SB23-213

City Council Special Meeting

April 11, 2023



SB23-213 Overview

The bill will require municipalities to adopt a State mandated standard code or meet certain minimum requirements in the below five areas:

Housing Needs Planning

Accessory Dwelling Units

Middle Housing

Transit-Oriented Areas

(Greeley does not currently have any transit-oriented areas)

Key Corridors

(Greeley does not currently have any key corridors)

The draft resolution in opposition is consistent with the initiative brought by Council, and with the draft & policy position suggested by CML.

Resolution

to Oppose

SB23-213



The draft resolution to monitor the bill would allow staff to continue engagement on bill specifics – with the objective of lessening the direct impact to the City of Greeley.

A monitor position can be modified to an oppose position at a later time.

Resolution

to Monitor

SB23-213



Points of Engagement

First & foremost, there are points in the bill where the city would like to see an exemption for Home Rule Municipalities

- SB23-213 would allow accessory dwelling units (ADUs) as a use by right wherever single-family homes are allowed by right and would require minimum size standards, and the City of Greeley's current code maintains exceptions regarding ADU allowance and has already adopted size restrictions;
- > SB23-213 would not allow a requirement for new off-street parking in connection with the construction or permitting of middle housing, and Greeley currently has both parking requirements and reliefs in place
- ➤ SB23-213 sets a 90-day turnaround time for the department of local affairs to review and approve a submitted report or reject a report and provide feedback to a subject jurisdiction, and Greeley's current code cycle would better adjust to a 180 day turnaround time
- > SB23-213 does not include local government officials on the multi-advisory board as outlined by the bill, and the City of Greeley believes the voice of local government is of the utmost importance during such a process

Points of Engagement

- Exemption for HOAs and PUDs formed prior to 1/1/23 and constructed to at least 50%
- Adding and defining Tier 2 Urban Municipality and converting the bill's Tier 2 to Tier 3
- Limiting the funding to MPOs and DOLA to ensure the bulk of funding goes to local implementation activities
 - Suggestion of \$12M of the \$15M go to direct grants or technical assistance for implementation
- > Inserting some basic parking requirements

Points of Engagement

- Clarifying easements and street-side setbacks on lots; allowance for parks and civic uses in Key Corridors
- Adding prohibitions on ADUs and Middle Housing that would render designated historic properties or districts listed before 12/31/24 as no longer contributing
- Adding an exception for density-restricted properties due to environmental, ecological, and topographic constraints
- Defining average density for Key Corridors to include developed residential only

Questions & Comments

