# A NEW HORIZON FOR THE SUNRISE NEIGHBORHOOD

## A COMPREHENSIVE ANALYSIS OF ZONING AND LAND USE

### Executive Summary

Prepared for the City of Greeley, CO
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## ISSUE

The Sunrise Neighborhood, one of Greeley, Colorado's oldest neighborhoods, is a unique place. The neighborhood is an historically immigrant community that remains culturally diverse to this day and there is a high rate of homeownership. The neighborhood also has a mix of residential, commercial, and industrial uses can be found in close proximity, dispersed across several zoning districts. As occurs in municipalities across the nation, the Sunrise Neighborhood zoning has changed throughout the years. Many of the homes in the neighborhood were built before zoning was implemented and have endured through several zoning map amendments during this time. Currently, there are a number of homes located in the industrially zoned area of the neighborhood, resulting in nonconforming uses.

Although the continuance of these properties is legally allowed because they were established before the zoning, they are limited in how they can alter or expanding their homes due to the incompatible zoning and land use. Traditional zoning theory states that these uses should be eliminated, but the City of Greeley, recognizing the significance of this well-established neighborhood, is seeking a way to correct this issue and maintain the housing in this area.

## FINDINGS

During a land use survey conducted in March of 2020, it was found that approximately 60% of the total neighborhood area was zoned industrially. Industrial uses only accounted for 10% of the parcels in the area while 50% were residential uses. 144 (26%) of the Sunrise Neighborhood's 556 parcels were observed to be nonconforming. All nonconforming properties in the area are residential. Although there are commercial and institutional uses in the industrially zoned portion of the neighborhood these uses, if not expressly permitted, are allowed under by Design Review or Use of Special Review.
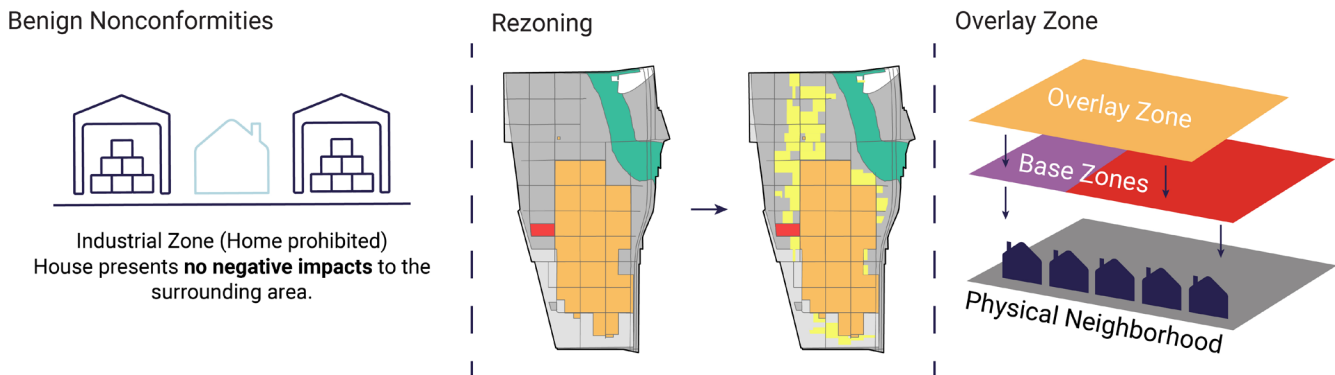
### Nonconformities in Sunrise Neighborhood
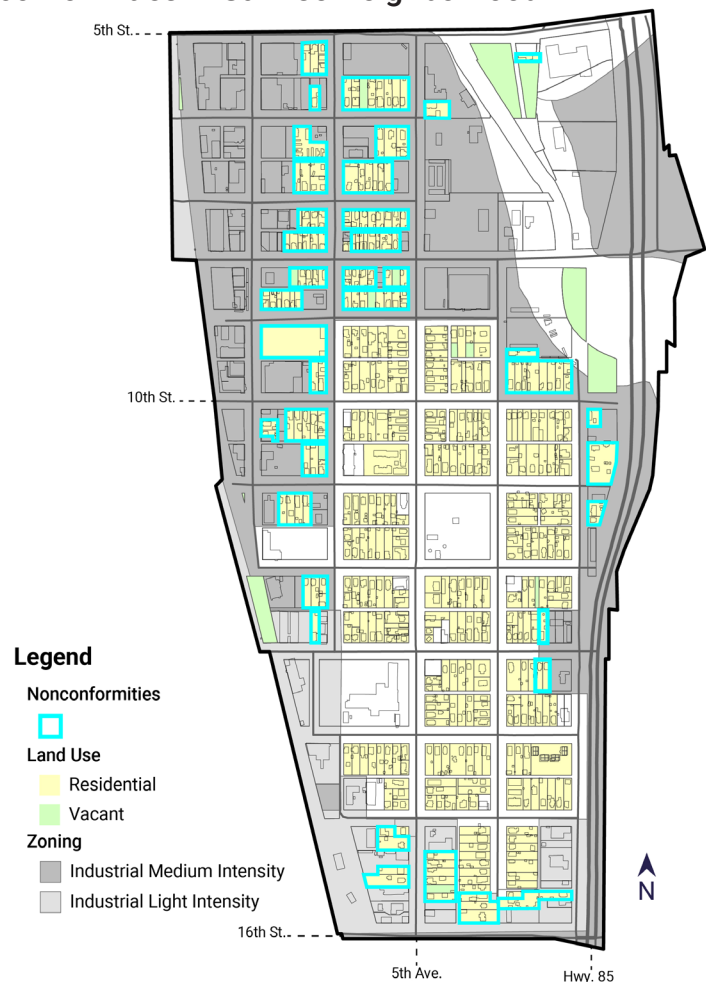


*Source: Map created by Katherine Stefani using Greeley Open Data*

# OPTIONS

Three options were identified to correct this issue: benign nonconformities, rezoning, and an overlay zone. Each option would legally allow the observed nonconforming properties the right to expand, alter, or rebuild their structures without additional limitations

**Options to Address Nonconformities**



Benign Nonconformities

Industrial Zone (Home prohibited)
House presents **no negative impacts** to the surrounding area.

Rezoning

Overlay Zone

Overlay Zone
Base Zones
Physical Neighborhood

**Benign Nonconformities** Administratively changing Greeley's Municipal Code to distinguish between non-harmful (benign) and harmful (detrimental) nonconformities. Often permitted on a case-by-case basis via an application process.
**Rezoning** Changing the industrial zoning of the nonconforming parcels to either one of Greeley's existing residential zoning districts or one that is created to meet the specific needs of the Sunrise Neighborhood.
**Overlay Zoning** Creating an overlay zone to place over the Sunrise Neighborhood that would loosen the restrictions of the underlying industrial zones. Overlays are not typically used to resolve land use issues but can be used for this purpose.

Each option has its own benefits and drawbacks that should be considered in the context of the Sunrise Neighborhood.

# RECOMMENDATIONS

Community engagement is a critical element to the successful implementation of any of the aforementioned options. However, the scheduled community meeting for this report was postponed until the second half of 2020 or later due to the COVID-19 pandemic. Therefore, the following recommendations are preliminary.

- Overlays are not the most straightforward approach to this issue and the sole use of an overlay zone is not recommended to address the nonconforming use issue. Overlays are also not as intuitive.

•Depending on community support, rezoning parts of the neighborhood may be the simplest, most effective solution.

•If there is a significant portion of the community that does not want to rezone the area, benign nonconformities would give them the option to choose to change the status of their property.