



Planning Commission Remote Meeting Instructions for May 11, 2021 Meeting

In order to comply with all health orders and State guidelines to stop the spread of the COVID-19 Coronavirus, no physical location, including the City Council Chambers, will be set up for viewing or participating in this meeting.

Citizen Participation During Hearing

Click the link below to join the virtual meeting. During the public hearing portion, use the Q&A or raised hand features at the bottom of the screen and you will be called upon to speak at the appropriate time.

<https://greeleygov.zoom.us/j/88438982396>

Livestream on YouTube:

View a live stream of the meeting on the City of Greeley YouTube channel

<https://www.youtube.com/CityofGreeley>.

Other options for sharing public comments:

E-mail – Submit to cd_admin_team@greeleygov.com

All comments submitted by e-mail will be read into the record at the appropriate points during the meeting in real time. Comments can be submitted up to and throughout the meeting.

Traditional Mail – Planning Commission, 1100 10th Street, Greeley, CO 80631

All written comments must be received no later than the day of the meeting. Written comments received by mail will also be read into the record in real time.

To download the agenda and agenda packet, click on the "Enter City Meeting Portal" button on the Planning Commission web page – <https://greeleygov.com/government/b-c/boards-and-commissions/planning>. You may also call the Planning office at 970-350-9780 if you have any other questions or require special accommodations to attend a virtual hearing.



Chair
Justin Yeater

Vice-Chair
Erik Briscoe

Commissioners
Louisa Andersen
Brian Franzen
Larry Modlin
Chelsie Romulo
Christian Schulte

A City Achieving
Community Excellence

Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

Planning Commission Agenda

May 11, 2021 at 1:15 p.m.

This meeting will be conducted remotely. (See previous page or participation instructions and/or to view the YouTube replay.)

- I. Call to Order & Roll Call
- II. Approval of Agenda
- III. Approval of April 27, 2021 Minutes
- IV. Public meeting to consider a request for a preliminary plat on a 162.668 acre site to create 4 lots and 6.592 acres of dedicated rights-of-way

Project: Tointon Academy Preliminary Subdivision Plat

Case No.: SUB2020-0028

Applicant: Thomas Rudary of DLR Group, on behalf of Kent Henson of Greeley-Evans School District, and the City of Greeley

Location: West of 71st Avenue, east of 77th Avenue, north of 10th Street, and south of 4th Street

Presenter: Brittany Hathaway, Planner III

- V. Public hearing to consider a Final PUD Amendment, located at 4214 Centerplace Drive, to revise the allowed uses to those listed within the C-H (Commercial High Intensity) zoning district except for auto and residential uses and to allow modifying guidelines and site improvements

Project: Lot 2, Centerplace 2nd Filing Phase 3 Final PUD – 1st Amendment

Case No.: PUD2021-0008

Applicant: Erica Vester

Location: 4214 Centerplace Drive

Presenter: Caleb Jackson, Planner II

- VI. Public hearing to consider a Final PUD Amendment, located at 4330 Centerplace Drive, to revise the allowed uses to those listed within the C-H (Commercial High Intensity) zoning district except for auto and residential uses

Project: Kohls Final PUD 1st Amendment

Case No.: PUD2021-0009

Applicant: Greg Wheeler

Location: 4330 Centerplace Drive

Presenter: Caleb Jackson, Planner II

- VII. Public hearing to consider a request for a Preliminary PUD Amendment to add all C-H (Commercial High Intensity) and R-H (Residential High Density) uses, including schools and removing the commercial acreage cap within Tract B, Promontory Imagine School Second Filing only

Project: Promontory Preliminary PUD, Areas M & N, 1st Amendment

Case No.: ZON2021-0002

Applicant: Weldco Land Investors LLC

Location: North of Highway 34 Bypass, east of Promontory Parkway, south of future 20th Street

Presenter: Mike Garrott, Planning Manager

- VIII. Public hearing to consider amending Title 24 of the Municipal Code regarding household occupancy standards, specifically regarding the number of unrelated adults allowed to comprise a household, as found in the definition of "family" in Section 24-5

Project: Code Update – Household Occupancy Standards

Case No.: CU2021-0001

Applicant: City of Greeley

Presenter: Caleb Jackson, Planner II

- IX. Public hearing to consider amendments to Title 24 of the 2021 Greeley Municipal Code to adopt Chapter 1 (General Provisions) and Chapter 2 (Procedures) as part of the overall code update to be adopted by ordinance at a future date

Project: Title 24 – Chapters 1 & 2 – Development Code Update

Case No.: CU2021-0002 & CU2021-0003

Applicant: City of Greeley, Community Development Department

Presenter: Carol Kuhn, Chief Planner

- X. Staff Report

- XI. Adjournment

PLANNING COMMISSION MEETING DATES:

Meetings are held on the 2nd and 4th Tuesdays of the month at 1:15 p.m.

May 25, 2021

June 8, 2021

June 22, 2021

July 13, 2021

July 27, 2021

August 10, 2021

August 24, 2021

September 14, 2021

September 28, 2021

October 12, 2021

October 26, 2021

November 9, 2021

November 23, 2021

December 14, 2021

December 28, 2021



PLANNING COMMISSION

Proceedings

April 27, 2021
1:15 p.m.

(Zoom Webinar and viewable on City of Greeley YouTube)

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m.

II. Roll Call

Chair Yeater, Commissioners Andersen, Briscoe, Franzen, Modlin, Romulo and Schulte were present.

III. Approval of minutes for meeting held on April 13, 2021

Commissioner Andersen moved to approve the April 13, 2021 minutes. Commissioner Romulo seconded the motion. Motion carried 7-0.

IV. Housing Plan Update

Presenter: Benjamin Snow, Economic Health & Housing Director

Benjamin Snow, Director of Economic Health & Housing (EHH) addressed the Commission and presented the Greeley Strategic Housing Plan update. He described the purpose of the Plan and emphasized how EHH is engaging with businesses and developers to consider Greeley for their projects. Mr. Snow advised that EHH is working closely with Community Development on amending the Development Code to promote housing choice, minimize development costs for affordable housing, and complete subarea and neighborhood plans

Mr. Snow focused on three projects that are either new or in progress, including Apartments at Maddie, 55 Resort Apartments, and University Flats. He shared the success of a private activity bond (PAB) strategy and explained how the City is teaming up with Weld County to leverage PAB and Colorado Housing and Finance Authority (CHFA) funds to create affordable housing options. Mr. Snow presented a Housing Ladder tool and

explained how EHH is working to fill in some of the missing or under represented rungs on the housing ladder with diverse housing options.

Mr. Snow highlighted other projects such as Northridge Trails, Ten West Greeley Apartments, Northridge Estates and Westgate and shared a new tool using GIS layers to identify sites for housing development. He acknowledged the impact of raw water costs on housing affordability and noted that the Terry Ranch project will provide a good long-term solution for Greeley.

V. A public hearing to consider amending Title 18 (to be re-codified as Title 24) of the Municipal Code regarding household occupancy standards, specifically regarding the number of unrelated adults allowed to comprise a household, as found in the definition of “family” in Appendix 18-B (to be re-codified as Section 24-5)

Project Name: Code Update: Household Occupancy Standards
Case No.: CU2021-0001
Applicant: City of Greeley
Presenter: Caleb Jackson, Planner II

Chair Yeater noted that staff is requesting a continuance of this item and advised those joining the virtual meeting that a hearing would take place on May 11, 2021.

Commissioner Andersen moved that the Planning Commission continue the consideration of a code update regarding household occupancy standards, case number CU2021-0001, to the regular Planning Commission meeting on May 11, 2021. Commissioner Franzen seconded the motion. Motion carried 7-0.

VI. A public hearing to consider a request for a Use by Special Review to allow for a 30-unit apartment complex

Project Name: Immaculata Plaza II Multifamily USR
Case No.: USR2020-0008
Applicant: Troy Spraker, of Lamp Rynearson, on behalf of Archdiocesan Housing Inc.
Location: 923 6th Street
Presenter: Kira Stoller, Planner II

Kira Stoller addressed the Commission and introduced the project. Ms. Stoller provided an aerial photo showing the location of the site and described the surrounding area, noting that the site is located within the Redevelopment District. She presented photographs of the existing structure on the site and the vacant lot adjacent to the site.

Ms. Stoller explained that the site encompasses two parcels that are proposed to be combined into one lot by way of a minor subdivision that will be processed administratively. She provided a brief history of the apartment building that is currently used for senior and low-income housing and stated that the new structure being proposed would operate in the same fashion.

Ms. Stoller presented a landscaping plan and site plan of the proposed new building, pointed out the setbacks and described the parking and recreational amenities. She noted that the applicant proposes a combination of indoor and outdoor spaces, a common patio area, pedestrian benches and a shared pathway between buildings. Ms. Stoller added that the lobby would include soft seating, a room for fitness activities, and a computer room for internet access by residents. She presented the building elevations, highlighting mixed materials on the exterior.

Ms. Stoller presented a slide explaining requests for alternative compliance and reduced parking, stating both requests had been approved by the Community Development Director. She noted that alternative compliance is allowed by Code for sites within the Redevelopment District where strict compliance with code may be impractical or impossible and equivalent standards can be provided in a creative way. Ms. Stoller explained that all units would have a Juliet balcony rather than a usable patio or deck. Regarding parking, Ms. Stoller reported that the property qualifies as an infill site and the applicant proposes to provide 22 percent of the required parking with 20 stalls (eight on site and 12 on the street).

Ms. Stoller summarized the Use by Special Review (USR) approval criteria, stating that the proposal is consistent with the Comprehensive Plan, compatible with the area, physically suitable for the site, provides no adverse impact to traffic or parking, and does not create a cumulative effect with other USRs in the area. Notice letters were mailed to 33 owners within 500 feet of the site, signs were posted and legal notice was provided in the local newspaper with no comments received. Staff recommended approval.

Referring to the outdoor usable space, Commissioner Andersen asked why that requirement did not apply to the existing building. Ms. Stoller advised that the existing Code was adopted in 1988 and the building was constructed in the mid-1980s with different criteria required to be met for approval. Upon question by Commissioner Andersen, Ms. Stoller advised that the usable outdoor patio area was proposed for all three floors. She advised that the 55 Resort project that came before the Commission previously only requested alternative compliance for units along the street, adding that all units have the space for the project being considered today. Commissioner Andersen also asked whether there were any safety considerations or concerns with an additional external door on apartments in the downtown area. Ms. Stoller was not aware of any safety concerns.

Commissioner Schulte observed that additional parking might be required to accommodate the new building and asked how staff concluded that there would be no impact to traffic or parking, adding that available on-street parking will not increase over time. He also asked whether the proposal to provide 22 percent of the required parking spaces referenced by Ms. Stoller was proportionate to parking at the current structure. Ms. Stoller advised that many of the residents do not have a vehicle and that is likely to be the case with the new structure. Upon question by Commissioner Briscoe, Ms. Stoller explained that the 22 percent figure was determined since the property is located in the Redevelopment District and Code allows the Community Development Director to evaluate and make a determination. She agreed that parking is a big item being considered as part of the overall Code update.

Commissioner Modlin asked whether an alternative was being considered in the event parking becomes an issue in the future. Ms. Stoller advised that at this time there is no alternative component, adding that if the Commission has concerns, staff can evaluate adding a condition of approval. Brad Mueller, Community Development Director, addressed the Commission and advised that part of alternative compliance for parking is that it must be approved by the department director. He added that it is important to recognize that the percentage aspect is less important when talking about a low number of units. Mr. Mueller added that the history of a property is also a consideration.

Commissioner Schulte agreed and asked that staff consider each request individually and not make assumptions that because it is determined there is sufficient parking for this project, it would carry over to any other downtown project. Referring to a downtown parking study conducted a few years ago, Mr. Mueller advised that it was less an issue of the amount of available parking as how parking is distributed throughout the downtown area. Don Kirby, Senior Engineer, addressed the Commission and added that the 12 offsite spaces are new and include parking that complies with the Americans with Disabilities Act.

Justin Raddatz, 6240 Smith Road, Denver, Colorado, addressed the Commission on behalf of the applicant and stated that this is a great infill project for the City of Greeley and serves a much-needed segment of the community. He added that the location is perfect for residents in terms of walkability and will allow the two units to operate as a campus. Mr. Raddatz was grateful for the consideration and offered to answer any questions.

Commissioner Franzen asked what type of transportation is utilized by the current tenants. Mr. Raddatz stated that he visited with the site manager who has managed the property for the past ten years who indicated that during that time, he has not seen all eight spots for Immaculata Plaza I completely filled. He added that the senior center is located across the street and that Immaculata Plaza I and II are within walking distance of the downtown area. Mr. Raddatz added that many tenants use public transportation and that the property uses a 15-passenger van for organized activities for residents. He advised that eight spots for the 25 existing units have been more than sufficient.

Chair Yeater opened the public hearing at 1:58 p.m. There being no communication by U.S. mail, email or Zoom Chat or Q&A, the public hearing was closed at 1:58 p.m.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the proposed Use by Special Review for a residential apartment complex in the C-H (Commercial High Intensity) zone district is consistent with the Development Code criteria of Section 18.20.070; and, therefore, approves the Use by Special Review. Commissioner Briscoe seconded the motion. Motion carried 7-0.

VII. Staff Report

Brad Mueller reported that work to update the Development Code is ongoing and added that there will be some busy meetings in the future. He advised that there are several items on the May 11 agenda and asked if Commissioners could be available for a lengthy meeting on that date. Following questions from the Chair about timing and logistics, the

Commissioners advised that they would clear their calendars for the afternoon. Upon question by Chair Briscoe, Mr. Mueller reported that a return to in-person meetings would be evaluated using various data, including the number of new COVID cases in the city, county and state and whether the numbers continue to decrease.

VIII. Worksession: Development Code Update – Chapter 2 - Procedures

Presenter: Carol Kuhn, Chief Planner

Carol Kuhn addressed the Commission and described the contents of Chapter 2 – Procedures. She presented a Chapter 2 table of contents and reviewed information presented at previous meetings. Ms. Kuhn described some of the enhancements such as addressing concurrent applications, public noticing, identifying the notice area, and changing the noticing requirement regarding minor variances. She also provided a brief description of options being added regarding minor and major subdivisions.

Upon question by Commissioner Modlin, Ms. Kuhn stated that staff is working with other parties and stakeholders, including a Development Code advisory committee, builders, developers and community members. She added that staff has also presented information at meetings of the Downtown Development Authority, Rotary and other organizations. Ms. Kuhn added that staff also plans to send portions of Chapter 2 to applicants who have made similar applications in the past two years and request their feedback and input.

Commissioner Andersen observed the number of variance requests submitted over the past few years and asked whether issues such as a design flaw might be remedied under the new Code. Ms. Kuhn responded that the Code should provide more latitude regarding allowances for alternative compliance and reduce the number of variance requests. Chris Brewster from Gould Evans added that the current Code contains several competing sections of flexibility and the goal is to enable staff to decipher the type of variance and use administrative discretion on any pure theoretical planning variance. He added that the desire is for a variance to be used only for issues that are truly unique and beyond a landowner's control.

IX. Adjournment

The meeting adjourned at 2:25 p.m.

Justin Yeater, Chair

Brad Mueller, Secretary

PLANNING COMMISSION SUMMARY

ITEM: Preliminary Plat for 4 Lots and 6.592 Acres of Dedicated Right-of-Way on 162.668 Acres Zoned Conservation District (C-D), Residential Low Density (R-L) and Residential High Density (R-H)

FILE NUMBER: SUB2020-0028

PROJECT: Tointon Academy Preliminary Plat

LOCATION: West of 71st Avenue, east of 77th Avenue, north of 10th Street, and south of 4th Street

APPLICANTS: Thomas Rudary of DLR Group on behalf of Kent Henson of Greeley-Evans School District and the City of Greeley.

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE:

PLANNING COMMISSION FUNCTION:

Review the proposed preliminary plat for compliance with the applicable provisions of the Subdivision Regulations, Development Code, and Comprehensive Plan of the City of Greeley and either approve, approve with conditions, or deny the request based on the review criteria in 24-157 (formerly 18.04.400).

EXECUTIVE SUMMARY

The applicant is requesting approval of a preliminary plat for a 162.668 acre site to create 4 lots for the existing Boomerang Golf Course, a proposed K-8 school site, 6.592 acres of dedicated rights-of-way, and future development. (*See Attachment D*).

A. REQUEST & BACKGROUND

On January 5, 2021 the City of Greeley entered into an Intergovernmental Agreement (IGA) with the Greeley-Evans School District 6 (ORD 01, 2021) (*See Attachment C*). The IGA provides terms and conditions for a land swap and funding to the City to coordinate and facilitate the relocation and golf play-improvement of portions of the Boomerang Golf Course, relocation of irrigation, fairways and non-potable system infrastructure, and upgrades to detention facilities.

Terms of the IGA are that the District would provide funding to the City and facilitate the relocation and improvements of three and a half (3 ½) golf fairways, greens, ditches, and ponds.

Once relocated, the City and District 6 would conduct a nearly even swap of approximately 25 acres.

The project contributes to the Water and Sewer Department's Strategic Work Plan goals, which aim to increase conservation of City water resources and implementation of a non-portable irrigation water system to serve the surrounding area.

At this time of preliminary plat, the City is finalizing capital improvement plans for the golf course realignment (CIP2021-0003) and has approved the site plan (SPR2020-0021) for the proposed K-8 school, "Tointon Academy for Pre-engineering".

Once the CIP project is approved and funded and the final plat has been approved, the land swap could occur.

The preliminary plat under consideration, includes a total land area of 162.668 acres. The land is zoned Residential Low Density (R-L), Residential High Density (R-H), and Conservation District (C-D). The City golf course portion of the development is currently zoned R-L and the School District-owned property includes lands zoned R-H and C-D. The C-D zoned portion includes an area of wetlands and detention. See below:



Current parcel layout and zoning

Upon transfer of land per the IGA, Lot 3 is to be owned by the City of Greeley for the Boomerang Golf Course, and Lots 1, 2, and 4 are to be owned by the Greeley-Evans School District. The intent is for the development of a new K-8 Academy on Lot 2 in addition to the realignment of the Boomerang Links Golf Course south of 4th Street.



Proposed land swap

It should be noted that the platting would result in split zoning of the subject lots. However, location of the current uses and proposed improvements are permitted in each of the zoning districts and therefore would not result in a non-conforming situation. It would be Staff's recommendation to resolve the split-zoning through a rezone request upon any future residential or commercial development.

B. STAFF RECOMMENDATION

Approval of the Tointon Academy Preliminary plat.

C. LOCATION

Abutting Zoning:

North: R-L (Residential Low Density) and Industrial Low Intensity (I-L)

South: 10th Street and R-E (Residential Estate)

East: R-H/DCMP (Residential High Density with a Development Concept Master Plan Overlay), and C-H/DCMP (Commercial High Intensity with a Development Concept Master Plan Overlay)

West: Weld County Limits, C-H (Commercial High Intensity) and R-L (Residential Low Density)

Site Characteristics:

The site is partially developed with the Boomerang Links Golf Course. Existing attached sidewalks are located along 71st Avenue and 4th Street.

Surrounding Land Uses:

North: Boomerang Links Golf Course, Banner Health, commercial offices, and a church

South: Single-family residential (Knaus Subdivision)

East: Bank, assisted living, self-storage, and City Center West residential development

West: Public Service Co of Colorado and undeveloped land

D. APPROVAL CRITERIA

Preliminary Subdivision Plat

Section 24-157(Preliminary Plat) of the Development Code states that:

“The preliminary plat stage of land subdivision is intended to provide for the detailed planning and review of a preliminary subdivision plat and related supporting documents.”

The review criteria found in Section 24-161 (Preliminary Plat Review) of the Greeley Development Code shall be used by the Planning Commission when considering all preliminary subdivision plat requests.

Development Code Section 24-161 (Preliminary Plat Review).

“In taking action on a preliminary plat, the Planning Commission shall consider any comments received from agencies or offices receiving copies of the preliminary plat, as well as the staff recommendation. The commission shall also consider if the proposed preliminary plat meets the following standards in taking action to approve, approve with conditions, deny or table the plat for future consideration:”

(1) All requirements of the zoning district in which the subject property is located have been met, and street width or other performance options, if applicable, have been approved by the Public Works Department.

Staff Comment: The proposed preliminary plat meets standards found within Section 24-157 (Preliminary Plat) of the Development Code.

(2) All requirements of this Chapter have been met, or variances have been requested from the Planning Commission.

Staff Comment: No variances are being requested from the Planning Commission, all of the requirements of this Chapter have been met.

- (3) *The proposed preliminary plat is in conformance with any approved development concept master plan for the property.*

Staff Comment: There is no approved development concept master plan for this property. This criteria does not apply.

Roadway Improvements

Dundee Avenue would be designed as a 60' right-of-way and dedicated to the City. This roadway would be constructed as a 2-lane residential road. The west side of Dundee Avenue would have an 8' pedestrian path to accommodate biking.

The applicant would also construct an extension of 8th Street, west of 71st Avenue, as a collector. Eighth Street as designed, would include an 80' right-of-way with dedicated turn lanes including a dedicated southbound right hand turn lane and a northbound left hand turn lane onto 71st Avenue. On-street bike lanes along 8th Street would also be provided.

Additionally, approximately 1.177 acres of additional right-of-way along 4th Street would also be dedicated and improved.

Phasing

The applicant intends to construct all public improvements and roadway construction in one phase.

E. PHYSICAL SITE CHARACTERISTICS

1. HAZARDS

There are no known hazards on the site.

2. WILDLIFE

There are no known significant wildlife species in the subject area. Any active prairie dog holes that may exist within the development area must be mitigated to comply with Section 24-1218 of the City of Greeley's Development Code.

3. FLOODPLAIN

The subject property is not in the floodway or floodplain as identified by Federal Emergency Management Administration (FEMA) flood data.

4. DRAINAGE AND EROSION

The applicant provided a preliminary drainage report which was reviewed with the preliminary plat submittal.

On-site detention would be provided by improved private detention ponds, which would be located on Lots 1 and 2, as well as off-site detention on Lot 3, in the City's non-potable

water pond. A final drainage report, sediment and erosion control plan, and stormwater management plan would be provided with the final plat application.

5. TRANSPORTATION

A traffic study was provided and reviewed with the preliminary plat.

The proposed land use is expected to generate approximately 2,145 daily trips, 717 AM peak hour and 369 afternoon peak hour trips at full school enrollment under the assumption of approximately 1,072 students, including the current Boomerang Golf Course.

The provided traffic analysis determined that the existing roadway and intersection network can serve the project both in near and long-term scenarios with minimal impacts with required improvements, including but not limited to, a traffic signal at the intersection of 71st Avenue and 8th Street, dedicated turn lanes, and separate decal lanes as shown on the preliminary plans.

Pedestrian ADA access and crosswalk striping would also be updated at the intersections of 71st Avenue and 8th Street, and Dundee Avenue and 4th Street.

F. SERVICES

1. WATER

Water is considered adequate for the proposed school use and related demand. Two proposed connections to the existing 8" water main system would be provided. These connections occur at the intersections of Dundee Avenue and 4th Street as well as 71st and 8th Street.

2. NON-POTABLE WATER

The City is currently modifying the non-potable pond located on the City golf course. Tointon Academy is working with the City on this development and is proposing a non-potable public pipeline system that would be used to water the school's pervious area, the surrounding future development, and would extend across 71st Avenue to water a developing City park located in City Center West, Filing 2 development.

The non-potable water main would connect via a 12" pipeline from the non-potable pond and is proposed to be constructed east to Dundee Avenue.

3. SANITATION

Sanitary sewer is considered adequate for the proposed school use and related demand. Proposed connection would be via 8" and 10" sanitary sewer mains that would tie into the City Center West development.

4. EMERGENCY SERVICES

The subject site is already served by municipal Fire and Police services. The City of Greeley's Fire Station #7, located on 10th Street is the nearest fire station; approximately 1.2 miles from the subject site.

The nearest police station is located on 10th Street and 28th Avenue, approximately 4.3 miles from the subject site.

5. PARKS / OPEN SPACES

Land dedication is not required for school uses.

6. SCHOOLS

The proposed project is located within Greeley-Evans School District 6. The school district is an applicant on this request of which includes land for future development of a new K-8 school campus.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

Future development of the school campus may result in a visual impact for both the Boomerang Links Golf Course and surrounding development. Any development would be required to comply with the City of Greeley development standards and building and design guidelines.

2. NOISE

No significant impacts are anticipated due to limited school hours. Any potential noise created by this development would be regulated by the Municipal Code.

H. PUBLIC NOTICE AND COMMENT

Notification is not required for preliminary plats since there is no hearing associated with the application; a public meeting is required for preliminary plats.

I. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the Tointon Academy Preliminary Plat is in compliance with the provisions of the Subdivision Regulations and Development Code criteria outlined in Section 24-161 and therefore approves the preliminary plat as presented.

ATTACHMENTS

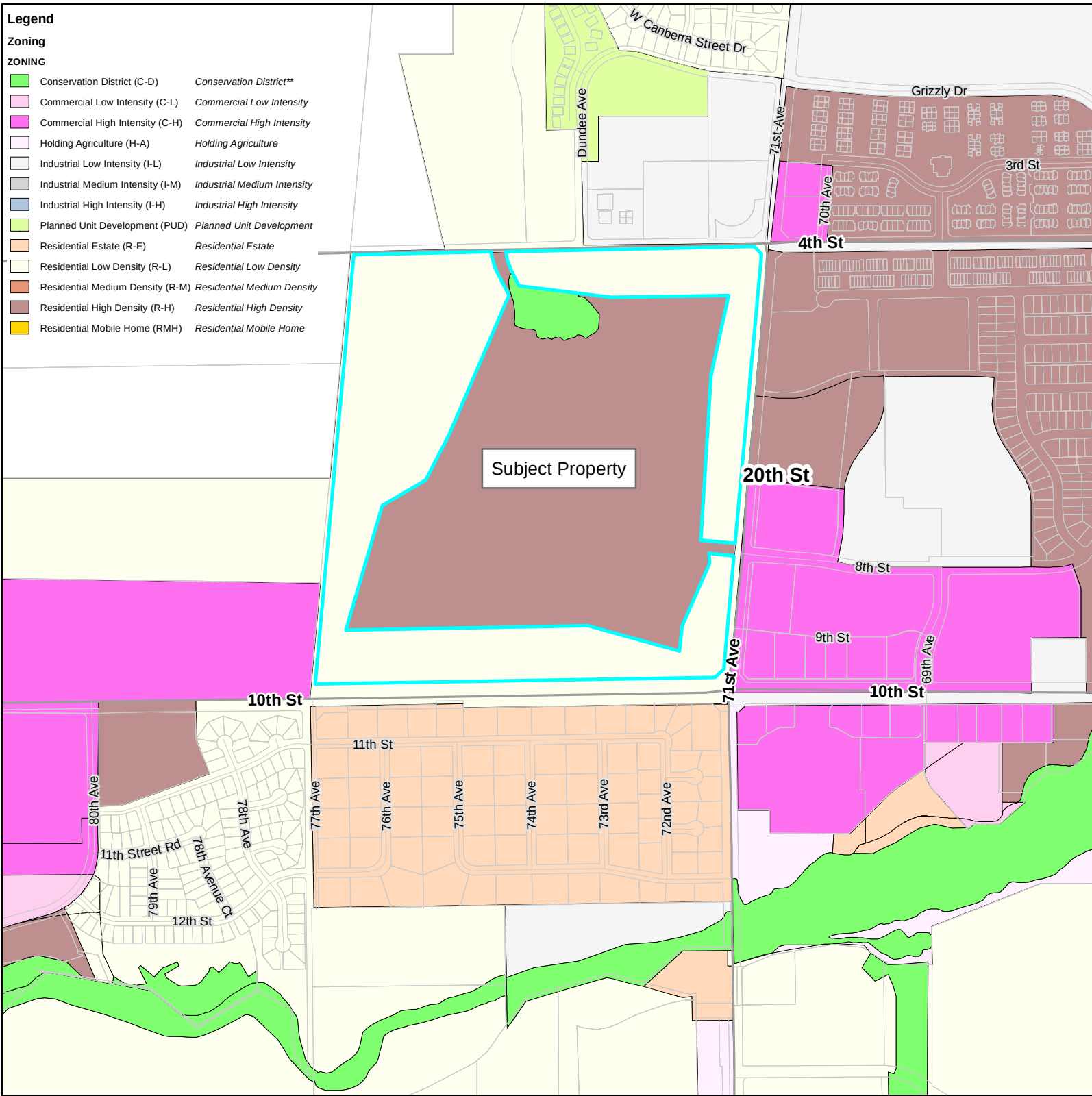
Attachment A –Vicinity Map

Attachment B – Narrative

Attachment C – ORD 01, 2021
Attachment D – Preliminary Plat

Vicinity Map

Tointon Academy Subdivision - Preliminary Plat



SUB2020-0028

25 November 2020

Tointon Academy of Pre-Engineering (PK-8 School)
Preliminary Subdivision Review Submittal
DLR Group Project No.: 37-20231-00

Attachment 4: Project Narrative

Weld County School District 6 passed a school bond initiative in November 2019, a portion of which included the design and construction of a new K-8 school. The new school will be a two story, 140,000 SF building and will be named "Tointon Academy of Pre-Engineering." It will be built on the west side of Greeley, located between 4th Street and 10th Street, west of 71st Avenue. The parcel used for the school will account for approximately 34 acres of the 88-acre site; the remaining area includes a 4.5 acre loop road, and additional outparcels to be developed in the future.

The Tointon Academy will house grades Kindergarten through 8th and will include a pre-kindergarten program. The school is laid out in a "bow-tie" configuration, with four separate wings connected by a central common area containing administration, cafeteria, and a 2nd story learning commons. The southwest and northeast wings are identical two-story classroom communities. The southeast wing is a single-story mass containing the kindergarten and pre-kindergarten programs, and has its own dedicated entrance, parking, and drop-off area. Finally, the northwest wing hosts the kitchen, music programs, and a double-height mass containing two gyms and a stage.

In addition to the new school building, the school's parcel will be developed to address parking, landscaping, playgrounds, athletic fields, as well as necessary grading, drainage and utility infrastructure. The primary parking area is on the east side of the site, with additional parking at the pre-k wing, and proposed future parking on the west side of the property. Athletic fields include a multi-purpose field sized for soccer and football, encircled by a quarter-mile track. A softball field with future bleachers will be provided to the north. Space is provided for future additional multi-purpose fields and tennis courts. The site slopes gently to the north and east; detention areas are provided to address run-off.

Site construction is anticipated to begin in Winter 2021 and will continue until the new school opens for the 2022 academic school year.

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. 1, 2021

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF GREELEY TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT WITH GREELEY-EVANS SCHOOL DISTRICT 6 REGARDING RELOCATION OF A PORTION OF BOOMERANG LINKS GOLF COURSE, RECONFIGURATION OF NON-POTABLE IRRIGATION FACILITIES, AND LAND EXCHANGE

WHEREAS, the City of Greeley (“City”) owns a parcel of land located at 7309 West 4th Street (the “City Property”) known as the Boomerang Links Golf Course (“Golf Course”); and,

WHEREAS, Greeley-Evans School District 6 (“District”) owns a vacant parcel of land adjacent and interior to the City Property (“District Property”) with plans to develop a K-8 school (“District Project”); and

WHEREAS, the District has identified an interest, as part of the District Project, in reconfiguring and improving access to the District Property; and

WHEREAS, the City has identified an opportunity, in alignment with the District Project, to make needed improvements to the Golf Course including reconfiguration and improvement of the recreation facilities and non-potable irrigation system infrastructure (“Golf Course Project”); and

WHEREAS, to facilitate the District Project and the Golf Course Project, the City and the District wish to exchange portions of the City Property (“City Exchange Property”) and District Property (“District Exchange Property”), as depicted on **Exhibit A**, (“Land Exchange”); and

WHEREAS, the District has agreed as part of the Land Exchange to compensate the City in the amount of \$1,763,664 toward the construction of the Golf Course Project; and

WHEREAS, the City has determined that, upon completion of the Golf Course Project, the City Exchange Property will not be needed for any public purpose and so may be conveyed, by exchange, to the District; and

WHEREAS, the City and the District have agreed to negotiate an Intergovernmental Agreement (“IGA”) to outline the terms and conditions of the Land Exchange and obligations related to the District Project and the Golf Course Project; and

WHEREAS, it is in the best interest of the citizens of the City to enter into an IGA with the District.

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

Section 1. The Greeley City Council authorizes the Mayor to execute the IGA, attached hereto and incorporated herein as **Exhibit B**.

Section 2. The Greeley City Council hereby ratifies all actions taken (not inconsistent with the provisions of this ordinance) by the officers, agents, and employees of the City in connection with the actions described above.

Section 3. This ordinance shall take effect five (5) days after its final publication as provided by the City Charter section 3-16.

PASSED AND ADOPTED, SIGNED AND APPROVED this 5TH day of JANUARY, 2021.

ATTEST:



THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

Attachment: Exhibit A – Boomerang Land Exchange Map
Exhibit B – Boomerang IGA



- LAND TRANSFERRED FROM CITY GOLF COURSE TO DISTRICT 6 (~24.7 ACRES)
- LAND TRANSFERRED FROM DISTRICT 6 TO CITY GOLF COURSE (~24.7 ACRES)

INTERGOVERNMENTAL AGREEMENT FOR
EXCHANGE OF REAL PROPERTY BY
CITY OF GREELEY AND WELD COUNTY SCHOOL DISTRICT 6

THIS INTERGOVERNMENTAL AGREEMENT (the “Agreement”) is made and entered into this 5th day of January, 2021 (the “Effective Date”), by and between the **City of Greeley, a Colorado home rule municipality (the “City”)**, and **Weld County School District 6 (the “District”)**, a Colorado public school district, for the exchange of real property located in Weld County, Colorado

RECITALS

WHEREAS, in accordance with C.R.S. §31-15-101 and Article XX of the Colorado Constitution, the City is a home rule municipality with the power to acquire and dispose of real property on terms and conditions that it may determine and approve; and

WHEREAS, in accordance with C.R.S. §22-32-110(1)(b) and (e), the District is a political subdivision and body corporate with the power to purchase and sell real property on such terms and conditions as it may determine and approve; and

WHEREAS, under C.R.S. §29-1-2013, the City and the District may contract with one another to provide any function, service, or facilities; and

WHEREAS, the City owns real property located in Weld County, Colorado, which is part of the Boomerang Links Golf Course and is more particularly described on Exhibit A, attached hereto and incorporated by reference herein (the “City Property”); and

WHEREAS, the District owns real property located in Weld County, Colorado, which is part of a new PK-8 School and is more particularly described on Exhibit B, attached hereto and incorporated by reference herein (the “District Property”); and

WHEREAS, the District desires to acquire the City Property from the City for District purposes, including, but not limited to, providing better access to the new PK-8 School via 71st Avenue and 4th Street (the “School Project”); and

WHEREAS, the City desires to acquire the District Property from the District for City purposes, including, but not limited to, relocating portions of the Boomerang Links Golf Course (the “Golf Course Relocation”) and non-potable water transmission and storage facilities to better meet the needs of the City (the “Water Facilities Relocation”), together the “City Improvements”; and

WHEREAS, a party conveying property under this Agreement may herein be referred to as “Conveying Party” and a party receiving property under this Agreement may herein be referred to as “Receiving Party”; and

WHEREAS, the City and the District acknowledge and agree that an exchange of the properties is in each party's best interest; and

WHEREAS, the City and the District desire to enter into this Agreement to define the rights and obligations of each with respect to the exchange of the properties.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, incorporated by this reference, the sufficiency of which is acknowledged, the parties agree as follows:

1. Property.

a. Subject to the terms of this Agreement, the City agrees to convey to the District, and the District agrees to accept from the City, the City Property.

b. Subject to the terms of this Agreement, the District agrees to convey to the City, and the City agrees to accept from the District, the District Property.

2. Additional Consideration.

a. As additional consideration for the City Property and to offset the costs associated with the City Improvements, the District will pay the City the amount of \$1,763,644 at the Closing (the "Purchase Price").

b. In the event that the cost of the Golf Course Relocation is less than \$1,763,644, the City shall reimburse the District the cost difference upon the completion of the Golf Course Relocation.

c. In the event that the cost of the Golf Course Relocation exceeds \$1,763,644, the parties shall meet and confer in good faith about sharing in the cost of the overage, taking into account the benefits provided to the District by the Water Facilities Location. If the parties cannot agree on a cost-sharing arrangement, the matter shall be submitted to a mutually acceptable mediator for resolution. The cost of the mediator shall be divided evenly between the parties.

3. Property Information. Within thirty (30) days after the Effective Date, Conveying Party shall deliver to Receiving Party the following documents:

a. Copies of existing plans and specifications (if any), all utility agreements and reservations related to the property, existing surveys and plats, development agreements/plans, building plans, together with any other information or documents relating to the property that are reasonably requested by Receiving Party or that are in Conveying Party's possession or control.

b. All (i) licenses, permits, approvals, entitlements issued, approved or granted by all governmental authorities in connection with the property, (ii) covenants, conditions and

restrictions, easement agreements and other agreements or documents benefitting and/or burdening the property, and (iii) licenses, leases, consents, easements, rights of way and approvals obtained from private parties to make use of utilities and/or to provide vehicular and pedestrian ingress and egress for the property.

c. A title insurance commitment from Land Title Guarantee Company ("Title Company"), and copies of all documents referenced in the title commitment, in the name of Receiving Party, insuring its property in accordance with the standards set forth herein.

d. All environmental reports and information in Conveying Party's possession or control, including, without limitation, any and all Phase I and Phase II Environmental Studies, and all related studies, reports and documents concerning the property.

e. All available soils/geotech reports and information in Conveying Party's possession or control concerning the property.

4. Inspection.

a. During the period beginning on the Effective Date and ending one hundred eighty (180) days after the Effective Date (the "Due Diligence Period"), Receiving Party, its agents, employees, and contractors, shall have the right to enter upon the applicable property at all reasonable times for the purpose of doing any survey, Phase I or Phase II Environmental Studies, geotechnical or investigation as may be required by such party in its discretion to determine that such property is suitable for its intended purpose. Neither party shall permit any liens or encumbrances to arise against a property in connection with or as a result of such inspections, studies, or investigations.

b. Receiving Party has the right to terminate this Agreement, for any reason or no reason at all, by written notice to Conveying Party given on or before the expiration of the Due Diligence Period.

5. Survey. During the Due Diligence Period, Receiving Party may obtain, at Receiving Party's expense, and may cause to be delivered to Conveying Party and Title Company an ALTA survey of the applicable property that is in a form acceptable to Title Company and is certified to Receiving Party, Conveying Party, and Title Company ("Survey").

6. Platted Parcel.

a. During the period beginning on the Effective Date and ending two hundred seventy (270) days after the Effective Date (the "Government Approval Period"), Conveying Party shall cause the applicable property to be a separately platted parcel. The Governmental Approval Period includes the time for expiration of all applicable protest, appeal, and referendum periods without a protest, appeal, or referendum being filed (or if a protest, appeal, or referendum has been filed, then on the date that such protest, appeal, or referendum has been resolved on terms satisfactory to Receiving Party).

b. Conveying Party shall pursue all necessary approvals of the property as a separately platted parcel (the "Governmental Approvals"), including the recordation of a final plat or similar document in the real property records of Weld County, Colorado at its sole expense. Receiving Party shall cooperate with Conveying Party in its efforts to obtain the Governmental Approvals and will timely execute any and all applications, consents, and other documents reasonably requested by Conveying Party in connection therewith, at no cost to Receiving Party. Conveying Party will provide sufficient advance notice to Receiving Party of all meetings necessary to obtain Governmental Approvals to give Receiving Party an opportunity to attend such meetings; provided, however, that in no event will Receiving Party's presence be a condition to Conveying Party attending or scheduling such meetings, and in no event will Conveying Party be required to delay or postpone any such meetings based on the availability of Receiving Party. Conveying Party will also deliver to Receiving Party copies of all submittals necessary to obtain Governmental Approvals contemporaneously with Conveying Party's submittal thereof and copies of any comments or other correspondence received from the promptly upon Conveying Party's receipt thereof.

7. Possession. The City shall deliver possession of the City Property to the District at Closing. The District shall deliver possession of the District Property to the City at Closing.

8. "As-Is" Conveyance. Each party acknowledges and agrees that the other party is conveying the applicable property in an "as is" condition, "where is" and "with all faults," and without any warranty, express or implied.

9. Closing

a. Closing shall be held on or before the date that is fifteen (15) days after the expiration of the Government Approval Period, at a time and place mutually agreed to by the parties (the "Closing Date"). However, Closing is expressly contingent upon (i) the City Council of the City of Greeley approving the conveyance of the City Property by ordinance, in its discretion, on or before fifteen (15) days prior to Closing and (ii) the Board of Education of the District approving the conveyance of the District Property, in its discretion, on or before fifteen (15) days prior to the Closing.

b. The City and the District will cooperate with the Title Company (the "Closing Company") to enable the Closing Company to prepare and deliver documents required for Closing to the City and the District and their designees. The parties shall furnish any additional information and documents required by Closing Company that are reasonably necessary to complete the conveyance of the properties. The parties shall sign and complete all customary and reasonably required documents at or before Closing.

c. Subject to each party's compliance with the terms of this Agreement, Conveying Party shall execute and deliver a special warranty deed to Receiving Party at Closing conveying the applicable Property free and clear of all taxes and liens, except those exceptions accepted by Receiving Party.

10. Title Policy. As a condition to each party's obligation to close, Title Company shall deliver to Receiving Party at Closing an owner's policy of title insurance issued by Title Company as of the date and time of the recording of the documents set forth in the "Closing" Section, in a mutually acceptable amount, insuring Receiving Party as the owner of good, marketable, and indefeasible fee simple title to the applicable property, subject only to the specific exceptions in the title commitment that the Title Company has not agreed to insure over or remove and that Receiving Party has accepted. Notwithstanding the foregoing, Conveying Party shall remove all monetary liens affecting the applicable property as of Closing (except those caused by or with the written approval of Receiving Party).

11. Closing Costs. Each party shall pay its portion of the closing costs as follows:

Type of Cost	Paid By
Title Policy Premium	Conveying Party
Extended Coverage Endorsement	Receiving Party
Documentary, transfer, excise, sales tax and similar fees	Conveying Party
Recording Fees	Receiving Party
Title Company Fee	Split 50/50
Other Costs Not Specified	Local Custom

12. Prorations. Taxes and assessments if any will be prorated at Closing based on the most recent mill levy and most recent assessed valuation. All other income and ordinary operating expenses for or pertaining to the applicable property, including, but not limited to, public utility charges, maintenance and service charges, will be prorated to the Closing Date.

13. Risk of Loss. Risk of loss to a property due to fire, flood, or any other cause before the Closing Date, shall remain with Conveying Party. If a property is damaged before the Closing Date, then Receiving Party may terminate this Agreement by written notice to Conveying Party given within five (5) days after Receiving Party learns of the damage.

14. Term and Termination.

a. Subject to earlier termination as provided in the "Inspection" Section and the "Risk of Loss" Section, the term of this Agreement shall be from the Effective Date until the Closing Date or November 30, 2021, whichever first occurs.

b. In addition to termination as provided in the "Inspection" Section and the "Risk of Loss" Section, either party may terminate this Agreement for cause upon the material breach of this Agreement by the other party that is not cured within fifteen (15) days of receiving written notice of the breach. Upon such termination the parties will have no further obligations hereunder.

c. Termination of this Agreement shall terminate the rights and obligations of the parties except for such rights and obligations that have accrued prior to the date of termination.

15. Miscellaneous.

a. Governing Law/Venue. The laws of the State of Colorado shall govern the performance and interpretation of this Agreement. Venue for any dispute concerning the Agreement or to enforce any provision herein shall be exclusively in the federal court located in Colorado or the state court located in Weld County, Colorado.

b. No Assignment. This Agreement may not be assigned by either party without the other party's prior written consent.

c. Amendments to Agreement. No changes, alterations or modifications to any of the provisions hereof shall be effective unless contained in a written agreement signed by both parties.

d. Notices. All notices, requests, consents and other communications required or permitted under this Agreement shall be (as elected by the person giving such notice) (i) hand delivered by messenger or courier service, (ii) pre-paid first-class certified mail, return receipt requested, or (iii) emailed addressed to the respective party at the address set forth in this Section. Each such notice shall be deemed delivered (i) on the date delivered if by personal delivery, (ii) on the date received if by electronic mail; or (iii) three (3) days after postmark if mailed as provided in this Section.

To City: The City of Greeley
Attn: Lindsay Kuntz, Real Estate Manager
1000 10th Street
Greeley, CO 80631
Email: lindsay.kuntz@greeleygov.com

To District: Weld County School District 6
Attn: Kent Henson
1025 9th Avenue
Greeley, CO 80631
Email: khenson1@greeleyschools.org

e. Counterparts. This Agreement and any amendments may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. For purposes of executing this Agreement, facsimile or scanned signatures shall be as valid as the original.

f. Waiver. A failure to assert any rights or remedies available to a party under the terms of this Agreement, or a waiver of the right to remedies available to a party by a course of dealing or otherwise shall not be deemed to be a waiver of any other right or remedy under this Agreement, unless such waiver of such right or remedy is contained in a writing signed by the party alleged to have waived his other rights or remedies.

g. Execution of Agreement. This Agreement contains the entire understanding of the parties and supersedes all prior understandings, agreements, or representations by or between the parties, whether oral or written, that in any way relate to the subject matter of this Agreement.

h. No Third-Party Beneficiaries. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the parties.

i. Binding Agreement. This Agreement shall be binding upon and for the benefit of the parties hereto, their successors and assigns.

j. Severability. If any provision of this Agreement is ruled to be invalid or illegal, such ruling shall have no effect upon the remaining provisions, which shall be considered legally binding and given full effect.

k. Exhibits. "Exhibits" shall mean those exhibits that are identified in this Agreement and are attached to this Agreement or will be attached to this Agreement when complete information becomes available. Exhibits are specifically made a part of this Agreement by this reference.

l. Additional Documents or Actions. The parties agree to execute any additional documents or take any additional action that is necessary to carry out this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY

DISTRICT

By: _____

By: Dr. Deirdre Pilech, Superintendent of Schools

Attest:

Attest:

Meggan Sponsler, Chief Financial Officer

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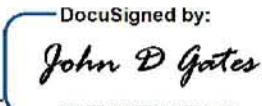
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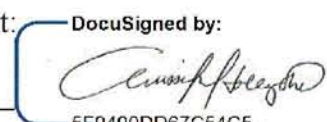
IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

CITY

DISTRICT

By:  7A5BA85214A3443...

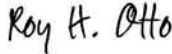
By: _____

Attest:  5F9490DD67C54C5...

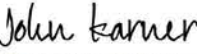
Attest: _____

City of Greeley Additional Signature Page

APPROVED AS TO SUBSTANCE:

By: 
DocuSigned by:
D93D100AE64B4E6
Roy Otto, City Manager

AVAILABILITY OF FUNDS:

By: 
DocuSigned by:
F8DCA83C0CBA494
John Karner, Director of Finance

APPROVED AS TO LEGAL FORM

By: 
DocuSigned by:
38E19E7880E64C7...
Doug Marek, City Attorney

Exhibit A

Exhibit B

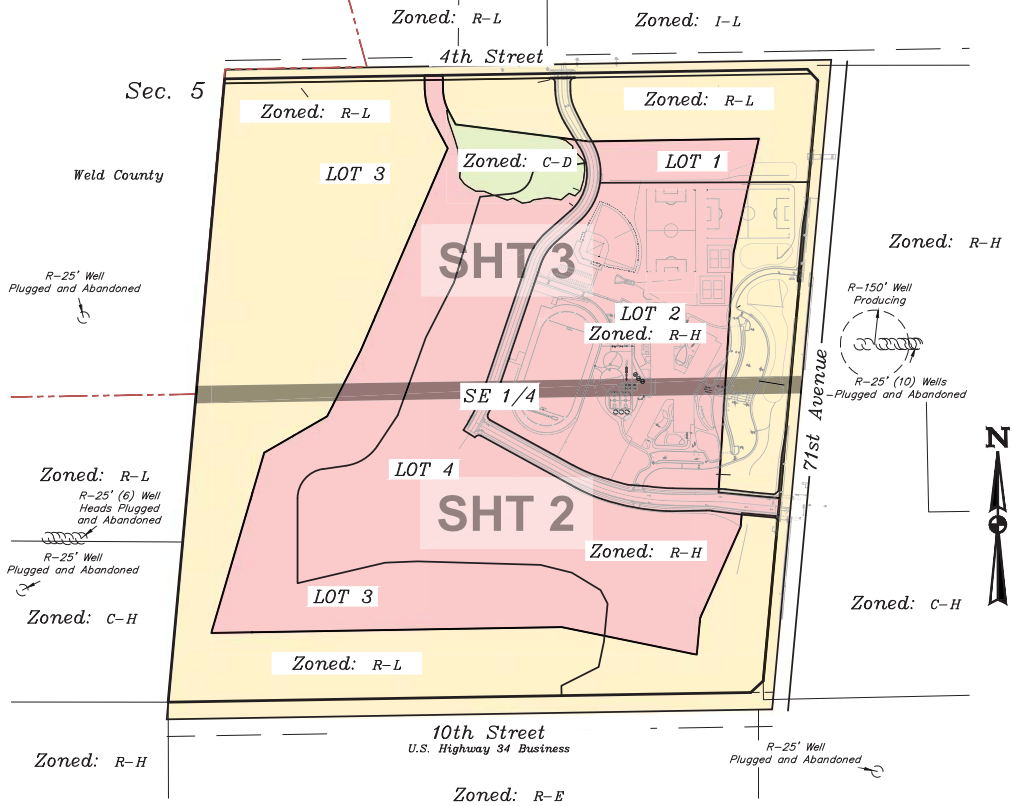
4817-9808-8658, v. 2



SURVEYOR'S NOTES

- A) BEARINGS ARE REFERRED TO THE EAST LINE OF THE SE1/4 OF SECTION 5, T5N, R66W, 6th P.M., AS BEARING N05°12'33"E (GPS OBSERVATION). PROJECT HAS BEEN CHANGED TO CITY OF GREELEY CONTROL NETWORK.
- B) CONTOURS SHOWN ARE 1988 NVAD DATUM AND BASED ON GPS OBSERVATION.
- C) RECORDED EASEMENT, RIGHTS-OF-WAY AND THE LEGAL DESCRIPTION ARE SHOWN PER CHICAGO TITLE INSURANCE COMPANY & UNIFIED TITLE COMPANY OF NORTHERN COLORADO, ORDER No. 19117UTG, DATED APRIL 20,2020.
- D) PER TITLE COMMITMENT, SUBJECT PROPERTY IS SUBJECT TO THE FOLLOWING SCHEDULE B-2 EXCEPTIONS:
- RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.
 - EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN IN THE PUBLIC RECORDS.
 - DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, AND ANY FACTS WHICH A CORRECT SURVEY AND INSPECTION OF THE LAND WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORD.
 - ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
 - DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.
 - UNPATENTED MINING CLAIMS; RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
 - ANY WATER RIGHTS OR CLAIMS OR TITLE TO WATER, IN OR UNDER THE LAND, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.
 - TAXES DUE AND PAYABLE; AND ANY TAX, SPECIAL ASSESSMENTS, CHARGE OR LIEN IMPOSED FOR WATER OR SEWER SERVICE, OR FOR ANY OTHER SPECIAL TAXING DISTRICT. NOTE: UPON VERIFICATION OF PAYMENT OF ALL TAXES THE ABOVE EXCEPTION WILL BE AMENDED TO READ, "TAXES AND ASSESSMENTS FOR THE CURRENT YEAR, AND SUBSEQUENT YEARS, A LIEN NOT YET DUE AND PAYABLE."
 - RESERVATIONS BY THE UNION PACIFIC LAND COMPANY OF (1) ALL OIL, COAL AND OTHER MINERALS UNDERLYING THE LAND, (2) THE RIGHT TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, AND (3) THE RIGHT TO INGRESS AND EGRESS AND REGRESS TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, ALL AS CONTAINED IN DEED RECORDED DECEMBER 8, 1909 AT RECEPTION NO. 148300, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. NOTE: RELINQUISHMENT AND QUITCLAIM BETWEEN UNION PACIFIC LAND RESOURCES CORPORATION AND THE OWNER OR OWNERS OF THE SURFACE ESTATE RECORDED AUGUST 16, 1982 IN BOOK 975 AT RECEPTION NO. 1900609. NOTE: NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED FEBRUARY 26, 2001 AT RECEPTION NO. 2827984, BY HS RESOURCES, INC. (AS SHOWN)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE AGREEMENT RECORDED DECEMBER 17, 1925 AT RECEPTION NO. 475313. (AS SHOWN)
 - AN EASEMENT FOR TRANSMISSION LINE AND INCIDENTAL PURPOSES GRANTED TO UNITED STATES OF AMERICA, AS SET FORTH IN AN INSTRUMENT RECORDED APRIL 1, 1939 A RECEPTION NO. 812385. (AS SHOWN)
 - MINERAL RIGHTS AS CONVEYED BY MINERAL DEED RECORDED JUNE 9, 1952 AT RECEPTION NO. 1132318, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. (BLANKET EASEMENT)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE CONTRACT FOR RIGHT OF WAY, MAINTENANCE AND OPERATION OF THE IGO, MOSIER AND ROTHÉ DRAIN DITCH RECORDED MAY 20, 1953 AT RECEPTION NO. 1155214. (NOT PLOTTABLE)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE MEMORANDUM OF MINING LEASE RECORDED APRIL 24, 1981 IN BOOK 934 AT RECEPTION NO. 1855919. (NOT PLOTTABLE)
 - ALL ITEMS AS SHOWN ON MAP OF STREET AND EASEMENT DEDICATION PLAT OF HEWLETT-PACKARD PROPERTY RECORDED JUNE 15, 1981 AT RECEPTION NO. 1860605 AND CORRECTION PLAT RECORDED MARCH 2, 1983 AT RECEPTION NO. 1919075. (AS SHOWN)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE SURFACE OWNER'S AGREEMENT RECORDED JANUARY 3, 2001 AT RECEPTION NO. 2816987 AND ASSIGNMENT OF SURFACE OWNER'S AGREEMENT RECORDED AUGUST 25, 2011 AT RECEPTION NO. 3788461. (AS SHOWN - PARCEL BOUNDARY)
 - NOTICE OF OIL AND GAS INTEREST AND SURFACE USE RECORDED FEBRUARY 26, 2001 AT RECEPTION NO. 2827984. (NOT PLOTTABLE)
 - ITEMS AS DISCLOSED ON ALTA/ACSM LAND TITLE SURVEY PREPARED BY KING SURVEYORS, INC., DATED MARCH 28, 2001, RECORDED APRIL 17, 2001 AT RECEPTION NO. 2841246. (AS SHOWN - PARCEL BOUNDARY)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS AND AGREEMENTS AS SET FORTH IN THE EASEMENT AGREEMENT RECORDED JULY 27, 2001 AT RECEPTION NO. 2869268. (AS SHOWN)
 - TERMS, CONDITIONS AND RESERVATIONS AS SET FORTH IN THE SPECIAL WARRANTY DEED RECORDED JULY 30, 2001 AT RECEPTION NO. 2869899. (AS SHOWN AND PARCEL BOUNDARY)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE GRANT OF DRAINAGE EASEMENT RECORDED JULY 30, 2001 AT RECEPTION NO. 2869900. (AS SHOWN - PARCEL BOUNDARY - DRAINAGE LOCATION)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE COVENANT RECORDED JULY 30, 2001 AT RECEPTION NO. 2869901. (BLANKET EASEMENT)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE DRY-UP COVENANT RECORDED JULY 27, 2007 AT RECEPTION NO. 3493270. (AS SHOWN - PARCEL BOUNDARY)
 - TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS AND AGREEMENTS AS SET FORTH IN THE MEMORANDUM OF AGREEMENT RECORDED OCTOBER 1, 2007 AT RECEPTION NO. 3507935. (AS SHOWN - PARCEL BOUNDARY)
 - OIL AND GAS LEASE BETWEEN ANADARKO E&P COMPANY LP AND NOBLE ENERGY, INC. RECORDED JULY 30, 2008 AT RECEPTION NO. 3569295, AND ANY INTERESTS THEREIN OR RIGHTS THEREUNDER. (BLANKET EASEMENT)
 - RESTRICTIONS AS SET FORTH IN RESTRICTIVE COVENANTS (NO IRRIGATION) RECORDED APRIL 26, 2011 AT RECEPTION NO. 3764807. (AS SHOWN - PARCEL BOUNDARY)
 - ALL ITEMS AS SHOWN ON ALTA/ACSM LAND TITLE SURVEY BY KING SURVEYORS, INC., RECORDED DECEMBER 7, 2011 AT RECEPTION NO. 3810510. (AS SHOWN - PARCEL BOUNDARY)
 - TERMS, AGREEMENTS, PROVISIONS, CONDITIONS, OBLIGATIONS AND EASEMENTS AS CONTAINED IN RESTRICTIVE USE AGREEMENT, RECORDED NOVEMBER 15, 2012 AT RECEPTION NO. 3888850. (AS SHOWN - PARCEL BOUNDARY)
 - REQUEST FOR NOTIFICATION OF APPLICATION FOR DEVELOPMENT RECORDED JULY 12, 2016 AT RECEPTION NO. 4218393. (BLANKET EASEMENT)
 - OIL AND GAS LEASE BETWEEN ANADARKO LAND CORP. AND KERR-MCGEE OIL AND GAS ONSHORE, LP RECORDED OCTOBER 9, 2017 AT RECEPTION NO. 4342659, AND ANY INTERESTS THEREIN OR RIGHTS THEREUNDER. (BLANKET EASEMENT)
 - OIL AND GAS LEASE BETWEEN ANADARKO LAND CORP. AND KERR-MCGEE OIL & GAS ONSHORE, LP RECORDED OCTOBER 9, 2017 AT RECEPTION NO. 4342660, AND ANY INTERESTS THEREIN OR RIGHTS THEREUNDER. (BLANKET EASEMENT)
 - NO REQUEST FOR NOTIFICATION OF APPLICATION FOR DEVELOPMENT RECORDED AUGUST 2, 2018 AT RECEPTION NO. 4420477. (BLANKET EASEMENT)
 - ANY AND ALL UNRECORDED LEASES OR TENANCIES AND ANY AND ALL PARTIES CLAIMING BY, THROUGH, OR UNDER SUCH LEASES OR TENANCIES.

TOINTON ACADEMY SUBDIVISION
PRELIMINARY PLAT Case No. SUB2020-0028
A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 5,
TOWNSHIP 5 NORTH, RANGE 66 WEST, OF THE 6th P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
AREA=162.668 ACRES, MORE OR LESS



LINE TABLE			LINE TABLE		
LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S01°14'09"W	80.83'	L38	N53°18'48"W	20.00'
L2	S39°30'40"W	17.26'	L39	N36°39'59"E	43.91'
L3	S14°57'33"W	70.98'	L40	N08°20'01"W	12.31'
L4	S12°18'18"W	72.15'	L41	N89°59'43"W	29.46'
L5	S70°46'59"E	53.05'	L42	S00°00'00"E	15.77'
L6	S04°09'11"E	47.63'	L43	N90°00'00"W	63.16'
L7	S00°19'27"E	11.00'	L44	N00°00'00"E	46.19'
L8	S89°40'33"W	103.51'	L45	S88°49'19"W	196.64'
L9	S00°00'00"W	269.37'	L46	S88°19'58"W	19.92'
L10	S89°46'11"W	95.56'	L47	S87°49'24"W	424.29'
L11	N00°19'29"W	239.05'	L48	S87°49'24"W	424.29'
L12	N24°16'33"E	47.08'	L49	S88°49'23"W	172.26'
L13	N41°48'08"E	31.30'	L50	S43°48'01"W	49.15'
L15	N04°09'11"W	50.00'	L51	S88°49'20"W	241.85'
L16	N84°47'00"W	63.97'	L52	N01°11'35"W	71.23'
L17	N17°17'26"W	26.87'	L53	N89°03'30"E	20.00'
L18	N05°12'34"E	90.50'	L54	S01°11'35"E	51.15'
L19	N05°12'34"E	250.95'	L55	N88°49'20"E	213.57'
L20	N37°46'47"E	84.50'	L56	N43°48'01"E	49.15'
L21	N14°57'33"E	70.74'	L57	N88°49'23"E	180.47'
L22	N39°30'40"E	17.24'	L58	N88°19'22"E	19.91'
L23	N01°14'09"E	84.48'	L59	N87°49'24"E	424.29'
L24	N84°47'27"W	2.19'	L60	N88°19'58"E	20.09'
L25	N83°24'29"W	33.62'	L61	N88°49'19"E	84.69'
L26	N00°13'49"W	39.91'	L62	N88°49'19"E	165.27'
L27	S00°56'06"E	88.89'	L63	S46°10'39"E	35.07'
L29	S21°26'46"E	48.38'	L64	S00°44'42"E	7.23'
L30	S66°26'46"E	41.57'	L65	S89°59'43"E	11.49'
L31	S86°26'46"E	45.58'	L66	N08°20'01"W	36.35'
L32	N77°03'14"E	77.18'	L67	N89°08'19"E	20.17'
L33	S42°26'46"E	53.24'	L68	S08°20'01"E	36.66'
L34	S16°56'18"W	55.21'	L69	S89°59'43"E	179.69'
L35	N89°59'43"W	197.16'	L70	N00°56'41"W	39.32'
L36	S08°20'01"E	17.67'			

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C1	31.41	20.00	89°59'49"	N45°56'36"W	28.28
C2	149.02	280.00	30°29'37"	S16°11'30"E	147.27
C3	307.02	220.00	79°57'30"	N8°32'27"E	282.70
C4	73.56	220.00	19°09'27"	N21°51'35"W	73.22
C5	233.46	220.00	60°48'03"	N18°07'10"E	222.66
C6	145.46	280.00	29°45'55"	S33°38'15"W	143.83
C7	231.24	970.00	13°39'32"	N25°35'03"E	230.69
C8	30.10	20.00	86°13'13"	S75°31'25"W	27.34
C9	121.53	690.00	10°05'30"	S66°24'43"E	121.37
C10	289.85	1045.50	15°53'04"	S79°24'00"E	288.92
C11	13.36	219.50	3°29'12"	S89°05'08"E	13.36
C12	24.62	180.50	7°48'59"	N86°55'15"W	24.60
C13	6.81	219.50	1°46'42"	S83°54'06"E	6.81
C14	4.36	180.50	1°22'58"	S84°05'58"E	4.36
C15	23.72	219.50	6°11'34"	N86°30'17"W	23.71
C16	112.88	945.00	6°50'39"	S85°23'03"E	112.82
C17	88.36	954.50	5°18'15"	S74°14'18"E	88.33
C18	140.07	610.00	13°09'24"	S67°07'40"E	139.77
C19	30.45	20.00	87°13'40"	S17°45'08"E	27.59
C20	127.76	1030.00	7°06'25"	N22°18'30"E	127.68
C21	114.29	220.00	29°45'55"	S33°38'15"W	113.01
C22	196.17	280.00	40°08'34"	N28°26'55"E	192.19
C23	390.75	280.00	79°57'30"	N8°32'27"E	359.81
C24	194.58	280.00	39°48'56"	N11°31'50"W	190.68
C25	18.48	215.00	4°55'27"	S28°58'34"E	18.47
C26	83.45	187.00	25°34'10"	S13°43'46"E	82.76
C27	31.42	20.00	90°00'11"	S44°03'24"W	28.29
C29	117.73	100.00	67°27'15"	N50°42'41"E	111.05

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Length
C29	117.73	100.00	67°27'15"	N50°42'41"E	111.05
C30	167.77	200.00	48°03'46"	N57°41'35"E	162.89
C31	185.43	130.00	81°43'28"	S40°51'44"W	170.10
C32	38.64	90.00	24°36'02"	N11°58'32"E	38.35
C33	31.24	50.00	35°48'01"	N59°42'09"E	30.74
C34	88.07	220.00	22°56'13"	N78°11'49"E	87.48
C35	98.57	50.00	112°56'51"	S56°47'52"E	83.36
C36	78.54	50.00	90°00'00"	S44°40'33"W	70.71
C37	234.88	172.50	78°00'59"	S51°42'39"W	217.15
C38	14.57	10.00	83°29'09"	S29°02'25"E	13.32
C39	231.55	198.50	66°50'07"	S23°14'32"E	218.64

LEGEND OF SYMBOLS & ABBREVIATIONS

Meas. Rec.	MEASURED RECORD	Ⓜ
SECTION LINE	SECTION LINE	Ⓢ
BOUNDARY LINE	BOUNDARY LINE	Ⓛ
LOT LINES	LOT LINES	Ⓛ
1/16 SECTION LINE	1/16 SECTION LINE	Ⓛ
OVERHEAD POWER LINE	OVERHEAD POWER LINE	Ⓛ
FENCE	FENCE	Ⓛ
OVERHEAD POWER LINE	OVERHEAD POWER LINE	Ⓛ
WETLAND	WETLAND	Ⓛ
DRAINAGE PIPELINE	DRAINAGE PIPELINE	Ⓛ
WATER	WATER	Ⓛ
FIBER OPTIC	FIBER OPTIC	Ⓛ
TELEPHONE LINE	TELEPHONE LINE	Ⓛ
SANITARY SEWER	SANITARY SEWER	Ⓛ
EMERGENCY EXIT EASEMENT	EMERGENCY EXIT EASEMENT	Ⓛ
SET CONTROL POINT	SET CONTROL POINT	Ⓛ
GREELEY CONTROL NETWORK	GREELEY CONTROL NETWORK	Ⓛ
SECTION CORNER FOUND	SECTION CORNER FOUND	Ⓛ
CORNER FOUND	CORNER FOUND	Ⓛ
CORNER SET (5/8" REBAR W/ YELLOW PLASTIC CAP MARKED #28285 LS)	CORNER SET (5/8" REBAR W/ YELLOW PLASTIC CAP MARKED #28285 LS)	Ⓛ
DIMENSION CORNER ONLY	DIMENSION CORNER ONLY	Ⓛ
SIGN	SIGN	Ⓛ
BELL SYSTEM MANHOLE	BELL SYSTEM MANHOLE	Ⓛ
BELL VAULT	BELL VAULT	Ⓛ
CONTROL VALVE BOX	CONTROL VALVE BOX	Ⓛ
CONTROL VALVE	CONTROL VALVE	Ⓛ
DELINEATOR	DELINEATOR	Ⓛ
DRAINAGE MANHOLE	DRAINAGE MANHOLE	Ⓛ
ELECTRICAL CABINET/BOX	ELECTRICAL CABINET/BOX	Ⓛ
ELECTRICAL METER POST	ELECTRICAL METER POST	Ⓛ
ELECTRICAL PEDESTAL	ELECTRICAL PEDESTAL	Ⓛ
ELECTRICAL VAULT	ELECTRICAL VAULT	Ⓛ
FIRE HYDRANT	FIRE HYDRANT	Ⓛ
IRRIGATION VALVE	IRRIGATION VALVE	Ⓛ
BUSH	BUSH	Ⓛ
DECIDUOUS TREE	DECIDUOUS TREE	Ⓛ
CONIFER TREE	CONIFER TREE	Ⓛ
MAILBOX	MAILBOX	Ⓛ
MONITORING WELL	MONITORING WELL	Ⓛ
POWER POLE	POWER POLE	Ⓛ
SANITARY SEWER MANHOLE	SANITARY SEWER MANHOLE	Ⓛ
SIGN	SIGN	Ⓛ
STREET LIGHT POLE	STREET LIGHT POLE	Ⓛ
SPRINKLER CONTROL BOX	SPRINKLER CONTROL BOX	Ⓛ
TELEPHONE BOX	TELEPHONE BOX	Ⓛ
TELEPHONE MANHOLE	TELEPHONE MANHOLE	Ⓛ
TELEPHONE PEDESTAL	TELEPHONE PEDESTAL	Ⓛ
TRAFFIC CONTROL BOX	TRAFFIC CONTROL BOX	Ⓛ
TRAFFIC CONTROL LIGHT	TRAFFIC CONTROL LIGHT	Ⓛ
WATER BUREAU MANHOLE	WATER BUREAU MANHOLE	Ⓛ
WATER MANHOLE	WATER MANHOLE	Ⓛ
WATER METER	WATER METER	Ⓛ
WATER STUB	WATER STUB	Ⓛ
WATER VALVE	WATER VALVE	Ⓛ
VALVE	VALVE	Ⓛ

Owner: Greeley Evans School District / City of Greeley
Engineer: United Civil Design Group, Kevin Brazelton
Surveyor: UELS, LLC, Loren Shanks
Future Owners:
Lots 1, 2 and 4 - Greeley Evans School District
Lot 3 - City of Greeley

PLAT NOTE: To Reference IGA With The City (ORD 01,2021)

DRAINAGE STORAGE AREA (acres)	
POND A1 & A2	2.974
POND B	0.585
DRAINAGE AREA LOT 3	8.875
DRAINAGE AREA LOT 4	1.527
TOTAL AREA ACRES	12.434

NOTE:
All Utility Easements along
Dundee Avenue and 8th Street
are Dedicated by this Plat to
the City of Greeley, Colorado

REV: 4 03-22-21 M.D. (CITY REVIEW)

UTILITY NOTES

The location of Utilities shown hereon are from observed evidence of above ground appearances only.

CALL

TWO WORKING DAYS BEFORE YOU DIG

(IL, MT, ND, OR, WA, WY)

CALL

TWO WORKING DAYS BEFORE YOU DIG

(IL, MT, ND, OR, WA, WY)

CALL 1-800-424-5555

UNDERGROUND UTILITIES LOCATION CENTER

WITH THE FOLLOWING:

COUNTY WELD CITY N/A

STREET ADDRESS N/A

SEC. & 1/4 SEC. NO. Section 05

TOWNSHIP & RANGE T.05 N. R. 66 W. 6th P.M.

VICINITY MAP
1" = 2000'

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SE1/4 OF SECTION 5, T5N, R66W, OF THE 6th P.M., COUNTY OF WELD, STATE OF COLORADO, AS DESCRIBED IN THOSE DEEDS AS RECORDED AT RECEPTION NO. 2192389 AND 3788462 OF THE RECORDS OF WELD COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 5, FROM WHICH THE E1/4 CORNER OF SAID SECTION 5 BEARS N5°12'33"E, THENCE N5°12'33"E, 75.44 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SECTION 5; THENCE S89°02'52"W, 100.28 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N47°07'42"E, 74.39 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF 71ST AVENUE, CITY OF GREELEY, COLORADO; THENCE N5°12'33"E, 2639.77 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID 71ST AVENUE; THENCE N42°51'55"W, 67.08 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 4TH STREET, CITY OF GREELEY, COLORADO; THENCE S89°03'30"W, 2552.44 FEET ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 4TH STREET TO THE WEST LINE OF THE SE1/4 OF SAID SECTION 5; THENCE S5°10'22"W, 2740.24 FEET ALONG THE WEST LINE OF THE SE1/4 OF SAID SECTION 5 TO THE NORTHERLY RIGHT-OF-WAY LINE OF 10TH STREET, CITY OF GREELEY, COLORADO; THENCE N89°02'52"E, 2550.95 FEET ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID 10TH STREET TO THE TRUE POINT OF BEGINNING.

AREA = 162.668 ACRES MORE OR LESS

LAND USE AREA (acres)	
LOT 1	10.710
LOT 2	34.341
LOT 3	73.586
LOT 4	37.439
DUNDEE AVE / 8th STREET / 71st AVENUE ROW SOUTH TURN LANE (DEDICATED TO CITY)	5.356
4th STREET ROW (DEDICATED TO CITY)	1.177
71st AVENUE ROW NORTH TURN LANE (DEDICATED TO CITY)	0.059
TOTAL AREA ACRES	162.668

UINTAH

UELS, LLC

Regional Office * 3313 35th Avenue, Suite B

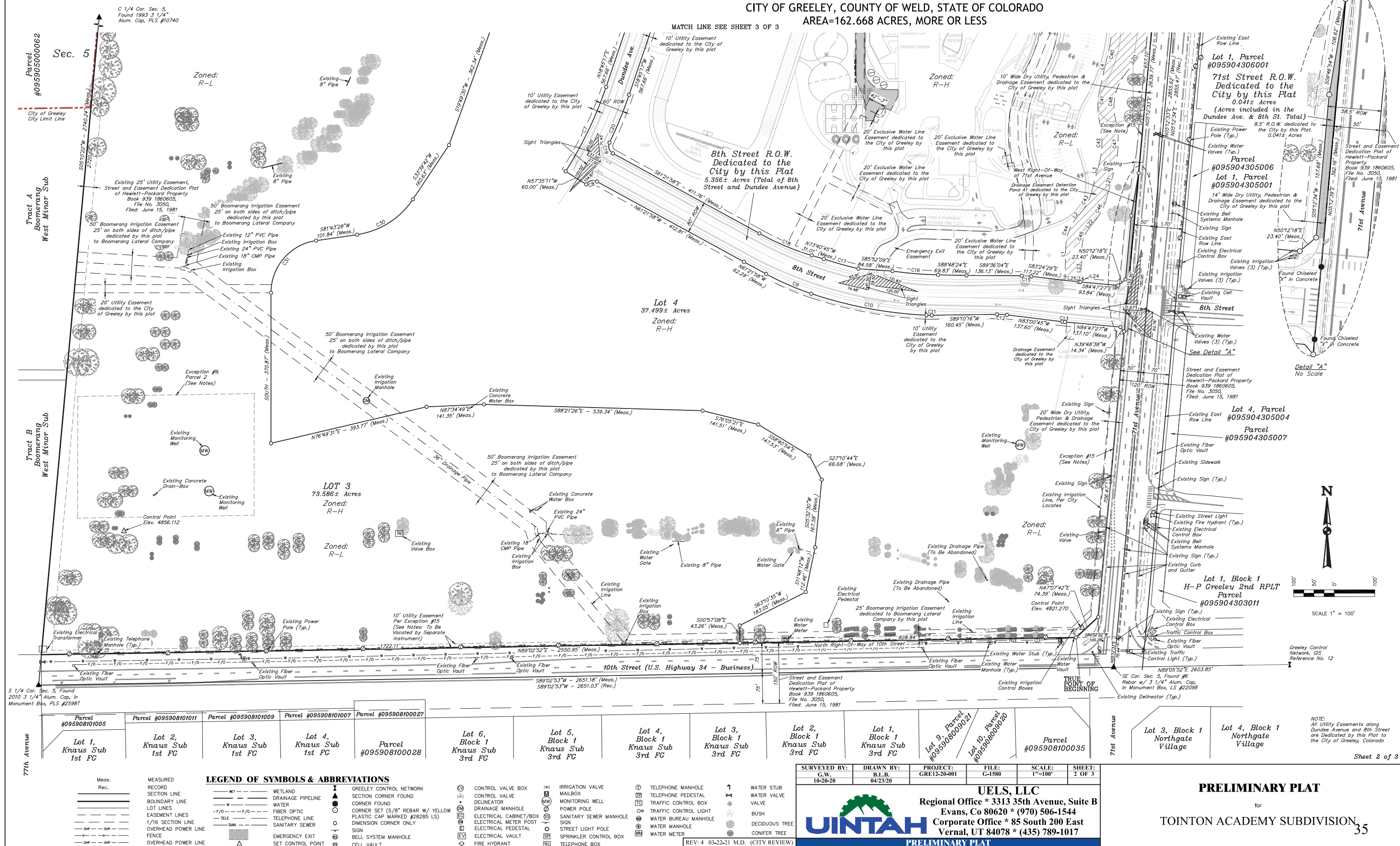
Evans, Co 80620 * (970) 506-1544

Corporate Office * 85 South 200 East

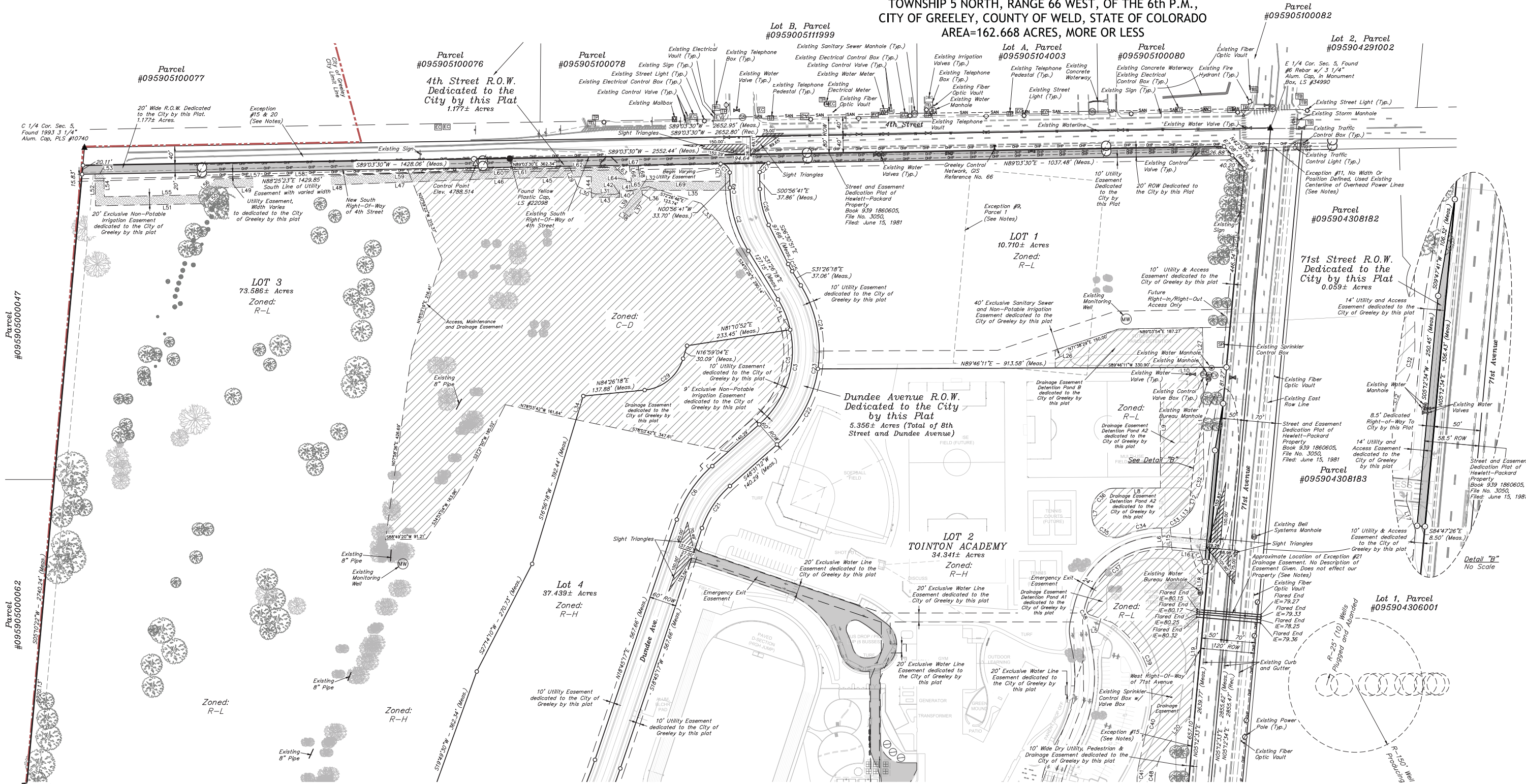
Vernal, UT 84078 * (435) 789-4017

PRELIMINARY PLAT

TOINTON ACADEMY SUBDIVISION
PRELIMINARY PLAT Case No. SUB2020-0028
 A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 5,
 TOWNSHIP 5 NORTH, RANGE 66 WEST, OF THE 6th P.M.,
 CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
 AREA=162.668 ACRES, MORE OR LESS



TOINTON ACADEMY SUBDIVISION
PRELIMINARY PLAT Case No. SUB2020-0028
A SUBDIVISION LOCATED IN THE SE1/4 OF SECTION 5,
TOWNSHIP 5 NORTH, RANGE 66 WEST, OF THE 6th P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
AREA=162.668 ACRES, MORE OR LESS



LEGEND OF SYMBOLS & ABBREVIATIONS

Meas. Rec. SECTION LINE BOUNDARY LINE LOT LINES 1/16 SECTION LINE OVERHEAD POWER LINE FENCE OVERHEAD POWER LINE WETLAND DRAINAGE PIPELINE WATER FIBER OPTIC TELEPHONE LINE SANITARY SEWER EMERGENCY EXIT EASEMENT	SET CONTROL POINT GREELEY CONTROL NETWORK SECTION CORNER FOUND CORNER FOUND 	ELECTRICAL PEDESTAL ELECTRICAL VAULT FIRE HYDRANT IRRIGATION VALVE MAILBOX MONITORING WELL SANITARY SEWER MANHOLE SIGN STREET LIGHT POLE SPRINKLER CONTROL BOX TELEPHONE BOX TELEPHONE MANHOLE TELEPHONE PEDESTAL TRAFFIC CONTROL BOX	TRAFFIC CONTROL LIGHT WATER BUREAU MANHOLE WATER MANHOLE WATER METER WATER STUB WATER VALVE VALVE BUSH DECIDUOUS TREE CONIFER TREE
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Meas. Rec. 10-20-20
S 1/4 Cor. Sec. 5, Found 2010 3 1/4" Alum. Cap. in Monument Box, PLS #25981

Scale: 1" = 100'

REV: 4 03-22-21 M.D. (CITY REVIEW)

UELS, LLC
Regional Office * 3313 35th Avenue, Suite B
Evans, Co 80620 * (970) 506-1544
Corporate Office * 85 South 200 East
Vernal, UT 84078 * (435) 789-1017

PRELIMINARY PLAT

UINTAH

PRELIMINARY PLAT

SURVEYED BY: G.W. 10-20-20
DRAWN BY: B.L.B. 04/23/20
PROJECT: GRE12-20-001
FILE: G-1580
SCALE: 1"=100'
SHEET: 3 OF 3

PRELIMINARY PLAT

for

TOINTON ACADEMY SUBDIVISION

36

NOTE: All Utility Easements along Dundee Avenue and 8th Street are Dedicated by this Plat to the City of Greeley, Colorado

Sheet 3 of 3

PLANNING COMMISSION SUMMARY

ITEM: Final PUD (Planned Unit Development) Amendment to revise the allowed uses to those listed within the C-H (Commercial High Intensity) zoning district except for auto and residential uses and to allow modifying guidelines and site improvements.

FILE NUMBER: PUD2021-0008

PROJECT: Lot 2, Centerplace 2nd Filing Phase 3 Final PUD – 1st Amendment

LOCATION: 4214 Centerplace Drive

APPLICANT: Erica Vester, on behalf of Johnson Investments Incorporated

CASE PLANNER: Caleb Jackson, AICP | Planner II

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and review the proposal for compliance with the Development Code and approve, approve with conditions, or deny the request. The Planning Commission decision shall be based on a finding that the Final PUD is in substantial conformance with the approved Preliminary PUD.

EXECUTIVE SUMMARY

The City of Greeley is considering a Final PUD (Planned Unit Development) Amendment request from Erica Vester of behalf of Johnson Investment Inc. to revise the allowed uses, design guidelines, and site improvements to accommodate a dental office at 4214 Centerplace Drive (see Attachments A & B).

A. REQUEST

The applicant is requesting approval of a Final PUD Amendment (see Attachment C) to accommodate a dental office. The amendment would revise the following parts of the approved Final PUD (see Attachment D).

- Modify the allowed land uses to those allowed in the C-H (Commercial High Intensity) Zoning District except residential uses, auto uses, and uses precluded by the overall Phase 3 PUD

- Modify the facades and design guidelines for the property to the Development Code standards for C-H
- Accommodate new exterior building lighting
- Remove drive-thru equipment
- Relocate the gas meter
- Add a new sidewalk at the north egress door

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning:

North: PUD (Planned Unit Development)

South: R-H (Residential High Density)

East: PUD (Planned Unit Development)

West: PUD (Planned Unit Development)

Site Characteristics:

The site is presently developed as a vacant drive-thru restaurant and is relatively flat.

Surrounding Land Uses:

North: Retail

South: US Highway 34 Bypass, Homestead Park & Natural Area

East: Retail

West: Restaurant

D. BACKGROUND

The subject property is part of the larger Centerplace of Greeley Preliminary PUD approved in 2000, which allowed C-H uses (see Attachment E). The subject site is an outparcel of Centerplace, Phase 3, which was established in 2007 (see Attachment F). A final PUD for a drive-thru restaurant was approved for the subject site in 2014 (see Attachment D). The building is currently vacant.

E. APPROVAL CRITERIA

The review criteria found in Section 24-673(c) of the Greeley Development Code shall be used when considering a Final PUD approval request.

- 1. Is the Final PUD Plan substantially in compliance with the approved Preliminary PUD Plan?**

Staff Comment: The Final PUD plan is substantially compliant with the Preliminary PUD. Substantial compliance is demonstrated by the application proposing a land use, intensity, traffic pattern, character, and satisfaction of development standards consistent with the approved Preliminary PUD.

F. PHYSICAL SITE CHARACTERISTICS

HAZARDS

No hazards are present impacting the proposal.

WILDLIFE

The proposal is not anticipated to impact wildlife because the site is already developed.

FLOODPLAIN

The property is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

DRAINAGE AND EROSION

Existing drainage patterns are not proposed to change, and the minor site improvements should not create erosion impacts.

TRANSPORTATION

The site is adequately served by existing transportation infrastructure, and access is not proposed to change.

SERVICES

The property is adequately served with water and sewer. The property is served by Greeley Police and Fire Departments, and sufficient access is provided for emergency vehicles to reach the site.

I. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this hearing were mailed to surrounding landowners within 500 feet of the site, and notice was provided in the newspaper per Development Code standards. Signs were posted on the site on April 29, 2021.

No comments were received prior to finalizing this report.

J. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Final PUD Amendment is in compliance with the Development Code and is

consistent with the Preliminary PUD and therefore approves the Final PUD Amendment as presented.

ATTACHMENTS

Attachment A – Vicinity Map

Attachment B – Project Narrative

Attachment C – Proposed Final PUD Amendment

Attachment D – Approved Final PUD

Attachment E – Approved Preliminary PUD

Attachment F – Approved Phase 3 PUD

VICINITY MAP



Centerplace shopping center, Lot 2
4214 Centerplace Drive
Lot 2-Centerplace of Greeley Phase III PUD, 1st Amendment

Evergreen-47th & Highway 34, L.L.C. at 2390 E Camelback Rd. Suite 420, Phoenix, AZ 85016 is under contract with the current landowner, Johnson Investments Inc, at 126 W Harvard St, Suite 2, Fort Collins, CO 80525, to purchase Lot 2, Centerplace shopping center. Lot 2 was constructed as part of Phase III of the overall shopping center and until recently, Steak n' Shake, a fast-casual restaurant with a drive-through, had been operating for several years on this property.

General Use and Scope of Project

Zoning:

The property is currently zoned as PUD with the design of Lot 2 approved in 2014. At that time, the approved documents allowed for only one single-use of the property, a restaurant with drive-thru. The purpose of our major amendment application to the approved PUD is to amend the existing PUD by modifying the allowed land uses for this property and request minor modifications to the building elevations and site. The developer is requesting to expand the allowed uses to include any of those uses allowed in the C-H zone district.

Existing building use and design:

Until recently, the building housed a Steak n' Shake fast-food restaurant with a dining room and drive-through services. The building has a stone veneer base, clear anodized aluminum storefront system and EIFS stucco finishes in neutral colors. It is compatible with existing buildings within all three phases of the development. The design guidelines for Centerplace Phase 3 allow outparcel buildings to include corporate identity in the building design. The building does include distinctive branding for this national restaurant franchise in the form of bright red accent walls, dramatic angled parapet wall shapes and a black and white checkerboard patterned roof canopy wrapping several sides of the building. Large wall panels on the west, north and east sides incorporate the restaurant's proprietary photos/ graphics. The restaurant has permanently closed this location.

New/proposed building use and design:

The new, proposed use for Lot 2 is Aspen Dental, an office that will provide a full range of dental services. Work will include removing the distinct, branding elements of the restaurant as well as the construction of several new features. The 'butterfly' shaped parapet wall on the south elevation will be removed and all red wall panels with their steep, sloped tops will be removed. All existing entry and drive-through canopies will be removed as well as all exterior building-mounted lighting.

Consistent with Aspen Dental's own branding, new stone and stucco pilaster elements, new curved parapet walls and metal-roofed canopies will be installed. Canopies and parapet wall caps are a vibrant bright blue color and will compliment other blue colors used on buildings within the center (Best Buy). New infill wall areas will utilize the existing stone veneer pattern and color to create a seamless material match between existing and new.

The existing glass vestibule on the south elevation will be removed and new storefront doors and glazing will be installed. Due to the constraints of the interior floor plan, a new exterior roof access ladder must be installed on the north elevation. The two existing metal doors on the north elevation will be removed and a new metal egress door installed on this elevation.

Existing and new site improvements:

The existing utilities, landscaping, parking areas and drives and the trash enclosure will adequately serve the new dental office use. All existing drive-through equipment including menu boards, speakers and height restriction bars will be removed from site. To discourage the public from utilizing the drive through lane and driving along the west side of the building, new signage stating "Trash Access only" is proposed at the drive through lane entrance.

A new portion of concrete sidewalk will be installed at the new egress door on the north elevation and will tie into the existing paved walk at the northwest corner of the building.

The gas meter is currently located along the north elevation of the building. As the current meter location conflicts with the proposed new north egress door, the gas meter will be relocated several feet to the west. This work will be coordinated with Xcel Energy and installed per all city and utility company standards.

LOT 2, BLOCK 1, CENTERPLACE PHASE 3 MINOR SUBDIVISION
LOCATED IN THE SOUTH HALF OF SECTION 14, T.5n., R.66W. OF THE 6TH P.M.,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO



ACME WORKSHOP
architecture • planning • interiors
303.830.0089
INFO@ACMEWORKSHOP.COM

PLACE 2ND FILING PHASE III
ND - 1ST AMENDMENT
4214 CENTERPLACE DR
GREELEY, CO 80634

ISSUE DATE:	3-1-21
DRAWN BY:	JCG
CHECKED BY:	BMG
SCALE:	AS NOTED
PROJECT NO.	21.313.1
CAD FILE NAME:	A0.0 COVER.DWG
SHEET NO.	

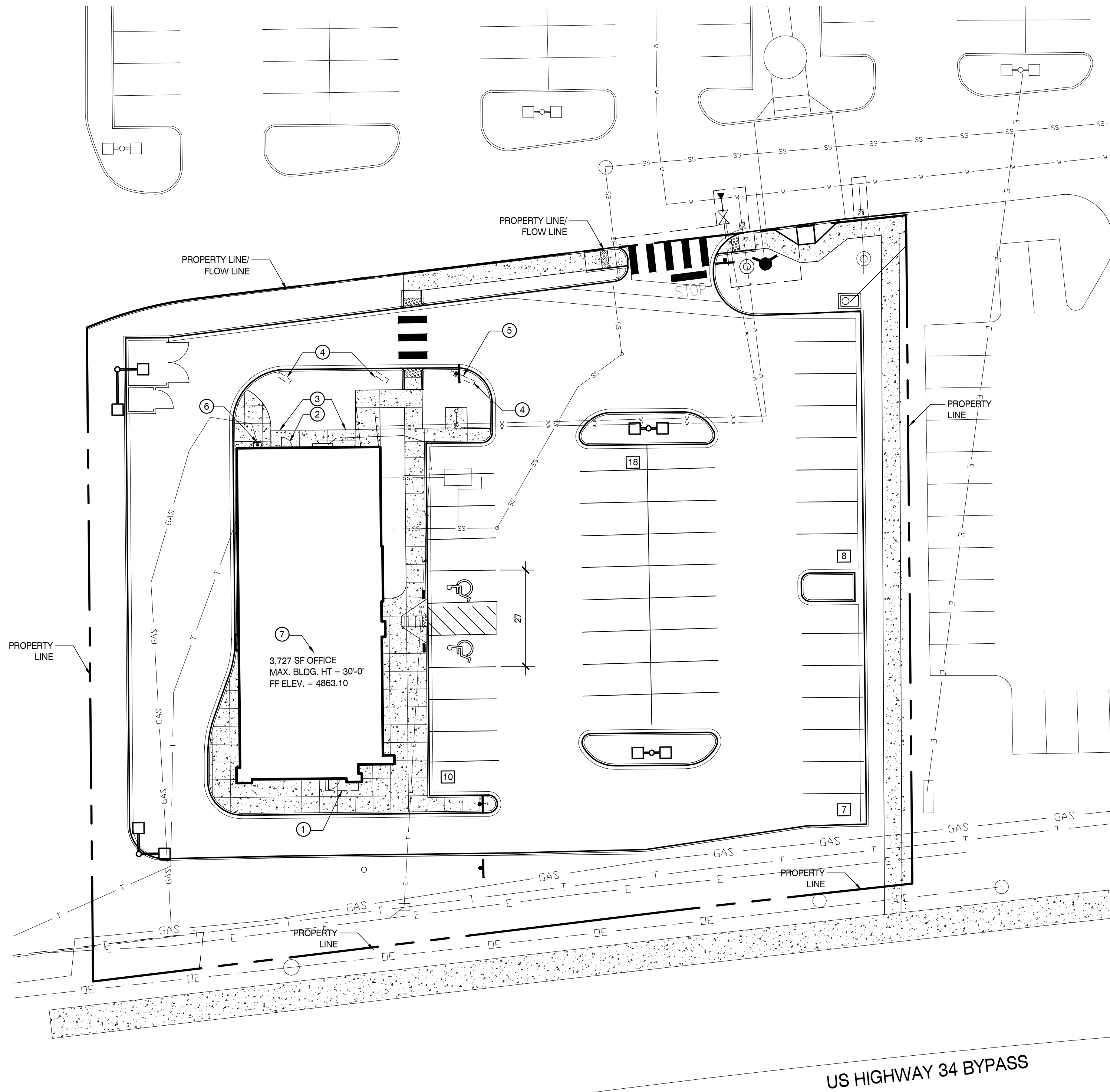
A-0.0



LOT 2 -CENTERPLACE 2ND FILING PHASE III
FINAL PUD - 1ST AMENDMENT
4214 CENTERPLACE DR
GREELEY, CO 80634

SITE PLAN	
ENGINEERING	INITIALS/DATE
PLANNING	INITIALS/DATE
OWNER	INITIALS/DATE

ISSUE DATE: 3-1-21
DRAWN BY: JOG
CHECKED BY: BMG
SCALE: AS NOTED
PROJECT NO: 21.313.1
CAD FILE NAME: A1.1 SITEPLAN.DWG
SHEET NO: A-1.1



1 SITE PLAN
SCALE: 1" = 20'-0"
NORTH
0 10 20 40

- SITE PLAN FLAG NOTES**
- PROPERTY LINE
 - EASEMENT LINE
 - # OF PARKING SPACES IN ROW

NOTE: REFER TO APPROVED PUD FOR FULL DESCRIPTION OF ALL SITE ELEMENTS ON LOT 2. ONLY THOSE EXISTING ITEMS TO BE MODIFIED WITH THIS AMENDMENT ARE NOTED ON THIS PLAN. EXISTING UTILITY SERVICE LINES ARE NOT BEING MODIFIED WITH THIS AMENDMENT AND ARE SHOWN HERE FOR REFERENCE ONLY.

- 1 GLASS ENTRY VESTIBULE REMOVED, NEW FRAMED WALL AND ENTRY DOOR SHOWN AT THIS AREA.
- 2 RELOCATED REAR EGRESS DOOR
- 3 NEW CONCRETE WALK AT NEW EGRESS DOOR
- 4 ALL DRIVE THRU APPURTENANCES REMOVED (MENU BOARDS, SPEAKERS, PRE-MENU BOARD, HEIGHT RESTRICTION BAR)
- 5 INSTALL TRASH ACCESS ONLY SIGN
- 6 RELOCATED GAS SERVICE/METER
- 7 NEW BUILDING USE & REVISED AREA. BUILDING AREA REDUCED DUE TO REMOVAL OF GLASS ENTRY VESTIBULE.

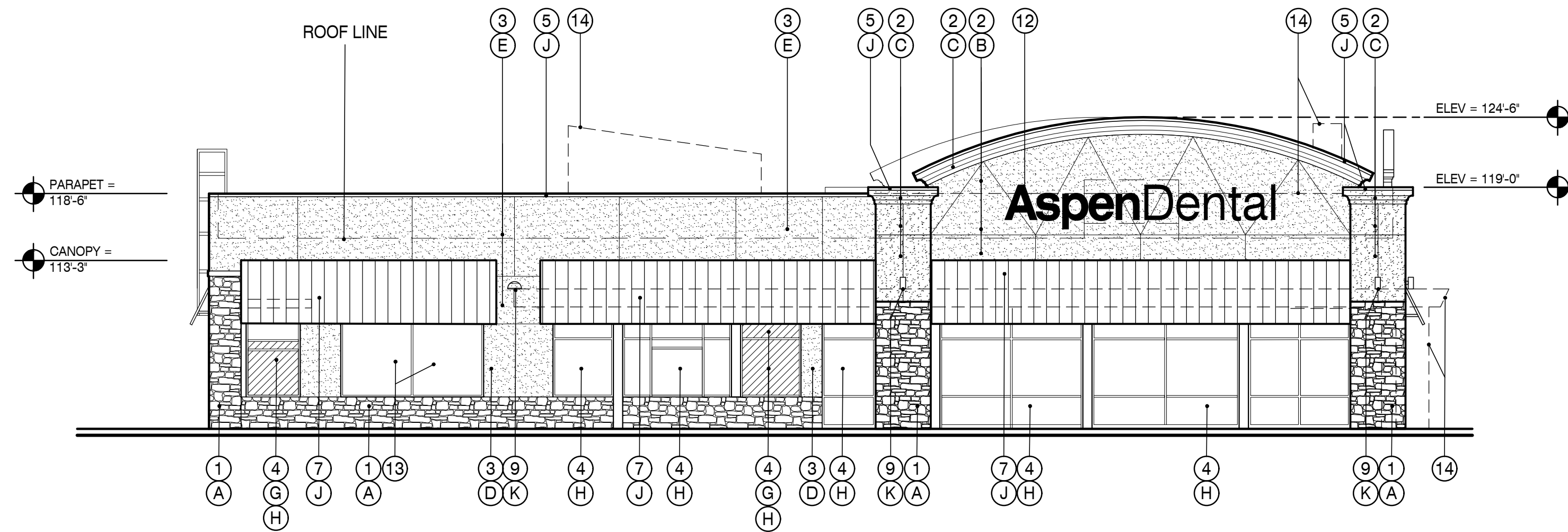


LOT 2 -CENTERPLACE 2ND FILING PHASE III
FINAL PUD - 1ST AMENDMENT
4214 CENTERPLACE DR
GREELEY, CO 80634

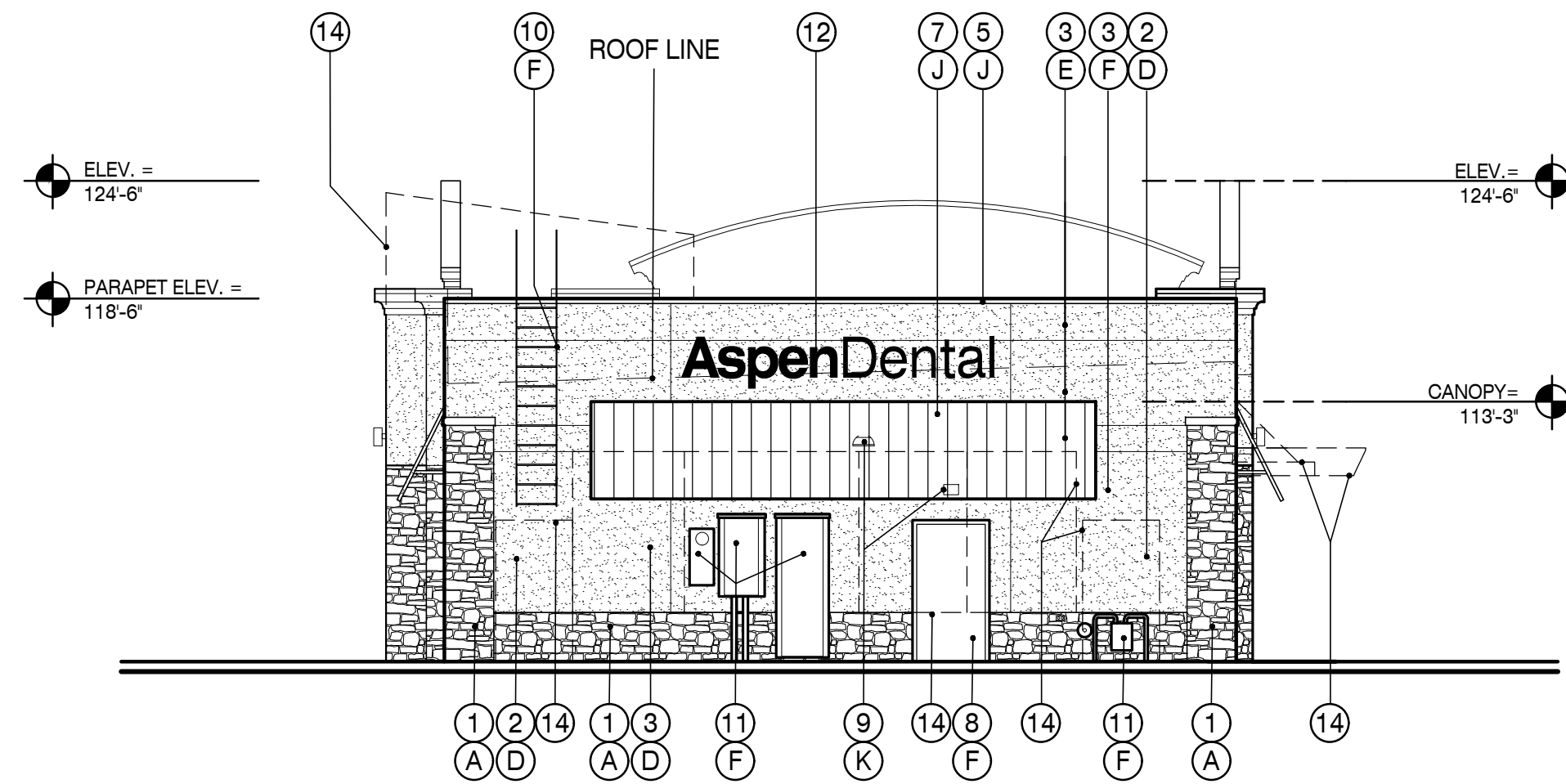
BLDG
ELEVS

ISSUE DATE: 3-1-21
DRAWN BY: JCG
CHECKED BY: BMG
SCALE: AS NOTED
PROJECT NO. 21.313.1
CADD FILE NAME: DWGS\A2.1BLDGELEVS
SHEET NO.

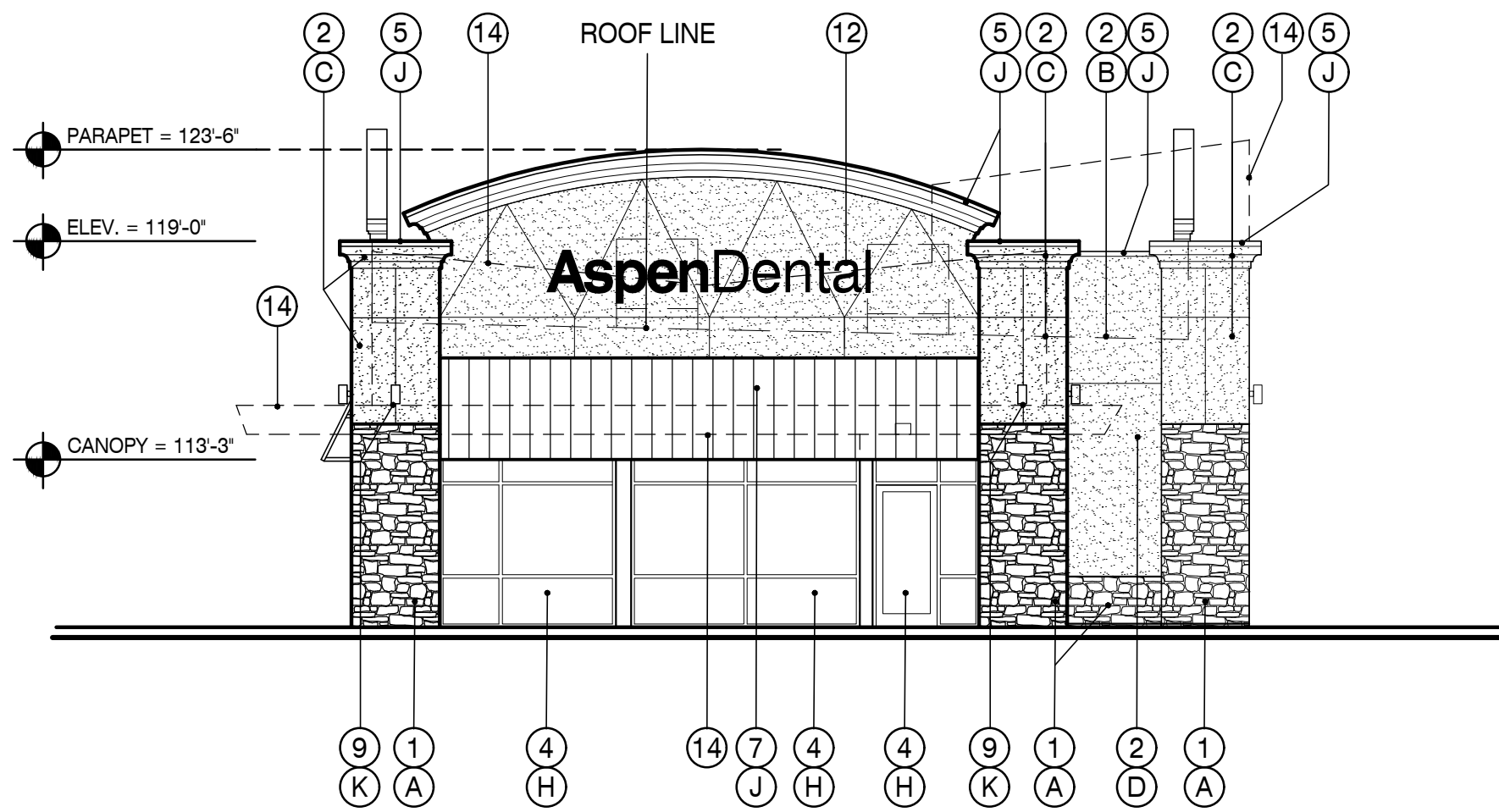
A-2.1



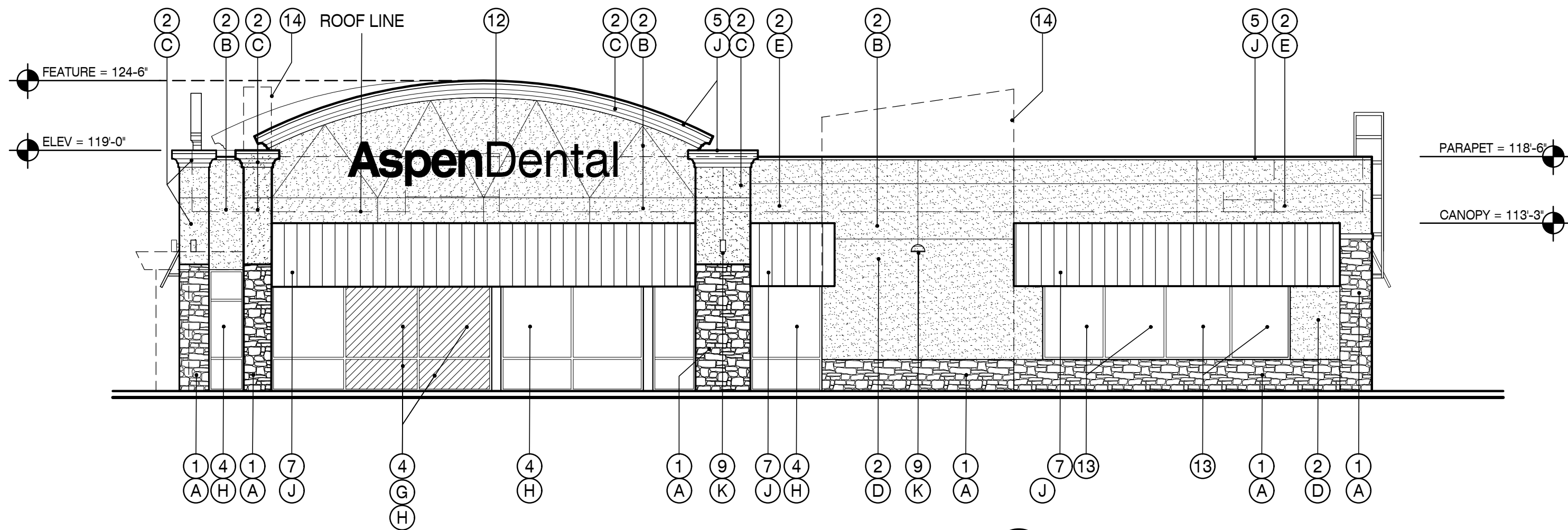
4 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

MATERIALS LEGEND

- 1 ADHERED CONCRETE STONE VENEER
- 2 EIFS STUCCO SYSTEM
- 3 PAINT AT EXISTING EIFS STUCCO SYSTEM
- 4 ALUMINUM STOREFRONT SYSTEM
- 5 PREFINISHED METAL WALL CAP
- 6 SPANDREL GLAZING PANEL
- 7 METAL AWNING W/METAL ROOFING PANELS
- 8 METAL DOOR- PAINTED
- 9 EXTERIOR BUILDING LIGHTING
- 10 STEEL ROOF ACCESS LADDER
- 11 UTILITY SERVICES, PAINT METERS, CABINETS & PIPING TO MATCH ADJACENT WALL COLOR
- 12 PROPOSED TENANT SIGN LOCATION. FINAL DESIGN & LOCATION TO BE SUBMITTED SEPARATELY FOR APPROVALS.
- 13 EXISTING FALSE SHOW WINDOW FRAMING AND PANELS
- 14 EXISTING BUILDING FEATURE TO BE DEMOLISHED (DASHED LINE)

FINISHES LEGEND

- A ENVIRONMENTAL STONE PRODUCTS, COBBLE LEDGE, COLOR: BUFF
- B DRYVIT - 362 TAMALE (OR EQUIVALENT)
- C DRYVIT- 110 VAN DYKE (OR EQUIVALENT)
- D EIFS MATCH BENJAMIN MOORE 'MUSTANG' 2111-30
- E BENJAMIN MOORE 'WOODACRES' 1020
- F BENJAMIN MOORE 'MUSTANG' 2111-30
- G SPANDREL GLAZING COLOR-BLACK
- H CLEAR ANODIZED
- J FIRESTONE UNA-CLAD, 'ELECTRIC BLUE' (OR EQUIVALENT)
- K DARK BRONZE

NOTE:

ALL SIGNAGE SHOWN IS CONCEPTUAL AND WILL REQUIRE A SIGN PERMIT. SIGNS MUST BE COMPLIANT WITH SECTION 18.54 OF THE GREELEY DEVELOPMENT CODE AS AMENDED.

MATERIAL/FINISH AREAS

MATERIAL	NORTH	SOUTH	WEST	EAST
STUCCO	435 SF (58%)	411 SF (44%)	761 SF (40%)	781 SF (41%)
GLAZING	--	254 SF (27%)	590 SF (31%)	578 SF (30%)
STONE VENEER	156 SF (21%)	141 SF (15%)	229 SF (12%)	221 SF (12%)
METAL AWNING	127 SF (17%)	132 SF (14%)	328 SF (17%)	328 SF (17%)
METAL DOOR	28 SF (4%)	--	--	--

ENGINEERING

INITIALS/DATE

PLANNING

INITIALS/DATE

OWNER

INITIALS/DATE

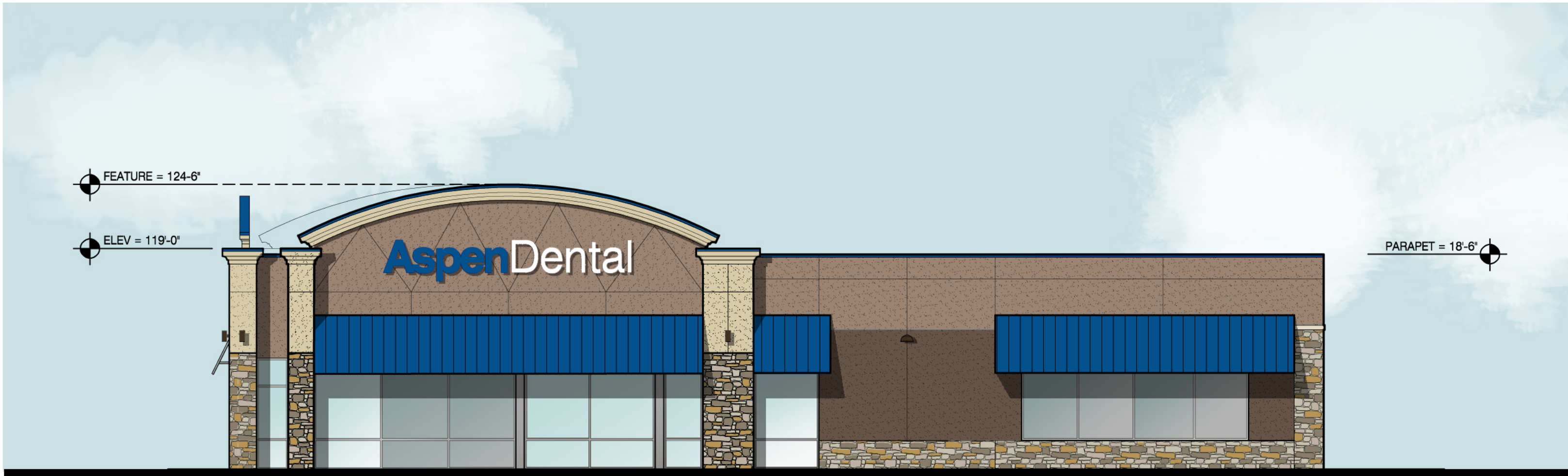
DRAWING ISSUE:
NO. DATE: DESCRIPTION:
1 3/3/2021- 1st
2 4/1/2021- 2nd



LOT 2 -CENTERPLACE 2ND FILING PHASE III
FINAL PUD - 1ST AMENDMENT
4214 CENTERPLACE DR
GREELEY, CO 80634

COLOR
ELEVS

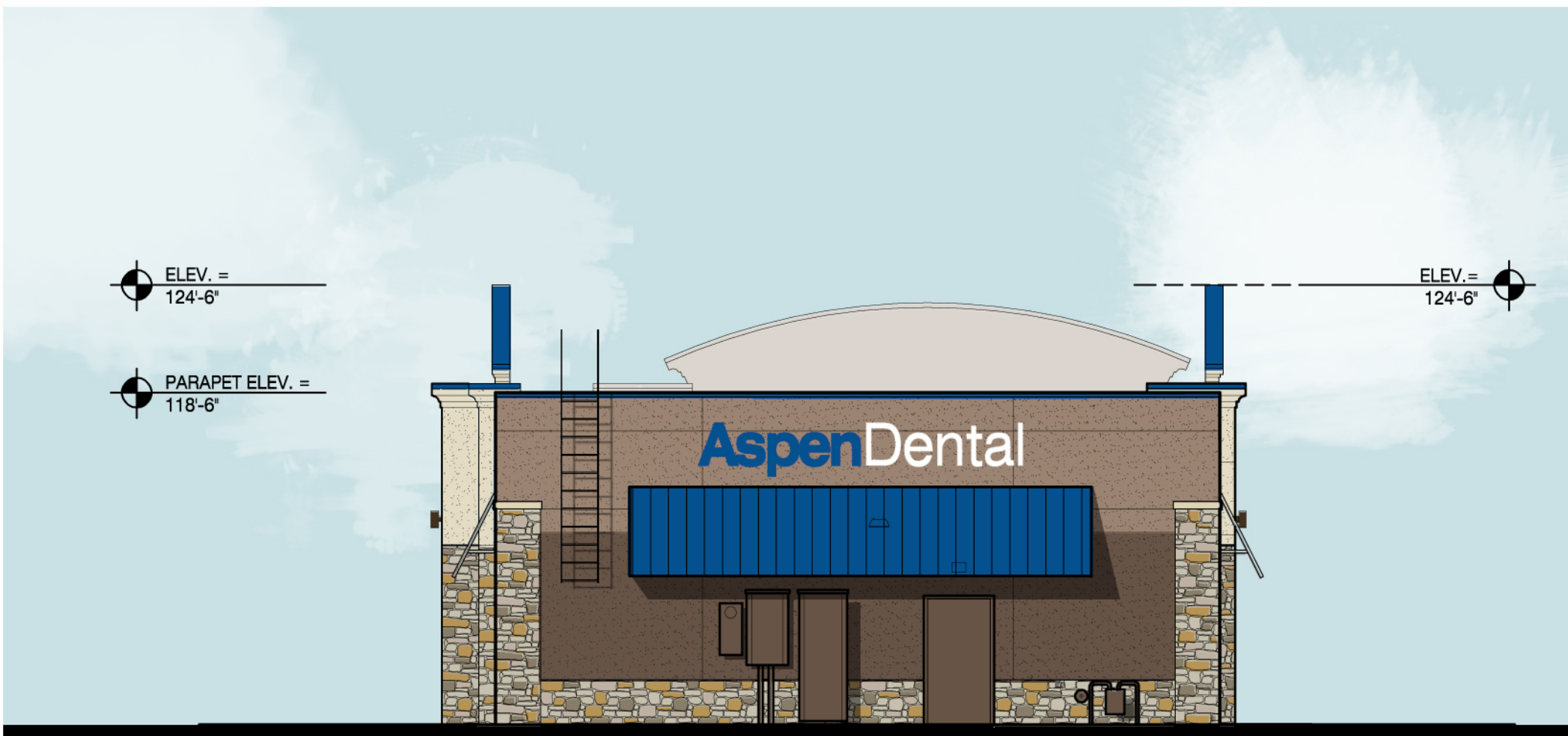
ISSUE DATE: 3-1-2021
DRAWN BY: JCG
CHECKED BY: BMG
SCALE: AS NOTED
PROJECT NO: 21.313.1
CAD FILE NAME: DWGSS/A2.1BLDGELEVS
SHEET NO.
A-2.2



EAST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



STONE VENEER:
ENVIRONMENTAL
STONE PRODUCTS,
COBBLE LEDGE,
BUFF



ROOFING & WALL
CAP:
FIRESTONE UNACLAD
"ELECTRIC BLUE"



STUCCO: DRYVIT 110 VAN DYKE



PAINT & STUCCO:
BENJAMIN MOORE "MUSTANG" 2111-30

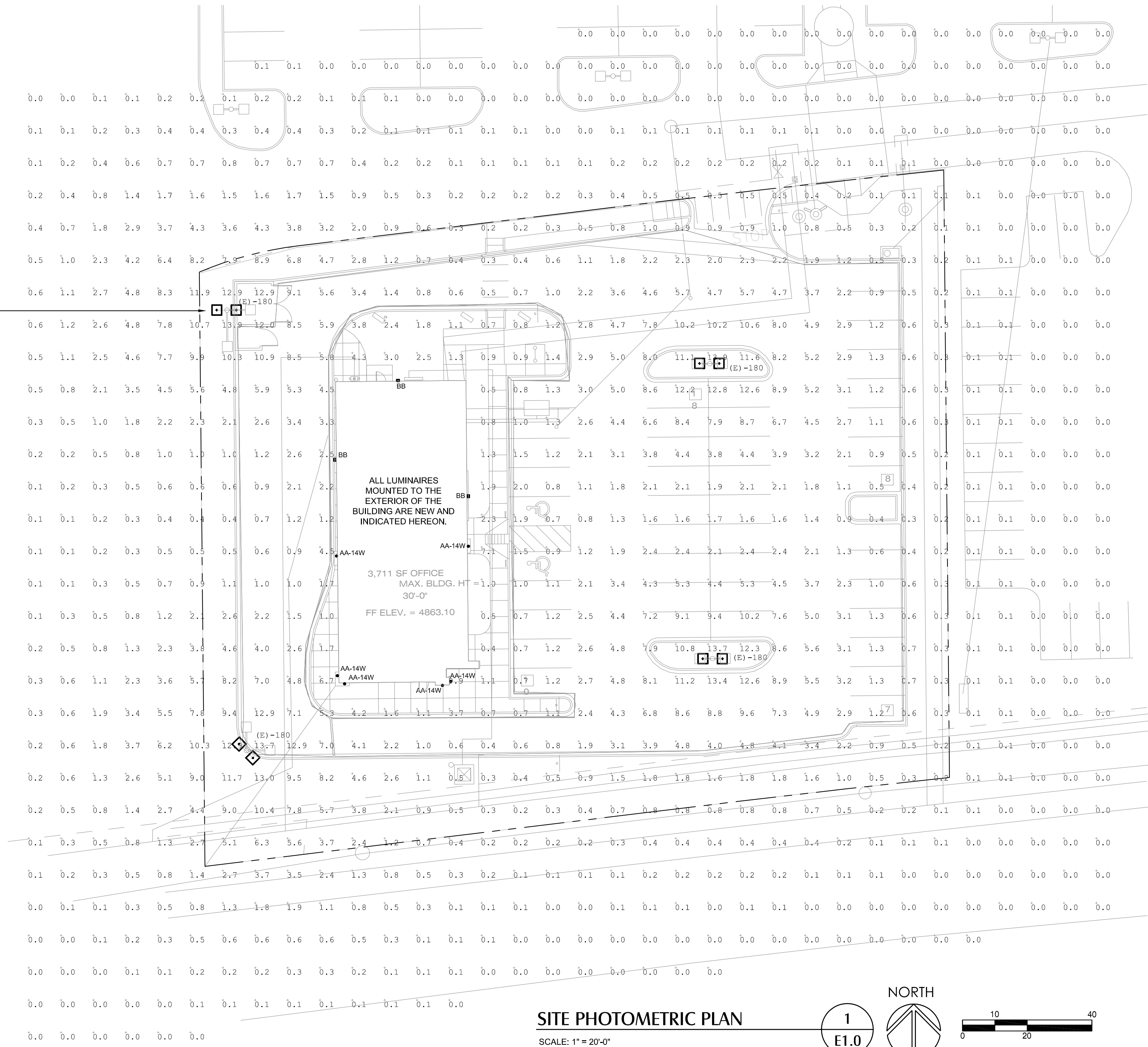


PAINT & STUCCO:
BENJAMIN MOORE "WOODACRES" 1020
DRYVIT - 382 TAMALE

NOTE:
ALL SIGNAGE SHOWN IS CONCEPTUAL AND WILL REQUIRE A SIGN PERMIT.
SIGNS MUST BE COMPLIANT WITH SECTION 18.54 OF THE GREELEY
DEVELOPMENT CODE AS AMENDED.

ENGINEERING _____
INITIALS/DATE
PLANNING _____
INITIALS/DATE
OWNER _____
INITIALS/DATE

EXISTING PARKING LOT POLE LUMINAIRES ARE EXISTING TO REMAIN (TYPICAL OF 4 DOUBLE HEAD POLES INDICATED ON THIS PLAN).



Luminaire Schedule						
Symbol	Tag	Qty	Label	Lum. Lumens	Lum. Watts	LLF
	(E)-180	4	RCL-A-MS40-H4P	28192	460	0.730
	AA-14W	6	Insight-CYNI-21-40K- 55°-1	1951	20.4	0.530
	BB	3	Hubbell-TRP1-12L20-4K7-3	2140	19.9	0.900

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site	Illuminance	Fc	1.75	13.9	0.0	N.A.	N.A.

PHOTOMETRIC PLAN GENERAL NOTES

CALCULATIONS HAVE BEEN PERFORMED UTILIZING A LIGHTING CALCULATION SOFTWARE, IN ACCORDANCE WITH IESNA STANDARDS AND STANDARD PRACTICE. DIFFERENCES BETWEEN MEASURED VALUES AND CALCULATED RESULTS MAY OCCUR DUE TO TOLERANCES IN CALCULATION METHODS, TESTING PROCEDURES, CALCULATION SOFTWARE LIMITATIONS, MEASUREMENT TECHNIQUES, AND FIELD CONDITIONS.

CALCULATED VALUES DO NOT TAKE INTO CONSIDERATION AMBIENT LIGHT LEVELS OR SUPPLEMENTAL AREA LIGHTING FROM ADJACENT STREET LIGHTS OR LIGHTS LOCATED ON ADJACENT PROPERTIES.

CALCULATED VALUES DO NOT TAKE INTO CONSIDERATION THE TOPOGRAPHY OF THE SITE. CALCULATED VALUES ASSUME A FLAT SITE AND ARE RELATIVE TO THEIR DISTANCE FROM THE LIGHT SOURCE.

QUASAR™
PARKING, ROADWAY
& AREA LIGHTING
CSB and FT Series, Magnetic Ballast

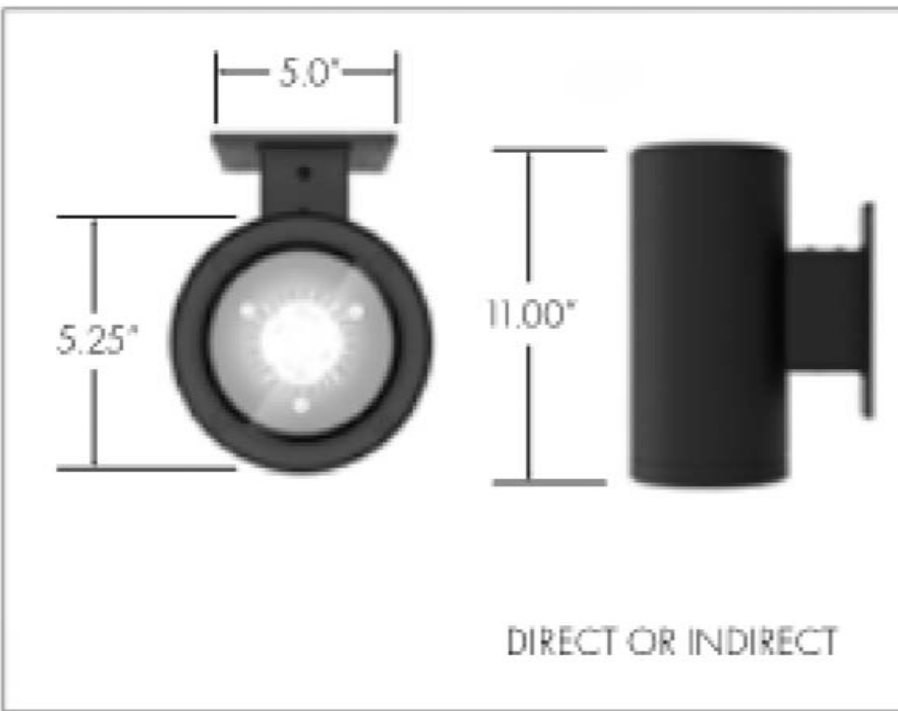
Use the catalog number fill in the gray "Product Codes" boxes below

CSB4	400PS	QT	L
Series	Lamp	Ballast	Mtg. Options
Accessories: CLEAR LAMP & EXTERNAL HOUSE SIDE			



EXISTING PARKING LOT LUMINAIRE TO REMAIN:

BASED ON EXISTING RECORD DRAWINGS AND SUBMITTALS, THE EXISTING INSTALLED PARKING LOT LUMINAIRE, 400W MHPS, TYPE 4 DISTRIBUTION, BACK TO BACK (180) DEG MOUNTING ON A 25' TALL POLE MOUNTED TO A ~2.5' TALL CONCRETE BASE. HEAD: ACCULITE QUASAR - CSB4-400PS-QT-L-CSB-HSS400-BZ POLE: SSSS-25-BZ PHOTOMETRY FOR THIS LUMINAIRE IS NOT AVAILABLE. PHOTOMETRY FOR A SIMILAR LUMINAIRE WAS UTILIZED - SPAULDING RCL 400W MHPS, TYPE 4 DIST.



NEW TYPE AA:

WALL MOUNTED LED CYLINDER LUMINAIRE, DIRECT DISTRIBUTION, 55 DEG BEAM, 14W, 1170 LUMENS, 4000K, MOUNT AT ~12' AFG. INSIGHT - CYNE-14-40K-55-WMD-UNV



NEW TYPE BB:

WALL MOUNTED LED LUMINAIRE, DIRECT DISTRIBUTION, TYPE 3 DIST., 20W, 2140 LUMENS, 4000K, MOUNT AT ~12' AFG. HUBBELL - GEOPAK - QSP1 SERIES-12L-20-4K7-3-UNV

LOT 2 -CENTERPLACE 2ND FILING PHASE III
FINAL PUD - 1ST AMENDMENT
4214 CENTERPLACE DR
GREELEY, CO 80634

SITE
PHOTOMETRIC PLAN

ENGINEERING

INITIALS/DATE

PLANNING

INITIALS/DATE

OWNER

INITIALS/DATE

ISSUE DATE: 3-1-21
DRAWN BY: HR/CH
CHECKED BY: AEI
SCALE: AS NOTED
PROJECT NO. 21.313.1
CAD FILE NAME:
SHEET NO.
E-1.0



**CITY OF GREELEY
PLANNED UNIT DEVELOPMENT APPROVAL DOCUMENT**

ITEM: Lot 2, Centerplace 2nd Filing Phase 3 Final PUD (Steak 'n Shake)

FILE NUMBER: PUD 2:14

LOCATION: 4214 Centerplace Drive

APPLICANT: Brian Fine, Fine Builders Inc.

PROJECT BACKGROUND AND OVERVIEW:

The site of the Final PUD request was located at 4214 Centerplace Drive (Lot 2), located in the southeastern portion of Centerplace Shopping Center. The application proposed a 3,750-square foot restaurant with drive-thru on approximately 1 acre. One tenant would occupy the building, Steak 'n Shake Restaurant.

On June 5, 2007, a Preliminary PUD for Centerplace 2nd Filing Phase Three, which included the subject property, was approved by City Council [Case No. PUD 2:07]. On October 9, 2007, the Planning Commission approved the Final PUD for Lot 1, which included the big-box retail buildings (Best Buy, Sports Authority, TJ Maxx), a multi-unit retail building along the eastern boundary, and the layout of three outparcels (Lots 2, 3, and 4) [Case No. PUD 6:07]. Subsequently, Centerplace 2nd Filing Phase 3 Subdivision was processed through a Minor Subdivision named "Centerplace Phase 3 Minor Subdivision" (Case No. PUD 9:07). Each outparcel required separate PUD approval by Planning Commission. The Preliminary PUD and Final PUD approvals depict the general layout of Phase 3, allowable uses, adopted design guidelines and location of the monument signs adjacent to U.S. Highway 34. The Final PUD request for this outparcel was for a restaurant with drive-thru window, which was an allowable use in the subject PUD. The approved uses for the PUD are uses allowed in the C-H (Commercial High Intensity) zone district, with the exception of auto uses.

The building included materials and colors matching existing buildings materials within Centerplace Phase 3. The overall design of the building was compatible with buildings found within all phases of Centerplace and compliant with the Centerplace 2nd Filing Phase 3 Design Guidelines (Reception No. 3015396) for outparcels.

Access to the site did not change, as illustrated with the approved Preliminary PUD and Final PUD. The subject lot, Lot 2, provides connectivity south to the regional bicycle trail along U.S.

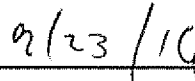
Highway 34, as well as connectivity to Lots 1 and 3. The landscape plan was consistent with the overall development.

APPROVAL:

On March 25, 2014 the City of Greeley Planning Commission found the above Final PUD to meets the criteria as set forth in Section 18.32.160(a) of the Greeley Development Code and Preliminary PUD, and was hereby approved.



Community Development Director



Date

ATTACHMENTS:

Vicinity Map

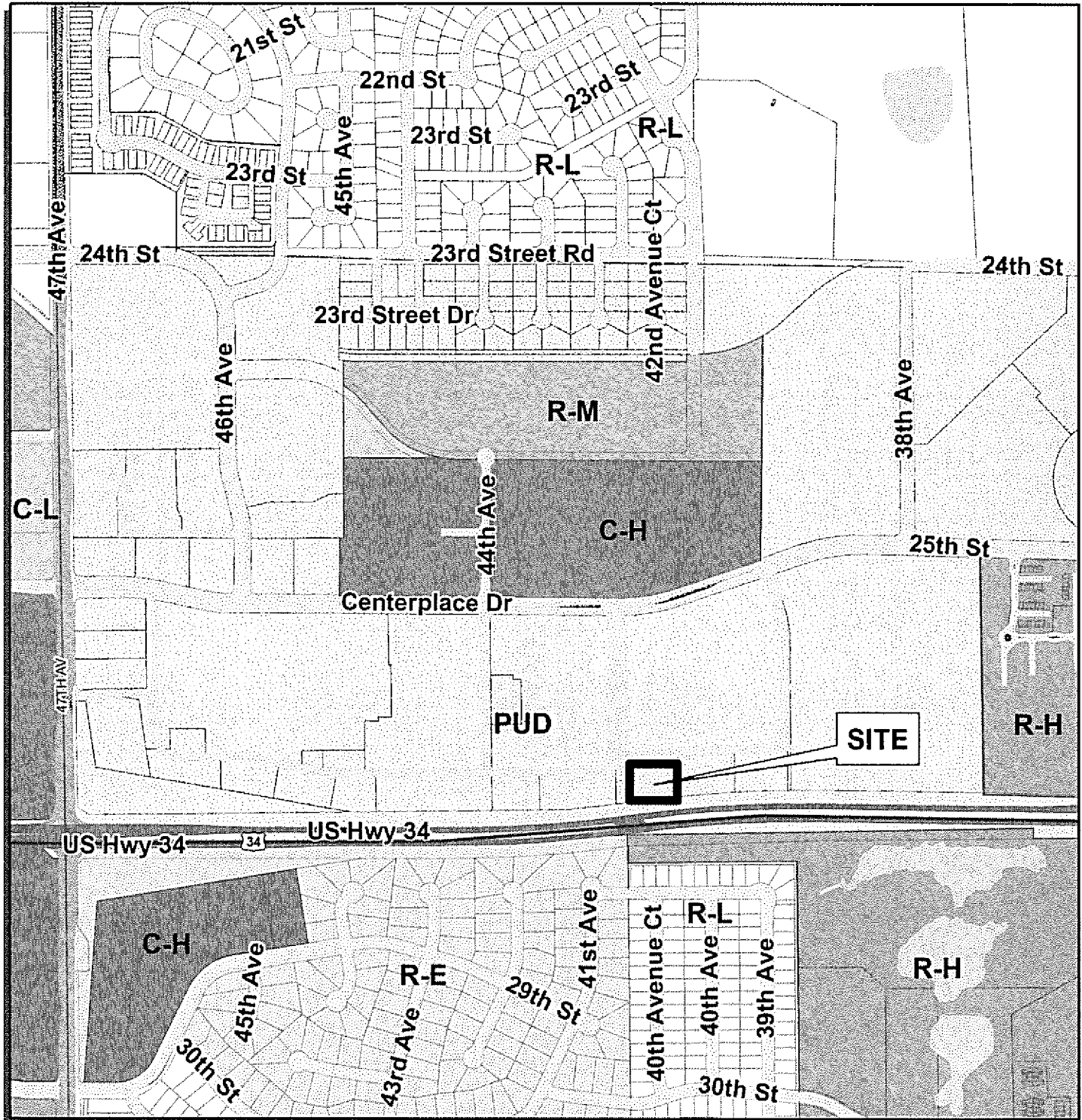
Narrative

Approved PUD Site Plan

Landscape Plan

Architectural Elevations

Vicinity/Zoning Map

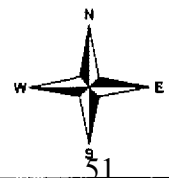


4214 Centerplace Drive
Lot 2, Block 1 of Centerplace Phase 3
Final PUD (Planned Unit Development)

LEGEND

-  Site
-  Parcels

1,000 500 0 1,000 Feet



4163 E. County Road 16, Loveland, CO 80537

p. 970.613.1447 www.tait.com

February 3, 2014

Mr. Brad Mueller
City of Greeley
Community Development-Planning Division
1100 10th Street, Ste. 202
Greeley, CO 80631

PROJECT NARRATIVE – LOT 2 CENTERPLACE OF GREELEY PHASE III

Mr. Mueller:

Steak 'n Shake is proposing to develop Lot 2, Block 1, Centerplace of Greeley Phase III Minor Subdivision Reception Number 3518737 for a restaurant. This new, 43,272 sf pad development is north of Highway 34 and midway between 47th Ave. and 35th Ave..

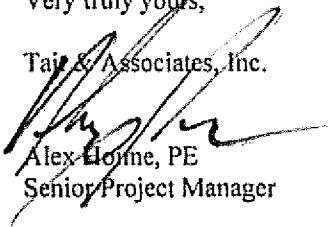
The proposed 3,750 square foot Steak 'n Shake falls into the current zone of "PUD" and land use of "C-H." Services offered are fast food restaurant with dining and drive-thru options. The proposed site plan for the building provides a total of 43 parking spaces including two ADA spaces. The building consists of architectural features such as faux stone, aluminum accents, and vinyl graphics. There is 16,479 sf of open space area and 12,212 sf of landscaping. Landscaping features include bluegrass sod, evergreen shrubs, and ornamental trees along the border with US Highway 34, and other shrubs, deciduous canopy trees, and ornamental grasses throughout the site.

This development has been designed to comply with the Greeley Code criteria. The development falls within the current zoning designated by the Centerplace of Greeley PUD Agreement. It is consistent with the overall plan for the area and the minimal load on the existing utility infrastructure has already been taken into account with the overall development. Many site layout iterations have been evaluated taking into account pedestrian and vehicle circulation and efficiency.

In summary, this proposed retail development will provide the community with beneficial services and falls within the permissible uses for the area.

Very truly yours,

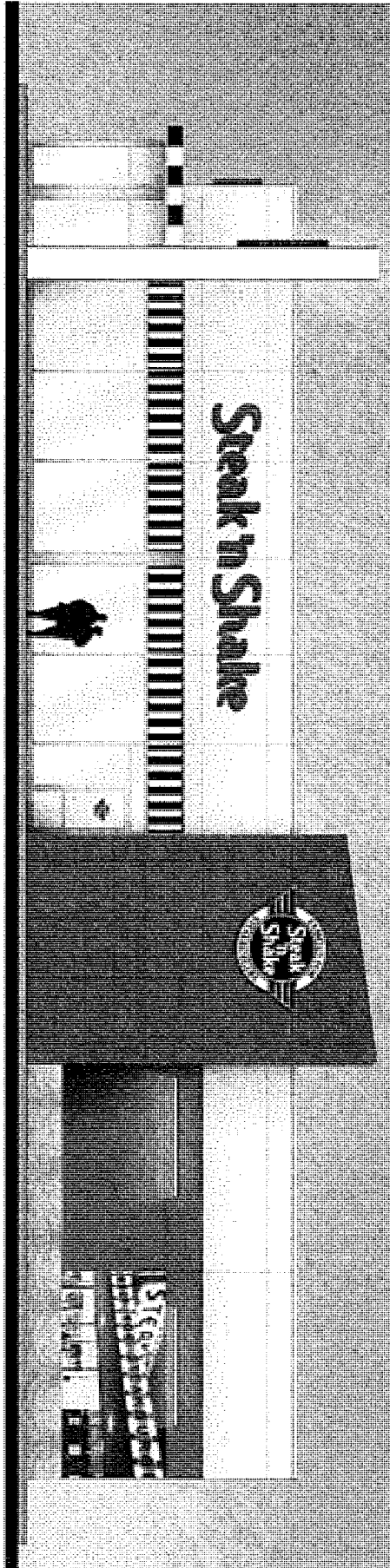
Tait & Associates, Inc.


Alex Horne, PE
Senior Project Manager

FRONT ELEVATION

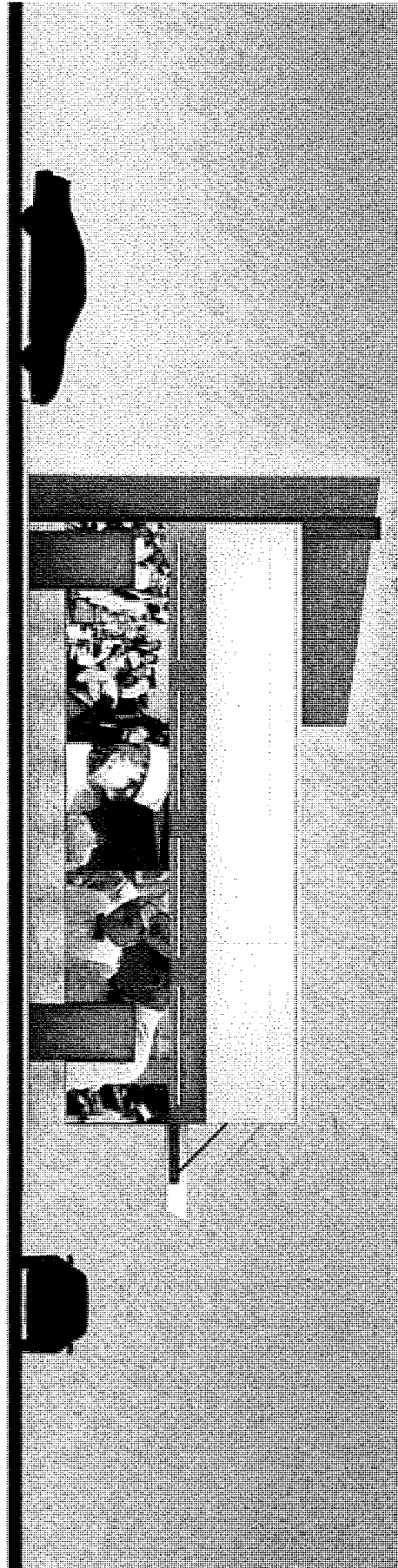


RIGHT ELEVATION

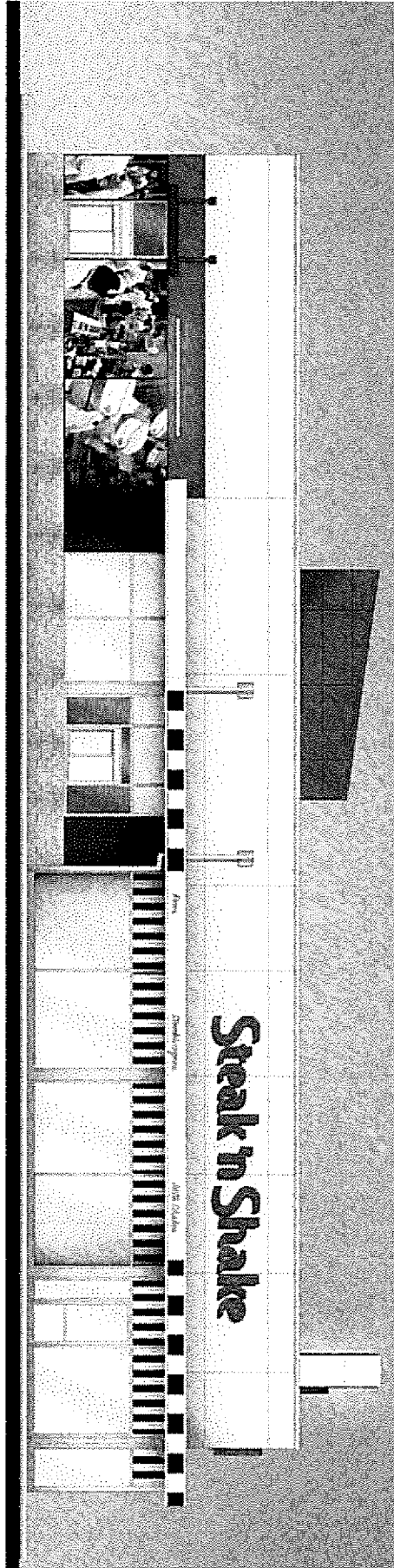


STEAK 'N SHAKE - PROPOSED EXTERIOR ELEVATIONS - LARGE PROTOTYPE

REAR ELEVATION



LEFT ELEVATION



STEAK 'N SHAKE - PROPOSED EXTERIOR ELEVATIONS - LARGE PROTOTYPE

CenterPlace Of Greeley

Greeley West High School

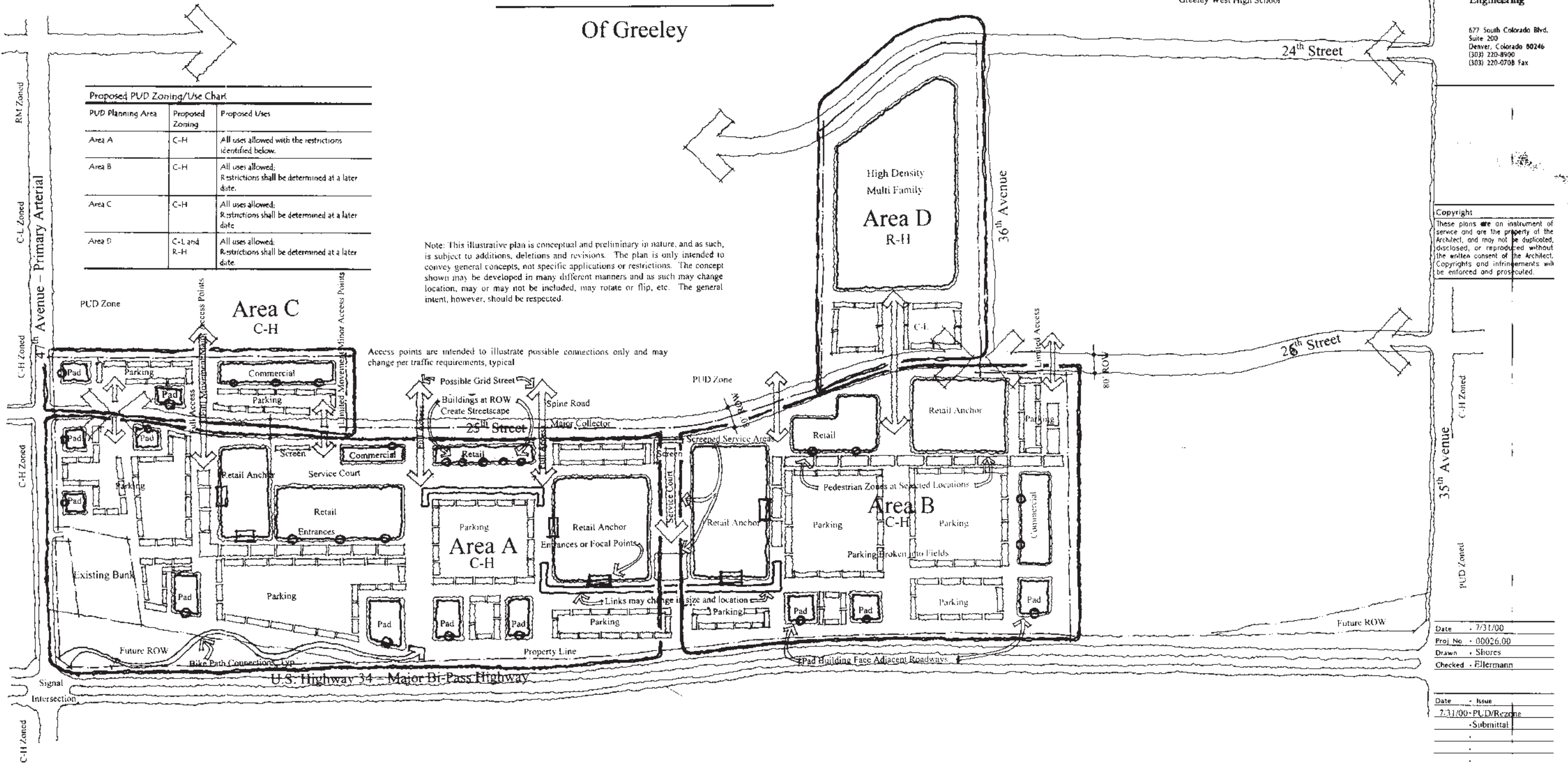
Proposed PUD Zoning/Use Chart

PUD Planning Area	Proposed Zoning	Proposed Uses
Area A	C-H	All uses allowed with the restrictions identified below.
Area B	C-H	All uses allowed. Restrictions shall be determined at a later date.
Area C	C-H	All uses allowed. Restrictions shall be determined at a later date.
Area D	C-L and R-H	All uses allowed. Restrictions shall be determined at a later date.

Note: This illustrative plan is conceptual and preliminary in nature, and as such, is subject to additions, deletions and revisions. The plan is only intended to convey general concepts, not specific applications or restrictions. The concept shown may be developed in many different manners and as such may change location, may or may not be included, may rotate or flip, etc. The general intent, however, should be respected.

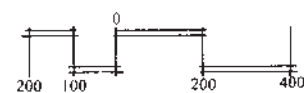
Copyright

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Concept/Preliminary PUD
Illustrative Plan

Scale: 1" = 200'

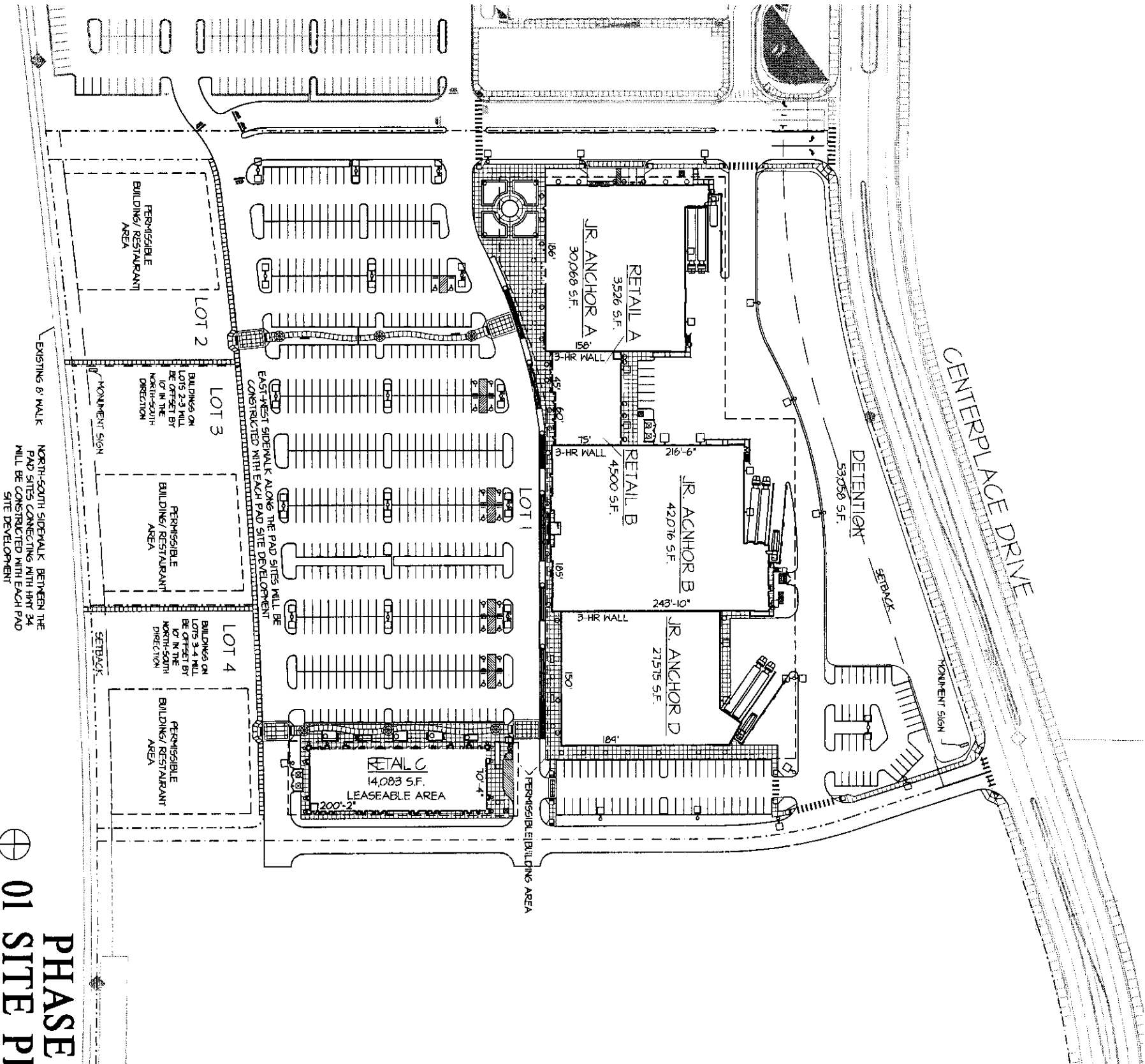


Date: 7/31/00
Proj. No.: 00026.00
Drawn: Shores
Checked: Ellermann

Date: 7/31/00
Issue: PUD/Rezone
Submittal

Title: Illustrative

3518739 11/20/2007 04:54P Weld County, CO
11 of 18 R 166.00 D 0.00 Steve Moreno Clerk & Recorder



PHASE 3
01 SITE PLAN

SCALE: 1" = 60'-0"

OPTION B

PHASE 3 ALLOWABLE USES	
RESIDENTIAL	Large retail up to 43,000 sqft each are allowed per the approved final (or preliminary) PUD with allowed uses are in accordance with C-H zoning regulations. The following uses are specifically restricted: SINGLE FAMILY DWELLINGS TWO-FAMILY DWELLINGS MULTI-FAMILY DWELLINGS BOARDING AND ROOMING HOUSES DORMITORIES FRATERNITIES AND/OR SORORITIES GROUP QUARTERS SRO'S FARMING GROUP HOMES WITH EIGHT OR LESS CEMETERIES AND COLLABORIUMS VETERINARY CLINIC WITH OUTDOOR RUNS GOLF USES, GOLF COURSES AND MINATURE GOLF MORTUARIES AND FUNERAL HOMES PAWN SHOPS RV AND TRAVEL TRAILER PARKS DRIVE-IN AND OUTDOOR THEATERS TRAVEL OR AMUSEMENT PARKS, ZOOS, AND AQUARIUMS AUTOMOTIVE REPAIR & SALES NEWSPAPER AND PUBLISHING PLANTS AND BINDERIES OIL AND GAS OPERATIONS RECYCLING CENTERS AND PROCESSING FACILITIES OVERHEAD UTILITY LINES
COMMERCIAL	
INDUSTRIAL	

EXHIBIT E

O'BRIEN & ASSOCIATES

501 E. USHER STREET, SUITE 200
DENVER, COLORADO 80202
TEL: 303.733.8800
FAX: 303.733.8801



Regency Centers
572 E. BELLA STREET, SUITE 200
DENVER, COLORADO 80202
TEL: 303.733.8800
FAX: 303.733.8801



Tait & Associates, Inc.
902 EAST COUNTY ROAD IN
LOWELL, COLORADO 80501
TEL: 303.733.8800
FAX: 303.733.8801



Pilemeyer & Lee
Associates, Inc.
800 WALNUT STREET, SUITE 200
DENVER, COLORADO 80202
PHONE: 303.443-9200
FAX: 303.443-9202

Centerplace
of Greeley
Phase 3
Greeley, Colorado

ISSUE LOG

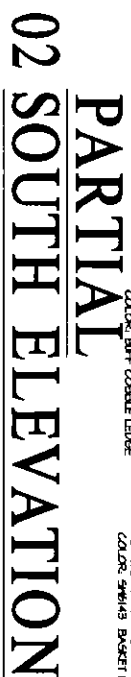
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2	Preliminary PUD. #2	4/11/07
3	Final PUD. #1	7/23/07
4	Final PUD. #2	8/22/07
5	Final PUD. #3	8/28/07

CERTIFICATE OF RECORDING AND ASSOCIATES
THESE DRAWINGS, OR PARTS THEREOF, HAVE BEEN
REVIEWED AND FOUND TO BE IN ACCORDANCE WITH
THE REQUIREMENTS OF THE COLORADO PLANNING
AND ZONING ACT, WITHOUT PUBLIC NOTICE
FROM O'BRIEN & ASSOCIATES

JOB #: 2871
DATE: 05/09/2007
TITLE: Site Plan
SHEET NO.

A2

SCALE: NOT TO SCALE



SCALE: 1/16" = 1'-0"



SCALE: 1/6" = 1'-0"



SCALE: 1/6" = 1'-0"



SCALE: 1/6" = 1'-0"

TYPEFACE AND COLORS

- COLOR AND TYPEFACE IS SUBJECT TO LANDLORD/APPROVAL/NE PARTIES APPROVAL.
- NEON SHALL BE 6500 WHITE.

INSTALLATION

- A LICENSED ELECTRICIAN SHALL PERFORM FINAL ELECTRICAL INSPECTION.
- SHOP DRAWINGS SHALL BE SUBMITTED TO THE LANDLORD/PERSONS PARTIES FOR APPROVAL.
- ALL PENETRATIONS THROUGH THE MASONRY SHALL BE THROUGH THE MORTAR JOINTS. ALL SIGNAGE INSTALLATION SHALL BE IN ACCORDANCE WITH THE CITY OF GREELEY CODES AND ORDINANCES AND THE NATIONAL ELECTRIC CODE.
- NO SECONDARY RISERS RUNNING BETWEEN LETTERS SHALL OCCUR ON THE FRONT FACE OF THE FASCIA.
- THE TENANT SHALL PROVIDE THE J BOX RISER CONDUIT TO THE PANEL, AND MAKING THE PANEL IS ACCESSIBLE THROUGH THE TENANT CELINGS.

- UP TO 9,999 SOFT

- INDIVIDUALLY LIGHTED ALUMINUM CHANNEL LETTERS WITH 100% PLEXIGLAS FRONTS

LETTER STYLE

- PER TENANT'S DISCRETION WITH LANDLORD/APPROVING PARTY APPROVAL

SIZE OF SIGN

- 15 S.F. X STORE WIDTH.
- MAXIMUM CORY HEIGHT:

• MOUNTED COPY DEPTH: 5"

- ALL SIGNAGE SHALL BE MOUNTED ON A 6'x6 OR 6'x8 RACEWAY PAINTED TO MATCH THE BUILDING.
- SIGN SHALL BE NO MORE THAN 75% OF THE LENGTH OF THE STORE FRONTAGE, SUBJECT TO LANDLORD REVIEW AND APPROVAL, CENTRED ON STORE FRONTAGE AND MOUNTED AS SHOWN ON THE ATTACHED ELEVATION AND DETAIL.
- CORNER TENANTS SHALL BE ALLOWED SIGNAGE ON 2 FACES OF TOWERS.

- 10,000 SQFT AND UP

- INDIVIDUALLY LIGHTED ALUMINUM CHANNEL LETTERS WITH 1/8" FLEXIBLE FRONTS.

LETTER STYLE

- PER TENANTS DISCRETION WITH LANDLORD/APPROVING PARTIES APPROVAL

SIZE OF SIGN

- MOUNTED 200 SOFT PER BUILDING ELEVATION.
- MOUNTED COPY DEPTH, 5" .
- SIGN SHALL BE NO MORE THAN 75% OF THE LENGTH OF THE STORE FRONTAGE SUBJECT TO LANDLORD REVIEW AND APPROVAL.
- CENTRED ON STORE FRONTAGE AND MOUNTED AS SHOWN ON THE ATTACHED ELEVATION AND DETAIL.
- SIGN LETTERS MAY BE INDIVIDUALLY INSTALLED WITHIN A RECEIVING.

FINAL COLORS AND MATERIALS WILL BE APPROVED BY DEVELOPER ON SITE MOCK UP PANEL.

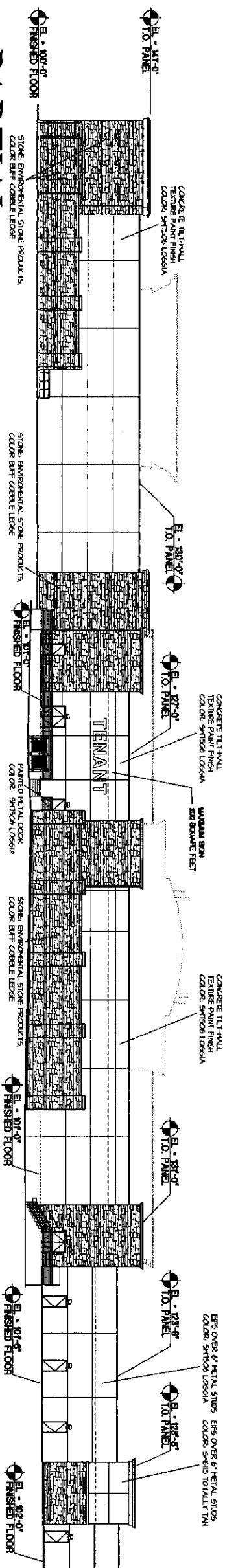
OPTION B

☐ SHEET NO. ☐

☐ A6 ☐

Centerplace
of Greeley
Phase 3
Greeley, Colorado

SCALE: NOT TO SCALE



SCALE: 1/16" = 1'-0"



SCALE: 1/6" = 1'-0"

FINAL COLORS AND MATERIALS WILL BE APPROVED BY DEVELOPER ON SITE MOCK UP PANEL.

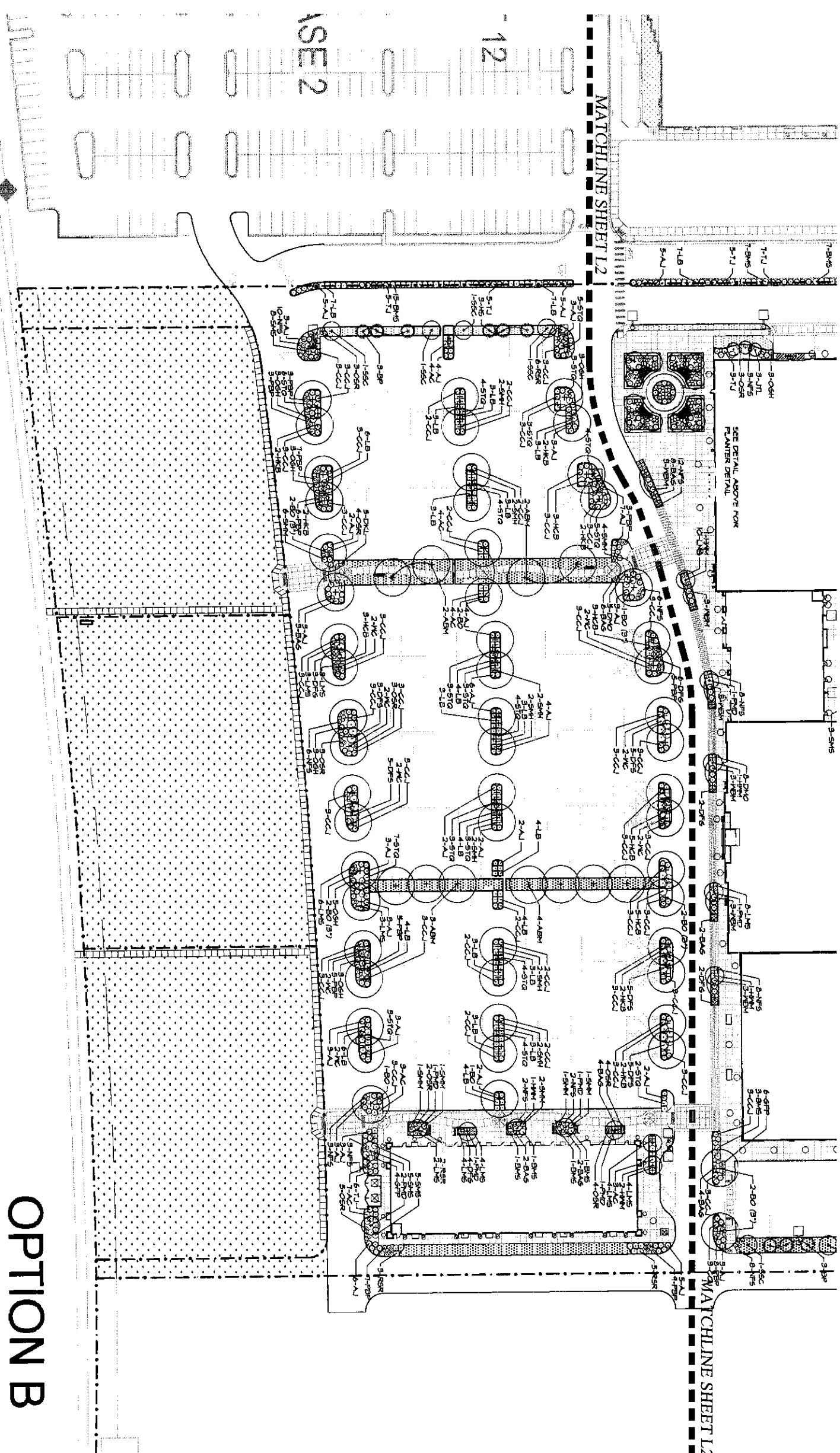
NO.	DESCRIPTION	DATE
1	Preliminary P.U.D. #1	3/09/07
2	Preliminary P.U.D. #2	4/11/07
3	Final P.U.D. #1	7/23/07
4	Final P.U.D. #2	8/22/07
5	Final P.U.D. #3	8/28/07

Tait & Associates, Inc.
285 EAST COUNTY ROAD 90
LONGMONT, COLORADO 80501
PHONE: 303-670-1442
FAX: 303-670-9877

**Pfistermeyer & Lee
Associates, Inc.**
2800 WALTON STREET, SUITE 300
DENVER, COLORADO 80202
PHONE: 303-445-5780
FAX: 303-445-3903

Agency





CITY OF GREELEY APPROVAL
CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE
CITY ORDINANCES AND SPECIFICATIONS FOR PLANTING AND
MAINTENANCE. THE CITY'S RESPONSIBILITY FOR ERRORS,
OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS
HELD HARMLESS.

Accepted by _____ City Engineer _____ Date _____
Accepted by _____ Community Development Director _____ Date _____

OPTION B

SCALE 1" = 40' - 0"

NORTH

Centerplace of Greeley Phase 3 Greeley, Colorado

ISSUE LOG	
NO.	DESCRIPTION
1	Preliminary P.U.D. #1 3/09/07
2	Preliminary P.U.D. #2 4/11/07
3	Final P.U.D. #1 7/23/07
4	Final P.U.D. #2 8/22/07
5	Final P.U.D. #3 9/28/07

DESIGNED BY: TAIT & ASSOCIATES, INC.
DRAWN BY: TAIT & ASSOCIATES, INC.
CHECKED BY: TAIT & ASSOCIATES, INC.
DATE: 08/29/2007

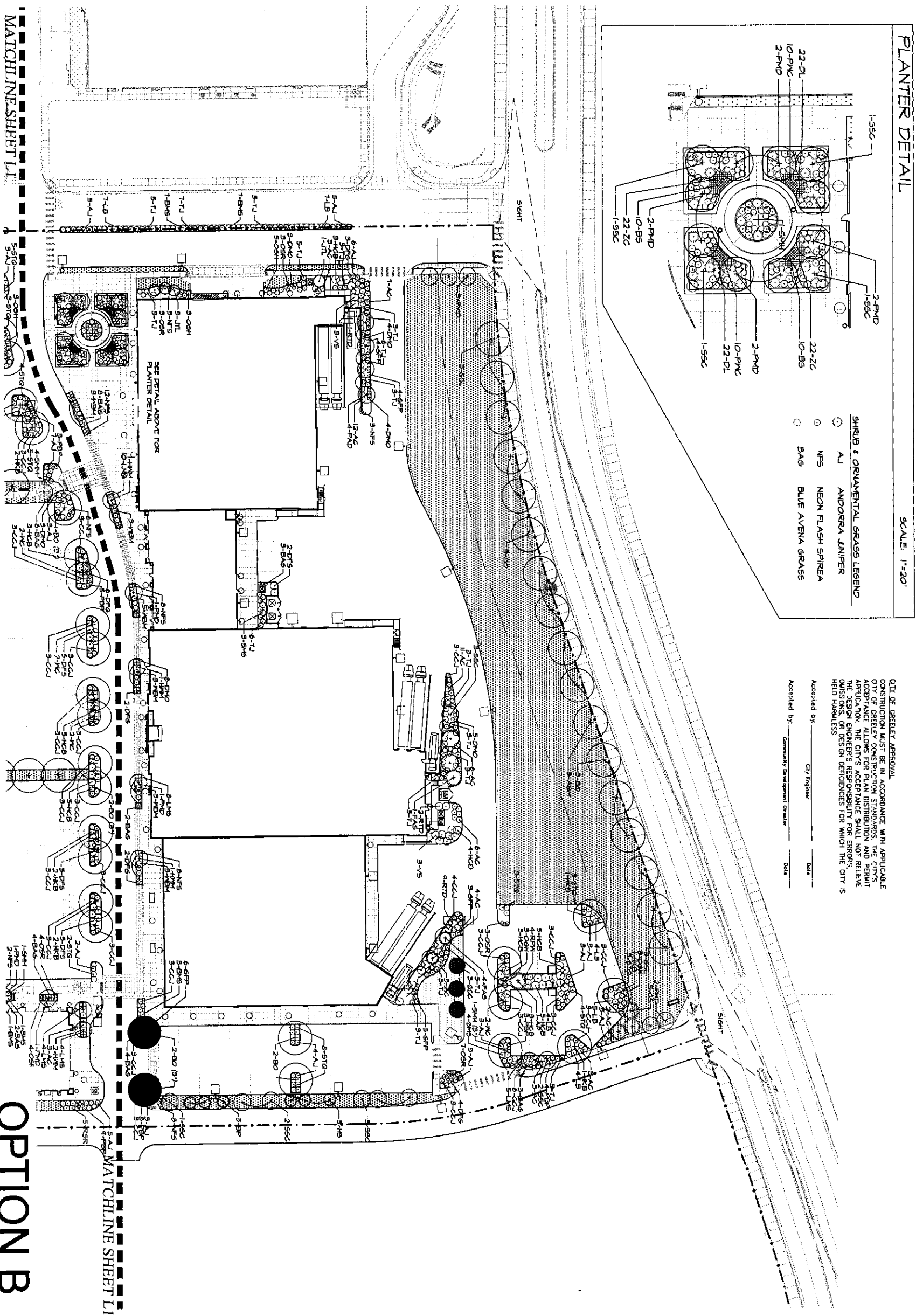
JOB # 2007
DATE 08/29/2007
SHEET NO. L1

Tait & Associates, Inc.
200 EAST COUNTY ROAD 80
LOUISIANA, COLORADO 80501
TEL: 970-455-9877
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Fletcher & Lee
Associates, Inc.
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LOUISIANA, COLORADO 80501
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FAX: 303-733-8800

O'Brien
& Associates
501 & VETERAN STREET
DENVER, COLORADO 80202
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O'BRIEN & ASSOCIATES
ASSOCIATES
PLANNING
ENGINEERING

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WWW.OBRIEN-CA.COM



Regency Centers
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Fitchmeyer & Lee Associates, Inc.
5000 WALKER STREET, SUITE 200
BOULDER, COLORADO 80502
TEL: 303.444.2000
WWW.FITCHMEYER-LEE.COM

Centerplace of Greeley Phase 3 Greeley, Colorado

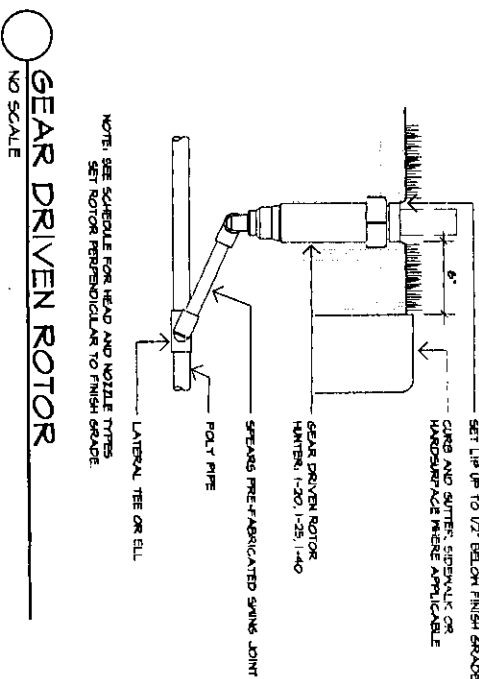
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3	Final P.U.D. #1	7/23/07
4	Final P.U.D. #2	8/22/07
5	Final P.U.D. #3	9/28/07

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JOB #: 2071
DATE: 8/29/2007
TITLE:
SHEET NO. **L2**

IRRIGATION DETAIL



NO SCALE

GEAR DRIVEN ROTOR

LOW-GROW SEED MIX

CORON NAME

30000 BLUE PUCKLE
SHEEP PUCKLE
SHEEP CROOKED PUCKLE
CANADA BLUEFLASS

AVAILABLE FROM:

ARMSTRONG VALLEY
SEED CO.

196,823 sq. ft.

= 40,000 SF PARKING AREA

= 160,000 SF PARKING AREA

THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS.

[illegible]

- 5 Final P.U.D. #3/9/28/07

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☐ JOB #: 1371
☐ DATE: 08/09/2007

TITLE:

☐ SHEET NO. 13

Page 10 of 10

Figure 1

[illegible]

Centerplace
of Greeley
Phase 3
Greeley, Colorado

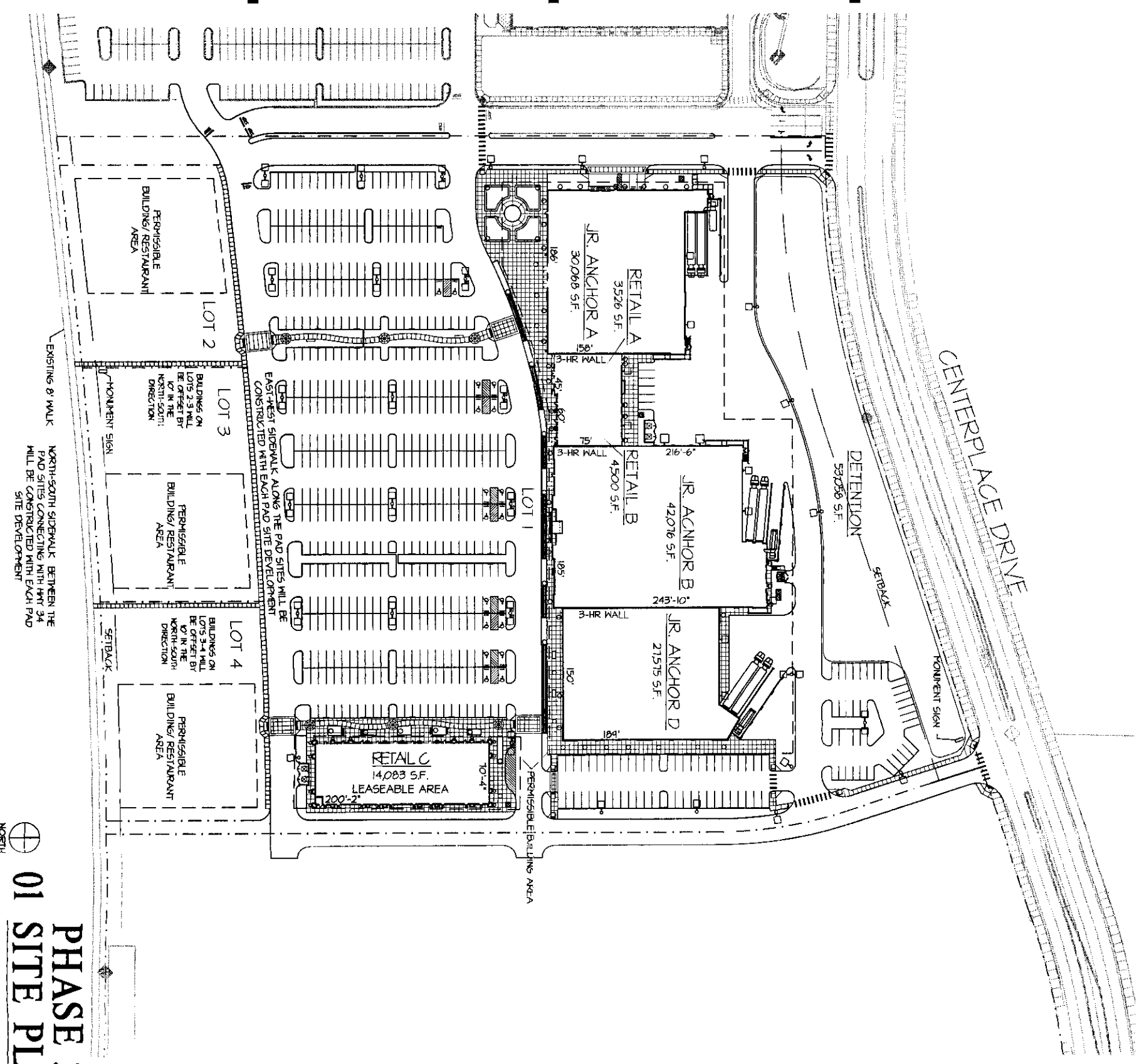
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NO.	DESCRIPTION	DATE
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2	Preliminary P.U.D. #2	4/11/07
3	Final P.U.D. #1	7/23/07
4	Final P.U.D. #2	8/22/07
5	Final P.U.D. #3	9/28/07

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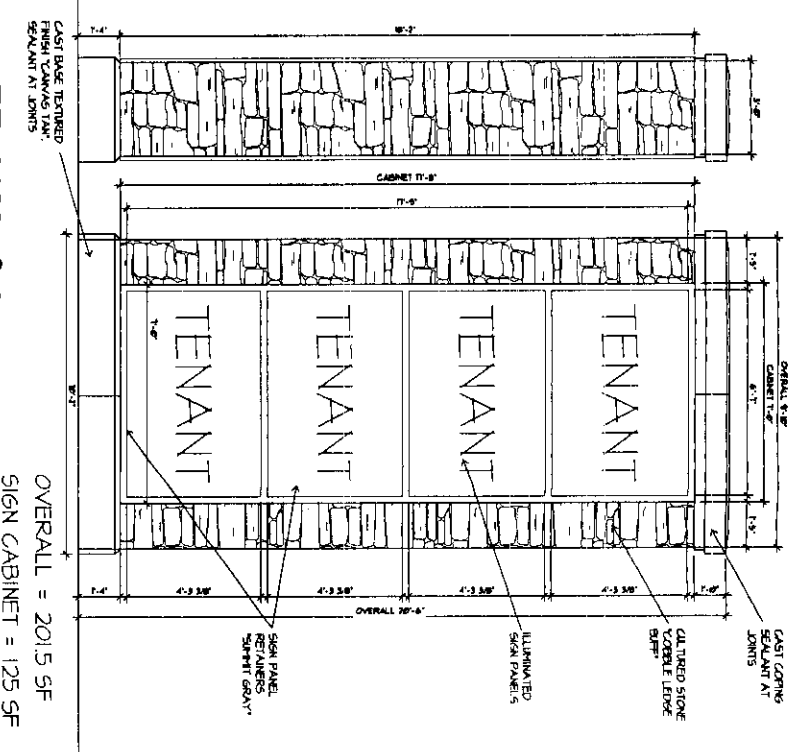
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 TITLE:
 SHEET NO.

13



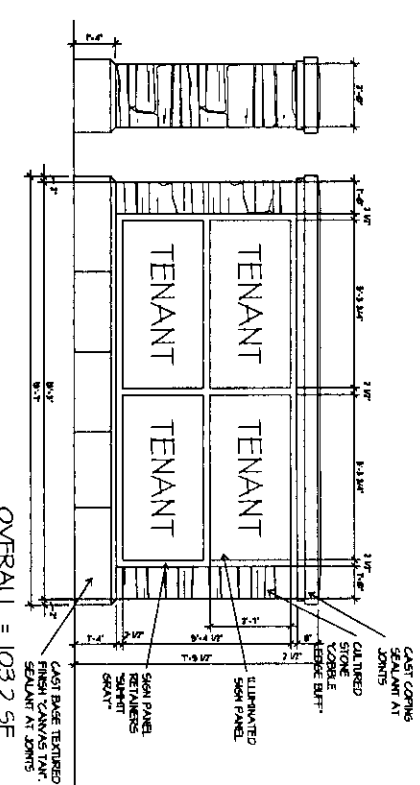
PHASE 3
01 SITE PLAN

SCALE: 1" = 60'-0"



HWY 34
02 MONUMENT SIGN

SCALE: 3/8" = 1'-0"



26TH STREET
03 MONUMENT SIGN

SCALE: 3/8" = 1'-0"

OPTION B

☐	EXHIBIT H
☐	O'BRIEN & ASSOCIATES
☐	404 S. WILSON STREET, SUITE 200 DENVER, COLORADO 80202 TEL: 303.733.8800
☐	Regency Centers
☐	870 S. BELLEVUE STREET, SUITE 800 DENVER, COLORADO 80202 TEL: 303.733.8800
☐	Tait & Associates, Inc.
☐	100 EAST COUNTY ROAD 100 LOVELAND, COLORADO 80537 TEL: 303.635.9877
☐	Petremeyer & Lee Associates, Inc.
☐	500 WILSON STREET, SUITE 200 DENVER, COLORADO 80202 TEL: 303.443.9800
☐	Centerplace of Greeley Phase 3 Greeley, Colorado
☐	ISSUE LOG
☐	NO. DESCRIPTION DATE
☐	1 Preliminary PUD #1 3/09/07
☐	2 Preliminary PUD #1 4/11/07
☐	3 Final PUD #1 7/23/07
☐	4 Final PUD #2 8/22/07
☐	5 Final PUD #3 8/28/07
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☐	JOB #: 26TH
☐	DATE: 05/09/2007
☐	TITLE: Monument Sign Drawings
☐	SHEET NO.
☐	A9

FINAL COLORS AND MATERIALS WILL
BE APPROVED BY DEVELOPER ON
SITE MOCK UP PANEL.

EXHIBIT 1

O'BRIEN
& ASSOCIATES

501 S. VICTOR STREET
SUITE 300
DENVER, COLORADO 80202
TEL: 303.733.1234
WWW.OBRIEN-CA.COM

Regency Centers
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DENVER, COLORADO 80202
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FAX: 303.733.1235

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FAX: 970.662.4447

Fidelmeyer & Lee
Associates, Inc.
2001 WYATT STREET, SUITE 300
BOULDER, COLORADO 80501
PHONE: 303.441.8800
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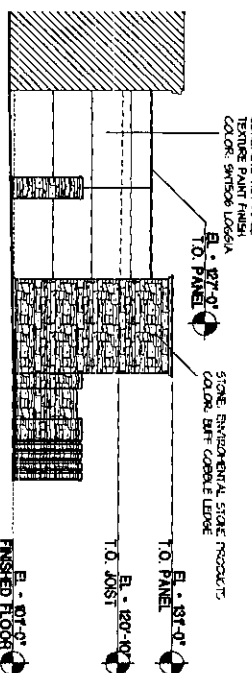
Centerplace
of Greeley
Phase 3
Greeley, Colorado

ISSUE LOG

NO.	DESCRIPTION	DATE
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2	Preliminary P.U.D. #2	4/11/07
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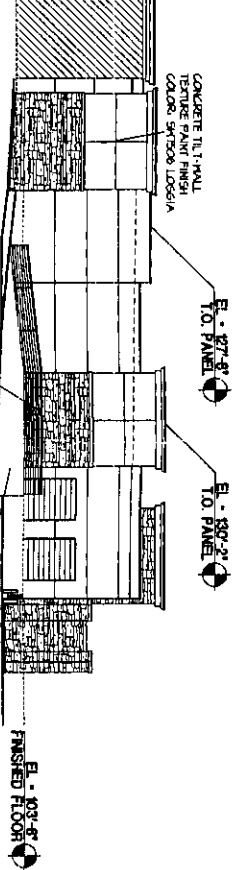
JOB #: 2317
DATE: 08/09/2007
TITLE: RETAIL ELEVATIONS

SHEET NO. A8



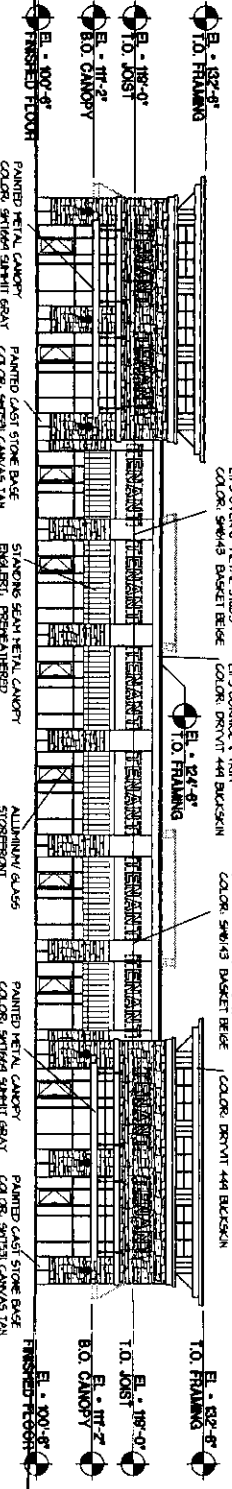
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01 EAST ELEVATION

SCALE: 1/16" = 1'-0"



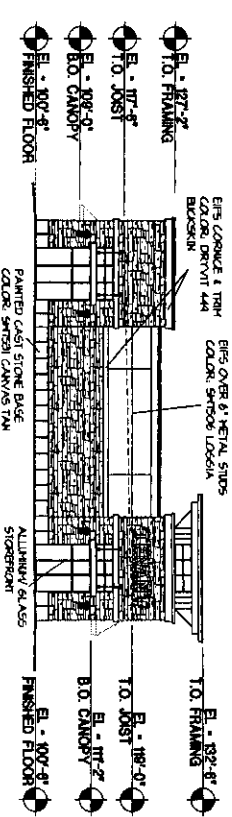
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SCALE: 1/16" = 1'-0"



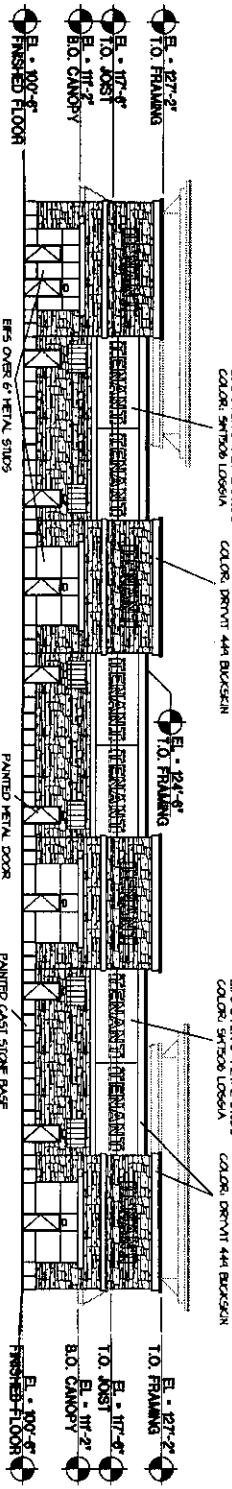
RETAIL
03 WEST ELEVATION

SCALE: 1/16" = 1'-0"



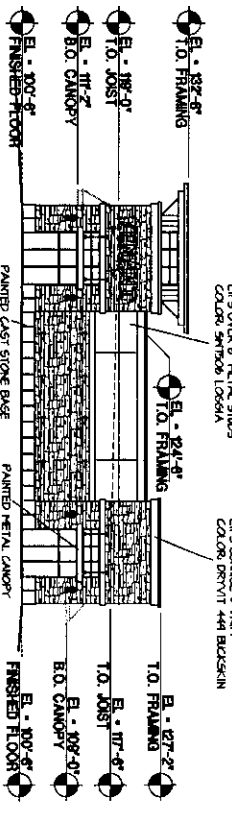
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04 NORTH ELEVATION

SCALE: 1/16" = 1'-0"



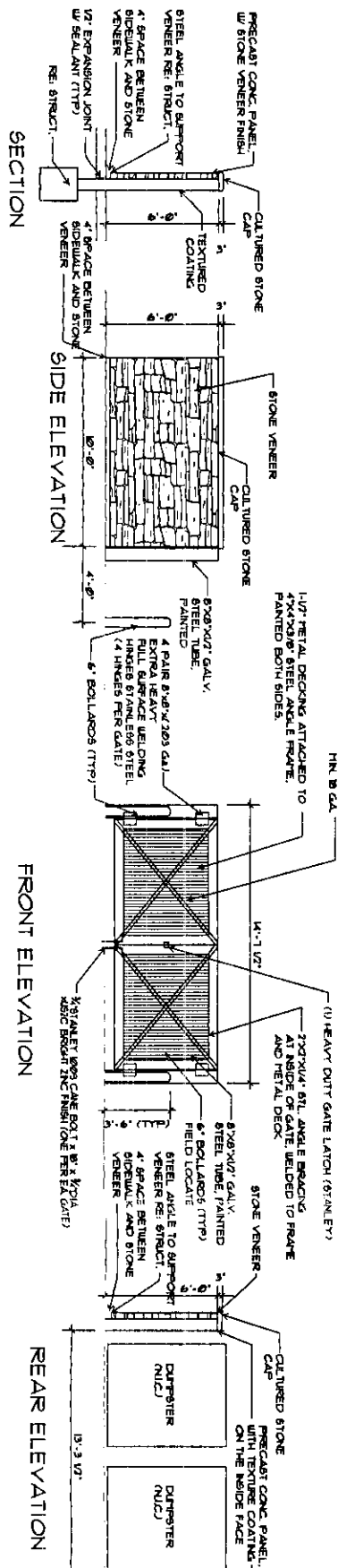
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SCALE: 1/16" = 1'-0"



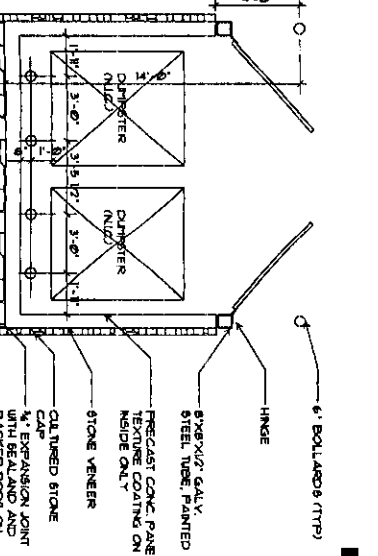
RETAIL
06 NORTH ELEVATION

SCALE: 1/16" = 1'-0"



07 DUMPSTER DETAILS

SCALE: 1/4" = 1'-0"



08 DUMPSTER DETAILS

SCALE: 1/4" = 1'-0"

PLANNING COMMISSION SUMMARY

ITEM: Final PUD Amendment to revise the allowed uses to those listed within the C-H (Commercial High Intensity) zoning district except for auto and residential uses

FILE NUMBER: PUD2021-0009

PROJECT: Kohls Final PUD 1st Amendment

LOCATION: 4330 Centerplace Drive

APPLICANT: Greg Wheeler, on behalf of T & S Real Estate Incorporated

CASE PLANNER: Caleb Jackson, AICP | Planner II

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and review the proposal for compliance with the Development Code and approve, approve with conditions, or deny the request. The Planning Commission decision shall be based on a finding that the Final PUD is in substantial conformance with the approved Preliminary PUD.

EXECUTIVE SUMMARY

The City of Greeley is considering a Final PUD (Planned Unit Development) Amendment request from Greg Wheeler, on behalf of T & S Real Estate Incorporation to revise the allowed uses to those listed within the C-H (Commercial High Intensity) zoning district, except for auto and residential uses at 4330 Centerplace Drive (see Attachments A & B).

A. REQUEST

The applicant is requesting approval of a Final PUD Amendment (see Attachment C) to provide flexibility for future uses on the site. The amendment would revise the allowed uses on Lot 2 of the approved Final PUD (see Attachment D). Site improvements are not proposed to change with this amendment.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning:

North: PUD (Planned Unit Development)

South: PUD (Planned Unit Development)

East: PUD (Planned Unit Development)

West: PUD (Planned Unit Development)

Site Characteristics:

The site is relatively flat and is presently developed as in-line tenant spaces with retail and personal service uses.

Surrounding Land Uses:

North: Detention Pond

South: Restaurant

East: Retail

West: Retail

D. BACKGROUND

The subject property is part of the larger Centerplace of Greeley Preliminary PUD approved in 2000 which allowed C-H uses (see Attachment E). A final PUD was approved for the subject site in 2003 that allowed retail, restaurants, offices, and personal services only (see Attachment D).

E. APPROVAL CRITERIA

The review criteria found in Section 24-673(c) of the Greeley Development Code shall be used when considering a Final PUD approval request.

1. Is the Final PUD Plan substantially in compliance with the approved Preliminary PUD Plan?

Staff Comment: The Final PUD plan is substantially compliant with the Preliminary PUD. Substantial compliance is demonstrated by the application proposing a land use, intensity, traffic pattern, character, and satisfaction of development standards consistent with the approved Preliminary PUD.

F. PHYSICAL SITE CHARACTERISTICS

HAZARDS

No hazards are present impacting the site.

WILDLIFE

The proposal is not anticipated to impact wildlife because the site is already developed.

FLOODPLAIN

The property is not located within the 100-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

DRAINAGE AND EROSION

No changes to site improvements are proposed. As such, no changes to drainage or erosion are anticipated.

TRANSPORTATION

The site is adequately served by existing transportation infrastructure, and access is not proposed to change.

SERVICES

The property is adequately served with water and sewer. The property is served by Greeley Police and Fire Departments, and sufficient access is provided for emergency vehicles to reach the site.

I. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this hearing were mailed to surrounding landowners within 500 feet of the site, and notice was provided in the newspaper per Development Code standards. Signs were posted on the site on April 29, 2021.

No comments were received prior to finalizing this report.

J. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed Final PUD Amendment is in compliance with the Development Code and is consistent with the Preliminary PUD and therefore approves the Final PUD Amendment, that revises the allowed uses on Lot 2, as presented.

ATTACHMENTS

Attachment A – Vicinity Map

Attachment B – Project Narrative

Attachment C – Proposed Final PUD Amendment

Attachment D – Approved Final PUD

Attachment E – Approved Preliminary PUD

VICINITY MAP



PROJECT NARRATIVE

T&S Real Estate, Inc (“T&S”), the owner of Block 1, Lot 2, Kohl’s PUD In Centerplace PUD (the “Property”) is seeking to expand the permitted uses for the Property under the PUD to include all uses permitted under the Commercial-High Zoning District, except for automotive services and residential uses.

The PUD currently describes permitted land uses within the PUD as “retail, restaurant, offices and personal services.” T&S recently contacted the City of Greeley Planning Department to discuss the opening of a chiropractic office on the Property, and the Planning Department indicated that there was uncertainty based on the language in the PUD whether such use would be authorized. Accordingly, T&S seeks to amend the PUD to include all uses authorized in the Commercial-High Zone District, except for automotive services. Such amendment would authorize the proposed chiropractor office, as well as clarify the scope of the allowable uses under the PUD. Based on T&S’s discussions with the Planning Department Staff, T&S believes that the proposed amendment would be consistent with the original developer’s intent as well as consistent with the uses typically authorized in a commercial shopping center.

KOHL'S FINAL PUD 1ST AMENDMENT

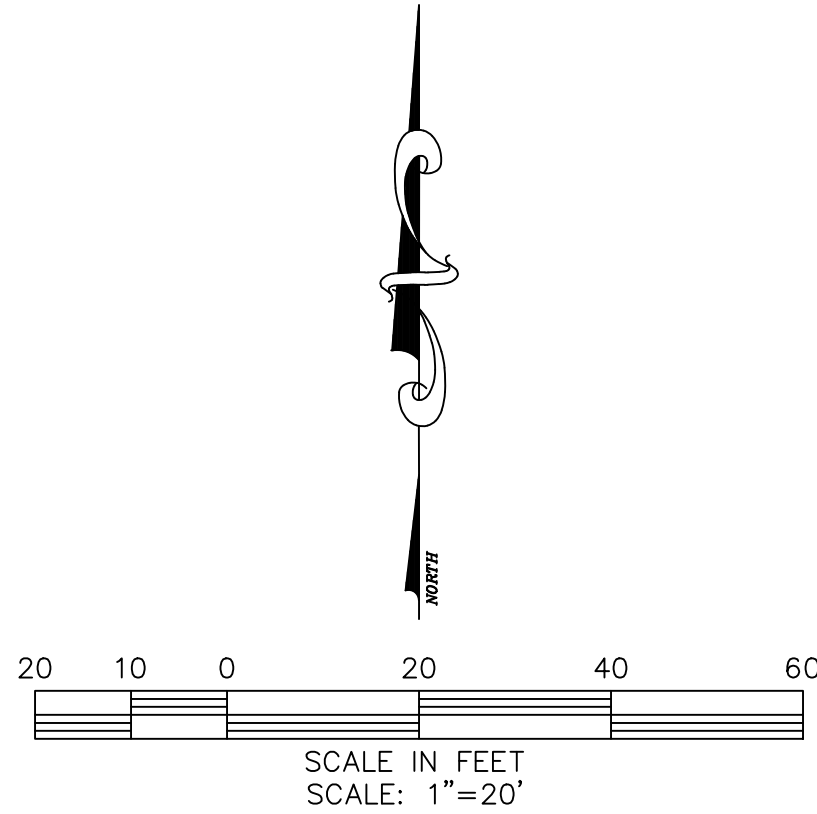
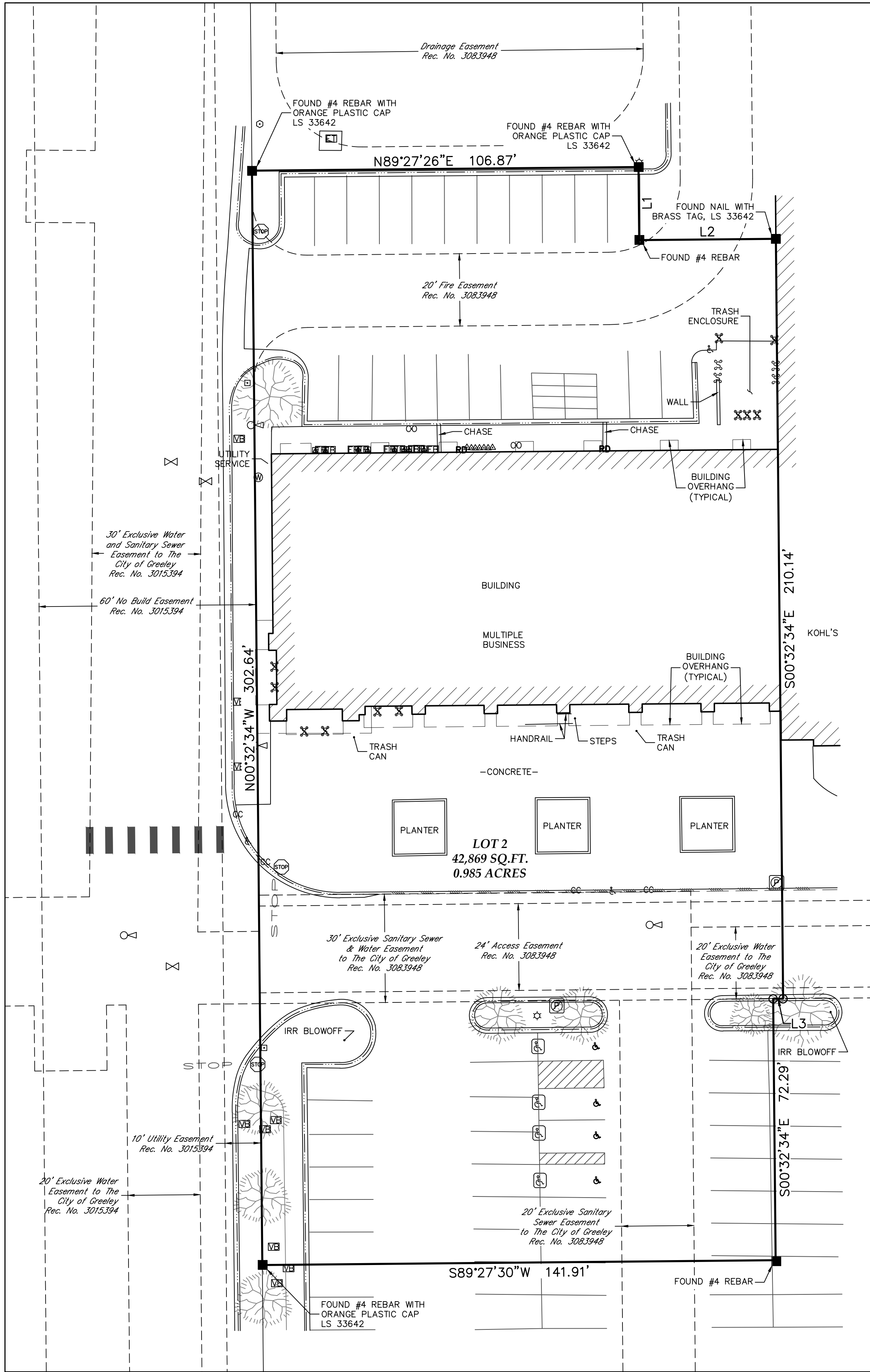
PUD2021-0009

FOR LOT 2, CENTERPLACE SUBDIVISION, SECOND FILING

Attachment C

complete
id
all
ing final

.. 20 ..



DATE:	4/14/2021
FILE NAME:	20210178-AMPLAT
SCALE:	1"=20'
DRAWN BY:	CSK
CHECKED BY:	CAD

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: contact@KingSurveyors.com



DATE:					
REVISIONS:					

KOHL'S FINAL PUD 1ST AMENDMENT
FOR
WHEELER PROPERTIES
1130 38TH AVENUE, SUITE B
GREELEY, CO 80634

PROJECT #:
20210178

1
SHEET 1 OF 1

557

**PLANNED UNIT DEVELOPMENT
APPROVAL DOCUMENT
KOHLS PUD
IN CENTERPLACE PUD
2003**

This Approval Document is prepared pursuant to Section 18.32.140.E of the City of Greeley Development Code of 1998 and represents approval by the City of Greeley, Colorado of a final planned unit development (PUD) presented to the Planning Commission by Will Damrath on behalf of Centerplace, LLC on May 27, 2003.

WHEREAS, the City Council of the City of Greeley, Colorado has zoned the subject property PUD and Planning Commission subsequently reviewed and approved the final PUD and directed the preparation of this Approval Document; and

WHEREAS, the boundary of the PUD is a 12.256 acre property to be described as;

Lot 1, Lot 2 and Lot 3, Centerplace Subdivision, Second Filing

Said described parcels contain 12.256 acres more or less and is subject to any conditions, rights-of-way or easements of record or that as now exist on the ground.

WHEREAS, in accordance with the Greeley Development Code of 1998, Will Damrath, on behalf of Centerplace, LLC has presented a final PUD plan for certain real property situated within the City of Greeley, County of Weld, State of Colorado; and

WHEREAS, after evaluating the final PUD plans, Planning Commission has found the PUD plan will serve the public interest and will provide safeguards to the public and to the persons owning and occupying the land area of the PUD which will be approximately equivalent to the safeguards provided by the regulations in the Greeley Development Code of 1998.

NOW, THEREFORE, final PUD approval is given to the plan put forth by Will Damrath on behalf of Centerplace, LLC for a department store and in-line retail, which includes the following provisions:

1. LAND USE

The permitted land uses for the Final Planned Unit Development is retail, restaurant, offices and personal services. The design of the site will be as shown on Exhibit A.

The uses will be allowed on parcels which will be created as a filing plat on Lots 1, 2, and 3 of the proposed Centerplace Subdivision Second Filing, a 12.256 acre site.

2. SITE DESIGN

The site will be designed as shown on Exhibit A.

3. CIRCULATION AND PARKING

A shared vehicular access point to this site from Centerplace Drive is proposed to occur through the existing Target site west of the site, and the access east of this site to Centerplace Drive will be shared with future development of Centerplace Phase 3.

Pedestrians have been afforded good circulation adjacent and through the site.

4. BUILDING DESIGN AND LOCATION

Building design and materials will be as shown on Exhibit C and be a continuation of the materials utilized in Centerplace Phase One.

The building design for the buildings includes:

1. Cultured stone adhered to a tilt wall.
2. Painted tilt wall panel.
3. Towers anchoring building corners and entrance points topped with a standing seam metal roof.
4. An EIFS (synthetic stucco) cornice.
5. An aluminum storefront system.
6. Standing seam metal awnings.
7. An EIFS band.
8. Painted galvanized steel plates as accent features.

The applicant has supplied material samples which will be used for this project and are on file in the City of Greeley Community Development Department.

Design guidelines for the pad site, Lot 3, have been provided as part of this approval (Exhibit D).

5. LANDSCAPING AND OPEN SPACE

The landscaped areas will be as shown on Exhibit B, which will consist of trees and shrubs designed to provide buffering and screening and shade to parking areas and the buildings.

6. SIGNAGE

No freestanding signs are proposed.* Wall signage will be in compliance with the Development Code.

7. LIGHTING

The lighting plan indicates the poles will be 30 feet tall. The fixtures used will be the same as Phase One. The illumination will be in compliance with the Development Code. The design guidelines for Lot 3 govern that portion of this site.

8. PUBLIC IMPROVEMENTS

Utilities to and through the site are required to be installed by the developer. The construction of Centerplace Drive, including a landscaped median, from the east end of Target to 25th Street at 38th Avenue is required of the developer as part of this phase.

9. PHASING

The first phase of this portion of the Centerplace PUD will consist of Lots 1 and 2. An additional "phase" will occur with the development of Lot 3, a pad site, which will be required to return for a final PUD. This is the second of four anticipated phases for the Centerplace PUD.

It is understood by all parties that the PUD plan approved by virtue of this document is an integral part of the zoning of the above-described tract of land and that all successors, heirs, or assigns are obligated to comply with the requirements and limitations of the Approval Document as though such successors, heirs or assigns have been landowners at the time this Approval Document was issued. Any disputes, disagreements, or matters not covered by this Approval Document shall be resolved by referring to the Greeley Development Code of 1998 as applicable at the time such disagreements or matters should arise. It is also understood that any failure to comply with the requirements and limitations of the Approval Document will subject the landowner, its successor, heirs or assigns to penalties as provided by virtue of Section 18.14.040 of the Development Code of 1998, Section 1.32 of the Greeley Municipal Code, as well as all civil remedies available to the City of Greeley, to prevent or remedy any Zoning Code violations.

EXHIBITS

Exhibit A - Site Plan
Exhibit B - Landscaping Plan - 3 pages
Exhibit C - Building Elevations - 2 pages
Exhibit D - Design Guidelines (Lot 3) - 4 pages

PREPARED BY



Greg Thompson, Planning Manager
9/13/03

Date Prepared

- * Since the approval of this final PUD, the applicants received administrative approval for the Kohl's store to share two existing freestanding signs. One will be immediately west of Lot 3 on the Target site, and one will be adjacent to 47th Avenue. In addition, a freestanding sign on the northwest corner of Lot 1 (Kohl's lot) will be added. All signage is compliant with the Development Code for size and height.



EXHIBIT D – DESIGN GUIDELINES FOR OUTPARCELS

DESIGN GUIDELINES FOR OUTPARCEL BUILDINGS ON LOTS 2, 3, 4, 5, 6, 7, FUTURE LOT 10 AND OUTLOT A CENTERPLACE of GREELEY

DEFINED TERMS:

Unless specifically defined herein, all terms with the initial letter capitalized shall have the same meaning attributed to such term in the OEA (as defined below).

INTENT:

The purpose of these criteria is to establish the guidelines for the design and construction of the Outparcel Buildings that are planned for all phases at the Shopping Center. It is the intent that these Outparcels shall maintain the same architecturally compatible theme (the "Theme") of the main retail Buildings, and follow the guidelines set forth in the Exhibit E – Design of Signs to the Operation and Easement Agreement ("OEA"), the OEA to which this Exhibit F-2 is attached and incorporated, as well as the Development Code ("Development Code") for the City of Greeley, Colorado ("the City"). The intent of this guideline is not to prohibit national building identity or trademarked signage established by the Outparcel owners' or occupants' businesses, but to integrate the design of all Buildings and maintain the Theme for the exterior of all Buildings to be constructed, placed or located within the Shopping Center. To this end the following requirements for the development on these Outparcels shall be as follows:

SUBMISSION REQUIREMENTS:

Outparcel owners shall submit to the Approving Parties under the OEA detailed conceptual plans as required by Exhibit G of the OEA for approval prior to any submittal to the City. The Approving Parties approval process shall be in accordance with Section 3.3 of the OEA.

BUILDING ARCHITECTURE STYLE / GUIDELINES:

1. All Outparcel Buildings may incorporate regionally and nationally recognized architectural features, materials / finishes and colors, however Outparcel Buildings shall utilize an appropriate amount of the common building materials listed below so that the exteriors of the Outparcel Buildings shall be consistent with the Theme established for the Shopping Center.

Below is the list of approved common building materials for the shopping center:

- a. Veneer Stone: Manufacturer: Environmental Stone Products; Color: Buff Cobble Ledge.
- b. EFIS / Stucco: EFIS Manufacturer: Dryvit or equal; Color: Field; Prairie Clay

#111, Trim; Dover Sky # 104.

c. Standing Seam Roofing; Manufacturer: Berridge; Color: Pre-weathered Galvalume.

2. A maximum of three (3) alternate wall materials may be used for visible wall elements on the Outparcel Buildings provided that the proposed material / color complements the cast stone, EFIS and stucco materials / colors.

3. A maximum of two (2) alternate roofing materials may be used for visible roof elements on the Outparcel Buildings provided that the proposed material / color complements the standing seam roof assembly / color. Non-visible roof membrane systems are excluded from this restriction.

4. Each Outparcel building shall not exceed a maximum height of twenty-four (24) feet and shall be limited to one (1) story.

5. Each Outparcel Building shall have a clearly defined, highly visible customer entrance treatment such as fascias, canopies, arcades, wing walls and / or integral planters.

6. All Building facades which are visible from adjoining public streets and / or the Shopping Center access drives are to feature architectural characteristics / elements similar to the front façade.

7. Loading docks, trash collection areas and outdoor storage areas shall be designed so that visual impacts are screened. Screening materials shall match building materials.

8. A visual buffer at the service and delivery vehicle parking areas for each Outparcel Building shall be created using landscaping, berms, architectural quality fences or other features as required to screen these areas from view from both the public roads and the shopping center access drives.

9. Outdoor storage areas shall be designed so that visual impacts are completely screened by providing architectural quality fencing / gates / screening around all outdoor storage area(s). The fencing / gates / screening shall be of a height sufficient to completely screen all stored materials from view. The screening material shall have an opaque quality / appearance. The use of chain link fencing / gates is not permissible.

DEVELOPMENT STANDARDS:

Outparcel owners shall follow the requirements as outlined in the Development Code set forth by the City found in Chapter 18.38. Outparcel owners will refer to Section 18.38.080 for Development standards for Commercial-High Districts at High Intensity. In addition to these guidelines, Outparcel Buildings shall not exceed a maximum height of twenty-four feet (24') and shall be limited to one (1) story.

GENERAL PERFORMANCE STANDARDS:

In order to integrate the Outparcel uses into the Shopping Center, the General Performance Standards as discussed and defined in the Development Code shall apply to Outparcels except with respect to lot lines internal to the main parking field of the Shopping Center. Outparcel owners are responsible, however, to integrate the following items into the Shopping Center:

1. **Site and Building Design Standards** –The front of the Building shall be oriented towards the interior of the Shopping Center, 47th Avenue or U.S. Hwy 34 Bypass. Outparcels will maintain the same Theme as the other Buildings in the Shopping Center as described in the Intent Section above.
2. **Lighting Standards** – Lighting, fixtures, and colors shall match the existing light poles in the Shopping Center. Fixture height shall be a maximum of 20 feet above grade.

PARKING:

Outparcel owners shall follow the parking requirements as outlined in the Development Code set forth by the City found in Chapter 18.42 and the OEA with the most restrictive requirements taking precedence. No exceptions or additions to the Development Code shall be permitted except that shrubs, berms, walls or a combination thereof shall be required to adequately screen the vehicle headlights on the south Outparcel property line of Lots 4, 5, 6, 7 and 10 in order to reduce the parking setback requirement from 25 feet to 15 feet. An 18' –6" foot setback shall be allowed on the north boundary of Lot 1.

All Outparcels shall be designed so that they are self-parked. Reliance / use of parking stalls that may be available on another Outparcel, Tract or other portion of the Shopping Center is not permissible. Parking spaces shall not be permitted along any main drive aisles located within the shopping center.

LANDSCAPING:

Outparcel owners shall follow the requirements as outlined in the Development Code set forth by the City found in Chapter 18.44.

In addition to these guidelines, a minimum of two and one half inch (2.5") caliper shade trees shall be planted by Outparcel owners for parking areas. Tree and shrub species must be consistent with those installed within the rest of the Shopping Center. Outparcel owners will refer to Section 18.44.060 of the Development Code for buffer yard and screening standards. The minimum exterior buffer yard allowed shall be buffer yard 'B.' In order to integrate the Outparcel uses into the Shopping Center, the buffer yard guidelines shall not apply to Interior Lot Lines within the main parking field.

MONUMENT SIGNS / ONSITE SIGNAGE / STRIPING:

Outparcel owners shall follow the requirements as set forth in the OEA.

OUTPARCEL BUILDING / WALL SIGNAGE:

Outparcel owners shall follow the requirements as outlined in the Development Code set forth by the City found in Chapter 18.54 and the OEA, with the most restrictive



requirements taking precedence

Only wall sign types shall be allowed, with a maximum of one and one half square feet (1.5sf) of signage allowed per linear foot of principal building frontage. Outparcel owners shall refer to Sections 18.54.060 parts f, g, and h of the Development Code for regulations on height and numbers of signs.

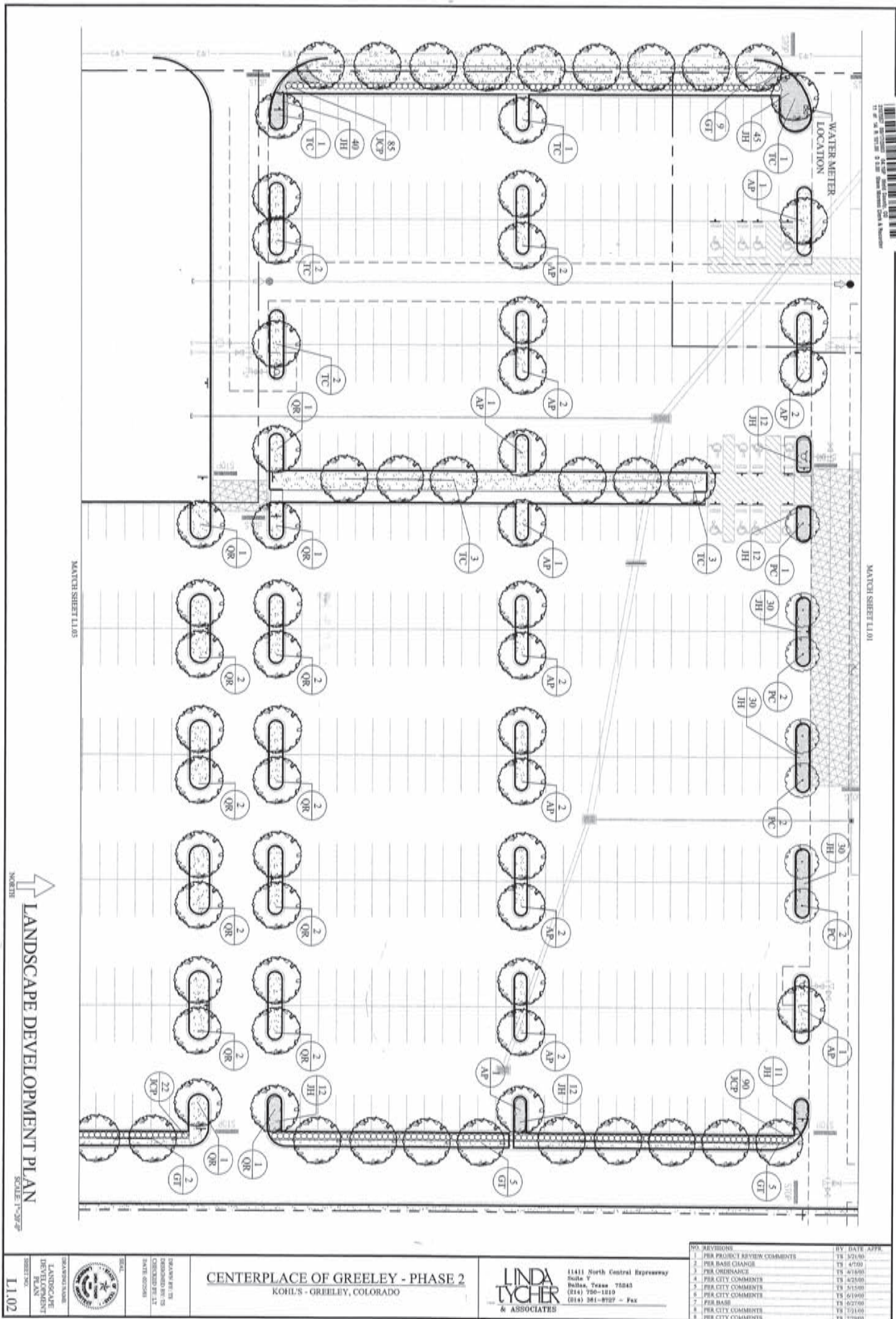
OUTPARCEL BUILDING VIEW WINDOWS:

The total frontage of any improvements on Lots 4, 5, 6, 7 and 10 shall not exceed fifty percent (50%) of the total linear feet of frontage on U.S. 34 Bypass (for example, if the Lot has 200 linear footage of frontage on U.S. 34 Bypass, then the total frontage of any improvement on the Lot shall not exceed 100 linear feet). All other Lots shall follow the requirements set forth in the OEA.

SITE AMENITIES:

Site amenities used for the Outparcels shall match the rest of the Shopping Center. Contact the owner of Lot 9 and / or the Operator of the Shopping Center for the approved list of site amenities. The site amenities include, but are not limited to, the following:

1. Bike Racks
2. Benches
3. Trash Cans
4. Trash / Ash Containers
5. Planters
6. Decorative Street Lamps
7. Signposts



LANDSCAPE SPECIFICATIONS

[illegible]

Prior to construction, the Landscape Contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. The Landscape Contractor is responsible for inspecting any and all damage to utilities, structures, site improvements, etc., which occur as a result of the landscape construction.

All plants shall be healthy, vigorous materials, free from disease and pests and shall comply with the latest edition of the publication ANSI Z60 American Standard for Nursery Stock by the American Nursery and Landscape Association.

The Landscape Contractor is responsible for verifying all quantities shown on these plans before pricing the work. Any difference in quantities should be brought to the attention of the Kofa's Landscape Designer for clarification.

The Landscape Contractors shall completely guarantee all plant material for the period of one (1) year beginning at the date of total acceptance by KWR's. The Landscape Contractor shall promptly make all replacements before or at the end of the guarantee period as the growing season permits.

and results and implications are related to the concept of the "responsible person."

All planting beds must have weed barrier and be completely mulched with 7" hardwood shredded mulch, free of mold and debris. Some locations may not be as close to the road as others, so please be sure to use the correct mulch for the location.

The top of all series of book cover shall be at grade of adjacent curb, walk or edge of pavement, with exception to the railroad junction in which the top of the match shall meet the bottom of the cing of the platform.

The planting and culture specified for the plantations adjacent the Ketchikan building shall be composed of tropical and additional amendments appropriate for the species and pathogens and be backfilled to a depth of 12". Topsoil shall be sterile, natural topsoil, typical of locally obtained from well-drained areas. The soil be without admixture of subsoil, and shall be free of stones, lumps, sticks, toxic substances or other extraneous matter that may be harmful to the plants.

plant growth or that would interfere with future maintenance. At all times, the contractor shall keep the premises clear.

It is the Landscape Contractor's responsibility to determine water application rates and timer cycling. The Irrigation Contractor will instruct the Landscape Contractor on the operation and programming of the controller.

No substitutions of plant materials shall be made without prior written permission of the Kolb's Landscape Designer. Contact Kolb's Corporate Office Landscape Design Department at 262-773-1597.

For each of the required saw points at the time of the sawing period, (a) saw points are to be awarded for a period of one year; (b) Points that are awarded for satisfactory growth shall be removed and replaced during the next normal planting season at no additional cost to the owner/landlord. (Note 1)

The Landscape Contractor shall place a 4" compacted layer of topsoil over all areas to be established in turf. The topsoil layer shall bring all turf areas to a grade within 1/8" of existing grade.

Remove stones bigger than 1/2 inches in any dimension and sticks, roots, rubbers and other extraneous matter.

Hydroseeded all new lawn areas as specified below unless plans call for sod.

Min. seed, fertilizer, and polymerized slush in water, using equipment specifically designed for hydroseed application.

Apply slurry uniformly to all areas to be seeded. Fertilizer application as required to obtain specified seed sowing rate.

Water and soil test inputs immediately after planting. During first week, water daily or more frequently as necessary to maintain moist soil to depth of 4 cm.

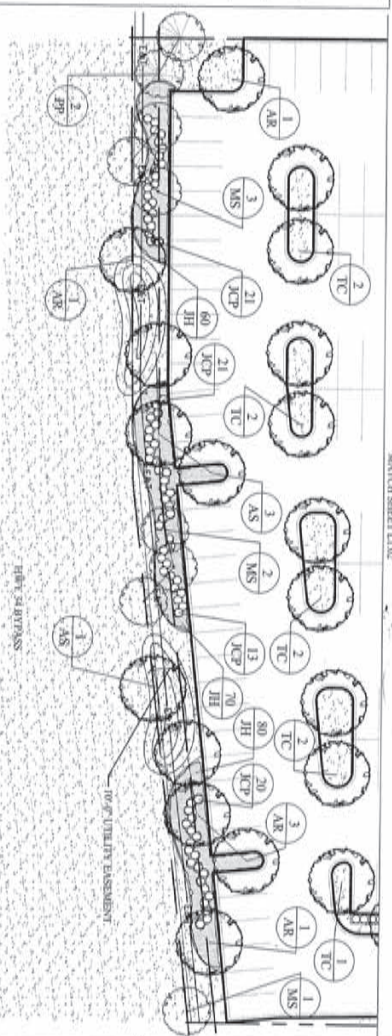
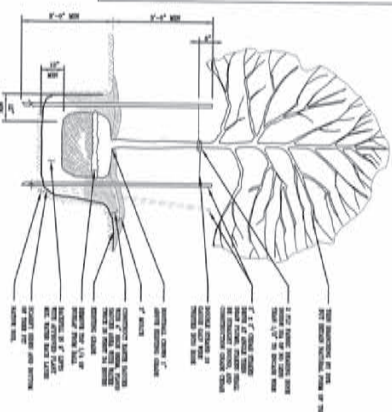
Landscape Tabulations

[illegible]

NOTE

NO PLANT MATERIAL WITH NATURE GROWN GREATER THAN THREE FEET (3') IN HEIGHT SHALL BE PLANTED WITHIN WATER AND SEWER EASEMENTS.

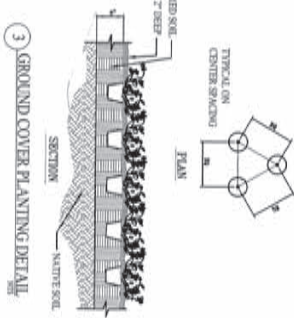
NO SHRUBS SHALL BE PLANTED WITHIN FIVE FEET (5') RADII OR TREES WITHIN TEN FEET (10') OF WATER METERS, FIRE HYDRANTS, OR SANITARY SEWER MANHOLES.



PLANT LIST

NOTE: LANDSCAPING IN THE RIGHT-OF-WAY REQUIRES A PLANTING PERMIT. THE INSTALLER NEEDS TO OBTAIN THE PERMIT FROM THE FORESTRY OFFICE, FOR A FEE.

NAME	UNIT	OFFICIAL NUMBER	COMBAT NAME	DISPOSITION
COMBATANTS				
1	1	1	1	1
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LANDSCAPE DEVELOPMENT PLAN
SCALE

NORTHERN

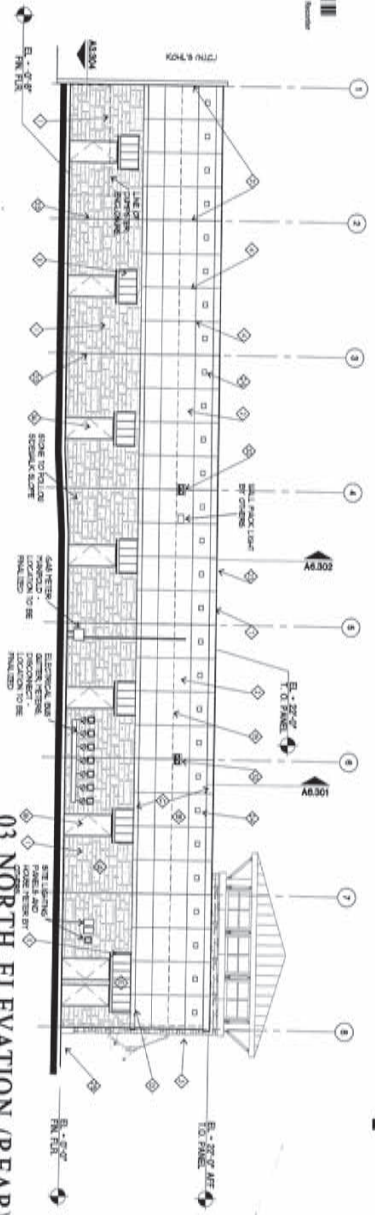
100

L1.03

CENTERPLACE OF GREELEY - PHASE 2
KOHL'S - GREELEY, COLORADO

LINDA TYCHER
 & ASSOCIATES
 11411 North Central Expressway
 Suite V
 Dallas, Texas 75243
 (214) 750-1210
 (214) 361-8797 - Fax

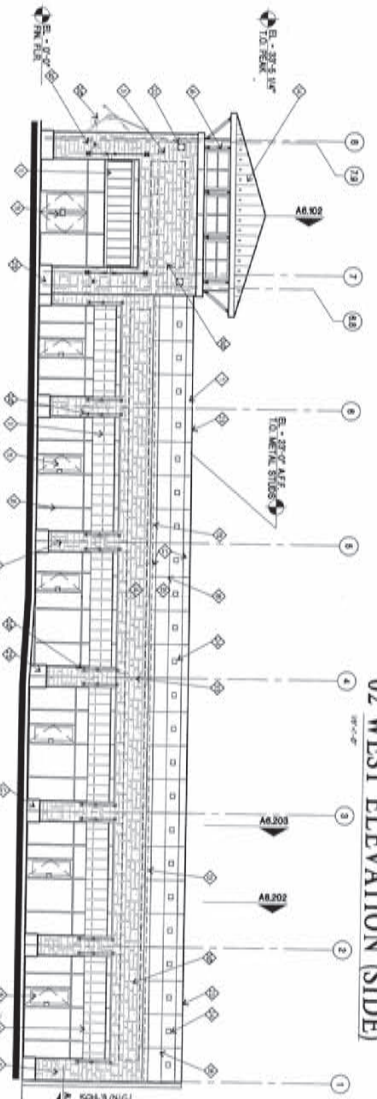
NO.	REVISION	BY	DATE	APPR.
1	PER PROJECT REVIEW COMMENTS	TS	3/21/03	
2	PER BASE CHAIR	TS	4/7/03	
3	PER ORDINANCE	TS	6/18/03	
4	PER CITY COMMENTS	TS	4/15/04	
5	PER CITY COMMENTS	TS	5/6/03	
6	PER CITY COMMENTS	TS	6/29/03	
7	PER BASE	TS	7/20/03	



- COLOR KEY**
- A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL
 - B) SPROWN MILLWORK - TOSKOK
 - C) SPROWN MILLWORK - VARIANS TYP
 - D) SPROWN MILLWORK - SHARP SHARP
 - E) PRE-ENGINEERED ALUMINUM
- COLOR NOTE**
- CONTRACTOR TO COORDINATE COLOR TONING AND FINISH WITH CONSULTING PAINTING FIRM

02 WEST ELEVATION (SIDE)

01 SOUTH ELEVATION (FRONT)



KEY NOTES

- 1. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 2. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 3. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 4. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 5. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 6. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 7. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 8. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 9. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM
- 10. CLADDING SHALL BE: A) CORNELL LUMBER - SPT, DKL, COORDINATE WITH DESIGN HORIZONTAL B) SPROWN MILLWORK - TOSKOK C) SPROWN MILLWORK - VARIANS TYP D) SPROWN MILLWORK - SHARP SHARP E) PRE-ENGINEERED ALUMINUM

CENTERPLACE OF GREELEY
RETAIL # 5
4330 CENTERPLACE DRIVE
GREELEY, COLORADO
A DEVELOPMENT OF:
REGENCY CENTERS

ISIDE LOG

NO.	DESCRIPTION	DATE
1	CONSTRUCTION	10/1/00
2	CONSTRUCTION	10/1/00
3	CONSTRUCTION	10/1/00
4	CONSTRUCTION	10/1/00
5	CONSTRUCTION	10/1/00
6	CONSTRUCTION	10/1/00
7	CONSTRUCTION	10/1/00
8	CONSTRUCTION	10/1/00
9	CONSTRUCTION	10/1/00
10	CONSTRUCTION	10/1/00

EXHIBIT C

SHEET NO.
DATE: 10/1/00
SCALE: 1/8" = 1'-0"



O'BRIEN & ASSOCIATES, INC.
ARCHITECTS
1000 N. 10TH AVE.
SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
FAX: 303.733.1101
WWW.OBRIEN-ARCH.COM

CenterPlace Of Greeley

Greeley West High School

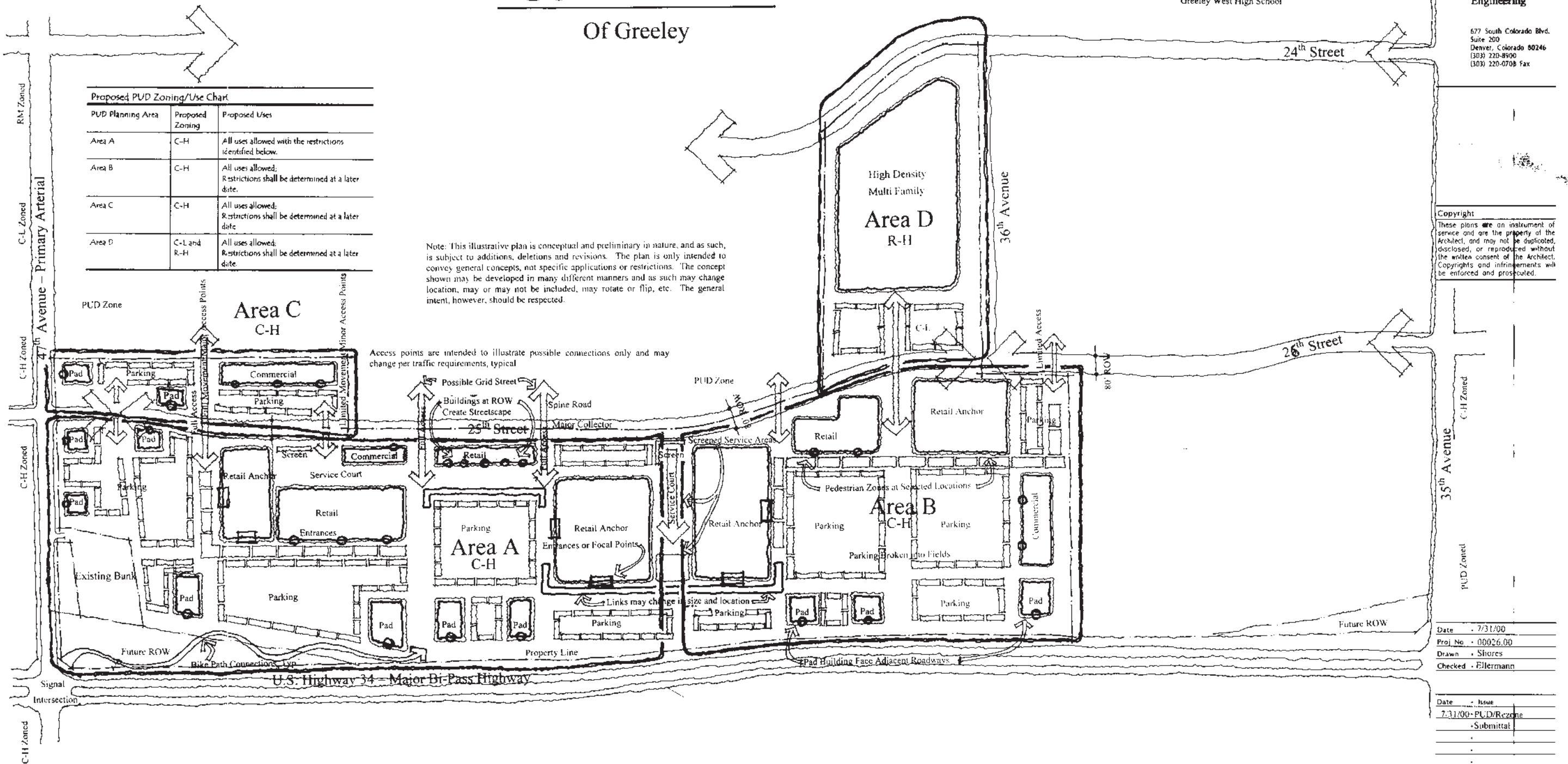
Proposed PUD Zoning/Use Chart

PUD Planning Area	Proposed Zoning	Proposed Uses
Area A	C-H	All uses allowed with the restrictions identified below.
Area B	C-H	All uses allowed. Restrictions shall be determined at a later date.
Area C	C-H	All uses allowed. Restrictions shall be determined at a later date.
Area D	C-L and R-H	All uses allowed. Restrictions shall be determined at a later date.

Note: This illustrative plan is conceptual and preliminary in nature, and as such, is subject to additions, deletions and revisions. The plan is only intended to convey general concepts, not specific applications or restrictions. The concept shown may be developed in many different manners and as such may change location, may or may not be included, may rotate or flip, etc. The general intent, however, should be respected.

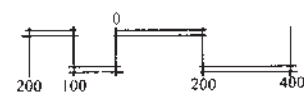
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Concept/Preliminary PUD
Illustrative Plan

Scale: 1" = 200'



Date: 7/31/00
Proj. No.: 00026.00
Drawn: Shores
Checked: Ellermann

Date: 7/31/00
Issue: PUD/Rezone
Submittal

Title: Illustrative

PLANNING COMMISSION SUMMARY

ITEM: Amendment to the Promontory Preliminary PUD

FILE NUMBER: ZON2021-0002

PROJECT: Promontory Preliminary PUD, Area M & N, 1st Amendment

LOCATION: North of Highway 34 Bypass, east of Promontory Parkway and south of future 20th Street.

APPLICANT: Randy Schwartz on behalf of Weldco Investors LLC

CASE PLANNER: Mike Garrott AICP, Planning Manager

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-625 (c)(3) and 24-663 (b)(1-2).

EXECUTIVE SUMMARY

The City of Greeley is considering a request by Randy Schwartz on behalf of Weldco Investors LLC for a Preliminary PUD amendment. The applicant is proposing to add all C-H (Commercial High Intensity) and R-H (Residential High Density) uses, including schools, and remove the commercial acreage cap within Tract B, Promontory Imagine School Second Filing only (see Attachment C). The property consists of approximately 40.92 acres. (*See Attachment A – Vicinity Map*)

A. REQUEST

The applicant is requesting approval of the PUD Amendment. (*See Attachment A – Vicinity Map and Attachment B – Project Narrative*).

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning:

North: PUD (Planned Unit Development)
South: Highway 34 Bypass
East: PUD (Planned Unit Development)
West: PUD (Planned Unit Development)

Surrounding Land Uses:

North: Fire Station No. 6
South: Highway 34 Bypass
East: Vacant (Farm land)
West: Undeveloped, Commercial

Site Characteristics:

The site is currently undeveloped with no natural, unique, or special topography, vegetation, wildlife or other factors, which could influence development options. Perimeter landscaping has been installed along Promontory Parkway, at the intersections of Promontory Parkway and 20th Street, and at the entrance of Highway 34 Bypass and Promontory Parkway. Twentieth Street was recently constructed north of the subject site, as part of Fire Station No. 6 construction. Detached sidewalks exist along Promontory Parkway, but do not currently exist along Hwy 34 Bypass. The property slopes from the northwest to the south and southeast. Drainage is conveyed to an existing detention pond and storm water line (southeast corner of US Hwy 34 Bypass and Promontory Parkway).

D. BACKGROUND

The property was annexed into the City in 1985 as part of the Golden Triangle Second Annexation (File No. 2:85) and zoned PUD, which consisted of an area of approximately 1,701 acres. The intent of the concept Golden Triangle PUD was to allow for mixed-use development, including open space, residential, commercial, industrial, and recreational uses. The conceptual PUD plan shows light industrial development, business office, park, and commercial uses on the southern portion of the PUD area that transitioned to various densities of residential and recreational/open space uses to the north.

In 1997, the City Council approved an amendment, which broke the Golden Triangle Concept PUD from one PUD into six PUDs (File No. PUD 11:97). The amendment was intended to streamline the PUD approval process. Under the 1976 Development Code, PUD actions required all land owners to sign off on development plans. As the largest PUD in the City at the time, 1,701 acres, this requirement was found to be cumbersome. The concept PUD was split into six smaller PUDs, with each assigned a set of allowed uses based on the concept PUD plan. The subject site is located in the Golden Triangle Concept PUD #1. In accordance with the Golden Triangle Concept PUD, PUD #1 allowed industrial uses only.

On December 1, 1998, the City Council approved an amendment to the Golden Triangle PUD, which rezoned the subject property from PUD (Golden Triangle) to PUD (Tri-Pointe), (File No.

PUD 8:98). The Tri-Pointe PUD encompassed an area of 668.72 acres. The conceptual plan as approved, allowed for a mixture of land uses, varying from residential, institutional, corporate headquarters, general commercial, and a requirement for the dedication of parks, schools, fire station location.

On March 16, 1999, the City Council approved a second amendment to the Tri-Pointe PUD (File No. PUD 3:99) which amended the PUD and formally changed the name of the PUD to Promontory. This amendment capped the amount of allowed retail to 84.54 acres, increased the residential acreage cap from 200 acres to 250 acres (a minimum of 900 dwelling units), increased the height allowance for office/business uses from 40 feet to 70 feet and 60 feet for industrial uses, and required the developer to dedicate a 10 acre park as well as a minimum of 1.5 acres for a fire station location (see Attachment D).

On December 21, 1999, the City Council approved modifications to the previous Council hearing on March 16, 1999. At this hearing, the Council approved the allowance for detached sidewalks, site and building design standards, lighting standards, and specified that parking in non-residential areas could exceed 125 percent of the required parking, added a requirement for bicycle parking, revised off-street parking regulations, required landscaping to comply with the City's Development code, and modified the requirement of signatures to submit PUD for approvals. Under the revision, each land owner would be able to sign a waiver letter, "forfeiting their rights, which would allow future PUD's be signed only by those pre-approving the PUD when they buy land. This proposal would be in lieu of application for final PUD approvals being submitted by the property owner, metro district, and 75 percent of all property owners owning 75 percent of the land within that tract or sub-tract". The final provisions added, allowed individual property owners within the individual tracks or areas to be the applicant and did not require the metropolitan district signature for land not owned by the district.

In 1999, the City of Greeley approved two metropolitan districts that serve the Promontory development, which are known as Tri-Pointe Commercial District and Tri-Pointe Residential District (MD 1:99).

On October 4, 2000, a Final Plat was approved for the Promontory Subdivision (PUD 10:99), which created ten super pad lots and numerous tracks (Reception No. 2798115). The subject site was platted as part of Lot 1, which consisted of 287.15 acres. In 2006, the site was replatted into Tract B, Promontory Imagine School, First Filing (Reception No. 3415275), which consisted 134.262 acres. Lot 1 was platted to accommodate a private charter school, which was proposed to be development within Promontory. However, the charter school has decided not to move forward with development.

In 2019, the property owner of Promontory Imagine School, First Filing dedicated 2.5 acres of land for the purpose of a fire station as part of another plat, known as Promontory Imagine School, Second Filing (PUD2019-0011). The approved plat also included, Tract A (94.231 acres), 20th Street right-of-way and the subject property, Tract B, which is 40.920 acres (see Attachment C)

Since the land dedication, the City has finished the construction a new fire station (Station No. 6), which is located directly north of the subject property. .

The subject property lies within two areas identified in the conceptual plan. The western 10 acres, is located directly north of Highway 34 Bypass, east of Promontory Parkway and, south of 20th Street (entirely within Tract N) The remaining portion of Tract B is located generally directly east of the western 10 acres, within a small area north of Tract N, along 20th Street (entirely within Tract M).

The permitted uses currently allowed within the Tri-Pointe PUD (aka Promontory PUD), Area N (Tract B, Promontory Imagine School Second Filing) include: animal uses, veterinary clinics (no outdoor runs), art, dance, photo studios, galleries, auto uses, car wash, banks, savings and loan, financial institutions, ATM's, drive-up windows, bars, taverns, nightclubs, lounges, bowling alleys, brew pub, convenience stores with or without gas sales, dry cleaning (no cleaning on-site), gas stations, gas stations with repair, lube and tire shops, laundromats, personal service shops (beauty, barber, tanning and nail salons, shoe repair, similar, pet stores, printing, copying shops, mail centers, membership clubs, health clubs, marital areas studios, restaurants – cafes, and other eating establishment (including outdoor seating eating areas), drive up windows, Retail sales – under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

Area M (Tract B, Promontory Imagine School Second Filing) allows for the following uses: Single family dwellings, multi-family dwellings, two family dwellings, townhouse dwellings, as well as the following uses, not to exceed 15% of the acreage contained within each Planning area: banks, savings and loan, financial institutions, ATM's, drive-up windows, medical and dental offices and clinics, hotel, motel, office, recreation uses – community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools, etc.), membership clubs, health clubs, open space, parks (pocket), park (neighborhood), park (community / regional), restaurants, retail sales not to exceed 40,000 square feet, *fire stations, schools, recreation uses – City Council approved on 9/17/2019. See Attachment D.*

The applicants are proposing to consolidate the uses within the entire property to allow all C-H and R-H uses, including school uses (see Attachment E). The applicant is intended to dedicate a portion of the Tract to the Windsor Severance School District for a school site, which would occur through the platting process.

E. APPROVAL CRITERIA

Development Code Section 24-625 Rezoning Procedures

For the purpose of establishing and maintaining sound, stable and desirable development within the City, the rezoning of land is to be discouraged and allowed only under circumstances provided for in this Section [of the Code]. This policy is based on the opinion of the City Council that the City's zoning map is a result of a detailed and comprehensive appraisal of the City's present and future needs regarding land use allocation and other zoning considerations, and, as such, should not be amended unless to correct manifest errors or because of changed or changing conditions in a particular area of the City in general.

The review criteria found in Section 24-625 (c)(3) of the Development Code shall be used to evaluate the zoning amendment application.

- a) **Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?**

Staff Comment: Since the zoning in 1998, two major headquarters have been constructed and over 300 single family lots have been development within the Promontory development. Recently, the City of Greeley constructed Fire Station Number 6, directly north of the subject rezoning. The subject property has remained undeveloped for over 22 years, without any land use approvals (except for replatting) or requests. The applicant has stated that the limitation of land use options has impacted the development options on the tract. As such, the applicant would like to provide more flexibility with the site, by allowing additional commercial and residential land uses and a potential Windsor-Severance school site. Offering additional uses within the subject parcel may help spur new development within the subject parcel, but also could be a catalyst for additional commercial/retail business near or within the Promontory area.

The proposal complies with this criterion.

- b) **Has the existing zoning been in place for at least fifteen (15) years without substantial development resulting and does the existing zoning appear to be obsolete, given development trends?**

Staff Comment: The subject site has been zoned Planned Unit Development (PUD) for over 22 years, without any development within the sites. The zoning designation does not appear to be obsolete, however, adding additional uses to the sites could make the properties more marketable.

The proposal complies with this criterion.

- c) **Are there clerical or technical errors to correct?**

Staff Comment: There are no clerical or technical errors to correct.

This criterion is not applicable to this request.

- d) Are there detrimental environmental impacts, such as flood plains, inadequate drainage, slopes, unstable soils, etc., that may affect future development of this site and which may not have been considered during the original zoning of the property?**

Staff Comment: The site does not contain any known detrimental environmental conditions.

This criterion is not applicable to this request.

- e) Is the proposed rezoning necessary in order to provide land for a community related use, which was not anticipated at the time of adoption of the City's Comprehensive Plan; or have the policies of the City changed to the extent that a rezoning is warranted?**

Staff Comment: The rezone request is not necessary to provide land for community related uses.

This criterion is not applicable to this request.

- f) What is the potential impact of the proposed rezoning upon the immediate neighborhood and the city as a whole (including potential noise and environmental impacts, visual impacts, the provision of City services such as police, fire, water, sewer, and pedestrian systems and parks and recreational facilities)?**

Staff Comment: It is not anticipated that the proposed zoning would create significant impacts on the property or adjacent land uses.

Any potential noise created by future development will be regulated by the Municipal Code. The appropriate buffering would be required to be provided, which lessens any potential visual impacts. City services should not be impacted, since the surrounding area is already served by municipal services such as water and sewer. Police and Fire are already serving this area since it is within the City of Greeley. Any new development would need to connect to the nearby City water and sewer facilities.

The proposal complies with this criterion.

- g) Is there clear and convincing evidence that the proposed rezoning will be consistent with the policies and goals of the City's Comprehensive Plan and comply with the applicable zoning overlay requirements?**

There are no zoning overlay requirements for the subject property. The following City of Greeley Imagine Greeley Comprehensive Plan policies apply to this request:

Education, Health, and Human Services:

- ***EH-2.4 Land Use*** – Promote land use decisions that support walkability and improve access to basic needs, such as neighborhood markets or grocery stores, parks and natural areas, as well as medical and personal services. Support access to goods and services that support health and wellness in all neighborhoods.
- ***EH-4.2 School Siting*** – Collaborate with the school districts in developing long-range school siting plans. Encourage new schools on sites that are:
 - Located near the population they are intended to serve;
 - Co-locate with or near existing facilities and amenities that provide opportunities for shared use and capital improvements, such as City parks;
 - Separated from potential land use hazards or nuisances;
 - Served by transportation options (e.g. roadways, transit, bike path and sidewalks) that provide safe access to and from school; and
 - Sites so as to minimize impacts on the surrounding neighborhood or area and existing transportation network.

Growth & City Form:

- ***GC-2.5 Neighborhood Centers*** – Promote neighborhood centers—small scale retail areas providing basic commercial goods and services—to locate within a walkable distance of residences, usually a quarter mile or less.

Staff Comment: The Imagine Greeley Comprehensive Plan supports compact, pedestrian scaled commercial development that is close to residential neighborhoods. The subject site is located within such a development, and therefore has the potential to contribute to wider option of goods and services available within a walking or biking distance of many residents. The request for additional uses would provide additional options for commercial and residential development to complement the existing development.

The proposal complies with this criterion.

h) What is the potential impact of the proposed rezoning upon an approved Zoning Suitability Plan for the property?

Staff Summary: There is no approved Zoning Suitability Plan for this property. The provided Zoning Suitability Map shows that the property can be development in accordance with the Development Code.

The proposal complies with this criterion.

Standards for PUD establishment: In reaching recommendations and decisions as to rezoning land to the PUD district, the Planning Commission and the City Council shall apply the following standards in addition to the standards and procedures of Section 24-625 applicable to the rezoning of land:

1. Area Requirements

The area of a proposed PUD shall be of substantial size to permit its design and development as a cohesive unit fulfilling the stated purpose of these regulations and to establish the PUD as a meaningful part of the larger community.

Staff Comment: The site contains 40.92 acres; Section 24-663 (b)(1) of the Greeley Development Code limits consideration for PUD establishment to a minimum of two (2) acres in size.

The proposal complies with this criterion.

2. Is the proposed Preliminary/Concept PUD Consistent with the Land Use Chapter of the Comprehensive Plan

A PUD proposal shall be found to be consistent with all applicable elements of the Land Use Chapter of the City's adopted Comprehensive Plan with respect to its proposed internal design and use, its relationship to adjacent areas, and the City as a whole before it may be zoned as a PUD.

The following City of Greeley Imagine Greeley Comprehensive Plan policies apply to this request.

Education, Health, and Human Services:

- ***EH-2.4 Land Use*** – *Promote land use decisions that support walkability and improve access to basic needs, such as neighborhood markets or grocery stores, parks and natural areas, as well as medical and personal services. Support access to goods and services that support health and wellness in all neighborhoods.*

Growth & City Form:

- ***GC-2.5 Neighborhood Centers*** – *Promote neighborhood centers—small scale retail areas providing basic commercial goods and services—to locate within a walkable distance of residences, usually a quarter mile or less.*

Staff Comment: The Imagine Greeley Comprehensive Plan strongly supports compact, pedestrian scaled commercial development that is close to residential neighborhoods. The subject site is located within such a development, and therefore has the potential to contribute to wider option of goods and services available within a walking or biking distance of many residents.

The proposal complies with this criterion.

PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is part of the Promontory Imagine School Second Filing Subdivision (Tract B), which was platted on September 18, 2019 (Rec No. 4524406).

2. HAZARDS

Staff is unaware of any potential hazards that presently exist on the site.

3. WILDLIFE

The site is not located in an area of ecological significance.

4. FLOODPLAIN

The property is not located within any flood zones.

5. DRAINAGE AND EROSION

There are no concerns with drainage and/or erosion on the subject site.

6. TRANSPORTATION

Access to the subject site can be obtain from future 20th Street, adding C-H, R-H and school uses should not negatively impact the area. The City will review any proposed uses, as it relates to transportation at the time of site development.

F. SERVICES

1. WATER

Water services are available in the area and can adequately serve the subject site.

2. SANITARY SEWER

Sanitation services are available in close proximity to all of the parcels within the subject site and can adequately serve the area.

3. EMERGENCY SERVICES

The subject site is within the City of Greeley's Fire Protection area, the closest fire station is Station #6, which is located directly north of the subject site.

4. PARK/OPEN SPACES

No parks or regional open space areas are proposed with this rezone. Any future residential development projects will be required to evaluate the need to provide a park or regional open space.

5. SCHOOLS

No schools are currently located within the subject area. As mentioned previously, the applicant intends to dedicate a site within this proposal for a school site. At this time, there are no current plans to construct a school. The properties are within the Windsor-Severance

School District. The schools that currently serves the area are: Skyview Elementary, Severance Middle School and Severance High School.

6. METROPOLITAN DISTRICT

The Tri-Pointe Commercial Metropolitan District serves Tract B. As mentioned previously in this report, a potential school site is proposed, which as a non-profit user, property taxes would not be paid, which could have a financial impact on the Metropolitan District. At this time, the remaining properties would be accessed the normal metropolitan district tax rate, which is currently 48.79 mills.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

There are no proposed site changes corresponding to the PUD amendment at this time.

2. NOISE

There are no proposed site changes corresponding to the PUD amendment at this time.

H. PUBLIC NOTICE AND COMMENT

Neighborhood notices were mailed to surrounding property owners on April 28, 2021, per Development Code requirements. Additionally, three public notice signs were posted on the subject site on April 30, 2021. Notice was published in the Greeley Tribune on May 5, 2021.

I. MINERAL ESTATE OWNER NOTIFICATION

Mineral notice is not required for a rezone request.

J. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the Project Summary and accompanying analysis, the Planning Commission find that the proposed amendment to the Promontory Preliminary PUD, Areas M & N, within Tract B, Promontory Imagine School Second Filing meets the applicable Development Code criteria, Sections 24-625 (c)(3) a. b. f. g. and h. and Section 24-663 (b) 1 and 2; and therefore, recommends approval of the rezone to the City Council.

K. ATTACHMENTS

Attachment A – Vicinity Map

Attachment B – Project Narrative

Attachment C – Promontory Imagine School, Second Filing Plat

Attachment D – Tri-Point Conceptual PUD Zoning Map

Attachment E – Supplemental Use Tables – Areas M & N only



Subject Parcel



Greeley Parcels



COMMUNITY DEVELOPMENT

Promontory PUD, Areas M and N, 1st Amendment

Project Narrative

This application is to request an amendment to the allowed uses in Areas M and N of the Tri-Pointe Mixed Use Development Conceptual Master Plan, legally described: Tract B, Promontory Imagine School Second Filing, City of Greeley, County of Weld, State of Colorado ("Tract B").

The master plan currently allows mostly residential uses within Area M and mostly commercial uses within Area N. The applicant is requesting to add Schools, all permitted uses for zoning district R-H (Residential High Density) and C-H (Commercial High Density) within Tract B only. All existing land uses shown on the Master Plan will remain listed on Areas M and N.

The Tri-Pointe Mixed Use Development Conceptual Master Plan established the initial concept for the Promontory PUD Development. In fulfillment of the continued demand and growth throughout the Promontory Development the ultimate goal is to evolve the area with a variety of mixed-use services for the current residence and future residence. This development will also help provide service along the Highway 34 corridor. Schools will also help serve the community and any surrounding community's educational obligations.

Please do not hesitate to contact me at robbie@northernengineering.com if you have any questions or require additional information.

Sincerely,

NORTHERN ENGINEERING SERVICES, INC.



Robbie Lauer
Project Manager

PROMONTORY IMAGINE SCHOOL SECOND FILING Attachment C

A Replat of Tract A, Tract B and Outlot A, Promontory Imagine School First Filing,
Situate in the East Half of Section 11 and West Half of Section 12, Township 5 North, Range 67 West of the 6th P.M.,
City of Greeley, County of Weld, State of Colorado

DEDICATION

TAGG Inc, being the sole owner(s) in fee of:

Tract A, Tract B and Outlot A, Promontory Imagine School First Filing recorded August 29, 2006 on Reception No. 3415275 of the Records of Weld County, located in the East Half (E1/2) of Section Eleven (11) and in the West Half (W1/2) of Section Twelve (12), Township Five North (15N.), Range Sixty-seven West (67W.) of the Sixth Principal Meridian (6th P.M.), City of Greeley, County of Weld, State of Colorado.

Said recorded parcel of land contains 144.670 Acres, more or less (A).

shown on the attached map as embraced within the heavy exterior lines thereon, has subdivided the same into lots and blocks as shown on the attached map; and does hereby set aside said portion or tract of land and designate the same PROMONTORY IMAGINE SCHOOL SECOND FILING to the City of Greeley, Weld County, Colorado; and does dedicate to the public, the streets and all easements over and across said said locations shown on said map; and does further certify that the width of said streets, the dimensions of the lots and blocks and the names and numbers thereof are correctly designated upon said map.

Signature of Owner Paul McIntosh

Witness my hand and seal this 16th day of September, A.D. 2019

NOTARIAL CERTIFICATE

STATE OF Colorado
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 16th day of September, 2019

by Richard McIntosh - President

Witness my hand and official seal.

My commission expires 2/19/21

Quentin Guzman
Notary Public

(SEAL) JARLE L. GUZMAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 00194000336
MY COMMISSION EXPIRES FEBRUARY 6, 2021



VICINITY MAP
SCALE: 1"=200'

CERTIFICATE OF APPROVAL OF THE CITY ENGINEER TO DEVELOPMENT REVIEW AND CIVIL INSPECTIONS MANAGER

Approved this 16th day of September, 2019, by the City Engineer to Development Review and Civil Inspections Manager of the City of Greeley, Colorado.

Paul McIntosh
City Engineer to Development Review and Civil Inspections Manager

CERTIFICATE OF APPROVAL BY THE COMMUNITY DEVELOPMENT DIRECTOR

Approved this 16th day of September, 2019, by the Community Development Director of the City of Greeley, Colorado.

Paul McIntosh
Community Development Director

SURVEYOR'S CERTIFICATE

This I, Paul B. Groves, do hereby certify that I prepared this plat from an actual and accurate survey of this land, including all existing right-of-way easements, and that the corner monuments shown thereon were properly placed under my supervision, in accordance with the regulations of the State of Colorado.



Paul B. Groves - On Behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38028

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of Tract B, Promontory Imagine School First Filing, as bearing South 89°13'30" West, as monumented as shown on this plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1711.56 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors refer to the Title Commitment Number TCC20167843, dated August 13, 2016 as prepared by Land Title Guarantee Company to delineate the above information.

FLOOD PLAIN NOTE

The subject property is in flood zone "X", "areas determined to be outside the 0.2% annual chance of flooding" per FEMA flood map 0812C1511E and 0812C1512E both revised January 20, 2016.

CONVEYANCE NOTE

The entire property is in Zone PUD, Planned Unit Development.

GENERAL NOTES

1. All person who knowingly remove, alters or replaces any public land survey monument(s) or land boundary monument(s), or accessory commits a class two (2) misdemeanor pursuant to State Statute 18-6-508 C.R.S.

2. For all replats where lot lines or street locations change, all existing water and sewer stub-outs, the hydrants, etc. shall be relocated to their appropriate location. Water main and sanitary sewer collection designs in this replatted area must conform to current City of Greeley design criteria.

3. A Development Agreement (Reception No. 2066810 and 3280351) has been filed in conjunction with Promontory Imagine School First Filing plat. That agreement should be viewed for additional stipulations or requirements that may encumber the property.

4. A full access point will be shown on 20th Street West of Lot 1 in the future, see Sheet 2 of 2.

OWNER: TAGG, INC.
4221 BRIGHTON BLVD
DENVER, CO 80231

APPLICANT: CITY OF GREELEY
1000 17TH STREET
GREELEY, CO 80631

ENGINEER: SHORT ELLIOTT HENDRICKSON, INC. (SEH)
2000 SOUTH COLORADO BLVD.
TOWER ONE, SUITE 8000
DENVER, CO 80222

SURVEYOR: KING SURVEYORS
830 GARDEN DRIVE
WINDSOR, CO 80550
PHONE: (970) 686-3011

LAND USE TABLE

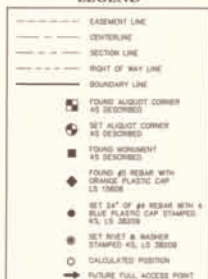
LOT 1	2.507 ACRES	2%
TRACT A	94.231 ACRES	65%
TRACT B	40.920 ACRES	28%
RIGHT OF WAY	7.012 ACRES	5%
TOTAL	144.670 ACRES	100%

PARCEL	DESCRIPTION	DEDICATION	AREA	PERCENT	INTENDED OWNERSHIP/MAINTENANCE BY
LOT 1	FIRE STATION #6		2.507 ACRES	2%	CITY OF GREELEY
TRACT A	FUTURE DEVELOPMENT		94.231 ACRES	65%	PROPERTY OWNER
TRACT B	FUTURE DEVELOPMENT		40.920 ACRES	28%	PROPERTY OWNER
RIGHT OF WAY	PUBLIC USE		7.012 ACRES	5%	CITY OF GREELEY
TOTAL			144.670 ACRES	100%	

PROMONTORY IMAGINE SCHOOL SECOND FILING

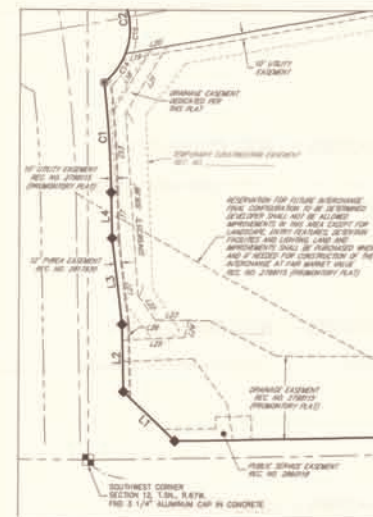
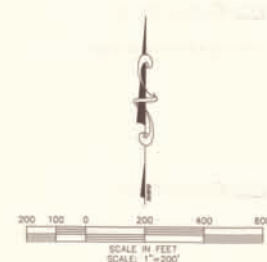
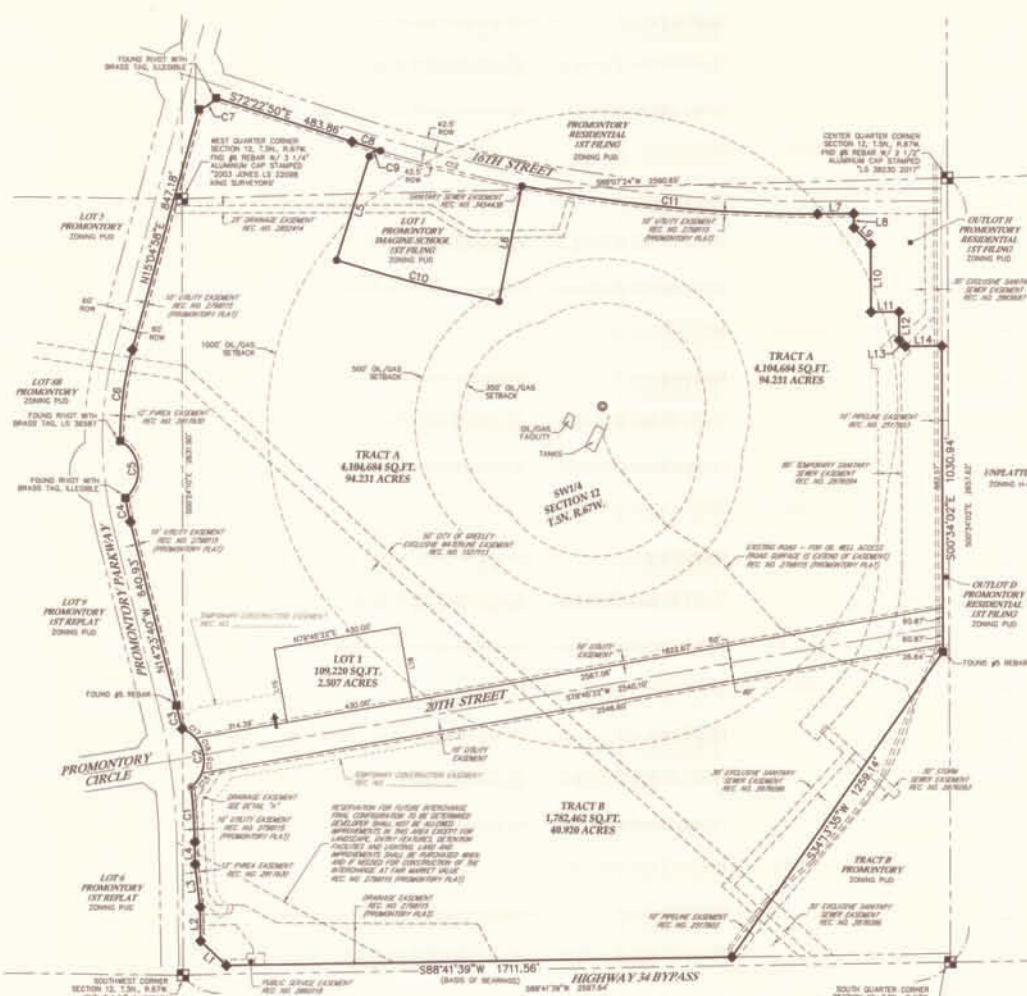
A Replat of Tract A, Tract B and Outlot A, Promontory Imagine School First Filing.
Situate in the East Half of Section 11 and West Half of Section 12, Township 5 North, Range 67 West of the 6th P.M.,
City of Greeley, County of Weld, State of Colorado

LEGEND



LINE	BEARING	LENGTH
L1	S44°18'21\"W	135.87
L2	S01°18'21\"W	114.58
L3	N07°02'22\"W	145.98
L4	N01°18'21\"W	78.34
L5	S77°12'38\"W	252.30
L6	N70°52'30\"E	400.00
L7	N89°28'38\"E	123.80
L8	S02°34'33\"E	47.00
L9	S44°18'21\"E	81.52
L10	S02°34'33\"E	208.74
L11	N89°28'38\"E	86.00
L12	S02°34'33\"E	98.54
L13	S40°16'11\"E	30.00
L14	N46°02'38\"E	122.80
L15	N01°18'21\"W	254.00
L16	S01°18'21\"W	254.00
L17	S01°18'21\"W	75.82
L18	S31°18'39\"W	123.86
L19	S78°45'22\"W	44.87
L20	N78°45'22\"E	38.74
L21	S31°18'39\"W	133.17
L22	N38°08'19\"W	81.38
L23	N89°28'38\"E	86.16
L24	N7°02'21\"E	30.00
L25	N87°28'38\"E	85.34
L26	S01°18'21\"E	28.82
L27	S07°02'21\"E	145.98

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	188.34	2080.00	91°18\"	189.38	S03°23'58\"W
C2	244.07	116.00	126°32'58\"	201.85	N01°17'28\"W
C3	82.72	2080.00	21°52'3\"	82.71	N71°14'38\"W
C4	78.80	1140.00	45°10'0\"	78.82	N72°23'07\"W
C5	208.58	116.00	112°54'10\"	183.20	N05°20'42\"W
C6	312.87	1140.00	15°43'43\"	311.88	N07°12'00\"E
C7	88.88	116.00	34°32'28\"	88.89	N06°39'24\"E
C8	102.64	2043.00	17°08'38\"	100.64	S73°15'08\"E
C9	46.74	82.00	88°19'38\"	42.15	S81°52'34\"W
C10	387.20	5443.00	5°58'32\"	387.08	S78°38'38\"E
C11	1008.84	8043.00	11°38'11\"	1008.84	S84°32'38\"E
C12	493.48	2043.00	9°38'24\"	493.28	S78°18'38\"E
C13	136.78	2070.00	7°47'08\"	136.70	N07°13'32\"E
C14	50.87	116.00	30°04'07\"	50.18	N07°56'19\"E
C15	63.98	116.00	31°08'51\"	63.28	N07°56'19\"E
C16	63.98	116.00	31°08'51\"	63.28	N07°56'19\"E
C17	57.02	116.00	28°09'42\"	56.44	N03°26'20\"W



Paul B. Greaves - On Behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #1924

DATE:

9/27/2018

FILE NAME:

20180634SUB

SCALE:

1"=200'

DRAWN BY:

CSK

CHECKED BY:

PG

KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550

phone: (970) 686-5011 | email: contact@Kingsurveyors.com

REVISIONS:

DATE:

9-28-18

BY:

CSK

DESCRIPTION:

ADDED 100' EASEMENT

PROMONTORY IMAGINE SCHOOL SECOND FILING

FOR

CITY OF GREELEY

1000 10TH STREET

GREELEY, CO 80631

PROJECT #

20180634

2

SHEET 2 OF 2

PROMONTORY PUD, AREAS M AND N, 1ST AMENDMENT

TRI-POINTE
Mixed Use Development
Conceptual Master Plan

Amendment to the Tri-Pointe Planned Unit Development
Submitted for Westfield Development Company

Zoning Notes

The Project shall be viewed as a single unit.
A waiver for the entire site shall be granted to allow development outside the Mid-Range
Expected Service Area expressly contingent upon the issuance of a permit to a major employer for
the construction of a minimum facility of 150,000 square feet intended to house at least 300
employees at the site, 500 at full build-out.
No residential or commercial construction shall be allowed until issuance of a building permit for
the minimum size 150,000 square foot facility by a major employer.
No fewer than 900 residential units shall be constructed at ultimate build-out.
Any land dedication does not include any water rights.
Should the fire district not require the prescribed land at time of dedication,
requirement to dedicate will be waived.
Height Limits: (a) Office uses: 70' excluding enclosed mechanical penthouses or screened rooftop
apertures.
(b) Retail/Commercial Uses: 40' excluding screened rooftop apertures.
All final PUD approvals shall be granted by City Council unless Council approves a set of design
guidelines applicable to the various planning areas or uses. In that event, Planning Commission may
approve all PUD's governed by those approved guidelines.
This PUD is valid for a period of three years from the date of its approval. If a major employer
does not meet the minimum requirements set forth in this PUD within the three year time frame,
the entire PUD must return to City Council for review.

Planned Unit Development Criteria

The Tri-Pointe PUD Amendment of 10/16/98 is an amendment to the land uses and
development criteria of the existing Tri-Pointe PUD
Open space requirements are being met within Areas E and F and within the eventual parcel by parcel
site plans.

Mixed Use

Land Uses as identified on this PUD may be combined to the extent identified within the land use
mix language of this PUD to encourage a creative mixture of housing, work and shopping opportunities.
Quantities and types of specific land uses will be determined at Site Plan of the individual parcels.

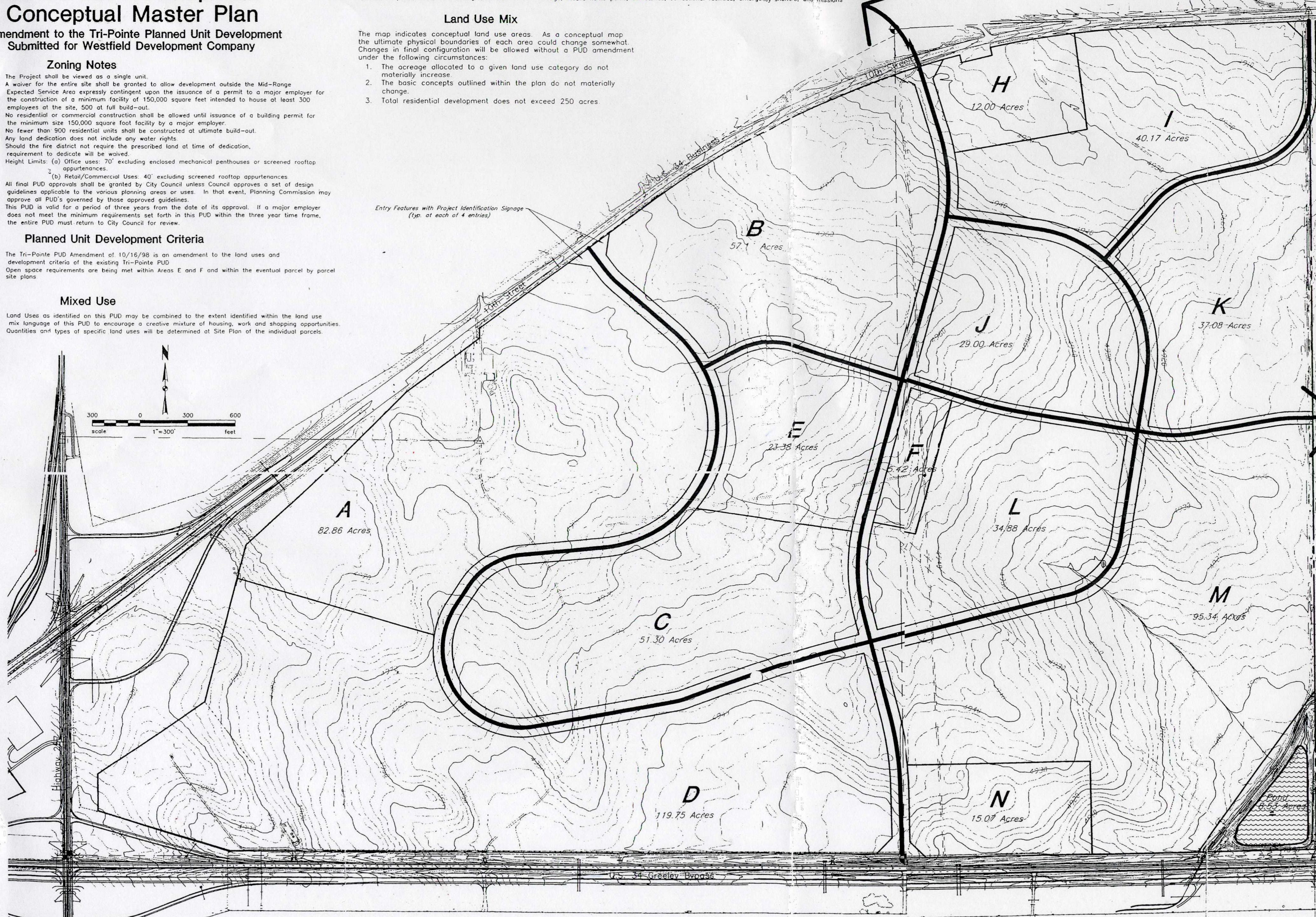
Uses not permitted at Tri-Pointe:
airports, heliports, auto dismantling, junk and salvage yards, bulk storage of flammable liquids and gases for resale
concrete, asphalt batch plants (unless temporary for construction purposes only), farm equipment, implement, diesel and
food processing, foundries, grain and feed elevators and supply, recycling centers, large collection and processing facilities
refuse transfer stations, rendering plants, slaughterhouse, meat processing, packaging, utility, commercial towers and cabinets over building height permitted by zone.
transportation facilities, low impact, high impact, trucking and freight terminals, truck, trailer and large equipment rental, adult entertainment, kennels,
auto dealer sales lots, bingo halls and parlors, livestock auction houses, builders, contractor supply offices and yards (except in the case of a Home Depot or
Builder's Square type retail facility), flea markets, manufactured, mobile homes, sales lots, pawn shops, RV and travel trailer parks, stables, theme or
amusement parks, zoos, warehousing uses with outdoor storage, mobile home parks, cemeteries, correctional facilities, emergency shelters, and missions

Land Use Mix

The map indicates conceptual land use areas. As a conceptual map
the ultimate physical boundaries of each area could change somewhat.
Changes in final configuration will be allowed without a PUD amendment
under the following circumstances:

1. The acreage allocated to a given land use category do not
materially increase.
2. The basic concepts outlined within the plan do not materially
change.
3. Total residential development does not exceed 250 acres.

Entry Features with Project Identification Signage
(Typ. at each of 4 entries)



Allowable Land Use by Area

- Area A and B, Office
- Banks, savings and loans, financial institutions, ATM's, drive-up windows
 - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
 - Office and corporate headquarters
 - Parking lots and structures
 - Restaurants, deli, cafe, if contained within a primary use building
 - Churches and Schools (Area B only)
 - Recreational areas (Area B only)

- Area C, Office/Commercial Use
- Banks, savings and loans, financial institutions, ATM's, drive-up windows
 - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
 - Commercial laundries and dry cleaning plants
 - Crematoriums
 - Manufacturing, fabrication, assembly
 - Newspaper and publishing plants, binderies
 - Office and corporate headquarters
 - Parking lots and structures
 - Recycling centers - small collection
 - Restaurants, deli, cafe, if contained within a primary use building
 - Research and testing labs
 - Retail sales only as an enclosed regional mall containing a minimum of two anchor stores of 400,000 square feet
 - Free-standing restaurants only in conjunction with an enclosed mall
 - Multi-family residential not to exceed 25 acres within Areas C and D combined
 - Telecomm. uses
 - Satellite earth station antennas over 18 inches in diameter
 - Utility, comm. towers and cabinets less than building height permitted by zone
 - Utility, comm. towers and cabinets over building height permitted by zone
 - Transportation facilities:
 - Low impact
 - High impact
 - Utility service facilities:
 - Less than 300 sq. ft., no office or storage space
 - More than 300 sq. ft., no office or storage space

- Area D, Office/Commercial Use
- Animal uses - veterinary clinics (no outdoor runs)
 - Art, dance, photo studios, galleries
 - Auto uses, car wash
 - Banks, savings and loans, financial institutions, ATM's, drive-up windows
 - Bars, taverns, nightclubs, lounges
 - Bowling alleys
 - Brew pubs
 - Commercial laundries and dry cleaning plants
 - Convenience stores with or without gas sales
 - Crematoriums
 - Dry cleaning (no cleaning on-site)
 - Farmers markets
 - Gas stations
 - Gas stations with repair, lube and tire shops
 - Golf courses, country clubs, driving ranges, miniature golf
 - Laundromats
 - Lodging - Bed and Breakfast, hotels, motels
 - Manufacturing, fabrication, assembly
 - Medical and dental offices and clinics, massage therapists, medical supply stores and rental
 - Movie theaters, indoor theaters
 - Newspaper and publishing plants, binderies
 - Nurseries, greenhouses, garden shops
 - Offices and corporate headquarters
 - Parking lots and structures
 - Personal service shops (beauty, barber, tanning and nail salons, shoe repair)
 - Pet stores
 - Printing, copying shops, mail centers
 - Radio and TV stations with antennas lower than 30 feet
 - Recreation uses - Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, etc.), members clubs, health clubs, martial arts studios, open space, park (pocket), park (neighborhood), park (comm/reg)
 - Recycling centers - small collection
 - Restaurants - cafes, and other eating establishments (including outdoor seating/eating areas), drive-in or drive-thru facilities (including outdoor seating areas), drive-up windows
 - Retail sales - under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet), including a regional mall
 - Auditoriums, sports arenas, stadiums
 - Research and testing labs
 - Multi-family residential not to exceed 25 acres, within Areas C and D, combined
 - Telecomm. uses
 - Satellite earth station antennas over 18 inches in diameter
 - Utility, comm. towers and cabinets less than building height permitted by zone
 - Utility, comm. towers and cabinets over building height permitted by zone
 - Transportation facilities:
 - Low impact
 - High impact
 - Utility service facilities:
 - Less than 300 sq. ft., no office or storage space
 - More than 300 sq. ft., no office or storage space

Area E, Open Space
This area is intended to be retained as open space to be developed as a park with lake, trails, and improvements associated with same.

Area F, Open Space
To be dedicated to City for parks, open space, and the extension of

- Area H and N, Commercial
- Animal uses - veterinary clinics (no outdoor runs)
 - Art, dance, photo studios, galleries
 - Auto uses, car wash
 - Banks, savings and loans, financial institutions, ATM's, drive-up windows
 - Bars, taverns, nightclubs, lounges
 - Bowling alleys
 - Brew pubs
 - Convenience stores with or without gas sales
 - Dry cleaning (no cleaning on-site)
 - Gas stations
 - Gas stations with repair, lube and tire shops
 - Laundromats
 - Personal service shops (beauty, barber, tanning and nail salons, shoe repair similar)
 - Pet stores
 - Printing, copying shops, mail centers
 - Membership clubs, health clubs, martial arts studios
 - Restaurants - Cafes, and other eating establishments (including outdoor seating areas), drive-up windows
 - Retail sales - Under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

- Area I, J, K, L, and M, Residential
- Single family dwellings
 - Multi-family dwellings
 - Two family dwellings
 - Townhouse dwellings
 - The following uses, not to exceed 15% of the acreage contained within each Planning Area:
 - Banks, savings and loans, financial institutions, ATM's, drive-up windows
 - Medical and dental offices and clinics
 - Hotel, motel
 - Office
 - Recreation uses - Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools, etc.), membership clubs, health clubs, open space, (pocket), park (neighborhood), park (comm/reg)
 - Restaurants
 - Retail sales not to exceed 40,000 square feet

- Area N Commercial and Residential
- All uses permitted in C-H and R-H Zone Districts
 - Area M (within Tract B, Promontory Imagine School Second Filing)
 - All uses permitted in C-H and R-H Zone Districts
 - Schools

Planning Concepts:

1. Provide a mixed use activity center with a unique identity.
2. Maintain the ability to adjust land use.

Notes: A minimum 10 acre school site and 1.5 acre Fire Station site will be dedicated to the City out of the residential area. The exact location and

Promontory Preliminary PUD, Areas M & N, 1st Amendment

Supplemental Use Tables

Areas H and ~~N~~. Commercial – **Proposed - Remove N from this list**

- Animal uses – veterinary clinics (no outdoor runs)
- Art, dance, photo studios, galleries
- Auto uses, car wash
- Banks, savings and loan, financial institutions, ATM's, drive-up windows
- Bars, taverns, nightclubs, lounges
- Bowling alleys
- Brew pub
- Convenience stores with or without gas sales
- Dry cleaning (no cleaning on-site)
- Gas stations
- Gas stations with repair, lube and tire shops
- laundromats
- Personal service shops (beauty, barber, tanning and nail salons, shoe repair, similar
- Pet stores
- Printing, copying shops, mail centers
- Membership clubs, health clubs, marital areas studios
- Restaurants – Cafes, and other eating establishment (including outdoor seating eating areas). Drive up windows
- Retail sales – under 3,000 square feet, 3,000 to 40,000 square feet, large retail (over 40,000 square feet)

Areas I, J, K, L and M. Residential – **Proposed - remove- Area M for Tract B, Promontory Imagine School Second Filing Only**

- Single family dwellings
- Multi-family dwellings
- Two family dwellings
- Townhouse dwellings
- The following uses, not to exceed 15% of the acreage contained within each Planning area:
 - Banks, savings and loan, financial institutions, ATM's, drive-up windows
 - Medical and dental offices and clinics
 - Hotel, motel
 - Office
 - Recreation uses – Community recreation buildings, indoor, outdoor extensive (skating rinks, bowling alleys, video arcades, tennis courts, swimming pools,

- etc.), membership clubs, health clubs, open space, parks (pocket), park (neighborhood), park (community / regional)
- Restaurants
- Retail sales not to exceed 40,000 square feet

Proposed – Area M – Commercial and Residential

- All permitted uses in the C-H (Commercial High Intensity) zone district, and as amended**
- All permitted uses in the R-H (Residential High Density) zone district, and as amended**
- Schools**

Proposed – Area N Commercial and Residential

- All permitted uses in the C-H (Commercial High Intensity) zone district, and as amended**
- All permitted uses in the R-H (Residential High Density) zone district, and as amended**

PLANNING COMMISSION SUMMARY

ITEM: Amending Title 24 of the Municipal Code regarding household occupancy standards, specifically regarding the number of unrelated adults allowed to comprise a household, as found in the definition of “family” in Section 24-5.

FILE NUMBER: CU2021-0001

PROJECT: Code Update: Household Occupancy Standards

APPLICANT: City of Greeley

CASE PLANNER: Caleb Jackson, AICP | Planner II

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by staff and the public, and shall then make a recommendation to the City Council regarding the proposed amendment to the Development Code.

A. PROJECT OVERVIEW & BACKGROUND

The proposal would change Greeley’s household occupancy standards to allow a number of unrelated adults to live in a house based on the property’s zoning district and the number of bedrooms in the house by revising the definition of “family” in the Development Code. The proposal would also explicitly state that people bound by civil union are related and clarify language and interpretation of the code.

CURRENT HOUSEHOLD OCCUPANCY STANDARDS

In the City’s existing code, household occupancy standards are primarily set through the definition of family. The current definition of family, which has largely been in place since 1980, defines a family as:

1. An individual.
2. Any number of persons living together as a single household who are interrelated by blood, marriage, adoption or other legal custodial relationship.

3. Not more than two unrelated adults and any number of persons related to those unrelated adults by blood, adoption, guardianship or other legal custodial relationship.

This definition applies to the City's lower density zoning districts (R-E, R-L, R-M, and R-MH). In other zoning districts, any number of people may occupy a single-family dwelling regardless of relationship, and this is not proposed to change.

The current definition has been interpreted to mean that, when considering the addition of unrelated individuals to be included in a single-family home, married couples would be counted as two individuals, rather than a single unit. As such, a married couple may not include an unrelated person in their household under the current standard.

The current definition allows the following household compositions to occupy a single-family dwelling in lower density zones regardless of the dwelling size or number of bedrooms:

1. A married couple plus zero unrelated adults
2. A single person plus one unrelated adult
3. An unmarried couple plus zero unrelated adults

However, the current definition does not restrict adding additional people who are related to an allowed adult by blood, adoption, guardianship, or custodianship to the household.

REASONS TO REEVALUATE

The City is reevaluating household occupancy standards in response to increasing financial and housing constraints, in addition to changing societal norms. One gap in the current definition is that civil unions are unmentioned. Also, demographics are shifting away from the predominance of family households, and households including unrelated residents are becoming more common.

Furthermore, City Council adopted the Strategic Housing Plan, which tasked the City with amending household occupancy standards as an implementation step. Additionally, City Council adopted a 2040 priority called *Your Home is Here*, which envisions residents having access "to an amazing variety of housing options including style, price, and location." Adjusting household occupancy standards could give households that include unrelated residents access to more Greeley neighborhoods with additional varieties of style, different price points, and more locations.

REVISION PROCESS TIMELINE

Dec 7, 14, & 29	Housing Task Force and Development Code Advisory Committees meet, recommend allowing additional unrelated adults
Jan 1 to March 11	Initial public questionnaire available (see Attachment G)
Jan 12	Planning Commission worksession, overall expressed interest in exploring expanding the number of unrelated adults allowed
Feb 9	City Council worksession, positive feedback received with a preference towards the approach of basing the allowance on the number of bedrooms (see Attachment C)
Feb 19 to March 11	Additional public questionnaire available (see Attachment G)
March 1	Public open house , staff informed attendees of the update purpose and process and answered inquiries
March 9	Planning Commission worksession, general feedback provided to staff (see Attachment D)
March 30	Planning Commission worksession, workshop on the language for a proposed update, general support expressed (see Attachment E)

Based on the discussion on this topic and the feedback received, staff is requesting that Planning Commission consider the proposed amendment and make a recommendation to City Council.

PROPOSED FAMILY DEFINITION

Family shall mean a group living together as a single household comprised of any number of persons who are interrelated by blood, marriage, civil union, adoption, or other legal custodial relationship, plus a number of unrelated adults per the chart below. The number of household occupants must also be compliant with the International Property Maintenance Code.

Zoning Districts	Number of Bedrooms in the Dwelling Unit	Number of Allowed Unrelated Adults*
R-E, R-L, R-MH	2 or fewer bedrooms	1
	3 or more bedrooms	2
R-M	Efficiency or 1 bedroom	1
	2 bedrooms	2
	3 bedrooms	3
	4 or more bedrooms	4
All other zoning districts	Any number	Any number
*Plus any number of persons related to an allowed unrelated adult by blood, adoption, guardianship, or other legal custodial relationship		

B. KEY ISSUES & STAFF ANALYSIS

NEIGHBORHOOD IMPACTS

Neighborhood impacts are anticipated to be minimal due to the minor increase proposed and the limited number of households expected to change composition as a result of the amendment. Although the proposed update would provide additional housing options for some community members, it is anticipated that most households would not choose to change composition as a result of this amendment due to personal living preferences. Additionally, the proposed amendment makes only a minor change in the lowest density zones (R-E, R-L, and R-MH), which further limits the likelihood of adverse neighborhood impacts. Maintaining a standard is a helpful tool and sets community expectations, and nuisances like parking, noise, property maintenance, and trash are addressed in other parts of the Municipal Code and are enforced by City divisions, such as Code Compliance.

CIVIL UNIONS

The proposed definition explicitly notes that people bound by civil union are related. The current family definition does not mention civil unions.

CLARIFICATION

The proposed definition is more understandable, and would no longer be interpreted to count a married couple as two individuals, instead of as related individuals.

HOUSING OPPORTUNITY

The Strategic Housing Plan and City Council's priorities align with the amendment in terms of increasing housing availability, affordability, and choice. The proposed amendment would provide additional housing opportunities for Greeley households that include unrelated individuals.

SMALL FORMAT HOUSING

The overall Development Code update that is underway, which includes provisions for small format housing, including opportunities for smaller homes, smaller lots, and accessory dwelling units. By basing the allowance on the number of bedrooms within the dwelling unit, the proposed amendment scales nicely to ensure that neighborhoods that include small format housing do not become overcrowded. Smaller houses typically have fewer bedrooms and would be allowed a smaller number of unrelated adults under the proposed definition.

C. PUBLIC NOTICE AND COMMENT

Notice of this hearing was published in the newspaper, displayed on the City website, emailed to interested parties, and advertised in a press release. Comments received in time for distribution of the Planning Commission packet are included in Attachment F.

Two public questionnaires (see Attachment G) and a virtual open house hosted in March collected community feedback from residents. The first questionnaire focused on receptiveness to increasing the allowance and garnered 390 responses with 57% of respondents indicating support for relaxing the restriction. The second questionnaire added questions focused on the idea of basing the allowance on the number of bedrooms within a house. It garnered 232 responses with 2/3 of respondents favoring keeping the current allowance in houses with two bedrooms and 2/3 favoring allowing additional unrelated adults in houses with three or more bedrooms.

Common concerns with relaxing the standard included: parking and traffic, property maintenance, overcrowding, noise, trash, crime, and reduced property values. Respondents in support of a relaxed standard frequently cited increased flexibility, privacy, addressing unaffordability, changing demographics, providing housing stability, and economic development considerations.

D. PLANNING STAFF RECOMMENDATION

Approval

E. PLANNING COMMISSION RECOMMENDED MOTION

A motion that, based on the Project Summary and accompanying analysis, the Planning Commission finds that the proposed amendment to the definition of “family” in Title 24 of the Greeley Municipal Code as presented is necessary and appropriate to meeting the intent of the Comprehensive Plan and clarifies administration of the Development Code, and therefore, recommends approval to City Council.

ATTACHMENTS

Attachment A – Proposed Code Update (Redlined)

Attachment B – Proposed Code Update (Clean)

Attachment C – City Council Worksession Minutes 2.9.2021

Attachment D – Planning Commission Worksession Minutes 3.9.2021

Attachment E – Planning Commission Worksession Minutes 3.30.2021

Attachment F – Public Letters and Emails Received

Attachment G – Public Questionnaire Responses

Amendment to the definition of “family” in Section 24-5 of the Greeley Municipal Code

Additions to this section of the code are in ALL CAPS. Deletions have a ~~strike through~~.

Family shall mean ~~an individual living alone, or any number of persons~~ **A GROUP** living together as a single household **COMPRISED OF ANY NUMBER OF PERSONS** who are interrelated by blood, marriage, **CIVIL UNION**, adoption, or other legal custodial relationship, **PLUS A NUMBER OF UNRELATED ADULTS PER THE CHART BELOW**, ~~or not more than two (2) unrelated adults and any number of persons related to those unrelated adults by blood, adoption, guardianship or other legal custodial relationship. In multi-family units, the number of unrelated adults shall be determined based on the provisions of the City's Housing Code. For purposes of this definition, a bona fide employee of the family who resides in the dwelling unit and whose live-in status is required by the nature of his or her employment shall be considered a member of the family.~~ **THE NUMBER OF HOUSEHOLD OCCUPANTS MUST ALSO BE COMPLIANT WITH THE INTERNATIONAL PROPERTY MAINTENANCE CODE.**

<u>ZONING DISTRICTS</u>	<u>NUMBER OF BEDROOMS IN THE DWELLING UNIT</u>	<u>NUMBER OF ALLOWED UNRELATED ADULTS*</u>
<u>R-E, R-L, R-MH</u>	<u>2 OR FEWER BEDROOMS</u>	<u>1</u>
	<u>3 OR MORE BEDROOMS</u>	<u>2</u>
<u>R-M</u>	<u>EFFICIENCY OR 1 BEDROOM</u>	<u>1</u>
	<u>2 BEDROOMS</u>	<u>2</u>
	<u>3 BEDROOMS</u>	<u>3</u>
	<u>4 OR MORE BEDROOMS</u>	<u>4</u>
<u>ALL OTHER ZONING DISTRICTS</u>	<u>ANY NUMBER</u>	<u>ANY NUMBER</u>
<u>*PLUS ANY NUMBER OF PERSONS RELATED TO AN ALLOWED ADULT BY BLOOD, ADOPTION, GUARDIANSHIP, OR OTHER LEGAL CUSTODIAL RELATIONSHIP</u>		

Proposed definition of “family” in Section 24-5 of the Greeley Municipal Code

Family shall mean a group living together as a single household comprised of any number of persons who are interrelated by blood, marriage, civil union, adoption, or other legal custodial relationship, plus a number of unrelated adults per the chart below. The number of household occupants must also be compliant with the International Property Maintenance Code.

Zoning Districts	Number of Bedrooms in the Dwelling Unit	Number of Allowed Unrelated Adults*
R-E, R-L, R-MH	2 or fewer bedrooms	1
	3 or more bedrooms	2
R-M	Efficiency or 1 bedroom	1
	2 bedrooms	2
	3 bedrooms	3
	4 or more bedrooms	4
All other zoning districts	Any number	Any number
*Plus any number of persons related to an allowed unrelated adult by blood, adoption, guardianship, or other legal custodial relationship		

City of Greeley, Colorado
CITY COUNCIL WORKSESSION REPORT
February 9, 2021

1. Call to Order

Mayor John Gates called the virtual meeting to order at 6:00 p.m. via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Cheryl Aragon, Deputy City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Brett Payton

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Ed Clark

Council Member Kristin Zasada

4. COVID-19 Update

Dan Frazen, Emergency Manager, reviewed the most current statistics on COVID-19 and referenced the new State dial shared by the Governor. He also shared that staff and residents at long-term care facilities are expected to have the vaccine by February 18th. He reviewed the four metrics and statistics that have put us in yellow on the statewide dial and noted that we have to remain there for 7 days.

With regard to the Five Star Program, Emergency Manager Frazen reported that 70 percent of the age 70+ population needs to be vaccinated before businesses can operate in blue on the statewide dial, which is the next level up from yellow, and that we are at about 57 percent currently.

He went on to highlight the new data links added in his report within the employee dashboard for employees and facility occupancy. He advised that soon, the data will be shared daily with everything in one place, and until that happens, these Tuesday reports to Council will happen.

In response to a question from Council Member Butler, Emergency Manager Frazen advised that for the new metric, the second vaccine is the metric for hitting the 70 percent mark.

Council Member Fitzsimmons reported that he received his second vaccine with no reactions and encouraged everyone to get vaccinated.

Anissa Hollingshead, City Clerk, provided additional information on the Five Star Program and emphasized that this is a valuable program with benefits to businesses for applying and becoming certified.

5. Reports from Mayor and Council Members

Council Member Hall reported that the Colorado School of Mines is undertaking a project gathering ideas for the Poudre River Trail Narrows Project. Ideas from those engineering students will be shared soon.

Council Member Clark asked for more information about the \$93,000 that would be used to increase the ability for folks to get into the Recreation Center and Funplex to work out and use these facilities.

Roy Otto, City Manager, reported that staff will move forward in this regard and monitor how many people are using the facility, as well as monitor the budget for any needed supplemental appropriations. He added that additional hours will begin March 1st at the Recreation Center.

6. 2020 Year-end CIP Report

Joel Hemesath, Public Works Director, reported that staff in the Public Works, Water & Sewer, and Culture, Parks & Recreation Departments (CPRD) work together each month on an internal committee called the Capital Projects Committee (CPD) to coordinate capital improvement projects (CIP). He noted that this work consists of five-year planning, budget status updates, and coordination of projects to minimize disruption to areas, debriefing on projects, and training.

Together with Andy McRoberts, Culture, Parks & Recreation Director, and Adam Pryor, Chief Water & Sewer Engineer, Mr. Hemesath proceeded to review the report and offered a status of all major capital projects within Public Works, CPRD, and Water & Sewer, highlighting that the CIP budget totaled \$161,762,184 for 138 different projects.

7. Household Occupancy Standards

Brad Mueller, Community Development Director, reported that single-family zoning became prominent in the suburban housing boom of the 1950's and 1960's. Greeley first limited the number of unrelated adults allowed to share a single-family dwelling in 1966 and the number of unrelated adults allowed to share housing has been adjusted over time.

He introduced Caleb Jackson, Planner, who shared that the current standard of "you plus one" allows no more than two unrelated adults to share a single-family dwelling in

low-density areas and dates back to 1980. The increasing cost of housing in Greeley is increasing pressures for Greeley fair market rent and median sales prices for housing.

Planner Jackson reviewed standards set by peer communities and considerations. He noted that the Housing Task Force, Code Advisory Committee, the Planning Commission and the public offered feedback through a survey and found that there seems to be a desire to slightly increase the number of unrelated people in a single-family dwelling.

Planner Jackson reviewed options for Council to consider which included everything from maintaining the status quo or increasing the number based on the number of bedrooms, house size, etc.

Director Mueller shared that the goal is to get some consensus or general direction about Council's preference on this which will give staff the benefit of being able to provide Code updates and frame the issues around small lot formatting, accessory dwelling units, etc.

Council Member Clark expressed that he would not be in favor of increasing the "you plus one" designation since it is not enforceable. He added that he would not be supportive of creating those kinds of impacts to neighborhoods.

Council Member Hall shared his concern that there seems to be a disparity between related and unrelated status noting that "you plus one" is too restrictive and any number of unrelated people is too lenient. He did state that tying it to the number of bedrooms is intriguing and that it might be a good compromise.

Council Member Butler expressed agreement with Council Member Hall that tying it to the number of bedrooms does seem like a good compromise and also agreed that "you plus one" is unenforceable.

Council Member Zasada shared that she is on a mission to protect single-family zoning, and the "you plus one" designation. She stated that the issue is packing multiple tenants inside a house. She would support a small movement or an increase in other zoning areas like Residential High Density (R-H) or Residential Medium Density (R-M), but not Residential Low Density (R-L).

Council Member Payton stated that this has been discussed for many years and noted that there is only a problem when neighbors complain. Director Mueller agreed and added that there is not any ability currently to actively enforce in neighborhoods.

Council Member Payton stated that he is in favor of some change, and that this is worth additional investigation.

Council Member Fitzsimmons stated that he would like to know more about other communities that have increased from "you plus one" before a decision is made here. He added that what is really needed is enforcement, so change plus enforcement is needed for it to work.

Conversation ensued about related and unrelated people in neighborhoods and the impacts of each on a neighborhood.

Director Mueller advised that some geographic considerations could also be devised, like other communities have done.

Council consensus was reached on staff recommended option C.

Director Mueller emphasized that this discussion helps staff and noted that this is not a one and done deal. Public hearings and presentation to the Planning Commission may bring forth some new information to consider. There will be more opportunity to tie this together that hopefully meets policy goals when it comes back to Council in September.

Council Member Zasada offered that as staff looks more at the number of bedrooms, to consider both conforming and non-conforming uses.

8. Scheduling of Meetings and Other Events

City Manager Otto noted that there were no additional meetings or events scheduled.

9. Adjournment

There being no further business to come before the Council, the Worksession was adjourned at 7:10 p.m.

John Gates, Mayor

Cheryl Aragon, Deputy City Clerk



PLANNING COMMISSION

Proceedings

March 9, 2021
1:15 p.m.

(Zoom Webinar and viewable on City of Greeley YouTube)

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m.

II. Roll Call

Chair Yeater, Commissioners Andersen, Briscoe, Franzen, Modlin and Schulte were present. (Commissioner Romulo was absent.)

Chair Yeater informed those attending the meeting that Item VI, Growth & Development Report, would be postponed to a future date.

III. Approval of February 23, 2021 Minutes

Commissioner Andersen moved to approve the minutes dated February 23, 2021. Commissioner Briscoe seconded. The motion carried 6-0. (Commissioner Romulo was absent.)

Chair Yeater advised that the next item, Recap of Small-Format Housing and Infill Strategy, had been requested to follow Item V on the agenda and requested a motion. Commissioner Andersen moved that item IV be heard later in the meeting and that item V on the agenda, Household Occupancy Standards, be heard first. Commissioner Schulte seconded. The motion carried 6-0. (Commissioner Romulo was absent.)

IV. Worksession: Household Occupancy Standards

Presenter: Caleb Jackson, Planner II

Caleb Jackson addressed the Commission and noted that staff had received feedback and direction from City Council and he was returning to Planning Commission today for another worksession to discuss the item. He reminded the Commission that the rationale for

addressing the number of unrelated adults who may occupy a residence is part of City Council's priority, "Your Home is Here" as well as the Strategic Housing Plan adopted by Council. Mr. Jackson briefly reviewed topics discussed during a previous worksession. He also reviewed the current household occupancy standards regarding how many unrelated adults may occupy residences in different zone districts. Mr. Jackson summarized the vetting process to date and identified proposed dates for hearings before Planning Commission and City Council.

Mr. Jackson noted some of the commonly shared concerns about increasing the occupancy allowance include parking and an increase in the number of vehicles, property maintenance, overcrowding, density and character of neighborhoods, noise, trash, crime, and property value reduction. He added that those supporting an increase in the allowance cite increased flexibility, privacy, affordability, changing demographics, housing stability and economic development. Mr. Jackson also provided information on what some of the surrounding peer communities are considering to address the issue.

Mr. Jackson reviewed the current code including the definitions of "bedroom" and "family" and noted that the discussion today was to discuss the definition of family and attempt to achieve a consensus and provide direction for City Council. The proposal from staff is to consider the number of unrelated adults who may occupy a dwelling to five unrelated adults, or U+5. He noted the next steps include feedback from Planning Commission, continuing public input, a hearing before Planning Commission and a hearing before City Council. Before continuing, Mr. Jackson stopped to allow a time for any questions by the Commission.

Commissioner Modlin asked what might happen in neighborhoods where a majority of the neighbors oppose an increase in the number of unrelated adults and asked whether a rezone could increase animosity among neighbors. Mr. Jackson stated that in neighborhoods with a homeowner's association (HOA), the HOA can propose more restrictive standards than the City, adding that the HOA would then be responsible for enforcement. He advised that staff is trying to identify a baseline standard for all Greeley neighborhoods.

In the discussion about the number of unrelated adults who may occupy a residence, Commissioner Schulte asked whether staff had considered looking at the number of vehicles rather than the number of individuals. Mr. Jackson responded that he has not seen that done by other communities and noted that limiting the number of unrelated adults also indirectly ties to the number of vehicles. He acknowledged that it is a complicated topic and used the example of a family with several teenagers who each have a vehicle.

Commissioner Andersen echoed the comment by Commissioner Schulte and indicated that she currently resides in the Cranford neighborhood where there is permit parking that is patrolled. She advised that a certain number of stickers are issued per household and that it has been an effective way to address issues with parking on the street. She expressed that it seemed inappropriate for the City to determine the definition of "family."

Upon question by Commissioner Schulte, Mr. Jackson advised that with regard to occupancy standards, unmarried couples are considered unrelated. Brad Mueller, Community Development Director, added that changing demographics is one of the reasons cities are looking at the issue of the number of unrelated adults.

Commissioner Franzen asked how many households are currently out of compliance. Mr. Jackson reported that an exact number is difficult to ascertain as most information is from complaints that are reported. He indicated that there could be several unreported and unknown cases. Upon question by Commissioner Schulte, Mr. Mueller advised that complaints can be generated by neighbors who are aware of the occupancy limits or sometimes as a response to nuisance issues such as noise, parking or trash. He stated that the code change is not being brought forward to address a complaint issue, but instead to establish a base standard, adding that staff does not expect the number of complaints to increase or decrease as a result of the amendment.

There was discussion about how staff arrived at a proposal to increase the standard to U+5. In response to a question by Chair Yeater, Mr. Jackson reported that the City Attorney's Office had reviewed the standard and case law that provided support. Attorney Michael Axelrad addressed the Commission and noted that in one case heard by the U.S. Supreme Court on unrelated individuals determined that local jurisdictions have flexibility in setting standards. He advised that in that case, the limit was set at five, a standard that has been accepted by the courts. He added that it becomes a policy decision; not a legal decision.

Commissioner Schulte provided the example of two couples, each with children, and asked for clarification as to how it would be considered. Mr. Jackson advised that "unrelated" pertains only to unrelated adults, adding that any number of persons related by blood, adoption and the like are allowed. Upon further question by Commissioner Schulte, Mr. Jackson advised that elderly parents living in a home with their children are considered to be related by blood and would be allowed. He added that U+5 would allow up to five unrelated adults plus persons related by blood, adoption or other relationship.

Commissioner Modlin suggested a scenario where a married couple with three children resided with a homeowner. Mr. Jackson reported that under the U+5 proposal, three adults (the homeowner plus the couple) and the children related by blood would be allowed in as small as a two bedroom home.

Commissioner Andersen stated that there were many scenarios and acknowledged that it was not the intent to create a nuisance or flop house situation. She expressed that it seemed City Council was trying to navigate down the middle without impacting homes in residential low density zones, adding that the problems related more to nuisance situations. Mr. Mueller advised that there is no easy answer and that while the number of unrelated adults in a home could relate to nuisance, that is not always the case. He added that amending the code is a way to set expectations for zone districts and neighborhoods.

Commissioner Schulte indicated that City Council seemed amenable to increasing the occupancy limits in residential medium and high density zones, but seemed hesitant to increase the limit in residential low density zone districts. Mr. Mueller agreed that many ideas have been presented with some members remaining open to increasing the number of unrelated adults in residential low density areas, while others do not feel that an increase is necessary.

Upon question by Chair Yeater, Mr. Jackson reported that an HOA can require more restrictive standards than the City and are free to enforce upon those standards. Chair Yeater asked whether the City was privy to HOA standards at the time of development. Mr. Jackson advised that sometimes covenants are in place for staff to review.

Commissioner Briscoe commented that reference had been made to what other cities are doing and asked whether Greeley was following suit and asked what problem the City is trying to solve. He noted an abundance of multi-family housing in Greeley that meets a certain criteria of the housing plan. Mr. Mueller explained that it is likely other cities are looking at occupancy standards as they are experiencing the same issues as Greeley. He added that another way to increase access to housing and another tool for consideration is to open up how much existing housing can be available for higher occupancy.

Commissioner Briscoe noted that purchase of a home is likely the largest investment most people make and that this change could place a burden on existing neighbors to form an HOA if they want to have higher standards. He expressed that he is struggling to find balance as he is not sure that U+1 is the right number, but is not necessarily comfortable with U+5. He understood that it is a nuanced and complex issue, also noting that most of survey results seemed to be against the increase.

Commissioner Andersen observed that the survey included about 100 participants with approximately 60 comments and asked whether it was representative of the entire community. She also noted that Planning Commission seemed to be going over the same ground covered by City Council and perhaps that is how Council came up with using the number of bedrooms as a measurement.

Commissioner Schulte observed that there is a problem to be resolved, noting that since the 1950s each generation has had a harder time securing the type of housing as their parents and noted the difficulty for younger families. He asked whether it might be possible to use a phased-in approach and increase the U+ number over time. Commissioner Franzen favored the idea and added that a bedroom count seemed to fall along the same line. Mr. Jackson requested more direction on the incremental idea and invited other commissioners to express their thoughts. Commissioner Schulte stated that if the ultimate goal is U+5, perhaps start with U+2 now and increase to U+3 in two years, eventually getting to U+5 in a number of years. He asked whether that might alleviate concerns expressed by Commissioner Briscoe as it could exceed the time that owners remain in the same home. Mr. Jackson asked whether that approach was different than a sliding scale based upon the number of bedrooms. Commissioner Schulte indicated that the number of bedrooms could interact or correlate with whatever U+ number is allowed.

Mr. Jackson summarized the comments and asked Commissioners to identify the direction they desired to take forward. Chair Yeater and Commissioner Andersen were in favor of making the change now while Commissioners Franzen, Briscoe and Schulte supported a phased-in approach. Chair Yeater asked about next steps and how the Planning Commission might assist. Mr. Jackson responded that a lot of input had been provided today and staff was trying to get all of the pieces into place as part of the overall code update. He added that staff hoped to bring the matter back for formal consideration soon.

V. **Worksession: Recap of Small-Format Housing and Infill Strategy**

Presenter: Carol Kuhn, Chief Planner

Carol Kuhn addressed the Commission, provided an update on amendment to the code and summarized worksession discussions with City Council. She introduced Chris Brewster from Gould Evans who provided a presentation about small format housing options.

Mr. Brewster advised that most of the code revision effort is being led by the Imagine Greeley Comprehensive Plan and highlighted some of the issues to be addressed. He noted that small-format housing, including mobile homes, fits into unique places within a community, adding that options could be expanded to include different small-format options such as “tiny homes.”

According to Mr. Brewster, some items under consideration are the allowance of 4500 square foot lots in residential low density zone districts, creating neighborhood lots, enabling courtyard patterns for a range of smaller lot and building formats, and small lot options in residential medium or residential high density areas. Another consideration identified by Mr. Brewster is determining what to do with accessory dwelling units (“ADU”) that are currently allowed in residential high zone areas, adding that a recommendation is to add ADUs in residential low and residential medium zone areas subject to compatibility standards and review.

Mr. Brewster reported that another recommendation is to improve the current residential-mobile home district to expand for other small format housing including “tiny homes” or “laneway housing.” He noted that Council would discuss infill strategies at a worksession this evening and would be looking at six points including frontage (relationship to streetscape), size and setback (actual relationship to adjacent properties), scale and massing (perceived relationship to adjacent properties), design interest (windows, doors, ornamentation, design details), open space (relationship of non-building elements to adjacent properties), and architecture (quality of design). Mr. Brewster presented a table showing the types of homes that could be placed on infill lots.

Commissioner Franzen commended Mr. Brewster on the presentation and work. Chair Yeater agreed and expressed appreciation for the efforts around small lot and infill strategy discussion. Commissioner Andersen noted that the matrix created helps to clarify expectations and helps to identify and address the missing middle. Referencing the earlier discussion about occupancy limits, Chair Yeater asked Mr. Brewster if there was any idea how many bedrooms might be available in a small house and how to consider density in smaller formats. Mr. Brewster advised that it is important to first settle on what types of housing are wanted in a community. He expressed that limiting based on the number of bedrooms is a good option that a lot of cities have not considered. He added that many small-format units are studios or one bedroom with smaller homes being one to two bedrooms.

VI. Worksession: Growth & Development Report

Presenter: Marian Duran, Planner II

Upon question by Chair Yeater, Mike Garrott, Planning Manager, reported that the Growth and Development Report presentation would be provided at the April 13, 2021 meeting. Mr. Mueller indicated that since it is being postponed to a regularly scheduled date and was not a public hearing item, no motion was required to reschedule the presentation.

Ms. Kuhn addressed the Chair and asked whether Commission members would be amicable to scheduling a special meeting on March 30, 2021 for a worksession about place making and urban design. Commissioner Andersen moved to schedule a special meeting on March 30, 2021 for a worksession to discuss downtown sense of place and urban design. Commissioner Franzen seconded. The motion carried 6-0. (Commissioner Romulo was absent.)

VII. Adjournment

The meeting adjourned at 3:07 p.m.

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Justin Yeater

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Justin Yeater, Chair

DocuSigned by:

Brad Mueller

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Brad Mueller, Secretary



**PLANNING COMMISSION
Special Meeting
Proceedings**

**March 30, 2021
1:15 p.m.**

(Zoom Webinar and viewable on City of Greeley YouTube)

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m.

II. Roll Call

Chair Yeater, Commissioners Andersen, Franzen, Modlin and Schulte were present.
(Commissioners Briscoe and Romulo were absent.)

III. Worksession: Household Occupancy Standards

Presenter: Caleb Jackson, Planner II

Caleb Jackson addressed the Commission, stating that the item was being brought back for further discussion. Mr. Jackson briefly reviewed the rationale for reevaluating the current occupancy standard as well as the review and vetting process to date. He summarized the feedback received with concerns about parking and traffic, property maintenance, overcrowding, increased noise, trash, crime and reduced property values. Citizens in support have cited increased flexibility, privacy, affordability, changing demographics, housing stability and economic development.

Mr. Jackson presented a draft definition of “family” and asked for feedback from the Commission. Using the family definition, Mr. Jackson presented several scenarios using various zone districts as examples. Further, Mr. Jackson reminded Commissioners of the “U+” notation in the draft referring to the number of unrelated adults, with “U” being yourself and “+[number]” being the number of unrelated adults. He described the next steps of the process including today’s worksession and direction, a possible follow-up worksession with City Council and public hearings before Planning Commission and City Council.

Chair Yeater opened the floor for any questions or comments by Commissioners.

Commissioner Andersen recalled that during a previous worksession, the idea of phasing in the number of unrelated adults and increasing the allowance over a period of time was discussed. She asked whether that approach was addressed in the current draft. Mr. Jackson advised that after discussions with staff and management, a phased-in approach was not being recommended.

Upon question by Chair Yeater, Mr. Jackson confirmed that a cap was set at four bedrooms to avoid owners adding on more bedrooms and otherwise changing the character of a neighborhood. Chair Yeater also asked about any desire to change the code with respect to accessory dwelling units (ADUs) and whether those dwellings would be included in the calculation of unrelated adults. Mr. Jackson advised that staff has not yet gotten deep into ADUs as part of the code update, adding that they are currently only allowed in residential high density zone districts. He noted that ADUs would likely have a separate allowance for occupancy. Mr. Jackson reported that ADUs are typically smaller units such as a studio or one bedroom and are not typically designed to be occupied by a family. Upon further question by Chair Yeater, Mr. Jackson stated that some jurisdictions require occupants of ADUs to be members of the same family as the main house.

Commissioner Modlin asked whether there was a sense of how many households would benefit from the zoning change. Mr. Jackson stated that it was easy to fall into a “worst case scenario” mindset where every homeowner will rent out a bedroom. He noted that this will be a solution for some people and provide additional options, but most individuals will likely continue living as they always have.

Commissioner Franzen asked about enforceability and how staff proposed to enforce any code violations. Mr. Jackson reported that in discussions with the manager for Code Compliance, it was felt that increasing the allowance is enforceable since it is largely complaint based and does not require a lot of additional staff time. He added that sometimes simply having a standard can help set the community expectation.

Commissioner Andersen observed that most of the concerns seem to be about noise, traffic/parking and trash. She added that those are already enforceable issues and it seems to add one more tool to engage Code Compliance to address offenses. Mr. Jackson agreed and added that complaints can be addressed by Code Compliance for trash, Parking Services for on-street parking issues and Greeley Police for noise concerns.

Chair Yeater opened the meeting at 1:35 p.m. to receive comment by members of the public.

The clerk read six emails into the record from citizens, including one from Tannis Bator, two from Carol Burham, two from Michael Harrington and one from Barbara Hampton. Copies of the emails are attached to the Minutes. The clerk also identified a communication in the Zoom Chat from Brad Inholsen, “If there is any change, I’d like to see U+2 but not the bedroom numbers. The R-L people are wanting to keep the property R-L and that is why they are living in the R-L areas and not the R-M or R-H.” Lori Williams added to the Q&A, “So Greeley no longer desires to have single family home districts.”

Chair Yeater turned the discussion back over to the Commission at 1:47 p.m.

Commissioner Franzen indicated that he was originally in favor of the bedroom count, but at this time favors the U+2 scenario in R-L (residential low) areas to preserve those neighborhoods. Chair Yeater agreed and expressed that a challenge remained about how to handle occupancy limits in homes with four or more bedrooms. He understood that this might not be something that every homeowner will consider, but was hesitant to use the bedroom count to measure as it could create a scenario where an owner plus three unrelated adults occupy a four-bedroom home. Chair Yeater expressed that this could be problematic and was in favor of capping the number of unrelated adults in a residential district at U+2.

Commissioner Schulte asked whether Chair Yeater was referring only to R-L areas. Chair Yeater stated that he was including R-E (residential estate) and R-MH (mobile homes), adding that in R-M (residential medium), there is already a different expectation as to the number of unrelated adults. Commissioner Schulte observed that this seemed to mostly impact older parts of Greeley that do not have restrictive covenants as well as some newer neighborhoods that may not have a homeowner's association or covenants. Chair Yeater agreed. Commissioner Andersen pointed out that limiting the standard to U+2 in R-L zones would help protect older neighborhoods and prevent the temptation to purchase a house near the university and rent out every room. She agreed with limiting to U+2 in R-L. Commissioner Modlin asked whether U+2 would work for R-MH zoning as well and asked whether that might make sense. Commissioner Franzen agreed that parking could be an issue in an R-MH zone.

Chair Yeater asked whether there might be some sort of compromise or middle ground with regard to the number of bedrooms and wondered whether there could be a situation where a 2-bedroom home could be U+2. Chair Yeater suggested scenarios where a 2-bedroom home might be U+1 or, alternatively, go with U+2 across the board for all residential. He asked for feedback to get a sense of where the Commission might want to go. Commissioner Franzen observed that it could create confusion to have different standards in the same district based upon the number of bedrooms and gave an example of two houses across the street from each other, one smaller with a U+1 standard and the other larger with U+2. He added that enforcement would become an issue. Commissioner Schulte observed that there are already stricter controls in place than what is being proposed, adding that the enforcement problem already exists regardless of the number of bedrooms. He understood that having two sets of limits that work with each other, one based on bedrooms and one based on an absolute maximum, was to prevent the kind of overcrowding that could result if you just had U+3 regardless of the number of bedrooms. Commissioner Andersen noted that City Council had expressed this as a concern and that having bedrooms somehow related would control more of the overcrowding, especially with mobile homes.

Chair Yeater appreciated the idea of basing occupancy on the size of a house, which should be proportional to the amount of parking and accessibility that was originally intended. However, he was not in favor of moving to U+3. He liked the idea of creating a number of bedrooms and defining a maximum that is one less number than what is currently being proposed in the R-L, R-MH and R-E zones. Mr. Jackson clarified that Chair Yeater proposed reducing each residential category by one unrelated adult. Chair Yeater stated that regardless of a 4-bedroom, he proposed that the standard would still be U+2.

Mr. Jackson asked if he was also recommending to change the last piece of the chart to three or more bedrooms and Chair Yeater confirmed that was his proposal. Upon question by Commissioner Schulte as to whether this would be limited to R-L, Chair Yeater advised that he felt R-E and R-MH would also fall within that standard.

Chair Yeater recognized the clerk who advised that Lori Williams, who had previously provided input in the Q&A, had requested permission to speak to the Commission. Chair Yeater asked that the Commission be allowed to finish the current discussion and then she would be invited to speak for three minutes.

Commissioner Andersen agreed that R-E, R-L and R-MH should be similarly grouped and counted as they were established to be single-family according to the definition of “family” as proposed. Commissioner Schulte asked whether it meant leaving R-M in the proposal, but reducing limits in the section that describes R-E, R-L and R-MH. Chair Yeater confirmed that was the proposal he was bringing forward. Referring to the current Code, Commissioner Schulte asked whether that changed from U+1 to U+2. Chair Yeater stated that it changed the way “family” was defined. Mr. Jackson summarized that the proposal would keep R-E, R-L and R-MH in one regimen, change “3-bedroom” to “3 or more” and strike “4-bedroom,” adding that a smaller home (2-bedroom or less) would allow U+1 and 3-bedroom or larger home would allow U+2. Commissioners Andersen and Franzen supported the revision.

Referring to an earlier question by Commissioner Schulte, Mr. Jackson asked whether the Commission was comfortable with R-M (residential medium) as it is currently being proposed. Commissioner Andersen noted that from earlier citizen comments, R-M is different since there is an expectation that there would be more than one family living together. She added that it makes sense to place limitations on R-E, R-L and R-MH. Commissioner Schulte indicated that with respect to R-E, R-L and R-MH, he was personally comfortable with a higher allowance, but was also comfortable with the scaled back version being proposed today.

Chair Yeater invited Lori Williams to speak to the Commission.

Lori Williams, 508 56th Avenue, Greeley stated that she is a long-time resident of Greeley. She expressed concern that every time someone builds or purchases a home, they should be aware that the City might change zoning after the fact. Ms. Williams added that she had spent her lifetime planning carefully to purchase a home in a secure and safe community and made sure that surrounding homes were similar. She felt like the rug was ripped from underneath and she has no choice. Ms. Williams pointed out that there is a lot of available multi-family housing for unrelated adults to live in the dwelling and that changing the code was not necessary and was unfair to homeowners.

Chair Yeater asked Commissioners for any had additional comments. Commissioner Andersen observed that the Commission has refined what has been discussed in previous meetings and taken into account different opinions and expectations of those who have purchased homes in R-L and R-E zones. She noted her own experience living near the university with homes that have four or five bedrooms and liked the idea of dialing the allowance back. Commissioner Andersen stated that Ms. Bator’s letter was well thought through and that many investors purchase homes in an area with the intent of receiving

increased rent. She felt that the revisions proposed provide a nice balance, noting that enforcement of issues such as traffic, trash and noise are already addressed in the code.

Commissioner Franzen agreed and stated that dialing back to U+2 is a nice common ground and supported U+2 for R-E, R-L and R-MH. Commissioner Schulte felt that a phased-in approach might still allow for long-term planning, but recognized the complexity and was also in favor of simplicity. Commissioner Modlin stated that going to U+2 for R-E, R-L and R-MH seemed to resolve the dilemma over the number of bedrooms.

Referring to a previous worksession about small format housing and infill strategy, Chair Yeater asked whether today's discussion supports that intent and wanted to make sure that both efforts coincide. Carol Kuhn, Chief Planner, addressed the Commission and advised that the intent is to look at any ADUs as an independent unit so U+2 would carry over to secondary units as well. Mr. Jackson added that most ADUs are smaller and probably would not exceed U+2, and in an R-L zone would likely be U+1. Upon question by Chair Yeater, Ms. Kuhn advised that both primary and secondary (accessory) dwelling units could be occupied by separate families. Mr. Jackson added that staff would be looking into additional parking requirements for ADUs in R-L areas. In response to a question by Commission Andersen, Ms. Kuhn stated that in the case of an ADU, two units (primary and secondary) would be allowed on a single lot; the lot would not be subdivided.

Mr. Jackson thanked the Commission for their discussion and feedback.

IV. Worksession: Code Update – Downtown Placemaking & Urban Design

Presenters: Carol Kuhn, Chief Planner and Chris Brewster, Gould Evans

Carol Kuhn addressed the Commission and introduced Chris Brewster from Gould Evans who described Placemaking and Urban Design and their relationship to the update of the development code. Mr. Brewster noted that placemaking policies include creating unique destinations, walkability, mixed use, and village development patterns. He pointed out areas on the Land Use Guidance Map where placemaking strategies are most applicable.

Mr. Brewster stated that some of the options and expectations in the development code are not clear and that, while staff has the discretion to provide options, there is not a lot of consistency and clarity to those approaches at the current time. He described the code chapters that are being reviewed and proposed for revisions and summarized the approach considered to improve the language. Mr. Brewster advised that many of the approaches are taken from a book, *City Comforts: How to Build an Urban Village* by David Sucher, that suggests things such as building to the sidewalk, making a building front “permeable,” and prohibiting parking in front of a building. He provide illustrations and photo examples of a well-designed public realm, adding that it only requires one or two blocks of this treatment to create a valuable place in a community.

Mr. Brewster described the placemaking rules on the private and public sides that become the framework for regulation. The public side includes 1) connect and design for people (small block sizes, generous sidewalks, shade and enclosure), 2) reasons to linger (includes

formal social spaces and informal gathering places), and 3) slow traffic (maximizes on-street parking, buffers pedestrian from moving traffic and allows more efficient site design). The private side includes 1) build to the sidewalk (building placement, extent of front building line), 2) create “permeable” facades (frequent windows, doors, details that break down building; interesting things to see; activity; make streetscape lively space), and 3) hide/minimize the parking (employ strategies to hide or minimize parking). According to Mr. Brewster, the goal is to recalibrate the standards to the private and public placemaking rules to reach a desired outcome that will add more nuance and context to the things that are currently regulated by the development code.

Mr. Brewster described a Downtown Conditions Assessment that was performed to analyze which downtown blocks or streets meet these attributes and presented a map with the results. He highlighted some of the areas that might be considered for improvement and described an approach to improve the current code. Some items to consider are whether this approach is valid for form and urban design, how to better coordinate with zoning districts, the context of place and a particular street or block, how to apply the standards to the downtown area and block, how to apply to the downtown area and Greeley Improvement District, and whether the provisions should be advisory or regulatory.

Upon question by Chair Yeater as to whether the current code hinders development or just needs to be more concise and cleaned up, Mr. Brewster responded that it was a bit of both. He stated that all placemaking strategies could be accomplished with current code, but one goal is to create clear and consistent standards. Chair Yeater asked whether implementation of some of the placement strategies would be somewhat regulatory. Mr. Brewster advised that the criteria will improve what is currently being done in Commercial Low Intensity (C-L) and Commercial High Intensity (C-H), but would not necessarily become regulatory and described various development strategies. Chair Yeater asked how a city might incentivize or find developers interested in creating these types of spaces and whether it would increase development costs. Mr. Brewster agreed that many cities are wrestling with this issue and that these types of places cannot be regulated into existence, adding that there is still a place for them. He advised that the code should make it as easy as possible to build these types of areas, adding that they could possibly be required in areas that the city wants to protect or expand upon what is already in place, or if a developer has already invested and the desire is to maintain it to a certain degree. Mr. Brewster stated development costs are not necessarily always increased by employing some placemaking strategies.

Commissioner Schulte commented that some of the places on the map identified as targets for this type of approach are already developed and asked about a plan moving forward. Mr. Brewster advised that if an area is zoned C-L or C-H now, the current criteria could be refined toward this type of approach, recognizing that there are gradients of more pedestrian quality the closer building is to street. He added that it might allow more options beyond the current performance options.

Using the example of the Centerplace shopping area, Commissioner Andersen stated that it is already completely developed and remains a “new” development in the eyes of many citizens. She asked how one might encourage changes in that regard. Mr. Brewster agreed that every community has similar areas and it would not be wise to require placemaking.

He added that because there is a market for placemaking and a commercial benefit to have places to hang out and walk, there is no prohibition from shopping centers internalizing some of these concepts.

Chair Yeater referenced the St. Michael's development that embodies many of the characteristics described, but was somewhat troubled from the start. He asked what Greeley could learn to do better in the future. Mr. Brewster provided a few examples of potential problems, including the location and whether the property was right for that area or whether the density was not there at the beginning. He suggested one thing to try to do better in the future is to coordinate an interface between major streets and residential and commercial areas. Chair Yeater asked whether this was something measureable that should be included in the code.

Commissioner Andersen commented that she would prefer to see more mixed use development going forward rather than a lot of C-H and C-L with planned unit developments or development concept master plans. Ms. Kuhn agreed and said that updating the code should help. Commissioner Andersen was also in favor of more language in the code to "allow" rather than "require" as it increased creativity and allowed staff to work with applicants on project design.

Commissioner Schulte described some nice neighborhoods in Denver and stated that he always thought they came about organically based upon the histories of the community. He expressed a concern that if the city tries to make something happen, developers might find their own shortcuts with the result being a less than desirable development that technically complies with the code. He asked about the long-term thinking as far as updating the development code. Mr. Brewster suggested that the areas described might have been done organically due to the public realm context in which they were built. He noted that a good local example is Rigden Farms in Fort Collins that is connected well to the neighborhood and is dictated by street and block patterns and the relationship to surrounding residential areas. Upon question by Chair Yeater as to whether Rigden Farm was a planned community or whether it occurred organically, Mr. Brewster stated that he believed it was planned. Chair Yeater asked whether the plan was brought to the city by a developer or whether city staff made suggestions to enhance a developer's plan. Ms. Kuhn advised that the Fort Collins code is strong on some of the elements described by Mr. Brewster and it took staff working with a developer to reach the final plan. She added that with regard to planned unit developments, the hope is to help developers look at underlying zone districts and suggest options.

Mr. Brewster summarized some of the proposed recommendations. Commissioner Andersen expressed that she was excited to see the encouragement of mixed use, especially in infill areas, and was excited to provide more opportunities for development. She also appreciated the map showing areas that were good targets of this type of development and felt it would be helpful for developers.

V. Adjournment

The meeting adjourned at 3:35 p.m.

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Justin Yeater

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Justin Yeater, Chair

DocuSigned by:

Mike Garrott

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Mike Garrott, Acting Secretary

Attachment F

From: Tannis <tanbat@comcast.net>
Sent: Thursday, March 25, 2021 8:34 PM
To: Caleb Jackson <Caleb.Jackson@Greeleygov.com>
Subject: [EXTERNAL] Household Occupancy Standards

Dear members of the Planning Commission,

It has come to my attention that you may feel that a solution to the affordable housing problem is to relax the regulation of how many unrelated persons may rent a house.

I realize this is an attempt to help alleviate Greeley's housing crisis. Since there doesn't seem to be a cap on the amount of rent charged, or the price of a house, this will still be difficult. I recognize that this is the beginning of a long process.

However, I am against a total relaxation of the you + one regulation for the following reasons. (I am using a family of four and four unrelated adults as an example and am often using the complaints raised by having **rentals owned by absentee landlords**.)

Families need affordable housing for their children to thrive emotionally and physically. A house in well maintained condition is much better for a family than an apartment. If such a regulation is relaxed too much, families will go to the bottom of the list since it will be more profitable for investors and landlords to rent to four unrelated people rather than a family of four. I recently read a Saturday, March 20 article, regarding a new Habitat for Humanity homeowner. The new owner, Franky Rodriguez is quoted as saying: "We're going to have our own space. Our kids are going to have their own yard and safety."

Those looking to buy a starter home are priced out by those eager to invest in real estate, and this would make it even more difficult.

Four unrelated people would no doubt have four vehicles. Therefore, parking in the neighborhood becomes more difficult, particularly if each of these four decide to invite others over. We live near the University of Northern Colorado which would be prime real estate for investors/landlords to make money from college students who are not too mindful of neighbors and not interested in keeping up the house and yard.

There is less of an incentive for four unrelated people to continue living together. One or two might lose their jobs or move on, and then what?

I know it is difficult to monitor those who are not keeping to the current regulation of two unrelated persons in a house, but this seems just an easy way not to have to deal with that problem. There are houses now where there are more people than are legal,(usually owned by absentee landlords as an investment) but, unless the neighbors complain, and even if they do, not much is done.

Neighborhoods that have a mix of owned and rented homes under the current set of regulations have a much better record of maintaining the appearance and the ethos of the neighborhood. A

neighborhood with completely relaxed restrictions makes it more unlikely that neighbors will know and care about each other. **However, I could see how “You + two” could work in certain, more controlled situations.**

I have spoken to those whose neighborhoods have changed drastically by houses rented by absentee landlords. This seems to be the root of the problem. On the other hand, if a person owns the home, resides there, and then wants to rent to others to share expenses and keep company, that is a different situation. Perhaps three educators are looking to rent together and a local landlord is careful with their selection. These situations are almost a case-by-case basis. **But restrictions should be placed on absentee landlords who take no care of their rentals and spend no time monitoring the safety and well-being of the neighborhood.**

If you are truly concerned about affordable housing, perhaps you should also investigate tiny home neighborhoods, sliding scales for rent, more property for Habitat for Humanity, and see how other cities are working on their challenge of affordable housing, an example being intentional coliving communities. Architectural plans should also include allowances for disabled people with wider entrances for wheelchair use.

A total relaxation of regulations concerning the number of unrelated persons residing in a rental home would just be a band-aid on a larger problem, make it easier for the City of Greeley to look the other way and be a boon for investors/landlords. I’m not sure how such a decision would “maintain and improve Greeley’s quality of life” or “thoughtfully manage its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work and play.” (quoted from the City of Greeley Comprehensive Plan)

I know updating the zoning ordinances will be arduous work and I appreciate the opportunity to air my concerns.

Sincerely,
Mrs. Tannis Bator
1920 12th Ave
Greeley, CO 80631

From: Carol <cjburham@msn.com>
Sent: Saturday, March 27, 2021 9:37 AM
To: Caleb Jackson <Caleb.Jackson@Greeleygov.com>
Subject: [EXTERNAL] Household occupancy

I cannot attend this meeting. But I need to plead the case for leaving our neighborhoods alone. One non relative is more then generous. You keep your neighborhood family orientated. B&Bs and extra non related people do not belong in the family orientated neighborhoods. They do not care about where they park. Loud mufflers, party's and keeping the yards nice. They just are not family oriented and do not care about being neighborly. This would be a very bad move for Greeley.

I am a Farr Park resident of 45 years. I have seen a lot. You need to enforce current laws and let well enough alone. Thank you for your time to read this. Carol J. Burham

From: Carol <cjburham@msn.com>
Sent: Tuesday, March 30, 2021 8:06 AM
To: Caleb Jackson <Caleb.Jackson@Greeleygov.com>
Subject: [EXTERNAL] Re: Household Occupancy Standards | March 30 Planning Commission Worksession

Please leave the ordinance alone to keep family neighborhoods just that. The city has a hard enough time enforcing present codes. It will be a free fall if you let it turn into more unrelated people living together. I have turned in code violators with the current codes and it takes months to correct and some never. The code officers say it is hard to prove so it takes so long. Please keep them family orientated neighborhoods just that! We have children at risk and many problems to avoid. Thank you Carol J Burham

From: Michael Harrington <harringtonmichaelv@gmail.com>
Sent: Monday, March 29, 2021 10:42 AM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] Housing Occupancy Standards

Good morning,

My name is Michael Harrington and I would like to give input on the occupancy standards. I believe its great that the city is finally addressing this code update since it has not been updated in decades. The housing pricing has gotten so expensive and current demographics of young professionals have dramatically changed since that time. Young professionals are having a hard time affording housing in Greeley and are even not getting married until way later in life. That being said there are many people that cannot afford a house and it helps many individuals afford a place to live with room mates. I know most people renting are having to spend upwards of 60% on their housing leaving little money to go out to restaurants, leisure, etc. They also even have a hard time getting the needed groceries they need. The concerns of having multiple people in a home have city ordinances in place to address loud music, trash, etc. I hope council is well educated on why most all of the surrounding areas have increased their housing capacity as they have also given much thought to this as well. It would be a great burden put off of many people and would stimulate the economy of Greeley. It would also keep great people in Greeley and attract more people as well. I know many people move to Windsor or Loveland so they can live together as Greeley doesn't allow it. Let me know if you have questions. Thank you for your time.

Michael Harrington

From: Michael Harrington <harringtonmichaelv@gmail.com>
Sent: Monday, March 29, 2021 10:49 AM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] Re: Housing Occupancy Standards

In addition to the thoughts above, I do believe the solution of allowing however many bedrooms in a home, would allow how many unrelated individuals. I think that suits the need and creates a simple solution.

From: Hampton, Barbara <barbara.hampton@medtronic.com>
Sent: Monday, March 29, 2021 4:10 PM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] Household Occupancy Standards | March 30 Planning Commission Worksession

I just wanted to submit my thoughts for your meeting tomorrow –

I understand why there are limits and household occupancy standards. However, in Greeley the laws seem old and antiquated. Surrounding communities allow one non-related person per bedroom in a rental home. It is very reasonable to allow unrelated adults in a home, one per bedroom. There are so many young professional people now, waiting to get married later in life. Comradely is important and so is reasonably priced housing in nice neighborhoods. Many are moving out of Greeley because of affordability.

Some may also argue the current code is racist and discriminatory. I don't even want to begin that discussion. If not that, it's just rather "snooty." Not at all what Greeley wants to be about.

Frankly, I don't even understand why this needs to be debated again and again. It's really a "no brainer" to change the housing occupancy law.

Thank you for letting send in my comments. I hope the code is changed.

Best,
Barbara Hampton

From: Todd Schisler
Sent: Friday, April 30, 2021 5:50 AM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL]

My opinion on house hold occupancy numbers is that the city should basically raise its standard and stay out of people's business. If I own a house and 3 people are living in a one bedroom house and can safely do so and respect there neighbor's then it should be a non issue maybe all 3 of those people sleep in the same bed. One would certainly hope there not related if they are. I personally have two partners that I have lived with. Why should the city have any say as to how many people can occupy a home. There are plenty of other laws that cover things like noise etc in today's economy people living together should be a right and neighbor's and the city should have 0 say as to what I choose to do in my owned personal property. I'm So tired of the government overstepping there boundaries on my rights and others rights

Sincerely
Todd schisler

From: Logan Richardson
Sent: Sunday, May 2, 2021 9:54 PM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] Occupancy standards

Dear members of the City of Greeley Staff, Planning Commission and City Council,

Thank you for your service in our community. My name is Logan Richardson. I am writing to extend my support for maintaining our existing occupancy standards within the City of Greeley for areas designated Residential Low Intensity.

Increasing occupancy within the R L zoning designation may temporarily increase the available number of beds for rent in our beloved city, but it would come at a terrible price including but not limited to decreased affordability and home ownership, loss of neighborhood character, beauty and quality of life and increased strain on public infrastructure without increased investment from those who benefit.

If adopted, we will see a significant increase in the price of existing homes pushing home ownership and the associated growth in personal wealth out of reach for too many of our Greeley families. In the long run the increase in home values will benefit investors and not the would be owner occupying families.

We can also expect to see heavy deterioration of maintenance standards and upkeep in our neighborhoods resulting in a less beautiful Greeley. As investors convert single tenant homes to multi tenant properties yards are rarely maintained and often become parking lots. Parked cars will line previously quiet streets. The character of our neighborhoods and quality of life in Greeley will be irreparably changed and not for the better.

In addition to an increase in the cost of home ownership and a deterioration of quality of life we would also see additional strain on public infrastructure including additional sewer and water use without corresponding plant investment fees and raw water dedication. In essence our community could end up subsidizing investors as they convert single tenant homes to multi tenant properties.

We need not look far to see evidence of what would beset our city if the increased occupancy measure is adopted. Greeley maintains Residential High Intensity zoning for most of the neighborhoods surrounding the downtown area. There you will find that home prices are high, home ownership rates are low and property conditions are generally poor. Families who want to purchase a home near our ever improving city core must compete with investors for the limited housing stock and they rarely win.

Please protect our families, community character and quality of life, and city infrastructure by rejecting the proposed increase in occupancy standards. Let's meet our housing needs through policies that increase quality of life to attract new developments, lower costs for new development and incentivize quality tax credit housing

for affordability. And, while we're at it let's look at reestablishing the character of the neighborhoods surrounding downtown by establishing RL zoning designation to these important neighborhoods.

Sincerely,

Logan Richardson
Greeley, Colorado

Sent from my Verizon, Samsung Galaxy smartphone
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From: Janice Lichtenberger

Sent: Saturday, May 1, 2021 11:32 AM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Subject: [EXTERNAL] The proposed change that could increase the number of unrelated adults who may share single-family houses.

To the Greeley Planning Commission:

The proposed change to the City's household occupancy standard is nonsense and I encourage you not to adopt it.

As one of the first residents of the Owl Ridge Subdivision in west Greeley and one of the original Board members of our Homeowners' Association, I experienced first hand what such a change would look like.

As you may know, initially this subdivision was fraught with mortgage fraud, with many "straw buyers" from out of state purchasing houses as rentals, with no regard who or how many occupants they rented to.

As I look out my kitchen window today, I can see House #1, a house that, early on, was used as employee housing for a group in the oil & gas business. We had many unrelated people staying at that house on a transitional basis, many different cars and far more vehicles related to that house than were reasonable.

Across the street from that house, was House #2, another over-crowded rental, where the tenants would dry their laundry on the roof of the front porch. This is not a third world country and I don't want our neighborhood looking like one.

Near House #2, was #3, another overcrowded rental, so much so that they actually had someone living in the garage; the garage door was left slightly open for air, with large fans near the 6 inch opening. These folks had a dog that attacked the child of one of our single family homeowners; when that happened and the homeowners complained, the renters of House #2 retaliated by filing a false charge with DCFS saying the homeowners were child abusers.

House #4 on 82nd Avenue, the western end of Owl Ridge, was some sort of migrant housing with people constantly coming and going. The garage was packed with clothing,

small furniture, etc. This became known as the Taco House because they were also running a food truck business from this house. On early morning walks, we would see women arriving apparently to cook for the truck that was parked across the street. After cooking, they would dump their grease in the vacant lot across 82nd from their house.

These issues have finally been cleaned up and are no longer a problem; I do not want to see similar things start again, which they would should this proposal pass.

Presently, there is a rental property across the street from our home which I believe is housing multiple families and operating a vehicle repair business out of their garage. I cannot prove this, but our very small cul-de-sac is frequently overcrowded with many vehicles related to that property, as well as a flatbed truck hauling vehicles to and from the house. And yes, I have complained to city code enforcement saying that our street is zoned "single family" and not zoned for business; I have been told there is nothing they can do other than issue a warning to our neighbors for any unlicensed vehicles on the property. So much for code enforcement.

Based on my experience, the proposed change would simply **legalize and promote** some of the very undesirable things that are already going on in our city.

For the safety of all of our kids, I believe it is important to know our neighbors; this proposal will encourage multiple, transient people to occupy family neighborhoods and will make knowing neighbors and identifying the bad ones very difficult.

Our neighborhood is already very overcrowded with cars lining the narrow streets and cul-de-sacs; this proposal will certainly exacerbate this situation.

Traffic through residential neighborhoods will dramatically increase; again, a safety issue for our kids playing outside.

More people equals more crime.

With a large number of people occupying what should be a single family home, the trash will increase and, I am assuming, spill over to the yard and neighborhood.

And more than anything, you are proposing to drastically change the character of long-established neighborhoods and it is wrong!

If you feel you must do this, please make it for new developments going forward thereby allowing homebuyers a choice of the type of neighborhood they want to purchase in.

My belief is that when people attain a place in government or on Boards & Commissions they have a duty to represent the will of the stakeholders in the community. A large number of Greeley **homeowners** (as opposed to simply "residents"), ourselves included, have intentionally worked very hard for many years to purchase homes in **single family** neighborhoods.

It is totally unethical, if not actually illegal, for the Greeley Planning Commission to just come along and change the working definition of "single family" that we purchased under and we would be huge proponents of legal action should this proposal pass.

Regards -

Janice & Bruce Lichtenberger
2244 80th Avenue Court, Greeley
970-518-0012

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-----Original Message-----

From: Alice Blanke

Sent: Sunday, May 2, 2021 7:51 AM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Subject: [EXTERNAL] Number of people in a home

I would like to express my my opinion on the change in the number of people living in a house. I have experienced a house where a house included the son's owner plus many so called nieces. It was a nightmare. Parties, traffic, loud screaming, parking and trash everywhere. While I am sorry for people needing housing, I know that property value will go down for those near a house with multiple people living g there. Whoever is making this decision should think of how they would feel if such a house happened next door to them. For those of us who do not have covenants we depend on the city to protect us and our property values. Please please do not allow this to happen.

Alice Blanke

1411 45 Ave

Greeley 80634

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From: CINDY SWANK
Sent: Monday, May 3, 2021 2:04 PM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] Household Occupancy Standards

Planning Commission:

I am writing to express my concern about the proposal to change the number of unrelated adults who may share single-family homes.

In the past year, mostly due to the pandemic, loss of jobs, etc., our neighborhood has seen a huge increase in multi-family, multi-generational homes and therefore the increase in traffic, cars parked along our very narrow streets, decline in maintenance of the homes and yards, etc. I understand the extenuating circumstances and many of these are short-term, however if this proposal was approved it would conceivably make these changes more permanent.

Our neighborhood is very small – only a few blocks between 10th street and 48th avenue and 47th avenue and 13th street – mostly custom homes built in the 70's. My father built one of the original homes in which my husband and I now live. We love our home and our neighbors, but see a rapid decline in the neighborhood which concerns us. I feel our property values are declining with these changes. I know that there were originally covenants that covered this area but they were vague and those who wrote them probably never saw this neighborhood needing such covenants – it just wasn't a concern back then.

I would definitely urge the commission to deny this change.

Thank you,

Cindy Swank
1013 48th Avenue

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From: Terry White
Sent: Tuesday, May 4, 2021 9:08 AM
To: CD Admin Team <CD_Admin_Team@Greeleygov.com>
Subject: [EXTERNAL] City Code Housing

I am sending this to give my option on allowing more unrelated people to move into housing, I am NOT in favor of this. I already went through this with my neighbors. I live on a corner and they thought this is for their parking. I did not approve of it as I had to look out my windows at their vehicles and TRAILERS. Not only that but their different coming and going times extra early and late at night were very disrupting.

I did not buy a home so I could live like I'm living in an apartment complex with extra traffic, noise and trash.

This is a terrible idea. PLEASE do not change the current code.

Thank You
Terry White

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Caleb Jackson

From: Dames Benally
Sent: Tuesday, May 4, 2021 11:59 AM
To: Caleb Jackson
Subject: [EXTERNAL] Re: Household Occupancy Standards | May 11 Planning Commission Hearing

Mr. Jackson.

Thank you so much for your email. I really appreciate the follow up. Regarding household occupancy standards. I really believe it is a big problem. I will be looking forward to this zoom meeting with you city officials. One thing I feel like were lacking in your proposal is enforcement on this matter.

The city of Greeley has a lot of ordinances set in place but none or few of these many ordinances are ever in force.

Thank you so much for your time and will see you in the near future in a zoom meeting.

Thank you

Dames

Sent from my iPhone

From: Joe Koppes
Sent: Monday, May 03, 2021 5:02 PM
To: CityClerks <CityClerk@Greeleygov.com>
Subject: [EXTERNAL] Housing standards proposal

To the Greeley Planning Committee; I would like to express my opposition to any additional allowances to the current standards. I have seen where this leads to a deteriorating neighborhood. The additional population leads to conflict, trash, noise and burden on the city's resources to manage. Code enforcement is currently challenged to manage issues they have now. I personally witness cars in the back yard and on front lawns due to lack of parking spaces. We as a city have a working plan for a non-related person to co-habit with a family. Let's work on other issues such as the continual effort of traffic and neighborhood appearances. Thank you for your efforts in making this the town me and my family wish to reside. Sincerely, Joseph Koppes. 2803 W.24 Street., Greeley

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Caleb Jackson

From: Steve Young
Sent: Tuesday, May 4, 2021 1:47 PM
To: Caleb Jackson
Subject: [EXTERNAL] Re: Household Occupancy Standards | May 11 Planning Commission Hearing

Caleb, this issue should be decided by a vote of the citizens of Greeley. That is my opinion for what it is worth.

From: Joe Koppes
Sent: Monday, May 3, 2021 7:57 PM
To: Michael Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>
Subject: [EXTERNAL] Household occupancy

Dear Councilman Michael Fitzsimmons; I am writing to voice my opposition to the proposed changes regarding the household occupancy in Greeley. We already see daily challenges of neighborhoods with unkempt households, lack of parking due to increased cars per household, increased traffic noise, uptick in crimes, additional trash and the resulting reduction of property values due to one or two neglected properties. This challenges our code enforcement department to keep current. There are plenty of new housing developments and apartment buildings being constructed at this time to house people. Please consider the rejection of this proposal. Thank you for your support. Joseph and Connie Koppes, 2803 W. 24 Street, Greeley, Colorado.

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Caleb Jackson

From: carole larson)
Sent: Wednesday, January 6, 2021 11:12 AM
To: Caleb Jackson
Subject: [EXTERNAL] residents in one home

It should NOT be a crime to help the otherwise homeless.

Sent from [Mail](#) for Windows 10



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Caleb Jackson

From: Hampton, Barbara
Sent: Thursday, January 7, 2021 6:36 AM
To: Caleb Jackson
Subject: [EXTERNAL] Housing Occupancy

Good morning Caleb,

I'm emailing today to respond on your housing occupancy standards. I was really surprised to see that the standard hasn't updated since 1980! The "You plus 1" seems definitely outdated. Housing in Greeley is at a premium and while it may be appreciated that people living in suburban single-family areas want peace and quiet, wouldn't other Greeley ordinances apply to excessive noise, trash, parking, etc? There are many young professionals who would welcome renting a home instead of living in an apartment complex. I would think "you plus 3" might be applicable for a single family 4 bedroom home. It seems you are looking at changing the standard. What might the new standard be and when would it change.

Thank you in advance for your reply,

Barbara Hampton

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-----Original Message-----

From: lindaawarner

Sent: Sunday, February 14, 2021 11:29 AM

To: Thomas Butler <Tommy.Butler@Greeleygov.com>; Edward Clark <Ed.Clark@Greeleygov.com>; Michael Fitzsimmons <Michael.Fitzsimmons@Greeleygov.com>; John Gates <John.Gates@Greeleygov.com>; Dale Hall <Dale.Hall@Greeleygov.com>; Brett Payton <Brett.Payton@Greeleygov.com>; Kristin Zasada <Kristin.Zasada@Greeleygov.com>

Subject: [EXTERNAL] Zoning

City Council,

I am writing this email in support of maintaining a U+1 zoning standard in R-1 areas of the city.

I lived in the Cranford subdivision for 15 years, during which time, I endured noise, rowdy parties, and property damage caused by unrelated individuals living in the same dwelling. I could not sleep at night, often found trash and broken beer bottles scattered around my house in the morning, and endured nuisance and destructive behavior of all types. I felt threatened and afraid. I think most of this behavior was due to the U+Unlimited standard in this R-H residential area.

In order to remove myself from this uncomfortable and frightening situation, I finally moved to an R-1 residential area with a U+1 standard in West Greeley. Since moving, I have never experienced the type of behavior I described in Cranford. On the contrary, my neighborhood is quiet and peaceful. I no longer feel threatened or afraid.

For this reason and others, I ask you to maintain the U+1 zoning standard in R-1 areas of the city. Residents and families deliberately purchase their homes in R-1 areas because they want to live in safe, peaceful, and uncrowded residential areas. Changing the zoning standard in these areas would be a slap in the face to people who purchased homes in R-1 specifically for the characteristics of these neighborhoods. Such a move would threaten the integrity of these areas.

Contrary to the opinion of some, a U+1 zoning standard in R-1 areas does not eliminate "elder hosting." It allows for it.

If increasing occupancy in Greeley is truly needed, then changing R-M areas to U+2 is a better solution. Building more housing with R-H zoning is a better solution yet.

Greeley is not Denver, Ft. Collins, or any other city. Greeley is Greeley. It is unique and shouldn't try to imitate some other city. We should be proud of who we are, do what is best for us, and maintain our R-1 neighborhoods with a U+1 standard.

Sincerely,

Linda A. Warner
1600 44th Avenue Ct Unit 7
Greeley, CO 80634

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From: Foster, Carolyn Beth
Sent: Wednesday, February 17, 2021 10:04 AM **To:**
Dale Hall
Subject: [EXTERNAL] Proposed Zoning Change

Dear Mr. Hall,
I do not support the proposed zoning change allowing multiple unrelated people to live in a single family dwelling.

Beth Foster

From: Megan Oestreich
Sent: Wednesday, February 17, 2021 3:22 PM
To: Thomas Butler
Subject: [EXTERNAL] Housing Occupancy Standards

Dear Council Member Tommy Butler:

I'm writing to you today with the hope that Greeley will do what is best for the residents of our community and vote to increase the household occupancy standards for the first time in over forty years.

I am a homeowner in West Greeley. My husband and I proudly purchased our first home in July of 2019. I am also a school counselor in District 6, and I have greatly enjoyed getting to know the families of our community, often while helping connect parents to resources for their families. These can take the form of housing assistance resources, food assistance resources, and family health services, to name a few. The families that I assist are often working multiple jobs to provide for their loved ones.

The assumption that multiple families living in one home will cause problems, and the expectation that they are not neighborly, is an example of the biases that we have towards those that have different lived experiences than us. Even when made in good faith, these arguments tend to have implicit bias built into them, and often they do not take into account systemic issues. I hope that the Greeley City Council does everything in its power to avoid unhoused families during the middle of a worldwide pandemic in which many have lost their jobs.

This is also an issue that affected my own housing situation at one point in my life. I worked in Charles County, Maryland for ten years before moving to Colorado. During the beginning of my career I lived with two other teachers in a house because we could not afford to live alone. The partner of one of my roommates graduated with her degree in education and planned to move in with us and start her career, but was unable to legally due to the occupancy standards. This led to all of us moving to neighboring communities, which led to many of us having to find new jobs in neighboring districts.

My eventual homeownership in Greeley would not have been possible for me if I had been unable to have multiple roommates for a decade before purchasing my own home. I know so many people in my life who are, or were, in the same situation for various reasons, from graduate students to lawyers to teachers to pilots, and I work with so many dedicated and passionate educators in District 6 who are also affected. It is my hope that moving forward that the City of Greeley makes decisions that encourage teacher retention, and affordable housing for all of its residents.

I urge you to consider the hard working people of Greeley during a time when so many are struggling to make ends meet. I believe that increasing the housing occupancy standard, or getting rid of these regulations for homeowners altogether, would allow our residents to make the best financial decisions for them and their loved ones and ease a serious burden on a significant amount of the people of Greeley.

Sincerely,

Megan Oestreich
223 N. 49th Avenue Court
Greeley, CO 80634

From: Colleen Helzer
Sent: Wednesday, February 10, 2021 5:39 PM
To: Michael Fitzsimmons
Cc: Kristin Zasada; Edward Clark
Subject: [EXTERNAL] Changing Zoning of our Neighborhoods

Mr Fitzsimmons,

I live in Ward 3 in Greeley, and as my representative I would like you to know that I am absolutely opposed to the zoning changes being discussed in Greeley by the city council. I live in a neighborhood that is, I believe RL. I do not support changing the zoning laws to allow more people to live in a household (unrelated). I don't know all of what is being discussed, but my sense is, that Greeley is trying to do this to alleviate a housing shortage. Please don't try to fix a problem, but creating many more and by ruining our neighborhoods through the change that is being discussed. We don't need more cars, more traffic and more unenforceable zoning laws. I have lived in my home since 1974, and moved to this area where no multi family units could be built and at the time was zoned R1, but I believe is now referred to as RL. This is a very small subdivision, with cul-de-sacs and limited parking for the families that live here now.

Just as an example: We at one time had a neighbor approximately 1/2 block away, who rented their house, it is in a cul-de-sac, and more than one family lived there. They parked cars in a cul-de-sac, big pickups parked not parallel to the curb, but perpendicular to the curb, it was a nightmare for those living in that cul-de-sac. In reading the article in the paper, I did not see your name on the list of those at the council meeting that are in favor. I thank Kristin Zasada and Ed Clark for standing up for the residents of this city and hope you will as well.

Thank you,
Colleen Helzer
1624 37th Ave, Greeley 80634

From: Meg Patenaude

Sent: Thursday, February 11, 2021 1:17 PM

To: John Gates; Thomas Butler; Brett Payton; Michael Fitzsimmons; Dale Hall; Kristin Zasada; Edward Clark

Subject: [EXTERNAL] Carefully consider your plans for household occupancy

I am writing to each of you as a Greeley resident who works hard to achieve home ownership, with continued property tax increase rates at \$500+ a year, and now with great concern for your potential decision that could have a considerable impact on my home value and what we have worked so hard for -

Our neighborhood already has several homes that are violating the U+1 rule which currently stands - reaching out via the City website to voice such concerns has achieved no results - so my neighbors continue to leave multiple cars parked in the street of which most never move, their yards are littered with "junk" and they have no regard for the noise they generate in the warmer months -

While I understand we are in a unique housing issue in Greeley, as well as most of the country for that fact, that affordable housing is becoming something that will no longer be possible for many- and while I also understand the need for group housing, domestic violence shelter, etc. I ask you to carefully consider changing this zoning for Greeley across the board - I am not working hard to have my home paid off by the time I retire only to have the value diminish.

You have a difficult decision ahead of you and it is one that I don't pretend to have the right answer for but I can't sit back without voicing my concerns -

Thank you-

Meg Murphy

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From: Sheryl Nelson

Sent: Wednesday, February 10, 2021 5:39 PM

To: John Gates; Tommy.Butler@greeley.gov.com; Michael Fitzsimmons; Kristin Zasada; Brett.Payton@greeley.gov.com; Dale Hall; Edward Clark

Subject: [EXTERNAL] Zoning

Everyone I know is AGAINST this rezoning thing that allows multiple unrelated people to live in a single family home. What are you thinking? What advantage is it to you? it is no advantage to single family home owners who do not want to run apartments or frat houses. Do you wish to turn Greeley into a ghetto ? I have always been glad I live in Greeley , not Denver. Don't make us into Denver. What you are proposing is shameful. I do not know why it would even be a topic of discussion! Please do not approve this change. Thank you.

Sheryl Nelson Greeley

From:

Sent: Wednesday, February 10, 2021 11:42 AM

To: Kristin Zasada

Subject: [EXTERNAL] Zoning change protest

Kirsten,

This is a draft of a letter I plan to send to the Tribune and Mayor and anyone else I can think of. I know you are opposed to this zoning change and I appreciate that. Please confirm that my interpretation of the zoning rules for U-1 and U-4 are correct. Let me know if you have any idea on how to effectively protest this.

Thank you,

Draft:

City Council is considering changing residential occupancy zoning rules from U-1, 2 unrelated or related plus 1, to U-4, related plus 4. Most neighborhoods are U-1 so this will affect you.

We chose to live in the Cranford neighborhood because it is zoned U-1 and it's a beautiful area. Now we learn that the City does not respect our rights as property owners and are thinking of changing the occupancy zoning rules. This is shocking! Would you want an investor to purchase a house near you and cram as many people as possible into it and have no right to dispute it. No! We lived on 11th Ave. and experienced the misery of living in a college rental area and it was awful. We moved.

We as homeowners have rights and changing zoning rules affects us. I really thought this was a conservative area and property rights were respected. I don't know what is driving this but obviously the City is in the pockets of investors looking to cash in on the tight housing market.

We get the Tribune and have not seen any notices requesting public input. I doubt many are even aware this is going on and unless we speak up the City is going to force this upon us. Where is due process? The City must contact every single homeowner and make them aware of this. Few get newspapers so mailers are the only method of contact I see.

Please contact your council person, Mayor and anyone else you can think of to protest this move. The house next door to you could become a rental with all the associated problems and trash and weeds and cars and there would be nothing you can do about it. There is no reason for this change.

Tom and Dana Hart
1914 13th Ave
Greeley

From: Frank Oliver
Sent: Wednesday, February 10, 2021 1:10 PM
To: Kristin Zasada
Subject: [EXTERNAL] Zoning

Thank you for not supporting changing the U+1 in the RL zoned area's of Greeley. This zoning has been in effect for over 40 years and has served the residents of Greeley well. We don't need to allow multiple, non related people to live in a low density housing area's adding to congestion, noise and etc. This would totally change these sub-divisions and make them more like multi family areas. I intentionally purchased a home in what was classified an R-1 zoned area over 40 years ago and would be very upset if the city retroactively made this change.

Thank you again for NOT supporting this zoning change.

Sincerely,

Caleb Jackson

From: Sheryl Nelson
Sent: Tuesday, February 23, 2021 1:43 PM
To: Caleb Jackson
Subject: [EXTERNAL] Fw: City of Greeley | Household Occupancy Standards | 2.22.2021

Who wants this and who benefits? Yes, houses are expensive. They always have been. Spend your time working on low income housing and leave Greeley single family residence alone.

Good afternoon City Council Members,

Please find below the email which was distributed regarding the upcoming Planning Commission Public Hearing.

My name is Sonja Belfiore, resident at 1901 76th Avenue Court, Greeley, CO 80634.

I oppose the City of Greeley's proposed update to the Household Occupancy Standards, and I would like to request that the attached documents be presented at your Public Hearing on 3/23/2021. These were penned by a colleague at a different company, however they encompass the same ideas which I would also state.

In addition to Daniel's statements which are found in the attached letter, I feel these proposed updates would only further diminish opinions of The City of Greeley's housing and would cause further flight from the City . I wonder if our planning commission would like to see only baseline level housing in the entirety of the Greeley market and a depreciation of all other properties to a point where a reasonable Seller would not be able to sell their property at a price suitable to sustain a move or payoff a mortgage. To keep communities vibrant and diverse, I believe it is necessary to maintain areas in which single families are only intended to live and areas where there is to be higher occupancy housing. Housing Occupancy rates are necessary to keep Residential Low Density housing just that, low density.

In summary, a "U+2" Occupancy Standard (with no change to the Efficiency/1-Bed standards) is more than sufficient to address affordable housing.

Sonja Belfiore

Broker Associate/Partner

Sears Real Estate

2021 Clubhouse Drive, Ste. 100, Greeley, CO 80634

Office: 970-330-7700

Cell: 970-978-7012

Email: sonja@searsrealestate.com

www.searsrealestate.com

<http://www.facebook.com/sonjabelleiore.realtor>

To Whom it May Concern,

I am writing to make known my opposition to the proposed code update of the City of Greeley Household Occupancy Standards.

I am the Managing Broker & Owner of His House, a Real Estate and Property Management Brokerage in Greeley. I know first-hand the challenges of affordable housing in our area; however, the proposed update is unnecessary from an affordable housing standpoint, will create over-occupancy, unsafe living conditions, and will adversely impact many single-family neighborhoods (R-L, R-M) that Greeley has so well developed over the years.

Based on the virtual presentation given by the City of Greeley Planning Department on March 1, 2021, the primary motives of updating the occupancy standards are to 1) imitate the standards of surrounding areas, and 2) address affordability of housing within Greeley.

- ***Creating an occupancy standard based on what neighboring municipalities are doing is not the correct approach.***
- ***Creating an occupancy standard based on the number of bedrooms in a home is an arbitrary approach to solving this problem.***
- ***The City of Greeley should consider median rental rates and/or mortgage payments as part of the study.***
- ***We are requesting that the City of Greeley consider a “U+2” occupancy standard on all 2+ bedroom homes, with no change to occupancy standards on efficiency/1-bedroom homes.***

Please see the attached graph supporting our argument.

Respectfully,

A handwritten signature in blue ink, appearing to read "Daniel Preshaw".

Daniel Preshaw
(970) 397-8461
Daniel@HisHousePM.com

The City of Greeley recently provided His House with data (2019 Census) that suggests the lowest income earners within this Greeley/Evans sub-market are **1) Females** living alone with annual income of approximately \$22,500 and **2) Males** living alone with annual income of approximately \$35,000. We are using an average annual income rate of \$28,750 in the below graphs, with the assumption that males & females currently living alone will be encouraged to live together with the change in occupancy standards.

According to the City of Greeley's Strategic Housing Plan, **Affordable Housing:** Housing that costs no more than 30% of a household's income.

Based on the data below, it is clear that a U+2 occupancy standard would be more than sufficient to achieve "affordable" housing.

AS PROPOSED BY CITY OF GREELEY				
Number of Bedrooms	Number of Unrelated Adults Allowed	Median Rental Rate (\$)	Cost per Occupant	Housing Cost as a percentage of Annual Income (Average of Male/Female, Living Alone- \$28,750)
Efficiency or 1 bedroom	2	\$ 947.00	\$ 473.50	20%
2 bedrooms	3	\$ 1,425.00	\$ 475.00	20%
3 bedrooms	4	\$ 1,625.00	\$ 406.25	17%
4 or more bedrooms	5	\$ 1,898.00	\$ 379.60	16%

AS PROPOSED BY His House				
Number of Bedrooms	Number of Unrelated Adults Allowed	Median Rental Rate (\$)	Cost per Occupant	Housing Cost as a percentage of Annual Income (Average of Male/Female, Living Alone- \$28,750)
Efficiency or 1 bedroom	2	\$ 947.00	\$ 473.50	20%
2 bedrooms	3	\$ 1,425.00	\$ 475.00	20%
3 bedrooms	3	\$ 1,625.00	\$ 541.67	23%
4 or more bedrooms	3	\$ 1,898.00	\$ 632.67	26%
**4 or more bedrooms	3	\$ 2,277.60	\$ 759.20	29%

**Scenario in which median rents increase by 20% to \$2,277.60 (1,898 x 1.20), AND annual income increases by 10% to \$31,625

From: Daniel Preshaw

Sent: Wednesday, March 17, 2021 10:51 AM

To: Thomas Butler; Brett Payton; Michael Fitzsimmons; Dale Hall; Kristin Zasada; Edward Clark; John Gates

Subject: Greeley Housing Occupancy Standards

Dear Mr. Mayor and Council Members,

My name is Daniel Preshaw, resident at 364 N Wyndham Ave, Greeley, CO 80634.

I am writing to make known my opposition of the City of Greeley's proposed update to the Household Occupancy Standards.

I strongly urge each of you to 1) consider the information within the attached document and 2) scrutinize the Planning Commission's method of determining occupancy standards within their current proposal.

To summarize my argument within the attached document, a "U+2" Occupancy Standard (with no change to the current Efficiency/1-Bed standards) is more than sufficient to address affordable housing. Secondly, the proposed method (occupancy by # of bedrooms) is arbitrary and should rather be determined by median housing costs.

Respectfully,

Daniel Preshaw, Broker

HisHousePM.com

Caleb Jackson

From: John Kadavy
Sent: Monday, March 15, 2021 9:08 AM
To: Caleb Jackson
Cc: John Gates
Subject: [EXTERNAL] RE: Household Occupancy Standards | Planning Commission 3.23.2021

Caleb, obviously your departments have made a recommendation and the hearing is only a formality. No mention what so ever to vehicles allowed on streets etc.. This needs to be discussed further as it is not going to give our wonderful neighborhoods the appeal as our surrounding communities. This is a step backwards and will only erode our neighborhoods street scape's and a balanced growth moving forward. I am extremely disappointed to say the least. John

Caleb Jackson

From: Carol
Sent: Monday, March 15, 2021 9:34 AM
To: Caleb Jackson
Subject: [EXTERNAL] Re: Household Occupancy Standards | Planning Commission 3.23.2021

We are having parking and noisy vehicle problems in the Farr Park area at the current zoning. Do not make it worse with allowing more than two unrelated people living together. You will ruin our family neighborhoods. Do not change the codes please.

How would you like it if other cars always parked in front of your house and then when you had visitors there is no where to park.

If you change the zoning, you need to limit number of vehicles. There will be big problems!!!!Carol J Burham a Farr Park resident 45 years. Please do not ruin our family neighborhoods. Thankyou.

My address is at 2440-14th ave. ct. Greeley

Sent from my iPad

Caleb Jackson

From: Steve Young
Sent: Monday, March 15, 2021 10:05 AM
To: Caleb Jackson
Subject: [EXTERNAL] Re: Household Occupancy Standards | Planning Commission 3.23.2021
Attachments: image001.jpg

Caleb, thanks for the update. I vote no on this if it makes any difference.

Steve Young

Caleb Jackson

From: Daryl dannar
Sent: Monday, March 15, 2021 10:13 AM
To: Caleb Jackson
Subject: [EXTERNAL] Planning Commission

Please do not destroy the residential neighborhoods. Parking already difficult because you cannot enforce existing codes. You already have multi dwelling units. Do not punish residential neighborhoods where people get up and go to work everyday only to come home to over crowded neighborhoods.

Daryl Dannar

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Caleb Jackson

From: Jen Mayer
Sent: Tuesday, March 16, 2021 2:33 PM
To: Caleb Jackson
Subject: [EXTERNAL] I oppose increasing the occupancy rates in lower density neighborhoods

Dear Greeley Planning Commission members:

I write to express my concern about the possibility of increasing non-related occupants in single residences from U+1 to up to U+5, depending on number of bedrooms.

I have several reasons for my concerns, which no doubt you have heard from many residents, including: increased traffic, more parked vehicles, less safety, more noise, more dogs, more litter, devaluation of quality of neighborhood life, and loss of property values.

I moved to Greeley five years ago. My spouse and I intentionally bought a home zoned for low-density housing (R-L) within walking distance to downtown, Glenmere Park, and UNC. I was encouraged by Greeley's program to incentivize home buyers in this area and the various improvements to downtown and 8th Avenue. I thought these factors indicated that the City of Greeley valued older and unique neighborhoods, and that was important to me.

I appreciate my quiet street, which has attractive yet modest mid-century brick homes, and caring neighbors. The residents in my neighborhood are diverse in terms of ethnicity, income, social class, occupation, currently working and retirees, age, families, couples, and singles. There are a few rentals, too. This diversity is a huge strength of my neighborhood. We are a true community regardless of our differences. We take pride in our neighborhood and homes. This is a key point.

I am not convinced by the argument that limiting occupancy rates is a way to keep lower income individuals out of neighborhoods, that is not the case on my block. I am convinced, however, that raising the occupancy rates of unrelated individuals in single family homes will cause more problems than solutions.

I was concerned to read the materials provided by the City, like the powerpoint presentation, which seem to suggest increasing unrelated occupants is a solid solution with few repercussions, to the lack of affordable housing in Greeley. I disagree, as making these allowances will negatively impact many of Greeley's middle class neighborhoods.

Details and nuances matter. Many Greeley neighborhoods do not have sidewalks. By increasing numbers of household residents, and therefore increasing the number of vehicles parked on the street and traveling the neighborhood, it creates a less safe and welcoming environment for both pedestrians and cyclists. I'm sure you are aware of studies that correlate walkability and biking to a city's desirability. And the suggestion to consider the number of bedrooms is flawed. Many older homes have up to four bedrooms, but they are very small rooms, and the houses themselves are small in size. Older homes and older streets were not designed for large occupancies and multiple large vehicles.

This change to increased occupancy rates would open the door to permanently displacing the pride of ownership in many of our R-L and other low density neighborhoods. Some of Greeley's older neighborhoods have seen a resurgence in recent years, and this type of policy change will result in a loss of momentum to neighborhood improvements.

I have seen the information that the City of Greeley has supplied on this issue and it seems it is a foregone conclusion that Greeley will move to higher occupancy rates, in spite of opposing voices.

My strong preference is to not change our current policy on occupancy rates. If that is not possible, I urge those with decision making powers to at least be open to a compromise like a move to U+2, and study those implications for a few years, before jumping into higher non-related occupancy rates tied to the number of bedrooms.

Thank you for your time and consideration regarding this crucial matter to Greeley's future.

Jen Mayer
1720 20th Ave, Greeley, CO 80631

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Caleb Jackson

From: Ryan Andre
Sent: Tuesday, March 16, 2021 4:53 PM
To: Caleb Jackson
Cc: Brad Mueller; Mike Garrott
Subject: RE: Household Occupancy Standards | Planning Commission 3.23.2021

I oppose the city of Greeley Proposed update to the housing standards.

My name is Ryan Andre with Sears Real Estate and after reviewing these proposed housing standard changes, I have come to the conclusion it is a bad idea and not fair to the people who already bought in these subdivisions where single family is only allowed. There are already subdivision in town that are zoned for multi family. There are a bunch of issues like parking, quite enjoyment of your home, etc that could be affected by these changes. It could affect the quality of life for some of these residences.

I have lived in Greeley most of my life, I currently own several properties in Greeley both single family and multifamily.

I have been selling Real Estate for 22 years in Greeley address 2020 Clubhouse Drive Suite 100. My parents and in-laws both are long time Greeley Residences as well.

If you want to make housing more affordable cut down on the fees to build a home and cut the property taxes down. Both of those will make housing more affordable. Do restricted income subdivisions for teachers and first responders and make it affordable to the builder to do the construction.

Thank you,
Ryan Andre
Andre Team
Sears Real Estate
Broker Associate, Partner, CNE, SFR,CSP
970-381-1081



Caleb Jackson

From: Lori McMurren <
Sent: Wednesday, March 17, 2021 5:57 AM
To: Caleb Jackson; Mike Garrott
Cc: Brad Mueller
Subject: [EXTERNAL] Housing occupancy

Good morning, Caleb, Brad and Mike:

Regarding the Planning Commission Public Hearing.

My name is Lori (Doug) McMurren, resident at 507 [N Wyndham Ave, Greeley, CO 80634](#).

I strongly oppose the City of Greeley's proposed update to the Household Occupancy Standards, and I would like to request that the attached documents be presented at your Public Hearing [on 3/23/2021](#).

In summary, a "U+2" Occupancy Standard (with no change to the Efficiency/1-Bed standards) is more than sufficient to address affordable housing. The proposed changes in occupancy will create a massive decrease in property values and will have a long-term detrimental effect on Greeley's ability to attract businesses and quality homebuyers--ultimately impacting tax revenues as private homeowners migrate out of Greeley. I own an Interior Design and Construction Management firm in Greeley and I can tell you that this will further erode Greeley's attractiveness and retention of the homeowners and businesses the contribute to our community's reputation, civic attractiveness and tax revenues.

This is a terrible and short-sighted idea that will drive middle-class homeowners and businesses out of Greeley for good. I urge the planning commission, in the strongest possible terms, to abandon this very destructive proposal.

Respectfully,

Lori McMurren Greeley resident, homeowner and business owner since 1982

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Caleb Jackson

From: Lori Williams
Sent: Wednesday, March 17, 2021 2:13 PM
To: Caleb Jackson
Subject: [EXTERNAL] Household Occupancy Standards public comment

My information for public record:

Lori Williams
508 56th Ave
Greeley CO 80634

I have lived in Greeley for 45 years. The zoning has proven to change continually. There is never an assured area to build or buy a house in Greeley unless the surrounding area has been fully developed. So in other words, if you desire a single family neighborhood without surrounding multifamily housing you must buy or build in an established neighborhood. Now we will get that rug pulled from beneath us with a code change. It appears you want single families to move out of Greeley. What a shame and what an undesirable city to live in as a single family.

CAUTION: This email is from an external source. Ensure you trust this sender before clicking on any links or attachments.

From: DEBORAH DEBOUZEZ

Sent: Thursday, March 18, 2021 12:13 PM

To: CD Admin Team <CD_Admin_Team@Greeleygov.com>

Cc: Brad Mueller <Bradford.Mueller@Greeleygov.com>; treid@greeleytribune.com; nocooptimist@gmail.com

Subject: [EXTERNAL] Household Occupancy Standards

March 18, 2023

Dear Chairman Yeater and Planning Commissioners,

Please accept this letter as my protest against the proposed changes to Household Occupancy Standards. I live in the Cranford neighborhood since 2007 and know firsthand the problems with crowding into big, old houses. Heck, anyone familiar with the college neighborhoods know this, too. Just look at homes from 11th Avenue east to 6th Avenue. Walk down the alleys; look at the trash, parking and landscape maintenance. You want to rest of Cranford to look like that?!

We bought into this single family, low density housing neighborhood with no worry the zoning would change. How can the City conscientiously make a change in housing occupancy standards in stable neighborhoods?

I understand the difficulty in investigating and enforcing the current occupancy standards, but I do not know how regulating how many related & unrelated adults occupy a bedroom will help matters. Further, the justification for this proposed change based on lack of affordable housing options is an unimaginative solution, as well. Here are two remedies for that – increase the occupancy standards in the medium density zoning districts or better yet, make all new developments/neighborhoods high density housing zones. That way, the buyers know upfront the type of neighborhood they are moving in to. To change the zoning code in established neighborhoods is akin to changing the rules in the middle of the game.

If these proposed changes are passed by the Planning Commission and adopted by City Council, then I have one lovely historic home with four bedrooms on a large lot for sale, and I am outta here. I suspect many unhappy neighbors will do the same.

Please reject the Household Occupancy standard changes and go back to the drawing board.

Sincerely,
Deb DeBoutez
1863 13th Avenue
Greeley, CO 80631

CC: Kelly Ragan, NOCO Optimist
Trevor Reid, Greeley Tribune
Cranford Nextdoor blog

Dear City Council and Planning Commission Members,

Richmark Holdings, Inc. is writing this letter in opposition of the proposed code update of the City of Greeley Household Occupancy Standard. We believe this proposal will lower the standards of our communities existing housing stock. From our understanding, there are over 700 market apartment units proposed or approved and additional 515 LIHTC apartments proposed. Our focus should be on continuing to improve the housing stock in Greeley as affordable housing is already on its way.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Richardson', with a horizontal line extending to the left.

Tyler Richardson
Richmark Holdings, Inc.
5200 W. 20th Street,
Greeley, CO 80634

Caleb Jackson

From: Jason Mahoney REALTOR and SuperDad
Sent: Monday, March 22, 2021 3:27 PM
To: Caleb Jackson
Subject: [EXTERNAL] Re: City of Greeley Household Occupancy Standards | Planning Commission 3.23.2021

Hi Caleb. I see the proposed zoning change attached from the board of Realtors. I do want my email included as to this proposed change.

First, as a homeowner I do not want to see this happen. There is not sufficient parking allocated in any neighborhood to accommodate this. I personally do not want to see 50 cars parked up and down my street. When I come home from work, I would like to be able to park in front of my home.

Second, Has the city of Greeley even considered what this will do to the Water Rate? Currently you are billed based on the number of occupants in a home. This would potentially have an adverse effect and cause water usage to increase while the amount of billing potential is decreased.

Third, as a Realtor, I'm personally heart broken this is even being considered. Why even have a zoning code at all? Technically I could rent each bedroom out in my home which is supposed to be for R-H Residential High zoning.

Fourth, As vice president of my HOA. We will have to amend our bylaws to ensure the current homeowners are kept satisfied with current regulations regarding occupancy. It would be my intention to keep it so regardless of the city's final decision.

I have questions... What value does this bring to the community? How will the City respond to issues with excessive water use? How will the City respond to issues with Parking? How will the City respond to issues with increased animals per property? Could Someone who only has one Dog now allow multiple occupants with multiple animals and create a noise ordinance, nuisance issue? Will this increase Crime? Exactly how does the City of Greeley justify this with current Covid Mandates?

I could go on, But I'm sure you understand my position, THIS IS A BAD IDEA! I don't care what other municipalities do. This is one of the things that makes GREELEY GREAT FROM THE GROUND UP!

I Love To Change Family's Lives! Finding the Right Home For Your Family Matters To Me!

Jason

**Tannis Bator
Greeley, CO 80631**

March 25, 2021

Dear members of the Planning Commission,

It has come to my attention that you may feel that a solution to the affordable housing problem is to relax the regulation of how many unrelated persons may rent a house.

I realize this is an attempt to help alleviate Greeley's housing crisis. Since there doesn't seem to be a cap on the amount of rent charged, or the price of a house, this will still be difficult. I recognize that this is the beginning of a long process.

However, I am against a total relaxation of the you + one regulation for the following reasons. (I am using a family of four and four unrelated adults as an example and am often using the complaints raised by having **rentals owned by absentee landlords.**)

Families need affordable housing for their children to thrive emotionally and physically. A house in well maintained condition is much better for a family than an apartment. If such a regulation is relaxed too much, families will go to the bottom of the list since it will be more profitable for investors and landlords to rent to four unrelated people rather than a family of four. I recently read a Saturday, March 20 article, regarding a new Habitat for Humanity homeowner. The new owner, Franky Rodriguez is quoted as saying: "We're going to have our own space. Our kids are going to have their own yard and safety."

Those looking to buy a starter home are priced out by those eager to invest in real estate, and this would make it even more difficult.

Four unrelated people would no doubt have four vehicles. Therefore, parking in the neighborhood becomes more difficult, particularly if each of these four decide to invite others over. We live near the University of Northern Colorado which would be prime real estate for investors/landlords to make money from college students who are not too mindful of neighbors and not interested in keeping up the house and yard.

There is less of an incentive for four unrelated people to continue living together. One or two might lose their jobs or move on, and then what?

I know it is difficult to monitor those who are not keeping to the current regulation of two unrelated persons in a house, but this seems just an easy way not to have to deal with that problem. There are houses now where there are more people than are legal,(usually owned by absentee landlords as an investment) but, unless the neighbors complain, and even if they do, not much is done.

Neighborhoods that have a mix of owned and rented homes under the current set of regulations have a much better record of maintaining the appearance and the ethos of the neighborhood. A neighborhood with completely relaxed restrictions makes it more unlikely that neighbors will know and care about each other. **However, I could see how “You + two” could work in certain, more controlled situations.**

I have spoken to those whose neighborhoods have changed drastically by houses rented by absentee landlords. This seems to be the root of the problem. On the other hand, if a person owns the home, resides there, and then wants to rent to others to share expenses and keep company, that is a different situation. Perhaps three educators are looking to rent together and a local landlord is careful with their selection. These situations are almost a case-by-case basis.

But restrictions should be placed on absentee landlords who take no care of their rentals and spend no time monitoring the safety and well-being of the neighborhood.

If you are truly concerned about affordable housing, perhaps you should also investigate tiny home neighborhoods, sliding scales for rent, more property for Habitat for Humanity, and see how other cities are working on their challenge of affordable housing, an example being intentional coliving communities. Architectural plans should also include allowances for disabled people with wider entrances for wheelchair use.

A total relaxation of regulations concerning the number of unrelated persons residing in a rental home would just be a band-aid on a larger problem, make it easier for the City of Greeley to look the other way and be a boon for investors/landlords. I’m not sure how such a decision would “maintain and improve Greeley’s quality of life” or “thoughtfully manage its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work and play.” (quoted from the City of Greeley Comprehensive Plan)

I know updating the zoning ordinances will be arduous work and I appreciate the opportunity to air my concerns.

Carol J. Burham
Greeley, CO

March 27, 2021

I cannot attend this meeting. But I need to plead the case for leaving our neighborhoods alone. One non relative is more then generous. You keep your neighborhood family orientated. B&Bs and extra non related people do not belong in the family orientated neighborhoods. They do not care about where they park. Loud mufflers, party's and keeping the yards nice. They just are not family oriented and do not care about being neighborly. This would be a very bad move for Greeley.

I am a Farr Park resident of 45 years. I have seen a lot. You need to enforce current laws and let well enough alone. Thank you for your time to read this. Carol J. Burham

Add'l email
March 30, 2021

Please leave the ordinance alone to keep family neighborhoods just that. The city has a hard enough time enforcing present codes. It will be a free fall if you let it turn into more unrelated people living together. I have turned in code violators with the current codes and it takes months to correct and some never. The code officers say it is hard to prove so it takes so long. Please keep them family orientated neighborhoods just that! We have children at risk and many problems to avoid. Thank you Carol J Burham

Michael Harrington

March 29, 2021

My name is Michael Harrington and I would like to give input on the occupancy standards. I believe its great that the city is finally addressing this code update since it has not been updated in decades. The housing pricing has gotten so expensive and current demographics of young professionals have dramatically changed since that time. Young professionals are having a hard time affording housing in Greeley and are even not getting married until way later in life. That being said there are many people that cannot afford a house and it helps many individuals afford a place to live with room mates. I know most people renting are having to spend upwards of 60% on their housing leaving little money to go out to restaurants, leisure, etc. They also even have a hard time getting the needed groceries they need. The concerns of having multiple people in a home have city ordinances in place to address loud music, trash, etc. I hope council is well educated on why most all of the surrounding areas have increased their housing capacity as they have also given much thought to this as well. It would be a great burden put off of many people and would stimulate the economy of Greeley. It would also keep great people in Greeley and attract more people as well. I know many people move to Windsor or Loveland so they can live together as Greeley doesn't allow it. Let me know if you have questions. Thank you for your time.

From 2nd email – March 29th

In addition to the thoughts above, I do believe the solution of allowing however many bedrooms in a home, would allow how many unrelated individuals. I think that suits the need and creates a simple solution.

Barbara Hampton

March 29, 2021

I just wanted to submit my thoughts for your meeting tomorrow –

I understand why there are limits and household occupancy standards. However, in Greeley the laws seem old and antiquated. Surrounding communities allow one non-related person per bedroom in a rental home. It is very reasonable to allow unrelated adults in a home, one per bedroom. There are so many young professional people now, waiting to get married later in life. Comradely is important and so is reasonably priced housing in nice neighborhoods. Many are moving out of Greeley because of affordability.

Some may also argue the current code is racist and discriminatory. I don't even want to begin that discussion. If not that, it's just rather "snooty." Not at all what Greeley wants to be about.

Frankly, I don't even understand why this needs to be debated again and again. It's really a "no brainer" to change the housing occupancy law.

Thank you for letting send in my comments. I hope the code is changed.

March 19, 2021

RE: Household Occupancy Standards

City Council,

I believe City Council will be making a big mistake to increase the number of adults who may occupy a home in a RL designated zone.

Allowing additional unrelated adults beyond Two in RL will create more traffic, more cars parked on the street, (affecting safe visibility), potential fire hazards as they add stoves/hot plates/microwaves, more noise, more traffic jeopardizing children's safety, less neighborliness (you don't know who is coming and going), and potentially more crime.

It will also detract in surrounding home values and most likely will make your home harder to sell, for less money if you occupy a home with to 3 -8 unrelated adults living next door. As a longtime Realtor in Greeley, I have personally experienced whereby a buyer did not want to purchase a home next to 3 to 8 cars parked next door.

What percentage of households in Greeley are already in RM and RH zones? Surely there are enough homes in those areas that already allow for multiple adults to occupy. How many new apartments have been built lately, and more coming, that have three bedrooms thereby allowing for up to six adults to occupy?

Who will monitor the number of adults in a RL home? As a neighbor to one it will be very hard to know. Who lives there? Who is just visiting?

I have enclosed photos from RL neighborhoods where it is obviously already happening, and no one is doing anything about it. If you owned a home next door to anyone of these, I can guarantee it would affect the value of YOUR home or the timeliness in it selling.

Regards,

Randy Moser

A handwritten signature in cursive script that reads "Randy Moser". The signature is written in dark ink and is positioned below the typed name "Randy Moser".

Occupancy limits.

These photos are not about how many cars are parked outside of a home. It's about how is it possible to have so many cars in front of a RL zoned home.

There is no way there are only 3 adults in these homes with 5 or more cars parked outside. Obviously, the allowable occupancy limits are already being violated and code enforcement isn't doing anything about it.

Imagine this being multiplied throughout our RL neighborhoods if council increases the limits of adults.

Would you want to live next door to any one of these?

These are just random photos in various RL neighborhoods. I could probably provide 100's more photos if I had the time.

Please leave the RL zoning as it is today.

Randy More

4243 15th St. Ln

3 bdrm home

6-cars

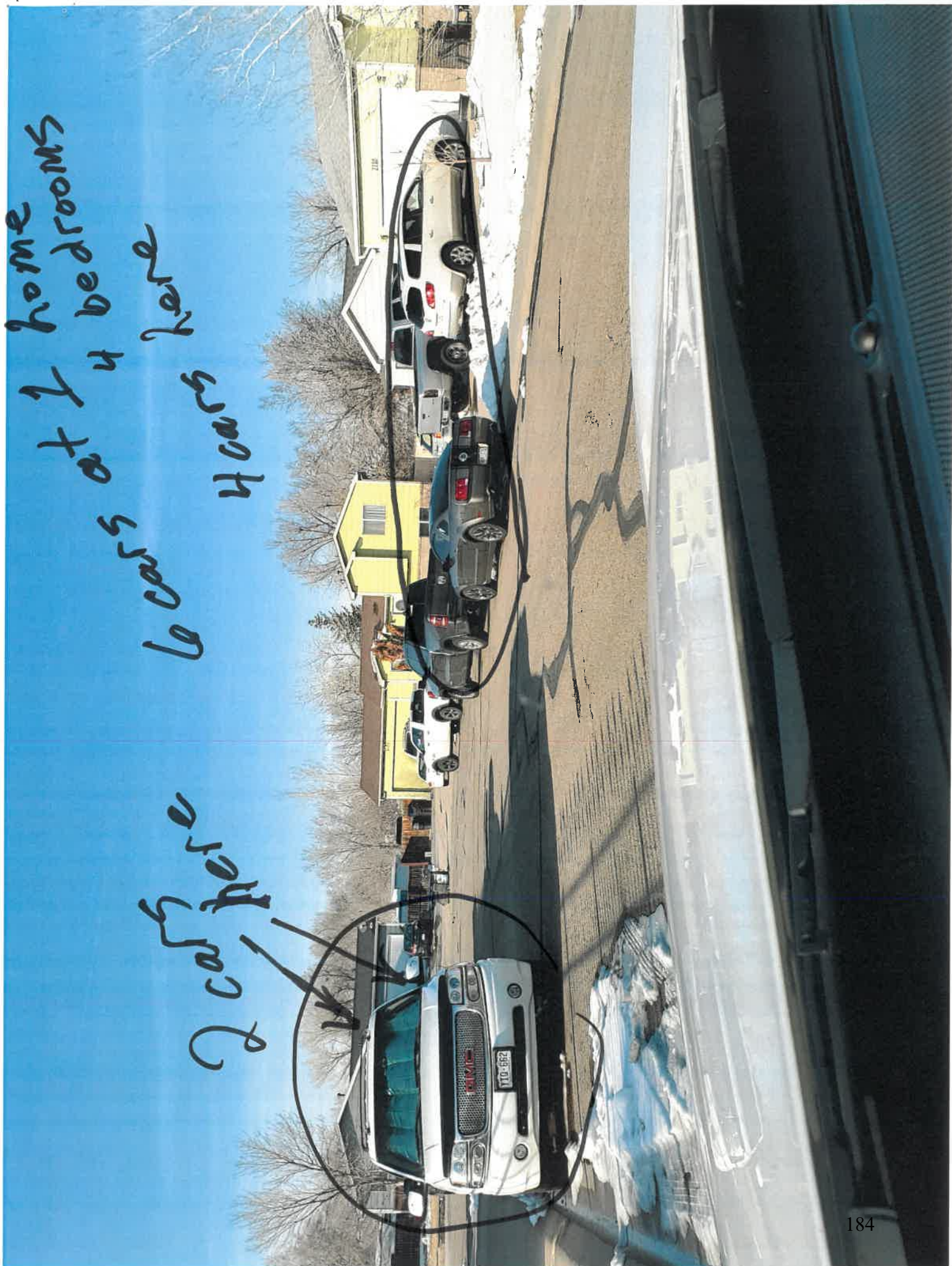


4 bdrms
6 cars
3210
67th Ave
P1



home
x 1 bedrooms
6 cars or 4 cars here

2 cars here





For red cars
go to 1015

RL
4 cars at 1 address

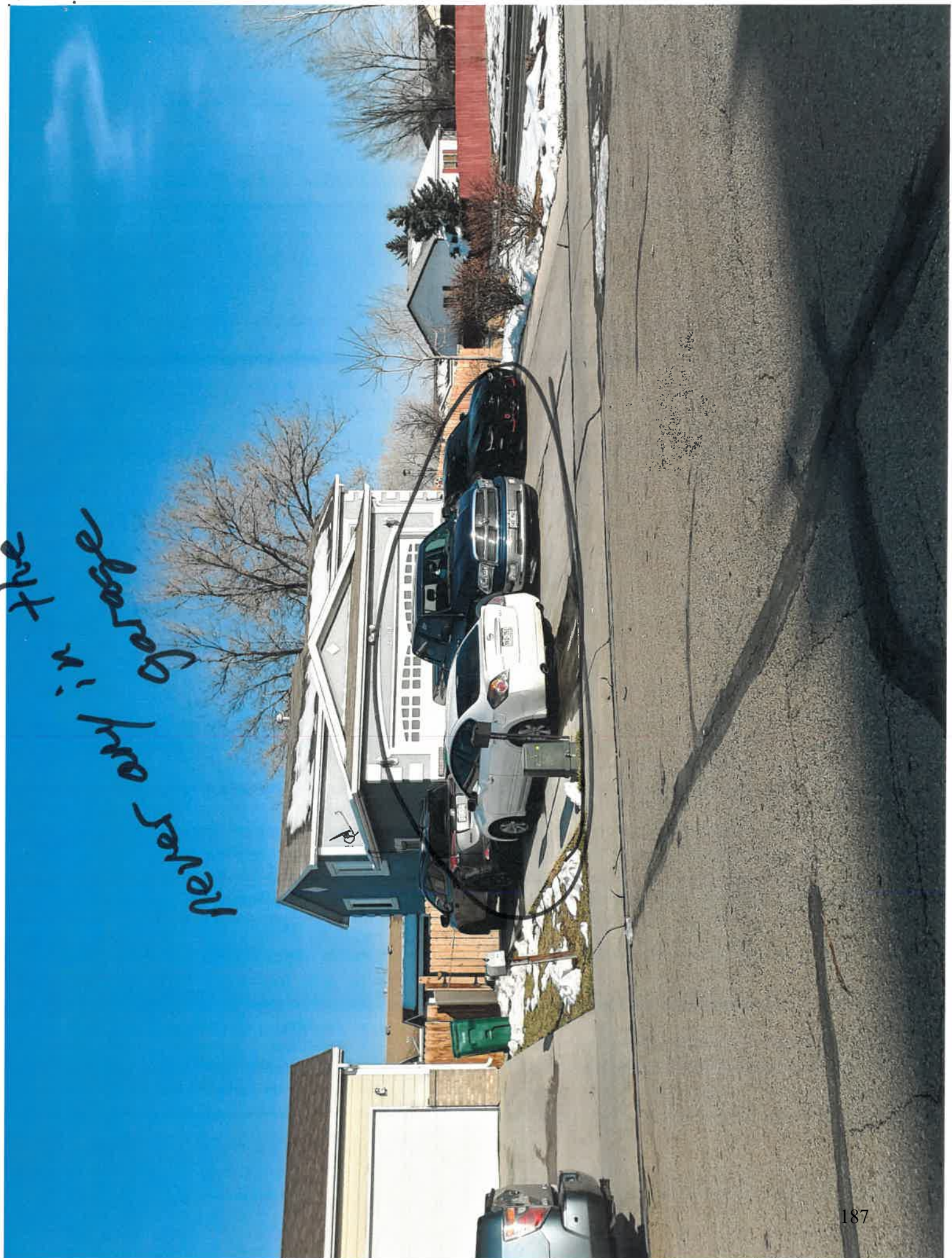
usually here
cars

more sink

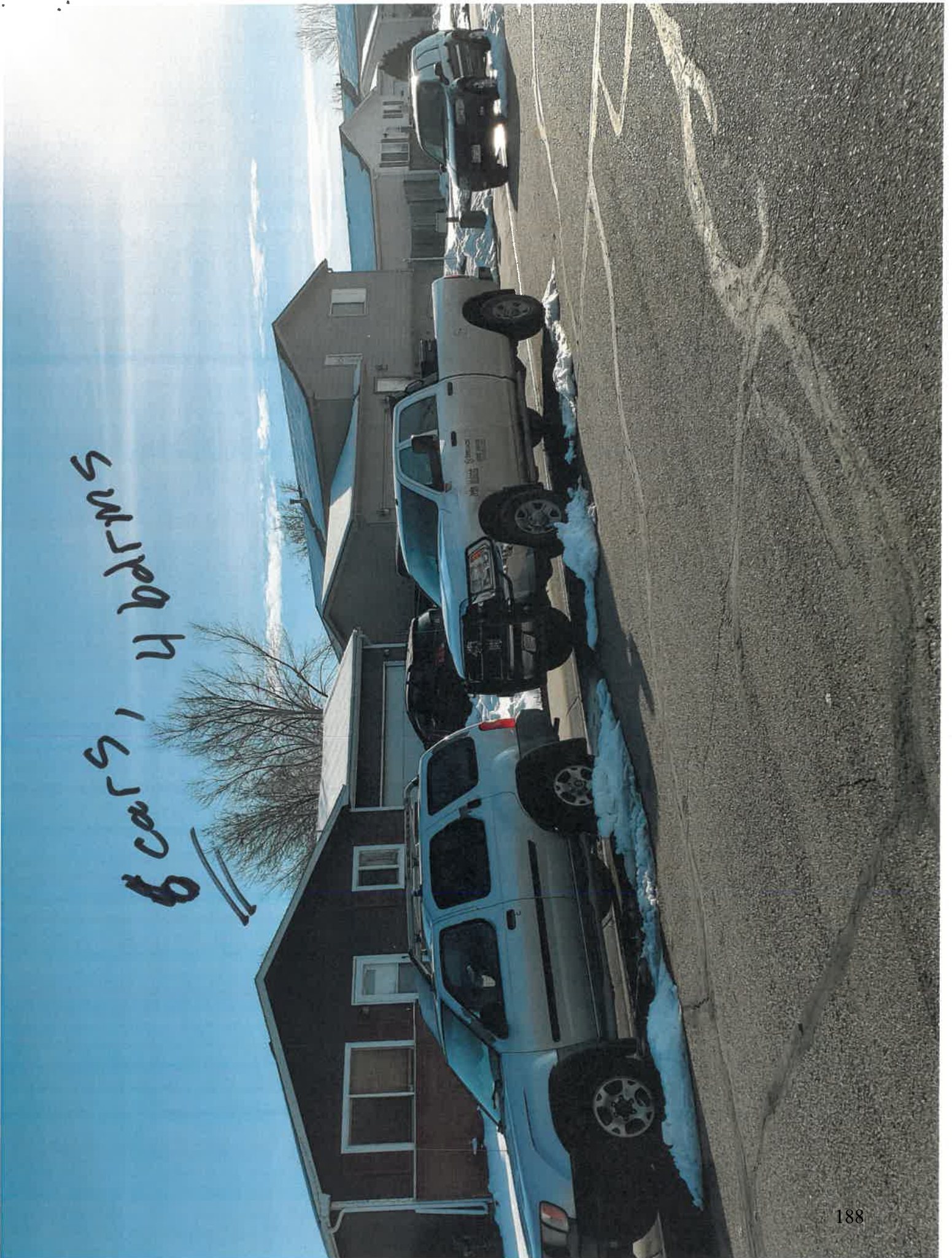
sink

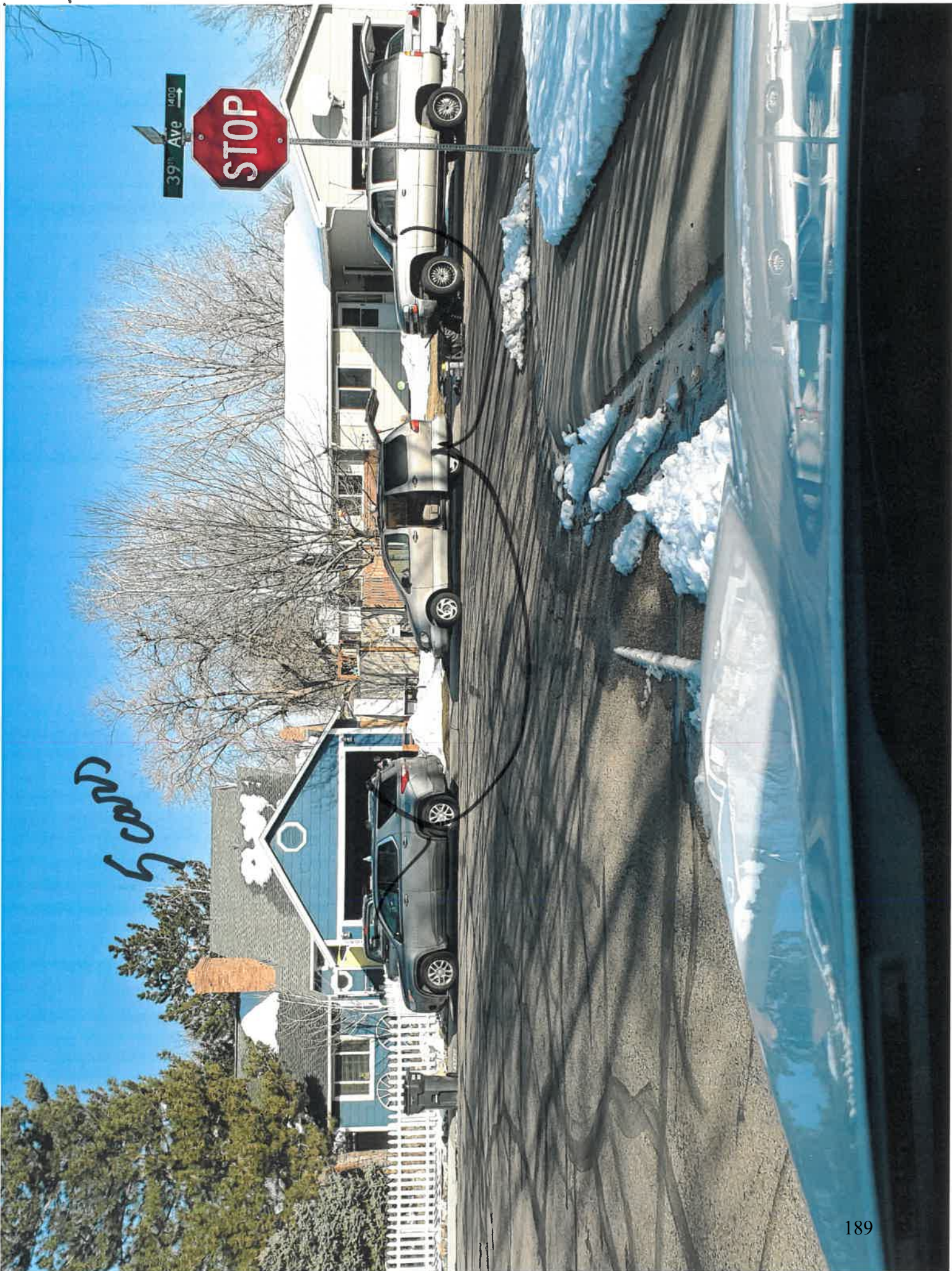


never on it as the



cars, 4 bedrooms

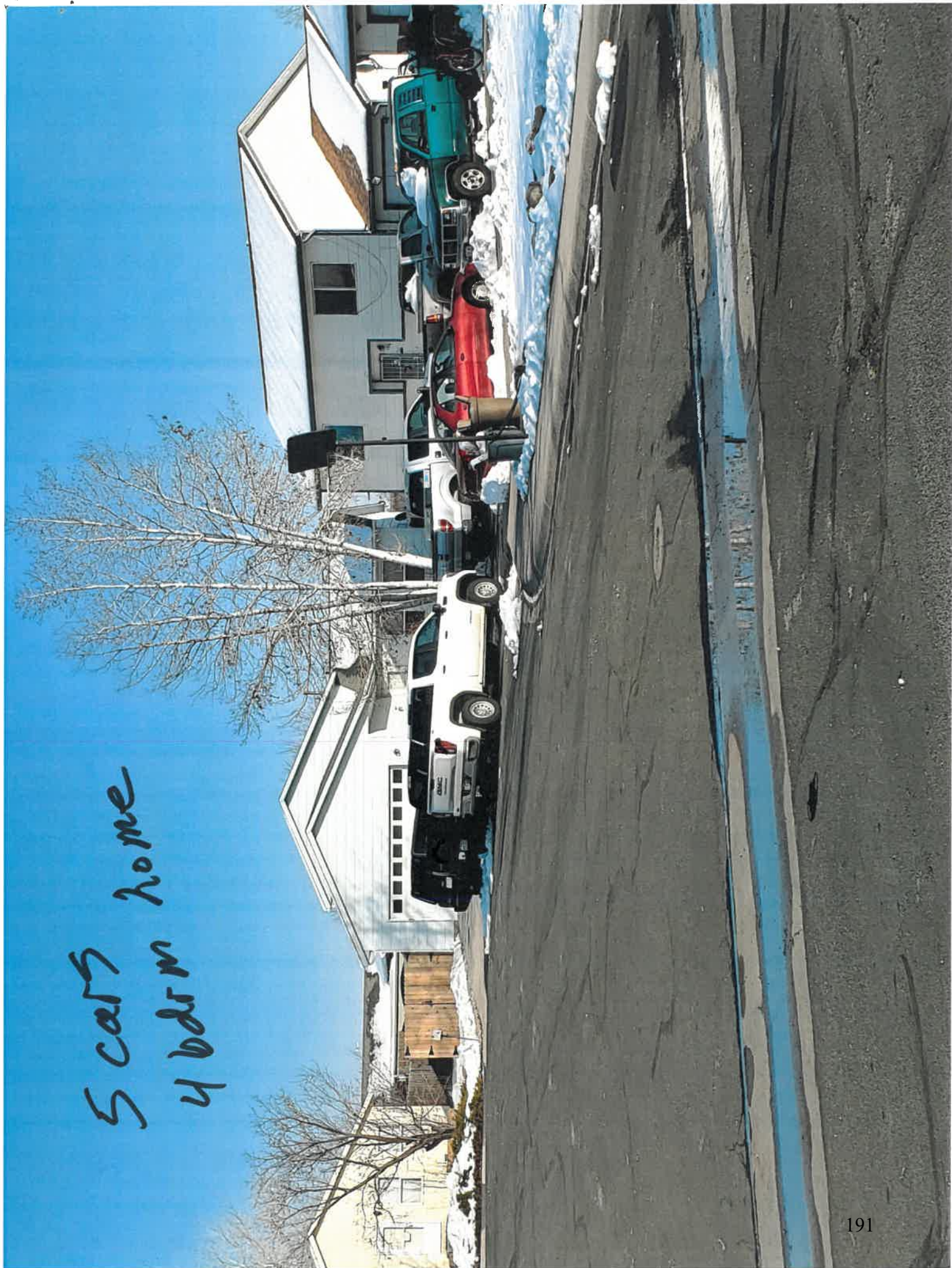




6 cars at 1
address
RL
4 bedrooms



5 cars home
4 bedrooms



RL

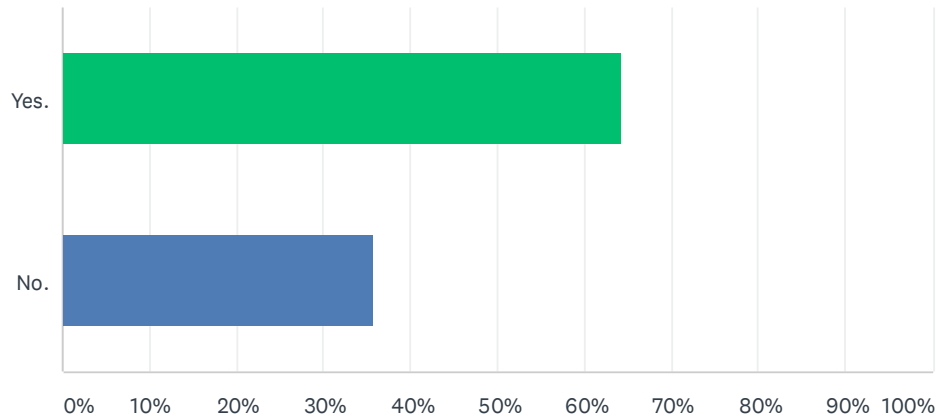
5 cars at 1 address

(4 bedrooms)



Q1 Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

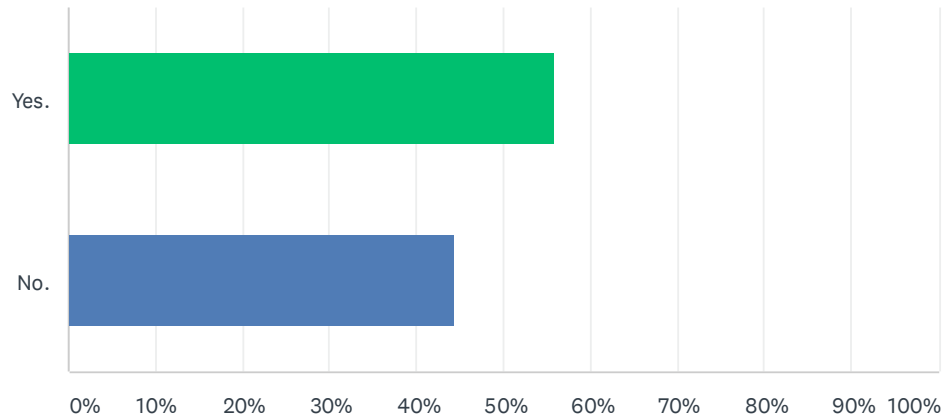
Answered: 374 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes.	64.17%	240
No.	35.83%	134
Total Respondents: 374		

Q2 Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of “You plus 1” (U+1)?

Answered: 374 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes.	55.88%	209
No.	44.39%	166
Total Respondents: 374		

Household Occupancy Standards - Survey #1

#	PLEASE COMMENT ON YOUR ANSWER ABOVE. IF YOU RESPONDED, YES, THEN LET US KNOW WHY AND HOW MUCH DO YOU THINK IT SHOULD BE INCREASED. IF YOU ANSWERED, NO, EXPLAIN WHY YOU FEEL THAT WAY.	DATE
1	The buyers of homes in a certain area bought with the expectation that they were single family or U+1. I think it would be unfair to change the standard. More adults means more cars and we are almost overwhelmed with cars now.	3/8/2021 10:10 PM
2	There are many reasons. Parking. Home value. Already not enforced. As a property manager and real estate agent, it can cause multiple problems with our line of work.	3/7/2021 2:21 PM
3	If the house has a basement and its safe why not rent in Colorado is getting off the expensive and now in days you need 30 jobs to be able to afford a dam 2 bedroom place maybe if rent wasn't to expensive or so many back from checks or credit scores we wouldn't have this problem	3/7/2021 10:51 AM
4	I believe if they raise the standard it would be more enforceable and I think that parking should also be a consideration and fines should be commensurate with any violations. I think if you make a reasonable standard you have a reasonable expectation of citizens following that and if they don't then they can suffer the consequences ...it's more enforceable	3/7/2021 10:23 AM
5	Household occupancy is a difficult issue. I live near the UNC campus. There are many homes near me that have many people living in them, ignoring the current regulation. Based on the work vehicles, some who work for the oilfield industry, some not. The homes near me that have many unrelated people living in them have trash, multiple vehicles, and people coming and going. It has a negative effect on my neighborhood and others. I am empathetic to the plight of individuals who don't have the money to live here. Perhaps the new lower income housing will help alleviate the issue? I am not a NIMBY person, but I have seen first hand the negative impacts on a neighborhood of multiple unrelated people living in a house.	3/7/2021 8:55 AM
6	The rising costs of housing has been putting so many on the streets, which in my opinion ultimately leads to an increase in crime, and also puts a lot of pressure on the social services available to people in trouble. That makes getting help harder and take longer. The amount of people sleeping in tents during these cold winter months is an embarrassment to the city and county. This measure is a great first step to helping all these people get back on their feet with some dignity.	3/6/2021 10:06 PM
7	I live next door to a family that disregards this rule. They have 9 vehicles parked in front of their house, across the street, and in front of mine and the neighbor on the other side of the street's homes. You shouldn't be worried whether or not you can park in front of the house you own. We live in single family households along 16th st. Not only do these unrelated adults bring their spouses but now there are SEVERAL children screaming and running through all adjacent yards. There is no room for courtesy because there is no room for the people themselves.	3/6/2021 7:17 PM
8	People can not always afford housing without roommates	3/5/2021 6:26 PM
9	Limit the number of people based on fire safety regulations, on number of bedrooms or square footage, not on whether or not they're 'related'.	3/5/2021 4:12 PM
10	I have had a rental house across from my house that has had up to 27 people living in it. I have sent pictures and complaints to Code enforcement for 2 years and nothing has ever been done. When you have that many people that live in one house, where are they suppose to park their cars, on their lawn, in front of my house, block drive ways and park 2 cars deep along the side walk into the road. Talked to the owner of the house and she stated that she gets to charge per person so she did not care how many people lived there. If the City has a code that they do not enforce why even have any code.	3/5/2021 2:46 PM
11	Increased people and traffic to the houses around me. Puts my children at greater risk and makes it harder for families to find and obtain affordable housing. That changes the city dynamic from family friendly to landlord friendly.	3/5/2021 1:15 PM
12	Adds to parking congestion and crime because it becomes very difficult to be able to identify neighbors and who belongs in the neighborhood	3/5/2021 10:50 AM
13	To many people abusing it now. One house by ours has 5 different cars parked around the block.	3/5/2021 10:48 AM
14	But only if there's enough parking available to not cause stress on the neighborhood.	3/5/2021 9:04 AM

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15	Because this disrupts community and the ability to decrease/ share increasing living cost while wages don't keep up.	3/5/2021 7:22 AM
16	It increases crime and parking issues.	3/4/2021 10:27 PM
17	U+1 is discrimination and creates an antiquated picture of what a family is or should be based on blood. It's ridiculous that any city should govern who gets to live together based on DNA. Housing crisis aside, I am an individual who seeks out living situations with others to enrich my life, deepen my connection to community, and share life's responsibilities. I know that U+1 is a relic of a pretty nationally accepted standard set of zoning codes from (I believe) post WWI - the world is not the same as it was when we developed those codes. Zoning around number of people based on bedrooms for health and fire safety is more than enough to ensure housing is not dangerously overpopulated. There's no reason to bring blood into the picture.	3/4/2021 9:41 PM
18	2 unrelated adults per house seems strict. There are two units in my house, and upstairs and a downstairs. I'm 52 - I rent one. A guy who is perhaps 68 or 70 rents the other. I think we are ok people. We don't park a bunch of cars around or party a lot.	3/4/2021 7:36 PM
19	This seems unreasonable and burdensome, especially considering the wide variety of incomes and housing preferences among our community.	3/4/2021 6:18 PM
20	People are already overcrowding their houses even with that restriction and listening the current restriction would invite more overcrowded homes (too many cars parked at a single residence, noise complaints etc)	3/4/2021 6:16 PM
21	In a two bedroom 3 adults max should reside in the house. Common sense	3/4/2021 5:35 PM
22	It will bring trouble to neighbor hoods	3/4/2021 5:32 PM
23	More adults means more cars, more trash accumulation, more opportunities for neighbor issues. My son lives in Tempe, AZ where they allow one adult for every room. There is a fraternity house in the cul da sac of a lovely middle class neighborhood. The house is a little further from campus and thus a little less expensive, but still a nice neighborhood. There are tons of cars every weekend and activity at all hours. You think it makes sense until the frat house happens next door. I have rental properties and I could probably make more money renting by the room. Nicer neighborhoods a little ways from campus. Kids are used to paying \$500 to \$600 each to live. Instead of renting for \$2000, my 5 bedroom house would bring in \$3000, Great for me, but what about the neighbors. NOT a good idea to change the U+1 standard.	3/4/2021 5:11 PM
24	The current law has helped keep our neighborhoods clean, safe and peaceful. Renting out rooms to multiple people as is starting to take place encourages housing instability, legal issues and transient behavior.	3/4/2021 4:57 PM
25	If unrelated adult has their own bedroom, there shouldn't be a restriction. Rental housing is extremely expensive here and most working class need a roommate to get by.	3/4/2021 4:53 PM
26	You plus 3	3/4/2021 4:21 PM
27	A group of unrelated Men moved into a single house in my last Greeley neighborhood and between their unkempt, construction waste filled yard and their trucks and cars literally lining the street it ruined the neighborhood and we moved just to get away from it. I now live in a neighborhood where the houses are quite large and many of the homes have workshop/barns, the perfect scenario for, yet again, a group of unrelated people to join together and purchase a house or rent out rooms once purchased, a recipe for disaster if you pass this new ruling. Please don't change it.	3/4/2021 1:48 PM
28	increase in residents in one home also increases parking issues. More people, more cars in neighborhoods that do not allow for all the additional parking.	3/4/2021 10:32 AM
29	any	3/4/2021 9:45 AM
30	I think it should be increased by whatever amount is necessary for people to survive/thrive. I feel this way because I feel like this issue isn't the business of the city.	3/4/2021 9:25 AM
31	Maybe base occupancy limits on square footage and water/sewer limitations.	3/4/2021 6:30 AM
32	Housing in Colorado is unbearable for single individual. Even newly married couple struggle to afford a home for themselves with out help from roommates. I think 2 people per bedroom in	3/3/2021 10:26 PM

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the home is an appropriate number for any household.

33	It is becoming harder and harder for families to find a starter home to buy, or even to rent. If an investor buys up housing, then these families will move to the back of the line since having the number of unrelated adults will increase the amount of money to be charged in rent. We live in a mixed neighborhood close to UNC. I have found that the rentals that do the best are occupied by families who seem to appreciate having the space for their children and make the best neighbors. The ones who will benefit the most are the owners who will be able to charge more with more unrelated adults and there will be less attention to upkeep.	3/3/2021 9:39 PM
34	I think at least as many bedrooms plus one additional person. So if there are 3 bedrooms you may have 4 people. If there are 4 bedrooms then 5 people etc. It is so hard to afford rent with only one additional person. The cost of living is too high.	3/3/2021 9:21 PM
35	I think 3 should be the limit.	3/3/2021 9:15 PM
36	My concern is with the amount of vehicles that would be in driveways/ streets with more adults living in a single family home.	3/3/2021 8:58 PM
37	The cost of housing has increased and demographics are changing. I do not see any reason why two couples, or a couple and a roommate, cannot share a 2+ bedroom home. Additionally, fewer couples/unions are choosing not to become legally married and the U+1 stands in the way of those individuals getting a roommate to help with expenses.	3/3/2021 8:38 PM
38	Too much government restrictions on private property.	3/3/2021 8:20 PM
39	The communities are not built to allow multiple parties in one home. There is not enough parking on the streets or neighborhoods. In our community out west our neighbors have mom and dad, adult daughter with adult boyfriend and adult son living in one house. They have 8 vehicles amongst the 4 of them. Always parked on both sides of my driveway. I have called and nothing can be done. It is so aggravating already that just increasing the adults could make this problem and many others in similar situations worse.	3/3/2021 7:18 PM
40	Safety issues concerning unrestricted occupancy. Overloading of utilities, water usage, electrical overloads, trash, upkeep parking and so many other unsafe reasons. Keep it as is.	3/3/2021 7:11 PM
41	It should be dependent on the available space and individual circumstances. I am a 73 year old widow with a 4 bedroom home. It would make sense for me for safety and economics to be able to share my home with one or more individuals. (Remember the Golden Girls?)	3/3/2021 6:53 PM
42	The pandemic has left a lot of people without homes - we need to be able to help our friends and community if the need for shelter arises. The cost of homes has also increased due to demand which has damaged the ability for the working class to afford homes. Restrictions like residency limits are an unnecessary obstacle in the way of people working to get back on their feet as it blocks them from getting help.	3/3/2021 6:50 PM
43	Should be up to the home owner how many people they want to live with them	3/3/2021 9:23 AM
44	R1 is the zoning for the area that a person has purchased their home. If you change it your expectations will change and you are forcing migration from the neighborhood.	3/2/2021 11:16 AM
45	Older neighborhoods are not always protected by covenants or homeowner associations from too many people living in a single family home and the stress on the neighborhoods from too many cars associated with these additional occupants.	3/1/2021 5:42 PM
46	Parking and increased traffic are my main concerns. Additionally, the opportunity for crime would increase.	3/1/2021 4:14 PM
47	I put both, because there can be some areas where renting/owning with more than 1 unrelated would be understandable, other areas, need to remain.	3/1/2021 3:35 PM
48	Things are fine the way they are. Houses should not be apartment buildings.	3/1/2021 3:18 PM
49	DEFINITELY NO. WE NEED TO PROTECT OUR NEIGHBORHOODS. FOR 2 YEARS HAD WITH A NEIGHBOR TRYING TO HOUSE MULTIPLE PEOPLE. A DISASTER. NOISE. TRAFFIC INCREASES. NO. NO. NO.	3/1/2021 7:57 AM
50	Increasing housing costs. Many people cohabitate long term without being related. 2 unrelated adults per bedroom, max 4 adults per bathroom.	2/28/2021 4:51 PM

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51	It needs to be increased for housing equality. Discriminating based on familial relationships and incomes is not acceptable, especially when it impacts long term outcomes such as health and education for children. We can be creative and find solutions that work for everyone, not just those with wealth and privilege.	2/26/2021 12:47 PM
52	Allowance for at least one adult per bedroom, expanded by at least one additional adult for each additional bedroom, up to a limit of five adults in four bedroom home.	2/25/2021 4:00 PM
53	It should be increased to 2 per room i have in my house	2/24/2021 9:41 PM
54	Due to the cost of living in Colorado and knowing that there is a short supply of homes, more and more people are needing to live together in order to afford living in Colorado.	2/24/2021 3:20 PM
55	To many adult people to one home no matter how many rooms,causes issues with the amount of vehicles,leading to issues with parking,noise and speaking from experience as I see it already the amount of trash in areas.	2/24/2021 1:38 PM
56	Single family homes are not meant for more than one family. It ruins neighborhoods.	2/24/2021 9:54 AM
57	By 1	2/24/2021 9:08 AM
58	I feel the single family zoning is a reason that people buy houses in those zoned areas. We have many high occupancy zones already and seem eager to redone property to accommodate the units needed. I own rental properties near the university and could no doubt turn these houses into "dorm" environments and increase my income at least 4 fold but do not believe the neighborhood is in tune to this type of occupancy. But maybe the most telling reason is the schools. District 6 is supported by property tax based on the number of houses not the number of people in them, so the increase in children using the school services is out of proportion to the tax base.	2/23/2021 7:00 PM
59	Factors-- bedrooms how many? Parking spaces?	2/23/2021 5:15 PM
60	this will allow multiple people to live in 1 house and clog up our streets. it is bad enough that some streets have multiple cars on a street in our neighborhood. This will just allow more people into a house and thus clog up more parking on the street if this is passed!	2/23/2021 2:47 PM
61	There is not enough parking in neighborhoods adding more adults brings more vehicles and then they have to park in other peoples yards and sometimes when you come home there's nowhere to park or they put cement in their yard making their yards look little me car lots	2/22/2021 8:41 PM
62	The only outcome of this change will be a decline in property values.	2/22/2021 7:16 PM
63	I think it should be up to homeowners and who they want living there with them or who they rent to. Multiple adults in homes are already happening and it can be a great financial benefit. I've spent close to a year self quarantined because of an immune disorder because our sheriff and government won't enforce state public health guidelines. You can't pick and choose where you will heavy hand government then turn a blind eye. Be conservative or be consistent.	2/22/2021 5:33 PM
64	You are opening up a problem for neighbors that the city will not have an answer for. This would benefit landlords with no consideration to the neighborhood. There would be no control over increased parking and no controll over back ground checks	2/21/2021 1:31 PM
65	You will just lower housing values and make residential areas into " apartment " living with the noise, increased traffic and crime problems	2/21/2021 7:31 AM
66	I think at least three unrelated parties should be able to live together. Housing is expensive. We have other laws in place to protect neighbors such as noise complaint, etc. if three working adults want to share a 3 bedroom house, I think they should be able to.	2/21/2021 12:46 AM
67	Who cares if they are related or not. You should be asking why that many people need to live in a house and how you can have affordable housing instead of wasting resources on this	2/20/2021 9:51 AM
68	An increased number of adults living in one residence will likely increase the burden of already limited parking as well as increase domestic disturbances particularly noise and dispute related incidents.	2/20/2021 9:17 AM
69	I am not in favor of turning homes into boarding houses. That is a multi-family zoning decision. But truly unrelated individuals, functioning as a "core" family should be allowed to exist without restriction. For example step children, ex-spouses, distant relatives should be allowed without restriction.	2/20/2021 8:30 AM

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70	Time will tell how much it should be increased by looking at the cause and effect. Neighborhood covenants should have the final say in the end. A city wide proposal may not work, so a city wide proposal should be more liberal than neighborhood standards.	2/20/2021 7:49 AM
71	We should allow the same number as fort Collins.	2/20/2021 5:51 AM
72	Law isn't enforced to begin with. Typically see increase in congestion on the streets, lack of care for property	2/19/2021 8:08 PM
73	Because I should be allowed to help out friends affected by this pandemic and economic loss if I want to.	2/19/2021 7:26 PM
74	We don't need homes turning into frat houses. I fully understand the need for homes, but also (as someone who lives next door to a rental home) understand how utterly [REDACTED] it is when there are too many people in a home.	2/19/2021 7:13 PM
75	Absolutely not! Home owners buy and or have bought in specific neighborhoods because of this correct zoning and knowing that if followed their neighborhood would continue to look nice and not get cluttered with excessive vehicles and a lack of ownership pride.	2/19/2021 7:05 PM
76	Greeley is a college town and an oil town. Plus we have several hospitals. Many people stay in Greeley for part of the year or for different times throughout the year as a secondary residence. With the cost of living being so high many would be house poor without the ability to rent out extra rooms while they're away/that are unoccupied.	2/19/2021 6:20 PM
77	Possibly u+2 but no more in R L zoning. Will ultimately ruin neighborhoods. That's what higher density zoning is for	2/19/2021 6:20 PM
78	Parking, noise, possibly more guests for each unrelated person, unrelated people could be more prone to participating in illegal activities	2/19/2021 5:14 PM
79	Cost of living is high now. Just makes sense	2/19/2021 4:58 PM
80	We purchased a home in a single family subdivision. Property values will dip if this is rezoned. From what I'm hearing, Greeley does not enforce the zoning laws already on the books. People complain and no action is taken.	2/18/2021 8:26 AM
81	Yes, any number of unrelated people should be allowed to live together.	2/17/2021 6:29 PM
82	I think it can open up a number of issues e.g. fighting, over parking, overall look of the neighborhood, reduced property values. I have a question for you: Why do you want to change this? Hasn't the current zoning laws served well. Greeley has something to be proud of, with the cleanliness of the city, in most parts. Why would you change the rules for the homeowners that have invested in the lifestyle they were sold when they bought their home? This is a decision that should be at least voted on by election, not just a few representatives. I have my home and am happy here, should I move now so that an agenda can be satisfied by a chosen few. If you do pursue this it should be for new neighborhoods with the disclosure in the development and the current neighborhoods should be grandfathered in under current laws/rules.	2/17/2021 5:12 PM
83	Too crowded on the streets with cars. People are already breaking this law anyways and you can tell when you drive down residential avenues. Nowhere for guests to park anymore.	2/17/2021 10:44 AM
84	Most people who purchased single family homes did so to have that limitation to create a less dense neighborhood. This feels like a bait and switch. The investments are misleading. Property values will decline. I can't see the reasoning?	2/17/2021 10:42 AM
85	I live in a house that is in an area that is coded U+1. I appreciate the quiet an peacefulness. I'm afraid that increasing the number of unrelated adults would lead to more noise and a messier neighborhood.	2/17/2021 9:33 AM
86	Increasing occupancy standards from U+1 would result in more noise, rowdy parties, property damage, traffic, parked cars, litter, and other nuisance behavior. I know this because at one time, I lived near central Greeley and experienced neighborhoods with higher occupancy zoning. I endured all this behavior and was miserable. People move into R-1 areas with U+1 standards because they desire to live in neighborhoods that are quiet, peaceful, respectful, and well-maintained. The character of these neighborhoods meets the needs of families, children, and senior citizens. Increasing occupancy would ruin the nature of these neighborhoods.	2/17/2021 8:31 AM

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87	I think it should be increased because there isn't enough affordable housing. Everywhere in the city should go to +2, and some areas to +3	2/16/2021 9:49 PM
88	I do not think single family home subdivisions should be turned into multifamily subdivisions. Potential noise,traffic, parking, congestion, etc problems.	2/16/2021 6:31 PM
89	I think it should be increased, but only marginally (U+2, similar to Fort Collins). As a resident of the Cranford neighborhood, any increase greater than this will adversely affect the neighborhoods (Farr, Cranford, Alles, Glenmere) closest to UNC's campus. Unless you can assure that other code violations (trash, noise, parking, derelict landscape) will be enforced (with some teeth), then I'm not supportive of a large occupancy increase. Part of the issue in the areas around UNC's campus are the already large number of derelict rentals with little landscape, excess trash, and questionably habitable spaces run by absent or uncaring landlords. Those things need to be addressed in addition to an increase. Additionally, I would like to see a more in-depth rental market analysis of where in the city individuals are paying more than 30% of their income (among those making less than median and lower income). Is this change actually going to abate the rent burden? I have my doubts.	2/16/2021 8:35 AM
90	There are already numbers of people living in homes. Just drove around town and see cars at ms y houses. Why increase the number when the current ordinance is not enforced?	2/15/2021 6:15 PM
91	I believe that we are about to have a housing glut. There are so many apartment being built now that I don't see a need for more than You plus 1! I am extremely concerned about the units planned for north of Ashton Estates. This is HR zoned. It is my understanding that this was approved more than 20 years ago. It is time to rethink this high traffic area with a new hospital and two sub-divisions built since the zoning assignment.	2/13/2021 12:18 PM
92	We need more housing, especially more affordable housing.	2/10/2021 8:45 PM
93	It's surprising that the city cares how many unrelated people live together. Who does it harm? The information shared by the city doesn't seem to offer any justification for this policy.	2/7/2021 8:45 AM
94	A lot of income can be gained from renting properties to college students, so it would make sense to allow them to live together for the cities economy	1/31/2021 2:44 PM
95	With today's situations as you stated, I recommend "You plus 2". Beyond that, parking gets cumbersome.	1/29/2021 3:32 PM
96	Yes! As a college student I have really benefited from staying with multiple roommates. It is the only way I would have been able to afford to live outside of the dorms. Given some of the lower end demographic that lives in Greeley, I don't see why a rule like this should be forcing more people into homelessness or causing people to be "house poor". I think the standard should be at least U + 3.	1/28/2021 9:15 AM
97	I know many people who live in Greeley attend the University of Northern Colorado. They need to be able to love with unrelated friends in order to have a comroderly and afford to live in Greeley	1/27/2021 6:28 PM
98	+2	1/27/2021 3:58 PM
99	I purchased my home to have the peaceful neighborhood and less congestion. If I wanted to live in a trailer court or apartment where there are far more people, cars, noise, etc., I would live there. Too many people in an area effects the infrastructure and I worry about crime. This is already a problem with Greeley.	1/27/2021 3:31 PM
100	High cost of housing. Very limited affordable housing. U+1 encourages homelessness in the community. Occupancy should be governed by number of bedrooms in structure as a minimum	1/26/2021 5:43 PM
101	Rent is expensive	1/25/2021 3:20 PM
102	The standard is an old limitation that does not reflect the current housing needs in our community.	1/22/2021 1:53 PM
103	Due to economic conditions it may become necessary to help out a family of 3-4 on a temporary basis.	1/22/2021 3:57 AM
104	The cost of housing , for young adults specifically, is near impossible to live in an actual house without the financial burden being shared amongst roommates. The ordinance should be modified to allow 1 person per legal bedroom to reside in the home. The ordinance is very specific about unrelated persons living together, but it allows legal/blood families of ANY SIZE	1/21/2021 10:30 PM

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to reside in any size space, regardless of any health or safety concerns....why should a family of 8 be allowed to live in a 3 bedroom house of 2-3 people/bedroom, when 4 unrelated individuals cannot live in a 4 bedroom house of 1 person/bedroom? As people get married later in life or go through different times of transition, the U+1 is incredibly limiting and inhibiting of living accommodations that are beneficial to all involved. Parking rules and property appearance standards will still apply, but dwellings and inhabitation can comfortably allow for more.

105	We live in America people can make choices about how many people live with them. As long as each person has two to three hundred square feet and there is enough parking to cover so if you have a really big house and four people unrelated to living there then there should be at least two off street parking spots and two on Street	1/21/2021 4:47 PM
106	I don't think it should matter whether or not you're related. the number of people in your house should be Determined by the Number of people that can safely live there.	1/21/2021 3:58 PM
107	I don't think there should be a limit. These days people need to do whatever is necessary to find affordable housing and if they find it by more than 2 unrelated adults living in a space, that is really none of the city's business.	1/21/2021 3:42 AM
108	As many as it takes to pay the bills. Having a couple more people would raise the amount of money each person has to spend on things other than Rent. And if it prevents someone from being homeless even better.	1/19/2021 1:24 AM
109	More people equals more vehicles. Vehicles in driveways with one behind the other and extends out over the sidewalk which leads to kids playing and riding bikes in the street. Also cars parked on the street and blocking driveways.	1/18/2021 10:49 AM
110	No cut and dry answer. Should depend on size of house, situation of people living there. I have a 3 bedroom house and am single. I have a roommate to make ends meet and if I want to rent out my other room I should be able to. What if it's to a couple? Previously I also had a roommate with a baby for a total of 4 of us. I'm curious as to why limits were set to begin with.	1/17/2021 12:05 PM
111	Understanding the economic considerations of families currently I believe it is ok to allow 2 plus you family members. The concern I have in our neighborhood in Mountain Shadows is #1 the number of cars on the street. When I see 6 pickup trucks surround one house hold it is a concern. #2 out of state license plates or expired plates that go unchecked. #3 pedestrian safety with so many vehicles in the street. #4 concern for upkeep of the house, junk in yard or sidewalk, walks not shoveled etc. I understand some home care requires finances but trash, junk and snow require movement not money.	1/17/2021 10:16 AM
112	Residential homes were created for single families. Increasing the number will lead to parking congestion and people will take advantage of moving others in and make the neighborhood less safe. It's bad enough in Greeley let's not make it worse.	1/17/2021 9:46 AM
113	There should be no limit on how many unrelated adults can live in a house. If there are enough bedrooms, it shouldn't be an issue.	1/16/2021 6:43 PM
114	Creates congested parking, more occupants using the yard, garage for repairs, etc. Makes getting around these areas in emergency vehicles harder because of the increased vehicles and parking. There are already zoned properties that allow for this so it makes no sense to me to alter single family dwellings. If for no other reason than the fact that people buy and own in single residential areas with the understanding we live next to the same single family dwelling. It doesn't seem fair to me and certainly does nothing to increase property values. Multi-family zoned in multi-family structures and areas and single -family zoned in single family structures and areas, period! Thank you for the opportunity to comment.	1/16/2021 5:00 PM
115	Rent costs are unaffordable especially for low income persons	1/16/2021 2:49 PM
116	I have lived in my nice quiet neighborhood for 46 years and don't think that my neighbors should be running a boarding house. It increases traffic and tends to degrade the neighborhood.	1/16/2021 2:06 PM
117	Yes, because the government has no business telling people what to do or who they can have in their home. There should be no limit.	1/16/2021 1:50 PM
118	It just is another reason for people to not get married. Also the parking is a nightmare already with some families. You just would add to this problem. If they all have cars they intrude on	1/16/2021 1:08 PM

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neighbors. This has been a huge problem in the Farr Park area for years, because of those who abuse the current law.

119	More adults equates to more parked vehicles. Our streets are already clogged with parked cars.	1/16/2021 8:37 AM
120	Job opportunities are out there! Go get one. Can you even qualify to rent or own a house on unemployment? If we allow for an increase of occupancy of non related adults, all neighborhoods become a frat or sorority house but to a different degree and far away from campus. You will see our lovely neighborhoods changed overnight and property values drop quickly and the Greeley housing market will follow trend.	1/15/2021 8:47 PM
121	Short term, I would have said yes, but the strain of another person is probably another family - multiple people, multiple vehicles, more congestion is not typically a good thing. That said, if you allowed for 6 months, 9 months, even up to 1 year - I would have said yes. Indefinitely - no!	1/15/2021 4:47 PM
122	Number of unrelated adults in a house should be limited to the number of official bedrooms are in the house (per county assessor documents).	1/15/2021 3:55 PM
123	In creasing the number of unrelated adults from 2 to 3 would be fine. The issue is not the number but the impact to the neighborhood from the supposed 8+ "relatives" living together. The city has no teeth in requiring people to show how they are related. Second is the number of commercial vehicles and trailers brought into the single family home neighborhoods. I understand hard economic times, I lived in a home with over 20 other refugees, in Panama in 1961. However, we were cognizant of not disturbing the neighbors with our presence. I know you can legislate the be nice requirement. But, how about all the trash cans in front of the house? I've called it in. gets cleaned, but then again in a few weeks.	1/15/2021 1:14 PM
124	Due to COVID, unemployment, the economy, many need to rent out a room(s) to help pay the bills. Others help family members during these trying times. Some cultures live with several generations of family in a house.	1/15/2021 12:42 PM
125	I'm not convinced it is necessary.	1/15/2021 11:44 AM
126	Once you keep adding people it turns into a party house. Too many cars on the street.	1/15/2021 11:12 AM
127	Being a landlord, more than two would create to many problems.	1/15/2021 10:26 AM
128	Contributes to lower property values Effectively makes single family homes multi family or like rental apartments .	1/15/2021 9:58 AM
129	You plus one is plenty of people to live in a home.	1/15/2021 9:40 AM
130	The City does not inforce any excisting regulations, rental houses in my area have multiple residents of different familys living in a single house. More pickups and cars parked in driveways and street limiting parking for legal residents. City needs to get a clue...	1/15/2021 9:36 AM
131	This housing issue has been occurring in our neighborhood for several years. It has been reported to the city (and also to our HOA). The city prefers not to deal with it— nothing has been done. Why worry about changing the rules when the city will not enforce the existing rules	1/15/2021 9:13 AM
132	Limiting the # of unrelated people living at a dwelling helps with reducing the # of vehicles at that dwelling so that traffic and parking don't become more of an issue in the neighborhood. Maybe you should look at how expensive rent is and address that so multiple people aren't forced to live together. Greeley used to be an affordable place to live but not anymore! Greed as taken over!	1/15/2021 9:13 AM
133	You plus two is more appropriate. If owners need to rent a room to make the mortgage payment, I think that should be allowed.	1/14/2021 10:04 AM
134	Yes, I think there should be very few or no restrictions on where people can live. The associated nuisances can be dealt with accordingly and working to "protect" certain neighborhoods inherently discriminates against others.	1/14/2021 9:08 AM
135	I believe most cities allow more than 2 unrelated adults per household. I think Greeley needs to allow at least 3.	1/13/2021 9:32 PM
136	I feel the current rule is adequate and "safe". If we Don't stay at this standard then our city/neighborhoods will be under stress with increased #'s which may lead to problems with	1/13/2021 8:57 PM

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overcrowding of schools, streets (with too many parked cars) etc. the quality of our lifestyles will deteriorate and people will begin leaving Greeley.

137	debt to income ratio used systemically by real estate bankers financial institutions have and keep those in poverty and others in poor living condition by not allowing home ownership. Minimum wage also does not suffice to obtain a larger rental with more room and others. If the system debt to income or 2-3 times monthly income is used to approve a loan then such should also be considered in homes with adults and children in a way to obtain more room. thank you there is more to the policy that should be sent to congress for reduced poverty and allow impoverished society to own property and obtain financial freedom by owning something as oppose to investors charging every one	1/13/2021 8:01 PM
138	This is a free country.	1/13/2021 6:59 PM
139	Why should there be a limit placed by local govt? Increase by 4-5 unrelated adults. It changes depending on if it is all adults vs a family with children and several adults.	1/13/2021 6:55 PM
140	Yes, and I believe there shouldn't be a limit. The existing ordinance and zoning discrepantly affects lower-income individuals, as many people need roommates to afford rent. As BIPOC, LGBTQIA+ individuals, disabled individuals, and other individuals with minoritized identities are disproportionately lower income, this ordinance contributes to an increasingly segregated city. Furthermore, the definition of family employed by Greeley's municipal code is archaic and doesn't account for a diversity of ways "family" can be defined. Family should not have to be proven through legal contract or blood relationship, and to do so continues to disproportionately affect individuals with marginalized identities.	1/13/2021 6:19 PM
141	I think it should be "you plus any other consenting adults". I know of places where a house is shared among 18 unrelated people and this doesn't bother them because they all know of the risks living together.	1/13/2021 6:13 PM
142	I think this is a ridiculous standard and I'm glad you are looking at this since its been around for 40 years. In a college town, you can expect unrelated students are going to live in one home. Also, with the large agricultural and meat packing plants employees and their low wages, employees might have to live together to afford their housing. Please make this standard more flexible and inclusive for the needs of the community.	1/13/2021 6:09 PM
143	Freedom of association. Also, college students need it to be much higher in order to afford to live off-campus.	1/13/2021 6:07 PM
144	I think the only limits would be based on the size of the home (bedrooms etc). There is definitely a need for housing regardless of relation.	1/13/2021 5:14 PM
145	The number of occupants should be tied to the safe / healthy capacity of the building. If modifications have been made to SFHs, then the max occupancy should reflect this.	1/13/2021 4:09 PM
146	I believe a reasonable number would be 4-6.	1/13/2021 3:06 PM
147	The is so little affordable housing more people would be homeless if authorities knew how many people were co-habiting in many homes.	1/13/2021 3:01 PM
148	This will continue to crowd the existing neighborhoods with more vehicles on the neighborhood streets. In addition, extra move ins have already impacted our neighborhood with noticeably poorer responsibility and attention to existing properties by property owners.	1/13/2021 2:19 PM
149	I find that number low considering we are a college town but on the other hand it should not be any higher than the bedrooms available.	1/13/2021 2:16 PM
150	I've lived in Greeley over 50 years. It was once a beautiful city where people took care of their homes and yards. Now, it seems that is no longer the case. I see countless homes in many different neighborhoods where many trucks and/or cars are lined up in the driveways and on the street. It is obvious that there are multiple unrelated adults living in the house, probably renting, who don't care about the property. These properties are full of weeds and trash, and the lawns are dead. I think if you increase the number of unrelated adults who may live in a house, you are certainly not going to enhance the beauty of the neighborhoods in Greeley. You are only going to add to this current problem. I have many friends, who probably won't get this survey, who feel the same way.	1/13/2021 2:06 PM
151	Due to current financial issues for many folks I think 2 more unrelated adults should be permitted	1/13/2021 1:21 PM

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152	Definition of "family" should be expanded to include some non-traditional family relationships. Total numbers of persons permitted to reside in a home should be gauged by numbers of rooms, total area, approved off-site parking, etc. in addition to expanded definition of family. Traffic, parking congestion, noise, and other public safety concerns should guide the formula.	1/13/2021 12:56 PM
153	I have already seen some houses that have more than two unrelated adults, and they are a mess. There are more cars, more noise and too many people in what is suppose to be a single family household.	1/13/2021 12:35 PM
154	Given the exceptional rise in housing costs throughout the State, coupled with the fact that we are a college town, I believe the ordinance is and has been way too restrictive.	1/13/2021 12:32 PM
155	Rent is too high, and multiple unrelated roommates should be allowed in order to afford it.	1/13/2021 12:21 PM
156	While there are very real consequences to this limit, the economy and world today is simply not fit for the parameters that the limit creates. Frankly, it's one of the least useful laws Greeley has kept and probably the least adhered to.	1/13/2021 12:07 PM
157	As it becomes more and expensive to live here, I think it should be increased to U plus 3 to allow for people to have roommates but keep it from getting crazy, with more people there could be a parking problem. Could it somehow depend on the size of the home or apartment?	1/13/2021 12:06 PM
158	Greek Housing is the best thing that has ever happened to me. I don't understand why there is a standard in the first place. This is the ████████ united states, if 11 grown men decide they want to live in a house together that should be allowed.	1/13/2021 11:50 AM
159	I'm hesitant to say Yes but I do understand the "why" behind this. I'd like to start the transition by increasing to U+1+1 only. Why such a small change? Because I live on a street with a split of own/rent and the street is already quite full of parked cars; day and night. Even now the assortment of occupants can leave one wondering if they are in alignment with the existing formula. Thanks for asking in this regard.	1/12/2021 3:17 PM
160	3.	1/12/2021 2:22 AM
161	I answered because I think there should be no limit.	1/11/2021 6:05 PM
162	I don't understand what the rule's function really is, so I think it makes sense to do away with it entirely unless there is a reason that I am missing.	1/11/2021 5:58 PM
163	Considering that Greeley is primarily a college town, it is safe to assume there will be at least 2 unrelated people living with eachother. Even more so if they live off campus or in a dorm that houses multiple people per room.	1/11/2021 5:14 PM
164	As an university student finding affordable housing is a big deal to me. The number of roommates I am able to find greatly increases my standard of living.	1/11/2021 4:58 PM
165	you plus 5	1/11/2021 4:57 PM
166	As a college town, there's always been several people to one household. Now, people can't afford to live alone, so having roommates becomes a means to an end.	1/11/2021 1:34 PM
167	There is plenty of places to rent that allow multiple people to live together. Increasing the occupancy rate to more than 1 other unrelated person will devalue single family homes. Tenants are extremely hard on properties and this would make that situation even worse.	1/11/2021 11:45 AM
168	This code has been this way since around 1980. With the change in housing prices and changes listed to address this concern, I think it absolutely HAS to be changed. People cannot afford housing, people are even having trouble paying rent. Things have changed and the Counsel needs to address this instead of standing on a "oh there are no issues here, we don't want to make chances if there aren't problems" There are problems! My concern is that I happened to stumble upon this web site/voting just browsing the web. I don't think enough people in Greeley know about this voting/solicitation of public opinion. How many people need to vote to make a difference? This needs to be marketed and pushed to the public way more because I'm sure 8 out of 10 people would agree that this code needs to be updated.	1/11/2021 10:39 AM
169	Parking is a problem and trashed outside areas. You can spot these homes all over your neighborhood.	1/11/2021 10:38 AM
170	To answer that, you must tell me how much you are increasing it. Maybe increase by 1, so U+2 would be ok, but no more.	1/11/2021 10:03 AM

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171	You plu the number of spare bedrooms is reasonable and seems to happen in our neighborhood anyways. Existing standard can't and isn't enforced at all.	1/10/2021 9:00 PM
172	I have lived in the same house for 40+ years. In that time I have watched our once nice quiet neighborhood start to show some wear and tear. The neighbors have changed many times and through the changes I have witnessed multiple families occupy the same home even though we are zoned a single residential neighborhood. The problems I have noticed is multiple the residents end up looking like a car lot, they have allowed the property to run down affecting the value of my property, trash build up, letting the sun remove the snow instead of clearing their walks, cars that have expired tags permanently parked on the street. I don't think we need to increase the number of non family members living in the same household in a single family zoned neighborhood.	1/10/2021 4:13 PM
173	My reason is a simple one. In almost 100% of Residential Neighborhoods in Greeley ther is not sufficient parking. If you would like to see first hand , go to [REDACTED] (Greeley). Every morning you will see 5-6 cars in the driveway and 4-5 in front of just not there house, but in front of others as well. (No Respect) If you would like I could elaborate in more detail. Please contact me at [REDACTED] . Thank-you	1/10/2021 12:49 PM
174	Rentals in single family residential areas tend to not maintain or take care of the property and there is a large increase of traffic to these homes. We have experienced this in our older quiet subdivision as no one really enforces this regulation except possibly in the neighborhoods close to the university. We had multifamily rentals for many years and we did follow the guidelines for related parties.	1/10/2021 12:26 PM
175	As an example, college students living in a residence is appropriate and saves each of them funds for their education. Anymore than six persons generates parking problems on the street.	1/10/2021 9:47 AM
176	You plus 2 max. Otherwise you get too many vehicles on street also.	1/10/2021 8:21 AM
177	I think that the number of unrelated adults allowed should be increase because of the reason given. The number allowed in a single family home should depend on the number of bedrooms the house has. I think two adults per bedroom would be acceptable in some homes.	1/10/2021 12:24 AM
178	As a property manager, people take advantage of not letting managers know who is living there, how many.	1/9/2021 10:44 PM
179	Why should there be any limit at all? America is a free country. People should be allowed to live as they see fit, within reason, without an over abundance of restrictions.	1/9/2021 7:52 PM
180	With exceptions for housing rented to students.	1/9/2021 3:56 PM
181	There are a lot of variables, but I think the policy needs to consider the number of bedrooms, parking needed, and perhaps square footage.	1/9/2021 3:44 PM
182	How does the city consider civil unions? I believe it should be increased as there are more civil unions now than ever before. In many cases the house holds combine children. However, I do believe there should be a limit to how many unrelated persons with not bond should be allowed to share a home.	1/9/2021 1:40 PM
183	For all the reasons previously stated. I knew it was limited, I didn't know it was only U+1., tho. I could see allowing it to a max of one per bedroom of the house (a 4 BR house would be U+3). This would allow single homeowners the ability to decide if that is what they would like to do with their homes. These are tough times.	1/9/2021 1:24 PM
184	we have to many houses that have more than 1 family in them and don't keep the yards or fence and have to many cars so you have no parking in front of your house to many smells and to much noise	1/9/2021 12:46 PM
185	Should be based on the square footage and the number of bedrooms It should max out at 4	1/9/2021 9:52 AM
186	No - three doors down, is a drug house that the police raided a while back. There still are a lot of people there coming and going, usually through the alley. Next door to me the owner is renting out rooms and when they can't park in his driveway they park in mine. Two days ago someone there decided to start fixing their car in MY driveway. I could not get my car out and I was too scared to go out there and confront them all.	1/9/2021 8:52 AM
187	No increase. Current occupancy limits are not enforced now, this will only make it worse. As always, unscrupulous or absentee owners will take undue advantage of this. While I am	1/9/2021 8:51 AM

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sympathetic to the plight and needs of those seeking housing, opening the gates is not the answer. I do not support this in any way.

188	We live in an area of homes close together.more people in one home increases traffic and the number of cars parked on the street. We feel that would lower the price of our home as the character of the neighborhood changes.	1/9/2021 8:37 AM
189	So many times it degrades the neighborhood. No parking for extra cars and deterioration of the of the property.	1/9/2021 8:11 AM
190	not when said property does not and will not provide enough parking spaces and you have "neighbors" blocking your driveway, in your driveway or taking up street parking so your visitors have to park blocks away.	1/9/2021 6:58 AM
191	should be determined square footage.	1/8/2021 10:11 PM
192	It leads to parking issues ruins nice neighborhoods, leads to undesirables moving in causing problems.	1/8/2021 10:08 PM
193	The current limit protects neighborhoods from large numbers of young people cramming into a small apartment, thus protecting property values.	1/8/2021 10:06 PM
194	In the question it doesn't specify if this involves children. I don't believe that children should be living with other adults who are not related to them.	1/8/2021 9:19 PM
195	Most neighborhoods in Greeley do not have adequate parking available for households that contain multiple people thus multiple vehicles. i.e. A family with 2 parents and 2 teenagers typically has 4 vehicles. Most housing does not even have sufficient parking for 4 automobiles. If that same household had even 1 unrelated couple living there, an additional 2 vehicles would need parking spaces. This scenario will/does create tensions and disputes throughout neighborhoods. Now, add more unrelated people to that household and see what happens. This would be a major disaster for Greeley because of the many people who would take advantage of this and have 10/12 people living in a 2/3 bedroom home with 1 or 2 bathrooms. Imagine the amount of fights, domestic abuse and neighborhood complaints this household would burden the city with.	1/8/2021 8:53 PM
196	It depends on what part of the town. I live on 13th Ave and would like it kept here. Thank you.	1/8/2021 8:11 PM
197	In typical neighborhoods, there is only so much driveway space and street parking. Adding more adults, adds more drivers and vehicles in most cases. I think that there could be some variances in unique housing situations where perhaps a house has a a permitted apartment built into the basement or above the garage. I also believe that in most situations where there are multiple adults living in a home, that the individuals are somehow related (parents, grandparents, cousins, etc). There comes a point where having 3 or more unrelated individuals living together encourages more of an apartment type of living situation, and those of us choosing to live in single family homes are doing so because we want to be surrounded by other single families, not by people with no buy in to the neighborhood lifestyle. I think the city should look at permitting and building more diverse housing options that are affordable and cater to individuals who are not looking for single family neighborhoods rather than increasing the current U+1 standard.	1/8/2021 8:08 PM
198	There's enough issues with poor household management with current rules/regulations. Such as parking, trash, respect of neighbors privacy and noise.	1/8/2021 7:58 PM
199	As a landlord, the +1 policy seems to work well. It allows for unmarried couples to rent together, or allows for a roommate to help cover rent. We don't ever want to stress people financially to cover rent, and find that if a tenant needs more that 1 roommate in order to cover rent; they are stretching themselves too thin, which puts undo stress on life. Raising the limit of unrelated roommates will have the unintended consequence of higher turn-over and evictions; if 3,4,or5 people are splitting a lease and 1 or 2 move out for any reason, chances are high that the remaining tenants can no longer afford the rent, and may miss payments leading to evictions.	1/8/2021 7:22 PM
200	Freedom is a good thing. As long as other limits regarding parking, noise, etc. are followed, there is no reason to limit the number of people in a house. Even if the elites of town prefer to see their areas protected by limiting the number of unrelated in a home, that should not be allowed, as it is discriminatory to pass such regulations due to the economic prerogatives of the people of a particular area.	1/8/2021 7:12 PM

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201	I'm not sure why there is a need for a rule limiting the number of adults to live together. I do not think a limit should be set based on whether the individuals are related.	1/8/2021 7:07 PM
202	1+3	1/8/2021 7:03 PM
203	Property owners around them could lose privacy, gain spill over onto their property,..ie vehicles, etc.	1/8/2021 6:09 PM
204	A rental house next to our home in West Point had multiple unrelated adults living in it, all of which drove separate cars. Their three car garage was too full of stuff so no one could park in it. The driveway had 6 cars in it -3 cars across/two cars deep - so the overflow spilled out into our cul-de-sac and often times blocked our driveway. It was a nightmare to deal with.	1/8/2021 5:36 PM
205	Why does it really matter how many unrelated adults can live in a house dumbest thing I ever heard	1/8/2021 5:36 PM
206	Not to exceed three unrelated individuals.	1/8/2021 5:33 PM
207	Where our economy is today many adult children may need to return home for help bringing along a boyfriend or girlfriend. I don't have a problem with helping out our young people as long as the street isn't lined with cars and parties all night abusing their arrangement.	1/8/2021 5:15 PM
208	This would cause additional vehicles being parked on city streets. These streets were not built in a way to handle so many extra vehicles and would cause moving vehicles to not be able to maneuver in crowded areas.	1/8/2021 4:57 PM
209	I'm a resident in a townhome complex. We've had too many problems with multiple unrelated residents in a unit. I would rather see a requirement to apply for a variance if economic hardship necessitates a temporary permit to share the residence.	1/8/2021 4:57 PM
210	Perhaps a mother and father and one offspring provided the unrelated individuals are related	1/8/2021 4:33 PM
211	4. That would allow for 2 couples to share a house. That's a manageable number and a popular sharing arrangement.	1/8/2021 4:31 PM
212	U+1 works great for the privileged. It is implicitly biased against poorer people.	1/8/2021 4:26 PM
213	I the city's current standard is exclusionary and discriminatory and violates the rights of property owners, and should be scrapped.	1/8/2021 4:25 PM
214	We have two houses in very populated areas of Greeley and are single family homes with lots of multi family units around us. It already doesn't work for parking, noise, privacy. Our one home was built in 1898 so it's not that we knew what we were getting as much as the city of Greeley not having and not enforcing code.	1/8/2021 4:21 PM
215	I think you should allow for at least 4 people. I understand why the rules are the way they are (kind of) but there are several reasons I think it should be increased. 1. This is a college town. College kids need to be able to share housing and friendships when they agree on it without. 2. The economy is not going to get better. We have a problem with homeless or near homeless people. A shared dwelling could solve some of those problems, since some homeless work but can't make enough to pay rent by themselves. 3. It make sense to allow people to share housing as long as they agree among themselves, both for financial and emotional reasons.	1/8/2021 4:21 PM
216	In order for some individuals to keep their homes they have resorted to renting & sharing spaces with others. As long as all are respectful of others in neighboring homes & spaces should not be limited & risking the loss of home ownership or penalty.	1/8/2021 3:20 PM
217	Yes, I would like to see a slight increase (you plus 2 or 3) to allow another roommate type situation (you own the home and have 2-3 roommates) or similar.	1/8/2021 3:07 PM
218	We had a house next to us with 13 people living in it, they claimed they were cousins, it was terrible noisy, no parking	1/8/2021 2:41 PM
219	This is incredibly outdated and unfairly targets people who must live with roommates for financial reasons. The cost of living in Northern Colorado is only going to continue to increase.	1/8/2021 1:47 PM
220	It seems a silly restriction. occupancy should be based on sq. footage or bedrooms or bathrooms or something.	1/8/2021 1:39 PM
221	If owner of property pays utilities rent will have to be increased to cover additional costs thus creating a vicious circle. Also, more than 2 creates more legal problems because as a former	1/8/2021 1:28 PM

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landlord I can say room mate situations almost always result in court. Also as a citizen, the number of multifamily houses does not make for friendly neighborhoods as most renters could care less about neighborhood. I have just finished 3 years of terrible neighbors across street who had probably 6 people in a 2 bedroom apartment. NOT GOOD. Almost sold my house and moved from Greeley because of it!

222	I think that, for the most part, the current model works well. I know there have been violations in the campus area downtown, but if it becomes a bigger issue maybe their can be a permitting process for rentals that house unrelated adults.	1/8/2021 1:10 PM
223	Yes because there are college students seeking housing and cant afford one house for two adults? This is the most unwarranted thing I have read yet.	1/8/2021 12:59 PM
224	Housing costs alone is astronomical	1/8/2021 12:46 PM
225	I would need to know what the proposed change would be. Would it be increased to three, five, or infinite?	1/8/2021 12:04 PM
226	The fact that Greeley has stricter rules on this than Boulder, Loveland, and Fort Collins is ridiculous. As a college town that is encouraging people to move to town demanding that houses are occupied by single families only is insane and will cause people to either ignore the rules or move away. There should be no limit on how many unrelated people can live together as long as they are not breaking fire codes and other safety factors.	1/8/2021 11:54 AM
227	Exactly as mentioned above...Weld County is still experiencing a housing cost boom and purchasing or renting a home isn't affordable for many without sharing the cost with other individuals.	1/8/2021 11:54 AM
228	I don't think there should be a limit. When I was in college, I would have loved to share rent with more than 1 person, because we had more than enough room for that in our house.	1/8/2021 11:41 AM
229	I don't think the City has an interest in who lives where. The City interest lies in responding to nuisance complaints. Codifying the nature of relationships among residents falls beyond City purview. In the narrative provided in the Household Occupancy Standards, the City adopted standards because it was a popular notion at one time. If the City intends to provide a standard of living imagined by residents, the City has inserted an opinion that may not be shared by all or even a majority of residents, curtailing the liberties of some to benefit unspecified others.	1/8/2021 11:37 AM
230	Depending on number of bedrooms. Honestly, I think it should be up to landlords or homeowners to decide. I realize that sometimes more adults also means that there are more vehicles to park, but that is true even when people are related. I just wonder about why there is this policy? Is it due to outdated social norms? Unmarried people and gay people being targeted? Maybe the city should revisit it?	1/8/2021 11:08 AM
231	We are in a [REDACTED] pandemic and it's cheaper to live with a a few people ... [REDACTED] you for trying to put people on the streets for gentrification's sake [REDACTED] your law	1/8/2021 10:39 AM
232	We live in Crawford which is already a mishmash of mixed occupancy. Allowing more occupants than is why currently permitted will make an already crowded, confused zoning situation worse. The current regulation at least gives the city some regulatory power; without some regulatory power the city is helpless to handle problem properties.	1/8/2021 9:56 AM
233	No! As if the city enforces this anyways. There are decent tax paying citizens forced to live next to degenerative "households". We should not be made to suffer.	1/8/2021 9:55 AM
234	There are a variety of reasons, including the housing crunch and economic uncertainty. Sometimes people form "families of choice" that are not formed by blood or marriage. I believe a reasonable restriction can be in effect based on square footage, etc. Overall, I support the change. Thank you.	1/8/2021 9:44 AM
235	It causes a lot of problems win a bunch of unrelated people live together parking problems noise problems Etc	1/8/2021 9:41 AM
236	U+2 seems to be more common	1/8/2021 9:34 AM
237	The standard should be based on the size of the house not an arbitrary number. For example, 2x the number of bedrooms minus the number of bathrooms. A 3 bed, 2 bath home could occupy 4 unrelated adults easily.	1/8/2021 6:31 AM
238	Because of stagnant wages and increasing home prices to prevent Greeley from having an	1/8/2021 3:29 AM

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even higher population of unhoused people efforts need to be taken to reduce restrictions on housing. In my opinion the number of unrelated people living in a single family home should only be dictated by the amount of space in the house.

239	It will bring down housing values and increase neighborhood traffic.	1/7/2021 10:07 PM
240	Up to 8	1/7/2021 9:39 PM
241	Should be increased to any amount per house hold. But max total people should still be limited based on the size of the house.	1/7/2021 8:27 PM
242	Cost of housing is too high for folks to afford a single dwelling on their own, especially young adults starting out.	1/7/2021 7:53 PM
243	+4	1/7/2021 7:21 PM
244	Obviously, no one wants to see this City become one that encompasses homes packed with people, for the sole purpose of financial convenience, but I fail to see how increasing this number to, say, U+3 could create any major concern to neighborhoods, either as a concern for disturbance, parking, home values, etc, great enough to out-weigh the expanding need for housing, given the increasingly difficult task of further affordable new home construction.	1/7/2021 7:14 PM
245	Ever been in a student occupied rental house?	1/7/2021 6:46 PM
246	I do not think the current standards are reflective of the current economic and cultural climate. I'd much rather see a change to this standard and better access to housing for members of our community who may not be able to afford the increasing cost of housing.	1/7/2021 4:53 PM
247	I think it shouldn't matter if multiple unrelated people live in the same household. Occupancy should be based on the number of bedrooms in the residence.	1/7/2021 4:27 PM
248	Allowed if housing unit has separate bedrooms for all unrelated adults and no more then two minors in a bedroom. Off street parking for all vehicles. One owner must also reside full time in home.	1/7/2021 4:14 PM
249	There are more family styles than the "nuclear family" that may include several unrelated people. By increasing the limit it will make more chosen family units find homes.	1/7/2021 3:51 PM
250	I have no problem increasing the number a small amount. I currently live in an area of Greeley where it definitely appears that many people are living in a single houses. This really adds to the number of automobiles on the property or on the street in front of the property. Not sure I like that. Short term OK, Long term a problem!	1/7/2021 3:40 PM
251	I do not have a problem with # of unrelated people depending on the situation, the size of home is a factor and the # of bedrooms and bathrooms, and cars on a street! This can be a touchy issue. I think there circumstances and variables that are a factor. I believe housing costs and economic trends are a huge factor. I would like to to see some type of variance with guidelines. There is not a perfect mold for living or family circumstances!	1/7/2021 3:29 PM
252	Because this could change the density of neighborhoods beyond the low density, single family homes that we purchased our home in 2007. This ordinance has been in affect since 1980, what is the problem? Maybe you make this increase possible in new developments where people are alerted to this possibility. Also, with only 44 complaints in 2020 and four violations found, what's the problem you are trying to fix?	1/7/2021 3:13 PM
253	Have you seen how many cars are parked outside RL homes now? Do you want to live next door to possibly 6 Or 7 adults with the constant coming and going? There's a reason the college area allows for more. It should NEVER be allowed in RL neighborhoods. This is your answer to the housing problem?	1/7/2021 2:47 PM
254	I feel it is important to keep the rules as is because I am not wanting to live in a high density neighborhood.!	1/7/2021 2:45 PM
255	For many neighborhoods, allowing multiple unrelated parties to reside in a home will likely decrease the values of the surrounding properties. In a purely rental situation, this could cause larger homes to have many unrelated inhabitants who would likely not have a point-person assigned for maintenance, and parking could become a nightmare. If this is handled through the normal zoning process, then neighbors move into a neighborhood knowing the likelihood that a property will have multiple unrelated parties (medium or high density neighborhoods). If	1/7/2021 2:45 PM

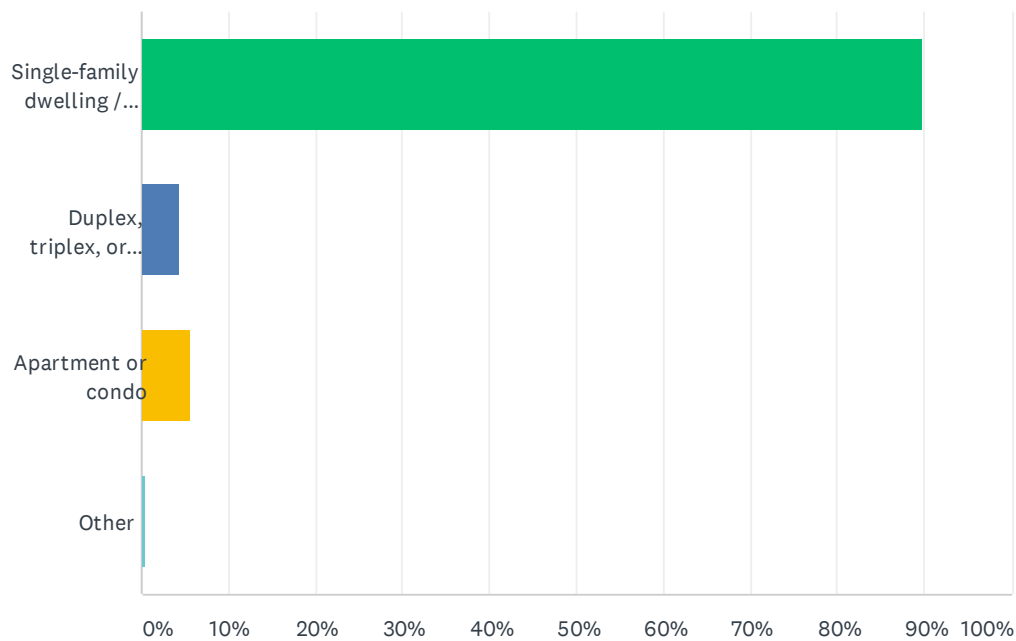
Household Occupancy Standards - Survey #1

this is a standard allowance in all neighborhoods, there is no redress for neighbors to address concerns if issues arise. Thank you for asking for input!

256	Because of housing prices and rent prices, people are required to double up and live together. I fully increasing the existing standard of you plus 1	1/7/2021 2:35 PM
257	Unlimited.	1/7/2021 2:33 PM
258	I am an active real estate broker in Greeley and have watched neighborhoods erode in value due to this increase in unrelated adults. Covenants are being abused and citizens are watching their neighborhoods erode and values diminish. I feel adamant that an across the board change to the occupancy parameters is not the best approach. Specific neighborhoods may benefit but many others will suffer. I would be more than happy to get back involved but this will not take off the pressure on our housing needs and future requirements. The excessive apartment and multifamily projects the past 6 plus years is disappointing and makes Greeley another bedroom community. We are losing every day residents to surrounding communities. I would be more than happy to get involved again in these discussions if something constructive would come from them. Multi family, apartments and increasing occupancy leniency is not the answer. Let's sit down with the Mayor, planning and our economic development individuals and have a hard discussion about what is really happening in our residential markets.	1/7/2021 2:31 PM
259	Home sharing in an area with high rent can make it necessary to have more than 2 unrelated persons. Other jurisdictions allow up to 5 (5 is the max) unrelated persons, providing that they meet the codes relative to space per occupant (living and sleeping).	1/7/2021 2:29 PM
260	To make the cost of living more affordable but no more than 4 unrelated adults.	1/7/2021 2:19 PM
261	Residential neighborhoods are not equipped for parking that is required for multiple people	1/7/2021 1:38 PM
262	I think it should be increased to U+3. Housing costs are extremely high.	1/7/2021 1:24 PM
263	I think that given high housing costs and lack of affordable housing that 4 is a reasonable number and the ability to seek permission for more if needed	1/7/2021 1:19 PM
264	Clearly limits are needed but perhaps 3 adults of 3 different families sounds reasonable.	1/7/2021 1:10 PM
265	It seems like up to 4 unrelated adults could share housing; thinking particularly of senior citizens but could apply to any age.	1/7/2021 12:32 PM
266	It is imperative that more people not be able to share. Houses with bunches of unrelated folks are already ruining our neighborhoods. They don't care for property—exceed reasonable parking on the street and while they are fine folks they need to be in rentals designed for multi family occupancy.	1/7/2021 12:18 PM
267	You plus 2 is enough	1/7/2021 12:12 PM
268	Only if controlled by number of bedrooms or square footage of the house	1/7/2021 11:23 AM
269	U plus 2 max.	1/7/2021 11:22 AM
270	Yes, 2 per room. If the the house has 2 bedrooms. 4 people should be able to live there.	1/7/2021 11:13 AM
271	All around the University you have houses that are rented out to more than 2 students. Right now high prices, low paying jobs, people out of jobs due to Covid. Do we want them on the street because they can't pay their rent or is it better for them to become a roommate and have a roof over their heads?	1/7/2021 11:12 AM
272	It seems strict to limit only one other unrelated adult to live in the same household. I am not sure what the number should be- possibly 2-4 unrelated individuals.	1/7/2021 11:11 AM
273	TEST	1/6/2021 2:49 PM

Q1 In what type of housing do you currently reside?

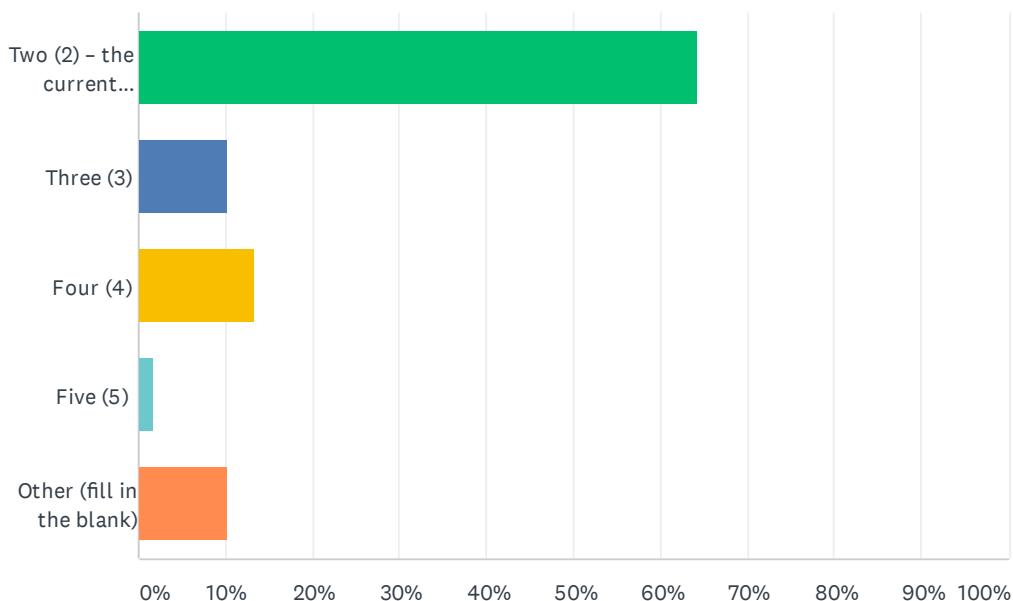
Answered: 232 Skipped: 0



ANSWER CHOICES	RESPONSES	
Single-family dwelling / detached house	89.66%	208
Duplex, triplex, or townhome	4.31%	10
Apartment or condo	5.60%	13
Other	0.43%	1
TOTAL		232

Q2 How many unrelated adults do you think should be allowed to share a typical two (2) bedroom house?

Answered: 232 Skipped: 0



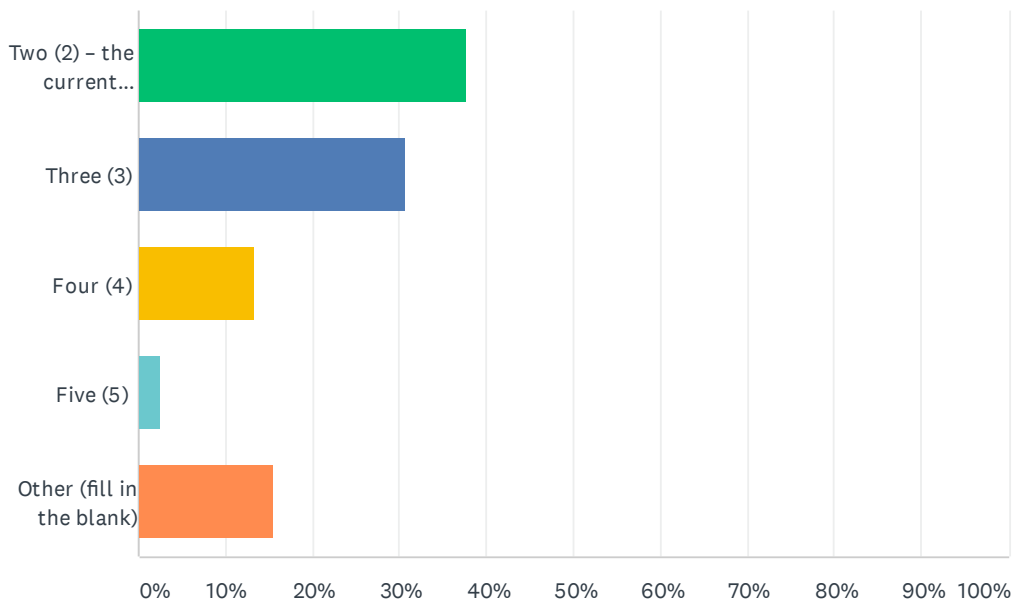
ANSWER CHOICES	RESPONSES	
Two (2) – the current allowance	64.22%	149
Three (3)	10.34%	24
Four (4)	13.36%	31
Five (5)	1.72%	4
Other (fill in the blank)	10.34%	24
TOTAL		232

Household Occupancy Standards Survey #2

#	OTHER (FILL IN THE BLANK)	DATE
1	0	3/8/2021 11:43 AM
2	Should be up to the home owner	3/6/2021 10:17 PM
3	No limit	3/5/2021 7:19 AM
4	I do NOT believe related/unrelated should be in the zoning code at all. That is discrimination. Instead, limit the number of people based on fire safety regulations.	3/4/2021 9:44 PM
5	There should be no governing of this.	3/4/2021 8:41 PM
6	In a single family house, not apartment or condo	3/4/2021 6:28 PM
7	As many as appropriate for the people living in the household.	3/4/2021 9:27 AM
8	Unlimited	3/4/2021 9:23 AM
9	As many as they want.	3/3/2021 8:22 PM
10	None	3/3/2021 7:07 PM
11	Depends on circumstances.	3/3/2021 6:59 PM
12	Unlimited in my home that I own	3/3/2021 5:48 PM
13	As many as the homeowner allows.	3/3/2021 5:19 PM
14	The government should stay out of my business in my house	3/3/2021 4:45 PM
15	Should be decided by the owner	3/3/2021 9:20 AM
16	unlimited	2/26/2021 1:37 PM
17	no limit	2/26/2021 1:36 PM
18	Unlimited	2/26/2021 12:49 PM
19	I plus 3	2/25/2021 10:23 AM
20	I think it should be up to the people occupying the house based on their unique circumstances	2/23/2021 9:57 AM
21	As many as desired.	2/23/2021 7:26 AM
22	one - exception would be parents	2/23/2021 6:15 AM
23	Unlimited	2/22/2021 5:45 PM
24	As many as the people in the house want	2/20/2021 9:54 AM

Q3 How many unrelated adults do you think should be allowed to share a typical three (3) bedroom house?

Answered: 231 Skipped: 1



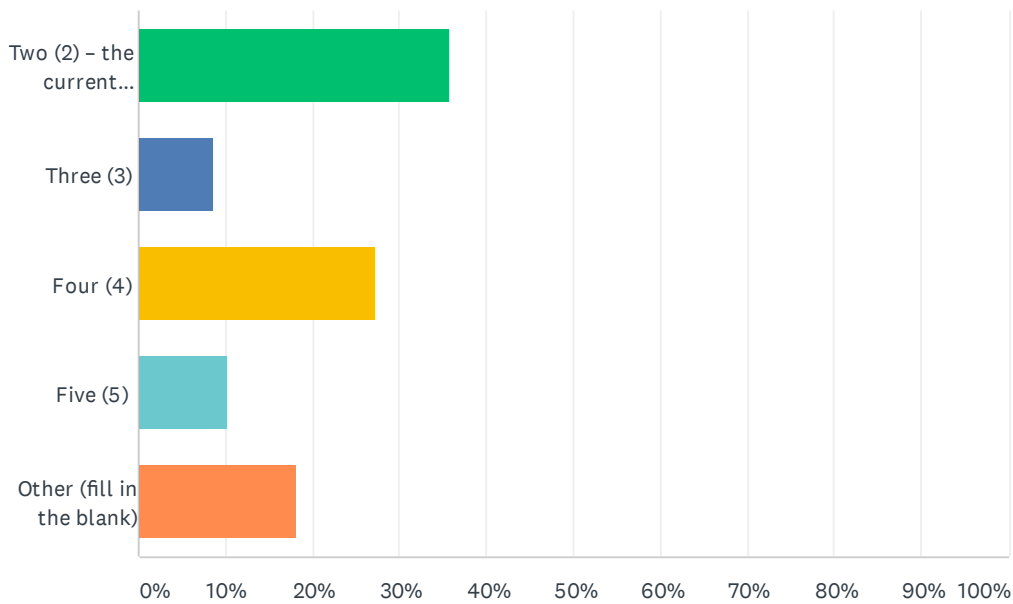
ANSWER CHOICES	RESPONSES	
Two (2) – the current allowance	37.66%	87
Three (3)	30.74%	71
Four (4)	13.42%	31
Five (5)	2.60%	6
Other (fill in the blank)	15.58%	36
TOTAL		231

Household Occupancy Standards Survey #2

#	OTHER (FILL IN THE BLANK)	DATE
1	Should be up to the home owner	3/6/2021 10:17 PM
2	As many as I want if I'm paying for it.	3/5/2021 5:44 PM
3	6	3/5/2021 4:11 PM
4	6	3/5/2021 2:44 PM
5	No limit	3/5/2021 7:19 AM
6	I do NOT believe related/unrelated should be in the zoning code at all. That is discrimination. Instead, limit the number of people based on fire safety regulations.	3/4/2021 9:44 PM
7	There should be no governing of this.	3/4/2021 8:41 PM
8	6	3/4/2021 7:37 PM
9	6, 2 per bedroom, in a house, not apartment or condo	3/4/2021 6:28 PM
10	As many as appropriate for the people living in the household.	3/4/2021 9:27 AM
11	6	3/4/2021 9:23 AM
12	6	3/4/2021 6:33 AM
13	As many as they want.	3/3/2021 8:22 PM
14	Six - two per bedroom	3/3/2021 7:37 PM
15	Depends on circumstances. Couple can be unrelated.	3/3/2021 6:59 PM
16	Unlimited in my home that I own	3/3/2021 5:48 PM
17	As many as the homeowner allows.	3/3/2021 5:19 PM
18	The government should stay out of my business in my house	3/3/2021 4:45 PM
19	Should be up to the owner	3/3/2021 9:20 AM
20	6	2/26/2021 8:28 PM
21	unlimited	2/26/2021 1:37 PM
22	no limit	2/26/2021 1:36 PM
23	Unlimited	2/26/2021 12:49 PM
24	U plus 3	2/25/2021 10:23 AM
25	6	2/24/2021 9:44 PM
26	I think it should be up to the people occupying the house based on their unique circumstances	2/23/2021 9:57 AM
27	As many as desired.	2/23/2021 7:26 AM
28	No more than 6	2/23/2021 7:00 AM
29	one - exception parents	2/23/2021 6:15 AM
30	6	2/22/2021 11:10 PM
31	Unlimited	2/22/2021 5:45 PM
32	However many	2/22/2021 5:28 PM
33	6	2/20/2021 11:07 PM
34	As many as the people in the house want	2/20/2021 9:54 AM
35	6	2/19/2021 6:44 PM
36	6	2/19/2021 5:01 PM

Q4 How many unrelated adults do you think should be allowed to share a typical four (4) bedroom house?

Answered: 232 Skipped: 0



ANSWER CHOICES	RESPONSES	
Two (2) – the current allowance	35.78%	83
Three (3)	8.62%	20
Four (4)	27.16%	63
Five (5)	10.34%	24
Other (fill in the blank)	18.10%	42
TOTAL		232

Household Occupancy Standards Survey #2

#	OTHER (FILL IN THE BLANK)	DATE
1	6	3/7/2021 10:26 AM
2	Should be up to the home owner	3/6/2021 10:17 PM
3	As many as I want if I'm paying for it.	3/5/2021 5:44 PM
4	8	3/5/2021 4:11 PM
5	8	3/5/2021 2:44 PM
6	No limit	3/5/2021 7:19 AM
7	I do NOT believe related/unrelated should be in the zoning code at all. That is discrimination. Instead, limit the number of people based on fire safety regulations.	3/4/2021 9:44 PM
8	There should be no go evening of this.	3/4/2021 8:41 PM
9	8	3/4/2021 7:37 PM
10	8, 2 adults per bedroom, in a house, not apartment or condo	3/4/2021 6:28 PM
11	6	3/4/2021 4:19 PM
12	As many as appropriate for the people living in the household.	3/4/2021 9:27 AM
13	8, 2 adults per room	3/4/2021 9:23 AM
14	8	3/4/2021 6:33 AM
15	6	3/3/2021 8:34 PM
16	As many as they want.	3/3/2021 8:22 PM
17	8 - two per bedroom	3/3/2021 7:37 PM
18	Depends on circumstances.	3/3/2021 6:59 PM
19	Unlimited in my home that I own	3/3/2021 5:48 PM
20	As many as the homeowner allows.	3/3/2021 5:19 PM
21	The government should stay out of my business in my house	3/3/2021 4:45 PM
22	Should be up to the owner	3/3/2021 9:20 AM
23	8	2/28/2021 4:52 PM
24	8	2/26/2021 8:28 PM
25	unlimited	2/26/2021 1:37 PM
26	no limit	2/26/2021 1:36 PM
27	Unlimited	2/26/2021 12:49 PM
28	8	2/25/2021 5:55 PM
29	I plus 3	2/25/2021 10:23 AM
30	8	2/24/2021 9:44 PM
31	up to 8	2/24/2021 8:19 PM
32	I think it should be up to the people occupying the house based on their unique circumstances	2/23/2021 9:57 AM
33	As many as desired.	2/23/2021 7:26 AM
34	No more than 8	2/23/2021 7:00 AM
35	one - exception parents	2/23/2021 6:15 AM
36	8	2/22/2021 11:10 PM
37	Unlimited	2/22/2021 5:45 PM

Household Occupancy Standards Survey #2

38	Maybe up to 8 if couples	2/22/2021 5:28 PM
39	8	2/20/2021 11:07 PM
40	As many as the people in the house want	2/20/2021 9:54 AM
41	8	2/19/2021 6:44 PM
42	8	2/19/2021 5:01 PM

Q5 Please provide any additional feedback on this topic.

Answered: 129 Skipped: 103

Household Occupancy Standards Survey #2

#	RESPONSES	DATE
1	There are other city ordinances to mitigate partying, and trash etc. that many people are concerned about. It is time Greeley makes a change on this matter.	3/10/2021 10:40 AM
2	We are glad the city is finally addressing this. Housing is out of control in Colorado.	3/10/2021 10:17 AM
3	I believe it's appropriate that how ever many bedrooms should be how many Unrelated people can live in a home. This is due to the housing situation in Colorado and all the changing demographics.	3/10/2021 6:35 AM
4	Don't change the standard single family allowance. It would not be fair to current homeowners who bought with the U+1 standard in place.	3/8/2021 10:12 PM
5	Areas of town are already adjusted for this. We do not need to blanket the entire city.	3/7/2021 2:23 PM
6	I am glad to see more low income housing is coming to Greeley. Related issue--I hope the City of Greeley can find a way to deal with absentee landlords better. There are so many trashed rental properties near the UNC campus and old hospital.	3/7/2021 8:57 AM
7	there is no code enforcement in Greeley, trashy properties abound even within blocks of city hall	3/7/2021 7:54 AM
8	If everyone has a seperate room why not allow it	3/6/2021 6:40 AM
9	Glad that the city sees a need here and is addressing the concerns. They care about making things affordable for people.	3/5/2021 4:26 PM
10	Limit the number of people based on fire safety regulations, on number of bedrooms or square footage, not on whether or not they're 'related'.	3/5/2021 4:11 PM
11	Where are these other adults suppose to park their cars? Houses around Greeley have very limited parking for what they were built for, single families. Code enforcement does not enforce current housing codes, if you get rid of any codes, the neighborhood will become slums and trashed. If this gets passed will this be allowed in gated neighborhoods or is this just for the poor parts of town, where city leaders don't care about.	3/5/2021 2:56 PM
12	the more people that share the house and expenses the better. Times are even tougher now.	3/5/2021 2:44 PM
13	I would like to invest in property in Greeley, but it's made difficult by such restrictions. Surrounding communities don't have such strict guidelines. Greeley's are old and outdated, especially since there are many young professionals looking for housing they cannot find. Rules need to change!	3/5/2021 9:33 AM
14	I think the city is smart in finally addressing current changes in demographics and housing. Good for the city to finally make some changes.	3/5/2021 9:08 AM
15	There needs to be adequate parking to support the increase in the number of tenants so that there isn't an issue for the other people in the neighborhood.	3/5/2021 9:03 AM
16	Why are we putting limits. It makes no sense.	3/5/2021 7:19 AM
17	It's ridiculous that any city should govern who gets to live together based on DNA. Housing crisis aside, I am an individual who seeks out living situations with others to enrich my life, deepen my connection to community, and share life's responsibilities. I have previously owned a home in Denver where 6 of us lived as chosen family and it was an enriching and life-changing experience. Zoning around # of adults based on bedrooms for health and fire safety is more than enough to ensure housing is not dangerously overpopulated. There's no reason to bring blood into the picture. I don't even understand the reasoning for why 4 cousins can live together but 4 friends can not.	3/4/2021 9:44 PM
18	Citizens who own their homes should have the right to occupy them the way they want.	3/4/2021 8:41 PM
19	Parking, noise, and partying are a problem.	3/4/2021 8:22 PM
20	This proposal will ruin our neighborhoods!	3/4/2021 6:51 PM
21	House vs apartment/condo living makes a big difference for fire codes, noise ordinances, etc.	3/4/2021 6:28 PM
22	Don't change the rules	3/4/2021 5:34 PM

Household Occupancy Standards Survey #2

23	Renting out rooms to unrelated people encourages transient populations and will create legal issues. Many people bought a single family home over living in other types to live in a less congested area with more stable residents. Perhaps expand current multi family areas where majority of residents express the desire.	3/4/2021 5:05 PM
24	Neighborhoods can quickly deteriorate when you start allowing a number of unrelated people to live together. They allow it in Tempe, AZ where my son goes to school. I went to a family weekend fraternity party in a nice middle class neighborhood because a number of unrelated young men were allowed to live together. The number of cars cluttering the streets increases and rifts between neighbors start. It all sounds great until it happens next door. Trust me, I'm a landlord, I suspect I could get more rent renting my houses by the room, but I'm sure the neighbors would hate it.	3/4/2021 5:01 PM
25	No changes welcome as they effect property values!	3/4/2021 4:22 PM
26	We need affordable housing.	3/4/2021 4:19 PM
27	We had a house on our street where Virginia Hills bordered Virginia Hills South that was inhabited by numerous adult Men, none of them related, they all had construction trucks that they parked on the streets as well as their own vehicle and the yard was full of construction waste and never mowed since for them the house was just a cheap place to sleep with no pride of ownership. That alone was enough to make me move. I realize that this will happen in secret no matter what rules you pass but please don't make it easier for them to ruin a neighborhood.	3/4/2021 1:39 PM
28	Adamantly disagree with the proposal based on number of bedrooms. You are penalizing single family homeowners and yes, home values in Greeley will go down, some will move, and their goes your tax base. You do not have the ability to solve the problems you will be create such as enforcement and parking. Leave the number where it is.	3/4/2021 10:47 AM
29	This shouldn't be an issue legislated by the City.	3/4/2021 9:27 AM
30	We should stop trying to limit people per home and rather focus on educating people on code requirements	3/4/2021 9:23 AM
31	It is becoming harder and harder for families to find a starter home. Although it seems like a good idea to have a place for more unrelated adults, it will become harder and harder for a family to find a home within their price range. A family with children takes more care with a home, rental or not, from what I've observed. The people who will benefit the most will be the investors/landlords in buying up housing which could be available for starter homes, and who will be able to charge more for more unrelated adults. We live near UNC and would like to maintain family presence in our neighborhood.	3/3/2021 9:34 PM
32	In a college town, more adults should be able to live together	3/3/2021 9:29 PM
33	The only way I've been able to afford a place to live is with roommates. I would have been homeless if not. Rent is astronomical. Often I had to choose between eating and paying rent. Having additional roommates helps lessen the cost of living.	3/3/2021 9:19 PM
34	I don't believe that any more than 4 unrelated adults should be able to live in one home. You are just asking for trouble with more. It could cause a massive amount of other issues. Noise complaints, no room for vehicles on the street (a problem we currently have in our neighborhood along with a few parking on the grass in the front yards. A total eye sore!). How do you police criminal records for that many people in one home? There would have to possibly be exceptions in case of elderly parents or disabled citizens living together.	3/3/2021 9:14 PM
35	Less government, more freedom	3/3/2021 8:22 PM
36	If the house is in a multi-family neighborhood the occupancy should increase based on the number of bedrooms.	3/3/2021 7:48 PM
37	The state has no business telling couples they can or cannot cohabitate with each other and other similarly-situated acquaintances. If four young couples want to share a large 4-bedroom house, they absolutely should be able to. Also, UNC students need affordable off-campus housing which means unrelated people living together. It's not the state's business.	3/3/2021 7:37 PM
38	N/a	3/3/2021 7:07 PM
39	There are many things that should be considered. Generally one person bedroom may be	3/3/2021 6:59 PM

Household Occupancy Standards Survey #2

correct, but not necessarily.

40	Adults should be allowed to have housemates. Many prefer this in order to save money.	3/3/2021 5:48 PM
41	I believe that homeowners should be making the decisions on who can live in their own home, not the city. U+1 is very limiting, especially in the time of this pandemic when many people are desperate for a place to live.	3/3/2021 5:19 PM
42	I don't think there should be any restriction on this kind of thing.	3/3/2021 4:57 PM
43	The government should stay out of my business in my house	3/3/2021 4:45 PM
44	If I'm paying the house payment or rent, it should only be my decision to have as many people live in my house. Landlords do have a right to deem how many.	3/3/2021 9:20 AM
45	Based on the zoom meeting last night. My opinion is that things need to change to accommodate citizens that cannot afford housing. How every many bedrooms should be how many can live in the home.	3/2/2021 2:49 PM
46	I think this for College students, But only College Students, not whole families living in a room in the single dwelling, Example, 3 bedroom, 3 single unrelated persons, not the whole family of that person included loving in that room together related or not!!	3/2/2021 1:40 PM
47	PARKING WOULD BE A PARKING PROBLEM. AS IT IS NOW WE HAVE A NEIGHBOR WITH GROWN CHILDREN LIVING WITH THEM AND ARE BLOCKING THE SIDEWALK DO TO LACK OF PARKING AREAS ON STREET.	3/2/2021 11:12 AM
48	City refuses to apply current standards in enforcement. Any change in code should be inclusive of strict enforcement by Code Enforcement. We've had a single family home in our neighborhood house as many as seven unrelated adults (out of nine) and it has severe impact on the quality of life in our neighborhood and impacts surrounding home values.	3/2/2021 6:30 AM
49	If the City Council wants to make changes to the current zoning, they need to be fair and make it mandatory for all neighborhoods superseding all neighborhood covenants and homeowners associations.	3/1/2021 5:53 PM
50	I live in an area that is already highly impacted by non-related tenants and there are always problems. In theory it sounds altruistic to open up these housing options, but it opens the door for so many violations and I doubt that the city has the funding to handle the complaints.	3/1/2021 4:57 PM
51	Unless rooms are being rented out seperately, there should only be 3 unrelated people per house, especially in "party areas."	3/1/2021 3:37 PM
52	You aren't taking into account the number children. Three adults might be ok in a home if there weren't any children. Two adults might be too much if both adults have three children. I think a combination of the total number of people is needed.	3/1/2021 11:14 AM
53	DO NOT INCREASE THE NUMBER ALLOWED. WE HAVE HAD HORRIFIC PROBLEMS WITH A NEIGHBOR BRINGING IN MORE PEOPLE. A DISASTER FOR OUR COMMUNITY.	3/1/2021 7:53 AM
54	I think If someone owns a four bedroom or three bedroom home they shouldn't be restricted to only allowing two unrelated individuals.	2/27/2021 3:26 PM
55	Many cultures live with extended family. It is none of the government's business how many people live together. If it is an issue in a neighborhood, what is the real issue? Is there a real issue or are people just uncomfortable living around people that are "different"? Communities and neighborhoods thrive with diversity: old and young; poor and rich; ethnic and cultural differences. Let's spend our time finding how we can all get along instead of making rules about how people should live.	2/26/2021 1:36 PM
56	Regulating based on bedrooms will be complicated. I don't believe there should be a limit, however if one is chosen, perhaps 6 or 7 would be effective in providing housing opportunities while also simplifying the process for administration.	2/26/2021 12:49 PM
57	If a couple is sharing the room and utilities per each room, two people should be allowed per room with same price	2/25/2021 5:55 PM
58	Loosening occupancy standards in single family houses is a relatively inexpensive and effective way to add capacity to our critical shortage of housing. Yes, there will be parking	2/25/2021 3:58 PM

Household Occupancy Standards Survey #2

issues and potential over-crowding, but those issues can be dealt with pretty effectively through code enforcement and homeowner education.

59	please keep the code as written	2/25/2021 2:52 PM
60	This is not a good idea. To maintain order and orderly neighborhoods this cant happen.	2/25/2021 2:01 PM
61	the way the code is written is what should be retained.	2/25/2021 1:43 PM
62	Bad idea overall.	2/25/2021 1:35 PM
63	U plus 3 is what Windsor is doing. We have similar demographics and the surrounding areas are increasing unrelated adults. Sounds like Greeley needs to update their policies.	2/25/2021 10:23 AM
64	Seems simple. Whyis the city making this complicated? How every many bedrooms should be how many people can live in the house.	2/25/2021 8:28 AM
65	Not sure why its a law, i pay my share of taxes for this land, if i have 3 bedrooms why cant i have 3 couples living in my house	2/24/2021 9:44 PM
66	Depending on the setup, a room could have two beds (think siblings sharing a room). The related vs unrelated aspect shouldn't the priority. I honestly didn't know this was a rule/law until this survey process started and I doubt others do either. Housing is a challenge and everyone is trying to do their best to find a home they can afford and these arbitrary rules aren't helping Greeley.	2/24/2021 8:19 PM
67	The problem with allowing more to a house no matter the amount of rooms is that it will increase the number of vehicles parked,which normally leads to people parking all over the place and not leaving room for others in front of there own homes.It also normally leads to more noise(speaking from experience)as there are to many people in the homes around me but greeley never looks into.If people want to have more unrelated adults living in the same house they need to move to the appropriate zoning areas.	2/24/2021 1:35 PM
68	Related, or unrelated, the adult occupants of a house have considerable impact on parking whether on street or off street. The parking capacity challenges of a neighborhood change quickly when extra adults occupy single residence.	2/24/2021 9:54 AM
69	What about the number of children in the house hold. That makes a difference in the number of bedrooms and adults.	2/24/2021 8:31 AM
70	Is there a problem with current code or just manufacturing a reason to change the code that works.	2/23/2021 8:17 PM
71	Even with current limitations, there are several "houses" on our block in the older part of Greeley which house 3-5 unrelated renters. These temporary residents don't give a [REDACTED] about the property, and each drives a vehicle. The properties and yards are not cared for, and our little street is cluttered with lots of cars. If this new policy goes into effect, I can support it only if it affects ALL houses within Greeley, regardless of HOA rules, etc. I suspect the older sections of town will become trashed out neighborhoods while the newer developments on the west side will keep themselves protected. Our property values will go down and neighborhood will become unlivable, while housing landlords will pocket the profits. You will not make this change, if you truly care about Greeley's welfare and future.	2/23/2021 7:41 PM
72	If you allow too many people in a residence, it will get out of control and people will pile in dozens of people into one house.	2/23/2021 7:24 PM
73	The city cannot fill the current apartment capacities let alone the ridiculous under construction boom in new units so why should "single family" houses be turned into "multi-family" units. We have an abundance of multi family units now.	2/23/2021 7:08 PM
74	Parking Why can't greeley offer more affordable housing? If we are going to have rules then let's enforce them Like shoveling sidewalks after snow how can you expect people to do it if the city doesn't do theirs	2/23/2021 5:13 PM
75	Additional occupancy allowances will also bring additional cars and traffic which could increase the activity in our neighborhoods tremendously.	2/23/2021 4:45 PM
76	the real problems I see is not so much the number of people but is the congestion of cars and other traffic issues that we are already seeing in certain areas of town. I see increasing the numbers of people that can live in one house does nothing more than add to this problem.	2/23/2021 3:19 PM

Household Occupancy Standards Survey #2

77	Allowing multiple adults into a house will just clog up our already packed streets with more cars. My street already has a good park of street filled with cars such that we can't even have our family over due to the multiple cars being parked on the street. This would just further the problem to the point that no one will be allowed to have any family over for a few hours!!	2/23/2021 2:50 PM
78	The more unrelated adults living in one household - the more problems with upkeep, parking, drinking, partying, etc. I only see this as a decline in the standards in Greeley. Why do we need it?	2/23/2021 2:08 PM
79	This is so stupid! Excessive crime in multi family residence, traffic and parking problems, It turns home into rental property. How are you going to manage and administer that? How do you zone? Property values will drop, you will create gettos like LA and Denver and good people will move away. There goes your property tax base. Yes, costs of housing will drop. There are always lower in undesirable places to live like project houses. Greeley is a good place to live. Single family home means just that and that is why many of us bought them. Not wanting to live near apartments. Please reconsider your Plan. It sucks Who wants this anyway? Homeless? Apartment owners?	2/23/2021 1:33 PM
80	One of the biggest impacts for a neighborhood is whether there is sufficient parking to accommodate the potential increase in vehicles.	2/23/2021 11:31 AM
81	Extend the occupancy limits in neighborhoods that are currently being developed. Don't change the code in established single family neighborhoods!	2/23/2021 10:27 AM
82	There are a number of different reasons why unrelated people would live together and can do so in a safe and comfortable manner. I think each household should be able to make those decisions for what works best for them.	2/23/2021 9:57 AM
83	My concern is the infrastructure to accommodate the additional unrelated adults. They often come with children, multiple vehicles. Many neighborhoods have little room for more vehicles to park. Many have no parks / play areas nearby for children who become crammed into neighborhoods.	2/23/2021 8:55 AM
84	I would like to keep my current R-L U+1 residential area as it is. I fear that upping the number of unrelated adults per household would make things busier, noisier, and dirtier. One reason I moved into this area was for the peace and quiet. I appreciate how it is and would like it to remain as is.	2/23/2021 8:43 AM
85	This should not be changed, it will totally ruin our city!	2/23/2021 8:01 AM
86	None	2/23/2021 7:56 AM
87	I don't want to see property values drop because of more unrelated adults being allowed in single family houses.	2/23/2021 7:50 AM
88	I live in a nice neighborhood with many 4-5 bedroom houses... it would be disappointing to have it turn into a rental zone. If I wanted that I would live in an apartment complex or around UNC with frat houses packed full of people.	2/23/2021 7:49 AM
89	There are several homes in Highland Park/West area. Trashed yards, parking problems, pot growing in yard. Not good neighbors?	2/23/2021 7:35 AM
90	There are other city ordinances that are enforced for partying or other reasons people say they don't want more people living in a home. Times have changed since 1980 and housing is so expensive. There are reasons ALL the surrounding areas are increasing their housing occupancy standards.	2/23/2021 7:26 AM
91	Don't change the character of Greeley's residential neighborhoods. This change would lead to noice, nuisance, trash, and parking issues of all kinds. Renters do not care for their dwellings in the same way that owners do.	2/23/2021 7:21 AM
92	Children need to enter the equation at some point	2/23/2021 7:00 AM
93	The number of bathrooms holds impact. If the 2 bedroom home also had 2 full bathrooms, I would say 4 people would be comfortable living there over 3 people (2 per bathroom situation)	2/23/2021 6:53 AM
94	The larger issue is the number of vehicles that 3 and 4 adults would bring. If several of those adults have multiple vehicles, then the number of vehicles per house could easily be 6-8. If	2/23/2021 6:20 AM

Household Occupancy Standards Survey #2

this concept is going to be adopted, then the parking needs to be provided for. The city's streets were not designed to be parking lots

95	single family means single family.	2/23/2021 6:15 AM
96	I think having an extra couple is fine instead of having an extra person. It doesn't change the current rule that much, and could allow couples more opportunities to rent together.	2/23/2021 6:11 AM
97	I can understand restricting occupancy in neighborhoods with current covenants. But in neighborhoods with expired or no covenants, one unrelated adult per bedroom should be acceptable, as long as the owner is currently residing in the house. Appropriate housing in Greeley is scarce and is unaffordable for the average single person.	2/23/2021 2:40 AM
98	3 or More unrelated people are allowed to live in R-M or R-H zoning	2/22/2021 9:00 PM
99	Increasing these limits will have a negative impact on property values. There is absolutely no justifiable reason to consider increasing these limits.	2/22/2021 7:12 PM
100	Changing occupancy zoning will have a negative effect on single family home values	2/22/2021 6:43 PM
101	I don't believe that current code is being enforced. To properly maintain property values i believe we should adhere to what's on the books now, and it should be enforced	2/22/2021 6:05 PM
102	I have several neighbors across the street, one home occupied by two adults that park a diesel in front of their home, another that has 4 adults and two children who have five cars and park a diesel on the street for a couple days at a time and I have a neighbor with five adults and a teenager who have six cars parked in front of their home. The problem with so many adults are the cars and when they have gatherings the street on both sides are full leaving little room for my or other neighbors friends or family members convient parking. The more unrelated people the larger the group of friends they have visiting. I hope this makes sense, I did not move to this neighborhood 40 years ago only to have it turned in to apartments. I hope the council members do not pick and choose areas where their properties are excluded. This is something that should be presented to the Greeley population and allowed to vote on this matter. This is an investment for me and many others who see their property devalued by allowing landlords the ability to prosper more from their investments. Thank you for your time	2/22/2021 5:32 PM
103	For being hands off, and small government, I'm not getting that vibe from this topic or the RV situation.	2/22/2021 5:28 PM
104	In addition to the number of people other considerations need to be made such as parking allocation. We see homes in our neighborhood with many people living in homes and additional cars parked on yards, in front of other's homes, etc.	2/22/2021 5:15 PM
105	There is more than enough multi family zoned housing in Greeley. Those who desire this should move to this housing. The over abundance of this muti family housing has already had negative impact.	2/22/2021 5:10 PM
106	They're called single family homes for a reason.	2/22/2021 5:06 PM
107	I think You plus 3 is very fair. With increasing housing prices, demographics changing, and nothing updated since 1980 its what makes sense. Otherwise how every many bedrooms are in the house should be how many unrelated people are allowed to live in the house.	2/22/2021 1:52 PM
108	Trying to make apts out of residential housing. Increased noise, increased parking issues and increased crime. There should be zoned area like you have for the colleges for additional amounts of people sharing a house. Sounds like you are taking lessons from Ca and the other liberal states changing residential areas of single family homes. I vote no	2/22/2021 1:18 PM
109	I am in the residential property management business. Rent prices are extremely high, and I believe expanding the current occupancy limits to U+2 across the board would be a good thing. It would create a true affordable housing, and an alternative to more multi-family apartment developments, with the hope that these tenants will be able to save for the purchase of a home.	2/22/2021 11:53 AM
110	If occupancy changes for "unrelated individuals", I think that if the home is zoned SFR, that one occupant must be the owner of record. I would hate to see 3 unrelated people living in a SFR home without one of those occupants being the owner. It will turn into a crowded rental situation...owner not onsite/tenants will run wild, with owner present, it will reduce some of the "tenant/rental" stigma.	2/22/2021 10:22 AM

Household Occupancy Standards Survey #2

111	With the population that resides in Greeley, you may have a couple of families living together to help pay the bills. Greeley is a hard working, many lower paying jobs and to survive in this economy, many need to help each other out with bills.	2/22/2021 9:12 AM
112	Any variance should be handled via zoning or USR. This is the only way that provides neighborhoods with predictability in what to expect and a method for addressing occupancy issues. Just because a house has extra bedrooms does not mean the surrounding environment is suitable for the things that come along with multiple unrelated adults, like extra cars, etc.	2/21/2021 4:34 PM
113	parking,back ground checks noise room rent for landlords. problems that the police will have no answers for , you are changing zoning from residential ti multifamily NOT A GOOD IDEA	2/21/2021 2:28 PM
114	Areas of concern parking, criminal records,noise, upkeep of homes. Residential should remain as is,	2/21/2021 1:25 PM
115	You will just lower housing values and make residential areas into " apartment " living with the noise, increased traffic and crime problems	2/21/2021 7:27 AM
116	Housing is expensive. I live with 3 other working adults and we don't throw crazy parties or park in front of our neighbor's houses. I don't see why more unrelated parties can't live together. It makes sense financially and doesn't have to be a pain to neighbors.	2/21/2021 12:43 AM
117	I would worry that parking could become an issue in neighborhoods if the city allowed more unrelated people to move into a single family home.	2/20/2021 4:00 PM
118	One adult per bedroom is the BEST solution! Thank you! Especially considering when there are larger families who are allowed to occupy lesser bedroom homes, but unrelated adults can't have one per bedroom per current ordinance. This helps a lot and does make sense :)	2/20/2021 11:48 AM
119	Instead of changing some dumb law that's never enforced until it fits your agenda, please be proactive and ask "why would so many unrelated adults need to live in a house" and then make progressive solutions based on that.	2/20/2021 9:54 AM
120	What will the determination of a "bedroom" be? How will this be monitored and enforced?	2/20/2021 9:21 AM
121	Are unmarried couples unrelated?? How about step children? This change may be unnecessary simply by clarifying who "unrelated" is.	2/20/2021 8:26 AM
122	With affordability being the primary driver of increasing population density, lowering restrictions on land use is probably the most effective way of lowering costs. Additionally, allowing auxiliary structures on existing properties (micro houses/garage conversions, etc.) Could be another useful mechanism. This potentially would increase values in distressed areas where lot sizes can accommodate secondary structures and additional parking needs. There are building codes in place to help the process be safe. It would be the city's job to keep the PROCESS simple and affordable.	2/20/2021 7:56 AM
123	Once you start adjusting sound policy to compensate a changing market you leave yourself vulnerable to the negativity when the market corrects itself. Someone one that chose to live in a neighborhood that is R-L should not have to deal with the extra traffic, parked cars, noise and the culture change. These policies seem to be a good idea at first but they never get policed. This will be the start of creating blighted neighborhoods. Bad idea.	2/20/2021 6:56 AM
124	One bedroom should be counted as a couple, married or not.	2/20/2021 5:49 AM
125	This would devastate the value of single family homes - just when Greeley is poised to grow and be in the spotlight for doing well, let's please not ruin everything.	2/19/2021 7:16 PM
126	Do not change the current zoning that is in place. If the single family residentially zoned neighborhoods gets changed it will erode all of our values. You cannot enforce the homes that are in violation and don't seem to care. Do not erode or neighborhoods. Do you now remember how bad Farr and Hillside neighborhoods were before the city reinforced the codes.	2/19/2021 7:02 PM
127	Many people are now forced into cohabitation because of the cost associated with local housing prices.	2/19/2021 6:44 PM
128	Greeley is a college town and an oil town. Plus we have several hospitals. Many people stay in Greeley for part of the year or for different times throughout the year as a secondary residence. With the cost of living being so high many would be house poor without the ability to rent out extra rooms while they're away/that are unoccupied.	2/19/2021 6:22 PM

Household Occupancy Standards Survey #2

129	Do not raise the unrelated housing allowance.	2/19/2021 5:15 PM
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Caleb Jackson

From: Web Master
Sent: Friday, January 1, 2021 3:36 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 01 January 2021, 03:35 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

No

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes- increase by 4.

Caleb Jackson

From: Web Master
Sent: Saturday, January 2, 2021 8:56 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 02 January 2021, 08:55 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

no

Caleb Jackson

From: Web Master
Sent: Saturday, January 2, 2021 5:38 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 02 January 2021, 05:37 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes +3 in low density or single-family homes. It's entirely possible for many unrelated parties to live together in an orderly, peaceful, clean manner. Address density concerns, noise violations, etc. another way, please.

Caleb Jackson

From: Web Master
Sent: Monday, January 4, 2021 11:33 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 04 January 2021, 11:32 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, I think as long as each person has a bedroom that should suffice. Housing is so expensive and it is about time City of Greeley does something about the problems and helps out young professionals contributing to the Greeley Community.

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 8:27 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 08:26 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, its too difficult to afford housing in Greeley.

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 6:14 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 06:13 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

No because too many people end up moving in

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:06 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:05 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, one per bedroom allows flexibility and adaptability

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:19 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:18 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

No

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes by 6

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:19 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:19 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes. 4

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:23 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:22 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

No

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes by at least 3

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:41 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:40 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, U + 2

Caleb Jackson

From: Web Master
Sent: Tuesday, January 5, 2021 7:57 PM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 05 January 2021, 07:56 PM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, increased by 1 (U+2)

Caleb Jackson

From: Web Master
Sent: Wednesday, January 6, 2021 8:57 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 06 January 2021, 08:57 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

No

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes, U+2

Caleb Jackson

From: Web Master
Sent: Wednesday, January 6, 2021 9:07 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 06 January 2021, 09:07 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

No

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

Yes 4

Caleb Jackson

From: Web Master
Sent: Wednesday, January 6, 2021 10:08 AM
To: Caleb Jackson
Subject: New form response



New form response

greeleygov.com

Form: [Household Occupancy Standards Survey](#)

A new response was submitted on 06 January 2021, 10:07 AM.

Were you aware that the City of Greeley Municipal Code limits the number of unrelated adults allowed to live in a single-family house in most areas of Greeley?

Yes

Do you think that the number of unrelated adults allowed to share a home should be increased from the existing standard of "You plus 1" (U+1)?

U+2

PLANNING COMMISSION SUMMARY

ITEM: Amending Title 24 of the 2021 Greeley Municipal Code to Recommend Approval of Chapter 1 – General Provisions and Chapter 2 – Procedures to be Adopted by Ordinance

PROJECT: Title 24 – Chapter 1 – General Provisions
Title 24 – Chapter 2 - Procedures

FILE NO: Title 24 – Chapter 1 - CU2021-0002 & Title 24 – Chapter 2 - CU2021-0003

LOCATION: (not applicable)

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Carol Kuhn, AICP, Chief Planner

PLANNING COMMISSION HEARING DATE: May 11, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the staff and the public, and shall then make recommendations to the City Council regarding the proposed amendment to the Development Code.

PROJECT OVERVIEW AND BACKGROUND:

The Community Development Department is undertaking a multi-year project to update the Development Code, with an anticipated final adoption in September of 2021. The last major update to the Development Code was in 1998. A Plan Conformance Report was prepared and used as a guide to determine areas where the code could be improved to conform to the Comprehensive Plan and other policy documents; staff reviewed this report with the citizen Advisory Committee, Planning Commission, and City Council.

The Development Code, Title 18 of the City’s Municipal Code, was recently recodified into Title 24 as part of a citywide initiative. Title 18 did not have a formal Chapter 1 – General Provisions. However, the new Title 24 has been revised through the recodification process to include a Chapter 1. This recodification process included relocating various sections contained in the existing code related to provisions to create Chapter 1.

A more substantial Chapter 1 which sets general provisions for use and interpretation of the Development Code was prepared as part of the overall Development Code Update. Chapter 1 discusses the relationship of the Development Code to the City’s Comprehensive Plan and other

plans and studies, a methodology to interpreting the Development Code, the overall administration and enforcement of the code, and methods for handling non-conforming uses, structures, and lots.

Chapter 2 – Procedures defines the City’s procedures for processing land use applications and includes these key provisions:

- The addition of a Procedures Summary Table;
- A new requirement for Preliminary Plats to be approved through a public hearing, rather than a public meeting;
- Clarifications regarding processing concurrent applications;
- Modifications to public notice procedures;
- Clarifications between various types of minor subdivision applications;
- The addition of a Condominium Plat process;
- The separation of platting from Planned Unit Development (PUD) applications;
- Simplification of PUD process – now one step, rather than two;
- Clarification regarding the required plan elements of a PUD;
- The addition of criteria for minor PUD amendments;
- Clarification regarding review criteria for Alternative Compliance, with approval of Alternative Compliance being moved to an administrative decision with a call-up provision;
- Removal of Design Review Applications;
- Revisions to require variances to meet all criteria, rather than some; and
- Revisions to minor variance thresholds.

On March 23, 2021 and April 27, 2021, Staff conducted worksessions with the Planning Commission regarding the proposed revisions for Chapters 1 and 2 and presented Planning Commission with draft code language during the worksessions.

On April 13, 2021, Planning Commission recommended that the revisions to Chapter 1 be accepted. Since that hearing, Council’s code adoption process was revised, which requires that the revised code chapters be adopted, rather than accepted. This new approach requires Chapter 1 be brought back to Planning Commission with a revised motion for a new recommendation to Council, along with a motion and recommendation for adoption of Chapter 2. Both Chapters 1 and 2 will be heard by Council together and this revised recommendation will allow Chapters 1 and 2 to align with the Council adoption schedule.

Worksessions and discussions for Track III changes have been conducted. The table below outlines the key topics of the Track III discussions:

Advisory Committee	Planning Commission	City Council
✓ December 14, 2020 (Missing Middle)	✓ December 15, 2020 (Housing Options)	✓ January 12, 2021 (Housing Options)

Advisory Committee	Planning Commission	City Council
✓ February 24, 2021 (Recap & Small-Format)	✓ March 9, 2021 (Project Status & Infill Strategies)	✓ February 23, 2021 (Small-format Housing)
✓ March 10, 2021 (Infill Strategies)	✓ March 23, 2021 (Chapters 1 & 2) (Track I)	✓ March 9, 2021 (Infill Strategies)
✓ April 1, 2021 & April 7, 2021 (Placemaking)	✓ March 30, 2021 (Placemaking)	✓ April 13, 2021 (Placemaking)

The proposed schedule for the adoption of the Development Code is as follows:

Track	Chapter(s)	PC Worksession	PC Hearing	CC Public Hearings
Track I - Non-substantive changes for organization and improved usability.	Ch 1 – General Provisions	March 23, 2021	April 13, 2021	June 1, 2021 (First Reading)
	Ch 2 - Procedures	April 27, 2021	May 11, 2021	June 15, 2021 (Public Hearing)
				September 21, 2021 (Final Adoption)
Track II - Non-policy technical changes and coordination with other City policies and documents.	Ch 7 – Access & Parking	May 25, 2021	June 8, 2021	July 6, 2021 (First Reading)
	Ch 8 – Landscape & Site Design Standards			July 20, 2021 (Public Hearing)
	Ch 9 – Signs Ch 10 – Special Purpose Districts & Areas Ch 11 – Supplemental Standards Ch 12 - Reserved			September 21, 2021 (Final Adoption)
Track III - Substantive changes called for in the Comprehensive Plan, Strategic Housing Plan, and Council's 3-Year Priorities that need	Ch 3 – Subdivision Standards	June 22, 2021	July 27, 2021	August 3, 2021 (First Reading)
	Ch 4 – Zoning Districts & Uses			August 17, 2021 (Public Hearing)
	Ch 5 – Neighborhood Development & Design Standards Ch 6 – Non-residential			September 21,

Track	Chapter(s)	PC Worksession	PC Hearing	CC Public Hearings
broader input and direction from the Advisory Committee, Planning Commission, and City Council.	Development Standards Ch 13 – Definitions			2021 (Final Adoption)

KEY ISSUES / STAFF ANALYSIS:

The attached drafts of Chapter 1 – General Provisions and Chapter 2 – Procedures include updates to the interpretation, administration, and enforcement portions of the Development Code and includes the following sections:

Chapter 1 – General Provisions

- Section 24-101 Overview
- Section 24-102 Interpretation
- Section 24-103 Administration
- Section 24-104 Enforcement
- Section 24-105 Nonconformities

Chapter 2 includes revisions and updates to the various application types and processes and includes the following sections:

Chapter 2 - Procedures

- 24-201 General – All Applications
- 24-202 Minor Subdivision
- 24-203 Major Subdivision
- 24-204 Rezoning
- 24-205 Planned Unit Development
- 24-206 Use by Special Review
- 24-207 Site Plan
- 24-208 Alternative Compliance
- 24-209 Variance
- 24-210 Appeals of Administrative Decision
- 24-211 Code Amendments
- 24-212 Vacation & Dedication of Easements
- 24-213 Vacation & Dedication of Right-of-way
- 24-214 Annexation

Staff has provided a section map for Chapters 1 and 2 (Attachments B & D) which outline the various sections in the existing Title 18 (to be recodified as Title 24) compiled to create Chapters 1 and 2.

NOTICE AND COMMENTS:

Notice has been published in the Greeley Tribune on May 5, 2021, pursuant to the City's notification requirements for revisions to the Development Code.

The drafts of Chapters 1 and 2 were posted on the City's website. No comments on were received.

PLANNING STAFF RECOMMENDATION: Approval

PLANNING COMMISSION RECOMMENDED MOTION:

Based on the project summary and attached drafts of Chapters 1 and 2, the Planning Commission finds that the proposed revisions to Chapter 1 and 2 are consistent with the City's Comprehensive Plan and are necessary and appropriate in meeting the intent of the Comprehensive Plan and to clarify administration of the Development Code. Planning Commission recommends that the City Council adopt Chapters 1 and 2 of Title 24 as shown in Attachments A and C.

ATTACHMENTS:

Attachment A – Draft - Chapter 1

Attachment B – Section Map for Chapter 1

Attachment C – Draft – Chapter 2

Attachment D – Section Map for Chapter 2

Chapter 1. General Provisions

Section 24-101	Overview
Section 24-102	Interpretation
Section 24-103	Administration
Section 24-104	Enforcement
Section 24-105	Nonconformities

24-101 Overview

- a. **Title.** This Title 18 is known as the Greeley Development Code. References to “this code,” “the development code,” or “these regulations” shall be considered a reference to the Greeley Development Code.
- b. **Authority.** The development code is enacted pursuant to the purposes and authority granted by Article XX of the Colorado Constitution and the Greeley Charter, independent of and in addition to the Colorado Revised Statutes, Title 31, Article 23 Planning and Zoning. This Title also supersedes any state legislative enactments which are, by their terms, subject to being superseded by adopted home rule city charters or ordinances.
- c. **Jurisdiction.** The Greeley Development Code applies to all structures and land within the incorporated area of the City of Greeley, as depicted on the official zoning map, and other maps accompanying the City’s plans and policies. It shall be unlawful to conduct any development or use of land until all specified development review processes have been followed, all applicable standards have been fulfilled, and all required approvals, permits or other authorizations have been issued.
- d. **Purposes.** This development code is adopted to promote the public safety, health, and general welfare for the City of Greeley and its citizens and businesses. Specifically, the regulations have the following purposes:
 1. Implement the Comprehensive Plan, and other plans and programs authorized under the guidance of the Comprehensive Plan.
 2. Promote the physical, social, and economic well-being of residents and businesses, the long-term value and viability of public investments, and individual property values by balancing the co-equal rights of property owners.
 3. Invest public funds effectively and efficiently, and in a manner that creates lasting value for the community.
 4. Promote planning and urban design that emphasizes distinct places and unique elements of community character throughout Greeley.
 5. Provide parks, trails, and civic spaces that help organize development around systems of connected open spaces and emphasize significant natural landscapes
 6. Secure proper arrangement and design of streets to shape efficient development patterns, coordinate with existing and planned streets, create multi-modal networks, improve access and circulation, and support abutting land uses.

7. Divide the city into zones and districts that promote the character and development patterns of distinct places identified in the Comprehensive Plan.
8. Regulate and restrict the development and use of buildings and land within each zoning district to create a compatible scale and range of building types within districts, and to promote the appropriate transitions to adjacent property and to supporting districts.
9. Provide a variety of housing opportunities for all residents and citizens.
10. Secure adequate provisions for transportation, water, drainage, sanitary sewer facilities, utilities, and other public improvements in coordination with development.
11. Protect the natural environment and conserve environmentally sensitive lands by directing new development into areas with few natural or environmental constraints and mitigating adverse impacts when developing in sensitive areas.
12. Allow for the removal of minerals prior to development.
13. Ensure fair consideration of development applications through clear and consistent procedures.
14. Provide for coordinated development of Greeley consistent with established policies of the City.

e. **Severability.**

1. If any court of competent and final jurisdiction declares any part of this development code to be invalid, that ruling shall not affect any other provisions of this development code not specifically included in that ruling.
2. If any court of competent and final jurisdiction declares that the application of this development code to a particular property or structure is invalid, that ruling shall not affect the application of the regulations to any other property or structure, or to development with different circumstances.
3. No provision of this code shall enable any circumstance that is unlawful under superseding federal or state law. If any section, subsection, sentence, clause, phrase, or portion of this code is now or in the future superseded or preempted by state or federal law, or found by a court of competent jurisdiction to be unauthorized, such provision shall be interpreted and applied as required by law.

f. **Transition Provisions.** This section shall be used to guide the transition from previously existing regulations. Unless specifically stated otherwise in this code, the following rules shall apply:

1. **Generally.** All standards in this code shall apply after the effective date of the ordinance adopting these standards, and all subsequent amendments shall become effective in the same manner.
2. **Applications.** Any official application submitted prior to the effective date of the ordinance adopting these standards, and determined a complete application by the Director, shall be reviewed and processed according to the prior standards and procedures. An application submitted prior to the effective date, but determined

incomplete, shall be resubmitted and processed according to the regulations in effect at the time of submittal of a complete application.

3. **Prior Approvals.** All permits, site plans, or other approvals issued under an administrative capacity prior to the effective date of this code shall remain effective for the duration specified with that approval or under the prior code as it existed on [effective date.]. If no date is specified, the duration of the most applicable approval under this code shall be used. Any changes or amendments to a prior approval requested after the effective date of this code shall be subject to all provisions of this code.
4. **Plats.** Any approved preliminary plat may continue to advance to final plat according to the standards, procedures and time limits of the prior code. Each subsequent approval of a final plat for a phased project may renew the validity of that preliminary plat for the duration specified in Section 24-203. However, a new preliminary plat shall be required subject to all provisions if:
 - (a) The preliminary plat expires under the conditions of the prior approval or the duration specified for preliminary plats in Section 24-203, whichever is sooner.
 - (b) A major amendment is proposed to the preliminary plat.
 - (c) Any final plat proposes a substantial change to the preliminary plat.Final plats submitted after the effective date of this code shall meet all provisions of this code, to the extent it is consistent with the approved preliminary plat.
5. **Continuation of Enforcement.** Any violations of a previously valid regulation that continues after adoption of this code may be enforced as provided by this code. The City may, in its discretion enforce either the previous regulation or the standards of this Code.

24-102 Interpretation

- a. **Rules of Construction.** The following rules shall apply to the application and interpretation of these regulations, unless the context clearly indicates otherwise:
 1. All words shall have the customary dictionary meaning, unless specifically defined in these regulations.
 2. The present tense includes the future tense and the future tense includes the present tense.
 3. The singular includes the plural and the plural includes the singular.
 4. Lists of examples prefaced by “including the following,” “such as,” or other similar clauses shall not be construed as exclusive or exhaustive, and shall not preclude an interpretation of the list to include other similar and non-mentioned examples.
 5. The conjunctive “and” in a list means that all apply; the conjunctives “or” and “and/or” mean the provisions may apply singly or in any combination; and the conjunctive “either...or” means the provisions apply singly but not in combinations.
 6. When calculations to determine a requirement results in fraction of physical elements that cannot be divided (i.e. parking space, trees, dwelling units), it shall be rounded up to the nearest whole number if the standard is expressed as a minimum requirement and rounded down to the nearest whole number if the standard is expressed as a maximum allowance.
 7. “Shall,” “will,” or “must” is mandatory; “should” or “may” is permissive but recommended as a way to best meet the standard or achieve the intent of the standard.
 8. A reference to an administrative official shall refer to that official, or his or her designee, and all references to specific city officials may also include any other designee of the City Manager.

9. Any reference to other official local, state, or federal government rules or regulations shall include the current versions of those regulations, provided they remain binding on the City, or where not binding, provided they remain consistent with the purposes, intent, and objectives included in these regulations.
 10. References to a person shall include individual, partnership, association, agency, corporation or other legal entity and the owners, tenants, occupants, principals, partners, officers, employees, agents and representatives of any legal entity.
- b. **Conflicts.** All provisions of this code shall be considered the minimum requirements to promote the public health, safety, and welfare. In case of a conflict between these regulations and any other adopted rule, regulation, or code, the higher and more restrictive standard shall apply. In making a determination of which standard is higher and more restrictive, the official may consider which is more specific; which is more recent; which is more consistent with the Comprehensive Plan; which is more consistent with the purposes, intent, and objectives of these regulations; and which best promotes the public health, safety, and welfare.
- c. **Computations of Time.** The following rules apply to any computation of time, unless a specific section of these regulations indicates otherwise:
1. The day of the act that commences a time period shall not be counted; for notice requirements the day of the hearing shall not be counted.
 2. The last day of the time period shall be included, unless it is a Saturday, Sunday or legal city holiday, in which case the next working day shall end the time period. In all other cases Saturday, Sunday or legal city holidays count in the time period.
 3. Whenever any time period is expressed for a formal submittal to the City, the time period shall end at midnight on the last day of that time period.
 4. Any time period expressed in years shall include a full calendar year from the act that commences the time period.
- d. **Interpretation of Zoning Map.** Where uncertainty exists with respect to any boundary on the zoning district map, the following rules shall apply:
1. Boundaries approximately following streets or other rights of way or rivers or streams - the centerlines or extension of these centerlines shall be the boundaries.
 2. Boundaries indicated as approximately following property lines - the platted or other official legal line of that property shall be the boundaries, unless the property boundaries on the map have been substantially altered.
 3. Boundaries approximately following city limits shall be interpreted as following the actual city limits.
 4. Boundaries that split any platted lots - the lot shall be interpreted in the district designated to the majority of the lot. In the case of an equal split, the Director shall determine the appropriate zoning based on consideration of the Comprehensive Plan, the context, the surrounding existing uses, and the likelihood of change in context or existing uses in the future.
 5. Boundaries that split any unplatted property - any future platting of property may generally follow the zoning boundary and then each resulting property may assume the zoning applicable to the majority of the resulting lot actual platted boundary, or where any resulting lots have significant discrepancies with zoning boundaries, rezoning may be required.
 6. Boundaries following a shoreline shall be interpreted to follow the shorelines and in the event of change in the shoreline, shall move with the actual shoreline.
- e. **Non-regulatory Provisions.** Intent statements, design objectives, graphics, and commentary such as captions to graphics or notes in tables, are an aid to interpretation of the standards and

criteria. In the event of any conflict between the intent statements, design objectives, graphics or commentary and a specific standard, the specific standard shall control.

- f. **Resources, Guides and Industry Standards.** Resources, guides, and industry standards that are recognized as a reputable authority in the planning, development, and urban design professions, may be used to supplement interpretation of this code. The Director shall make a determination on the applicability of a resource, guide or industry standard to a particular circumstance. These guides shall only be used to the extent that it clarifies or is more specific than the standards, and is consistent with the purposes, intent, and design objectives expressed in these regulations. These guides shall not be used to otherwise change or conflict with any specific standard in these regulations.
- g. **Official Interpretations.** In cases where there is uncertainty how this code applies to potentially recurring situations, the Director may make Official Interpretations.
1. **Filing.** Official Interpretations shall be documented and kept on file with the Community Development Department, or otherwise made accessible to applicants facing similar circumstances.
 2. **Criteria.** In making an Official Interpretation, the Director shall use the following criteria:
 - (a) Sound professional planning and urban design principles.
 - (b) The Comprehensive Plan and any specific plans or policies created under the Comprehensive Plan.
 - (c) The purposes, intent, or design objectives applicable to this code and the specific chapter or sections related to the interpretation.
 - (d) Any resources, guides, or industry standards applicable to the specific situation.
 - (e) Based on the context of the street, block, site, or building, the interpretation is at least one reasonable way the standards could be applied.
 - (f) Whether the same interpretation could be applied to all similarly situated property or circumstances, and meet these criteria; or whether any conditions or limitations are necessary to ensure it meets the criteria.
 3. **Effect of Decision.** An approved Official Interpretation shall be effective upon approval by the Director and may apply to all similar situations unless:
 - (a) It is overruled or modified by a different Official Interpretation.
 - (b) It is overruled by appeal as provided in these regulations.
 - (c) It is amended or overruled by a text amendment to the section addressed by the statement.

24-103 Administration

- a. **Staff.** The following city staff positions are responsible for administering specific aspects of this code.
1. **Community Development Director.** The Community Development Director (Director) is responsible for administration of the development code, and is the principal interpretation and enforcement official of these regulations. The Director may consult with any other department or relevant outside agencies in order to coordinate any plans, policies, and programs that impact the Comprehensive Plan. The Director shall specifically:
 - (a) Prepare and provide development application forms and administer the requirements and review of submittals;
 - (b) Oversee the application, review, and administration processes and prepare presentations and reports for review bodies;

- (c) Issue official interpretations and approve the use of other resources, guides, and industry standards used in administering this code.
 - (d) Make all final interpretations and any final administrative decision referred to the Director under the procedures and standards of these regulations.
- 2. **City Manager and Other Staff.** The City Manager is the chief executive and administrative officer for the City and may make any decision delegated to any city staff member under this code. All other department heads and staff may serve in an advisory role to the Community Development Director under this code, as designated by the City Manager.
- c. **Planning Commission.** The Planning Commission is the appointed body of the City responsible for all long-range and comprehensive planning, as well as review, recommendations and decisions on implementation of the Comprehensive Plan. The Planning Commission is established according to Section 19-1 of the Greeley City Charter. In addition to all other general planning authority granted by the Charter, statutes, local ordinances, the Planning Commission shall have the specific review responsibilities and final administrative decisions referred to the Planning Commission under the procedures and standards of these regulations.
- d. **City Council.** The City Council is the elected and governing body of the City responsible for all legislative decisions that affect implementation of the Comprehensive Plan. In addition to other general authority granted by law, the City Council shall have the appeal authority and final decision authority referred to the City Council under the procedures and standards of these regulations.
- e. **Zoning Board of Appeals.** In accordance with Article XIX of the City Charter, the City Council appoints the Planning Commission as the Zoning Board of Appeals. The Zoning Board of Appeals shall act in accordance with same rules and procedures as the Planning Commission but have the following specific authority under this code:
 - 1. Grant variances to the strict application of the standards in this code;
 - 2. Hear and decide appeals when an error is alleged in any final order or determination made by an administrative official in the interpretation or enforcement of this code;
 - 3. Consider any other matters referred to it under this code; and
 - 4. Otherwise act as the City's board of adjustments under the authority of C.R.S. 31-23-307.
- f. **Historic Preservation Commission.** The Historic Preservation Commission is established to have principal responsibility for matters of historic preservation, as specifically outlined in Section 10.03.
 - 1. **Membership.** The City Council may appoint the Historic Preservation Commission. The commission shall consist of 7 members. The make-up of the Commission shall be:
 - (a) One architect, landscape architect, design professional and/or licensed contractor or building tradesperson;
 - (b) One historian, archeologist and/or architectural historian;
 - (c) One licensed real estate broker; and
 - (d) Four citizens at-large.
 - 2. **Powers and Duties.** The Historic Preservation Commission shall have the following powers and duties:
 - (a) Recommend criteria and procedures for historic designation, recommend designation, or removal of specific properties or districts, and review proposals that impact designated properties as provided in Section 24-1004.

- (b) Oversee surveys that document structures and assess conditions of potential historic properties and areas, and inform landowners of properties that may meet criteria for designation.
- (c) Review and make a decision on any application for altering, moving, or demolishing any designated properties.
- (d) Advise and assist owners of historic properties on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, including nomination to the National Register of Historic Places.
- (e) Develop and assist in public education programs, such as walking tours, brochures, and a marker program for historic properties, lectures, and conferences.
- (f) Advise the City Council on matters related to preserving the historic character of the city.
- (g) Assist in pursuing financial assistance for preservation-related programs.
- (h) Advise appropriate city departments on violations, enforcement and administration of Section 24-1004, Historic Preservation.

24-104 Enforcement

- a. **Violations.** It shall be unlawful for any building, structure, site element or use of land to be constructed, altered, maintained, or otherwise initiated in violation of these regulations. It shall be unlawful for any person to do or cause:
 - 1. Any act or thing prohibited by these regulations;
 - 2. Omit any act or thing required by these regulations; and
 - 3. Interfere in any manner with persons in performance of a right or duty granted or imposed by these regulations, maintained, or otherwise initiated in violation of these regulations.
- b. **Enforcement.** The City may investigate and initiate proper actions or proceedings to prevent or terminate any activity or condition that is in violation of these regulations, including withholding any permits or licenses, revoking or suspending any permits or licenses previously granted, issuing stop work orders, preventing the sale or lease of property, correcting or abating the nuisance, withholding any public improvements, or penalizing and initiating legal proceedings to prevent the continuance of unlawful actions or conditions.
- c. **Penalty.** Any and all violations of the provisions of this code shall be a code infraction and shall be subject to the sanctions for code infractions contained in Chapter 1.33 of the Greeley Municipal Code, and any other sanctions permitted under law. The City may seek and obtain remedies provided by law, including civil and administrative sanctions, temporary or permanent injunctive relief, and any other relief set forth in Chapter 1.33 of the Greeley Municipal Code.

24-105 Nonconformities

- a. **Intent.** The general policy of the City is to allow uses, buildings and lots that were created legally and in conformance with then-applicable requirements, but that do not conform to the current applicable requirements of these regulations, to continue to be put to productive use. However, it is the City's intent to bring as many aspects of these nonconformities into compliance with current regulations as is reasonably practical. The intent of this section is to balance the interests of property owners in past investments, discourage investment that expands or reinforces non-conforming situations, and promote investment consistent with the Comprehensive Plan and these regulations.

- b. **Nonconforming Uses.** Uses that were legally initiated prior to the adoption or amendment of this code, but which could not be established under the current terms of this code, may continue to exist subject to the following:
1. The use shall not be expanded beyond any specific area of the site or lot where it was legally established, beyond any existing building or structure, or within any building or structure where any structural changes expand the exterior footprint of the building or structure. The Director may consider an exception based on the following findings:
 - (a) The enlargement of the structure or buildings is only to facilitate a conforming uses or activities, and does not otherwise allow, encourage or promote expansion or increase impacts of the nonconforming use;
 - (b) The enlargement of the structure or buildings shall not result in conversion of the nonconforming use from a seasonal to a year-round operation or otherwise expand the time of operations; and
 - (c) The enlargement of the structure or buildings complies will all applicable development standards.
 2. If the use is reduced in intensity or abandoned for a period of twelve consecutive months, the property may not be used except at that lower intensity or as a conforming use.
 3. Any change of use shall be to a conforming use, and at this time the nonconforming use shall be abandoned. The Director may authorize a change to a lesser non-conforming use considering the extent, intensity, or operations of the use, provided it lessens impacts on adjacent property and it does not otherwise include investments that extend the period that the property is not conforming to this code.
 4. Any structure in which a non-conforming use is carried on that is damaged to the extent of more than 50% of the replacement value shall not be restored to support the non-conforming use.
 5. Any new activity that triggers specific site design standards shall require full compliance with that site design standard in order for the nonconforming use to continue, and the presence of a non-conforming use shall not be used to justify noncompliance with other applicable standards.
 6. A detached house used as a single-family dwelling in any district that does not permit single-family dwellings, may be enlarged, as long as the lot and building comply with all other base standards applicable to a similar building type.
- c. **Nonconforming Structures.** Structures that were legally constructed prior to the adoption or amendment of this code, but which could not be constructed under the current terms of this code, may continue to exist subject to the following standards. This Section shall not apply to signs, which shall address non-conforming situations as provided in Chapter 9.
1. Rehabilitation or expansion of the structure that increases the degree of nonconformity is prohibited. Other rehabilitation or expansions may occur provided that they comply with all other requirements of this code; are not detrimental to the purposes, intent and objectives of the standards; and do not negatively impact development in conformance with this code on adjacent property. In general, no repairs or alterations that cost more than 50% of the replacement value of the structure shall be permitted. The burden shall be on the applicant to produce evidence that the cost of the repair or alteration is less than 50% of the replacement value.

2. If damaged by 50% or less of its total replacement cost, the structure may be restored to its original condition if work obtains a permit and work is commenced within 180 days, and work is completed prior to expiration of the permit.
 3. If the structure is determined obsolete or substandard by virtue of any applicable code beyond this chapter, and the applicant fails in their burden of proof that the cost of improvement or restoration is less than 50% of the replacement value, then the right to maintain the nonconformity shall terminate.
 4. Structures granted variances from the dimensional standards are not considered nonconforming and are not subject to the limitations of this section, provided that there are no changes beyond the limits, conditions, or extent of the approved variance.
- d. **Nonconforming Site Conditions.** Any site condition associated with a conforming use or structure (such as parking, landscape, open space, or other non-building site characteristic) in existence prior to these regulations, but which are not compliant with the standards of these regulations, may continue to exist subject to the following:
1. Any change of use or expansion of use shall require compliance with the new site standards up to the maximum extent practical, considering the extent of area being impacted by work to support the new or expanded use.
 2. Any site development activity on a portion of a site shall require compliance with the new standards on that portion of the site or proportionate to area that is subject to the development activity. For example, a site that is not compliant with the landscape standards must meet the landscape standards prorated to the portion of the site where development activity occurs, but the remainder of the site may remain nonconforming. If more than more than 50% of the entire site area is impacted by development activity, the entire site shall be brought into compliance.
 3. Any change of use, building, or site design element that triggers a screening requirement shall require 100% compliance with all screening standards applicable to the site.
 4. Where any application for construction is greater than 50% of the replacement value of a component of the site, that component or the entire site shall be brought into compliance.
 5. The Director may accommodate any other scenarios that meet the intent of this Section and bring the site into greater compliance relative to the level of investment associated with the permitted activity.
- e. **Nonconforming Lots.** Any lot platted legally prior to the adoption or amendment of this code, or any parcel established legally prior to the adoption of subdivision regulations in Greeley, but which could not be platted under the current requirements of this code, may continue to exist provided it complies with the following standards. The size and shape of any nonconforming lot shall not be altered in any way, except to increase the conformity with these regulations.
1. In any district that allows detached houses, a detached house and customary accessory buildings may be erected on any nonconforming lot, provided all standards other than lot dimensions standards are met.
 2. In any district that does not allow detached houses, the nonconforming lot may be used for the smallest-scale building type permitted in the district by these regulations, provided all standards other than lot dimension standards are met.

3. Where any non-conforming lot is under the same ownership as an abutting lot, the City may require administrative plat procedures with regard to any development activity or use of the non-conforming lot. The administrative plat procedures, including lot line adjustments or lot consolidations, shall be used to create the greatest degree of conformity possible.
 4. Any difficulties in meeting the standards of this subsection, or other applicable standards of the development code, which are attributable to the nonconformity of the lot may be used as criteria for other relief from the standards authorized by this code.
- f. **Burden of Proof.** The burden shall be on the applicant to establish that the nonconformity was established lawfully and the entitlement to continuation of nonconforming situations or completion of nonconforming projects according to this section. Owners of nonconformities may request a “certificate of legal nonconforming status” by filing an application with the Director, and once issued the owner may record the certificate with the Weld County Clerk and Recorder..
- g. **Specific Non-conforming Situations.** At the time of any rezoning, in association with annexation, or associated with any other planning effort for a particular geographic area, the City may create rules for specific nonconforming situations. These rules shall be incorporated into the ordinance establishing a new zoning designation or creating the nonconforming situation, according to the applicable procedures of Section 24-204 Rezoning or Section 24-205 Planned Unit Development. In these situations, the Director or Planning Commission may recommend, and the City Council may approve the following:
1. **Benign Nonconformities.** A determination may be made that the nonconformity has no negative effects on the long-term development within the district, and is compatible with the intent and design objectives for future development in the immediate surroundings. In this circumstance, a benign nonconformity may be permitted with the specifically stated additional rights, beyond the standard nonconforming rights of this section.
 2. **Removal of Non-conformity.** A determination may be made that the nonconformity poses significant negative effects on the long-term development within the district, or is incompatible with the intent and design objectives for future development in the immediate surroundings. In this circumstance, a nonconformity may be phased out over time to reduce the rights of the nonconforming situation to less than permitted by this section. Any phased removal of the non-conformity shall be based upon:
 - (a) Identified risks to long-term investments in the surrounding area, and risks that could not otherwise be protected by a different zoning determination for the properties involved;
 - (b) Consideration of reasonable investments in the property up to the time the zoning established the non-conforming situation, and what is an appropriate time to allow a return on those past investments; and
 - (c) Coordinating with the anticipated rate of change in the area and how the presence of the nonconformity affects that change, including other opportunities available for the nonconforming property.

Reserved Sections 24-106 through 24-200

Chapter 1. General Provisions

- 24-101 Overview
- 24-102 Interpretation
- 24-103 Administration
- 24-104 Enforcement
- 24-105 Nonconformities

Chapter 2. Procedures

- 24-201 General – All Applications
- 24-202 Minor Subdivision
- 24-203 Major Subdivision
- 24-204 Rezoning
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- 24-211 Code Amendment
- 24-212 Vacation & Dedication of Easements
- 24-213 Vacation & Dedication Right-of-way
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Chapter 3. Subdivision Standards

- 24-301 Streets
- 24-302 Open and Civic Spaces
- 24-303 Blocks & Lots
- 24-304 Required Improvements
- 24-305 Adequate Public Facilities

Chapter 4. Zoning Districts & Uses

- 24-401 Zoning Districts
- 24-402 Allowed Uses
- 24-403 Accessory Uses
- 24-404 Specific Use Standards
- 24-405 Special Purpose Districts

Chapter 5. Neighborhood Development & Design Standards

- 24-501 Intent & Applicability
- 24-502 Residential Building Type Development Standards
- 24-503 Neighborhood Design Standards
- 24-504 Character Overlay
- 24-505 Small Format and Manufacture Housing Plans

Chapter 6. Nonresidential Development & Design Standards

- 24-601 Intent & Applicability
- 24-602 Nonresidential Building Type Development Standards
- 24-603 Open Space Design
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Chapter 7. Access & Parking Standards

- 24-701 Intent & Applicability
- 24-702 Access & Circulation
- 24-703 Required Parking
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- 24-706 Alternate Access & Parking

Chapter 8. Landscape & Site Design Standards

- 24-801 Intent & Applicability
- 24-802 Landscape Design
- 24-803 Perimeter Landscape
- 24-804 Plant Specifications
- 24-805 Fences & Walls

Chapter 9. Signs

- 24-901 Intent & Applicability
- 24-902 Exempt Signs
- 24-903 Prohibited Signs
- 24-904 Standards Applicable to All Signs
- 24-905 Specific Sign Allowances
- 24-906 Historic Signs
- 24-907 Nonconforming Signs
- 24-908 Sign Measurements & Interpretation
- 24-909 Relief From Standards
- 24-910 Sign Chart

Chapter 10. Special Purpose Districts and Areas

- 24-1001 Floodplain Overlay District
- 24-1002 Airport Overlay District
- 24-1003 Historic Preservation
- 24-1004 Conservation District
- 24-1005 Areas of Ecological Significance
- 24-1006 Downtown General Improvement District
- 24-1007 Redevelopment Area
- 24-1008 Character Overlay Districts
- 24-1009 Entertainment Districts
- 24-1010 Hillside Development Standards

Chapter 11. Supplemental Standards

- 24-1101 Wireless Communication Facilities
- 24-1102 Oil & Gas
- 24-1103 Adult Uses
- 24-1104 Marijuana Uses

Chapter 12 Definitions & Terms

- 24-1201 Description of Uses
- 24-1202 Glossary of Architecture & Design Terms
- 24-1203 Definitions

CHAPTER 1 GENERAL PROVISIONS: SECTION MAP		
Current Standards	Reorganized	Comment
18.04.010 Purpose and intent 18.10.020 Purpose and intent	24-101.d Overview; Purposes (entire code)	Generalized some for applicability to entire code, and to better link statutory authority to comp plan policies. (other topics from here will appear in the Intent sections of specific chapters and sections) Emphasized some of the “big picture” urban design aspects of subdivision regulations and zoning – street networks, open and civic space system, block and lot structure – beyond just uses and districts. Begin to establish the hierarchy of guiding and advisory language to be used throughout the entire code: • Purposes – broad policy, entire code • Intent – general principles, specific sections and topics • Design Objectives – desired outcomes, specific techniques
18.04.110 Definitions 18.12.030 Definitions	Chapter 12 Definitions	
18.04.120 Application and jurisdiction of regulations 18.10.030 Application 18.22.030 Jurisdiction (variances)	24-101.d. Jurisdiction	
18.04.130 Variances	24-209 Variances	Moved to procedures chapter [Note: need to be aware of the difference in criteria between a “statutory variance” (applicable to zoning only by statute), and other exceptions or deviations that may apply and/or deviations for non-zoning standards like subdivisions.)
18.04.1310 Violations and penalties 18.14.040 Violations, sanctions and remedies 18.36.120 Fines and penalties	24-104 Enforcement	This section should cover entire code and not be repeated in individual chapters, sections or sub-sections.
18.04.1400 Severability 18.36.170 Severability clause	24-101.e. Overview; Severability	
18.10.010 Short title	24.101.a. Overview; Title	
18.10.040 Fees	24-201.a.1 General – All Applications; Fees	Moved to Chapter 2 with procedures.
18.12.020 Interpretations	24-102 Interpretation	Broadened to cover a range of interpretation issues and used to set up a “plain language” drafting style; many elements of “legalese” and qualifying language can be eliminated from the rest of the code due to this section.
18.14.020 General provisions	deleted or generally addressed in 24-101 Overview and 24-102 Interpretation	
18.14.030 Review authorities 18.22.020 General provisions (variance chapter) 18.35.040 Historic Preservation Commission; establishment and duties	24-103 Administration	Organized the establishment of all review bodies to one section (ZBA and HPC moved here)
18.58.010 Purpose and intent	24-105.a. Nonconformance’s, Intent	
18.58.020 Application	n/a	ineffective statement, incorporated into other substantive standards)
18.58.030 Definitions	Chapter 12 Definitions	

CHAPTER 1 GENERAL PROVISIONS: SECTION MAP		
Current Standards	Reorganized	Comment
18.58.040 Nonconforming uses	24-105.b Nonconformities, Nonconforming Uses	
18.58.050 Nonconforming sites, buildings, and structures	24-105.c. Nonconformities, Nonconforming Structures; 24-105.d Nonconformities, Nonconforming Site Conditions; 24-105.e. Nonconformities, Nonconforming Lots	
18.58.055 Nonconforming uses in nonconforming sites, buildings and structures	24-105.b. Nonconformities, Nonconforming Uses	
18.58.060 Variances	n/a; addressed in 24-209	
18.58.070 Abandonment or reduction of use	24.105.b. Nonconformities, Nonconforming Uses	
18.58.080 Restoration	24-105.c. Nonconformities, Nonconforming Structure	
18.58.090 Certificates of nonconforming use	n/a but 24-105.f. Nonconformities; Burden of Proof	Removed section because not the current practice; but did not the CDD will issue permits if requested as part of applicants / owners burden of proof to establish legal non-conforming situation.
18.58.100 District changes	n/a;	ineffective section
18.58.110 Procedural nonconformity	n/a;	distinct issue from legal non-conformities
18.58.120 Annexation of nonconforming uses, buildings and structures	24-1045.g Nonconformities; Specific Nonconforming Situations	See comment below. (Related section in 24-204 regarding rezoning procedures and conditions associated with rezoning)
18.58.130 Amortization of nonconforming animal confinement uses	24-105.g Nonconformities; Specific Nonconforming Situations	Generalized to address other situations, including criteria and the ability to amortize things beyond feed lots; as well as the ability to grandfather" existing used beyond protections given in Nonconformities section (typically occurs with annexations)



Chapter 2. Procedures

24-201	General – All Applications
24-202	Minor Subdivision
24-203	Major Subdivision
24-204	Rezoning
24-205	Planned Unit Development
24-206	Use by Special Review
24-207	Site Plan
24-208	Alternative Compliance
24-209	Variance
24-210	Appeals of Administrative Decision
24-211	Code Amendments
24-212	Vacation & Dedication of Easements
24-213	Vacation & Dedication of Right-of-way
24-214	Annexation

Table 24-2-1: Procedures Summary

Applications	Eligible Applicants			Pre-application Conference	Neighborhood meeting	Notice			Review Body			
	Owner	PC	CC			Post	Publish	Mail	Staff	PC	CC	ZBA
Minor Subdivision	■			☑				☐	D	A	A	
Major Subdivision - Preliminary Plat	■			☑	☐	☑	☑	☑	R	D/PH	A	
Major Subdivision – Final Plat	■			☑					D	A	Ac	
Rezoning	■	■	■	☑	☐	☑	☑	☑	R	R/PH	D/PH	
Planned Unit Development (PUD)	■		■	☑	☑	☑	☑	☑	R	R/PH	D/PH	
Use By Special Review	■			☑	☐	☑	☑	☑	R	D/PH	A	
Site Plan	■			☑		☐		☐	D	A	A	
Alternative Compliance	■			☑				☐	D	A	A	
Minor Variance	■			☑				☐	D		A	A
Variance	■			☑		☑	☑	☑	R		A	D/PH
Appeal of Administrative Decision	■	■	■			☐	☐	☐			A	D/PH
Text Amendment		■	■				☑		R	R/PH	D/PH	
Easement Vacation/Dedication	■							☐	D	A	A	
ROW Vacation/Dedication	■						☑	☑	R	R	D	
Annexation	■		■	☑		☑	☑		R	R/PH	D/PH	

☑ = Require

☐ = Director Option

■ = Authorized

PC = Planning Commission

CC = City Council

ZBA = Zoning Board of Appeals

R = Review and Recommending Authority

D = Decision Making Authority

Ac = Acceptance of Public Improvements

A = Appeal of Decision

PH = Public Hearing Required

24-201 General – All Applications

a. Applications and Fees

1. **Forms.** Applications required under this code shall be submitted to the Community Development Department in the form and format specified by the Department. The Director is authorized to establish submittal requirements and procedures in order to ensure all applications can be evaluated for conformance with this code. The Director may waive the requirement for specific information at the time of application, due to the routine nature of the application or due to the context of a particular application making the information inapplicable for review against the standards and criteria of this code.
2. **Fees.** Applications shall be accompanied by a non-refundable fee set administratively by the City Manager. A copy of the fee schedule shall be maintained by the Community Development Department and City Clerk's office for public inspection. No application shall be accepted or processed without the required fee, except applications initiated by the City.
3. **Eligible Applicants.** Table 24-2-1 indicates applicants eligible for each particular application under this code:
 - (a) **Owner.** The property owner of record for the subject property of the application or that owner's agent authorized by written permission of the owner.
 - (b) **Planning Commission.** The Planning Commission, acting on its own initiative or through recommendations brought to it by city staff, and according to its bylaws and rules of procedure.
 - (c) **City Council.** The City Council acting on its own initiative or through recommendations brought to it by city staff of Planning Commission, and according to its bylaws and rules of procedure.

b. Concurrent Applications. When a project requires approvals under more than one type of application, the Director may determine that each application may run concurrently based on the following:

1. The similarity of information required for each type of application, or where they require different information, the ability to coordinate information, review criteria and decisions under each application.
2. The similarity of notice, review meetings and review bodies required for each application.
3. The ability of the staff and review bodies to make effective decisions when reviewing the applications concurrently.

In cases where the Director determines applications may run concurrently, the application shall be processed through the most comprehensive required review, and lesser incorporated approvals may be conditioned on final outcomes of the last of the related decision.

c. Pre-application Meeting. Pre-application meetings may be requested for any application and shall be required as indicated in Table 24-2-1. A required pre-application meeting may be waived at the Director's discretion and upon the applicant's request, for routine applications where the topics below can be addressed by general correspondence. The applicant shall submit schematic plans, existing conditions analysis, or other concepts and analysis in writing prior to the pre-application meeting to facilitate discussion on the following topics:

1. How the proposed project meets the goals of the Comprehensive Plan, or other specific plans or policies that may impact the application.
2. The applicant's vision and understanding of the market for the proposed project.
3. The proposed uses, general site layout, and conceptual or anticipated design of buildings, including how the project relates to surrounding sites and public spaces.

4. How the project will fit in and contribute to the area and further the intent of the existing or proposed zoning district.
 5. Planning and infrastructure impacts, including timing, phasing, or the need for any technical studies or outside agency coordination and review.
 6. Development review processes and review criteria, and in particular whether any special public information and outreach or specific agency or department reviews are necessary.
 7. Opportunities to improve designs or coordinate the preliminary concepts with other private or public investments in the area.
- d. **Staff Review.** Upon receipt of an application, the Director shall take the following steps:
1. **Determination of Complete Application.**
 - (a) If an application is determined incomplete, the Director shall notify the applicant of the specific ways in which the application is deficient. No further processing of the application shall occur until the deficiencies are corrected. If a deficient application is not corrected within 30 days of the notice, the Director may consider the incomplete application withdrawn.
 - (b) If an application is complete, it shall be processed for formal review.
 2. **Referrals.** The following agencies may be required to review and comment on applications. The Director may determine if other referral agencies may be affected by the project, based on the application and has discretion to add any other relevant or applicable agency to the list.
 - (a) Adjacent or other local governments
 - (b) Colorado Department of Transportation
 - (c) Colorado Parks and Wildlife
 - (d) Colorado Geologic Survey
 - (e) Office of State Engineer
 - (f) Gas and electric utilities;
 - (g) Telecommunications and cable providers;
 - (h) Public safety agencies (police, fire, EMS, health);
 - (i) Respective school district(s) in which the subject property is located;
 - (j) Water and sewer utilities;
 - (k) Ditch companies;
 - (l) Special districts; and
 - (m) Other local, state, or federal government agencies.
 3. **Review & Staff Comments.** The Director shall coordinate a staff review after receipt of a complete application, and may provide the applicant the following information in writing:
 - a. Comments or recommended changes based on the results of any referral agency comments, neighborhood meetings, or staff review.
 - b. Any supplemental information necessary to support the application or to address any comments or recommended changes.
 - c. If the applicant chooses not to address any particular comment or recommended change, a written statement shall be included with the resubmittal that demonstrates a good faith effort to address the issue and justify why the comment was not addressed. The applicant may request to schedule the application for official review based on this justification.
 - d. If the applicant fails to submit revisions or otherwise address staff comments in writing for more than 120 days, the Director may determine the application withdrawn, and the review terminated. Any further action will require a new application and fees.

4. **Scheduling.** Applications that have completed staff review, and addressed comments or recommended changes, shall be scheduled for further review according to these regulations.
 5. **Staff Report.** The Director shall prepare a staff report for applications that require review and decisions by other review bodies. The report shall identify the policies, plans, regulations and review criteria, and identify relevant facts of the application. The Director shall provide a copy of the report to the reviewing body and to the applicant in association with the public meeting agendas and packets.
- e. **Neighborhood Meeting.** A neighborhood meeting may be required prior to the formal public meeting as indicated in Table 24-2-1.
1. **Director Option.** At the pre-application meeting or in association with the review of an application, the Director may require a neighborhood meeting for any project that requires formal review beyond staff, and where:
 - (a) the nature of the project is complex or presents potential for significant changes and unanticipated impacts on property in the vicinity;
 - (b) the intensity of the proposed use or development is likely to present questions and concerns for adjacent property owners, beyond what may typically be allowed in the zoning district; or
 - (c) the required notice or any courtesy notice sent to property owners generates significant questions or concerns.
 2. **Required Meeting or Applicant Option.** A neighborhood meeting is required for any PUD application, and an applicant may elect to have a neighborhood meeting on any other project. These neighborhood meetings should be held prior to a formal application so that input and concerns of potentially impacted property may be considered in the initial application.
 3. **Meeting Format.** Neighborhood meetings shall meet the following:
 - (a) The Director shall coordinate the scheduling, meeting location, and notice..
 - (b) The meeting shall be held at a City facility, or where any other convenient and accessible public meeting facility within the general vicinity of the project, such as a school, community recreation center.
 - (c) The applicant is responsible for all content of the meeting, which at a minimum shall include:
 - (1) The general nature and scope of the proposed project;
 - (2) A summary of the proposed land use, including planned and potential future uses associated with the application;
 - (3) The most recent plans and submittals available for the project, depicting the scale, location and design of any buildings and the relation of all site improvements to the streets and adjacent property; and
 - (4) Identify and explain the subsequent formal review steps with the City, and note that official and formal review by the City may result in changes from the initial concepts.
 - (d) The applicant shall prepare minutes of the meeting including evidence of the notice, attendance, a copy of any presentation materials, a summary of the discussion and issues, and any outcomes or changes from the meeting. These minutes shall supplement the formal application.
- f. **Notice.** Notice shall be provided for each application as indicated in Table 24-2-1. Consistent with the provisions in Table 24-2-1, and in addition to the general publication of meeting agendas, required notice may include the following:

1. **Published.** Where published notice is required, the City shall post the notice on the public notice portion of the City's official website at least 15 days prior to the meeting or hearing. The notice shall include:
 - (a) A general description of the subject property by reference to streets and address;
 - (b) The zoning classification, specific use or action requested;
 - (c) The date, time and place of the public meeting; and
 - (d) A statement that additional information about the request is available at the Community Development Department, or other links to relevant information.
2. **Posted.** Where posted notice is required, notice shall be posted on the property or near the proposed site, visible to surrounding properties and the general public from adjacent public ways, according to the following:
 - (a) The City shall supply the sign(s), which shall include:
 - (1) The zoning classification, specific use or action requested;
 - (2) The date, time and place of the public meeting; and
 - (3) A statement that additional information about the application is available at the Community Development Department
 - (b) One sign facing the most prominent public street is required. The Director may require additional signs and specific locations of signs based on the context of the property.
 - (c) The applicant shall ensure that all signs are posted at least 15 days prior to the public hearing or meeting.
 - (d) The applicant shall supplement the application evidence and a signed statement of compliance with the notice requirement.
 - (e) The applicant shall make a reasonable good faith effort to maintain posted notice throughout the proceedings.
3. **Mailed.** Where mailed notice is required, a courtesy letter shall be sent to all record landowners within 500 feet of the property. However, where the project is very large or intense, or where land ownership patterns would result in few owners being notified, the Director may extend this up to 1,000 feet from the property. Where mailed notice is at the option of the Director, any distance may be established by the Director based on the scale and intensity of the proposed project.
 - (a) The city shall supply the list of owners, and the applicant is responsible for mailing notice.
 - (b) The notice shall be mailed at least 15 days prior to the public meeting.
 - (c) Mailed notice shall state the following:
 - (1) A general description of the subject property by reference to streets and address;
 - (2) The zoning classification, specific use or action requested, and a general description of the project;
 - (3) A legal description or abbreviated legal description of the property;
 - (4) The date, time and place of the public meeting;
 - (5) Whether the meeting is a public hearing, where participants will have a right to speak, present testimony or evidence, and establish a record for the decision, or whether it is a public meeting without that right; and
 - (6) A statement that additional information about the application is available at the Community Development Department.
 - (d) The applicant shall submit a copy of the notice with the application, and evidence and a signed statement verifying notice was sent to all landowners prior to the public meeting or hearing.

4. **Failure of Notice.** Any failure of published, posted or mailed notice shall not invalidate any subsequent process or decision, in the Director's discretion. In making this decision, the Director shall consider whether:
 - (a) Good faith efforts were made to comply with notice, and the failure of notice was beyond the applicant's control;
 - (b) Technical errors in the notice were made, but constructive and actual notice was available to all interested parties; or
 - (c) The failure of notice is not otherwise instrumental to the proceedings, criteria, or record established for the decision.
5. **Surface Development Notice.** Where mailed notice is required by state statutes for any project related to mineral estate owners identified on the county tax assessor's records or who have filed in the office of the county clerk and recorder a request for notification, the applicant shall be responsible for notice. The applicant shall certify that notice has been provided as required by this code and Colorado law prior to a public hearing, public meeting or administrative decision.
- g. **Public Hearings.** Where public hearings are required by Table 24-2-1, the following procedures apply:
 1. The hearing shall be conducted and a record of the proceedings shall be preserved.
 2. Any interested person or party may appear and be heard in person or by agent.
 3. The review body may request testimony or a report on the application from any government official or agency, or any other person with information pertinent to the application.
 4. A public hearing for which proper notice was given may be continued to a later date without again requiring notice, provided the specific date, time, and place of the continued hearing is announced at the original hearing.
 5. If the review body is a recommending body, a written summary of the meeting and the recommendation shall be forwarded to the decision-making body.
 6. A review body is authorized to establish meeting procedures and bylaws, or otherwise state rules regarding specific conduct and management of public hearings, within the parameters of these regulations.
- h. **Action by Review Bodies.** Review bodies shall take the actions indicated in Table 24-2-1. A review body may take any action on the application consistent with notice given and based on the criteria in this Chapter, or it may recommend such action when the review body is a recommending body, including the following:
 1. Approve the application.
 2. Approve the application, with conditions or modifications that make it more consistent with the standards and review criteria.
 3. Deny the application, making specific findings or stating criteria for the denial.
 4. Continue the application to allow further analysis. The continuation period shall not be more than 60 days from the original review without consent of the applicant. No application shall be continued more than once by each review body without consent of the applicant.
- i. **Appeals.** Where a review body is designated as the appellate body in Table 24-2-1, the following appeal procedures apply:
 1. Appeals shall be filed with the Director within 10 days of the decision by the decision-making review body.
 2. Appeals shall identify the exact provisions in dispute, and whether it is incorrect due to one or more of the following:
 - (a) It was against the express standards of this development code;

- (b) It was an unreasonable interpretation or application of the standards or review criteria;
 - (c) It was erroneous, based on the record and facts reviewed by the decision-making body; or
 - (d) It was otherwise clearly contrary to law.
 - 3. Appeals may be filed by:
 - (a) the applicant;
 - (b) any person who received mailed notice and who testified or entered a statement at a public hearing; or
 - (c) any director of a city department or referral agency that provided comments on an application.
 - 4. The appellate body shall consider the application within a reasonable time, considering the next available meeting and the nature of the appeal. The appeal shall be based on the established record, and give deference to the previous review body; however, the appellate body may take any action authorized by the decision-making body under this code if it determines that a clear error was made. The procedure and required notice for an appeal shall be the same as required of the original application.
 - 5. Where no appeal is designated in Table 24-2-1, the decision shall be final and only appealed as authorized by state law.
- j. **Technical Studies.** The Director, on behalf of any public official, department, or agency, the Planning Commission, or the City Council, may require applicants to submit technical studies necessary to evaluate the application. Technical review by outside entities with expertise or jurisdiction over details of the application may be required in place of, in addition to, or in association with any studies. Examples of technical studies that may be required include traffic studies, engineering studies, geologic or hydrologic studies, environmental impact assessments, noise studies, market studies, or fiscal and economic impact studies. The persons or firms preparing the studies shall be subject to the approval of the Director. The costs of all studies shall be borne by the applicant. Any application that is determined to require technical studies or review from entities outside of the City may require special schedules based on the reasonable time frames to conduct those studies or additional reviews.
- k. **Successive Applications.** When the review body takes final action to deny an application, the same or a similar application may not be refiled for one year from date of denial, except as allowed under this section. The Director may permit a refile of the application sooner than one year when it is determined that significant physical, economic, or land use changes have taken place within the immediate vicinity, or where a significant text amendment to this code has been adopted that may affect the outcome. There shall be no time limitation on an application that the Director determines is substantially different from a previously denied application, considering the proposed use, scale or intensity of development, and potential impacts on adjacent property.
- l. **Vested Rights.** Greeley, through its home rule authority recognizes vested property rights as specified in this Code. This code preempts and determines which applications are “site specific development plans” for the purposes of the Colorado Vested Property Rights Law, and establishes different rights and obligations associated with approvals. The vested rights in this code meet the intent and objectives of the Colorado Vested Property Rights Law, and ensures all constitutional rights intended to be protected by that law. However, through the Greeley home rule authority, and its statutory obligation to implement the Comprehensive Plan and protect the public safety, health and general welfare, vesting shall only occur to the extent of the standards of this code reflected in specific approved applications. Vesting does not include other regulations that are general in nature or that apply equally to all property subject to these regulations. Vesting does not exempt applications from any subsequent review and approvals prior to construction under this code or other codes. Vesting does not insulate a project from other public health and safety codes, including changes or updates to codes associated with subsequent

reviews, including construction drawings and specifications, drainage plans and permits, and building permits.

24-202 Minor Subdivision

- a. **Applicability.** Minor subdivisions are routine applications that establish or alter legal boundaries of lots or tracts, but do not significantly alter development patterns or impact public improvements and facilities. Minor subdivision applications may be initiated by the property owner. The following actions may be processed as minor subdivisions:
1. **Lot Line Adjustment.** The alteration of legal boundaries for up to four previously platted lots.
 2. **Lot Consolidation.** The consolidation of up to four previously platted lots or parcels into fewer lots, provided that no resulting lot is larger than three times the size of the largest existing lot or parcel.
 3. **Minor Plat.** The division of land or the replat of previously platted lots or tracts into 10 or fewer lots for residential purposes, or six or fewer lots for any non-residential purposes; or the division of land where all resulting lots or tracts are more than 80 acres; or any development without a land division on a previously unplatted parcel.
 4. **Plat Correction.** A survey or other legal instrument to correct an error in the legal description or other element of an approved plat; to dedicate, vacate, or alter easements; or to confirm legal boundaries of lots in an approved plat that could only be determined post-construction, such as for duplexes or row houses where the units and lots are individually owned.
 5. **Condominium Plat.** The division of a building on an existing, legally platted lot into individual air space ownership units, relative to commonly owned elements and common area covenants and agreements.
- b. **Review Criteria.** A minor subdivision may be approved by the Director if the Director determines that all of the following are met.
1. No new streets or other public land dedication is needed. If additional right-of-way for existing streets is included with a minor subdivision, acceptance of the dedication by City Council is required.
 2. No significant increase in service requirements (utilities, schools, traffic control, streets, etc.) or impact on the ability to maintain existing service levels will result.
 3. The application does not alter the interpretation of any zoning district boundaries due to adjustments to any lots.
 4. All resulting lots meet the legal standards of the subdivision regulations and applicable zoning districts.
 5. The lot patterns meet all eligibility requirements for minor subdivisions, and are otherwise compatible with the surrounding area and any previously approved preliminary or final plat for the subject property. In determining compatibility, the size and dimension of lots, the layout and design of existing subdivisions and rights-of-way, the degree of change to the character and pattern of buildings, and potential impact on surrounding property shall be considered.
 6. No other significant issues exist with potential development enabled by the plat that could impact planning policies in the area or adjacent property owners.
 7. A condominium plat shall meet the following additional criteria:
 - (a) Consistent with an approved plat demonstrating legal ownership of the lot and any common areas by a single entity.
 - (b) Consistent with a site plan depicting the building to be subdivided into individual units.

- (c) Documentation that assigns responsibility and demonstrates capacity to maintain all common ownership elements.
- (d) Covenants, declarations or party wall agreements or other restrictions to be recorded establish rights and responsibilities for owners of individual units, and designation of all general and limited common elements
- (e) The site and building comply with all aspects of this development code, other than the proposal to divide individual airspace units for common ownership.

Any application not classified as a minor subdivision or not meeting these criteria shall be processed as a major subdivision with a preliminary and final plat.

- c. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the requirements in this sub-section apply to minor subdivision applications:
 - 1. If the Director determines at any point in the process that the application is not eligible for a minor subdivision, the Director may deny the application or allow the applicant to reclassify as a major subdivision according to additional required information or fees.
 - 2. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director may make a final decision.
 - 3. If a minor subdivision includes additions to existing right-of-way, the minor subdivision shall be placed on the consent agenda for the City Council to accept the dedication.
- d. **Effect of Decision.**
 - 1. *Subdivision Improvement Agreement.* The applicant shall enter into a Subdivision Improvement Agreement for any required improvements, which shall be recorded with or prior to recording of the minor subdivision. The Director may waive the need for a Subdivision Improvement Agreement where there are no required improvements or for routine applications, where the requirements of this code are sufficient to address construction of improvements.
 - 2. *Recording.* The Director shall record the minor subdivision with the Weld County Clerk and Recorder within 60 days. The Director may grant an extension of this period for up to 90 days in order to complete any agreement, or otherwise address the timing and implementation of improvements. Any minor subdivision not recorded within this time shall expire.
 - 3. *Vested Rights.* A recorded minor subdivision shall create a vested property right for 3 years, or for any other time specifically identified in a Subdivision Improvement Agreement. If improvements or other obligations are not completed within this time, or the applicant or future landowners otherwise default on the Subdivision Improvement Agreement, the minor subdivision shall expire and a new plat shall be required prior to any development.

24-203 Major Subdivision

- a. **Applicability.** Major subdivisions apply to all land divisions or other alterations of legal boundaries of lots or tracts that are ineligible for minor subdivision processes in Section 24-202. Major subdivision applications may be initiated by the property owner. Major subdivisions require comprehensive review through separate preliminary and final plat procedures, due to the complexity of coordinating planning, design and engineering requirements. In accordance with Section 24-201.b, the Director may determine at a pre-application conference that a preliminary and final plat may be submitted concurrently, where the application is small or routine.
- b. **Preliminary Plat.** The preliminary plat provides detailed planning review of development patterns, street networks, block and lot layout, and the ability to meet public facility and utility

requirements for future development, prior to preparation of detailed construction and engineering plans. A preliminary plat shall be processed according to the following specific procedures.

1. **Review Criteria.** A preliminary plat shall be reviewed according to the following criteria:
 - (a) The application is in accordance with the Comprehensive Plan, or any other specific plan created under that plan, and in particular, the physical development patterns and design concepts of the plan.
 - (b) The development and infrastructure is arranged in a manner to minimize impacts on geologic hazards, environmentally sensitive areas, wildlife habitat, or other natural features of the land.
 - (c) The arrangement and proposed design of streets, blocks, and open spaces meet the development and design standards of the subdivision regulations, and are coordinated with existing or potential development on adjacent property.
 - (d) The proposed blocks and lots are capable of meeting all development and site design standards under the applicable zoning district.
 - (e) The application demonstrates a preliminary likelihood of being able to meet the design, construction, performance, and maintenance requirements for all required improvements.
 - (f) Any phasing is clearly indicated and demonstrates a logical and coordinated approach to development, and the timing, location, and construction of amenities is consistent throughout phases.
 - (g) Any impacts identified by specific studies or technical reports, including a review of storm water, are mitigated with generally accepted and sound planning, engineering, and urban design solutions that reflect long-term solutions and sound fiscal investments.
 - (h) The design does not impede the construction of anticipated or planned future public infrastructure within the area, or deter future development on adjacent property from meeting the goals and policies of the Comprehensive Plan.
 - (i) The recommendations of professional staff or any other referral agencies authorized to review the subdivision plan.
2. **Review Procedure.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the requirements in this sub-section apply to preliminary plat applications:
 - (a) At the pre-application meeting, and based on the size, scope and impact of any future development anticipated or pending with the request, the Director shall determine how to coordinate the Neighborhood Meeting and any additional notice of meetings or hearings necessary for the formal review.
 - (b) Any application that is particularly complex or involves significant planning and design issues, may be coordinated with a Rezoning in Section 24-204 or a Planned Unit ins Section 24-205, prior to official submittal of a preliminary plat.
 - (c) After review by staff, receipt of any comments from referral agencies, and any necessary resubmittal, the Director shall schedule review by the Planning Commission
 - (d) The Planning Commission shall hold a public hearing and make a decision on the preliminary plat. Provided no substantial changes are made in association with a subsequent final plat, a final plat may be administratively approved by staff and public improvements accepted by City Council according to subsection 24-203.c.2.
3. **Effect of Decision.** The approval of the preliminary plat does not constitute an acceptance of the subdivision but authorizes preparation of the final plat. Denial of a preliminary plat may be appealed to the City Council.

4. **Term of Expiration.** The approval of the preliminary plat shall be effective for three years, except that any complete submittal of final plat for any phases indicated on a preliminary plat shall stall the three-year period, and approval of the final plat shall extend the expiration deadline for one year for the remaining portions of the preliminary plat. The Director may grant up to two extensions of this period for up to six months each, if the applicant demonstrates substantial progress towards the design and engineering requirements necessary to submit a final plat. Any such extension shall be requested by the applicant in writing prior to the expiration of the preliminary plat.
- c. **Final Plat.** A final plat requires review and refinement of the preliminary plat, review and coordination of construction documents, and review and dedication of easements, rights-of-way and public lands prior to recording subdivisions and authorizing the sale of lots to different owners. After approval of the preliminary plat, the applicant may submit a final plat for all or for portions of the preliminary plat area subject to a phasing plan approved with the preliminary plat. A final plat shall be processed according to the following specific procedures.
 1. **Review Criteria.** A final plat shall be reviewed according to the following criteria, as well as all criteria applicable to the preliminary plat review:
 - (a) The layout and design of the final plat is consistent with the approved preliminary plat considering the number and size of lots and out lots; the block layout, street designs and access; the open space systems and civic design elements; the infrastructure systems; or other elements of coordinated developments. Deviations that result from further detail in planning, design, and engineering, and that meet the standards of this code, are generally considered “consistent” with the subdivision plan.
 - (b) The construction plans for any utilities, infrastructure or public facilities meet all technical specifications.
 - (c) All required improvements, dedications, fees, financial guarantees, and maintenance guarantees are provided.
 - (d) The phasing and timing of public improvements ensures construction and performance guarantees. Any phasing that meets an approved preliminary plat is presumed acceptable. Any deviations of the final plats from an approved phasing plan may be approved provided it does not alter the timing or coordination of required improvements or amenities for the proposed final plat or any previous approved final plats.
 - (e) The recommendations of professional staff or any other public entity authorized to review the final plat.
 - (f) Deviations in the final plat from the approved preliminary plat may be approved if:
 - (1) Any aspect of the project different from the approved preliminary plat complies with all applicable zoning standards, subdivision design standards, and meets the intent and design objectives of those standards.
 - (2) The change does not increase the impact of any development on required improvements beyond the capacity for required improvements established in the preliminary plat;
 - (3) The change does not violate any condition of the Planning Commission associated with the approval of the preliminary plat or any general development plan applicable to the property;
 - (4) If technical studies were required with the preliminary plat, the author of the study shall submit an amendment noting that the change does not impact any findings of the study; and
 - (5) The change is generally consistent with development concepts in the preliminary plat in terms of land uses, scale and intensity of development, and in no case changes the number of lots, dwelling units,

or buildings, or sizes of blocks and open spaces by more than 10 percent.

2. **Review Procedure.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the requirements in this section apply to final plat applications:
 - (a) The applicant shall identify all improvements to be constructed, either according to the required improvements listed this code or by a specific agreement for the project. The applicant shall submit final plans and specifications for these improvements, and ensure construction of these improvements of financial guarantees as provided in Section 24-304.
 - (b) The staff shall review the final plat for conformance with the planning and design elements, and the engineering specifications for required improvements, and a final plat meeting these criteria shall be approved.
 - (c) A final plat not meeting the review criteria may require reprocessing as a revised preliminary plat.
 - (d) The Director shall make the final decision on final plats.
 - (e) Any final plat approved by the Director and which includes dedication of rights-of-way, public lands or other public improvements, shall be placed on the consent agenda for the City Council to accept the dedication.
3. **Effect of Decision.**
 - (a) **Subdivision Improvement Agreement.** The applicant shall enter into a Subdivision Improvement Agreement with the City for any required improvements, which shall be recorded with or prior to recording of the final plat. The Director may waive the need for a Subdivision Improvement Agreement where there are no required improvements or for routine applications, where the requirements of the code are sufficient to address construction of improvements. At a minimum, the agreement shall indicate the following:
 - (1) Acknowledgement of all required improvements per Section 24-304 of this code, and any specific deviations or additions from this section.
 - (2) A refined timeline coordinating construction drawings, permits, construction, inspections and final acceptance.
 - (3) Specifics on performance and maintenance guarantees, and any particular consequences or contingencies if there is a default.
 - (4) Any additional improvements made necessary by technical studies required by Section 24-201.j or adequate public facilities analysis in Section 24-305.
 - (5) A provision binding any future landowners to the agreement.
 - (6) Any other requirements prior to building permits or certificates of occupancy.
 - (b) **Recording.** The Director shall record the final plat with the Weld County Clerk and Recorder within 60 days. The Director may grant an extension of this period for up to 90 days in order to complete any agreement, or otherwise address the timing and implementation of improvements. Any final plat not recorded within this time shall expire.
 - (c) **Vested Rights.** A recorded final plat shall create a vested property right for 3 years, or for any other time specifically identified in a Subdivision Improvement Agreement. If improvements or other obligations are not completed within this time, or the applicant or future landowners otherwise default on the Subdivision Improvement Agreement, the final plat shall expire and a new plat shall be required prior to any development.

24-204 Rezoning

- a. **Applicability.** The rezoning process provides review of changes to the boundary of zoning districts that may be necessary to implement the Comprehensive Plan, to account for changed conditions in the general area, or to reflect a change in policies with respect to future development. Application for a rezoning may be filed by the property owner, the City Council, or the Planning Commission, or by Staff on behalf of these city entities.
- b. **Review Criteria.** Review, recommendations and decisions for a proposed rezoning shall be based on the following criteria:
1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.
 2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.
 3. Whether the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area
 4. Whether the existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.
 5. The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.
 6. The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.
 7. The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.
 8. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.
 9. The recommendations of professional staff or advisory review bodies.
- c. **Review Procedure.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the requirements in this sub-section apply to rezoning applications:
1. Applications may be accompanied by any preliminary plat, site plan, zoning suitability plan, or other plan necessary to review conformance with the Comprehensive Plan.
 2. At the pre-application meeting, and based on the size, scope and impact of any future development anticipated or pending with the request, the Director shall determine how to coordinate the Neighborhood Meeting and any additional notice of meetings or hearings necessary for the formal review.
 3. After review by staff, receipt of any comments from referral agencies, and any necessary resubmittal, the Director shall schedule review by the Planning Commission.
 4. The Planning Commission shall hold a public hearing and shall make a recommendation to the City Council. Upon a recommendation from the Planning Commission, the City Council shall hold a public hearing and make the final decision on rezoning applications.
 5. Rezoning may be conditioned upon anything that further ensures the criteria for rezoning will be met, including:

- (a) A plan that identifies general land use categories, the arrangement and character of streets and open spaces, and the anticipated scale, intensity and character of development and how it relates to adjacent areas.
 - (b) Addressing any existing uses that become non-conforming as provided in Section 24-105.g.
- 6. Approval of a rezoning shall be by ordinance approved by the City Council.
- d. **Effect of Decision.** Upon approval of a change in the district boundaries, the Director shall record a copy of the ordinance approving the zone change with the City Clerk. The Director shall make the change on the official map by an actual change or other record identifying the ordinance and the associated property. The zoning shall remain in effect unless changed by the City Council according to the procedures specified in these regulations.

24-205 Planned Unit Development

- a. **Applicability.** A planned unit development (PUD) application is a type of rezoning based on a specific and integrated development plan, and must follow the procedures and meet the requirements of the rezoning process.
 - 1. Application for a PUD may be filed by the property owner, the City Council, or by staff on behalf of the City Council.
 - 2. The PUD process is intended for development concepts that require a higher degree of specific planning based on the scale and complexity of the project. The higher degree of planning affords flexibility in the standards to improve the relationship of the project to the context, and to better meet the purpose, intent and objectives of this code.
 - 3. A PUD shall include sufficient area to implement planning concepts that generate broader public benefits that can only be gained from flexible application of the standards, and not simply be used to justify deviations for single projects or on a site-specific basis.
 - 4. Generally PUD applications shall include at least 5 acres. Applications for smaller PUD applications may be processed by the Director for:
 - (a) additions to previously approved PUDs if the flexible application of standards is used to integrate projects with previous plans; or
 - (b) projects with a mix of uses that are not otherwise accounted for by one or a combination of the base zoning districts of the code.
- b. **Development Plan.** A PUD requires approval of a specific plan for coordinated development of the entire area within a PUD and shall include the following:
 - 1. **Existing Conditions.** Existing conditions reflect the current state of the property. This includes an analysis identifying the general layout of any existing structures, streets or infrastructure; the location of natural features such as watercourses, steep grades, significant stands of trees, specimen trees or other significant or sensitive features; and the presence and relationships to these same conditions on adjacent property.
 - 2. **Master Development Plan.** A Master Development Plan presents the vision for the project. It identifies the area and relationship of general land use categories, the arrangement and character of streets and open spaces, and the anticipated scale, intensity and character of development through maps, illustrations of development concepts, and statements on the intent and objectives for the project. The Master Development Plan shall indicate why the flexibility requested is justified by the plan and how it could not be easily achieved by other zoning designations. The Master Development Plan shall include the following:

- (a) **Project Boundary.** The overall boundary and name of the Planned Unit Development.
 - (b) **General Layout.** The general development pattern of streets, blocks and open spaces in the concept plan.
 - (c) **Public and Community Facilities.** The location of school sites, amenities, focal points, parks and trails, including any land dedicated to or reserved for acquisition by any public entities.
 - (d) **Planning Areas.** The designation of distinct areas of the project in terms of land uses, intensity or density of development, range of building types, or other unique design characteristics or amenities of the project. All planning areas and open space areas shall be shown overlaid on topography at a scale that clearly delineates the planning area boundaries so that they can be located on the site. For each planning area or within a separate table, indicate the following: acreage; number of dwelling units; land use designation; residential density or nonresidential square footage.
 - (e) **Specific Regulations & Deviations.** The most applicable base zoning district in terms of uses, development standards or design standards shall be designated for each planning area, and specific deviations from these standards shall be identified. These deviations may be more permissive or more restrictive than otherwise applicable standards, but should anticipate long-term development and potential future changes. To the extent items are not addressed by specific deviations, the base zoning district standards will control.
 - (f) **Phasing or Implementation.** Phasing or implementation indicates a strategy and estimated timing of development, and any other administrative details of implementing the plan through future plats and site plans.
3. **Detail Plans.** The PUD may include detail plans and specifications such as renderings, elevations or plans of buildings, streetscapes, and public spaces or other urban design and architectural details demonstrating how the plan will be executed according to the proposed development standards.
4. **Statement of Commitments.** The applicant shall provide a statement of commitments regarding all future aspects of development, and how these commitments shall be coordinated with the phasing and subsequent platting of the projects. Commitments shall at a minimum include the following:
- a. Streets and streetscape designs required by Section 24-301.
 - b. Open and civic spaces, whether public, common or private, required by Section 24-302.
 - c. Improvements and performance and maintenance guarantees required by Section 24-304.
 - d. Any additional improvements or dedications to other public entities needed by the adequate facility analysis in Section 24-305.
 - e. Any additional improvements, open spaces, or other development pre-requisites resulting from technical studies that may be required by Section 24-201.j.
5. **Other Information.** Any other information otherwise required by the city for rezoning.
- c. **Review Criteria**

1. **Generally.** Review, recommendations and decisions for new PUDs shall be based on the following criteria:
 - (a) The plan reflects greater consistency with or more specificity in implementing the Comprehensive Plan than what could be accomplished under application of general zoning districts and development standards.
 - (b) The benefits from any flexibility in the proposed plan:
 - (1) promote the general public health, safety and welfare of the community, and in particular, that of the areas immediately near or within the proposed project, and is not strictly to benefit the applicant or a single project;
 - (2) involves innovative concepts that were not anticipated by the development code; or
 - (3) apply to a unique or specific context in a manner that allows the project to better meet the intent or design objectives of the base zoning districts and standards.
 - (c) The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.
 - (d) The plan meets all of the review criteria for zoning map amendments in Section 24-204.
2. **Minor Amendment to PUDs.** Minor amendments to PUDs may be approved by the Director, provided it meets the all of the criteria for the initial approval of the PUD, and is limited to the following:
 - (a) Any change in the number of housing units, change in lot sizes or dimensions, or increase in the land of non-residential uses is less than 5%.
 - (b) There is no decrease in the amount of open space or other reduction of amenities from the approved plan.
 - (c) Any change in a building location is no more than 10% of the approved distance to adjacent property lines.
 - (d) Any change in the height or square footage of buildings is no more than 10% of the approved measurements.
 - (e) Any change in a design standard meets the criteria for alternative compliance in Section 24-208.
 - (f) Changes to the boundaries of any planning areas do not change the boundaries of the PUD, do not later the mix of uses by more than 10% in land area or square footage, and otherwise reflect a similar land use plan.
 - (g) The proposed change is consistent with concept plans in the previously approved planned unit development;
 - (h) The plan meets all of the review criteria for site plans in Section 24-207.
3. **Major Amendment to PUDs.** Changes to previously approved PUDs that exceed allowances for minor amendments may be proposed for a portion of the area under the following criteria:
 - (a) The proposed change does not create potential impacts on other property in the PUD that are greater than would could typically occur in similar zoning districts or contexts; and
 - (b) The process and criteria for the initial approval of a PUD are met.
- d. **Review Procedure.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the requirements in this sub-section apply to PUDs:
 1. The planned unit development application is a type of rezoning and shall follow the procedures applicable to rezoning in Section 24-204.c.

2. Based on the complexity of projects and degree of advanced planning and urban design necessary for a project, the applicant may elect to break elements of a general development plan in subsection 24-205.b. into two or more steps to review concepts and preliminary designs prior to approval of the complete development plan.
 3. In most cases, land will need to be subdivided in order to carry out a development plan. The platting process is a separate process but may run concurrently with the planned unit development process, as specified in Section 24-201.b.
- e. **Effect of Decision.** Upon approval of a rezoning to PUD, the Director shall record a copy of the ordinance approving the zone change with the City Clerk. The Director shall make the change on the official map by an actual change or other record identifying the ordinance and the associated property. The entire area shall be designated by the name of the PUD and reference to the PUD Master Development Plan. The specific regulations in the Master Development Plan may be based on base zoning districts, and allow any development consistent with the base zoning districts except as specifically modified by the PUD Master Development Plan. The PUD zoning shall remain in effect unless changed by the City Council according to the procedures specified in these regulations.

24-206 Use By Special Review

- a. **Applicability.** A use by special review provides flexibility for different uses within a zoning district and allows the potential for additional uses subject to specific conditions and a case-specific review. These uses may require specific design, operational limitations, or additional mitigation to ensure the use is appropriate in a specific location. Use by special review may be initiated by the property owner.

This process is specifically applicable to uses identified as use by special review (“S”) in the Use Table in Section 24-402.

- b. **Review Criteria.** A use by special review shall be reviewed according to the following criteria:
1. All criteria for site plan review in Section 24-207. are met
 2. The application furthers the intent of the proposed zoning district, does not conflict with the intent of any abutting districts, and is otherwise determined to be consistent with the Comprehensive Plan.
 3. Any associated site development or construction complies with requirements of this code, including any conditions or additional requirements identified for the particular use.
 4. Compatibility with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property. The cumulative impact of a concentration of similar existing uses may be considered as part of the impact of a particular use.
 5. The site is physically suitable for the proposed use, and whether any additional site-specific conditions are necessary for the use to be appropriate and meet these criteria.
 6. Whether a limited time period for the permit is reasonably necessary to either limit the duration of the use, assess the use against changing conditions in the area, or ensure periodic reporting and ongoing enforcement of the permit.
 7. The long-range plans for the surrounding area are not negatively impacted considering the permanence of the proposed use, the permanence of existing uses in the area, and any changes in character occurring in the area.
 8. The recommendations of professional staff or other technical reviews associated with the application.
- c. **Review Procedure.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to use by special review applications:

1. Applications shall be accompanied by a site plan to review conformance of any construction with standards of this code, and to review any performance criteria for the particular uses when applied to the site or building.
 2. After staff review, receipt of any comments from referral agencies, and any necessary resubmittal, the Director shall schedule review by the Planning Commission.
 3. The Planning Commission shall hold a public hearing and shall make a final decision on uses by special review, and the decision may be appealed to the City Council.
 4. The Planning Commission may attach any additional conditions on the use addressing the physical development, operations, maintenance or any other limitation it feels necessary to ensure the application meets the review criteria.
- d. **Effect of Decision.** Approval of a use by special review shall authorize the applicant to apply for a building permit and other applicable development or construction permits.
1. A use by special review shall expire within one year, if the applicant has not submitted a building permit application, or application for other permits, licenses or approvals necessary to establish the use. The Directory may grant a one-year extension to this period. This period is distinct from any duration limits, periodic reviews or renewal periods once the use is established, which may be a condition of approval of the use.
 2. Ceasing the use for a period of more than 1 year shall be considered abandonment of the use by special review, and the approval shall expire.
 3. Minor changes to an approved use by special review may be approved by Director upon finding all of the following:
 - (a) The change expands the floor area of the original approval by less than 10%;
 - (b) There is not a change of use or significant increase in the intensity of the use that could adversely impact adjacent property;
 - (c) The change does not exceed the limits or violate any specific conditions of the original approval; and
 - (d) The change complies with all other provisions of this code, including the Site Plan procedures and criteria in 24-207.Any other changes to the use shall require an amendment to the use by special review through the same procedures and criteria as the original application
 4. A use by special review may be revoked by the Planning Commission through the same procedures granting the use, upon a finding that the conditions of approval have not been met, or that the use has otherwise violated the provisions of this code.

24-207 Site Plan

- a. **Applicability.** The site plan process provides review of development projects that propose a change to buildings and sites that may impact the relationship to the streetscape or adjacent property, or may include a change of use or activity on the site. It ensures that projects meet the development and design standards of this code, and coordinates projects with surrounding development patterns and public spaces, including compatible arrangement of buildings, pedestrian and vehicle access, site design, lighting and landscape design. Site plans may be initiated by the property owner.

The site plan process specifically applies to reviews prior to any of the following:

1. Any building or site improvements;
 2. A grading or building permit; or
 3. A change of use.
- b. **Review Criteria.** In general, any site plan in compliance with all applicable standards of this code shall be approved. In making a determination of compliance with the standards applied to

particular site, or exercising any discretion under the standards, a site plan shall be reviewed according to the following criteria:

1. **Generally.**
 - (a) The plan meets all applicable standards or the criteria for any discretionary approvals.
 - (b) The plan does not substantially undermined any goals or objectives of the Comprehensive Plan that are applicable to the area or to the specific project.
 - (c) The plan does not present any other apparent risks to the public health, safety or welfare of the community.
 2. **Site Design and Engineering.**
 - (a) The plan provides safe access and internal circulation considering the site, the block and other surrounding connections, and appropriately balances vehicle, bicycle and pedestrian needs for the context.
 - (b) The plan provides or has existing capacity for utilities and other required improvements to serve the proposed development.
 - (c) The plan provides adequate management of storm water runoff.
 - (d) The plan provides proper grading considering prevailing grades and the relationship to adjacent sites.
 3. **Landscape and Open Space Design.**
 - (a) The plan creates an attractive aesthetic environment and improves relationships to the streetscape or other nearby public, civic or common spaces.
 - (b) The plan enhances the environmental and ecological functions of un-built portions of the site, and makes effective use and conservation of water resources.
 - (c) The plan reduces the exposure and adverse impact of more intense activities or components of the site or building on the streetscape and on adjacent properties.
 4. **Building Design.**
 - (a) The location, orientation, scale and massing of the building creates appropriate relationships to the streetscape and to adjacent properties.
 - (b) The selection and application of materials will promote proper maintenance and quality appearances over time.
 - (c) The location, fixtures and types of building and site lighting promotes creates aesthetic enhancements, promotes safety and security, and accounts for sensitive borders with the right-of-way or adjacent property
 - (d) The building reinforces the character of the area and reflects a compatible architectural relationship to adjacent buildings. Specifically, if there is any consistency or commonality in the scale, proportion, forms and features, and materials of adjacent buildings, they inform choices on the proposed building.
- c. **Review Procedure.** In addition to the general requirements in Table 24--1 and Section 24-201, the following requirements are specific to site plan applications:
1. At the applicant's discretion, and as part of the pre-application steps, the applicant may present a preliminary or conceptual site plan. This may be used to confirm interpretations, test basic concepts and standards, or review options for a proposed project.
 2. Any requests for alternative compliance or a variance from the standards are distinct applications, but may be coordinated with the Site Plan review as provided in Sections 24-208 and 24-209.
 3. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director may make a final decision.

4. The Director may determine that any application meeting these eligibility criteria still presents significant change or potential impacts on the area, or presents substantial interpretation questions on the application of development standards or review criteria. The Director may forward the application to the Planning Commission for a decisions according to the criteria in this Section.
- d. **Effect of Decision.** Approval of a site plan shall be valid and create a vested property right for 1 year, and authorize the applicant to apply for a building permit and all other applicable permits. The decision may be appealed to the Planning Commission. The Director may grant one extension for up to 1 additional year. Failure to obtain permits, or otherwise achieve substantial completion of improvements or commence the use within this time frame shall cause the approval to expire.

24-208 Alternative Compliance

- a. **Applicability.** The alternative compliance process provides limited flexibility in the application of design standards so that the best design solution may be applied to a particular context or site. . It ensures that projects meet the intent and design objectives of the standards of this code, but allows for relief from strict application of the standards where an equal or better design solution is possible. Alternative compliance shall not reduce requirements of this code, but provide equivalent standards applied in a site-specific or creative way. Alternative compliance applications may be initiated by the property owner.

Specifically alternative compliance shall be applicable for any of the following:

1. Residential design standards in Section 24-503;
 2. Non-residential design standards in Section 24-603;
 3. Access and parking standards in Chapter 7;
 4. Landscape standards in Chapter 8; and
 5. Sign standards in Chapter 9.
- b. **Review Criteria.** The following criteria apply to any application that is proposing alternative compliance to any of the standards.
 1. The alternative shall not alter any use standard, and deviation from any dimension or quantity standard shall be limited to 10%, except where specific sections authorize greater deviations. The Redevelopment Area established in Section 24-1007, shall not be limited in the extent of alternative compliance that may be considered.
 2. The alternative shall be based on specific conditions of the site that make the applicable standard impractical, or where compliance with the standard would not clearly advance the intent and design objective of the standard.
 3. The proposed alternative shall equally or better meet the intent or design objective of the particular standard.
 4. The alternative shall not have negative impacts on the adjacent sites, and otherwise affect adjacent sites in a similar way as would otherwise occur by complying with the standard.
 5. The alternative shall not undermine any other planning policy or design goals applicable to the site or general area.
 6. The alternative shall not be strictly for the convenience of a specific project, but is justified under any of the following broader community benefits:
 - (a) aesthetic considerations that permit better coordination with the established character of the specific area;
 - (b) improved environmental performance;
 - (c) enhanced pedestrian amenity of civic spaces;

- (d) adaptive reuse of existing buildings or infill on existing lots that otherwise would likely not occur;
 - (e) better serves public health and safety considerations; or
 - (f) more directly advances any official city-approved plans or policies applicable to a particular area.
- c. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to site plan applications:
 - 1. Applications for alternative compliance may be submitted independently in advance of a site plan, provided there is sufficient information to evaluate the application according to the criteria. Alternatively, an application for a alternative compliance may be submitted with a site plan, provided that specific standards for which alternative compliance is proposed are clearly called out as a separate issue and decision in the application materials.
 - 2. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director may make a final decision.
 - 3. Any request for alternative compliance associated with another application that requires approval of another review body, may be approved by the Director conditioned on final approval of the associated application. The alternative compliance shall be noted in the associated application and either affirmed or denied by the review body according to the criteria of the associated application.
- d. **Effect of Decision.** Approval of alternative compliance shall be indicated by a written statement of the Director. It shall authorize deviation from the standards only to the extent demonstrated on the approved plans. The written statement of approval shall be included with a subsequent submitted site plan, or if associated with a site plan application clearly called out distinct from the site plan submittal. The approval shall only be valid for one year from the written statement, unless a complete site plan application is submitted, in which case the alternative compliance approval shall remain valid in association with the site plan submittal. The Director may grant an extension of up to 6 months provided the conditions affecting approval of the approval have not significantly changed. Denial of alternative compliance may be appealed to the Planning Commission.

24-209 Variance

- a. **Applicability.** A variance is a process to provide relief from a strict interpretation of the zoning and development standards of this code, which when applied to a particular property and in a specific context would create practical difficulties or unnecessary hardship on all reasonable use of the property. This application shall only apply to the design, dimension, and other site development standards of this code and shall not be used to authorize a use that is prohibited by the applicable zoning district. Variances may be initiated by the property owner.
- b. **Review Criteria.** A variance shall be reviewed and approved only on the finding by the Zoning Board of Appeals that the following conditions are met:
 - 1. The strict application of this code would result in practical difficulties or unnecessary hardships that limit the reasonable use of the property without granting the variance.
 - 2. The difficulty or hardship is caused by conditions on the property that are unusual or atypical, are not are result of general conditions in the area, and were not created by the applicant.
 - 3. Granting the variance will not adversely affect the rights of adjacent property owners or residents.

4. Granting the variance will not adversely affect the public health, safety, or general welfare.
 5. Granting the variance is consistent with the Land Use Chapter of the Comprehensive Plan and area or neighborhood plans, or may achieve greater consistency with these plans than if the codes were strictly applied.
 6. Granting the variance does not undermine the purposes and intent of this code, and is consistent with the specific intent or design objectives of the provision for which the variance is sought.
 7. The requested variance is the minimum necessary to relieve the difficulty or hardship and permit reasonable use of the property.
- c. **Minor Variance Procedures.** The Director may approve minor variances subject to the following:
1. Applications for minor variances may be submitted independently in advance of a site plan, provided there is sufficient information to evaluate the application according to the criteria. Alternatively, an application for a minor variance may be submitted with a site plan, provided the need for the variance is clearly called out as a separate issue and decision in the application materials.
 2. Mailed notice shall be provided to all abutting property owners, allowing up to 15 days for the owners to object. Any objections shall require the variance to be processed with the Zoning Board of Appeals according to the rest of this Section.
 3. Minor variances shall be limited to the following circumstances:
 - (a) Variance to a setback, building location, or building height requirement by up to 10% of the requirement. Where this would be less than 1 foot, the Director may approve a variance up to 1 foot.
 - (b) Variance to a lot or open space area or dimension requirement of up to 5% of the requirement.
 - (c) Variance to a building coverage requirement by up to 10% of the requirement.
 4. The Director's decision shall be based on the criteria in Section 24-209.b.
- d. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to variance applications not eligible for minor variances:
1. Applications may be accompanied by a site plan where it is necessary to review conformance with standards of this code and the variance criteria.
 2. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director shall schedule review by the Zoning Board of Appeals.
 3. Approval by a majority of the Board present shall be necessary to grant a variance.
 4. In granting a variance, the Board may impose conditions and requirements that best assure the criteria for approval are in place and maintained, and any violation of these conditions shall be considered a violation of the ordinance.
- e. **Effect of Decision.** Upon approval of a variance, a Certificate of Variance Approval shall be recorded for the subject property by the Director in the Weld County Clerk and Recorder's Office. Upon filing, the applicant may proceed with any necessary approvals or permits authorized in the variance. Any variance not filed and acted upon within 12 months shall expire and no further action is permitted. The Director may grant an extension of up to 6 months provided the conditions affecting approval of the variance have not significantly changed. Denial of a minor variance by the Director may be appealed to the Zoning Board of Appeals. Denial of a variance by the Board of Zoning Appeals may be appealed to the City Council.

24-210 Appeal of Administrative Decision

- a. **Applicability.** The appeal of administrative decisions is a process to determine if there was an error in any final decision in the interpretation, administration or enforcement of this code by an administrative official of the City. Except for where this Chapter and Table 24-2-1 establish a different appeal process for specific applications, appeals of administrative decisions may be filed with the Zoning Board of Appeals. Appeals may be filed by any person aggrieved and materially affected by a final decision of an administrative official, or by any officer, department, board, or official public body of the City. Appeals of administrative decisions shall be filed in writing with the Community Development Department within 10 days of the date of the decision being appealed.
- b. **Effect of Filing.** An appeal halts all proceedings in furtherance of the decision appealed from unless the official making the decision certifies to the Board that it could cause imminent peril to life or property. In such case, the Board may elect to allow the official to continue proceedings in furtherance of the decision while the appeal is pending a final decision of the Board.
- c. **Notice.** Notice of the appeal shall be served upon the person whose decision is being appealed by providing a copy of the appeal. The administrative official whose decision is being appealed shall transmit to the Zoning Board of Appeals all plans, applications and other files directly impacting the decision and constituting the official record upon which the action appealed is taken within 10 days of receipt of such filing of the appeal. If the appeal is based on an application that required any other notice under this code, notice of the appeal shall also occur as required by the original application.
- c. **Action and Review Criteria.** The Zoning Board of Appeals shall grant the administrative official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant. A majority vote of the Board present shall be necessary to sustain an appeal. An appeal shall be sustained only upon written findings that the official was in error. In exercising the appeal power, the Board shall have all the powers of the official from whom the appeal is taken, and the Board may reverse or affirm wholly or partly or may modify the decision being appealed.
- e. **Effect of Decision.** The decision by the Zoning Board of Appeals shall have the same effect as a decision made by the administrative official but shall be limited to the facts and circumstances of that particular case. The Director may use the Zoning Board of Appeals decision on an appeal as a factor when applying the standard appealed from to other similar circumstances. Any person aggrieved by a final decision of the Zoning Board of Appeals may appeal City Council according to Table 24-2-1 and Section 24-201.i.

24-211 Code Amendments

- a. **Applicability.** Amendments to these regulations may be initiated by the City Council or the Planning Commission, or by Staff on behalf of these entities.
- b. **Review Criteria.** A code amendment shall be reviewed according to the following criteria:
 - 1. The amendment furthers the purposes of these regulations in Section 24-101.c.
 - 2. The amendment is in accordance with the Comprehensive Plan and has been considered for both its long-range affects as well as immediate impacts.
 - 3. The amendment promotes the public safety, health and general welfare of the citizens of Greeley.
 - 4. The amendment improves the effectiveness and efficiency of administering the Land Development Code.
- c. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to text amendment applications:

1. Applications may be accompanied by a related Comprehensive Plan amendment, or more specific plan, provided the amendment or plan has met all of the legal and policy requirements for plan approvals independent of the proposed code amendment.
 2. All amendments shall first require the recommendation of the Planning Commission. The City Council may recommend the application be returned to Planning Commission for further study or additional information at its next regular meeting. Failure by the Planning Commission to consider or revise its recommendation shall be considered a resubmission of its original recommendation.
 3. The Planning Commission may recommend or City Council may approve a lessor change than was proposed in the notice, when considering the proposed change relative to the currently applicable standards.
- d. **Effect of Decision.** Amendments to the text of these regulations shall be approved by the City Council in the form of an ordinance and be effective after the date specified in the ordinance. The Director shall incorporate approved amendments into this code by reference to the specific amending ordinance, and indicate the newly applicable provisions and the replaced provisions, or by recodification of the official code, that incorporates the approved amendment.

24-212 Dedication & Vacation of Easements

- a. **Applicability.** Dedication and vacation of easements is used to officially record or eliminate easements granting specific access and property interests stated in the recorded document. Easements may be dedicated or vacated in association with a minor or major subdivision, or by this section. Eligible applicants for dedication of easements include anyone with a property interest in the abutting and underlying land, and eligible applicants for vacations are only the easement holder.
- b. **Review Criteria.** The following criteria apply to dedication and vacation of easements:
1. All legal pre-requisites for recording or eliminating the property interest have been established, and all forms and fees required by the City have been submitted.
 2. The applicant has established written evidence of ownership, and provided notice to all other ownership interests in the easement or affected property.
 3. The application will not be detrimental to any adjacent property owner, and no owner or entity with a property interest in the easement has objected.
 4. All parties in interest or potentially impacted by the application, and any agencies or city departments with an interest, have received notice and have had time to comment.
 5. For a vacation, there is no public purpose for the easement, considering the Comprehensive Plan, any specific transportation, open space or other public facilities plans, or other plans or policies under those plans.
 6. The application meets all other procedures and requirements of the Colorado Statutes, the Colorado Constitution, and the municipal code.
- c. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to dedicating or vacating easements:
1. The applicant shall submit a plat or other legal document showing the specific property rights to be vacated or dedicated, and the affect to adjacent or abutting property.
 2. The Director shall coordinate review of the application per Section 24-201.f., and in particular determine whether any referral agencies who may have facilities or other interest in the easement or right-of-way should be notified, or if all potentially affected property owners have been notified.

3. The Director shall sufficient time from notice for necessary referral agencies to comment, or require consent forms from any affected parties. The Director may extend this time period where the nature of the application or caseloads warrant further consideration from referral agencies, city departments, or other interested parties.
 4. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director shall make a final decision.
- d. **Effect of Decision.** After approval of an easement dedication or vacation, the Director shall record the plat or other legal document with the Weld County Clerk and Recorder's Office. A denial of a vacation or dedication application may be appealed to the Planning Commission.

24-213 Dedication & Vacation of Rights-of-Way

- a. **Applicability.** Dedication and vacation of rights-of-way is used to officially record or eliminate rights granting specific access and property interests stated in the recorded document, which are not associated with a major subdivision process. Eligible applicants include the City or an abutting and underlying property owner. For any right-of-way abutting multiple property owners, the City may require that all owners join in the application.
- b. **Review Criteria.** The following criteria apply to dedication and vacation of rights-of-way:
1. All legal pre-requisites for recording or eliminating the property interest have been established, and all forms and fees required by the City have been submitted.
 2. The applicant has established written evidence of ownership of property abutting or underlying the right-of-way. Where multiple properties are involved each owner shall be joined in the application
 3. The application will not be detrimental to any adjacent property owner, and no owner or entity with a property interest in the easement has objected.
 4. All parties in interest or potentially impacted by the application, and any agencies or city departments with an interest, have received notice and have had time to comment.
 5. For a vacation, there is no public purpose for the right-of-way, considering the Comprehensive Plan, any specific transportation, open space or other public facilities plans, or other plans or policies under those plans.
 6. For a dedication, the right-of-way will serve a public purpose and the dedication is sufficient to meet the design standards and specifications of Chapter 3 for streets, trails or other rights-of-way.
 7. The application meets all other procedures and requirements of the Colorado Statutes, the Colorado Constitution, and the municipal code.
- c. **Review Procedures.** In addition to the general requirements in Table 24-2-1 and Section 24-201, the following requirements are specific to vacating rights-of-way or easements:
1. The applicant shall submit a plat or other legal document showing the specific property rights to be vacated or dedicated, and the affect to adjacent or abutting property.
 2. The Director shall coordinate review of the application per section 24-201.f., and in particular determine whether any referral agencies who may have facilities or other interest in the right-of-way should be notified, or if all potentially affected property owners have been notified.
 3. The Director shall allow sufficient from notice for necessary referral agencies to comment, or require consent forms from any affected parties. The Director may extend this time period where the nature of the application or caseloads warrant further consideration from referral agencies, city departments, or other interested parties.
 4. After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Director shall schedule review by the Planning Commission.

5. The Planning Commission shall consider the application subject to the review criteria and make a recommendation to the City Council.
 6. Upon receipt of a recommendation from the Planning Commission, the City Council shall make a final decision, and may condition a decision to vacate right-of-way on reserving any interest it determines necessary to serve a public purpose or the interests of the affected property.
- d. **Effect of Decision.** After approval of a right-of-way dedication or vacation, the City Clerk shall record a copy of the scale drawing or illustration and legal description in the Weld County Clerk and Recorder's Office.

24-214 Annexation

- a. **Applicability.** The annexation process is to add unincorporated lands to the municipal boundaries, and consider well-ordered development of the City, and the extension of municipal services and facilities in an efficient, and effective manner. Annexation applications may be by petition of the land owners or at the initiation of the City Council.
- b. **Review Criteria.**
1. **General Eligibility.** The City Council may consider an annexation petition for land that satisfies the eligibility requirements of the statutes of the state as follows:
 - (a) The area proposed for annexation has not less than one-sixth of its perimeter contiguous with the municipal boundaries; and
 - (b) A community of interest exists between the area proposed for annexation and the City; the area is urban or will be urbanized in the near future; and the area is integrated with or is capable of being integrated with the annexing municipality.
 - (c) The full width of all public rights-of-way adjacent to a proposed annexation shall be included in the annexation.
 - (d) The responsibility to apply for exclusion from any applicable special districts shall be upon the applicant of the annexation.
 - (e) Annexations of enclaves may be initiated by the City Council when such enclaves have been completely surrounded by property within the municipal limits for a period of at least three years.
 2. **Specific Criteria.** The Planning Commission and City Council shall evaluate annexations according to the following criteria:
 - (a) The proposed annexation is in conformance with the City's Comprehensive Plan;
 - (b) The proposed annexation promotes geographical balance of the City's land use pattern;
 - (c) Adequate services are or will be available to support the development expected to result from the proposed annexation, in accordance with Section 24-305.
 - (d) The proposed annexation provides for a continual and rational boundary; and
 - (e) The proposed annexation is needed to accommodate future land use requirements.
- c. **Review Procedures.** In addition to any specific procedure required by the laws of the state at the time of annexation, and in accordance with the general procedures applicable by Table 24-2-1 and Section 24-201, the following specific procedures apply to annexations:
1. **Petition for Annexation.** The petition shall be signed by persons comprising more than 50% of the landowners in the area and owning more than 50% of the land area. Sample petitions are available from the Community Development Department.

2. **Annexation Elections.** As an alternative to an annexation petition, the qualified electors of the area being proposed for annexation may petition the City Council to hold an annexation election.
 - (a) The petition for annexation election shall be signed by at least 75 qualified electors or 10% of the electors, whichever is less, or as otherwise required by state statutes.
 - (b) The petition shall be filed with the City Clerk and shall comply with the provisions of the state statutes.
 - (c) If the petition for annexation election is in substantial compliance with state statutes, the City Council shall call for an election to be held. Notice of such election shall be given by the City Clerk.
 - (d) If a majority of the votes cast are against annexation, or the vote is tied, the annexation proceedings to date will be voided and considered of no effect and the City Council shall proceed no further with the annexation proceedings.
 - (e) If a majority of the votes cast at the election are for annexation, the City Council may thereafter annex the area.
3. **Application.** Application form and related application fees, including all additional plans and details required on the forms shall be provided by the applicant.
4. **Request for Zoning.** The applicant shall submit a request for zoning in accordance with this section and Section 24-204, Rezoning or Section 24-205 Planned Unit Development. The Community Development Director shall conduct an analysis of existing land uses on the subject property to ascertain zoning and lawfully established nonconforming uses. Nonconforming uses shall be permitted to continue, as provided in Section 24-105.
5. **Staff and Agency Review.** The Director shall coordinate review of an application with all necessary reviewing agencies, and allow them two weeks from the date of distribution of the annexation plat and supporting documents to make any objections or comments to the Community Development Director. This time period may be extended to the minimum period needed to complete the review.
6. **Resolution to Consider Annexation.** The City Council shall determine whether to proceed with annexation of property by resolution which shall include the public hearing date and, at the same time, shall determine if an annexation agreement will be required.
7. **Annexation Impact Report.** For annexations of areas larger than ten acres, the City shall prepare an impact report concerning the proposed annexation. The report shall be prepared at least 25 days prior to the date of the City Council's hearing on the proposed annexation, and a copy of the report shall be filed with the Board of County Commissioners governing the area proposed to be annexed within five days after preparation of the report. The annexation impact report shall contain the following information at a minimum:
 - (a) A map or maps of the municipality and adjacent territory to show the following:
 - (1) The present and proposed boundaries of the municipality in the vicinity of the proposed annexation;
 - (2) The present streets, major trunk water mains, sewer interceptors and outfalls, other utility lines and ditches and the proposed extension of such streets and utility lines in the vicinity of the proposed annexation; and
 - (3) The existing and proposed land uses in the areas to be annexed.
 - (b) A copy of any draft or final annexation agreement, if available;

- (c) A statement on plans of the City for extending and providing municipal services at the time of annexation;
 - (d) A statement on the method to finance the extension of the municipal services into the area to be annexed;
 - (e) A statement identifying existing districts within the area to be annexed; and
 - (f) A statement on the effect of annexation upon local public school district systems, including the estimated number of students generated and the capital construction required to educate students.
- 8. *Planning Commission Hearing.* The Planning Commission shall hold a public hearing on the annexation. In making a recommendation on an annexation, the Planning Commission shall consider the review criteria in this Section, any comments received from agencies or offices receiving copies of the annexation plat, the staff recommendation and any comments received from citizens.
- 9. *City Council Hearing.* The City Council shall hold a public hearing on the annexation. In taking action on an annexation, the City Council shall consider the review criteria in this Section, any comments received from agencies or offices receiving copies of the annexation plat, the staff and Planning Commission recommendations and any comments received from citizens.
- d. **Effect of Decision.** If the annexation is approved, the Community Development Director shall cause a copy of the signed annexation plat to be recorded in the Weld County Clerk and Recorder's Office. Annexed areas shall be included in the City's zoning ordinance and map within 90 days after the effective date of the annexation ordinance, except that the proposed zoning ordinance shall not be passed on final reading prior to the adoption of the annexation ordinance. The City shall consider zoning such newly annexed areas under the appropriate zoning category as follows:
 - 1. If land use approval or development of areas being considered for annexation is not pending upon completion of annexation, if the subject property is in a transitional state regarding development or if it is in the best interest of the City, the City Council shall place the newly annexed property into the H-A Holding Agriculture Zoning District.
 - 2. Requests for zoning districts other than the H-A Holding Agriculture District may be considered by the City Council in conjunction with the submittal of all applicable requirements for a rezoning application. The City Council shall place the newly annexed property into the zoning district most appropriate, considering the goals and objectives of the City's Comprehensive Plan and the applicant's future development plans.
 - 3. Requests for zoning to the C-D Conservation District shall be exempt from the requirements of Subsections a. and b. above.
 - 4. Property which does not have an approved Development Plan per Section 24-205.b. or other land use or development plan per Section 24-204.c.5.(a), and does not develop within three years from the effective date of this Section shall be required to submit plan prior to, or in conjunction with, subdivision or site development.
 - 5. During the time in which zoning of newly annexed areas takes place, the City may refuse to issue any building or occupancy permit for any portion or all of the newly annexed area.

Reserved Sections 24-215 through 24-300

Chapter 1. General Provisions

- 24-101 Overview
- 24-102 Interpretation
- 24-103 Administration
- 24-104 Enforcement
- 24-105 Nonconformities

Chapter 2. Procedures

- 24-201 General – All Applications
- 24-202 Minor Subdivision
- 24-203 Major Subdivision
- 24-204 Rezoning
- 24-205 Planned Unit Development
- 24-206 Use By Special Review
- 24-207 Site Plan
- 24-208 Alternative Compliance
- 24-209 Variance
- 24-210 Appeal of Administrative Decision
- 24-211 Code Amendment
- 24-212 Vacation & Dedication of Easements
- 24-213 Vacation & Dedication Right-of-way
- 24-214 Annexation

Chapter 3. Subdivision Standards

- 24-301 Streets
- 24-302 Open and Civic Spaces
- 24-303 Blocks & Lots
- 24-304 Required Improvements
- 24-305 Adequate Public Facilities

Chapter 4. Zoning Districts & Uses

- 24-401 Zoning Districts
- 24-402 Allowed Uses
- 24-403 Accessory Uses
- 24-404 Specific Use Standards
- 24-405 Special Purpose Districts

Chapter 5. Neighborhood Development & Design Standards

- 24-501 Intent & Applicability
- 24-502 Residential Building Type Development Standards
- 24-503 Neighborhood Design Standards
- 24-504 Character Overlay
- 24-505 Small Format and Manufacture Housing Plans

Chapter 6. Nonresidential Development & Design Standards

- 24-601 Intent & Applicability
- 24-602 Nonresidential Building Type Development Standards
- 24-603 Open Space Design
- 24-604 Building & Frontage Design

Chapter 7. Access & Parking Standards

- 24-701 Intent & Applicability
- 24-702 Access & Circulation
- 24-703 Required Parking
- 24-704 Parking Design
- 24-705 Loading Areas
- 24-706 Alternate Access & Parking

Chapter 8. Landscape & Site Design Standards

- 24-801 Intent & Applicability
- 24-802 Landscape Design
- 24-803 Perimeter Landscape
- 24-804 Plant Specifications
- 24-805 Fences & Walls

Chapter 9. Signs

- 24-901 Intent & Applicability
- 24-902 Exempt Signs
- 24-903 Prohibited Signs
- 24-904 Standards Applicable to All Signs
- 24-905 Specific Sign Allowances
- 24-906 Historic Signs
- 24-907 Nonconforming Signs
- 24-908 Sign Measurements & Interpretation
- 24-909 Relief From Standards
- 24-910 Sign Chart

Chapter 10. Special Purpose Districts and Areas

- 24-1001 Floodplain Overlay District
- 24-1002 Airport Overlay District
- 24-1003 Historic Preservation
- 24-1004 Conservation District
- 24-1005 Areas of Ecological Significance
- 24-1006 Downtown General Improvement District
- 24-1007 Redevelopment Area
- 24-1008 Character Overlay Districts
- 24-1009 Entertainment Districts
- 24-1010 Hillside Development Standards

Chapter 11. Supplemental Standards

- 24-1101 Wireless Communication Facilities
- 24-1102 Oil & Gas
- 24-1103 Adult Uses
- 24-1104 Marijuana Uses

Chapter 12 Definitions & Terms

- 24-1201 Description of Uses
- 24-1202 Glossary of Architecture & Design Terms
- 24-1203 Definitions

CHAPTER 2 PROCEDURES: SECTION MAP		
Current Sections	Reorganized Code	Comment
Article II (Subdivision Regulations) Pre-Application Conference 18.04.200 Process 18.04.1300 Processing and reviewing fees. 18.10.040 Fees Chapter 18.18 (zoning) Notice 18.18.010 - 140 Chapter 18.20 (zoning) Review Procedures 18.20.010 - 040	24-201 General – All Applications; a. Applications and Fees b. Concurrent Applications c. Pre-application Meeting d. Staff Review e. Neighborhood Meeting f. Notice g. Public Hearings h. Action by Review Bodies i. Appeals j. Technical Studies k. Successive Applications l. Vested Rights	Generalize and simplify, and include as applicable to all applications, with the following adjustments and clarifications: • Neighborhood meeting put at the option of Director with specific criteria – analyzed at pre-application or after notice. • Notice updated – refined distances for mailed; shifted newspaper to on-line, clarified sign posting process • Clarified vested rights for particular application (coordinating home rule authority vs. statutory provisions)
Article VI (Subdivision Regulations) Minor Plat 18.04.600 – 660 Article X (Subdivision Regulations) Correction Plat 18.04.1000 – 1010)	24-202 Minor Subdivisions a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Refined / clarified range of administrative plats; simplify;
Article IV Preliminary Plat 18.04.400 – 450 Article V (Subdivision Regulations) Final Plat 18.04.500- 550 18.04.130 Variances (subdivisions)	24-203 Major Subdivision a. Applicability b. Preliminary Plat(1.- 3. Review Criteria; Review Procedures; Effect of Decision) c. Final Plat (1. – 3. Review Criteria; Review Procedures; Effect of Decision)	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure; integrated options and alternatives into platting standards and criteria to avoid confusion with statutory variance criteria (zoning only), and exceptions or exemptions in platting process (no statutory “variance” criteria).
18.30.050 Establishment of zoning and rezoning procedures 18.30.060 City Council and Planning Commission initiated rezoning	24-204 Rezoning a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure; coordinated review criteria with specific planning policies and elements of reorganized code. Eliminated Development Concept Master Plan as a defined process, but included specific elements of “conditional rezoning.”

CHAPTER 2 PROCEDURES: SECTION MAP		
Current Sections	Reorganized Code	Comment
Chapter 18.32 Planned Unit Developments; 18.32.010 – 160	24-205 Planned Unit Development; a. Applicability b. Development Plan c. Review Criteria d. Review Procedures e. Effect of Decision	Simplified and reorganizes; coordinated with 24-201 and 24-204 to avoid repetition of generally applicable procedures; coordinated with 24-204 to avoid repetition of rezoning procedures. • Refined what elements go into a development plan. • Clarified how to amend PUD and what rights beyond plan ("base zoning") go along with PUDs. • Streamlined PUD into single plan approval process into 1 review - - o unless applicant chooses to separate into conceptual plan and specific plan/zoning (see 24-205;d.2.) ...with follow up development done through Site Plan and Plat process - - o unless applicant chooses to join these as concurrent applications (see 24-201.b.). - o Require "statement of commitments" to coordinate plan with subsequent platting.
18.20.060 - 130 Use by special review	24-206 Use by Special Review a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure
18.20.030 Permitted Uses 18.20.040 – 055 Design review uses 18.44.120 Architectural Review Process	24-207 Site Plan a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Coordinated several administrative review and approvals into Site Plan process; removal of Architectural Review Committee, since they have no formal role.
18.38.140 Alternative Compliance	24-208 Alternative Compliance a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Reorganized as a specific and complimentary procedure to other applications; Clarified applicability and review criteria, and shifted all alternative compliance to staff approval; Coordinate with specific development standards where alternative compliance is promoted.
Chapter 18.22 Variances (zoning); 18.22.010 - 060	24-209 Variance a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure.
Chapter 18.24 Appeals(zoning); 18.24.010 - 050	24-210 Appeal of Administrative Decisions a. Applicability b. Effect of Filing c. Notice d. Action and Review Criteria e. Effect of Decision	Coordinates with state statute provisions for any appeal that is not generally specified through other development processes. See also 24-201.i., and the effect of decision or Table 24-2-1 for how appeals specified by Development Code are addressed.

CHAPTER 2 PROCEDURES: SECTION MAP		
Current Sections	Reorganized Code	Comment
(current section is mixed in with general rezoning property)	24-211 Code Amendments a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Separated from other development application procedures.
Article VII (Subdivision Regulations) Easement Dedication, Vacation and Recordation 18.04.700 – 18.04.710	24-212 Dedication & Vacation of Easements a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure. • Added criteria for Director approval • Removed submittal requirements from code (see 24-201.a.1 on Director authority to specify application forms and submittal requirements.
Article VIII (Subdivision Regulations) Right-of-way Dedication and Vacation 18.04.800 - 810	24-213 Dedication & Vacation of Rights-of-way a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Simplify and reorganized; coordinated with 24-201 to avoid repetition of generally applicable procedure. • Added criteria for PC / CC approval • Removed submittal requirements from code (see 24-201.a.1 on Director authority to specify application forms and submittal requirements.
Chapter 18.26 Annexation; 18.26.010 – 080	24-214 Annexation a. Applicability b. Review Criteria c. Review Procedures d. Effect of Decision	Reorganized and simplified; coordinated with general procedures in 24-201 to not repeat common elements • Coordinated with other area- or development-specific plans and rezoning options; • Clarified links to required improvements and annexation impact reports • Note: broadened ability to deal with amortization and/or “grandfathering” non-conforming uses upon rezoning, but added generalized criterial (rather than just “animal feed lots”) (see 24-204.c.5 and 24-105.g.)

Code Compliance

Odor Report

January 1, 2021 – March 31, 2021

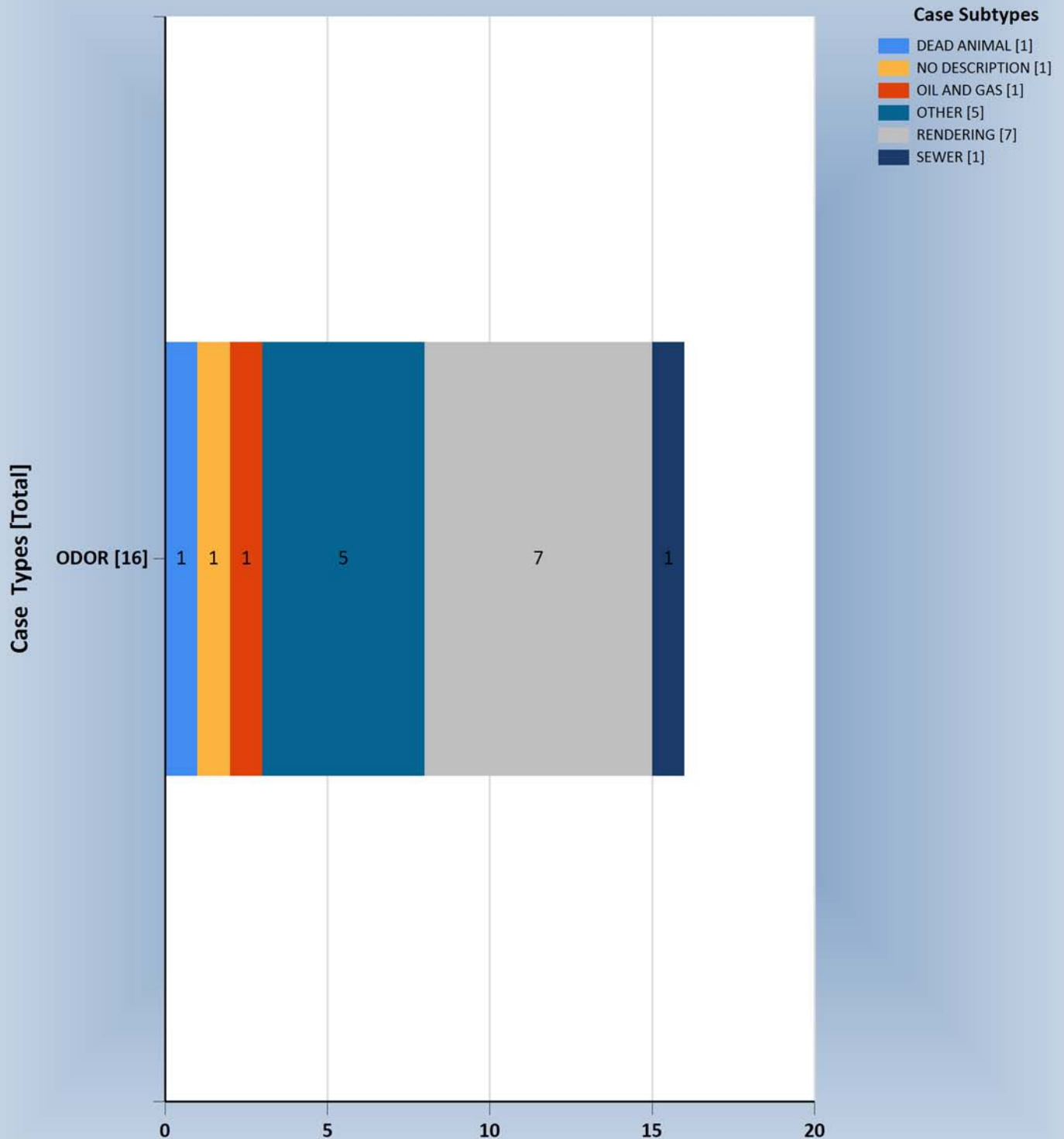


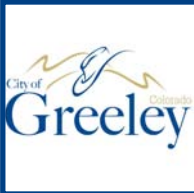
Cases Opened by Type

City of Greeley

Date Range Between 1/1/2021 and 3/31/2021

Cases Open



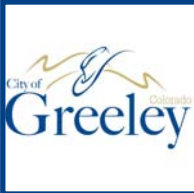


Cases Opened by Type

City of Greeley

Date Range Between 1/1/2021 and 3/31/2021

CASE NUMBER		ADDRESS	
OPENED DATE	OFFICER	PARCEL NUMBER	OWNER NAME
CLOSED DATE	CASE SUBTYPE	STATUS	RESIDENT NAME
DESCRIPTION			
DETAILS			
Case Type: ODOR			
ODOR2103-0002		555 N 1ST AVE	
3/9/2021	COURTNEY MOODY	R1292786	ARNOLD GARY J
3/9/2021	DEAD ANIMAL	CLOSED NF	
JBS smell			
ODOR2103-0001		2441 29TH AVE	
3/8/2021	FRANCES GARCIA	R2415386	WHITE CARL E
3/9/2021	OTHER	CLOSED NF	
Marijuana smell coming from West			
ODOR2102-0003		2100 82ND AVE	
2/22/2021	FRANCES GARCIA	R4714607	SENS MARK T
2/22/2021	OIL AND GAS	CLOSED NF	
oil and gas smell			
ODOR2102-0002		2441 29TH AVE	
2/19/2021	FRANCES GARCIA	R2415386	WHITE CARL E
2/19/2021	OTHER	CLOSED NF	
Marajuana Odor			
ODOR2102-0001		555 N 1ST AVE	
2/3/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
2/17/2021	OTHER	CLOSED NF	
JBS SMELL			



Cases Opened by Type

City of Greeley

Date Range Between 1/1/2021 and 3/31/2021

ODOR2101-0011		555 N 1ST AVE	
1/14/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
1/15/2021	RENDERING	CLOSED NF	
JBS SMELL			
ODOR2101-0010		555 N 1ST AVE	
1/14/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
1/15/2021	RENDERING	CLOSED NF	
JBS SMELL			
ODOR2101-0008		555 N 1ST AVE	
1/13/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
2/11/2021	RENDERING	CLOSED HRG	
JBS SMELL			
ODOR2101-0009		2441 29TH AVE	
1/13/2021	BUXTON DEMERS	R2415386	WHITE CARL E
1/14/2021	OTHER	CLOSED NF	
Marijuana Odor coming from West of property			
ODOR2101-0007		555 N 1ST AVE	
1/12/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
1/12/2021	RENDERING	CLOSED NF	
JBS SMELL			
ODOR2101-0006		555 N 1ST AVE	
1/12/2021	BUXTON DEMERS	R1292786	ARNOLD GARY J
1/12/2021	RENDERING	CLOSED NF	
JBS SMELL			
ODOR2101-0005		Hwy 85 North driving into Greeley	
1/11/2021	MARISSA HOPP		GREELEY CITY OF
3/18/2021	SEWER	CLOSED NF	
Sulfur than sewer smell			



Cases Opened by Type

City of Greeley

Date Range Between 1/1/2021 and 3/31/2021

ODOR2101-0004		2323 6TH AVE	
1/8/2021	COURTNEY MOODY	R3518886	CARLSON KARI E
1/8/2021	OTHER	CLOSED NF	
Neighbors burn and smoke out entire neighborhood every night			
ODOR2101-0003		1720 21ST AVE	
1/7/2021	BUXTON DEMERS	R3135386	COOPER JOANNE K
1/7/2021	RENDERING	CLOSED NF	
Rendering			
ODOR2101-0002		1863 13TH AVE	
1/7/2021	BUXTON DEMERS	R3191186	COOPER BRUCE D
1/7/2021	RENDERING	CLOSED NF	
Rendering			
ODOR2101-0001		5151 29TH ST	
1/4/2021	FRANCES GARCIA	R1173602	PINNACLE UNIT OWNERS
1/4/2021	NO DESCRIPTION	CLOSED NF	
daily strong smell			
Total Number of Cases: 16			