



Remote Meeting Instructions for the February 2, 2021, City Council Meeting:

In order to comply with all health orders and State guidelines to stop the spread of the COVID-19 Coronavirus, **no physical location, including the City Council Chambers, will be set up for viewing or participating in this Council Meeting.**

You can view this Council Meeting by following the instructions below to watch the YouTube live stream. By utilizing this option to view the meeting, you will not be able to provide live input during the meeting. To provide live input, see the "In real time" instructions near the bottom of this page.

- From your laptop or computer, click the following link or enter it manually into your Web Browser: (www.youtube.com/CityofGreeley)
- Clicking the link above will take you to the City of Greeley's YouTube Channel.
- Once there, you will be able to view the meeting!

Citizen input and public comment for items appearing on this agenda as public hearings/quasi-judicial are valuable and welcome!

Anyone interested in participating and sharing public comments have a few of options:

Via email? – Submit to cityclerks@greeleygov.com

All comments submitted this way will be read into the record at the appropriate points during this meeting in real time. Comments can be submitted up to and throughout this meeting.

Via traditional Mail? - Address to the Greeley City Clerk's Office, 1000 10th Street, Greeley, CO 80631

All written comments must be received no later than the day of the meeting. Again, written comments received by mail will also be read into the record in real time.

In real time? – <https://greeleygov.zoom.us/j/98241485414>

Clicking the link above will give you access to the live meeting where you will become a virtual audience member and be able to speak under Citizen Input on items not already on the agenda or during a scheduled public hearing.

Please visit the City's website at <https://greeleygov.com/government/council> to view and download the contents of the January 19, 2021, City Council Meeting. You are also welcome to call the City Clerk's Office at 970-350-9740 with any special needs or questions that you may have.



City Council Agenda

February 02, 2021 at 6:00 PM

This meeting will be conducted remotely. (See previous page for participation instructions and/or to view the YouTube live stream.)

Mayor

John Gates

Councilmembers

Tommy Butler
Ward I

Brett Payton
Ward II

Michael Fitzsimmons
Ward III

Dale Hall
Ward IV

Kristin Zasada
At-Large

Ed Clark
At-Large

A City Achieving
Community Excellence

Greeley promotes a healthy, diverse economy and high quality of life responsive to all its residents and neighborhoods, thoughtfully managing its human and natural resources in a manner that creates and sustains a safe, unique, vibrant and rewarding community in which to live, work, and play.

1. [Call to Order](#)
2. [Pledge of Allegiance](#)
3. [Roll Call](#)
4. [Recognitions and Proclamations](#)
5. [Citizen Input](#)
6. [Approval of the Agenda](#)
7. [Reports from Mayor and Councilmembers](#)
8. [Initiatives from Mayor and Councilmembers](#)

Consent Agenda

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Council or staff may request an item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

9. [Acceptance of the Report of the January 12, 2021, City Council Worksession](#)
10. [Approval of the City Council Proceedings of January 19, 2021](#)
11. [Consideration of a resolution of the City of Greeley City Council authorizing the City to enter into an Intergovernmental Agreement with Weld County for construction of roadway improvements for "O" Street and 35th Avenue roundabout improvements](#)
12. [Consideration of a resolution authorizing the City Attorney to institute legal action seeking damages against Jacobs Engineering Group, Inc.](#)
13. [Consideration of a resolution to adopt the "Get Outdoors Greeley" Natural Areas and Trails Strategic Plan](#)

14. [Consideration of a Resolution accepting the 2020 Raffelis Development Impact Fee and Plant Investment Fee Study for purposes of recording compliance with Greeley Municipal Code §4.64, not adopting the Study's recommended fee structure, and maintaining the current fee structure](#)
15. [Introduction and first reading of an ordinance amending Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code \(Concerning Water Use Restrictions and Drought Response\)](#)
16. [Introduction and the first reading of 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 and 18.42.030, and amending Appendix 18-B of the City of Greeley Municipal Code, all regarding Landscaping, Irrigation, Buffers, and Screening Standards](#)

End of Consent Agenda

17. [Pulled Consent Agenda Items](#)
18. [Public hearing and final reading of an ordinance establishing Local Improvement District No. 43840 for the construction of sanitary sewer infrastructure.](#)
19. [Public hearing and final reading of an ordinance amending Chapters 4.04 and 4.08 of the Code of the City of Greeley regarding Economic Nexus and the obligation of remote sellers to collect and remit sales tax](#)
20. [COVID-19 Update](#)
21. [Executive Session for Annual Review of the City Attorney](#)
22. [Scheduling of Meetings, Other Events](#)
23. [Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances](#)
24. [Adjournment](#)

Council Agenda Summary

February 2, 2021

Title

Call to Order

Council Agenda Summary

February 2, 2021

Title

Pledge of Allegiance

Council Agenda Summary

February 2, 2021

Title

Roll Call

Summary

Mayor Gates

Councilmember Butler

Councilmember Payton

Councilmember Hall

Councilmember Fitzsimmons

Councilmember Clark

Councilmember Zasada

Council Agenda Summary

February 2, 2021

Title

Recognitions and Proclamations

Summary

Councilmember Clark will present the What's Great about Greeley Report.

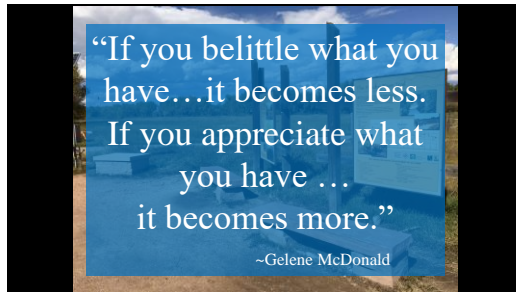
Attachments

What's Great about Greeley Report

Slide 1



Slide 2



At each Council Meeting, we recognize the people, organizations and businesses that make Greeley Great.

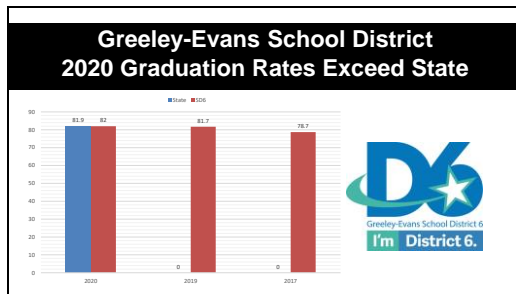
Tonight it's my turn to announce the recognitions. I'll start with a quote, "If you belittle what you have, it becomes less. If you appreciate what you have, it becomes more." With these announcements we are appreciating the good work of our residents, showing support for their efforts, and encouraging everyone to share the word that Greeley is Great.

Slide 3



Greeley has been ranked #4 on Bankrate.com’s “Best Places to Live in Colorado” list. The list takes into account affordability, safety, job market, educational attainment, and culture.

Slide 4



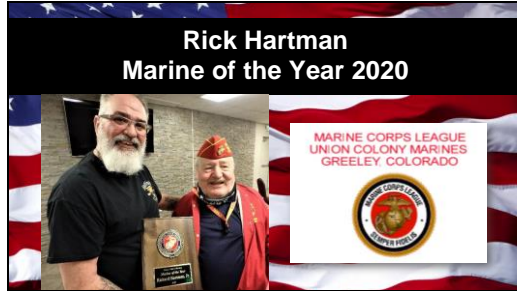
For the third year in a row, Greeley-Evans School District 6 has exceeded the state average for the number of students graduating within four years of starting high school. The 2020 on-time graduation rate of 82 percent is an increase from 81.7 in 2019 and a significant increase over the 2017 graduation rate of 78.7. The state average for 2020 is 81.9 percent.

Slide 5



Drive Safe Weld County, a program created to reduce vehicle injuries and deaths among teenage drivers, has won State Farm’s Good Neighbor Citizenship Award and a \$1,000 grant for student-led safety programs, classes, and more.

Slide 6



Congratulations to Rick Hartman for being named Marine of the Year for 2020 by the Union Colony Marines, Detachment 1093.

Slide 7



And finally, kudos to Dr. Brad Edgren for earning the prestigious America's Best Dentists Award from the National Consumer Advisory Board.

Slide 8



And that's What's Great about Greeley.

Council Agenda Summary

February 2, 2021

Title

Citizen Input

Summary

During this 15 minute portion of the meeting, anyone may address the Council on any item of City Business appropriate for Council consideration that is not already listed on this evening's agenda. Individual comments read into the record will be limited to 3 minutes and must include the name and address of the person submitting the comments for the record.

Council Agenda Summary

February 2, 2021

Title

Approval of the Agenda

Council Agenda Summary

February 2, 2021

Title

Reports from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may offer announcements or reports on recent events and happenings. These reports should be a summary of the Councilmember's attendance at assigned board/commission meetings and should include key highlights and points that may require additional decision and discussion by the full Council at a future time.

Council Agenda Summary

February 2, 2021

Title

Initiatives from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may bring before the Council any business that the member feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

Initiatives will generally fall into three categories:

- 1) A policy item for Council deliberation and direction for a future Worksession, Committee meeting, or regular/special Council meeting;
- 2) A request to the City Manager for information or research;
- 3) A request involving administrative processes or procedures.

At the close of this portion of the meeting, the Mayor will confirm Council's consensus that the individual requests be pursued.

Attachments

Status Report of Council Initiatives and Related Information

Greeley City Council
Status Report of Council Initiatives

Council Request	Council Meeting, Worksession, or Committee Meeting Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
Council Member Zasada offered an initiative relating to the level of the use of outside consultants by the City. She requested and received consensus to proceed with seeking an internal audit for the previous two years relating to the use of outside consultants on City projects and operations, including the total costs involved.	January 19, 2021 Council Meeting	In response to Council Member Zasada’s request for an audit of the usage of consultants within the City, the Purchasing Division of the Finance Department will compile an inventory of contracts of a value of \$50,000 or greater with consultants of a professional services nature between the period of 2018-2020 including cost, host department, and purpose associated with contracting services for distribution to the City Council by the end of February.	

Consent Agenda

February 2, 2021

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Once the Clerk has read each Consent Agenda item into the record, along with Council's recommended action, Council or staff may request the item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

The Consent Agenda includes Items No. 9 through 16 and their recommended actions.

Council's Recommended Action

To approve Items No. ____ through ____ or

To approve Items No. ____ through ____ with the exceptions of No.(s) ____

Council Agenda Summary

February 2, 2021

Key Staff Contact: Anissa Hollingshead, City Clerk, 970-350-9742

Title:

Acceptance of the Report of the January 12, 2021, City Council Worksession

Summary:

A City Council Worksession was held on January 12, 2021, virtually utilizing the Zoom Platform.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

January 12, 2021 Report

City of Greeley, Colorado
CITY COUNCIL WORKSESSION REPORT
January 12, 2021

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Cheryl Aragon, Deputy City Clerk, called the roll.

PRESENT

Mayor John Gates

Council Member Tommy Butler

Council Member Brett Payton

Council Member Dale Hall

Council Member Michael Fitzsimmons

Council Member Ed Clark

Council Member Kristin Zasada

4. Reports from Mayor and Councilmembers

Council Member Hall reported on a recent meeting with the Towns of Windsor, Severance and Eaton at which O Street and connections from it to I-25 and Highway 85 were discussed. He noted that talks have turned to connecting via Highway 392 and that the conversation will continue with the Colorado Department of Transportation (CDOT).

Council Member Butler reported on the upcoming Virtual Martin Luther King Day Program and March scheduled for January 18th and directed everyone wanting more information to the City's website.

5. COVID-19 Update

Dan Frazen, Emergency Manager, reviewed the most recent statistics; spoke of the COVID-19 variant that has reached a few Colorado Counties, but not Weld; highlighted the 65th Avenue testing site; and reminded everyone that Weld County and Greeley are both operating in the State's Orange level at this point.

Emergency Manager Frazen, along with Anissa Hollingshead, City Clerk, went on to provide an update on the City's Five Star Program. City Clerk Hollingshead made note of a recent Committee Meeting and stated that the City still awaits State approval, but that it is very close. She added that the Town of Windsor may join our program after that recommendation came from the Colorado Department of Public Health and Environment. All requested documentation to affect that partnership has been provided to the State.

City Clerk Hollingshead wrapped up her update by noting that things are moving forward, and everyone involved is happy with the engagement and partnerships thus far.

6. Terry Ranch Water Project Update

Sean Chambers, Water & Sewer Director, reported that this project is really about storage and drought resiliency, and about a way to use ground water conjunctively with senior water rights within the City's infrastructure. He noted that this update will focus on the City's due diligence efforts.

Director Chambers shared that the staff came upon this project through the Federal Permitting process noting that it was quickly identified as an alternative and studied it along with all other alternatives. He stated that it became the City's preferred option, and an aggressive due diligence process began.

Along with Adam Jokerst, Deputy Director of Water Resources, Director Chambers provided detail about this due diligence work, related costs, and responded to various questions that have been raised about this project. They concluded their presentation by stating that staff expects to complete the review of engineering work in the coming weeks, and the project will come back to Council in March.

Harold Evans, Water & Sewer Board Chairman, was present and stated that he has kept a big picture attitude when considering this project such as growth, Greeley's agricultural history and background, climate change and things that could impact the City's water supply given that there is significant regional competition for water supplies.

Chairman Evans concluded by stating that he has full confidence in the City staff and expertise, and he emphasized his support of this project.

Mick Todd, Water & Sewer Board Member, reiterated what Chairman Evans shared and added that this project has had more due diligence than any other project he has seen in his time on the Board. He noted that staff is working hard to address concerns and questions from the community, and as such, expressed support for this project.

In response to a question from Council Member Zasada about long-term drought supply, Deputy Director Jokerst advised that the design of this project is for a six-year drought in which all supplies are running low. He emphasized that this project would get the City through that and it wouldn't be used year in and year out.

Council Member Clark inquired about processing this water during spring runoff, and Deputy Director Jokerst shared that some of it could be treated during the spring, but also at other times of the year.

Deputy Director Jokerst also shared, in response to an additional question from Council Member Clark that all uranium will be removed before the water ever enters our pipeline.

Staff concluded its presentation by noting that permitting Milton Seman is extremely difficult, so this project was found because the Water & Sewer Board directed staff to find other alternatives.

Staff and the Board were thanked for their time and efforts on this project and this update.

7. City of Greeley Natural Areas and Trails Strategic Plan

Andy McRoberts, Culture, Parks & Recreation Director, introduced Justin Scharton, Superintendent of Trails and Natural Areas, who provided a summary of this ten-month effort to prioritize efforts and work with both internal and external partners to develop a strategic plan. He made note of the extensive outreach to develop an inclusive road map moving forward.

Jeremy Call, Consultant, was introduced, and he spoke of the five-year strategic plan for natural areas, trails & open lands and made note of the need for strategy since this is a new Division for the City with no dedicated funding sources. He stated that COVID-19 has underscored the importance of parks, trails and natural spaces.

Mr. Call reviewed the current inventory with the City of parks, trails and open spaces and reviewed the various phases and revisions to this plan. He also reported that there has been extensive outreach and engagement in the community and with the City's Boards and Commissions.

Discussion turned to moving forward with alternative funding mechanisms as a tax may be hard to sell to voters.

Staff was thanked for their work on this.

8. Development Impact Fee Discussion Follow Up

Brad Mueller, Community Development Director, reported that this item is a follow-up from the last time it was discussed with Council. He referenced a chart that provides research requested by the Council at that time.

He also noted, relative to the five-year study, that staff would like to bring forward a formal action which would finalize acceptance of the Study and that the fee recommendations within it are not being adopted, but rather that the City will move forward with existing fees in place.

Council reached general consensus to proceed as outlined to take formal action at a future meeting.

9. Development Code Update – Housing Options and Missing Middle

Director Mueller reported that the Development Code Update has been discussed with Council and that periodically staff will be coming back with individual topics for updates and feedback. He introduced Chris Brewster, Consultant with Ayres and Associates, who reviewed the overall project and its' goal of implementing the Comprehensive Plan, raising expectations, improving regulations, and policy coordination.

Mr. Brewster went on to review various tracks, structure, improvements, and additions in the areas of engagement and updates, as well as key issues for each track. He also reviewed housing types that exist now.

Director Mueller advised that he and staff will continue to solicit feedback and continue with additional presentations going forward. He especially thanked Council Members

Butler and Zasada for their work on this project along with the staff.

10. Scheduling of Meetings and Other Events

City Manager Otto noted that there were no additional meetings or events scheduled.

11. Adjournment

There being no further business before the Council, the meeting was adjourned at 8:20 p.m.

John Gates, Mayor

Cheryl Aragon, Deputy City Clerk

Council Agenda Summary

February 2, 2021

Key Staff Contact: Anissa Hollingshead, City Clerk, 350-9742

Title:

Approval of the City Council Proceedings of January 19, 2021

Summary:

A meeting of the City Council was held on January 19, 2021, virtually utilizing the Zoom Platform.

Decision Options:

1. To approve the proceedings as presented; or
2. Amend the proceedings if amendments or corrections are needed, and approve as amended.

Council's Recommended Action:

A motion to approve the City Council proceedings as presented.

Attachments:

January 19, 2021 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
January 19, 2021

1. Call to Order

Mayor John Gates called the remote meeting to order at 6:00 p.m. via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Anissa Hollingshead, City Clerk, called the roll.

PRESENT

Mayor John Gates
Council Member Tommy Butler
Council Member Brett Payton
Council Member Michael Fitzsimmons
Council Member Dale Hall
Council Member Ed Clark
Council Member Kristin Zasada

4. Recognitions and Proclamations

Mayor Gates presented a proclamation for School Board Recognition Month, recognizing the dedication and hard work of local school board members.

Mayor Gates invited Jeannine Truswell and Verniece Thomas with the United Way to make a presentation to thank the City for the partnership that exists between the United Way of Weld County and the City of Greeley, particularly in addressing homelessness, and to make a presentation of the Pacesetter Award to past United Way campaign coordinators, Wendy Bethel and Teri Gutierrez.

Council Member Butler presented the *What's Great about Greeley* Report.

Mayor Gates recognized Raymond Lee as the City's new Deputy City Manager for Community Building.

5. Citizen Input

No citizen input was received.

6. Approval of the Agenda

The agenda was approved as presented.

7. Reports from Mayor and Councilmembers

Council Member Fitzsimmons spoke to what United Way has been doing in our community, and shared his experience visiting the non-congregate shelter at the Bonnell facility in the past week.

Council Member Clark acknowledged the passing of Rick Brady, former City Attorney, and offered his condolences.

Mayor Gates echoed sending sympathies to the Brady family. He also shared his enjoyment with the virtual MLK program held the previous day, and offered his thanks to the organizers.

8. Initiatives from Mayor and Councilmembers

Council Member Zasada spoke about the level of use of outside consultants, and proposed an internal audit for the past two years of all outside consulting projects that were hired on, what the scope of those projects were, and the total cost those have been to the City.

Consensus was obtained to move forward with this initiative.

Consent Agenda

Council Member Payton moved, seconded by Council Member Fitzsimmons, to approve item nos. 9-13 as presented.
The motion carried 7-0.

9. Approval of the City Council Proceedings of January 5, 2021

The Council action recommended and approved was to approve the City Council proceedings as presented.

10. Consideration of a resolution of the City Council of the City of Greeley authorizing City staff to enter into a Settlement and Mutual Release Agreement with Roseann Perez

The Council action recommended was to adopt the resolution.

Resolution No. 01, 2021, authorizing City staff to enter into a Settlement and Mutual Release Agreement with Roseann Perez, was adopted.

11. Introduction and first reading of an ordinance establishing Local Improvement District No. 43840 for the construction of sanitary sewer infrastructure

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for Feb. 2, 2021.

12. Introduction and first reading of an ordinance amending Chapters 4.04 and 4.08 of the Code of the City of Greeley regarding Economic Nexus and the obligation of remote sellers to collect and remit sales tax

The Council action recommended and approved was to introduce the ordinance and schedule the public hearing and final reading for Feb. 2, 2021.

13. Appointment to Greeley/Weld Housing Authority

The Council action recommended and adopted was to approve the appointment of Dennie Kutcher to the Greeley/Weld Housing Authority.

14. Posting Sites for Notices of City Council Meetings

This item was pulled from the consent agenda to allow for discussion.

End of Consent Agenda

15. Pulled Consent Agenda Items

14. Posting Sites for Notices of City Council Meetings

Council Member Butler requested clarification on whether agendas would always be physically posted in a public location.

City Clerk Anissa Hollingshead responded, noting the proposed action would designate City Hall as a backup posting location in the event the online posting would not be accessible for some reason, such as an internet or power outage. Council Member Butler requested that agendas still always be physically posted as well, to increase public access for individuals without online access. Clerk Hollingshead noted staff would follow up on this request to identify a workable location following the remodeling that has been completed in City Hall.

Council Member Butler moved, seconded by Council Member Fitzsimmons, to designate the City of Greeley's website, www.greeleygov.com, as the official posting site for meeting notices of the City Council, and the public lobby of City Hall, located at 1000 10th St, as the backup location for such postings.

The motion carried 7-0.

16. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the City Manager

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates provided context regarding this and the next two items, all public hearings, noting that all three direct reports to the City Council elected to defer the salary increases slated for 2020 in light of the uncertainties of COVID-19.

Mayor Gates opened the public hearing at 6:29 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Hall, to adopt the ordinance and publish it by reference to title only.
The motion carried 7-0.

Ordinance No. 02, 2021, was adopted authorizing a salary increase and changes to certain benefits for the City Manager.

17. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the Municipal Judge

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates opened the public hearing at 6:31 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Clark, to adopt the ordinance and publish it by reference to title only.
The motion carried 7-0.

Ordinance No. 03, 2021, was adopted authorizing a salary increase for the Municipal Judge.

18. Public hearing and final reading of an ordinance authorizing a Fiscal Year 2020 salary increase for the City Attorney

Human Resources Director Maria Gonzalez Estevez introduced this item.

Mayor Gates opened the public hearing at 6:32 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopt the ordinance and publish it by reference to title only.
Motion carried 7-0.

Ordinance No. 04, 2021, was adopted authorizing a salary increase for the City Attorney.

Mayor Gates extended the thanks of the City Council to all three Council direct reports for their prior and ongoing efforts, and their leadership.

19. Public hearing and final reading of an ordinance adopting various amendments to Title 18 of the Municipal Code regarding updating and clarifying the notice requirements for amendments to Final Planned Unit Developments (PUDs) and

major amendments to Development Concept Master Plan (DCMP) (Chapters 18.18 and 18.30), changing the words public meeting to public hearing (Chapter 18.18.040), and clarification as it relates to freestanding sign calculations (Chapter 18.54)

Mayor Gates introduced Community Development Director Brad Mueller. Director Mueller noted this item was coming forward separate from the overall Development Code update due to their timeliness and importance to developers. He then turned the presentation over to Mike Garrott, Planning Manager.

Planning Manager Garrott presented as set forth in the PowerPoint in the agenda packet with background information regarding the proposed code changes. Garrott also responded to questions from the Council regarding the timing for sending out notices to surrounding property owners regarding major changes to an approved Development Concept Master Plan.

Mayor Gates opened the public hearing at 6:46 p.m.

No written comments were received, and there being no one in the audience wishing to speak, the hearing was closed.

Council Member Fitzsimmons moved, seconded by Council Member Zasada, to adopt the proposed amendments to Chapter 18 of the Greeley Municipal Code as presented to meet the intent of the Comprehensive Plan and clarify administration of the Development Code.
The motion carried 7-0.

Ordinance No. 05, 2021, was adopted amending Title 18 of the municipal code regarding updating and clarifying the notice of requirements for amendments to final planned unit developments (PUDs) and major amendments to Development Concept Master Plan (DCMP) (Chapters 18.18 and 18360), changing the words public meeting to public hearing (Chapter 18.18.040), and clarification as it relates to freestanding sign calculations (Chapter 18.54).

20. COVID-19 Update

City Emergency Manager Dan Frazen provided an update to the Council relating to COVID-19, including providing information about indicators being monitored, as well as updates about vaccinations and the need to extend the City's emergency declaration. In response to a question from Council, Frazen noted he would follow up with additional information about vaccinations.

City Clerk Anissa Hollingshead provided an update regarding the City's 5 Star Program application, noting approval from the state is expected very shortly for the City-led program that also now includes the participation of the City of Evans and the Town of Windsor. Clerk Hollingshead shared that training of City inspectors from Greeley, as well as Windsor staff, started today. In response to a question from the Council, it was also shared that consent has been obtained from the State for the City program to allow businesses with prior public health citations to also participate in the program if desired.

21. Consideration of a resolution of the City Council of the City of Greeley, Colorado, extending the City of Greeley Local Disaster Declaration of March 16, 2020 (updated on April 21, 2020, June 2, 2020, August 11, 2020, November 17, 2020) related to the COVID-19 Pandemic

Interim Fire Chief Brian Kuznik introduced the item, explaining the need to consider a resolution extending the City's local disaster declaration.

Council Member Payton moved, seconded by Council Member Hall, to adopt the resolution.

The motion carried 7-0.

Resolution No. 02-2021, extending the City of Greeley Local Disaster Declaration of March 16, 2020, related to the COVID-19 pandemic until June 2021 was adopted.

22. Review of correspondence regarding the Johnstown Comprehensive Plan update

Community Development Director Brad Mueller introduced this item, explaining it is not an action item, but rather an opportunity to offer comments regarding Johnstown's Comprehensive Plan update.

City Manager Otto noted this item was coming before the Council in light of an earlier rezoning along U.S. 34 that brought questions from the Council, and a desire for more information as such actions along the 34 corridor move forward.

In response to questions from the Council about the overlap between Greeley and neighboring communities, Director Mueller showed a map of the overlap of the comprehensive plans for Greeley and Johnstown and provided further context.

23. Appointment of applicants to the Citizen Transportation Advisory Board, Greeley Art Commission, and Museum Board

Mayor Gates asked the City Clerk to announce the Council's appointments, done by ballot prior to the meeting.

Clerk Hollingshead noted for both the Citizen Transportation Advisory Board and the Greeley Art Commission, Council has directed staff to recruit for additional applicants, and Council has appointed George Junne to the Museum Board.

24. Scheduling of Meetings, Other Events

City Manager Otto noted there were no changes.

25. Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council Member Payton moved, seconded by Council Member Butler, to approve the above authorizations.
The motion carried 7-0.

26. Adjournment

There being no further business before the Council, the meeting was adjourned at 7:07 p.m.

John Gates, Mayor

Anissa N. Hollingshead, City Clerk

Council Agenda Summary

February 2, 2021

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration of a resolution of the City of Greeley City Council authorizing the City to enter into an Intergovernmental Agreement with Weld County for construction of roadway improvements for "O" Street and 35th Avenue roundabout improvements

Summary:

The 35th Avenue and "O" Street intersection is the intersection of two regional roadways as identified in the City's 2035 Master Transportation Plan, the North Front Range MPO Regional Transportation Plan, as well as Weld County's Transportation plan. The City and County have been working collaboratively on design of improvements to this intersection that is currently in both jurisdictions. This intersection experiences significant delays during peak times and needs capacity improvements to meet today and future demands.

A new alignment will move this intersection 700 feet north of the existing intersection that will allow for safer curves and increased capacity of the "O" Street corridor as its improved in the future.

Weld County is leading the project and doing the design and right-of-way acquisition now, and will be handling the construction of the project as well starting in the fall of 2021. The City will contribute \$800,000 in 2021 and another \$800,000 in 2022 to pay for its share of the intersection improvements that are estimated at nearly \$6 million. As a part of the IGA Weld County will petition for annexation all of the new improvements. Upon annexation the City would then be responsible for all aspects of this intersection.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$800,000
What is the annual impact?	None
What fund of the City will provide Funding?	Road Development Fund
What is the source of revenue within the fund?	New Construction Fees
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	Funding is split over two years. \$800,000 in 2021 and another \$800,000 in 2022.

Legal Issues:

None. This item has been reviewed by the City Attorney's Office

Other Issues and Considerations:

None

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution
IGA
Vicinity Map

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2021

A RESOLUTION OF THE CITY OF GREELEY CITY COUNCIL AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH WELD COUNTY FOR THE CONSTRUCTION OF IMPROVEMENTS TO “O” STREET AND 35TH AVENUE INTERSECTION.

WHEREAS, in accordance with C.R.S. §29-1-203, governments may cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the[ir] cooperating or contracting units;

WHEREAS, the City and Weld County currently share operational maintenance and jurisdiction of the intersection of WCR 35 (also known as 35th Avenue) and WCR 64 (also known as “O” Street);

WHEREAS, 35th Avenue and “O” Street are identified as regional roads and both the City and Weld County believe that road improvements to this intersection are necessary and appropriate;

WHEREAS, Weld County is willing to fund design and construction of the road improvements to this intersection, with the City contributing \$800,000 in 2021, and \$800,000 in 2022;

WHEREAS, both parties desire to enter into an Intergovernmental Agreement for the purpose of defining their respective roles and responsibilities regarding the completion of the 35th Avenue and “O” Street intersection improvements; and

WHEREAS, it is in the best interests of the citizens of the City to enter into this IGA, which will result in cost savings to the City as a result of partnering and working collaboratively with Weld County.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. The City Council hereby authorizes the City to execute the IGA, a copy of which is attached hereto and incorporated herein as Exhibit A.

Section 2. City staff is hereby authorized to make changes and modifications to the IGA, so long as the substance of the IGA remains unchanged.

Section 3. This Resolution shall become effective immediately upon its passage, as provided by the Greeley Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ day of _____, 2021.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

INTERGOVERNMENTAL AGREEMENT
FOR CONSTRUCTION OF IMPROVEMENTS
TO “O” STREET/35TH AVENUE INTERSECTION

THIS INTERGOVERNMENTAL AGREEMENT is made and entered into this ____ day of _____, 2021, by and between the City of Greeley, Colorado, a home rule municipality of the State of Colorado, whose address is 1000 10th Street, Greeley, Colorado 80631, hereinafter referred to as “GREELEY,” and the County of Weld, State of Colorado, by and through the Board of County Commissioners of the County of Weld, Colorado, whose address is P.O. Box 758, 1150 “O” Street, Greeley, Colorado 80632, hereinafter referred to as “WELD COUNTY.”

WITNESSETH:

WHEREAS, at present, WELD COUNTY and GREELEY share operational maintenance and jurisdiction of the intersection of WCR 35 (also known as 35th Avenue) and WCR 64 (also known as “O” Street), hereinafter together referred to as the “O STREET/35TH AVENUE INTERSECTION,” which GREELEY intends to annex, and

WHEREAS, WELD COUNTY AND GREELEY wish to make certain improvements to the O STREET/35TH AVENUE INTERSECTION, with said improvements being hereinafter referred to as the “PROJECT,” and

WHEREAS, WELD COUNTY has agreed to be the lead agency on design, acquiring right-of-way, utility relocations, and constructing the PROJECT, and

WHEREAS, GREELEY has budgeted \$1,600,000 to offset its portion of the costs of the construction of the PROJECT, and

WHEREAS, both parties to this Agreement are authorized to enter into said Agreement by C.R.S. §29-1-203 and the Colorado Constitution Article XIV, Sec. 18(2), for the purpose of achieving greater efficiencies for the provision of services to the public.

NOW THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. **RECITALS:** The Recitals are incorporated into the Agreement as if fully set forth herein.
2. **PROJECT:** Subject to the terms contained in this Agreement, WELD COUNTY agrees to undertake and complete the PROJECT in 2021 but, if not completed by the end of 2023, to reimburse GREELEY for any amount contributed to the PROJECT.
3. **TERM:** Unless WELD COUNTY provides GREELEY with sixty (60) days notice, in writing, of its cancellation of the PROJECT, the term of this Agreement shall be from the date first written above to and until such time as GREELEY makes the final payment described in Paragraph 4 below.
4. **CONTRIBUTION BY GREELEY:** GREELEY agrees, upon receipt of an invoice, after

the PROJECT has been bid and awarded to a contractor, to pay to WELD COUNTY the sum of \$800,000 in 2021, and \$800,000 in 2022, for a total of \$1,600,000, to assist with construction, inspection, and oversight of the PROJECT.

5. DESIGN AND CONSTRUCTION: WELD COUNTY shall allow GREELEY to review WELD COUNTY's design prior to the PROJECT being approved for bid and awarded to a contractor. Should GREELEY request any changes after the PROJECT has been bid and awarded to a contractor, GREELEY shall pay for design and construction-related costs associated with such changes. WELD COUNTY shall provide GREELEY with pdf and electronic CAD as-built construction drawings upon completion of the PROJECT.
6. ANNEXATION OF PROJECT: Upon receipt of the completed petition for annexation from WELD COUNTY, GREELEY agrees to process the annexation of those portions of the PROJECT not currently within its jurisdiction that are eligible and able to be annexed.
7. ENTIRE AGREEMENT: This writing, together with the exhibits attached hereto, constitutes the entire agreement between the parties hereto with respect to the subject matter herein, and shall be binding upon said parties, their officers, employees, agents and assigns and shall inure to the benefit of the respective survivors, heirs, personal representatives, successors and assigns of said parties.
8. NO THIRD-PARTY BENEFICIARY ENFORCEMENT: It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in the Agreement. It is the express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be an incidental beneficiary only.
9. SEVERABILITY: If any term or condition of this Agreement shall be held to be invalid, illegal, or unenforceable, this Agreement shall be construed and enforced without such provision to the extent that this Agreement is then capable of execution within the original intent of the parties hereto.
10. MODIFICATION AND BREACH: No modification, amendment, notation, renewal, or other alteration of or to this Agreement shall be deemed valid or of any force or effect whatsoever, unless mutually agreed upon in writing by the undersigned parties. No breach of any term, provision, or clause of this Agreement shall be deemed waived or excused, unless such waiver or consent shall be in writing and signed by the party claimed to have waived or consented. Any consent by any party hereto, or waiver of, a breach by any other party, whether express or implied, shall not constitute a consent to, waiver of, or excuse for any other different or subsequent breach.
11. NOTICES: All notices required herein shall be mailed via First Class Mail to the parties' representatives at the addresses set forth below:

GREELEY:
Joel Hemesath

WELD COUNTY:
Elizabeth Relford

Public Works Director
1001 9th Avenue
Greeley, CO 80631

Deputy PW Director
1150 "O" Street
Greeley, CO 80632

12. NO WAIVER OF GOVERNMENTAL IMMUNITY: No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections or other provisions, of the Colorado Governmental Immunity Act, C.R.S. §24-10-101, et seq., as applicable now or hereafter amended.

IN WITNESS WHEREOF, the parties have executed this Agreement in duplicate on the date written above.

APPROVED AS TO SUBSTANCE:

City Manager

APPROVED AS TO AVAILABILITY OF FUNDS:

Director of Finance

APPROVED AS TO LEGAL FORM:

City Attorney

ATTEST:
WELD COUNTY Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

By: _____
(Deputy) Clerk to the Board

By: _____
Steve Moreno, Chair

EXHIBIT A



Council Agenda Summary

February 2, 2021

Key Staff Contact: Doug Marek, City Attorney, 970-350-9755

Stacey Aurzada, Deputy City Attorney, 970-35-9757

Title:

Consideration of a resolution authorizing the City Attorney to institute legal action seeking damages against Jacobs Engineering Group, Inc.

Summary:

As part of the 2004 10th Street Access Control Plan, the City planned to make improvements to the 10th Street corridor. The City has secured several grants for the purpose of this project to improve access to businesses and improve safety by eliminating/combining access points along this corridor and to improve the walkability and safety for pedestrians. The 10th Street improvement project was broken down into three phases. The first phase included improvements on 10th Street from 26th Avenue to 30th Avenue Court, The second phase included improvements on 10th Street from 23rd Avenue to 27th Avenue. The third phase included improvements on 10th Street from 30th Avenue Court to 35th Avenue and now all three phases are fully constructed.

Following a competitive process, the City entered into a Professional Services contract with Jacobs Engineering Group, Inc. (hereinafter referred to as "Jacobs") for Phase 2 and 3 of the 10th Street Access Control project. This included pre-engineering, surveying and engineering services. A different consultant performed services for Phase 1 of the project, but those services are not relevant to the situation at hand.

Public Works staff members learned of irregularities with the survey prepared by Jacobs in May, 2019 when the City's contractor, Duran Excavating, Inc. ("Duran") attempted to begin construction of the Phase 2 improvements. Duran notified the City of the problems with the survey and Jacobs attempted to make corrections to the survey.

As the project continued, more errors were identified with the work performed by Jacobs. These errors included additional survey issues, continuing drainage issues requiring field corrections, missing underground utility information, an undiscovered vault requiring complete removal and construction of a new stormwater inlet and pipe.

The City was forced to expend additional sums due to the delays, errors and deficiencies in the work performed by Jacobs. This includes increased costs for work performed by Duran, increased expenses for the City's construction inspection and project record management firm (Yeh & Associates), costs for survey services done by another contractor (King Surveyors), and increased costs for traffic control.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes. Litigation will be handled by CAO with costs to be borne by the Public Works Department.
---	---

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?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Greeley Municipal Charter Section 6-3 authorizes the City Attorney to institute any suit, action, or proceeding on behalf of the municipal government when directed to do so by the City Council.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

None.

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution

THE CITY OF GREELEY, COLORADO

RESOLUTION _____, 2021

**RESOLUTION AUTHORIZING THE CITY ATTORNEY
TO INSTITUTE LEGAL ACTION SEEKING DAMAGES AGAINST
JACOBS ENGINEERING GROUP, INC.**

WHEREAS, the City of Greeley determined that it was in the best interests of the citizens to make improvements to 10th Street to improve access to businesses along this corridor and to improve the walkability and safety for pedestrians; and

WHEREAS, the 10th Street improvement project was broken down into three phases with the first phase including 10th Street from 26th Avenue to 30th Avenue Court, the second phase including 10th Street from 23rd Avenue to 27th Avenue and the third phase including 30th Avenue Court to 35th Avenue; and

WHEREAS, after a competitive process the City retained Jacobs Engineering Group, Inc. (“Jacobs Engineering Group”) in April, 2016 to perform preliminary engineering, surveying and design services on the second phase of the 10th Street Access Control project (“the Project”); and

WHEREAS, Jacobs Engineering Group was subsequently retained to perform final engineering, surveying and design services on the second phase of the Project; and

WHEREAS, after a competitive process the City retained Duran Excavating to perform construction services on the Project in March, 2019; and

WHEREAS, construction began on the Project in May, 2019; and

WHEREAS, flaws in the surveying, engineering and design work performed by Jacobs Engineering Group, Inc. were discovered after construction began on the project; and

WHEREAS, the project reached final completion on August 31, 2020; and

WHEREAS, City staff have attempted to resolve the dispute amicably with Jacobs Engineering but has not been successful; and

WHEREAS, the City has been forced to incur costs over the contracted amounts as a direct result of the surveying, engineering and design work performed by Jacobs Engineering Group, Inc.; and

WHEREAS, the work performed by Jacobs Engineering Group, Inc. fell well below the standard of care required; and

WHEREAS, the City believes that Jacobs Engineering Group, Inc. should reimburse the City for these costs and for all other damages related to their failure to properly design the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO, AS FOLLOWS:

Section 1. The City Attorney is hereby authorized to initiate appropriate legal action, and to retain outside counsel if necessary, to institute legal action against Jacobs Engineering Group, Inc. related to the design of improvements for the 10th Street Access Control project.

Section 2. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS _____ day of _____, 2021.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

Mayor

Council Agenda Summary

February 2, 2021

Key Staff Contact: Andy McRoberts, Culture, Parks and Recreation Director, 970-350-9425

Title:

Consideration of a resolution to adopt the "Get Outdoors Greeley" Natural Areas and Trails Strategic Plan

Summary:

The 2016 City of Greeley's Parks, Trails, and Open Lands Master Plan, commissioned by the City's Culture, Parks, and Recreation Department, and approved by Greeley City Council (Resolution 38-2016), laid a ten-year vision for a high level strategic direction for both the Parks division and what would come to be the Natural Areas & Trails (NAT) division. To provide a more specific strategic framework for the next five years, NAT recently hired Logan Simpson Design to assist with the development of this strategic plan.

After a thorough review of existing policy framework, a draft plan was formulated. A robust steering committee was then established to assist in reviewing and refining the plan for public review. In November, 2020 NAT also kicked off a month of public engagement, which was conducted in a virtual environment due to COVID-19 safety protocols. NAT staff presented the draft plan to over 12 boards and commissions, and hosted both English and Spanish language virtual public meetings regarding the plan. In addition, the full plan and bilingual executive summaries were available on the City of Greeley's NAT webpage to provide residents an opportunity to comment on the plan.

The final plan presented this evening features several components critical to the City of Greeley and the Natural Areas and Trails division's success through a five-year planning horizon, including:

- Identification of Priority Conservation Areas
- Laying out six goal areas with specific objectives to achieve each goal
- A well-rounded suite of metrics to track success
- A list of prioritized action items

As this work ultimately becomes a sub-set under the City's Comprehensive Plan (Imagine Greeley), it should be noted that there are many components that are complimentary to previously established land policies and priorities. Overarching land use strategies previously adopted, and further acknowledged within this plan, identify legislative authority to require certain land dedications as new development comes in to the City of Greeley. This includes public parks, open lands, trail easements, and areas that are deemed crucial for our community identity that include areas of undeveloped or continued and historical agricultural use as community

separator land. Each development is unique and various types of open lands can be owned/maintained by a variety of methods and tools including whether lands are privately held, HOA or Metro District controlled, or publicly owned.

In this final draft of the plan (attached), a number of minor grammatical and stylistic edits were completed to provide clarification and context for readers as well as for preparation for City Council's consideration. In addition, minor edits and corrections to maps within the plan provide additional clarification (i.e. - 10-minute walk to nature). From previous presentations, no specific edits were requested by City Council, the Parks & Recreation Advisory Board, or the Planning Commission.

In their regular meeting on January 8, 2021, the Parks & Recreation Advisory Board unanimously voted to recommend adoption of the plan to Council. The Planning Commission made the same recommendation in their regular meeting of January 12, 2021. In addition, the Poudre River Trail Corridor, Inc. (PRTCI) board voted unanimously in their regular meeting on December 10, 2020 to recommend to Council adoption of the plan. A letter of support from the PRTCI is included in the packet for reference.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	There is no initial impact other than through future considerations within the established budget process.
What is the annual impact?	n/a
What fund of the City will provide Funding?	n/a
What is the source of revenue within the fund?	n/a
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:

There is no legal review necessary for adoption of this Strategic Plan.

Other Issues and Considerations:

None

Applicable Council Priority and Goals:

Image: Reinforce Greeley's vision as an attractive and vibrant community in which to live, learn, work and play.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution

Get Outdoors Greeley – a Natural Areas and Trails Strategic Plan

Letter of Support - Poudre River Trail Corridor, Inc

THE CITY OF GREELEY, COLORADO

RESOLUTION NO. _____, 2021

A resolution adopting the 2021 “Get Outdoors Greeley” Natural Areas and Trails Strategic Plan

WHEREAS, a Greeley Parks, Trails, and Open Lands (PTOL) Master Plan has historically been developed and was most recently adopted in 2016; and

WHEREAS, the 2016 PTOL contained information, standards, and guidance towards the preservation, conservation, and management of open lands and trails within Greeley; and

WHEREAS, a Natural Areas and Trails division, within the Culture, Parks and Recreation Department, was established in 2019; and

WHEREAS, as is the 2016 PTOL Master Plan, the 2021 “Get Outdoors Greeley” Natural Areas and Trails Strategic Plan will be integrated by reference and is in alignment with the 2060 Comprehensive Plan and subsequent and updated “Imagine Greeley” plan; and

WHEREAS, the 2021 “Get Outdoors Greeley” Natural Areas and Trails Strategic Plan will guide the preservation and management of distinctive outdoor spaces which build awareness, appreciation and understanding of the qualities that have made Greeley great; and

WHEREAS, the 2021 “Get Outdoors Greeley” Natural Areas and Trails Strategic Plan is proactive and advocates for the community and economic development through consideration of the City’s priorities and provides a planning document and guide for the procurement, development and implementation of Greeley’s great outdoors; and

WHEREAS, the Greeley Parks and Recreation Advisory Board recommended adoption of the plan at their regular meeting of January 8, 2021; and

WHEREAS, the Greeley Planning Commission recommended adoption of the plan at their regular meeting of January 12, 2021.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO AS FOLLOWS:

Section 1. The City Council hereby accepts and adopts the 2021 “Get Outdoors Greeley” Natural Areas and Trails Strategic Plan.

Section 2. This resolution becomes effective immediately upon its passage, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED this ____ day of _____, 2021.

ATTEST:

THE CITY OF GREELEY, COLORADO

City Clerk

By: _____
Mayor

Get Outdoors Greeley

A 5-YEAR STRATEGIC PLAN FOR NATURAL AREAS, OPEN LANDS, AND TRAILS



FEBRUARY 2021



Thanks to community feedback and a diverse Steering Committee, the Natural Areas & Trails Division has prepared the first ever Strategic Plan to guide the City of Greeley's natural areas, trails, and open lands investments for the next 5 years.

EXECUTIVE SUMMARY

Our natural areas face extraordinary pressures. At a time when visitors need them most, the City of Greeley is challenged economically and that future funding for maintenance of Natural Areas & Trails is uncertain at this time. The COVID-19 pandemic has underscored the importance of parks, trails, and open space as a health-affirming respite from necessary restrictions. The 2016 Parks, Trails, and Open Lands Master Plan, reaffirmed through the pandemic has also highlighted certain inequities, including the fact that up to 1 in 3 Greeley residences do not have a park or natural area within a 10-minute walk of home.

We know that being connected to nature satisfies human need for exercise, beauty and fresh air in all seasons. Outdoor places are for family and community celebrations, as well as a refuge for the restoration of one's spirit and hope during difficult times. J. Max Clark, a Union Colony member and newspaper editor, said of Greeley, "We found this place a desert and have made it a delightful land."

Managed well, these delightful lands protect the city from flooding, mitigate heat island effects, provide pollination for the state's top agricultural economy, attract the best and brightest companies and employees, and bring many other economic, environmental, and health benefits.

But up until now there has not been a strategy to guide the newly created Natural Areas & Trails Division's future. This Strategic Plan recommends which investments will bring the greatest and most equitable benefits of nature closer to home.

SO WHAT'S THE PLAN?

The Strategic Plan is organized around five priority themes, each with a supporting goal (below), objectives, and 5-year Action Plan.



Sustainable Funding. Develop and maintain sustainable funding sources to sustainably and equitably acquire, restore, and maintain natural areas and a trail system in perpetuity for all Greeley residents.



Connections to Nature. Equitably create physical connections to nature for all Greeley residents, through acquisition of high-value lands and expansion of the City's trail system.



Stewardship. Restore and perpetually manage lands with high conservation value for the benefit of natural habitats and all Greeley residents.



Community Connections. Connect residents to nature by partnering with the community to provide inclusive and equitable educational, volunteering, and leadership opportunities for all Greeley residents.



Operational Excellence. Provide effective, efficient, and consistent level of service to all Greeley residents at all natural areas, open lands, and trails.



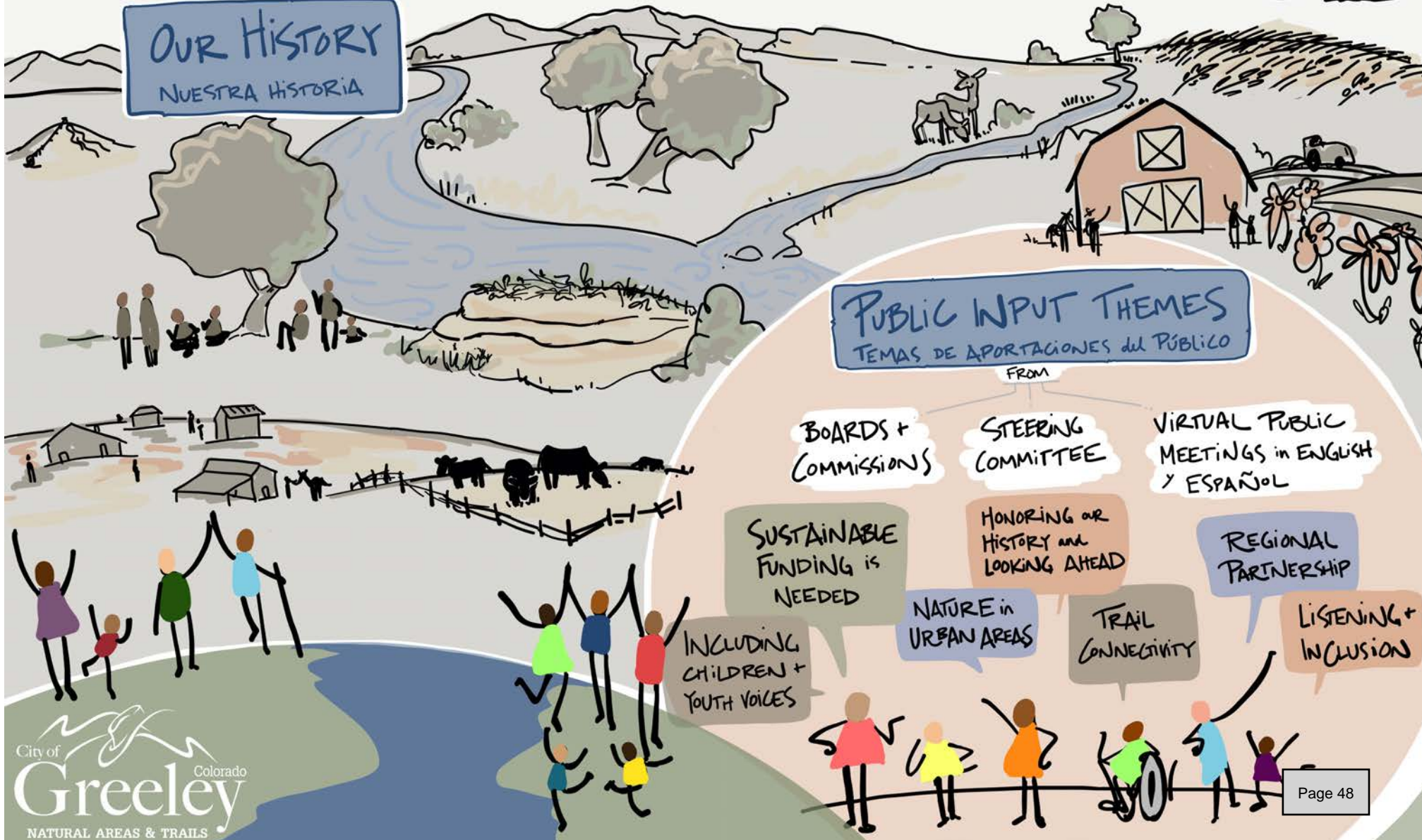
Capital Planning. Ensure continued investment is dedicated to repairing and updating existing amenities and maintaining the ecological values for which the natural areas were conserved.



Poudre Trail crossing of Greeley #3 Canal in Signature Bluffs Natural Area

GET OUTDOORS GREELEY STRATEGIC PLAN

OUR HISTORY
NUESTRA HISTORIA



PUBLIC INPUT THEMES TEMAS DE APORTACIONES del PÚBLICO

FROM

BOARDS + COMMISSIONS

STEERING COMMITTEE

VIRTUAL PUBLIC MEETINGS in ENGLISH Y ESPAÑOL

SUSTAINABLE FUNDING IS NEEDED

HONORING our HISTORY and LOOKING AHEAD

REGIONAL PARTNERSHIP

NATURE in URBAN AREAS

TRAIL CONNECTIVITY

LISTENING + INCLUSION

INCLUDING CHILDREN + YOUTH VOICES

PRIORITY THEMES
TEMAS PRIORITARIOS



SUSTAINABLE
FUNDING



CONNECTIONS +
NATURE



COMMUNITY
CONNECTIONS



OPERATIONAL
EXCELLENCE



STEWARDSHIP



CAPITAL
PLANNING

OUR FUTURE
NUESTRA FUTURO

A COMMUNITY CONNECTED to NATURE
UNA COMUNIDAD CONECTADA CON LA NATURALEZA

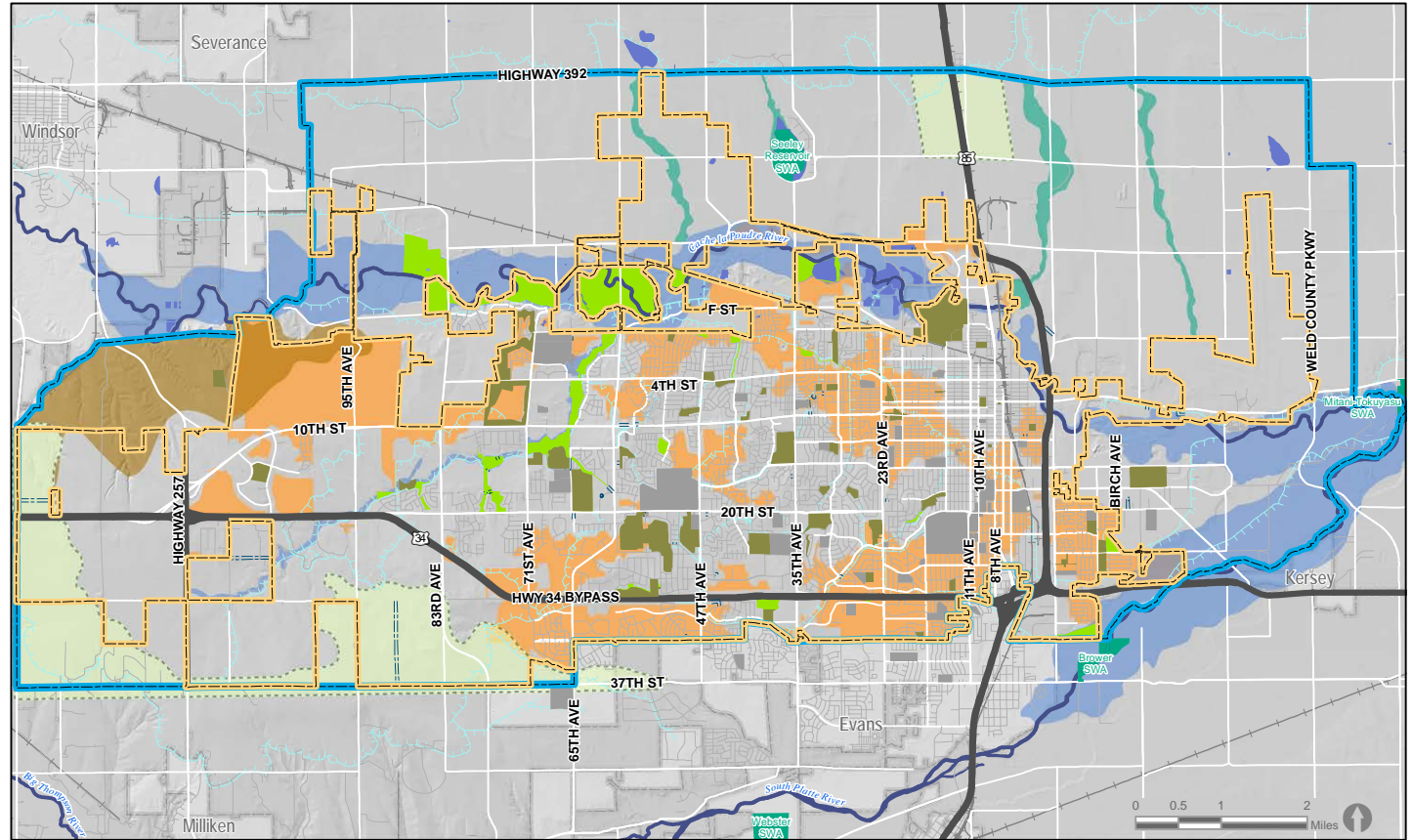


PRIORITY CONSERVATION AREAS

As Greeley's population continues to grow, the City will continue to evaluate the recreational and natural area needs of the community in order to ensure a high quality of life and equitable access to nature.

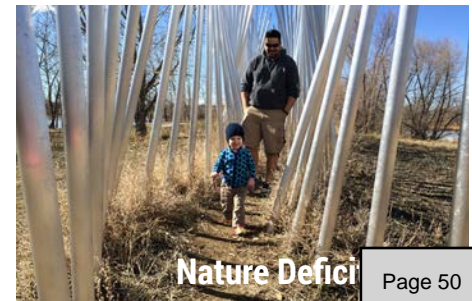
Community values and adopted plans affirm the long-term vision for a system of Priority Conservation Areas. The intent is to focus any future acquisition efforts on the highest conservation values and recreational opportunities, *not* to acquire or protect an entire area.

The Natural Areas & Trails Division will pursue conservation projects within these focus areas in partnerships with others, and with willing sellers or donors, through appropriate funding opportunities.



Priority Conservation Area	+	■	□
■ Agricultural/ Community Separator*	—	■ Natural Area	□ City Limits
■ Bluffs*	—	■ State Wildlife Area	□ Other City Limits
■ River Corridors*		■ School	
■ Riparian Corridors*			
■ Nature Deficit Area			

* As identified in the 2016 PTOL Plan.



ACKNOWLEDGMENTS

CITY COUNCIL

- John Gates | Mayor
- Dale Hall | Ward IV Mayor Pro Tem
- Tommy Butler | Ward I
- Brett Payton | Ward II
- Michael Fitzsimmons | Ward III
- Kristin Zasada | At Large
- Ed Clark | At large

EXECUTIVE TEAM

- Becky Safarik | Assistant City Manager
- Andy McRoberts | Director of Culture, Parks & Recreation
- Joel Hemesath | Director of Public Works
- Sean Chambers | Director of Water & Sewer
- Benjamin Snow | Director of Economic Health & Housing
- Brad Mueller | Director of Community Development

CORE TEAM

CITY OF GREELEY

- Justin Scharton | Project Lead
- Karen Scopel | Project Support
- Andy McRoberts | CPRD Sponsor

LOGAN SIMPSON

- Jeremy Call | Project Lead
- Kristina Kachur | Project Support
- Brian Taylor | GIS

Illustrations provided by Karina Branson of ConverSketch.

STEERING COMMITTEE

- Adam Jokerst | Greeley Water & Sewer
- Brandon Muller | Colorado Parks & Wildlife
- Brian Hathaway | Greeley Stormwater Division
- Chelsie Romulo | University of Northern Colorado Geography, GIS & Sustainability
- Clint Torczon | Parks & Recreation Advisory Board
- Ivan Diaz | Youth and Family Connections
- Jen Kovecses | Coalition for the Poudre River Watershed
- Leslie Beckstrom | Weld County Department of Public Health and Environment
- Linda Hood | Greeley Stormwater Division
- Lindsay Kuntz | Greeley Real Estate Management
- Marian Duran | Greeley Community Development
- Patrick Gardner | The Trust for Public Land
- Ray Tschillard | Poudre Learning Center
- Robert Hinderaker | Poudre River Trail Corridor, Inc.
- Scott Franklin | University of Northern Colorado School of Biological Sciences
- Sharon Bywater-Reyes | University of Northern Colorado Earth and Atmospheric Sciences
- Steven Frederick | Greeley Parks
- Wade Willis | Town of Windsor Open Space & Trails
- Wade Shelton | The Trust for Public Land

We extend a special thanks to the entire community for their involvement in developing City of Greeley's natural areas, trails, and open lands investments for the next 5 years. Their input and support are the catalyst for outstanding natural areas, open lands, and trails in the City of Greeley.



Signature Bluffs Natural Area

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Action Plan Appendix1

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01 / INTRODUCTION

Get Outdoors Greeley is a 5-year Strategic Plan for the City of Greeley's (City) natural areas, trails, and open lands that benefit our community. In 2019 the City created a new Natural Areas & Trails Division. This Strategic Plan represents the Division's inaugural goals and work plan for future acquisition, restoration, long-term stewardship, capital project prioritization, and sustainable funding of priority lands and infrastructure, and builds upon the City's existing planning efforts.

PLAN VISION

Get Outdoors Greeley provides a 5-year strategic framework to coordinate the management of the City's natural areas, trails, and open lands within the Long Range Expected Growth Area (LREGA) and surrounding region.

STRATEGIC PRIORITIES



Sustainable Funding



Community Connections



Connections to Nature



Operational Excellence



Stewardship



Capital Planning

NEED FOR A STRATEGY

Rich soils at the confluence of the Cache La Poudre and Platte rivers have supported diverse civilizations for at least 13,000 years, such as the Cheyenne, Arapaho, and Sioux (Lakota) who occupied the area when Anglo emigrants arrived in the 19th century. With the establishment of the Union Colony in 1870 as an agricultural community, and a global agri-business community in the 21st century, Greeley's success has always been tied to its abundant and well-managed working landscapes. Intensive labor crops brought successions of new immigrants—Germans—from-Russia, Hispanic Americans, Mexican nationals and others. Recent immigrants and refugees from East Africa, Southeast Asia, Mexico, and Central and South America ensures Greeley remains a diverse community, and has become one of the most linguistically diverse communities in Colorado with 26% of the population speaking a language other than English at home.

Owing to this history, some portions of the city – largely on socio-economic or racial lines – show elevated levels of chronic disease such as obesity and type II diabetes, while also reporting lower self-assessed health status. Currently, 34% Greeley residences do not have a park or natural area within a 10-minute walk of home. The increasingly diverse and younger trajectory of Greeley's population requires a renewed look at values and recreation needs of key stakeholder groups.

Today, at 48 square miles of gridded residential and commercial districts, Greeley boasts a diverse array of undeveloped lands along the rivers and bluffs surrounded by giant green circles of irrigated crop land within square section lines. Managed well, these protect the city from flooding, mitigate heat island effects, provide pollination for the state's top agricultural economy, and bring many other demonstrated economic, environmental, and public health benefits. Further, trail corridors are essential in providing for alternative transportation to move people through the community. The increasingly diverse and younger trajectory of Greeley's population requires a renewed look at values and recreation needs of the community.

But there is no strategy to guide Natural Areas & Trails' future apart from solid policy guidance in the Imagine Greeley Comprehensive Plan (2018) and the Parks, Trails and Open Lands Master Plan (PTOL Plan, 2016). This policy foundation, in addition to this Plan's robust public engagement efforts, provide the blueprint for the next five years.

Over a hundred and fifty years after the founding of Union Colony and generations after the Native Americans before them,

we are relearning what others have learned by observation and hardship: to let rivers be rivers, recognize natural constraints, and to reserve the best farmland as the community's foodshed.



Lincoln Park, dubbed “Greeley’s little breathing spot” by the Colonists, remains a “village commons,” the first of more than 40 parks maintained as quality of life amenities for the community. Provided by the Greeley History Museum.

Over 100 years of experience has taught farmers, land managers, and urban planners alike that green spaces are essential infrastructure. The 2020 COVID-19 pandemic has underscored the importance of providing parks, trails, and open space as a health-affirming respite from necessary restrictions. Combined with economic challenges, parks and public lands face extraordinary pressures, from increased visitation to budget cuts due to lost revenue. While the lasting impacts are unknown at the time of this document, if anything, the increase in visitation is a window into what may come with increased population growth.

These are some of the drivers that require an assessment of the Natural Areas & Trails' approach to funding, planning, delivering, and maintaining natural areas, trails, open lands, and associated services and programming. By using data-driven approaches and proactive, inclusive decision-making with the community, this Strategic Plan identifies which investments will bring the greatest and most equitable benefits of nature closer to home.

SIGNIFICANT CHALLENGES

Community needs and perceptions were documented in several recent outreach efforts. The 2016 PTOL Plan highlighted support for acquisition of natural areas by the City (72% respondents supportive) and connecting trails for biking and walking to parks (77% respondents supportive). Further, 92% of respondents in the 2016 PTOL Plan surveys identified funding for parks, trails, recreation, and natural areas as important. The immediate and unavoidable challenge is to obtain adequate funding to conserve, connect, restore, and care for a robust natural areas and trails system. Although the City and its partners have excelled in doing the best they can with what they have, thanks in large measure to dedicated partners and Great Outdoors Colorado grants, without new funding sources the new Natural Areas & Trails Division will not fully achieve the vision and mission that city leaders and residents have charged it with. As public use and recreation increases, so does the need for visitor infrastructure development, which can further increase long-term management and stewardship costs. Additional details on budgets and funding for the Natural Area & Trails Division is provided in the section "Funding Overview" in Chapter 3.



The Strategic Plan is guided by a triple-bottom line philosophy of maximizing and balancing social, economic, and environmental benefits from Natural Areas & Trails' limited resources.

The immediate and unavoidable challenge

is to obtain adequate funding to conserve, connect, restore, and care for a robust natural areas and trails system.

#1. The number one long-term challenge is sustainable funding to create the natural areas system that residents call for.

An open lands system is best and most efficiently created well ahead of development, before speculation and development pressures drive up land values. The same property that costs \$10,000 per acre prior to development pressure typically costs \$35,000 or more per acre within City limits.

The idea that “growth pays for growth” is a good one, and that philosophy has played out well for infrastructure like water, sewer, streets, and stormwater that are funded by impact fees. However, there is not an impact fee for conserving nature ahead of development much less restoring lands. An opportunistic approach of acting on potential land conservation deals requires accruing cash in advance.

Without a separate funding source for land conservation, and in light of escalating land prices that make strategic acquisitions very expensive, the majority of Natural Areas & Trails’ funding will be directed to a triage approach to maintenance and conserving only the most threatened smaller properties and will miss the vast majority of opportunities to conserve high-value land before it is developed.

#2. A second challenge is sustainable funding to create and maintain a connected trails system.

Almost 20 years ago the Greeley Trails Master Plan mapped nearly 50 miles of future trails to connect to the Poudre River Trail. That vision was expanded in the 2015 Bicycle Plan and 2016 PTOL Plan to 121 miles. Today only 8 miles of that vision have been built outside of the Poudre River Trail.

New residents currently fund a portion of future trails through a Trail Development Fee charged to new home construction. However, this fee does not cover the full construction cost of a typical 10-foot paved trail, which averages \$1 million per mile, and none of the maintenance of the existing trails that residents now enjoy, many of which are impacted by flooding. A 2019 study of the Poudre River’s riverbanks and trails found that between \$4.4 million to \$11.6 million would be required to repair the Poudre River Trail at risk of future damage. The need to adequately fund long-term maintenance, restoration, and capital replacement erodes the City’s ability to accomplish other significant community priorities.

Natural Areas & Trails Vision Statement

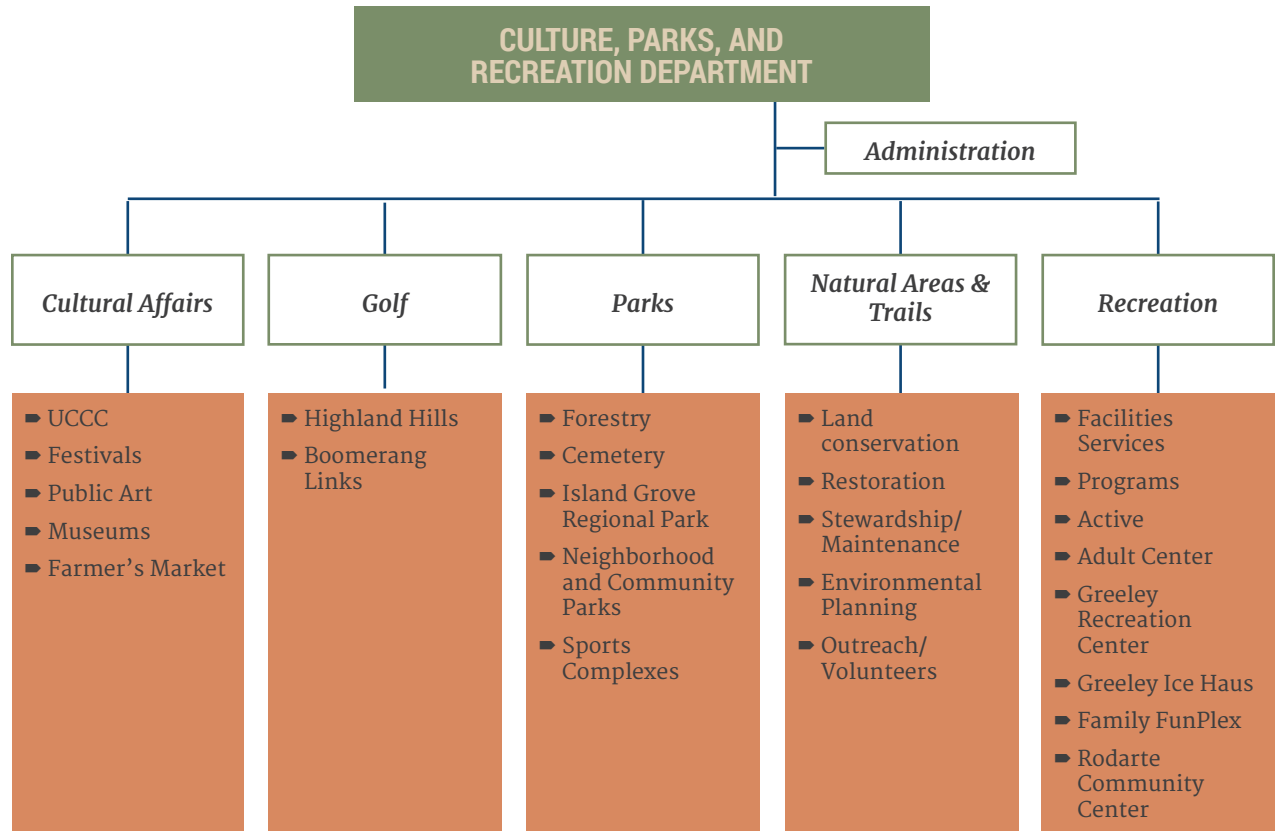
A community connected to nature.

Natural Areas & Trails Working Mission Statement

Collaboratively conserve, restore and steward lands with significant natural resource, agricultural, and community-shaping values. Equitably connect the community to conserved lands through a community-wide trail system. Facilitate inclusive nature-based experiences to help create a community that values and engages with nature.

NATURAL AREAS & TRAILS OVERVIEW

The Natural Areas & Trails Division is part of the City of Greeley’s Culture, Parks, and Recreation Department. The Division was created in 2019 when the Department was restructured to provide greater emphasis on protecting, restoring, and managing the highest value and most sensitive lands as the community grows. Natural Areas & Trails works with willing partners to conserve important wildlife habitat, recreation, agricultural, and open lands within the City and the surrounding area.



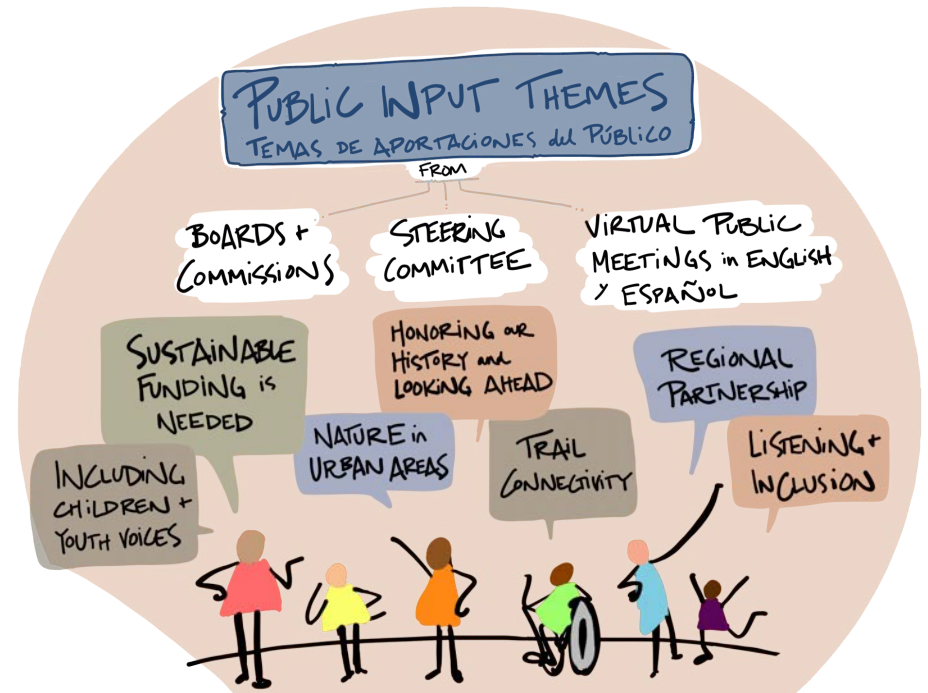
STRATEGIC PLANNING PROCESS

The process leveraged an ongoing dialogue with the community as documented in public opinion polling and participant feedback in annual resident and non-resident satisfaction surveys, the Imagine Greeley Comprehensive Plan, the Great Outdoors Colorado (GOCO) Get Outdoors Greeley Inspire Initiative Report (Inspire Initiative Report, 2017), and the PTOL Plan.

A broad and inclusive Steering Committee provided technical expertise and support throughout the planning process. The committee included subject experts within the City organization and community partners outside the City who offer advocacy and expertise from additional perspectives, and are both implementers and end-user constituencies of the Plan. Over the course of four in-depth worksessions, the Steering Committee helped advance shared priorities within their area of expertise as key advisors, helping to build consensus, and working collaboratively with the Core Team.

During the Draft Plan, virtual events were held to refine the document and numerous presentations were given to the City's boards and commissions, including Parks and Recreation, Water & Sewer, Stormwater, Human Relations Commission, Youth Commission, Commission on Disability, and Planning Commission.

Additional details of the Strategic Planning Process, as well as Community Needs and Perceptions are provided in Appendix 2.



PREVIOUS PLANNING EFFORTS AND RELATIONSHIP TO OTHER DEPARTMENTS AND PARTNERS

The core of this Plan is rooted in previous planning efforts that provide overall City direction based on extensive public input. City-wide efforts include the Imagine Greeley Comprehensive Plan, the Inspire Initiative Report, and the PTOL Plan. These adopted master plans set the policy framework for acquisition, development, and management of various public and private natural areas, open lands, and trails.

In addition to these plans, numerous other plans and studies have been completed to support the implementation of the PTOL Plan as well as direct related Departments and partners. Natural Areas & Trails works with other City departments and divisions; school districts and universities; adjacent

municipalities; such as Windsor, Evans, Kersey, Milliken, Johnstown, and Weld County; and non-profit agencies and regional conservation partners, including Great Outdoors Colorado, Volunteers for Outdoor Colorado, The Trust for Public Land, and Colorado Parks and Wildlife. These groups are working in one way or another to improve and protect environmental quality and/or provide access to nature for the community. Many of these groups have their own strategic goals and work plans that are related to and harmonizing with the work of Natural Areas & Trails. Some of those plans and related actions are provided in Appendix 2.



Sheep Draw Natural Area Nature Trail

Imagine Greeley Objectives

Select relevant objectives from Imagine Greeley Comprehensive Plan (2018)

NR-2.8 Promote the harmonious co-existence of agricultural uses with the natural environment.

NR-3.1 Ensure that important natural features and viewsheds are protected or enhanced as development occurs.

NR-3.2 Secure and protect meaningful public open lands areas within and near to the city in order to provide visual relief from the urban landscape, preserve “food sheds” and important vistas, and/or retain separation from other communities.

NR-3.3 Maximize the recreational use and preservation of areas that cannot be developed due to floodplain or storm drainage limitations.

NR-3.4 Strategically secure and/or acquire ecologically sensitive or important lands to protect their ecological function or other natural values.

NR-3.5 Work with landowners, developers, farmers, and environmental interests to protect important natural areas, native wildlife habitat, vistas, and other significant or environmentally sensitive lands. Develop mechanisms to ensure that natural areas are preserved as development occurs.

NR-3.10 Optimize open space opportunities by coordinating land use management with other City functions that may offer complementary objectives (e.g., drainage areas, water acquisitions, Poudre Trail, parks, and trail system).

PTOL Plan Vision

Select relevant Vision Statements from the Parks, Trails, and Open Lands Master Plan (2016)

1. Capture opportunities to **protect open lands** and to ensure residents have the **chance to enjoy nature**; partner for success in being stewards of the city’s **natural resources and beautiful landscapes**; **acquire high-quality** properties in advance of development to **connect open lands along river and stream corridors**, retain **scenic views** and support **agriculture**.

2. Add to trail offerings and make them accessible to more people; **diversify the types** of trails available; **connect gaps** in the existing trail network and **plan for expansion to underserved areas**.

6. Add to the City’s capacity to care for parks, trails, open lands and recreation facilities in order to improve their condition and offerings. **Provide the capital and staffing resources necessary** to maintain a system which keeps up as Greeley’s population expands.

02/ FOUNDATION

This chapter establishes the foundation for recommendations by providing a summary of existing resources, public needs and perceptions, areas of ecological significance, and future growth impacts. All of these factors play a role in how Natural Areas & Trails operates and thrives in the next 5 years.

EXISTING NATURAL AREAS, OPEN LANDS, AND SIMILAR PROPERTIES

The Natural Areas & Trails Division manages a portfolio of properties that provide for a range of public and natural resource benefits, as do many other City departments and partners. For example, the parks managed by the Parks Division also provide opportunities to connect to green spaces. Natural areas primarily exist along the Poudre River and Sheep Draw corridors, but are also interspersed throughout the community as smaller neighborhood properties (Table 1). These properties are shown on Map 1.

In addition to the lands managed by Natural Areas & Trails Division and separately by the Parks Divisions, other City and partner agencies manage properties that provide access to nature and improve the quality of life, wellness, and experience of Greeley’s residents (Table 2). For example, farms and ranches acquired for water rights, and later managed by Natural Areas & Trails, may accomplish multiple goals, such as preservation of heritage sites, cultural and environmental interpretation, and passive recreation.






Table 1 / Natural Areas & Trails Managed Property Definitions

	DEVELOPED PARKLAND	NATURAL AREAS
Definition	Developed parks and sports complexes, which are characterized by high levels of facility development and high levels of use, such as organized sports, dog exercise areas, group gatherings, and special events.	Lands in public ownership that protect environmentally sensitive resources and corridors and are managed by the Natural Areas & Trails Division. Recreational use varies based on the resources; nature-based passive recreation is emphasized. Some natural areas may remain undeveloped and may limit or prohibit public access in perpetuity for resource conservation, such as viewsheds, community separators, agricultural lands, high value habitat areas, etc.
No. within the LREGA	45	29
Acres (2020)	602	1,068
Public Access	High	Moderate
Operational Cost	High (Managed separately by Parks Division)	Moderate
Property Example		

Twin Rivers Park

Gateway Lakes Natural Area

Table 27 Other Properties Definitions

	OPEN LANDS				
	Schools	Partner Agency Properties	Utility Easements	Storm Drainage	Conservation Easements/ Working Farms and Ranches
Definition	Playgrounds and athletic fields that are available for recreation. These are typically only available to the public outside of school hours. The acres listed include the entire school property.	Conserved lands that are not managed by the City, such as the Poudre Learning Center, State Wildlife Areas, and sometimes private lands. These lands play a role in connecting people and wildlife to nature.	Electric, water, and sewer easements and rights-of-ways that could serve as trail corridors and visual greenspace.	Other properties that have been purchased by City departments, such as Water and Sewer, and Stormwater, for water rights, stormwater conveyance and detention basins and also provide habitat values.	Agricultural lands, community buffers, protected viewsheds, and even high value wildlife habitat can typically be conserved by a conservation easement. Conservation easements protect resource values while keeping lands in private ownership.
No. within the LREGA	33	N/A	N/A	N/A	N/A
Acres (2020)	573	N/A	N/A	N/A	N/A
Public Access	Limited	Moderate (Public access to SWAs with Fishing or Hunting License)	Limited	Limited	None
Operational Cost	High (Managed by School District)	Moderate (Varies)	Moderate-Very Low (Many are or could be used as trail corridors)	Low (Managed by other City departments)	Very Low - None
Property Example					
	Monfort Elementary School	Mitani Tokuyasu SWA	West Grapevine Ditch between 13th Street Road @ Peakview Park and 16th Street	Eagle View Pond	JB Jones Natural Area

NON-MOTORIZED TRANSPORTATION FACILITIES

Greeley currently has a robust system of trails and paths for non-motorized users that includes: off-street trails; soft surface trails; subdivision trails; sidepaths; and bikeways (Table 3).

Natural Areas & Trails maintains 30 miles of off-street trails. The Poudre River Trail runs east-west along the northern edge of Greeley from Island Grove Park and connects to Windsor and communities further west. Sheep Draw Trail parallels the Sheep Draw stream corridor, starting at the Cottonwood Bend Natural Area on the Poudre River, and traverses south through the Pumpkin Ridge and McCloskey Trail Natural Areas. Once a final trail connection is completed under the 83rd Avenue bridge, the Sheep Draw Trail will be connected all the way to the Pebble Brook neighborhood near Highway 34. Soft surface loop trails exist within several of the natural areas.

Segments of off-street trails are scattered throughout the city in subdivisions. Those trails are maintained by homeowners associations.

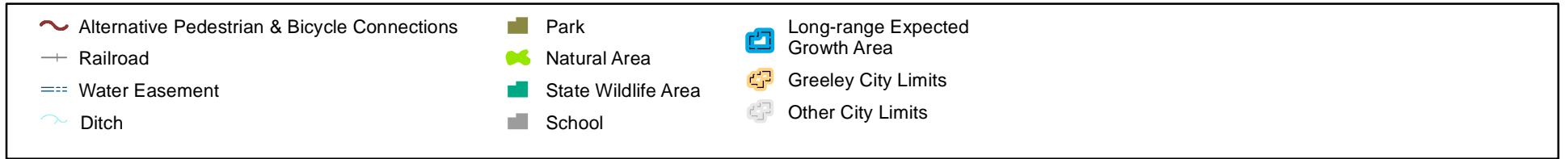
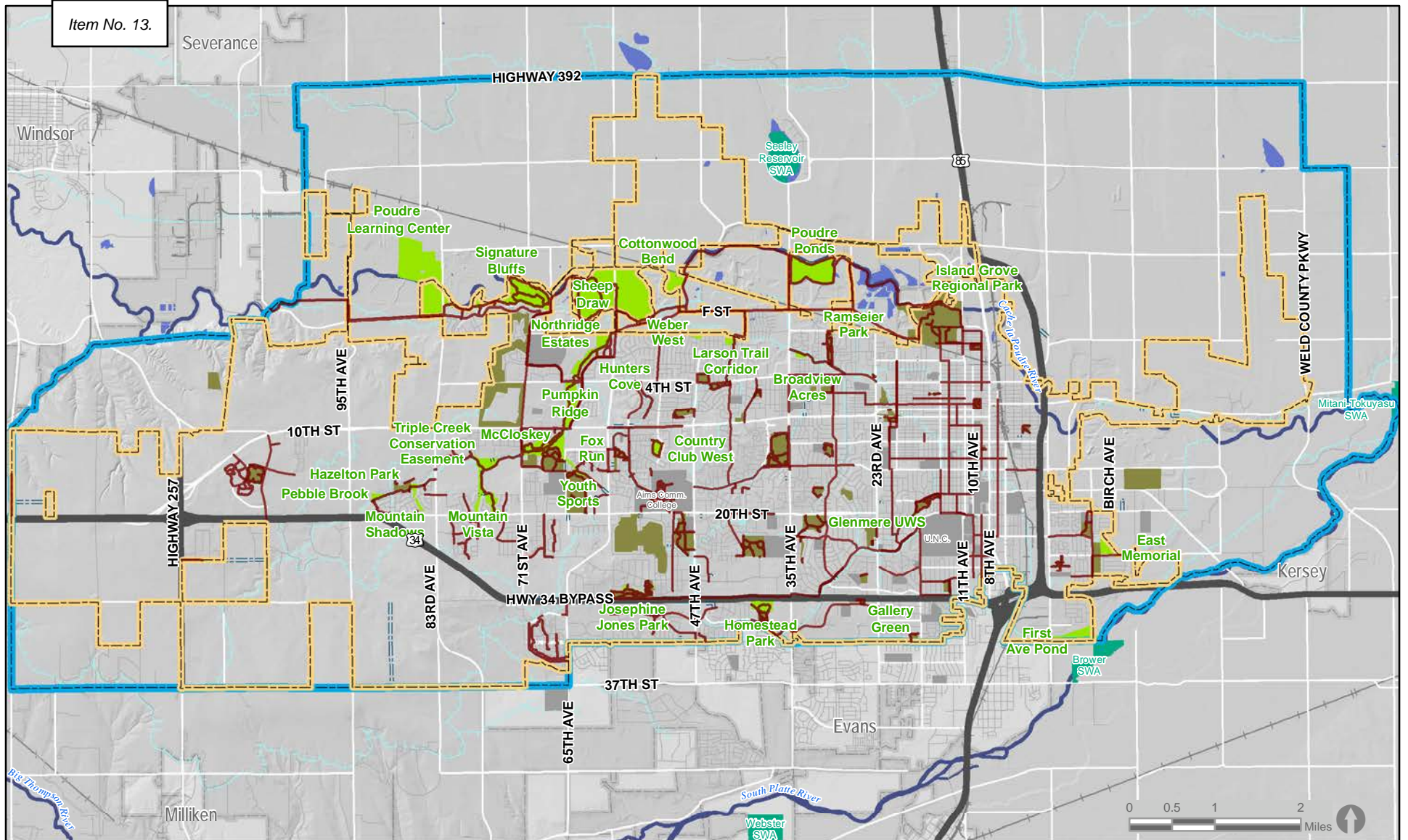
There are approximately 27 miles of sidepaths (shared use paths) within Greeley, primarily located on major grid roads, such as 47th Avenue, 35th Avenue and 20th Street. Sidepaths provide important connections from north to south along 59th, 47th and 35th Avenues and east to west along 4th Street, 20th Street and a portion of Highway 34. Currently all these facilities are either asphalt or concrete. With a few exceptions, Natural Areas & Trails does not manage or maintain these sidepaths.

Bikeways provide transportation corridors to key destinations and natural areas within the city. These corridors are typically within the right-of-way; most are managed by the Public Works Department. There is a large concentration of bikeways within the historic downtown, and along major roadway corridors west of downtown.

Table 3 / Non-motorized Facility Definitions

DEFINITIONS	MILES (2020)
<p>Natural Area Trails Off-street trails are dedicated to non-motorized uses that are outside of the road right-of-way, and are often along utility, railroad, drainage or natural corridors, or through natural areas. They include concrete and soft surface trails.</p>	30 (23 miles concrete, 7 miles soft surface)
<p>Sidepaths (Shared Use Path)* Sidepaths are secondary shared use paths managed by Public Works that provide connections to nature. Sidepaths are dedicated to non-motorized users (bicycles and pedestrians) that are within or immediately adjacent to the road right-of-way, but are separated from the street by a curb or median. They differ from sidewalks in that they are wide enough (10 to 12 feet) for multiple uses and often designated as bicycle facilities.</p>	27
<p>Subdivision Trail* Subdivision trails are shared use paths not managed by the City that are constructed as part of a specific development (usually a residential neighborhood). Most provide important connections to the City's trail system.</p>	10
<p>Bikeways* On-street bicycle facilities are important Public Works connectors between off-street trails and between parks and other community destinations. They could be in the form of bike lanes, signed routes, or separated bikeways.</p>	48

*These amenities are not managed by the Natural Areas & Trails Division.



Map 1 / Existing Conditions

The Weld County Community Health Survey shows...

- Since 2010, the percent of residents reporting they have high blood pressure, diabetes, and overweight or obesity increased whereas asthma stayed the same. However, in 2016 these chronic conditions are all lower than the U.S. rates.
- Diabetes and overweight and obesity disproportionately impact Hispanic and Latino residents.
- The Greeley/Evans region of the county had the highest rate of residents with asthma and overweight or obesity.
- Fair/poor physical health was more often reported by residents who lived in Greeley/Evans as compared to the rest of Weld County (17%).
- 1 in 5 Greeley/Evans residents report they currently have depression, anxiety, or another mental health condition.

Completed every three years, most recently in 2016, this report assesses local-level data on health status, health behaviors, and needs of residents. (Data from 2019 was not available at the time of this Plan.) While the following indicators can be improved through access to nature, there are other significant contributing factors (e.g. socioeconomics, level of activity, etc.). The report summarizes data for the Greeley and Evans areas jointly.

PUBLIC HEALTH

A look at modern headlines underscore how crucial close-to-home green spaces are to Greeley's quality of life: "Pandemic proves we need open spaces," "Open space plays a vital role in the pandemic," and "In a pandemic, parks are keeping us alive." During the COVID-19 crisis, people started turning to parks, trails, and natural areas like never before—for fresh air, safe space, exercise, meditation, and much needed peace - a trend that is likely to continue.

Research shows that providing outdoor recreation amenities and access to nature, indeed, are a potent force for our physical, mental, and environmental well-being. "Kids who have access to more green spaces are more likely to remain physically active as they grow older. Children with a park or playground within half a mile of their homes are almost five times more likely to be a healthy weight than children without playgrounds or parks nearby" (Generation Wild, Get Outdoors Colorado). A 2020 study published in *Science Advances* showed children

that were allowed to play in more natural and biodiverse nature spaces showed better immunity and less auto-immune diseases than children who didn't play in nature (Roslund et al 2020). The Thriving Weld Active Living workgroup, a county-wide partnership, has introduced [Outdoor Rx](#), a new initiative aimed at getting people outdoors by providing an online map of outdoor recreation amenities and tools and promotional materials.

A 2018 study in urban Philadelphia demonstrated that even small green spaces with modest amenities have significant benefits to the health of those that lived near these "pocket" green spaces, as compared to those that didn't have easy access to nature in their neighborhood (South et al).

It may take decades to move the needle on chronic diseases even with evidence-based interventions. Research shows that investing in local well-being initiatives could improve the quality of life and increase longevity for the community.



Woodbriar Park

GAPS AND BARRIERS TO ACCESS

Greeley's City Council reads a quote from Greeley resident Gelene McDonald during each Council meeting – “If you belittle what you have... it becomes less. If you appreciate what you have, it becomes more”. This sentiment can be applied to important lands worth conserving and stewarding as well. These lessons can be taught through educational, volunteering, and leadership opportunities within our natural areas and open lands but most importantly physical and emotional connection with the land.

People will utilize natural areas and trails more if they are located within a reasonable walking distance. As identified in the Inspire Initiative Report, common barriers to getting outdoors include “don't know where to go”, “no places of interest nearby”, and “no way to get there” – all factors that could be mitigated by having natural areas and parks close to home. An adopted standard throughout the land use planning and recreation field has become a 10-minute walk to nature ([National Recreation & Parks Association](#)), a campaign which the City has signed on to.

Map 2 shows how existing natural areas and parks can be accessed within a 10-minute walk (1/2 mile) without having to cross an arterial street. Approximately 66% of all residences are located

within 1/2 mile of a park or natural area. Areas not currently served by a park or natural area, known as “nature deficit areas,” primarily include the southern edge; between 8th Avenue and US 85; and, while mostly undeveloped, the west side of the city. Between the northern city limits and the LREGA also has minimal park or natural area access, however, residential density is very low to non-existent within and north of the floodplain.

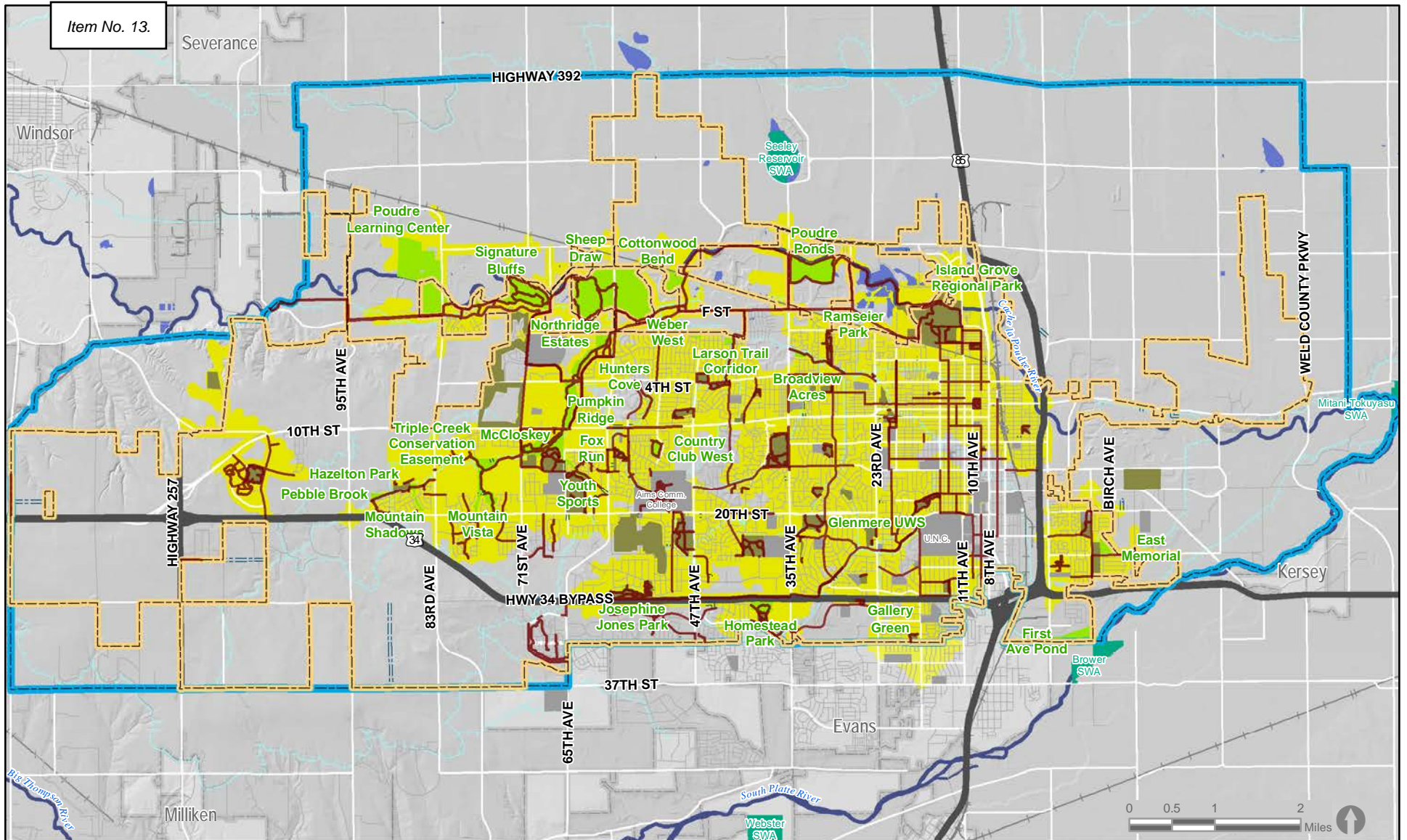
Through the Inspire Initiative Report, youth and adults indicated the opportunities and activities they seek outdoors and the improvements that would encourage them to spend more time outdoors. This provided a place-based understanding of the qualities residents seek in natural experiences. These qualities were translated into a *Nature Score*, a matrix used to uniformly assess parks and natural areas in Greeley for their desirable qualities. A total of 9 out of 45 parks and natural areas within Greeley obtained an ‘A’ Nature Score. Of the remaining parks and natural areas, 9 obtained a ‘B’ Nature Score and 25 received a ‘C’ Nature Score.

Updated 10-minute walk mapping shows that less than half (44%) of Greeley households are located within 1/2 mile of high or moderate (A or B) quality nature experience (Map 3).

Kids who have access to more green spaces are more likely to remain physically active as they grow older.

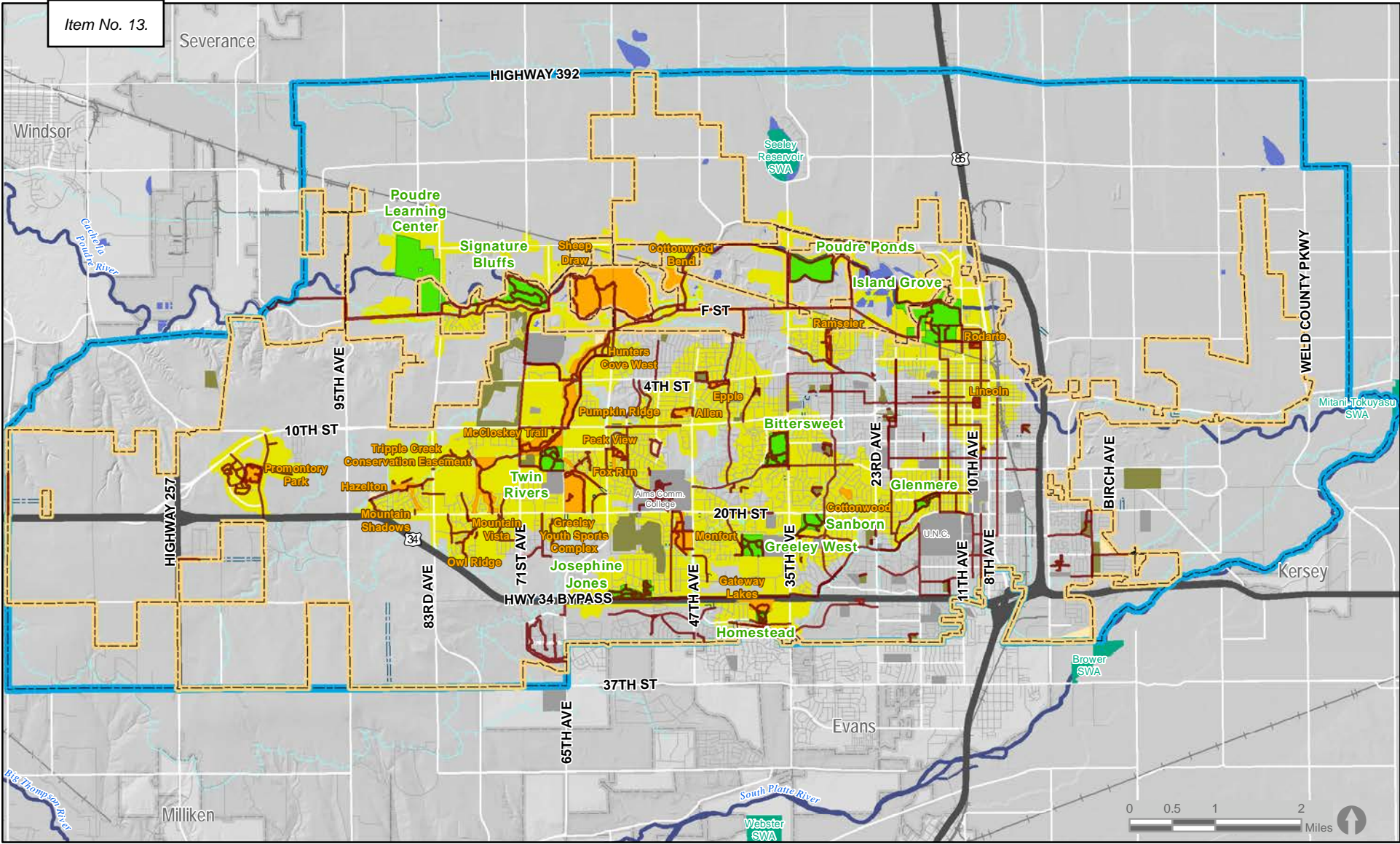
Easy access to natural areas and trails brings the following public health benefits:

- Physical benefits such as:
 - Lower blood pressure
 - Healthier body weight
 - Lower blood sugar
 - Decreased stress and anxiety
 - Reduced screen time and increased attention span
 - Reduced ADHD symptoms - especially in children
- Treatment for depression, anxiety, PTSD, and other traumatic events
- Shorter hospital stays for patients with views of nature
- Positive impacts to circadian rhythms and improved sleep with less human-created night lighting
- Removal of air pollution by trees and shrubs
- Mitigation of heat island effect in urban settings
- Improved water quality through management of stormwater (also reduces costs to the City)
- Stimulating community cohesion for a stronger, safer, and engaged community



Map 2 / Areas within a 10-minute walk of a Park or Natural Area

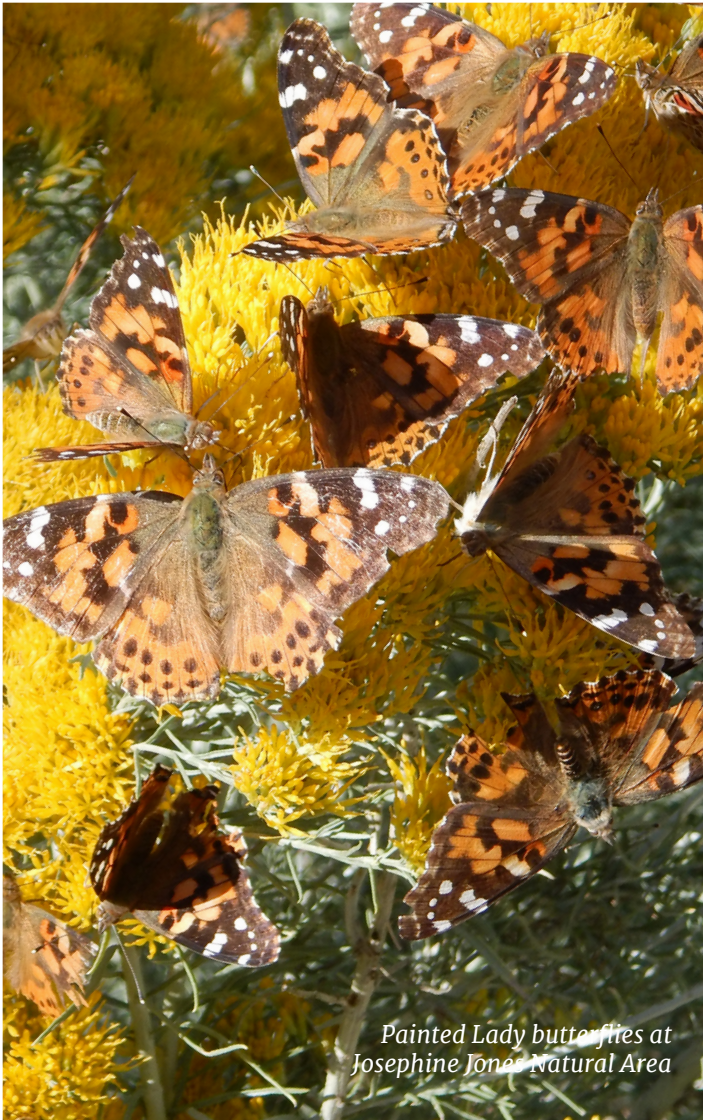
Item No. 13.



A Rating Nature Score	Bike and Pedestrian Connections	State Wildlife Area	Long-range Expected Growth Area
B Rating Nature Score	Railroad	School	Greeley City Limits
Area within 10-min Walk of Park or Natural Area	Water Easement	Natural Area (No Rating or C Rating)	Other City Limits
Ditch	Park (No Rating or C Rating)	Natural Area (No Rating or C Rating)	

Map 3 / Areas within a 10-minute walk of a High or Moderate Quality Nature Experience (Nature Score A or B)

AREAS OF ECOLOGICAL SIGNIFICANCE



Painted Lady butterflies at Josephine Jones Natural Area

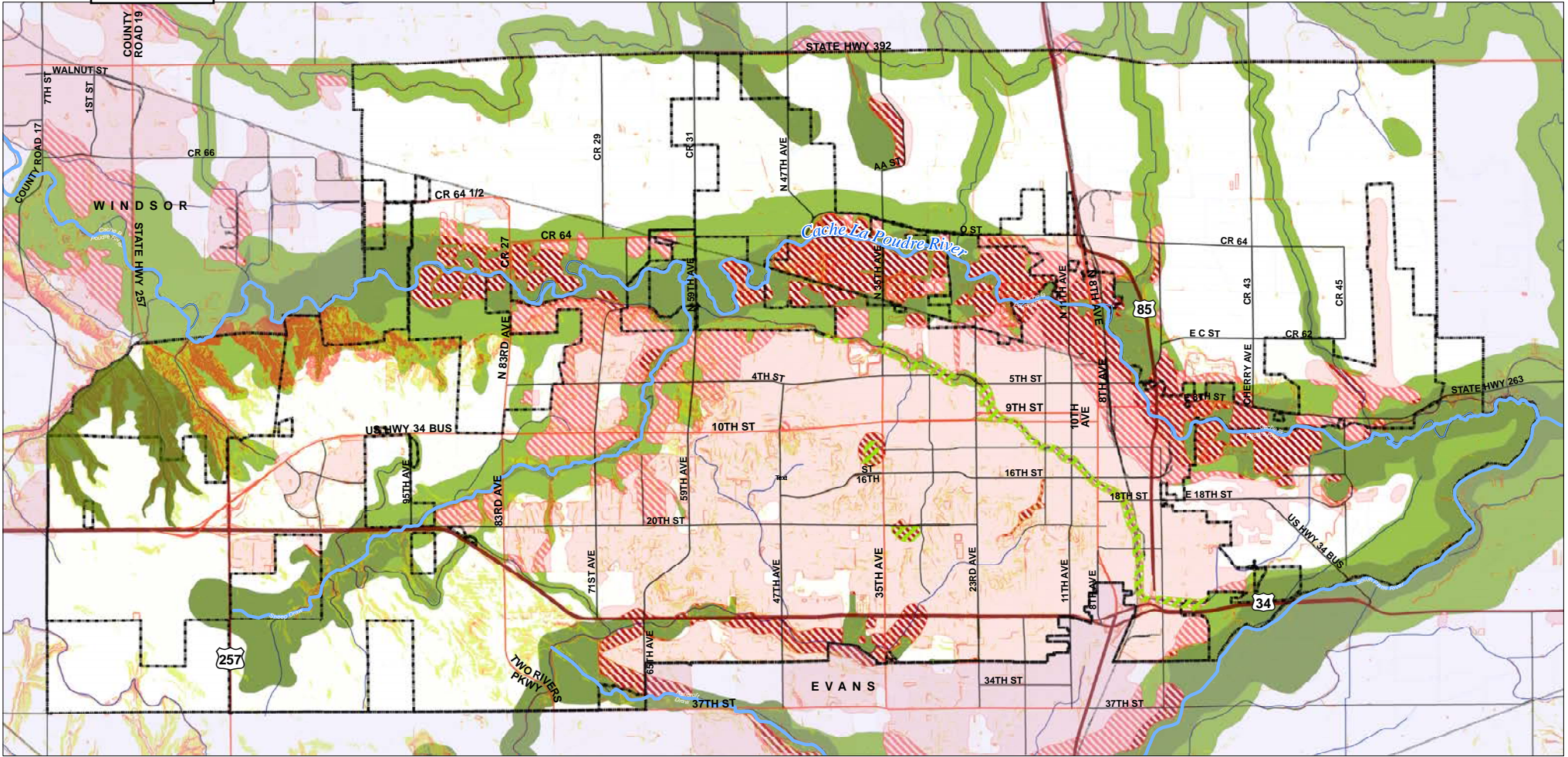
A well managed ecosystem provides numerous environmental benefits, including wildlife diversity and abundance, connectivity for maintaining genetic diversity seasonal use and movement corridor, streams not just for flood management but for conveyance of water to facilitate water rights use and recharge, and many others.

Because of significant community concerns about development and growth impacts on wildlife in the city, an advisory committee was formed by the City Council in 1986 to provide guidance and input on matters affecting wildlife in the community. After other iterations of this committee and additional planning efforts, the Areas of Ecological Significance was adopted in the Greeley Development Code in 1998 (Chapter 18.48). The purpose is to establish standards which will ensure that when property is developed within the city measures are taken to protect and enhance areas of ecological significance, critical wildlife habitat and populations, native and unique plant communities, and valuable natural features that benefit the entire city.

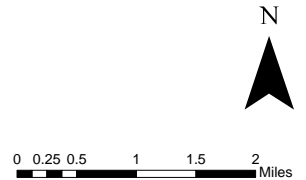
Ecological significance is illustrated by overlaying critical and important wildlife habitat, riparian forests, wetlands, 100-year floodplains, drainages, significant landforms and other resources. These areas are ranked based on the overlapping of different resource layers. Where multiple layers overlap, the ecological significance is rated as “high” whereas a single layer will be rated as “moderate.” The riparian areas along the Cache la Poudre and South Platte River corridors provide the greatest ecological significance with both the Sheep and Ashcroft draws also highlighting important ecological significance.

“High” rated areas are less likely to see residential and commercial development, making them the easiest opportunity for open space and trails. Natural areas and open lands provide functions, also known as “ecosystem services”, that are important to the natural environment and human health, such as water and air filtration, carbon sequestration, and stormwater management. Because of these services, not to mention wildlife habitat impacts, it is best to proceed carefully when developing recreational facilities in these areas.

Map 4 was produced by the City of Greeley’s Community Development team as part of the 2018 Comprehensive Plan to identify areas of ecological significance per the City’s code. It is currently being updated by the Community Development Department and any updated version would supersede this version.



LEGEND	Proposed additional areas of ecological significance not included in the 1998 mapping.	Areas that contained significant natural features shown on the 1998 map which would be severely affected by Development & Mining	Areas which have not been significantly affected by Development or Mining	Areas which have been significantly affected by Development or Mining that retain significant natural values	Areas which have been significantly affected by Development or Mining
		Areas that contained significant natural features shown on the 1998 map which would be moderately affected by Development & Mining			



Map prepared by John Barnett 07/19/16



Map 4 / Areas of Ecological Significance (Imagine Greeley Comprehensive Plan)

PRIORITY CONSERVATION AREAS

The 10-minute walkability maps, Areas of Ecological Significance, and Imagine Greeley’s Future Land Use Map together inform a system of Priority Conservation Areas. These high priority areas were grouped into five categories below and on Map 5. The intent of Priority Conservation Areas is to focus acquisition efforts on the highest conservation values and recreational opportunities, *not* to acquire or protect the entire area. Natural Areas & Trails will pursue conservation projects within these focus areas in partnerships with others, and with willing sellers or donors.



Mitani-Tokayasu
State Wildlife Area



Country Club West
Natural Area



Signature Bluffs
Natural Area



Signature Bluffs
Natural Area



Gateway Lakes
Natural Area

RIVER CORRIDORS

The Poudre and Platte river systems have been conservation priorities for decades, and are the focus of half a dozen regional efforts such as the Comprehensive Cache la Poudre Greenway Guide, The Lower Poudre River Flood Recovery and Resilience Master Plan, and Poudre River Greenway Initiative. Preserving and restoring these river systems mitigates flooding, improves water quality and wildlife habitat.

RIPARIAN CORRIDOR/ GREENWAY

At a smaller scale, streams and their associated riparian areas can mirror the Poudre River Greenway Initiative. Riparian lands have high ecological value as drainage and wildlife corridors, as well as recreational greenways.

BLUFFS

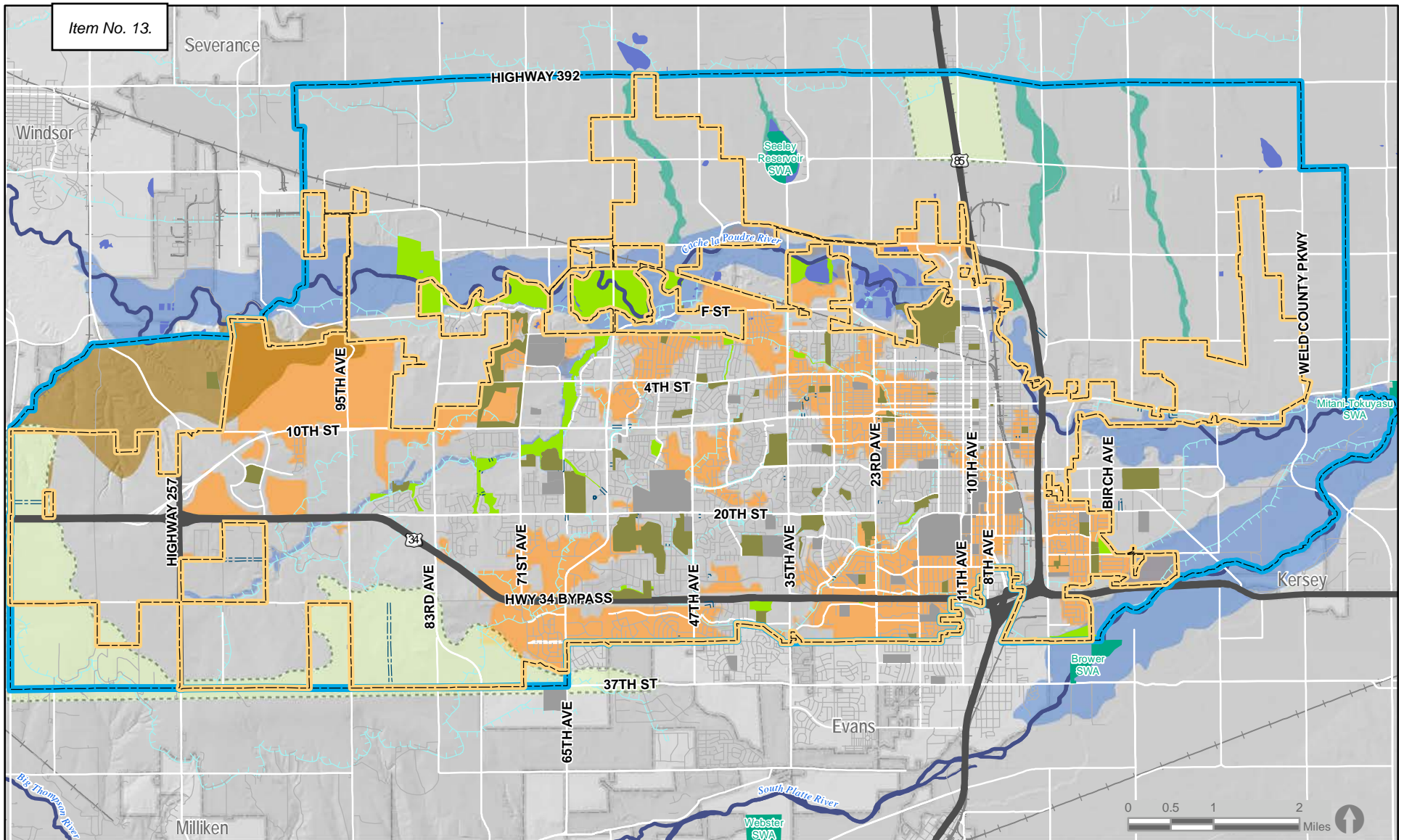
This prominent and ecologically important geologic feature rises from the shortgrass prairie in western Greeley. Conservation of the bluffs areas protect viewsheds, wildlife and trail corridors, and specific habitats for native plant and wildlife species.

AGRICULTURAL USES, VIEWS & COMMUNITY SEPARATORS

Greeley’s prime agricultural lands have had state and national importance for over a century. Doubling as scenic gateways, our foodshed lies perilously between growing communities. The existing rural character maintains Greeley’s identity. Community Separators are supported concepts in Imagine Greeley and the PTOL Plan and outreach is on-going. In most cases, land remains in private ownership with little to no public access.

NATURE DEFICIT AREAS

Neighborhoods within the city limits that are greater than a 10 minute walk to a high-quality nature area, without crossing an arterial street. These areas tend to exhibit higher concentrated socio-economic risk factors than the city at large indicating residents likely have greater challenges to spending time in nature (see the 2017 Get Outdoors Greeley Report). The Division increases awareness of offerings, connect youth to nature, promote equitable access, and protect valued natural resources.



Map 5 / Priority Conservation Areas

FUTURE URBAN GROWTH IMPACTS

POPULATION AND HOUSING

Greeley is projected to have a population of 125,557 within the next five years under a medium growth scenario and up to 150,000 by 2038 (Greeley Annual Growth and Development Projections Report [AGDPR] 2020, Imagine Greeley 2018) (Figure 1). To maintain the existing ratio of 1,068 acres of open space per a city population of 111,748, an additional 132 acres would need to be conserved in five years.

Within the northern Colorado region, Greeley, Fort Collins, and Windsor were the top three communities to issue new permits for residential buildings (Figure 2). Housing development is a stronger indicator of population growth. Also, with Greeley being one of the more affordable communities within Northern Colorado, with a median home sale price of \$320,000, an affordable housing market will continue to promote population growth.

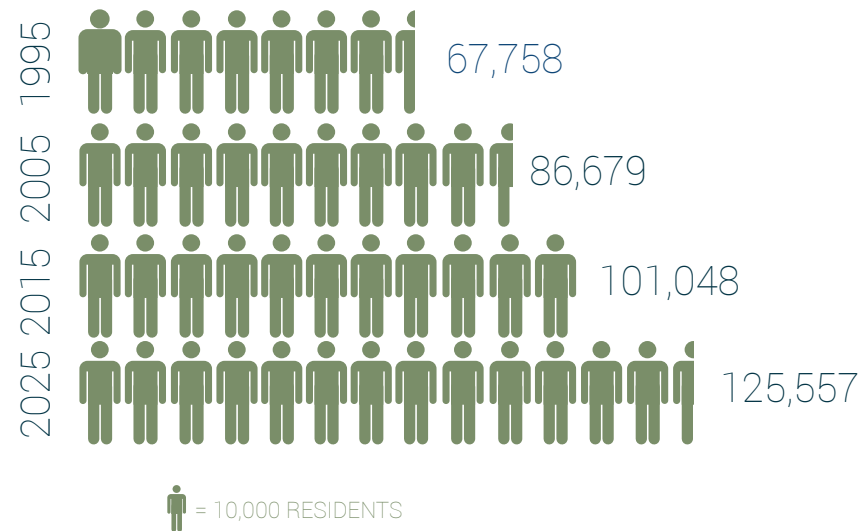


Figure 1 / Population Scenarios

Greeley is expected to continue growing in proportion to numerous factors including Greeley’s ability to keep attracting residents, the supply and cost of housing, and the availability of jobs.

As Greeley’s population continues to grow, the City will continue to evaluate the recreational and natural area needs of the community in order to ensure a high quality of life and equitable access to nature. It will also be important to proactively identify and conserve lands and the necessary connections to those amenities to maximize both ecological benefits (as discussed in the previous section on Ecologically Sensitive Areas) and community benefits (physical and mental health, retaining a sense of community, etc). Many of the negative impacts commonly associated with growth can be mitigated by Natural Areas & Trails working in a collaborative fashion with urban planners and developers to ensure balance between conservation and development occurs.

WATER SUPPLY, WATERWAYS, AND WORKING FARMS AND RANCHES

Greeley’s “liquid gold” – water – governs the community’s ability to change, grow, and prosper. Waterways and the natural areas they support are also important to the community as recreation corridors, visual open space, community separators, and wildlife habitat. Ensuring the water quality of these corridors will promote healthy ecosystems that benefit all. Ditches and other utility corridors can also provide unique trail opportunities for access to nature.

For over 100 years, the City has acquired agricultural lands for their water rights to ensure there is enough water for current and future economic and population growth. Working closely with the Water and Sewer Department, some City-owned working farms and ranches can appropriately incorporate public access and/or wildlife habitat features. Co-purchase of lands between Water and Sewer (for the water) and Natural Areas & Trails (for land conservation and/or outdoor recreation) could leverage departmental funds to pursue properties that otherwise each department on their own could not afford. Water and Sewer typically resells properties it acquires to recoup money for additional water purchases. Natural Areas & Trails would need additional funding to purchase these lands. Alternatively, through conservation easements with willing landowners, Natural Areas & Trails could work to preserve working farms and ranches in perpetuity.

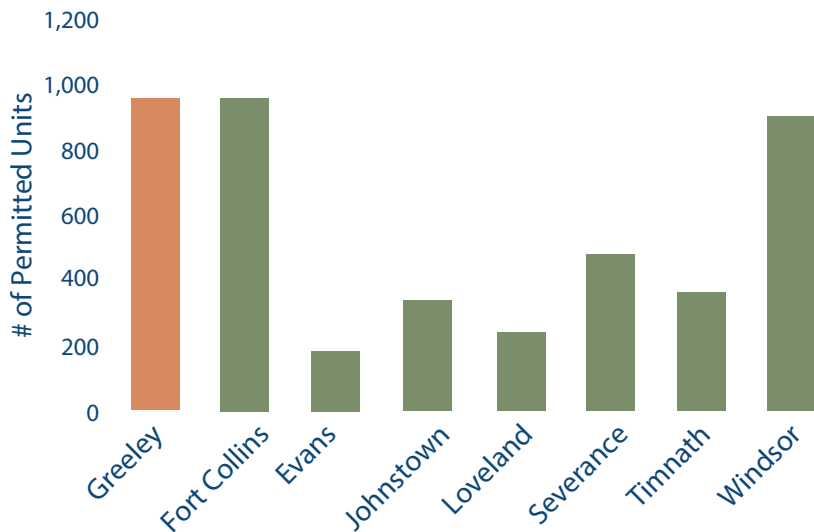


Figure 2 / 2019 Residential Permits

Within the northern Colorado region, Greeley, Fort Collins, and Windsor were the top three communities to issue new permits for residential buildings.

Economic Benefits of Natural Areas & Trails

- **Agriculture.** Working farms and ranches are a cultural and economic cornerstone of Weld County.
- **Economic development.** The high quality of life provided by open space amenities attracts and retains the best and brightest companies and employees.
- **Greater property value.** People like living near them and are willing to pay a premium for the privilege.
- **Recreation and tourism.** Visitors spend money at local businesses.
- **Direct use value.** Residents save money by using the natural areas at no- or low-cost instead of having to pay to participate in these activities elsewhere.
- **Ecosystem services.** A healthy ecosystem can help pre-treat stormwater, mitigate floods, lower ambient temperatures, sequester carbon, and reduce soil erosion. These services provided by nature lessens cost to treat water, recover after floods, cool homes, and restore soil-eroded lands.

ECONOMY

Greeley's natural areas, nature-based recreation areas, and conserved working farms and ranches provide enjoyment, recreation, costs savings, and local revenues that directly and indirectly bolster the economy. There are over 2,700 different employers in Greeley ranging from small family-owned startup companies to state colleges, from extensive healthcare facilities to regional and national retail trade. Surprisingly, Arts, Entertainment & Recreation and Fishing & Hunting industries in Greeley comprise less than 2%. The average across the Front Range is 10%, and in the mountains over 40%, suggesting that Greeley is well below its potential in attracting visitors who spend money at local businesses that focus in these industries (AGDPR 2020).

In a competitive global economy, companies and employees have a world of choices about where to locate and expand their business. Having great opportunities for outdoor recreation and benefits associated with conserved lands is attractive to both employers who seek a high quality of life for their employees and visitors who wish to spend time visiting and recreating in the community. Further, outdoor recreation retailers and manufacturers seek to be located in areas where their products can be tested with direct connections to the target customers.

Colorado Tourism and Recreation Accounts For:

\$62 BILLION
to Colorado's economy
511K JOBS

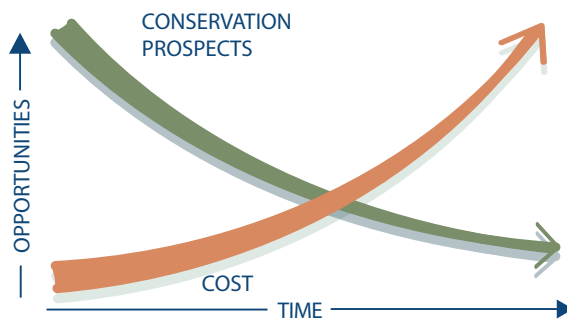
\$9 BILLION
in state & local tax dollars

03 / STRATEGIC PLAN FRAMEWORK

This chapter describes the Natural Areas & Trails Division strategic framework in order to meet the community's needs, address identified issues, and sustainably steward the lands. First is an analysis of the current financial condition of Natural Areas & Trails. This is followed by a series of goals and objectives to direct future actions. Measurable metrics are outlined to effectively and efficiently track progress towards achieving the goals and objectives.

Planning for the Future

As Greeley's population continues to grow, the City should continue to evaluate the recreational and ecological values of the community in order to ensure a high quality of life and equitable access to nature. It will also be important to proactively identify and conserve lands and the necessary connections to those amenities to maximize both ecological benefits and community benefits. As more land is developed over time, conservation opportunities may be lost, and the land will become more costly to conserve. Demographic changes will also occur with population growth and time.



FINANCIAL FUTURES

BUILDING ON SUCCESSES

The PTOL Plan outlined goals and objectives for the Culture, Parks and Recreation Department, one of which was to create the Natural Areas & Trails Division. Less than five years later, significant accomplishments stemming from the PTOL Plan have included:

- Creation of Natural Areas & Trails Division staff team and budgets
- Completion of Sheep Draw Trail Segment 2 (minus western 1,200 foot connection to 83rd Ave)
- Planning and design (working with willing landowners) of Greeley Canal #3 Trail completion in early 2021
- Acquisition of Cottonwood Bend Natural Area (173 acres); additional 29 acres at Signature Bluffs Natural Area; Pebble Brook (6 acres); and Fox Run (24 acres)

These major milestones were made possible through the City's general fund, dedicated project funds, impact fees, and various grants and donations. Still, a sizable gap remains in funding, facilities, and services to achieve the vision established in 2016 and reaffirmed in 2018 via Imagine Greeley.

FUNDING OVERVIEW

To understand this Strategic Plan, first we need to understand the funding sources for the Natural Areas and Trails Division:

- General Fund (Operations based on 2020 budget) – ~\$680,000
- Conservation Trust Fund (Lottery) – varies, ~\$50,000/year
- Capital Fund for trail repair/specific projects have been funded – varies, \$275,000 annually (in 2020 \$200,000 was provided by Weld County)
- Trails Development Fee – varies on amount of development, ~\$300,000 per year
- Grants and Other Sources – varies by project

While variable per year, the total 2020 operations and projects budget is approximately \$1.3 million. The average budget over the last three years has been \$800,000. Compare that to the \$88 million backlog of deferred maintenance needs and Capital Improvement Projects approved in past plans.

Funding plays an integral role in determining how and when the goals, objectives and metrics in this Strategic Plan will be achieved. The current level of operational funding from existing funding streams is not sufficient to maintain existing natural areas or the trail system at a desired level of service.¹

¹ The majority of current Culture, Parks & Recreation Department's portion of the impact fees and food tax largely go toward parks and indoor facilities. Additionally, the food tax helps fund streets, sidewalks, and other City facilities.

This is in part because as public use increases – a function of visitation, intensity of recreational activities, and proximity to urban areas – the long-term costs to manage a property also increase. These increased operational costs reduce the Division’s capacity to acquire more land or build trails. Conversely, properties that generally do not allow public access, such as conservation easements, typically have lower operational costs and in some cases generate revenue. Average costs of four types of lands are shown in Table 4.

Table 4 / Average Costs per Acre by Natural Area Type

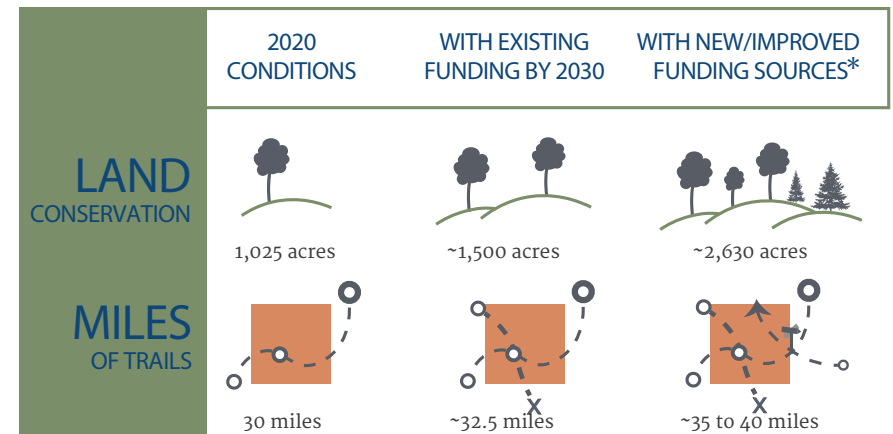
TYPE OF LAND	ACQUISITION/ CONSERVATION COSTS (PER ACRE)	CAPITAL IMPROVEMENT & RESTORATION COSTS (PER ACRE)	ANNUAL O&M COSTS (PER ACRE)
Floodplain	\$6,250	\$10,000	\$400
Community Separator Land	\$12,000	\$2,000	\$100
Urban Land	\$35,000	\$5,000	\$500
Open Lands (Conservation Easements, No Public Access)	\$10,000	\$0	\$100*

* Does not account for potential enforcement and litigation of violation.

Currently in Colorado, the largest 20 cities all have access to some form of dedicated open space funding, except for Pueblo (#9), Greeley (#11), and Grand Junction (#18). Compared to Longmont, Fort Collins, Cheyenne, and Santa Fe, which are close cousins to Greeley in geography, population, and demographic trends, Greeley’s Natural Areas & Trails annual operating budget is \$680K and it shows – all peer communities have conserved more property and built more miles of trails. Programs with large acres of conserved land typically have larger budgets which are often supported by dedicated sales tax dollars from either the municipality or the county. The following peer cities were chosen as they represent free standing communities near large metro areas, typically with a small university or college, and are similar in population and demographics (Table 5).

What could be accomplished in the next 10+ years with or without a new funding source?

Natural Areas & Trails’ current revenues and capacity would only add 500 acres of natural area and five miles of trail. If a dedicated funding source, such as a 10 year 0.25% sales tax, were approved by Greeley voters the acres conserved could nearly triple over just 10 years.



* Assumes new dedicated funding sources, such as increased Trail Development Impact Fee and a 0.25% City sales tax, are approved by 2023.

Table 5 / Peer Community Benchmarks

	GREELEY	LONGMONT	FORT COLLINS	CHEYENNE	SANTA FE
Population	111,748 (AGDPR 2020)	95,986 (Census 2018)	167,823 (Census 2018)	63,243 (Census 2018)	84,605 (Census 2018)
University/College Student Resident Population	12,000	NA	33,000	~2,000 (41% of 5000 are full time)	15,000
Dedicated Open Space/Trails Funding Source (Year Approved)	City: No County: No	City: \$75 million , 13- year, 0.2% sales tax (2007) Boulder County: \$275 million , .475% sales tax (multiple) used for joint projects	City: \$150 million , 25- year, .25% sales tax (2002) A portion of Larimer County: \$262 million , 25-year, .25% sales tax (2014)	City: No Laramie County: \$9 million , 0.1% sales tax (2017)	City: \$30 million bond (2008)
Annual Budget	\$1.3 million	\$4 million (2018 Open Space Plan)	\$13 million	Unidentifiable as it is included with Parks, Rec, and Golf. Belvoir Ranch is managed by Public Works Budget	\$6.6 million (includes Parks, Trails and Watershed)
Acres Managed	1,068	4,569 (2018 Open Space plan)	36,600 (Includes properties outside of City limits, such as Soapstone Prairie Natural Area)	700 plus the 18,800 acre Belvoir Ranch is managed by Public Works (2014 Plan)	4,000 (2017 POSTR Plan)
Miles of Trail	30	94	110	43	172

The largest 20 cities in Colorado

all have access to some form of dedicated open space funding, except for Pueblo (#9), Greeley (#11), and Grand Junction (#18).

GOALS AND OBJECTIVES

The goals and objectives for this strategic plan are drawn from the PTOL Plan, the Inspire Initiative Report, and the 2018 Imagine Greeley Comprehensive Plan. In addition, this Plan's steering committee and public engagement have further shaped the direction of the strategy. Finally, they have been further refined based on critical program needs and activities needed for an impactful five-year strategic plan.

The goals and objectives are organized around six strategic priorities. Each theme has one overarching goal that is directly related to Natural Areas & Trails' vision and mission. Under each goal is a series of objectives that act on that goal.



Sustainable Funding



Connections to Nature



Stewardship



Community Connections



Operational Excellence



Capital Planning



Cache la Poudre River



Sustainable Funding



Sustainable Funding Goal | Develop and maintain sustainable funding sources to sustainably and equitably acquire, restore, and maintain natural areas and a trail system in perpetuity for all Greeley residents.

Current funding levels have allowed the Division to build an organizational foundation upon which a more robust program can be built. While Natural Areas & Trails currently manages over 1,000 acres of natural areas and over 30 miles of off-street trails, current funding levels are not sufficient for meaningful land acquisition, restoration, capital replacement, or connections with the community through environmental education or volunteer services.

While a few goals can be achieved with current funding sources, hard choices are imminent in order to plan and prioritize allocations of available funding. Securing a dedicated open space funding source in the near future will be critical for the success of a land conservation strategy within Greeley, especially considering the pace of growth in the past several years and the projected growth by the State demographer over the next thirty years in the north Front Range region.

Objectives

- SF 1.** Secure an open space sales tax or other dedicated funding mechanism to realize the City's stated goals in Imagine Greeley, this plan, and previous planning efforts.
- SF 2.** Once a dedicated funding mechanism is secured, establish criteria for identifying equitable priorities for funding in each priority conservation area. Regularly report spending and acquisitions to the Parks & Recreation Board.
- SF 3.** Develop and maintain adequate, and long-term, life-cycle capital replacement funding.
- SF 4.** Develop and maintain adequate, and long-term, land restoration funding.
- SF 5.** Secure sufficient capital and operational funding to develop facilities and amenities, maintain sites, partner with the community on educational programming for residents and users, and engage volunteers on natural areas properties.
- SF 6.** Develop financial and other incentives with partners for private lands conservation and habitat improvement projects (e.g. conservation easements, gardens in a box, school yards, small grants, urban agriculture, etc.).
- SF 7.** Leverage dedicated and general fund sources by pursuing grants, private donations, sponsorships, and financial partnerships with other municipalities, Weld County, and the State of Colorado departments and agencies.



Connections to Nature



Poudre River Trail

Connections to Nature Goal | Equitably create physical connections to nature for all Greeley residents, through acquisition of high-value lands and expansion of the City's trail system.

A strong connection to nature is critical to a community's wellbeing, especially as Greeley grows and longstanding areas that were once used for unstructured play and exploration become developed. Conserving high value wildlife habitat, prime agricultural lands, urban nature hubs, and community gateways help create a more desirable community to attract businesses and residents alike, thus boosting economic development. Additionally, assessing ways to add potential trail connections, such as via utility corridors or abandoned railroad rights-of-ways, as well as reducing barriers across these corridors. As noted in the 2018 study in Philadelphia (Chapter 2), the benefits of even modest additional nature connections are amplified in communities that have historically been underserved.

Objectives

- CN1.** Conserve additional lands within Priority Conservation Areas (PCAs) in the City’s LREGA that have high value wildlife habitat, wildlife movement corridors, and/or high potential to enhance connections to nature for Greeley residents. Long-term, acquisitions will be equitably dispersed among Priority Conservation Areas based on goals developed and tracked in Objective SF2.
- CN 2.** Work with partners such as Stormwater, Parks, school districts, and others to improve access for “nature deficit areas” of the city through the acquisition and restoration of urban nature amenities based on goals developed in Objective SF2.
- CN 3.** Complete short-term priority trail projects (detailed in Action Items) as funding is secured to eliminate trail gaps that are essential to improving the connectivity of the existing off-street trail system, and begin design of mid-term projects. Trail connections should be prioritized in “nature deficit areas” first.
- CN 4.** Leverage opportunities that are present in the City’s open lands that are managed by various City departments in order to benefit access, recreation, and wildlife habitat improvements, including:
- Trails in utility easements and drainage ways;
 - Natural functions of stormwater retention sites, rain gardens, bioswales;
 - Water & Sewer Department agricultural properties;
 - Underrepresented outdoor recreation opportunities, such as water recreation and mountain biking;
 - Schools and school yards; and,
 - New park development and existing park renovations to establish native vegetation areas and attract and increase habitat diversity.
- CN 5.** Ensure important private landscapes and lands essential to the region’s history and identity are conserved within PCAs by utilizing conservation easements, development review, and other land use mechanisms, including:
- Important geologic landforms (e.g. the Bluffs);
 - Community separators;
 - Agricultural lands (e.g. - USDA-NRCS easement programs);
 - Gateway viewsheds; and
 - Historical or other unique landscapes.
- CN 6.** Work with willing landowners and partners to strategically conserve working farms and ranches that have heritage and conservation values (i.e., prime soils/farmland, water conservation, wildlife habitat, etc.) to allow agricultural land to remain sustainable and productive, typically in private ownership.
- CN 7.** Leverage regional partnerships for landscape-scale conservation outside the LREGA, including the South Platte and Poudre River corridors, adjacent community separator areas, the Laramie foothills mountains to plains conservation area, and connections to the Pawnee National Grasslands.
- CN 8.** Develop and maintain a 10-minute walk GIS layer to inform land acquisition and trail connectivity decisions in the future, and more specifically delineate and update the Nature Deficit PCA.



Stewardship



*McCloskey Natural Area -
Volunteers building the Firefly Trail*

Stewardship Goal | Restore and perpetually manage lands with high conservation value for the benefit of natural habitats and all Greeley residents.

The ongoing stewardship of natural areas, trails, and open lands is key to ensuring healthy lands and efficient and effective management of public resources. Healthy lands are less expensive to maintain, require less pesticides, reduce negative impacts to neighbors, and provide “ecosystem services” which make it less expensive to, for example, treat stormwater that has already been filtered by a functional wetland.

Objectives

- ST 1.** Develop management and restoration plans for all Natural Area & Trail Division properties that identify high functioning ecosystems, impacted lands, and management strategies to protect and restore systems while providing for equitable community recreational and/or educational activities where ecologically sustainable. Establish baseline for river and upland restoration metrics.
- ST 2.** Restore ecological functions of impacted landscapes through noxious weed management and native vegetation establishment, and by using natural processes such as prescribed fire, grazing, or other practices to increase long-term ecological health.
- ST 3.** Pursue river restoration projects with internal and external partners in priority reaches of the Sheep Draw, and Poudre and South Platte Rivers to improve important river functions. Priority projects should focus on floodplain connectivity, natural vegetation recruitment, natural erosional and deposition processes, flood intensity mitigation, fish passage, aquatic species and wildlife habitat, and water quality improvements. Projects that have high ecological merits along with significant social equity or justice components (e.g. flood mitigation, river access, etc.) should be prioritized.
- ST 4.** Create and maintain wildlife habitat and movement connectivity GIS mapping layer to help direct land acquisition and small grant priorities.
- ST 5.** Ensure infrastructure and amenities minimize impacts to wildlife movement and habitat fragmentation and PCAs, such as wildlife-friendly fencing, trail design and location, and wildlife under/overpasses. Advocate for external infrastructure projects such as road, utility, energy, and others to use the avoid/minimize/mitigate hierarchy to lessen impacts on City properties.
- ST 6.** Develop and apply management area categories for existing and future natural areas properties that represent a spectrum of protection/use from preserve areas to urban nature hubs.
- ST 7.** Assess names of existing and future properties to ensure inclusive and culturally appropriate naming of natural areas and trail corridors. Update the Parks and Recreation Advisory Board by-laws and naming process to include Natural Areas & Trails lands.
- ST 8.** Develop a Ranger program within the Natural Areas & Trails system to provide education and enforcement of the regulations (user safety, wildlife impacts, etc) through proactive environmental education, and enforcement of regulations on natural areas and trails.
- ST 9.** Complete a feasibility study of potential locations within the city for wetland restoration projects with the ability to develop mitigation banking and credits.
- ST 10.** Develop a comprehensive monitoring program for vegetation, wildlife, river health, and usage to make informed management decisions. Conduct regular monitoring with partners such as UNC, other City departments, and volunteers to track ecological health indicators, document user activity, identify trends, assess impacts to wildlife habitat, and evaluate equity in system access and usage.



Community Connections



*Signature Bluffs Natural Area -
Youth from Poudre Learning Center*

Community Connections Goal | Connect residents to nature by partnering with the community to provide inclusive and equitable educational, volunteering, and leadership opportunities for all Greeley residents.

Responsibly stewarding a community's natural resources is only possible through a deeply rooted community-wide conservation ethic. Local natural areas provide amazing opportunities to learn in these living laboratories for students and the community alike. A community-wide understanding and appreciation of the importance and benefits of nature and the effort involved in its care is vital to the long-term support of Natural Areas & Trails programs.

Objectives

- CC 1.** Partner with community members to develop and conduct community programming, events, and other outreach and communication efforts for the community that provide education about the benefits of nature, while providing content in an inclusive and accessible manner for all. Include bilingual written and verbal communications, culturally relevant content inclusive to various communities within Greeley, events for all ages and abilities, etc. whenever possible.
- CC 2.** Support the Poudre Learning Center, school districts, UNC, and other partners in youth education and engagement efforts and partner on developing additional Science/ Technology/ Engineering/ Arts/ Math (STEAM) educational opportunities for the entire community.
- CC 3.** Leverage City staff capacity through a robust volunteer program. Encourage volunteerism and a community conservation ethic by providing opportunities for people of all abilities to assist in maintaining and restoring natural areas. Continue, and make permanent, the partnership with Volunteers for Outdoors Colorado (VOC) Volunteer Partnership Coordinator staff position, housed within Natural Areas & Trails.
- CC 4.** Conduct periodic (ideally annual) community surveys on user satisfaction with the Natural Areas & Trails system and user surveys to the following growing demographic groups in Greeley that typically require unique and targeted outreach, including but not limited to active seniors, communities of color, underserved populations, and persons with disabilities.
- CC 5.** Increase public awareness of Natural Areas & Trails offerings through partnerships to develop marketing, communications, and branding campaigns with the City’s Communications & Engagement department or external firms.
- CC 6.** Establish an open lands working group, which may be a sub-group of the existing Parks and Recreation Advisory Board, the steering committee for the Inspire Initiative Report, or an extension/evolution of another working group. This group should be representative of the demographics of the Greeley community including gender, race, ethnic background, language, sexual orientation, etc.
- CC 7.** In partnership with other programs in the city, develop small grant, certification, and other incentive programs to urge homeowners to provide “backyard/urban habitat” for local wildlife, which also feature benefits of water conservation, reduced chemical use, increased social equity, and improved physical, mental, and emotional wellbeing. Work with residents and property owners to pursue wildlife-friendly designations, such as Bee City USA, Caring for Watersheds, and Certified Community Wildlife Habitat.



Operational Excellence



Owl Ridge Trail

Operational Excellence Goal | Provide effective, efficient, and consistent level of service to all Greeley residents at all natural areas, open lands, and trails.

While Natural Areas & Trails is primarily responsible for maintaining the City’s natural areas and off-street trail system, other City properties are managed by a variety of City departments and divisions. For example, parks also provide access to more developed nature and internal trail systems but are managed by the Parks Division. Currently, due to limited staff capacity, lesser used properties or trail corridors may not get the maintenance attention needed due to staff “triaging” the more popular sites. This can create unintentional, but real inequities in how properties are serviced. The following objectives lay out how Natural Areas & Trails plans to rectify these imbalances.

Objectives

- OE 1.** Provide and maintain approximately 1 permanent full-time equivalent for every 335 acres acquired (as adopted in the 2016 PTOL Plan). In addition, add adequate seasonal employee support depending on the types of lands managed. Providing this staff capacity will ensure lands can be appropriately restored, managed, and maintained; ensure compliance with management plans; and meet the requirements of associated planning and administration of all Natural Areas & Trails properties.
- OE 2.** Upgrade and expand existing equipment fleet to realize more reliable, effective, and cost-efficient operations and plan for regular lifecycle replacements.
- OE 3.** Develop and document standards for Natural Areas & Trails and cross-departmental maintenance, especially for shared Parks and Natural Areas properties and stormwater detention ponds, to provide appropriate level of service, better plan for equitable staff capacity at all sites, and optimize efficiencies of field operations by coordinating maintenance tasks.
- OE 4.** Provide adequate staffing to support the Plan's objectives, including but not limited to rangers; planning and restoration specialists; volunteer, environmental education, and outreach coordinators, and seasonal crews.
- OE 5.** Partner with Community Development, Economic Health, and Housing's conservation tools and strategies, such as in the land use code.
- OE 6.** Develop career pathways and recruit candidates that are representative of the Greeley community. Focus of recruitment and career development should be on those groups not traditionally represented in natural resource careers.



Capital Planning



McCloskey Natural Area -
Trailhead construction

Capital Planning Goal | *Ensure continued investment is dedicated to repairing and updating existing amenities and maintaining the ecological values for which the natural areas were conserved.*

Natural area facilities, infrastructure, and equipment are regularly maintained, but given their age, are susceptible to malfunction or failure and will require additional funding to be replaced or upgraded at the end of their useful life. Renovation, upgrades or replacement is ultimately required to keep the system safe, operational, and inviting. Regular maintenance is key to extending the useful life of amenities and facilities and reducing long-term costs; therefore, it is important to implement routine maintenance plans and standards.

Objectives

- CP 1.** Create and implement an asset management system to inventory, track, budget for and replace facilities when they reach the end of their useful life.
- CP 2.** Prioritize upcoming capital projects within the planning horizon of this plan to assist with the City's CIP process. Similar to ensuring equitable land acquisition, develop and maintain a system to ensure capital maintenance and replacement occur in an equitable manner across the entire system, especially in areas of the community that have been historically underserved.
- CP3.** Work to improve coordination in the co-location of facilities and amenities, and coordination of construction timing with the needs of other City departments. Examples include co-location of stormwater facilities and natural areas or trails amenities within the facility.

"When performance is measured, performance improves. When performance is measured and reported, the rate of improvement accelerates."

METRICS

Performance measures should reflect community needs, inspire action, document how Natural Areas & Trails is meeting identified community goals, and help decision-makers make wise decisions.

Characteristics of effective metrics include the following²:

- Are **relevant** to the goals of the Strategic Plan and other community programs;
- Are **clear, concise, and easy to understand**;
- Are based on **reliable and regularly reported data** and can be consistently and accurately tracked over time at no/low cost;
- Are **usable** by City Council, Parks & Recreation Advisory Board, and staff in making decisions, reflecting a topic the community can do something about;
- Serve a **long-range goal**, rather than tracking disconnected short-term outcomes; and
- **Cut across multiple resources** and goals.

While no single indicator can paint a complete picture of progress, a suite of carefully selected indicators can be used to present a compelling summary of achievements and challenges that can be shared in the Strategic Plan and through subsequent annual reports. When rooted in available data, metrics serve as quantitative signposts for monitoring Natural Areas & Trails' performance without adding cumbersome data collection to staff workloads.

The following key metrics were identified as having a) the greatest community impact and b) those in which Natural Areas & Trails would have the most influence in moving the needle (Table 6). All metrics should take into consideration broader trends and conditions from socio-economics to public interest to real estate. There is a whole suite of indicators that are related to the provision of natural areas, open lands, and trails; however, other departments, agencies, or partners may already be tracking them and/or working to directly impact change. For example, the Weld County Department of Public Health and Environment already tracks level of chronic disease (i.e. obesity) and physical activity levels. Improving the water quality, including reducing levels of e. coli, is important to safe river recreation and the health of the community but is a broader watershed issue and solution.

² Hart, Maureen. 2006. Guide to Sustainable Community Indicators, 2nd Ed. Sustainable Measures, West Hartford, CT.

Table 67 Selected Metrics

METRIC	APPLICABLE GOAL AREA	VALUE	BASELINE	5-YEAR TARGET
Walkability: Percentage of households inside City limits within 10-minute walk (0.5 mile) to high quality parks and natural areas. See section on “Gaps and Barriers to Access” on page 15.	CN, CC, CP	High	66% (2020)	Work towards ensuring that everyone has safe, easy access to a quality park within a 10-minute walk by 2050 in alignment with then NRPA campaign.
River Restoration: River Assessment Framework (RAF) grade (as developed by the City of Fort Collins, and currently being adapted by the Coalition for the Poudre River Watershed).	SF, CN, ST, OE	High	No baseline currently	Establish baseline condition grades for all reaches.
Upland Restoration: Percentage of random point from Colorado Natural Heritage Program’s Ecological Integrity Assessment.	SF, CD, ST, OE	Medium	No baseline currently	Establish baseline condition for all properties for all applicable vegetation communities.
Conserved Lands: Acres conserved per Priority Conservation Area per year, as compared to goals identified in an accountability system.	All	Medium/ High	Agricultural/Community Separator: 0 Bluffs: 0 River Corridors: 756 acres Riparian Corridors: 150 acres Nature Deficit Areas: 0	Work with advisory board to establish percentages by PCA.
Funding Availability: Sufficient funding to meet goals of this Strategic Plan through additional dedicated funding sources and meet CIP/project goals as identified in the accountability system.	SF, CP, OE	High	Minimal	Develop asset management system to determine funding needed and establish annual funding set aside for capital replacement.
Community Satisfaction: Percent of citizens responding very satisfied/satisfied with overall quality of natural areas and trail system as determined by city-wide Community Survey or other surveying mechanism that provides representative sample of Greeley’s demographics.	All	Medium/ High	Not yet available – Question not currently asked on the survey	Establish question in next city-wide survey.
Perception of Safety: Percent of citizens responding always safe/usually safe in natural areas and trail system as determined by city-wide Community Survey or other surveying mechanism that provides representative sample of Greeley’s demographics.	OE, SF, CC, CP	Medium/ High	Not yet available – Question not currently asked on the survey	Establish question in next city-wide survey.
Inclusivity in Programs and Leadership: In conjunction with larger City processes, determine percentage variance of Natural Areas & Trails volunteer events, community programs, and Open Lands Working Group demographics average as compared to overall city demographics.	CC	Medium	City currently beginning to track outreach efforts	Develop tracking methodology and track at least one year’s data in the planning horizon.
Self-rated Health: Working with broader City and County programs and processes, track percent of Greeley/Evans residents reporting poor or fair health status by county region, ethnicity, and income to improve the disparities that are present.	CN, ST, CC, CP	Medium	From 2013, 17% of Greeley/Evans residents report having Fair or Poor health; 18.2% of Hispanic residents report having Fair or Poor health; and 35% of residents at 100% of federal poverty report having Fair or Poor health.	Decrease the percentage of residents reporting Fair or Poor health for region, ethnicity and income level by 5-10% change from baseline.

Color Code	Description
	= High priority, within 5 year scope.
	= Medium priority, within 5 year scope.

ACTION PLAN PRIORITIES

Six action plan tables, categorized by the six strategic themes, can be found in the appendix. While most are primarily capital improvement projects, the table also includes financial initiatives, policy updates, programming, planning, and land conservation activities. Consistent with Chapter 3 goals and objectives, the priorities include completing inexpensive “low hanging fruit” projects, pursuing major land conservation projects opportunistically, and pursuing high priority projects strategically.

The Strategic Plan concludes with a map and overview of the High and Medium priorities geographic focus and equity opportunities. Existing and planned natural areas and trails show how recommended projects would improve connectivity. These priorities are overlaid on the Priority Conservation Areas. Specific land conservation targets are not identified precisely, as they are confidential, opportunistic, and always dependent on willing sellers and partners.

Table 7 / High & Medium Priorities Shown on Map 5

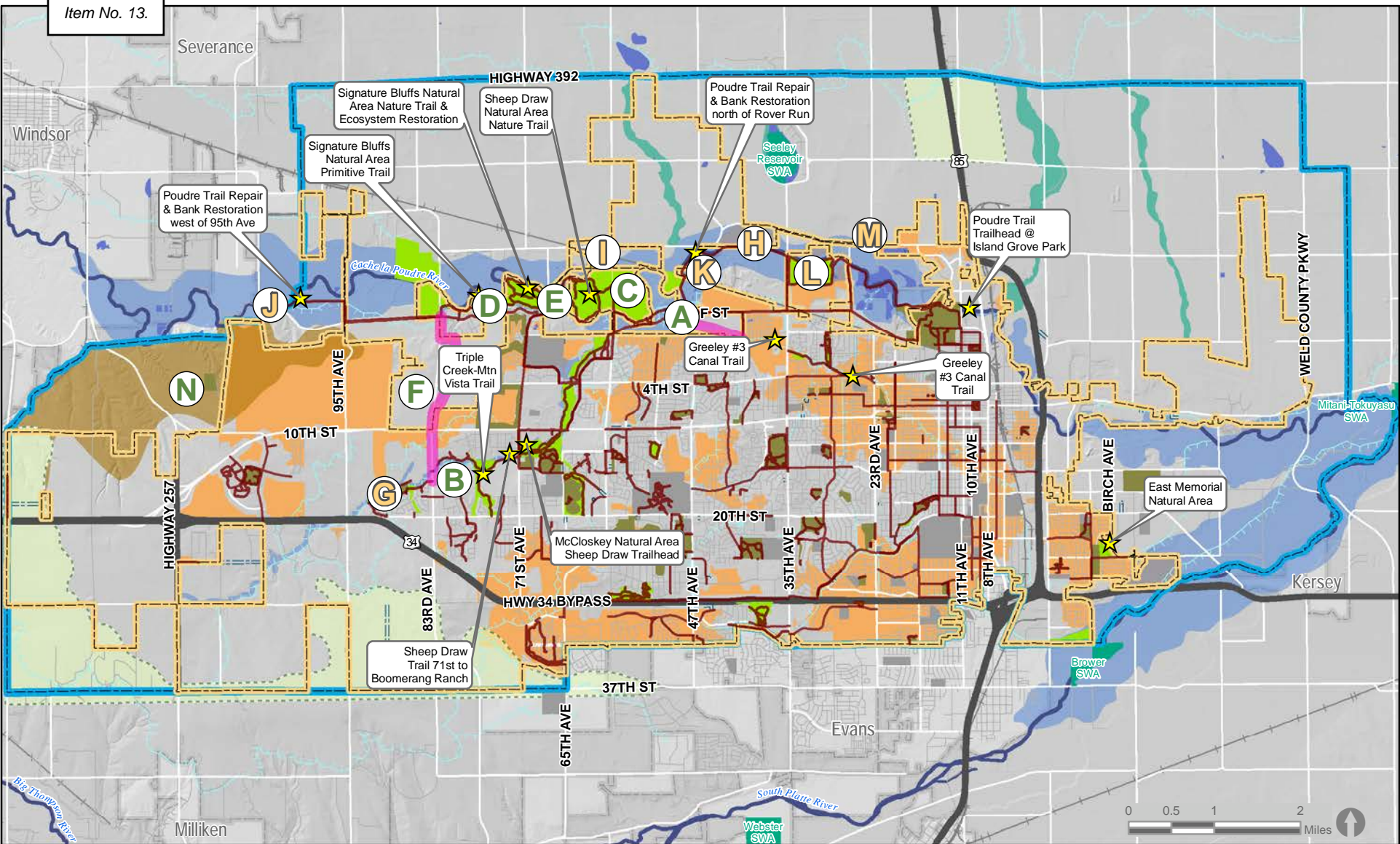
MAP KEY	PROJECT NAME
A	Larson Trail to Poudre River Trail (PRT)
B	Sheep Draw Trail (83rd Ave to 71st Ave)
C	59th Ave - Sheep Draw Natural Area Restoration
D	Narrows Restoration
E	Duran-Red Barn Restoration
F	83rd Avenue Trail Sheep Draw Trail to PRT
G	Sheep Draw Trail Realignment at Mountain Shadows
H	PRT Underpass under 35th Ave
I	Abandoned Sheep Draw oxbow trail
J	Podure River Restoration near 95th Avenue (Reach 13)
K	RR Bend Restoration
L	Poudre Ponds Reach 6B Restoration
M	Poudre Ponds Reach 6C Restoration
N	Shur View Restoration

Table 8 / City-wide High & Medium Priorities

SUSTAINABLE FUNDING
Existing Funding Sources
New Funding Sources
Grant Opportunities
Quality of Life Fund Project List
Additional Departmental Funding
CONNECTIONS TO NATURE
Development Code Revisions
Likely Land Conservation Opportunities
STEWARDSHIP
Upland and Wetland Restoration Projects
Herbicide Application Program
Develop a small grants program to work with private owners and HOAs to encourage proper stewardship.
Reach 13: Broe-Marietta-Orr
COMMUNITY CONNECTIONS
Volunteer Program
Environmental Education Program
Natural Areas & Trails Wayfinding Signage Plan and Implementation

Implement Satisfaction Surveying
OPERATIONAL EXCELLENCE
Restoration/Herbicide Specialist (NEW)
Volunteer Coordinator (NEW)
Environmental Planner (NEW)
Sr. Environmental Planner (Promote)
Seasonal Crews
Update PTOL Plan
Update 2002 City of Greeley Trails Plan
Update 1998 Wildlife Management Plan
Ranger (NEW)
CAPITAL PLANNING
New Natural Areas & Trails Offices/Shop
Large Signage for Natural Areas & Trails properties
Trail Capital Maintenance
Natural Areas & Trails Office - Basement Expansion

Item No. 13.



<ul style="list-style-type: none"> ★ Current and Recent Projects ~ Bike and Pedestrian Connections ~ High Priority Future Trails — Railroad == Water Easement — Ditch 	<p>Priority Conservation Area</p> <ul style="list-style-type: none"> ~ Agricultural/ Community Separator* ~ Bluffs* ~ River Corridors* ~ Riparian Corridors* ~ Nature Deficit Area 	<ul style="list-style-type: none"> ■ Park ■ Natural Area ■ State Wildlife Area ■ School 	<ul style="list-style-type: none"> □ Long-range Expected Growth Area □ Greeley City Limits □ Other City Limits
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* As identified in the 2016 PTOL Plan.

Map 6 / Action Plan Map

Item No. 13.

APPENDIX 1 / ACTION PLAN

This appendix outlines the specific actions, projects, and programs for the Natural Areas & Trails Division for the next five years. A number of projects will depend on a new dedicated funding mechanism; consequently additional funding sources are being explored.

FUNDING SOURCES

Land acquisition and management revenues across Colorado are commonly derived from three primary sources: the municipality’s General Fund, locally approved sales tax or bond revenues, and the State’s Colorado Lottery Conservation Trust Fund and GOCO grants. The General Fund and sales tax or bond revenues serve to leverage grants which often require matching funds. Existing local, regional, state, and federal funding sources are shown below.

Summary of External Funding Sources for Natural Areas & Trails

GRANT SOURCES	LAND CONSERVATION	OFF-STREET TRAILS ¹	RESTORATION	WATER CONSERVATION	OUTDOOR/ NATURE EDUCATION
Great Outdoors Colorado/Conservation Trust Funds (Lottery Funds)	X	X	X	X	
Land and Water Conservation Fund	X	X	X	X	
Colorado Parks and Wildlife (multiple)	X	X		X	X
Poudre Heritage Alliance	X	X			X
Conservation/Trail Advocacy Groups	X	X	X	X	X
National Wildlife Federation	X		X	X	
Colorado Water Conservancy			X	X	
Department of Local Affairs	X	X			
Federal Highway Administration BUILD Grants		X			
Federal Highway Administration Recreational Trails Program		X			
Highway Safety Improvement Program/ National Highway Performance Program/ FASTER Safety Grants		X			
North Front Range MPO		X			
Rails to Trails		X			

¹ See the 2015 City of Greeley Bicycle Master Plan for additional trail funding sources.

Additional types of partnerships and grants that Greeley might be eligible for as plan implementation is pursued include:

- Healthy places/healthy communities
- Healthy Eating / Active Living (HEAL)
- Wellness for minority or low-income groups
- Active seniors
- Tourism enhancement
- Hazard planning and flood damage repair (i.e., FEMA and HUD disaster recovery grants)
- Avian/waterfowl habitat enhancement (i.e., Ducks Unlimited)
- Safe Routes to School
- Weld County Area Agency on Aging
- AARP

ACTION PLAN TABLES

Six action plan tables, categorized by the six strategic themes, aid Natural Areas & Trails in the annual city-wide capital improvement planning and project prioritization process. While most are primarily capital improvement projects, the table also includes financial initiatives, policy updates, programming, planning, and land conservation activities.

Action items were compiled from primary sources including the PTOL Plan, current Natural Areas & Trails capital improvement planning, and other recent studies and plans shown in the ‘Source’ column.

The project team completed a prioritization process to help identify the infrastructure projects that will create the most impact in Greeley’s Natural Areas & Trails system and that best aid in achieving the Chapter 3 goals and objectives. Prioritization criteria was based on the goals and objectives, especially alignment with mission and goals, available funding, partner position and readiness, and ease of implementation.

Current operation and maintenance costs are not included in the following tables, therefore it is not a complete picture of total future budget needs. The action plan highlights above and beyond capital projects and new personal if funding is identified. The following High (green) and Medium (yellow) priority projects and programs could be accomplished in 2021–2026.

The remaining projects and programs (red) that fall below the line would require a new dedicated funding source, additional capacity or partnerships to be addressed in the next 5 years. The total estimate of all capital and additional operational projects (High, Medium, and “Below the line”) is at least \$83 million given that costs for several stewardship projects have not been estimated. Of that amount, 20% are High priorities. Note that costs are not available (N/A) for several projects and therefore not accounted for in the total.

Action Table Legend

Color Code	Description	Total Estimated Cost
	= High priority, within 5 year scope.	\$27,894,199 (Annual \$590,000)
	= Medium priority, within 5 year scope.	
	= “Below the line” priorities. Low priority, or beyond 5 year scope, but need to keep on a 5+ year list.	\$55,036,350 (Annual \$75,000)
Total Capital Costs		\$82,930,549
Total Annual Costs		\$665,000



Sustainable Funding

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Existing funding sources	Seek funding/support from sources that have provided funds for past projects.	Parks Trails & Open Lands Master Plan	Financial	N/A	N/A
New funding sources	Explore the feasibility of gaining funding from new sources and developing partnerships to accomplish trail expansion and open lands conservation.	Parks Trails & Open Lands Master Plan	Financial	N/A	N/A
Grant opportunities	Pursue grant opportunities related to Master Plan goals and recommendations.	Parks Trails & Open Lands Master Plan	Financial	N/A	N/A
Quality of Life Fund project list	Update the Quality of Life Fund project list 2016-2023 to include capital projects envisioned in the PTOL Plan and this Strategic Plan. This is outdated now, but having an annual mechanism to incorporate projects into the CIP process in funds 304 and 314 will be important until/if a dedicated funding source comes to pass.	Parks Trails & Open Lands Master Plan	Financial	N/A	N/A
Additional Departmental Funding	Fund additional programs and departmental resources identified in the PTOL Plan and this Strategic Plan.	Parks Trails & Open Lands Master Plan	Financial	N/A	N/A
Sustainable Funding Grand Total Cost				N/A	N/A



Connections to Nature

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Larson Trail to Poudre River Trail (PRT)	Construction of 0.86 miles of multimodal trail to connect the Larson Ditch Trail to the PRT. Current plan has \$208k for design/easements in 2021, with \$800,000 for construction that isn't funded until 2022+.	CIP Compilation	CIP	N/A	\$ 1,008,000
Sheep Draw Trail (83rd Ave to 71st Ave)	The paved off-street trail will fill the existing gap between 83rd Avenue and 71st Avenue in the Sheep Draw Trail, with a potential connection to 77th Avenue.	Parks Trails & Open Lands Master Plan	CIP	N/A	\$ 322,000
59th Ave - Sheep Draw Natural Area Restoration	Priority rankings in the Poudre Trail Riverbanks Study: Alternative 1B is #3, Alternative 2 is #4, Alternative 1A is #8.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 510,000
Narrows Restoration	Priority rankings in the Poudre Trail Riverbanks Study: Alternative 2A is #2 and Alternative 2B is #5.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 1,338,500
Duran-Red Barn Restoration	Priority rankings in the Poudre Trail Riverbanks Study: Alternative 1 is the top ranked project by OTAK MCDA.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 494,500
Development Code Revisions	Engage with development code revisions to embed conservation tools and strategies (conservation development, transfer of development rights).	Strategic Plan	Policy	N/A	\$ 25,000
Likely Land Conservation Opportunities	Assumes 235 acres over 5 years, using average of \$15,800/acre in combination of fee-simple and conservation easements.	Strategic Plan, Imagine Greeley	Land Conservation	N/A	\$ 3,750,000
83rd Avenue Trail Sheep Draw Trail to Poudre River Trail	Construction of a new off-street trail connection from the Sheep Draw Trail to the Poudre River Trail generally following the east side of 83rd Avenue. Approximately 2.16 miles in length.	CIP Compilation	CIP	N/A	\$ 2,200,000
Sheep Draw Trail Realignment at Mountain Shadows	Sheep Draw Trail Realignment at Mountain Shadows.	CIP Priority List	CIP	N/A	\$ 500,000
PRT Underpass under 35th Ave	PRT underpass under 35th Avenue.	CIP Priority List	CIP	N/A	\$ 1,000,000
Abandoned Sheep Draw oxbow Trail	PRT convert abandoned Sheep Draw oxbow to a nature trail/tribute trail.	CIP Priority List	CIP	N/A	\$ 50,000



PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Podure River Restoration near 95th Avenue (Reach 13)	Priority rankings in the Poudre Trail Riverbanks Study: Alternative 5 is #7 and alternative 4 is #9.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 1,045,500
RR Bend Restoration	Priority rankings in the Poudre Trail Riverbanks Study: Alternative 1 is #6, low cost might put it up to a top priority.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 172,000
Poudre Ponds Reach 6B Restoration	Priority rankings in the Poudre Trail Riverbanks Study: 3 alternatives, none in top 10.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 1,680,000
Poudre Ponds Reach 6C Restoration	Priority rankings in the Poudre Trail Riverbanks Study: 3 alternatives, none in top 10.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 290,500
Connections to Nature “High” and “Medium” Total Cost				N/A	\$14,386,000
PRT new trailhead at 59th Ave	PRT new trailhead at 59th Avenue.	CIP Priority List	CIP	N/A	\$ 350,000
Additional Land Conservation Opportunities (dependent on new funding source)	Assumes 800 acres in 5 years, average of \$15,800/acre in combination of fee-simple and conservation easements.	Strategic Plan, Imagine Greeley	Land Conservation	N/A	\$ 12,650,000
Southwest Trail Sheep Draw to Ashcroft Draw	A new trail section that will link the Sheep Draw Trail south of Highway 34 and Promontory to the head of the Ashcroft Draw. Trail length of approximately 4.95 miles. May need to be phased in due to cost.	CIP Compilation	CIP	N/A	\$ 4,950,000
Sheepdraw Trail Pebble Brook SW to 95th Ave	Design, right-of way, and construction of approximately 1,775 linear feet of 10-foot wide trail along the Sheepdraw. Connects to the existing trail at the West property line of the Pebble Brook subdivision. This section will follow the Sheep Draw channel and the new alignment of West 20th Street West to 95th Avenue. Need to acquire easement. See Trails Master Plan; map # 5.	CIP Compilation	CIP	N/A	\$ 500,000



PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Boyd Freeman	Priority rankings in the Poudre Trail Riverbanks Study: 2 alternatives, not in top 10.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 644,000
35th Ave Crossing	Priority rankings in the Poudre Trail Riverbanks Study: 3 alternatives, none in top 10.	Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 3,396,000
Northridge Estates Neighborhood Park and Trailhead	Design and construction of one neighborhood park abutting the Hunters Cove Natural Area to include: shelter, playground, native and non-native grass, landscaping, electrical, and portable restroom facilities. Paved trailhead parking to be installed concurrent with park development. Site is located in the south west corner of the intersection of 59th Avenue and C Street. Project will be phased with year one being design and year two is construction. Unclear if any funds will come from Natural Areas & Trails.	CIP Compilation	CIP	N/A	\$ 250,000
10th St. Sidepath 71st Ave to 77th Ave	Construction of a sidepath/trail on the north side of 10th Street/Business 34 between 71st Avenue and 77th Avenue along the southern edge of Boomerang Golf Course. Project will include a safety "net" along the golf course to prevent errant golf balls from hitting trail users. Approximately .5 miles in length.	CIP Compilation	CIP	N/A	\$ 500,000
Poudre River Trail East (Section 1)	The Poudre River Trail east of its current terminus near Island Grove Park has been in a number of planning documents for future development. The trail would roughly follow the Poudre River extending east from 11th Avenue, providing a recreational connection for Greeley's eastern residents.	Parks Trails & Open Lands Master Plan	CIP/Planning	N/A	\$ 15,000,000
South Platte Trail Connection	This 9.1 mile off-street trail will follow the South Platte River on the southeast side of Greeley, serving an area of the city that is not served by any other trails. The north end of the trail would connect to the Poudre River Trail to provide a portion of a trail loop on the east side of Greeley.	Poudre/Platte Trail Master Plan	CIP/Planning	N/A	\$ 9,000,000
Connections to Nature "Below the Line" Total Cost				N/A	\$47,240,000
Connections to Nature Grand Total Cost				N/A	\$61,626,000



Stewardship

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COSTS
Upland and Wetland Restoration Projects	Small scale upland, wetland, etc. restoration projects such as Signature Bluffs not contained in the various river plans.	CIP Priority List	CIP	N/A	\$ 100,000
Shur View Restoration	Restore 900+ acres of shortgrass prairie.	Strategic Plan	CIP	N/A	\$ 200,000
Herbicide Application Program	Annual equipment and materials to support the new Restoration/Herbicide Specialist position (under Operational Excellence).	Strategic Plan	CIP	N/A	\$ 50,000
Develop a small grants program to work with private owners and HOAs to encourage proper stewardship	Cultivate private owner stewardship, especially with neighborhood groups.	Strategic Plan	Planning	N/A	\$ 20,000
Reach 13: Broe-Marietta-Orr	Reach 13 is 1.2 miles long and presents a great opportunity to improve river function because it is not constrained by urbanization and has mostly agricultural, grazing, or open space land adjacent to the river.	Lower Poudre River Recovery and Resilience Master Plan	CIP	N/A	\$ 2,807,200

Stewardship “High” and “Medium” Total Cost N/A **\$3,177,200**

SP Reach 14: Patterson Ditch Diversion Structure to US Highway 34	US Highway 34 is currently being modified and repaired using FEMA Public Assistance funding. Diversion structure modifications may be beneficial to aquatic organisms. Potential for wetland development along the right bank near the end of the reach. An existing historical stream channel could provide for wetland development with floodplain reattachment along the bank.	South Platte River Master Plan - Evans	CIP	N/A	N/A
SP Reach 15: US Highway 34 to US Highway 34 Business Route	Bridge improvements and restoration/preservation of reach.	South Platte River Master Plan - Evans	CIP	N/A	N/A
Reach 15: Signature Bluffs West	Reach 15 starts at the 83rd Avenue bridge and has high priority scores for river assessment, potential improvement, sediment model balance, and watershed scale benefit. The “Narrows” section of the Poudre River Trail is a priority area in order to reduce the vulnerability of the trail to geomorphic hazards. Because the river is largely disconnected from its floodplain and confined by levees during large flood events, this floodplain disconnection greatly accelerates flow during flood events because the water cannot spread out over the floodplain to reduce energy.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	\$ 2,665,100
Reach 17: Sheep Draw	Reach 17 has high priority scores for potential improvement, river assessment, watershed scale benefit and Poudre Trail vulnerability. There was public feedback about this part of the river due to flooding issues at the upstream end of the reach. One of the biggest factors that limits riverine function and causes issues in Reach 17 is the proximity of the Poudre Trail, which closely follows the river right bank throughout the entire reach.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	\$ 3,640,000



PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COSTS
Reach 20: Great Western Railway Improvements	Reach 20 is highly constrained and historically channelized due gravel mining operations for the entire reach. This reach could be greatly improved by offsetting the surrounding levees as much as possible to allow the river to re-establish some sinuosity, floodplain connection, and riparian areas. This would also help dissipate flood flow energy and create sediment storage areas to reduce sedimentation problems downstream at underpasses in the City of Greeley. Offsetting the PRT, which lines the river right bank, could greatly decrease risk and increase room for improved stream function.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 21: Poudre Ponds	Reach 21 has been historically straightened and is highly confined by levees and the Poudre River Trail on river right and is disconnected from its floodplain on river left. The alignment of the river channel has been significantly altered since the 1950s. There are two large existing gravel bars on river right that can be utilized to improve riparian function by encouraging connection via overflow channels. There are opportunities for floodplain reconnection and riparian vegetation establishment on river left, which can greatly increase aquatic and riparian function and help control bank erosion issues.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 22: 25th Ave	Reach 22 is overall highly entrenched, disconnected from its floodplain, and confined by levees on both sides of the channel, reducing river function over the years. This reach could be improved by offsetting the levees on both sides of the channel as much as possible to give the river room to migrate and re-establish a floodplain and riparian area that could store sediment and reduce flood flow stream power. This would eliminate the constriction of the pedestrian bridge mid-reach and greatly reduce the constriction caused by having a trail on both sides of the river in Reach 23, and impacts from the existing drop structure located just downstream of N. 25th Avenue. Aquatic habitat and water quality could be greatly improved if the inlet right upstream of this structure on river left is investigated and BMPs were installed.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	\$ 4,446,000
Reach 23: Island Grove	Reach 23 is highly constrained and historically channelized due gravel mining operations for the entire reach. This reach is also confined by the PRT on both sides of the channel for most of the reach. Reach 23 could be improved by offsetting the surrounding levees as much as possible to allow the river to re-establish some sinuosity, floodplain connection, and riparian areas. This would also help dissipate flood flow energy and create sediment storage areas to reduce sedimentation problems at the downstream side of the reach at Highway 85 and the railroad.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A

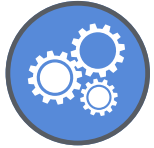


PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COSTS
Reach 24: 6th Avenue	Reach 24 is highly constrained and historically channelized due to urban development along the entire river right side of the reach and parts of river left and five bridges. There are some areas, specifically on river left, that could provide opportunities to re-establish some sinuosity, floodplain connection, and riparian areas. This would greatly help dissipate flood flow energy and create sediment storage areas to reduce sedimentation at the downstream Highway 85 crossing.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 25: Greeley WWTP	Reach 25 is very confined by development for the upper part of the reach and largely backwatered near the end of the reach, upstream of, and due to, the Ogilvy diversion structure. Re-connecting floodplain and re-establishing riparian vegetation where possible, such as downstream of the Fern Avenue bridge, can help increase the aquatic and riparian function. However, significant improvement to river function in this reach would most plausibly need drastic improvements to the Ogilvy diversion structure.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 26: Varra	Reach 26 is largely disconnected from its floodplain, over-widened, historically channelized due to gravel mining operations, and lacks vegetation. This reach could be greatly improved by offsetting levees as far as possible to allow the river to move and be re-connected to its floodplain. This improvement should be coupled with channel narrowing and re-establishing riparian vegetation. These treatments would allow the reach to greatly increase aquatic and riparian function but also help decrease flood flow energy and reduce the bank erosion that led to the reservoir breach.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 27: Fern Avenue	Reach 27 is one of the least constrained reaches in the Lower Poudre River project extent, but has straightened and been disconnected from its floodplain through time. This reach has probably straightened via chute cut-offs in response to increased stream power upstream during large flood events due to the channelization, confinement, and urbanization in the reaches through Greeley. However, this reach could be further improved by re-connecting the floodplain in several areas.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Reach 28: Confluence	Reach 28 is one of the least constrained reaches in the Lower Poudre River project extent, but it has straightened and been disconnected from its floodplain. This reach has probably straightened naturally via chute cut-offs in response to the increased stream power upstream during large flood events due to the channelization, confinement, and urbanization in the reaches through Greeley. This reach could be further improved by re-connecting the floodplain in several areas.	Lower Poudre River Recovery and Resilience Master Plan	CIP/Planning	N/A	N/A
Stewardship "Below the Line" Total Cost				N/A	\$7,111,100
Stewardship Grand Total Cost				N/A	\$10,288,300



Community Connections

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Volunteer Program	Expenses for new Volunteer Coordinator (under Operational Excellence) to leverage community service groups to supplement staff. Involve youth in programs, such as TPL example, student conservation corps, AmeriCorps, Weld County Youth Corps.	Strategic Plan	Staff Capacity	\$ 50,000	N/A
Environmental Education Program	Leverage partnerships with PLC for youth programming, then create programming for other community groups.	Strategic Plan	Staff Capacity	\$ 85,000	N/A
Natural Areas & Trails Wayfinding Signage Plan and Implementation	Complete a comprehensive wayfinding and regulatory signage plan for all Natural Areas & Trails. Begin implementing high priority Phase I signage. Assure the signage is primarily universal in design to allow easy understanding regardless of language or ability (e.g. braille on signage) and integrates with regional partners for continuity with the Poudre River Trail within Windsor, Brower Wildlife area with Evans, etc.	CIP Priority List	CIP	N/A	\$ 50,000
Implement satisfaction surveying	Work with the City’s Communication & Engagement department to incorporate questions related to natural areas, trails, and open lands for the next community survey in 2021 and/or partner with UNC’s journalism, social science research land, and strategic communication programs to do visitor intercept or city-wide surveys.	Strategic Plan	Staff Capacity/ Partners	N/A	N/A
Community Connections Grand Total Cost				\$135,000	\$50,000



Operational Excellence

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
Restoration/Herbicide Specialist (NEW)	New position to lead weed management program, then ongoing native restoration in NAs. Includes staffing, in addition to additional truck, and spray equipment.	Strategic Plan	Staff Capacity	\$65,000	\$60,000
Volunteer Coordinator (NEW)	Transition VOC position into partially or completely City funded position.	Strategic Plan	Staff Capacity	\$75,000	N/A
Environmental Education and Outreach Coordinator (NEW)	New position to lead environmental education staff and outreach, including youth outreach and community engagement strategies, such as Safer Outside campaign.	Strategic Plan	Staff Capacity	\$60,000	N/A
Environmental Planner (NEW)	Provide additional environmental planner for management plans, biodiversity monitoring, more technical side of things.	Strategic Plan	Staff Capacity	\$90,000	\$30,000
Sr. Environmental Planner (Promote)	Promote current Environmental Planner position to Sr. Planner to supervise Environmental Planner.	Strategic Plan	Staff Capacity	\$25,000	N/A
Seasonal Crews	Need to increase staffing to possibly two seasonal crews to complete maintenance backlog.	Strategic Plan	Staff Capacity	\$100,000	N/A
Update PTOL Plan	Update 2016 Parks, Trails and Open Lands Master Plan.	Strategic Plan	Policy	N/A	\$75,000
Update 2002 City of Greeley Trails Plan	The Trails Master Plan is a critical tool in analyzing site specific connections and influencing trail connections through development review.	Strategic Plan	Planning	N/A	\$50,000
Update 1998 Wildlife Management Plan		Strategic Plan	Planning	N/A	\$50,000
Ranger (NEW)	Possible hybrid position with Parks. Sharing Ranger position(s) with the City's Parks Division may be a mechanism to be efficient with finite resources, as could a volunteer ranger assistant program. Ranger positions should lean heavily on education and the Authority of the Resource concepts, and coordinating and supporting the Greeley Police Department for any criminal matters.	Strategic Plan	Staff Capacity	\$40,000	\$15,000
Operational Excellence "High" and "Medium" Total Cost				\$455,000	\$280,000
Crew Supervisor (NEW)	New position to lead field activities.	Strategic Plan	Staff Capacity	\$75,000	\$60,000
Operational Excellence "Below the Line" Total Cost				\$75,000	\$60,000
Operational Excellence Grand Total Cost				\$530,000	\$340,000



Capital Planning

PROJECT NAME	DESCRIPTION	SOURCE	TYPE OF PROJECT	ANNUAL COST	COST
New Natural Areas & Trails Offices/Shop	Construct a new Shop for the Parks Operations which will also include Forestry operations and, most likely, Natural Areas and Trails Division. Originally located at Island Grove, currently exploring another property. No additional funding from Natural Areas & Trails anticipated.	CIP Compilation	CIP	N/A	\$ 7,000,000
Large Signage for Natural Areas & Trails properties	Install large Signage for NA properties to improve identification and public awareness.	CIP Priority List	CIP	N/A	\$ 200,000
Trail Capital Maintenance	Annual funding to maintain (but mostly use to repair backlog of trail repairs) the City's trail system. Ongoing funding of \$75,000 from City through 2022, in addition to a contribution from Weld County (\$200k in 2020). In 2023 and 2024, funding bumps up to 1,075,000.	CIP Compilation	CIP	N/A	\$ 2,700,000
Natural Areas & Trails Office - Basement Expansion	The Natural Areas & Trails office was remodeled from a rental house in 2019 with 304 funds. The original \$100k for remodeling of the office only allowed for remodeling of the main floor, with the basement untouched. Natural Areas & Trails staff has maxed out the main floor and two staff have already moved into a partially finished portion of the basement. Funds would finish the basement to create more office space, create egress, update radon mitigation system, and install bathroom. Not needed if Parks/Natural Areas & Trails/etc shop and offices are developed.	CIP Compilation	CIP	N/A	\$ 100,999

Capital Planning “High” and “Medium” Total Cost N/A \$10,000,999

71st Avenue/ Poudre Trail Crossing	The Poudre Trail currently crosses 71st Avenue at grade, marked by crosswalk markings and warning signs. Improvements to this crossing could include installing additional markings and signage, tree and brush clearing to improve sight distance, installation of a pedestrian refuge island, and/or installation of a flashing beacon. Evaluate the possibility of reducing the speed limit along 71st Avenue to slow traffic.	Parks Trails & Open Lands Master Plan	CIP	N/A	N/A
59th Ave / Sheep Draw Trail (F Street) Crossing	The Sheep Draw Trail currently crosses 59th Avenue at grade across two legs of the intersection with C Street, marked by crosswalk markings and warning signs. Improvements to this crossing could include the installation of a pedestrian refuge island.	Parks Trails & Open Lands Master Plan; Appendix C: PoudreTrail-Riverbanks Concept Cost Estimate	CIP	N/A	\$ 625,250
Poudre River Trail Crossing at 83rd Ave	The Poudre Trail currently crosses 83rd Avenue at grade, marked by crosswalk markings and warning signs. Improvements to this crossing could include installing additional markings and signage, installation of a pedestrian refuge island, and/or installation of a flashing beacon.	Parks Trails & Open Lands Master Plan	CIP	N/A	N/A

Capital Planning “Below the Line” Total Cost N/A \$625,250

Capital Planning Grand Total Cost N/A \$10,626,249

Item No. 13.

APPENDIX 2 / SUPPORTING DETAIL

This appendix details supporting information to the Strategic Plan including a history of Greeley's natural resources and settlement related to natural areas and trails, the planning process, and highlights of the public's needs and perceptions.



Item No. 13.

GREELEY'S ROOTS

If you stroll through Greeley's downtown Lincoln Park, you may notice etched into the concrete supporting a circular, columned arbor these words: Temperance, religion, education, agriculture, irrigation, cooperation, and family. These are the "guideposts" of the Union Colony of Colorado, a colonization company founded by Nathan Meeker that selected a location near the confluence of the Cache la Poudre and South Platte Rivers as the future town of Greeley, Colorado Territory. Meeker, the agricultural editor of the *New York Tribune*, named the town in honor of the *Tribune's* editor, Horace Greeley.

For the most part, the homogenous members of Meeker's proposed agricultural and temperance colony were financially solvent, temperate, religious, educated, moral, law abiding, conservative, and family-oriented. The Union Colony pioneers, with tenacity and thriftiness, persevered under extreme hardships that included blizzards, hail, legal battles over the equitable diversion of water from the Cache la Poudre River, and crop losses from four locust plagues, all during the town's first decade. These pioneers established the cultural and physical infrastructure of social and arts organizations, ditches, reservoirs, farms, ranches, schools, churches, and industries that still shape Greeley today.

The area the colony selected is the result of 70 million years of geologic deposition from the Rocky Mountains, artfully exposed and carved into the High Plains by the South Platte River and its tributaries, such as the Cache la Poudre. These waterways first supported water and soil movement, then wildlife migration, followed by movements of paleo hunters and gatherers, Native people, trappers, traders, gold seekers, freighters, the Overland Stage, and immigrants who came into this region. 11,500 BC marked the entry of the first known people to enter the area, Clovis mammoth hunters, followed by other nomadic PaleoIndian groups (11,000 - 7,000 BC), archaic foragers (5,000 - 0 BC), the "Plains-Woodland" peoples (1,000 BC), and the Upper Republican early agriculturalists (1,200BC).

Between 1500 and 1700, Apache groups occupied eastern Colorado during a slow migration to New Mexico. The Apaches obtained horses, circa the 1600s and became the first mounted hunters on Colorado's plains. By 1700, the Comanche and mountain allies, the Utes, entered northeastern Colorado, and pushed the Apaches southward. By the end of the 18th century, Cheyenne and Arapaho tribes, mobilized by acquisition of the horse, moved into the area as the Comanche moved southward. The Cheyenne and Arapaho and the neighboring Sioux (Lakota) would meet, as enemies, when Anglo emigrants arrived in the 19th century.

"Rio De Chato" – given to the major river in northeastern Colorado by Spanish explorers in 1659.

"Rio de Jesus Maria" – named by Pedro de Villasur in 1720 on a reconnaissance mission in this area.

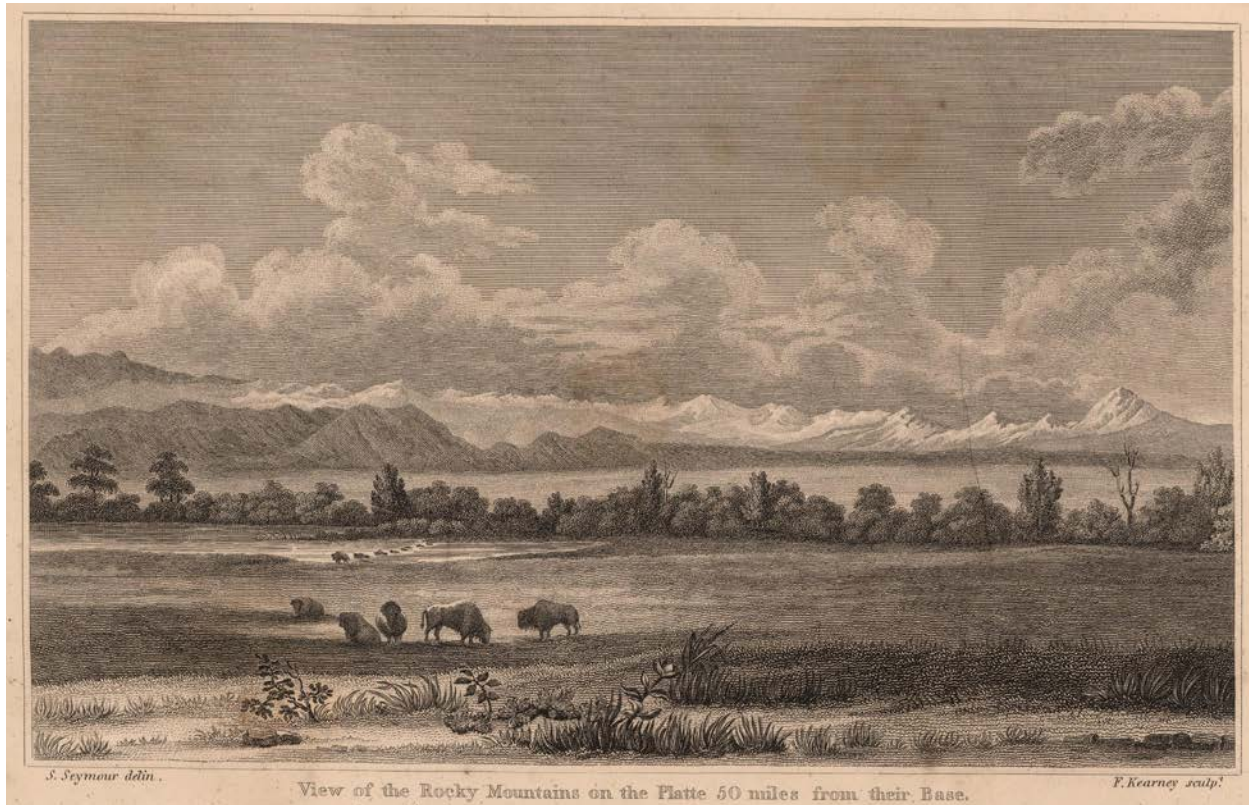
"Nithabaska" – what Peter and Paul Mallet learned Native Americans call the river in 1739, meaning "shallow bed."

"Platte" – The equivalent French translation of shallow bed word was "plat." The Mallet brothers speculated that the Riviere Plat was a riparian trade route to China!

The 1851 Treaty of Ft. Laramie designated the area lying east of the Rockies, and between the Arkansas and North Platte Rivers, as the territory of the Cheyenne and Arapaho. For the next 10 years, tens of thousands of fortune seekers followed the South Platte River into the region, which alarmed the Native peoples who realized the newcomers would have an impact on their lands and their food supply (primarily bison). The influx of Anglos led to strained relations and a disrespect for land that Native people had occupied for thousands of years. This resulted in the 1861 Treaty of Fort Wise, which attempted to justify the fact that settlers had trespassed onto ancestral lands, and also attempted to force the Cheyenne and Arapaho to abandon the lands given them by the 1851 Treaty of Ft. Laramie, and relocate to a tract of land south along the Arkansas River.



The Fort Laramie Treaty of 1851 began a long, unsuccessful process of defining territory in which Native Americans could live without conflicts and additional land cessations.



The first recorded sketches by a white person of the Platte River riparian corridor, the expansive Great Plains, and mountain backdrop were drawn by Samuel Seymour during Major Stephen H. Long's Rocky Mountain Expedition, 1819-1820.

In the 1860s traders and emigrants flooded into the South Platte and Cache la Poudre River valleys along stage route lines, intensifying the competition for resources such as bison and land. Tensions were at a breaking point by October 1865, following the infamous November 29, 1864 Sand Creek Massacre where approximately 150 Indian men, women and children, peacefully camped in their winter quarters, were attacked and killed by soldiers under the command of Col. John M. Chivington. This massacre prompted the survivors to retaliate against Anglo settlers. In 1865 they attacked stage stations and ranches in the South Platte River valley, but by October 1865, the Cheyenne and Arapaho were forced to move to an assigned reservation in "Indian Territory" (Oklahoma). With the forced relocation of Native peoples onto reservations, the federal government effectively opened this region to settlement by others.

The 60,000 acres in the fertile valley between the Cache la Poudre and South Platte Rivers, which was acquired in 1870 by the Union Colony for town and agricultural purposes, had been traversed by humans for thousands of years. Much of this land still includes priceless resources that deserve our respect and protection today.

*We do not inherit the land from our ancestors,
We borrow it from our children.*
- Proverb of unknown authorship

As an agricultural community in the 19th century, and a global agri-business community in the 21st century, Greeley's success is tied to its abundant and well-managed working landscapes. A hallmark of the Union Colony pioneers was the collective development of water resources (irrigation ditches, canals, and reservoirs) along with helping develop the prior appropriation doctrine of water law that would be emulated in the rest of the western U.S. The milestones were critical to successfully manage precious water resources in a semi-arid environment subject to cyclical economic boom and bust cycles and wet and drought cycles.

The sugar beet, Greeley's "white gold" crop for most of the 20th century, was a labor intensive crop from planting to harvesting, and a succession of new immigrants—the Germans-from-Russia, Hispanic Americans, Mexican nationals and others—were recruited as "stoop" laborers. The migrant cycle was broken when the Germans-from-Russia settled on Greeley's east side in a neighborhood of humble homes nicknamed "Little Russia," which is the [Sunrise Neighborhood today](#). In 1924, Great Western Sugar Company had established Greeley's Spanish Colony (one of 13 in northeastern Colorado) outside the City limits at O Street and 25th Avenue. Recent immigrants and refugees from East Africa, Southeast Asia, Mexico, and Central and South America ensure Greeley remains a diverse community, and has become one of the most linguistically diverse communities in Colorado with 26% of the population (ca. 110,000) speaking a language other than English at home.

The plan of cooperation adopted by the Union Colonists included communal ownership of social properties and uses, such as the schools, grounds, and the waterways that would be essential to the success of "the common good"^{iv}. Lands north of the Poudre River were reserved for farms. Homes were set back from river floodplains. Short-term profits were renounced in favor of long-term health. Over a 150 years after the founding of Union Colony and generations after the Native Americans before them, we are re-learning what others have learned by observation and hardship: to let rivers be rivers, recognize natural constraints, and to reserve the best farmland as the community's foodshed.



Lincoln Park, dubbed "Greeley's little breathing spot" by the Colonists, remains a "village commons," the first of more than 40 parks maintained as quality of life amenities for the community. Nathan Meeker encouraged colonists to participate in "Village Improvement Campaigns," which included transporting deciduous and coniferous saplings from the foothills west of Greeley and transplanting them in Lincoln Park, along the streets and avenues and in their spacious yards. At the ballot box, citizens approved bonds to continually upgrade the municipal water and sewer system to protect both public health and the environment. In 1910, Greeley's Mothers' Congress, comprised of 40 women, lobbied for health reforms and more parks and playgrounds for school children.

Steering Committee Representation

The Steering Committee offered technical expertise and support throughout the planning process. They included technical experts within the City, as well as key community partners – typically the end-users and implementers of the Plan. Throughout the planning process the Steering Committee helped to enhance the Plan within their area of expertise as key advisors, helped to build consensus, and worked collaboratively with the Core Team.

CITY:

- Community Development Department
- Parks & Recreation Advisory Board
- Parks Division
- Real Estate Management
- Stormwater Division
- Water & Sewer Department

PARTNER AGENCIES:

- Coalition for the Poudre River Watershed
- Colorado Parks & Wildlife
- Poudre Learning Center
- Poudre River Trail Corridor, Inc.
- Town of Windsor Open Space & Trails
- The Trust for Public Land
- University of Northern Colorado (various programs and departments)
- Weld County Department of Public Health and Environment
- Youth and Family Connections

STRATEGIC PLANNING PROCESS

Utilizing various outreach tools, the overarching goal of the public outreach process was to inform the project stakeholders and the public of the plan in order for the community to gain a common understanding of the objectives, as well as, support and acceptance of the Strategic Plan.

PHASE 1: FOUNDATION

(JUNE 2020 – JULY 2020):

- Public engagement plan and assemble an outreach network
- Understand community priorities via past outreach and existing relevant plans
- Identify gaps in funding, growth needs, and levels of service
- Steering Committee #1

PHASE 2: RECOMMENDATIONS

(AUG 2020 – OCT 2020):

- Update goal statements and opportunity area priorities
- Outline potential projects and programs
- Steering Committee #2
- Develop an action plan including funding and partnerships
- Match priorities with funding, identify funding gaps
- Develop a Draft Plan
- Steering Committee #3 & #4

PHASE 3: PUBLIC REVIEW

(NOV 2020 – DEC 2020)

- Virtual meetings held in English and Spanish to refine the Draft Plan
- Review by City and County Department staff
- Presentations to various boards and commissions including:
 - Parks and Recreation Board
 - Water & Sewer Board
 - Poudre Learning Center Board of Directors & Foundation Board
 - Poudre Trail Board
 - Human Relations Commission
 - Youth Commission
 - Art Commission
 - Commission on Disability
 - Planning Commission
 - Transportation Advisory Board

PHASE 4: REVISIONS AND ADOPTION

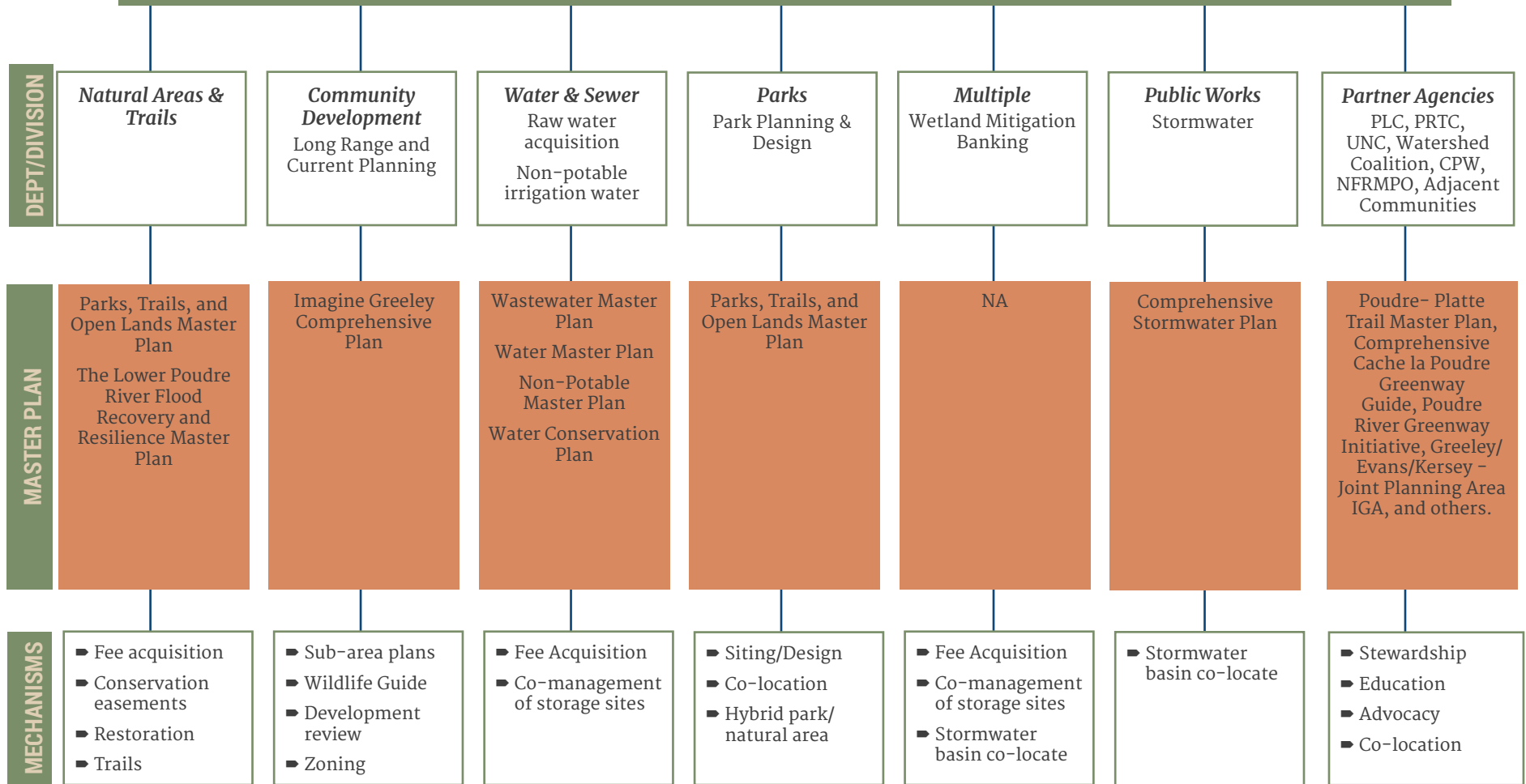
(JAN – FEB 2021)

- Revise plan with feedback from the public and guidance from City Council and stakeholder groups
- Final Plan for Parks and Recreation Advisory Board and Planning Commission recommendation
- City Council adoption hearing



Sheep Draw Natural Area - Volunteers from University of Northern Colorado helping to build the nature trail

GET OUTDOORS GREELEY PLAN

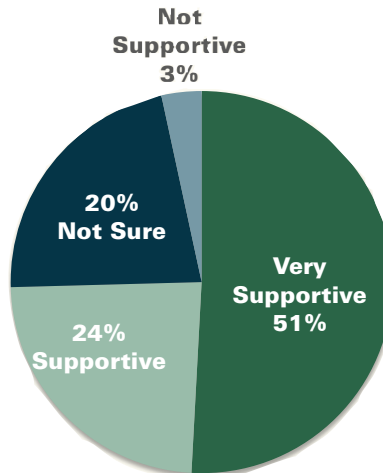
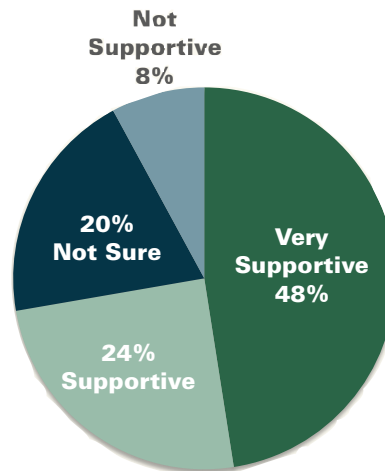


COMMUNITY NEEDS AND PERCEPTIONS

PROVISION OF OUTDOOR RECREATION AMENITIES, ACCESS TO NATURE, AND OPEN SPACE

Community needs and perceptions were documented in several recent outreach efforts. For example, the PTOL Plan included community-wide workshops and open houses.

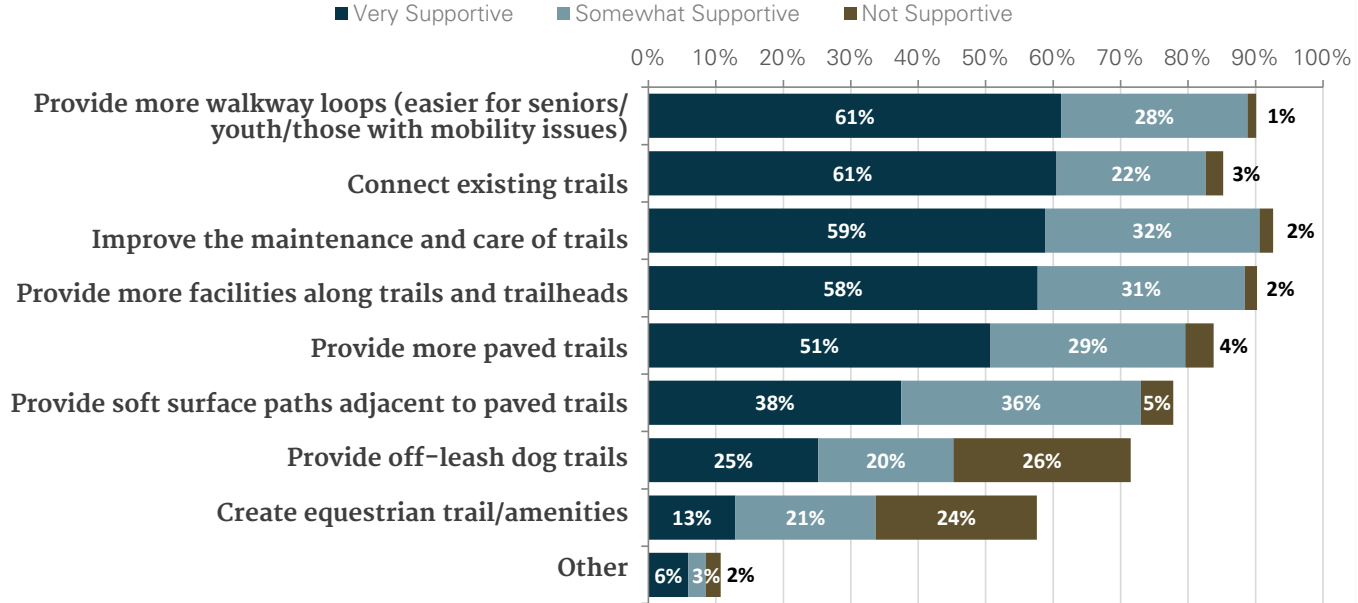
The City of Greeley conducts a Resident Survey every two years, including 2019, 2017, 2015, and 2013. The survey rates quality of life in the city, service delivery, and performance of the local government. While a number of factors can influence people’s perceptions throughout the year, the data are still relevant to provide a glimpse of the public perceptions. Of the City Council priorities, 58% of respondents identified that the City should spend more effort on “Economic Health and Development” (job growth, private and public sector investments), and “Infrastructure and Growth” (maintaining water services, streets, parks, etc). Natural Areas & Trails will work with the City’s Communication & Engagement Department to incorporate questions related to natural areas, trails, and open lands for the next community survey in 2021.



Community Support for Acquisition of Natural Areas by the City (top) or by Active City Program (bottom) (Source: PTOL 2016)



Community Support for Park Access Improvements (Source: PTOL 2016)



Community Support for Trails and Walkaways (Source: Community Survey, as reference in PTOL 2016)

Where should we improve natural areas?

Areas selected by youth for improvements to natural areas:

- Areas around Bittersweet park
- Areas to the south of Poudre Ponds
- Neighborhoods to the east of 14th Avenue, south of Lincoln Park, north of Greeley Central High School
- Neighborhoods surrounding University of Northern Colorado.
- Island Grove Park
- East Memorial Park

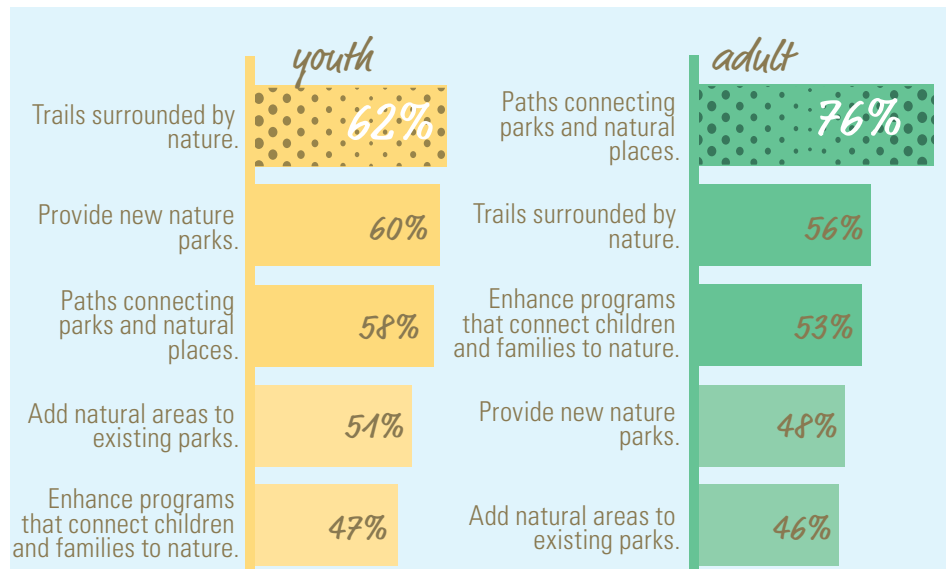
Adults most commonly selected:

- Surrounding Twin Rivers Park
- North of McAuliffe Elementary School
- Along the Poudre River Trail.
- Downtown
- Bittersweet Park
- Gateway Lakes Park

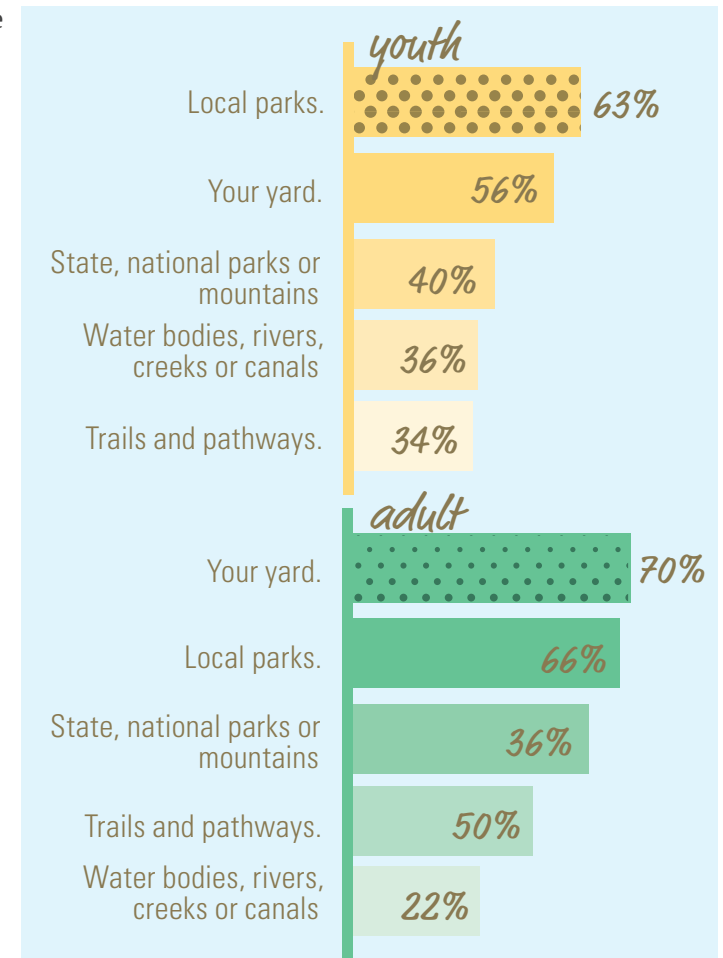
(Source: Inspire Initiative Report 2017)

The Inspire Initiative Report focused on a decision-making process that was directed by youth in the community, and youth and adults were surveyed separately. Key findings include:

- 72% of respondents are supportive of acquiring additional natural areas. Further, three-quarters of respondents supported an “Active City Program” to acquire lands. There is a high level of support for trails and access to parks can be improved by developing additional trails and walking paths to parks. Additionally, more facilities, and the maintenance of trails and facilities, are important to the community.
- Both youth and adults primarily experience nature in local parks or their yard, versus in state/national parks or along trails. Opportunities for playing and exploring in nature should be expanded, both by adding more trails, and by connecting and surrounding those trails with nature.
- Other improvements important to getting youth and members of their households to spend more time in nature include new nature parks (60%), and adding natural areas to existing parks (51%).

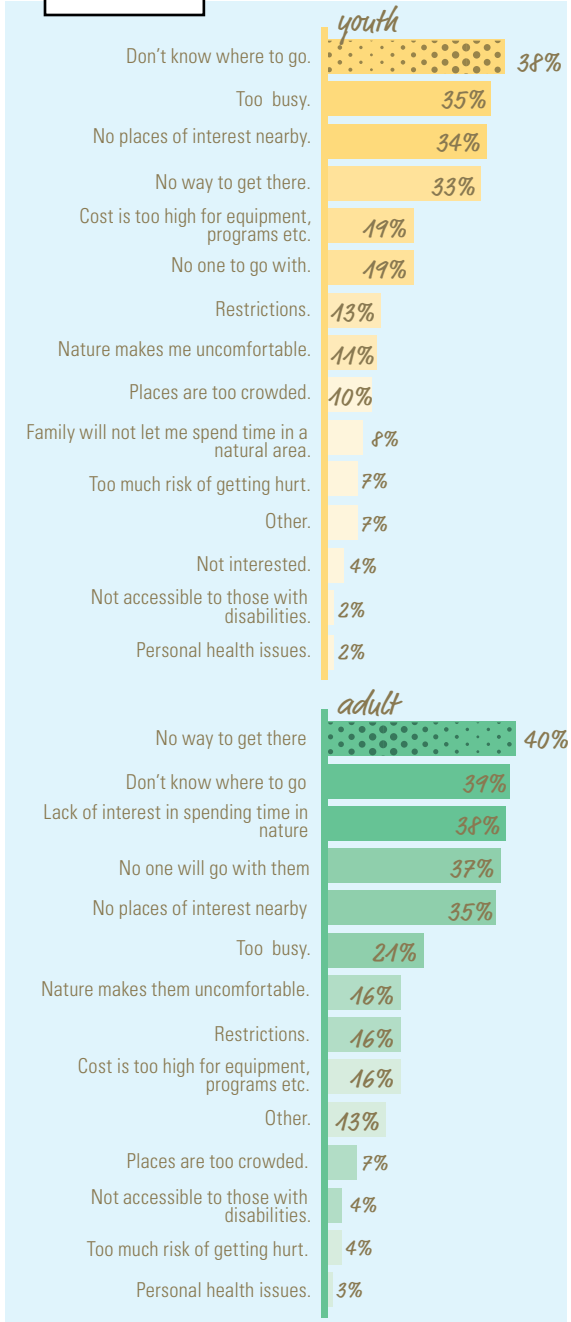


Improvements Needed to Encourage Households to Spend Time in Nature
(Source: Inspire Initiative Report 2017)



Top 5 Places Youth and Members of Their Household Experience Nature
(Source: Inspire Initiative Report 2017)

Item No. 13.



Barriers to Getting Outdoors
(Source: Inspire Initiative Report 2017)





January 10, 2021

Board

*Dale Hall, Chair
(Greeley)*

*Bill Hertneky, Vice Chair
(Windsor)*

*Julie Cozad,
Secretary/Treasurer
(Weld County)*

Julie Cline (Windsor)

Mike Ketterling (Weld Co)

Steve Moreno (Weld Co)

Fred Otis (Greeley)

Becky Safarik (Greeley)

Mayor Gates and City Council,

At its December 10, 2020 regular meeting, members of the Poudre River Corridor Board, Inc. had the opportunity to hear a presentation of the draft City of Greeley “Get Outdoors Greeley” 5–year Strategic Plan for Natural Areas, Open Lands, and Trails, which has been proposed for formal adoption by the Greeley City Council at its February 2, 2021 meeting.

As you are aware, the Poudre River Corridor Board has a long history working to establish a recreational trail in proximity to the Cache la Poudre River through the many natural areas and open lands that are encompassed in the City’s proposed plan. More recently, and with completion of the primary trail route from Greeley through Windsor, the Board has expanded its mission and work to include the conservation and stewardship of the greater river corridor, expansion of linkages to municipal trails, and expansion of the Poudre Trail route east to its confluence with the South Platte River. Such an undertaking would allow the trail to connect to the trail system in the City of Evans, further enhancing this northern Colorado amenity. Our unique structure and intergovernmental agreement between Greeley, Windsor, and Weld County, as well as with private partnerships, has demonstrated the potential of such cooperative relationships to create special legacy projects for the benefit of the public.

Never has the time been more opportune to have a strategic plan from which to coordinate our collective efforts. The Board finds that the strategy expressed in the City’s document a strong complement to its goals and, therefore, voted unanimously to endorse the adoption of this 5-year plan, and offer the Board’s continued support and cooperation to accomplish the plan’s important objectives.

Sincerely,

Dale K. Hall

Dale K. Hall
Chair
Poudre River Corridor Board

Council Agenda Summary

February 2, 2021

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786
John Karner, Finance Director, 970-350-9732

Title:

Consideration of a Resolution accepting the 2020 Rafftelis Development Impact Fee and Plant Investment Fee Study for purposes of recording compliance with Greeley Municipal Code §4.64, not adopting the Study's recommended fee structure, and maintaining the current fee structure

Summary:

Greeley Municipal Code §4.64 entitled "Development Impact Fees for Public Improvements, Facilities and Equipment for Police, Fire, Parks, Trails, Storm Drainage and Transportation" provides the legislative findings, purpose, intent, mechanics, and fee structure for impact fees. Items of note from within this provision of the code include the following:

- New development (residential and non-residential) imposes increasing and overburdening demands on existing City improvements, facilities and equipment;
- Tax revenues from new development do not generate sufficient funds to provide City facilities and equipment to serve the new development which will place increasing demands on City services, facilities and equipment;
- Development Impact Fees enable the City to impose the proportionate share of the costs of required improvements, facilities and equipment to serve new development;
- Development fees are to be adjusted for inflation each year. (These will, in this cycle, take place on March 1, 2021, and they have received appropriate advance notice provided via the City website and within the development community); and
- Development Impact Fees are to be reviewed every five years to ensure the City's Impact Fee structure adequately funds development-related capital improvements.

In accordance with the code requirement, a Development Impact Fee study was initiated by the City in early 2020. As a part of the Development Impact Fee Study process, the City Council was provided with presentations of preliminary study information during three worksessions throughout 2020, including a recommendation of a new Impact Fee schedule that took into account market changes and updates to cost of infrastructure construction. At the October 27 work session, City Council consensus was to not adopt the study's fee recommendations and to maintain the current fee schedule. Council also requested that staff research impact fee policies in other Colorado jurisdictions, and the findings of this research were presented to Council at the January 12, 2021 worksession.

As presented at the January worksession as a planned future action, this agenda item is provided so that Council may take a formal action to finalize the study process reflecting the City Council consensus of October 27 as follows:

- accept the Impact Fee Study for purposes of recording compliance with Greeley Municipal Code §4.64;
- not adopt the Development Impact Fee Study's recommended fee recommendations; and
- maintain the current fee structure.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	On-going revenue source
What is the annual impact?	Varies, depending on population growth and development activity
What fund of the City will provide Funding?	Revenues must be reserved in dedicated accounts associated with the respective service
What is the source of revenue within the fund?	Development impact fees
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	N/A
Is this grant onetime or ongoing?	N/A
Additional Comments:	Fees will remain as per the existing adopted plans

Legal Issues:

None.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Consistency with Greeley Municipal Code §4.64.

Decision Options:

- Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
 - 3) Deny the resolution; or
 - 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution accepting the 2020 Rafftelis Development Impact Fee and Plant Investment Fee Study for purposes of recording compliance with Greeley

Municipal Code §4.64, to not adopt the Study's recommended fee structure, and to maintain the current fee structure.

Attachments:

Resolution, with Exhibit entitled "City of Greeley Development Impact Fee and Plant Investment Fee Study Final Report, dated November 9, 2020"

CITY OF GREELEY, COLORADO
RESOLUTION NO. _____, 2021

A RESOLUTION ACCEPTING THE 2020 RAFTELIS DEVELOPMENT IMPACT FEE AND PLANT INVESTMENT FEE STUDY FOR PURPOSES OF RECORDING COMPLIANCE WITH GREELEY MUNICIPAL CODE §4.64, NOT ADOPTING THE STUDY'S RECOMMENDED FEE STRUCTURE, AND MAINTAINING THE CURRENT FEE STRUCTURE

WHEREAS, Greeley Municipal Code § 4.64, entitled "Development Impact Fees for Public Improvements, Facilities and Equipment for Police, Fire, Parks, Trails, Storm Drainage and Transportation" provides the legislative findings, purpose, intent, mechanics, and fee structure for impact fees; and

WHEREAS, in accordance with Greeley Municipal Code § 4.64, and in fulfillment of such Code, the City of Greeley ("Greeley") engaged in 2020 the services of Raftelis, a nationally-recognized group specializing in the analysis of development impact fees and plant investment fees; and

WHEREAS, Raftelis completed a study of conditions in Greeley relative to the cost of providing city services in conjunction with new development, resulting in the report entitled "City of Greeley Development Impact Fee and Plant Investment Fee Study Final Report, dated November 9, 2020, attached hereto as Exhibit A; and

WHEREAS, the Greeley City Council in its regular worksession of October 27, 2020, expressed consensus to not adopt the study's fee recommendations and to maintain the current fee schedule; and

WHEREAS, under the current fee schedule, development fees are to be adjusted for inflation each year, effective March 1, and notice of such for 2021 has been appropriately advanced via the City website and within the development community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. The City Council hereby accepts the 2020 Raftelis Development Impact Fee and Plant Investment Fee Study for purposes of recording compliance with Greeley Municipal Code §4.64, does not adopt the Study's recommended fee structure, and maintains the current fee structure.

Section 2. This Resolution shall become effective immediately upon its passage and signature.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF _____, 2021.

Attest:

By: _____
City Clerk

By: _____
Mayor

CITY OF Greeley

Development Impact Fee and Plant Investment Fee Study

Final Report / November 9, 2020



November 9, 2020

Mr. Brad Mueller
Director, Community Development Department
City of Greeley
1000 10th Street
Greeley, CO 80631

Subject: Development Impact Fees Report

Dear Mr. Miller,

Raftelis Financial Consultants, Inc. (Raftelis) is pleased to provide the 2020 impact fee update for the City of Greeley. Our study included the following:

- Updated development projections and land use assumptions based on Greeley data
- Documentation of current infrastructure standards and projected need for additional facilities
- Calculation of proportionate fees for three types of nonresidential development and four size thresholds for residential development
- Outreach workshops with the development community to solicit feedback on proposed fees and structures

Our report summarizes key findings and recommendations related to the growth cost of capital improvements to be funded by impact fees.

It has been a pleasure working with you and we thank City staff for engaging with quality information and insight regarding best practices for the City of Greeley.

Sincerely,

Todd Cristiano
Senior Manager

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Executive Summary

Impact fees are one-time payments imposed on new development that must be used solely to fund growth-related capital projects, typically called “system improvements”. An impact fee represents new growth’s proportionate share of capital facility needs. In contrast to project-level improvements, impact fees fund infrastructure that will benefit multiple development projects, or even the entire service area, if there is a reasonable relationship between the new development and the need for growth-related infrastructure. Project-level improvements, typically specified in a development agreement, are usually limited to transportation improvements near a proposed development, such as ingress/egress lanes. By law, impact fees can only be used for capital improvements, not operating or maintenance costs. Impact fees are subject to legal standards that satisfy three key tests: need, benefit, and proportionality.

- First, to justify a fee for public facilities, local government must demonstrate a need for capital improvements.
- Second, new development must derive a benefit from the payment of the fees (i.e., in the form of public facilities constructed within a reasonable timeframe).
- Third, the fee paid should not exceed a development’s proportionate share of the capital cost.

As documented in this report, the City of Greeley has complied with applicable legal precedents. Impact fees are proportionate and reasonably related to the capital improvement demands of new development, with the projects identified in this study consistent with Greeley’s long-range comprehensive plan and master plans for infrastructure. Specific costs have been identified using local data and current dollars. With input from City staff, Raftelis determined service units for each type of infrastructure and calculated proportionate share factors to allocate costs by type of development. This report documents the formulas and input variables used to calculate the impact fees for each type of public facility. Impact fee methodologies also identify the extent to which new development is entitled to various types of credits to avoid potential double payment of growth-related capital costs.

Unique Requirements of the Colorado Impact Fee Act

For local governments, the first step in evaluating funding options for capital improvements is to determine basic requirements established by state law. Some states have more conservative legal parameters that basically restrict local government to specifically authorized actions. In contrast, “home-rule” states grant local governments broader powers unless precluded or preempted by state statutes. Although Colorado is a “home-rule” state and home-rule municipalities were already collecting “impact fees” under their home-rule authority granted in the Colorado Constitution, the Colorado Legislature passed enabling legislation in 2001, as discussed further below.

According to Colorado Revised Statute Section 29-20-104.5, impact fees must be legislatively adopted at a level no greater than necessary to defray impacts generally applicable to a broad class of property. The purpose of impact fees is to defray capital costs directly related to proposed development. The statutes of other states allow impact fee schedules to include administrative costs related to impact fees and the preparation of capital improvement plans, but this is not specifically authorized in Colorado’s statute. Impact fees do have limitations and should not be regarded as the total solution for infrastructure funding. Rather, they are one component of a comprehensive portfolio to ensure adequate provision of public facilities. Because system improvements are larger and more costly, they may require bond financing and/or funding

from other revenue sources. To be funded by impact fees, Section 29-20-104.5 requires that the capital improvements must have a useful life of at least five years. By law, impact fees can only be used for capital improvements, not operating or maintenance costs. Also, development impact fees cannot be used to repair or correct existing deficiencies in existing infrastructure.

Maximum Supportable Impact Fees

There are three general methods for calculating development fees. The choice of method depends primarily on the timing of infrastructure construction (past, concurrent, or future) and service characteristics of the facility type being addressed. Each method has advantages/disadvantages and can be used simultaneously for different cost components. The process of calculating development impact fees involves two main steps: (1) determining the cost of development-related capital improvements and (2) allocating those costs equitably to various types of development. In practice, development fees are complicated due to many variables involved in defining the relationship between development and the need for facilities within the service area. The following paragraphs discuss three basic methods for calculating development fees and how those methods can be applied.

- The rationale for recoupment, often called cost recovery, is that new development is paying for its share of the useful life and remaining capacity of facilities already built, or land already purchased, from which new growth will benefit. This methodology is often used for utility systems that must provide adequate capacity before new development can take place.
- The incremental expansion method documents current infrastructure standards for each type of public facility, using both quantitative and qualitative measures. If current standards are used, there is no existing infrastructure deficiency or surplus capacity and new development is only paying its proportionate share to maintain current standards for growth-related infrastructure. Fee revenue will be used to expand or provide additional facilities, as needed to keep pace with new development.
- The plan-based method allocates costs for a specified set of improvements to a specified amount of service units. Improvements are typically identified in an infrastructure master plan and development potential is identified by land use assumptions. There are two options for determining the cost per service unit: 1) total cost of a public facility can be divided by total demand units (average cost approach), or 2) the growth-share of the public facility cost can be divided by the net increase in demand units over the planning timeframe (marginal cost approach).

Figure 1 summarizes the methods and cost components used for each type of public facility in Greeley's 2020 impact fee study. Non-utility impact fees are consistent with the general method and cost allocations used in the 2014 impact fee study, with recommended refinements based on current best practices.

Figure 1: Proposed Methods and Cost Components for Non-utility Impact Fees

Type of Infrastructure	Service Area	Incremental Expansion (current standards)	Cost Allocation
Parks and Trails	Citywide	Improvements to Parks and Trails	Population
Police Facilities	Citywide	Police Buildings and Vehicles	Functional Population
Fire Facilities	Citywide	Fire Stations and Apparatus	Functional Population
Transportation	Citywide	Multimodal Improvements to Arterials	Vehicle Miles of Travel

Figure 2 summarizes maximum supportable 2020 impact fees for new development in the City of Greeley. As discussed in Appendix A, Raftelis recommends that residential fees be imposed by dwelling size, based on floor area of living space (i.e., excludes garages, outdoor patios/porches/balconies, and unfinished basements). In contrast, existing fees use a “one size fits all” approach by type of housing. If Greeley makes a legislative policy decision to continue collecting impact fees by type of housing, the maximum supportable impact fee for Single Family, would be \$13,686 per dwelling. The maximum supportable impact fee for Multifamily (i.e., all other housing types) would be \$11,253 per dwelling.

Fees for nonresidential development are listed per thousand square feet of floor area. Industrial includes all buildings used for goods production, warehousing, transportation, communications and utilities. Retail/Restaurant includes all shopping centers, establishments that sell merchandise and all eating/drinking places. Office & Other Services includes business services such as banks, plus personal services, such as health care.

Figure 2: Maximum Supportable Impact Fee Schedule for Non-utilities

Citywide Service Greeley CO	Parks and Trails	Police	Fire	Transportation	Maximum Supportable	Current Total	Increase or Decrease	
<u>Residential (per dwelling) by Size Range (square feet of heated living space)</u>								
1,200 or less	\$2,773	\$125	\$325	\$3,027	\$6,250	\$6,088	\$162	
1,201 to 1500	\$4,873	\$219	\$571	\$5,590	\$11,253	\$6,088	\$5,165	<= Multifamily
1,501 to 1,800	\$5,525	\$249	\$647	\$6,401	\$12,822	\$8,711	\$4,111	
1,801 or more	\$5,892	\$265	\$690	\$6,839	\$13,686	\$8,711	\$4,975	<= Single Family
<u>Nonresidential (per 1,000 square foot of building)</u>								
Industrial		\$218	\$486	\$2,600	\$3,304	\$1,915	\$1,389	
Retail/Restaurant		\$797	\$1,775	\$7,915	\$10,487	\$6,618	\$3,869	
Office & Other Services		\$428	\$954	\$5,105	\$6,487	\$5,469	\$1,018	

Parks and Trails Impact Fee

Impact fees for parks and trails are currently collected and spent in separate funds. The draft report combines both types of infrastructure, but all fee calculations remain separate. Based on direction from City Council, the final report can disaggregate these fees. As a general rule, minimizing the number of impact fee funds provides greatly flexibility for planning and spending fees.

Parks

In 2016, Greeley completed a master plans for Parks, Trails, and Open Lands. All parks and trails facilities included in the impact fees have a citywide service area. Cost components are allocated 100% percent to residential development. As shown in Figure PT1, Greeley current standard is 5.07 acres of improved parks per thousand residents. Based on the average cost of recent capital projects, Greeley is spending an average of \$350,000 per acre for park improvements. The projected population increase shown below will require an additional 117 acres of improved parks over the next ten years, with an estimated cost of \$40.95 million.

Figure PT1: Current Standard and Projected Need for Park Improvements

Type of Park	Acres
Neighborhood Parks	308
Community Parks	115
Sports Complex	137
Dog Parks	7
Total =>	
	567

Source: 2016 Master Plan for Parks, Trails, and Open Lands.

Cost Allocation Factors for Parks	
Improvements Cost per Acre	\$350,000
Residential Proportionate Share	100%
Service Units	
Population in 2020	111,748

Infrastructure Standards for Parks		Acres	
Residential (per person)		0.00507	
		Park Needs	
	Year	Population	Improved Acres
Base	2020	111,748	567
Year 1	2021	114,229	580
Year 2	2022	116,519	591
Year 3	2023	118,809	603
Year 4	2024	121,099	614
Year 5	2025	123,389	626
Year 6	2026	125,679	638
Year 7	2027	127,969	649
Year 8	2028	130,259	661
Year 9	2029	132,549	673
Year 10	2030	134,839	684
Ten-Yr Increase		23,091	117
Growth Cost of Parks =>			\$40,950,000

Trails

Figure PT2 documents Greeley current standard for trails, which is 1.41 linear feet per person. According to staff, recent trails constructed in Greeley have an average cost of \$189 per linear foot, which is \$1,000,000 per mile. This cost factor is based on a concrete trail with landscaping, lighting, signs, and professional fees. Projected population over the next ten years will need approximately six miles of additional trails to maintain Greeley's current standard for trails. Maximum supportable impact fees would cover the total projected cost of additional trails, which is approximately \$6.15 million over the next ten years.

Figure PT2: Current Standard and Project Need for Trails

Trails	Miles	Linear Feet
Off-Street Trails	29.8	157,080

Source: 2016 PTOL Master Plan, updated by staff.

Cost Allocation Factors for Trails

Cost per Linear Foot*	\$189
Residential Proportionate Share	100%
2020 Population	111,748

* \$1,000,000 per mile is \$189 per linear foot.

		Linear Feet	Trail Needs	
Residential (per person)		1.41	Population	Linear Feet
	Year			
Base	2020		111,748	157,080
Year 1	2021		114,229	160,567
Year 2	2022		116,519	163,786
Year 3	2023		118,809	167,005
Year 4	2024		121,099	170,224
Year 5	2025		123,389	173,443
Year 6	2026		125,679	176,662
Year 7	2027		127,969	179,881
Year 8	2028		130,259	183,100
Year 9	2029		132,549	186,319
Year 10	2030		134,839	189,538
Ten-Yr Increase			23,091	32,458
Growth Cost for Trails =>				\$6,147,000

Revenue Credit Evaluation

Currently the City of Greeley does not have any outstanding debt related to parks and trails facilities. Therefore, a revenue credit for bond payments is not applicable. As shown in the cash flow analysis below, projected impact fee revenue matches the growth cost of new facilities. Because impact fees fully fund expected growth costs, there is no potential double-payment from other revenue sources.

Maximum Supportable and Current Impact Fees

At the top of Figure PT3 is a summary of parks and trails infrastructure needs due to growth. The net growth cost of \$47.10 million divided by the projected increase in population from 2020 to 2030, yields a cost of \$2,039 per service unit. Impact fees are derived using the cost per service unit multiplied by the average number of service units per dwelling. Please see Appendix A for supporting documentation on the average number of persons by dwelling size in Greeley. If Greeley makes a legislative policy decision to continue collecting impact fees by type of housing, the maximum supportable impact fee for Single Family, would be \$5,892 per dwelling. The maximum supportable impact fee for Multifamily (i.e., all other housing types) would be \$4,873 per dwelling.

Figure PT3: Parks and Trails Impact Fee Schedule

Infrastructure Type	Infrastructure Units	Growth Quantity Over Ten Years	Cost Factor per Unit	Growth Cost (rounded)
Parks	acres	117	\$350,000	\$40,950,000
Trails	linear feet	32,458	\$189	\$6,147,000
Total =>				\$47,097,000
Population Increase 2020 to 2030				23,091
Cost per Service Unit				\$2,039

Residential Impact Fees (per dwelling) for Parks & Trails

Square Feet of Living Space	Persons per Housing Unit	Maximum Supportable Parks & Trails Fee	Current Fees	Increase or Decrease
1,200 or less	1.36	\$2,773	\$2,743	\$30
1,201 to 1500	2.39	\$4,873	\$2,743	\$2,130
1,501 to 1,800	2.71	\$5,525	\$3,655	\$1,870
1,801 or more	2.89	\$5,892	\$3,655	\$2,237

<= Multifamily
<= Single Family

Forecast of Revenues for Parks and Trails

Figure PT4 indicates Greeley should receive approximately \$46.69 million in parks and trails impact fee revenue over the next 10 years, if actual development matches the projections documented in Appendix A. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the need for infrastructure and impact fee revenue. To simplify the revenue forecast, Raftelis used the fee amount for a unit with an average of 2.71 residents, which is the blended, or overall average for all housing units in Greeley (see Figure A2 and related text for more information). This approach does not require an accurate forecast of the annual increase in Multifamily verses Single-Family housing units.

Figure PT4: Projected Impact Fee Revenue

Growth Cost Over 10 years =>		\$47,097,000
Parks and Trails Impact Fee Revenue		
	Year	Average Residential \$5,525 per housing unit
		Hsg Units
Base	2020	41,306
Year 1	2021	42,151
Year 2	2022	42,996
Year 3	2023	43,841
Year 4	2024	44,686
Year 5	2025	45,531
Year 6	2026	46,376
Year 7	2027	47,221
Year 8	2028	48,066
Year 9	2029	48,911
Year 10	2030	49,756
Ten-Yr Increase		8,450
Projected Revenue =>		\$46,690,000

Capital Improvements Plans Parks and Trails

Figure PT5 provides a listing of CIP projects eligible for impact fee funding. Line items with Page and Project numbers are in Greeley latest CIP. Each year, the City will remove completed projects and identify additional future projects that are needed to accommodate new development within Greeley.

Figure PT5: Summary of Ten-Year CIP for Parks

CIP Page	CIP Project	Description	Years 1-5	Years 6-10
518	318.16	Centennial Park Improvements	\$3,700,000	
522	318.3	New Community Park - South of 10th, West of 83rd	\$400,000	
530	893	Design Build Promontory Park	\$1,575,000	
532	369	Park South of 10th St, West of 71st Ave	\$2,575,000	
556	318.19	Island Grove Pavillions and Pathways	\$500,000	
558	318.29	Centennial Village Parking Extension	\$575,000	
560	318.28	Event Center Landscape Improvements/Promenade	\$900,000	
562	318.27	Pond Improvemens and Off-Leash Dog Park	\$3,150,000	
564	889	71st Ave & Sheepdraw Park		\$1,425,000
568	253	Parking Lot for Balsam Sports Park		\$312,575
569	525	Kiwanis Park Expansion		\$192,385
		Other Future Projects		\$25,645,040
Subtotal =>			\$13,375,000	\$27,575,000

Total Impact Fee Funding Over Ten Years => \$40,950,000

If maximum supportable fees are approved, Greeley will spend approximately \$6.15 million on additional trails over the next ten years.

Figure PT6: Summary of Ten-Year CIP for Trails

CIP Page	CIP Project	Description	Years 1-5	Years 6-10
500	800	Broadview Acres Trail Phases 2&3	\$80,800	
504	316.1701	#3 Ditch Trail Connect Larson Ditch Trail to Poudre Trail	\$208,000	
506	316.1702	Larson Trail to Poudre River Trail		\$800,000
		Other Future Projects		\$5,058,200
Subtotal =>			\$288,800	\$5,858,200

Total Impact Fee Funding Over Ten Years => \$6,147,000

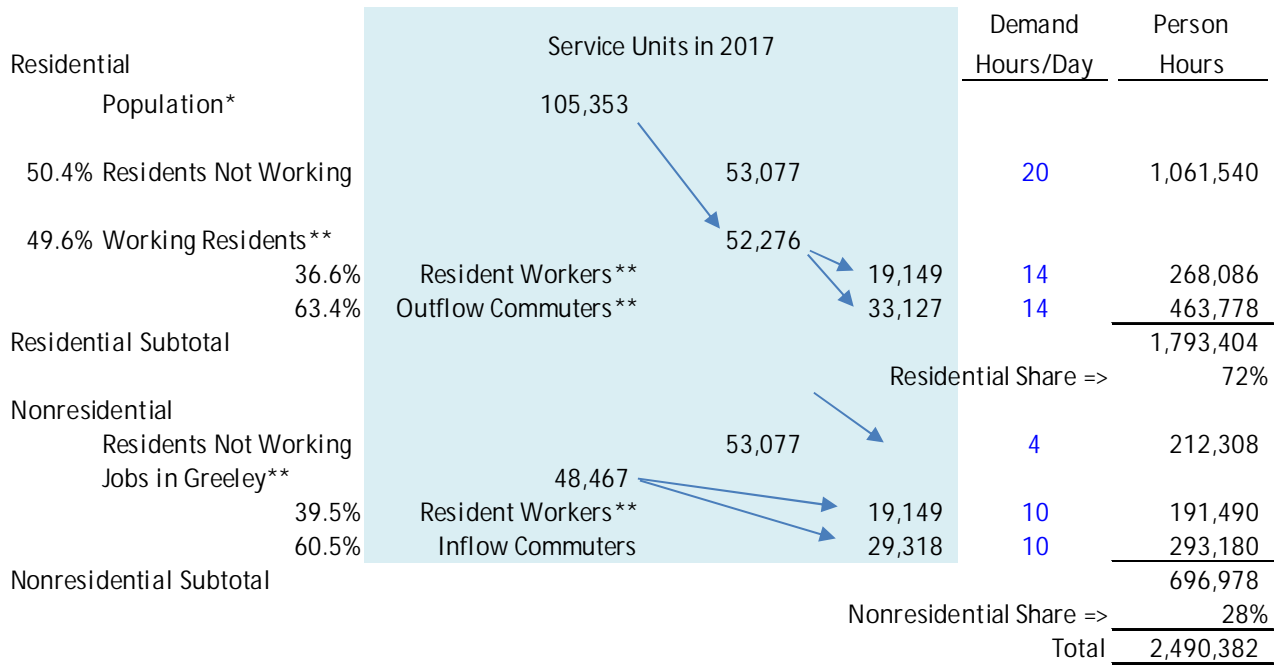
Police Impact Fees

The City of Greeley will use an incremental expansion cost method to maintain existing infrastructure standards for police buildings and vehicles.

Proportionate Share

In Greeley, public safety standards, projected needs, and development fees are based on both residential and nonresidential development. As shown in Figure P1, functional population was used to allocate police and fire infrastructure and costs to residential and nonresidential development. Functional population is like the U.S. Census Bureau's "daytime population," by accounting for people living and working in a jurisdiction. It also considers commuting patterns and time spent at residential versus nonresidential locations. Residents that don't work are assigned 20 hours per day to residential development and four hours per day to nonresidential development (annualized averages). Residents that work in Greeley are assigned 14 hours to residential development and 10 hours to nonresidential development. Residents that work outside Greeley are assigned 14 hours to residential development. Inflow commuters are assigned 10 hours to nonresidential development. Based on 2017 functional population data for Greeley, the cost allocation for residential development is 72% while nonresidential development accounts for 28% of the demand for public safety infrastructure.

Figure P1: Functional Population



* 2017 City of Greeley estimate.

** 2017 Inflow/Outflow Analysis, OnTheMap web application, U.S. Census Bureau data for all jobs.

Police Facilities, Service Units, and Standards

Greeley has determined that future development will require additional police building space and vehicles to accommodate growth. Police impact fees in Greeley are based on the same level of service provided to existing development. Figure P2 inventories police buildings in Greeley. For residential development, Greeley will use year-round population within the service areas to derive current infrastructure standards. For nonresidential development, Greeley will use average weekday primary vehicle trips as the service units. Figure P2 indicates the allocation of police building space to residential and nonresidential development. Based on 2020 service units, the standard in Greeley is 0.50 square feet of police building floor area per person. For nonresidential development, Greeley’s standard is 0.19 square feet of police building per average weekday primary vehicle trip to nonresidential development.

Figure P2: Police Buildings Standard

Police Buildings	Square Feet
Police Headquarters	49,922
Annex	26,450
West Substation	750
TOTAL	77,122

Source: City of Greeley Police Department.

Police Buildings Standards	Residential	Nonresidential
Proportionate Share (based on functional population)	72%	28%
Growth Indicator	Population	Average Weekday Primary Vehicle Trips to Nonres Dev
2020 Service Units	111,748	111,281
Square Feet per Service Unit	0.50	0.19

For additional police building space, Greeley will use a cost factor of \$256 per square foot (provided by City staff) as shown in Figure P3. As shown in below, projected increases in population and average weekday primary vehicle trips to nonresidential development will need 13,646 additional square feet of police buildings over the next ten years. The ten-year, growth-related capital cost of police buildings is approximately \$3.49 million.

Figure P3: Police Building Space Needed to Accommodate Growth

Police Building Standards and Capital Costs

Buildings - Residential	0.50	Sq Ft per person
Buildings - Nonresidential	0.19	Sq Ft per trip
Police Buildings Cost	\$256	per square foot

		Infrastructure Needed		
	Year	Population	Primary Vehicle Trips to Nonres Dev	Police Buildings (sq ft)
Base	2020	111,748	111,281	77,122
Year 1	2021	114,229	112,402	78,572
Year 2	2022	116,519	113,565	79,936
Year 3	2023	118,809	114,638	81,282
Year 4	2024	121,099	115,759	82,637
Year 5	2025	123,389	116,832	83,984
Year 6	2026	125,679	117,995	85,347
Year 7	2027	127,969	119,116	86,703
Year 8	2028	130,259	120,189	88,049
Year 9	2029	132,549	121,352	89,412
Year 10	2030	134,839	122,473	90,768
Ten-Yr Increase		23,091	11,192	13,646
Growth Cost of Police Buildings =>				\$3,493,000

The inventory of police vehicles (see Figure P\$) excludes fully depreciated vehicles and rolling stock that does not meet Colorado’s Impact Fee Act requirement that capital items have at least five years of useful life. Raftelis grouped vehicles that have a similar acquisition cost. Greeley’s Police Department is currently using 92 vehicles with an average unit cost of \$43,875.

Figure P4: Police Vehicles and Current Standard

Type of Police Vehicle	Count	Average Acquisition Cost
Heavy Duty Trucks	2	\$187,500
Patrol Vehicles	56	\$52,433
Motorcycles and Support Vehicles	34	\$21,331
TOTAL	92	\$43,875

Source: City of Greeley Police Department.

Police Vehicle Standards	Residential	Nonresidential
Proportionate Share (based on functional population)	72%	28%
Growth Indicator	Population	Average Weekday Primary Vehicle Trips to Nonres Dev
2020 Service Units	111,748	111,281
Vehicles per Service Unit	0.00059	0.00023

Over the next ten years, Greeley will need to add 16 vehicles to accommodate new development, at an estimated cost of \$702,000 (see Figure P5).

Figure P5: Police Vehicles Needed to Accommodate Growth

Police Vehicle Standards and Capital Costs

Vehicles - Residential	0.00059	per person
Vehicles - Nonresidential	0.00023	per trip
Average Cost with Accessorie	\$43,875	per vehicle

			Infrastructure Needed	
	Year	Population	Primary Vehicle Trips to Nonres Dev	Police Vehicles
Base	2020	111,748	111,281	92
Year 1	2021	114,229	112,402	94
Year 2	2022	116,519	113,565	95
Year 3	2023	118,809	114,638	97
Year 4	2024	121,099	115,759	99
Year 5	2025	123,389	116,832	100
Year 6	2026	125,679	117,995	102
Year 7	2027	127,969	119,116	103
Year 8	2028	130,259	120,189	105
Year 9	2029	132,549	121,352	107
Year 10	2030	134,839	122,473	108
Ten-Yr Increase		23,091	11,192	16
Growth Cost of Police Vehicless =>				\$702,000

Revenue Credit Evaluation

As shown in Figure P6, Greeley has for more years of outstanding debt payments for existing police buildings. Annual principal payments were allocated 72% to residential development and 28% to nonresidential development. The proportionate share of future principal payments, divided by the respective service units, yield annual credits per person and vehicle trip. A credit is not required for interest because the cost analysis for police impact fees does not include interest costs.

Figure P6: Police Revenue Credit

	Principal Payments for Police Building	Population	Primary Vehicle Trips to Nonres Dev	Credit per Person	Credit per Trip
2021	\$1,425,000	114,229	112,402	\$9	\$4
2022	\$1,495,000	116,519	113,565	\$9	\$4
2023	\$1,570,000	118,809	114,638	\$10	\$4
2024	\$1,655,000	121,099	115,759	\$10	\$4
TOTAL	\$6,145,000			\$38	\$16

Police Development Impact Fees

Growth-related infrastructure needs and cost factors for police are summarized in the upper portion of Figure P7. The conversion of infrastructure needs and costs per service unit into a cost per development unit is also shown in the table below. For residential development, average number of persons in a housing unit provides the necessary conversion. Persons per housing unit, by size threshold are documented in Appendix A.

For nonresidential development, trip generation rates per thousand square feet of floor area (abbreviated KSF) are from the Institute of Transportation Engineers (ITE 2017). In contrast to the "one size fits all" flat fee by type of housing, the updated methodology proposes lower impact fees for smaller, more affordable units. If Greeley makes a legislative policy decision to continue collecting impact fees by type of housing, the maximum supportable police impact fee for Single Family, would be \$265 per dwelling. The maximum supportable police impact fee for Multifamily (i.e., all other housing types) would be \$219 per dwelling.

Figure P7: Police Impact Fees per Development Unit

Input Variables

Infrastructure Type	Infrastructure Units	Growth Quantity Over Ten Years	Cost Factor per Unit	Growth Cost (rounded)
Police Buildings	square feet	13,646	\$256	\$3,493,000
Police Vehicles (5+ years of useful life)	count	16	\$43,875	\$702,000

Total => \$4,195,000

Cost Allocation

Residential	72%			
Nonresidential	28%			
Growth 2020 to 2030		Cost per Service Unit	Bond Principal Credit per Service Unit	Net Cost per Service Unit
Residential (persons)	23,091	\$130	\$38	\$92
Nonresidential (vehicle trips)	11,192	\$104	\$16	\$88

Residential Impact Fees (per housing unit) for Police

Square Feet of Living Space	Persons per Housing Unit	Maximum Supportable Police Impact Fees	Current Fees	Increase or Decrease
1,200 or less	1.36	\$125	\$105	\$20
1,201 to 1500	2.39	\$219	\$105	\$114
1,501 to 1,800	2.71	\$249	\$138	\$111
1,801 or more	2.89	\$265	\$138	\$127

<= Multifamily

<= Single Family

Nonresidential Impact Fees (per 1,000 square feet of building floor area) for Police

Type	Avg Wkdy Veh Trip Ends per KSF	Trip Adjustment Factors	Maximum Supportable Police Impact Fees	Current Fees	Increase or Decrease
Industrial	4.96	50%	\$218	\$33	\$185
Retail/Restaurant	37.75	24%	\$797	\$169	\$628
Office & Other Services	9.74	50%	\$428	\$80	\$348

Projected Impact Fee Revenue for Police

Over the next ten years, police impact fee revenue is projected to yield approximately \$3.09 million, which is less than the projected ten-year growth cost of police facilities. The revenue shortfall is due to the revenue credit for future bond principal used to construct existing police buildings.

To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the need for infrastructure and development fee revenue. To simplify the revenue forecast, Raftelis used the fee amount for a unit with an average of 2.71 residents, which is the blended, or overall average for all housing units in Greeley (see Figure A2 and related text for more information). This approach does not require an accurate forecast of the annual increase in Multifamily versus Single-Family housing units.

Figure P8: Police Fee Revenue

		Ten-Year Growth Cost of Police Facilities => \$4,195,000			
Police Impact Fee Revenue		Average Residential \$249 per housing unit	Industrial \$218 per 1000 Sq Ft	Retail / Restaurant \$797 per 1000 Sq Ft	Office & Other Services \$428 per 1000 Sq Ft
Year		Hsg Units	KSF	KSF	KSF
Base	2020	41,306	8,970	4,280	10,320
Year 1	2021	42,151	9,060	4,320	10,430
Year 2	2022	42,996	9,150	4,370	10,530
Year 3	2023	43,841	9,240	4,410	10,630
Year 4	2024	44,686	9,330	4,450	10,740
Year 5	2025	45,531	9,420	4,490	10,840
Year 6	2026	46,376	9,510	4,540	10,940
Year 7	2027	47,221	9,600	4,580	11,050
Year 8	2028	48,066	9,690	4,620	11,150
Year 9	2029	48,911	9,780	4,670	11,250
Year 10	2030	49,756	9,870	4,710	11,360
Ten-Yr Increase		8,450	900	430	1,040
Projected Revenue =>		\$2,104,000	\$196,000	\$343,000	\$445,000
		Total Projected Revenues (rounded) =>			<u>\$3,088,000</u>

Greeley expects to expand the police fleet using impact fee revenue and identify future police building needs to accommodate new development. Specific projects will be identified in Greeley’s CIP.

Figure P9: Summary of Ten-Year CIP for Police

CIP Page	CIP Project	Description	Years 1-5	Years 6-10
		Additional Police Vehicles	\$351,000	\$351,000
		Future Building Projects		\$3,493,000
Subtotal =>			\$351,000	\$3,844,000
Total Impact Fee Funding Over Ten Years =>				\$4,195,000

Fire Impact Fees

Raftelis recommends functional population to allocate the cost of additional fire infrastructure to residential and nonresidential development (see Figure P1 above and related text). Fire development fees in Greeley are based on the same level of service currently provided to existing development.

Existing Standards for Fire Facilities

Figure F1 inventories Greeley fire stations and square feet of building space. The standard for fire buildings is 0.55 square feet per person and 0.22 square feet per vehicle trip to nonresidential development.

Figure F1: Existing Fire Stations

Fire Stations	Square Feet
Fire Station # 1	19,080
Fire Station # 2	12,381
Fire Station # 3	11,500
Fire Station # 4	6,273
Fire Station # 5	9,196
Fire Station # 6	18,471
Fire Station # 7	8,833
TOTAL	85,734

Allocation Factors for Fire Stations	
Residential Share	72% Functional
Nonresidential Share	28% Population
Population in 2020	111,748
Average Weekday Primary Vehicle Trips to Nonres Dev	111,281

Infrastructure Standards for Fire Stations	Square Feet
Residential (per person)	0.55
Nonresidential (per trip)	0.22

Fire Vehicles, Service Units, and Standards

Figure F2 inventories fire apparatus, with a unit cost for each major type of vehicle. For residential development, Greeley will use year-round population to derive current infrastructure standards. For nonresidential development, Greeley will use inbound, primary vehicle trips on an average weekday as the service unit. Figure F2 indicates the allocation of fire vehicles to residential and nonresidential development, along with 2020 service units in Greeley.

Figure F2: Current Fire Apparatus

Type of Fire Apparatus	Count	Unit Cost	Total
Pumper Truck	9	\$900,000	\$8,100,000
Ladder Truck	2	\$1,500,000	\$3,000,000
Rescue Truck	1	\$650,000	\$650,000
Tanker/Tender	2	\$300,000	\$600,000
Other Vehicles (Useful Life = 5+ Yrs)	23	\$65,000	\$1,495,000
TOTAL	37	\$374,000	\$13,845,000

Allocation Factors for Fire Apparatus and Communications		
Residential Share	72%	Functional population
Nonresidential Share	28%	
Population	111,748	
Average Weekday Primary Vehicle Trips to Nonres Dev	111,281	

Infrastructure Standards for Fire Apparatus	
Residential (per person)	0.00024
Nonresidential (per trip)	0.00009

For additional fire stations, Greeley will use a cost factor of \$397 per square foot, based on the cost of Fire Station #6. The cost factor includes design, construction management, fixtures and furniture. As shown in Figure F3, projected population and vehicle trips to nonresidential development drive the need for fire stations and apparatus. Greeley will need 15,170 additional square feet of fire station building space over the next ten years. The ten-year, growth-related capital cost of public buildings is approximately \$6.02 million. Additionally, Greeley will need to add seven vehicles to the fire fleet, at an estimated cost of approximately \$2.62 million.

Figure F3: Growth-Related Need for Fire Facilities

Fire Infrastructure Standards and Capital Costs

Fire Stations - Residential	0.55	Sq Ft per Person
Fire Stations - Nonresidential	0.22	Sq Ft per Trip
Fire Station Cost (based on #6)	\$397	per square foot
Fire Apparatus - Residential	0.00024	Apparatus per person
Fire Apparatus - Nonres	0.00009	Apparatus per Trips
Fire Apparatus Cost	\$374,000	Cost per Vehicle

		Fire Facilities Needed			
		Population	Primary Vehicle Trips to Nonres Dev	Sq Ft of Fire Stations	Fire Apparatus
Year					
Base	2020	111,748	111,281	85,734	37
Year 1	2021	114,229	112,402	87,346	38
Year 2	2022	116,519	113,565	88,862	38
Year 3	2023	118,809	114,638	90,359	39
Year 4	2024	121,099	115,759	91,865	40
Year 5	2025	123,389	116,832	93,362	40
Year 6	2026	125,679	117,995	94,878	41
Year 7	2027	127,969	119,116	96,384	42
Year 8	2028	130,259	120,189	97,881	42
Year 9	2029	132,549	121,352	99,397	43
Year 10	2030	134,839	122,473	100,904	44
Ten -Yr Increase		23,091	11,192	15,170	7
				Cost of Fire Stations =>	\$6,022,000
				Cost of Fire Apparatus =>	\$2,618,000
				Total Growth Cost =>	\$8,640,000

Revenue Credit Evaluation

As shown in Figure F4, Greeley will debt finance approximately \$5.8 million for Fire Station #6 over 20 years. Estimated annual principal payments were allocated 72% to residential development and 28% to nonresidential development. The proportionate share of future principal payments, divided by the respective service units, yield annual credits per person and vehicle trip. A credit is not required for interest because the cost analysis for fire impact fees does not include interest costs.

Figure F4: Revenue Credit for Fire Debt

	Estimated Principal Payments for Fire Station #6	Population	Primary Vehicle Trips to Nonres Dev	Credit per Person	Credit per Trip	Estimated Interest Payments
2021	\$200,914	114,229	112,402	\$1	\$1	\$214,600
2022	\$208,348	116,519	113,565	\$1	\$1	\$207,166
2023	\$216,057	118,809	114,638	\$1	\$1	\$199,457
2024	\$224,051	121,099	115,759	\$1	\$1	\$191,463
2025	\$232,341	123,389	116,832	\$1	\$1	\$183,173
2026	\$240,938	125,679	117,995	\$1	\$1	\$174,577
2027	\$249,852	127,969	119,116	\$1	\$1	\$165,662
2028	\$259,097	130,259	120,189	\$1	\$1	\$156,417
2029	\$268,683	132,549	121,352	\$1	\$1	\$146,831
2030	\$278,625	134,839	122,473	\$1	\$1	\$136,890
2031	\$288,934	137,129	123,570	\$2	\$1	\$126,580
2032	\$299,624	139,419	124,686	\$2	\$1	\$115,890
2033	\$310,710	141,709	125,802	\$2	\$1	\$104,804
2034	\$322,207	143,999	126,918	\$2	\$1	\$93,308
2035	\$334,128	146,289	128,034	\$2	\$1	\$81,386
2036	\$346,491	148,579	129,150	\$2	\$1	\$69,023
2037	\$359,311	150,869	130,266	\$2	\$1	\$56,203
2038	\$372,606	153,159	131,382	\$2	\$1	\$42,908
2039	\$386,392	155,449	132,498	\$2	\$1	\$29,122
2040	\$385,863	157,739	133,614	\$2	\$1	\$14,825
TOTAL	\$5,785,175			\$30	\$20	\$2,510,286

Fire Development Fees

Infrastructure needs and cost factors for fire facilities are summarized in the upper portion of Figure F5. The conversion of infrastructure needs and costs per service unit into a cost per development unit is also shown in the table below. For residential development, average number of persons in a housing unit provides the necessary conversion. Persons per housing unit, by size threshold are documented in Appendix A.

For nonresidential development, trip generation rates per thousand square feet of floor area (abbreviated KSF) are from the Institute of Transportation Engineers (ITE 2017). In contrast to the "one size fits all" flat fee by type of housing, the updated methodology proposes lower impact fees for smaller, more affordable units. If Greeley makes a legislative policy decision to continue collecting impact fees by type of housing, the maximum supportable fire impact fee for Single Family, would be \$690 per dwelling. The maximum supportable fire impact fee for Multifamily (i.e., all other housing types) would be \$571 per dwelling.

Figure F5: Fire Impact Fees per Development Unit

Input Variables

Infrastructure Type	Infrastructure Units	Growth Quantity Over Ten Years	Cost Factor per Unit	Growth Cost (rounded)
Fire Stations	square feet	15,170	\$397	\$6,022,000
Fire Apparatus	count	7	\$374,000	\$2,618,000
Total =>				\$8,640,000

Cost Allocation

Growth 2020 to 2030		Cost per Service Unit	Bond Principal Credit per Service Unit	Net Cost per Service Unit
Residential	72%			
Nonresidential	28%			
Residential (persons)	23,091	\$269	\$30	\$239
Nonresidential (vehicle trips)	11,192	\$216	\$20	\$196

Residential Impact Fees (per housing unit) for Fire

Square Feet of Living Space	Persons per Hsg Unit	Maximum Supportable Fire Impact Fees	Current Fees	Increase or Decrease
1,200 or less	1.36	\$325	\$463	(\$138)
1,201 to 1500	2.39	\$571	\$463	\$108
1,501 to 1,800	2.71	\$647	\$618	\$29
1,801 or more	2.89	\$690	\$618	\$72

<= Multifamily
<= Single Family

Nonresidential Impact Fees (per 1,000 square feet of building floor area) for Fire

Type	Avg Wkdy Veh Trip Ends per KSF	Trip Adjustment Factors	Maximum Supportable Fire Impact Fees	Current Fees	Increase or Decrease
Industrial	4.96	50%	\$486	\$140	\$346
Retail/Restaurant	37.75	24%	\$1,775	\$757	\$1,018
Office & Other Services	9.74	50%	\$954	\$355	\$599

Projected Revenue for Fire Facilities

Over the next ten years, fire impact fee revenue is projected to be \$7.66 million, as shown in Figure F6. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the need for infrastructure and development fee revenue. To simplify the revenue forecast, Raftelis used the fee amount for a unit with an average of 2.71 residents, which is the blended, or overall average for all housing units in Greeley (see Figure A2 and related text for more information). This approach does not require an accurate forecast of the annual increase in Multifamily versus Single-Family housing units.

Figure F6: Fire Impact Fee Revenue

Ten-Year Cost of Growth-Related Fire Facilities => **\$8,640,000**

Fire Impact Fee Revenue

Year	Average Residential	Industrial	Retail / Restaurant	Office & Other Services
	\$647 per housing unit	\$486 per 1000 Sq Ft	\$1,775 per 1000 Sq Ft	\$954 per 1000 Sq Ft
	Hsg Units	KSF	KSF	KSF
Base 2020	41,306	8,970	4,280	10,320
Year 1 2021	42,151	9,060	4,320	10,430
Year 2 2022	42,996	9,150	4,370	10,530
Year 3 2023	43,841	9,240	4,410	10,630
Year 4 2024	44,686	9,330	4,450	10,740
Year 5 2025	45,531	9,420	4,490	10,840
Year 6 2026	46,376	9,510	4,540	10,940
Year 7 2027	47,221	9,600	4,580	11,050
Year 8 2028	48,066	9,690	4,620	11,150
Year 9 2029	48,911	9,780	4,670	11,250
Year 10 2030	49,756	9,870	4,710	11,360
Ten-Yr Increase	8,450	900	430	1,040
Projected Revenue =>	\$5,470,000	\$440,000	\$760,000	\$990,000
Total Projected Revenues (rounded) =>				\$7,660,000

Greeley expects to construct Fire Station #8 within the next ten years. If the maximum supportable fees are implemented, new development will fully fund the additional station, plus its apparatus.

Figure F7: Ten-Year CIP for Fire

CIP Page	CIP Project	Description	Years 1-5	Years 6-10
394	169	Fire Station 8 plus Apparatus		\$7,593,269
		Other Future Projects		\$1,046,731
Subtotal =>			\$0	\$8,640,000

Transportation Impact Fees

In the 2020 impact fee study, transportation fees are derived using the incremental expansion cost method. As shown in the formula below, the transportation fee is the product of Vehicle Miles of Travel (VMT) per development unit multiplied by the capital cost per VMT.

$$\text{Road Fee} = \text{VMT (vehicle miles of travel)} \times \text{Capital Cost per VMT (for multimodal improvements)}$$

VMT is the product of trip generation rate per development unit, multiplied by trip rate adjustment factor, average trip length (in miles) and trip-length weighting factor. The capital cost per VMT is based on the projected need for additional arterial lane miles, multiplied by Greeley current capital cost per lane mile, divided by the increase in projected VMT over the planning timeframe. Each component is described below.

Trip Generation Rates

Transportation impact fees in Greeley are based on Average Weekday Vehicle Trip Ends (AWVTE). Trip generation rates are from Trip Generation published by the Institute of Transportation Engineers (ITE 10th Edition 2017). A vehicle trip end represents a vehicle either entering or exiting a development (as if a traffic counter were placed across a driveway). To calculate transportation impact fees, trip generation rates require an adjustment factor to avoid double counting each trip at both the origin and destination points. Therefore, the basic trip adjustment factor is 50%. As discussed further below, the impact fee methodology includes additional adjustments to make the fees proportionate to infrastructure demand by type of development.

Adjustment for Pass-By Trips

For retail and restaurants, the trip adjustment factor is less than 50% because retail stores and restaurants attract vehicles as they pass by on arterial roads. For example, when someone stops at a convenience store on the way home from work, the convenience store is not the primary destination. For the average shopping center, the ITE data indicates that 34% of the vehicles that enter are passing by on their way to some other primary destination. The remaining 66% of attraction trips have the commercial site as their primary destination. Because attraction trips are half of all trips, the trip adjustment factor for an average size shopping center is 66% multiplied by 50%, or approximately 33% of the trip ends. Pass-by percentages increase as commercial building size decrease. In other words, small convenience stores and fast food restaurants have the highest pass-by percentages. Based on recent building permit activity in Greeley, typical retail/restaurants are smaller than the average shopping center in ITE national database. Therefore, Raftelis recommends a pass-by adjustment factor of 24% for retail/restaurant development in Greeley.

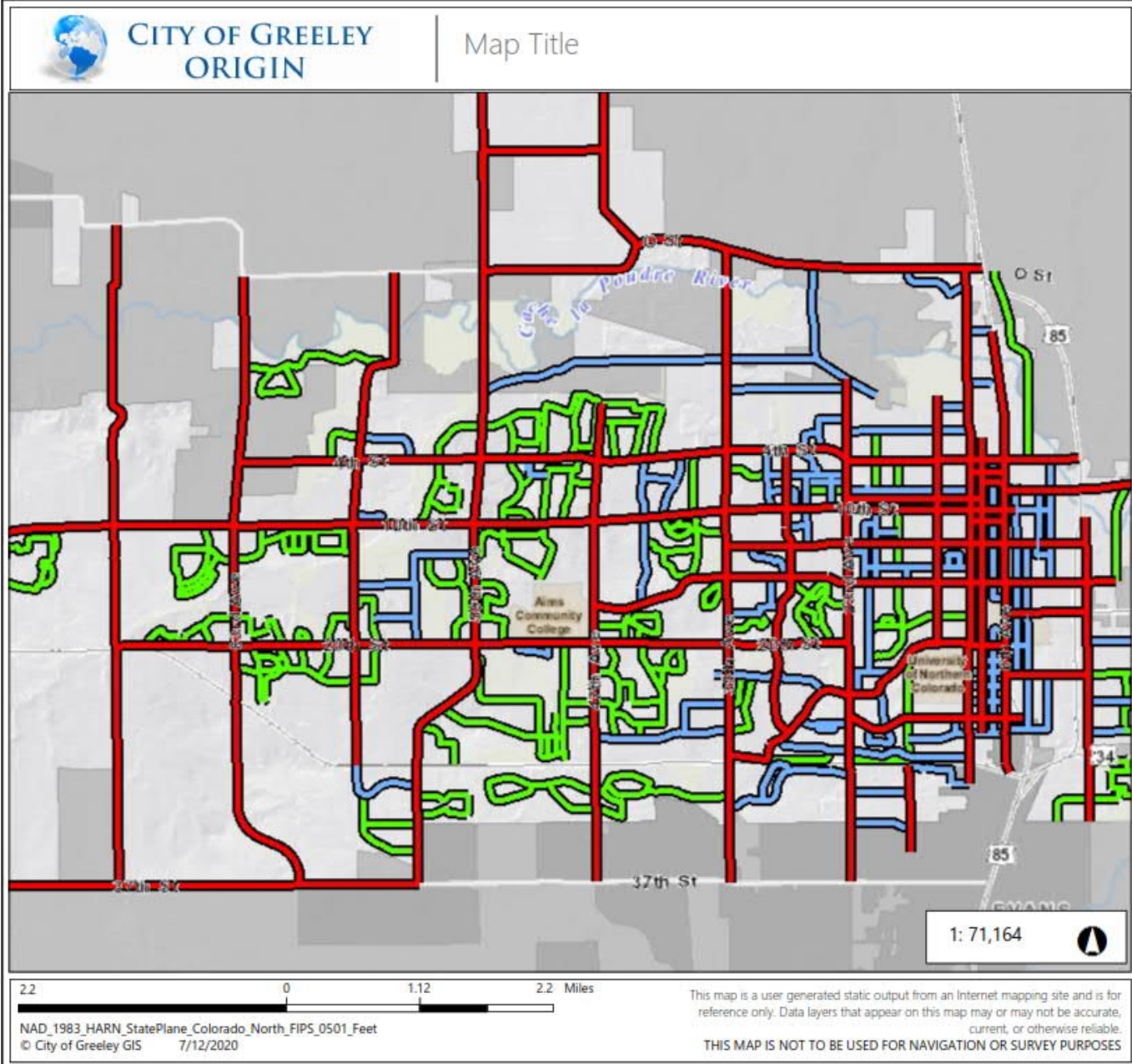
Vehicle Miles of Travel

A Vehicle Mile of Travel (VMT) is a measurement unit equal to one vehicle traveling one mile¹. In the aggregate, VMT is the product of vehicle trips multiplied by the average trip length. The average trip length

¹ Typical VMT calculations for development-specific traffic studies, along with most transportation models of an entire service area, are derived from traffic counts on individual road segments multiplied by the length of that road segment. For the purpose of the transportation impact fee study, VMT calculations are based on attraction (inbound) trips to development located in the service area, with trip length limited to the road network considered to be system improvements (arterials and collectors). This refinement eliminates pass-through or external- external trips, and travel on roads that are not system improvements (e.g. interstate highways).

in Greeley is calibrated using existing lane miles of arterials that are designated as Priority 1 snow-plow routes. The essential network of arterials shown in red (see Figure T1) represents the type of system improvements that will be funded with impact fee revenue.

Figure T1: Priority 1 Snow-Plow Routes in Greeley



Lane Capacity

Transportation impact fees are based on the annualized average day lane capacity standard of 5,650 vehicles per lane. City staff provided this standard after analyzing traffic counts and design characteristics of arterial streets in Greeley.

Trip Length Weighting Factor by Type of Land Use

The transportation impact fee methodology includes a percentage adjustment, or weighting factor, to account for trip length variation by type of land use. As shown in Figure T2, vehicle trips from residential development are approximately 114% of the average trip length. The residential trip length adjustment factor includes trips to work, social/recreational purposes and home. Conversely, shopping trips associated with commercial development are roughly 75% of the average trip length while other nonresidential development typically accounts for trips that are 90% of the average for all trips.

Figure T2: Average Trip Length and Weighting Factors

Trip purpose summary	Travel Day Vehicle Trips	Trip Length Mean Miles		Percent of Trips	Average Trip Length	Weighting Factor
Home	205,743	9.93	Residential			
Work	92,392	11.98	Residential			
Social/Recreational	52,877	12.60	Residential			
Subtotal	351,012		Subtotal	57%	10.87	1.14
Shopping/Errands	134,048	7.08	Commercial			
Meals	43,347	7.49	Commercial			
Subtotal	177,395		Subtotal	29%	7.18	0.75
School/Daycare/Religious activity	16,288	9.11	Other			
Medical/Dental services	11,568	10.14	Other			
Transport someone	44,991	7.25	Other			
Something else	10,045	11.95	Other			
Subtotal	82,892		Subtotal	14%	8.59	0.90
All	611,299	9.55				

Source: Federal Highway Administration, 2017 National Household Travel Survey
 Tabulation created on the NHTS website at <http://nhts.ornl.gov>

Development Prototypes and Projected Travel Demand

The relationship between development in Greeley and the need for system improvements is documented below. Figure T3 summarizes the input variables for an aggregate travel demand model. In the table below HU means housing units, KSF means square feet of nonresidential development, in thousands, Institute of Transportation Engineers is abbreviated ITE, and VTE means vehicle trip ends.

Projected development in Greeley over the next ten years is shown in the middle section of Figure T3. These land use assumptions are documented in Appendix A. Trip generation rates and trip adjustment factors convert projected development into inbound, primary weekday vehicle trips. A typical vehicle trip, such as a person leaving their home and traveling to work, generally begins on a local street that connects to a collector street, which connects to an arterial road and eventually to a state or interstate highway. This progression of travel up and down the functional classification chain limits the average trip length determination, for the purpose of impact fees, to the following question, "What is the average vehicle trip length on impact fee system improvements (i.e. essential arterials in Greeley)?"

With 214 lane miles of City arterials designated as Priority 1 snow-plow routes, and a lane capacity standard of 5,650 vehicles per lane, the existing network has 1,210,430 vehicle miles of capacity (i.e., 5,650 vehicles per

lane traveling the entire 214 lane miles). To derive the average utilization (i.e., average trip length expressed in miles), divide vehicle miles of capacity by the vehicle trips attracted to development in Greeley. As shown in the bottom-left corner of the table below, existing development attracts 310,169 inbound, primary weekday vehicle trips. Dividing 1,210,430 vehicle miles of capacity by inbound weekday vehicle trips yields an un-weighted average trip length of approximately 3.9 miles. However, the calibration of average trip length includes the same adjustment factors used in the impact fee calculations (i.e., commercial pass-by adjustment and average trip length adjustment by type of land use). With these adjustments, Raffelis determined the weighted-average trip length to be 3.77 miles.

Figure T3: Projected Travel Demand

Travel Demand Model	ITE	Dev	Weekday	Dev	Trip	Trip Length		
Greeley CO	Code	Type	VTE	Unit	Adj	Wt. Factor	8/28/2020	
	210 & 220	Housing Units	9.63	HU	50%	1.14		
	110	Industrial	4.96	KSF	50%	0.90		
	820	Retail&Restaurant	37.75	KSF	24%	0.75		
	710	AllOtherNonres	9.74	KSF	50%	0.90		
Avg Trip Length (miles)	3.77							
Capacity Per Lane	5,650 <= Based on two-lane arterials in Greeley (provided by City staff).							
Year ->	Base	1	2	3	4	5	10	
Greeley CO	2020	2021	2022	2023	2024	2025	2030	
Housing Units	41,306	42,151	42,996	43,841	44,686	45,531	49,756	8,450
Industrial KSF	8,970	9,060	9,150	9,240	9,330	9,420	9,870	900
Retail&Restaurant KSF	4,280	4,320	4,370	4,410	4,450	4,490	4,710	430
AllOtherNonresidential KSF	10,320	10,430	10,530	10,630	10,740	10,840	11,360	1,040
Residential Trips	198,888	202,957	207,026	211,094	215,163	219,232	239,575	
Industrial Trips	22,246	22,469	22,692	22,915	23,138	23,362	24,478	
Retail&Restaurant Trips	38,777	39,139	39,592	39,955	40,317	40,679	42,673	
AllOtherNonresidential Trips	50,258	50,794	51,281	51,768	52,304	52,791	55,323	
Total Vehicle Trips	310,169	315,359	320,591	325,732	330,922	336,064	362,049	
Vehicle Miles of Travel (VMT)	1,210,430	1,231,516	1,252,693	1,273,614	1,294,700	1,315,620	1,421,067	210,637
LANE MILES	214.24	217.97	221.72	225.42	229.15	232.85	251.52	37.28
Lane Miles per 10,000 VMT	1.77	1.77	1.77	1.77	1.77	1.77	1.77	
								Growth Share Based on VMT Increase => 15%
Res Trips Share of Total Trips	64.1%	64.4%	64.6%	64.8%	65.0%	65.2%	66.2%	
Primary Trips to Nonres Dev	111,281	112,402	113,565	114,638	115,759	116,832	122,473	
Total Nonres KSF	23,570	23,810	24,050	24,280	24,520	24,750	25,940	
Trips per KSF	4.72	4.72	4.72	4.72	4.72	4.72	4.72	
Current Arterial Lane Miles	214.00	<= Travel lanes designated Priority 1 Snow Plow routes, as provided by Public Works.						

Maximum Supportable Impact Fees for Transportation

Input variables for Greeley’s transportation impact fees are shown in the upper section of Figure T4. Inbound, primary vehicle miles of travel by type of development are multiplied by the capacity cost per vehicle mile of travel to yield the impact fees. Given the projected need for 37.28 additional arterial lane miles and the City’s current cost factor of \$1,750,000 per lane mile, Greeley needs to spend \$65.24 million on transportation capacity projects in order to accommodate new development over the next ten years. Allocating \$65.24 million for growth-related transportation improvements over the ten-year increase of 210,637 vehicle miles of travel, yields a capital cost is \$309 per VMT. An example of the transportation impact fee calculation is shown below using input variables for the average size dwelling unit.

$$\begin{array}{r}
9.64 \text{ weekday vehicle trip ends per dwelling unit} \\
\times \\
0.50 \text{ adjustment factor for inbound trips} \\
\times \\
3.77 \text{ average miles per trip} \\
\times \\
1.14 \text{ trip length adjustment factor for residential development} \\
\times \\
\$309 \text{ growth cost per VMT} \\
= \\
\$6,401 \text{ per dwelling unit (truncated)}
\end{array}$$

The text below from Trip Generation supports the consultant’s recommendation to use ITE 820 Shopping Center as a reasonable proxy for all retail stores and restaurants. The shopping center trip generation rates are based on 302 studies with an r-squared value of 0.79. The latter is a goodness-of-fit indicator with values ranging from 0 to 1. Higher values indicate the independent variable (floor area) provides a better prediction of the dependent variable (average weekday vehicle tripends). If the r-squared value is less than 0.50, ITE does not publish the value because factors other than floor area provide a better prediction of trip rates.

“A shopping center is an integrated group of commercial establishments. Shopping centers, including neighborhood, community, regional, and super regional centers, were surveyed for this land use. Some of these centers contained non-merchandising facilities, such as office buildings, movie theaters, restaurants, post offices, banks, and health clubs. Many shopping centers, in addition to the integrated unit of shops in one building or enclosed around a mall, include out parcels (peripheral buildings or pads located on the perimeter of the center adjacent to the streets and major access points). These buildings are typically drive-in banks, retail stores, restaurants, or small offices. Although the data herein do not indicate which of the centers studied include peripheral buildings, it can be assumed that some of the data show their effect.”

If Greeley makes a legislative policy decision to continue collecting impact fees by type of housing, the maximum supportable transportation impact fee for Single Family, would be \$6,839 per dwelling. The maximum supportable transportation impact fee for Multifamily (i.e., all other housing types) would be \$5,590 per dwelling.

Figure T4: Transportation Impact Fees

Input Variables:						
Average Miles per Trip	3.77					
Projected Need for Additional Lane Miles over 10 Years	37.28					
Cost per Lane Mile	\$1,750,000					
Growth Cost of System Improvements	\$65,240,000					
Vehicle Miles of Travel Increase 2020 to 2030	210,637					
Capital Cost per Additional VMT	\$309					
Development Type	Avg Wkdy Veh Trip Ends	Trip Rate Adjustment	Trip Length Adjustment	Maximum Supportable Transportation Fees	Current Fees	Increase or Decrease
Residential (per housing unit) by Square Feet of Living Space for Transportation						
1,200 or less	4.56	50%	114%	\$3,027	\$2,777	\$250
1,201 to 1500	8.42	50%	114%	\$5,590	\$2,777	\$2,813
1,501 to 1,800	9.64	50%	114%	\$6,401	\$4,300	\$2,101
1,801 or more	10.30	50%	114%	\$6,839	\$4,300	\$2,539
Nonresidential (per 1,000 Square Feet of Floor Area) for Transportation						
Industrial	4.96	50%	90%	\$2,600	\$1,742	\$858
Retail/Restaurant	37.75	24%	75%	\$7,915	\$5,692	\$2,223
Office & Other Services	9.74	50%	90%	\$5,105	\$5,034	\$71

<= Multifamily
<= Single Family

Transportation Growth Cost and Funding Strategy

Figure T5 compares the ten-year, growth cost of transportation improvements to projected impact fee revenue. The City expects to collect approximately \$65.14 million in transportation impact fee revenue over the next ten years. Projected impact fee revenue will cover the growth cost of improvements if fees are adopted at the maximum supportable level.

The revenue projection shown below is based on the demographic data described in Appendix A and the maximum supportable fee amount for an average-size residential unit. Residential development in Greeley is expected to yield approximately 83% of total transportation impact fee revenue. To the extent the rate of development either accelerates or slows down, there will be a corresponding change in the impact fee revenue and capital costs.

To simplify the revenue forecast, Raftelis used the fee amount for a unit with an average of 9.64 average weekday vehicle trip ends, which is the blended, or overall average for all housing units in Greeley (see Figures A3 and A5, plus related text, for more information). This approach does not require an accurate forecast of the annual increase in Multifamily verses Single-Family housing units.

Figure T5: Transportation Impact Fee Revenue

Ten-Year Growth Cost of Transportation Improvements		\$65,240,000			
Ten-Year Projection of Transportation Impact Fee Revenue					
		Residential \$6,401 per housing unit	Industrial \$2,600 per 1000 Sq. Ft	Retail/Restaurant \$7,915 per 1000 Sq. Ft	All Other Nonresidential \$5,105 per 1000 Sq. Ft
	Year	Hsg Units	Sq. Ft x 1000	Sq. Ft x 1000	Sq. Ft x 1000
Base	2020	41,306	8,970	4,280	10,320
Year 1	2021	42,151	9,060	4,320	10,430
Year 2	2022	42,996	9,150	4,370	10,530
Year 3	2023	43,841	9,240	4,410	10,630
Year 4	2024	44,686	9,330	4,450	10,740
Year 5	2025	45,531	9,420	4,490	10,840
Year 6	2026	46,376	9,510	4,540	10,940
Year 7	2027	47,221	9,600	4,580	11,050
Year 8	2028	48,066	9,690	4,620	11,150
Year 9	2029	48,911	9,780	4,670	11,250
Year 10	2030	49,756	9,870	4,710	11,360
Ten-Yr Increase =>		8,450	900	430	1,040
Fee Revenue =>		\$54,088,000	\$2,340,000	\$3,403,000	\$5,309,000
Total Revenue from Transportation Fees =>					\$65,140,000

Transportation Improvements Needed to Accommodate Growth

Greeley annually adopts a Capital Improvements Plan (CIP), which includes growth-related projects to expand transportation capacity. Planned transportation improvements over the next ten years are listed in Figure T6.

Figure T6: Transportation Improvements Plan

CIP Page	CIP Project	Description	Years 1-5	Years 6-10
420	312.2	Promontory Parkway and US 34 Bypass Signal	\$900,000	
422	312.1504	Intersection Improvements at 35th Ave and O Street	\$2,000,000	
424	312.1739	Turn Lanes on 20th St Clubhouse Drive 59th Ave	\$3,500,000	
426	312.1603	O Street - 47th to 59th	\$6,012,000	
430	882	35th Ave Road Widening - 4th Street to F Street	\$10,100,000	
434	312.21	23rd Ave Butch Butler Turn Lane	\$600,000	
436	312.22	35th Ave - F to O Street	\$7,750,000	
442	312.1727	Widen 83rd Ave - 18th to 10th St	\$5,745,000	
444	312.1602	83rd Ave - 18th St to 34 Bypass - Widen and Traffic Signal	\$4,888,500	
446	312.1713	Traffic Signal 37th St and Two Rivers Parkway	\$750,000	
450	312.23	10th St & 50th Ave Signal	\$500,000	
452	312.1806	23rd Ave Turn Lane & 20th St Right-turn Lane	\$700,000	
454	312.1512	Traffic Signal at 20th St and 50th Ave	\$303,000	
456	312.1706A	CDOT Partnership - 83rd Ave Signal	\$600,000	
458	312.1505	Intersection Improvements at 59th Ave and O Steet	\$3,000,000	
460	312.2	Widen 20th St - 90th to 95th Ave		\$8,100,000
450	312.3	Widen 95th Ave - Hwy 34 Bypass to 20th St		\$5,858,000
		Other Future Projects		\$3,933,500
Subtotal =>			\$47,348,500	\$17,891,500

Total Impact Fee Funding Over Ten Years => \$65,240,000

Storm Drainage Plant Investment Fees

The City has assessed Storm drainage PIFs for many years. The PIFs are assessed per dwelling unit for single family residential and multifamily residential of \$XXX and \$XXX respectively. All other development types (e.g., non-residential) are assessed a Storm drainage PIF per impervious square foot. It has been several years since the storm drainage PIF was comprehensively updated, although the City has increased the storm drainage PIF for inflation in some years, including most recently in 2020. This section summarizes the comprehensive evaluation of the City's storm drainage PIF completed as part of this study. Appendix B contains additional detail and backup summarized in the body of this report.

Existing Storm Drainage Facilities

Figure SW1 summarizes the replacement cost new less (RCNLD) of City storm drainage facilities as of December 31, 2019 totaling \$84.1 million. The RCNLD indexes both the original cost and accumulated depreciation of City storm drainage facilities to the Engineering News Record Construction Cost Index (ENR-CCI) for Denver. Land as a non-depreciable asset RCNLD is equal to the original cost.

Figure SW1: Existing City Storm Drainage Facilities RCNLD by Functional Designation

Description	Asset Count	Original Cost	Total RCLND (1)	RCNLD - Contributed (1)	RCNLD - Net (1)
Land	19	\$2,596,850	\$2,536,233	\$1,150,797	\$1,385,436
Post 1970 Physical Infrastructure	198	51,116,167	53,772,853	1,914,053	51,858,800
Miscellaneous / Admin	16	739,085	780,304	0	780,304
Vehicles & Equipment	22	2,892,234	1,504,632	0	1,504,632
Lines	32	2,458,414	2,790,164	587,214	2,202,950
1970 Stormwater Assets	22	106,885,343	22,762,955	0	22,762,955
Total	309	\$166,688,094	\$84,147,140	\$3,652,063	\$80,495,076

(1) Indexed to ENR-CCI for Denver using December 2019 compared to ratio in year of acquisition.

Excluded Storm Drainage Facilities

Raftelis excluded two sets of City storm drainage facilities for purposes of PIF calculation. The first are related to City storm drainage facilities constructed before 1970 and reflected as 1970 facilities as reported within City fixed asset information with a RCNLD of \$22.8M. While much of this infrastructure is in place, other elements may have been previously replaced and/or are nearing the end of their effective useful life and it's impossible to differentiate facilities in place compared to those that may have been taken out of service and/or replaced. The second are related to assets which were constructed by developers and dedicated or contributed to the City with a RCNLD of \$3.7 million as summarized in Figure SW1.

Existing Impervious Area and Storm Drainage Customer Data

Raftelis estimated existing customer impervious area using monthly storm drainage customer billing data aggregating total gross area in square foot grouped by impervious area coefficient factor (C-Factor) and applying the estimated impervious area included within the C-Factor. The City currently provides storm

drainage services to an estimated 217,639,385 impervious square feet and 469,614,592 total square feet of gross area for all customers as summarized in Appendix B.

Equivalent Residential Unit

Raftelis also estimated the storm drainage Equivalent Residential Unit (ERU) using existing customer information. The City tracks residential customers of different types within different C-Factors. The default C-Factor for single family residential detached dwellings is "45" assuming that each customer impervious area is 45% of total gross area. Individual customers may submit alternative measurements consistent with the requirements demonstrating a different measurement of the gross area and/or actual impervious area in lieu of the default classification, but the vast majority of single family residential detached customers are billed with an estimated impervious area of 45% of the gross area.

As of December 31, 2019, 21,992 customers were billed were billed at the rate code 345 (45% impervious) with a total gross area of 187,630,385 square feet reflecting an average gross area of 8,532 square feet. Applying 45% impervious translates to an estimated impervious area of approximately 3,800 square feet for the average or typical single family residential customer connected to the storm drainage system.

Maximum Supportable Storm Drainage Plant Investment Fee

Raftelis calculated the maximum supportable storm drainage PIF using the equity buy-in method. This method calculates the net value of existing storm drainage facilities per impervious square foot of surface area. The maximum supportable storm drainage PIF is \$0.25 per impervious square foot. The net value incorporates the following elements.

1. Calculate the RCNLD of existing storm drainage facilities
2. Reduce RCNLD for pre-1970 assets and developer contributed facilities
3. Increase value for the net present value of future interest payments on outstanding debt
4. Reduce value for the outstanding principal of future principal payments on outstanding debt

The net asset value of \$53.0 million is then divided by the existing customers estimated impervious area of 217 million square feet yielding \$0.25 (rounded to \$0.01) per impervious square foot. Figure SW2 summarizes this calculation.

Figure SW2: Maximum Supportable Storm Drainage PIF per Impervious Square Foot

Description	Calculation
Total System Replacement Cost (1)	\$61,384,185
Less: Developer Contributed Assets	(3,652,063)
Plus: NPV of Borrowing Cost	1,583,732
Less: Current Outstanding Debt Principal	(6,295,000)
Total Cost for PIF Calculation	\$53,020,853
Impervious Area (sq. ft.) (2)	217,339,868
\$ per sq. ft.	\$0.25
(1) Replacement cost new less depreciation asset valuation using ENR-CCI as of December 2019. Excludes pre-1970 assets. (2) Total impervious area in the City estimated based on lot size and C-factor used for monthly bills.	

Raftelis proposes that the City modify the storm drainage PIF assessment schedule so that all customers are assessed \$0.25 per impervious square foot. Currently, single family residential developments are assessed a flat fee of \$402 per dwelling unit while multi-family residential development are assessed a flat fee of \$298 per dwelling unit. The City collects gross area and impervious area for both types of residential developments and the proposed assessment schedule which would be assessed per impervious square foot does not require any additional data not already collected to administer.

The modification to the assessment schedules provides an incentive to future development to mitigate impacts to the storm drainage system through minimizing impervious area or be assessed the impact per square foot on the storm drainage system facilities.

For an ERU (3,800 impervious square feet), the maximum supportable storm drainage PIF of \$0.25 per impervious square foot would total \$950 representing an increase of \$548 per dwelling unit over the existing fee of \$402 per dwelling unit. Since the existing fee is \$402 regardless of impervious area, the impact to customers will vary depending on the impervious square feet.

Water and Sewer Plant Investment Fees

The City requested Raftelis to evaluate alternatives to assessing the single-family residential water and wastewater plant investment fees (PIFs). The primary goal of this evaluation was to develop a fee structure that more equitably aligned the potential demand requirements with the cost of capacity required to serve new development. This approach can provide an economic incentive to developers as the PIF is more closely correlated to the specific characteristics of the development.

The City's water and wastewater PIFs are currently based on water meter size. meter size assessment schedule is common among many utilities in Colorado and elsewhere. This schedule is widely accepted, straight forward and are easy to administer. They are both more readily estimated during planning stages of new residential development before the construction is completed. And, the potential capacity required is directly correlated to meter size which can be equated back easily to the unit cost of capacity. However, this traditional method provides only a coarse mechanism for allocating fees in proportion to an anticipated water demand, and this can result in some disconnects in equity between different types and sizes of development.

Raftelis discussed with utility Staff conceptual ideas for PIFs that would more closely align demand with development size. To meet these goals and objectives, Raftelis developed a PIF based on lot size. In theory, there exists a correlation between water demand and lot size – the larger the lot, the higher the demand. To develop this, Raftelis evaluated recent water billing data for all single family residential customers for a 12-month period against the size of lot. Raftelis bifurcated the data for each customer into indoor and outdoor usage. We used linear regression analysis to evaluate the relationship between both indoor and outdoor water usage based on lot size. Our analysis showed little correlation between indoor usage and lot size. Indoor water use averaged approximately 4,000 gallons per month. The regression analysis for outdoor usage did show a closer correlation to water use and lot size. Based on this information, we were able to develop the following equation for assessing a PIF by lot size.

$$\text{Single Family Residential PIF (\$)} = \text{Cost of Indoor Demand} + \text{Cost of Outdoor Demand}$$

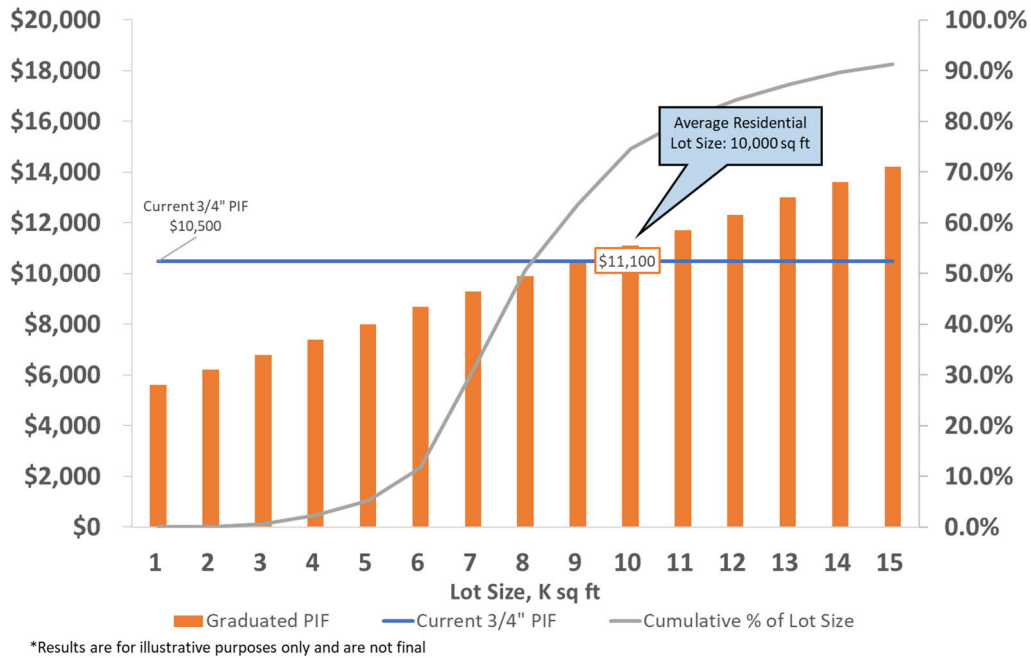
Where:

$$\text{Cost of indoor demand} = \text{customer class average winter consumption (Dec. – Mar)} * \text{Unit cost of capacity}$$

$$\text{Cost of outdoor demand} = \text{Unit cost of capacity} * \text{per square foot of lot size}$$

Raftelis compared the results of the analysis using the average lot size of 10,000 square feet. The current water PIF is \$10,500. Under this proposed methodology, a PIF for a 10,000 square foot home would be \$11,100. Based on recent data from the last two year, the average single family lot size is below the current average of 10,000 square feet. These smaller lot sizes would pay a lower fee under this fee structure alternative than under the current fee by meter size. Figure 1 illustrates the potential fees at different lot sizes.

Comparison of Existing Residential 3/4" PIF and Proposed Residential Graduated PIF



The current single family wastewater PIF is based on indoor water use and serves as a proxy for estimating flows to the treatment plant. Raftelis evaluated relationship of indoor water use to lot size and the number of bedrooms and bathrooms. We found little correlation under both methods. As a result, Raftelis is not proposing any changes to the wastewater PIF.

The City currently has a non-potable PIF that was based off a methodology defined in the last non-potable master plan. However, it was not widely used because it usually resulted in higher costs for the builder than using potable supplies. The City is looking to expand non-potable service because it is significantly more cost efficient for Greeley’s water customers. Greeley is nearly complete with an updated non-potable master plan that will outline the path forward to minimize the use of treated water and water rights, and maximize the use of non-potable rights. This will also reduce the need for additional treated water acquisitions.

However, non-potable service is not currently universally available throughout the City but the master plan will provide the roadmap for expanding non-potable service to much of Greeley. The City is developing policies to maximize the use of non-potable water with the intention to make the expansion of non-potable water use financially beneficial for both the building community and Greeley’s water customers. Non-potable is being promoted for larger irrigable areas because it is usually cost effective, however, non-potable can be utilized house to house if there is enough irrigable are to make it financially feasible.

Calculating a non-potable PIF would be needed to assist the City in the development of non-potable policies related to all water related costs builders are responsible for associated with development, i.e. PIFs, raw water/cash-in-lieu, and infrastructure installation. City staff has not yet finalized the suite of policy recommendations to expand non-potable water service for review by the Water and Sewer Board and City Council.

However, the proposed single family water PIF based on lot size can work well with a non-potable PIF. The proposed single family water PIF consists of two components – an indoor (potable) PIF and an outdoor PIF. Should non-potable water be available, the new development would only pay the indoor portion of the treated water PIF. The outdoor portion would be assessed based on the unit cost of the non-potable PIF.

The policies related to how these fees would be implemented are still being refined, but the intent is to make the total cost of development for water (including PIF, raw water/cash-in-lieu/infrastructure) advantageous for the builder/developer to install non-potable service.

Fee Implementation and Administration

Raftelis recommends that Greeley update impact fees every five years. In addition, some jurisdictions make annual adjustments for inflation using a price index like the Engineering News Record (ENR) Construction Cost Index published by McGraw-Hill Companies. This index could be applied to the adopted impact fee schedule, then approved by elected officials. If cost estimates or demand indicators change significantly, the City should redo the fee calculations.

Another best practice is to spend impact fees as soon as possible, tracking funds according to first in, first out accounting, using aggregate rather than project-specific tracking. Impact fees and accrued interest should be maintained in a separate fund that is not comingled with other revenues. Finally, Raftelis recommends publishing an annual report indicating impact fee collections, expenditures, and fund balances by type of infrastructure.

Development Categories

Maximum Supportable impact fees for residential development are by square feet of heated and finished living space, excluding porches, garage and unfinished space, such as basements. For an apartment building, the average size threshold is derived for an entire building. The recommended procedure is to identify the aggregate floor area of living space for the entire building, divided by the number of dwelling units in the building. Apartment complexes and some residential development provide common areas for use by residents, such as exercise rooms and clubhouses. Common areas for the private use of residents are ancillary uses to the dwelling units and not subject to additional impact fees. Raftelis recommends that an addition to an existing residential building, that does not increase the number of dwelling units, should be exempt from additional impact fees.

Three general nonresidential development categories in the maximum supportable impact fee schedule can be used for all new construction within Greeley. Nonresidential development categories represent general groups of land uses that share similar average weekday vehicle trip generation rates and job density (i.e. jobs per 1,000 square feet of floor area), as documented in Appendix A. Industrial includes all buildings used for goods production, warehousing, transportation, communications and utilities. Retail & Restaurant includes all shopping centers, establishments that sell merchandise and all eating/drinking places. Office & Other Services includes general office buildings, lodging, business services and personal services, such as daycare and private schools.

An applicant may submit an independent study to document unique demand indicators (i.e., service units per development unit). The independent study should be prepared by a professional engineer or certified planner and use the same type of input variables as those in Greeley's impact fee study. For residential development, impact fees are based on average persons per dwelling. For nonresidential development, impact fees are based on inbound, primary average weekday vehicle trips per 1,000 square feet of floor area. The independent fee study will be reviewed by City staff and can be accepted as the basis for a unique fee calculation. If staff determines the independent fee study is not reasonable, the applicant may appeal the administrative decision to Greeley's elected officials for their consideration.

Credits and Reimbursements

A general requirement that is common to impact fee methodologies is the evaluation of credits. A revenue credit may be necessary to avoid potential double payment situations arising from one-time impact fees plus on-going payment of other revenues that may also fund growth-related capital improvements. The determination of revenue credits is dependent upon the impact fee methodology used in the cost analysis.

Policies and procedures related to site-specific credits should be addressed in the ordinance that establishes the impact fees. Project-level improvements, required as part of the development approval process, are not eligible for credits against impact fees. If a developer constructs a system improvement included in the fee calculations, it will be necessary to either reimburse the developer or provide a credit against the fees. The latter option is more difficult to administer because it creates unique fees for specific geographic areas. Based on national experience, Raftelis recommends a jurisdiction establish a reimbursement agreement with the developer that constructs a system improvement. The reimbursement agreement should be limited to a payback period of no more than ten years and the City should not pay interest on the outstanding balance. The developer must provide documentation of the actual cost incurred for the system improvement. The City should only agree to pay the lesser of the actual construction cost or the estimated cost used in the impact fee analysis. If the City pays more than the cost used in the fee analysis, there will be insufficient fee revenue. Reimbursement agreements should only obligate the City to reimburse developers annually according to actual fee collections from the benefiting area.

The supporting documentation for each type of impact fee describes the types of infrastructure considered to be system improvements. Site specific credits or developer reimbursements for one type of system improvement does not negate an impact fee for other system improvements.

Appendix A: Demographics and Development Projections

Appendix A contains the land use assumptions for Greeley's 2020 impact fee update. Population and jobs are the service units or demand indicators that will be used to evaluate the need for growth-related infrastructure. Residential dwelling units and nonresidential floor area are the development units that will be used to project vehicular travel demand the projected impact fee revenue over the next ten years.

The demographic data and development projections discussed below will be used to ensure fees are proportionate by type of land use. All land use assumptions are based on Greeley's Comprehensive Plan and Growth & Development Projections Report (dated 2/1/20). In contrast to the Comprehensive Plan, which is more general and has a long-range horizon, development impact fees have a short-range focus. Typically, impact fee studies look out five to ten years, with the expectation that fees will be periodically updated (e.g. every 5 years). Infrastructure standards were calibrated using 2020 data. In Greeley, the fiscal year begins on January 1st.

Key land use assumptions for the City of Greeley are housing units and nonresidential floor area, as shown in Figure A1. These projections will be used to estimate development fee revenue and to indicate the anticipated need for growth-related infrastructure. The goal is to have reasonable projections without being overly concerned with precision. Because impact fee methods are designed to reduce sensitivity to development projections in the determination of the proportionate-share fee amounts, if actual development is slower than projected, fee revenue will decline, but so will the need for growth-related infrastructure. In contrast, if development is faster than anticipated, the City will receive an increase in fee revenue, but will also need to accelerate infrastructure improvements to keep pace with the actual rate of development.

Greeley's 2020 housing unit estimate is from the 2020 Growth & Development Report. Given the economic downturn from COVID-19, staff recommends a more conservative increase of 845 housing units per year. For the impact fee update, Raftelis assumed this same residential increase would continue to 2030. We converted housing units to year-round residents using Greeley's current average of 2.71 persons per housing unit.

Raftelis used annual job estimates from 2010 to 2017 (latest available data by place of work), by type of nonresidential development (see Greeley's Work Area Profile, available through the U.S. Census Bureau web application known as On-The-Map) to derive a linear trend projection of 2020 jobs located in Greeley. The number of jobs in Greeley is based on quarterly workforce reports supplied by employers. To project jobs from 2020 to 2030, Raftelis assumed jobs would increase at a conservative linear growth rate of 1% per year. Nonresidential floor area estimates are derived from the number of jobs, by three types of nonresidential development, and average square feet per job multipliers, as discussed further below (see Figure A6). According to the 2017 OTM job data, Greeley's current job mix is approximately 26% industrial, 18% retail/restaurant jobs, and 56% office and other services (e.g. public administration, business services, health care, educational services). As shown at the bottom of Figure A1, Greeley expects to add an average of 237,000 square feet of nonresidential development per year, from 2020 to 2030.

Figure A1: Land Use Assumptions

Greeley, CO	2017	2020	2021	2022	2023	2024	2025	2030
		Base Yr	1	2	3	4	5	10
Year-Round Population								
City of Greeley	105,353	111,748	114,229	116,519	118,809	121,099	123,389	134,839
Annual Growth Rate		2.3%	2.2%	2.0%	2.0%	1.9%	1.9%	1.7%
Housing Units								
Total Housing Units	37,410	41,306	42,151	42,996	43,841	44,686	45,531	49,756
New Units per Year		2,394	845	845	845	845	845	845
Persons per Housing Unit	2.82	2.71	2.71	2.71	2.71	2.71	2.71	2.71
Jobs (by place of work)								
Industrial	12,796	14,594	14,740	14,886	15,032	15,178	15,324	16,054
Retail/Restaurant	8,794	10,030	10,130	10,230	10,331	10,431	10,531	11,033
Office & Other Services	26,877	30,653	30,960	31,267	31,573	31,880	32,187	33,720
Total Jobs	48,467	55,277	55,830	56,383	56,936	57,489	58,042	60,807
Annual Growth Rate		3.6%	1.0%	1.0%	1.0%	1.0%	1.0%	0.9%
Jobs to Housing Ratio	1.30	1.34	1.32	1.31	1.30	1.29	1.27	1.22
Nonresidential Floor Area (sq ft in thousands)								
Industrial	7,870	8,970	9,060	9,150	9,240	9,330	9,420	9,870
Retail/Restaurant	3,750	4,280	4,320	4,370	4,410	4,450	4,490	4,710
Office & Other Services	9,050	10,320	10,430	10,530	10,630	10,740	10,840	11,360
Total KSF	20,670	23,570	23,810	24,050	24,280	24,520	24,750	25,940
Avg Sq Ft Per Job	426	426	426	427	426	427	426	427
Avg Jobs per KSF	2.34	2.35	2.34	2.34	2.34	2.34	2.35	2.34
2020 to 2030								
Annual Increase	20 to 21	21 to 22	22 to 23	23 to 24	24 to 25	29 to 30	Avg Anl	
Year-Round Population	2,481	2,290	2,290	2,290	2,290	2,290	2,309	
Housing Units	845	845	845	845	845	845	845	
Jobs	553	553	553	553	553	553	553	
Industrial KSF	90	90	90	90	90	90	90	
Retail/Restaurant KSF	40	50	40	40	40	40	43	
Office & Other Services KSF	110	100	100	110	100	110	104	
Total Nonres KSF	240	240	230	240	230	240	237	

Population and Housing Characteristics

According to the U.S. Census Bureau, a household is a housing unit that is occupied by year-round residents. Development fees often use per capita standards and persons per housing unit, or persons per household, to derive proportionate-share fee amounts. If Greeley makes a legislative policy decision to continue collecting impact fee by type of residential unit, all Single Units (i.e., Single Family Detached and Single Family Attached) will be based on an average of 2.89 persons per household. Single Family Attached includes townhouses and condominiums that can be individually owned. The All Other category will be based on an average of 2.39 persons per household and includes residential buildings with two or more units per structure, plus mobile homes and recreational vehicles.

Figure A2: Persons per Household by Units in Structure

Greeley Population and Housing Characteristics

Units in Structure	Persons	Households	Persons per Household	Housing Units	Persons per Housing Unit	Housing Mix	Vacancy Rate
Single Unit *	67,107	23,235	2.89	23,813	2.82	63%	2%
All Other **	30,413	12,737	2.39	14,010	2.17	37%	9%
Subtotal	97,520	35,972	2.71	37,823	2.58		5%
Group Quarters	6,203						
TOTAL	103,723						

Source: U.S. Census Bureau, 2018 American Community Survey, 5-Year Estimates, Tables B25024, B25032, B25033, and B26001.

* Single unit includes attached and detached.

** All other includes multifamily and mobile homes.

Demand Indicators by Dwelling Size

Raftelis recommends a fee schedule whereby larger units pay higher impact fees and smaller units pay lower impact fees. Benefits of the proposed methodology include: 1) proportionate assessment of infrastructure demand using local demographic data, 2) progressive fee structure (i.e. lower cost for smaller units and higher cost for larger units), 3) more affordable fees for workforce housing, and 4) ease of fee implementation/administration. Under the current fee structure, staff determine fees based on residential types, such as single-family, multifamily and mobile home, with complications due to various forms of ownership (e.g. townhouses, condominiums and Accessory Dwelling Units). Impact fees based on size of dwelling are generally easier to administer when expressed in square feet of heated and finished living space for all types of housing (excluding garages, patios and porches). For a building with more than one residential unit, City staff will determine the average size threshold for the entire building by dividing total heated floor area by total number of dwellings in the building, excluding common areas in apartment buildings (e.g. fitness centers, clubhouses, and property management offices).

Raftelis created custom tabulations of demographic data by bedroom range from individual survey responses provided by the U.S. Census Bureau, in files known as Public-Use Microdata Samples (PUMS). PUMS files are only available for areas of roughly 100,000 persons and Greeley is the primary city in Public Use Microdata Area (PUMA) 300. At the top of Figure A3, cells with yellow shading indicate survey results, yielding the unadjusted number of persons and vehicles available per dwelling by bedroom range. These multipliers are adjusted to match the control totals for the City of Greeley. According to the 2020 population and housing unit data provided by staff, Greeley has an average of 2.71 persons per housing unit. Also, Raftelis used ACS tables to derive the average number of vehicles available per housing unit. In 2018, there was an average of 1.85 vehicles available per housing unit in Greeley.

The middle section of Figure A2 provides nation-wide data from the Institute of Transportation Engineers (ITE). VTE is the acronym for Vehicle Trip Ends, which measures vehicles coming and going from a development. For example, the trip generation rates for a residential subdivision would include all vehicles entering and exiting, thus capturing deliveries and service calls (e.g. landscapers and trash collection), in addition to the trips made by residents and visitors.

Dividing trip ends per household by trip ends per person yields an average of 2.21 persons per multifamily household (i.e. an occupied housing unit) and 3.56 persons per single dwelling, based on ITE’s national survey. Applying Greeley’s current housing mix of 37% multifamily and 63% single-family dwellings yields a weighted average of 3.06 persons per household. In comparison to the national data, Greeley only has an average of 2.71 residents per household.

Dividing trip ends per household by trip ends per vehicle available yields an average of 1.44 vehicles available per multifamily household and 1.48 vehicles available per single-family household, based on ITE’s national survey. Applying Greeley’s current housing mix yields a national weighted average of 1.47 vehicles available per household. In comparison to the national data, Greeley has more vehicles available, with an average of 1.94 vehicles available per household.

Rather than rely on one methodology, the recommended trip generation rates shown in the bottom section of Figure A3 are an average derived from persons and vehicles available, by bedroom range. In Greeley, each housing unit is expected to generate an average of 9.63 Average Weekday Vehicle Trip Ends, compared to the national average of 9.44 average weekday trip ends per single-family household.

Figure A3: Demographic Characteristics by Bedroom Range

2018 Public Use Microdata Sample (PUMS)

Bedroom Range	Persons (1)	Vehicles Available (1)	Housing Units (1)	Greeley Hsg Mix	Unadjusted Persons/HU	Adjusted Persons/Hshld (2)	Unadjusted VehAvl/HU	Adjusted VehAvl/Hshld (2)
0-1	416	287	331	8%	1.26	1.34	0.87	0.82
2	1,667	1,328	858	21%	1.94	2.06	1.55	1.47
3	3,857	3,175	1,494	36%	2.58	2.74	2.13	2.02
4+	4,485	3,603	1,413	34%	3.17	3.37	2.55	2.41
Total	10,425	8,393	4,096		2.55	2.71	2.05	1.94

National Averages (ITE 2017)

ITE Code	AWVTE per Person	AWVTE per Veh Avl	AWVTE per Hshld	Greeley Hsg Mix	Persons per Hshld	Veh Avl per Hshld
220 MF	3.31	5.10	7.32	37%	2.21	1.44
210 SFD	2.65	6.36	9.44	63%	3.56	1.48
Wgtd Avg	2.89	5.89	8.65		3.06	1.47

Recommended AWVTE per Housing Unit

Bedroom Range	AWVTE per Housing Unit Based on Persons (3)	AWVTE per Housing Unit Based on Veh Avl (4)	AWVTE per Housing Unit (5)
0-1	3.87	4.83	4.35
2	5.95	8.66	7.31
3	7.92	11.90	9.91
4+	9.74	14.19	11.97
Total	7.83	11.43	9.63

(1) American Community Survey (ACS), Public Use Microdata Sample for CO PUMA 300 (2018 Five-Year unweighted data).
 (2) Adjusted multipliers are scaled to make the average PUMS values match control totals for Greeley. Vehicles Available in Greeley is from table B25046, ACS 2018 5-year data.
 (3) Adjusted persons per household multiplied by national weighted average trip rate per person.
 (4) Adjusted vehicles available per household multiplied by national weighted average trip rate per vehicle available.
 (5) Average of trip rates based on persons and vehicles available per household.

Impact fees based on size of dwelling are generally easier to administer when expressed in square feet of heated and finished floor area for all types of housing. The measurement should exclude garages, patios, porches, balconies, and the common areas in apartment buildings (e.g. fitness centers, clubhouses, and

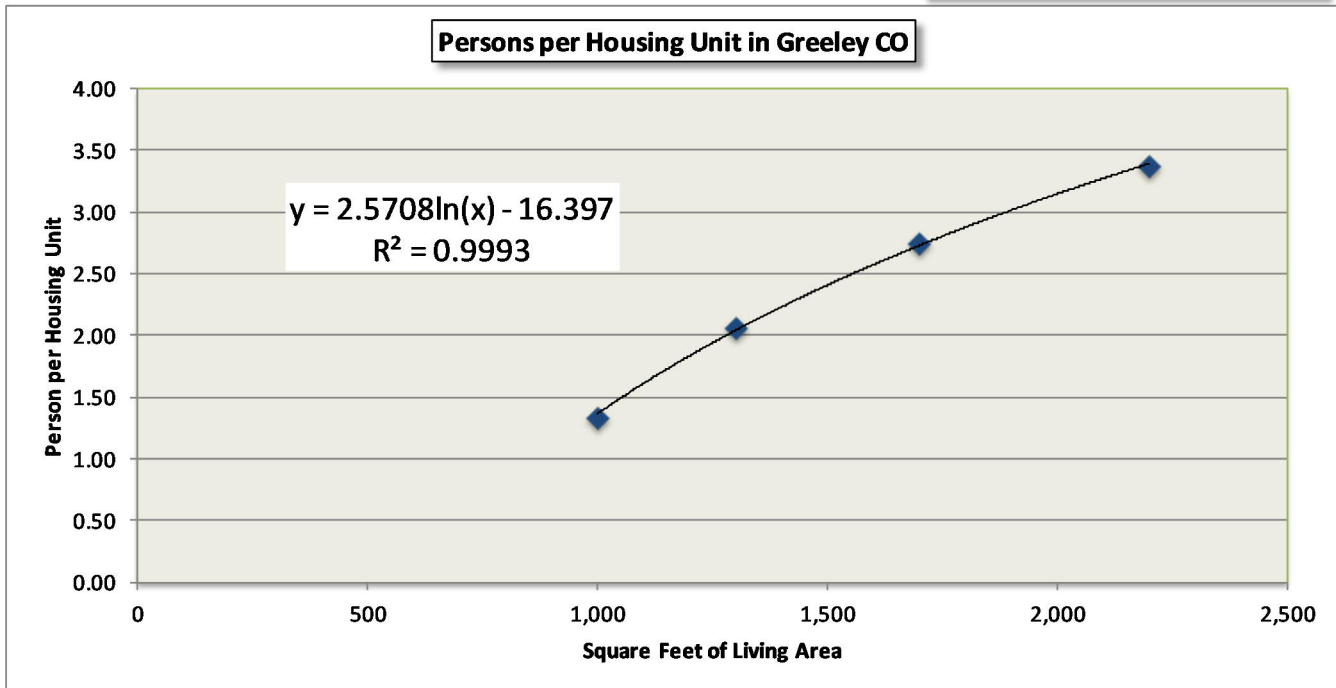
property management offices). Basing fees on floor area rather than the number of bedrooms eliminates the need for criteria to make administrative decisions on whether a room qualifies as a bedroom. To translate dwelling size by number of bedrooms into square feet of heated space, Raftelis used Greeley’s building permit records on new residential construction over the past two years.

Average floor area and number of persons by bedroom range are plotted in Figure A4, with a logarithmic trend line derived from actual averages for Greeley. Using the trend line formula shown in the chart, Raftelis derived the estimated average number of persons, by dwelling size, in four size thresholds. The lowest floor area range (1200 square feet or less) has an estimated average of 1.36 persons per household. At the upper end of the floor area range (1801 or more square feet of living space), the average is 2.89 persons per household. For a building with more than one residential unit, City staff will determine the average size threshold for the entire building by dividing total heated living space by the total number of dwellings in the building.

Figure A4: Persons by Square Feet of Living Space

Survey of Construction Square Feet (rounded)	Averages per Household			Fitted-Curve Values	
	Bedrooms	Sq Ft (rounded)	Persons	Sq Ft Range	Persons
1,100	0-1	1,000	1.34	1,200 or less	1.36
1,700	2	1,300	2.06	1,201 to 1500	2.39
2,200	3	1,700	2.74	1,501 to 1,800	2.71
3,300	4+	2,200	3.37	1,801 or more	2.89
2,600	<=Wt Avg				

Source: Average square feet by bedroom range is from Greeley building permit records over the past two years. Average persons per household by bedroom range is based on 2018 ACS PUMS for CO PUMA 300.

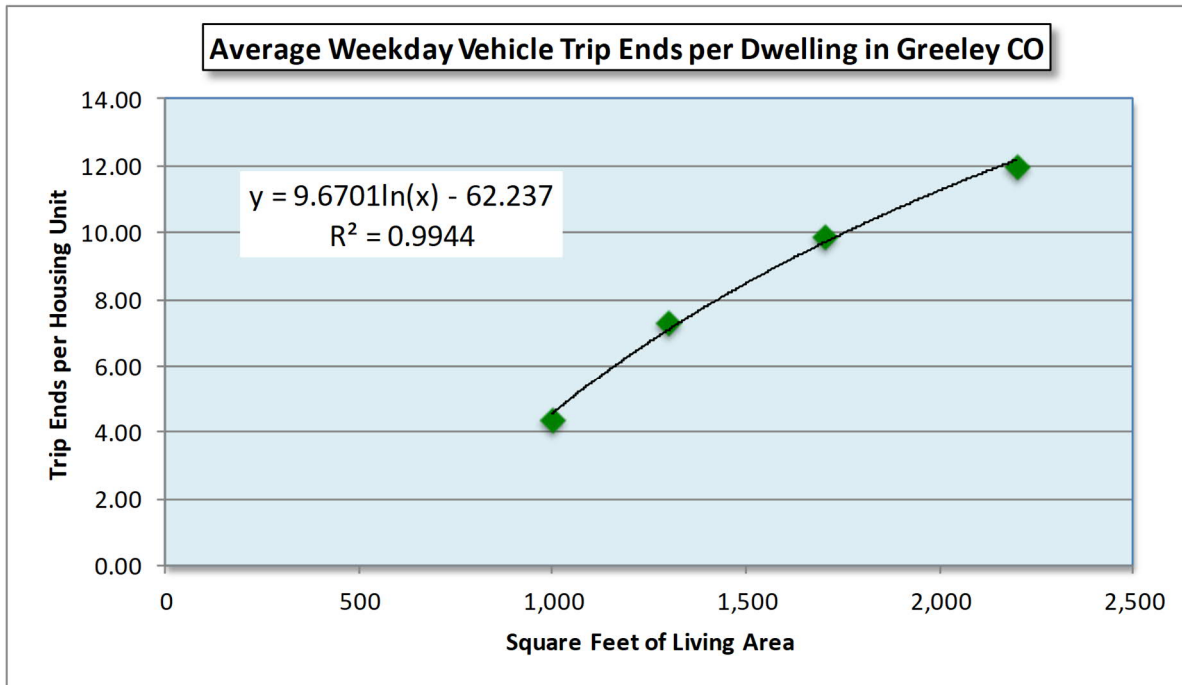


To derive average weekday vehicle trip ends by residential unit size, Raftelis matched trip generation rates and average floor area, by bedroom range, as shown in Figure A5. The logarithmic trend line formula is derived from the four averages graphed in the scatter plot. Floor areas by bedroom range are derived from Greeley building permit records over the past two years. Trip generation rates by bedroom range are derived from ACS PUMS data, as described above. The lowest floor area range (1200 square feet or less) has an estimated average of 4.56 average weekday vehicle trip ends per household. At the upper end of the floor area range (1801 or more square feet of living space), the average is 10.30 average weekday vehicle trip ends per household. For a building with more than one residential unit, City staff will determine the average size threshold for the entire building by dividing total living space by the total number of dwellings in the building.

Figure A5: Vehicle Trip Ends by Dwelling Size

Source: Average squarefeet by bedroom range is from U.S. Census Bureau 2017 Survey of Construction microdata. Average vehicle trip ends per housing unit by bedroom range is based on 2018 ACS PUMS for CO PUMA 300.

Averages per Household			Fitted-Curve Values	
Bedrooms	Square Feet	Trip Ends	Sq Ft Range	Trip Ends
0-1	1,000	4.35	1,200 or less	4.56
2	1,300	7.31	1,201 to 1500	8.42
3	1,700	9.91	1,501 to 1,800	9.64
4+	2,200	11.97	1,801 or more	10.30



Jobs and Nonresidential Development

In addition to data on residential development, the calculation of impact fees requires data on nonresidential development. Raftelis uses the term “jobs” to refer to employment by place of work. In Figure A5, shaded rows indicate the nonresidential development prototypes used by Raftelis to derive average weekday vehicle trips and nonresidential floor area. For future industrial development, Raftelis use Light Industrial (ITE code 110) with an average of 615 square feet of floor area per industrial job. The prototype for future commercial development (i.e., retail stores and eating/drinking places) is an average-size Shopping Center (ITE code 820). Commercial development is assumed to average 427 square feet of floor area per job. For office and all other services, an average-size Office (ITE 710) is the prototype for future development, averaging of 337 square feet of floor area per job.

Figure A6: Average Weekday Vehicle Trip Ends

ITE Code	Land Use / Size	Demand Unit	Wkdy Trip Ends Per Dmd Unit*	Wkdy Trip Ends Per Employee*	Emp Per Dmd Unit	Sq. Ft Per Emp
110	Light Industrial	1,000 Sq. Ft	4.96	3.05	1.63	615
140	Manufacturing	1,000 Sq. Ft	3.93	2.47	1.59	628
150	Warehousing	1,000 Sq. Ft	1.74	5.05	0.34	2,902
520	Elementary School	1,000 Sq. Ft	19.52	21.00	0.93	1,076
530	High School	1,000 Sq. Ft	14.07	22.25	0.63	1,581
610	Hospital	1,000 Sq. Ft	10.72	3.79	2.83	354
620	Nursing Home	1,000 Sq. Ft	6.64	2.91	2.28	438
710	General Office	1,000 Sq. Ft	9.74	3.28	2.97	337
760	Research & Dev Center	1,000 Sq. Ft	11.26	3.29	3.42	292
770	Business Park	1,000 Sq. Ft	12.44	4.04	3.08	325
820	Shopping Center (avg size)	1,000 Sq. Ft	37.75	16.11	2.34	427
857	Discount Club	1,000 Sq. Ft	41.80	32.21	1.30	771

* Trip Generation, Institute of Transportation Engineers, 10th Edition (2017).

Appendix B: Storm Drainage Plant Investment Fee Tables

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Calculation of Stormwater PIF
Equity Buy-In Approach

Description	Calculation
Total System Replacement Cost (1)	\$61,384,185
Less: Developer Contributed Assets	(3,652,063)
Plus: NPV of Borrowing Cost	1,583,732
Less: Current Outstanding Debt Principal	(6,295,000)
Total Cost for PIF Calculation	\$53,020,853
Impervious Area (sq. ft.) (2)	217,339,868
\$ per sq. ft.	\$0.25
Total Residential Sq. Ft.	187,630,385
Residential Accounts (3)	21,992
Average Residential Lot Size (sq.ft.)	8,532
Average Residential Impervious Area (sq. ft.) (4)	3,800
Calculated PIF per SFE:	\$950
Current PIF per SFE	\$402
Difference - \$	\$548
Difference - %	136%
(1) Replacement cost new less depreciation asset valuation using ENR-CCI as of December 2019. Excludes pre-1970 assets. (2) Total impervious area in the City estimated based on lot size and C-factor used for monthly bills. (3) Residential accounts as of 1/1/20. (4) Residential c-factor is 0.45 or 45% impervious.	

City of Greeley
 Storm Drainage Utility
 Development Impact Fee and Plant Investment Fee Study
 Stormwater Assets as of December 31, 2019
 Asset Summary by Function

Line No	Description	Asset Count	Original Cost	Total RCLND (1)	RCNLD - Contributed (1)	RCNLD - Net (1)
1	Land	19	\$2,596,850	\$2,536,233	\$1,150,797	\$1,385,436
2	Post 1970 Physical Infrastructure	198	51,116,167	53,772,853	1,914,053	51,858,800
3	Miscellaneous / Admin	16	739,085	780,304	0	780,304
4	Vehicles & Equipment	22	2,892,234	1,504,632	0	1,504,632
5	Lines	32	2,458,414	2,790,164	587,214	2,202,950
6	1970 Stormwater Assets	22	106,885,343	22,762,955	0	22,762,955
7	Total	309	\$166,688,094	\$84,147,140	\$3,652,063	\$80,495,076

(1) Indexed to (1) Indexed to ENR-CCI for Denver using December 2019 compared to ratio in year of acquisition.

City of Greeley
 Storm Drainage Utility
 Development Impact Fee and Plant Investment Fee Study
 Bond Amortization Schedule
 2015 Stormwater Revenue Bonds

Principal Amount **\$7,680,000**
 Year of Issue **2015**

NPV of
 Interest Payments
\$1,827,382

Fiscal Year	EOY Principal Balance	Principal	Interest	Total Payment	Interest rate	NPV of Interest
2019	\$6,600,000					
2020	6,295,000	\$305,000	\$243,650	\$548,650	3.69%	\$243,650
2021	5,985,000	310,000	237,550	547,550	3.77%	228,912
2022	5,660,000	325,000	222,050	547,050	3.71%	206,447
2023	5,320,000	340,000	205,800	545,800	3.64%	184,890
2024	4,960,000	360,000	188,800	548,800	3.55%	164,218
2025	4,585,000	375,000	170,800	545,800	3.44%	144,202
2026	4,190,000	395,000	152,050	547,050	3.32%	125,019
2027	3,780,000	410,000	136,250	546,250	3.25%	108,906
2028	3,355,000	425,000	123,950	548,950	3.28%	95,752
2029	2,920,000	435,000	111,200	546,200	3.31%	82,919
2030	2,470,000	450,000	98,150	548,150	3.36%	70,520
2031	2,010,000	460,000	84,088	544,088	3.40%	58,184
2032	1,535,000	475,000	69,138	544,138	3.44%	46,075
2033	1,040,000	495,000	53,106	548,106	3.46%	34,129
2034	530,000	510,000	36,400	546,400	3.50%	22,487
2035	-	530,000	18,550	548,550	3.50%	11,072
Total		\$6,600,000	\$2,151,531	\$8,751,531		\$1,827,382

Item No. 14.

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
NPV of Borrowing Costs

Stormwater Bond Issues	Original Principal	Remaining Principal (1/1/21)	NPV of Interest (1/1/21)	% Included	Included NPV of Interest
2015 Stormwater Revenue Bonds	\$7,680,000	6,295,000	\$1,583,732	100%	1,583,732
Total	\$7,680,000	\$6,295,000	\$1,583,732		\$1,583,732

Item No. 14.

City of Greeley
 Storm Drainage Utility
 Development Impact Fee and Plant Investment Fee Study
 Stormwater Assets as of December 31, 2019

FUNCTION	FUNCTION DESCRIPTION	ASSET	Year Acquired	Total Cost / Total Adjusted Cost	Depreciation	ENR 20-Cities Index CCI (1)	ENR-CCI Ratio	Replacment Cost New Less Depreciation (RCNLD)	Acquisition Method	Contributed (1=N, 0=Y)	Raw Date
2	Post 1970 Physical Infrastructure	CONCRETE SLAB	2002	\$2,055	\$1,164	6,538	1.73	\$1,537		1	12/20/2002
3	Miscellaneous / Admin	TOTAL STATION SURVEY INSTRUMEN	2007	5,654	5,654	7,966	1.42	0	PURCHASE	1	12/31/2007
3	Miscellaneous / Admin	DIGITAL VANDALISM DETERRANT SY	2008	2,413	2,413	8,310	1.36	0	PURCHASE	1	12/31/2008
3	Miscellaneous / Admin	CITYWORKS SOFTWARE	2011	7,000	7,000	9,070	1.24	0	PURCHASE	1	11/30/2011
2	Post 1970 Physical Infrastructure	35TH AVE DETENTION POND	2013	1,271,532	152,584	9,547	1.18	1,322,181	PURCHASED	1	12/31/2013
2	Post 1970 Physical Infrastructure	CLARKSON SPILLWAY	2005	18,277	5,118	7,446	1.52	19,937	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	CLARKSON SPILLWAY	2005	147,301	41,244	7,446	1.52	160,680	PURCHASE	1	12/31/2005
2	Post 1970 Physical Infrastructure	CLARKSON SPILLWAY	2005	11,329	3,172	7,446	1.52	12,358	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	CLARKSON SPILLWAY	2005	15,294	4,282	7,446	1.52	16,683	PURCHASE	1	12/31/2005
2	Post 1970 Physical Infrastructure	JACKSON SPILLWAY	2005	29,895	8,371	7,446	1.52	32,611	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	JACKSON SPILLWAY	2005	94,738	26,527	7,446	1.52	103,343	PURCHASE	1	12/31/2005
2	Post 1970 Physical Infrastructure	JACKSON SPILLWAY	2005	15,606	4,370	7,446	1.52	17,023	PURCHASED	1	12/31/2005
1	Land	35 AV DETENTION - LAND	2004	341,226	0	7,115	1.00	341,226	PURCHASE	1	12/31/2004
1	Land	3018 W 5 ST-LAND (FRANKLIN PRK	2004	149,803	0	7,115	1.00	149,803	PURCHASE	1	12/31/2004
2	Post 1970 Physical Infrastructure	EAGLEVIEW DET POND/F ST EASEME	2004	94,279	0	7,115	1.59	149,482	PURCHASE	1	12/31/2004
1	Land	N EAGLEVIEW DET - LAND	2004	64,148	0	7,115	1.00	64,148	PURCHASE	1	12/31/2004
1	Land	35 AV DETENTION - LAND	2004	354,765	0	7,115	1.00	354,765	PURCHASE	1	12/31/2004
2	Post 1970 Physical Infrastructure	EAGLEVIEW DET POND/F ST-EASEME	2004	20,721	0	7,115	1.59	32,854	PURCHASE	1	12/31/2004
2	Post 1970 Physical Infrastructure	8 ST / 14-16 AV IMPROVEMENTS	2006	516,785	134,364	7,751	1.46	556,585	PURCHASE	1	12/31/2006
2	Post 1970 Physical Infrastructure	FRANKLIN DETENTION POND	2006	802,238	208,582	7,751	1.46	864,022	PURCHASE	1	12/31/2006
2	Post 1970 Physical Infrastructure	59 AV / 10-4 ST DETENTION POND	2007	136,034	32,648	7,966	1.42	146,410	PURCHASE	1	12/31/2007
1	Land	OUTLOT A - SOMMERSETT WEST	2007	6,593	0	7,966	1.00	6,593	PURCHASE	1	12/31/2007
1	Land	OUTLOT E - MOUNTAIN SHADOWS 1S	2007	3,159	0	7,966	1.00	3,159	PURCHASE	1	12/31/2007
2	Post 1970 Physical Infrastructure	DETENTION POND/OUTLOT B-GATEWA	2008	250,000	55,000	8,310	1.36	264,717	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	DETENTION POND/OUTLOT 1-PINNAC	2008	50,000	11,000	8,310	1.36	52,943	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	MCCLOSKY COMM SUB- 1 10" INLET	2010	4,200	1,660	8,802	1.28	3,768	CONTRIBUTED	0	12/31/2010
2	Post 1970 Physical Infrastructure	MCCLOSKY COMM SUB- 1 5" INLET	2010	2,100	2,630	8,802	1.28	1,884	CONTRIBUTED	0	12/31/2010
2	Post 1970 Physical Infrastructure	MCCLOSKY COMM - 1 15 MANHOLE"	2010	340	102	8,802	1.28	305	CONTRIBUTED	0	12/31/2010
5	Lines	MCCLOSKY - 310" OF 36 STM PIPE"	2010	34,720	10,416	8,802	1.28	31,149	CONTRIBUTED	0	12/31/2010
5	Lines	MCCLOSKY - 30" OF 30 STM PIPE "	2010	2,685	805	8,802	1.28	2,409	CONTRIBUTED	0	12/31/2010
5	Lines	MCCLOSKY - 420" OF 24 STM PIPE"	2010	24,780	7,434	8,802	1.28	22,231	CONTRIBUTED	0	12/31/2010
2	Post 1970 Physical Infrastructure	35TH AVE CROSSING	2012	913,458	213,140	9,308	1.21	848,763	PURCHASED	1	12/31/2012
2	Post 1970 Physical Infrastructure	GATEWAY ESTATES #3 DRAINAGE	2010	7,035	0	8,802	1.28	9,016	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	GATEWAY ESTATES #3 DRAINAGE	2011	13,230	0	9,070	1.24	16,455	PURCHASE	1	12/31/2011
2	Post 1970 Physical Infrastructure	GATEWAY ESTATES #3 DRAINAGE	2012	31,614	0	9,308	1.21	38,315	PURCHASED	1	12/31/2012
2	Post 1970 Physical Infrastructure	GATEWAY ESTATES #3 DRAINAGE	2013	1,013,807	0	9,547	1.18	1,197,942	PURCHASED	1	12/31/2013
2	Post 1970 Physical Infrastructure	GATEWAY ESTATES #3 DRAINAGE	2014	1,361,168	136,117	9,806	1.15	1,409,322	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	35TH AVE DET POND PHASE II	2012	639,552	0	9,308	1.21	775,116	PURCHASED	1	12/31/2012
2	Post 1970 Physical Infrastructure	35TH AVE DET POND PHASE II	2013	879,388	0	9,547	1.18	1,039,109	PURCHASED	1	12/31/2013
2	Post 1970 Physical Infrastructure	35TH AVE DET POND PHASE II	2014	1,539,758	153,976	9,806	1.15	1,594,228	PURCHASE	1	12/31/2014
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	5,658,487	5,658,487	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,413,145	5,900,093	1,381	8.17	4,190,974	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,408,645	6,024,126	1,381	8.17	3,141,025	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,202,493	6,202,493	1,381	8.17	0	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,406,420	6,150,164	1,381	8.17	2,093,290	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,341,070	6,214,248	1,381	8.17	1,035,968	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	INLETS & STRUCTURES	1970	6,238,256	6,238,256	1,381	8.17	0	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	COLLECTION SYSTEMS	1970	13,714,601	13,714,601	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	COLLECTION SYSTEMS	1970	15,213,242	14,300,448	1,381	8.17	7,456,362	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	COLLECTION SYSTEMS	1970	14,828,935	14,235,778	1,381	8.17	4,845,336	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	COLLECTION SYSTEMS	1970	14,705,795	14,705,795	1,381	8.17	0	PURCHASE	1	1/1/1970
6	1970 Stormwater Assets	NORTH GRLY DRAINAGE BASIN	1970	25,992	25,992	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	EAST GRLY DRAINAGE BASIN	1970	347,628	347,628	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	CENTRAL GRLY DRAINAGE BASIN	1970	63,585	63,585	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	CENTRAL GRLY DRAINAGE BASIN	1970	44,883	44,883	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	DOWNTOWN DRAINAGE BASIN	1970	227,316	227,316	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	SOUTH GRLY DRAINAGE BASIN	1970	40,249	40,249	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	28TH AVENUE DRAINAGE BASIN	1970	577,828	577,828	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	GRAPEVINE DRAINAGE BASIN	1970	736,294	736,294	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	COUNTRY CLUB DRAINAGE BASIN	1970	515,139	515,139	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	SHEEPDRAW DRAINAGE BASIN	1970	1,806,628	1,806,628	1,381	8.17	0	PURCHASED	1	1/1/1970
6	1970 Stormwater Assets	ASHCROFT DRAINAGE BASIN	1970	368,710	368,710	1,381	8.17	0	PURCHASED	1	1/1/1970
4	Vehicles & Equipment	9TH AVE PUMP STATION-PUMP ONLY	2006	17,917	15,528	7,751	1.46	3,477	PURCHASE	1	12/31/2006
2	Post 1970 Physical Infrastructure	IG POLE BARN/ANIMAL WASH ROOF	2008	2,557	2,557	8,310	1.36	0	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	IG POLE BARN/ANIMAL WASH ROOF	2008	17,725	17,725	8,310	1.36	0	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	GRAPEVINE DETENTION POND	1978	40,798	33,454	2,776	4.06	29,842	PURCHASED	1	1/1/1978
5	Lines	WESTMOOR 1ST FILING STORM SEWE	1973	6,360	5,851	1,895	5.95	3,028	PURCHASED	1	1/1/1973
2	Post 1970 Physical Infrastructure	WEST HIGH DETENTION POND	1978	92,707	74,165	2,776	4.06	75,348	PURCHASED	1	1/1/1978
5	Lines	E MEMORIAL STORM SEWER	1980	19,630	15,311	3,237	3.49	15,050	PURCHASED	1	1/1/1980
5	Lines	23RD AVE STORM SEWER	1979	99,866	75,898	3,003	3.76	90,038	PURCHASED	1	1/1/1979
5	Lines	23RD AVE STORM WATER	1979	66,465	54,501	3,003	3.76	44,942	PURCHASED	1	1/1/1979
2	Post 1970 Physical Infrastructure	28TH AVE DRAINAGE BASIN	1974	374,190	336,771	2,020	5.58	208,971	PURCHASED	1	1/1/1974
2	Post 1970 Physical Infrastructure	DETENTION POND - PHEASANT RUN	1992	22,460	12,128	4,985	2.26	23,380	PURCHASED	1	6/10/1992
1	Land	LAND - GALLERY GREEN	1994	135,602	0	5,408	1.00	135,602	PURCHASED	1	1/31/1994
3	Miscellaneous / Admin	EARNST MONEY - GALLERY GREEN	1993	1,000	0	5,210	2.17	2,165	PURCHASED	1	10/14/1993
1	Land	LAND - SCHNEIDER INDUSTRIAL	1994	40,000	0	5,408	1.00	40,000	PURCHASED	1	7/21/1994
2	Post 1970 Physical Infrastructure	1812 1ST AV - STORM WATER DET	1995	22,577	0	5,471	2.06	46,553	TOTRANSFER	0	3/17/1995
2	Post 1970 Physical Infrastructure	29TH ST DETENTION POND-GALLERY	1995	62,922	26,427	5,471	2.06	75,252	PURCHASED	1	9/30/1995
2	Post 1970 Physical Infrastructure	EAGLEVIEW DETENTION POND	1997	483,042	212,538	5,826	1.94	523,781	PURCHASED	1	12/31/1997
2	Post 1970 Physical Infrastructure	LOTS 7& 19 BLK2 GATEWAY EST #1	1996	50,051	0	5,620	2.01	100,467	PURCHASED	1	10/3/1996
1	Land	DRAINAGE EASEMENT-1ST AVE PROJ	1999	1,013	0	6,059	1.00	1,013	TOTRANSFER	0	2/25/1999
1	Land	LOT 1,2,3 BLK 1 BURGER & FRY	2000	4,068	0	6,221	1.00	4,068	TOTRANSFER	0	9/29/2000
1	Land	OUTLOT A,CCW,4TH,REPLAT L1 BK6	2005	98	0	7,446	1.00	98	TOTRANSFER	0	4/4/2000

Item No. 14.

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Stormwater Assets as of December 31, 2019

FUNCTION	FUNCTION DESCRIPTION	ASSET	Year Acquired	Total Cost / Total Adjusted Cost	Depreciation	ENR 20-Cities Index CCI (1)	ENR-CCI Ratio	Replacment Cost New Less Depreciation (RCNLD)	Acquisition Method	Contributed (1=N, 0=Y)	Raw Date
1	Land	OUTLOT A & 7.CCW,4TH FILING	2005	98	0	7,446	1.00	98	10TRANSFER	0	4/4/2000
2	Post 1970 Physical Infrastructure	MONFORT PARK DETENTION-2000	2005	393,693	141,730	7,446	1.52	381,735	10TRANSFER	0	12/31/2000
1	Land	LAND DONATED-NORTHBRIDGE ESTATE	2005	990,000	0	7,446	1.00	990,000	CONTRIBUTED	0	12/20/2002
2	Post 1970 Physical Infrastructure	56TH AVE DETENTION POND	1987	51,399	17,476	4,406	2.56	86,857	10TRANSFER	0	12/31/2002
2	Post 1970 Physical Infrastructure	56TH AVE DETENTION POND (1350)	1988	49,637	16,876	4,519	2.50	81,781	10TRANSFER	0	12/31/2002
1	Land	TWIN RIVERS DETENTION - LAND	2002	51,080	0	6,538	1.00	51,080	PURCHASED	1	12/31/2002
2	Post 1970 Physical Infrastructure	DETENTION POND C ST-NORTHVIEW	2002	313,764	106,680	6,538	1.73	357,315	PURCHASED	1	12/31/2002
2	Post 1970 Physical Infrastructure	EPPLER PARK - STORM SEWER CROSS	2002	292,022	99,288	6,538	1.73	332,555	PURCHASED	1	12/31/2002
2	Post 1970 Physical Infrastructure	POUDRE RIVER RETURN IMPROVEMENT	2002	6,830	6,830	6,538	1.73	0	10TRANSFER	0	12/31/2002
2	Post 1970 Physical Infrastructure	POUDRE RIVER RETURN IMPROVEMENT	2003	45,187	45,187	6,694	1.69	0	10TRANSFER	0	12/31/2003
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW DETENTION POND	2005	36,160	10,125	7,446	1.52	39,444	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW DETENTION	2005	97,950	27,426	7,446	1.52	106,847	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW DETENTION POND	2005	17,729	4,964	7,446	1.52	19,339	PURCHASE	1	12/31/2005
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW DETENTION POND	2005	718,594	201,206	7,446	1.52	783,865	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW DETENTION POND	2005	71,099	19,908	7,446	1.52	77,557	PURCHASED	1	12/31/2005
3	Miscellaneous / Admin	CLOSING COSTS-NORTHBRIDGE ESTAT	2002	1,622	0	6,538	1.73	2,799	PURCHASED	1	12/31/2002
2	Post 1970 Physical Infrastructure	47 AV DRAINAGE	2003	51,216	16,389	6,694	1.69	58,691	PURCHASED	1	12/31/2003
2	Post 1970 Physical Infrastructure	8 AV DRAINAGE	2004	80,000	24,000	7,115	1.59	88,789	PURCHASED	1	12/31/2004
2	Post 1970 Physical Infrastructure	8 AV DRAINAGE	2004	136,473	40,942	7,115	1.59	151,467	PURCHASE	1	12/31/2004
2	Post 1970 Physical Infrastructure	COUNTRY CLUB BASIN	2003	23,192	12,369	6,694	1.69	18,240	10TRANSFER	0	12/31/2003
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	23,652	6,623	7,446	1.52	25,800	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	3,193	894	7,446	1.52	3,483	07TRANSFER	0	12/31/2005
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	80,808	22,626	7,446	1.52	88,147	PURCHASE	1	12/31/2005
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	96,173	26,928	7,446	1.52	104,908	07TRANSFER	0	12/31/2005
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	10,370	2,904	7,446	1.52	11,312	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	WESTLAKE DETENTION POND	2005	438,515	122,784	7,446	1.52	478,346	PURCHASED	1	12/31/2005
2	Post 1970 Physical Infrastructure	GRLY WST PRK - STORMWTR DRAINA	2004	36,423	10,927	7,115	1.59	40,424	PURCHASE	1	12/31/2004
2	Post 1970 Physical Infrastructure	NORTH EAGLEVIEW CHANNEL	2005	18,048	5,053	7,446	1.52	19,687	10TRANSFER	0	12/31/2005
1	Land	DWNTN STORMWATER DRAINAGE	2004	202,057	60,617	7,115	1.00	141,440	08TRANSFER	0	12/31/2004
2	Post 1970 Physical Infrastructure	14 AVE/A ST - STORM DRAIN IMPR	2008	8,444	1,858	8,310	1.36	8,940	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	14TH AVE/A ST STORM DRAIN IMPR	2008	109,107	24,004	8,310	1.36	115,530	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	GLEN MEADOWS FILTERING PROJECT	2007	107,788	25,869	7,966	1.42	116,009	PURCHASE	1	12/31/2007
2	Post 1970 Physical Infrastructure	9TH AVE PUMP STATION / WQV	2009	17,456	5,819	8,570	1.32	15,318	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	9TH AVE PUMP STATION / WQV	2009	48,605	16,202	8,570	1.32	42,653	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	9TH AVE PUMP STATION / WQV	2009	384,016	128,005	8,570	1.32	336,996	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	JACKSON SPILLWAY DESIGN COSTS	2008	25,421	5,592	8,310	1.36	26,918	PURCHASE	1	12/31/2008
2	Post 1970 Physical Infrastructure	FRANKLIN STORM 10 ST / 32 AVE	2010	96,542	28,962	8,802	1.28	86,612	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	FRANKLIN STORM 10TH ST/32ND AV	2010	179,474	53,842	8,802	1.28	161,015	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	FRANKLIN STORM 10 ST / 32 AV	2010	524,124	157,237	8,802	1.28	470,217	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	FRANKLIN STORM 10 ST/ 32 AVE	2010	312,103	93,631	8,802	1.28	280,003	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	SUNRISE NEIGHBORHOOD IMPRV	2011	16,638	4,437	9,070	1.24	15,175	PURCHASE	1	12/31/2011
2	Post 1970 Physical Infrastructure	9TH ST @ POUUDRE RIVER WQV	2010	17,456	5,237	8,802	1.28	15,660	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	9TH ST @ POUUDRE RIVER / WQV	2010	11,973	3,592	8,802	1.28	10,741	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	9TH ST @ POUUDRE RIVER WQV	2010	112,254	33,676	8,802	1.28	100,709	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	9TH ST @ POUUDRE RIVER WQV	2010	6,308	1,892	8,802	1.28	5,659	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	18TH ST DRAINAGE PROJECT	2009	17,456	5,819	8,570	1.32	15,318	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	18TH ST DRAINAGE PROJECT	2009	24,627	8,209	8,570	1.32	21,612	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	18TH ST DRAINAGE PROJECT	2009	119,130	39,710	8,570	1.32	104,544	PURCHASE	1	12/31/2009
2	Post 1970 Physical Infrastructure	4 ST BETWEEN 8/9 AV STORMDRAIN	2008	26,683	5,870	8,310	1.36	28,254	PURCHASE	1	12/31/2008
5	Lines	290 LF STORM MAINLINE-TERRACE	2008	22,040	4,849	8,310	1.36	23,337	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	TERRACE GREEN INLETS (2)	2008	6,000	1,320	8,310	1.36	6,353	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	TERRACE GREEN MANHOLES (2)	2008	5,308	1,168	8,310	1.36	5,620	DONATED	0	12/31/2008
5	Lines	40 LF STORM MAINLINE-CLOVER ME	2008	3,040	669	8,310	1.36	3,219	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	CLOVER MEADOWS INLETS (2)	2008	6,000	1,320	8,310	1.36	6,353	DONATED	0	12/31/2008
5	Lines	70 LF STORM MAINLINE-ACCUTEL	2008	5,320	1,170	8,310	1.36	5,633	DONATED	0	12/31/2008
5	Lines	3820 LF STORM MAINLINE-FOX RUN	2008	290,320	63,870	8,310	1.36	307,410	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	FOX RUN 3RD FILING INLETS (20)	2008	60,000	13,200	8,310	1.36	63,532	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	FOX RUN 3RD FILING MANHOLES 11	2008	29,194	6,423	8,310	1.36	30,913	DONATED	0	12/31/2008
2	Post 1970 Physical Infrastructure	PLAZA COMMERCIAL PK - 4 INLETS	2009	5,700	1,900	8,570	1.32	5,002	CONTRIBUTED	0	12/31/2009
2	Post 1970 Physical Infrastructure	PLAZA COMM PK - 3 MANHOLES	2009	4,275	1,425	8,570	1.32	3,752	CONTRIBUTED	0	12/31/2009
5	Lines	PLAZA COMM PK-1895' OF 18 PIP"	2009	86,412	28,804	8,570	1.32	75,831	CONTRIBUTED	0	12/31/2009
3	Miscellaneous / Admin	VALLEY PAN - 30 AVENUE COURT	2010	49,246	14,774	8,802	1.28	44,181	PURCHASE	1	12/31/2010
3	Miscellaneous / Admin	VALLEY PAN - 31ST AVENUE	2010	49,246	14,774	8,802	1.28	44,181	PURCHASE	1	12/31/2010
3	Miscellaneous / Admin	VALLEY PAN - 30TH AVE PLACE	2010	49,246	14,774	8,802	1.28	44,181	PURCHASE	1	12/31/2010
2	Post 1970 Physical Infrastructure	1ST AVE/16-18 STREET LINING	2010	35,713	10,714	8,802	1.28	32,400	PURCHASE	1	12/31/2010
3	Miscellaneous / Admin	STORMWATER LINE INSP SOFTWARE	2010	12,000	12,000	8,802	1.28	0	PURCHASE	1	12/31/2010
5	Lines	1 ST/6-9TH AVE LINING-PHASE I	2011	115,107	30,695	9,070	1.24	104,989	PURCHASE	1	12/31/2011
2	Post 1970 Physical Infrastructure	1ST ST/6TH AVE-POUDRE PHASE II	2013	203,006	24,361	9,547	1.18	211,092	PURCHASED	1	12/31/2013
2	Post 1970 Physical Infrastructure	PINNACLE OFC PRK-1-5' 13 INLET	2011	5,000	1,333	9,070	1.24	4,560	CONTRIBUTED	0	12/31/2011
2	Post 1970 Physical Infrastructure	PINNACLE OFC PRK-1-10' R INLET	2011	2,500	667	9,070	1.24	2,280	CONTRIBUTED	0	12/31/2011
2	Post 1970 Physical Infrastructure	PINNACLE OFC PRK - MANHOLES	2011	5,000	1,333	9,070	1.24	4,560	CONTRIBUTED	0	12/31/2011
5	Lines	PINNACLE OFC PRK-180'STORMPIPE	2011	12,240	3,264	9,070	1.24	11,164	CONTRIBUTED	0	12/31/2011
5	Lines	PINNACLE-547' OF 18 STRM PIPE"	2011	22,974	6,126	9,070	1.24	20,955	CONTRIBUTED	0	12/31/2011
2	Post 1970 Physical Infrastructure	PINNACLE-6.1 AC-FT DET POND	2011	177,586	47,356	9,070	1.24	161,976	CONTRIBUTED	0	12/31/2011
2	Post 1970 Physical Infrastructure	WELD CTY N. JAIL TYPE D INLET	2011	5,000	1,333	9,070	1.24	4,560	CONTRIBUTED	0	12/31/2011
2	Post 1970 Physical Infrastructure	WELD CTY N JAIL-6-6' MANHOLES	2011	24,000	6,400	9,070	1.24	21,890	CONTRIBUTED	0	12/31/2011
5	Lines	WC N JAIL-310' OF 42 STM PIPE"	2011	49,910	13,309	9,070	1.24	45,523	CONTRIBUTED	0	12/31/2011
5	Lines	WC N JAIL-146' OF 34X53" SP "	2011	42,048	11,213	9,070	1.24	38,352	CONTRIBUTED	0	12/31/2011
1	Land	LOT 15, BLK 2 WESTLAKE PARK	2011	14,081	0	9,070	1.00	14,081	CONTRIBUTED	0	12/31/2011
1	Land	LOT 15, BLK 2 WESTLAKE PARK 2	2011	1,923	0	9,070	1.00	1,923	PURCHASE	1	12/31/2011
1	Land	24' PERM EASEMENT FOC PRESBY	2011	5,314	0	9,070	1.00	5,314	PURCHASE	1	12/31/2011
2	Post 1970 Physical Infrastructure	BELAIR STORM DRAIN 35TH AVE/24	2012	327,403	76,394	9,308	1.21	304,215	PURCHASED	1	12/31/2012
2	Post 1970 Physical Infrastructure	6' RADIAL GATE FOR #3 DITCH	2012	36,500	8,922	9,308	1.21	33,423	PURCHASED	1	8/31/2012

City of Greeley
 Storm Drainage Utility
 Development Impact Fee and Plant Investment Fee Study
 Stormwater Assets as of December 31, 2019

FUNCTION	FUNCTION DESCRIPTION	ASSET	Year Acquired	Total Cost / Total Adjusted Cost	Depreciation	ENR 20-Cities Index CCI (1)	ENR-CCI Ratio	Replacment Cost New Less Depreciation (RCNLD)	Acquisition Method	Contributed (1=N, 0=Y)	Raw Date
3	Miscellaneous / Admin	USA COE STUDY	2013	327,204	0	9,547	1.18	386,633	PURCHASED	1	12/31/2013
3	Miscellaneous / Admin	USA COE STUDY	2014	193,619	0	9,806	1.15	222,743	PURCHASED	1	12/31/2014
2	Post 1970 Physical Infrastructure	11 AVE RPRS 7,8,9,10 & 13 STRS	2014	169,532	16,953	9,806	1.15	175,530	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	NPDES 21 AVE @ #3 DTCH W Q VLT	2014	245,417	24,542	9,806	1.15	254,099	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	E 20TH ST DRAINAGE IMPROVEMENT	2014	251,153	0	9,806	1.15	288,931	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	E 20TH ST DRAINAGE IMPROVEMENTS	2015	252,033	20,163	10,035	1.12	260,660	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	27 AVE STRMWTR 17 ST - POUJRE	2014	94,756	0	9,806	1.15	109,009	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	27 AVE STRMWTR 17 ST - POUJRE	2015	2,003,332	0	10,035	1.12	2,252,076	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	27TH AVE/16TH ST OUTFALL PROJ	2016	3,843,070	288,230	10,338	1.09	3,879,101	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	IRRIGATION @ 8TH AVE/22ND ST	2016	190,900	22,908	10,338	1.09	183,315	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	OWL RIDGE 1ST FILING -INLETS	2014	40,600	4,060	9,806	1.15	42,036	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	OWL RIDGE 1ST FILING DRAINS	2014	259,336	25,934	9,806	1.15	268,510	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	OWL RIDGE 1ST FILING - DRAIN	2014	14,634	1,463	9,806	1.15	15,151	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	OWL RIDGE 1ST FILING - 6 48 "	2014	21,168	2,117	9,806	1.15	21,917	PURCHASE	1	12/31/2014
2	Post 1970 Physical Infrastructure	SUNRISE DRAINAGE IMPROVEMENTS	2015	20,780	0	10,035	1.12	23,360	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SUNRISE DRAINAGE IMPROVEMENTS	2016	1,587,813	0	10,338	1.09	1,732,649	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	SUNRISE DRAINAGE IMPROVEMENTS	2017	1,608,593	64,344	10,736	1.05	1,622,641	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	59TH AVE FLOW & RAIN GAUGE	2015	594	0	10,035	1.12	668	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	59TH AVE FLOW & RAIN GAUGE	2016	24,045	0	10,338	1.09	26,238	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	59TH AVE FLOW & RAIN GAUGE	2017	24,639	7,392	10,736	1.05	18,123	PURCHASE	1	1/1/2017
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	3,000	240	10,035	1.12	3,103	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	2,934	235	10,035	1.12	3,034	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	94,019	7,521	10,035	1.12	97,237	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	32,500	2,600	10,035	1.12	33,613	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	27,920	2,234	10,035	1.12	28,876	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	100,794	8,064	10,035	1.12	104,244	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	135,665	10,853	10,035	1.12	140,309	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	SHEEP DRAW DRAIN BASIN	2015	165,835	13,267	10,035	1.12	171,512	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	2015 OVERLAY 22ND STREET	2015	138,146	27,629	10,035	1.12	124,239	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	UPGRADES WOODBRIAR PARK DETENT	2017	443,519	0	10,736	1.05	466,034	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	UPGRADES WOODBRIAR PARK DETENT	2018	2,423,202	48,464	11,062	1.02	2,421,752	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	CLARKSON OUTFALL CHANNEL C ST	2017	157,269	0	10,736	1.05	165,253	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	CLARKSON OUTFALL CHANNEL C ST	2018	1,627,666	0	11,062	1.02	1,659,890	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	CLARKSON OUTFALL CHANNEL C ST	2019	6,252,324	0	11,281	1.00	6,252,324	PURCHASE	1	12/31/2019
3	Miscellaneous / Admin	ARROW GOLD RTK GPS	2019	10,467	1,570	11,281	1.00	8,897	PURCHASE	1	3/31/2019
4	Vehicles & Equipment	2019 MIRAGE TRAILER	2019	5,195	371	11,281	1.00	4,824	PURCHASE	1	6/30/2019
2	Post 1970 Physical Infrastructure	8TH AVE IMP 13TH-14TH STREETS	2015	45,000	3,600	10,035	1.12	46,540	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	27TH AVE PROJ IRRIG SYSTEM	2015	5,964	0	10,035	1.12	6,704	PURCHASE	1	12/31/2015
2	Post 1970 Physical Infrastructure	4TH AVE 31ST ST CULVERT	2006	18,568	0	7,751	1.46	27,025	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	4TH AVE 31ST ST CULVERT	2006	655,171	0	7,751	1.46	953,552	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	4TH AVE 31ST ST CULVERT	2006	841,007	160,820	7,751	1.46	1,199,543	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	800 BLOCK 2ND ST	2006	22,246	1,335	7,751	1.46	30,435	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	COLLEGE GREEN SINKHOLE	2006	34,580	2,075	7,751	1.46	47,309	PURCHASE	1	12/31/2016
5	Lines	23RD AVE PIPE REPLACEMENT	2006	65,522	0	7,751	1.46	95,362	PURCHASE	1	12/31/2016
5	Lines	23RD AVE PIPE REPLACEMENT	2006	334,018	13,361	7,751	1.46	466,693	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	13TH ST IMPROV CCW DET POND	2006	10,142	0	7,751	1.46	14,760	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	13TH ST IMPROV CCW DET POND	2006	13,089	0	7,751	1.46	19,051	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	13TH ST IMPROV CCW DET POND	2006	43,424	0	7,751	1.46	63,200	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	WESTMOOR WEST IMPR PROJECT	2016	58,168	0	10,338	1.09	63,474	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	WESTMOOR WEST IMPR PROJECT	2017	423,879	16,955	10,736	1.05	427,581	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	CLARKSON DRAINAGE WAY	2016	160,872	0	10,338	1.09	175,546	PURCHASE	1	12/31/2016
2	Post 1970 Physical Infrastructure	CLARKSON DRAINAGE WAY	2017	213,943	0	10,736	1.05	224,804	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	CLARKSON DRAINAGE WAY	2018	67,287	0	11,062	1.02	68,619	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	CLARKSON DRAINAGE WAY	2007	442,102	0	7,966	1.42	626,080	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2007	92,654	5,559	7,966	1.42	123,339	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2007	107,204	6,432	7,966	1.42	142,707	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2007	90,159	5,410	7,966	1.42	120,018	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2007	12,118	727	7,966	1.42	16,131	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2007	61,099	3,666	7,966	1.42	81,333	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	GREELEY SUBARU	2007	55,398	3,324	7,966	1.42	73,745	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	GREELEY SUBARU	2007	82,226	4,934	7,966	1.42	109,457	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	GREELEY SUBARU	2007	32,251	1,935	7,966	1.42	42,932	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2007	44,641	2,768	7,966	1.42	59,424	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2008	11,160	670	8,310	1.36	14,241	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2008	4,216	253	8,310	1.36	5,380	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2008	12,125	1,212	8,310	1.36	14,814	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2008	12,125	1,212	8,310	1.36	14,814	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	GREELEY SUBARU	2016	6,063	606	10,338	1.09	5,954	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2016	3,460	208	10,338	1.09	3,549	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2016	4,637	278	10,338	1.09	4,756	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	BOOMERANG RANCH	2016	2,617	157	10,338	1.09	2,685	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2016	3,983	239	10,338	1.09	4,085	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	CENTERPLACE	2016	1,730	104	10,338	1.09	1,774	CONTRIBUTED	0	12/31/2016
2	Post 1970 Physical Infrastructure	GREELEY SUBARU	2016	2,300	138	10,338	1.09	2,359	CONTRIBUTED	0	12/31/2016
5	Lines	REPAIR STORM MAIN SANBORN PARK	2017	46,937	1,878	10,736	1.05	47,347	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	CASCADE PARK REPAIRS	2017	57,947	2,318	10,736	1.05	58,453	PURCHASE	1	12/31/2017
5	Lines	16TH ST/46TH AV CT PIPE REPAIR	2007	48,914	1,957	7,966	1.42	66,499	PURCHASE	1	12/31/2017
5	Lines	REPLCE CLLEGE GRN STRMWTR PIPE	2007	499,709	19,988	7,966	1.42	679,353	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	SUNRISE DRAINAGE-9TH ST OUTFAL	2007	626,429	25,057	7,966	1.42	851,629	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	DOWNTOWN STORMWATER DRAINAGE	2007	181,098	7,244	7,966	1.42	246,203	PURCHASE	1	12/31/2017
5	Lines	CENTERPLACE NORTH STRM PIPE	2007	14,614	974	7,966	1.42	19,316	PURCHASE	1	12/31/2017
5	Lines	FRONTIER ACADEMY STRM PIPE	2007	7,543	503	7,966	1.42	9,970	PURCHASE	1	12/31/2017
5	Lines	OWL RDG 5 FILING PHS I/II PIPE	2007	41,728	2,782	7,966	1.42	55,153	PURCHASE	1	12/31/2017

Item No. 14.

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Stormwater Assets as of December 31, 2019

FUNCTION	FUNCTION DESCRIPTION	ASSET	Year Acquired	Total Cost / Total Adjusted Cost	Depreciation	ENR 20-Cities Index CCI (1)	ENR-CCI Ratio	Replacment Cost New Less Depreciation (RCNLD)	Acquisition Method	Contributed (1=N, 0=Y)	Raw Date
5	Lines	PDC ENRGY SANITRY SWR STM PIPE	2008	4,784	319	8,310	1.36	6,061	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	RVR RUN @ POU DR RVR RNCH F2 PI	2008	154,409	10,294	8,310	1.36	195,639	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	CENTERPLACE NORTH INLET	2008	15,243	1,016	8,310	1.36	19,313	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	FRONTIER ACADEMY INLET	2008	31,268	2,085	8,310	1.36	39,617	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	OWL RDG 5F DEV PH I & II INLET	2008	53,773	3,585	8,310	1.36	68,131	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	PDC ENRGY SANITRY SWR MANHOLE	2009	17,000	1,133	8,570	1.32	20,886	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	RVR RUN @ POU DR RVR RNCH INLET	2009	39,724	2,648	8,570	1.32	48,804	PURCHASE	1	12/31/2017
2	Post 1970 Physical Infrastructure	29TH STREET STORM DRAIN	2018	187,127	3,743	11,062	1.02	187,015	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	71ST AVE (12TH ST TO 22ND)	2018	64,111	0	11,062	1.02	65,380	PURCHASE	1	12/31/2018
5	Lines	2018 STORM DRAIN LINING	2018	133,353	0	11,062	1.02	135,993	PURCHASE	1	12/31/2018
5	Lines	2018 STORM DRAIN LINING	2019	133,907	0	11,281	1.00	133,907	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	MOON POND	2018	231,932	0	11,062	1.02	236,524	PURCHASE	1	12/31/2018
1	Land	MOON POND PROPERTY	2019	231,824	0	11,281	1.00	231,824	PURCHASE	1	1/31/2019
2	Post 1970 Physical Infrastructure	MOON POND	2019	200,002	0	11,281	1.00	200,002	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	7TH AVE STORMDRAIN	2018	248,183	0	11,062	1.02	253,097	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	7TH AVE STORMDRAIN	2019	2,189,210	0	11,281	1.00	2,189,210	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	SHEEP DRAW PH2	2018	359,156	7,183	11,062	1.02	358,941	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	POUDRE RIVER STORM WATER SYSTM	2018	324,897	6,498	11,062	1.02	324,703	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	STW PIPE 806 9TH ST	2018	15,662	313	11,062	1.02	15,653	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	UC HEALTH HOSPITAL SW SYSTEM	2018	38,028	761	11,062	1.02	38,005	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	60TH AVE STORM WATER SYSTEM	2018	15,591	312	11,062	1.02	15,581	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	16TH ST 17TH ST 3RD AV	2018	54,105	1,082	11,062	1.02	54,072	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	GROWLING BEAR SW SYSTM	2018	19,300	386	11,062	1.02	19,288	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	PROMONTORY PH2 SW SYSTM	2018	202,424	4,048	11,062	1.02	202,303	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	TRAILS SHEEP DRAW PH1 SW SYSTM	2018	1,565,876	31,318	11,062	1.02	1,564,939	PURCHASE	1	12/31/2018
2	Post 1970 Physical Infrastructure	25TH AV16TH ST DRAINAGE REPAIR	2018	35,203	704	11,062	1.02	35,182	PURCHASE	1	12/31/2018
3	Miscellaneous / Admin	RAIN GAUAGE STATION	2019	9,037	0	11,281	1.00	9,037	PURCHASE	1	12/31/2019
3	Miscellaneous / Admin	RAIN GAUAGE STATION	2019	7,744	0	11,281	1.00	7,744	PURCHASE	1	12/31/2019
3	Miscellaneous / Admin	RAIN GAUAGE STATION	2019	7,744	0	11,281	1.00	7,744	PURCHASE	1	12/31/2019
5	Lines	2ND AVE & 15TH ST LATERAL	2019	58,077	0	11,281	1.00	58,077	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	SUNRISE STORM DRAINAGE REPAIR	2019	49,770	0	11,281	1.00	49,770	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	47TH AVE STORM DRAINAGE REPAIR	2019	33,806	0	11,281	1.00	33,806	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	SUNRISE STORM DRAINAGE REPAIR	2019	57,495	0	11,281	1.00	57,495	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	30TH ST STORM DRAINAGE REPAIR	2019	24,573	0	11,281	1.00	24,573	PURCHASE	1	12/31/2019
2	Post 1970 Physical Infrastructure	GALLERY GR DET POND EXPANSION	1994	91,094	45,547	5,408	2.09	95,011	PURCHASED	1	11/2/1994
5	Lines	1 AV/EAST MEM PARK STORM SEWER	1996	83,215	38,279	5,620	2.01	90,200	PURCHASED	1	12/31/1996
5	Lines	1 AV/EAST MEM PARK STORM SEWER	1997	16,607	7,307	5,826	1.94	18,008	PURCHASED	1	12/31/1997
5	Lines	27TH AVE IRRIGATION SYSTEM	2016	65,568	7,868	10,338	1.09	62,963	PURCHASE	1	12/31/2016
4	Vehicles & Equipment	2002 FORD F150	2002	21,118	21,118	6,538	1.73	0	PURCHASED	1	5/24/2002
4	Vehicles & Equipment	02 FORD F150	2002	18,394	18,394	6,538	1.73	0	PURCHASED	1	10/23/2002
4	Vehicles & Equipment	2005 INTERNATIONAL 7600 SBA 6X	2004	136,467	136,467	7,115	1.59	0	PURCHASE	1	12/31/2004
4	Vehicles & Equipment	2005 INTERNATIONAL 7600 SBA 6X	2004	186,109	186,109	7,115	1.59	0	PURCHASE	1	12/31/2004
4	Vehicles & Equipment	2019 FORD TRANSIT VAN 350	2019	41,060	0	11,281	1.00	41,060	PURCHASE	1	12/31/2019
4	Vehicles & Equipment	2018 CHEVY SILVERADO 1GCVKNEH3	2017	32,196	13,952	10,736	1.05	19,171	PURCHASE	1	10/31/2017
4	Vehicles & Equipment	2018 CHEVY SILVERADO 1GCVKNEH4	2017	32,196	13,952	10,736	1.05	19,171	PURCHASE	1	10/31/2017
4	Vehicles & Equipment	2015 CHEVY 3500 1 TON	2014	56,548	56,548	9,806	1.15	0	PURCHASE	1	12/31/2014
4	Vehicles & Equipment	2017 INTERNATIONAL TRUCK	2017	304,366	167,401	10,736	1.05	143,918	PURCHASE	1	3/31/2017
4	Vehicles & Equipment	2013 JOHN DEERE 410K BACKHOE	2013	88,676	48,649	9,547	1.18	47,297	PURCHASED	1	5/31/2013
4	Vehicles & Equipment	2014 JOHN DEERE BACKHOE/LOADER	2014	90,000	41,875	9,806	1.15	55,364	PURCHASE	1	5/21/2014
4	Vehicles & Equipment	TIGER MID-MOUNT SIDE MOWER	2015	37,472	14,052	10,035	1.12	26,328	PURCHASE	1	6/30/2015
4	Vehicles & Equipment	2016 INTERNATIONAL TRUCK	2016	362,001	98,044	10,338	1.09	288,034	PURCHASE	1	9/30/2016
4	Vehicles & Equipment	2007 ALLIANZ STREET SWEEPER	2007	156,074	111,853	7,966	1.42	62,623	PURCHASE	1	7/31/2007
4	Vehicles & Equipment	2008 ALLIANZ STREET SWEEPER	2008	156,074	114,454	8,310	1.36	56,500	PURCHASE	1	6/30/2008
4	Vehicles & Equipment	2013 FREIGHTLINER SWEEPER	2013	224,218	162,825	9,547	1.18	72,544	PURCHASED	1	8/31/2013
4	Vehicles & Equipment	2015 FRTLNR- ELGIN BEAR SWEEP R	2014	226,675	167,307	9,806	1.15	68,297	PURCHASE	1	10/30/2014
4	Vehicles & Equipment	2015 SCHWARZE SWEEPER	2015	253,052	94,895	10,035	1.12	177,795	PURCHASE	1	6/30/2015
4	Vehicles & Equipment	2018 ELGIN BRM BR STRT SWEEPER	2018	187,766	31,294	11,062	1.02	159,569	PURCHASE	1	10/31/2018
4	Vehicles & Equipment	2019 ELGIN STREET SWEEPER	2019	258,661	0	11,281	1.00	258,661	PURCHASE	1	12/31/2019
3	Miscellaneous / Admin	AUTODESK INFRASTRUCTURE DESIGN	2013	5,845	5,845	9,547	1.18	0	PURCHASED	1	12/31/2013
2	Post 1970 Physical Infrastructure	14TH AVE STORM SEWER	1981	730,257	569,601	3,535	3.19	512,692	PURCHASE	1	1/1/1981
Total				\$166,688,094	\$111,343,851			\$84,147,140			

(1) ENR-CCI reflects the 20-City average for 2019 divided by the ENR-CCI in year aquired.

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Customer Gross Lot Size and Estimated Impervious Area
Summary by Service Code and C-Factor

Service	Description	Land Use	Growth Group	Total Lot Area - Sq Ft per Service Group	C-Factor	Estimated Impervious Area
303	SPECIAL	Special	Grow_02	1,288,069	0.03	38,642
305	SPECIAL	Special	Grow_02	87,120	0.05	4,356
306	SPECIAL	Special	Grow_02	1,497,469	0.06	89,848
307	SPECIAL	Special	Grow_02	4,538,063	0.07	317,664
308	SPECIAL	Special	Grow_02	599,386	0.08	47,951
309	SPECIAL	Special	Grow_02	214,815	0.09	19,333
310	SPECIAL	Special	Grow_02	847,045	0.10	84,705
311	SPECIAL	Special	Grow_02	6,288,235	0.11	691,706
312	SPECIAL	Special	Grow_02	1,393,691	0.12	167,243
313	SPECIAL	Special	Grow_02	6,435,244	0.13	836,582
314	SPECIAL	Special	Grow_02	922,457	0.14	129,144
315	SPECIAL	Special	Grow_02	854,807	0.15	128,221
316	SPECIAL	Special	Grow_02	1,473,151	0.16	235,704
317	SPECIAL	Special	Grow_02	2,665,769	0.17	453,181
318	SPECIAL	Special	Grow_02	836,642	0.18	150,596
319	SPECIAL	Special	Grow_02	339,966	0.19	64,594
320	SPECIAL	Special	Grow_02	746,775	0.20	149,355
322	SPECIAL	Special	Grow_02	599,592	0.22	131,910
323	SPECIAL	Special	Grow_02	1,008,629	0.23	231,985
324	SPECIAL	Special	Grow_02	4,700,662	0.24	1,128,159
325	SPECIAL	Special	Grow_02	8,059,312	0.25	2,014,828
326	SPECIAL	Special	Grow_02	721,787	0.26	187,665
327	SPECIAL	Special	Grow_02	100,639	0.27	27,173
328	SPECIAL	Special	Grow_02	1,280,674	0.28	358,589
329	SPECIAL	Special	Grow_02	190,664	0.29	55,293
330	SPECIAL	Special	Grow_02	15,248,127	0.30	4,574,438
331	SPECIAL	Special	Grow_02	76,480	0.31	23,709
332	SPECIAL	Special	Grow_02	70,299	0.32	22,496
333	SPECIAL	Special	Grow_02	249,225	0.33	82,244
334	SPECIAL	Special	Grow_02	695,782	0.34	236,566
335	RES EST	Residential	Residential	25,944,467	0.35	9,080,563
336	SPECIAL	Special	Grow_02	2,730,313	0.36	982,913
337	SPECIAL	Special	Grow_02	372,479	0.37	137,817
338	SPECIAL	Special	Grow_02	79,268	0.38	30,122
340	SPECIAL	Special	Grow_02	158,800	0.40	63,520
342	SPECIAL	Special	Grow_02	227,774	0.42	95,665
343	SPECIAL	Special	Grow_02	446,206	0.43	191,869
344	SPECIAL	Special	Grow_02	162,352	0.44	71,435
345	RES LO	Residential	Residential	187,630,385	0.45	84,433,673
346	RES MED	Residential	Residential	7,446,464	0.45	3,350,909
347	CHURCH	Institutional	Indust/Inst	8,287,068	0.47	3,894,922
348	SPECIAL	Special	Grow_02	1,651,230	0.48	792,590
350	SCHOOL	Institutional	Indust/Inst	28,503,214	0.50	14,251,607
352	OTHER	Institutional	Indust/Inst	19,019,321	0.52	9,890,047
354	SPECIAL	Special	Grow_02	1,400,096	0.54	

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Customer Gross Lot Size and Estimated Impervious Area
Summary by Service Code and C-Factor

Service	Description	Land Use	Growth Group	Total Lot Area - Sq Ft per Service Group	C-Factor	Estimated Impervious Area
359	SPECIAL	Special	Grow_02	503,345	0.59	296,974
361	SPECIAL	Special	Grow_02	370,277	0.61	225,869
362	SPECIAL	Special	Grow_02	285,401	0.62	176,949
364	RES MH	Residential	Residential	501,615	0.65	326,050
365	COM LO	Commercial	Commercial	35,843,437	0.65	23,298,234
366	RES HI	Residential	Residential	21,605,752	0.65	14,043,739
367	SPECIAL	Special	Grow_02	229,810	0.67	153,973
368	SPECIAL	Special	Grow_02	765,676	0.68	520,660
376	IND	Industrial	Indust/Inst	17,522,511	0.76	13,317,108
386	SPECIAL	Special	Grow_02	159,592	0.86	137,249
387	COM HI	Commercial	Commercial	21,007,961	0.87	18,276,926
399	RES EST	Special	Grow_02	4,258,955	Flat Fee	0
809	FLAT RATE	Special	Grow_02	235,118	0.09	21,161
810	FLAT RATE	Special	Grow_02	87,120	0.10	8,712
811	FLAT RATE	Special	Grow_02	348,480	0.11	38,333
812	FLAT RATE	Special	Grow_02	221,285	0.12	26,554
813	FLAT RATE	Special	Grow_02	800,358	0.13	104,047
814	FLAT RATE	Special	Grow_02	557,568	0.14	78,060
815	FLAT RATE	Special	Grow_02	127,980	0.15	19,197
816	FLAT RATE	Special	Grow_02	232,960	0.16	37,274
817	FLAT RATE	Special	Grow_02	217,800	0.17	37,026
818	FLAT RATE	Special	Grow_02	119,790	0.18	21,562
819	FLAT RATE	Special	Grow_02	87,120	0.19	16,553
820	FLAT RATE	Special	Grow_02	258,746	0.20	51,749
822	FLAT RATE	Special	Grow_02	110,120	0.22	24,226
827	FLAT RATE	Special	Grow_02	29,098	0.27	7,856
829	FLAT RATE	Special	Grow_02	198,164	0.29	57,468
830	FLAT RATE	Special	Grow_02	400,752	0.30	120,226
831	FLAT RATE	Special	Grow_02	127,614	0.31	39,560
835	FLAT RATE	Special	Grow_02	3,105,360	0.35	1,086,876
836	FLAT RATE	Special	Grow_02	44,750	0.36	16,110
845	FLAT RATE	Special	Grow_02	1,757,712	0.45	790,970
846	FLAT RATE	Special	Grow_02	119,440	0.46	54,942
847	FLAT RATE	Special	Grow_02	196,942	0.47	92,563
850	FLAT RATE	Special	Grow_02	364,684	0.50	182,342
852	FLAT RATE	Special	Grow_02	1,910,683	0.52	993,555
865	FLAT RATE	Special	Grow_02	1,860,131	0.65	1,209,085
866	FLAT RATE	Special	Grow_02	169,332	0.66	111,759
876	FLAT RATE	Special	Grow_02	803,674	0.76	610,792
899	FLAT RATE	Special	Grow_02	3,977,467	Flat Fee	0
	Total			469,614,591.83		217,339,867.95

City of Greeley
Storm Drainage Utility
Development Impact Fee and Plant Investment Fee Study
Engineering New Record Cost Index

Line No	Year	ENR-CCI 20-City	ENR-CCI Ratio
1	1969	1,269	8.89
2	1970	1,381	8.17
3	1971	1,581	7.14
4	1972	1,753	6.44
5	1973	1,895	5.95
6	1974	2,020	5.58
7	1975	2,212	5.10
8	1976	2,401	4.70
9	1977	2,576	4.38
10	1978	2,776	4.06
11	1979	3,003	3.76
12	1980	3,237	3.49
13	1981	3,535	3.19
14	1982	3,825	2.95
15	1983	4,066	2.77
16	1984	4,146	2.72
17	1985	4,195	2.69
18	1986	4,295	2.63
19	1987	4,406	2.56
20	1988	4,519	2.50
21	1989	4,615	2.44
22	1990	4,732	2.38
23	1991	4,835	2.33
24	1992	4,985	2.26
25	1993	5,210	2.17
26	1994	5,408	2.09
27	1995	5,471	2.06
28	1996	5,620	2.01
29	1997	5,826	1.94
30	1998	5,920	1.91
31	1999	6,059	1.86
32	2000	6,221	1.81
33	2001	6,343	1.78
34	2002	6,538	1.73
35	2003	6,694	1.69
36	2004	7,115	1.59
37	2005	7,446	1.52
38	2006	7,751	1.46
39	2007	7,966	1.42
40	2008	8,310	1.36
41	2009	8,570	1.32
42	2010	8,802	1.28
43	2011	9,070	1.24
44	2012	9,308	1.21
45	2013	9,547	1.18
46	2014	9,806	1.15
47	2015	10,035	1.12
48	2016	10,338	1.09
49	2017	10,736	1.05
50	2018	11,062	1.02
51	2019	11,281	1.00

Council Agenda Summary

February 2, 2021

Key Staff Contact: Sean Chambers, Water & Sewer Director, 970-350-9815

Title:

Introduction and first reading of an ordinance amending Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code (Concerning Water Use Restrictions and Drought Response)

Summary:

Greeley's current Drought Emergency Plan is more than 15 years old. Since that time our population has grown by several thousand people and a lot has changed. Our watersheds have been severely impacted by major wildfires in 2012, 2013 and 2020, adding to the supply side uncertainty that must be managed. The city has invested in demand management policy and programs that promote wise water use; and the data shows a consistent decline in water consumption per account. The Water and Sewer Dept. have acquired additional water rights for the supply portfolio and we've undertaken an examination of future water needs and system drought performance. The city overhauled its billing structure to implement tiered pricing and wise water use ethics with the water budget rate structure for single-family residential customers. Therefore, a re-evaluation of the Drought Emergency Plan is necessary to ensure responsible water supply planning. Beginning in mid-2019, Staff performed a case study and literature review, data analysis and received feedback from the Water and Sewer Board. The final plan was presented to the Water and Sewer Board on January 20, 2021. The Water and Sewer Board adopted the plan and recommended that City Council approve associated revisions to the Greeley Municipal Code, in the form of the enclosed ordinance.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	N/A
What is the annual impact?	Unknown
What fund of the City will provide Funding?	Water Operating
What is the source of revenue within the fund?	Water Rates
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	Drought mitigation efforts may have short term negative impacts to water rate revenue, however, this will be partially offset by a drought contingency reserve within the Water Fund and greater certainty that the city has the right tools and policy to respond appropriately and transparently to future droughts.

Legal Issues:

Consideration of this matter is a legislative process. The City Attorney's Office has reviewed the proposed ordinance.

Other Issues and Considerations:

The Drought Emergency Plan and proposed ordinance are an important step towards the Strategic Work Program goal in priority no. 4, Increase water conservation efforts and build a culture of conservation.

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for February 16, 2021.

Attachments:

Ordinance
Presentation

CITY OF GREELEY, COLORADO

ORDINANCE ___, 2021

**AN ORDINANCE AMENDING SECTIONS 14.08.090 AND 14.08.160
OF THE GREELEY MUNICIPAL CODE (CONCERNING WATER USE RESTRICTIONS
AND DROUGHT RESPONSE)**

WHEREAS, the City of Greeley (“City”) is a Colorado home rule municipality empowered pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution to, *inter alia*, construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for use of the City; and

WHEREAS, Section 17-1 of the Greeley City Charter authorizes the Greeley Water and Sewer Board to qualify the Water and Sewer functions and operations as an "enterprise" as that term is contained in Article X, Section 20 of the Colorado Constitution, and to provide for every function and operation of an enterprise, including but not limited to, bond issuance and all other necessary and ordinary functions of the Water and Sewer operations; and

WHEREAS, Section 17-4(c) of the Greeley City Charter and Section 14.04.110 of the Greeley Municipal Code authorize the Greeley Water and Sewer Board to acquire, develop, convey, lease and protect the water and sewer assets, supplies and facilities needed to fully use the water supplies decreed, adjudicated or contracted for the City; and

WHEREAS, Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code prescribe the particular means by which City residents may irrigate their property and make other uses of City water during periods of adequate water supply and during periods of drought; and

WHEREAS, the Water and Sewer Board at its January 20, 2021 regular meeting adopted an updated Drought Emergency Plan to guide the City’s identification of potential drought conditions and subsequent response measures; and

WHEREAS, in conjunction with its adoption of the updated Drought Emergency Plan, the Water and Sewer Board at its January 20, 2021 regular meeting also recommended a variety of associated revisions to the Greeley Municipal Code regarding water conservation and use restrictions; and

WHEREAS, the imposition of watering restrictions that are responsive to the adequacy of available water supply and potential drought conditions continues to be in the best interests of the citizens of the City of Greeley, for the preservation and protection of their health, property, water resources, and safety.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. Sections 14.08.090 and 14.08.160 of the Greeley Municipal Code shall be repealed and replaced in their respective entireties as shown on Exhibit A, attached hereto and incorporated herein.

Section 2. Except as explicitly modified on Exhibit A, all other provisions of Chapter 14.08 in the Greeley Municipal Code shall remain in full force and effect.

Section 3. This Ordinance shall take effect on the fifth day following its final publication, as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF _____ 2021.

ATTEST

CITY OF GREELEY, COLORADO

City Clerk

Mayor

EXHIBIT A
ORDINANCE AMENDING SECTIONS 14.08.090 AND 14.08.160
GREELEY MUNICIPAL CODE

Chapter 14.08
Water Rates and Regulation

14.08.090 - Wasting water unlawful.

~~(a) — It is unlawful for any person using City water to use said water to allow or permit water to run to waste upon his or her premises, buildings, houses or lots, in, through or out of any water closet lavatory, urinal, bathtub, hose, hydrant, faucet or other fixtures, appliances or apparatus whatsoever, or in any manner through neglect or by reason of faulty or imperfect plumbing or fixtures.~~

~~(b) — It is unlawful for any person, partnership, company or corporation or other entity using City water, at any time during a declared drought, to use water to clean any hard surface upon or adjacent to the premises, building, house or lot. For purposes of this Section, *hard surface* includes but is not limited to driveways, sidewalks and streets and street gutters. Use of water in cleaning property such as roof gutters, eaves, windows or in preparation for painting is allowed as long as waste does not occur.~~

~~(c) — It is unlawful for any person, partnership, company or corporation or other entity using City water to allow, either manually or automatically, the sprinkling or watering of hard surface; to allow excessive runoff of water from the premises, building, house or lot; and/or to allow the excessive pooling of water upon or adjacent to the premises, houses or lots. Runoff that is more than five (5) gallons per minute is considered excessive.~~

~~(d) — Penalties.~~

~~(1) — Any person who violates any of the provisions of this Section is guilty of violation of this Section and shall be punished by a fine of one hundred dollars (\$100.00) for the first conviction during the calendar year, two hundred fifty dollars (\$250.00) for the second conviction during the calendar year, five hundred dollars (\$500.00) for the third conviction during the calendar year and five hundred dollars (\$500.00) and a flow restrictor to limit water to indoor use only of water service for the fourth conviction during the same calendar year may be required.~~

~~(2) — Each day of violation shall constitute a separate offense as provided in Section 1.32.020 of this Code.~~

~~(e) — Intent. The violations described in this Section are strict liability offenses, as defined in Chapter 10 of this Code.~~

(a) It is unlawful for any person or entity to cause or knowingly allow the application of City water to waste upon property under their ownership or control.

(b) It is unlawful for any person or entity to cause or knowingly allow the leakage of City water in, through, or out of any water closet, lavatory, toilet, urinal, bathtub, hose, hydrant, faucet, appliance, fixture, or apparatus of any kind, including, without limitation, by reason of a defective component of the leakage source, upon property under their ownership or control.

(c) It is unlawful for any person or entity to cause or knowingly allow the excessive runoff or pooling of City water from, upon, or adjacent to property under their ownership or control.

(d) Violations and penalties.

(1) A person or entity who violates any of the provisions of this Section on a residential property shall be punished by a fine of one hundred dollars (\$100.00) for the first violation, two hundred and fifty dollars (\$250.00) for the second violation within a calendar year, and five hundred dollars (\$500.00) for the third and all subsequent violations within a calendar year. In addition to the applicable fine, a person or entity who violates any of the provisions of this Section on a residential property for the fourth time in a calendar year shall be required to install a flow restriction device at their own expense to limit City water use on the property for indoor purposes only.

(2) A person or entity who violates any of the provisions of this Section on a non-residential property shall be punished by a fine of two hundred dollars (\$200.00) for the first violation, five hundred dollars (\$500.00) for the second violation within a calendar year, and one thousand dollars (\$1,000.00) for the third and all subsequent violations within a calendar year. In addition to the applicable fine, a person or entity who violates any of the provisions of this Section on a non-residential property for the fourth time in a calendar year shall be required to install a flow restriction device at their own expense to limit City water use on the property for indoor purposes only.

(3) Each and every day on which a violation occurs shall constitute a separate infraction, as provided in Section 1.33.020 of this Code.

(4) Verbal warnings shall not be issued in advance of notices of violation at any time the City's water supply is declared subject to a Moderate Drought, Severe Drought, or Catastrophic Drought.

~~14.08.160 – Sprinkling restrictions; drought levels; penalty.~~

(a) ~~The following provisions shall apply at all times unless modified by subsequent Sections of the ordinance codified herein:~~

~~(1) Waste of water is prohibited at any time.~~

~~(2) Sprinkler irrigation shall not occur between 10:00 a.m. and 6:00 p.m. from May through August even when water supplies are adequate.~~

~~(3) Drip irrigation, low volume spray or bubbling sprinklers, hose end sprinklers and weeping type soaker hoses are allowed to water trees, shrubs or flower beds at any time.~~

~~(4) Hand watering of vegetables and flower gardens, trees and shrubs and individual brown spots in a lawn is allowed at any time, so long as water waste does not occur. Hand watering means holding in the hand a hose with attached positive shutoff nozzle and does not include operating a hose with a sprinkler or manually operating an irrigation controller.~~

~~(5) — Except during time of adequate water supply, hand watering to clean hard surfaces such as driveways and parking lots is prohibited. Hand watering to clean property, such as roof gutters, eaves, windows or in preparation for painting, is allowed as long as water waste does not occur.~~

~~(6) — Public organizations: The use of water for sprinkling lawns, gardens and trees on the grounds of public organizations, public parks and public golf courses served by the City water system will be permitted at any time with written variance from the Director of Water and Sewer. The public organizations to which this paragraph refers include, but are not limited to: Weld County facilities, the University of Northern Colorado campus, School District #6 grounds, and City of Greeley grounds, including parks, golf courses and Linn Grove cemetery.~~

~~(7) — New lawn variance: The use of water for sprinkling newly seeded or sodded lawns less than one (1) month old will be allowed during times determined by the Director of Water and Sewer pursuant to a permit for the same. Issuance of such a permit is contingent upon proof of proper soil preparation before installation of turf. Proper soil amendment is considered to be the equivalent of adding compost at a rate of four (4) cubic yards per one thousand (1,000) square feet of planted area, incorporated to a depth of six (6) inches. Permits shall be posted on the property.~~

~~(8) — Large user variance: The use of water for sprinkling large areas with multiple addresses, such as homeowners' associations, or other special circumstances, may be allowed during the times and days of the week as determined by the Director of Water and Sewer and defined by a permit for the same. Such written permits shall be posted on the property.~~

~~(9) — Except during a time of declared "adequate" water supplies, there shall be no lawn watering between January 1 and April 14. Charging and testing of sprinkler systems is allowed. Sprinkling may be allowed by written variance.~~

~~(10) — Unusual circumstances: The Director of Water and Sewer may issue variance permits to address any other circumstances that, in the Director's sole discretion, are deemed appropriate.~~

~~(b) — Definitions:~~

~~(1) — *Even odd schedule:*~~

- ~~a. Even numbered addresses may sprinkle on even days of the month.~~
- ~~b. Odd numbered addresses may sprinkle on odd days of the month.~~
- ~~c. On May 31, July 31 and August 31, odd addresses may sprinkle in the morning and even addresses may sprinkle in the evening.~~

~~(2) — *One day per week watering:* All properties may use water for sprinkling only one (1) day per week.~~

- ~~a. Single family residences and duplexes with addresses ending in an even number may sprinkle on Sundays.~~
- ~~b. Single family residences and duplexes with addresses ending in an odd number may sprinkle on Saturdays.~~

~~e. All other customers, commercial, industrial, multi-family and homeowners' associations may sprinkle on Fridays.~~

~~(3) — Two days per week watering:~~

- ~~a. Single family residences and duplexes with addresses ending in an even number may sprinkle on Sundays and Thursdays.~~
- ~~b. Single family residences and duplexes with addresses ending in an odd number may sprinkle on Wednesdays and Saturdays.~~
- ~~c. All other customers, commercial, industrial, multi-family and homeowners' associations may sprinkle on Tuesdays and Fridays.~~
- ~~d. There shall be no watering on Mondays except by written variance.~~

~~(4) — Three days per week watering:~~

- ~~a. Single family residences and duplexes with addresses ending in an even number may sprinkle on Sundays, Tuesdays and Thursdays.~~
- ~~b. Single family residences and duplexes with addresses ending in an odd number may sprinkle on Mondays, Wednesdays and Saturdays.~~
- ~~c. All other customers, commercial, industrial, multi-family and homeowners' associations may sprinkle on Sundays, Tuesdays and Fridays.~~

~~(5) — Hand watering means holding in the hand a hose with attached positive shutoff nozzle. Hand watering does not include operating a hose with a sprinkler or manually operating an irrigation controller.~~

~~(c) — Drought levels: On the determination by the Greeley Water and Sewer Board, after an analysis including but not limited to the Colorado Big Thompson quota, the level of storage in Greeley reservoirs, snow pack and yield thereof, and the long range weather forecast, that Greeley's water supply situation is "Adequate" or in a "Mild Drought," "Moderate Drought" or "Severe Drought," the City Council may, by resolution, declare one (1) of the following four (4) sets of watering restrictions to be in effect:~~

~~(1) — When the City's water supply is Adequate: The use of City water for sprinkling of private residences, commercial and industrial property, church or other nonprofit or governmental organization lawns, gardens and trees by customers not subject to the water budget rate structure will be permitted three (3) days per week between April 15 and the end of the irrigation season. The use of City water for sprinkling of private residences by single family residential customers subject to the water budget rate structure will be permitted on any day of the week between April 15 and the end of the irrigation season.~~

~~(2) — When the City's water supply is in a Mild Drought: The use of City water for sprinkling of private residences, commercial and industrial property, church or other nonprofit or governmental organization lawns, gardens and trees will be permitted:~~

- ~~a. One (1) day per week between April 15 and May 14.~~
- ~~b. Two (2) days per week between May 15 and June 14.~~
- ~~c. Three (3) days per week between June 15 and August 31.~~
- ~~d. One (1) day per week between September 1 and the end of the irrigation season.~~
- ~~e. Sprinkler irrigation shall not occur between 10:00 a.m. and 6:00 p.m. daily.~~

~~(3) — When the City's water supply is in a Moderate Drought: The use of City water for sprinkling of private residences, commercial and industrial property, church or other nonprofit or governmental organization lawns, gardens and trees will be permitted:~~

- ~~a. One (1) day per week between April 15 and May 14.~~
- ~~b. Two (2) days per week between May 15 and August 31.~~
- ~~c. One (1) day per week between September 1 and the end of the irrigation season.~~
- ~~d. New sod or seed variances are not allowed between May 15 and August 31.~~
- ~~e. Sprinkler irrigation shall not occur between 10:00 a.m. and 6:00 p.m. daily.~~

~~(4) — When the City's water supply is in a Severe Drought: The use of City water for sprinkling of private residences, commercial and industrial property, church or other nonprofit or governmental organization lawns, gardens and trees will be permitted:~~

- ~~a. One (1) day per week between April 15 and May 14.~~
- ~~b. Two (2) days per week between May 15 and June 14.~~
- ~~c. No sprinkler irrigation between June 15 and August 1 will be permitted, except for trees and shrubs.~~
- ~~d. Two (2) days per week between August 1 and August 31.~~
- ~~e. One (1) day per week between September 1 and the end of the irrigation season.~~
- ~~f. No new sod or seed variances are allowed.~~
- ~~g. Sprinkler irrigation shall not occur between 10:00 a.m. and 6:00 p.m. daily.~~

~~(5) — When the City Council declares which set of water restriction are in place, the City Council may define City policy regarding the use of warnings prior to notices of violation being issued.~~

~~(d) — Penalties:~~

~~(1) — Any person who violates any of the provisions of this Section during a calendar year shall be punished by a fine of one hundred dollars (\$100.00) for the first violation, two hundred fifty dollars (\$250.00) for the second violation, five hundred dollars (\$500.00) for the third violation, and five hundred dollars (\$500.00) and the cost of installing a flow restrictor to limit water use to indoor use only for the fourth and subsequent violations.~~

~~(2) — Violations on property other than residential property shall be punished by fines which are double those described in Subsection (d)(1) above.~~

~~(3) — Each day of violation shall constitute a separate offense as provided in Section 1.32.020 of this Code and shall be a strict liability offence.~~

~~(4) — During a declared Severe Drought, all fines are doubled or up to one thousand dollars (\$1,000.00), whichever is less.~~

14.08.160 – Water conservation and use restrictions; drought response.

(a) Definitions.

(1) Hand-watering means the attended application of City water without waste by an individual using a hose equipped with a nozzle that must be manually held open to permit the flow of water.

(2) One Day per Week Watering Schedule means that customers may use City water for sprinkling only one (1) day per week. Single-family and duplex residential properties with addresses ending in an even number may sprinkle on Sundays. Single-family and duplex residential properties with addresses ending in an odd number may sprinkle on Saturdays. All other multi-family residential, non-residential, and owners' association customers may sprinkle on Fridays.

(3) Sprinkle or Sprinkling means the application of City water to any lawn, grass, turf, or other landscaped area by any means other than hand-watering.

(4) Two Days per Week Watering Schedule means that customers may use City water for sprinkling only two (2) days per week. Single-family and duplex residential properties with addresses ending in an even number may sprinkle on Sundays and Thursdays. Single-family and duplex residential properties with addresses ending in an odd number may sprinkle on Wednesdays and Saturdays. All other multi-family residential, non-residential, and owners' association customers may sprinkle on Tuesdays and Fridays. There shall be no watering on Mondays except by written variance from the Director of Water and Sewer.

(5) Three Days per Week Watering Schedule means that customers may use City water for sprinkling only three (3) days per week. Single-family and duplex residential properties with addresses ending in an even number may sprinkle on Sundays, Tuesdays and Thursdays. Single-family and duplex residential properties with addresses ending in an odd number may sprinkle on Mondays, Wednesdays and Saturdays. All other multi-family residential, non-residential, and owners' association customers may sprinkle on Sundays, Tuesdays and Fridays.

(b) The Water and Sewer Board shall analyze the adequacy of the City municipal water supply and identify the potential for and existence of drought conditions no less often than annually, and determine whether the water supply is Adequate, or otherwise subject to a Mild Drought, Moderate Drought, Severe Drought, or Catastrophic Drought.

(c) The use of City water is further restricted as follows, in accordance with the declaration of water supply adequacy or level of drought made by the Water and Sewer Board. Upon such declaration by the Water and Sewer Board, the City Council shall adopt the applicable set of watering restrictions by resolution.

(1) Upon declaration that the City's water supply is Adequate:

- a. Sprinkling is prohibited before April 15 and after October 15.
- b. Sprinkling is prohibited between 10:00 a.m. and 6:00 p.m.
- c. Customers subject to the water budget rate structure may sprinkle on any day of the week from April 15 through October 15.
- d. Multi-family residential, non-residential, and owners' association customers not subject to the water budget rate structure, and large property customers with more than four (4) acres of irrigable area shall follow the Three Days per Week Watering Schedule from April 15 through October 15.

(2) Upon declaration that the City's water supply is subject to a Mild Drought:

- a. Sprinkling is prohibited before May 1 and after September 30.
 - b. Sprinkling is prohibited between 10:00 a.m. and 6:00 p.m.
 - c. Customers subject to the water budget rate structure shall follow the Three Days per Week Watering Schedule from May 1 through September 30 and have their water budgets reduced by fifteen (15) percent.
 - d. Multi-family residential, non-residential, and owners' association customers not subject to the water budget rate structure shall follow the Three Days per Week Watering Schedule from May 1 through September 30.
 - e. The use of City water to wash personal vehicles by hand-watering is permitted once per week.
 - f. The use of City water to wash parking lots is prohibited.
 - g. The use of City water to wash other impervious surfaces such as driveways, sidewalks, and other pavement is permitted by hand-watering only as necessary for public health or safety.
 - h. The use of City water to wash structure siding, windows, patios, and decks is permitted by hand-watering once per calendar year, and only in preparation for painting or staining.
 - i. The use of City water to wash commercial vehicle fleets is permitted once per week.
- (3) Upon declaration that the City's water supply is subject to a Moderate Drought:
- a. Sprinkling is prohibited before May 1 and after September 30.
 - b. Sprinkling is prohibited between 10:00 a.m. and 6:00 p.m.
 - c. Customers subject to the water budget rate structure shall follow the Two Days per Week Watering Schedule from May 1 through September 30 and have their water budgets reduced by twenty-five (25) percent.
 - d. Multi-family residential, non-residential, and owners' association customers not subject to the water budget rate structure shall follow the Two Days per Week Watering Schedule from May 1 through September 30.
 - e. The use of City water to wash personal vehicles by hand-watering is permitted once per calendar month.
 - f. The use of City water to wash parking lots is prohibited.
 - g. The use of City water to wash other impervious surfaces such as driveways, sidewalks, and other pavement is permitted by hand-watering only as necessary for public health or safety.
 - h. The use of City water to wash structure siding, windows, patios, and decks is permitted by hand-watering once per calendar year, and only in preparation for painting or staining.
 - i. The use of City water to wash commercial vehicle fleets is permitted once per calendar month.
 - j. New lawn permits shall not be issued between June 1 and August 31.
- (4) Upon declaration that the City's water supply is subject to a Severe Drought:
- a. Sprinkling is prohibited before May 1, during the month of July, and after September 30.
 - b. Sprinkling is prohibited between 8:00 a.m. and 8:00 p.m.
 - c. Customers subject to the water budget rate structure shall follow the One Day per Week Watering Schedule from May 1 through June 30 and August 1 through September 30, and have their water budgets reduced by fifty (50) percent.
 - d. Multi-family residential, non-residential, and owners' association customers not subject to the water budget rate structure shall follow the One Day per Week Watering Schedule from May 1 through June 30 and August 1 through September 30.
 - e. The use of City water to wash personal vehicles by hand-watering is prohibited.
 - f. The use of City water to wash parking lots is prohibited.

- g. The use of City water to wash other impervious surfaces such as driveways, sidewalks, and other pavement is permitted by hand-watering only as necessary for public health or safety.
- h. The use of City water to wash structure siding, windows, patios, and decks is permitted by hand-watering once per calendar year, and only in preparation for painting or staining.
- i. The use of City water to wash commercial vehicle fleets is prohibited.
- j. The use of City water to fill decorative water fountains, swimming pools, and jacuzzis is prohibited.
- k. New lawn permits shall not be issued between June 1 and August 31.

(5) Upon declaration that the City's water supply is subject to a Catastrophic Drought:

- a. Sprinkling is prohibited.
- b. Water budgets for customers subject to the water budget rate structure shall be reduced by seventy (70) percent.
- c. The use of City water to wash personal vehicles by hand-watering is prohibited.
- d. The use of City water to wash parking lots is prohibited.
- e. The use of City water to wash other impervious surfaces such as driveways, sidewalks, and other pavement is prohibited.
- f. The use of City water to wash structure siding, windows, patios, and decks is prohibited.
- g. The use of City water to wash commercial vehicle fleets is prohibited.
- h. The use of City water to fill decorative water fountains, swimming pools, and jacuzzis is prohibited.
- i. New lawn permits shall not be issued.

(d) General provisions.

(1) Charging and testing of sprinkler systems is permitted at any time the City's water supply is declared Adequate, or subject to a Mild Drought, Moderate Drought, or Severe Drought.

(2) Hand-watering and drip irrigation of trees, shrubs, vegetable gardens, and flower gardens is permitted at any time.

(3) Large user variance permits. Customers with large properties that contain four (4) acres or more of lawn, grass, turf, or other landscaped area shall obtain a permit from the Director of Water and Sewer for the sprinkling of such irrigable area. Issuance of the permit and use of City water for this purpose are subject to such terms and conditions as are deemed appropriate by the Director of Water and Sewer, including, without limitation, a water budget for the property. Large user variance permits shall be displayed on the property.

(4) New lawn variance permits. Customers shall obtain a permit from the Director of Water and Sewer prior to the application of City water to newly seeded or sodded lawn, turf, or other landscaped areas less than one (1) month old. Issuance of the permit and use of City water for this purpose are subject to such terms and conditions as are deemed appropriate by the Director of Water and Sewer, including, without limitation, proof of proper soil preparation. New lawn permits shall be displayed on the newly seeded or sodded property.

(5) Variance permits generally. The Director of Water and Sewer may issue such other temporary water use variance permits that are appropriate, in the Director's sole discretion, to address unusual or extraordinary circumstances.

(e) Violations and penalties.

(1) A person or entity who violates any of the provisions of this Section on a residential property shall be punished by a fine of one hundred dollars (\$100.00) for the first violation, two hundred and fifty dollars (\$250.00) for the second violation within a calendar year, and five hundred dollars (\$500.00) for the third and all subsequent violations within a calendar year. In addition to the applicable fine, a person or entity who violates any of the provisions of this Section on a residential property for the fourth time in a calendar year shall be required to install a flow restriction device at their own expense to limit City water use on the property for indoor purposes only.

(2) A person or entity who violates any of the provisions of this Section on a non-residential property shall be punished by a fine of two hundred dollars (\$200.00) for the first violation, five hundred dollars (\$500.00) for the second violation within a calendar year, and one thousand dollars (\$1,000.00) for the third and all subsequent violations within a calendar year. In addition to the applicable fine, a person or entity who violates any of the provisions of this Section on a non-residential property for the fourth time in a calendar year shall be required to install a flow restriction device at their own expense to limit City water use on the property for indoor purposes only.

(3) Each and every day on which a violation occurs shall constitute a separate infraction, as provided in Section 1.33.020 of this Code. Violation of any of the provisions of this Section shall be considered a strict liability infraction.

(4) Verbal warnings shall not be issued in advance of notices of violation at any time the City's water supply is declared subject to a Moderate Drought, Severe Drought, or Catastrophic Drought.

Drought Emergency Plan

City Council

February 2, 2021

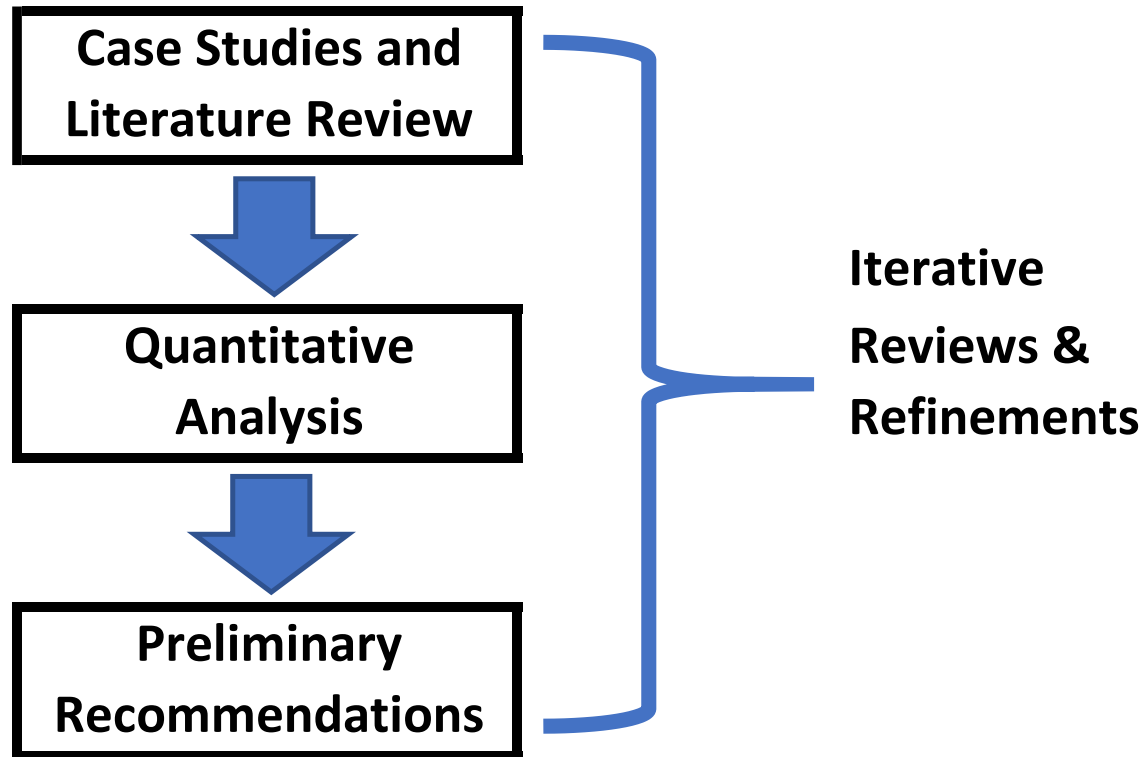
Need for an Updated Drought Plan

- **Greeley's current drought plan is more than 15 years old**
- **Since that time, a lot has changed:**
 - **Water use per account has declined substantially**
 - **Greeley has re-examined its future water needs, and system drought performance, as part of the Milton Seaman Revised Alternative Screening Process**
 - **Greeley converted to water budget-based rates for single family residential customers in 2017**

Timeline

- **In mid-2019, staff began to evaluate a revised drought plan**
- **Hired BBC to assist with analysis and development of plan**
- **Presented initial plan at August 2020 W&S Board meeting**
- **Addressed feedback at October 2020 W&S Board meeting**

Process for Developing a New Drought Plan



Important considerations



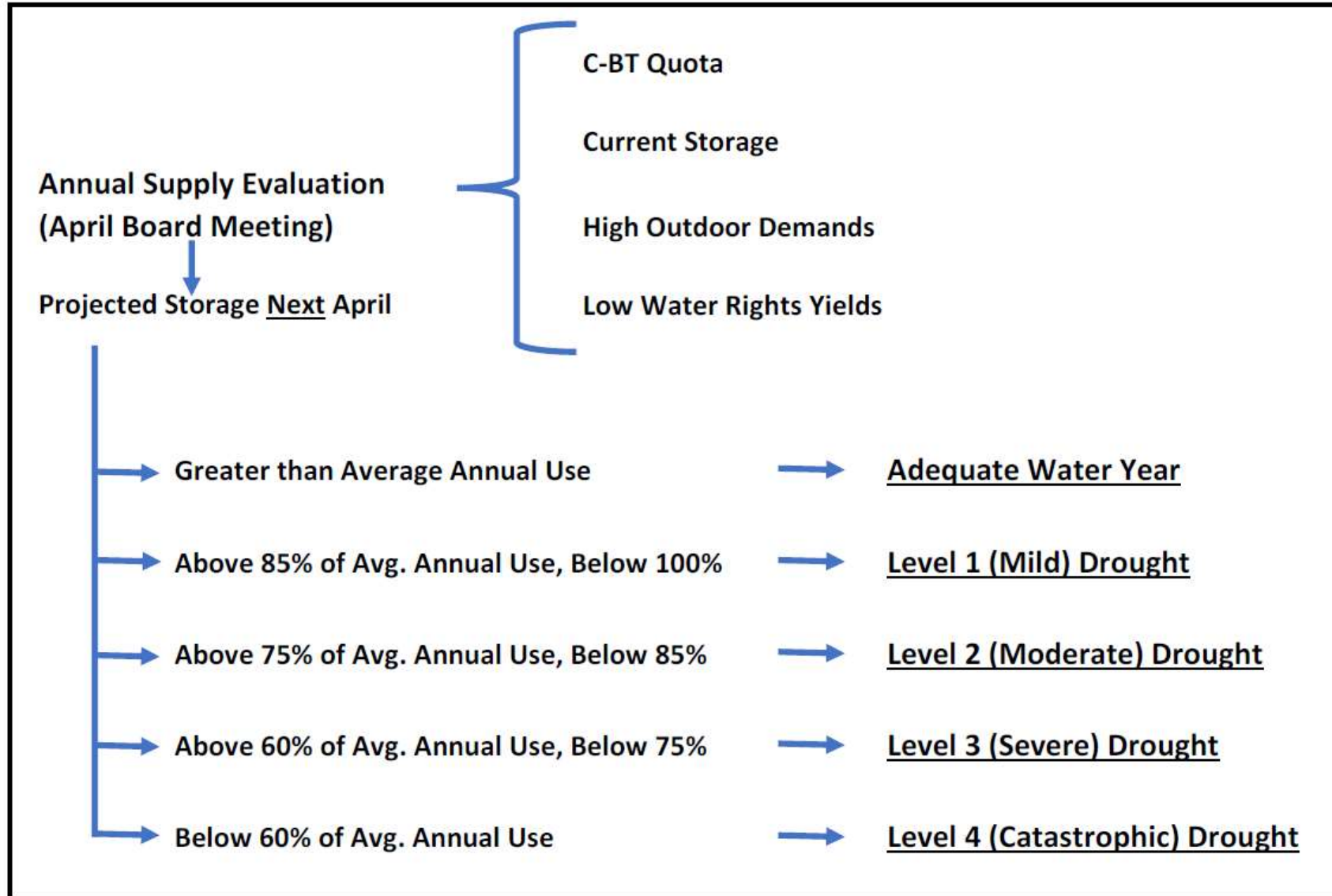
Equity among Greeley’s customers: while outdoor water use by single family customers must be a focus, other customer classes need to contribute their share to water savings.

Minimize impacts to landscapes: modifications to water budgets and watering restrictions should be designed to avoid long-term damage to trees and other non-turf vegetation as much as possible.



Minimize financial impacts to customers and the water utility: In general, if customers meet the water savings goals, they will pay less than normal during drought conditions. If customers do not reduce their use, they will pay more.

Drought Response Trigger and Declaration Process



Drought Response Trigger and Declaration Process

- **Current Target Storage is 21,300 AF**
 - **Will be re-evaluated regularly**
- **Reductions and restrictions are for *outdoor irrigation only***
- **Using Water Budget as one of *many* tools for Single-family residential customers**
 - **Savings assumes single family customers are using 100% of their water budgets**
- **Recommending a 2 year recovery period**
- **Equitable: same % reductions for single family residential, multi-family, commercial and industrial**

Drought Response Strategies

Droughts are uncertain

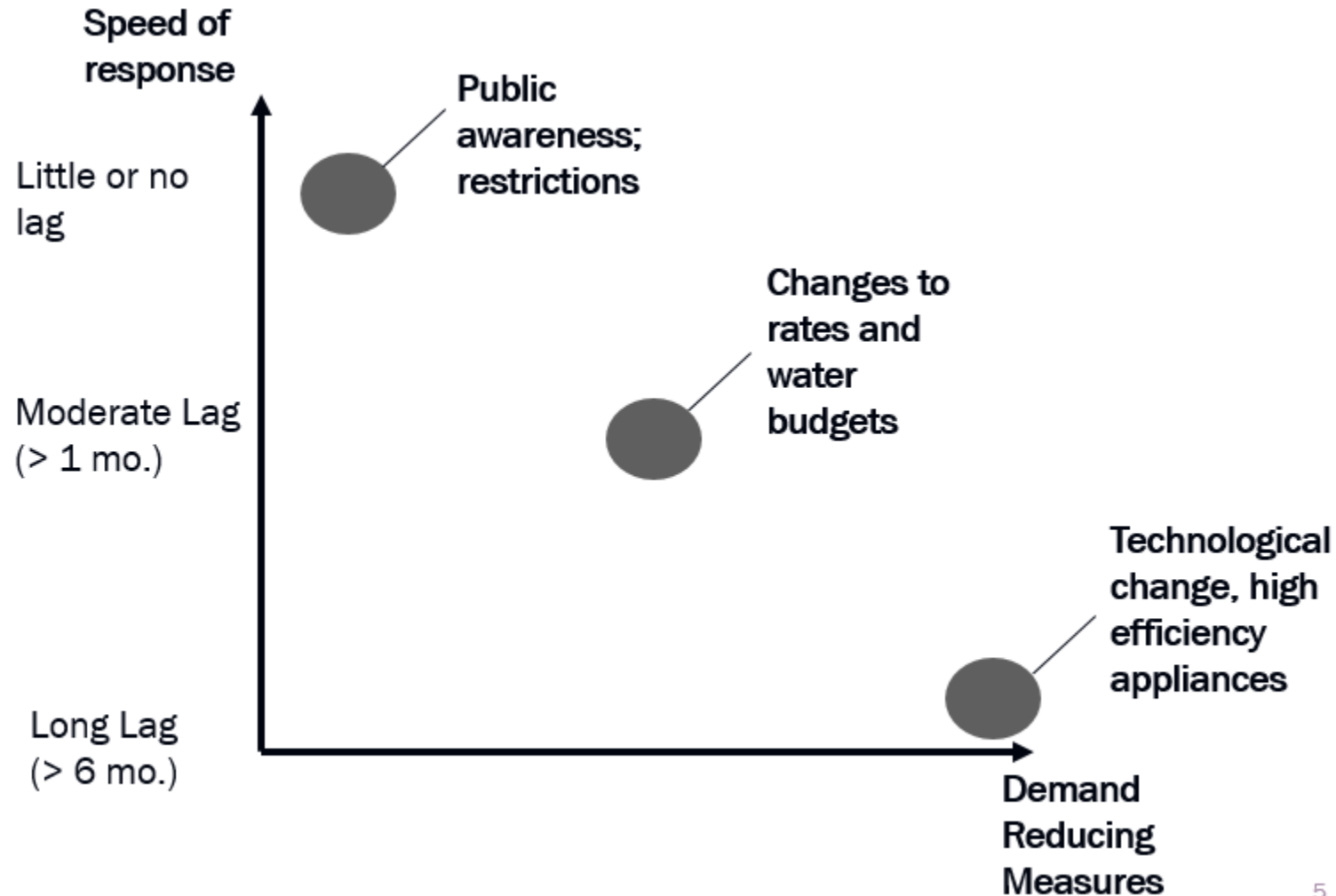
- **Hard to project how long they will last or how severe they will be.**
- **Also, difficult to predict how customers will respond and thus, how much water will be saved by different drought measures.**

**Important to have a variety
of tools for customers to use**



**Need flexibility in the
drought plan to adapt to
changing circumstances**

Short run vs. long run response



Drought Response Strategies

GREELEY DROUGHT RESPONSE PROGRAM 2020					
With a two year recovery period	Adequate Yr	Mild	Moderate	Severe	Catastrophic
LEVEL OF RESPONSE	no drought	1	2	3	4
Target Storage	100%	85% to 99%	75% to 84%	60% to 74%	Less than 60%
Target Reduction (outdoor)	0%	15%	25%	50%	70%
Target Storage (in AF)	21,300	18,100	16,000	12,800	10,700
Annual Outdoor Reduction Goal	normal conservation	1,530	2,560	5,130	7,170
MEASURES					
Water Budget and Restrictions					
Single Family Residential on Water Budget		15%	25%	50%	70%
Proposed Water Budget Reduction	0%	15%	25%	50%	70%
Recommended Schedule Suggested Days		max 3 days/week	2 days/week	1 day/week	
Multi Family & HOA Not on Water Budget	mand. 3/wk	max 3 days/week	2 days/week	1 day/week	no watering
Reductions in Use	0%	15%	25%	50%	70%
Commercial Industrial Institutional (ICI)	mand. 3/wk	3 days/week	2 days/week	1 day/week	no watering
Reduction on Landscape Water Same as SFR	Normal conservation	15%	25%	50%	70%
Restrictions Landscape (Non Water Budget)					
Lawns/Turf	set day /week 3 days/week	no irrigation until May1 or after Sept. 30	irrigation May-Oct; 1"/week	no watering in July; let go dormant	no watering June 15-Aug 15
Non-watering Hours	10am-6pm	10am-6pm	10am-6pm	8am-8pm	8am-8pm
Installing New Lawns & Watering Permits	yes w/soil prep	yes w/soil prep	not June-Aug	not June-Aug	none
Multi Family	3 days/week	3 days/week	2 days/week	1 day/week	no watering
Large Properties with > 4 acres of Turf Need to Submit a Water Budget to Get a Watering Variance	3 days/week	1.5"/week WB	1.0"/week WB	only enough to keep it alive	not allowed
Trees and Shrubs		on days or drip or by hand			
Vegetable Gardens		on days or drip or by hand			
Flower Gardens		on days or drip or by hand			
Non Potable Ditch Water (city system)		follow restrictions or restrictions due to delivery			
Non Potable Ditch Water (private)		cannot regulate			
Well Water		cannot regulate			

Drought Response Strategies

GREELEY DROUGHT RESPONSE PROGRAM 2020					
With a Two Year Recovery Period	Adequate Yr	Mild	Moderate	Severe	Catastrophic
LEVEL OF RESPONSE	No drought	1	2	3	4
Other outdoor Uses (hosing and washing)					
Home Car Washing	with BMPs and no runoff	bucket & shut off	bucket & shut off	commercial car wash	commercial car wash
Frequency		1x/week	1x/month	not allowed	not allowed
Washing Sidewalks, Driveways, Garages or Other Pavement		prohibited except for health or safety			not allowed
Siding on Houses, Patios, Decks		only in prep. for painting/staining 1 x per year with power washer			not allowed
Fleet Washing at Auto Dealerships/Mobile		1x/week	1x/month	not allowed	not allowed
Car Washes -Fundraising		prohibited except at commercial carwashes			
Commercial/restaurant/fast food					
Drive Thru/Sidewalk		prohibited except for health or safety			only with a bucket & broom
Parking Lot		prohibited			
Fountains/Ponds/Spas					
Water Fountains (w/o fish)		unrestricted	no topping off	no water	no water
Public		unrestricted	no topping off	no water	no water
Private		unrestricted	unrestricted	no topping off	no topping off
Ponds with Fish or Plants		unrestricted	unrestricted	unrestricted	topping only to preserve fish
Swimming Pools and Spa's Private		unrestricted	Unrestricted	not allowed	not allowed
Semi-Private Neighborhoods		unrestricted	Unrestricted	not allowed	not allowed
City Pools		unrestricted	Unrestricted	no topping off	no topping off
City Uses					
City Parks /Athletic Fields		water budget	water budget cut	prioritize athletic fields only	
Golf Courses		10-20% cut back	10-20% cut back no watering roughs	max 1"/wk for tees and greens only	max 1"/wk for tees and greens only
City Facilities & Around Buildings		3 days/wk	2 days/week	1 day/week	no watering
Street Cleaning/Parking Lots with Trucks		unrestricted	unrestricted	restricted to essential situations	
Hydrant Flushing & Testing		unrestricted	limited to critical situations		
Washing Fleet Vehicles & Mobile Washers		1 x /week	every other week	1 x /month	none

Drought Response Strategies

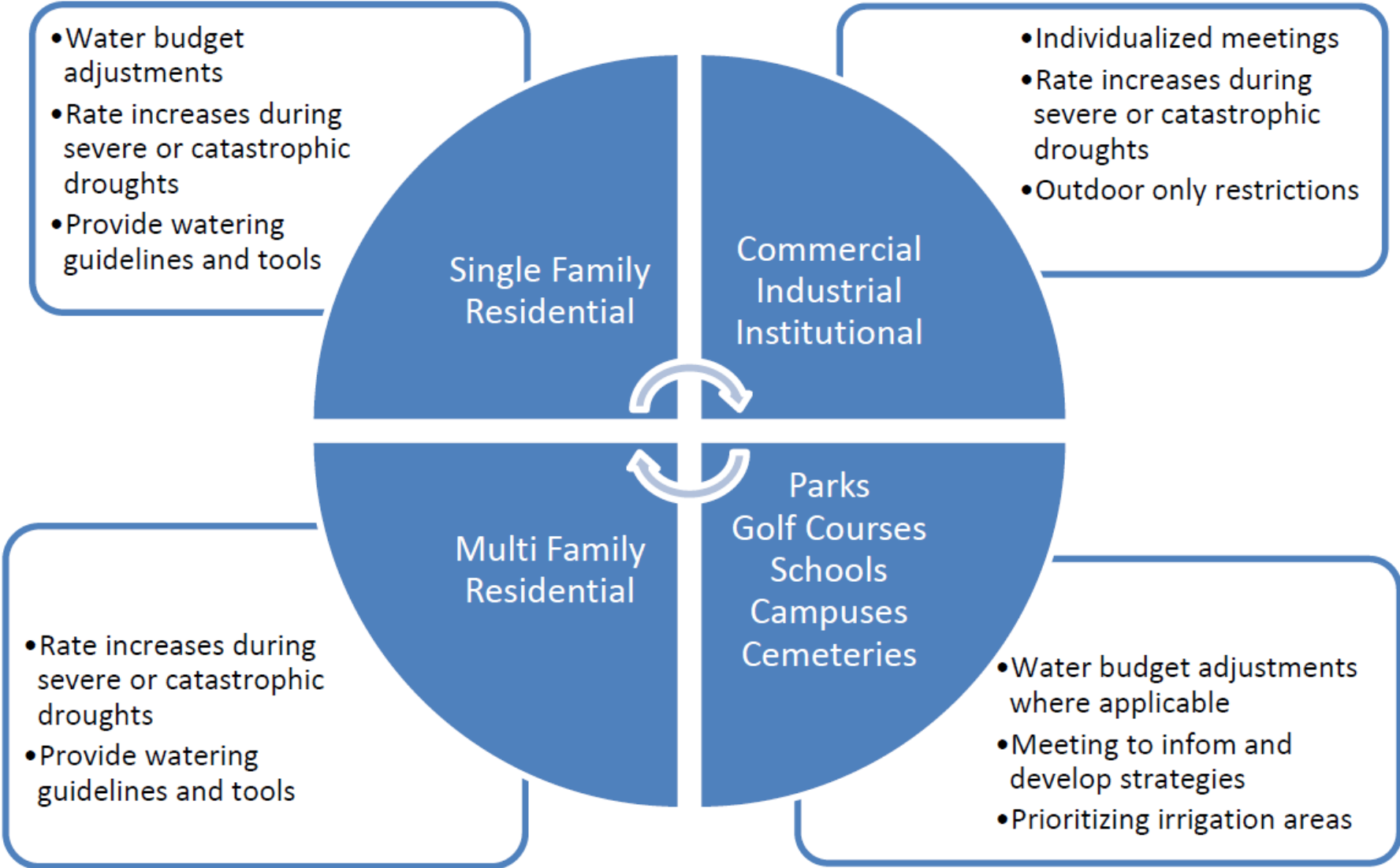
Rate Increases

- **Level 3 = 25% increase**
- **Level 4 = 35% increase**

- **Helps reduce Greeley Water's financial vulnerability during droughts**
 - **Absent rate increases, annual revenues could decline by as much as 21 % under a Level 4 drought**
- **Sends financial signals to customers to reinforce need to conserve water**



Messaging Strategy



Reserve Fund

- **Annual revenues are projected to be reduced by \$1.6 to \$3.0 million per year (4 to 8 % of normal revenue) during drought response**
- **Greeley plans to implement and gradually accrue a drought reserve fund for future use in mitigating reductions in revenues due to decreased water sales during drought emergencies**



Code changes

- **Code changes required in Sections 14.08.090 and 14.08.160**
 - **Prescribes the means by which City residents may irrigate their property and make other uses of City water during periods of adequate water supply and drought**

Recommendations

- **Staff feels this plan meets the goals of:**
 - **Reducing water use and building savings during drought**
 - **Equity among customers**
 - **Minimal financial impacts**
 - **Flexibility to adapt**
- **Timing is critical as we face increasing drought conditions**
- **Water and Sewer Board adopted plan at their January 20, 2021 and recommended Council approval for necessary code changes**



Council Agenda Summary

February 2, 2021

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Marian Duran, Planner, 970-350-9824

Title:

Introduction and the first reading of 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 and 18.42,030, and amending Appendix 18-B of the City of Greeley Municipal Code, all regarding Landscaping, Irrigation, Buffers, and Screening Standards

Summary:

The Community Development Department is updating the Landscape Code, Title 18.44. The last rewrite of the landscaping code was in 2009 (Ordinance No. 2009-20). Although the last rewrite added language that supports water-wise landscaping methods and objectives, it is somewhat outdated. In the last five years, Greeley has experienced exponential growth. Since 2009, the City has introduced new programs such as the Water Efficiency Audits, Water Restrictions, and Water Budgets to reflect how the community uses water. Moreover, the City has also introduced the Life after Lawn program and a pilot program through the Water & Sewer Department that encourages water-wise subdivision design. The Landscape Code is being updated to better align with these current programs and efforts.

The proposed Landscape Code Update language includes updated and modernized water conservation language designed to influence and encourage water-reducing planting practices. The language better aligns with the water conservation goals established in the Imagine Greeley Comprehensive Plan, the City Council's vision for 2040, and the Landscape Policy Plan for Water Efficiency (Policy Plan) (adopted 2015, Ordinance No. 2015-40).

A summary of changes to Chapter 18.44 is as follows.

- The Purpose and Intent Section gives prominence to land use compatibility and water efficiency. It promotes energy and ecological benefits at the regional, the community, and neighborhood level and upholding agricultural tradition and the Tree City USA designation.
- Single-family and two-family lots would only be required to have 50% live plantings in yards visible from adjacent rights-of-way.
- Buffer yards would not be required along the entire length of the adjoining lot, and the most intense buffer width requirement would be decreased by 60%, reducing the amount of land needed for buffer yards.
- Perimeter treatment materials would be reduced, although differences by street classifications remain. The code language has clarified the the maintenance responsibility for perimeter treatments (i.e., an owners' association, metropolitan district, property owner, or a tenant).
- Parking lots would be exempt from perimeter screening, as they already require parking lot screening. Screening for parking lots would be reduced from ten feet

to eight feet. Medians would be required when there are more than 100 parking spaces, with a minimum of two medians for every two bays.

- Irrigation standards would be moved from the Landscape Code to a stand-alone policy document. The policy document could be updated more frequently to align with industry practices such as rain sensors, automatic irrigation systems, subsurface and drip irrigation, irrigation audits, and temporary irrigation and hydrazones. These requirements would be in a separate landscape & irrigation policy manual developed primarily by the Water & Sewer Department.

City Council discussed this update in a worksession on December 8, 2020. Following that, the Planning Commission considered this request on December 15, 2020, with a continuance to January 12, 2021. Planning Commission recommends approval of the Landscape Code Update to the City Council (4-1).

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?	N/A
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.

Applicable Council Priority and Goal:

The primary goals of the Landscape Code Update conform to these Council priorities and goals:

1. Implement City Council's Vision for 2040, and the corresponding 3-Year Priorities, including:
 - a. Greeley Water: History, Heritage, Innovation
 - b. A Dynamic and Resilient Economy
 - c. Your Home is Here
 - d. We Are Greeley Proud
 - e. Operational Excellence
2. Implement the Comprehensive Plan (Imagine Greeley)
3. Support the Landscape Policy Plan for Water Efficiency (Ordinance No. 40, 2015)

4. Include user-friendly language that clarifies processes and standards and minimizes the potential for confusion
5. Revise infill development standards to encourage adaptive reuse of existing buildings and minimize requirements for minor site improvements
6. Simplify landscape provisions for residential properties by requiring improvements only in areas that are visible from public rights-of-way
7. Encourage holistic design alternatives, reduce the amount of landscape material in buffers to ensure the long-term viability of plant material, and allow for creative solutions by providing options for landscape enhancements (including hardscape, walls, and berms).

Decision Options:

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for February 16, 2021.

Attachments:

Ordinance, with attachments

Planning Commission Summary (Staff Report) (December 15, 2020)

Memorandum with revisions following 12/15/20 Planning Commission hearing
(January 12, 2021) – *without attachments*

CITY OF GREELEY, COLORADO

ORDINANCE NO. _____, 2021

CASE NO. CU2018-0002

AN ORDINANCE REPEALING CHAPTER 18.44 AND APPENDIX 18-D IN THEIR ENTIRETY, ADDING A NEW CHAPTER 18.44, AMENDING PORTIONS OF CHAPTER 18.04.110 AND 18.42.030, AND AMENDING APPENDIX 18-B OF THE CITY OF GREELEY MUNICIPAL CODE, ALL REGARDING LANDSCAPING, IRRIGATION, BUFFERS, AND SCREENING STANDARDS

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt zoning codes and development standards that continue to align with public values and Council priorities; and

WHEREAS, amending the Landscaping Standards of the City's Development Code in this manner will update those elements of the Code relative to Council priorities and the support of water-efficient practices; and

WHEREAS, more specifically, the updates provided hereby advance numerous adopted Council goals and policies, including the following: implementing City Council's Vision for 2040 and the corresponding 3-Year Priorities, including those defined as a. Greeley Water: History, Heritage, Innovation; b. A Dynamic and Resilient Economy; c. Your Home is Here; d. We Are Greeley Proud; e. Operational Excellence; implementing the Comprehensive Plan (*Imagine Greeley*); supporting the Landscape Policy Plan for Water Efficiency (Ordinance No. 40, 2015); including user-friendly language that clarifies processes and standards and minimizes the potential for confusion; revising infill development standards to encourage adaptive reuse of existing buildings and minimize requirements for minor site improvements; simplifying landscape provisions for residential properties by requiring improvements only in areas that are visible from public rights-of-way; and, encouraging holistic design alternatives, reducing the amount of landscape material in buffers to ensure the long-term viability of plant material, and allowing for creative solutions by providing options for landscape enhancements (including hardscape, walls, and berms); and

WHEREAS, the Planning Commission conducted public hearings on December 15, 2020, and January 12, 2021 to review and consider the proposed changes, and recommended adoption by City Council;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. That Chapter 18.44, Landscaping and Buffering Standards, of the Greeley Municipal Code be and hereby is repealed.

Section 2. That Appendix 18-B contained in Title 18, Development Code, be and hereby is repealed.

Section 3. That the Greeley Municipal Code be amended by adding a new chapter 18.44, to read as shown in Appendix A.

Section 4. That section 18.04.110 contained in Chapter 18.04, Subdivision of Land, be amended to amend the definitions for *buffer* and *perimeter treatment plan* to read as shown in Appendix A.

Section 5. That section 18.42.030 contained in Chapter 18.42, Off-Street Parking and Loading Standards, be amended to read as shown in Appendix A.

Section 6. That Appendix 18-B contained in Title 18, Development Code, be amended to add, amend or delete definitions in alphabetical sequence as shown in Appendix A.

Section 7. This ordinance shall become effective on the fifth day following its final publication as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2021.

ATTEST:

CITY OF GREELEY

City Clerk

Mayor

APPENDIX A
ORDINANCE REPEALING CHAPTER 18.44 AND APPENDIX 18-D IN THEIR ENTIRETY, ADDING A NEW CHAPTER 18.44, AMENDING PORTIONS OF CHAPTER 18.04.110 AND 18.42.030, AND AMENDING APPENDIX 18-B OF THE CITY OF GREELEY MUNICIPAL CODE, ALL REGARDING LANDSCAPING, IRRIGATION, BUFFERS, AND SCREENING STANDARDS
GREELEY MUNICIPAL CODE

Section 1. That Chapter 18.44, Landscaping and Buffers Standards, be and hereby is repealed.

~~Chapter 18.44 – Landscaping and Buffering Standards~~

~~18.44.010 – Purpose and intent.~~

~~These standards are intended to establish landscaping regulations that:~~

- ~~(1) – Improve the aesthetic appearance of setback areas, common open space areas, public rights of way and off street vehicular parking areas;~~
- ~~(2) – Promote compatibility between land uses of different intensities;~~
- ~~(3) – Promote the use of generally accepted landscape design principles;~~
- ~~(4) – Protect public health, safety and welfare by minimizing the impact of all forms of physical and visual pollution, controlling soil erosion, screening unsightly areas, preserving the integrity of neighborhoods and enhancing pedestrian and vehicular traffic and safety;~~
- ~~(5) – Promote water conservation through the use and incorporation of low water adaptive vegetation and by using water conservation principles;~~
- ~~(6) – Promote shaded, tree lined streets within all areas of the City;~~
- ~~(7) – Maintain the City's standing as a "Tree City USA"; and~~
- ~~(8) – Implement Comprehensive Plan policy of reducing "heat islands."~~

~~18.44.020 – Application.~~

~~(a) – The maintenance provisions of this Chapter shall apply to all properties.~~

~~(b) – All other provisions of this Chapter shall apply to:~~

- ~~(1) – All development applications and building permit applications which require a landscape plan as part of the submittal requirements.~~
- ~~(2) – Existing properties when one (1) or more of the following occur:
 - ~~a. – When there is a change in ground floor gross floor area as outlined in Section 18.44.070 of this Chapter.~~
 - ~~b. – When there is a change of use as defined in Section 18.44.030 below.~~
 - ~~c. – When there is a significant change in landscaping as defined in Section 18.44.030.~~
 - ~~d. – When there is a change in parking, circulation or drainage.~~
 - ~~e. – When there is an increase in noise or lighting.~~~~
- ~~(c) – Upon such increase or change, the existing landscaping shall be upgraded as provided in the Landscaping Upgrade Table in Section 18.44.070 if such landscaping does not already meet the requirements of this Chapter.~~
- ~~(d) – In order to provide greater flexibility in designated urban renewal areas, redevelopment projects shall be reviewed on a case by case basis for compliance with this Chapter. The Community Development Director shall have the authority to waive one (1) or more of the provisions contained herein if it can be demonstrated by the applicant of a redevelopment project that the intent of the provisions would be adequately met with an alternative landscape design.~~

~~(e) Exemptions.~~

- ~~(1) Permit for interior or exterior rehabilitation or remodeling of an existing building which does not involve any change in the gross floor area of the building or change of use shall be exempt from the provisions herein.~~
- ~~(2) The accessory and temporary uses listed in Chapter 18.52 shall be exempt from the provisions of this Chapter.~~
- ~~(3) Pursuant to Section 18.34.220, property located within the General Improvement District #1 (GID) shall be exempt from the provisions herein.~~
- ~~(4) Temporary, seasonal and nonconforming land uses shall be exempt from buffer yard requirements.~~

~~18.44.030 Definitions.~~

The following words, terms and phrases shall have the meanings defined as follows:

~~*Acceptable street tree* shall mean a tree that has been approved by the Public Works Director or his or her designee for planting in the right of way.~~

~~*Berm* shall mean a mound of earth, higher than grade, used for screening or buffering, definition of space, noise attenuation and decoration in landscaping.~~

~~*Buffer* shall mean to promote separation and compatibility between land uses of different intensities. The term *buffer* may also be used to describe the methods used to promote compatibility, such as a landscape buffer.~~

~~*Buffer yard* shall mean that area intended to provide buffering between land uses of different intensities through the use of setbacks, landscaping, berms, fences, walls or a combination thereof.~~

~~*Change of use* shall mean a use that substantially differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise or lighting. A change of ownership which does not include any of the factors listed above shall not be considered a change of use.~~

~~*Clear vision zone* shall mean that area in which the City requires maintenance in order to preserve the sight distance and safety of motorists, pedestrians and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle to avoid a collision.~~

~~*Common area.* See *Open space, common.*~~

~~*Coniferous* shall mean cone bearing trees and shrubs with needle like leaves, such as pines, spruces and firs.~~

~~*Deciduous* shall mean a plant with foliage that is shed annually.~~

~~*Electric fence* as used in this Chapter shall mean any fence using, carrying or transmitting an electrical current for any purpose, except an electric or radio transmission dog or cat fence not meant to detain any person or animal except the dog or cat wearing the transmission collar.~~

~~*Evergreen* shall mean a plant with foliage that persists and remains green year round.~~

~~*Gross floor area (GFA)* shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, any floor space in accessory buildings, or areas within the building which are intended for the parking of motor vehicles.~~

~~*Ground cover* shall mean those materials that typically do not exceed one (1) foot in height used to provide cover of the soil in landscaped areas and shall include river rock, cobble, boulders, grasses, flowers, low growing shrubs and vines and those materials derived from once living things, such as wood mulch. In no event shall weeds be considered ground cover.~~

~~*Hardscape, hardscaped or hardscaping*, as used in this Chapter, shall mean the use of rock, mulch, gravel, pavers and/or other nonliving material in place of living plant material in a required landscape area.~~

~~*High intensity use*, for the purposes of this Chapter, shall mean a use expected to have a significant effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Irrigation system* shall mean an underground, automatic sprinkler system or aboveground drip system designed specifically for the vegetation it waters in order to provide a permanent, or temporary for the purpose of establishing trees, method of watering landscape areas.~~

~~*Landscape area* shall mean the area of required open space, according to the zoning district provisions in which the property is located, that is not allowed to be covered by buildings, paving or other impervious surface, whether within a lot, outlot or tract or within a public right of way, and shall not include any legally established area for storage or outdoor display.~~

~~*Lawn* shall mean an area of land planted with grass maintained at a low, even height. Artificial turf shall not be considered lawn or turf.~~

~~*Live plantings* shall mean trees, shrubs, perennials and live ground cover which are in healthy condition.~~

~~*Lot or site* shall mean that portion of land designated as a unique parcel by legal subdivision and shall include lots, outlots and tracts.~~

~~*Low intensity use*, for the purposes of this Chapter, shall mean a use expected to have a limited effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Low water adaptive plants* shall mean those plants which have, or can adapt to, low levels of irrigation water.~~

~~*Maintain or maintenance of landscaping*, as used in this Chapter, shall mean but not be limited to regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants and the repair and replacement of an irrigation system.~~

~~*Medium intensity use*, for the purposes of this Chapter, shall mean a use expected to have a moderate effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~*Mixed use*, as used in this Chapter, shall mean having both residential and nonresidential uses within one (1) building.~~

~~*Multi family*, as used in this Chapter, shall mean a building containing more than two (2) dwelling units.~~

~~*Multi use*, as used in this Chapter, shall mean having a mix of uses on one (1) lot.~~

~~*On lot landscaping* shall mean landscaping located on a privately owned lot, outlot or tract.~~

~~*Opacity* shall mean the degree or extent that light is obscured.~~

~~*Open fence* shall mean a fence that is at least seventy five percent (75%) transparent. See also *solid fence*.~~

~~*Open space, common* shall mean an area permanently set aside for the common use and enjoyment of residents or occupants of a development or members of a homeowners' association, which open area may be formally landscaped and/or left with natural vegetation cover and which may include swimming pools and other recreational leisure facilities; areas of scenic or natural beauty and habitat areas; hiking, riding or off street bicycle trails; and landscape areas adjacent to roads which are in excess of minimum required setbacks. Common open space may also be referred to as *common area*.~~

~~*Open space, private or on lot* shall mean an outdoor area not intended for habitation, directly adjoining a dwelling unit or building, which is intended for the private enjoyment of the residents or occupants of the adjacent dwelling unit or building and which is defined in such a manner that its boundaries are evident. Private or on lot open space may include lawn area, decks, balconies and/or patios.~~

~~*Open space, required* shall mean that portion of a lot or site not allowed to be covered by any structure or impervious surface, such as sidewalks or driveways, except when such impervious surface is counted toward usable open space.~~

~~*Open space, usable* shall mean that portion of a lot excluding the required front yard area which is unoccupied by principal or accessory buildings and available to all occupants for the building for use for recreational and other leisure activities normally carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space shall also include recreational facilities as determined in Chapter 18.38.~~

~~*Ornamental tree* shall mean a deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree.~~

~~*Outlot* shall mean a tract of land platted in a subdivision for a specific purpose which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, storm water detention or retention areas, parks, open space, future development or land areas reserved for other public facilities. For an illustration of types of uses for outlots, see Figure 18.44 1.~~

Figure 18.44 1: Types of Uses for Outlots

~~*Parkway* shall mean the strip of land located between the sidewalk and the curb. Also referred to as a *tree lawn*.~~

~~*Perennials* shall mean nonwoody plants that continue to live and grow from year to year, which may die back to the ground each year but continue to grow on a yearly basis. Perennials shall also include cold weather bulbs and tubers and ornamental grasses that return each year and shall count toward ground cover requirements.~~

~~*Perimeter treatment* shall mean improvements, such as landscaping and fencing, intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. Perimeter treatment is typically established at the time of new subdivision development.~~

~~*Perimeter treatment plan* shall mean a design for the installation and perpetual maintenance of perimeter treatment areas.~~

~~*Pocket park* shall mean a park less than ten (10) acres in size, but larger than one-half (1/2) acre in size, meant to serve the recreational needs of adjacent and nearby residents.~~

~~*Required landscape area* shall mean the land within a property boundary which is not covered by any approved building, paving or structure. *Required landscape area* shall also include the land between the street curb and public sidewalk (in the case of a detached sidewalk) or the land between the public sidewalk and property line (in the case of an attached sidewalk) that is adjacent to a lot or outlot.~~

~~*Required landscaping* shall mean the landscaping required by this Chapter.~~

~~*Right of way landscaping* shall mean landscaping located within the public or private right of way adjacent to a privately owned lot, outlot or tract, including parkways.~~

~~*Screening* shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, berms, fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.~~

~~*Setback, front or street side* shall mean the area extending from the front yard to the rear yard, which separates the lot from an adjacent street. See also *Yard, front or street side*, below.~~

~~*Shade tree* shall mean a deciduous tree planted primarily for its high crown of foliage or overhead shade and which typically reaches a height of at least forty (40) feet.~~

~~*Shrub* shall mean a woody plant which consists of a number of small stems from the ground or small branches near the ground and which may be deciduous or evergreen.~~

~~*Significant change of landscaping* as used in this Chapter shall mean one (1) or more of the following:~~

- ~~a. Altering fifty percent (50%) or more square feet of required landscape area in any or each of the front yard, side yard, street side yard or public or private right of way;~~
 - ~~b. Removing any tree in any or each of the front yard, street side yard or public or private right of way;~~
- ~~or~~

~~e. Converting any or each of a front yard, side yard, street side yard or public or private right of way from "traditional" to "xeric", as defined herein.~~

~~Sod or turf grass shall mean a commonly accepted blend of grasses for the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn.~~

~~Solid fence shall mean a fence that is at least seventy five percent (75%) opaque. See also Open fence.~~

~~Street tree shall mean a tree planted in close proximity to a street in order to provide shade over the street and to soften the street environment.~~

~~Traditional landscaping shall mean the use of nonxeric plants that typically require more water to survive and may include, but is not limited to, using bluegrass or bluegrass mix turf as the primary ground cover.~~

~~Tree shall mean a large woody plant having one (1) or several self supporting stems or trunks and numerous branches and which may be deciduous or evergreen.~~

~~Tree lawn shall have the same meaning as parkway.~~

~~Turf or sod shall mean a commonly accepted blend of grasses for the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn. Artificial turf shall not be considered lawn or turf.~~

~~Very high intensity use, for the purposes of this Chapter, shall mean a use expected to have a very significant effect on adjacent properties as determined in the Required Buffer Yard Table.~~

~~Weed shall mean any plant which is typically not installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic.~~

~~Xeric landscaping shall mean the use of low water plants in place of plants that typically require more water to survive and include, but are not limited to, plants identified in Appendix 18D as having a low water requirement. Xeric landscaping does not mean the same as hardscaping as defined herein.~~

~~Yard, front or street side shall mean that portion of a lot between the primary structure and right of way. A yard may contain more land area than a setback area.~~

~~Yard, required shall mean that portion of a yard that also lies within the required setback area.~~

~~18.44.040 General provisions.~~

~~(a) It shall be unlawful for any person to fail to maintain, install, remove or alter landscaping contrary to the provisions herein. Failure to maintain, install, remove or alter required landscaping under the provisions of this Code shall be a violation of this Code and shall be subject to the sanctions for code infractions contained in Chapter 1.33 of this Code and any other sanctions permitted by law.~~

~~(b) Landscaping shall be provided to enhance open space, recreation areas, building foundations, areas of low visual interest, and screen and shade streets and sidewalks, parking and loading areas.~~

~~(c) These landscaping provisions are not intended to be cumulative or require multiple or overlapping landscape areas, screening areas, buffer yards or perimeter treatments. When more than one (1) such standard applies, that standard which results in the higher landscaping, screening or buffering requirement shall apply.~~

~~(d) Alternative compliance may be considered on a case by case basis.~~

~~(e) Utility easements or other permanent obstacles which conflict with required screening, buffer yards, perimeter treatment, right of way, parkway or median standards may require greater or alternative designs to address such conflicts.~~

~~(f) Effect of landscaping on permit and occupancy approvals.~~

~~(1) Construction or development of a site shall not be undertaken until a landscape plan meeting the requirements of Chapter 18.16, Submittal Requirements, has been approved by the City. The landscape plan shall be designed in conjunction with the drainage plan for the subject property in such a manner as to maximize storm water runoff absorption.~~

- ~~(2) All perimeter treatment landscaping and associated irrigation shall be installed pursuant to an approved landscape plan prior to issuance of any building permit.~~
- ~~(3) Prior to issuance of a certificate of occupancy, all on lot landscaping and irrigation shall be installed, if required pursuant to an approved landscape plan.~~
- ~~(4) In the case of building envelopes, common area landscaping and irrigation shall be installed around the perimeter of the building envelope, halfway to the adjacent building envelopes, pursuant to an approved landscape plan prior to issuance of a certificate of occupancy.~~
- ~~(5) In the case of usable or common open space landscaping in common areas between lots, all landscaping and irrigation shall be completed prior to issuance of a building permit or as otherwise approved by the City in a Development Agreement or phasing plan.~~
- ~~(6) If weather prevents the required landscaping from being installed, the property owner or designee shall provide a financial guarantee, in a form acceptable to the City, in the amount of one hundred twenty five percent (125%) of the materials and installation of all remaining landscaping to be completed, and an estimate of such costs, prior to issuance of a building permit or certificate of occupancy.~~
- ~~(7) When phasing development, a proportionate share of landscaping acceptable to the City, as outlined in an approved Development Agreement or Planned Unit Development (PUD) Plan, shall be installed and maintained with each phase based on the size of the proposed phase and shall be considered completed for the purposes of these regulations when such proportionate share of landscaping has been installed prior to issuance of a building permit.~~

~~(g) General irrigation requirements.~~

- ~~(1) An underground irrigation system shall be installed and maintained for all common area improvements, such as outlots, median boulevards, tree lawns, screening, buffer yards and perimeter treatment areas, in order to provide irrigation for all plant materials, consistent with the nature of the plant's irrigation needs.~~
- ~~(2) Sprinklers shall be placed so as not to throw water onto adjacent paved or hardscaped surfaces.~~
- ~~(3) Green Industry Best Management Practices for the Conservation and Protection of Water Resources in Colorado, prepared by Green Industries of Colorado (GreenCo), and kept on file in the City's Water Department, are guidelines for the conservation of water resources and protection of water quality and are strongly encouraged to be followed.~~
- ~~(4) All multi family, commercial, industrial, mixed use and institutional properties shall install rain sensors. Refer to the City's Water and Sewer Department Standards for more information.~~

~~(h) Except plant materials installed by a homeowner on his or her property or adjacent right of way, all plant materials shall conform to the specifications of the American Association of Nurserymen (AAN) for No. 1 grade and shall have all wire and twine removed prior to planting. All trees shall be balled and burlapped or equivalent. Grass sod shall be clean and free of weeds and noxious pests or diseases. Plant materials which are known to be intolerant of the area in which they are proposed to be installed, or whose physical characteristics may be injurious to the public, shall not be specified for use.~~

~~18.44.050 Measuring landscape material.~~

~~The following guidelines shall be used to measure areas covered in live plantings to ensure that landscape materials are measured as accurately and equitably as possible. For the purpose of determining what portion of a lot or right of way is landscaped with live plantings other than turf, Table 18.44-1 below provides square footage credit for various types of plants.~~

Table 18.44-1: Vegetation Credit Table

<i>Type of Plant Material</i>	<i>Credit in Square Feet</i>
Evergreen tree (at least 25 ft tall at maturity) [†]	100
Shade tree	50

Ornamental tree	25
Large shrub (Type 3) (more than 8 ft tall at maturity)	50
Medium shrub (Type 2) (4-8 ft tall at maturity)	25
Small shrub (Type 1) (less than 4 ft tall at maturity)	10
Columnar deciduous or evergreen tree	25
Columnar evergreen shrub (less than 8 ft tall at maturity)	10
Evergreen ground cover	25
Perennial plant and ground cover, bulb/tuber and ornamental grass ²	5

¹Dwarf trees or tree varieties with a mature width of less than 10 feet shall count as 25 square feet.

²Large ornamental grass, over 4 feet tall at maturity, shall count as 10 square feet.

(b) To determine how much of a required yard is landscaped with live plantings, the following steps shall be taken to determine the size of the required yard. These steps can also be found in Table 18.44-2.

- (1) Measure the required yard length and width;
- (2) Multiply the yard length times the width to find the required yard area;
- (3) Measure the driveway length and width;
- (4) Multiply the driveway length times the width to find the driveway area;
- (5) Measure and multiply the length times the width of any walkways on site, such as leading from the driveway to the front door of the house, to find the walkway area;
- (6) Subtract the driveway and walkway areas from the required yard area. The difference will be the square footage of the required yard that must contain landscape material.

(c) To determine how many plantings are needed to meet the fifty percent requirement:

- (1) Divide square footage of required yard that must be landscaped by two (2). This will give the minimum square footage of plantings that is needed to cover one half (1/2) the required yard ("minimum square feet of plantings");
- (2) Using Table 18.44-1 above, figure the square footage of the plant material already on site. Also include square feet of sod, if any.
- (3) If less than the minimum square feet of plantings, additional living plant material shall be added, based on the square footage credit in Table 18.44-1.

Table 18.44-2: Example of How to Calculate Landscaped Area

	<i>Length</i>	<i>Width</i>	<i>Length x Width</i>	<i>Calculations</i>
Required yard	25 ft	55 ft	25 x 55 = 1,375 sq ft	1,375
Driveway area	25 ft	20 ft	25 x 20 = 500 sq ft	-500 = 875 sq ft
Walkway area	15 ft	3 ft	15 x 3 = 45 sq ft	-45 = 830 sq ft
Total planting area	830 square feet			

<i>Type of Plant</i>	<i>Square Feet of Plant</i>	<i>Quantity</i>	<i>Plants x Quantity</i>
Blue Spruce (evergreen tree)	100	4	400
Spring Snow Crabapple (ornamental tree)	25	4	+25
Sea Green Juniper (evergreen ground cover)	25	6	+150
Potentilla (small shrub)	10	6	+60
Iris (bulb/tuber)	5	10	+50
Little Bluestem (ornamental grass)	5	10	+50
Total plant area	435 square feet		

Divide the total plant area by the total planting area then multiply by 100 to find the percent of live plant coverage:

$$435 \text{ square feet} \div 830 \text{ square feet} = 0.52 \times 100 = 52\%$$

~~18.44.060 Maintenance of landscape areas.~~

- ~~(a) The property owner shall be responsible for maintenance of all on lot landscaping. This shall include a requirement for the maintenance of landscaping to preclude interference with any part of a sidewalk, parkway or roadway. In the event the property is not owner-occupied, upon credible written evidence provided by the property owner that the tenant has accepted responsibility for landscape maintenance (such as written in the lease), the tenant shall be held jointly responsible for the maintenance of all on lot and right of way landscaping.~~
- ~~(b) Except for perimeter treatment areas, the property owner adjacent to the parkway or right of way shall be responsible for the perpetual maintenance of the parkway or right of way, unless an owners' association has agreed in writing to perpetually maintain the parkway or right of way. This shall include a requirement for the maintenance of landscaping to preclude interference with any part of a sidewalk, parkway or roadway. Any changes to landscaping within parkways or rights of way must meet the requirements of this Chapter.~~
- ~~(c) Maintenance of the perimeter treatment shall be the responsibility of the developer until an owners' association is established. Thereafter, the owners' association shall maintain the perimeter treatment in perpetuity.~~
- ~~(d) All common open space shall be maintained by an owners' association in perpetuity.~~
- ~~(e) The developer, owners' association, property owner and/or tenant, as required by this Chapter, shall be responsible for the installation and maintenance of all on lot and right of way landscaping, buffering, perimeter treatment and screening improvements in a healthy condition.~~
- ~~(f) Detention areas not accepted by the City for dedication shall be maintained by an owners' association.~~
- ~~(g) Notwithstanding the above provisions, owners of property within an area governed by an owners' association may be held jointly and severably responsible for common areas, detention pond areas and/or perimeter treatment areas if the owners' association becomes inactive or defunct.~~

Table 18.44-3: Responsibility for Installation and Maintenance

	<i>Perimeter Treatment</i>		<i>Buffer Yard</i>		<i>Right-of-Way Landscaping (not as part of perimeter treatment)</i>		<i>On-Lot or On-Site Landscaping</i>		<i>Common Areas</i>		<i>Detention Pond</i>	
	Install ation	Mainten ance	Install ation	Mainte nance	Install ation	Mainte nance	Install ation	Mainte nance	Install ation	Mainten ance	Install ation	Mainten ance
Devel oper	X (see note 1)		X (see note 1)		X (only if transfer red by Develo		X (see note 1)		X (see note 1)		X (see note 1)	

					ment Agreement)							
Builder					X (only if transferred by Development Agreement)		X		X			
Owner's Association		X			X (only if transferred by Development Agreement)			X		X		X
Property Owner		X (if Owners' Assn defunct —see §18.44.060(g))	X	X (if on site)	X	X	X	X		X (if Owners' Assn defunct —see §18.44.060(g))		X (if Owners' Assn defunct —see §18.44.060(g))

Note 1: In cases where the property owner is the same as the builder or developer, the property owner is responsible for installation of all landscaping.

18.44.070 – General landscape standards for all properties.

- (a) The following standards shall ensure that landscaping is used to improve the aesthetic quality of a development or site in addition to providing a functional purpose and year-round interest and/or screening.
- (b) No landscaped area shall be used for commercial display, storage purposes and/or parking of vehicles.
- (c) Weeds or bare dirt are not an allowed ground cover or landscape material either on lot or in the right of way.
- (d) Commercial grade fabric weed barrier with minimum six-inch overlap at seams is recommended in landscape areas that contain rock, gravel, mulch or similar nonliving material.
- (e) To ensure adequate drainage and that nearby plants and trees receive adequate water, plastic shall not be placed under rock, gravel, mulch or similar nonliving material.
- (f) Where dissimilar materials abut one another, edging shall be installed to separate the materials.
- (g) In order to promote efficient irrigation and maintenance measures, berms shall not exceed a slope of three (3) to one (1) and shall be graded to appear as smooth, naturalistic forms.
- (h) Landscaping shall be designed to meet the minimum clear vision zone as defined in Subsection 18.44.140(e) of this Chapter.
- (i) When applicable, the City's Entryway Master Plan shall be incorporated into landscape plans (refer to the Entryway Master Plan, which can be found in the City's Planning office, for further information).
- (j) Location, size and species of landscape material.
 - (1) The species, location and spacing of trees and shrubs planted in public rights-of-way and on all sites except for permitted uses in the R-E, R-L, R-M and H-A Zoning Districts shall be subject to approval by the Public

~~Works Director or his or her designee. Trees, shrubs and ground cover installed in public rights of way in the R-E, R-L, R-M and H-A Districts shall be consistent with the provisions contained herein.~~

- ~~(2) Evergreen trees shall not be located in the public right of way unless prior written approval has been obtained by the Public Works Director or his or her designee.~~
- ~~(3) Trees and shrubs shall be planted so that at maturity they do not interfere with utility service lines and traffic safety.~~
- ~~(4) Trees planted near public sidewalks shall be installed in such a manner as to prevent physical damage to sidewalks, curbs, gutters, pedestrian ways, bike paths and other public improvements.~~
- ~~(5) Adjustments to the number and placement of street trees may be allowed to accommodate existing or proposed utilities, curb cuts, streetlights or traffic control devices.~~
- ~~(6) When the applicant presents evidence that the placement of trees and/or shrubs as required in this Chapter would not be practical or feasible, a portion of the trees and shrubs may be located in alternative locations on the same lot, subject to approval by the Community Development Director or designee. If required trees cannot be located on lot due to site constraints, the applicant shall pay to the City cash in lieu of the required trees based on a schedule maintained by the Planning Division for the cost of labor and materials.~~
- ~~(7) In no event shall trees be planted in a landscape area less than six (6) feet in width, nor shall a landscape area be inadequate in size to allow for the installation and healthy growing condition of trees and/or shrubs.~~
- ~~(8) The first ten (10) feet of landscaping parallel to the street edge shall not include any part of any building or structure, or any paved area except pedestrian sidewalks or paths, or vehicular driveways which may intersect the right of way at a point which is perpendicular to the right of way and which shall be the minimum width necessary to provide vehicular or pedestrian access.~~
- ~~(9) A protective tree grate, at least three (3) feet in diameter, shall be provided when trees are planted in paved areas such as plazas or sidewalks.~~
- ~~(10) Low water vegetation selected from the Tree, Shrub and Ground Cover Lists found in Appendix 18-D is encouraged in the design of landscape plans.~~
- ~~(11) The size of landscape elements and materials shall meet minimum standards and be consistent with the size of the project and any existing streetscape. Minimum plant sizes are as follows:~~

Table 18.44-4: Minimum Plant Size

<i>Plant Type</i>	<i>Plant Size</i>
Shade trees	2" caliper, measured 1' above ground
Ornamental trees	1½" caliper, measured 1' above ground
Evergreen trees	6' in height
Shrubs	5 gallon
Perennials and ornamental grasses	1 gallon

- ~~(12) Monoculture, or the extensive use of a single species of trees or shrubs, shall be limited to minimize the potential for disease or pests to strike a particular species resulting in significant same species loss and shall be limited to the following:~~

Table 18.44-5: Maximum Use of Same Species

<i>Number of Trees on Site</i>	<i>Maximum % of Same Species</i>
10—19	50%
20—39	33%

40—59	25%
60 or more	15%

Table 18.44-6: Tree Credit/Debit

<i>Caliper at 4½ Feet Above Ground</i>	<i>Number of Tree Credits/Debits</i>
20+ inches	equal to 4 trees
13—19 inches	equal to 3 trees
8—12 inches	equal to 2 trees
2—7 inches	equal to 1 tree
Less than 2 inches	equal to ½ tree

(k) ~~Required landscaping.~~

- (1) ~~At least fifty percent (50%) of any required yard, excluding driveway and walkway to the front door, shall contain live plantings.~~
- (2) ~~At least fifty percent (50%) of any parkway or right of way planting area, excluding driveways and public sidewalks, shall contain live plantings.~~
- (3) ~~All yards not covered by an approved building, driveway, walkway or other permanent structure shall be landscaped.~~
- (4) ~~Areas visible from a public right of way or adjacent property are required to be landscaped in accord with the provisions of this Chapter. Yards not visible from the right of way or adjacent property must be kept free from weeds and shall not be bare dirt.~~
- (5) ~~When there is a change in gross floor area, change of use, significant change in landscaping, change in parking, circulation or drainage, or when there is an increase in noise or lighting, landscaping that does not meet the provisions of this Chapter shall be upgraded according to the Landscape Upgrade Table below.~~

Table 18.44-7: Landscaping Upgrade

<i>Proposed Change</i>	<i>Landscaping Area Upgrade</i>
0—25% change in ground floor GFA*; or change in use with no increased GFA; or change in parking, circulation or drainage	Upgrade existing landscape area by 25% of required landscaping
26—50% change in ground floor GFA	Upgrade existing landscape area by 50% of required landscaping
Over 50% change in ground floor GFA	Upgrade existing landscape area by 100% of required landscaping
Any significant changes, as defined in this Chapter, in front yard, street side yard and/or right of way landscape area	Upgrade front and street side landscape area and/or right of way landscape area by 100% of required landscaping**

* For the purposes of this table, outdoor display area shall be treated as gross floor area (GFA).

** All areas having a significant change must be upgraded to meet the provisions of this Chapter.

- ~~(6) The amount of landscaping necessary to satisfy the percentage of upgrade shall be calculated by first determining the total amount of landscaping required under the full provisions of this Code. The upgrade percentage shall then be applied to the total to determine the extent of the required upgrade.~~
- ~~(7) The landscaping upgrades required in the Landscaping Upgrade Table shall be accomplished in the following order of priority, unless otherwise stated herein:~~
- ~~a. Right of way landscaping;~~
 - ~~b. Landscaping in required buffer yards based on Section 18.44.110 of this Chapter;~~
 - ~~c. Front and street side setback landscaping;~~
 - ~~d. Landscaping within the interior of parking areas; then~~
 - ~~e. Other landscaping interior to the site.~~
- ~~(1) Removal and replacement of landscaping.~~
- ~~(1) Existing healthy trees and shrubs shall be preserved and incorporated into the overall site and landscape design to the maximum extent practicable. Existing trees may be credited toward minimum tree planting requirements as follows:~~
- ~~a. Existing healthy trees may be credited toward tree planting requirements of this Section according to the Tree Credit/Debit Table in Table 18.44-6 above. Tree credits shall be given as long as all other provisions and the intent of this Code are met. Fractional caliper measurements shall be attributed to the next lowest category.~~
 - ~~b. No credit shall be given for existing preserved trees which are:~~
 - ~~1. Not located on the actual development site;~~
 - ~~2. Not properly protected from damage during the construction process;~~
 - ~~3. Prohibited species under the caliper size of thirteen (13) inches measured four and one-half (4½) feet above the ground; or~~
 - ~~4. Dead, dying, diseased or infested with harmful insects.~~
- ~~(2) All trees to be removed from a multi-family (more than four [4] units), institutional, commercial, industrial or mixed-use property, whether on lot or in the right-of-way must be replaced on lot or in the right-of-way, as appropriate, unless otherwise stated in this Chapter. Cash in lieu shall be paid to the City for trees to be removed that cannot be replaced on lot or in the right-of-way due to site constraints or overcrowding of landscaping based on the Tree Credit/Debit Table in Table 18.44-6. Cash in lieu shall be determined by a cost estimate based on a schedule maintained by the Planning Division for labor and materials of trees meeting the minimum size requirements.~~
- ~~(3) A permit to remove or install any tree, hard surface or other permanent improvement in the public right-of-way shall be obtained from the City prior to the commencement of the removal or installation within the right-of-way.~~
- ~~(4) No tree located in the public right-of-way shall be removed without prior written approval of the Public Works Director or his or her designee.~~
- ~~(5) If trees or shrubs are required to be removed by the City due to sight impairment of vehicular traffic or pedestrian circulation, such trees and/or shrubs shall not be replaced with new trees and/or shrubs without written approval from either the Community Development Director or his or her designee if the new tree or shrub would be located in the public right-of-way or if the new tree or shrub would be located on lot.~~
- ~~(6) Prior to the installation of turf grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall be thoroughly loosened, and organic industry accepted, certified weed-free soil amendment (compost) shall be thoroughly incorporated into the soil of such areas at a rate of at least four (4) cubic yards of soil amendment per one thousand (1,000) square feet of turf grass and/or area to be planted to a depth of at least six (6) inches. In addition, prior to installation of any turf grass and/or other planted area, all foreign waste materials, including concrete, plastic, wire and the like,~~

along with rocks larger than three (3) inches, shall be removed from the top six (6) inches of soil. In the case of new development, the developer shall affirm and certify, in writing, that the turf grass and/or planted areas that have been completed or disturbed by construction activity have been installed according to these standards or that legally binding commitments have been made to install such soil amendment prior to installation of such turf grass and/or other plant materials.

~~18.44.080 Storm water detention.~~

- ~~(a) When feasible, storm water detention shall be designed as a part of an integrated plan within the development by incorporating multiple shallow detention areas into landscape areas and open space and by utilizing landscape areas to reduce the amount of runoff entering the detention ponds, rather than having one (1) large, deep detention pond.~~
- ~~(b) Detention areas not dedicated to the City shall be maintained by an owners' association.~~
- ~~(c) Detention ponds shall be designed and constructed to create a natural appearing or decorative feature, and may also include an outdoor recreational amenity, such as a soccer field.~~
- ~~(d) Detention ponds may count toward required open space and/or usable open space as follows:

 - ~~(1) Detention areas that are designed as an outdoor recreational amenity for a neighborhood shall count toward usable open space.~~
 - ~~(2) Integrated detention areas intended to count toward the usable open space requirement shall be landscaped with a turf sod or seed mix and plantings to blend in with surrounding landscaped areas, pocket parks or buffer yards.~~
 - ~~(3) Trickle channels or dry riverbeds shall be designed with the intent of appearing natural, using materials such as cobble, river rock or boulders and an underdrain.~~
 - ~~(4) In the case of one (1) or more large detention ponds to be counted as open space, but not necessarily usable open space, other types of sod or seed mix, excluding clump grasses, which will tolerate occasional fluctuating water levels, are permissible.~~~~
- ~~(e) Turf shall have a permanent form of irrigation.~~
- ~~(f) Low water grasses shall have a temporary, or permanent if determined by the City as necessary, form of irrigation until landscaping is established.~~
- ~~(g) Trees or shrubs shall not be planted in an area that shall have the effect of reducing the volume of the pond below the rated capacity.~~
- ~~(h) The City may accept detention areas on a case by case basis upon successful establishment of landscaping as determined by the Public Works Director or his or her designee.~~

~~18.44.090 Landscape provisions for single and two family residential.~~

~~In addition to other requirements of this Chapter, the following provisions shall apply to single and two-family residential uses and R-MH, R-L, R-M and R-E zoned property.~~

- ~~(1) If not previously installed, all required on lot and right of way landscaping, excluding perimeter treatment, shall be installed in accord with the provisions of this Chapter, within one (1) year of the issuance of the certificate of occupancy, by the home owner.~~
- ~~(2) One (1) acceptable street tree per residential lot street frontage is required. If utilities or other obstacles make placement of a street tree in the right of way not feasible, a shade tree shall be installed in the front yard.~~

~~18.44.100 Landscape provisions for multi-family, institutional, commercial, industrial and mixed use.~~

~~In addition to other requirements of this Chapter, the following provisions shall apply to multi-family, institutional, commercial, industrial and mixed use properties and properties zoned R-H, C-L, C-H, I-L, I-M or I-H.~~

- ~~(1) All required on lot and right of way landscaping shall be installed, prior to the issuance of the certificate of occupancy, by the developer unless otherwise provided in an approved development agreement. For~~

existing properties which require a building permit, all required on lot and right of way landscaping shall be installed by the property owner prior to issuance of a certificate of occupancy or issuance of a sales and use tax license.

(2) Required plantings:

- a. The right of way or parkway shall consist of acceptable shade trees planted between the curb and sidewalk, or within ten (10) feet of the back of the sidewalk in the case of an attached sidewalk, at a regular spacing of thirty five (35) feet on center for shade trees and twenty five (25) feet on center for ornamental trees.
- b. Where trees are not already required pursuant to this Chapter, one (1) additional shade or evergreen tree shall be provided for every two thousand (2,000) square feet or fraction thereof of common open space. Two (2) ornamental trees may be substituted for each shade or evergreen tree. Lakes or other water areas may be excluded for purposes of calculating required tree quantities.

(3) Irrigation:

- a. An irrigation system design shall be submitted as part of any required landscape plan. The irrigation system must meet a minimum distribution uniformity requirement, as set by the Water and Sewer Department, through an irrigation audit performed by the Water and Sewer Department or by a certified irrigation auditor prior to issuance of an occupancy certificate.
- b. Rain sensors shall be installed as part of the irrigation system.

18.44.110 Buffer yard and screening standards.

- (a) These standards are intended to ensure that land uses of different intensity levels are buffered from one another through landscaping and other types of screening.
- (b) Buffer yards shall be located on site, along the outer perimeter of a lot or parcel, or in an outlot and may be required along all interior property lines for buffering purposes. Buffer yards shall be the minimum required.
- (c) Only those structures used for buffering and/or screening purposes shall be located within a buffer yard. The buffer yard shall not include any paved area, except for pedestrian sidewalks or paths or vehicular access drives which may intersect the buffer yard at a point which is perpendicular to the buffer yard and which shall be the minimum width necessary to provide vehicular or pedestrian access.
- (d) If a newly developing property is adjacent to a vacant or agricultural property of a different zone or in the County, then, as a minimum, standard Buffer Yard Type A shall be required of the newly developing property until the adjacent property is developed, at which time the developer of the adjacent vacant property shall be responsible for providing any remaining portion of required buffer yard, based on the intensity levels of the land uses.
- (e) If a newly developing property is adjacent to a lot that is developed, that portion of the buffer yard which has not previously been provided on the developed lot shall be required of the newly developing property.
- (f) Land uses which are separated by a major collector or arterial street shall not be considered "adjacent" to each other for the purposes of buffer yards.
- (g) Land uses within the same development are not intended to be buffered from one another unless the intensity levels warrant buffering.
- (h) Walls used for buffering purposes shall meet the provisions of Section 18.44.140 below.
- (i) Fences used for buffering purposes shall be solid fences and meet the provisions of Section 18.44.140.
- (j) Buffer yards used as an alternative for building articulation shall be Type C and shall extend the entire length of the wall to be screened.
- (k) In no event shall a buffer yard contain less than one (1) shade tree, one (1) ornamental tree or Type 3 shrub and two (2) Type 1 shrubs.
- (l) In the case of a nonconforming use, the buffering requirements shall be based on the nature of the nonconforming land use, rather than the underlying zoning district.

- ~~(m) If City staff determines that the buffer yard requirement would cause crowding of trees or shrubs to the extent of harming the health of the plant material, the Community Development Director may allow a reduction of the buffer yard requirements by relocation of required planting material elsewhere on lot or cash in lieu of the required number of plantings.~~
- ~~(n) Existing plant material.~~
- ~~(1) The preservation of existing, healthy trees in buffer yards shall be allowed as a substitute for the required plant materials as provided for in the Tree Credit/Debit Table in Section 18.44.070 of this Chapter, unless such trees are considered noxious or interfere with any existing utilities.~~
 - ~~(2) When existing trees are located in only a part of the buffer yard, the number of trees or shrubs required may be reduced in proportion to the percentage of the area of the buffer yard occupied by existing trees.~~
- ~~(o) How to determine the required buffer yard.~~
- ~~(1) From Table 18.44 8 below, determine whether the proposed use is a "low," "medium," "high" or "very high" intensity.~~
 - ~~(2) From Table 18.44 8, determine the intensity level of the adjacent land uses.~~
 - ~~(3) Determine the required buffer yard type pursuant to Table 18.44 9 below based on the information provided by the Land Use Intensity Table (Table 18.44 8).~~
 - ~~(4) To determine the total number of plants required, divide the linear footage of each side of the property requiring a buffer by one hundred (100). Dimensions less than or greater than one hundred (100) linear feet shall be required to provide plants based on a proportionate linear footage amount. When the number of plants required on the Buffer Yard Types Table results in a fractional amount, the fractional amount shall be rounded up to the nearest whole number. The plants required in a buffer yard shall be distributed along the length of the buffer. Groupings of plants are encouraged.~~
 - ~~(5) The Base Standard in Table 18.44 10 below describes the standard buffer yard required for each type of buffer. The minimum required width is that width which has a plant multiplier of 1.00. The width of a buffer yard may vary, based upon the Buffer Yard Types Table, and the plant materials required in such a buffer shall be adjusted based on the width and related plant multiplier. For example, the base standard for Buffer Yard Type A is a fifteen foot wide buffer containing one (1) shade tree, one (1) ornamental tree or large shrub and five (5) shrubs per one hundred (100) linear feet. The addition of a six foot masonry wall will allow reduction of the required amount of plant materials by fifty percent (50%). The addition of a three foot berm or six foot fence will allow reduction of the required plant materials by twenty five percent (25%). Other options not listed on the Buffer Yard Types Table, such as the combination of a berm and a wall, may be evaluated by the Community Development Director as an equivalent design to those provided in the Buffer Yard Types Table.~~
- ~~(p) Land use intensity categories.~~
- ~~(1) If the particular land use is listed in Table 18.44 8 below, use the intensity category for that use.~~
 - ~~(2) If the use is not listed in the Land Use Intensity Table, use the zoning district which most closely relates to that particular land use to determine the intensity category.~~
 - ~~(3) For multi-use developments on a single lot, the intensity category for the use nearest a property line shall determine the buffering requirements for that yard.~~
 - ~~(4) For mixed-use structures, that use which is of the higher intensity shall be used to determine the buffer yard type where that use is adjacent to a different use.~~
 - ~~(5) The intensity category for land uses in PUDs shall be evaluated based on the use which is most similar.~~
 - ~~(6) If the height of the proposed building on a newly developing or redeveloping property exceeds the allowable height in the subject zoning district through the use of a performance option or variance, the buffer yard shall be increased to the next highest buffer yard level.~~

Table 18.44-8: Land Use Intensity

<i>Land-Use or Zoning District</i>	<i>Intensity Category</i>
Single family, two family, townhouse dwellings, vacant property, open space, pocket parks, bed & breakfasts	Low – residential and institutional
Multi family dwellings, boarding and rooming houses, mobile home communities, libraries, museums, public or quasi public buildings, dormitories, fraternities, sororities, group quarters, SROs, cemeteries, columbariums, churches, emergency shelters, missions, schools	Medium – residential and institutional
Hospitals, regional and community parks, adult schools	High – institutional
Correctional facilities, gravel and mineral extraction	Very High – institutional
C-L District: permitted uses	Low – commercial
C-L District: design review uses	Medium – commercial
C-L District: use by special review uses	Medium – commercial
C-H District: permitted uses; design review uses	Medium – commercial
C-H District: use by special review uses	High – commercial
I-L District: permitted uses; design review uses	High – industrial
I-L District: use by special review uses	Very High – industrial
I-M District: permitted uses; design review uses	High – industrial
I-M District: use by special review uses	Very High – industrial
I-H District: permitted uses; design review uses	High – industrial
I-H District: use by special review uses	Very High – industrial

Table 18.44-9: Required Buffer Yards

	<i>Low – Residential & Institutional</i>	<i>Medium – Residential & Institutional</i>	<i>High – Institutional</i>	<i>Very High – Institutional</i>	<i>Low – Commercial</i>	<i>Medium – Commercial</i>	<i>High – Commercial & Industrial</i>	<i>Very High – Industrial</i>
<i>Low – Residential & Institutional</i>	None	A	C	D	B	E	D	E

Medium-Residential & Institutional	A	None	C	D	B	C	D	E
High-Institutional	D	C	None	B	D	C	B	B
Very High - Institutional	E	D	B	None	D	C	B	B
Low-Commercial	B	B	B	D	None	B	C	D
Medium-Commercial	C	C	C	C	B	None	B	C
High-Commercial & Industrial	D	D	B	B	B	B	None	C
Very High - Industrial	E	E	B	B	C	C	B	None

Table 18.44-10: Buffer Yard Types

<i>Type – Base Standard (plants per 100 linear feet)</i>	<i>Width Option*</i>	<i>Plant Multiplier**</i>	<i>Wall Option (6')</i>	<i>Fence Option (6') or Berm Option (3')</i>
Buffer Yard A: 1 shade tree 1 ornamental tree or Type 3 shrub 5 Type 1 shrubs	10'= 15'= 20'= 25'= 30'= 35'= 40'= 45'= 50'= 55'= 60'= 65'= 70'= 75'= 80'= 85'= 90'= 95'= 100'= 105'= 110'= 115'= 120'= 125'= 130'= 135'= 140'= 145'= 150'= 155'= 160'= 165'= 170'= 175'= 180'= 185'= 190'= 195'= 200'= 205'= 210'= 215'= 220'= 225'= 230'= 235'= 240'= 245'= 250'= 255'= 260'= 265'= 270'= 275'= 280'= 285'= 290'= 295'= 300'= 305'= 310'= 315'= 320'= 325'= 330'= 335'= 340'= 345'= 350'= 355'= 360'= 365'= 370'= 375'= 380'= 385'= 390'= 395'= 400'= 405'= 410'= 415'= 420'= 425'= 430'= 435'= 440'= 445'= 450'= 455'= 460'= 465'= 470'= 475'= 480'= 485'= 490'= 495'= 500'= 505'= 510'= 515'= 520'= 525'= 530'= 535'= 540'= 545'= 550'= 555'= 560'= 565'= 570'= 575'= 580'= 585'= 590'= 595'= 600'= 605'= 610'= 615'= 620'= 625'= 630'= 635'= 640'= 645'= 650'= 655'= 660'= 665'= 670'= 675'= 680'= 685'= 690'= 695'= 700'= 705'= 710'= 715'= 720'= 725'= 730'= 735'= 740'= 745'= 750'= 755'= 760'= 765'= 770'= 775'= 780'= 785'= 790'= 795'= 800'= 805'= 810'= 815'= 820'= 825'= 830'= 835'= 840'= 845'= 850'= 855'= 860'= 865'= 870'= 875'= 880'= 885'= 890'= 895'= 900'= 905'= 910'= 915'= 920'= 925'= 930'= 935'= 940'= 945'= 950'= 955'= 960'= 965'= 970'= 975'= 980'= 985'= 990'= 995'= 1000'= 1005'= 1010'= 1015'= 1020'= 1025'= 1030'= 1035'= 1040'= 1045'= 1050'= 1055'= 1060'= 1065'= 1070'= 1075'= 1080'= 1085'= 1090'= 1095'= 1100'= 1105'= 1110'= 1115'= 1120'= 1125'= 1130'= 1135'= 1140'= 1145'= 1150'= 1155'= 1160'= 1165'= 1170'= 1175'= 1180'= 1185'= 1190'= 1195'= 1200'= 1205'= 1210'= 1215'= 1220'= 1225'= 1230'= 1235'= 1240'= 1245'= 1250'= 1255'= 1260'= 1265'= 1270'= 1275'= 1280'= 1285'= 1290'= 1295'= 1300'= 1305'= 1310'= 1315'= 1320'= 1325'= 1330'= 1335'= 1340'= 1345'= 1350'= 1355'= 1360'= 1365'= 1370'= 1375'= 1380'= 1385'= 1390'= 1395'= 1400'= 1405'= 1410'= 1415'= 1420'= 1425'= 1430'= 1435'= 1440'= 1445'= 1450'= 1455'= 1460'= 1465'= 1470'= 1475'= 1480'= 1485'= 1490'= 1495'= 1500'= 1505'= 1510'= 1515'= 1520'= 1525'= 1530'= 1535'= 1540'= 1545'= 1550'= 1555'= 1560'= 1565'= 1570'= 1575'= 1580'= 1585'= 1590'= 1595'= 1600'= 1605'= 1610'= 1615'= 1620'= 1625'= 1630'= 1635'= 1640'= 1645'= 1650'= 1655'= 1660'= 1665'= 1670'= 1675'= 1680'= 1685'= 1690'= 1695'= 1700'= 1705'= 1710'= 1715'= 1720'= 1725'= 1730'= 1735'= 1740'= 1745'= 1750'= 1755'= 1760'= 1765'= 1770'= 1775'= 1780'= 1785'= 1790'= 1795'= 1800'= 1805'= 1810'= 1815'= 1820'= 1825'= 1830'= 1835'= 1840'= 1845'= 1850'= 1855'= 1860'= 1865'= 1870'= 1875'= 1880'= 1885'= 1890'= 1895'= 1900'= 1905'= 1910'= 1915'= 1920'= 1925'= 1930'= 1935'= 1940'= 1945'= 1950'= 1955'= 1960'= 1965'= 1970'= 1975'= 1980'= 1985'= 1990'= 1995'= 2000'= 2005'= 2010'= 2015'= 2020'= 2025'= 2030'= 2035'= 2040'= 2045'= 2050'= 2055'= 2060'= 2065'= 2070'= 2075'= 2080'= 2085'= 2090'= 2095'= 2100'= 2105'= 2110'= 2115'= 2120'= 2125'= 2130'= 2135'= 2140'= 2145'= 2150'= 2155'= 2160'= 2165'= 2170'= 2175'= 2180'= 2185'= 2190'= 2195'= 2200'= 2205'= 2210'= 2215'= 2220'= 2225'= 2230'= 2235'= 2240'= 2245'= 2250'= 2255'= 2260'= 2265'= 2270'= 2275'= 2280'= 2285'= 2290'= 2295'= 2300'= 2305'= 2310'= 2315'= 2320'= 2325'= 2330'= 2335'= 2340'= 2345'= 2350'= 2355'= 2360'= 2365'= 2370'= 2375'= 2380'= 2385'= 2390'= 2395'= 2400'= 2405'= 2410'= 2415'= 2420'= 2425'= 2430'= 2435'= 2440'= 2445'= 2450'= 2455'= 2460'= 2465'= 2470'= 2475'= 2480'= 2485'= 2490'= 2495'= 2500'= 2505'= 2510'= 2515'= 2520'= 2525'= 2530'= 2535'= 2540'= 2545'= 2550'= 2555'= 2560'= 2565'= 2570'= 2575'= 2580'= 2585'= 2590'= 2595'= 2600'= 2605'= 2610'= 2615'= 2620'= 2625'= 2630'= 2635'= 2640'= 2645'= 2650'= 2655'= 2660'= 2665'= 2670'= 2675'= 2680'= 2685'= 2690'= 2695'= 2700'= 2705'= 2710'= 2715'= 2720'= 2725'= 2730'= 2735'= 2740'= 2745'= 2750'= 2755'= 2760'= 2765'= 2770'= 2775'= 2780'= 2785'= 2790'= 2795'= 2800'= 2805'= 2810'= 2815'= 2820'= 2825'= 2830'= 2835'= 2840'= 2845'= 2850'= 2855'= 2860'= 2865'= 2870'= 2875'= 2880'= 2885'= 2890'= 2895'= 2900'= 2905'= 2910'= 2915'= 2920'= 2925'= 2930'= 2935'= 2940'= 2945'= 2950'= 2955'= 2960'= 2965'= 2970'= 2975'= 2980'= 2985'= 2990'= 2995'= 3000'= 3005'= 3010'= 3015'= 3020'= 3025'= 3030'= 3035'= 3040'= 3045'= 3050'= 3055'= 3060'= 3065'= 3070'= 3075'= 3080'= 3085'= 3090'= 3095'= 3100'= 3105'= 3110'= 3115'= 3120'= 3125'= 3130'= 3135'= 3140'= 3145'= 3150'= 3155'= 3160'= 3165'= 3170'= 3175'= 3180'= 3185'= 3190'= 3195'= 3200'= 3205'= 3210'= 3215'= 3220'= 3225'= 3230'= 3235'= 3240'= 3245'= 3250'= 3255'= 3260'= 3265'= 3270'= 3275'= 3280'= 3285'= 3290'= 3295'= 3300'= 3305'= 3310'= 3315'= 3320'= 3325'= 3330'= 3335'= 3340'= 3345'= 3350'= 3355'= 3360'= 3365'= 3370'= 3375'= 3380'= 3385'= 3390'= 3395'= 3400'= 3405'= 3410'= 3415'= 3420'= 3425'= 3430'= 3435'= 3440'= 3445'= 3450'= 3455'= 3460'= 3465'= 3470'= 3475'= 3480'= 3485'= 3490'= 3495'= 3500'= 3505'= 3510'= 3515'= 3520'= 3525'= 3530'= 3535'= 3540'= 3545'= 3550'= 3555'= 3560'= 3565'= 3570'= 3575'= 3580'= 3585'= 3590'= 3595'= 3600'= 3605'= 3610'= 3615'= 3620'= 3625'= 3630'= 3635'= 3640'= 3645'= 3650'= 3655'= 3660'= 3665'= 3670'= 3675'= 3680'= 3685'= 3690'= 3695'= 3700'= 3705'= 3710'= 3715'= 3720'= 3725'= 3730'= 3735'= 3740'= 3745'= 3750'= 3755'= 3760'= 3765'= 3770'= 3775'= 3780'= 3785'= 3790'= 3795'= 3800'= 3805'= 3810'= 3815'= 3820'= 3825'= 3830'= 3835'= 3840'= 3845'= 3850'= 3855'= 3860'= 3865'= 3870'= 3875'= 3880'= 3885'= 3890'= 3895'= 3900'= 3905'= 3910'= 3915'= 3920'= 3925'= 3930'= 3935'= 3940'= 3945'= 3950'= 3955'= 3960'= 3965'= 3970'= 3975'= 3980'= 3985'= 3990'= 3995'= 4000'= 4005'= 4010'= 4015'= 4020'= 4025'= 4030'= 4035'= 4040'= 4045'= 4050'= 4055'= 4060'= 4065'= 4070'= 4075'= 4080'= 4085'= 4090'= 4095'= 4100'= 4105'= 4110'= 4115'= 4120'= 4125'= 4130'= 4135'= 4140'= 4145'= 4150'= 4155'= 4160'= 4165'= 4170'= 4175'= 4180'= 4185'= 4190'= 4195'= 4200'= 4205'= 4210'= 4215'= 4220'= 4225'= 4230'= 4235'= 4240'= 4245'= 4250'= 4255'= 4260'= 4265'= 4270'= 4275'= 4280'= 4285'= 4290'= 4295'= 4300'= 4305'= 4310'= 4315'= 4320'= 4325'= 4330'= 4335'= 4340'= 4345'= 4350'= 4355'= 4360'= 4365'= 4370'= 4375'= 4380'= 4385'= 4390'= 4395'= 4400'= 4405'= 4410'= 4415'= 4420'= 4425'= 4430'= 4435'= 4440'= 4445'= 4450'= 4455'= 4460'= 4465'= 4470'= 4475'= 4480'= 4485'= 4490'= 4495'= 4500'= 4505'= 4510'= 4515'= 4520'= 4525'= 4530'= 4535'= 4540'= 4545'= 4550'= 4555'= 4560'= 4565'= 4570'= 4575'= 4580'= 4585'= 4590'= 4595'= 4600'= 4605'= 4610'= 4615'= 4620'= 4625'= 4630'= 4635'= 4640'= 4645'= 4650'= 4655'= 4660'= 4665'= 4670'= 4675'= 4680'= 4685'= 4690'= 4695'= 4700'= 4705'= 4710'= 4715'= 4720'= 4725'= 4730'= 4735'= 4740'= 4745'= 4750'= 4755'= 4760'= 4765'= 4770'= 4775'= 4780'= 4785'= 4790'= 4795'= 4800'= 4805'= 4810'= 4815'= 4820'= 4825'= 4830'= 4835'= 4840'= 4845'= 4850'= 4855'= 4860'= 4865'= 4870'= 4875'= 4880'= 4885'= 4890'= 4895'= 4900'= 4905'= 4910'= 4915'= 4920'= 4925'= 4930'= 4935'= 4940'= 4945'= 4950'= 4955'= 4960'= 4965'= 4970'= 4975'= 4980'= 4985'= 4990'= 4995'= 5000'= 5005'= 5010'= 5015'= 5020'= 5025'= 5030'= 5035'= 5040'= 5045'= 5050'= 5055'= 5060'= 5065'= 5070'= 5075'= 5080'= 5085'= 5090'= 5095'= 5100'= 5105'= 5110'= 5115'= 5120'= 5125'= 5130'= 5135'= 5140'= 5145'= 5150'= 5155'= 5160'= 5165'= 5170'= 5175'= 5180'= 5185'= 5190'= 5195'= 5200'= 5205'= 5210'= 5215'= 5220'= 5225'= 5230'= 5235'= 5240'= 5245'= 5250'= 5255'= 5260'= 5265'= 5270'= 5275'= 5280'= 5285'= 5290'= 5295'= 5300'= 5305'= 5310'= 5315'= 5320'= 5325'= 5330'= 5335'= 5340'= 5345'= 5350'= 5355'= 5360'= 5365'= 5370'= 5375'= 5380'= 5385'= 5390'= 5395'= 5400'= 5405'= 5410'= 5415'= 5420'= 5425'= 5430'= 5435'= 5440'= 5445'= 5450'= 5455'= 5460'= 5465'= 5470'= 5475'= 5480'= 5485'= 5490'= 5495'= 5500'= 5505'= 5510'= 5515'= 5520'= 5525'= 5530'= 5535'= 5540'= 5545'= 5550'= 5555'= 5560'= 5565'= 5570'= 5575'= 5580'= 5585'= 5590'= 5595'= 5600'= 5605'= 5610'= 5615'= 5620'= 5625'= 5630'= 5635'= 5640'= 5645'= 5650'= 5655'= 5660'= 5665'= 5670'= 5675'= 5680'= 5685'= 5690'= 5695'= 5700'= 5705'= 5710'= 5715'= 5720'= 5725'= 5730'= 5735'= 5740'= 5745'= 5750'= 5755'= 5760'= 5765'= 5770'= 5775'= 5780'= 5785'= 5790'= 5795'= 5800'= 5805'= 5810'= 5815'= 5820'= 5825'= 5830'= 5835'= 5840'= 5845'= 5850'= 5855'= 5860'= 5865'= 5870'= 5875'= 5880'= 5885'= 5890'= 5895'= 5900'= 5905'= 5910'= 5915'= 5920'= 5925'= 5930'= 5935'= 5940'= 5945'= 5950'= 5955'= 5960'= 5965'= 5970'= 5975'= 5980'= 5985'= 5990'= 5995'= 6000'= 6005'= 6010'= 6015'= 6020'= 6025'= 6030'= 6035'= 6040'= 6045'= 6050'= 6055'= 6060'= 6065'= 6070'= 6075'= 6080'= 6085'= 6090'= 6095'= 6100'= 6105'= 6110'= 6115'= 6120'= 6125'= 6130'= 6135'= 6140'= 6145'= 6150'= 6155'= 6160'= 6165'= 6170'= 6175'= 6180'= 6185'= 6190'= 6195'= 6200'= 6205'= 6210'= 6215'= 6220'= 6225'= 6230'= 6235'= 6240'= 6245'= 6250'= 6255'= 6260'= 6265'= 6270'= 6275'= 6280'= 6285'= 6290'= 6295'= 6300'= 6305'= 6310'= 6315'= 6320'= 6325'= 6330'= 6335'= 6340'= 6345'= 6350'= 6355'= 6360'= 6365'= 6370'= 6375'= 6380'= 6385'= 6390'= 6395'= 6400'= 6405'= 6410'= 6415'= 6420'= 6425'= 6430'= 6435'= 6440'= 6445'= 6450'= 6455'= 6460'= 6465'= 6470'= 6475'= 6480'= 6485'= 6490'= 6495'= 6500'= 6505'= 6510'= 6515'= 6520'= 6525'= 6530'= 6535'= 6540'= 6545'= 6550'= 6555'= 6560'= 6565'= 6570'= 6575'= 6580'= 6585'= 6590'= 6595'= 6600'= 6605'= 6610'= 6615'= 6620'= 6625'= 6630'= 6635'= 6640'= 6645'= 6650'= 6655'= 6660'= 6665'= 6670'= 6675'= 6680'= 6685'= 6690'= 6695'= 6700'= 6705'= 6710'= 6715'= 6720'= 6725'= 6730'= 6735'= 6740'= 6745'= 6750'= 6755'= 6760'= 6765'= 6770'= 6775'= 6780'= 6785'= 6790'= 6795'= 6800'= 6805'= 6810'= 6815'= 6820'= 6825'= 6830'= 6835'= 6840'= 6845'= 6850'= 6855'= 6860'= 6865'= 6870'= 6875'= 6880'= 6885'= 6890'= 6895'= 6900'= 6905'= 6910'= 6915'= 6920'= 6925'= 6930'= 6935'= 6940'= 6945'= 6950'= 6955'= 6960'= 6965'= 6970'= 6975'= 6980'= 6985'= 6990'= 6995'= 7000'= 7005'= 7010'= 7015'= 7020'= 7025'= 7030'= 7035'= 7040'= 7045'= 7050'= 7055'= 7060'= 7065'= 7070'= 7075'= 7080'= 7085'= 7090'= 7095'= 7100'= 7105'= 7110'= 7115'= 7120'= 7125'= 7130'= 7135'= 7140'= 7145'= 7150'= 7155'= 7160'= 7165'= 7170'= 7175'= 7180'= 7185'= 7190'= 7195'= 7200'= 7205'= 7210'= 7215'= 7220'= 7225'= 7230'= 7235'= 7240'= 7245'= 7250'= 7255'= 7260'= 7265'= 7270'= 7275'= 7280'= 7285'= 7290'= 7295'= 7300'= 7305'= 7310'= 7315'= 7320'= 7325'= 7330'= 7335'= 7340'= 7345'= 7350'= 7355'= 7360'= 7365'= 7370'= 7375'= 			

Buffer Yard E:	25'= =	1.25		
5 shade trees	30'= =	1.00		
6 ornamental trees or Type 3 shrubs	35'= =	0.90		
4 evergreen trees	40'= =	0.80	0.75	0.85
30 Type 3 shrubs	45'= =	0.70		
	50'= =	0.60		

Shrubs: Type 1: 1'—4' tall at maturity; Type 2: 4'—8' tall at maturity; Type 3: over 8' tall at maturity

* BASE STANDARD for each type of buffer yard is that width which has a plant multiplier of 1.00.

** Plant multipliers are used to increase or decrease the amount of required plants based on providing a buffer yard of reduced or greater width, or by the addition of a wall, berm or fence. Fencing used for buffer yard purposes shall be at least 75% solid. Refer to Appendix 18 I for buffer yard illustrations.

Figure 18.44 2: Example Buffer Yard

18.44.120 ~~Parking lot landscaping standards.~~

- (a) ~~The following provisions shall apply to all parking lots containing at least six (6) parking spaces.~~
- (b) ~~Landscaped areas within parking lot interiors shall be located in such a manner as to divide and break up the expanse of paving.~~
- (c) ~~Landscape areas shall be protected from vehicular encroachment by the use of curbing. In the event it is not feasible to place curbing in front of vehicle parking, wheel stops shall be placed to prevent damage to any planting areas by vehicular overhang and to create an edge for the parking area.~~
- (d) ~~Shrubs and hedges shall be planted so as not to interfere with adjacent sidewalks.~~
- (e) ~~Parking lot screening.~~
- (1) ~~Parking lots shall be screened from view from adjacent properties and rights of way.~~
 - (2) ~~Parking lot screening shall be at least three (3) feet high and provide at least sixty percent (60%) opacity year round for at least seventy five percent (75%) of the frontage.~~
 - (3) ~~Parking lot screening shall be located in an area at least ten (10) feet wide, except as provided for through an approved administrative variance.~~
 - (4) ~~Screening shall consist of landscape plantings, berming, fencing, walls or a combination thereof and shall be subject to meeting all clear vision provisions of Subsection 18.44.140(c) below.~~

Figure 18.44 3: Screening to 60% Opacity

- (f) ~~Landscape islands and medians.~~
- (1) ~~Parking rows shall contain either a landscape island on each end of the row or a median between adjacent rows or a combination of both.~~
 - (2) ~~There shall be no more than fifteen (15) parking spaces in a continuous row on one (1) side without being broken by a landscape island. The Community Development Director may waive this requirement and permit a maximum number of twenty (20) continuous spaces if the alternative parking lot design facilitates the flow of traffic, takes into consideration the lot configuration and otherwise meets the intent of these standards.~~
 - (3) ~~Landscaped medians which have parking on both sides are permitted as an alternative to individual landscape islands. Pedestrian pathways across landscaped medians are required.~~
 - (4) ~~The minimum inside curb to inside curb dimensions of a landscape island shall be six (6) feet in width and nineteen (19) feet in length, or equal to the length of a parking stall if other than a standard stall dimension is used.~~

- (5) ~~The minimum inside curb to inside curb dimension of the width of a landscape median shall be six (6) feet without a sidewalk. Additional width shall be added to accommodate any sidewalk within the median so that planting areas are at least six (6) feet wide.~~
- (6) ~~Landscape islands shall contain a minimum of one (1) shade or ornamental tree per parking row, shrubs and living ground cover with a mature height of three (3) feet or less. Rock and mulch may be placed around the live plantings but shall not exceed fifty percent (50%) of the landscape island.~~
- (7) ~~Landscape medians shall contain a minimum of one (1) shade or ornamental tree per three (3) parking spaces, shrubs and living ground cover with a mature height of three (3) feet or less. Rock and mulch may be placed around the live plantings but shall not exceed fifty percent (50%) of the landscape median.~~
- (8) ~~Pedestrian pathways are required across all landscape islands and medians.~~

Figure 18.44 4: Parking Lot Islands (top) and Medians (bottom)

(g) ~~Additional parking lot landscaping.~~

- (1) ~~For every one thousand six hundred (1,600) square feet of parking area and access drives, one (1) two inch caliper shade tree, or the equivalent from the following chart, shall be provided in and around the parking area. For example, a four thousand square foot parking area may use one (1) three inch caliper shade tree. Alternatives may be made using two (2) two and one half inch caliper shade trees, three (3) two inch caliper shade trees or three (3) one and one half inch caliper ornamental trees. Equivalents or substitutions that result in a fractional number shall be counted as one (1) additional tree.~~
- (2) ~~For the purposes of computing the total area of the interior of any parking lot, all areas within the perimeter of the parking lot shall be counted, including planting islands, curbed areas, corner areas, parking spaces and all interior driveways and aisles except those with no parking spaces located on either side. Landscaped areas situated outside of the parking lot may be counted toward meeting the interior landscaping requirement if such areas provide shade in the parking lot and if approved by the City.~~

Table 18.44 11: Tree Equivalents for Parking Areas

<i>Tree Equivalents for Parking Areas</i>	
2" caliper shade tree	1,600 square feet of parking area
2½" caliper shade tree	2,500 square feet of parking area
3" caliper shade tree	4,000 square feet of parking area
1½" caliper ornamental tree	1,400 square feet of parking area
6' evergreen tree	50% of required 2" caliper trees

~~18.44.130 Perimeter treatment.~~

- (a) ~~Perimeter treatment shall be provided for all new development.~~
- (b) ~~A perimeter treatment plan shall be submitted for approval for all new developments, except for individual single family or two family dwellings which are not being approved as part of a subdivision application.~~
- (c) ~~Landscaping is a required perimeter treatment element. Fencing, berms or walls may also be incorporated as a perimeter treatment element.~~
- (d) ~~Perimeter treatment plantings and elements shall be located between the roadway and property line as part of the streetscape, or in an outlot if more than one (1) lot or building envelope is being developed, owned and maintained by an owners' association (see Figure 18.44 5 below).~~

Figure 18.44 5: Perimeter Treatment for Residential and Institutional Next to Major Collector or Arterial Roadway

- ~~(e) The design of a perimeter treatment plan shall give consideration to any existing perimeter treatments adjacent to the subject property and provide a design that ties in or is compatible with existing perimeter treatments.~~
- ~~(f) Perimeter treatment plans for community entryways, as identified in the City's Entryway Master Plan, shall be designed to meet the established major collector or arterial entryway standards.~~
- ~~(g) Perimeter treatment shall be maintained in perpetuity by an owners' association.~~
- ~~(h) Required perimeter treatment shall be installed concurrent with other site infrastructure improvements, as per Section 18.04.1195, prior to building permit issuance. Fences and walls included as part of a perimeter treatment shall meet the provisions of Subsection (j) below.~~
- ~~(i) Perimeter treatment areas shall contain the following plantings or an acceptable mix of trees and shrubs that provide comparable screening as determined by staff.

 - ~~(1) Residential and institutional uses adjacent to major collector or arterial streets shall include the following plantings for every one hundred (100) linear feet as part of the perimeter treatment (not including street trees):

 - ~~a. One (1) shade or ornamental tree;~~
 - ~~b. One (1) evergreen tree; and~~
 - ~~c. Three (3) large shrubs (at least eight [8] feet tall at maturity) and four (4) medium shrubs (four [4] to eight [8] feet at maturity) or twelve (12) small shrubs (less than four [4] feet at maturity), or any combination of shrubs that provides an equivalent amount of screening.~~~~
 - ~~(2) Residential and institutional uses adjacent to highways, freeways or expressways shall include the following plantings for every one hundred (100) linear feet as part of the perimeter treatment:

 - ~~a. Three (3) shade trees;~~
 - ~~b. Two (2) ornamental trees;~~
 - ~~c. Two (2) evergreen trees; and~~
 - ~~d. Eight (8) large shrubs (at least eight [8] feet tall at maturity) or twelve (12) medium shrubs (four [4] to eight [8] feet tall at maturity).~~~~~~

Figure 18.44 6: Perimeter Treatment for Residential and Institutional Next to Highway, Freeway or Expressway

- ~~(3) Commercial or industrial uses adjacent to major collector or arterial streets shall include the following plantings for every one hundred (100) feet as part of the perimeter treatment (not including street trees):

 - ~~a. Five (5) medium shrubs (four [4] to eight [8] feet tall at maturity); and~~
 - ~~b. Ten (10) small shrubs (less than four [4] feet tall at maturity).~~~~

Figure 18.44 7: Perimeter Treatment for Commercial and Industrial Next to Major Collector or Arterial Roadway

- ~~(4) Commercial or industrial uses adjacent to highways, freeways or expressways shall include the following plantings for every one hundred (100) feet as part of the perimeter treatment:

 - ~~a. Three (3) shade trees;~~
 - ~~b. One (1) evergreen tree; and~~
 - ~~c. Three (3) large shrubs (at least eight [8] feet tall at maturity) and five (5) medium shrubs (four [4] to eight [8] feet tall at maturity).~~~~
- ~~(j) Fencing and walls as a part of perimeter treatment.

 - ~~(1) A single fence or wall design used in perimeter treatment plans shall not be continued longer than fifty (50) feet without variation or creating the appearance of variation by using changes in height, different~~~~

material combinations, offset angles, articulation along the top and/or bottom of the fence, plant materials and/or berms.

- (2) Where posts or columns are used to create variation, they shall protrude a minimum of six (6) inches from the adjacent plane of the fence along the street side, and a maximum of one (1) foot above the adjacent fence, such columns not to exceed seven (7) feet in height. When fences are articulated, landscaped areas on the street side of the fence shall be contained in an outlot and maintained by the owners' association.

Figure 18.44 8: Example Perimeter Treatment

~~18.44.140 Reserved.~~

~~18.44.150 Boulevard median standards.~~

Boulevard medians as provided in Section 18.38.100, Performance options, shall meet the following standards:

- (1) Unless utilities prevent otherwise, shade trees shall be planted at a regular spacing of thirty five (35) feet on center. Ornamental trees may be substituted based on the rates provided in the Tree Credit/Debit Table in Section 18.44.070 of this Chapter.
- (2) Evergreen trees are permitted as long as the median is of sufficient width to prevent the mature evergreen trees from overhanging the median.
- (3) Xeric plants, decorative rocks and boulders, perennials, ornamental grasses and shrubs may be added to the median design but shall not substitute for any shade trees, unless utilities prevent trees from being planted in the median.
- (4) Unless otherwise approved in writing by the Public Works Director or his or her designee, tree species shall be selected from the Tree, Shrub and Ground Cover Lists found in Appendix 18 D to this Title.
- (5) The location of all trees, shrubs and other material shall meet the City's Clear Vision Standards provided in Section 18.44.140 above.
- (6) The developer shall be responsible for installing the median and irrigation and providing a perpetual maintenance mechanism for the median.

Figure 18.44 10: Example of Boulevard Median Landscaping

Section 2. Appendix 18-D of the Greeley Municipal Code is hereby repealed.

~~Appendix 18 D Tree, Shrub, and Ground Cover Lists~~

SHADE TREES

*Key: M = Moist Ad = Adaptable D = Dry A = Acceptable NA = Not Acceptable

Plant Name	Height			<20'	Width			Water*			Street Tree*	
	20'-40'	40'-60'	60'-80'+		20'-30'	30'-40'	40'-50'+	M	Ad	D	A	NA
<i>ACER platanoides</i> / Norway Maple, "Royal Red"												

<i>AESCULUS carnea</i> / Horse Chestnut	■	■				■			■	■	
<i>AESCULUS octandra</i> / Yellow Buckeye		■				■			■	■	
<i>CATALPA speciosa</i> / Western Catalpa		■				■	■		■	■	
<i>CELTIS occidentalis</i> / Western Hackberry		■				■			■	■	
<i>Ginkgo biloba</i> / Common Ginkgo (male only)		■			■				■	■	
<i>GLEDITSIA triancanthos inermis</i> / "Imperial" Honeylocust / Imperial Honeylocust	■					■			■	■	
<i>GLEDITSIA tri. inermis</i> / "Shademaster"						■			■	■	
<i>GLEDITSIA tri. inermis</i> / "Skyline"		■				■			■	■	
<i>GYMNOCLADUS dioica</i> / Kentucky Coffeetree		■					■			■	
<i>PHELLODENDRON amurense</i> / Corktree	■	■				■			■	■	
<i>POPULUS acuminata</i> / Lanceleaf Cottonwood (cottonless var. only)		■				■			■		■
<i>POPULUS</i> / Narrowleaf Cottonwood (cottonless var. only)	■	■			■				■		■
<i>POPULUS sargentii</i> / Plains Cottonwood (cottonless var. only)		■				■			■		■
<i>QUERCUS macrocarpa</i> / Burr Oak		■							■	■	
<i>QUERCUS robur</i> / English Oak		■		■					■	■	
<i>QUERCUS robur 'Fastigiata'</i> / Columnar English Oak		■		■					■		■
<i>QUERCUS rubra</i> / Red Oak		■					■		■	■	
<i>QUERCUS shumardii</i> / Shumard Oak		■	■			■			■	■	
<i>SALIX alba vitellina</i> / Golden Willow		■				■			■	■	■

<i>SALIX amygdaloides</i> / Peachleaf Willow											
<i>SALIX</i> / "Prairie Cascade"											
<i>TILIA Americana</i> / Redmond Linden											
<i>TILIA Americana</i> "Wandell" / Legend American Linden											
<i>TILIA cordata</i> / "Greenspire" Linden											
<i>TILIA tomentosa</i> / "Sterling Silver" Linden											
<i>ULMUS</i> / "Frontier" Elm											
<i>ULMUS</i> "Morton" / Accolade Elm											
<i>ULMUS davidiana japonica</i> / Discovery Elm											

ORNAMENTAL TREES

*Key: M = Moist Ad = Adaptable D = Dry A = Acceptable NA = Not Acceptable

Plant Name	Height			Width			Water*			Street Tree*	
	10'-20'	15'-25'	25'-35'+	10'-15'	15'-25'	25'-35'	M	Ad	D	A	NA
<i>ACER ginnala</i> / Amur or Ginnala Maple											
<i>ACER ginnala</i> / "Flame" Amur Maple											
<i>ACER grandidentatum</i> / Bigtooth Maple											
<i>ACER tartaricum</i> / Tartarian Maple											
<i>AESCULUS glabra</i> / Ohio Buckeye											
<i>BETULA fontinalis</i> / Native River Birch											
<i>CRATAEGUS ambigua</i> / Hawthorne											

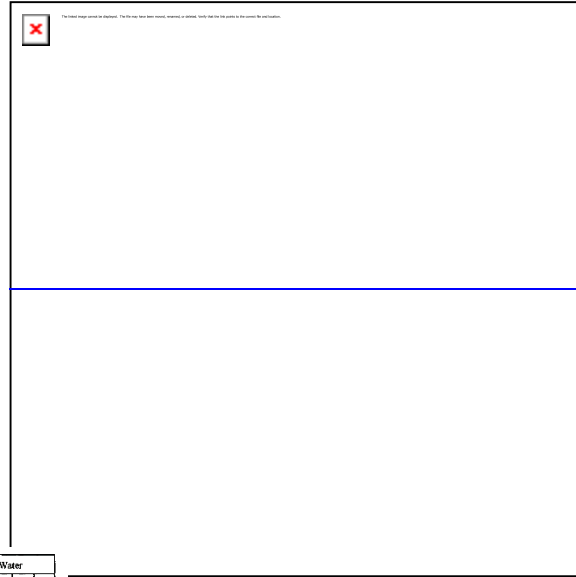
<i>CRATAEGUS crusgalli</i> / Cockspur Hawthorn										
<i>CRATAEGUS crusgalli inermis</i> / Thornless Cockspur Hawthorn										
<i>CRATAEGUS mollis</i> / Downy Hawthorn										
<i>CRATAEGUS phaenopyrum</i> / Washington Hawthorn										
<i>KOELREUTERIA paniculata</i> / Golden Rain Tree										
<i>MALUS species</i> / Crabapple (varieties resistant to fire blight: Dolgo Royalty, Radiant, etc.)										
<i>MORUS alba</i> / Chapparral (fruitless variety)										
<i>POPULUS tremuloides</i> / Aspen										
<i>PRUNUS maackii</i> / Amur Chokecherry										
<i>PRUNUS padus</i> / Mayday Tree										
<i>PRUNUS virginiana</i> / Shubert or Canada Red Chokecherry										
<i>PYRUS calleryana</i> / Bradford, Aristocrat, Redspire Pear										
<i>QUERCUS gambelii</i> / Gambel Oak										
<i>SOPHORA japonica</i> / Japanese Pagoda Tree										
<i>SYRINGA</i> / Japanese Tree Lilac										
<i>TILIA cordata</i> / Littleleaf Linden Greenspire										

EVERGREEN TREES

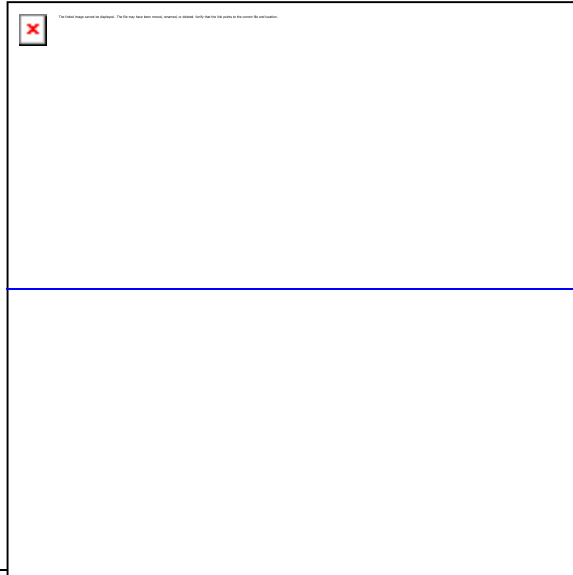
*Key: M = Moist Ad = Adaptable D = Dry A = Acceptable NA = Not Acceptable

Plant Name	Height			Width			Water*			Street Tree*	
	10'-20'	20'-40'	40'-60'+	6'-15'	15'-30'	30'-40'	M	Ad	D	A	NA

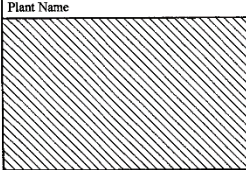
<i>ABIES concolor</i> / White Fir										
<i>JUNIPERUS monosperma</i> / One seed Juniper										
<i>JUNIPERUS scopulorum</i> / Rocky Mtn Juniper										
<i>PICEA pungens</i> / Colorado Spruce										
<i>PICEA pungens glauca</i> / Colorado Blue Spruce										
<i>PINUS aristata</i> / Bristlecone Pine										
<i>PINUS cembroides edulis</i> / Pinon Pine										
<i>PINUS nigra</i> / Austrian Pine										
<i>PINUS ponderosa</i> / Ponderosa Pine										
<i>PINUS sylvestris</i> / Scotch Pine										
<i>PSEUDOTSUGA</i> / Douglas Fir										

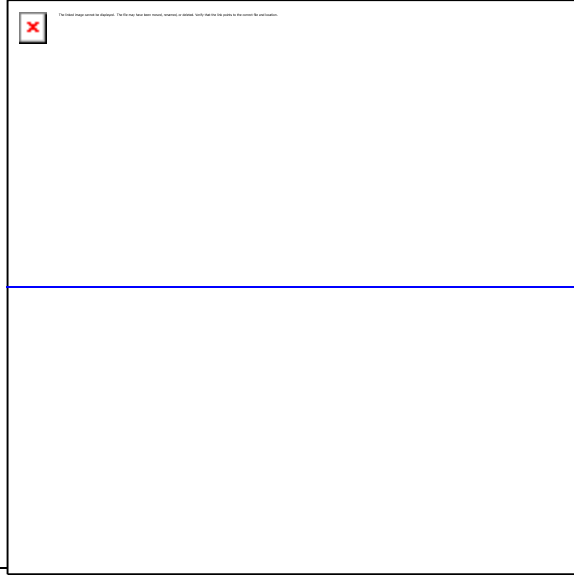


Plant Name	Height	Width	Water
	1' - 4'	8' - 12'	
	4' - 8'	1' - 4'	
		4' - 8'	
		8' - 12'	
			Moist
			Adaptable
			Dry
ACER ginnala 'Compacta' / Dwarf Acanth Maple			
ACER glabrum 'Rocky Mountain Maple'			
AMELANCHIER serotina / Red-spiced Sorberry (various)			
AMORPHICA mollis / False Indigo			
ARONIA dioica / Chokeberry (various)			
ARTEMISIA vulgaris / Sage			
Berberis thunbergii / Barberry (various)			
CARYOPHTERIS decaisniana / Flame Tree Spine			
CEROCARPUS lasiocarpus / Little Leaf Mountain Mahogany			
CEROCARPUS ledifolius / Curled Mountain Mahogany			
CEROCARPUS monticola / Mountain Mahogany			
CHRYSOTHEMINUS / Rabbitbrush			
CORONILLA varia / Dogwood (various)			
CORNUS alba 'Variegata' / Dogwood			
COTONEASTER spinulosus / Crabapple Cotoneaster			
COTONEASTER divaricatus / Spreading Cotoneaster			



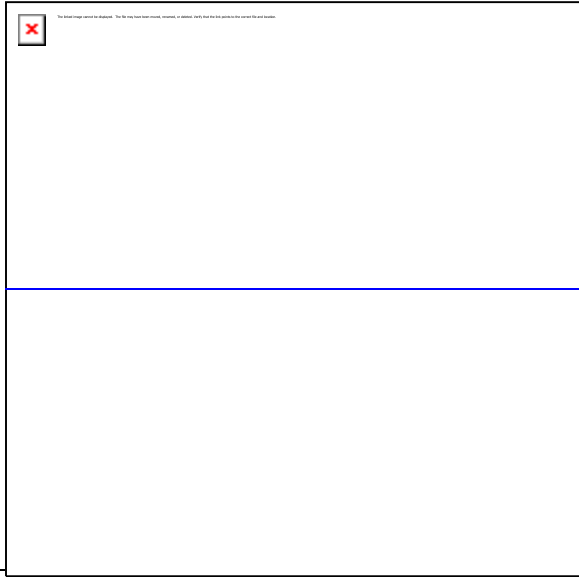
DECIDUOUS SHRUBS

Plant Name	Height			Width		Water			
	1' - 4'	4' - 8'	8' - 12'+	1' - 4'	4' - 8'	8' - 12'+	Moist	Adaptable	Dry
									
COTONEASTER lucidus/Peking Cotoneaster									
EUONYMUS alatus/Burning Bush									
EUONYMUS alatus 'Compacta'/Dwarf Burning Bush									
FALLUGIA paradoxa/Apache Plum									
FORSYTHIA/Forsythia varieties									
HIBISCUS syriacus/Althea/Rose of Sharon									
HIPPOPHAE rhamnoides/Sea Buckthorn									
HYDRANGEA paniculata/FeeGee Hydrangea									
KOLKWITZIA amabilis/Beauty Bush									
LIGUSTRUM vulgare/Privet varieties									
LONICERA/Honeysuckle varieties									
MAHONIA aquifolium/Oregon Grape Holly									
PEROVSKIA stipulifolia/Russian Sage									
PHILADELPHUS sp./Mockorange varieties									
PHYSOCARPUS sp./Ninebark varieties									
POTENTILLA fruticosa/Potentilla varieties									
PRUNUS americana/American Plum									
PRUNUS besseyi/Western Sand Cherry									
PRUNUS sibirica/Purpleleaf Plum									
PURSHIA tridentata/Bitter Antelopebrush									



DECIDUOUS SHRUBS

Plant Name	Height			Width			Water		
	1' - 4'	4' - 8'	8' - 12'+	1' - 4'	4' - 8'	8' - 12'+	Moist	Adaptable	Dry
PYRACANTHA sp./Firethorn varieties									
QUERCUS gambelii/ Gambel Oak									
RHAMNUS sp./Buckthorn									
RHUS aromatica/Dwarf Fragrant Sumac									
RHUS glabra/Sumac varieties									
RHUS trilobata/Three-leaf Sumac									
RHUS typhina/Staghorn Sumac									
RIBES alpinum/Alpine Currant									
RIBES aureum/ Yellow Flowering Currant									
ROSA rugosa/ Shrub Rose varieties									
SALIX sp./Willow varieties									
SAMBUCUS sp./Elder									
SHEPHERDIA sp./ Buffaloberry									
SPIRAEA sp./Spirea varieties									
SYMPHORICARPOS sp./Snow and Coral Berry									
SYRINGIA sp./Lilac varieties									
VIBURNUM sp. /Viburnum varieties									
WEIGELA florida/Weigela varieties									
YUCCA sp./Yucca;Soapweed/Adam's Needle									



EVERGREEN SHRUBS

Plant Name	Height			Width			Water		
	<1' - 4'	4' - 8'	8' - 12'+	1' - 4'	4' - 8'	8' - 12'+	Moist	Adaptable	Dry
[Hatched Area]									
JUNIPERUS chinensis/Juniper varieties									
JUNIPERUS horizontalis/Juniper varieties									
JUNIPERUS sabina/Juniper varieties									
JUNIPERUS scopulorum/Juniper varieties									
PICEA abies/Dwarf Norway Spruce									
PICEA glauca/Dwarf Alberta Spruce									
PINUS mugo/Mugo Pine									
TAXUS x media/Yew varieties									

Section 3. The Greeley Municipal Code shall be amended to add a new Chapter 18.44, Landscaping, Irrigation, Buffers and Screening Standards.

Chapter 18.44
Landscaping, Irrigation, Buffers and Screening Standards

18.44.010 - Purpose and intent

- (a) As the City of Greeley's local population grows and density increases, the City must protect a natural sense of place and character through the preservation, protection, and enhancement of the existing natural and planted landscapes, as well as uphold Greeley's agricultural tradition and "Tree City USA" designation that holistically furthers the goals of the [Comprehensive Plan](#).
- (b) Aesthetics and walkability. These standards enhance the aesthetic condition of Greeley's communities, along its thoroughfares and in its public spaces by:
- (1) Using landscape material to define the hierarchy of roadways visually and to provide shade;
 - (2) Coordinating the public frontage with the private frontage;
 - (3) Preserving and protecting the aesthetic qualities that contribute to Greeley's unique character and the economy that such qualities attract;
 - (4) Providing visual screening, where appropriate; and
 - (5) Reducing visual pollution from the built environment and increasing separation between incompatible uses.
- (c) Health and safety. These standards enhance the health, safety, welfare, and quality of life in Greeley's communities, along its thoroughfares, and in its public and private spaces by promoting the installation of trees and landscaping to:
- (1) Improve air quality;
 - (2) Provide seasonal shade and temperature regulation to moderate the urban heat island effect;
 - (3) Limit glare created by exterior lighting; and
 - (4) Provide a partial barrier between sidewalks and vehicular lanes.
- (d) Environment and energy. These standards promote ecological benefits at the regional, community, and lot level by:
- (1) Conserving energy and other limited resources used in buildings through strategic shading and windbreaks;
 - (2) Intercepting precipitation to reduce stormwater runoff and its associated costs;
 - (3) Preserving and protecting sensitive natural land or features, open areas, wildlife habitat, and waterways;
 - (4) Mitigating erosion and sedimentation, which negatively impact streams and rivers; and
 - (5) Restoring soils and surrounding land disrupted as a result of construction or grading.
- (e) Water Efficiency. These standards uphold [Greeley's Landscape Policy Plan for Water Efficiency](#), promoting responsible stewardship of Greeley's limited water resources for the benefit of present and future generations by:
- (1) Conserving water through water-smart landscape design which utilizes water-efficient and drought-tolerant principles;
 - (2) Encouraging efficient irrigation practices and the use of native and climate-adapted plants;
 - (3) Reducing high water-use turf and omitting it from impractical areas such as steep slopes and narrow landscaped strips of land; and
 - (4) Amending soil pursuant to the Greeley's Landscape Policy for Water Efficiency.

18.44.020 - Applicability of landscaping standards

(a) For the purposes of this Chapter, all development, except single-family and two-family dwellings, shall be classified as either minor or major development, based on the following Table 18.44-1:

Table 18.44-1 – Minor and Major Development

<u>Minor Development</u>			<u>Major Development</u>		
<u>> 5 % to < 25% increase in gross floor area of an existing structure.</u>	<u>OR</u>	<u>> 5 % to < 25% increase in existing impervious area on an existing lot or parcel.</u>	<u>> 25 % increase in gross floor area of an existing structure.</u>	<u>OR</u>	<u>> 25 % increase in existing impervious area on an existing lot or parcel.</u>
<u>No landscape improvements are required if there is less than a 5% increase in the gross floor area of an existing structure or less than a 5% increase in the impervious area on an existing lot or parcel.</u>					

- (b) Alternative compliance. In conjunction with a land-use development application, the City may waive one (1) or more of the provisions contained herein, if the applicant or developer proposes modifications and alternatives to the required landscape design and materials, which are equal or greater in design to what is being proposed and meets the purpose and intent of this Chapter.
- (c) Exemptions. The landscaping requirements of this Chapter shall not apply to the following:
- (1) A change of use for existing structures or sites that do not qualify or meet the threshold for major or minor development, as defined in Table 18.44-1 above.
 - (2) An increase of less than 5% of the gross floor area of an existing structure or an increase of less than 5% of an impervious area on an existing lot or parcel.
 - (3) Interior or exterior rehabilitation or remodeling of an existing building or structure that does not involve an increase in the GFA.
 - (4) A property located within the General Improvement District (GID) pursuant to Section 18.34.220.
 - (5) A property located within the Redevelopment District on a case-by-case basis and approved by the Community Development Director or Designee.

18.44.030 – Definitions.

American National Standards Institute (ANSI) shall mean the standards by said organization that helps development in the U.S. have an equitable and open process that serves industry and the public good, having a consensus in standards development; ANSI's essential requirements.

Architectural landscape design shall mean the design of outdoor areas, landmarks, and structures to achieve environmental, social-behavioral, or aesthetic outcomes. It involves the systematic design and general engineering of various structures for construction and human use, using existing social, ecological, and soil conditions and processes in the landscape to produce desired landscaping.

Artificial turf shall mean any of the various synthetic fibers made to resemble natural grass.

Berm shall have the same meaning as Earthen Berm.

Bioretention facility shall mean a landscaped stormwater element designed to concentrate or remove debris and pollution from surface water runoff by moving water slowly and horizontally at the surface

through vegetation using gently sloped sides that cleanse water from pollutants and soil erosion before it enters the City's stormwater system.

Bioswale shall mean a channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities.

Buffer yard shall mean that area intended to provide buffering between land uses of different intensities through the use of setbacks, landscaping, earthen berms, solid fences, walls, applicable bioretention facilities, or a combination thereof. Unlike a perimeter treatment, a buffer yard is located on the rear yard or interior side yard of a lot and is not adjacent to streets or alleyways.

Caliper shall mean the diameter or circumference of a tree.

Certificate of Occupancy (C.O.) shall mean a written certificate provided by the City signifying the subject building/structure (property) has complied with City standards allowing for use and occupancy.

Change of use shall mean a use that differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise, or lighting. A change of ownership that does not include any of the factors listed above shall not be considered a change of use.

Clear vision zone or area shall mean that area in which the City requires maintenance to preserve the sight distance and safety of motorists, pedestrians, and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian, or bicyclist to avoid a collision.

Decision point distance shall mean where the clear vision sight distance triangle begins.

Diameter shall mean the size of an existing tree as measured through the tree trunk at 6-inches above ground level from the uppermost root flare.

Earthen berm shall mean a landscaped mound of earth, higher than a grade, used for screening or buffering, defining space, attenuating noise, or landscaping an area.

Foundation plantings shall mean live plantings located immediately around the foundation of a building façade that reflects the structure's formal geometry.

Ground cover shall mean those materials that typically do not exceed one (1) foot in height used to provide a cover of the soil in landscaped areas, which may include a combination of, but not limited to include river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs, and vines, or other materials derived from once-living things, such as wood mulch. In no event shall weeds be considered ground cover.

Impervious shall mean any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, compacted areas, sidewalks, and paved recreation areas.

Irrigation system shall mean an underground, automatic sprinkler system or above-ground drip irrigation system explicitly designed for watering vegetation.

Landscape plan shall mean a scaled graphic plan showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, perimeter treatment, and other landscaped areas.

Landscaping shall mean any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to fountains, reflecting pools, screening walls, solid fences, and benches.

Lawn shall mean a stretch of open, turf-grass covered land; artificial turf shall not be considered lawn or turf-grass.

Living fence shall mean a permanent hedge tight enough and strong enough to serve almost any of the functions of a manufactured fence, but it offers agricultural and biological services.

Maintenance of landscaping shall mean, as it pertains to this Chapter, but not be limited to regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, removing and replacing dead plants, and the repair and replacement of irrigation systems.

Mulch shall mean a natural planting material such as pine straw, coconut fiber, ground pine post peeling, or tree bark used to control weed growth, reduce soil erosion and water loss.

Native grass shall mean a native Colorado grass.

Non-deciduous shall mean shrubs or trees, also called evergreens, that keep their foliage year-round.

Open space, required, shall mean that portion or percentage defined by the zoning standards of a lot required to be open and unobstructed. The area must not be covered by any structure or impervious surfaces, such as sidewalks or driveways, except for required amenities and identity features, if amenities and identity features are required pursuant to subdivision and multi-family standards.

Open space, usable shall mean that portion of a lot or site excluding the required front yard area, which is not covered by any building and is available to all occupants of the building or site for recreational and other leisure activities that are usually and customarily carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space may also include outdoor patios and plazas, and recreational facilities, as determined in Chapter 18.38. Usable open space shall not include the required setback area from oil and gas facilities, rights-of-way, platted or built trails or sidewalks, parking lots, or occupied buildings.

Ornamental tree shall mean a deciduous tree planted primarily for its ornamental value or for screening, which is typically smaller than a shade tree from approximately fifteen (15) to twenty-five (25) feet in height.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include but are not limited to drainage areas, stormwater detention or retention areas, parks, open space, future development, or land areas reserved for other public facilities.

Parking bay shall mean a group of parking stalls or vehicle parking spaces to accommodate fifteen (15) or more vehicles.

Parkway shall mean the strip of land typically located between the sidewalk and the curb, also referred to as a tree lawn.

Passive recreation area shall mean an undeveloped space or an environmentally sensitive area that requires minimal maintenance. Entities such as the City's Culture, Parks, and Recreation Department may maintain passive recreation areas for the health and well-being of the public and the preservation of wildlife and the environment. The quality of the environment and the "naturalness" of an area is the focus of the recreational experience in a passive recreation area.

Perennials shall mean non-woody plants, which may die back to the ground each year but continue to grow on an annual basis. Perennials shall also include cold weather bulbs and tubers, and ornamental grasses that grow each year and shall count toward ground cover requirements.

Perimeter treatment shall mean improvements, such as landscaping and fencing, intended to provide visual and noise protection for the outer edges of developments that border arterial or major collector streets. Perimeter treatment is typically established at the time of new subdivision development.

Perimeter treatment plan shall mean a design for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments, which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses

Permeable shall mean a material that allows liquids or gases to pass through it.

Pervious shall mean a surface that allows water to pass through; a surface that presents an opportunity for precipitation to infiltrate into the ground

Planting median shall mean an area in the approximate center of a city street, road, or state highway that is used to separate the directional flow of traffic or the center of two parking bays that provide vegetation and pedestrian accessibility to the principal building structure by way of a paved sidewalk.

Pollinator Gardens shall mean gardens designed for the purpose of providing habitat for or attracting bees, butterflies, moths, hummingbirds, or other beneficial creatures that transfer pollen from flower to flower, or in some cases, within flowers.

Rain garden shall mean a soil-absorption or filter system designed to be depression storage or a planted hole that allows water filtration and absorption of rainwater runoff from impervious urban areas, such as roofs and driveways, walkways, parking lots, and turf-grass or sod areas. It is a type of bioretention facility designed to provide stormwater infrastructure improvements with vegetation. Typically shallow vegetative depressions with gentle slide slopes designed as individual stormwater receiving areas or linked to conveyance systems. Soils may or may not be amended in these facilities.

Required landscaping area shall mean the area of required open space, according to the zoning district provisions in which the property is located, that is not allowed to be covered by buildings, paving, heavily compacted surfaces, or other impervious.

Right-of-way landscaping shall mean landscaping located within the public or private rights-of-way adjacent to a privately owned lot, outlot, or tract, including parkways.

Screening shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, earthen berms, solid fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

Shade tree shall mean a woody plant, usually deciduous, that generally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.

Single-family Dwelling shall mean a building or a portion of a building consisting of one or more rooms including living, sleeping, eating, cooking, and sanitation facilities arranged and designed as permanent living quarters for one family or household; may be attached to one or more than other dwelling units by one or more vertical walls and may have no more than one dwelling unit on any one lot. Whether within a lot, outlot, or tract within a public right-of-way, surfaces shall not include storage or outdoor display in any legally established area.

Site plan shall mean a plan set of drawings that property owner, builder, or contractor uses to make improvements to a property through graphic representation, whether computer-generated or hand-drawn.

of the arrangement of buildings, parking, drives, landscaping, and any other structure that is part of a development project.

Sod shall mean the grass and the part of the soil beneath it held together by its roots or another piece of thin material typically used as a lawn.

Soil amendments are elements added to the soil, such as compost, natural fertilizer, manure, or chemical fertilizer, to improve its capacity to support plant life.

Solid fence shall mean a fence that is opaque and made with solid wood, composite, vinyl, or masonry.

Stamped (Sealed/Signed) documents shall mean technical drawings or documents prepared under and authorized by a licensed professional for City reviews and permitting legal records verifying authority, professional liability, and qualifications to practice.

Streetscaping or streetscape shall mean, as it pertains to this Chapter, the rehabilitation, preservation, and beautification of those exterior elements of a designated property visible from a street, including elements and landscaping within a front or street-side setback and/or the public right-of-way.

Street tree shall mean a tree planted in close proximity to a street to provide canopy shade over the street and soften the street environment.

Tree shall mean a large woody plant with one (1) or several self-supporting stems or trunks and numerous branches and may be deciduous or evergreen.

Tree lawn shall have the same meaning as the Parkway.

Turf-grass shall mean a blend or mix of grasses most tolerant to the Colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn in urbanized areas. Artificial turf shall not be considered lawn or turf-grass.

Two-Family Dwelling shall mean a house with two families or a building connected by a common wall or parcel where there are two units. For example, a duplex is a two-family dwelling.

Universal design shall mean the design of buildings, products, or environments, to make them accessible to all people, regardless of age, disability, or other factors. The term "universal design" was coined by the architect Ronald Mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

Urban heat island shall mean an urban area that is significantly warmer than its surrounding rural areas due to land surface modifications such as development and other human activities. The temperature difference is usually more significant at night than during the day.

Utility line clearance zones shall mean the minimum clearance horizontal or vertical standard determined by the utility holder. Obstructions and encroachments are prohibited.

Weed shall mean any plant not typically propagated by the horticultural trades and not typically installed for landscaping purposes or that presents a particularly noxious allergenic or growth characteristic. A seed does not include native and naturalized plants, other than designated noxious weeds, grown in areas managed primarily for ecological services.

Xeric landscaping or Xeriscape was coined by Denver Water in 1981 to help make water-efficient landscaping an easily recognized concept. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry. For the purposes of defining it in this Chapter of the Code, it shall mean the use of low-water or very low-water plants in place of plants that typically require more water to survive and include, but are not limited to, plants having a low or very low water requirement. Xeric landscaping does not mean the same as hardscaping or the use of rocks or rock mulch.

Yard shall mean that area of a lot between the property line and the foundation of a building, structure, or use.

Yard, front shall mean that portion of a lot between the front façade of a primary structure and the right-of-way. A yard may contain more land area than a setback area. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, rear shall mean the space or area of a lot between the rear property line and the principal building, extending the lot's full width, and measured perpendicular to the building at the closest point to the rear property line.

Yard, street-side shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building, which is parallel to, or most nearly parallel to, the side street property line.

18.44.040 - Landscape plan requirements.

- (a) Construction or development of a site shall not be undertaken until a landscape plan meeting the requirements of Chapter 18.16, Submittal Requirements, has been approved by the City. The landscape plan shall be designed in conjunction with the drainage plan for the subject property in such a manner as to maximize stormwater runoff absorption.
- (b) Landscape plans shall be prepared and stamped by a Colorado registered landscape architect unless waived by the Community Development Director or Designee
- (c) For phased development, a proportionate share of landscaping acceptable to the City, as outlined in an approved Development Agreement or Planned Unit Development (PUD) Plan, shall be installed and maintained with each phase based on the size of the proposed phase and shall be considered completed for the purposes of these regulations when such proportionate share of landscaping has been installed prior to issuance of a building permit.

18.44.050 - General landscaping design standards

- (a) General landscaping design standards apply to all major developments
 - (1) Planting types to be incorporated into a ' 'site's landscape plan shall include a mix of shade trees, ornamental trees, non-deciduous trees and shrubs, deciduous shrubs, and perennials.
 - (2) Landscaping provisions shall not be cumulative or overlapping. When more than one (1) standard applies, the most restrictive landscape standard shall apply.
 - (3) Bioswales, water quality ponds, and rain gardens are encouraged and may be installed to filter runoff from parking lots, streets, civic spaces, and other impervious surfaces.
 - a. Bioretention facilities such as bioswales, water quality ponds, and rain gardens that are integrated into, or part of, a stormwater system shall adhere to the [Storm Drainage Design Criteria and Construction Specification manual](#), as amended. See Figure 18.44-1 for reference.



Figure 18.44-1: Bioretention facilities

- (4) Stormwater and erosion control methods shall comply with the [Storm Drainage Design Criteria and Construction Specification](#) manual, as amended.
- (5) All on-lot landscaping shall include foundation plantings where facades are visible from adjacent rights-of-way, open space, parking lots, trails and walks, and passive recreational areas.
- (6) Minimum Plant Sizes. The minimum plant size shall be consistent with Table 18.44-2 below:

Table 18.44-2 – Minimum plant size table

<u>Plant Type</u>	<u>Plant size (Minimum)</u>
<u>Shade trees</u>	<u>2-inch diameter caliper, measured 6-inches above ground from the uppermost root flare</u>
<u>Ornamental trees</u>	<u>1½ - inch diameter caliper, measured 6-inches above ground from the uppermost root flare</u>
<u>Non-deciduous trees</u>	<u>6-foot in height</u>
<u>Shrubs</u>	<u>Volume #5 (ANSI Standards)*</u>
<u>Perennials</u>	<u>Volume #1 (ANSI Standards)</u>

*Shrubs may be substituted with large perennials (Volume #2 (ANSI standard)) or larger at a ratio of three (3) perennials to one (1) shrub ratio.

- (b) For all major and minor developments, and single-family and two-family dwellings.

- (1) Bare dirt or weeds are not allowed as ground cover or landscape material.
 - a. Acceptable ground cover or an approved synthetic ground cover shall be kept free of weeds.
 - b. Synthetic or non-plant ground covers shall not be counted towards the required live plantings coverage pursuant to 18.44.080 (a)(1).
- (2) Artificial turf is an acceptable ground cover that is only permitted in yards that are not visible from public right-of-way.
- (3) Landscape plantings are encouraged to be designed using water-efficient irrigation practices.
 - a. Water-efficient, drought-tolerant, pollinator gardens and xeric landscaping are encouraged to be planted together to promote water conservation.
 - b. Plants with contrasting textures or forms should be grouped to improve the aesthetic appearance of a yard and promote further water conservation.
 - c. Residential subdivisions that incorporate xeric planting designs in parkways, outlots, and common open space areas, may request a raw water reduction subject to review and approval by the Water and Sewer Department.
- (4) Native grass or native grass seed shall be planted in detention and retention ponds and areas not highly trafficked by pedestrian activity.
- (5) Utility line clearance zones.
 - a. Landscaping shall not obstruct or grow into fire hydrants, water meter pits, utility boxes, public traffic signs, sidewalks, or utility boxes except to comply with the requirement to screen mechanical equipment, pursuant to 18.44.080 (a)(4).
 - b. Easements. No plant material with mature growth greater than three (3) feet in height shall be planted within potable water, sanitary, or non-potable irrigation easements.
 - c. Meters, mains, and services. No shrubs shall be planted within five (5) feet or trees within ten (10) feet of potable and non-potable water meters, fire hydrants, sanitary sewer manholes, or potable water, sanitary sewer, and non-potable irrigation mains and services pursuant to Figure 18.44-2.
 - d. Overhead lines. Trees or shrubs may encroach into the utility clearance zone but shall never touch or bump into overhead phone or utility lines when the landscape material has fully matured. Shorter ornamental trees with a maximum height of twenty (20) feet are typically acceptable but shall follow service provider guidelines.
 - e. Stormwater detention areas. Placement of landscape materials that are determined to produce pollutants that may negatively affect the quality of stormwater runoff shall not be permitted near drainage, stormwater detention, or 100-year floodplain areas.

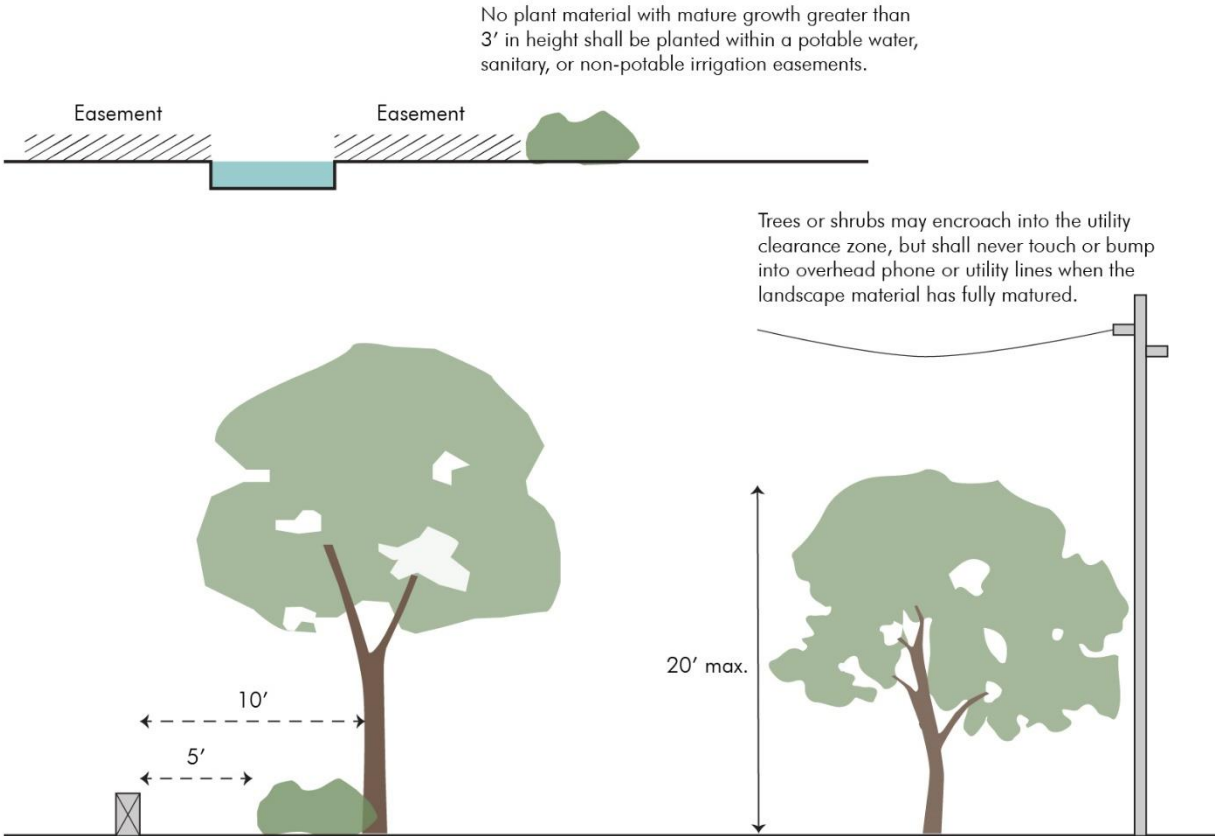


Figure 18.44-2: Utility line clearance zones

- (6) Clear vision sight distance triangle. For safety and visibility purposes, a sight distance triangle shall be created and maintained in which no landscape materials, earthen berms, or other visual obstructions are present. The clear vision sight distance triangle shall have a fifteen (15) foot decision point distance, and a conflicting vehicle distance measurement measured fifteen (15) feet perpendicular from the projected flow line of the intersecting street, driveways, and alleys.
- a. The conflicting vehicle distance measurement is dependent on the street classification and speed allowance of the street pursuant to the City's [Design Criteria and Construction Specifications](#), as amended. It must allow full view of traffic approaching the left or the right of the minor road pursuant to Figure 18.44-3.

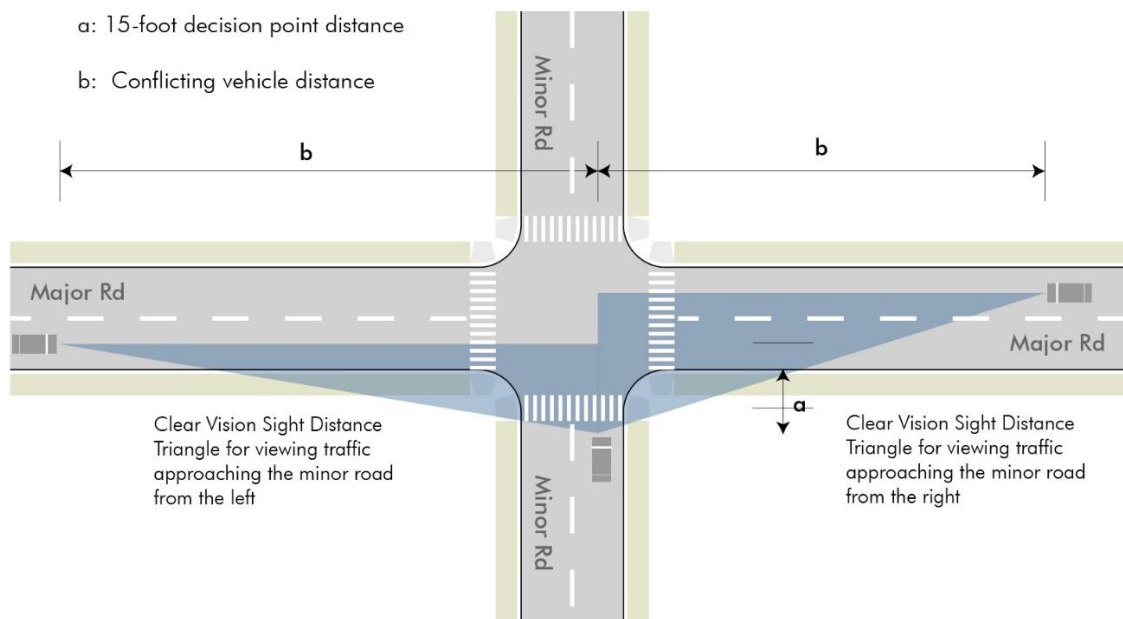


Figure 18.44-3: Clear vision sight distance triangles

- b. Landscaping proposed within the required clear vision sight distance triangle shall be maintained at a height no greater than thirty (30) inches above the adjacent street level.
- (7) Right-of-way landscaping. A right-of-way planting permit shall be required for any trees and landscape material with a mature height of over eighteen (18) inches planted within a public right-of-way.
- (8) Prior to the installation of turf-grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall follow soil amendment procedures pursuant to Title 14.08 and the Water and Sewer lawn installation specifications.
- (c) Alternatives.
- (1) Utility easements or utility lines that conflict with required landscaping, such as, but not limited to buffer yards, perimeter treatment, right-of-way landscaping, parkway landscaping, foundation plantings, and median standards, shall require an alternative design that is equal to or greater than what is required by this Chapter.
- (2) Short rooted plants such as perennials and grasses may be planted along utility easements and other utility line paths.

18.44.060 - Installation and maintenance

- (a) Installation and maintenance requirements shall apply to all major and minor developments and single-family and two-family dwellings.
- (b) All major development.
- (1) Required installation and inspections. Prior to the issuance of a certificate of occupancy, the following provisions shall be executed:
- a. A stamped letter of substantial completion shall be provided by a licensed landscape architect or a certified irrigation auditor.
- b. All subdivision landscape installation shall be complete including, but not limited to, installation of all common open space, outlots, street trees, and perimeter treatments and

shall be installed prior to the issuance of the first certificate of occupancy or through a landscape plan or development agreement that includes a phasing plan.

- (2) All landscaped areas, including but not limited to bioretention facilities, bioswales, rain gardens, detention areas, common open space areas, medians, and perimeter treatments, shall be maintained in perpetuity by a homeowner or business association unless otherwise noted in a City-approved development agreement, a recorded plat, or a recorded document.
 - (3) Approval. Installed landscape material may be inspected by the City periodically throughout the life of a development.
- (c) All major and minor developments.
- (1) An inspection shall be performed by the City or by a licensed landscape architect or a certified irrigation auditor for all new and changed landscape material.
 - (2) Perpetual maintenance.
 - a. The developer, owners' association, property owner and/or tenant, as required by this Chapter, shall be responsible for maintaining all on-lot, right-of-way landscaping; all buffer yard(s), perimeter treatment, and screening improvements. All landscape improvements shall be kept in a healthy condition.
 - b. Property owners shall be responsible for the perpetual maintenance of the adjacent front parkway unless otherwise maintained by a homeowner or business association.
 - c. Landscape material on corner lots with a side or rear parkway shall be installed by a developer and maintained perpetually by a property owner or property 'owners' association.
 - (3) Replacement. Failure to replace dead landscape materials within three (3) growing seasons (spring, summer, or fall) from the date of issuance of a certificate of occupancy shall be considered a violation of the site plan approval and is subject to penalties pursuant to Chapter 9.18.180 and Chapter 1.33 of the Municipal Code.
- (d) Exceptions. If weather prevents the required landscaping from being installed, collateral in the form of a Financial Security Agreement, acceptable to the City, in the amount of one hundred twenty-five percent (125%) of the cost of materials and installation is to be provided to the City and approved prior to issuance of the certificate of occupancy.
- (1) Single-family and two-family dwellings. If not previously installed, all required on-lot and rights-of-way landscaping, excluding perimeter treatment and buffer yards, shall be installed in accordance with the provisions of this Chapter within one (1) year of the issuance of the certificate of occupancy.

18.44.070 - Irrigation systems

- (a) Irrigation system requirements apply to all major and minor developments and as applicable to single-family and two-family dwellings.
- (b) All major developments.
 - (1) Irrigation system design required. In conjunction with a landscape plan, an irrigation system design shall be submitted, reviewed, and approved by the Water and Sewer Department.
 - (2) The irrigation system shall be a fully functioning automatic irrigation system, designed to minimize overspray and installed in accordance with Water and Sewer design standards.
 - (3) Waiver. Existing infill developments located in the Redevelopment District may request a waiver from irrigation requirements. The waiver may be reviewed on a case-by-case basis and approved by the Community Development Director or Designee.
- (c) All major and minor developments.
 - (1) The irrigation system shall include the following:

- a. Subsurface and drip irrigation. Trees, shrubs, and plantings in bed areas, such as landscape islands, shall be designed to group plants with similar water requirements and be irrigated by drip, bubbler systems, low volume spray heads and/or subsurface irrigation systems.
- b. Temporary irrigation. A temporary irrigation system is only allowed where native grass has been installed on an undeveloped lot or part of a developed lot, an outlot, retention or detention pond, and landscaping shall be established within three (3) to four (4) growing seasons, and shall comply with the re-vegetation standards as provided in the [Storm Drainage Design Criteria and Construction Specification](#), as amended.
- c. After native grass is established, the temporary irrigation must be removed within three (3) months after establishment is complete.
- (2) Irrigation audit. An irrigation audit shall be required following the installation of the irrigation system.
- (3) Automatic irrigation. Landscaped areas shall be served by a fully-functioning automatic irrigation system, as determined by Storm Drainage Design Criteria and Construction Specification, as amended.
- (d) All major and minor developments, including new single-family and two-family dwellings.
 - (1) Minimize overspray. Irrigation systems shall be designed and maintained to minimize overspray and runoff onto adjacent impervious surfaces, such as roadways, sidewalks, and parking lots.

18.44.080 - Landscape requirements for all zoning districts

- (a) Landscape requirements for all zoning districts apply to all major and minor developments.
 - (1) The minimum site area required to be landscaped is fifty percent (50%) of the required open space, as established for each of the zone districts pursuant to Chapter 18.38.
 - (2) Where landscaping is used for screening, a minimum of forty percent (40%) must be non-deciduous plant materials.
 - (3) Any part of a site not used for building coverage and main entrances, parking areas, driveways, sidewalks, or other site improvements shall be landscaped.
 - (4) All utility and ground-mounted electrical equipment planned and existing equipment, including but not limited to electric transformers, switch gearboxes, cable television boxes, telephone pedestals, and boxes, shall be screened with landscape material on the sides visible from the public rights-of-way that are not used for service access.
 - (5) Trash enclosures that are not architecturally integrated, trash receptacles, loading docks, and any outdoor storage areas shall be screened with landscape material on all sides visible from public rights-of-way such as sidewalks, streets, and other properties from which the property is visible.
 - (6) For streetscapes, parking lot perimeters, and parking lot interiors, additional landscaping beyond the minimum standards may be required in order to:
 - a. Buffer dissimilar uses and activities;
 - b. Break up the massing of blank walls and large buildings; and
 - c. Accent special features such as main entries and corridors.
- (b) For all major and minor developments and single-family and two-family dwellings.
 - (1) Trees required on-lot. Trees shall be planted pursuant to the following:
 - a. All required trees shall comply with the minimum plant material sizes listed in Table 18.44-2, Minimum plant size table.
 - b. Existing mature trees may count toward these requirements pursuant to Section 18.44.130.

- (2) Parkway standards. Landscaping within rights-of-way shall be provided subject to the following standards:
- a. Parkway development must have fifty percent (50%) live landscape material.
 - b. Shade trees shall be planted at a regular spacing of a minimum of thirty-five (35) feet on center.
 - (1) Single-family and two-family dwellings shall have no less than one (1) tree per street frontage.



Figure 18.44-4: Parkway standards

- c. Street trees and shrubs shall be those species suitable for the location in which they are planted and installed after sidewalks have been completed. Street trees and shrubs shall be planted pursuant to Section 18.44.050 (a)(6), clear vision sight distance triangle provisions.
 - d. Xeric landscaping and native grasses are encouraged in parkways.
 - e. Street trees adjacent to sidewalks and streets shall have a height clearance of eight (8) feet above sidewalks and fourteen (14) feet above streets.
- (3) If existing healthy vegetation is retained on-site, it may be counted toward the landscape requirements pursuant to provisions of this Chapter.
- (4) All landscape materials planted pursuant to the provisions of these requirements shall be healthy at the time of planting and compatible with the local climate.



Figure 18.44-5a: Tree sidewalk clearance – urban



Figure 18.44-5b: Tree sidewalk clearance - residential

(c) For all single-family and two-family dwellings.

- (1) A minimum of one (1) tree shall be planted on all single-family and two-family lots as follows:
 - a. One (1) tree shall be planted on-lot in the front yard; this requirement is in addition to the required parkway planting requirements.
 - b. Additional trees, not otherwise required, are encouraged to be planted in other parts of the residential property, where feasible.

- (2) A minimum of fifty percent (50%) live plantings shall be provided within all yards adjacent to visible from all rights-of-way, except for alleys, including typical and atypical lots pursuant to Figures 18.44-6 and 18.44-7.
- a. All non-paved areas and yards not visible from adjacent rights-of-way must be landscaped pursuant to Section 18.44.050 (b).
 - b. Driveways, walkways, patios, porches, and areas containing an accessory structure shall be excluded for the purposes of calculating the fifty percent (50%) landscape material requirement.

Figure 18.44-6: Typical Lot Frontage

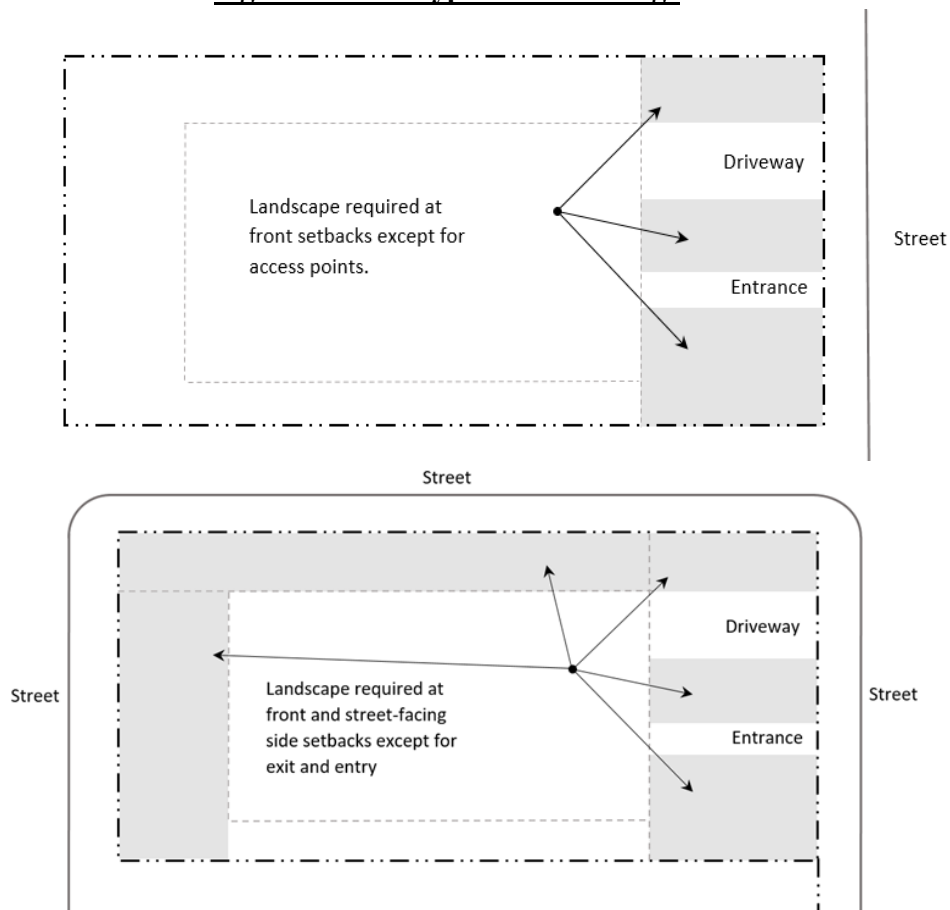


Figure 18.44-7: A-typical Lot Frontage

18.44.090 - Buffer yards standards

- (a) Buffer yard standards apply to all major developments.
- (1) The purpose of buffer yards is to provide a landscaped barrier for dissimilar uses for a transitional effect between two (2) or more lots sharing a common property line. The buffer yard standards of this section apply as follows:
 - a. All new development on vacant land adjacent to existing development.
 - b. New residential subdivisions are not exempt from this provision.
 - c. Requests for reductions to landscape requirements for oil and gas sites located in non-urbanized areas may be approved by the Community Development Director or Designee on a case-by-case basis.

- d. For the purposes of this section, land uses separated by public rights-of-way, such as alleys and streets, shall not be considered adjacent.
- (2) Location of buffer yards.
- Pursuant to Figure 18.44-8, buffer yards shall be located along the property line where the most intense and differing land-uses exist.
 - A buffer yard is required where abutting land-uses may impact the adjacent property, such as but not limited to a storage yard or a commercial or industrial building development against a residency or an open space park.
 - Buffer yards shall not be placed within any dedicated rights-of-way.



Figure 18.44-8: Buffer yard along differing land uses

- Buffer yards may be interrupted, having a break, for necessary pedestrian and vehicle access.
- Existing healthy vegetation within the required buffer yard area may be counted toward the required landscaping.
- Landscaping requirements for buffer yards.
 - Non-deciduous trees are required to make up a minimum of forty percent (40%) of the required trees.
 - Perennials or shrubs used towards buffer requirements must be no smaller than thirty-six (36) inches in height at maturity.
 - Shrubs, ornamental grasses, and perennials may not be substituted for trees in the buffer yard unless the applicant has demonstrated to staff that the site is encumbered by utilities as described in Section 18.44.050 (b).
 - All plant material conversions shall be reviewed on a case-by-case basis based on durability and appearance in the location where the materials are to be installed and may be approved by the Community Development Director or Designee.

- e. A solid wall or fencing is not required as part of a buffer yard, but if a solid wall or fence is provided that is at a minimum of 6-feet in height, then the width of the buffer yard may be reduced by twenty-five percent (25%)
- (6) Earthen berms are also encouraged as part of the buffer. Landscape material may be reduced by up to fifty percent (50%) if the site plan includes berming or other topographic features that achieve the intent of this section and are designed to complement adjacent properties.
 - a. Earthen berms shall have a slope with a horizontal to vertical ratio of no less than 3:1 ratio and no greater than a 4:1 ratio for turf-grass mowing and shall have a crown width of at least two (2) feet. See Figure 18.44-9 below.
 - b. All berms, regardless of size, shall be stabilized with grasses, especially at the crown.
 - c. Berms proposed to be placed along street rights-of-way shall be designed and constructed to provide adequate sight distances at intersections and shall not impair the safe operation of vehicles.

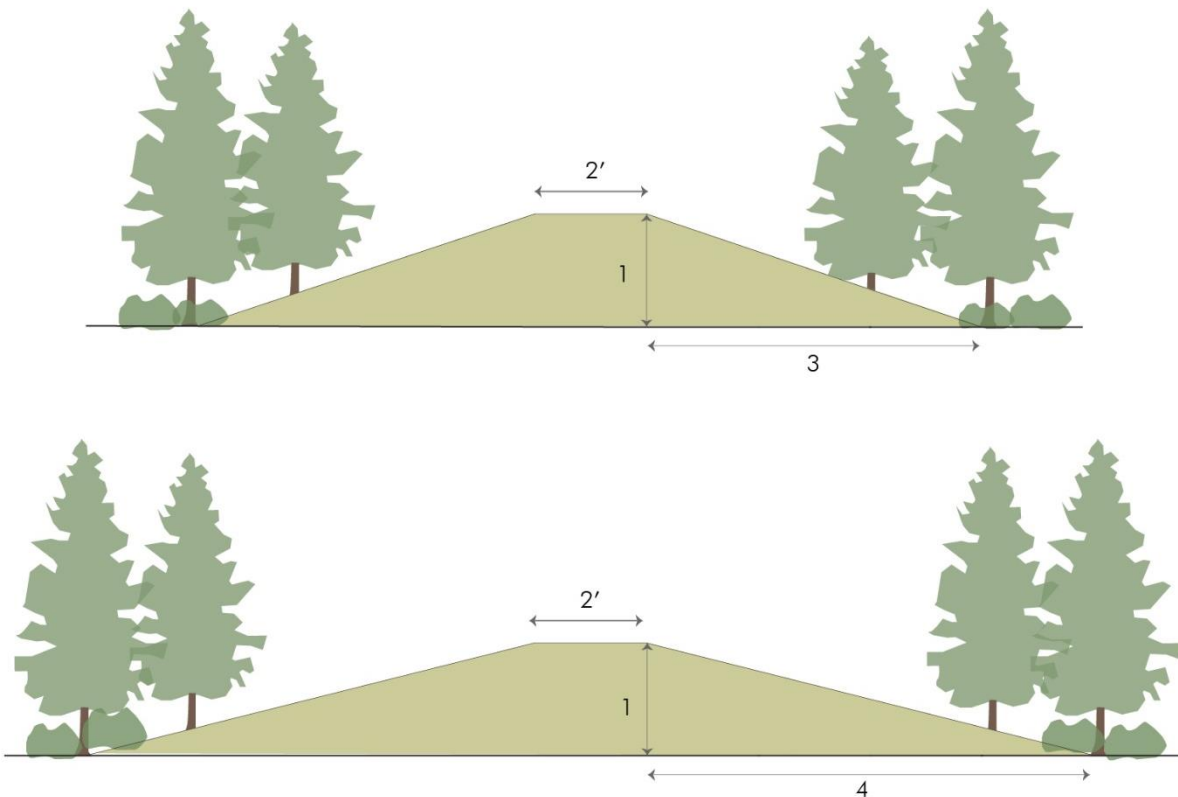


Figure 18.44-9: Earthen berms

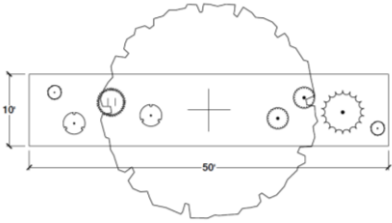
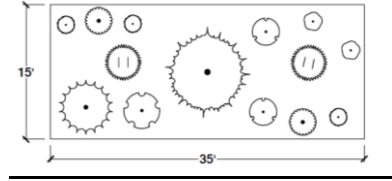
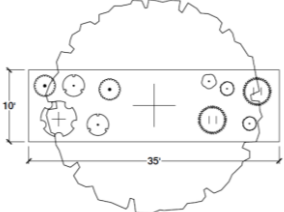
- (7) Minimum buffer yard requirements.
 - a. The land-use intensities listed in Table 18.44-3 identifies the intensity for the proposed land use and adjacent land uses.
 - b. The minimum buffer yard requirement on Table 18.44-4 identifies the buffer yard requirement for the proposed land use adjacent to those land uses identified in Table 18.44-3

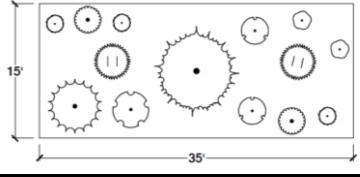
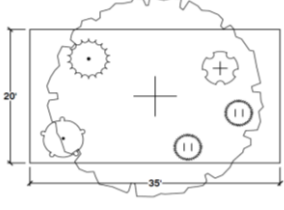
Table 18.44-23– Land-use intensity table

<u>Intensity</u>	<u>Land Use</u>
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<u>Low-intensity use</u>	<u>Including but not limited to offices (2 stories or less), churches, schools, public facilities including recreational fields, community swimming pools, and similar facilities, daycare facilities, single-family, two-family, and multi-family developments of less than 12 units per acre.</u>
<u>Medium-intensity use</u>	<u>Including but not limited to neighborhood commercial and service activities, retail operations under 3,000 square feet gross floor area and typically do not operate 24-hours a day, restaurants (no drive-up window services), banks (without drive-up windows), convenience stores (without gasoline sales), offices (3 or more stories), multi-family developments greater than 12 units per acre.</u>
<u>High-intensity use</u>	<u>Including but not limited to commercial activities that typically operate 24-hours, vehicle repair shops, service stations, drive-up window restaurants, and banks, car washes, hotels and motels, shopping centers, as well as light manufacturing activities and research facilities; or any commercial or industrial property that has a gross floor area greater than 3,000 square feet gross floor area.</u>
<u>Very-high intensity use</u>	<u>Including but not limited to heavy-industrial uses, heavy manufacturing, truck terminals, mobile home sales, vehicle sales, heavy equipment sales, facilities involving outdoor storage and outdoor commercial recreation establishments; commercial or industrial properties typically greater than 20,000 square feet gross floor area.</u>

Table 18.44-4 – Minimum buffer yard material and width table

<u>Proposed Use:</u>	<u>Adjacent Shared Use:</u>	<u>Buffer Yard Quantity/Width:</u>	<u>Example Image:</u>
No buffer yard is required when a proposed development is adjacent to another developed property with the same use and intensity.			
<u>Medium-intensity use</u>	<u>Low-intensity use</u>	<u>One (1) tree and eight (8) shrubs for every 50-linear feet;</u> <u>Minimum width:</u> <u>10-feet wide</u>	
<u>High-intensity use</u>	<u>Low-intensity use</u>	<u>One (1) tree and thirteen (13) shrubs for every 35-linear feet;</u> <u>Minimum width: 15-feet wide</u>	
<u>High-intensity use</u>	<u>Medium-intensity use</u>	<u>One (1) tree and ten (10) shrubs for every 35-linear feet;</u> <u>Minimum width: 10-feet wide</u>	

<u>Very-high intensity use</u>	<u>Medium-intensity use</u>	<u>One (1) tree and thirteen (13) shrubs for every 35-linear feet; Minimum width: 15-foot wide</u>	
<u>Very-high intensity use</u>	<u>High-intensity use</u>	<u>One (1) tree and five (5) shrubs 35-linear feet; Minimum width: 20-foot wide</u>	

(8) Alternatives.

- a. If a development includes a vegetated water quality pond, decorative and articulated 6-foot tall solid wall, or an architectural landscape design, the property owner may request a ten percent (10%) reduction in the overall landscape requirement, except for buffer yards and perimeter treatments.
- b. If the site has unique characteristics where buffering cannot be feasibly installed due to size constraints, minimal setbacks, or easement encumbrances, a request for alternative compliance pursuant to Section 18.44.020(b) and 18.38.140 may be granted.
- c. Infill sites only. A buffer yard may be replaced with two (2) or more public space concepts such as, but not limited to outdoor seating areas and dining with landscaping, wood, gas or propane fire pits, fireplaces, grills, and outdoor heaters or decking areas that are accessible and functional to the public, sustainable in design, and allows for community engagement. Requests for this buffer yard replacement provision shall be reviewed on a case-by-case basis and may be approved by the Community Development Director or Designee.

18.44.100 Parking lot landscaping standards

- (a) Parking lot landscape standards shall apply to all major and minor developments.
- (b) Parking lots shall adhere to the setback standards pursuant to Chapter 18.38 - Zoning District Development Standards.
 - (1) General parking lot landscape standards:
 - a. Landscaping must accommodate a two (2) foot vehicle curb overhang.
 - b. Landscape shall incorporate a universal design.
 - c. Landscaping material such as shrubs or perennials, but excluding required trees, shall have a limited height of thirty (30) inches where vehicle visibility is necessary.
 - d. The total on-lot tree count shall be no less than one (1) tree per five (5) parking lot spaces.
 - e. The required landscape treatment for parking lot screening may include a living fence, berming, decorative metal fencing, and/or masonry wall.
 - (2) Parking lot screening.
 - a. A minimum eight (8) foot wide landscaped area, exclusive of sidewalks and utility easements, shall be provided between the parking lot and street right-of-way to accommodate the required plantings.

- b. The landscape treatment shall be located at the perimeter of surface parking lots abutting street corridors and shall not encumber the clear vision sight distance triangle.
- c. A minimum of one (1) shade tree or non-deciduous tree shall be planted for every thirty-five (35) linear feet. Where space allows, earthen berms are encouraged as part of the screening to allow for diversity and interest in landscape design. A minimum of six (6) shrubs shall be planted between every tree. A mix of evergreen and deciduous shrubs is encouraged.

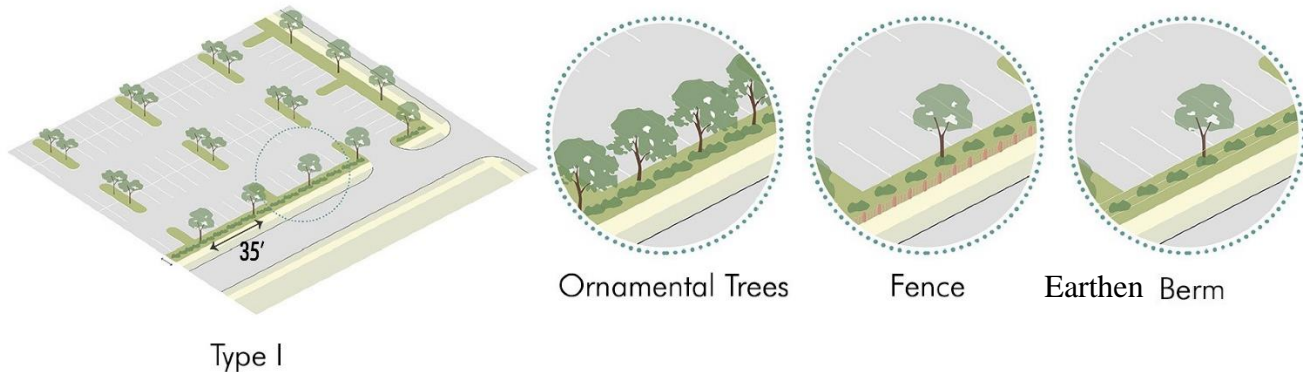


Figure 18.44-10: Parking lot screening

- (3) Interior parking lot design. The following landscaping requirements shall apply to parking lots with fifteen (15) or more parking spaces to provide pervious surfaces within a parking lot.
 - a. Parking lot islands shall include curb cuts that direct runoff into pervious areas. Plants within these pervious areas shall have high salt and chemical tolerance.
 - b. Where more than fifteen (15) parking stalls are provided in a row, one (1) parking lot island shall be provided. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but at no time shall the total number of islands be less than the required amount of one (1) island for every fifteen (15) spaces.



Figure 18.44-11: Single row and double row parking lot islands

- c. The end of every parking row shall have a landscaping island.
 - d. Standard size vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by nineteen (19) feet long and contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by thirty-eight (38) feet long and shall contain no less than two (2) shade trees.
 - e. Compact vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by sixteen (16) feet long and shall contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by thirty-two (32) feet long and shall contain no less than two (2) shade trees.
- (4) Footstep access.
- a. Landscape islands shall have an additional twelve (12) inch setback from an adjacent curb to provide a footstep for pedestrian access from the parking stall pursuant to Figure 18.44-12.
 - b. The footstep access may be accomplished with a wider sidewalk, enlarged curb, or striping to avoid having vehicles park too close, and pedestrians step on landscape material.
 - 1. If the footstep is inside the landscape island, it shall be constructed of concrete or an acceptable all-weather compacted material.

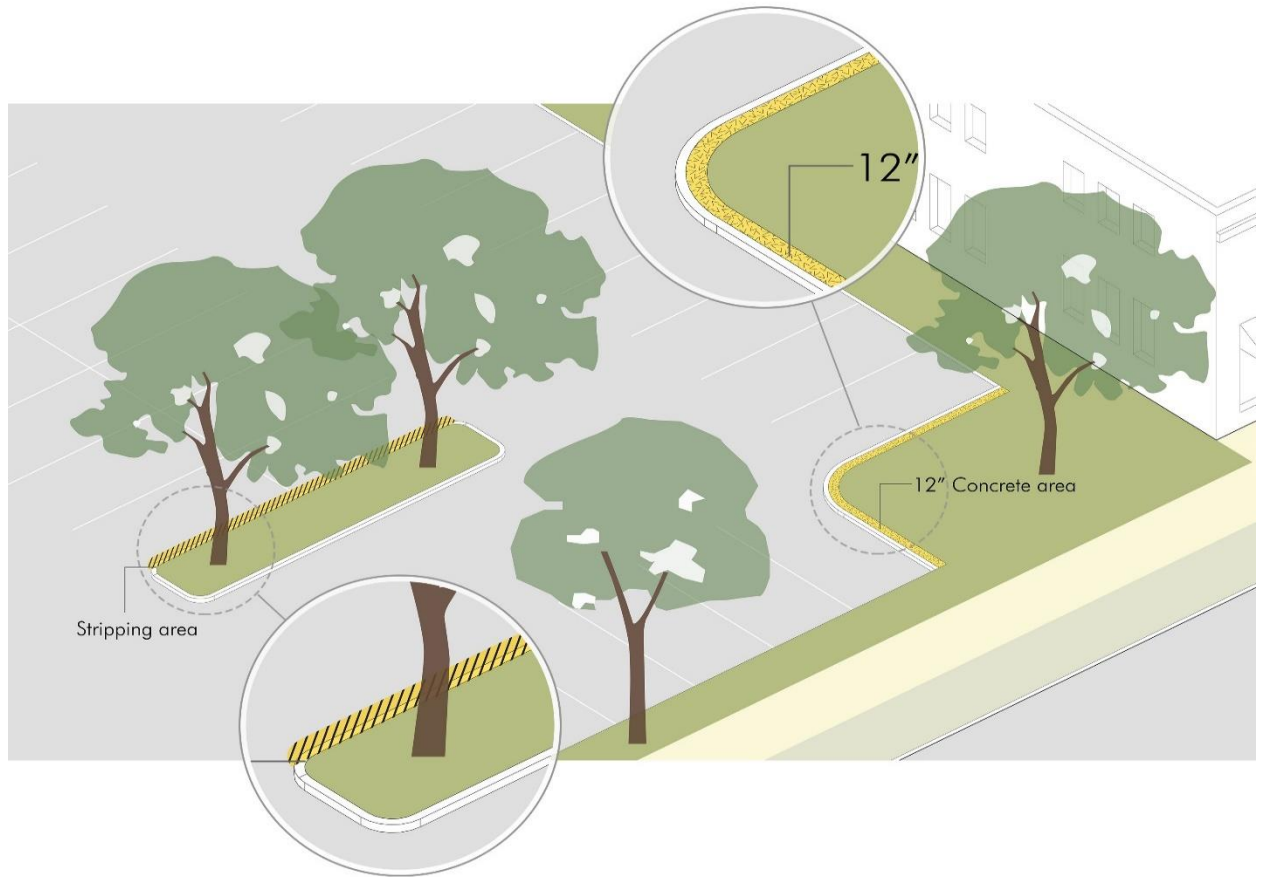


Figure 18.44-12: Landscape island footstep access

- (5) Planting median. Shall be required in parking lots with greater than 100 parking spaces:
- a. For every two (2) parking bays, a continuous planting median is required to provide pedestrian accessibility and additional shading for large parking lot surfaces, pursuant to Figure 18.44-13.
 - b. All medians shall be a minimum of fifteen (15) feet wide and shall include a five (5) foot sidewalk.
 - c. All planting medians shall contain defined breaks, as necessary, to provide pedestrian circulation between bays of parking. The bays shall allow for handicap accessibility from one side of the planting median to the other and onto any sidewalk located within the planting median.

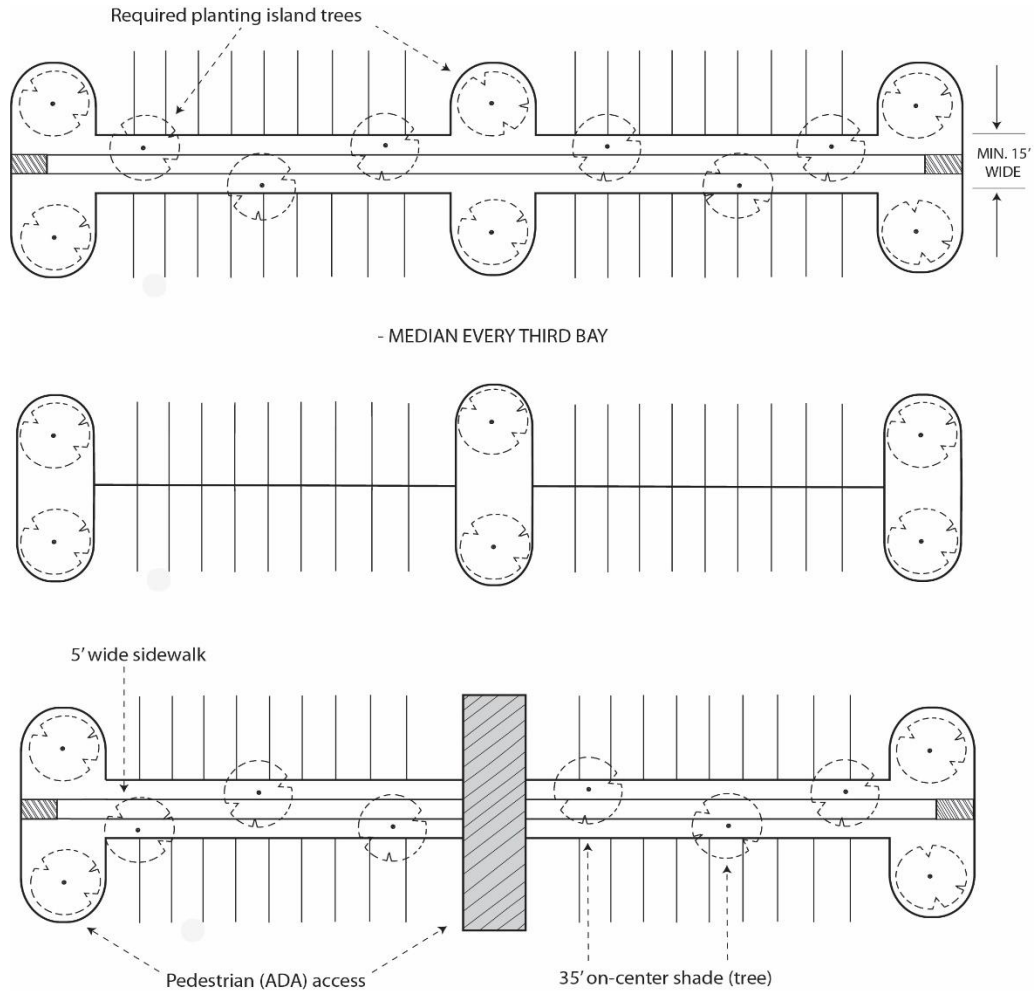


Figure 18.44-13: Example Planting Medians

- (6) Alternatives.
- Parking lot entry areas may request a twenty percent (20%) reduction of the required landscape material if the property includes large monumentation, artwork, or architectural landscape design and may be approved on a case-by-case basis by the Community Development Director or Designee.
 - Parking lot landscape screening. Landscape material may be reduced by twenty percent (20%), if an architectural and decorative short-wall or earthen berm no greater than thirty-six (36) inches in height is included in the overall design of the landscape screening treatment.
 - Parking lots that include a bioretention facility that is greater than ten percent (10%) of the size of the entire impervious area of a parking lot may request a reduced parking lot screening setback by up to one (1) foot.
- (7) Exemptions.
- Residential complexes or commercial centers that share a parking area or that have property lines adjacent to an alley or areas that abut an alley may be exempted from these requirements, and may be approved on a case-by-case basis by the Community Development Director or designee.

18.44.110 - Perimeter treatment standards

(a) Perimeter treatment standards.

A perimeter treatment plan shall be submitted for all new developments, except for individual single-family or two-family dwellings that are not being approved as part of a subdivision application. The perimeter treatment plan shall include landscaping in areas adjacent to all rights-of-way, landscaping behind the sidewalk, as well as any parkway plantings.

- (1) Requirements. The perimeter treatment plan shall include all landscaping improvements such as live plant material and elements such as fencing, earthen berms, walls, and enhanced streetscape that include furnishings, lighting, and any alternative design requests. Alternative design requests may be approved by the Community Development Director or Designee on a case-by-case basis.
 - a. The plantings and elements required in perimeter treatments shall include the area between the edge of the roadway against the property line as part of the streetscape or along the edge of an outlot or common open space area facing rights-of-way.
 - b. The perimeter treatment shall be complementary to adjacent sites and any surrounding perimeter treatments in the immediate area.
- (2) Subdivision entryways shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs, perennials, and ground covers. Plantings shall be massed and scaled based on the entryway size and space. Landscaping should also be designed to provide detail, color, and variety to create visual interest.
- (3) Required perimeter treatment shall be installed concurrent with other site infrastructure improvements, as per Section 18.04.1195, and prior to the issuance of a certificate of occupancy pursuant to Section 18.44.060 (b)(1), or as specified in a Development Agreement or PUD plan.
- (4) Solid fences and walls included as part of a perimeter treatment shall be in accordance with Section 18.52.035. All walls shall include top-of-wall and bottom-of-wall dimensions at five-foot intervals.
- (5) Perimeter treatment design. Notwithstanding the parkway requirements pursuant to 18.44.080 (b)(2), perimeter treatment areas shall contain the plantings according to Table 18.44-5, or a good mix of trees shrubs that provide comparable screening, as determined by the City.

(b) Alternatives.

- a. For sites with unique characteristics or site constraints that may make where perimeter treatment difficult to install due to size, reduced setbacks, or easement encumbrances, a request for alternative compliance pursuant to Section 18.44.030(b) and 18.38.140 may be submitted for review and may be approved on a case-by-case basis by the Community Development Director or designee.

(c) Exemptions.

- (1) Parking lots that require parking lot screening shall not be subject to perimeter landscape requirements.

Table 18.44-5: Perimeter treatment design requirements

<u>Use Type</u>	<u>Street Classification</u>	<u>Type - Base Standard (plants per 100 linear feet)*</u>	<u>Minimum Width of Perimeter (in feet)</u>
<u>Residential/Institutional</u>	<u>Collector</u>	<u>4 trees</u> <u>14 shrubs</u>	<u>10</u>
<u>Residential/Institutional</u>	<u>Arterial</u>	<u>4 trees</u> <u>16 shrubs</u>	<u>20</u>
<u>Residential/Institutional</u>	<u>Highways/ Expressways/ Freeways</u>	<u>4 trees</u> <u>24 shrubs</u>	<u>30</u>
<u>Commercial/Industrial</u>	<u>Collector/Arterial</u>	<u>3 trees</u> <u>5 shrubs</u>	<u>10</u>
<u>Commercial/Industrial</u>	<u>Highways/ Expressways/ Freeways</u>	<u>4 trees</u> <u>10 shrubs</u>	<u>15</u>

* All perimeter treatment plans shall contain forty percent (40%) non-deciduous trees and shrubs.

18.44.120 - Boulevard median standards

- (a) Boulevard median plan shall be submitted for all new developments, except for individual single-family or two-family dwellings which are not being approved as part of a subdivision application or land use application.
- (1) A cross-section and planting plan of the proposed boulevard median to be landscaped shall be included with the land use application.
 - (2) Xeric plants, decorative rocks and boulders, perennials, grasses, and shrubs may be included in the median design.
 - (3) Plant groupings shall be designed in association with the mulch of choice. When mulches are mixed, it is encouraged to incorporate a creative design that provides stormwater erosion control
 - (4) Proposed tree species shall be approved by the City.
 - (5) The developer, pursuant to a Development Agreement, shall be responsible for installing the median landscaping and irrigation system.

18.44.130 - Alterations, replacement, and removals

- (a) Alterations, replacement, and removals shall apply to all major and minor development and single-family and two-family dwellings.
- (b) Protection, mitigation, and preservation apply to all major and minor developments.
- (1) Protection of wildlife habitat and/or linkages to wildlife habitat. The preservation and protection of healthy specimen trees, masses of smaller, healthy trees, and trees in common open spaces and passive recreational areas is preferred.
 - (2) Unauthorized removal and replacement, modifications, deviations, or alterations to the approved landscape plans, or failure to install and maintain plant material (including replacement of dead or dying plant material) is prohibited and subject to penalties in Chapter 9.18.180 of the Municipal Code.
 - (3) Mitigation plan.

- a. A tree inventory and report shall be prepared by a certified arborist to evaluate each tree for its mitigation value.
- (4) Tree credits, pursuant to Table 18.44-6, shall be given so long as the provisions of this Code section are met.
- (c) Preservation of existing trees and vegetation is preferred.
 - (1) Trees that are not in the path of new structures, pedestrian access, or parking lots shall be preserved and incorporated into an associated development's overall site design.
- (d) Removal and replacement of trees shall apply to all major and minor developments and single-family and two-family dwellings.
 - (1) Replacement shall be provided on-site and in the rights-of-way adjacent to the property pursuant to the minimum tree planting requirements Chapter.
 - (2) Replacement of trees shall be of the same or similar species and tied to a previously approved landscape plan and/or to an existing condition of the subject site, except for those species designated as noxious or prohibited species.

Table 18.44-6: Tree Credits/Debits

<u>Diameter caliper of tree</u>	<u>Tree credit/debit</u>
<u>≤ 2-inches to 20-inches</u>	<u>1</u>
<u>>20-inches</u>	<u>3</u>

- (e) If the site design precludes incorporation of some or all existing healthy trees, then replacement shall be made as follows:
 - (1) For all major and minor developments.
 - a. Replacement shall be provided on an adjacent site or the nearest public land, if feasible, as determined by the City.
 - b. Suppose the number of trees required for replacement cannot be feasibly mitigated on the subject site. In that case, the trees' dollar value as cash-in-lieu, including the estimated cost of installation, shall be provided to the City.
- (f) No credit shall be granted for trees which are:
 - (1) Defined as non-native invasive plants or prohibited species as determined by the City;
 - (2) Dead, dying, diseased, or infested with harmful insects;
 - (3) Not located on the actual development site;
 - (4) Irreparably damaged due to improper pruning;
 - (5) Preserved trees, where root protection zones have been impacted;
 - (6) Relocated without approval by the City or as part of an approved landscape plan; Trees removed by the City due to sight impairment of vehicular traffic or pedestrian circulation shall not be replaced with new trees and shrubs.

Section 4. Section 18.04.110 of the Greeley Municipal Code is hereby amended to read as follows:

18.04.110 - Definitions

The following words, terms and phrases, when used in this Chapter, shall have the meanings defined as follows:

Accessory building or structure shall mean a detached building or structure located upon the same lot as the principal building or structure to which it is related and which is incidental to and customarily found in connection with such principal building or structure and which is not to be used for human habitation.

Administrative Review Team (ART) shall mean the City staff review team consisting of representatives of City departments involved with development and land use activities within the City and its long-range planning areas.

Alley shall mean a minor way used primarily for vehicular service access to the back of properties adjacent to a street and which is not intended to be used for primary access to a property. An *alley* shall not be considered a *street*.

Appeal shall mean a review of a final decision by a higher authority.

Applicant shall mean the owners or lessees of property, their agents or persons who have contracted to purchase property, or the City or other quasi-governmental entity that is proposing an action requiring review and approval by one (1) or more of the sections in this Chapter. An *applicant* may subsequently become the developer once approval is granted and, in this case, the terms shall be interchangeable.

Base flood shall mean a flood having a one-percent chance of being equaled or exceeded in any year. This term is used interchangeably with the terms *intermediate regional flood*, *one-hundred-year flood*, *one-percent flood* and *area of special flood hazard*.

Block shall mean a group of lots within the defined and fixed boundaries of a subdivision and usually being an area surrounded by streets or other features, such as parks, railroad rights-of-way or municipal boundary lines.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities ~~within or adjacent to a development, or along roadways or other public areas, through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof. The term *buffer* may also be used to describe the methods used to promote compatibility, such as a landscape buffer.~~

Building shall mean any structure built for the shelter or enclosure of persons, animals or property of any kind, excluding fences or walls.

Building envelope shall mean the area in which a building or structure is constructed or placed in a development and in which the land area beyond the envelope is under the common ownership of all property owners within the development.

Building, principal shall mean the primary building on a lot or a building that houses the principal use.

Center line (of public right-of-way) shall mean a line running midway between the bounding right-of-way lines of a street or alley. For the purposes of calculating signage, the *center line* shall mean the apparent center line of the road determined by finding the point midway between the outer edges of the road surface.

City shall mean the City of Greeley, Colorado.

City Manager shall mean the City Manager or the City Manager's designee or other official, or body or agency, designated by the Charter or ordinance to act on behalf of the City of Greeley, Colorado.

Commission shall mean the Planning Commission of the City of Greeley, Colorado.

Comprehensive Plan shall mean the Comprehensive Plan of the City of Greeley, Colorado, as provided for in the City Charter and which provides for the future growth and improvement of the community, for the preservation of historic and natural resources and for the general location and coordination of streets and highways, recreation areas, public building sites and other physical development.

Cul-de-sac shall mean a local street of no more than five hundred (500) feet in length, with one (1) open end and the other end terminating in a vehicular turnaround.

Dedication shall mean setting aside property for a specific purpose, including, but not limited to streets, utilities, parks and trails.

Development shall mean any construction or activity which changes the basic character or use of land on which construction or activity occurs, including but not limited to any non-natural change to improved or unimproved real estate, substantial improvements to buildings or other structures, mining, dredging, filling, grading, paving, extraction or drilling operations.

Development concept master plan shall mean a scoping master plan intended to illustrate future land uses and related densities and intensities, architectural intent, extensions of street systems and other public facilities and utilities.

Development or subdivider's agreement shall mean a written instrument, for the purposes of specifying all improvements to be constructed by the subdivider, as well as the timetable for construction of such improvements, any special conditions of construction and construction cost estimates.

Dust abatement plan shall mean a plan intended and designed to control dust during the construction or development of property.

Easement shall mean a right granted by a property owner permitting a designated part or interest of the property to be used by others for a specific use or purpose.

Floor area, gross shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building, such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, or any floor space in accessory buildings or areas within the building which are intended for the parking of motor vehicles.

Legal description shall mean a land description recognized by law, including the measurements and boundaries.

Lot shall mean a parcel of land, established by a subdivision plat, having a minimum width of at least twenty (20) feet which shall be located on either a public right-of-way or on a legal and perpetual access and which is occupied or designed to be occupied by one (1) or more principal buildings, structures or uses.

Minor subdivision shall mean a subdivision procedure that may be used for division of a parcel of land into not more than ten (10) lots or building envelopes which are intended for residential use; or into not more than six (6) lots which are intended for commercial or industrial use; or for the creation of lots not less than eighty (80) acres in size, the plat of which does not propose new streets or municipal financial participation in any public improvements required as a result of said proposed plat. A *minor subdivision* may also be used for the aggregation of not more than ten (10) parcels into one (1) or more parcels, the dedication and/or

vacation of easements, the division of a parcel of land into lots for existing townhouse dwellings and for adjustments in lot lines.

Oil and gas operations shall mean exploration for oil and gas, including the conduct of seismic operations and the drilling of test bores; the siting, drilling, deepening, recompletion, reworking or abandonment of an oil and gas well, underground injection well or gas storage well; production operations related to any such well, including the installation of flowlines and gathering systems; the generation, transportation, storage, treatment or disposal of exploration and production wastes; and any construction, site preparation or reclamation activities associated with such operations.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose which shall be shown on the face of the plat. Specific purposes may include, but are not limited to drainage areas, stormwater detention or retention areas, parks, open space or land areas reserved for other public facilities.

Parcel shall mean a unit or contiguous units of land in the possession of, or recorded as the property of, any person, partnership, joint venture, association, corporation or other legal entity.

Perimeter treatment plan shall mean a plan ~~designed for the installation and perpetual maintenance of improvements~~ intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses. Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. ~~The perimeter treatment plan may be incorporated into and shown on the landscape plan.~~

Plat shall mean a subdivision map or plan of property.

Plat, correction shall mean a plat prepared for the purposes of correcting one (1) or more technical errors in an approved plat.

Plat, filing shall mean a subdivision map used in conjunction with a Planned Unit Development, to identify the legal boundaries of a lot or grouping of lots.

Plat, final shall mean a completed map of a subdivision setting forth fully and accurately all legal and engineering information, survey certification and any accompanying materials as required by this Chapter.

Plat, lot line adjustment shall mean a monumented survey illustrating existing and proposed lot lines and existing improvements in proximity to said lot lines.

Plat, preliminary shall mean a proposed subdivision map and any accompanying materials as required by this Chapter, which provide sufficiently detailed information so that preliminary agreement as to the form and content of the plat, within the objectives of this Chapter, may be reached between the subdivider and the City.

Public improvement shall mean any improvement required by this Chapter for which the City or a quasi-public agency agrees to assume responsibility for maintenance and operation, or which may affect an improvement for which the City or a quasi-public agency is already responsible. Such facilities include, but are not limited to, streets, parks, trails, drainage facilities, water and sewer facilities, gas, electricity, telephone, cable television and other utility facilities.

Public structure, activity or purpose shall mean a structure, activity or purpose owned or operated by a governmental agency or by a nonprofit corporation with tax-exempt status under the federal Internal Revenue Code, if the nonprofit corporation makes the structure or facility available for the use of all members of the public without regard to membership status.

Replat shall mean the minor subdivision procedure which may be used for boundary or lot line adjustments to legally subdivided lots, or to correct errors in surveys or plats.

Right-of-way shall mean a right granted by a property owner and which is intended to be occupied by a street, sidewalk, railroad, utilities and other similar uses.

Stormwater management plan shall mean a plan for the management of stormwater drainage and control prepared in conformance with the regulations for stormwater management, adopted by the Colorado Department of Public Health and Environment; and further, including a plan for erosion and sediment control pursuant to the requirements of Chapter 9.18 of this Code, including its references. Refer to the City's *Storm Water Drainage Design Criteria Manual* for additional information.

Street shall mean a way for vehicular, pedestrian or bicycle traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

Street, arterial shall mean those streets that permit relatively unimpeded traffic movement throughout the City and connecting to outside communities.

Street, arterial major shall mean those arterial streets designed to carry traffic volumes greater than twenty thousand (20,000) vehicles per day when the property which the arterial street serves is fully developed, and which permit rapid and relatively unimpeded traffic movement throughout the City, connecting major land use elements as well as connecting to outside communities.

Street, arterial minor shall mean those arterial streets designed to carry traffic volumes greater than fifteen thousand (15,000) vehicles per day when the property which the arterial street serves is fully developed, and which permit relatively unimpeded traffic movement and are intended for use on routes where four (4) moving lanes and one (1) turn lane are required but where a major arterial cross-section is not warranted.

Street, arterial parkway multi-modal shall mean those streets designed to carry traffic volumes greater than thirty-five thousand (35,000) vehicles per day when the property which the arterial street serves is fully developed and which permit rapid and relatively unimpeded traffic movement regionally and throughout the City, with emphasis on multi-modal connections.

Street, collector shall mean those streets that collect and distribute traffic between arterial and local streets and serve as main connectors within the City, linking one (1) neighborhood with another and which carry traffic with an origin or destination within the community.

Street, collector major shall mean those collector streets designed to carry traffic volumes greater than ten thousand (10,000) vehicles per day when the property which the collector serves is fully developed, and which permit relatively unimpeded traffic movement and are intended for use on those routes where four (4) moving lanes are required but where a larger classified street is not warranted.

Street, collector minor shall mean those collector streets designed to carry traffic volumes greater than three thousand five hundred (3,500) vehicles per day, which collect and distribute traffic between arterial and

local streets and which serve as main connectors within communities, linking one (1) neighborhood with another.

Street, local shall mean those streets which provide direct access to adjacent property and which carry traffic with an origin or destination within the immediate neighborhood.

Street, local commercial/industrial shall mean those local streets designed to carry traffic volumes of up to five thousand (5,000) vehicles per day and which provide direct access to adjacent property.

Street, local low volume shall mean those local streets designed to carry traffic volumes of up to five hundred (500) vehicles per day and which provide direct access to adjacent property, serving large residential lots with a minimum lot size of two (2) acres.

Street, local major shall mean those local streets designed to carry traffic volumes greater than one thousand five hundred (1,500) vehicles per day and which provide parking, bike lanes and direct access to adjacent property.

Street, local residential shall mean those local streets designed to carry traffic volumes of up to one thousand five hundred (1,500) vehicles per day and which provide direct access to adjacent property.

Structure shall mean anything constructed or erected on the ground, the use of which requires a more or less permanent location on the ground and including, but not limited to, walls, retaining walls, fences, parking lots, parking slabs and oil and gas production facilities.

Subdivider or *developer* shall mean any person, partnership, joint venture, association or corporation, or other legal entity who or which shall participate as owner, promoter, designer, builder or sales agent in the planning, platting, development, promotion, sale or lease of a subdivision.

Subdivision shall mean the division of a lot, tract or parcel of land into two (2) or more lots, tracts or parcels, or other division of land in compliance with the requirements of this Chapter.

Townhouse dwelling shall mean a dwelling in a building which contains two (2) or more dwellings, each of which is individually owned, along with the land area which constitutes the lot on which the townhouse dwelling is situated. To qualify as a townhouse dwelling, the structure must comply in all respects with applicable Building Codes and each dwelling unit must be separated by a fire wall, if required by applicable City codes.

Tract shall mean a parcel or parcels of land intended to be further subdivided before development at some point in the future, but which may be initially created as tracts through a subdivision process.

Use shall mean the type of activity for which land or a building or structure is designated, arranged or intended and also means the activity which regularly takes place upon the land or in a building or structure on the land. Not all uses shall be considered legal or permitted uses.

Vacation shall mean the legal abandonment of a right granted by a property owner, which was intended for a particular purpose, such as for streets or utility lines.

Section 5. Section 18.42.030 of the Greeley Municipal code is hereby amended to read as follows:

18.42.030 – Definitions

The following terms as used in this Chapter shall have the following meanings:

All-weather surface shall mean a ground surface covered with bricks, concrete precast paver units, concrete, asphalt or asphaltic or rubber mixture which may include compacted sand or gravel as an ingredient and which creates a hard surface. A graded natural surface or one covered with rolled stone or overlaid with noncompacted gravel shall not be considered an *all-weather surface* .

Driveway shall mean an improved concrete or asphalt path, either as one (1) solid pad or two (2) wheel strips, leading directly to one (1) or more City-approved parking spaces constructed with a concrete, asphalt or similar all-weather surface.

Driveway, angled shall mean a driveway which diverges from the approved driveway access at an angle for the purpose of creating access to a legal parking space, and which does not increase the width of the existing driveway at the street, curb or sidewalk.

Driveway extension shall mean an area adjacent and parallel to an existing driveway for the purpose of expanding the parking area in front of a garage.

Gross floor area (GFA) shall mean the total area of a building measured by taking the outside dimensions of the building at each floor level, or from the center lines of walls separating two (2) buildings and excluding areas used exclusively for the service of the building such as mechanical equipment spaces and shafts, elevators, stairways, escalators, ramps, loading docks, cellars, unenclosed porches, attics not used for human occupancy, any floor space in accessory buildings, or areas within the building which are intended for the parking of motor vehicles.

Oversized commercial vehicle shall mean a vehicle weighing at least eight thousand (8,000) pounds and used in conjunction with a business. Oversized commercial vehicles include, but are not limited to, semi tractors with or without trailers, tow trucks and utility service trucks.

Oversized vehicle, for the purpose of this Chapter, shall mean a vehicle exceeding one (1) ton or two thousand (2,000) pounds.

Parking shall mean the parking or leaving of an operable, licensed vehicle, current in its registration, for a temporary period.

Parking areas or lots shall mean areas designed, used, required or intended to be used for the parking of motor vehicles, including driveways or access ways in and to such areas, but excluding public streets and rights-of-way.

Parking, shared shall mean the development and use of parking areas on two (2) or more separate properties for joint parking use by the land uses on those properties.

Parking slab shall mean a paved parking space located off-street and designed to accommodate one (1) or more standard-sized motor vehicles.

Parking space shall mean a space or stall delineated by striping within a parking area established in conformance with this Code.

Parking space, storage shall mean a space for the storage of operable, licensed vehicles, current in registration, including recreational vehicles or equipment, for a period of thirty (30) days or longer.

Parking structure shall mean a parcel of land devoted to a multistory structure for the primary purpose of containing parking spaces.

Parkway shall mean the strip of land typically located between the sidewalk and curb, also referred to as a tree lawn.

Recreational equipment shall mean equipment intended for outdoor recreational use, including but not limited to snowmobiles, jet skis, all-terrain vehicles (ATVs), canoes and boats and including the trailers for transporting such equipment (see also *recreational equipment, major* and *recreational equipment, minor*).

Recreational equipment, major shall mean boats that exceed eighteen (18) feet in length, utility trailers that exceed the dimensions of five (5) feet by eight (8) feet and enclosed utility trailers that exceed the dimensions of five (5) feet by eight (8) feet and are more than three (3) feet in height.

Recreational equipment, minor shall mean boats that are eighteen (18) feet or less in length, utility trailers that are five (5) feet by eight (8) feet in size or less, canoes, snowmobiles, jet skis, all-terrain vehicles (ATVs) and similar small and low-profile outdoor recreational equipment.

Recreational vehicle shall mean a vehicle which is designed, intended and used for purposes of temporary living accommodation for recreation, camping and travel use, including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes, horse trailers and bus campers. For the purposes of this definition, neither a pop-up trailer nor a truck topper accessory (also known as a camper shell) which is not higher than eight (8) inches above the truck cab when installed shall be considered a recreational vehicle. A horse trailer used primarily for transport of horses and/or livestock to or from the site it is stored upon shall not be considered a recreational vehicle under this definition.

Structure shall mean anything constructed or erected on or in the ground, the use of which requires a more or less permanent location on or in the ground, and including, but not limited to, walls, retaining walls, fences, parking lots, parking slabs and oil and gas production facilities.

Yard, front or street side shall mean that portion of a lot between the primary structure and right-of-way. shall means the space or area of a lot between every point on the front of a principal building and the front property line of the site, typically adjacent to the street, which extends the full width of the site, and measured perpendicularly to the building at the closest point to the front property line. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, rear shall mean the space or area of a lot between the rear property line of the principal building and the rear property line of the site, extending the full width of the site, and measured perpendicular to the building at the closest point to the rear property line.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, side street shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building which is parallel to, or most nearly parallel to, the side street property line.

Section 6. Section 18.04.110 of the Greeley Municipal Code is hereby amended in part to add, amend or delete the following definitions in alphabetical sequence to read as follows:

APPENDIX 18-B – Definitions

The following words, terms and phrases, when used in this Code, shall have the meanings defined as follows:

American National Standards Institute (ANSI) shall mean the standards by said organization that helps development in the use have an equitable and open process that serves industry and the public good, having a consensus in standards development; ANSI's essential requirements.

Architectural landscape design shall mean the design of outdoor areas, landmarks, and structures to achieve environmental, social-behavioral, or aesthetic outcomes. It involves the systematic design and general engineering of various structures for construction and human use, using existing social, ecological, and soil conditions and processes in the landscape to produce desired landscaping.

Artificial turf shall mean any of the various synthetic fibers made to resemble natural grass.

Berm shall mean a mound of earth, higher than grade, used for screening, definition of space, noise attenuation and decoration in landscaping have the same meaning as earthen berm.

Bioretention facility shall mean a landscaped stormwater element designed to concentrate or remove debris and pollution from surface water runoff by moving water slowly and horizontally at the surface through vegetation using gently sloped sides that cleanse water from pollutants and soil erosion before it enters the city's stormwater system.

Bioswale shall mean a channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

Buffer shall mean to promote separation and enhance compatibility between land uses of different intensities, within or adjacent to a development, or along roadways or other public areas through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof. The term buffer may also be used to describe the methods used to promote compatibility such as a landscape buffer.

Buffer yard shall mean that area intended to provide buffering between land uses of different intensities or along roadways or other public rights of way through the use of setbacks, landscaping, earthen berms, solid fences, walls, applicable bioretention facilities or a combination thereof. Unlike a perimeter treatment, a buffer yard is located on the rear yard or interior side yard of a lot and is not adjacent to streets or alleyways.

Caliper shall mean the diameter or circumference of a tree.

Certificate of occupancy (C.O.) shall mean a written certificate provided by the city signifying the subject building/structure (property) has complied with city standards allowing for use and occupancy.

Clear vision zone or area ~~zone or area~~ shall mean that area which the City requires maintenance of in order to preserve the sight distance and safety of motorists, pedestrians, and bicyclists by requiring an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

Decision point distance shall mean where the clear vision sight distance triangle begins.

Diameter shall mean the size of an existing tree as measured through the tree trunk at 6-inches above ground level from the uppermost root flare.

Earthen berm shall mean a mound of earth, higher than grade, used for screening or buffering, the definition of space, noise attenuation, and decoration in landscaping.

Foundation plantings shall mean live plantings located immediately around the base of the foundation of a building façade that reflects the formal geometry of the structure.

Ground cover shall mean those materials that typically do not exceed one (1) foot in height used to provide cover of the soil in landscaped areas, which and shall may include a combination of, but not limited to include river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs and vines and those materials derived from once-living things, such as wood mulch. In no event shall weeds be considered ground cover.

Impervious shall mean any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, paved parking and driveway areas, compacted areas, sidewalks, and paved recreation areas.

Irrigation system shall mean an ~~automatically or manually controlled sprinkler system that supplies water to support vegetation~~ underground, automatic sprinkler system or above-ground drip system explicitly designed for watering vegetation.

Landscaped area shall mean an area for the planting of trees, shrubs, ground cover or a combination thereof and which is defined by an edge strip material or the adjacency of sod or lawn area.

Landscape plan shall mean a scaled graphic plan showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, perimeter treatment, and other landscaped areas, ~~which may include any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to, fountains, reflecting pools, screening walls, fences and benches. The landscape plan may include a perimeter treatment plan as defined in these definitions and shall delineate species, size and location of all landscape elements.~~

Landscaping shall mean any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to; fountains, reflecting pools, screening walls, solid fences, and benches.

Lawn shall mean a stretch of open, turf-grass covered land; artificial turf shall not be considered lawn or turf-grass.

Living fence shall mean a permanent hedge tight enough and strong enough to serve almost any of the functions of a manufactured fence, but it offers agricultural and biological services.

Maintenance of landscaping shall mean, as it pertains to Chapter 18.44, but not be limited to, regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, removing and replacing of dead plants, and the repair and replacement of ~~an~~ irrigation systems.

Mulch shall mean a natural planting material such as pine straw, coconut fiber, ground pine post peeling, or tree bark used to control weed growth, reduce soil erosion and water loss.

Native grass shall mean a native colorado grass.

Non-deciduous shall mean shrubs or trees, also called evergreens that keep their foliage year-round.

Open space, required shall mean that portion or percentage defined by the zoning standards of a lot required to be open and unobstructed. The area must not be covered by any structure or impervious surface, such as sidewalks or driveways, with the exception of required amenities and/or identity features, if amenities or identity features are required pursuant to subdivision and multi-family standards.

Open space, usable shall mean that portion of a lot or site excluding the required front yard area, which is not covered by any ~~unoccupied by principal or accessory buildings~~ and is available to all occupants of the building or site for recreational and other leisure activities that are normally customarily carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space ~~shall may~~ also include outdoor patios and plazas and recreational facilities, as determined in Chapter 18.38. Usable open space shall not include the required setback area from oil and gas facilities, rights-of-way, platted or built trails or sidewalks, parking lots, or occupied buildings.

Ornamental tree shall mean a deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree approximately fifteen (15) to twenty-five (25) feet in height.

Outlot shall mean a tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, ~~storm water~~ stormwater detention or retention areas, parks, open space, future development, or land areas reserved for other public facilities.

Parkway shall mean the strip of land typically located between the sidewalk and the curb, also referred to as a tree lawn.

Parking bay shall mean a group of parking stalls or vehicle parking spaces to accommodate fifteen (15) or more vehicles.

Passive recreation area shall mean an undeveloped space or an environmentally sensitive area that requires minimal maintenance. Entities such as the city's culture, parks, and recreation department may

maintain passive recreation areas for the health and well-being of the public and the preservation of wildlife and the environment. The quality of the environment and the "naturalness" of an area is the focus of the recreational experience in a passive recreation area.

Perennials shall mean non-woody plants, which may die back to the ground each year but continue to grow on an annual basis. Perennials shall also include cold weather bulbs and tubers and ornamental grasses that grow each year and shall count toward ground cover requirements.

Perimeter treatment plan shall mean a plan designed for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments, which border arterial or major collector streets. Perimeter treatment also provides an attractive and varied streetscape for people traveling along thoroughfares. Perimeter treatment is generally located on the fringes of a lot facing public rights-of-way, unlike a buffer yard that screens against directly adjacent uses. Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into and shown on the landscape plan.

Permeable shall mean a material that allows liquids or gases to pass through it.

Pervious shall mean a surface that allows water to pass through; a surface that presents an opportunity for precipitation to infiltrate into the ground

Planting median shall mean an area in the approximate center of a city street, road, or state highway that is used to separate the directional flow of traffic or the center of two parking bays that provide vegetation and pedestrian accessibility to the principal building structure by way of a paved sidewalk.

Pollinator gardens shall mean gardens designed for the purpose of providing habitat for or attracting bees, butterflies, moths, hummingbirds, or other beneficial creatures that transfer pollen from flower to flower, or in some cases, within flowers.

Rain garden shall mean a soil absorption or filter system designed to be depression storage or a planted hole that allows water filtration and absorption of rainwater runoff from impervious urban areas, such as roofs and driveways walkways, parking lots, and turf-grass or sod areas. It is a type of bioretention facility designed to provide stormwater infrastructure improvements with vegetation. Typically shallow vegetative depressions with gentle slide slopes designed as individual stormwater receiving areas or linked to conveyance systems. Soils may or may not be amended in these facilities.

Required landscape area shall mean the area of required open space, according to the zoning district provisions in which the property is located, that are not allowed to be covered by buildings, paving, heavily compacted surfaces or other impervious

Right-of-way landscaping shall mean landscaping located within the public or private rights-of-way adjacent to a privately owned lot, outlot, or tract, including parkways.

Screening shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, earthen berms, solid fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

Shade tree shall mean a woody plant, usually deciduous, that normally grows with one main trunk and has a canopy that screens and filters the sun in the summer and winter, respectively.

Sight distance (see clear vision area or zone).

Single-family dwelling shall mean a building or a portion of a building consisting of one or more rooms including living, sleeping, eating, cooking, and sanitation facilities arranged and designed as permanent living quarters for one family or household; may be attached to one or more than other dwelling units by one or more vertical walls and may have no more than one dwelling unit on any one lot. Whether within a lot, outlot, or tract within a public right-of-way, surfaces shall not include storage or outdoor display in any legally established area.

Site plan shall mean a ~~plan~~ set of drawings that property owner, builder, or contractor uses to make improvements to a property through graphic representation, whether computer-generated or hand-drawn, of the arrangement of buildings, parking, drives, landscaping, and any other structure that is part of a development project. ~~showing the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land.~~

Sod shall mean the grass and the part of the soil beneath it held together by its roots or another piece of thin material typically used as lawn.

Soil amendments are elements added to the soil, such as compost, natural fertilizer, manure, or chemical fertilizer, to improve its capacity to support plant life.

Solid fence shall mean a fence that is opaque and provided the fence is composed of solid wood, composite, vinyl, or masonry.

Stamped (sealed/signed) documents shall mean technical drawings or documents prepared under and authorized by a licensed professional for city reviews and permitting legal records verifying authority, professional liability, and qualifications to practice.

Streetscaping or streetscape shall mean, as it pertains to chapter 18.44, rehabilitation, preservation, and beautification of those exterior elements of a designated property which are visible from a street, including elements and landscaping within a front or street-side setback and/or the public right-of-way.

Street tree shall mean a tree planted in close proximity to a street in order to provide ~~canopy shade~~ canopy shade over the street ~~to provide shade~~ and to soften the street environment.

Tree shall mean a large woody plant with one (1) or several self-supporting stems or trunks and numerous branches and may be deciduous or evergreen.

Tree lawn shall have the same meaning as the parkway.

Turf-grass shall mean a blend or mix of grasses most tolerant to the colorado climate, whether in sod or seed form when planted, intended to be regularly maintained as a lawn in urbanized areas. Artificial turf shall not be considered lawn or turf-grass.

Two-family dwelling shall mean a house with two families or a building connected by a common wall or parcel where there are two units. For example, a duplex is a two family dwelling.

Universal design shall mean the design of buildings, products, or environments, to make them accessible to all people, regardless of age, disability, or other factors. The term "universal design" was coined by the architect ronald mace to describe the concept of designing all products and the built environment to be aesthetic and usable to the greatest extent possible by everyone, regardless of their age, ability, or status in life.

Urban heat island shall mean an urban area that is significantly warmer than its surrounding rural areas due to modifications of land surfaces such as development and other human activities. The temperature difference is usually more significant at night than during the day.

Utility line clearance zones shall mean the minimum clearance horizontal or vertical standard determined by the utility holder. Obstructions and encroachments are prohibited.

Weed shall mean any plant not typically propagated by the horticultural trades and ground cover or shrub which is typically not typically installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic. Weed does not include native and naturalized plants, other than designated noxious weeds, grown in areas managed primarily for ecological services.

Xeric landscaping or xeriscape was coined by denver water in 1981 to help make water-efficient landscaping an easily recognized concept. Xeriscape is a combination of the word "landscape" and the greek word "xeros," which means dry. For the purposes of defining it in this chapter of the code, it shall mean the use of low-water or very low-water plants in place of plants that typically require more water to survive and include, but are not limited to, plants having a low or very low water requirement. Xeric landscaping does not mean the same as hardscaping or the use of rocks or rock mulch.

Yard, front or street side, for the purposes of Chapter 18.36, shall mean that portion of a lot between the primary structure and right of way. A yard may contain more land area than a setback area.

Yard, front shall mean that portion of a lot between the front façade of a primary structure and the right-of-way. A yard may contain more land area than a setback area. On a corner lot, space or area adjacent to the shorter street rights-of-way shall be considered the front yard.

Yard, interior side shall mean an open-space area between the interior side property line and the building setback line, extending between the front building setback line and the rear building setback line.

Yard, rear shall mean the space or area of a lot between the rear property line and the principal building, extending the lot's full width, and measured perpendicular to the building at the closest point to the rear property line.

Yard, street-side shall mean the area extending between the front yard and the rear yard or rear street yard and situated between the side street property line and the face of the principal building which is parallel to, or most nearly parallel to, the side street property line.

PLANNING COMMISSION SUMMARY

ITEM: Amendment to the City of Greeley Municipal Code, Title 18 – Development Code

FILE NUMBER: CU2018-0002

PROJECT: 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

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Marian Duran, Long Range Planner

PLANNING COMMISSION HEARING DATE: December 15, 2020

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by staff and the public, and shall then make a recommendation to the City Council regarding the proposed repeal and amendments to the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is requesting to repeal Chapter 18.44 – Landscaping and Buffering Standards and replace with Chapter 18.44 – Landscaping, Irrigation, Buffers, and Screening Standards in order to meet Imaging Greeley Comprehensive water conservation goals and City Council priorities. As a result of the changes to Chapter 18.44, Appendix D – Tree, Shrubs, and Ground Cover Lists would be repealed and definitions to the following Chapters below would also be amended (*see Attachment A - Chapter 18.44 – Proposed Amendment to Chapter 18.44 – Landscape Code, Attachment B – Proposed Amendments to Chapters 18.04 and 18.42, Attachment C – Proposed Amendments to Appendix 18-B, and Attachment C – Proposed Amendments to Appendix 18-B Definitions*).

- Chapter 18.04.110 - Definitions
- Chapter 18.42.030 - Definitions
- Appendix 18-B – Definitions

STAFF RECOMMENDATION

Approval

BACKGROUND

The Community Development Department recommends an update to the Landscape Code, Title 18.44, with an anticipated Final Adoption date in January 2021. The last rewrite of the landscaping code was in 2009 (Ordinance No. 2009-20), which added language that supports

water-wise landscaping methods and objectives to increase water saving measures. In 2015, Ordinance No. 2015-40 adopted the Landscape Policy Plan for Water Efficiency. The Landscape Policy Plan was a cooperative project, which involved the City Manager's Office, the Water & Sewer Department, CPRD (Culture, Parks, and Recreation Department), and Community Development. The goal was to develop policies that balanced the history of water acquisition and lifestyle values of the City of Greeley, while also seeking water efficiency. The 2015 Landscape Policy Plan for Water Efficiency is a sub-element of the Greeley 2060 Comprehensive Plan, but the Policy Plan is still in effect as part of the the Imagine Greeley Comprehensive Plan which promotes incentives, information, and training programs related to conservation through landscaping.

In the last five years, Greeley has experienced exponential growth and development that still often results in over-watering. In that time, the City has introduced new programs such as the Water Efficiency Audits, Water Restrictions, and Water Budgets to reflect how the community uses water. The Water & Sewer Department is also running a pilot program that encourages developers to implement a water-wise subdivision design.

In order to support these efforts and the 2015 Policy Plan for Water Efficiency goals, the updated code language is being proposed for Council's consideration. The revised Landscape Code includes modernized water conservation language that influences and encourages planting practices to reduce each property's overall water consumption. The update seeks to achieve City Council priorities and "Imagine Greeley: Comprehensive Plan" goals and to improve code enforcement action (*see Attachment D – Target Comprehensive Plan Objectives*).

The Landscape Code Update has been developed in-house, taking into account internal/external stakeholder comments and comments from a 15-person citizen advisory Landscape Code Update Committee. The Landscape Code Update Committee consists of landscape design professionals, including those working for developers and those active in construction and maintenance. The Committee met four times, commencing on August 28, 2020, where representatives provided input on what existing code elements work well and areas where new regulations would help achieve water efficiency goals and improve the development process.

KEY ISSUES/STAFF ANALYSIS

Article XIX, Section 19-1(b) of the Greeley Charter describes the Planning Commission's role in providing advice on land use matters to the City Council. These proposed changes are relevant for the Commission's review and recommendation for Council Consideration.

The updated landscape code language would not require single-family and two-family dwellings to convert their yards or adjacent parkway into water efficient design; instead, it promotes individual choice that allows and encourages water-wise design. For example, property owners may reduce front landscaping (including parkway) to 50% live material; the remaining property can be rock or mulch (natural/synthetic), as can all side and back yards. The "Life after Lawn" program educates property owners on how to convert their lawn to water efficient landscaping. Those who join the program and meet the 50% live material qualify for a rebate of up to \$1.00 per square foot of material that was converted. The Water Department calculates the amount of landscaping irrigable on each property in the Water Budget program – hardscape material is not included in the Water Budget calculations.

Additional changes have taken place at the subdivision stage. For example, if a developer or subdivider designs their subdivision with water-efficient landscaping, the Water & Sewer Department may reduce raw water dedication. The Water & Sewer Department is also working on a Water-Wise pilot program that reduces the raw water dedication for developers at the time of platting. Another incentive that these Landscape Code changes support and reinforce is the Shade Program run by the City Forestry Division, which is a low-cost tree-planting program. All these programs are opportunities for developers and individual property owners to receive credits or reductions, and they also help implement water conservation principles supported by this proposed set of code changes (*see Attachment A - Proposed Amendment to Chapter 18.44 – Landscape Code, Attachment B - Proposed Amendments to Chapters 18.04 and 18.42*).

The overarching changes to Chapter 18.44 are as follows.

1. The Purpose and Intent Section gives more prominence to land use compatibility and water efficiency, and promotes energy and ecological benefits at the regional, the community and neighborhood level, as well as upholding agricultural tradition and the Tree City USA designation.
2. Single-family and two-family lots are now only required to have 50% live plantings in yards visible from adjacent rights-of-way.
3. Buffer yards are not required along the entire length of the adjoining lot, but only where the most intense and differing land-uses exist. Additionally, the most intense buffer width requirement has decreased 60%, reducing the amount of land needed for buffer yards.
4. Perimeter treatment materials are reduced, although differences by street classifications remain. The language is clarified to help and helps the public understand who maintains perimeter treatments (i.e., an owners' association, metropolitan district, property owner, or a tenant).
5. Parking lots are now exempt from perimeter screening, as they already require parking lot screening. Screening for parking lots has also reduced from ten feet to eight feet. Medians are required when there are more than 100 parking spaces, with a minimum of two medians for every two bays.
6. Irrigation standards have been eliminated as code requirement and moved to a policy document, because best management practices often change with industry technology. Examples of these are rain sensors, automatic irrigation systems, subsurface and drip irrigation, irrigation audits, and temporary irrigation and hydrozones. These requirements will be in a separate landscape & irrigation policy manual developed primarily by the Water & Sewer Department.

PUBLIC NOTICE AND COMMENT

Staff also conducted an online public survey that ran from October 28 through December 3, available in both English and Spanish (*see Attachment E – Landscape Code Update Survey Results and Questions*). Staff also hosted a virtual public webinar on November 5. The meeting provided information regarding the importance of water conservation and limited water supplies, Greeley's landscape tradition, and why it is essential to continuously review the Landscape Code in order to support City water efficiency goals. There have been 85 survey responses to date. Common themes are that the public cares about water conservation and is supportive of water-efficient landscaping (*see Attachment D - Target Comprehensive Plan Objectives*).

There was a Planning Commission worksession to present the Landscape Code Update on November 10 and a City Council worksession on December 8. There were no questions or comments at the worksession, but there were later discussions through email and at the November 24th PC hearing from a Commissioner, sharing their concerns of overwatering in parkways and asked how these areas would be regulated by the City. Staff explained that subdivision applications are required to submit a landscaping and irrigation plan that illustrates perimeter a buffer yard(s) (if, required), outlots, common open space, and all parkway landscaping. The developer must install required landscaping. Perpetual maintenance is required by either the adjacent property owner or the HOA (Home Owners Association). The Community Development Department, and Water and Sewer Departments encourage the use of more xeric landscaping as part of the review of new subdivision applications. The intent and purpose of Title 18.44 is to continue the historical tradition of streetscape streets. Street trees provide shade to those that use sidewalks and provide a beautiful tree-lined promenade, which helps maintain that Tree City USA designation. The updated Code language states that each newly developed lot will be required to have one tree in the front yard and trees in parkways 35 feet apart to reduce the overcrowding of trees.

Staff also received a letter from resident on November 2, 2020, expressing opinions of how the City can take steps on water conservation, incentives, and enforcement to name a few (*see comments in Attachment F - Public Correspondence*).

A formal notice was submitted to the Tribune on December 3, 2020.

PLANNING COMMISSION RECOMMENDED MOTION

A motion that, based on the Project Summary and accompanying analysis, the Planning Commission finds that the proposed amendments to Chapter 18 of the Greeley Municipal Code as presented are necessary and appropriate to meeting the intent of the Comprehensive Plan and to clarify administration of the Development Code, and recommend approval to City Council.

ATTACHMENTS

- Attachment A – Proposed Amendment to Chapter 18.44 – Landscape Code
- Attachment B – Proposed Amendments to Chapters 18.04 and 18.42
- Attachment C – Proposed Amendments to Appendix 18-B Definitions
- Attachment D – Target Comprehensive Plan Objectives
- Attachment E – Landscape Code Update Survey Results and Questions
- Attachment F – Public Correspondence

REPEAL**18.44 – Landscaping and Buffers Standards****ADD**

Chapter 18.44
Landscaping, Irrigation, Buffers and Screening Standards

18.44.010 - Purpose and intent.

- (a) As the City of Greeley's local population grows and development density increases in designated areas, it must protect a natural sense of place and character through the preservation, protection, and enhancement of the existing natural and planted landscapes, as well as upholding Greeley's agricultural tradition and "Tree City USA" designation that holistically furthers the goals of the [Comprehensive Plan](#).
- (b) Aesthetics and walkability. These standards enhance the aesthetic condition of Greeley's communities, along its thoroughfares and in its public spaces by:
- (1) Using landscape material to define the hierarchy of roadways visually and to provide shade;
 - (2) Coordinating the public frontage with the private frontage;
 - (3) Preserving and protecting the aesthetic qualities that contribute to Greeley's unique character and the economy that such qualities attract;
 - (4) Providing visual screening, where appropriate; and
 - (5) Reducing visual pollution from the built environment and increasing separation between incompatible uses;
- (c) Health and safety. These standards enhance the health, safety, welfare, and quality of life in Greeley's communities, along its thoroughfares, and in its public and private spaces by promoting the application of trees and landscaping to:
- (1) Improve air quality;
 - (2) Provide seasonal shade and temperature regulation to moderate the urban heat island effect;
 - (3) Limit glare created by exterior lighting;
 - (4) Provide a partial barrier between sidewalks and vehicular lanes; and
- (d) Environment and energy. These standards promote ecological benefits at the regional, community, and lot level by:
- (1) Conserving energy and other limited resources used in buildings through strategic shading and windbreaks;
 - (2) Intercepting precipitation by vegetative canopies to reduce stormwater runoff and its associated costs;
 - (3) Preserving and protecting sensitive natural land or features, open areas, wildlife habitat, and waterways;
 - (4) Mitigating erosion and sedimentation which negatively impact streams and rivers; and
 - (5) Restoring soils and surrounding land disrupted as a result of construction or grading.
- (e) Water Efficiency. These standards uphold [Greeley's Landscape Policy Plan for Water Efficiency](#), promoting responsible stewardship of Greeley's limited water resources for the benefit of present and future generations by:

- (1) Conserving water through water-smart landscape design which utilizes xeriscape principles;
- (2) Encouraging efficient irrigation practices and the use of native and climate adapted plants;
- (3) Reducing high-water use turf and omitting it from impractical areas such as steep slopes and narrow strips; and
- (4) Amending soil pursuant to the Water Efficiency policy.

18.44.020 - Applicability of landscaping standards.

- (a) All development, except single-family and two-family dwellings, shall be classified as either major or minor development based on the following:
 - (1) Minor development.
 - a. Has a one (1) time increase of imperviousness or building gross floor area (GFA); and
 - b. Has between a five (5%) and a twenty-five (25%) percent increase for buildings or imperviousness less than 10,000 square feet; or
 - c. Has between a five (5%) and a ten (10%) percent increase for buildings or imperviousness between a minimum of 10,000 square feet and not greater than 20,000 square feet.
 - (2) Major development.
 - a. Has a twenty-five (25%) percent increase for buildings or imperviousness greater than 10,000 square feet.
- (b) Alternative compliance. In conjunction with a development application, the City may waive one (1) or more of the provisions contained herein, if the applicant or developer proposes modifications and alternatives to the required landscape design and materials, which are equal or greater in design than what is being proposed and meet the purpose and intent of this Chapter.
- (c) Exemptions. The landscaping requirements of this Chapter shall not apply to the following:
 - (1) A change of use within existing infill sites that do not qualify or meet the threshold for a major or minor site alteration.
 - (2) A one (1) time increase of use and building gross floor area (GFA) that is less than five (5%) percent.
 - (3) Interior or exterior rehabilitation or remodeling of an existing building that does not involve the expansion of the gross floor area of a building on a lot.
 - (4) A property located within the General Improvement District (GID) pursuant to Section 18.34.220.
 - (5) A property located within the Redevelopment District Site on a case-by-case determination of the City.

18.44.030 - Landscape plan requirements.

- (a) Landscape plan requirements apply to all major developments as defined herein:
 - (1) Landscape plans shall be prepared and stamped by a Colorado registered landscape architect unless waived by the Director of Community Development.
 - (2) A certificate of occupancy shall be issued pursuant to Section 18.44.050 (b)(1).

18.44.040 - General landscaping design standards

- (a) General landscaping design standards apply to all major development as defined herein:
 - (1) Entry corridors must incorporate an architectural landscape design.
 - (2) Planting types to be incorporated into a landscaping may include shade trees, ornamental trees, non-deciduous trees and shrub, deciduous shrubs, and perennials.
 - (3) Landscaping provisions shall not be cumulative or overlapping. When more than one (1) standard applies in the same area of a lot, the Community Development Department shall determine the most restrictive landscape standard applicable to the area.

(4) Bioswales, water quality ponds, and rain gardens. Bioswales, water quality ponds, and rain gardens may be installed and are encouraged to infiltrate runoff from parking lots, streets, civic spaces, and other impervious surfaces.

- a. Bioretention facilities such as bioswales, water quality ponds, and rain gardens that are integrated into, or part of, a stormwater system shall adhere to the [Storm Drainage Design Criteria and Construction Specification document and Urban Drainage Criteria Manual](#), as amended. See Figure 18.44-1 for reference.



Figure 18.44-1: Bioretention facilities

- (5) Site landscape requirements that propose stormwater and erosion control methods shall find specifications in the [Storm Drainage Design Criteria and Construction Specification](#) manual, as amended.
- (6) Shall include foundation plantings where facades are visible from adjacent rights-of-way, open space, parking lots, trails and walks, and passive recreational areas.
- (7) Minimum Plant Sizes. The minimum plant size shall be consistent with Table 18.44-1 below:

Table 18.44-1 – Minimum plant size table

Plant Type	Plant size (Minimum)
Shade trees	2-inch diameter caliper, measured 6-inches above ground from the uppermost root flare
Ornamental trees	1½ - inch diameter caliper, measured 6-inches above ground from the uppermost root flare
Non-deciduous trees	6-foot in height
Shrubs	Volume #5 (ANSI Standards)*

**Shrubs may be substituted with large perennials (Volume #2 (ANSI standard)) or larger in size at a 3 perineal to 1 shrub ratio.*

(b) Applies to major and minor development, and single-family and two-family dwelling as defined herein:

- (1) Bare dirt or weeds are not allowed as ground cover or landscape material.
 - a. Acceptable ground covers or an approved synthetic ground cover shall be kept free of weeds.
 - b. Synthetic or non-plant ground covers shall not be counted towards the required live plantings coverage.
- (2) Artificial turf is an acceptable ground cover, but is only permitted in yards that are not visible from the public rights-of-way.
- (3) Landscape plantings shall be designed to establish water-efficient irrigation practices.
 - a. Water efficient, pollinator garden, and xeric landscaping shall be planted to promote water conservation.
 - b. Place xeric plants together with contrasting textures or forms to improve the aesthetic appearance of a yard and promote further water conservation.
 - c. Residential subdivisions that incorporate xeric planting designs in parkways, outlots, and common open space areas, may receive a raw water reduction on a case-by-case basis.
- (4) Native grass shall be planted in detention and retention ponds, and in areas that will not be highly trafficked by pedestrian activity.
- (5) Utility line clearance zones.
 - a. Landscaping shall not obstruct or grow into fire hydrants, water meter pits, utility boxes, public traffic signs, sidewalks, or utility boxes except to comply with the screening mechanical equipment.
 - b. Easements. No plant material with mature growth greater than three (3) feet in height shall be planted within potable water, sanitary or non-potable irrigation easements.
 - c. Meters, mains, and services. No shrubs shall be planted within five (5) feet or trees within ten (10) feet of potable and non-potable water meters, fire hydrants, sanitary sewer manholes, or potable water, sanitary sewer, and non-potable irrigation mains and services pursuant to Figure 18.44-2.
 - d. Overhead lines. Trees or shrubs may encroach into the utility clearance zone, but shall never touch or bump into overhead phone or utility lines when the landscape material has fully matured. Shorter ornamental trees with a maximum height of twenty (20) feet are typically acceptable, but shall follow service provider guidelines.
 - e. Storm water detention areas. Placement of floatable, erodible, or any other landscape materials, which may be determined to produce pollutants that negatively affect the quality of stormwater runoff shall not be permitted near drainage, stormwater detention, or 100-year floodplain areas.

No plant material with mature growth greater than 3' in height shall be planted within a potable water, sanitary, or non-potable irrigation easements.

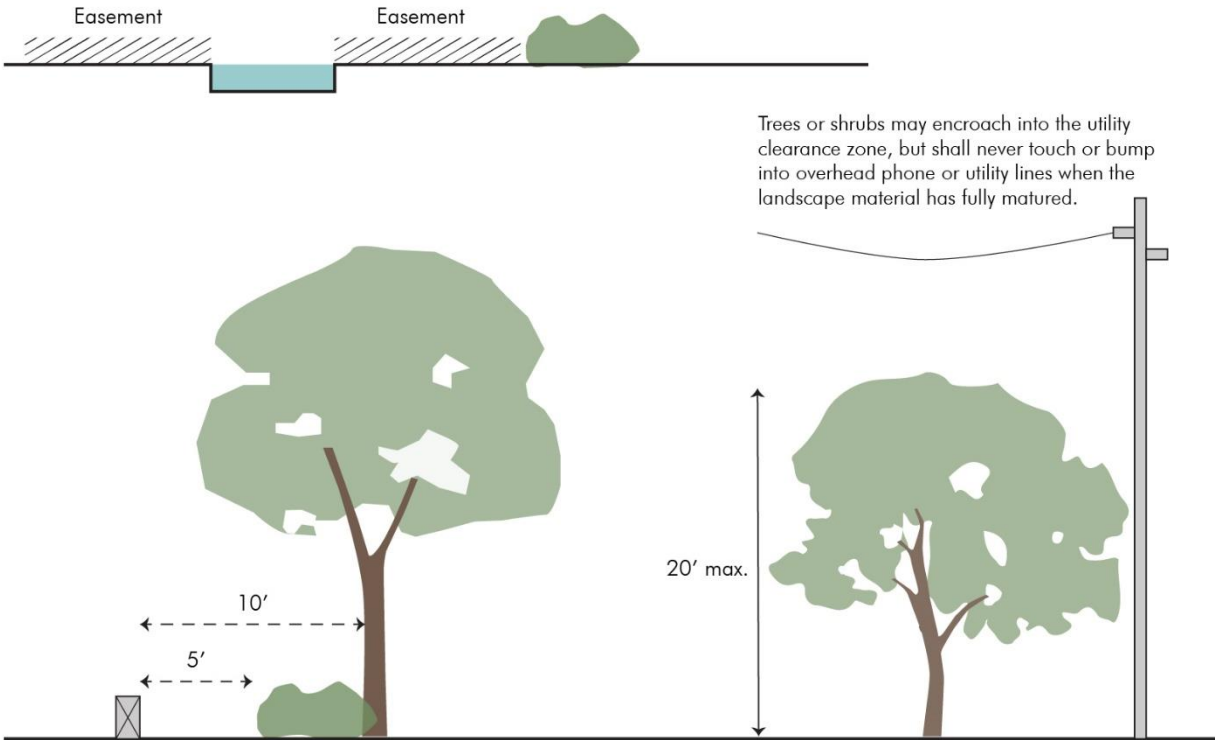


Figure 18.44-2: Utility line clearance zones

- (6) Clear vision-sight distance triangle. For safety and visibility purposes, a sight distance triangle shall be created and maintained in which no landscape materials, earthen berms, or other visual obstructions are present. The clear vision sight distance triangle shall have a fifteen (15) foot decision point distance and a conflicting vehicle distance measurement. It is measured perpendicular fifteen (15) feet from the projected flow line of the intersecting street, driveways, and alleys.
 - a. The conflicting vehicle distance measurement is dependent on the street classification and speed of major street pursuant to the City's [Design Criteria and Construction Specifications](#), as amended. It must allow full view of traffic approaching on the left or the right of the minor road pursuant to Figure 18.44-3.

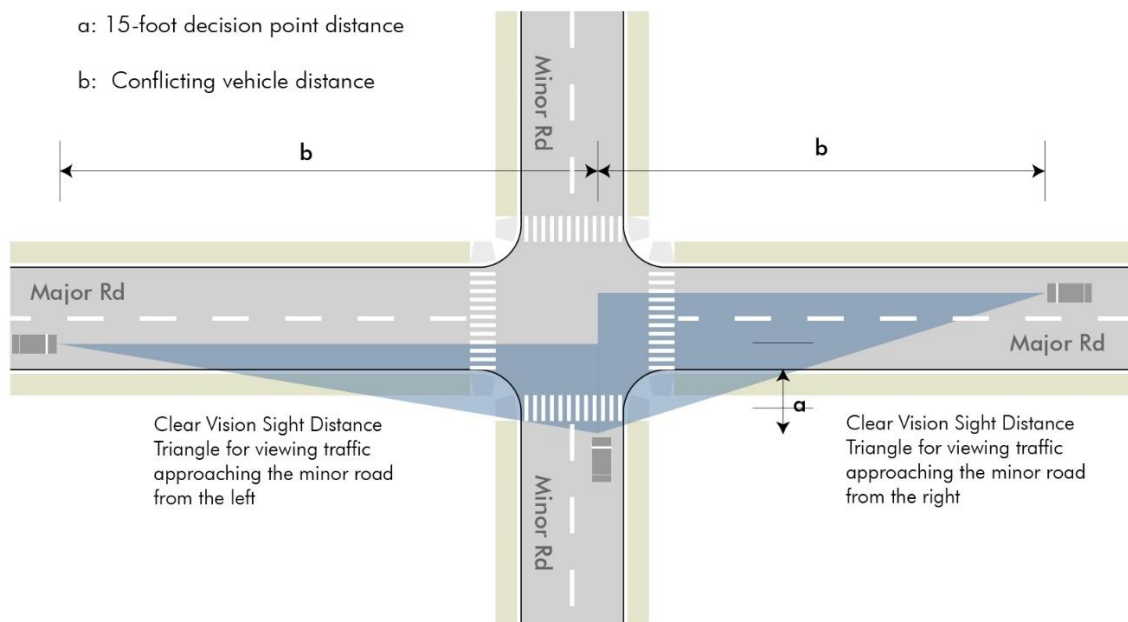


Figure 18.44-3: Clear Vision Sight Distance Triangles

- b. Landscaping proposed within the required clear vision sight distance triangle shall not be taller and shall be maintained at a height no greater than thirty (30) inches above the adjoining street level.
- (7) Right-of-way planting permit. A right-of-way planting permit shall be required for any trees and landscape material with a mature height of over eighteen (18) inches planted within a public rights-of-way.
- (8) Prior to the installation of turf-grass and/or other plant materials in areas that have been compacted or disturbed by construction activity, such areas shall follow soil amendments pursuant to [Title 14.08](#) and the [Water and Sewer lawn installation specifications](#).
- (c) Alternative.
 - (1) Utility easements or utility lines that conflict with required landscaping such as but not limited to, buffer yards, perimeter treatment, rights-of-way, parkway, and median standards shall require an alternative design that is equal to or greater than what is typically required by this chapter when landscape standards are encumbered by utility easements.
 - (2) Short rooting plantings such as perennials may be planted along utility easements and other utility line paths.

18.44.050 - Installation and Maintenance.

- (a) Installation and maintenance shall apply to all major, minor, and single-family and two-family dwellings as defined herein:
- (b) All major development.
 - (1) Required installation and inspections. Prior to the issuance of a certificate of occupancy the following provisions shall be executed:
 - a. A stamped letter of substantial completion shall be provided by a licensed landscape architect or a certified irrigation auditor.
 - b. All subdivision landscape installation must have complete common open space, outlots, street trees, and perimeter treatments installed prior to the first issuance of a certificate

of occupancy or through a landscape or development agreement that includes a phasing arrangement.

- (2) All landscaped areas, including but not limited to, bioretention facilities, bioswales, rain gardens, detention areas, common open space areas, medians, and perimeter treatments shall be maintained in perpetuity by a homeowner or business association unless otherwise noted in a development agreement, a plat, or a recorded document, and as accepted and approved by the City.
 - (3) Approval. Approved landscaped material may be inspected by the City periodically throughout the life of development.
- (c) All major and minor development.
- (1) An inspection shall be performed by the City, for all new and changed landscape material
 - (2) Perpetual maintenance.
 - a. The developer, owners' association, property owner and/or tenant, as required by this Chapter, shall be responsible for the necessary maintenance of all on-lot, and rights-of-way landscaping, buffer yard, perimeter treatment, and screening improvements to be kept in healthy condition.
 - b. Property owners shall be responsible for the perpetual maintenance of the adjacent front parkway.
 - c. Landscape material on corner lots with a side or rear parkway shall be installed by a developer and maintained perpetually by a property owners association.
 - (3) Replacement. Failure to replace dead landscape materials within three growing seasons (spring, summer, or fall) from the date of issuance of Certificate of Occupancy, shall be considered a violation of the site plan approval and is subject to penalties pursuant to Chapter 9.18.180 of the Municipal Code.
- (d) Exceptions. If weather prevents the required landscaping from being installed, collateral in the form of a Financial Security Agreement, acceptable to the City, in the amount of one hundred twenty-five (125%) percent of the cost of materials and installation is to be provided to the City and approved prior to issuance of the certificate of occupancy.
- (1) Single-family dwellings and two-family dwellings. If not previously installed, all required on-lot and rights-of-way landscaping, excluding perimeter treatment and buffer yards, shall be installed in accord with the provisions of this Chapter, within one (1) year of the issuance of the certificate of occupancy.

18.44.060 - Irrigation systems.

- (a) Irrigation systems apply to all major and minor developments, and as applicable to single-family and two-family dwellings as defined herein.
- (b) All major developments:
 - (1) Irrigation system design required. In conjunction with a landscape plan, an irrigation system design shall be submitted to be reviewed and approved by the Water and Sewer Department.
 - (2) The irrigation system shall be fully functioning automative irrigation system, which is designed to minimize overspray and is installed in accordance with Water and Sewer design standards.
 - (3) Waiver. Existing infill developments located in the Redevelopment District may request a waiver from the Community Development Director, on a case-by-case basis.
- (c) All major and minor developments:
 - (1) The irrigation system shall include the following:
 - a. Subsurface and drip irrigation. Trees, shrubs, and plantings in bed areas such as landscape islands shall be designed to have clustering together plants with similar water requirements, and be irrigated by drip, bubbler systems, low volume spray heads, or subsurface irrigation systems.

- b. Temporary irrigation. A temporary irrigation system is only allowed where native grass has been installed on an undeveloped lot or part of a developed lot, an outlot, retention or detention pond, and it must be established within three (3) to four (4) seasons complying with the re-vegetation standards as provided in the [Storm Drainage Design Criteria and Construction Specification](#), as amended.
- c. After native grass is established, the temporary irrigation must be removed within three (3) months of after establishment is complete.
- (2) Irrigation audit. An Irrigation audit shall be required following installation of the irrigation system.
- (3) Automatic irrigation. Landscaped areas shall be served by a functioning automatic irrigation system, as determined by the Greeley's Water and Sewer Department policies.
- (d) All major and minor, including new single-family and two-family dwellings:
 - (1) Minimize overspray. Irrigation systems shall be designed and maintained to minimize overspray and runoff onto adjacent impervious surfaces, such as roadways, sidewalks, and parking lots.

18.44.070 - Landscape requirements for all zoning districts.

- (a) Landscape requirements for all zoning districts apply to all major and minor development as defined herein:
 - (1) The minimum percent of the site area required to be landscaped is fifty (50%) percent of the required open space standards established in each zoning district pursuant to Chapter 18.38.
 - (2) Where landscaping is used for screening, forty (40%) percent must be non-deciduous and sixty (60%) percent deciduous.
 - (3) Any part of a site not used for building coverage and main entrances, parking areas, driveways, sidewalks, or other site improvements shall be landscaped.
 - (4) All utility and ground-mounted electrical equipment planned and existing, and including but not limited to electric transformers, switch gearboxes, cable television boxes, telephone pedestals, and boxes, shall be screened with landscape material on the sides visible from the public rights-of-way that are not used for service access.
 - (5) Trash enclosures that do not have architectural design, trash receptacles, including loading docks, and the portion of the land-use area used as outdoor display and outdoor storage areas shall be screened with landscape material on the sides visible from public rights-of-way such as sidewalks, streets, and other areas from which the property is visible.
 - (6) For streetscapes, parking lot perimeters, and parking lot interiors, additional landscaping beyond the minimum standards may be required in order to:
 - a. Buffer dissimilar uses and activities.
 - b. Break up the massing of blank walls and large buildings.
 - c. Accent special features such as main entries and corridors.
 - d. Screen parking lot landscaping, buffer yard, rights-of-way landscaping, and perimeter treatment, and shall also meet the requirements of this Chapter.
- (b) Applies to all major and minor developments, and single-family and two-family dwellings as defined herein:
 - (1) Trees required on lot. Trees shall be planted on sites pursuant to the following:
 - a. All required trees shall comply with the minimum plant material sizes listed in Table 18.44-1, Minimum plant size table.
 - b. Existing mature trees may count toward these requirements pursuant to Section 18.44.120.
 - (2) Parkway standards. Landscaping within rights-of-way shall be provided subject to the following standards:

- a. New parkway development must have fifty (50%) live landscape material.
- b. Shade trees shall be planted at a regular spacing of a minimum of thirty-five (35) feet on center, except in perimeter treatment areas and parking lot islands.
 - (1) Single-family and two-family dwelling shall have no less than one (1) tree per street frontage.
- c. Shrubs and perennials shall not be taller than thirty (30) inches from the top of curb at maturity within the clear vision sight distance triangle, in all other areas in the parkway, shrubs shall exceed thirty-six (36) inches at maturity.



Figure 18.44-4: Parkway standards

- d. Street trees and shrubs must be those species suitable for the location in which they are placed and installed after sidewalks have been completed. Street trees and shrubs must be planted pursuant to Section 18.44.040 (a)(6), clear vision sight distance triangle provisions.
 - e. Xeric grasses are encouraged in parkways.
 - f. Street trees adjacent to sidewalks and streets, with a projection and an overhanging canopy greater than two (2) feet in length, shall have an upper height clearance of eight (8) feet above sidewalks and fourteen (14) feet above streets.
- (3) If existing healthy vegetation is retained on-site, it may be counted toward the landscape requirements pursuant to provisions of this Chapter.
 - (4) All landscape materials planted pursuant to the provisions of these guidelines shall be healthy at the time of planting and compatible with the local climate.

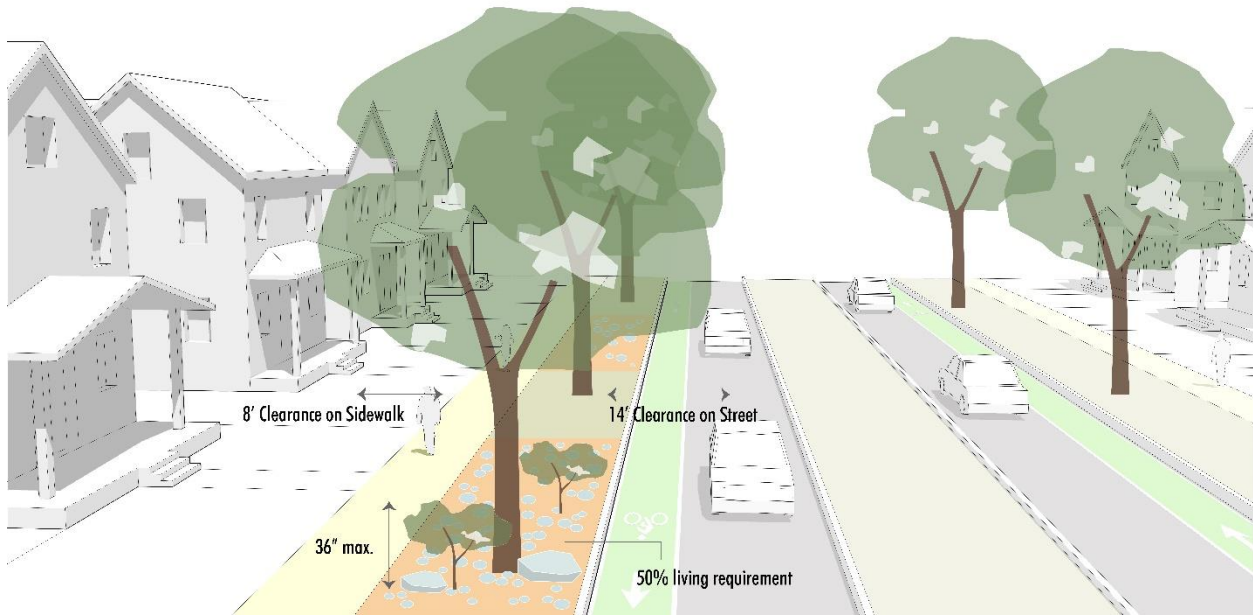


Figure 18.44-5: Tree sidewalk clearance

- (c) The following applies to all single-family and two-family dwellings only as defined herein:
- (1) A minimum of one (1) tree shall be planted on all single-family and two-family lots as follows:
 - a. One (1) tree shall be planted on lot in the front yard. Not including parkway requirements.
 - b. Additional trees, not otherwise required, are encouraged to be planted.
 - (2) A minimum of fifty (50%) percent live plantings shall be provided within all yards adjacent and visible from all rights-of-way, except for alleys, including typical and atypical lots pursuant to Figures 18.44-6 and 18.44-7.
 - a. All non-paved areas and yards not visible from adjacent rights-of-way must be landscaped with ground cover pursuant to Section 18.44.040 (b).
 - b. Driveways, walkways, patios, porches, and areas containing an accessory structure shall be included for the purposes of calculating the fifty (50%) percent landscape material requirement.

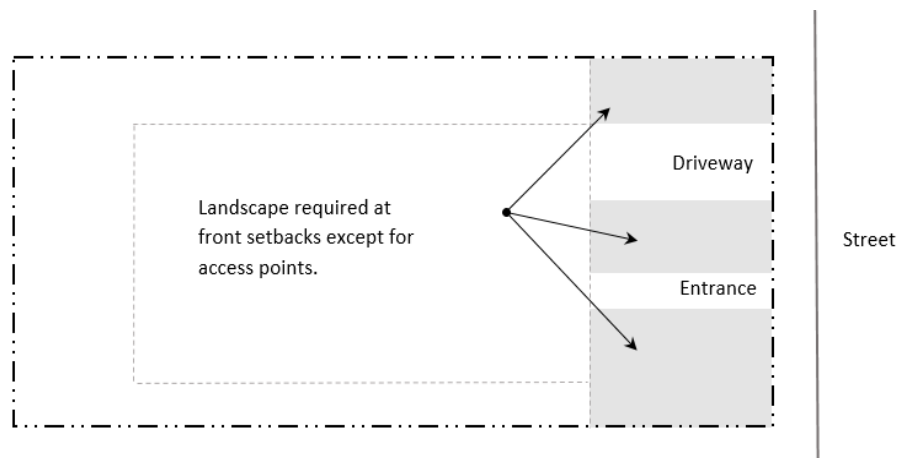


Figure 18.44-6: Typical Lot Frontage

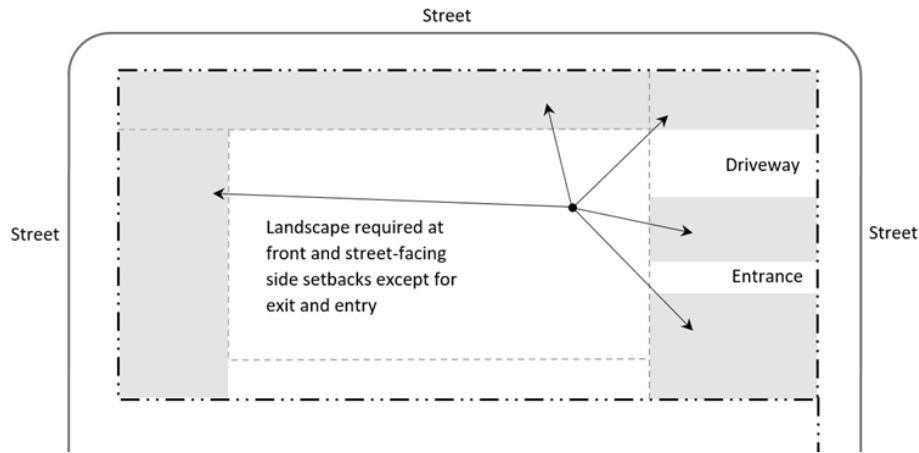


Figure 18.44-7: A-typical Lot Frontage

18.44.080 - Buffer yards standards

(a) Buffer yard standards apply to major development as defined herein:

- (1) The purpose of buffer yards is to provide a transitional effect between two (2) or more lots sharing a common property line. The buffer yard standards of this section also apply as follows:
 - a. All new development on vacant land adjacent to existing development.
 - b. New residential subdivisions are not exempt from this provision.
 - c. Oil and gas development located in non-urbanized areas shall be reviewed on a case-by-case basis.
 - d. Land uses separated by public rights-of-way, such as alleys and streets, shall not be considered adjacent for the purposes of this section.
- (2) Location of buffer yards.
 - a. Pursuant to Figure 18.44-8, buffer yards shall be located along the property line where the most intense and differing land-uses exist.
 - b. A buffer yard is required where the most intense use of abutting land uses may impact the adjacent property, such as, but not limited to a storage yard or a building development against a residency, or an open space park even with existing vegetation.
 - c. Buffer yards shall not be placed within any dedicated rights-of-way.

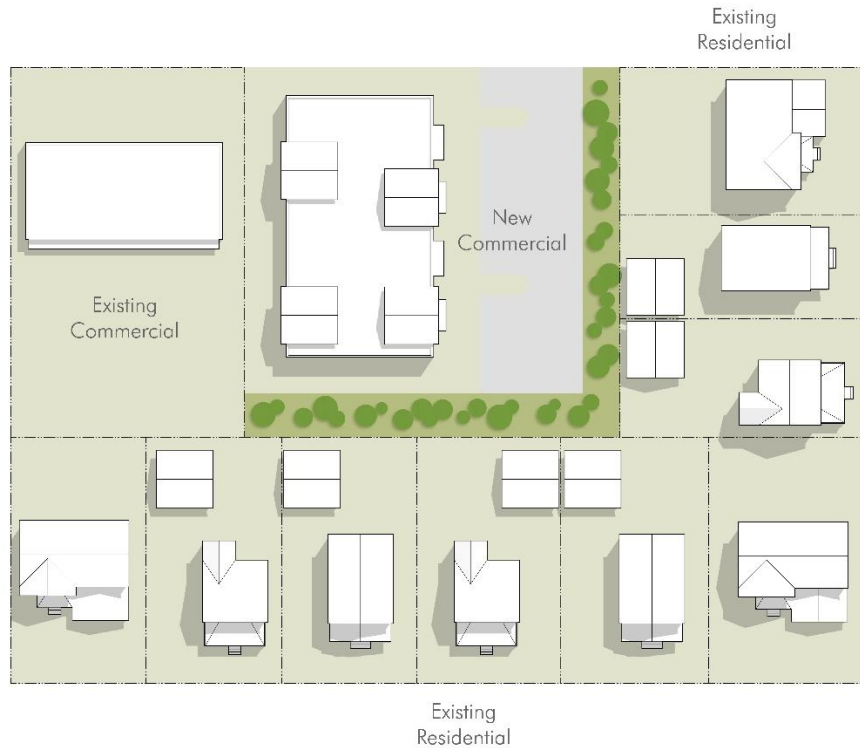


Figure 18.44-8: Buffer yard along differing land uses

- (3) Buffer yards may be interrupted, having a break, for necessary pedestrian and vehicle access.
- (4) Existing healthy vegetation within the required buffer yard area may be counted toward the required landscaping.
- (5) Landscaping requirements for buffer yards.
 - a. Non-deciduous trees are required to make up forty (40%) percent of the required trees.
 - b. In no event shall a perennial or shrub be smaller than thirty-six (36) inches in height at maturity.
 - c. Shrubs, ornamental grasses, and perennials may not be substituted for trees in the buffer unless the applicant has demonstrated to staff that the site is encumbered by utilities as described in Section 18.44.040 (b).
 - d. All plant material conversions shall be approved by the City on a case-by-case basis based on durability and appearance in the location where the materials are to be installed.
 - e. A solid wall or fencing is not required as part of a buffer yard, but if a solid wall or fence is provided, then the width of the buffer yard may be reduced by twenty-five (25%) percent.
- (6) Earthen berms are also encouraged as part of the buffer. Landscape material may be reduced by up to fifty (50%) percent if the site plan includes berming or other topographic features that achieves the intent of this section and are designed to complement adjacent properties.
 - a. Earthen berms shall have a slope with a horizontal to vertical ratio of no less than 3:1 ratio to no greater than a 4:1 ratio for turf-grass mowing, and must have a crown width of at least two (2) feet.
 - b. All berms, regardless of size, shall be stabilized with grasses, especially at the crown.
 - c. Berms proposed to be placed along street rights-of-way shall be designed and constructed to provide adequate sight distances at intersections and shall not impair the safe operation of vehicles.

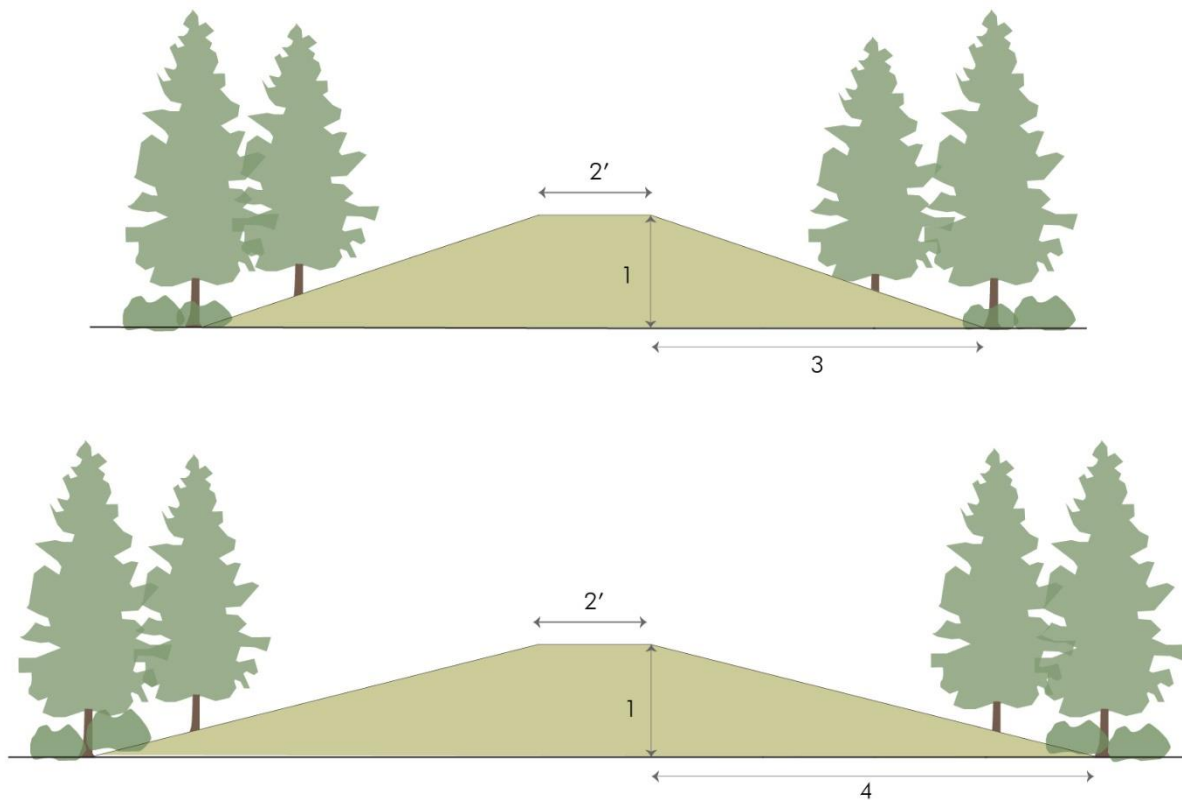


Figure 18.44-9: Earthen berms

(7) Minimum buffer yard requirements:

Table 18.44-2 – Land Use Intensity Table

Intensity	Land Use
Low-intensity use	Including but not limited to offices (2 stories or less), churches, schools, public facilities including recreational fields, community swimming pools, and similar facilities, daycare facilities, single-family, two-family, and multi-family development at less than 12 units per acre.
Medium-intensity use	Including but not limited to neighborhood commercial and service activities, retail operations under 3,000 gross floor area and typically do not operate 24-hours a day, restaurants (without drive-up windows), banks (without drive-up windows), convenience stores (without gasoline sales), offices (3 or more stories), multi-family development greater than 12 units per acre.
High-intensity use	Including but not limited to commercial activities that typically operate 24-hours, vehicle repair shops, service stations, drive-up window restaurants, and banks, car washes, hotels and motels, shopping centers, as well as light manufacturing activities and research facilities; or any commercial or industrial property that has a gross floor area greater than 3,000 square feet in size.
Very-high intensity use	Including but not limited to heavy-industrial uses, heavy manufacturing, truck terminals, mobile home sales, vehicle sales, heavy equipment sales, facilities involving outdoor storage and outdoor commercial recreation establishments; commercial or industrial properties typically greater than 20,000 square feet in size.

Table 18.44-3 – Minimum Buffer Yard Material and Width Table

Proposed Use:	Adjacent Shared Use:	Buffer Yard Quantity/Width:	Example Image:
No buffer yard is required when property is adjacent to another of use of the same intensity.			
Medium-intensity use	Low-intensity use	One (1) tree, eight (8) shrubs for every 50-linear feet; Minimum width: 10-foot wide	
High-intensity use	Medium-intensity use	One (1) tree, Ten (10) shrubs for every 35-linear feet; Minimum width: 10-foot wide	
Very-high intensity use	Medium-intensity use	One (1) tree, thirteen (13) shrubs for every 35-linear feet; Minimum width: 15-foot wide	
Very-high intensity use	High-intensity use	One (1) tree and five (5) shrubs 35-linear feet; Minimum width: 20-foot wide	

(8) Alternatives.

- a. If a development includes a vegetative water quality pond, decorative and articulated 6-foot tall solid wall, or an architectural landscape design, the property owner may request a ten (10%) percent reduction in the overall landscaping, except buffer yards and perimeter treatments.
- b. If the site has unique characteristics where buffering cannot feasibly be installed due to size constraints, minimal setbacks, or encumbrances a request for alternative compliance pursuant to Section 18.44.020 (b) and 18.38.140 may be granted.
- c. For infill sites only. A buffer yard may be replaced with two (2) or more public space concepts such as, but not limited to outdoor seating areas and dining with landscaping, gas or propane fire pits, fireplaces, grills and outdoor heaters, decking area and that are accessible and functional to the public, is sustainable in design, and engages the community with historical perspective or monumentation. This provision must be reviewed on a case-by-case basis and approved by the Community Development Director or Designee.

18.44.090 Parking lot landscaping standards

- (a) Parking lot landscape standards shall apply to all major and minor development as defined herein:

(b) Parking lots shall adhere to the setback standards pursuant to Chapter 18.38 - Zoning District Development Standards.

- (1) General parking lot landscape standards:
 - a. Landscaping must accommodate a two (2) foot vehicle curb overhang.
 - b. Shall incorporate a universal design.
 - c. Landscaping material such as shrubs or perennials, notwithstanding required trees, shall have a limited height of thirty-six (36) inches where vehicle visibility is necessary.
 - d. The total tree count shall be no less than one (1) tree per five (5) parking lot spaces.
- (2) Parking lot screening.
 - a. A minimum eight (8) foot wide landscaped area, exclusive of sidewalks and utility easements, should be provided between the parking lot and street right of way to accommodate the required screening shrubs.
 - b. The required landscape treatment for parking lot screening shall include, a dense hedge, berming, decorative metal fencing, and/or masonry wall.
 - c. The landscape treatment shall be located at the perimeter of surface parking lots abutting street corridors not encumbering the clear vision sight distance triangle.
 - d. Is encouraged to be continuous unless the placement of existing or proposed trees make continuity impossible.
 - e. The parking lot screening shall have one (1) shade tree or non-deciduous tree for every thirty-five (35) feet along the same row of trees. Where space allows, earthen berms are encouraged as part of the screening standards to allow for diversity and interest in landscape design.

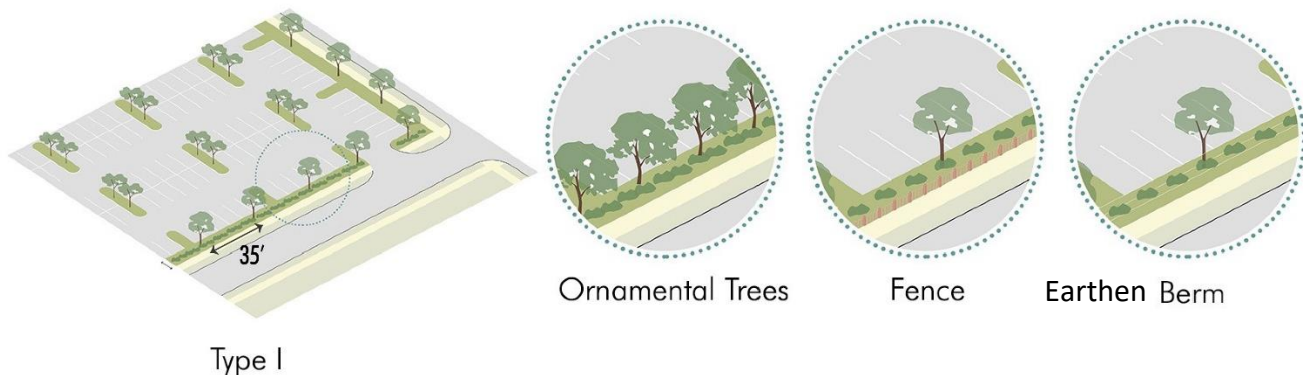


Figure 18.44-10: Parking lot screening

- (3) Interior parking lot design. The following landscaping requirements shall apply to parking lots that accommodate fifteen (15) or more parking spaces to provide pervious surfaces within a parking lot.
 - a. Parking lot islands shall include curb cuts that direct runoff into pervious areas. Plants shall have high salt and chemical tolerance.
 - b. Where more than fifteen (15) parking stalls are provided in a row, one parking lot island must be provided between every fifteen (15) parking spaces. As part of the landscape plan approval, parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands must be no less than the amount required of one island for every fifteen (15) spaces.



Figure 18.44-11: Single row and double row parking lot islands

- c. The end of every parking aisle shall have a landscaping island.
 - d. Standard size vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by nineteen (19) feet long, and contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island must be nine (9) feet wide by thirty-eight (38) feet long, and contain no less than two (2) shade trees.
 - e. Compact vehicle parking.
 - i. Single row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by sixteen (16) feet long, and contain no less than one (1) shade tree.
 - ii. Double row parking lot islands. The minimum size of a parking lot island shall be eight (8) feet wide by thirty-two (32) feet long, and contain no less than two (2) shade trees.
 - f. A minimum of sixty-five (65%) of the required parking lot trees shall be provided within the interior of surface parking lots.
- (4) Footstep access.
- a. Landscape islands shall have an additional twelve (12) inch setback from an adjacent curb to provide a footstep for pedestrian access from the parking stall pursuant to Figure 18.44-12.
 - b. The footstep access may be accomplished with a wider walk, enlarged curb, or striping to avoid having vehicles park too close to the landscape curb.
 - 1. If the footstep is inside the landscape island, the setback must be concrete or an acceptable all-weather compacted material that does not float or drain into the stormwater sewer system.



Figure 18.44-12: Landscape island footstep access

- (5) Planting median. Shall be required with parking lots greater than 100 parking spaces.
 - a. Two (2) interior parking bays, a defined grouping of parking stalls, requires a continuous planting median between each two (2) bays, to prevent traffic movement across aisles pursuant to Figure 18.44-13.
 - b. All medians shall be a minimum of fifteen (15) feet wide and must include a five (5) foot sidewalk.
 - c. All planting medians shall contain defined breaks, as necessary, to provide pedestrian circulation between bays of parking. The bays shall allow for handicap accessibility from one side of the planting median to the other and onto any sidewalk located within the planting median.
- (6) Alternatives.
 - a. Parking lot entry areas may have reduction of the required landscape material by twenty (20%) percent, if the property includes large monumentation, artwork, or architectural landscape design.
 - b. Parking lot landscape screening. Landscape material may be reduced by twenty (20%) percent, if an architectural and decorative short-wall no greater than thirty-six (36) inches in height is included in the overall design of the landscape screening treatment.
 - c. Parking lots that include a bioretention facility that is ten (10%) percent of the size of the entire impervious area of a parking lot, may reduce the parking lot screening setback by one (1) foot.
- (7) Exemptions.
 - a. Exclusion areas apply to residential complexes or commercial centers that share a parking area or that have property lines adjacent to an alley or areas that abut an alley.
 - b. Parking lots, which require parking lot screening, shall not be subject to perimeter landscape requirements.

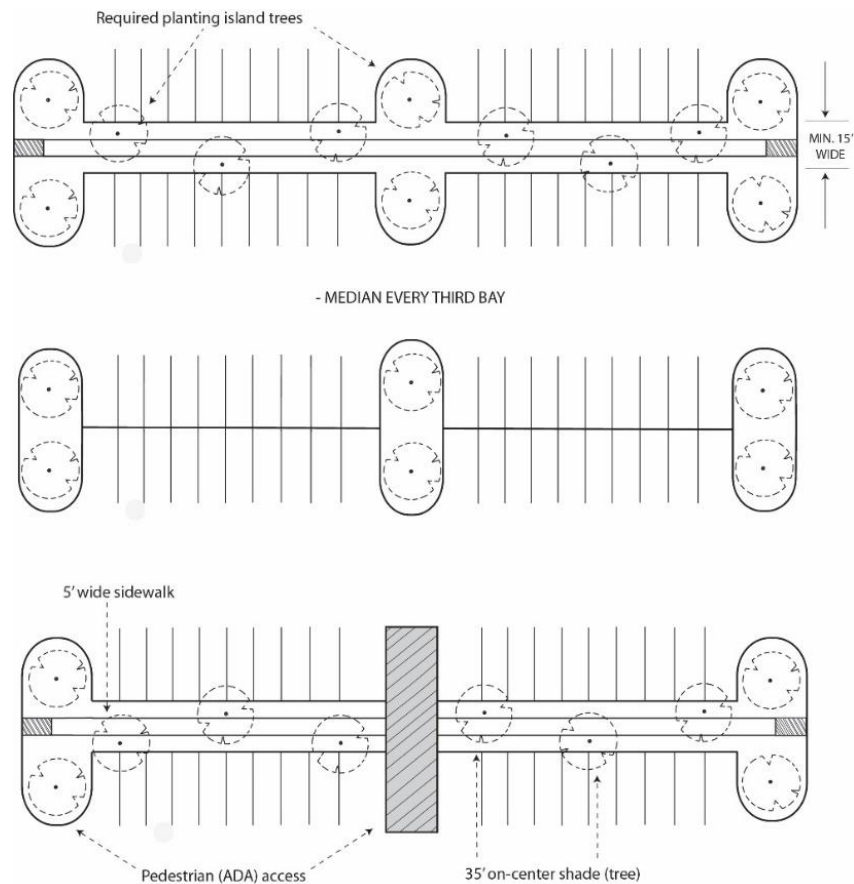


Figure 18.44-13: Example Planting Medians

18.44.100 - Perimeter treatment standards

- (a) Perimeter treatment standards apply to all major development as defined herein:
- (1) If a perimeter treatment was not installed at the time of subdivision, a perimeter treatment plan shall be provided by the developer at the land use application stage, demonstrating landscaping in areas adjacent to all rights-of-way behind the walk in low density suburban areas, not including parkway standards.
 - (2) Requirements. The perimeter treatment plan shall include live plantings or elements such as fencing, earthen berms, walls, and enhanced streetscape that include furnishings, lighting, or an alternative design as approved by the Community Development Director or designee.
 - a. The plantings and elements required in perimeter treatments shall include the area between the edge of the roadway against the property line as part of the streetscape, or along the edge of an outlot or common open space area facing rights-of-way.
 - b. The perimeter treatment shall be complimentary to adjacent sites and any surrounding perimeter treatments in the immediate area.
 - (3) Subdivision entryways for major and minor developments shall be planted with ornamental plant material, such as ornamental trees, flowering shrubs, perennials, and ground covers. Planting shall be massed and scaled as based on the entryway size and space. Landscaping should also provide detail, color, and variety to create visual interest.
 - (4) Required perimeter treatment shall be installed concurrent with other site infrastructure improvements, as per Section 18.04.1195, and prior to the issuance of a certificate of occupancy pursuant to Section 18.44.050 (b)(1).
 - (5) Solid fences and walls included as part of a perimeter treatment shall be in accordance with Section 18.52.035.

(c) Perimeter treatment design. Notwithstanding the parkway requirements pursuant to 18.44.070 (b)(2), perimeter treatment areas shall contain the plantings according to Table 18.44-4 or an acceptable mix of trees and shrubs that provide comparable screening, as determined by the City.

(b) Exemptions.

(1) A perimeter treatment is not required where parking lot screening standards apply.

Table 18.44-4: Perimeter Treatment Design Requirements

<i>Use Type</i>	<i>Street Classification</i>	<i>Type - Base Standard (plants per 100 linear feet)</i>	<i>Minimum Width of Perimeter (in feet)</i>
Residential/Institutional	Collector	4 trees 14 shrubs	10
Residential/Institutional	Arterial	4 trees 16 shrubs	20
Residential/Institutional	Highways/ Expressways/ Freeways	4 trees 24 shrubs	30
Commercial/Industrial	Collector/Arterial	3 trees 5 shrubs	10
Commercial/Industrial	Highways/ Expressways/ Freeways	4 trees 10 shrubs	15

Note: All perimeter treatment plans shall contain 40% non-deciduous trees and shrubs.

18.44.110 - Boulevard median standards

(a) Boulevard median standards shall apply to all major development.

- (1) A cross-section and planting plan of the proposed boulevard median to be landscaped shall be included with the land use application.
- (2) Xeric plants, decorative rocks and boulders, perennials, ornamental grasses, and shrubs may be added to the median design.
- (3) Plant groupings shall be designed in association with the mulch of choice. When mulches are mixed, it is encouraged to incorporate non-monotonous creative aesthetic design that provides stormwater erosion control
- (4) Proposed tree species shall be approved by the City.
- (5) A developer, pursuant a Development Agreement, shall be responsible for installing the median and irrigation system.

18.44.120 - Alterations, replacement, and removals.

(a) Alterations, Replacement, and Removals shall apply all major and minor development, and single-family and two-family dwellings as defined herein:

(b) Protection, mitigation, and preservation applies to all major and minor development:

- (1) Protection of wildlife habitat and/or linkages to wildlife habitat. The preservation and protection of healthy specimen trees, masses of smaller, healthy trees, and trees in common open spaces and in passive recreational areas is preferred.
- (2) Unauthorized removal and replacement, modifications, deviations, or alterations to the approved landscape plans, or failure to install and maintain plant material (including replacing dead or dying) under the provisions set in this Code is subject to penalties pursuant to Chapter 9.18.180 of the Municipal Code.

(3) Mitigation plan.

- a. A tree inventory and report shall be prepared by a certified arborist to evaluate each tree for its mitigation value.
- (4) Tree credits, pursuant to Table 18.44-5, shall be given so long as the provisions of this Code section are met.
- (c) Preservation of existing trees and vegetation is the preferred means of landscaping.
 - (1) Trees that are not in the path of new structures, pedestrian access, and parking lots, shall be preserved and incorporated into the overall site design of an associated development performed by a property owner, developer or the City.
 - (2) Removal and replacement of trees shall apply to all major and minor development, and single-family and two-family dwellings:
- (d) Replacement shall be provided on-site and in the rights-of-way adjacent to the property pursuant to the minimum tree planting requirements of this Code section.
 - (1) Replacement of trees shall be of the same or similar species and tied to a previously approved landscape plan and/or to a grandfathered condition of the subject site except those species designated as noxious or prohibited species.

Table 18.44-5: Tree Credits/Debits

<i>Diameter caliper of tree</i>	<i>Tree credit/debit</i>
≤ 2-inches to 20-inches	1
>20-inches	3

- (e) If the site design precludes incorporation of some or all existing healthy trees, then replacement shall be made as follows:
 - (1) Replacement of dead plant materials. Required landscaping that is dead shall be replaced within three seasons (summer, spring, or fall) of that same year. Replacement of vegetation shall be similar in size and type
 - (2) Only for major and minor developments. Replacement shall be provided on an adjacent site or the nearest public land, if feasible, as determined by the City.
 - (3) Only for major and minor developments. If the number of trees required for replacement cannot be feasibly mitigated on the subject site, the dollar value of the trees as cash-in-lieu, including the estimated cost of installation, shall be provided to the City.
- (f) No credit shall be granted for trees which are:
 - (1) Defined as non-native invasive plants or prohibited species as determined by the City.
 - (2) Dead, dying, diseased, or infested with harmful insects;
 - (3) Not located on the actual development site;
 - (4) Irreparably damaged from lack of or improper pruning;
 - (5) For preserved trees, where root protection zones have been impacted;
 - (6) For relocated trees, where relocation techniques have not been approved by the City or as part of an approved landscape plan; and
 - a. Any trees removed by the City due to sight impairment of vehicular traffic or pedestrian circulation shall not be replaced with new trees and shrubs.

Amendments and Repeals to Chapter 18

Additions to this section of the code are in **ALL CAPS**.

Deletions have a ~~strikethrough~~.

18.04.110 - Definitions –

Buffer shall mean to promote separation and **ENHANCE** compatibility between land uses of different intensities ~~within or adjacent to a development, or along roadways or other public areas, through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof.~~ The term *buffer* may also be used to describe the methods used to promote compatibility, such as a landscape buffer.

Perimeter treatment plan shall mean a plan ~~designed for the installation and perpetual maintenance of improvements~~ intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets.

PERIMETER TREATMENT ALSO PROVIDES AN ATTRACTIVE AND VARIED STREETScape FOR PEOPLE TRAVELING ALONG THOROUGHFARES. PERIMETER TREATMENT IS GENERALLY LOCATED ON THE FRINGES OF A LOT FACING PUBLIC RIGHTS-OF-WAY, UNLIKE A BUFFER YARD THAT SCREENS AGAINST DIRECTLY ADJACENT USES. Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into and shown on the landscape plan.

18.42.030 – Definitions –

Parkway shall mean the strip of land **TYPICALLY** located between the sidewalk and curb, **ALSO REFERRED TO AS A TREE LAWN**.

Yard, front or street side shall mean that portion of a lot between the primary structure and right-of-way.

YARD, FRONT SHALL MEANS THE SPACE OR AREA OF A LOT BETWEEN EVERY POINT ON THE FRONT OF A PRINCIPAL BUILDING AND THE FRONT PROPERTY LINE OF THE SITE, TYPICALLY ADJACENT TO THE STREET, WHICH EXTENDS THE FULL WIDTH OF THE SITE, AND MEASURED PERPENDICULARLY TO THE BUILDING AT THE CLOSEST POINT TO THE FRONT PROPERTY LINE. ON A

CORNER LOT, SPACE OR AREA ADJACENT TO THE SHORTER STREET RIGHTS-OF-WAY SHALL BE CONSIDERED THE FRONT YARD.

YARD, REAR SHALL MEANS THE SPACE OR AREA OF A LOT BETWEEN THE REAR PROPERTY LINE OF THE PRINCIPAL BUILDING AND THE REAR PROPERTY LINE OF THE SITE, EXTENDING THE FULL WIDTH OF THE SITE, AND MEASURED PERPENDICULAR TO THE BUILDING AT THE CLOSEST POINT TO THE REAR PROPERTY LINE.

YARD, INTERIOR SIDE SHALL MEANS AN OPEN-SPACE AREA BETWEEN THE INTERIOR SIDE PROPERTY LINE AND THE BUILDING SETBACK LINE, EXTENDING BETWEEN THE FRONT BUILDING SETBACK LINE AND THE REAR BUILDING SETBACK LINE.

YARD, SIDE STREET SHALL MEAN THE AREA EXTENDING BETWEEN THE FRONT YARD AND THE REAR YARD OR REAR STREET YARD AND SITUATED BETWEEN THE SIDE STREET PROPERTY LINE AND THE FACE OF THE PRINCIPAL BUILDING WHICH IS PARALLEL TO, OR MOST NEARLY PARALLEL TO, THE SIDE STREET PROPERTY LINE.

REPEAL: -Appendix 18-D—Tree, Shrub, and Ground Cover Lists

Amendments and Repeals to APPENDIX 18-B – Definitions

Additions to this section of the code are in ALL CAPS.

Deletions have a ~~strikethrough~~.

AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI) SHALL MEAN THE STANDARDS BY SAID ORGANIZATION THAT HELPS DEVELOPMENT IN THE U.S. HAVE AN EQUITABLE AND OPEN PROCESS THAT SERVES INDUSTRY AND THE PUBLIC GOOD, HAVING A CONSENSUS IN STANDARDS DEVELOPMENT; ANSI'S ESSENTIAL REQUIREMENTS.

ARCHITECTURAL LANDSCAPE DESIGN SHALL MEAN THE DESIGN OF OUTDOOR AREAS, LANDMARKS, AND STRUCTURES TO ACHIEVE ENVIRONMENTAL, SOCIAL-BEHAVIORAL, OR AESTHETIC OUTCOMES. IT INVOLVES THE SYSTEMATIC DESIGN AND GENERAL ENGINEERING OF VARIOUS STRUCTURES FOR CONSTRUCTION AND HUMAN USE, USING EXISTING SOCIAL, ECOLOGICAL, AND SOIL CONDITIONS AND PROCESSES IN THE LANDSCAPE TO PRODUCE DESIRED LANDSCAPING.

ARTIFICIAL TURF SHALL MEAN ANY OF THE VARIOUS SYNTHETIC FIBERS MADE TO RESEMBLE NATURAL GRASS.

AUTHORIZED SHALL MEAN HAVING OFFICIAL PERMISSION OR APPROVAL, AN EMPOWERMENT UNDER THE PROVISIONS OF CODE OR A POLICY TO PERFORM AN ACTION.

Berm shall mean a mound of earth, higher than grade, used for screening, definition of space, noise attenuation and decoration in landscaping.

BIORETENTION FACILITY SHALL MEAN A LANDSCAPED STORMWATER ELEMENT DESIGNED TO CONCENTRATE OR REMOVE DEBRIS AND POLLUTION FROM SURFACE RUNOFF WATER BY MOVING WATER SLOWLY AND HORIZONTALLY AT THE SURFACE THROUGH VEGETATION USING GENTLY SLOPED SIDES, THAT CLEANSSES WATER FROM POLLUTANTS AND SOIL EROSION BEFORE IT ENTERS THE CITY'S STORMWATER SYSTEM.

BIOSWALE SHALL MEAN A LANDSCAPE ELEMENT DESIGNED TO CONCENTRATE OR REMOVE DEBRIS AND POLLUTION FROM SURFACE RUNOFF WATER. THE DESIGN OF WHICH CONSISTS OF A SWALED DRAINAGE COURSE WITH GENTLY SLOPED SIDES FILLED WITH VEGETATION, COMPOST AND/OR RIPRAP.

all mean to promote separation and **ENHANCE** compatibility between land uses of different intensities, ~~within or adjacent to a development, or along roadways or other public areas through the use of setbacks, natural vegetation, berms, fences, walls or a combination thereof.~~ The term *buffer* may also be used to describe the methods used to promote compatibility such as a landscape buffer.

~~Buffer yard shall mean that area intended to provide buffering between land uses of different intensities or along roadways or other public rights of way.~~

BUFFER YARD SHALL MEAN THAT AREA INTENDED TO PROVIDE BUFFERING BETWEEN LAND USES OF DIFFERENT INTENSITIES THROUGH THE USE OF SETBACKS, LANDSCAPING, EARTHEN BERMS, SOLID FENCES, WALLS, APPLICABLE BIORETENTION FACILITIES OR A COMBINATION THEREOF. UNLIKE A PERIMETER TREATMENT, A BUFFER YARD IS LOCATED ON THE REAR YARD OR INTERIOR SIDE YARD OF A LOT, AND IS NOT ADJACENT TO STREETS OR ALLEYS.

CALIPER SHALL MEAN THE DIAMETER OR CIRCUMFERENCE OF A TREE.

CERTIFICATE OF OCCUPANCY (C.O.) SHALL MEAN A WRITTEN CERTIFICATE PROVIDED BY THE CITY SIGNIFYING THE SUBJECT BUILDING/STRUCTURE (PROPERTY) HAS COMPLIED WITH CITY STANDARDS ALLOWING FOR USE AND OCCUPANCY.

Change of use shall mean a use that **DIFFERS** substantially differs from the previous use of a building or land and which may affect such things as parking, drainage, circulation, landscaping, building configuration, noise or lighting. A change of ownership which does not include any of the factors listed above shall not be considered a change of use.

Clear vision **SIGHT DISTANCE TRIANGLE** ~~zone or area~~ shall mean that area which the City requires **MAINTENANCE IN ORDER TO PRESERVE THE SIGHT DISTANCE AND SAFETY OF MOTORISTS, PEDESTRIANS, AND BICYCLISTS BY REQUIRING** an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

DECISION POINT DISTANCE SHALL MEAN THE CLEAR VISION SIGHT DISTANCE TRIANGLE BEGINS.

DIAMETER SHALL MEAN THE SIZE OF AN EXISTING SIZE OF TREE AS MEASURED THROUGH THE TREE TRUNK AT 6-INCHES ABOVE GROUND LEVEL FROM THE UPPERMOST ROOT FLARE.

EARTHEN BERM SHALL MEAN A MOUND OF EARTH, HIGHER THAN GRADE, USED FOR SCREENING OR BUFFERING, THE DEFINITION OF SPACE, NOISE ATTENUATION, AND DECORATION IN LANDSCAPING.

PERIMETER PLANTINGS SHALL MEAN LIVE PLANTINGS LOCATED IMMEDIATELY AROUND THE BASE OF THE FOUNDATION OF A BUILDING FACADE THAT REFLECTS THE FORMAL GEOMETRY OF THE STRUCTURE.

NON-DECIDUOUS SHALL MEAN SHRUBS OR TREES, ALSO CALLED EVERGREENS, THAT KEEP THEIR FOLIAGE YEAR-ROUND.

GROUND COVER SHALL MEAN THOSE MATERIALS THAT TYPICALLY DO NOT EXCEED ONE (1) FOOT IN HEIGHT USED TO PROVIDE A COVER OF THE SOIL IN LANDSCAPED AREAS, WHICH INCLUDE ROCK, COBBLE, BOULDERS, GRASSES, FLOWERS, LOW-GROWING SHRUBS AND VINES AND THOSE MATERIALS DERIVED FROM ONCE-LIVING THINGS, SUCH AS WOOD MULCH. IN NO EVENT SHALL WEEDS BE CONSIDERED GROUND COVER.

Ground cover shall mean those materials **THAT TYPICALLY DO NOT EXCEED ONE (1) FOOT IN HEIGHT** used to provide cover of the soil in landscaped areas, **WHICH** and shall include river rock, cobble, boulders, **PATTERNED CONCRETE**, grasses, flowers, low-growing shrubs and vines and those materials derived from once-living things, such as wood mulch. **IN NO EVENT SHALL WEEDS BE CONSIDERED GROUND COVER.**

HYDROZONES/HYDROZONE SHALL MEAN AREAS WITHIN THE LANDSCAPE DEFINED BY A GROUPING OF PLANTS REQUIRING A SIMILAR AMOUNT OF WATER TO SUSTAIN HEALTH.

IMPERVIOUS SHALL MEAN ANY HARD-SURFACED, MAN-MADE AREA THAT DOES NOT READILY ABSORB OR RETAIN WATER, INCLUDING BUT NOT LIMITED TO BUILDING ROOFS, PAVED PARKING AND DRIVEWAY AREAS, COMPACTED AREAS, SIDEWALKS, AND PAVED RECREATION AREAS.

Irrigation system shall mean an automatically or manually controlled sprinkler system that supplies water to support vegetation.

IRRIGATION SYSTEM SHALL MEAN AN UNDERGROUND, AUTOMATIC SPRINKLER SYSTEM OR ABOVE-GROUND DRIP SYSTEM EXPLICITLY DESIGNED FOR A METHOD OF WATERING VEGETATION.

Landscaped area shall mean an area for the planting of trees, shrubs, ground cover or a combination thereof and which is defined by an edge strip material or the adjacency of sod or lawn area.

Landscape plan shall mean a **SCALED GRAPHIC PLAN** showing the treatment of all open space areas, parking lots, parking areas, areas adjacent to the public right-of-way, **PERIMETER TREATMENT** and other landscaped areas., which may include any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to, fountains, reflecting pools, screening walls, fences and benches. The *landscape plan* may include a perimeter treatment plan as defined in these definitions and shall delineate species, size and location of all landscape elements.

ing shall mean any combination of living plants, such as trees, shrubs, vines, ground covers, flowers or grass; natural features, such as rock, stone, bark chips or shavings; and structural features, including but not limited to, fountains, reflecting pools, screening walls, **SOLID** fences and benches.

LAWN SHALL MEAN A STRETCH OF OPEN, TURF-GRASS COVERED LAND, ARTIFICIAL TURF SHALL NOT BE CONSIDERED LAWN OR TURF-GRASS.

LIVING FENCE SHALL MEAN A PERMANENT HEDGE TIGHT ENOUGH AND STRONG ENOUGH TO SERVE ALMOST ANY OF THE FUNCTIONS OF A MANUFACTURED FENCE, BUT IT OFFERS AGRICULTURAL AND BIOLOGICAL SERVICES.

Maintenance of landscaping shall mean, **AS IT PERTAINS TO CHAPTER 18.44**, but not be limited to, regular watering, mowing, pruning, fertilizing, clearing of debris and weeds, the removal and replacement of dead plants and the repair and replacement of an irrigation systems.

MAJOR DEVELOPMENT SHALL MEAN A DEVELOPMENT THAT REQUIRES AN APPLICATION FOR A PRELIMINARY SUBDIVISION, A PLANNED UNIT DEVELOPMENT, A SITE PLAN REVIEW, OR A USE- BY-SPECIAL REVIEW PROCEDURE.

MINOR DEVELOPMENT SHALL MEAN A DEVELOPMENT THAT REQUIRES AN APPLICATION FOR AN INFILL DESIGN REVIEW, A DESIGN REVIEW PROCEDURE OR A MINOR SUBDIVISION.

MULCH SHALL MEAN A NATURAL PLANTING MATERIAL SUCH AS PINE STRAW, COCONUT FIBER, GROUND PINE POST PEALING OR TREE BARK USED TO CONTROL WEED GROWTH, REDUCE SOIL EROSION, AND REDUCE WATER LOSS.

NATIVE GRASS SHALL MEAN A NATIVE COLORADO GRASS.

NON-DECIDUOUS SHALL MEAN SHRUBS OR TREES, ALSO CALLED EVERGREENS, THAT KEEP THEIR FOLIAGE YEAR-ROUND.

OPEN SPACE, REQUIRED SHALL MEAN THAT PORTION OR PERCENT DEFINED BY THE ZONING STANDARDS OF A LOT REQUIRED TO BE OPEN AND UNOBSTRUCTED. THE AREA MUST NOT BE COVERED BY ANY STRUCTURE OR IMPERVIOUS SURFACE, SUCH AS SIDEWALKS OR DRIVEWAYS.

Open space, usable **IS GENERALLY REQUIRED WITH SUBDIVISION PROCESSES, AND** shall mean that portion of a lot **OR SITE** excluding the required front yard area, which is **NOT COVERED BY ANY** ~~unoccupied by principal or accessory buildings and available to all occupants for the building for use for recreational and other leisure activities~~ **THAT ARE normally CUSTOMARILY** carried on outdoors. The area shall be unobstructed to the sky and shall have a minimum dimension of fifty (50) feet and a minimum area of six thousand (6,000) square feet. Usable open space shall **MAY** also include **OUTDOOR PATIOS AND PLAZAS AND**

al facilities, as determined in Chapter 18.38. **USABLE OPEN SPACE SHALL NOT INCLUDE THE REQUIRED SETBACK AREA FROM OIL AND GAS FACILITIES, RIGHTS-OF-WAY, PLATTED OR BUILT TRAILS OR SIDEWALKS, PARKING LOTS, OR OCCUPIED BUILDINGS.**

Ornamental tree shall mean a deciduous tree planted primarily for its ornamental value or for screening and which will typically be smaller than a shade tree **APPROXIMATELY FIFTEEN (15) TO TWENTY-FIVE (25) FEET IN HEIGHT.**

Outlot shall mean a tract of land platted in a subdivision for a specific purpose, which shall be shown on the face of the plat. Specific purposes may include, but are not limited to, drainage areas, storm water detention or retention areas, parks, open space, future development or land areas reserved for other public facilities.

Parkway shall mean the strip of land **TYPICALLY** located between the sidewalk and the curb, **ALSO REFERRED TO AS A TREE LAWN.**

PASSIVE RECREATION AREA IS GENERALLY AN UNDEVELOPED SPACE OR ENVIRONMENTALLY SENSITIVE AREA THAT REQUIRES MINIMAL DEVELOPMENT. ENTITIES SUCH AS A THE CITY'S CULTURE, PARKS AND RECREATION DEPARTMENT MAY MAINTAIN PASSIVE RECREATION AREAS FOR THE HEALTH AND WELL-BEING OF THE PUBLIC AND FOR THE PRESERVATION OF WILDLIFE AND THE ENVIRONMENT. THE QUALITY OF THE ENVIRONMENT AND "NATURALNESS" OF AN AREA IS THE THE FOCUS OF THE RECREATIONAL EXPERIENCE IN A PASSIVE RECREATION MANNER.

PERENNIALS SHALL MEAN NON-WOODY PLANTS, WHICH MAY DIE BACK TO THE GROUND EACH YEAR BUT CONTINUE TO GROW ON AN ANNUAL BASIS. PERENNIALS SHALL ALSO INCLUDE COLD WEATHER BULBS AND TUBERS AND ORNAMENTAL GRASSES THAT RETURN EACH YEAR AND SHALL COUNT TOWARD GROUND COVER REQUIREMENTS.

Perimeter treatment plan shall mean a plan designed for the installation and perpetual maintenance of improvements intended to provide visual and noise protection for the outer edges of developments which border arterial or major collector streets. **PERIMETER TREATMENT ALSO PROVIDES AN ATTRACTIVE AND VARIED STREETScape FOR PEOPLE TRAVELING ALONG THOROUGHFARES. PERIMETER TREATMENT IS GENERALLY LOCATED ON THE FRINGES OF A LOT FACING PUBLIC RIGHTS-OF-WAY, UNLIKE A BUFFER YARD THAT SCREENS AGAINST DIRECTLY ADJACENT USES.** Said plan shall include materials, techniques and sizes of buffering treatments, such as landscaping, fencing, screen walls, berms or a combination thereof sufficient to provide adequate buffering. The perimeter treatment plan may be incorporated into and shown on the landscape plan.

PERMEABLE SHALL MEAN A MATERIAL THAT ALLOWS LIQUIDS OR GASES TO PASS THROUGH IT.

PERVIOUS SURFACE SHALL MEAN A SURFACE THAT ALLOWS WATER TO PASS THROUGH; A SURFACE THAT PRESENTS AN OPPORTUNITY FOR PRECIPITATION TO INFILTRATE INTO THE GROUND

PLANTING MEDIAN IS A STRIP OF PERVIOUS LAND.

POLLINATOR GARDENS, A POLLINATOR GARDEN, IS ONE DESIGNED FOR THE EXPRESS PURPOSE OF PROVIDING HABITAT FOR OR ATTRACTING BEES, BUTTERFLIES, MOTHS, HUMMINGBIRDS, OR OTHER BENEFICIAL CREATURES THAT TRANSFER POLLEN FROM FLOWER TO FLOWER, OR IN SOME CASES, WITHIN FLOWERS.

RAIN GARDEN SHALL MEAN A SOIL-ABSORPTION OR FILTER SYSTEM DESIGNED TO BE DEPRESSION STORAGE OR A PLANTED HOLE THAT ALLOWS WATER FILTRATION AND ABSORPTION OF RAINWATER RUNOFF FROM IMPERVIOUS URBAN AREAS, SUCH AS ROOFS, DRIVEWAYS, WALKWAYS, PARKING LOTS, AND TURF-GRASS OR SOD AREAS. A TYPE OF BIORETENTION FACILITY DESIGNED TO PROVIDE STORMWATER GREEN INFRASTRUCTURE IMPROVEMENTS, TYPICALLY SHALLOW VEGETATIVE DEPRESSIONS WITH GENTLE SLIDE SLOPES DESIGNED AS INDIVIDUAL STORMWATER RECEIVING AREAS OR LINKED TO CONVEYANCE SYSTEMS. SOILS MAY OR MAY NOT BE AMENDED IN THESE FACILITIES.

REQUIRED LANDSCAPE AREA SHALL MEAN THE AREA OF REQUIRED OPEN SPACE, ACCORDING TO THE ZONING DISTRICT PROVISIONS IN WHICH THE PROPERTY IS LOCATED, THAT IS NOT ALLOWED TO BE COVERED BY BUILDINGS, PAVING, HEAVILY COMPACTED SURFACES OR OTHER IMPERVIOUS SURFACES, WHETHER WITHIN A LOT, OUTLOT OR TRACT OR WITHIN A PUBLIC RIGHT-OF-WAY, AND SHALL NOT INCLUDE ANY LEGALLY ESTABLISHED AREA FOR STORAGE OR OUTDOOR DISPLAY.

REQUIRED LANDSCAPING SHALL MEAN THE LANDSCAPING REQUIRED BY THIS CHAPTER.

RIGHTS-OF-WAY LANDSCAPING SHALL MEAN LANDSCAPING LOCATED WITHIN THE PUBLIC OR PRIVATE RIGHTS-OF-WAY ADJACENT TO A PRIVATELY OWNED LOT, OUTLOT, OR TRACT, INCLUDING PARKWAYS.

SCREENING SHALL MEAN A METHOD OF REDUCING THE IMPACT OF VISUAL AND NOISE INTRUSIONS THROUGH THE USE OF PLANT MATERIALS, EARTHEN BERMS, SOLID FENCES AND WALLS, LIVING FENCES, OR ANY COMBINATION THEREOF, INTENDED TO BLOCK THAT WHICH IS UNSIGHTLY OR OFFENSIVE WITH A MORE HARMONIOUS ELEMENT.

shall mean a method of reducing the impact of visual and/or noise intrusions through the use of plant materials, **EARTHEN** berms, **SOLID** fences and/or walls, or any combination thereof, intended to block that which is unsightly or offensive with a more harmonious element.

Shade tree shall mean a ~~deciduous~~ tree planted **TO CLOSE PROXIMITY TO A STREET IN ORDER TO PROVIDE SHADE OVER THE STREET AND TO SOFTEN THE STREET ENVIRONMENT.**

Sight distance (see *clear vision area or zone*).

Site plan shall mean a plan **SET OF DRAWINGS THAT PROPERTY OWNER, BUILDER, OR CONTRACTOR USES TO MAKE IMPROVEMENTS TO A PROPERTY THROUGH GRAPHIC REPRESENTATION, WHETHER COMPUTER-GENERATED OR HAND-DRAWN, OF THE ARRANGEMENT OF BUILDINGS, PARKING, DRIVES, LANDSCAPING, AND ANY OTHER STRUCTURE THAT IS PART OF A DEVELOPMENT PROJECT.** ~~showing the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land.~~

SOD SHALL MEAN THE GRASS AND THE PART OF THE SOIL BENEATH IT HELD TOGETHER BY ITS ROOTS OR ANOTHER PIECE OF THIN MATERIAL TYPICALLY USED AS LAWN OR AGRICULTURAL PURPOSES.

SOLID FENCE SHALL MEAN A FENCE THAT IS OPAQUE AND PROVIDED THE FENCE IS COMPOSED OF SOLID WOOD, COMPOSITE, VINYL, OR MASONRY.

SOIL AMENDMENTS ARE ELEMENTS ADDED TO THE SOIL, SUCH AS COMPOST, NATURAL FERTILIZER, MANURE, OR CHEMICAL FERTILIZER, TO IMPROVE ITS CAPACITY TO SUPPORT PLANT LIFE.

STAMPED (SEALED/SIGNED) DOCUMENTS SHALL MEAN TECHNICAL DRAWINGS OR DOCUMENTS PREPARED UNDER AND AUTHORIZED BY A LICENSED PROFESSIONAL FOR CITY REVIEWS AND PERMITTING LEGAL RECORDS VERIFYING AUTHORITY, PROFESSIONAL LIABILITY, AND QUALIFICATIONS TO PRACTICE.

Streetscaping **OR STREETScape** SHALL MEAN, FOR THE PURPOSES OF CHAPTER **18.44,** rehabilitation, preservation and beautification of those exterior elements of a designated property which are visible from a street, including elements and landscaping within a front or street side setback and/or the public right-of-way.

STREET TREE SHALL MEAN A TREE PLANTED IN CLOSE PROXIMITY TO A STREET IN ORDER TO PROVIDE SHADE OVER THE STREET AND TO SOFTEN THE STREET ENVIRONMENT.

Street tree shall mean a tree planted in close proximity to a street in order to provide ~~canopy~~ **SHADE** over the street to ~~provide shade and~~ **TO** soften the street environment.

TALL MEAN A LARGE WOODY PLANT HAVING ONE (1) OR SEVERAL SELF-SUPPORTING STEMS OR TRUNKS AND NUMEROUS BRANCHES AND WHICH MAY BE DECIDUOUS OR EVERGREEN.

TREE LAWN SHALL HAVE THE SAME MEANING AS THE PARKWAY.

TURF-GRASS SHALL MEAN A BLEND OR MIX OF GRASSES MOST TOLERANT TO THE COLORADO CLIMATE, WHETHER IN SOD OR SEED FORM WHEN PLANTED, INTENDED TO BE REGULARLY MAINTAINED AS A LAWN IN URBANIZED DEVELOPED AREAS. ARTIFICIAL TURF SHALL NOT BE CONSIDERED LAWN OR TURF-GRASS.

UNIVERSAL DESIGN IS THE DESIGN OF BUILDINGS, PRODUCTS OR ENVIRONMENTS TO MAKE THEM ACCESSIBLE TO ALL PEOPLE, REGARDLESS OF AGE, DISABILITY OR OTHER FACTORS. THE TERM "UNIVERSAL DESIGN" WAS COINED BY THE ARCHITECT RONALD MACE TO DESCRIBE THE CONCEPT OF DESIGNING ALL PRODUCTS AND THE BUILT ENVIRONMENT TO BE AESTHETIC AND USABLE TO THE GREATEST EXTENT POSSIBLE BY EVERYONE, REGARDLESS OF THEIR AGE, ABILITY, OR STATUS IN LIFE.

URBAN HEAT ISLAND SHALL MEAN AN URBAN AREA THAT IS SIGNIFICANTLY WARMER THAN ITS SURROUNDING RURAL AREAS DUE TO MODIFICATIONS OF LAND SURFACES SUCH AS DEVELOPMENT AND OTHER HUMAN ACTIVITIES. THE TEMPERATURE DIFFERENCE IS USUALLY MORE SIGNIFICANT AT NIGHT THAN DURING THE DAY.

UTILITY LINE CLEARANCE ZONES SHALL MEAN THE MINIMUM CLEARANCE HORIZONTAL OR VERTICAL STANDARD DETERMINED BY THE UTILITY HOLDER. OBSTRUCTIONS AND ENCROACHMENTS ARE PROHIBITED.

WEED SHALL MEAN ANY PLANT NOT TYPICALLY PROPAGATED BY THE HORTICULTURAL TRADES AND NOT TYPICALLY INSTALLED FOR THE PURPOSES OF LANDSCAPING. WEED DOES NOT INCLUDE NATIVE AND NATURALIZED PLANTS, OTHER THAN DESIGNATED NOXIOUS WEEDS, GROWN IN AREAS MANAGED PRIMARILY FOR ECOLOGICAL SERVICES.

Weed shall mean any plant not typically propagated by the horticultural trades and ground cover or shrub which is typically not **TYPICALLY** installed for the purposes of landscaping; which is not typically propagated by the horticultural or nursery trades; or which presents a particularly noxious allergenic or growth characteristic. **WEED DOES NOT INCLUDE NATIVE AND NATURALIZED PLANTS, OTHER THAN DESIGNATED NOXIOUS WEEDS, GROWN IN AREAS MANAGED PRIMARILY FOR ECOLOGICAL SERVICES.**

XERIC LANDSCAPING OR XERISCAPE WAS COINED BY DENVER WATER IN 1981 TO HELP MAKE WATER-EFFICIENT LANDSCAPING AN EASILY RECOGNIZED CONCEPT. XERISCAPE IS A COMBINATION OF THE WORD "LANDSCAPE" AND THE GREEK WORD "XEROS," WHICH MEANS DRY. FOR THE PURPOSES OF

ING IT IN THIS CHAPTER OF THE CODE, IT SHALL MEAN THE USE OF LOW-WATER OR VERY LOW-WATER PLANTS IN PLACE OF PLANTS THAT TYPICALLY REQUIRE MORE WATER TO SURVIVE AND INCLUDE, BUT ARE NOT LIMITED TO, PLANTS HAVING A LOW OR VERY LOW WATER REQUIREMENT.. XERIC LANDSCAPING DOES NOT MEAN THE SAME AS HARDSCAPING OR ONLY ROCK.

Yard shall mean **THE SPACE OR AREA OF A LOT BETWEEN A LOT LINE AND THE PRINCIPAL BUILDING (ALSO REFERRED TO AS A SIDE, REAR, OR FRONT SETBACK) WITHIN WHICH NO STRUCTURE SHALL BE LOCATED EXCEPT AS ALLOWED IN THIS CHAPTER.** ~~*Yard* shall mean that area of a lot between the property line and the foundation of a building, structure or use.~~ *Required yard* shall mean that area also described as a required setback area where construction of buildings, structures and uses is limited in placement.

~~*Yard, front or street side*, for the purposes of Chapter 18.36, shall mean that portion of a lot between the primary structure and right-of-way. A yard may contain more land area than a setback area.~~

YARD, FRONT SHALL MEANS THE SPACE OR AREA OF A LOT BETWEEN EVERY POINT ON THE FRONT OF A PRINCIPAL BUILDING AND THE FRONT PROPERTY LINE OF THE SITE, TYPICALLY ADJACENT TO THE STREET, WHICH EXTENDS THE FULL WIDTH OF THE SITE, AND MEASURED PERPENDICULARLY TO THE BUILDING AT THE CLOSEST POINT TO THE FRONT PROPERTY LINE. ON A CORNER LOT, SPACE OR AREA ADJACENT TO THE SHORTER STREET RIGHTS-OF-WAY SHALL BE CONSIDERED THE FRONT YARD.

YARD, REAR SHALL MEANS THE SPACE OR AREA OF A LOT BETWEEN THE REAR PROPERTY LINE OF THE PRINCIPAL BUILDING AND THE REAR PROPERTY LINE OF THE SITE, EXTENDING THE FULL WIDTH OF THE SITE, AND MEASURED PERPENDICULAR TO THE BUILDING AT THE CLOSEST POINT TO THE REAR PROPERTY LINE.

YARD, INTERIOR SIDE SHALL MEANS AN OPEN-SPACE AREA BETWEEN THE INTERIOR SIDE PROPERTY LINE AND THE BUILDING SETBACK LINE, EXTENDING BETWEEN THE FRONT BUILDING SETBACK LINE AND THE REAR BUILDING SETBACK LINE.

YARD, SIDE STREET SHALL MEAN THE AREA EXTENDING BETWEEN THE FRONT YARD AND THE REAR YARD OR REAR STREET YARD AND SITUATED BETWEEN THE SIDE STREET PROPERTY LINE AND THE FACE OF THE PRINCIPAL BUILDING WHICH IS PARALLEL TO, OR MOST NEARLY PARALLEL TO, THE SIDE STREET PROPERTY LINE.

Imagine Greeley Comprehensive Plan: Target Objectives for Landscape Code Update

1. Objective GC-3.4 Tree City - Reinforce the community's image as a "Tree City" by promoting the establishment and maintenance of tree-lined travel corridors throughout the community, taking into consideration water use, conservation strategies, and the natural environment.
2. Objective NR-1.3 Water Conservation - Promote the most efficient use of water through conservation and related practices.
3. Objective NR-2.4 Light Pollution - Minimize light trespass from developed areas and reduce sky glow to maintain night sky visibility.
4. Objective NR-2.5 Urban Heat Island Effect - Promote the use of sustainable development practices that have been demonstrated to mitigate the urban heat island effect.
5. Objective NR-3.7 Urban Forest Protect - Maintain, and expand the urban forest within and around the city.
6. Objective NR-3.8 Native Habitats Where Possible - Work to restore native prairie/grassland habitats on open lands or other natural areas.
7. Objective NR-3.9 Wildlife Habitat - Protect, maintain, and manage wildlife habitat in both natural and urban settings.
8. Objective NR-4.3 Landscaping and Plant Species - Promote the use of landscaping with species appropriate to the local climate conditions.
9. Objective NR-5.1 Education - Promote education of the public about issues of local and regional environmental concern.
10. Objective NR-5.2 Recognition - Recognize and celebrate environmental stewardship in all aspects of community life.
11. Objective PR-1.8 Streetscapes and Greenways - Design streetscapes, linear parks, greenways, and other green spaces within the city as integral elements of the park system.
12. Objective PR-2.1 Water Conservation - Ensure that new parks support best practices in water conservation and irrigation efficiency including reducing irrigated bluegrass areas unless needed for a specific activity. Integrate such strategies into existing park facilities as opportunities arise.
13. Objective PR-2.2 Planting and Landscaping - Incorporate native vegetation, natural grasslands, and low water-use plants and landscaping approaches into the design of parks, trails, and recreational facilities.
14. Objective PR-2.3 Maintenance Practices - Maintain vegetation through the application of "best management practices" including mechanical, chemical, biologic, grazing, and fire among others.

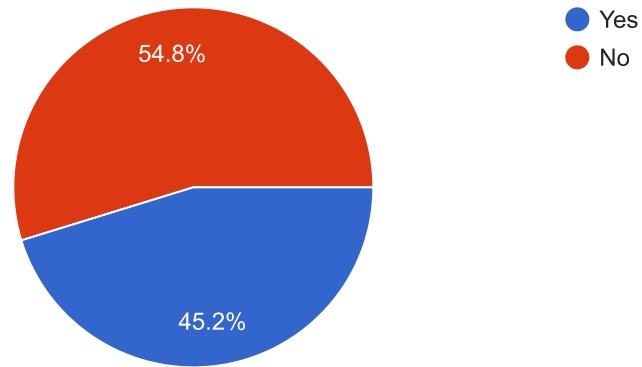
15. Objective PS-3.1 Urban Design - Enhance public safety through the use of public improvements, urban design, street furniture, lighting, and other features of the built environment.
16. Objective PS-3.2 Code Enforcement - Address behaviors that disregard public safety of others or property. When necessary, take actions to minimize more serious conditions as needed to address threats that impede community and individual safety.
17. Objective TM-1.2 Pedestrian Movements - Ensure pedestrian movement and accessibility is considered in the design and construction of all public and private development projects. Ample and safe sidewalks and other pedestrian pathways within and between developments should be provided.
18. Objective TM-1.3 Streetscape Design - Develop attractive, safe, accessible, and efficient public rights-of-way, including roadways and sidewalks. The design of such rights-of-way should vary depending on the modes accommodated, the surrounding land uses, and the character of the area or neighborhood through which it passes.
19. Objective TM-2.1 Complete Streets Plan - Program rights-of-way that fully integrate the needs of bicyclists, pedestrians, transit users, commercial vehicles and trucks, emergency service vehicles, and passenger vehicles.
20. Objective TM-2.4 Residents with Disabilities - Ensure the transportation system effectively serves people with disabilities.

Landscape Code Update Survey

84 responses

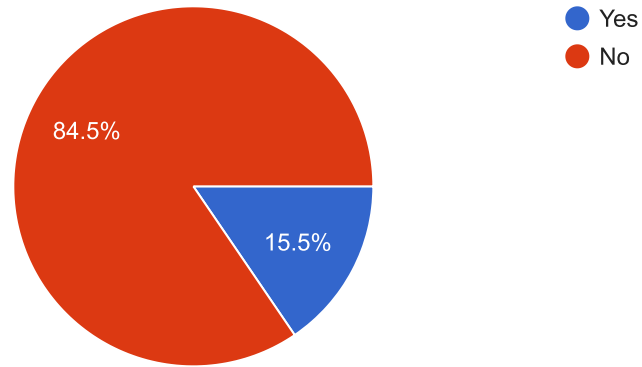
1. Have you had to use the City's landscape code?

84 responses



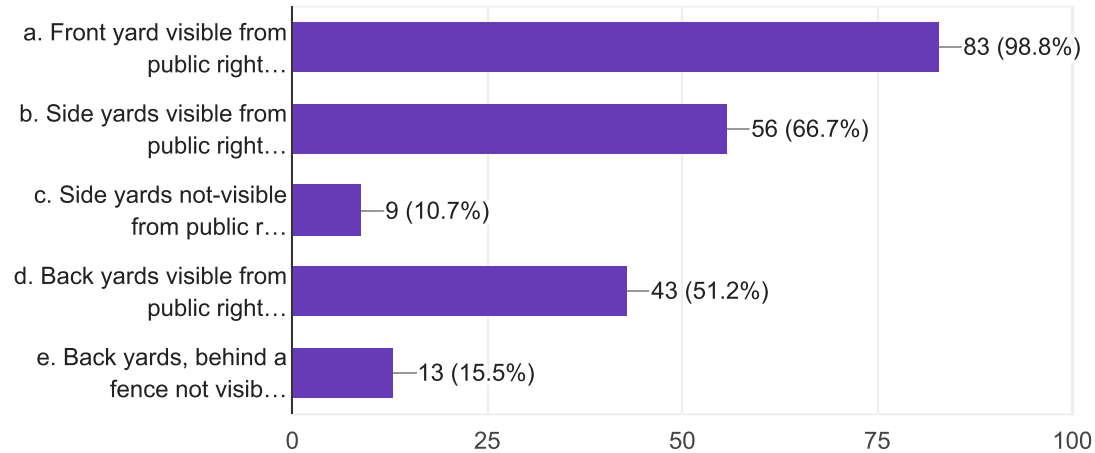
2. Currently, residential property owners are required to have a minimum of one (1) tree in their front yards. Should more than one (1) tree be required?

84 responses



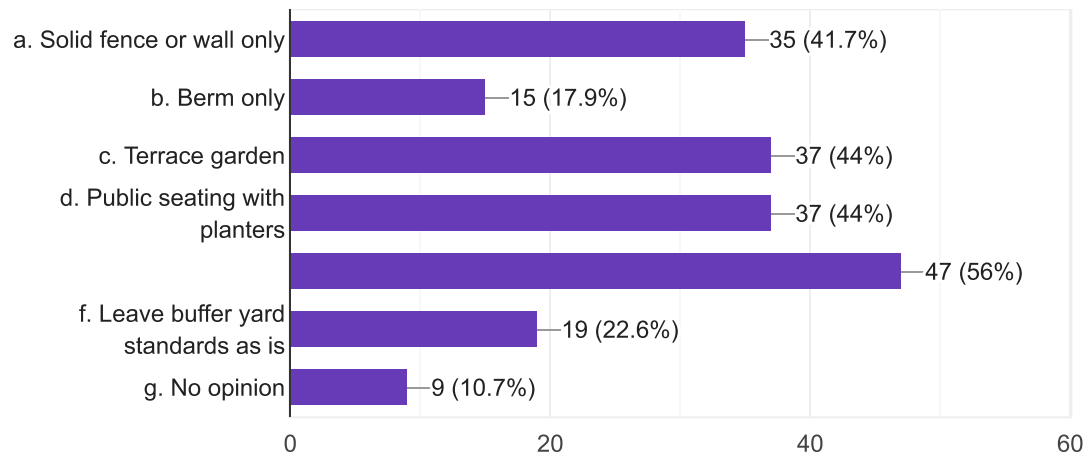
3. The City of Greeley requires residential properties to have 50% of the yard landscaped. Do you think that it is important to have landscaping in the (select all that apply):

84 responses



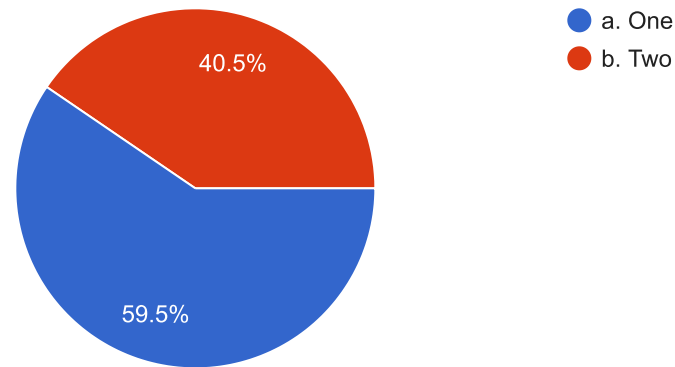
4. Zoning may allow differing land uses next to each other. In some cases, a more intense land use, such as a restaurant, is required to install a buffer yard between it and less intense land use, such as a residential property. Buffer yards are a required element of the City's Landscape Code to protect the less intense land use from the more intense land use with a combination of landscaping, wall, or fence. However, buffering material can be costly and expensive to install and maintain, especially with the amount of water needed to sustain plant species can be a lot. If the buffer can be reduced or have no landscaping, what would you choose to be a good buffering element? (select all that apply)

84 responses



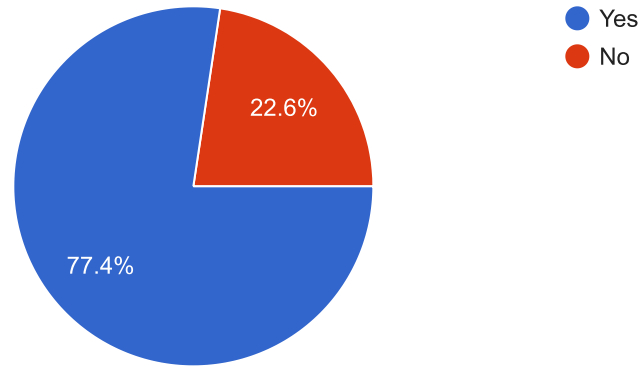
5. "Street-trees," the trees generally located on a parkway (or tree lawn) or between the sidewalk and road. They add character and esthetic appeal to a neighborhood street and reduce the summer heat in the area. Temperatures increase because of the amount of asphalt or concrete in the area due to little landscape. How many trees should be required in the parkway in front of a property, if space is available?

84 responses



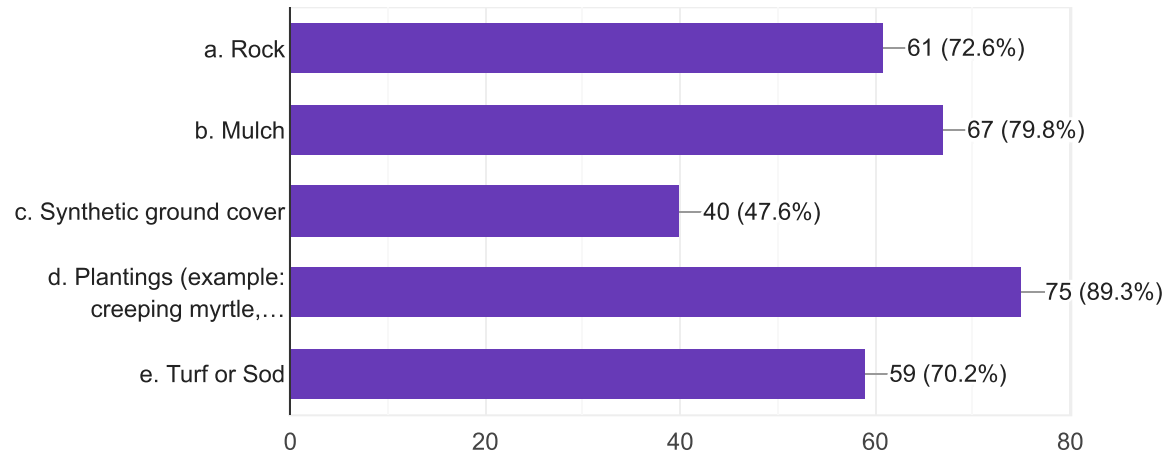
6. If the city requires a tree, would you maintain the tree in the front of your home?

84 responses



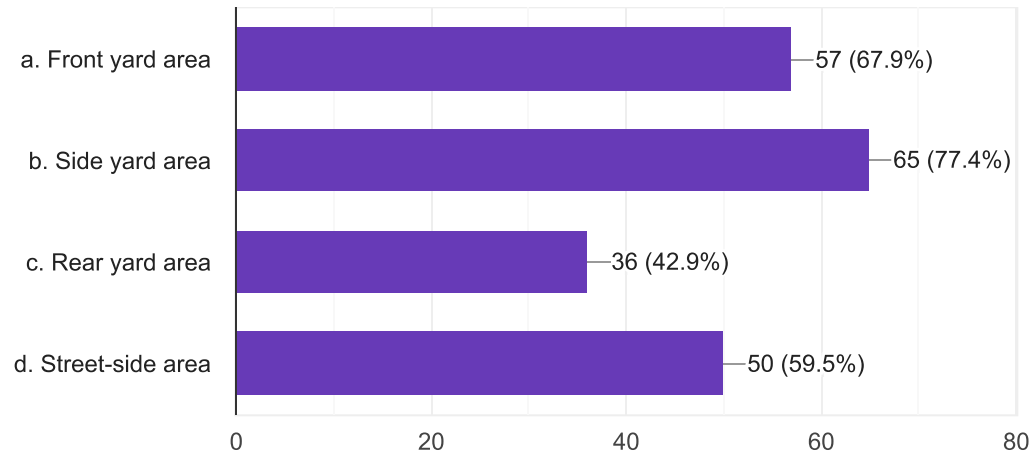
7. Weeds or bare dirt are not allowed as an official ground cover or landscape material. Instead, there are acceptable ground covers that can be counted towards the required percent of live plantings. What would you consider to be an acceptable ground cover? (select all that apply)

84 responses



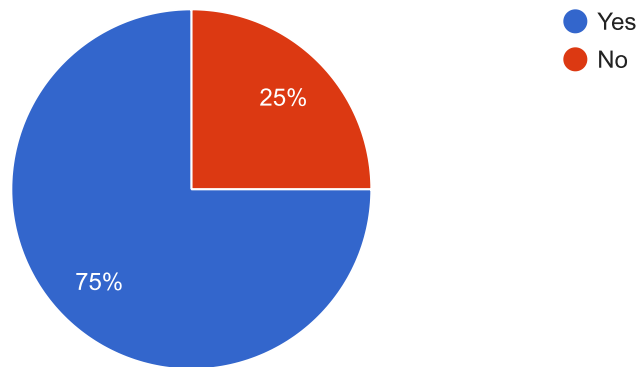
8. Xeriscape is a combination of the word "landscape" and the Greek word "xeros," which means dry; it does not mean zero or no landscaping. If you had the choice to exchange your turf-grass for a xeric garden, where on your property would you install it? (select all that apply)

84 responses



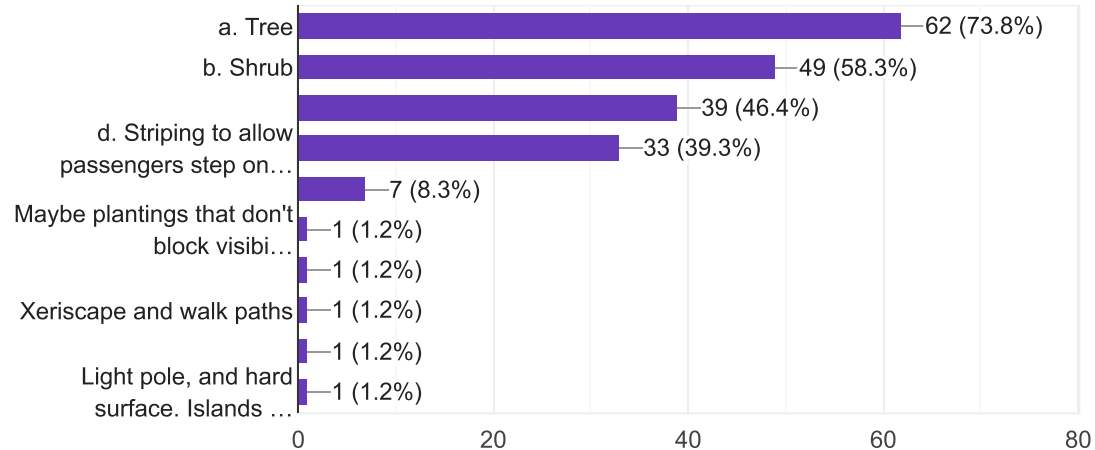
9. Have you considered replacing your sod with water-saving plants, such as xeric perennials or fescue grasses?

84 responses



10. Parking Lot landscaping is important to reduce heat and ensure that a parking lot is esthetically pleasing. Parking lots typically have islands that have shrubs and trees. What would you like to see on a landscape island? (select all that apply)

84 responses



11. Have you received any overages of the water budget, shown on your bill? If yes, please use the blank space to explain the circumstance.

84 responses

No

no

N/A

NO

Yes. Sprinkler system leak was found.

NO OVERAGES

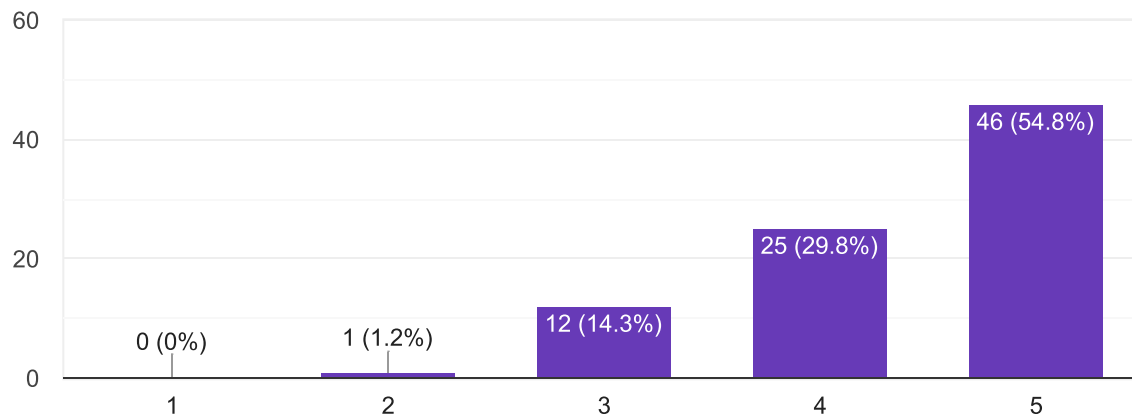
No. But we redid some landscaping and the redesign of the sprinkler system and subsequent leaks did hurt the bank account.

Green lawn through the summer is very costly. But the city code enforcers don't allow the alternative.



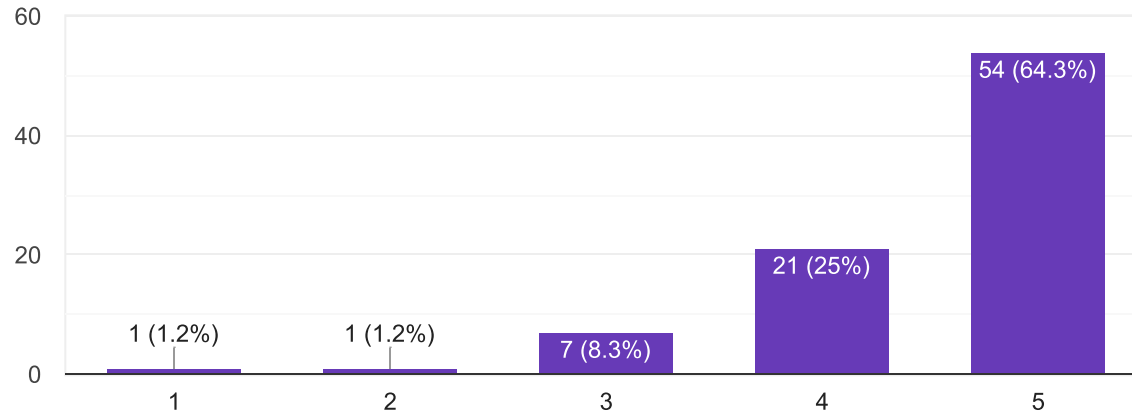
12. How important is water conservation?

84 responses



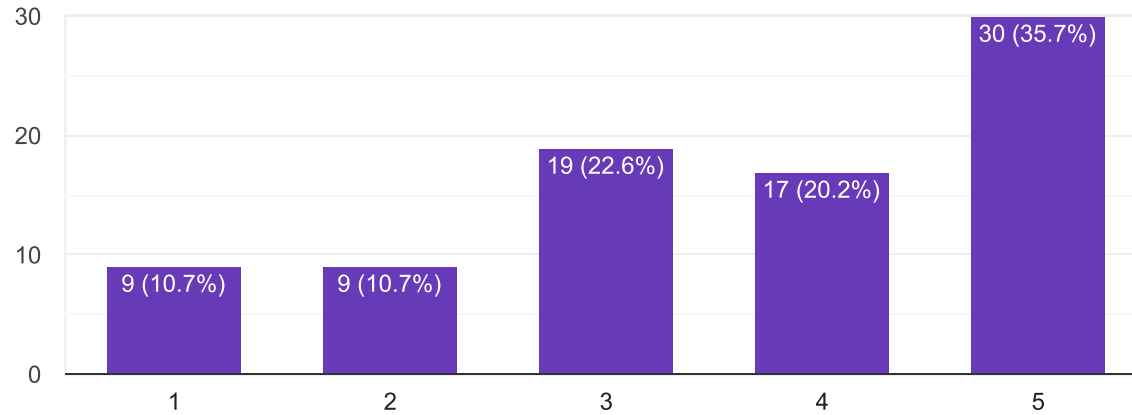
13. How important is it for you to have simplified and easy to understand landscape requirements?

84 responses



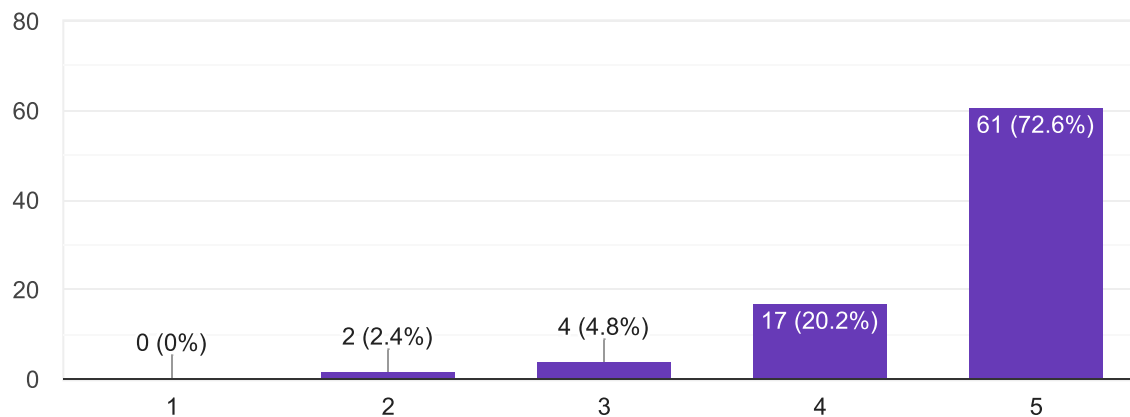
14. How important is it for you to have plant alternatives such as having artificial turf or rock gardens?

84 responses



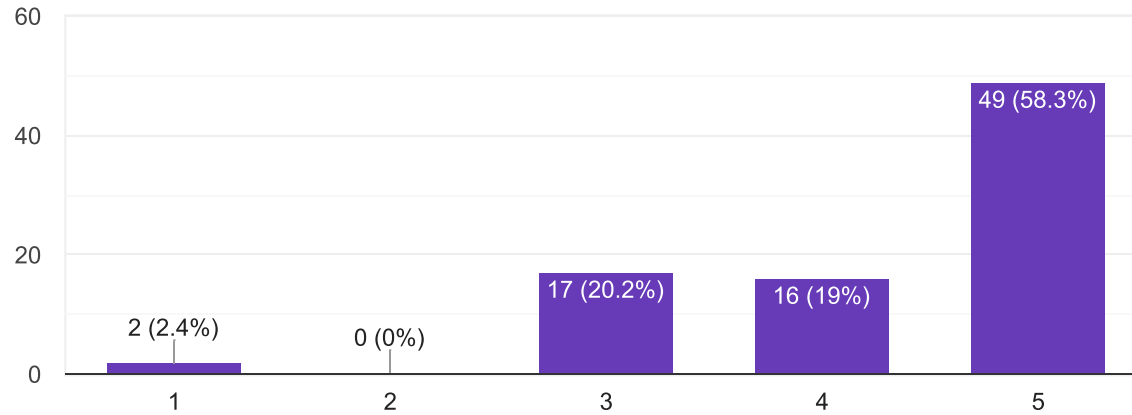
15. How important is it for you to have some flexibility in the design of your landscaping?

84 responses



16. How important is it for you to have flexibility in the amount of landscape material required on your property?

84 responses



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Google Forms

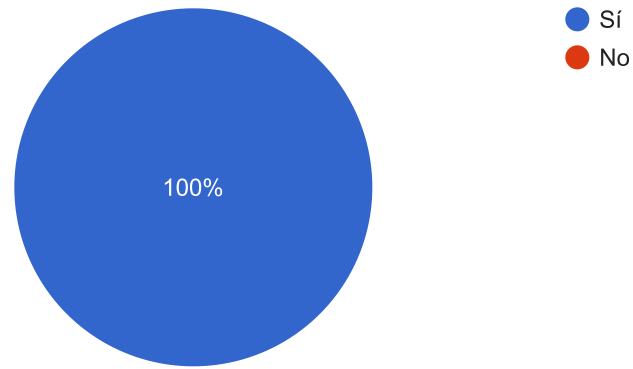


Encuesta pública para el diseño de jardines en los patios o yardas

1 response

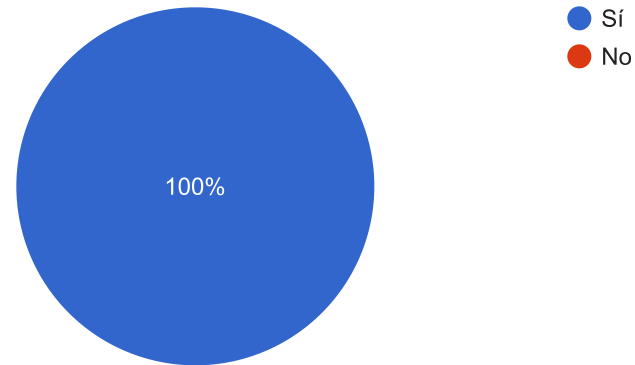
1. ¿Ha tenido que usar las normas de la ciudad de Greeley, para el diseño de jardines en su propiedad?

1 response



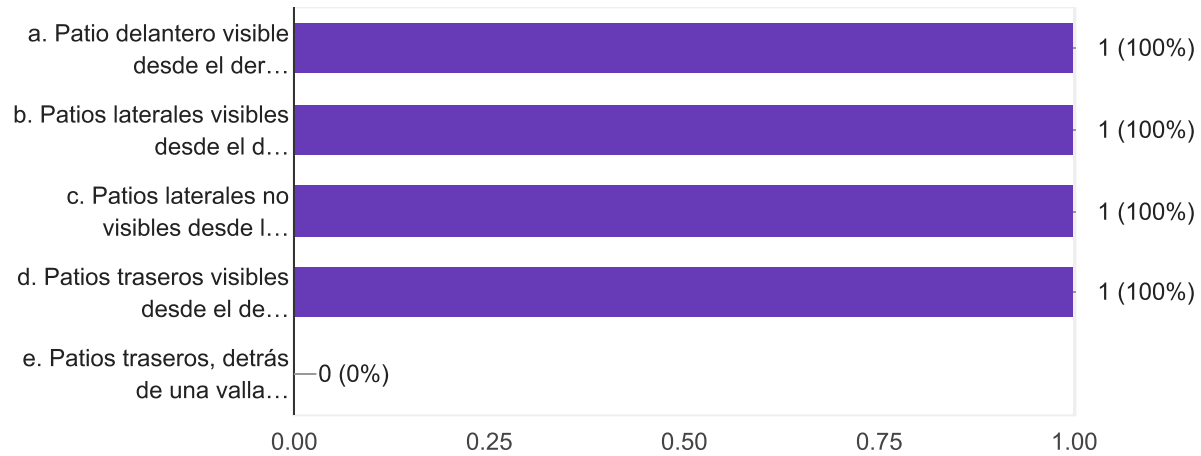
2. Actualmente, los dueños de casa deben tener a mínimo un (1) árbol en la yarda adelante ajdunto la calle. La ciudad está pensando en requerir más de un (1) árbol en su propiedad si su patio es grande o tiene un patio lateral adjunto la calle. ¿Que piensas usted, crees que esta bien requerir mas de un (1) árbol por cada propiedad?

1 response



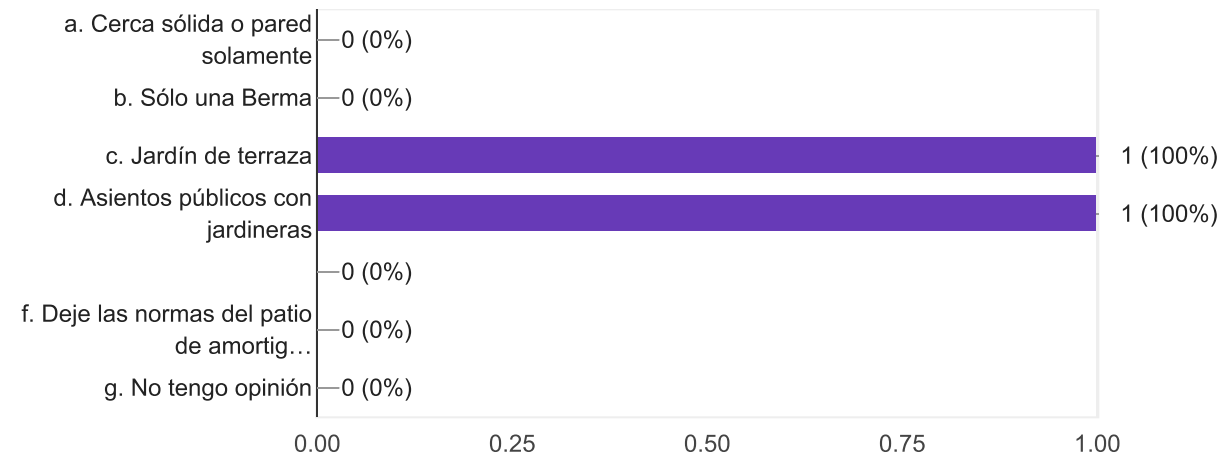
3. La ciudad de Greeley requiere que las zonas residenciales tengan 50% de las yardas con un diseño de jardín. Lo mas fácil es césped, pero se gasta mucha agua a mantenerlo. ¿Que piensas usted, que es importante tener plantas en el jardín o césped en yardas (el/los)...?(termine la frase, pero seleccione todas las respuestas que aplica):

1 response



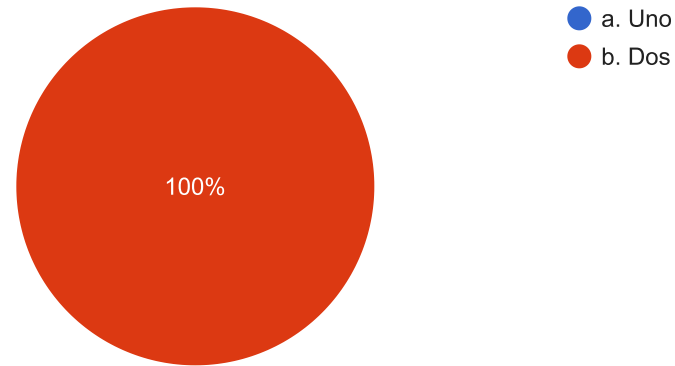
4. Las normas de zonificación permite diferentes usos en ciertas propiedades - por ejemplo residencial, comercio, o industrial. En algunos casos, un uso más intenso, como un restaurante, se requiere instalar un jardín/patio de amortiguación entre ambos terrenos. Los jardines/patios de amortiguación son necesario para proteger al propietario que tiene el uso menos intenso, por ejemplo una residencia contra un restaurante. Los usos más intensos tendrían que instalar una combinación de jardín diseñado con arbustos y arboles, con una pared o una cerca. El material que se usa para el patio/jardin de amortiguación sin embargo, puede ser costoso para instalar y mantener, especialmente con la cantidad de agua que se requiere para mantener el material. ¿Si se podría escoger otra opción enves de un yardin/patio de amortiguación, usted, qué elegiría como una alternativa? (seleccione todas las opciones que le gustaría)

1 response



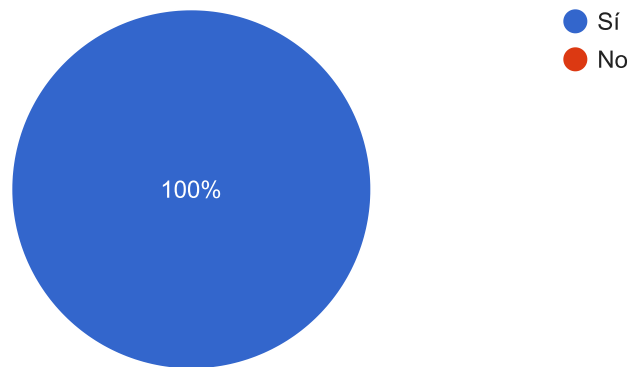
5. "Street-trees", son los árboles generalmente ubicados en el césped entre la acera (banqueta) y la calle. Esta zona se llama "parkway" en Ingles. El parkway proporciona no solamente carácter y estética para el vecindario pero reduce el calor del verano. Cuando hay pocos arboles, las temperaturas aumentan debido a la cantidad de asfalto o hormigón que existe en la zona o en el vecindario. Por lo tanto queremos saber lo siguiente: ¿cuantos árboles por casa, debería la ciudad exigir en el "parkway"?

1 response



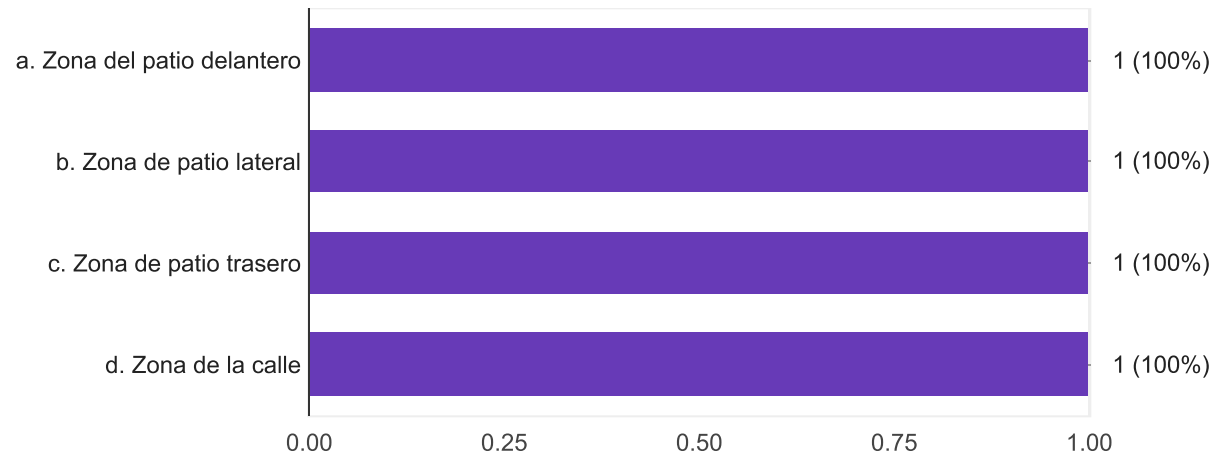
6. En caso afirmativo, ¿mantendrías el árbol en la parte delantera de su casa, es decir lo quitarías?

1 response



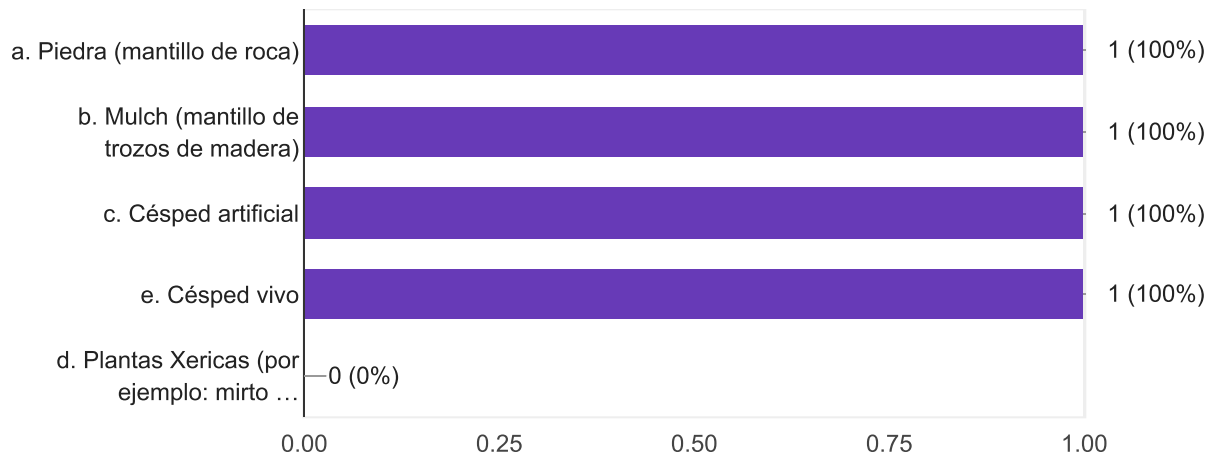
7. Xeriscape o xerico es un termino que fue inventado en Denver, Colorado. Significa dos cosas, "jardín" y la palabra griega "xeros", que significa seco. Esto no significa que un patio tenga nada vivo en el jardín. Significa que las matas en el jardín ahorran agua o usan menos agua. ¿Si tuvieras la opción de cambiar tu césped por un jardín o plantas xericas, dónde las pondrías? (seleccione todas las opciones que le gustaría)

1 response



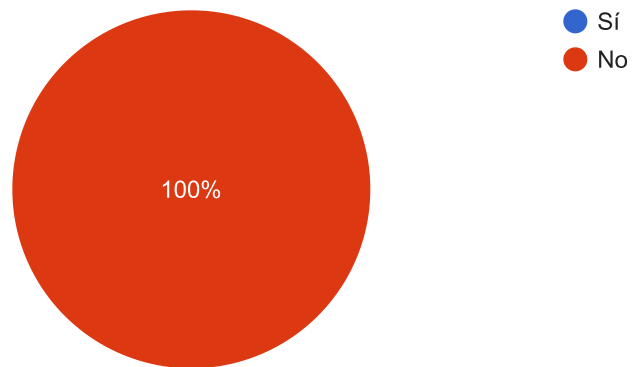
8. No se permite tener solo tierra o malas hierbas en las propiedades, tendrían que tener un jardín diseñado o por lo menos con césped. ¿En su propiedad, hay areas que le gustaría cambiar con un material alternativo? ¿De la lista abajo, cuál cubierto considerarías aceptable?

1 response



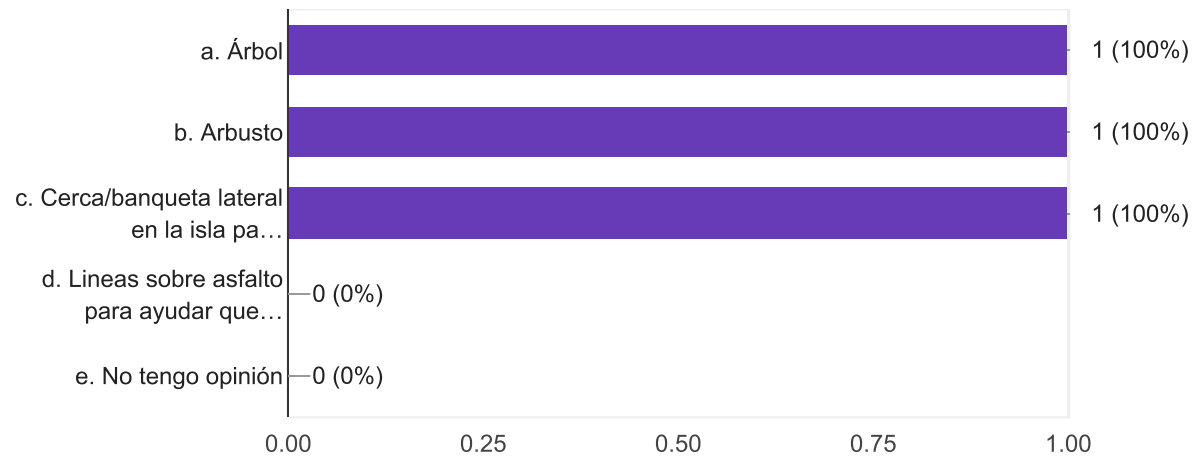
9. ¿Ha considerado reemplazar su césped por plantas que ahorran agua, como las plantas perennes xericas o el césped gramíneas fescue?

1 response



10. Árboles y arbustos en los estacionamientos es importante para reducir el calor, pero también para asegurar que el estacionamiento sea estéticamente agradable. Los estacionamientos suelen tener islas con arbustos y árboles. ¿Qué te gustaría ver en las islas de estacionamiento?

1 response



11. ¿Ha recibido excedentes, es decir le ha salido costoso la cuenta de agua? En caso afirmativo, utilice el espacio en blanco para explicar la circunstancia [complete el espacio en blanco]

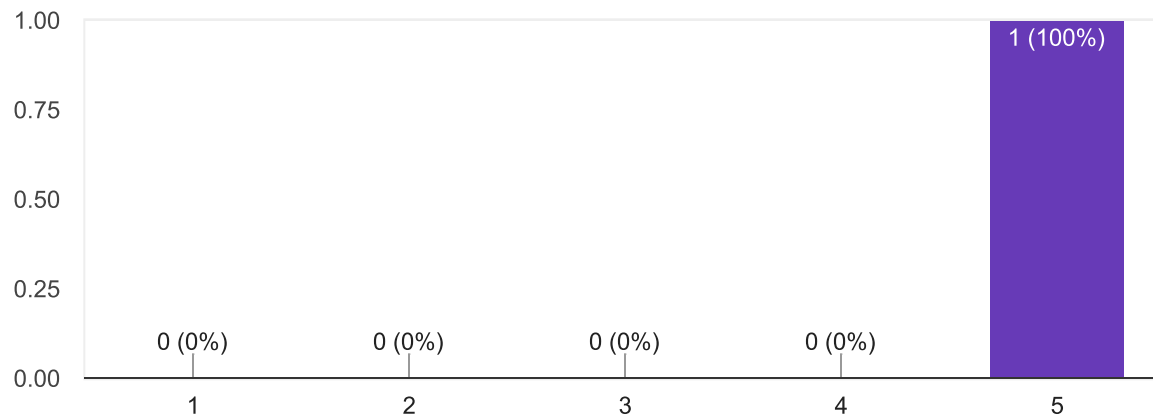
1 response

edgar r



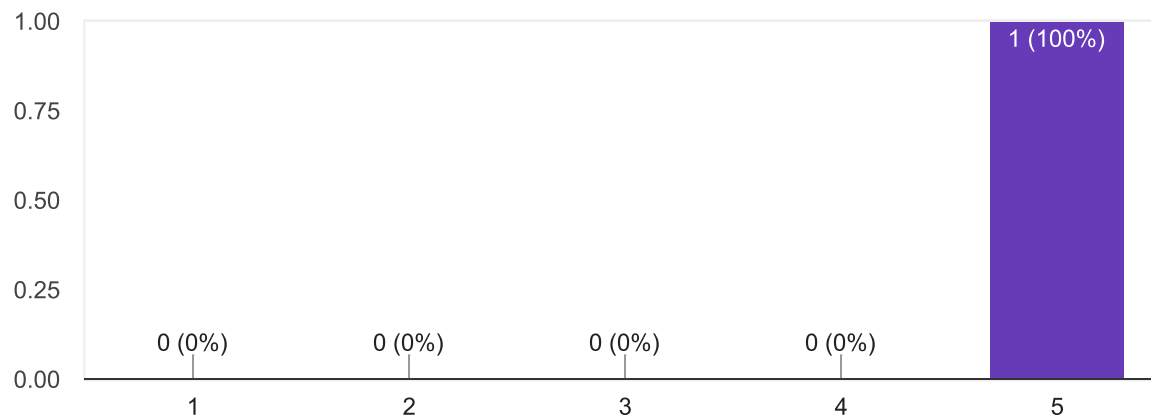
12. ¿Qué importancia tiene la conservación del agua?

1 response



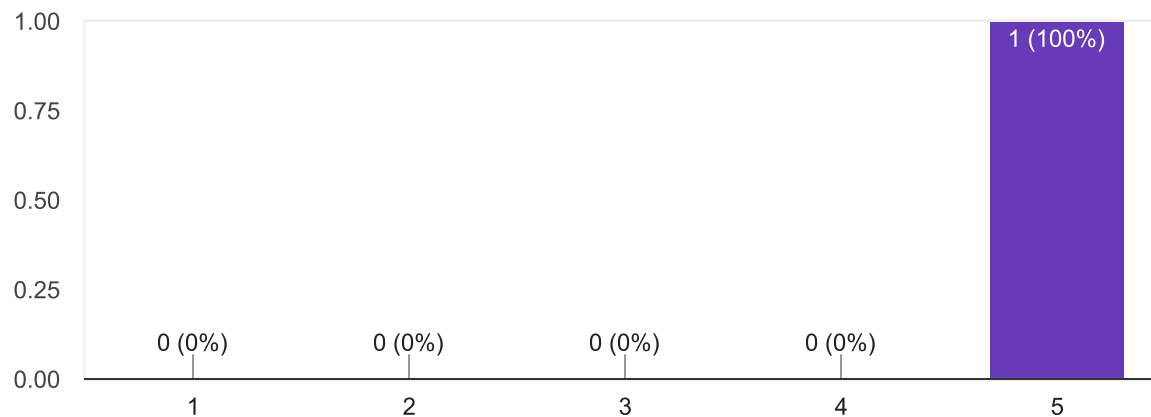
13. ¿Qué importancia tiene para usted tener requisitos de paisaje simplificados y fáciles de entender?

1 response



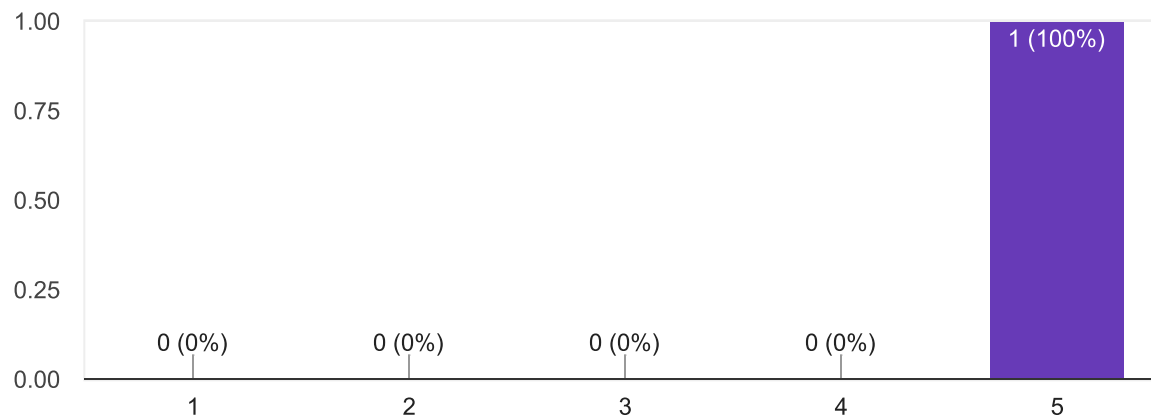
14. ¿Qué importancia tiene para usted tener alternativas de plantas como tener césped artificial o mantillo de rocas?

1 response



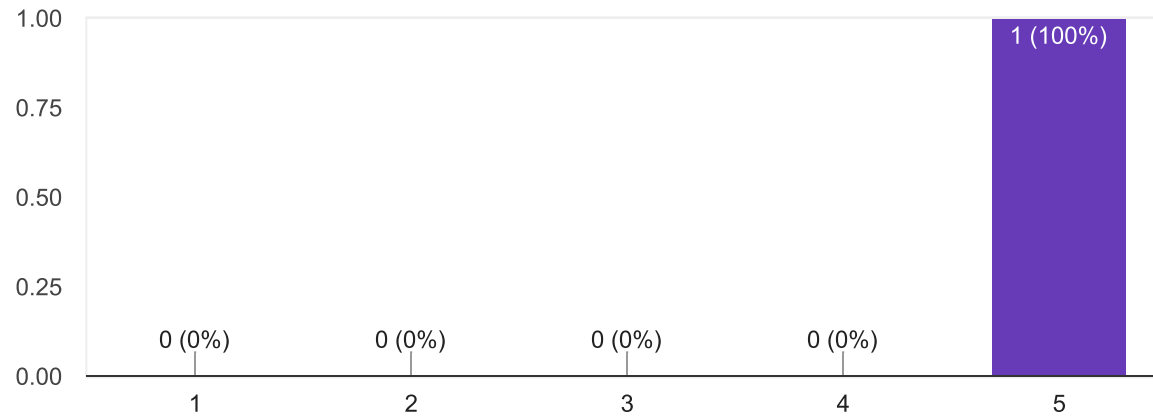
15. ¿Qué importancia tiene para usted tener cierta flexibilidad en el diseño de su jardín?

1 response



16. ¿Qué tan importante es para usted tener flexibilidad en la cantidad o porcentaje de material de jardinería requerido en su propiedad?

1 response



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To: Greeley Planning and Zoning, 2 Nov 2020
From: William Vetesy

Survey Recommendations:

In light of our changing population dynamics it is time as they say, to start thinking outside the box. If we are going to survive with this steady growth we need to change the way we approach our environmental/water problems. Since we are totally reliant on water that comes from the mountains and we are confronted with a changing climate those measures that reduce our water consumption have to be instituted. Of note, is the latest reading from 1 Jan to 1 Nov 2020 that indicates the total amount of rainfall / precipitation is a little more than 5 inches including snow melt. Our total for the this year will probably be less the 11 inches, which then qualifies us as a high desert. This is not a situation that is going to change. We have provided some recommendations that in all probability will upset a lot of people, but it's time to look beyond your own little yard and make the effort to help all of us to have water at a reasonable price and quantity.

Steps to be taken:

- 1. Promote the use of native drought tolerant grass. If possible provide incentives for this type of grass rather than the typical Blue Grass which requires an abundance of water. To go even further perhaps grandfather in existing Blue Grass use but for all new lawn installations require native drought tolerant grass.**
- 2. Require any new plants, shrubs or bushes be of a native drought tolerant kind that also has a high tolerance to both sun and snow. These plants will substantially reduce both the requirement and use of water. With the ever growing population in Greeley and the costs of water continuing to rise, to reduce the financial burden on Greeley Tax payer it only makes sense to require this type of personal / social change.**
- 3. Reduce the size of yard requirements or remove the grass requirement for lawns. In fact, if someone wants to reduce their yard to gravel, cement, asphalt, rocks then let them. In a visit to Phoenix I was astounded at the number of yards with just white gravel and intermittent cactus plants. This was in an area where**

these were very expensive homes and the gravel / cactus looked extremely attractive. Obviously, this reduced the amount of water the homes consumed. I would not expect a lot of Greeley Citizens to undertake this type of project, but the point here is if they want to, then they should be to set up their yard the way they would like it to be. This approach could create some problems with neighbors or HOAs, but then neighbors or HOAs don't pay your water bill. I am sure a very tact full ordnance could be written to remove any neighbors or HOA burden.

4. The enforcement of any new ordnance is always difficult and since this an issue that personally affects someone property the approach to ensuring compliance should at least be started in a very soft enforcement approach seeking a more voluntary effort by those affected by this type of change. Grandfathering and adoptive system would probably be more acceptable and only after a set period of time would it be necessary for stronger enforcement procedures i.e., citations, fines, etc.
5. When I read your survey, all I saw was a continuation of the same old approach to the city planning that has been used for many years. Nothing changes, and it appears that real innovation is not an approach that is acceptable to Greeley City Planning or the City Government. The question becomes why have a survey at all?
6. Just to let you know our home has drought tolerant grass and plants both in the front, side and back yard. We had the all the blue grass removed and replaced it with blue grama. Plants were bought thru a native plant specialist for Colorado. Our native plants have lovely flowers and are extremely resilient against rain, snow, wind and hail. I can only hope that other concern Greeley citizens would do the same.
7. If my comments seem a little harsh, I am sorry, but I think my points are of value and hopefully can be implemented.

Any questions, I can be reached at 970-330-7557

William Vetesy



Planning Division

MEMORANDUM

TO: Planning Commission

FILE No.: Project Number CU2018-0002 Continued from December 15, 2020 Public Hearing to January 12, 2021

SUBJECT: Repeal 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

FROM: Marian Duran, Long Range Planner

DATE: January 12, 2021

On December 15, 2020, Planning Staff presented proposed revisions to the City's Landscape Code requirements. During the public hearing, the Planning Commission asked questions and requested clarification on a number of sections and proposed revisions. Staff has addressed these questions and requests and has revised Chapter 18.44 in response to the requested clarifications. The revisions include:

1. Clarified the entry corridors and the relationship of these corridors to new subdivision design and development.
2. Clarified the difference between the required on-lot trees and parkway landscaping requirements.
3. Provided consistency between shall, may, must, and other requirements throughout Section 18.44.
4. Removed duplicated definitions.
5. Clarified perimeter treatments.
6. Clarified that oil and gas facilities may request alternative designs to be reviewed by the Community Development Director or designee on a case-by-case basis.

7. Clarified the water-efficient irrigation practices and general landscaping design standards (18.44.04).
8. Clarified and revised the parkway standards (18.44.100) and clarified exemptions for properties located within the General Improvement District (GID).
9. Added definition for mulch and revised Boulevard Median Standards.
10. Clarified Ground Cover and included reference to concrete pavers.
11. Clarified a “footstep” and provided a revised figure (18.44-12).
12. Moved all definitions back into the Landscape regulations (18.44.030) to provide consistency with other sections of the Development Code. All definitions contained in the entire Chapter 18 will be moved to a separate Definitions section as part of the overall code update.
13. Corrected spelling errors and other typographical errors.

STAFF RECOMMENDATION

Approval

PLANNING COMMISSION RECOMMENDED MOTION

A motion that, based on the Project Summary and accompanying analysis, the Planning Commission finds that the proposed amendments to Chapter 18 of the Greeley Municipal Code as presented are necessary and appropriate to meeting the intent of the Comprehensive Plan and to clarify administration of the Development Code, and recommend approval to City Council.

ATTACHMENTS:

Staff report from continued December 15, 2020 public hearing and attachments

Council Agenda Summary

February 2, 2021

Title

Pulled Consent Agenda Items

Council Agenda Summary

February 2, 2021

Key Staff Contact: Sean Chambers, Water & Sewer Director, 970-350-9815

Title:

Public hearing and final reading of an ordinance establishing Local Improvement District No. 43840 for the construction of sanitary sewer infrastructure.

Summary:

The Johnson Subdivision was developed in 1963 and 1969 in Weld County and was annexed as an enclave into Greeley in 2005. A majority of the properties within the subdivision have septic systems (36 septic, 4 City sewer, and 3 undeveloped), with some that could be reaching the point of failure. Transitioning a failing septic to municipal wastewater collection and treatment provider is a best practice for the protection of public health and safety. The Greeley Municipal Code requires properties within 400 feet of the municipal sanitary sewer system to connect within ninety (90) days of receiving official notice to do so. There are currently 20 properties within the Johnson subdivision that are located within 400 feet of the municipal sewer system, a majority of the subdivision. Those properties will be required to connect to the municipal sanitary sewer system at the time of septic system failure. These connections are generally very costly, and there is an significant cost efficiency to constructing the backbone collection system all at once.. Therefore, W&S Department proposes to facilitate a more proactive and cost-effective connection strategy by developing a Local Improvement District (LID) to facilitate the construction of a new sewer collections system for all residents. This strategy will include W&S engineering staff designing the new sewer system and then W&S operations staff constructing the sewer system. The residents within the LID will be required to pay, at the time of their connection, for their proportionate cost of the materials (pipe, bedding, asphalt, etc.) through the LID. This strategy allows the City to utilize its field construction crews and existing resources to reduce the connection cost. The LID recovery cost will be required at time of septic system failure, and staff recommends allowing two payment options; 1. A one-time payment the properties proportionate cost of LID expenses; or 2. A city payment plan that would allow for payments over time, up to a 60-month term. This strategy helps reduce costs to residents, facilitates compliance with the code, and leverages City resources for the most economical construction. Further, this work to make municipal sewer service available will protect public health by eliminating private septic systems as they fail. Staff have communicated with residents by letter and shared information with the citizens at a virtual open house on Wednesday, January 6, 2021. This ordinance was introduced at the January 19, 2021 Council meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Onetime \$480,000.00
What is the annual impact?	N/A

What fund of the City will provide Funding?	402-Sewer New Construction
What is the source of revenue within the fund?	Plant Investment Fees, Bonds
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	The Local Improvement District will enable the City to recover the costs of the sewer line extension from the parcels that are benefiting from the sewer line.

Legal Issues:

Consideration of this matter is a legislative process. The City Attorney's Office drafted the proposed ordinance. A second ordinance must be brought to the City Council upon completion of construction to establish the LID assessments.

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Presentation

**CITY OF GREELEY, COLORADO
ORDINANCE ___, 2021**

AN ORDINANCE ESTABLISHING LOCAL IMPROVEMENT DISTRICT NO. 43840 FOR THE CONSTRUCTION OF SANITARY SEWER INFRASTRUCTURE LOCATED IN THE CITY OF GREELEY, COUNTY OF WELD, COLORADO; DETERMINATION OF LOTS AND LANDS TO BE INCLUDED WITHIN LOCAL IMPROVEMENT DISTRICT NO. 43840; SETTING FORTH THE MAXIMUM COSTS OF CONSTRUCTION; AND SETTING FORTH THE PROPERTY TO BE INCLUDED AND NAMES OF THE APPARENT OWNERS OF PROPERTY TO BE INCLUDED (JOHNSON SUBDIVISION SANITARY SEWER INFRASTRUCTURE)

WHEREAS, the City of Greeley, Colorado ("City") is a home rule municipality empowered pursuant to Sections 1 and 6 of Article XX, and Section 7 of Article X of the Colorado Constitution to, *inter alia*, levy assessments against real property within the City for municipal purposes, including, without limitation, for local improvements; and

WHEREAS, the Charter for the City of Greeley, Colorado and Article 25 (Public Improvements) of Title 31 (Government – Municipal) of the Colorado Revised Statutes further empower the City to establish local improvement districts, for the purpose of, *inter alia*, constructing local improvements and assessing the costs thereof upon the property especially benefitted by such improvements; and

WHEREAS, Chapter 13.44 (Local Improvement Districts) of the Greeley Municipal Code sets forth the particular authority and procedures by which the City may establish such local improvement districts; and

WHEREAS, the Johnson Subdivision is a neighborhood within the City of Greeley, located north of 4th Street and west of 35th Avenue, in which the vast majority of residential lots dispose of generated sewage via aging private septic systems; and

WHEREAS, the City Council desires, on its own initiative, to establish a local improvement district for the construction of municipal sanitary sewer infrastructure for the benefit of properties in the area of the Johnson Subdivision, in order to avoid any potential public health and safety issues associated with the aging private septic systems;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

Section 1. Establishment of Local Improvement District No. 43840. Pursuant to the authority set forth in Section 13.44.010(d) of the Greeley Municipal Code, the City Council hereby orders the creation of a local improvement district for the construction of sanitary sewer infrastructure in the area of the Johnson Subdivision in Greeley, Colorado (“Johnson Subdivision Sanitary Sewer Infrastructure”). The local improvement district shall be assigned number 43840 and contain the lots and lands set forth in Section 4 below. The anticipated location of the sanitary

sewer infrastructure, and the lots and lands to be included in Local Improvement District No. 43840, are shown on the map attached hereto as Exhibit A.

Section 2. Estimation and Description of Maximum Costs. The maximum cost of construction and incidental expenses for the Johnson Subdivision Sanitary Sewer Infrastructure is estimated at this time to be \$480,000.00. Incidental expenses may include those expenses associated with inspection, and other similar expenses attributable to the construction of the Johnson Subdivision Sanitary Sewer Infrastructure and the establishment of Local Improvement District No. 43840. The final determination of assessments to be made against the lots and lands included in Local Improvement District No. 43840 shall be established by an ordinance adopted after completion of the improvements described herein, and such assessments shall be based upon the costs of construction and incidental expenses. Assessments shall be set as a fixed amount by the assessing ordinance, and shall not accrue interest. Each of the lots described in Section 4 below will be benefitted equally by construction of the Johnson Subdivision Sanitary Sewer Infrastructure; therefore, the total of such construction costs and incidental expenses shall be divided among and assessed equally against all of the lots described in Section 4 below, in accordance with Sections 13.44.030 and 13.44.050 of the Greeley Municipal Code. Assessments shall be due and payable by the property owner at the time sanitary sewer service is requested or otherwise required by the Greeley Municipal Code.

Section 3. City of Greeley staff shall perform construction of the Johnson Subdivision Sanitary Sewer Infrastructure, or authorize it to be done, within a reasonable time after passage of this ordinance.

Section 4. Lots and Lands to be Included in Local Improvement District No. 43840; Owners. The lots and lands that shall be included within Local Improvement District No. 43840, the street addresses of such lots and lands, and the current record owners of such lots and lands, according to the real property records of the Weld County Assessor, are as follows.

1. Owner(s): Thomas E. Kissleman
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 321 40th Avenue
Greeley, Colorado 80634-1107
Legal Description of Property within LID: Lot 1, Johnson Subdivision, City of Greeley,
County of Weld, State of Colorado
2. Owner(s): Paul Guajardo, Jr. and Jessie A. Guajardo
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 307 40th Avenue
Greeley, Colorado 80634-1107
Legal Description of Property within LID: Lot 2, Johnson Subdivision, City of Greeley,
County of Weld, State of Colorado
3. Owner(s): Mark E. Ulrich
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 219 40th Avenue

- Legal Description of Property within LID: Greeley, Colorado 80634-1107
Lot 3, Johnson Subdivision, City of Greeley,
County of Weld, State of Colorado
4. Owner(s): Connie J. Cannone
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 209 40th Avenue
Greeley, Colorado 80634-1107
- Legal Description of Property within LID: Lot 4, Johnson Subdivision, City of Greeley,
County of Weld, State of Colorado
5. Owner(s): Cole Fox and Michele Fox
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 117 40th Avenue
Greeley, Colorado 80634-1111
- Legal Description of Property within LID: Lot 5, Johnson Subdivision, City of Greeley,
County of Weld, State of Colorado
6. Owner(s): Shawn Stratford and Erin Stratford
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 320 40th Avenue
Greeley, Colorado 80634-1108
- Legal Description of Property within LID: Lot 43, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado
7. Owner(s): Travis D. McPhee and Danyell McPhee
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 306 40th Avenue
Greeley, Colorado 80634-1108
- Legal Description of Property within LID: Lot 42, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado
8. Owner(s): Sandra Phelps Living Trust
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 228 40th Avenue
Greeley, Colorado 80634-1108
- Legal Description of Property within LID: Lot 41, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado
9. Owner(s): Ronald G. Johnson and Gloria J. Johnson
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 222 40th Avenue
Greeley, Colorado 80634-1108
- Legal Description of Property within LID: Lot 40, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado

10. Owner(s): Russell G. Archibeque
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 210 40th Avenue
Greeley, Colorado 80634-1108
Legal Description of Property within LID: Lot 39, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado
11. Owner(s): Steven Clyde Nale and Sheree L. Nale
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 118 40th Avenue
Greeley, Colorado 80634-1108
Legal Description of Property within LID: Lot 38, Johnson Subdivision, City of
Greeley, County of Weld, State of Colorado
12. Owner(s): Ronald E. Redfern and Jodie R. Redfern
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 111 38th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 36, Johnson Subdivision First Addition,
County of Weld, State of Colorado
13. Owner(s): Norrene L. Halldorson
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 209 38th Avenue
Greeley, Colorado 80634-1117
Legal Description of Property within LID: Lot 35, Johnson Subdivision First Addition,
a subdivision of part of NE¹/₄ of Section 2,
Township 5 North, Range 66 West of the 6th
P.M., Weld County, Colorado
14. Owner(s): Matthew J. Knutson
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 201 38th Avenue
Greeley, Colorado 80634-1117
Legal Description of Property within LID: Lot 34, Johnson Subdivision First Addition,
in the City of Greeley, County of Weld, State
of Colorado
15. Owner(s): David H. Grauberger and
Patricia A. Grauberger
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 221 38th Avenue
Greeley, Colorado 80634-1117

- Legal Description of Property within LID: Lot Thirty-Three (33), Johnson Subdivision First Addition, in the County of Weld, State of Colorado
16. Owner(s): Bonnie J. Egan
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 315 38th Avenue
Greeley, Colorado 80634-1117
- Legal Description of Property within LID: Lot Thirty-Two (32), Johnson Subdivision, First Addition, in the County of Weld, State of Colorado, according to the recorded map or plat thereof
17. Owner(s): Gerald L. Suppes and Phala G. Suppes
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 302 38th Avenue
Greeley, Colorado 80634
- Legal Description of Property within LID: Lot Thirty (30), Johnson Subdivision First Addition, in the City of Greeley, County of Weld, State of Colorado, as per map recorded December 26, 1969 in Book 619 under Reception No. 1540736, Weld County Records
18. Owner(s): Gerald A. Lewis and Pamela Ann Lewis
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 218 38th Avenue
Greeley, Colorado 80634
- Legal Description of Property within LID: Lot 29, Johnson Subdivision First Addition, Weld County, Colorado
19. Owner(s): Stanley W. Greenwood and
Mary L. Greenwood
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 210 38th Avenue
Greeley, Colorado 80634
- Legal Description of Property within LID: Lot 28, Johnson Subdivision First Addition, County of Weld, State of Colorado
20. Owner(s): Theresa M. Sartz Trust
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 114 38th Avenue
Greeley, Colorado 80634
- Legal Description of Property within LID: Lot 27, Johnson Subdivision First Filing, a subdivision of Weld County, Colorado

21. Owner(s): Lawrence R. Mackey and Sidnia Mackey
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 108 38th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot Twenty-Six (26), Johnson Subdivision
First Addition, a subdivision of a part of the
Northeast Quarter (NE¹/₄) of Section Two (2),
Township Five (5) North, Range Sixty-Six
(66) West of the 6th P.M., County of Weld,
State of Colorado
22. Owner(s): Skye M. Sterling and Donald R. Sterling, Jr.
and Donald R. Sterling
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 104 38th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 25, Johnson Subdivision, First Addition,
County of Weld, State of Colorado
23. Owner(s): Raymond F. Larson
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 120 40th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 23, Johnson Subdivision, County of
Weld, State of Colorado
24. Owner(s): Raymond F. Larson
Mailing Address of Owner(s): 120 40th Avenue
Address of Properties within LID: N/A (Vacant Land)
Greeley, Colorado 80634
Legal Description of Properties within LID: Lot 22, Johnson Subdivision, First Addition,
County of Weld, State of Colorado
25. Owner(s): Raymond F. Larson
Mailing Address of Owner(s): 120 40th Avenue
Address of Properties within LID: N/A (Vacant Land)
Greeley, Colorado 80634
Legal Description of Properties within LID: Lot 21, Johnson Subdivision, First Addition,
County of Weld, State of Colorado
26. Owner(s): Raymond F. Larson
Mailing Address of Owner(s): 120 40th Avenue
Address of Properties within LID: N/A (Vacant Land)
Greeley, Colorado 80634
Legal Description of Properties within LID: Lot 20, Johnson Subdivision, First Addition,
County of Weld, State of Colorado

27. Owner(s): John A. Baumgartner and
Beth Ann Baumgartner
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 208 N. 40th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 19, Johnson Subdivision,
County of Weld, State of Colorado
28. Owner(s): Douglas D. Smith and
Margaret Ellen McGurk
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 222 N. 40th Avenue
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 18, Johnson Subdivision,
County of Weld, State of Colorado
29. Owner(s): The Holman Living Trust
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 3924 B Street
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 17, Johnson Subdivision First Addition,
County of Weld, State of Colorado
30. Owner(s): Tracy Sue Trentlage
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 3914 B Street
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 16, Johnson Subdivision 1st Addition,
County of Weld, State of Colorado, together
with that portion of vacated B Street which
was vacated by instrument recorded
December 14, 2004, under Reception No.
3243860
31. Owner(s): Daniel A. Delventhal and
Rachel L. Delventhal
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 3915 B Street
Greeley, Colorado 80634
Legal Description of Property within LID: Lot 2, Best Way Park Minor Subdivision,
First Replat
32. Owner(s): Laira L. Ziegler
Mailing Address of Owner(s): Same as Address of Property within LID
Address of Property within LID: 3995 B Street

- Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 14, Johnson Subdivision First Addition,
 County of Weld, State of Colorado
33. Owner(s): Kim S. Martin
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 4001 B Street
 Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 13, Johnson Subdivision First Addition,
 County of Weld, State of Colorado
34. Owner(s): Kirk Cosson
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 4007 B Street
 Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 12, Johnson Subdivision First Addition,
 County of Weld, State of Colorado
35. Owner(s): Kurt Weaver and Neleda Jean Lang
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 225 N. 40th Avenue
 Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 11, Johnson Subdivision, a subdivision of
 a part of the Northeast ¼ of Section 2,
 Township 5 North, Range 66 West of the 6th
 P.M., according to the recorded map or plat
 thereof, County of Weld State of Colorado
36. Owner(s): Bart A. Petersen
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 217 N. 40th Avenue
 Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 10, Johnson Subdivision, Weld County,
 Colorado
37. Owner(s): Jack L. Hough and Shirley L. Hough
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 203 N. 40th Avenue
 Greeley, Colorado 80634
 Legal Description of Property within LID: Lot 9, Johnson Subdivision, Weld County,
 Colorado
38. Owner(s): Jeffrey G. Cozad and Molly J. Cozad
 Mailing Address of Owner(s): Same as Address of Property within LID
 Address of Property within LID: 115 N. 40th Avenue
 Greeley, Colorado 80634

Legal Description of Property within LID: Lot 8, Johnson Subdivision, Weld County, Colorado

Section 5. Assessments shall be collected only on sanitary sewer taps that connect directly to, or upstream of, the Johnson Subdivision Sanitary Sewer Infrastructure associated with Local Improvement District No. 43840, and against the properties described in Section 4 above.

Section 6. Properties within the boundaries of Local Improvement District No. 43840 remain subject to all requirements of the Greeley Municipal Code regarding City sanitary sewer service, including, without limitation, the requirement to construct additional sanitary sewer line extensions if necessary in order to facilitate connection to the Johnson Subdivision Sanitary Sewer Infrastructure, and the requirement to pay sanitary sewer plant investment fees.

Section 7. A public hearing on this ordinance and the establishment of Local Improvement District No. 43840 is hereby scheduled for February 2, 2021 during the regular meeting of the City Council. Additional notice of the public hearing shall be given by the City Clerk to the property owners listed in this ordinance, in accordance with Section 13.44.100 of the Greeley Municipal Code.

Section 8. This ordinance shall take effect on the fifth (5th) day following its final publication, as set forth in Section 3-16 of the Greeley City Charter.

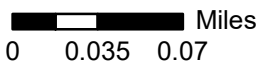
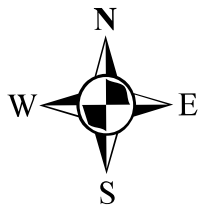
PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ____ DAY OF JANUARY 2021.

ATTEST

CITY OF GREELEY, COLORADO

City Clerk

Mayor



Legend

- Properties Included in Improvement District
- Existing Sewer
- Proposed Sewer

Exhibit A

File: Johnson_Sub_Sewer_LID
 Date: 1/4/2021
 By: City of Greeley

Information contained on this document remains the property of the City of Greeley. Copying any portion of this map without the written permission of the City of Greeley is strictly prohibited. This document is not intended to be used for the preparation of construction documents or surveying or navigation purposes.



JOHNSON SUBDIVISION Local Improvement District

Presented to City Council

January 19, 2021

City of Greeley Project Goals

- Develop strategies to address Septic systems;
 - Vulnerable to failure
 - Required by law to connect to municipal sewer
- Current costs for Johnson Subdivision resident to connect to municipal sewer
 - **\$51,280 up to \$200,000+**
 - Wide range in cost primarily dependent on how much sewer main is required
- Reduce resident risk and cost (when septic systems fails)
- Minimize total project costs
- Allow project cost to be reimbursed to W&S
- Evaluate financing alternatives to reduce instantaneous cost to residences
- Educate residents on laws, policies, potential future costs
- Share best management practices for increasing the longevity of the septic systems

Johnson Subdivision

Average life span of a septic system is between 15 and 40 years depending on maintenance. (EPA)

- Total Properties (43)
 - Properties on septic (36)
 - Properties converted to City Sewer (4)
 - Undeveloped Lots (3)
- Homes older than 40 years (33)
- One current failed septic system



Greeley Municipal Code Requirements



Section 14.12.060

- The owner of a property within the City and abutting right-of-way in which infrastructure is located is required to connect to the municipal sanitary sewer system at his or her expense, provided the infrastructure is within 400 feet of the property

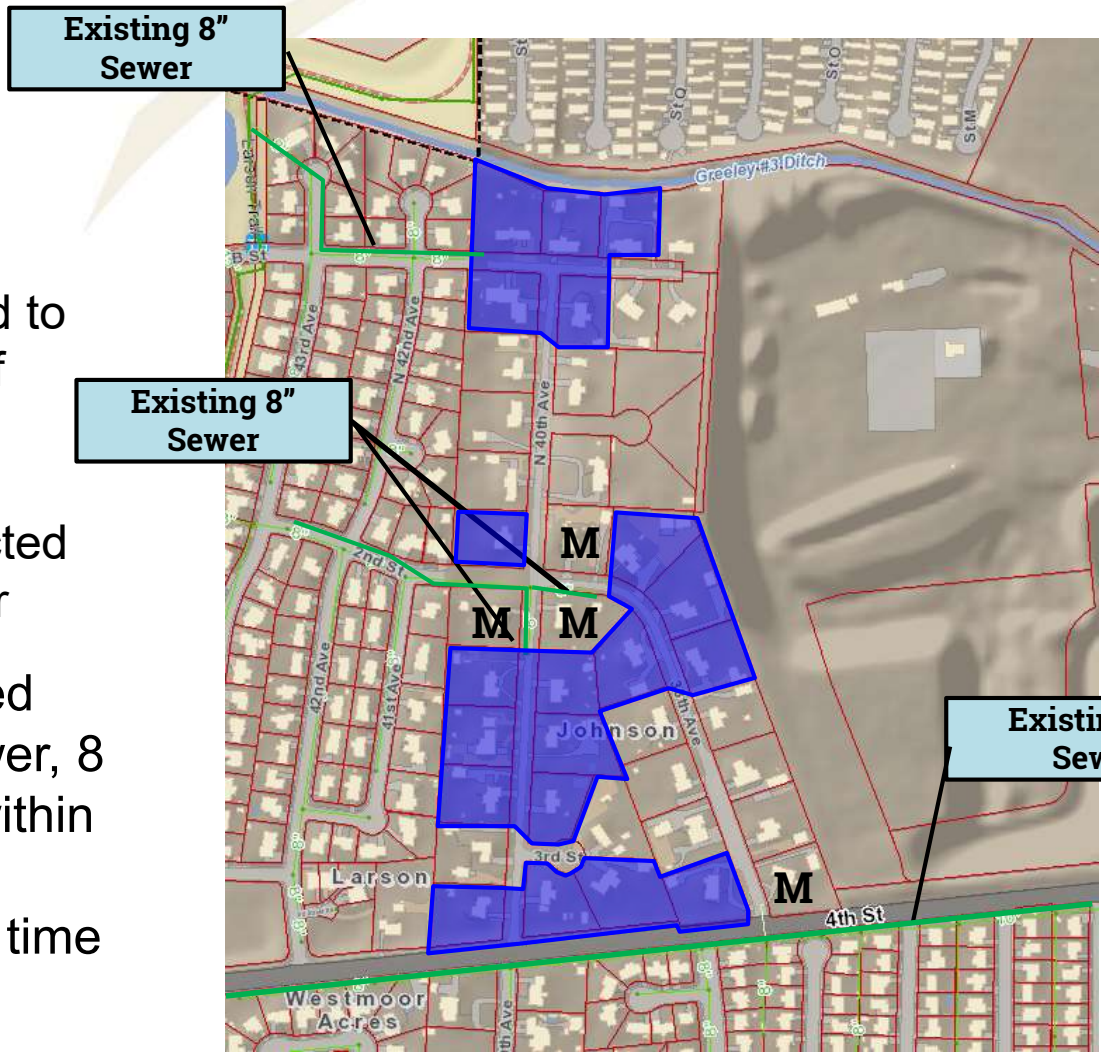
Sections 14.12.110 and 14.12.130

- The owner of property who applies for sanitary sewer service, or is otherwise required to connect, is responsible for a sanitary sewer plant investment fee (PIF), all labor and materials required to install the sanitary sewer tap, installation of property service lines, and trenching/street repairs

Properties Required to Connect

-  Existing Sanitary Sewer
-  Properties required to connect to sewer if septic fails (20)
- M** Properties Connected to Municipal Sewer

When the property with failed septic constructs to city sewer, 8 more properties would be within 400 ft. and thereby required connect to city sewer at the time of septic failure.



In time all properties will be required to connect



Project Approach

Proposed project approach:

- W&S will front all cost for the improvements
- W&S Engineering Staff completes design (no design fees)
- W&S Operations staff to Install the Public Sewer Main
 - Eliminates contractor equipment, labor, overhead, and profit costs.
- Create a Local Improvement District (LID), W&S cost recovery at time of connection
- Project will not construct private sewer services

❖ **W&S Estimated Project Cost - \$480,000**

❖ **Estimated Contractor Project Cost - \$720,000**

Project Phasing and Schedule

- Existing Sanitary Sewer
- Proposed Sanitary Sewer (Phase 1)
- Proposed Sanitary Sewer (Phase 2)

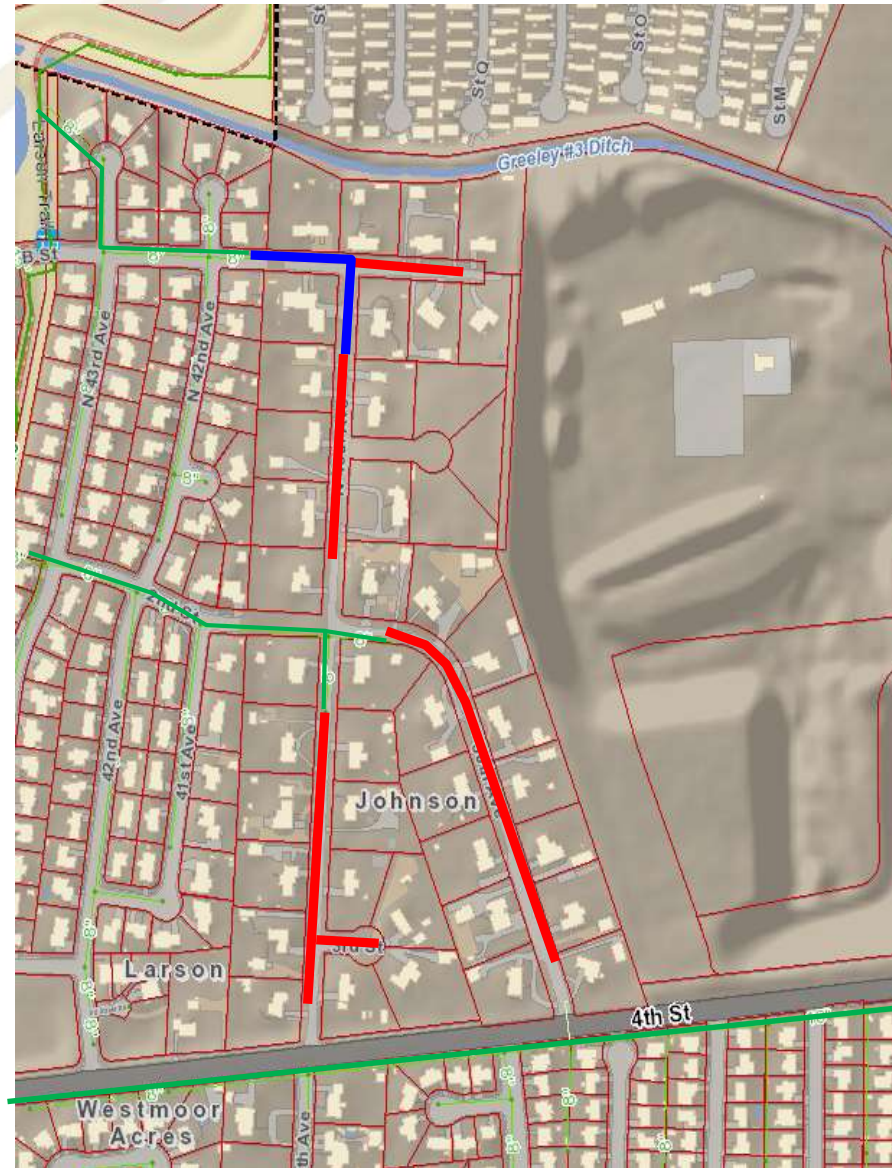
- Total Project 3,270 feet of sewer pipe

Phase 1 –Addresses Failed Septic

- Funded by Sewer Extension BUN
- Construction February 2021
- Construction 1 to 2 weeks

Phase 2

- Requires an Appropriation in 2021
- Construction April 2021
- Construction 6 to 8 weeks



Cost Comparison

Resident Cost - State Statute & City Policies

\$51,280 to \$200,000+

- Owner is responsible for all project cost at the time of septic failure
- Required to hire all consultants and contractors to complete project
- Owner takes all risk and responsibility for project completion

Resident Cost - Proposed W&S Approach

\$23,911 to \$33,911

- Costs would only be due at time of connection to sewer
- Costs due to the City (\$18,911)
 - LID fee (estimated at \$12,631)
 - Sewer Plant Investment fee (currently \$6,000)
 - Tapping fee (\$280)
- Owner cost to install sewer service (\$5,000 to \$15,000)

LID Assessments and PIF Payment

LID Assessments and PIF Payment to City of Greeley

- LID assessment and PIF due to the City at time of private septic failure and subsequent connection to the municipal sanitary sewer system
- Payment could be made by property owner as a one-time payment or over the course of a payment plan (60 months)
- Payment plan would require a lien to be placed on the property
- No interest will accrue on LID assessments

Johnson Subdivision Local Improvement District

Questions?

Council Agenda Summary

February 2, 2021

Key Staff Contact: John Karner, Finance Director, 350-9732

Ray Laws, Assistant City Attorney II, 970-768-4884

Title:

Public hearing and final reading of an ordinance amending Chapters 4.04 and 4.08 of the Code of the City of Greeley regarding Economic Nexus and the obligation of remote sellers to collect and remit sales tax

Summary:

This ordinance modifies the City municipal code to clarify the City's legal authority to collect taxes from large-volume remote retailers, vendors, and marketplace facilitators with economic nexus in the jurisdiction. The ordinance adds new definitions to the municipal code and provides clear guidance for these large-scale remote businesses engaged in business in the City. This ordinance was introduced at the January 19, 2021 Council meeting.

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?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

This ordinance was drafted in response to the U.S. Supreme Court's decision in *Wayfair v. South Dakota*, 138 S.Ct. 2080 (2018). In that case, the Court held that sellers who engage in a significant quantity of business within a state may be required to collect and remit taxes despite not having a physical presence in the state. In essence, the decision allowed local taxing jurisdictions such as Greeley to collect sales tax from remote retailers who had previously asserted exemption from local sales tax due to their remote status. Exemption from taxation had given these internet retailers an unfair competitive advantage over local small businesses and deprived municipalities such as Greeley of much-needed revenue. Under *Wayfair*, local sales tax regimes must still avoid being unduly burdensome on interstate commerce. To prevent any undue hardship on remote businesses, this ordinance provides guardrails to protect small out-of-state retailers, adopts uniform definitions in conformity with other Colorado

municipalities, and is adopted with the intention that the City will join a single point of remittance portal through the state later this year.

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

The ordinance will update the City's sales tax code to reflect current case law, bringing clarity for both the City's finance department and high-volume remote retailers, marketplace facilitators, and vendors operating within the City of Greeley as to their sales tax obligations. The model upon which the ordinance is based was developed by tax professionals working with the Colorado Municipal League and has been adopted by almost every major Colorado municipality. The proposed modification to the municipal code is not a tax policy change subject to TABOR restrictions.

Applicable Council Priority and Goal:

A Dynamic and Resilient Economy: In 2040, Greeley is a community of choice for forward-thinking commerce supporting a diverse, vibrant, and resilient economy. We incubate small local business and draw national and international industrial leaders. Our economy supports and sustains an attractive standard of living by providing a healthy continuum of employment opportunities for its residents. Further, our work environment fully complements and capitalizes on our world-class educational system.

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Memo to Council
PowerPoint Presentation

**CITY OF GREELEY, COLORADO
ORDINANCE NO. ___, 2021**

AN ORDINANCE AMENDING CHAPTERS 4.04 AND 4.08 OF THE GREELEY MUNICIPAL CODE REGARDING ECONOMIC NEXUS AND THE OBLIGATION OF REMOTE SELELRS TO COLLECT AND REMIT SALES TAX

WHEREAS, the City of Greeley, Colorado, (the “City”), is a home rule municipality, organized and existing under Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, pursuant to Article XX, Section 6 of the Colorado Constitution, the right to enact, administer and enforce sales taxes is clearly within the constitutional grant of power to the City and is necessary to raise revenue with which to conduct the affairs and render the services performed by the City; and

WHEREAS, pursuant to such authority, the City has adopted and enacted Chapters 4.04 and 4.08 of the City Code imposing a sales and use tax (the “Sales Tax Code”), under which City sales tax is levied on all sales and purchases of tangible personal property or taxable services at retail unless prohibited, as applicable to the provision of this Ordinance, under the Constitution or laws of the United States; and

WHEREAS, the United States Supreme Court in *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018), overturned prior precedent and held that a State is not prohibited by the Commerce Clause from requiring a retailer to collect sales tax based solely on the fact that such retailer does not have a physical presence in the State (“Remote Sales”); and

WHEREAS, based upon the *Wayfair* decision, under the Constitution and laws of the United States the retailer’s obligation to collect and remit tax due and owing on Remote Sales is no longer based on the retailer’s physical presence in the jurisdiction, and the City’s Sales Tax Code needs to be amended to clearly reflect such obligation consistent with said decision; and

WHEREAS, the delivery of tangible personal property, products, or services into the City relies on and burdens local transportation systems, emergency and police services, waste disposal, utilities and other infrastructure and services; and

WHEREAS, the failure to tax remote sales creates incentives for businesses to avoid a physical presence in the State and its respective communities, resulting in fewer jobs and increasing the share of taxes to those consumers who buy from competitors with a physical presence in the State and its municipalities; and

WHEREAS, it is appropriate for Colorado municipalities to adopt uniform definitions within their sales tax codes to encompass marketplace facilitators, marketplace sellers, and multichannel sellers that do not have a physical presence in the City, but that still have a taxable connection with the City; and

WHEREAS, the goal of adopting this ordinance is to join in on the simplification efforts of all the self-collecting home rule municipalities in Colorado; and

WHEREAS, this ordinance provides a safe harbor to those who transact limited sales within the City; and

WHEREAS, absent such amendment, the continued failure of retailers to voluntarily apply and remit sales tax owed on remote sales exposes the municipality to unremitted taxes and permits an inequitable exception that prevents market participants from competing on an even playing field; and

WHEREAS, the Council adopts this Ordinance with the intent to address tax administration, and, in connection with, establish economic nexus for retailers or vendors without physical presence in the State and require the retailer or vendor to collect and remit sales tax for all sales made within the marketplace;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1: That Section 4.04.015 of Chapter 4.04, Retail Sales and Use Tax, of the Greeley Municipal Code, a copy of which is attached hereto, be amended in part to add or amend the following definitions in alphabetical sequence to read as follows:

4.04.015 – Definitions.

The following words and phrases as used in this Chapter shall have the following meanings:

Economic Nexus means the connection between the City and a person not having a physical nexus in the State of Colorado, which connection is established when the person or marketplace facilitator makes retail sales into the City.

(1) In the previous calendar year, the person, which includes a marketplace facilitator, has made retail sales into the state exceeding the amount specified in C.R.S. § 39-26-102(3)(c); or

(2) In the current calendar year, ninety (90) days has passed following the month in which the person, which includes a marketplace facilitator, has made retail sales into the state exceeding the amount specified in C.R.S. § 39-26-102(3)(c).

This definition does not apply to any person who is doing business in this state but otherwise applies to any other person.

Engaged in Business in the City means performing or providing services or selling, leasing, renting, delivering or installing tangible personal property for storage, use or consumption, within the City. Engaged in business in the City includes, but is not limited to, any one (1) of the following activities by a person:

- (1) Directly, indirectly, or by a subsidiary maintains a building, store, office, salesroom, warehouse, or other place of business within the taxing jurisdiction;
- (2) Sends one (1) or more employees, agents or commissioned sales persons into the taxing jurisdiction to solicit business or to install, assemble, repair, service, or assist in the use of its products, or for demonstration or other reasons;
- (3) Maintains one (1) or more employees, agents or commissioned sales persons on duty at a location within the taxing jurisdiction;
- (4) Owns, leases, rents or otherwise exercises control over real or personal property within the taxing jurisdiction; ~~or~~
- (5) A retailer or vendor in the state of Colorado that Makes more than one (1) delivery into the taxing jurisdiction within a twelve (12) month period ~~by any means other than a common carrier; or~~
- (6) Makes retail sales sufficient to meet the definitional requirements of economic nexus as set forth in this Section.

Marketplace means a physical or electronic forum, including, but not limited to, a store, a booth, an internet website, a catalog, or a dedicated sales software application, where tangible personal property, taxable products, or taxable services are offered for sale.

Marketplace Facilitator

(1) Means a person who:

- a. Contracts with a marketplace seller or multichannel seller to facilitate for consideration, regardless of whether or not the consideration is deducted as fees from the transaction, the sale of the marketplace seller's tangible personal property, products, or services through the person's marketplace;

b. Engages directly or indirectly, through one or more affiliated persons, in transmitting or otherwise communicating the offer or acceptance between a purchaser and the marketplace seller or multichannel seller; and

c. Either directly or indirectly, through agreements or arrangements with third parties, collects payment from the purchaser on behalf of the seller.

(2) Marketplace Facilitator does not include a person that exclusively provides internet advertising services or lists products for sale, and that does not otherwise meet this definition.

Marketplace Seller means a person, regardless of whether or not the person is engaged in business in the city, which has an agreement with a marketplace facilitator and offers for sale tangible personal property, products, or services through a marketplace owned, operated, or controlled by a marketplace facilitator.

Multichannel Seller means a retailer that offers for sale tangible personal property, commodities, or services through a marketplace owned, operated, or controlled by a marketplace facilitator, and through other means.

Retailer or Vendor means any person selling, leasing, renting, or granting a license to use tangible personal property or services at retail. The terms “Retailer” and “vendor” shall include, but is are not limited to, any:

(1) Auctioneer;

(2) Salesperson, representative, peddler or canvasser, who makes sales as a direct or indirect agent of or obtains such property or services sold from a dealer, distributor, supervisor or employer;

(3) Charitable organization or governmental entity which makes sales of tangible personal property to the public, notwithstanding the fact that the merchandise sold may have been acquired by gift or donation or that the proceeds are to be used for charitable or governmental purposes;

(4) Retailer-contractor, when acting in the capacity of a seller of building supplies, construction materials, and other tangible personal property;

(5) Marketplace facilitator, marketplace seller, or multichannel seller.

Section 2: That Chapter 4.04, Retail Sales and Use Tax, of the Greeley Municipal Code be amended by adding a new Section 4.04.020 to read as follows:

4.04.020 - Marketplace Sales.

(a) Obligation to collect and remit tax.

(1) A marketplace facilitator engaged in business in the City is required to collect and remit sales tax on all taxable sales made by the marketplace facilitator, or facilitated by it for marketplace sellers or multichannel sellers to customers in the City, whether or not the marketplace seller for whom sales are facilitated would have been required to collect sales tax had the sale not been facilitated by the marketplace facilitator.

(2) A marketplace facilitator shall assume all the duties, responsibilities, and liabilities of a vendor under Section 4.04.015. Marketplace facilitators shall be liable for the taxes collected from marketplace sellers or multichannel sellers. The City may recover any unpaid taxes, penalties, and interest from the marketplace facilitator that is responsible for collecting on behalf of marketplace sellers or multichannel sellers.

(3) The liabilities, obligations, and rights set forth under this article are in addition to any duties and responsibilities of the marketplace facilitator has under this article if it also offers for sale tangible personal property, products, or services through other means.

(4) A marketplace seller, with respect to sales of tangible personal property, products, or services made in or through a marketplace facilitator's marketplace, does not have the liabilities, obligations, or rights of a retailer under this article if the marketplace seller can show that such sale was facilitated by a marketplace facilitator:

a. With whom the marketplace seller has a contract that explicitly provides that the marketplace facilitator will collect and remit sales tax on all sales subject to tax under this article; or

b. From whom the marketplace seller requested and received in good faith a certification that the marketplace facilitator is registered to collect sales tax and will collect sales tax on all sales subject to tax under this article made in or through the marketplace facilitator's marketplace.

(5) If a marketplace seller makes a sale that is not facilitated by a licensed marketplace facilitator in a marketplace, the marketplace seller is subject to all of the same licensing, collection, remittance, filing and recordkeeping requirements as any other retailer.

(b) Auditing. With respect to any sale, the City shall solely audit the marketplace facilitator for sales made by marketplace sellers or multichannel sellers but facilitated by the marketplace. The City will not audit or otherwise assess tax against marketplace sellers or multichannel sellers for sales facilitated by a marketplace facilitator.

Section 3: That Section 4.04.060 contained in Chapter 4.04, Retail Sales and Use Tax, a copy of which is attached hereto, be amended to read as follows:

4.04.060 – Sales tax levied.

There is levied and there shall be collected and paid a sales tax in the amount stated in Section 4.04.145 as follows:

- (1) On the purchase price paid or charged for tangible personal property leased, purchased or sold at retail by every person engaged in business ~~exercising a taxable privilege~~ in the City by the sale or lease of such property, except those specifically exempted;
- (2) On the total amount due under a lease or contract concerning tangible personal property when the right to possession or use of the tangible personal property is granted therein and such transfer of possession would be taxable under this Chapter if an outright sale were made;
- (3) On the purchase price paid or charged for television and entertainment services sold, purchased, leased, rented, furnished or used;
- (4) Upon the amount paid for the use of facilities and accommodations of a hotel, apartment hotel, cottage camp, motor court, trailer park or camp operated for the accommodations of the general public;
- (5) Upon telecommunications services, except carrier access services and interstate, private communication services as designated in Section 4.04.015 whether furnished by public or private corporations or enterprises for all interstate, intrastate and international telecommunications services originating from or received on telecommunications equipment in the City if the charge for the service is billed or charged to an apparatus, telephone or account in the City, to a customer location in the City, or to a person residing in the City, without regard to where the bill for such service is physically received;
- (6) For gas and electric service or gas and electricity furnished and sold for domestic or commercial consumption and not for resale;
- (7) Upon the amount paid for all meals, food and beverage and cover charges, if any, furnished in or from any restaurant, cafe, hotel, drugstore, nightclub, bar and lounge, tavern, club, resort, stand or vehicle, or other such place at which meals, food or beverage are regularly sold to the public for consumption either on or off the business premises;
- (8) For steam or other heating service furnished and sold for domestic or commercial use;

(9) Upon marketplace sales, pursuant to Section 4.04.020.

Section 4: That Section 4.08.015 contained in Chapter 4.08, Public Accommodations Tax, a copy of which is attached hereto, be amended to update the definition of ‘Lodging’ and add a definition for ‘Vendor’ in alphabetical sequence to read as follows:

4.08.015 – Definitions.

When not clearly otherwise indicated by context, the following words and phrases, as used in this Chapter, shall have the following meanings:

Lodging shall mean the transaction of furnishing rooms or accommodations by any person, partnership, association, corporation, estate, receiver, trustee, assignee, lessee, marketplace facilitator, marketplace seller, or multichannel seller engaged in business in the City as those terms are defined in Section 4.04.015 or any person acting in a representative capacity or any other combination of individuals of whatever name known to a person or persons who, for a consideration, uses, possesses or has the right to use or possess any room or rooms in a hotel, apartment, hotel, lodging house, motor hotel, guest house, guest ranch, mobile home, auto camps, trailer courts and parks, under any concession, permit, right of access, license to use or other agreement, or otherwise.

Vendor means a person or marketplace facilitator, marketplace seller, or multichannel seller engaged in business in the City as those terms are defined in Section 4.04.015 making sales to a purchaser in the City of the taxable service of lodging.

Section 5: No obligation to collect the sales and use tax required by this Ordinance may be applied retroactively. Responsibilities, duties and liabilities described in Section 2 of a marketplace facilitator, marketplace seller, or multichannel seller begin upon licensure or when the municipal sales taxes were first collected from taxable sales made to retail customers prior to licensure.

Section 6: If any provision of this ordinance, or the application of such provision to any person or circumstance, is held to be unconstitutional, then the remainder of this ordinance, and the application of the provisions of such to any person or circumstance, shall not be affected thereby.

Section 7: This ordinance shall become effective on the first day of the month that is at least thirty (30) days after date of its adoption.

PASSED AND ADOPTED, SIGNED AND APPROVED THIS ___ DAY OF FEBRUARY, 2021.

ATTEST

CITY OF GREELEY, COLORADO

City Clerk

Mayor

EXHIBIT A
**ORDINANCE AMENDING CHAPTERS 4.04 AND 4.08 OF THE GREELEY
MUNICIPAL CODE REGARDING ECONOMIC NEXUS AND THE OBLIGATION OF
REMOTE SELELRS TO COLLECT AND REMIT SALES TAX
GREELEY MUNICIPAL CODE**

4.04.015 - Definitions.

The following words and phrases as used in this Chapter shall have the following meanings:

Agricultural producer means a person regularly engaged in the business of using land for the production of commercial crops or commercial livestock. The term includes farmers, market gardeners, commercial fruit growers, livestock breeders, dairymen, poultrymen, and other persons similarly engaged, but does not include a person who breeds or markets animals, birds, or fish for domestic pets nor a person who cultivates, grows, or harvests plants or plant products exclusively for that person's own consumption or casual sale.

Aircraft means a device that is used or intended to be used for flight in the air.

Aircraft part means any tangible personal property that is intended to be permanently affixed or attached as a component part of an aircraft.

Aircraft simulator means a flight simulator training device (FSTD) as defined in Part I of Title 14 of the Code of Federal Regulations that is qualified in accordance with Part 60 of Title 14 of the Code of Federal Regulations for use in a Federal Aviation Administration Approved Flight Training Program.

Aircraft simulator part means any tangible personal property that is originally designed and intended to be permanently affixed or attached as a component part of an aircraft, and which will also function when it is permanently affixed or attached as a component part of an aircraft simulator.

Airline company means any operator who engages in the carriage by aircraft of persons or property as a common carrier for compensation or hire, or the carriage of mail, or any aircraft operator who operates regularly between two (2) or more points and publishes a flight schedule. "Airline company" shall not include operators whose aircraft are all certified for a gross takeoff weight of twelve thousand five hundred (12,500) pounds or less and who do not engage in scheduled service or mail carriage service.

Auction means any sale where tangible personal property is sold by an auctioneer who is either the agent for the owner of such property or is in fact the owner thereof.

Automotive vehicle means any vehicle or device in, upon, or by which any person or property is or may be transported or drawn upon a public highway, or any device used or designed for aviation or flight in the air. "Automotive vehicle" includes, but is not limited to, motor vehicles, trailers, or semi-trailers. "Automotive vehicle" shall not include devices moved by human power or used exclusively upon stationary rails or tracks.

Business means all activities engaged in or caused to be engaged in with the object of gain, benefit, or advantage, direct or indirect.

Candy means a preparation of sugar, honey, or other natural or artificial sweeteners in combination with chocolate, fruit, nuts, or other ingredients or flavorings in the form of bars,

drops, or pieces. Candy does not include any preparation containing flour, products that require refrigeration or marijuana infused products.

Carrier access services means the services furnished by a local exchange company to its customers who provide telecommunications services which allow them to provide such telecommunications services.

Charitable organization means any entity which: (1) has been certified as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code, and (2) is an organization which exclusively, and in a manner consistent with existing laws and for the benefit of an indefinite number of persons or animals, freely and voluntarily ministers to the physical, mental, or spiritual needs of persons or animals, and thereby lessens the burden of government.

City or Town means the municipality of City of Greeley.

Coin operated device means any device operated by coins or currency or any substitute therefor.

Coins means monetized bullion or other forms of money manufactured from gold, silver, platinum, palladium or other such metals now, in the future or heretofore designated as a medium of exchange under the laws of this State, the United States or any foreign nation.

Collection costs shall include, but is not limited to, all costs of audit, assessment, bank fees, hearings, execution, lien filing, distraint, litigation, locksmith fees, auction fees and costs, prosecution and attorney fees.

Commercial packaging materials means containers, labels, and/or cases, that become part of the finished product to the purchaser, used by or sold to a person engaged in manufacturing, compounding, wholesaling, jobbing, retailing, packaging, distributing or bottling for sale, profit or use, and is not returnable to said person for reuse. "Commercial packaging materials" does not include commercial shipping materials.

Commercial shipping materials means materials that do not become part of the finished product to the purchaser which are used exclusively in the shipping process. "Commercial shipping materials" include but are not limited to containers, labels, pallets, banding material and fasteners, shipping cases, shrink wrap, bubble wrap or other forms of binding, padding or protection.

Community organization means a nonprofit entity organized and operated exclusively for the promotion of social welfare, primarily engaged in promoting the common good and general welfare of the community, so long as: (1) no part of the net earnings of which inures to the benefit of any private shareholder or individual; (2) no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; and (3) which does not participate in, or intervene in (including the publishing or distributing of statements), any political campaign on behalf of any candidate for public office.

Construction equipment means any equipment, including mobile machinery and mobile equipment, which is used to erect, install, alter, demolish, repair, remodel, or otherwise make improvements to any real property, building, structure or infrastructure.

Construction materials means tangible personal property which, when combined with other tangible personal property, loses its identity to become an integral and inseparable part of a structure or project including public and private improvements. "Construction materials" include,

but are not limited to, such things as: asphalt, bricks, builders' hardware, caulking material, cement, concrete, conduit, electric wiring and connections, fireplace inserts, electrical heating and cooling equipment, flooring, glass, gravel, insulation, lath, lead, lime, lumber, macadam, millwork, mortar, oil, paint, piping, pipe valves and pipe fittings, plaster, plumbing fixtures, putty, reinforcing mesh, road base, roofing, sand, sanitary sewer pipe, sheet metal, site lighting, steel, stone, stucco, tile, trees, shrubs and other landscaping materials, wall board, wall coping, wallpaper, weather stripping, wire netting and screen, water mains and meters, and wood preserver. The above materials, when used for forms, or other items which do not remain as an integral and inseparable part of completed structure or project are not construction materials.

Consumer means any person in the City who purchases, uses, stores, distributes or otherwise consumes tangible personal property or taxable services, purchased from sources inside or outside the City.

Contract auditor means a duly authorized agent designated by the taxing authority and qualified to conduct tax audits on behalf of and pursuant to an agreement with the municipality.

Contractor means any person who shall build, construct, reconstruct, alter, expand, modify, or improve any building, dwelling, structure, infrastructure, or other improvement to real property for another party pursuant to an agreement. For purposes of this definition, "contractor" also includes subcontractor.

Cover charge means a charge paid to a club or similar entertainment establishment which may, or may not, entitle the patron paying such charge to receive tangible personal property, such as food and/or beverages.

Data processing equipment means any equipment or system of equipment used in the storage, manipulation, management, display, reception or transmission of information.

Digital product means an electronic product including, but not limited to: (1) "digital images" which means works that include, but are not limited to, the following that are generally recognized in the ordinary and usual sense as "photographs," "logos," "cartoons," or "drawings," (2) "digital audio-visual works" which means a series of related images which, when shown in succession, impart an impression of motion, together with accompanying sounds, if any, (3) "digital audio works" which means works that result from the fixation of a series of musical, spoken, or other sounds, including ringtones. For purposes of the definition of "digital audio works", "ringtones" means digitized sound files that are downloaded onto a device and that may be used to alert the customer with respect to a communication, and (4) "digital books" which means works that are generally recognized in the ordinary and usual sense as "books".

Distribution means the act of distributing any article of tangible personal property for use or consumption, which may include, but not be limited to, the distribution of advertising gifts, shoppers guides, catalogs, directories, or other property given as prizes, premiums, or for goodwill or in conjunction with the sales of other commodities or services.

Dual residency means those situations including, but not limited to, where a person maintains a residence, place of business or business presence, both within and outside the City. A person shall be deemed to have established a legitimate residence, place of business or business presence outside of the City for purposes of dual residency if the person has a physical structure owned, leased or rented by such person which is designated by street number or road location outside of the City, has within it a telephone or telephones in the name of such person and

conducts business operations on a regular basis at such location in a manner that includes the type of business activities for which the business (person), as defined in this Code, is organized.

Dwelling unit means a building or any portion of a building designed for occupancy as complete, independent living quarters for one (1) or more persons, having direct access from the outside of the building or through a common hall and having living, sleeping, kitchen and sanitary facilities for the exclusive use of the occupants.

Engaged in business in the City means performing or providing services or selling, leasing, renting, delivering or installing tangible personal property for storage, use or consumption, within the City. Engaged in business in the City includes, but is not limited to, any one (1) of the following activities by a person:

- a. Directly, indirectly, or by a subsidiary maintains a building, store, office, salesroom, warehouse, or other place of business within the taxing jurisdiction;
- b. Sends one (1) or more employees, agents or commissioned sales persons into the taxing jurisdiction to solicit business or to install, assemble, repair, service, or assist in the use of its products, or for demonstration or other reasons;
- c. Maintains one (1) or more employees, agents or commissioned sales persons on duty at a location within the taxing jurisdiction;
- d. Owns, leases, rents or otherwise exercises control over real or personal property within the taxing jurisdiction; or
- e. Makes more than one (1) delivery into the taxing jurisdiction within a twelve (12) month period by any means other than a common carrier.

Factory built housing means a manufactured home or modular home.

Farm closeout sale means full and final disposition of all tangible personal property previously used by a farmer or rancher in farming or ranching operations which are being abandoned.

Farm equipment means any farm tractor, as defined in Section 42-1-102(33), C.R.S., any implement of husbandry, as defined in Section 42-1-102(44), C.R.S., and irrigation equipment having a per unit purchase price of at least one thousand dollars (\$1,000.00). "Farm equipment" also includes, regardless of purchase price, attachments and bailing wire, binders twine and surface wrap used primarily and directly in any farm operation. "Farm equipment" also includes, regardless of purchase price, parts that are used in the repair or maintenance of the farm equipment described in this paragraph, all shipping pallets, crates, or aids paid for by a farm operation, and aircraft designed or adapted to undertake agricultural applications. "Farm equipment" also includes, regardless of purchase price, dairy equipment. Except for shipping pallets, crates or aids used in the transfer or shipping of agricultural products, "farm equipment" does not include: (1) vehicles subject to the registration requirements of Section 42-3-103, C.R.S., regardless of the purpose for which such vehicles are used; (2) machinery, equipment, materials, and supplies used in a manner that is incidental to a farm operation; (3) maintenance and janitorial equipment and supplies; and (4) tangible personal property used in any activity other than farming, such as office equipment and supplies and equipment and supplies used in the sale or distribution of farm products, research, or transportation.

Farm operation means the production of any of the following products for profit, including, but not limited to, a business that hires out to produce or harvest such products: (1) agricultural, viticultural, fruit, and vegetable products; (2) livestock; (3) milk; (4) honey; and (5) poultry and eggs.

Finance Director means the Finance Director of Greeley or such other person designated by the municipality; Finance Director shall also include such person's designee.

Food for home consumption means food for domestic home consumption as defined in 7 U.S.C. sec. 2012(k)(2014), as amended, for purposes of the supplemental nutrition assistance program, or any successor program, as defined in 7 U.S.C. sec. 2012(t), as amended; except that "food" does not include carbonated water marketed in containers; chewing gum; seeds and plants to grow foods; prepared salads and salad bars; packaged and unpackaged cold sandwiches; deli trays; and hot or cold beverages served in unsealed containers or cups that are vended by or through machines or non-coin-operated coin-collecting food and snack devices on behalf of a vendor.

Garage sales means sales of tangible personal property, except automotive vehicles, occurring at the residence of the seller, where the property to be sold was originally purchased for use by members of the household where such sale is being conducted. The term includes, but is not limited to, yard sales, estate sales, and block sales.

Gross sales means the total amount received in money, credit, property or other consideration valued in money for all sales, leases, or rentals of tangible personal property or services.

Internet access services means services that provide or enable computer access by multiple users to the internet, but shall not include that portion of packaged or bundled services providing phone or television cable services when the package or bundle includes the sale of internet access services.

Internet subscription service means software programs, systems, data and applications available online through rental, lease or subscription, that provide information and services including, but not limited to, data linking, data research, data analysis, data filtering or record compiling.

License means a City of Greeley business license.

Linen services means services involving the provision and cleaning of linens, including but not limited to rags, uniforms, coveralls and diapers.

Machinery means any apparatus consisting of interrelated parts used to produce an article of tangible personal property. The term includes both the basic unit and any adjunct or attachment necessary for the basic unit to accomplish its intended function.

Manufactured home means any preconstructed building unit or combination of preconstructed building units, without motive power, where such unit or units are manufactured in a factory or at a location other than the residential site of the completed home, which is designed and commonly used for occupancy by persons for residential purposes, in either temporary or permanent locations, and which unit or units are not licensed as a vehicle.

Manufacturing means the operation or performance of an integrated series of operations which places a product, article, substance, commodity, or other tangible personal property in a

form, composition or character different from that in which it was acquired whether for sale or for use by a manufacturer. The change in form, composition or character must result in a different product having a distinctive name, character or use from the raw or prepared materials.

Medical marijuana means marijuana acquired, possessed, cultivated, manufactured, delivered, transported, supplied, sold, or dispensed to a person who qualifies as a patient with a debilitating medical condition(s) under Article XVIII, Section 14, of the Colorado Constitution, and which person holds a valid "registry identification card" issued by the State of Colorado pursuant to Colorado Constitution, Article XVIII, Section 14.

Mobile home means any wheeled vehicle having an overall width not exceeding eight (8) feet and an overall length excluding towing gear and bumpers of not less than twenty-six (26) feet and not more than thirty-two (32) feet, without motive power, which is designed and generally and commonly used for occupancy by persons for residential purposes, in either temporary or permanent locations, and which may occasionally be drawn over the public highways by a motor vehicle.

Mobile machinery and self-propelled construction equipment means those vehicles, self-propelled or otherwise, which are not designed primarily for the transportation of persons or cargo over the public highways, and those motor vehicles which may have originally been designed for the transportation of persons or cargo over the public highways, and those motor vehicles which may have originally been designed for the transportation of persons or cargo but which have been redesigned or modified by the mounting thereon of special equipment or machinery, and which may be only incidentally operated or moved over the public highways. This definition includes but is not limited to wheeled vehicles commonly used in the construction, maintenance, and repair of roadways, the drilling of wells, and the digging of ditches.

Modular home means any structure that consists of multiple sections fabricated, formed or assembled in manufacturing facilities for installation and assembly at the building site, and is constructed to the building codes adopted by the State Division of Housing, created in Section 24-32-706, C.R.S., and is designed to be installed on a permanent foundation.

Motor fuel means gasoline, casing head or natural gasoline, benzol, benzene and naphtha, gasohol and any other liquid prepared, advertised, offered for sale, sold for use or used or commercially usable in internal combustion engines for the generation of power for the propulsion of motor vehicles upon the public highways. The term does not include fuel used for the propulsion or drawing of aircraft or railroad cars or railroad locomotives.

Newspaper means a publication, printed on newsprint, intended for general circulation, and published regularly at short intervals, containing information and editorials on current events and news of general interest. The term newspaper does not include: magazines, trade publications or journals, credit bulletins, advertising inserts, circulars, directories, maps, racing programs, reprints, newspaper clipping and mailing services or listings, publications that include an updating or revision service, or books or pocket editions of books.

Online garage sales means sales of tangible personal property, except automotive vehicles, occurring online, where the property to be sold was originally purchased for use by the seller or members of the seller's household.

Parent means a parent of a student.

Person means any individual, firm, partnership, joint venture, corporation, limited liability company, estate or trust, receiver, trustee, assignee, lessee or any person acting in a fiduciary or representative capacity, whether appointed by court or otherwise, or any group or combination acting as a unit.

Photovoltaic system means a power system designed to supply usable solar power by means of photovoltaics, a method of converting solar energy into direct current electricity using semiconducting materials that create voltage or electric current in a material upon exposure to light. It consists of an arrangement of several components, including solar panels to absorb and convert sunlight into electricity, a solar inverter to change the electric current from DC to AC, as well as mounting, cabling, metering systems and other electrical accessories to set up a working system.

Precious metal bullion means any precious metal, including but not limited to, gold, silver, platinum, palladium, that has been put through a process of refining and is in such a state or condition that its value depends upon its precious metal content and not its form.

Prepress preparation material means all materials used by those in the printing industry including, but not limited to, airbrush color photos, color keys, dies, engravings, light-sensitive film, light-sensitive paper, masking materials, Mylar, plates, proofing materials, tape, transparencies, and veloxes, which are used by printers in the preparation of customer specific layouts or in plates used to fill customers' printing orders, which are eventually sold to a customer, either in their original purchase form or in an altered form, and for which a sales or use tax is demonstrably collected from the printer's customer, if applicable, either separately from the printed materials or as part of the inclusive price therefor. Materials sold to a printer which are used by the printer for the printer's own purposes, and are not sold, either directly or in an altered form, to a customer, are not included within this definition.

Preprinted newspaper supplements shall mean inserts, attachments or supplements circulated in newspapers that: (1) are primarily devoted to advertising; and (2) the distribution, insertion, or attachment of which is commonly paid for by the advertiser.

Prescription drugs for animals means a drug which, prior to being dispensed or delivered, is required by the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Sect. 301 et seq., as amended, to state at a minimum the symbol "Rx Only", and is dispensed in accordance with any order in writing, dated and signed by a licensed veterinarian specifying the animal for which the medicine or drug is offered and directions, if any, to be placed on the label.

Prescription drugs for humans means a drug which, prior to being dispensed or delivered, is required by the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Sect. 301 et seq., as amended, to state at a minimum the symbol "Rx Only", and is dispensed in accordance with any written or electronic order dated and signed by a licensed practitioner of the healing arts, or given orally by a practitioner and immediately reduced to writing by the pharmacist, assistant pharmacist, or pharmacy intern, specifying the name and any required information of the patient for whom the medicine, drug or poison is offered and directions, if any, to be placed on the label.

Price or purchase price means the aggregate value measured in currency paid or delivered or promised to be paid or delivered in consummation of a sale, without any discount from the price on account of the cost of materials used, labor or service cost, and exclusive of any direct tax imposed by the federal government or by this Article, and, in the case of all retail sales

involving the exchange of property, also exclusive of the fair market value of the property exchanged at the same time and place of the exchange, if:

- a. Such exchanged property is to be sold thereafter in the usual course of the retailer's business, or
- b. Such exchanged property is a vehicle and is exchanged for another vehicle and both vehicles are subject to licensing, registration, or certification under the laws of this state, including, but not limited to, vehicles operating upon public highways, off-highway recreation vehicles, watercraft, and aircraft. Any money or other consideration paid over and above the value of the exchanged property is subject to tax.

"Price" or "purchase price" includes:

- a. The amount of money received or due in cash and credits.
- b. Property at fair market value taken in exchange but not for resale in the usual course of the retailer's business.
- c. Any consideration valued in money, whereby the manufacturer or someone else reimburses the retailer for part of the purchase price and other media of exchange.
- d. The total price charged on credit sales including finance charges which are not separately stated at the time of sale. An amount charged as interest on the unpaid balance of the purchase price is not part of the purchase price unless the amount added to the purchase price is included in the principal amount of a promissory note; except the interest or carrying charge set out separately from the unpaid balance of the purchase price on the face of the note is not part of the purchase price. An amount charged for insurance on the property sold and separately stated at the time of sale is not part of the purchase price.
- e. Installation, applying, remodeling or repairing the property, delivery and wheeling-in charges included in the purchase price and not separately stated.
- f. Transportation and other charges to effect delivery of tangible personal property to the purchaser.
- g. Indirect federal manufacturers' excise taxes, such as taxes on automobiles, tires and floor stock.
- h. The gross purchase price of articles sold after manufacturing or after having been made to order, including the gross value of all the materials used, labor and service performed and the profit thereon.

"Price" or "purchase price" shall not include:

- a. Any sales or use tax imposed by the State of Colorado or by any political subdivision thereof.
- b. The fair market value of property exchanged if such property is to be sold thereafter in the retailers' usual course of business. This is not limited to exchanges in Colorado. Out of state trade-ins are an allowable adjustment to the purchase price.
- c. Discounts from the original price if such discount and the corresponding decrease in sales tax due is actually passed on to the purchaser, and the seller is not reimbursed for the

discount by the manufacturer or someone else. An anticipated discount to be allowed for payment on or before a given date is not an allowable adjustment to the price in reporting gross sales.

Private communications services means telecommunications services furnished to a subscriber, which entitles the subscriber to exclusive or priority use of any communication channel or groups of channels, or to the exclusive or priority use of any interstate inter-communications system for the subscriber's stations.

Prosthetic devices for animals means any artificial limb, part, device or appliance for animal use which replaces a body part or aids or replaces a bodily function; is designed, manufactured, altered or adjusted to fit a particular patient; and is prescribed by a licensed veterinarian. Prosthetic devices include, but are not limited to, prescribed auditory, ophthalmic or ocular, cardiac, dental, or orthopedic devices or appliances, and oxygen concentrators with related accessories.

Prosthetic devices for humans means any artificial limb, part, device or appliance for human use which replaces a body part or aids or replaces a bodily function; is designed, manufactured, altered or adjusted to fit a particular patient; and is prescribed by a licensed practitioner of the healing arts. Prosthetic devices include, but are not limited to, prescribed auditory, ophthalmic or ocular, cardiac, dental, or orthopedic devices or appliances, and oxygen concentrators with related accessories.

Purchase or sale means the acquisition for any consideration by any person of tangible personal property, other taxable products or taxable services that are purchased, leased, rented, sold, used, stored, distributed, or consumed. These terms include capital leases, installment and credit sales, and property and services acquired by:

- a. Transfer, either conditionally or absolutely, of title or possession or both to tangible personal property, other taxable products, or taxable services;
- b. A lease, lease-purchase agreement, rental or grant of a license, including royalty agreements, to use tangible personal property, other taxable products, or taxable services; the utilization of coin-operated devices, except coin-operated telephones, which do not vend articles of tangible personal property shall be considered short term rentals of tangible personal property.
- c. Performance of taxable services; or
- d. Barter or exchange for other tangible personal property, other taxable products, or services.

The terms "purchase and sale" do not include:

- a. A division of partnership assets among the partners according to their interests in the partnership;
- b. The transfer of assets of shareholders in the formation or dissolution of professional corporations, if no consideration including, but not limited to, the assumption of a liability is paid for the transfer of assets;

- c. The dissolution and the pro rata distribution of the corporation's assets to its stockholders, if no consideration including, but not limited to, the assumption of a liability is paid for the transfer of assets;
- d. A transfer of a partnership or limited liability company interest;
- e. The transfer of assets to a commencing or existing partnership or limited liability company, if no consideration including, but not limited to, the assumption of a liability is paid for the transfer of assets;
- f. The repossession of personal property by a chattel mortgage holder or foreclosure by a lienholder;
- g. The transfer of assets from a parent company to a subsidiary company or companies which are owned at least eighty percent (80%) by the parent company, which transfer is solely in exchange for stock or securities of the subsidiary company;
- h. The transfer of assets from a subsidiary company or companies which are owned at least eighty percent (80%) by the parent company to a parent company or to another subsidiary which is owned at least eighty percent (80%) by the parent company, which transfer is solely in exchange for stock or securities of the parent corporation or the subsidiary which received the assets;
- i. The transfer of assets between parent and closely held subsidiary companies, or between subsidiary companies closely held by the same parent company, or between companies which are owned by the same shareholders in identical percentage of stock ownership amounts, computed on a share-by-share basis, when a tax imposed by this Article was paid by the transferor company at the time it acquired such assets, except to the extent that there is an increase in the fair market value of such assets resulting from the manufacturing, fabricating, or physical changing of the assets by the transferor company. To such an extent any transfer referred to in this paragraph (i) shall constitute a sale. For the purposes of this paragraph (i), a closely held subsidiary corporation is one in which the parent company owns stock possessing or membership interest at least eighty percent (80%) of the total combined voting power of all classes of stock entitled to vote and owns at least eighty percent (80%) of the total number of shares of all other classes of stock.

Rail carrier means as defined in Section 10102 of Title 49 of the U.S.C. as of October 10, 2013, and as it may be amended hereafter.

Rail carrier part means any tangible personal property that is originally designed and intended to be permanently affixed or attached as a component part of a locomotive or rail car used by a rail carrier.

Recreation services means all services relating to athletic or entertainment participation events and/or activities including but not limited to pool, golf, billiards, skating, tennis, bowling, health/athletic club memberships, coin-operated amusement devices, video games and video club memberships.

Renewable energy means any energy resource that is naturally regenerated over a short time scale and derived directly from the sun (such as thermal, photochemical, and photoelectric), indirectly from the sun (such as wind, hydropower, and photosynthetic energy stored in biomass), or from other natural movements and mechanisms of the environment (such as

geothermal and tidal energy). "Renewable energy" does not include energy resources derived from fossil fuels, waste products from fossil sources, or waste products from inorganic sources.

Resident means a person who resides or maintains one (1) or more places of business within the City, regardless of whether that person also resides or maintains a place of business outside of the City.

Retail sales means all sales except wholesale sales.

Retailer means any person selling, leasing, renting, or granting a license to use tangible personal property or services at retail. "Retailer" shall include, but is not limited to, any:

- a. Auctioneer;
- b. Salesperson, representative, peddler or canvasser, who makes sales as a direct or indirect agent of or obtains such property or services sold from a dealer, distributor, supervisor or employer;
- c. Charitable organization or governmental entity which makes sales of tangible personal property to the public, notwithstanding the fact that the merchandise sold may have been acquired by gift or donation or that the proceeds are to be used for charitable or governmental purposes;
- d. Retailer-contractor, when acting in the capacity of a seller of building supplies, construction materials, and other tangible personal property.

Retailer-contractor means a contractor who is also a retailer of building supplies, construction materials, or other tangible personal property, and purchases, manufactures, or fabricates such property for sale (which may include installation), repair work, time and materials jobs, and/or lump sum contracts.

Return means any form prescribed by the City of Greeley administration for computing and reporting a total tax liability.

Sale that benefits a Colorado school means a sale of a commodity or service from which all proceeds of the sale, less only the actual cost of the commodity or service to a person or entity as described in this Code, are donated to a school or a school-approved student organization.

Sales tax means the tax that is collected or required to be collected and remitted by a retailer on sales taxed under this Code.

School means a public or nonpublic school for students in kindergarten through twelfth grade or any portion thereof.

Security system services means electronic alarm and/or monitoring services. Such term does not include non-electronic security services such as consulting or human or guard dog patrol services.

Soft drink means a nonalcoholic beverage that contains natural or artificial sweeteners. "Soft drink" does not include beverages that contain milk or milk products, soy, rice, or similar milk substitutes, or greater than fifty percent (50%) of vegetable or fruit juice by volume.

Software as a service means software that is rented, leased or subscribed to from a provider and used at the consumer's location, including but not limited to applications, systems or programs.

Software license fee means a fee charged for the right to use, access, or maintain software programs.

Software maintenance agreement means an agreement, typically with a software provider, that may include (1) provisions to maintain the right to use the software; (2) provisions for software upgrades including code updates, version updates, code fix modifications, enhancements, and added or new functional capabilities loaded into existing software, or (3) technical support.

Software program means a sequence of instructions that can be measured, interpreted and executed by an electronic device (e.g., a computer, tablets, smart phones) regardless of the means by which it is accessed or the medium of conveyance. Software program includes: (1) custom software program, which is a software program prepared to the special order or specifications of a single customer; (2) pre-written software program, which is a software program prepared for sale or license to multiple users, and not to the special order or specifications of a single customer. Pre-written software is commonly referred to as "canned," "off-the-shelf ("COTS")," "mass produced" or "standardized;" (3) modified software, which means pre-written software that is altered or enhanced by someone other than the purchaser to create a program for a particular user; and (4) the generic term "software," "software application," as well as "updates," "upgrades," "patches," "user exits," and any items which add or extend functionality to existing software programs.

Solar thermal systems means a system whose primary purpose is to use energy from the sun to produce heat or cold for: (1) heating or cooling a residential or commercial building; (2) heating or cooling water; or (3) any industrial, commercial, or manufacturing process.

Sound system services means the provision of broadcast or pre-recorded audio programming to a building or portion thereof. Such term does not include installation of sound systems where the entire system becomes the property of the building owner or the sound system service is for presentation of live performances.

Special fuel means kerosene oil, kerosene distillate, diesel fuel, all liquefied petroleum gases, and all combustible gases and liquids for use in the generation of power for propulsion of motor vehicles upon the public highways. The term does not include fuel used for the propulsion or drawing of aircraft, railroad cars or railroad locomotives.

Special sales event means any sales event which includes more than three (3) vendors taking place at a single location for a limited period of time not to exceed seven (7) consecutive days.

Storage means any keeping or retention of, or exercise dominion or control over, or possession of, for any length of time, tangible personal property not while in transit but on a stand still basis for future use when leased, rented or purchased at retail from sources either within or without the City from any person or vendor.

Student means any person enrolled in a school.

Tangible personal property means personal property that can be one (1) or more of the following: seen, weighed, measured, felt, touched, stored, transported, exchanged, or that is in any other manner perceptible to the senses.

Tax means the use tax due from a consumer or the sales tax due from a retailer or the sum of both due from a retailer who also consumes.

Tax deficiency or deficiency means any amount of tax, penalty, interest, or other fee that is not reported and/or not paid on or before the date that any return or payment of the tax is required under the terms of this Code.

Taxable sales means gross sales less any exemptions and deductions specified in this Code.

Taxable services means services subject to tax pursuant to this Code.

Taxpayer means any person obligated to collect and/or pay tax under the terms of this Code.

Telecommunications service means the service of which the object is the transmission of any two-way interactive electronic or electromagnetic communications including but not limited to voice, image, data and any other information, by the use of any means but not limited to wire, cable, fiber optical cable, microwave, radio wave, voice over internet protocol (VoIP), or any combinations of such media, including any form of mobile two-way communication. Telecommunications service does not include separately stated non-transmission services which constitute computer processing applications used to act on the information to be transmitted.

Television and entertainment services means audio or visual content that can be transmitted electronically by any means, for which a charge is imposed.

Therapeutic device means devices, appliances, or related accessories that correct or treat a human physical disability or surgically created abnormality.

Toll free telecommunications service means a telecommunications service that allows a caller to dial a number without incurring an additional charge for the call.

Total tax liability means the total of all tax, penalties and/or interest owed by a taxpayer and shall include sales tax collected in excess of such tax computed on total sales.

Transient/temporary sale means a sale by any person who engages in a temporary business of selling and delivering goods within the City for a period of no more than seven (7) consecutive days.

Transient/temporary vendor means any person who engages in the business of transient/temporary sales.

Use means the exercise, for any length of time by any person within the City of any right, power or dominion over tangible personal property or services when rented, leased or purchased at retail from sources either within or without the City from any person or vendor or used in the performance of a contract in the City whether such tangible personal property is owned or not owned by the taxpayer. Use also includes the withdrawal of items from inventory for consumption.

Use tax means the tax paid or required to be paid by a consumer for using, storing, distributing or otherwise consuming tangible personal property or taxable services inside the City.

Wholesale sales means a sale by wholesalers to retailers, jobbers, dealers, or other wholesalers for resale and does not include a sale by wholesalers to users or consumers not for resale; latter types of sales shall be deemed to be retail sales and shall be subject to the provisions of this Chapter.

Wholesaler means any person doing an organized wholesale or jobbing business and selling to retailers, jobbers, dealers, or other wholesalers, for the purpose of resale, and not for storage, use, consumption, or distribution.

4.04.020 - Reserved.

4.04.060 - Sales tax levied.

There is levied and there shall be collected and paid a sales tax in the amount stated in Section 4.04.145 as follows:

- (1) On the purchase price paid or charged for tangible personal property leased, purchased or sold at retail by every person exercising a taxable privilege in the City by the sale or lease of such property, except those specifically exempted;
- (2) On the total amount due under a lease or contract concerning tangible personal property when the right to possession or use of the tangible personal property is granted therein and such transfer of possession would be taxable under this Chapter if an outright sale were made;
- (3) On the purchase price paid or charged for television and entertainment services sold, purchased, leased, rented, furnished or used;
- (4) Upon the amount paid for the use of facilities and accommodations of a hotel, apartment hotel, cottage camp, motor court, trailer park or camp operated for the accommodations of the general public;
- (5) Upon telecommunications services, except carrier access services and interstate, private communication services as designated in Section 4.04.015 whether furnished by public or private corporations or enterprises for all interstate, intrastate and international telecommunications services originating from or received on telecommunications equipment in the City if the charge for the service is billed or charged to an apparatus, telephone or account in the City, to a customer location in the City, or to a person residing in the City, without regard to where the bill for such service is physically received;
- (6) For gas and electric service or gas and electricity furnished and sold for domestic or commercial consumption and not for resale;
- (7) Upon the amount paid for all meals, food and beverage and cover charges, if any, furnished in or from any restaurant, cafe, hotel, drugstore, nightclub, bar and lounge, tavern, club, resort, stand or vehicle, or other such place at which meals, food or beverage are regularly sold to the public for consumption either on or off the business premises;
- (8) For steam or other heating service furnished and sold for domestic or commercial use.

4.08.015 - Definitions.

When not clearly otherwise indicated by context, the following words and phrases, as used in this Chapter, shall have the following meanings:

Gross taxable sales means the total amount received in money, credits, property or other valuable consideration from sales and purchases of lodging, subject to the tax imposed in this Chapter.

Lodging shall mean the transaction of furnishing rooms or accommodations by any person, partnership, association, corporation, estate, receiver, trustee, assignee, lessee or any person acting in a representative capacity or any other combination of individuals of whatever name known to a person or persons who, for a consideration, uses, possesses or has the right to use or possess any room or rooms in a hotel, apartment, hotel, lodging house, motor hotel, guest house, guest ranch, mobile home, auto camps, trailer courts and parks, under any concession, permit, right of access, license to use or other agreement, or otherwise.

Person means an individual, partnership, society, club, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise and any other group or combination of individuals acting as a unit, including the United States of America, the State of Colorado and any political subdivision thereof.

Purchase or sale means the acquisition for a price by any person of the taxable services of lodging within the City.

Purchaser means any person to whom the taxable service of lodging has been rendered.

Tax means either the tax payable by the purchaser or the aggregate amount of taxes due from a vendor during the period for which the vendor is required to report collections under this Chapter.

Taxpayer shall mean any person obligated to account to the Finance Director for taxes collected or to be collected under the terms of this Chapter.

Vendor means a person making sales to a purchaser in the City of the taxable service of lodging.

January 19th & February 2, 2021

Michael Kibbee |
Revenue & Business License Manager

Proposed Municipal Code Revisions for Marketplace Facilitator Language



Purpose of the Ordinance

- A recent United States Supreme Court case has made it possible for the City to continue to collect sales tax from high-volume internet retailers such as Amazon so long as certain guardrails are in place.
- Previously, some remote sellers argued they were largely exempt from local sales tax, giving them an unfair competitive advantage over local small businesses and depriving the City of much-needed revenue.
- This ordinance will bring clarity to the City's sales tax code for remote retailers and bring the code into conformity with other municipalities such as Denver, Fort Collins, Pueblo, Longmont and Colorado Springs.

Legal Background

- In 2018, the US Supreme Court issued *South Dakota v. Wayfair*, 138 S.Ct. 2080 (2018):
 - The Court ruled that states may charge tax on purchases made from out-of-state sellers, even if the seller does not have a physical presence in the taxing state.
 - Provided a path for states and municipalities to adopt language regulating remote retailers, who had previously avoided local sales taxes despite their reliance on local infrastructure (i.e. streets and roads).
 - The Court indicated that taxation of out-of-state retailers was not unconstitutional in part because SD had several protections in place that removed the burden on interstate commerce, including a safe harbor for those who do minimal transactions in the state (a threshold), a clause eliminating taxes be paid retroactively, a state level tax administration, and standard definitions.

Greeley's Response

- Here in Colorado, the sales tax system is more complicated than in South Dakota, as there are 72 individual home rule municipalities who each self-collect their own sales tax.
- This ordinance, based upon a CML model drafted by tax experts, clarifies which remote sellers must now remit sales tax to Greeley under *Wayfair* to clearly include large remote retailers and vendors of services like Airbnb.
- To prevent any undue hardship on high volume remote businesses, it provides guardrails to exclude small out-of-state retailers, adopts uniform definitions in conformity with other Colorado municipalities, and is adopted with the intention that the City will join a single point of remittance portal through the state later this year.

Definitions to be Added

- Marketplace Facilitator
 - 3rd party Sellers, who bring Vendors & Buyers together
 - Amazon, EBay, Etsy, Airbnb
- Marketplace Seller
 - Seller who owns their product
 - Nike, Apple
- Multi-Channel Seller
 - Seller who may market through multiple avenues, as in: Brick & Mortar, Online, Email, Phone, Mail, Social Media, etc.
 - Walmart, Target

Greeley Sales Tax Departmental Goals

- Ensure compliance, and to make sure there is a level playing field for all retailers
 - Local, remote, & online
- Taking part in an initiative already adopted and well received by the State and many other Colorado municipalities
- Keeping up on current business trends as businesses moves more toward a remote/online presence

Questions?



Council Agenda Summary

February 2, 2021

Key Staff Contact: Roy Otto, City Manager, 970-350-9750

Title:

COVID-19 Update

Summary:

There will be a brief update to Council regarding COVID-19.

Council Agenda Summary

February 2, 2021

Maria Gonzalez Estevez, Human Resources Director, 970-350-9714

Title:

Executive Session for Annual Review of the City Attorney

Background:

An Executive Session is needed for the annual review of the City Attorney.

The Executive Session should immediately follow this item. If Council concurs, the motion listed below is needed first.

Decision Options:

A motion to adjourn the Council Worksession and move into an Executive Session immediately for the purposes of discussing personnel who report to Council as provided for under C.R.S. 24-6-402(4) (f) and Greeley Municipal Code Section 2.04.020 (6) a.

Attachments:

None

Council Agenda Summary

February 2, 2021

Title

Scheduling of Meetings, Other Events

Summary

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Worksession Schedule regarding any upcoming meetings or events.

Attachments

Council Meeting/Worksession Schedule
Council Meetings/Other Events Calendar

City Council Meeting Scheduling

Current as of 01/29/2021			
This schedule is subject to change			
Date	Description	Sponsor	Placement/Time
Feburary 9, 2021 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Household Occupancy Standards (Discussion of "Family" definition)	Brad Mueller	0.50
	2020 Year-end Capital Improvement Program Report	Joel Hemesath	0.50
February 16, 2021 Council Meeting	COVID-19 Update	Roy Otto	Regular
	Ordinance - Final - Landscape Code Update	Brad Mueller	Regular
	Ordinance - Final - Drought Plan Update and Code Revisions Ordinance	Sean Chambers	Regular
	Boards & Commissions Appointments	Anissa Hollingshead	Regular
	Annual Review of the Municipal Court Judge	Maria Gonzalez Estevez	Executive Session
February 23, 2021 Worksession Meeting	Keep Greeley Moving Renewal	Paul Fetherston	1.00
	COVID-19 Update	Roy Otto	0.25
	Firefighter Deployment Recognitions	Brian Kuznik	0.25
	Small-Format Housing	Brad Mueller	0.75

February 1, 2021 - February 7, 2021

February 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Monday, February 1

Tuesday, February 2

6:00pm - City Council Meeting - Council Master Calendar

Wednesday, February 3

Thursday, February 4

3:30pm - IG Adv. Board (Butler)

6:00pm - MPO (Gates/Payton)

Friday, February 5

Saturday, February 6

Sunday, February 7

February 8, 2021 - February 14, 2021

February 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Monday, February 8

Tuesday, February 9

6:00pm - City Council Worksession Meeting - Council Master Calendar

Wednesday, February 10

Thursday, February 11

7:30am - Poudre River Trail (Hall)

Friday, February 12

Saturday, February 13

Sunday, February 14

February 15, 2021 - February 21, 2021

February 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

March 2021

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Monday, February 15

Tuesday, February 16

6:00pm - City Council Meeting - Council Master Calendar

Wednesday, February 17

2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, February 18

7:30am - 8:30am DDA (Zasada/Butler)

3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, February 19

Saturday, February 20

Sunday, February 21

February 22, 2021 - February 28, 2021

February 2021							March 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6		1	2	3	4	5	6
7	8	9	10	11	12	13	7	8	9	10	11	12	13
14	15	16	17	18	19	20	14	15	16	17	18	19	20
21	22	23	24	25	26	27	21	22	23	24	25	26	27
28							28	29	30	31			

Monday, February 22

- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall) ↻
- 6:00pm - 7:00pm Youth Commission (Butler) ↻

Tuesday, February 23

- 6:00pm - City Council Worksession Meeting - Council Master Calendar ↻

Wednesday, February 24

- 7:00am - 8:00am Upstate Colorado Economic Development (Gates/Hall) (Upstate Colorado Conference Room) - Council Master Calendar ↻

Thursday, February 25

- 7:30am - Poudre River Trail (Hall) ↻

Friday, February 26

Saturday, February 27

Sunday, February 28

March 1, 2021 - March 7, 2021

March 2021							April 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5 6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

Monday, March 1

Tuesday, March 2

6:00pm - City Council Meeting - Council Master Calendar

Wednesday, March 3

Thursday, March 4

3:30pm - IG Adv. Board (Butler)

6:00pm - MPO (Gates/Payton)

Friday, March 5

Saturday, March 6

Sunday, March 7

March 8, 2021 - March 14, 2021

March 2021							April 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5 6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

Monday, March 8

Tuesday, March 9

6:00pm - City Council Worksession Meeting - Council Master Calendar

Wednesday, March 10

Thursday, March 11

7:30am - Poudre River Trail (Hall)

Friday, March 12

Saturday, March 13

Sunday, March 14

Council Agenda Summary

February 2, 2021

Title

Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council's Recommended Action

A motion to approve the above authorizations.

Council Agenda Summary

February 2, 2021

Title

Adjournment