

CITY OF GREELEY, COLORADO

ORDINANCE NO. 05, 2021

CASE NO. CU2020-0003

AN ORDINANCE ADOPTING VARIOUS AMENDMENTS TO TITLE 18 OF THE MUNICIPAL CODE REGARDING UPDATING AND CLARIFYING THE NOTICE REQUIREMENTS FOR AMENDMENTS TO FINAL PLANNED UNIT DEVELOPMENTS (PUDs) AND MAJOR AMENDMENTS TO DEVELOPMENT CONCEPT MASTER PLAN (DCMP) (CHAPTERS 18.18 AND 18.30), CHANGING THE WORDS PUBLIC MEETING TO PUBLIC HEARING (CHAPTER 18.18.040), AND CLARIFICATION AS IT RELATES TO FREESTANDING SIGN CALCULATIONS (CHAPTER 18.54)

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt zoning codes and development standards that continue to align with public values and Council priorities; and,

WHEREAS, amending the Development Code in this manner will update those elements of the Code relative to such court cases and provide for the public interest and further protect the health, safety and welfare of City residents; and,

WHEREAS, the Planning Commission conducted a public hearing to review and consider the proposed changes on December 8, 2020, and recommended their adoption by City Council.

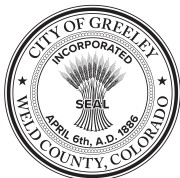
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. Portions of the Greeley Municipal Code Chapter 18 related to various ministerial changes is hereby amended as described in Exhibit A, attached hereto.

Section 2. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS 19<sup>TH</sup> DAY OF JANUARY, 2021.

ATTEST:



*Cynthia Beeghly*

City Clerk

THE CITY OF GREELEY

*[Signature]*

Mayor

Exhibit A

Chapter 18.18

Notice

18.18.040 Public ~~meeting~~ **HEARING** notice.

(a) Notification of a public hearing at which a land use or development application is to be considered shall be given by posting a sign on the property and publishing a notice in the newspaper. A courtesy notice shall also be mailed to those property owners on the mailing list, the boundaries of which shall be determined by such things as proximity to the subject site, size and height of the proposal for the subject site and the location of major roads. The boundaries of the area to be notified shall generally not exceed five hundred (500) feet. **IF THE PROPOSED LAND USE CONSISTS OF EITHER A MAJOR AMENDMENT TO A FINAL PLANNED UNIT DEVELOPMENT OF A MAJOR AMEDMENT TO AN APPROVED DEVELOPMENT CONCEPT MASTER PALN, ALL PROPERTY OWNERS WITHIN THOSE BOUNDARIES SHALL ALSO BE NOTIFIED.** Public ~~meeting~~ **HEARINGS** which ~~shall~~ require public notice shall be those meetings which are conducted by the Zoning Board of Appeals (**V**variances), Planning Commission (**U**ses by **S**special **R**review, **F**final **P**lanned **U**nit **D**evelopments, **A**ppeals) and the City Council (**R**rezonings, **E**establishment of **Z**oning, **A**nnexations, **P**reliminary **P**lanned **U**nit **D**evelopments or **A**ppeals).

18.30.055 Development **C**oncept **M**aster **P**lan.

(d) Upon approval of a **D**evelopment **C**oncept **M**aster **P**lan (DCMP) by the City Council, said plan shall remain effective until and unless a revised or amended ~~development concept master plan~~ **DCMP** plan is submitted to the City and approved using the same procedures under which the original plan was approved. Minor amendments shall be considered by the Planning Commission as long as none of the following are proposed:

- (1) There is an increase in the number of lots or housing units, or increase in square footage of nonresidential uses of more than five percent (5%).
- (2) There are changes in street alignment and/or access points, or other public improvements, such as drainage improvements or utility lines or facilities.
- (3) There are other changes in the design master plan which make it in nonconformance with the City's Comprehensive Plan. (~~Ord. 31, 2006 §1; Ord. 65, 2002 §1~~)

Chapter 18.32

Planned Unit Development

18.32.160 Amendments to approved Final Plans.

(d) In order for the City to consider a proposed PUD amendment, the applicant shall provide written approval **NOTICE TO ALL PROPERTY OWNERS WITHIN THE BOUNDARY OF THE PUD, UNLESS NOTED OTHERWISE WITHIN A PREVIOUSLY APPROVED PUD DOCUMENTS. THE APPLICANT SHALL SUBMIT A COPY OF THE NOTICE LETTER AND A LIST OF ADDRESSES TO THE COMMUNITY DEVELOPMENT DEPARTMENT DIRECTOR WITH THE APPLICATION SUBMITTAL DOCUMENTS.** of the proposed amendment by not less than seventy-five percent (75%) of the owners of not less than seventy-five percent (75%) of the land area for PUD plans approved after the effective date of this Code. PUD plans approved prior to the effective date of this Code shall require approval by one hundred percent (100%) of the property owners within the PUD. The applicant may submit at the time of initial Final PUD approval, and the City may approve, a provision which permits less than seventy-five percent (75%) of the owners of not less than seventy-five percent (75%) of the land area in a PUD to approve of a proposed PUD amendment. In no event shall an amendment be permitted which has less than fifty-one percent (51%) of the owners of less than fifty-one percent (51%) of the land area giving written approval for the proposed amendment.

Chapter 18.54

Signs

(d) Freestanding and Monument sign.

(5) The maximum height of freestanding signs shall be as follows:

b. In the C-H, I-L, I-M and I-H zone districts, the maximum height is as follows:

<u>Setback</u>	<u>Maximum Height</u>
Less than 50 ft.	12
51 ft. to 99 ft.	(Setback minus 50x <u>0.26</u> ) plus 12
100 ft. or greater	25