

Council Agenda Summary

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Title:

Public hearing for an ordinance amending Title 24 of the Greeley Municipal Code relating to the Development Code by deleting the current Title in its entirety and adding a new Chapter 1 relating to General Provisions and a new Chapter 2 relating to Procedures

Summary:

The Community Development Department is undertaking a multi-year project to update the Development Code, with an anticipated final adoption in September of 2021. The last major update to the Development Code was in 1998. A Plan Conformance Report was prepared and used as a guide to determine areas where the code could be improved to conform to the Comprehensive Plan and other policy documents; staff reviewed this report with a citizen Advisory Committee, Planning Commission, and City Council.

Staff is bringing forward the first two chapters in the overall code update, Chapters 1 and 2. As detailed below, two remaining portions of the code will be brought for public hearing in July and August. The 2nd Reading in September is intended to then formally bring the three portions together, but without re-opening the public hearings or soliciting additional public comment.

Changes are discussed in detail in the attached Staff Report, particularly in the "Section Maps," which explain the purpose for re-organization in the manner proposed, as well as rationale for simplifying, conforming to existing law, or implementing policies found in the Comprehensive Plan and other city documents.

More generally, updates to the two chapters are as follows:

Chapter 1 – General Provisions, discusses the relationship of the Development Code to the City's Comprehensive Plan and other plans and studies, provides the overall administration and enforcement of the code, includes a methodology to interpreting the Development Code, specifies methods for handling non-conforming uses, structures, and lots, and includes the following sections:

- Chapter 1 – General Provisions

 - Section 24-101 Overview

 - Section 24-102 Interpretation

 - Section 24-103 Administration

 - Section 24-104 Enforcement

 - Section 24-105 Nonconformities

Chapter 2 – Procedures, defines the City's procedures for processing land use applications and includes these key provisions:

- The addition of a Procedures Summary Table;
- A new requirement for Preliminary Plats to be approved through a public hearing, rather than a public meeting;
- Clarifications regarding processing concurrent applications;
- Modifications to public notice procedures;
- Clarifications between various types of minor subdivision applications;
- The addition of a Condominium Plat process;
- The separation of platting from Planned Unit Development (PUD) applications;
- Simplification of PUD process – now one step, rather than two;
- Clarification regarding the required plan elements of a PUD;
- The addition of criteria for minor PUD amendments;
- Clarification regarding review criteria for Alternative Compliance, with approval of Alternative Compliance being moved to an administrative decision with a call-up provision;
- Removal of Design Review Applications;
- Revisions to require variances to meet all criteria, rather than some; and
- Revisions to minor variance thresholds.

Specifically, Chapter 2 includes revisions and updates to the various application types and processes and includes the following sections:

Chapter 2 - Procedures

- 24-201 General – All Applications
- 24-202 Minor Subdivision
- 24-203 Major Subdivision
- 24-204 Rezoning
- 24-205 Planned Unit Development
- 24-206 Use by Special Review
- 24-207 Site Plan
- 24-208 Alternative Compliance
- 24-209 Variance
- 24-210 Appeals of Administrative Decision
- 24-211 Code Amendments
- 24-212 Vacation & Dedication of Easements
- 24-213 Vacation & Dedication of Right-of-way
- 24-214 Annexation

On March 23, 2021 and April 27, 2021, Staff conducted worksessions with the Planning Commission regarding the proposed revisions for Chapters 1 and 2 and presented Planning Commission with draft code language during the worksessions. On April 13, 2021, Staff conducted a worksession with City Council to highlight the proposed revisions to Chapters 1 & 2. On May 18, 2021, the Planning Commission recommended Council adopt Chapters 1 and 2, with a vote of 7-0. No members of the public spoke during the public hearing portion of the meeting.

The proposed schedule for the adoption of the Development Code is as follows:

Track	Chapter(s)	PC Worksession	PC Hearing	CC Public Hearings
Track I - Non-substantive changes for organization and improved usability.	Ch 1 – General Provisions	March 23, 2021	April 13, 2021	June 1, 2021 (First Reading)
	Ch 2 - Procedures	April 27, 2021	May 18, 2021	June 15, 2021 (Public Hearing) September 21, 2021 (2 nd Reading - Final Adoption)
Track II - Non-policy technical changes and coordination with other City policies and documents.	Ch 7 – Access & Parking Ch 8 – Landscape & Site Design Standards Ch 9 – Signs Ch 10 – Special Purpose Districts & Areas Ch 11 – Supplemental Standards Ch 12 – Reserved for Metropolitan Districts	May 25, 2021	June 8, 2021	July 6, 2021 (First Reading) July 20, 2021 (Public Hearing) September 21, 2021 (2 nd Reading - Final Adoption)
Track III - Substantive changes called for in the Comprehensive Plan, Strategic Housing Plan, and Council's 3-Year Priorities that need broader input and direction from the Advisory Committee, Planning Commission, and City Council.	Ch 3 – Subdivision Standards Ch 4 – Zoning Districts & Uses Ch 5 – Neighborhood Development & Design Standards Ch 6 – Non-residential Development Standards Ch 13 – Definitions	June 22, 2021	July 27, 2021	August 3, 2021 (First Reading) August 17, 2021 (Public Hearing) September 21, 2021 (2 nd Reading - Final Adoption)

Staff has provided a section map for Chapters 1 and 2 (Attachments B & D of the Staff Report) which outline the various sections in the existing Title 18 (recodified as Title 24).

Staff is anticipating an effective date of October 1, 2021.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process.

Other Issues and Considerations:

None

Strategic Work Program Item or Applicable Council Priority and Goal:

The Development Code Update project relates to a number of Council Priorities and Goals:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play. The revised code will create opportunities to reinforce the City's vision as an attractive and vibrant community by modernizing, streamlining, and simplifying the Development Code requirements. The revised code language is designed to provide tables, charts, graphics, and clear intent statements to make the code easier to navigate and will be written in clear, simplified language.

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors. The first zoning regulations in the United States were developed to protect health, safety, and welfare. This update to the City's development code continues this original intent, by setting standards for well-designed streets, water and sewer systems, neighborhoods, parks, trails, open space, and floodplains.

Economic Health & Development: Foster and maintain public and private investment in business development. Throughout the code update process, staff has worked with an Advisory Committee comprised of members from the development community, businesses, homebuilders, and citizens, as well as the Planning Commission, to draft regulations that create a streamlined, clear, and predictable development process.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community. The revised regulations have been developed to support Council's 3-Year Priorities, the Strategic Housing Plan, and the Imagine Greeley Comprehensive Plan. The proposed regulations will encourage a variety of housing options, mixed-use development options, and walkable, human-scale development to help keep Greeley competitive with neighboring jurisdictions.

Decision Options:

- 1) Direct staff to bring the ordinance for a second reading; or
- 2) Direct staff to amend the ordinance and bring the amended ordinance for a second reading; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to direct staff to bring back the ordinance as presented for a second reading on September 21, 2021.

Attachments:

Draft Ordinance for Adoption of Chapters 1 & 2

Planning Commission Staff Report

 Draft of Chapter 1 – General Provisions

 Section Map for Chapter 1

 Draft of Chapter 2 - Procedures

 Section Map for Chapter 2

Planning Commission Minutes – PC Hearing – May 18, 2021

PowerPoint Presentation