held before the City and County of Broomfield on

ORDINANCE NO.2273

An ordinance to amend the Broomfield Municipal Code, Title 16 and Title 17 related to Public Land Dedication and other Definitions related to Open Space and Recreation Facilities

Recitals.

Whereas, Broomfield has required public land dedication with development since 1987 with the adoption of Ordinance No. 724; and

Whereas, the Broomfield Municipal Code relating to public land dedication has not been updated since it was subsequently amended in 1988 to only require public land dedication with residential developments; and

Whereas, on March 10, 2020, City Council adopted Ordinance No. 2100, Broomfield's Inclusionary Housing Ordinance, in order to address the trend toward increasing housing prices and the shortage of affordable housing in the City and County of Broomfield in order to maintain a balanced community and to promote housing that is affordable to all of its residents, while supporting the community's workforce and retain opportunities for people that work in Broomfield to also live in Broomfield; and

Whereas, on October 25, 2022 City Council adopted Ordinance No. 2187, further refining the Broomfield's Inclusionary Housing Ordinance, due to the rapid increase in housing prices experienced within the community after the adoption of the original Inclusionary Housing Ordinance in 2020; and

Whereas, the Open Space, Parks, Recreation and Trails (OSPRT) Plan was adopted by City Council on February 27, 2024, and sets forth a vision and guiding document for decisions about Open Space, Parks, recreation and trails; and

Whereas, in an effort to balance Broomfield's need to promote housing that is affordable to all of its residents and to also support the community's desire to protect and preserve its Open Space, Parks and recreational areas and trails, the City and County must

balance the competing requirements for public land dedication and affordable housing in residential development projects; and

Whereas, the revisions to the public land dedication requirements will establish clear, concise, and comprehensive regulations which meet the needs of our community today and provides a balance for competing community needs for housing and Open Lands; and

Now, therefore, be it ordained by the City Council of the City and County of Broomfield, Colorado:

Section 1.

Chapter 16-08, Definitions, of the Broomfield Municipal Code is amended as follows:

16-08-010 - Definitions

As used in this title, the following words have the following meanings:

- (A) *Access control line* means a line designated on a subdivision plat between known points of reference for the purpose of restricting or limiting access.
- (B) *Block* means a unit of land within a subdivision containing one or more lots which is bounded by public or private streets, highways, railroad rights-of-way, public walks, alleys, parks or open space **land**, rural or vacant land, or drainage channels, subdivision boundaries, property boundaries, or a combination thereof, and which is customarily further divided into lots.
- (C) *Drainage easement* means a grant to the city of the right to control development of a drainage right-of-way or an area subject to periodic flooding. Development on such easement shall be restricted to uses which would not interfere with the flow of the water or act as a barrier for debris.
- (D) *Easement* means a grant by a property owner of use of land for designated purposes by another.
- (E) *Final drainage study* means a study in a form and content satisfactory to the city engineer, including such detailed maps, hydraulic calculations, designs, plans, drawings, and analyses as the city engineer shall specify.
- (F) *Flag lot* means a lot of regular or irregular shape normally situated to the rear of other lots having as its frontage and access a drive connecting it to a street.
- (G) *Geotechnical studies* means studies in a form and content satisfactory to the city engineer, including such data and recordings as the city engineer shall specify.
- (H) *Minor subdivision* means a subdivision of five or fewer lots that requires no dedication of streets, rights-of-way, or other public uses. Easements may be dedicated to the city on a minor subdivision plat.
- (I) ***Open Lands* means public and private lands acquired or preserved in the public interest for Parks and/or Open Space uses. They serve a variety of functions, including conserving and protecting natural, cultural, historic, agricultural, and**

scenic resources; providing opportunities for recreation; and shaping the pattern of growth and development. "Open Lands" is an umbrella concept that encompasses three key designations: Parks and Recreation Areas, Open Space, and Other Open Lands

- (J) ***Open Space*** means a parcel of land intentionally protected from development and/or set aside for unstructured, passive recreation and the appreciation of natural surroundings as well as for conservation easements. Open Space may contain but is not limited to trailheads and trails, water bodies, wetlands, wildlife viewing areas, agricultural lands, fishing facilities, and other facilities that support uses compatible with site resources and conditions. Open Space is deemed to be in use for a public purpose.
- (K) ***Other Open Lands*** means a parcel of land that exhibits qualities of Open Space or Parks and Recreation Areas that do not fit precisely into either the definition of Open Space or Parks and Recreation Areas. Examples of Other Open Land includes areas such as golf courses, cemeteries, landscaped trail corridors, or landscaped areas that are not necessarily a formal Park or Recreation Area or Open Space.
- (L) ***Parks and Recreation Areas*** mean a parcel of land that contains recreational centers and facilities, open turf areas that may or may not be irrigated for passive recreation, active recreation playing fields, hard courts, picnic areas, restroom facilities, and other improvements.
- (M) ~~(H)~~ ***Preliminary drainage report*** means a report in a form and content satisfactory to the city engineer, including such preliminary maps, hydraulic calculations, designs, plans, drawings, and analyses as the city engineer shall specify.
- (N) ~~(J)~~ ***Street*** means a way for vehicular traffic, whether designated as a street, alley, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.
- (O) ~~(K)~~ ***Subdivider*** or ***developer*** means any person, partnership, joint venture, association, or corporation who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision.
- (P) ~~(L)~~ ***Subdivision*** means the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development, whether residential, industrial, office, business, or other use. The term shall also include and refer to any division of land previously subdivided or platted.
- (Q) ~~(M)~~ ***Through lot*** means an interior lot abutting on more than one street or a corner lot abutting more than two streets.
- (R) ~~(N)~~ ***Tract*** means a portion of land that is part of a subdivision which is designated for some purpose other than a building site, lot, or easement.
- (S) ~~(O)~~ ***Traffic analysis report*** means a report in a form and content satisfactory to the city engineer which addresses the traffic impact of the development of the land in question, and which includes such data and analysis as the city engineer shall specify.

Section 2.

Chapter 16-28, Design Guidelines, of the Broomfield Municipal Code is amended as follows:

16-28-110 - Dedication; requirements generally.

- (A) Dedication of public streets, and easements for drainage, water, sewer, telephone, electric and gas service, cable television, and other facilities as determined necessary by the city, based on review of the reports submitted in accordance with section 16-20-040, B.M.C. and of the city's master plan, is required.
- (B) Public land dedication is required in accordance with sections 16-28-120 through 16-28-150 below for all land zoned for residential uses.
- (C) **Land dedicated to the city shall be free of liens and subject only to encumbrances permissible by the city which do not impact the fundamental purpose of the land dedication.**
- (D) **Reservation of additional sites for public uses, including schools, shall be mutually agreed upon by the subdivider and the city following recommendations from public agencies directly involved in the development and service of the area. These reserved sites shall be delineated on the final plat and reserved for public purchase.**

16-28-120 - ~~Dedication; pPublic lLand dDedication~~ requirements.

- (A) **Land zoned for residential uses or that are mixed use with residential uses shall dedicate** ~~Except for land which is zoned for business, industrial, or commercial uses,~~ the amount of land established by this section ~~shall be dedicated~~ as public **open land which may include land** for public recreation, ~~and~~ open space, location of public facilities, and other public uses as authorized by city council. **Land zoned for business, industrial or commercial uses shall not be required to comply with this public land dedication requirement.**

- (B) ~~The following percentage of land zoned for residential uses shall be dedicated at the time of platting:
Gross density (i.e., total number of units divided by total area being subdivided) x 2 + 5 = percent of land to be dedicated.~~

~~(Example: 5 units per acre (i.e., 200 units: 40 acres) x 2 + 5 = 15 percent of 40 acres, or 6 acres to be dedicated.)~~

- (B) **Public Land Dedication for land zoned for residential uses shall be calculated at a rate of 24 acres of public land dedication per 1,000 residents generated by the residential development. If a development does not generate 1,000 residents, then the public land dedication obligation shall be calculated proportionally.**
 - (1) **If a fraction of a resident is generated, then that number shall round up to the nearest whole number.**
 - (2) **If a fraction of an acre is required, it shall be calculated to the hundredths place. If the thousandth place is .005 or higher it shall round up, if less than**

.005 it shall round down. (Example: 23.455 acres would round up to 23.46 acres).

(C) Public Land Dedication Methodology

(1) Market Rate Residential Developments. Residential projects that do not include income aligned housing in accordance with Chapter 17-76 of the Broomfield Municipal Code, shall be required to comply with the following public land dedication methodology:

Method for PLD for 100% Market Rate Housing Projects			
Site Size	Required Minimum Percentage of On-Site PLD	Cash-In-Lieu Option if Minimum On-Site PLD Requirement is Met	Cash-In-Lieu if Minimum On-Site PLD Requirement is Not Met
Any size	25% of site (measured as the gross acreage of the project area minus the arterial or higher classification of right of way)	Unmet balance of the remaining PLD obligation to be paid at the average value per acre for vacant land as published by Broomfield	Unmet balance of on-site PLD obligation shall be paid at the market value per acre. The remaining balance beyond the on-site obligation can be met through a cash-in-lieu payment based on the average value per acre for vacant land as published by Broomfield.
<p>Example: PLD obligation is met with 20% on-site dedication plus 5% paid at market value per acre to meet the minimum on-site PLD obligation. The balance of the remaining PLD obligation (after meeting the minimum on-site obligation) is paid at the average value per acre for vacant land.</p>			
<p>Notes:</p> <p>(1) If a residential project provides the minimum on-site PLD obligation, the remaining balance beyond the on-site obligation can be satisfied through a cash-in-lieu payment or a combination of additional on-site dedications and cash-in-lieu using the methodology outlined above.</p> <p>(2) If a project is mixed use then the gross acreage is based only on the gross residential area, excluding the gross non-residential area.</p>			

(2) *Mixed Income and 100% Income Aligned Residential Developments above 60% AMI.* Residential projects that have a percentage of income aligned housing or are 100% income aligned housing developments that have rent or sale prices above 60% of the Area Median Income based on the Colorado Housing and Finance Authority (CHFA) Rent and Income table for each calendar year shall be required to comply with the following public land use dedication methodology:

Method for PLD for Mixed Income and 100% Income Aligned Residential Developments above 60% AMI			
Site Size	Required Minimum Percentage of On-Site PLD	Cash-In-Lieu Option if Minimum On-Site PLD Requirement is Met	Cash-In-Lieu if Minimum On-Site PLD Requirement is Not Met
10 acres or greater	20% of site (measured as the gross acreage of the project area minus the arterial or higher classification of right of way)	Unmet balance of the remaining PLD obligation to be paid at the average value per acre for vacant land as published by the City and County less any applicable PLD cash-in-lieu reductions per B.M.C.	Unmet balance of on-site PLD obligation shall be paid at the market value per acre
Less than 10 acres	15% of site (measured as the gross acreage of the project area minus the arterial or higher classification of right of way)	Unmet balance of the remaining PLD obligation to be paid at the average value per acre for vacant land as published by the City and County less any applicable PLD cash-in-lieu reductions per B.M.C.	Unmet balance of on-site PLD obligation shall be paid at the market value per acre
Example: PLD obligation for a 7 acre property is met with 10% on-site dedication			

plus 5% paid at market value per acre to meet the minimum on-site PLD obligation. The balance of the remaining PLD obligation (after meeting the minimum on-site obligation) is paid at the average value per acre for vacant land.

Notes:

- (1) If applicants provide the minimum on-site PLD obligation, the remaining balance beyond the on-site obligation can be satisfied through a cash-in-lieu payment or a combination of additional on-site dedications and cash-in-lieu. The remaining balance of PLD cash-in-lieu would be eligible for cash-in-lieu reductions based on the applicable formula established in BMC 16-28-140(B).
- (2) If a project is mixed use then the gross acreage is based only on the gross residential area, excluding the gross non-residential area.

(3) *Income Aligned Residential at or below 60% AMI.* Residential projects that are 100% income aligned housing developments that have rent or sale prices at or below 60% of the Area Median Income based on the Colorado Housing and Finance Authority (CHFA) Rent and Income table for each calendar year shall be required to comply with the following public land use dedication methodology:

Method for PLD for 100% Income Aligned Housing Projects that Meet 60% AMI			
Site Size	Required Minimum Percentage of On-Site PLD	Cash-In-Lieu Option if Minimum On-Site PLD Requirement is Met	Cash-In-Lieu if Minimum On-Site PLD Requirement is Not Met
10 acres or greater	20% of site (measured as the gross acreage of the project area minus the arterial or higher classification of right of way)	No cash-in-lieu	Unmet balance of minimum on-site PLD is paid based on the average value per acre for vacant land as published by the City
Less than 10 acres	15% of site (measured as the gross acreage of the project area minus the arterial or higher classification of right of way)	No cash-in-lieu	Unmet balance of minimum on-site PLD is paid based on the average value per acre for vacant land as published by the City

Example:

PLD obligation for a 7 acre property is met with 10% on-site dedication plus 5% paid at average value per acre to meet the minimum on-site PLD obligation. The balance of the remaining PLD obligation (after meeting the minimum on-site obligation) is waived and no CIL is required beyond the market value per acre to satisfy the minimum on-site obligation.

Notes:

- (1) Residential projects that are 100% income aligned housing developments that have rent or sale prices at or below 60% of the Area Median Income based on the CHFA Rent and Income table are only required to provide the required on-site PLD obligation (either through actual land dedication or through a cash-in-lieu payment consistent with the methodology outlined above).
- (2) If a project is mixed use then the gross acreage is based only on the gross residential area, excluding the gross non-residential area.

- (4) ***Small Residential Developments.*** For residential developments that have 5 or fewer lots or units, public land dedication is required to meet public land dedication requirements at the same 24 acres per 1,000 residents rate as defined above. On-site dedication is not required, but required PLD obligations may be addressed by payment of cash-in-lieu based on the average value per acre for vacant land, or by voluntary on-site dedications or a combination of on-site public land dedication and cash-in-lieu as defined in this section.
- (5) ***Subdivision Fragmentation Prohibited.*** A developer shall not purposefully fragment a project into multiple components of five or fewer lots in order to avoid on-site public land dedication obligations.
- (6) ***Public Access Easement in lieu of Dedications.*** When proposed on-site dedications for parcels or tracts of land are less than 3 acres, they will be eligible for credit as public land dedication but will not be formally dedicated to the City and County of Broomfield for ownership or maintenance. Instead, these parcels or tracts will require a permanent public access easement to be recorded as a separate instrument outlining at a minimum that the landowner (or their assignee) shall be responsible for the continued ownership and maintenance of the tract or parcel and provide for public access in perpetuity so that the track or parcel and its amenities continues to be eligible for credit as public land dedication.
- (7) ***Amenities.*** Public Land Dedication sites shall be improved by the developer with amenities such as, but not limited to shade structures, benches, playgrounds, trail connections, and signage, or other amenities appropriate for the site. Developers may request a waiver from required site amenities as part of a site development plan or urban renewal site plan, subject to approval by the Land Use Review Commission or City Council.

- (D) ~~(C)~~ In addition to the above, drainage channels as shown **in the appropriate Outfall Systems Plan for the area in the city's master plan** shall be dedicated.
- (E) ~~(D)~~ Dedication of land for the following purposes shall only be counted **as public land dedication** to the limited extent specified:
- (1) Detention ponds and drainage channels: **25% 50%** of the area dedicated;
 - (2) Lakes, ponds, **creeks/streams/rivers, irrigation canals** and reservoirs: **25% 50%** of the area dedicated; and
 - (3) School sites: 50% of the area dedicated, not to exceed five acres per school.

16-28-130 - **Public Land** Dedication; ~~alternate parcel; when.~~

In lieu of **providing dedicated public land** ~~dedicating land~~ within the subdivision, the applicant may dedicate an alternate parcel of land consisting of the same number of acres in another area if, in the sole and exclusive opinion of the city council, it is capable of use for public purposes. In any event, the final decision shall be that of the city council.

16-28-140 - **Public Land** Dedication; ~~cash in lieu; appraisal procedure.~~

~~If the city council so determines, the subdivider shall pay to the city, in cash, an amount based upon the average market value of the land to be dedicated, as required in section 16-28-120, B.M.C., in lieu of land dedication. The fee shall be negotiated with the subdivider, and if the city and the subdivider fail to agree on the value of the land, such value shall be fixed by a real estate appraisal by one or more qualified appraisers acceptable to both the subdivider and the city. The cost of the appraisals shall be paid by the subdivider.~~

- (A) **In lieu of providing public land dedication within the subdivision or through an alternate parcel of land consistent with BMC 16-28-130, subdividers shall have the option to meet their required public land dedication through cash-in-lieu.**
- (B) **Cash-in-lieu payments shall be calculated and collected at the time of issuance of the first building permit for a development, and such calculation shall be based upon the cash-in-lieu fee in effect at the time of issuance of the first building permit.**
- (C) **Cash-in-lieu calculations**
- (1) **If the on-site public land dedication requirement as calculated using the applicable methodology in Section 16-28-120(C) is not met, then the unmet balance of on-site public land dedication is paid based on the methodology identified in Section 16-28-120(C) for the applicable development type.**
 - (2) **Once the on-site public land dedication requirement is met, either through on-site dedication, cash-in-lieu payment as per the methodologies set forth in Section 16-28-120(C), or a combination of the two; then, the remaining public land dedication obligation can be satisfied through a cash-in-lieu payment based on the current established average value per acre for vacant land.**
 - (i) **The average value per acre for vacant land will be updated every two years; beginning in 2025, and will be based on data provided by the**

Assessor’s Department to determine an average value per acre for vacant land so that the cash-in-lieu amount reflects more accurately the actual value of land. This calculation will be calculated using larger parcels, generally greater than 20 acres in size, to avoid high or low value small parcels of land from possibly causing undervaluation or overvaluation.

(3) Residential projects that have a percentage of income aligned housing or are 100% income aligned housing developments that have rent or sale prices above 60% of the Area Median Income (AMI) and have satisfied the minimum required on-site dedication may be eligible for additional reductions as outlined below.

(i) For sale units consistent with residential developments described in Section 16-28-120(C)(2) which have satisfied the minimum required on-site public land dedication are eligible for public land dedication cash-in-lieu fee reductions for the development’s remaining obligation based on the following matrix:

Public Land Dedication Cash-in-Lieu Fee Reduction Matrix for, For-Sale Income Aligned Units		AMI Level of Income Aligned For-Sale Units in Development	
		100% or below	Greater than 100%
Income Aligned For-Sale Units Share of Residential Development	60% or above	80%	0%
	40%	40%	0%
	20%	20%	0%
	12%	12%	0%
	0%	0%	0%
Note: 80% means there is a 80% reduction in the cash-in-lieu fee, whereas 0% means there is no reduction.			

(ii) For rent units consistent with residential developments described in Section 16-28-120(C)(2) which have satisfied the minimum required on-site public land dedication are eligible for public land dedication cash-in-lieu fee reductions for the development’s remaining obligation based on the following matrix:

Public Land Dedication Cash-in-Lieu Fee Reduction Matrix for, For-Rent Income Aligned Units		AMI Level of Income Aligned For-Rent Units in Development**				
		60% or below	61-70%	71-80%	81-90%	91% or Greater
Income Aligned For-Rent Units Share of Residential Development	100%	100%	80%	60%	40%	0%
	80%	80%	65%	50%	30%	0%
	60%	60%	50%	40%	20%	0%
	40%	40%	35%	20%	10%	0%
	20%	20%	20%	10%	0%	0%
	0%	0%	0%	0%	0%	0%

Note: 100% means there is a 100% reduction in the cash in lieu fee, whereas 0% means there is no reduction in the cash in lieu fee.
**** For additional clarity for developments with blended affordable rates, the calculation will use a blended rate for the development (i.e. 60% AMI for 30 units and 80% AMI for 121 units in a 100% income aligned development would result in a blended rate of 76% AMI, which results in a 60% cash-in-lieu reduction.)**

16-28-150 Dedication; policy determination considerations.

(A) In determining which of the above policies to implement, the land use review commission and the city council will consider the following: the size of the development and its adequacy for accommodating a suitable public use site; the public facility aspects of the city's master plan and the applicable school district's master plan; existing parks and other public uses in the area; the topography, geology, and location of land in the subdivision available for dedication; the needs of the people in the area; and any other appropriate factors.

(B) Land dedicated to the city shall be free of liens and encumbrances.

16-28-160 **150** Dedication; previous arrangements.

The public land dedication requirements shall not apply where satisfactory dedication arrangements were made and approved by the city council at the time of annexation or previous subdivision of the same property.

~~16-28-170 Reservation; schools and other public places.~~

~~Reservation of additional sites for public uses, including schools, shall be mutually agreed upon by the subdivider and the city council following recommendations from public agencies directly involved in the development and service of the area. These reserved sites shall be delineated on the final plat and reserved for public purchase.~~

Section 3.

Chapter 17-04, Definitions, of the Broomfield Municipal Code is amended as follows:

17-04-304 - Open Space

Open Space means a parcel of land intentionally protected from development and/or set aside for unstructured, passive recreation and the appreciation of natural surroundings. Open Space may contain but is not limited to trailheads and trails, water bodies, wetlands, wildlife viewing areas, agricultural lands, fishing facilities, and other facilities that support uses compatible with site resources and conditions. Open Space is deemed to be in use for a public purpose.

17-04-313 - Private Recreational Area

Private Recreational Area means an outdoor recreational space that is privately owned, maintained and used for leisure, enjoyment, and outdoor activities by a specific group, like residents of a community or owners of a particular property. Private recreational areas include but are not limited to: private parks, private playgrounds or similar play equipment, private outdoor recreation spaces such as pools, playing courts and fields, and private golf courses.

17-04-314 - Private Recreational Facility

Private Recreational Facility means an indoor recreational space that is privately owned, maintained and used for leisure, enjoyment, and indoor activities by a specific group, like residents of a community or owners of a particular property. Private recreational facilities include, but are not limited to: private community centers and clubhouses, private fitness centers, and private indoor playing courts.

17-04-322 - Public Recreational Area

Public Recreational Area means an outdoor recreational space that is owned by a governmental or quasi-governmental entity, such as a city, county, or metropolitan district, that is maintained and used for leisure, enjoyment, and outdoor activities by the public. Public recreational areas include but are not limited to: public parks, public playgrounds or similar play equipment, public outdoor recreation spaces such as trails, playing courts and fields, and public golf courses.

17-04-324 - Public Recreational Facility

Public Recreational Facility means an indoor recreational space that is owned by a governmental or quasi-governmental entity such as a city, county, or metropolitan district, that is maintained and used for leisure, enjoyment, and indoor activities by the public. Public recreational facilities include but are not limited to: public community centers and clubhouses, public fitness centers, and public indoor playing courts.

Section 4.

Section 17-38-120, PUD Plan; review standards, of the Broomfield Municipal Code is amended as follows:

17-38-120 - PUD plan; review standards.

The recommendation of the land use review commission and the decision of the city council shall be based on whether the applicant has demonstrated that the proposed PUD plan meets the following standards:

- (A) The proposal should be consistent with the intent of this chapter as set forth in section 17-38-010.
- (B) The proposal should be consistent with the ~~master plan~~ **comprehensive plan**.
- (C) The proposal should identify and mitigate potential negative impacts on nearby properties, other areas of the city, and the city as a whole.
- (D) The proposal should identify and maximize potential positive impacts on nearby properties, other areas of the city, and the city as a whole.
- (E) The proposal should include adequate facilities for pedestrians, bicyclists, and motorists.
- (F) The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.
- (G) The proposal should optimize conservation of energy, water, and other resources on a broad scale.
- (H) The land uses within the plan should be compatible with one another and with nearby properties.
- (I) The proposal should provide for ~~open space~~ **private open area** at a rate of not less than ~~40%~~ **30%** of the developable site in residential areas and 25% in other areas as provided in section 17-38-240 below.
- (J) The proposal should be in general conformance with the Open Space, Parks, Recreation, and Trails (OSPRT) Plan, including the Park Design Standards and Trail Design Standards, riparian corridor protection, tree preservation, native vegetation restoration and wildlife protection guidelines.**
- (K) ~~(J)~~ The proposal should adequately provide for an organization for ownership and maintenance of any common areas.
- (L) ~~(K)~~ The proposal should justify any proposed deviations from the Broomfield Municipal Code in terms of the overall quality of the plan.**

Section 5.

Section 17-38-220, Review standards, of the Broomfield Municipal Code is amended as follows:

17-38-220 - Review standards.

The decisions of the land use review commission and the city council shall be based on whether the applicant has demonstrated that the proposed site development plan meets the following standards:

- (A) The proposal should be consistent with the intent of this chapter as set forth in section 17-38-010.
- (B) The proposal should identify and mitigate potential negative impacts on nearby properties.
- (C) The proposal should identify and maximize potential positive impacts on nearby properties.
- (D) The proposal should include adequate facilities for pedestrians, bicyclists, and motorists.
- (E) The proposal should include adequate public improvements (both on and off site) to be provided in a timely fashion.
- (F) The proposal should optimize conservation of energy, water, and other resources on a site-specific scale.
- (G) The land uses within the plan should be compatible with one another and with nearby properties.
- (H) The proposal should provide for **private** open area at a rate of not less than ~~40%~~ **30%** of the developable site in residential areas and 25% in other areas as provided in section 17-38-240 below.
- (I) The proposal should be in general conformance with the Open Space, Parks, Recreation, and Trails (OSPRT) Plan, including the Park Design Standards and Trail Design Standards, riparian corridor protection, tree preservation, native vegetation restoration and wildlife protection guidelines.**
- (J) ~~(J)~~ The proposal should include any common areas serving the site, and adequate provisions should be made for the ownership and maintenance of such areas.
- (K) ~~(K)~~ The proposal should justify any proposed deviations from the Broomfield Municipal Code in terms of the overall quality of the plan.
- (L) ~~(L)~~ The proposal should be consistent with the approved PUD plan.
- (M) ~~(L)~~ For residential-use PUD plans and site development plans, the proposal should be consistent with adopted uniform standards.

Introduced and approved after first reading on August 12, 2025 and ordered published in full.

APPROVED AS TO FORM:

/s/ Nancy Rodgers

City and County Attorney

*Bold type indicates new material to be added to the Broomfield Municipal Code.
Dashes through words indicate deletions from the Broomfield Municipal Code.*

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