

# Metropolitan District Code Amendment Options

**City Council Worksession**  
**May 3, 2022**



# Background

- **Metropolitan Districts are authorized by State Statutes and offer a means of financing and maintaining certain types of development and/or services to a specific geographic area**
- **As a quasi-governmental entity, a Metropolitan District is empowered to assess a property tax mill levy to all landowners within an established district to pay for qualified improvements or purposes**
- **Local governments must authorize permission for a petitioner to proceed to a vote to establish a metropolitan district (voted on by all landowners in the proposed district)**

# Metro District Approvals

- **Local governments may defer to state statutes in processing metropolitan district approvals or adopt their own regulations**
- **Local governments must act on petitions to proceed to an election to establish a metropolitan district but have full discretion on whether to advance such a request or not**
- **More than one Metropolitan Districts can overlap the same area, multiplying the added mill levy assessments for a property**

# Property Tax Overview

An additional Metro District property tax can reach 70 mills

TAXING ENTITY/mills	E of 77 <sup>th</sup> Ave.	W of 77 <sup>TH</sup> Ave.	W w/Metro
Aims	6.342	6.342	6.342
City of Greeley	11.274	11.274	11.274
Clearview Library Dist.		3.557	3.557
High Plains Library Dist.	3.197		
Northern CO Water	1.000	1.000	1.000
Tri-point Residential Metro*			48.790
School District No. 6	50.596		
Weld County	15.038	15.038	15.038
W Greeley Conservation Dist.		.414	
Windsor School District		41.956	41.956
TOTAL	87.447	79.581	127.957

\* Net additional mills in Promontory lot over central Greeley property is 40.51 mills or 46% more; for W. Greeley non-metro vs. metro the difference is 48.38 mills or 61% more.

# Greeley's Metropolitan Districts

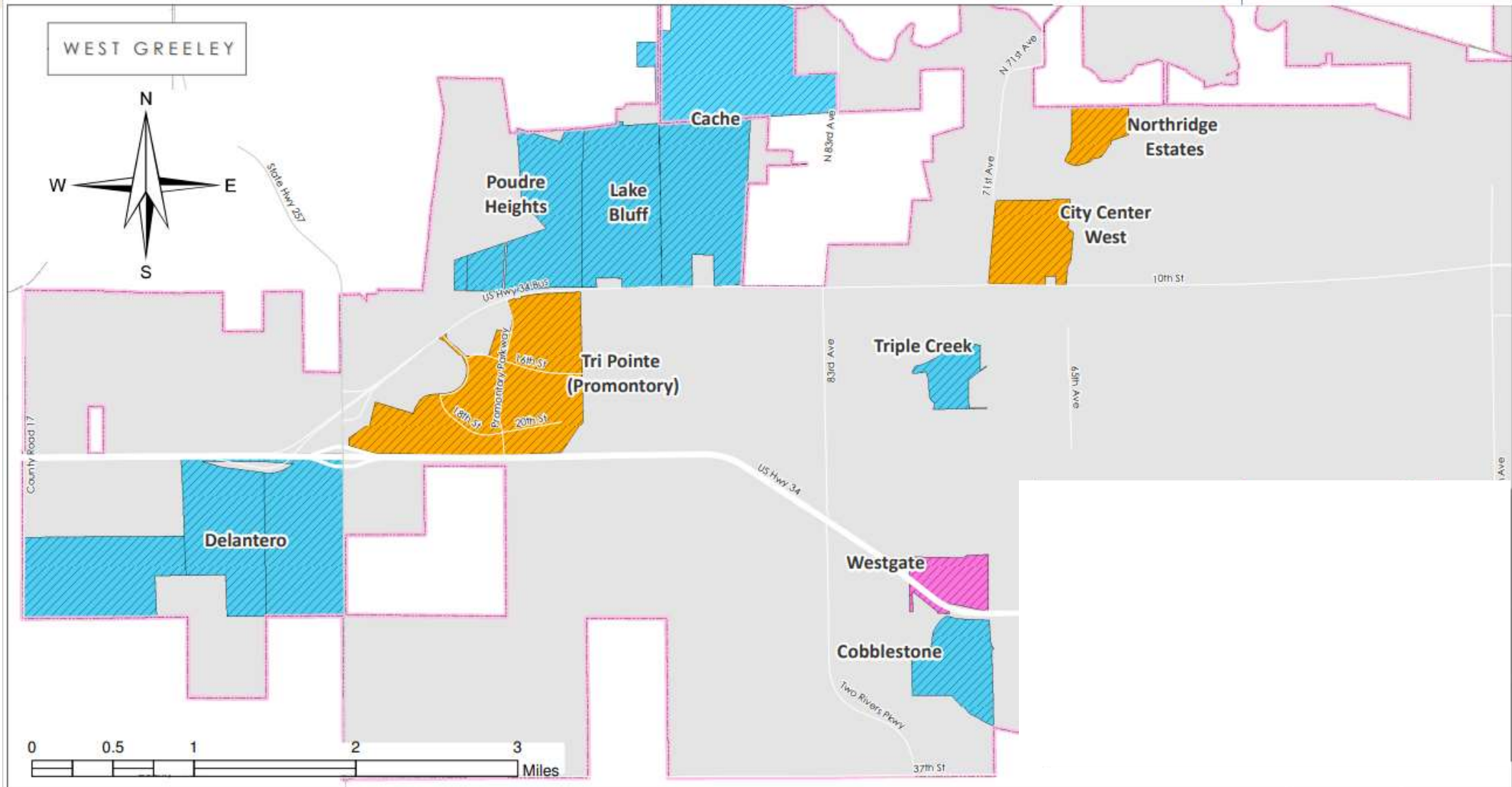
- **Greeley's first Metro District areas were approved in 1999 in the Promontory development to finance area infrastructure for residential and commercial land.**
- **Greeley resisted allowance of new metro districts until ultimately adopting its Metropolitan District Code and Model Service Plan in 2007, updated in 2018.**
- **Greeley standards generally reflect the minimum standards found in State Statutes.**



# GREELEY METRO DISTRICTS/ CURRENT DEVELOPMENT STAGES



COMMUNITY DEVELOPMENT



Active Construction
 Platted
 Seeking Land-Use Approvals (Zoning/Subdivision)
 Metro Districts

Greeley Limits

Created by: MDuran, CD, Planning on 5/6/21

# Actions to Consider

- 1. Update the current Greeley Metro District Code and Service Plan with basic and needed amendments;**
- 2. Consider adding new Metro District approval criteria to increase the enhancements required of Metro Districts with new applications;**
- 3. Monitor current state legislation for possible further amendments.**

# 1. Basic Amendments

- **Relocate Metro District regulations into Development Code**
- **Drop obsolete references (e.g., Mid Range Expected Service Area, number of plans to submit)**
- **Shift minimum Metro District size from geographic size to minimum debt limit (size is arbitrary; investment minimum more practical)**
- **Disallow eminent domain authority**
- **Add application deadlines for twice/annual election cycles**
- **Add public notice provision consistent with City Development Code**



## 2. New Metro District Criteria

**Add additional policy criteria to match other municipal objectives as “extraordinary public benefits” accomplished with Metro District financing tool. Examples include:**

- **Public infrastructure**
- **Water Conservation**
- **Housing Product mix/type**
- **Enhanced mobility options**
- **Public destination spaces (e.g., parks, special rec facilities)**
- **Strategic Housing Priorities (e.g., affordable, land bank fund)**
- **Infill/Redevelopment**
- **Economic development**
- **Design Enhancements**

# 3. State Legislation

**Monitor draft State Legislation for further update/modification of the GMC for consistency in administration (HB 22-1363). Current proposed changes include:**


- **Increased communication and transparency related to the legal entities/organizers forming a metro district and associated relationships between those parties and property owners;**
- **Added information required in financial plans and terms for any intergovernmental or extraterritorial service agreements;**
- **Limits debt repayment to 30 years**
- **Prohibits purchase of district debt by directors with a conflict of interest**
- **Expands scope of material modifications that would require jurisdictional approval**
- **Authorizes fee to offset jurisdictional costs associated with compliance measures**
- **Disallows metro district directors from meeting outside district boundaries**
- **Phased out use of metro boards for covenant enforcement**
- **Increases due diligence reviews from 5-yr. to annual reviews.**

# Timing & Process

## **1. Basic amendments (2 – 3 months)**

 **Staff initiate, Planning Commission review and recommendation, present to Council**

## **2. Consider additional Metro District approval criteria (6-9 months)**

 **Staff initiate, engage stakeholder input, Planning Commission review and recommendation, present to Council**

## **3. Monitor current state legislation for possible further amendments (on-going)**