Greeley City Council Agenda

Regular Meeting
Tuesday, May 20, 2025 at 6:00 PM

City Council Chambers at City Center South, 1001 11th Avenue, Greeley, CO 80631
via Zoom at: https://greeleygov.zoom.us/j/81348406410

NOTICE:

City Council Meetings are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in-person meeting in Council Chambers.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

Members of the public are also invited to choose how to participate in Council meetings in the manner that works best for them.

Watch Meetings:

Meetings are open to the public and can be attended in person by anyone.
Meetings are televised live on GTV8 on cable television.
Meetings are livestreamed on the City's Meeting Portal https://greeleyco.portal.civicclerk.com/

Comment in Real Time:

During the public input portion of the meeting and public hearings:
In person attendees can address the Council in the Chambers.
The public can join the Zoom Webinar and comment from the remote meeting.

Submit Written Comments:

Email comments about any item on the agenda before Noon on the day of the meeting to cityclerks@greeleygov.com.

Written comments can be mailed or dropped off at the City Clerk's office at City Hall, at 1100 10th Street Greeley, CO 80631. Any comments received prior to 12 p.m. on the day of the meeting, will be sent to Council and published in the agenda packet post meeting.

For more information about this meeting, to request reasonable accommodations for accessibility purposes in an alternative format, or for meeting agendas, minutes, and archived videos, please contact the City Clerk's Office at cityclerks@greeleygov.com or 970-350-9740.

City of Greeley Colorado

Mayor
John Gates
Councilmembers
Tommy Butler - Ward I
Deb DeBoutez - Ward II
Johnny Olson - Ward III
Dale Hall - Ward IV
Brett Payton - At-Large
Melissa McDonald - At-Large

City Council
Regular Meeting Agenda

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via Zoom at: https://greeleygov.zoom.us/j/81348406410

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Approval of the Agenda

5. Recognitions and Proclamations

    Mental Health Month Proclamation

    Public Works Week Proclamation

    What's Great About Greeley Presentation

6. Citizen Input

7. Reports from Mayor and Councilmembers

8. Initiatives from Mayor and Councilmembers

Consent Agenda

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Councilmembers may request an item be pulled off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

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9. Motion to approve the City Council Proceedings of April 15, 2025 and City Council Work Session Proceedings of April 22, 2025

10. Resolution of the City of Greeley, Colorado regarding the Civic Campus Master Plan Project in Downtown Greeley

11. Introduction and first reading of an ordinance repealing and re-enacting Chapter 12 of Title 6 of the Greeley Municipal Code regarding the Business Development Incentive Plan and repealing and amending other related Code provisions

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End of Consent Agenda

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12. Pulled Consent Agenda Items

13. Introduction and first reading of an ordinance adding Chapter 16 to Title 14 of the Greeley Municipal Code relating to unauthorized camping and outdoor storage

14. Public hearing and second reading of a corrected ordinance to annex a total of 300.672 acres of land to the City of Greeley. The properties are bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south. (Case number ANX2023-0001, L&T Annexation)

15. Public hearing and second reading of a corrected ordinance to establish zoning on a total of 300.672 acres of land in the City of Greeley. The properties are bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south. (Case number ZON2023-0002, L&T Zoning)

16. Appointments to Boards and Commissions - Civil Service Commission, Construction Trades Advisory and Appeals Board, Housing Authority, Housing for All Advisory Board and Human Relations Commission

17. Motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

18. Scheduling of Meetings, Other Events

19. Adjournment

Item: 5.

Council Agenda Summary

Title:
Recognitions and Proclamations

Summary:
Mayor Gates will present the following proclamations:

- Mental Health Month Proclamation
- Public Works Week Proclamation

Councilmember McDonald will present the *What's Great about Greeley* Report.

Attachments:
Mental Health Month Proclamation

Public Works Week Proclamation

What's Great About Greeley Presentation

Mental Health Month

WHEREAS, now, more than ever, we must understand that the health of our minds is as important as physical health; and

WHEREAS, one in every four people are affected by mental illness, with more Weld County residents having reported mental health challenges such as depression, anxiety, or other mental health conditions than in years past; and

WHEREAS, Greeley residents can find recovery through a variety of outpatient, residential, and critical walk-in crisis support options through Weld County's community mental health center, North Range Behavioral Health; and

WHEREAS, Greeley residents are healthier because of North Range Behavioral Health's commitment to preventing hospitalizations, incarcerations, trauma, suicides, and substance use disorder through collaboration with community health centers, school districts, human services, law enforcement, United Way; and

WHEREAS, National Mental Health Month is observed every May to raise awareness about behavioral health, recovery and hope, the importance of prevention, and the factors that contribute to mental wellness.

NOW, THEREFORE, I, John D. Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim May 2025 as ***Mental Health Month*** and call upon the citizens, government agencies, public and private institutions, businesses and schools to recommit our community to increasing awareness and understanding of behavioral health and understanding the need for appropriate and accessible services for all citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Greeley to be affixed, this 20th day of 2025.

____
John Gates, Mayor

National Public Works Week

WHEREAS, public works professionals focus on infrastructure, facilities, fleet and mobility services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life, and well-being of the people of City of Greeley, Colorado; and

WHEREAS, these infrastructure, facilities, fleet and mobility services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, stormwater public buildings, and other structures and facilities essential for our citizens; and

WHEREAS, it is in the public interest for the citizens, civic leaders, in City of Greeley, Colorado to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim May 18-24, 2025, as ***National Public Works Week.*** I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and advancing quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, this 20th day of May 2025.

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John Gates
Mayor

City of Greeley Colorado

greeleygov.com

City Council Meeting

May 20, 2025


In all ways, we will transmit
this City not only, not less, but
greater and more beautiful than
it was transmitted to us.
- Athenian Oath

City Manager, Raymond Lee, Delivers Keynote at Juntos Colorado Conference

- Juntos Colorado is a regional chapter of the Latino Network Hispanic Network
- The local chapter encourages professional excellence among Hispanic/Latino local government administrators

T Bare Roofing Recipient of the 2025 BBB Torch Award for Ethics by the Better Business Bureau Foundation

City of Greeley Colorado

BBB Torch Awards for Ethics℠

Highland Hills and Boomerang Link Golf Courses Named America’s Top 100 Kid-Friendly Golf Facilities

City of Greeley Colorado

GOLF PASS

WeldWerks Brewing Co. Receives 2025 Business for the Arts Award

- Award from the Colorado Business Committee for the Arts.
- Honors outstanding partnerships and engagement with the arts.

UNC Athletes Win Big in Big Sky Conference

- Sabrina Javorsky and Nya Chacon: Big Sky Conference All-Tournament
- Katie Walling: Tri-Top Newcomer of the Year
- Jerome Campbell: Big Sky Track Athlete of the Week, second straight week

City of Greeley Colorado

greeleygov.com

Item: 6.

Council Agenda Summary

Title

Citizen Input

Summary

During this portion of the meeting, anyone may address the city council on any item of city business that is not already listed on tonight's agenda as a public hearing.

Comments should be statements, not questions. Public comment is not a question-and-answer session, unless the presiding officer thinks some clarification is warranted.

Please be considerate of fellow speakers. There should be no applause, booing, or other audible disruption to the proceedings. Your city council desires respect, dignity and a welcoming environment.

Please limit your comments to three minutes and provide your name and city of residence for the record. When you see the yellow light coming on the display, please begin to wrap up your comments. When the red light comes on, your three minutes is up.

As this meeting is being conducted in a hybrid format, citizen input will be accepted first from those in the City Council Chambers, and then from the virtual meeting audience via the meeting's webinar.

Item: 7.

Council Agenda Summary

Title

Reports from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may offer announcements or reports on recent events and happenings. These reports should be a summary of the Councilmember's attendance at assigned board/commission meetings and should include key highlights and points that may require additional decision and discussion by the full Council at a future time.

Item: 8.

Council Agenda Summary

Title
Initiatives from Mayor and Councilmembers

Summary
During this portion of the meeting any Councilmember may bring before the Council any business that the member feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

Initiatives will generally fall into three categories:

1. A policy item for Council deliberation and direction for a future Worksession, Committee meeting, or regular/special Council meeting;

2. A request to the City Manager for information or research;

3. A request involving administrative processes or procedures.

At the close of this portion of the meeting, the Mayor will confirm Council's consensus that the individual requests be pursued.

Attachments
Status Report of Council Initiatives and Related Information

Greeley City Council						
Status Report of Council Initiatives						
Initiative No.	**Council Member Initiating**	**Council Request**	**Council Meeting or Work Session Date Requested**	**Next Steps & Schedule**	**Anticipated Deliverable & Date** (Report, Council Presentation, etc.)	**Assigned to:**
11-2023	Clark/Butler	**Artificial turf and landscape standards**	August 1, 2023 Council Meeting	•Come back to Council with a draft ordinance	The Landscape Code Amendment is scheduled for first reading on June 3 and public hearing and second reading on June 17	Brian McBroom
4-2024	Butler	**Lincoln Park Redesign**	April 2, 2024 City Council Meeting	Requested Work Session for information on the Lincoln Park Redesign- to include status of project, timeline of project and overview of the coming outreach Work Session	Site concepts shared with stakeholders in October: including Project costs, Phasing options and integration with Downtown. Early 2025: Construction design drawings scheduled to begin, incorporating stakeholder input, alignment with redevelopment goals, and lessons from other urban parks. Late 2025 - 2026: Construction slated to begin at the end of 2025 and continue into 2026. Tentatively scheduled for a work session in June.	Diana Frick
5-2024	Hall	**Impact Fee Study Structure**	May 7, 2024 Council Meeting	Requested staff bring a report to a future work session explaining more in depth the Impact Fee Study Structure - how the ratio is calculated, review process, timeline of review, and development fees	DTA was awarded the contract and that process has now started	Allena Portis/Robert Miller
8-2024	Olson	**Code Compliance**	Oct 1, 2024 Council Meeting	Part 1 - Requested staff to present at a future work session on code compliance- what is compliant and what is not and to develop a plan to assist with low-income residents specifically relating to yards and vegetation Part 2 - More information needed on specific options on landscaping; enhancing voluntary compliance ticketing system	Part 1 was presented Feb. 11 and staff has begun working on the next report to council to be schedued for a later date The work will be ongoing and staff will provide a status update at a later time	Juliana/ Kelli Johnson/Buxton Demers
11 - 2024	Butler	**HP Rezone Parking**	Oct 15, 2024 Council Meeting	There was a request for staff to provide a report to council on the HP Rezone area parking, traffic problems, and what has been done in the area. It was also requested that the design standards be included.	The traffic safety report completed and shared with CMO. CMO is planning to schedule a meeting to review the report with Councilmember Butler.	Public Works
13- 2024	Butler	**Audit of Development Code**	Dec 10, 2024 Council WS	Discrepancies in the code and would like an administrative fix of the R-M zoning issue if possible, and then a full audit of the Development Code.	Recieved proposals on 2/13 and now in the evaluation and Consultant has been hired and the code audit has started.	Brian McBroom
3-2025	DeBoutez	**Public Art Program**	March 18, 2025 Council Meeting	Research the Public Art Program with 3 components: expanding the program to include local performing art groups, clarify the funding source for the 1% for all of the capital improvement projects, and reporting of when the money is appropriated to the program.	This is scheduled for the August 12 work session	Diana Frick
4-2025	Butler	**Civic Campus Funding**	4/15/2025 Council Meeting	Requested staff to bring back funding plan options that does not require the funding to go to voters.	This is scheduled for the May 27, 2025 WS.	Allena Portis

5-2025	Hall	**Contracts**	April 22,2025 Work Session	Staff to send a descriptive memo or schedule a work session regarding all contract policies and options that were discussed at a previous meeting.	Stacey will provide a memo to council regarding the policies regarding contracts.	Stacey Aurzada
6-2025	Hall	**County Road 17**	April 22, 2025 Work Session	Requested staff hold a work session to discuss the concept of CDOT vs Public Works for interchanges 47th Ave and 35th Ave. Possibly looking into merging CR 17 contract with this project.	This is scheduled to be presented at a work session in June.	Public Works
7-2025	Butler	**12th Street Outfall Project and Quiet Zones**	May 6, 2025 Council Meeting	Update at a future work session on the 12th Street Outfall and quiet zone projects.		Public Works

Council Agenda Summary

May 20, 2025
Key Staff Contact: Heidi Leatherwood, City Clerk

Title:
Motion to approve the City Council Proceedings of April 15, 2025 and City Council Work Session Proceedings of April 22, 2025

Summary:
The regular meetings of the City Council were held in City Council Chambers on April 15, 2025. The work session of the City Council was held in City Council Chambers on April 22, 2025.

The draft proceedings of each meeting are presented for the Council's review and approval.

Fiscal Impact:
If approved, will this item result in a positive, negative, or no impact on the budget?
No Impact

Legal Issues:
Consideration of this matter is a legislative process

Other issues and Considerations:

Strategic Focus Area:
High-Performance Government

Decision Options:
1. Approve the motion as presented; or
2. Amend the motion and approve as amended; or
3. Deny the motion; or
4. Continue consideration of the motion to a certain date.

Council's Recommended Action:
Approve the motion.

Attachments:
1. 04.15.2025 Regular Meeting Minutes - Draft
2. 04.22.2025 Work Session Minutes - Draft

City of Greeley, Colorado
CITY COUNCIL MEETING
April 15, 2025

1. **Call to Order**
   Mayor Gates called the meeting to order at 6 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. **Pledge of Allegiance**
   Mayor Gates led the Pledge of Allegiance.

3. **Roll Call**
   City Clerk Heid Leatherwood called the roll.
   The following were present:

   Councilmember Tommy Butler
   Councilmember Deb DeBoutez
   Mayor Pro Tem Dale Hall
   Councilmember Brett Payton
   Councilmember Johnny Olson
   Councilmember Melissa McDonald
   Mayor John Gates

4. **Approval of the Agenda**
   City Manager Raymond Lee requested Items 10 and 11 be pulled from tonight’s agenda and return to Council at a future meeting.

5. **Recognitions and Proclamation**
   Mayor Gates read the National Youth Service Day Award proclamation at 6:01 p.m.
   Youth Commission Chair McKenzie Franks was present to accept.

   Mayor Gates read the Child Abuse Awareness Month proclamation at 6:07 p.m.
   Verniece Thomas, Jason Edwards, Karen Zack, Michelle Brown, Payge Nichols, and Lisa Drake were present to accept.

   Mayor Gates read the National Library Week proclamation at 6:10 p.m.
   High Plains Library District Executive Director, Matthew Hortt was present to accept.

   Mayor Gates read the Arbor Day proclamation at 6:13 p.m.
   Forestry Manager Shiloh Hatcher, Parks and Forestry Division Manager Eric Bloomer, and Administrative Assistant III Alexa Schubin were present to accept.

Mayor Gates read the Law Enforcement Property & Evidence proclamation at 6:17 p.m. Blake Lee, Leeann Bocanegra, Gail Medhurst, and Mario Gonzales were present to accept.

Councilmember Payton presented What's Great about Greeley? report at 6:21 p.m.

6. Citizen Input

1. Pamela Shaddock spoke in opposition to the West Greeley project.
2. Bill Gillard spoke in opposition to the West Greeley project.
3. Mike Dickerson spoke in opposition to the West Greeley project.
4. Stephen Foster spoke in support of the West Greeley project.
5. Nate Kuamme asked council to vote for what would move Greeley forward.
6. Daniel Nies spoke in support of the West Greeley project.
7. Anthony Lehnert spoke in support of the West Greeley project.
8. Pam Bricker spoke in opposition to the West Greeley project.
9. Erik Knudsen spoke in support of the West Greeley project.
10. Rick Coleman spoke in support of the West Greeley project.
11. Jake Martell spoke in support of the West Greeley project.
12. Ethan Miles spoke in support of the West Greeley project.
13. Shannon Blesener spoke in support of the West Greeley project.
14. Rachel Burton spoke in opposition to the West Greeley project.
15. Connie Garcia spoke in opposition to the West Greeley project.
16. Sandi Cummings spoke in opposition to the West Greeley project.
17. Cynthia Shlaer spoke in opposition to the West Greeley project.
18. Lauren Prior spoke in support of the West Greeley project.
19. Tom Donkle spoke in support of the West Greeley project.
20. Rose Cunningham spoke in opposition to the West Greeley project.
21. Steve Teets spoke in opposition to the West Greeley project.
22. Karen Jarman spoke in opposition to the West Greeley project.
23. Kathy Ensz spoke in opposition to the West Greeley project.
24. Ezekiel Hake spoke in opposition to the West Greeley project.
25. Marissa Hake spoke in opposition to the West Greeley project.
26. Mary Monohan spoke in opposition to the West Greeley project.
27. Michael Duncan spoke in support of the West Greeley project.
28. Richard Dean spoke in support of the West Greeley project.
29. Matthew Casey spoke in support of the West Greeley project.
30. Cris SoRelle spoke in support of the West Greeley project.
31. Jeri Shepherd spoke in opposition of the West Greeley project.
32. Valerie Whitehead spoke in opposition of the West Greeley project.
33. Don Fulton spoke in opposition to the West Greeley project.
34. Eric Reinsvold spoke in opposition to the West Greeley project.
35. Brandon Wark spoke in opposition to the West Greeley project.
36. Bernie Kendall spoke in opposition to the West Greeley project.

37. John Mattoney spoke about the 16th street project with a roundabout. He owns property on 10th Ave. and was in favor of what is reasonable and practical.
38. Andy Overmann spoke in opposition to the West Greeley project.
39. Andrea Kendall spoke in opposition to the West Greeley project,
40. Marcus Pachner read three letters. The first letter was from UNC President Andy Feinstein in support of the West Greeley project. The second letter was from President and CEO of JBS Wesley Batista Filho in support of the West Greeley project. The last letter was from Kenny Monfort of Monfort Companies in support of the West Greeley project.
41. Patricia Garcia-Nelson spoke in opposition to the West Greeley project and asked for materials in Spanish.
42. Lynette Sanchez spoke in opposition to the West Greeley project.
43. Ron Redfern spoke in support of the West Greeley project.
44. Antonio Molina spoke in opposition to the West Greeley project.
45. Stacey Suniga spoke in opposition to the West Greeley project.
46. Craig Billington spoke in support of the West Greeley project.
47. Jay Hardy spoke in support of the West Greeley project.
48. Kenneth Puncarelli spoke in support of the West Greeley project.
49. Tiffany Helton spoke in support of the West Greeley project.
50. Gracie Loux spoke in support of the West Greeley project.
51. Suzie Mewtelle spoke in opposition to the West Greeley project.
52. Nancy Sullivan spoke in opposition to the West Greeley project.
53. Tom Hart spoke in support of the West Greeley project.
54. Darci Hata spoke in support of the West Greeley project.
55. Kody Wilson spoke in support of the West Greeley project.
56. Bethany Bolling spoke in opposition to the West Greeley project.

7. **Reports from Mayor and Councilmembers**

Councilmember McDonald thanked Culture, Parks, and Recreation, for the current care of the parks and noted the “soft opening” for the new Wing Shack location.

Councilmember DeBoutez attended the Colorado Downtown Association Conference honoring recognized two citizens. The Best Project for a Community was awarded to the Weld Walls Mural, and “Downtowner of the Year” was awarded to Bianca Fischer.

Councilmember DeBoutez explained she would be tracking federal grants that were rescinded, and noted that so the Gold Hill Pipeline and Tree Canopy grants had been affected.

8. **Initiatives from Mayor and Councilmembers**

Councilmember Butler asked for consensus to have staff research funding mechanisms for the Downtown Civic Campus Project. Consensus was reached to move forward with this initiative.

Consent Agenda

9. **Motion to approve the City Council Work Proceedings of March 18, 2025, Special Meeting Proceedings of March 24, 2025, and City Council Work Session Proceedings of March 25, 2025**

10. **Introduction and first reading regarding an ordinance providing for the issuance by the City of Greeley, Colorado, acting by and through its water enterprise, of its water revenue bonds, series 2025, in a principal amount not to exceed $98,500,000, for the purpose of financing improvements, betterments, extensions and expansions of the city's water system; providing for the delegation to city officers of authority in connection with the competitive sale of the Series 2025 Bonds; providing for the payment of the Series 2025 Bonds from net revenues of the City's water system and pledging such net revenues therefore; providing for the form and terms of such Series 2025 Bonds, setting forth covenants and provisions concerning such Series 2025 Bonds, net revenues, and water system, and providing for other details in connection therewith; and ratifying prior actions relating to the foregoing (Water Revenue Improvement Bonds, Series 2025)**

11. **Introduction and first reading of an ordinance authorizing the issuance and sale by the City of Greeley, Colorado, acting by and through its sanitary water enterprise, of First-Lien Sewer Improvement Revenue Bonds, Series 2025, in an aggregate principal amount not to exceed $90,500,000, for the purpose of financing, in whole or in part, the cost of additions and improvements to the sewer system operated by the sanitary water enterprise, pledging certain funds and revenues of the enterprise to the payment of such bonds, prescribing the form of such bonds, and providing other details in connection therewith (First-Lien Sewer Improvement Revenue Bonds, Series 2025)**

12. **Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from H-A (Holding Agriculture) to R-E (Residential Estate) zoning for 14.41 acres of property located north of County Road 56 and east of 95th Avenue, known as the Two Rivers Garden Rezone**

End of Consent Agenda

<u>Councilmember Butler moved to approve the Consent Agenda Items 9 and 12. Councilmember Olson seconded the motion. The motion passed 6-0 at 8:54 p.m with Councilmember DeBoutez temporarily out of the session.</u>

13. **Pulled Consent Agenda Items**
    None.

14. Resolution of the City Council of the City of Greeley approving a Pre-development Services Agreement with Trollco, Inc. d/b/the Water Valley Company related to providing master development services for the West Greeley "Catalyst Project" to include the design and construction of a new arena, ice center, hotel, water park, and supporting public improvements, with such master developer services to be compensated through a fee-for-services arrangement

Economic Development and Urban Revitalization Director, John Hall, introduced the item at 8:55 p.m. There was one presentation for Items 14-17. Dalton Kelley and Dawn Bookhardt with Butler Snow and Jason Simmons with Hilltop Securities were present for questions.

Mr. Hall reviewed the project purpose and vision to catalyze development and long-term community, economic, and quality of life benefits. He summarized the community benefits and strategic alignment anticipated and emphasized the extensive due diligence, including market and financial feasibility studies that have been conducted.

A brief overview of the PDSA was provided to Council, as an in-depth presentation had been given at the April 8, 2025, Council Work Session.

Mr. Hall reviewed the Certificates of Participation (COP's) as an interim financing tool to fund pre-development costs and enable infrastructure and design to begin for the entertainment district.

Councilmember Olson asked the consultants to provide highlights on the risk mitigations with the PDSA. Mr. Kelley spoke on the PDSA and how it was a guiding document through the construction phase. The City would own the building plans and have decision input during the schematic design and construction document phases.

Councilmember McDonald asked how long the city's credit rating would be affected. Mr. Simmons said at least five to seven years during the ramp up phase of the project.

Councilmember Butler asked why the due diligence period for the land purchase was just seven days. Mr. Kelley explained that the property was on a closing schedule with a Water Valley subsidiary and the City has already received due diligence materials.

Councilmember DeBoutez asked how the interchange was being funded. Mr. Simmons and Mr. Trombino confirmed the GID would be funding the infrastructure for the entertainment district. Mr. Trombino explained that they were moving forward on the design process and would include the County and neighboring communities.

Councilmember DeBoutez asked how tariff changes, labor shortages, inflation and a possible recession would affect the project. Mr. Simmons explained how the project costs could be adjusted for the bond issuance. Mr. Kelley also noted that with the different types of financing there were worst case scenarios, and the interim financing could be extended for longer terms if needed.

Mr. Lind spoke and addressed Council questions.

Councilmember McDonald asked if there were any contracts in place with Northern Colorado Youth Hockey. Mr. Lind explained they had tendered a commitment letter to the City, moving all youth hockey operations to the new facility and closing the old one. Mr. Lind noted that the City could offer possible discounts for Greeley residents to make events more affordable.

Councilmember Butler asked about the current Larimer County Sports LLC and if Mr. Lind intended to change the name when they moved. Mr. Lind said they had already changed it.

Mayor Gates noted that they received many emails with questions suggesting Larimer County, Loveland, or Windsor rejected the project. Mr. Lind said he didn’t want to be disrespectful to Larimer County, and he explained that Greeley had committed staff and worked with consultants to analyze the feasibility of the project, whereas Larimer County hadn’t. He stated that Water Valley was awarded an RFP for only part of the project in Larimer County for the youth ice hockey arena. When partnering with Greeley, they offered the water park and hotel to create the revenue needed to augment the operating costs of the arena. He added that with the success of the Colorado Eagles and population growth in Northern Colorado there was need for a larger venue after 25 years.

Mayor Gates also referenced some of the failed sports parks in Broomfield and Windsor and asked how this project would be different. Mr. Lind spoke about the Eagles as an anchor tenant and the potential for concerts and other events making the difference.

Councilmember Butler told Mr. Lind that the City had spent $2.3 million on consultants for the project. Mr. Lind responded by saying it was an investment in a paradigm shift that would reposition Greeley.

Councilmember Olson stated that to protect the citizens, the City had used the consultants to make sure they were doing their due diligence. He said he would rather spend a little money up front rather than make a bad decision. He asked Mr. Lind for some assurance on how the project would be built out to become a revenue stream. Mr. Lind thought that the hotel and waterpark was the additional, proven entity that would help draw other hotels and development to the GID, as well as his company’s proven record for amenity-based development.

Councilmember DeBoutez stated she was not opposed to development in West Greeley, she just didn't think the City needed to finance it. She spoke about having limited capacity to develop downtown and taking out bonds to cover $800 million instead of asking voters for a dedicated source to cover the financing the largest moral obligation ever taken by a municipality in Colorado. She felt that they were betting on local residents and tourists revenues to pay the debt and did not think the City could meet the obligation. Councilmember DeBoutez said they needed to slow down and investigate more and use the COP's for downtown and find a different way to finance the development in West Greeley.

Councilmember Payton noted this had been a long process, with a lot of conversations and negotiations. He thanked the entire team from the City Manager's Office and consultants, and Mr. Lind for sticking with them. He stated that as an attorney he looked at how this would benefit Greeley and felt owning 100 acres and the design was a benefit and asset as growth would be coming to that area. He mentioned the dichotomy of investing on one side of the city and neglecting the other and said Loveland has been a good example of investing in both. He did not feel that investing in one area meant they were giving up on downtown. Councilmember Payton felt the risks were mitigated on closing on the property and expressed his support for the agreement.

Councilmember Olson stated this was not something any of the Councilmembers thought they would be dealing with when they were elected. He thanked the consultants and staff, especially for answering questions at 2 a.m. in the morning. He thought they had asked tough questions and understood there were many questions, concerns, hopes and healthy skepticism. He said he respected everyone's views, but felt the project was about more than one area of town, it was about Greeley's future. He emphasized it would be an economic engine that would help fund what the City had been needing for years, such as a new City Hall, a modern recreation center and cultural space, a vibrant, walkable downtown, and better roads and parks, which all required sustainable revenue. Councilmember Olson pointed out that 30% of Greeley's tax dollars were spent in other places and the City was losing money. He felt this project would keep dollars local and strengthen Greeley's tax base. He also spoke about the built-in "off ramps" for the project that would give them the opportunity to reassess and pivot if needed and felt there was a lot of accountabilities baked into the project. He stated he had taken this job to be good for Greeley and felt fear should not hold them back. He wanted to make sure the project was done right and said he would be in support.

Councilmember Butler spoke about how he had grown up on a small farm with parents that worked hard, and when they couldn't afford something, they didn't buy it. He felt the project was not fiscally responsible. While there was a possibility it could pay for itself, he mentioned other failed arena projects in the state. He stated that with taxpayers footing the bill the risks were unacceptable to him. He referenced funding gaps and the 5%

margin in under performance as well as concerns about hotel occupancy and rates. He stated he did not think it would fail but would underperform to a reasonable degree. Councilmember Butler said he understood the City budget well and they did not even have the funding for a homeless shelter. He questioned the City's ability to make up the economic development payments in the likely event of project shortfalls. He spoke about the financing and how it would cost the City $72 million for over 20 years to finance $45 million. He said there were many red flags he saw in the project and expressed concerns that any shortfall would cause the city to see deep cuts in already underfunded services such as roads and emergency response times, resulting in a lower quality of life for residents. He also felt that they were really spending taxpayer money to do economic development work for neighboring municipalities due to the proximity of the project to other downtowns. Councilmember Butler said if they moved forward on the project, the water and sewer bonds would result in a 2.8% increase in water rates on top of already planned increases. He was concerned about lower income family's ability to afford those increases, as well as the impact to City's credit rating and how that might impact the ability to finance other projects. Councilmember Butler said he was not interested in putting it to a vote of the people or delaying the project, he felt it was not a good fit for the City and they should look for other opportunities.

Mayor Pro Tem Hall noted they had heard a lot this evening and had put in hundreds of hours of study with staff. He explained that Greeley is a representative democracy where every voice mattered. He felt Council had listened but had also looked at the facts and tried to keep emotion out of it. He thought West Greeley was a clear path to economic development and believed it would be a self-sustaining, revenue producing project. He stated it was a mixed-use vision and the revenue would go back to the City to fund other projects. He was in support of the project as he thought it would be a missed opportunity if they did not pursue it.

Councilmember McDonald thanked all the residents for their input and expressed her appreciation to staff and the consultants. She said Council had made a lot of sacrifices to attend daytime meetings. She also spoke about what she felt were past missed opportunities for Greely, such as opting out of I-25 and now only having Highway 85, as well as creating bypasses on Highway 34 and giving up a growth boundary that went all the way to I-25. She stated that Greeley's forefathers had planned well with enough water to sustain a population of 450,000. She wanted to see better connectivity. She expressed her enjoyment of downtown and said there were gems there with many good things to showcase. She agreed that all of Council felt downtown was a priority. She also remembered when Crytal Rapids was a huge regional draw for Loveland and said it was a vacation destination for her. She explained it had been a risk for Grand Prairie and the had heard from the former city manager what the water park had done for that city. Councilmember McDonald was committed to ensuring that local residents would have a discounted rate, and said the plaza would be a benefit to families who could not afford to attend hockey games. She understood that there was grief that comes with change, but stated the thing she loved most about Greeley were the people. She was looking forward to the project.

Mayor Gates stated this was the biggest decision the Greeley City Council has ever made. He emphasized the many hours of meetings and said he was willing to pledge his support for the project. He felt the creative funding structure would prevent a tax increase. He understood those who opposed the project due to fear it would fail, but said he did not see that happening. He thought it would be very successful and a deal changer for the City. He challenged those who had concerns to go west and look at Mr. Lind's' other projects and emphasized failure is not an option. He spoke about the reality there would be people upset with the decision no matter what decision was made. Mayor Gates noted the project did not revolve around a tax increase and therefore did not require a vote. He also noted that this was not an either-or project and recognized the importance of the Civic Center project.

Councilmember Payton moved to approve the motion. Mayor Pro Tem Hall seconded the motion. The motion passed 5-2 at 10:26 p.m., with Councilmembers Butler and DeBoutez voting "nay".

15. Introduction and first reading of an ordinance of the City Council of the City of Greeley concerning the financing of pre-development services for the design and construction of a new arena, ice center, hotel, and water park, and the supporting public improvements needed in connection therewith, and approving the execution and delivery by the city of a site lease agreement, and amendments thereto, and a lease purchase agreement, and amendments thereto, and related documents (West Greeley Certificates of Participation Series 2025a)

Councilmember Butler asked that the 920 Public Works building be removed from the list of assets before the second reading.

Councilmember Payton moved to approve the ordinance on first reading and publish in full. Councilmember Olson seconded the motion. The motion passed 5-2 at 10:28 p.m. with Councilmembers Butler and DeBoutez voting "nay".

16. Resolution of the City Council of the City of Greeley expressing the intent of the city to be reimbursed for certain expenses relating to pre-development services for the design and construction of a new arena, ice center, hotel, and water park, and the supporting public improvements needed in connection therewith (West Greeley Certificates of Participation Series 2025a Reimbursement)

Councilmember McDonald moved to adopt the resolution. Mayor Pro Tem Hall seconded the motion. The motion passed 7-0 at 10:29 p.m.

17. Introduction and first reading of an Ordinance appropriating additional sums to defray the expenses and liabilities of the City of Greeley for the balance of the fiscal year of 2025 Deputy City Manager and Chief Financial Officer Allena Portis introduced the item at 10:30 p.m. She explained the appropriation would allow the City to make payments to the consultants and purchase the land for the West Greeley project. Ms. Portis noted that the appropriation for water and sewer were included and could be removed before the second reading.

Councilmember Olson moved to approve the ordinance on first reading and publish in full. Councilmember Payton seconded the motion. The motion passed 6-1 at 10:32 p.m. with Councilmember Butler voting "nay".

18. Public hearing and second reading of an ordinance authorizing a salary and certain benefits for the City Attorney

Human Resources Director, Martha Lanaghen, introduced the item at 10:38 p.m. and noted that her presentation would include Items 18, 19 and 20, but each item would still have a public hearing.

Mayor Gates opened the public hearing at 10:37 p.m.
With no public comment, the hearing closed at 10:38 p.m.

Councilmember Olson moved to adopt the ordinance and publish with reference to title only. Mayor Pro Tem Hall seconded the motion. The motion passed 7-0 at 10:38 p.m.

19. Public hearing and second reading of an ordinance authorizing a salary and certain benefits for the City Manager

Mayor Gates opened the public hearing at 10:39 p.m.
With no public comment, the hearing was closed at 10:40 p.m.

Councilmember McDonald thanked Mr. Lee for his vision, dedication and team of excellent staff.

Councilmember Olson moved to adopt the ordinance and publish with reference to title only. Councilmember Butler seconded the motion. The motion passed 7-0 at 10:41 p.m.

20. Public hearing and second reading of an ordinance authorizing a salary and certain benefits for the Municipal Judge

Ms. Lanaghen noted in the presentation that the ordinance had been updated to reflect some additional duties the judge performed that had been erroneously left out. The Clerk's Office would publish the updated ordinance in full if adopted.

Mayor Gates opened the public hearing at 10:41 p.m.
With no public comment, the hearing was closed at 10:41 p.m.

Mayor Pro Tem Hall moved to adopt the ordinance and publish in full. Councilmember Olson seconded the motion. The motion passed 7-0 at 10:41 p.m.

Mayor Gates thanked all three direct reports for their contributions.

21. Appointments to Boards and Commissions

City Clerk Heidi Leatherwood announced the appointments for the following boards and commissions:

- Citizen Budget Advisory Committee – recruit for additional applicants
- Greeley Art Commission –Perry Bell – 3-Year Term
- Housing for All Advisory Board- Jaymi L Anderson – 1-Year term, Kendall R Boots – 2-Year Term
- Rodarte Community Center Advisory Board – Alice Nava, Darren Dunn, and Daniel Reyez – 3-Year Terms

22. A motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

Councilmember Butler moved to approve the motion. Mayor Pro Tem Hall seconded the motion. The motion passed 7-0 at 10:43 p.m.

23. Scheduling of Meetings, Other Events

None.

24. Adjournment

With no further business to come before the Council, Mayor Gates adjourned the meeting at 10:44 p.m.

Approved

X

John Gates
Mayor

Attest

X

Heidi Leatherwood
City Clerk

City of Greeley, Colorado

CITY COUNCIL MEETING

April 22, 2025

1. **Call to Order**

   Mayor Gates called the meeting to order at 6 p.m. in the Donahue Room of the Greeley Police Department located at 2875 W 10th Street, Greeley CO 80631 Greeley, Colorado, with hybrid participation available via the City's Zoom platform. The location change was due to audio-visual updates in Council Chambers.

2. **Pledge of Allegiance**

   Mayor Gates led the Pledge of Allegiance.

3. **Roll Call**

   City Clerk Heid Leatherwood called the roll.
   The following were present:

   Councilmember Tommy Butler
   Councilmember Deb DeBoutez
   Mayor Pro Tem Dale Hall
   Councilmember Brett Payton
   Councilmember Johnny Olson
   Councilmember Melissa McDonald
   Mayor John Gates

4. **Reports from Mayor and Councilmembers**

   Councilmember McDonald thanked the Greeley Police Department for hosting the Council work session, and the City Clerk's Office for the communications and set up. She mentioned it would be fun to have more "field trips". Lastly, she reminded Council it was Administrative Professional's Day on Wednesday.

   Councilmember DeBoutez attended the Affordable Housing Summit along with Councilmember Butler and Mayor Gates.

   Mayor Gates echoed Councilmember McDonalds sentiments and thanked staff for arranging the meeting.

   Mayor Pro Tem Hall proposed two initiatives. The first was to revisit the work session regarding contracts and limits that required Council approval. Council reached consensus to move forward on this initiative.

   The second was to have another discussion regarding the work on County Road 17 and having CDOT or Public Works perform the project. Council also reached consensus to move forward with the initiative.

5. **Greeley-Weld Housing Authority Update**

Housing Director, Deb Callies introduced this item at 6:05 p.m. New Housing Authority Director, Vincent Ornelas also presented.

Mr. Ornelas explained there had been significant staff turnover and multiple leadership changes during the interim period after former Director Tom Teixiera's retirement.

Mr. Ornelas provided information on current assets, which consisted of 107 low-income rental housing units in Greeley and 569 Housing Choice Vouchers (HCV/Section 8). Additionally, Weld County had 384 HCV's. He also stated there were several persons on the waitlist for the HCV programs, as well as public housing, Lincoln Square, and other low-income units.

Mr. Ornelas informed council that Weld County was expected to send a termination notice for their Intergovernmental Agreement (IGA) on October 23, 2025. An amendment to the original IGA was made, stating the County desires to transfer the HCV program to Greeley. He explained the HCV transfer will not happen until July of 2026 due to HUD regulations, but other assets have already been transferred. Part of the reason the transfer was delayed was because both housing authorities were not in good standing. He was hoping to amend statuses in the next fiscal year.

Lastly, Mr. Ornelas explained that they will be making a recommendation in the future to reduce the number of commissioners on the Housing Authority from 9 to 7, reduce the number of County commissioners from 4 to 1, reduce the term of commissioners, and request vacancies be filled by only applicants that are recommended by the Housing Authority.

Mayor Gates asked for confirmation that there was no adversarial relationship with the County regarding the IGA. Mr. Ornelas said they were in alignment, and everyone agreed it was in the best interest of the authority to collaborate beyond the transfer.

Mayor Pro Tem Hall asked why they would still have a Weld County representative. Mr. Ornelas explained that HUD would recommend the County have some representation on the board. He asked if all the HCVs would come to Greeley. Mr. Ornelas confirmed. Mayor Pro Tem Hall said he had heard complaints about how long it took to fill out paperwork and wanted to know if there would be improvements in the future. Mr. Ornelas stated they were in the process of implementing new software that would modernize and speed up the process electronically. He considered it a huge priority and planned for it go live July 1st.

Councilmember DeBoutez asked about the turnover for the HCV's, wanting to know if they stayed in the community if someone no longer needed them. Mr. Ornelas explained that households on the vouchers continued in the program for 6 months without assistance to ensure they could maintain. He also said that due to shortfalls, when people exit, the vouchers were not being reissued. Mr. Ornelas said they have over 200 vouchers that are not being utilized because they don't have funding for them, because whatever the Housing Authority spends in one year is what they get the next year. He explained that it would take two-years of short-term funding from another source to fund the unused vouchers, and they would then be able to get HUD to incorporate it into their funding. He emphasized they already have the infrastructure and staff to handle more vouchers.

Councilmember McDonald asked what the average attrition for vouchers was and the average wait time for applicants. Mr. Ornelas said they were losing about 3 vouchers per month and the waitlist was currently closed because of the shortfall. The average wait had been 5 years.

Councilmember Butler asked about the timeline to get out of the shortfall. Mr. Ornelas said whenever more funding was appropriated by Congress. Councilmember Butler mentioned a broken sign at the headquarters. Mr. Ornelas said they had a ticket into the landlord to fix it.

Mr. Ornelas concluded that the average voucher was $1161 per month, and the Housing Authority would need approximately $3 million to recoup the vouchers if they were self-funded for 2 years.

6. **Waste Diversion Study Follow-up and Next Steps Discussion**
Deputy Public Works Director, Will Jones, introduced this item at 6:30 p.m.

Mr. Jones reviewed the 5 options presented to Council at the May 14, 2025, Work Session, and explained key data points that only 4% of residents were happy with their trash service, 15% or roughly 4500 homes to do not have service, and only 25% of residents that have trash service pay for recycling. Council had tasked him with obtaining additional information, and he was reporting what they had found.

Options that were researched included a consolidated recycling center, "pay as you throw", a contracted hauler with" pay as you throw" option (PAYT), and hauler reporting. Mr. Jones explained that Fort Collins and Loveland had consolidated recycling centers, which required dedicated staff and used significant dollar amounts for annual operating. Staff had thought a possible location option for Greeley would be the High Plains Environmental Campus but determined that was no longer a viable option and staff does not have a long-term site location. He also explained to Council that the PAYT option, which would provide tiered pricing to residents was not feasible without a contracted hauler option and would be dependent on implementation of a producer responsibility program for statewide recycling act.

Staff was conducting a pilot program in downtown for the contracted hauler and PAYT option, but without addressing data from the various haulers in the City, it was difficult to obtain contract pricing.

Mr. Jones said the fourth option of hauler reporting would require consensus from City Council to approve a new language in the municipal code. This would help facilitate reporting requirements necessary for state grants, as well as service address data from haulers. The proposed code was provided to Council for review.

The fifth and last option would be to require trash and recycling, which would also require the adoption of a code requiring reporting by trash haulers. Mr. Jones thought this option would have the biggest impact.

Next step options were provided to Council, with recommended code changes, followed by data collection to provide Council with more accurate options in quarter two of 2026, and a result of required residential trash and possible recycling service. It would align with the Colorado Department of Public Health and Environment's program implementation of the Producer Responsibility Act, which would potentially pay for curbside recycling for all Greeley households.

Mayor Gates stated that not a lot had changed, but thought there was a new hauler in town. He recognized they had not had success previously with contracting a hauler in a public/private partnership and wanted to know if the new hauler had been contacted. Mr. Jones said they had not been able to get much information from the new hauler, and they estimated the new hauler had 5-10% of the market in the city.

Councilmember Butler expressed concerns regarding the timeline. He would like to see it move faster and not have to wait for a new council to decide.

There was discussion about address data. Mr. Jones explained that theoretically if residents have water service, they would then be required to have trash service.

Councilmember DeBoutez recognized most of the complaints come from Ward II, in which many neighborhoods do not have HOA's, therefore the City had to enforce it. She was in support of adopting an ordinance requiring trash service and agreed they could be more assertive.

There was further discussion about haulers being required to obtain business licenses. City Attorney Stacey Aurzada said the code requires the City to provide trash service, and they are doing so by licensing haulers. She felt it would not be much of a change to the code to change the licensing requirements.

Mayor Pro Tem Hall spoke about Ft. Collins, Johnstown, and Evans having contracts and requiring residents to have trash service. He also thought most of the HOA's had contracts. He thought if they could eliminate the areas that had HOA's and narrow down those that didn't it might not be such a daunting task to collect the needed address data.

Mayor Gates asked for consensus on the recommended pathway that would include a reporting requirement code change, data collection, and presenting Council with data driven options in quarter two of 2026. Council reached consensus to move forward with the recommended pathway.

7. **Community Engagement on Union Colony Civic Center**
Director of Culture Parks & Recreation, Diana Frick, introduced this item at 6:48 p.m. Chair of the Union Colony Civic Center (UCCC) Advisory Board, Mark Pugatch was available for questions.

Ms. Frick explained they were there to present an initiative that had come from the UCCC Advisory Board and were seeking Council's support to move forward with community engagement regarding UCCC. The board had engaged in discussions on whether the name fully aligns with the primary function as a performing arts center. They would like to gather community input before making any recommendations to ensure all voices are heard.

Ms. Frick described three key reasons the board proposed for exploration, which included that the name did not reflect the facility's primary function, possible historical sensitivity as some community members may associate "Union Colony" with negative historical connotations and provide clarity for new residents and visitors with a name that would better communicate the center's purpose and increase awareness and engagement.

The purpose of the community engagement would be to gather public input on whether there was support for renaming the facility, understand potential concerns and perceptions regarding the current name. They would also investigate if changing the name would enhance community engagement and increase attendance.

The advisory board taskforce would like to design a survey in collaboration with Culture, Parks and Recreation Department (CPRD), with a target audience that has broad community representation. Key questions would focus on perceptions of the current name, potential alternatives, and interest in renaming, with strategic outreach through digital, print, and in-person engagement channels.

Ms. Frick concluded the presentation by asking for Council feedback, and if they proceeded, they would conduct a survey and report back to Council with their findings.

Mayor Gates stated he has never heard adverse comments regarding the name, however he felt Council owed it the advisory board to consider.

Councilmember Olson agreed with Mayor Gates, adding he has heard other complaints regarding the condition of the center and the types of events that are scheduled. He said he would like to add other inputs into the survey such as how the civic center could be used, the types of shows, conditions, and food.

Councilmember DeBoutez had heard feedback regarding the food and elderly customers did not like the recent changes. She felt they should ask the community. She stated she was sensitive to the name and could see why people would be offended. She thought marketing needed to be very direct and proposed that new people in the community would recognize a name such as Greeley Performing Arts Center, instead.

Councilmember Butler agreed that he would like to hear what people had to say, especially if they would be building a new civic center.

Councilmember McDonald felt it was important to look at it from the perspective of people coming in from outside the community. She also thought the building had been kept up quite nicely despite its age, and she had enjoyed the recent change in options.

Mayor Gates asked if there was consensus to have staff move forward on the community engagement. Council reached consensus to do so.

8. United Way of Weld County Shelter Closure 2025 Update

Director of Homeless Solutions, Mandy Shreve, introduced this item at 6:59 p.m. Weld County United Way Vice President Ernest Cienfuegos-Baca also presented.

Mr. Cienfuegos-Baca provided Council with an overview of current shelter services that including the evening shelter for up to 60 individuals per night, a meal, as well as showers and laundry facilities. Residents could reserve bunks and could store large items. Additionally, the shelter provided educational classes and access to partner resources. A chart showing shelter utilization from 2020-2025 was shared, with the utilization rate decreasing in 2025 to-date.

Mr. Cienfuegos-Baco emphasized shelter capacity was decreased in 2020-2021 due to COVID and social distancing requirements, and the shelter had received a significant amount of American Rescue Plan Act (ARPA) funds in 2022-2023. The shelter averaged servicing 500 individuals per season over the past 5 years.

He provided age demographics, with the largest population consisting of ages 24-44. He noted that their older adult's population of 55 plus, was above the national average. Gender demographics were also reviewed, with 76% or 302 individuals being male. Mr.

Cienfuegos Baca explained that they have seen a decline in females as they are able to go to other facilities. He also shared year-to-year-day shelter utilization statistics, showing a steady growth in 2022-23 due to the overnight shelters ability to stay open for 7-9 months. He concluded the presentation by stressing that a year-round shelter would increase their capacity to provide stability, and when it closes for the season, they tend to see increased police activity.

Ms. Shreve explained that even with the shelter closing for the season there would still be resources available, only it was more difficult for the outreach team to contact residents. The team’s work would be shifting to find bridge housing. She stressed they have had great success with their rapid rehousing program, but there will be a greater need with the shelter closing. She planned to be back before Council in May with a consultant to discuss modeling that would show how they were responding and there were gaps.

Mayor Gates asked if there was fear and anxiety with the night shelter closing. Mr. Cienfuegos-Baca thought that was a fair assessment but said they were working with other resources and would continue to work with the City outreach team.

Councilmember DeBoutez wanted to know what the average length of stay was at the shelter. Mr. Cienfuegos-Baca said 214 persons stayed no more than 7 nights, but they had about 71 who were chronically homeless. Councilmember DeBoutez hoped the Star rise development opening in September would alleviate that. She stressed the need for a full-time shelter as well as support from the community.

Councilmember Butler thanked the United Way for their work and mentioned they would no longer be the provider at the end of 2026. He emphasized investigating the 2026 budget to fund support and felt it was important to ask the community as well. Funding for a shelter was a priority.

Mayor Gates thanked staff for the information.

9. Scheduling of Meetings, Other Events

None.

10. Adjournment

Mayor Gates took time to thank Assistant City Manager Juliana Kitten as it was her last meeting. He thanked her for her contributions with Housing and Homeless Solutions and wished her continued success. With no further business to come before the Council, Mayor Gates adjourned the meeting at 7:10 p.m.

Approved

X ______________________________

John Gates
Mayor

Attest

X ______________________________

Heidi Leatherwood
City Clerk

Council Agenda Summary

May 20, 2025
Key Staff Contact: Stacey Aurzada, City Attorney

Title:
Resolution of the City of Greeley, Colorado regarding the Civic Campus Master Plan Project in Downtown Greeley

Summary:
The City Council heard a presentation about the Civic Campus Master Plan Project from City of Greeley staff members and representatives from Richmark Vertikal Joint Venture on March 25, 2025. The City Council wishes to express their ongoing support for the Project and to provide information about the Council's plan of support for the Project.

Fiscal Impact:
If approved, will this item result in a positive, negative, or no impact on the budget? The resolution does not have an impact on the budget.

No Impact: If there is no impact, provide the reason
The Project will have budgetary implications, but those will be addressed in future Council items. There is no budget impact from the resoltuion.

Does this action have potential long-term fiscal implications? The Civic Campus Master Plan Project will have long-term fiscal implications.

Legal Issues:
None

Other issues and Considerations:
None

Strategic Focus Area:
Business Growth
Community Vitality
High-Performance Government
Quality of Life

Decision Options:
1. Adopt the resolution as presented; or
2. Amend the resolution and adopt as amended; or
3. Deny the resolution; or

4. Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the resolution.

Attachments:

1. Resolution No. 19, 2025

CITY OF GREELEY, COLORADO
RESOLUTION NO. 19, 2025

A RESOLUTION OF THE CITY OF GREELEY, COLORADO REGARDING THE CIVIC CAMPUS MASTER PLAN PROJECT IN DOWNTOWN GREELEY

WHEREAS, the City of Greeley ("City") is a home rule municipality and political subdivision of the State of Colorado organized and existing under its home rule charter pursuant to Article XX of the Constitution of the State; and

WHEREAS, on October 17, 2024 the City entered into a Memorandum of Understanding ("MOU") with Richmark Vertikal, LLC ("Richmark Vertikal") regarding property exchange and public-private mixed-use development in downtown Greeley (the "Project"); and

WHEREAS, City agreed in the MOU to allow Richmark Vertikal to explore the possibility of engaging in land swaps and land purchases to facilitate procurement of land assemblage for the Project; and

WHEREAS, Richmark Vertikal agreed to provide a proposal to the Greeley City Council for the Project; and

WHEREAS, on March 25, 2025 the City Council heard a presentation from City of Greeley staff members and Richmark Vertikal Joint Venture regarding the proposal for the Project; and

WHEREAS, the proposal contemplates the development of a Civic Campus which will include a new City Hall, new administrative facilities for School District 6, a boutique hotel, an office building and retail development; and

WHEREAS, a new Weld County Justice Center is also contemplated to be built in downtown Greeley; and

WHEREAS, the MOU provides that if the City Council approves of the proposal submitted by Richmark Vertikal, the City will move forward collaboratively with Richmark Vertikal to develop a conceptual plan for the Project; and

WHEREAS, the City Council believes that the Project is a transformative and important project that will benefit the citizens of Greeley and Weld County; and

WHEREAS, maintaining judicial operations, including Weld County and the 19th Judicial District Court, in downtown Greeley is critically important to downtown Greeley and to the citizens of Greeley and Weld County; and

WHEREAS, the City Council hereby determines that it is in the best interest of the City and its residents to move forward with conceptual design for the Project and therefore intends to direct the City Manager to commit resources to this effort.

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

Section 1. That the City Council hereby approves of the proposed concepts provided by Richmark Vertikal to the City Council on March 25, 2025.

Section 2. That the City Council hereby commits to the Project and hereby directs the City Manager to cooperate with Richmark Vertikal, Weld County, and School District 6 representatives in discussions regarding the Project.

Section 3. That subject to future appropriation, the City Council anticipates providing an investment of 10 million dollars towards a parking garage in downtown Greeley that would be for the benefit of Weld County, School District 6 and Greeley employees; and downtown visitors.

Section 4. That the City reaffirms its commitment to proactively improve streets, drainage, water and sewer infrastructure in downtown Greeley and intends to commit approximately 500 million dollars to these improvements, subject to future appropriations.

Section 5. That the City commits to considering real property purchases and exchanges as necessary to accomplish the Project.

Section 6. This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF_______, 2025.

ATTEST **THE CITY OF GREELEY, COLORADO**

By:______________________________
City Clerk

By:________________________________
Mayor

Item: 11.

Council Agenda Summary

May 20, 2025
Key Staff Contact: Michelle Claymore, Deputy Director of Economic Development and Urban Revitalization

Title:

Introduction and first reading of an ordinance repealing and re-enacting Chapter 12 of Title 6 of the Greeley Municipal Code regarding the Business Development Incentive Plan and repealing and amending other related Code provisions

Summary:

Economic Development & Urban Revitalization (EDUR) Department team members worked with a consultant and the City Attorney's Office to develop a new Economic Development Incentive policy for the City Council's consideration. A draft of the new policy was presented to city council during a work session on May 13, 2025.

The incentive policy outlines criteria and procedures to ensure that the use of public resources creates exceptional value to support the City's desired development and the well-being of the community.

The new Incentive Policy gives city council more options by authorizing various tools that can be used to incentivize existing and future economic development projects desired by the City. The new policy also:

- Establishes clearer policy on eligibility
- Helps to evaluate an incentive request against established criteria
- Makes available "The Right Tool for the Job"
- Is flexible with case-by-case evaluation since usually no two economic development projects are alike.

The City Council has the authority to approve or deny any incentive request brought forward for review.

Amending Municipal Code
Greeley's existing business incentive program was adopted in 2011 and is outlined in the City's Municipal Code. By contrast, neighboring communities have an incentive policy and the Municipal Code references the policy. This is the general practice for most communities today and makes changing or updating the incentive policy an easier and more efficient process than if it resides in the Municipal Code. Staff is recommending that the City Council adopt the incentive policy and approve amendments to the Municipal Code to reflect this change. If city council supports the proposed incentive policy, then the attached ordinance will amend the current incentives language in the Municipal Code to reflect the new Incentive Policy.

Fiscal Impact:
If approved, will this item result in a positive, negative, or no impact on the budget?

No immediate impact. The future cost will be dependent on the project.

Legal Issues:
Consideration of this matter is a legislative process.

Other issues and Considerations:

Strategic Focus Area:
Business Growth
Community Vitality
High-Performance Government
Quality of Life

Decision Options:
1. Introduce the ordinance as presented; or
2. Amend the ordinance and introduce as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action:
A motion to introduce the ordinance and schedule the public hearing and second reading for June 3, 2025.

Attachments:
1. Ordinance No. 17, 2025 with Appendix A & B
2. Draft Resolution - Economic Development Incentives Policy
3. Exhibit A to the Draft Resolution - Incentive Policy

CITY OF GREELEY, COLORADO

ORDINANCE NO. 17, 2025

AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 12 OF TITLE 6 OF THE GREELEY MUNICIPAL CODE REGARDING THE BUSINESS DEVELOPMENT INCENTIVE PLAN AND AMENDING OTHER RELATED CODE PROVISIONS

WHEREAS, on July 15, 1986, Ordinance No.48 added to chapter 4.52 to the Greeley Municipal Code (the "Code") providing an economic development incentive plan that waived certain fees and taxes to stimulate the location of new business and the expansion of existing business within the City of Greeley (the "City"); and

WHEREAS, Ordinance No. 48, 1986 has been amended from time to time including Ordinance No. 26, 1994 amending Section 4.52.010; Ordinance No. 19, 1995 amending Chapters 4.52 and 4.56; Ordinance No. 8, 2007 repealing Sections 4.52 and 4.56 and reenacting a new Section 4.52; Ordinance No. 12, 2010 amending Sections 4.52.010, 4.52.015, 4.52.016, 4.52.020, 4.52.030,4.52.040, 4.52.070, 4.52.080 and 4.52.085 and adding Section 4.52.155; Ordinance No. 17, 2011 repealing and re-enacting Chapter 4.52; Ordinance No. 20, 2016 amending sections 4.52.110 and 4.52.210; Ordinance No. 31, 2018 amended Chapter 4.52; Ordinance No. 12, 2021 recodifying and renumbering Chapter 4.52 into Chapter 12, Title 6; and Ordinance No. 23, 2021 amending Title 6, Chapter 12 to add Article VII; and

WHEREAS, in order to benefit better from and respond more nimbly to economic development opportunities and changing market conditions, and align more competitively with other municipalities, the City Council seeks to repeal and re-enact its economic development incentive plan set forth in Chapter 12 of Title 6 as the Business Development Incentive Plan and to amend other related economic development incentive provisions in the Code; and

WHEREAS, the City Council desires to re-name the Business Development Incentive Plan as the "Economic Development Incentive Plan" and re-enact it to authorize an economic development incentive policy that is approved and adopted by resolution to enhance the health, safety and welfare of residents by stimulating economic growth thereby providing greater access to goods and services, employment opportunities, housing and other benefits that contribute to a thriving community; and

WHEREAS, changes to Chapter 12 of Title 6 of the Code will affect other related economic development incentive provisions that are referenced in other parts of the Code requiring that such provisions be amended; and

WHEREAS, City Council finds that repealing and re-enacting Chapter 12 of Title 6 of the Code regarding the Business Development Incentive Plan and amending other related Code provisions is in the best interests of the residents of the City.

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

Section 1. That Chapter 12, Business Development Incentive Plan, of Title 6, Revenue and Finance, of the Greeley Municipal Code be and is hereby repealed in its entirety and re-enacted to read as follows:

Chapter 12. ECONOMIC DEVELOPMENT INCENTIVE PLAN

The city council shall approve and adopt by resolution an economic development incentive policy for the purpose of stimulating economic growth by recruiting, retaining and expanding quality businesses and jobs, bringing new investment to the community, diversifying the local economy and growing an innovative and entrepreneurial ecosystem.

Section 2. That section 6-1001 of Chapter 15, Development Impact Fees for Public Improvements, Facilities and Equipment for Police, Fire, Parks, Trails, Storm Drainage and Transportation, of Title 6, Revenue and Finance, of the Greeley Municipal Code shall be amended to read in full as follows:

Sec. 6-1001. - Imposition of development fees.
(a) Each development is required to pay the development impact fees in the amounts specified in this chapter.
(b) No building permits shall be issued until the development fees described in this chapter have been paid, unless the development for which the permit is sought is exempted by section 6-1011, approved credits are used to cover the development fees as set forth in section 6-1011, ~~or~~ the city and developer of the property have agreed to amounts determined pursuant to an independent fee calculation study agreed to by the city pursuant to section 6-1002(c), or the development fees have been satisfied pursuant to chapter 12 of title 6 of this Code.
(c) In constructing applicable improvements defined in the Development Code, title 24 of this Code, the city shall not be exempt from paying development impact fees. The city shall pay development impact fees in the amount determined pursuant to section 6-1002(b) or, as computed within the discretion of the city. section 6-1002(c) shall not apply to the city.

Section 3. That Paragraph d. of Section 24-305 of Chapter 3, Subdivision Standards, of Title 24, Development Code of the Greeley Municipal Code shall be amended to read in full as follows:

d. *Impact fees.* To mitigate project impacts on city service systems beyond the improvements required in section 24-304, developers shall pay standard impact fees established by title 6, chapter 15 of this Code.
1. If the facility is currently inadequate, sub-standard, or not existing, the impact fee shall be paid at the time of final plat. For purposes of economic development, the city may defer the impact fees for commercial and industrial development until the time of a building permit.
2. Impact fees where adequate facilities are existing shall be paid at the time of building permit.
3. As an alternative to the fee, the city may accept the applicant constructing or upgrading of any facility to the standards of this section.

4. Exceptions. The city council may waive some or all requirements that the developer absorb the development costs identified through the adequacy analyses outlined above pursuant to the chapter 12 of title 6 of this Code ~~and obligate the city to pay said costs only if all of the following conditions are true:~~

~~(a) The project meets city economic development goals as defined in chapter 12 of title 6 of this Code;~~

~~(b) The cost benefit analysis has been prepared by the applicant and accepted by the city; and~~

~~(c) The city council has identified an adequate mechanism for funding mitigation of impacts at the time of development~~.

Section 4. That the existing Chapter 12 of Title 6 of the Greeley Municipal Code to be repealed and re-enacted in this Ordinance is attached hereto in Appendix A.

Section 5. That the existing Section 6-1001 and Section 24-305 of the Greeley Municipal Code to be amended are attached hereto in Appendix B.

Section 6. This Ordinance shall become effective five days following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ______ DAY OF _____________, 2025.

ATTEST: **CITY OF GREELEY, COLORADO**

By: ___________________________ By:____________________________________

City Clerk **Mayor**

APPENDIX A

EXISTING CHAPTER 12 OF TITLE 6 OF THE GREELEY MUNICIPAL CODE

CHAPTER 12. Business Development Incentive Plan

ARTICLE I. - GENERALLY

Sec. 6-784. - Legislative findings.

(a) An economic development incentive plan is established to encourage the location of new businesses and the expansion of existing businesses within the city. This will stimulate the general economic well-being of the city, providing the foundation of the tax base required for the provision of city services and the direct general public welfare by benefiting every public and private sector through the generation of employment opportunities with the attendant increase of disposable income. The policy provides for five incentive categories:

(1)Those associated with one-time building permit and sales and use tax;

(2)Those associated with a longer term personal property tax rebate;

(3)Those associated with the Greeley/Weld Enterprise Zone;

(4)Those associated with the location of new employees within the city; and(

5)Those associated with the construction of core and shell buildings, to provide speculative development.

(b) All decisions to grant incentives to any business or employee are at the sole discretion of the city council, on a case-by-case basis.

(c) If granted by the city pursuant to this chapter, incentives shall be available as follows:

(1)To businesses in the calendar year in which the business has completed construction or expansion, if such construction or expansion meets the criteria, exclusions and definitions established in article II of this chapter.

(2)Employee relocation payments, in accordance with the requirements of article VI of this chapter.(

d)All incentives granted by the city shall be enforced upon the execution of a written agreement between both parties.

(Code 1994, § 4.52.010; Ord. No. 17, 2011, § 1, 7-5-2011; Ord. No. 31, 2018, § 2, 7-17-2018)

Secs. 6-785—6-806. - Reserved.

ARTICLE II. - GENERAL REQUIREMENTS FOR CONSIDERATION OF INCENTIVE

Sec. 6-807. - Qualifications and definitions.

(a)The incentives described below may, on a case-by-case basis, be available to any new or expanding manufacturing, processing, distribution, research and development, aerospace, conventional energy, renewable energy, or computer system/software product support or technical service business, as defined in subsection (b) of this section, which meets the following qualifying criteria:

(1) Eligible new or expanding business shall not include any corporate reorganization, sale of an existing business or resumption of business activities unless such business has been closed for at least the previous 24 months.

(2) Eligible new or expanding business shall derive more than 50 percent of its income from manufacturing, processing, distribution, research and development, aerospace, conventional energy, renewable energy, or computer system/software product or technical service activities and may not derive 25 percent or more of its gross income during any 12-month period from direct retail sales.

(3) Eligible new or expanding business shall invest a minimum of $500,000.00 in a new or replacement plant and/or equipment/machinery during the calendar year in which application is made for incentives.

(4) For development fee waiver, the additional employment level shall be determined by comparing projected employment totals with the firm's previous three years' annual average employment within the city.

(b)The following definitions shall apply in determining the eligibility of companies to qualify for the economic development incentives plan. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Aerospace means a business or industry engaged in the science and/or technology of flight and/or space travel that researches, designs, manufactures, operates, or maintains instruments, components or vehicles relating to the earth's atmosphere and its space beyond.

Buildable lot means real property that is platted, zoned, served by public utilities, and designed to support industrial development, including, but not limited to, industrial buildings, warehouses, and office space associated with manufacturing, agricultural processing, warehousing, distributing, and wholesaling sectors. As applied in this chapter, the term "buildable lot" excludes any property that has been approved for residential, retail, and general business offices uses.

Computer system/software product support or technical service business means a business engaged in providing technical service to users of computer systems or software products manufactured or created by the company or other companies.

Conventional energy means a petroleum industry's regional business office, research and development office or field operations service facility specializing in the exploration and extraction, recovery, and/or production of petroleum, petroleum-based or natural gas energy resources.

Core and shell means construction of basic elements of a building, including primary structure, building roof and facade, "vanilla box," mechanical and supply system including, as applicable, electricity, gas, HVAC, telephone, drainage up to the point of contact with individual tenant spaces, public circulation, and fire egress areas.

Development impact fees means fees for public improvements, facilities and equipment for police, fire, parks, trails, storm drainage and transportation; includes plant investments fees, in conformance with chapter 14 of this title.

Distribution means the temporary storage of tangible personal property for later dissemination.

Existing sales and use tax rebate means city sales tax imposed under this Code on construction materials, fixed equipment and machinery installation, facilities lease, equipment and machinery, research equipment, and computer hardware.

Full-time employee means an employee of the firm who is expected in the normal course of employment to provide at least 2,080 hours of compensated service during any consecutive 12-month period, who earns an annual gross income from such compensated service equal to or above the county's annual average wage for all industries according to the state department of labor's most recent annual industry standards and who has an employee health plan that is paid a minimum of 50 percent by the employer.

Machinery and equipment means those articles of tangible machinery personal property exclusively used in the industrial manufacturing process, research and development or computer hardware not used for word processing.

Manufacturing or processing means the operation of producing, in an industrial use, an item of tangible personal property different from and having a distinctive name, character or use from raw or prepared materials.

Renewable energy means a non-petroleum-based industry's regional business office, research and development, or renewable energy production facility specializing in the research, development, design, manufacturing, operation or maintenance of wind, solar, biomass, bio-fuel, hydro, geothermal technologies or other non-petroleum-based energy sources.

Research and development means those activities directly related to the development of an experimental or pilot model, a plant process, a product, a formula, an invention or similar property and the improvement of already existing property of the type mentioned. The term "research and development" shall not include ordinary testing or inspection of materials or products for quality control or those for efficiency surveys, management studies, consumer surveys, advertising, promotions or research related to literary, historical or similar projects.

Speculative development means the completion of a building's core and shell (base of building without interior finishes).

Tenant finish means interior construction and finishes that are designed for a particular/specific user.

(Code 1994, § 4.52.020; Ord. No. 17, 2011, § 1, 7-5-2011; Ord. No. 31, 2018, § 3, 7-17-2018)

Sec. 6-808. - Determination of incentive or relocation payment discretionary.

The determination as to whether or not to pay, waive or rebate to a business or qualifying employee any cash, fees or taxes stated in this chapter is wholly discretionary on the part of the city council, on a case-by-case basis, only if the city manager has first considered, evaluated and individually weighed the following criteria to the request and determined that the proposed incentives are in the best interests of the city:

(1)The degree to which the proposed waiver, rebate or payment is needed or desired to facilitate a new business or new jobs of a business;

(2)The degree of revenue enhancement potential to the city;

(3)The potential impact and benefits of the business and its additional employees to the established community plans, master plan and city council policies and goals;

(4)The extent that the waiver, rebate or payment will result in a revenue enhancement which has already been previously anticipated and reflected in the annual budget, in which case the payment may be denied to avoid unanticipated budgetary impacts; and

(5)The extent that the business and its additional employees has impacted or may impact the city, including health, safety and welfare concerns.

(Code 1994, § 4.52.030; Ord. No. 17, 2011, § 1, 7-5-2011; Ord. No. 20, 2016, § 1(exh. A), 9-6-2016)

Sec. 6-809. - Precedents.

Any decision concerning a specific incentive shall not set any precedent for future incentive.

(Code 1994, § 4.52.040; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-810. - Policy void; when.

This policy shall be void if a state constitutional or home rule Charter provision limiting the property taxes collected or revenues collected by the city is passed by the voters from, or if the authority for exclusion from property tax limits is held unconstitutional or invalid by a court of competent jurisdiction.

(Code 1994, § 4.52.050; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-811. - Repayment for failure to perform.

If the business received the incentive payment and fails to perform or accomplish the terms and conditions of the city's incentive agreement in accordance with the time set forth, at the city's option, the business shall be liable on a pro-rata basis, to repay the awarded incentives. The substance of this article shall be added to all written incentive agreements.

(Code 1994, § 4.52.060; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-812. - Documentation required.

Businesses or employees wishing to apply for the benefits of the economic development incentive plan shall submit to the city manager or designee all documentation necessary for determination of qualification for the plan. Failure to submit adequate documentation to determine eligibility shall disqualify the business. Application for determination must occur within the period identified in section 6-784(c).

(Code 1994, § 4.52.070; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-813. - Appeal.

All appeals of the decision of city council to grant or deny any incentives identified in this chapter 12 of this title shall be appealed to the county district court within 30 days of city council's decision.

(Code 1994, § 4.52.080; Ord. No. 17, 2011, § 1, 7-5-2011)

Secs. 6-814—6-834. - Reserved.

ARTICLE III. - BUILDING PERMIT FEES AND SALES AND USE TAXES

Sec. 6-835. - Waiver of city building permit fees and city sales and use tax.

Waiver of city building permit fees and city sales and use tax may, on a case-by-case basis, be available as provided in this article.

(Code 1994, § 4.52.090; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-836. - Waiver of fees.

(a)For qualifying businesses, city building permit fees may, on a case-by-case basis, be waived as follows:

(1)At a rate of $500.00 per new full-time employee job created; or

(2)In an amount determined by the city council.

In no event shall the amount of fees waived exceed the total of required fees.

(b)The following fees shall not be waived under subsection (a) of this section: water and sewer plant investment fees, drainage fees, police fees, fire fees and street construction fees.

(Code 1994, § 4.52.100; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-837. - Waiver of taxes.

City sales and use taxes for qualifying businesses in good standing may, on a case-by-case basis, be waived, in whole or in part, for the period of construction or expansion only, as follows:

(1) Sales and use taxes on construction materials, fixed equipment and machinery installation, or facilities lease

a. Sales and use taxes on the first $500,000.00 may be 100 percent waived.

b. Sales and use taxes on amounts in excess of $500,000.00 may be waived in the amount equal to the sales and use tax due on the first $500,000.00 invested, plus one percent per $100,000.00, including the first $500,000.00, to a maximum of 100 percent waiver when the amount of material costs or lease reaches or exceeds $10,000,000.00.

(2) Sales and use taxes on equipment and machinery, research equipment and computer hardware not used for word processing when the business investment for such equipment reaches a minimum of $100,000.00:

a. Sales and use taxes on the first $500,000.00 may be 100 percent waived.

b. Sales and use taxes on amounts in excess of $500,000.00 may be waived in the amount equal to the sales and use tax due on the first $500,000.00 invested plus one percent per $100,000.00, including the first $500,000.00, to a maximum of 100 percent waiver when the amount of equipment and machinery reaches or exceeds $10,000,000.00.

(Code 1994, § 4.52.110; Ord. No. 17, 2011, § 1, 7-5-2011; Ord. No. 20, 2016, § 1(exh. A), 9-6-2016)

Secs. 6-838—6-867. - Reserved.

ARTICLE IV. - PERSONAL PROPERTY TAXES

Sec. 6-868. - Personal property tax rebate.

Personal property tax rebate may, on a case-by-case basis, be available as provided in this article.

(Code 1994, § 4.52.120; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-869. - Personal property tax rebate payment negotiations.

Personal property tax rebate payments may be negotiated with qualifying new business facilities or expanded business facilities, including primary industries.

(Code 1994, § 4.52.130; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-870. - Primary industry defined.

The term "primary industry" means an industrial sector business which directly or indirectly exports some or all of its products and/or services for use and/or consumption to outside of the city.

(Code 1994, § 4.52.140; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-871. - Qualified primary industry requirements.

Personal property tax rebate incentive payments may, on a case-by-case basis, be available to any qualifying new or expanding businesses which are primary industries which create primary jobs and import dollars into the community and which also meet the following criteria:

(1) Eligible new or expanding primary industry businesses shall not include any corporate reorganization, sale of an existing business or resumption of business activities unless new investment is created.

(2) Eligible new or expanding primary industry businesses shall derive at least 50 percent of the principal source of gross annual income from the sale of products or services consumed outside of the city either directly or indirectly. The intent of these criteria is to assist firms engaged in manufacturing, processing, research and development and provision of externally directed services (e.g., insurance claims).

(3) Eligible new or expanding primary industry businesses shall not derive more than 25 percent of the gross annual income from direct retail sales.

(Code 1994, § 4.52.150; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-872. - Minimum investment for personal property tax rebate incentives.

Eligible new or expanding businesses shall invest a minimum of $1,000,000.00 in a new business facility or expanded business facility, as these terms are referenced in C.R.S. § 39-30-107.5, during the calendar year in which application is made for the personal property tax rebate incentive payment.

(Code 1994, § 4.52.160; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-873. - Notification of negotiated written agreements for personal property tax rebates.

The city will notify the county of any negotiated written agreements for city-granted personal property tax rebates with new, expanded and primary industry businesses facilities.

(Code 1994, § 4.52.170; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-874. - Term of agreement for personal property tax rebate.

The term of the written agreement for personal tax rebates granted pursuant to this chapter shall not exceed ten years and is subject to revenue availability and annual appropriations.

(Code 1994, § 4.52.180; Ord. No. 17, 2011, § 1, 7-5-2011)

Sec. 6-875. - Maximum personal property tax rebate amount.

The annual personal property tax rebate payment pursuant to this chapter shall not be greater than 50 percent of the amount of the taxes levied by the city upon the taxable personal property located at or within such new business facilities or directly attributable to the expansion of existing business facilities, and used in connection with such facilities for the current property tax year.

(Code 1994, § 4.52.190; Ord. No. 17, 2011, § 1, 7-5-2011)

Secs. 6-876—6-898. - Reserved.

ARTICLE V. - GREELEY/WELD ENTERPRISE ZONE INCENTIVES

Sec. 6-899. - Greeley/Weld Enterprise Zone personal and real property tax incentives.

Notwithstanding anything in this chapter to the contrary, the city may, on a case-by-case basis, make available to a qualifying business facility meeting the requirements of C.R.S. § 39-30-107.5, some or all of personal and real property tax incentives allowed pursuant to C.R.S. § 39-30-107.5.

(Code 1994, § 4.52.200; Ord. No. 17, 2011, § 1, 7-5-2011)

Secs. 6-900—6-916. - Reserved.

ARTICLE VI. - EMPLOYEE RELOCATION PAYMENT

Sec. 6-917. - Business relocation payment for new, additional employees.

(a)Notwithstanding anything in this chapter to the contrary, and in addition to the payments and incentives stated in this section, the city may, on a case-by-case basis, pay to either, but not both, a business or a qualifying employee up to a maximum one-time, $2,000.00 payment for each qualifying employee who relocates the employee's principal personal residence from outside to inside the city limits by purchasing residential real property within the city and maintaining that residential real property as the qualifying employee's principal personal residence, as provided in this section.

(b)The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Business means any new, existing or expanding business enterprise of any nature or kind which has its principal place of business located within the jurisdictional limits of the city.

Employee and qualifying employee mean an additional employee of the business:

(1) That is employed by the business so that it increases the number of employees of the business from its previous employee level of the preceding 12-month period;

(2) That is continuously employed by the business for the preceding 12-month period prior to the time the business claims the relocation payment;

(3) Whose gross annual salary, exclusive of all benefits, is equal to or exceeds 125 percent of the most recent annualized county average wage (WCAW) in effect at the time the employee establishes the employee's principal personal residence in the city; and

(4) Where the business pays at least 50 percent of the health insurance premium of the employee.

Primary personal residence means the fee ownership purchase of residential real estate property located within the city in the employee's own name and continuously held and occupied by that employee as the employee's principal residence at that residential property for the preceding 12-month period of the calendar year in which the business claims the relocation payment.

(c)On a case-by-case basis, the city may pay, subject to determination by the city council using the criteria stated in subsection (d) of this section, and subject to appropriation of sufficient funds, up to $2,000.00, to either, but not both, a business for each qualifying employee or a qualifying employee of that business who relocates the employee's primary personal residence from outside to inside the city limits.

(d)The relocation payment schedule for businesses that are granted the business relocation payment for qualifying employees, as determined by the city manager, for each qualifying employee is as follows:

Gross Annual Salary	**Cash Payment**
125 percent of WCAW*	$500.00
150 percent of WCAW*	$750.00
175 percent of WCAW*	$1,000.00
200 percent of WCAW*	$1,250.00
225 percent of WCAW*	$1,500.00
250 percent of WCAW*	2,000.00

*Weld County Average Wage (WCAW) for all industries shall be determined and modified on an annual basis.

(e)In order to apply for this business relocation payment from the city for qualifying employees, each business or qualifying employee shall provide the city the following documentation:

(1)A recorded copy of the deed conveying good title to the qualifying employee;

(2)A copy of the county treasurer's report showing the qualifying employee as owner of the property and that all property taxes are current and not delinquent;

(3)An affidavit of the qualifying employee that the qualifying employee has established the employee's principal personal residence within the city for the preceding 12-month period prior to the application for payment; and

(4)An affidavit of the business that the qualifying employee was continuously employed by the business during the preceding 12-month period, including all W-2 forms showing the employee's gross annual salary, excluding benefits, and a copy of records showing the business's contribution to the employee's health insurance premiums.

All one-time relocation payments are based upon a 12-month period in which the qualifying employee's residence is established. All relocation payments are a one-time payment for each qualifying employee who relocates to the city, pursuant to the provisions of this section. Any payment by the city will be made only once for each qualifying employee relocating the employee's principal personal residence to the city and shall not be made in any future years, regardless of any relocation of the principal personal residence of that qualifying employee outside or inside the city. Each payment to either the business or qualifying employee shall be based upon the preceding 12-month period prior to application for the payment and shall not be made based upon any calendar or fiscal year or other time frame. If the application is approved, within 60 days after approval, the city shall make the payment to either the business or the qualifying employee after the receipt of all sufficient documentation required by this section.

(Code 1994, § 4.52.210; Ord. No. 17, 2011, § 1, 7-5-2011; Ord. No. 20, 2016, § 1(exh. A), 9-6-2016)

Sec. 6-918. - Incentives for speculative development.

(a) Notwithstanding anything in this chapter to the contrary, and in addition to the payments and incentives stated in this chapter, the city may, on a case-by-case basis, provide economic incentives to those businesses that complete core and shell building that complies with the terms of this article. In making this determination, the city may reasonably rely on industrial and real estate market data, to determine whether, and to what extent. the city's existing inventory of vacant industrial space is available for the qualifying businesses as defined in section 6-807, including, but not limited to, low vacancy rates and/or functional obsolescence of the available industrial space.

(b) Property tax rebate.

(1) An owner of a speculative building may obtain a rebate of up to 100 percent of its property tax for a two-year assessment period for investments of $500,000.00 or more.(2)The owner of the speculative building may apply for a two-year extension of the tax rebate incentive. Based upon market conditions and the individual building's past performance, the city may in its discretion grant the two-year extension.

(c) Existing development incentive of sales and use tax rebate. An owner of a speculative building who has invested $1,000,000.00 or more in a core and shell may be considered for an existing sales and use tax rebate, in the same amounts and at the same rate as set forth in section 6-837.

(d)Impact fee deferment.

(1) An owner of a speculative building who has invested $1,500,000.00 or more in a core and shell may be considered for deferment of all impact fees until issuance of a certificate of occupancy to a tenant in any of the qualifying businesses as defined in section 6-807.

(2) An owner who has been granted such a deferment may be considered for an extension of the deferment. Based upon market conditions and the individual building's past performance, the city may in its discretion grant the two-year extension.

(3) Any deferment of impact fees under this section will terminate upon evidence that any of the leasable square footage in the speculative building is occupied by businesses that fall outside of the description of qualifying businesses under section 6-807.

(Code 1994, § 4.52.220; Ord. No. 31, 2018, § 4(4.52.220), 7-17-2018)

ARTICLE VII. - ENHANCED SALES TAX INCENTIVE PROGRAM

Sec. 6-919. - Title.

This article shall establish and be known as the City of Greeley's Enhanced Sales Tax Incentive Program (ESTIP).

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-920. - Purpose.

The purpose of the enhanced sales tax incentive program or ESTIP is to recruit and retain retail sales tax generating businesses within the City of Greeley, thereby stimulating the economy of and within the city, thereby providing employment for residents of the city and others, thereby further expanding the goods and services available for purchase and consumption by businesses and residents of the city, and further increasing the sales taxes collected by the city. Such increased sales tax collections will enable the city to provide expanded and improved municipal services to and for the benefit of the city, while at the same time providing public-related improvements to the city and its taxpayers and residents.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-921. - Definitions.

As used in this article, the following phrases shall have the following meanings unless the context clearly indicates another meaning:

(1) The phrase enhanced sales tax shall mean the amount of sales tax collected by the city over and above a base amount negotiated by the city manager or designee, and agreed upon, by the applicant and the city. The base amount shall never be lower than the amount of sales taxes collected by the city at the property in question in the previous 12 months. In the case of a newly established business, an amount which represents the good faith determination by the applicant and the city as to the amount of sales taxes which could be generated from the new business without the participation by applicant in the ESTIP.

(2) The phrase owner or applicant shall mean the record owner or potential owner of the project.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-922. - Eligibility.

Participation in ESTIP shall be based upon approval by the city. Any owner or applicant of a newly established or proposed retail business, or the owner or applicant of an existing retail business which wishes to expand substantially, may apply to the city for inclusion within the ESTIP, provided that the new or expanded business is reasonably likely to generate enhanced or increased sales taxes.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-923. - Limitations.

Approval by the city of an agreement implementing this ESTIP shall entitle the successful applicant to share in enhanced sales taxes derived from applicant's property or business;

however, that applicant shall use said amounts only for improvements specified in section 6-924(b) and which are expressly approved by the city at the time of consideration of the application. The time period in which said enhanced sales taxes may be shared shall not commence until all improvements are completed and meet city standards, and shall be limited by the city, in its discretion, to a specified time, or until an amount of enhanced sales taxes specified in the agreement required by section 6-928 has been collected.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-924. - Obligations on participants.

(a)The uses to which any shared enhanced sales taxes may be put by an applicant shall be strictly limited to those improvements installed or constructed as part of the development of the subject property.

(b)For the purposes of this article, improvements shall mean public improvements, including, but not limited to, streets, sidewalks, curbs, gutters, pedestrian malls, street lights, drainage facilities, landscaping, decorative structures, public art, fountains, identification signs, traffic safety devices, bicycle paths, off-street parking facilities, benches, restrooms, information booths, public meeting facilities, and all necessary, incidental, building facades, architectural enhancements, and appurtenant structures and improvements, together with the relocation and improvement of existing utility lines, and any other improvements of a similar nature which are specifically approved by the city.

(c)Nothing contained herein shall limit the city from appropriating additional capital improvement funds for capital improvements directly or indirectly affecting the property in question as a part of the city's regular appropriation, capital improvement, or budget process.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-925. - Administration.

The base figure for sales taxes shall be divided into monthly, quarterly, semi-annually or annual increments as determined by the city, which increments are subject to agreement between the parties, and approval by the city, and which increments shall be reasonably related to the average performance of the business or property in question, or similar businesses in the area (i.e., adjusted for seasonal variations) for the incremental period. If in any incremental period the agreed base amount is not met by an owner or proprietor and, thus, no enhanced sales taxes are generated for that incremental period, no funds shall be shared with the owner or proprietor for said incremental period, and no increment shall be shared until that deficit, and any other cumulative deficit, has been met, so that at the end of the term of the agreement, funds in excess of those enhanced sales taxes agreed to be shared shall not have been shared with any owner or proprietor.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-926. - Accounting.

(a)It is an overriding consideration and determination of the city council that existing sources of city sales tax revenues shall not be used, impaired, or otherwise affected by this enhanced sales tax incentive program. Therefore, the city council conclusively determines that only enhanced sales taxes generated by the properties described in an application, and a subsequent agreement, shall be subject to division under this article.

(b)Pursuant to section 6-3, an ESTIP escrow account is hereby established. It shall be the affirmative duty of the finance director to collect and escrow enhanced sales taxes payable to the owner or applicant in the ESTIP escrow account, separate and apart from the sales taxes generated by, and collect from, any other sales tax generating sources within the city, and to provide an accounting system which accomplishes the overriding purpose of this section 6-926. Interest earnings on such account shall accrue to the city. Such funds shall not be considered city funds for purposes of any ordinance or resolution allocating sales tax monies from particular sources to particular purposes but shall be applied exclusively to this program.

(c)The city council conclusively states that this article would not be adopted or implemented but for the provisions of this section.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-927. - Review of application.

Approval of an application for inclusion in this ESTIP shall be in the discretion of the director of finance, in consultation with the city manager or designee, based upon the following criteria:

(1)The city's reasonable discretion to target the development, growth, or rehabilitation of any areas within the city;

(2)The amount of enhanced sales taxes which are reasonably anticipated to be derived by the city through the expanded or new retail sales tax generating business;

(3)The public benefits which are provided by the applicant through public works, improvements, additional employment for city residents;

(4)The amount of expenditures which may be deferred by the city based upon improvements to be completed by the applicant at the applicant's expense;

(5)The conformance of the applicant's property or project with the comprehensive plan, zoning ordinances and building codes of the city; and

(6)The agreement required by section 6-928 having been reached, which agreement shall contain and conform to all requirements of section 6-928.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-928. - Agreement.

Each application for approval submitted to the city shall be determined solely on its own merits. Approval of an application shall require that an agreement be executed by the owner or applicant and the city, which agreement shall, at a minimum, contain:

(1) A list of those improvements shall be provided which justify the owner or applicant's inclusion within the ESTIP, and the amount which shall be spent by the owner or applicant on said improvements;

(2) The maximum amount of enhanced sales taxes to be shared, and the maximum time during which said agreement shall continue, it being expressly understood that any such agreement shall expire and be of no further force and effect upon the occurrence of the earlier to be reached of the maximum time of the agreement (whether or not the maximum amount to be shared has been reached) or the maximum amount to be shared (whether or not the maximum time set forth has expired);

(3) A statement that the agreement shall never constitute a debt or obligation of the city within any constitutional or statutory provision;

(4) A provision identifying the incremental period during which the amount of enhanced sales tax funds to be shared, if any, will be calculated, which incremental period may be monthly, quarterly, semi-annually or annually;

(5) The base amount which is agreed upon by incremental period, and the fact that if, in any incremental period as specified, sales taxes received from the property do not at least equal said amount, that there shall be no sharing of enhanced sales tax funds for said incremental period, and that any deficit for any such period shall be carried over to succeeding periods until the difference between the base amount and the amount of sales tax actually paid is recovered by the city;

(6) The base tax amount agreed upon in the agreement shall consider the historic level of sales at the property in question, or a similar property within the area in the event of a new business, and a reasonable allowance for increased sales due to the improvements and upgrades completed as a result of inclusion within the ESTIP;

(7) A provision that any enhanced sales taxes subject to sharing shall be escrowed in the event there is a legal challenge to the enhanced sales tax incentive program or the approval of any application therefor;

(8) An affirmative statement that the obligations, benefits, and provisions of the agreement may not be assigned in whole or in any part without the express, written authorization of the city, and further that no third party shall be entitled to rely upon or enforce any provision of the agreement or this article; and

(9) Any other provisions agreed upon by the parties and approved by the city council.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-929. - Legislative intent.

(a)The city council has enacted the ordinance from which this article is derived as a joint benefit to the public at large and to private owners for the purposes of: providing the city with increased sales tax revenues generated upon and by properties improved as a result of this program; encouraging the construction of public improvements by private owners without debt obligations being incurred by the city; and allowing owners and proprietors opportunities to improve properties which generate sales activities, which improvements make those properties more competitive in the marketplace and further provide to owners and proprietors additional contingent sources of revenues for upgrading said properties.

(b)City council specifically finds and determines that creation of this ESTIP is consistent with the city's powers as a home rule municipal corporation, and that exercise of those powers in this article promotes the public health, safety and general welfare. Notwithstanding any provision hereof, the city shall never be a joint venturer in any private entity or activity which participates in this ESTIP, and the city shall never be liable or responsible for any debt or obligation of any participant in ESTIP.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-930. - Severability.

If any clause, sentence, paragraph, or part of this article or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect its application to other persons or circumstances.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Sec. 6-931. - Safety clause.

The city council hereby finds, determines, and declares that the ordinance from which this article is derived is promulgated under the home rule powers and general police power of the City of Greeley, that it is promulgated for the health, safety, and welfare of the public and such ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The city council further determines that this article bears a rational relation to the properly legislative object sought to be attained.

(Ord. No. 23, 2021, § 1(app. A, § 1), 8-3-2021)

Secs. 6-932—6-939. - Reserved.

APPENDIX B

EXISTING SECTION 6-1001 AND SECTION 24-305 OF THE GREELEY MUNICIPAL CODE

Sec. 6-1001. Imposition of development fees.

(a) Each development is required to pay the development impact fees in the amounts specified in this chapter.

(b) No building permits shall be issued until the development fees described in this chapter have been paid, unless the development for which the permit is sought is exempted by section 6-1011, approved credits are used to cover the development fees as set forth in section 6-1011, or the city and developer of the property have agreed to amounts determined pursuant to an independent fee calculation study agreed to by the city pursuant to section 6-1002(c).

(c) In constructing applicable improvements defined in the Development Code, title 24 of this Code, the city shall not be exempt from paying development impact fees. The city shall pay development impact fees in the amount determined pursuant to section 6-1002(b) or, as computed within the discretion of the city. section 6-1002(c) shall not apply to the city.

(Code 1994, § 4.64.040; Ord. No. 41, 2003, § 1, 6-3-2003; Ord. No. 2, 2015, § 1(exh. A), 1-20-2015)

Sec. 24-305. Adequate public facilities.

a. *Intent.* The intent of the adequate public facilities standards is to:

1. Anticipate and evaluate the incremental and long-term impact of development on broader public and community facility needs.

2. Identify opportunities to integrate plans for public and community facilities into the planning and design of proposed land divisions.

3. Consider the location of public and community facilities in coordination with the initial planning considerations for streets, open spaces, blocks, and lots, so that needed facilities are appropriately located prior to the premature commitment of these areas to conflicting development patterns.

4. Ensure that public facilities needed to serve new development are available concurrent with development, and maintain service levels in existing areas as new development occurs.

5. Apportion appropriate costs for the impact of new development on existing and planned public facilities.

6. Provide the opportunity to negotiate implementation of public or community facilities beyond the impact of the particular project, where the lack of facilities may otherwise constrain potential future development.

7. Promote fiscal responsibility for all public entities by coordinating the planning, design and financing of public facilities with the impact generated from proposed development.

b. *General requirements.*

1. *Public facility plans.* Public facilities shall be provided consistent with the following adopted city documents:

(a) Comprehensive plan;

(b) Water, sewer, and non-potable water master plans;

(c) Comprehensive stormwater master plans;

(d) Transportation master plan;

(e) Development fee study;

(f) Parks, trails, and open space master plan; and

(g) Other adopted documents related to city capital improvements.

2. *Service area map.* Available services shall generally mean existing services of standard sizes of public water and sewer mains. The city updates the existing service area map regularly.

3. *Project impacts.* Individual projects will be evaluated for adequacy based on specific studies provided by the applicant and accepted by the city that demonstrate:

(a) The location of the proposed development relative to existing facilities and service;

(b) The ability of the project to access those facilities and services; and

(c) The capacity of existing facilities and services to serve the new project while maintaining acceptable levels of service for existing development.

4. *Other provisions.*

(a) Finding of adequate facilities does not exempt the applicant from paying impact fees provided in section 24-305.d.

(b) Nothing in this section shall limit the city from denying an application where it otherwise determines that adequate public facilities will not be in place concurrent with the application, despite the effect of any of the requirements or options provided in this section.

(c) Nothing in this section shall prohibit any other public entity from establishing fees that apportion the appropriate contribution for the impacts on planning, design and land acquisition for facilities needed due to the development.

c. *Specific adequacy standards.* In addition to being consistent with the public facility plans in section 24-305.b.1, adequacy of specific public facilities shall be evaluated as follows. City analysis and project-specific studies of the impact, demand and capacity of existing facilities will be required to make a final adequacy determination.

1. *Fire.* Fire service is considered adequate if the proposed development is located within a 1.38 mile radius of an existing, operational fire station. This requirement is based on the analysis that one fire station is needed for every 30,000 people generally living in a six-square-mile area, as applied in the comprehensive plan. Proposed developments including land uses that pose a high risk of fire may be subject to more stringent requirements.

2. *Parks.* Park facilities are considered adequate if the proposed development is located within a half-mile radius of a neighborhood park and within a one-mile radius of a community park, where the park is not separated from the proposed development by an expressway, facility or natural feature. Regional parks, trails, natural areas, or sports facilities are not included in the analysis unless they contain facilities equivalent to those available in neighborhood parks.

3. *Police.* Police service extends to the city limits and adequacy shall be determined according to call response times relevant to the proposed development location.

4. *Sanitary sewer.* Sewer facilities are considered adequate if the proposed development is connected to a sewer line that is eight inches or larger in diameter with sufficient system capacity as defined by the city.

5. *Water.* Water facilities are considered adequate if the proposed development has sufficient connection to existing water lines that are eight inches or larger in diameter with sufficient system capacity.

6. *Stormwater.* Stormwater facilities are generally considered adequate if the site can safely convey stormwater runoff to a regional stormwater detention facility with sufficient capacity as defined by the city. If the city determines that the proposed development cannot safely convey runoff to an adequate stormwater system, adequacy requirements shall be met with detention facilities constructed on site.

7. *Transportation.* Transportation facilities to support new development are generally considered adequate if the proposed development is connected to a collector or arterial road or expressway (or will be connected at the time the improved arterial or collector is constructed within the two-year budget cycle) constructed to an acceptable cross section with sufficient capacity to serve the development as defined by the city.

d. *Impact fees.* To mitigate project impacts on city service systems beyond the improvements required in section 24-304, developers shall pay standard impact fees established by title 6, chapter 15 of this Code.

1. If the facility is currently inadequate, sub-standard, or not existing, the impact fee shall be paid at the time of final plat. For purposes of economic development, the city may defer the impact fees for commercial and industrial development until the time of a building permit.

2. Impact fees where adequate facilities are existing shall be paid at the time of building permit.

3. As an alternative to the fee, the city may accept the applicant constructing or upgrading of any facility to the standards of this section.

4. Exceptions. The city council may waive requirements that the developer absorb the development costs identified through the adequacy analyses outlined above, and obligate the city to pay said costs only if all of the following conditions are true:

(a) The project meets city economic development goals as defined in chapter 12 of title 6 of this Code;

(b) The cost benefit analysis has been prepared by the applicant and accepted by the city; and

(c) The city council has identified an adequate mechanism for funding mitigation of impacts at the time of development.

e. *Reimbursement agreements.* Applicants constructing required improvements for the applicants' property, or other adequate public facilities to serve the applicants' project, may be required to oversize the facilities to serve areas larger than such applicants' project based on planned future facility for the city. The city may require the applicant to enter into reimbursement agreements established elsewhere in this Code and according to the policies and procedures of the department responsible for the facility.

f. *Dedication of land.* The city may require the dedication of land to the city or other government entity with jurisdiction over public and community facilities, for parks, open space, public safety facilities, or other public or community facilities.

1. The requirement shall be based on an official master plan of the entity having jurisdiction over the facility identifying the general location and extent of the facility, or some other documented need for the facility that is available for public review.

2. The dedication must be included on the preliminary plat or a condition of approval of the preliminary plat.

3. Acceptance of the dedication shall be agreed to in writing by the entity having jurisdiction over the site or facility prior to approval of the final plat or through approval of the final plat if dedication is to the city.

4. Dedication of land for community facilities beyond the impact of the application may be credited to the required impact fees based on a detailed analysis and documentation showing costs of land.

(Ord. No. 35, 2021, § 2(app. A, § 2), 9-21-2021)

CITY OF GREELEY, COLORADO

RESOLUTION NO. ______, 2025

A RESOLUTION APPROVING THE ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR THE CITY OF GREELEY

WHEREAS, the City of Greeley (the "City) is committed to improving the quality of life for its residents, and a significant part of that quality of life is economic opportunity—both in terms of being able to secure gainful employment and to provide for daily needs; and

WHEREAS, the City's Economic Development & Urban Revitalization Department (EDUR) was organized to support City Council's desire to see more business growth, commercial development, and economic diversification in the community; and

WHEREAS, economic incentives coordinated and implemented by and through the EDUR play a key role in economic development due to increased national, statewide, and regional competition for new businesses and jobs; and

WHEREAS, the City's current economic development incentive plan set forth in Chapter 12 of Title 6 as the Business Development Incentive Plan (the "Old Plan") of the Greeley Municipal Code (the "Code"), does not provide sufficient flexibility for the City to respond nimbly to economic development opportunities, adapt to changing market conditions, and compete with other municipalities; and

WHEREAS, the City through its EDUR has developed an Economic Development Incentive Policy (the "Incentive Policy") to meet the requirements of the contemporaneously presented City ordinance that repeals and re-enacts Chapter 12 of Title 6 of the Code and amends other related Code provisions (the "Contemporaneous Ordinance"); and

WHEREAS, the Contemporaneous Ordinance replaces the Old Plan with an Economic Development Incentive Plan (the "New Plan") that requires the City Council to approve and adopt by resolution an economic development incentive policy for the purpose of stimulating economic growth by recruiting, retaining, and expanding quality businesses and jobs, bringing new investment to the community, diversifying the local economy, and growing an innovative and entrepreneurial ecosystem; and

WHEREAS, the Incentive Policy will strategically implement the New Plan by assisting in the implementation of programs whereby economic development will be promoted, and business and commercial activity will be stimulated in the City; and

WHEREAS, Greeley residents will be the beneficiaries of an enhanced tax base resulting from the implementation of such policy; and

WHEREAS, the City Council finds that the Incentive Policy is in the best interest of the City promoting the health, safety, and welfare of its residents.

NOW, THEREFORE, BE IT RESOLVED that the City of Greeley hereby adopts the Economic Development Incentive Policy, which is attached hereto as **Exhibit A** and incorporated by reference as if fully contained herein.

This Resolution shall become effective immediately upon its passage.

ATTEST

By:______________________________
City Clerk

THE CITY OF GREELEY, COLORADO

By:______________________________
Mayor

ECONOMIC DEVELOPMENT INCENTIVE POLICY

Policy Statement

The City of Greeley desires to stimulate economic growth by recruiting, retaining and expanding quality businesses and jobs, bringing new investment to the community, diversifying the local economy and growing an innovative and entrepreneurial ecosystem. This is consistent with city council's vision that *Greeley will be a future-focused city that is intentionally developed, safe, affordable, innovative, sustainable, healthy, and inclusive*; and city council's *Business Growth* key focus area and desired outcomes that:

- Greeley is a business place of choice;
- There is growth in entrepreneurship and innovation; and
- The city promotes resilient and sustainable economic development growth and activity.

The city's incentive policy is designed to support these objectives and the Economic Development Strategic Plan initiatives by providing an array of financial tools and technical resources that can be utilized to help minimize project costs and timelines, making Greeley more competitive as a business location.

Purpose

Economic incentives play a key role in economic development due to increased national, statewide and regional competition for businesses and jobs. The city utilizes economic incentives as a strategic investment to attract preferred development projects and new businesses, to assist in the expansion and retention of existing businesses, to create new jobs, and to help increase the tax base for new services and amenities for residents.

This policy outlines criteria and procedures to ensure that the use of public resources creates exceptional value to support the city's desired development and the well-being of the community.

Requests for economic incentives by businesses are reviewed by the economic development and urban revitalization (EDUR) department on a case-by-case basis. Projects requesting financial assistance that meet the criteria for economic incentives may be presented to the city council for consideration, or in certain cases, the city manager with a recommendation from the department. The determination of whether to authorize any economic incentive is wholly discretionary on the part of the city council or, in certain instances, the city manager, and any economic incentive authorized pursuant to this policy must be set forth in a written agreement with a finding of public purpose. All incentives granted by the city are subject to a recapture provision.

Business Assistance Tools for Incentive Packages

The city may offer one or more of the following economic incentive tools to assist a new business in overcoming barriers to relocation or development, or to support an existing business in its efforts to remain and/or expand in the city. The incentive tools identified below may be utilized as part of an incentive package at the sole discretion of the city council or, in certain cases, the city manager.

Financial Resources - Grants, Loans, or Forgivable Debt

The city may consider various types of direct financial assistance for a business location, retention or expansion project. Greeley has created the Economic Development Incentive Fund (EDIF) to provide economic development grants and loans to companies seeking to create jobs and investment in the city. This program is considered in combination with, or as an alternative to other incentive programs.

- *Grants* – Any economic incentive in the form of a cash grant to support an economic development project must be performance based.

- *Loans* – An economic incentive in the form of a below market interest rate loan may be utilized to reduce the cost of locating a new business to the city or of expanding a business located in the city.

- *Forgivable Debt* – A city loan to a business under this policy as part of an economic incentive may be structured as a forgivable debt conditioned upon the business meeting certain criteria, e.g., performance such as sales tax revenue or job growth, continued location in the city, and other factors.

Tax Reductions

The city may consider up to a 50% rebate or credit of the non-encumbered city sales, lodging and/or business property tax collected from a business requesting an economic incentive for a limited time and with a maximum rebate or credit amount to cover the costs of public improvements.

- *Sales Tax Increment Program*– This incentive, also referred to as the *Enhanced Sales Tax Program* (ESTIP), is designed to assist with the recruitment, expansion or retention of a primarily sales-tax generating business (retailer) within the city that seeks assistance to cover the cost of certain public improvements as part of its development or expansion. All or a portion of the non-encumbered sales taxes generated by the business above a city-determined baseline could be rebated back to the business for a limited time to help offset the costs of public or public related improvements.

- *Sales/Use Tax Deferrals or Reductions*– This incentive is designed to assist with the development costs of a business locating to or relocating within the city or expanding in the city by deferring, rebating or crediting all or a portion of the city's sales tax and/or use tax that is collected on construction materials, fixed equipment and machinery installation, facilities lease, equipment and machinery, research equipment, computer hardware, retail sales and other taxable items.

- *Public Accommodation/Lodging Tax Rebates*– This incentive is designed to attract hospitality projects and would offer a rebate of all or a portion of the city's lodging tax also referred to as the public accommodations tax for a limited time, but no more than 20 years. A business designated as a lodging establishment must pay the full value of lodging taxes owed; and the city would rebate all or a portion of the lodging taxes to assist with the development costs for public improvements.

- *Business Property Tax Rebates and Credits* – This incentive is designed to assist with the development costs of a business locating to or relocating within the city or expanding in the city by rebating or crediting all or a portion of the city's personal property tax and/or real property tax that is collected. The rebate or credit cannot exceed the maximum city mill levy and must be for a limited time.

City Development Incentives

The city may consider up to a 50 percent waiver, reduction, deferral or reimbursement of city fees associated with the construction or expansion of a business facility located in the city. The city may also expedite reviews, use favorable contract terms, or assist with funding for certain public improvements affecting broader areas within which the business or development is located.

- *Fee Reductions* – This incentive waives, reduces or reimburses a business for all or a portion of fees due or paid to the city for a new development or expansion. This could include, but is not limited to, site plan review fees, building permits and certain development impact fees.

- *Fee Deferrals* -This incentive defers a portion of city fees in order to provide a business with an opportunity to ramp up operations and begin generating revenues before the fees must be paid.

- *Fast Track Permitting* – This incentive offers expedited review by the city through the development review process.

- *Real Estate Cost Reductions* – This incentive may provide favorable terms for the leasing or purchase of city-owned land or property to support a business locating to or relocating within the city or expanding within the city.

- *Public Infrastructure Assistance* – This incentive may provide some funding for area wide roadways, traffic lights, utilities or other large infrastructure needs to meet city development requirements, or, for overcoming project impediments. The city may also assist in the coordination of any infrastructure reimbursement with other businesses or developments benefiting from the public infrastructure. A reimbursement agreement is required between the city and the Developer.

Eligibility Requirements

The city evaluates economic development incentives on a case-by-case basis balancing quantitative and qualitative factors. However, incentives are offered at the sole discretion of the city council or, in certain cases the city manager.

The following factors will be considered when evaluating eligibility for business incentives:

PROJECT TYPE	PROJECT IMPACT

• Business attraction, retention and expansion projects
  ○ Primary employers*
  ○ Major retailers
  ○ Targeted industries found in ED Strategic Plan
• Business retention and expansion projects
• Catalytic projects in targeted areas of the city
	• The size and location of the project
	• The project's total capital investment
	• The number and/or type of jobs created or retained and average wage
	• Whether the company will lease, purchase or construct a building
	• Whether the project location is in-fill or blighted
	• The public benefit provided
	• The impact of the project on the community

**A primary employer or job produces goods and/or services for customers that are predominantly outside the community.*

Minimum qualifications to be considered for an incentive from the city include the following:

- The project must be located within the city's municipal boundary or within an area that is currently seeking annexation by the city;
- The project passes the "but for" test which means that "but for" the incentive, the project would not move forward in the city;
- The project has a minimum of $1 million in new capital investment;
- The project adds and/or retains jobs that pay at least the average minimum wage for the area;
- The project meets one or more of the identified objectives in the city's comprehensive Economic Development Strategic Plan;
- An analysis of the project's fiscal impact demonstrates an economic benefit to the city; and
- There is a clearly articulated public purpose for the incentive that promotes the health, welfare and safety of the community.

Projects seeking annexation by the city and requesting an incentive may only receive the incentive following annexation. Exceptions to the conditions set forth in this policy may be made by city council in its sole discretion.

Process

The city's economic development team will work with applicants requesting an incentive to determine eligibility and assist with the application process below outlined.

1. Applicants must submit a completed economic incentive application to EDUR department and must meet with EDUR staff to discuss the project and the incentive request.
2. EDUR staff and the city manager will evaluate the economic incentive request based on this policy.
3. The city manager will determine whether the economic incentive request moves forward for further consideration.

a. If the economic incentive is $100,000 or less, the incentive request meets the minimum qualifications and the factors set forth above are favorable to the city, the economic development director may in his/her sole discretion approve the incentive request, utilizing the EDIF.

b. If the economic incentive is more than $100,000 and meets the minimum qualifications and the factors set forth above are favorable to the city, the city manager may present the request to the city council for consideration.

4. If, at the direction of the city manager, the economic incentive agreement is presented to city council for consideration, the city council, in its sole discretion, will determine whether to approve it.

5. If an economic incentive request is approved by the economic development director, by the city manager or by the city council, an incentive agreement in a form approved by the city and with a finding of public purpose must be executed between the city and the applicant.

6. An economic incentive agreement may contain additional requirements, such as:

    a. Minimum capital investment and job creation guarantees, and other performance metrics;
    b. Public disclosure and reporting of certain financial and other performance information;
    c. Repayment requirements of any economic incentive received by the applicant if performance metrics are not achieved (also referred to above as a recapture provision); or
    d. Each applicant must comply with all regulatory agencies and must obtain a city sales tax license before any economic incentives are granted.

Other Programs

There are other city programs and partner organizations that have business assistance programs. These include the following programs:

Greeley Water Resource Programs

A developer or business in need of raw water is deferred substantial costs by purchasing raw water at the time of building permit rather than much earlier in the process typically required by other municipalities. There are three ways to meet water dedication requirements:

1. By dedicating certain water shares (dedicated at plat);
2. By dedicating raw water credits associated with the Terry Ranch Water Supply Project; or
3. By a cash-in-lieu payment

For more information, visit https://greeleygov.com/services/ws/ongoing-development/raw-water .

Greeley/Weld Enterprise Zone State Tax Benefits

This is a state program designed to assist with the revitalization of economically distressed areas in Colorado. Companies located within the Greeley/Weld Enterprise Zone boundary are eligible for various state tax credits based on certain activities, including adding investment and employment. For boundary maps and more information, visit https://upstatecolorado.org/site-selection/enterprise-zone/ .

Private Activity Bond Allocation (PAB)

PABs are tax-exempt bonds that can be issued for several eligible purposes, including the construction of manufacturing facilities. As a general guideline, project size should be between $3 million - $10 million and application deadlines are in January and August of each year. For more information, visit www.chfainfo.com/rental-housing/private-activity-bonds/pab-overview-guide-for-local-communities.

Greeley Community Development Fund

The Greeley Community Development Fund is a loan fund typically used for "gap" financing. It is a short-term financing or loan guarantee (5-year maximum term) for up to 45 percent of total project costs, that are between $20,000 and $125,000. Upstate Colorado Economic Development manages the fund. For more information, visit http://upstatecolorado.org/wp-content/uploads/2016/02/GCDFApplication.pdf .

Downtown Greeley Programs

Businesses looking to locate in downtown Greeley may qualify for specific assistance as authorized under the Downtown Development Authority plan of development, the Greeley Urban Renewal Authority Re-Development and TIF Districts, the Greeley General Improvement District No. 1, or other downtown district plans and boundaries.

The approved downtown district-authorized grants and/or tax credits may include:

- Façade grants
- Safety and security grants
- Building improvement grants
- Retail and restaurant rental assistance grants
- Tax increment financing
- Opportunity Zone tax benefits *(expires in 2026)*
- State historic preservation tax credits
- State historical fund grants

To apply for any of the listed incentives above, applicants are encouraged to contact Greeley's Downtown Development Authority (DDA), which manages the city's ongoing downtown revitalization effort. For more information, visit www.greeleydowntown.com/business-incentives/

__Item 12:__.

Council Agenda Summary

Title:

Pulled Consent Agenda Items

Summary:

Pulled Consent Agenda items will be considered in the order they appeared on the consent agenda.

Item: 13.

Council Agenda Summary

May 20, 2025
Key Staff Contact: Adam Turk, Police Chief

Title:
Introduction and first reading of an ordinance adding Chapter 16 to Title 14 of the Greeley Municipal Code relating to unauthorized camping and outdoor storage

Summary:
At a Work Session on March 11, 2025, the Council directed staff to draft an ordinance to prohibit unauthorized camping on public and private property. The unauthorized use of public or private property for camping and outdoor storage tends to impair, obstruct, and otherwise detract from the use of the property for its intended purpose. Prohibiting unauthorized camp sites and campgrounds and outdoor storage will promote public health, sanitation, aesthetics, and safety for individuals in the City of Greeley.

Fiscal Impact:
If approved, will this item result in a positive, negative, or no impact on the budget?

No Impact.

Legal Issues:
Consideration of this matter is a legislative process.

Other issues and Considerations:

Strategic Focus Area:
Community Vitality
Quality of Life
Safe and Secure Communities

Decision Options:
1. Introduce the ordinance as presented; or
2. Amend the ordinance and introduce as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action:
A motion to introduce the ordinance and schedule the public hearing and second reading for June 3, 2025

Attachments:

1. Ordinance No. 18, 2025
2. Item 13 - Presentation

CITY OF GREELEY, COLORADO
ORDINANCE NO. 18, 2025

AN ORDINANCE ADDING CHAPTER 16 TO TITLE 14 OF THE GREELEY MUNICIPAL CODE RELATING TO UNAUTHORIZED CAMPING AND OUTDOOR STORAGE

WHEREAS, the City of Greeley is a home rule municipality organized pursuant to Article XX, § 6 of the Colorado Constitution of the State of Colorado and the Home Rule Charter of the City of Greeley; and

WHEREAS, the unauthorized use of public or private property for camping impairs, obstructs, and otherwise detracts from the use of the property for its intended purpose; and

WHEREAS, prohibiting and abating unauthorized camp sites and campgrounds and prohibiting the outdoor storage of personal belongings will promote public health, sanitation, aesthetics, and safety for individuals in an unauthorized camp and for residents and visitors to the City of Greeley; and

WHEREAS, the City of Greeley has a legitimate government purpose in protecting public and private spaces from environmental damage, as well as the promotion of sanitation, public health, and safety; and

WHEREAS, City Council is enacting this Ordinance pursuant to the City of Greeley's home rule authority and the City's police power to adopt regulations that safeguard and preserve the public health, safety, and welfare of the community.

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

Section 1. That Title 14, Criminal Conduct and Offenses, of the Greeley Municipal Code, shall be amended by the addition of Chapter 16 as follows:

Chapter 16. Offenses Related to Camping and Outdoor Storage.

Sec. 14-480. Definitions.

Camp or Camping means the use of property for the purpose of overnight occupancy, or to reside or dwell in a place by using or erecting a shelter, temporarily or otherwise, or the use of public property for the purpose of overnight occupancy or longer occupancy. Camping includes using a vehicle for overnight occupancy. Camping does not include napping during the day or picnicking.

Personal Belongings means items that an individual uses for their personal needs, comfort, or preferences, including, but not limited to clothes, toiletries, bags, carts, trailers, vehicles, bedding, tarps, books, furniture and shelter.

Public Property means land, buildings and other assets owned by the government, including, but not limited to a highway, highway median, any street, street median, road, road median, sidewalk, strips of land between streets and sidewalks, lanes, catch basins, pedestrian or transit mall, bike path, greenway, public parking lot, or any other structure or area encompassed within the public right-of-way; any park, parkway, open space, natural area, trail, playground or other publicly owned recreation facility; a municipal watercourse, bodies of water, watercourses, stormwater infrastructure such as, but not limited to, bridges, pipes, inlets and culvers; or any other grounds, buildings, or other facilities owned or leased by the city or by any other public entity, regardless of whether such public property is vacant or occupied, or actively used for any public purpose.

Reside or *dwell* means conducting daily living activities, including, but not limited to eating, cooking, building a fire, sleeping, preparing to sleep, or the storage of personal possessions.

Shelter means any cover or protection from the elements other than clothing or clothing accessories, such as a tent, tarpaulin, shack, sleeping bag, bedroll, blankets or other structure or material.

Sec. 14-481. Camping on Public or Private Property Prohibited.

(a) It is unlawful for any person to camp on any public or private property, except in any location where camping is expressly authorized by the City. It is not a violation of this section if a person is camping on a residential property with permission of the property owner for less than seven days in a calendar year.

(b) It is unlawful for a property owner to allow camping on the owner's property, except in any location where camping is expressly authorized by the City. It is not a violation of this section for a property owner to permit camping on the owner's residential property for less than seven days in a calendar year.

(c) A violation of this section is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1.

Sec. 14-482. Outdoor Storage on Public Property Prohibited.

(a) It is unlawful for any person to keep, store, leave, discard, or abandon personal belongings on public property, except in any location expressly authorized by the City.

(b) A violation of this section is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to chapter 9 of title 1.

Section 2. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF_______, 2025.

ATTEST **THE CITY OF GREELEY, COLORADO**

________________________________ ________________________________

City Clerk **Mayor**

Unauthorized Camping and Outdoor Storage Ordinance - First Reading

Adam Turk, Police Chief

City Council Meeting – May 20, 2025



Agenda

- Historical Overview
- Increased Encampments, Costs, & Concerns
- Enforcement
- Ordinance Highlights
- Purpose: Introduce ordinance and schedule public hearing and second reading on June 3, 2025

Historical Overview – City of Greeley

- October, 2023 City Council Work Session
- June 28, 2024 Grants Pass Supreme Court Decision
- February, 2025 Community Meeting
- March 11, 2025 City Council Work Session & Consensus
- Research (Comparable Cities)

Camping Concerns

Safety

Environment

Infrastructure

Enforcement of Camping Regulations

- Community Education & Officer Training
- Ordinance Proactive Deterrence
- Verbal Compliance / Verbal Warnings
- Citations
- Arrest

Camping on Public or Private Property Prohibited

Sec. 14-481

(a) It is unlawful for any person to camp on any public or private property, except in any location where camping is expressly authorized by the City. It is not a violation of this section if a person is camping on a residential property with permission of the property owner for less than seven days in a calendar year.

(b) It is unlawful for a property owner to allow camping on the owner's property, except in any location where camping is expressly authorized by the City. It is not a violation of this section for a property owner to permit camping on the owner's residential property for less than seven days in a calendar year.

(c) A violation of this section is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to Chapter 9 of Title 1.

How is Camping Defined?

Camping

Is the use of property for the purpose of overnight occupancy, or to reside or dwell in a place by using or erecting a shelter, temporarily or otherwise, for the purpose of overnight occupancy or longer occupancy. Camping includes using a vehicle for overnight occupancy.

Shelter

Means any cover of protection from the elements other than clothing or clothing accessories, such as a tent, tarpaulin, shack, sleeping bag, bedroll, blankets or other structure or material.

Reside or Dwell

Means conducting daily living activities, including, but not limited to eating, cooking, building a fire, sleeping, preparing to sleep, or the storage of personal possessions.

Outdoor Storage on Public Property Prohibited

Sec. 14-482

(a) It is unlawful for any person to keep, store, leave, discard, or abandon personal belongings on public property, except in any location expressly authorized by the City.

(b) A violation of this section is a misdemeanor offense and, upon conviction thereof, shall be punished pursuant to Chapter 9 of Title 1.

How is Personal Belongings Defined?

Personal Belongings:

Means items that an individual uses for their personal needs, comfort, or preferences, including, but not limited to clothes, toiletries, bags, carts, trailers, vehicles, bedding, tarps, books, furniture and shelter.

Next Steps:

- Unauthorized Shopping Cart Possession
- Unlawful Conduct on Public Property

Staff Recommendation

- Approve the ordinance amending Greeley Municipal Code as drafted and schedule the public hearing and second reading for June 3, 2025

- Questions

Thank you

City of Greeley Colorado

Council Agenda Summary

May 20, 2025
Key Staff Contact: Brian McBroom, Community Development Director, Douglas May, Planner III

Title:

Public hearing and second reading of a corrected ordinance to annex a total of 300.672 acres of land to the City of Greeley. The properties are bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south. (Case number ANX2023-0001, L&T Annexation)

Summary:

The City Council approved the L&T Annexation on December 3, 2024, which consisted of a total of 300.627 acres of unincorporated property, including a portion of the right of way of Weld County Road 54. The annexation consists of two parcels, each measuring about 150 acres.

The following information was omitted from the legal description attached to the ordinance that was adopted on December 3, 2024**:** "TOGETHER WITH THE NORTH 30.00 FEET OF THE NORTHEAST QUARTER OF SECTION 27, T.5N., R.67W., AS DESCRIBED IN THAT ROAD VIEWERS REPORT RECORDED MARCH 30, 1907, IN BOOK 83 AT PAGE 206, AT RECEPTION NO. 118396".

The ordinance was introduced at the May 6, 2025, Council Meeting and by majority vote of council, the public hearing and second reading was scheduled for May 20, 2025.The request is for Council to approve the corrected ordinance.

Fiscal Impact:

1. Does this item create a fiscal impact on the City of Greeley? No
2. Is there grant funding for this item? No

Legal Issues:

Consideration of this matter is a quasi-judicial process

Other issues and Considerations:

None

Strategic Focus Area:

Community Vitality

Decision Options:

1. Adopt the ordinance as presented; or
2. Amend the ordinance and adopt as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

1. Ordinance No. 44, 2024 with Appendix A
2. PC Summary Staff Report
3. Vicinity Zoning Map
4. Plat
5. Item 14 and Item 15 - Presentation

CITY OF GREELEY, COLORADO
ORDINANCE NO. 44, 2024
CASE NO. ANX2023-0001

AN ORDINANCE ANNEXING TO THE CITY OF GREELEY, COLORADO, CERTAIN UNINCORPERATED TERRITORY LOCATED IN WELD COUNTY, COLORADO, KNOW AS THE "L&T LLC ANNEXATION," LOCATED GENERALLY WEST OF STATE HIGHWAY 257 AND NORTH OF WELD COUNTY ROAD 54, INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 300.672 ACRES

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

Section 1. The City Council of Greeley, Colorado, hereby finds that the property, which is legally described in section 2 below, for which one hundred percent (100%) of the landowners have petitioned for annexation to the City of Greeley, is in all respects eligible for annexation and that said annexation proceedings have been conducted in compliance with the laws of the State of Colorado.

Section 2. The territories described below in this section are hereby approved for annexations and are hereby annexed to the City of Greeley. These territories referred to are described by as the legal description provided in Appendix A.

Section 3. Pursuant to §C.R.S. 31 -12 -113 of the Colorado Revised Statutes, one (1) copy of the map of the above –described territory and the original of the annexation ordinance shall be filed with the City Clerk of the City of Greeley, Colorado. Two (2) certified copies of this annexation ordinance and map of the area annexed shall be filed for recording with the Clerk and Recorder of Weld County, Colorado, within thirty (30) days after the effective date of this ordinance. The Clerk and Recorder of Weld County, Colorado, is required to file one (1) certified copy of the annexation ordinance and map with the Division of Local Government of the Colorado Department of Local Affairs, as required by section §13- 12- 113(2)(a) of the Colorado Revised Statutes.

Section 4. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF_______, 2025.

ATTEST **THE CITY OF GREELEY, COLORADO**

By:________________________________ **By: __________________________________**
City Clerk **Mayor**

APPENDIX A
ORDINANCE NO. 44, 2024
CASE NO. ANX2023-0001

AN ORDINANCE ANNEXING TO THE CITY OF GREELEY, COLORADO, CERTAIN UNINCORPERATED TERRITORY LOCATED IN WELD COUNTY, COLORADO, KNOW AS THE "L&T LLC ANNEXATION," LOCATED GENERALLY WEST OF STATE HIGHWAY 257 AND NORTH OF WELD COUNTY ROAD 54, INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 300.672 ACRES.

THE EAST HALF (E1/2) OF SECTION TWENTY-TWO (22), IN TOWNSHIP FIVE (5) NORTH, RANGE SIXTY-SEVEN (67) WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

TOGETHER WITH THE NORTH 30.00 FEET OF THE NORTHEAST QUARTER OF SECTION 27, T.5N., R.67W., AS DESCRIBED IN THAT ROAD VIEWERS REPORT RECORDED MARCH 30, 1907, IN BOOK 83 AT PAGE 206, AT RECEPTION NO. 118396.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY IN DEED RECORDED APRIL 6, 1965, IN BOOK 538, AT RECEPTION NO. 1460397.

AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED APRIL 19, 1961 IN BOOK 1582 AT PAGE 550.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO COUNTY OF WELD, COLORADO IN DEED RECORDED OCTOBER 2, 1936 IN BOOK 999 AT PAGE 409.

PLANNING COMMISSION SUMMARY

ITEM: L&T Annexation

PROJECT: L&T Annexation

CASE NO: ANX2023-0001

LOCATION: Bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south

APPLICANT: LAI Design Group

CASE PLANNER: Doug May AICP, Interim Chief Planner

PLANNING COMMISSION HEARING DATE: October 8, 2024

PLANNING COMMISSION FUNCTION: To review the proposed annexations for compliance with Section 24-214 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY

LAI Design Group petitions to annex a total of 300.672 acres of land to the City of Greeley. The properties bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south.

A. REQUEST

LAI Design Group is requesting approval to annex two parcels owned by L&T LLC, known as the L&T Annexation. The annexation includes two parcels, both of which are approximately 150 acres in size. The annexation also includes the right-of-way for Weld County Road 54, along the southern boundary of the annexation. The total combined area of the annexation is 300.672 acres.

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south.

Current Zoning:	AG (Agricultural – County)
Proposed Zoning:	R-E (Residential Estate) – 78.4 acres R-L (Residential Low Density) – 106.6 acres R-M (Residential Medium Density) – 115.7 acres
Abutting Zoning:	North: PUD (Planned Unit Development – City) South: AG (Agricultural - County) East: H-A (Holding Agriculture – City) West: AG (Agricultural – County); H-A (Holding Agriculture – City)
Site Conditions:	The site is mostly undeveloped and used for agriculture. There is an existing telecommunications tower at the northwest corner of County Road 54 and State Highway 257 on a separate parcel which is not included in the proposed annexation. There are eleven plugged and abandoned oil and gas wells scattered across the two parcels.
Lot Size:	300.672 Acres
Contiguity:	Required 16.7% Provided 62.08%
Abutting Land Uses:	North: Current: Agriculture; Approved: Mixed-use PUD South: Agriculture/Residential East: Agriculture West: Agriculture/Residential; Oil and gas operation

D. BACKGROUND

The property owner has petitioned the City to annex a total of 300.627 acres of unincorporated property, including a portion of the right of way of Weld County Road 54. The annexation consists of two parcels, each measuring about 150 acres. The annexation area contains eleven plugged and abandoned oil and gas wells. The parcels are located within the Long-Range Expected Growth Area and are designated as Suburban Residential, Rural, and Community Separator.

The applicant requests the annexation be zoned a mix of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) in accordance with Section 24-214 of the Development Code. Following approval of the annexations, the establishment of zoning will be considered as a separate hearing item and must, per state statutes, take place within 90 days of the annexation.

Colorado Revised Statutes §31-12-104 and §31-12-105 establish the legal requirements for annexation, and include: (1) not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the City of Greeley; (2) a community of interest exists between the territory proposed to be annexed and the City of Greeley; (3) the territory sought to be annexed is urban or will be urbanized in the near future and; (4) the territory sought to be annexed is integrated or is capable of being integrated with the City of Greeley. The City Attorney's Office has determined the proposal meets the statutory requirements to be considered for annexation (see Attachment F), and City Council adopted a resolution on October 1, 2024, making a finding to this effect, scheduling the introduction of the ordinance concerning the annexation for November 19, 2024, and the final reading on December 3, 2024.

E. APPROVAL CRITERIA

The Commission shall consider comments from review agencies and offices, the staff recommendation, citizen comments, and the following criteria (found in Section 24-214 of the Greeley Development Code) in taking action to recommend approval, denial, or to table the annexation for future consideration:

1. **The proposed annexation is in conformance with the Comprehensive Plan.**
   The following Imagine Greeley Comprehensive Plan policies apply to this request:

   Growth Framework – Annexation Consideration
   The following will be considered when evaluating annexation proposals:
   1. The proposed annexation meets state requirements for annexations.
   2. The proposed annexation meets the requirements for annexations set forth in the Greeley Municipal Code.
   3. The proposed annexation is in conformance with the Imagine Greeley Comprehensive Plan.
   4. The proposed annexation promotes a geographic balance of land uses.
   5. The proposed annexation increases the City's supply of developable employment land or other future land use requirements.
   6. Adequate services are or will be available to support the development expected to result from the proposed annexation.
   7. The proposed annexation provides for a continuous and rational municipal boundary, and at least one-sixth of the annexation's perimeter is contiguous with the city's current boundary.
   8. The area is urban or will be urbanized in the near future. However, annexation of undeveloped land is appropriate if another community goal is achieved, such as

procurement of open land for a community separator, for open space, or for the conservation of farmland.

<u>Comprehensive Plan Policies & Objectives:</u>

GC-1.5 Annexations: When considering a proposed annexation, the City should find persuasive evidence that the inclusion of the property into the City's jurisdiction meets the goals and objectives of the Comprehensive Plan, and that the property can be developed in a manner that will be a positive addition to the City, improve the quality of Greeley's neighborhoods, and can be provided with municipal services.

Staff Comment: The subject properties are primarily agricultural and undeveloped except for a telecommunication tower in the southeast corner of the property, which is on a separate parcel and not included in this annexation. There are also eleven plugged and abandoned oil and gas wells across the annexation area. It is anticipated that this area will develop as a mix of residential densities.

The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for residential and rural uses as well as a community separator. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are not currently available to the site. The properties can be fully serviced if needed in the future.

This request complies with this criterion.

2. **The proposed annexation promotes geographical balance of the City's land use pattern.**

Staff Comment: The proposed annexations provide growth in the southwest part of Greeley and fills in a gap in city limits in this area. It provides balance to the City's growth and land use pattern.

This request complies with this criterion.

3. **Adequate services are, or will be, available to support the development expected to result from the proposed annexation.**

Staff Comment: If annexed, the subject site would be served by the Greeley Fire Department and the City of Greeley Police Department. The site would be served by Johnstown-Milliken RE-5J School District.

Currently no City-level utilities are needed at the site. The extension of services is not required for this annexation.

This request complies with this criterion.

4. The proposed annexation provides for a continual and rational boundary.

Staff Comment: As proposed, the annexation would exceed the State's one-sixth contiguity requirements, with a contiguity of 62%. These properties' inclusion would also help provide a continual and rational boundary by adding an area of unincorporated land within the Long Range Expected Growth Area.

This request complies with this criterion.

5. The proposed annexation is needed to accommodate future land use requirements.

Staff Comment: There are eventual plans to develop the property into a mix of housing types. However, the property would need to be subdivided prior to development, assuming the annexation and zoning are approved. Future development would need to meet the City's Development Code, Imagine Greeley Comprehensive Plan and Adequate Public Facilities requirements.

The establishment of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) zoning is being considered as a separate request following successful annexations.

This request complies with this criterion.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The two parcels are currently unsubdivided.

2. HAZARDS
The properties contain multiple plugged and abandoned oil and gas wells.

3. WILDLIFE
The northeast portion of the site is in an area of high ecological significance. An ecological report will be required at the time of any proposed development.

4. FLOODPLAIN
There are no mapped floodplains on the subject property.

5. DRAINAGE AND EROSION
The site is largely undeveloped with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through further development applications and the subsequent permitting processes.

6. TRANSPORTATION
The site is bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south.

SERVICES

1. WATER
There is an existing 16-inch water line located in Highway 257, on the east side of the subject property. Annexation No 1, No. 2, and No. 3 are shown on the Adequate Public Facilities Map as being "near an 8" or larger water line".

2. SANITATION
The nearest sewer line is a 15" sewer main located in W. 24th Street. According to the application documents, it is anticipated that there will be a single sanitary sewer basin within the annexation area that can gravity flow to the north into the Delantero development. From there, it will combine with Delantero's East Basin that will gravity flow to the existing sanitary sewer system.

3. EMERGENCY SERVICES
The subject site is currently served by the Front Range Fire Protection District. With the successful annexation, the applicant would withdraw the property from those Fire

Protection Districts. The City of Greeley Fire Department would take over fire services for the site once annexed.

The closest fire station, Fire Station #6 (10603 W 20th Street), is approximately 2 miles away. The City of Greeley Police Department would also serve this area with the completion of the annexation.

4. PARKS/OPEN SPACES

The site is approximately 2.2 miles from Longview Park and approximately 4 miles from Surview Natural Area.

5. SCHOOLS

The subject site is within the Johnstown-Milliken RE-5J School District.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

The annexation would not create any visual impacts on the surrounding neighborhood, which is largely agricultural. Potential impacts would be reviewed at time of development.

2. NOISE

Staff does not anticipate that the proposed annexation would create any significant increase in noise. Potential impacts would be reviewed at time of development.

H. NOTIFICATION:

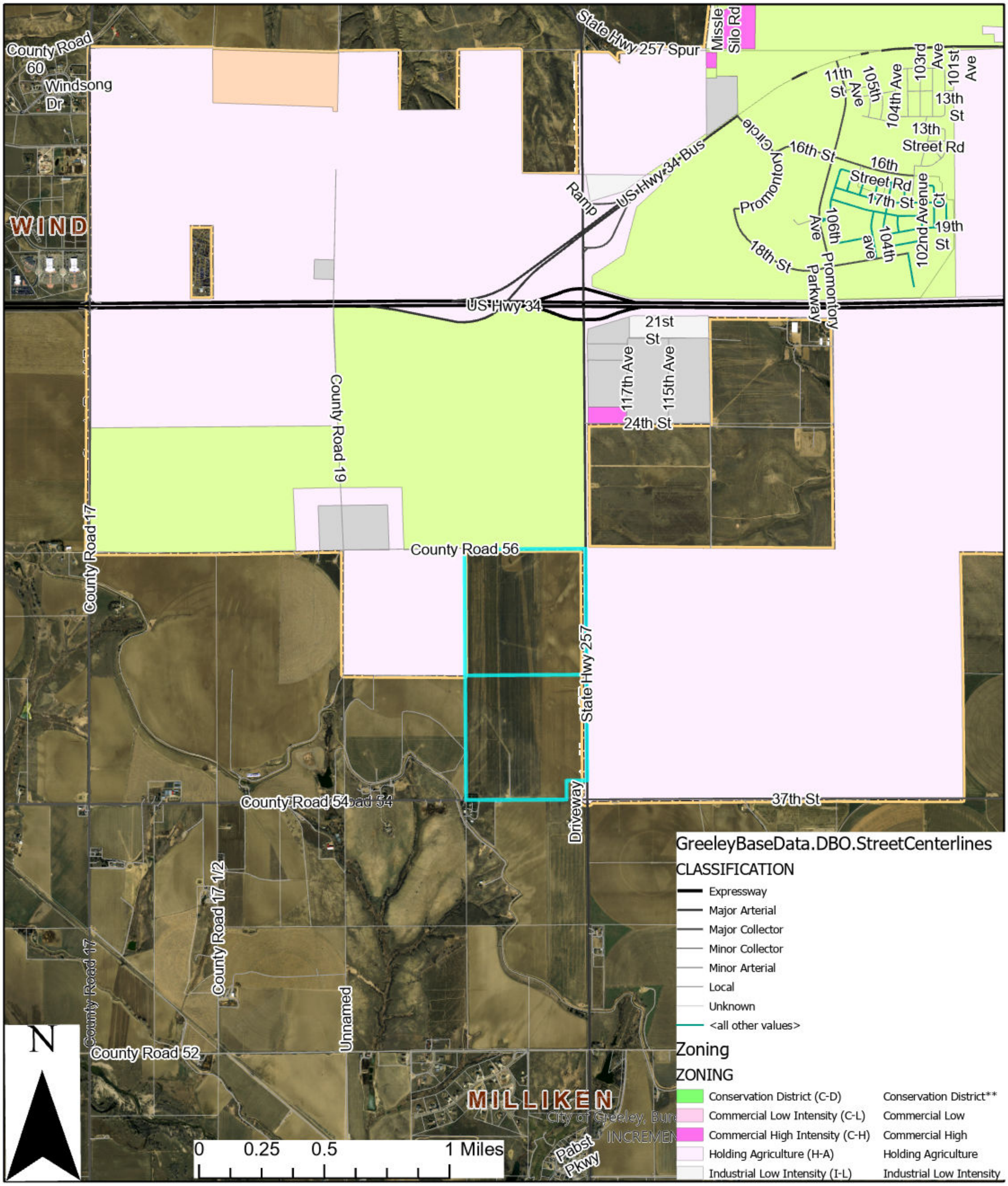
Mailed notice is not required, per the Development Code effective as of October 1, 2021. However, as a courtesy a mailed notice was sent on September 6, 2024 to 22 surrounding properties within 1000 feet of the subject property. The applicant posted signs in three locations on the property on September 9, 2024. As of September 24, 2024, one comment has been received with questions regarding the timeline for development and impact on surrounding properties. Because there is no development yet proposed, there is no timeline for development and in-depth analysis of impacts to surrounding properties would occur at the time of further development applications.

During the referral process, the Town of Milliken submitted comments with concerns regarding the annexation of Weld County Road 54, along the southern boundary of the annexation area. The concerns regard the ability to establish contiguity for future annexations south of County Road 54. However, the City of Greeley's Development Code review criterian for Annexations in Section 24-214.b.c. states the full width of all public rights-of-way adjacent to a proposed annexation shall be included in the annexation. This criteria also aligns with Colorado State Statute. The City of Greeley is working with the Town of Milliken to develop an access plan for development along County Road 54.

I. PLANNING COMMISSION RECOMMENDED MOTION:

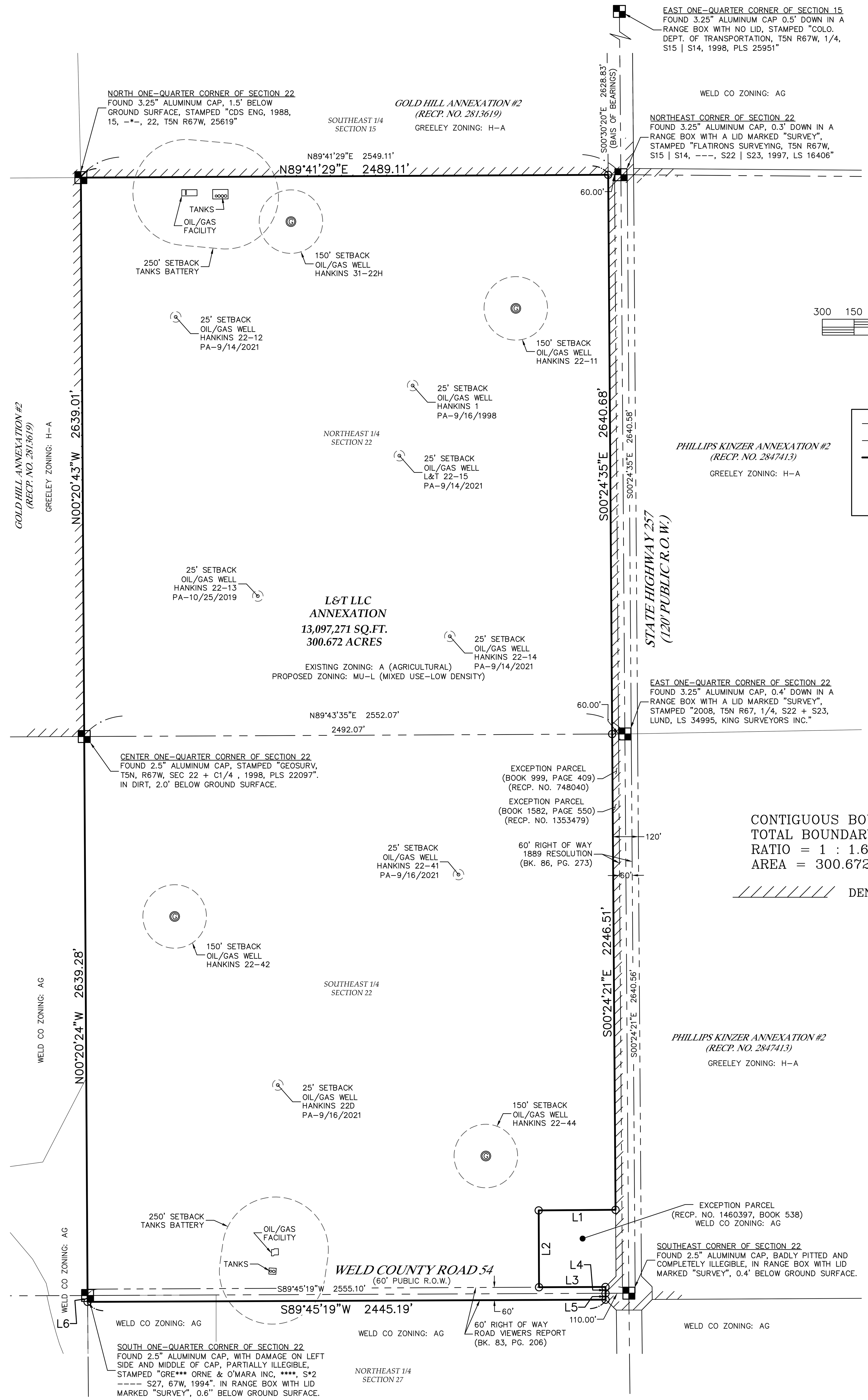
1. A motion that, based on the project summary and analysis, the Planning Commission find that the request for an annexation meets approval criteria found in Section 24-204.b.2.(a-e). And, the proposed L&T Annexation, File number ANX2023-0001, meets State statutory requirements. And, therefore, recommend approval of the annexation to the City Council.

Vicinity and Zoning Map
L&T Annexation and Zoning ANX2023-0001, ZON2023-0002



L&T LLC ANNEXATION

Situate in the East Half of Section 22, Township 5 North, Range 67 West
of the 6th P.M., City of Greeeley, County of Weld, State of Colorado
298.988 Acres
ANX2023-0001



NORTH

300 150 0 300 600 900
SCALE IN FEET
SCALE: 1"=300'

LEGEND

- SECTION LINE
- RIGHT OF WAY LINE
- BOUNDARY LINE
- FOUND ALIQUOT CORNER AS DESCRIBED
- CALCULATED POSITION

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°35'32"W	362.76'
L2	S00°14'58"E	362.85'
L3	N89°45'19"E	313.75'
L4	S00°24'21"E	30.00'
L5	S00°37'21"E	30.00'
L6	N00°27'56"W	30.00'

CONTIGUOUS BOUNDARY = 10,075.31 L.F.
TOTAL BOUNDARY = 16,229.14 L.F.
RATIO = 1 : 1.611
AREA = 300.672 ACRES

DENOTES CONTIGUOUS BOUNDARY

PROPERTY DESCRIPTION

The land referred to herein below is situated in the County of Weld, State of Colorado, and is described as follows:

The East Half (E1/2) of Section Twenty-two (22), in Township Five (5) North, Range Sixty-Seven (67) West of the 6th P.M., County of Weld, State of Colorado.

TOGETHER WITH the North 30.00 feet of the Northeast Quarter of Section 27, T.5N., R.67W., as described in that Road Viewers Report recorded March 30, 1907, in Book 83 at Page 206, at Reception No. 118396.

EXCEPTING THEREFROM that portion conveyed to the Mountain States Telephone and Telegraph Company in Deed recorded April 6, 1965, in Book 538, at Reception No. 1460397.

And EXCEPTING THEREFROM that portion conveyed to the Department of Highways, State of Colorado in deed recorded April 19, 1961 in Book 1582 at Page 550.

Further EXCEPTING THEREFROM that portion conveyed to County of Weld, Colorado in Deed recorded October 2, 1936 in Book 999 at Page 409.

Said described parcel of land contains 300.672 Acres, more or less (±) and is subject to any rights-of-way or other easements as granted or reserved by instruments of record or as now existing on said described parcel of land.

ACCEPTANCE

Said map was accepted by the City of Greeley, Weld County, Colorado, and the territory therein designated made a part of said City of Greeley and included within the limits and jurisdiction thereof,

this the ______ day of ________________________________ 20___.

Attest: ________________________________ ________________________________
City of Greeley Mayor

NOTARIAL CERTIFICATE

I, ________________________________, a notary within and for said county in the state aforesaid do hereby certify that the Mayor, personally known to me to be the person whose name as such Mayor is subscribed to the above instrument in writing, appeared before me this day in person and acknowledge that as authorized by resolution of the City Council of said City at a regular

meeting on the _______ day of ______________________ 20 __, he executed said thereof held acceptance of said map as his free and voluntary act and deed of said City of Greeley.

Witness my hand and seal this ________ day of ______________________20__.

My commission expires ________________________

____
Notary Public

CITY COUNCIL APPROVAL

Approved by the Greeley City Council on this ________ day of ______________________, 20___.

PLANNING COMMISSION RECOMMENDATION

Recommended / not Recommended by the City of Greeley Planning Commission on this _______ day of

________________, 20___.

COMMUNITY DEVELOPMENT DIRECTOR

________________________________ ____________
Community Development Director Date

DEVELOPMENT REVIEW MANAGER

________________________________ ____________
Development Review Manager Date

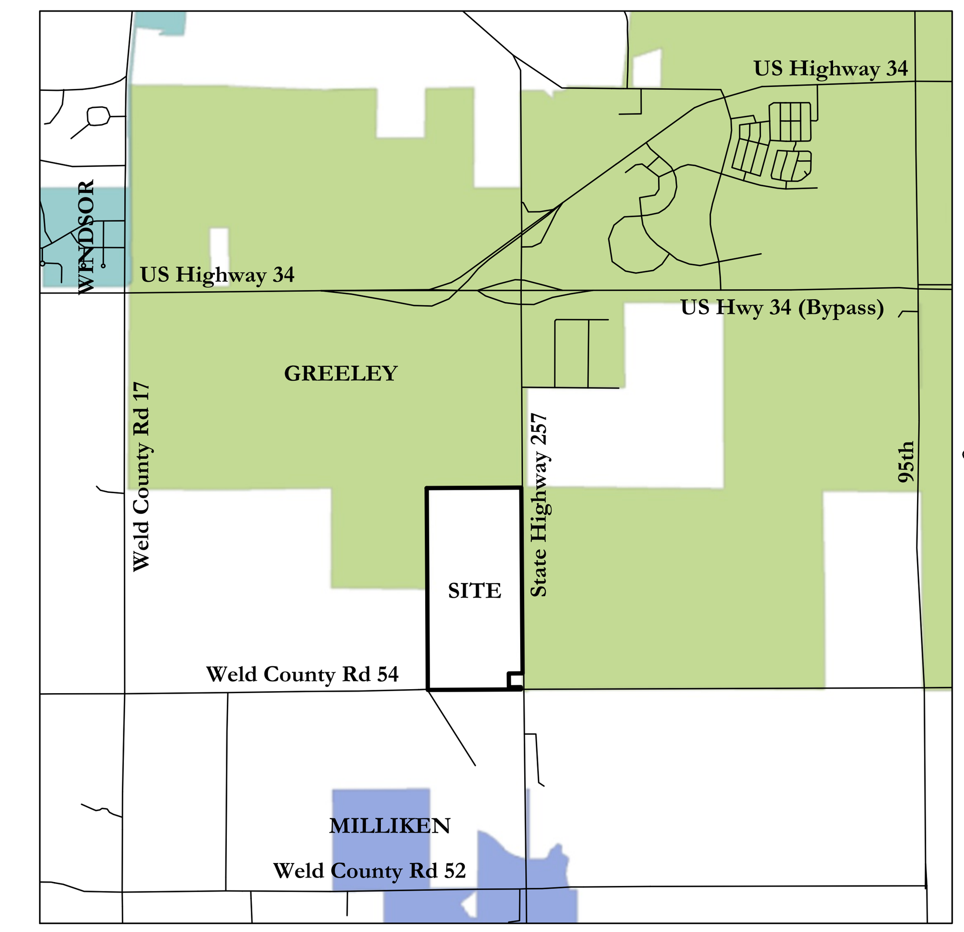
SURVEYOR'S STATEMENT

I, Paul B. Groves, a Colorado Licensed Professional Land Surveyor do hereby state that this map of land proposed to be Annexed to the City of Greeley, County of Weld, State of Colorado was prepared under my direct supervision from existing documents of record, and that the same is true and correct to the best of my knowledge, information and belief.

I further state that not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous to the boundary line of the City of Greeley, County of Weld, State of Colorado.

PRELIMINARY

Paul B. Groves - On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209



VICINITY MAP

SCALE: 1"=4000'

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Bearings are based on the East line of the Southeast one-quarter of Section 15, Township 5 North, Range 67 West of the 6th Principal Meridian, said to bear South 00°30'20" East, a distance of 2,628.83 feet, from the East one-quarter corner of Section 15 being monumented by a 3.25" aluminum cap 0.5' down in a range box with no lid, stamped "Colo. Dept. of Transportation, T5N R67W, 1/4, S15 | S14, 1998, PLS 25951" to the Southeast corner of Section 15 being monumented by a 3.25" aluminum cap, 0.3' down in a range box with a lid marked "survey", stamped "Flatirons Surveying, T5N R67W, S15 | S14, ---, S22 | S23, 1997, LS 16406".

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 hereon. (13-80-105 C.R.S. 2012)

NOTES FROM THE COUNTY

1) Adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement.

1a) RIGHT TO EXTRACT MINERAL RESOURCES STATEMENT: Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the state's commercial mineral deposits are essential to the state's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state. Mineral resource locations are widespread throughout the County and persons moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

1b) WELD COUNTY'S RIGHT TO FARM: Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes, or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance, and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high speed traffic, sand burs, puncture vines, territorial farm dogs and livestock, and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

DATE: 6/1/2023
FILE NAME: 20230253B-ANX
SCALE: 1"=300'
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:
REVISED SOUTH BOUNDARY LINE	CSK	8/6/24

L&T LLC ANNEXATION
FOR
STRATUS INVESTMENT PARTNERS, LLC

PROJECT #: 20230253

1

SHEET 1 OF 1

P:\20230253-B\dwg\20230253B-ANX.dwg, 8/6/2024 12:51:37 PM, carol

City of Greeley Colorado

L&T Annexation and Establishment of Zoning Ordinance Correction ANX2023-0001, ZON2023-0002

Brian McBroom, Director of Community Development

Brian.McBroom@Greeleygov.com | 970-350-9786

City Council Meeting – May 20, 2025

Community Vitality

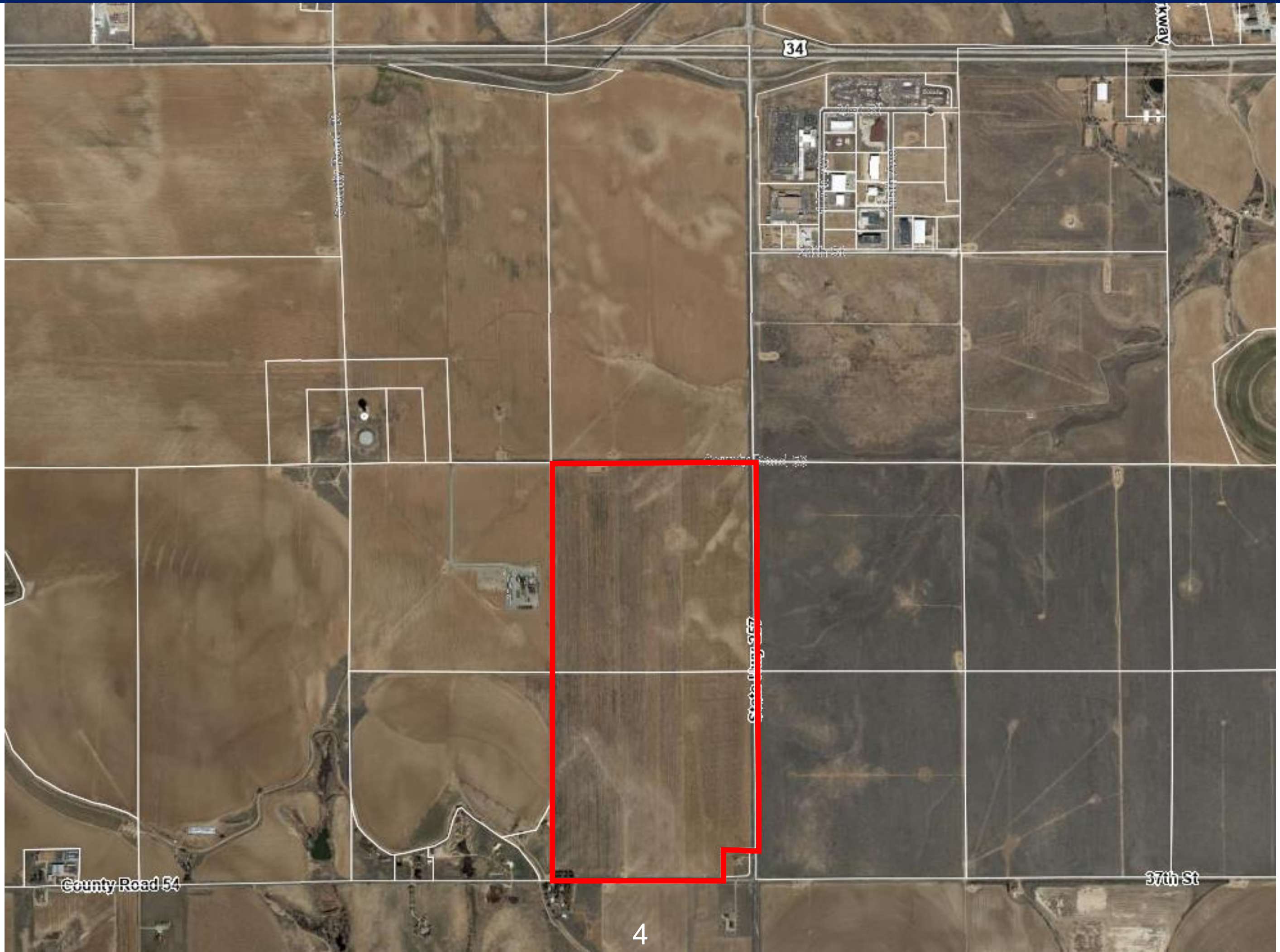
- Background
- Location
- Zoning
- Considerations
- Purpose: Adopt the corrected ordinances

Agenda

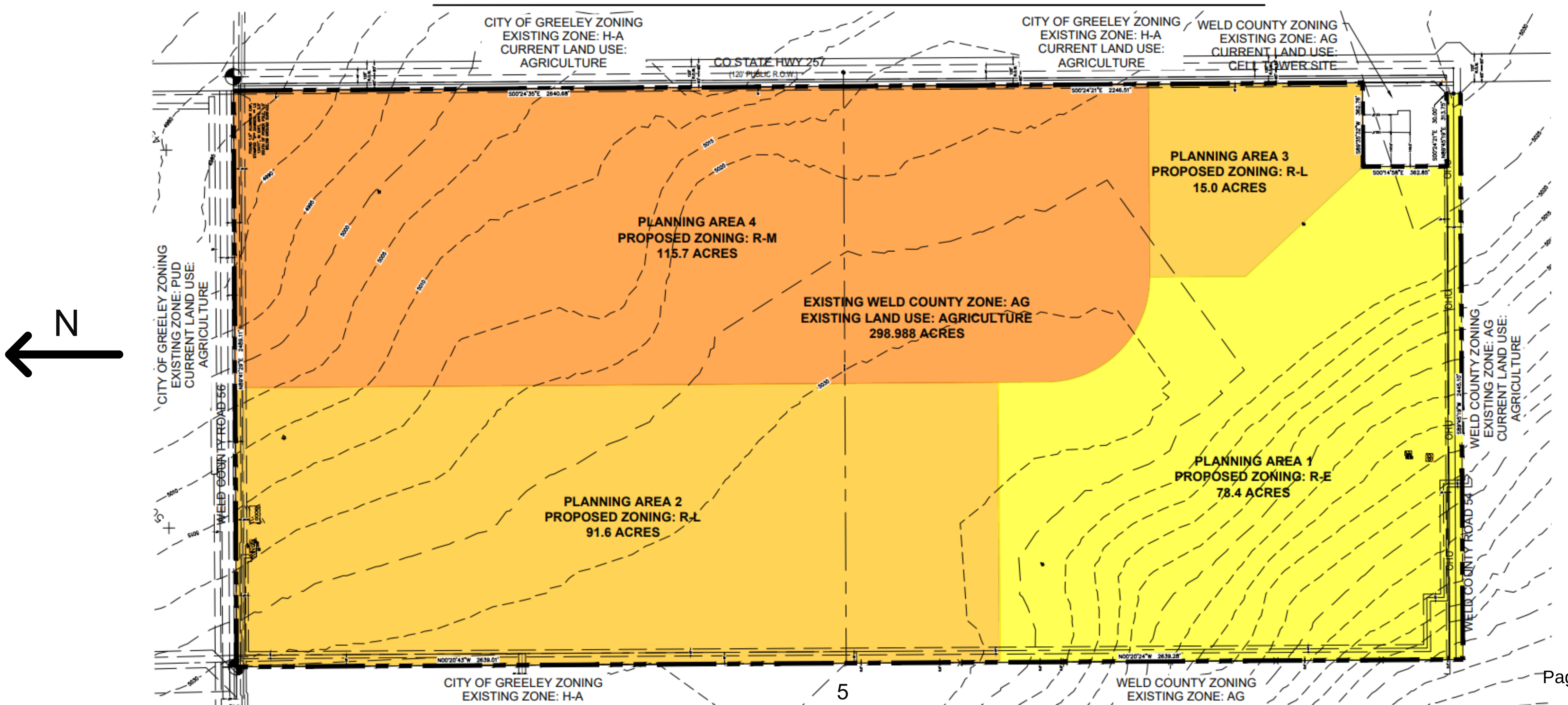
Background

- Annexation and zoning of parcels totaling 300.672 acres approved by Council on December 3, 2024
- Error in the legal description attached to the annexation and zoning ordinances
- Request: Adopt the corrected ordinances

Location



Zoning



CITY OF GREELEY ZONING
EXISTING ZONE: H-A
CURRENT LAND USE:
AGRICULTURE
CO STATE HWY 257
(120' PUBLIC R.O.W.)
CITY OF GREELEY ZONING
EXISTING ZONE: H-A
CURRENT LAND USE:
AGRICULTURE
WELD COUNTY ZONING
EXISTING ZONE: AG
CURRENT LAND USE:
CELL TOWER SITE
PLANNING AREA 4
PROPOSED ZONING: R-M
115.7 ACRES
PLANNING AREA 3
PROPOSED ZONING: R-L
15.0 ACRES
EXISTING WELD COUNTY ZONE: AG
EXISTING LAND USE: AGRICULTURE
298.988 ACRES
PLANNING AREA 2
PROPOSED ZONING: R-L
91.6 ACRES
PLANNING AREA 1
PROPOSED ZONING: R-E
78.4 ACRES
CITY OF GREELEY ZONING
EXISTING ZONE: PUD
CURRENT LAND USE:
AGRICULTURE
WELD COUNTY ROAD 56
WELD COUNTY ROAD 54
WELD COUNTY ZONING
EXISTING ZONE: AG
CURRENT LAND USE:
AGRICULTURE
CITY OF GREELEY ZONING
EXISTING ZONE: H-A
WELD COUNTY ZONING
EXISTING ZONE: AG
N

Ordinance Considerations

- No other changes to the proposed zoning classifications
- Community Development recommends approval

Thank you

City of Greeley Colorado

Item: 15.

Council Agenda Summary

May 20, 2025
Key Staff Contact: Brian McBroom, Community Development Director, Douglas May, Planner III

Title:

Public hearing and second reading of a corrected ordinance to establish zoning on a total of 300.672 acres of land in the City of Greeley. The properties are bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south. (Case number ZON2023-0002, L&T Zoning)

Summary:

City Council approved the L&T Zoning on December 3, 2024, which consisted of a mix of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density). The R-E portion is 78.4 acres and consists of the southwest portion of the site. The R-L is a total of 106.6 acres with 15 acres in the southeast corner and 91.6 acres in the west-northwest. The R-M portion is 115.7 acres in the east-northeast portion of the site.

The following information was omitted from the legal description attached to the ordinance that was adopted on December 3, 2024: "TOGETHER WITH THE NORTH 30.00 FEET OF THE NORTHEAST QUARTER OF SECTION 27, T.5N., R.67W., AS DESCRIBED IN THAT ROAD VIEWERS REPORT RECORDED MARCH 30, 1907, IN BOOK 83 AT PAGE 206, AT RECEPTION NO. 118396".

The ordinance was introduced at the May 6, 2025, Council Meeting and by majority vote of council, the public hearing and second reading was scheduled for May 20, 2025. The request is for Council to approve the corrected ordinance.

Fiscal Impact:

1. Does this item create a fiscal impact on the City of Greeley? No
2. Is there grant funding for this item? No

Legal Issues:

Consideration of this matter is a quasi-judicial process

Other issues and Considerations:

None

Strategic Focus Area:

Community Vitality

Decision Options:

1. Adopt the ordinance as presented; or
2. Amend the ordinance and adopt as amended; or
3. Deny the ordinance; or
4. Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

1. Ordinance No. 45, 2024 with Appendix A
2. PC Saff Report
3. Zoning Map
4. Please see item 14 for the presentation

CITY OF GREELEY, COLORADO
ORDINANCE NO. 45, 2024
CASE NO. ZON2023-0002

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, TO ESTABLISH R-E (RESIDENTIAL ESTATE), R-L (RESIDENTIAL LOW DENSITY), AND R-M (RESIDENTIAL MEDIUM DENSITY) LOCATED GENERALLY WEST OF STATE HIGHWAY 257 AND NORTH OF WELD COUNTY ROAD 54, INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 300.672 ACRES

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

Section 1. The zoning on the following described property located in the City of Greeley known as the L&T Annexation is hereby placed into R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) zoning district in the City of Greeley, County of Weld, State of Colorado:

Legal Description

See Appendix A, attached hereto, and incorporated herein.

Section 2. The territories of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF_______, 2025.

ATTEST **THE CITY OF GREELEY, COLORADO**

By: ________________________________
City Clerk

By: ________________________________
Mayor

APPENDIX A
ORDINANCE NO. 45, 2024
CASE NO. ZON2023-0002

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, TO ESTABLISH R-E (RESIDENTIAL ESTATE), R-L (RESIDENTIAL LOW DENSITY), AND R-M (RESIDENTIAL MEDIUM DENSITY) LOCATED GENERALLY WEST OF STATE HIGHWAY 257 AND NORTH OF WELD COUNTY ROAD 54, INTO THE CITY OF GREELEY. THE SUBJECT SITE IS COMPRISED OF 300.672 ACRES

THE EAST HALF (E1/2) OF SECTION TWENTY-TWO (22), IN TOWNSHIP FIVE (5) NORTH, RANGE SIXTY-SEVEN (67) WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

TOGETHER WITH THE NORTH 30.00 FEET OF THE NORTHEAST QUARTER OF SECTION 27, T.5N., R.67W., AS DESCRIBED IN THAT ROAD VIEWERS REPORT RECORDED MARCH 30, 1907, IN BOOK 83 AT PAGE 206, AT RECEPTION NO. 118396.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY IN DEED RECORDED APRIL 6, 1965, IN BOOK 538, AT RECEPTION NO. 1460397.

AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED APRIL 19, 1961 IN BOOK 1582 AT PAGE 550.

FURTHER EXCEPTING THEREFROM THAT PORTION CONVEYED TO COUNTY OF WELD, COLORADO IN DEED RECORDED OCTOBER 2, 1936 IN BOOK 999 AT PAGE 409.

PLANNING COMMISSION SUMMARY

ITEM: L&T Establishment of Zoning

PROJECT: L&T Establishment of Zoning

CASE NO: ZON2023-0002

LOCATION: Bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south

APPLICANT: LAI Design Group

CASE PLANNER: Doug May AICP, Interim Chief Planner

PLANNING COMMISSION HEARING DATE: October 8, 2024

PLANNING COMMISSION FUNCTION: To review the proposed establishment of zoning for the annexation for compliance with Section 24-204 of the Greeley Development Code and make a recommendation to the City Council.

EXECUTIVE SUMMARY
Per Sec. 24-201.b.4. annexed areas shall be included in the City's zoning ordinance and map within ninety (90) days after the effective date of the annexation ordinance. As such, this application has been submitted in conjunction with two petitions to annex land to the City. The applicant proposes the establishment of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) zone districts.

A. REQUEST
The applicant is seeking approval for the Establishment of Zoning R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) zone districts for property known as the L&T Annexation.

B. STAFF RECOMMENDATION
Approval

C. LOCATION

Bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south.

Current Zoning:	AG (Agricultural – County)
Proposed Zoning:	R-E (Residential Estate) – 78.4 acres R-L (Residential Low Density) – 106.6 acres R-M (Residential Medium Density) – 115.7 acres
Abutting Zoning:	North: PUD (Planned Unit Development – City) South: AG (Agricultural - County) East: H-A (Holding Agriculture – City) West: AG (Agricultural – County); H-A (Holding Agriculture – City)
Site Conditions:	The site is mostly undeveloped and used for agriculture. There is an existing telecommunications tower at the northwest corner of County Road 54 and State Highway 257 on a separate parcel which is not included in the proposed annexation. There are eleven plugged and abandoned oil and gas wells scattered across the two parcels.
Lot Size:	300.672 Acres
Abutting Land Uses:	North: Current: Agriculture; Approved: Mixed-use PUD South: Agriculture/Residential East: Agriculture West: Agriculture/Residential; Oil and gas operation

D. BACKGROUND

This establishment of zoning is initiated by the City of Greeley in order to place zoning on recently annexed property in a timely manner, as required by Colorado statute. The property is currently in the process of being annexed into the City of Greeley, with final reading of the annexation ordinance scheduled before City Council on December 3, 2024 (File No. ANX2023-0001). State law requires that zoning be established on all newly annexed parcels within 90 days. The final reading of the ordinance establishing the zoning for this property, as presented herein, is also scheduled before City Council on December 3, 2024.

The subject area, consisting of 300.627 acres, is composed of two parcels as well as the right-of-way for Weld County Road 54, along the southern end of the annexation area. Each parcel measures approximately 150 acres and are currently used for agriculture and largely undeveloped except for eleven plugged and abandoned oil and gas wells as well as a telecommunications tower at the southeast corner of the annexation area which is on a separate parcel and not part of the annexation or zoning request. The parcels are located within the Long-Range Expected Growth Area and are designated as Suburban Residential, Rural, and Community Separator.

The applicant is proposing to zone the land to a mix of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density). The R-E portion is proposed to be 78.4 acres and would consist of the southwest portion of the site. The R-L is proposed to be a total of 106.6 acres with 15 acres in the southeast corner and 91.6 acres in the west-northwest. The R-M portion is proposed to be 115.7 acres in the east-northeast portion of the site. No specific plans for the site are proposed at the time of annexation, but prior to development, a subdivision would need to occur to create developable parcels that align with the zoning boundaries. Water and/or sanitary sewer will be extended to the area to serve any development that occurs there. If the subject site develops in the future, subsequent plans will be required to comply with the City's Development Code and will be required to comply with APFA (Adequate Public Facilities Area) requirements.

E. APPROVAL CRITERIA

Development Code Section 24-204 Rezoning Procedures

The review criteria found in Section 24-204(b) of the Development Code shall be used to evaluate the zoning amendment application.

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.**

   The site is within the Long-Range Expected Growth Area (LREGA) and the Land Use Guidance Map identifies this area for suburban and rural residential uses as well as "Community Separator" in the southwest corner of the subject property. The LREGA includes those lands anticipated to accommodate the City of Greeley's urban development typically beyond a five (5) year time frame. This typically means that full urban services are not currently available to the site. The properties can be fully serviced if needed in the future.

   Staff Comment: The proposed zoning districts are appropriate for this area. The Land Use Guidance Map identifies this area as "suburban" and "rural" future land use categories. The proposed zone districts of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) allow for development that align with the Land Use Guidance Map.

The proposal complies with this criterion.

2. **The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.**

   According to the Development Code, the proposed zoning districts of R-E (Residential Estate), R-L (Residential Low Density), and R-M (Residential Medium Density) zoning districts allow for a range of residential densities from very low to more compact walkable development.

   Staff Comment: There is currently no development on the subject property, apart from agricultural uses and plugged and abandoned oil and gas wells. It is anticipated that this area will develop a mix of very low to medium densities, at which time further development applications would need to be submitted for further review.

   The proposal complies with this criterion.

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.**

   Staff Comment: The area is changing in that it is being annexed into the City of Greeley and per State statute and Greeley Development Code requirements, zoning must be established within 90 days on newly annexed land.

   The proposal complies with this criterion.

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.**

   Staff Comment: The subject area is currently AG (Agricultural) in unincorporated Weld County. However, because the property is proposed to be annexed into the City of Greeley, City zoning must be established as discussed above.

   The proposal complies with this criterion.

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.**

   Staff Comment: The proposed establishment of zoning is consistent with the anticipated development of the area. The Delantaro development is just north of the annexation site, which is a large mixed-use development. The proposed zoning would allow for development that is in character with surrounding development.

The proposal complies with this criterion.

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.**

Staff Comment: When water and sanitary sewer service is requested for this region as part of a development proposal, offsite extensions will be required unless other development has already made the extensions. Any proposed development of the subject site would be reviewed for compliance with city standards and improvements to existing infrastructure may be required at that time.

The proposal complies with this criterion.

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.**

Staff Comment: As stated above, the area is changing in that it is being annexed into the City of Greeley and per State statute and Greeley Development code requirements, zoning must be established within 90 days on newly annexed land.

The proposal complies with this criterion.

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.**

Staff Comment: There are no anticipated negative impacts from the proposed establishment of zoning. A proposed development of the subject site would be reviewed for compliance with city standards and any potential impacts to neighboring properties would be considered at that time.

The proposal complies with this criterion.

9. **The recommendations of professional staff or advisory review bodies.**

Staff Comment: City staff recommends approval of this establishment of zoning request.

F. ADMINISTRATIVE REVIEW TEAM COMMENTS:

The proposal was reviewed by the Administrative Review Team and all comments have been addressed.

G. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The two parcels are currently unsubdivided.

2. HAZARDS

The properties contain multiple plugged and abandoned oil and gas wells.

3. WILDLIFE

The northeast portion of the site is in an area of high ecological significance. An ecological report will be required at the time of any proposed development.

4. FLOODPLAIN

There are no mapped floodplains on the subject property.

5. DRAINAGE AND EROSION

The site is largely undeveloped with drainage patterns expected to continue to follow the existing lay of the land. However, drainage patterns would be examined in greater detail through further development applications and the subsequent permitting processes.

6. TRANSPORTATION

The site is bounded by Weld County Road 56 to the north, State Highway 257 to the east, and County Road 54 to the south.

H. NOTIFICATION:

Mailed notice was sent on September 6, 2024 to 22 surrounding properties within 1000 feet of the subject property. The applicant posted signs in three locations on the property on September 9, 2024. As of September 24, 2024, one comment has been received with questions regarding the timeline for development and impact on surrounding properties. Because there is no development yet proposed, there is no timeline for development and in-depth analysis of impacts to surrounding properties would occur at the time of further development applications.

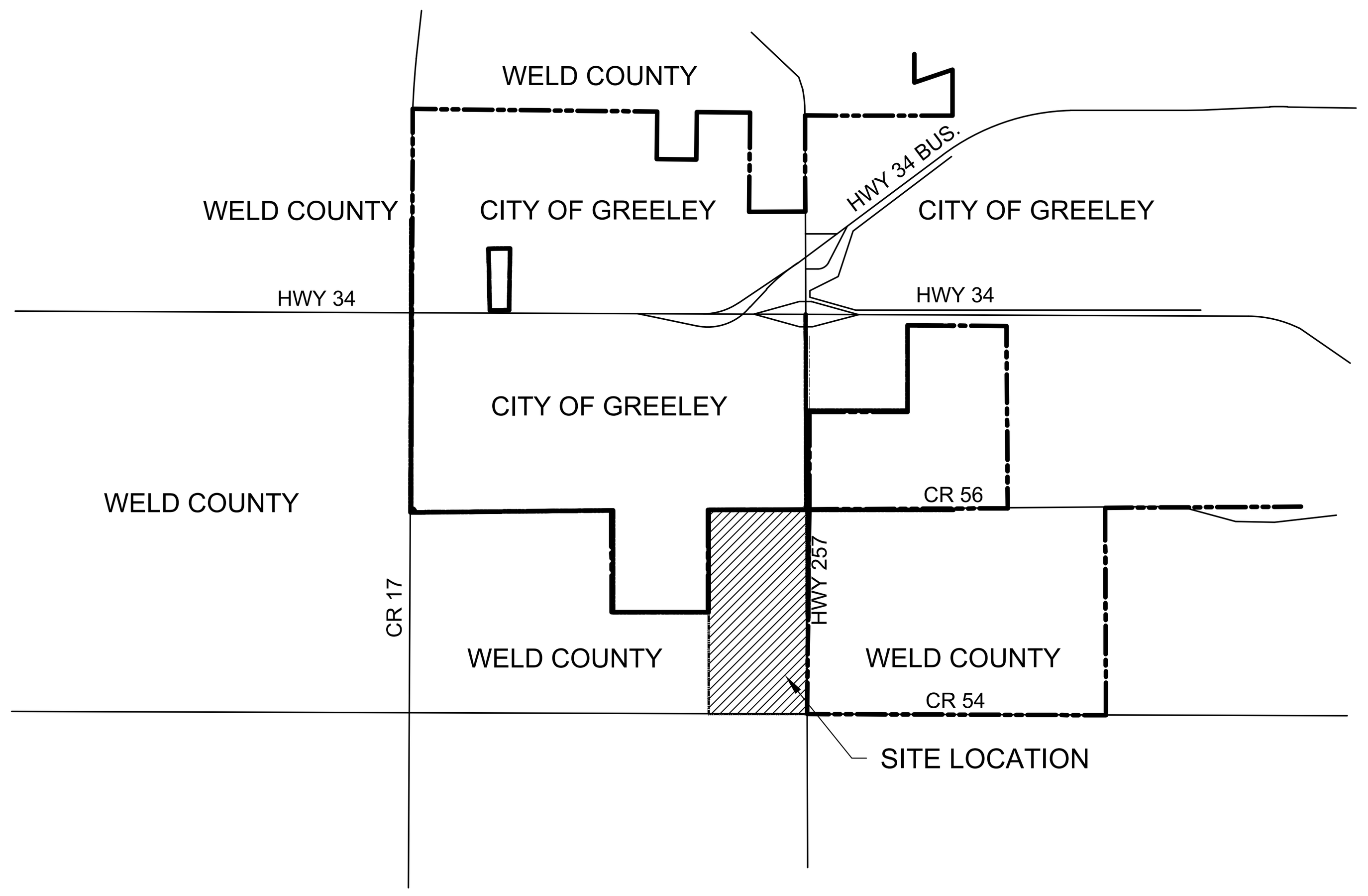
I. PLANNING COMMISSION RECOMMENDED MOTION:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed L&T Establishment of Zoning, File number ZON2023-0002 meets the required Development Code criteria of Section 24-204.b.(1-9); and recommend approval of the L&T Establishment of Zoning to the City Council.

L&T LLC ZONING

BEING A PART OF THE EAST ONE-HALF OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO
298.99 ACRES
ZON2023-0002

VICINITY MAP



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF WELD, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

THE EAST HALF (E1/2) OF SECTION TWENTY-TWO (22), IN TOWNSHIP FIVE (5) NORTH, RANGE SIXTY-SEVEN (67) WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY IN DEED RECORDED APRIL 6, 1965, IN BOOK 538, AT RECEPTION NO. 1460397.

AND EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO IN DEED RECORDED APRIL 19, 1961 IN BOOK 1582 AT PAGE 550.

FURTHER EXCEPTING THAT PORTION CONVEYED TO COUNTY OF WELD, COLORADO IN DEED RECORDED OCTOBER 2, 1936 IN BOOK 999 AT PAGE 409.

SAID PARCEL CONTAINS 13,023,916 SQUARE FEET OR 298.988 ACRES MORE OR LESS.

INTENT STATEMENT

THE SUBJECT SITE IS CURRENTLY ZONED IN THE WELD COUNTY "A" DISTRICT (AGRICULTURE) AND IS PROPOSED TO BE ANNEXED TO THE CITY OF GREELEY, ESTABLISHING THREE NEW ZONES IN 4 AREAS. THERE WILL BE ONE AREA ZONED R-E (RESIDENTIAL ESTATE), TWO AREAS ZONE R-L (RESIDENTIAL-LOW) AND ONE AREA ZONED R-M (RESIDENTIAL MEDIUM). THIS WILL ALLOW THE SUBJECT PROPERTY DEVELOP WITH COMPLIMENTARY USES TO NEARBY PROPERTIES. THIS ZONING DISTRICT IS INTENDED TO OPEN THE PARCEL UP TO DEVELOPMENT FOR A VARIETY OF RESIDENTIAL LOT TYPES.

STANDARD REZONE NOTES

1. APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
2. ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE UNLESS THE PROPERTY HAS BEEN PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS (CHAPTER 3).
4. ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.

PROJECT TEAM

OWNER:
L&T, LLC
27001 COUNTY ROAD 17
JOHNSTOWN, CO 80534-9606

DEVELOPER:
STRATUS COMPANIES
8480 E. ORCHARD RD, SUITE 1100
GREENWOOD VILLAGE, CO 80111
720.214.5000

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT:
LAI DESIGN GROUP
88 INVERNESS CIRCLE EAST
BUILDING J, SUITE 101
ENGLEWOOD, CO 80112
303.734.1777

CIVIL ENGINEER/SURVEYOR:
CWC CONSULTING GROUP
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
303.395.2700

HYDRAULIC ENGINEER:
MSK CONSULTING, LLC
7157 S. ANDES CIRCLE
CENTENNIAL, CO 80016
303.903.0918

TRAFFIC ENGINEER:
LSC TRANSPORTATION CONSULTANTS, INC.
1889 YORK ST.
DENVER, CO 80206
303.333.1105

PLANNING COMMISSION RECOMMENDATION

RECOMMENDED / NOT RECOMMENDED BY THE CITY OF GREELEY PLANNING COMMISSION, THIS ______ DAY OF ____________, 2024.

CITY COUNCIL APPROVAL

APPROVED BY THE GREELEY CITY COUNCIL, ON THIS ______ DAY OF ____________, 2024.

COMMUNITY DEVELOPMENT DIRECTOR

DIRECTOR OF COMMUNITY DEVELOPMENT ____________ DATE ________

REZONING CERTIFICATION BLOCK

THIS REZONE HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE CITY OF GREELEY DEVELOPMENT CODE REGULATIONS.

SIGNATURE OF OWNER ____________ DATE ________

SHEET INDEX

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
116 INVERNESS DRIVE EAST, STE 340
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING · LAND SURVEYING
CONSTRUCTION SERVICES
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.395.2700 - FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

L&T LLC ZONING
GREELEY, CO
COVER SHEET

PROJECT #:	231004
DRAWN BY:	AH
CHECKED BY:	RH

ISSUE RECORD

2nd SUBMITTAL	09/07/23
3rd SUBMITTAL	12/19/23
4th SUBMITTAL	02/09/24
5th SUBMITTAL	06/17/24
6th SUBMITTAL	08/07/24

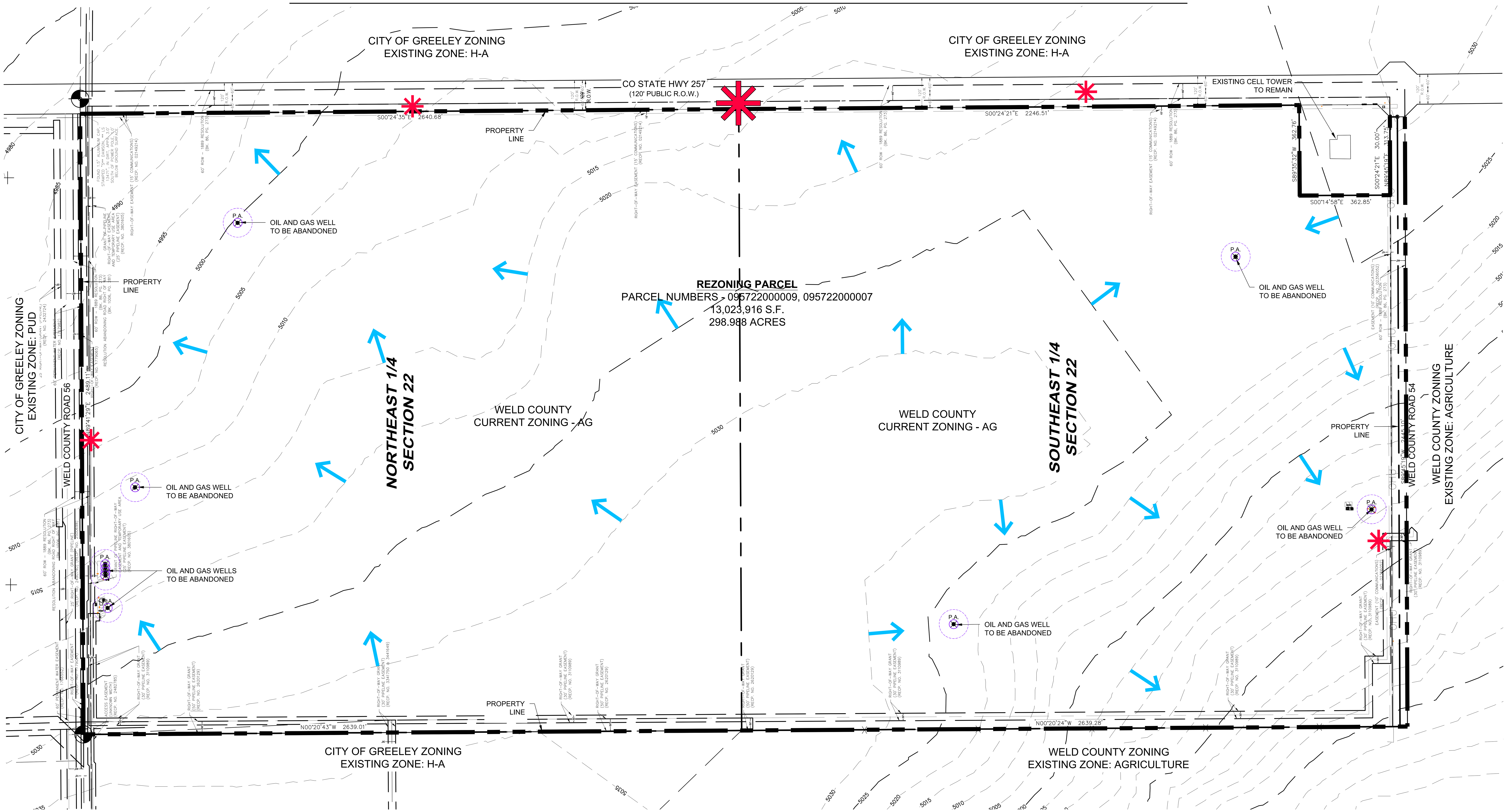
SHEET NUMBER
L1.0
SHEET 1 OF 4

L&T LLC ZONING

BEING A PART OF THE EAST ONE-HALF OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO

298.99 ACRES

ZON2023-0002



LEGEND

H-A	CITY OF GREELEY, HOLDING AGRICULTURE		EXISTING CONTOURS		OIL & GAS TO BE ABANDONED 50' SETBACK
AG	WELD COUNTY - AGRICULTURE		MUNICIPAL BOUNDARY		
PUD	PLANNED UNIT DEVELOPMENT		PROPERTY BOUNDARY		DRAINAGE
	PRIMARY SITE ACCESS POINT		RIGHT-OF-WAY		
	SECONDARY SITE ACCESS POINT		EASEMENT		

NOTES:
1. THERE ARE NO AREAS WITH SLOPES OVER 20% WITHIN THE PROJECT BOUNDARY.

0' 200' 400'
GRAPHIC SCALE: 1" = 200'
NORTH

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
116 INVERNESS DRIVE EAST, STE 340
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING
CONSTRUCTION SERVICES
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.395.2700 - FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

L&T LLC ZONING
GREELEY, CO
EXISTING CONDITIONS MAP

PROJECT #: 231004
DRAWN BY: AH
CHECKED BY: RH

ISSUE RECORD

2nd SUBMITTAL	09/07/23
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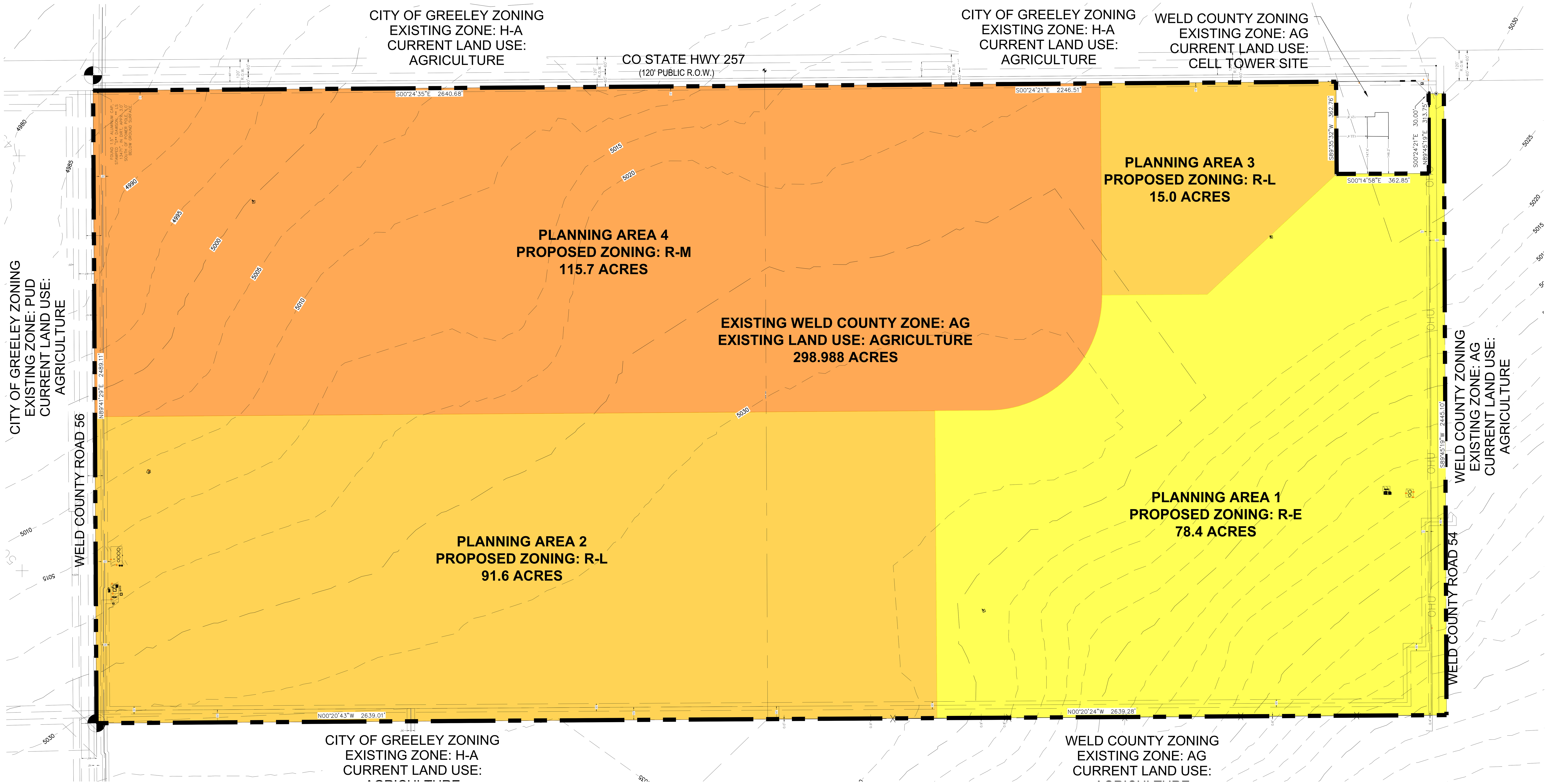
4th SUBMITTAL	02/09/24
5th SUBMITTAL	06/17/24
6th SUBMITTAL	08/07/24

SHEET NUMBER
L2.0
SHEET 2 OF 4

L&T LLC ZONING

BEING A PART OF THE EAST ONE-HALF OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO
298.99 ACRES
ZON2023-0002



ZONING LEGEND

CODE	ZONE DESCRIPTION	MUNICIPALITY
AG	AGRICULTURE	WELD COUNTY
H-A	HOLDING AGRICULTURE	GREELEY
PUD	PLANNED UNIT DEVELOPMENT	GREELEY
R-E	RESIDENTIAL ESTATE	GREELEY
R-L	RESIDENTIAL LOW	GREELEY
R-M	RESIDENTIAL MEDIUM	GREELEY

ZONING SUMMARY

EXISTING ZONE:	PROPOSED ZONING:	AREA (AC.)
WELD COUNTY AG	GREELEY R-E, R-L, AND R-M	298.988 AC.
TOTAL:		**100%**

USE AREA	ALLOWED USES	AREA (AC.)
PLANNING AREA 1	RESIDENTIAL USES PER CITY CODE	±78.4 AC
PLANNING AREA 2	RESIDENTIAL USES PER CITY CODE	±91.6 AC
PLANNING AREA 3	RESIDENTIAL USES PER CITY CODE	±15.0 AC
PLANNING AREA 4	RESIDENTIAL USES PER CITY CODE	±115.7 AC
NOTE: PA-1 AREA INCLUDES APPROX. 1.7 ACRES OF R.O.W. IN WCR 54.		

SURVEY INFORMATION TAKEN FROM THE ALTA SURVEY, PREPARED BY CWC CONSULTING, DECEMBER 2022.

0' 400' 800'
GRAPHIC SCALE: 1" = 400'
NORTH

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
116 INVERNESS DRIVE EAST, STE 340
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING
CONSTRUCTION SERVICES
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.395.2700 - FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

L&T LLC ZONING
GREELEY, CO
ZONING SUITABILITY

PROJECT #: 231004
DRAWN BY: AH
CHECKED BY: RH

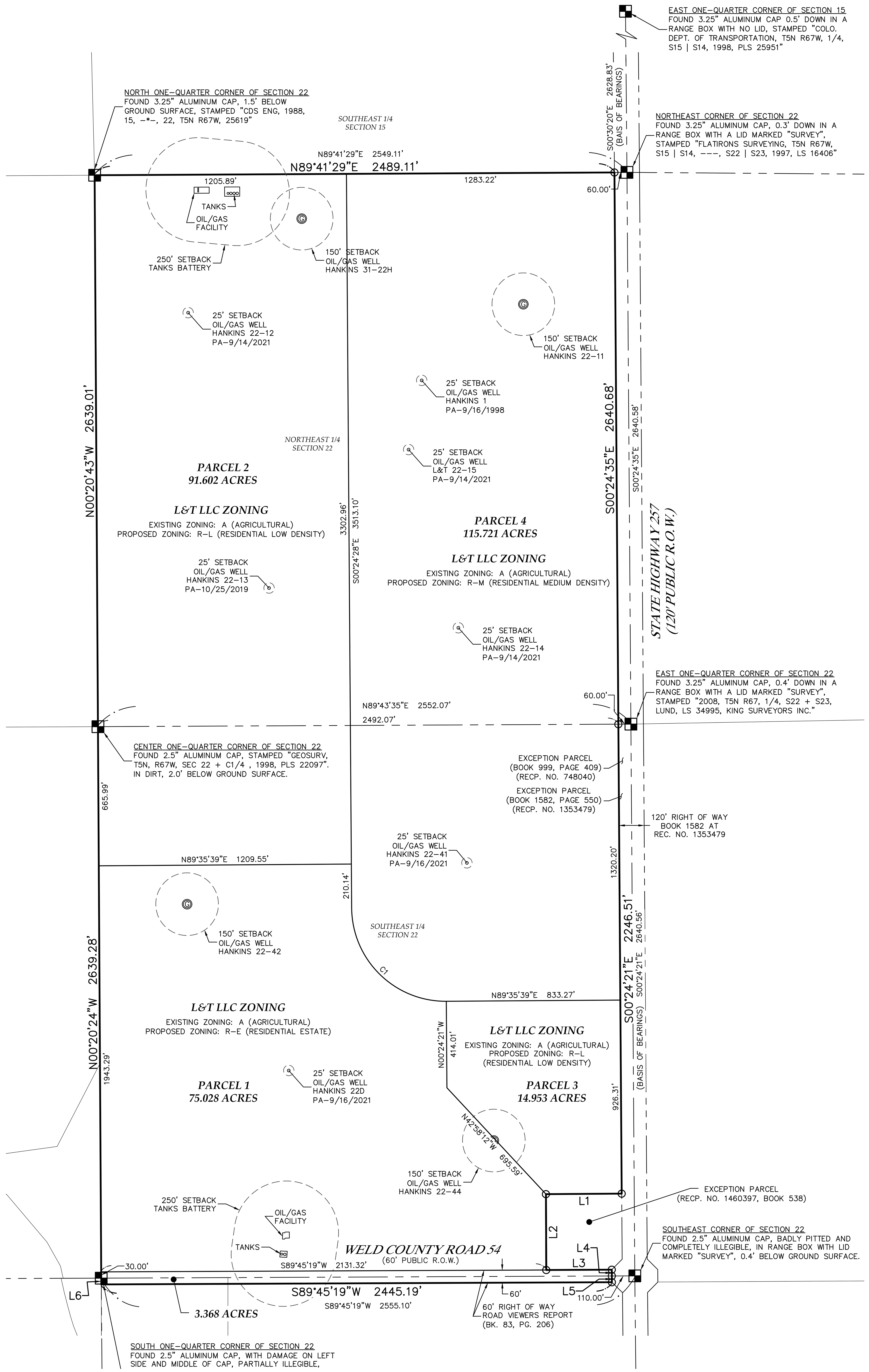
ISSUE RECORD

2nd SUBMITTAL	09/07/23
3rd SUBMITTAL	12/19/23
4th SUBMITTAL	02/09/24
5th SUBMITTAL	06/17/24
6th SUBMITTAL	08/07/24

SHEET NUMBER
L3.0
SHEET 3 OF 4

L&T LLC ZONING

Situate in the East Half of Section 22, Township 5 North, Range 67 West
of the 6th P.M., City of Greeley, County of Weld, State of Colorado
298.988 Acres
ZON2023-0002



300 150 0 300 600 900

SCALE IN FEET
SCALE: 1"=300'

LINE TABLE

LINE	BEARING	LENGTH
L1	S89°35'32"W	362.76'
L2	S00°14'58"E	362.85'
L3	N89°45'19"E	313.75'
L4	S00°24'21"E	30.00'
L5	S00°37'21"E	30.00'
L6	N00°27'56"W	30.00'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	706.81'	450.00'	89°59'40"	636.37'	S45°24'31"E

LEGEND

- — — — SECTION LINE
- — — — RIGHT OF WAY LINE
- ——— BOUNDARY LINE
- FOUND ALIQUOT CORNER AS DESCRIBED
- ○ CALCULATED POSITION

DATE: 6/1/2023
FILE NAME: 20230253B-ZON
SCALE: 1"=300'
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:
REVISED SOUTH BOUNDARY LINE	CSK	8/6/24

L&T LLC ZONING
FOR
STRATUS INVESTMENT PARTNERS, LLC

PROJECT #: 20230253

4

SHEET 4 OF 4

Please see item 14 for the presentation.

Council Agenda Summary

May 20, 2025
Key Staff Contact: Heidi Leatherwood, City Clerk

Title:

Appointments to Boards and Commissions - Civil Service Commission, Construction Trades Advisory and Appeals Board, Housing Authority, Housing for All Advisory Board and Human Relations Commission

Summary:

Council appointments are needed due to vacancies and expiring terms for the Civil Service Commission, Construction Trades Advisory and Appeals Board, Housing Authority, Housing for All Advisory Board and Human Relations Commission.

New applicants were interviewed by two council members on May 6.

Fiscal Impact:

1. Does this item create a fiscal impact on the City of Greeley? No

Legal Issues:

The City Attorney's Office reviewed the applications and advised of potential conflicts of interest. It should be noted that there is a possibility that the applicants currently serve as a volunteer on a board or commission besides the one they are applying to. It is also important to point out to the applicants that there are always potential conflicts that exist with business and investments, current jobs or relatives and family members coming before the Board or Commission. Should such conflicts arise, the Board or Commission member simply recuses themselves from that particular item. Such a potential conflict does not preclude anyone from serving on a Board or Commission in general, just that particular agenda item.

Other issues and Considerations:

None

Strategic Focus Area:

Business Growth
Community Vitality
High-Performance Government
Housing For All
Infrastructure and Mobility
Quality of Life
Safe and Secure Communities

Decision Options:

1. Appoint or reappoint the individuals to serve on an applicable board or commission
2. Direct staff to re-advertise applicable vacancy

Council's Recommended Action:

No motion is necessary. The City Council's Policies and Protocol authorize appointment of Board and Commission members by written ballot, which can be used in lieu of a motion or voice vote for individual or multiple appointments. This policy was adopted by Council as a time-savings measure. Accordingly, a ballot is attached for Council's use in making appointments. Candidates receiving a majority vote (at least 4 votes) are appointed with no further action needed by Council.

Attachments:

1. Ballot
2. B&C Transmittal

City of Greeley
Boards & Commissions
Appointment Ballot
May 20, 2025

Applicants for the boards and/or commissions listed below are in alphabetical order
and recommendations from the interview team are shown in bold. Virtual interviews are customarily held on the second week of each month, and appointments are decided during the second City Council meeting (third week of the month).

********** BALLOT **********

Civil Service Commission	
1 Position: 6 Year Term	
____	Clay S Buckingham
____	Karla Torczon
____	**LINDA CANNON**
____	(Recruit for Additional Applicants)

Construction Trades Advisory and Appeals Board	
4 Positions: 3 Year Term	
____	Terry A Shellnut
____	**(Recruit for Additional Applicants)**

Housing Authority	
1 Position: 2 Year Term	
____	**RACHEL M FLYNN**
____	(Recruit for Additional Applicants)

Housing for All Advisory Board	
1 Position: 1 Year Term	
____	**CINQUE J MASON**
____	(Recruit for Additional Applicants)

Human Relations Commission	
6 Positions: 3 Year Term	
____	**TERRY ANDERSON (I)**
____	(Recruit for Additional Applicants)

Comments:
(I) = Incumbent

Boards & Commissions Transmittal

April 22, 2025
Key Staff Contact: Finn Foster 970-336-4000

Interview Date	Council Interview Team	Council Appointment Date
May 6, 2025	Councilmembers DeBoutez and Olson	May 20, 2025

Boards and Commissions Being Interviewed

- **Civil Service Commission**
- **Construction Trades Advisory and Appeals Board**
- **Housing Authority**
- **Housing for All Advisory Board**
- **Human Relations Commission**

Council's Recruitment and Qualifications Policy

General recruitment efforts shall be made with special measures being taken to balance ward representation and attract minority and special population applicants. Generally, volunteers will be limited to serving on one board or commission at a time. (14.2. (c)(2) City Council, Policies and Protocol).

Demographic information of existing board members and any specialty requirements are contained within the attached Membership Rosters.

Legal Issues

The City Attorney's Office reviewed the applications and the attached memorandum addresses any potential conflicts of interest.

It should be noted that there is a possibility that the applicants currently serve as a volunteer on a board or commission besides the one they are applying to. It is also important to point out to the applicants that there are always potential conflicts that exist with business and investments, current jobs or relatives and family members coming before the Board or Commission.

Should such conflicts arise, the Board or Commission member simply excuses themselves from that particular item but such a potential conflict does not preclude anyone from serving on a Board or Commission in general, just that particular agenda item.

Applicable Council Goal or Objective

Infrastructure & Growth – Establish the capital & human infrastructure to support & maintain a safe, competitive, appealing, and dynamic community.

Decision Options

1. Recommend candidates for appointment; or
2. Direct staff to re-advertise applicable vacancy.

Attachments

1. Interview Schedule
2. Conflict Memorandum from City Attorney's Office
3. Sample Ballot
4. Membership Rosters from above mentioned Boards and Commissions
5. Applications of those being considered for interview and/or considered for appointment

Transmittal reviewed by: DS RL ____Raymond Lee, City Manager Initial HL ____Heidi Leatherwood, City Clerk

Item: 17.

Council Agenda Summary

Title:

Motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements, and ordinances

Item:18.

Council Agenda Summary

Title:

Scheduling of Meetings, Other Events

Summary:

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendar
Council Meeting and Work Session Schedule

Council Meetings and Other Events Calendars

May 18 – June 14, 2025

Tuesday, May 20, 2025

- City Council Meeting 6 p.m. City of Greeley Council Chambers (1001 11th Ave Greeley CO 80631)

Wednesday, May 21, 2025

- Water & Sewer Board Meeting 2 p.m. (1001 11th Ave Greeley CO 80631) City of Greeley Council Chambers

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Monday, May 26, 2025

- Memorial Day Proclamation 9 a.m. Linn Grove Cemetery (1700 Cedar Ave, Greeley, CO 80631)

- Greeley Chamber of Commerce 11:30 a.m.

Tuesday, May 27, 2025

- City Council Work Session Meeting 6 p.m. City of Greeley Council Chambers (1001 11th Ave Greeley CO 80631)

Wednesday, May 28, 2025

- Upstate Colorado Economic Development 7 a.m. Upstate Colorado Conference Room (822 7th Street Greeley CO 80631

Thursday, May 29, 2025

- Boards and Commissions Appreciation Event 5:30 p.m. University of Northern Colorado Longs Peak Ballroom (2101 10th Ave Greeley CO 80631)

Tuesday, June 3, 2025

- City Council Meeting 6 p.m. City of Greeley Council Chambers (1001 11th Ave Greeley CO 80631)

Thursday, June 5, 2025

- Poudre River Trail Meeting 7:30 a.m. Poudre Learning Center (8813 W. F Street Greeley CO 80631)

- Island Grove Advisory Board 3:30 p.m. (600 N. 14th Ave Greeley CO 80631)

- North Front Range MPO Meeting 6 p.m. Fort Collins Colorado River Community Room (222 LaPorte Avenue Fort Collins, CO 80521)

Tuesday, June 10, 2025

- City Council Work Session Meeting 6 p.m. City of Greeley Council Chambers (1001 11th Ave Greeley CO 80631)

2025 Council Meeting/Work Session Agenda Items Schedule

Date/Type	Description	Sponsor Presenter/Director or Project Manager	Placement/Time
	5/13/2025		
	This schedule is subject to change		
May 27, 2025 City Council Work Session	Civic Campus Financing	Allena Portis	WS
	Overview and Discussion of the Small Business Land Use Center Program	Don Threewitt	WS
	Overview of Affordable Land Use Center	Don Threewitt	WS
June 03, 2025 Council Meeting	Minutes - May 6 RM; May 13 WS	Heidi Leatherwood	Consent
	Resolution - Authorizing IGA for exchanging Judicial and Administrative servies with Fort Collins and Lovelar	Krista Bagnall/Mark Gonzales	Consent
	Resolution - Designating speed corridors for photo radar enforcement	Mike Heck/Adam Turk	Consent
	Resolution - CDOT/City of Greeley IGA for Mobility Hub Funding (MERGE Project)	Bhooshan Karnik	Consent
	Resolution - adopt Business Incentive Code	Michelle Claymore	Consent
	Intro & first reading ord - Arroyos Del Sol Annexation	Don Threewitt	Consent
	Intro & first reading ord - City Owned Annexation (Hold)	Don Threewitt	Consent
	Intro & first reading ord - Downtown Overlay	Doug May/Don Threewitt	Consent
	Intro & first reading ord - Landscape code amendment	Meg Oren/Don Threewitt	Consent
	Intro and first reading ord - Water Revenue Improvement Bonds, Series 2025	Robert Miller/Tyra Litzau	Consent
	Intro and first reading ord - First-Lien Sewer Improvement Revenue Bonds, Series 2025	Robert Miller/Tyra Litzau	Consent
	Intro and first reading ord - Refuse Service Provider Reporting Requirement Code Change	Will Jones	Consent
	PH & second reading ord - replacing and adopting the incentive code	Michelle Claymore	Regular
	PH & second reading ord - Camping Restriction	Bobbier Cranston/Adam Turk	Regular
June 10, 2025 City Council Work Session	Water & Sewer Board Interviews	Jennifer Middleton	WS
	East and West Subarea Plan Update (Tentative)	Brian McBroom	WS
	High Performance and Information Update	Bret Naber	WS
June 17, 2025 Council Meeting	Greeley Stampede Proclamation	Mayor	Intro
	Pride Month Proclamation	Mayor	Intro
	Minutes - May 20 RM; May 27 WS	Heidi Leatherwood	Consent
	Resolution - amending Council Policies and Protocol	Heidi Leatherwood	Consent
	Resolution - Eagles Lease (Hold)	Stacey Aurzada	Consent
	PH & second reading ord - Arroyos Del Sol Annexation	Don Threewitt	Regular
	PH & second reading ord - City Owned Annexation	Don Threewitt	Regular
	PH & second reading ord - Downtown Overlay	Doug May/Brian McBroom	Regular
	PH & second reading ord - Landscape code amendment	Meg Oren/Don Threewitt	Regular
	PH and second reading ord - Water Revenue Improvement Bonds, Series 2025	Robert Miller/Tyra Litzau	Regular
	PH & second reading ord - First-Lien Sewer Improvement Revenue Bonds, Series 2025	Robert Miller/Tyra Litzau	Regular
	PH & second reading ord - Refuse Service Provider Reporting Requirement Code Change	Will Jones	Regular
	B&C Appointments	Jennifer Middleton	Regular

__Item: 19.__

Council Agenda Summary

__Title__
Adjournment