

PROPOSED METROPOLITAN DISTRICT AMENDMENTS

The City's Metropolitan District Code was adopted in 2007, without any significant modification to the code since that time. In addition to the Code standards adoption, the City also adopted model service plan regulations in 2007. In 2017, staff from the Community Development and City Attorney's offices, and outside counsel with metro district experience, reviewed the 2007 Model Service Plan with the intent to update outdated standards.

The effort was to reevaluate the state-wide trends (there are over 1,500 metro districts in the state and 231 in Weld County) and financing practices, as a way to refresh the model service plan. The development stakeholders also provided feedback, which staff took into consideration and incorporated, in part, into the update.

A revised model service plan was adopted by the City Council in 2018, which included review by the Some features include the following:

- Total mill levy cap (i.e., tax limit) of 70 mills
- Limit the default rate of interest, at 18% maximum
- If debt refunding is considered by the metro board, requirement that the board majority is composed of a least three resident homeowners
- Limit operating "facility fees" (change reference to "capital fees")
- Require that proposed subdistricts or special assessment districts (both of which can increase the scope of the metro district) be reviewed by City Council for approval

Since the adoption of Service Plan in 2018, the city has processed an additional 8 new metropolitan districts areas, which were reviewed consistent to the city code and Service Plan criteria.

The following Metropolitan District Code Amendments are proposed:

1. Relocate Metropolitan District code standards from Title 2 (Administration and General Government) chapter 9 (Metropolitan Districts) to Title 24 (Development Code), chapter 12 (Metropolitan District – Reserved). As part of the 2018 Development Code update, chapter 12 was reserved for metropolitan district regulations, once changes to the code were proposed for changes
2. Section 2. 513 District Location: remove this entire section, since references to the Mid-range Expected Growth Area (MREGA) were removed as part of the City's 2009, 2060 Comprehensive Plan and not included in the City's 2018 Imagine Greeley Comprehensive Plan.

3. Section 2. 515: modify the minimum metropolitan district area from one acre to a minimum debt amount, consistent with industry standards. The minimum debt amount is typically ranging from \$7-10 million (may be adjusted higher due to increased infrastructure construction costs)
4. Section 2. 516: remove the option for a district to request for eminent domain power. A survey of communities along the Front Range indicated that most do not allow eminent domain power by metropolitan districts.
5. Section 2.525: remove the requirements to provide 12 copies of a proposed service plan with submittal. This requirement is outdated, since the city now accepts all Metropolitan District applications electronically.
6. Add a section for submittal application deadline for the annual November elections and the even year May elections.
7. Add a section for district dissolution process and criteria. Metropolitan district standards within neighboring communities have provisions allowing the city to dissolve inactive districts. The City Code currently does not have any provisions to that affect.
8. Add public notice for properties located outside of the district boundaries of 1000 feet. This provision would align Metropolitan District noticing consistent with the City's recently adopted Special Service District requirements.
9. If timely and adopted, update Code standards to align with the proposed metropolitan district legislation (HB 22-1363).

METROPOLITAN DISTRICT - ADDITIONAL GOALS AND POLICY CRITERIA OPTIONS

Emerging trends with metropolitan district regulations include additional policy criteria to match other municipal objectives. To date, Greeley has not established policy guidelines to apply to metropolitan districts. If adopted, additional review criteria would be evaluated by staff and presented to the City Council when considering new metropolitan districts and may include such elements as public benefit, additional transparency, and ways the district uniquely addresses Council's Strategic Priorities.

Staff reviewed several Front Range communities' policy plans and has compiled the following list of some additional criteria for Council to consider and, if desired, include in the City's Metropolitan District Service Plan as performance-based standards.

- I. In **determining whether a proposed district delivers extraordinary public benefits**, the City may consider:
 - A. How the proposed improvements exceed the city's minimum standards and requirements;
 - B. If the existence of the district facilitates extraordinary public benefits and whether such benefits are feasible without the district;
 - C. If the proposed extraordinary benefits are complementary and deliver greater benefit to the community together than individually; and,
 - D. Any other factors the city deems relevant under the circumstances.
- II. **Extraordinary public benefit standards** could include areas of critical public infrastructure, sustainability, and elements for predictable development in meeting the city's strategic priorities, such as:
 - A. Public infrastructure**
 1. Identify/construct public improvements that has been identified by the city as inadequate, either within the development or in near proximity;
 2. Community Park Land (beyond park dedication requirements);
 3. Regional stormwater facilities;
 4. District/developer construction of arterial roadway development, without payback provisions;
 5. Public parking structures, redevelopment district and higher density areas within district boundaries;
 6. Contributes to major highway improvements (e.g. Highway 34 bypass interchanges).
 - B. Conservation**
 1. Efficient irrigation system (WaterSense certified);
 2. Efficient front yard landscaping (reduce water use less than 10 gallons per square feet);

3. Separate drip irrigation systems for trees within parkways and right-of-way medians;
4. Efficient common area water use (based on the city water budget schedule)
5. Stormwater innovation – design
6. District-wide non-potable water systems
7. Energy conservation (solar farms, solar roofs installations)

C. Housing Products

1. Mixed housing types (affordable, attainable and executive)
2. Smaller lot sizes
3. Encourage mixed-use development

D. Enhance walkable, pedestrian friendly district

1. On-street, buffered bike lanes
2. Wider sidewalks
3. Enhanced pedestrian crossings

E. Offer available transit location or multimodal facilities

1. Add or improve transit stops, add transfer stations
2. Bus transfer facilities

F. Create public spaces that attract local interest

1. Neighborhood parks
2. Pocket parks
3. Natural areas
4. Special recreation facilities

G. City's strategic priorities

1. Affordable Housing
2. Units permanently affordable to 80% area median income
3. Dedicate land for a city land bank program or cash in-lieu

H. Infill / Redevelopment

1. Address regional stormwater concerns
2. Consolidate wetland and/ or natural areas
3. Structured parking
4. Utility upgrades (undergrounding, extending fiber network)

I. Economic

1. Job growth opportunities (above City's median income)
2. Retain existing employers
3. Market gaps

J. Design Enhancements

1. Entryway features
2. Architectural designs that exceed the Development Code standards
3. Public art features
4. Uniform lighting and master signage package
5. Enhanced open space, with bike and walking trails