



PLANNING COMMISSION

Proceedings

December 15, 2020
(Zoom Webinar and viewable on City of Greeley YouTube)
1:15 p.m.

I. Call to Order

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

II. Roll Call

Chair Yeater, Commissioners Andersen, Schulte, Briscoe, Franzen and Romulo were present. Commissioner Modlin was absent.

III. A public hearing to consider an Ordinance repealing Chapter 18.44 and Appendix D in their entirety, adding a new Chapter 18.44, amending portions of Chapter 18.04.110, 18.42.030, and amending Appendix 18-B of the City of Greeley Municipal Code, all regarding Landscaping, Irrigation, Buffers, and Screening Standards

Project Name: Landscape Code Update
Case No.: CU2018-0002
Applicant: City of Greeley
Presenter: Marian Duran, Long-Range Planner

Chair Yeater introduced the case. Commissioner Modlin joined the meeting at 1:16 p.m.

Marian Duran addressed the Commission and made reference to the prior Planning Commission worksession where information was presented and discussion held with regard to updates to the Landscape Code. She introduced some of the planners and consultants who worked on the update. Ms. Duran presented the goals and priorities and noted that they align with the Imagine Greeley Comprehensive Plan as well as the water conservation and landscape policy for water efficiency. She added that the language in the proposed plan is designed to be less confusing and more user friendly.

Ms. Duran explained that feedback was received from industry experts who brainstormed with staff and committee members on ideas that worked in other communities and what might work for Greeley. She introduced Courtney Stasiewicz, a landscape designer with the Birdsall Group in Littleton, Colorado. Ms. Stasiewicz was contacted by Ms. Duran and the team in late August and approximately 15 people participated in the process to prepare a draft revised Landscape Code.

A public meeting was held in November and a bilingual survey was made available on the department website. Ms. Duran briefly highlighted a few of the 85 responses that were received and noted that the full survey results were in the packet.

Ms. Duran presented a slide comparing the current landscape code language to the proposed language. She described the purpose and intent as well as some of the requirements for single-family and two-family lots. Ms. Duran stated that some of the confusing language in the code about trees, buffer yards, perimeter treatment and parking lot standards had been revised or eliminated.

Ms. Duran also spoke about the importance of meeting water conservation goals established by the City and noted that water conservation and irrigation guidelines will be compiled into a manual by the Water and Sewer Department and utilized by city staff. She explained that since changes could be made quite often, it made sense to compile the materials into a manual rather than include within the Code.

Commissioner Andersen referenced page 8 of the packet about entry corridors maintaining architectural landscaping design and asked what an entry corridor was, as she could not locate a definition in the draft. Ms. Duran explained that an entry corridor could include an entry into the City of Greeley or into a subdivision that would provide an enhancement to the landscaping of that area and make it more visually appealing. She added that staff is also considering an update to the Entry Corridor Plan as it has become outdated. Upon question by Commissioner Andersen as to whether the requirements would apply to all businesses along a corridor, Ms. Duran advised that it would depend upon the location of a project. She referenced projects in the past at State Farm and the Colorado Department of Transportation on west Highway 34. Commissioner Andersen expressed concern that a commercial property located along an entry such as Highway 85 could lose part of its property to create aesthetically pleasing landscaping as a requirement of the Code, adding that it could increase the cost per square foot. Ms. Duran advised that the requirement might only apply to a property and would not be required throughout the corridor.

Commissioner Romulo asked whether entry corridors are clearly delineated. Mike Garrott, Planning Manager, addressed the Commission and stated that Ms. Duran was referring to a 1993 corridor plan adopted by the City that highlights landscaping, art features, and sense of place when entering larger corridors such as what is seen on 11th Avenue, 10th Street and the Highway 34 "Welcome to Greeley" sign. He added that the language in the Code is describing major corridors or projects that are usually done by the City or State, adding that the City is not requiring additional landscaping under the current or new Code. He noted that the goal is to create a sense of place, enhance business and provide a uniform theme. Upon question by Commissioner Andersen as to whether it was being considered as a goal or a requirement, Mr. Garrott advised that it would be a requirement. He added that Planning staff will review when projects are developed along major corridors.

Referring to page 15 of the packet, Commissioner Andersen asked if trees planted in the parkway counted as trees in front of a residence. Ms. Duran advised that the requirement is for one tree in a private yard and one tree in a parkway. She added that single-family and two-family dwellings will be required to have one tree in the front yard and one tree in the parkway, with a 35-foot distance between trees.

Ms. Stasiewicz addressed the Commission and stated that it is typical for designers and developers to install parkway trees and that owners are responsible for planting trees on their property. Commissioner Andersen asked what would occur if a lot is not big enough to maintain a 35-foot distance between trees. Ms. Duran advised that each situation and neighborhood is unique and would be reviewed accordingly based on lot size.

Commissioner Andersen asked who was responsible for requiring an owner to plant a tree in the yard and when that might occur. Ms. Duran stated that a developer would install parkway trees as part of construction and that planting of trees in the yard would be enforced by Code Compliance when performing neighborhood equity sweeps. She added that the focus is more on new developments as it would be difficult to enforce in older neighborhoods. Commissioner Andersen also noted a spelling error on page 10.

Commissioner Romulo referenced language on page 10 of the packet noting that landscaping plantings shall be designed to establish water efficient irrigation practices. She asked if this was a requirement and whether it might be a code violation for residents who may want to include bluegrass or other grasses. Ms. Duran advised that it is not a requirement; however the Code encourages continued water conservation. She described the “Life after Lawn Program” that provides incentives for property owners who switch some bluegrass for xeriscaping for water efficiency.

Brad Mueller, Community Development Director, addressed the Commission and indicated that the language that appeared to be a requirement may not be the intention. He suggested providing the Commission with language to consider when making a motion. Carol Kuhn, Chief Planner, addressed the Commission and provided some options that could be worked into a motion to correct any spelling errors and clarify language in specific sections. Upon question by Chair Yeater, Ms. Kuhn agreed to attempt to craft a motion that encompassed all of the Commission’s comments. Commissioner Romulo noted that her comments were about language in Section 18.44.040, stating that if the subsections contain a combination of required and optional requirements, they should be separated. She added that if all of the items in the subsections are optional, a header text would probably suffice.

Commissioner Andersen referenced language in Section 18.44.100(a)(1) requiring a perimeter treatment plan demonstrating landscaping in areas adjacent to all rights-of-way behind the *walk in low density suburban areas* and asked about the meaning of “walk in low density suburban areas.” Ms. Duran was unsure of the intent and offered to review and make any necessary revisions. Commissioner Schulte offered that perhaps language from another jurisdiction was used in the working draft and possibly not deleted. Mr. Mueller suggested clarification by adding the word “sidewalk” in low-density suburban areas and Ms. Duran agreed. Commissioner Schulte pointed out that this appears to be the only section where the word “suburban” appears and asked whether it was necessary to be included. Ms. Duran suggested that it was probably included at the request of one of the committee members but could be removed if it does not make sense or creates confusion.

With regard to Section 18.44.110, Median Standards, Commissioner Andersen noted that plant coverings would be designed with a mulch of choice. She wanted to ensure that floatable mulch would not be installed where it might float away and clog storm drains. Ms. Duran advised that language regarding floatable mulch had been included in an earlier draft, but that after talking with experts in the Stormwater Division who advised that any type of mulch material will eventually float away, the language was removed. She added

that it is difficult to require non-floating mulch when it cannot be prevented from being displaced.

With regard to ground cover described in Attachment C, Commissioner Andersen noted the reference to patterned concrete and asked whether patterned concrete was considered proper ground cover. Ms. Duran stated that it was not the intent that ground cover be exclusively patterned concrete and offered to review the language in more detail. Commissioner Romulo noted that there appeared to be two definitions of patterned concrete. Ms. Kuhn suggested using the word “paver” instead of patterned concrete. Commissioner Franzen asked whether there should be a limit to the size of pavers. Ms. Duran pointed out that there is still a requirement that at least 50 percent of the yard must be landscaped. She advised that staff wanted to eliminate too many standards appearing in the Code and that perhaps specific information could be included in a policy manual. Commissioner Andersen agreed that it would be a good idea to make the policy broad and have a handbook with specifics.

Upon question by Commissioner Andersen, Ms. Duran described the meaning and purpose of a footstep in commercial parking areas, adding that it is a step or area designed to avoid individuals walking on landscaped areas. It would ensure the preservation of landscaping next to parking areas and would be more comfortable for people who park adjacent to parking islands without stepping onto landscaping or rock. Upon further question by Commissioner Andersen, Ms. Duran advised that footsteps can be lowered, paved or striped areas.

Commissioner Romulo noted that, similar to ground cover, there were two definitions of “screening” and “weed.” Commissioner Andersen also pointed out that there were duplicate definitions of “street tree.” Commissioner Andersen expressed that it could be difficult to word a motion that contained all of the changes discussed during the hearing.

Chair Yeater opened the public hearing at 2:04 p.m. There being no public comment by mail, email or chat, the public hearing was closed at 2:04 p.m.

Chair Yeater echoed Commissioner Andersen’s comments about how to properly word a motion that captured all of the suggested changes. Commissioner Briscoe added that following the earlier lengthy worksession on this matter, the Commissioners had received a 71-page code update to review and take action at this hearing. He noted the concerns that had been identified and did not feel that this forum would be conducive to a thoughtful recommendation by the Planning Commission. He indicated that it felt rushed and asked whether the special hearing had been scheduled due to an urgency to expedite the code adoption process. Mr. Mueller responded and indicated that there was no inherent urgency and that the reason for the special hearing was in recognition that the regular hearing on December 22nd was not a workable date for the Commission. Mr. Mueller expressed his understanding that it is difficult to wordsmith a motion on the spot, and would advocate for a continuance to a date certain to address comments brought up during the hearing if the Commission was more comfortable. Chair Yeater asked whether the presentation would need to be repeated in its entirety.

Chair Yeater turned it back over to the Commission, indicating his recommendation to review the Code with the proposed changes before voting on the matter. Commissioner Romulo added that it would be important for staff to make sure to specifically and clearly delineate items in the Code that are recommended versus those that are required. Chair Yeater confirmed that the next regular hearing is January 12, 2021 and asked whether it would be necessary to schedule another special hearing. Mr. Garrott stated there was no reason to schedule another special hearing.

Commissioner Andersen moved to continue the item to January 12, 2021. Commissioner Romulo seconded the motion. The motion carried 7-0.

IV. Staff Report

Brad Mueller introduced Gary Roberts, the new Code Compliance Supervisor. Mr. Roberts addressed the Commission and provided a brief background, adding that he is happy to be in Greeley and looks forward to working with the Planning Commission in the future.

Mr. Mueller expressed appreciation for the Commission's time and effort reviewing the items for today's hearing, providing feedback and making recommendations for revisions. Since the code change not a quasi-judicial matter, Mr. Mueller extended an invitation to Commissioners to reach out to each other or contact him or staff with any comments or questions. Commissioner Briscoe asked whether a legal issue would be created by providing materials earlier when being asked to consider an item of this magnitude. He stated that it would have been beneficial to have the 71-page code document at the previous worksession rather than a few days prior to the hearing. Commissioner Briscoe expressed concern that there may not have been enough time to digest the information prior to being required to vote on a recommendation to City Council on repeal and replacement of the landscape code. Mr. Mueller advised that materials could be provided in advance of worksessions, with official drafts for adoption placed in packets prior to hearings. Mr. Garrott stated that the Code, with revisions, would be sent out the week after the Christmas holiday. Ms. Kuhn added that other jurisdictions sometimes schedule two worksessions prior to a hearing: one for more detailed policy-level discussions and another where drafts are worked through with staff. She asked if this might be something the Commission is interested in considering in the future.

The meeting adjourned at 2:22 p.m.

V. Adjournment to Worksession

Topic: Development Code Update – Housing Options
Presenters: Carol Kuhn, Chief Planner and Consultant (Gould Evans)

DocuSigned by:
Justin Yeater
3F44E3E176F84C8...

DocuSigned by:
Brad Mueller
7418AD096A3C407...

Justin Yeater, Chair

Brad Mueller, Secretary