



## **Planning Commission Remote Meeting Instructions for September 22, 2020 Meeting**

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

You can view the Planning Commission meeting by following the instructions below to watch the **YouTube** live stream. By utilizing this option to view the meeting, you will not be able to provide live input during the meeting. To provide live input, see the “Real Time” instructions near the bottom of this page.

- From your laptop or computer, click the following link or enter it manually into your web browser: ([www.youtube.com/CityofGreeley](https://www.youtube.com/CityofGreeley))
- Clicking the link above will take you to the City of Greeley’s YouTube channel
- Once there, you will be able to view the meeting

### **Citizen input and public comment for items appearing on this agenda as public hearing / quasi-judicial are valuable and welcome**

There are several options for those who are interested in participating and sharing public comments:

#### **E-mail** – Submit to [cd\\_admin\\_team@greeleygov.com](mailto:cd_admin_team@greeleygov.com)

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

#### **Traditional Mail** – Address to Planning Commission, 1100 10<sup>th</sup> Street, Greeley, CO 80631

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

#### **Real Time** – Click [here](#)

Clicking the link above will give you access to the live meeting via Zoom Webinar where you will become a virtual audience member and be able to provide input during a public hearing using the chat or raise hand features.

Please visit the Planning Commission web page at <https://greeleygov.com/government/b-c/boards-and-commissions/planning> to view and download the contents of the agenda packet. You are also welcome to call the Planning office at 970-350-9780 if you have any other questions or require special accommodations to attend a virtual hearing.



## **PLANNING COMMISSION**

### **Agenda**

**September 22, 2020**  
**1:15 p.m.**

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- I. Call to Order**
- II. Approval of minutes for meeting held on August 25, 2020**
- III. A public hearing to consider a request to rezone approximately .29 acres of property from I-L (Industrial Low Intensity) to R-H (Residential High Density) zone district**
  - Project Name: 1530 4<sup>th</sup> Avenue Rezone
  - Case No.: ZON2020-0005
  - Applicant: Harlow Homes
  - Location: 1530 4<sup>th</sup> Avenue
  - Presenter: Caleb Jackson, Planner II
- IV. Development Code Update**
  - Presenter: Carol Kuhn, Chief Planner
- V. Staff Report**
- VI. Adjournment**

Please visit [www.greeleygov.com](http://www.greeleygov.com) for more information about the City's response to protect public and employee health & safety

#### **PLANNING COMMISSION HEARING DATES:**

All hearings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month at 1:15 p.m.. Agendas are posted at <http://greeleygov.com/government/b-c/boards-and-commissions/planning>.

October 13, 2020  
October 27, 2020  
November 10, 2020

November 24, 2020  
December 8, 2020  
December 22, 2020



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## **PLANNING COMMISSION**

### **Proceedings**

**August 25, 2020**

### **Remote Hearing**

**(Zoom Webinar and viewable on City of Greeley YouTube)**

**1:15 p.m.**

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#### **I. Call to Order and Roll Call**

Chair Yeater called the meeting to order at 1:54 p.m. following adjournment of the Zoning Board of Appeals hearing. Commissioners Andersen, Schulte, Briscoe, Franzen, Romulo and Modlin were present.

#### **II. Approval of minutes for meeting held on July 28, 2020**

Commissioner Franzen moved to approve the minutes dated July 28, 2020. Commissioner Modlin seconded the motion. The motion carried 6-0. (Commissioner Andersen abstained as she was not present at the July 28 hearing.)

#### **III. Tax Initiatives Presentation, City Manager's Office**

Presenters: Becky Safarik and Will Jones

Becky Safarik, Assistant City Attorney, addressed the Commission and introduced Will Jones, Deputy Director of Public Works. Ms. Safarik stated that they would be taking turns sharing some background information and the importance of the sales tax measures being considered by City Council for potential placement on the 2020 ballot.

Ms. Safarik began the presentation by explaining how the two measures have provided critical funds for City infrastructure. She described various projects, including roads, parks, open space and recreation facilities. Mr. Jones identified Greeley's food tax and the "Keep Greeley Moving" (KGM) tax, and noted that the three percent food tax on all unprepared food products, such as groceries, is the primary funding source for parks, recreation, street and public building maintenance. He reported that the food tax revenue was approximately \$9 million in 2018. Mr. Jones continued that the .65 percent KGM tax on all purchases, excluding unprepared food, was designated for road expansion, repaving and sidewalk improvements and raised approximately \$15.6 million in 2018.

Mr. Jones presented several photographs of some improvements funded by the food tax and noted that at least 80 projects currently await funding. He added that improvements, such as window and roof replacements, restroom improvements, and building accessibility, are important but may not be as apparent. Mr. Jones reported that the KGM tax approved by voters in 2015 allowed for multiple sidewalk improvements, street resurfacing, and pothole patches. He presented a map showing portions of roadways that had been promised for improvement in 2020 and 2021. Mr. Jones noted that some of the key completed KGM projects are 20<sup>th</sup> Street improvements, 71<sup>st</sup> Avenue improvements, with improvements to 35<sup>th</sup> Avenue scheduled for completion in 2021.

According to Ms. Safarik, the City is also interested in making sure that it is competitive with Northern Colorado neighbors as it relates to sales tax and noted that at 7.01%, Greeley is a little above Windsor (Weld) and Loveland, but lower than Loveland (Centerra), Windsor (Larimer), Fort Collins and Evans. She also provided comparisons with other communities in Colorado, adding that it is a priority to keep levels to just what is needed while remaining competitive with other communities.

Ms. Safarik described the costs that would be incurred if both taxes are not renewed and the resulting deterioration of infrastructure. She added that with a dedicated funding source, it is more likely to attract grants and other types of matched funds. Ms. Safarik also described the various accountability mechanisms, such as annual reporting of expenditures, independent audits, and citizen audit review in the form of a Citizen's Budget Advisory Committee.

Ms. Safarik solicited input and perspective by the Planning Commission and stated that City Council was eager to hear observations and suggestions from various boards. She stated that on August 18, City Council initiated formal consideration to place initiatives before the voters for renewal and that a final decision by Council about placement of one or both initiatives on the ballot is expected to take place on September 1. Ms. Safarik shared some of the comments and suggests from other boards and offered to answer any questions by the Planning Commission.

Commissioner Modlin thanked the presenters and stated that the City has done a great job preparing and presenting information. He asked whether there would be campaign to let people know about the ballot initiatives and what would be funded. Ms. Safarik responded that a group of citizens has agreed to initiate communications and support a campaign if City Council decides to move forward with one or both initiatives.

Commissioner Andersen asked for clarification about a comment made earlier regarding the alignment of both taxes. Ms. Safarik explained that the food tax has a 5-year sunset, while the KGM tax has a 7-year sunset. Mr. Jones added that the food tax takes effect at the beginning of 2022, with the KGM tax shortly after in 2023. Ms. Safarik noted alignment would reduce the number of extra elections, adding that if the measures are not successful, there would be only one more opportunity to get the initiatives before voters. Upon question by Commissioner Andersen, Ms. Safarik stated in 1990, the City realized that a dedicated funding source was needed and proposed the food and KGM tax initiatives. Commissioner Andersen referenced funds to be used for road maintenance and building improvements and asked whether it might be better to remove the sunset rather than rely

upon the whim of voters. Ms. Safarik stated that it could be a consideration in the future, while stressing the importance of providing the accountability to voters that goes along with renewing the taxes. She added that if voters see that the funds are used well, a case could be made for the renewal of the taxes.

Chair Yeater asked whether, in the event the initiatives fail, the City had modeled out the potential costs to bring infrastructure back to an original state rather than maintain existing infrastructure. Ms. Safarik referred to an earlier slide in the presentation, noting that it could delay starts and that the quality of streets would diminish. Mr. Jones did not have exact dollar amounts, but stated that the City is currently under contract with a consultant to build a facilities condition index to better project the true needs. He also provided examples of the cost difference to maintain existing roadways versus installing new roads. Chair Yeater asked where the Commissioners could obtain a copy of the presentation to share with those who might have questions. Ms. Safarik offered to make the presentation available to staff who would e-mail it to the Commissioners.

Commissioner Briscoe pointed out that Northern Colorado continues to grow and asked whether the City has seen a reduction in generated revenue on a per capita basis due to merchants such as Amazon and other online suppliers that are not subject to the sales tax or food tax. He followed up by asking whether the City might be required at some point to ask for a tax increase. Ms. Safarik indicated that 2020 has been an interesting year for sales tax, adding that sales tax is the major funding source for most municipalities. She reported that online services that have not historically paid sales tax can displace local merchants as well as impact the City's ability to collect sales tax. Ms. Safarik reported that there are various legislative measures being pursued to provide a better balance. She added that during COVID, the City has seen revenue from retail sales decrease, while revenue from food tax has increased. Ms. Safarik indicated that while there has been a downturn in terms of overall commerce, Greeley has been aggressive about pursuing Federal CARES funding. She noted additional measures such as the furloughs of several employees and not re-hiring seasonal employees. Ms. Safarik stated that City Council was having its first budget hearing today to look at 2020 as well as projections for 2021.

#### **IV. A public hearing to consider an amendment to the City of Greeley Municipal Code, Title 18, regarding short-term rentals**

Case No.: CU2019-0004  
Applicant: City of Greeley  
Presenter: Caleb Jackson, Planner II

Caleb Jackson addressed the Commission and provided background information about the process to date for allowing and regulating short-term rentals (STRs) in Greeley. He noted that existing regulations do not specifically address STRs, adding that in 2019 the Community Development Director issued a code interpretation that they are most similar to a boarding or rooming house as defined in Appendix 18-B of the Greeley Municipal Code. Mr. Jackson noted that the Strategic Housing Plan adopted in 2019 tasked the City with developing STR regulations. With that direction, staff reconvened the Housing Task Force that helped develop the Strategic Housing Plan. Mr. Jackson highlighted ten objectives established by the Housing Task Force.

Mr. Jackson briefly described the process beginning with reconvening the Housing Task Force, public outreach, stakeholder feedback, and Planning Commission and City Council worksessions and hearings. Staff also presented the Housing Task Force recommendations to several groups, including the Downtown Development Authority, Greeley Chamber of Commerce, and Greeley Area Realtors Association, and reached out to homeowners' associations and local hotels. He summarized some of the concerns raised by Planning Commission and City Council during previous worksessions.

Mr. Jackson stated that City Council expressed concern about the potential burden upon small operators with the required licensing and reporting. He added that the Finance Department has committed to looking into master licensing agreements with larger platforms similar to other jurisdictions. Mr. Jackson advised that implementation of any recommended changes would include the Finance Department for licensing, Community Development for permitting, code standards, and enforcement for things such as trash, on-site parking and landscaping, the Parking Services Division for on-street parking, and the Greeley Police Department for noise violations. He presented a slide showing the proposed changes to the definitions, tables, and code sections and described some of the updated definitions for guest and operator and additional definitions for resident, visitor, accessory short-term rental and primary short-term rental. Mr. Jackson described other proposed updates providing allowances and standards for STRs.

Mr. Jackson offered to take questions from the Commission and added that Jim Riesberg, a member of the Housing Task Force, was also available to offer comments.

Commissioner Franzen asked whether the direction from the Housing Task Force was to make the changes recommended by Planning Commission and City Council and what changes were affected by comments made to those entities. Mr. Jackson reported that City Council was primarily concerned about licensing and the burden that might create. He added that this is not part of the Code language and that the Finance department has committed to exploring implementation steps administratively. Recalling the concerns previously expressed by Planning Commission, Mr. Jackson advised that the proposed restrictions for what was previously called Tier II had been revised to allow the short-term rental of additional bedrooms, up to the whole house, for a portion of the year without the residents being away from their home.

Commissioner Romulo asked for clarification about the amount of time during the year that primary STRs could be made available. Mr. Jackson explained that what was previously called Tier I was a scenario where a homeowner rented out one spare bedroom. Tier II allowed for the rental of more than one bedroom, not to exceed 20% of the year (or approximately 73 days a year). He added that both scenarios fall under the description of an accessory STR. The language for a primary STR changes the use of the property and allows the entire dwelling to be rented short-term year round and is restricted to zone districts that currently allow for bed and breakfast facilities.

Commissioner Andersen pointed out that, during Planning Commission and City Council hearings, residents had asked whether the Greeley Stampede or the UNC semester system had been taken into consideration with regard to STRs. Mr. Jackson responded that the proposed changes would not change how the City addresses longer term residents, adding that anyone staying 30 days or longer is a resident under the current Code. He went on to say that the Code revision would help clarify and distinguish that situation from an STR. He noted that in low density zones, the long-term resident must be a family member as defined by the Municipal Code. Regarding the Greeley Stampede, Mr. Jackson stated that the task force considered and increased the number of recommended days per stay from 10 to 14. Upon question by Commissioner Andersen, Mr. Jackson advised that in the situation of using a single bedroom as an STR, the number of guests would be limited to two adults and two minors. In the other accessory short-term rental scenario, making more bedrooms available, the number of guests would be limited to eight individuals.

Commissioner Andersen referred to the revised language about percent of ownership of a dwelling and asked how the City would verify that there was a 50 percent ownership interest by a natural person who is a resident. She noted that sometimes homes may be owned by a trust or limited liability company. Mr. Jackson advised that the Weld County Assessor's records could be accessed during the permitting process to determine whether an owner's information matched that of an applicant. He added that this was a lengthy topic of discussion, and that the Housing Task Force remained adamant in its recommendation that home ownership is by a natural person. The task force felt that a homeowner would likely be more responsible to ensure little negative impact on a neighborhood and would also prevent the potential for a renter or tenant to sublet a room. Upon question by Commissioner Andersen as to whether a trustee would fit the definition of natural person, Mr. Jackson stated that current Code language simply states "natural person" and that other ownership structures are not expressly permitted.

Commissioner Franzen asked whether someone acting as a trustee would be able to apply for a variance. Mr. Jackson advised that it would be important to ensure that an applicant's address matched the Assessor information as a mechanism for disallowing an investor from renting a property. Commissioner Romulo asked whether the requirement to have someone within 30 miles addressed any of these concerns. Mr. Jackson noted that in the Tier II scenario, it could possibly be addressed. He suggested that Mr. Riesberg might have more information to add to the discussion. Upon question by Commissioner Schulte as to whether a trustee could be considered a natural person, Mr. Jackson reported that "natural person" is not defined in the Code.

Chair Yeater expressed an interest in better understanding the vision of the task force and invited Jim Riesberg to join the discussion. Mr. Riesberg observed that regarding Tier I, there seemed to be some confusion between ownership and resident. He noted that the task force wanted to ensure that what was originally identified as Tier I would be primarily occupied by an owner who lives in the home. He added that the ownership issues arise when looking at the other tier structures. Mr. Riesberg observed that some STRs seem to change the character of a neighborhood by the increase of noise, traffic and trash. The task force wanted to look at ways for the City to put some standards in place. Mr. Riesberg noted that the Stampede came up during discussions as well as parking restrictions, the number of occupants, and frequency of renting out a portion of a home.

Mr. Riesberg identified one concern of the task force as being investors who come to Greeley and buy up available affordable rental units and turn them into STRs to make more money. The task force was concerned that it could decrease the necessary supply of housing. He added that the previous Tier I scenario would still allow an owner to make extra money by allowing someone to rent a bedroom in their home on a short-term basis.

Commissioner Franzen sought to clarify the proposed revision about the number of bedrooms and gave the example of empty nesters living year round in a 5-bedroom home where they occupy only one bedroom. He asked whether the other four bedrooms could be rented out to no more than eight people. Mr. Jackson confirmed and added that in that scenario, the short-term rental period would be limited to 73 days out of the year for the four bedrooms. Upon question by Commissioner Franzen as to whether one bedroom could be used as an STR for the entire year, Mr. Jackson stated that it could, adding that the idea is that STRs in residential areas remain minor in nature and that the structure is used primarily as a home.

Commissioner Andersen observed from Mr. Riesberg's comments that it appeared the object is to limit nuisances and also discourage commercial investments in affordable housing, displacing those in need of it. Mr. Jackson stated that those were some of the bigger things that came up during the discussions. He also noted discussion about the potential impact to the traditional lodging industry. Commissioner Andersen stated that she appreciated the idea of a safety checklist, but did not see the checklist in the draft Code language. Mr. Jackson indicated that language of that nature is typically not codified as it could change over time, adding that staff would be working closely with the Building Inspection and Fire Safety divisions to promulgate the checklist to make sure that safety measures are in place.

Commissioner Modlin asked Mr. Jackson to expand on what Tier III requirements would look like. Mr. Jackson advised that a primary short-term rental (previously Tier III) was more of an investment property. There would be a requirement for a contact person to reside within a 30-mile radius as well as a limit on the number of units in multi-family dwellings that could be used as an STR.

Chair Yeater opened the public hearing at 3:03 p.m.

Mr. Jackson read an e-mail from Carol Burham, who expressed concerns about allowing STRs in the City of Greeley. A copy of the e-mail is attached to these minutes. There were no other e-mails or chat notifications from individuals requesting to speak. Mr. Jackson reported that he had talked with Ms. Burham during a public open house where she expressed concern about an STR that was operating in her neighborhood. He noted that in that particular case, Code Compliance had pursued a compliance action and the owner was required to change the operation. Mr. Jackson went on to say that the STR Ms. Burham was concerned about would not be allowed under the proposed Code since it is deemed a primary STR located in a low-density residential zone district.

Chair Yeater closed the public hearing at 3:06 p.m.



Commissioner Franzen indicated that he continued to have a hard time with the restriction placed on owners of primary residences with more than one available bedroom not being allowed to use the space throughout the year. Commissioner Andersen pointed out that the minutes approved earlier indicated that Director, Brad Mueller, did not wish to make adjustments to the Development Code, but instead thought that revisions to the Code regarding STRs could stand on their own. She asked for clarification as to what the Planning Commission was being asked to consider. Mr. Jackson advised that the recommendation today is to go forward with STRs as a standalone issue prior to the larger rewrite of the Development Code. He indicated it would be beneficial to start implementing and provide allowances for people and would also check off one of the objectives of the Strategic Housing Plan.

Commissioner Anderson asked whether the STR code would need to be updated again when the entire Development Code is revised. Mr. Jackson stated that it would provide an opportunity to further tailor the short-term rental portion of the Code and added that it is not uncommon for STR ordinances to be adjusted over time. Commissioner Andersen asked if the revisions proposed today become part of the current Code, whether the Planning Commission would lose any opportunity to provide input. Mr. Jackson reported that what is proposed today would become part of the current Code and that Planning Commission would have an opportunity to provide further input during the overall update of the entire Development Code. Seeking clarification, Chair Yeater asked whether this is the only opportunity for the Planning Commission to weigh in regarding STRs. Mr. Jackson stated that if the proposed revisions are adopted by City Council, they will become part of the current Code. He added that with the larger Code update over the next several months, Planning Commission will have an opportunity to provide further input and make recommendations regarding adjustments.

Chair Yeater expressed his biggest challenge as being how STRs will be enforced. Mr. Jackson explained that regulation of accessory STRs would be similar to how home based businesses are currently regulated, adding that there would be adjustments to obtain information that is specific to STRs. He stated that primary STRs which are more of an investment as a full-time, commercial, business operation, would follow the typical design review standards which is an administrative process. He added that Code Compliance would continue to inspect and enforce in the same way they do other property complaints.

Commissioner Romulo referred to the e-mail from Ms. Burham and asked if Code Compliance would enforce concerns regarding STRs. Mr. Jackson stated that Code Compliance would enforce upon complaints such as onsite parking, trash, weeds, and that noise complaints would be directed to the police department. Commissioner Romulo referenced the concerns expressed by Commissioner Franzen and asked whether there was a sense of how many existing STRs fall within that scenario. Mr. Jackson stated that he had spoken with some people who indicated that what was originally called Tier II did not fit their situation. He suggested that the issue seemed to be more in terms of having to be out of town to rent more than one bedroom. He added that the proposed revisions will provide more allowances than are currently provided. Upon question by Commissioner Andersen, Mr. Jackson reported that enforcement efforts have generally been complaint based, but could move into equity sweeps in the future if that was direction of City Council and administrators.

Commissioner Briscoe noted that the issue of STRs was addressed during the planning summit last year and recalled that the City of Georgetown seemed to be on the leading edge of the discussion. He indicated that a challenge expressed by Georgetown staff was the manpower required to identify STRs and asked whether there was a plan by the City of Greeley to help with enforcement, whether it was increased manpower, software, or other mechanism. Commissioner Briscoe also asked whether the task force had looked at what other communities are doing around this issue and whether Greeley is in line with other communities. Mr. Jackson reported that there are third party companies that are skilled at looking at a variety of websites that list STRs and bringing them into compliance who claim that the services are paid by the taxes and permit fees generated. He added that the task force had looked at other communities, noting that Fort Collins and Durango do not allow any STRs to operate in low density zones. He noted in that sense, what is being proposed is more lenient than some other communities and would allow a property owner to generate income from their property. He added that Mr. Riesberg brought a lot of that perspective to the Housing Task Force.

Mr. Riesberg stated that there were people on the task force who were tasked with gathering information from other cities. He noted that this is an issue that is happening across the country, particularly with Airbnb, and will continue to come up. Mr. Riesberg noted that there had been a lot of discussion and cooperation between cities and believed that the City will see broader regional and statewide cooperation in the upcoming months. He felt that Greeley is about in the middle when compared to other cities with less stringent regulations than some and more than others. He described a situation in his own neighborhood that seemed to create adverse impacts and felt that it is important to have regulations. Mr. Riesberg noted that during COVID, this could be seen as a source of income for some residents. He felt it is something that the City will continue to see as a need and that it benefits Greeley to get ahead of it.

Commissioner Romulo stated that some of her original confusion was the idea of where an STR drops off and a resident begins and asked for clarification. Mr. Jackson advised that in a roommate situation, this Code is not changing but rather providing more distinction. He added that in low density zones, an owner would be required to abide by the family definition for people staying 30 days or longer. He advised that under the existing Code, any number of related individuals may reside in a dwelling, but that there is a limit of two unrelated individuals. As an aside, Mr. Jackson stated that an upcoming work program item would be to look at the number of unrelated individuals allowed. He noted that this proposal would allow the ability to rent a spare room to short-term visitors throughout the year. Commissioner Franzen added that there would be no restriction for a guest who falls under the family definition.

Commissioner Andersen asked if the Commission wanted to move forward with a recommendation to codify the revisions with this many unanswered questions. Chair Yeater asked the Commission to call for a motion to allow for continued discussion.

Commissioner Andersen moved that, based on the summary and accompanying analysis, the Planning Commission finds that the proposed amendments to Appendix 18-B, Table 18.42-1, Section 18.30.070, Section 18.46.050, Section 18.46.220, and Section 18.52.036 of the Greeley Municipal Code regarding Short-Term Rentals are necessary and appropriate to the intent of the Comprehensive Plan and to clarify administration of the Development Code, and recommend approval to City Council, with the following attachments: Attachment A (proposed code update redlines of Appendix 18 B, Table 18.42-1, Section 18.30.070, Section 18.46.050, Section 18.46.220, and Section 18.52.036 of the Greeley Municipal Code regarding Short-Term Rentals) and Attachment B (proposed clean version of the same). Commissioner Modlin seconded the motion with a caveat that Planning Commission be allowed to review and provide further input during the update of the Development Code.

Chair Yeater again asked whether there would be an opportunity for additional review by Planning Commission if the motion is approved. Mr. Jackson explained that if the revisions are adopted by City Council, they would be codified and that his understanding was that Commissioner Modlin requested the opportunity for it to be brought before Planning Commission at the time of the fuller Code update. Commissioner Modlin stated that was correct. Commissioner Romulo added that would be helpful. Planning Manager, Mike Garrett, addressed the Commission and stated that information could be brought back to the Planning Commission for review and recommendation during the Code update process over the next year.

Chair Yeater expressed appreciation for the City wanting to put something in place, but stated that he was challenged by what resources the City has at its discretion to regulate STRs and the standards that people will be held to perform within. Commissioner Andersen noted that she would prefer to see something voluntary rather than completely regulatory with various exceptions. Commissioner Franzen indicated that the proposed revisions seemed to create several loopholes that people would find ways to go around and did not feel that the revisions, as currently proposed, are ready to go to City Council.

Commissioner Romulo referred to a comment by Mr. Jackson that the owner of an STR had a Code Compliance complaint enforced against them and asked whether any STRs are currently allowed. Mr. Jackson advised that a large majority would be outside current Code and that, because STRs are not addressed in the Code, the department director is allowed to provide an interpretation until something is codified. He added that some STRs are currently regulated the same way as boarding and rooming houses and only allowed in the same zones as a bed and breakfast.

Commissioner Andersen stated that the primary STR is an excellent addition to Code, but that she still felt there were still difficulties with accessory STRs as each situation is unique and would be difficult to enforce. She expressed the opinion that the proposed revisions should not be codified at this time. Commissioner Franzen agreed.

The motion carried 5-2, with Commissioners Andersen and Franzen voting in opposition.

## **V. Staff Report**

Planning Manager, Mike Garrott, addressed the Commission in Brad Mueller's absence and advised that the consultant on the Development Code update would attend the September 22 Planning Commission meeting. Mr. Garrott advised that staff is beginning to launch an amendment to the transportation master plan, adding that workshops would be held in late 2020 or early 2021. He stated that staff is also working on an update to the landscape code. He noted that some of the code updates may come to Planning Commission before the overall Development Code update.

## **VI. Adjournment**

The meeting adjourned at 3:40 p.m.

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Justin Yeater, Chair

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Mike Garrott  
for Brad Mueller, Secretary

## Val Scheffer

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**From:** Caleb Jackson  
**Sent:** Wednesday, August 26, 2020 1:36 PM  
**To:** Val Scheffer  
**Subject:** FW: [EXTERNAL] Re: Short-Term Rentals - Update 8.17.2020

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**From:** Carol <cjburham@msn.com>  
**Sent:** Monday, August 17, 2020 11:50 AM  
**To:** Caleb Jackson <Caleb.Jackson@Greeleygov.com>  
**Subject:** [EXTERNAL] Re: Short-Term Rentals - Update 8.17.2020

I sincerely hope that the city keeps neighborhoods protected by not allowing this in our family neighborhoods. Short term rentals do not belong in them. That is what hotels, motels, and inns are for. We have enough problems with loud mufflers, speeding cars and unkept yards. why add to the problem!

Cordially, Carol J. Burham, 2440-14th Ave. Ct. Greeley. There is a neighborhood watch sign by my house. If you cannot respect it then remove it now. Thank you.

Sent from my iPad

On Aug 17, 2020, at 10:08 AM, Caleb Jackson <[Caleb.Jackson@greeleygov.com](mailto:Caleb.Jackson@greeleygov.com)> wrote:

Good morning,

I just wanted to reach out and let you know that on August 5, City Council initiated that a code update for short-term rentals proceed to hearings with Planning Commission and City Council.

You are welcome to watch and participate in these virtual hearings.

**Planning Commission**

August 25, 2020

1:15 PM

Visit <https://greeleygov.com/government/b-c/boards-and-commissions/planning> to view the agenda (available online by Wednesday) which will include instructions on how to watch and participate.

**City Council**

September 15, 2020

6:00 PM

Visit <https://greeleygov.com/government/council> for instructions on how to watch and participate.

<image001.jpg>

**Caleb Jackson, AICP**

Planner II

Community Development Department| Planning and Zoning

1100 10<sup>th</sup> Street, 2<sup>nd</sup> Floor

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## PLANNING COMMISSION SUMMARY

**ITEM:** Rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density)

**FILE NUMBER:** ZON2020-0005

**PROJECT:** 1530 4<sup>th</sup> Avenue Rezone

**LOCATION:** 1530 4<sup>th</sup> Avenue

**APPLICANT:** Harlow Homes

**CASE PLANNER:** Caleb Jackson, AICP | Planner II

**PLANNING COMMISSION HEARING DATE:** September 22, 2020

### PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 18.30.050(c)(3).

### EXECUTIVE SUMMARY

The City of Greeley is considering a request by Harlow Homes to rezone the property located at 1530 4<sup>th</sup> Avenue, plus adjacent right-of-way to the centerline, from I-L (Industrial Low Intensity) to R-H (Residential High Density) (see Attachments A, B, and C).

#### A. REQUEST

The applicant is requesting approval of a rezone application.

#### B. STAFF RECOMMENDATION

Approval.

#### C. LOCATION

##### Abutting Zoning:

North: I-L (Industrial Low Intensity)

South: I-L

East: R-H (Residential High Density)

West: I-L

##### Surrounding Land Uses:

North: Single-Family Dwelling

South: Single-Family Dwelling

East: Single-Family Dwelling

West: Warehouse

### **Site Characteristics:**

The site is generally flat and undeveloped. An attached sidewalk exists along 4<sup>th</sup> Avenue and the property has alley access at the rear. The subject block mirrors the greater Sunrise neighborhood with a mixture of residential and industrial uses.

## **D. BACKGROUND**

The subject site is zoned I-L (Industrial Low Intensity) Zone District and is undeveloped. On the 1964 Zoning Map, the site was zoned R3 (Multi-Family Dwellings) which is the predecessor of the R-H (Residential High Density) Zone District. On the 1965 Zoning Map, it appears that the site had been rezoned to an industrial designation. The site is presently zoned I-L (Industrial Low Intensity) Zone District. Residential uses were allowable within industrial zones until the adoption of the 1976 Development Code. The applicant applied to establish an industrial use on the property in 2016. However, the plan was infeasible due to the limited width of the lot being unable to accommodate the required buffering of industrial uses from the neighboring residences to the north and south. The applicant is requesting to rezone to R-H with the intention of establishing a residential use on the site, which would require administrative Community Development approval if the rezone application is approved.

## **APPROVAL CRITERIA**

### **Development Code Section 18.30.050 Rezoning Procedures**

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

The review criteria found in Section 18.30.050(c)(3) of the Development Code shall be used to evaluate the zoning amendment application.

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

Staff Comment: The vision for the Sunrise area has changed over the years as the area has remained a stable residential neighborhood despite opportunities for industrial development.

The rezoning to residential is compatible and consistent with the existing neighborhood.



This request complies with this criterion.

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

Staff Comment: The subject property has been zoned industrial since the mid-1960's without industrial development occurring on the property. Despite the industrial zoning, much of the Sunrise Neighborhood has remained residential and there is increasing desire to expand and there appears to be little interest in assembling smaller parcels into larger lots, which would be needed to develop the area into industrial uses. Rezoning the lot from I-L to R-H would allow the current property owners to establish a residential use on their property similar to neighboring lots. Buffering requirements between industrial and residential uses make the establishment of an industrial use allowed by the current zoning infeasible.

This request complies with this criterion.

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

Staff Comment: The request is not regarding the correction of clerical or technical errors.

This criterion is not applicable to this request.

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

Staff Comment: There are no known detrimental environmental conditions existing on site.

This criterion is not applicable to this request.

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

Staff Comment: The proposed rezoning is necessary in order to allow for successful development of the site. The proposed zoning would allow residential development as is found in other areas of the Sunrise Neighborhood and on adjacent properties.

The City of Greeley's Strategic Housing Plan encourages the correction of such zoning mismatches in order to promote housing choice, a variety of housing, and reinvestment in existing neighborhoods.

This request complies with this criterion.

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

Staff Comment: Existing water, sewer, police, fire, pedestrian, recreational, and park facilities adequately serve the site. Uses allowed in the R-H (Residential High Density) Zone District should not create significant adverse impacts in the area, and uses in the R-H zone typically present lower impacts than uses permitted by the existing I-L (Industrial Low Intensity) Zone District.

The proposal complies with this criterion.

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

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

***Growth & City Form:***

- ***GC-6.3*** *Maintain, enhance, and protect the character of established neighborhoods while recognizing the need for established neighborhoods to evolve to meet city needs.*
- ***GC-6.5*** *Monitor and address conditions that contribute to distress, disinvestment and blight in older areas of the community through neighborhood plans and their implementation.*

Staff Comment: The proposed rezone supports the conservation of existing neighborhoods by allowing reinvestment in the neighborhood. Approval of the rezone would further protect adjacent residential uses by preventing the property from redevelopment into more intense industrial uses, which could impact the character of the neighborhood and quality of life.

The proposal complies with this criterion.

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

Staff Summary: The site can be developed suitably in the proposed zoning.

The proposal complies with this criterion.

**E. PHYSICAL SITE CHARACTERISTICS**

**1. HAZARDS**

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

**2. WILDLIFE**

The subject site is not located in an area identified for moderate or high wildlife impacts. There are no known impacts that would occur to wildlife if the site is rezoned.

**3. FLOODPLAIN**

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

**4. DRAINAGE AND EROSION**

The drainage pattern is expected to follow historical patterns. Drainage patterns would be examined in greater detail through any future land use requests.

**5. TRANSPORTATION**

The subject property is located on 4<sup>th</sup> Avenue and has rear alley access. The site has adequate transportation infrastructure to serve potential development.

**F. SERVICES**

**1. WATER**

Water services are available in 4<sup>th</sup> Avenue and can adequately serve the subject property.

**2. SANITATION**

Sanitation services are available in 4<sup>th</sup> Avenue and can adequately serve the subject property.

**3. EMERGENCY SERVICES**

The subject site is serviced by the City of Greeley Fire and Police. The closest fire station, Fire Station #1, is located approximately three-quarters of a mile from the subject site.

**4. PARKS/OPEN SPACES**

No parks or regional open space areas are proposed with this rezone request. The subject site is adequately served by existing parks in the area.

## **5. SCHOOLS**

The proposed rezone is within Greeley-Evans School District 6 and is served by existing schools. The site is within the attendance boundaries for Maplewood Elementary (1.5 miles west), Heath Middle (1.5 miles west), and Northridge High (5.5 miles west). The subject site appears to be eligible for busing for all three schools. The proposed rezone should not have any impact on the School District.

## **G. NEIGHBORHOOD IMPACTS**

### **1. VISUAL**

No visual impacts are anticipated with this rezone request. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

### **2. NOISE**

No noise impacts are anticipated with the rezone request. Any potential noise created by future development will be regulated by the Municipal Code.

## **H. PUBLIC NOTICE AND COMMENT**

Neighborhood notices were mailed to surrounding property owners on September 4, 2020, per Development Code requirements. A sign was posted on the site on September 3, 2020. One neighbor called inquiring about the proposal and mentioned a desire not to have a large apartment building constructed at the site.

## **I. MINERAL ESTATE OWNER NOTIFICATION**

The applicant is the mineral owner.

## **J. PLANNING COMMISSION RECOMMENDED MOTION**

Based on the application received and the Project Summary and accompanying analysis, the Planning Commission finds that the proposed rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets the applicable Development Code criteria, Sections 18.30.050(c)(3) a, b, e, f, g and h; and therefore, recommend approval of the rezone to the City Council.

## **ATTACHMENTS**

Attachment A – Vicinity Map

Attachment B – Narrative

Attachment C – Property Boundary Map

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**Vicinity Map**  
**1530 4<sup>th</sup> Avenue Rezone**



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## Harlow Homes

1212 38<sup>th</sup> Avenue, Greeley CO • 80634  
970.396.5225

April 30, 2020

City of Greeley Planning Dept.

Attn: Mike Garrott A.I.C.P.  
Planning Manager  
[Mike.garrott@greeleygov.com](mailto:Mike.garrott@greeleygov.com)

Project: Re-zone request of vacant lot located at approximately 1530 4<sup>th</sup> Avenue. Exact address T.B.D.  
Legal: Lot 17 Hall-Morger Subdivision of Block 169 City of Greeley

Request to change zoning from I-L to Residential high Density. Lot size approximately 50x195 (see attached survey).

I, Thomas Canzona owner of Harlow Homes am requesting a change of zoning for the following reasons.

- With the current I-L zoning and the existing requirements, it is difficult to place a structure on this lot because of the limited size of the lot and the existing use of the surrounding lots.
- The land use on both properties to the north and south are residential with a I-L zoning thus there exists a conflict with use and zoning that has been there for years.
- With my request for change of zoning I would be able to comply with neighboring use with a proper zoning.
- To the east of my lot the zoning is already Residential High Density with single family residences and multi-family structures.
- Also, on the east boundary there is a paved ally. This is extremely essential to this lot because it provides for rear parking and for ease of access to the lot.
- There also exists a lack of affordable housing within the city and in particular, this area of town. Small units of approximately 650 to 900 sq. ft. weather a duplex, 3 plex or 4 plex would offer some solution to this problem.
- I have tried to submit plans for a warehouse on this lot under the current zoning, but because of the different use I was not successful.
- Since Greeley was founded, this lot has been dirt with exception of one small storage shed. The only revenue has been to the county thru taxes. Developing this lot would create revenue thru the permitting processes, increase taxes from housing, water and sewer fees, and most important available housing for people. It would appear to be of benefit to the city, county and landowner. Thus, a vacant lot would now have a definite use.
- The lot is relatively flat and run-off water would be directed to the front and rear to insure there would be no drainage problems to the neighbors.

I am hopeful that my request for a zoning change will be approved.

Thank you.  
Respectfully,

Thomas Canzona  
Owner of Harlow Homes



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# 1530 4TH AVENUE REZONE PROPERTY BOUNDARY MAP

**LOT 17, HALL-MORGER SUBDIVISION OF LOT 169, CITY OF GREELEY,  
PART OF THE NORTHWEST QUARTER OF SECTION 8,  
TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
COUNTY OF WELD, STATE OF COLORADO**

### ZONING BOUNDARY LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PART OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 65 WEST OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 17, HALL-MORGER SUBDIVISION OF BLOCK 169, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, AND CONSIDERING THE WEST LINE OF SAID LOT 17 TO BEAR NORTH 00°02'41" EAST WITH ALL BEARINGS HEREIN RELATIVE THERETO:

THENCE SOUTH 89°57'23" WEST, AND BEING A PROLONGATION OF THE SOUTH LINE OF SAID LOT 17, A DISTANCE OF 50.00 FEET TO A POINT ON THE CENTERLINE OF THE RIGHT-OF-WAY OF 4TH AVENUE;

THENCE NORTH 00°02'41" EAST ALONG THE CENTERLINE OF THE RIGHT-  
OF-WAY OF SAID 4TH AVENUE, A DISTANCE OF 49.82 FEET TO A POINT  
BEING A 50.00' PROLONGATION OF SAID LOT 17;

THENCE NORTH 89°56'38" EAST A DISTANCE OF 251.03 FEET TO A POINT ON THE CENTERLINE OF THE ALLEY RIGHT-OF-WAY SAID POINT ALSO BEING A 10.00' PROLONGATION OF THE NORTH LINE OF SAID LOT 17:

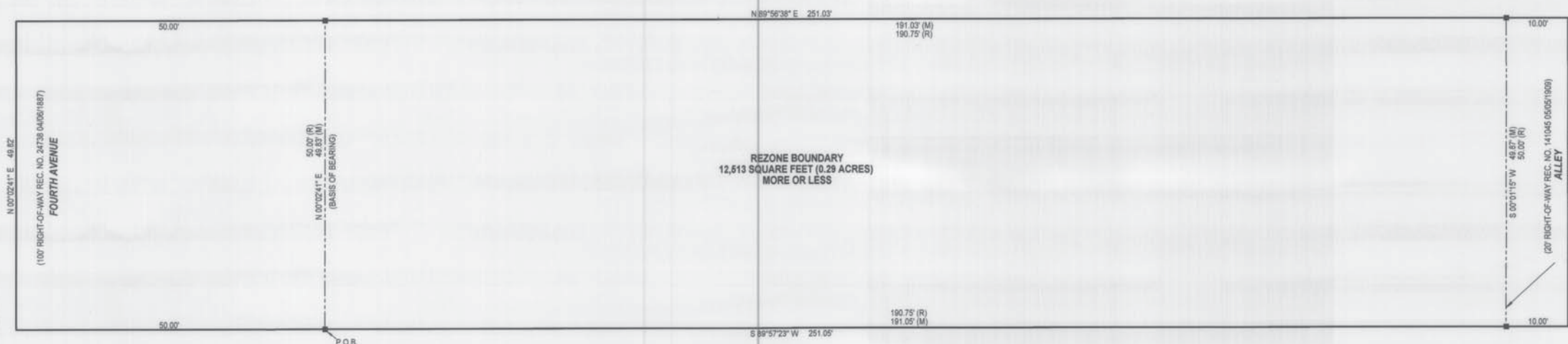
THENCE SOUTH 00°01'15" WEST ALONG THE CENTERLINE OF OF SAID ALLEY RIGHT-OF-WAY A DISTANCE OF 49.87 FEET TO A POINT BEING A 10.00' PROLONGATION OF THE SOUTH LINE OF SAID LOT 17:

THENCE SOUTH 89°57'23" WEST A DISTANCE OF 201.05 FEET TO THE  
POINT OF BEGINNING

THE PARCEL OF LAND DESCRIBED ABOVE CONTAINS 12.513 SQUARE FEET (0.29 ACRES), MORE OR LESS, AND IS SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

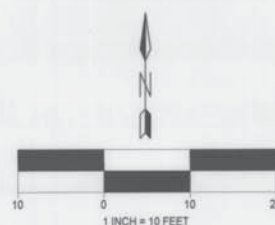
NOTES:

1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF LAND TITLE COMMITMENT FILE NO. FC251433802 DATED AUGUST 25, 2016. AS UPDATED BY ORDER NO. 25143380, DATED APRIL 14, 2020, AND DOES NOT CONSTITUTE A TITLE SEARCH BY THOMAS LAND SURVEYING, LLC TO DETERMINE TITLE OR EASEMENTS OF RECORD. THOMAS LAND SURVEYING, LLC RELED ON SAID COMMITMENT EXCLUSIVELY, FOR ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD. THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE: BUILDING SETBACK LINES, RECORD PLATS, COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND-USE REGULATIONS; AND ANY OTHER FACTS THAT A CURRENT TITLE COMMITMENT MAY DISCLOSE.
2. 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 BE BASED UPON THIS DEFECT IN THIS SURVEY IF YOU FIRST DISCOVERED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
3. THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
4. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE U.S. SURVEY FOOT.
5. (M) DENOTES FIELD MEASURED DISTANCES (R) DENOTES RECORDED DISTANCES PER THE PLAT OF HALL-MORGAN SUBDIVISION OF BLOCK 166, CITY OF GREELEY AT RECEPTION NO. 141045 RECORDED MAY 5, 1908, NEIGHBORHOOD BOUNDARY.



LEGEND

- |       |   |
|-------|---|
| ■     | FOUND #4 WITH 1" YELLOW PLASTIC CAP, STAMPED THOMAS PLS 38353 |
| _____ | SUBJECT BOUNDARY  |
| _____ | RIGHT-OF-WAY  |



### BASIS OF BEARING

THE WEST LINE OF LOT 17, HALL-MORGER  
SUBDIVISION OF BLOCK 169, CITY OF GREELEY,  
COUNTY OF WELD, STATE OF COLORADO IS  
ASSUMED TO BEAR NORTH 00°02'41" EAST, AND IS  
MONUMENTED AS INDICATED.

**CERTIFICATE AND SEAL OF THE  
REGISTERED LAND SURVEYOR**

I, ROBERT D. THOMAS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS LAND SURVEY WAS PREPARED BY ME, OR UNDER MY PERSONAL SUPERVISION, AND THAT THIS PLAT IS AN ACCURATE REPRESENTATION THEREOF BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF. I FURTHER CERTIFY THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND WELD COUNTY, AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESS OR IMPLIED.

ROBERT D. THOMAS  
COLORADO PROFESSIONAL LAND SURVEYOR #38353

147



DEVELOPER: HARLOW HOMES, LLC  
C/O TOM CANZONA  
3527 WEST 12TH STREET STE 104  
GREELEY, COLORADO 80634

SURVEYOR: THOMAS LAND SURVEYING, LLC  
2519 WEST 11TH ST. ROAD, SUITE 24  
GREELEY, COLORADO 80634  
970-304-0984

PROJECT: 1905.015  
DRAWING: CANZONA 1530 4TH AVE  
PROPERTY BOUNDARY MAP

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**Development Code Update  
Planning Commission Work Session  
September 22, 2020**

Development Code Update Consulting Team:

- Chris Brewster, AICP, JD; Associate Vice President, Gouldevans
- Matt Ashby, AICP, CUD; Ayres Associates, Inc.

Plan Conformance Report Summary

1. Overview of Project
  - a. Scope
  - b. Status
2. Intro to Plan Conformance Report
  - a. Imagine Greeley – Vision, Goals, Objectives
  - b. Approach to Development Regulations
  - c. Themes of Plan Conformance Report
3. Summary of Best Practices
  - a. Missing Middle Housing
  - b. Urban Form / Building Types
  - c. Street Design & Frontages
4. Key Topics / Summary of findings
  - a. Usability
    - i. Organization of Development Code
    - ii. Procedural Improvements
  - b. Productive Places
    - i. Downtown
    - ii. Emerging walkable nodes and centers
  - c. Unique Neighborhoods
    - i. Housing Options
    - ii. Neighborhood Design
  - d. Valuable Public Realm
    - i. Street Design Types / Context
    - ii. Open Space Types / Context
5. Next Steps



# PLAN CONFORMANCE REPORT

SEPTEMBER 2020

DEVELOPMENT CODE UPDATE



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### INTRODUCTION

#### **Regulations Generally**

*Subdivision Regulations*

*Zoning*

*Design Standards*

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#### **Walkability + Active Living**

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#### **Form v. Use**

#### **Right-Sized Parking**

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### IMAGINE GREELEY POLICIES & PRIORITIES

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#### **Productive Places**

*Revitalize Downtown*

*Vibrant Job Centers*

*Walkable Destinations*

#### **Unique Neighborhoods**

*Walkable Patterns + Active Living*

*Mix of Housing Types*

*Prioritize Infill*

#### **Valuable Public Realm**

*Connected Networks: Trails + Streets*

*Contextual Street Design*

*Tree-lined Streets*

*Imbedded Open & Civic Spaces*

#### **Environmental Performance**

*Water Wise Landscapes*

*Renewable Energy + Energy Efficiency*

*Protect Sensitive Areas*

#### **Summary & Next Steps**

## INTRODUCTION

*The Plan Conformance Report is an analysis of the Greeley's development regulations – specifically Title 18 of the Municipal Code. It compares these regulations to the development and community design policies of the comprehensive plan – Imagine Greeley (adopted February 6, 2018). The purpose of this report is to evaluate how well the current regulations align with the plan, and identify a range of options to consider through the regulation update process.*

*This report is a preliminary step in the process to update Greeley's development codes. None of the commentary or analysis in this report represents an official direction of the project or a formal recommendation. It provides an objective and critical view of the regulations, and is intended to start a dialogue on a wide range of potential strategies and action steps. Subsequent steps in the project will evaluate which of these strategies and actions are best to implement Imagine Greeley.*

## REGULATIONS GENERALLY

There are many non-regulatory policies and public investments cities may pursue that have a more direct or immediate impact on implementing a comprehensive plan. In contrast, regulations influence change incrementally and cumulatively as cities receive and respond to future development proposals. However, the regulations will establish a crucial framework for many decisions (public and private), and the influence they have on the development patterns and physical design of the community will increase in significance over time. Greeley's development regulations will be considered specifically in light of the following relationships to long-range development policies and community building.

### **Subdivision Regulations**

Subdivision regulations (Chapter 18.04 of Greeley's development code) are perhaps the most important tool for making connections to the comprehensive plan. They set in place development patterns through public and private infrastructure investments, and block, lot and ownership patterns that define the character and context of different places. These elements will not easily be changed in the future.

Conversely, when a plan prioritizes infill development as *Imagine Greeley* does, these standards need to be adaptable to redevelopment scenarios or situations where these patterns need to be integrated into existing contexts.

Essentially, subdivision regulations should address “big picture urban design” – coordinating the networks and systems that span across projects and even districts, and integrate development into the places and patterns identified in the *Imagine Greeley* Growth Framework. They need to reinforce planning and urban design components that create distinctions in the character and patterns of the Neighborhoods, Centers, Corridors and Areas that are the “building blocks” of the Growth Framework, and not simply serve as engineering and specifications manual. Therefore, the Greeley Subdivision standards should:

- Consider priorities with respect to future development in the **expected growth area**;
- Coordinate development through **systems** that extend across multiple projects (street networks, trail systems, open spaces and public facilities);



- Establish different criteria for **distinct contexts** identified for the various Neighborhoods, Centers, Corridors and Areas;
- Promote **good civic design** (streetscapes, open & civic spaces, gateways, frontages, and arrangements of blocks and lots).

Ultimately, subdivision regulations have the role of ensuring that each new plat results in efficient and effective development patterns, and adds value to the larger and greater whole of the community around it.

### Zoning Regulations.

Zoning regulations focus more directly on the “private realm” – establishing standards for development on individual blocks and lots within the public realm framework established by the subdivision regulations. In light of Greeley’s Comprehensive Plan, zoning regulations should accomplish the following:

- Establish different **districts** with distinct character – particularly the different types of neighborhoods, corridors, activity centers and job centers in the Growth Framework.
- Promote walkable, mixed-use **patterns** – particularly for downtown, legacy urban neighborhoods, and new walkable neighborhoods and neighborhood centers.
- Create **relationships** and better **transitions** between different but supporting zoning districts so that multiple projects can contribute to these distinct places – especially where the plan is prioritizing infill development.
- Be **flexible towards uses** to promote dynamic job centers and community destinations in the Corridors and Centers, and guard against any zoning district or project concentrating large-scale and single-use environments.

### Design Standards.

Regulating design is about much more than aesthetics, materials or architectural style – or using buffers and landscape in the absence of expectations in that regard. In fact, regulating for good community design is often about none of these. When done in a comprehensive and systematic way, design-based approaches to development regulations instill a common understanding of *how we build and why*. This is often best accomplished by focusing on a few

simple and crucial patterns important at each scale of planning and development:

- How does the pattern of street networks and open spaces shape the **context of the community**?
- How does the design of blocks, streetscapes, civic spaces and building types shape the **character of neighborhoods and districts**?
- How does the coordination of frontages, facades and sites **relate to the street and surrounding properties**?

The Greeley development code already addresses many of these topics – although often in a reactive or ad hoc manner. It is evident that as the City adapted to meet the communities goals for better design, some of these issues have been addressed in isolation, only in specific contexts, or through strategies that are sometimes competing with other standards. Organizing a consistent approach to design in the development code can allow the City to address these important questions in a simple and systematic way, but in a way that better responds to the unique places identified in *Imagine Greeley*.

### COMPREHENSIVE PLAN: *IMAGINE GREELEY*

A comprehensive plan is a general guide to future growth and development. It is long-range and all encompassing, and does not necessarily predetermine anything specific to development proposals. However, it does establish a crucial policy framework with which to manage future change through development and to coordinate many different development projects over time



**Imagine Greeley Comprehensive Plan** The plan is organized around Core Values, 10 Plan Elements, and a Growth Framework concept organizing the city according to different context areas.



and across areas of the City. (See sidebar on page 92 of the Growth Framework in *Imagine Greeley*). Rather than simply “codify” the plan, the regulations must provide the City with the tools to best manage change, enable different options, and react to many circumstances that cannot be fully anticipated. *Imagine Greeley* is organized around ten primary goals, with objectives identified for each goal area:

- Economic Health and Diversification
- Education, Health and Human Services
- Growth & City Form
- Historic & Cultural Resources
- Housing
- Infrastructure
- Natural Resources & Open Lands
- Parks & Recreation
- Public Safety
- Transportation & Mobility.

The Growth Framework chapter of *Imagine Greeley* also recognizes five distinct contexts as “building blocks” for the community – Neighborhoods, Centers, Corridors, Areas, and Open Space & Natural Areas. There are policies under each that identify how the goals and objectives of the plan may be met in different ways in different parts of the community, setting the stage for more context-based approaches to the development code.

For the purposes of this report, the Growth Framework, and the goals and objectives of the plan have been summarized into the following key themes and topics that are most directly connected to and reliant on the development code for implementation.

#### **Productive Places**

- Revitalize Downtown
- Dynamic Job Centers
- Walkable Destinations

#### **Unique Neighborhoods**

- Active Living + Walkable Patterns
- Mix of Housing Types
- Prioritize Infill

#### **Valuable Public Realm**

- Connected Networks: Trails + Streets
- Contextual Streetscape Design
- Tree-lined Streets
- Imbedded Open & Civic Spaces

#### **Environmental Performance**

- Water Wise Landscapes
- Renewable Energy + Energy Efficiency
- Protect Sensitive Areas

#### **Usability**

- Clarity: Organization & Format
- Efficient Procedures

Some of these themes are more directly impacted by development regulations than others. A section-by-section analysis of the impact of the development regulations on these themes and topics was conducted to support the general commentary of this report. A comment log documenting this analysis will be used by the consultant and staff throughout the project to track standards that are currently working well and that support the values goals and objectives of *Imagine Greeley*; those that aren’t working well or conflict with the values, goals and objectives; and new strategies that need to be added.

## BEST PRACTICES & EMERGING TRENDS

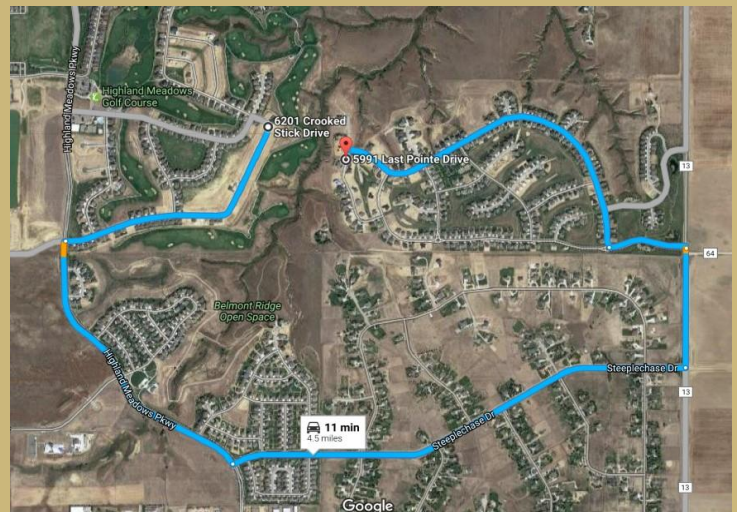
*Cities rarely have the opportunity to take a step back, evaluate their long-term vision and explore the development code in a comprehensive manner. This is why so many codes have become complex, confusing, or even conflicting – a series of necessary and expedient amendments over time eventually end up compounding problems or creating codes that are very difficult to use. The last time the City of Greeley did a comprehensive update to the development code (1998), the planning profession had a different approach to regulations – one that emphasized land uses as the organizing element of codes. Codes typically were focused heavily on land uses, and mitigating perceived impacts between different uses and districts, and they lacked attention to urban design details, particularly relating to the “public realm” (streets and civic spaces). Updates to Greeley’s code since this time reflect efforts to correct this and incorporate emerging practices of the profession into the code. Yet these amendments were placed within a code structure largely organized around practices and approaches with different philosophy.*

*This project provides that rare opportunity for a comprehensive and strategic look at the development code. It is a chance to restructure the code into a decision-making tool that reflects the City’s values and priorities. It is important to strengthen the best elements of the current code, change things that are not working well, and incorporate new approaches to address Greeley’s vision and goals. A number of best practices or emerging trends that were not prevalent in our community-building toolbox when Greeley’s code was originally drafted or most recently updated should be considered. The topics in this section reflect new approaches that address many of the values, goals and objectives stated in *Imagine Greeley*.*

### COMPLETE STREETS

“Complete Streets” recognizes the essential role that street design plays in shaping the public spaces of our communities. Street design is not simply a transportation function and streetscapes are not merely aesthetic trappings on our streets – it sets the stage for how we engage and experience our entire community. Complete Street policies balance the critical planning, transportation, and urban design interests associated with street design, and *Imagine Greeley* recommends that complete street policies to be incorporated into the development code.

When incorporating complete street concepts into development codes, the following principles are helpful:



**Connectivity: Windsor, CO** Lack of street connectivity can lead to inefficient patterns and make proximate things very distant.

- **Start with systems, not streets.** Connectivity of the street network is essential to improve access and mobility, and it opens up the possibility for a far greater range of different street designs.
- **Prioritize different modes.** Multi-modal transportation means balancing different priorities in different areas. It does NOT mean simply put bike lanes or wider pedestrian facilities on every street. These token gestures to complete streets often result in streets that do not function well for any particular mode.
- **Design slow and shady streets.** Slow speed streets with abundant street tree canopies create the most value for the community. The majority of streets should be designed on this principle, particularly if you have a connected network.
- **Proximity is the first step in transportation planning.** The proximity of common trip origins and destinations, and connections provided by a network can result in fewer trips, shorter trips, and more alternative routes. These attributes of the transportation system result in slower traffic being accepted, and lead to safer streets with better options integrating different modes into street design. In a complete street system, very few street designs should prioritize traffic volumes and speeds above all other interests.
- **Speed and speed differential is the biggest factor in safety.** When considering pedestrian and bicycle transportation (rather than recreation), design speeds should guide what type of facility goes on what street. The greater the speed differential the greater the need for dedicated space and physical separation, and the lower the speed differential the more modes can be merged.
- **Different types for different contexts.** Street design should support the urban design principles and the uses of a particular place. Therefore, the street designs should transition along with changes in these characteristics - often on a block-by-block basis. So while “arterial,” “collector,” and “local” may describe the function of an entire street *within the system*, it should not answer all of the questions on the design of a street on a particular *block or segment*.
- **Resources and Guides.** The National Association of City Transportation Officials



**Neighborhood Street: Longmont, CO** - Street trees and on-street parking are key features of slow, safe and comfortable neighborhood streets.



**Pedestrian Street: Westminster, CO** – Generous sidewalks, parking, tree-wells and storefronts shape inviting and walkable streets for commercial areas

(NACTO) has the best guidance on all of these issues, and provides engineering, planning and urban design insights into “Complete Street” design. It is a more appropriate and more specific guide for city streets than the American Association of State Highway Transportation Officials (AASHTO) guide, which is often used by cities and cited in development codes.



The Greeley Development code includes “options” for street design within different zoning districts that begin to address many of these principles. However, a more explicit and systematic approach to street design needs to be integrated into the subdivision regulations.

## MISSING MIDDLE HOUSING

“Missing Middle Housing” is a concept that focuses neighborhood planning and design on a wide range of housing types, including small-scale, multi-unit building, small lot detached houses (1,500 s.f. to 4,000 s.f.), and other small format housing. These types were once common and still are present in most communities, but have been forced out by conventional zoning. It exposes the fact that “density” is an abstract number that tells us very little about the scale, form or even intensity of a project, and therefore nothing to help us evaluate the compatibility of housing within its context. As a result, codes based on uses (single-family, two-family, and multi-family) and density (units per acre) have zoned out or made “missing” many of these valuable housing options. Regulating by building types – such as detached house, duplex, row house, multi-unit house, stacked flats, walk-up apartment, or cottage courts – replaces density as a measure of compatibility. The scale and format of these buildings – and perhaps variations within a type – are the focus of the standards as opposed the use or density. Although these housing types are very small scale, they can achieve densities above what may typically be allowed yet produce more predictable and compatible outcomes.

*Imagine Greeley* – like most cities with recent comprehensive plans – identifies the communities need for more housing options. The Greeley development code is not heavily based on density (though there are some references to :”gross density” in intent statements and the plan), but it does rely on uses and broad lot, height, and open space standards to regulate single-family, two-family and multi-family uses. Many of these standards will preclude certain formats of small-scale and multi-unit housing and correspondingly push any multi-family buildings to larger-scale projects that are difficult to integrate into neighborhood settings.

The following benefits result from including a wide range of “missing middle” building types in the various residential zoning districts of the development code:

- **More Housing Options.** Fill the gap between suburban subdivision lots and duplexes, and between duplexes and large multi-family complexes.
- **Targeted and Strategic Density.** Put people in proximity to businesses, services



Row House Courtyard: Fort Collins, CO



Small Apartment: Longmont, CO

and amenities (walkable or short drive) and support the businesses, services and amenities with a critical mass of resources (customers, tax dollars and user fees).

- **Human Scale Patterns.** Small-scale buildings, smaller lots, and less car-oriented patterns can allow many different projects to improve neighborhood character and improve access to daily needs and activities.
- **Diversity Can Equal Affordability ... Eventually.** While new housing is never the best option for market-rate affordability, new housing can and should diversify the overall housing stock – in terms of type, format, location/context, size, and age/condition. A wide range of options under all of these categories will produce a more robust, and therefore more affordable housing stock.

A core value of *Imagine Greeley* is thriving, connected, and inclusive neighborhoods. The five neighborhood types in *Imagine Greeley* set the foundation for considering a broader range of housing / building types in all of these contexts.

## WALKABILITY + ACTIVE LIVING

Plans and codes typically strive for improved walkability, and in general promote lifestyles that are not as tied to the automobile for living, working, leisure, and recreation – “active living.” These general goals have received increasing attention and priority as communities realize there are both quality of life and economic benefits to improved walkability and active living. Compact, diverse, and walkable places are more resilient amidst shifts in our economy, more attractive to residents and investors, and are more productive considering our limited land and infrastructure capacity. They make good business sense, and they help diversify and make your community unique, as no two places need to be the same. In fact, the diversity, and the ability to transition and adapt to evolving needs only strengthen these types of places as economic generators for the community.

Despite this, our policies and codes – and even generally market trends amidst our framework of more recent development patterns – can make it more difficult to build walkable places. However, all walkable places share a few common and essential traits, and best practices integrate all



**Walkability + Active Living: Denver, CO** - Slow, connected and comfortable streets promote biking and walking, particularly in development patterns with a variety of uses.

of these into our development policies and codes:

- **Compact** – a clear destination, supported by many supporting uses within walking distance (typically ½ mile or less).
- **Connected** – short blocks and many ways to get there (typically 200 to 600 feet).
- **Diverse** – a wide range of smaller-scale uses creates many reasons to be there (typically 10 to 20 different things per block).
- **Active** – public and private gathering places designed to invite people to linger (at least 1 per each block face).
- **Human-scale** – streets, civic space, frontages, and buildings with details that are interesting at 2 mph – the walkable pace.

The Greeley Development code will need to emphasize and strengthen these traits in some targeted future development areas – the “centers” in the future growth framework – in order to meet the core values of proactive, progressive and balanced economic development; connected and inclusive neighborhoods; and sustainable growth and development patterns.

## FRONTAGE DESIGN

Frontages are the interface of public and private spaces. The design of this space is one of the





Detached House – Terrace Frontage: Longmont, CO



Detached House – Neighborhood Frontage: Windsor, CO



Detached House – Suburban Frontage: Windsor, CO

most important factors for how people experience and perceive the community. Frontage design involves many nuances.

- It starts with the public streetscape, and whether that is an inviting or hostile space for people;
- It considers access at a variety of scales (district, block, shared or lot), and a variety of modes (in a car, on a bicycle or by foot);
- It addresses building placement, and how the mass shapes the public and/or private spaces between the building and street; and
- It includes the facade design and whether it activates these spaces or whether it creates dead space or blank walls.

Essentially careful design of all of these elements will determine how well projects transition from public space to private areas on a project basis, and how well the design of this space is calibrated to a particular context. Cumulatively across many lots, frontage design defines the character of each street, block or district of your community.

The appropriate frontage could be dependent on a particular building type, or it can be used to make a range of building types more compatible on a block; it can be based on the specific lot width, and whether a close building relationship or distant relationship is appropriate; or it can be based on a particular street, and whether it has pedestrian amenities or is a traffic-mover.

Under conventional codes this is generically defined as a minimum setback, it is typically set uniformly across an entire zoning district, and some basic landscape or buffer standards may be used to mitigate any negative consequences from this simple or undefined approach. However, a more careful study of the context of most communities can begin to reveal some common patterns or “typologies” of how buildings and sites relate to streets. Documenting these as “frontage types” can be an important tool for identifying more context-appropriate development standards.

The Greeley Development code already begins to do this through the options to available to the various base setback standards of the zoning district. This concept should be explored further, refined and simplified, and some specific frontage types should be developed for general

applicability throughout the city based on some context criteria. Improving the design of frontages, appropriate to the context will help Greeley achieve the core values of distinctive character, exceptional community benefits, and a safe and healthy community.

## FORM v. USE

The *Imagine Greeley* Growth Framework reaffirms the community's on-going desire to see a greater mix of uses - within the community, within centers and corridors, and on specific blocks, sites, or even buildings. Greeley's development code and zoning districts are arranged primarily around land use as the distinguishing element between districts and projects. The use table includes a long list of sometimes very specific uses. This approach can lead to distinguishing between uses where there is no real difference and it also allow great differences in potential outcomes even when the use is the same

Development codes that become overly prescriptive towards allowed uses limit a city's ability to respond to markets, trends and consumer demand. It can also limit the ability to create dynamic, vital and social places. However, it is not as simple as saying we allow "mixed use" – there are too many variables that will get distorted and not meet the community's true goals.

Communities with historic downtowns, like Greeley, often find their development code does not reflect the traditional development patterns of their downtown. When it comes time for reinvestment, infill projects are difficult according to the code, or worse, projects that meet the code erode the existing building patterns and character and detract from what is typically the heart of the community. Additionally building new "nodes" of walkable centers to support neighborhoods is difficult as well.

As communities transition from conventional codes that are arranged primarily on land use, new strategies are needed to address the "compatibility" of development. Form-based codes – or codes that shift the emphasis of our regulations from "use" to "form" (building types, format, and scale) are an innovation that helps with this challenge. Form-based codes come in



**Form v. Use: St. Paul, MN** - This building type is a small commercial building with a storefront frontage, but the use type is Automotive Services, which is generally difficult to integrate into neighborhood centers. However, in this case the form dictates compatibility more than the use.

a variety of formats – from simple to sophisticated, but they typically are based on the following essential attributes:

- **Street Types.** Key different standards off the design of the "public realm" and primarily streets. (See Complete Streets section of Best Practices)
- **Frontage Types.** Focus on how a site and building relate to the block and street. (See Frontage Design section of Best Practices)).
- **Building Types.** Regulate the scale, footprint, and orientation of buildings rather than strictly land use or minimum setbacks.



These standards go a long way to assuring the compatibility of different projects, and can allow less emphasis on regulating uses. Many of the concerns about the impact or compatibility of different land uses, and the assumptions we must make about a use, can be viewed with a new perspective. Rather than predict impacts from a specific type or category of use, we instead can consider a more general approach to uses based on the following:

- **Scale.** The square footage of the use and/or footprint of a typical formats or buildings.
- **Form / Format.** How is the building situated and how does it relate to the lot and the surroundings?
- **Operations.** How does the use function with its surroundings, how do people access it, what are the hours of operations, how do other services support the use?
- **Performance.** What are the intensity, performance standards, or mitigating design elements on a site, which could be applicable to any use?

Many of these “form” elements are addressed in the Greeley development code in an indirect way, or as options and exceptions. Additionally, some standards are geared to the scale of the building, and the retail uses are particularly refined by scale. However, in general there are large ranges before different standards kick in and it is not clear how the scale of non-retail uses are affected. A coordinated approach to standards for different building types and form can allow the regulations on uses to be relaxed or generalized based on some of the above parameters. This will help with the core values of proactive, progressive and balanced economic development; distinctive character; and sustainable growth and development patterns.

## RIGHT-SIZE PARKING

Parking reform is a common topic of development code updates, as communities grow more concerned with large areas of unproductive land dedicated to un-used surface parking. This has negative impacts on economic development, infrastructure efficiency, walkability, community Imagine, and the environment (storm water runoff and heat island impacts).

Part of the growing awareness of parking impacts is understanding that the public interest in regulating for parking is not to ensure that everyone always has enough access to free parking; rather it is to minimize the impacts parking and access may have on the streets and adjacent property. In this light – too much parking is as big or bigger problem than too little.

In “right sizing” parking standards to match our land use, transportation, and urban design policies, the following strategies should be considered:

- **Reduce minimum requirements** or have more exceptions, particularly for small uses, sites or buildings – or in some cases offer complete exemptions.
- **Consider maximum parking limits**, or maximums that require additional design mitigation.
- **Improve landscape and design** requirements to reduce aesthetic and environmental impacts.
- **Tier design and location** requirements to the scale of the parking area, so smaller, more dispersed and subtle parking areas can occur.
- **Give credits** for situations where alternative transportation, on-street parking, or adjacent overflow or contingency parking exists.



**Parking: Brighton, CO** – Oversized parking result in inefficient land uses, have negative impacts on streetscapes, and can have environmental consequences such as heat island effects, increased runoff and poor water quality.



- **Promote sharing** between multiple sites – both location sharing (cumulative amounts) and peak time sharing (reduced amounts).

Right-sizing parking standards is necessary to implement the different patterns of the “building blocks” identified in the Growth Framework. Many of these strategies are in the existing development code such as additional mitigation for over-sized parking, exemptions in downtown, and some credits. These strategies will need to be clarified and emphasized as the code is reorganized. Ultimately, this will help achieve the core values of proactive, progressive and balanced economic development; distinctive character; and sustainable growth and development patterns.

## SUMMARY OF BEST PRACTICE STRATEGIES

The following strategies summarize how these best practices can apply to the Greeley development code.

- Use the design of streets and open spaces to shape and establish the character of different places.
- Consider multi-modal transportation policies, rather than prioritize vehicle movement and access over all other interests.
- Reduce the use of abstract standards such as density, open space percentages, or minimum setbacks, in exchange for more defined typologies of many different components of city- and neighborhood-building.
- Simplify the approach to uses, and reorganize the use table based on scale, format, and intensity, so that more uses can mix within certain districts.
- Allow a wider range of housing types to integrate into neighborhoods, provided they follow similar neighborhood patterns and compatible building formats.
- Use site design, lot and building frontages, and streetscapes to bring projects together, rather than assuming all projects benefit by separation or isolation.
- Establish context-appropriate standards for things like landscape, parking, access, buffers and screening to emphasize distinct places within the City.
- Simplify the code standards, but improve intent statements and decision criteria to allow better application and administration of standards.
- Provide a user-friendly format, where text is converted to tables and graphics wherever possible.
- Promote flexibility, but only through specific process and criteria, and based on clear and defined outcomes and objectives.

## IMAGINE GREELEY POLICIES & PRIORITIES

*The update to Greeley’s development codes seeks to better implement the recent comprehensive plan – Imagine Greeley (adopted February 6, 2018). A thorough analysis of the plan and some of the goals, objectives and policies related to the plan was conducted. They are summarized into the following key themes discussed in this section – Usability; Productive Places; Unique Neighborhoods; Valuable Public Realm; and Environmental Performance. These themes and some specific topics for each theme, were used for a section-by-section evaluation of how well the current development code is aligned with the plan. This section provides some of the details from that review.*

### USABILITY

One of the primary objectives of most code updates is to make the development code easier to understand and administer, and it is the first goal listed in the City’s RFP for the code update. There are two key aspects to a user-friendly development code: clarity in the way standards are organized and presented; and improving expectations in the application process.

#### **Clarity: Organization & Format**

Development codes are legal documents that must be implemented, enforced, and occasionally defended in court. Therefore, it is important that they are legally and technically correct. It is common for development codes to be filled with legalese and highly technical jargon giving it an air of authority. However, unlike other generally applicable laws, the development codes are the City’s laws that are most likely to be encountered by a wide variety of citizens and stakeholders every day – neighbors, property owners, developers, designers, consultants, various city departments, and commissions all use the development code more often than any other city code. It is important that the code be as clear and user-friendly as possible. Ultimately, this also makes the code easier to implement, enforce, and defend in court if necessary.

Some key organization and format strategies to integrate into the Greeley Development to make it clearer include:

- Use a “**plain language**” drafting style, avoiding legalese, planning jargon, and unnecessary words.
- Use **graphics and tables** to support or replace text.
- Use **purpose and intent statements** providing clear ties to the comprehensive plan and improving the administration and interpretation of regulations.
- Build in **flexibility**, but only through clear, consistent and accurate guidance and **criteria**.
- Develop a **logical framework and structure** for all regulations. This avoids repeating the same or similar standards throughout the code, a practice that adds length, confusion, and ultimately introduces conflicts in the code. It also makes it easier for future amendments and updates to be integrated and ensures the regulations maintain a long shelf life.

Our independent review consistently gave the Greeley Development Code low marks in the Clarity category, which is typical of codes that have not had a comprehensive update for a long time. Greeley Development Code exhibits some disorganization, redundancy, and potential the conflicts or interpretation issues due to cumulative and disjointed amendments over the years.

#### **Efficient Procedures**

A “user-friendly” development code establishes expectations for anyone who may be involved in the development process. This is true even if

the standards are high and exacting in some cases, and even if the procedures are thorough and intensive in some cases. Clear expectations can make a complex or comprehensive code “user friendly.” Similarly, minimal standards and quick procedures, but with low expectations is not necessarily “user friendly,” and will end up being equally problematic.

Organizing procedures in the development code around the following essential components for each type of application can raise expectations:

- **Intent.** What is the application used for and what is the objective of a review process?
- **Applicability.** What development activities trigger an application process?
- **Submittals.** What is required and at what point in the process is it required?
- **Public Engagement.** What is the role of the public in this process and how should their involvement affect the decision? (And it is different for different types of applications.)
- **Process and Timeline.** What are key benchmarks, meetings, required notice, and who will review the application and when?
- **Decision Criteria.** How will reviewers who are recommending or deciding on the application evaluate it; what specific objectives should an application emphasize?
- **Effect of Decision.** How does an applicant proceed after a decision – if approved, is there a next step or can the application proceed to permits; if denied, is there an appeal process or chance to amend or correct an application?

All of these questions should be answered in a simple and well-organized procedures section. Organizing the procedures section around the elements that are common to all procedures and then the elements that are specific to a particular application can simplify the code and avoid repeating long and technical sections.

The Greeley Code has procedures located in several sections of the code, often paired with the particular standards they administer. While this may seem convenient, it adds lengthen to the code and disrupts the flow of substantive content. It also presents the opportunity for conflict and interpretation issues. A well-organized procedure section is crucial to raising

expectations for potential applicants and decision makers, and it is informative to others who are invited to engage in the process.

### *Options to Consider*

Specific options to consider to improve the usability of the code include:

- Arrange the table of contents in sequential order – a first step in the development process to the last, and from large scale / community wide patterns to small-scale / site specific standards.
- Establish a common structure to chapters, sections, and subsections, and determine where topics require new chapters, sections, or subsections are needed to maintain this structures. Currently some sub-sections are very long and in-depth, where in other instances chapters or sections may be very brief, showing an inconsistency in structure.
- Group similar topics together – there are many instances of the same or similar standards being addressed in multiple sections of the regulations.
- Consolidate all definitions in a single section. Remove “regulations” from the definitions, and do not define words that have a “plain and ordinary meaning.” Locate the definitions near the back of the code to avoid disruption flow of substantive content.
- Establish a hierarchy of guiding language – “Purposes” are broad goals related to the City’s authority; “Intent Statements” are specific goals or general outcomes for a particular section or district; and “Design Objectives” are intended results or performance of specific standards. Each should be drafted with clarity.
- Many very long sections of text can be converted to simple tables that clearly identify the operative standards, and some existing tables can be simplified.
- Organize all procedures into one section, and consolidate duplicative procedures in a single section applicable to all regulations.
- Remove long sections of highly detailed submittal requirements. Instead, delegate to the Director the authority to create submittal forms, and a process to administratively update and adjust forms.

- Update the procedures table and present in a more legible format with pertinent summary information.
- Clarify which applications require a “public hearing,” where the public has a right to speak which becomes part of the record on which a the decisions is to be made, as opposed to “public meetings” where the public may speak at the chairs option, but it is generally not part of the record or decision-making criteria.
- Emphasize distinct decision-making criteria for each type of application.
- Specify the “effect of decision” for each type of application, and coordinate with the Colorado Vested Property Rights law.
- Improve options for alternative compliance and administrative exceptions to the standards; tie these to specific intent statement, design objectives, or decision criteria.
- In association with improved design standards, determine which applications and decisions are routine and should be administered by staff as opposed to those that may involve more interpretation or discretion and should be elevated to Planning Commission.

## PRODUCTIVE PLACES

Two core values of *Imagine Greeley* are “proactive, progressive, and balanced economic development” and “sustainable patterns of growth and development.” Communities achieve this by strengthening the attraction and productivity of existing places, and ensuring that there is a diversity in the types of places so they can accommodate and adapt to new and emerging opportunities. The Greeley development code was reviewed for three key aspects of these core values – Revitalize Downtown, Dynamic Job Centers, and Walkable Destinations.

### Revitalize Downtown

Downtown is noted as the historic, civic, and social heart of Greeley. and it reflects traditional development patterns that pre-date conventional zoning. Many of *Imagine Greeley*’s policies and principles promote replicating these patterns and guarding against incompatible projects that

could erode this character. There are two primary threats through new development – car-oriented uses and site design, and large-scale projects that disrupt human scale and fine-grained diversity of uses that people experience at the street level.

Simple principles for sensitive infill and redevelopment for small downtowns can best be characterized by David Sucher’ book, *City Comforts - How to Build and Urban Village*:

- **Build to the Street.** Buildings shape important public spaces, and particularly create enclosure for streetscapes. When buildings do not frame the streets, alternatives such as social spaces, landscape or “street walls” serve this purpose.
- **Create Permeable Facades.** Buildings are designed to promote activity, and create actual or perceived connections between uses and the public realm. Also, when done with many different uses and buildings along a block this creates fine-grained diversity and human scale.
- **Hide / Minimize the Parking.** Parking is primarily on-street; any site specific parking is behind buildings or located at remote locations. All of this is possible when parking requirements are reduced or eliminated.



**Downtown Streetscape, Salida CO** - A variety of small-scale uses create many reasons to be there, and are the key to productive and active downtowns and neighborhood centers.



Unusually, there is no specific zoning district in the Greeley development code for Downtown. Instead, it applies the most intense commercial district – C-H, but then applies the “General Improvement District” overlay and “Entertainment District” overlay to account for the unique scale, pattern and design of downtown. The C-H district base standards are generally inappropriate for this area, and will actually damage the character of Downtown. Therefore the GID attempts to reconcile this by eliminating required setbacks, parking, or other anti-urban standards that ordinarily apply to C-H. (The Entertainment District overlay merely relaxes rules for special events in public and civic space). The walkable, small-town character is not well represented in the GID overlay. While it may enable some of the traditional development patterns reflected in downtown, it does so by being less restrictive on the setbacks and buffers common to conventional zoning. Therefore, it allows development consistent with older patterns but it also does not ensure it, and the area is exposed to investment inconsistent with the vision for downtown. The Infill Area Design standards offer some oversight and control, but this introduces a potentially cumbersome process and is based on general and somewhat vague “compatibility” criteria. Essentially the two primary threats – car-oriented uses and site design, and large-scale projects, are allowed as equally as traditional, small-scale urban patterns.

### **Dynamic Job Centers**

*Imagine Greeley* provides opportunities for job-creating uses in a wide variety of formats and contexts. The Growth Framework include: Corridors, Centers, the Mixed-use High Intensity Area, and Employment & Industrial Areas all offer opportunity for significant job growth, and all of them call for accommodating a wide range of compatible and supporting uses. Several of these are also aiming to achieve a walkable and bikable pattern and context, as most areas concentrated with employment options benefit from these attributes by being accessible and offering amenities that employers capitalize on; however, others are reserved for employment and industry that is difficult to integrate in with other patterns or supporting uses. Employment opportunities can be concentrated the following contexts:

- **Walkable, mixed-use formats** – Downtown and Neighborhood Centers
- **Larger-scale, but walkable or multi-modal formats** – Mixed-use areas and corridors, and Regional Centers.
- **High-intensity employment formats** - Employment and industrial areas

Most of the zoning districts appropriate for the above distinct patterns allow job-generating uses, as well as a mix of potentially supporting uses. The standards are weakest at creating distinctions between the development patterns, scale and format, and urban design attributes of these different contexts. The plan also notes that the nature of employment intensive uses – and particular industrial uses, has changed with the economy and technology. The Greeley code has three different industrial uses, based on scale and intensity, while only having two commercial districts. In addition to the development pattern and urban design qualities being upgraded, some overlap in the uses and development standards between these districts is likely necessary to create dynamic job centers called for in the plan.

### **Walkable Destinations**

An important building block of the *Imagine Greeley* Growth framework is “centers,” described as concentrated nodes of activity. The plan identifies two types of centers in addition to downtown – regional and neighborhoods. The neighborhood centers are far more prominent and dispersed throughout the community to provide good access for all residents to a neighborhood center.

Although the centers are different scale and intensity, all three call for:

- Developing or strengthening **walkable patterns**;
- Promoting a greater **mix of uses and activity**; and
- Incorporate **more housing** into and around the centers.

Therefore, the attributes of walkable places identified in the best practices – Compact, Connected, Diverse, Active, and Human-scale – will be important to implement more walkable places throughout Greeley.

The C-L district is the most likely district to implement the neighborhood center pattern, and the use table begins to refine several uses by the scale of use (particularly retail). In general, it is intended for the type of small scale and mixed use activity envisioned in the plan. As mentioned in other sections, the code needs to be strengthened in terms of street design, connectivity, and housing options that are crucial to creating the context for neighborhood centers. These attributes also need to be carried into the centers, and greater attention should be paid to the scale and format of uses, in addition to the mix of uses permitted. Other commercial districts lack important attributes of walkable places and attempt to implement them with options or overlay and infill exceptions.

### Options to Consider

Specific options to consider that can implement more productive places through the code include:

- Consider converting the GID overlay to a form-based code, using street types, building types and civic space types as key standards to future development, and making more distinctions within sub-areas or on a block-by-block basis with default criteria or a regulating plan.
- Investigate a range of form-based strategies for all commercial districts (See Form v. Use best practice) and allow reduce the emphasis on particular uses, particularly for downtown, the centers and mixed-use areas.
- Expand the focus on the scale of uses in the use table and apply this strategy to many categories of uses (beyond just retail).
- Improve streetscapes and open spaces to promote walkability and social activity in the street.
- Review the approach to uses to ensure that a flexible approach can accommodate emerging fields – whether retail, service, office, institutional, or industrial.
- Consider using one of the three industrial districts to re-purpose to include more “placemaking attributes”, while focusing on a broad range of employment and light-industrial uses.
- Promote a healthy concentration of a wide variety of job-generating uses in the centers and mixed-use areas to be more efficient

- with infrastructure investments, and have spin-off economic development effects
- Create more refinement in industrial uses based on scale, intensity and format, so that more job-creating uses can be located in centers and mixed use areas.
- Create more explicit distinctions (possibly based on the building blocks / Growth Framework) between the development standards and patterns of all non-residential districts; the C-L, C-H, I-L, I-M, and I-H essentially have the same standards and the only significant differences are through the uses allowed.

## UNIQUE NEIGHBORHOODS

A core value of *Imagine Greeley* is “thriving, connected, and inclusive neighborhoods in all the city.” The Housing goals and objectives emphasize this with a more refined approach to different housing types and price points. The 2019 Strategic Housing Plan also outlines nine major strategies addressing mix of housing, affordability, and more specific plans and strategies to improve choices. In association with other goals in the plan and for the purposes of the code review these were summarized into the topics Active Living + Walkable Patterns; Housing Options; and Prioritize Infill.

### Active Living + Walkable Patterns

Walkable neighborhoods that promote active living can occur in variety of contexts, at different intensities and with unique character. However, they all exhibit some essential traits.

- **Focal Point** – A destination within walking distance. This could be a commercial center, an institutional anchor, or civic and community gathering place – or ideally all three.
- **Connected** – Short blocks (typically 300 to 700), or in situations or contexts where less connectivity is appropriate, trails and passages providing human connections at these intervals.
- **Diversity** - A variety of housing types, sizes, and formats supports a compact format, but it also insures that the neighborhood remains active and vital, meeting the needs of many different people.
- **Slow, Shady Streets** – The majority of streets should be designed for slow speeds



Apartment Courtyard: Loveland, CO



Detached House – Courtyard: Fort Collins, CO

– under 20 mph, and provide comfort and interest through street trees.

- **Civic Sites** – A variety of public, common and private spaces throughout the neighborhood provide gathering points that offer people the option for short walks, and help propel people to destinations for longer walks.

As noted in other sections, the “public realm” standards need to be improved in terms of connectivity and street design. The options in the code for different street design are perhaps the strongest for neighborhood streets, with some of the options presenting good prototypes for the slow, shady streets. These should be

emphasized and codified as the default standard for most neighborhood streets. Options to promote a greater diversity of housing types and to create walkable destinations are discussed in other sections.

### *Housing Options*

As noted in the Missing Middle best practice, housing options is a key goal of most cities. Not only because it is a quality of great, life-long neighborhoods, but demographic shifts are calling for new options. Diversifying housing will help all communities adapt to shifts in demographics over time. This is both for demographic reasons as people transition through different housing needs, and for affordability reasons as more options allows supply at different price points. Cities with a robust housing stock provide options:

- Different types of neighborhoods in different contexts.
- Different housing types within neighborhoods.
- Differences in size, format, amenity, age, condition and price points.

Some of these factors are not a function of the development code, but influenced most by the housing market, the development industry, and time – it takes consistent effort to build, nurture, and maintain a robust housing market. However the development code needs to present these options in a refined manner in order to help the market and industry respond to specific segments over time.

The Greeley development code has three primary districts for all housing options with basic use, lot, and setback standards. Housing options come either from the wide range of outcomes that could meet the standards, or from design options that are codified for different situations. The multi-family district is particularly non-descript as there are a wide range of housing formats that qualify as “multi-family”, but only a single lot standard and density guide to implement these.

The code also has many provisions that suggest individual neighborhoods take ownership in their own unique design values and goals. This is a great strategy to promote uniqueness and diversity, but it can be difficult to administer over



time if that task is up to city staff. Additionally some neighborhoods may feel like they are starting from scratch when given the opportunity to act on this, and this can limit meaningful action.

### **Prioritize Infill**

Infill development is a challenge. It is typically at a scale that is harder to finance and typically has more constraints than “greenfield” development. Yet promoting infill is crucial to many important city goals – it capitalizes on underutilized infrastructure, it strengthens tax bases, it contributes to housing options – and in particular is a crucial part of the options being older neighborhoods or older homes. Addressing the challenges to infill often requires finding subtle ways to generate new revenue to invest in existing property or buildings.

- Ensure there are as few barriers as possible to rehabilitation of existing homes.
- Identify and codify the patterns of blocks, lots, frontages, and housing types of existing neighborhoods.
- Consider ways to leverage new development with additional units, including multi-unit houses, accessory dwelling units, and courtyard patterns with multiple units on one or more lots.

The Greeley development code identifies infill and suggests some strategies that may promote infill. However all infill sites require design review, and what triggers this, the process and what standards apply is not clear. This can pose a procedural barrier and result in lower expectations for potential infill projects. Additionally, the infill options for the residential districts uses all of the same base district lot and development standards, and present no flexibility or incentives to deal with existing patterns or potential constraints. The infill area design standards are aimed specifically at compatibility criteria, and may to completely address other potential barriers to infill and rehabilitation.

### **Options to Consider**

Specific options to consider that can promote and strengthen unique neighborhoods through the code include:

- Promote “public realm” design – the character of streets, trails, open space, and community/civic gathering places as a way to emphasize distinct neighborhoods.
- Simplify and clarify the options currently available to the three primary residential building types.
- Explore a “building type” approach where the standards focus more specifically on how the building, lot and frontage fit into the context, and less on the use or density.
- Expand options of types through “missing middle” housing – particularly for the multi-family code option and the higher end of missing middle housing.
- Remove the 4-unit limit on townhomes and allow buildings with up to 12 units; further create options for narrower-width row houses.
- Create new small lot options for detached 1 to 3 unit buildings that can use lower-cost strategies of the International Residential Code.
- Consider at least one district (or add a new one) for a greater mix of housing types, including single-family houses and small-scale, multi-unit buildings.
- Improve the infill standards – particularly looking for ways to get additional units on existing lots or buildings, leverage the lower end of “missing middle housing types,” and create courtyard patterns out of 1 to 3 lots.
- Consider what distinctions are needed for the “legacy urban” and “downtown” neighborhoods compared to new walkable neighborhoods.
- Identify a few basic neighborhood design patterns and elements to codify for all neighborhoods to create consistency in approaches and content, but allow neighborhoods to vary details between them.
- Investigate ways to improve the MH (mobile home parks) district, promote more “small-format” housing, and better integrate these types of projects into the community.
- Clarify “alternative compliance” standards and take a more comprehensive approach to the infill area design standards with pre-

approved patterns and building types that address common infill situations.

## VALUABLE PUBLIC REALM

The “public realm” is an urban design term often described as the spaces between buildings that people perceive and experience on a regular basis. It includes public, common, and private spaces. The majority of this space consists of streets, rights-of-way, and open spaces, and to a lesser extent extensions of these areas on private lots.

In conventional plans and development codes, this space often considered only from a functional perspective, and not an urban design perspective. The Transportation section *Imagine Greeley* exhibits this to some extent with goals and objectives for streets. However, in context with the core values of the plan, and other goals for housing, open spaces, community character, and mixed use centers, it is clear that designing a valuable public realm a fundamental principle of *Imagine Greeley*.

### **Connected Networks: Trails + Streets**

The network of streets establishes the majority of the public realm. It is estimated in a typical community this reflects between 25% to 35% of the total land area of the city. Designing this space effectively means you effectively design nearly one-third of the city. When leveraged with Greeley’s existing and planned trail system, a very substantial portion of city design will include the street and trail systems.

While not all of this system will be implemented or changed through the development code (and in infill areas very little of it), the development code is still a good place to present a unified and coordinated approach and standards for different components of the system.

Connectivity will determine two crucial things that are important throughout the *Imagine Greeley* – proximity and options. Connected networks mean that more things are proximate to other things; and connected networks mean there are more options – in terms of routes and modes of travel – to get to different places. Therefore, connectivity is not simply about

transportation. It impacts nearly every goal of the comprehensive plan.

Some rules of thumb on connectivity, which can be coordinated with the different contexts and



Rustic Trail: Cherry Hills Village, CO



Neighborhood Passage: Denver, CO

*The design and context of open spaces can shape the character of an area.*



building blocks in the Growth Framework of *Imagine Greeley* are:

- **Walkable Centers** – 200' to 500' blocks; 2 to 5 acres.
- **Walkable Neighborhoods** – 250' to 700' blocks; 4 to 7 acres
- **Accessible Edges / Exceptions** – 400' to 1000' blocks; 6 to 10 acres.
- **Remote / Disconnected areas** – 1000'+ blocks; 10+ acres.

Greeley's historic grid is based on an approximately 450' by 450' block (4.6 acres), with variations up and down based on the area, other intervening patterns, or different access and lot arrangements. This provides great access and a wide variety of street types throughout most of the community. However, the development code only addresses connectivity at a very broad scale – 1,320' blocks is the threshold, resulting in blocks over 10 acres or as large as 40 acres in the extreme. This reinforces a suburban pattern of the “arterial grid”, and without further refinement, it will compromise most of *Imagine Greeley's* development, transportation, and community design goals. The regulations do a good job of integrating the trail system into this, however more refinement – largely based on the context goals of the growth framework is needed.

### Contextual Streetscape Design

One of the more important Transportation goals of *Imagine Greeley* states: “[Streetscapes] should vary depending on the modes accommodated, the surrounding land uses, and character of the area or neighborhood through which it passes.” [Objective TM 1.3: Streetscape Design, page 84] This means that despite the functional classification of the street, the design of the street should transition to defined its context. As noted in the Complete Streets best practice, functional class addresses the overall function of the street in the network; however good streetscape design requires that options of different “street types” need to apply to different segments within the network. The components of street design and cross sections include the following elements to be designed differently for different contexts.

- **Travel Lanes** – 9' to 11', depending on desired speeds, and “yield flow” lanes for

low volume / low speed streets; and 12' only for very high speed streets.

- **Bicycle Facilities** – including combined flow for slow speed / low volume, dedicated or protected lanes for higher speed / higher volume, or off-street / spirited facilitates on priority routes
- **Curb Zones / Edges** – including dedicated on-street parking, occasional on-street parking, no parking, or rural shoulders.



Collector Street – Pedestrian: Arvada, CO



Collector Street – Standard: Arvada, CO

*The design of streets can differ along segments to better support the development patterns, urban design character and uses for a specific area.*

- **Amenity Areas** – 6' minimum for large street trees; 8' preferred; and 10' to 20'+ where social spaces are desired.
- **Sidewalks** – 5' minimum, 6' to 10' for important pedestrian routes, 12' to 20' where economic activity from pedestrians is desired, and 20' + (including amenity zone) where social spaces are desired); alternative options for very low intensity development patterns.

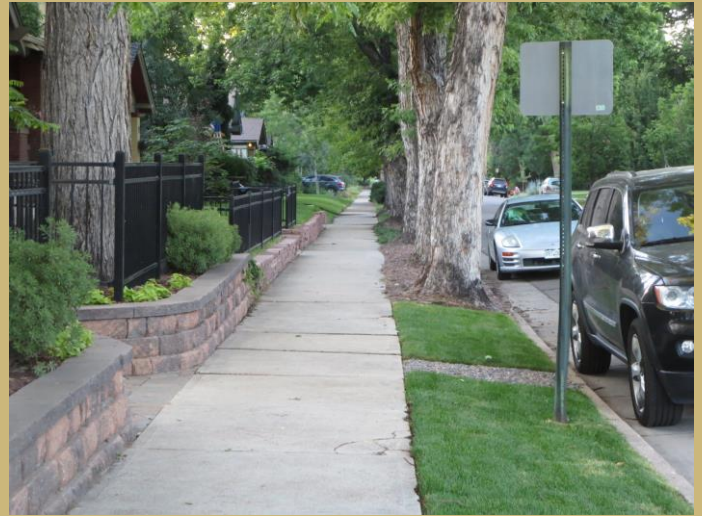
The Greeley development code includes street design standards in several different places, and the most specific standards are based primarily on the functional class of the street, and not the context in which it applies. Several of the zoning districts allow options that begin to address complete street policies, but they are not emphasized in the code and since they apply through zoning districts, it misses the chance to emphasize this as part of a system that spans across different projects and zoning districts.

#### **Tree-Lined Streets**

*Imagine Greeley* calls to reinforce Greeley's image as a Tree City, and recognizes that travel corridors are the primary means to do this. The building blocks in the Growth Framework also identify street trees as a key feature of distinct places. This is because street trees provide so many cumulative and reinforcing benefits:

- **Value** – Studies show the property with street trees sell and appraise higher than comparable property without trees.
- **Environment** – Street trees filter and infiltrate stormwater, clean the air, and reduce heat islands.
- **Comfort** – Street trees make walkable, human scale streets because they slow cars, provide shade, and create interest and enclosure.
- **Character** - Streets with trees are simply more attractive; they improve the community image and are one of the easiest things to add to transform development patterns and character.

Due to these benefits, street trees need to be treated as an essential part of infrastructure, not an amenity that is nice to get if you can. The development code has many street standards that prohibit street trees, or which do not allow them in the proper location to deliver the above



Street Trees, Denver CO

benefits. There are some sections that will allow them through options or alternatives, but these streets need to be codified as types. There are some site and landscape standards that require street trees at good intervals, however these need to be coordinated with street designs and street types to ensure they are located appropriately in the street cross section.

#### **Embedded Open & Civic Spaces**

Civic and recreational amenities are another important open space component of the public realm. One of the core values of *Imagine Greeley* is "distinctive character and outstanding recreational and cultural amenities." Unlike natural areas – which do serve a secondary recreational function – these spaces are specifically designed and integrated into development to serve people. In this manner, it is not simply the amount of space that is important, but the design, function and where it is applied that has the biggest impact.

To accomplish this, development codes should include:

- **Variety of Types** – Create standards for a hierarchy of open spaces to best suit different contexts and functions – from spacious and open informal spaces such as a park or a trail to compact and designed formal spaces such as a plaza or courtyard.

- **Systems and Sites.** Integrate these standards into both the subdivision regulations (for the larger spaces associated with platting) and zoning and site design standards (for the smaller spaces incorporated into blocks and lots of specific projects).
- **Value Design.** A robust open space system should give credit for all of these spaces in the right context, regardless of the amount of space.
- **Focal Points.** Link spaces and locate them in prominent places, as part of a complete system and as an extension of the street network. This will , improve the accessibility of all lots and buildings to some component of the civic space system.

The Greeley code addresses open spaces in a number of ways – ecological areas for protection, spaces to serve recreation needs, buffers and landscape for aesthetic purposes. However, many of these topics are merged – which may be appropriate as open spaces can serve all of these multiple needs, even in the same space. However, the standards do not have a clear link to these sometimes disparate objectives, and are often boiled down to simply the percentage of a lot or a project. The site and building design standards present a robust range of “neighborhood identity features” that could be the basis of a more complete range of open space typologies. These should be integrated into the subdivision standards, and more directly influence the required open space percentages for sites, blocks, and projects.

### Options to Consider

Specific options to consider to design a valuable public realm through the code include:

- Improve street network connectivity standards. These may differ for different contexts of the community.
- Create exceptions to the connectivity standards, and be clear on when and why they may apply. Require alternative connections in these situations.
- Implement street design types that go beyond simple functional classification standards, and provide design standards for different contexts, development patterns and land uses. Many of the design options

within the zoning districts begin to do this, however these should be codified as specific types to be applied across the entire street network.

- Integrate the planning and urban design standards for streets into the development code, but defer to the Street Design Criteria and Construction Specifications manual for engineering and construction.
- Use street types to provide cues for what level of development standards should be expected from the private sector based on the character and quality of the streetscape. (See Frontage Design best practice discussion.) In this manner, street networks and streetscapes are the coordinating elements that tie places and projects together.
- Consider ways that the historic 450' x 450' block could be re-subdivided to meet housing goals, particularly the idea of alley or “mews” loaded small lot housing.
- Require street trees as an essential part of each street section. Determine appropriate location and intervals for each cross-section, and determine acceptable alternative locations for rare situations or constrained right-of-way.
- Strengthen design standards for open space in the subdivision regulations. Currently these standards are largely procedural (not emphasizing open space design) and highly reliant on the amount of space rather than how these spaces shape the context.

### ENVIRONMENTAL PERFORMANCE

Two core values of *Imagine Greeley* are “responsible stewardship of natural resources and the environment” and “world class water resources and management.” Many of the other core values, goals and objectives of the plan support these principles, foremost by calling for a more compact, walkable community – through both infill and growth. This quality alone is one of the most environmentally responsible things a city can do – maximize its return on existing land and infrastructure investments, and do so in a way that promotes a quality of life without excessive driving. In addition, Greeley’s context along the Front Range presents greater opportunities for better environmental



performance through development – one that incorporates water wise landscapes, renewable energy and energy efficiency, and protects sensitive areas.

### **Water Wise Landscapes**

Water wise landscapes incorporate three related goals crucial to the Front Range – protect water resources from runoff and pollutants; reuse runoff for productive secondary uses; and plant low-water landscapes that are attractive and adaptive to the arid high-plains climate. These issues have gained greater prominence and importance as the Front Range experienced rapid growth. Many regional resources and best practices are now available, that were not as well understood the last time there was a comprehensive update to the Greeley development code.

Some key principles of water wise landscapes include:

- **Filter and Infiltrate.** Treat rain as close to where it falls as possible, maximize small-scale site infiltration.
- **Integrate Systems.** Manage stormwater at the largest scale possible, rather than inefficient site-by-site storage. Design streets and open space systems to integrate large-scale solutions, so that other benefits form more compact development patterns are possible.
- **Right Plant / Right Place .** Use regionally appropriate plants, strategic plant locations to serve specific functions, and xeric design and management for maximum water efficiency.

The landscape standards in the Greeley development code reference best management practices for protection and conservation of water resources, administered by the water department. There is also a low water plant list in the appendix of the code, but use of these is only encouraged not required. Overall, the landscape standards rely on a fairly complicated point system so some of the priorities of these other policies tend to get lost in the content. Assuming these outside resources prioritize key principles of water wise landscapes, the standards can be administered to fulfill these goals and policies. Additionally, there are stormwater performance standards that emphasize integration into landscapes so these



Xeric Landscape: Centennial, CO

areas perform multiple design purposes, rather than concentrated facilities strictly for stormwater. However, the xeric principles, use of non-potable water for irrigation, and integrated and context-based stormwater practices could have a stronger emphasis in the code provisions.

### **Renewable Energy + Energy Efficiency**

*Imagine Greeley* recognizes the climate challenges that are increasingly facing municipalities. The plan notes that the City can lead by example through its own practices of being more efficient with energy use and what types of energy it consumes. Regardless of what the uncertain future presents with regard to energy use and the impacts of energy use, conservation and efficiency are prudent practices – particularly due to this uncertainty. In addition to the City's own practices, cities can impact these issues for the general population through development regulations in the following ways:

- Preparing for a range of **renewable energy options**, including at a site- or household-scale and at a district-scale, and as an accessory use or as a principle use.
- Enabling **low-energy development patterns**, primarily through a more walkable and bikeable community.
- Promoting **energy efficient building and landscape design**, either through



Renewable Energy - Centennial, CO

requirements or ensuring that development standards do not inadvertently limit emerging practices.

The low-energy development patterns are more thoroughly discussed in the Unique Neighborhoods and Productive Places policy section. Beyond this, there is very little in the Greeley development code addressing renewable energy or energy efficiency. Some of the site and landscape standards imply locating plants for the greatest ecological benefit, but things like passive heating and cooling, reducing heat islands and other benefits from property site design are not strongly emphasized. Additionally provisions for renewable energy uses are lacking, unless these facilities are interpreted under other accessory, temporary, or principle uses.

#### **Protect Sensitive Areas**

The environmental goals and objectives of *Imagine Greeley* are closely related to the parks and recreation goals and objectives. (See Imbedded Open and Civic Spaces section of this report). Ensuring that these areas maintain their crucial ecological functions, but are also protected in a way that serves development requires a multi-layered strategy.

- **Regional / City-wide Scale.** Preserve and link sensitive areas and habitats and protect, edges by directing development away from

these areas, and allowing greater development in less-sensitive areas.

- **District / Neighborhood Block Scale.** Integrate extensions of these area into development by merging natural areas and open space systems with the pattern of streets, blocks and lots. This needs to first occur at the first stage of development – when large areas are subdivided of platted, but also be included opportunistically as smaller areas are platted or redeveloped..
- **Street / Site Scale.** Leverage each of the above scales with better options for context-appropriate site development, landscape and open space standards for new and infill development.

Each of these scales should emphasize how natural systems and environmental features can provide aesthetic, recreation, and ecological benefits that serve development.

A chapter of the Greeley development code is dedicated to protecting areas of ecological significance, based on a map that is coordinated with the Colorado Division of Wildlife. Provided this map is updated annually and administered efficiently as stated in the code, this section can fulfill the goals and objectives. The substantive standards are somewhat vague, and this section could be better coordinated with subdivision design standards and with standards for open spaces at a variety of scales. Overall this chapter seems like more of a negotiated process, so more clear standards and



Conservation Area Windsor CO



indications on conserving or dedicating these areas can serve development or meet multiple design and development standards could improve implementation.

### *Options to Consider*

Specific options to consider that can improve environmental performance through the code include:

- Coordinate the development code better with the City's Landscape Policy for Water Efficiency.
- Give a higher profile to requirements for xeric standards, limited irrigated turf areas, and use on non-potable sources for irrigation.
- Require street trees on all streets
- Promote environmental benefits from landscape design, including reduction of heat island, reductions of energy use for buildings, and other benefits that can result from the proper allocation of required landscape materials.
- Coordinate large-scale and small-scale stormwater management standards or performance criteria, so that site specific stormwater does not compromise other goals for more sustainable growth and development patterns.
- Coordinate stormwater management strategies and performance criteria with context, and provide a range of urban, suburban, and rural/open land strategies.
- Ensure that oil and gas regulations are adequately protecting water resources and air quality.
- Better coordinate open space standards with the regulations to protect sensitive areas. Integrate these regulations into the patterns and design standards in the subdivision regulations, and create a hierarchy of open space types that build off of these systems.
- Emphasize site- and household-scale renewable energy facilities as an accessory use, or confirm there are not any impediments in the general accessory use standards or design provisions.
- Consider standards for neighborhood- or district-scale renewable energy facilities.

## SUMMARY

Key recommendations for further discussion and updates to the development in this report and the comment log include:

### Usability

- Restructure the code to group similar topics together and arrange in a sequential order (considering timing and scale of issues).
- Improve hierarchy of articles, chapters, sections and sub-sections
- Coordinate all definitions in a single section
- Organize all procedures into one section, and consolidate duplicative procedures in a single section applicable to all applications.
- Remove submittal requirements from code and delegate to the Director the authority to administer and update submittal forms
- Improve options for alternative compliance and administrative exceptions to the standards; tie these to specific intent statements, design objectives, or decision criteria.

### Productive Places

- Incorporate more scale, form, and urban design standards into commercial districts (particularly the GID and areas for regional and neighborhood centers).
- Expand focus of use table on the scale of uses, rather than just the type; consider being more general with permitted uses with increased emphasis on scale and form.
- Improve design standards for streetscapes and opens spaces to promote walkability, social activity in the street, and creating distinctions between different contexts and places.
- Consider using one of the three industrial districts to re-purpose to included more “placemaking attributes,” while focusing on a broad range of employment and light-industrial uses.
- Create more explicit distinctions (possibly based on the building blocks / Growth Framework) between the development standards and pattern of all non-residential districts.

### Unique Neighborhoods

- Promote “public realm” design – the character of streets, trails, open space and community / civic gathering places, as a way to emphasize distinct neighborhoods.
- Expand options of housing types through “missing middle” housing – particularly the multi-family code option and the higher-end of missing middle housing.
- Create new small lot options for detached 1 to 3 unit buildings that can use lower-cost strategies of the International Residential Code, including expanding options for the R-HH district for small format housing.

- Consider at least one district (or add a new one) for a greater mix of housing types, including single-family houses and small-scale, multi-unit buildings.
- Identify a few basic neighborhood design patterns and elements to codify for all neighborhoods to create consistency in approaches and content, but allow neighborhoods to vary details between them.

### **Valuable Public Realm**

- Improve street network connectivity standards and vary requirements by context of “building blocks” of the Growth Framework.
- Implement street design types that go beyond simple functional classification, and make some of the design options in the current code a permissible, preferred, or required type.
- Consider ways that the historic 450’ x 450’ block could be re-subdivided to meet housing goals, particularly the idea of alley or “mews” loaded small lot housing.
- Require street trees as an essential part of each street section.
- Strengthen design standards for open space in the subdivision regulations; consider codifying the specific standards for different types of open space to be used in different contexts.

### **Environmental Performance**

- Coordinate the development code better with the City’s Landscape Policy for Water Efficiency, and give a higher profile to or require xeric standards.
- Coordinate large-scale and small-scale stormwater management standards or performance criteria, and strengthen connections to street and open space standards.
- Better coordinate open space standards with the regulations to protect sensitive areas.
- Emphasize site- and household-scale renewable energy facilities as an accessory use, or confirm that there are no other barriers or issues for site specific facilities.

### **NEXT STEPS**

This report is an independent and objective analysis of *Imagine Greeley* compared to the Greeley development code. It is a starting point for more in depth analysis, broad policy discussions, and strategic engagement in the “Discussion” phase of the project. Part of this will be to determine which issues most crucial to this update, and may require more specific focus on options and opportunities. This will include issue papers or case studies that go more in depth on policy, planning and design considerations and a range of regulatory strategies for these key topics. While these topics will not be the entire extent of the updates, it will focus engagement efforts on areas where more discussion may be needed or where potential code changes may be more significant.