Greeley City Council Agenda

Regular Meeting

Tuesday, June 7, 2022 at 6:00 p.m.

City Council Chambers at City Center South, 1001 11th Ave, Greeley, CO 80631
Zoom Webinar link: https://greeleygov.zoom.us/j/98241485414

NOTICE:

Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

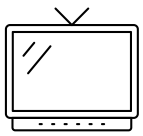
City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

Members of the public are also invited to choose how to participate in Council meetings in the manner that works best for them.

Watch Meetings:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on GTV8 on cable television.



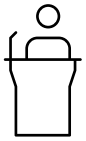
Meetings are livestreamed on the City's website, greeleygov.com as well as YouTube at youtube.com/CityofGreeley

For more information about this meeting or to request reasonable accommodations, contact the City Clerk's Office at 970-350-9740 or by email at cityclerk@greeleygov.com.

Meeting agendas, minutes, and archived videos are available on the City's meeting portal at greeley-co.municodemeetings.com/

Comment in real time:

During the public input portion of the meeting and public hearings:



In person attendees can address the Council in the Chambers .

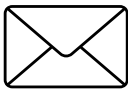


The public can join the Zoom webinar and comment from the remote meeting.

Submit written comments:



Email comments about any item on the agenda to cityclerk@greeleygov.com



Written comments can be mailed or dropped off at the City Clerk's Office at City Hall, at 1000 10th St, Greeley, CO 80631

City of Greeley Colorado

City Council Agenda

June 07, 2022 at 6:00 PM
City Council Chambers, City Center South, 1001 11th Ave & via Zoom at https://greeleygov.zoom.us/j/98241485414

Mayor
John Gates

Councilmembers

Tommy Butler
Ward I

Deb DeBoutez
Ward II

Johnny Olson
Ward III

Dale Hall
Ward IV

Brett Payton
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. Approval of the Agenda
5. Recognitions and Proclamations
6. Citizen Input
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 Members 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. Approval of the City Council Proceedings of May 17, 2022
10. Acceptance of the Report of the City Council Work Session of May 24, 2022
11. Introduction and first reading of an ordinance conveying Easements for The Loveland Centerra Trail at Boyd Lake Water Treatment Plant
12. Introduction and first reading of an ordinance amending sections of the Greeley Municipal Code Title 22, Buildings and Construction, Chapter 2 (Building Code), Chapter 3 (Residential Code), Chapter 4 (Mechanical Code), Chapter 5 (Property Maintenance Code), Chapter 6 (Existing Building, Chapter 8 (Energy Conservation Code), Chapter 9 (Plumbing Code), Chapter 10 (Fuel Gas Code), Chapter 12 (Fire Code) And Chapter 13 (Mobile Homes)

End of Consent Agenda

13. Pulled Consent Agenda Items

14. Public hearing and final reading of an ordinance authorizing the sale of city-owned property located in Section 4, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado (Balmer Farm).

15. Public Hearing and Final Reading of an Ordinance Amending Chapter 15 of Title 14 of the Greeley Municipal Code relating to fireworks

16. Public hearing and second reading to consider a request to rezone from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Intensity), changing the underlying land use designations for approximately 23.48 acres of property located south of Centerplace Drive, east of 47th Avenue and west of 35th Avenue and final reading of an ordinance changing the official zoning map to reflect the same (Watermark Rezone)

17. Public hearing and final reading to consider a request to rezone from H-A (Holding Agriculture) to PUD (Planned Unit Development) for 822 acres of property located south of U.S. Highway 34, west of State Highway 257, and east of CR 17, and final reading of an ordinance changing the official zoning map to reflect the same (Delantero Rezone)

18. Public hearing to consider approval of the Delantero Preliminary PUD Plan for property located south of Highway 34, west of State Highway 257, and east of CR 17

19. Public hearing to consider a request to rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density), changing the underlying land use designations for approximately 15.433 acres of property located at 712 71st Avenue and final reading of an ordinance changing the official zoning map to reflect the same (HP Rezone)

20. Scheduling of Meetings, Other Events

21. 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 any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

22. Adjournment

Council Agenda Summary

Title
Recognitions and Proclamations

Summary
Mayor Gates will present the proclamations

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

Attachments
PRIDE Month Proclamation
Alzheimer's Disease and Brain Awareness Month Proclamation
Juneteenth Proclamation
What's Great about Greeley Report

City of Greeley Colorado

Pride Month

WHEREAS, the month of June is recognized as Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) "Pride Month" across the country; and

WHEREAS, all human beings are born free and equal in dignity and rights. LGBTQ individuals have had immeasurable impact to the cultural, civic and economic successes of our country; and

WHEREAS, the City of Greeley is committed to supporting visibility, dignity and equality for LGBTQ people in our diverse community; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and it is called upon of the people of this community to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Pride Month influences awareness and provides support for Greeley's LGBTQ community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, Colorado, do hereby proclaim the month of June 2022 as Pride Month in the City of Greeley in support of the LGBTQ community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 7th day of June 2022.

_____

Brett Payton
Mayor Pro Tem

Alzheimer's and Brain Awareness Month

WHEREAS, Alzheimer's disease is a progressive neurodegenerative brain disorder that tragically robs individuals of their memories and leads to progressive mental and physical impairments; and

WHEREAS, this disease preys heavily on specific segments of our community, with persons of color being more likely to develop the disease, and with women accounting for two-thirds of all people living with Alzheimer's; and

WHEREAS, there are no known treatments to prevent, cure or slow the progression of Alzheimer's disease, the sixth-leading cause of death in the United States; and

WHEREAS, more than 6.5 million people in the United States are living with Alzheimer's disease, including 76,000 in Colorado; and

WHEREAS, volunteer caregivers across the U.S. bear an extraordinary burden in caring for loved ones, with more than 11 million caregivers providing over 16 billion hours of unpaid care for those with Alzheimer's and other dementias in 2021; and, in Colorado, more than 159,000 family members and friends provided 184 million hours of unpaid care; and

WHEREAS, the Alzheimer's Association estimates the direct costs of caring for those with Alzheimer's to the United States in 2021 at $321 billion and this amount is expected to increase to nearly $1 trillion by 2050; and

WHEREAS, the efforts of the Alzheimer's Association to provide information and educational programs, raise funds and promote awareness to fight Alzheimer's disease and other dementias will improve the quality of human life for those living with Alzheimer's disease and their caregivers.

NOW, THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim June 2022, as Alzheimer's and Brain Awareness Month.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 7th day of June 2022.

_____

Brett Payton
Mayor Pro Tem

RECOGNIZING JUNETEENTH INDEPENDENCE DAY

WHEREAS, President Abraham Lincoln's Emancipation Proclamation was issued January 1, 1863; and

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and that the enslaved were free; and

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as "Juneteenth Independence Day", as inspiration and encouragement for future generations; and

WHEREAS, the City of Greeley acknowledges the historical significance of Juneteenth Independence Day to the United States and recognizes that the end of slavery is an important part of the history and heritage of the United States; and

WHEREAS, Juneteenth Independence Day provides an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

WHEREAS, the City of Greeley encourages all residents to commit themselves to the work of equity, equality, and justice.

THEREFORE, I, John Gates, by virtue of the authority vested in me as Mayor of the City of Greeley, do hereby proclaim June 19, 2022, as Juneteenth Independence Day in the City of Greeley, and encourage all residents to celebrate Juneteenth at the Marcus Garvey Cultural Center on the campus of the University of Northern Colorado.

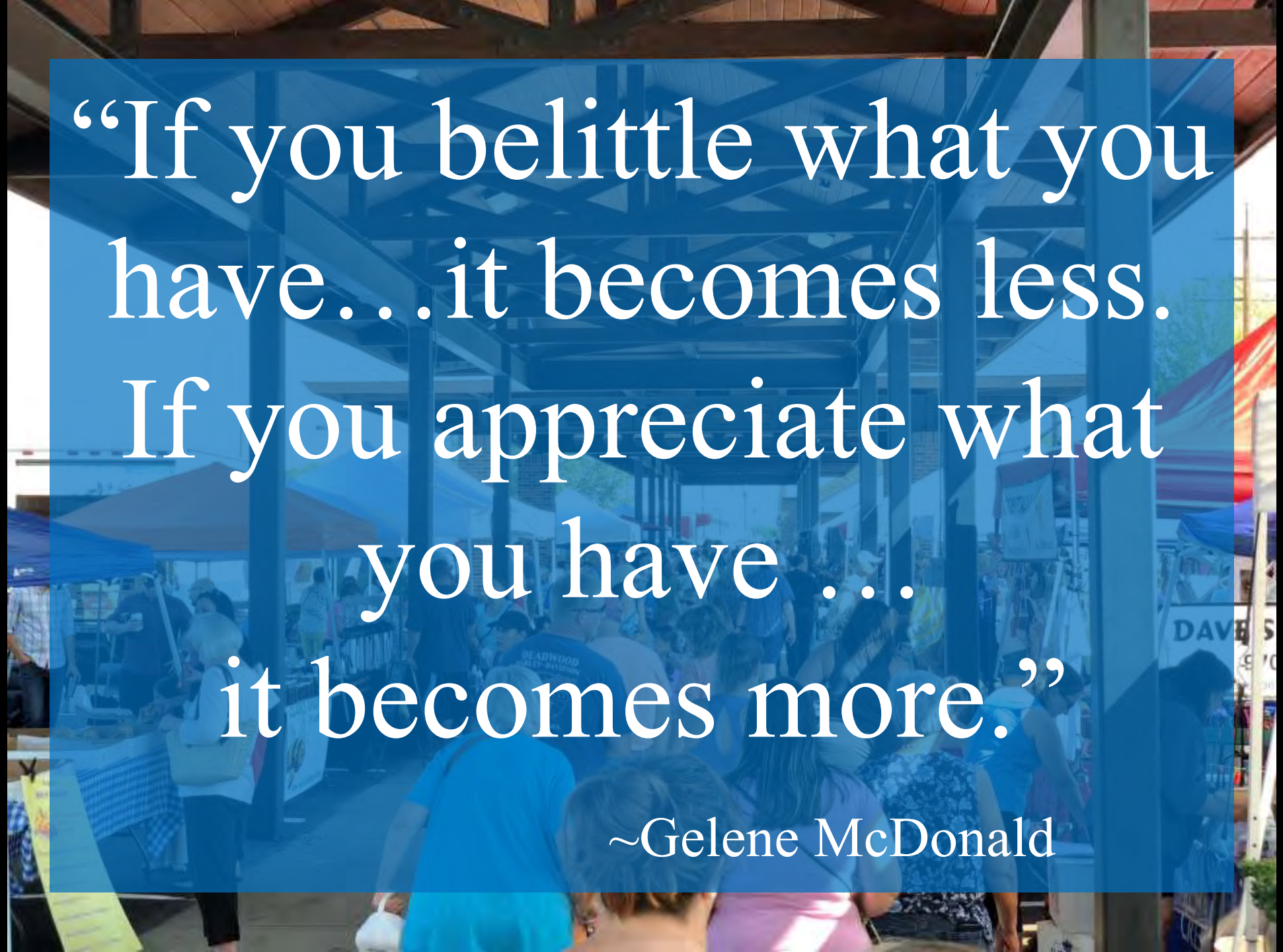
IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of the City of Greeley, Colorado, this 7th day of June 2022.

_____

Brett Payton
Mayor Pro Tem

GreeleyGov.com

Greeley City Council
June 7, 2022
Councilmember Tommy Butler



"If you belittle what you have…it becomes less. If you appreciate what you have … it becomes more."

~Gelene McDonald

UCHealth & NCMC Earn ‘A’ Grade
Leapfrog Group



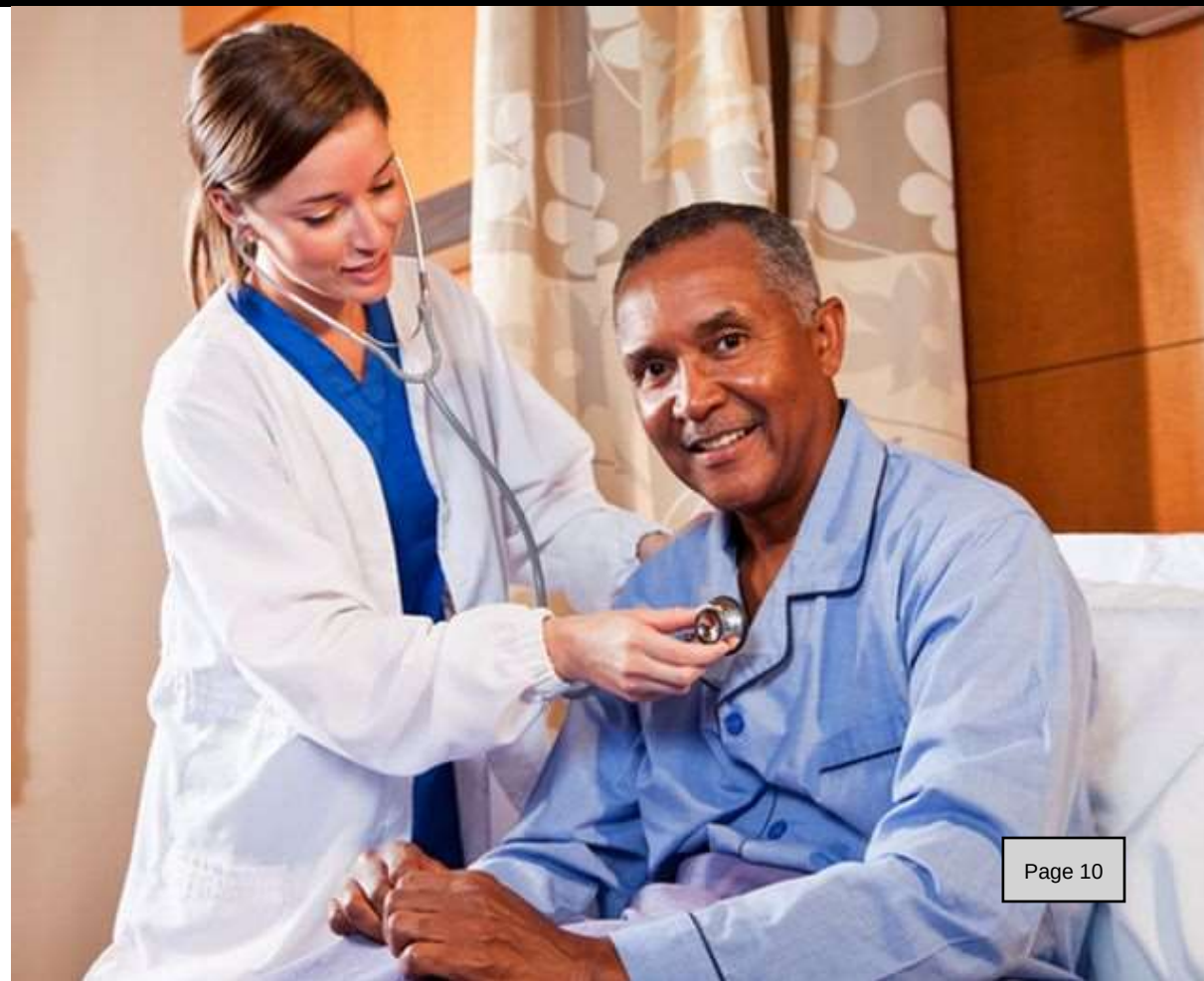


Northern Colorado Medical Center

Chest Pain-MI Registry Platinum Performance Achievement Award

Banner Health
North Colorado Medical Center

AMERICAN COLLEGE OF CARDIOLOGY | NCDR



Greeley-Evans School District 6
Seal of Biliteracy



COLORADO
Department of Education

Pictured:

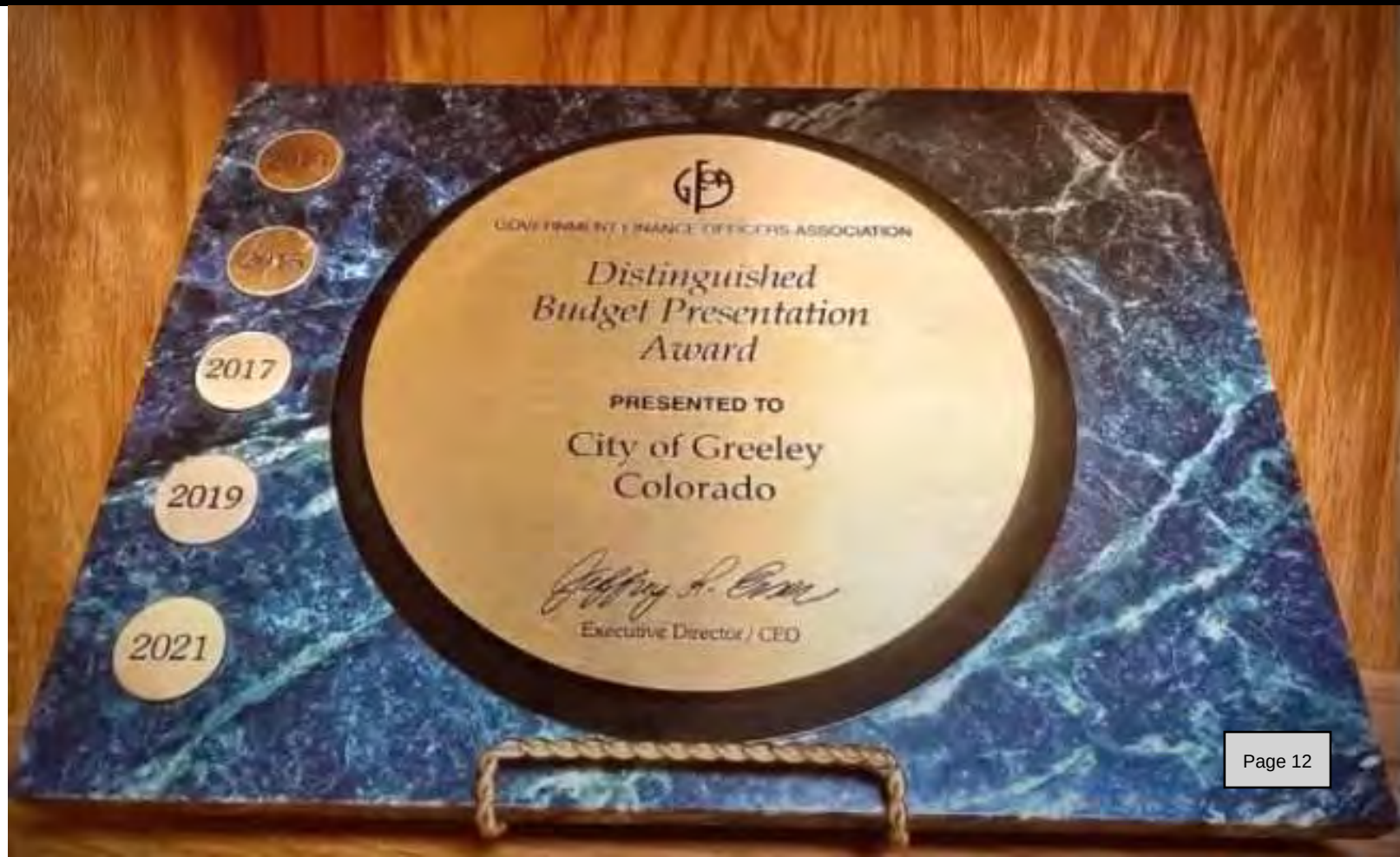
Bianca Hernandez Vasquez – Greeley West
Spanish/English/French

Mohammad Branham – Greeley Central
Indonesian/English/Korean

Distinguished Budget Presentation Award

Government Finance Officers Association

City of Greeley Colorado



Aims Community College
Hunger Free Campus



GreeleyGov.com



Greeley City Council - 2022

City of Greeley Colorado

Council Agenda Summary

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 as a public hearing on this evening's agenda.

As this meeting is being conducted in a hybrid format, citizen input will be accepted first from those in the City Council Chambers, and then from the virtual meeting audience via the meeting's webinar.

Written comments submitted for any item on the agenda will be placed in the public record and provided to the Council for their review and should include the name and city of residence of the person submitting the comments for the record.

Council Agenda Summary

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

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

Initiative No.	Council Member Initiating	Council Request	Council Meeting or Work Session Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
15-2021	Olson	Formation of a committee for implementation of a funding strategy for the 35th and 47th interchanges.	December 7, 2021 Council Meeting	Council Member Olson will be following up with Manager Lee and Director Trombino on next steps	Paul Trombino
02-2022	Clark	Request update on City's graffiti removal program	March 15, 2022 Council Meeting	Requested Public Works provide an update to Council on the City's graffiti removal program	Paul Trombino
04-2022	Olson	Request update on City's involvement on LinkNoCo transit.	April 5, 2022 Council Meeting	Requested Public Works provide a report to Council on LinkNoCo Transit projects.	Paul Trombino
05-2022	Butler	Request a Housing Affordability update. Prepare a baseline on where Greeley stands on housing costs; new versus rentals, and where Greeley stands in the housing market	April 19, 2022 Council Meeting	Requested Economic Health and Housing provide a report on housing affordability within the City of Greeley.	Ben Snow
06-2022	Butler	Review of the G-HOPE assistance program which is a grant program to assist citizens and City employees with down payment assistance to purchase a home.	April 19, 2022 Council Meeting	Human Resources will review the G-HOPE assistance program and provide recommendations to revamp the program to meet current housing needs at a Council work session.	Kathleen Hix

07-2022	DeBoutez	Compile and update list of existing projects, programs and facilities that fit within the sustainability model. Identify areas to update and improve the model and explore securing resources to grow this effort.	May 17, 2022		Heather Balser

Council Agenda Summary

Title:

Approval of the City Council Proceedings of May 17, 2022

Summary:

A meeting of the City Council was held in the City Council's Chambers on May 17, 2022. The draft proceedings have been prepared and are being presented for the Council's review and approval.

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:

Draft Proceedings of May 17, 2022

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
May 17, 2022

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance.

3. Roll Call

Charity Campfield, Deputy City Clerk, called the roll.

Present:
Mayor John Gates
Council Member Tommy Butler
Council Member Deb DeBoutez
Council Member Dale Hall
Council Member Brett Payton arrived at 6:25 pm
Council Member Ed Clark
Council Member Johnny Olson

4. Approval of the Agenda

The agenda was approved as submitted.

5. Recognitions and Proclamations

Mayor Gates presented a proclamation for Mental Health Month.

Council Member DeBoutez presented the *What's Great About Greeley* report.

6. Citizen Input

Steve Teets, Greeley, addressed the council on the bus system and the accessibility of free bus rides and cost of the Greeley-Evans transit fees.

7. Reports from Mayor and Councilmembers

Council Member Olson reported that he attended the CML spring meeting in Ft. Collins and discussed the issues that the communities are facing. Regarding Mr. Teet's comment, the Governor passed legislation for public transit to be free of cost for the next six months. He also reported that Link NOCO is going to address the transit issues in Northern Colorado.

8. Initiatives from Mayor and Councilmembers

Council Member DeBoutez asked for city staff to compile and update a list of existing programs, projects and facilities that fit within the sustainability model. Identify areas to update and improve the model and explore securing resources to grow this effort.

Consent Agenda

9. Approval of the City Council Proceedings of May 3, 2022

10. Acceptance of the Report of the City Council Work Session of May 10, 2022

11. Consideration of a change order in the amount of $299,700.00 for 12th Street Outfall Phase 1B Design Services

Pulled consent agenda item.

12. Consideration of a Resolution Authorizing the City attorney to Initiate appropriate legal action against Hydro Construction, Inc. and HDR, Inc. for damages resulting from defective construction of the Bellvue Water Treatment Plant

13. Introduction and first reading of an ordinance authorizing the sale of city-owned property located in Section 4, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado (Balmer Farm).

14. Introduction and first reading of an Ordinance amending Chapter 15 of Title 14 of the Greeley Municipal Code relating to fireworks

15. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Intensity), changing the underlying land use designations for approximately 23.48 acres of property located south of Centerplace Drive, east of 47th Avenue and west of 35th Avenue

16. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from I-L (Industrial Low Intensity) to R-H (Residential High Density), changing the underlying land use designation for approximately 15.433 acres of property located east of 71st Avenue, north of 8th Street, and northeast of 69th Avenue

17. Introduction and first reading of an ordinance changing the official zoning map of the City of Greeley, Colorado, from H-A (Holding Agriculture) to PUD (Planned Unit Development) for 822 acres of property located south of U.S. Highway 34, west of State Highway 257, and east of CR 17, known as the Delantero PUD

Council Member Payton moved, seconded by Council Member Butler, to approve the recommended actions on the Consent Agenda, Items 9, 10, 12-17 and to pull Item 11. The motion carried 7-0 (by roll call vote) at 6:21 p.m.

End of Consent Agenda

18. Pulled Consent Agenda Items

11. Consideration of a change order in the amount of $299,700.00 for 12th Street Outfall Phase 1B Design Services

Public Works Director, Paul Trombino introduced the item.

Council Member Olson moved, seconded by Council Member Butler, to approve the above authorizations. The motion carried 7-0 at 6:29 p.m.

19. Overview of City Revenues and Long-Term Financial Planning Effort

John Karner, Finance Director, introduced the item.

Council directed staff to bring back an analysis by Q1, 2023.

20. US 34 Interchanges & Mobility Hub INFRA Grant

Public Works Director, Paul Trombino introduced the item.

Council Member Payton moved, seconded by Council Member Clark, to approve the resolution for the INFRA Grant. The motion carried 7-0 at 7:32 p.m.

21. Appointment of applicants to the Human Relations Commission, Stormwater Board, Parks and Recreation Advisory Board.

Deputy City Clerk Charity Campfield reported the following appointments were made by the Council by written ballot:

- Human Relations Commission – Regina Holzmeister and Jennifer Nicolae
- Stormwater Board – James Freville
- Parks and Recreation Advisory Board – Sharon Wright

22. Scheduling of Meetings, Other Events

No other meetings or events were scheduled.

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 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 at 7:33 p.m.

24. Adjournment

Mayor Gates adjourned the meeting at 7:33 p.m.

_____
John D. Gates, Mayor

_____
Charity Campfield, Deputy City Clerk

Council Agenda Summary

Title:

Acceptance of the Report of the City Council Work Session of May 24, 2022

Summary:

A City Council Work Session was held in the City Council's Chambers on May 24, 2022. The draft report of that work session has been prepared for the Council's review and acceptance.

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:

Draft Report of May 24, 2022

City of Greeley, Colorado
CITY COUNCIL WORK SESSION REPORT
May 24, 2022

1. Call to Order
Mayor John Gates called the meeting to order at 6:00 p.m. in the City Council Chambers at 1001 11th Ave, Greeley, Colorado, with hybrid participation available via the City's Zoom platform.

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

3. Roll Call
Heidi Leatherwood, City Clerk, called the roll.

Present:
Mayor John Gates
Council Member Tommy Butler
Council Member Deb DeBoutez
Council Member Dale Hall- virtual
Councilmember Brett Payton
Council Member Ed Clark
Council Member Johnny Olson

4. Reports from Mayor and Council Members
Councilmember Olson offered condolences to the families in Texas after the unfortunate school shooting and the importance of security.

5. COVID-19 Update
Assistant Emergency Manager Charlie McCartin reported a slight increase since last month. Numbers of cases are expected to increase through June.

6. Tax Revenue Initiative Polling Options
Deputy City Manager Paul Fetherston introduced the item at 6:11 p.m. Interim Culture, Parks, and Recreation Director Kelly Snook, Natural Areas & Trails Superintendent Justin Scharton, and VP Strategies 360 Alex Dunn, answered questions for Council. Consensus was to ***not*** pursue polling for an open space tax at this time. Staff will bring back bucketization information next spring for discussion.

7. Greeley on the Go Transportation Master Plan
Director of Public Works Paul Trombino, introduced the item. Council Members gave suggestions on specific corridors in need of future planning to aid multi-modal transportation efforts.

8. Scheduling of Meetings, Other Events

None.

9. A motion to go into Executive Session for the purpose of receiving legal advice pursuant to C.R.S. 24-6-402 (4)(b) and Greeley Municipal Code 2.04.020(2), and to determine positions, develop strategy, and instruct negotiators pursuant to C.R.S. 24-6-402(4) (e)(1) and Greeley Municipal Code 2.04.020(a)(5).

Mayor Pro Tem Payton moved, seconded by Council Member Butler to go into Executive Session. The motion carried 6-0 at 7:16 p.m. with Council Member Hall absent.

11. Adjournment

Mayor Gates adjourned the Work Session at 7:16 p.m.

Executive Session Summary

At 7:20 p.m. City Attorney, Doug Marek, at the request of Mayor Gates, made record as required by Open Meetings Law and noted that the session is being electronically recorded, except during Attorney-Client privilege.

Present through the in person executive session, are members of Council, (except for Council Member Hall), City Attorney Doug Marek, City Manager Raymond Lee, Deputy City Manager Paul Fetherston, Deputy City Attorney Stacey Aurzada and Director of Human Resources Noel Mink.

The executive session was for the following purpose: Giving instructions to negotiate and to receive legal advice from their attorneys regarding settlement of legal claims.

The City Attorney cautioned each participant to confine discussion to these stated purposes and reminded that no formal action may occur during the executive session. If at any point any participant believed that the discussion was going outside the proper scope of the executive session, participants were advised to interrupt the discussion and raise an objection.

The recording ceased at 7:26 p.m. for Attorney-Client privilege.

The recording resumed at 7:42 p.m. and the executive session concluded.

The recording will be retained as provided in the City's records retention policy and in conformity with the Colorado Open Meetings Law for a period of 90 days.

_____
John D. Gates, Mayor

_____
Heidi Leatherwood, City Clerk

Council Agenda Summary

June 7, 2022

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

Title:

Introduction and first reading of an ordinance conveying Easements for The Loveland Centerra Trail at Boyd Lake Water Treatment Plant

Summary:

This ordinance authorizes the conveyance of two (2) recreational trail easements across a portion of the Boyd Lake Water Treatment Plant property to allow the City of Loveland to construct their Centerra Trail Project.

The City of Greeley's ("Greeley") Boyd Lake Treatment Plant, located along the south side of Boyd Lake in Loveland, provides seasonal drinking water to Greeley water customers, and supplements the Bellvue Water Treatment plan by providing additional water in times of high demand.

The City of Loveland ("Loveland") has planned a trail expansion project to construct a hard-surface trail between Denver Avenue and Boyd Lake Avenue along the south short of Boyd Lake, just west of Centerra. A portion of the trail is designed to cross the northern boundary of the property owned by Greeley as shown in Attachment 1.

Site meetings have been held with Greeley Water & Sewer staff to review the proposed trail location and request adjustments, as needed. Water & Sewer staff have reviewed and approved a final alignment of the trail, ensuring that the planned location does not interfere with current or future property needs by Greeley.

In order to construct the trail, Loveland needs to acquire two (2) permanent recreational trail easements on Greeley's property. An appraisal has been completed for the value of the easements and Loveland will compensate Greeley $131,800 for the easement interests.

Department Staff have been in coordination with Loveland staff and consultants and set certain requirements for signage, safety, and security.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	NA
What is the annual impact?	NA
What fund of the City will provide Funding?	NA
What is the source of revenue within the fund?	Generates Revenue

Is there grant funding for this item?	No
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	NA
Additional Comments:	NA

Legal Issues:

The Greeley City Council must authorize the conveyance of the easements and authorizes the Mayor to execute the same pursuant to Greeley Municipal Charter 2.07.020(b).

Other Issues and Considerations:

Strategic Work Program Item or Applicable Council Priority and Goal:

Economic Health & Development: Foster and maintain public and private investment in business development.

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 July 19, 2022.

Attachments:

Ordinance Authorizing the Conveyance of two recreational trail easements
Ordinance Exhibit A – Legal Description
Ordinance Exhibit B – Trail Project Plan
Location Map of Proposed Trail
Loveland Centerra Trail Easement Presentation

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2022

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF TWO RECREATIONAL TRAIL EASEMENTS ON CITY PROPERTY KNOWN AS THE BOYD LAKE WATER TREATMENT PLANT

WHEREAS, the City of Greeley ("City") owns parcels of land known as the Boyd Lake Water Treatment Plant, identified as Larimer County parcel numbers 85080-00-914 and 85084-16-901 (the "Property"); and,

WHEREAS, the Property contains a water treatment facility ("City Facility") that provides seasonal drinking water to Greeley water customers as a supplement to the City's Bellvue Water Treatment Plant; and

WHEREAS, the City of Loveland ("Loveland") has planned a recreational trail project to construct a trail across the north boundary of the City's Property ("Project"); and

WHEREAS, Loveland has requested to acquire from the City two (2) permanent recreational trail easements ("Easements") to facilitate the construction of the Project on the Property; and

WHEREAS, the City has determined that the conveyance of the Easements will not interfere with the City's current or future purposes of the Property and City Facility.

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

Section 1. The Greeley City Council hereby finds and determines that the property described above is not a public park and has never been a public park, nor is it being held or used for governmental purposes.

Section 2. The Greeley City Council authorizes the conveyance of the easements, and authorizes the Mayor to execute the same pursuant to Greeley Municipal Charter 2.07.020(b).

Section 3. The Greeley City Council hereby ratifies all actions heretofore taken (not inconsistent with the provisions of this ordinance) by the officers, agents and employees of the City in connection with the actions described above.

Section 4. This ordinance shall take effect five (5) days after its final publication as provided by the City's Charter, Section 3-16.

PASSED AND ADOPTED, SIGNED AND APPROVED this _____ day of _____, 2022.

ATTEST: **THE CITY OF GREELEY, COLORADO**

_____ _____

City Clerk **Mayor**

Attachment: Exhibit A – Loveland Centerra Trail Easements Legal Description
Exhibit B – Loveland Centerra Trail Project Plan

CITY OF LOVELAND
REAL PROPERTY

TO BE ACQUIRED

Permanent Easement Number: PE-8A

FROM

City of Greeley
1000 10th Street
Greely, C● 80631-3808

FOR

Project Code: 23631-23949
CDOT Project Number: TAP M830-102 - MTF 830-104
Location: Centerra Trail

EXHIBIT "A"

PROJECT CODE: 23631-23949
PROJECT NUMBER: TAP M830-102 - MTF 830-104
PARCEL NUMBER: PE-8A
DATE: MARCH 5, 2021

PROPERTY DESCRIPTION

A Permanent Easement No.PE-8A of the Department of Transportation, State of Colorado Project Code 23631-23949, CDOT Project Number TAP M830-102 - MTF 830-104, containing 38,346 sq. ft. (0.880 acres) more or less located in the Southwest Quarter (SW1/4) of Section Eight (8), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, being a portion of Outlot 1 of Waterfall 4th Subdivision, recorded December 14, 2007, as Reception No.20070093673, of the Records of Larimer County, being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 8; Thence North 41°49'51" East, a distance of 1929.60 feet to the Northerly line of said Outlot 1 of Waterfall 4th Subdivision, said point being also a Point of Curvature (PC) and the POINT OF BEGINNING;

1. THENCE leaving said Northerly line of Outlot 1 along the arc of a non-tangent curve concave to the Northeast, a distance of 234.13 feet, a Radius of 1015.00 feet, a Delta of 13°12'59" and is subtended by a Chord bearing North 76°06'09" West, a distance of 233.61 feet to a Point of Tangency (PT);

2. THENCE along the arc of a reverse curve concave to the Southwest, a distance of 129.61 feet, a Radius of 985.00 feet, a Delta of 07°32'22" and is subtended by a Chord bearing North 73°15'51" West, a distance of 129.52 feet to a Point of Tangency (PT);

3. THENCE North 77°02'01" West, a distance of 490.60 feet to a Point of Curvature (PC);

4. THENCE along the arc of a curve concave to the Southwest, a distance of 308.81 feet, a Radius of 1985.00 feet, a Delta of 08°54'49" and is subtended by a Chord bearing North 81°29'26" West, a distance of 308.50 feet to a Point of Tangency (PT);

5. THENCE along the arc of a reverse curve concave to the Northeast, a distance of 145.53 feet, a Radius of 1015.00 feet, a Delta of 08°12'55" and is subtended by a Chord bearing North 81°50'23" West, a distance of 145.41 feet to a point on the Westerly line of said Outlot 1;

6. THENCE North 00°17'50" East along said Westerly line, a distance of 30.69 feet to a Point of Curvature (PC);

7. THENCE leaving said Westerly line along the arc of a non-tangent curve concave to the Northeast, a distance of 147.60 feet, a Radius of 985.00 feet, a Delta of 08°35'08" and is

subtended by a Chord bearing South 81°39'16" East, a distance of 147.46 feet to a Point of Tangency (PT);

8. THENCE along the arc of a reverse curve concave to the Southwest, a distance of 313.48 feet, a Radius of 2015.00 feet, a Delta of 08°54' 49" and is subtended by a Chord bearing South 81°29'26" East, a distance of 313.16 feet to a Point of Tangency (PT);

9. THENCE South 77°02'01" East, a distance of 490.60 feet to a Point of Curvature (PC);

10. THENCE along the arc of a curve concave to the Southwest, a distance of 133.56 feet, a Radius of 1015.00 feet, a Delta of 07° 32' 22" and is subtended by a Chord bearing South 73°15'51" East, a distance of 133.46 feet to a Point of Tangency (PT);

11. THENCE along the arc of a reverse curve concave to the Northeast, a distance of 155.61 feet, a Radius of 985.00 feet, a Delta of 09°03'05" and is subtended by a Chord bearing South 74°01'12" East, a distance of 155.44 feet to said Northerly line of Outlot 1;
12. THENCE along said Northerly line of Outlot 1 the following two (2) courses:

    South 61°49'29" East, a distance of 28.63 feet;
    South 56°08'51" East, a distance of 50.08 feet to the POINT OF BEGINNING;

The above described parcel contains 38,346 sq. ft. (0.880 acres), more or less.

The purpose of the above described Permanent Easement is for non-motorized concrete trail.

Basis of Bearings: The basis of bearings for project reference is the South line of the Southwest Quarter (SW1/4) of Section Eight (8), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, bearing North 89°39'41" East, based upon GPS observations and the City of Fort Collins Coordinate System, a distance of 2626.48 feet, with all other bearings contained herein relative thereto.

For and on the behalf of
KING SURVEYORS
Vladislav D. Skrejev, PLS 38705
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011



CITY OF LOVELAND
REAL PROPERTY

TO BE ACQUIRED

Permanent Easement Number: PE-8B

FROM

City of Greely
1000 10th Street
Greely, CO 80631-3808

FOR

Project Code: 23631-23949
CDOT Project Number: TAP M830-102 - MTF 830-104
Location: Centerra Trail

EXHIBIT "A"

PROJECT CODE: 23631-23949
PROJECT NUMBER: TAP M830-102 - MTF 830-104
PARCEL NUMBER: PE-8B
DATE: MARCH 5, 2021

PROPERTY DESCRIPTION

A Permanent Easement No.PE-8B of the Department of Transportation, State of Colorado Project Code 23631-23949, CDOT Project Number TAP M830-102 - MTF 830-104, containing 1,204 sq. ft. (0.028 acres) more or less located in the Southwest Quarter (SW1/4) of Section Eight (8), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, being a portion of Outlot 1 of Waterfall 4th Subdivision, recorded December 14, 2007, as Reception No.20070093673, of the Records of Larimer County, being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 8; Thence North 53°03'43" East, a distance of 2091.11 feet to the Easterly line of said Outlot 1 of Waterfall 4th Subdivision and the POINT OF BEGINNING;

1. THENCE leaving said Easterly line of Outlot 1 North 42°50'12" West, a distance of 70.46 feet to a Point of Curvature (PC);

2. THENCE along the arc of a reverse curve concave to the Southwest, a distance of 8.81 feet, a Radius of 385.00 feet, a Delta of 01°18'38" and is subtended by a Chord bearing North 43°29'31" West, a distance of 8.81 feet to said Northerly line of Outlot 1;

3. THENCE along said Northerly line the following two (2) courses:

   South 76°20'01" East, a distance of 47.56 feet;
   South 62°49'01" East, a distance of 8.90 feet to the Northeasterly corner of said Outlot 1;

4. THENCE South 00°12'56" West along the Easterly line of said Outlot 1, a distance of 42.76 feet to the POINT OF BEGINNING;

The above described parcel contains 1,204 sq. ft. (0.028 acres), more or less.

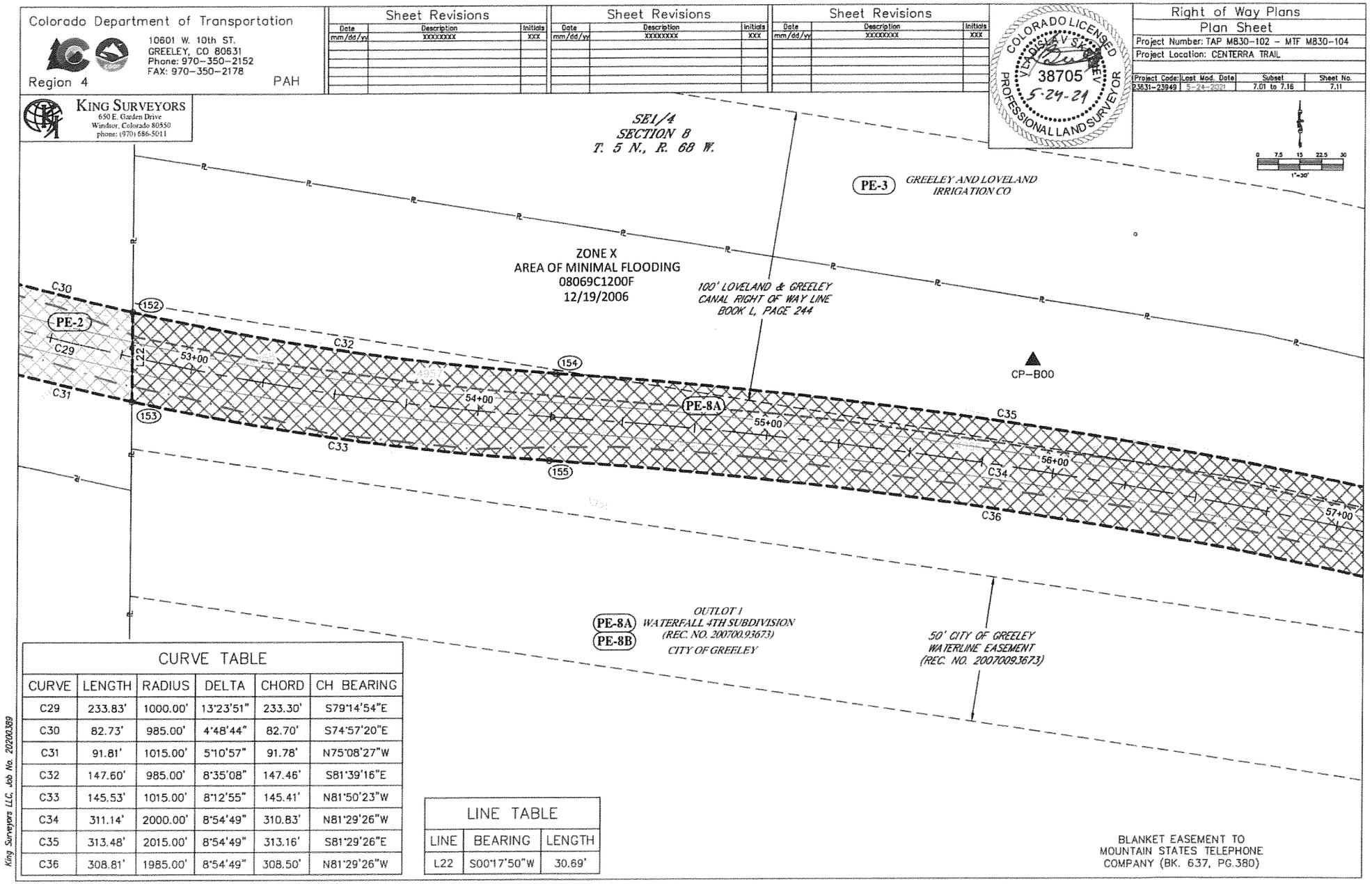
The purpose of the above described Permanent Easement is for non-motorized concrete trail.

Basis of Bearings: The basis of bearings for project reference is the South line of the Southwest Quarter (SW1/4) of Section Eight (8), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado, bearing North 89°39'41" East, based upon GPS observations and the City of Fort Collins Coordinate System, a distance of 2626.48 feet, with all other bearings contained herein relative thereto.

For and on the behalf of
KING SURVEYORS
Vladislav D. Skrejev, PLS 38705
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011



EXHIBIT A TO PARCEL 8A AND 8B (CITY OF GREELEY) - 1 PAGE



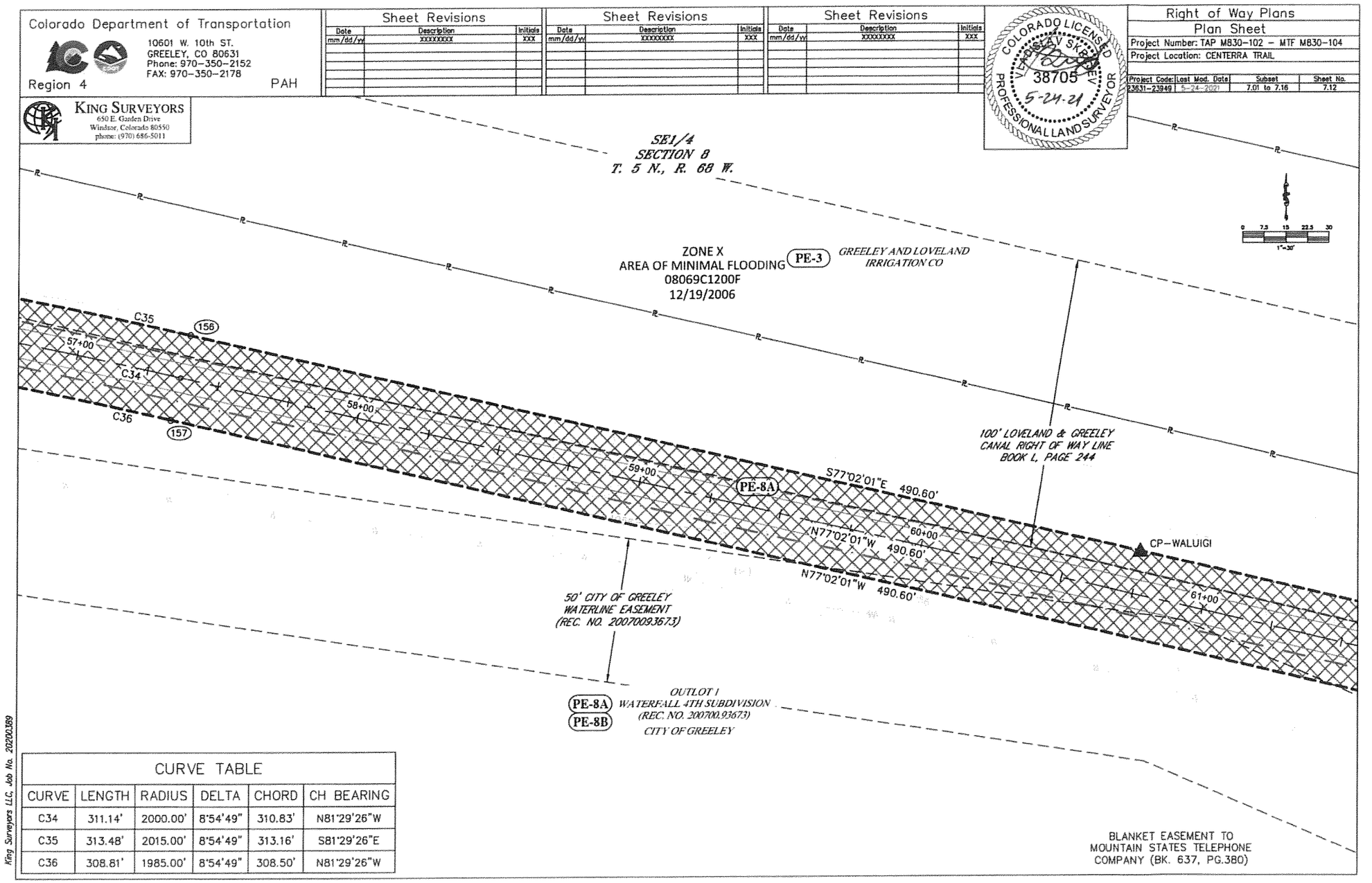
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C29	233.83'	1000.00'	13°23'51"	233.30'	S79°14'54"E
C30	82.73'	985.00'	4°48'44"	82.70'	S74°57'20"E
C31	91.81'	1015.00'	5°10'57"	91.78'	N75°08'27"W
C32	147.60'	985.00'	8°35'08"	147.46'	S81°39'16"E
C33	145.53'	1015.00'	8°12'55"	145.41'	N81°50'23"W
C34	311.14'	2000.00'	8°54'49"	310.83'	N81°29'26"W
C35	313.48'	2015.00'	8°54'49"	313.16'	S81°29'26"E
C36	308.81'	1985.00'	8°54'49"	308.50'	N81°29'26"W

LINE TABLE		
LINE	BEARING	LENGTH
L22	S00°17'50"W	30.69'

King Surveyors LLC, Job No. 20200389

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EXHIBIT 8A AND 8B CITY OF GREELEY PAGE 2



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C34	311.14'	2000.00'	8°54'49"	310.83'	N81°29'26"W
C35	313.48'	2015.00'	8°54'49"	313.16'	S81°29'26"E
C36	308.81'	1985.00'	8°54'49"	308.50'	N81°29'26"W

King Surveyors LLC, Job No. 20200389

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EXHIBIT 8A AND 8B (CITY OF GREELEY) PAGE 3

Colorado Department of Transportation
10601 W. 10th ST.
GREELEY, CO 80631
Phone: 970-350-2152
FAX: 970-350-2178
Region 4 PAH

KING SURVEYORS
650 E. Garden Drive
Windsor, Colorado 80550
phone: (970) 686-5011

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX

COLORADO LICENSED
38705
5-24-21
PROFESSIONAL LAND SURVEYOR

Right of Way Plans
Plan Sheet
Project Number: TAP M830-102 - MTF M830-104
Project Location: CENTERRA TRAIL

Project Code	Last Mod. Date	Subset	Sheet No.
23631-23949	5-24-2021	7.01 to 7.16	7.13

0 7.5 15 22.5 30
1"=30'

SE1/4
SECTION 8
T. 5 N., R. 68 W.

ZONE X
AREA OF MINIMAL FLOODING
08069C1200F
12/19/2006

PE-3 GREELEY AND LOVELAND IRRIGATION CO

100' LOVELAND & GREELEY CANAL RIGHT OF WAY LINE BOOK L, PAGE 244

S77°02'01"E 490.60'
N77°02'01"W 490.60'
N77°02'01"W 490.60'

158 159 160 161 162 163 164

62+00 63+00 64+00 65+00 66+00

C37 C38 C39 C40 C41 C42 C43

L23 L24

PE-8A PE-8B OUTLOT I WATERFALL 4TH SUBDIVISION (REC. NO. 200700.93673) CITY OF GREELEY

50' CITY OF GREELEY WATERLINE EASEMENT (REC. NO. 20070093673)

BLANKET EASEMENT TO MOUNTAIN STATES TELEPHONE COMPANY (BK. 637, PG.380)

CP-KIRBY

POINT OF BEGINNING
PE-3 & PE-8A
N41°49'51"E 1929.60'
FROM S1/4 COR., SEC. 8

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C37	131.59'	1000.00'	7°32'22"	131.49'	N73°15'51"W
C38	133.56'	1015.00'	7°32'22"	133.46'	N73°15'51"W
C39	129.61'	985.00'	7°32'22"	129.52'	N73°15'51"W
C40	304.63'	1000.00'	17°27'15"	303.46'	S78°13'17"E
C41	155.61'	985.00'	9°03'05"	155.44'	S74°01'12"E
C42	144.46'	985.00'	8°24'11"	144.33'	S82°44'50"E
C43	234.13'	1015.00'	13°12'59"	233.61'	S76°06'09"E

LINE TABLE

LINE	BEARING	LENGTH
L23	N61°49'29"W	28.63'
L24	N56°08'51"W	50.08'

King Surveyors LLC. Job No. 20200389

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EXHIBIT A TO PARCEL PE-8B (CITY OF GREELEY) PAGE 4

Colorado Department of Transportation
10601 W. 10th ST.
GREELEY, CO 80631
Phone: 970-350-2152
FAX: 970-350-2178
Region 4 PAH

Sheet Revisions			Sheet Revisions			Sheet Revisions		
Date	Description	Initials	Date	Description	Initials	Date	Description	Initials
mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX	mm/dd/yy	XXXXXXXX	XXX

Right of Way Plans
Plan Sheet
Project Number: TAP M830-102 – MTF M830-104
Project Location: CENTERRA TRAIL

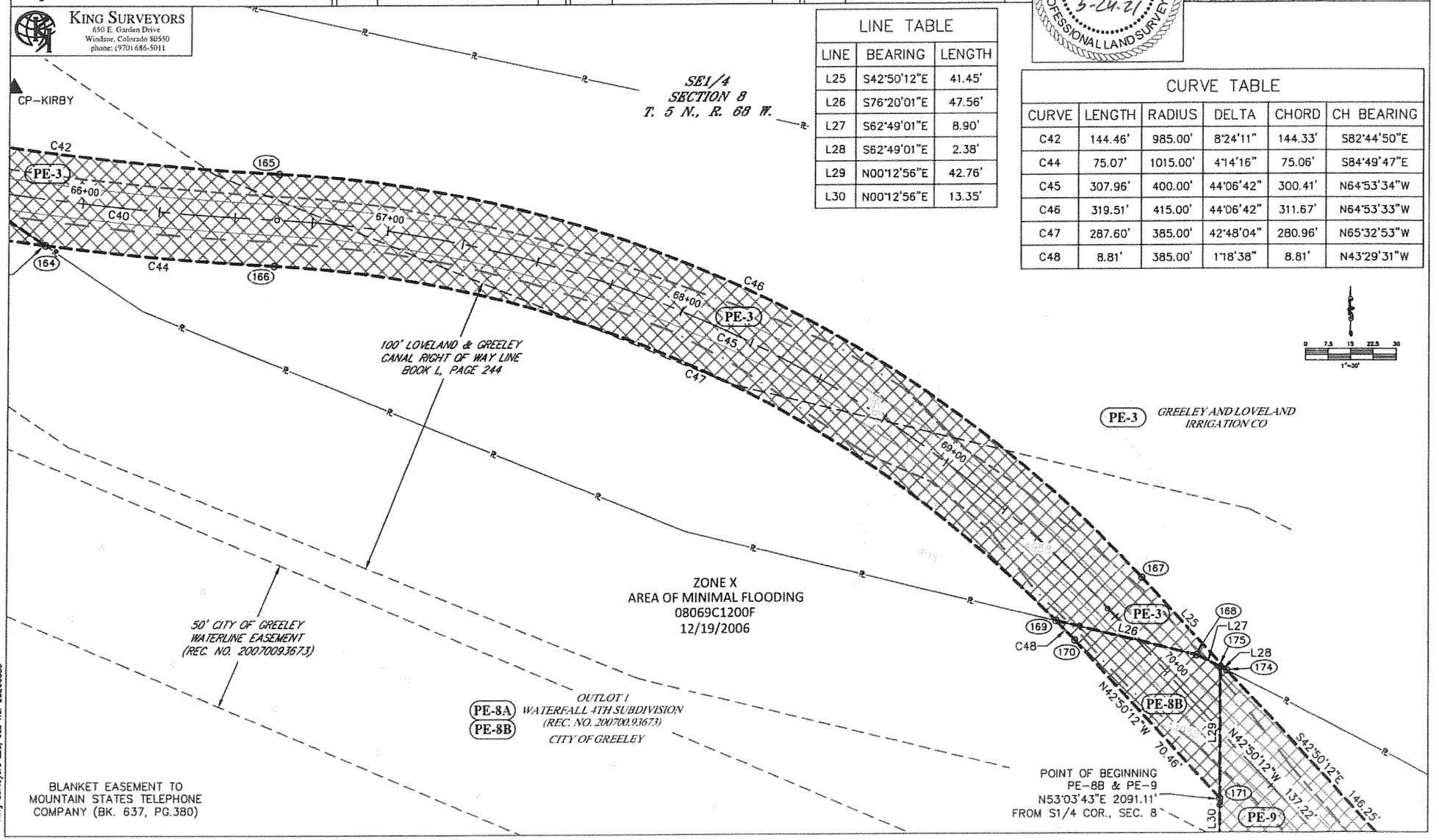
Project Code	Last Mod. Date	Subset	Sheet No.
23631-23949	5-24-2021	7.01 to 7.18	7.14

KING SURVEYORS
650 E. Garden Drive
Windsor, Colorado 80550
phone: (970) 686-5011

COLORADO LICENSED
VLADISLAV SVEC
38705
5-24-21
PROFESSIONAL LAND SURVEYOR

LINE TABLE		
LINE	BEARING	LENGTH
L25	S42°50'12"E	41.45'
L26	S76°20'01"E	47.56'
L27	S62°49'01"E	8.90'
L28	S62°49'01"E	2.38'
L29	N00°12'56"E	42.76'
L30	N00°12'56"E	13.35'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C42	144.46'	985.00'	8°24'11"	144.33'	S82°44'50"E
C44	75.07'	1015.00'	4°14'16"	75.06'	S84°49'47"E
C45	307.96'	400.00'	44°06'42"	300.41'	N64°53'34"W
C46	319.51'	415.00'	44°06'42"	311.67'	N64°53'33"W
C47	287.60'	385.00'	42°48'04"	280.96'	N65°32'53"W
C48	8.81'	385.00'	1°18'38"	8.81'	N43°29'31"W



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Recreation Trail & Bikeways Map
NORTH TRAIL
WESTSIDE TRAIL
Boyd Lake
BOYD LAKE TRAIL
CIVIC CENTER TRAIL
South Boyd Lake Trail
BIG THOMPSON RIVER TRAIL
LOVELAND
PARKS & RECREATION
Centerra Trail Location
City of Greeley Property

Loveland Centerra Trail Easement at Boyd Lake Water Treatment Plant

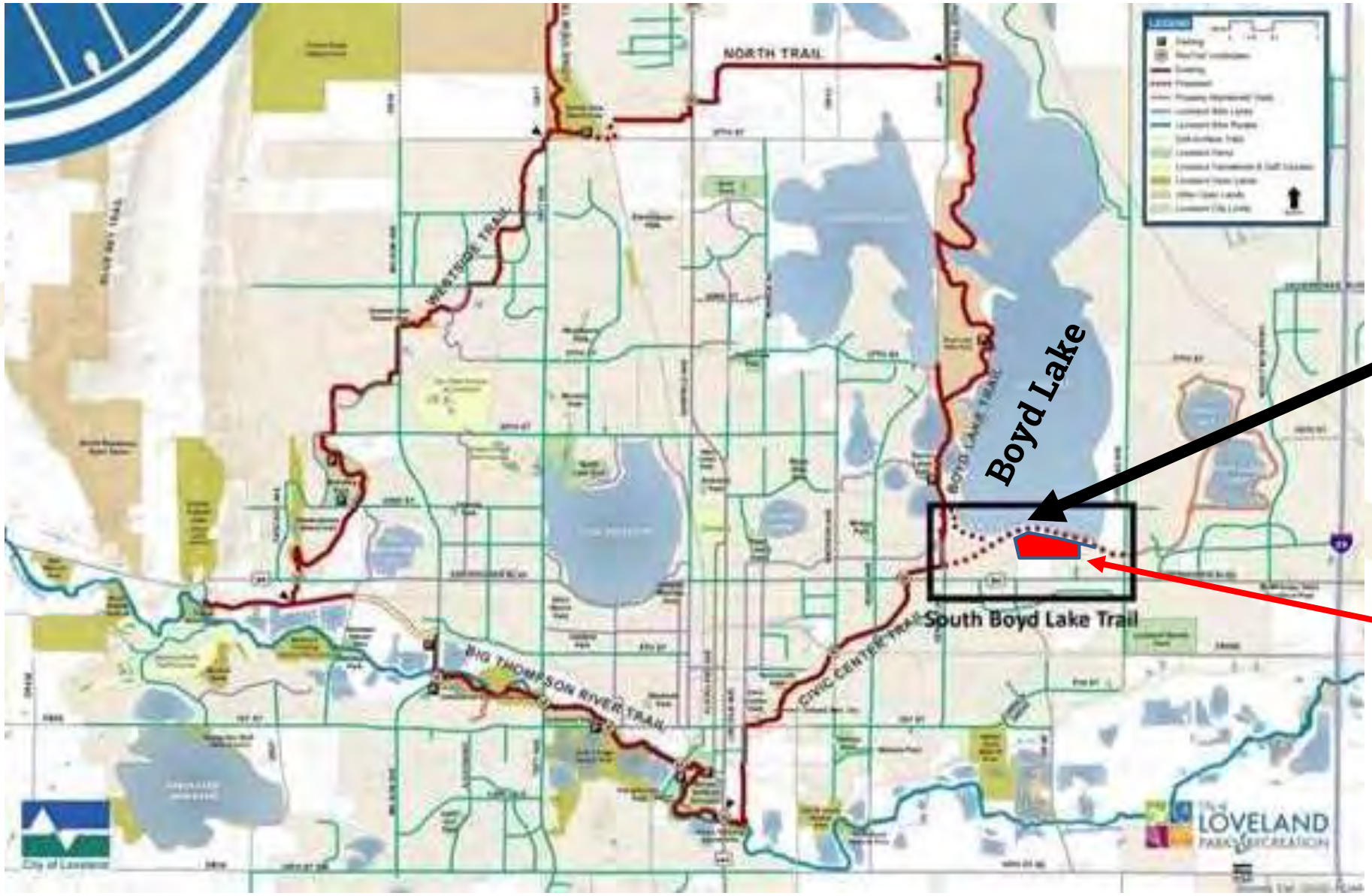
Presented to City Council

June 7, 2022



City of Greeley Colorado

Proposed Loveland Centerra Trail Easement



Centerra Trail Location

City of Greeley Property

City of Greeley Colorado

Proposed Loveland Centerra Trail Easement

- **Proposed Easement from City of Greeley & Water and Sewer**
  - **Coordinated with Greeley Real Estate and Loveland to ensure proper security signage and lighting**
  - **Coordination with Loveland and Greeley Loveland Irrigation Co. to ensure that Greeley and GLIC will have well maintained access to all water diversion and treatment infrastructure.**
  - **Coordination on educational signage about Greeley Loveland Irrigation Company and Seven lake system**



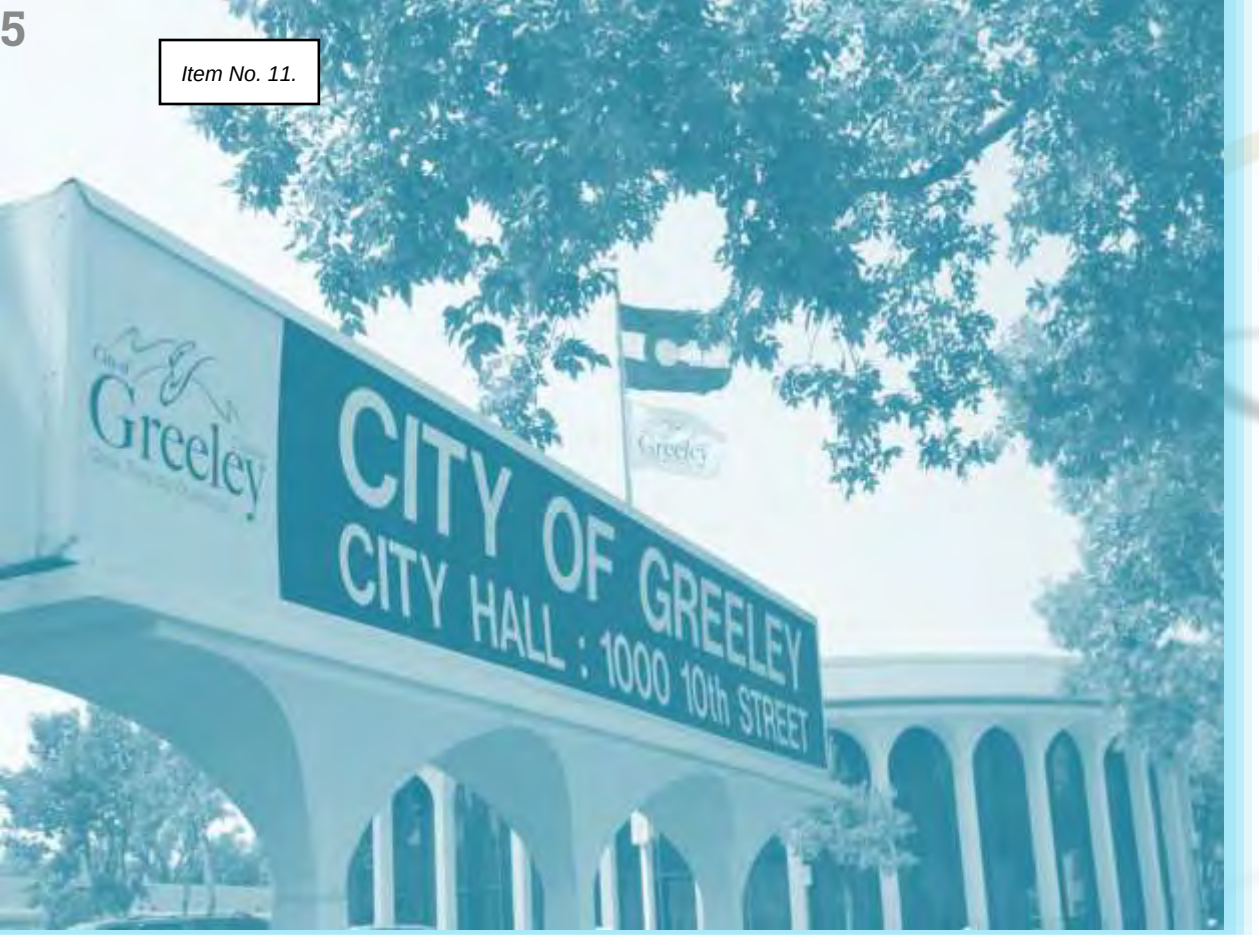
City of Greeley Colorado

Conclusions and Staff Recommendations:

- City is satisfied with the measures that have been taken to protect the water treatment function and facilities.
- Staff Recommends ordinance to conveyance of trail easement to City of Loveland
- Water & Sewer Board recommended the conveyance of easement at their May meeting.



City of Greeley Colorado



QUESTIONS?

Council Agenda Summary

June 7, 2022

Key Staff Contact: Becky Safarik, Community Development Director, 970-350-9786

Tim Swanson, Chief Building Official, 970-350-9853

Title:

Introduction and first reading of an ordinance amending sections of the Greeley Municipal Code Title 22, Buildings and Construction, Chapter 2 (Building Code), Chapter 3 (Residential Code), Chapter 4 (Mechanical Code), Chapter 5 (Property Maintenance Code), Chapter 6 (Existing Building, Chapter 8 (Energy Conservation Code), Chapter 9 (Plumbing Code), Chapter 10 (Fuel Gas Code), Chapter 12 (Fire Code) And Chapter 13 (Mobile Homes)

Summary:

These proposed code changes are related to the adoption of the 2021 International Building (IBC), Residential (IRC), Mechanical (IMC), Property Maintenance (IPMC), Existing Building (IEBC), Energy Conservation (IECC), Plumbing (IPC), Fuel Gas (IFGC), Fire (IFC) and Mobile Home Codes. Adoption of these internationally recognized codes (except the Mobile Home Code which is local) is typically done approximately every three years, coinciding with the code development results from the Committee Action Hearings, and the Public Comment Hearings of the International Code Council during the previous code cycle. Adopting the most recent edition of the codes allows the City of Greeley to maintain best practices in the construction trades related to the health, safety, and welfare of its citizens. Council last adopted the current set of the 2018 International Codes, with amendments, in 2019.

The Family of International Codes

The City has a long history of amending certain elements of the adopted codes to reflect local circumstances. The few modifications found in the proposed Ordinance are either related to formatting the Code document or are minor in nature, that is, items customized to Greeley's circumstances.

Significant Changes

By far, the most significant changes came with the International Energy Conservation Code (IECC). The most significant being increased changes in the R-value of insulation of walls and ceiling/attics, the increased efficiency of window and exterior doors, and the requirement of whole house air duct pressure testing for efficiency.

While these changes will not be eagerly accepted by the industry, House Bill, HB22-1362, will mandate the adoption of at minimum, the 2021 IECC by January 1, 2025. By adopting the most current edition of the IECC, the City will keep up with current changes that are certain to be even more restrictive in the future.

The Review Process

These amendments were debated and reviewed by the Construction Trades Advisory and Appeals Board ("CTABB") on April 21, 2022, the draft minutes from that meeting are

attached. The proposed amendments have also been reviewed by the City Attorney's Office.

The proposed Ordinance reflects discussion to date and the recommendation to update the current building codes. If adopted, the effective date of these changes would be January l, 2023.

Fiscal Impact:

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

Legal Issues:
Consideration of this matter is a legislative process.

Other Issues and Considerations:
None noted.

Strategic Work Program Item or 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.

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 July 19, 2022.

Attachments:
Ordinance – 2021 International Codes Adoption
Appx A 22-31 IBM
Appx B 22-76 IRC
Appx C 22-161 IMG
Appx D 22-192 IPMC

Appx E 22-236 IEBC
Appx F 220286 IECC
Appx G 22-306 IPC
Appx H 22-347 IFGC
Appx I 22-454 IFC
Construction Trades and Advisory Board Minutes, April 21, 2022 (draft)Appx J22-501 FMH
HB22-1362
HB22-1362 Analysis by Staycie Coons

CITY OF GREELEY, COLORADO
ORDINANCE NO. ____, 2022

AN ORDINANCE AMENDING TITLE 22, BUILDINGS AND CONSTRUCTION, OF THE GREELEY MUNICIPAL CODE RELATING TO THE ADOPTION OF THE 2021 INTERNATIONAL CODES

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt the most recent publication of the International Codes, with local amendments; and

WHEREAS, the City of Greeley had previously adopted the 2018 International Codes, with local amendments; and

WHEREAS, the proposed code amendments have been reviewed and recommended for approval by the City's Construction Trades Advisory and Appeals Board; and,

WHEREAS, the 2021 International Codes have been published and are the most recent edition.

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

Section 1. Chapter 2, Building Code, of Title 22, Buildings and Construction, shall be amended as shown in Appendix A.

Section 2. Chapter 3, Residential Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 3. Chapter 4, Mechanical Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 4. Chapter 5, Property Maintenance Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 5. Chapter 6, Existing Building Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 6. Chapter 8, Energy Conservation Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 7. Chapter 9, Plumbing Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 8. Chapter 10, Fuel Gas Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 9. Chapter 12, Fire Code, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 10. Chapter 13, Mobile Homes, of Title 22, Buildings and Construction shall be amended as shown in Appendix A.

Section 11. This ordinance shall become effective on January 1, 2023, following its final publication as provided by Section 3-16 of the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2022.

ATTEST: **THE CITY OF GREELEY, COLORADO**

_____ _____

City Clerk **Mayor**

APPENDIX A

Greeley Municipal Code Chapter Sec. 22-31 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-31. International Building Code adopted.

The International Building Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "building code." The building code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The building code provides the standards for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures.~~ **The provisions of this code shall apply to the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.**

Sec. 22-32. - Additions, deletions and amendments to Building Code designated.

Sections **105.2**, 109.3, 109.4, 109.6, 109.7, 110.3.~~5~~**6**, **110.6**, 113.1, 113.2, 113.3, 113.4, 114.1, 114.4, ~~406.3.4(1)~~ **406.3.2.1** ~~419.1.1(5), 508~~**.5.1(5),** 1008.3, **1507.2.98.4**, **1507.2.98.5**, 1608.2, 1907.2 and 2707.1 of the building code are hereby enacted as amended, added or deleted to read as set out in sections 22-33 through 22-51.

Sec. 22-33. Section 105.2 amended; work exempt from permit.

Sec. 105.2 of the building code is amended to read as follows:

Sec. 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following: Building.

~~a.~~ **1.** One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m^2).

~~b.~~ **2.** Fences not over 7 feet (2,134 mm) high.

~~c.~~ **3.** Oil derricks.

~~d.~~ **4.** Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.

~~e.~~ **5.** Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.

~~f.~~ **6.** Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work.

~~g.~~ **7.** Temporary motion picture, television and theater stage sets and scenery.

~~h.~~ 8. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.

~~i.~~ 9. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

~~j.~~ 11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

~~k.~~ 12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

~~l.~~ 13. Nonfixed and moveable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

Note: All flatwork requires a permit and shall comply with the applicable provisions of section 24-1022 of the Development Code.

Sec. 22-38. Section 110.3.~~5~~6 exception deleted; lath and gypsum board inspection.

Sec. 110.3.5 Exception of the building code is deleted in its entirety.

Sec. 22-39. Section 110.6 amended; approval required.

Sec. 110.6 of the building code is amended to read as follows:

110.6 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use. **When applicable, final occupancy shall not occur until a Certificate of Occupancy has been released.**

Sec. 22-44. Section ~~406.3.4(1)~~ 406.3.2.1 amended; dwelling unit separation.

Sec. 406.3.2.1 of the building code is amended to read as follows:

The private garage shall be separated from the dwelling unit and its attic area by means of a minimum five-eighths inch (15.9 mm) Type X gypsum board or equivalent applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than five-eighths inch (15.9 mm) Type X gypsum board or equivalent. Where the separation is a floor-ceiling assembly, or the ceiling is providing separation, the structure supporting the separation shall also be protected by not less than five-eighths inch (15.9 mm) Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1⅜ inches (34.9 mm) thick, or doors in compliance with section 716.5.3 with a fire protection rating of not less than 20 minutes. Doors shall be self-closing and self-latching.

Sec. 22-45. Section ~~419.1.1~~ 508.5.1(5) added; limitations.

Sec. ~~419.1.1~~ **508.5.1**(5) of the building code is added to read as follows:

(1) The nonresidential area is limited to a maximum occupant load of 49 as determined by Table 1004.1.2.

Sec. 22-47. Section 1507.2.~~9~~8.4 added; sidewall flashing.

Sec. 1507.2.9.4 of the building code is added to read as follows:

1507.2.9.4 Sidewall flashing. Flashing against a vertical sidewall shall be by the step-flashing method. The flashing shall be a minimum of 4 inches (102 mm) high and 4 inches (102 mm) wide. At the end of the vertical sidewall the step flashing shall be turned out in a manner that directs water away from the wall and onto the roof and/or gutter.

(Code 1994, § 16.04.180; Ord. No. 47, 2016 , §§ 1(exh. A), 2(exh. B), 12-20-2016)

Sec. 22-48. Section 1507.2.~~9~~8.5 added; other flashing.

Sec. 1507.2.9.5 of the building code is added to read as follows:

1507.2.9.5 Other flashing. Flashing against a vertical front wall, as well as soil stack, vent pipe and chimney flashing, shall be applied according to the asphalt shingle manufacturer's printed instructions.

APPENDIX B

Greeley Municipal Code Chapter Sec. 22-76 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-76. International Residential Code adopted.

The International Residential Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "residential code." The residential code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The residential code provides the standards for the design, erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of one- and two-family dwellings and townhouses.~~ **The provisions of this code shall apply to the construction, *alteration*, movement, enlargement, replacement, *repair*, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height.**

Sec. 22-77. Additions, deletions and amendments to residential code designated.

Sections R105.2 (1), R108.3, R108.5, R108.6, R108.7, **R109.4**, R112, R113.1, R113.4, Table R301.2(1), **R302.3**, R302.3(2), Table R302.6, R302.7, **R302.11(3)**, R310.1, ~~**R310.5**~~, R311.3.2, ~~**R328**~~ **R331**, **R405.2.3.1**, R506.3, M1801.1, G2412.9, G2412.10, G2415.9, G2415.12, G2417.4.1, G2417.4.2, G2425.8(7), G2445, P2603.5, **P2705.1(5)**, P2708.1, P2708.1(2), P2718.1, P2904.3.1, **P2904.8.1**, P2904.8.1(6), Table 3005.4.1, P3005.4.2, Table 3005.4.2, 3007.6, Table P3105.1, P3107.3, Table P3107.3, P3108.3, Table P3108.3, P3109.4, Table P3109.4, P3110.1, P3114.3, Table P3201.7 and Part VIII of the residential code are hereby enacted as amended, added or deleted to read as set out in sections 22-78 through 22-131.

Sec. 22-83. Section R109.4 amended; approval required.

Sec. R109.4 of the residential code is amended to read as follows:

R109.4 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of all systems, buildings, and structures, when completed and ready for occupancy and/or use. **When applicable, final occupancy shall not occur until a Certificate of Occupancy has been released.**

Sec. 22-87.5 Section R302.3 amended; two-family dwellings.

Sec. R302.3 of the residential code is amended to read as follows:

R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and floor assemblies having not less than a 1-hour fire-resistance rating where tested in accordance with ASTM E119, UL 263 or Section 703.2.2 of the International Building Code. ~~Such separation shall be provided regardless of whether a lot line exists between the two dwelling units or not.~~ Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the

exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing. **Each dwelling unit shall be structurally independent**

Sec. 22-88. - Section R302.3 exception (2) deleted; two-family dwellings.

Sec. R302.3 Exception (2) of the residential code is deleted in its entirety.

Sec. 22-91. Section R302.11(3) amended; fireblocking.

Sec. R302.11(3) of the residential code is amended to read as follows:

(~~1~~3) In concealed spaces between stair stringers at the top and bottom of the run, and between studs along, and in line with the run of stairs. Enclosed spaces under stairs shall comply with section R302.7.

~~**Sec. 22-93. Section R310.5 amended; emergency escape windows under decks and porches.**~~

~~Sec. R310.5 of the residential code is amended to read as follows:~~

~~*R310.5 Emergency escape windows under decks, porches and cantilevers.* Emergency escape windows are allowed to be installed under decks, porches and cantilevers provided the location allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a yard or court.~~

Sec. 22-96. Section ~~R327~~ R331 added; electric fences.

Sec. ~~R328~~ **R331** of the residential code is added in its entirety to read as follows:

Sec. ~~R328~~ **R331** *Electric fences.*

~~R328.1~~ **R331.1** *Definition.* For the purposes of this section, any fence using, carrying or transmitting an electrical current for any purpose is considered an electric fence.

~~R328.2~~ **R331.2** *Permit required.* In all cases, electric fences will require approval, and a building permit. All electrical components must be listed and labeled, by a nationally recognized independent testing agency, and installations must be made per the manufacturer's specifications, and the listing requirements.

~~R328.3~~ **R331.3** *Signs.* Permanent signs stating "DANGER, ELECTRIC FENCE" must be installed on or around the fence, as deemed necessary by the building inspection division.

~~R328.4~~ **R331.4** *Location.* All electric fences must be installed inside a non-electric fence, placed so as to prevent accidental contact from the outside. This subsection does not apply to approved agricultural uses.

~~R328.5~~ **R331.5** *Existing fences.* Any existing electric fence identified after the adoption of this code that does not conform to these requirements, shall have 60 days from the date of identification of the fence to come into compliance with these requirements, or the electric fence shall be removed.

Sec. 22-98. Section R405.2.3.1 added; electrical.

Sec. R405.2.3.1 of the residential code is added to read as follows:

R405.2.3.1 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within ~~five feet~~ **18 inches (457 mm)** of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

Sec. 22-100. Section M1801.1 amended; venting required.

Sec. M1801.1 of the residential code is amended to read as follows:

M1801.1 Venting required. Fuel-burning appliances shall be vented to the outside in accordance with their listing and label and manufacturer's installation instructions. Venting systems shall consist of approved chimneys or vents, or venting assemblies that are integral parts of labeled appliances. Gas-fired appliances shall be vented in accordance with ~~title~~ **Chapter** 24 of this Code.

Sec. 22-110. Section P2705.1(5) amended; general.

Sec. P2705.1(5) of the residential code is amended to read as follows:

P2705.1 General.

~~a.~~ **5** Water closets, lavatories and bidets. A water closet, lavatory or bidet shall not be set closer than 15 inches (381 mm) from its center to any side wall, partition or vanity or closet, or not less than 15 inches (381 mm) from the centerline of a bidet to the outermost rim of an adjacent water closet, or closer than 30 inches (762 mm) center-to-center between adjacent fixtures. There shall be at least a 24 inch (610 mm) clearance in front of the water closet, lavatory or bidet to any wall, fixture or door.

Sec. 22-116. P2904.8.1 amended; preconcealment inspection.

Sec. P2708.1 of the residential code is amended to read as follows:

P2904.8.1 Preconcealment inspection.

~~a.~~ **1** Piping is supported in accordance with the pipe manufacturers and sprinkler manufacturers installation instructions.

~~b.~~ **2** The piping system is tested in accordance with section P2503.7.

APPENDIX C

Greeley Municipal Code Chapter Sec. 22-161 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-161. International Mechanical Code adopted.

The International Mechanical Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "mechanical code." The mechanical code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The mechanical code provides the standards for the design, installation, alteration and inspection of mechanical systems within this jurisdiction.~~ **This code shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. This code shall also regulate those mechanical systems, system components, *equipment* and *appliances* specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired *appliances* and fuel gas-fired *appliance* venting systems shall be regulated by the *International Fuel Gas Code*.**

Sec. 22-162. Additions, deletions and amendments to mechanical code designated.

Sections ~~106.5.3~~ **109.6**, ~~108.4~~ **115.4**, ~~108.5~~, ~~109~~ **114**, 202, 312.1, and 506.3.11 Exception, of the mechanical code are hereby enacted as amended, added or deleted to read as set out in sections 22-163 through 22-169.

Sec. 22-163. Section ~~106.5.3~~ 109.6 amended; fee refunds.

Sec. ~~106.5.~~3 **109.6** of the mechanical code is amended to read as follows:

~~*106.5.3*~~ ***109.6*** *Fee refunds.* The code official shall authorize the refunding of fees as follows:

a. The full amount of any fee paid hereunder that was erroneously paid or collected.

b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

c. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

Sec. 22-164. Section ~~108.4~~ 115.4 amended; violation penalties.

Sec. ~~108.4~~ **115.4** of the mechanical code is amended to read as follows:

~~*108.4*~~ ***115.4*** *Violation penalties.* Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be punishable pursuant to chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

~~**Sec. 22-165. Section 108.5 amended; stop-work orders.**~~

~~Sec. 108.5 of the mechanical code is amended to read as follows:~~

~~*108.5 Stop work orders.* Upon notice from the code official, work on any mechanical system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.~~

Sec. 22-166. Section ~~109~~ 114 amended; means of appeals.

Sec. ~~109~~ **114** of the mechanical code shall be as described in sections 22-40 and 22-41.

APPENDIX D

Greeley Municipal Code Chapter Sec. 22-192 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-192. International Property Maintenance Code adopted.

The International Property Maintenance Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "property maintenance code." The property maintenance code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The property maintenance code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

Sec. 22-193. Additions, deletions and amendments to property maintenance code designated.

Sections ~~106.4~~ **109.4**, ~~107.3~~ **111.4.**, ~~108.1.1~~ **111.1.1**, ~~111.2~~ **108.1,** 202, 302.4, 302.8, 304.7, 304.14, 306.2, 308, 602.3 and 602.4 of the property maintenance code are hereby enacted as amended, added or deleted to read as set out in sections 22-194 through 22-196.

Sec. 22-194. Section ~~106.4~~ 109.4 amended; violation penalties.

Sec. ~~106.4~~ **109.4** of the property maintenance code is amended to read as follows:

~~*106.4*~~ ***109.4*** *Violation penalties.* Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof shall be subject to punishment as provided in chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 22-195. Section ~~107.3~~ 111.4.2 amended; method of service.

Sec. ~~107.3~~ **111.4.2** of the property maintenance code is amended to read as follows:

~~*107.3*~~ ***111.4.2*** *Method of service.* Such notice shall be deemed to be properly served if a copy thereof is:

a. Delivered personally;

b. Sent by certified or first-class mail addressed to the last-known address and a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice; or

c. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

Sec. 22-196. Section ~~108.1.1~~ 111.1.1.1 added; unsafe structures.

Sec. ~~108.1.1~~ **111.1.1.1** of the property maintenance code is added to read as follows:

~~*108.1.1.1*~~ ***111.1.1.1*** *Preliminary assessment.* Following written notice and posting of the property declared as "condemned" in accordance with section 108.1 of the property maintenance code, and as a result of suspected contamination as a result of the discovery of chemicals, equipment or supplies indicative of an illegal drug laboratory or when such a laboratory used to manufacture methamphetamine is otherwise discovered by and reported to the city by a law enforcement official, the property owner has 21 calendar days in which to have a preliminary assessment of the property conducted by an industrial hygienist (consultant). If the results of the preliminary assessment exceed the limits set forth in 6 CCR 1014-3, a written plan must be provided by an approved remediation company of the planned actions to decontaminate the subject property.

~~*108.1.1.2*~~ ***111.1.1.2*** *Time to commence remediation or demolition.* Based upon the findings of the consultant, and the review and approval of the decontamination plan by the building official, the property owner has 30 calendar days from the date of the building official's approval to commence remediation or demolition of the structure.

~~*108.1.1.3*~~ ***111.1.1.3*** *Permits required—Time to complete remediation and/or demolition.* The property owner shall obtain all necessary permits for the decontamination, remediation and/or demolition of the structure, which work shall in any event not be completed any later than 120 calendar days from the date of the initial posting and condemnation of the property by the building official.

~~*108.1.1.4*~~ ***111.1.1.4*** *Appeals.* Appeals by persons directed by the building official to take actions as described in this section are entitled to a hearing and review as described in sections 22-40 and 22-41.

Any violation of this section shall be punishable as provided in chapter 10 of title 1 of this Code.

Sec. 22-197. Section ~~111.2~~ 108.1 amended; membership of board.

Sec. ~~111.2~~ **108.1** of the property maintenance code shall be as described in sections 22-40 and 22-41.

APPENDIX E

Greeley Municipal Code Chapter Sec. 22-236 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-236. International Existing Building Code adopted.

The International Existing Building Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "existing building code." The existing building code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The existing building code provides the standards for the alteration, repair, addition, moving, change of occupancy and relocation of existing buildings.~~ **The provisions of this code shall apply to the *repair*, *alteration*, *change of occupancy*, *addition* to and relocation of *existing buildings*.**

Sec. 22-237. Additions, deletions and amendments to existing building code designated.

Sections 108.4, 112.1, 113.4 and 1401.2 of the existing building code are hereby enacted as amended, added or deleted to read as set out in sections 22-238 through 22-240.

~~**Sec. 22-241. Section 1401.2 amended; applicability.**~~

~~Sec. 1401.2 of the existing building code is amended to read as follows:~~

~~***1401.2 Applicability*. Structures existing at the time of adoption of this code in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of chapters 5 through 13. The provisions of sections 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.~~**

APPENDIX F

Greeley Municipal Code Chapter Sec. 22-286 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-286. International Energy Conservation Code adopted.

The International Energy Conservation Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "energy conservation code." The energy conservation code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The Energy Conservation Code regulates the design and construction of buildings for the effective use of energy.~~ **This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building. This code is intended to provide flexibility to permit the use of innovative approaches and techniques to achieve this objective. This code is not intended to abridge safety, health or environmental requirements contained in other applicable codes**

APPENDIX G

Greeley Municipal Code Chapter Sec. 22-306 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-306. International Plumbing Code adopted.

The International Plumbing Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "plumbing code." The building code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The plumbing code provides the standards for erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction.~~ **The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. This code shall regulate nonflammable medical gas, inhalation anesthetic, vacuum piping, nonmedical oxygen systems and sanitary and condensate vacuum collection systems. The installation of fuel gas distribution piping and equipment, fuel-gas-fired water heaters and water heater venting systems shall be regulated by the *International Fuel Gas Code*. Provisions in the appendices shall not apply unless specifically adopted.**

Sec. 22-307. Additions, deletions and amendments to plumbing code designated.

Sections ~~106.6.3~~ **109.5**, ~~108.4~~ **115.4**, **108.5**, ~~109~~ **114**, 305.4, 405.3.1, 405.6, 406.2, ~~414.2~~ **417.2**, ~~417.4~~ **421.4** ~~417.4~~ **421.4 Exception**, 712.4.2, 712.4.3, Table 906.1, Table 909.1, 914.1, 915.3, 918.3, ~~1003.3.4.1~~ **1003.3.5.1**, 1103.1, 1113.1.2, and **1113.1.3** of the plumbing code are hereby enacted as amended, added or deleted to read as set out in sections 22-308 through 22-329.

Sec. 22-308. Section ~~106.6.3~~ 109.5 amended; fee refunds.

Sec. ~~106.6.3~~ **109.5** of the plumbing code is amended to read as follows:

~~*106.6.3*~~ ***109.5*** *Fee refunds.* The code official shall authorize the refunding of fees as follows:

a. The full amount of any fee paid hereunder that was erroneously paid or collected.

b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

c. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

Sec. 22-309. Section ~~108.4~~ 115.4 amended; violation penalties.

Sec. ~~108.4~~ **115.4** of the plumbing code is amended to read as follows:

~~*108.4*~~ ***115.4*** *Violation penalties.* Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be punishable pursuant to

chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

~~**Sec. 22-310. Section 108.5 amended; stop-work orders.**~~

~~Sec. 108.5 of the plumbing code is amended to read as follows:~~

~~*108.5 Stop work orders.* Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.~~

Sec. 22-311. Section ~~109~~ 114 amended; means of appeal.

Sec. ~~109~~ 114 of the plumbing code shall be as described in sections 22-40 and 22-41.

Sec. 22-316. Section ~~414.2~~ 417.2 amended; waste connection.

Sec. 417.2 of the plumbing code is amended to read as follows:

417.2 Waste connection. Garbage can washers shall be located only in weather-tight enclosures and shall be trapped separately. The receptacle receiving the waste from the washer shall have a removable basket or strainer to prevent the discharge of large particles into the drainage system.

Sec. 22-317. Section ~~417.4~~ 421.4 amended; shower compartments.

Sec. 421.4 of the plumbing code is amended to read as follows:

421.4 Shower compartments. All shower compartments shall have a minimum of 1,024 square inches (0.66 m^2) of interior cross-sectional area. Shower compartments shall not be less than 32 inches (813 mm) in minimum dimension measured from the finished interior dimension of the compartment, exclusive of fixture valves, showerheads, soap dishes, and safety grab bars or rails. Except as required in section 404, the minimum required area and dimension shall be measured from the finished interior dimension at a height equal to the top of the threshold and at a point tangent to its centerline and shall be continued to a height not less than 70 inches (1,778 mm) of this section the shower drain outlet.

Sec. 22-318. Section ~~417.4~~ 421.4 deleted; exception, shower compartments.

Sec. 421.4, Exception, of the plumbing code is deleted in its entirety.

Sec. 22-326. Section ~~1003.3.4.1~~ 1003.3.5.1 amended; grease interceptor capacity.

Sec. ~~1003.3.4.1~~ 1003.3.5.1 of the plumbing code shall be amended to read as follows:

~~*1003.3.4.1*~~ *1003.3.5.1 Grease interceptor capacity.* Grease interceptors shall be sized as per Table ~~1003.3.4.1.~~ 1003.3.5.1

Sec. 22-329. Section 1113.1.3 amended; electrical.

Sec. 1113.1.3 of the plumbing code is amended to read as follows:

1113.1.3 Electrical. A 125-volt, 15-ampere, GFCI-protected, electrical receptacle outlet shall be installed within ~~five feet~~ 18 inches (457 mm) of the sump pit location. The branch circuit feeding this outlet shall be a dedicated circuit.

APPENDIX H

Greeley Municipal Code Chapter Sec. 22-347 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-347. International Fuel Gas Code adopted.

The International Fuel Gas Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "fuel gas code." The fuel gas code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. ~~The fuel gas code shall apply to the installation of fuel-gas piping systems, fuel-gas utilization equipment and related accessories.~~ **This code shall apply to the installation of fuel-gas *piping* systems, fuel gas *appliances*, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5.**

Sec. 22-348. Additions, deletions and amendments to fuel gas code designated.

Sections ~~106.6.3~~ **109.6**, ~~108.4~~ **115.4**, **108.5**, ~~109~~ **113**, 401.9, 401.10, 404.9, 404.12, 406.4.1, 406.4.2, and 621 of the fuel gas code are hereby enacted as amended, added, or deleted to read as set out in sections 22-349 through 22-359.

Sec. 22-349. Section ~~106.6.3~~ 109.6 amended; fee refunds.

Sec. ~~106.6.3~~ **109.6** of the fuel gas code is amended to read as follows:

~~*106.6.3*~~ ***109.6*** *Fee refunds.* The code official shall authorize the refunding of fees as follows:

a. The full amount of any fee paid hereunder that was erroneously paid or collected.

b. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

c. Not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid more than 180 days from the date of fee payment.

Sec. 22-350. Section ~~108.4~~ 115.4 amended; violation penalties.

Sec. ~~108.4~~ **115.4** of the fuel gas code is amended to read as follows:

~~*108.4*~~ ***115.4*** *Violation penalties.* Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be punishable pursuant to chapter 10 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

~~**Sec. 22-351. Section 108.5 amended; stop-work orders.**~~

~~Sec. 108.5 of the fuel gas code is amended to read as follows:~~

~~*108.5 Stop work orders.* Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work.~~

Sec. 22-352. Section ~~109~~ 113 amended; means of appeal.

Sec. ~~109~~ 113 of the fuel gas code shall be as described in sections 22-40 and 22-41.

APPENDIX I

Greeley Municipal Code Chapter Sec. 22-454 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-454. International Fire Code adopted.

The International Fire Code, ~~2018~~ **2021** edition, is hereby adopted by reference for the city, except as amended in this chapter, and is hereinafter referred to as the "fire code." The fire code is published by the International Code Council, Inc., 5360 Workman Mill Road, Whittier, CA 90601-2298. The fire code shall establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life, safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to firefighters and emergency responders during emergency operations.

Sec. 22-455. Additions, deletions and amendments to fire code designated.

Sections 101.1, 102.3, 102.4, 102.7, 104.1.1, 105.6.32, ~~109.1~~ **111.1**, ~~110.4~~ **112.4**, ~~111.4~~ **113.4**, 903.2.8, **903.3.1.3**,5504.3.1.1.3, 5704.2.9.6.1, 5706.3.1, 5706.3.1.1, 5706.3.1.2, 5706.3.1.3.1, 5706.3.1.3.2, 6104.2.1**,** ~~and~~ 6104.3.2**, Chapter 80, Appendix B and Appendix C** of the fire code are hereby enacted as amended, added or deleted to read as set out in sections 22-456 through 22-473.

Sec. 22-462. Section ~~109.1~~ 111.1 amended; appeals process.

Sec. ~~109.1~~ **111.1** of the fire code is amended to read as follows:

~~*109.1*~~ ***111.1*** *Appeals process.* All appeals shall first be made in writing to the fire marshal. A subsequent appeal to the fire marshal's decision shall be made in writing to the fire chief. An appeal to the fire chief's decision shall be made in writing to the city construction trades advisory and appeals board. All decisions and findings shall be rendered in writing to the appellant with a duplicate copy filed in the office of the fire marshal. Rulings by the city construction trades advisory and appeals board shall be final.

Sec. 22-463. Section ~~110.4~~ 112.4 amended; violation penalties.

Sec. ~~110.4~~ **112.4** of the fire code is amended to read as follows:

~~*110.4*~~ ***112.4*** *Violation penalties.* Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be punishable pursuant to chapter 9 of title 1 of this Code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Sec. 22-464. Section ~~111.4~~ 113.4 amended; failure to comply.

Sec. ~~111.4~~ **113.4** of the fire code is amended to read as follows:

~~*111.4*~~ ***113.4*** *Failure to comply.* Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punishable pursuant to chapter 9 of title 1 of this Code.

Sec. 22-465.5. Section 903.3.1.3 amended; NFPA 13D Sprinkler Systems.

Sec. 903.3.1.3 of the fire code is amended to read as follows:

903.3.1.3 NFPA 13D Sprinkler systems. Automatic sprinkler systems installed in one- and two-family dwellings; Group R-3; Group R-4 Condition 1; and townhouses shall **NOT** be permitted to be installed throughout in accordance with NFPA 13D. **When required, automatic residential fire sprinkler systems in one- and two-family dwellings; Group R-3; Group R-4 Condition 1; and townhouses shall be installed throughout in accordance with Section P2904 of the Residential Code.**

Sec. 22-474 – Chapter 80 is amended with the addition of NFPA Standard 855-20: Standard for the Installation of Stationary Energy Storage Systems

The Fire Code is amended by the addition of NFPA Standard 855-20-Standard for the Installation of Stationary Energy Storage Systems

Sec. 22-475 - APPENDIX B added - Fire-Flow Requirements for Buildings.

The Fire Code is amended by the addition of the Appendix B

Sec. 22-476 - APPENDIX C added – Fire Hydrants Locations and Distribution.

The Fire Code is amended by the addition of the Appendix C

APPENDIX J

Greeley Municipal Code Chapter Sec. 22-501 is amended as follows (additions indicated by underline; deletions indicated by strikethrough)**:**

Sec. 22-501 - Installation standards.

(m) Landings and porches. Each mobile home shall be provided with a minimum thirty-six-inch by thirty-six-inch (36" x 36"), **structurally independent,** landing or porch within ~~eight (8)~~ **seven and three quarters 7 ¾** inches, measured vertically **to the top of the threshold**, of all doorway**s.** ~~thresholds. Such~~ **The required** landing or porch shall be served by **either** stairs or ramp, ~~guardrail~~ **guards** and handrails **shall be** constructed in accordance with the **adopted** ~~City Building~~ **Residential** Code.

(n) Structural additions. Additions, carports, decks and similar accessory structures or buildings shall not be structurally supported by or attached to a mobile or *manufactured home* unless the mobile or *manufactured home* is supported by and attached to an engineered permanent foundation, or engineering calculations are submitted to substantiate any proposed structural connection.

Exception: The *building official* may waive the submission of engineering calculations if it is found that the nature of the work applied for is such that engineering calculations are not necessary to show conformance to these provisions.

Item No. 12.

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

REREVISED
This Version Includes All Amendments
Adopted in the Second House

LLS NO. 22-0058.02 Pierce Lively x2059 **HOUSE BILL 22-1362**

HOUSE SPONSORSHIP

Bernett and Valdez A., Amabile, Bacon, Benavidez, Boesenecker, Cutter, Froelich, Hooton, Jodeh, Kennedy, Kipp, Lindsay, Lontine, McCormick, Michaelson Jenet, Sirota, Titone, Woodrow

SENATE SPONSORSHIP

Hansen and Winter, Jaquez Lewis, Moreno, Priola

SENATE
Amended 3rd Reading
May 9, 2022

SENATE
Amended 2nd Reading
May 7, 2022

HOUSE
3rd Reading Unamended
May 2, 2022

HOUSE
Amended 2nd Reading
April 29, 2022

House Committees
Energy & Environment
Appropriations

Senate Committees
State, Veterans, & Military Affairs
Appropriations

A BILL FOR AN ACT

CONCERNING THE REDUCTION OF BUILDING GREENHOUSE GAS EMISSIONS, AND, IN CONNECTION THEREWITH, REQUIRING THE DIRECTOR OF THE COLORADO ENERGY OFFICE AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS TO APPOINT AN ENERGY CODE BOARD THAT DEVELOPS TWO MODEL CODES, REQUIRING LOCAL GOVERNMENTS AND CERTAIN STATE AGENCIES TO ADOPT AND ENFORCE CODES THAT ARE CONSISTENT WITH THE MODEL CODES DEVELOPED BY THE ENERGY CODE BOARD, CREATING THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM, CREATING THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM, AND ESTABLISHING THE CLEAN AIR BUILDING INVESTMENTS FUND.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at http://leg.colorado.gov.)

The bill requires the Colorado energy office (office) to identify for adoption 3 sets of model code language:

- Model electric and solar ready code language;
- Model low energy and carbon code language; and
- Model green code language.

On or before January 1, 2025, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy performance than the 2021 international energy conservation code and the model electric and solar ready code language identified for adoption by the office.

On or before January 1, 2030, municipalities, counties, the office of the state architect, the division of housing, and the division of fire prevention and control shall adopt and enforce an energy code that achieves equivalent or better energy and carbon emissions performance than the model low energy and carbon code language identified for adoption by the office.

In the event of a conflict between the 2021 international energy conservation code, the 2024 international energy conservation code, or any of these 3 sets of model code language and either the Colorado plumbing code or the national electric code, the Colorado plumbing code or the national electric code prevails.

The bill creates 2 primary grant programs:

- The building electrification for public buildings grant program to provide grants to local governments, school districts, state agencies, and special districts for the installation of high-efficiency electric heating equipment; and
- The high-efficiency electric heating and appliances grant program to provide grants to local governments, utilities, nonprofit organizations, and housing developers for the installation of high-efficiency electric heating equipment in multiple structures within a neighborhood.

The bill establishes the clean air building investments fund, a continuously appropriated cash fund, to fund the creation, implementation, and administration of both of these grant programs.

The bill also requires the following transfers from the general fund:

- $3 million to the energy fund created for the Colorado energy office to issue grants and provide training related to the 2021 international energy conservation code, electric and solar ready codes, and low energy and carbon codes;
- $10 million to the clean air building investments fund for the creation, implementation, and administration of the building electrification for public buildings grant program; and
- $12 million to the clean air building investments fund for the creation, implementation, and administration of the high-efficiency electric heating and appliances grant program.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** part 4 to article 38.5 of title 24 as follows:

PART 4

ENERGY CODE ADOPTION

24-38.5-401. Energy code board - appointment - creation - duties - definitions - repeal. (1) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "ACCEPTABLE REFRIGERANT" MEANS A REFRIGERANT THAT IS:

(I) LISTED AS ACCEPTABLE IN 42 U.S.C. SEC. 7671k OF THE FEDERAL "CLEAN AIR ACT" AND USED IN EQUIPMENT THAT IS LISTED AND INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THAT SECTION; AND

(II) LISTED AS ACCEPTABLE IN APPENDIX U AND APPENDIX V OF SUBPART G OF 40 CFR 82 AND USED IN EQUIPMENT THAT IS LISTED AND INSTALLED PURSUANT TO THE USE CONDITIONS IMPOSED WITHIN THOSE APPENDICES.

(b) "ELECTRIC READY" MEANS ADEQUATE PANEL CAPACITY, DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL RECEPTACLES, AND ADEQUATE PHYSICAL SPACE TO ACCOMMODATE FUTURE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC APPLIANCES INCLUDING HEATING, WATER HEATING, COOKING, DRYING, AND AN ELECTRIC VEHICLE.

(c) "ENERGY CODE BOARD" MEANS THE ENERGY CODE BOARD APPOINTED BY THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO SUBSECTION (2) OF THIS SECTION.

(d) (I) "EV CAPABLE" MEANS A PARKING SPACE THAT:

(A) HAS THE ELECTRICAL PANEL CAPACITY AND CONDUIT INSTALLED TO SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL VEHICLE CHARGING WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND A MINIMUM OF FORTY-AMPERE RATED CIRCUITS; AND

(B) IS ADJACENT TO THE TERMINAL POINT OF THE CONDUIT FROM THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(d)(I)(A) OF THIS SECTION.

(II) "EV CAPABLE" INCLUDES TWO ADJACENT PARKING SPACES IF THE CONDUIT FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(d)(I)(A) OF THIS SECTION TERMINATES ADJACENT TO AND BETWEEN BOTH PARKING SPACES.

(e) (I) "EV READY" MEANS A PARKING SPACE THAT:

(A) HAS THE ELECTRICAL PANEL CAPACITY, RACEWAY WIRING, RECEPTACLE, AND CIRCUIT OVERPROTECTION DEVICES INSTALLED TO SUPPORT FUTURE IMPLEMENTATION OF ELECTRICAL VEHICLE CHARGING WITH A MINIMUM OF TWO HUNDRED EIGHT VOLTS AND A MINIMUM OF

FORTY-AMPERE RATED CIRCUITS; AND

(B) IS ADJACENT TO THE RECEPTACLE FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(e)(I)(A) OF THIS SECTION.

(II) "EV READY" INCLUDES TWO ADJACENT PARKING SPACES IF THE RECEPTACLE FOR THE ELECTRICAL FACILITIES DESCRIBED IN SUBSECTION (1)(e)(I)(A) OF THIS SECTION IS INSTALLED ADJACENT TO AND BETWEEN BOTH PARKING SPACES.

(f) "EV SUPPLY EQUIPMENT" MEANS:

(I) AN ELECTRIC VEHICLE CHARGING SYSTEM AS DEFINED IN SECTION 38-12-601 (6)(a) THAT HAS POWER CAPACITY OF AT LEAST 6.2 KILOWATTS AND HAS THE ABILITY TO CONNECT TO THE INTERNET; OR

(II) AN INDUCTIVE RESIDENTIAL CHARGING SYSTEM FOR BATTERY-POWERED ELECTRIC VEHICLES THAT:

(A) IS CERTIFIED BY UNDERWRITERS LABORATORIES OR AN EQUIVALENT CERTIFICATION;

(B) COMPLIES WITH THE CURRENT VERSION OF ARTICLE 625 OF THE NATIONAL ELECTRICAL CODE, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AND OTHER APPLICABLE INDUSTRY STANDARDS;

(C) IS ENERGY STAR CERTIFIED; AND

(D) HAS THE ABILITY TO CONNECT TO THE INTERNET.

(g) "INDIVIDUAL WITH A DISABILITY" HAS THE SAME MEANING AS SET FORTH IN THE FEDERAL "AMERICANS WITH DISABILITIES ACT OF 1990", 42 U.S.C. SEC. 12101 ET SEQ., AND ITS RELATED AMENDMENTS AND IMPLEMENTING REGULATIONS.

(h) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, OR

SUBSEQUENT CODE OR ENTITY.

(i) "MIXED FUEL USE BUILDING" MEANS A RESIDENTIAL OR COMMERCIAL BUILDING THAT IS DESIGNED AND BUILT WITH EQUIPMENT THAT USES GASEOUS FUELS ON SITE IN ADDITION TO ELECTRICITY.

(j) "PROVISIONS FOR ELECTRICAL SERVICE CAPACITY" MEANS:

(I) BUILDING ELECTRICAL SERVICE, SIZED FOR THE ANTICIPATED LOAD OF ELECTRIC VEHICLE CHARGING STATIONS, THAT HAS OVER CURRENT PROTECTION DEVICES NECESSARY FOR ELECTRIC VEHICLE CHARGING STATIONS OR HAS ADEQUATE SPACE TO ADD OVER CURRENT PROTECTION DEVICES;

(II) A CONDUIT SYSTEM INSTALLED FROM BUILDING ELECTRICAL SERVICE TO PARKING SPACES THAT CAN SUPPORT, AT A MINIMUM, ELECTRICAL WIRING FOR INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS, AND, IF THE CONDUIT SYSTEM IS FOR FUTURE INSTALLATION OF ELECTRIC VEHICLE CHARGING STATIONS, THAT LABELS BOTH ENDS OF THE CONDUIT SYSTEM TO MARK THE CONDUIT SYSTEM AS PROVIDED FOR FUTURE ELECTRIC VEHICLE CHARGING STATIONS; AND

(III) SPACE WITHIN A BUILDING TO ADD ADDITIONAL BUILDING ELECTRICAL SERVICE FOR INSTALLATION OF ELECTRICAL SERVICE CAPACITY FOR ELECTRIC VEHICLE CHARGING STATIONS.

(k) "SOLAR READY" MEANS ADEQUATE PANEL CAPACITY, DEDICATED ELECTRICAL PANEL SPACE, ELECTRICAL CONDUIT, PHYSICAL ROOF SPACE, AND STRUCTURAL LOAD TO ACCOMMODATE FUTURE INSTALLATION OF SOLAR PANELS, WITH EXEMPTIONS FOR SMALL ROOFS AND CONSISTENTLY SHADED ROOFS.

(l) "STATE AGENCIES" MEANS THE OFFICE OF THE STATE ARCHITECT, THE DIVISION OF FIRE PREVENTION AND CONTROL, AND THE

DIVISION OF HOUSING.

(2) **Appointment of the energy code board.** ON OR BEFORE OCTOBER 1, 2022, THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL APPOINT AND CONVENE AN ENERGY CODE BOARD TO DEVELOP BOTH A MODEL ELECTRIC READY AND SOLAR READY CODE AND A MODEL LOW ENERGY AND CARBON CODE FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE AGENCIES.

(3) (a) **Membership of the energy code board.** THE ENERGY CODE BOARD CONSISTS OF THE FOLLOWING MEMBERS APPOINTED BY THE DIRECTOR OF THE COLORADO ENERGY OFFICE:

(I) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE DIRECTOR'S DESIGNEE;

(II) ONE MEMBER REPRESENTING THE URBAN COUNTIES OF THE STATE;

(III) ONE MEMBER REPRESENTING THE MUNICIPALITIES IN RURAL AREAS OF THE STATE;

(IV) TWO MEMBERS REPRESENTING ENVIRONMENTAL OR SUSTAINABILITY GROUPS;

(V) ONE MEMBER WHO IS A SOLAR POWER EXPERT;

(VI) ONE MEMBER WHO IS AN ENERGY EFFICIENCY EXPERT;

(VII) ONE MEMBER REPRESENTING PROFESSIONAL ENGINEERS WITH EXPERIENCE WORKING ON SYSTEMS FOR BUILDINGS;

(VIII) ONE MEMBER REPRESENTING AN ELECTRICAL UTILITY, A GAS UTILITY, OR A COMBINED ELECTRIC AND GAS UTILITY;

(IX) ONE MEMBER REPRESENTING ARCHITECTS; AND

(X) ONE MEMBER WHO IS A BUILDING ENERGY CODE EXPERT.

(b) THE ENERGY CODE BOARD CONSISTS OF THE FOLLOWING

MEMBERS APPOINTED BY THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS:

(I) THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE DIRECTOR'S DESIGNEE;

(II) ONE MEMBER REPRESENTING THE RURAL COUNTIES OF THE STATE;

(III) ONE MEMBER REPRESENTING THE MUNICIPALITIES IN URBAN AREAS OF THE STATE;

(IV) TWO MEMBERS REPRESENTING AFFORDABLE HOUSING OPERATIONS:

(A) ONE OF THESE MEMBERS MUST REPRESENT A FOR-RENT NONPROFIT BUILDER WHO SERVES POPULATIONS WITH INCOMES UNDER EIGHTY PERCENT OF AN AREA'S MEDIAN INCOME; AND

(B) ONE OF THESE MEMBERS MUST REPRESENT A NONPROFIT AFFORDABLE FOR-SALE HOUSING BUILDER;

(V) TWO MEMBERS WHO HOLD AN ELECTRICAL LICENSE, PLUMBING LICENSE, OR A PROFESSIONAL CREDENTIAL IN THE MECHANICAL TRADES, AT LEAST ONE OF WHOM IS A MEMBER OF A LABOR ORGANIZATION;

(VI) ONE MEMBER REPRESENTING A STATEWIDE ORGANIZATION FOR HOME BUILDING PROFESSIONALS;

(VII) ONE MEMBER WITH BUILDING OPERATION EXPERTISE; AND

(VIII) ONE MEMBER WHO IS A CONTRACTOR WHO PROVIDES MECHANICAL, ELECTRICAL, OR PLUMBING SERVICES OR REPRESENTS A STATEWIDE ASSOCIATION THAT REPRESENTS MECHANICAL, ELECTRICAL, OR PLUMBING CONTRACTORS; AND

(c) ONE OF THE MEMBERS IDENTIFIED IN SUBSECTIONS (3)(a)(II), (3)(a)(III), (3)(b)(II), OR (3)(b)(III) OF THIS SECTION MUST BE A BUILDING

OFFICIAL.

(d) IN ORDER TO BE SELECTED BY THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS AS A MEMBER OF THE ENERGY CODE BOARD, AN APPLICANT MUST SUBMIT WITH THEIR APPLICATION A RECOMMENDATION FROM A RELEVANT MEMBER OR TRADE ORGANIZATION, IF SUCH MEMBER OR TRADE ORGANIZATION EXISTS. IN MAKING APPOINTMENTS TO THE ENERGY CODE BOARD, THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL STRIVE TO ENSURE GEOGRAPHIC DIVERSITY AND THAT EACH OF THE THREE MAJOR CLIMATE ZONES IN THE STATE IS REPRESENTED.

(e) IF ANY MEMBER OF THE ENERGY CODE BOARD STEPS DOWN, OTHERWISE ELECTS TO NO LONGER SERVE, OR OTHERWISE CAN NO LONGER SERVE ON THE ENERGY CODE BOARD, THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL SELECT THAT MEMBER'S REPLACEMENT ACCORDING TO THE SAME CRITERIA THAT THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS USED IN ORIGINALLY SELECTING THE MEMBER.

(f) THE ENERGY CODE BOARD SHALL ADOPT POLICIES AND PROCEDURES AS NECESSARY TO MEET THE REQUIREMENTS OF THIS SECTION.

(4) (a) **Energy code board executive committee.** THE DIRECTORS OF THE COLORADO ENERGY OFFICE AND THE DEPARTMENT OF LOCAL AFFAIRS SHALL APPOINT AN EXECUTIVE COMMITTEE FOR THE ENERGY CODE BOARD THAT CONSISTS OF THE FOLLOWING MEMBERS:

(I) THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE DIRECTOR'S DESIGNEE SELECTED TO SERVE ON THE ENERGY CODE BOARD

PURSUANT TO SUBSECTION (3)(a)(I) OF THIS SECTION;

(II) THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE DIRECTOR'S DESIGNEE SELECTED TO SERVE ON THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (3)(b)(I) OF THIS SECTION;

(III) ONE MEMBER OF THE ENERGY CODE BOARD SELECTED TO REPRESENT EITHER URBAN OR RURAL COUNTIES WHO WAS SELECTED TO SERVE ON THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (3)(a)(II) OR (3)(b)(II) OF THIS SECTION;

(IV) ONE MEMBER OF THE ENERGY CODE BOARD SELECTED TO REPRESENT MUNICIPALITIES FROM EITHER URBAN OR RURAL AREAS OF THE STATE WHO WAS SELECTED TO SERVE ON THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (3)(a)(III) OR (3)(b)(III) OF THIS SECTION; AND

(V) THE MEMBER OF THE ENERGY CODE BOARD WHO IS A BUILDING ENERGY CODE EXPERT AND WHO WAS SELECTED TO SERVE ON THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (3)(a)(IX) OF THIS SECTION.

(b) EITHER THE MEMBER OF THE EXECUTIVE COMMITTEE SELECTED PURSUANT TO SUBSECTION (4)(a)(III) OF THIS SECTION OR THE MEMBER OF THE EXECUTIVE COMMITTEE SELECTED PURSUANT TO SUBSECTION (4)(a)(IV) OF THIS SECTION MUST BE A BUILDING OFFICIAL.

(5) (a) **Duty of the energy code board to adopt a model electric ready and solar ready code.** IT IS THE DUTY OF THE ENERGY CODE BOARD TO DEVELOP A MODEL ELECTRIC READY AND SOLAR READY CODE ON OR BEFORE JUNE 1, 2023, FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE AGENCIES.

(b) THE MODEL ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY CODE BOARD MUST APPLY TO COMMERCIAL AND RESIDENTIAL BUILDINGS AND MUST INCLUDE:

(I) SOLAR READY REQUIREMENTS;

(II) EV READY AND EV CAPABLE REQUIREMENTS FOR RESIDENTIAL BUILDINGS;

(III) EV READY, EV CAPABLE, AND EV SUPPLY EQUIPMENT INSTALLED REQUIREMENTS FOR MULTI-FAMILY AND COMMERCIAL BUILDINGS WITH PROVISIONS FOR ELECTRICAL SERVICE CAPACITY IN TWENTY PERCENT OR MORE OF THE VEHICLE PARKING SPACES IN THE GARAGE OR PARKING AREA;

(IV) ELECTRIC READY REQUIREMENTS FOR ALL SINGLE-FAMILY RESIDENTIAL MIXED FUEL USE BUILDINGS;

(V) ELECTRIC READY REQUIREMENTS FOR MULTI-FAMILY AND SMALL COMMERCIAL MIXED FUEL USE BUILDINGS UNDER TEN THOUSAND SQUARE FEET;

(VI) REQUIREMENTS THAT MULTI-FAMILY AND LARGE COMMERCIAL MIXED FUEL USE BUILDINGS THAT ARE TEN THOUSAND SQUARE FEET OR GREATER PROVIDE DEDICATED ELECTRIC PANEL SPACE, ELECTRICAL WIRE, ELECTRICAL RECEPTACLES, AND ADEQUATE PANEL CAPACITY TO ACCOMMODATE THE FUTURE INSTALLATION OF EFFICIENT, ELECTRIC TECHNOLOGIES AND CHARGING FOR ELECTRIC VEHICLES. THESE REQUIREMENTS MUST TAKE INTO ACCOUNT THE COST-EFFECTIVENESS OF PRE-WIRING FOR EFFICIENT ELECTRIC EQUIPMENT AND THE ABILITY TO DETERMINE WHAT WIRING AND RECEPTACLE LOCATIONS WOULD BE NEEDED; AND

(VII) A PROCESS TO WAIVE ENERGY CODE REQUIREMENTS WHEN THERE HAS BEEN A DECLARED NATURAL DISASTER THAT HAS DESTROYED BUILDINGS OR OTHER CIRCUMSTANCES AS DETERMINED BY THE ENERGY CODE BOARD.

(c) IN DEVELOPING A MODEL ELECTRIC READY AND SOLAR READY CODE, THE ENERGY CODE BOARD SHALL:

(I) ENSURE THAT BUILDINGS CAN BE CONVERTED TO HIGH EFFICIENCY ELECTRIC SPACE AND WATER HEATING EQUIPMENT AND APPLIANCES AT THE LOWEST POSSIBLE COST TO BUILDING OWNERS;

(II) IN DEVELOPING THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE FOR MULTI-FAMILY AND LARGE COMMERCIAL MIXED FUEL USE FOR BUILDINGS TEN THOUSAND SQUARE FEET OR GREATER, THE ENERGY CODE BOARD SHALL DEVELOP CLEAR GUIDELINES TO BE INCLUDED IN THE MODEL ENERGY READY AND SOLAR READY CODE THAT SEEK TO MINIMIZE THE COSTS THAT BUILDERS, BUILDING OWNERS, AND DEVELOPERS INCUR IN MEETING ELECTRIC READY AND SOLAR READY CODE REQUIREMENTS WHILE ALSO ENSURING THAT BUILDINGS CAN BE CONVERTED TO HIGH EFFICIENCY ELECTRIC SPACE AND WATER HEATING EQUIPMENT AND APPLIANCES AT THE LOWEST POSSIBLE COST TO BUILDING OWNERS. THESE GUIDELINES MUST INCLUDE PROVISIONS FOR:

(A) A STANDARD METHODOLOGY FOR DETERMINING HOW TO CALCULATE OR MEASURE WHEN COMPLIANCE WITH A MODEL ELECTRIC AND SOLAR READY CODE REACHES A SUBSTANTIAL COST DIFFERENTIAL THAT WOULD REQUIRE A WAIVER OR VARIANCE FOR SOME OR ALL OF THE PROVISIONS OF THE MODEL ELECTRIC AND SOLAR READY CODE;

(B) AN EVIDENCE-BASED, UNIFORM WAIVER OR VARIANCE PROCESS TO ALLOW A BUILDER, DEVELOPER, OR BUILDING OWNER TO REQUEST A WAIVER WHEN IT CAN BE DEMONSTRATED WITH REASONABLE EVIDENCE THAT COMPLIANCE WILL CREATE A SUBSTANTIAL COST DIFFERENTIAL; AND

(C) AS USED IN THIS SUBSECTION (5)(c)(II),"SUBSTANTIAL COST

DIFFERENTIAL" MEANS ONE PERCENT OR GREATER OF THE TOTAL MECHANICAL, ELECTRICAL, AND PLUMBING CONSTRUCTION COSTS ON THE PROJECT;

(III) TAKE INTO ACCOUNT HOME AFFORDABILITY;

(IV) (A) ENSURE THAT THE MODEL ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY CODE BOARD DOES NOT APPLY TO CONSTRUCTION OR RENOVATION THAT SERVES THE PRIMARY PURPOSE OF MAKING A BUILDING ACCESSIBLE OR MORE ACCESSIBLE FOR AN INDIVIDUAL WITH A DISABILITY.

(B) AS USED IN THIS SUBSECTION (5)(c)(IV), "ACCESSIBLE" MEANS ABLE TO BE APPROACHED, ENTERED, AND USED;

(V) ENSURE THAT THE USE OF AN ACCEPTABLE REFRIGERANT IS NOT PROHIBITED; AND

(VI) ENSURE THAT ALL ELECTRICAL AND PLUMBING INSTALLATIONS REQUIRED UNDER THE MODEL ELECTRIC READY AND SOLAR READY CODE ARE SUBJECT TO STATUTORY AND REGULATORY INSPECTION AND PERMIT REQUIREMENTS.

(6) (a) **Duty of the energy code board to adopt a model low energy and carbon code.** IT IS THE DUTY OF THE ENERGY CODE BOARD TO DEVELOP A MODEL LOW ENERGY AND CARBON CODE ON OR BEFORE JUNE 1, 2025, FOR ADOPTION BY COUNTIES, MUNICIPALITIES, AND STATE AGENCIES.

(b) THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED BY THE ENERGY CODE BOARD MUST APPLY TO COMMERCIAL AND RESIDENTIAL BUILDINGS AND MUST:

(I) INCLUDE THE MORE ENERGY EFFICIENT OF EITHER THE 2021 OR 2024 INTERNATIONAL ENERGY CONSERVATION CODE, EXCEPT AS THE

ENERGY CODE BOARD MAY MODIFY THOSE INTERNATIONAL ENERGY CONSERVATION CODES PURSUANT TO SUBSECTION (7) OF THIS SECTION, INCLUDING ANY APPENDICES TO THE INTERNATIONAL ENERGY CONSERVATION CODE THAT THE ENERGY CODE BOARD DEEMS APPROPRIATE;

(II) INCLUDE THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SUBSECTION (5) OF THIS SECTION, AND MODIFIED AS THE ENERGY CODE BOARD DEEMS APPROPRIATE;

(III) PROVIDE COMPLIANCE PATHWAYS FOR ALL-ELECTRIC AND MIXED FUEL USE RESIDENTIAL AND COMMERCIAL BUILDINGS;

(IV) EXEMPT ELECTRICITY CONSUMPTION IN RESIDENTIAL AND COMMERCIAL BUILDINGS FROM ANY ONSITE OR OFFSITE RENEWABLE ENERGY REQUIREMENTS;

(V) ALLOW PROJECTS CONSISTING OF ONLY REPLACING A SPACE OR WATER HEATING SYSTEM, AT THE END OF THAT SYSTEM'S USEFUL LIFE, WITH THE INSTALLATION OF A NEW SYSTEM USING THE SAME FUEL OR POWER SOURCE, WITHOUT TRIGGERING PRE-WIRE REQUIREMENTS;

(VI) ENSURE THAT FOR ANY RENEWABLE ENERGY MEASURES USED TO ENSURE THAT A HOME OR COMMERCIAL BUILDING IS COMPLIANT WITH THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED BY THE ENERGY CODE BOARD, ANY ELECTRIC RENEWABLE ENERGY CREDITS GENERATED MAY NOT BE DOUBLE COUNTED BETWEEN COMPLIANCE WITH THIS SECTION AND THE REQUIREMENTS UNDER SECTION 25-7-105 (1)(e), SECTION 40-3.2-108 (3)(b), SECTION 40-2-125.5, OR ANY SIMILAR GREENHOUSE GAS EMISSION REDUCTION PROGRAM OR SET OF REQUIREMENTS. NOTHING IN THIS SECTION SHALL PRECLUDE A UTILITY FROM ACQUIRING RENEWABLE

ENERGY CREDITS FROM A BUILDING OWNER THROUGH A NET-METERING AGREEMENT.

(VII) TAKE INTO ACCOUNT HOME AFFORDABILITY;

(VIII) MINIMIZE OVERALL CARBON DIOXIDE EMISSIONS ASSOCIATED WITH NEW AND RENOVATED HOMES AND COMMERCIAL BUILDINGS; AND

(IX) CREATE A PROCESS TO WAIVE ENERGY CODE REQUIREMENTS WHEN THERE HAS BEEN A DECLARED NATURAL DISASTER THAT HAS DESTROYED BUILDINGS OR OTHER CIRCUMSTANCES AS DETERMINED BY THE ENERGY CODE BOARD.

(c) IN DEVELOPING A MODEL LOW ENERGY AND CARBON CODE, THE ENERGY CODE BOARD SHALL:

(I) (A) ENSURE THAT THE MODEL ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY CODE BOARD DOES NOT APPLY TO CONSTRUCTION OR RENOVATION THAT SERVES THE PRIMARY PURPOSE OF MAKING A BUILDING ACCESSIBLE OR MORE ACCESSIBLE FOR AN INDIVIDUAL WITH A DISABILITY;

(B) AS USED IN THIS SUBSECTION (6)(c)(I), "ACCESSIBLE" MEANS ABLE TO BE APPROACHED, ENTERED, AND USED; AND

(II) ENSURE THAT THE USE OF AN ACCEPTABLE REFRIGERANT IS NOT PROHIBITED.

(7) **Option to relax international energy conservation code appendices.** THE ENERGY CODE BOARD MAY AS NECESSARY RELAX THE STRINGENCY OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION CODE, INCLUDING APPENDICES THAT IT ADOPTS AS PART OF THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IT DEVELOPS PURSUANT TO SUBSECTION (5) OF THIS SECTION IF IT DEEMS THAT DOING

SO IS APPROPRIATE, BUT THE ENERGY CODE BOARD SHALL NOT INCREASE THE STRINGENCY OF ANY REQUIREMENTS IN THE INTERNATIONAL ENERGY CONSERVATION CODE INCLUDING APPENDICES THAT IT ADOPTS AS PART OF THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE IT DEVELOPS PURSUANT TO SUBSECTION (5) OF THIS SECTION.

(8) (a) **Process for model code development.** IN ORDER TO DEVELOP EITHER THE MODEL ELECTRIC READY AND SOLAR READY CODE PURSUANT TO SUBSECTION (5) OF THIS SECTION OR THE MODEL LOW ENERGY AND CARBON CODE PURSUANT TO SUBSECTION (6) OF THIS SECTION, TWO-THIRDS OF THE MEMBERS OF THE ENERGY CODE BOARD MUST APPROVE EACH ELEMENT OF THE MODEL CODE.

(b) IF TWO-THIRDS OF THE ENERGY CODE BOARD FAIL, ON OR BEFORE APRIL 1, 2023, TO ADOPT ANY ELEMENT OF THE MODEL ELECTRIC READY AND SOLAR READY CODE REQUIRED BY SUBSECTION (5) OF THIS SECTION, THE EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR BEFORE MAY 15, 2023. IF TWO-THIRDS OF THE ENERGY CODE BOARD FAIL, ON OR BEFORE FEBRUARY 1, 2025, TO ADOPT AN ELEMENT OF THE MODEL LOW ENERGY AND CARBON REQUIRED BY SUBSECTION (6) OF THIS SECTION, THE EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR BEFORE MARCH 15, 2025.

(c) IF THE ENERGY CODE BOARD FAILS, ON OR BEFORE APRIL 1, 2023, TO ADOPT ANY ELEMENT OF THE MODEL ELECTRIC READY AND SOLAR READY CODE REQUIRED BY SUBSECTION (5) OF THIS SECTION, THE EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR BEFORE MAY 15, 2023. IF THE ENERGY CODE BOARD FAILS, ON OR BEFORE FEBRUARY 1, 2025, TO ADOPT AN ELEMENT OF THE MODEL LOW ENERGY AND CARBON CODE REQUIRED BY SUBSECTION (6) OF THIS SECTION, THE

EXECUTIVE COMMITTEE SHALL VOTE ON THAT SAME ELEMENT ON OR BEFORE MARCH 15, 2025.

(d) UPON A VOTE OF THE MAJORITY OF THE EXECUTIVE COMMITTEE, AN ELEMENT THAT THE ENERGY CODE BOARD FAILED TO ADOPT IS ADOPTED AS PART OF EITHER THE MODEL ELECTRIC READY AND SOLAR READY CODE OR THE MODEL LOW ENERGY AND CARBON CODE IS ADOPTED AS AN ELEMENT OF THE RESPECTIVE MODEL CODE.

(e) DURING THE DEVELOPMENT OF BOTH THE MODEL ELECTRIC READY AND SOLAR READY CODE AND THE MODEL LOW ENERGY AND CARBON CODE, THE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS OR THE DIRECTOR'S DESIGNEE AND THE DIRECTOR OF THE COLORADO ENERGY OFFICE OR THE DIRECTOR'S DESIGNEE SHALL ENSURE THAT THE ENERGY CODE BOARD ADHERES TO THE REQUIREMENTS OF THIS SECTION.

(9) **Acceptable refrigerants.** THE USE OF AN ACCEPTABLE REFRIGERANT MAY NOT BE PROHIBITED OR OTHERWISE RESTRICTED BY A LOCALITY, COUNTY, OR OTHER STATE RULE OR REGULATION; EXCEPT THAT NOTHING IN THIS ARTICLE 38.5 MAY BE CONSTRUED TO PROHIBIT, LIMIT, OR OTHERWISE MODIFY THE REQUIREMENTS OF REGULATION NUMBER 22, 5 CCR 1001-26, AS AMENDED, OR ANY ENTITY'S PROCUREMENT REQUIREMENTS FOR THEIR OWN USE.

(10) (a) **Reporting.** THE COLORADO ENERGY OFFICE SHALL INCLUDE AN UPDATE REGARDING THE EFFECTIVENESS OF THE ENERGY CODE BOARD IN ITS 2027 REPORT TO THE MEMBERS OF THE APPLICABLE COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES AS REQUIRED BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(b) THE DEPARTMENT OF LOCAL AFFAIRS SHALL INCLUDE AN UPDATE REGARDING THE EFFECTIVENESS OF THE ENERGY CODE BOARD IN ITS 2027 REPORT TO THE MEMBERS OF THE APPLICABLE COMMITTEES OF REFERENCE IN THE SENATE AND HOUSE OF REPRESENTATIVES AS REQUIRED BY THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE, AND TRANSPARENT (SMART) GOVERNMENT ACT", PART 2 OF ARTICLE 7 OF TITLE 2.

(11) **Repeal.** THIS SECTION IS REPEALED, EFFECTIVE SEPTEMBER 1, 2027.

24-38.5-402. Model green energy code. (1) BEFORE JULY 1, 2024, THE COLORADO ENERGY OFFICE SHALL IDENTIFY MODEL GREEN CODE LANGUAGE FOR ADOPTION. THE COLORADO ENERGY OFFICE SHALL PROMOTE THE VOLUNTARY ADOPTION OF THIS MODEL GREEN CODE LANGUAGE.

24-38.5-403. Energy code training - energy code adoption - grant writing assistance. (1) (a) THE COLORADO ENERGY OFFICE SHALL PROVIDE ENERGY CODE TRAINING TO ASSIST LOCAL GOVERNMENTS, DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, BUILDERS, AND CONTRACTORS IN ADOPTING AND IMPLEMENTING THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC READY AND SOLAR READY CODES, AND LOW ENERGY AND CARBON CODES. THE TRAINING ITSELF AND THE MATERIALS PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH ENGLISH AND SPANISH.

(b) IF THE COLORADO ENERGY OFFICE IS ABLE TO OBTAIN FUNDING, THE COLORADO ENERGY OFFICE SHALL PROVIDE FINANCIAL ASSISTANCE THROUGH AN APPLICATION PROCESS TO SUPPORT THE ADOPTION AND ENFORCEMENT BY LOCAL GOVERNMENTS OF THE 2021

INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC READY AND SOLAR READY CODE, AND A LOW ENERGY AND CARBON CODE.

(2) THE COLORADO ENERGY OFFICE SHALL ADOPT POLICIES AND PROCEDURES AS NECESSARY FOR THE CREATION AND ADMINISTRATION OF A GRANT PROGRAM TO AWARD THE GRANTS DESCRIBED IN SUBSECTION (3)(a)(I) OF THIS SECTION, INCLUDING POLICIES AND PROCEDURES THAT AT A MINIMUM ESTABLISH THE APPLICATION PROCESS AND THE GRANT AWARD CRITERIA.

(3) (a) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3)(a), THE STATE TREASURER SHALL TRANSFER THREE MILLION DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS SUBSECTION (3)(a) FOR THE PURPOSES OF:

(I) ISSUING GRANTS, NOT TO EXCEED A TOTAL OF TWO MILLION DOLLARS, TO LOCAL GOVERNMENTS TO SUPPORT THEIR ADOPTION AND ENFORCEMENT OF THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC READY AND SOLAR READY CODE, AND A LOW ENERGY AND CARBON CODE AND TO COVER THE DIRECT AND INDIRECT COSTS ASSOCIATED WITH ISSUING THESE GRANTS; AND

(II) PROVIDING ENERGY CODE TRAINING AND TECHNICAL ASSISTANCE, INCLUDING GRANT WRITING ASSISTANCE, NOT TO EXCEED A TOTAL COST OF ONE MILLION DOLLARS, TO ASSIST LOCAL GOVERNMENTS AND DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT IN ADOPTING AND ENFORCING THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, AN ELECTRIC READY AND SOLAR READY CODE, A LOW ENERGY AND CARBON CODE, OR A GREEN CODE AND COVERING THE

DIRECT AND INDIRECT COSTS ASSOCIATED WITH ALIGNING ENERGY CODES AND WITH PROVIDING THIS TRAINING AND TECHNICAL ASSISTANCE.

(b) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3)(b), THE STATE TREASURER SHALL TRANSFER ONE MILLION DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS SUBSECTION (3)(b) FOR THE PURPOSE OF PROVIDING ENERGY CODE TRAINING TO ASSIST ARCHITECTS, BUILDERS, CONTRACTORS, AND DESIGNERS IN IMPLEMENTING THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, ELECTRIC READY AND SOLAR READY CODES, AND LOW ENERGY AND CARBON CODES. THE TRAINING AND MATERIALS PROVIDED ALONG WITH THIS TRAINING MUST BE IN BOTH ENGLISH AND SPANISH.

(c) WITHIN THREE DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION (3)(c), THE STATE TREASURER SHALL TRANSFER ONE HUNDRED AND FIFTY THOUSAND DOLLARS FROM THE GENERAL FUND TO THE ENERGY FUND CREATED IN SECTION 24-38.5-102.4. THE COLORADO ENERGY OFFICE SHALL EXPEND THE MONEY TRANSFERRED BY THE GENERAL ASSEMBLY PURSUANT TO THIS SUBSECTION (3)(c) FOR THE COSTS ASSOCIATED WITH ADMINISTERING THE ENERGY CODE BOARD ESTABLISHED IN SECTION 24-38.5-401 (2).

24-38.5-404. Building electrification for public buildings grant program - creation - report - legislative declaration. (1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

(b) MANY PUBLIC BUILDINGS OWNED BY LOCAL GOVERNMENTS, SCHOOL DISTRICTS, INSTITUTIONS OF HIGHER EDUCATION, AND OTHER GOVERNMENTAL ENTITIES ARE OLDER BUILDINGS WITH BOTH HIGH ENERGY COSTS AND EMISSIONS;

(c) ENERGY PERFORMANCE CONTRACTING IS AN IMPORTANT TOOL THAT GOVERNMENTAL ENTITIES CAN USE TO UPGRADE THE ENERGY PERFORMANCE OF BUILDINGS BY FINANCING ENERGY UPGRADES BASED ON PROJECTED SAVINGS IN ENERGY COSTS;

(d) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR AIR QUALITY; AND

(e) THEREFORE, IT IS IMPORTANT FOR STATE INVESTMENTS TO SUPPORT PUBLIC AGENCIES IN INCLUDING HIGH-EFFICIENCY ELECTRIC HEATING UPGRADES IN ENERGY PERFORMANCE CONTRACTS FOR PUBLIC BUILDINGS.

(2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM TO PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL GOVERNMENTS, SCHOOL DISTRICTS, STATE AGENCIES, AND SPECIAL DISTRICTS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC HEATING EQUIPMENT.

(3) GRANTEES MAY USE MONEY RECEIVED THROUGH THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

(a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING;

(b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC EQUIPMENT;

(c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF GREENHOUSE GAS EMISSIONS THAN HIGH EFFICIENCY HEAT PUMPS OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

(d) IN THE CASE OF ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PURCHASE AND INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a), (3)(b), AND (3)(c) OF THIS SECTION.

(4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM, AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

(5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS INVESTMENTS FUND CREATED IN SECTION 24-38.5-406.

(6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, AND THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST THIRTY PERCENT OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS

PURSUANT TO THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM TO SUCH ELIGIBLE ENTITIES.

(7) (a) TO RECEIVE A GRANT, AN ELIGIBLE ENTITY MUST SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY OFFICE.

(b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM AS NEEDED TO ELIGIBLE ENTITIES FROM LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES, OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE.

(8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM SHALL SUBMIT AN ANNUAL REPORT TO THE COLORADO ENERGY OFFICE FOR THE FIRST FIVE YEARS AFTER RECEIVING THE GRANT.

(b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES OR THEIR SUCCESSOR COMMITTEES, ON THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM. AT A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

(A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

(B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME,

DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AND TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT USED THE GRANTS TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A DISABILITY; AND

(C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

(II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

24-38.5-405. High-efficiency electric heating and appliances grant program - creation - report - legislative declaration - repeal.

(1) THE GENERAL ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

(a) EMISSIONS FROM HEATING BUILDINGS ARE ONE OF THE FIVE LARGEST SOURCES OF GREENHOUSE GAS POLLUTION IN COLORADO;

(b) OVER A MILLION COLORADANS LIVE IN ENERGY BURDENED HOUSEHOLDS THAT SPEND FIVE PERCENT OR MORE OF THEIR HOUSEHOLD INCOME ON ENERGY EXPENDITURES;

(c) NEWER TECHNOLOGIES SUCH AS COLD CLIMATE HEAT PUMPS AND HEAT PUMP WATER HEATERS OFFER MANY OPPORTUNITIES TO REDUCE GREENHOUSE GAS AND NITROGEN OXIDE EMISSIONS AND IMPROVE INDOOR AIR QUALITY;

(d) ENERGY UPGRADES TO RESIDENTIAL AND COMMERCIAL BUILDINGS MAY BE MORE COST EFFECTIVE AND EASIER TO IMPLEMENT WHEN DEPLOYED AT THE NEIGHBORHOOD SCALE, AND NEIGHBORHOOD-SCALE UPGRADES MAY ALLOW UTILITIES TO AVOID OR DEFER INVESTMENTS IN GAS AND ELECTRIC DISTRIBUTION, THEREBY REDUCING COSTS FOR ALL UTILITY RATEPAYERS; AND

(e) THEREFORE, IT IS IMPORTANT FOR THE STATE TO SUPPORT

INVESTMENTS IN NEIGHBORHOOD-SCALE ENERGY EFFICIENCY UPGRADES.

(2) THERE IS CREATED IN THE COLORADO ENERGY OFFICE THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM TO PROVIDE GRANTS TO INSTITUTIONS OF HIGHER EDUCATION, LOCAL GOVERNMENTS, UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, AND HOUSING DEVELOPERS FOR THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC HEATING EQUIPMENT IN MULTIPLE STRUCTURES WITHIN A NEIGHBORHOOD.

(3) GRANTEES MAY USE THE MONEY RECEIVED THROUGH THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM FOR THE FOLLOWING PURPOSES:

(a) THE PURCHASE AND INSTALLATION OF HIGH-EFFICIENCY ELECTRIC EQUIPMENT FOR SPACE HEATING, WATER HEATING, OR COOKING IN MULTIPLE RESIDENTIAL OR COMMERCIAL BUILDINGS LOCATED IN CLOSE PROXIMITY;

(b) THE PURCHASE OF ELECTRICAL INSTALLATIONS AND UPGRADES NECESSARY TO SUPPORT THE INSTALLATION OF HIGH-EFFICIENCY ELECTRIC EQUIPMENT;

(c) THE PURCHASE AND INSTALLATION OF OTHER INNOVATIVE BUILDING HEATING TECHNOLOGIES THAT THE COLORADO ENERGY OFFICE DETERMINES WILL LIKELY ACHIEVE EQUAL OR LOWER LEVELS OF GREENHOUSE GAS EMISSIONS THAN HIGH-EFFICIENCY HEAT PUMPS OPERATED ON THE PROJECTED 2030 ELECTRIC GRID; AND

(d) IN THE CASE OF LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING

DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE PURCHASE AND INSTALLATION DESCRIBED IN SUBSECTIONS (3)(a), (3)(b), AND (3)(c) OF THIS SECTION.

(4) THE COLORADO ENERGY OFFICE SHALL ADMINISTER THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM, AWARD GRANTS AS PROVIDED IN THIS SECTION, AND DEVELOP POLICIES AND PROCEDURES AS NECESSARY TO IMPLEMENT THE GRANT PROGRAM.

(5) GRANTS SHALL BE PAID OUT OF THE CLEAN AIR BUILDINGS INVESTMENTS FUND CREATED IN SECTION 24-38.5-406.

(6) THE COLORADO ENERGY OFFICE MAY DEVELOP POLICIES AND PROCEDURES PRIORITIZING THE GRANT APPLICATIONS OF LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE, AND THE COLORADO ENERGY OFFICE SHALL AWARD AT LEAST THIRTY PERCENT OF THE TOTAL AMOUNT OF MONEY IT AWARDS THROUGH GRANTS PURSUANT TO THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM TO SUCH LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS.

(7) (a) TO RECEIVE A GRANT, A LOCAL GOVERNMENT, ELECTRIC OR

GAS UTILITY, NONPROFIT ORGANIZATION, BUSINESS AND OTHER ENTITY AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPER MUST SUBMIT AN APPLICATION TO THE COLORADO ENERGY OFFICE IN ACCORDANCE WITH THE POLICIES AND PROCEDURES SPECIFIED BY THE COLORADO ENERGY OFFICE.

(b) THE COLORADO ENERGY OFFICE SHALL PROVIDE TECHNICAL ASSISTANCE IN APPLYING FOR GRANTS THROUGH THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM AS NEEDED TO LOCAL GOVERNMENTS, ELECTRIC AND GAS UTILITIES, NONPROFIT ORGANIZATIONS, BUSINESSES AND OTHER ENTITIES AS DETERMINED BY THE COLORADO ENERGY OFFICE, OR HOUSING DEVELOPERS THAT OPERATE IN LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AS THOSE COMMUNITIES ARE IDENTIFIED BY THE COLORADO ENERGY OFFICE.

(8) (a) EACH GRANTEE THAT RECEIVES A GRANT THROUGH THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM SHALL SUBMIT A REPORT TO THE COLORADO ENERGY OFFICE THE FIRST FIVE YEARS AFTER RECEIVING THE GRANT.

(b) (I) ON OR BEFORE FEBRUARY 1, 2024, AND ON EACH YEAR THEREAFTER, THE COLORADO ENERGY OFFICE SHALL SUBMIT A SUMMARIZED REPORT TO THE TRANSPORTATION AND ENERGY COMMITTEE OF THE SENATE AND THE ENERGY AND ENVIRONMENT COMMITTEE OF THE HOUSE OF REPRESENTATIVES, OR THEIR SUCCESSOR COMMITTEES, ON THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM. AT A MINIMUM, THIS SUMMARIZED REPORT MUST INCLUDE:

(A) A DESCRIPTION OF THE GRANTS AWARDED, INCLUDING A DESCRIPTION OF THE PROJECTS FUNDED BY THE GRANTS AS DESCRIBED TO

THE COLORADO ENERGY OFFICE IN THE GRANT APPLICATIONS;

(B) THE PERCENTAGE OF GRANTS AWARDED TO LOW-INCOME, DISPROPORTIONATELY IMPACTED COMMUNITIES OR JUST TRANSITION COMMUNITIES AND TO INDIVIDUALS WITH A DISABILITY OR ENTITIES THAT USED THE GRANTS TO PROVIDE A SERVICE FOR INDIVIDUALS WITH A DISABILITY; AND

(C) TO THE EXTENT AVAILABLE, THE IMPACTS OF THE GRANTS ON GAS USE, ELECTRICITY USE, EMISSIONS, AND ENERGY COSTS.

(II) THIS SUBSECTION (8)(b) IS REPEALED, EFFECTIVE JULY 1, 2026.

24-38.5-406. Clean air building investments fund - creation - use of fund. (1) THE CLEAN AIR BUILDING INVESTMENTS FUND, REFERRED TO IN THIS SECTION AS THE "FUND", IS CREATED IN THE STATE TREASURY. THE PRINCIPAL OF THE FUND CONSISTS OF MONEY TRANSFERRED TO THE FUND FROM THE GENERAL FUND AND GIFTS, GRANTS, AND DONATIONS. INTEREST AND INCOME EARNED ON THE DEPOSIT AND INVESTMENT OF MONEY IN THE FUND ARE CREDITED TO THE FUND.

(2) ALL MONEY IN THE FUND IS CONTINUOUSLY APPROPRIATED TO THE COLORADO ENERGY OFFICE. THE COLORADO ENERGY OFFICE MAY EXPEND MONEY FROM THE FUND FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF:

(a) THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM CREATED IN SECTION 24-38.5-404; AND

(b) THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM CREATED IN SECTION 24-38.5-405.

(3) (a) ON THE EFFECTIVE DATE OF THIS SECTION, OR AS SOON AS POSSIBLE THEREAFTER, THE STATE TREASURER SHALL TRANSFER TWENTY MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS FROM THE GENERAL

FUND TO THE FUND.

(b) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3) FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE BUILDING ELECTRIFICATION FOR PUBLIC BUILDINGS GRANT PROGRAM CREATED IN SECTION 24-38.5-404.

(c) THE COLORADO ENERGY OFFICE SHALL USE TEN MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS OF THE MONEY TRANSFERRED PURSUANT TO THIS SUBSECTION (3) FOR THE CREATION, IMPLEMENTATION, AND ADMINISTRATION OF THE HIGH-EFFICIENCY ELECTRIC HEATING AND APPLIANCES GRANT PROGRAM CREATED IN SECTION 24-38.5-405.

SECTION 2. In Colorado Revised Statutes, 12-115-107, **amend** (2)(a) as follows:

12-115-107. Board powers and duties - rules - definition. (2) In addition to all other powers and duties conferred or imposed upon the board by this article 115, the board is authorized to:

(a) (I) Adopt, and from time to time revise, rules pursuant to section 12-20-204. In adopting the rules, the board shall be governed when appropriate by the standards in the most current edition of the national electrical code or by any modifications to the standards made by the board after a hearing is held pursuant to the provisions of article 4 of title 24. These standards are adopted as the minimum standards governing the planning, laying out, and installing or the making of additions, alterations, and repairs in the installation of wiring apparatus and equipment for electric light, heat, and power in this state. A copy of the code shall be kept in the office of the board and open to public inspection. Nothing contained in this section prohibits any city, town, county, city

and county, or qualified state institution of higher education from making and enforcing any such standards that are more stringent than the minimum standards adopted by the board, and any city, town, county, city and county, or qualified state institution of higher education that adopts more stringent standards shall furnish a copy thereof to the board. The standards adopted by the board shall be prima facie evidence of minimum approved methods of construction for safety to life and property. The affirmative vote of two-thirds of all appointed members of the board is required to set any standards that are different from those set forth in the national electrical code. If requested in writing, the board shall send a copy of newly adopted standards and rules to any interested party at least thirty days before the implementation and enforcement of the standards or rules. The copies may be furnished for a fee established pursuant to section 12-20-105.

(II) IN THE EVENT OF A CONFLICT BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2024 INTERNATIONAL ENERGY CONSERVATION CODE, THE MODEL ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5), OR ANY ENERGY CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE NATIONAL ELECTRIC CODE OR THE STANDARDS ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(a), THE NATIONAL ELECTRIC CODE OR THE STANDARDS ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION (2)(a) PREVAILS.

SECTION 3. In Colorado Revised Statutes, 12-155-106, **add** (4.5) as follows:

12-155-106. Colorado plumbing code - amendments -

variances - Colorado fuel gas code. (4.5) IN THE EVENT OF A CONFLICT BETWEEN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2024 INTERNATIONAL ENERGY CONSERVATION CODE, THE MODEL ELECTRIC READY AND SOLAR READY CODE DEVELOPED BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5), OR ANY ENERGY CODES ADOPTED BY EITHER A LOCAL GOVERNMENT OR DIVISIONS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT AND THE COLORADO PLUMBING CODE, THE COLORADO PLUMBING CODE PREVAILS.

SECTION 4. In Colorado Revised Statutes, 24-30-1303, **add** (1)(ff) as follows:

24-30-1303. Office of the state architect - responsibilities. (1) The office of the state architect shall:

(ff) (I) (A) ON OR BEFORE JANUARY 1, 2025, ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST APPLY TO ALL CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES OR FACILITIES OR ON PROPERTIES OR FACILITIES THAT ARE LEASED BY THE STATE UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENT.

(B) ON OR BEFORE JANUARY 1, 2030, ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE MUST APPLY

TO ALL CONSTRUCTION BY STATE AGENCIES ON STATE-OWNED PROPERTIES OR FACILITIES OR ON PROPERTIES OR FACILITIES THAT ARE LEASED BY THE STATE UNDER A FINANCED PURCHASE OF AN ASSET OR CERTIFICATE OF PARTICIPATION AGREEMENT.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1)(ff), THE OFFICE OF THE STATE ARCHITECT MAY MAKE ANY AMENDMENTS TO AN ENERGY CODE THAT THE OFFICE OF THE STATE ARCHITECT DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY CODE.

(III) NOTHING IN THIS SUBSECTION (1)(ff) RESTRICTS THE ABILITY OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES COMMISSION TO:

(A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff); OR

(B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY THE UTILITY TO HELP THE OFFICE OF THE STATE ARCHITECT OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff).

(IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE OFFICE OF THE STATE ARCHITECT OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff).

(V) (A) A UTILITY SHALL BE ALLOWED TO COUNT MASS-BASED

EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

(B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION SHALL NOT BE ALLOWED TO COUNT ENERGY SAVINGS OR GREENHOUSE GAS EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (1)(ff) FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

SECTION 5. In Colorado Revised Statutes, 24-32-3305, **amend** (3); and **add** (3.5) as follows:

24-32-3305. Rules - advisory committee - energy code - enforcement. (3) EXCEPT WHEN ADOPTING AN ENERGY CODE PURSUANT TO SUBSECTION (3.5) OF THIS SECTION, the board must consult with and obtain the advice of an advisory committee on residential and nonresidential structures in the drafting and promulgation of rules. The committee consists of twelve members appointed by the division from the following professional and technical disciplines: One from architecture, one from structural engineering, three from building code enforcement, one from mechanical engineering or contracting, one from electrical engineering or contracting, one from the plumbing industry, one from the construction design or producer industry, two from manufactured housing, and one from organized labor. Committee members shall be

reimbursed for actual and necessary expenses incurred while engaged in official duties.

(3.5) (a) (I) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY STRUCTURES EXIST.

(II) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE MUST APPLY TO FACTORY-BUILT STRUCTURES AND HOTELS, MOTELS, AND MULTI-FAMILY STRUCTURES IN AREAS OF THE STATE WHERE NO CONSTRUCTION STANDARDS FOR HOTELS, MOTELS, AND MULTI-FAMILY STRUCTURES EXIST.

(b) NOTHING IN THIS SUBSECTION (3.5) ESTABLISHES STANDARDS APPLICABLE TO MANUFACTURED HOMES CONSTRUCTED PURSUANT TO THE "NATIONAL MANUFACTURED HOUSING CONSTRUCTION AND SAFETY STANDARDS ACT OF 1974", ESTABLISHED IN 42 U.S.C. SEC. 5401, ET SEQ., AND ANY CORRESPONDING REGULATIONS PROMULGATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN 24 CFR

3280, ET SEQ.

(c) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (3.5), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY CODE.

(d) NOTHING IN THIS SUBSECTION (3.5) RESTRICTS THE ABILITY OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES COMMISSION TO:

(I) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5); OR

(II) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5).

(e) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE DIVISION OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5).

(f) (I) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (3.5) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF

REQUIREMENTS.

(II) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS SUBSECTION (3.5) FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

SECTION 6. In Colorado Revised Statutes, 24-33.5-1203, **add** (1)(x) as follows:

24-33.5-1203. Duties of division. (1) The division shall perform the following duties:

(x) (I) (A) ON OR BEFORE JANUARY 1, 2025, THE DIVISION SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5). THIS ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124 (2), 23-71-122 (1)(v), AND 24-33.5-1212.5.

(B) ON OR BEFORE JANUARY 1, 2030, THE DIVISION SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6). THIS ENERGY CODE MUST APPLY TO THE BUILDINGS DESCRIBED IN SECTIONS 22-32-124 (2),

23-71-122 (1)(v), 24-33.5-1212.5, 24-33.5-1213.3, AND 24-33.5-1213.5.

(II) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBSECTION (1)(x), THE DIVISION MAY MAKE ANY AMENDMENTS TO AN ENERGY CODE THAT THE DIVISION DEEMS APPROPRIATE, SO LONG AS THE AMENDMENTS DO NOT DECREASE THE EFFECTIVENESS OR ENERGY EFFICIENCY OF THE ENERGY CODE.

(III) NOTHING IN THIS SUBSECTION (1)(x) RESTRICTS THE ABILITY OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES COMMISSION TO:

(A) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(x); OR

(B) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARD ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS EMISSIONS SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY THE UTILITY TO HELP THE DIVISION OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(x).

(IV) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION MAY PROVIDE INCENTIVES AS THEY SO CHOOSE TO ASSIST THE DIVISION OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(x).

(V) (A) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SUBSECTION (1)(x) TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

(B) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

SECTION 7. In Colorado Revised Statutes, 30-28-211, **amend** (2)(b), (3), and (5) introductory portion; **repeal** (4); and **add** (1)(i), (1)(j), (2)(b.5), (3.5), (8), (9), and (10) as follows:

30-28-211. Energy efficient building codes - legislative declaration - definitions. (1) The general assembly hereby finds and declares that there is statewide interest in requiring an effective energy efficient building code for the following reasons:

(i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

(j) HIGHLY ENERGY EFFICIENT AND LOW-CARBON NEW HOMES AND BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

(2) As used in this section, unless the context otherwise requires:

(b) "Energy code" means ~~at a minimum, one of the three most recent versions of the international energy conservation code published by the international code council~~ A SUBSET OF BUILDING CODES RELATED TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF RESIDENTIAL AND COMMERCIAL BUILDINGS.

(b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A

SUCCESSOR ORGANIZATION.

(3) Every board of county commissioners ~~when adopting or updating a building code pursuant to section 30-28-201~~ THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an energy code that applies to the construction of, and MAJOR renovations and additions to, all commercial and residential buildings AS REQUIRED BY THE ENERGY CODE in the county to which the building code applies.

(3.5) (a) A BOARD OF COUNTY COMMISSIONERS THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5) AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

(b) A BOARD OF COUNTY COMMISSIONERS THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6) AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

(c) (I) NOTWITHSTANDING SUBSECTIONS (3.5) (a) AND (b) OF THIS

SECTION, A BOARD OF COUNTY COMMISSIONERS REPRESENTING A RURAL COUNTY IS REQUIRED TO ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN ONE OF THE LAST THREE MOST RECENT EDITIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE RATHER THAN EITHER AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE IDENTIFIED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5) OR AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE IDENTIFIED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6) IF, WHILE THE GRANT PROGRAM ESTABLISHED PURSUANT TO SECTION 24-38.5-403 IS ACCEPTING APPLICATIONS, THE BOARD OF COUNTY COMMISSIONERS APPLIES FOR AND IS NOT AWARDED A GRANT THAT SIGNIFICANTLY ASSISTS IN ENERGY CODE ADOPTION AND ENFORCEMENT TRAINING.

(II) AS USED IN THIS SUBSECTION (3.5)(c), A RURAL COUNTY MEANS A COUNTY WITH A POPULATION OF LESS THAN THIRTY THOUSAND PEOPLE, AS DETERMINED PURSUANT TO THE MOST RECENTLY PUBLISHED POPULATION ESTIMATES FROM THE STATE DEMOGRAPHER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LOCAL AFFAIRS.

(d) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO JULY 1, 2023, A BOARD OF COUNTY COMMISSIONERS SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

(4) ~~The energy code shall apply to any commercial or residential building in the county for which a building permit application is received subsequent to the adoption of the energy code.~~

(5) The following buildings are exempt from subsections (3) ~~and (4)~~ AND (3.5) of this section:

(8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES COMMISSION TO:

(a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION; OR

(b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY THE UTILITY TO HELP THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

(9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE BOARD OF COUNTY COMMISSIONERS OF ANY COUNTY OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

(10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF

REQUIREMENTS.

(b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

SECTION 8. In Colorado Revised Statutes, 31-15-602, **amend** (2)(b), (3), and (5) introductory portion; **repeal** (4)(a); and **add** (1)(i), (1)(j), (2)(b.5), (3.5), (8), (9), and (10) as follows:

31-15-602. Energy efficient building codes - legislative declaration - definitions - repeal. (1) The general assembly hereby finds and declares that there is statewide interest in requiring an effective energy efficient building code for the following reasons:

(i) HIGHLY ENERGY EFFICIENT HOMES AND BUILDINGS CAN REDUCE ENERGY USE AND HELP CONSUMERS SAVE MONEY ON ENERGY BILLS.

(j) HIGHLY ENERGY EFFICIENT AND LOW CARBON NEW HOMES AND BUILDINGS ARE CRITICAL FOR MEETING THE GREENHOUSE GAS POLLUTION REDUCTION TARGETS ESTABLISHED IN SECTION 25-7-102 (2)(g).

(2) As used in this section, unless the context otherwise requires:

(b) "Energy code" means ~~at a minimum, one of the three most recent versions of the international energy conservation code published by the international code council~~ A SUBSET OF BUILDING CODES RELATED TO THE TOTAL ENERGY PERFORMANCE AND CARBON EMISSIONS OF RESIDENTIAL AND COMMERCIAL BUILDINGS.

(b.5) "INTERNATIONAL ENERGY CONSERVATION CODE" MEANS THE

ENERGY CODE PUBLISHED BY THE INTERNATIONAL CODE COUNCIL OR A SUCCESSOR ORGANIZATION.

(3) The governing body of any municipality ~~when adopting or updating any other building codes~~ THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, OR THAT ADOPTS AND ENFORCES ONE OR MORE BUILDING CODES AFTER JULY 1, 2022, shall adopt and enforce an energy code that applies to the construction of, and MAJOR renovations and additions to, all commercial and residential buildings AS REQUIRED BY THE ENERGY CODE in the municipality to which the building code applies.

(3.5) (a) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2023, AND BEFORE JULY 1, 2026, SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE AND THE MODEL ELECTRIC READY AND SOLAR READY CODE LANGUAGE EITHER DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (5) AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

(b) THE GOVERNING BODY OF A MUNICIPALITY THAT HAS ADOPTED AND ENFORCED ONE OR MORE BUILDING CODES, AND THAT UPDATES ONE OR MORE BUILDING CODES ON OR AFTER JULY 1, 2026, SHALL ADOPT AND BEGIN ENFORCING AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY AND CARBON EMISSIONS PERFORMANCE THAN THE MODEL LOW ENERGY AND CARBON CODE LANGUAGE DEVELOPED FOR ADOPTION BY THE ENERGY CODE BOARD PURSUANT TO SECTION 24-38.5-401 (6) , AT THE SAME TIME OTHER BUILDING CODES ARE UPDATED.

(c) WHEN ADOPTING OR UPDATING A BUILDING CODE PRIOR TO JULY 1, 2023, THE GOVERNING BODY OF A MUNICIPALITY SHALL ADOPT AND ENFORCE AN ENERGY CODE THAT ACHIEVES EQUIVALENT OR BETTER ENERGY PERFORMANCE THAN ONE OF THE THREE MOST RECENT EDITIONS OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

(4) (a) ~~The energy code shall apply to any commercial or residential building in the municipality for which a building permit application is received subsequent to the adoption of the energy code.~~

(5) The following buildings are exempt from subsections (3), ***(3.5),*** and (4) of this section:

(8) NOTHING IN THIS SECTION RESTRICTS THE ABILITY OF AN INVESTOR-OWNED UTILITY WITH APPROVAL FROM THE PUBLIC UTILITIES COMMISSION TO:

(a) PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION; OR

(b) EARN SHAREHOLDER INCENTIVES AND CLAIM CREDITS TOWARDS ITS REGULATORY REQUIREMENTS FOR ENERGY OR GREENHOUSE GAS EMISSION SAVINGS ACHIEVED AS A RESULT OF INCENTIVES PROVIDED BY THE UTILITY TO HELP THE GOVERNING BODY OF ANY MUNICIPALITY OR BUILDERS COMPLY WITH THE REQUIREMENTS OF THIS SECTION.

(9) A UTILITY NOT SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION MAY PROVIDE INCENTIVES OR OTHER ENERGY EFFICIENCY PROGRAM SERVICES AS THEY SO CHOOSE TO ASSIST THE GOVERNING BODY OF ANY MUNICIPALITY OR ANY BUILDERS IN COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.

(10) (a) A UTILITY MAY COUNT MASS-BASED EMISSIONS

REDUCTIONS ASSOCIATED WITH THE REQUIREMENTS OF THIS SECTION TOWARDS COMPLIANCE WITH ITS REQUIREMENTS UNDER SECTION 25-7-105 (1)(e)(X.7) OR (1)(e)(X.8), SECTION 40-3.2-108 (3)(b), OR ANY SIMILAR GREENHOUSE GAS EMISSIONS REDUCTION PROGRAM OR SET OF REQUIREMENTS.

(b) A UTILITY SUBJECT TO REGULATION BY THE PUBLIC UTILITIES COMMISSION SHALL NOT COUNT ENERGY SAVINGS OR GREENHOUSE GAS EMISSIONS REDUCTIONS ACHIEVED THROUGH THE REQUIREMENTS OF THIS SECTION FOR THE PURPOSE OF CALCULATING A SHAREHOLDER INCENTIVE ESTABLISHED PURSUANT TO SECTIONS 40-3.2-103 (2)(d) AND 40-3.2-104 (5) IF THE UTILITY HAS NOT PROVIDED A FINANCIAL INVESTMENT FOR CODE ADOPTION AS DOCUMENTED IN A PLAN APPROVED BY THE COMMISSION.

SECTION 9. In Colorado Revised Statutes, **repeal** article 7 of title 6.

SECTION 10. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety.

Status HB22-1362

T. Bernett | A. Valdez
Building Greenhouse Gas Emissions

Summary of Legislation

The bill requires the Colorado Energy Office (CEO) to identify for adoption three model codes for local governments and certain state agencies to adopt and enforce. It also creates two grant programs in the CEO to provide funding for state and local governments, utilities, non-profit organizations, and housing developers to purchase high-efficiency electric equipment. Model codes.

The bill requires the CEO to identify for adoption three sets of model code language:

- electric and solar ready code language by July 1, 2023;
- low energy and carbon code language by January 1, 2025; and
- green code language before July 1, 2024.

The CEO is required to consult with local governments, builders, and other stakeholders before identifying model language. By December 31, 2025, the CEO will provide a report to relevant legislative committees that project the carbon emissions of buildings subject to the low energy and carbon codes, and determine any updates to the model codes to ensure the building sector emission reductions meet statewide targets.

State agency model code adoption

By January 1, 2025, the following local governments and state agencies must adopt and enforce an energy code that is at least as stringent as the 2021 International Energy Conservation Code and the model electric and solar ready code language identified for adoption by CEO:

- the Office of State Architect (OSA) in the Department of Personnel and Administration;
- the Division of Housing (DOH) in the Department of Local Affairs,
- the Division of Fire Protection and Control (DFPC) in the Department of Public Safety;
- boards of county commissioners; and
- governing bodies of municipalities.

By January 1, 2030, these agencies must adopt and enforce an energy code that meets or exceeds energy and carbon emissions performance of the model low energy and carbon code language identified for adoption by the CEO. The OSA energy code applies to the construction by state agencies on state-owned or leased properties. The DOH energy code applies to factory-built structures, manufactured homes, as well as hotels, motels, and multi-family structures in areas of the state where no construction standards exist. The DFPC energy code applies to certain school buildings and health facilities.

Energy code training

The CEO will provide energy code training and technical assistance in multiple languages to assist local governments, state agencies, builders, and contractors in adopting and implementing the energy codes, and will award grants to local governments to support their adoption and enforcement of energy codes.

Building Electrification for Public Buildings Grant Program

The bill creates the Building Electrification for Public Buildings Grant Program in the CEO. Local governments, school districts, state agencies, special districts are eligible to receive funding to install high-efficiency electric heating equipment for space heating, water heating, or cooking.

High Efficiency Electric Heating and Appliances Grant Program

The bill creates the High Efficiency Electric Heating and Appliances Grant Program. Local governments, utilities, non-profit organizations, and housing developers are eligible to receive funding to install high efficiency electric heating equipment in multiple structures within a neighborhood.

Grant program funding

The bill creates the Clean Air Buildings Investment Fund (fund), which is continuously appropriated to the CEO, to create, implement and administer the grant programs.

Council Agenda Summary

Title:

Pulled Consent Agenda Items

Summary:

Pulled Consent Agenda items will be considered in the order they appeared on the consent agenda.

Council Agenda Summary

June 7, 2022

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

Title:

Public hearing and final reading of an ordinance authorizing the sale of city-owned property located in Section 4, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado (Balmer Farm).

Summary:

In 2016, the City of Greeley purchased a 139 +/- acre farm in Weld County, (known internally as the "Balmer Farm"). The land was part of the Danielson Farms acquisition, which included two other farms totaling 332 acres along with three shares of the stock in the Water Supply and Storage Company ("WSSC Water Rights"). Greeley paid a dry land value of $4,890 per acre for the land in 2016. Since that time, the City has leased the Balmer Farm, along with the WSSC Water Rights, to a tenant farmer in order to maintain the beneficial use of the WSSC Water Rights on the historically irrigated land. In 2022, the City negotiated a purchase offer for the Balmer Farm for $850,000 or $6,100 per acre. The City will retain the WSSC Water Rights; no water rights are part of the sale. A dry-up covenant, revegetation covenant, and a leaseback of the two shares of WSSC Water Rights to the buyer are part of the agreement.

The Water and Sewer Board authorized the sale at its April 20, 2022, meeting and recommended that City Council authorize the same.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	$850,000
What is the annual impact?	None
What fund of the City will provide Funding?	Water Acquisition Fund _ Revenue Received
What is the source of revenue within the fund?	Cash-in-Lieu
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:

Section 17-4(c) of the City Charter requires that any sale or exchange of water, water and sewer facilities or land, including the sale of real property previously acquired by the Water and Sewer Department with enterprise funds, be approved by City Council. The divestment of real property not being used or held for a governmental purpose

may be authorized by ordinance. The City Attorney's Office has reviewed and approved the enclosed ordinance as to legal form.

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

Strategic Work Program Item or Applicable Council Priority and Goal:

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

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Economic Health & Development: Foster and maintain public and private investment in business development.

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 authorizing the sale of the city-owned property located in Section 4, Township 7 North, Range 66 West of the 6th P.M. in Weld County ("Balmer Farm").

Attachments:

Ordinance
Purchase Contract and Exhibits

CITY OF GREELEY, COLORADO
ORDINANCE NO. 19, 2022

AN ORDINANCE AUTHORIZING THE DIVESTMENT OF CITY-OWNED REAL PROPERTY LOCATED IN THE EAST HALF OF SECTION 4, TOWNSHIP 7 NORTH, RANGE 66 WEST OF THE 6TH P.M. IN WELD COUNTY, COLORADO (BALMER FARM)

WHEREAS, in 2016, the City of Greeley, acting by and through its Water Enterprise, purchased certain real property that has commonly been known as the Balmer Farm, and is more particularly described as Lot B of Recorded Exemption No. 582 and Revision recorded April 27, 1983 at Reception No. 1924815 in Book 994, being located in the E½ of Section 4, Township 7 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado; said property is also referred to as Weld County Parcel No. 070704000029 and consists of approximately 138.33 net acres, more or less; and

WHEREAS, since acquiring the Balmer Farm, the City has leased the land along with the associated water rights represented by shares in The Water Supply and Storage Company ("WSSC Shares"), to a tenant farmer in order to sustain historical use of the water rights for a future change of the rights to municipal uses; and

WHEREAS, the City recently received an offer to purchase the Balmer Farm, as is described more particularly in the Contract to Buy and Sell Real Estate (Land) and associated exhibits attached hereto as Exhibit A ("Purchase Contract"); and

WHEREAS, the City will retain any and all water and water rights associated with the Balmer Farm, including, without limitation, the WSSC Shares described above that have historically irrigated the property; and

WHEREAS, Section 17-4(c) of the Charter for the City of Greeley requires that any sale or exchange of water, water and sewer facilities or land, including the sale of real property previously acquired by the Water and Sewer Department with enterprise funds, be approved by City Council; and

WHEREAS, the City Council may authorize by ordinance the divestment of real property that is not being used or held for a governmental purpose; and

WHEREAS, the Water and Sewer Board on April 20, 2022 made a finding that the Balmer Farm is not currently being used or held for a governmental purpose, approved the Purchase Contract, and recommended the same action to City Council; and

WHEREAS, the City Council has determined that the sale of the Balmer Farm, as is described more particularly in the Purchase Contract, is in the best interests of the citizens of the City of Greeley.

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

Section 1. The City Council determines that the Balmer Farm is not being used or held for a

governmental purpose, and is surplus property unnecessary to retain for any governmental purpose.

Section 2. The City Council authorizes the divestment of the Balmer Farm, in accordance with the terms and conditions of the Contract to Buy and Sell Real Estate (Land) and associated exhibits attached hereto as Exhibit A.

Section 3. The City Council authorizes the Director of the Water and Sewer Department, or his designee, to make minor amendments to the Contract to Buy and Sell Real Estate (Land) and associated exhibits, including, without limitation, corrections to property descriptions and contract extensions.

Section 4. Upon the satisfaction of all contract terms and conditions, including any amendments made thereto, the City Council authorizes (i) the Mayor to execute a deed conveying the Balmer Farm, (ii) the Director of the Water and Sewer Department, or his designee, to execute all other documents necessary to complete the transaction contemplated by the Contract to Buy and Sell Real Estate (Land) and associated exhibits, and (iii) the Director of the Water and Sewer Department, or his designee, to undertake all other necessary and appropriate action to complete the transaction.

Section 5. This Ordinance shall take effect immediately after its final publication.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS _____ DAY OF _____ 2022.

ATTEST

_____

City Clerk

CITY OF GREELEY, COLORADO

_____

Mayor

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (CBS4-6-21) (Mandatory 1-22)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

CONTRACT TO BUY AND SELL REAL ESTATE (LAND)

(■ Property with No Residences)

(☐ Property with Residences-Residential Addendum Attached)

Date: _____

AGREEMENT

1. AGREEMENT. Buyer agrees to buy and Seller agrees to sell the Property described below on the terms and conditions set forth in this contract (Contract).

2. PARTIES AND PROPERTY.

2.1. Buyer. **LTS Performance Horses LLC** (Buyer) will take title to the Property described below as ☐ ~~**Joint Tenants**~~ ☐ ~~**Tenants In Common**~~ ☐ **Other** _____.

2.2. No Assignability. This Contract **IS NOT** assignable by Buyer unless otherwise specified in **Additional Provisions**.

2.3. Seller. **The City of Greeley, Colorado** (Seller) is the current owner of the Property described below.

2.4. Property. The Property is the following legally described real estate in the County of **Weld**, Colorado (insert legal description):

Lot B of Recorded Exemption No. 582 and Revision recorded April 27, 1983 at Reception No. 1924815 in Book 994, being located in the E 1/2 of Section 4, Township 7 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado; said Property is also known as Parcel No. 070704000029 and consists of approximately 138.33 net acres, more or less.

~~known as~~: **N/A**,
Street Address City State Zip

together with the interests, easements, rights, benefits, improvements and attached fixtures appurtenant thereto and all interest of Seller in vacated streets and alleys adjacent thereto, except as herein excluded (Property).

2.5. Inclusions. The Purchase Price includes the following items (Inclusions):

2.5.1. Inclusions. The following items, whether fixtures or personal property, are included in the Purchase Price unless excluded under **Exclusions**:

One (1) Zimmatic - brand center-pivot irrigation sprinkler system and all associated pumps, motors, pipes, and fuel injection systems located on the Property as of the date this contract is executed.

If any additional items are attached to the Property after the date of this Contract, such additional items are also included in the Purchase Price.

~~**2.5.2. Encumbered Inclusions.** Any Inclusions owned by Seller (i.e., owned solar panels) must be conveyed at Closing by Seller free and clear of all taxes (except personal property and general real estate taxes for the year of Closing), liens and encumbrances, except:~~

2.5.3. Personal Property Conveyance. Conveyance of all personal property will be by bill of sale ~~or other applicable legal instrument.~~

~~**2.5.4. Leased Items.** The following personal property is currently leased to Seller which will be transferred to Buyer at Closing (Leased Items):~~

2.6. Exclusions. The following items are excluded (Exclusions):

2.6.1 - Any and all rights, title, and interest of the Seller in and to any water and water rights, ditches and ditch rights, reservoirs and reservoir rights, and lateral rights associated with the Property, including, without limitation, those rights represented by shares of stock in The Water Supply and Storage Company.

2.6.2 - Any equipment or personal property located on the Property and owned by or belonging to Leland Lebsack, the tenant occupying the Property pursuant to that certain First Amendment to Farm Lease Agreement dated April 6, 2021.

~~**2.7. Water Rights, Well Rights, Water and Sewer Taps.**~~

☐ ~~**2.7.1. Deeded Water Rights.** The following legally described water rights:~~

~~Any deeded water rights will be conveyed by a good and sufficient _____ deed at Closing.~~

☐ ~~**2.7.2. Other Rights Relating to Water.** The following rights relating to water not included in §§ 2.7.1., 2.7.3., 2.7.4. and 2.7.5., will be transferred to Buyer at Closing:~~

☐ ~~**2.7.3. Well Rights.** Seller agrees to supply required information to Buyer about the well. Buyer understands that if the well to be transferred is a "Small Capacity Well" or a "Domestic Exempt Water Well" used for ordinary household purposes, Buyer must, prior to or at Closing, complete a Change in Ownership form for the well. If an existing well has not been registered with the Colorado Division of Water Resources in the Department of Natural Resources (Division), Buyer must complete a registration of existing well form for the well and pay the cost of registration. If no person will be providing a closing service in connection with the transaction, Buyer must file the form with the Division within sixty days after Closing. The Well Permit # is _____.~~

☐ ~~**2.7.4. Water Stock Certificates.** The water stock certificates to be transferred at Closing are as follows:~~

~~**2.7.5. Water and Sewer Taps.** The parties agree that water and sewer taps listed below for the Property are being conveyed as part of the Purchase Price as follows:~~

~~**If any water or sewer taps are included in the sale, Buyer is advised to obtain, from the provider, written confirmation of the amount remaining to be paid, if any, time and other restrictions for transfer and use of the taps.**~~

~~**2.7.6. Conveyance.** If Buyer is to receive any rights to water pursuant to § 2.7.2. (Other Rights Relating to Water), § 2.7.3. (Well Rights), § 2.7.4. (Water Stock Certificates), or § 2.7.5. (Water and Sewer Taps), Seller agrees to convey such rights to Buyer by executing the applicable legal instrument at Closing.~~

~~**2.7.7. Water Rights Review.** Buyer ☐ **Does** ☐ **Does Not** have a Right to Terminate if examination of the Water Rights is unsatisfactory to Buyer on or before the **Water Rights Examination Deadline**.~~

2.8. Growing Crops. With respect to growing crops, Seller and Buyer agree as follows:

Any growing crops existing on the Property at the time of Closing shall remain the property of Leland Lebsack, pursuant to the First Amendment to Farm Lease Agreement dated April 6, 2021.

3. DATES, DEADLINES AND APPLICABILITY.

3.1. Dates and Deadlines.

Item No.	Reference	Event	Date or Deadline
~~1~~	~~§ 3~~	~~Time of Day Deadline~~	**N/A**
2	§ 4	Alternative Earnest Money Deadline	**3 days after MEC**
		Title	
3	§ 8	Record Title Deadline (and Tax Certificate)	**14 days after MEC**
4	§ 8	Record Title Objection Deadline	**21 days after MEC**

5	§ 8	Off-Record Title Deadline	**14 days after MEC**
6	§ 8	Off-Record Title Objection Deadline	**21 days after MEC**
7	§ 8	Title Resolution Deadline	**30 days after MEC**
~~8~~	~~§ 8~~	~~Third Party Right to Purchase/Approve Deadline~~	**N/A**
		~~Owners' Association~~	
~~9~~	~~§ 7~~	~~Association Documents Deadline~~	**N/A**
~~10~~	~~§ 7~~	~~Association Documents Termination Deadline~~	**N/A**
		Seller's Disclosures	
11	§ 10	Seller's Property Disclosure Deadline	**14 days after MEC**
~~12~~	~~§ 10~~	~~Lead-Based Paint Disclosure Deadline (if Residential Addendum attached)~~	**N/A**
		~~Loan and Credit~~	
~~13~~	~~§ 5~~	~~New Loan Application Deadline~~	**N/A**
~~14~~	~~§ 5~~	~~New Loan Terms Deadline~~	**N/A**
~~15~~	~~§ 5~~	~~New Loan Availability Deadline~~	**N/A**
~~16~~	~~§ 5~~	~~Buyer's Credit Information Deadline~~	**N/A**
~~17~~	~~§ 5~~	~~Disapproval of Buyer's Credit Information Deadline~~	**N/A**
~~18~~	~~§ 5~~	~~Existing Loan Deadline~~	**N/A**
~~19~~	~~§ 5~~	~~Existing Loan Termination Deadline~~	**N/A**
~~20~~	~~§ 5~~	~~Loan Transfer Approval Deadline~~	**N/A**
~~21~~	~~§ 4~~	~~Seller or Private Financing Deadline~~	**N/A**
		Appraisal	
22	§ 6	Appraisal Deadline	**14 days after MEC**
23	§ 6	Appraisal Objection Deadline	**21 days after MEC**
24	§ 6	Appraisal Resolution Deadline	**30 days after MEC**
		Survey	
25	§ 9	New ILC or New Survey Deadline	**14 days after MEC**
26	§ 9	New ILC or New Survey Objection Deadline	**21 days after MEC**
27	§ 9	New ILC or New Survey Resolution Deadline	**30 days after MEC**
		Inspection and Due Diligence	
~~28~~	~~§ 2~~	~~Water Rights Examination Deadline~~	**N/A**
~~29~~	~~§ 8~~	~~Mineral Rights Examination Deadline~~	**N/A**
30	§ 10	Inspection Termination Deadline	**35 days after MEC**
31	§ 10	Inspection Objection Deadline	**30 days after MEC**
32	§ 10	Inspection Resolution Deadline	**35 days after MEC**
33	§ 10	Property Insurance Termination Deadline	**30 days after MEC**
34	§ 10	Due Diligence Documents Delivery Deadline	**14 days after MEC**
35	§ 10	Due Diligence Documents Objection Deadline	**21 days after MEC**
36	§ 10	Due Diligence Documents Resolution Deadline	**30 days after MEC**
37	§ 10	Environmental Inspection Termination Deadline	**30 days after MEC**
38	§ 10	ADA Evaluation Termination Deadline	**30 days after MEC**
~~39~~	~~§ 10~~	~~Conditional Sale Deadline~~	**N/A**
~~40~~	~~§ 10~~	~~Lead-Based Paint Termination Deadline (if Residential Addendum attached)~~	**N/A**
41	§ 11	Estoppel Statements Deadline	**21 days after MEC**
42	§ 11	Estoppel Statements Termination Deadline	**30 days after MEC**
		Closing and Possession	
43	§ 12	Closing Date	**60 days after MEC or by mutual agreement**
44	§ 17	Possession Date	**Closing Date**
45	§ 17	Possession Time	**5:00 p.m. U.S. Mountain Time**
~~46~~	~~§ 27~~	~~**Acceptance Deadline Date**~~	**N/A**
~~47~~	~~§ 27~~	~~**Acceptance Deadline Time**~~	**N/A**

3.2. Applicability of Terms. If any deadline blank in § 3.1. (Dates and Deadlines) is left blank or completed with "N/A", or the word "Deleted," such deadline is not applicable and the corresponding provision containing the deadline is deleted. Any box

checked in this Contract means the corresponding provision applies. If no box is checked in a provision that contains a selection of "None", such provision means that "None" applies.

The abbreviation "MEC" (mutual execution of this Contract) means the date upon which both parties have signed this Contract. The abbreviation "N/A" as used in this Contract means not applicable.

3.3. Day; Computation of Period of Days; Deadlines.

3.3.1. Day. As used in this Contract, the term "day" means the entire day ending at 11:59 p.m., United States Mountain Time (Standard or Daylight Savings, as applicable). Except however, if a **Time of Day Deadline** is specified in § 3.1. (Dates and Deadlines), all Objection Deadlines, Resolution Deadlines, Examination Deadlines and Termination Deadlines will end on the specified deadline date at the time of day specified in the **Time of Day Deadline**, United States Mountain Time. If **Time of Day Deadline** is left blank or "N/A" the deadlines will expire at 11:59 p.m., United States Mountain Time.

3.3.2. Computation of Period of Days. In computing a period of days (e.g., three days after MEC), when the ending date is not specified, the first day is excluded and the last day is included.

3.3.3. Deadlines. If any deadline falls on a Saturday, Sunday or federal or Colorado state holiday (Holiday), such deadline ■ **Will** □ ~~**Will Not**~~ be extended to the next day that is not a Saturday, Sunday or Holiday. Should neither box be checked, the deadline will not be extended.

4. PURCHASE PRICE AND TERMS.

4.1. Price and Terms. The Purchase Price set forth below is payable in U.S. Dollars by Buyer as follows:

Item No.	Reference	Item	Amount	Amount
1	§ 4.1.	Purchase Price	$ **850,000.00**	
2	§ 4.3.	Earnest Money		$ **10,000.00**
~~3~~	~~§ 4.5.~~	~~New Loan~~		$ **N/A**
~~4~~	~~§ 4.6.~~	~~Assumption Balance~~		$ **N/A**
~~5~~	~~§ 4.7.~~	~~Private Financing~~		$ **N/A**
~~6~~	~~§ 4.7.~~	~~Seller Financing~~		$ **N/A**
7				
8				
9	§ 4.4.	Cash at Closing		$ **840,000.00**
10		**TOTAL**	$ **850,000.00**	$ **850,000.00**

~~**4.2. Seller Concession.** At Closing, Seller will credit to Buyer $_____ (Seller Concession). The Seller Concession may be used for any Buyer fee, cost, charge or expenditure to the extent the amount is allowed by the Buyer's lender and is included in the Closing Statement or Closing Disclosure at Closing. Examples of allowable items to be paid for by the Seller Concession include, but are not limited to: Buyer's closing costs, loan discount points, loan origination fees, prepaid items and any other fee, cost, charge, expense or expenditure. Seller Concession is in addition to any sum Seller has agreed to pay or credit Buyer elsewhere in this Contract.~~

4.3. Earnest Money. The Earnest Money set forth in this Section, in the form of a **check, wire transfer, or other Good Funds**, will be payable to and held by **Land Title Guarantee Company, 4617 West 20th Street, Suite B, Greeley, Colorado 80634** (Earnest Money Holder), in its trust account, on behalf of both Seller and Buyer. The Earnest Money deposit must be tendered, by Buyer, with this Contract unless the parties mutually agree to an **Alternative Earnest Money Deadline** for its payment. The parties authorize delivery of the Earnest Money deposit to the company conducting the Closing (Closing Company), if any, at or before Closing. In the event Earnest Money Holder has agreed to have interest on Earnest Money deposits transferred to a fund established for the purpose of providing affordable housing to Colorado residents, Seller and Buyer acknowledge and agree that any interest accruing on the Earnest Money deposited with the Earnest Money Holder in this transaction will be transferred to such fund.

4.3.1. Alternative Earnest Money Deadline. The deadline for delivering the Earnest Money, if other than at the time of tender of this Contract, is as set forth as the **Alternative Earnest Money Deadline**.

4.3.2. Disposition of Earnest Money. If Buyer has a Right to Terminate and timely terminates, Buyer is entitled to the return of Earnest Money as provided in this Contract. If this Contract is terminated as set forth in § 24 and, except as provided in § 23 (Earnest Money Dispute), if the Earnest Money has not already been returned following receipt of a Notice to Terminate, Seller agrees to execute and return to Buyer or Broker working with Buyer, written mutual instructions (e.g., Earnest Money Release form), within three days of Seller's receipt of such form. If Seller is entitled to the Earnest Money, and, except as provided in § 23 (Earnest Money Dispute), if the Earnest Money has not already been paid to Seller, following receipt of an Earnest Money Release form, Buyer agrees to execute and return to Seller or Broker working with Seller, written mutual instructions (e.g., Earnest Money Release form), within three days of Buyer's receipt.

4.3.2.1. Seller Failure to Timely Return Earnest Money. If Seller fails to timely execute and return the Earnest Money Release Form, or other written mutual instructions, Seller is in default and liable to Buyer as set forth in "**If Seller is in Default", § 20.2. and § 21,** unless Seller is entitled to the Earnest Money due to a Buyer default.

4.3.2.2. Buyer Failure to Timely Release Earnest Money. If Buyer fails to timely execute and return the Earnest Money Release Form, or other written mutual instructions, Buyer is in default and liable to Seller as set forth in "**If Buyer is in Default, § 20.1. and § 21**, unless Buyer is entitled to the Earnest Money due to a Seller Default.

4.4. Form of Funds; Time of Payment; Available Funds.

4.4.1. Good Funds. All amounts payable by the parties at Closing, including any loan proceeds, Cash at Closing and closing costs, must be in funds that comply with all applicable Colorado laws, including electronic transfer funds, certified check, savings and loan teller's check and cashier's check (Good Funds).

4.4.2. Time of Payment. All funds, including the Purchase Price to be paid by Buyer, must be paid before or at Closing or as otherwise agreed in writing between the parties to allow disbursement by Closing Company at Closing **OR SUCH NONPAYING PARTY WILL BE IN DEFAULT**.

4.4.3. Available Funds. Buyer represents that Buyer, as of the date of this Contract, ■ **Does** ☐ ~~**Does Not**~~ have funds that are immediately verifiable and available in an amount not less than the amount stated as Cash at Closing in § 4.1.

~~**4.5. New Loan.**~~

~~**4.5.1. Buyer to Pay Loan Costs.** Buyer, except as otherwise permitted in § 4.2. (Seller Concession), if applicable, must timely pay Buyer's loan costs, loan discount points, prepaid items and loan origination fees as required by lender.~~

~~**4.5.2. Buyer May Select Financing.** Buyer may pay in cash or select financing appropriate and acceptable to Buyer, including a different loan than initially sought, except as restricted in § 4.5.3. (Loan Limitations) or § 29 (Additional Provisions).~~

~~**4.5.3. Loan Limitations.** Buyer may purchase the Property using any of the following types of loans: ☐ **Conventional** ☐ **Other** _____.~~

~~**4.6. Assumption.** Buyer agrees to assume and pay an existing loan in the approximate amount of the Assumption Balance set forth in § 4.1. (Price and Terms), presently payable at $_____ per _____ including principal and interest presently at the rate of _____% per annum and also including escrow for the following as indicated: ☐ **Real Estate Taxes** ☐ **Property Insurance Premium** and ☐ _____.~~

~~Buyer agrees to pay a loan transfer fee not to exceed $_____. At the time of assumption, the new interest rate will not exceed _____% per annum and the new payment will not exceed $_____ per _____ principal and interest, plus escrow, if any. If the actual principal balance of the existing loan at Closing is less than the Assumption Balance, which causes the amount of cash required from Buyer at Closing to be increased by more than $_____, or if any other terms or provisions of the loan change, Buyer has the Right to Terminate under § 24.1. on or before **Closing Date**.~~

~~Seller ☐ **Will** ☐ **Will Not** be released from liability on said loan. If applicable, compliance with the requirements for release from liability will be evidenced by delivery ☐ on or before **Loan Transfer Approval Deadline** ☐ at **Closing** of an appropriate letter of commitment from lender. Any cost payable for release of liability will be paid by _____ in an amount not to exceed $_____.~~

~~**4.7. Seller or Private Financing.**~~

~~**WARNING:** Unless the transaction is exempt, federal and state laws impose licensing, other requirements and restrictions on sellers and private financiers. Contract provisions on financing and financing documents, unless exempt, should be prepared by a licensed Colorado attorney or licensed mortgage loan originator. Brokers should not prepare or advise the parties on the specifics of financing, including whether or not a party is exempt from the law.~~

~~**4.7.1. Seller Financing.** If Buyer is to pay all or any portion of the Purchase Price with Seller financing, ☐ **Buyer** ☐ **Seller** will deliver the proposed Seller financing documents to the other party on or before _____ days before **Seller or Private Financing Deadline**.~~

~~**4.7.1.1. Seller May Terminate.** If Seller is to provide Seller financing, this Contract is conditional upon Seller determining whether such financing is satisfactory to the Seller, including its payments, interest rate, terms, conditions, cost, and compliance with the law. Seller has the Right to Terminate under § 24.1., on or before **Seller or Private Financing Deadline**, if such Seller financing is not satisfactory to Seller, in Seller's sole subjective discretion.~~

~~**4.7.2. Buyer May Terminate.** If Buyer is to pay all or any portion of the Purchase Price with Seller or private financing, this Contract is conditional upon Buyer determining whether such financing is satisfactory to Buyer, including its availability, payments, interest rate, terms, conditions, and cost. Buyer has the Right to Terminate under § 24.1., on or before **Seller or Private Financing Deadline**, if such Seller or private financing is not satisfactory to Buyer, in Buyer's sole subjective discretion.~~

TRANSACTION PROVISIONS

~~**5. FINANCING CONDITIONS AND OBLIGATIONS.**~~

~~**5.1. New Loan Application.** If Buyer is to pay all or part of the Purchase Price by obtaining one or more new loans (New Loan), or if an existing loan is not to be released at Closing, Buyer, if required by such lender, must make an application verifiable by such lender, on or before **New Loan Application Deadline** and exercise reasonable efforts to obtain such loan or approval.~~

~~**5.2. New Loan Terms; New Loan Availability.**~~

5.2.1. New Loan Terms. If Buyer is to pay all or part of the Purchase Price with a New Loan, this Contract is conditional upon Buyer determining, in Buyer's sole subjective discretion, whether the proposed New Loan's payments, interest rate, conditions and costs or any other loan terms (New Loan Terms) are satisfactory to Buyer. This condition is for the sole benefit of Buyer. Buyer has the Right to Terminate under § 24.1., on or before **New Loan Terms Deadline**, if the New Loan Terms are not satisfactory to Buyer, in Buyer's sole subjective discretion.

5.2.2. New Loan Availability. If Buyer is to pay all or part of the Purchase Price with a New Loan, this Contract is conditional upon Buyer's satisfaction with the availability of the New Loan based on the lender's review and underwriting of Buyer's New Loan Application (New Loan Availability). Buyer has the Right to Terminate under § 24.1., on or before the **New Loan Availability Deadline** if the New Loan Availability is not satisfactory to Buyer. Buyer does not have a Right to Terminate based on the New Loan Availability if the termination is based on the New Loan Terms, Appraised Value (defined below), the Lender Property Requirements (defined below), Insurability (§ 10.5. below) or the Conditional Upon Sale of Property (§ 10.7. below). **IF SELLER IS NOT IN DEFAULT AND DOES NOT TIMELY RECEIVE BUYER'S WRITTEN NOTICE TO TERMINATE, BUYER'S EARNEST MONEY WILL BE NONREFUNDABLE,** except as otherwise provided in this Contract (e.g., Appraisal, Title, Survey).

5.3. Credit Information. If an existing loan is not to be released at Closing, this Contract is conditional (for the sole benefit of Seller) upon Seller's approval of Buyer's financial ability and creditworthiness, which approval will be in Seller's sole subjective discretion. Accordingly: (1) Buyer must supply to Seller by **Buyer's Credit Information Deadline**, at Buyer's expense, information and documents (including a current credit report) concerning Buyer's financial, employment and credit condition; (2) Buyer consents that Seller may verify Buyer's financial ability and creditworthiness; and (3) any such information and documents received by Seller must be held by Seller in confidence and not released to others except to protect Seller's interest in this transaction. If the Cash at Closing is less than as set forth in § 4.1. of this Contract, Seller has the Right to Terminate under § 24.1., on or before Closing. If Seller disapproves of Buyer's financial ability or creditworthiness, in Seller's sole subjective discretion, Seller has the Right to Terminate under § 24.1., on or before **Disapproval of Buyer's Credit Information Deadline**.

5.4. Existing Loan Review. If an existing loan is not to be released at Closing, Seller must deliver copies of the loan documents (including note, deed of trust and any modifications) to Buyer by **Existing Loan Deadline**. For the sole benefit of Buyer, this Contract is conditional upon Buyer's review and approval of the provisions of such loan documents. Buyer has the Right to Terminate under § 24.1., on or before **Existing Loan Termination Deadline**, based on any unsatisfactory provision of such loan documents, in Buyer's sole subjective discretion. If the lender's approval of a transfer of the Property is required, this Contract is conditional upon Buyer obtaining such approval without change in the terms of such loan, except as set forth in § 4.6. If lender's approval is not obtained by **Loan Transfer Approval Deadline**, this Contract will terminate on such deadline. Seller has the Right to Terminate under § 24.1., on or before Closing, in Seller's sole subjective discretion, if Seller is to be released from liability under such existing loan and Buyer does not obtain such compliance as set forth in § 4.6.

6. APPRAISAL PROVISIONS.

6.1. Appraisal Definition. An "Appraisal" is an opinion of value prepared by a licensed or certified appraiser, engaged on behalf of Buyer or Buyer's lender, to determine the Property's market value (Appraised Value). The Appraisal may also set forth certain lender requirements, replacements, removals or repairs necessary on or to the Property as a condition for the Property to be valued at the Appraised Value.

6.2. Appraised Value. The applicable appraisal provision set forth below applies to the respective loan type set forth in § 4.5.3., or if a cash transaction (i.e., no financing), § 6.2.1. applies.

6.2.1. Conventional/Other. Buyer has the right to obtain an Appraisal. If the Appraised Value is less than the Purchase Price, or if the Appraisal is not received by Buyer on or before **Appraisal Deadline** Buyer may, on or before **Appraisal Objection Deadline**:

6.2.1.1. Notice to Terminate. Notify Seller in writing, pursuant to § 24.1., that this Contract is terminated; or

6.2.1.2. Appraisal Objection. Deliver to Seller a written objection accompanied by either a copy of the Appraisal or written notice from lender that confirms the Appraised Value is less than the Purchase Price (Lender Verification).

6.2.1.3. Appraisal Resolution. If an Appraisal Objection is received by Seller, on or before **Appraisal Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **Appraisal Resolution Deadline**, this Contract will terminate on the **Appraisal Resolution Deadline**, unless Seller receives Buyer's written withdrawal of the Appraisal Objection before such termination, (i.e., on or before expiration of **Appraisal Resolution Deadline**).

6.3. Lender Property Requirements. If the lender imposes any written requirements, replacements, removals or repairs, including any specified in the Appraisal (Lender Property Requirements) to be made to the Property (e.g., roof repair, repainting), beyond those matters already agreed to by Seller in this Contract, this Contract terminates on the earlier of three days following Seller's receipt of the Lender Property Requirements, or Closing, unless prior to termination: (1) the parties enter into a written agreement to satisfy the Lender Property Requirements; (2) the Lender Property Requirements have been completed; or (3) the satisfaction of the Lender Property Requirements is waived in writing by Buyer.

6.4. Cost of Appraisal. Cost of the Appraisal to be obtained after the date of this Contract must be timely paid by ■ **Buyer** ☐ ~~**Seller**~~. The cost of the Appraisal may include any and all fees paid to the appraiser, appraisal management company, lender's agent or all three.

~~**7. OWNERS' ASSOCIATIONS.** This Section is applicable if the Property is located within one or more Common~~ Interest ~~Communities and subject to one or more declarations (Association).~~

~~**7.1. Common Interest Community Disclosure. THE PROPERTY IS LOCATED WITHIN A COMMON INTEREST COMMUNITY AND IS SUBJECT TO THE DECLARATION FOR THE COMMUNITY. THE OWNER OF THE PROPERTY WILL BE REQUIRED TO BE A MEMBER OF THE OWNERS' ASSOCIATION FOR THE COMMUNITY AND WILL BE SUBJECT TO THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION. THE DECLARATION, BYLAWS AND RULES AND REGULATIONS WILL IMPOSE FINANCIAL OBLIGATIONS UPON THE OWNER OF THE PROPERTY, INCLUDING AN OBLIGATION TO PAY ASSESSMENTS OF THE ASSOCIATION. IF THE OWNER DOES NOT PAY THESE ASSESSMENTS, THE ASSOCIATION COULD PLACE A LIEN ON THE PROPERTY AND POSSIBLY SELL IT TO PAY THE DEBT. THE DECLARATION, BYLAWS AND RULES AND REGULATIONS OF THE COMMUNITY MAY PROHIBIT THE OWNER FROM MAKING CHANGES TO THE PROPERTY WITHOUT AN ARCHITECTURAL REVIEW BY THE ASSOCIATION (OR A COMMITTEE OF THE ASSOCIATION) AND THE APPROVAL OF THE ASSOCIATION. PURCHASERS OF PROPERTY WITHIN THE COMMON INTEREST COMMUNITY SHOULD INVESTIGATE THE FINANCIAL OBLIGATIONS OF MEMBERS OF THE ASSOCIATION. PURCHASERS SHOULD CAREFULLY READ THE DECLARATION FOR THE COMMUNITY AND THE BYLAWS AND RULES AND REGULATIONS OF THE ASSOCIATION.~~

~~**7.2. Association Documents to Buyer.** Seller is obligated to provide to Buyer the Association Documents (defined below), at Seller's expense, on or before **Association Documents Deadline**. Seller authorizes the Association to provide the Association Documents to Buyer, at Seller's expense. Seller's obligation to provide the Association Documents is fulfilled upon Buyer's receipt of the Association Documents, regardless of who provides such documents.~~

~~**7.3. Association Documents.** Association documents (Association Documents) consist of the following:~~

~~**7.3.1.** All Association declarations, articles of incorporation, bylaws, articles of organization, operating agreements, rules and regulations, party wall agreements and the Association's responsible governance policies adopted under § 38-33.3-209.5, C.R.S.;~~

~~**7.3.2.** Minutes of: (1) the annual owners' or members' meeting and (2) any executive boards' or managers' meetings; such minutes include those provided under the most current annual disclosure required under § 38-33.3-209.4, C.R.S. (Annual Disclosure) and minutes of meetings, if any, subsequent to the minutes disclosed in the Annual Disclosure. If none of the preceding minutes exist, then the most recent minutes, if any (§§ 7.3.1. and 7.3.2., collectively, Governing Documents); and~~

~~**7.3.3.** List of all Association insurance policies as provided in the Association's last Annual Disclosure, including, but not limited to, property, general liability, association director and officer professional liability and fidelity policies. The list must include the company names, policy limits, policy deductibles, additional named insureds and expiration dates of the policies listed (Association Insurance Documents);~~

~~**7.3.4.** A list by unit type of the Association's assessments, including both regular and special assessments as disclosed in the Association's last Annual Disclosure;~~

~~**7.3.5.** The Association's most recent financial documents which consist of: (1) the Association's operating budget for the current fiscal year, (2) the Association's most recent annual financial statements, including any amounts held in reserve for the fiscal year immediately preceding the Association's last Annual Disclosure, (3) the results of the Association's most recent available financial audit or review, (4) list of the fees and charges (regardless of name or title of such fees or charges) that the Association's community association manager or Association will charge in connection with the Closing including, but not limited to, any fee incident to the issuance of the Association's statement of assessments (Status Letter), any rush or update fee charged for the Status Letter, any record change fee or ownership record transfer fees (Record Change Fee), fees to access documents, (5) list of all assessments required to be paid in advance, reserves or working capital due at Closing and (6) reserve study, if any (§§ 7.3.4. and 7.3.5., collectively, Financial Documents);~~

~~**7.3.6.** Any written notice from the Association to Seller of a "construction defect action" under § 38-33.3-303.5, C.R.S. within the past six months and the result of whether the Association approved or disapproved such action (Construction Defect Documents). Nothing in this Section limits the Seller's obligation to disclose adverse material facts as required under § 10.2. (Disclosure of Adverse Material Facts; Subsequent Disclosure; Present Condition) including any problems or defects in the common elements or limited common elements of the Association property.~~

~~**7.4. Conditional on Buyer's Review.** Buyer has the right to review the Association Documents. Buyer has the Right to Terminate under § 24.1., on or before **Association Documents Termination Deadline**, based on any unsatisfactory provision in any of the Association Documents, in Buyer's sole subjective discretion. Should Buyer receive the Association Documents after **Association Documents Deadline**, Buyer, at Buyer's option, has the Right to Terminate under § 24.1. by Buyer's Notice to Terminate received by Seller on or before ten days after Buyer's receipt of the Association Documents. If Buyer does not receive the Association Documents, or if Buyer's Notice to Terminate would otherwise be required to be received by Seller after **Closing**~~

~~**Date**, Buyer's Notice to Terminate must be received by Seller on or before Closing. If Seller does not receive Buyer's Notice to Terminate within such time, Buyer accepts the provisions of the Association Documents as satisfactory and Buyer waives any Right to Terminate under this provision, notwithstanding the provisions of § 8.6. (Third Party Right to Purchase/Approve).~~

8. TITLE INSURANCE, RECORD TITLE AND OFF-RECORD TITLE.

8.1. Evidence of Record Title.

☒ **8.1.1. Seller Selects Title Insurance Company.** If this box is checked, Seller will select the title insurance company to furnish the owner's title insurance policy at Seller's expense. On or before **Record Title Deadline**, Seller must furnish to Buyer, a current commitment for an owner's title insurance policy (Title Commitment), in an amount equal to the Purchase Price, or if this box is checked, ☐ ~~an **Abstract of Title** certified to a current date~~. Seller will cause the title insurance policy to be issued and delivered to Buyer as soon as practicable at or after Closing.

☐ ~~**8.1.2. Buyer Selects Title Insurance Company.** If this box is checked, Buyer will select the title insurance company to furnish the owner's title insurance policy at Buyer's expense. On or before **Record Title Deadline**, Buyer must furnish to Seller, a current commitment for owner's title insurance policy (Title Commitment), in an amount equal to the Purchase Price.~~

~~If neither box in § 8.1.1. or § 8.1.2. is checked, § 8.1.1. applies.~~

8.1.3. Owner's Extended Coverage (OEC). The Title Commitment ☒ **Will** ☐ ~~**Will Not**~~ contain Owner's Extended Coverage (OEC). If the Title Commitment is to contain OEC, it will commit to delete or insure over the standard exceptions which relate to: (1) parties in possession, (2) unrecorded easements, (3) survey matters, (4) unrecorded mechanics' liens, (5) gap period (period between the effective date and time of commitment to the date and time the deed is recorded) and (6) unpaid taxes, assessments and unredeemed tax sales prior to the year of Closing. Any additional premium expense to obtain OEC will be paid by ☐ ~~**Buyer**~~ ☐ ~~**Seller**~~ ☒ **One-Half by Buyer and One-Half by Seller** ☐ ~~**Other**~~ _____. Regardless of whether the Contract requires OEC, the Title Insurance Commitment may not provide OEC or delete or insure over any or all of the standard exceptions for OEC. The Title Insurance Company may require a New Survey or New ILC, defined below, among other requirements for OEC. If the Title Insurance Commitment is not satisfactory to Buyer, Buyer has a right to object under § 8.7. (Right to Object to Title, Resolution).

8.1.4. Title Documents. Title Documents consist of the following: (1) copies of any plats, declarations, covenants, conditions and restrictions burdening the Property and (2) copies of any other documents (or, if illegible, summaries of such documents) listed in the schedule of exceptions (Exceptions) in the Title Commitment furnished to Buyer (collectively, Title Documents).

8.1.5. Copies of Title Documents. Buyer must receive, on or before **Record Title Deadline**, copies of all Title Documents. This requirement pertains only to documents as shown of record in the office of the clerk and recorder in the county where the Property is located. The cost of furnishing copies of the documents required in this Section will be at the expense of the party or parties obligated to pay for the owner's title insurance policy.

8.1.6. Existing Abstracts of Title. Seller must deliver to Buyer copies of any abstracts of title covering all or any portion of the Property (Abstract of Title) in Seller's possession on or before **Record Title Deadline**.

8.2. Record Title. Buyer has the right to review and object to the Abstract of Title or Title Commitment and any of the Title Documents as set forth in § 8.7. (Right to Object to Title, Resolution) on or before **Record Title Objection Deadline**. Buyer's objection may be based on any unsatisfactory form or content of Title Commitment or Abstract of Title, notwithstanding § 13, or any other unsatisfactory title condition, in Buyer's sole subjective discretion. If the Abstract of Title, Title Commitment or Title Documents are not received by Buyer on or before the **Record Title Deadline**, or if there is an endorsement to the Title Commitment that adds a new Exception to title, a copy of the new Exception to title and the modified Title Commitment will be delivered to Buyer. Buyer has until the earlier of Closing or ten days after receipt of such documents by Buyer to review and object to: (1) any required Title Document not timely received by Buyer, (2) any change to the Abstract of Title, Title Commitment or Title Documents, or (3) any endorsement to the Title Commitment. If Seller receives Buyer's Notice to Terminate or Notice of Title Objection, pursuant to this § 8.2. (Record Title), any title objection by Buyer is governed by the provisions set forth in § 8.7. (Right to Object to Title, Resolution). If Seller has fulfilled all Seller's obligations, if any, to deliver to Buyer all documents required by § 8.1. (Evidence of Record Title) and Seller does not receive Buyer's Notice to Terminate or Notice of Title Objection by the applicable deadline specified above, Buyer accepts the condition of title as disclosed by the Abstract of Title, Title Commitment and Title Documents as satisfactory.

8.3. Off-Record Title. Seller must deliver to Buyer, on or before **Off-Record Title Deadline**, true copies of all existing surveys in Seller's possession pertaining to the Property and must disclose to Buyer all easements, liens (including, without limitation, governmental improvements approved, but not yet installed) or other title matters not shown by public records, of which Seller has actual knowledge (Off-Record Matters). This Section excludes any **New ILC** or **New Survey** governed under § 9 (New ILC, New Survey). Buyer has the right to inspect the Property to investigate if any third party has any right in the Property not shown by public records (e.g., unrecorded easement, boundary line discrepancy or water rights). Buyer's Notice to Terminate or Notice of Title Objection of any unsatisfactory condition (whether disclosed by Seller or revealed by such inspection, notwithstanding § 8.2. (Record Title) and § 13 (Transfer of Title), in Buyer's sole subjective discretion, must be received by Seller on or before **Off-Record Title Objection Deadline**. If an Off-Record Matter is received by Buyer after the **Off-Record Title Deadline**, Buyer has until the earlier of Closing or ten days after receipt by Buyer to review and object to such Off-Record Matter. If Seller receives Buyer's Notice

to Terminate or Notice of Title Objection pursuant to this § 8.3. (Off-Record Title), any title objection by Buyer is governed by the provisions set forth in § 8.7. (Right to Object to Title, Resolution). If Seller does not receive Buyer's Notice to Terminate or Notice of Title Objection by the applicable deadline specified above, Buyer accepts title subject to such Off-Record Matters and rights, if any, of third parties not shown by public records of which Buyer has actual knowledge.

8.4. Special Taxing Districts. SPECIAL TAXING DISTRICTS MAY BE SUBJECT TO GENERAL OBLIGATION INDEBTEDNESS THAT IS PAID BY REVENUES PRODUCED FROM ANNUAL TAX LEVIES ON THE TAXABLE PROPERTY WITHIN SUCH DISTRICTS. PROPERTY OWNERS IN SUCH DISTRICTS MAY BE PLACED AT RISK FOR INCREASED MILL LEVIES AND TAX TO SUPPORT THE SERVICING OF SUCH DEBT WHERE CIRCUMSTANCES ARISE RESULTING IN THE INABILITY OF SUCH A DISTRICT TO DISCHARGE SUCH INDEBTEDNESS WITHOUT SUCH AN INCREASE IN MILL LEVIES. BUYERS SHOULD INVESTIGATE THE SPECIAL TAXING DISTRICTS IN WHICH THE PROPERTY IS LOCATED BY CONTACTING THE COUNTY TREASURER, BY REVIEWING THE CERTIFICATE OF TAXES DUE FOR THE PROPERTY AND BY OBTAINING FURTHER INFORMATION FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR.

8.5. Tax Certificate. A tax certificate paid for by ☐ ~~**Seller**~~ ■ **Buyer**, for the Property listing any special taxing districts that affect the Property (Tax Certificate) must be delivered to Buyer on or before **Record Title Deadline**. If the Property is located within a special taxing district and such inclusion is unsatisfactory to Buyer, in Buyer's sole subjective discretion, Buyer may terminate, on or before **Record Title Objection Deadline**. Should Buyer receive the Tax Certificate after **Record Title Deadline**, Buyer, at Buyer's option, has the Right to Terminate under § 24.1. by Buyer's Notice to Terminate received by Seller on or before ten days after Buyer's receipt of the Tax Certificate. If Buyer does not receive the Tax Certificate, or if Buyer's Notice to Terminate would otherwise be required to be received by Seller after **Closing Date**, Buyer's Notice to Terminate must be received by Seller on or before Closing. If Seller does not receive Buyer's Notice to Terminate within such time, Buyer accepts the provisions of the Tax Certificate and the inclusion of the Property in a special taxing district, if applicable, as satisfactory and Buyer waives any Right to Terminate under this provision. If Buyer's loan specified in §4.5.3. (Loan Limitations) prohibits Buyer from paying for the Tax Certificate, the Tax Certificate will be paid for by Seller.

~~**8.6. Third Party Right to Purchase/Approve.** If any third party has a right to purchase the Property (e.g., right of first refusal on the Property, right to purchase the Property under a lease or an option held by a third party to purchase the Property) or a right of a third party to approve this Contract, Seller must promptly submit this Contract according to the terms and conditions of such right. If the third-party holder of such right exercises its right this Contract will terminate. If the third party's right to purchase is waived explicitly or expires, or the Contract is approved, this Contract will remain in full force and effect. Seller must promptly notify Buyer in writing of the foregoing. If the third party right to purchase is exercised or approval of this Contract has not occurred on or before **Third Party Right to Purchase/Approve Deadline**, this Contract will then terminate. Seller will supply to Buyer, in writing, details of any Third Party Right to Purchase the Property on or before the Record Title Deadline.~~

8.7. Right to Object to Title, Resolution. Buyer has a right to object or terminate, in Buyer's sole subjective discretion, based on any title matters including those matters set forth in § 8.2. (Record Title), § 8.3. (Off-Record Title), § 8.5. (Special Taxing District) and § 13 (Transfer of Title). If Buyer exercises Buyer's rights to object or terminate based on any such title matter, on or before the applicable deadline, Buyer has the following options:

8.7.1. Title Objection, Resolution. If Seller receives Buyer's written notice objecting to any title matter (Notice of Title Objection) on or before the applicable deadline and if Buyer and Seller have not agreed to a written settlement thereof on or before **Title Resolution Deadline**, this Contract will terminate on the expiration of **Title Resolution Deadline**, unless Seller receives Buyer's written withdrawal of Buyer's Notice of Title Objection (i.e., Buyer's written notice to waive objection to such items and waives the Right to Terminate for that reason), on or before expiration of **Title Resolution Deadline**. If either the Record Title Deadline or the Off-Record Title Deadline, or both, are extended pursuant to § 8.2. (Record Title) or § 8.3. (Off-Record Title) the Title Resolution Deadline also will be automatically extended to the earlier of Closing or fifteen days after Buyer's receipt of the applicable documents; or

8.7.2. Title Objection, Right to Terminate. Buyer may exercise the Right to Terminate under § 24.1., on or before the applicable deadline, based on any title matter unsatisfactory to Buyer, in Buyer's sole subjective discretion.

8.8. Title Advisory. The Title Documents affect the title, ownership and use of the Property and should be reviewed carefully. Additionally, other matters not reflected in the Title Documents may affect the title, ownership and use of the Property, including, without limitation, boundary lines and encroachments, set-back requirements, area, zoning, building code violations, unrecorded easements and claims of easements, leases and other unrecorded agreements, water on or under the Property and various laws and governmental regulations concerning land use, development and environmental matters.

8.8.1. OIL, GAS, WATER AND MINERAL DISCLOSURE. THE SURFACE ESTATE OF THE PROPERTY MAY BE OWNED SEPARATELY FROM THE UNDERLYING MINERAL ESTATE AND TRANSFER OF THE SURFACE ESTATE MAY NOT NECESSARILY INCLUDE TRANSFER OF THE MINERAL ESTATE OR WATER RIGHTS. THIRD PARTIES MAY OWN OR LEASE INTERESTS IN OIL, GAS, OTHER MINERALS, GEOTHERMAL ENERGY OR WATER ON OR UNDER THE SURFACE OF THE PROPERTY, WHICH INTERESTS MAY GIVE THEM RIGHTS TO ENTER AND USE THE SURFACE OF THE PROPERTY TO ACCESS THE MINERAL ESTATE, OIL, GAS OR WATER.

8.8.2. SURFACE USE AGREEMENT. THE USE OF THE SURFACE ESTATE OF THE PROPERTY TO ACCESS THE OIL, GAS OR MINERALS MAY BE GOVERNED BY A SURFACE USE AGREEMENT, A MEMORANDUM OR OTHER NOTICE OF WHICH MAY BE RECORDED WITH THE COUNTY CLERK AND RECORDER.

8.8.3. OIL AND GAS ACTIVITY. OIL AND GAS ACTIVITY THAT MAY OCCUR ON OR ADJACENT TO THE PROPERTY MAY INCLUDE, BUT IS NOT LIMITED TO, SURVEYING, DRILLING, WELL COMPLETION OPERATIONS, STORAGE, OIL AND GAS, OR PRODUCTION FACILITIES, PRODUCING WELLS, REWORKING OF CURRENT WELLS AND GAS GATHERING AND PROCESSING FACILITIES.

8.8.4. ADDITIONAL INFORMATION. BUYER IS ENCOURAGED TO SEEK ADDITIONAL INFORMATION REGARDING OIL AND GAS ACTIVITY ON OR ADJACENT TO THE PROPERTY, INCLUDING DRILLING PERMIT APPLICATIONS. THIS INFORMATION MAY BE AVAILABLE FROM THE COLORADO OIL AND GAS CONSERVATION COMMISSION.

8.8.5. Title Insurance Exclusions. Matters set forth in this Section and others, may be excepted, excluded from, or not covered by the owner's title insurance policy.

~~**8.9. Mineral Rights Review.** Buyer ☐ **Does** ☐ **Does Not** have a Right to Terminate if examination of the Mineral Rights is unsatisfactory to Buyer on or before the **Mineral Rights Examination Deadline**.~~

9. NEW ILC, NEW SURVEY.

9.1. New ILC or New Survey. If the box is checked, (1) ☐ ~~**New Improvement Location Certificate (New ILC)**; or,~~ (2) ■ **New Survey** in the form of ALTA; is required and the following will apply:

9.1.1. Ordering of New ILC or New Survey. ☐ ~~**Seller**~~ ■ **Buyer** will order the New ILC or New Survey. The New ILC or New Survey may also be a previous ILC or survey that is in the above-required form, certified and updated as of a date after the date of this Contract.

9.1.2. Payment for New ILC or New Survey. The cost of the New ILC or New Survey will be paid, on or before Closing, by: ☐ ~~**Seller**~~ ■ **Buyer** or:

9.1.3. Delivery of New ILC or New Survey. Buyer, Seller, the issuer of the Title Commitment (or the provider of the opinion of title if an Abstract of Title) and _____ will receive a New ILC or New Survey on or before **New ILC or New Survey Deadline**.

9.1.4. Certification of New ILC or New Survey. The New ILC or New Survey will be certified by the surveyor to all those who are to receive the New ILC or New Survey.

9.2. Buyer's Right to Waive or Change New ILC or New Survey Selection. Buyer may select a New ILC or New Survey different than initially specified in this Contract if there is no additional cost to Seller or change to the **New ILC or New Survey Objection Deadline**. Buyer may, in Buyer's sole subjective discretion, waive a New ILC or New Survey if done prior to Seller incurring any cost for the same.

9.3. New ILC or New Survey Objection. Buyer has the right to review and object based on the New ILC or New Survey. If the New ILC or New Survey is not timely received by Buyer or is unsatisfactory to Buyer, in Buyer's sole subjective discretion, Buyer may, on or before **New ILC or New Survey Objection Deadline**, notwithstanding § 8.3. or § 13:

9.3.1. Notice to Terminate. Notify Seller in writing, pursuant to § 24.1., that this Contract is terminated; or

9.3.2. New ILC or New Survey Objection. Deliver to Seller a written description of any matter that was to be shown or is shown in the New ILC or New Survey that is unsatisfactory and that Buyer requires Seller to correct.

9.3.3. New ILC or New Survey Resolution. If a **New ILC or New Survey Objection** is received by Seller, on or before **New ILC or New Survey Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **New ILC or New Survey Resolution Deadline**, this Contract will terminate on expiration of the **New ILC or New Survey Resolution Deadline**, unless Seller receives Buyer's written withdrawal of the New ILC or New Survey Objection before such termination (i.e., on or before expiration of **New ILC or New Survey Resolution Deadline**).

DISCLOSURE, INSPECTION AND DUE DILIGENCE

10. PROPERTY DISCLOSURE, INSPECTION, INDEMNITY, INSURABILITY, DUE DILIGENCE AND SOURCE OF WATER.

10.1. Seller's Property Disclosure. On or before **Seller's Property Disclosure Deadline**, Seller agrees to deliver to Buyer the most current version of the applicable Colorado Real Estate Commission's Seller's Property Disclosure form completed by Seller to Seller's actual knowledge and current as of the date of this Contract.

10.2. Disclosure of Adverse Material Facts; Subsequent Disclosure; Present Condition. Seller must disclose to Buyer any adverse material facts actually known by Seller as of the date of this Contract. Seller agrees that disclosure of adverse material facts will be in writing. In the event Seller discovers an adverse material fact after the date of this Contract, Seller must timely

disclose such adverse fact to Buyer. Buyer has the Right to Terminate based on the Seller's new disclosure on the earlier of Closing or five days after Buyer's receipt of the new disclosure. Except as otherwise provided in this Contract, Buyer acknowledges that Seller is conveying the Property to Buyer in an "**As Is**" condition, "**Where Is**" and "**With All Faults**."

10.3. Inspection. Unless otherwise provided in this Contract, Buyer, acting in good faith, has the right to have inspections (by one or more third parties, personally or both) of the Property, Leased Items, and Inclusions (Inspection), at Buyer's expense. If (1) the physical condition of the Property, including, but not limited to, the roof, walls, structural integrity of the Property, the electrical, plumbing, HVAC and other mechanical systems of the Property, (2) the physical condition of the Inclusions and Leased Items, (3) service to the Property (including utilities and communication services), systems and components of the Property (e.g., heating and plumbing), (4) any proposed or existing transportation project, road, street or highway, or (5) any other activity, odor or noise (whether on or off the Property) and its effect or expected effect on the Property or its occupants is unsatisfactory, in Buyer's sole subjective discretion, Buyer may:

10.3.1. Inspection Termination. On or before the **Inspection Termination Deadline**, notify Seller in writing, pursuant to § 24.1., that this Contract is terminated due to any unsatisfactory condition, provided the Buyer did not previously deliver an Inspection Objection. Buyer's Right to Terminate under this provision expires upon delivery of an Inspection Objection to Seller pursuant to § 10.3.2.; or

10.3.2. Inspection Objection. On or before the **Inspection Objection Deadline**, deliver to Seller a written description of any unsatisfactory condition that Buyer requires Seller to correct.

10.3.3. Inspection Resolution. If an Inspection Objection is received by Seller, on or before **Inspection Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **Inspection Resolution Deadline**, this Contract will terminate on **Inspection Resolution Deadline** unless Seller receives Buyer's written withdrawal of the Inspection Objection before such termination (i.e., on or before expiration of **Inspection Resolution Deadline**). Nothing in this provision prohibits the Buyer and the Seller from mutually terminating this Contract before the Inspection Resolution Deadline passes by executing an Earnest Money Release.

10.4. Damage, Liens and Indemnity. Buyer, except as otherwise provided in this Contract or other written agreement between the parties, is responsible for payment for all inspections, tests, surveys, engineering reports, or other reports performed at Buyer's request (Work) and must pay for any damage that occurs to the Property and Inclusions as a result of such Work. Buyer must not permit claims or liens of any kind against the Property for Work performed on the Property. Buyer agrees to indemnify, protect and hold Seller harmless from and against any liability, damage, cost or expense incurred by Seller and caused by any such Work, claim, or lien. This indemnity includes Seller's right to recover all costs and expenses incurred by Seller to defend against any such liability, damage, cost or expense, or to enforce this Section, including Seller's reasonable attorney fees, legal fees and expenses. The provisions of this Section survive the termination of this Contract. This § 10.4. does not apply to items performed pursuant to an Inspection Resolution.

10.5. Insurability. Buyer has the Right to Terminate under § 24.1., on or before **Property Insurance Termination Deadline**, based on any unsatisfactory provision of the availability, terms and conditions and premium for property insurance (Property Insurance) on the Property, in Buyer's sole subjective discretion.

10.6. Due Diligence.

10.6.1. Due Diligence Documents. Seller agrees to deliver copies of the following documents and information pertaining to the Property and Leased Items (Due Diligence Documents) to Buyer on or before **Due Diligence Documents Delivery Deadline**: **any documents and materials in Seller's possession that are responsive to this Section 10.6.1.**

10.6.1.1. Occupancy Agreements. All current leases, including any amendments or other occupancy agreements, pertaining to the Property. Those leases or other occupancy agreements pertaining to the Property that survive Closing are as follows (Leases): **First Amendment to Farm Lease Agreement with Leland Lebsack, dated April 6, 2021. Seller shall assign, and Buyer shall assume, at Closing that portion of the First Amendment to Farm Lease Agreement concerning the Property. As described above, Seller is reserving for itself any and all water and water rights associated with the Property. However, Seller agrees to continue leasing the two (2) shares of WSSC that historically irrigated the Property to Mr. Lebsack for irrigation of the Property through December 31, 2022.**

~~**10.6.1.2. Leased Items Documents.** If any lease of personal property (§ 2.5.4., Leased Items) will be transferred to Buyer at Closing, Seller agrees to deliver copies of the leases and information pertaining to the personal property to Buyer on or before **Due Diligence Documents Delivery Deadline**. Buyer ☐ **Will** ☐ **Will Not** assume the Seller's obligations under such leases for the Leased Items (§ 2.5.4., Leased Items).~~

~~**10.6.1.3. Encumbered Inclusions Documents.** If any Inclusions owned by Seller are encumbered pursuant to § 2.5.2. (Encumbered Inclusions) above, Seller agrees to deliver copies of the evidence of debt, security and any other documents creating the encumbrance to Buyer on or before **Due Diligence Documents Delivery Deadline**. Buyer ☐ **Will** ☐ **Will Not** assume the debt on the Encumbered Inclusions (§ 2.5.2., Encumbered Inclusions).~~

10.6.1.4. Other Documents. If the respective box is checked, Seller agrees to additionally deliver copies of the following:

☐ ~~**10.6.1.4.1.** All contracts relating to the operation, maintenance and management of the Property;~~

☐ ~~**10.6.1.4.2.** Property tax bills for the last _____ years;~~

☐ **10.6.1.4.3.** ~~As-built construction plans to the Property and the tenant improvements, including architectural, electrical, mechanical and structural systems; engineering reports; and permanent Certificates of Occupancy, to the extent now available;~~

☒ **10.6.1.4.4.** A list of all Inclusions to be conveyed to Buyer;

☐ **10.6.1.4.5.** ~~Operating statements for the past _____ years;~~

☐ **10.6.1.4.6.** ~~A rent roll accurate and correct to the date of this Contract;~~

☐ **10.6.1.4.7.** ~~A schedule of any tenant improvement work Seller is obligated to complete but has not yet completed and capital improvement work either scheduled or in process on the date of this Contract;~~

☐ **10.6.1.4.8.** ~~All insurance policies pertaining to the Property and copies of any claims which have been made for the past ____ years;~~

☒ **10.6.1.4.9.** Soils reports, surveys and engineering reports or data pertaining to the Property (if not delivered earlier under § 8.3.);

☒ **10.6.1.4.10.** Any and all existing documentation and reports regarding Phase I and II environmental reports, letters, test results, advisories and similar documents respective to the existence or nonexistence of asbestos, PCB transformers, or other toxic, hazardous or contaminated substances and/or underground storage tanks and/or radon gas. If no reports are in Seller's possession or known to Seller, Seller warrants that no such reports are in Seller's possession or known to Seller;

☐ **10.6.1.4.11.** ~~Any *Americans with Disabilities Act* reports, studies or surveys concerning the compliance of the Property with said Act;~~

☐ **10.6.1.4.12.** ~~All permits, licenses and other building or use authorizations issued by any governmental authority with jurisdiction over the Property and written notice of any violation of any such permits, licenses or use authorizations, if any; and~~

☐ **10.6.1.4.13.** Other:

10.6.2. Due Diligence Documents Review and Objection. Buyer has the right to review and object based on the Due Diligence Documents. If the Due Diligence Documents are not supplied to Buyer or are unsatisfactory, in Buyer's sole subjective discretion, Buyer may, on or before **Due Diligence Documents Objection Deadline**:

10.6.2.1. Notice to Terminate. Notify Seller in writing, pursuant to § 24.1., that this Contract is terminated; or

10.6.2.2. Due Diligence Documents Objection. Deliver to Seller a written description of any unsatisfactory Due Diligence Documents that Buyer requires Seller to correct.

10.6.2.3. Due Diligence Documents Resolution. If a Due Diligence Documents Objection is received by Seller, on or before **Due Diligence Documents Objection Deadline** and if Buyer and Seller have not agreed in writing to a settlement thereof on or before **Due Diligence Documents Resolution Deadline**, this Contract will terminate on **Due Diligence Documents Resolution Deadline** unless Seller receives Buyer's written withdrawal of the Due Diligence Documents Objection before such termination (i.e., on or before expiration of **Due Diligence Documents Resolution Deadline**.

10.6.3. Zoning. Buyer has the Right to Terminate under § 24.1., on or before **Due Diligence Documents Objection Deadline**, based on any unsatisfactory zoning and any use restrictions imposed by any governmental agency with jurisdiction over the Property, in Buyer's sole subjective discretion.

10.6.4. Due Diligence – Environmental, ADA. Buyer has the right to obtain environmental inspections of the Property including Phase I and Phase II Environmental Site Assessments, as applicable. ☐ ~~**Seller**~~ ■ **Buyer** will order or provide **Phase I Environmental Site Assessment**, **Phase II Environmental Site Assessment** (compliant with most current version of the applicable ASTM E1527 standard practices for Environmental Site Assessments) and/or _____, at the expense of ☐ ~~**Seller**~~ ■ **Buyer** (Environmental Inspection). In addition, Buyer, at Buyer's expense, may also conduct an evaluation whether the Property complies with the *Americans with Disabilities Act* (ADA Evaluation). All such inspections and evaluations must be conducted at such times as are mutually agreeable to minimize the interruption o f Seller's and any Seller's tenants' business uses of the Property, if any.

If Buyer's Phase I Environmental Site Assessment recommends a Phase II Environmental Site Assessment, the **Environmental Inspection Termination Deadline** will be extended by **mutual agreement of the parties** ~~days~~ (Extended Environmental Inspection Objection Deadline) and if such Extended Environmental Inspection Objection Deadline extends beyond the **Closing Date**, the **Closing Date** will be extended a like period of time. In such event, ☐ ~~**Seller**~~ ■ **Buyer** must pay the cost for such Phase II Environmental Site Assessment.

Notwithstanding Buyer's right to obtain additional environmental inspections of the Property in this § 10.6.4., Buyer has the Right to Terminate under § 24.1., on or before **Environmental Inspection Termination Deadline**, or if applicable, the Extended

Environmental Inspection Objection Deadline, based on any unsatisfactory results of Environmental Inspection, in Buyer's sole subjective discretion.

Buyer has the Right to Terminate under § 24.1., on or before **ADA Evaluation Termination Deadline**, based on any unsatisfactory ADA Evaluation, in Buyer's sole subjective discretion.

~~**10.7. Conditional Upon Sale of Property.** This Contract is conditional upon the sale and closing of that certain property owned by Buyer and commonly known as _____. Buyer has the Right to Terminate under § 24.1. effective upon Seller's receipt of Buyer's Notice to Terminate on or before **Conditional Sale Deadline** if such property is not sold and closed by such deadline. This Section is for the sole benefit of Buyer. If Seller does not receive Buyer's Notice to Terminate on or before **Conditional Sale Deadline**, Buyer waives any Right to Terminate under this provision.~~

~~**10.8. Source of Potable Water (Residential Land and Residential Improvements Only).** Buyer ☐ **Does** ☐ **Does Not** acknowledge receipt of a copy of Seller's Property Disclosure or Source of Water Addendum disclosing the source of potable water for the Property. ☐ There is **No Well**. Buyer ☐ **Does** ☐ **Does Not** acknowledge receipt of a copy of the current well permit.~~

~~**Note to Buyer: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.**~~

10.9. Existing Leases; Modification of Existing Leases; New Leases. Seller states that none of the Leases to be assigned to the Buyer at the time of Closing contain any rent concessions, rent reductions or rent abatements except as disclosed in the Lease or other writing received by Buyer. Seller will not amend, alter, modify, extend or cancel any of the Leases nor will Seller enter into any new leases affecting the Property without the prior written consent of Buyer, which consent will not be unreasonably withheld or delayed.

~~**10.10. Lead-Based Paint. [Intentionally Deleted - See Residential Addendum if applicable]**~~

~~**10.11. Carbon Monoxide Alarms. [Intentionally Deleted - See Residential Addendum if applicable]**~~

~~**10.12. Methamphetamine Disclosure. [Intentionally Deleted - See Residential Addendum if applicable]**~~

11. TENANT ESTOPPEL STATEMENTS.

11.1. Estoppel Statements Conditions. Buyer has the right to review and object to any Estoppel Statements. Seller must request from all tenants of the Property and if received by Seller, deliver to Buyer on or before **Estoppel Statements Deadline**, statements in a form and substance reasonably acceptable to Buyer, from each occupant or tenant at the Property (Estoppel Statement) attached to a copy of the Lease stating:

11.1.1. The commencement date of the Lease and scheduled termination date of the Lease;

11.1.2. That said Lease is in full force and effect and that there have been no subsequent modifications or amendments;

11.1.3. The amount of any advance rentals paid, rent concessions given and deposits paid to Seller;

11.1.4. The amount of monthly (or other applicable period) rental paid to Seller;

11.1.5. That there is no default under the terms of said Lease by landlord or occupant; and

11.1.6. That the Lease to which the Estoppel Statement is attached is a true, correct and complete copy of the Lease demising the premises it describes.

11.2. Seller Estoppel Statement. In the event Seller does not receive from all tenants of the Property a completed signed Estoppel Statement, Seller agrees to complete and execute an Estoppel Statement setting forth the information and documents required §11.1. above and deliver the same to Buyer on or before **Estoppel Statements Deadline.**

11.3. Estoppel Statements Termination. Buyer has the Right to Terminate under § 24.1., on or before **Estoppel Statements Termination Deadline**, based on any unsatisfactory Estoppel Statement, in Buyer's sole subjective discretion, or if Seller fails to deliver the Estoppel Statements on or before **Estoppel Statements Deadline**. Buyer also has the unilateral right to waive any unsatisfactory Estoppel Statement.

CLOSING PROVISIONS

12. CLOSING DOCUMENTS, INSTRUCTIONS AND CLOSING.

12.1. Closing Documents and Closing Information. Seller and Buyer will cooperate with the Closing Company to enable the Closing Company to prepare and deliver documents required for Closing to Buyer and Seller and their designees. If Buyer is obtaining a loan to purchase the Property, Buyer acknowledges Buyer's lender is required to provide the Closing Company, in a timely manner, all required loan documents and financial information concerning Buyer's loan. Buyer and Seller will furnish any additional information and documents required by Closing Company that will be necessary to complete this transaction. Buyer and Seller will sign and complete all customary or reasonably required documents at or before Closing.

12.2. Closing Instructions. Colorado Real Estate Commission's Closing Instructions ☐ ~~**Are**~~ ■ **Are Not** executed with this Contract.

12.3. Closing. Delivery of deed from Seller to Buyer will be at closing (Closing). Closing will be on the date specified as the **Closing Date** or by mutual agreement at an earlier date. ~~At Closing, Seller agrees to deliver a set of keys for the Property to Buyer.~~ The hour and place of Closing will be as designated by **mutual agreement of the Seller and Buyer**.

12.4. Disclosure of Settlement Costs. Buyer and Seller acknowledge that costs, quality and extent of service vary between different settlement service providers (e.g., attorneys, lenders, inspectors and title companies).

12.5. Assignment of Leases. Seller must assign to Buyer all Leases at Closing that will continue after Closing and Buyer must assume Seller's obligations under such Leases. Further, Seller must transfer to Buyer all Leased Items and assign to Buyer such leases for the Leased Items accepted by Buyer pursuant to § 2.5.4. (Leased Items).

13. TRANSFER OF TITLE. Subject to Buyer's compliance with the terms and provisions of this Contract, including the tender of any payment due at Closing, Seller must execute and deliver the following good and sufficient deed to Buyer, at Closing: ■ special warranty deed ☐ ~~general warranty deed~~ ☐ ~~bargain and sale deed~~ ☐ ~~quit claim deed~~ ☐ ~~personal representative's deed~~ ☐ _____ ~~deed~~. Seller, provided another deed is not selected, must execute and deliver a good and sufficient special warranty deed to Buyer, at Closing.

Unless otherwise specified in § 29 (Additional Provisions), if title will be conveyed using a special warranty deed or a general warranty deed, title will be conveyed "subject to statutory exceptions" as defined in §38-30-113(5)(a), C.R.S.

14. PAYMENT OF LIENS AND ENCUMBRANCES. Unless agreed to by Buyer in writing, any amounts owed on any liens or encumbrances securing a monetary sum against the Property and Inclusions, including any governmental liens for special improvements installed as of the date of Buyer's signature hereon, whether assessed or not, and previous years' taxes, will be paid at or before Closing by Seller from the proceeds of this transaction or from any other source.

15. CLOSING COSTS, FEES, ASSOCIATION STATUS LETTER AND DISBURSEMENTS, TAXES AND WITHHOLDING.

15.1. Closing Costs. Buyer and Seller must pay, in Good Funds, their respective closing costs and all other items required to be paid at Closing, except as otherwise provided herein.

15.2. Closing Services Fee. The fee for real estate closing services must be paid at Closing by ☐ ~~**Buyer**~~ ☐ ~~**Seller**~~ ■ **One-Half by Buyer and One-Half by Seller** ☐ ~~**Other**~~ _____.

~~**15.3. Association Fees and Required Disbursements.** At least fourteen days prior to **Closing Date**, Seller agrees to promptly request that the Closing Company or the Association deliver to Buyer a current Status Letter, if applicable. Any fees associated with or specified in the Status Letter will be paid as follows:~~

~~**15.3.1. Status Letter Fee.** Any fee incident to the issuance of Association's Status Letter must be paid by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

~~**15.3.2. Record Change Fee.** Any Record Change Fee must be paid by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

~~**15.3.3. Assessments, Reserves or Working Capital.** All assessments required to be paid in advance (other than Association Assessments as defined in § 16.2. (Association Assessments), reserves or working capital due at Closing must be paid by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

~~**15.3.4. Other Fees.** Any other fee listed in the Status Letter as required to be paid at Closing will be paid by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

15.4. Local Transfer Tax. Any Local Transfer Tax must be paid at Closing by ☐ ~~**Buyer**~~ ☐ ~~**Seller**~~ ■ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.

15.5. Sales and Use Tax. Any sales and use tax that may accrue because of this transaction must be paid when due by ■ **Buyer** ☐ ~~**Seller**~~ ☐ ~~**One-Half by Buyer and One-Half by Seller**~~ ☐ ~~**N/A**~~.

~~**15.6. Private Transfer Fee.** Any private transfer fees and other fees due to a transfer of the Property, payable at Closing, such as community association fees, developer fees and foundation fees, must be paid at Closing by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

~~**15.7. Water Transfer Fees.** Water Transfer Fees can change. The fees, as of the date of this Contract, do not exceed $_____ for:~~

~~☐ Water Stock/Certificates ☐ Water District~~
~~☐ Augmentation Membership ☐ Small Domestic Water Company ☐ _____~~
~~and must be paid at Closing by ☐ **Buyer** ☐ **Seller** ☐ **One-Half by Buyer and One-Half by Seller** ☐ **N/A**.~~

15.8. Utility Transfer Fees. Utility transfer fees can change. Any fees to transfer utilities from Seller to Buyer must be paid by ■ **Buyer** ☐ ~~**Seller**~~ ☐ ~~**One-Half by Buyer and One-Half by Seller**~~ ☐ ~~**N/A**.~~

15.9. FIRPTA and Colorado Withholding.

15.9.1. FIRPTA. The Internal Revenue Service (IRS) may require a substantial portion of the Seller's proceeds be withheld after Closing when Seller is a foreign person. If required withholding does not occur, the Buyer could be held liable for the amount of the Seller's tax, interest and penalties. If the box in this Section is checked, Seller represents that Seller ☐ **IS** a foreign person for purposes of U.S. income taxation. If the box in this Section is not checked, Seller represents that Seller is not a foreign

person for purposes of U.S. income taxation. Seller agrees to cooperate with Buyer and Closing Company to provide any reasonably requested documents to verify Seller's foreign person status. If withholding is required, Seller authorizes Closing Company to withhold such amount from Seller's proceeds. Seller should inquire with Seller's tax advisor to determine if withholding applies or if an exemption exists.

15.9.2. Colorado Withholding. The Colorado Department of Revenue may require a portion of the Seller's proceeds be withheld after Closing when Seller will not be a Colorado resident after Closing, if not otherwise exempt. Seller agrees to cooperate with Buyer and Closing Company to provide any reasonably requested documents to verify Seller's status. If withholding is required, Seller authorizes Closing Company to withhold such amount from Seller's proceeds. Seller should inquire with Seller's tax advisor to determine if withholding applies or if an exemption exists.

16. PRORATIONS AND ASSOCIATION ASSESSMENTS.

16.1. Prorations. The following will be prorated to the **Closing Date**, except as otherwise provided:

16.1.1. Taxes. Personal property taxes, if any, special taxing district assessments, if any, and general real estate taxes for the year of Closing, based on ■ **Taxes for the Calendar Year Immediately Preceding Closing** ☐ ~~**Most Recent Mill Levy and Most Recent Assessed Valuation**~~, ☐ ~~**Other**~~ _____.

16.1.2. Rents. Rents based on ☐ ~~**Rents Actually Received**~~ ■ **Accrued**. At Closing, Seller will transfer or credit to Buyer the security deposits for all Leases assigned to Buyer, or any remainder after lawful deductions, and notify all tenants in writing of such transfer and of the transferee's name and address.

~~**16.1.3. Other Prorations.** Water and sewer charges, propane, interest on continuing loan and _____.~~

16.1.4. Final Settlement. Unless otherwise specified in Additional Provisions, these prorations are final.

~~**16.2. Association Assessments.** Current regular Association assessments and dues (Association Assessments) paid in advance will be credited to Seller at Closing. Cash reserves held out of the regular Association Assessments for deferred maintenance by the Association will not be credited to Seller except as may be otherwise provided by the Governing Documents. Buyer acknowledges that Buyer may be obligated to pay the Association, at Closing, an amount for reserves or working capital. Any special assessment assessed prior to **Closing Date** by the Association will be the obligation of ☐ **Buyer** ☐ **Seller**. Except however, any special assessment by the Association for improvements that have been installed as of the date of Buyer's signature hereon, whether assessed prior to or after Closing, will be the obligation of Seller unless otherwise specified in Additional Provisions. Seller represents there are no unpaid regular or special assessments against the Property except the current regular assessments and _____. Association Assessments are subject to change as provided in the Governing Documents.~~

17. POSSESSION.

Possession of the Property and Inclusions will be delivered to Buyer on **Possession Date** at **Possession Time**, subject to the Leases as set forth in § 10.6.1.1.

If Seller, after Closing occurs, fails to deliver possession as specified, Seller will be subject to eviction and will be additionally liable to Buyer, notwithstanding § 20.2. (If Seller is in Default), for payment of $ 50.00 per day (or any part of a day notwithstanding § 3.3., Day) from **Possession Date** and **Possession Time** until possession is delivered.

GENERAL PROVISIONS

18. CAUSES OF LOSS, INSURANCE; DAMAGE TO INCLUSIONS AND SERVICES; CONDEMNATION; AND WALK-THROUGH.

Except as otherwise provided in this Contract, the Property, Inclusions or both will be delivered in the condition existing as of the date of this Contract, ordinary wear and tear excepted.

18.1. Causes of Loss, Insurance. In the event the Property or Inclusions are damaged by fire, other perils or causes of loss prior to Closing (Property Damage) in an amount of not more than ten percent of the total Purchase Price and if the repair of the damage will be paid by insurance (other than the deductible to be paid by Seller), then Seller, upon receipt of the insurance proceeds, will use Seller's reasonable efforts to repair the Property before **Closing Date**. Buyer has the Right to Terminate under § 24.1., on or before **Closing Date**, if the Property is not repaired before **Closing Date**, or if the damage exceeds such sum. Should Buyer elect to carry out this Contract despite such Property Damage, Buyer is entitled to a credit at Closing for all insurance proceeds that were received by Seller (but not the Association, if any) resulting from damage to the Property and Inclusions, plus the amount of any deductible provided for in the insurance policy. This credit may not exceed the Purchase Price. In the event Seller has not received the insurance proceeds prior to Closing, the parties may agree to extend the **Closing Date** to have the Property repaired prior to Closing or, at the option of Buyer, (1) Seller must assign to Buyer the right to the proceeds at Closing, if acceptable to Seller's insurance company and Buyer's lender; or (2) the parties may enter into a written agreement prepared by the parties or their attorney requiring the Seller to escrow at Closing from Seller's sale proceeds the amount Seller has received and will receive due to such damage, not exceeding the total Purchase Price, plus the amount of any deductible that applies to the insurance claim.

18.2. Damage, Inclusions and Services. Should any Inclusion or service (including utilities and communication services), system, component or fixture of the Property (collectively Service) (e.g., heating or plumbing), fail or be damaged between the date of this Contract and Closing or possession, whichever is earlier, then Seller is liable for the repair or replacement of such Inclusion or Service with a unit of similar size, age and quality, or an equivalent credit, but only to the extent that the maintenance or

replacement of such Inclusion or Service is not the responsibility of the Association, if any, less any insurance proceeds received by Buyer covering such repair or replacement. If the failed or damaged Inclusion or Service is not repaired or replaced on or be fore Closing or possession, whichever is earlier, Buyer has the Right to Terminate under § 24.1., on or before **Closing Date**, or, at the option of Buyer, Buyer is entitled to a credit at Closing for the repair or replacement of such Inclusion or Service. Such c redit must not exceed the Purchase Price. If Buyer receives such a credit, Seller's right for any claim against the Association, if any, will survive Closing.

18.3. Condemnation. In the event Seller receives actual notice prior to Closing that a pending condemnation action may result in a taking of all or part of the Property or Inclusions, Seller must promptly notify Buyer, in writing, of such conde mnation action. Buyer has the Right to Terminate under § 24.1., on or before **Closing Date**, based on such condemnation action, in Buyer's sole subjective discretion. Should Buyer elect to consummate this Contract despite such diminution of value to the Property a nd Inclusions, Buyer is entitled to a credit at Closing for all condemnation proceeds awarded to Sell er for the diminution in the value of the Property or Inclusions, but such credit will not include relocation benefits or expenses or exceed the Purchase Price.

18.4. Walk-Through and Verification of Condition. Buyer, upon reasonable notice, has the right to walk through the Property prior to Closing to verify that the physical condition of the Property and Inclusions complies with this Contract.

~~**18.5. Home Warranty. [Intentionally Deleted]**~~

18.6. Risk of Loss – Growing Crops. The risk of loss for damage to growing crops by fire or other casualty will be borne by the party entitled to the growing crops as provided in § 2.8. and such party is entitled to such insurance proceeds or benefits for the growing crops.

19. RECOMMENDATION OF LEGAL AND TAX COUNSEL. By signing this Contract, Buyer and Seller acknowledge that their respective broker has advised that this Contract has important legal consequences and has recommended: (1) legal examination of title; (2) consultation with legal and tax or other counsel before signing this Contract as this Contract may have important legal and tax implications; (3) to consult with their own attorney if Water Rights, Mineral Rights or Leased Items are included or excluded in the sale; and (4) to consult with legal counsel if there are other matters in this transaction for which legal counsel should be engaged and consulted. Such consultations must be done timely as this Contract has strict time limits, including deadlines, that must be complied with.

20. TIME OF ESSENCE, DEFAULT AND REMEDIES. Time is of the essence for all dates and deadlines in this Contract. This means that all dates and deadlines are strict and absolute. If any payment due, including Earnest Money, is not paid, honored or tendered when due, or if any obligation is not performed timely as provided in this Contract or waived, the non-defaulting party has the following remedies:

20.1. If Buyer is in Default:

☒ **20.1.1. Specific Performance.** Seller may elect to cancel this Contract and all Earnest Money (whether or not paid by Buyer) will be paid to Seller and retained by Seller. It is agreed that the Earnest Money is not a penalty, and the parties agree the amount is fair and reasonable. Seller may recover such additional damages as may be proper. Alternatively, Seller may elect to treat this Contract as being in full force and effect and Seller has the right to specific performance or damages, or both.

~~**20.1.2. Liquidated Damages, Applicable. This § 20.1.2. applies unless the box in § 20.1.1. is checked.** Seller may cancel this Contract. All Earnest Money (whether or not paid by Buyer) will be paid to Seller and retained by Seller. It is agreed that the Earnest Money amount specified in § 4.1. is LIQUIDATED DAMAGES and not a penalty, which amount the parties agree is fair and reasonable and (except as provided in §§ 10.4. and 21), such amount is SELLER'S ONLY REMEDY for Buyer's failure to perform the obligations of this Contract. Seller expressly waives the remedies of specific performance and additional damages .~~

20.2. If Seller is in Default:

20.2.1. Specific Performance, Damages or Both. Buyer may elect to treat this Contract as canceled, in which case all Earnest Money received hereunder will be returned to Buyer and Buyer may recover such damages as may be proper. Alternatively, in addition to the per diem in § 17 (Possession) for failure of Seller to timely deliver possession of the Property after Closing occurs, Buyer may elect to treat this Contract as being in full force and effect and Buyer has the right to specific performance or damages, or both.

20.2.2. Seller's Failure to Perform. In the event Seller fails to perform Seller's obligations under this Contract, to include, but not limited to, failure to timely disclose Association violations known by Seller, failure to perform any replacements or repairs required under this Contract or failure to timely disclose any known adverse material facts, Seller remains liable for any such failures to perform under this Contract after Closing. Buyer's rights to pursue the Seller for Seller's failure to perform under this Contract are reserved and survive Closing.

21. LEGAL FEES, COST AND EXPENSES. Anything to the contrary herein notwithstanding, in the event of any arbitration or litigation relating to this Contract, prior to or after **Closing Date**, the arbitrator or court must award to the prevailing party all reasonable costs and expenses, including attorney fees, legal fees and expenses.

22. MEDIATION. If a dispute arises relating to this Contract (whether prior to or after Closing) and is not resolved, the parties must first proceed, in good faith, to mediation. Mediation is a process in which the parties meet with an impartial person who helps

to resolve the dispute informally and confidentially. Mediators cannot impose binding decisions. Before any mediated settlement is binding, the parties to the dispute must agree to the settlement, in writing. The parties will jointly appoint an acceptable mediator and will share equally in the cost of such mediation. The obligation to mediate, unless otherwise agreed, will terminate if the entire dispute is not resolved within thirty days of the date written notice requesting mediation is delivered by one party to the other at that party's last known address (physical or electronic as provided in § 26). Nothing in this Section prohibits either party from filing a lawsuit and recording a *lis pendens* affecting the Property, before or after the date of written notice requesting mediation. This Section will not alter any date in this Contract, unless otherwise agreed.

23. EARNEST MONEY DISPUTE. Except as otherwise provided herein, Earnest Money Holder must release the Earnest Money following receipt of written mutual instructions, signed by both Buyer and Seller. In the event of any controversy regarding the Earnest Money, Earnest Money Holder is not required to release the Earnest Money. Earnest Money Holder, in its sole subjective discretion, has several options: (1) wait for any proceeding between Buyer and Seller; (2) interplead all parties and deposit Earnest Money into a court of competent jurisdiction (Earnest Money Holder is entitled to recover court costs and reasonable attorney and legal fees incurred with such action); or (3) provide notice to Buyer and Seller that unless Earnest Money Holder receives a copy of the Summons and Complaint or Claim (between Buyer and Seller) containing the case number of the lawsuit (Lawsuit) within one hundred twenty days of Earnest Money Holder's notice to the parties, Earnest Money Holder is authorized to return the Earnest Money to Buyer. In the event Earnest Money Holder does receive a copy of the Lawsuit and has not interpled the monies at the time of any Order, Earnest Money Holder must disburse the Earnest Money pursuant to the Order of the Court. The parties reaffirm the obligation of § 22 (Mediation). This Section will survive cancellation or termination of this Contract.

24. TERMINATION.

24.1. Right to Terminate. If a party has a right to terminate, as provided in this Contract (Right to Terminate), the termination is effective upon the other party's receipt of a written notice to terminate (Notice to Terminate), provided such written notice was received on or before the applicable deadline specified in this Contract. If the Notice to Terminate is not received on or before the specified deadline, the party with the Right to Terminate accepts the specified matter, document or condition as satisfactory and waives the Right to Terminate under such provision.

24.2. Effect of Termination. In the event this Contract is terminated, and all Earnest Money received hereunder is timely returned to Buyer, the parties are relieved of all obligations hereunder, subject to §§ 10.4. and 21.

25. ENTIRE AGREEMENT, MODIFICATION, SURVIVAL; SUCCESSORS. This Contract, its exhibits and specified addenda, constitute the entire agreement between the parties relating to the subject hereof and any prior agreements pertaining thereto, whether oral or written, have been merged and integrated into this Contract. No subsequent modification of any of the terms of this Contract is valid, binding upon the parties, or enforceable unless made in writing and signed by the parties. Any right or obligation in this Contract that, by its terms, exists or is intended to be performed after termination or Closing survives the same. Any successor to a party receives the predecessor's benefits and obligations of this Contract.

26. NOTICE, DELIVERY AND CHOICE OF LAW.

26.1. Physical Delivery and Notice. Any document or notice to Buyer or Seller must be in writing, except as provided in § 26.2. and is effective when physically received by such party, any individual named in this Contract to receive documents or notices for such party, Broker, or Brokerage Firm of Broker working with such party (except any notice or delivery after Closing must be received by the party, not Broker or Brokerage Firm).

26.2. Electronic Notice. As an alternative to physical delivery, any notice may be delivered in electronic form to Buyer or Seller, any individual named in this Contract to receive documents or notices for such party, Broker or Brokerage Firm of Broker working with such party (except any notice or delivery after Closing, cancellation or Termination must be received by the party, not Broker or Brokerage Firm) at the electronic address of the recipient by ~~facsimile,~~ email ~~or~~ _____.

26.3. Electronic Delivery. Electronic Delivery of documents and notice may be delivered by: (1) email at the email address of the recipient, (2) a link or access to a website or server provided the recipient receives the information necessary to access the documents, ~~or (3) facsimile at the facsimile number (Fax No.) of the recipient~~.

26.4. Choice of Law. This Contract and all disputes arising hereunder are governed by and construed in accordance with the laws of the State of Colorado that would be applicable to Colorado residents who sign a contract in Colorado for real property located in Colorado.

27. NOTICE OF ACCEPTANCE, COUNTERPARTS. This proposal will expire unless accepted in writing, by Buyer and Seller, as evidenced by their signatures below and the offering party receives notice of such acceptance pursuant to § 26 on or before **Acceptance Deadline Date** and **Acceptance Deadline Time**. If accepted, this document will become a contract between Seller and

Buyer. A copy of this Contract may be executed by each party, separately and when each party has executed a copy thereof, such copies taken together are deemed to be a full and complete contract between the parties.

28. GOOD FAITH. Buyer and Seller acknowledge that each party has an obligation to act in good faith including, but not limited to, exercising the rights and obligations set forth in the provisions of **Financing Conditions and Obligations**; **Title Insurance, Record Title and Off-Record Title**; **New ILC, New Survey**; and **Property Disclosure**, **Inspection**, **Indemnity**, **Insurability Due Diligence and Source of Water**.

ADDITIONAL PROVISIONS AND ATTACHMENTS

29. ADDITIONAL PROVISIONS. (The following additional provisions have not been approved by the Colorado Real Estate Commission.)

29.1 - Buyer shall deliver, or cause to be delivered, at or before Closing duly executed and acknowledged copies of the Restrictive Covenants (No Irrigation and Revegetation) in the form attached hereto as Exhibit A and the Irrigation Water Lease in the form attached hereto as Exhibit B. The Restrictive Covenants (No Irrigation and Revegetation) shall be recorded in the real property records of Weld County immediately after the deed conveying the property to Buyer is recorded. The Irrigation Water Lease is not intended to run with the land and shall not be recorded.

29.2 - The obligations of the Seller herein, including the obligation to convey the Property to Buyer, are expressly subject to the authorization of this divestment of real property by the City of Greeley Water & Sewer Board and the City of Greeley City Council. In the event that the Board and City Council do not approve this agreement and authorize the divestment at least 14 days before Closing, this contract is of no legally binding effect, the Earnest Money shall be returned to the Buyer, and neither party shall have any further obligation to the other regarding the subject matter herein.

30. OTHER DOCUMENTS.

30.1. Documents Part of Contract. The following documents **are a part** of this Contract:

Exhibit A - Form of Restrictive Covenants (No Irrigation and Revegetation)
Exhibit B - Form of Irrigation Water Lease Agreement

30.2. Documents Not Part of Contract. The following documents have been provided but are **not** a part of this Contract:

SIGNATURES

Buyer's Name: **LTS Performance Horses LLC**

DocuSigned by:
Dakota Rathbun 4/5/2022
5D1446405EA9414...

Buyer's Signature Date

Address: **796 Abrams Way**
Loveland CO 80537
Phone No.:
Fax No.:
Email Address:

~~Buyer's Name:~~

~~Buyer's Signature~~ ~~Date~~

~~Address:~~
~~Phone No.:~~
~~Fax No.:~~
~~Email Address:~~

[NOTE: If this offer is being countered or rejected, do not sign this document.]

Seller's Name: **The City of Greeley, Colorado**

[SEE ATTACHED SIGNATURE PAGE]

~~Seller's Signature~~ ~~Date~~

~~Seller's Name:~~

~~Seller's Signature~~ ~~Date~~

Address:	**1001 11th Avenue, 2nd Floor**	~~Address:~~	
	Greeley, Colorado 80631		
Email Address:	**daniel.biwer@greeleygov.com**	~~Phone No.:~~	
Email Address:	**copy to: cole.gustafson@greeleygov.com**	~~Fax No.:~~	
Email Address:	**copy to: adam.jokerst@greeleygov.com**	~~Email Address:~~	

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913 **END OF CONTRACT TO BUY AND SELL REAL ESTATE**

BROKER'S ACKNOWLEDGMENTS AND COMPENSATION DISCLOSURE.

A. Broker Working With Buyer

Broker ☐ **Does** ☐ **Does Not** acknowledge receipt of Earnest Money deposit. Broker agrees that if Brokerage Firm is the Earnest Money Holder and, except as provided in § 23, if the Earnest Money has not already been returned following receipt of a Notice to Terminate or other written notice of termination, Earnest Money Holder will release the Earnest Money as directed by the written mutual instructions. Such release of Earnest Money will be made within five days of Earnest Money Holder's receipt of the executed written mutual instructions, provided the Earnest Money check has cleared.

Broker is working with Buyer as a ☐ **Buyer's Agent** ☐ **Transaction-Broker** in this transaction.

☐ **Customer.** Broker has no brokerage relationship with Buyer. See § B for Broker's brokerage relationship with Seller.

Brokerage Firm's compensation or commission is to be paid by ☐ **Listing Brokerage Firm** ☐ **Buyer** ☐ **Other** _____.

This Broker's Acknowledgements and Compensation Disclosure is for disclosure purposes only and does NOT create any claim for compensation. Any compensation agreement between the brokerage firms must be entered into separately and apart from this provision.

Brokerage Firm's Name: _____
Brokerage Firm's License #: _____
Broker's Name: _____
Broker's License #: _____

_____
Broker's Signature Date

Address: _____
_____
Phone No.: _____
Fax No.: _____
Email Address: _____

B. Broker Working with Seller

Broker ☐ ~~Does~~ ■ **Does Not** acknowledge receipt of Earnest Money deposit. Broker agrees that if Brokerage Firm is the Earnest Money Holder and, except as provided in § 23, if the Earnest Money has not already been returned following receipt of a Notice to Terminate or other written notice of termination, Earnest Money Holder will release the Earnest Money as directed by the written mutual instructions. Such release of Earnest Money will be made within five days of Earnest Money Holder's receipt of the executed written mutual instructions, provided the Earnest Money check has cleared.

Broker is working with Seller as a ■ **Seller's Agent** ☐ **Transaction-Broker** in this transaction.

☐ **Customer.** Broker has no brokerage relationship with Seller. See § A for Broker's brokerage relationship with Buyer.

Brokerage Firm's compensation or commission is to be paid by ■ **Seller** ☐ ~~**Buyer**~~ ☐ ~~**Other**~~ _____.

This Broker's Acknowledgements and Compensation Disclosure is for disclosure purposes only and does NOT create any claim for compensation. Any compensation agreement between the brokerage firms must be entered into separately and apart from this provision.

Brokerage Firm's Name: Hayden Outdoors Real Estate
Brokerage Firm's License #: EC. 100004181
Broker's Name: Seth Hayden
Broker's License #: EA. 100022564

DocuSigned by:
Seth Hayden
814E2269892848B...

4/5/2022

Broker's Signature Date

Address: 501 Main Street, Windsor, CO 80550

Phone No.: (970) 674-1990
Fax No.: (970) 674-5090
Email Address: admin@haydenoutdoors.com

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CITY OF GREELEY SIGNATURE PAGE
Contract to Buy and Sell Real Estate
Between LTC Performance Horses, LLC, Buyer, and City of Greeley, Seller

THE CITY OF GREELEY, COLORADO

By: _____ Dated: _____
City Manager

AS TO LEGAL FORM:

By: _____
City Attorney

AS TO AVAILABILITY OF FUNDS:

By: _____
Director of Finance

AS TO WATER AND SEWER BOARD APPROVAL:

By: _____
Chairman

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EXHIBIT A

FORM
DO NOT EXECUTE

RESTRICTIVE COVENANTS (NO IRRIGATION AND REVEGETATION)

FOR GOOD AND VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, and in order to provide the City of Greeley, a Colorado home rule municipal corporation ("Greeley"), with the maximum benefit available from the present and future use of water pursuant to the water rights described in Exhibit 1 attached hereto and incorporated herein ("Water Rights"), LTC PERFORMANCE HORSES, LLC, a Colorado limited liability company ("Declarant"), agrees, warrants and covenants, and the undersigned leaseholder and lienholder, if any, acknowledges and approves, on Declarant's own behalf and on behalf of all successors in interest, that upon notice from Greeley, Declarant shall cease irrigation on the lands owned by Declarant and described in Exhibit 2 attached hereto and incorporated herein ("Land").

Upon receipt of one hundred and eighty (180) days prior written notice from Greeley, thereafter Declarant and Declarant's successor in interest shall not irrigate the Land. These covenants shall not prohibit Declarant or Declarant's successor in interest from irrigating the Land (i) with other water rights which may in the future be transferred to such lands and judicially approved for such use through an appropriate Water Court proceeding, and in accordance with any future water rights applications filed by Greeley or a successor in interest to the Water Rights; (ii) with water from an existing well or wells to be constructed in the future which are authorized to pump pursuant to a Water Court-approved plan for augmentation; (iii) with water which is not tributary to the South Platte River or any of its tributaries; (iv) or with treated potable water supplied by a municipal or quasi-municipal government water provider ("Alternate Water Rights").

Unless so irrigated, then within two and one half (2½) years from the date Declarant ceases to irrigate the Land or any portion thereof with Alternate Water Rights, Declarant or Declarant's successors in interest shall establish, at Declarant's or Declarant's successors in interest's expense, a ground cover of plant life, as such is defined in C.R.S. § 37-92-103(10.5), on the previously irrigated portions of the Land to satisfy any applicable revegetation and noxious weed management provisions as may be required in a final decree obtained by Greeley, or a successor in interest to the Water Rights, from the District Court for Water Division No. 1, State of Colorado, or a successor court, changing certain water rights from agricultural irrigation purposes to other beneficial purposes, pursuant to C.R.S. § 37-92-305(4.5). Previously irrigated portions of the Land means portions of the Land not occupied by roads, buildings, or other structures, which land was cultivated with crops in accordance with these covenants. Declarant, or Declarant's successors in interest, shall provide notice to Greeley when such revegetation of the Land has been established. Declarant agrees the Land subject to these covenants shall not be planted with crops that are capable of extending roots into the underlying groundwater, including, but not limited to, alfalfa.

Should Declarant or Declarant's successor in interest fail to comply with its obligations hereunder, Greeley shall have the right to come upon the Land and take all measures necessary to accomplish the Declarant's obligations hereunder, including but not limited to revegetation and/or noxious weed management on the Land, provided that Greeley shall also have the right to receive full reimbursement of all of its expenses of accomplishing such revegetation or weed management from Declarant or Declarant's successor in interest. Any and all fees and costs incurred in any necessary action to enforce these covenants by Greeley, including reasonable attorney fees, shall be paid by Declarant. Additionally, Greeley shall have the right to come upon the Land to verify Declarant's compliance with its obligations hereunder, with any such inspections being at the sole expense of Greeley. All rights to enter upon the Land granted herein shall terminate upon a final determination by the District Court for Water Division No. 1, State of Colorado, under the court's retained jurisdiction, that no further actions will be necessary in order to satisfy Declarant's revegetation obligations.

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EXHIBIT A

The foregoing covenants shall burden, attach to, and run with the Land and shall be binding upon Declarant and Declarant's successors, assigns and any other person who acquires an ownership or leasehold interest in all or part of the Land; such covenants also shall benefit, attach to, and run with the Water Rights and shall inure to the benefit of Greeley's successors, assigns, and any other person who acquires an ownership interest in the Water Rights. Declarant warrants and represents such covenants shall entitle Greeley to the first and prior right to claim credit for the dry-up or non-irrigation of the Land.

The terms and provisions of these covenants shall not expire and shall be perpetual unless specifically released in writing by Greeley or its successors in interest. The terms and provisions of these covenants may not be terminated, modified, or amended without prior written consent of Greeley or its successors in interest. Any notice may be sent to the Declarant by prepaid U.S. Mail to the Declarant at: 36401 County Road 43, Eaton, Colorado 80615.

IN WITNESS WHEREOF, the Declarant have executed this instrument on the _____ day of _____, 2022.

Declarant
LTC PERFORMANCE HORSES, LLC

By: _____

Name: _____

Title: _____

Leaseholder
LELAND LEBSACK

By: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____ 2022 by _____, as an authorized representative of LTC Performance Horses, LLC.

Witness my hand and official seal.

_____
Notary Public
My commission expires: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____ 2022 by Leland Lebsack, in his individual capacity.

Witness my hand and official seal.

_____
Notary Public
My commission expires: _____

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EXHIBIT A

EXHIBIT 1
RESTRICTIVE COVENANT (NO IRRIGATION AND REVEGETATION)
(Description of the Water Rights)

Any and all water and water rights, ditches and ditch rights, reservoirs and reservoir rights, and all other rights and interests represented by two (2) shares of the two and one-half (2½) shares capital stock in The Water Supply and Storage Company evidenced by Stock Certificate No. 6728.

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EXHIBIT A

EXHIBIT 2
RESTRICTIVE COVENANT (NO IRRIGATION AND REVEGETATION)
(Description of the Land)

Lot B of Recorded Exemption No. 582 and Revision recorded April 27, 1983 at Reception No. 1924815 in Book 994, being located in the E 1/2 of Section 4, Township 7 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado; said Property is also known as Parcel No. 070704000029 and consists of approximately 138.33 net acres, more or less.

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EXHIBIT B

FORM
DO NOT EXECUTE

IRRIGATION WATER LEASE AGREEMENT

This IRRIGATION WATER LEASE AGREEMENT ("Agreement") is entered into this 1st day of January 2023, by and between THE CITY OF GREELEY, a Colorado home rule municipal corporation acting by and through its Water Enterprise, whose address is 1001 11th Avenue, Second Floor, Greeley, Colorado 80631 ("Greeley"), and LTS PERFORMANCE HORSES, LLC, a Colorado limited liability company whose address is 36401 County Road 43, Eaton, Colorado 80615 ("Lessee").

RECITALS

WHEREAS, Greeley owns those certain water rights represented by two (2) shares of capital stock in The Water Supply and Storage Company, evidenced by a portion of Stock Certificate No. 6728 ("Water Rights"); and

WHEREAS, Lessee desires to lease the Water Rights from the Greeley for agricultural irrigation on a parcel of real property consisting of approximately 138.33 acres located in Weld County and more particularly described as Lot B of Recorded Exemption No. 582, and Revision recorded April 27, 1983 at Reception No. 1924815 in Book 994, being located in the E½ of Section 4, Township 7 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado; said real property also being known as Parcel No. 070704000029 ("Property"); and

WHEREAS, Greeley is willing to lease the Water Rights to Lessee for agricultural irrigation on the Property;

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Greeley and Lessee agree as follows.

AGREEMENT

1. Water Rights Lease. Greeley hereby leases to Lessee, and Lessee hereby leases from the Greeley, the above-described Water Rights for the purpose of agricultural irrigation on the Property.

2. Term of Lease. The term of this Agreement begins on the date of mutual execution and expires on December 31, 2023 ("Initial Term"). At the end of this Initial Term, this Agreement shall renew automatically on an annual basis for four (4) subsequent terms of one (1) year each ("Renewal Terms"), unless Greeley or Lessee transmits written notice of nonrenewal on or before November 1 of the preceding calendar year. Additionally, refer to Section 12 for provisions relating to termination for cause.

3. Annual Lease Amount and Administrative Fee. Lessee shall pay to Greeley an Annual Lease Amount equal to all assessments, charges, and other expenses due and attributable to the Water Rights paid by Greeley to The Water Supply and Storage Company. The Annual Lease Amount shall not be reduced to reflect rebates or other credits attributable to leasing transmountain return flows associated with the Water Rights. Lessee shall also pay to Greeley an Annual Administrative Fee equal to ten percent of that year's Annual Lease Amount, provided, however, that the Annual Administrative Fee shall not exceed five-hundred dollars ($500.00). Greeley will provide an invoice of the Annual Lease Amount and Annual Administrative Fee to Lessee, and Lessee shall deliver payment of that total amount to Greeley no later than (i) May 15 of the then current irrigation year, or (ii) within fifteen days of receipt of such invoice from Greeley. Lessee shall also remit to Greeley an additional charge

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equal to fifteen percent of the Annual Lease Amount for every thirty days that payment required under this Agreement is late.

4. Use of Water Rights. Lessee shall use the water delivered pursuant to the Water Rights only for agricultural irrigation on the Property. Lessee shall not use the Water Rights for any other uses. Lessee shall not use the water delivered pursuant to the Water Rights on any land other than the Property. Lessee shall use the Water Rights in accordance with all rules, regulations, bylaws and policies of The Water Supply and Storage Company. Lessee shall comply with Title 20 (or any successor section) of the Greeley Municipal Code, and all rules, regulations, and laws of the State of Colorado pertaining to use of the Water Rights. Lessee shall take and use the water delivered pursuant to the Water Rights to the fullest extent possible, and shall undertake no action that could be construed as abandonment of the Water Rights or could cause in part or in whole a reduction in the use of the Water Rights. Lessee shall provide advance written notice to Greeley of at least thirty days if it no longer intends to irrigate the entirety of the Property with the Water Rights. Absent written consent from Greeley, Lessee shall not use any water, water rights, ditches, ditch rights, wells, well rights, well permits, carriage rights, reservoirs, or reservoir rights to irrigate the Property, other than water yielded pursuant to the Water Rights.

5. Affidavit of Beneficial Use and Water Court Proceedings. Lessee agrees to deliver to Greeley, on or before May 15 of each calendar year, a completed Beneficial Use Affidavit and Questionnaire, in the form attached hereto as Exhibit A. Lessee acknowledges that Greeley may have a pending application to change the use of the Water Rights with the Division 1 Water Court for the State Colorado during the term of this Agreement. Lessee agrees to cooperate with Greeley and its agents or representatives in the review and analysis of the historical use of the Water Rights. Upon request from Greeley, Lessee shall provide information regarding use of the Water Rights and reasonable access to the Property during and in preparation for any proceeding before the Division 1 Water Court.

6. Restriction on Sublease and Assignment. Lessee shall not rent, sublet, or otherwise convey the right to use the Water Rights. Lessee shall not assign this Agreement, except to a successive owner or operator of the Property for agricultural irrigation of the Property, and only with written consent from Greeley. Lessee shall request consent from Greeley prior to any purported assignment of this Agreement by advance written notice of at least thirty days. Such consent may be given or withheld in the sole discretion of Greeley.

7. No Vested Interest in Shares or Joint Venture. This Agreement is made expressly subject to Section 17-4 of the Charter of the City of Greeley. Greeley grants no interest in the Water Rights to the Lessee other than as explicitly set forth in this Agreement. Lessee shall make no claim to any rights, title, or interest in the Water Rights other than as explicitly set forth in this Agreement. This Agreement does not create a partnership or joint venture of any kind between the parties, and the Lessee shall bear the entirety of any loss, cost, or expense incurred through their use of the Water Rights on the Property.

8. No Guarantee of Yield. Lessee is entitled to receive the amount of water yielded by the Water Rights, subject to the terms and conditions in this Agreement. Greeley makes no warranty, guarantee, or representation of any kind regarding the quality or physical yield of water to be delivered pursuant to the Water Rights. Lessee shall not hold Greeley liable for any failure in delivery of the water pursuant to the Water Rights, including, but not limited to, that caused by force of nature or failure of water supply infrastructure.

9. Maintenance of Infrastructure. Lessee shall maintain the lateral ditches, headgates, and other personal property necessary to deliver water pursuant to the Water Rights at Lessee's own cost and expense. Lessee shall make all repairs and restorations necessary to keep the lateral ditches, headgates, and other personal property in good working condition during the term of this Agreement.

10. Indemnification; Immunity. Lessee agrees to exercise Lessee's rights under this Agreement at Lessee's own risk. Lessee shall indemnify and hold harmless Greeley from and against any cost, expense, or liability

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arising out of this Agreement or related activities. Nothing in this Agreement is intended to constitute 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.

11. Notice. All notices to be given under this Agreement shall be (1) sent by certified or registered mail, return receipt requested, or (2) hand-delivered at the addresses set forth above. Lessee shall provide written notice to Greeley if the appropriate contact information changes.

12. Default and Termination. If either Greeley or Lessee fails to comply with a term or condition herein, such failure constitutes a default of this Agreement. The non-defaulting party may declare the default by providing written notice to the defaulting party in accordance with Paragraph 11 above. Upon receipt of this notice of default, the defaulting party will have fifteen days within which to cure the default. If, in the sole discretion of the non-defaulting party, the default remains uncured after the aforementioned fifteen-day cure period, or after any written extension thereof mutually agreed upon by the parties, the non-defaulting party may declare the Agreement terminated by written notice in accordance with Paragraph 11 above.

(a) Notwithstanding the above, failure by the Lessee to comply with the terms and conditions of Paragraphs 3, 4 or Paragraph 6 of this Agreement constitutes a material breach. In the event that the Lessee commits a material breach, Greeley may immediately terminate this Agreement by written notice to Lessee.

(b) The failure of either party to declare a default or material breach does not establish a precedent or constitute an implied waiver of any subsequent breach of the terms and conditions in this Agreement.

13. Cessation of Irrigation. Upon expiration or termination of this Agreement, Lessee shall immediately cease agricultural irrigation of the Property with the Water Rights.

14. No Third Party Beneficiaries. Nothing in this Agreement, express or implied, is intended to confer any rights or remedies upon any parties other than Lessee and Greeley, or their respective permissible successors in interest.

15. Recovery of Costs and Fees. In addition to any remedies otherwise available, a party that is successful in a legal action commenced against the other due to a default or material breach of this Agreement may recover from the defaulting party reasonable costs and attorneys' fees incurred during the course of such legal action.

16. Governing Law and Venue. This Agreement shall be governed by and enforced in accordance with the laws of the State of Colorado. Proper venue for any action arising out of this Agreement is the District Court for Weld County, Colorado, or the Division 1 Water Court for the State of Colorado.

17. Severability. In the event a provision of this Agreement is held invalid or unenforceable by a court of competent jurisdiction, such holding will not invalidate any other provision herein, and the remainder of the Agreement should be interpreted in accordance with the intent of the parties.

18. Integration. This Agreement constitutes a complete integration of the understanding and agreement between Greeley and Lessee with respect to the subject matter herein, and supersedes all other lease agreements regarding the Water Rights. No representations, negotiations, or warranties, express or implied, exist between Greeley and Lessee except as explicitly set forth in this Agreement. This Agreement may only be modified in a written form duly authorized, approved, and executed by Greeley and Lessee.

19. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument. Executed copies of this Agreement

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EXHIBIT B

may be delivered by electronic means. The parties agree to accept and be bound by signatures hereto delivered by electronic means.

20. Recording. Lessee shall not record this Agreement in the real property records of any jurisdiction. The parties do not intend for any of the rights or obligations set forth in this Agreement to run with the land.

IN WITNESS WHEREOF, the undersigned parties have executed this Irrigation Water Lease Agreement on the date first set forth above.

LESSEE
LTS PERFORMANCE HORSES, LLC

By: _____ Date: _____

CITY OF GREELEY,
a Colorado home rule municipal corporation
acting by and through its Water Enterprise

By: _____ Date: _____
Mayor

ATTEST

By: _____
City Clerk

ACKNOWLEDGMENT

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by _____, as an authorized representative of Lessee.

Witness my hand and official seal.

_____
Notary Public
My commission expires: _____

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EXHIBIT B

EXHIBIT A
IRRIGATION WATER LEASE AGREEMENT
(Beneficial Use Affidavit and Questionnaire)

ANNUAL AFFIDAVIT OF BENEFICIAL USE OF WATER RIGHTS

DESCRIPTION OF WATER RIGHTS:

Ditch or Reservoir Company: _____
Shares or Interest: _____

Name and address of owner and user of water rights:

Owner: City of Greeley
Water and Sewer Department
1001 11th Avenue, Second Floor
Greeley, Colorado 80631

User(s): _____
_____
_____

Year water rights were used as described: _____

DESCRIPTION OF IRRIGATED LAND:

Legal description and size/acreage of land irrigated by above-mentioned water rights: _____.

Name and address of owner(s) of above-mentioned irrigated land if different from owner or user of the water rights:_____.

I have not intended to abandon the aforementioned water rights during my period of use. I state that the information contained here and in the attached Questionnaire Regarding Use of Water Shares, which is incorporated herein by reference, is known to me and is correct.

The undersigned _____, having personal knowledge of the irrigation of the above described lands by virtue of being the owner and/or person who has farmed and irrigated those lands, being first duly sworn, hereby states that the information provided in this statement is true and accurate.

Signed and dated this _____ day of _____, 20__.

_____
[AFFIANT]

ACKNOWLEDGMENT

STATE OF COLORADO)
) ss.
COUNTY OF _____)

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EXHIBIT B

The foregoing instrument was acknowledged before me this _____ day of _____ 20__ by _____.

Witness my hand and official seal.

_____
Notary Public

My commission expires: _____

QUESTIONNAIRE REGARDING USE OF WATER SHARES

The person completing this questionnaire need not necessarily be the Lessee, but must have personal knowledge of the information provided

1. Name: _____
Mailing Address: _____
_____
Telephone: _____
Facsimile: _____
Email Address: _____

2. The information provided below pertains to ____ shares of the _____ Company, represented by Certificate No. _____ (hereinafter "Shares").

3. Did you use the Shares pursuant to a Lease Agreement? _____
Date of the Lease: _____
Name of Lessee (if different from Question 1): _____
Name of Lessor: _____

4. The information in this questionnaire relates to my use of the Shares during the [**20__**] irrigation season (hereinafter "Lease Year").

5. Do you still own the farm or parcel irrigated by these Shares? _____

6. Was your use of the Shares during the Lease Year consistent with all terms and conditions of the Lease Agreement and with the bylaws, rules, regulations, and policies of the ditch company? _____

7. What is the legal description of the farm or parcel on which these Shares were used?

8. What is the total size of the farm or parcel? _____ acres.

9. What is the size of the area(s) on the farm or parcel that was irrigated? _____ acres.

10. What is the size of the area(s) on the farm or parcel that was irrigated using water from the Shares? _____ acres.

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EXHIBIT B

11. Please provide the following information regarding how the water from these Shares is delivered.

- Location and ID Number of the head gate at the main ditch: _____ _____.
- Name and general location of any lateral(s) delivering the water to the land historically irrigated: _____.
- Identification of any carrier or lateral ditch stock required to deliver these rights: _____.
- Approximate location of pumps, if used: _____ _____.
- Approximate location and size of storage ponds or reservoirs, including tail water ponds, if used: _____.

12. How was water applied during the Lease Year? Sprinkler ____ Furrow ____ Flood ____ Other/Combination (Describe): _____.

13. What was the irrigation season for the Lease Year? Start Date: _____ Stop Date:_____

14. During the Lease Year, did you divert and irrigate with all water available under the Shares?_____. If no, please explain the reason why all water was not taken, approximately how much was not taken, and for how long: _____ _____ _____.

15. Other than the Shares leased, was any other water (including other shares that are in the same Company as the Shares that are the subject of this questionnaire) used to irrigate the farm or parcel on which the Shares are/were used during the Lease Year? If so, please provide the following information.

- Number of shares: _____
- Ditch Company: _____
- Number of any Irrigation Wells: _____
- Identification and Permit No. of any Irrigation Wells: _____ _____.
- Capacity of Irrigation Wells: _____
- Approximate location of Irrigation Wells: _____ _____.
- Any other water used: _____

16. Describe how the water has been used, including the estimated percentage of the total irrigation supply provided by such water: _____ _____.

17. During the Lease Year, what crops were grown on the land irrigated by the Shares?

1. Crop: _____ Percentage: _____ Location: _____
2. Crop: _____ Percentage: _____ Location: _____

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EXHIBIT B

3. Crop: _____ Percentage: _____ Location: _____
4. Crop: _____ Percentage: _____ Location: _____
5. Crop: _____ Percentage: _____ Location: _____
6. Crop: _____ Percentage: _____ Location: _____

18. Were the lands on which the Shares were used subirrigated? Yes _____ No _____

19. If possible, please provide a map, sketch, or aerial photograph showing locations of (*check if included*):

_____ Farm or Parcel
_____ Areas irrigated by the Shares during the Lease Year
_____ Areas irrigated with other water
_____ Lateral ditches, wells, pumps, pipelines, storage reservoirs, or tail water ponds

I understand that I may be required to sign an affidavit attesting to the accuracy, to the best of my knowledge, of the information provided herein.

Signature: _____ Date: _____

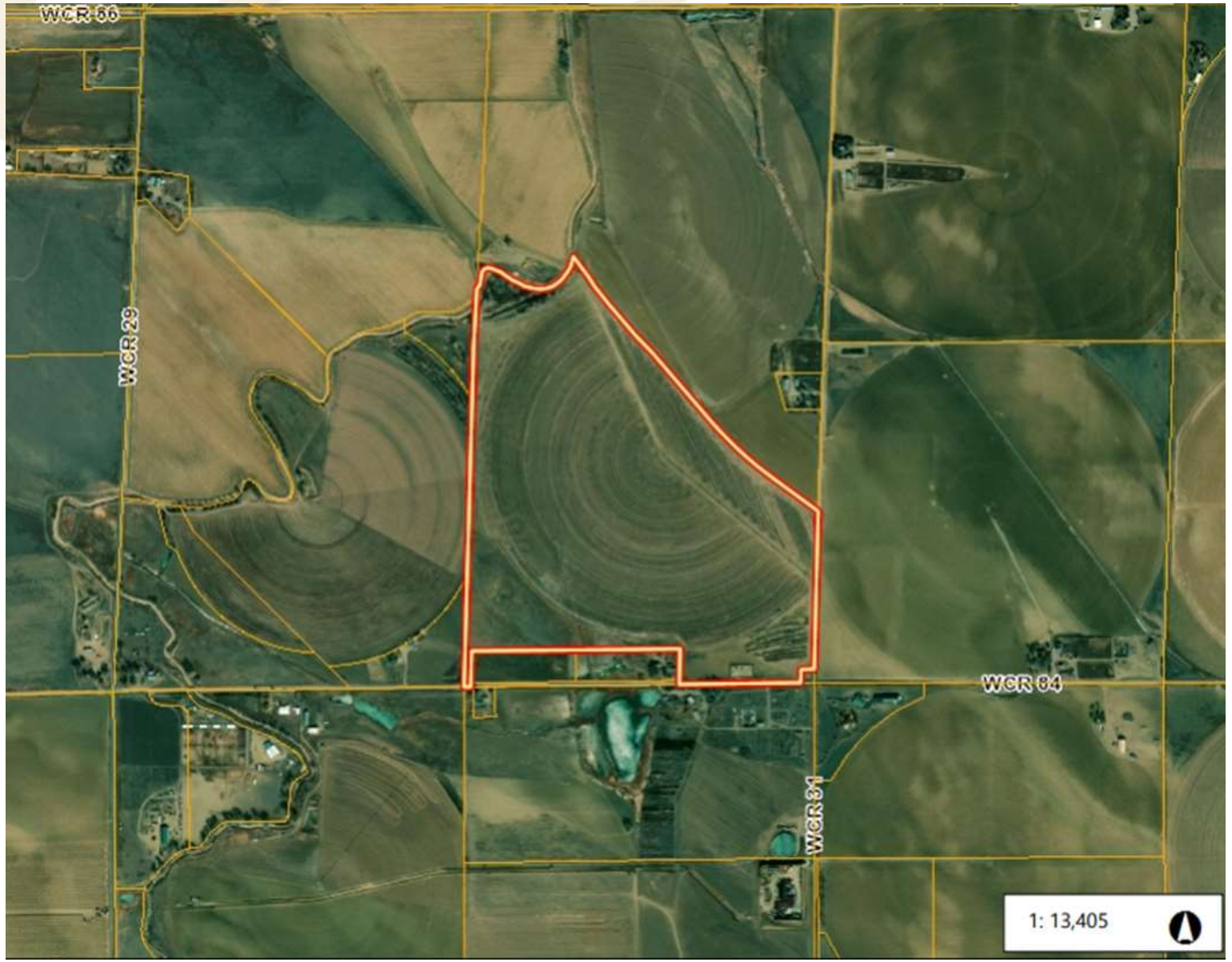
Balmer Farm Property Divestment

Presented to Greeley City Council

By Greeley Water & Sewer Department

June 7, 2022

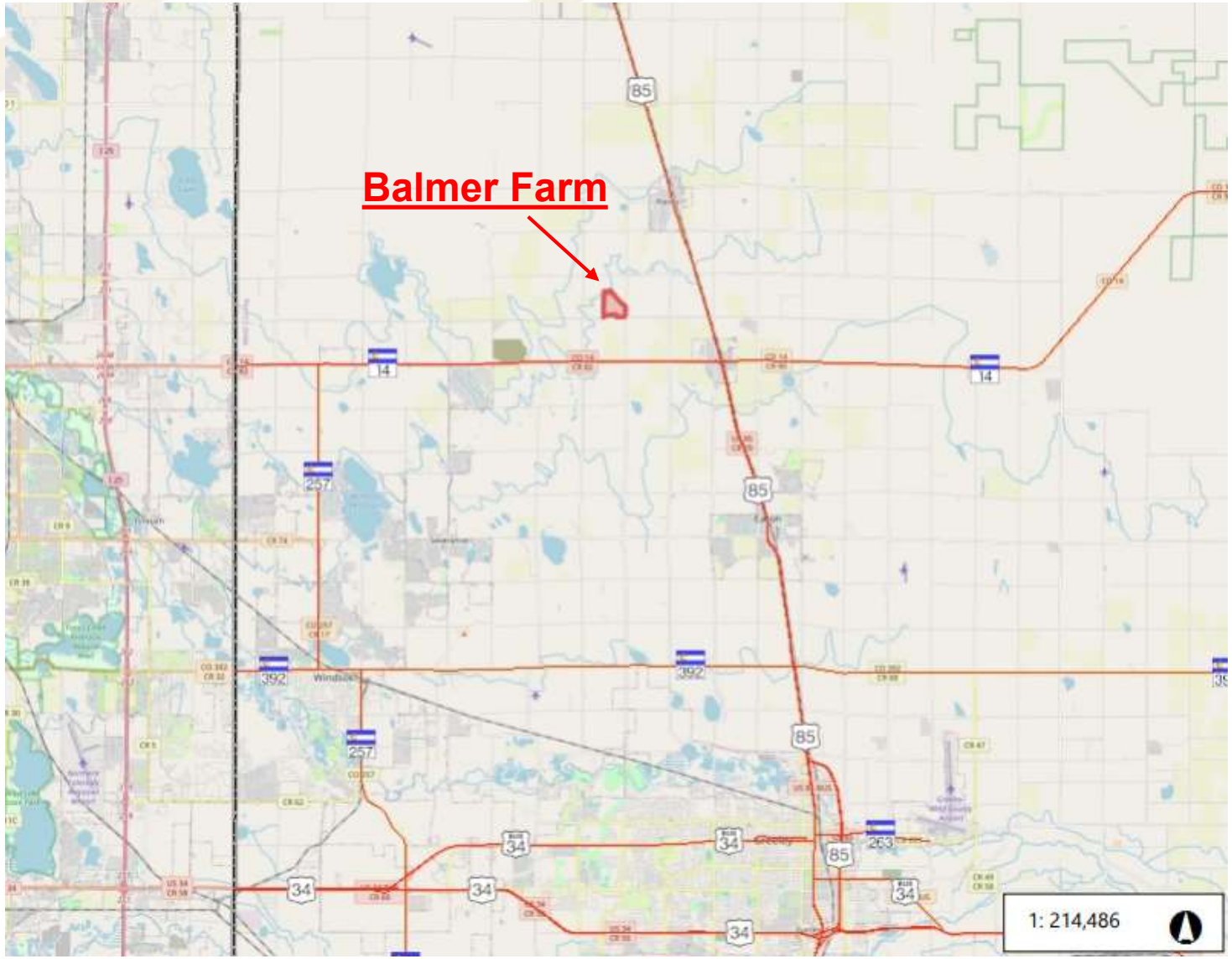
Balmer Farm



- **Balmer Farm**:
  - 139+/- acres
  - Weld County
  - Sale Price:
    - $850,000.00

City of Greeley Colorado

Balmer Farm Property Location



City of Greeley Colorado

Balmer Farm Property Divestment

- Purchased in 2016 as part of a water rights acquisition
  - Three shares of Water Supply and Storage (WSSC)
- Proposed divestment of dry land (water retained)
- 2016 purchase price – $4,890 per acre
- Current offer from LTS Performance Horses LLC – $6,100 per acre
  - Value aligns with comparables
  - $850,000 for 139 acres

City of Greeley Colorado

Balmer Farm Property Divestment

- $10,000 earnest money
- 5% brokerage commission
- Buyer pays for most diligence, Greeley pays for title commitment
- City obtains dry-up and revegetation covenants
- Leaseback (2 shares of WSSC)
  - One year lease, with option to renew annually for four additional years

City of Greeley Colorado

Benefits

- Benefits of divestment:
  - Water rights retained
  - Reduces maintenance overhead
  - Could seek to re-appropriate sale proceeds for additional water acquisition

Recommendation

Staff recommends a motion to adopt the ordinance as presented for the divestment of the Balmer Farm Property.

Note: On April 20, 2022, the Greeley Water and Sewer Board approved the sale agreement and recommended to City Council the authorization for the sale of the Balmer Farm Property.

Questions?

Council Agenda Summary

June 7, 2022

Key Staff Contacts: Brian Kuznik, Fire Chief, 970-350-9501 and Adam Turk, Interim Police Chief, 970-351-5381

Title:

Public Hearing and Final Reading of an Ordinance Amending Chapter 15 of Title 14 of the Greeley Municipal Code relating to fireworks

Summary:

At the February 8, 2022 worksession, City Council was presented with an overview of the use, sales, response and enforcement of Fireworks in the City of Greeley. This worksession item was presented for informational and discussion purposes with direction sought on the following identified options:

1. Option 1 - No action - Information and feedback only concerning the existing City policy (attached), which limits the sales of permissible fireworks within the City to a 2-week period around the 4th of July Holiday.
2. Option 2 - Modify existing ordinance in which permissible fireworks would remain legal in the City with potential modifications including but not limited to:
    a. Add dates and times that permissible fireworks are allowed to be sold and used in the City.
    b. Add language that would allow the City Manager to ban the use of fireworks in the City during times of extreme weather, drought, red flag warnings, etc.
    c. Increase the penalty for violations of fireworks ordinance with an escalated fee structure for subsequent violations.
3. Option 3 - Revise the existing ordinance to prohibit the possession, manufacture, storage, sale and use of ALL fireworks in the City.
    a. Public fireworks displays conducted by a certified fireworks display operator would be still be allowed with the approval of the Fire Chief and Police Chief.

At the conclusion of the worksession discussion, Council indicated it would be willing to advance an ordinance change that (a) allows for a change in penalty from an infraction to an offense, (b) allows for an increase in fines for unlawful possession, storage, use, sales, handling and use of fireworks to be not less than $1000.00, and (c) that criminalizes those who knowingly provide private property for possession or use of illegal fireworks. Attached is an ordnance to accomplish these objectives.

According to C.R.S. § 24-33.5-2002, it is unlawful for any person to possess or discharge any fireworks, other than permissible fireworks, in the State of Colorado. C.R.S. § 24-

33.5-2003 gives any governing body the power to adopt reasonable rules and issue permits within its jurisdiction for the retail sale of fireworks. Furthermore, C.R.S. § 24-33.5-2007 explains that municipalities may further regulate and prohibit the sale, use, and possession of fireworks, including permissible fireworks, within the limits of any city.

The volume of illegal fireworks activity in recent years has been significant. The Police Department receives illegal fireworks complaints from residents across the City. Illegal fireworks produce noise complaints, risk of personal injury and property damage and quality of life issues.

The manufacture, sale, use or possession of fireworks is currently a misdemeanor infraction with a penalty of a maximum fine of $500. This Ordinance amends the violation to a misdemeanor offense, with a fine of $1000, plus any additional penalties assessed, which could include imprisonment. The Fire Department will offer a fire safety class for persons charged with a fireworks violation. After completion of the fire safety course, the fine will be reduced to $500.

The Ordinance also adds an additional violation for when someone knowingly provides private property for the possession and use of illegal fireworks. The penalty is the same as outlined above, with the option to reduce the fine after completing a fire safety course.

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.

Strategic Work Program Item or 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.

Decision Options:

1) Adopt the ordinance and publish by reference to title only;

2) Amend the ordinance and adopt the amended ordinance and publish in full;
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:

PowerPoint Summary
Ordinance
Appendix A

CITY OF GREELEY, COLORADO
ORDINANCE NO. 20, 2022

AN ORDINANCE AMENDING CHAPTER 15 OF TITLE 14 OF THE GREELEY MUNICIPAL CODE RELATING TO FIREWORKS

WHEREAS, the City of Greeley has adopted the International Fire Code at Title 22, Chapter 12 of the Municipal Code; and

WHEREAS, the possession, manufacture, storage, sale, handling and use of fireworks is prohibited by Section 5601.1.3 of the International Fire Code except where allowed by applicable laws; and

WHEREAS, Colorado Revised Statutes Section 24-33.5-2007 allow certain fireworks to be possessed, sold, and used within incorporated areas of the State of Colorado unless restricted by local law in those incorporated areas; and

WHEREAS, the use of illegal fireworks within the City poses a danger to the health and safety of the citizens of Greeley; and

WHEREAS, the amendments to Chapter 15 will provide city staff, including the Police and Fire Departments, additional resources in order to ensure that fireworks are used safely and appropriately within the Greeley city limits; and

WHEREAS, City Council finds that adoption of this Ordinance is in the best interests of the citizens of the City of Greeley.

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

Section 1. That Chapter 15 of Title 14 of the Greeley Municipal Code of Ordinances be amended, including adding thereto a new section, to read as shown in Appendix A.

Section 2. This ordinance shall become effective five (5) days following its final publication, as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED ON THIS ___ DAY OF _____, 2022.

ATTEST **THE CITY OF GREELEY, COLORADO**

_____ _____

City Clerk **Mayor**

APPENDIX A

AN ORDINANCE AMENDING CHAPTER 15 OF TITLE 14 OF THE GREELEY MUNICIPAL CODE RELATING TO FIREWORKS

Section 1: That Chapter 15, Fireworks, of Title 14, Criminal Conduct and Offenses, be amended, including adding thereto a new section, to read as follows:

Sec. 14-481. Manufacture, sale, use or possession of fireworks.
(a) Pursuant to section 5601.1.3 of the International Fire Code, as adopted by the city at section 22-454, the possession, storage, sale, handling and use of fireworks is illegal except as set forth herein.
(~~b~~1) The fire department may adopt reasonable rules and regulations for the granting of permits for supervised public displays of fireworks and retail sale of fireworks within the city.
~~(1)~~ a. Such permits may be granted upon application to the fire department.
~~(2)~~ b. The department may prescribe reasonable requirements for the issuance of such permits, including, but not limited to, a reasonable fee for such permits, the posting of an appropriate bond, limitation as to the type of fireworks displayed, time and location of such display, requirements concerning the licensure or certification of the operator of the display and disposal of unused fireworks.
~~(c)~~ c. Permits issued by the fire department for a public display of fireworks within the city must be reviewed and approved in writing by the chief of police or designee. No permit issued by the fire department shall be valid in the absence of the written approval thereof by the chief of police or designee.
(~~d~~2) Permissible fireworks may be possessed, stored, sold, handled and used within the city by any individual age 16 years and older.
(3) Permissible fireworks may be possessed and used within the city by an individual under the age of 16 years, if the individual is under adult supervision.

Sec. 14-482. Knowingly provide private property for possession or use of illegal fireworks. No one who owns, rents, leases or controls private property shall knowingly allow any person to possess or use fireworks, except for permissible fireworks as allowed in sec. 14-481, anywhere on said property.

Sec. 14-48~~2~~3. Penalty.
(a) Any person who violates this chapter commits a misdemeanor ~~infraction~~ offense and shall be fined not less than $1000, plus any additional penalties assessed pursuant to ~~punished as provided in~~ chapter 9 of title 1 of this Code.
(b) Up to $500 of the fine on a first violation may be suspended if the guilty party completes a city-sponsored or city-approved fire safety course, within 91 days following sentencing. The guilty party is responsible for any registration fees.

(c) A repeat violation within 365 days from a finding of guilty shall cause the full amount of the fine to be immediately reinstated in full.

Sec. 14-4834. Seizure of illegal fireworks.
(a) Members of the ~~T~~the police or fire department ~~or any city police officer~~ shall seize, take, remove or cause to be removed, at the expense of the owner, all stocks of fireworks offered or exposed for sale or stored or held in violation of this chapter or of the adopted portions of the International Fire Code.

Fireworks

Ordinance amending Chapter 15 of Title 14

June 7, 2022
City Council Meeting

City of Greeley Colorado

Background

- **Worksession presentation to Council on February 8, 2022**
  - **State and Local code and policy regarding fireworks**
  - **Fireworks sales within the City of Greeley**
  - **Fire and PD fireworks related response data**
  - **Enforcement efforts and challenges**
  - **Benchmarking information from other communities**
- **Obtain Council direction on ordinance change options**

City of Greeley Colorado

Options presented

- **Option 1 - Permissible fireworks remain legal**
- **Option 2 - Modify existing ordinance**
  - **Increase fines**
  - **Consideration of a social host ordinance**
- **Option 3 - Prohibit all fireworks**

City of Greeley Colorado

Municipal Fines & Surcharge

City	Current Fines	Notes
Greeley	$150 + $30 surcharge = $180	For subsequent violations, officer discretion to issue citation/fine or summons only into court
Ft. Collins	$1,000-$3,000	Summons only with possibility of up to 6 months in jail
Longmont	fines range up to $999	Summons only with possibility of up to 18 months in jail
Loveland	$1,000	If the defendant cannot pay immediately, sentenced to 3 days in county jail
Thornton	$500-$1,000	Summons only

Code Revision – Chapter 15

- **Sec 14-482 – Knowingly provide private property for possession or use of illegal fireworks.**
  - **No one who owns, rents, leases or controls private property shall knowingly allow any person to possess or use fireworks, except for permissible fireworks as allowed in sec 14-481, anywhere on said property.**

Code Revision – Chapter 15

- **Sec 14-483 – Penalty.**
  - **Changed from a misdemeanor infraction to a misdemeanor offense**
    - **Fine increase from $500.00 to not less than $1000.00, plus any additional penalties assessed.**
    - **Up to $500.00 of the fine on a first violation may be suspended if the guilty party completes a city-sponsored or city-approved fire safety course, within 91 days of sentencing.**
    - **A repeat violation within 365 days from a finding of guilty shall cause the full amount of the fine to be immediately reinstated in full.**

City of Greeley Colorado

Recommendation

Council's recommended action is to adopt the ordinance and publish with reference to title only.

Questions?

Council Agenda Summary

June 7, 2022

Key Staff Contact: Brittany Hathaway, Community Development, 350-9823

Becky Safarik, Interim Community Development Director, 350-9786

Title:

Public hearing and second reading to consider a request to rezone from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Intensity), changing the underlying land use designations for approximately 23.48 acres of property located south of Centerplace Drive, east of 47th Avenue and west of 35th Avenue and final reading of an ordinance changing the official zoning map to reflect the same (Watermark Rezone)

Summary:

The applicant requests to rezone from PUD to MU-H for a proposed mixed-use development that would include a multi-family apartment complex use and an adjacent commercial use. The multi-family use would encompass approximately 11 acres of the parcel and 2 acres would be available for commercial uses.

The parcel contains an approximate 4-acre area of ecological significance, which would be preserved as open space. The open space is proposed also include a prospective private park of roughly 2 acres on the east side of the project, abutting the existing Longsview Townhome development.

The Planning Commission recommended approval of the request at the April 26, 2022 meeting by a vote of 4-0.

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 quasi-judicial process.

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:
Consistency with Comprehensive Plan and Development Code standards.

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:
Two motions are necessary to approve this request:

1. A motion to find that, based on the application received, accompanying analysis, and Planning Commission recommendation, the proposed rezoning from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Intensity) is in compliance with Development Code Section 24-204 and, therefore, approve the request (Watermark Rezone);
2. A motion to adopt the ordinance and publish with reference to title only.

Attachments:
Ordinance
Planning Commission Summary (Staff Report) (April 26, 2022)
Planning Commission Minutes (April 26, 2022)
PowerPoint Presentation

CITY OF GREELEY, COLORADO
ORDINANCE NO. 21, 2022
CASE NO. ZON2021-0019

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM PUD (PLANNED UNIT DEVELOPMENT – CENTERPLACE) TO MU-H (MIXED-USE HIGH INTENSITY) CHANGING THE UNDERLYING LAND USE DESIGNATIONS FOR APPROXIMATELY 23.48 ACRES OF PROPERTY LOCATED SOUTH OF CENTERPLACE DRIVE, EAST OF 47TH AVENUE AND WEST OF 35TH AVENUE

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as Planned Unit Development – Centerplace to Mixed-Use High Intensity, in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS _____ DAY OF _____, 2022.

ATTEST: **THE CITY OF GREELEY**

_____ _____

City Clerk **Mayor**

Legal Description

TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION,
COUNTY OF WELD, STATE OF COLORADO

SAID PARCEL CONTAINS 1,023,102 SQUARE FEET OR 23.4872 ACRES MORE OR LESS.

PLANNING COMMISSION SUMMARY

ITEMS: Rezone property from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity)

FILE NUMBER: ZON2021-0019

PROJECT: Watermark Rezone

LOCATION: South of Centerplace Drive at 38th Avenue

APPLICANT: Sam Coutts of Ripley Design Inc., on behalf of Gilbert Commercial Land LLP

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE: April 26, 2021

PLANNING COMMISSION FUNCTION:
The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-204 of the Development Code.

EXECUTIVE SUMMARY
The City of Greeley is considering a request to rezone 23.49 acres from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity)

The subject site is located south of Centerplace Drive at 38th Avenue (see Attachment A).

A. REQUEST
The applicant requests to rezone from PUD to MU-H for a proposed mixed-use development that would include a multi-family apartment complex use and an adjacent commercial use. The multi-family use would encompass approximately 11 acres of the parcel and 2 acres would be available for commercial uses.

The parcel contains an approximate 4-acre area of ecological significance, which would be preserved as open space. The open space is proposed also include a prospective private park of roughly 2 acres on the east side of the project, abutting the existing Longsview Townhome development. Please see Attachment C (Rezone Package – Zoning Suitability Map).

B. STAFF RECOMMENDATION
Approval

C. LOCATION **Abutting Zoning/Land Use:**

North: PUD (Planned Unit Development)
South: PUD (Planned Unit Development) and US Highway 34 Bypass
East: R-H (Residential High Density) and C-H (Commercial High Intensity)
West: PUD (Planned Unit Development)

Site Characteristics:
The site is undeveloped with a drainage area that bisects the property.

Surrounding Land Uses:
North: Creekstone Apartments and vacant land
South: US Highway 34 Bypass
East: Longsview Townhomes and car dealership
West: Commercial and commercial big box (TJ Maxx, Hobby Lobby, Best Buy etc.)

D. APPROVAL CRITERIA

Development Code Section 24-204 Rezoning Procedures

The review criteria found in Section 24-204(b) of the Development Code shall be used to evaluate the zoning amendment application.

1. **The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.**

   The Imagine Greeley Comprehensive Plan's Land Use Guidance Map designates the subject property as Mixed-Use High Intensity. Supported uses include residential, commercial, office, retail, and institutional. A mix of uses, either vertical or across multiple sites, are encouraged. The proposed Mixed-Use High Intensity zoning with horizontal mixed-use including residential with a commercial pad site is supported.

   Additionally, the following specific goals and objectives support the proposed rezone:
   Growth and City Form:
   - GC-1.2 Form of Growth: Encourage compact urban form over sprawl development.
   - GC-1.6 Transitions to Parks and Open Lands: Ensure new development abutting land intended to remain undeveloped, such as environmentally sensitive areas, provides for transitions in uses and intensity that mitigate impacts on these areas.
   - CG-2.2 Jobs/Housing Balance: Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (and vice-versa).
   - GC-2.3 Pedestrian and Bicycle-Oriented Development: Encourage development pattens that encourage walking and bicycling whenever possible – by locating employment, shopping, and other services within a quarter mile of residential areas.
   - GC-4.3 Infill Compatibility: Promote the use of site design and building

architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood area.

Economic Health and Human Services:

- EH-2.4 Land Use: Promote land use decisions that support walkability and improve access to basic needs.
- EH-2.5 Walkability and "Bikability": Plan and design neighborhoods so employment, schools, shopping, parks, transit and other facilities are within a 10-minute safe walk of housing.
- EH-2.6 Built Environment: Encourage construction of built environments that support health and active living, such as mixed-use centers and neighborhoods, that support walkability and provide safe options for active transportation.

Natural Resources and Open Lands

- NR-3.5 Preservation of Natural Areas: Work with developers to protect important natural areas, native wildlife habitat, vistas and other significant or environmentally sensitive lands.

2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.

Staff Comment: The mixed-use district encourages a mix of residential and commercial uses in a walkable setting that complements higher density areas or serves as a center of a more intense multi-modal or regional destination. Due to the neighboring big box developments to the west and residential to the east and northeast, the proposed concept supports land use transitions in the surrounding area as by proposing compatible development.

The applicant proposes to place open space and a private park adjacent to an existing townhome and commercial development to the east to provide a buffer for both new multi-family development as well as the existing townhomes.

The proposed placement of a commercial tract at the northwest end of the parcel would also buffer high traffic movement on the access road from the proposed residential uses as well as provide a needed commercial tract in the area. The proposed residential development would also be within walking and biking distance to services, restaurants, employment, and retail.

3. Whether the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area

Staff Comment: The Centerplace area has seen ongoing substantial development becoming one of the main commercial and residential corridors in the City. Development continues north of Centerplace Drive to include needed residential and new commercial developments. The area is also a high-employment area, primarily service related. A rezone to provide additional high density residential would encourage price competitiveness in addition to housing within walking or biking distance to many employers and schools.

4. **Whether the existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.**

   Staff Comment: The existing zoning has been in place since 2000 with an update in 2015. The current zoning, approved in 2015, restricted development in the area to a degree the site has remained vacant. Restrictions included gas stations and auto uses, laundromats, lodging, veterinary services, all residential uses, day cares, to name a few. Given current trends and vacancy of the parcel for over 20 years, Staff determines that the existing zoning is inappropriate and obsolete.

5. **The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.**

   Staff Comment: The proposed zoning would provide complimentary development options to surrounding zoning and existing uses by creating a reasonable transition between residential and higher intensity commercial uses. The parcel is also located approximately 0.25 miles from Greeley West Park, which in addition to a proposed on-site park and open space, would provide future residents with walkable access to recreational activities.

6. **The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.**

   Staff Comment: The City and other agencies have analyzed the proposed uses and are able to provide needed services based on the provided conceptual traffic study and preliminary drainage report. Detailed analysis would be conducted at site plan and plat review.

7. **The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.**

   Staff Comment: Both initial and more recent zoning of the property assumed big box retail uses. The market study provided with the rezone application described and examined the existing retail vacancy rates and site constraints, and concluded these factors would limit potential development under its current zoning designation. By

creating a mixed-use parcel, commercial uses allowed in the C-H district would be permitted on the least constrained and most visible portion of the site. The proposed high-density multi-family residential use would provide a buffer against high intensity commercial and existing townhomes to the east, as well as providing needed housing.

8. **Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.**

   Staff Comment: The applicant has provided conceptual layouts that would provide both commercial and residential amenities, such as a clubhouse, along the frontage to help buffer some of the anticipated traffic noise from Centerplace Drive. The conceptual layouts also accounted for existing site constraints, such as ecologically significant areas and use buffering between existing residential and proposed development. The rear of the property abuts the US Highway 34 Bypass. The City's Development Code would require significant landscape buffering along Highway 34 to mitigate sound and headlight nuisances. Staff would critically review impacts and a detailed traffic analysis at time of site plan review.

9. **The recommendations of professional staff or advisory review bodies.**

   Staff Comment: City staff recommends approval.

E. SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The property is currently platted as Tract A Centerplace Phase 3.

A minor subdivision would be required to create a buildable lot as tracts must be replatted into lots to be eligible for development.

2. TRANSPORTATION

The City's Transportation Planner and Engineering Development Review staff have reviewed the traffic impact analysis with the proposed concept plan and found that additional traffic would not create a significant impact on existing roadway systems.

No additional improvements were warranted based on projected traffic. Further analysis would be conducted at time of site plan review once exact layouts and densities are confirmed.

F. SERVICES

1. **WATER**
   Water services are available and can adequately serve the subject property.

2. **SANITATION**
   Sanitation services are available and can adequately serve the subject property.

3. **EMERGENCY SERVICES**
   Emergency services are available and can adequately serve the subject property.

G. NEIGHBORHOOD IMPACTS

1. **VISUAL**
   Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

2. **NOISE**
   Any potential noise created by future development would be regulated by the Municipal Code.

H. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this meeting were mailed to surrounding property owners on April 8, 2022 and a notice was published in the newspaper per Development Code requirements. A sign was also posted on the site on April 8, 2022.

I. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity) meets Development Code Section 24-204; and therefore, recommends **approval** of the rezone to the City Council.

Alternative motion:

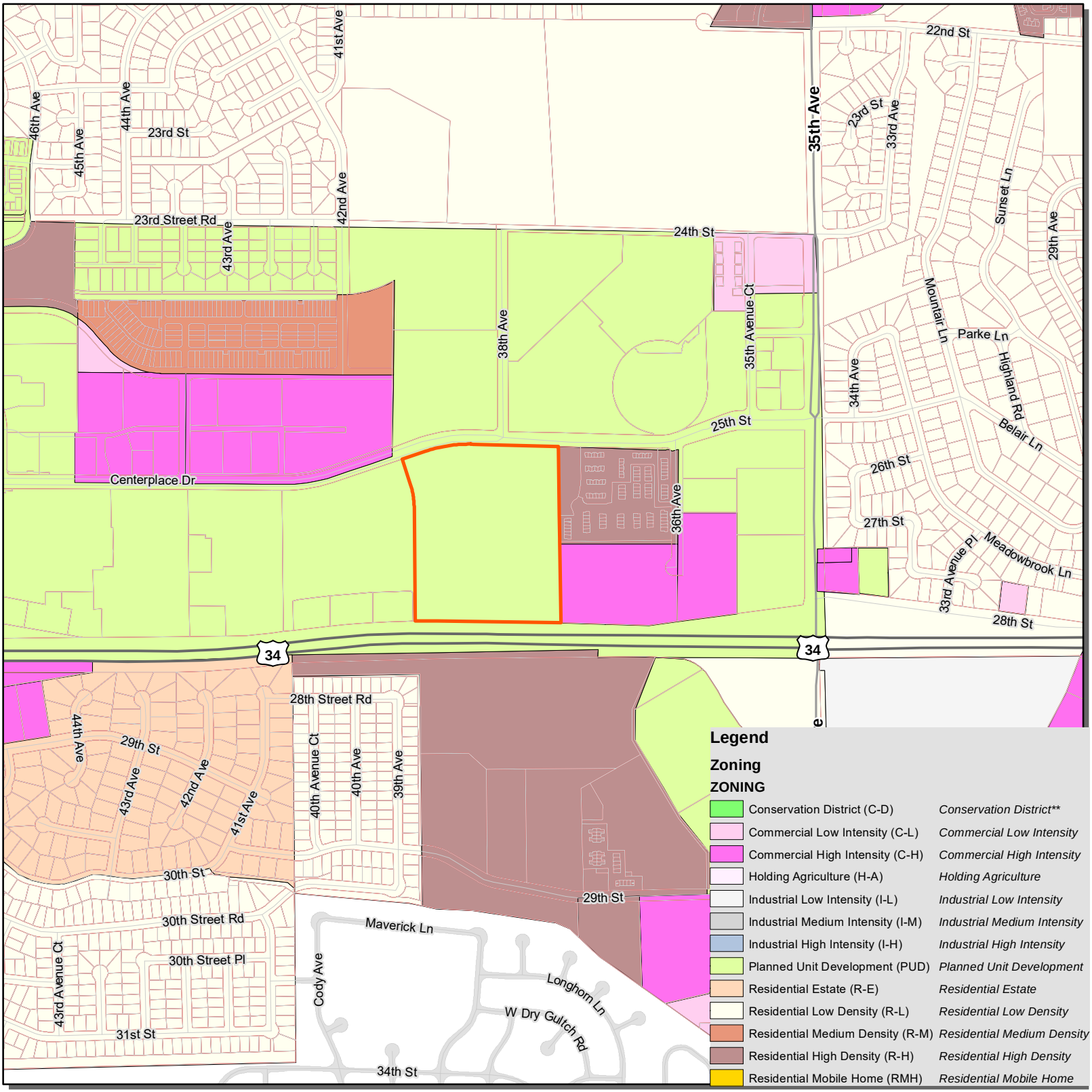
Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity) meets Development Code Section 24-204; and therefore, recommends **denial** of the rezone to the City Council.

ATTACHMENTS

Attachment A – Zoning & Vicinity Map
Attachment B – Project Narrative
Attachment C – Rezone Package

Attachment A

Vicinity Map
Watermark Rezone



ZON2021-0019

0 0.125 0.25 Miles

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LANDSCAPE ARCHITECTURE, LAND PLANNING

Watermark Centerplace Rezone

Rezoning Analysis | 04/08/2022

This memo is being provided for the purpose of showing compliance with Greeley Development Code criteria for rezoning the property from PUD to the MU-H (Mixed Use High Intensity) district per Sec. 24-625(3). The vacant parcel of this application is roughly 23.5 acres and is located South of Centerplace Drive and North of U.S. Highway 34. The parcels to the West are zoned PUD and are fully built out as large commercial box stores, colloquially known as the Centerplace of Greeley Shopping Mall. Some of these commercial stores include Target, Kohl's, Best Buy, Hobby Lobby, and T.J. Maxx. The parcels to the East are zoned R-H (Residential High Density) and C-H (Commercial High Intensity). The site is located perfectly in between high intensity commercial uses to the West and (south)East while being contained to the North and South by an expressway and collector roads. The intent of the MU-H district is to *"provide a mix of retail, service, employment, entertainment and civic uses in a walkable setting that complements higher-density neighborhoods* ***or*** *serves as the center of a more intense, multi-modal community or regional destination"*. With these conditions and definition in mind, the applicant proposes rezoning the parcel to the MU-H district to allow development to complement existing adjacent uses and serve as the residential center of an intense multi-modal regional destination.

The history of this parcels dates back to 2000 when the Centerplace of Greeley Concept/Preliminary PUD was approved. The Centerplace PUD defined this area (Area B) to allow all uses allowed within the C-H Zone district, implying that multifamily could exist on this site as an allowed use (by special review) within the C-H district. In 2015 a new Preliminary PUD was approved for the majority of Area B. The Centerplace Phase 4 Preliminary PUD now governs this parcel, however no improvements have been built since its approval. The Centerplace Phase 4 PUD planned for five retail pad sites and parking in a conceptual illustrative site plan. That PUD includes a note stating "*This illustrative plan is conceptual in nature, and as such, is subject to additions, deletions and revisions.* ***The plan is only intended to convey general concepts, not specific applications or restrictions.*** *The concept shown* ***may be developed in many different manners*** *and as such may change location, may or may not be included, may rotate or flip, etc. The general intent, however should be respected."* The Phase 4 PUD allowed all C-L and C-H uses on the property, with the exclusion of a long list of commercial uses and a couple residential uses. After seven years of no development occurring, it is the applicants desire to rezone the area to create a clearer definition of allowed commercial and residential uses on this parcel.

The proposed rezone plans for a mix of commercial and residential uses on the site, which is the intent of the mixed-use (MU-H) district, and no major variances to land use or development standards are anticipated. The Zoning Suitability Map includes approximately fourteen acres of land for multifamily and commercial uses (and accompanying open space), as well as approximately two acres of commercial uses only and land for a potential

future park. The area designated for commercial only is located at the northwestern corner of the parcel, adjacent to Centerplace Drive. With the remaining land, the applicant aims to help satisfy the growing housing need that exists in Greeley and Weld County, while still allowing for commercial uses in the event a multifamily project is never approved for the parcel.

Summit Economics has prepared a market study of this region to analyze the supply and demand of multifamily housing in the area, as well and the viability of this site as a commercial use. Centerplace Drive is largely developed with large "big box" stores dominating the South side of the street and commercial food options on the North side of the street. Both groups are staples in many commercial corridors. The exhibit below shows the extent of retail and fast-food development, looking West, along Centerplace Drive. According to the study, the City of Greeley has an adjusted retail vacancy rate between 6-8% (this number swells to 24% if not adjusted- the Greeley Mall is nearly 55% vacant) and has an additional 28 acres of commercial zoned vacant land. The study also indicates that there is over 57 acres of land with existing automotive sales uses, which will eventually be prime for redevelopment. Douglas Huey has been marketing the subject site to commercial users (unsuccessfully) for the past 6-8 years. He has learned that there is a lack of retailer interest and due to the significant grading challenges of the site, the cost of site work for retail is prohibitive. There has been speculation that if the large parcel were subdivided into several smaller parcels, then it could stimulate commercial development. However, according to the Summit Economic's study, aside from the Greeley Mall, *all* of the commercial vacancy studied is in small retail strip space. The study concludes, "The small strip retail vacancy in the vicinity and restaurants would benefit from more residential development in the immediate neighborhood." This site has the opportunity to complement existing commercial uses and provide consumers with direct access to commercial uses and employment.

Exhibit One:



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LANDSCAPE ARCHITECTURE, LAND PLANNING

Multifamily is a need within Greeley. The Greeley MSA ranked as the No. 3 fastest growing nationwide from July 2018 to June 2019 and the No. 6 fastest growing in the country from 2010-2019 per data from the U.S. Census Bureau. Greeley also currently ranks No. 6 in Jobs & Economy and No. 48 overall on Wallethub's Fastest-Growing Cities in the U.S., ranking ahead of all other Colorado MSA's except for Denver. Furthermore, population is projected to grow by 1.5% annually through 2025, which is higher than the averages for both the U.S. and the Southwest & Mountains region, per Oxford Economics. The effects of this fast-paced growth are being felt by the Greeley public, by enduring an extremely low rental housing vacancy rate of 3.8% per the city's 2021 Growth & Development Projection Report. The market study states, "Vacancy rates generally drive rent movement in the short-term… The continued rapid growth in rents in recent years suggests supply is not keeping up with demand." It also reports that new apartments in Greeley have "achieved occupancy rates above 95% demonstrating strong demand for new product."

Lastly, with the existing infrastructure along Centerplace Drive, the constructed portions of the Centerplace PUD, and the off-street shared use path (South of the rezone parcel), there is unique ability for the site to function as part of a multimodal community to and from the Greeley regional destination. The City of Greeley Bike Map indicates that the site has built in connections to take a pedestrian biker to and from almost all neighborhoods in Greeley. This includes established routes to schools, parks, commercial areas, and downtown. The applicant believes this further establishes credibility to rezoning the site to MU-H, as the multi-modal capability is clearly identified in the intent of the zoning district.

Compatibility with Imagine Greeley and adjacent development

The Imagine Greeley Land Use Guidance Map has this area designated as employment, industrial and commercial on the Land Use Guidance Map. Within the definition of this land use is the following; "In certain instances, **residential uses are supported but only where the adjacent employment** or industrial use is compatible and would not negatively impact residents' quality of life or safety." The site is bound by retail to the west, multifamily to the north, multifamily and retail to the east and Highway 34 to the south. The east side of the site has a low drainage swale with existing trees. The applicant plans to retain much of this existing feature. These small oases within an urban context compliment a residential development. By opening this parcel up to residential uses, it creates the opportunity to create public park and trail expansions. Residents will linger longer and appreciate the feature more than visitors to a commercial development where spaces like this are relegated to be viewed from back of house operations. In addition, multifamily is a great compliment to retail. The adjacent retail will also provide employment opportunity to the future residents. Residential uses within this community building block area will not be negatively impacted by the adjacent land uses. By rezoning this site to MU-H, the easy access to retail, the natural feature and the close proximity to Greeley west Park will be a positive location where Greeley residents can thrive and exist within a easily walkable live- work-play community.

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LANDSCAPE ARCHITECTURE, LAND PLANNING

In addition, the following Imagine Greeley objectives support the rezoning of these properties: ***EH-2.4*** *Land Use,* ***EH-2.5*** *Walkability & Bikability,* ***EH-2.6*** *Built Environment,* ***GC-1.2*** *Form of Growth,* ***GC-1.6*** *Transitions to Parks and Open Lands,* ***GC-2.1*** *Land Use Guidance Map,* ***GC-2.2*** *Jobs/Housing Balance,* ***GC-2.3*** *Pedestrian and Bicycle-Oriented Development,* ***GC-4.3*** *Infill Compatibility,* ***HO-2.1*** *Diversity in New Development,* ***NR-2.7*** *Stormwater Management,* ***NR-4.3*** *Landscaping and Plant Species,* ***TM-1.2*** *Pedestrian Movements,* ***TM-1.4*** *Traffic Calming*

Outlined below is a comprehensive analysis of the Development Code to show compliance with the review criteria for general rezoning.

Rezone Review Criteria *18.30.050(c)(3)*

a. *Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?*
    - The property has remained vacant since the original PUD was established in 2000. There have been several attempts at developing the parcel, however none have come to fruition, signaling a disconnect in what was planned for versus what the market desires. After 15 years of no development occurring in this area under the Centerplace of Greeley Concept/Preliminary PUD, a more restrictive PUD was approved, further limiting the development potential of the site. Due to the changes in the real estate market due to COVID and online retail, commercial developments are having to adapt. As office and retail demand goes down, residential demand within a mixed-use community is on the rise. People are looking to live in a place where they can have walkable access to commercial and recreational activities. This sites location next to retail and just ¼ mile from Greeley West Park make it an ideal location for multifamily.
    - The MU-H zone district was created specifically to provide a mix of uses that complement one another in a high intensity setting with a multimodal and destination-based focus.
b. *Has the existing zoning been in place for at least fifteen (15) years without substantial development resulting and does the existing zoning appear to be obsolete, given development trends?*
    - Yes, the Centerplace Preliminary PUD was established in 2000. This site has not been developed in that timeframe.
    - Yes, see the points made in criteria a above.
c. *Are there clerical or technical errors to correct?*

- There are no clerical or technical errors that pertain to this parcel in the Centerplace Preliminary PUD.

d. *Are there detrimental environmental conditions, such as flood plains, presence of irrigation ditches, inadequate drainage, slopes, unstable soils, etc., that may affect future development of this site and which may not have been considered during the original zoning of the property?*
   - There are no detrimental environmental conditions present on this site. To the contrary, multifamily development enables a large natural drainage feature with mature trees to be preserved. Commercial development would likely need to demolish this feature to create a viable site.

e. *Is the proposed rezoning necessary in order to provide land for a community-related use which was not anticipated at the time of adoption of the City's Comprehensive Plan; or have the policies of the City changed to the extent that a rezoning is warranted?*
   - The existing PUD was developed long before the City's latest comprehensive plan, Imagine Greeley. Imagine Greeley outlines many objectives that support the need for more housing options, more employment-based industry and the desire for housing near commercial cores. This rezone will help achieve Imagine Greeley's high intensity intent of the area.

f. *What is the potential impact of the proposed rezoning upon the immediate neighborhood and the City as a whole (including potential noise and environmental impacts, visual impacts, the provision of City services such as police, fire, water, sewer, street and pedestrian systems and parks and recreation facilities)?*
   - The proposed rezone will produce minimal impact to the immediate neighborhood or City as a whole.
     - The PUD has been mostly developed and the infrastructure is in place for vehicular and pedestrian access.
     - Stormwater is planned to be treated through water quality facilities on site.
     - The attached traffic study concludes that traffic counts are reduced from what could potentially develop on this lot currently.
     - The commercial concept depicted in the Centerplace PUD shows development over the existing drainage way and grove of trees. Watermark intends to incorporate this natural feature as an amenity for its residents.
     - Adequate Public Facilities are accounted for and provided for police, fire, and water. There are several viable options to provide sewer service,

which the applicant is exploring further. The attached reports explain these options in more detail.

Potable water and sanitary sewer service to the proposed development will be provided by Greeley Water and Sewer. An existing 12-inch City of Greeley water main lies immediately adjacent to the subject property underlying Centerplace Drive along the northern property frontage and an existing 8-inch water main lies within an existing water and sanitary sewer easement along the western edge of the property. In addition, two water mains are stubbed into the property along the western edge of the property and are proposed to be extended into the property to serve the proposed development. Existing Greeley sanitary sewer main exists along all four sides of the perimeter of the property. Based upon discussions and analysis by City staff, the sanitary sewer for the site will be diverted to the north adjacent to 38th Avenue and into the collector main in W 24th Street. A portion of flows may directed into the main in Centerplace Drive and the development team is working with City staff to determine an appropriate solution.

Existing Xcel Energy underground electric service is located along the south side of Centerplace Drive along the northern property frontage and beneath the north-south drive aisle immediately adjacent to the western property boundary. Existing Atmos Energy natural gas main is also located in the same north-south drive aisle along the western property boundary. Telephone and telecommunication services will be provided by CenturyLink and Comcast. All of the necessary dry utilities required to serve the proposed development are within the immediate vicinity of the subject property and are available for connection.

g. *Is there clear and convincing evidence that the proposed rezoning will be consistent with the policies and goals of the City's Comprehensive Plan and comply with applicable zoning overlay requirements?*

- There are objectives in Imagine Greeley Comprehensive Plan supporting increased housing supply, density, compact growth, adequate public facilities, useable open space, etc. A more exhaustive list may be found in the first section of this memo. In addition, when there is a large demand for rental housing, and a limited supply of multifamily options, rents tend to increase. The increased supply of rental housing helps to keep housing costs from getting out of control. The provided market study concludes the increase in multifamily supply in the area (as proposed by this rezone) "would assist the 40% to 45% of renter households in Weld County paying more than 30% of income on housing costs."

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LANDSCAPE ARCHITECTURE, LAND PLANNING

h. *What is the potential impact of the proposed rezoning upon an approved zoning suitability plan for the property?*
    - No approved zoning suitability plan currently exists

Vehicular and Pedestrian Connectivity

Vehicular access will be provided at the intersection of 38th and Centerplace Drive. In addition, two vehicular access points will be on the shared drive between the proposed development and the retail to the west.

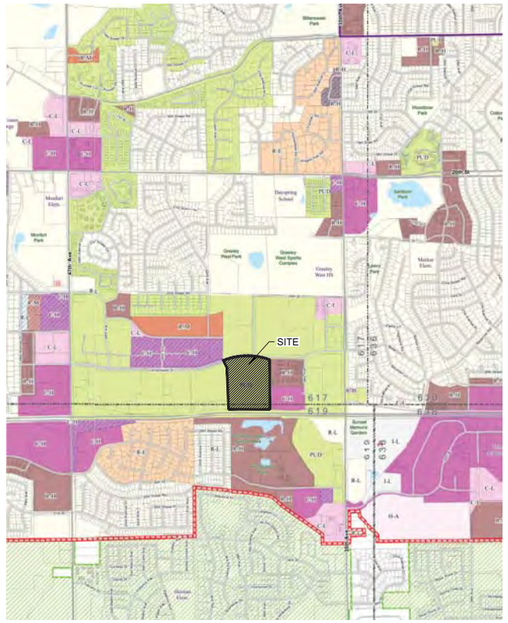
Pedestrian access will be provided at each of the vehicular access points. Additionally, pedestrian access will be provided to the bypass trail along US 34. This will activate the trail and connect it to the new multi-family development's overall campus pedestrian system.

Attachment C

THOMPSON THRIFT GREELEY
REZONE
TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION
23.49 Acres
PROJECT NUMBER: ZON2021-0019

VICINITY MAP

SCALE: 1"=1500'



LEGAL DESCRIPTION

TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION, COUNTY OF WELD, STATE OF COLORADO

SAID PARCEL CONTAINS 1,023,102 SQUARE FEET OR 23.4872 ACRES MOR OR LESS.

SHEET INDEX

Sheet List Table	
Sheet Number	Sheet Title
1	Cover
2	Property Boundary
3	Site Analysis
4	Zoning Suitability Map

PURPOSE STATEMENT

THE SUBJECT SITE IS CURRENTLY ZONED PUD AND IS PROPOSED TO BE REZONED TO THE MU-H DISTRICT TO ALLOW DEVELOPMENT TO COMPLIMENT EXISTING ADJACENT USES AND SERVE AS THE RESIDENTIAL CENTER OF AN INTENSE MULTI-MODAL REGIONAL DESTINATION. WHILE THE REZONE IS INTENDED TO OPEN THE PARCEL UP TO DEVELOPMENT OF RESIDENTIAL USES, IT IS NOT INTENDED TO LIMIT THE DEVELOPMENT OF COMMERCIAL USES. ACCORDINGLY, PLANNING AREA 2 IS PLANNED FOR COMMERCIAL USES ONLY IN ORDER TO ASSURE COMMERCIAL DEVELOPMENT.

PHASING NOTES

1. OFFSITE IMPROVEMENTS SHALL BE COMPLETED WITH THE RESPECTIVE DEVELOPMENT FOR WHICH THEY SERVE.
2. PLANNING AREA 1 IS INTENDED TO BE THE FIRST PHASE OF DEVELOPMENT.

STANDARD REZONE NOTES

1. APPROVAL OF SITE CONSTRUCTION PLANS BY THE CITY OF GREELEY SHALL BE REQUIRED (AS APPLICABLE) PRIOR TO ISSUANCE OF BUILDING PERMITS.
2. ALL EXISTING AND PROPOSED UTILITIES SHALL BE INSTALLED UNDERGROUND.
3. NO BUILDING PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF A NEW BUILDING OR STRUCTURE UNLESS THE PROPERTY HAS BEEN PLATTED IN ACCORDANCE WITH THE CITY'S SUBDIVISION REGULATIONS (CHAPTER 3).
4. ALL ELEVATIONS SHOWN ON THESE PLANS ARE TIED TO NAVD 88 DATUM.

REZONING CERTIFICATION BLOCK

THIS REZONE HAS BEEN REIVEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE CITY OF GREELEY DEVELOPMENT CODE REGULATIONS.

PRINT OWNER NAME

_____

(SIGNATURE OF OWNER(S)) DATE

PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF GREELEY PLANNING COMMISSION ON ___DAY OF _____, 20___.

CITY COUNCIL APPROVAL

APPROVED BY THE GREELEY CITY COUNCIL ON THIS___DAY OF _____, 20___.

CONSTRUCTION MUST BE IN ACCORDANCE WITH APPLICABLE CITY OF GREELEY CONSTRUCTION STANDARDS. THE CITY'S ACCEPTANCE ALLOWS FOR PLAN DISTRIBUTION AND PERMIT APPLICATION. THE CITY'S ACCEPTANCE SHALL NOT RELIEVE THE DESIGN ENGINEER'S RESPONSIBILITY FOR ERRORS, OMISSIONS, OR DESIGN DEFICIENCIES FOR WHICH THE CITY IS HELD HARMLESS.

ACCEPTED BY:_____ _____
COMMUNITY DEVELOPMENT DIRECTOR DATE

THOMPSON THRIFT GREELEY

REZONE

GREELEY, CO

PREPARED BY:

ripleydesign
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phone 970.224.5828 | fax 970.225.6657 | www.ripleydesigninc.com

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ENGINEER

MANHARD CONSULTING
Matt Buster
7600 E Orchard Rd. Suite 150-n
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p. 303.531.3215

NORTH

ORIGINAL SIZE 24X36

ISSUED

No.	DESCRIPTION	DATE
01	SITE PLAN	03.18.2022

REVISIONS

No.	DESCRIPTION	DATE

COVER

SEAL:

ENTITLEMENT DRAWINGS NOT FOR CONSTRUCTION

PROJECT No.:	R21-031.1
DRAWN BY:	JW / AG
REVIEWED BY:	SC

DRAWING NUMBER:

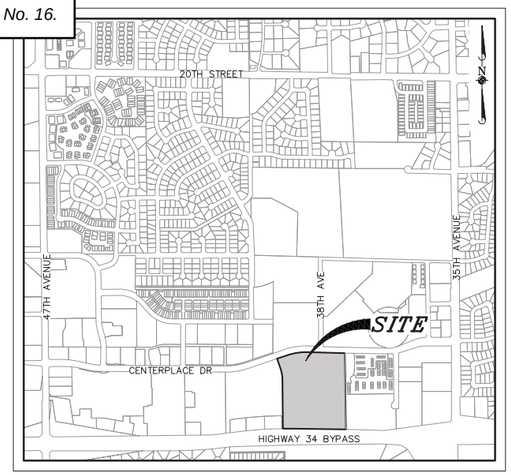
1 OF 4

Plotted By: Sam Coutts **Layout:** Cover **Printed On:** 4/8/2022 10:10 AM **File Name:** Cover-Zoning Suitability.dwg

PROPERTY BOUNDARY MAP

TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO

WATERMARK GREELEY
REZONE
TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION
23.49 Acres
PROJECT NUMBER: ZON2021-0019



VICINITY MAP

(1" = 2000')

LEGAL DESCRIPTION

TRACT A,
CENTERPLACE PHASE 3 MINOR SUBDIVISION,
COUNTY OF WELD,
STATE OF COLORADO

SAID PARCEL CONTAINS 1,023,102 SQUARE FEET OR 23.4872 ACRES MORE OR LESS.

NOTES

1. NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY MANHARD CONSULTING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY, AND TITLE OF RECORD, MANHARD CONSULTING RELIED UPON THE TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NUMBER N0032452-020-JY-SC, WITH A COMMITMENT DATE OF APRIL 29, 2021.
4. THE LINEAL UNIT USED IN THE PREPARATION OF THIS SURVEY IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
5. BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN IS ASSUMED TO BEAR NORTH 06°40'15" EAST, BASED ON NAD83 (2011) COLORADO STATE PLANE NORTH ZONE (501) COORDINATES, AS MONUMENTED ON THE SOUTH BY A NO. 6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED "1992, PLS 10734" IN A MONUMENT BOX AND ON THE NORTH BY A NO. 6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED "1999, LS 7242" IN A MONUMENT BOX.

SURVEYOR'S CERTIFICATION

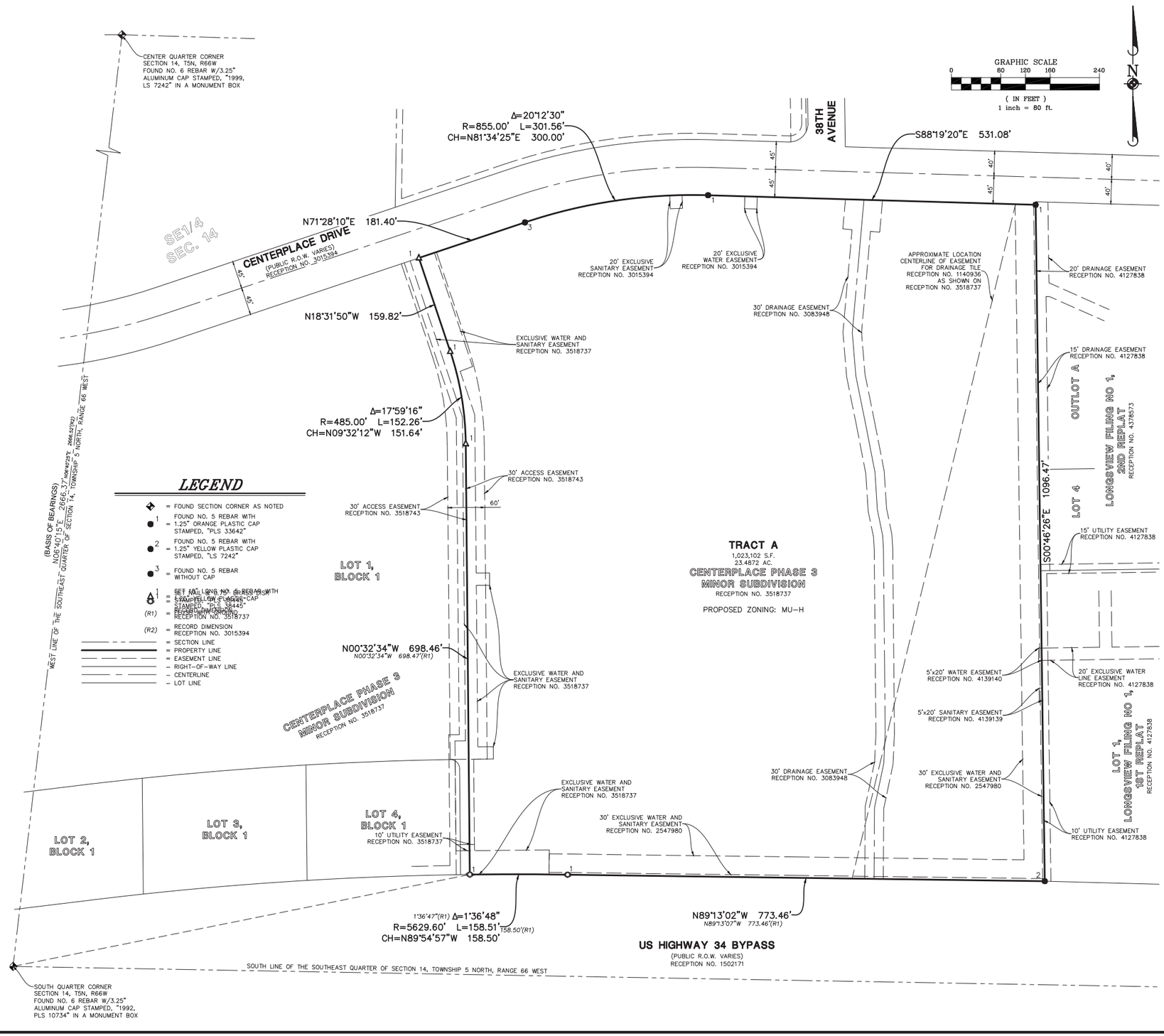
THIS IS TO CERTIFY THAT THIS MAP OR PLAT ACCURATELY REPRESENTS THE RESULTS OF A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION.

THE FIELD WORK WAS COMPLETED ON: JUNE 14, 2021

DATE OF PLAT OR MAP: MARCH 4, 2021

FOR REVIEW ONLY

BRIAN J. PFOHL
COLORADO PLS NO. 38445
FOR AND ON BEHALF OF MANHARD CONSULTING
7600 E. ORCHARD ROAD, SUITE 150-N
GREENWOOD VILLAGE, COLORADO 80111
(303) 708-0500



LEGEND

- = FOUND SECTION CORNER AS NOTED
- = FOUND NO. 5 REBAR WITH 1.25" ORANGE PLASTIC CAP STAMPED, "PLS 33642"
- = FOUND NO. 5 REBAR WITH 1.25" YELLOW PLASTIC CAP STAMPED, "LS 7242"
- = FOUND NO. 5 REBAR WITHOUT CAP
- = SET 18" LONG #5 REBAR WITH 1.25" YELLOW PLASTIC CAP STAMPED, "PLS 38445"
- (R1) = RECORD DIMENSION RECEPTION NO. 3518737
- (R2) = RECORD DIMENSION RECEPTION NO. 3015394
- = SECTION LINE
- = PROPERTY LINE
- = EASEMENT LINE
- = RIGHT-OF-WAY LINE
- = CENTERLINE
- = LOT LINE

DRAWN BY	DATE	REVISIONS
BJP	03/04/22	2ND SUBMITTAL COMMENTS
JLM	12/16/21	ADDED PROPOSED ZONING
JAF	09/23/21	1ST SUBMITTAL COMMENTS

Manhard CONSULTING
7600 East Orchard Road, Suite 150-N, Greenwood Village, CO 80111 ph:303.708.0500 manhard.com
Civil Engineering | Surveying & Geospatial Services | GIS
Water Resource Management | Construction Management

WATERMARK GREELEY
REZONE
PROPERTY BOUNDARY MAP

PROJ MGR:	DSB
PROJ ASSOC:	BJP
DRAWN BY:	JLM
DATE:	06/25/21
SCALE:	1" = 80'

SHEET
2
WMR.GRC001.00

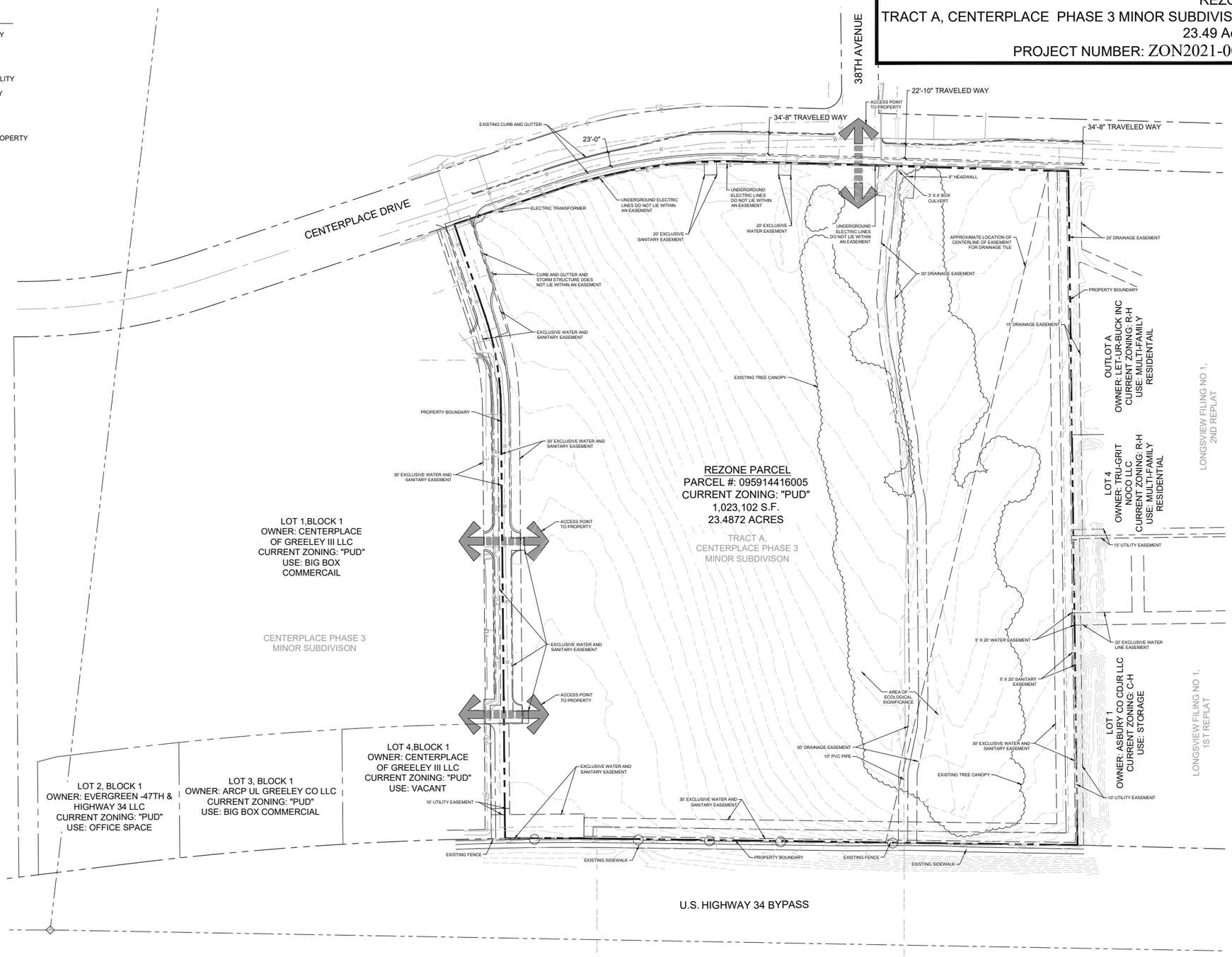
© 2021 MANHARD CONSULTING, LTD.

March 4, 2022 - 11:55 Dwg Name: E:\Wmgrco01\Dwg\Corv\Final Drawings\Property Boundary Map\Wmgrco01-Property Boundary Survey.dwg Updated By: BPfohl

WATERMARK GREELEY
REZONE
TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION
23.49 Acres
PROJECT NUMBER: ZON2021-0019

LEGEND

- = PROPERTY BOUNDARY
- = EASEMENT
- = WATER UTILITY
- = SANITARY SEWER UTILITY
- = STORMWATER UTILITY
- = ELECTRIC UTILITY
- = FENCE
- = ACCESS POINT TO PROPERTY
- = TREE CANOPY



LEGAL DESCRIPTION

TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION,
COUNTY OF WELD, STATE OF COLORADO

SAID PARCEL CONTAINS 1,023,102 SQUARE FEET OR 23.4872 ACRES MORE OR LESS.

WATERMARK
GREELEY

REZONE

GREELEY, CO

PREPARED BY:

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p. 303.531.3215

NORTH
SCALE: 1"=80'-0"
0 40 80 160

ORIGINAL SIZE 24X36

ISSUED

No.	DESCRIPTION	DATE
01	REZONE	03.04.2022

REVISIONS

No.	DESCRIPTION	DATE

EXISTING CONDITIONS AND SITE ANALYSIS MAP

SEAL:

ENTITLEMENT DRAWINGS NOT FOR CONSTRUCTION

PROJECT No.:	R21-031.1
DRAWN BY:	JW / AG
REVIEWED BY:	SC

DRAWING NUMBER:

3 OF

Plotted By: Ngoc Vu **Layout:** Existing Conditions and Site Analysis Map **Printed On:** 3/4/2022 11:09 AM **File Name:** Site Analysis Map.dwg

WATERMARK GREELEY
REZONE
TRACT A, CENTERPLACE PHASE 3 MINOR SUBDIVISION
23.49 Acres
PROJECT NUMBER: ZON2021-0019



LEGEND

ZONING SUMMARY		
EXISTING ZONING:	PROPOSED ZONING:	AREA [AC]
PUD	MU-H	23.487 AC
TOTAL:		**100%**
USE AREA	**ALLOWED USES***	**AREA [AC]**
PLANNING AREA 1	ALL USES ALLOWED IN THE MU-H DISTRICT	±15 ACRES
PLANNING AREA 2	ALL COMMERCIAL USES ALLOWED IN THE MU-H DISTRICT	±2 ACRES
PLANNING AREA 3	POTENTIAL PARK SPACE	±2 ACRES
PLANNING AREA 4	OPEN SPACE	±4 ACRES

PRIMARY ACCESS POINTS TO PROPERTY

POTENTIAL SECONDARY ACCESS POINTS TO PROPERT

TRAIL CONNECTION

NOTES:
1. THIS ILLUSTRATIVE PLAN IS CONCEPTUAL AND PRELIMINARY IN NATURE.
2. FINAL AREAS SHALL BE DETERMINED AT TIME OF SUBDIVISION AND SITE PLAN APPROVAL.

WATERMARK
GREELEY

REZONE

GREELEY, CO

PREPARED BY:

ripley design
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OWNER
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NORTH
0 40 80 160
SCALE: 1"=80'-0"
ORIGINAL SIZE 24X36

ISSUED

No.	DESCRIPTION	DATE
01	REZONE	03.04.2022

REVISIONS

No.	DESCRIPTION	DATE

ZONING SUITABILITY MAP

SEAL:

ENTITLEMENT DRAWINGS NOT FOR CONSTRUCTION

PROJECT No.:	R21-031.1
DRAWN BY:	JW / AG
REVIEWED BY:	SC

DRAWING NUMBER:

4 OF 4

Plotted By: Ngoc Vu **Layout:** Zoning Suitability Map **Printed On:** 3/4/2022 11:09 AM **File Name:** Zoning Suitability Map.dwg

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City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

April 26, 2022

1. Call to Order

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

2. Roll Call

The hearing clerk called the roll.

PRESENT
Chair Justin Yeater
Commissioner Jeff Carlson
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT
Commissioner Chelsie Romulo
Commissioner Brian Franzen
Commissioner Erik Briscoe

Under citizen comment, the chair recognized Mike Weiland, 436 47th Avenue, spoke on behalf of the Greeley Chapter of Citizens Climate Lobby. He invited the commissioners to a documentary called Earth Emergency and discussion on May 7, 2022, at 10:30 at the Lincoln Park Library.

3. Approval of Agenda

There were no corrections or additions to the agenda, and it was approved as presented.

4. Approval of March 22, 2022, Minutes

Commissioner Carlson moved to approve the minutes dated March 22, 2022. Commissioner Modlin seconded the motion. Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

5. A public hearing to consider a request to rezone approximately 23.49 acres of land generally located south of Centerplace Drive at 38th Avenue from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Density) (Project No. ZON2021-0019)

Brittany Hathaway addressed the Commission and introduced the project, stating that it would provide commercial and residential components. Ms. Hathaway provided a brief history of the site and presented a map showing the location. She described the surrounding zoning and uses. Ms. Hathaway also presented photographs of the site stating that the lot is currently vacant. She noted a drainage channel in an ecologically sensitive area that is anticipated to be preserved in the development. Ms. Hathaway presented the zoning suitability map representing the proposed planning and dedicated commercial area, adding that the northwest corner of approximately 11 acres is residential high-density. She stated that the remaining acres will be set aside as open space for the drainage channel. Ms. Hathaway concluded that the request meets Development Code criteria as outlined in section 24-204 and that staff recommended approval.

Monica Unger from Thompson Thrift addressed the Commission and shared information about the development. She provided several examples of similar developments. Ms. Unger advised that they have been in Colorado for 10 years with 12 projects under construction or already built. Ms. Unger also presented examples of retail developments that were done on 2-acre parcels.

Sam Coutts, Land Planner with Ripley Design, addressed the Commission and explained the goal of the rezone request to allow multi-family use while supporting the existing commercial uses. Mr. Coutts explained that the design was consistent with the Imagine Greeley Comprehensive Plan. Mr. Coutts presenting a zoning suitability map and pointed out the features of the development. Mr. Coutts referenced a study that determined that rezoning the property to MU-H will help normalize some of the current residential vacancy rates.

Chair Yeater opened the public hearing at 1:30 p.m. There being no comments, the public hearing was closed at 1:30 p.m.

Commissioner Carlson moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Density) meets 1998 Development Code Section 24-204(c)(3) a, b, f, g and h; and, therefore, recommended approval of the rezone to City Council. Commissioner Schulte seconded the motion. Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

6. Staff Report

Ms. Safarik stated that there were no items of to report.

7. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:06 p.m.

DocuSigned by:
Justin Yeater
3F44E3E176F84C8...
Justin Yeater, Chair

DocuSigned by:
Becky Safarik
333376ABEFFE481...
Becky Safarik, Secretary

Watermark Rezone
ZON2021-0019

City Council

June 7, 2022

Brittany Hathaway, Development Review and Civil Inspection Manager

Request & Site Background

Rezone 23.48 acres from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-use High Intensity)

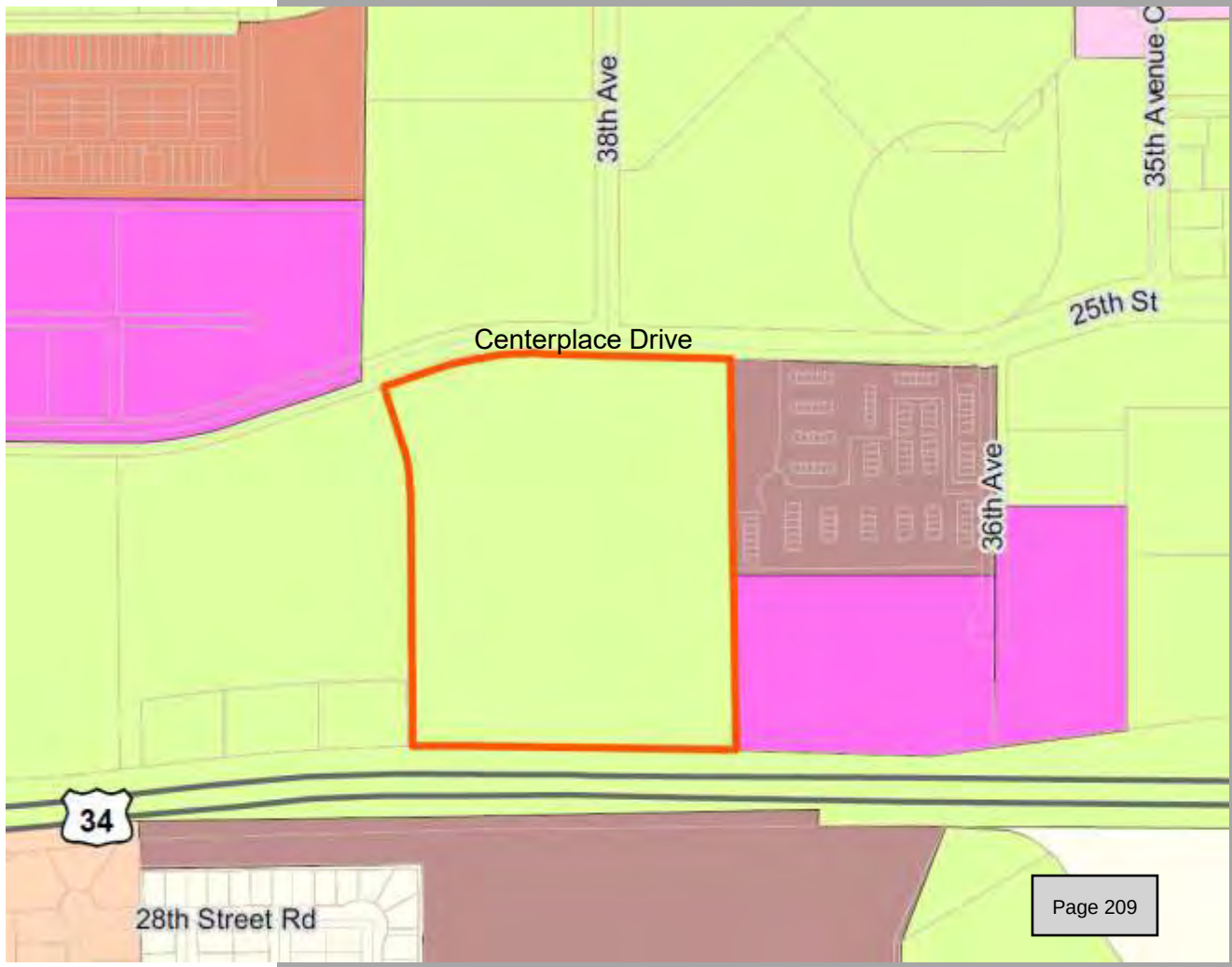
- **Proposed mixed-use development to include a multi-family apartment complex use and an adjacent lot restricted to commercial uses**

The existing zoning has been in place since 2000 with an update in 2015

- **2015 update restricted development in the area to a degree the site has remained vacant**
  - **Restrictions included gas stations and auto uses, lodging, veterinary services, all residential uses, day cares, etc.**
- **Intention was for a big box development that did not proceed with construction**

Location

- **South of Centerplace Drive at 38th Avenue**
- **Surrounding Land Uses:**
  - **North: Creekstone Apartments and vacant land**
  - **South: US Highway 34 Bypass**
  - **East: Longview Townhomes and car dealership**
  - **West: Commercial and commercial big box (TJ Maxx, Hobby Lobby, Best Buy etc.)**



N

Photos

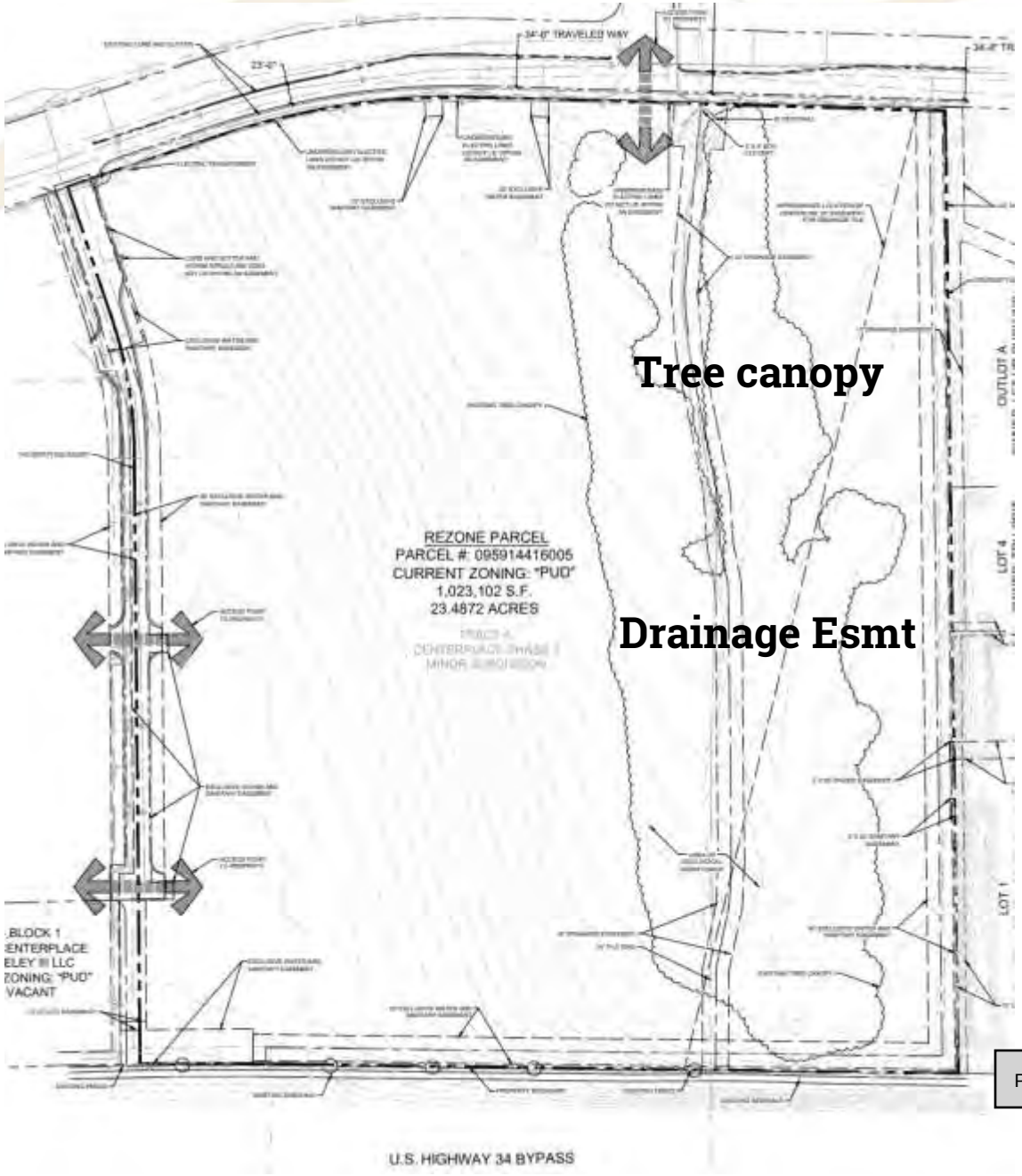






Existing Conditions & Site Analysis Map

- **Vacant lot**
- **Drainage channel**
- **Ecologically significant area (in clouded area)**



Zoning Suitability Map

- **Commercial lot (2 acres) on northwest corner**
- **2 open space areas**
- **1 park area**
- **11 acres for residential**



Approval Criteria

- **The proposed rezone is consistent with the Code criteria (Section 24-204) as outlined in the staff report**

Notification

- **156 notice letters were mailed to property owners within 500 feet**
- **Sign posted on the property**
- **No comments received to date**

Recommendation

- **Planning Commission provided a recommendation of approval at the April 26, 2022, meeting**

City of Greeley Colorado

Council Agenda Summary

June 7, 2022

Key Staff Contact: Darrell Gesick, Planner III, 970-350-9822,

Becky Safarik, Interim Community Development Director, 970-350-9786

Title:

Public hearing and second reading to consider a request to rezone from H-A (Holding Agriculture) to PUD (Planned Unit Development) for 822 acres of property located south of U.S. Highway 34, west of State Highway 257, and east of CR 17, and final reading of an ordinance changing the official zoning map to reflect the same (Delantero Rezone)

Summary:

The applicant, Rick Hearing on behalf of APEX VISTA, LLC, is requesting a rezone for the purpose of developing a mixed-use development consisting of residential, commercial, and industrial uses known as the Delantero PUD. As Preliminary PUD Plans require only a public hearing, that request will be presented concurrently with this rezone.

The proposed PUD would consist of a mix of residential, commercial, and industrial uses. Parks, open space, and trails are incorporated into the project to allow for pedestrian connectivity throughout the development and to connect to future trail systems. Residential units would include single-family detached, courtyard single-family detached, two family attached, townhomes, and multi-family throughout the development. Approximately 421 acres is intended for residential development. It is anticipated that the residential units could range from 2,418 residential units to 5,841 residential units. Commercial and industrial areas are planned to be next to major roadways to minimize impacts to lower density residential. Commercial and industrial areas would account for approximately 110 acres of the overall development. A school site is planned to be centrally located within the development. Community amenities would include several parks that would provide recreation opportunities. Parks and open space would account for approximately 140 acres. The remaining acreage would be used for rights-of-way, detention ponds, and existing oil and gas facilities.

The Delantero PUD has provided specific land uses for each planning area alongside specific development standards. A total of eight planning areas are proposed as part of the overall development. Reduced lot sizes, setbacks, and variations in building heights as proposed are supplemented by specific residential development standards to ensure a cohesive environment, as well as trail connectivity and access to parks and open spaces).

The Planning Commission considered the request on May 10, 2022 and recommended approval by a vote of 5-0. Development of the site would be subject to evidence of an approved oil and gas Surface Use Agreement.

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 quasi-judicial process which includes the following public hearing steps:

1) City staff presentation
2) Council questions of staff
3) Applicant presentation
4) Council questions of applicant
5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
6) Rebuttal, if requested
7) Council discussion
8) Council decision

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Consistency with Comprehensive Plan and Development Code standards.

Decision Options:

1) Approve the rezone and adopt the ordinance as presented; or
2) Approve the rezone, amend the ordinance and adopt as amended; or
3) Deny the zone change of zone and ordinance; or
4) Continue consideration of the rezone request and ordinance to a date certain.

Council's Recommended Action:

Two motions are necessary to approve this request:

1. A motion that, based on the application received, accompanying analysis and Planning Commission recommendation, the proposed rezoning from PUD (Planned Unit Development – Centerplace) to MU-H (Mixed-Use High Intensity) is found to be in compliance with Development Code Section 24-204 and, therefore, approve the request (Delantero Rezone).
2. A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Planning Commission Minutes (draft - May 10, 2022)
Planning Commission Summary (Staff Report) (May 10, 2022)
Citizen communication received after staff report
PowerPoint – staff
PowerPoint – applicant

CITY OF GREELEY, COLORADO
ORDINANCE NO. 23, 2022
CASE NO. ZON2021-0009

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM H-A (HOLDING AGRICULTURE) TO PUD (PLANNED UNIT DEVELOPMENT) FOR APPROXIMATELY 822 ACRES OF PROPERTY LOCATED SOUTH OF HIGHWAY 34 WEST OF STATE HIGHWAY 257, AND EAST OF CR 17, KNOWN AS THE DELANTERO REZONE

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as H-A (Holding Agriculture) to PUD (Planned Unit Development) for approximately 822 acres of property in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS _____ DAY OF _____ 2022.

ATTEST: **THE CITY OF GREELEY**

_____ _____

City Clerk **Mayor**

Legal Description

The City of Greeley is considering a request from Rick Hearing, LAI Design Group, on behalf of Apex Vista, LLC to rezone approximately 822 acres from H-A (Holding Agriculture) to PUD (Planned Unit Development) and for a Preliminary PUD Plan for property located south of Highway 34, west of State Highway 257, and east of CR 17

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

May 10, 2022

1. Call to Order

Vice Chair Briscoe called the meeting to order at 2:06 p.m.

2. Roll Call

The hearing clerk called the roll.

PRESENT
Vice Chair Erik Briscoe
Commissioner Larry Modlin
Commissioner Christian Schulte
Commissioner Brian Franzen
Commissioner Chelsie Romulo

ABSENT
Chair Justin Yeater
Commissioner Jeff Carlson

3. Approval of Agenda

There were no corrections or additions to the agenda, and it was approved as presented.

4. Approval of April 26, 2022 Minutes

Commissioner Romulo moved to approve the minutes dated April 26, 2022. Commissioner Modlin seconded the motion. Motion carried 5-0. (Chair Yeater and Commissioner Carlson were absent.)

5. Public hearing to consider a request to rezone approximately 822 acres of property located south of Highway 34, west of State Highway 257, and east of County Road 17, from H-A (Holding Agriculture) to PUD (Planned Unit Development) (Project No. ZON2021-0009)

Darrell Gesick addressed the Commission and requested that items 5 and 6 be heard together, with separate motions, the Commission concurred. Mr. Gesick noted that additional communication regarding a concern with the access point for future connection of County Road 56 and County Road 17 was received by email prior to the hearing. Mr. Gesick include a printed copy of the email for the Commission to review. He introduced the request to rezone the property from H-A to PUD. Mr. Gesick presented a map showing the location of the property and described the surrounding uses and zone classifications. Mr. Gesick displayed site photos and described the property as being used primarily for farming at this time. He explained that the applicant is proposing to rezone the property to Planned Unit

Development (PUD), with eight specific land use area designations. Mr. Gesick mentioned that each planning area would have difference allowances. He also mentioned that the proposed PUD was consistent to the City's Imagine Greeley Comprehensive Plan and the Intergovernmental Agreement with the Town of Windsor. Mr. Gesick mentioned that the applicant has also submitted a metropolitan district application, which is being proposed concurrently with this request. Mr. Gesick said that in addition to the email letter that outlined some of concerns regarding the development, he also received an objection letter from the mineral rights owner. The mineral rights owner requests that any approval of the PUD plan be conditioned upon a surface use agreement, between the mineral owner and developer. Staff concluded its presentation with a recommendation of approval of the request, with a condition related to resolve the mineral interest with a surface use agreement.

Commissioner Shulte asked for clarification regarding the mineral owner's objections. Mr. Gesick mentioned that a condition had been recommended, which would require a surface use agreement to be in place prior to further development of the property.

Commissioner Modlin inquired if a traffic report was required for the entire development. Mr. Gesick responded that a traffic study was summitted and reviewed by the Colorado Department of Transportation (CDOT) and City staff.

Applicant representative, Ken Puncerelli, 88 Inverness Circle East, Suite J-101, Englewood, Colorado 80112, discussed the Delantero project and its location and how it defines the western edge of the City. Mr. Puncerelli then presented some site photos and clarified what uses are proposed in all eight areas and how his team is approaching the project by thinking long-term. He also showed the phasing plan on his map and how the property would develop from east to west. Mr. Puncerelli has been working with the school district on a school site, along with the City as it relates to trails, parks, and open spaces. Mr. Puncerelli expanded on Commissioner Modlin's earlier traffic question. He confirmed that his traffic engineers worked closely with the City and CDOT to ensure the development would construct the necessary improvements to comply with the City and State traffic regulations. He mentioned that improvements would be made to State Highway 257 and County Road 17 and additional improvements to County Road 56 as warranted. Mr. Puncerelli also identified an access point from Highway 257 into planning area #1 as a right-in only, which is still being reviewed by CDOT and the City. He noted there could be two round-a-bouts on Highway 257, which would slow traffic down, but also keep traffic moving through the area. Mr. Puncerellli then addressed the letter that was submitted by a neighboring property owner regarding their concerns about the round-a-bout and said they would acknowledge and investigate the comments made. Lastly, he discussed street lighting, transit areas, median islands, detached sidewalks, land-scaped finishes on the spine road, and public art.

Commissioner Modlin asked about the projected timeline for their proposal. Mr. Puncerelli responded by stating that the goal is to start land development activity later this year, with pre-sales for homes in 2023.

Commissioner Modlin asked about the first phase of their plan. Mr. Puncerelli responded and discussed the topography and showed the water, storm water extensions and the intention of the first plat.

Commissioner Franzen was curious who the national builders will be for this project. Mr. Puncerelli replied that information can't be disclosed at this time.

Commissioner Schulte inquired about the development plan and if the mineral rights are being dealt with. Mr. Puncerelli said the intention is to consolidate all of the mineral operations into specific areas, located south and west during the fourth phase. This would ensure that mineral extraction activities could concurrently operate while Mr. Puncerelli's team operates in other areas.

Commissioner Romulo asked about the status of the surface use agreement and if it will be resolved prior to final plat. Mr. Puncerelli replied and stated that they are in talks and an agreement is on the table but haven't executed the agreement yet. However, he assured her that the agreement would happen before they reach the plat stage.

Commissioner Modlin questioned whether there is one large holding pond for their non-pot water in one area or if it is spaced out to other areas. Mr. Puncerelli replied by stated that depending on topography one or more non-pot ponds would be needed, along with several detention pond facilities. He mentioned that his team is working on the design for irrigation ponds, which will be included as part of the plating process.

Commissioner Schulte asked if County Road 19 intersects with Highway 34. Mr. Puncerelli stated that it does not.

Commissioner Romulo requested more information regarding the location of the off-ramp and access to Highway 34. Mr. Puncerelli replied that there would not be access and that it would instead be a fly-over or a bridge.

Ms. Safarik assured that there was a discussion with Public Works Department regarding linkage to the north. Public Works wants to make sure that the area doesn't become an isolated community and that there will be some sort of connection between the northern and southern communities bordering the major arterial.

Commissioner Modlin questioned if this project would require more traffic lights. Mr. Puncerelli said the off-ramp on Highway 257 would have to expand the deceleration lanes to get to the commercial area. However, at the round-a-bout there will not be a signal at that point or at Highway 257.

Commissioner Modlin asked if a rework of the intersection would be required, since there is already a traffic light at Highway 34 and County Road 17. Mr. Puncerelli said that his understanding is that there likely will not be access from County Road 17 onto the property to the north. Instead, there will likely

be a shared access about a quarter of a mile from the intersection of Highway 34 and County Road 17.

The public hearing opened and closed at 2:47 with no individuals present who chose to speak to the item.

Commissioner Romulo moved that, based on the application received and the proceeding analysis, the Planning Commission finds that the proposed rezone from H-A (Holding Agriculture) to PUD (Planned Unit Development) is in compliance with the 1998 Development Code section 24-625 c3, a, b, d, e, f, g, and h, and therefore recommends approval with the following condition: that approval to develop the site is contingent upon compliance with Colorado statute section 30-28-13310, attachment G of the packet. Commissioner Franzen seconded the motion. Motion carried 5-0.

6. Public hearing to consider a request for a Final PUD (Planned Unit Development) Plan for 822 acres of property located south of Highway 34, west of State Highway 257, and east of CR 17 (PUD2021-0013)

Commissioner Romulo moved that, based on the application received and the proceeding analysis, the Planning Commission finds that the proposed Delantero Preliminary PUD Plan is in compliance with the 1998 Development Code section 24-625 c3, a, b, d, e, f, g, and h, and section 44-663b and therefore recommends approval with the following condition: that approval to develop the site is contingent upon compliance with Colorado statute section 30-28-13310, attachment G of the packet. Commissioner Franzen seconded the motion. Motion carried 5-0.

7. Staff Report

Ms. Safarik introduced the report from Ms. Kellums who then spoke of the event at Plumb Farm. Ms. Kellums distributed posters and invited the Commission to the event.

Mr. Garrott specified that the next Planning Commission's meeting on May 24th, 2022, which would consist of the air quality report and a workshop on the Metropolitan District.

Lastly, Ms. Safarik noted that, in its presentation to City Council concerning updates to the City's codes related to metropolitan districts that the Planning Commission be included with the review of recommendations for changes to the metropolitan district codes and policies that would go to City Council for consideration.

8. Adjournment

With no further business, Vice Chair Briscoe adjourned the meeting at 2:55 pm.

_____

Erik Briscoe, Vice Chair

DRAFT

_____

Becky Safarik, Secretary

DRAFT

PLANNING COMMISSION SUMMARY

ITEMS: Rezone from H-A (Holding Agriculture) to PUD (Planned Unit Development) and a Preliminary PUD Plan

FILE NUMBER: ZON2021-0009 and PUD2021-0013

PROJECT: Delantero Preliminary PUD

LOCATION: South of U.S. Highway 34, East of CR 17, and West of State Highway 257

APPLICANT: Rick Haering, LAI Design Group, on behalf of APEX VISTA, LLC

CASE PLANNER: Darrell Gesick, Planner III

PLANNING COMMISSION HEARING DATE: May 10, 2022

PLANNING COMMISSION FUNCTION:
The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the applications in the form of a finding based on the review criteria in Sections 24-583, 24-625(c)(3) and 24-663(b) of the 1998 Development Code.

EXECUTIVE SUMMARY
The City of Greeley is considering a request to a rezone approximately 822 acres from H-A (Holding Agriculture) to PUD (Planned Unit Development) and to establish a Preliminary PUD Plan, known as the Delantero PUD, for property located south of U.S. Highway 34, east of CR 17, and west of State Highway 257 (see Attachments A, B and C).

A. REQUEST
The proposed PUD would consist of a mix of residential, commercial, and industrial uses. Parks, open space, and trails are incorporated into the project to allow for pedestrian connectivity throughout the development and to connect to future trail systems. Overall, the theme that the developer is attempting to meet is to honor the agricultural heritage of Greeley (see Attachment C).

Residential units would include single-family detached, courtyard single-family detached, two-family attached, townhomes, and multi-family throughout the development. Approximately 421 acres is intended for residential development. It is anticipated that the residential units could range from 2,418 residential units to 5,841 residential units on the subject site.

Commercial and industrial areas are planned to be next to major roadways to minimize impacts to lower density residential. Commercial and industrial areas would account for approximately 110 acres of the overall development.

A school site is planned to be centrally located within the development. Community amenities would include several parks that would provide recreation opportunities. Parks and open space would account for approximately 140 acres. The remaining acreage would be used for rights-of-way, detention ponds, and existing oil and gas facilities.

The Delantero PUD has provided a table of land uses for each planning area alongside specific development standards. A total of eight planning areas are proposed as part of the overall development. Development standards can be found on Sheets L5.0, L6.0, and L6.2 of the PUD Document. Reduced lot sizes, setbacks, and variations in building heights as proposed are supplemented by specific residential development standards to ensure a cohesive environment, as well as trail connectivity and access to parks and open spaces (see Attachment D).

B. STAFF RECOMMENDATION

Approval

C. LOCATION

Abutting Zoning

North: H-A (Holding Agriculture)
South: I-M (Industrial Medium Intensity), H-A, Weld County A (Agricultural)
East: C-H (Commercial High Intensity), I-M, and Weld County A (Agricultural)
West: Weld County A (Agricultural)

Abutting Land Uses

North: Undeveloped and Oil and Gas
South: Undeveloped, Oil and Gas, City of Greeley Water Storage
East: Undeveloped, Oil and Gas, Various Industrial Users
West: One Single-Family Dwelling and Undeveloped

Site Characteristics:

The site is undeveloped agricultural land. There are several oil and gas wells and tank batteries on the subject site. The subject site is currently used for dryland farming.

D. BACKGROUND

The subject site was annexed and zoned H-A (Holding Agriculture) in 2000, as part of the Goldhill Annexations 1, 2, and 3 (File Nos. A 15:00, 16:00, 17:00 and Z 31:00, Z 32:00, and Z 33:00). The site has remained as an agriculture use, primarily dryland farming, for many decades with some oil and gas drilling operations also occuring on the site.

E. APPROVAL CRITERIA

Standards for Rezoning (ZON2022-0001):

In reaching recommendations and decisions as to rezoning land to the PUD district, the Planning Commission and the City Council shall apply the following standards in addition to the standards and procedures of Section 24-625(c)(3) of the 1998 Development Code applicable to the rezoning of land:

a. Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?

Staff Comment: Since the project was annexed into the City of Greeley in 2000, the subject property has historically been utilized for agricultural uses, primarily dryland farming. In addition, there has been several oil and gas drilling operations that have occurred on the site over time.

The immediate surrounding area and land use approvals have changed significantly in the past few years. Land uses adjacent to this development include the Highpoint Industrial Park to the east, which has been developing with both industrial and commercial uses over the last several years. In addition, properties located in the Town of Windsor to the northwest of the subject site have developed with car dealerships and the expansion of the Aims Community College Campus. The land uses in the nearby Promontory development, as approved, continue to be developed with predominately residential land uses, but also include existing large corporate uses. Recent PUD's such as Lake Bluff, The Cache, the Poudre River Ranch, and the Poudre Heights have been approved to include a mix of residential, commercial, and industrial uses.

The request complies with this criterion.

b. Has the existing zoning been in place for at least fifteen (15) years without substantial development resulting and does the existing zoning appear to be obsolete, given development trends?

Staff Comment: The existing H-A zoning has been in place since 2000, which is 22 years, without any proposed developed. Development trends appear to show development for Greeley moving west. Other nearby jurisdictions also appear to be developing, or have proposals in for review, for various properties along U.S. Highway 34 going towards I-25. The proposed development would not be inconsistent with the development trends that are occurring along the corridor.

The request complies with this criterion.

c. Are there clerical or technical errors to correct?

Staff Comment: There are no clerical or technical errors to correct.

This criterion is not applicable.

d. Are there detrimental environmental conditions, such as flood plains, presence of irrigation ditches, inadequate drainage, slopes, unstable soils, etc., that may affect future development of this site and which may not have been considered during the original zoning of the property?

Staff Comment: There are active and plugged and abandoned oil and gas facilities on the subject site. Those impediments would primarily be taken into account at the time of subdivision and should not impact the rezone request. However, the proposed PUD does take into account setbacks for development around the oil and gas facilities. Staff is unaware of any additional detrimental environmental conditions on the property.

This request complies with this criterion.

e. Is the proposed rezoning necessary in order to provide land for a community related use which was not anticipated at the time of adoption of the City's Comprehensive Plan; or have the policies of the City changed to the extent that a rezoning is warranted?

Staff Comment: The Comprehensive Plan designates the subject area primarily as "Employment, Industrial, and Commercial" for the area adjacent to U.S. Highway 34, and "Suburban" for the remainder of the land. This PUD proposes a variety of residential housing options and includes opportunities for commercial, industrial, and mixed-uses to support existing and future residents in the area which are supported by the City's current Comprehensive Plan. In addition, the proposed PUD is consistent with an IGA (Intergovernmental Agreement) that currently exists between the City of Greeley and The Town of Windsor. The IGA consists of land uses in specific areas, which the Delantero PUD takes into account throughout the PUD design.

The request complies with this criterion.

f. What is the potential impact of the proposed rezoning upon the immediate neighborhood and the City as a whole (including potential noise and environmental impacts, visual impacts, the provision of City services such as police, fire, water, sewer, street and pedestrian systems and parks and recreation facilities)'?

Staff Comment: The proposed PUD would have a greater impact on city services upon development of the site.

There are active and plugged and abandoned oil and gas facilities on the subject site. Those impediments would primarily be taken into account at the time of subdivision and should not impact the rezone request. The proposed PUD does take into account setbacks for development around the oil and gas facilities.

To mitigate visual impacts to the surrounding area, the appropriate buffering and perimeter treatment would be evaluated as part of the subdivision and site plan review process, which would lessen any potential visual impacts. This would also include the appropriate landscaping treatment along U.S. Highway 34 as called out in the 1994 City of Greeley Entryway Master Plan.

Impacts to Police and Fire due to an increased residential population and commercial centers may occur. A new fire station, Fire Station #6, was recently built approximately 1.5 miles to the northeast of the subject site.

Water and sanitary sewer lines would have to be extended from existing development to serve the subject site. Drainage, water, and sewer would be addressed at time of subdivision. For additional comments on water, sewer, and drainage, please see Section G of this report.

As part of the overall development, additional rights-of-way would be dedicated. It is anticipated that these improvements would be funded by the Metropolitan District (if approved) or other resources that would be presented to staff and City Council in the near future. Exact roadway alignments and dedication would be determined at the time of subdivision. For additional comment on transportation, please see Section F of this report.

The PUD proposes to provide parks, open space, and trail systems to support the development and provide public connectivity though safe and well-planned means. All impacts and improvements would be further addressed at the time of subdivision.

Any potential noise created by future development would be regulated by the Municipal Code. The request complies with this criterion.

g. Is there clear and convincing evidence that the proposed rezoning will be consistent with the policies and goals of the City's Comprehensive Plan and comply with applicable zoning overlay requirements?

Staff Comment: The subject property was reviewed against the policies regarding zoning overlay requirements. This criterion is similar to specific criteria governing the Preliminary PUD. The proposal generally complies with the City's Comprehensive Plan. Policies are outlined as part of the standards for PUD establishment and can be found below in this report. In addition, the proposed PUD is consistent with an IGA (Intergovernmental Agreement) that currently exists between the City of Greeley and The Town of Windsor. The IGA consists of land uses in specific areas, which the Delantero PUD takes into account throughout the PUD design.

The request complies with this criterion.

h. What is the potential impact of the proposed rezoning upon an approved zoning suitability plan for the property?

Staff Comment: The proposed Zoning Suitability Plan submitted with this application demonstrates, on a conceptual level, that the site should be able to develop in accordance with the Development Code (see Attachment F).

This request complies with the criterion.

Standards for PUD establishment (PUD2019-0007):

Per Section 24-663 of the 1998 Development Code, in reaching recommendations and decisions as to rezoning land to the PUD district, the Planning Commission and the City Council shall apply the following standards in addition to the standards and procedures of Section 24-625 applicable to the rezoning of land:

Area Requirements. *The area of a proposed PUD shall be of substantial size to permit its design and development as a cohesive unit fulfilling the stated purpose of these regulations and to establish the PUD as a meaningful part of the larger community. Each proposed PUD shall therefore be evaluated as to its adequacy in size with respect to both the nature and character of its internal design and to its specific location within the City. The minimum size of a PUD to be considered for establishment shall be two (2) acres.*

Staff Comment: The proposal meets this requirement. The area of the proposed PUD is approximately 822 acres.

Consistency with the Land Use Chapter of the Comprehensive Plan. *A PUD proposal shall be found to be consistent with all applicable elements of the Land Use Chapter of the City's adopted Comprehensive Plan with respect to its proposed internal design and use and its relationship to adjacent areas and the City as a whole before it may be zoned as a PUD.*

- The following Comprehensive Plan goals are met with this PUD proposal:
  - ED-1: Promote a healthy, progressive, and competitive local economy.
    - The proposal provides future employment and tax base opportunities while proposing commercial development to benefit residents of West Greeley.
  - EH-2: Integrate healthy living into community planning and development.
    - The proposal provides several parks and a community separator. The project's trail system would also connect to adjacent future development that would provide additional trail and open space systems. The trail network will also provide for pedestrian walkability to commercial areas, encouraging an active lifestyle.
  - EH-4: Support and collaborate with the City's school districts.
    - The applicant has worked with the Weld RE-5J School District to ensure their future school site(s) would be met. The applicant has shown a future school site on the PUD plans. Land dedication would occur at the time of subdivision.
  - GC-1: Manage growth effectively.
    - The proposed PUD has taken into account road alignments for future developments. The PUD was also reviewed against the neighboring existing development to ensure effective growth for future expansion of utilities.
  - CG-2: Promote a balanced mix and distribution of land uses.
    - The proposed PUD offers a mix of residential, commercial, industrial and mixed-uses with suitable transition between these areas. Commercial and industrial development would also provide for employment opportunities.
  - CG06: Maintain and enhance the character and inter-connectivity of Greeley's neighborhoods.
    - The Delantero PUD is envisioned as a complete neighborhood, offering a mix of uses and multi-modal connectivity while incorporating a high level of design criteria with a theme to honor the agricultural heritage of Greeley. The PUD was also designed to be cohesive with future development through land use, trail, and roadway alignments.
  - HO-2: Encourage a broad diversity of housing options.
    - The PUD would provide a variety of housing types including multi-family, single family detached, and single family attached.
  - PR-1: Develop and maintain an inter-connected system of parks, trails, and recreational facilities.
    - The Delantero PUD has planned several parks and trail systems that not only are planned to connect within the Development, but to also connect to future trail connections in the area.

F. PHYSICAL SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The property is not part of a formal subdivision at this time. A subdivision is not required as part of the rezoning process. After the PUD process, it is anticipated that the applicant would submit preliminary and final subdivisions to create the lots that the applicant proposes to develop.

2. HAZARDS

There are a number of active and plugged and abandoned well sites within the proposed development that would require additional building setbacks. Those impediments would primarily be taken into account at the time of subdivision and should not impact the rezone request. The proposed PUD plan does take into account setbacks for development around the oil and gas facilities. In addition, there are overhead powerlines adjacent to and on the subject site. Staff is unaware of any other hazards on the property.

3. WILDLIFE

A small portion of the southeast corner of the property is located within the area identified for moderate impacts to wildlife. In accordance with Section 24-1217(b) of the City's Development Code, a biologist's report will be required to be submitted at the time of subdivision for any development that may occur near the impacted area.

4. FLOODPLAIN

The intended development area is not located within the l00-year floodplain, according to the adopted Federal Emergency Management Administration (FEMA) flood data.

5. DRAINAGE AND EROSION

Increases in stormwater flows from this development would be addressed with four on-site detention ponds, which would be designed to limit runoff to the required historical flows and provide the required water quality.

Erosion control devices would be designed by the developer and reviewed by the City at time of construction to ensure that best management practices are utilized as the project progress.

6. TRANSPORTATION

The subject property is adjacent to U.S. Highway 34, Weld County Road 17, State Highway 257, and Weld County Road 56.

No direct access to the property is proposed or would be allowed to/from U.S. Highway 34. Access along Weld County Road 17 would be proposed at the northwest corner of the site. This access would be shared with the property to the north. Property owners to the north have indicated that they are agreeable to this common access.

Along State Highway 257, the primary site access would be proposed in alignment with West 24th Street. There would be a secondary access to the south along State Highway

257, and a future potential access to the north of the primary access. This future potential access is subject to approval by the Colorado Department of Transportation and the City of Greely and will be evaluated at the time of site subdivision.

There are four secondary site accesses that are proposed along Weld County Road 56 with this submittal.

In addition, there would be an east-west spine road, along with several additional interior roads, that would serve the site and provide connectivity between the proposed planning areas.

All roadway improvements would be determined at time of development and would be routed to the appropriate agencies for review and comment.

Further subdivision of the property would require the dedication of public rights-of-way as necessary to support the development. Roadway upgrades, extensions, and realignments are also anticipated as part of the future development of the site.

Engineering Development Review, along with the Transportation Planner for the City of Greeley, reviewed the Traffic Study as part of the land use process. The City of Windsor, Colorado Department of Transportation, and Weld County also reviewed the proposal as referral agencies in the process. At this time, staff has no significant concerns. Further traffic analysis will occur at time of subdivision.

G. SERVICES

1. WATER

The City of Greeley would provide water services to the area. Potable water lines would connect to existing water mains which run along the north and east property boundaries, as well as connecting to an existing potable water main which runs north-south from the existing Gold Hill Elevated Water Tank. Non-potable water for irrigation needs would be utilized within the site. A future irrigation pond and pump station would be designed and constructed by the applicant to serve the property. Water provisions, including non-potable, within the development would be reviewed at time of subdivision.

2. SANITATION

The City of Greeley would provide sanitary services to the area. Sanitary Sewer connections would be made to an existing 15" main near the east side of the property and to a future sewer line and regional lift station which would be south of the property. The future sewer main and regional lift station are part of the City of Greeley Sanitary Sewer Master Plan. In addition, an onsite lift station on the north side of the property would be designed and constructed to pump flows to the existing main and onto the Sheep Draw trunk line.

Sanitary Sewer and any applicable agreements in relation to the IGA with the Town of Windsor would be reviewed at time of subdivision.

3. **EMERGENCY SERVICES**
   The property is served by the City of Greeley's Police and Fire Departments. Fire Station #6 is located at the intersection of U.S. Highway 34 Bypass and Promontory Parkway, approximately 1.5 miles to the northeast of the subject site.

4. **PARKS AND OPEN SPACES**
   The proposal includes seven potential parks and a community separator on the western portion of the development. Also proposed are various trails throughout the development. The sizes of the parks would be determined at the subdivision level.

5. **SCHOOLS**
   The subject property is located within the Weld RE-5J School District. A school site is not required to be dedicated with this project; however, the applicant has been in discussion with the RE-5J school district about land dedication for a future school.

6. **METROPOLITAN DISTRICT**
   The applicant intends to finance many of the on- and off-site improvements for the development by means of a Metropolitan District or other financial resources. This district is still under review and is anticipated to go before City Council in the near future (MD2021-0001).

H. NEIGHBORHOOD IMPACTS

1. **VISUAL**
   No visual impacts are anticipated with this rezone request. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts. Visual impacts will be reviewed for at the time of subdivision against landscape and buffer requirements set forth in Code.

2. **NOISE**
   No noise impacts are anticipated with the rezone request. Any potential noise created by future development would be regulated by the Municipal Code. Any potential noise created by future development will be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this meeting were mailed to surrounding property owners on April 15, 2022, per 1998 Development Code requirements. Signs were also posted on the site on April 15, 2022. As of April 29, 2022, no written comments have been received.

J. MINERIAL ESTATE OWNER NOTIFICATION

Required mineral rights notifications were mailed on April 11, 2022, by the applicant. As of April 29, 2022, no comments have been received.

K. PLANNING COMMISSION RECOMMENDED MOTIONS

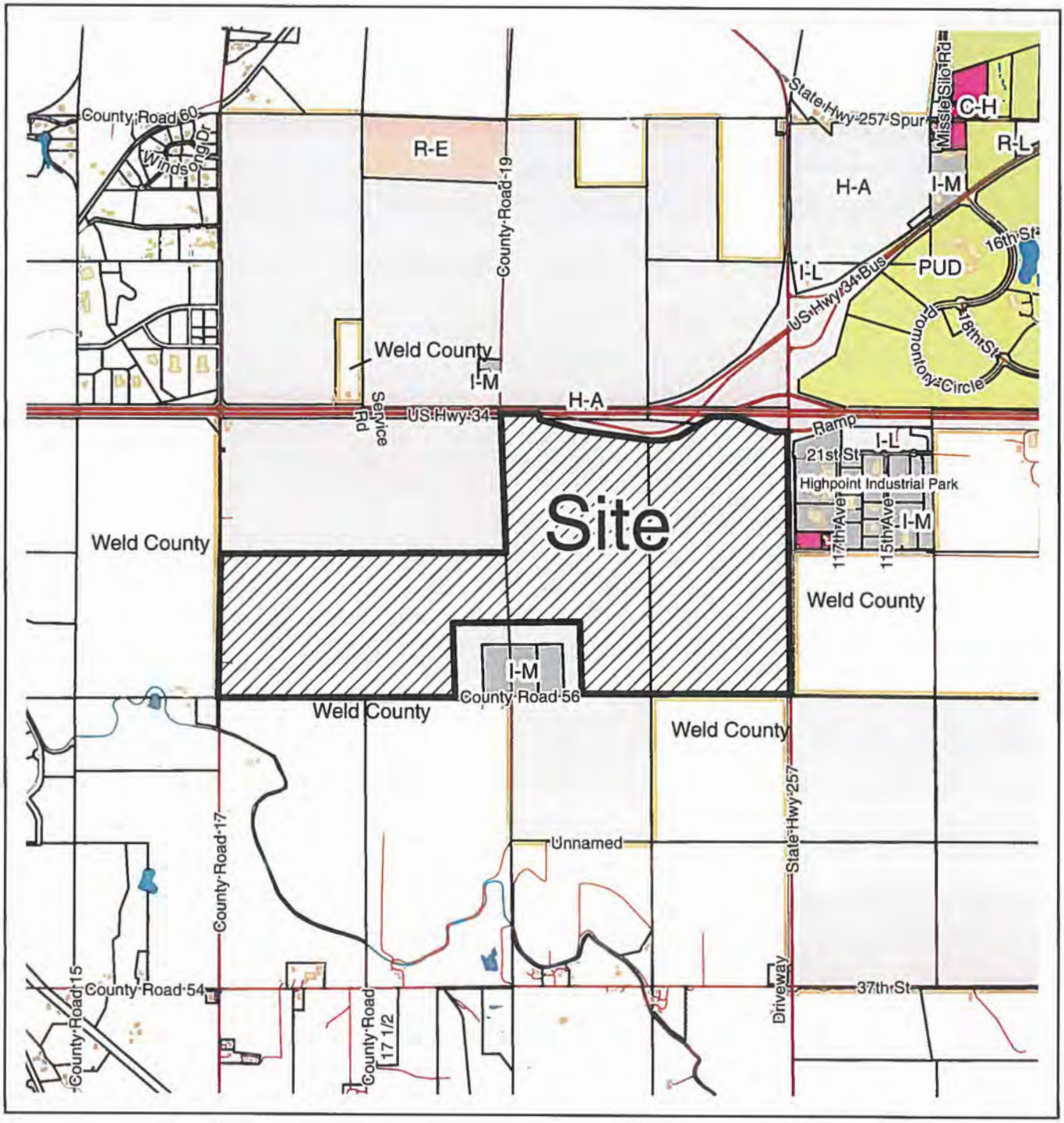
Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from H-A (Holding Agriculture) to Planned Unit Development (PUD) is in compliance with the 1998 Development Code, Section 24-625(c)(3) a, b, d, e, f, g and h and, therefore, recommends approval ***(or denial).***

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed The Delantero Preliminary PUD Plan is in compliance with the 1998 Development Code, Section 24-625(c)(3) a, b, d, e, f, g, and h, and Section 24-663(b) and, therefore, recommends approval ***(or denial).***

ATTACHMENTS

Attachment A – Zoning/Vicinity Map
Attachment B – Photo Aerial Map
Attachment C – Project Narrative
Attachment D – PUD Document
Attachment E – Intergovernmental Agreement with Windsor
Attachment F – Notification Boundary
Attachment G - Opposition Letter

Zoning/Vicinity Map
Delantero PUD



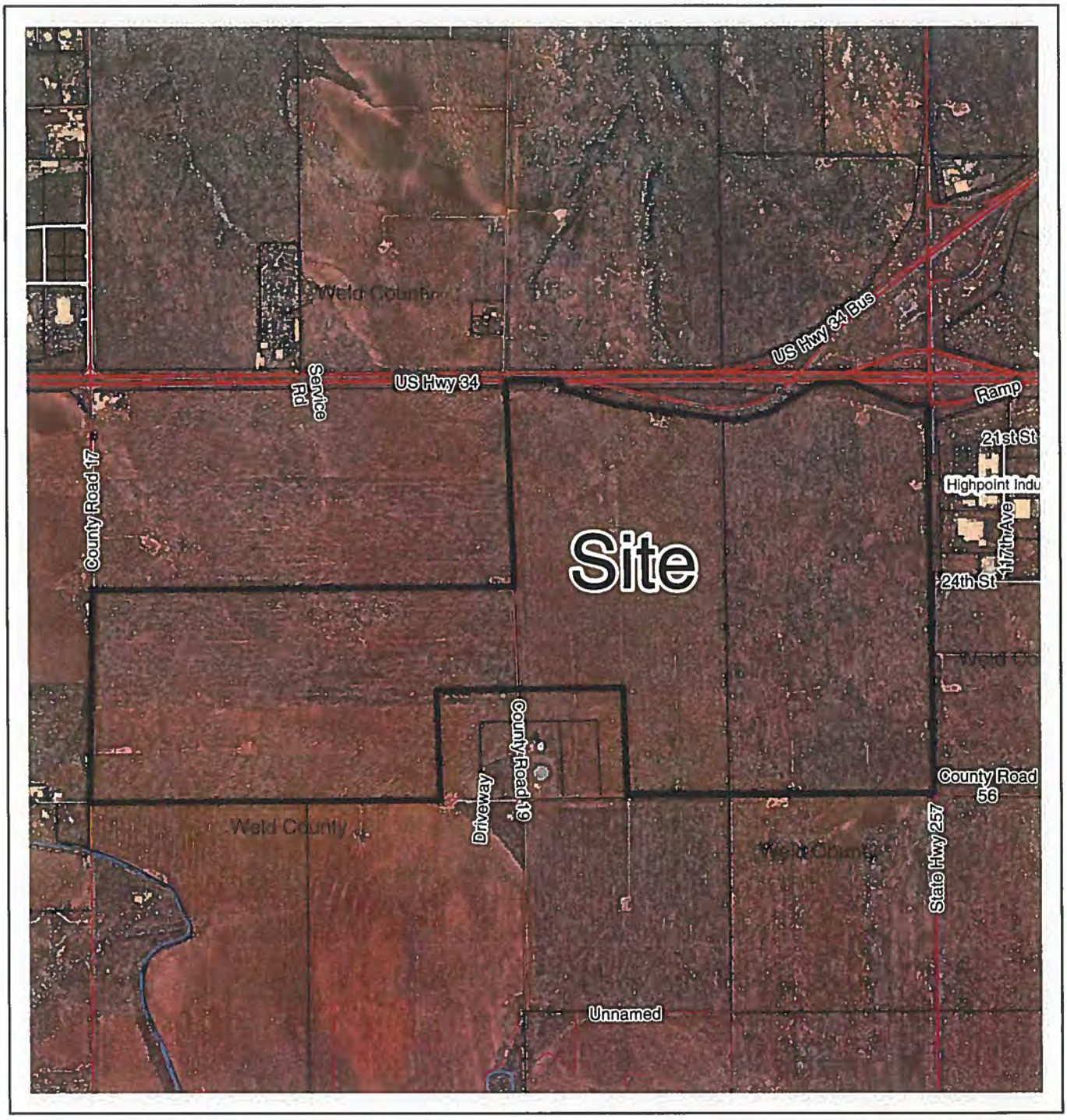
Legend

- Structure
- FEATURE_SUBTYPE
- Water Body
- Weld Parcels
- Road Centerline
- Roads

ZON2021-0009
PUD2021-0013

0 3,500 7,000 Feet

Zoning/Vicinity Map
Delantero PUD



Legend

- Structure
- FEATURE_SUBTYPE
- Water Body
- Weld Parcels
- Road Centerline
- Roads
- Origin Cache Mask

ZON2021-0009
PUD2021-0013

0 2,000 4,000 Feet

Delantero

front forward leading

FRONT

Western gateway to the City of Greeley, Delantero will be a premiere master planned community that utilizes an Agrihood model for development. This entails the creation of localized community farming areas for food production, hobby farming, and community gardens as part of over 100 acres of parks and open spaces, and in excess of 25 miles of trails, bike paths & pedestrian connectivity to future surrounding development and the great outdoors that Colorado has to offer.

FORWARD

As a forward thinking environmentally conscious community, Delantero will utilize the latest low impact development practices. These include water conservation, stormwater and water quality best practices, pervious surfaces for trails & public spaces as well as a carbon footprint sensitive approach to energy consumption for its buildings. Development techniques are intended to conserve resources, provide resiliency, and lower maintenance costs. This is done with a look to the future as well as a nod to the agricultural heritage of the land. Conservation doesn't just happen, it's by design.

LEADING

As a leader in energy conservation and environmental design, Delantero utilizes state of the art best practices and resource monitoring technology in its effort to accomplish the following community development principles:

1. Preserve natural lands,
2. Create areas for food production,
3. Program social hubs,
4. Engage residents & commerce,
5. Create housing & mixed-use development that leverage advantages of farm adjacent locations,
6. Form partnerships with the community to address health, sustainability, and social interaction thru Agrihood development and operations,
7. Provide opportunities for residents to shop internally to the community.

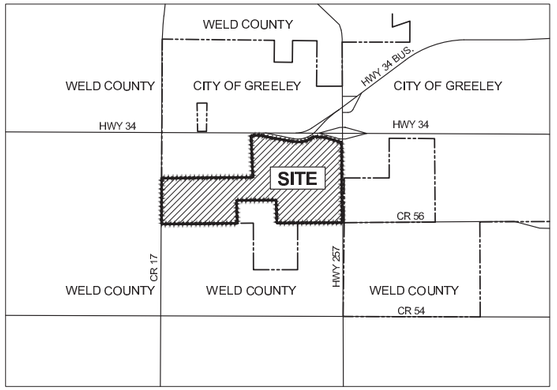
Conservation doesn't just happen, it's by design.

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

Attachment D

VICINITY MAP



Scale: NTS

NORTH

ZONING

DELANTERO IS CURRENTLY ZONED AS HOLDING AGRICULTURE (H-A) AND IS PROPOSED TO BE REZONED TO PLANNED UNIT DEVELOPMENT (PUD). THE PRIMARY REASON BEHIND THE ZONE CHANGE TO PUD IS TO ALLOW FOR A VARIETY OF USES TO OCCUR WITHIN EACH PROPOSED LAND USE CATEGORY. THE PUD ZONE ALSO PROVIDES THE FLEXIBILITY TO QUICKLY RESPOND TO MARKET CHANGES WHILE PROVIDING GOVERNING PRINCIPLES THAT REGULATE DEVELOPMENT OF THE PROPERTY.

DEVELOPMENT SUMMARY

LAND USE	ACRES (APPROX)*
COMMERCIAL/MIXED USE	70
RESIDENTIAL	421
INDUSTRIAL/MIXED USE	40
SCHOOL	15
PARKS	79
AG/RANCH	17
OPEN SPACE	44
OIL & GAS	12
IRRIGATION POND	5
DETENTION	40
R.O.W.	79
TOTAL	**822**

*ACREAGES ARE ESTIMATES AND MAY VARY BY AS MUCH AS 20%

OPEN SPACE REQUIREMENTS

OPEN SPACE REQUIRED **126**
RESIDENTIAL AREAS (421 AC.) * 30%

OPEN SPACE PROPOSED **186**
INCLUDES OPEN SPACE (TRAILS, DRAINAGE, LANDSCAPE TRACTS, PARKS, AG/RANCH/OPEN SPACE, DETENTION POND, & IRRIGATION POND)

PARKS DEDICATION REQUIREMENTS

PARK DEDICATION REQUIREMENT WILL BE SUBJECT TO THE FOLLOWING CALCULATIONS:

NEIGHBORHOOD PARKS REQUIRED = 3.25 ACRES / 1,000 PEOPLE
MINIMUM UNITS - 2,415 MAXIMUM UNITS - 5,841
FOR EXAMPLE:
2,415 UNITS * 2.7 PEOPLE/UNIT *3.25 ACRES / 1,000 PEOPLE = 21.2 ACRES
5,841 UNITS * 2.7 PEOPLE/UNIT *3.25 ACRES / 1,000 PEOPLE = 51.3 ACRES

COMMUNITY PARKS REQUIRED = 3.5 ACRES / 1,000 PEOPLE
MINIMUM UNITS - 2,415 MAXIMUM UNITS - 5,841
FOR EXAMPLE:
2,415 UNITS * 2.7 PEOPLE/UNIT *3.5 ACRES / 1,000 PEOPLE = 22.8 ACRES
5,841 UNITS * 2.7 PEOPLE/UNIT *3.5 ACRES / 1,000 PEOPLE = 55.2 ACRES

NEIGHBORHOOD PARKS PROPOSED MIN. 40.0 ACRES
COMMUNITY PARKS PROPOSED MIN. 25.0 ACRES

NOTE: PARKS AND OPEN SPACE WILL BE BANKED AS NEEDED FOR SYSTEMATIC DEVELOPMENT PHASING.

LEGAL DESCRIPTION

SEE L2.0 PROPERTY DESCRIPTION FOR THE LEGAL DESCRIPTION.

PROJECT NARRATIVE

DELANTERO IS SPANISH AND TRANSLATES AS, "FRONT, FORWARD, LEADING." TO THAT END, THE DEVELOPMENT TEAM HAS DISSECTED ITS MEANING TO DESCRIBE THE DESIGN INTENT OF THE COMMUNITY.

FRONT
WESTERN GATEWAY TO THE CITY OF GREELEY, DELANTERO WILL BE A PREMIERE MASTER PLANNED COMMUNITY THAT UTILIZES AN AGRIHOOD MODEL FOR DEVELOPMENT. THIS ENTAILS THE CREATION OF LOCALIZED COMMUNITY FARMING AREAS FOR FOOD PRODUCTION, HOBBY FARMING, AND COMMUNITY GARDENS AS PART OF OVER 100 ACRES OF PARKS AND OPEN SPACES, AND IN EXCESS OF 25 MILES OF TRAILS, BIKE PATHS & PEDESTRIAN CONNECTIVITY TO FUTURE SURROUNDING DEVELOPMENT AND THE GREAT OUTDOORS THAT COLORADO HAS TO OFFER.

FORWARD
AS A FORWARD THINKING ENVIRONMENTALLY CONSCIOUS COMMUNITY, DELANTERO WILL UTILIZE THE LATEST LOW IMPACT DEVELOPMENT PRACTICES. THESE INCLUDE WATER CONSERVATION, STORMWATER AND WATER QUALITY BEST PRACTICES, PERVIOUS SURFACES FOR TRAILS & PUBLIC SPACES AS WELL AS A CARBON FOOTPRINT SENSITIVE APPROACH TO ENERGY CONSUMPTION FOR ITS BUILDINGS. DEVELOPMENT TECHNIQUES ARE INTENDED TO CONSERVE RESOURCES, PROVIDE RESILIENCY, AND LOWER MAINTENANCE COSTS. THIS IS DONE WITH A LOOK TO THE FUTURE AS WELL AS A NOD TO THE AGRICULTURAL HERITAGE OF THE LAND. CONSERVATION DOESN'T JUST HAPPEN, IT'S BY DESIGN

LEADING
AS A LEADER IN ENERGY CONSERVATION AND ENVIRONMENTAL DESIGN, DELANTERO UTILIZES STATE OF THE ART BEST PRACTICES AND RESOURCE MONITORING TECHNOLOGY IN ITS EFFORT TO ACCOMPLISH THE FOLLOWING COMMUNITY DEVELOPMENT PRINCIPLES:

1. PRESERVE NATURAL LANDS,
2. CREATE AREAS FOR FOOD PRODUCTION,
3. PROGRAM SOCIAL HUBS,
4. ENGAGE RESIDENTS & COMMERCE,
5. CREATE HOUSING & MIXED-USE DEVELOPMENT THAT LEVERAGE ADVANTAGES OF FARM ADJACENT LOCATIONS,
6. FORM PARTNERSHIPS WITH THE COMMUNITY TO ADDRESS HEALTH, SUSTAINABILITY, AND SOCIAL INTERACTION THRU AGRIHOOD DEVELOPMENT AND OPERATIONS,
7. PROVIDE OPPORTUNITIES FOR RESIDENTS TO SHOP INTERNALLY TO THE COMMUNITY.

GENERAL VISION
THE DELANTERO PUD IS DESIGNED TO PROMOTE A MIXED-USE MASTER PLANNED COMMUNITY WHICH WILL INCLUDE A VARIETY OF LAND USES INCLUDING RESIDENTIAL, COMMERCIAL, COMMERCIAL/MIXED USE, CIVIC, PARKS, STORMWATER DETENTION, INDUSTRIAL/MIXED USE, AND OIL & GAS OPERATIONS. THE FLEXIBILITY OF THIS PUD ALLOWS FOR CREATIVE DESIGN SOLUTIONS TO ENHANCE THE OVERALL APPEARANCE OF THIS SITE. THE DELANTERO SITE IS APPROXIMATELY 822 ACRES LOCATED ON THE SOUTH SIDE OF HIGHWAY 34 BETWEEN WELD COUNTY RD. 17 AND HIGHWAY 257. DEVELOPMENT IS PLANNED TO OCCUR IN MULTIPLE PHASES, BEGINNING ON THE EAST SIDE ADJACENT TO HIGHWAY 257 AND PROCEEDING WEST, ULTIMATELY COMPLETING THE LAST PHASE IN AND AROUND THE COMMUNITY.

RESIDENTIAL UNIT TYPES INCLUDE SINGLE FAMILY DETACHED IN A RANGE OF SIZES AND PRICE POINTS, COURTYARD SINGLE FAMILY DETACHED, TWO-FAMILY ATTACHED, TOWNHOMES, MULTI-FAMILY (APARTMENTS AND CONDOMINIUMS) AND ARE GENERALLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT.

COMMERCIAL MIXED-USE AND INDUSTRIAL AREAS ARE SITED ADJACENT TO THE HIGHWAYS AND COLLECTOR ROADS TO ACTIVATE THE DEVELOPMENT YET MINIMIZE INTRUSION, TRANSITIONING TO RESIDENTIAL USES IN THE INTERIOR OF THE COMMUNITY.

A SCHOOL SITE IS CENTRALLY LOCATED ALONG THE PROJECT'S MAJOR SPINE ROAD ALLOWING EASY ACCESS FOR BUSES AND PARENTS DROPPING OFF STUDENTS. A TRAIL CORRIDOR ADJACENT TO THE SCHOOL SITE ALLOWS SAFE WALKING CORRIDORS TO SCHOOL FROM THE NEIGHBORHOODS.

COMMUNITY AMENITIES WILL INCLUDE MULTIPLE NEIGHBORHOOD PARKS AND POCKET PARKS. A CENTRAL COMMUNITY PARK WILL PROVIDE RECREATION OPPORTUNITIES AND OPEN SPACE FOR RESIDENTS AND IS PROPOSED TO BE LOCATED ADJACENT TO THE SCHOOL SITE TO CREATE A "CO-USE" SYNERGY. ADDITIONALLY, TRAILS AND OPEN SPACE CORRIDORS FOR PEDESTRIAN CIRCULATION AMONG PARKS, THE SCHOOL, AND NEARBY NEIGHBORHOODS WILL OCCUR STRATEGICALLY THROUGHOUT THE COMMUNITY.

OVERALL, THIS PUD IS DESIGNED TO CREATE A HIGH QUALITY DEVELOPMENT BY PROVIDING DESIRED COMMERCIAL AND INDUSTRIAL SPACE AND DIVERSIFIED RESIDENTIAL HOUSING PRODUCTS WHILE PRESERVING QUALITY OPEN SPACE AREAS FOR RESIDENTS AND HONORING THE AGRICULTURAL HERITAGE OF GREELEY.

GENERAL NOTES

1. TOPOGRAPHIC INFORMATION SHOWN IS DERIVED FROM EXISTING US GEOLOGICAL SURVEY DATA.
2. INFORMATION REGARDING OIL & GAS IS DERIVED FROM THE COLORADO OIL & GAS CONSERVATION COMMISSION WEBSITE (HTTPS://COGCC.STATE.CO.US/#/HOME) ACCESSED MARCH 1, 2022.
3. ALL ABANDONED OIL AND GAS FLOWLINES SHALL BE FLUSHED AND REMOVED. ALL PLUGGED AND ABANDONED WELLS SHALL BE LOCATED AND MARKED FOR ANY FUTURE LOCATION REQUIREMENTS.
4. ALL REFERENCES TO CITY OF GREELEY DEVELOPMENT CODE SHALL REFERENCE THE CODE DATED OCTOBER 1, 2021 AS AMENDED.
5. PHASING WILL BE ALLOWED WITHIN THIS P.U.D. THE SPECIFICS FOR BOUNDARY AND TECHNICAL CRITERIA TO BE DEFINED WITHIN FINAL PLATTING.
6. RAW WATER DEDICATION. RAW WATER MUST BE DEDICATED AT THE TIME OF SUBDIVSION FOR ANY PARKLAND AND/OR PUBLIC RIGHTS-OF-WAY IRRIGATION REQUIREMENTS. IN ALL OTHER CASES, RAW WATER ACCEPTABLE IN FORM TO THE CITY OF GREELEY SHALL BE DEDICATED TO THE CITY IN ACCORDANCE WITH SEC. 20-254 OF GREELEY MUNICIPAL CODE AS AMENDED.
7. ALL RECOMMENDED IMPROVEMENTS FROM THE TRANSPORTATION IMPACT STUDY, PREPARED BY LSC TRANSPORTATION CONSULTANTS, INC. AND DATED MARCH 18, 2022, WILL BE REQUIRED PER PHASE AT THE TIME OF CONSTRUCTION.
8. FUTURE DELANTERO RESIDENTS SHOULD BE AWARE THAT WELD COUNTY HAS ADOPTED A RIGHT-TO-FARM STATEMENT AND A RIGHT-TO-EXTRACT MINERAL RESOURCES STATEMENT FOR PROPERTIES IN UNINCORPORATED WELD COUNTY. THESE STATEMENTS SHALL BE INCORPORATED WITHIN EACH PLAT FILED FOR THE PROPERTY.
9. ALL DEVELOPMENT MASTER DRAINAGE BASINS SHOWN WITHIN THIS PUD AS REFLECTED ARE BASED ON EXISTING FIELD TOPOGRAPHY FOR THE PROPERTY. THE FIELD TOPOGRAPHY VARIES FROM THE TOWN OF GREELEY MASTER DRAINAGE STUDY. NO BASIN TRANSFER WILL BE ALLOWED BETWEEN THE MAJOR BASINS PER CITY OF GREELEY AND STATE OF COLORADO REQUIREMENTS.
10. MASTER DRAINAGE BASIN AND SUB DRAINAGE BASINS WITHIN THE DEVELOPMENT ARE REQUIRED PER THE STATE OF COLORADO AND CITY OF GREELEY TO PROVIDE WATER QUALITY BEFORE RELEASING FROM ANY DEVELOPMENT AREA OF THE PROPERTY.
11. FOR DEVELOPMENT STANDARDS AND SETBACKS RELATED TO OIL & GAS SEE SHEET L6.1.

PROJECT TEAM

DEVELOPER:
STRATUS COMPANIES
8480 E. ORCHARD RD, SUITE 1100
GREENWOOD VILLAGE, CO 80111
720.214.5000

OWNER:
APEX VISTA, LLC
C/O EDWARDS DEVELOPMENT
506 SHOSHONI ST.
CHEYENNE, WY 82009

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT:
LAI DESIGN GROUP
88 INVERNESS CIRCLE EAST
BUILDING J, SUITE 101
ENGLEWOOD, CO 80112
303.734.1777

CIVIL ENGINEER/SURVEYOR:
CWC CONSULTING GROUP
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
303.395.2700

HYDRAULIC ENGINEER:
MSK CONSULTING, LLC
7157 S. ANDES CIRCLE
CENTENNIAL, CO 80016
303.903.0918

TRAFFIC ENGINEER:
LSC TRANSPORTATION CONSULTANTS, INC.
1889 YORK ST.
DENVER, CO 80206
303-333-1105

PLANNED UNIT DEVELOPMENT CERTIFICATION BLOCK

THIS PLANNED UNIT DEVELOPMENT (PUD) HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH THE CITY OF GREELEY DEVELOPMENT CODE REGULATIONS. THIS PUD SHALL BE VALID FOR 15 YEARS FROM THE DATE OF THE APPROVAL BY CITY COUNCIL.

DELANTERO PROPERTY

BY: APEX VISTA, LLC
(OWNER)

TITLE:_____

DATE:_____

PLANNING COMMISSION RECOMMENDATION

RECOMMENDED BY THE CITY OF GREELEY PLANNING COMMISSION THIS ____DAY OF _____, 20____.

COMMUNITY DEVELOPMENT DIRECTOR

DIRECTOR OF COMMUNITY DEVELOPMENT DATE

AMENDMENT HISTORY

CITY FILE NUMBER	DATE APPROVED	AMENDMENT DESCRIPTION
PUD2021-0013		

SHEET INDEX

SHEET NAME	SHEET NUMBER
COVER SHEET	L1.0
PROPERTY DESCRIPTION	L2.0
PROPERTY BOUNDARY MAP	L2.1
SITE ANALYSIS MAP	L3.0
ZONING SUITABILITY MAP	L4.0
PRELIMINARY SITE PLAN	L5.0
DEVELOPMENT STANDARDS	L6.0 - L6.8
ARCHITECTURAL EXAMPLES	L7.0 - L7.6
MASTER PLAN	L8.0
PRELIMINARY LANDSCAPE PLAN	L9.0
PEDESTRIAN CIRCULATION PLAN	L10.0
VEHICULAR CIRCULATION PLAN	L11.0
UTILITY PLANS	UP1 - UP4
GRADING PLANS	GP1 - GP4
PA 5 COMMUNITY PARK VIGNETTE	V1.0
PA 2 NEIGHBORHOOD PARK VIGNETTE	V2.0
POCKET PARK VIGNETTE	V3.0
PA 1 DOG PARK VIGNETTE	V4.0
PA 8 COMMUNITY AG VIGNETTE	V5.0
STREETSCAPE VIGNETTE	V6.0
TRAILS, DRAINAGE, AND DETENTION VIGNETTE	V7.0
MONUMENTS AND SIGNAGE VIGNETTE	V8.0 - V8.1

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
88 INVERNESS CIR E, STE J-101
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING
CONSTRUCTION SERVICES
9360 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.395.2700 - FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

DELANTERO P.U.D.
GREELEY, CO
COVER SHEET

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

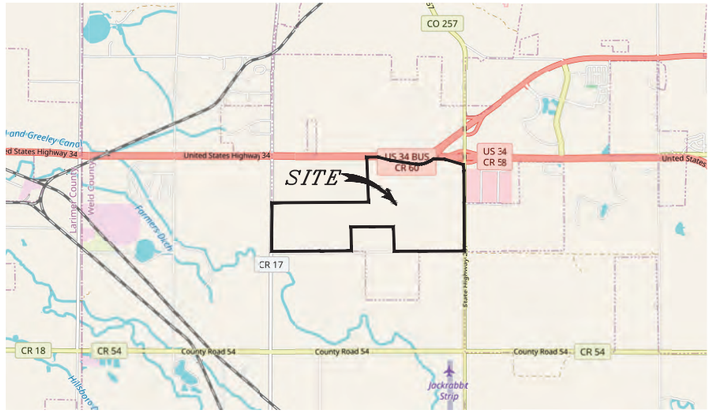
ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L1.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



LOCATION MAP

(NOT TO SCALE)

NORTH

TITLE DESCRIPTION

PARCEL 1:
SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

EXCLUDING THOSE PORTIONS CONVEYED IN DEED RECORDED OCTOBER 2, 1936 IN BOOK 999 AT PAGE 411 AND DEED RECORDED APRIL 27, 1961 IN BOOK 1583 AT PAGE 294 AND IN DEED RECORDED JANUARY 2, 1968 AT RECEPTION NO. 1511417 AND IN DEED RECORDED JANUARY 15, 1968 AT RECEPTION NO. 1512031 AND IN DEED RECORDED MAY 14, 1976 AT RECEPTION NO. 1688529 AND IN DEED RECORDED APRIL 5, 1977 AT RECEPTION NO. 1715553 AND IN CONSERVATOR'S DEED RECORDED JANUARY 19, 1994 AT RECEPTION NO. 2369866 AND IN WARRANTY DEED RECORDED JANUARY 19, 1994 AT RECEPTION NO. 2369867 AND IN WARRANTY DEED RECORDED JANUARY 30, 2001 AT RECEPTION NO. 2822417 AND IN WARRANTY DEED RECORDED APRIL 15, 2002 AT RECEPTION NO. 2943083.

PARCEL 2:
THE SOUTH 1/2 OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO.

EXCLUDING THOSE PORTIONS CONVEYED IN DEED RECORDED FEBRUARY 16, 1936 IN BOOK 956 AT PAGE 71 AND IN WARRANTY DEED RECORDED SEPTEMBER 14, 1978 AT RECEPTION NO. 1766549 AND IN WARRANTY DEED RECORDED APRIL 15, 2002 AT RECEPTION NO. 2943083.

SURVEYOR'S DESCRIPTION

(PER QUITCLAIM DEED RECORDED 10/02/2008 AT RECEPTION NO. 3581880)
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M.
SECTION 16, S1/2
SECTION 15

EXCLUDING:

(PER RIGHT OF WAY DEED RECORDED 10/02/1936 IN BOOK 999 AT PAGE 411)
A TRACT OF LAND IN SECTION FIFTEEN (15), TOWNSHIP FIVE (5) NORTH RANGE SIXTY SEVEN (67) WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NE CORNER OF SAID SECTION, THENCE S 89° 54' W ON THE NORTH LINE OF SAID SECTION, FOR A DISTANCE OF 40 FEET, THENCE S 0° 06' E ON A LINE PARALLEL TO THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 50 FEET, TO A POINT: BEGINNING AT SAID POINT, THENCE S 0° 06' E ON A LINE PARALLEL TO THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 5220 FEET, MORE OR LESS, THENCE N 89° 57' E ON A LINE PARALLEL TO THE SOUTH LINE OF SAID SECTION FOR A DISTANCE OF 40 FEET, MORE OR LESS, TO THE EAST LINE OF SAID SECTION. THENCE N 0° 06' W ON THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 5220 FEET, MORE OR LESS, THENCE S 89° 54' W ON A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF 40 FT, MORE OR LESS, TO THE BEGINNING POINT.

*(PER SPECIAL WARRANTY DEED RECORDED 04/27/1961 IN BOOK 1583 AT PAGE 294)(R1)***
A TRACT OR PARCEL OF LAND, NO. 5 OF GRANTEE'S PROJECT NO. S 0057 (2) CONTAINING 7.11 ACRES, MORE OR LESS, IN THE E1/2 OF THE E1/2 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN WELD COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE N. LINE OF SEC. 15, T. 5 N., R. 67 W., FROM WHICH THE NE CORNER OF SEC. 15 BEARS S. 89° 51' E., A DISTANCE OF 110.0 FEET;
1. THENCE S. 89° 51' E., ALONG THE N. LINE OF SEC. 15, A DISTANCE OF 110.0 FEET TO THE NE CORNER OF SEC. 15;
2. THENCE S. 0° 10' 45" E., ALONG THE E. LINE OF SEC. 15, A DISTANCE OF 5,258.3 FEET TO THE SE CORNER OF SEC. 15;
3. THENCE S. 89° 10' 30" W., ALONG THE S. LINE OF SEC. 15, DISTANCE OF 60.0 FEET;
4. THENCE N. 0° 08' W., A DISTANCE OF 4,153.2 FEET;
5. THENCE N. 0° 21' W., A DISTANCE OF 1,026.1 FEET;
6. THENCE N. 45° 06' W., A DISTANCE OF 71.0 FEET TO THE EXISTING S. RIGHT OF WAY LINE OF THE COUNTY ROAD AS LOCATED DEC., 1960;
7. THENCE N. 0° 21' W., A DISTANCE OF 30.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

*(PER SPECIAL WARRANTY DEED RECORDED 01/02/1968 AT RECEPTION NO. 1511417)(R2)***
A TRACT OR PARCEL OF LAND NO. 44 OF THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. F 007-1(11) SEC. 2 CONTAINING 12.969 ACRES, MORE OR LESS, IN THE N1/2 OF THE NW1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN WELD COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SECTION 15, T. 5 N., R. 67 W., FROM WHICH THE NORTHWEST CORNER OF SECTION 15 BEARS N. 1° 56' W., A DISTANCE OF 214.2 FEET;
1. THENCE, S. 89° 37' 15" E., A DISTANCE OF 2,633.8 FEET TO THE EAST LINE OF THE NW1/4 OF SECTION 15;
2. THENCE, ALONG THE EAST LINE OF THE NW1/4 OF SECTION 15, N. 0° 59' 45" W., A DISTANCE OF 214.6 FEET TO THE NORTHEAST CORNER OF THE NW1/4 OF SECTION 15;
3. THENCE, ALONG THE NORTH LINE OF SECTION 15, N. 89° 37' 45" W., A DISTANCE OF 2,637.3 FEET TO THE NORTHWEST CORNER OF SECTION 15;
4. THENCE, ALONG THE WEST LINE OF SECTION 15, S. 1° 56' E., A DISTANCE OF 214.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SURVEYOR'S DESCRIPTION

*(PER SPECIAL WARRANTY DEED RECORDED 01/15/1968 AT RECEPTION NO. 1512031)(R3)***
A TRACT OR PARCEL OF LAND NO. 43 OF THE DEPARTMENT OF HIGHWAY, STATE OF COLORADO, PROJECT NO. F 007-1(11) SEC. 2 CONTAINING 21.441 ACRES, MORE OR LESS, IN THE N1/2 OF THE NE1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN WELD COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT OF THE WEST RIGHT OF WAY LINE OF S.H. 257 (JUNE 1967), FROM WHICH THE NORTHEAST CORNER OF SECTION 15, T. 5 N., R. 67 W., BEARS N. 3° 22' E., A DISTANCE OF 925.3 FEET;
1. THENCE, N. 6° 03' 30" W., A DISTANCE OF 301.5 FEET;
2. THENCE, N. 73° 16'30" W., A DISTANCE OF 1,028.7 FEET;
3. THENCE, N. 86° 45'30" W., A DISTANCE OF 600.7 FEET;
4. THENCE, N. 84° 17' W., A DISTANCE OF 967.7 FEET TO THE WEST LINE OF THE NE1/4 OF SECTION 15;
5. THENCE, ALONG THE WEST LINE OF THE NE1/4 OF SECTION 15, N. 0° 59' 45" W., A DISTANCE OF 214.6 FEET TO THE NORTHWEST CORNER OF THE NE1/4 OF SECTION 15;
6. THENCE, ALONG THE NORTH LINE OF SECTION 15, S. 89° 37' 45" E., A DISTANCE OF 2,527.8 FEET TO THE WEST RIGHT OF WAY LINE OF S.H. 257 (JUNE 1967);
7. THENCE, ALONG THE WEST RIGHT OF WAY LINE OF S.H. 257 (JUNE 1967), S. 0° 21' E., A DISTANCE OF 30.0 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE COUNTY ROAD (JUNE 1967);
8. THENCE, ALONG THE WEST RIGHT OF WAY LINE OF S.H. 257 (JUNE 1967), S. 45° 06' E., A DISTANCE OF 71.0 FEET;
9. THENCE, ALONG THE WEST RIGHT OF WAY LINE OF S.H. 257 (JUNE 1967), S. 01° 21' E., A DISTANCE OF 844.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

*(PER SPECIAL WARRANTY DEED RECORDED 05/14/1976 AT RECEPTION NO. 1688529)(R4)***
A TRACT OR PARCEL OF LAND NO. 28 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. RF 034-1(10) CONTAINING 10.135 ACRES, MORE OR LESS, IN THEN 1/2 OF THE NW 1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN WELD COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE NW 1/4 OF SEC. 15, T. 5 N., R. 67 W., 6TH P.M., FROM WHICH THE NE CORNER OF THE NW 1/4 OF SEC. 15 BEARS N. 1° 06' 45" W., A DISTANCE OF 597.0 FEET;
1. THENCE N. 81° 36' W. A DISTANCE OF 359.3 FEET;
2. THENCE N. 80° 53' 15" W. A DISTANCE OF 1,052.9 FEET;
3. THENCE N. 75° 09' 45" W. A DISTANCE OF 675.4 FEET TO THE SOUTH RIGHT OF WAY LINE OF SH 34 (JAN. 1976);
4. THENCE S. 89° 43' 30" E., ALONG THE SOUTH RIGHT OF WAY LINE OF SH 34 (JAN. 1976), A DISTANCE OF 2,040.5 FEET TO THE EAST LINE (OF) THE NW. 1/4 OF SEC. 15;
5. THENCE S. 1° 06' 45" E., ALONG THE EAST LINE OF THE NW 1/4 OF SEC. 15, A DISTANCE OF 382.4 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

*(PER SPECIAL WARRANTY DEED RECORDED 04/05/1977 AT RECEPTION NO. 1715553)(R5)***
A TRACT OR PARCEL OF LAND NO. 29 OF THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO, PROJECT NO. RF 034-1(10) CONTAINING 5.663 ACRES, MORE OR LESS, IN THE NW 1/4 OF THE NE 1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, IN WELD COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE NE 1/4 OF SEE. 15, T. 5 N., R. 67 W., 6TH P.M., FROM WHICH THE NW CORNER OF THE NE 1/4 OF SEC. 15 BEARS N. 1° 06' 45" W., A DISTANCE OF 597.0 FEET;
1. THENCE N. 1° 06' 45" W., ALONG THE WEST LINE OF THE NE 1/4 OF SEC. 15, A DISTANCE OF 382.4 FEET TO THE SOUTH RIGHT OF WAY LINE OF SH 34 (JAN. 1976);
2. THENCE S. 84° 24' 30" E., ALONG THE SOUTH RIGHT OF WAY LINE OF SH 34 (JAN. 1976), A DISTANCE OF 967.7 FEET;
3. THENCE S. 65° 57' 30" W. A DISTANCE OF 52.4 FEET;
4. THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,295.9 FEET, A DISTANCE OF 904.7 FEET (THE CHORD OF THIS ARC BEARS S. 71° 50' W. A DISTANCE OF 886.5 FEET);
5. THENCE N. 81° 36' W. A DISTANCE OF 66.3 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

(PER CONSERVATOR'S DEED RECORDED 01/19/1994 AT RECEPTION NO. 02369866)
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 15 AND CONSIDERING THE WEST LINE OF SAID SECTION TO BEAR NORTH 00°00'00" EAST WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;
THENCE NORTH 00°00'00" EAST, 950.00 FEET ALONG SAID WEST LINE;
THENCE SOUTH 87°57'15" EAST, 485.00 FEET;
THENCE SOUTH 00°00'00" WEST, 950.00 FEET TO THE SOUTH LINE OF SAID SECTION 15;
THENCE NORTH 87°57'15" WEST, 485.00 FEET ALONG SAID SOUTH LINE TO SAID SOUTHWEST CORNER OF SAID SECTION 15 AND THE POINT OF BEGINNING;

(PER WARRANTY DEED RECORDED 01/19/1994 AT RECEPTION NO. 02369867)
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH P.M., WELD COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 15 AND CONSIDERING THE WEST LINE OF SAID SECTION TO BEAR NORTH 00°00'00" EAST WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO;
THENCE NORTH 00°00'00" EAST, 950.00 FEET ALONG SAID WEST LINE;
THENCE SOUTH 87°57'15" EAST, 485.00 FEET;
THENCE SOUTH 00°00'00" WEST, 950.00 FEET TO THE SOUTH LINE OF SAID SECTION 15;
THENCE NORTH 87°57'15" WEST, 485.00 FEET ALONG SAID SOUTH LINE TO SAID SOUTHWEST CORNER OF SAID SECTION 15 AND THE POINT OF BEGINNING;

(PER WARRANTY DEED RECORDED 01/30/2001 AT RECEPTION NO. 2822417)
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO, AND BEING FURTHER DESCRIBED IN THE FOLLOWING:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15 AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 TO BEAR NORTH 89°41'20" EAST WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:
THENCE NORTH 89°41'20" EAST, 485.00 FEET ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 02°25'06" WEST, 950.00 FEET;
THENCE NORTH 89°44'35" EAST, 465.02 FEET;
THENCE SOUTH 02°25'06" EAST, 949.56 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15;
THENCE SOUTH 89°41'20" WEST, 465.00 FEET ALONG SAID SOUTH LINE TO THE TRUE POINT OF BEGINNING.

(PER WARRANTY DEED RECORDED 04/15/2002 AT RECEPTION NO. 2943083)(R6)
A PARCEL OF LAND BEING ALL OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO EXCEPT THE WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND EXCEPT THAT PART OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AS CONVEYED BY DEED RECORDED IN THE RECORDS OF WELD COUNTY, COLORADO AT RECEPTION NUMBER 1766549, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 16 AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 16 TO BEAR SOUTH 89°25'41" WEST WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

THENCE SOUTH 89°25'41" WEST, 483.51 FEET ALONG SAID SOUTH LINE TO THE SOUTHWEST CORNER OF THAT TRACT PREVIOUSLY DESCRIBED AT RECEPTION NUMBER 1766549 AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°25'41" WEST, 523.60 FEET TO THE SOUTHEAST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 01°55'41" WEST, 1318.73 FEET TO THE NORTHEAST CORNER OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE NORTH 89°27'07" EAST, 995.83 TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER;
THENCE SOUTH 02°25'06" EAST, 368.17 FEET TO THE NORTHEAST CORNER OF THAT TRACT PREVIOUSLY DESCRIBED AT RECEPTION NUMBER 1766549;
THENCE ALONG THE NORTH AND WEST LINES OF SAID PREVIOUSLY DESCRIBED TRACT AS FOLLOWS;
SOUTH 89°25'47" WEST, 485.25 FEET;
SOUTH 02°31'23" EAST, 950.53 FEET TO THE TRUE POINT OF BEGINNING.

(ALSO)
A PARCEL OF LAND BEING ALL OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, WELD COUNTY, COLORADO EXCEPT THOSE PARTS OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AS CONVEYED BY DEEDS RECORDED IN THE RECORDS OF WELD COUNTY, COLORADO AT RECEPTION NUMBERS 2369866, 2369867, AND 2822417, SAID PARCEL BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 15 AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 TO BEAR NORTH 89°41'20" EAST WITH ALL OTHER BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO:

THENCE NORTH 89°41'20" EAST, 950.00 FEET ALONG SAID SOUTH LINE TO THE SOUTH[EAST] CORNER OF THAT TRACT PREVIOUSLY DESCRIBED AT RECEPTION NUMBER 2822417 AND THE TRUE POINT OF BEGINNING.

THENCE ALONG THE EAST AND NORTH LINES OF SAID PREVIOUSLY DESCRIBED TRACTS AS FOLLOWS:
NORTH 02°25'06" WEST, 949.56 FEET;
SOUTH 89°44'35" WEST, 950.03 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 15;
THENCE NORTH 02°25'06" WEST, 368.17 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15;
THENCE NORTH 89°43'33" EAST, 1285.48 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15;
THENCE SOUTH 01°56'30" EAST, 1317.44 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 15;
THENCE SOUTH 89°41'20" WEST, 324.48 FEET TO THE TRUE POINT OF BEGINNING.

(PER WARRANTY DEED RECORDED 09/14/1978 AT RECEPTION NO. 1766549)
THE SOUTH 950 FEET OF THE EAST 485 FEET OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN.

SURVEYOR'S DESCRIPTION

(PER RIGHT OF WAY DEED RECORDED 02/16/1934 IN BOOK 956 AT PAGE 71)
PLEASE NOTE THAT THIS DOCUMENT LIES WITHIN THE NORTH ONE-HALF OF SAID SECTION 16 AND DOES NOT AFFECT THE SUBJECT PROPERTY.
A TRACT OF LAND TEN (10) FEET WIDE AND TWENTY FIVE HUNDRED THIRTY NINE AND ONE TENTHS (2539.1) FEET LONG LYING SOUTH OF THE PRESENT ESTABLISHED ROAD; TO BE ACQUIRED AS ADDITIONAL RIGHT OF WAY FOR FEDERAL AID PROJECT NO. 186A EXTENDING WESTERLY FROM GREELEY TO LOVELAND IN WELD COUNTY, COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND TEN (10) FEET WIDE AND FIVE THOUSAND SEVENTY THREE AND EIGHT TENTHS (5073.8) FEET LONG, MORE OR LESS, WITHIN THE BOUNDARIES OF SEC. 16 T5N R67W, AND LYING BETWEEN FORTY AND FIFTY FEET SOUTHERLY AND PARALLEL TO THE NORTH BOUNDARY OF SAID SECTION 16 T5N R67W.
BEGINNING AT A POINT ON THE EAST SECTION LINE OF SAID SECTION 16 T5N R67W AND RUNNING N89°38'W, FIVE THOUSAND SEVENTY THREE AND EIGHT TENTHS (5073.8) FEET TO THE WEST BOUNDARY OF SAID SECTION 16 T5N R67W.

(PER 1889 RESOLUTION RECORDED 10/14/1889 IN BOOK 86 AT PAGE 273)
COUNTY ROADS 60' WIDE, BEING 30 FEET ON EACH SIDE OF THE SECTION LINES.

(EXCEPTION TO 1889 RESOLUTION-RESOLUTION ABANDONING ROAD RIGHT OF WAY RECORDED IN BOOK 1006 AT PAGE 281)
THE ROAD ALONG THE SECTION LINE BETWEEN SECTIONS 15 AND 16, AND THE SECTION LINE BETWEEN SECTIONS 15 AND 22.

**NOTE: THE ADJACENT PLATTED SUBDIVISION, WEST GREELEY TECH CENTER (RECEPTION NO. 3148893), AND ITS SUBSEQUENT AMENDMENTS, CONSULTED WITH THE COLORADO DEPARTMENT OF TRANSPORTATION TO ESTABLISH THE RIGHT-OF-WAY FOR U.S. HIGHWAY 34. CONSIDERING INCONSISTENCIES IN THE RECORDED DOCUMENTS' CALLS, AS A CONSEQUENCE THE SUBDIVISION RELIED UPON COLORADO DEPARTMENT OF TRANSPORTATION COLORADO PROJECT NO. C 0342-024 RIGHT-OF-WAY PLANS. IN RESEARCHING THE PORTIONS OF U.S. HIGHWAY 34 AND STATE HIGHWAY 257 THAT ARE ADJACENT TO THE SUBJECT PROPERTY, INCONSISTENCIES WERE FOUND IN THE RECORDED DOCUMENTS' CALLS. THE RIGHTS-OF-WAY SHOWN HEREON WERE ESTABLISHED BY COMBINING THE COLORADO DEPARTMENT OF TRANSPORTATION (COLORADO DEPARTMENT OF HIGHWAYS) RIGHT-OF-WAY PLANS AS THEY ARE DESCRIBED IN THE DEEDS OF RECORD IN ORDER TO REMEDY ANY INCONSISTENCIES.

SURVEYED AREA

PARCEL 1: 23,109,738 SQUARE FEET (530.527 ACRES) MORE OR LESS
PARCEL 2: 12,478,136 SQUARE FEET (286.459 ACRES) MORE OR LESS
C.R. 56 R.O.W.: 218,410 SQUARE FEET (5.014 ACRES) MORE OR LESS
TOTAL: 35,806,320 SQUARE FEET (822.0 ACRES) MORE OR LESS

SURVEYOR'S NOTES

1. DISTANCES ARE MARKED IN U.S. SURVEY FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (0.00') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.

2. THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT, TOGETHER WITH THE TITLE COMMITMENT. THE PARCEL WHICH IS DEFINED MAY NOT REFLECT ACTUAL OWNERSHIP, BUT REFLECTS WHAT WAS SURVEYED. FOR OWNERSHIP, CONSULT YOUR TITLE COMPANY.

3. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

4. THIS LAND SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY CWC CONSULTING GROUP, INC. TO DETERMINE OWNERSHIP OF THIS TRACT, VERIFY THE DESCRIPTION SHOWN, VERIFY THE COMPATIBILITY OF THIS DESCRIPTION WITH THAT OF ADJACENT TRACTS, OR VERIFY EASEMENTS OF RECORD. REFERENCE IS MADE TO FIRST AMERICAN TITLE INSURANCE COMPANY ISSUING OFFICE FILE NO.: NCS-1023854-CO, WITH A COMMITMENT DATE OF FEBRUARY 19, 2021 AT 5:00 PM FROM WHICH THIS SURVEY IS BASED. THIS PROPERTY IS SUBJECT TO ALL COVENANTS AND RESTRICTIONS RELATING TO THE USE AND CHARACTER OF THE LAND AND ALL MATTERS APPEARING OF PUBLIC RECORD AND AS MAY BE DISCLOSED BY A MORE RECENT TITLE COMMITMENT OR REPORT.

5. ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER'S OFFICE.

6. EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.

7. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, SAID TO BEAR SOUTH 00°30'20" EAST, A DISTANCE OF 2,628.83 FEET, FROM THE EAST ONE-QUARTER CORNER OF SECTION 15 BEING MONUMENTED BY A 3.25" ALUMINUM CAP 0.5' DOWN IN A RANGE BOX WITH NO LID, STAMPED "COLO. DEPT. OF TRANSPORTATION, T5N R67W, 1/4, S15 | S14, 1998, PLS 25951" TO THE SOUTHEAST CORNER OF SECTION 15 BEING MONUMENTED BY A 3.25" ALUMINUM CAP, 0.3' DOWN IN A RANGE BOX WITH A LID MARKED "SURVEY", STAMPED "FLATIRONS SURVEYING, T5N R67W, S15 | S14, ---, S22 | S23, 1997, LS 16406".

8. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

9. DEFINITION: CERTIFY, CERTIFICATION — A PROFESSIONAL'S OPINION BASED ON HIS OR HER OBSERVATION OF CONDITIONS, KNOWLEDGE, INFORMATION AND BELIEFS. IT IS EXPRESSLY UNDERSTOOD THAT THE PROFESSIONAL'S CERTIFICATION OF A CONDITION'S EXISTENCE RELIEVES NO OTHER PARTY OF ANY RESPONSIBILITY OR OBLIGATION HE OR SHE HAS ACCEPTED BY CONTRACT OR CUSTOM.

10. CWC CONSULTING GROUP, INC. DOES NOT WARRANT THAT THE PARCEL, AS DESCRIBED HEREON, COMPLIES WITH COLORADO SENATE BILL 35. (30-28-101).

11. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
88 INVERNESS CIR E, STE J-101
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING
CONSTRUCTION SERVICES
9180 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.962.2700 - FAX 303.396.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PROPERTY DESCRIPTION

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

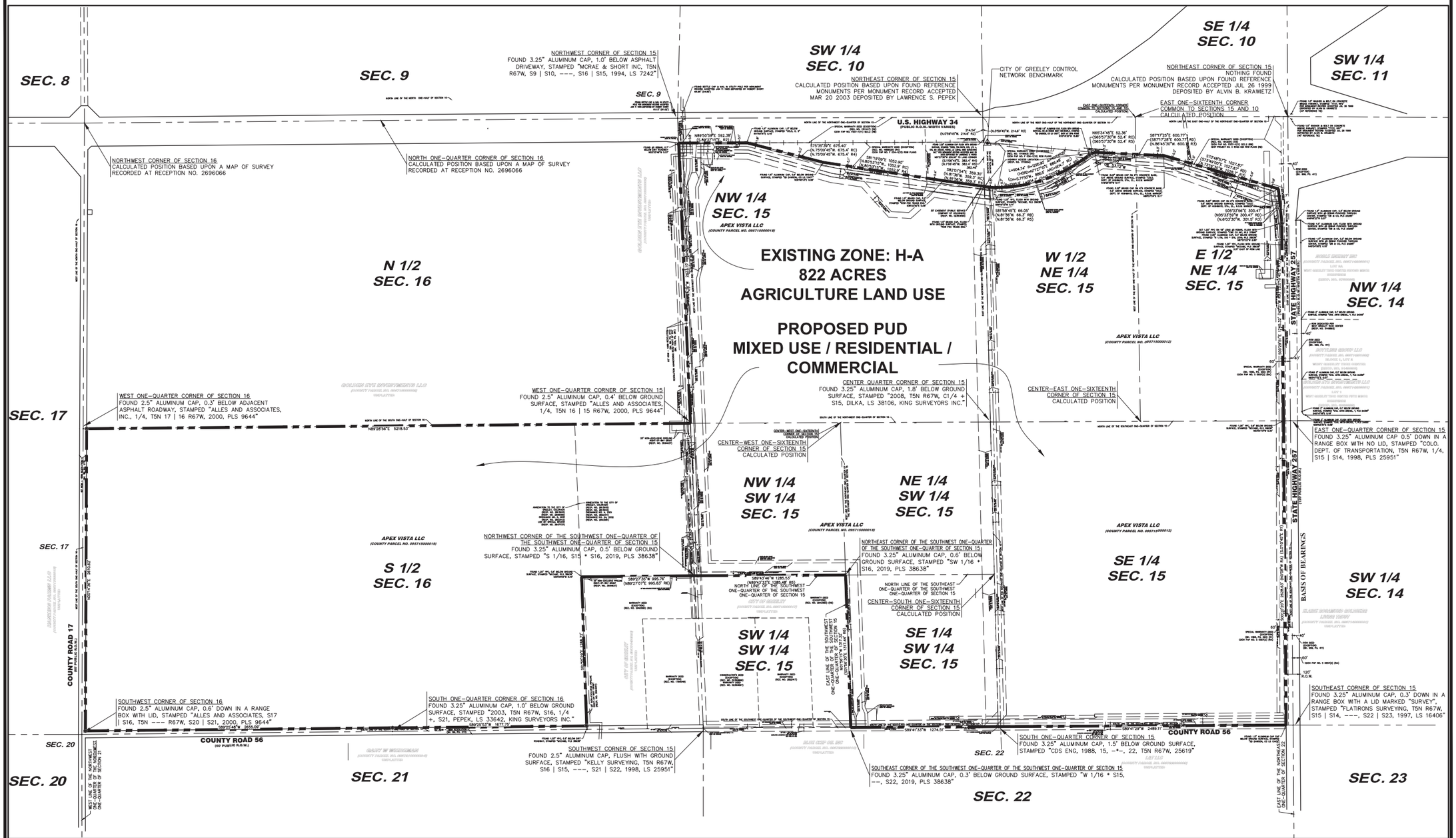
1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER

L2.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



SURVEY INFORMATION TAKEN FROM THE ALTA SURVEY, PREPARED BY CWC CONSULTING, MARCH OF 2021

0' 400' 800'
GRAPHIC SCALE: 1" = 400'
NORTH

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
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DELANTERO P.U.D.
GREELEY, CO
PROPERTY BOUNDARY MAP

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L2.1

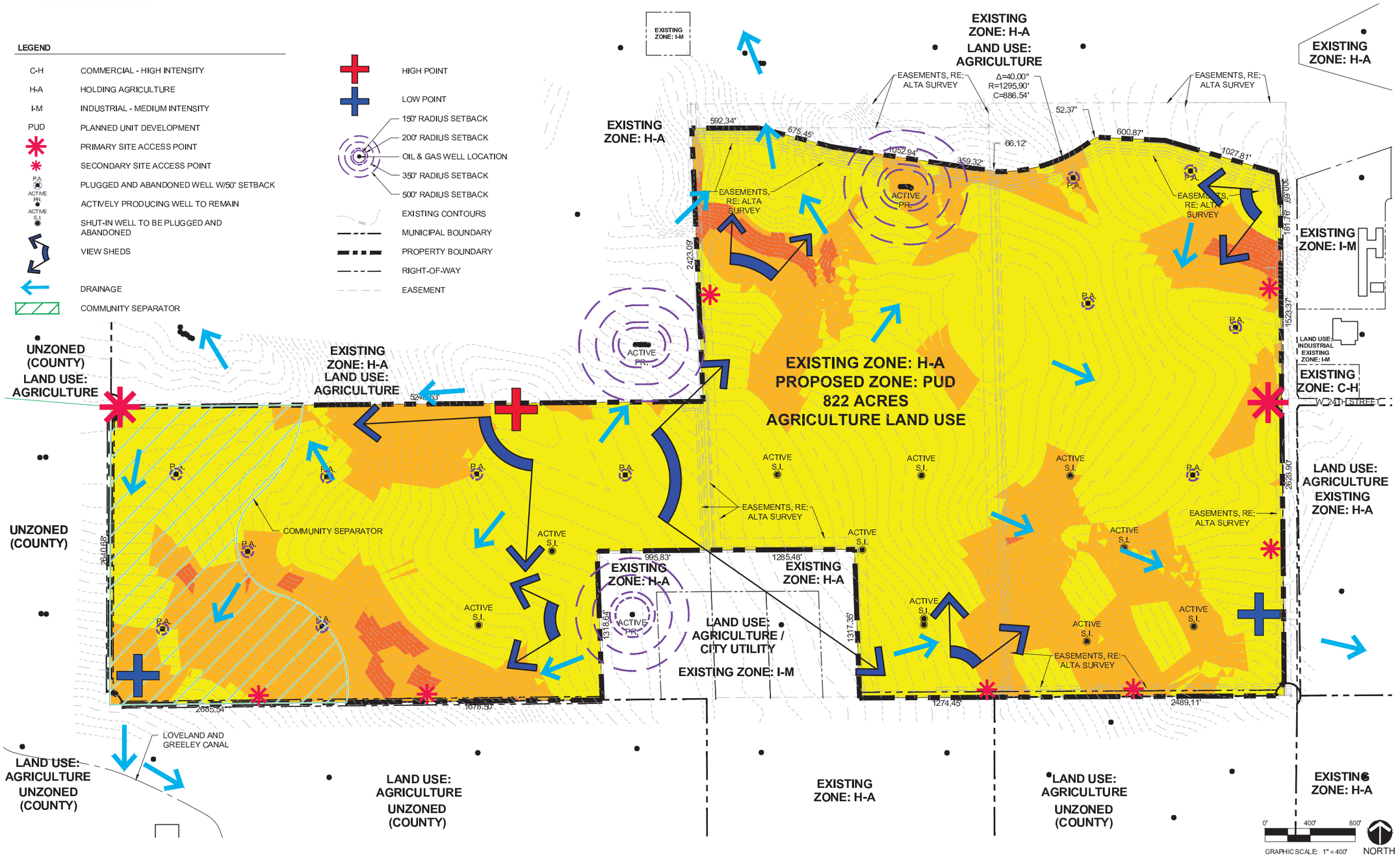
DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

SLOPES TABLE		
MIN SLOPE	MAX SLOPE	COLOR
0.0%	2.5%	
2.5%	5.0%	
5.0%	10.0%	

LEGEND

C-H	COMMERCIAL - HIGH INTENSITY
H-A	HOLDING AGRICULTURE
I-M	INDUSTRIAL - MEDIUM INTENSITY
PUD	PLANNED UNIT DEVELOPMENT
	PRIMARY SITE ACCESS POINT
	SECONDARY SITE ACCESS POINT
P.A.	PLUGGED AND ABANDONED WELL W/50' SETBACK
ACTIVE PR.	ACTIVELY PRODUCING WELL TO REMAIN
ACTIVE S.I.	SHUT-IN WELL TO BE PLUGGED AND ABANDONED
	VIEW SHEDS
	DRAINAGE
	COMMUNITY SEPARATOR
	HIGH POINT
	LOW POINT
	150' RADIUS SETBACK
	200' RADIUS SETBACK
	OIL & GAS WELL LOCATION
	350' RADIUS SETBACK
	500' RADIUS SETBACK
4995	EXISTING CONTOURS
	MUNICIPAL BOUNDARY
	PROPERTY BOUNDARY
	RIGHT-OF-WAY
	EASEMENT



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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
SITE ANALYSIS MAP

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L3.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

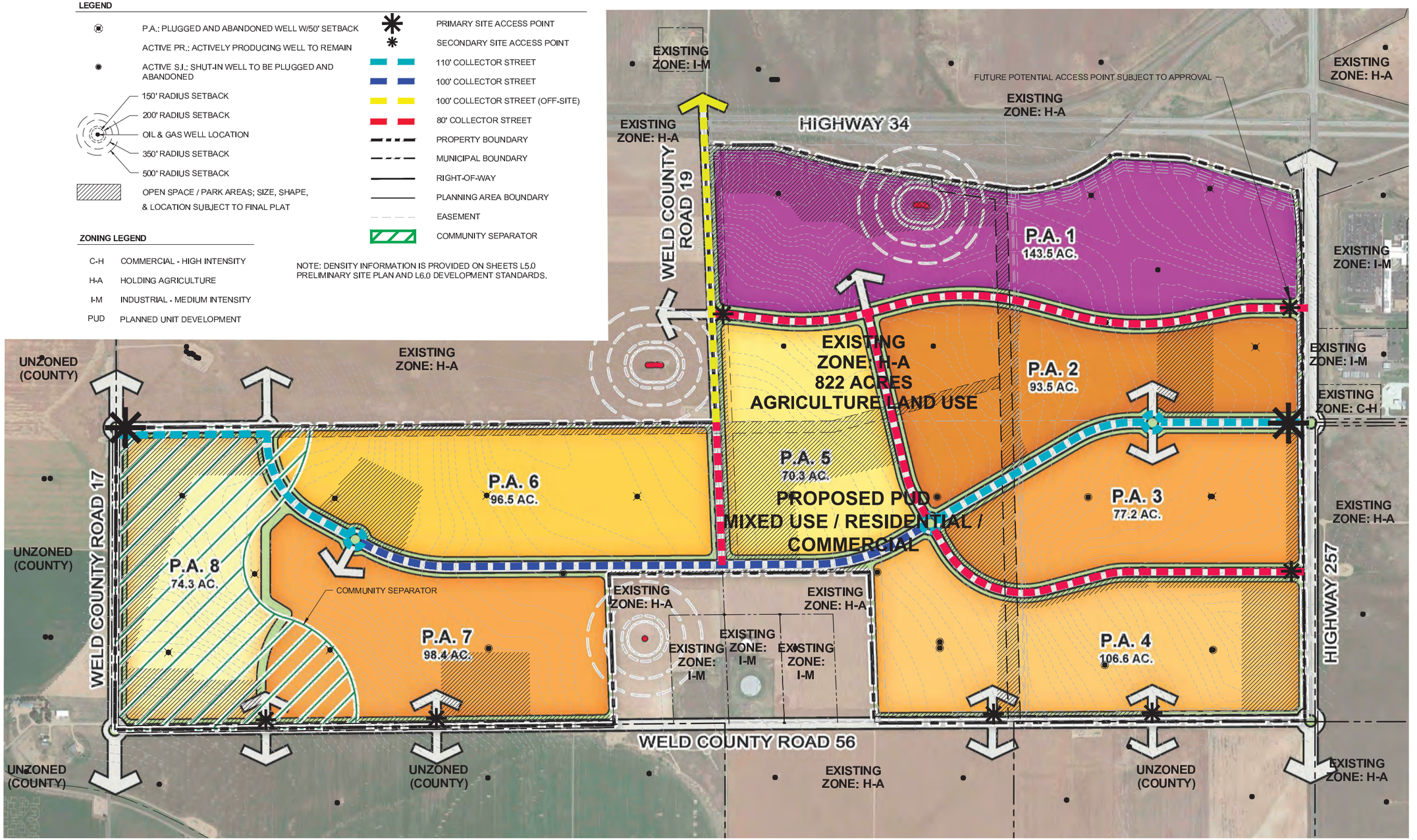
LEGEND

- P.A.: PLUGGED AND ABANDONED WELL W/50' SETBACK
- ACTIVE PR.: ACTIVELY PRODUCING WELL TO REMAIN
- ACTIVE S.I.: SHUT-IN WELL TO BE PLUGGED AND ABANDONED
- 150' RADIUS SETBACK
- 200' RADIUS SETBACK
- OIL & GAS WELL LOCATION
- 350' RADIUS SETBACK
- 500' RADIUS SETBACK
- OPEN SPACE / PARK AREAS; SIZE, SHAPE, & LOCATION SUBJECT TO FINAL PLAT
- PRIMARY SITE ACCESS POINT
- SECONDARY SITE ACCESS POINT
- 110' COLLECTOR STREET
- 100' COLLECTOR STREET
- 100' COLLECTOR STREET (OFF-SITE)
- 80' COLLECTOR STREET
- PROPERTY BOUNDARY
- MUNICIPAL BOUNDARY
- RIGHT-OF-WAY
- PLANNING AREA BOUNDARY
- EASEMENT
- COMMUNITY SEPARATOR

ZONING LEGEND

C-H	COMMERCIAL - HIGH INTENSITY
H-A	HOLDING AGRICULTURE
I-M	INDUSTRIAL - MEDIUM INTENSITY
PUD	PLANNED UNIT DEVELOPMENT

NOTE: DENSITY INFORMATION IS PROVIDED ON SHEETS L5.0 PRELIMINARY SITE PLAN AND L6.0 DEVELOPMENT STANDARDS.



0' 400' 800'
GRAPHIC SCALE: 1" = 400'
NORTH

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
ZONING SUITABILITY MAP

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L4.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

LAND USE CHART

PARCEL LAND USE	AREA (AC.)	ZONED DENSITY (D.U./AC.)	UNIT RANGE LOW	UNIT RANGE HIGH	MAX. F.A.R.	OCCUPANCY RATE (PPL/UNIT)	OCCUPANCY MAX (PPL)
P.A. 1	143.5						0
COMMERCIAL / MIXED USE					0.4		
COMMERCIAL / INDUSTRIAL MIXED USE					0.6		
DOG PARKS							
DETENTION							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
P.A. 2	93.5						3491
MULTI FAMILY (APARTMENT OR CONDOMINIUM)		14.45	216	600		2.7	1013
PAIRED HOMES		6.12	107	213		2.7	575
SFD SMALL		5.10	134	357		2.7	1046
NEIGHBORHOOD PARK							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
P.A. 3	77.2						2056
PAIRED HOMES		6.12	80	177		2.7	478
TOWNHOMES		8.24	134	403		2.7	1088
SFD SMALL		5.10	121	181		2.7	490
NEIGHBORHOOD PARK							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
P.A. 4	106.6						3321
MULTI FAMILY (APARTMENT OR CONDOMINIUM)		14.45	288	858		2.7	2,316
SFD SMALL		5.10	67	178		2.7	362
SFD MEDIUM		4.6	121	298		2.7	724
DETENTION							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
P.A. 5	70.3						2330
MULTI FAMILY (APARTMENT OR CONDOMINIUM)		14.45	98	549		2.7	1482
TOWNHOMES		8.24	105	314		2.7	848
PARK							
SCHOOL							
OPEN SPACE / TRAILS							
P.A. 6	96.5						2160
PAIRED HOMES		6.12	78	156		2.7	421
TOWNHOMES		8.24	100	300		2.7	810
SFD SMALL		5.10	42	85		2.7	234
SFD MEDIUM		4.6	174	261		2.7	705
PARK							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							

PARCEL LAND USE	AREA (AC.)	ZONED DENSITY (D.U./AC.)	UNIT RANGE LOW	UNIT RANGE HIGH	MAX. F.A.R.	OCCUPANCY RATE (PPL/UNIT)	OCCUPANCY MAX (PPL)
P.A. 7	98.4						1,000
SINGLE FAMILY DETACHED		5.10	150	450		2.7	1,215
SINGLE FAMILY ATTACHED		8.24	150	450		2.7	1,215
MULTI FAMILY (APARTMENT OR CONDOMINIUM)		14.45	150	450		2.7	1,215
PARK							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
P.A. 8	74.3						1,000
SINGLE FAMILY DETACHED		5.10	150	450		2.7	1,215
SINGLE FAMILY ATTACHED		8.24	150	450		2.7	1,215
MULTI FAMILY (APARTMENT OR CONDOMINIUM)		14.45	150	450		2.7	1,215
PARK							
OPEN SPACE / TRAILS							
MINOR RIGHTS OF WAY							
PROPERTY TOTAL	562.6		1,615	5,864			15,191

DEFINITIONS OF USES SHALL BE GOVERNED BY CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 DATED OCTOBER 1, 2021.

SFD = SINGLE FAMILY DETACHED DWELLING

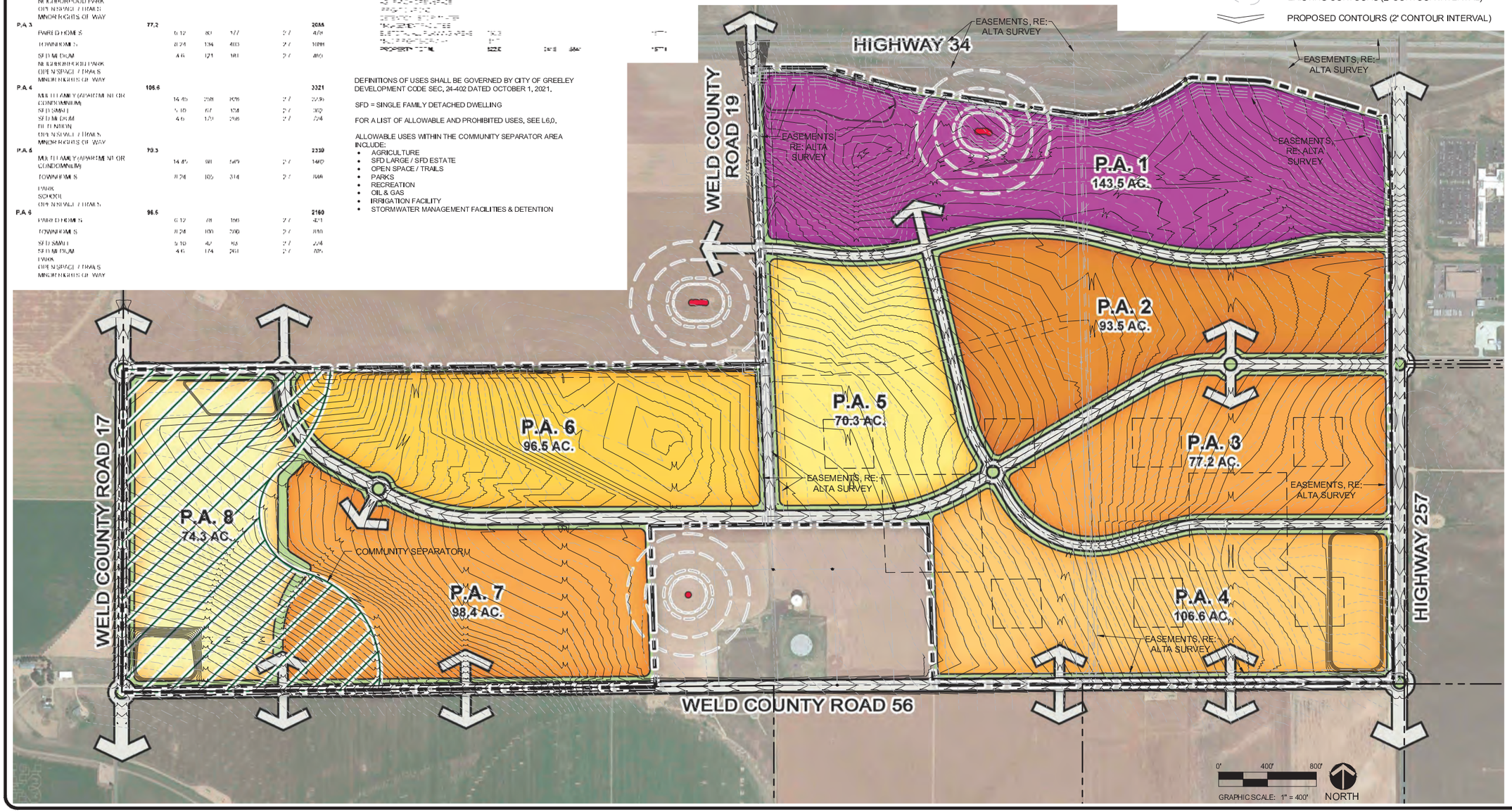
FOR A LIST OF ALLOWABLE AND PROHIBITED USES, SEE L6.0.

ALLOWABLE USES WITHIN THE COMMUNITY SEPARATOR AREA INCLUDE:

- AGRICULTURE
- SFD LARGE / SFD ESTATE
- OPEN SPACE / TRAILS
- PARKS
- RECREATION
- OIL & GAS
- IRRIGATION FACILITY
- STORMWATER MANAGEMENT FACILITIES & DETENTION

LEGEND

- PROPERTY BOUNDARY
- RIGHT-OF-WAY
- PLANNING AREA BOUNDARY
- TRAIL OR DRAINAGE EASEMENT
- EXISTING EASEMENT
- MUNICIPAL BOUNDARY
- RIGHT-OF-WAY CENTERLINE
- 150' RADIUS SETBACK
- 200' RADIUS SETBACK
- OIL & GAS WELL LOCATION
- 350' RADIUS SETBACK
- 500' RADIUS SETBACK
- EXISTING CONTOURS (2' CONTOUR INTERVAL)
- PROPOSED CONTOURS (2' CONTOUR INTERVAL)



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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PRELIMINARY SITE PLAN

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L5.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

GENERAL PROVISIONS

A. CONFORMANCE
DEVELOPMENT OF THIS PLANNED COMMUNITY SHALL CONFORM TO ALL RESTRICTIONS, REGULATIONS AND PROCEDURES ADOPTED BY ORDINANCE BY THE CITY OF GREELEY AT THE TIME OF PLATTING AND BUILDING PERMIT APPLICATION, EXCEPT AS EXPRESSLY PROVIDED OTHERWISE IN THIS PLANNED UNIT DEVELOPMENT PLAN (PUD). THE PROVISIONS OF THIS PUD SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF THIS PLANNED COMMUNITY, EXCEPT WHERE THE PROVISIONS OF THE PUD DO NOT CLEARLY ADDRESS A SPECIFIC SUBJECT. FOR SUBJECTS NOT ADDRESSED HEREIN, THE APPROPRIATE JURISDICTIONAL REGULATIONS AND CODES SHALL TAKE PRECEDENCE, AND THE MOST RESTRICTIVE STANDARDS, AND CODE STANDARDS AS AMENDED SHALL APPLY.

B. EFFECT OF THE CITY OF GREELEY ZONING ORDINANCE
THE PROVISIONS OF THIS PUD SHALL PREVAIL AND GOVERN THE DEVELOPMENT OF DELANTERO PROVIDED; HOWEVER, WHERE THE PROVISIONS OF THE PUD DO NOT ADDRESS A SPECIFIC SUBJECT, THE PROVISIONS OF THE CITY OF GREELEY ZONING ORDINANCE OR ANY OTHER APPLICABLE ORDINANCES, RESOLUTIONS OR REGULATIONS OF THE CITY OF GREELEY DEVELOPMENT CODE STANDARDS, AND CODE STANDARDS AS AMENDED, SHALL PREVAIL.

C. DENSITY VARIATIONS
IN NO EVENT SHALL THE MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS WITHIN ALL LAND USE PARCELS AS SET FORTH IN THE PLANNED UNIT DEVELOPMENT PLAN FOR DELANTERO BE EXCEEDED. THE TOTAL NUMBER OF DWELLING UNITS ACTUALLY DEVELOPED IN A PLANNING AREA MAY BE LESS THAN THE NUMBER ESTABLISHED ON THE PLANNED UNIT DEVELOPMENT PLAN. REMAINING UNITS MAY BE TRANSFERRED TO OTHER PARCELS IN WHOLE OR IN PART, IN SUPPORT OF THE MIXED-USE CONCEPT. ANY RESIDENTIAL PLANNING AREA MAY CONTAIN UP TO THE MAXIMUM DENSITY ALLOWED FOR THE RECEIVING PARCEL AS SET FORTH IN THE PLANNED UNIT DEVELOPMENT PLAN AND AS DETERMINED BY THE DEVELOPER, WITHOUT THE NEED TO AMEND THIS PUD.

IN SUPPORT OF A MIXED-USE CONCEPT, AND FOR PARCELS DESIGNATED COMMERCIAL, DWELLING UNITS MAY BE TRANSFERRED IN AT THE SITE PLAN STAGE UP TO A MAXIMUM DENSITY OF 45 DU/AC. THIS INCREASE IN THE NUMBER OF PERMITTED DWELLING UNITS WITHIN A COMMERCIAL LAND USE PARCEL MAY BE ACCOMPLISHED THROUGH A TRANSFER OF DWELLING UNITS FROM ANY OTHER PLANNING AREA ADMINISTRATIVELY.

D. DENSITY TRANSFER
IF MAXIMUM UNIT CAP PER LAND USE CHART (SEE L5.0) IS NOT ACHIEVED FOR ANY GIVEN PLANNING AREA, THOSE UNITS CAN BE TRANSFERRED TO OTHER PLANNING AREAS.

E. PLANNING AREA BOUNDARIES
PLANNING AREA BOUNDARIES ARE SHOWN ON THE PUD, AND ARE GENERALLY DETERMINED BY THEIR RELATIONSHIP TO ROADS, OPEN SPACE, AND ADJACENT LAND USES. MODIFICATIONS IN PLANNING AREA BOUNDARIES AND STREETS ARE PERMITTED AND WILL OCCUR WITH PLANNING AND ENGINEERING REFINEMENT. FINAL PARCEL BOUNDARIES AND ROAD ALIGNMENTS SHALL BE DETERMINED AND SHOWN ON A SITE PLAN OR PLAT, WITHOUT ANY AMENDMENT TO THE PUD BEING REQUIRED; PROVIDED THE CHANGES IN THE PLANNING AREA DO NOT EXCEED 20 PERCENT OF THE DEFINED PARCEL.

F. CONSTRUCTION STANDARDS
CONSTRUCTION SHALL COMPLY WITH APPLICABLE PROVISIONS OF THE INTERNATIONAL BUILDING AND MECHANICAL CODE, THE NATIONAL ELECTRICAL CODE, THE COLORADO PLUMBING CODE, AND OTHER SUCH CODES AND THE SUCCESSORS THEREOF, SETTING FOR THE CONSTRUCTION STANDARDS AS PROMULGATED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS OR OTHER STANDARDS-ESTABLISHING BODIES, AS ARE ADOPTED BY THE CITY OF GREELEY. ALL FUTURE BUILD OUT SHALL MEET ALL APPLICABLE CITY OF GREELEY CODES, ORDINANCES, RESOLUTIONS, DESIGN CRITERIA, AND RELATED. IT IS ALSO HEREBY UNDERSTOOD THAT ALL SITE DEVELOPMENT IS SUBJECT TO CITY OF GREELEY REVIEWS AND COMMENTS PRIOR TO FINAL APPROVAL AND/ OR ACCEPTANCE.

G. UNDERGROUND UTILITY REQUIREMENTS
ALL NEW ELECTRICAL AND COMMUNICATIONS DISTRIBUTION LINES SHALL BE PLACED UNDERGROUND. ALL NEW TRANSMISSION LINES SHALL BE PLACED UNDERGROUND UNLESS DIRECT BURIAL CANNOT BE ACCOMPLISHED.

H. SOIL TESTS
SOIL TESTS FOR BUILDING SITES SHALL BE PROVIDED AT THE TIME OF BUILDING PERMIT APPLICATION FOR THE PURPOSE OF ESTABLISHING ENGINEERING CRITERIA FOR BUILDING FOUNDATION DESIGN.

I. HOMEOWNER ASSOCIATIONS
HOMEOWNER ASSOCIATIONS (HOAS) COMPOSED OF PROPERTY OWNERS IN RESIDENTIAL AREAS MAY BE CREATED FOR THE FOLLOWING PURPOSES: A) TO PROVIDE FOR THE CONTINUED DEVELOPMENT, IMPROVEMENT AND MAINTENANCE OF PROPERTIES AND FACILITIES WHICH IT OWNS OR ADMINISTERS, AND B) TO PROTECT THE INVESTMENT, ENHANCE THE VALUE, AND CONTROL THE USE OF PROPERTY OWNED BY ITS MEMBERS IN PERPETUITY. HOMEOWNER'S ASSOCIATIONS SHALL BE CREATED IN RESIDENTIAL AND/OR COMMERCIAL/INDUSTRIAL AREAS WHERE COMMON LANDS OR FACILITIES ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

J. METROPOLITAN DISTRICTS (TITLE 32)
A DISTRICT IS A QUASI-GOVERNMENTAL AGENCY, SEPARATE AND DISTINCT FROM THE CITY, AND, EXCEPT AS MAY OTHERWISE BE PROVIDED FOR BY STATE OR LOCAL LAW OR ITS CITY APPROVED SERVICE PLAN, ITS ACTIVITIES ARE SUBJECT TO REVIEW BY THE CITY ONLY INSOFAR AS THEY MAY DEVIATE IN A MATERIAL MATTER FROM THE REQUIREMENTS OF THE SERVICE PLAN, OR AN INTERGOVERNMENTAL AGREEMENT. IT IS INTENDED THAT THE DISTRICTS WILL PROVIDE A PART OR ALL OF THE PUBLIC IMPROVEMENTS FOR THE USE AND BENEFIT OF ALL ANTICIPATED INHABITANTS AND TAXPAYERS OF THE DISTRICT. THE PRIMARY PURPOSE OF THE DISTRICT WILL BE TO FINANCE THE CONSTRUCTION OF DISTRICT IMPROVEMENTS. THE DISTRICT HAS ALSO BEEN CREATED TO PROVIDE ONGOING OWNERSHIP OPERATIONS AND MAINTENANCE SERVICES AS SPECIFICALLY SET FORTH IN ITS SERVICE PLAN AND AS MAY BE STATED IN ANY APPLICABLE INTERGOVERNMENTAL AGREEMENT.

K. ADMINISTRATIVE CHANGES
THE GRAPHIC DRAWINGS CONTAINED WITHIN THE PLANNED UNIT DEVELOPMENT PLAN ARE INTENDED TO DEPICT GENERAL LOCATIONS AND ILLUSTRATE CONCEPTS EXPRESSED IN THE NARRATIVE PROVISIONS OF THE PUD. THEY ARE NOT INTENDED TO BE ABSOLUTE, NOR TO REPRESENT THE ULTIMATE BUILD OUT OF DELANTERO, BUT RATHER THEY ARE INCLUDED TO DEPICT POTENTIAL DESIGN SOLUTIONS THAT MAY EVOLVE WITHIN THE COMMUNITY.

IT IS THE GOAL OF THIS PUD TO SERVE AS A GUIDING DOCUMENT FOR THE APPROPRIATE BUILD OUT OF THE DELANTERO COMMUNITY. GIVEN THE SCALE OF THIS PROJECT, AND THE ASSOCIATED TIMELINE IT WILL TAKE TO DEVELOP, IT IS ESSENTIAL THAT THIS PUD BE APPROVED WITH AN UNDERSTANDING OF INHERENT FLEXIBILITY. IN GRANTING FINAL PLAN APPROVAL THE CITY SHALL ALLOW VARIATIONS FOR THE PURPOSE OF ESTABLISHING:

1. FINAL ROAD ALIGNMENTS
2. FINAL CONFIGURATION OF LOT AND TRACT SIZES AND SHAPES;
3. FINAL BUILDING ENVELOPES;
4. FINAL ACCESS AND PARKING LOCATIONS;
5. FINAL PARCEL DEFINITIONS;
6. FINAL SIGNAGE / MONUMENT DESIGN; AND
7. LANDSCAPING ADJUSTMENTS

L. ROADWAY DESIGN
THE ROADWAYS SHALL COMPLY WITH THE CITY'S CURRENT ROADWAY STANDARDS UNLESS AS SHOWN AS APPROVED HEREIN.

M. AMENDMENTS TO APPROVED PLANS
MAJOR AMENDMENTS TO THIS PRELIMINARY PUD SHALL BE CONSIDERED BY THE CITY WITH THE SUBJECT PARCEL OWNER ACTING AS THE SOLE APPLICANT. OTHER PROPERTY OWNERS WITHIN THE DELANTERO COMMUNITY SHALL NOT BE REQUIRED AS APPLICANTS, NOR SHALL THEY BE REQUIRED TO PROVIDE PRIOR APPROVAL FOR THE PUD AMENDMENT APPLICATION TO PROCEED. THE APPLICANT SHALL NOTIFY ALL PROPERTY OWNERS WITHIN THE DELANTERO PUD BOUNDARIES AND THE ADJACENT OWNERS OF THE PROPOSED PUD AMENDMENT(S) UNDER CONSIDERATION. NOTIFICATIONS TO ADJACENT PROPERTY OWNERS SHALL OCCUR 500' FROM THE SUBJECT PROPERTY.

PUD DEVELOPMENT STANDARDS

ALLOWABLE COMMERCIAL MIXED USES IN P.A. 1*
IN ADDITION TO THE PUD DEVELOPMENT STANDARDS, THE FOLLOWING LIST OF USES WILL BE ALLOWED IN PLANNING AREA 1. ANY COMMERCIAL MIXED USE NOT LISTED BELOW SHALL NOT BE PERMITTED. *EXCEPT BY SPECIAL REVIEW BY THE CITY

- CHILDCARE, DAY CARE CENTERS, PRESCHOOLS
- CHURCHES
- HOSPITALS
- INTERMEDIATE AND LONG TERM CARE, ASSISTED LIVING UNITS (8 OR FEWER RESIDENTS)
- INTERMEDIATE AND LONG-TERM CARE, ASSISTED LIVING UNITS (MORE THAN 8 RESIDENTS)
- LIBRARIES, MUSEUMS, PUBLIC OR QUASI-PUBLIC
- POLICE AND AMBULANCE DISPATCH AND STORAGE
- RECREATION BLDGS., FACILITIES, PARKS, OPEN SPACE (SEE RECREATION USES)
- SCHOOLS
  - SCHOOLS--ADULT (BUSINESS, TRADE)
  - UNIVERSITIES, COLLEGES
- ANIMAL USES
  - PET STORES
  - PET GROOMING SHOPS
  - VETERINARY CLINICS (NO OUTDOOR RUNS)
- ART, DANCE, PHOTO STUDIOS, GALLERIES
- AUTO USES
  - AUTO RENTAL (MAX 10 CARS OR VANS)
  - AUTO REPAIR, SALES
  - CAR AND TRUCK WASH
- BANKS, SAVINGS AND LOANS, FINANCIAL INSTITUTIONS, ATMS, DRIVE-UP WINDOWS ("D" REQUIRED FOR DRIVE-UP WINDOWS)
- BARS, TAVERNS, LOUNGES
- BREWPUBS
- CLEANING AND JANITORIAL SERVICES
- CONVENIENCE STORES WITH GAS SALES
- ENTERTAINMENT ESTABLISHMENTS
- FLEA AND FARMERS' MARKETS, SWAP MEETS - OUTDOOR
- GAS STATIONS GAS STATIONS WITH REPAIR, LUBE AND TIRE SHOPS--INCLUDING UNDERGROUND FUEL STORAGE
- MINIATURE GOLF
- HOTELS, MOTELS (SEE LODGING USES)
- HOSPITALS
- LAUNDROMATS
- LODGING
  - HOTELS, MOTELS

ALLOWABLE COMMERCIAL MIXED USES IN P.A. 1 (CONT.)

- RETAIL SALES
- MEDICAL AND DENTAL OFFICES AND CLINICS, THERAPEUTIC MASSAGE THERAPISTS, MEDICAL SUPPLY, SALES AND RENTAL
- MORTUARIES, FUNERAL HOMES
- MOVIE THEATERS, INDOOR THEATERS (SEE THEATERS)
- MULTI-FAMILY (AS PART OF A COMMERCIAL BUILDING) VERTICAL MIXED-USE - WITH AT LEAST 2 FLOORS OF COMMERCIAL
- NURSERIES, GREENHOUSES, GARDEN SHOPS
- OFFICES
- PARKING LOTS AND STRUCTURES
- PERSONAL SERVICE SHOPS (BEAUTY, BARBER, TANNING AND NAIL SALONS, SHOE REPAIR)
- PRINTING, COPYING SHOPS, MAIL CENTERS
- RADIO AND TV STATIONS
- RECREATION USES
  - COMMUNITY REC. BLDGS.
  - INDOOR, OUTDOOR EXTENSIVE (SKATING RINKS, BOWLING ALLEYS, VIDEO ARCADES, RIDING CLUBS, TENNIS COURTS, ETC.)
  - MEMBERSHIP CLUBS, HEALTH CLUBS, MARTIAL ARTS STUDIOS
  - OPEN SPACE
  - PARK (POCKET)
  - PARK (NEIGHBORHOOD)
  - PARK (COMM/REG)
- RENTAL SERVICE (EQUIPMENT, SMALL TOOLS, SUPPLIES, APPLIANCES, HOME FURNISHINGS)
- REPAIR SHOPS
- RESTAURANTS
  - CAFES, AND OTHER EATING ESTABLISHMENTS (INCLUDES INDOOR AND/OR OUTDOOR SEATING/EATING AREAS)
  - DRIVE-IN OR DRIVE-THRU FACILITIES (INCLUDING INDOOR AND/OR OUTDOOR SEATING AREAS)
  - DRIVE-UP WINDOW
- RETAIL SALES
- THEATERS
  - INDOOR, MOVIE
  - OUTDOOR AUDITORIUMS, SPORTS ARENAS, STADIUMS
- UPHOLSTERY SHOPS
- WHOLESALE GOODS AND SALES

* TERMS DEFINED AND DESCRIBED IN CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 OCTOBER 1, 2021 AS AMENDED

ALLOWABLE INDUSTRIAL MIXED USES IN P.A. 1*
IN ADDITION TO THE PUD DEVELOPMENT STANDARDS, THE FOLLOWING LIST OF USES WILL BE ALLOWED IN PLANNING AREA 1. ANY INDUSTRIAL USE NOT LISTED BELOW SHALL NOT BE PERMITTED. *EXCEPT BY SPECIAL REVIEW BY THE CITY

- FARM EQUIPMENT, IMPLEMENT, DIESEL AND BUS SALES AND REPAIR
- MANUFACTURING, FABRICATION, ASSEMBLY
- MARIJUANA GROW FACILITIES
- MOVING AND STORAGE COMPANIES
- NEWSPAPER AND PUBLISHING PLANTS, BINDERIES
- OFFICES
- OIL AND GAS OPERATIONS
- SCHOOLS
  - SCHOOLS--ADULT (BUSINESS, TRADE)
  - UNIVERSITIES, COLLEGES
- TRUCK, TRAILER AND LARGE EQUIPMENT RENTAL
- UTILITY SERV. FACILITIES
- WELDING, MACHINE SHOPS
- WELL DRILLING COMPANIES
- WIRELESS COMM. FACILITIES
  - ELIGIBLE FACILITIES REQUESTS
  - SMALL CELL FACILITIES, IN THE RIGHT-OF-WAY
  - SMALL CELL FACILITIES
  - BASE STATIONS
- WAREHOUSING / STORAGE
  - RECREATION VEHICLE/EQUIPMENT, BOAT AND PERSONAL VEHICLE STORAGE
  - SELF-SERVE STORAGE UNITS

* TERMS DEFINED AND DESCRIBED IN CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 OCTOBER 1, 2021 AS AMENDED

ALLOWABLE CROSSOVER USES*
IN ADDITION TO THE PUD DEVELOPMENT STANDARDS, THE FOLLOWING USES WILL BE ALLOWED IN ALL PLANNING AREAS.

- FIRE STATIONS

* TERMS DEFINED AND DESCRIBED IN CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 OCTOBER 1, 2021 AS AMENDED

ALLOWABLE RESIDENTIAL USES*

- SINGLE FAMILY DETACHED (SFD) DWELLINGS
- TWO-FAMILY DWELLINGS (ALSO CALLED PAIRED HOMES)
- MULTI - FAMILY DWELLINGS
  - APARTMENTS
  - CONDOMINIUMS
- ROW HOUSES
  - TOWNHOMES
- MIXED-USE

* TERMS DEFINED AND DESCRIBED IN CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 OCTOBER 1, 2021 AS AMENDED

PROHIBITED USES*
THE FOLLOWING LAND USES LISTED BELOW ARE NOT ALLOWED IN ANY PLANNING AREAS.

- SEXUALLY ORIENTED ADULT BUSINESSES
- ASPHALT BATCH PLANT
- CORRECTIONAL, JAIL, DETENTION FACILITY
- FOUNDRY
- JUNKYARD
- RACETRACK
- REFUSE TRANSFER STATION

* TERMS DEFINED AND DESCRIBED IN CITY OF GREELEY DEVELOPMENT CODE SEC. 24-402 OCTOBER 1, 2021 AS AMENDED

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
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SHEET NUMBER
L6.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

PUD DEVELOPMENT STANDARDS

1.0 RESIDENTIAL PUD DEVELOPMENT STANDARDS CHART

RESIDENTIAL UNIT TYPES	MAXIMUM DENSITY	MINIMUM LOT SIZE	MAXIMUM BLDG. HT.	REAR LOAD (ALLEY) ALLOWED	SHARED DRIVEWAY/ALLEYS ALLOWED
APARTMENTS OR CONDOMINIUMS	45.0 DU/AC	N/A	75'	N/A	N/A
TOWNHOMES	24.0 DU/AC	1,000 SF	45'	YES	YES
TWO-FAMILY HOMES (PAIRED HOMES)	12.0 DU/AC	2,000 SF	45'	YES	YES
SINGLE FAMILY DETACHED - SMALL	10.0 DU/AC	2,200 SF	45'	YES	YES
SINGLE FAMILY DETACHED - MEDIUM	6.0 DU/AC	4,000 SF	45'	YES	YES
SINGLE FAMILY DETACHED - LARGE	5.0 DU/AC	6,000 SF	45'	YES	YES
SINGLE FAMILY DETACHED - ESTATE	4.5 DU/AC	9,000 SF	45'	YES	YES

1.1 NON-RESIDENTIAL PUD DEVELOPMENT STANDARDS CHART

LAND USE	MAXIMUM FLOOR AREA RATIO	UNOBSTRUCTED OPEN SPACE	PARKING	MAXIMUM BLDG. HT.
COMMERCIAL / MIXED-USE	0.4	20%	PER CITY CODE BASED ON USE	75'
INDUSTRIAL / MIXED USE	0.4	20%	PER CITY CODE BASED ON USE	50'

1.2 OIL & GAS SETBACKS CHART[1,2]

LOCATION	EQUIPMENT OR ELEMENT	SETBACKS	FROM	LANDSCAPING
ALL AREAS OF THE CITY OF GREELEY	WELL WELL HEADS PRODUCTION TANKS ASSOCIATED PRODUCTION EQUIPMENT	150' OR 1.5X HEIGHT, WHICHEVER IS GREATER	LOT LINE / ROW, PARKING, TRAIL, PUBLIC OR PRIVATE ROAD, MAJOR ABOVE GROUND UTILITY, RAIL LINE, ANY OCCUPIED BUILDING (LOW DENSITY AREAS)	PER CITY OF GREELEY DEVELOPMENT CODE SEC. 24-1102 OIL & GAS OCTOBER 1, 2021 AS AMENDED. ALTERNATIVELY TO SEC. 24-1102, LANDSCAPE BERMING MAY BE UTILIZED AT THE PERIMETER OF OIL & GAS PARCEL(S) TO MINIMIZE VISIBILITY FROM RIGHTS-OF-WAY, PUBLIC SPACES, OR ADJACENT PROPERTY. IF UTILIZED, BERMING MAY INCLUDE SOME OF THE THE FOLLOWING: 6' PRIVACY FENCING AND/OR TREES AND NATIVE GRASSES, OR BERMING AS A STAND-ALONE SCREEN.
	LOT LINE	50'	ANY PLUGGED AND ABANDONED WELL	
	NEW BUILDING OR STRUCTURE	50'	ANY PLUGGED AND ABANDONED WELL	
		150' OR 1.5X HEIGHT, WHICHEVER IS GREATER	ANY EXISTING WELL, WELL HEAD, PRODUCTION TANK, OR ASSOCIATED PRODUCTION EQUIPMENT	
HIGH DENSITY AREAS[2]	WELL WELL HEADS PRODUCTION TANKS ASSOCIATED PRODUCTION EQUIPMENT	200'	ANY OCCUPIED BUILDING (HIGH DENSITY AREAS)	
		350' (WELL AND WELL HEADS) 500' (PRODUCTION TANKS AND ASSOCIATED PRODUCTION EQUIPMENT)	EDUCATION FACILITY, ASSEMBLY BUILDING, HOSPITAL OR CARE FACILITY, STATE DESIGNATED OUTDOOR ACTIVITY AREA	
	ANY NEW BUILDING OR STRUCTURE (OR PER ALTERNATIVE COMPLIANCE IN SECTION 24-208)	50'	ANY PLUGGED AND ABANDONED WELL	
		350' (WELL AND WELL HEADS) 500' (PRODUCTION TANKS AND ASSOCIATED PRODUCTION EQUIPMENT)	ANY EXISTING WELL, WELL HEAD, PRODUCTION TANK, OR ASSOCIATED PRODUCTION EQUIPMENT	

[1] PURSUANT TO THE CITY OF GREELEY DEVELOPMENT CODE SEC. 24-1102 OIL & GAS, OCTOBER 1, 2021 AS AMENDED. IN ALL EVENTS THIS PUD WILL GOVERN.
[2] DEFINITIONS OF TERMS SHALL BE GOVERNED BY THE CITY OF GREELEY DEVELOPMENT CODE SEC. 24-1102 OIL & GAS.

1.3 SETBACKS STANDARDS CHART

UNIT TYPES	MINIMUM BUILDING SETBACKS [1]							ADDITIONAL REQUIREMENTS		
	FRONT	STREET FRONT TO GARAGE	REAR	REAR TO GARAGE	SIDE	SIDE ADJ. TO ROW	INTERNAL LOT LINE	MAX. LOT COVERAGE	MIN. PARKING SPACES / UNIT	ACCESSORY USES ALLOWED[5]
MULTI-FAMILY	15 FT	20 FT	25 FT	N/A	N/A	25 FT	N/A	80%	VARIES[3]	PER CODE SEC. 24-403
CONDOMINIUMS	15 FT	20 FT	25 FT	N/A	N/A	25 FT	N/A	80%	VARIES[3]	GARAGE, ADU PER CODE SEC. 24-403
TOWNHOMES (FRONT LOADED)	15 FT	20 FT	15 FT	N/A	7 FT	15 FT	0 FT	90%	2 SPACES	PER CODE SEC. 24-403
TOWNHOMES (ALLEY LOADED)	10 FT	N/A	N/A	5 FT / 18 FT[4]	7 FT	15 FT	0 FT	90%	2 SPACES	PER CODE SEC. 24-403
TWO-FAMILY HOMES (FRONT LOADED)	15 FT	20 FT	15 FT	N/A	5 FT	15 FT	0 FT	80%	2 SPACES	PER CODE SEC. 24-403
TWO-FAMILY HOMES (ALLEY LOADED)	10 FT	N/A	N/A	5FT / 18 FT[4]	5 FT	15 FT	0 FT	80%	2 SPACES	PER CODE SEC. 24-403
SINGLE FAMILY DETACHED - SMALL	10 FT	20 FT	10 FT	5FT / 18 FT[4]	5 FT	10 FT	N/A	80%	2 SPACES	ADU PER CODE SEC. 24-403
SINGLE FAMILY DETACHED - SMALL (CLUSTER)	10 FT	N/A	5 FT	N/A	5 FT	10 FT	5 FT[2]	80%	2 SPACES	ADU PER CODE SEC. 24-403
SINGLE FAMILY DETACHED - MEDIUM	15 FT	20 FT	15 FT	5FT / 18 FT[4]	5 FT	10 FT	N/A	80%	2 SPACES	ADU PER CODE SEC. 24-403
SINGLE FAMILY DETACHED - LARGE	15 FT	20 FT	20 FT	5FT / 18 FT[4]	5 FT	10 FT	N/A	70%	2 SPACES	ADU PER CODE SEC. 24-403
SINGLE FAMILY DETACHED - ESTATE	20 FT	20 FT	20 FT	5FT / 18 FT[4]	7 FT	10 FT	N/A	50%	2 SPACES	ADU PER CODE SEC. 24-403
COMMERCIAL	25'									
INDUSTRIAL	25'									

[1] FOR TOWNHOMES, TWO-FAMILY HOMES, AND ALL SINGLE FAMILY DETACHED PLANNING AREAS, ENCROACHMENT INTO THE SETBACKS SHALL BE ALLOWED. PORCHES, EAVES, CANTILEVERS, STEPS, WALKS, AND UTILITY EQUIPMENT (I.E. AC UNITS) CAN ENCROACH INTO THE ESTABLISHED SETBACKS. ENCROACHMENTS CANNOT BE MORE THAN 2 FEET. WINDOW WELLS MAY ENCROACH MORE THAN 3' AS NECESSARY FOR FIRE EGRESS AS LONG AS THEY DON'T CONFLICT WITH PUBLIC UTILITIES.

[2] HOMES IN SINGLE FAMILY DETACHED - SMALL CLUSTER AREAS MAY BE BUILT AS ZERO LOT LINE PRODUCTS WITH PROPER FIRE RATING PER BUILDING CODE OR MUST HAVE AN INTERNAL LOT LINE SETBACK OF 5'.

[3] PARKING REQUIREMENTS FOR MULTI-FAMILY DWELLINGS:
EFFICIENCY UNITS 1.25 SPACE PER UNIT
ONE-BEDROOM UNITS 1.50 SPACE PER UNIT
TWO-BEDROOM UNITS 1.75 SPACE PER UNIT
THREE-BEDROOM UNITS 2.0 SPACES PER UNIT
FOUR+ BEDROOM UNITS 3.0 SPACES PER UNIT
PLUS 1 SPACE PER 10 REQUIRED RESIDENT SPACES FOR GUEST PARKING.

[4] REAR SETBACKS FROM ALLEY TO GARAGE SHALL BE 5FT WITHOUT A DRIVEWAY OR 18 FT WITH A DRIVEWAY WITH PARKING / SETBACKS THAT ARE MORE THAN 5' AND LESS THAN 18' WILL NOT BE ALLOWED IN ORDER TO PREVENT PARKED CARS FROM BLOCKING A PORTION OF THE ALLEY.

[5] ADU (ACCESSORY DWELLING UNIT) SHALL BE ALLOWED WITHIN ALL SINGLE FAMILY RESIDENTIAL PRODUCTS.

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CIVIL ENGINEERING - LAND SURVEYING CONSTRUCTION SERVICES
9990 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.952.7700 - FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
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SHEET NUMBER
L6.1

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

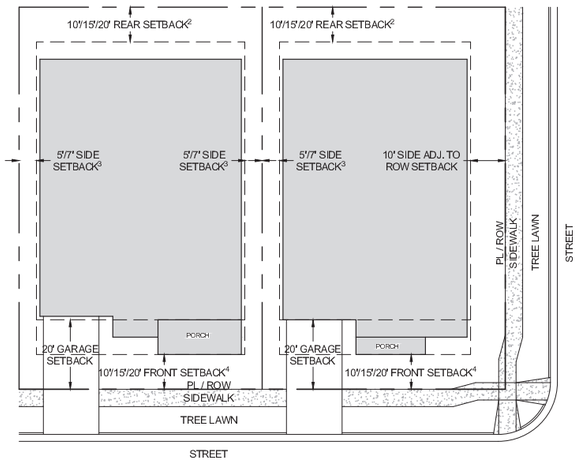
PUD DEVELOPMENT STANDARDS

2.0 LOT TYPICAL DIAGRAMS

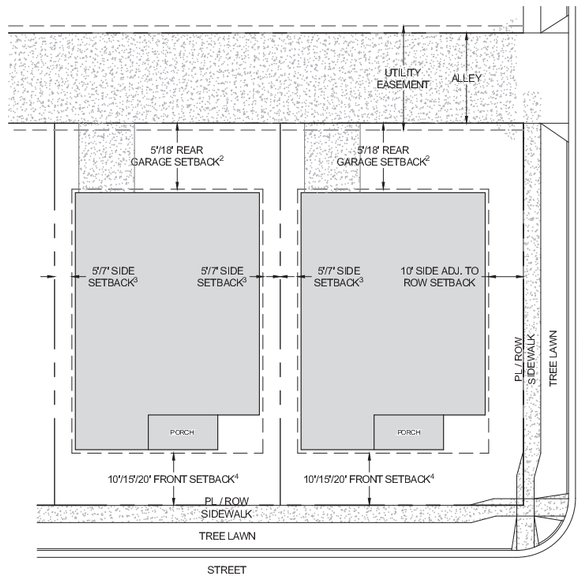
GENERAL NOTES

1. LOT TYPICAL DIAGRAMS ARE NOT TO SCALE.
2. BUILDINGS /FLOORPLANS SHOWN IN THESE EXHIBITS ARE **CONCEPTUAL** ONLY AND DO NOT REPRESENT ANY FUTURE OR POTENTIAL BUILDINGS FOR THIS P.U.D.
3. LAYOUTS SHOWN ARE NOT PROPOSED DESIGNS AND ONLY USED TO CLARIFY SITUATIONAL SETBACKS.
4. REFER TO TABLE 1.3 SETBACKS STANDARDS CHART ON SHEET L6.1.

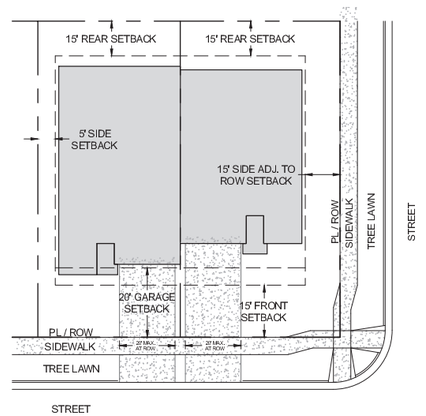
SINGLE FAMILY DETACHED - SMALL, MEDIUM, LARGE AND ESTATE - FRONT LOADED



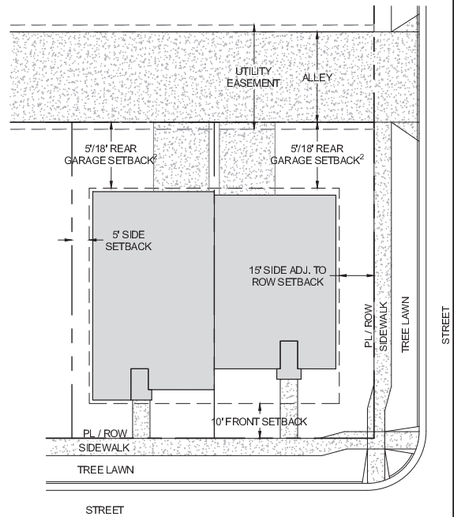
SINGLE FAMILY DETACHED - SMALL, MEDIUM, LARGE AND ESTATE - REAR LOADED



TWO FAMILY HOMES - FRONT LOADED



TWO FAMILY HOMES - REAR LOADED



SINGLE FAMILY DETACHED FRONT LOADED NOTES

1. LOT LAYOUT DIAGRAMS ARE **CONCEPTUAL**. FINAL PRODUCT CONFIGURATION WILL BE DESIGNED AND SUBMITTED WITH THE FINAL PLAT, BUT MUST FOLLOW THE DEVELOPMENT STANDARDS PUT FORWARD IN THIS P.U.D.
2. THE 10' REAR SETBACK APPLIES TO SINGLE FAMILY DETACHED - SMALL LOTS. THE 15' REAR SETBACK APPLIES TO SINGLE FAMILY DETACHED - MEDIUM. THE 20' REAR SETBACK APPLIES TO SINGLE FAMILY DETACHED - LARGE / ESTATE.
3. THE 5' SIDE SETBACK APPLIES TO SINGLE FAMILY DETACHED - SMALL, MEDIUM AND LARGE LOTS. THE 7' SIDE SETBACK APPLIES TO SINGLE FAMILY DETACHED - ESTATE LOTS.
4. THE 10' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED - SMALL LOTS. THE 15' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED - MEDIUM / LARGE LOTS. THE 20' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED - ESTATE LOTS.

SINGLE FAMILY DETACHED - REAR LOADED NOTES

1. LOT LAYOUT DIAGRAMS ARE **CONCEPTUAL**. FINAL PRODUCT CONFIGURATION WILL BE DESIGNED AND SUBMITTED WITH THE FINAL PLAT, BUT MUST FOLLOW THE DEVELOPMENT STANDARDS PUT FORWARD IN THIS P.U.D.
2. REAR SETBACKS FROM ALLEY TO GARAGE SHALL BE 5' WITHOUT A DRIVEWAY OR 18' WITH A DRIVEWAY. SETBACKS THAT ARE MORE THAN 5' AND LESS THAN 18' WILL NOT BE ALLOWED IN ORDER TO PREVENT PARKED CARS FROM BLOCKING A PORTION OF THE ALLEY.
3. THE 5' SIDE SETBACK APPLIES TO SINGLE FAMILY DETACHED - SMALL, MEDIUM AND LARGE LOTS. THE 7' SIDE SETBACK APPLIES TO SINGLE FAMILY DETACHED - ESTATE LOTS.
4. THE 10' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED - SMALL LOTS. THE 15' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED - MEDIUM / LARGE LOTS. THE 20' FRONT SETBACK APPLIES TO SINGLE FAMILY DETACHED -

TWO FAMILY HOMES - FRONT LOADED NOTES

1. LAYOUTS SHOWN ARE NOT PROPOSED DESIGNS AND ARE ONLY USED TO PROVIDE A **CONCEPTUAL** LAYOUT FOR A TWO FAMILY HOME. FINAL LAYOUTS SHOULD BE PROVIDED DURING THE PLAT PROCESS.
2. ALTERNATIVE TWO FAMILY HOME LAYOUTS ARE ALLOWED AND SHALL BE APPROVED BY THE CITY OF GREELEY DURING THE PLAT PROCESS.

TWO FAMILY HOMES - REAR LOADED NOTES

1. LOT LAYOUT DIAGRAMS ARE **CONCEPTUAL**. FINAL PRODUCT CONFIGURATION WILL BE DESIGNED AND SUBMITTED WITH THE FINAL PLAT, BUT MUST FOLLOW THE DEVELOPMENT STANDARDS PUT FORWARD IN THIS P.U.D.
2. REAR SETBACKS FROM ALLEY TO GARAGE SHALL BE 5' WITHOUT A DRIVEWAY OR 18' WITH A DRIVEWAY. SETBACKS THAT ARE MORE THAN 5' AND LESS THAN 18' WILL NOT BE ALLOWED IN ORDER TO PREVENT PARKED CARS FROM BLOCKING A PORTION OF THE ALLEY.
3. ALLEY REQUIREMENTS CAN BE FOUND ON SHEET L6.4.

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

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SHEET NUMBER
L6.2

DELANTERO P.U.D.

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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

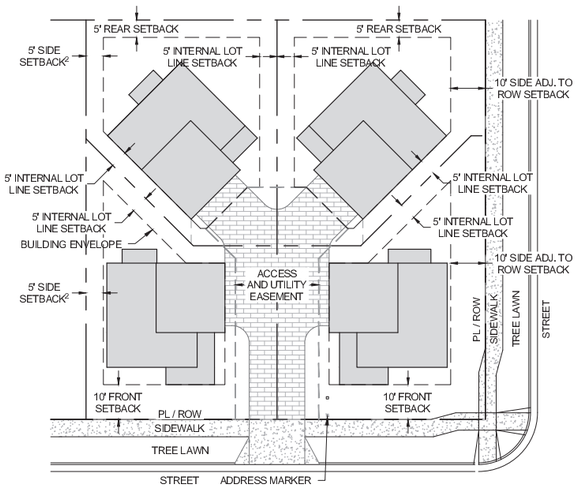
PUD DEVELOPMENT STANDARDS

2.0 LOT TYPICAL DIAGRAMS

GENERAL NOTES

1. LOT TYPICAL DIAGRAMS ARE NOT TO SCALE.
2. BUILDINGS /FLOORPLANS SHOWN IN THESE EXHIBITS ARE **CONCEPTUAL** ONLY AND DO NOT REPRESENT ANY FUTURE OR POTENTIAL BUILDINGS FOR THIS P.U.D.
3. LAYOUTS SHOWN ARE NOT PROPOSED DESIGNS AND ONLY USED TO CLARIFY SITUATIONAL SETBACKS.
4. REFER TO TABLE 1.3 SETBACKS STANDARDS CHART ON SHEET L6.1.

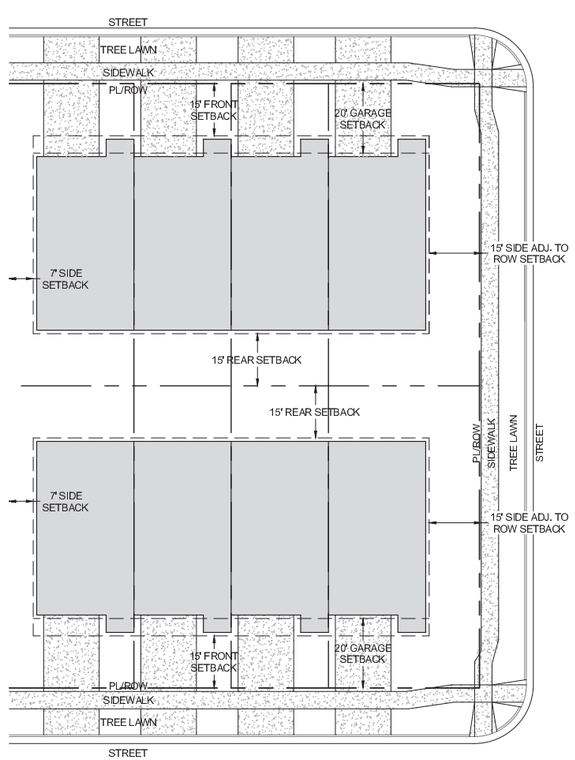
SINGLE FAMILY DETACHED - SMALL CLUSTER



SINGLE FAMILY DETACHED - CLUSTER NOTES

1. LAYOUT SHOWN IS NOT A PROPOSED DESIGN AND ONLY USED TO PROVIDE A **CONCEPTUAL** LAYOUT FOR A CLUSTER STYLE HOME. ALTERNATIVE CLUSTER HOME LAYOUTS ARE ALLOWED AND SHALL BE APPROVED BY THE CITY OF GREELEY DURING THE PLAT PROCESS.
2. SIDEYARD SETBACKS APPLY BETWEEN ONE CLUSTER OF HOMES AND THE NEXT. INTERNAL LOT LINE SETBACKS APPLY UNITS WITHIN THE SAME CLUSTER.
3. SHARED USE EASEMENTS SHALL BE ALLOWED. LOCATION TO BE DETERMINED AT TIME OF FINAL PLAT.

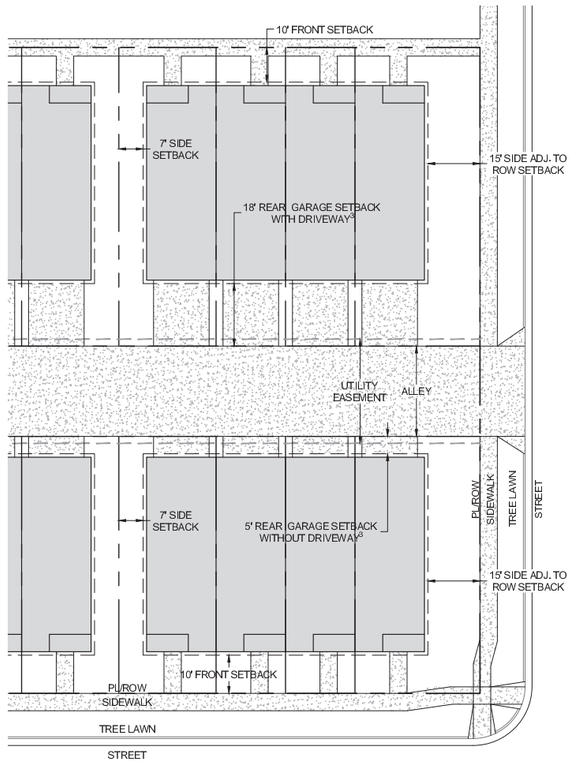
TOWNHOUSE - FRONT LOADED



TOWNHOUSE FRONT LOADED NOTES

1. TOWNHOUSE UNITS / BUILDINGS SHOWN IN THESE EXHIBITS ARE **CONCEPTUAL** ONLY AND DO NOT REPRESENT ANY FUTURE OR POTENTIAL TOWNHOUSE UNITS / BUILDINGS FOR THIS P.U.D. LAYOUTS SHOWN ARE NOT PROPOSED DESIGNS AND ONLY USED TO CLARIFY SITUATIONAL SETBACKS.
2. ALTERNATIVE TOWNHOUSE LAYOUTS ARE ALLOWED AND SHALL BE APPROVED BY THE CITY OF GREELEY DURING THE PLAT PROCESS.
3. SIDEYARD SETBACKS ONLY APPLY TO END UNITS OF TOWNHOUSE BUILDINGS.

TOWNHOUSE - REAR LOADED



TOWNHOUSE REAR LOADED NOTES

1. TOWNHOUSE UNITS / BUILDINGS SHOWN IN THESE EXHIBITS ARE **CONCEPTUAL** ONLY AND DO NOT REPRESENT ANY FUTURE OR POTENTIAL TOWNHOUSE UNITS / BUILDINGS FOR THIS P.U.D. LAYOUTS SHOWN ARE NOT PROPOSED DESIGNS AND ONLY USED TO CLARIFY SITUATIONAL SETBACKS.
2. ALTERNATIVE TOWNHOUSE LAYOUTS ARE ALLOWED AND SHALL BE APPROVED BY THE CITY OF GREELEY DURING THE PLAT PROCESS.
3. REAR SETBACKS FROM ALLEY TO GARAGE SHALL BE 5' WITHOUT A DRIVEWAY OR 18' WITH A DRIVEWAY. SETBACKS THAT ARE MORE THAN 5' AND LESS THAN 18' WILL NOT BE ALLOWED IN ORDER TO PREVENT PARKED CARS FROM BLOCKING A PORTION OF THE ALLEY.
4. ALLEY REQUIREMENTS CAN BE FOUND ON SHEET L6.4.
5. SIDEYARD SETBACKS ONLY APPLY TO END UNITS OF TOWNHOUSE BUILDINGS.

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DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

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SHEET NUMBER
L6.3

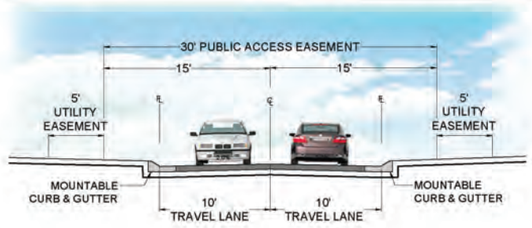
DELANTERO P.U.D.

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PUD 2021-0013

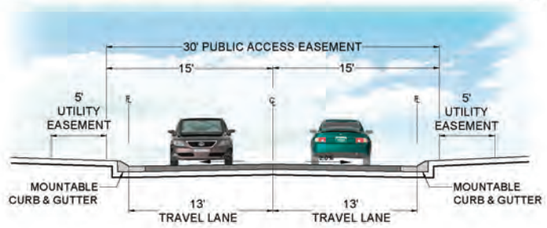
GENERAL NOTES:

1. ALL SIDEWALKS WITHIN DELANTERO SHALL BE DETACHED.

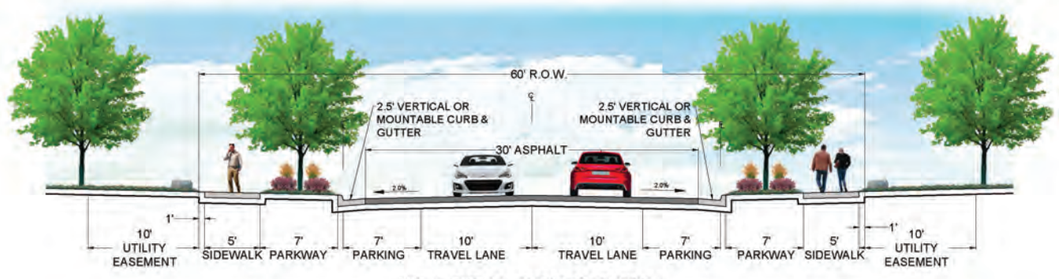
2. PRIVATE DRIVES SHALL BE USED FOR ALLEYS AN / OR COMMERCIAL DRIVES THAT MAY BE SHARED ONLY.



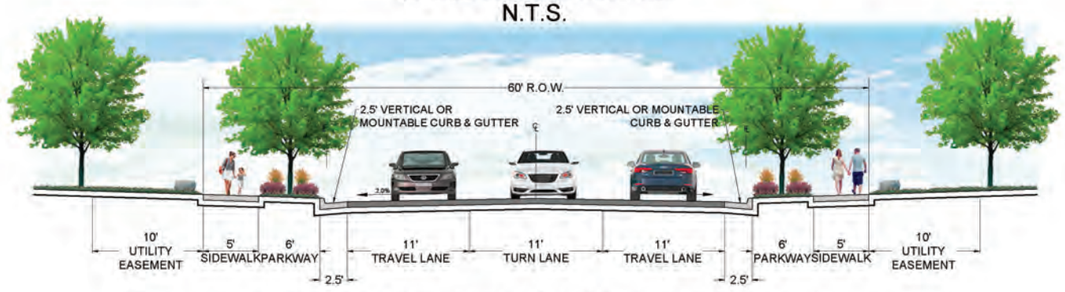
30' PRIVATE DRIVE W/ 20' DRIVE LANE (NO PARKING)
COMMERCIAL / RESIDENTIAL N.T.S.



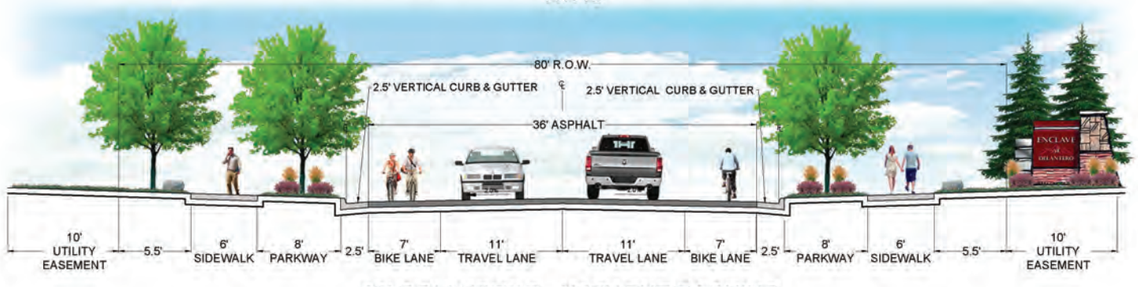
30' PRIVATE DRIVE W/ 26' DRIVE LANE (NO PARKING)
COMMERCIAL / RESIDENTIAL N.T.S.



60' LOCAL RESIDENTIAL
N.T.S.



60' LOCAL INDUSTRIAL 2-LANE WITH TURN LANE
N.T.S



80' COLLECTOR - WITHOUT PARKING
N.T.S.

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
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SHEET NUMBER
L6.4

DELANTERO P.U.D.

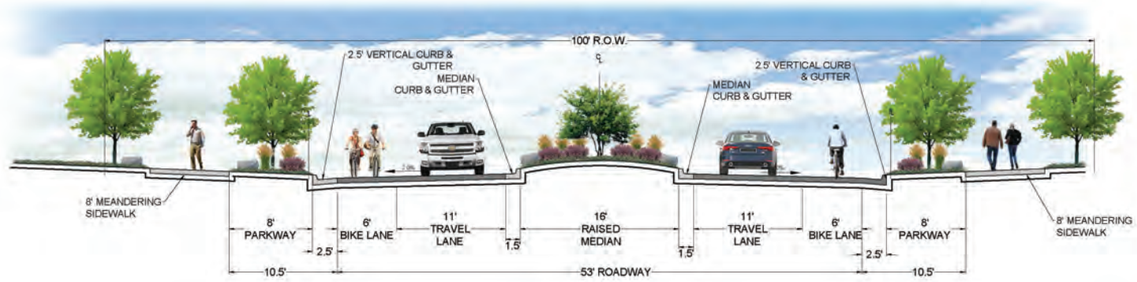
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GENERAL NOTES:

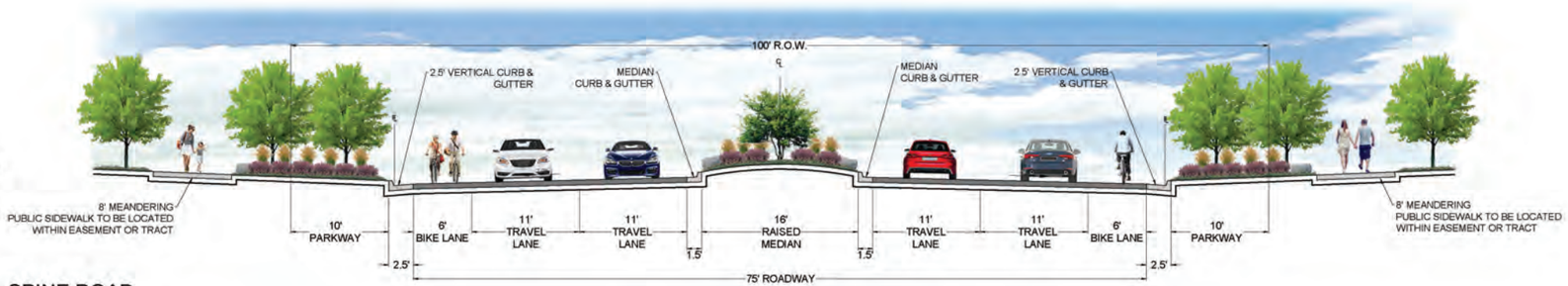
1. ALL SIDEWALKS WITHIN DELANTERO SHALL BE DETACHED.

2. PRIVATE DRIVES SHALL BE USED FOR ALLEYS AND / OR COMMERCIAL DRIVES THAT MAY BE SHARED ONLY.

2 LANES WITH MEDIAN EXPANDABLE TO 4 LANES
N.T.S.



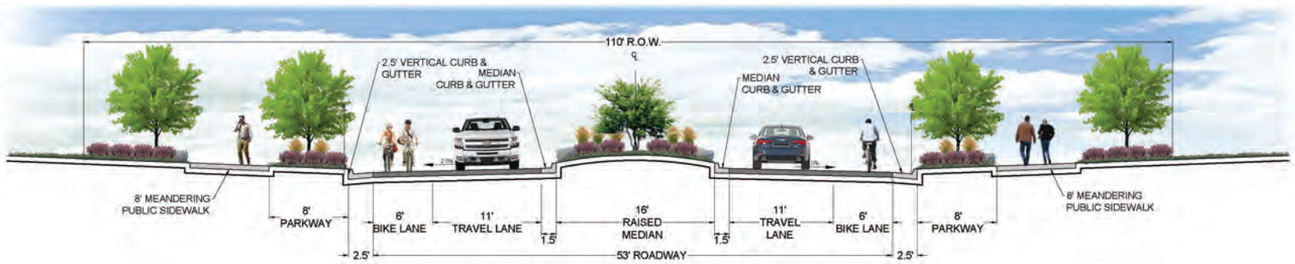
4 LANES WITH MEDIAN
N.T.S.



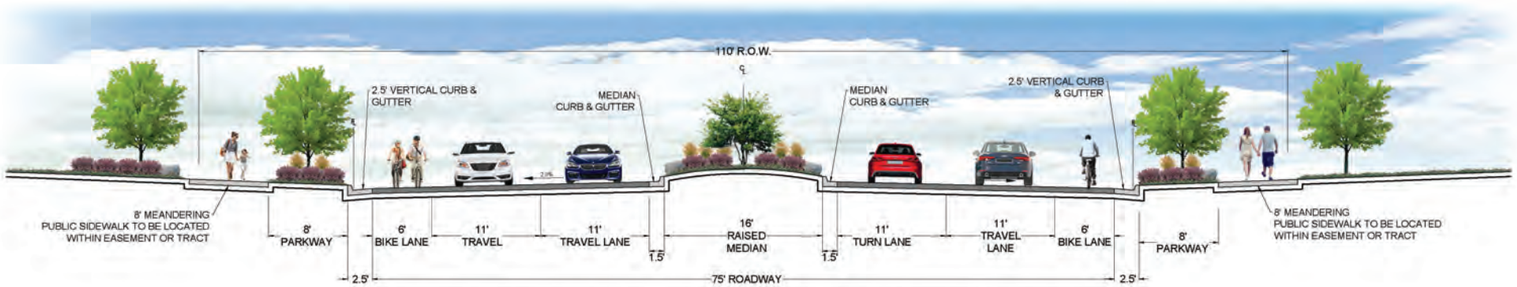
100' ROW COLLECTOR - SPINE ROAD

110' ROW ARTERIAL - SPINE ROAD

2 LANES WITH MEDIAN EXPANDABLE TO 4 LANES
N.T.S.



4 LANES WITH MEDIAN
N.T.S.



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SHEET NUMBER
L6.5

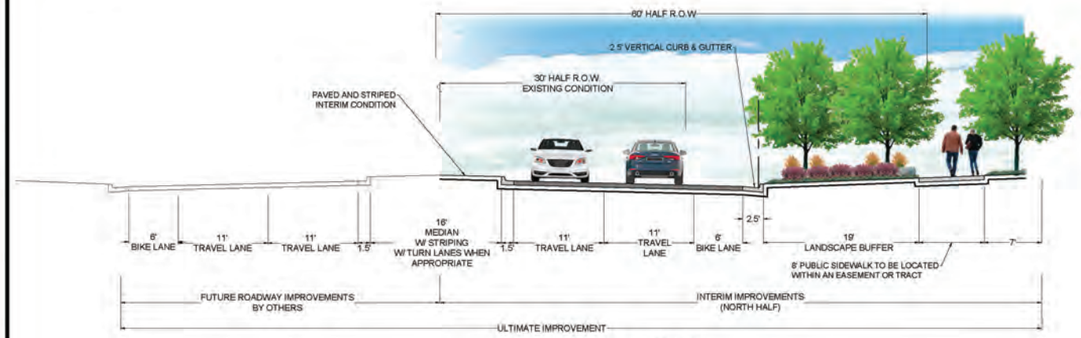
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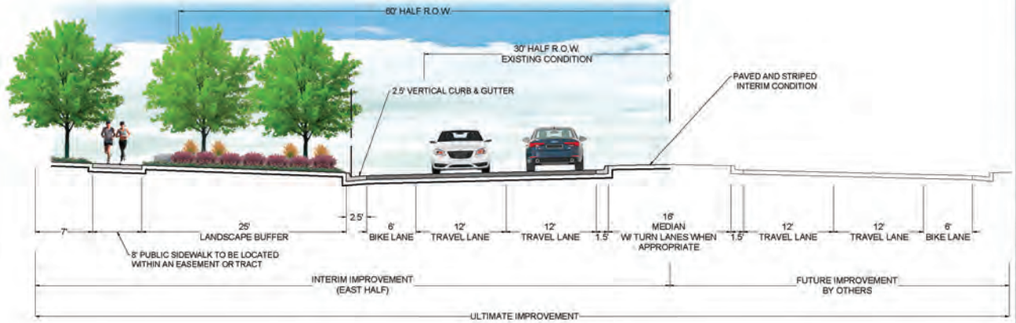
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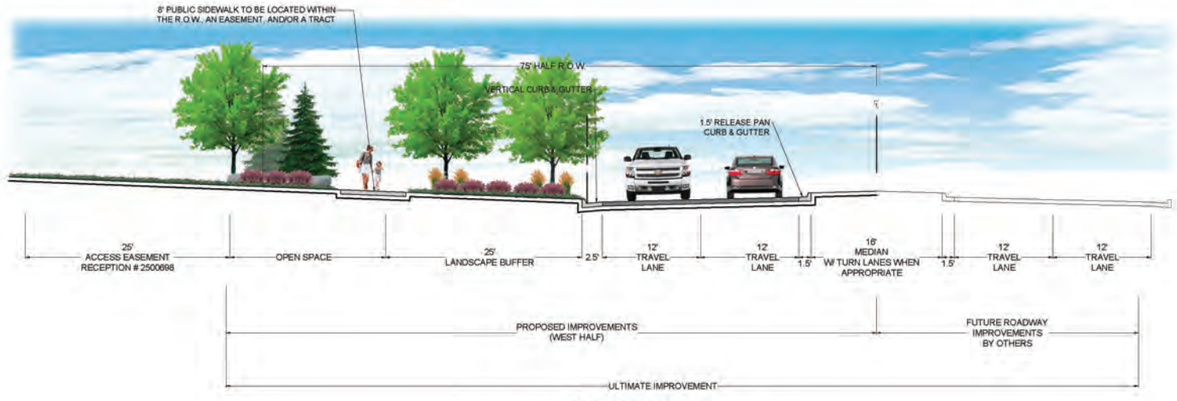
2. PRIVATE DRIVES SHALL BE USED FOR ALLEYS AN / OR COMMERCIAL DRIVES THAT MAY BE SHARED ONLY.



WELD COUNTY ROAD 56
120' ROW ARTERIAL - 4 LANES
LOOKING WEST N.T.S.



WELD COUNTY ROAD 17
120' ROW ARTERIAL - 4 LANES
LOOKING SOUTH N.T.S.



HIGHWAY 257
120' ROW ARTERIAL - 4 LANES
LOOKING NORTH N.T.S.



HIGHWAY 34 GATEWAY
LOOKING EAST N.T.S

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L6.6

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GENERAL NOTES:
1. SIMILAR ITEMS MAY BE SUBMITTED FOR APPROVAL AT PRELIMINARY PLAT / FINAL PLAT.
2. IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.

PUD DEVELOPMENT STANDARDS

3.0 FURNISHINGS

BENCH
MANUFACTURER: LANDSCAPE FORMS
MODEL: STAY





AREA LIGHTING
MANUFACTURER: LANDSCAPE FORMS
MODEL: CANDELA
HT: 8 M, 10 M





TRASH RECEPTACLE
MANUFACTURER: LANDSCAPE FORMS
MODEL: LAKESIDE LITTER
SIZE: 30 GAL, 35 GAL





PEDESTRIAN LIGHTING
MANUFACTURER: LANDSCAPE FORMS
MODEL: FGP
HT: 3.7 M, 4.3 M, 4.9 M





TRASH ENCLOSURE

NOTES

1. TRASH ENCLOSURES SHOWN IN THIS EXHIBIT ARE **GRAPHICAL** ONLY AND DO NOT REPRESENT ANY FUTURE OR POTENTIAL TRASH ENCLOSURE FOR THIS P.U.D. ENCLOSURES SHOWN ARE NOT PROPOSED DESIGNS AND ONLY USED TO CLARIFY DESIGN INTENT.
2. TRASH AND STORAGE AREAS SHALL BE SCREENED FROM ALL PUBLIC RIGHTS-OF-WAY AND NEIGHBORING PROPERTIES.
3. SCREENING SHALL CONSIST OF SOLID FENCING AS WELL AS LANDSCAPING OF EVERGREEN PLANT MATERIAL.



PATH LIGHTING
MANUFACTURER: LANDSCAPE FORMS
MODEL: TORRES
HT: 37", 40"





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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L6.7

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A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

PUD DEVELOPMENT STANDARDS

4.0 TABLE OF COMMITMENTS

AREA/IMPROVEMENT	PLAN PREPARATION AND APPROVAL	CONSTRUCTION TIMING	OWNERSHIP/RESPONSIBILITY	MAINTENANCE RESPONSIBILITY	OWNERSHIP
DETENTION PONDS AND RELATED FACILITIES	AREAS SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS. EASEMENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAN FOR THE AFFECTED AREA	PONDS AND RELATED FACILITIES SHALL BE CONSTRUCTED PER APPROVED CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT IN THE BASIN SERVED BY THE APPROVED LOCAL POND	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY WITH AND OVER ANY EASEMENT TO THE CITY
IRRIGATION PONDS	AREAS SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS. EASEMENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAN FOR THE AFFECTED AREA	IRRIGATION PONDS SHALL BE CONSTRUCTED PER APPROVED CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT IN THE AREA SERVED BY THE APPROVED IRRIGATION SYSTEM	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	CITY OF GREELEY	CITY OF GREELEY
DRAINAGE CHANNELS	AREAS SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS. EASEMENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAN FOR THE AFFECTED AREA	DRAINAGE CHANNELS SHALL BE CONSTRUCTED PER APPROVED CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT IN THE AREA SERVED BY THE APPROVED LOCAL CHANNEL/CONDITION	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY WITH AND OVER ANY EASEMENT TO THE CITY
INTERNAL COMMUNITY TRAILS	EXTENT AND ROUTING TO BE DETERMINED BY FINAL LANDSCAPE PLANS IN CONFORMANCE WITH THE PUD	COMMUNITY TRAILS WILL BE CONSTRUCTED CONCURRENTLY WITH DEVELOPMENT OF ADJOINING PARCELS	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY
REGIONAL TRAIL	AREAS TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER CITY OF GREELEY DEVELOPMENT CODE AND THE PUD	THE PORTION OF THE REGIONAL TRAIL EAST OF WELD 54 WILL BE CONSTRUCTED CONCURRENTLY WITH DEVELOPMENT OF THE COLLECTOR ROADWAY ADJOINING THE SOUTHERN BOUNDARY OF PARCEL B. THE PORTION OF THE REGIONAL TRAIL WEST OF WELD 54 WILL BE CONSTRUCTED CONCURRENTLY WITH DEVELOPMENT OF THE COLLECTOR ROADWAY ADJOINING PARCEL	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY	DELANTERO METROPOLITAN DISTRICT
LANDSCAPING TRACTS	AREAS TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER CITY OF GREELEY DEVELOPMENT CODE AND THE PUD	LANDSCAPING TRACTS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK A	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK B	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK C	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK D	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK E	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK F	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
PARK G	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER THE PUD	PARKS WILL BE CONSTRUCTED PER RELATED DEVELOPMENT AGREEMENT AS REQUIRED TO SERVE THE AREA OF THE COMMUNITY THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
POCKET PARKS	AREA TO BE DETERMINED BY FINAL LANDSCAPE PLANS PER CITY OF GREELEY DEVELOPMENT CODE AND THE PUD	INDIVIDUAL POCKET PARKS WILL BE CONSTRUCTED WHEN 50% OF BUILDING PERMITS ARE APPROVED FOR THE NEIGHBORHOOD THEY ARE LOCATED IN	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
STORM SEWER FACILITIES	STORM SEWER FACILITIES SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS AND SHALL BE DETERMINED AT FINAL PLAT	STORM SEWERS SHALL BE CONSTRUCTED PER APPROVED CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT IN THE BASIN SERVED BY THE APPROVED LOCAL SEWER	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	CITY OF GREELEY	CITY OF GREELEY
WET UTILITIES	UTILITIES SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS. EXTENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAT FOR THE AFFECTED AREA	UTILITIES SHALL BE CONSTRUCTED PER APPROVED FINAL CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT FOR THE PARCEL CONTAINING THE UTILITY	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	CITY OF GREELEY	CITY OF GREELEY
UNDERDRAIN SYSTEMS	UNDERDRAIN SYSTEMS SHALL BE DESIGNED TO HANDLE SUBSURFACE WATER WHERE DEEMED NECESSARY AND SHALL BE CONSTRUCTED WITH THE RELATED DEVELOPMENT AREA AND HAVE A POSITIVE SCHEME INTO THE DRAINAGE SYSTEM	UNDERDRAIN SYSTEMS WILL BE CONSTRUCTED PER APPROVED FINAL CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT FOR THE PARCEL CONTAINING THE SYSTEM	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA	DELANTERO METROPOLITAN DISTRICT OR AUTHORITY OR HOA
DRY UTILITIES	AREAS SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS AND DIRECTIVES FROM THE UTILITY PROVIDER. EXTENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAT FOR THE AFFECTED AREA	UTILITIES SHALL BE CONSTRUCTED PER APPROVED FINAL CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT FOR THE PARCEL CONTAINING THE UTILITY	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER	UTILITY PROVIDER	UTILITY PROVIDER
ROADWAYS	AREAS SHALL BE DESIGNED PER CITY OF GREELEY STANDARDS. EXTENT AND LOCATION SHALL BE DETERMINED AT THE TIME OF FINAL PLAT FOR THE AFFECTED AREA	ROADWAYS WILL BE CONSTRUCTED PER APPROVED FINAL CONSTRUCTION PLANS PRIOR TO ISSUANCE OF THE INITIAL BUILDING PERMIT FOR THE PARCEL CONTAINING THE ROADWAY	DELANTERO METROPOLITAN DISTRICT	CITY OF GREELEY	CITY OF GREELEY
SCHOOLS	SCHOOLS SHALL BE DESIGNED PER SCHOOL DISTRICT STANDARDS AND SHALL BE DETERMINED AT FINAL PLAT	SCHOOL SHALL BE CONSTRUCTED AT THE TIMES REQUIRED BY THE SCHOOL DISTRICT	DELANTERO METROPOLITAN DISTRICT, DISTRICT AUTHORITY OR PRIVATE DEVELOPER SHALL RAISE INFRASTRUCTURE TO THE BOUNDARY OF THE SCHOOL SITE	SCHOOL DISTRICT	SCHOOL DISTRICT
ROUNDABOUTS OR TRAFFIC SIGNALIZATION AT INTERSECTIONS OF PROJECT ARTERIALS AND COLLECTOR ROADS AND ARTERIAL/ARTERIAL INTERSECTIONS	INTERSECTIONS SHALL BE DESIGNED PER CDOT STANDARDS AND SHALL BE DETERMINED PER APPROVED TRANSPORTATION IMPACT ANALYSIS AND/OR AS IDENTIFIED IN CDOT	ROADWAYS WILL BE CONSTRUCTED PER APPROVED FINAL CONSTRUCTION PLANS PER TRIGGERS IN THE TRANSPORTATION IMPACT ANALYSIS AND AS DEFINED IN THE RELEVANT DEVELOPMENT AGREEMENT	DELANTERO METROPOLITAN DISTRICT OR DISTRICT AUTHORITY	CITY OF GREELEY	CITY OF GREELEY

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
DEVELOPMENT STANDARDS

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DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

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PUD 2021-0013

ARCHITECTURAL EXAMPLES

THE ILLUSTRATIONS EMPHASIZE THE ARCHITECTURAL ELEMENTS THAT SHAPE THE BUILDINGS' APPEARANCE FROM THE STREET, NEIGHBORS, AND ADJACENT PROPERTIES. THE OVERALL HEIGHT, SCALE, AND BULK RELATIONSHIPS BETWEEN BUILDINGS ARE THE PRIMARY VISUAL ELEMENTS THAT ESTABLISH AND REINFORCE THE ARCHITECTURAL SETTING OR CONTEXT OF THE NEIGHBORHOOD. THESE VISUAL ELEMENTS DEAL WITH PROPORTIONAL RELATIONSHIPS AND PATTERNS WITHIN THE BUILDING FACADE AND STYLISTIC DECORATIVE DETAILING, MATERIALS, AND COLORS.

RESIDENTIAL ARCHITECTURAL DESIGN ELEMENT	BRIEF DESCRIPTION OF THE FEATURE		
MATERIALS PALETTE	ALL LOTS ADJACENT TO MAJOR RIGHT OF WAYS ARE ENCOURAGED TO HAVE 15% MASONRY ON THE HOME IN ADDITION TO OTHER SIDING MATERIALS ROUNDING OUT THE ARCHITECTURAL FACADE. TO ACHIEVE ATTAINABLE HOUSING GOALS AND OBJECTIVES OF COST CONTROL, ALL REMAINING HOMES WITHIN THE DEVELOPMENT WILL BE ALLOWED TO HAVE THE OPTION OF MASONRY ON THE FRONT FACADE ONLY, BUT MUST FOLLOW THE COLOR AND FEATURE GUIDELINES TO ACHIEVE THE RESPECTIVE ARCHITECTURAL STYLE PROPOSED. FACADE MATERIALS MAY INCLUDE LAP SIDING, BOARD & BATTEN, SHINGLE, STUCCO, SYNTHETIC STONE OR BRICK AS WELL AS REAL BRICK.		
COLOR PALETTE	EACH HOME SHOULD HAVE AT LEAST 3 COLORS, BUT UP TO 5 AS FOLLOWS:		
	• BASE (MASONRY OR BASE WAINSCOT COLOR)	• TRIM (FASCIA, GUTTERS, DOWNSPOUTS)	
	• BASE (MAIN COLOR)	• ACCENT (SHUTTERS & DOORS)	
	• SOFFIT (ROOF OVERHANG)		
	APPROVED COLORS		
	• EARTH TONES SUCH AS IN THE BEIGES, GRAYS & BROWNS		
	• HIGH CHROME OR FLUORESCENT COLORS ARE STRICTLY PROHIBITED		
	• OTHER ACCEPTABLE COLOR FAMILIES INCLUDE GREENS, YELLOWS, BLUE, RED, PALETTES WITH DRC APPROVAL		
	• ROOF COLOR SHALL COMPLEMENT THE COLOR PALETTE SELECTED		
ARCHITECTURAL FEATURES	IN ADDITION TO PROVIDING A DEFINED FRONT & REAR ENTRY TO EACH HOME, THE DESIGNER MAY PROVIDE UP TO 5 BUT NO LESS THAN 3 OF THE FOLLOWING ELEMENTS DEPENDING ON THE ARCHITECTURAL STYLE:		
	• FRONT PORCHES (6 FT DEPTH)	• ACCENT GABLES	• CONCRETE TILE ROOF
	• FIREPLACE CHIMNEY	• BAY OR FEATURE ACCENT WINDOW	• 3-SIDING TEXTURES
	• ROOF DORMER	• GARAGE DOOR DETAILING PATTERN	• WINDOW GRILLS
	• CUPOLAS	• SOFFIT OVERHANGS GREATER THAN 12-INCHES	• ADDITIONAL MASONRY
	• ARCHES AT DORWAYS OR WINDOWS	• TRUSS GABLE ENDS OR ACCENT SHINGLES IN GABLE ENDS	
	• TRANSOM LIGHTS ABOVE DOORS	• DETAILED COLUMNS FOR PORCHES OR ENTRYWAYS	
ARCHITECTURAL STYLE	MASTER PLANNED COMMUNITIES TYPICALLY HAVE A RANGE OF STYLES. THIS MAY INCLUDE THE FOLLOWING: POSTMODERN, CONTEMPORARY, CRAFTSMAN, FARM HOUSE, RUSTIC, BUNGALOW, COTTAGE, TRADITIONAL; AND ECLECTIC. THE LANDSCAPE, STREETSCAPE, PARK AND OPEN SPACE IMPROVEMENTS ARE ANTICIPATED TO UNIFY THE COMMUNITY REGARDLESS OF ARCHITECTURAL STYLE DEVELOPED IN EACH NEIGHBORHOOD.		
BUILDING FORM	BUILDINGS SHALL BE INTEGRAL COMPONENTS OF THE DEVELOPMENT AND CONSTRUCTED OF HUMAN SCALED, DURABLE MATERIALS- NOT THINLY APPLIED TRIM OR SURFACE TREATMENTS. PROVIDE 4 SIDED ARCHITECTURE AND SHIELD BACK-OF-HOUSE FUNCTIONS FROM PUBLIC STREETS. FOCUS SHALL BE PLACED ON UTILIZING THE SCALING OF ELEMENTS LISTED TO CREATE FACADES, TREATMENTS, AND FEATURES ON ALL COMPONENTS OF THE PROJECT.		
BUILDING LIGHTING	ILLUMINATE ELEMENTS AND SURFACES AT LEVELS APPROPRIATE TO EACH USE AND MINIMIZE GLARE AND TRESPASS TO ABUTTING USES. ALL FIXTURES SHALL EMPLOY CUTOFF TECHNOLOGY OR BE SHIELDED OR CAPTURED TO MINIMIZE LIGHT TRESPASS DIRECTLY TO THE SKY.		
BUILDING SIGNAGE	OVERALL DEVELOPMENT: SIGNAGE SHALL BE PRESENTED AS BRANDING ELEMENTS ON COMPLIANT FACADES, NOT FACADES OR ROOFS AS BRANDING ELEMENTS. BUILDING SIGNAGE WILL BE APPROVED PER SEPARATE PERMIT.		

NOTE: THE DESIGN STANDARDS LISTED IN THIS MATRIX IMPLEMENT THE DESIGN THEMES OF THE PUD AND ARE INTENDED TO COMPLEMENT THE CITY OF GREELEY CODE, AND OTHER APPLICATIONS, MANUALS, AND DESIGN STANDARDS. IF A CONFLICT SHOULD EXIST BETWEEN ANY SPECIFIC PROVISIONS OF THIS MATRIX AND ANY CITY OF GREELEY STANDARDS, **THIS SHALL GOVERN,** UNLESS A WAIVER HAS BEEN SPECIFICALLY REQUESTED AND GRANTED. ALL THE PHOTOS AND ILLUSTRATIONS REFERENCED BY THIS MATRIX ARE REPRESENTATIVE OF THE LEVEL OF DESIGN QUALITY ANITICIPATED BY THIS PUD. FINAL DESIGNS TO BE SUBMITTED AT THE PRELIMINARY PLAT / FINAL PLAT.

1.0 SINGLE FAMILY DETACHED ESTATE













NOTE: IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.

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DELANTERO P.U.D.
GREELEY, CO
ARCHITECTURAL EXAMPLES

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ARCHITECTURAL EXAMPLES

2.0 SINGLE FAMILY DETACHED LARGE











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ARCHITECTURAL EXAMPLES

3.0 SINGLE FAMILY DETACHED MEDIUM



















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ARCHITECTURAL EXAMPLES

4.0 SINGLE FAMILY DETACHED SMALL










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ARCHITECTURAL EXAMPLES

5.0 TWO-FAMILY HOMES (PAIRED HOMES)

















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SHEET NUMBER
L7.4

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

ARCHITECTURAL EXAMPLES

6.0 MULTI-FAMILY (APARTMENTS, CONDOMINIUMS) & TOWNHOMES





















NOTE: IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.

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STRATUS COMPANIES
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
ARCHITECTURAL EXAMPLES

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
L7.5

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

ARCHITECTURAL EXAMPLES

THE ILLUSTRATIONS EMPHASIZE THE ARCHITECTURAL ELEMENTS THAT SHAPE THE BUILDINGS' APPEARANCE FROM THE STREET, NEIGHBORS, AND ADJACENT PROPERTIES. THE OVERALL HEIGHT, SCALE, AND BULK RELATIONSHIPS BETWEEN BUILDINGS ARE THE PRIMARY VISUAL ELEMENTS THAT ESTABLISH AND REINFORCE THE ARCHITECTURAL SETTING OR CONTEXT OF THE COMMERCIAL/MIXED USE AREAS. THESE VISUAL ELEMENTS DEAL WITH PROPORTIONAL RELATIONSHIPS AND PATTERNS WITHIN THE BUILDING FACADE AND STYLISTIC DECORATIVE DETAILING, MATERIALS, AND COLORS.

ALL COMMERCIAL BUILDINGS SHALL BE DESIGNED AND MAINTAINED USING THE FOLLOWING BUILDING ELEMENTS, WITH A MINIMUM OF ONE SELECTED FROM EACH OF THE GROUPINGS BELOW; ACCEPTABLE COLORS INCLUDE SOFT PASTELS IN A NEUTRAL HUE OR AS APPROVED BY THE DEVELOPER'S ARCHITECTURE REVIEW COMMITTEE.

A. GROUP 1--EXTERIOR WALL ARTICULATION.
   1. CHANGES IN BUILDING PLANE OR ARTICULATION (RECESSES, PROJECTIONS) SPACED PROPORTIONATELY AROUND THE BUILDING EXTERIOR WALLS, WITH RECESSES AND PROJECTIONS DEFINED AS FOLLOWS;
      (A) WALL MASS SHALL BE PROPORTIONATE TO THE AREA THE WALL IS INTENDED TO CARRY OR OCCUPY AND SHALL BE DESIGNED TO AVOID BLANK WALL EXPANSES. OPENINGS SUCH AS WINDOWS AND DOORWAYS SHALL CREATE A SENSE OF CONTINUITY AND RHYTHM TO A BUILDING DESIGN. OPENINGS OR ARCHITECTURAL ELEMENTS SIMULATING FENESTRATION-LIKE FEATURES SHALL OCCUPY AT LEAST 20 PERCENT OF THE WALL SURFACE AREA OF THE FIRST FLOOR OF THE FRONT FACADE AND WALLS ADJACENT TO PUBLIC RIGHTS-OF-WAY, OR VISIBLE FROM ADJACENT PROPERTIES;
   2. BUILDINGS BAYS CREATED BY COLUMNS, RIBS, PILASTERS OR PIERS OR AN EQUIVALENT ELEMENT THAT DIVIDES A WALL INTO SMALLER PROPORTIONS OR SEGMENTS WITH ELEMENTS BEING AT LEAST ONE FOOT IN WIDTH AND SPACED AT INTERVALS OF NO MORE THAN 30 PERCENT OF THE EXTERIOR BUILDING WALLS;
   3. SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH BREAKS UP THE EXTERIOR HORIZONTAL AND VERTICAL MASS OF THE BUILDING; AND

B. GROUP 2--ROOF ARTICULATION.
   1. CHANGES IN ROOF LINES, INCLUDING THE USE OF STEPPED CORNICE PARAPETS, A COMBINATION OF FLAT AND SLOPED ROOFS, OR PITCHED ROOFS WITH AT LEAST TWO ROOF LINE ELEVATION CHANGES;
   2. SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH BREAKS UP THE EXTERIOR HORIZONTAL AND VERTICAL MASS OF THE BUILDING; AND

C. GROUP 3--BUILDING OPENINGS, WALKWAYS AND ENTRANCES.
   1. CANOPIES OR AWNINGS OVER AT LEAST 30 PERCENT OF THE OPENINGS OF THE BUILDING;
   2. COVERED WALKWAYS, PORTICOS AND/OR ARCADES COVERING AT LEAST 30 PERCENT OF THE HORIZONTAL LENGTH OF THE FRONT FACADE;
   3. TRIM BOARDS OR LINTELS, LEDGES OR SIMILAR ARCHITECTURAL ACCENT FEATURES BETWEEN TWO INCHES AND SIX INCHES IN WIDTH AROUND ALL WINDOWS AND DOORWAYS;
   4. RAISED CORNICE PARAPETS OVER ENTRIES;
   5. SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH ADDS DEFINITION TO THE BUILDING OPENINGS, WALKWAYS OR ENTRANCES; AND

D. GROUP 4--BUILDING MATERIALS.
   1. AT LEAST TWO KINDS OF MATERIALS DISTINCTIVELY DIFFERENT IN TEXTURE OR MASONRY PATTERN, WITH EACH OF THE REQUIRED MATERIALS COVERING AT LEAST 25 PERCENT OF THE EXTERIOR WALLS OF THE BUILDING;
   2. BRICK OR STONE COVERING AT LEAST 50 PERCENT OF THE EXTERIOR WALLS OF THE BUILDING; AND

E. GROUP 5--OTHER ARCHITECTURAL DEFINITION.
   1. OVERHANGING EAVES EXTENDING AT LEAST 18 INCHES PAST THE SUPPORTING WALLS, OR WITH FLAT ROOFS, CORNICE PARAPETS OR CAPSTONE FINISH;
   2. ORNAMENTAL LIGHTING FIXTURES (EXCLUDING NEON) USED FOR ALL EXTERIOR BUILDING LIGHTING; OR
   3. AN ADDITIONAL FEATURE WHICH ADDS ARCHITECTURAL DEFINITION TO THE BUILDING.

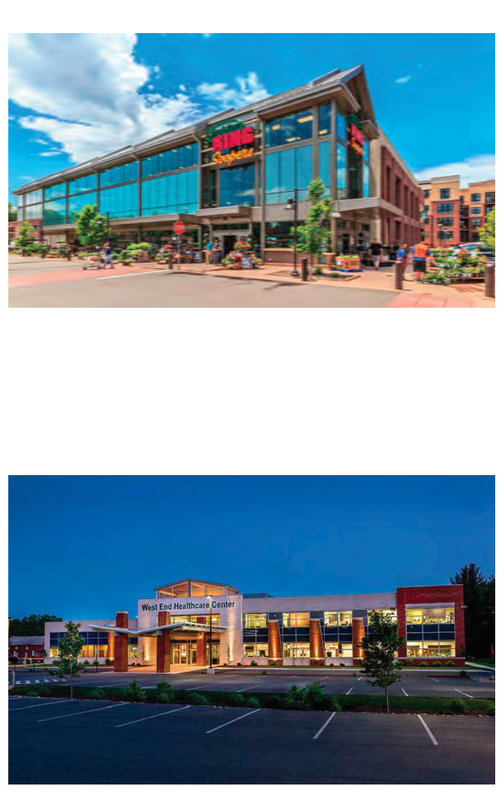
ARCHITECTURAL CASES NOT COVERED BY THESE EXAMPLES SHALL BE GOVERNED BY CITY OF GREELEY DEVELOPMENT CODE.



7.0 COMMERCIAL / MIXED USE











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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
ARCHITECTURAL EXAMPLES

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

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SHEET NUMBER
L7.6

DELANTERO P.U.D.

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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

ARCHITECTURAL EXAMPLES

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2. BUILDINGS BAYS CREATED BY COLUMNS, RIBS, PILASTERS OR PIERS OR AN EQUIVALENT ELEMENT THAT DIVIDES A WALL INTO SMALLER PROPORTIONS OR SEGMENTS WITH ELEMENTS BEING AT LEAST ONE FOOT IN WIDTH AND SPACED AT INTERVALS OF NO MORE THAN 30 PERCENT OF THE EXTERIOR BUILDING WALLS;
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2. A SINGLE MATERIAL AS LONG AS DESIGN TREATMENTS SUCH AS DIFFERENT ROOF LINES, NUMBER OF STORIES, WINDOW AND DOOR STYLE AND PLACEMENT, AND/OR GARAGE PLACEMENT ARE USED TO CREATE AN INTERESTING AND VARIED EXTERIOR;
3. BRICK OR STONE COVERING AT LEAST 50 PERCENT OF THE EXTERIOR WALLS OF THE BUILDING; AND

E. GROUP 5--OTHER ARCHITECTURAL DEFINITION.

1. OVERHANGING EAVES EXTENDING AT LEAST 18 INCHES PAST THE SUPPORTING WALLS, OR WITH FLAT ROOFS, CORNICE PARAPETS OR CAPSTONE FINISH;
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ARCHITECTURAL CASES NOT COVERED BY THESE EXAMPLES SHALL BE GOVERNED BY CITY OF GREELEY DEVELOPMENT CODE.



8.0 INDUSTRIAL / MIXED USE













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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
ARCHITECTURAL EXAMPLES

PROJECT #: 20148
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
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5th SUBMITTAL	04-11-2022

SHEET NUMBER
L7.7

DELANTERO P.U.D.

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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

RESIDENTIAL ARCHITECTURAL EXAMPLES

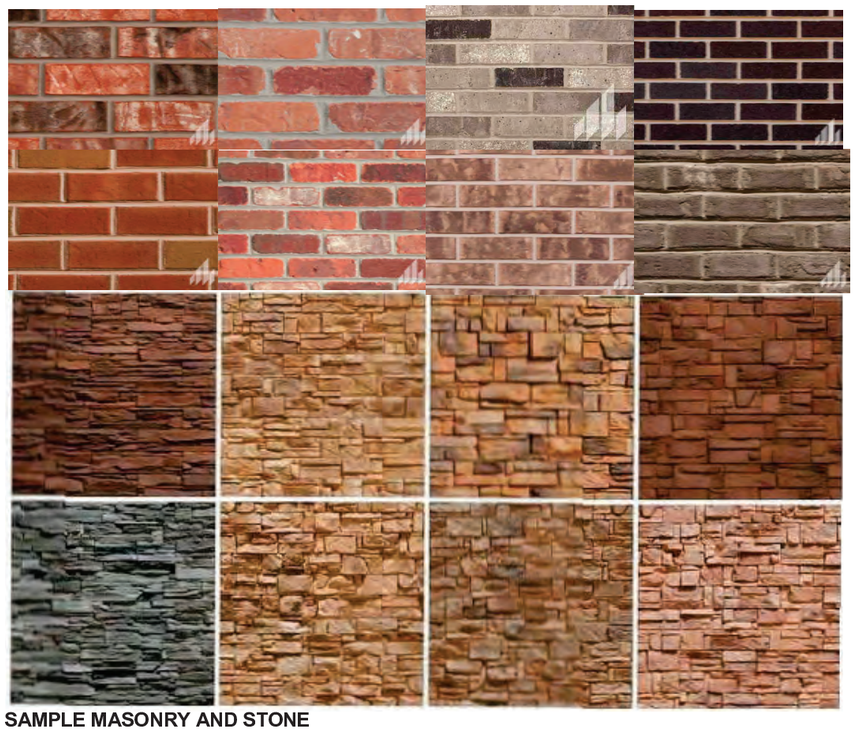
9.0 PALETTES AND FEATURES

THESE DESIGN EXAMPLES SERVE AS A NON-INCLUSIVE GUIDE FOR DESIGN OF ALL ELEMENTS THROUGHOUT THE DELANTERO DEVELOPMENT AND PROMOTE CONSISTENCY AND QUALITY IN MATERIALS AND FORM IN ALL ASPECTS OF THE COMMUNITY. THROUGH CONSISTENCY IN DESIGN, THE ATMOSPHERE OF AN ESTABLISHED COMMUNITY CAN BE REACHED. THE DESIGN STANDARDS CREATE THE FRAMEWORK FOR THE DELANTERO COMMUNITY, PROVIDING MINIMUM STANDARDS AS A SUPPLEMENT TO THE CITY OF GREELEY ZONING STANDARDS AND ALL OTHER RELEVANT CITY CODES.



SAMPLE (OVERALL) COLOR PALETTE (EARTH TONES)

COLORS SHOWN ABOVE ARE NOT INCLUSIVE OF ACCEPTABLE COLORS, WHICH MAY ALSO INCLUDE SOFT PASTELS OF A NEUTRAL HUE OR AS APPROVED BY THE DEVELOPER'S ARCHITECTURE REVIEW COMMITTEE.



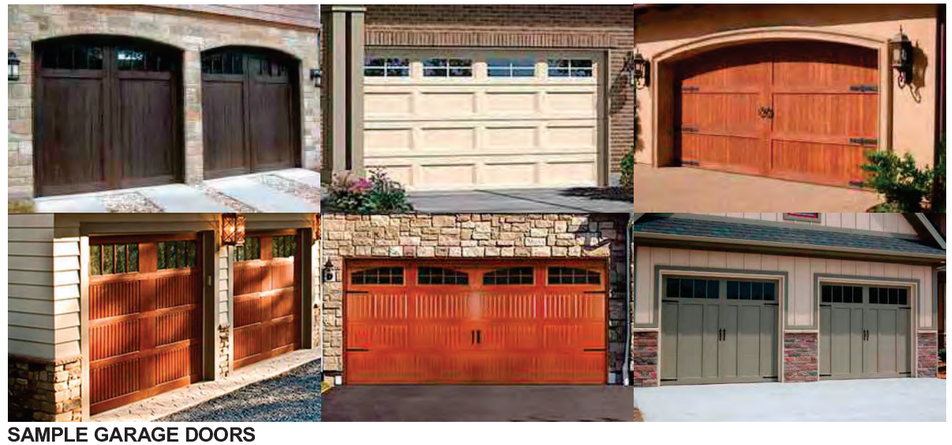
SAMPLE MASONRY AND STONE



SAMPLE SIDING STYLES



SAMPLE ARCHITECTURAL ASPHALT SHINGLES



SAMPLE GARAGE DOORS

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
ARCHITECTURAL EXAMPLES

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
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SHEET NUMBER
L7.8

DELANTERO P.U.D.

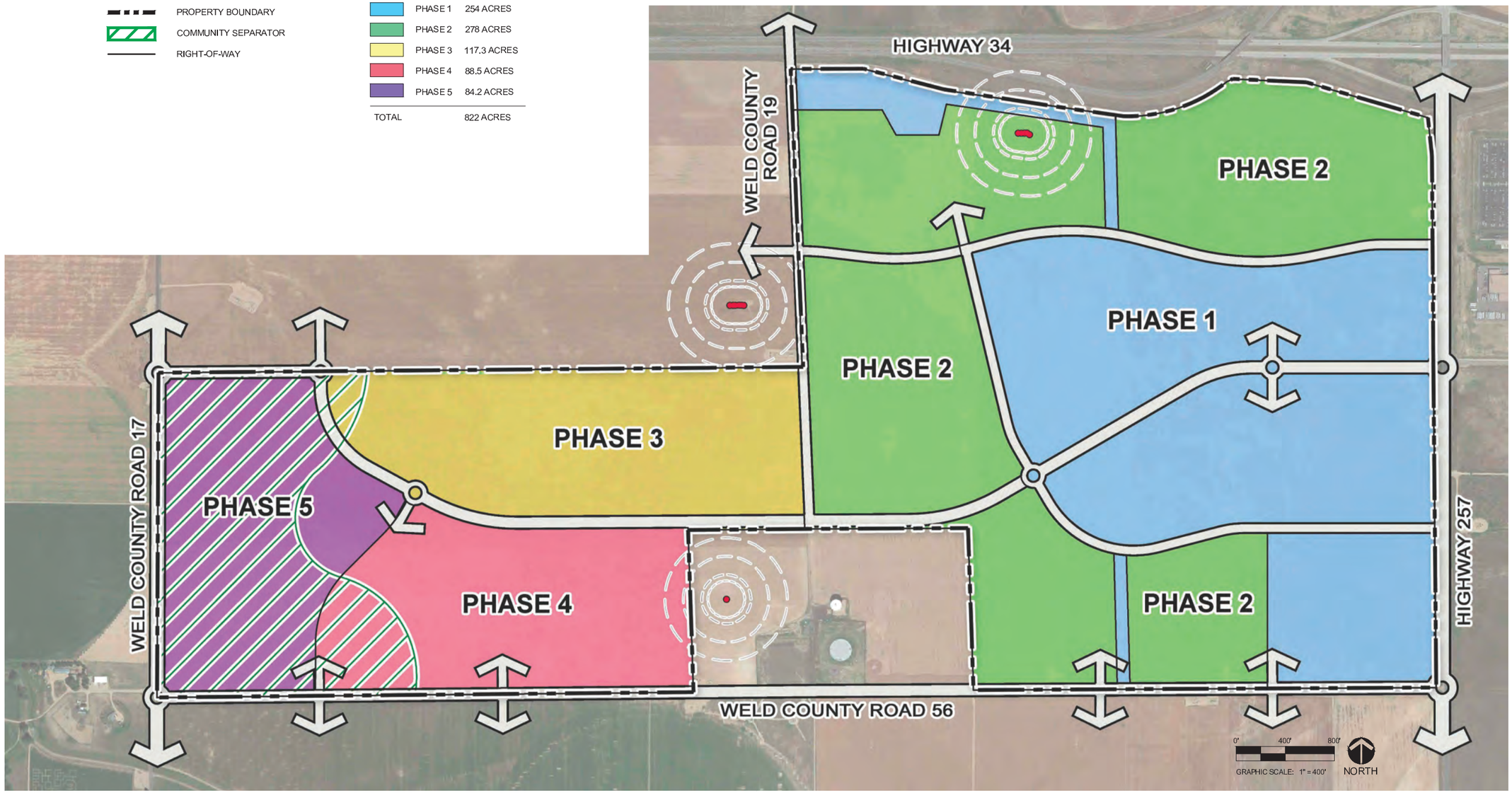
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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

LEGEND

- PROPERTY BOUNDARY
- COMMUNITY SEPARATOR
- RIGHT-OF-WAY

PHASING SUMMARY

PHASE 1	254 ACRES
PHASE 2	278 ACRES
PHASE 3	117.3 ACRES
PHASE 4	88.5 ACRES
PHASE 5	84.2 ACRES
TOTAL	822 ACRES



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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
MASTER PLAN

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
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SHEET NUMBER

L8.0

DELANTERO P.U.D.

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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

LANDSCAPING REQUIREMENTS

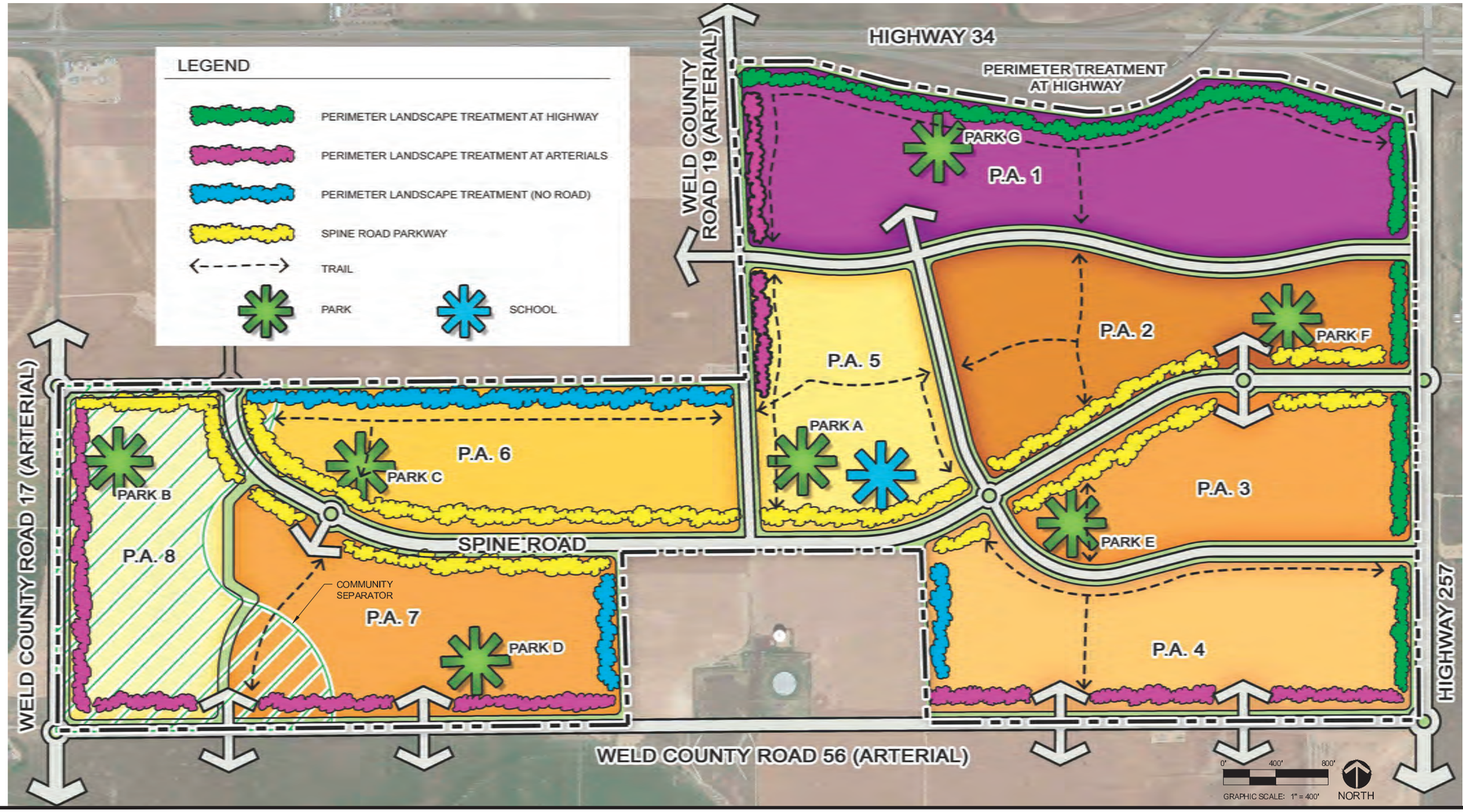
1. PROPOSED LANDSCAPING FOR BUFFER/PERIMETER TREATMENT YARDS, STREET TREES, RESIDENTIAL STREETS, AND ROADWAYS SHALL COMPLY WITH THE DEVELOPMENT CODE THAT IS IN PLACE AT TIME OF DEVELOPMENT.
2. LANDSCAPE DEVELOPMENT THAT REFLECTS THE PREVAILING SEMIARID CONDITIONS REINFORCES THE REGIONAL CHARACTER, CLIMATE, AND HABITAT OF THE CITY OF GREELEY AND ITS LOCAL ENVIRONMENT.
3. LANDSCAPING SHALL INCORPORATE WATER CONSERVATION PRACTICES IN DESIGN, INSTALLATION, AND MANAGEMENT TO REDUCE WATER DEMAND, REDUCE WATER LOSS, LIMIT EROSION, LIMIT HIGH-IRRIGATION TURF AND PLANTINGS, AND UTILIZE NATIVE PLANTS AND PLANTS APPROPRIATE FOR THE LOCAL CLIMATIC AND SOIL CONDITIONS. PLANTS SHALL BE SELECTED FROM THE CITY OF GREELEY LANDSCAPE MANUAL; ALTERNATIVES MAY BE PROPOSED PROVIDED THEY FOLLOW THE CITY OF GREELEY CODE FOR APPROVAL. NON-IRRIGATED LANDSCAPE TREATMENTS ARE ENCOURAGED.
4. IRRIGATION PRACTICES SHALL UTILIZE HIGH-EFFICIENCY AUTOMATIC IRRIGATION SYSTEMS THAT INCORPORATE WATER CONSERVATION MEASURES. ALTERNATIVE SOURCES OF IRRIGATION FOR ALL LANDSCAPE AREAS IS ENCOURAGED. NON-POTABLE IRRIGATION WILL SERVE OPEN SPACE AND PARKS WITHIN ALL PLANNING AREAS OF THE SITE.
5. STORMWATER TREATMENTS FOR AREAS THAT ARE PART OF THE STORMWATER SYSTEM SHALL ADHERE TO THE CITY OF GREELEY STORM DRAINAGE DESIGN CRITERIA AND CONSTRUCTION SPECIFICATIONS AND THE URBAN DRAINAGE CRITERIA MANUAL PUBLISHED BY THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT.
6. PERIMETER TREATMENT AREAS SHALL CONTAIN THE FOLLOWING PLANTINGS OR AN ACCEPTABLE MIX OF TREES AND SHRUBS THAT PROVIDE COMPARABLE SCREENING. PLANT QUANTITIES INDICATED SHALL BE INCLUDED FOR EVERY 100 LINEAR FEET.

TREATMENT AREA	STREET CLASSIFICATION	LANDSCAPE TREATMENT	MINIMUM WIDTH
RESIDENTIAL	COLLECTOR	4 TREES & 14 SHRUBS / 100 LF	15 FEET
RESIDENTIAL	ARTERIAL	4 TREES & 16 SHRUBS / 100 LF	25 FEET
RESIDENTIAL	HIGHWAY / EXPRESSWAY / FREEWAY	4 TREES & 24 SHRUBS / 100 LF	35 FEET
RESIDENTIAL	NO PERIMETER ROADS	4 TREES & 8 SHRUBS / 100 LF	20 FEET

TREATMENT AREA	STREET CLASSIFICATION	LANDSCAPE TREATMENT	MINIMUM WIDTH
COMMERCIAL / INDUSTRIAL	COLLECTOR / ARTERIAL	3 TREES & 5 SHRUBS / 100 LF	15 FEET
COMMERCIAL INDUSTRIAL	HIGHWAY / EXPRESSWAY / FREEWAY	4 TREES & 10 SHRUBS / 100 LF	20 FEET
COMMERCIAL INDUSTRIAL	NO PERIMETER ROADS	4 TREES & 5 SHRUBS / 100 LF	20 FEET
SPINE ROAD PARKWAY	ARTERIAL / COLLECTOR	8 TREES IN A DOUBLE ROW EACH SIDE OF THE STREET / 100 LF	N/A

PARK DEDICATIONS

PARK NAME	PARK TYPE	QTY	MIN. AREA (ACRES)	SUBTOTAL (ACRES)
PARK A	COMMUNITY PARK	1	25.0	25.0
PARK B	NEIGHBORHOOD PARK	1	8.0	8.0
PARK C	NEIGHBORHOOD PARK	1	8.0	8.0
PARK D	NEIGHBORHOOD PARK	1	8.0	8.0
PARK E	NEIGHBORHOOD PARK	1	8.0	8.0
PARK F	NEIGHBORHOOD PARK	1	8.0	8.0
PARK G	DOG PARK	1	8.0	8.0
TOTAL				73.0



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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PRELIMINARY LANDSCAPE PLAN

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

ISSUE RECORD

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PEDESTRIAN CIRCULATION SYSTEM

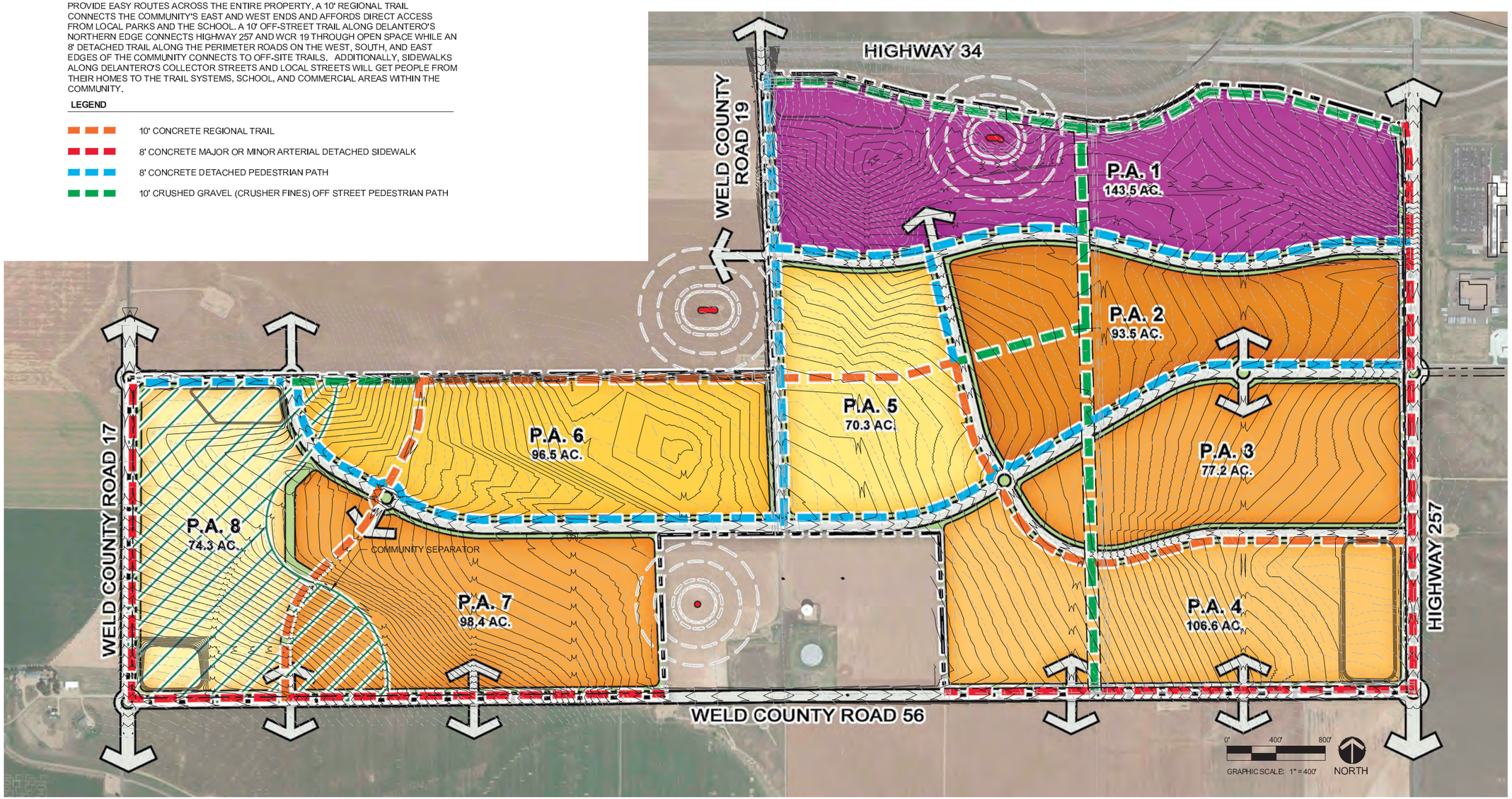
THE PEDESTRIAN CIRCULATION NETWORK AT DELANTERO IS DESIGNED TO AFFORD UNIVERSAL ACCESS AND BROAD CONNECTIVITY THROUGHOUT THE COMMUNITY AND TO PROVIDE CONNECTIONS TO NEARBY REGIONAL TRAIL SYSTEMS WHILE CONFORMING TO THE CITY OF GREELEY DEVELOPMENT CODE FOR PATH AND SIDEWALK WIDTHS AND LOCATIONS.

THE CIRCULATION SYSTEM IS MADE UP OF AN INTERCONNECTED NETWORK OF TRAILS, STREETS AND WALKS THAT OFFER MULTIPLE ROUTES FOR CARS, BIKES, AND PEDESTRIANS TO MOVE THROUGHOUT THE COMMUNITY.

SIDEWALKS AND TRAILS ARE THE MOST BASIC ELEMENT OF PEDESTRIAN FRIENDLY ENVIRONMENTS. EACH OF THE VARIOUS TRAILS WITHIN AND SURROUNDING THE COMMUNITY OFFERS A GENEROUSLY PAVED AND LANDSCAPED TRAIL CORRIDOR TO PROVIDE EASY ROUTES ACROSS THE ENTIRE PROPERTY. A 10' REGIONAL TRAIL CONNECTS THE COMMUNITY'S EAST AND WEST ENDS AND AFFORDS DIRECT ACCESS FROM LOCAL PARKS AND THE SCHOOL. A 10' OFF-STREET TRAIL ALONG DELANTERO'S NORTHERN EDGE CONNECTS HIGHWAY 257 AND WCR 19 THROUGH OPEN SPACE WHILE AN 8' DETACHED TRAIL ALONG THE PERIMETER ROADS ON THE WEST, SOUTH, AND EAST EDGES OF THE COMMUNITY CONNECTS TO OFF-SITE TRAILS. ADDITIONALLY, SIDEWALKS ALONG DELANTERO'S COLLECTOR STREETS AND LOCAL STREETS WILL GET PEOPLE FROM THEIR HOMES TO THE TRAIL SYSTEMS, SCHOOL, AND COMMERCIAL AREAS WITHIN THE COMMUNITY.

LEGEND

- 10' CONCRETE REGIONAL TRAIL
- 8' CONCRETE MAJOR OR MINOR ARTERIAL DETACHED SIDEWALK
- 8' CONCRETE DETACHED PEDESTRIAN PATH
- 10' CRUSHED GRAVEL (CRUSHER FINES) OFF STREET PEDESTRIAN PATH



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CLIENT
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO

PEDESTRIAN CIRCULATION PLAN

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER

L10.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013

VEHICULAR CIRCULATION SYSTEM

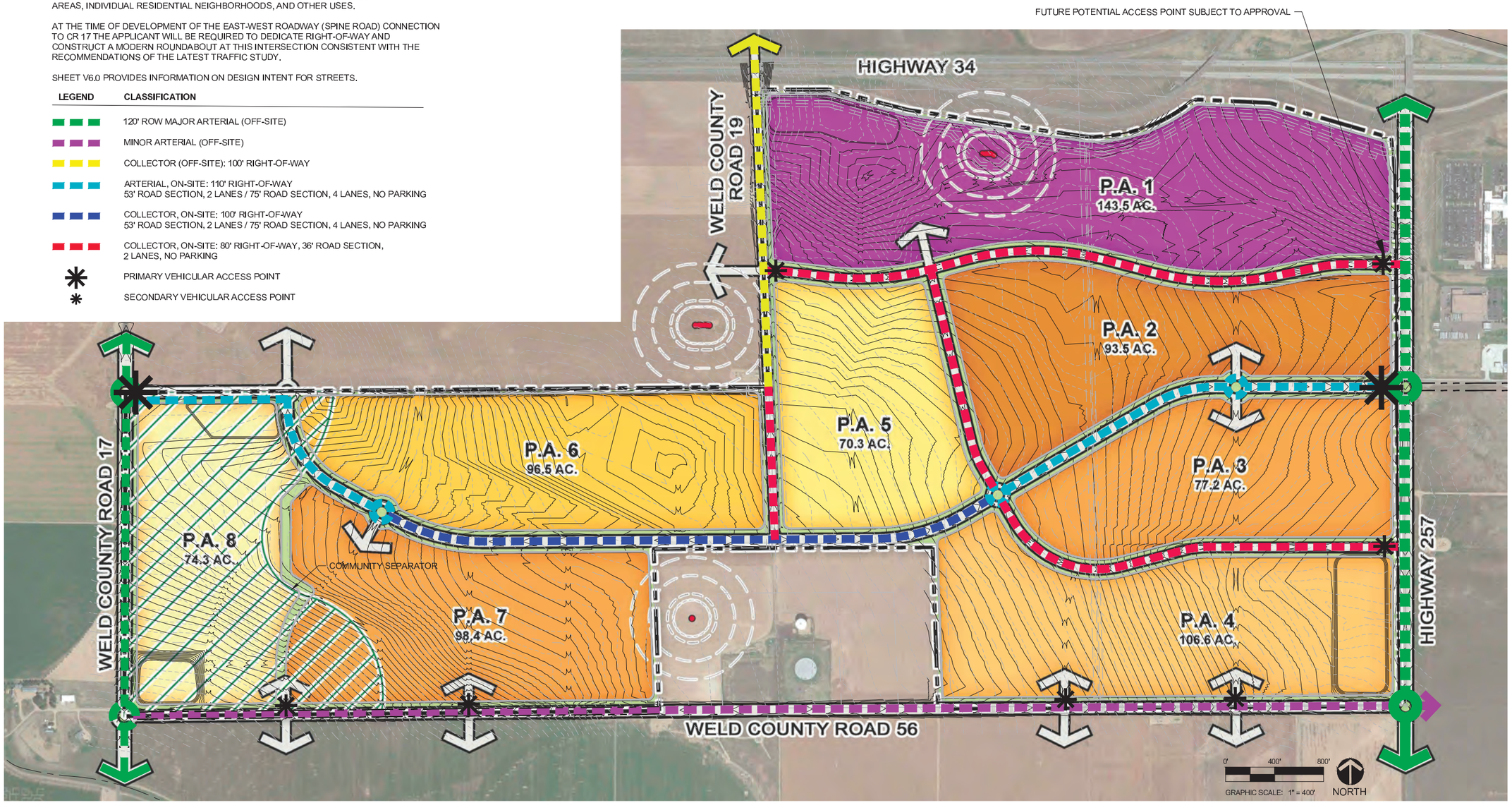
THE STREET AND VEHICULAR CIRCULATION SYSTEM AT DELANTERO WORKS WITH THE NATURAL TOPOGRAPHY AND IRREGULAR SHAPE OF THE SITE. ACCESS TO THE SITE WILL INITIALLY BE AVAILABLE FROM HIGHWAY 257 ON THE EASTERN BOUNDARY OF THE PROJECT. FUTURE PHASES OF THE COMMUNITY WILL PROVIDE ACCESS TO COUNTY ROAD 17 TO THE WEST, COUNTY ROAD 19 TO THE NORTH AND COUNTY ROAD 56 TO THE SOUTH.

WITHIN THE COMMUNITY THERE WILL BE A CLEAR HIERARCHY FOR CIRCULATION. A MAJOR COLLECTOR SPINE ROAD PROVIDES EASY ACCESS FROM HIGHWAY 257 ALL THE WAY THROUGH THE SITE TO COUNTY ROAD 17. ROUNDABOUTS WILL BE CREATED ALONG THE SPINE ROAD AT KEY POINTS TO KEEP TRAFFIC FLOWING SMOOTHLY. ADDITIONAL MINOR COLLECTOR ROADS WILL BRANCH OFF TO PROVIDE ACCESS TO COMMERCIAL AREAS, INDIVIDUAL RESIDENTIAL NEIGHBORHOODS, AND OTHER USES.

AT THE TIME OF DEVELOPMENT OF THE EAST-WEST ROADWAY (SPINE ROAD) CONNECTION TO CR 17 THE APPLICANT WILL BE REQUIRED TO DEDICATE RIGHT-OF-WAY AND CONSTRUCT A MODERN ROUNDABOUT AT THIS INTERSECTION CONSISTENT WITH THE RECOMMENDATIONS OF THE LATEST TRAFFIC STUDY.

SHEET V6.0 PROVIDES INFORMATION ON DESIGN INTENT FOR STREETS.

LEGEND	CLASSIFICATION
	120' ROW MAJOR ARTERIAL (OFF-SITE)
	MINOR ARTERIAL (OFF-SITE)
	COLLECTOR (OFF-SITE): 100' RIGHT-OF-WAY
	ARTERIAL, ON-SITE: 110' RIGHT-OF-WAY 53' ROAD SECTION, 2 LANES / 75' ROAD SECTION, 4 LANES, NO PARKING
	COLLECTOR, ON-SITE: 100' RIGHT-OF-WAY 53' ROAD SECTION, 2 LANES / 75' ROAD SECTION, 4 LANES, NO PARKING
	COLLECTOR, ON-SITE: 80' RIGHT-OF-WAY, 36' ROAD SECTION, 2 LANES, NO PARKING
*	PRIMARY VEHICULAR ACCESS POINT
*	SECONDARY VEHICULAR ACCESS POINT



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VEHICULAR CIRCULATION PLAN

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L11.0

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PUD2021-0013

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SCALE: 1" = 200'

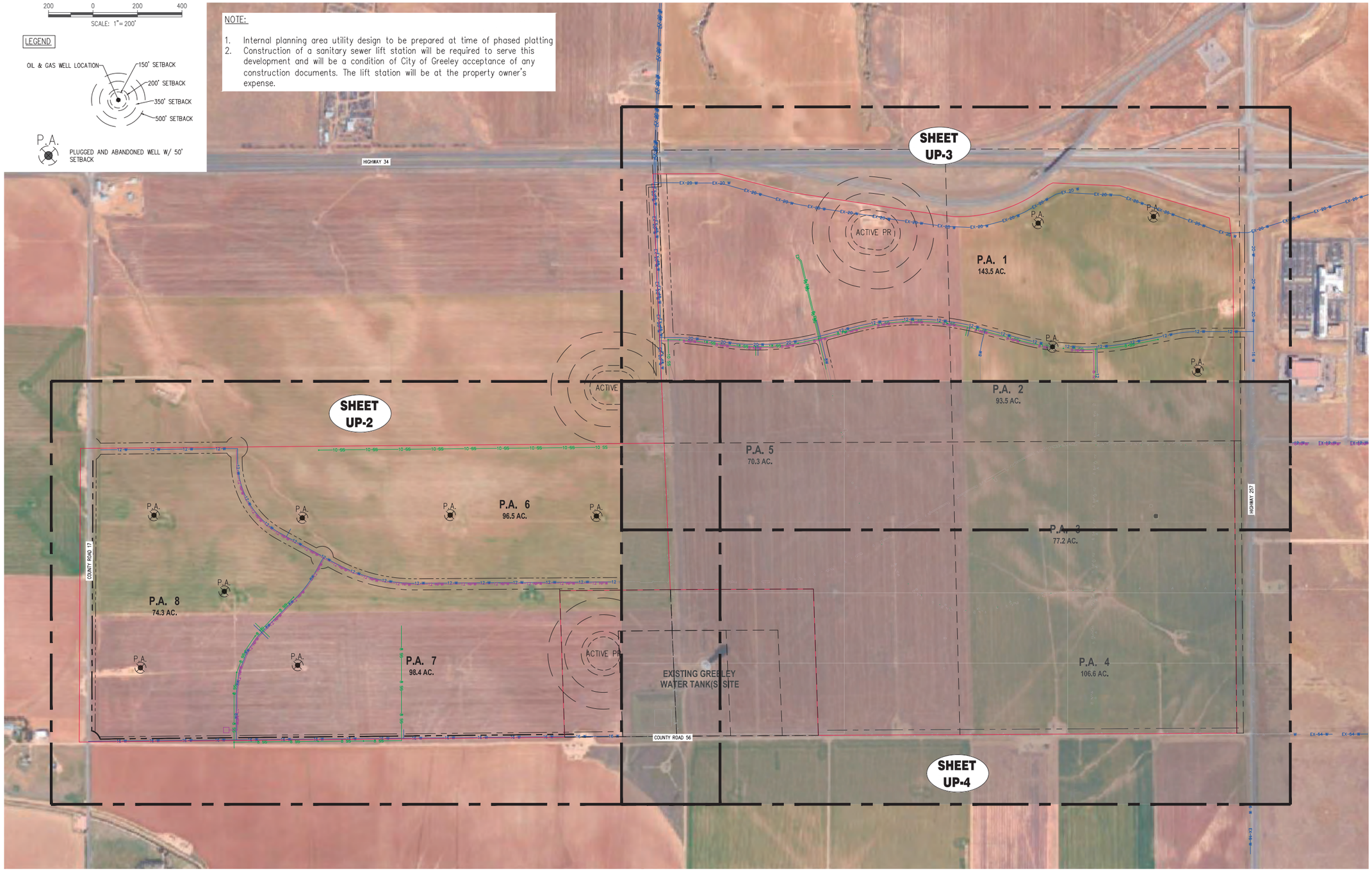
LEGEND

OIL & GAS WELL LOCATION — 150' SETBACK, 200' SETBACK, 350' SETBACK, 500' SETBACK

P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

NOTE:

1. Internal planning area utility design to be prepared at time of phased platting
2. Construction of a sanitary sewer lift station will be required to serve this development and will be a condition of City of Greeley acceptance of any construction documents. The lift station will be at the property owner's expense.



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DELANTERO

DELANTERO P.U.D.
GREELEY, CO

MASTER UTILITY PLAN INDEX MAP

PROJECT #: 201048
DRAWN BY: ML
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SHEET NUMBER
UP-1

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BEING A PART OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD2021-0013

200 0 200 400
SCALE: 1" = 200'

LEGEND

OIL & GAS WELL LOCATION — 150' SETBACK, 200' SETBACK, 350' SETBACK, 500' SETBACK

P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

NOTE:

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KEY MAP

144' DRAINAGE AND UTILITY ACCESS EASEMENT

10" SEWER LINE (TYP.)

12" PVC WATER LINE (TYP.)

Detention and Water Quality Pond A

P.A. 6
96.5 AC.

COUNTY ROAD 17

8" SEWER LINE STUB (TYP.)

8" WATER LINE STUB (TYP.)

P.A. 8
74.3 AC.

8" PVC WATER LINE (TYP.)

P.A. 7
98.4 AC.

8" PVC SEWER LINE (TYP.)

12" PVC NON-POTABLE WATER LINE (TYP.)

Detention and Water Quality Pond D

8" PVC SEWER LINE (TYP.)

COUNTY ROAD 56

PROPOSED IRRIGATION PUMP STATION

10" SEWER LINE TO DISCHARGE TO SOUTHWEST RIDGE SUB-BASIN

16" PVC WATER LINE (TYP.)

PROPOSED CONNECTION TO ZONE 4
PR. 12" WL CONNECTING TO EX. 20" WL

EX. 48" GOLD HILL WATER LINE (ZONE 3)

EX. 20" ZONE 4 WATER LINE

ACTIVE PR

PROPOSED CONNECTION
PR. 16" WL CONNECTING TO EX. 20" WL

EXISTING GREEL
WATER TANK(S) S

EX. ZONE 4 FACILITY

EX. GOLD HILL RESERVOIR (ZONE 3)

EX. 54" GOLD HILL WATER LINE (ZONE 3)

SEE SHEET UP-4

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GREELEY, CO
MASTER UTILITY PLAN

PROJECT #: 201048
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CHECKED BY: RH

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SHEET NUMBER
UP-2

DELANTERO P.U.D.

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PUD2021-0013

200 0 200 400
SCALE: 1" = 200'

LEGEND

OIL & GAS WELL LOCATION — 150' SETBACK, 200' SETBACK, 350' SETBACK, 500' SETBACK

P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

NOTE:

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KEY MAP

HIGHWAY 34

Detention and Water Quality Pond B

EX. 48" GOLD HILL WATER LINE (ZONE 3)

EX. 20" ZONE 4 WATER LINE

ACTIVE PR

NORTH BASIN LIFT STATION

OVERHEAD POWERLINE EASEMENT

PROPOSED SYSTEM CONNECTION
PR. 20" WL CONNECTING TO EX. 20" WL

P.A. 1
143.5 AC.

HIGHWAY 257

18" PVC SEWER LINE (TYP.)

20" PVC WATER LINE (TYP.)

8" FORCED MAIN

21" PVC SEWER LINE (TYP.)

8" SEWER LINE STUB (TYP.)

8" WATER LINE STUB (TYP.)

8" PVC NON-POTABLE WATER LINE (TYP.)

PR

P.A. 2
93.5 AC.

16" PVC WATER LINE (TYP.)

EX. 12" ZONE 4 WATER LINE

EX. 6" NON-POTABLE WATER LINE

PROPOSED SYSTEM CONNECTION
PR. 12" WL / PR. 16" WL
CONNECTING TO EX. 12" WL

12" PVC WATER LINE (TYP.)

PROPOSED CONNECTION TO ZONE 4
PR. 20" WL CONNECTING TO EX. 20" WL

8" PVC WATER LINE (TYP.)

P.A. 5
70.3 AC.

24" PVC SEWER LINE (TYP.)

PROPOSED TEMPORARY SYSTEM CONNECTION
PR. 8" NON-POTABLE WL CONNECTING TO
EX. 6" NON-POTABLE WL

10" SEWER LINE (TYP.)

8" PVC SEWER LINE (TYP.)

24" SEWER LINE TO DISCHARGE TO SHEEPDRAW SUB-BASIN

EX. 16" ZONE 4 WATER LINE

P.A. 3

SEE SHEET UP-4

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DELANTERO P.U.D.
GREELEY, CO
MASTER UTILITY PLAN

PROJECT #: 201048
DRAWN BY: ML
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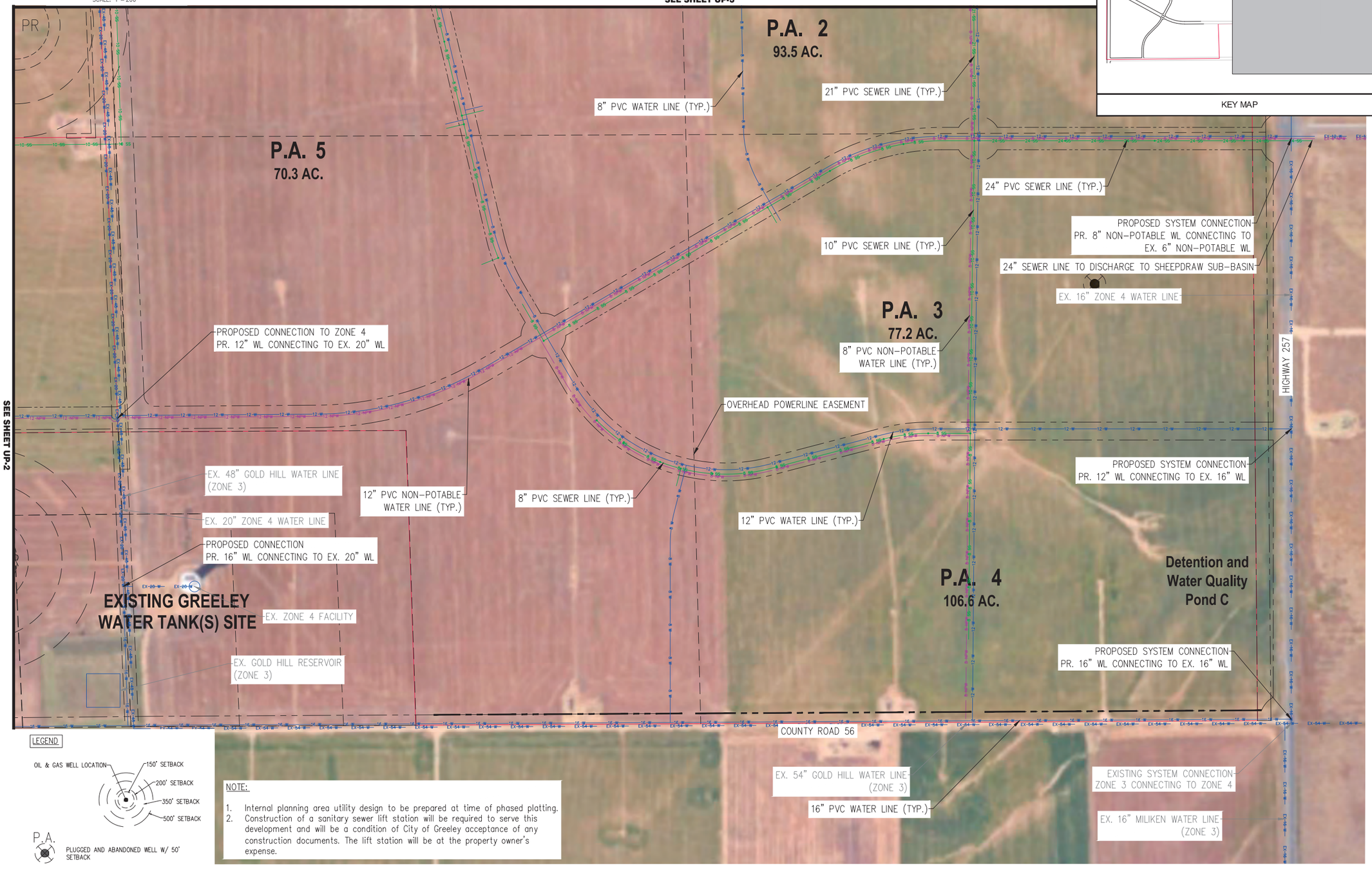
SHEET NUMBER
UP-3

DELANTERO P.U.D.

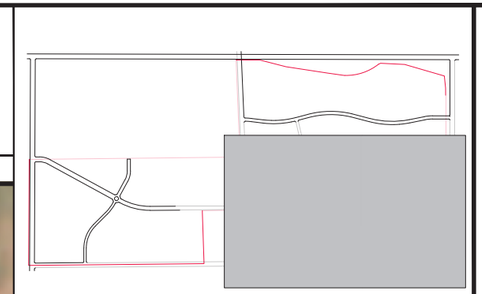
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PUD2021-0013

200 0 200 400
SCALE: 1"= 200'

SEE SHEET UP-3



SEE SHEET UP-2



KEY MAP

LEGEND

P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

NOTE:

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MASTER UTILITY PLAN

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SHEET NUMBER
UP-4

DELANTERO P.U.D.

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PUD2021-0013

400 0 400 800
SCALE: 1" = 400'

NOTE:

1. CONTOURS DEPICTED ON THIS PLAN ARE AT 2' AND 10' INTERVALS

LEGEND

OIL & GAS WELL LOCATION — 150' SETBACK, 200' SETBACK, 350' SETBACK, 500' SETBACK

P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

HIGHWAY 34

SHEET GP-3

Detention and Water Quality Pond B

ACTIVE PR

P.A. 1
143.5 AC.

P.A. 2
93.5 AC.

SHEET GP-2

Detention and Water Quality Pond A

P.A. 6
96.5 AC.

COUNTY ROAD 17

P.A. 8
74.3 AC.

P.A. 7
98.4 AC.

Detention and Water Quality Pond D

ACTIVE P

P.A. 5
70.3 AC.

P.A. 3
77.2 AC.

EXISTING GREELEY WATER TANK(S) SITE

P.A. 4
106.6 AC.

Detention and Water Quality Pond C

SHEET GP-4

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
GRADING PLAN INDEX MAP

PROJECT #: 201048
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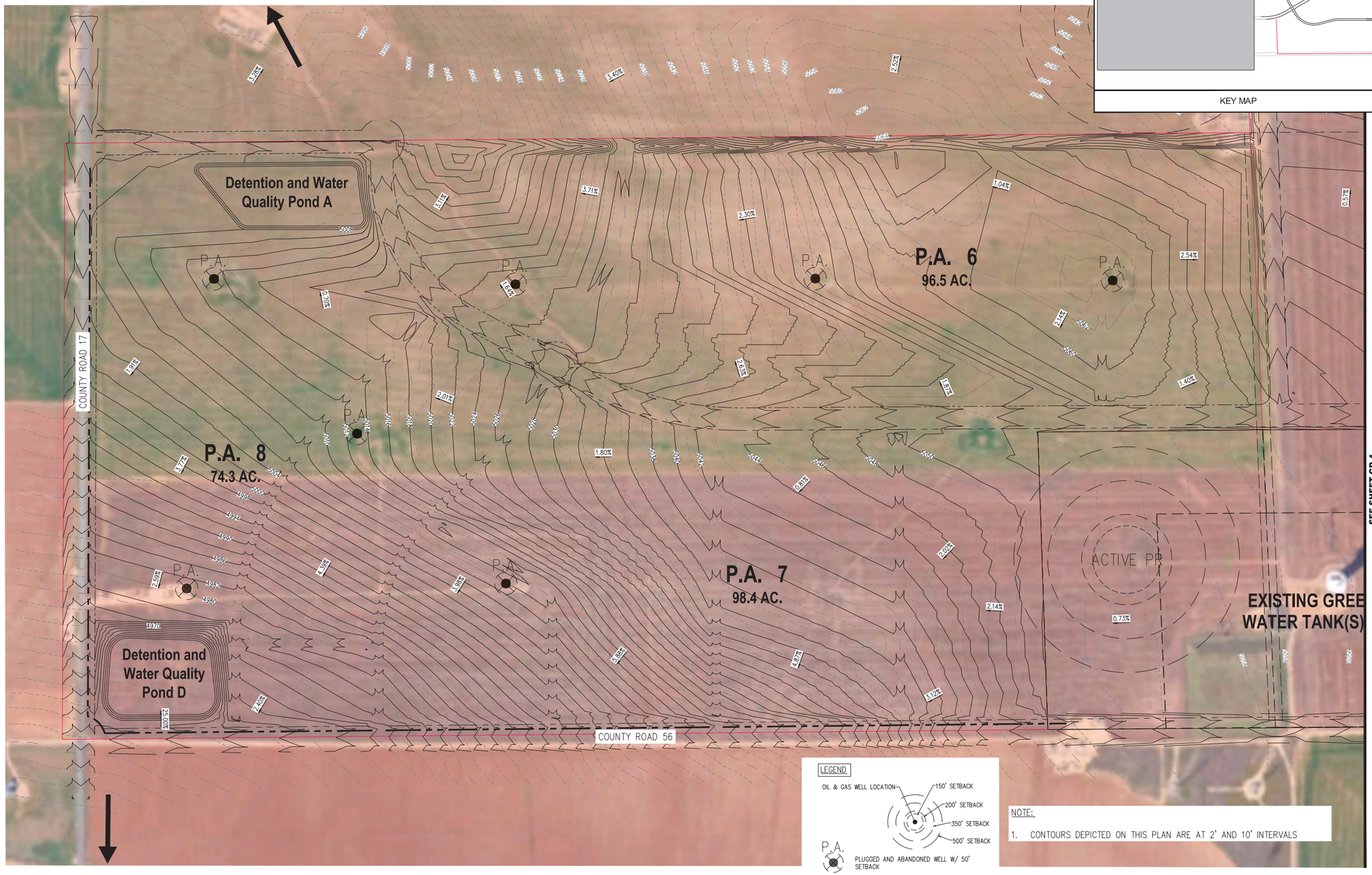
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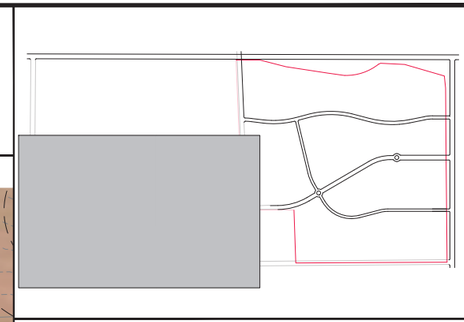
SHEET NUMBER
GP-1

DELANTERO P.U.D.

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PUD2021-0013

200 0 200 400
SCALE: 1" = 200'





KEY MAP

LEGEND

OIL & GAS WELL LOCATION
150' SETBACK
200' SETBACK
350' SETBACK
500' SETBACK
P.A. PLUGGED AND ABANDONED WELL W/ 50' SETBACK

NOTE:

1. CONTOURS DEPICTED ON THIS PLAN ARE AT 2' AND 10' INTERVALS

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SHEET NUMBER
GP-2

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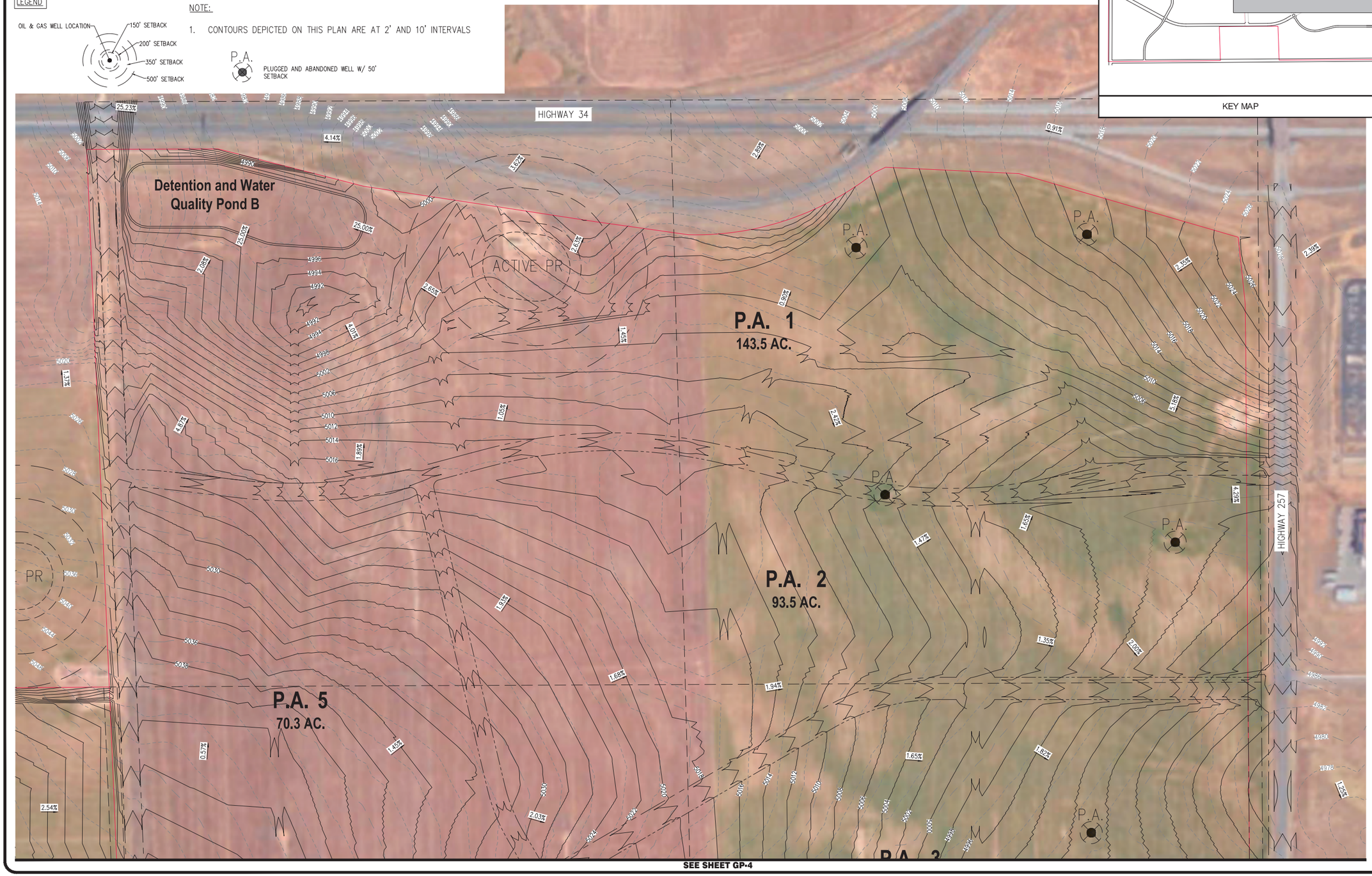
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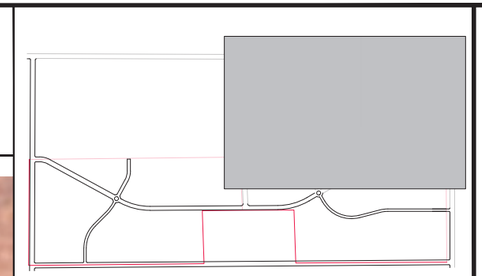
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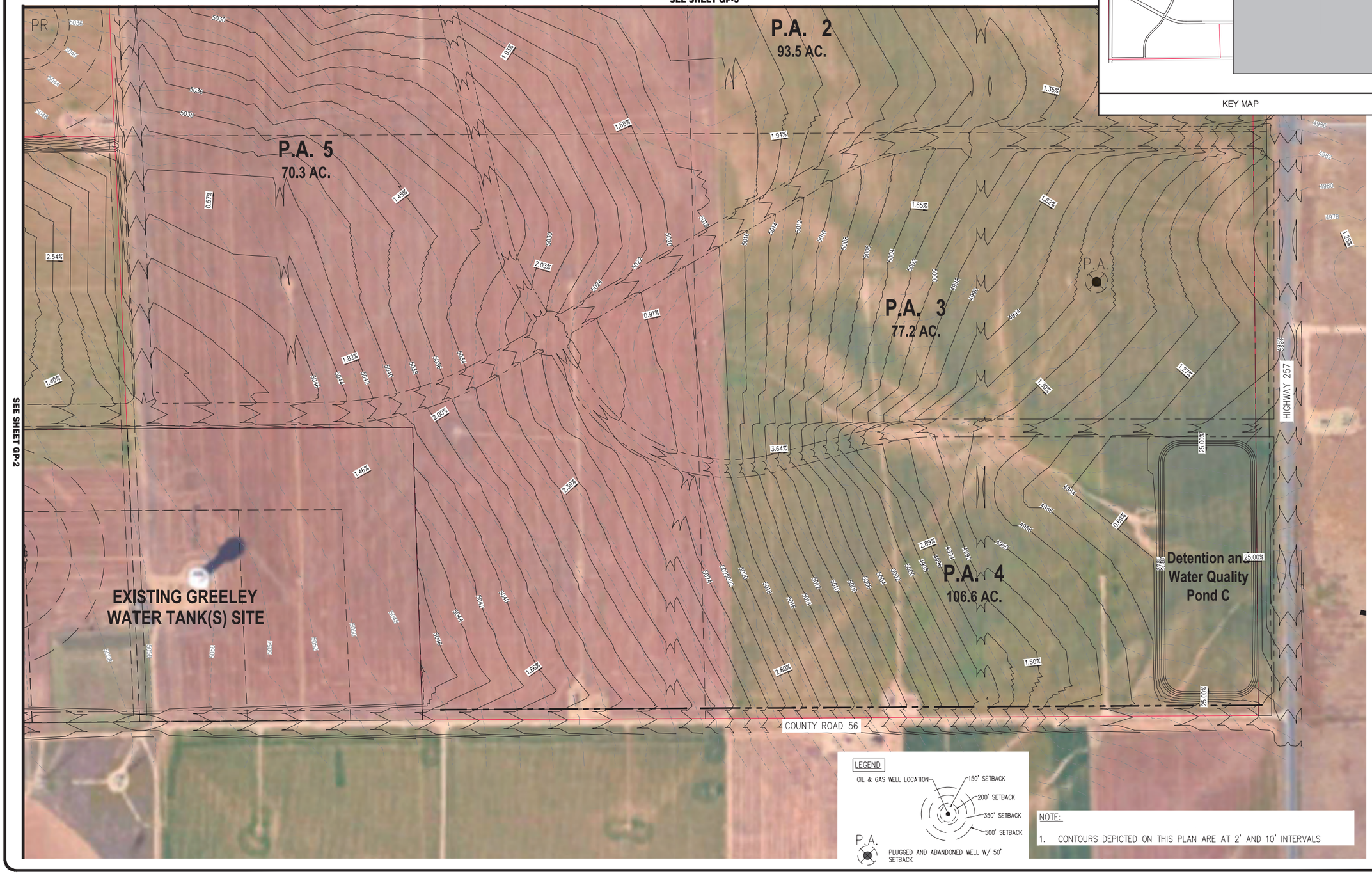
SHEET NUMBER
GP-3

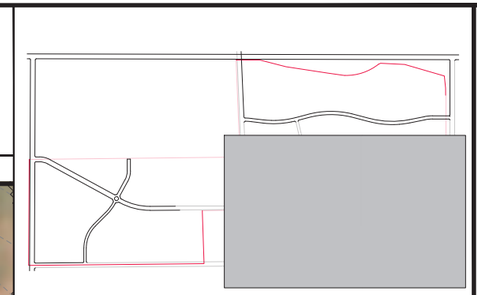
DELANTERO P.U.D.

BEING A PART OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16, TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD2021-0013

200 0 200 400
SCALE: 1" = 200'

SEE SHEET GP-3





KEY MAP

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GREELEY, CO
GRADING PLAN

PROJECT #: 20104B
DRAWN BY: ML
CHECKED BY: RH

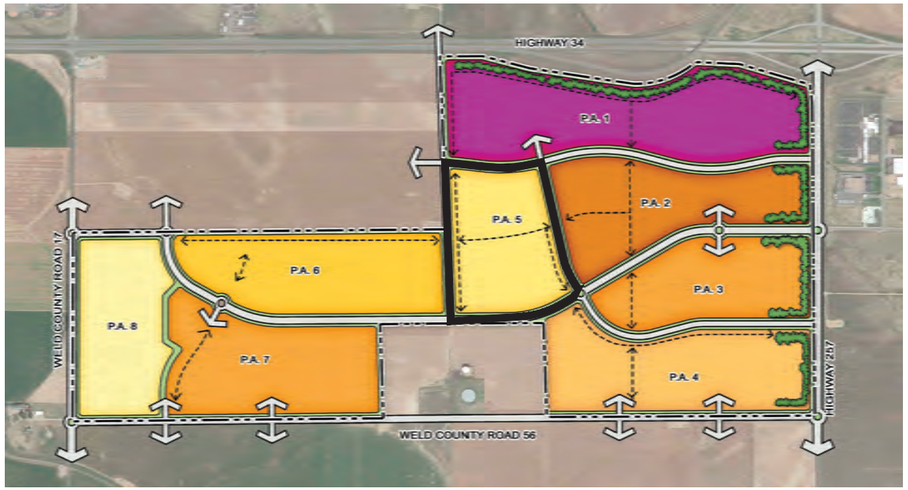
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SHEET NUMBER
GP-4

DELANTERO P.U.D.

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TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



COMMUNITY PARK THEME

THE PA 5 COMMUNITY PARK SHALL BE DESIGNED AS A COMMUNITY-WIDE RECREATION RESOURCE TO ENCOURAGE A WIDE RANGE OF PROGRAMS AND ACTIVITIES THAT SUPPORT HEALTHY LIFESTYLES AND SOCIAL INTERACTION OF THE DELANTERO COMMUNITY AND BEYOND.

PARK ELEMENTS SHALL PROVIDE OPPORTUNITIES FOR A DIVERSE MIX OF RECREATIONAL ACTIVITIES, INCLUDING ORGANIZED FIELD AND COURT SPORTS, SWIMMING, WALKING, JOGGING, BICYCLING, PICNICKING AND CHILDREN'S PLAY. THE COMMUNITY PARK'S WILL BE IN A CENTRAL LOCATION WITHIN THE DELANTERO DEVELOPMENT TO PROVIDE EASY ACCESS FROM THE PRIMARY ROAD AND COMMUNITY TRAIL NETWORK. OFF-STREET PARKING ACCOMMODATES DAILY USE AS WELL AS ORGANIZED AND SPECIAL EVENTS.

PA 5 COMMUNITY PARK IMPLEMENTATION

- THE PA 5 COMMUNITY PARK SHALL BE A MINIMUM OF 25.0 ACRES.
- THE PARK MUST INCLUDE ALL THE REQUIRED ELEMENTS LISTED.
- THE PARK MUST INCLUDE AT LEAST 5 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL PARK ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE PARK AND MAY BE SUBSTITUTED FOR OPTIONAL ELEMENTS WITH CITY OF GREELEY PLANNING APPROVAL.

COMMUNITY PARK DESIGN ELEMENTS

1. REQUIRED ELEMENTS

1.1. BENCHES: 1 PER ¼ MILE OF PAVED OR GRAVEL TRAIL. 2 PER FIRST ½ ACRE AND 1 ADDITIONAL PER ACRE.
1.2. BIKE RACKS
1.3. COMMUNITY EVENTS BOARD
1.4. DOG WASTE STATIONS
1.5. FAMILY PICNIC FACILITIES: ONE FACILITY. MINIMUM 6 TABLES, 2 BARBEQUES, SHADE, HARD SURFACING
1.6. GROUP PICNIC STRUCTURE/PAVILION: 2 FACILITIES. MINIMUM 4 TABLES, 1 BARBEQUE, SHADE, HARD SURFACING
1.7. LIGHTING
1.8. MEANDERING TRAILS/PATHS: DIRECTIONAL SIGNAGE AT ALL TRAIL INTERSECTIONS MINIMUM
1.9. PARKING - 25 SPACES
1.10. PLAYGROUND - 5-12 YEARS OLD: ONE FACILITY
1.11. PLAYGROUND - TOT LOT (2-6 YEARS OLD): TWO FACILITIES
1.12. SPORTS FIELDS: 1 BASEBALL, 2 MULTI-SPORT
1.13. TRASH RECEPTACLES
1.14. TURF AREA: WELL GRADED ½ ACRE OF TURF GRASS LAWN WITH 5-10 LARGE PARK TREES PER ACRE
1.15. 1 AC COMMUNITY GARDEN

2. OPTIONAL ELEMENTS

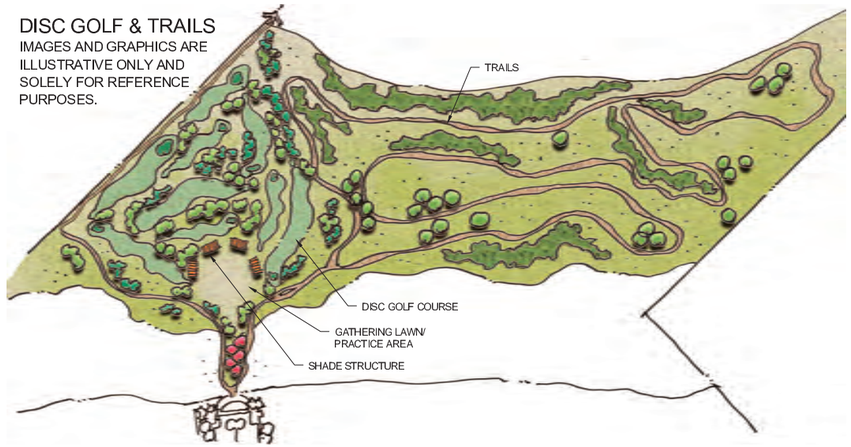
2.1. BOTANICAL GARDENS
2.2. COMMUNITY CENTER
2.3. COMMUNITY SWIMMING POOL
2.4. CONCESSIONS
2.5. DISC GOLF COURSE
2.6. FESTIVAL / FARMER'S MARKET FACILITY
2.7. FITNESS LOOP
2.8. INTERACTIVE WATER FEATURE
2.9. INTERPRETIVE SIGNAGE
2.10. NATURE PLAY AREA
2.11. NATURE TRAILS
2.12. OBSTACLE COURSE
2.13. PUBLIC ART / SCULPTURE
2.14. PUMP TRACK/BMX
2.15. SKATEBOARD PARK
2.16. SPORTS COURTS: TENNIS/ PICKLEBALL OR BASKETBALL
2.17. STAGE/AMPHITHEATER
2.18. WATER PLAY PARK
2.19. WIFI
2.20. ADDITIONAL OR EXPANDED REQUIRED ELEMENTS
2.21. RESTROOMS

CONCEPTUAL DESIGNS ILLUSTRATED HEREIN EXPRESS INTENT FOR PARK AND OPEN SPACE IMPROVEMENTS WITHIN THIS PUD. ACTUAL SITE DEVELOPMENT PLANS AND SPECIFIC IMPROVEMENTS SHALL COMPLY WITH THEME, DESIGN ELEMENTS AND IMPLEMENTATION REQUIREMENTS OF THE PUD. ALL IMPROVEMENTS WITHIN PLANNING AREAS SHALL BE CARRIED OUT OVER MULTIPLE PHASES AND FINAL PLATS AS DEVELOPMENT OCCURS.



COMMUNITY PARK
IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.

DISC GOLF & TRAILS
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PA 5 COMMUNITY PARK

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

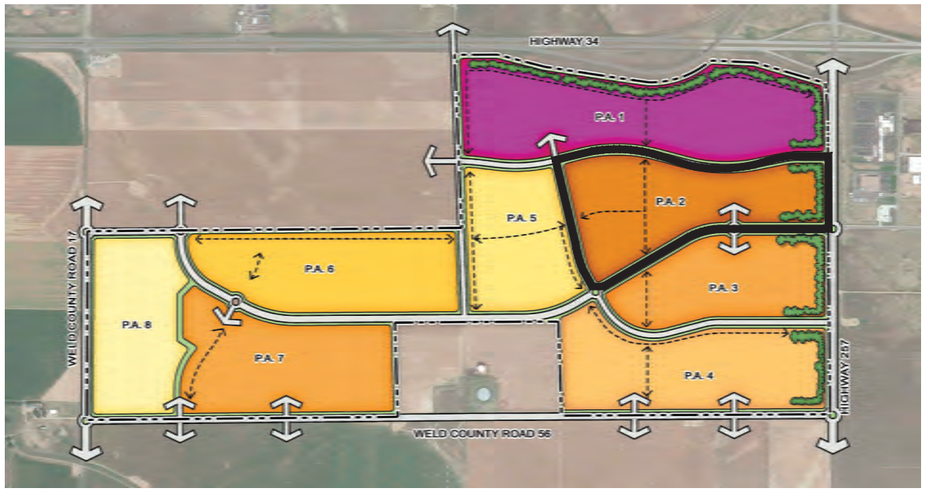
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SHEET NUMBER
V1.0

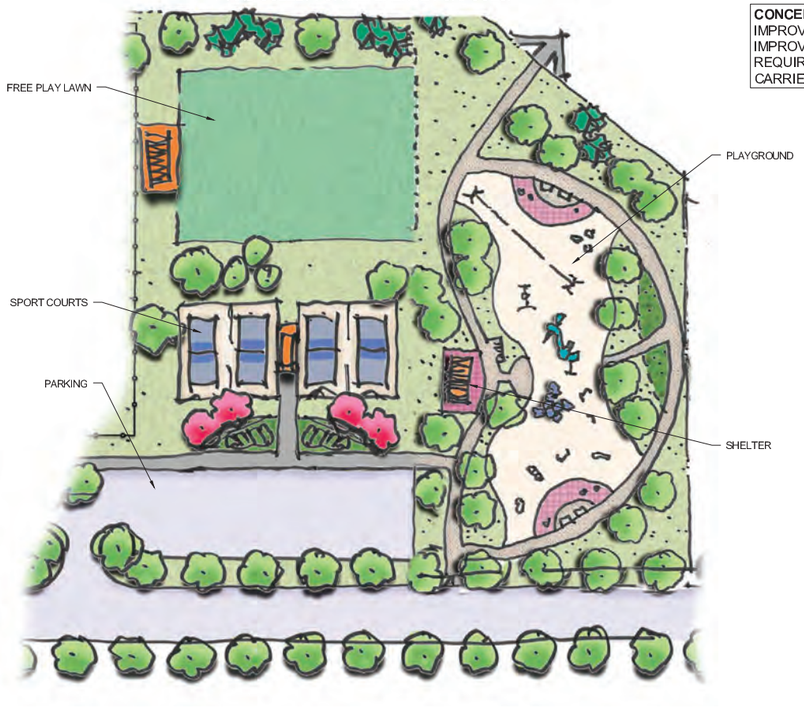
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PUD 2021-0013



NEIGHBORHOOD PARK

IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY
AND SOLELY FOR REFERENCE PURPOSES.



NEIGHBORHOOD PARK THEME

THE PA 2 NEIGHBORHOOD PARK WILL BE LOCATED FOR ACCESS AND USE BY DELANTERO RESIDENTS, DESIGNED TO ENCOURAGE HEALTH, FITNESS, AND SOCIAL ACTIVITIES FOR THE NEIGHBORHOOD., THIS WILL ACCOMMODATE BOTH DAYTIME AND NIGHTTIME ACTIVITIES SUCH AS PICNICKING, BAR-B-QUES, AND FAMILY GATHERINGS. PARKING AND BIKE RACKS ENCOURAGE PEDESTRIAN AND BICYCLE ACCESS. A PERIMETER TRAIL CONNECTS TO THE COMMUNITY PATH NETWORK AND ENABLES A FITNESS LOOP FOR EXERCISE.

OPTIONAL DESIGN ELEMENTS SUCH AS SPORTS COURTS AND FIELDS, A DISC GOLF COURSE, OBSTACLE COURSE, PLAYGROUNDS, AND SWIMMING POOL, FACILITATE ACTIVE RECREATION AND EXERCISE FOR HEALTHY LIFESTYLES OF ALL AGES. OTHER OPTIONS, SUCH AS AN AMPHITHEATER, COMMUNITY GARDENS, FARMER'S MARKET AREA, AND INTERPRETIVE SIGNAGE (WHICH COMMUNICATES INFORMATION OF SCIENTIFIC, HISTORIC, CULTURAL, OR GEOGRAPHIC INTEREST), ACCOMMODATE PASSIVE ACTIVITIES.

PA 2 NEIGHBORHOOD PARK IMPLEMENTATION

- THE PA 2 NEIGHBORHOOD PARK SHALL BE A MINIMUM OF 8.0 ACRES.
- THE PARK MUST INCLUDE ALL THE REQUIRED ELEMENTS LISTED.
- THE PARK MUST INCLUDE AT LEAST 4 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL PARK ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE PARK AND MAY BE SUBSTITUTED FOR OPTIONAL ELEMENTS WITH CITY OF GREELEY PLANNING APPROVAL.

CONCEPTUAL DESIGNS ILLUSTRATED HEREIN EXPRESS INTENT FOR PARK AND OPEN SPACE IMPROVEMENTS WITHIN THIS PUD. ACTUAL SITE DEVELOPMENT PLANS AND SPECIFIC IMPROVEMENTS SHALL COMPLY WITH THEME, DESIGN ELEMENTS AND IMPLEMENTATION REQUIREMENTS OF THE PUD. ALL IMPROVEMENTS WITHIN PLANNING AREAS SHALL BE CARRIED OUT OVER MULTIPLE PHASES AND FINAL PLATS AS DEVELOPMENT OCCURS.

NEIGHBORHOOD PARK DESIGN ELEMENTS

1. REQUIRED ELEMENTS

1.1. BENCHES: 1 PER $\frac{1}{4}$ MILE OF PAVED OR GRAVEL TRAIL. 2 PER FIRST $\frac{1}{2}$ ACRE AND 1 ADDITIONAL PER ACRE
1.2. BIKE RACKS
1.3. DOG WASTE STATIONS
1.4. FAMILY EVENT / GROUP PICNIC FACILITIES: ONE FACILITY. MINIMUM 4 TABLES, 6 BARBEQUES, SHADE, HARD SURFACING
1.5. LIGHTING
1.6. LINKS TO NEIGHBORHOOD TRAILS
1.7. MEANDERING TRAILS/PATHS: DIRECTIONAL SIGNAGE AT ALL TRAIL INTERSECTIONS
1.8. PICNIC TABLES: MINIMUM 4
1.9. PLAYGROUND - 5-12 YEARS OLD: ONE FACILITY
1.10. PLAYGROUND - TOT LOT (2-6 YEARS OLD): ONE FACILITY
1.11. TRASH RECEPTACLES
1.12. TURF AREA: WELL GRADED $\frac{1}{2}$ ACRE OF TURF GRASS LAWN WITH 5-10 LARGE PARK TREES PER ACRE

2. OPTIONAL ELEMENTS

2.1. AMPHITHEATER
2.2. COMMUNITY GARDENS
2.3. FARMER'S MARKET FACILITY
2.4. FITNESS LOOP: 1 PER $\frac{1}{4}$ MILE INCLUDES A COMBINATION OF PHYSICAL/ACTIVE STATIONS AND ACTIVITY SIGNS
2.5. INTERPRETIVE SIGNAGE
2.6. NATURE TRAILS
2.7. OBSTACLE COURSE
2.8. PARKING
2.9. PUBLIC ART/SCULPTURE
2.10. SPORTS COURTS: TENNIS / PICKLEBALL OR BASKETBALL
2.11. SPORTS FIELDS: 1 MULTI-SPORT
2.12. SWIMMING POOL: 1 OUTDOOR POOL
2.13. WIFI
2.14. COMMUNITY CENTER
2.15. RESTROOM
2.16. ADDITIONAL OR EXPANDED REQUIRED ELEMENTS










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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PA 2 NEIGHBORHOOD PARK

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

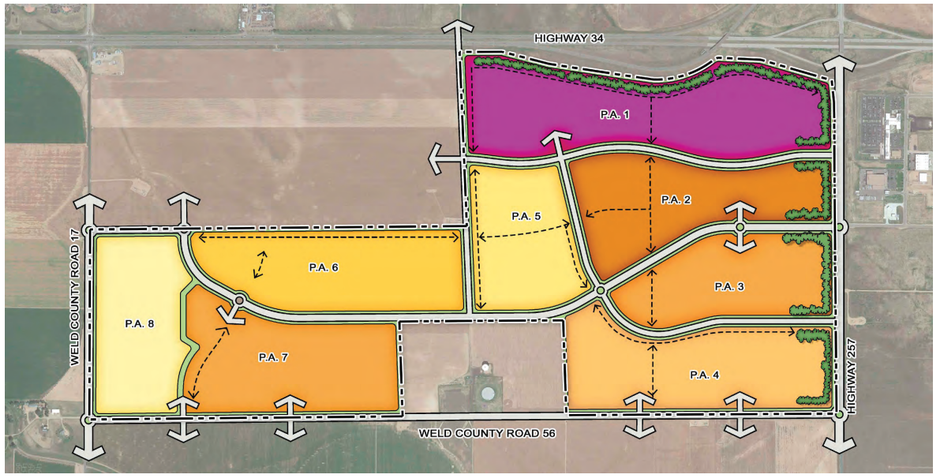
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SHEET NUMBER
V2.0

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CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



POCKET PARK THEME

POCKET PARKS (PA 2, PA 3, PA 4, PA 5, PA 6, PA 7, PA 8) LOCATED IN RESIDENTIAL AREAS SHALL PROVIDE RECREATION, PLAY, AND SOCIALIZING OPPORTUNITIES FOR PARENTS, TODDLERS, AND YOUNG CHILDREN WITHIN THEIR NEIGHBORHOODS. A POCKET PARK SHALL ALONE.

HE PLAYGROUND IS A REQUIRED DESIGN ELEMENT, INTENDED TO PROVIDE SUFFICIENT OPPORTUNITIES FOR PLAY WITHIN ONE GIVEN AGE RANGE OF CHILDREN. THE REST OF THE REQUIRED DESIGN ELEMENTS PROVIDE COMFORT, SAFETY, AND WELFARE FOR THE RESIDENTS. THE OPTIONAL ELEMENTS PROVIDE MORE OPPORTUNITIES FOR POCKET PARKS TO ENGAGE RESIDENTS ON A BROADER LEVEL.

CONCEPTUAL DESIGNS ILLUSTRATED HEREIN EXPRESS INTENT FOR PARK AND OPEN SPACE IMPROVEMENTS WITHIN THIS PUD. ACTUAL SITE DEVELOPMENT PLANS AND SPECIFIC IMPROVEMENTS SHALL COMPLY WITH THEME, DESIGN ELEMENTS AND IMPLEMENTATION REQUIREMENTS OF THE PUD. ALL IMPROVEMENTS WITHIN PLANNING AREAS SHALL BE CARRIED OUT OVER MULTIPLE PHASES AND FINAL PLATS AS DEVELOPMENT OCCURS.

POCKET PARK IMPLEMENTATION

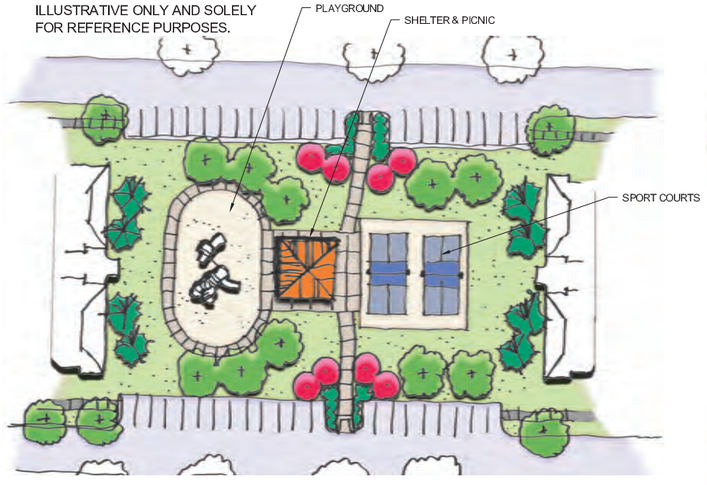
- POCKET PARKS SHALL EACH BE A MINIMUM OF 0.3 ACRES AND MAXIMUM OF 1.0 ACRES.
- EACH PARK MUST INCLUDE ALL THE REQUIRED ELEMENTS LISTED.
- EACH PARK MUST INCLUDE AT LEAST 1 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL PARK ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE PARK WITH CITY OF GREELEY PLANNING APPROVAL AND MAY BE SUBSTITUTED FOR OPTIONAL ELEMENTS.

POCKET PARK DESIGN ELEMENTS

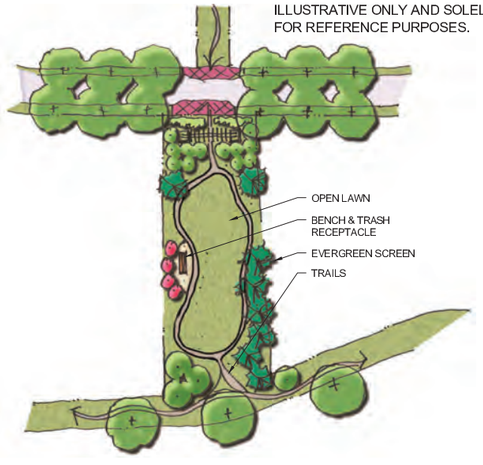
1. REQUIRED ELEMENTS (INCLUDING LEVEL OF SERVICE MINIMUM REQUIREMENTS)
- 1.1. BIKE RACKS
- 1.2. LIGHTING
- 1.3. PICNIC TABLES: MINIMUM 1
- 1.4. BENCHES: MINIMUM 2
- 1.5. PLAYGROUND: MINIMUM 1
- 1.6. TRASH RECEPTACLES

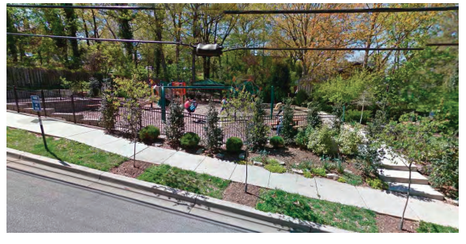
2. OPTIONAL ELEMENTS
- 2.1. COMMUNITY GARDEN
- 2.2. SPORTS COURTS: TENNIS / PICKLEBALL, AND/OR BASKETBALL
- 2.3. SHELTER: 1 MINIMUM
- 2.4. 2ND PLAYGROUND

POCKET PARK
IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.



POCKET PARK
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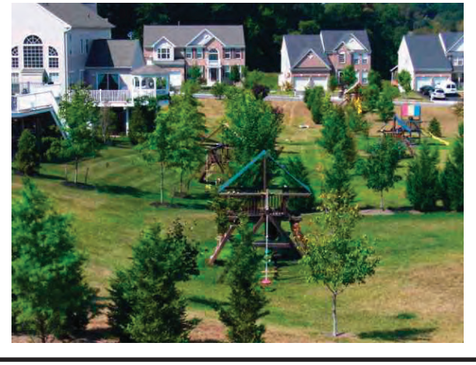












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DELANTERO P.U.D.
GREELEY, CO
POCKET PARK

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

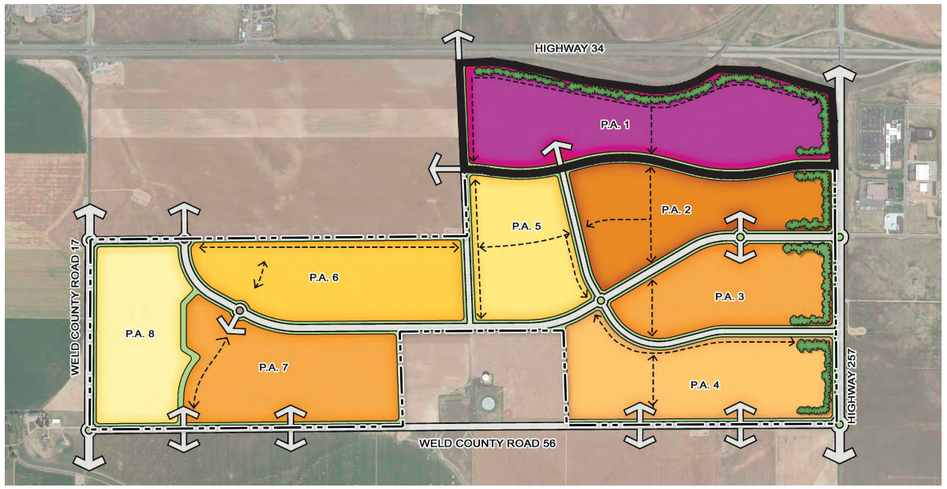
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PUD 2021-0013





DOG PARK
IMAGES AND GRAPHICS ARE ILLUSTRATIVE ONLY AND SOLELY FOR REFERENCE PURPOSES.

DOG PARK THEME

THE PA 1 DOG PARK IS ENVISIONED AS AN ACCOMMODATING RECREATIONAL PLAY AREA FOR DOGS AND THEIR OWNERS. OFF-STREET PARKING AND BIKE RACKS ACCOMMODATE RESIDENTS ARRIVING THROUGH MULTIPLE WAYS OF TRANSPORTATION. A FENCED ENCLOSURE WILL BE SURE TO KEEP DOGS SAFELY WITHIN THE PARK. A BUFFER OF TREES AND VEGETATION PROVIDES SHADE AND SEPARATION FROM HIGHWAY 34. THE PARK WILL HAVE BENCHES AND STRUCTURES FOR RESIDENTS TO RELAX WHILE THEIR DOGS RUN FREE. IT WILL PROVIDE TRASH RECEPTACLES AND DOG WASTE STATIONS TO MAKE IT CONVENIENT FOR RESIDENTS TO DISPOSE OF THEIR WASTE AND KEEP IT CLEAN FOR THE COMMUNITY.

IMPLEMENTATION OF THE OPTIONAL ELEMENTS SUCH AS A DOG WASH STATION ELEVATES THE FUN FACTOR AND ENABLES DOGS TO LEAVE THE PARK CLEAN. LIGHTING, SHELTER, AND A MAP PROVIDE SAFETY AND CONVENIENCE.

PA 1 DOG PARK IMPLEMENTATION

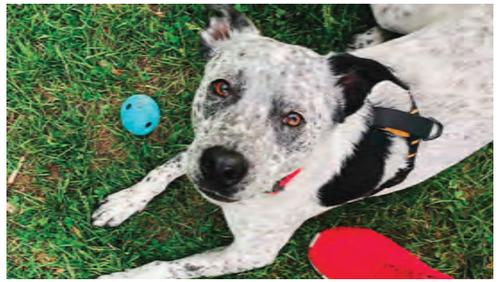
- THE PA 1 DOG PARK SHALL BE A MINIMUM OF 8.0 ACRES.
- THE PARK MUST INCLUDE ALL THE REQUIRED ELEMENTS LISTED.
- THE PARK MUST INCLUDE AT LEAST 1 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL PARK ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE PARK AND MAY BE SUBSTITUTED FOR OPTIONAL ELEMENTS WITH CITY OF GREELEY PLANNING APPROVAL.

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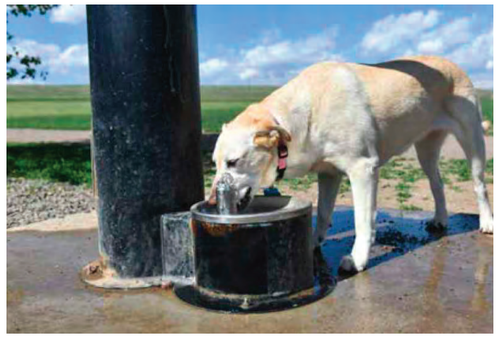
DOG PARK DESIGN ELEMENTS

1. REQUIRED ELEMENTS
1.1. 4 BENCHES
1.2. BIKE RACKS
1.3. 4 DOG WASTE STATIONS
1.4. FENCED DOG RUN AREA
1.5. TRASH RECEPTACLES

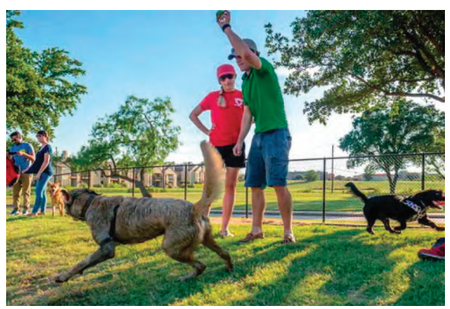
2. OPTIONAL ELEMENTS
2.1. DOG WASH STATION
2.2. LIGHTING
2.3. POND
2.4. SHELTER
2.5. MAP
2.6. WIFI















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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PA 1 DOG PARK

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

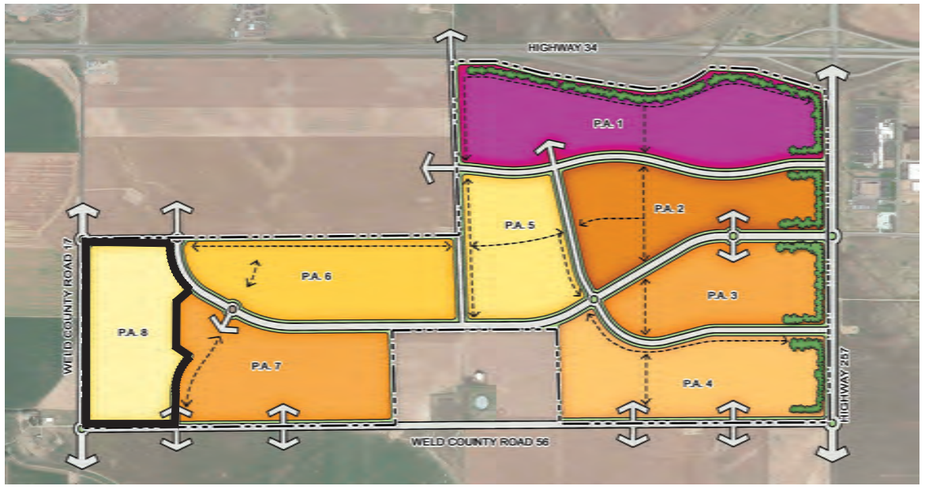
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SHEET NUMBER
V4.0

DELANTERO P.U.D.

A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



COMMUNITY AGRICULTURE THEME

THE VISION FOR PA 8 COMMUNITY AG IS TO PROVIDE RECREATION FOR A HEALTHY LIFESTYLE AND SOCIALIZING OPPORTUNITIES FOR THE DELANTERO COMMUNITY THAT ARE CONSISTENT WITH THE AGRICULTURE-CENTERED CONTEXT OF GREELEY. COMMUNITY AG TAKES ADVANTAGE OF ITS LOCATION AT THE WEST END OF DELANTERO TO ACT AS AN OPEN SPACE BUFFER TO HIGHWAY 17 TO THE WEST.

DESIGN ELEMENTS WITHIN COMMUNITY AG SHALL BE CONSISTENT IN CHARACTER AND SCALE WITH THE AGRICULTURAL CONTEXT. REQUIRED ELEMENTS SUCH AS PICNIC TABLES, BENCHES, SHELTER, RESTROOMS, AND AN OPEN-AIR PAVILION SUPPORT RECREATION AND FAMILY GATHERING OPPORTUNITIES, WHILE OPTIONAL ELEMENTS SUPPORT MORE ACTIVE ACTIVITY AND COMMUNITY ENGAGEMENT.

PA 8 COMMUNITY AGRICULTURE IMPLEMENTATION

- THE PA 8 COMMUNITY AG SHALL BE A MINIMUM OF 8.0 ACRES.
- THE PARK MUST INCLUDE ALL THE REQUIRED ELEMENTS LISTED.
- THE PARK MUST INCLUDE AT LEAST 1 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL PARK ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE PLANNING AREA WITH CITY OF GREELEY PLANNING APPROVAL AND MAY BE SUBSTITUTED FOR OPTIONAL ELEMENTS.

CONCEPTUAL DESIGNS ILLUSTRATED HEREIN EXPRESS INTENT FOR PARK AND OPEN SPACE IMPROVEMENTS WITHIN THIS PUD. ACTUAL SITE DEVELOPMENT PLANS AND SPECIFIC IMPROVEMENTS SHALL COMPLY WITH THEME, DESIGN ELEMENTS AND IMPLEMENTATION REQUIREMENTS OF THE PUD. ALL IMPROVEMENTS WITHIN PLANNING AREAS SHALL BE CARRIED OUT OVER MULTIPLE PHASES AND FINAL PLATS AS DEVELOPMENT OCCURS.

COMMUNITY AGRICULTURE DESIGN ELEMENTS

1. REQUIRED ELEMENTS

1.1. BENCHES
1.2. COMMUNITY GARDEN
1.3. INTERPRETIVE SIGNAGE
1.4. OPEN AIR SEASONAL PAVILION / FARM STAND: MINIMUM 1
1.5. SHELTER: MINIMUM 4 TABLES, 2 BARBEQUES, SHADE, HARD SURFACING WATER SOURCE(S): MINIMUM 1 PER PAVILION/SHELTER.

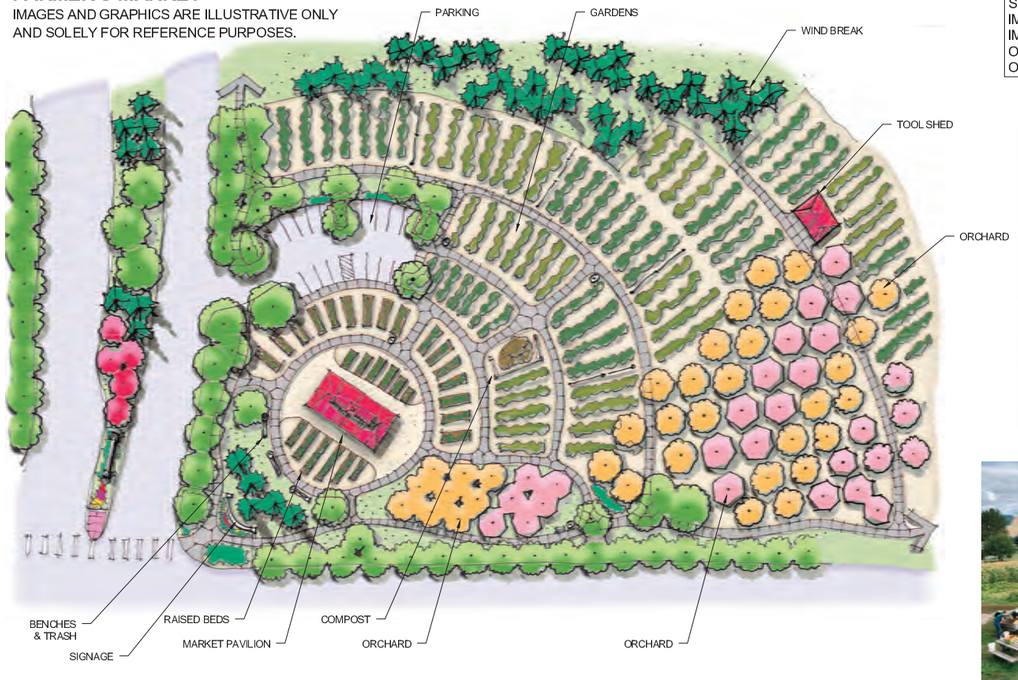
2. OPTIONAL ELEMENTS

2.1. FARMER'S MARKET FACILITY
2.2. NATURE PLAY AREA
2.3. STAGE
2.4. TRAILS: DIRECTIONAL SIGNAGE AT ALL TRAIL INTERSECTIONS MINIMUM
2.5. WIFI
2.6. RESTROOMS



COMMUNITY GARDEN & FARMER'S MARKET

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
PA 8 COMMUNITY AGRICULTURE

PROJECT #: 201048
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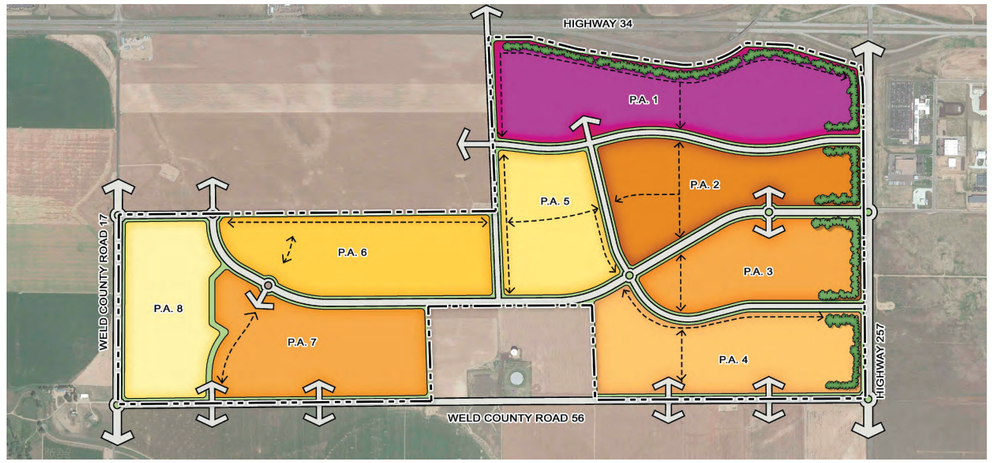
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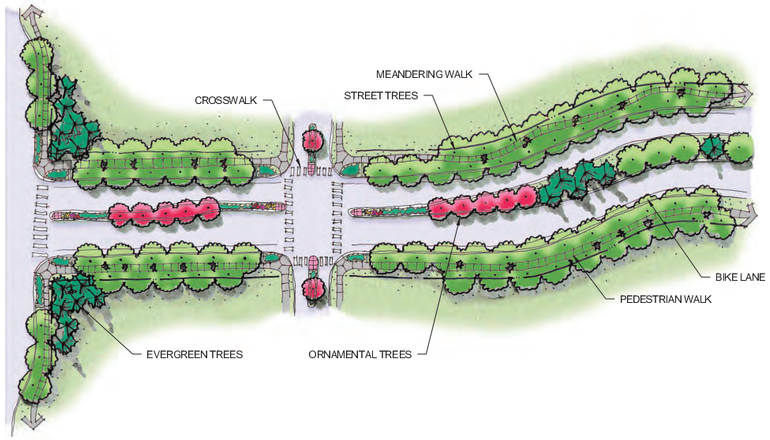
DELANTERO P.U.D.

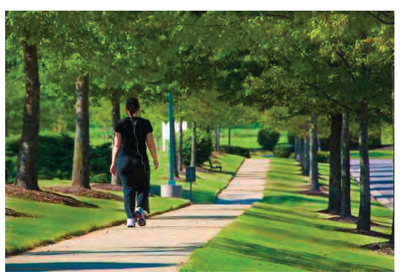
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BOULEVARD & PARKWAY (COLLECTOR RIGHT-OF-WAY)

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STREETSCAPE THEME

DELANTERO'S VISION FOR STREETSCAPES IS TO MAKE SURE THAT THE STREETS DO NOT HINDER BUT WELCOME THE COMMUNITY TO INTERACT AND FEEL A SENSE OF 'HOME.' THE DESIGN OF THE STREETS PLAYS A SIGNIFICANT ROLE IN THE COMMUNITY, AND IT IS IMPORTANT FOR DELANTERO TO MAKE THIS EXPERIENCE GREAT FOR RESIDENTS AND VISITORS. DELANTERO'S STREETS PROVIDE A BUFFER TO HOMES AND CONNECT NEIGHBORHOODS IN A SHARED PUBLIC SPACE AND CREATE A STRONG SENSE OF COMMUNITY.

IN KEEPING WITH THE CITY OF GREELEY ENTRYWAY MASTER PLAN, THE HIGHWAY 34 INTERCHANGE IMMEDIATELY NORTH OF DELANTERO SHALL INCLUDE STREETSCAPE ELEMENTS THAT MARK IT AS THE WESTERN GATEWAY INTO GREELEY. A SIMPLE PALETTE OF DESIGN ELEMENTS SUCH AS TREES AND PLANTS, PATHS, AND ART WILL SYMBOLICALLY LINK GREELEY'S PRESENT TO ITS HISTORIC ROOTS WHILE ELEVATING THE AESTHETIC BEAUTY OF THE GATEWAY. DELANTERO'S IMAGE WILL FOLLOW AS GREELEY'S GATEWAY COMMUNITY. HWY 34 ENTRYWAY LANDSCAPE PLANS SHALL BE PROVIDED WITH THE ADJACENT COMMERCIAL PLAT AND VETTED THROUGH CDOT DURING THE REFERRAL PROCESS. ONGOING MAINTENANCE OF HWY 34 ENTRY WAY LANDSCAPE SHALL BE THE RESPONSIBILITY OF THE CITY OF GREELEY.

WITHIN DELANTERO, EACH TYPE OF COLLECTOR STREET SHALL BEAR COMMON DESIGN ELEMENTS THAT LINK AND UNIFY NEIGHBORHOODS WITHIN THE COMMUNITY, CONTRIBUTING TO AN OVERALL ATTRACTIVE IMAGE FOR THE COMMUNITY. THE STREETS WILL PROVIDE THE NEIGHBORHOOD SCALE AND CHARACTER AS WELL AS EXPRESS IDENTITY AND HIERARCHY THROUGH DISTINCTIVE DESIGN.

DESIGN ELEMENTS WILL PROVIDE COMFORT AND WALKABILITY, SECURE SAFETY FOR PEDESTRIANS, FOSTER SOCIAL ACTIVITY, ENCOURAGE HEALTHY LIFESTYLE CHOICES, AND ENHANCE AESTHETIC APPEAL. THE VISION IS TO TREAT STREETS AS ECOSYSTEMS THAT BLEND NATURAL AND HUMAN PROCESSES, PROVIDE SHADE, AND ENABLE DRIVERS TO SEE PEDESTRIANS. ELEMENTS THAT DELANTERO MAY INCLUDE ARE STREET LIGHTING AND PEDESTRIAN LIGHTING, LANDSCAPING, SITE FURNISHINGS, STORMWATER BEST MANAGEMENT PRACTICES, SIGNAGE, PUBLIC TRANSPORTATION SHELTERS, PEDESTRIAN CROSSWALKS, AND TRAFFIC CALMING MEASURES.

COMMERCIAL STREETS WILL PROVIDE AMENITIES FOR SHOPPERS SUCH AS PEDESTRIAN LIGHTING, SEATING AND TRASH RECEPTACLES, BICYCLE PARKING, EASY-TO-READ SIGNS, ART, AND DISTINCTIVE ZONES FOR PLANTS AND PEDESTRIAN ACCOMMODATION. DESIGN ELEMENTS OF RESIDENTIAL STREETS WILL BE FOCUSED ON ENHANCING THE BEAUTY AND WALKABILITY OF NEIGHBORHOODS AND WILL INCLUDE DETACHED SIDEWALKS WITH LAWNS AND STREET TREES.

STREETS IN INDUSTRIAL AREAS WILL PROVIDE A MIXTURE OF PEDESTRIAN AMENITIES SUCH AS PEDESTRIAN LIGHTING, SITE FURNISHINGS, SIGNAGE, AND DETACHED SIDEWALKS WITH LAWNS AND STREET TREES.

STREETSCAPE IMPLEMENTATION

- STREETSCAPES SHALL APPLY TO ALL PUBLIC RIGHTS-OF WAY.
- STREETSCAPES FOR EACH TYPE OF STREET MUST INCLUDE ALL OF THE REQUIRED ELEMENTS LISTED.
- STREETSCAPES FOR EACH TYPE OF STREET MUST INCLUDE AT LEAST 1 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL STREETSCAPE ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF THE STREETSCAPE WITH CITY OF GREELEY PLANNING APPROVAL AND MAY BE SUBSTITUTES FOR THE OPTIONAL ELEMENTS.
- STREET TREES WILL BE PROVIDED CONSISTENT WITH THE DEVELOPMENT CODE AT THE TIME OF DEVELOPMENT.

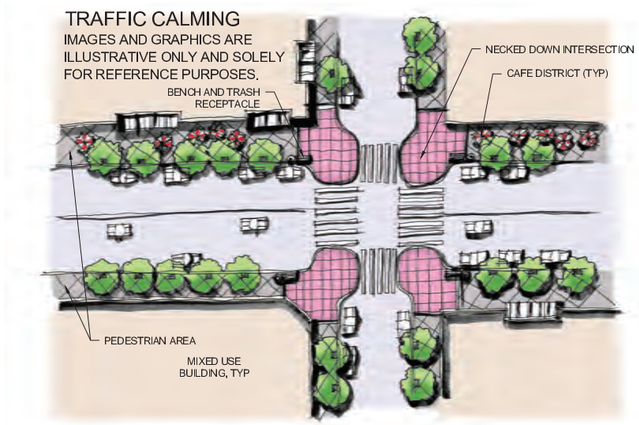
STREETSCAPE DESIGN ELEMENTS[1]

		110' ARTERIAL STREET	100' COLLECTOR STREET	80' COLLECTOR STREET	LOCAL INDUSTRIAL OR RESIDENTIAL STREET
1.0	**REQUIRED ELEMENTS**				
1.1	STREET LIGHTING	X	X	X	X
1.2	PEDESTRIAN LIGHTING	X	X	X	
1.3	BICYCLE RACKS	X	X	X	
1.4	LANDSCAPING	X	X	X	
1.5	MEANDERING SIDEWALKS	X	X		
1.6	OFFSET SIDEWALKS			X	
1.7	PEDESTRIAN CROSSWALKS	X	X	X	X
1.8	SIGNAGE	X	X	X	X
1.9	SITE FURNISHINGS	X	X	X	
1.11	STORMWATER MGMT BMPs[2]	X	X	X	X
1.12	DOUBLE ROW OF STREET TREES, 8 TREES PER 100 LINEAL FEET, EA. SIDE	X	X		
1.13	SINGLE ROW OF STREET TREES, 4 TREES PER 100 LINEAL FEET, EA. SIDE			X	
1.14	1 STREET TREE FOR LOTS UP TO 50' WIDE, AT LEAST 2 TREES FOR LOTS GREATER THAN 50' WIDE				X
1.15	TRAFFIC CALMING MEASURES[3]	X	X	X	
2.0	**OPTIONAL ELEMENTS**				
2.1	ART/SCULPTURE	X	X		
2.2	TRANSPORTATION SHELTERS	X	X		
2.3	TRAFFIC CALMING MEASURES[4]	X	X	X	

[1] SEE SHEET L11.0 FOR STREET CLASSIFICATIONS
[2] BMPs = BEST MANAGEMENT PRACTICES
[3] AS REQUIRED BY CITY TRAFFIC AND/OR ENGINEERING DEPARTMENTS
[4] AS ALLOWED BY CITY TRAFFIC AND/OR ENGINEERING DEPARTMENTS

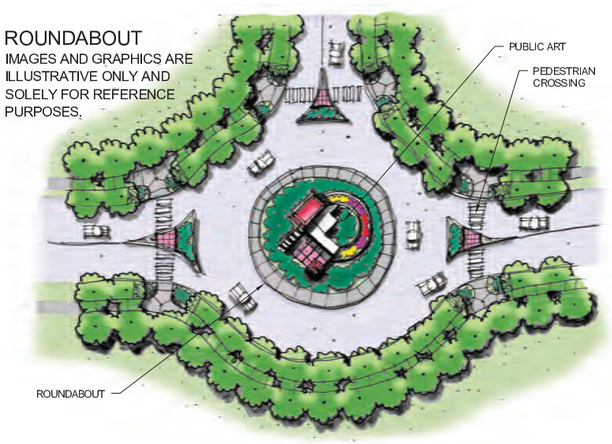
TRAFFIC CALMING

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ROUNDABOUT

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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
STREETSCAPE

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

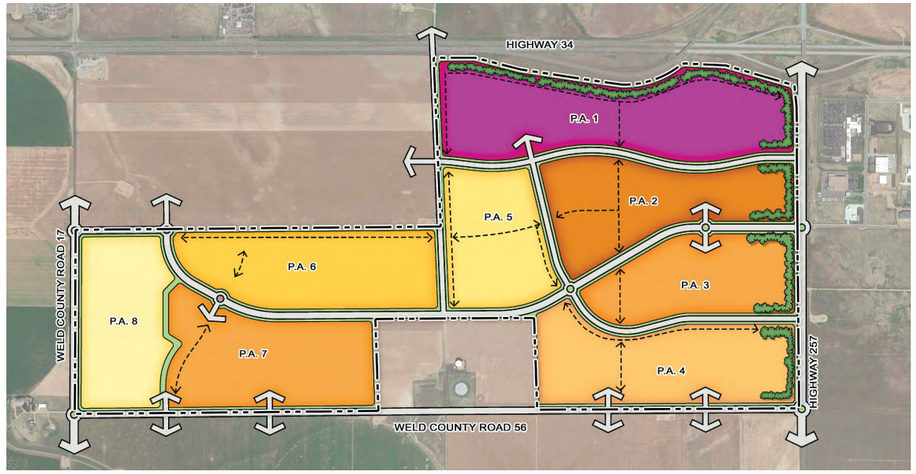
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PUD 2021-0013



TRAILS, DRAINAGE, & DETENTION THEME

TRAILS, DRAINAGE, AND DETENTION ARE ENVISIONED TO BE AESTHETIC ENHANCEMENTS WHICH ARE INTEGRATED MULTI-FUNCTIONAL OPEN SPACE CORRIDORS, PEDESTRIAN CONNECTIVITY OPPORTUNITIES, AND STORMWATER AND WATER QUALITY FACILITIES. TRAILS ARE SITED WITHIN UTILITY EASEMENTS, DRAINAGE CORRIDORS, AND LANDSCAPE BUFFERS AND OFFER OPPORTUNITIES FOR RESIDENTS TO ENJOY NATURE AND TRAVEL THROUGH DELANTERO OUTSIDE OF THE ROAD NETWORK. THE DRAINAGE NETWORK AND DETENTION FACILITIES PROVIDE NECESSARY DRAINAGE AND STORMWATER MANAGEMENT FUNCTIONS, BUT ALSO REDUCE POLLUTION IN THE LOCAL WATERSHED, INCREASE GROUNDWATER RECHARGE, REDUCE FLOODING DURING SEVERE STORMS, AND REDUCE COST OF ENGINEERED INFRASTRUCTURE.

REQUIRED DESIGN ELEMENTS, SUCH AS SEATING, SIGNAGE, WASTE RECEPTACLES, AND WATER STATIONS, PROVIDE ACCOMMODATION, NAVIGATION, AND INFORMATION FOR THE SAFETY AND COMFORT OF USERS. OPTIONAL DESIGN ELEMENTS ELEVATE USERS' EXPERIENCES AND PROVIDE ENHANCED OPPORTUNITIES FOR GATHERING AND RECREATION THROUGH SHELTER, VEHICULAR AND BICYCLE PARKING, LIGHTING, PICNIC TABLES, EXERCISE STATIONS, AND GARDENS.

TRAILS, DRAINAGE, & DETENTION IMPLEMENTATION

- TRAILS, DRAINAGE & DETENTION ARE SIZED TO ACCOMMODATE THE NEED OF THE USE.
- THEY MUST INCLUDE ALL THE REQUIRED ELEMENTS AS LISTED FOR EACH USE.
- THEY MUST INCLUDE AT LEAST 3 OF THE OPTIONAL ELEMENTS LISTED.
- ADDITIONAL ELEMENTS NOT LISTED SHALL BE ALLOWED IN THE DESIGN OF TRAILS, DRAINAGE & DETENTION AND MAY BE SUBSTITUTED FOR THE OPTIONAL ELEMENTS WITH CITY OF GREELEY PLANNING APPROVAL.

TRAILS, DRAINAGE, & DETENTION DESIGN ELEMENTS

1. REQUIRED ELEMENTS

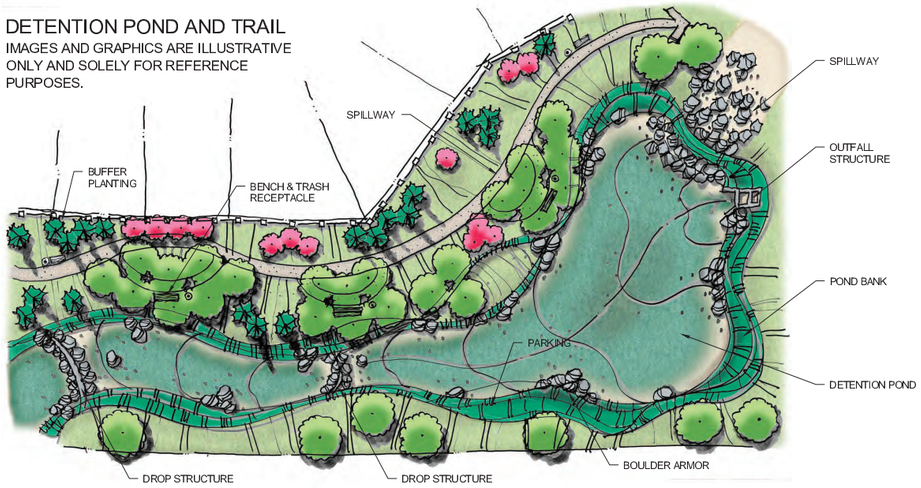
1.1 BENCHES: 1 PER $\frac{1}{4}$ MILE OF PAVED OR GRAVEL TRAIL. 4 PER FIRST $\frac{1}{2}$ ACRE AND 2 ADDITIONAL PER ACRE.
1.2. BIKE / HIKE TRAILS
1.3. BOULDER SEATING
1.4. CRUSHER FINES TRAILS
1.5. DOG WASTE STATIONS: MINIMUM 1
1.6. INTERPRETIVE SIGNAGE
1.7. MONUMENT SIGN
1.8. TRASH RECEPTACLES

2. OPTIONAL ELEMENTS

2.1. BIKE RACKS
2.2. CONCRETE / ASPHALT TRAILS
2.3. EXERCISE STATIONS: MINIMUM 1 PER MILE INCLUDES A COMBINATION OF PHYSICAL/ACTIVE STATIONS AND ACTIVITY SIGNS
2.4. LIGHTING
2.5. PICNIC TABLES: MINIMUM 4
2.6. FENCING (OPEN RAIL)
2.7. RESPITE GARDENS
2.8. SHELTERS: MINIMUM 1 PER 3 MILES OF TRAIL
2.9. TRAILHEAD PARKING: MINIMUM 1 TRAILHEAD SIGN AND 10 PARKING STALLS. 1 WATER STATION
2.10. WATER STATIONS: MINIMUM 1 PER TRAILHEAD. MINIMUM 1 FOR EQUESTRIAN ACCESS.

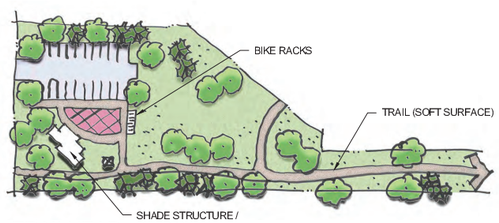
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DETENTION POND AND TRAIL
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TRAILHEAD
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
TRAILS, DRAINAGE, AND DETENTION

PROJECT #: 20104
DRAWN BY: ML, CQ, JO
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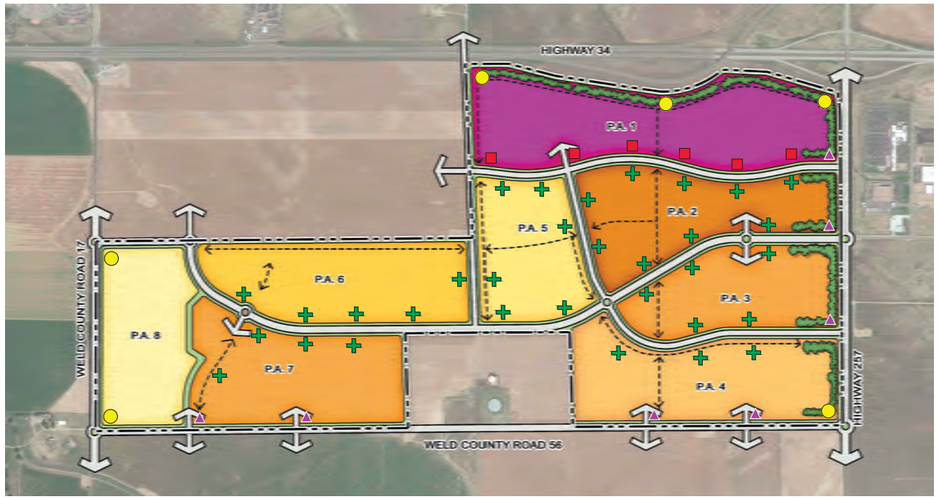
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LEGEND

- POTENTIAL GATEWAY MONUMENT LOCATION
- POTENTIAL COMMUNITY MONUMENT LOCATION
- POTENTIAL COMMERCIAL MONUMENT LOCATION
- QUANTITIES AND LOCATIONS OF NEIGHBORHOOD MONUMENTS WILL BE DETERMINED AT PRELIMINARY PLAT/FINAL PLAT

MONUMENTS AND SIGNAGE THEME

WITHIN DELANTERO, MONUMENTS AND SIGNAGE FUNCTION TO PROVIDE INFORMATION FOR NAVIGATION, LOCATION, IDENTIFICATION, EDUCATION, AND SAFETY TO RESIDENTS AND VISITORS OF DELANTERO; AND TO HELP UNIFY NEIGHBORHOODS INTO A COHESIVE COMMUNITY WITH CONSISTENT USE OF MATERIALS AND COLORS.

GATEWAY MONUMENTS AND SIGNAGE IDENTIFY THE DELANTERO COMMUNITY TO THE REGIONAL DRIVERS AND PEDESTRIANS BY VIRTUE OF ITS PROMINENT SIZE, LOCATION, AND DESIGN ALONG HIGHWAYS 34, 257, AND 17. COMMUNITY, COMMERCIAL, AND NEIGHBORHOOD SIGNAGE ECHO THE CHARACTER, MATERIALS, AND THEME OF THE GATEWAY MONUMENT AT SCALED-DOWN SIZES. SIGNAGE FOR TRAILS AND PARKS WILL IDENTIFY AND PROVIDE IMPORTANT INFORMATION ABOUT COMMUNITY OPEN SPACE. INTERPRETIVE SIGNS WILL COMMUNICATE INFORMATION OF SCIENTIFIC, HISTORIC, CULTURAL, OR GEOGRAPHIC INTEREST. DELANTERO WILL MAKE SURE TO CONVEY INFORMATION ABOUT LOCAL RULES AND REGULATIONS TO ENSURE THE HEALTH, SAFETY, AND WELFARE FOR EVERYONE WITHIN THE DELANTERO COMMUNITY.

MONUMENTS AND SIGNAGE IMPLEMENTATION

- DESIGNS FOR SIGNAGE AND MONUMENTATION SHALL BE INTEGRATED IN CHARACTER AND SCALE WITHIN THE DELANTERO COMMUNITY.
- THE DELANTERO COMMUNITY SHALL BE MARKED BY A SINGLE GATEWAY MONUMENT SIGN IN PROXIMITY TO HIGHWAY 34.
- A COMMUNITY MONUMENT SIGN SHALL BE LOCATED AT EACH OF THE MAJOR VEHICULAR ENTRIES FROM HIGHWAYS 257 AND 17 INTO DELANTERO.
- COMMERCIAL/TENANT, DIRECTIONAL, NEIGHBORHOOD, TRAILS/PARKS, INTERPRETIVE, AND RULES & POSTING SIGNAGE SHALL BE LOCATED AS NECESSARY IN SUFFICIENT QUANTITIES, HEIGHTS, AND SIZES TO PROVIDE ADEQUATE NAVIGATION, INFORMATION, IDENTIFICATION, AND SAFETY TO RESIDENTS AND VISITORS.
- SETBACKS FOR SIGNAGE AND MONUMENTATION SHALL FOLLOW EXISTING CODE.
- ADDITIONAL ELEMENTS NOT LISTED SHALL BE ALLOWED WITH CITY OF GREELEY PLANNING APPROVAL.

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GATEWAY CORNER
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MONUMENTS AND SIGNAGE DESIGN INTENT

REQUIRED ELEMENTS	LOCATION	HEIGHT	SIZE[1]
GATEWAY	ALONG HIGHWAY 34	35' HT	80 SF SIGN FACE EACH SIDE, 250 SF OVERALL SIGN AREA
COMMUNITY	LOCATED AT COMMUNITY ENTRANCES ALONG HIGHWAY 257, CR 56, AND CR 17	11' HT	18 SF SIGN FACE EACH SIDE, 120 SF OVERALL SIGN AREA EACH SIDE, DOUBLE SIDED
NEIGHBORHOOD	LOCATED ALONG COLLECTOR ROADS AT NEIGHBORHOOD ENTRANCES (INTERNAL MONUMENTS NOT SHOWN ON GRAPHIC)	6-8' HT	14 SF SIGN FACE EACH SIDE, 52 SF OVERALL SIGN AREA EACH SIDE, DOUBLE SIDED
COMMERCIAL/TENANT	DETERMINED BY DEVELOPER AND SUBJECT TO APPROVAL BY CITY AT THE TIME OF FINAL PLAT AND SITE PLAN.	FOR COMMERCIAL/MIXED USES, 12' HT. FOR COMMERCIAL ONLY USES, 35' HT.	FOR COMMERCIAL/MIXED USES, 33 SF. FOR COMMERCIAL ONLY USES, 50 SF.
DIRECTIONAL	DETERMINED BY DEVELOPER AND SUBJECT TO APPROVAL BY CITY AT THE TIME OF FINAL PLAT AND SITE PLAN.	6-8' HT	PER EXISTING CITY CODE.
TRAILS/PARKS	DETERMINED BY DEVELOPER AND SUBJECT TO APPROVAL BY CITY AT THE TIME OF FINAL PLAT AND SITE PLAN.	6-8' HT	PER EXISTING CITY CODE.
INTERPRETIVE	DETERMINED BY DEVELOPER AND SUBJECT TO APPROVAL BY CITY AT THE TIME OF FINAL PLAT AND SITE PLAN.	4-8' HT	PER EXISTING CITY CODE.
RULES & POSTING (HOA/CITY/USE)	DETERMINED BY DEVELOPER AND SUBJECT TO APPROVAL BY CITY AT THE TIME OF FINAL PLAT AND SITE PLAN.	4-6' HT	PER EXISTING CITY CODE.

' TERMS PER CITY OF GREELEY SIGN CODE DEFINITIONS

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
88 INVERNESS CIR E, STE J-101
ENGLEWOOD, CO 80112
PHONE: 303.734.1777

CIVIL ENGINEER
CWC CONSULTING GROUP
CIVIL ENGINEERING · LAND SURVEYING
CONSTRUCTION SERVICES
9160 TEDDY LANE, SUITE 203
LONE TREE, CO 80124
PHONE 303.395.2700 · FAX 303.395.2701

CLIENT
STRATUS COMPANIES
8480 E. ORCHARD RD, STE 1100
GREENWOOD VILLAGE, CO 80111
PHONE: (720) 214-5000

DELANTERO

DELANTERO P.U.D.
GREELEY, CO
MONUMENTS AND SIGNAGE

PROJECT #: 201048
DRAWN BY: ML, CQ, JO
CHECKED BY: RH

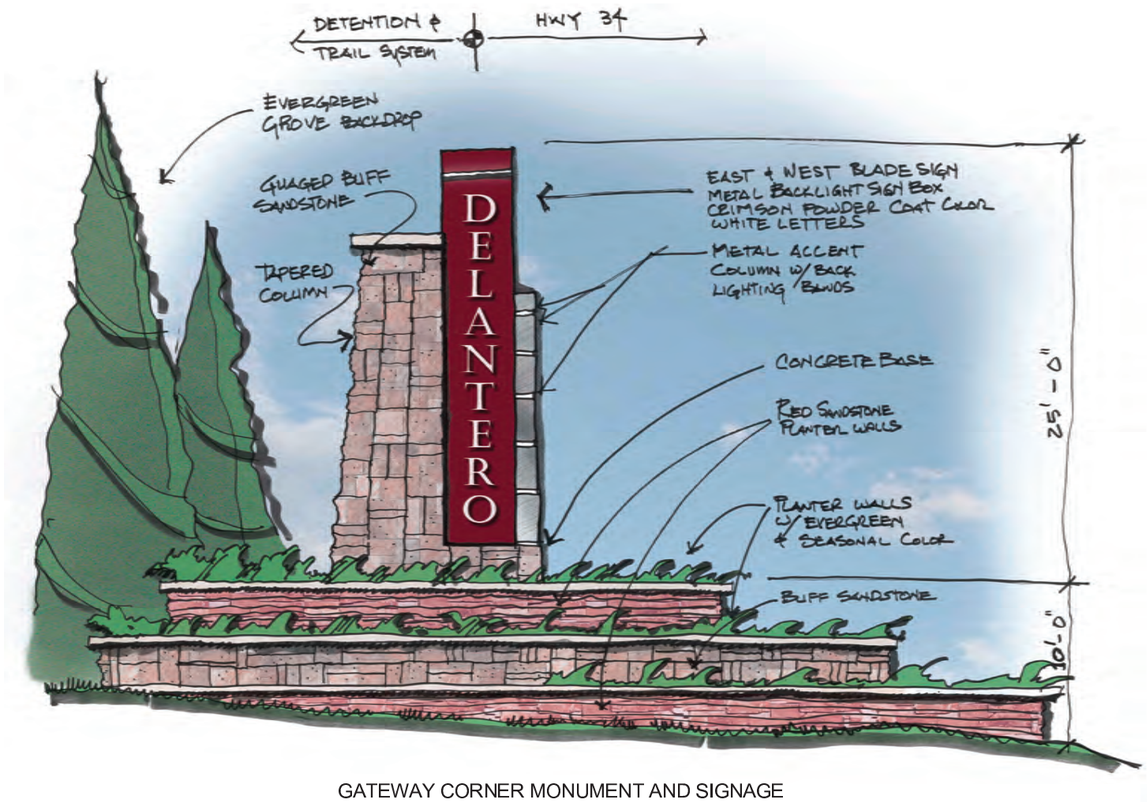
ISSUE RECORD

1st SUBMITTAL	04-27-2021
2nd SUBMITTAL	09-22-2021
3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

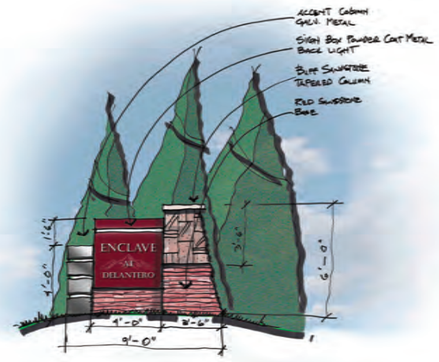
SHEET NUMBER
V8.0

DELANTERO P.U.D.

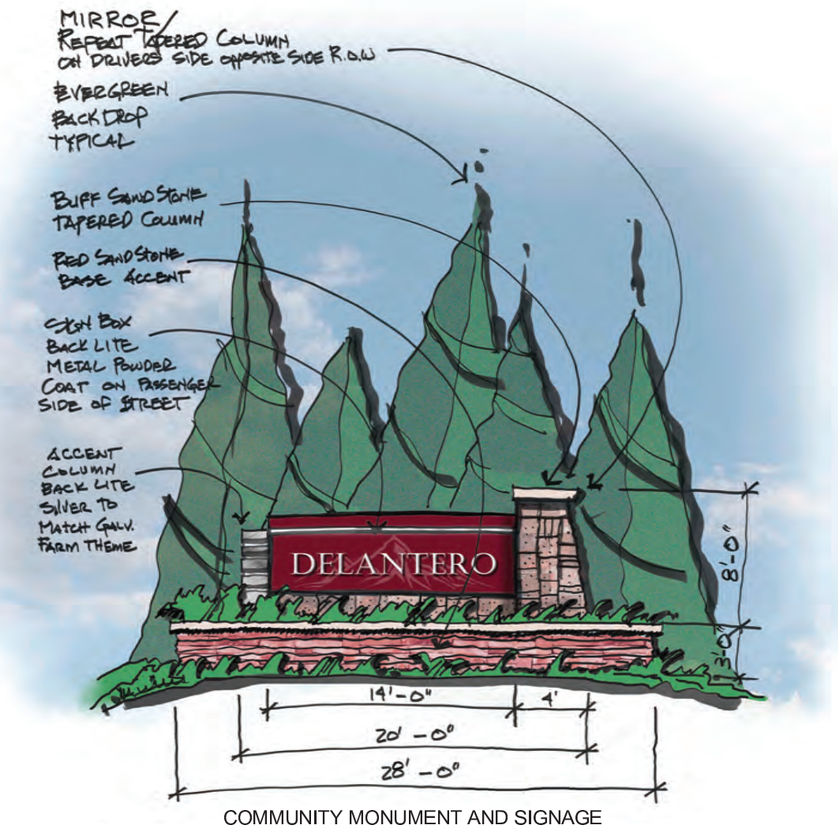
A PARCEL OF LAND BEING PARTS OF SECTION 15 AND A PART OF THE SOUTH ONE-HALF OF SECTION 16,
TOWNSHIP 5 NORTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO
PUD 2021-0013



GATEWAY CORNER MONUMENT AND SIGNAGE
LOCATED ALONG HIGHWAY 34



NEIGHBORHOOD MONUMENT AND SIGNAGE
LOCATED ALONG THE COLLECTOR ROADS AT NEIGHBORHOOD ENTRANCES



COMMUNITY MONUMENT AND SIGNAGE
LOCATED AT COMMUNITY ENTRANCES ALONG HIGHWAY 257, CR 56, AND CR 17

CONCEPTUAL DESIGNS ILLUSTRATED HEREIN EXPRESS INTENT FOR PARK AND OPEN SPACE IMPROVEMENTS WITHIN THIS PUD. ACTUAL SITE DEVELOPMENT PLANS AND SPECIFIC IMPROVEMENTS SHALL COMPLY WITH THEME, DESIGN ELEMENTS AND IMPLEMENTATION REQUIREMENTS OF THE PUD. ALL IMPROVEMENTS WITHIN PLANNING AREAS SHALL BE CARRIED OUT OVER MULTIPLE PHASES AND FINAL PLATS AS DEVELOPMENT OCCURS.

PLANNER / ARCHITECT / LANDSCAPE ARCHITECT
LAI DESIGN GROUP
88 INVERNESS CIR E, STE J-101
ENGLEWOOD, CO 80112
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CIVIL ENGINEER
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8480 E. ORCHARD RD, STE 1100
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DELANTERO

DELANTERO P.U.D.
GREELEY, CO
MONUMENTS AND SIGNAGE

PROJECT #:	201048
DRAWN BY:	ML, CQ, JO
CHECKED BY:	RH

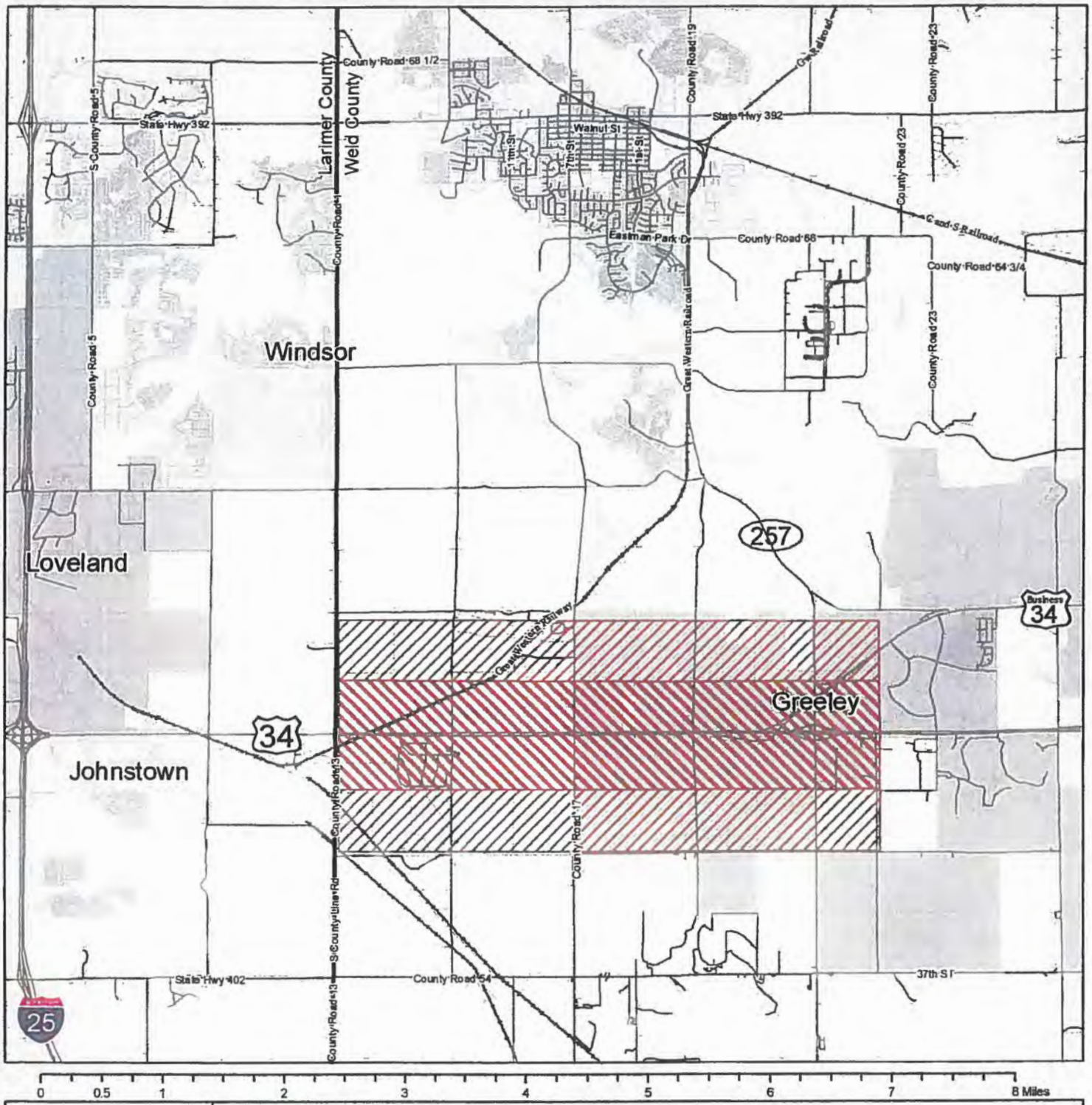
ISSUE RECORD

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3rd SUBMITTAL	12-23-2021
4th SUBMITTAL	03-18-2022
5th SUBMITTAL	04-11-2022

SHEET NUMBER
V8.1

Item No. 17.

Exhibit A - Cooperative Land Use Annexation and Utility Areas (CLUA)



City of Greeley

Created: September 24th 2007
By: City of Greeley, GIS

- Primary Cooperative Land Use Annexation and Utility Area
- Secondary Cooperative Land Use Annexation and Utility Area
- County Line
- Parcels
- Rail
- Street Centerlines
- City Limits

12

3556256 05/23/2008 02:46P Weld County, CO
12 of 19 R 96.00 D 0.00 Steve Moreno Clerk & Recorder

3556256 05/23/2008 02:46P Weld County, CO
13 of 19 R 96.00 D 0.00 Steve Moreno Clerk & Recorder

Exhibit "B"
US HWY 34 LAND USE, SITE AND BUILDING STANDARDS

The following land use and development standards are blended elements of the City of Greeley and Town of Windsor Development Codes and provide Overlay Development Standards for a portion of that area known as the "Strategic Employment Development Corridor (SEDC)" as described in the City of Greeley 2020 Comprehensive Plan west of State Hwy 257 (SH 257) as illustrated on the attached Exhibit A and hereinafter referred to as "Greeley/Windsor Employment Corridor (G/WEC)."

I. LAND USE

A. PRINCIPAL EMPLOYMENT CORRIDOR

1. Physical Area Defined:
The boundary of the principal G/WEC is ½ mile north and south of the US Hwy 34 west of SH 257 and east of WCR 13 (County Line Road);

2. Allowed Land Uses:
As described in the Comprehensive Planning documents for Greeley and Windsor the US Hwy 34 travel corridor is the preferred location for a mix of regional employment and community separator types of land uses. The principal land uses allowed in this corridor shall relate to principal employment functions, such as professional business park uses (e.g. "FIRE: Finance, Insurance, Real Estate"), light industrial and select medium industrial uses and special regional destination uses. Outside storage is not permitted in this area unless fully screened from all rights-of-way and adjacent non-industrially zoned lands, and where incidental clearly subordinate to the principal land use. The following land uses are considered principal uses in this corridor; further subject to the zoning district standards and review processes in the governing jurisdiction.

* adult schools, e.g. college or university facility, trade or business school
* amusement park
* arena or auditorium
* assembly
* beverage processing
* driving range
* fabrication
* farming
* financial institution

3556256 05/23/2008 02:46P Weld County, CO
14 of 19 R 96.00 D 0.00 Steve Moreno Clerk & Recorder

* food processing (fully-enclosed facilities with no adverse environmental impacts)
* golf course
* greenhouse or nursery
* hospital
* kennels and animal care facilities
* mail center
* manufacturing (fully enclosed, light manufacturing activities)
* medical supply
* office
* open space
* publishing firms
* quasi-public facilities (museum, fire & police, zoo, aquarium)
* radio station
* research/development lab
* sports arena
* stable
* studios
* television station
* testing lab
* theme park
* transportation facilities (light rail stations and public transportation depots are permitted. Truck terminals and truck stops are prohibited)
* veterinary clinics
* warehouse
* wholesale goods

Other accessory and supportive land uses, such as restaurants, are allowed only if incidental to the principal land use and located within an established employment, business or industrial park setting.

Retail operations representing "destination commercial" uses may be allowed on a case by case basis following the development referral process as described in this Exhibit and when mutually agreed upon by Greeley and Windsor in writing.

B. SECONDARY CORRIDOR AREA

1. Physical Area Defined:
The boundary of the secondary G/WEC area begins ½ mile back of the Principal Employment Corridor boundaries north and south of the US Hwy 34.

3556256 05/23/2008 02:46P Weld County, CO
15 of 19 R 96.00 D 0.00 Steve Moreno Clerk & Recorder

2. Allowed Land Uses:
Allowed land uses are those permitted within the annexing jurisdiction and may include residential, retail, restaurant, neighborhood commercial and other institutional uses as may be defined by the annexing jurisdiction.

II. SITE DESIGN

A. BUILDING ORIENTATION:
All portions of buildings facing a right-of-way shall be designed and oriented to offer a "front door" level of design to the traveling public (criteria for architectural treatments defined in Section III, below).

B. BUILDING AND STRUCTURE SETBACK:
All buildings and other structures, such as parking lots, shall be setback at least 100' from US Hwy 34. Setbacks from other rights-of-way shall be in accord with the jurisdiction within which the site is located.

C. LANDSCAPING:
Landscaping and buffering shall be designed and approved in accordance with the landscaping requirements of the jurisdiction within which the site is located and shall be designed in such a way as to present a coordinated entryway treatment along US Hwy 34 and WCR 17.

D. FENCING
Fencing used as part of a landscape treatment shall be designed and approved in accordance with the fencing requirements associated with landscaping of the jurisdiction within which the site is located and shall be designed in such a way as to present a coordinated entryway treatment along US Hwy 34 and WCR 17. No chain link fencing shall be permitted within the principal corridor area. Any proposals for chain link fencing within the secondary corridor area (1) shall meet all any chain link fencing requirements of the jurisdiction within which the site is located, and (2) must be approved by the municipalities.

E. VEHICULAR ACCCESS:
Site access will be provided in limited locations from adjacent arterial roadways and provide inter-connectivity between internal and adjacent land uses.

F. PARKING, LOADING, STORAGE:
The location and design of parking, loading and storage operations shall be designed and approved in accordance with the parking, loading and storage requirements of the jurisdiction within which the site is located.

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16 of 19 R 96.00 D 0.00 Steve Moreno Clerk & Recorder

III. BUILDING DESIGN

A. ARCHITECTURAL REVIEW STANDARDS:
The design of all buildings and structures in the Principal Employment Corridor shall be designed and approved in accordance with the corridor architectural requirements of the jurisdiction within which the site is located.

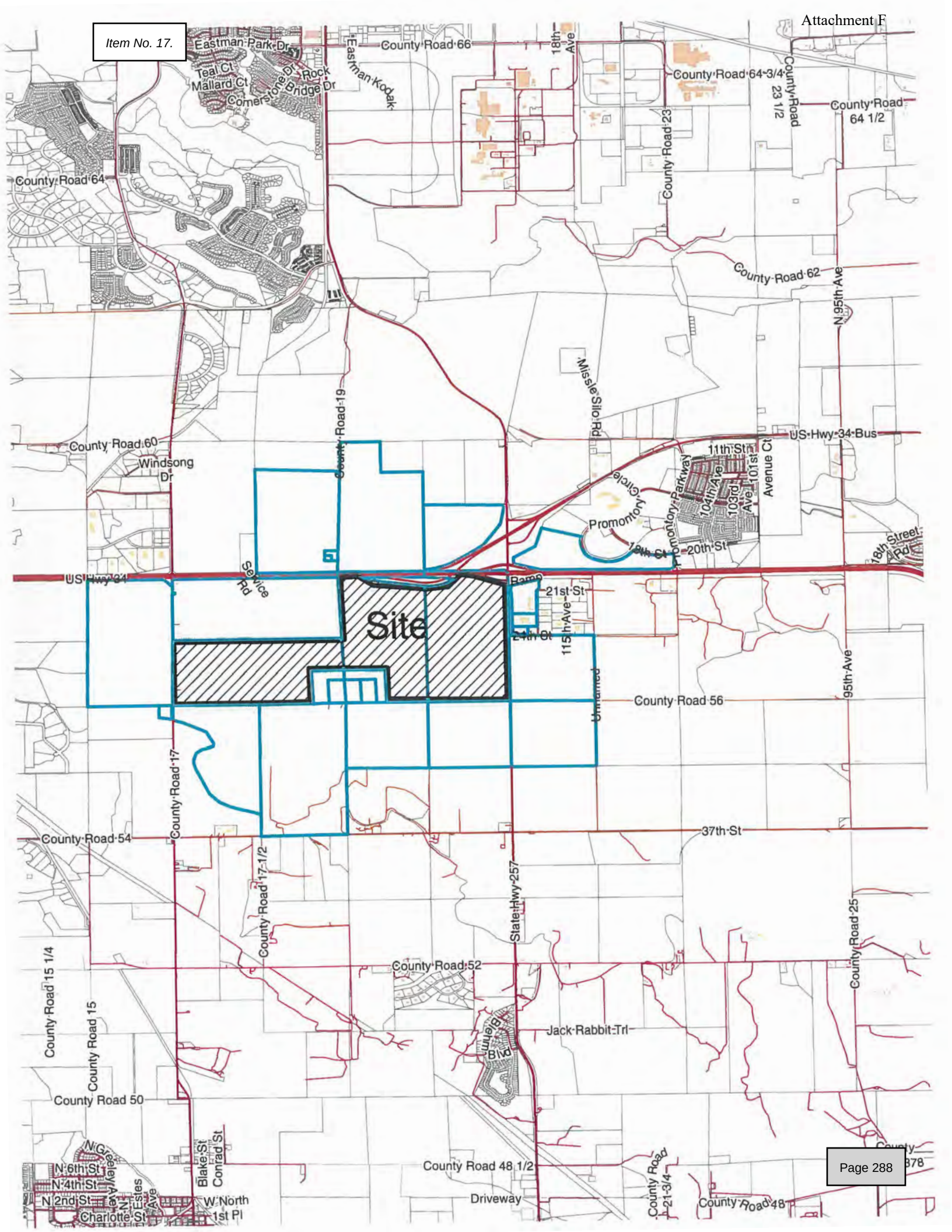
B. BUILDING HEIGHT:
The heights of all buildings and other structures shall be designed and approved in accordance with the height requirements of the jurisdiction within which the site is located.

C. SIGNS:
Allowed signage shall be limited to wall or monument signs and shall be designed and approved in accordance with the sign regulations of the jurisdiction within which the site is located. Pole signs are prohibited.

IV. DEVELOPMENT MANAGEMENT & REFERRAL SYSTEM

The Overlay Character Zone standards for the G/WEC shall be administered by the jurisdiction within which the site is located. Greeley and Windsor shall employ a Development Referral System wherein any project proposed for a land use action including development, redevelopment, subdivision or variance is automatically referred to the other jurisdiction for review and comment in a manner as established herein

Item No. 17.


Site
Eastman Park Dr
Teal Ct
Mallard Ct
Cornerstone Dr
Rock Bridge Dr
Eastman Kodak
County Road 66
18th Ave
County Road 64-3/4
County Road 23 1/2
County Road 64 1/2
County Road 64
County Road 23
County Road 62
N 95th Ave
Wissler Silo Rd
County Road 19
US Hwy 34 Bus
11th St
Windsong Dr
County Road 60
Circle
Promontory Parkway
104th Ave
103rd Ave
101st Avenue Ct
Promontory Pl
20th St
78th Street Rd
US Hwy 34
Service Rd
Ramp
21st St
24th St
115th Ave
Unnamed
County Road 56
95th Ave
County Road 17
County Road 54
37th St
County Road 17 1/2
State Hwy 257
County Road 25
County Road 15 1/4
County Road 52
Jack Rabbit Trl
Blue Heron Blvd
County Road 15
County Road 50
N Greeley Ave
N 6th St
N 4th St
N 2nd St
Charlotte St
Blake St
Conrad St
N Estes Ave
W North 1st Pl
County Road 48 1/2
Driveway
County Road 21-3/4
County Road 48

KERR-McGEE OIL &GAS ONSHORE LP

MAIN (720) 929-6000

1099 18TH STREET, SUITE 700 • DENVER, COLORADO 80202

May 4, 2022

VIA E-MAIL

City of Greeley
Planning and Zoning
1100 10th Street
Greeley, CO 80631
Planning@greeleygov.com

NOTICE OF MINERAL INTERESTS AND OIL AND GAS LEASEHOLD INTERESTS OWNED BY ANADARKO LAND CORP., ANADARKO E&P ONSHORE LLC AND KERR-McGEE OIL & GAS ONSHORE LP AND OBJECTION

Re: Delantero PUD Rezone (ZON2021-0009) and Preliminary PUD Plan (PUD20210013)
Stratus Companies, LLC – Property Owner or "Applicant"
Township 5 North, Range 67 West, 6th P.M.
Section 15: S/2 and Part of the N/2
Section 16: Part of the S/2
Weld County, Colorado, as more particularly described on attached "Exhibit A" ("Property")

To Whom it may concern:

This objection and notice letter is submitted to Town of Greeley ("Town") on behalf of Anadarko Land Corp. ("ALC"), Anadarko E&P Onshore LLC ("AEP"), and Kerr-McGee Oil & Gas Onshore LP ("KMOG") with respect to the application for PUD rezoning and the application for Preliminary PUD Plan that has been filed with the Town by Stratus Companies, LLC ("Applicant") for the property shown and listed above.

ALC and AEP (together the "Anadarko entities") own the minerals that underlie the property located in Section 15. KMOG owns oil and gas leasehold interests in the Property.

The Anadarko entities and KMOG wish to give notice to the Town of the mineral interests and oil and gas leasehold interests they own under the Property and make the Town aware that the approval of a final application for zoning and preliminary PUD Plan may significantly impact the prospective development of the minerals and oil and gas interests that underlie the Property. The Anadarko Entities and KMOG object to the approval of a final application for development until agreements on surface use are reached among the Anadarko entities, KMOG and the Applicant covering the Property.

The following are comments in support of this Notice and Objection:

1. The Mineral Resources Owned by ALC

ALC owns all of the hard rock minerals, including the coal, that underlies Section 15. ALC has reviewed the Property for coal resource potential and determined that the Property is underlain with Laramie Formation coal.

2. The Oil and Gas Resources Owned by the Anadarko Entities.

The Anadarko entities together own all of the oil and gas that underlies Section 15, and Kerr-McGee owns oil and gas leasehold interests for the Property.

3. There is Clear Statutory Authority and Direction for the Town to Take Into Account the Rights of Mineral Interest Owners in Its Consideration of Applications for Development.

The State of Colorado recognizes the important rights of mineral owners and lessees in C.R.S. § 30-28-133(10) which states and acknowledges that both the mineral estate and the surface estate are interests in land and that the two interests are "separate and distinct." The subsection specifically recognizes that the owners of subsurface mineral interests and their lessees have "the same rights and privileges as surface owners."

4. Owners of Split Estates Must Exercise Their Rights in a Way that Gives Due Regard to the Rights of the Other.

Colorado law provides that the mineral owner has the right of reasonable access to and use of the surface estate to extract minerals and that the mineral estate owner and the surface estate owner are to give due regard to the rights of the other and reasonably accommodate each other's rights.

5. The Anadarko Entities and KMOG Have Entered into Many Agreements with Developers With Respect to the Disposition of the Minerals at the Time that the Developer Proposes to Develop the Surface Estate, and the Public Interest is Served by the Parties Entering into Such an Agreement.

The mineral assets have significant value and consequently the Anadarko entities and KMOG are concerned that the approval by the Town of an application for development of the Property and the subsequent build-out of the Property may impair their ability to develop their minerals and oil and gas interests.

Any future surface development plans approved by the Town should incorporate and designate lands to be set aside for oil and gas development and expressly provide protection for future wells, pipelines, gathering lines and related oil and gas facilities and equipment.

Approval of any surface development plan that forecloses the rights of mineral and leasehold owners may be a compensable taking.

The Anadarko entities and KMOG have extensive mineral and oil and gas leasehold interests throughout the State of Colorado and have successfully worked with many parties who wish to develop the surface estate in order to assure the compatible development of the surface estate and the oil and gas estate or some other disposition of the minerals.

The practice of the Anadarko entities and KMOG is to meet with surface owners to reach a mutually acceptable surface agreement and agreement for the disposition of the hard rock mineral interests. The Anadarko entities and KMOG have been in discussions with the Applicant on this matter; however, no agreement has been reached to date. Because no agreement has been reached between the parties that covers the Property, and in order to protect their mineral and oil and gas interests and private property rights, the Anadarko entities and KMOG object to the application and request that the Town make any approval of a final application for development of the Property conditioned upon an agreement among the Anadarko entities, KMOG and the Applicant.

Please contact me at 720-929-3205 if you have any questions or comments about this matter. KMOG hopes to conclude a mutually acceptable agreement with the surface owner of the property, and we look forward to working with the City to accomplish its land use planning goals.

Sincerely,
KERR-MCGEE OIL & GAS ONSHORE LP

Evan Johnson
Land Negotiator

cc: Matt Hartford, Counsel
Dave Haertel
Don Jobe

Exhibit A

DESCRIPTION

A parcel of land in Section 15 and the South One-Half of Section 16, Township 5 North, Range 67 West, of the Sixth Principal Meridian, in the City of Greeley, County of Weld, State of Colorado, said parcel being more particularly described as follows:

Basis of Bearings: Bearings are based upon the East line of the Southeast One-Quarter of Section 15, said to bear South 00°30'20" East, a distance of 2628.83 Feet between the monuments listed below:

East One-Quarter Corner of Section 15 - monumented by a 3.25" Aluminum Cap, 0.5' down in a range box with no lid, stamped "COLO. DEPT. OF TRANSPORTATION, T5N R67W, ¼, S15 | S14, 1998, PLS 25951".

Southeast Corner of Section 15 - monumented by a 3.25" Aluminum Cap, 0.3' down in a range box with a lid marked "SURVEY", stamped "FLATIRONS SURVEYING, T5N R67W, S15 | S14, ---, S22 | S23, 1997, LS 16406".

BEGINNING (P.O.B.) at the West One-Quarter Corner of Section 15, monumented by a 2.5" Aluminum Cap, 0.4' below ground surface, stamped "ALLES AND ASSOCIATES, 1/4, T5N 16 | 15 R67W, 2000, PLS 9644", whence said East One-Quarter Corner of Section 15 bears North 89°45'46" East, a distance of 5186.11 Feet;
Thence North 02°24'32" West along the West Line of Section 15, a distance of 2423.10 Feet to the South Right-of-Way Line of US Highway 34;
Thence along said South Right-of-Way Line of US Highway 34 the following ten (10) courses:

1) North 89°50'59" East, a distance of 592.38 Feet;
2) South 75°35'39" East, a distance of 675.40 Feet;
3) South 81°19'09" East, a distance of 1052.90 Feet;
4) South 82°01'54" East, a distance of 359.30 Feet;
5) South 81°58'45" East, a distance of 66.05 Feet to a point of non-tangent curve;
6) Northeasterly 904.74 Feet along the arc of a curve to the left, having a radius of 1295.90 Feet and a central angle of 40°00'05", subtended by a chord which bears North 71°27'15" East, a distance of 886.48 Feet;
7) North 65°34'45" East, a distance of 52.36 Feet;
8) South 87°17'25" East, a distance of 600.77 Feet;
9) South 73°48'57" East, a distance of 1027.87 Feet;
10) South 05°33'56" East, a distance of 300.47 Feet to the West Right-of-Way Line of Colorado State Highway 257;

Thence South 00°29'51" East along said West Right-of-Way Line (60' West of the East Line of said Section 15), a distance of 1705.32 Feet;
Thence South 00°30'20" East continuing along said West Right-of-Way Line, a distance of 2628.63 Feet to the South Line of said Section 15;

Thence South 89°41'29" West along said South Line of Section 15, a distance of 2489.11 Feet;
Thence South 89°41'33" West continuing along said South Line of Section 15, a distance of 1274.51 Feet to the East Line of a parcel of land described in the Warranty Deed recorded at Reception No. 2943083;

Thence along the East, North and West Lines of said parcel of land described in the Warranty Deed, the following four (4) courses:

1) North 01°56'51" West, a distance of 1317.32 Feet;
2) South 89°43'46" West, a distance of 1285.53 Feet;
3) South 89°27'35" West, a distance of 995.76 Feet;

4) South 01°55'29" East, a distance of 1288.72 Feet to the North Right-of-Way Line of County Road 56 (30' North of the South Line of said Section 16)

Thence South 89°25'53" West along said North Right-of-Way Line, a distance of 1677.75 Feet;
Thence South 89°25'48" West continuing along said North Right-of-Way Line, a distance of 2655.09 Feet to the East Right-of-Way Line of County Road 17 (30' East of the West Line of said Section 16);

Thence North 00°14'36" East along said East Right-of-Way Line, a distance of 2610.62 Feet to the North Line of said South One-Half of Section 16;

Thence North 89°28'56" East along said North Line of the South One-Half of Section 16, a distance of 5218.53 Feet to the **POINT OF BEGINNING (P.O.B.).**

The above-described parcel description contains 35,587,874 Square Feet (816.985 Acres), more or less.

M'liss Fonger

From: M'liss Fonger
Sent: Tuesday, May 10, 2022 9:13 AM
To: Darrell Gesick
Subject: FW: [EXTERNAL] Public hearing for Delantero Rezone (ZON2021-0009)
Attachments: CR17-CR56.pdf

Darrell,
We received this e-mail in the CD Admin bucket last night. Is this a letter of opposition?

M'liss Fonger
Administrative Specialist II
Community Development | Planning
1100 10th St Greeley, CO 80631
970-350-9803 | fongerm@greeleygov.com
www.greeleygov.com

From: Darren Hankins
Sent: Monday, May 09, 2022 6:23 PM
To: CD Admin Team
Subject: [EXTERNAL] Public hearing for Delantero Rezone (ZON2021-0009)

To whom it may concern,

As a land owner west of the proposed project, we have concerns with regards to the southern roundabout located on CR-17 at the end of our current drive, as shown on a preliminary project layout. We understand this is most likely an early plot, but hope the Planning Commision will take under advisement the surrounding area, particularly that to the west, with regard to future development. CR-56 as it is shown in the attached diagram, if continued west, would disrupt a historical 100 year old farm house, have to cross the Greeley-Loveland Irrigation Canal three times and then run into newly divided acreages with no continued access through to CR-15. The only other option with regard to accessing future development to the west would be to take a sharp turn to the north from our current drive before heading west as shown in the attachment, top diagram. Other than meeting the requirement of an interchange at CR-17 and CR-56, it provides a poor solution for continued traffic flow to the west.

We believe a better solution for future traffic flow would be to relocate the roundabout to the north as shown in the attachment, bottom diagram. This would have minimal impact on the Delantero proposed PUD, moving the road North and the Detention and Irrigation Pond South. It would also provide a seamless integration for future development to the west with far less impact.

Please see attachment for diagrams.

Regards,

--

Darren Hankins
Hankins Farms, LLC
hankins.darren@gmail.com
(c) 970.302.6223

Harlan W. Hankins
Hankins Farms, LLC
(c) 970-381-0516

CAUTION: This email is from an **external** source. Ensure you trust this sender before clicking on any links or attachments.


MONUMENT SIGN
DETENTION
SINGLE FAMILY MEDIUM
PARK
PARK
WELD COUNTY ROAD 17
SINGLE FAMILY LARGE
SINGLE FAMILY SMALL
SINGLE FAMILY MEDIUM
OIL & GAS
DETENTION
IRRIGATION POND
PARK
MONUMENT SIGN
WELD COUNTY ROAD 56
CR 56 will never continue west as this property has been divided and sold as individual lots.
1:500


MONUMENT SIGN
DETENTION
SINGLE FAMILY MEDIUM
PARK
PARK
WELD COUNTY ROAD 17
SINGLE FAMILY LARGE
SINGLE FAMILY SMALL
SINGLE FAMILY MEDIUM
OIL & GAS
DETENTION
IRRIGATION POND
PARK
WELD COUNTY ROAD 56
Bypass Greeley-Loveland Ditch and 100 year old farm house
Move the Detention and Irrigation Pond South, Move road North.
1:500

Delantero PUD

Rezoning and Preliminary Planned Unit Development (PUD) Plan

City Council
June 7, 2022
Darrell Gesick, Planner III



1. **Proposed rezoning from Holding Agriculture to PUD (Delantero)**

2. **Preliminary PUD Plan for Delantero (PUD Document)**

NORTH

City of Greeley Colorado

Site Photos

Looking northwest from Hwy 257



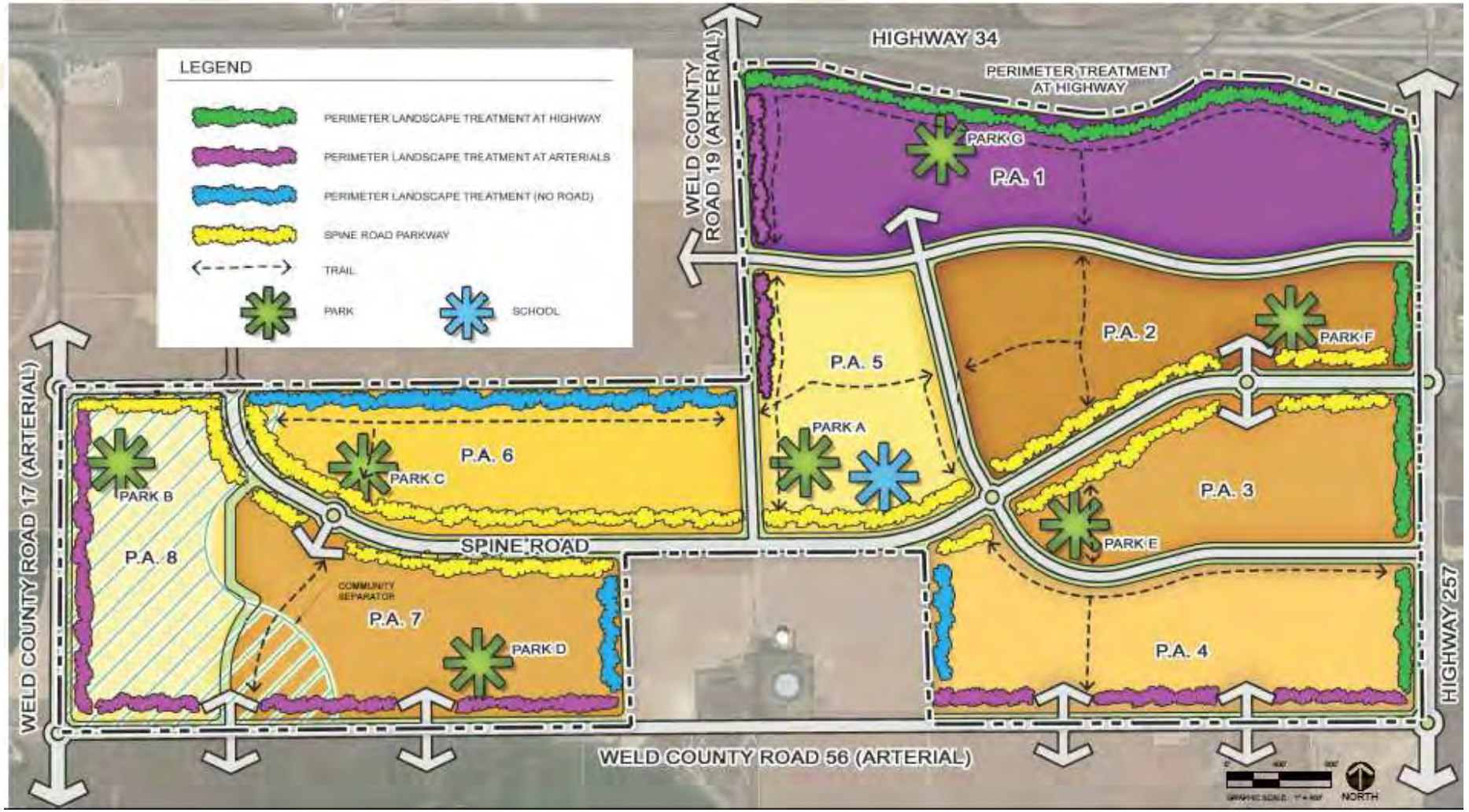
Looking northeast from CR 17



Rezone/Preliminary PUD Request

- **822 acre site**
- **Residential unit range – 2,418 to 5,841 units**
- **421 acres of residential**
- **110 acres of Commercial and Industrial**
- **Over 140 acres of parks and open space**
- **Proposed school site**
- **8 Planning areas in total**

Proposed PUD Plan



City of Greeley Colorado

Request

Variation of standards

- **Lot sizes (range 1,000 – 9,000 Square Feet for residential)**
- **Building Heights -**
  - **Up to 45 to 75 feet for residential**
  - **Up to 75 feet for commercial**
  - **Up to 50 feet for Industrial**
- **Setbacks – Overall reduction requested for all setbacks for residential.**
- **Architectural Design Elements established for residential, commercial, and Industrial**

City of Greeley Colorado

Variation of standards (cont.)

- Park Design Elements
- Community Separator
- Streetscape Design
- Trails and Detention Design
- Monument/Signage
- Entryway Design
- Landscaping Buffering
- Metropolitan District

Approval Criteria

Rezone Criteria – 24-625(C)(3) – Eight Criteria Used to Evaluate Rezone applications and PUD Plan -24-663(b)

- **The proposed Rezone is consistent with the criteria as outlined in the Council Summary**
- **PUD Plan is consistent with the Comprehensive Plan**

Notification

- **Letters were mailed to property owners within 500 feet**
- **Signs posted on the property**
- **One letter in opposition (from oil and gas mineral owner), One letter from the landowner to the west**

Recommendation

- **Complies with Section 24-625(c)(3) a, b, d, e, f, g, and h (Rezoning) and Section 24-625(b) (PUD Plan)**
- **Planning Commission reviewed the request and conducted a public hearing on May 10, 2022 and voted unanimously to recommend approval for rezoning and Preliminary PUD plan**

City of Greeley Colorado



DELANTERO PUD

- City Council Hearing
- June 7, 2022

LAI DESIGN GROUP

DE[illegible]RO TEAM

Stratus Companies
8480 E. Orchard Rd, Suite 1100
Greenwood Village, CO 80111

PLANNER / LANDSCAPE ARCHITECT
LAI Design Group
88 Inverness Cir. E., Bldg J, Suite 101
Englewood, CO 80112

TRAFFIC ENGINEER
LSC Transportation Consultants, Inc.
1889 York St.
Denver, CO 80206

CIVIL ENGINEER
CWC Consulting Group
9360 Teddy Lane, Suite 203
Lone Tree, CO 80124

WATER CONSULTANTS
MSK Consulting, LLC
7157 S. Andes Circle
Centennial, CO 80006

DE[illegible]RO
VICINITY MAP

- MASTER PLANNED COMMUNITY
- FIRST AG-BASED COMMUNITY IN NORTHERN COLORADO
- LOW IMPACT DEVELOPMENT
- LIVE, WORK, & PLAY APPROACH TO COMMUNITY PLAN

PROPERTY ACREAGE: +/- 822 ACRES



DE ANTERO
DEVELOPMENT CONTEXT



DE[illegible]RO
EXISTING SITE CONDITIONS



VIEW SOUTHWEST





VIEW NORTHEAST

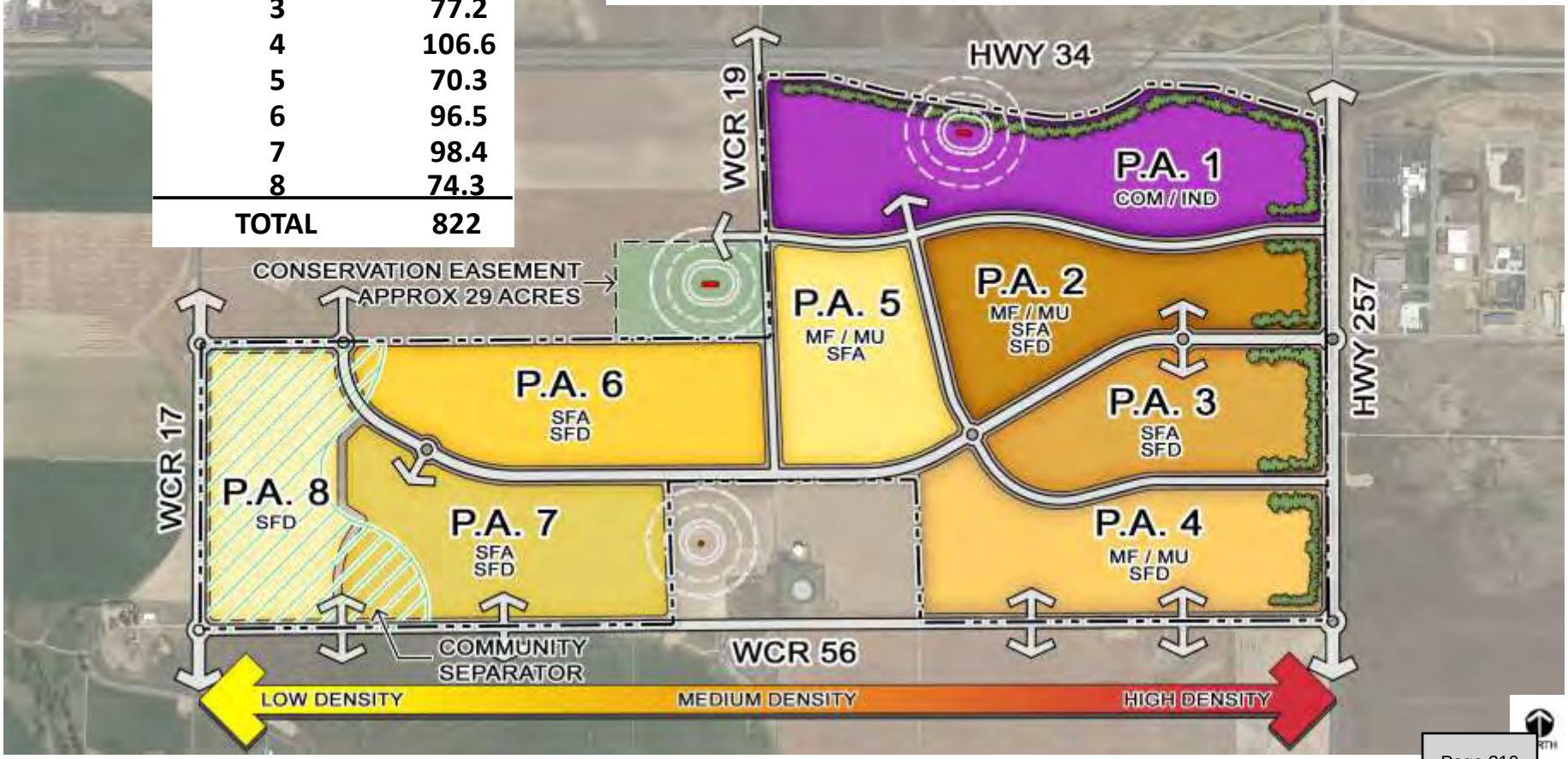


VIEW WEST

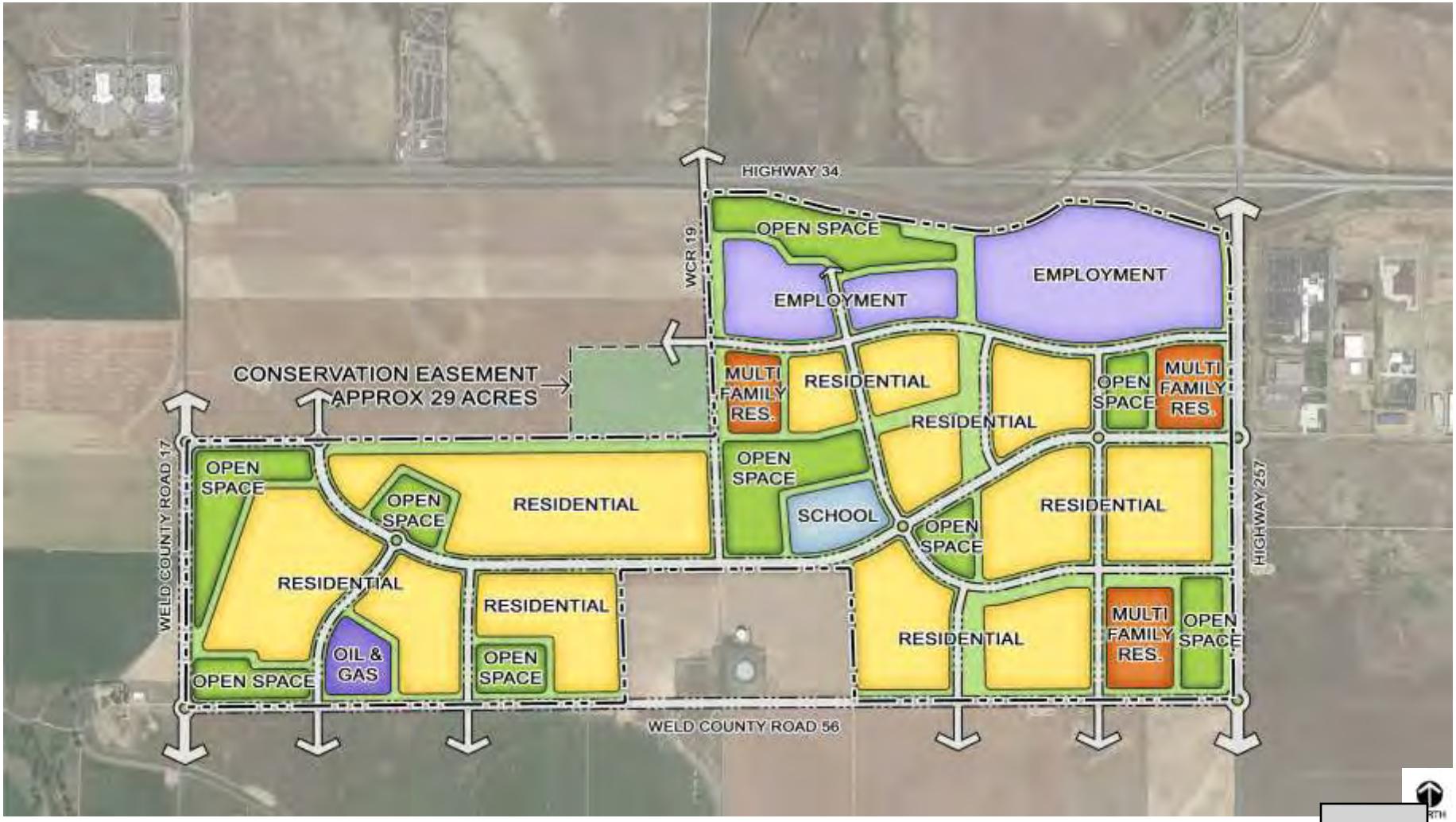
DE[illegible]RO
PROPOSED PUD PLAN

RESIDENTIAL UNIT TYPES	MIN. DENSITY	MAX. DENSITY	MIN. LOT SIZE	MAX. BLDG. HT.
APARTMENTS OR CONDOMINIUMS (MF / MU)	14 DU/AC	45 DU/AC	N/A	75'
TOWNHOMES (SFA)	12 DU/AC	24 DU/AC	1,000 SF	45'
TWO-FAMILY HOMES (PAIRED HOMES, SFA)	6 DU/AC	12 DU/AC	2,000 SF	45'
SINGLE FAMILY DETACHED - SMALL (SFD)	5 DU/AC	10 DU/AC	2,200 SF	45'
SINGLE FAMILY DETACHED - MEDIUM (SFD)	4 DU/AC	6 DU/AC	4,000 SF	45'
SINGLE FAMILY DETACHED - LARGE (SFD)	3 DU/AC	5 DU/AC	6,000 SF	45'
SINGLE FAMILY DETACHED - ESTATE (SFD)	3 DU/AC	4.5 DU/AC	9,000 SF	45'
TOTAL RESIDENTIAL UNITS	MIN. 2,415	MAX. 5,841		

PLANNING AREA	ACRES
1	143.5
2	93.5
3	77.2
4	106.6
5	70.3
6	96.5
7	98.4
8	74.3
TOTAL	822

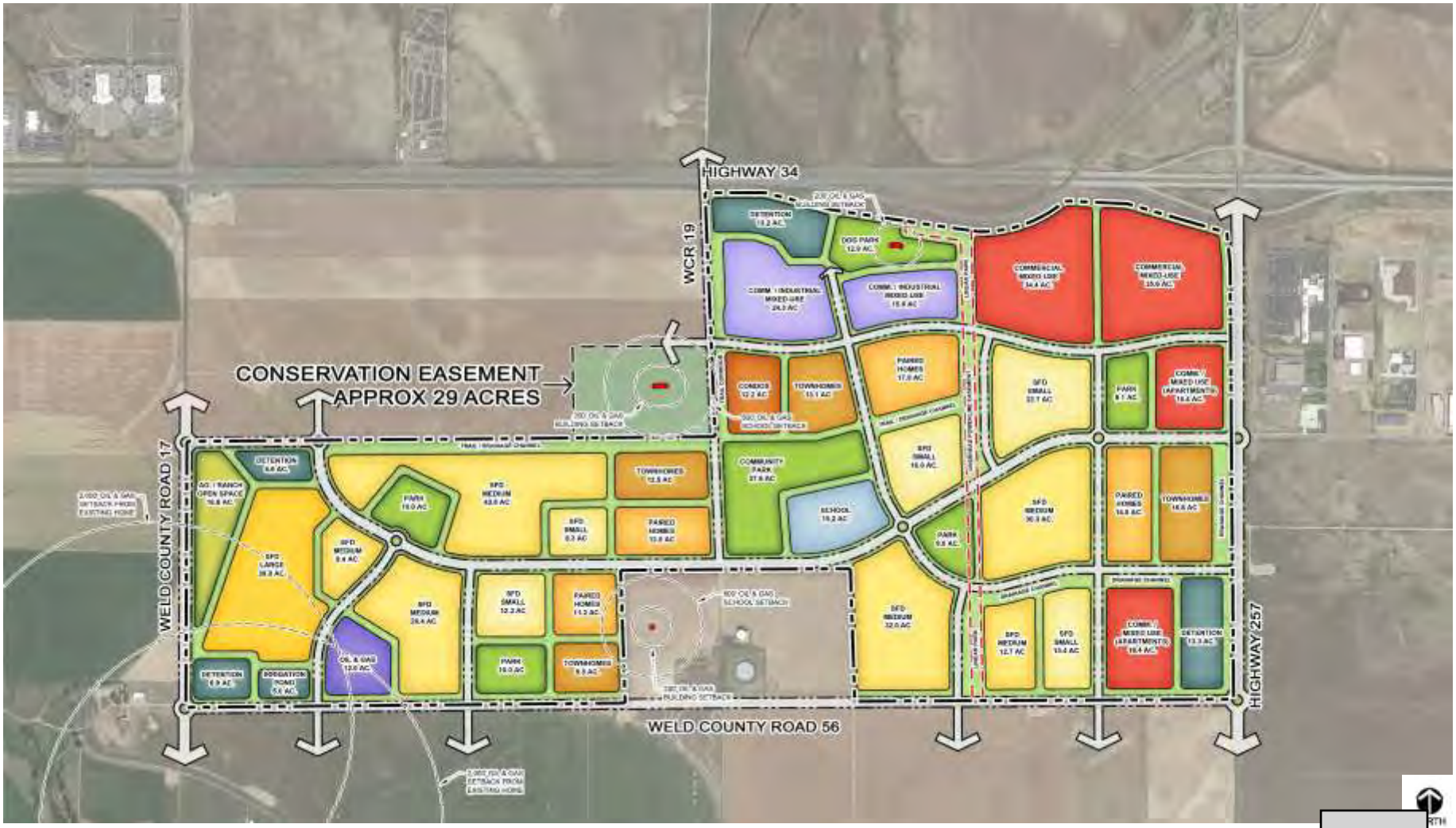


DE[illegible]RO
ILLUSTRATIVE LAND USE PLAN



Note: For illustrative purposes only.

DE[illegible]RO
ILLUSTRATIVE VILLAGE PLAN



Note: For illustrative purposes only.

DE[illegible]RO
COMMERCIAL & INDUSTRIAL LAND USES P.A. 1

LAND USE	MAX FLOOR AREA RATIO	UNOBSTRUCTED OPEN SPACE	PARKING	MAX. BLDG HT.	ALLOWABLE SQ. FT.
COMMERCIAL / MIXED-USE	0.4	20%	PER CITY CODE BASED ON USE	75'	1,209,680
INDUSTRIAL / MIXED-USE	0.4	20%	PER CITY CODE BASED ON USE	50'	695,217



COMMERCIAL EXAMPLES







INDUSTRIAL EXAMPLES







Note: For illustrative purposes only. Final design is subject to change.

DE[illegible]RO
RESIDENTIAL LAND USES
P.A. 2 & 4

- MULTI-FAMILY (APARTMENT OR CONDOMINIUM)
- PAIRED HOMES
- SFD MED
- SFD SMALL



SFD SMALL EXAMPLE



SFD MEDIUM EXAMPLES





PAIRED HOMES EXAMPLE



MULTI-FAMILY EXAMPLES





Note: For illustrative purposes only. Final design is subject to change.

DE[illegible]RO
RESIDENTIAL LAND USES
P.A. 3, 5, 6, & 7

- MULTI-FAMILY (APARTMENT OR CONDOMINIUM)
- PAIRED HOMES
- TOWNHOMES
- SFD MED
- SFD SMALL



MULTI-FAMILY EXAMPLE



PAIRED HOMES EXAMPLE



SFD MEDIUM EXAMPLE



TOWNHOMES EXAMPLE



SFD SMALL EXAMPLES





Note: For illustrative purposes only. Final design is subject to change.

DE[illegible]RO
RESIDENTIAL LAND USES
P.A. 8

- **SFD ESTATE**
- **SFD LARGE**



SFD ESTATE EXAMPLES







SFD LARGE EXAMPLES

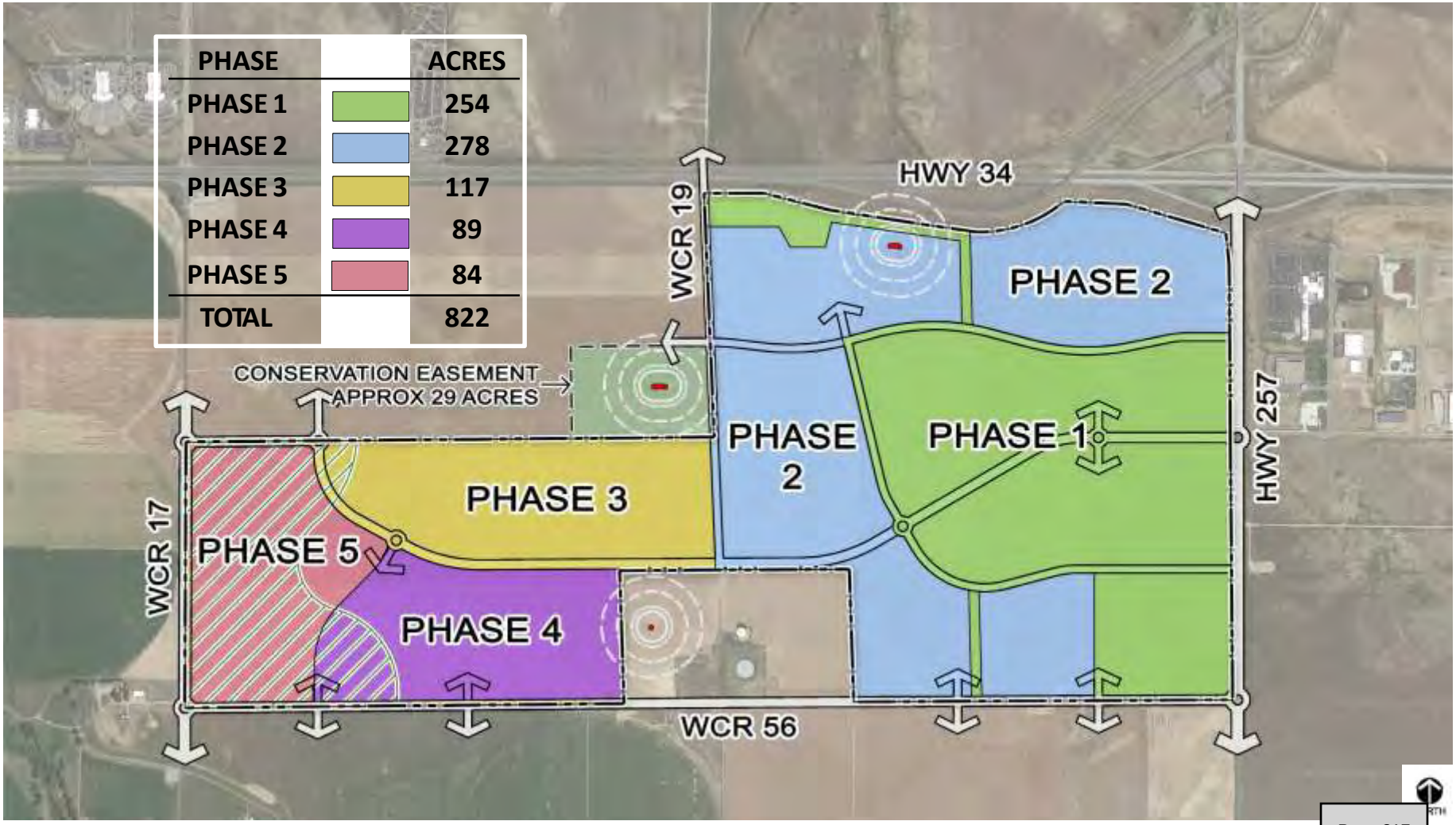




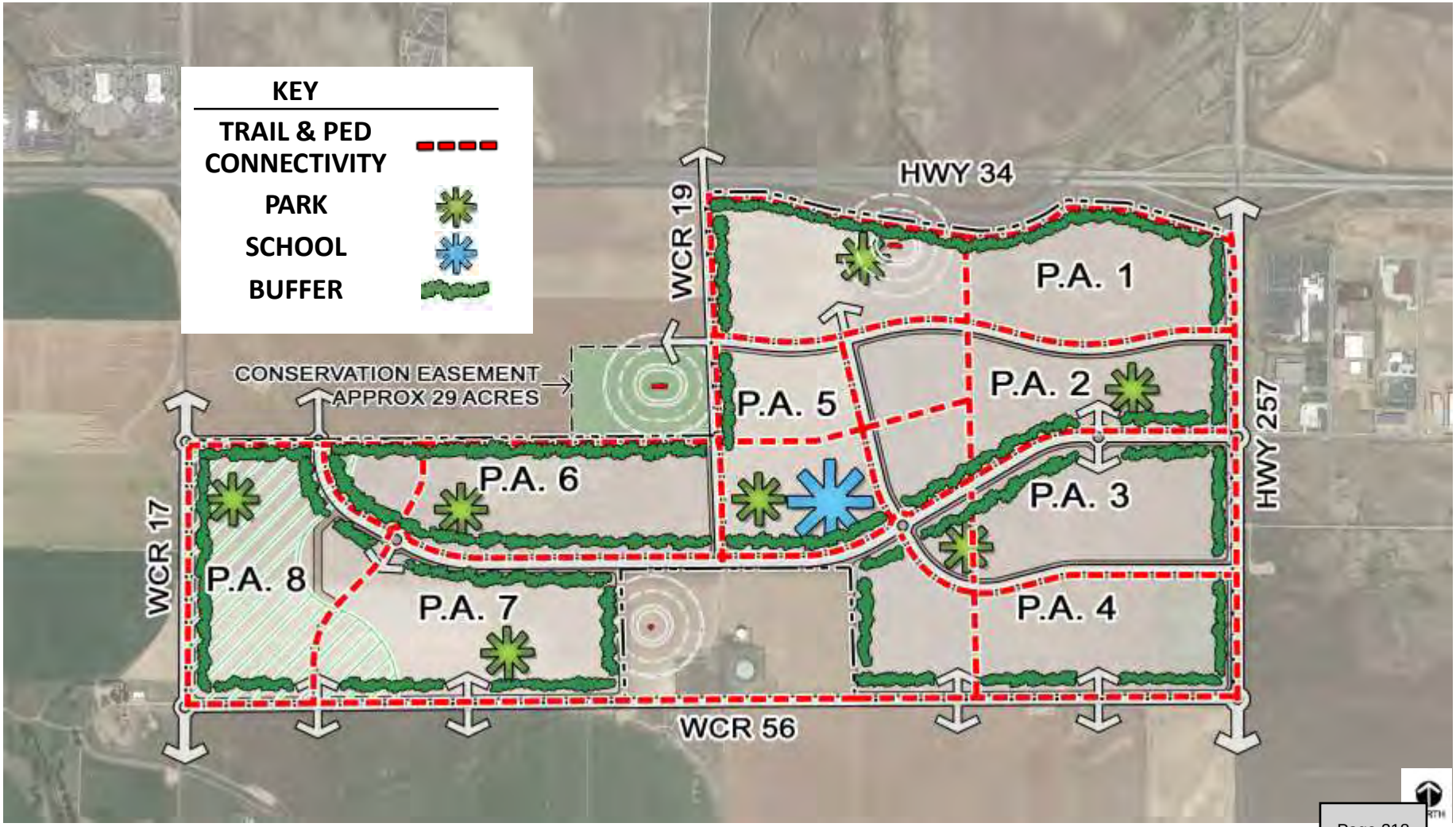


Note: For illustrative purposes only. Final design is subject to change.

DE[illegible]RO
CONCEPTUAL PHASING PLAN



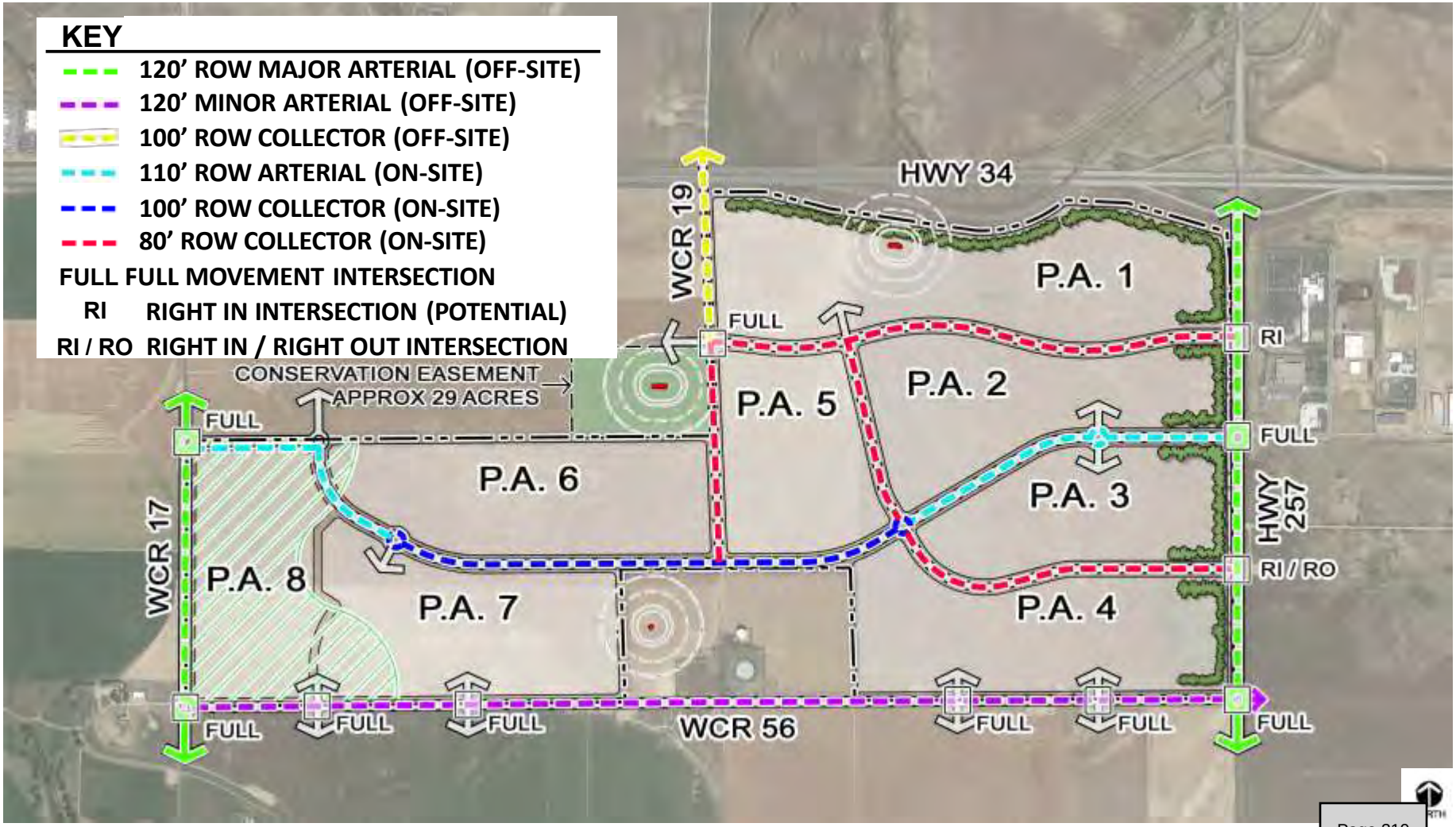
DE[illegible]RO
CONCEPTUAL PARKS, OPEN SPACE, & TRAILS



DE[illegible]RO
VEHICULAR CIRCULATION

STREETS

- WELCOME RESIDENTS & VISITORS TO INTERACT
- CONNECT NEIGHBORHOODS IN A SHARED PUBLIC SPACE
- CREATE A STRONG SENSE OF COMMUNITY
- FOSTER SOCIAL ACTIVITY



DE[illegible]RO
SPINE ROAD – 4 LANES



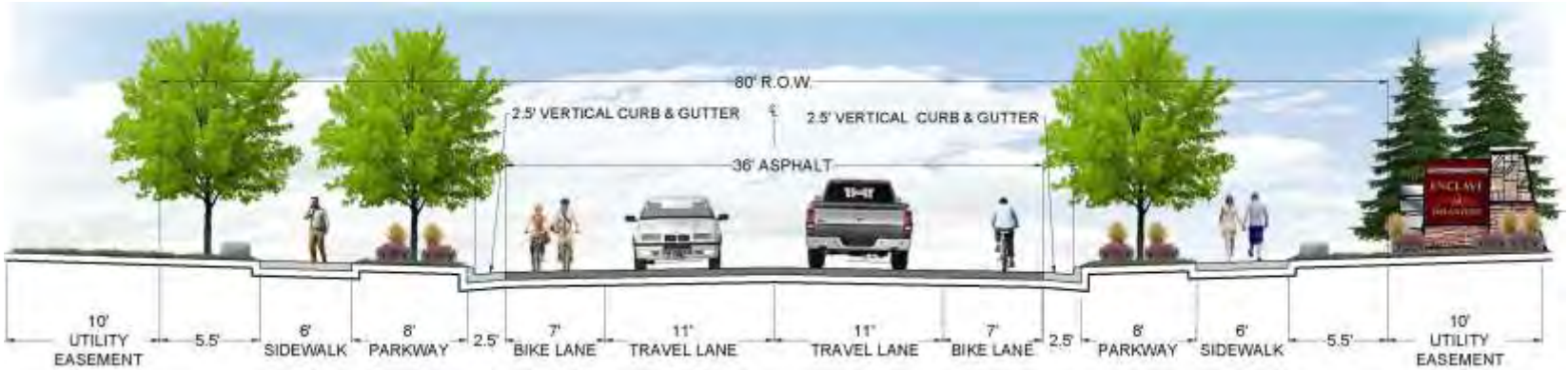
EXAMPLES OF DESIGN ELEMENTS

- ART
- BIKE LANES
- DETACHED SIDEWALKS
- LANDSCAPED MEDIANS
- LANDSCAPED BUFFERS
- PEDESTRIAN CROSSWALKS
- PUBLIC TRANSPORTATION SHELTERS
- SIGNAGE
- SITE FURNISHINGS
- STORMWATER MANAGEMENT
- STREET LIGHTING
- STREET TREES
- TRAFFIC CALMING MEASURES

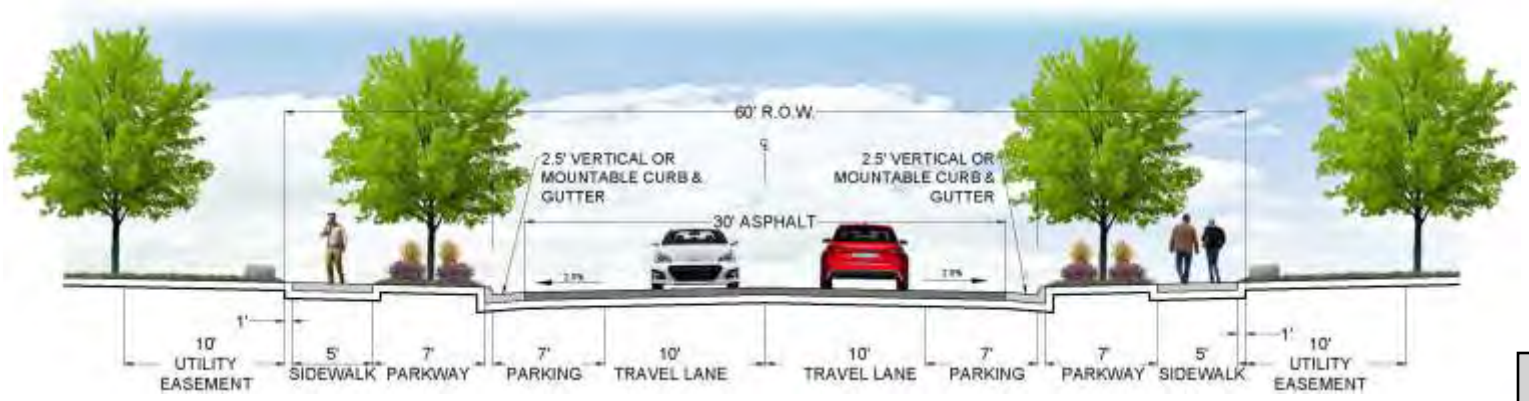


DE[illegible]RO
COLLECTOR & LOCAL ROADS



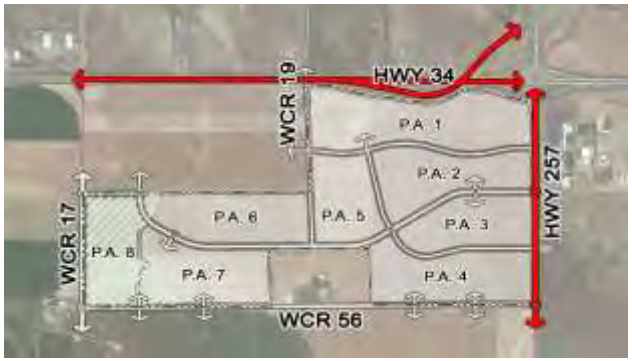


COLLECTOR ROAD



LOCAL ROAD

DE[illegible]RO
HWY 34 & HWY 257



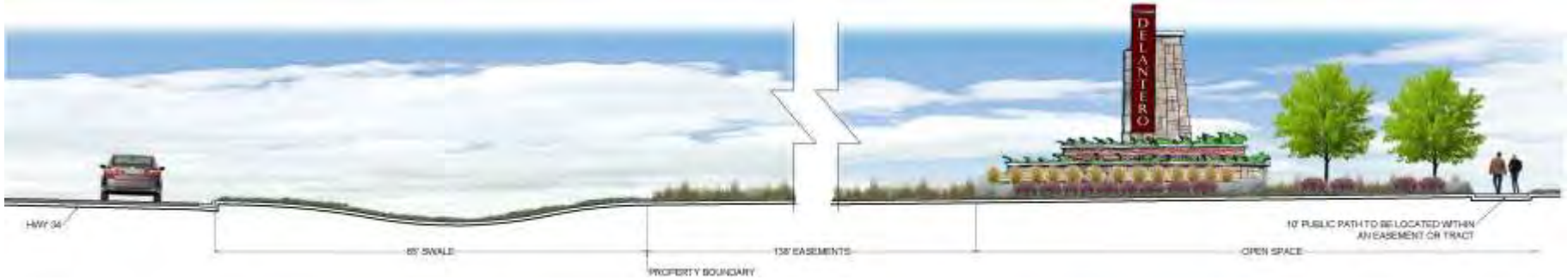


WEST **EAST**

FUTURE IMPROVEMENTS BY OTHERS

INTERIM IMPROVEMENTS (WEST HALF)

LOOKING NORTH - HWY 257

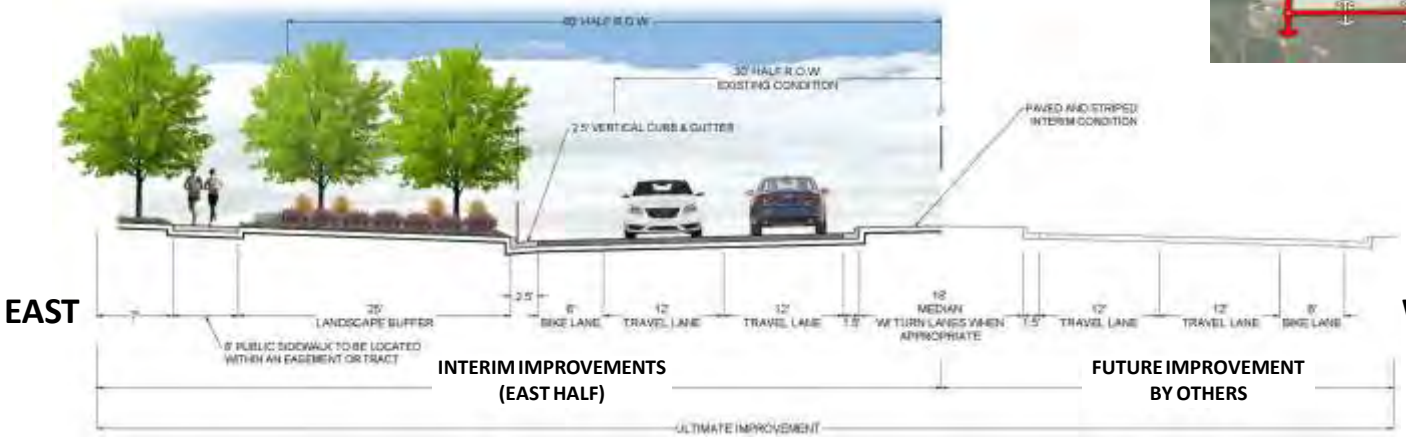


NORTH

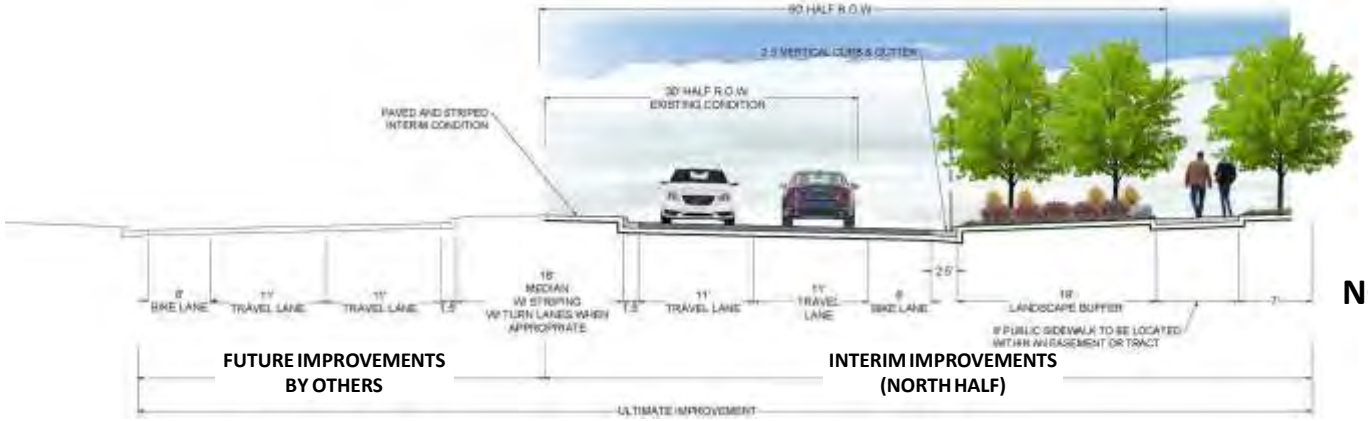
LOOKING EAST - HWY 34

DE[illegible]RO
WCR 17 & WCR 56





LOOKING SOUTH - WCR 17



LOOKING WEST - WCR 56

DE[illegible]RO PARKS

OPEN SPACE

OPEN SPACE REQUIRED – 126 ACRES

30% OF RESIDENTIAL AREA (421 ACRES)

OPEN SPACE PROPOSED – 186 ACRES

INCLUDES 25 ACRES COMMUNITY PARK AND 40 ACRES OF NEIGHBORHOOD PARKS



- **COMMUNITY PARK (MIN. 25 ACRES)**
- **NEIGHBORHOOD PARKS (MIN. 8 ACRES)**
- **COMMUNITY AGRICULTURE / RANCH OPEN SPACE (MIN. 8 ACRES)**
- **POCKET PARKS (MIN. OF 0.3 ACRES & MAX. OF 1 ACRE)**
- **DOG PARK (MIN. 8 ACRES)**











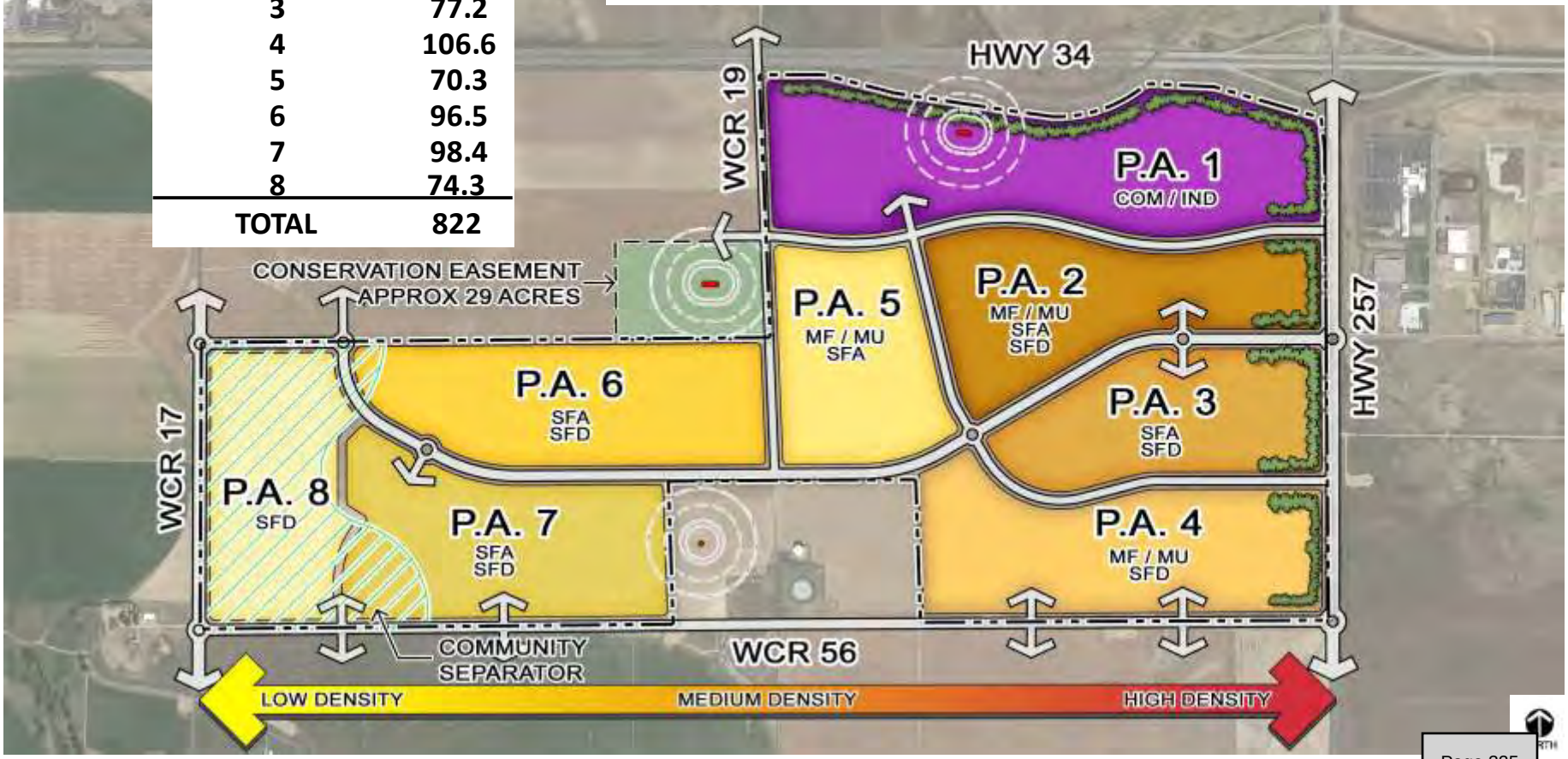


Note: For illustrative purposes only. Final design is subject to change.

DE[illegible]RO
PROPOSED PUD PLAN

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7	98.4
8	74.3
TOTAL	822



THANK YOU



LAI DESIGN GROUP
Design for what it Matters

88 Inverness Circle East Building J, Suite 101 - Englewood, CO 80012
T: 303.734.1777
E: info@LAIdesigngroup.com

Council Agenda Summary

June 7, 2022

Key Staff Contact: Darrell Gesick, Planner III, 970-350-9822

Becky Safarik, Interim Community Development Director, 970-350-9876

Title:

Public hearing to consider approval of the Delantero Preliminary PUD Plan for property located south of Highway 34, west of State Highway 257, and east of CR 17

Summary:

The applicant, Rick Hearing on behalf of APEX VISTA, LLC, is requesting approval of a Preliminary PUD Plan for the purpose of developing a mixed-use development consisting of residential, commercial, and industrial uses known as the Delantero PUD. This PUD Plan is being presented concurrently with a rezone and is subject to approval of that zoning application.

The proposed PUD would consist of a mix of residential, commercial, and industrial uses. Parks, open space, and trails are incorporated into the project to allow for pedestrian connectivity throughout the development and to connect to future trail systems. Residential units would include single-family detached, courtyard single-family detached, two family attached, townhomes, and multi-family throughout the development. Approximately 421 acres is intended for residential development. It is anticipated that the residential units could range from 2,418 residential units to 5,841 residential units. Commercial and industrial areas are planned to be next to major roadways to minimize impacts to lower density residential. Commercial and industrial areas would account for approximately 110 acres of the overall development. A school site is planned to be centrally located within the development. Community amenities would include several parks that would provide recreation opportunities. Parks and open space would account for approximately 140 acres. The remaining acreage would be used for rights-of-way, detention ponds, and existing oil and gas facilities.

The Delantero PUD has provided specific land uses for each planning area alongside specific development standards. A total of eight planning areas are proposed as part of the overall development. Reduced lot sizes, setbacks, and variations in building heights as proposed are supplemented by specific residential development standards to ensure a cohesive environment, as well as trail connectivity and access to parks and open spaces).

The Planning Commission considered the request on May 10, 2022 and recommended approval by a vote of 5-0.

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 quasi-judicial process which includes the following public hearing steps:

1) City staff presentation
2) Council questions of staff
3) Applicant presentation
4) Council questions of applicant
5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
6) Rebuttal, if requested
7) Council discussion
8) Council decision

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Consistency with the Comprehensive Plan and Development Code standards.

Decision Options:

1) Approve the proposed land use plan as presented; or
2) Amend the proposed land use plan and approve as amended; or
3) Deny the proposal; or
4) Continue consideration of the proposed land use plan to a date certain.

Council's Recommended Action:

A motion that, based on the project summary, accompanying analysis and Planning Commission recommendation, the proposed Delantero Preliminary PUD plan is found to be in compliance with the Development Code and is therefore approved.

Attachments:

Planning Commission Minutes (May 10, 2022) – *see previous agenda item*
Planning Commission Summary (Staff Report) (May 10, 2022) – *see previous agenda item*
Citizen communication received after staff report – *see previous agenda item*
PowerPoint – *see previous agenda item*

Council Agenda Summary

June 7, 2022

Key Staff Contact: Kristin Cote, Community Development, 970-350-9876

Becky Safarik, Interim Community Development Director, 350-9786

Title:

Public hearing to consider a request to rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density), changing the underlying land use designations for approximately 15.433 acres of property located at 712 71st Avenue and final reading of an ordinance changing the official zoning map to reflect the same (HP Rezone)

Summary:

The applicant requests to rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density) for a range of possible residential uses.

As background, this land was annexed into the City of Greeley through the North Sheep Draw Annexation on July 20, 1981 and designated as I-L (Industrial-Low Intensity). In 2005 a portion of the site was rezoned, dividing the 156 acre I-L (Industrial Low Intensity) zoning into a mix of C-D (Conservation District), C-H (Commercial High Intensity), R-H (Residential High Density), and I-L (Industrial Low Intensity) with Boomerang Master Plan Design Guidelines that would limit certain uses that are permitted by right, design reviews, and special reviews in the area, and establish specific design criteria through the Design Guidelines, that meet or exceed Development Code standards. In 2014, the existing area was also approved by City Council to include an intergovernmental agreement between the City of Greeley and the City Center West Commercial Metropolitan District. In 2016, a resolution for the Amendment and restated consolidated service plan for the City Center West Commercial Metropolitan District was approved by City Council to consolidate the City Center West Commercial Metropolitan District and the City Center West Residential Metropolitan District No. 2.

In 2015, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property to accommodate self-storage. Two years later, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property to accommodate Westridge Academy, a K-8 charter school that adjoins the western boundary of this property. In 2022, a minor subdivision application was approved to establish a lot which is proposed to be sold to the adjacent contiguous property owner to the west and a tract – the subject of this rezone - which is proposed to be developed as a residential community. The permitted uses currently allowed within the Boomerang Master Plan Design Guidelines in the R-H (Residential High-Density zone) include residential uses, boarding houses, farming, golf courses, open space, parks, and wireless telecommunications. This property once housed a portion of the Hewlett Packard facility. Upon HP's exit from Greeley in 2003, this property became vacant and fell into a diminished state since then. In 2021, this property was acquired by the existing owner, who demolished the structures on-site, creating this vacant property for redevelopment.

The Planning Commission recommended approval of the request at the April 26, 2022 meeting by a vote of 4-0.

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 quasi-judicial process.

Other Issues and Considerations:

None noted.

Strategic Work Program Item or Applicable Council Priority and Goal:

Consistency with Comprehensive Plan and Development Code standards.

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:

Two motions are needed to approve this requested land use action:

1. A motion that, based on the application received, accompanying analysis and Planning Commission recommendation, the proposed rezoning from I-L (Industrial Low Intensity) to R-H (Residential High Density) is found to be in compliance with Development Code Section 24-204 and, therefore, approve the request.
2. A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance
Planning Commission Summary (Staff Report) (April 26, 2022)
Planning Commission Minutes (April 26, 2022)
PowerPoint Presentation

CITY OF GREELEY, COLORADO
ORDINANCE NO. 22, 2022
CASE NO. ZON2021-0018

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF GREELEY, COLORADO, FROM I-L (INDUSTRIAL LOW INTENSITY) TO R-H (RESIDENTIAL HIGH DENSITY) CHANGING THE UNDERLYING LAND USE DESIGNATIONS FOR APPROXIMATELY 15.433 ACRES OF PROPERTY LOCATED EAST OF 71ST AVENUE, NORTH OF 8TH STREET AND NORTHEAST OF 69TH AVENUE

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

Section 1. The following described property located in the City of Greeley is hereby changed from the zoning district referred to as I-L (Industrial Low Intensity) to R-H (Residential High Density), in the City of Greeley, County of Weld, State of Colorado:

See attached legal description

Section 2. The boundaries of the pertinent zoning districts as shown on the official zoning map are hereby changed so as to accomplish the above-described zoning changes, and the Mayor and City Clerk are hereby authorized and directed to sign and attest an entry which shall be made on the official zoning map to reflect this change.

Section 3. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS _____ DAY OF _____, 2022.

ATTEST: **THE CITY OF GREELEY**

_____ _____

City Clerk **Mayor**

Legal Description

PROPOSED TRACT 3A, H-P GREELEY SUBDIVISION, SIXTH REPLAT, AND A PORTION OF ADJACENT 8TH STREET, TO BE REZONED FROM I-L TO R-H

ALL THAT PART OF LOT 3, H-P GREELEY SUBDIVISION, FIFTH REPLAT, AS RECORDED AT RECEPTION NO. 4272274 OF THE RECORDS OF WELD COUNTY, COLORADO, AND A PORTION OF ADJACENT 8TH STREET, LOCATED IN THE SW1/4 OF SECTION 4, T5N, R66W OF THE 6TH P.M., CITY OF GREELEY, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3, THENCE S00°01'37"E, 56.00 FEET TO A POINT ON THE CENTERLINE OF 8TH STREET;

THENCE S89°58'23"W, 590.12 FEET ALONG THE CENTERLINE OF SAID 8TH STREET;

THENCE N00°01'37"W, 56.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3;

THENCE N00°01'37"W, 335.38 FEET ALONG A WESTERLY LINE AND A WESTERLY LINE EXTENDED NORTHERLY OF SAID LOT 3 TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHWESTERLY, 174.33 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 300.00 FEET, A CENTRAL ANGLE OF 33°17'44" AND BEING SUBTENDED BY A CHORD THAT BEARS N16°40'29"W, 171.89 FEET;

THENCE N33°19'21"W, 150.00 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHWESTERLY, 156.36 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 33°10'49" AND BEING SUBTENDED BY A CHORD THAT BEARS N16°43'57"W, 154.18 FEET;

THENCE N00°08'31"W, 406.77 FEET TO THE NORTH LINE OF SAID LOT 3;

THE FOLLOWING SEVEN (7) COURSES AND DISTANCES ARE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID LOT 3:

THENCE N89°51'28"E, 282.19 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE EASTERLY, 254.21 FEET ALONG THE ARC OF SAID CURVE TO THE NORTHEAST CORNER OF SAID LOT 3, SAID ARC HAVING A RADIUS OF 3,045.00 FEET, A CENTRAL ANGLE OF 04°47'00" AND BEING SUBTENDED BY A CHORD THAT BEARS S87°45'02"E, 254.14 FEET;

THENCE S04°04'36"W, 195.58 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE SOUTHEASTERLY, 270.77 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 420.00 FEET, A CENTRAL ANGLE OF 36°56'19" AND BEING SUBTENDED BY A CHORD THAT BEARS S14°23'34"E, 266.11 FEET;

THENCE S32°51'43"E, 217.59 FEET TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY, 217.77 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 32°50'06" AND BEING SUBTENDED BY A CHORD THAT BEARS S16°26'40"E, 214.80 FEET;

THENCE S00°01'37"E, 328.63 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 AND THE TRUE POINT OF BEGINNING.

PLANNING COMMISSION SUMMARY

ITEM: H-P Greeley Subdivision, Sixth Replat Rezone

FILE NUMBER: ZON2021-0018

PROJECT: H-P Greeley Subdivision, Sixth Replat Rezoning from I-L (Industrial Low Intensity) to R-H (Residential High Density)

LOCATION: 712 71st Avenue
East of 71st Avenue, north of 8th Street, and northeast of 69th Avenue.

APPLICANT: Lasalle Investors, LLC.

CASE PLANNER: Kristin Cote, Planner II

PLANNING COMMISSION HEARING DATE: April 26, 2022

PLANNING COMMISSION FUNCTION:
The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-204.

EXECUTIVE SUMMARY

A. STAFF RECOMMENDATION
Approval

B. LOCATION

Abutting Zoning:
North: I-L (Industrial Low Intensity)
South: C-H (Commercial High Intensity)
East: R-H (Residential High Density – City Center West Res 2nd Fg)
West: I-L (Industrial Low Intensity)

Surrounding Land Uses:
North: Vacant
South: Undeveloped, Commercial
East: Residential Subdivision, City Center West Res 2nd Fg
West: Industrial zone, portion of former HP site

Site Characteristics:

The site is currently a vacant parcel with no natural, unique, or special topography, vegetation, wildlife, or other factors that could influence development options. This property consists of rolling terrain with some large mature trees established during the development of the former Hewlett Packard site. This property is included in the overall master drainage plan in place for the City Center West Development. All approved utilities are sized to accommodate an R-H use and the traffic flow proposed for a residential use is less during peak hours than the original traffic projections for an I-L (Industrial Low Intensity) use.

C. BACKGROUND

This land was annexed into the City of Greeley through the North Sheep Draw Annexation on July 20, 1981, the subject property was designated with I-L (Industrial-Low Intensity) zoning district (*Rec. No. 0001863877*) [Case No. Z 14:80]; rezoned on September 29, 2005, dividing the 156 acre I-L (Industrial Low Intensity) zoning into a mix of C-D (Conservation District), C-H (Commercial High Intensity), R-H (Residential High Density), and I-L (Industrial Low Intensity) with DCMP and the Boomerang Master Plan Design Guidelines (*Ordinance No. 57, 2005, Rec No. 3327374*) [Case No. Z 3:05]. The Boomerang DCMP was developed to establish a list of permitted uses within the C-H, I-L, and R-H zone districts that would limit certain uses that are permitted by right, design reviews, and special reviews in the area, and establish specific design criteria through the Design Guidelines, that meet or exceed Development Code standards.

The existing area was also approved by City Council to include an intergovernmental agreement between the City of Greeley and the City Center West Commercial Metropolitan District in December 2014 (*Ordinance No. 69, 2014*) [Case No. MD 1:14]. Later in 2016, a resolution for the Amendment and restated consolidated service plan for the City Center West Commercial Metropolitan District was approved by City Council to consolidate the City Center West Commercial Metropolitan District and the City Center West Residential Metropolitan District No. 2. (*Rec. No. 4231159*) [Case No. MD 1:16].

In 2015, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property, H-P Greeley, 4th Replat (Rec No. 42704720) [Case No. 13:15], to accommodate the currently approved Boomerang Self-Storage [Case No. DR 4:17], formerly called the West Side Commons Storage.

In 2017, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property, H-P Greely 5th Replat [Case No. S 32-16] to accommodate Westridge Academy, a K-8 charter school that adjoins the western boundary of this property.

In 2022, a minor subdivision application was approved to split Lot 3, H-P Greeley 5th Replat [Case No. SUB2021-0033] to establish a lot which is proposed to be sold to the adjacent contiguous property owner to the west and a tract, which is proposed to be developed as a residential community.

The permitted uses currently allowed within the Boomerang Master Plan Design Guidelines (aka DCMP), in the R-H (Residential High-Density zone) include residential uses, boarding houses, farming, golf courses, open space, parks, and wireless telecommunications.

This property once housed a portion of the Hewlett Packard facility. Upon HP's exit from Greeley in 2003, this property became vacant and has endured repeated incidents of vandalism. In 2021, this property was acquired by the existing owner, who demolished the structures on-site, creating this vacant property for redevelopment.

D. APPROVAL CRITERIA

Development Code Section 24-204 Rezoning Procedures
The review criteria found in Section 24-204 (b) of the Development Code shall be used to evaluate the zoning amendment application.

1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.

Goal 4 – Prioritize Infill and Redevelopment

Objective GC-4.2 Reinvestment/Adaptive Reuse - Encourage reinvestment in established areas of Greeley to maximize the use of existing public infrastructure. Support the use of creative strategies to revitalize vacant, blighted, or otherwise underutilized structures and buildings through adaptive reuse.

Objective GC-4.3 Infill Compatibility - Promote the use of site design and building architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood or area.

Staff Comment: This proposal is in accordance with Goal 4, Prioritize Infill and Redevelopment, of the Imagine Greeley Comprehensive Land Use Plan. The rezoning request of this formerly vital site, which has over the years become a blighted property, specifically supports the following objectives of Goal 4:

The proposal complies with this criterion.

2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.

Staff Comment: The development of the property can fulfill the intent of its proposed zoning district. Adequate public water and sewer facilities are provided for this property. As part of the City Center West masterplan, all engineering and utilities were originally designed to accommodate a large-scale industrial user, making them more than sufficient for use as a residential subdivision. A single-family residential

community is currently being built adjacent to its eastern boundary. Objective GC-4.3 Infill Compatibility states that the City shall "Promote the use of site design and building architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood or area."

The proposal complies with this criterion.

3. The area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area.

Staff Comment: This area has changed substantially over the years. When this zone was originally established, this site was on the periphery of City limits and was established to house a 160+ acre industrial campus for Hewlett Packard. That site was abandoned in the early 2000's, and since that time a school has been constructed to the west of this property and a residential subdivision has been permitted on its easterly boundary. The use of this property that would best serve the interests of the public and the interests of the adjacent uses and residences in the area in a compatible and cohesive fashion, is the use of this property for residential purposes.

The proposal complies with this criterion.

4. The existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.

Staff Comment: The parcels' current zone was established 40 years ago. The property owner has tried for many years to market this property in hopes of attracting an industrial user to no avail. The establishment of R-H (Residential High Density) zoning on this property allows for higher density residential to provide both an appropriate and desirable transition between the existing school site to the west of this property and the single-family homes now under construction to the east of this property.

The proposal complies with this criterion.

5. The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces, and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.

Staff Comment: Currently to the east of this site is a school facility, to the west is a residential subdivision, to the north is a proposed park and to the south is vacant land zoned C-H (Commercial High Intensity), which presents an opportunity to provide convenient and vital commercial uses to residential property owners in this area. The adjacent uses will provide a transition to a residential use on this site.

The proposal complies with this criterion.

6. The city or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

Staff Comment: The south half of site was historically served by a dedicated 12"/15" sanitary sewer. During the construction of the City Center West Residential Subdivision 1st Filing, this existing sanitary sewer was abandoned and a new 15" sanitary sewer was installed to serve the site. This 15" sanitary sewer collects wastewater flow from the 8th Street commercial corridor and conveys it east through 8th Street. Ultimately, the sanitary sewer discharges into the 27" Sheep Draw interceptor.

The north half of the site would be served by an 8" sewer stub at the 68th Avenue dead end. This stub was designed with the City Center West 2nd Filing project and is currently under construction. This sewer ultimately discharges to the Sheep Draw interceptor.

An existing 12" water line on the southern portion of this property, adjacent to 8th Street, will provide adequate water services for this use.

A traffic compliance letter was submitted as part of this request. That letter indicated that the H-P Building in the original traffic study was previously thought to generate approximately 1,144 weekday daily vehicle trips, with 219 of these trips occurring during the morning peak hour, and 218 trips occurring during the afternoon peak hour. The currently proposed H-P Greeley Redevelopment Project, with 320 units of multifamily residential, is anticipated to generate 1,454 daily weekday trips with 128 trips occurring during the morning peak hour and 125 trips occurring during the afternoon peak hour. Therefore, the proposed rezone with redevelopment is anticipated to result in 91 fewer morning peak hour trips and 93 fewer afternoon peak hour

trips than the use that previously occupied the site and was originally studied in the same development area. This indicates that the proposed H-P Greeley Redevelopment is in traffic compliance with the original traffic study.

The proposal complies with this criterion

7. The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.

Staff Comment: The proposal complies with this criterion. This zoning change would accommodate the development of a residential multi-family subdivision, which is not currently permitted within the Industrial Low Intensity (I-L) zone district. Given the surrounding uses, this proposed zoning of Residential High Density (R-H) is a more appropriate zoning designation for the property at present time and will provide a transition from the single-family residential to the east.

The proposal complies with this criterion

8. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

Staff Comment: Any reasonably anticipated negative impacts on this area resulting from this rezoning would be mitigated as part of the development process by the consistent enforcement of Municipal Code requirements regarding landscaping, buffers, architectural features, and setbacks. A conceptual traffic study and drainage report were provided with this applicant and the final drainage and traffic needs will be further evaluated at the time of site plan or plat, as necessary.

The proposal complies with this criterion.

9. The recommendations of professional staff or advisory review bodies.

Staff Comment: Staff recommends approval of this rezoning request**.**

F. SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The subject site is part of the Replat of Lot 3, H-P Greeley Subdivision, Sixth Replat, which was a minor subdivision platted in April of 2022.

2. TRANSPORTATION

The City's Transportation Planner and Engineering Development Review staff have reviewed the traffic compliance letter submitted with this application and found that additional traffic would not create a significant impact on existing roadway systems.

No additional improvements were warranted based on projected traffic. Further analysis would be conducted at the time of the site plan review once exact layouts are confirmed.

G. SERVICES

1. WATER

Water services are available in the area and can adequately serve the subject site.

2. SANITARY SEWER

Sanitation services are available in the area and can adequately serve the subject site.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property. The subject site is within the City of Greeley's Fire Protection area and would be served by Fire Station 7, which is located approximately 700 feet southeast of this property

H. NEIGHBORHOOD IMPACTS

1. VISUAL

There are no proposed site changes corresponding to the rezoning currently. Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

2. NOISE

There are no proposed site changes corresponding to the rezoning currently. Any potential noise created by future development would be regulated by the Municipal Code.

I. PUBLIC NOTICE AND COMMENT

Neighborhood notices were mailed to surrounding property owners on April 8, 2022, per Development Code requirements. Additionally, two public notice signs were posted on the subject site on April 6, 2022. Notice was provided via the Greeley website on April 5, 2022.

J. MINERIAL ESTATE OWNER NOTIFICATION

Mineral notice was sent in compliance with C.R.S § 24-65.5-103(I) on March 26, 2022.

K. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received, the Project Summary and accompanying analysis, the Planning Commission finds that the proposed rezoning of Tract 3A of the Replat of Lot 3, H-P Greeley Subdivision Sixth Replat from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets the applicable Development Code criteria, Sections 24-204 and therefore, recommends approval of the rezone to the City Council.

Alternative motion:
Based on the application received, the Project Summary and accompanying analysis, the Planning Commission finds that the proposed rezoning of Tract 3A of the Replat of Lot 3, H-P Greeley Subdivision Sixth Replat from I-L (Industrial Low Intensity) to R-H (Residential High Density) does not meet Development Code Section 24-204; and therefore, recommends **denial** of the rezone to the City Council.

L. ATTACHMENTS

Attachment A – Vicinity Map
Attachment B – Project Narrative
Attachment C – Application
Attachment D – Boomerang Master Plan Design Guidelines
Attachment E – Public Comments

Vicinity Map
H-P Greeley Subdivision, Sixth Replat Rezone
ZON2021-0018

Attachment A



Attachment B

H-P Greeley Subdivision, Sixth Replat

Project Narrative for Minor Plat and Rezone

Current property: Lot 3, H-P GREELEY SUBDIVISION, FIFTH REPLAT

Current Owner (Applicant): LASALLE INVESTORS LLC

As owner of Lot 3, H-P GREELEY SUBDIVISION, FIFTH REPLAT, Applicant wishes to create a Minor Subdivision of Lot 3, splitting Lot 3 into two separate parcels. The West parcel would contain 4.394 Acres, be named Lot 3A, and retain its current zoning of I-L; the East parcel would contain 15.433 Acres, be named Tract 3A, and be rezoned to R-H.

The proposed Lot 3A is currently under contract to the adjacent school, West Ridge Academy, contingent upon approval of the subdivision of Lot 3A as discussed herein. The proposed Tract 3A is under contract to a residential developer contingent upon both the approval of the subdivision of Lot 3 and the proposed rezoning of the proposed Tract 3A to R-H (from its current zoning of I-L).

Background

The current Lot 3 is part of the historic Hewlett Packard facility, an approximately 160 acre R&D campus developed in 1982 that at one time housed 1,800 employees. Upon Hewlett Packard's exit of Greeley in 2003, the main building became vacant and the surrounding land was ultimately sold, subdivided and rezoned to become City Center West, a master-planned development containing a mixture of residential and commercial uses. Lot 3 (an approximately 19.827 acre parcel upon which the main HP structure resided), however, remained unchanged in both its zoning and use as a multi-year search began for a new user for the building. Unfortunately after being vacant for more than 15 years and enduring repeated bouts of vandalism, it became clear that the building had become more of a liability than an asset. As a result, in late 2021 Lot 3 was acquired by Applicant and the building was demolished creating a vacant parcel of land.

Today Lot 3 (still holding its original Industrial-Low zoning) sits in the middle of an otherwise cohesive masterplan. Westridge Academy, a K-8 charter school adjoins its western boundary, a to-be-built City park adjoins its northern boundary and a single family residential community is currently being built adjoining its eastern boundary. We believe industrial zoning for their proposed Tract 3A no longer represents a complimentary use to the development, and that

Residential High (R-H) now provides the highest and best use for the property. R-H zoning allows for higher density residential to provide both an appropriate and desirable transition between the existing school site and the single family homes now under construction. Moreover, a rezoning of Tract 3A from I-L to R-H would represent the last step in transforming the original Hewlett Packard campus into a single harmonious development.

Rezoning the proposed Lot 3A (currently under contract to West Ridge Academy) is not required by West Ridge for the expansion of its school campus.

Lot 3A

Though Lot 3A is under contract to West Ridge Academy for future development of their school site, West Ridge's requires that their current property maintain a separate legal description from Lot 3A to retain the metro district tax exemption granted on their current property (the proposed Lot 3A will have no such exemption). Nonetheless, common ownership of the two lots will provide the necessary infrastructure for Lot 3A as the school's current property is already serviced by both public utilities and public road access.

Tract 3A

As part of the City Center West's masterplan, all associated engineering and utilities were designed and sized to accommodate a large-scale industrial user on Lot 3, which is to say all utilities and engineering are more than sufficient for a residential use on Tract 3A. Lot 3 is part of the overall master drainage plan already in place (please see attached approved plans from City Center West), all approved utilities are appropriately sized to accommodate an R-H use (please see attached letter from Northern Engineering), and traffic flow would be less than proposed under the original I-L use (please see letter addressing the original traffic projections from Kimley-Horn).

All site-specific details, including pedestrian access and circulation, will be addressed at the site plan approval stage once a final layout for the property is determined by the final end-user.

Review Criteria

We believe the proposed rezoning of Tract 3A from I-L to R-H meets all of the review criteria established in Section 24-204 (Rezoning) of the City of Greeley Development Code for the review, recommendation and decisions for a proposed rezoning as addressed below:

Has the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?

and

Has the existing zoning been in place for a substantial time without development, and does this indicate the existing zoning is inappropriate given development trends in the vicinity?

Yes to both. The parcel's current zoning of I-L is a remnant from nearly 40 years ago when the larger overall 160-acre site came into existence as an R&D campus owned and operated by Hewlett Packard. In the early 2000s Hewlett Packard moved out of the facility and the land was ultimately sold, subdivided and rezoned to become City Center West, a master-planned development containing a mixture of residential and commercial uses. This parcel retained its original I-L zoning in hopes of attracting a new tenant to the main Hewlett Packard building. After nearly 20 years of vacancy and repeated bouts of vandalism, however, those hopes were abandoned and the building was demolished.

Can the proposal fulfill the intent of the zoning district considering the relationship to surrounding areas?

Yes. Today the parcel sits in the middle of an otherwise cohesive masterplan. Westridge Academy, a K-8 charter school adjoins its western boundary, a to-be-built City park adjoins its northern boundary and a single family residential community is currently being built adjoining its eastern boundary. We believe industrial zoning no longer represents a complimentary use to the development, and that R-H zoning allows for higher density residential to provide both an appropriate and desirable transition between the existing school site and the single family homes now under construction.

Will the proposed zoning enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.

Yes. This parcel sits in the middle of City Center West, and its rezoning represents the final piece to an overall cohesive masterplan. This parcel's remnant I-L zoning no longer represents a complimentary use to the development whereas an R-H zoning will provide

both an appropriate and desirable transition between the existing school site and the single family homes now under construction.

Does the City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.

Yes. The City Center West masterplan contemplated future development of this parcel and as such all approved infrastructure and utilities were sized to accommodate the parcel's development. Letters from Northern Engineering and Kimley Horn addressing the necessary utility and traffic capacity for an R-H use have been included with this rezone application.

Will the change serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.

Yes. The current zoning is a remnant from nearly 40 years ago when the site was part of an industrial campus that was located on the outskirts of town. Since then, the city has grown significantly and the surrounding area has been redeveloped into a mixed-use master planned development. This particular parcel sits adjacent to the existing residential section of said development making the proposed R-H rezoning both a more desirable and harmonious transition to the commercial uses to the south.

Are there any reasonably anticipated negative impacts on the area or adjacent property that are not mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

No. On the contrary, for nearly 20 years a vacant deteriorating 200,000 square foot industrial building sat on this site inviting constant vandalism and increasingly producing a dangerous nuisance (and enormous eyesore) to the west entry of Greeley. The building has now been demolished and a rezone from industrial to residential will serve to harmonize the site with the surrounding like uses.

Is the proposal in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan?

Yes. The parcel sits within City Center West, a mixed use master planned neighborhood located within the designated “Mixed-Use” section of the Land Use Guidance Plan. The overall approximately 160-acre development generally transitions from single-family residential on the north to high intensity commercial pad sites on the south. This parcel, sitting almost perfectly in the center of the development, is surrounded by Westridge Academy, a K-8 charter school on its western boundary, a to-be-built City park on its northern boundary and a single family residential community currently under construction on its eastern boundary. A rezoning from I-L to R-H maintains the mixed-use characteristic of the neighborhood while also providing a more cohesive and natural transition from these adjacent low impact uses to the more high impact uses to the south.

In addition, the ability of the proposed R-H parcel to access both the adjacent public park and charter school serves to foster increased walkability/bikability of the residential neighborhood, and providing more high density residential to the area will increase the variety of affordable housing options and economic diversity in the area. All of which serve to further address several main objectives of the Comprehensive Plan.

City of Greeley Colorado
COMMUNITY DEVELOPMENT

Development Application

1100 10th Street Greeley, CO 80631
970-350-9780
www.greeleygov.com

Attachment C

APPLICANT NAME: Lasalle Properties LLC	**ADDRESS:** 5801 W. 11th Street, Suite 201 Greeley, Co 80634 **EMAIL:**	**PHONE:** 970-381-5166
OWNER(S) OF RECORD: Lasalle Properties LLC	**ADDRESS:** same **EMAIL:**	**PHONE:**
OWNER(S) OF RECORD:	**ADDRESS:** **EMAIL:**	**PHONE:**
POINT OF CONTACT: Loren Shanks	**ADDRESS:** 3313 35th Avenue, Suite B Evans, Co 80620 **EMAIL:**	**PHONE:** 970-506-1544

PARCEL / LOT INFORMATION

Parcel ID Number	R8948160 - 095904306003
Address or Cross Streets:	8th Street and 69th Avenue, the old HP site
Subdivision Name & Filing No.:	H-P Greeley Subdivision, Fifth Replat
Related Case Numbers: (PUD, Rezoning, and/or Plat)	

	EXISTING	PROPOSED
Zoning:	I-L	I-L and R-H
Project Name:	Lot 3, H-P Greeley Subdivision, Fifth Replat	Lots 1 and 2, H-P Greeley Subdivision, Sixth Replat
Site Area (Acres & Square Ft.):	19.827 Acres	4.394 Acres and 15.433 Acres
Floor Area Ratio (FAR):	building under demolition	tbd
Density (Dwelling Units/Acre):	per I-L	per I-L and R-H
Building Square Footage:	228,109 sq.ft.	future development

PROJECT TYPE

☐ Annexation	☐ Minor Subdivision	☐ Historic Register Nomination	☑ Rezoning
☐ Appeal	☐ Condominium Plat	☐ Historic Preservation Design Review	☐ Planned Unit Development
☐ Entertainment Establishment	☐ Easement Encroachment	☐ Historic Preservation Financial Incentives	☐ ROW Dedication/Vacation
☐ Major Subdivision - Final Plat	☐ Site Plan	☐ Easement Dedication/Vacation	☐ Variance
☐ Major Subdivision – Preliminary Plat	☐ Use by Special Review	☐ Metropolitan District	☐ Other

Pre-Application Meeting Date: _____

Pre-Application Meeting Number: PAM _____

This application must be signed by owner(s) of record or authorized officer, if a corporation. Owner(s) listed must match title work. Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the City of Greeley Development Code and Application Manual. After three (3) months of inactivity, a reminder will be sent to applicants stating that action is required within the next thirty (30) days or the application will be closed due to inactivity.

I hereby certify that, to the best of my knowledge, all information supplied with this application is true and accurate and authorize the applicant listed above to process the application on my behalf.

Owner's Signature: _____ Date: 12/1/2021

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pcs group inc. www.pcsgroupco.com

BOOMERANG MASTER PLAN
AMENDED DESIGN GUIDELINES

October 8, 2013

Developer:
City Center West, LP
7100 E. Belleview Ave.
Suite 350
Greenwood Village, Colorado 80111

Planner:
PCS Group, Inc
#3 B-180 Independence Plaza
1001 16th Street
Denver, CO, 80265

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Development Concept Master Plan Exhibit

Where provisions of these design guidelines are unclear or standards are not covered, the City of Greeley Development Code shall be considered the standard.

ARCHITECTURE STANDARDS

A 1.0 Design Principles

The goal of these design guidelines is to provide design standards that provide a consistent architectural and landscape character through the design of an integrated development. The goal is to provide flexibility for architectural design and optimize site and building functions.

The following guidelines are intended to outline the basic standards for design intent that will create the sustained development. The following design aspects will be addressed with these guidelines:

- Building Entrances
- Façade Treatment
- Base Treatment
- Roof and Top Treatment
- Building Materials and Colors
- Supplementary Standards

A 2.0 Building Entrances

A 2.10 Policy

Primary building entrances shall be clearly defined and provide shelter from the summer sun and winter weather. Building materials shall be selected to provide greater visual and textural interest at building entries.

A 2.20 Criteria

Primary entrances shall be easily identifiable to both the vehicular visitor as well as the pedestrian.

Building address (es) shall be clearly visible from the public right-of-way as well as at the entrance of each door.

Architectural articulation shall be evident at primary entrances. Textural and massing changes are required for visual interest as well as promoting the "human scale"

Primary entrances shall be protected from elements of weather.

Each principal building on a site shall have clearly defined, highly visible customer entrances featuring the following:

A. Customer entrances for "in-line retail" (or attached retail) shall feature no less than two of the items listed below:

B. Customer entrances for buildings of less than 25,000 gross square feet (excluding "in-line retail") shall include no less than three (3) of the items listed below:

C. Customer entrances for buildings having 25,000 gross square feet, or more, shall include no less than five (5) of the items listed below:

D. Where additional stores will be located in the principal building, each store shall have at least one (1) exterior customer entrance, which shall feature no less than two (2) of the items in the following list:

1. Canopies, overhangs, or porte cocheres.
2. Recesses/projections
3. Arcades, porticos
4. Raised cornice parapets over the door
5. Peaked roof forms at entryway
6. Arches
7. Color change
8. Texture change
9. Material change
10. Door(s) which provide a focal element at the entrance
11. Functional outdoor patios
12. Architectural details such as tile work, moldings, exposed trusses, columns and other similar details, which provide interest and are integrated into the building structure and design

A 3.0 Façade Treatment
These standards are designed to provide architectural interest and variety, and avoid the effect of a flat, long, or massive wall with no relation to human size.

A 3.10 Variation in Massing
A single, large, dominant building mass shall be avoided. Buildings with 100 foot or longer front facades shall comply with the standards listed below:

Horizontal masses shall not exceed a height/width ratio of 1 vertical to 3 horizontal without substantial variation in massing that includes a change in height and projecting or recessed elements.

No façade that faces a public street or public open space shall have a blank featureless wall without at least two (2) of the following:

A. Change in plane
B. Change in color
C. Change in texture, scoring, jointing, reveals or masonry pattern
D. Windows
E. Trellises, colonnades
F. Porticos, awnings, or canopies

Use of inferior or lesser quality materials for side or rear facades shall be prohibited except where facades are not visible from the public right of way or common open space

Service entrances shall be planned to be visually unobtrusive to site entries, building entrances, public right-of-ways, and common open space.

A 3.20 Awnings
Awnings shall be broken down to relate to individual structural building bays or window openings.

A 4.0 Base Treatment
Facades shall have a recognizable “base” consisting of three (3) or more of the following:

A. Thicker walls, ledges, or sills
B. Integrally textured materials such as stone, masonry, or aggregate concrete.
C. Integrally colored and patterned materials such as smooth finish stone or block.
D. Lighter or darker colored materials, mullions, or panels as compared to the upper façade.
E. Scoring/reveals.
F. Belly band.
G. Modular store front on first floor.
H. Change in window pattern on first floor as compared to upper floor(s).
I. Berming against base of building. 30” minimum height.

A 5.0 Roof and top Treatment

A 5.10 Purpose

Crown the building with a distinctive cap designed to terminate the top of the building.

Continuous flat parapets are prohibited, unless it can be demonstrated that façade massing breaks and other treatments create visual interest at the top of a building.

Rooftop mechanical units, dishes, and other miscellaneous equipment shall be screened or be an integral part of the building design. Screen material shall be of the same or compatible material texture and color to the building architecture.

A 5.20 Top Treatments

Parapets shall conceal flat roofs and rooftop equipment such as HVAC units in accordance with City of Greely Development Code.

Non-residential buildings with a flat roof shall have a recognizable ”top” consisting of two (2) of the following:

A. Cornice treatment other than just colored “stripes” or “bands” with integrally textured materials, such as stone or other masonry or differently colored material.
B. Sloping Roof form
C. Stepped cornice treatment (min of 2 steps)
D. An equivalent element that provides a recognizable top as approved by the DRC and administratively by the City
E. A recognizable top treatment may not be required for buildings with a contemporary architectural style. Specific DRC and City approval is required in these instances.

A 6.0 Building Materials and Colors

A 6.10 Preferred Materials

A. Brick
B. Textured and/or ground face concrete block with integral color
C. Textured architectural precast panels, painted and/or cast-in textures
D. Site-cast or precast concrete panels , painted and/or cast-in textures
E. Wood
F. Natural stone and synthetic stone products
G. Architecturally integrated metal wall panels, for accent materials.
H. Synthetic Stucco
I. Glazing- less than 65% reflectivity
J. Smooth face concrete block, used in combination with other textured materials
K. Other similar high quality materials

Materials must be consistent within the development to present an overall design.

A 6.20 Preferred Colors

Color palette should consider rich hues and a cohesive, unified theme throughout each planned development.

Monochromatic color schemes are discouraged.

The following colors families are encouraged to be used:

1. Grays- warm and cool
2. Greens/blues
3. Reds/browns
4. Other similar color families

A 6.30 Prohibited Colors
Color palettes consisting of high contrast and a dysfunctional theme as the predominant building color are prohibited.
The following are colors prohibited as the dominant theme:

1. Pastels
2. Metallic Colors
3. Other similar high contrast colors

A 6.40 Accent Colors
Accent colors are intended to compliment the primary building colors. They can be incorporated into shutters, window mullions, building trim, signs, light fixtures, awnings, etc. Bright/vivid colors shall be used sparingly. If used, accent colors shall be limited to 10-20% of the building façade.

A 7.0 Supplementary Standards
Individual types of commercial/retail projects have additional Design Guidelines associated with their use that are more specific in nature, as follows:

A 7.10 In-line Retail Stores
In-line, or attached retail stores, shall incorporate primary building elements that denote a place of entrance to the connecting pedestrian circulation patterns. These forms should be larger in scale than the entrances to the in-line retail components it addresses.

In-line retail uses shall incorporate building components, such as columns, arcades, covered walkways and trellises emphasis its connecting pedestrian circulation patterns.

In-line retail uses shall incorporate seating and pockets of outdoor living areas that provide resting areas.

A 7.20 Building Pad Sites
Retail/Commercial pad buildings shall be smaller in size than the retail anchor buildings to which they are adjacent.

Retail pad sites shall be separated from large parking lots by drive lanes and landscaping to delineate parking areas.

Utilitarian service areas shall not be placed adjacent to pedestrian pathways that lead to entrance areas. Utilitarian areas shall be fully screened with building components that are similar to or compatible with the building's wall materials and/ or colors.

A 7.30 Convenience/Gas Stations
Convenience stores and gas stations shall comply with the Greeley Municipal Code.

Canopies shall not exceed a 24 foot height. Canopies shall be architecturally integrated with the convenience store building and other accessory structures on the site through the use of the same or complementary materials, design motif, and colors.

A 7.40 Architecture for Commercial Buildings

Drive-up or drive-through facilities, whether attached or freestanding, shall be tied to the primary building with architectural forms, colors, and materials.

Ancillary structures, whether attached or freestanding, shall be of a design compatible with the primary building in materials/colors. Such structures shall be constructed of similar materials and designed for durability and easy maintenance.

Service areas and utilities shall be fully screened with walls, fences, landscaping or other forms which are to be compatible with the building in materials/ color. Such structures shall be constructed of similar materials and be designed for durability and easy maintenance.

SITE DEVELOPMENT STANDARDS

S 1.0 Design Principles

The goal of this section of the Design Guidelines is to provide additional design and landscaping standards for the development of the Boomerang Master Plan. The intent is to create a united site and landscape plan that will work with the existing structures on site while creating a compatible identity for each section of new development.

Standards not covered within these Design Guidelines shall be governed by the City of Greeley Development Code

S 2.0 Setbacks

The building and parking setbacks within Boomerang Village shall be determined, along with available performance options, by the City of Greeley Development Code for the appropriate zone district under consideration.

"Setbacks" refer to the required unoccupied open space between the furthermost projection of a structure/parking lot and the property line of the lot on which the structure/parking lot is located.

See figure S 2.1 as an example of landscape screening within the required setback. On the west side of 69th Avenue and the east side of 70th Avenue, an attached sidewalk shall be permitted with a double row of shrubs for parking screening.

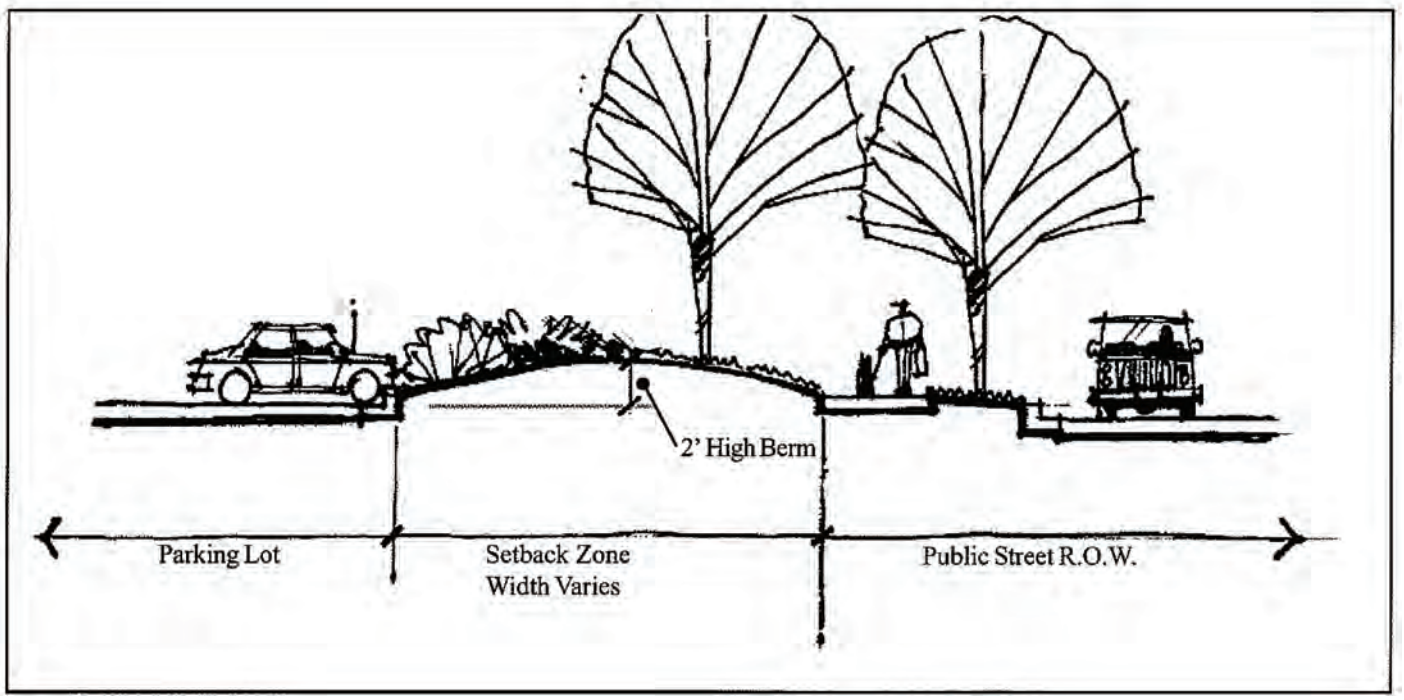


Figure S 2.1 - Landscape Setback Character Sketch

S 3.0 Open Space requirements

A minimum of 85% of the area defined as open space shall be vegetated landscaped areas. The intent is to create spaces which can be seen, used, and enjoyed by people, whether on foot, or in a vehicle.

Open space requirements for individual commercial lots can be reduced, if approved by the City of Greeley Planning Department, provided that the total percentage of open space within the commercial lots meets or exceeds the requirements of the Design Guidelines.

Open Space Table

LAND USE	Open Space % Required
Commercial/Retail	20 %
Industrial/Office	10 %
Residential	30 %-R-M
	30 %-R-H

S 4.0 Parking Lot Screening

S 4.10 Policy

Parking lots shall be screened from surrounding public streets, public sidewalks and trails, public parks and other properties that are used by the public.

S 4.20 Criteria

A. Whenever there are six (6) or more parking spaces on the property, the parking lot shall be screened where it abuts a public street.

B. Berms, walls, fences, plants, planters or similar means shall be used to create the parking lot screen. Where structures such as walls or fences are used to create a screen, plants shall be located on the side of the structure which can be seen from surrounding streets, walks, parks, trails, and other properties which are used by the public.

C. The screen around the parking shall be at least two (2) feet higher than the surface of the parking lot. Where plants are used to create a screen, the plants should create the screen within three years from the time planted.

D. Parking lot setbacks are provided to mitigate the visual impacts of parking areas from adjacent parcels and public rights of way (refer to Section S2.0 for setbacks). In addition, a berm, landscape or wall may be used for lots adjacent to 10th Street. The screen along 10th Street shall reach a minimum height of 3’ in order to maintain the existing character and feel of 10th Street. Height of screen will be measured from the north edge of 10th Street.

S 5.0 Landscaping

S 5.10 Purpose

Landscaping is intended to unify the building and its site along with adjacent development areas.
The development shall be landscaped with regionally appropriate materials. Perimeter streetscapes shall have a mix of formal and informal groupings of trees with large groupings of shrubs for seasonal interest.

Where appropriate, turf will be low water requiring varieties with areas of longer, native species. Perennial and annual flowers will provide accent color. Landscaping and/or earth shaping shall be used to screen surface parking, to soften structures such as soft wall and to buffer sound adjacent to heavily traveled areas. Shrubs are encouraged to be used for low level buffers, enclosure, identity, and reinforcement of pathways, and to provide visual interest and display.

S 5.20 Plant Materials

Landscape design shall incorporate some or all of the following Xeriscape principle, including:

A. Grouping plants with similar water requirements together ;
B. Limiting high-irrigation and plantings to high-use and/or high visibility areas;
C. Use of low water demanding plants and turf where practical;
D. Use of indigenous plant materials, where appropriate and practical,
E. Use of efficient irrigation systems, including the potential use of non-potable irrigation water.
F. Use of mulches and soil improvements; and
G. Provision of programs for regular and attentive maintenance.
H. Trees and shrubs sizes, at the time of planting, shall comply with the following minimum sizes:
Deciduous Trees -2”caliper
Ornamental Trees -1 ½ “caliper
Evergreen Trees -6’height
Shrubs- 5 gallon

S 6.0 Commercial High Intensity (C-H) Zoning Uses

S 6.10 Permitted Uses

Farming
Churches
Libraries, Museums, etc.
Long-term care, Assisted Living
Police, Fire, and Ambulance Dispatch Stations
Schools (business, trade)
Art, Dance, Photo Studios, Galleries
Auto Uses- Under 1 acre
Auto Uses- Car & Truck wash (<1 acre & <3 bays)
Banks, Savings & Loans, Financial Institution (without drive- up windows)
Bars, Taverns, Lounges
Brew Pubs
Cleaning & Janitorial Services
Dry Cleaning (no on site cleaning)
Emissions Testing Center (<1 acre)
Golf Uses- Golf Course, range w/o lights
Golf Uses- Golf Course, range w/ lights
Golf Uses- Miniature Golf
Hospitals
Lodging- Hotels & Motels
Medical & Dental Offices & Clinics, Supplies
Mortuaries, Funeral Homes
Nurseries, Greenhouses, Garden Shops
Offices
Parking Lots & Structures
Personal Service Shops (beauty, barber, etc.)
Printing, Copying, Mail center
Radio & TV stations
Recreation Uses- Community Rec. Bldg.
Recreation Uses- Indoor, outdoor extensive
Recreation Uses- Membership/Health Clubs
Recreation Uses- Open Space
Recreation Uses-Parks (pocket, neighborhood, regional)
Rental Service (equipment, small tools, supplies, etc.) Not including vehicle rental or outdoor storage of rental equipment.
Restaurants - Cafes & Other eating establishments (includes outdoor seating areas)
Retail Repair Shops
Retail Sale- Up to 20,000 SF GFA
Theaters- Indoor, movie
Train, Shuttle, Bus Depots
Newspaper & Publishing Plants, Binderies
Research & Testing Labs
Utility Service Facilities-< 300 SF
Wireless Telecomm.- Co-location on existing tower

S 6.20 Design Review Uses

Animal Uses, Pet stores, Pet Grooming
Animal uses- Vet Clinic (no outdoor run)
Banks, Savings & Loans, Financial Institution (with drive- up windows)
Mixed Use (must include residential)
Secondary Dwelling
Child Care / Daycare Centers, Preschools
Convenience Store w/ Gas (1 acre or less)
Food & Beverage Processing Facility (minor)
Gas Stations (1 acre or less)
Group Homes with 8 or fewer residents
Lodging- Bed & Breakfast
Restaurants- Drive-in/ drive-thru
Restaurants- Drive-up Window
Retail Sales- Over 20,000 SF GFA
Warehousing- Self -serve under 5 acre in size
Telecommunications Uses- satellite antennas over 3' diameter
Utility, Comm. Tower & Cabinet>Bldg. Height
Wireless Telecomm.- Stealth design
Wireless Telecomm.- Roof-top mounted

S 6.30 Special Review Uses

Single-Family Dwelling
Two- Family Dwelling
Multi-Family Dwelling
Town House Dwellings
Boarding/Rooming Houses
Dormitories, Sororities, Fraternities
Group Homes with 8 or more residents
Schools (other than business & trade schools)
Universities, College

S 6.30 Special Review Uses (con't)

Gas Stations with Convenience (over 1 acre)
Auto Uses- Over 1 acre
Auto Uses – Auto Repair, Auto Sales (over 1 acre)
Auto Uses – Car & Truck wash over 3 bays
Retail Sales- Over 100,000 SF GFA
Warehousing- Self -serve over 5 acre in size
Oil & Gas Operations
Utility Service Facilities->300 SF
Utility Lines over 33 KVA
Wireless Telecomm.- Freestanding (non-stealth)

S 6.40 Excluded Uses
Emergency Shelters, Missions
Animal Uses- Kennels
Animal Uses- Vet Clinic w/ outdoor run
Auto Uses- Auto Rental
Auto Uses- Commercial Truck Wash
Auto Uses- Towing Service
Bingo Halls & Parlors
Builder/Contractor Supply Office & Yards
Drive-In Theaters
Exterminating Shops
Laundromats
Pawn Shops
RV & Travel Trailer Parks
Theaters- Outdoor (sports arenas, stadiums)
Theme or Amusement Parks, Zoos, Aquariums
Upholstery Shops
Recycling Centers- Small and Large

COMPATIBILITY WITH COMPREHENSIVE PLAN

The Development Concept Master Plan Amendment is not proposing to alter any of the zoned uses on the property, and as such, the this amendment remains compatible with the existing zoning. It is also consistent with the goals of the 2060 Comprehensive Plan, providing a mix of uses within a development, and encouraging walkability and promoting an healthy lifestyle.

This amendment is simply depicting the current plans for the commercial development along 10th Street, along with updating the Eastern portion of the 10th Street frontage to include the proposed Banner Health Site. The plan maintains the approved mix of uses with proposed residential and commercial uses, and the character and intensity of development remains reflective of the Comprehensive Plan principles and guidelines.

PROPERTY SETTING

The Boomerang Master Plan is located at the northeast corner of the intersection of 10th Street and 71st Avenue. The northern border of the property is 4th Street and the East boundary of the property runs along Sheep Draw. The property is approximately 156 acres of rolling terrain and large mature trees with the former Hewlett Packard building located in the central portion of the property.

The adjacent zoning along the north edge is R-H with a small portion at the west end zoned C-H. The adjacent zoning along the east edge of the property is C-D. The south edge of the property has adjacent zoning of C-H and R-H. The west side of the property is a mix of R-L and R-H zones along with the Boomerang Golf Course.

The zoning on the property has not changed and remains a mix of zoning throughout the property. The southern portion of the property is C-H zoning and the northern portion is a mix of R-M, R-H, C-H and I-L zoning. We feel that the zoning designations for the property remain compatible with the existing uses in the surrounding area.

PEDSTRIAN CIRCULATION

The challenge with pedestrian circulation for this property is creating easy access between large areas that will be easily identifiable and accessible for pedestrians. For the majority of the property the proposed streets with sidewalks and parkways will serve as the primary connection for pedestrians between parcels. The residential portion of the property on the north end is planned to have an open space connection through the developed areas that will lead to the Sheep Draw corridor. We feel the connection for pedestrians to the Sheep Draw corridor, and onto the existing trail is the most important connection for the site.

The commercial pad sites along 10th Street will provide safe and convenient pedestrian access for their clientele. At the same time, east-west pedestrian connections will be provided along both the front and rear of the pad sites, ensuring connectivity between the commercial uses and to the greater community. These connecting walks will ultimately lead to Sheep Draw via multiple connections north to 8th Street which facilitates this connection.

From: James Powers
To: Kristin Cote
Subject: [EXTERNAL] Zoning Change
Date: Monday, April 18, 2022 4:45:20 PM

Hi Kristin,

I am writing in reference to Case number ZON2021-0018 in which Lasalle Properties, LLC is seeking to rezone Tract 3A of the Replat of Lot 3, H-P Greeley Subdivision Sixth Replat from I-L to R-H. I assume, from information I have found online that Residential High Density is for purposes of building an apartment complex.

That being the case, I must voice my OPPOSITION to this change.

I am a new home owner at 6615 7th Street which puts this complex at the end of my street. We are already seeing issues with the Ten West apartments at 6600 8th St. Their residents are frequently seen driving irresponsibly and, in some cases, downright dangerously down 66th Avenue from 4th Street or down 8th Street from 69th Avenue. I have nearly been hit by residents of that complex while driving to or from my home. They also have a significant number of vehicles parked on 66th Avenue and in one case, not paying attention, one of their residents nearly caused a wreck with my wife when they threw a car door open, not paying attention to traffic.

While I understand that this doesn't necessarily drive down my property value (at least based on current trends), I don't want that to be a factor in the future. This is the last home my wife and I will purchase in our lifetime and I don't want my children to be stuck with a house they cannot sell. Homeowners don't typically like to purchase in the vicinity of apartments as we were advised by our realtor in Denver. Based on his recommendation, we avoided the house that was our first choice due to its proximity to an apartment complex.

My bigger concern is safety. My youngest daughter is 12, entering 7th grade next year and will be back in-person at Westridge Academy. She and her friend, who live next door, will be walking to and from school with her younger brothers both age 6. With the way the Ten West residents drive and their high traffic impact, I'm concerned for their safety. Adding another complex to the 8th Street bottleneck dramatically increases the danger for pedestrians, especially children who don't always pay attention to their surroundings.

I ask that the Planning Commision stand with me in OPPOSITION to this zoning change. A change to Low-Density residential, to extend the Hartford development would be preferred for home values and safety concerns.

Please confirm receipt of this email and that it will be included in the Planning Commission meeting on April 26th. I would like to attend but have a medical procedure scheduled for that day. How will I find out results of this meeting?

--
Jim Powers

CAUTION: This email is from an **external** source. Ensure you trust this sender before clicking

From: James Powers
To: Kristin Cote
Subject: [EXTERNAL] Re: Zoning Change
Date: Friday, April 22, 2022 8:58:02 PM

Hi Kristin,

I have an additional statement I would like to add to my opposition plus the attached photos.

Due to the already congested traffic through our neighborhood, my daughter was hit by a truck crossing the street after getting our mail. This happened at 3:35 this afternoon. She has a severe concussion as well as multiple fractures in her face and will likely require surgery. YOU MUST OPPOSE THIS REZONING! We CANNOT have more traffic that will cause more injuries to children. DO NOT APPROVE THIS!!!

Brian Bartels

From: Landon Hoover [landon@hartfordco.com]
Sent: Monday, April 25, 2022 1:43 PM
To: Brian Bartels
Subject: Hartford Homes Letter of Support

Brian –

Hartford Homes and CCW Development, the homebuilder and developer adjacent to the site, offer this letter of support for the re-zoning and redevelopment of the site. We are grateful for the progress to date, and we look forward to the continued partnership seeing the site develop. The removal of the building has already had a positive impact, reducing theft and vandalism in our neighborhood. We believe the long-term impacts on safety and home values will be significant.

Thank you.

Landon Hoover
Owner / CEO
C: 970.286.3329
HARTFORD HOMES

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Brian Bartels

From: Landon Hoover [landon@hartfordco.com]
Sent: Monday, April 25, 2022 1:39 PM
To: Brian Bartels
Cc: Patrick McMeekin
Subject: HOA & Metro District Support

Brian –

On behalf of the Northridge Trails Homeowners Association and City Center West Residential Metropolitan District No.2, I offer this letter of support for the re-development and re-zoning of the "Old HP" site. We believe the removal of the building, re-zoning and redevelopment of the site will support home values and positively impact the area long-term.

Thank you.

Pat McMeekin

President
Northridge Trails Homeowners Association
City Center West Metropolitan District

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Brian Bartels

From: Kenneth Dyer [kdyer@cfstrategies.net]
Sent: Monday, April 25, 2022 1:31 PM
To: Brian Bartels
Subject: HP Site

Brian,

As chairman of the school board for West Ridge Academy Charter School, I want to personally thank you for working with the school regarding the former Hewlett Packard building. As you are aware, the school had very close proximity to the old manufacturing building. We experienced a multitude of security issues due to the disrepair of the old facility. There were numerous occasions where police were summoned because of suspicious activity. Now that the building has been demolished our safety concerns have been ratified. Again, thank you for your help and service to our school and community.

Gratefully,

Ken Dyer
(970) 590-3971

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Investment Advisory services offered through O.N. Investment Management Company

Brian Bartels

From: KENT HENSON [khenson1@greeleyschools.org]
Sent: Monday, April 25, 2022 9:19 PM
To: Brian Bartels
Subject: Tointon Neighborhood

Hi Brian,

As a resident of West Greeley and employee of Greeley Evans School District 6, I wanted to take this opportunity to express my support for the work you are doing at the former HP site.

That building was an eyesore and was an attractive nuisance for adolescent and other negative behavior.

As the new Tointon Academy opens next fall, the removal of this dilapidated concrete shell and the upcoming development has improved the image of that corridor.

Thank you for your work in the neighborhood.

Kent Henson
226 N 52nd Ave
Greeley CO 80634

--



Kent Henson, ED. S.
Assistant Superintendent of Support Services
Weld County School District 6
2201 5th Avenue
Greeley, CO 80631
970-348-6409

Facilities Maintenance * Transportation
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on any links or attachments.

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City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

April 26, 2022

1. Call to Order

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

2. Roll Call

The hearing clerk called the roll.

PRESENT
Chair Justin Yeater
Commissioner Jeff Carlson
Commissioner Larry Modlin
Commissioner Christian Schulte

ABSENT
Commissioner Chelsie Romulo
Commissioner Brian Franzen
Commissioner Erik Briscoe

Under citizen comment, the chair recognized Mike Weiland, 436 47th Avenue, spoke on behalf of the Greeley Chapter of Citizens Climate Lobby. He invited the commissioners to a documentary called Earth Emergency and discussion on May 7, 2022, at 10:30 at the Lincoln Park Library.

3. Approval of Agenda

There were no corrections or additions to the agenda, and it was approved as presented.

4. Approval of March 22, 2022, Minutes

Commissioner Carlson moved to approve the minutes dated March 22, 2022. Commissioner Modlin seconded the motion. Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

5. Public hearing to consider a request to rezone approximately 15.433 acres of land located at 712 71st Avenue from I-L (Industrial Low Intensity) to R-H (Residential High Density) (Project No. ZON2021-0018)

Kristin Cote, Planner II, addressed the Commission. She stated this parcel is currently vacant and has been searching for an industrial user for about 20 years. A user was not found, so they are pursuing this rezone in hopes of establishing a multi-family development on this tract. Ms. Cote explained that in 1981 the property was zoned and annexed through the Sheep Draw annexation. She then presented the visibility map that showed a single-family residential subdivision to the east and a school site to the west. She said that lot 3-A was established as part of the minor subdivision, which is being reviewed for rezoning R-H rezoning today. Subsequently, she had received two e-mail comments in regard to this site who expressed concerns regarding the amount of traffic currently within the general vicinity and also the increase in traffic that the potential rezone and re-subdivision would create. She also indicted staff was provided communication in support of the rezone just before the hearing.

Upon question by Chair Yeater, Ms. Cote responded by saying a traffic compliance letter was submitted. The letter showed that during peak hours there will be a slight decrease in what was shown from the original traffic study conducted for an I-L use.

Commissioner Modlin asked for clarification on the residential vs. the industrial traffic. Ms. Cote went on to say that there is always potential on public roads, but most traffic would enter through the south. There would be very little reason in general for traffic to access this site to utilize the single-family residential to the east.

Commissioner Modlin asked how they would deal with the traffic issues. Ms. Cote explained that in order to develop this property it will require a subdivision as well as a site plan review. This will then require additional information regarding traffic and traffic studies. However, she stated that she couldn't provide a full answer until they develop the second phase of this property.

The applicant, Brian Bartels, 5801 W. 11th Street, Suite 201. He began to explain their company originally purchased the building after trying to repurpose it with the previous owners. Unfortunately, it had been in such a state of disrepair and vandalized for so long that eventually the building could not be repurposed. He stated that the Westridge Charter School, who owns the adjacent parcel of 4 ½ acres, now want to use the site to expand their track and field with some possible stacked parking.

Chair Yeater opened the public hearing at 1:46 p.m.

Trish Trombino, 6620 7th Street. Ms. Trombino stated that Greeley does not need additional residential high-density zoning. Much of all the buildings in the city are apartments and she feels that balance is being lost. She spoke of the Greeley building report for March of 2022 and touched on statistics. She then requested the members of the Planning Commission reject the zoning proposal.

Kimberly Tiba, 6627 7th Street. She wanted to speak for herself and on behalf of future residents. She expressed her concerns regarding traffic coming from High School

students during lunch time. Ms. Tiba also thinks more people would have attended this hearing if they had already moved in.

Dana Davis, 728 67th Avenue. She explained that when they moved in, Hartford Homes didn't make them aware of any future plans for zoning. She believes the traffic concerns are real and touched on the high school lunch traffic causing worry. Ms. Davis closed by requesting the Commission reconsider this for the current homeowners and the future homeowners.

Charles Rael, 716 67th Avenue. He shared his frustrations that homeowners in his area weren't told of future plans for zoning. Mr. Rael stated his concern for families with young children and finds it a very high-risk area. He proposed to reconsider that zone for something more functional instead of high-density living. He also noted that Greeley already has plenty of growth out west.

Chair Yeater closed the public hearing at 1:56 p.m.

Chair Yeater invited the applicant to respond to the concerns raised during the public hearing. Mr. Bartels said he understands everyone's apprehensions, but he also wants to do what's best for the overall area. They feel that residential-high is better planning than industrial-low. Mr. Bartels reiterated that right now they're just looking at changing the zoning and not a specific project.

Chair Yeater asked Ms. Cote to further explain the traffic and any additional steps needed to go through the site process. Ms. Cote responded by saying that part of the minor subdivision was subdivided as a tract. However, a tract is not buildable so they will need to resubdivided this into a lot. That lot would then be established as a building site. Once that is complete then it will be required to go through the site plan review process. That process potentially includes requirements for traffic studies, elevations for the metrics, and architecture. After that, it would go through the full review process where they would complete a series of redlines until everything satisfies code and the traffic engineer. If everything is satisfactory then it would be approved by the city which would allow them to finally move forward with any building permits.

Commissioner Modlin asked about access onto 4th Street and whether a plat would show the extent of roads in the entire area. Ms. Cote stated that the subdivision plat would show the extent of the roads within the subdivided tract. She added that any traffic studies that would take into account the overall traffic and not only the traffic created by this rezone.

Commissioner Carlson then asked Ms. Cote if the recommendations for approval of this zoning change from the city staff will remain consistent based on input from the community members. She responded that it would remain consistent.

Dylan Belanger, Engineering Development Review, addressed the Commission and clarified that the site review process will require a traffic plan with a new development as proposed.

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Commissioner Schulte moved that, based on the application received, the project summary and the preceding analysis, the Planning Commission find that the proposed rezoning tract 3-A of the replat lot 3 HP Greeley subdivision 63 plat from I-L (Industrial Low Intensity) to R-H (Residential High Density) meets 1998 Development Code Section 24-204(c)(3) a, b, f, g and h; and, therefore, recommend approval of the rezone to City Council. Commissioner Carlson seconded the motion.

Commissioner Modlin expressed thanks to the citizens who voiced concerns and noted that it was a challenge for any builder to present a project that satisfies all parties. He stated that the current zoning does not provide an alternative way to develop the property and was, therefore, in favor of the rezone. He added that the city needs to examine the process to make sure the concerns of the residents are taken into consideration.

Chair Yeater stated that the today's hearing was to consider the rezone request and advised that citizens will have more opportunity to speak about this as they continue to move through the process and gather more detail. He then stated he would appreciate the community providing feedback as they continue to develop the site in its actual construction side. He continued by noting his support for the rezoning for those reasons.

Commissioner Schulte noted that the applicant had met the statutory criteria for a rezone. He stated that the rezone would allow for residential development and preclude future industrial uses.

Commissioner Carlson commended members of the public for presenting their feedback. He also stated that there are multiple approval steps yet ahead and the rezoning makes sense at this point.

Motion carried 4-0. (Commissioners Romulo, Franzen, and Briscoe were absent.)

6. Staff Report

Ms. Safarik stated that there were no items of to report.

7. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:06 p.m.

DocuSigned by:
Justin Yeater
3F44E3E176F84C8...
Justin Yeater, Chair

DocuSigned by:
Becky Safarik
333376ABEFFE481...

Becky Safarik, Secretary

HP Greeley Sixth Replat Rezone ZON2021-0018

City Council

June 7, 2022

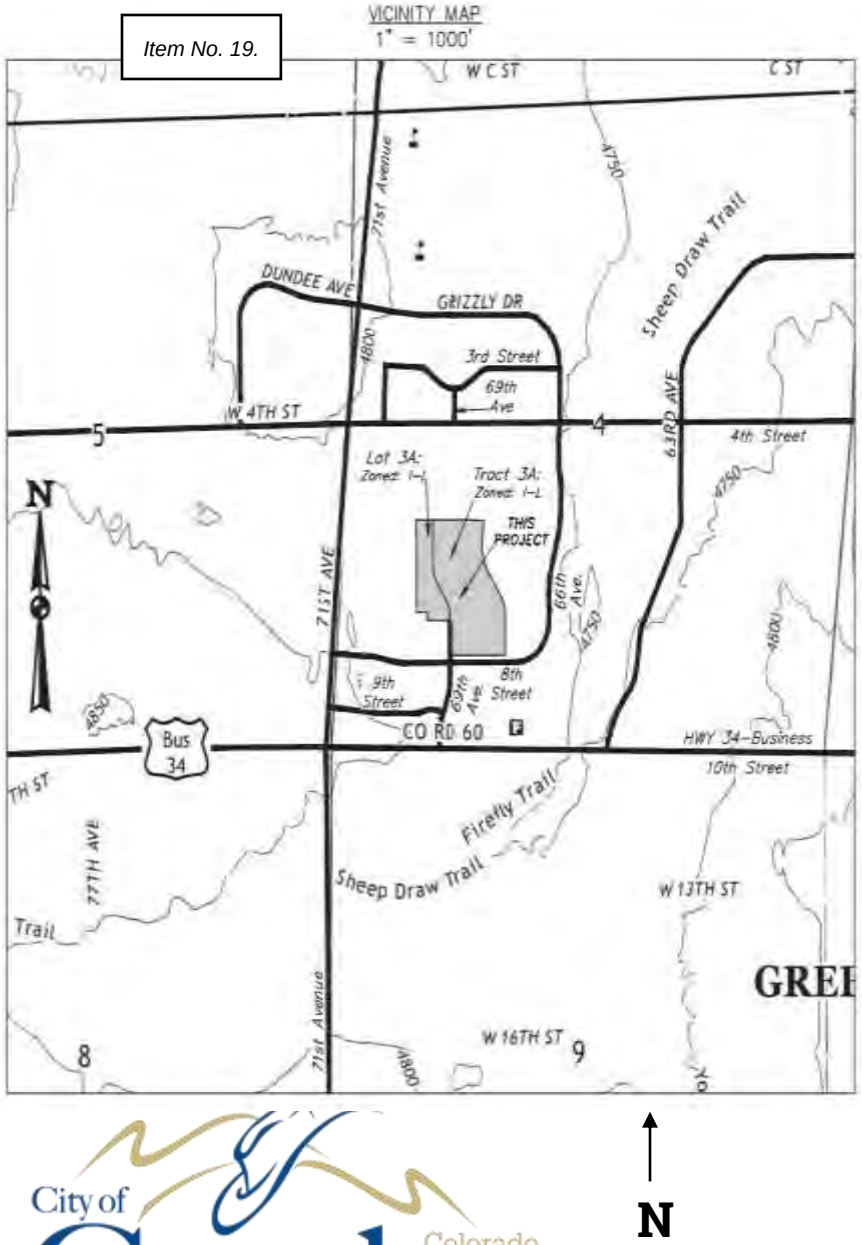
Kristin Cote, Planner II

Request & Site Background

- **Request:**
  - **Rezone 15.433 acres to R-H (Residential High Density) from I-L (Industrial Low Intensity)**
  - **Parcel is currently vacant. Was formerly a portion of the H-P Greeley site**

- **Background:**
  - **In 1981, the property was annexed and zoned through the North Sheep Draw annexation**
  - **Property was purchased in 2021 by the current owner and the existing buildings were removed**
  - **A minor subdivision was approved in 2021 to reconfigure this portion of the site**

City of Greeley Colorado



Location

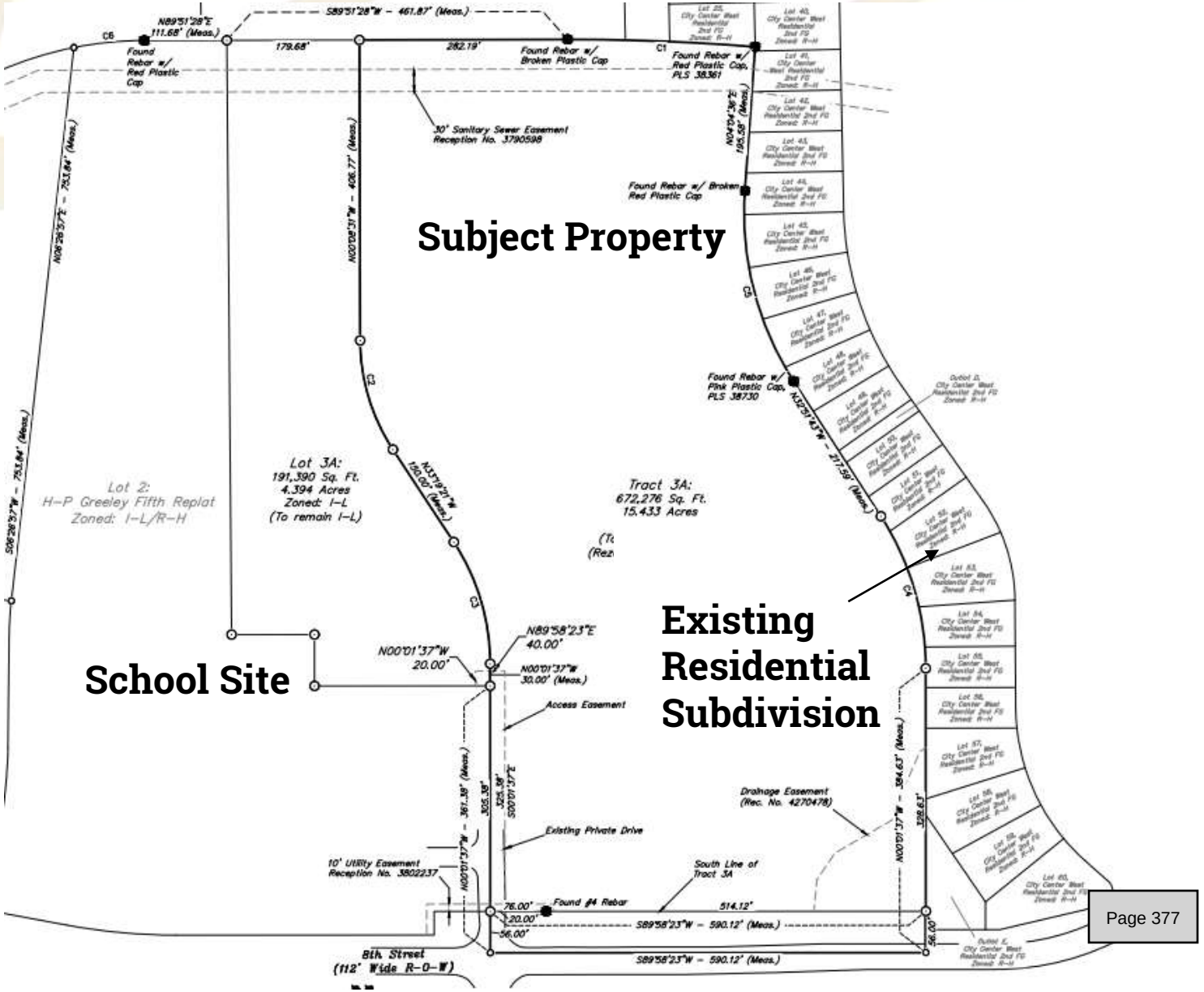
- **East of 71st Avenue, north of 8th Street, and Northeast of 69th Avenue**
- **Surrounding Zoning and Land Uses:**
  - **North: R-H (Residential High Intensity)**
  - **East: R-H (Residential High Intensity) – Single-Family Dwellings**
  - **South: C-H (Commercial High Intensity)**
  - **West: I-L (Industrial Low Intensity) school site**

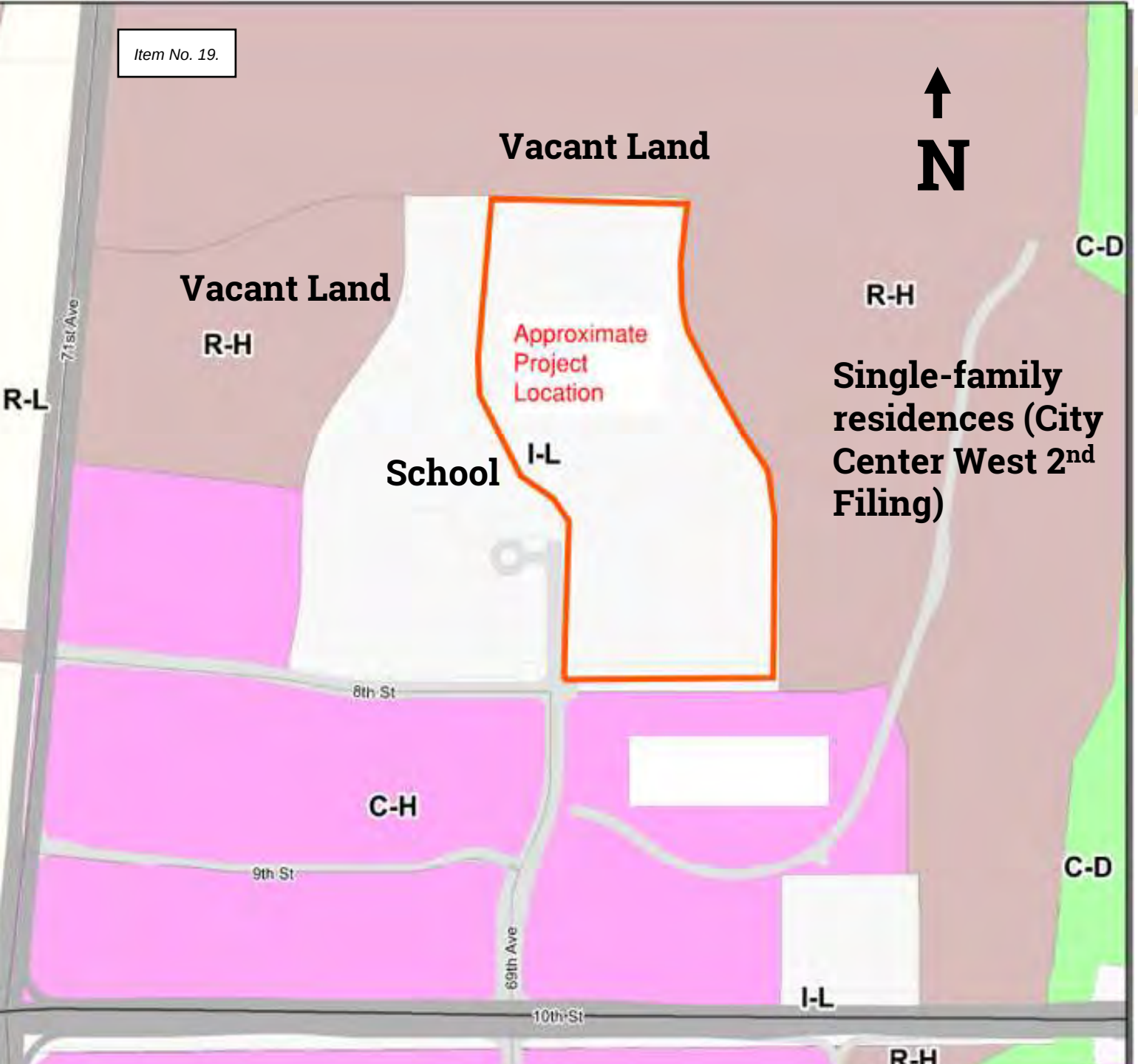
City of Greeley Colorado

Site Analysis, Boundary Map, and Zoning Suitability Map

Existing Conditions:

- **Existing single-family subdivision to west**
- **School site and vacant land to west**





Zoning Map and Surrounding Area



Aerial Overview

- **Westerly 4.39-acre lot deeded to school**
- **R-H zoned residential development (City Center West Residential 2nd Filing) east of the subject property.**

N

City of Greeley Colorado

I-L Permitted Uses

- **Automobile - gas station**
- **Animal Care**
- **Automobile - repair**
- **Entertainment establishments**
- **Manufacturing/general**
- **Waste management**

R-H Permitted Uses

- **Single-family dwellings**
- **Multi-family dwellings**
- **Accessory dwelling units**
- **Golf course**
- **Schools**
- **Childcare/home occupation**

City of Greeley Colorado

Next Steps…

- **Subdivision Process**
  - ***The subdivision process provides staff the opportunity to review and coordinate the construction documents, dedication of easements, rights-of-way and public lands to ensure compliance with City Code requirements.***

- **Site Plan Review Process**
  - ***The site plan process provides staff the opportunity to review development projects that propose a change to buildings and sites that may impact the relationship to the streetscape or adjacent property or may include a change of use or activity on the site.***

City of Greeley Colorado

Approval Criteria

Rezone Criteria – 24-204 – Nine Criteria Used to Evaluate Rezone applications

- **The proposed Rezone is consistent with the criteria as outlined in the staff report**

Notification

- **A total of 38 notice letters were mailed to property owners within 500 feet.**
- **Signs posted on the property**
- **Comments were received both in favor and opposed to this application. Concerns expressed included:**
  - **Increase in traffic, traffic flow issues, and potential safety issues due to the possible increase in traffic**
  - **Perceived negative effect on property values**
  - **Buffering of site**

City of Greeley Colorado

Recommendation

- **Complies with Section 24-204**
- **Planning Commission reviewed request and conducted a public hearing on April 26, 2022 and voted unanimously to recommend approval .**

City of Greeley Colorado

Council Agenda Summary

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 Planning Calendar and Schedule for City Council Meetings and Work Sessions and make any necessary changes regarding any upcoming meetings or events.

Attachments:

Council Meetings and Other Events Calendars
Council Meeting and Work Session Schedule/Planning Calendar

June 6, 2022 - June 12, 2022

June 2022

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		

July 2022

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, June 6

Tuesday, June 7

6:00pm - City Council Meeting (Council Chambers and via Zoom) - Council Master Calendar

Wednesday, June 8

Thursday, June 9

7:30am - Poudre River Trail (Hall)

Friday, June 10

Saturday, June 11

Sunday, June 12

June 13, 2022 - June 19, 2022

June 2022

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		

July 2022

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Monday, June 13

Tuesday, June 14

6:00pm - City Council Worksession Meeting (Council Chambers and via Zoom) - Council Master Calendar

Wednesday, June 15

2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, June 16

7:30am - 8:30am DDA (DeBoutez/Butler)

3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, June 17

8:00am - 9:00am FW: Boomerang Back 9 Ribbon Cutting-Hold the Date (Boomerang Golf Course) - Kelly Snook

Saturday, June 18

Sunday, June 19

June 20, 2022 - June 26, 2022

June 2022

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		

July 2022

Su	Mo	Tu	We	Th	Fr	Sa
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31						

Monday, June 20

Tuesday, June 21

8:00am - 5:00pm Colorado Municipal League Annual Conference (Hall, Deboutez, Butler) (Beaver Run Resort- Breckenridge)

6:00pm - City Council Meeting - Council Master Calendar

Wednesday, June 22

8:00am - 5:00pm Colorado Municipal League Annual Conference (Beaver Run Resort- Breckenridge)

Thursday, June 23

7:30am - Poudre River Trail (Hall)

8:00am - 5:00pm Colorado Municipal League Annual Conference (Beaver Run Resort- Breckenridge)

Friday, June 24

8:00am - 5:00pm Colorado Municipal League Annual Conference (Beaver Run Resort- Breckenridge)

Saturday, June 25

Sunday, June 26

June 27, 2022 - July 3, 2022

June 2022

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		

July 2022

Su	Mo	Tu	We	Th	Fr	Sa
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Monday, June 27

11:30am - 12:30pm Greeley Chamber of Commerce (Hall)

6:00pm - 7:00pm Youth Commission (Clark)

Tuesday, June 28

6:00pm - City Council Worksession Meeting - Council Master Calendar

Wednesday, June 29

7:00am - 8:00am Upstate Colorado Economic Development (Gates/Hall) (Upstate Colorado Conference Room) - Council Master Calendar

Thursday, June 30

Friday, July 1

Saturday, July 2

Sunday, July 3

City Council Meeting Scheduling 2022

		as of 6/1/2022		
		This schedule is subject to change		
Date		**Description**	**Sponsor**	**Placement/Time**
June 14, 2022	Worksession Meeting	Housing Affordability and G-Hope Update	Ben Snow	0.3
		Homeless and Housing Options- Presentation on recommendations from Urbanity Advisors	Heather Balser	0.75
June 21, 2022	Council Meeting	Cancelled- CML		
June 28, 2022	Worksession Meeting	COVID 19 Update	Brian Kuznik	
		seeking Council feedback on funding priorities for the FY 2023 budget - tenative		
		Compensation and Classification Project update (tentative)	Paul Fetherston	
		Strategic Plan update	Raymond Lee	
July 5, 2022	Council Meeting	Cancelled		

Council Agenda Summary

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 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.