



PLANNING COMMISSION

Special Meeting

Proceedings

March 30, 2021
1:15 p.m.

(Zoom Webinar and viewable on City of Greeley YouTube)

I. Call to Order

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

II. Roll Call

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

III. Worksession: Household Occupancy Standards

Presenter: Caleb Jackson, Planner II

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Yeater invited Lori Williams to speak to the Commission.

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

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

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

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

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

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

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

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

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

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

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