



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MARCH 7, 2019
101 W. 8TH STREET
6:00 PM

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time.

The order and times of agenda items listed are approximate and intended as a guideline for the City Council.

TIME	ITEM	PRE-MEETING	ACTION	
9:00am	1	Review of Regular Session Agenda	Information/Discussion	
	2	Future Agendas	Information/Discussion	
	3	Council Comments	Information	
	4	City Manager Update - Grant Application	Information	
	5	27th Street Update	Information	
MORNING WORK SESSION(S)				
9:30am	A.	Introduction of Brett Lear, Executive Director, Garfield County Libraries	Information Only	
9:45am	B.	Facilitation of a Community Response to Homeless/Housing Challenges	Discussion and/or Action	
AFTERNOON WORK SESSION(S)				
4:00pm	A.	Board and Commission Applicant Interviews of Arts & Culture, Parks & Recreation, River, and Transportation	Information/Discussion	
5:45pm	Meeting Set-up			
REGULAR SESSION				
6:00pm	6	Roll Call	Quorum	
	7	Pledge of Allegiance		
	8	Agenda Changes	Information	
	9	Conflict of Interest Disclosure	Information	
	10	Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	Information Only	
	11	27th Street Update	Information	
	12	Council Comments	Information/Discussion	
	13	Consent Agenda	Discussion and/or Action	
		A.	Excavator Purchase for Landfill	
		B.	Tourism and Promotion Board Fund Reserves Request to City Council	
		C.	First Amendment Intergovernmental Agreement for Parking Lot and Common Area Maintenance	
		D.	Resolution 2019-13; A Resolution of the City Council of the City of Glenwood Springs,Colorado, Adopting the City of Glenwood Springs Noxious Weed Management Plan.	

- E. Ordinance No. 7, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs Vacating a Utility Easement Located on 3116 South Grand Avenue (SECOND READING)
- F. Bid Award for Police Vehicles

ACTIONS AND/OR PRESENTATIONS

- 14 Planning Item #29-18 – Iddings/City of Glenwood Springs Enclave Annexation, Comprehensive Plan Future Land Use Map Amendment, and Rezonings (initial City zoning)
 - A. #29-18 – Iddings/City of Glenwood Springs Enclave Annexation, Comprehensive Plan Future Land Use Map Amendment, and Rezonings (initial City zoning) Discussion and/or Action
 - a. Ordinance No 10, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado Annexing an Enclave into the Municipal Limits (FIRST READING) Discussion and/or Action
 - b. Resolution 2019-15; A Resolution of the City Council of the City of Glenwood Springs, Colorado Amending the Comprehensive Plan Discussion and/or Action
 - c. Ordinance No 11, Series of 2019; An Ordinance of the City Council of the City of Glenwood Spring, Colorado Rezoning an Enclave Property Annexed into the Municipal Limits (FIRST READING) Discussion and/or Action
- 15 7th Street Change Order # 01
 - A. 7th Street Change Order # 01 Discussion and/or Action
- 16 Vacation Rentals
 - A. Planning Item 02-19 Consideration of Text Amendments to 070.030.030 Accessory Tourist Rentals and Short Term Rentals and City Council Resolution for Vacation Rental Fees and Permit Procedures. Discussion and/or Action
 - B. Resolution 2019-14; A Resolution of the City Council of the City of Glenwood Spring, Colorado, Amending Vacation Rental Application Fee and Vacation Rental Permit Application Discussion and/or Action
 - C. Ordinance No 9, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Revising Code Provisions to Vacation Rentals (FIRST READING) Discussion and/or Action
- 17 Resolution 2019-16; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Approving the 2019 Street Plan and Alley Reconstruction Plan
 - A. Resolution 2019-16; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Approving the 2019 Street Plan and Alley Reconstruction Plan Discussion and/or Action
- 18 South Canyon Study
 - A. South Canyon Study Discussion and/or Action
- 19 Board and Commission Appointments for Arts & Culture, Parks & Recreation, River, and Transportation
 - A. Board and Commission Appointments for Arts & Culture, Parks & Recreation, River, and Transportation Discussion and/or Action
- 20 Report from City Administration Information

- A. City Manager
- B. City Attorney
- C. Correspondence Incoming/Outgoing

21 Adjournment



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Facilitation of a Community Response to Homeless/Housing Challenges

Action Requested: Provide input on the proposal.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: City Council is interested in providing assistance to our most vulnerable residents, but also reducing the impacts of individuals and families finding shelter inside city limits and in the federal lands surrounding Glenwood Springs. These impacts can include campfires during fire season, used needles, and human waste.

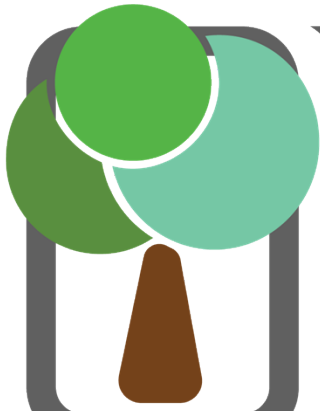
Debbie Wilde is a respected member of the community that lead Youthzone for many years and was the interim Executive Director at Lift Up. During her time at Lift Up, she helped City Staff lead a conversation with other homeless providers that greatly improved fire safety during the 2018 Fire Season.

City staff believes a thoughtful discussion with the community lead by Debbie Wilde would be productive to begin lessening the negative impacts of the homeless population, while finding solutions to continue to assist our residents that lack homes or need financial assistance from our local non-profits. Staff wanted input from City Council on what this community discussion should entail.

Ms. Wilde will be present to discuss her proposal.

Issues: NA

Staff Recommendation: NA



DEBBIE WILDE

C O N S U L T I N G

debbiewilde.com • debbiewilde@debbiewilde.com • (970) 618-0949

Proposal Prepared For

Facilitation of a Community Response to
Homeless/Housing Challenges

Presented to

The City of Glenwood Springs

City Manager

March 1, 2019

Submitted by Debra L. Wilde



All Rights Reserved

Debra L. Wilde Consulting, Inc.

Imbuing Confidence,

Resiliency, & Enthusiasm

Working Relationship

I build a working relationship with my clients. I view us as partners working together to create an aligned agenda and expectations. Developing a clear structure, while allowing for adjustments as a project evolves, best serves the end result. I am here to listen to your needs and be attentive to the nuances of your culture and organization while bringing my expertise and experience to the table. I am not shy about being accountable or holding others accountable. You will find me to be conscientious of your time and other resources, team oriented and outcome focused. I believe that people are most open to learning and hard work when undertaken in an environment of fun and encouragement.

Proposal

It is my pleasure to be of service to the City of Glenwood Springs and the mission of addressing homeless/housing challenge concerns.

Project Goal: To identify and engage stakeholders.

Designing goals with stakeholders will be a key to their engagement and inform forward movement. I anticipate the goals I have outlined will align with the outcomes identified by stakeholders.

Deliverable-List of identified stakeholders with contact information and an overall summary report to include specifics below.

Project Goal: To identify and map resources and gaps.

- That assist, serve, improve the conditions, and decrease the impacts and risks to the broader community of the homeless community.
- That work to prevent homelessness for those at risk, and provide a hand up to those in need of services (mental health, drug/alcohol issues, poverty, crisis))

Deliverable – Spreadsheet or database of organizations that work/interact with the homeless or those at critical risk of homelessness. Clearly identifying gaps in services or needs. Graphical representation that shows hierarchy and interactive relationships, person of contact, when to contact, etc. (define based on plan and gaps)

Project Goal: To clarify language and homogeneous groupings of housing challenges.

Deliverable- List of definitions and groupings.

Project Goal: To identify and implement strategies that address gaps, improve communication between stakeholders, and work to solve community goals.

Deliverable-List of strategies and action items for a 1-2 year timeframe, and potential longer term.

Project Goal: To create and implement sustainable structures and a sustainable process to continue to be attentive to homeless/housing challenge concerns. For example:

- Resource map/continuum
- Homeless coalition
- Decision making tree
- Dynamic resource directory
- Identified people and organizations with clear responsibilities in the housing/homeless continuum.
- Funding sources.

Deliverable-Summary outcome of Stakeholder suggestions and research into Sustainable structures that can work in Glenwood Springs. Framework of structure and next steps to implement.

Project Goal: To address specific areas of concern to the citizens of Glenwood Springs:

- Fire danger
- Trash
- Vagrancy
- Camping on surrounding hillsides – impacts of safety, trash, noise, etc.
- Law/EMS enforcement
- Compassion

Deliverable – As part of goals above

Project Goal: To research the success/failures of strategies of other communities.

Deliverable – As part of goals above

Work on these goals can be concurrent. Identifying and listening to stakeholders will be given the most initial attention.

The Housing and Homeless issue is complex and fraught with emotion. The many varied stakeholders need to be listened to and engaged in a manner in which they realize that we are all working on the same team. It is possible to be compassionate yet hold people accountable. Everyone is best served when they move from a place of being enabled to being empowered.

I have had many individuals approach me with their willingness, interest and ideas to participate in this issue. For this project, I would call upon my 37 years of building relationships which span the business, nonprofit, public, faith-based, law enforcement, educational, service club sectors as well as individuals and organizations representing all ages. In those years, I have demonstrated success in helping people create positive community action.

I understand that my direct report will be to the City Manager. I will meet with the City Manager on a bi-weekly basis to provide updates and get input

Terms

The deliverables listed are ambitious but outline an overall plan for the many needs of the issue being addressed. Regular communication and a “not-to-exceed” amount gives us all an opportunity to review and determine if a contract extension is needed.

I am proposing a project fee of \$60/hour not to exceed \$30,000.

Mileage reimbursement will be for actual miles at the IRS rate of .58/mile. Mileage will be logged by date, purpose and number of miles. Reimbursement request for any miles beyond the local region must first be approved by the City Manager. Miles traveled will begin and end with Glenwood Springs as the base.

Any out-of-pocket expenses will have prior approval of the City Manager or other as assigned by the City Manager. Should any out-of-pocket expenses be incurred, those will be submitted with receipts for reimbursement at the end of each month.

I will make every attempt to have any photo copies made at the City and every attempt to use meeting spaces that charge no fee.

Invoices will be submitted at the end of each month with payment expected within 15 days from receipt of invoice.

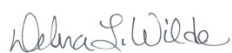
Acceptance

The signing of this document releases Debra L. Wilde Consulting, Inc. from any and all liability in connection with assistance or recommendations provided.

The signing of this document indicates acceptance of this proposal and its terms and forms an agreement between The City of Glenwood Springs and Debra L. Wilde Consulting, Inc. as represented by Debra L. Wilde.

For Debra L. Wilde Consulting

For The City of Glenwood Springs



Debra L. Wilde

Debra Figueroa

President

City Manager

Date: February 20, 2019

Date:

Reference Comments

I didn't really get a chance to tell you how completely impressed I was with your facilitation of our group. You are really fantastic...not many people really live up to the great things others say about them but you are certainly the exception. Thank you so much.

Rachel Pokrandt, Colorado Mountain College, Campus Dean – Rifle Campus

Deb served as an outstanding facilitator for a Valley View group. She quickly and adeptly understood the needs and led the group in a highly productive facilitation. Deb blended her expertise in nonprofit management and facilitation skills to establish common ground from which to make decisions. The retreat concluded not only with clear outcomes but with pragmatic next steps. Those who participated continue to share compliments and sincere appreciation for Deb's work.

Stacey Gavrell, CFRE, Chief Community Relations Officer, Valley View Hospital

Great session. Debbie was a wonderful, passionate presenter. I would love to work for someone like her who has the insight and the tools that produce results.

Attendee, At-Risk Youth National Forum, Myrtle Beach, SC

Debbie Wilde was a thoughtful and important addition to our board retreat. Her insights and ability to understand where our non-profit fit in the community were spot on. Our board is very diverse in opinions and Debbie helped to focus and center everyone on the mission of the organization and used that focus as the foundation for real progress. She took time to follow up with me as the lead staff, and encouraged me to utilize the tools she spoke of to move ECN forward.

Jonathan Godes, Executive Director - Early Childhood Network

Thank you so much for your incredible workshops. They gave me a real appreciation for what a non-profit should be all about. More importantly using the framework you outlined, Summit Music and Arts was able to obtain funding for its innovative composition programs.

Peggy Neville Summit Music and Arts, President of the Board

There are a few things that set Debbie apart. First and foremost, her experience as an Executive Director of a youth-serving nonprofit provides her with direct, hands-on experience in not only working with youth, but in strategic planning, measurement and evaluation, community relations, staff management, board development, and the myriad of other issues that nonprofits or government programs face on a daily basis.

She is a high-level expert, but she is also very approachable, ethical, credible and nice. We have been extremely pleased with Debbie's work, and we highly recommend her for all your training needs.

Jeannie Bistranin, Executive Director, Summit Foundation

Debbie Wilde, MNM

Debra L. Wilde Consulting

B.A. Sociology, Criminal Justice Certified, Colorado State University.

Master of Nonprofit Management, Regis University.

Trained life and leadership coach, Speaker, Author.

El Pomar Nonprofit Executive Leadership Program

Author of *The Sustainable Nonprofit: 10 Strategies to Grow a Successful and Exceptional Organization*.

Extensive training in leadership; organizational, community and supervisory development; outcomes and evaluation; parent education; restorative justice; and volunteer management.

Business/Civic Involvement

Debra L. Wilde Consulting, principal

Valley Life for All, ED, 2015-present

Insight to Impact, CEO, 2012 to 2017

YouthZone, Executive Director, 1982 to 2012

Consultant for Office of Juvenile Justice and Delinquency Prevention National Training and TA Center

Member of the Colorado Evidence-Based Programs & Practices Committee.

Member of the Evaluation Oversight Committee for Juvenile Diversion in the state of Colorado.

Appointed to the Colorado Juvenile Justice and Delinquency Prevention Advisory Council.

Appointed to the Colorado Restorative Justice Council.

Member of the Colorado Criminal and Juvenile Justice Judicial Working Group.

Colorado Association of Nonprofits – past board member.

Member of Committee that Created the *Principles & Practices for Nonprofit Excellence in Colorado*

Glenwood Springs Rotary Club (2003-present).

Executive Service Corps volunteer consultant and past board member (1998-present).

Garfield County Human Service Commission – chair/vice/secretary/member (1989-2012).

Coalition for Garfield County Families – chair (1991-2010).

Substance Abuse Council of Garfield County – chair (1984-89).

Alcoholism Council of Colorado – board member (1984-87).

Garfield County Communities for Drug Free Colorado – chair (1989-91).

Statewide Technical Assistance Network – prevention educator (1986-90).

United Way Recipient Agencies Board – member (1989-2002).

Placement Alternatives Commission – chair (1991-97).

Awards/Achievements

5 Author Awards for *The Sustainable Nonprofit*

Athena Award for community service and leadership.

Colorado Trust Fellowship for graduate studies in nonprofit management.

Women of the Western Slope.

Innovation and Servant Leadership Awards Regis University, honorable mention.

Garfield County Humanitarian Service Award.

Outstanding Service Award from Colorado Association of Professionals in Prevention/Intervention & Treatment.

Featured in the book, *Information Gold Mine: Innovative Uses of Evaluation* (2007).

Featured in the Chronicle of Philanthropy (2005).

Featured in Staff Leader newsletter for innovative management (1998).

Featured in the book *Building Supportive Communities for At-Risk Adolescents* (1998).
Prevention Service Award for drug prevention work.
Colorado Lifesavers Award for prevention work in drinking and driving.
Distinguished Service Award for prevention work in drinking and driving.
Top Brass award from the City of Glenwood Springs for community service.



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Board and Commission Applicant Interviews of Arts & Culture, Parks & Recreation, River, and Transportation

Action Requested: Board and Commission Applicant Interviews of Arts & Culture, Parks & Recreation, River, and Transportation

Department: City Clerk

Presented By: Catherine Fletcher, City Clerk

Background Info: Some of the boards and commissions have members with expiring terms. Applications have been submitted by potential members.

Transportation Commission:

- 2 Regular Seats Available
- 3 Alternate Seats Available
- **3 Applicants**

River Commission:

- 2 Regular Seats Available
- 2 Alternate Seats Available
- **5 Applicants**

Parks & Recreation Commission:

- 3 Regular Seats Available
- 1 Youth Rep Seat Available
- 1 Alternate Seat Available
- **3 Regular Seat Applicants**
- **1 Alternate Seat Applicant**
- **1 Youth Rep Applicant**

Arts & Culture Board

- 2 Regular Seats Available
- 3 Alternate Seats Available
- **1 Applicant**

Issues: None

Staff Recommendation: N/A



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101 West 8th Street
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Email: catherine.mythen@cogs.us

TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE TRANSPORTATION COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

020.020.020(9) Composition of Transportation Commission:

a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

020.020.030(i) Powers and Duties of Transportation Commission. The powers and duties of the Transportation Commission shall be:

- (1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.
- (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
- (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
- (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.
- (5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.
- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council



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101 West 8th Street
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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name James "Sandy" Lowell
Home Address 15 Parmigan Dr., GWS
Mailing Address same

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-945-1295
Email slowell3@gmail.com

Section 3 - Occupation

Occupation Retired

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Transportation Commission?

I have been on the board for six years & it seems like I can still contribute

2. What do you view as your role if selected as a member of the Transportation Commission?

Constructive Input

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

Been on Board for ~ six years. Some other boards before that



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

Efficiency & value

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Have so far

6. Can you describe an experience making a decision that made people unhappy?

I am in general not in favor of more "Studies". Most of the time they are wasted

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

No

8. What experience do you have working with people on a board, commission or committee?

Previously stated

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
Mail to: City Clerk, 101 West 8th Street, Glenwood Springs, CO 81601;
Fax to: 970-945-5023;
Email: catherine.mythen@cogs.us



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Ralph Trapani, PE
Home Address 714 Cowdin DR. ,Glenwood Springs,CO 81601
Mailing Address same as home

Section 2 - Contact Information

Home 970 945 5290 Work _____
Fax _____ Mobile 970 618-8959 (USE)
Email _____

Section 3 - Occupation

Occupation Transportation Engineering Consultant

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Transportation Commission?

I would like to serve the City. I have decades of experience in transportation engineering and government service as a former CDOT Program Engineer. Through the Commission, I will bring valuable experience to City Council on transportation issues. I want to support the City in accomplishing its transportation vision and goals.

2. What do you view as your role if selected as a member of the Transportation Commission?

To participate in discussions, provide advice, and build consensus on issues with the Commission, which will go to City Council.

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

As CDOT program engineer from 1992-2002, I was involved in numerous transportation planning studies on SH 82 and I 70. As a former GWS Transportation Commissioner, I participated in the COP process, and I am very familiar with the SH 82 Grand Avenue projects I also served as the project manager for the RFTA Destination 2040 planning study.



City of Glenwood Springs

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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

I support the City's transit and Transportation Demand Management efforts. I am concerned about safety parking, and congestion in the neighborhoods.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

6. Can you describe an experience making a decision that made people unhappy?

My decision to recommend to my CDOT supervisors that the I 70 Vail roundabouts be approved.

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

No.

8. What experience do you have working with people on a board, commission or committee?

I am a founding member of CLEER and have served on the Board of Directors since 2009. I currently serve as the vice Chair of CLEER. I previously served on the GWS Transportation Commission from 2008 to 2015. For a portion of that time I served as Vice Chair. During my 44 year career in engineering, have facilitated numerous committees, and presented to boards many times.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Charlie Willman
Home Address 1121 Bennett Av - GWS 81601
Mailing Address same

Section 2 - Contact Information

Home 970-379-7820 Work 970-945-8571 x2
Fax _____ Mobile 970-379-7820
Email charlie.willman@gmail.com

Section 3 - Occupation

Occupation _____

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Transportation Commission?

I have appreciated the opportunity to serve this last year to fill out a term. The City's transportation needs from the reconstruction issues, to South Bridge to connectivity and to multi modal transportation are critical to the future of the City. Also we need to find a viable cost effective way to relieve downtown day time congestion.

2. What do you view as your role if selected as a member of the Transportation Commission?

I am very familiar as a member of FAB with the financial resources of the City. This past year I have been able to move this information back and forth between these two important advisory bodies which has helped both provide better advice to the City.

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

I have reviewed the old parking study and as it relates the Brownfield study.



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

One thing that I think we need to re-explore and that is a 6th avenue/street and downtown shuttle. I think we could get the motels, hotels and business to contribute to this cost. Frequent stops and moving these visitors back and forth might be significantly less expensive than more parking structures.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes and I have shown that over my last 10 years of so of service on various City Boards and Commissions.

6. Can you describe an experience making a decision that made people unhappy?

I have to often tell clients in my practice as an attorney things they do not want to hear. It is always difficult to make decisions but a good explanation and a reasoned approach seems to really help ease the "bad news"

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

Yes, I have missed two or three meetings due to court conflicts but as I move more toward mediation these conflicts will be significantly mitigated. These meetings are a high priority.

8. What experience do you have working with people on a board, commission or committee?

DDA, FAB, Transportation for City. Numerous non profit boards including current service as Chair of Mt. Valley Developmental Services and on the board of River Bridge Center.

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE RIVER COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the River Commission:

(7) River Commission:

- a. Nine (9) citizens, at least (7) who are residents of the City and two (2) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

(g) Powers and Duties of River Commission. The powers and duties of the River Commission shall be:

- (1) To investigate, study and report to the City Council any and all matters concerning the use, enjoyment, preservation and conservation of the open space, rivers and streams in the City and its environs.
- (2) To coordinate with the Planning and Zoning Commission and Parks and Recreation Commission in the formulation, recommendation and implementation of plans for open space, rivers and streams and other land uses throughout the City.
- (3) To advise the City Council on public access to the open space and rivers and the establishment of a river trail system and open space preservation strategy
- (4) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in or adjacent to the rivers or open space.
- (5) To promote open space and riverfront cleanup efforts.
- (6) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and preservation of open space and improvement of the rivers, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.
- (7) To appoint subcommittees as necessary to carry out the foregoing functions.



City of Glenwood Springs

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Ryan Davis
Home Address 1904 Midland Ave Glenwood Springs CO 81601
Mailing Address Same

Section 2 - Contact Information

Home _____ Work 970-945-9611
Fax _____ Mobile 970-618-6458
Email Ryan@flyfishglenwood.com

Section 3 - Occupation

Occupation Business owner, fishing guide

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

I'm currently on the commission

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

River Guide

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

Yes



City of Glenwood Springs

Office of the City Clerk

101 West 8th Street

Glenwood Springs, CO 81601

Fax: 970-945-5023

Email: catherine.mythen@cogs.us

**RIVER COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

They are the reason I live here

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes

8. What experience do you have working with people on a board, commission or committee?

I'm on the river commission

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Ashley Moffatt
Home Address 509 Maple Street / GWS, CO
Mailing Address PO Box 1208 / GWS, CO 81602

Section 2 - Contact Information

Home N/A Work 970-945-6777
Fax Mobile 303-859-1725
Email amoffatt@resource-eng.com

Section 3 - Occupation

Occupation Water Resource Engineer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

When I initially applied to be on the River Commission in 2016, I stated that as a water professional and outdoor enthusiast, I could not think of a better way to serve my local community. That sentiment not only holds true today, but has been amplified through my involvement on the commission. I would welcome the opportunity to serve another term and

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

Having served on the River Commission for the past three years, I have collaborated on projects and participated in events that are directly related to the Commission's annual priorities and overall mission. Furthermore, in many instances, my professional experience as a water resource engineer has aided in this process.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

Yes. I use the City's open spaces and trails almost on a daily basis. And, when I'm commuting from my home in North Glenwood to my office Downtown, walking my dog at Two Rivers Park or running along the Rio Grande - Midland loop, I'm spending time in and around the ecosystem of the surrounding Colorado and Roaring Fork Rivers.



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

Outside of my participation on the City's River Commission, I have not served in a policy advisory role related to natural resource protection. However, professionally, I have worked with a number of clients to develop and adhere to land management and water resource plans that protect the natural environment.

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The Colorado and Roaring Fork Rivers define the character of Glenwood Springs, as represented in the City's most recent logo. These rivers and the surrounding trails and open spaces drive the recreation economy, provide an aesthetic amenity and supply an essential source drinking water. As such, the river corridor plays an important role in our community.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes.

8. What experience do you have working with people on a board, commission or committee?

I'm currently the Vice Chairman of the City's River Commission (Term: 2/2016-2/2019). Moreover, in my profession, I work with the boards of municipalities and conservancy districts on a regular basis on issues related to water rights and water supply planning.

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Brett Morrison
Home Address 326 Park Drive, Glenwood Springs, CO 81601
Mailing Address Same

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-379-3938
Email prideinwork@gmail.com

Section 3 - Occupation

Occupation Graphic Designer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

I want to learn more about all the workings of the local rivers and their relationship to the down river states. And do what I can to protect the watershed and drainages.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

Previously in the early nineties I created documentation for publication for the preservation of the Humpback Chub and other endangered fish in the Colorado River.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

Fishing, rafting, hiking, biking...



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**RIVER COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The two rivers are the identity of Glenwood Springs and it is important to honor them and keep them accessible to everyone.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

At this point in time, yes.

8. What experience do you have working with people on a board, commission or committee?

I was on the board of the Glenwood Springs Center for the Arts in the early 90's.

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Jared Walter
Home Address 2661 Woodberry Drive; Glenwood Springs, CO 81601
Mailing Address 2661 Woodberry Drive; Glenwood Springs, CO 81601

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-618-0605
Email jwalter@za-engineering.com

Section 3 - Occupation

Occupation Water Resources Engineer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

Concern/objection related to several aspects of Atkinson Trail project and need for continued maintenance on said trail. Concern/objection related to ongoing Colorado River RICD. Interest in using professional experience to advise City Council of considerations for maintenance of existing capital projects and future capital projects.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

15 years professional experience in areas included capital improvement projects, water rights, hydrology, and land use permitting. Licensed Professional Engineer, State of Colorado. I believe my experience would be especially relevant to items 1), 2) and 6) listed in the "Powers and Duties".

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

I am a periodic user of the Atkinson Trail, 3-Mile/Roaring Fork confluence area, and the Two Rivers Boat Ramp.



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No.

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

A unique recreational and scenic amenity for the public as well as private landowners in riparian areas.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I have experience as a fiduciary adviser and understand the distinction between serving as a fiduciary as opposed to other purposes.

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes. It is my understanding there may be a vacancy in the "At Large" position. This would be the position I hope to fill.

8. What experience do you have working with people on a board, commission or committee?

Past member of an HOA. Advisory role as a consultant to numerous boards and HOAs in the region relating to private water system operation and funding.

Thank you for your interest and time commitment in serving your community

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**RIVER COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Elise Osenga
Home Address 1004 Park West Drive, Glenwood Springs, CO 81601
Mailing Address Same as above

Section 2 - Contact Information

Home _____ Work 970-925-7376
Fax _____ Mobile 303-917-6443
Email ecmulder08@gmail.com

Section 3 - Occupation

Occupation Research and Education Coordinator, Aspen Global Change Institute

Section 4 - Personal and Professional Interests**1. Why are you interested in serving on the River Commission?**

My first job out of college was working as an environmental educator by the South Platte River. This experience illuminated for me how important rivers are to even urban communities, but how unaware those communities can be of the ways that rivers influence their lives. I am interested in serving on the River Commission as a way to give back to my community through discussion of a resource I care about.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

I have a background in the biological sciences and currently work for an Earth science non-profit where my primary project collects data on soil moisture and weather. Consequently, I have a basic understanding of ecological functions of river and riparian ecosystems. In a prior position, I have also worked for a parks and recreation district (in Littleton, Colorado), so I have some prior knowledge of the goals and challenges associated with recreational river use. Additionally, last fall I served as a community partner for the Youth Summit Leadership Team, a local group of middle and high school students who helped to plan and organize the Healthy Rivers Youth Water Summit held in Carbondale last November.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

I do. I live near the Rio Grande trail and often go walking by the river or hiking at other open spaces (such as Red Mountain). I also enjoy floating the Roaring Fork and Colorado Rivers in the summer.



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The town of Glenwood Springs grew up where it did in great part because of its rivers. These rivers and the surrounding natural areas continue to shape the community today: providing the water we need for our towns, ranches, and farms; drawing many of the tourists who support the local economy; and offering a scenic landscape that is a large draw for many of the people who live here. The environment has shaped the character and physical nature of our town, and I see trails and open spaces as a critical way to help keep today's residents aware of how special where they live is and the ways that their own lives are linked to the environment. Also, they are a great place to play :)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes, I believe so.

8. What experience do you have working with people on a board, commission or committee?

If selected, this would be the first board that I have served on, although several years ago I did serve on the committee for the annual conference of the Colorado Alliance for Environmental Education. I enjoyed the camaraderie and the opportunity to help shape a community event.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE PARKS AND RECREATION/TREE COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Parks and Recreation/Tree Commission:

(5) Parks and Recreation Commission:

- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

Powers and Duties:

(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
- (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
- (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

(7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.

(8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.

(9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.

(A 61-02 §4)



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

***YOUTH REPRESENTATIVE ***

Section 1 – Name and Address

Name Aeson Akins
Home Address 142 Haystack Rd Glenwood Springs Co 81601
Mailing Address same

Section 2 – Contact Information

Home 970-230-9945 Work n/a
Fax n/a Mobile 325-513-2442
Email benakins@msn.com

Section 3 - Occupation

Occupation High School Student

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am interested in being a more involved member of my community. Since I actively use the parks and community center almost daily, I thought that serving on the Parks and Recreation/Tree Commission would be a good way to serve.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I view my role as one mostly of learning. I welcome the opportunity to learn more about my community and about how it works with regards to Parks and Recreation. Also, I hope to provide a voice for the youth of our community on how our parks and recreation areas can best serve our needs.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

Since I am 15, I don't really have a lot of experience in these things. I am an active Boy Scout and member of the GSHS AFJROTC programs so I do have a lot of experience in volunteer service and have learned a lot about leadership skills. I would like to increase my knowledge and be a productive community member.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am a year-round swimmer who uses the Community Center daily. In addition, I utilize the city's parks frequently. My main area of interest is in learning more about the importance of these things in our lives. I don't think we realize sometimes how important parks and recreation areas are and I want to learn more about how to preserve and utilize them.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I serve as my Boy Scout patrol's Senior Patrol Leader and as a class leader for JROTC. Both require me to separate myself from my personal opinions and objectively present information and decisions that come from above me.

6. Can you describe an experience making a decision that made people unhappy?

I don't really have one experience that I can point to. I know that sometimes the decisions I make for our Boy Scout troop on what our weekly activity will be or how we will spend time in our JROTC class are not always popular decisions, but I haven't had to deal with any major backlash or complaints.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I am a swimmer who practices every day. In addition, I have a weekly Boy Scout meeting on Tuesday nights. Other than that, I believe that I can make a monthly meeting and participate as needed.

8. What experience do you have working with people on a board, commission or committee?

I have never served on a board or committee. I do attend a weekly staff meeting for JROTC, which consist of around 20 students who serve in various leadership roles within the organization. This is my only experience.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION

APPLICATION

(for Powers and Duties, see page 3)

Requested to take Alternate Position

Section 1 – Name and Address

Name Chelsea Carnoali
Home Address 625 Davis Dr, Apt 4, GWS, CO 81601
Mailing Address *same

Section 2 – Contact Information

Home 970-379-7641 Work _____
Fax _____ Mobile _____
Email Chelseacarnoali@gmail.com

Section 3 - Occupation

Occupation Case Manager- DHS

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

Care for community, desire to serve the City

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

Community member-professional and mother who utilizes parks programming and systems.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

Three years experience on Parks and Rec board



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

6. Can you describe an experience making a decision that made people unhappy?

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

8. What experience do you have working with people on a board, commission or committee?

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Wilson (Bill) W.Coleman
Home Address 1114 Colorado Ave., Glenwood Springs, CO 81601
Mailing Address Same

Section 2 – Contact Information

Home 945-7607 Work _____
Fax _____ Mobile 618-4730
Email lbhcf@comcast.net

Section 3 - Occupation

Occupation Retired

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I have been a member of Parcks and Rec. for about 10 years and would like to continue to serve.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

To provide experience of past activities of the commission and to be able to continue the work they are doing.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

73 years as a resident of Glenwood Springs.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

As a long time resident I have made use of almost all of our parks and wish to see to their upkeep and the growth of the system. As a 45 year member of Kiwanis we have been responsible for the development of Veltis (Kiwanis) park. I raised 4 children in Glenwood and I know the importance of parks.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

I hope so.

6. Can you describe an experience making a decision that made people unhappy?

As a retired Insurance agent it was never easy to tell an insured that they had no coverage for a loss.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

No

8. What experience do you have working with people on a board, commission or committee?

10 years on this board, 8 years on the Independent Insurance Agents board of directors. Most offices of the Glenwood Kiwanis, Church etc.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Andrew Mueller
Home Address 1004 Bennett Ave., Glenwood Springs, CO 81601
Mailing Address same

Section 2 – Contact Information

Home 970.318.1273 Work 970.945.8522
Fax _____ Mobile same as home
Email aamueller9901@gmail.com

Section 3 - Occupation

Occupation General Manager, Colorado River District

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am committed to having a Parks and Recreation department which meets the needs of the Glenwood Springs community in a proactive but cost efficient manner.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

To provide a public voice on a policy level perspective to the City staff.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have significant experience in running and being part of community meetings on many areas including but not limited to recreation, education and water matters.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

Trails, recreation programming, lap swimming, and organized sports all are of particular interest to me.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

6. Can you describe an experience making a decision that made people unhappy?

Yes. As Manager of the River District, I recommended termination of our grants program to our Board of Directors due to our declining revenue.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

My job frequently takes me on the road throughout the state of Colorado and I may miss two to three meetings a year.

8. What experience do you have working with people on a board, commission or committee?

I have served on multiple boards and committees over the years including but not limited to: The City of Glenwood Springs Parks and Recreation Committee; The Board of Directors of the Colorado River District; the Ridgway School Accountability Committee; the Mount Sneffles Education Committee; the Ridgway School Construction Advisory Committee; The Board of Habitat for Humanity of the Roaring Fork Valley; the Colorado Attorney Disciplinary hearing board; the Seventh Judicial Nominating Committee and my prior Home Owners' association board.

Thank you for your interest and time commitment in serving your community

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City of Glenwood Springs
Office of the City Clerk
101 West 8th Street
Glenwood Springs, CO 81601
Fax: 970-945-5023
Email: Catherine.mythen@cogs.us

PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Laura Speck
Home Address 1216 Sprucewood Lane Glenwood Springs CO
Mailing Address 927 Grand Avenue Glenwood Springs CO

Section 2 – Contact Information

Home _____ Work 970-945-5663
Fax _____ Mobile 970-471-0614
Email thesilverbead@hotmail.com

Section 3 - Occupation

Occupation Business Owner of The Silver Bead

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I would like to see what types of projects/ideas the commission is working on and I would like to see some more active "environmentalist" be apart of the decisions the city is making in regards to our community.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I see myself as an active participant in generating ideas and enthusiasm for matters regarding our parks, trees and trails. I feel like I can bring some fresh new ideas and also learn a great deal from other projects that have been successful in the past for our community.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have owned my own business in downtown for over 17 years and have a good sense of planning, prioritizing and implementing creative ideas that benefit the entire community. I have organized several group meetings with concerned citizens and fellow business owners and also helped to promote unique opportunities such as Glen-a-palooza, various fashion shows and community events.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am a die hard tree lover and outdoor enthusiast. I would like to see more trees planted in our downtown area to replace the ones that were cut down during the bridge construction period. I would also like to see our trail systems cleaned up and maintained to keep vagrants and pollution from harming our beloved environment.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

I can try my best, but I am a very passionate person and I really like to see positive progress. I am very fair minded and open to options that work for "the bigger picture".

6. Can you describe an experience making a decision that made people unhappy?

There are lots of times we have all had to deal with this situation, especially when you own a store and have to deal with difficult customers. But, I generally find that if you speak your truth, listen intelligently and show compassion that people will come around.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I work till 5:30 pm everyday, but seeing that your meetings are at 6:00 pm I should be able to attend with no problems. I am very interested in helping projects that we would be working on and will go above and beyond to help them be successful and dedicate my free time to help them do so.

8. What experience do you have working with people on a board, commission or committee?

I have been involved with several projects, events and organizations but this would be my first opportunity to serve on an official board or committee.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
mail to: City Clerk, 101 West 8th Street, Glenwood Springs, CO 81601;
fax to: 970-945-5023;
email: catherine.mythen@cogs.us



City of Glenwood Springs
Office of the City Clerk
101 West 8th Street
Glenwood Springs, CO 81601
Fax: 970-945-5023
Email: catherine.fletcher@cogs.us

ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Powers and Duties of the Arts and Culture Board (GSMC 020.020.030[N]):

(n) Arts and Culture Board. The powers and duties of the Arts and Culture Board shall be:

- 1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
- 2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
- 3) To provide opportunities for cultural and art experience and education for children and adults.
- 4) To promote increased interaction among artists and opportunities for growth and exposure.
- 5) To promote knowledge and appreciation for cultural forms of artistic expression.
- 6) To make recommendations to the City Council with respect to annual budget appropriations for the arts.
- 7) To advise and consult with local arts groups as requested by such groups or by the City Council.



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Office of the City Clerk
101 West 8th Street
Glenwood Springs, CO 81601
Fax: 970-945-5023
Email: catherine.fletcher@cogs.us

ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 1 – Name and Address

Name Bryana Starbuck
Home Address 123 White Horse Place, Glenwood Springs, CO 81601
Mailing Address 123 White Horse Place, Glenwood Springs, CO 81601

Section 2 – Contact Information

Home: 970-691-6884 Work: 970-691-6884
Fax: N/A Mobile: 970-691-6884
Email: bmstarbuck@gmail.com

Section 3 – Occupation

Occupation Account Manager, Public Information Manager at PR STUDIO

Section 4 – Membership Qualifications

MEMBERSHIP QUALIFICATION	Check Here
A. Five (5) citizens who are a resident of the City.	☒
B. Two (2) citizens of which may reside outside of the City, but within 81601 zip code area or own real property or a business within the City.	☐

You must qualify as one of the above to serve on the Arts and Culture Board. Please check the box next to the one that applies to you, and explain here how you are qualified:

I have lived in the Glenwood Springs area for nearly my whole life and I have a deep understanding of the importance that arts and culture programs play in our community. I have been lucky to enjoy cultural and arts experiences thanks to local programs and organizations. I have already served one year on the Arts and Culture Board for the city.



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Fax: 970-945-5023
Email: catherine.fletcher@cogs.us

ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests

1. Why are you interested in serving on the Arts and Culture Board?

I am an adamant patron and advocate for arts and culture programs as I believe that they are a key component to a thriving and vibrant community. I would like to continue with the work and initiatives that I have helped shape the last year.

2. What do you view as your role if selected as a member of the Arts and Culture Board?

My role as a Glenwood Springs resident would be to assess opportunities and move projects forward related to promoting arts and culture in Glenwood Springs without bias. I would work with fellow board members to support and follow all of the powers and duties of the Arts and Culture Board.

3. Do you have marketing, advertising or public relations experience or skills?

Yes, my professional background is in marketing, public relations and strategic communications.

4. Do you have Arts/Culture experience or skills? (ex. Performing arts, visual arts, public arts, museums arts education)

I have been a member of the Arts and Culture Board for the past year. I have been part of several choral organizations. In university, I lead the French Club and Education Abroad Club as president and as a club officer. Promoting cultural awareness was a large component of both organizations. I have also volunteered for numerous arts programs.

5. Can you describe an experience making a decision based on public opinion?

Two critical components of decision making are open communication and transparency. Open communication includes providing opportunities for input and collaboration, reviewing suggestions fairly, without bias, clearly explaining how a decision was reached and coming to alignment on messaging and next steps. Transparency creates trust and is especially important when not all sides agree.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests (continued)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Do you have any existing time commitments that will hamper your ability to serve?

While my work schedule is demanding, I can accommodate additional time commitments.

8. What experience do you have working with people on a board, commission or committee?

I have served the last year as part of the Arts and Culture Board. I've worked professionally with the Glenwood Springs Downtown Development Authority. I also work very collaboratively with local, regional and state organizations.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or
Mail to: City Clerk, 101 West 8th Street, Glenwood Springs, CO 81601;
Fax to: 970-945-5023;
Email: catherine.fletcher@cogs.us



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item:	Excavator Purchase for Landfill
Action Requested:	Approval of Procurement of a Used Model 320EL Caterpillar Excavator for Landfill Operations.
Department:	Public Works
Presented By:	Matthew Langhorst, Director Public Works
Background Info:	City staff is moving forward with procurement/leasing of the necessary equipment to operate the landfill. Staff has secured the compactor, front end loader, dozer, water truck, tandem truck, maintenance vehicle and other small equipment needed to operate the landfill. The last piece of equipment on the list of needed items is an excavator to help with composting, brush grinding, concrete grinding and movement of material as needed at the landfill. Staff would like to remain with the Caterpillar brand so that a majority of our equipment can be serviced through the same company and at the same time, making operations and service fees as efficient as possible. Staff had recommended a piece of equipment in the \$125,000 dollar range during business planning discussions. Two 320 excavators with low hours came available 30 days ago through the Caterpillar dealer in Grand Junction and we have verbally asked them to hold the excavator that has the needed thumb attachment for us to present to Council. They agreed to this and staff is now presenting this potential purchase to Council.
Issues:	Staff had recommended a \$125,000 budget for this piece of equipment, but the current model we are recommending is priced at \$158,000. Staff is not going to move forward with the \$25,000 tandem truck hook retrofit which was budgeted at \$25,000, thus freeing up \$25,000 within the current budget for 2019. Also, the price for the equipment includes the preventative maintenance package valued at \$16,768.53. Thus the equipment purchase is really \$141,231.47 and the cost of the maintenance package will be covered in the budget under (Site Operations - Maintenance and Repair - Machinery/Equipment) which has a budget of \$40,000 for each of 2019 and 2020.
Staff Recommendation:	Staff is recommending the purchase of the Caterpillar Model No. 320EL, 2014 model with 2,546 hours from Wagner Equipment Co. in Grand Junction, Colorado at a price of \$158,000 to include preventive maintenance package as quoted.



Quote 193955-01

February 13, 2019

CITY OF GLENWOOD SPGS/LNDFIL
101 8TH STREET
GLENWOOD SPRINGS, Colorado 81601 3303

Attention: King Lloyd

Dear Sir,

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

CATERPILLAR Model: 320EL TCIR Small Excavator

STOCK NUMBER: 431892

SERIAL NUMBER: 0WBK03259

YEAR: 2014

HOURS: 2,546

We appreciate the opportunity to extend this quote. This quote is subject to availability and is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Regards,

Brian Shaver
Sales Representative
Wagner Equipment Co.

CATERPILLAR Model: 320EL TCIR Small Excavator**STANDARD EQUIPMENT**

POWERTRAIN - C4.4e twin turbo Tier 4 Final diesel - engine - Electric fuel priming pump - Reversible electric cooling fans - Two-stage fuel filtration system with - water separator and indicator - Sealed double element air filter with - integrated pre-cleaner - Biodiesel capable (up to B20) -

UNDERCARRIAGE - Grease lubricated track link - Tie down points on base frame - (ISO 15818 compliant) -

HYDRAULICS - Electronic main control valve - Auto warm up - Tandem type electronic main pump - Boom and stick regeneration circuits - Automatic two speed travel - Boom and stick drift reduction valve - Element type main hydraulic filter -

ELECTRICAL - Maintenance free battery - Centralized electrical disconnect switch - CAT product link - After engine shut down programmable - time delay LED working - lights: - One chassis mounted, one LH boom mounted -

OPERATOR ENVIRONMENT - Sound suppressed ROPS cab (ISO 12117-2 - compliant) with viscous mount - Increased rear window size - as emergency exit - Openable tempered front upper windshield - w/assist device and removable tempered - lower windshield with in cab storage - bracket - 2 inch (51mm) orange seat belt - Upper radial wiper for 70/30 - Automatic bi-level air conditioner - with pressurized function - Washable floor mat - Beacon ready - 2 x 12V DC outlet and USB port - Dome and lower LED interior lights, - coat hook, cup holder, console storage - rear storage with net, and overhead - storage with net - (Comfort cab) - for Japan - -Mechanical suspension comfort seat - w/ headrest, console height adjustment - w/ tools, arm rest angle adjustment - -Fixed left side console - -Openable steel hatch - (Deluxe cab) - -Air suspension deluxe seat w/ headrest - w/ 2 step seat heater, console height - adjustment w/o tools, arm rest height - and angle adjustment - -Tilt up left side console - -Openable polycarbonate hatch for 2P - windshield -

SAFETY AND SECURITY - RH hand rail and hand hold - (ISO 2867 compliant) - Service platform with anti-skid plate - and countersunk bolts - Hydraulic lock out lever neutralizes - all controls - Ground level accessible secondary engine - shutoff switch in cab - Signaling / warning horn -

OTHER STANDARD EQUIPMENT - Side entry to service platform - Grouped location for engine oil - and fuel filters - Ground level 2nd dipstick for engine oil - Sampling ports for scheduled oil - Sampling (S.O.S) - Remote flash -

MACHINE SPECIFICATIONS

320EL HYD EXCAVATOR
 C6.6 ENGINE
 REGIONAL PKG, NACD (PL321)
 CONTROL, FINE SWING
 AIR CONDITIONER
 BELT, SEAT, 76MM 3" RTRCTBL
 ACCUMULATOR WITH CRN
 ALARM, TRAVEL
 HD-BOOM, 9'6" HD-STICK PKG
 BOOM, 5.7M (18'8") HD
 STICK, 2.9M (9'6") B1 HD
 LINKAGE, BKT-B1 W/LIFT EYE
 CYLINDER PKG
 CYLINDER, BOOM (W/O BLCV)
 CYLINDER, STICK (W/O SLCV)
 CYLINDER, BKT (B1 LINKAGE)
 AIR CLEANER, HIGH EFFICIENCY
 TRACK, 31" TG (GLT)
 GUARD, TRACK GUIDING SEGMENTED
 ROLLERS, STANDARD
 STANDARD OIL
 CIRCUIT, THUMB STP TWJ PKG
 CIRCUIT, THUMB
 MAT, FLOOR, RH PEDAL
 JOYSTICK, THUMB WHEEL
 PEDAL, STRAIGHT TRAVEL
 VALVE, HYDRAULIC -TCS HL PKG
 VALVE, HYDRAULIC TCS
 VALVE, ANTI DRIFT, BOOM
 VALVE, ANTI DRIFT, STICK
 LINES, CYLINDER
 COLD WEATHER STARTING PKG
 STARTING, COLD WEATHER, JS
 HEATER, ENGINE COOLANT 120V
 CAB STD PKG
 CAB-ROPS,70/30,W/VNDL-G BOSS
 WIPER-RADIAL, FRONT 70/30
 HATCH, OPENABLE ROOF
 RADIO, 24V AM/FM
 SUN, SHADE
 PANEL, STD START SWITCH
 SEAT, H-BACK, SUSPENSION
 WASHER, WINDSHIELD UPPER/LOWER
 CAMERA, REAR VIEW PKG
 CAMERA, REAR VIEW,MIRRORS RH
 MIRRORS, CAB, EXTERNAL
 TANK, FUEL
 COOLING, HIGH AMBIENT

GUARD HD BOTTOM PKG
GUARD, BOTTOM, HEAVY DUTY
GUARD, SWIVEL
GUARD, TRAVEL MOTOR, HD
COVER, FENDER, STANDARD
QUICK DRAINS, READY (OIL)
COUNTERWEIGHT, 7,830LBS
FRAME, SWING, STANDARD
ENGINE HOOD
LINES-HP PKG,HD/ES-BM/9'6" STK
LINES-HP, BOOM
LINES-HP, 2.9M (9'6") STICK
CHANGER, HAND CONTROL 2-WAY
GUARD VANDALISM PKG
GUARD, VANDALISM
LIGHTING, CAB (HALOGEN)
LIGHT, BOOM RIGHT SIDE
QUICK-EVAC SYSTEM
KRYPTO KLAU HEAVY THB & BKT
MAX THROAT OPENING 68"
BUCKET, 42" .9CYD
CAT ADAPTERS K-90 SERIES
TIPS, K SERIES
CAT RETAINERS
BUCKET PINS B LNKG
BOLT ON CYLINDER GUARDS
TOTAL WEIGHT 2844 LBS

SELL PRICE	\$158,000.00
PREVENTIVE MAINTENANCE	Included
TOTAL	\$158,000.00

WARRANTY & COVERAGE

Standard Warranty:	
Extended Coverage:	CAT Certified Used - 1 Year / 1000 Hours Powertrain & Hydraulics
Preventative Maintenance:	CSA Quote

F.O.B/TERMS:
Grand Junction



Equipment Management Solutions
Level 4 Agreement
Quote # 17701.1

Quote Issued Date: 02/12/19

Customer Contact Name	Phone	email
King Lloyd	970-945-5375	king.lloyd@cogs.us

Make	Model	Serial #	Customer	Customer #	Involvement	Term Hrs
Caterpillar	320E				Do it for me	5000 Hours

Quote Owner	Wagner Rep	Home Branch	Machine Sold Date	Contract Start Date	Contract End Date	Contract End SMU	Current SMU	Ave SMU/Year
Shaver, Brian	Smith, Steve	Grand Junctions	03/01/19	03/19	04/24	7500	2500	1000

Services, Add-ons, and Programs included in this PM CSA:

Quantity	Service Description	Avg Cost Per Each Service	Total
(10)	PM 250 Sample Kit Only	\$65.72	\$657.20
(3)	PM 500	\$1,032.24	\$3,096.72
(2)	PM 1000	\$1,478.16	\$2,956.32
(2)	PM 1500	\$1,171.61	\$2,343.21
(1)	PM 2000	\$1,913.81	\$1,913.81
(1)	PM 3000	\$2,476.09	\$2,476.09
(1)	PM 6000	\$3,325.18	\$3,325.18
	Grand Total:		\$16,768.53

\$/Hour: \$3.35 * Does not include Condition Monitoring
Total Visits: (10) ----- Total Services: 20
Zone charge billed per visit: \$176.00
Contract terminates on hours or date whichever comes first.

Customer
Initials

Payment Option 1: Upfront Payment

Total Agreement Price W/Savings: \$15,846.04 ----- Savings of: \$922.49

Payment Option 2: Pay Per Services as follows:

Total Agreement Price: \$16,768.53 -- Cost Billed Based on Service



Equipment Management Solutions
Level 4 Agreement
Quote # 17701.1

Quote Issued Date: 02/12/19

Dealer Responsibilities:

Wagner Equipment Co. will provide all labor, parts, and oil to the manufacturers specifications for the services included in this agreement. All services include the removal of used oil and filters. Customer will receive a copy of the written inspection upon completion.

Customer Responsibilities:

Customer is responsible for the maintenance requirements of the "WHEN REQUIRED" items to include the air filters and makeup oil, 10 hour or daily, 50 hour or weekly, and 100 hour or two week service intervals. This includes daily inspections, all parts and labor associated with these service items. Customer is responsible to monitor their oil sample reports. Customer is also responsible to fax or email hours weekly to the attention of CSA Department.

Wagner Equipment Management Point of Contact: Ryan Krauklis 303-739-3067, e-Mail krauklis_ryan@wagnerequipment.com

What's not included in this PM CSA:

Prices do not include overtime, taxes and environmental fees.

Agreement Price guaranteed for term of contract with continuous service to include zones when incorporated in the agreement price. Add parts price not guaranteed, either party may cancel this agreement with 30 days written notice. If MVS or QES is quoted but not found on machine, Agreement will be repriced. At termination, Agreement will be reconciled based on actual service work performed at Wagner Equipment Co. revenue rates. Quotes are valid for 45 days.

What's included in this PM CSA:

Service intervals vary for each machine according to machine Operation and Maintenance Manual. Air filters are added and charged for only when the customer request these.

Customer Signature: _____

Date: _____

Customer Printed Name: _____

PSSR Signature: _____

Date: _____

PSSR Printed Name: _____

Salesman Signature: _____

Date: _____

Salesman Printed Name: _____



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Tourism and Promotion Board Fund Reserves Request to City Council

Action Requested: Approve a request from the Tourism Promotion Board for \$30,000 from reserves to complete the photo/video shooting for Winter/Spring of 2019.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: The Tourism Promotion Board discussed this item at their February 14th Meeting. The request was approved unanimously.

Issues: NA

Staff Recommendation: Approve the request of the Tourism Promotion Board for \$30,000 from reserves to complete the photo/video shooting for Winter/Spring of 2019.



At the Tourism Promotion Board meeting of February 14, 2019, Nancy Heard made a motion to request \$30,000* from the Tourism Promotion Fund Reserves to complete the Photo/Video shooting for Winter/Spring 2019. Scott Dyer seconded, and the motion passed unanimously.

Lisa was asked to present this request to City Council for the February 21, 2019 council meeting consent agenda.

*NOTE: The total amount for the 9-month photo/video refresher contract was \$50,000. Lisa was able to readjust some of the 2018 budget to pay \$20,000 for the fall video/photo portion from the 2018 regular tourism budget. This fall shoot included stills and video of ATVing, horse-back riding, fly fishing, hiking and mountain biking.



Description	Rate	Qty	Line Total
Photo/Video Support - Glenwood Springs Lifestyle Objectives: Capture the Beauty of the Vapor Caves, Bridge & Town, Snowshoeing, Dining & Hot Springs	\$20,000.00	1	\$20,000.00
Production and all rights Costs for: Pre and Post production, talent and all rights to video and stills	\$10,000.00	1	\$10,000.00
Subtotal			30,000.00
Tax			0.00
Estimate Total (USD)			\$30,000.00

Billed To
Don Poole
Xuma Communications
United States

Estimate Number
000214

Estimate Date
01/06/2019

Terms

To secure the services of our team and move this into the production phase, we respectfully request a payment of 50% of this estimate. Remaining balance will be due upon satisfactory completion of the body of work. Video "dailies" and production still proofs will be provided to Xuma following each of the assignments for approval before moving on to the next task.



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: First Amendment Intergovernmental Agreement for Parking Lot and Common Area Maintenance

Action Requested: Approve the First Amendment to the Intergovernmental Agreement (IGA) for Parking Lot and Common Area Maintenance with Garfield County.

Department: Attorney

Presented By: Glenwood Springs Legal, Legal

Background Info: City Council approved an IGA with Garfield County in July of 2017. This agreement divided maintenance and parking assets between the City and County.

At a joint meeting with the BOCC on December 8th, 2018 City Council requested an amendment to the IGA to allow the City to enforce four hour parking at the 7th Street and Colorado Avenue parking lot. The exception to this restriction would be parking for jurors.

If the City approves the IGA Amendment, it will be forwarded to the County for approval.

Issues: NA

Staff Recommendation: Staff recommends approving the IGA Amendment with Garfield County.

**FIRST AMENDED INTERGOVERNMENTAL AGREEMENT
FOR PARKING LOT AND COMMON AREA MAINTENANCE**

This FIRST AMENDED INTERGOVERNMENTAL AGREEMENT is entered into by and between the BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, COLORADO (“County” or “BOCC”) and the CITY OF GLENWOOD SPRINGS, COLORADO (“City” or “Council”) (collectively, the “Parties”) for the purpose of defining maintenance responsibilities with respect to certain jointly owned or used property (the “IGA” or “Agreement”).

RECITALS

A. The County is a body politic and corporate of the State of Colorado whose powers are exercised by the Board of County Commissioners. C.R.S. §§ 30-5-125 and 30-11-103.

B. The City is a Colorado Home Rule Municipality. Colo. Const. art. XX, § 6.

C. The Parties entered into an Intergovernmental Agreement For Parking Lot and Common Area Maintenance recorded at Reception No. 902169 in the records of the Garfield County Clerk and Recorder.

D. The Parties jointly and individually own property in Glenwood Springs, Colorado currently used for common purposes that will benefit from the cooperative maintenance agreements set forth in this IGA.

E. The Parties are authorized and encouraged to enter into such cooperative agreements in the development of public purpose projects by the Colorado Constitution and state statutes. Colo. Const. art. XIV, § 18(2) (a)-(c) and art. XI, § 2; C.R.S. § 29-1-201.

F. The Parties wish to amend the IGA regarding management of parking spaces and time limits on those parking spaces.

NOW, THEREFORE, in consideration of the mutual covenants and agreements identified, the Parties agree as follows:

AGREEMENT

1. The foregoing Recitals are incorporated as if set forth in full.

2. Paragraph 7.c. is amended to read as follows

(c) all long term maintenance on the Colorado Avenue parking spaces 32-60. County Agrees the trash compactor can be placed as shown on **Exhibit E**.

3. Paragraph 9.e. is amended to read as follows:

(e) 7th and Colorado Parking Lots at 702 Colorado Avenue (**Exhibit E**) – Spaces 1-66 managed by City. County owned spaces 32-66 shall be managed by the City with a 4-hour maximum however, County and Municipal Courthouse Passholders shall be exempt from the 4-hour restriction within these stalls.

4. All other terms and conditions of the IGA recorded at Reception No. 902169 shall remain unchanged.

IN WITNESS WHEREOF, the Parties execute this First Amended IGA as follows:

ATTEST:

**BOARD OF COUNTY COMMISSIONERS OF
GARFIELD COUNTY, COLORADO**

Clerk to the Board

By: _____
John Martin, Chairman

Date: _____

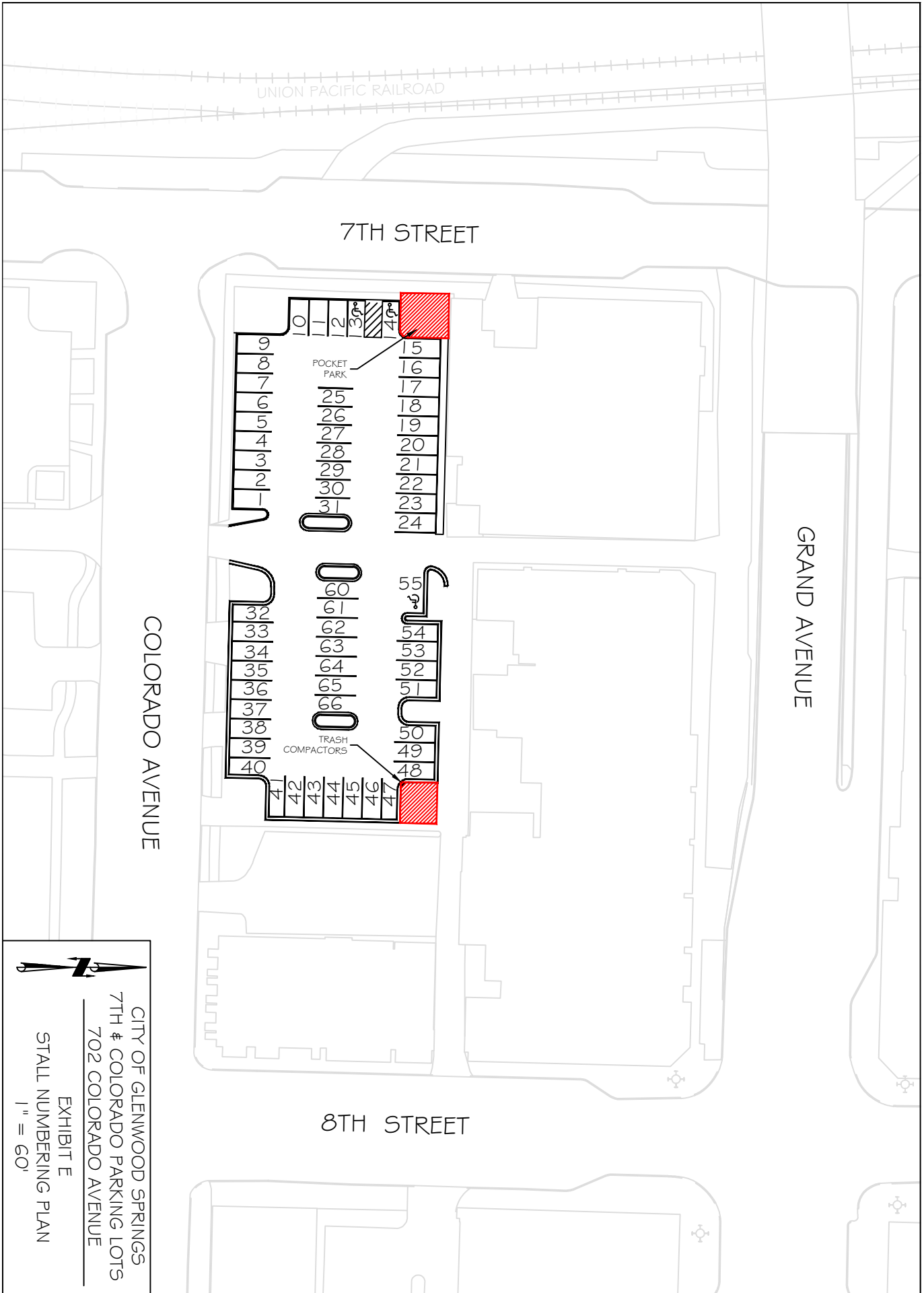
ATTEST:

**CITY OF GLENWOOD SPRINGS,
COLORADO**

City Clerk

By: _____
Michael Gamba, Mayor

Date: _____



CITY OF GLENWOOD SPRINGS
7TH & COLORADO PARKING LOTS
702 COLORADO AVENUE
EXHIBIT E
STALL NUMBERING PLAN
1" = 60'

**INTERGOVERNMENTAL AGREEMENT
FOR PARKING LOT AND COMMON AREA MAINTENANCE**

This INTERGOVERNMENTAL AGREEMENT is entered into by and between the BOARD OF COUNTY COMMISSIONERS OF GARFIELD COUNTY, COLORADO ("County" or "BOCC") and the CITY OF GLENWOOD SPRINGS, COLORADO ("City" or "Council") (collectively, the "Parties") for the purpose of defining maintenance responsibilities with respect to certain jointly owned or used property (the "IGA" or "Agreement").

RECITALS

A. The County is a body politic and corporate of the State of Colorado whose powers are exercised by the Board of County Commissioners. C.R.S. §§ 30-5-125 and 30-11-103.

B. The City is a Colorado Home Rule Municipality. Colo. Const. art. XX, § 6.

C. The Parties jointly and individually own property in Glenwood Springs, Colorado currently used for common purposes that will benefit from the cooperative maintenance agreements set forth in this IGA.

D. The Parties are authorized and encouraged to enter into such cooperative agreements in the development of public purpose projects by the Colorado Constitution and state statutes. Colo. Const. art. XIV, § 18(2) (a)-(c) and art. XI, § 2; C.R.S. § 29-1-201.

NOW, THEREFORE, in consideration of the mutual covenants and agreements identified, the Parties agree as follows:

AGREEMENT

1. Incorporation of Recitals. The foregoing Recitals are incorporated as if set forth in full.

2. Purpose. The purpose of this IGA is to establish Long-term and Short-term Maintenance responsibilities for the Properties described in paragraph 5.

3. Term. This Agreement shall have an Effective Date of September 1, 2017 regardless of the date signed and shall remain in effect as long as the Properties are owned and used in the manner defined, unless sooner terminated by the Parties in accordance with paragraph 9 or by operation of law.

4. Definitions. When used in this Agreement, the following terms shall be defined as stated:

(a) Long-term Maintenance. Long-term Maintenance refers to the level and type of care necessary and appropriate, to ensure the continued safe use of property for its intended purpose.

(b) Short-term Maintenance. Short-term Maintenance refers to the day-to-day and/or seasonal efforts necessary to support the continued use, safety, and enjoyment of a property for its intended purpose based on the resources available to pay for them.

5. Property Locations. The “**Properties**” addressed in this IGA are:

(a) The Youth Zone Parking Lot at 803 School Street, depicted on **Exhibit A** attached hereto; and

(b) City Hall Parking Lot at 101 West 8th Street, depicted on **Exhibit B** attached hereto; and

(c) Old MOC Site at 219 West 7th Street, depicted on **Exhibit C** attached hereto; and

(d) Court House Area Parking at 108 8th Street, depicted on **Exhibit D** attached hereto; and

(e) 7th and Colorado Parking Lots at 702 Colorado Avenue, depicted on **Exhibit E** attached hereto; and

(f) Pitkin Avenue Parking Lot, depicted on **Exhibit F** attached hereto.

6. Excluded Properties. This IGA does not address the construction, use or maintenance of the Northeast corner of the East Lot, which has been designated for use as a public park at the request of the Glenwood Springs Downtown Development Authority, a tax-funded district whose volunteer citizen board reports to the Council (the “DDA”). This public park is known as the “**Pocket Park**”.

7. County Responsibilities. In order to maintain the Properties in the manner desired by the City and County, the County agrees perform the following:

(a) All maintenance of Pitkin Avenue Parking Lot.

(b) All maintenance on the Court House Area Parking Lot, exclusive of Spaces 1-10.

(c) All long term maintenance on the Colorado Avenue Parking Lot Spaces 32-60. County agrees that alley dumpster can be places as shown on **Exhibit E**.

8. City Responsibilities. In order to maintain the Properties in the manner desired by the City and County, the City agrees perform the following:

(a) All maintenance of the City Hall Parking Lot.

- (b) All maintenance of the Old MOC Parking Lot.
- (c) All maintenance of the Youth Zone Parking Lot.
- (d) Colorado Avenue Lot – Short term maintenance and cleaning for all spaces. Long term maintenance on Spaces 1-31.

9. Parking Space Allocation, Use, and Timing.

(a) The Youth Zone Parking Lot at 803 School Street (**Exhibit A**) – All parking spaces to be jointly used by City and County Staff. No public parking.

(b) City Hall Parking Lot at 101 West 8th Street (**Exhibit B**) – All spaces managed by City.

(c) Old MOC Site at 219 West 7th Street (**Exhibit C**) – Spaces 56-65 County Employees only. All other spaces managed by City.

(d) Court House Area Parking at 108 8th Street (**Exhibit D**) – Spaces 1-10 City Employees. All other spaces managed by County.

(e) 7th and Colorado Parking Lots at 702 Colorado Avenue (**Exhibit E**) – Spaces 1-31 managed by City. Spaces 32-66 managed by County.

(f) Pitkin Avenue Parking Lots (**Exhibit F**) – All spaces managed by County.

10. Annual Appropriations. All maintenance responsibilities set forth in this Agreement shall be contingent upon the annual appropriation of funds sufficient to perform these duties. This IGA is not intended to, nor does it create a multi-year fiscal obligation as defined by Section 20, Article X of the Constitution of the State of Colorado. The Parties are not under any obligation to make any future apportionment or allocation to this Agreement; however, by their signatures below, both Parties confirm that each has appropriated sufficient funds for the current fiscal year to meet its obligations under this Agreement. If either Party fails to appropriate funds necessary to fulfill the obligations stated in this Agreement in any future year, that Party shall immediately notify the other and this Agreement shall terminate in accordance with paragraph 10(c).

11. Termination. This Agreement may terminate prior to expiration under the conditions stated in subparagraphs (a) through (c). Termination shall not relieve a Party from its obligations incurred prior to the termination date.

(a) Without Cause. Either Party may terminate this Agreement, without cause, upon not less than sixty (60) days' written notice, given in accordance with the Notice provisions of this Agreement set forth in paragraph 20.

(b) With Cause. A Party will be considered in default of its obligations under this Agreement if it fails to observe, to comply with, or to perform any term, condition, or covenant contained in this Agreement and such failure continues for thirty (30) days after

the non-defaulting Party gives written notice thereof in accordance with paragraph 20. In the event of default, upon written notice to the defaulting Party, the non-defaulting Party may terminate this Agreement as of the date specified in the notice, and may seek such other and further relief as may be provided by law.

(c) By Operation of Law. The Parties' financial participation is subject to annual appropriation and budgeting by each. This IGA is not intended to, nor does it create a multi-year fiscal obligation as defined by Section 20, Article X of the Constitution of the State of Colorado. Should either party fail to appropriate funds for any fiscal year, this IGA shall terminate by operation of law at the end of the fiscal year.

12. Breach and Notice. If either party fails to perform its respective obligations, the non-breaching party shall provide thirty (30) days' notification of such failure to the breaching party's representative. If the breaching party fails to correct or remedy the breach, the non-breaching party may terminate this IGA by written notification to the other party's representative and shall have no other further obligations under this IGA.

13. Indemnity/No Waiver of Governmental Immunity Act. The BOCC and the Council acknowledge that each is subject to the constitutional prohibitions against indemnification set forth in Colo. Const. art XI, § 1. Neither can agree to indemnify the other. Nothing herein shall be interpreted as a waiver of governmental immunity to which the BOCC and City may otherwise be entitled under the provisions of C.R.S. § 24-10-101, *et seq.*, as amended.

14. No Third-Party Beneficiary. No third party may enforce or rely upon this IGA.

15. Amendment and Assignment. This IGA may be amended by the Parties solely through a written agreement signed by both Parties. This IGA may not be assigned by either Party.

16. Counterparts. This IGA may be executed in counterparts, each of which shall be deemed an original, and all of which, when taken together, shall be deemed the same instrument. Facsimile or photographic signatures shall be effective for all purposes.

17. Governing Law, Venue and Survival. The laws of the State of Colorado shall govern the validity, performance, and enforcement of this IGA. Should either party institute legal action for enforcement of this IGA, venue of such action shall be in Garfield County, Colorado.

18. Whole Agreement. This IGA sets forth the whole agreement of the Parties. No representations, either verbal or written, shall be considered binding on either party if not set forth herein.

19. Captions. The captions in this IGA are included for reference and convenience only and are not intended to define, limit or prescribe the scope or intent of this Agreement or any part thereof.

20. Authority. Each person signing this IGA represents and warrants that the individual is fully authorized to enter into and execute this IGA and to bind the Party it represents to the terms and conditions thereof.

21. Notice and Representatives. All notices required under this IGA shall be transmitted in writing and shall be deemed duly given when hand-delivered or sent by certified mail, return receipt requested and postage prepaid, or by electronic communication, addressed to the designated representative(s) as follows:

City of Glenwood Springs:

City Manager
City of Glenwood Springs
101 West 8th Street
Glenwood Springs, CO 81601
(970) 384-6400
Debra.figueroa@cogs.us

Garfield County:

County Manager
Garfield County, Colorado
108 8th Street, Suite 213
Glenwood Springs, CO 81601
(970) 945-5004

With a copy to:

City Attorney
City of Glenwood Springs
201 14th Street
Suite 200
Glenwood Springs, CO 81601
(970) 945-2261
kjh@mountainlawfirm.com

With a copy to:

County Attorney's Office
Garfield County, Colorado
108 8th Street, Suite 219
Glenwood Springs, CO 81601
(970) 945-9150

Either Party may change the identity of its designated representative and the address to which future notices shall be sent by providing written notice in accordance with this paragraph. Formal amendment of this IGA to affect such a change is not required.

22. Severability. Should any provision of this IGA be found to be in conflict with any law of the United States or the State of Colorado or to otherwise be unenforceable, the remaining provisions shall be deemed severable and the validity of such shall not be affected provided that the remaining provisions can be construed in substance to constitute the agreement which the parties intended to enter into under this IGA.

IN WITNESS WHEREOF, the Parties execute this IGA as follows:

ATTEST:

Jean M. Alberico
Clerk to the Board



**BOARD OF COUNTY COMMISSIONERS OF
GARFIELD COUNTY, COLORADO**

By: *[Signature]*
John Martin, Chairman

Date: *1-9-18*



ATTEST:

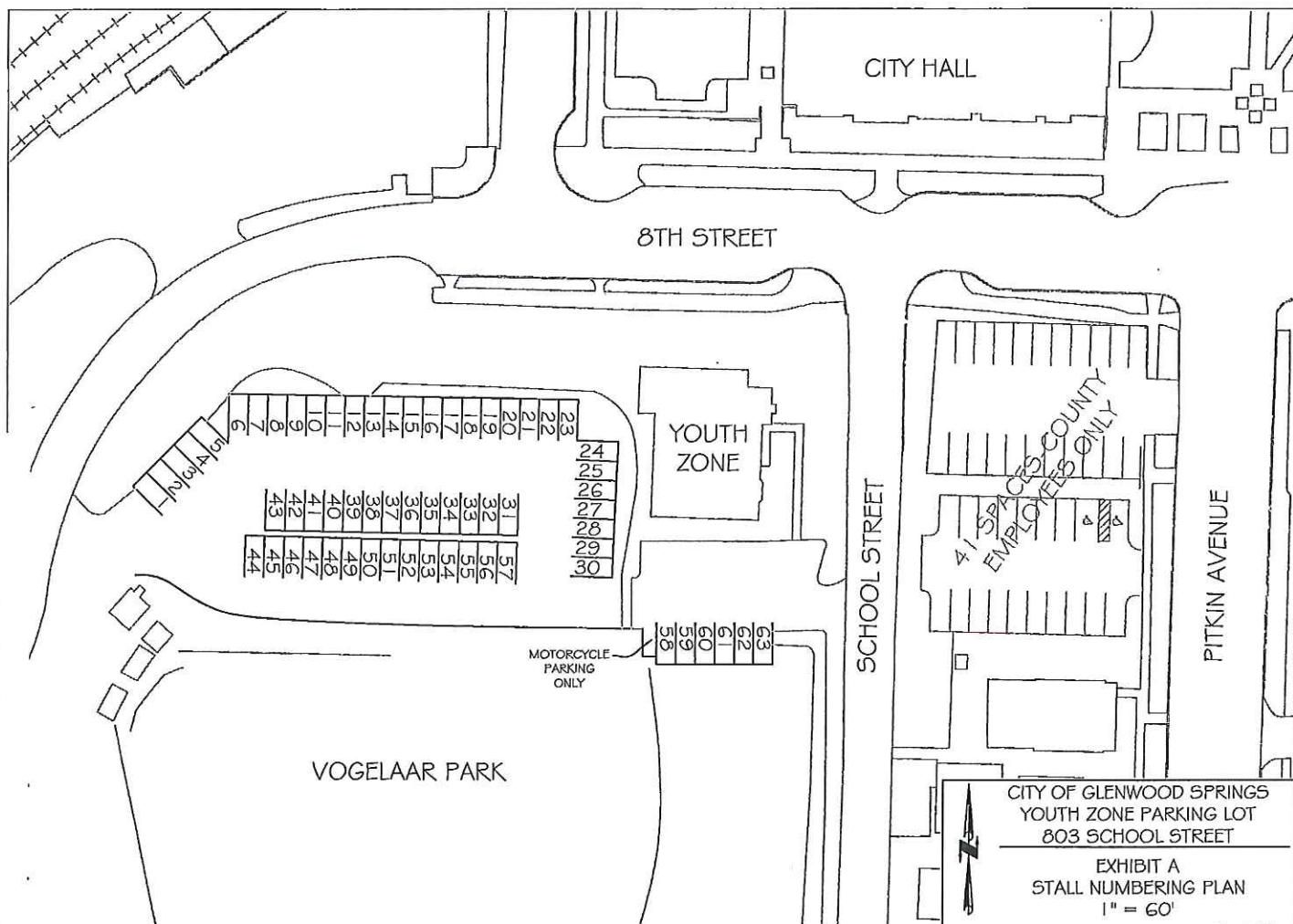
Catherine Mythen Fletcher
City Clerk

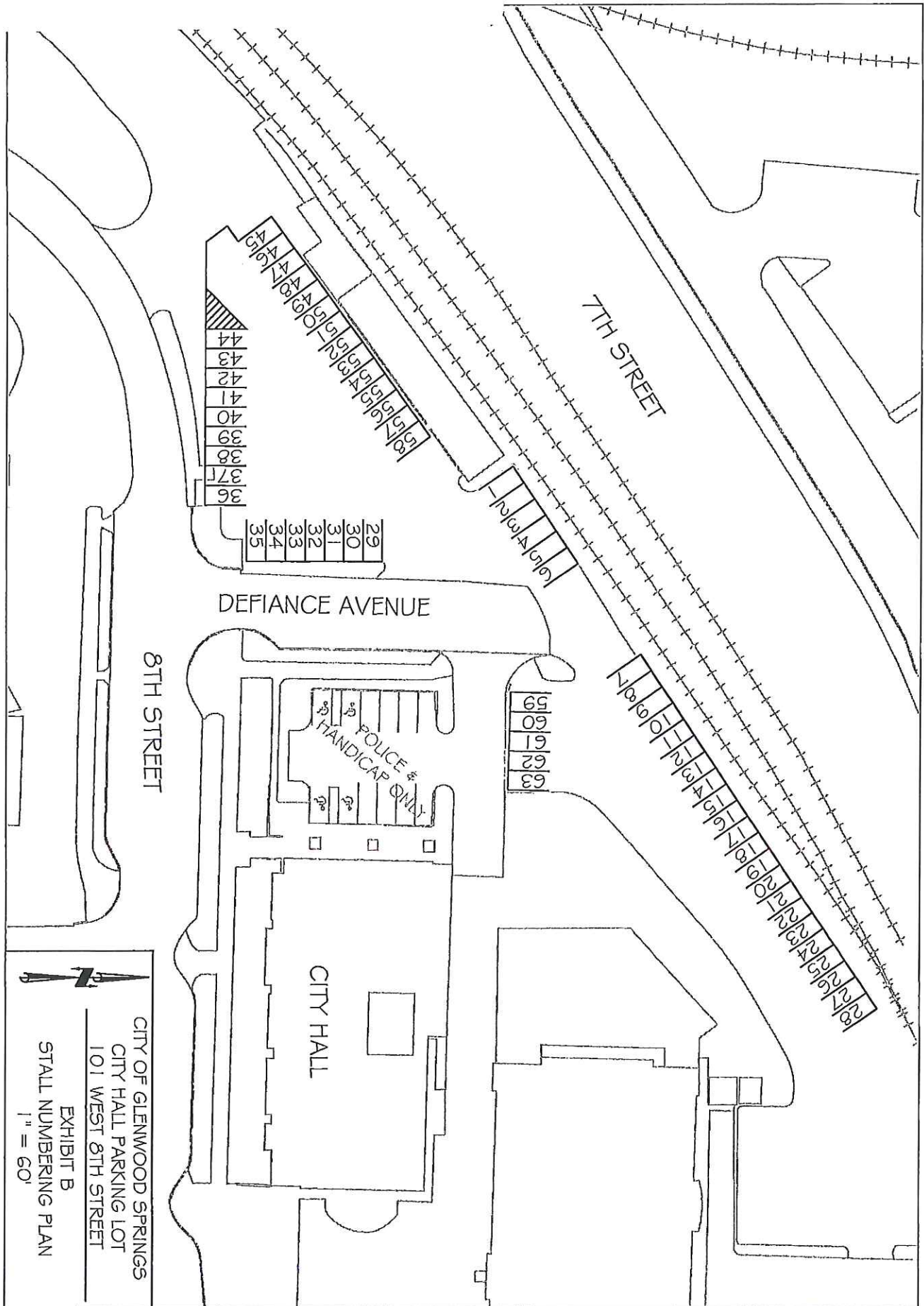
CITY OF GLENWOOD SPRINGS,
COLORADO

By: 

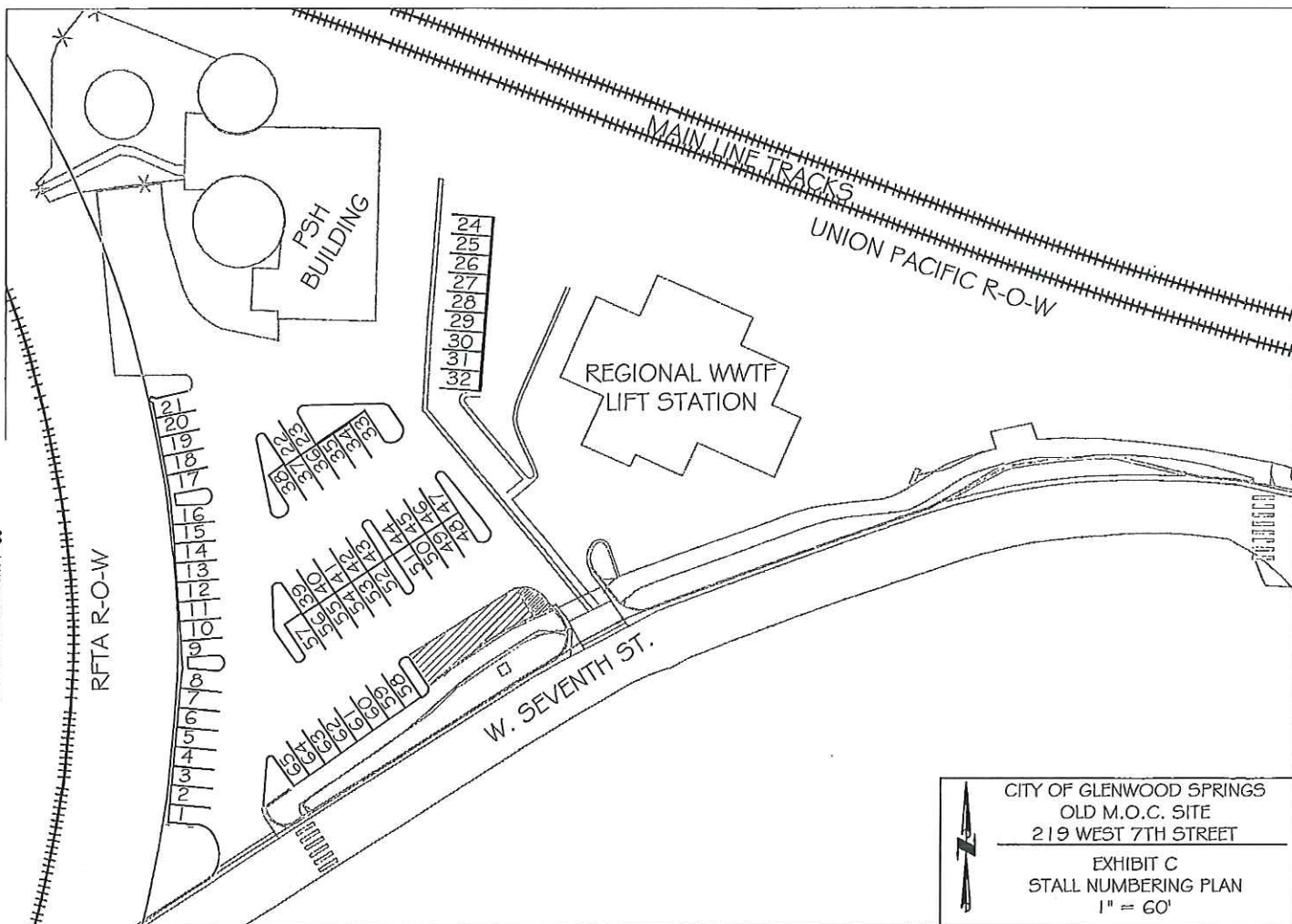
Michael Gamba, Mayor

Date: December 21, 2017

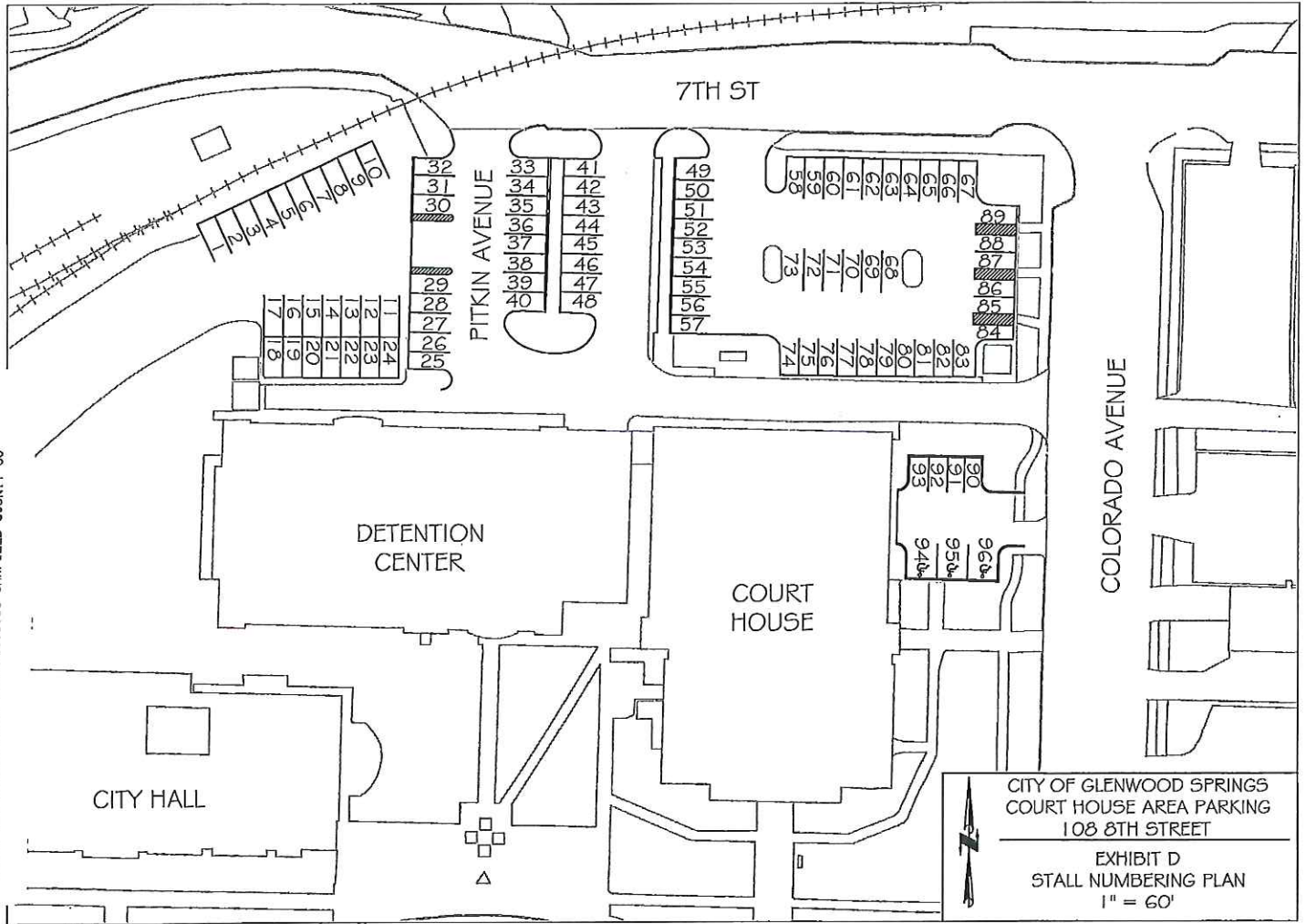




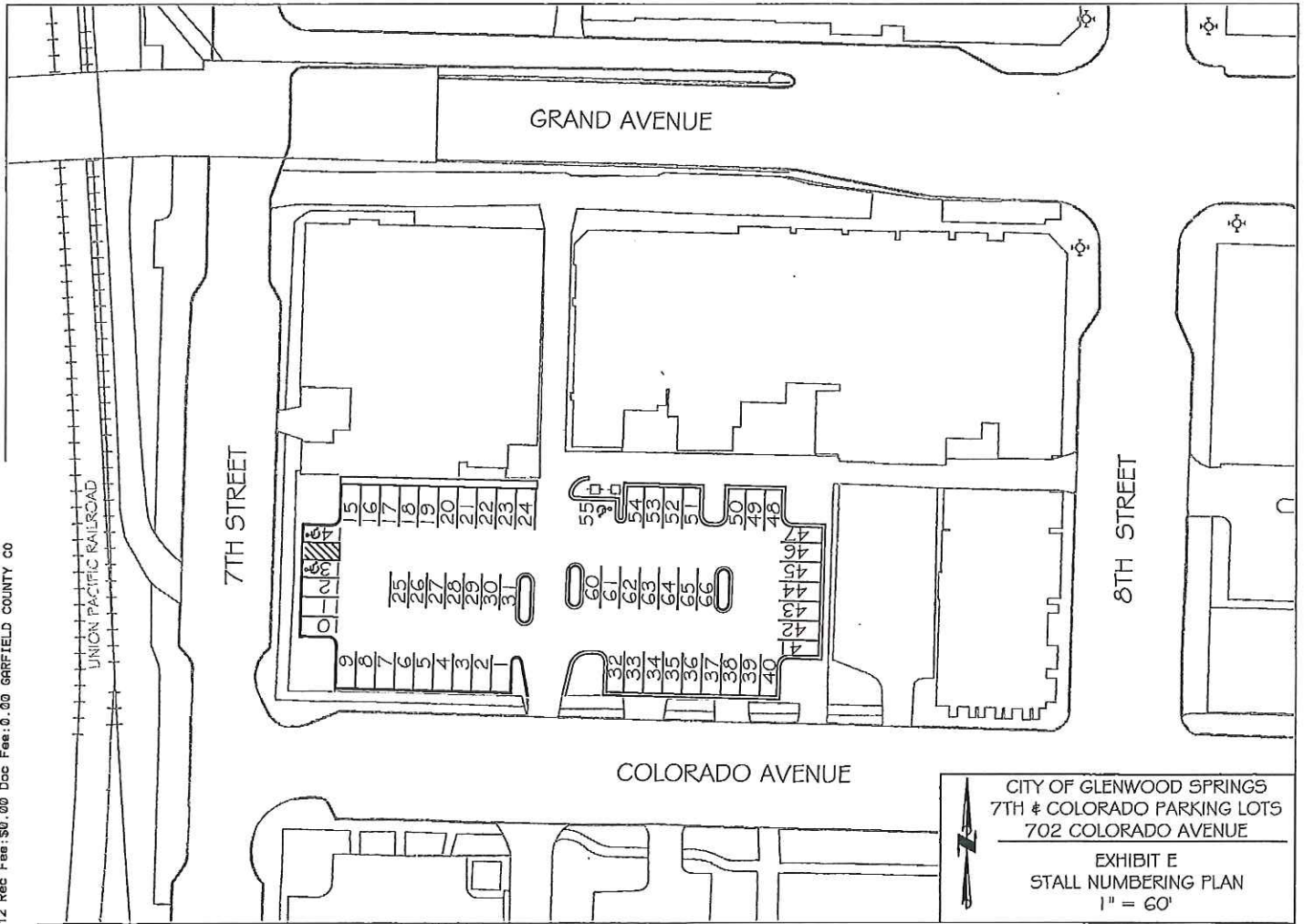
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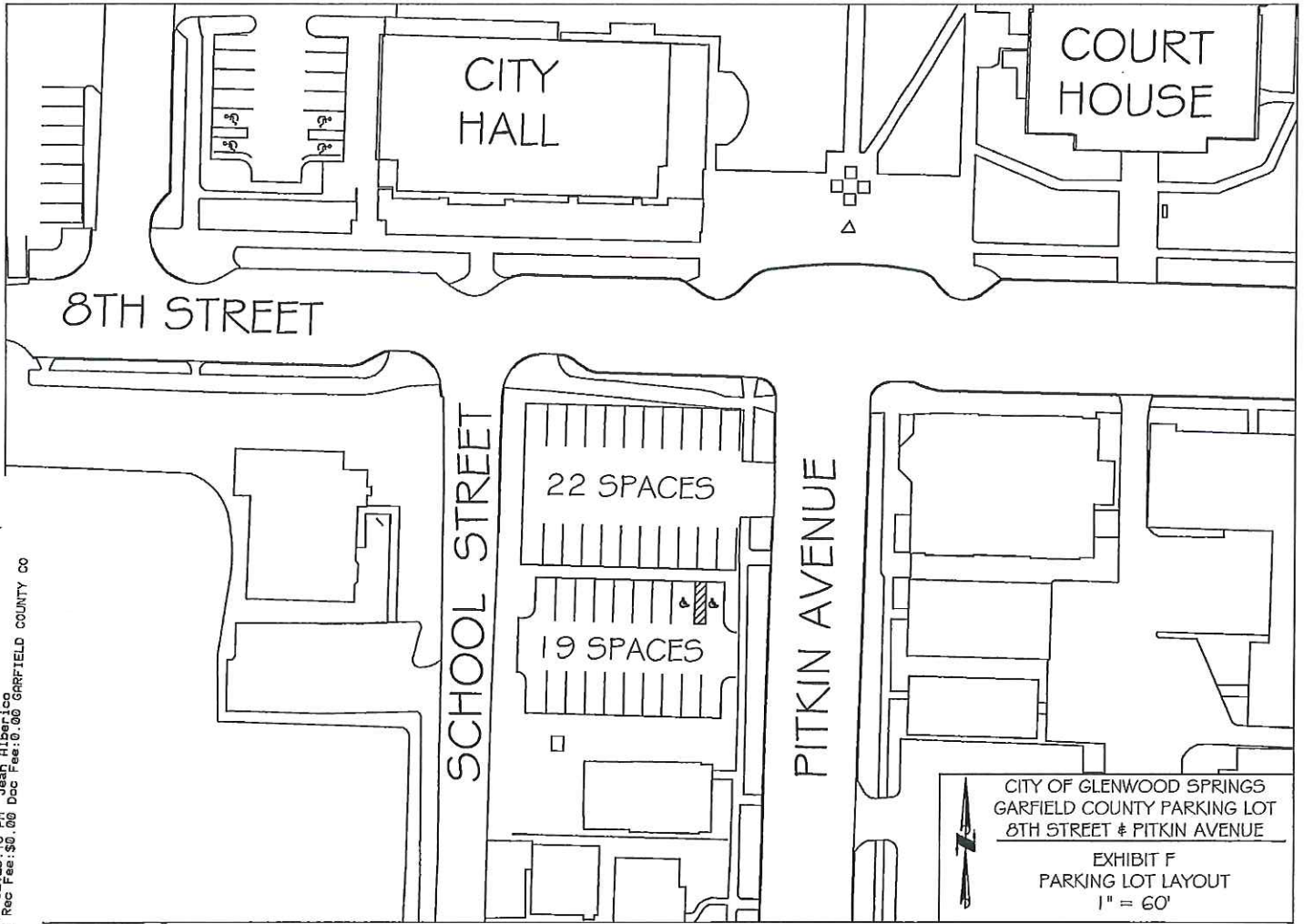
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City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Resolution 2019-13; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting the City of Glenwood Springs Noxious Weed Management Plan.

Action Requested: Adopt Noxious Weed Management Plan

Department: Parks & Recreation

Presented By: Brian Smith, Recreation Director

Background Info: Section 35-5.5-106(1) of the Colorado Noxious Weed Act requires the governing body of each municipality to adopt a noxious weed management plan for lands within its territorial limits. City staff has acted in cooperation with the Garfield County Weed Advisory Board to develop the attached Noxious Weed Management Plan. The Plan provides for the implementation of the Colorado Noxious Weed Act by detailing integrated management options for designated noxious weeds including education, preventative measures, good stewardship and control techniques. Once the Plan is adopted by resolution, staff will draft proposed amendments to the Municipal Code to provide for enforcement of the Plan pursuant to the Code's nuisance abatement procedures.

Issues: NA

Staff Recommendation: Staff recommends the adoption of the Noxious Weed Plan.

RESOLUTION 2019 - 13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ADOPTING THE CITY OF GLENWOOD SPRINGS NOXIOUS WEED MANAGEMENT PLAN

WHEREAS, Section 35-5.5-106(1) of the Colorado Noxious Weed Act provides that the governing body of each municipality shall adopt a noxious weed management plan for all lands within the territorial limits of its jurisdiction; and

WHEREAS, the City of Glenwood Springs has acted in cooperation with the Garfield County Weed Advisory Board to develop the Noxious Weed Management Plan attached hereto as **Exhibit A** (the Plan); and

WHEREAS, the Plan provides guidelines for managing designated noxious weeds which present a threat to the continued economic, environmental and agricultural values of the lands in the City of Glenwood Springs; and

WHEREAS, the Plan provides for the implementation of the Colorado Noxious Weed Act by detailing integrated management options for designated noxious weeds, including education, preventative measures, good stewardship and control techniques; and

WHEREAS, the Plan adopts the noxious weed list as recommended by the Garfield County Weed Advisory Board; and

WHEREAS, City Council has reviewed the Plan and finds that it satisfies the intent and requirements of the Colorado Noxious Weed Act and the recommendations of the Garfield County Weed Advisory Board.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs.

Section 2. The City Council of the City of Glenwood Springs hereby adopts the Noxious Weed Management Plan as set forth on **Exhibit A** attached hereto and incorporated herein and resolves to execute the actions in the Plan.

Section 3. This Resolution shall take effect immediately upon adoption.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF _____ 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City of Glenwood Springs, CO NOXIOUS WEED MANAGEMENT PLAN

**Adopted by the City of Glenwood Springs, CO
2019**



Prepared by the City of Glenwood Springs, CO in cooperation with the
Garfield County Weed Advisory Board

**CITY OF GLENWOOD SPRINGS
NOXIOUS WEED MANAGEMENT PLAN TABLE OF CONTENTS**

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SECTION I – INTRODUCTION

1.01 Executive Summary

- A. The health of our environment is a high priority for residents of Glenwood Springs. The health and productivity of natural plant communities and agricultural lands is threatened by the introduction of numerous invasive alien plants. Without an effective integrated weed management plan these aggressive plants will continue to infest and degrade the lands we value so highly.
- B. Rapid expansion of noxious weeds is an obstacle to maintaining healthy ecosystems and restoring disturbed native plant communities and habitats. Because noxious weeds tend to be highly invasive and harmful to native vegetation, they can quickly dominate many sites and often cause permanent damage to plant communities. Estimates indicate that 100 million acres of private, state, and federal land are infested with noxious weeds in just 11 western states. This is occurring in both disturbed and relatively undisturbed areas.
- C. The intent of the Colorado Noxious Weed Act and the goal of the Garfield County Weed Advisory Board is to curb the degradation of our valued environment by implementing an Integrated Weed Management Plan designed to stop the spread of noxious weeds.
- D. Management of weeds may seem overwhelming, but through developing partnerships at all levels – local, regional and national – we hope to achieve our weed management goals. The challenge for all involved is to develop management systems, support and direction for the prevention of the spread of weeds before the situation becomes even more serious and economically unfeasible.

1.02 Purpose of the Plan

- A. The purpose of the Plan is to provide guidelines for managing designated noxious weeds which represent a threat to the continued economic, environmental and agricultural value of lands in the City of Glenwood Springs. This plan provides for the implementation of the Colorado Noxious Weed Act by detailing integrated management options for designated noxious weeds. Options include education, preventive measures, good stewardship, and control techniques.
- B. The intent is to incorporate those options that are the least environmentally damaging and are practical, timely and economically feasible. It is the responsibility of all landowners to use integrated methods to manage noxious weeds, and the responsibility of local governing bodies to ensure that these plants are managed on public and private lands.

1.03 Enactment Authority

- A. The Colorado Weed Management Act (C.R.S. 35-5.5-101) was signed into state law in 1990 and last amended in 2014. Now known as the Colorado Noxious Weed Act, it states that noxious weeds pose a threat to the natural resources of Colorado.
- B. This plan is designed in accordance with the statutory provisions of the Colorado Noxious Weed Act.
- C. Municipalities shall adopt a weed management plan for all lands within their boundaries. The county and municipalities may cooperate, through an intergovernmental agreement, for the powers and authorities of the act.
- D. The Act directs the Board of County Commissioners to appoint a Weed Advisory Board, whose power and duties are:
 - a) Develop a noxious weed list.
 - b) Develop a Weed Management Plan for managing designated noxious weeds.
 - c) Declare noxious weeds and any state noxious weeds designated by rule to be subject to integrated management.
 - d) Recommend to the Board of County Commissioners that identified landowners be required to submit an integrated weed management plan for managing designated noxious weeds on their properties.

1.04 Colorado, Garfield County and Glenwood Springs Noxious Weed Lists

The Colorado Department of Agriculture's Noxious Weed Program has three noxious weed lists: A, B and C, plus a Watch List:

- A. Species are assigned to one of three State weed lists through the rule-making authority of the Department of Agriculture. The Commissioner of the Department of Agriculture uses a mandatory administrative process to create the lists, subject to the public notice and publication requirements of the State Administrative Procedure Act.
- B. The Colorado Noxious Weed Act requires the Commissioner to review and revise the lists at least once every 3 years, using this public process. Updated State weed lists and notices of departmental rule-making are available electronically through the State of Colorado's websites: www.state.co.us; www.ag.state.co.us and www.sos.state.co.us and through the Office of the Garfield County Vegetation Manager.
- C. State A, B and C Lists. The Colorado Department of Agriculture has determined that "an organized and coordinated effort must be made to stop the spread of noxious weeds." (C.R.S. 35-5.5-102). The rules designate and classify noxious weeds into four categories:
 - a) The State's A list is made up of rare noxious weed species that are subject to eradication, as a matter of law, wherever they are detected in the State, including Garfield County and the City of Glenwood Springs.
 - b) The B list includes species that have differing distributions throughout the State. Specified populations of B list species are subject to eradication, containment, or suppression in identified areas of the state, including portions of Garfield County and the City of Glenwood Springs.
 - c) The State's C list includes weed species that are widespread and well-established, for which the State recommends but does not require control, although Glenwood Springs's Weed Management Plan may require control.

- d) The Watch List was established in 2011 and is non-regulatory and advisory only. It is designed to increase awareness of new invasive species to the State.
- D. The City of Glenwood Springs follows the dictates of the State's rules as to which species on the A and B lists must be eradicated, contained or suppressed and manages those species and the species on its own locally-designated list in accordance with the Weed Management Plan contained in the following Sections II-V and the State Department of Agriculture's administrative rules.
 - a) The County's management plan for species on the State's lists is subject to review every 3 years.
 - b) The Board of County Commissioners may also adopt a revised Weed Management Plan that includes designated noxious weeds not previously included on any list.
 - c) The City of Glenwood Springs may also adopt a revised Weed Management Plan that includes designated noxious weeds not previously included on any list.
- E. In addition to the weeds designated on the State's A, B and C lists, the City of Glenwood Springs has the authority to declare plants as noxious weeds if the plant meets one or more statutorily defined criteria (C.R.S. 35-5.5-104 (16), 35-5.5-107, and 35-5.5-108 (3)).
 - a) The City of Glenwood Springs can also declare those weed species and the weeds on the State's weed lists to be subject to integrated management within city limits.
 - b) The City list is subject to change as the State amends the A, B and C lists and as the City declares species not included on the State's list as noxious.
- F. The City of Glenwood Springs Noxious Weed List as recommended by the Garfield County Weed Advisory Board on February 24, 2014, with Colorado designations listed as A, B or C or NL (Not Listed by the State). The list is current as of adoption of this regulation by the City.

Common Name	Scientific Name	Colorado Weed List
Absinth wormwood	<i>Artemisia absinthium</i>	B
Black henbane	<i>Hyoscyamus niger</i>	B
Bouncing Bet	<i>Saponaria officinalis</i>	B
Bull thistle	<i>Cirsium vulgare</i>	B
Canada thistle	<i>Cirsium arvense</i>	B

Chicory	<i>Cichorium intybus</i>	C
Chinese clematis	<i>Clematis orientalis</i>	B
Common burdock	<i>Arctium minus</i>	C
Common tansy	<i>Tanacetum vulgare</i>	B
Common teasel	<i>Dipsacus fullonum</i>	B
Corn chamomile	<i>Anthemis arvensis</i>	B
Curly dock	<i>Rumex crispus</i>	N
Cutleaf teasel	<i>Dipsacus laciniatus</i>	B
Cypress spurge	<i>Euphorbia cyparissias</i>	A
Dalmatian toadflax	<i>Linaria dalmatica</i>	B
Dame's rocket	<i>Hesperis matronalis</i>	B
Diffuse knapweed	<i>Centaurea diffusa</i>	B
Hoary cress	<i>Cardaria draba</i>	B
Houndstongue	<i>Cynoglossum officinale</i>	B
Jointed goatgrass	<i>Aegilops cylindrica</i>	B
Leafy spurge	<i>Euphorbia esula</i>	B
Mayweed chamomile	<i>Anthemis cotula</i>	B
Meadow knapweed	<i>Centaurea nigrescens</i>	A
Mediterranean sage	<i>Salvia aethiopsis</i>	A
Musk thistle	<i>Carduus nutans</i>	B
Myrtle spurge	<i>Euphorbia myrsinites</i>	A
Oxeye daisy	<i>Leucanthemum vulgare</i>	B
Perennial pepperweed	<i>Lepidium latifolium</i>	B
Plumeless thistle	<i>Carduus acanthoides</i>	B
Poison hemlock	<i>Conium maculatum</i>	C
Purple loosestrife	<i>Lythrum salicaria</i>	A
Russian knapweed	<i>Acroptilon repens</i>	B
Russian olive	<i>Elaeagnus angustifolia</i>	B
Salt cedar	<i>Tamarix parviflora</i>	B
Salt cedar	<i>Tamarix ramosissima</i>	B
Scentless chamomile	<i>Tripleurospermum perforata</i>	B
Scotch thistle	<i>Onopordum acanthium</i>	B
Spotted knapweed	<i>Centaurea stoebe</i>	B
Sulfur cinquefoil	<i>Potentilla recta</i>	B
Yellow starthistle	<i>Centaurea solstitialis</i>	A
Yellow toadflax	<i>Linaria vulgaris</i>	B

- G. The City has the statutory authority to adopt standards that are more stringent than those set by the State Commissioner of Agriculture.
- a) The Parks and Recreation Advisory Board will request such action of the City if and when a species presents a local threat which requires such action.
 - b) The City also has the authority to apply to the State Commissioner of Agriculture for a waiver of Compliance if and when the State Department of Agriculture's mandate that a species be eradicated in a portion of or all of the City of Glenwood Springs is deemed unfeasible.
 - c) If the Commissioner of Agriculture, in consultation with the City, determines that the most cost-effective manner to eradicate designated noxious weeds is for the state to implement an eradication program, the Commissioner may implement such a program through the Department of Agriculture (C.R.S. 35-5.5-108.5(3)(d)).

SECTION II - GENERAL INFORMATION

2.01 Definitions

Act: The Colorado Noxious Weed Act, Title 35 C.R.S., Article 5.5, as amended.

Adjacent: Having a common boundary that meets or touches at some point.

Aggressive: Fast growing, tending to spread quickly.

Agriculture: Uses involving the cultivation of land, production of crops, and/or the keeping of livestock and the preparation of these products for man's use and disposal.

Alien Plant: A plant species that is not indigenous to the State of Colorado.

Annual: A plant that lasts one growing season, completing its life cycle from seed to seed in one year.

Biennial: A plant that lives in 2 calendar years. The first year is usually a vegetative form, such as a rosette of leaves. The second year the plant grows a flowering shoot, sets seeds and dies.

Biological Control: The deliberate introduction of living agents such as insects, vertebrate predators, grazing animals and plant diseases to reduce a noxious weed population.

Biological Management: The use of organisms to disrupt the growth of noxious weeds.

Bolt: To flower or produce seeds prematurely or develop a flowering stem from a rosette.

Bract: A reduced or modified leaf often surrounding the base of a flower.

Browse: Tender shoots, twigs and leaves of trees and shrubs fit for food for wildlife.

Chemical Management: The use of agents or plant growth regulators to disrupt or inhibit the growth of noxious weeds.

City: The City of Glenwood Springs, CO

Commissioners: The Garfield County Board of Commissioners.

Containment: "maintaining an intensively managed buffer zone that separates infested regions, where suppression activities prevail, from largely uninfested regions, where eradication activities prevail." (C.R.S. 35-5.5-103(11.7)(b)).

County: The unincorporated areas of Garfield County.

Cultural Management: Methods or management practices which favor the growth of desirable plants over noxious weeds, including maintaining optimum fertility and plant moisture status in an area, planting at optimum density and spatial arrangement in an area, and planting species most suited to a particular area.

Designated Noxious Weed: A non-native, invasive plant or plant parts that are identified as a threat to native plant communities and included on the Garfield County Noxious Weed List.

Desirable Plants: Plants considered to be advantageous and beneficial to the environmental viability of the County.

Elimination: Removing and destroying live plants of List A or List B species designated for eradication and preventing seed production until the seed source is depleted; considered the first step in the eradication process.

Eradication: "...reducing the reproductive success of a noxious weed species or specified noxious weed population in largely uninfested regions to zero and permanently eliminating the species or population within a specified period of time. Once all specified weed populations are eliminated or prevented from reproducing, intensive efforts continue until the seed bank is exhausted." (C.R.S. 35-5.5-103(11.7)(a)).

Escaped Ornamental: A plant originally intended for horticultural or landscape planting that has escaped its intended boundaries.

Exotic Plant: A plant that is not a regular member of the native or natural community in which it is found.

Forb: A broad-leaved, non-woody plant other than grass that dies back to the ground after each growing season.

Forage: Food for animals, especially when taken by browsing or grazing.

Garfield County Weed Advisory Board: A group of individuals appointed by the BOCC to advise on matters of management of noxious weeds.

Herbaceous: Applies to plants of soft texture whose stems die back to the ground after each growing season; green and leaf-like, not woody.

Infestation: Growth of an undesirable plant which has become harmful or bothersome. There are 3 types of infestation:

1. Heavy: Dense; 25-100% canopy cover.
2. Moderate: Widely scattered plants; 5-25% canopy cover.
3. Light: Occasional plant; less than 5% canopy cover.

Insectary: The Colorado Department of Agriculture Biological Pest Control Division operates the Palisade Insectary, which imports, rears, establishes and colonizes new beneficial organisms for control of specific plant and insect pests.

Integrated Management: The planning and implementation of a coordinated program utilizing a variety of methods for managing noxious weeds, in order to achieve desirable plant communities. Such methods may include but are not limited to education, preventive measures, good stewardship and biological, cultural, herbicide and mechanical management.

Invasive: Aggressive, capable of invading a plant community and creating a monoculture.

Invasive Ornamental: A plant originally intended for horticultural or landscape planting that has escaped its intended boundaries and is capable of invading a plant community and creating a monoculture.

Landowner: Any owner of record of state, municipal or private property including an owner of any easement, right-of-way, or estate within the county.

List A Species: "...rare noxious weed species with discrete statewide distributions that are subject to eradication wherever detected statewide in order to protect neighboring lands and the state as a whole." (C.R.S. 35-5.5-108(2)(a)(I)).

List B Species: "...noxious weed species with discrete statewide distribution that are subject to eradication, containment or suppression in portions of the state designated by the commissioner in order to stop the continued spread of these species." (C.R.S. 35-5.5-108(2)(a)(II)).

List C Species: "...widespread and well-established noxious weed species for which control is recommended but not required by the state, although local governing bodies may require management." (C.R.S. 35-5.5-108(2)(a)(III)).

Lobe: A division or segment of a leaf or other plant part, especially a rounded one.

Local Noxious Weed: Any plant of local importance which has been declared an invasive or undesirable plant by the Garfield County Board of County Commissioners or City of Glenwood Springs.

Management: Any activity that prevents a plant from establishing, reproducing or dispersing itself.

Management Plan: A plan developed by the City of Glenwood Springs and the Garfield County Weed Advisory Board and implemented by the City of Glenwood Springs in order to control the spread of noxious weeds.

Mechanical Management: Methods or management practices that physically disrupt plant growth, including tilling, mowing, burning, flooding, mulching, hand-pulling, shoveling, hoeing and chopping.

Monoculture: A single homogeneous crop without diversity.

Native Plant: A plant species that is indigenous to a particular locale.

Noxious Weed: An alien plant or parts of an alien plant that has been designated as being invasive and undesirable and has been declared a noxious weed by the Garfield County Weed Advisory Board and meets one or more of the following criteria:

1. Aggressively invades or is physically destructive to economic crops or native plant communities.
2. Detrimental directly or indirectly to the environmentally sound management of natural or agricultural ecosystems.
3. Poisonous to livestock.
4. Carrier of detrimental insects, diseases or parasites.

Noxious Weed Management: The planning and implementation of an integrated program to manage undesirable or problematic plant species.

Ornamental: A decorative, aggressive, non-native plant often sold through nurseries, seed catalogues, or spread through seed collection. A threat to native plant species because it has no natural predators and thus competes against the plants of the natural ecosystem.

Perennial: A plant that grows for 3 years or more; usually flowers and produces fruit each year. The above-ground part of the plant may die, but new growth comes from the roots or crown each spring.

Petiole: A slender stem that supports the blade of a foliage leaf.

Rhizome: An elongated subterranean plant stem that produces shoots above and roots below, and is distinguished from a true root by possessing buds, nodes and scale-like leaves.

Rosette: A cluster of closely-crowded leaves in a compact circle, usually at ground level.

State Noxious Weed: Any weed identified by the Colorado Commissioner of Agriculture by rule after notifying and consulting with the State Noxious Weed Advisory Committee.

Subject Lands: All public and private lands within the City of Glenwood Springs.

Suppression: “reducing the vigor of noxious weed populations within an infested region, decreasing the propensity of noxious weeds species to spread to surrounding lands, and mitigating the negative effects of noxious weed populations on infested lands.” (C.R.S. 35-5.5-103(11.7)(c)).

Surfactant: A compound that improves the emulsifying, dispersing, spreading, wetting or other surface modifying properties of liquids.

Watch List: The State Watch List, which is advisory and for educational purposes, includes plant species that have been determined to pose a potential threat to the agricultural productivity and environmental values of the lands of the state.

Wildflower: The flower of a wild or uncultivated plant or the plant bearing it.

Xeriscape: Landscaping with water conservation as a major objective.

2.02 Importation and Cultivation of City, County and State Listed Noxious Weeds

Persons are prohibited from importing seeds, propagating plant parts or live plants and cultivating City of Glenwood Springs, Garfield County and State of Colorado listed weed species within the City except as provided for in C.R.S. 35-5.5-104.5(a). All listed species are non- native and problematic in Glenwood Springs, Garfield County and/or the State of Colorado.

- A. Threat of Escaped Ornamentals. Most plants used for landscaping purposes cannot proliferate outside the cultivated environment of the home garden. Certain exotic plants and seeds were imported to the United States for their aggressive growth habits, xeriscape potential or re-seeding capabilities.
 - a) The escaped ornamentals include bouncing bet, chicory, cypress spurge, the chamomiles, Dalmatian toadflax, dame's rocket, myrtle spurge, oxeye daisy, purple loosestrife, Russian olive, yellow toadflax. The very traits that make these plants desirable for a garden or landscape may also enable them to thrive outside cultivated areas and become fierce competitors with native vegetation.
 - b) Because they exist here without the presence of any natural predators, these plants have the ability to spread extensively and pose a severe threat to the delicate balance of our native ecosystems.
- B. Since various invasive ornamental plants are attractive and establish themselves quickly, they are popular with landscapers and gardeners and may be purchased through certain nurseries in Colorado, in seed catalogues and on the Internet.
 - a) It is imperative to educate landscape architects, gardeners and nursery growers about the need to eliminate such plants from their landscape plans. Otherwise these plants will inevitably escape from the cultivated garden and jeopardize natural wildflower and plant communities.
 - b) Native grasses and forbs, as well as agricultural plantings, cannot compete with invasive ornamental plants for nutrients, sunlight and water. As a result, biologically diverse mountain meadows, grasslands, wetlands and agricultural lands are in danger of being overrun by non-native invasive ornamental plants.

2.03 Integrated Weed Management – Treatment Methods

An integrated approach to noxious weed management is important because no single technique will be effective.

- A. Prevention should always be practiced and is effective on all species of weeds. It is accomplished through good land stewardship, planting weed-free seed, avoiding planting invasive weed species, using weed-free seed mulch and erosion control, using clean equipment and taking legal measures such as quarantines and weed laws.
 - a) Cultural management includes methods or management practices which favor the growth of desirable plants over noxious weeds, including maintaining optimum fertility and plant moisture status in an area, planting at optimum density and spatial arrangement in an area, and planting species most suited to

- a particular area. Techniques include dense seeding, fertilization, mulching, careful irrigation practices, sensible grazing regimes and improved land management practices.
- b) Mechanical management methods or practices that physically disrupt plant growth and include tilling, mowing, burning, flooding, mulching, hand-pulling, shoveling, hoeing and chopping. Mechanical methods are most effective for annual and biennial weeds and less effective for perennials. Equipment should be cleaned thoroughly before moving to un-infested areas to prevent the spread of weeds.
 - c) Biological management involves the use of organisms such as insects and animals to disrupt the growth of noxious weeds. It rarely provides 100% control and must be incorporated with other methods for successful management. Insect species developed to mitigate specific noxious plants are available to the public free of charge from the Colorado Department of Agriculture Conservation Services Division, Biological Control Program, 750 37.8 Rd., Palisade, CO 81526; 866-324-2963 or 970-464-7916.
 - d) Herbicide application. It is extremely important to treat small infestation of certain weeds (List A and B species to be eradicated) as soon as possible. Herbicides are most effective when sprayed at specific stages during the life cycle of the weed. To ensure that small infestations of noxious weeds are controlled or eradicated effectively, it is extremely important to take immediate action on certain weed patches.
- B. The optimum method or methods for weed management will vary depending on a number of site-specific variables:
- a) Factors to be considered should include soil type and stability, grade, associated vegetation, existing and proposed land use, proximity to water, availability of irrigation water, weed type and stage of growth and severity of infestation.
 - b) The management method selected should be the least environmentally damaging, yet practical and reasonable in achieving the desired results.
 - c) When considering weed management on a property, work on the areas that may transport weed seeds. These areas include ditches, streams, roadsides, driveways, trails, livestock-concentrated areas and equipment storage sites.
- C. The Colorado Department of Agriculture has prepared fact sheets for most State-listed noxious weeds. They feature detailed descriptions and photographs of the plants, as well as integrated management for each species. (See Appendix A).
- D. Herbicide application. It is the City's philosophy to minimize the use of herbicides and impacts to desirable vegetation. However, for some species of noxious weeds herbicide application is the only effective method of control. It is extremely important to treat small infestation of certain weeds (List A and B species to be eradicated) as soon as possible. To ensure that small infestations of noxious weeds are controlled or eradicated effectively, it is extremely important to take immediate action on certain weed patches. The City uses hand gun, hand-held or backpack sprayers, utility task vehicles or truck-mounted equipment for selective spot spraying.
- a) No Spray Areas. Anyone living adjacent to a City right-of-way who does not want spraying in front of their property can call the Glenwood Springs Parks

and Recreation Department and request it be listed as a no-spray property. However, the property owner is responsible for elimination of noxious weeds. Only noxious weeds on the A and B State, County and City Lists need to be controlled. Land owners must dig up or mow any noxious weeds before they go to seed. If weeds are not properly managed, the City must resume spraying in order to comply with the Colorado Noxious Weed Act (C.R.S 35-5.5-101). Owners of organic crops or who have pesticide-sensitive crops can also call the City to request no-spray listing. Landowners may place “No Spray” signs on their property adjacent to City rights-of-way. Signs should be readable from the roadside and not impact city road maintenance operations.

- b) Registry of Pesticide-Sensitive Persons. The registry is maintained by the State of Colorado under the regulatory requirements of the Pesticide Applications Act. Notification to registered individuals must be given in accordance with C.R.S 35-10-112, and Part 12 of the PAA rules. Pesticide applicators are required to notify registered individuals prior to application of pesticides on adjacent properties. For information about the registry, call the Colorado Department of Agriculture, 303-239-4146.
 - c) Source Water Protection. A Source Water Protection Plan was developed in 2013 for community drinking water systems in Garfield County. A current list of systems covered under the Source Water Protection Plan is available through the Garfield County Public Health Department. The plan prioritizes source water protection concerns and identifies local source water management approaches that can be implemented to protect the source of drinking water for these communities. It delineates areas around these communities as source water protection areas. Pesticide application was identified a potential source of water contamination. The City of Glenwood Springs is committed to using best management practices when applying herbicides to control noxious weeds. These practices include following label directions and selective spot spraying to ensure direct treatment of noxious weeds and protection of native vegetation and water resources. See Appendix A/Weed Fact Sheets for approved herbicides/controls.
 - d) Changes in herbicide registrations occur constantly. The herbicide label is the legal document on herbicide use. ***Read and follow all directions carefully.*** The use of an herbicide in a manner not consistent with the label can lead to injury of crops, humans, animals and the environment.
 - e) Specific chemical recommendations are available from the Garfield County Vegetation Management Department and/or licensed applicators and are not listed in the Plan. Before using any chemical, thoroughly read the label. Any use of an herbicide inconsistent with the label is neither legal nor recommended. See Appendix A/Weed Fact Sheets or Section 2.05 of this document for recommended herbicides/controls.
- E. The optimum method or methods for weed management will vary depending on a number of site-specific variables. Factors to be considered should include soil type and stability, grade, associated vegetation, existing and proposed land use, proximity to water, availability of irrigation water, weed type and stage of growth and severity of infestation.

- F. The management method selected should be the least environmentally damaging, yet practical and reasonable in achieving the desired results. When considering weed management on a property, work on the areas that may transport weed seeds, including ditches, streams, roadsides, driveways, trails, livestock-concentrated areas and equipment storage sites.

2.04 Cost Share Program

Garfield County offers cost-share programs to assist with noxious weed management. These programs are a partnership between the three local Conservation Districts based in Glenwood Springs and Garfield County. Check with them for information on how they can assist with the costs of managing noxious weeds.

2.05 Description of Designated Noxious Weeds

GARFIELD COUNTY NOXIOUS WEED LIST

The Garfield County Weed Advisory Board encourages all county residents to be knowledgeable about noxious weeds. Below are general descriptions of the County's listed noxious weeds. Locations of some weeds are provided in general terms under their descriptions. Not all locations are listed.

ABSINTH WORMWOOD (*Artemisia absinthium*)

Description: A member of the Sunflower family native to Eurasia, the Middle East and Africa. A long-lived perennial. Reproduces from seed. Grows to roughly 3 feet tall and 2 feet across, with silver-grey leaves and yellow flowers. Smells strongly of sage.

Comments: It is commonly found in disturbed sites with moist soils. Considered poor forage for all but sheep and will taint milk of cows.

Location: Common between Glenwood Springs and Carbondale. Infested sites include the Missouri Heights and Crystal Springs areas. Also spread to South Canyon, Peach Valley and Rulison.

Cultural Control: Cultural controls are possible but time-consuming and expensive. Complete removal of any seedling or newly established plants by continual hand-pulling is possible.

Chemical Control: Treat when plant is 12 inches tall through flowering growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Absinth wormwood* (Appendix A).

BLACK HENBANE (*Hyoscyamus niger*)

Description: A member of the Nightshade family originally introduced from Europe as an ornamental and medicinal herb. Annual or biennial; reproduces from seed. Recognized by its

rosettes, shallowly-lobed leaves with sticky hairs and brownish-yellow flowers with purple veins and a distinctly unpleasant smell. Grows up to 3 feet.

Comments: Poisonous due to alkaloids in all parts of the plant. It is important to protect threatened areas from over-grazing.

Location: Relatively rare. Found in Gibson Gulch west of Divide Creek; reported just west of the West Fork of Stewart Gulch on the Roan Plateau near the Rio Blanco County line.

Mechanical Control: Complete removal of any seedling or newly established plants by continual hand-pulling.

Chemical Control: Treat plants in spring to early summer prior to seed production, in rosette stage. Follow up treatments are recommended to pick up missed or late bolting plants. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Black henbane* (Appendix A).

BOUNCING BET (*Saponaria officinalis*)

Description: Member of the Pink family originally introduced from Europe as a garden plant. Perennial. Reproduces from seed and rhizomatous swollen nodes. Stout oppositely branching and leaved stems. Leaves smooth and narrow. Flowers have 5 light pink to white petals with notches at the end.

Comments: Grows most commonly in wet areas which may restrict the use of certain herbicides. Poisonous.

Location: No Name, Glenwood Springs and New Castle.

Cultural Control: Eliminate seed production while depleting nutrient reserves in the roots. Prevent the establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over-grazing.

Chemical Control: Treat at bolting to bud-growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Bouncing Bet* (Appendix A).

BULL THISTLE (*Cirsium vulgare*)

Description: Member of the Sunflower family introduced from Eurasia as a seed contaminant. Biennial. Reproduces from seed. Only thistle species with leaves that are prickly hair above and cottony below. Heads hairy with composite purple flowers.

Comments: Commonly found in dry to moist environments in full sun. Thrives in highly disturbed, nitrogen-rich, gravelly to clay-textured soils.

Cultural Control: Prevention is the most effective control. Maintain healthy plant communities and monitor for new infestations. Limit seed production. Plants with buds or flowers should be immediately disposed of or destroyed.

Biological Control: *Urophora stylata*, a fly predator lays its eggs in the seed head, then larvae consume the seeds. Crown weevils, *Trichosirocalus horridus*, lay eggs in rosettes and consume the seeds.

Chemical Control: Treat rosettes in spring or fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Bull thistle* (Appendix A).

CANADA THISTLE (*Cirsium arvense*)

Description: A member of the Aster family introduced from Europe. Creeping perennial. Reproduces from seeds and fleshy horizontal roots. Grows 1-4 feet tall. Flowers pink to purple. Leaves lance-shaped, spine-topped lobes. The root is extensive and creeping, forming colonies.

Comments: One of the most widespread and economically damaging noxious weeds in Colorado. Infestations are found in cultivated fields, riparian areas, pastures, rangeland, forests, lawns and gardens, roadsides and in waste areas. Because of its seeding habits, vigorous growth and extensive underground root system, control and eradication are difficult.

Location: Common in Garfield County.

Cultural Control: Best managed through integrated management system that emphasizes competitive, desirable plants. Maintain soil fertility and moisture at optimum levels to favor grass growth.

Biological Control: It is best to release a complex of insects that will stress different parts of the plant: *Ceutorhynchus litura* weevil that stresses the crown of the plant; *Urophora carduii*, a stem and shoot gall fly; *Cassidia rubiginosa*, leaf beetle.

Mechanical Control: Mowing may be effective when repeated at 2 week intervals over a period of several years. Pulling and digging up is ineffective as the plant has an extensive root system.

Chemical Control: Treat in spring during bud to bloom stage or during fall regrowth after the first light frost. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Canada thistle* (Appendix A).

CHICORY (*Chicorium intybus*)

Description: Member of the Sunflower family. Perennial; reproduces from seed. Deep fleshy root and tufted basal leaves that resemble those of a dandelion. Stem multi-branched and can reach over 5 feet tall. Flowers bright blue, purple or occasionally white.

Location: Well established in western Garfield County (Parachute) and is spreading rapidly in other parts of the County.

Cultural Control: Reseed disturbed areas adjacent to chicory infestations with appropriate perennial grasses.

Biological Control: Close grazing by sheep will control chicory in pastures.

Chemical Control: Treat at early growth stage in early spring. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Chicory* (Appendix A).

CHINESE CLEMATIS (*Clematis orientalis*)

Description: Member of the Buttercup family introduced from Asia as a garden ornamental. Herbaceous to wood-vined perennial; reproduces by seed. Native clematis, *C. ligusticifolia*, distinguished from the noxious weed species by groups of small white flowers. Chinese clematis has single yellow flowers.

Comments: Found in well-drained, sunny areas with basic soils. Prefers roadsides, riparian corridors and rocky slopes. Known to cause death in young trees. Entire plant is poisonous, causing internal bleeding when ingested in large amounts.

Location: Glenwood Canyon on both sides of the Colorado River; along the Roaring Fork River south of Glenwood Springs.

Cultural Control: Eradication requires intensive and persistent control efforts to effectively eliminate weed infestations and soil seed reserves. Site must be monitored for 10 years after last flowering plant is destroyed. Prevent the establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over- grazing.

Chemical Control: Treat at flower stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Chinese clematis* (Appendix A).

COMMON BURDOCK (*Arctium minus*)

Description: A member of the Aster family. Biennial. Prolific seed producer. Grows to 6 feet tall with very large leaves and a prickly bur. Flowers are purple and white.

Comments: Grows along roadsides, ditch banks and neglected areas. A very serious threat to sheep as the burs can significantly damage the quality of their wool. May cause severe infections in cattle.

Location: Found throughout Garfield County.

Cultural Control: Minimize soil disturbances, encourage desirable plant growth.

Mechanical Control: Top growth removal through mowing or cutting is effective as is pulling or digging out the plant at flowering or early seed formation.

Chemical Control: Treat rosettes in late spring or early fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Common burdock* (Appendix A).

COMMON TANSY (*Tanacetum vulgare*)

Description: A member of the Sunflower family introduced from Europe as a medicinal herb. Perennial. Reproduces from seed and creeping rootstalks. Button-shaped flower heads that lack petals. Foliage has a strong smell when crushed.

Comments: Poisonous. Found most commonly in full sun on fertile, well- drained soils along roadsides, streams, irrigation ditch banks and pastures. Undesirable forage for livestock.

Location: Roaring Fork Valley along irrigation ditch banks. Isolated patches have been found along Elk Creek west of New Castle, and along the Colorado River south of Silt.

Cultural Control: Preventing establishment and seed production, and minimizing disturbance and seed dispersal are the most effective. Keep native community healthy. Maintain healthy pastures and avoid over- grazing.

Chemical Control: Treat when bolting to bud growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Common tansy* (Appendix A).

COMMON TEASEL (*Dipsacus fullonum*)

Description: A member of the Teasel family introduced from Europe. Biennial or sometime perennial forb; reproduces from seeds. Egg-shaped purple or white flowers at the top of each stem. Can grow to over 6 feet in height.

Comments: Commonly found in open, sunny areas. Prefers moist habitats such as ditches and rivers, however it appears to be moving to drier areas. Each plant can produce 2,000 seeds that remain viable for 2 years.

Location: Found in one location in Garfield County in Battlement Mesa at the golf course.

Cultural Control: The key to controlling is to eliminate seed production and exhaust the seed bank. Prevent the establishment of new infestation by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over- grazing.

Chemical Control: Treat spring or fall rosettes. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Common teasel* (Appendix A).

CORN CHAMOMILE (*Anthemis arvensis*)

Description: A member of the Sunflower family. Annual. Reproduces from seed. Small daisy-like flowers. Bushy branched plant that grows 10 to 30 inches.

Comments: Most commonly found in moist, poorly-drained soils. Tends to increase in abundance in years of above-average precipitation.

Location: While rare, it is found in Beaver Creek and throughout the County in small numbers.

Cultural Control: Prevent the establishment of new infestations by minimizing disturbance and eliminating seed dispersal. Continue to deplete seed bank from 4 to 6 years. Reseed infested areas to reduce infestation.

Chemical Control: Treat when plant is in rosette or bolting growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Corn chamomile* (Appendix A).

CURLY DOCK (*Rumex crispus*)

Description: A member of the Buckwheat family native to Eurasia. Robust, tap-rooted perennial. Grows 2 to 5 feet tall. Stems are erect; leaves basal with curly or wavy margins. Flowers small and in dense green, spike-like clusters.

Comments: Common in wet meadows and along ditch banks.

Location: Scattered throughout the County, in particular the Roaring Fork and Colorado River valleys.

Cultural Control: Treating before the plant seeds is the key to control. Maintain range and pasture in good condition. Promote healthy grass growth through proper irrigation and fertilization. Do not over-graze.

Chemical Control: Apply when plant is in rosette stage, in spring or fall, prior to bolting to eliminate seed production. For specific treatments for rangeland and pasture sites, contact Garfield County Vegetation Management.

CUTLEAF TEASEL (*Dipsacus laciniatus*)

Description: A member of the Teasel family introduced from Europe. Biennial, Reproduces from seed. Egg-shaped purple or white flowers at the top of each stem. Can grow to over 10 feet in height.

Comments: Commonly found in open, sunny habitats. Prefers moist areas such as ditches and rivers, however it appears to be moving to drier areas. Each plant can produce 2,000 seeds that remain viable for 2 years. More aggressive than common teasel.

Location: Not known in Garfield County at this time.

Cultural Control: The key to removing cutleaf teasel is to eliminate seed production and exhaust seed bank.

Chemical Control: Treat spring or fall rosettes. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Cutleaf teasel* (Appendix A).

CYPRESS SPURGE (*Euphorbia cyparissias*)

Description: A member of the Spurge family introduced from Eurasia; an invasive ornamental. Low-growing perennial that overwinters as root and crown tissue. Reproduces from seed. Leaves are stalkless, alternate, narrow and linear to lance-shaped. Flowers are yellowish-green usually turning reddish-green towards maturity.

Comments: Leaves and stems emit a milky, toxic sap when broken. Sap is an irritant and may cause dermatitis or rashes. The soil seed reserve is estimated to be at least 8 years.

Location: Found in the Crystal Springs area and in landscaping situations in Carbondale and Glenwood Springs.

Cultural Control: The most important consideration is replacing it in nurseries with alternative native or non-invasive cultivated plants. Remove plants before seed is set, in moist conditions. Be sure to wear gloves due to the toxic milky sap. Prevent establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over-grazing.

Chemical Control: Treat at flowering stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Cypress spurge* (Appendix A).

DALMATIAN TOADFLAX (*Linaria dalmatica*)

Description: A member of the Figwort family introduced as an ornamental from Europe. A creeping, aggressive perennial and escaped ornamental with stems from 2 to 4 feet tall. Flowers are snapdragon-shaped, bright yellow, with orange centers; leaves are waxy and heart-shaped.

Comments: Especially well-adapted to arid sites and can spread rapidly once established. Because of its deep, extensive root system, and heavy seed production, this plant is difficult to manage.

Location: Common in Glenwood Springs, Three Mile Creek, Four Mile Creek and one isolated patch up Slaughter Gulch north of Peach Valley.

Biological Control: The defoliating moth, *Calophasia lunula*, has been released on Dalmatian and yellow toadflax. It may defoliate up to 20% of the leaves of the plant. *Mecinus janthinus*, a stem-boring weevil, is capable of killing a large portion of the above-ground plant by boring into and killing stems where the larvae feed and live.

Cultural Control: Reseed disturbed areas adjacent to toadflax infestation with appropriate perennial grasses.

Mechanical Control: Repeated mowing 2 to 3 times a year will slow spread and reduce seed production.

Chemical Control: Treat at flower stage or in the fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Dalmatian toadflax* (Appendix A).

DAME'S ROCKET (*Hesperis matronalis*)

Description: A member of the Mustard family from Eurasia. Biennial or short-lived perennial forb; a prolific seed producer. Flowers have 4 white or purple petals on terminal stalks. Leaves are lance-shaped with toothed margins and are 2 to 4 inches long and slightly hairy.

Comments: Found most commonly in areas that have moist, well-drained soils and full sun to light shade.

Location: No Name and along Midland Avenue in Glenwood Springs.

Mechanical Control: Locate and remove plants before seeds are allowed to set. The seed bank must be monitored until it is depleted. Check wildflower seed mix to make sure this plant is not included. Prevent the establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid overgrazing.

Chemical Control: Treat when plant is in rosette or bolting stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Dame's rocket* (Appendix A).

DIFFUSE KNAPWEED (*Centaurea diffusa*)

Description: A member of the Aster family introduced from Europe. Biennial or short-lived perennial forb; reproduces from seed. Usually produces a single main, multi-branched stem that is 1½ to 2 feet tall. Flower is white or pink with bracts.

Location: The largest infestation in Garfield County is located west of the Riverbend subdivision southeast of New Castle; scattered along Interstate 70 between Rifle and Parachute and south of Glenwood Springs at the Glenwood Airport and old rodeo grounds and Rifle Creek Golf Course.

Cultural Control: Reseeding of disturbed sites with fast growing grasses helps prevent diffuse knapweed establishment.

Mechanical Control: Hand-pulling has been effective, if repeated persistently over time.

Biological Control: A root-boring weevil, *Cyphocleonus achates*, weakens plants by destroying the root system. The weevil larvae of *Larinus minutus* feed within the seedhead and cause defoliation.

Chemical Control: Apply to spring to early rosette or bolt stage of growth, or fall rosettes. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Diffuse knapweed* (Appendix A).

HOARY CRESS (*Cardaria draba*)

Description: Also known as whitetop. A member of the Mustard family probably introduced from Europe in alfalfa seed. A very competitive, deep-rooted perennial that reproduces by root segments and seed. Grows erect from 10 to 18 inches high and has a grey-white colored leaf. Flowers are white and numerous in compact, flat-topped clusters which give the plant its name.

Comments: One of the earliest perennial weeds to emerge in the spring, producing flowers in May or June. Grows in waste places, cultivated fields and pastures, and is capable of vigorous growth.

Location: Common in Garfield County.

Cultural Control: Mowing or cultivation effectiveness will be increased if other plants like perennial native grasses or alfalfa are seeded in the hoary cress stand as competitors. Maintain range and pasture in good condition. Promote healthy grass growth through proper irrigation and fertilization. Do not over-graze.

Mechanical Control: Removal of top growth is somewhat effective. Repeated treatments may reduce seed production and spread.

Chemical Control: Treat at the early bud stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Hoary cress* (Appendix A).

HOUNDSTONGUE (*Cynoglossum officinale*)

Description: A member of the Borage family introduced from Europe. Biennial. Prolific seed producer. Grows 1½ to 3 feet high with reddish- purple flowers. Basal leaves resemble a dog's tongue in shape.

Comments: Its small nutlets attach to and are rapidly spread by people, domestic animals, wildlife and vehicles. Grows on ranges, pastures, trails and roadsides and is toxic to horses and cattle, as it contains alkaloids that may cause liver cells to stop reproducing.

Location: Widespread throughout Garfield County.

Cultural Control: Reseed disturbed sites with fast-growing native grasses. Maintain range and pasture in good condition. Promote healthy grass growth through proper irrigation and fertilization. Do not over-graze.

Mechanical Control: Physical removal of the plant at flowering or in early seed formation, by pulling or digging, will break the cycle of the plant.

Chemical Control: Treat in spring or fall rosettes. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Houndstongue* (Appendix A).

JOINTED GOATGRASS (*Aegilops cylindrica*)

Description: A member of the Grass family, Barley tribe. A non-native grass introduced from Turkey. Winter annual, reproduces from seed. Grows 15 to 30 inches tall in erect stems which branch at the base to give the plant a tufted appearance.

Comments: Established in many winter wheat-growing areas of North America. The seeds are very similar in size and shape to wheat seed and therefore are difficult to screen out. Found along roadsides, in waste areas, fields and pastures.

Location: Found in the Harvey Gap area, in West Mamm Creek, in fields adjacent to Parachute Creek, in scattered locations along county roadsides in the Silt and New Castle areas, and in Wallace and Spring Creeks.

Cultural Control: The key to control is to prevent the grass from becoming established in fields by cleaning equipment. Plant competitive native grasses.

Mechanical Control: Tillage can be effective when plants are in the seeding stage. The main goal is to prevent seed production and spread.

Chemical Control: Treat in early spring, late summer, or early fall when the plant is germinating, to prevent seed production. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Jointed goatgrass* (Appendix A).

LEAFY SPURGE (*Euphorbia esula*)

Description: A member of the Spurge family, introduced from Europe. A creeping perennial that grows up to 3 feet tall and reproduces by vigorous root stalks and seed. Roots can extend as deep as 30 feet from a plant that grows 1 to 3 feet tall, with pale green shoots and small yellow-green flowers.

Comments: The plant, including the root, has milky latex that is damaging to eyes and sensitive skin. Extremely difficult to control because of its extensive sprouting root. Adapted to a wide variety of Colorado habitats and very competitive with other plants species. If it becomes established in rangeland, pasture and riparian sites, it may exclude all other vegetation due to its competitive nature.

Location: Primarily found in Wallace and Spring Creeks in western Garfield County. Individual plants have been located throughout Garfield County.

Biological Control: Sheep or goats will graze leafy spurge. If livestock graze it after seed formation, hold animals in a corral for at least 7 days before moving them to an uninfested area to avoid seed spread. Several flea beetles, *Apthona spp.*, produce larvae that bore into roots and the adults feed on the leaves. *Oberea erythrocephala*, a stem and root crown-mining, long-horned beetle, and *Spurgia esulae*, a shoot tip gall midge, are also available. The leafy spurge hawk moth, *Hyles euphorbiae*, deposits its eggs which then consume the leaves and bracts of the plant.

Cultural Control: Any activity that encourages vigorous grass growth is very important. Over-grazing stresses grasses and makes them less competitive to leafy spurge.

Mechanical Control: Mowing leafy spurge at 14 to 21-day intervals may cause higher susceptibility to fall-applied herbicides.

Chemical Control: Treat after full bloom or in the fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Leafy spurge* (Appendix A).

MAYWEED CHAMOMILE (*Anthemis cotula*)

Description: A member of the Sunflower family introduced from Europe. A bushy annual that reproduces prolifically from seed. Mature plants are one-half to 2 feet tall with finely dissected alternate leaf structures. White ray flowers.

Comments: Each plant is capable of producing 960,000 seeds that are viable for up to 6 years. The most distinguishing feature is the unpleasant odor it emits. Most commonly found in a wide range of soils but prefers moist poorly-drained soils. Increases in abundance in years of above-average precipitation. Can cause skin rashes, blistering of livestock muzzles, and irritation to the mucous membranes of grazing livestock. Can impart a strong flavor to the milk of dairy animals.

Location: While rare, may be found in Beaver Creek and throughout the County in small numbers.

Cultural Control: Prevent establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over-grazing. Mowing is an effective method before the seed is set. Perennial grasses should be reseeded for several years. Seed bank must be monitored for 4 to 6 years.

Chemical Control: Treat from rosette to bolting stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Mayweed chamomile* (Appendix A).

MEADOW KNAPWEED (*Centaurea nigrescens*)

Description: A member of the Sunflower family introduced from Europe as a forage species. Perennial. Reproduces from seed. Pink to purple flower heads that are solitary at the tips of branches. Grows 20 to 40 inches with many branches. Leaves up to 6 inches long and 1 inch wide.

Comments: When disturbed, has the ability to re-sprout from root and crown fragments. Found most commonly in moist sites, irrigated pastures, moist meadows, river banks, streams, irrigation ditches, roadsides and openings in forested area.

Location: Found in the upper Dry Hollow area south of Silt.

Cultural Control: Prevent the establishment of new infestations by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over-grazing. Since meadow knapweed has only been found in small quantities in Colorado, preventing populations from spreading is the most important consideration. Eradication requires intensive work to eliminate seed dispersal and deplete the seed bank. An integrated management plan utilizing hand-pulling, herbicides and cultural remediation is the most effective method.

Chemical Control: Treat in spring to early summer during bolting to bud growth stages or in fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets *Meadow knapweed* (Appendix A).

MEDITERRANEAN SAGE (*Salvia aethiopsis*)

Description: A member of the Mint family introduced from northern Africa. Biennial or short-lived perennial. Reproduces from seed. Very hairy rosette of leaves during both the first and second years. During the second year the plant bolts and sends up stems that end in white to yellowish-white flower clusters. Flowers will eventually form 4 nutlets with dark veins.

Comments: When crushed, the leaves have a pungent odor. Most commonly found on rangeland but will invade riparian areas, forests, roadsides and dry pastures. Prefers south-facing slopes in loose, gravelly, well-drained soils. Once established, has the capability to adapt to numerous conditions and form dense monocultures. In the fall of the second year, the stem breaks off and forms a tumbleweed, dispersing 100,000 seeds. Unpalatable to livestock.

Location: The only known County location is on the south-facing slope surrounding the No Name Tunnel on Interstate 70 and along the Colorado River bikepath.

Cultural Control: Prevent establishment of new infestations by minimizing disturbance and seed dispersal while keeping native community healthy. Maintain healthy pastures and avoid over-grazing. Hand pull or shovel when soil is moist, before flowering, and turn over to dry out. If flowering, collect specimens and bag them carefully to collect all seeds. Seed bank must be monitored for years. Sites must be monitored for 10 years after plant is eradicated.

Chemical Control: Apply in spring during rosette to bolting growth stages. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Mediterranean sage* (Appendix A).

MUSK THISTLE (*Carduus nutans*)

Description: A member of the Aster family introduced from Eurasia. A winter annual or biennial; reproduces from seed. First year growth is a large, compact rosette from a large, fleshy, corky taproot. Second year stem is erect, spiny, 2 to 6 feet tall and branched at the top. Waxy leaves dark green with light green midrib and mostly white margins; flowers purple or occasionally white.

Comments: Commonly found in pastures, roadsides and waste places. Prefers moist bottomland soil, but can also be found on drier uplands.

Location: Scattered throughout the County; heaviest in the Crystal River Valley.

Cultural Control: Musk thistle, like other biennial thistles, thrives on disturbance.

The best management is to minimize disturbance. If it does occur, be certain to revegetate with competitive grasses.

Biological Control: A weevil, *Trichosirocalus horridus*, attacks the crown area of the rosettes and weakens the plant before it bolts. This weevil has reduced stand density in areas where it has become well established.

Chemical Control: Treat rosettes in spring or fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Musk thistle* (Appendix A).

MYRTLE SPURGE (*Euphorbia myrsinites*)

Description: A member of the Spurge family introduced from Eurasia as an ornamental. Perennial. Reproduces from seed. Capable of projecting seeds up to 15 feet. Blue-green waxy leaves. Plants emit a toxic milky latex when stems are broken. Flowers yellow-green petal-like bracts that appear from March to May.

Comments: A popular plant in xeriscapes and rock gardens. Prefers sunny to partly sunny areas in well-drained soils. Poisonous if ingested; milky sap causes blisters upon contact. Most important consideration is replacing it in nurseries with alternative native or non-invasive cultivated plants. Remove plants before seed is set, in moist conditions.

Location: Fairly common in Glenwood Springs and Battlement Mesa. Isolated patches have been found in Westbank, Peach Valley and New Castle.

Cultural Control: Area must be monitored for 9 years after last flowering plant is eradicated. Prevent the establishment of new infestation by minimizing disturbance and seed dispersal, while keeping native community healthy. Maintain healthy pastures and avoid over- grazing.

Mechanical Control: Hand pull or dig when soil is moist. Make certain to pull all the roots and wear rubber gloves and eye protection to protect yourself from the toxic milky sap. Treatment follow-up is important to check root fragment re-sprouts that will occur when the taproot is not completely removed.

Chemical Control: Treat at flowering stage in spring or fall regrowth. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Myrtle spurge* (Appendix A).

OXEYE DAISY (*Chrysanthemum leucanthemum*)

Description: A member of the Aster family; a native of Eurasia. Rhizomatous perennial, escaped ornamental. White ray and yellow disk flowers, which bloom from June through August.

Comments: Commonly sold in wildflower seed mixes or transplanted as an ornamental despite its tendency to crowd out more desirable vegetation.

Location: A rapidly spreading weed in Garfield County on the increase along Main Elk Creek, East Elk Creek, Canyon Creek, Crystal Springs, Missouri Heights and Four Mile Creek.

Mechanical Control: Hand pull or dig when soil is moist.

Chemical Control: Treat at flowering stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Oxeye daisy* (Appendix A).

Education: The key to oxeye daisy management is to create an awareness among homeowners, nurseries, landscapers and landscape architects that oxeye is a noxious weed and therefore should not be specified in plantings, sold in nurseries or planted in home gardens or large-scale landscape projects.

PERENNIAL PEPPERWEED (*Lepidium latifolium*)

Description: A member of the Mustard family introduced from southern Europe and western Asia as a contaminant in sugar beet seed. Perennial. Reproduces from seed, roots and shoots. One to over 3 feet in height and has waxy leaves with a white midrib. White flowers in dense round clusters at branch tips.

Comments: Can grow in a variety of habitats but frequently found in moist soils such as riparian areas, wetlands, marshes, irrigation ditches, canals and floodplains. Alters ecosystems by acting as a “salt pump,” pulling salts from deep in the soil and excreting them on the surface. Change in soil pH alters biodiversity drastically and decreases agriculture and pasture production. Extremely invasive. The best method is prevention. In order to control this plant intensive use of herbicides and revegetation must be utilized.

Location: Scattered throughout central to western Garfield County, with the largest infestation found along Parachute Creek.

Cultural Control: Prolonged spring flooding of new growth will kill pepperweed. Reestablishment of native and desired plants can take years. Re- plantings must be repeated.

Chemical Control: Apply when plant is in bolting to early flower growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Perennial pepperweed* (Appendix A).

PLUMELESS THISTLE (*Carduus acanthoides*)

Description: A member of the Aster family introduced from Eurasia. Winter annual or biennial; prolific seed producer. Distinguished from musk thistle by smaller flowers from ½ to 1 inch in diameter. Leaves lack prominent white margin present on musk thistle leaves. May grow to 5 feet or more. Flowers reddish-purple, either solitary or clustered.

Comments: Found in pastures, river valleys and along roadsides.

Location: Common in southern Garfield County; rapidly spreading south of Battlement Mesa.

Biological Control: A weevil, *Trichosirocalus horridus*, attacks the crown area of rosettes and weakens the plant before it bolts. This weevil has reduced stand density in areas where it has become well established.

Cultural Control: Like other biennial thistles, it thrives on disturbance. The best management is to minimize disturbance and revegetate with competitive species.

Mechanical Control: Mowing is generally not effective due to the plant's capacity for rapid regrowth. Hand cutting is not effective unless there are repeated follow-up treatments and should only be conducted if there is a commitment to follow-up efforts. Plumeless tends to branch out where it is cut and then re-flowers. Pulling can be very effective, especially after a light rain. Hand-pulling with a good set of gloves is preferable to shoveling which disturbs the ground creating a potential seedbed for future infestations.

Chemical Control: Treat rosettes in spring or fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Plumeless thistle* (Appendix A).

POISON HEMLOCK (*Conium maculatum*)

Description: A member of the Parsley family. A biennial forb native to Europe. Grows 4 to 10 feet tall. Has white flowers in an umbrella-like cluster. Leaves are shiny green and finely divided, with a musty odor.

Comments: Seeds may remain viable in soil for about 3 years. All parts of the plants are highly poisonous. Found along streams, ditch banks and pasture borders. Highly poisonous.

Location: Garfield and Baldy Creeks.

Cultural Control: The key to control is containment and prevention. Pulling the taproot when the soil is moist can be effective. When the plants are present, the use of herbicides is critical.

Biological Control: Larvae of the hemlock moth, *Agonopterix alstroemeriana*, feed on the leaves, stem, flowers and seeds causing severe defoliation and death of the plant.

Mechanical Control: Deplete root reserves and reduce seed production with repeated mowing.

Chemical Control: Treat in early spring. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Poison hemlock* (Appendix A).

PURPLE LOOSESTRIFE (*Lythrum salicaria*)

Description: A member of the Loosestrife family introduced from Europe; an escaped ornamental. Prolific seed producer, able to produce over 10,000 seeds per square yard. Erect, square stem; can reach 1½ to 8 feet tall. Magenta-colored flowers.

Comments: Highly aggressive invader species found in most wetland sites throughout the state. If left unchecked, a wetland will eventually become a monoculture of loosestrife, posing a severe threat to waterfowl habitat and impeding water flow in irrigation ditches.

Location: Tara Park in Silt and the Westbank subdivision in Glenwood Springs.

Mechanical Control: Include hand-pulling, mowing and flooding. Hand-pulling is effective only on small plants, when infestations are detected early. The root system must be completely removed, since the root sections can sprout and form new plants.

Chemical Control: Cut and properly dispose of flower heads before chemical treatment. Treat in summer. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Purple loosestrife* (Appendix A).

RUSSIAN KNAPWEED (*Acroptilon repens*)

Description: A member of the Aster family introduced from Europe. Perennial that reproduces from seed with an extensive underground root system. Ridged stems are stiff and 1 to 3 feet high, with thistle-like flowers that are lavender to white.

Comments: Very difficult to control or eradicate once it becomes established. Grows in cultivated fields, along ditch banks, fence rows, roadsides and in waste places. Toxic to horses, and will cause death if consumed over a period of time.

Location: Very common in Garfield County; most common in Dry Hollow, Silt Mesa and Missouri Heights.

Cultural Control: A single control strategy such as mowing or an herbicide usually is not sufficient. Tends to form monocultures by eliminating other plants. Sowing desirable plant species is necessary after the weed is controlled. Research indicates that the native grasses streambank wheatgrass and thick-spike wheatgrass will establish in an area after Russian knapweed is suppressed with herbicides. If the stand is not too old and grasses are still present, stimulating grass growth by irrigation, where possible, should increase grass competition with knapweed and keep it under continual stress.

Mechanical Control: Repeated mowing combined with herbicide applications will gradually stress the plant.

Chemical Control: Treat in spring to bud stage or to dormant plants in fall after the first freeze. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Russian knapweed* (Appendix A).

RUSSIAN OLIVE (*Elaeagnus angustifolia*)

Description: Member of the Oleaster family. A hardy, fast-growing tree from Europe, Russian olive has been promoted for windrow and ornamental plantings. Many reach heights from 10 to 25 feet. Trunks and branches armed with 1 to 2 inch woody thorns. Leaves covered with small scales which give the foliage a distinctive silvery appearance. Fruit berry-like and silvery when first formed but turns brown at maturity.

Comments: Once imported as a wind-break, it has spread to riparian areas throughout the County where it is becoming the dominant plant. It has invaded cottonwood areas along streams, and impacted wildlife and bird habitat.

Location: Very common along the Colorado River and other drainages especially between Silt and Rifle in western Garfield County.

Cultural Control: Plant native trees or less aggressive introduced trees. In riparian areas, establish native riparian vegetation.

Mechanical Control: Small trees may be controlled mechanically by using an appropriate tool or shovel.

Chemical Control: Treatments include cut-stump, foliar or basal bark. Timing varies; avoid late spring and early summer during heavy sap flow. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Russian olive* (Appendix A).

SALT CEDAR (*Tamarix ramosissima*, *Tamarix parviflora*)

Description: A member of the Tamarisk family. Deciduous or evergreen shrub or small tree, 5 to 25 feet tall.

Comments: May live 50 to 100 years. Tolerance to saline and alkaline soil and water. Copes with high concentrations of dissolved solids by absorbing them through its roots and excreting salts through glands in its stem and leaves which eventually form a saline crust on the soil. A single plant of salt cedar will use about 200 gallons of water a day while it is actively growing. Leaves small and scale-like, on highly branched slender stems. *Ramosissima* flowers are 5-petaled and pink to white; *Parviflora* flowers are 4-petaled.

Location: Widespread throughout Garfield County in riparian areas.

Biological Control: Tamarisk leaf beetle, *Diorhabda carinulata*, has been released along the mainstem of the Colorado River in western Garfield County and some tributaries, and is now established. Adult and larvae cause defoliation.

Cultural Control: Establish native riparian vegetation.

Mechanical Control: Historically, salt cedar management projects have included root plowing and raking, dozing, mowing and prescribed burning. These methods provide only short-term benefits and are labor intensive.

Chemical Control: Treatments include cut-stump, foliar or basal bark. Timing varies; avoid late spring and early summer during heavy sap flow. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Salt cedar* (Appendix A).

SCENTLESS CHAMOMILE (*Tripleurospermum perforata*)

Description: A member of the Sunflower family introduced from Europe. Annual, biennial or short-lived perennial forb; reproduces by seed. Flowers are daisy-like with 1 yellow centered flower with white petals for every stem. Leaves are alternate, finely divided, fernlike, odorless when crushed. Stems can grow 3 to 6 feet tall.

Location: While rare, may be found throughout the County in small numbers.

Comments: Scentless chamomile is most commonly found in moist areas such as hayfields, pastures, roadsides, stream banks, fence lines and drainages. A single plant can produce 300,000 seeds. Has the potential to be devastating in agricultural settings because it causes blistering on livestock muzzles and irritation to mucous membranes.

Cultural Control: Any practice that aids in the establishment of forage into a firm moist seedbed will help reduce growth. Integrated management is the most effective method for controlling scentless chamomile. A combination of tillage, herbicide and competitive cropping can be very effective in preventing seed production and crowding out infestations.

Chemical Control: Treat in rosette or bolting stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Scentless chamomile* (Appendix A).

SCOTCH THISTLE (*Onopordum acanthium*)

Description: A member of the Aster family introduced from Europe or eastern Asia. A biennial that can reach a height of 8 feet. Rosette forms the first year and can have leaves up to 2 feet long and 1 foot wide. The second year the plant produces flowers that are reddish-purple to violet.

Comments: Found primarily along roadsides and railroads, but can become an impassable obstacle to livestock on rangeland and pastures.

Location: Common in the County. The worst infestations are located between Glenwood Springs and New Castle.

Cultural Control: Reseed disturbed sites with appropriate perennial grasses.

Mechanical Control: Digging the plant at the rosette stage is effective.

Chemical Control: Treat rosettes in spring or fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Scotch thistle* (Appendix A).

SPOTTED KNAPWEED (*Centaurea stoebe*)

Description: A member of the Aster family, native to central Europe. Short-lived, non-creeping perennial that reproduces from seed and forms a new shoot each year from a taproot. One or more shoots up to 4 feet tall. Flowers lavender to purple.

Comments: Occupies dry meadows, pastures, stony hills, roadsides and the sandy or gravel flood plains of streams and rivers, where soils are light textured, well-drained and receive summer precipitation. Tolerates dry conditions similar to diffuse knapweed, but will survive in higher moisture areas as well. One of the most invasive, aggressive weeds to plague the western United States.

Location: Scattered, isolated patches are increasing in the County. A large infestation is located just west of the Riverbend subdivision southeast of New Castle. Also North Dry Fork northwest of DeBeque, the East Divide area, Cardiff area south of Glenwood Springs, and Battlement Creek.

Biological Control: A root-boring weevil, *Cyphocleonus achates*, weakens plants by destroying the root system. The weevil larvae of *Laridus minutus* feed within the seedhead and cause defoliation.

Cultural Control: If desirable grass competition is evident in spotted knapweed stands, judicious herbicide application that does not injure grasses may release them to compete effectively with the weeds. Irrigation may help stimulate grass competition in these cases. Seeding suitable perennial grasses is necessary to prevent weed reinvasion.

Chemical Control: Treat spring or fall rosettes. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Spotted knapweed* (Appendix A).

SULFUR CINQUEFOIL (*Potentilla recta*)

Description: A member of the Rose family introduced from Eurasia. Perennial, reproduces from seed. Leaves are palmately compound with 5 to 7 toothed leaflets. Flowers light yellow with 5 petals, seeds are coated with a net-like pattern.

Comments: Most commonly found in disturbed areas such as roadsides and pastures. Prefers dry, sandy, gravelly and rocky soils that receive 13 to 50 inches of annual precipitation. Unpalatable to livestock due to a high concentration of phenolic tannins. Can live for 20 years.

Location: Found in South Canyon.

Cultural Control: Small infestations can be controlled by hand pulling while larger infestations are commonly controlled with herbicides. Re-vegetation should focus on improving the competitiveness of native communities. Increasing the competitiveness of native communities can prevent the establishment of sulfur cinquefoil. As with all weeds, disturbance and bare ground should be avoided.

Chemical Control: Treat anytime during the growing season. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Sulfur cinquefoil* (Appendix A).

YELLOW STARHISTLE (*Centaurea solstitialis*)

Description: A member of the Aster family introduced from Europe. Annual; prolific seed producer. Grows two to 3 feet tall. Flowers are yellow, located singly on ends of branches, armed with sharp straw-colored thorns up to $\frac{3}{4}$ inches long.

Comments; In California alone, this plant has infested more than 20 million acres. “Chewing disease” results when horses are forced to eat yellow starthistle.

Location: No known infestations in the County, however there have been reports in the past of single plant infestations.

Biological Control: A seed-feeding beetle, *Bangasterus orientalis*, has been released in California and Idaho. Seed weevils and seed flies have also been released.

Cultural Control: Vigorous competitive grass is essential to maintain a plant community’s resistance to starthistle invasion.

Mechanical Control: Mowing or cutting is rarely effective.

Chemical Control: Treat during rosette growth stage. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Yellow starthistle* (Appendix A).

YELLOW TOADFLAX (*Linaria vulgaris*)

Description: A member of the Figwort family sometimes called common toadflax or “Butter and Eggs.” Introduced from Europe. Escaped ornamental perennial reproducing by seed and rootstalk. Flowers bright yellow with deep orange centers that resemble the snapdragon.

Comment: Has now become a serious problem to rangelands and mountain meadows. Does well in all types of soils. Its displacement of desirable grasses not only reduces ecological diversity, but also reduces rangeland value and can lead to erosion problems. Because of its early vigorous growth, extensive underground root system and effective seed dispersal methods, yellow toadflax is difficult to control.

Location: Infests thousands of acres in the Flat Tops Wilderness. Increasing in the Lookout Mountain area above Glenwood Springs.

Biological Control: The defoliating moth, *Calophasia lunula*, has been released on Dalmatian and yellow toadflax. It may defoliate up to 20% of the leaves of the plant. *Mecinus janthinus*, a stem-boring weevil, is capable of killing a large portion of the above-ground plant by boring into and killing stems where the larvae feed and live.

Cultural Control: Attempt to maintain competitive communities of desirable species. Reseed any open ground with perennial grasses to prevent invasion by other weed species.

Education: The key to management of escaped ornamentals is to create awareness among homeowners, nurseries, landscapers and landscape architects that yellow toadflax is a noxious weed and therefore should not be specified in plantings, sold in nurseries or planted in home gardens or large-scale landscape projects.

Mechanical Control: Digging and pulling where feasible can provide effective control if conducted annually for 10 to 15 years.

Chemical Control: Treat at flowering through fall. For specific treatments for rangeland and pasture sites, refer to the Colorado Department of Agriculture Fact Sheets – *Yellow toadflax* (Appendix A).

2.06 Identification of Native and Noxious Thistles

- A. Colorado has several species of thistle which are native and do not cause the problems of the noxious species. Some of them are very rare. An excellent reference guide is “Thistles of Colorado,” published by the Larimer County Weed District. Native thistles share these characteristics:

1. They have mostly white, sometimes very pale lavender flowers and are more succulent than the noxious species. The flowers may have a hairy or fuzzy appearance and stems of some species are reddish.
 2. They are valuable to pollinators and wildlife and contribute to biodiversity.
 3. They are sometimes inadvertently sprayed, pulled, clipped or dug up because they are confused with noxious, non-native thistles.
 4. Among the native thistles in Garfield County are Barneby's thistle (*Cirsium barneybi*), fringed thistle (*Cirsium centaureae*), Fish Lake thistle (*Cirsium clavatum* var. *americanum*), Rocky Mountain thistle (*Cirsium perplexans*), and adobe thistle (*Cirsium perplexans*). These may also be present in the City of Glenwood Springs.
- B. Five introduced thistle species include Canada, musk, plumeless, bull and Scotch.
1. Canada thistle is a perennial and has an extensive root system.
 2. Plumeless, Scotch and musk thistles are biennials. They are relatively shallow-rooted and reproduce by seed only.
 3. Canada and plumeless are often mistaken for each other. It is very simple to tell them apart:
 - a) Canada has a smooth stem; plumeless has a spiny stem and leaves.
 - b) The bracts under the flower of Canada are spineless; bracts under the leaves of plumeless appear as sharp spines.
 - c) The flowers of musk thistle are about 3 times larger than those of Canada or plumeless.
 4. Musk thistle seedlings have a very prominent white midrib.
 5. Scotch thistle leaves are larger than those of the other thistles. They grow up to 2 feet in length and 1 foot wide. The leaves are covered with dense hairs which give them a grey appearance.
 6. The leaves of bull thistle are deeply lobed and spiny with prickly hair above and cottony hair below. Canada leaves are smooth above and smooth or hairy below.
 7. All of the biennial thistles may grow to heights of greater than 6 feet. Canada thistle may grow from 1 to 4 feet tall.

SECTION III - JURISDICTIONAL OVERVIEW OF AREAS OF INFESTATION

3.01 Overview

It is the goal of The City of Glenwood Springs to develop and implement a comprehensive noxious weed management program on all City-owned property and to be available as a resource for private landowners and public land managers. The City has adopted an "early detection, early treatment" policy for the purpose of establishing priorities. Early detection involves identification and documentation of recently introduced weed species into an area. Early treatment is the follow-up that could possible eradicate new infestations.

3.02 City of Glenwood Springs: Streets/Roadsides, Airport, Landfill

The City of Glenwood Springs has specific responsibilities as described in the Colorado Noxious Weed Act (See Section 1.03 of this plan). As of February 2010, the City has had a representative on the County Weed Advisory Board which serves in an advisory capacity. This cooperation

does not preempt the above-stated responsibilities. Listed below are general descriptions of the weed issues in the City of Glenwood Springs. The list is meant to provide institutional memory as to where key species are known to occur. The list is not all-inclusive. The suggested goal is to manage all noxious weeds in accordance with the latest version of State Rules and Regulations Pertaining to the Noxious Weed Act (8CCR 1206-2).

- A. Key Species: Myrtle spurge (List A), Dalmatian toadflax, diffuse knapweed, tamarisk, Scotch thistle, plumeless thistle, sulfur cinquefoil, oxeye daisy.
 - 1. Locations:
 - a) South Canyon Landfill: Scotch thistle.
 - b) South Canyon Parklands: Scotch thistle, tamarisk, Dalmatian toadflax, sulfur cinquefoil, oxeye daisy.
 - c) Glenwood Springs Airport and rodeo grounds: Dalmatian toadflax, diffuse knapweed.
 - d) Two Rivers Park: Tamarisk, Russian Olive
 - e) Midland Avenue: Dalmatian toadflax
- B. Streets/Roadsides: Glenwood Springs has 43 center-line miles of streets. The street/roadsides shall be managed for weeds on the City's noxious weed list, Garfield County listed weeds and Colorado listed weeds designated for eradication.
 - 1. A Priority List of roads will be established each growing season based upon input from the Parks and Recreation Department, the public and past observations by staff. Roadsides will be selectively spot-treated for noxious weeds.
 - 2. There will be no general herbicide applications to non-listed weeds unless specifically requested by the Parks and Recreation Department to treat a roadside for safety and sight reasons or to protect new paving.
 - 3. Roadside treatment will start in mid- April. Each street on the Priority List will be treated at least twice. If time and workload allows some of the heavily infested roadsides will be treated a third time.
- C. Airport: The Airport will be treated on an as-needed basis for noxious weeds.
- D. Landfill: The City of Glenwood Springs Landfill will be treated on an as-needed basis for noxious weeds.

3.03 State Land

- A. Colorado Department of Transportation's state highways in the City of Glenwood Springs are Highways 82 and U.S. Highway 6&24. These highways are managed for noxious weeds by CDOT through their offices in Glenwood Springs, Grand Junction and Craig
 - 1. Goals:
 - a) Manage all noxious weeds in accordance with the Garfield County Weed Management Plan and the latest version of State Rules and Regulations Pertaining to the Noxious Weed Act, (8CCR 1206-2).
 - b) Establish an intergovernmental agreement with CDOT that enables the City to perform weed management on a very limited basis. The major responsibility for weed management would still lie with CDOT.

2. Key Species:
 - a) Interstate 70: Diffuse knapweed, spotted knapweed, Russian knapweed, Scotch thistle, Russian olive, tamarisk.
 - b) Highway 82: Plumeless thistle, Canada thistle, Russian knapweed.
 - c) Highway 6&24: Diffuse knapweed, Russian knapweed, Scotch thistle, Canada thistle, whitetop.
- B. Garfield County is available to provide technical assistance and weed identification upon request.

3.04 Railroad

The Union Pacific Railroad owns the rail line that generally runs parallel to Interstate 70 from Glenwood Canyon to the Mesa County line. Garfield County worked with other Western Slope counties to develop a weed management plan for UP in 2010. Portions of the rail line between Glenwood Springs and Rifle were mapped by the County in 2009 with the cooperation of UP.

- A. Suggested Goal: Manage all noxious weeds in accordance with the Garfield County Weed Management Plan and the latest version of State Rules and Regulations Pertaining to the Noxious Weed Act (8CCR-1206-2).
- B. Key Species: Scotch thistle, tamarisk, Russian knapweed, whitetop, Russian olive, common tansy, Chinese clematis.

SECTION IV - IMPLEMENTATION OF WEED MANAGEMENT PLAN

4.01 Objectives and Goals

- A. Management Goals for Weed Species. Management goals will vary from species to species, by location and over time.
 1. For some species, such as Colorado List A species, complete eradication of existing infestations and total suppression of newly identified infestations is mandated by State law.
 2. Containment of existing intentional plantings, exclusion of seed from new wildland or open space mixes and elimination of targeted escaped infestations are goals for certain ornamentals such as oxeye daisy.
 3. Russian knapweed, tamarisk and Russian olive infestation are so widespread that they must be managed, in many cases, merely for containment and reduction in the rate of spread. Eradication of these stands may only be viewed as unlikely in some instances or as a long range objective.
- B. Objectives:
 1. Develop and implement a comprehensive noxious weed management program on all City-owned property.
 2. Educate the public concerning weed management issues.
 3. Foster a spirit of cooperation among federal, state and local government agencies and private landowners.
 4. Work with other government agencies and departments to institute Best Management Practices and policies that stress prevention as a weed management tool.

5. Promote and use integrated management techniques.
 6. Establish and maintain healthy plant communities with native or beneficial vegetation.
 7. Restore and maintain desirable plant communities and healthy ecosystems in the City of Glenwood Springs.
 8. Stop the spread of noxious weeds to non-infested lands.
 9. Contain heavily weed-infested areas.
 10. Implement Title 35, Article 5.5, of the Colorado Weed Management Act (8CCR 1206-2).
- C. In all cases, revegetation either from the existing seed bank or through supplemental planting must be included as a management goal. Without revegetation, disturbed or denuded soils invite weed infestation.

4.02 Prevention and Detection

Prevention is the highest priority weed management technique on non-infested lands. Among government officials, land managers, farmers, ranchers and the general public there is a growing recognition that protecting weed-free plant communities is the most economical and efficient land management practice.

- A. Weed-free plant communities:
 1. Provide essential wildlife habitat and forage.
 2. Save ranchers and farmers many billions of dollars in labor costs and lost production.
 3. Ensure aesthetic and recreational qualities of an area.
 4. Prevent soil erosion and improve water quality. The spread of noxious weeds is most likely to occur where soil has been disturbed either by human activities such as road and trail cuts, construction sites, the spread of gravel, road fill and topsoil contaminated with noxious weed seed, or over-grazing.
- B. Exotic plants and seeds such as oxeye daisy, purple loosestrife, chicory, toadflax and Russian olive escape from our yards and gardens. Since they are attractive and establish themselves quickly, they are popular with landscapers and gardeners for ornamental planting and may be purchased through nurseries. They have the same ability to dominate and spread, however, as other better known noxious weeds.
- C. Other methods of weed introduction include:
 1. Contaminated seed, feed grain, hay, straw and mulch.
 2. Movement of contaminated equipment, cars, bikes, etc. across uncontaminated lands.
 3. Animal fur, fleece, human clothing.
 4. Dried flower arrangements.
- D. Prevention is best accomplished by ensuring that new weed species seed or vegetative reproductive plant parts are not introduced into new areas, and by early detection of any new weed species before they become widespread.
- E. Strategies to prevent the introduction or establishment of noxious weeds in areas not already infested include:
 1. Identification and eradication of small, new infestations.
 2. Continuous monitoring and evaluation to prevent recurrence.

3. Identification of existing conditions, disturbances and activities that represent a potential threat to native habitat.
4. Identification of recently introduced weed species that represent a future threat.
5. Timely revegetation and reclamation of disturbed sites using appropriate native plant species.
6. The use of weed-free seeds and mulch.
7. County-wide promotion of the Colorado Weed Free Hay and Forage program.
8. Prioritization of weed management along areas of entry and dispersal.
9. Discouraging the sale of weedy ornamental plants and seed packets that contain weeds.

4.03 City of Glenwood Springs Gravel Purchase Guidelines

- A. The City shall require the following before agreeing to purchase any gravel for City projects:
1. The gravel pit shall be inventoried and mapped by the pit operator for all plant species on the City's noxious weed list on an annual basis.
 2. The gravel pit operator shall provide the City with a weed management plan. Noxious weeds shall be treated prior to seed formation.
 3. The gravel pit operator must supply the City with a detailed treatment record.
 4. The City will inspect the pit, the inventory and the application records 2 weeks prior to the purchase of gravel or other aggregates.

4.04 Education and Awareness

- A. Education must play a major role in implementing the weed management plan. Groups targeted for public education include golf course managers, homeowner associations, private citizens, housing developers, gardeners, landscapers, nurseries, public and private land management agencies, recreational users, youth groups, and schools.
- B. A partnership of the public and private sectors, along with awareness of noxious weeds and the problems they cause, is essential to maintain or create plant communities that are free of noxious weeds.
- C. Knowledge about how to identify weeds, how and where weeds are spread and what it takes to manage weeds is needed.
- D. Continuation and expansion of current educational programs as well as the development of new programs is a priority of the City of Glenwood Springs' Noxious Weed Management Plan.
- E. The City of Glenwood Springs and other governmental agencies will provide this instruction. Workshops will be held throughout the year to enhance public awareness.
- F. Opportunities for education include:
1. Updates on City's Website.
 2. Widespread distribution of informative printed material.
 3. Offering weed tours and talks to the public.
 4. Private applicator certification, applicator safety and laws and regulations.
 5. Proper calibration of spraying equipment.

6. Contacting area nurseries, landscapers and landscape architects to emphasize the problems created by escaped ornamentals.
7. Cooperation with local media to disseminate weed information.
8. Custom weed management recommendations for individual landowners.

4.05 Land Stewardship

The Colorado Noxious Weed Act requires that all property owners use integrated methods to manage noxious weeds. Weed management must be ongoing, requiring an integrated approach in which proper land stewardship practices are utilized. Most weed species, if detected early, can be managed.

- A. Strategies for implementing a noxious weed management plan:
 1. Identify your plants.
 2. Understand the target weed. Does it reproduce by seed or roots or both?
 3. Maintain inventory maps.
 4. Develop a noxious weed database.
 5. Develop site-specific weed management plans in cooperation with other individual landowners and public agencies.
 6. Develop a decision-making process that uses site-specific information to make decisions about treatment choices.
 7. Develop a long-term strategy including regular monitoring of treatment areas.
 8. Correct the situation or practices that allowed the weeds to spread.
 9. Take necessary action.
- B. Maintaining land that is free of weeds is good stewardship. Landowners who do not manage their weeds place their neighbors' land at risk.

4.06 Revegetation

A crucial part of any weed management plan is the reintroduction of site-appropriate vegetation.

- A. Establishing a desirable plant community after noxious weeds have been removed from a highly infested area requires timely cultivation and reseeding.
- B. Since the seeds from noxious weeds may lay dormant for many years, removing all visible signs of the noxious weeds does not ensure against their return.
- C. Revegetation can help prevent the germination of weed seeds. It is important to inspect the land regularly to identify and treat small, new infestations.
- D. For proper revegetation, managed irrigation of dry areas and reseeding are essential to establish desirable communities.
- E. Native plants are most appropriate when the goal is restoration of native habitat.
- F. Weed-free seeds of native Colorado grasses, wildflowers or plant species appropriate to the site may be purchased, but the best source for seeds is from native species that grow in the immediate vicinity of the infestation. They will be best adapted to local conditions and will help maintain local integrity and genetic viability.
- G. Using native plants or seeds to revegetate disturbed land reduces degradation of native ecosystems, reduces the need for herbicides and conserves water resources.
- H. Native plants provide broad biological diversity and help keep the Colorado landscape from being irrevocably altered by non-native species.

- I. When the goal is reclamation – reseeding for quick ground cover establishment or erosion control – it may be appropriate to use introduced, non-aggressive grasses and forbs.
- J. Contact the Natural Resources Conservation Service or Colorado State University. Extension for specific seeding recommendations. General seeding recommendations:
 - a) Study all vegetation in the area and surrounding areas.
 - b) Preserve plant species native to Colorado.
 - c) Test the soil for pH balance.
 - d) Retain and utilize as much on-site topsoil as possible.
 - e) Select a predominant species that is appropriate to the site. Then choose a few complementary species to provide a balanced plant community.
 - f) Choose plants that are healthy, vigorous and pest-free. g) Use weed-free, non-hybrid seeds.
 - h) Avoid commercial seed packets containing exotic plant species.
 - i) Confirm viability and purity of seed through seed testing from an accredited seed testing lab.
 - j) When choosing seeding rates, consider the guidelines provided by the Natural Resource Conservation Service. Fact sheets are available for individual species at the USDA-NRCS Plants Database website: <http://plants.usda.gov/java/factSheet>.

4.07 Requirements – Reclamation/Revegetation Plan, Soil Management Plan and Security

Various land use change permits processed through the Community Development Departments (e.g. grading, pipeline, and Land Use Change permits) may require a Reclamation/Revegetation and Soil Management Plan which includes a Weed Management Plan.

- A. Soil Plan to include:
 1. Provisions for salvaging on-site topsoil.
 2. Timetable for eliminating topsoil and aggregate piles.
 3. Provision for soil cover if any disturbances or stockpiles that sit exposed for a period of 90 days or more.
- B. Reclamation/Revegetation Plan to include:
 1. Plant material list and seed mix. Specifically, scientific names and common names and the application rate in terms of Pure Live Seed per acre.
 2. Planting schedule which includes timing, methods, mulching and provisions for watering, if applicable.
 3. A map of the impacted area with a calculation of the surface area of disturbance in acres of the disturbed area, at preliminary plan.
 4. A Weed Management Plan for all listed City, Garfield County and State of Colorado listed noxious weeds that are targeted for statewide eradication. The Plan will include a site specific map and weed inventory. A Weed Management Plan is required if an area 1 acre or greater is disturbed for the purposes of site construction, development or grading but not including areas serving the long-term function of the site such as building footprint, road surface or permanent parking areas.

5. A revegetation security in cash, bond or letter of credit.
 6. Agricultural practices are exempt from revegetation requirements unless they are in association with a subdivision or land use proposal.
- C. A financial security may be required for revegetation if, in the determination of the City, the proposed project has:
1. A potential to facilitate the spread of noxious weeds.
 2. A potential to impact watershed areas.
 3. A potential for visual impacts from public viewing corridors.
 4. Steep slopes of 15% or greater or unstable areas.
 5. Disturbs large areas of 1 acre or greater where topsoil is exposed for the purposes of site construction, development or grading but does not comprise the long term functioning of the site (i.e. building footprint, road surface or permanent parking areas).
- D. The revegetation security will be in an amount to be recommended by the City that will be site-specific and based on the amount of disturbance.
1. The security shall be held by the City until vegetation has been successfully reestablished, in any specific land use action, according to the Reclamation Standards.
 2. The City will designate a member of its staff to evaluate the reclamation prior to the release of the security.
- E. If a property owner fails to comply with his/her approved Reclamation/Revegetation and Soil Management Plan, the provisions of the County's adopted land use and development code in regard to enforcement may be in effect.

4.08 Reclamation Standards

Areas disturbed during development shall be restored as natural-appearing landforms that blend in with adjacent undisturbed topography within 90 days of completion of construction unless an alternative timeframe is approved by the Vegetation Manager.

- A. Site Stability. The reclaimed areas shall be stable and exhibit none of the following:
 1. Large rills or gullies.
 2. Perceptible soil movement or head-cutting in drainages.
 3. Slope instability on or adjacent to the reclaimed area.
 4. Slopes shall be stabilized using appropriate reshaping and earthwork measures, including proper placement of soils and other materials.
- B. Soil management. Topsoil management shall be salvaged from areas to be disturbed and managed for later use in reclamation.
- C. Erosion Prevention. The surface area disturbed at any one time during the development of a project shall be kept to the minimum necessary and the disturbed areas reclaimed within 90 days to prevent unnecessary or undue degradation resulting from erosion.
 1. The soil surface must be stable and have adequate surface roughness to reduce run-off, capture rainfall and snow melt, and allow for revegetation.
 2. Application of certified noxious weed-free mulch or erosion netting may be necessary to reduce soil movement, retain soil moisture and promote revegetation.

3. Soil conservation measures, including surface manipulation, reduction in slope angle, revegetation and water management techniques shall be used.
 4. Sediment retention structures or devices shall be located as close to the source of the sediment-generating activities as possible to increase their effectiveness and reduce environmental impacts.
- D. Contouring and Revegetation. Abrupt transitions and linear placement on visible slopes shall be avoided. Areas disturbed by grading shall be contoured so they can be revegetated and shall be planted and have vegetation established.
1. When final landform is achieved, the surface shall be stabilized by vegetation or other means to reduce further soil erosion from wind or water, provide forage and cover, prevent fugitive dust as required by State Statute, and reduce visual impacts.
 2. A uniform vegetative cover shall be established with an individual plant density of at least 70% of pre-disturbance levels within 4 growing seasons. State or county-listed noxious weeds, as well as alien annual invasive species, do not count as part of the 70% cover.
 3. Application of topsoil. Topsoil will be stockpiled, placed on disturbed areas and managed for later use in reclamation. Provisions for salvaging on-site topsoil, a timetable for eliminating topsoil and aggregate piles and a plan that provides for soil cover if any disturbances or stockpiles sit exposed for a period of 90 days or more will be reviewed and accepted by the Garfield County Vegetation Manager.
 4. Specific criteria for evaluating revegetation success must be site-specific and included as a part of the reclamation plan.
 5. Vegetation production, species diversity and cover shall support the post-disturbance land use.
 6. Areas where post-disturbance land use does not include lawns, gardens and flower beds shall approximate the surrounding undisturbed areas or be revegetated to a desired plant community with a composition of species and plant cover typical to that site.
 7. The vegetation shall stabilize the site and support the planned post-disturbance land use, provide natural plant community succession and development, and be capable of renewing itself. This shall be demonstrated by:
 - a) Using certified noxious weed-free seed.
 - b) Successful on-site establishment of the species included in the planting mixture or other desirable species.
 - c) Evidence of vegetation reproduction, either spreading by rhizomatous species or seed reproduction.
 - d) Evidence of overall site stability and sustainability.
 8. The revegetation plan shall provide for the greatest probability of success in plant establishment and vegetation development by considering environmental factors such as seasonal patterns of precipitation, temperature and wind, soil texture and fertility, slope stability and direction of slope faces.
 9. To ensure the establishment of a diverse and long-lasting vegetative cover, the permittee shall employ appropriate techniques of site preparation and protection.
 10. Species diversity should be selected for long-term land uses and provide for a reduction in visual contrast.

11. Where vegetation is to be used, a diversity of vegetation species shall be used to establish a resilient, self-perpetuating ecosystem capable of supporting the post-disturbance land use.
12. Species planted should include those that will provide quick soil stabilization, litter and nutrients for soil building and are self-renewing.
13. Integrated weed management methods shall be employed for all noxious weed species on the Garfield County List. Weed management methods shall be used whenever the infestation of the reclaimed area by noxious weeds threaten nearby areas.
14. Where revegetation is impractical or inconsistent with the surrounding undisturbed areas, other forms of surface stabilization shall be used.

4.09 Mapping and Inventory

- A. The City will establish and maintain visual maps of past and present infestations of noxious weeds on City land. This will provide a graphic representation of weed management progress and needs.
- B. The primary goal of mapping will be to record the noxious weed species present, areas infested, density of infestations and other site factors pertinent to successfully managing the infestation.
- C. Mapping priorities will be List A species, List B species designated for eradication and support for future grant-funded projects.
- D. The Mt. Sopris Conservation District has provided mapping for parts of the City including South Canyon. They will provide more mapping as requested and feasible.

SECTION V - PLAN EVALUATION

5.01 Plan Evaluation

- A. The goals and plan of work in the City of Glenwood Springs Noxious Weed Management Plan will be reviewed and evaluated annually at a Parks and Recreation Advisory Committee meeting. Any proposed additions or changes shall be recommended by the Parks and Recreation Advisory Committee and approved by ordinance by the City before becoming final.
- B. The City of Glenwood Springs Weed Management Plan shall be reviewed by the City at least every 3 years (C.R.S. 35-5.5-107(4)(a)). The management plan and any recommended amendments to the plan shall be transmitted to the City for approval, modification or rejection.

APPENDIX A

Link to Fact Sheets:

<https://www.colorado.gov/pacific/agconservation/noxious-weed-species>

Fact Sheets include Identification and Management recommendations.



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Ordinance No. 7, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs Vacating a Utility Easement Located on 3116 South Grand Avenue (SECOND READING)

Action Requested: Approve Ordinance 7, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs Vacating a Utility Easement Located on 3116 South Grand Avenue

Department: Public Works

Presented By: Robin Millyard, Public Works Director

Background Info: The City previously acquired via plat a utility easement across Lot 17, Block 3, of the Valley View Farm Subdivision, that it has never used ("Platted Easement"). In 1988 the City tried to vacate this platted easement and replace it with a utility easement that was already in place over Lot 17 for a future underground connection ("Proposed Easement"). In 1988 the City passed an ordinance vacating the Platted Easement upon dedication to the City of the Proposed Easement. However, the Proposed Easement was not timely dedicated to the City, and the ordinance was invalidated by its own terms.

The City ultimately made a connection to an existing line along South Grand Avenue and installed facilities and needs an easement to accommodate the new installation. Ordinance 2019-7 vacates both the Platted Easement and the Proposed Easement upon the dedication to the City of the easements necessary to accommodate the installed facilities as more fully described in the Public Utility Easement Deed attached to Ordinance 2019-7 as Exhibit A.

Issues: None.

Staff Recommendation: Staff supports this ordinance.

Ordinance No. 7

Series of 2019

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO VACATING A UTILITY EASEMENT LOCATED ON 3116
SOUTH GRAND AVENUE.**

WHEREAS, the City of Glenwood Springs, Colorado (the “City”) previously acquired through a plat dedication a five-foot wide utility easement across the westerly and northerly boundary of Lot 17, Block 3 of the Valley View Farm Subdivision, as depicted on the plat recorded at Reception Nos. 171661 & 171662, in Garfield County, Colorado (“Platted Easement”);

WHEREAS, the City never used the Platted Easement for any purpose; and

WHEREAS, in 1988 the City attempted to vacate the Platted Easement and replace it with a utility easement that was already in place across said Lot 17 (“Proposed Easement”) for a future underground connection; and

WHEREAS, Ordinance 27, Series of 1988 vacated the Platted Easement on the express condition that the owners of said Lot 17 would dedicate the Proposed Easement to the City within thirty days of the effective date of Ordinance 27 and

WHEREAS, Ordinance 27, Series of 1988 stated that if the new dedication did not occur within the thirty-day period, the ordinance would be null and void and of no effect; and

WHEREAS, the Proposed Easement was not dedicated within thirty days after the effective date of Ordinance 27, Series of 1988, thereby invalidating the ordinance; and

WHEREAS, the City never utilized the Proposed Easement and has no need for the Proposed Easement in the future; and

WHEREAS, the City ultimately made a connection to an existing line along South Grand Avenue; and

WHEREAS, the facilities were installed but the City did not acquire an easement to accommodate the new installation; and

WHEREAS, the City desires to acquire for the current installation the easements described in the Public Utility Easement Deed attached hereto as Exhibit A (“Easements A and B”) and depicted on Exhibit B; and

WHEREAS, the current owners of said Lot 17, desire to grant Easements A and B to the City; and

WHEREAS, the City desires to effectively vacate the Platted Easement and the Proposed Easement upon acquisition of Easements A and B; and

NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The recitals hereinabove are hereby adopted as findings and incorporated herein.

Section 2. Upon the City's receipt and recordation of the Public Utility Easement Deed in the form attached as Exhibit A, the City shall effectively vacate the Platted Easement more particularly described as follows and generally depicted on Exhibit C as "Existing 5' Easement in Lot 17 to be Vacated:"

All of the five-foot wide utility easement lying and being southerly of the northerly line and easterly of the westerly line of Lot 17, Block 3 of the Valley View Farm Subdivision, which lot is depicted on the plat recorded at Reception No. 171662 of the Garfield County Clerk and Recorder.

Section 3. Upon the City's receipt and recordation of the Public Utility Easement Deed in the form attached as Exhibit A, the City shall effectively vacate the Proposed Easement more particularly described as follows and generally depicted on Exhibit C as "Proposed Utility Easement:"

A permanent public utility easement thru a portion of lot seventeen (17) in the Valley View Farm Subdivision, City of Glenwood Springs, County of Garfield, State of Colorado. Said easement have a uniform width of 15.00 feet, with two (2) feet lying westerly and thirteen (13) feet lying easterly of the following described line:

Beginning at a point on the northerly line of said Lot 17, as originally platted, said point of beginning bears S 87° 05' 00" E, 80.00 feet from the northwest corner of said originally platted Lot 17; thence S 08° 13' 36" E, 134.85 feet; thence S 00° 43' 23" W, 74.78 feet to a point on the southerly line of said Lot 17, to the point of termination.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen Fletcher, City Clerk

PUBLIC UTILITY EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **DENNIS LEE BROWN AND PAMELA SUE BROWN** whose address is 3113 Sopris Avenue, Glenwood Springs, CO (hereinafter collectively called the 'Grantors'), of the County of Garfield, State of Colorado, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to the ***CITY OF GLENWOOD SPRINGS, COLORADO***, a Municipal Corporation, whose address is 101 West 8th Street, Glenwood Springs, Colorado, 81601 (hereinafter called the 'Grantee'), and its successors and assigns the following permanent public utility easements upon the following lands of Grantors, situated in the City of Glenwood Springs, County of Garfield, State of Colorado, said easement being more particularly described as follows:

Easement A: A permanent public utility easement within the parcels of land known as 3114 South Grand Avenue, as described the Special Warranty Deed recorded in the records of the Garfield County Clerk and Recorder as Reception #523318, and 3116 South Grand Avenue, as described in the Warranty Deed recorded in the records of the Garfield County Clerk and Recorder as Reception #512990. The bearings contained in said documents have been rotated 00° 26' 31" or 0.4419° counter clockwise to match City of Glenwood Springs datum. Said easement being more particularly described as follows: Beginning at a point on the southerly boundary of said parcel described in said Reception #585276, said point being the northwesterly corner of said parcel described in said Reception #512990, said point is also the northwesterly corner of Lot 17, Block 3 of the Valley View Farm Subdivision as shown on the plats recorded as Reception #171661 and Reception #171662 in the records of said Clerk and Recorded; thence N 87° 31' 31" W, along the southerly line of the parcel of land described in said Reception #523318, a distance of 250.00 feet to the southwesterly corner of said parcel of land; thence N 10° 36' 01" W, along the westerly line of said parcel of land, a distance of 10.33 feet; thence departing said westerly line; S 88° 53' 41" E, a distance of 193.11 feet; thence N 07° 31' 26" E, a distance of 49.96 feet to a point on the northerly line of said parcel of land, thence S 87° 31' 31" E, along said northerly line, a distance of 10.04 feet; thence departing said northerly line, S 07° 31' 31" W, a distance of 51.80 feet; thence S 75° 47' 00" E, a distance of 23.61 feet; thence S 86° 11' 40" E, a distance of 90.99 feet, thence S 66° 22' 37" E, a distance of 16.43 feet to the southeasterly corner of said parcel of land; thence continuing S 66° 22' 37" E, along the northerly line of said parcel of land described in said Reception #512990, distance of 26.64 feet; thence S 23° 37' 23" W, a distance of 10.00 feet; thence N 66° 22' 37" W, a distance of 14.15 feet; thence West a distance of 17.32 feet; thence North a distance of 10.39 feet; thence N 86° 11' 40" W, a distance of 69.09 feet to a point on the westerly line of said parcel of land; thence N 22° 40' 31" W, along said westerly line, a distance of 2.87 feet to the point of beginning. The above described parcel of land contains 4578.76 square feet, more or less.

Easement B: A permanent public utility easement within the parcel of land known as 3114 South Grand Avenue, as described the Special Warranty Deed recorded in the records of the Garfield County Clerk and Recorder as Reception #523318, being more particular described as follows: Beginning at the southwesterly corner of said parcel; thence N 10° 36' 01" W, along the westerly line of said parcel, a distance of 13.41 feet; thence departing said westerly line, N 79° 23' 59" E, a distance of 13.37 feet; thence N 10° 36' 01" W, a distance of 15.00 feet; thence S 79° 23' 59" W, a distance of 13.37 feet to a point on said westerly line; thence S 10° 36' 01" E, along said westerly line, a distance of 15.00 feet to the point of beginning. The above described parcel of land contains 200.48 square feet, more or less.

Grantee shall have the right to construct, install, reconstruct, replace, repair, and maintain public utilities, as specified, within the above described lands, including the right to access covered underground facilities and the right to remove any and all fences and other structures, trees, bushes, vegetation within said easements when such is reasonably necessary for the exercise of the rights herein granted. After the exercise by Grantee of any of its rights hereunder, Grantee shall promptly restore the surface of the ground to its former condition as nearly as is practicable, at the sole expense of Grantee.

Neither the extent nor use of the easements granted herein shall be expanded or enlarged from its initial use without a specific written grant from Grantor for such expansion or enlargement.

Grantor agrees that all facilities installed by the Grantee within the easements shall remain the property of the Grantee and shall be removable at the option of the Grantee. In the event that the extent and use of the easement is abandoned or no longer used for the purpose described herein at any time hereafter for a period of one (1) year or more, the grant herein shall revert to the Grantor, their heirs, successors and assigns.

Except for the rights and privileges granted to the Grantee by this Agreement, the Grantor reserves the full, complete and uninterrupted right to use, possess and occupy all portions of the property encumbered by the easements granted herein, so long as such use, possession and occupancy does not unreasonably interfere with the purposes for which the easements are hereby granted.

TO HAVE AND TO HOLD, said permanent easements, unto Grantee, its successors and assigns, forever.

WITNESS the due execution hereof on _____, 2019.

Grantors:

By: _____
DENNIS LEE BROWN

By: _____
PAMELA SUE BROWN

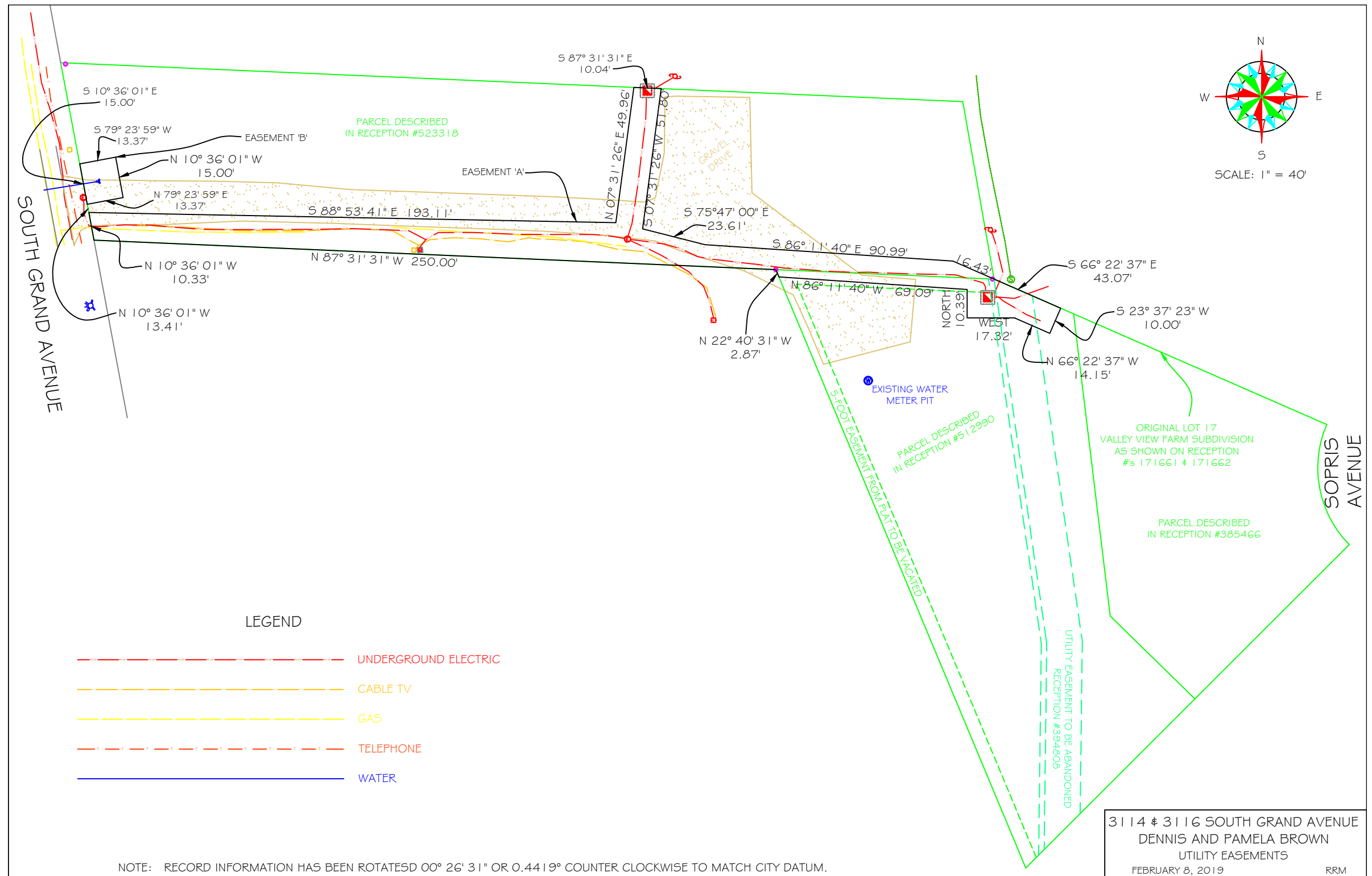
STATE OF COLORADO)
)ss.
COUNTY OF GARFIELD)

The foregoing Public Utility Easement Deed was acknowledged before me this _____ day
of _____, 2019, by **DENNIS LEE BROWN AND PAMELA SUE BROWN**

Witness my hand and official seal.

My commission expires: _____

Notary Public
Address:





City Council
STAFF REPORT
City of Glenwood Springs
FEBRUARY 13, 2018

Agenda Item:	Utility Easement Vacation Request
Action Requested:	Vacate an un-occupied utility easement on the parcel of land located at 3116 South Grand Avenue.
Presented By:	Robin Millyard, Public Works Director
Background Info:	The City gained an easement in 1998 from the then property owners, Robert and Cynthia Scarrow. There was an older overhead line running north and south that crossed Lot 17 of the Valley View Farm Subdivision and tied into an overhead line that ran east and west along the southerly side of the Valley View Farm Subdivision. That overhead connection was removed and this easement was gained for a future underground connection. Over time, the plan for an underground connection was altered to make the connection to an existing line along South Grand Avenue, as accessing power lines located along the rear lot lines is very difficult. The facilities were installed and for whatever reason, we did not gain an easement to accommodate the new installation. The current property owners, Dennis and Pamela Brown are will to grant an easement for the current installation. A copy of the easement and a sketch of this information is included in the packet.
Issues:	This easement has never been occupied and staff does not believe it will ever be occupied. In fairness to the property owners, this encumbrance on their property should be removed as it is not necessary in the future.
Action Alternatives:	Approve or deny the request to vacate this unused easement.
Staff Recommendation:	Approve the request to vacate this easement.

CITY OF GLENWOOD SPRINGS

ENGINEERING DIVISION

806 Cooper Avenue

Glenwood Springs, Colorado 81601

(303) 945-2575

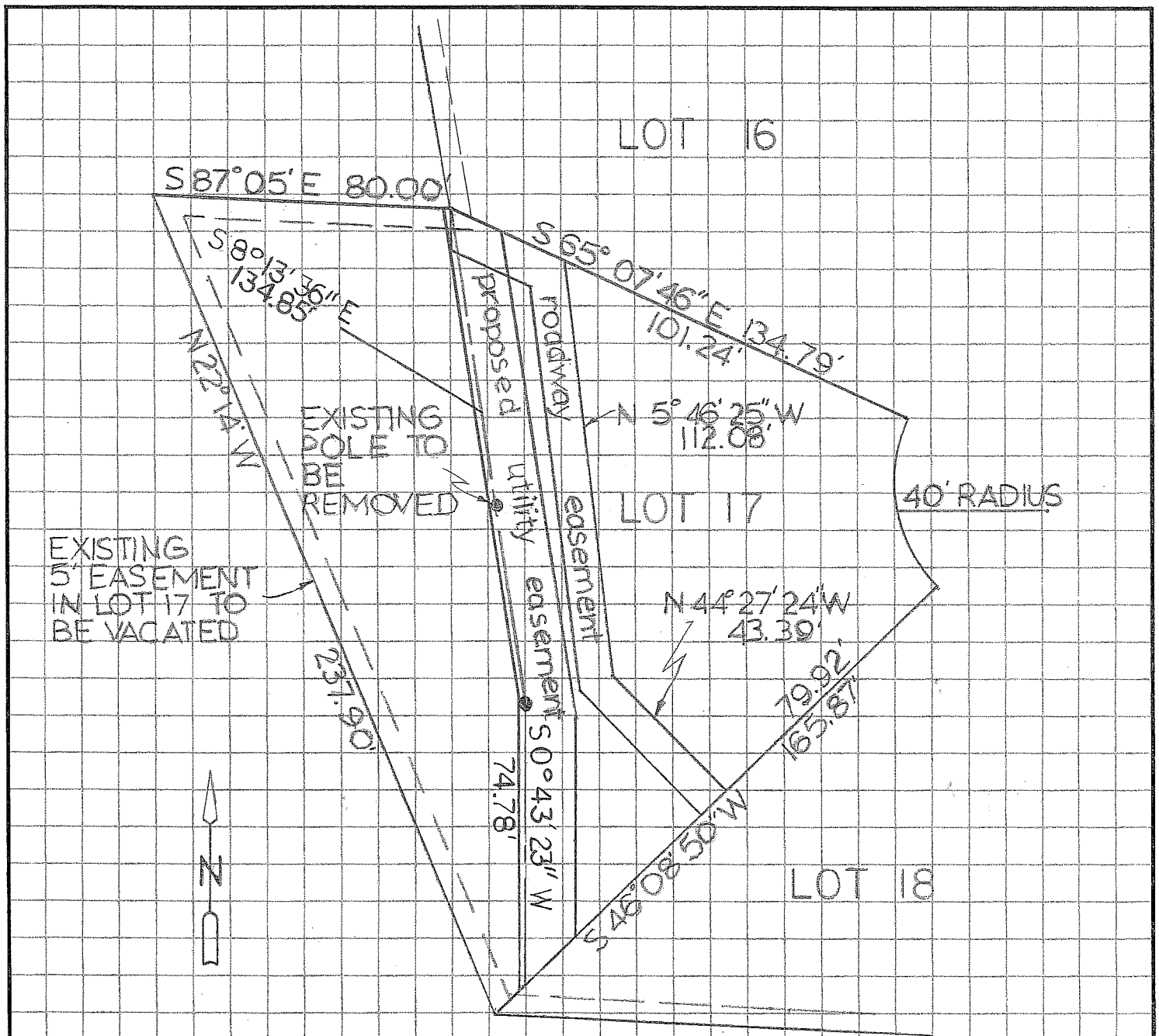
JOB SCARROW UTILITY EASEMENT

SHEET NO. _____ OF _____

CALCULATED BY ROBIN DATE 4-18-88

CHECKED BY _____ DATE _____

SCALE 1" = 40'



UTILITY EASEMENT THRU A PORTION OF LOT 17, AS PLATTED, IN THE VALLEY VIEW FARM SUBDIVISION. DESCRIPTION OF THE EASEMENT TO BE VACATED IS AS FOLLOWS: THE 5 FOOT UTILITY EASEMENT AS SHOWN ON THE PLAT OF VALLEY VIEW FARM SUBDIVISION ALONG THE WESTERLY AND ALONG THE NORTHERLY LOT LINES.

UTILITY EASEMENT--RECORDED 8-26-1988 Book 739, Page 940, Reception Number 394808

EASEMENT VACATION--RECORDED 6-2-1988 Book 735, Page 405, Reception Number 392574

Roadway easement--Gignoux Deed, 9-1-1981, Book 580, Page 308, Reception Number 318659



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Bid Award for Police Vehicles

Action Requested: Award of Bid BD2019-015 Police Interceptor Utility Vehicles

Department: Finance

Presented By: Ricky Smith, Purchasing Agent

Background Info: There were 12 Invitations to Bid mailed for four (4) 2020 Police Interceptor Utility/Equivalent SUV Vehicles. The City received four responses: Glenwood Springs Ford, Sill-Ter Har Motors, Spradley Barr Ford Lincoln, and Larry H. Miller Ford. Bids were reviewed by Dusty Noffsinger, Fleet Superintendent, and Lt. John Hassell. The pricing is summarized below:

BIDDER	ADDRESS	DAYS FOR DELIVERY	TOTAL AMOUNT
Glenwood Springs Ford	55 Storm King Road Glenwood Springs, CO	180	\$177,974.24
Sill-Ter Har Motors	150 Alter Street Broomfield, CO	180-240	\$175,000.00
Spradley Barr Ford Lincoln	4901 29 th Street Greeley, CO	60-250	\$174,564.00
Larry H. Miller Ford	11595 W. 6 th Avenue Lakewood CO 80215	182	\$177,780.00

Issues: Although Spradley Barr Ford was low bid, local preference was requested and afforded to Glenwood Springs Ford.

These vehicles will replace existing vehicles in the Police Department. Funding for these vehicles will come from Public Safety, Account No. 64.110.9520.

Center consoles will be installed by the Fleet Department after the vehicles are received.

Staff Recommendation: To award the bid to Glenwood Springs Ford in the amount of \$177,974.24



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: #29-18 – Iddings/City of Glenwood Springs Enclave Annexation, Comprehensive Plan Future Land Use Map Amendment, and Rezoning (initial City zoning)

Action Requested: **Action 1 – Annexation (Ordinance No. 10, Series of 2019)** - of an enclave property into the City of Glenwood Springs municipal limits.

Action 2 – Comprehensive Plan Future Land Use Map Amendment (Resolution No. 15, Series of 2019) – to revise the Iddings property from Low Density Residential and Hillside Preservation to Multi-family Residential.

Actions 3 and 4 Rezoning (Resolution No. 11, Series of 2019) (initial City zoning) – of the Iddings property to Residential High-Density (RH) District and a portion of the Glenwood Springs Congregation of Jehovah Witnesses property to Rural Residential (RR) District.

Department: Economic and Community Development

Presented By:

Background Info: The Planning and Zoning Commission (Commission) reviews rezonings (and the initial City zoning of properties) and Comprehensive Plan (Comp Plan) amendments applications and provides recommendations to City Council. On January 22, 2019, the Commission held a public hearing to consider the rezoning and Comp Plan amendment applications and related actions. Please note, an enclave (areas completely surrounded by a municipality) annexation can occur by ordinance of City Council only and does not require a recommendation from the Commission. However, details of the enclave annexation were reviewed with the Commission nonetheless. Attached for your review are copies of the Commission staff report, Commission draft minutes, reviewing agency comments, and the application submittal materials. Please refer to the Commission staff report for analysis of applicable issues and compliance with the Glenwood Springs Municipal Code (Code) not addressed herein.

Issues: The attached staff report provided background information and addresses various issues associated with the application.

Staff Recommendation: **Planning and Zoning Commission Recommendation**
The only real issue the Commission discussed was whether or not the public access/utility/maintenance easement recommended as a condition by staff should instead be transferred to the City as fee simple right-of-way. The owner's representatives expressed willingness to a fee simple transfer of the property. Doing so will require that future construction on the property is setback further from anticipated improvements to Airport Road. Ultimately, the Commission voted unanimously 6-0 to recommend approval of action items 2-4 below to City Council (a recommendation for Action 1 was not required/provided). Staff has revised the recommend conditions of action item 2 to reflect the Commission's concern.

Action Alternatives and Staff Recommendations
Section 070.060.030(g)(1)d of the Code outlines the review and decision procedures for applications being considered by City Council stating, "The applicable review body shall approve, approve with

conditions, or deny the application based on the applicable approval criteria listed in the application-specific procedures. The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, Referral and Call- Up Procedures."

Action 1 – Annexation (Ordinance No. 10, Series of 2019) - of an Enclave property into the City of Glenwood Springs municipal limits.

Staff recommends **approval** of the enclave annexation with the following findings:

Recommending Findings:

1. The property is an enclave which has been fully surrounded by the City of Glenwood Springs municipal limits for a period of at least 3 years;
2. Notice of the annexation hearing has been published weekly for four consecutive weeks; and
3. Notice of the annexation has been sent to Clerk of the Board of County Commissioners, County Attorney, and special districts

Action 2 – Comprehensive Plan Future Land Use Map Amendment (Resolution No. 15, Series of 2019) – to revise the Iddings property from Low Density Residential and Hillside Preservation to Multi-family Residential.

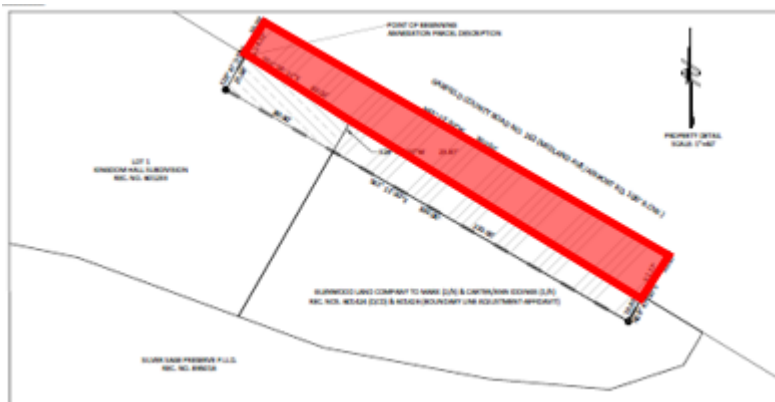
Staff recommends **approval with conditions** of the enclave annexation with the following findings:

Recommended Findings:

1. The character and/or condition of the area has changed such that the amendment is consistent with the plan;
2. Public and community facilities are adequate to serve the type and scope of land use proposed;
3. An inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and
4. The community or area will derive benefits from the proposed amendment.

Recommended Conditions:

1. The applicant shall transfer the real property depicted in red in the graphic below to the City to serve as right-of-way for public access/utility/maintenance of future improvements to Airport Road:.



2. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code; and
3. The applicant shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director.

Actions 3 and 4 Rezoning (Resolution No. 11, Series of 2019) (initial City zoning) – of the Iddings property to Residential High-Density (RH) District and a portion of the Glenwood Springs Congregation

of Jehovah Witnesses property to Rural Residential (RR) District.

Staff recommends **approval** of the rezonings with the following findings:

Recommended Findings:

1. The rezoning is consistent with the City's comprehensive plan and the purpose of this Code;
2. The rezoning is consistent with the proposed purpose statement of the proposed zoning district;
and
3. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.

ORDINANCE NO. 10

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ANNEXING INTO THE CITY OF GLENWOOD SPRINGS CERTAIN LANDS KNOWN AS PARCEL NUMBERS 2185-272-00-003 and 2185-272-20-001

WHEREAS, the City Council has been presented with a request for the annexation of the real property described and depicted on the Annexation Map attached hereto as Exhibit A and known as Parcel Numbers 2185-272-00-003 and 2185-272-20-001 in Garfield County, Colorado (the “Property”);

WHEREAS, the Property has been entirely contained within the boundaries of the City of Glenwood Springs (the “City”) in excess of three years and is an “enclave” as defined by Colorado statute; and

WHEREAS, pursuant to Section 070.060.040(d) of the Glenwood Springs Municipal Code, annexation of land into the City is a legislative act of City Council and shall comply with C.R.S. § 31-12-101 et seq.; and

WHEREAS, C.R.S. § 31-12-106(1) provides that a municipality may annex an enclave by ordinance without complying with C.R.S. §§ 31-12-104, 31-12-105, 31-12-108 and 31-12-109 if said area has been surrounded by the municipality for at least three years; and

WHEREAS, the notice of the proposed annexation of the Property was published as required by C.R.S. § 31-12-106(1) and C.R.S. § 31-12-108(2); and

WHEREAS, City Council finds that the annexation complies with the Municipal Code and Colorado statute and wishes to annex the Property into the City of Glenwood Springs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The annexation of the Property is hereby approved, and the Property is annexed to and made part of the City of Glenwood Springs, Colorado.

Section 3. Within thirty (30) days after the effective date of this ordinance, the City Clerk shall record a certified copy of this Ordinance and the annexation map with the Garfield County Clerk and Recorder.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

RESOLUTION NO. 15

Series of 2019

A RESOLUTION OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE GLENWOOD SPRINGS COMPREHENSIVE PLAN WITH RESPECT TO PROPERTY KNOWN AS PARCEL NUMBER 2185-272-00-03

WHEREAS, pursuant to Ordinance No. 10, Series of 2019, City Council approved annexation into the City of real property known as Parcel Number 2185-272-00-003; and

WHEREAS, the Glenwood Springs Comprehensive Plan (“Plan”) identifies the Property as Single-family Residential and Hillside Preservation; and

WHEREAS, the owner of the Property, Mark Iddings, through his agent James Mason (the “Applicant”), has requested the Plan be amended to designate the Property as Multi-family Residential; and

WHEREAS, development on the Property is limited by topography and setbacks; and

WHEREAS, the Plan provides that the City can amend the Plan if the proposed change is consistent with the vision (intent), goals and policies of the Plan and one or more of the following: subsequent events have invalidated the original premise and findings; the character or condition of the area has changed such that the amendment is consistent with the Plan; public and community facilities are adequate to serve the type and scope of land use proposal; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and/or the community or area will derive benefits from the proposed amendment; and

WHEREAS, the Planning and Zoning Commission considered the requested amendment to the Plan at a public hearing on January 22, 2019, and found that the character and/or condition of the area has changed since the adoption of the Plan such that the amendment to Multi-family Residential is consistent with the goals and objectives of the Plan; public and community facilities are adequate to serve the type and scope of land use proposed; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and the community or area will derive benefits from the proposed amendment; and

WHEREAS, based on its findings, the Planning and Zoning Commission approved the requested amendment to the Plan; and

WHEREAS, City Council, following notice required by law, held a public hearing at a regular meeting on March 7, 2019, to consider the amendment to the Plan; and

WHEREAS, City Council finds that amending the Plan to designate the Property as Multi-family Residential is consistent with the vision (intent), goals and policies of the Plan and that the

character and/or condition of the area has changed since the adoption of the Plan; public and community facilities are adequate to serve the type and scope of land use proposed; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and the community or area will derive benefits from the proposed amendment; and

WHEREAS, City Council wishes to amend the Plan to designate the Property Multi-family Residential subject to the conditions set forth herein.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The recitals above are hereby adopted as findings.

Section 2. The Plan is hereby amended to designate the Property as Multi-family Residential subject to the following conditions:

1. all representations of the Applicant in written and verbal presentations to the City or made at public hearings before the Planning and Zoning Commission or City Council and reflected in the minutes of such hearings shall be considered part of the Application and binding on the Applicant; and
2. the Applicant shall grant to the City a right of way for the portion of the Property adjacent to Airport Road in a form acceptable to the City Attorney and City Engineer; and
3. any future physical changes or improvements to the Property or buildings on the Property are subject to the review and approval of the Community Development Director for compliance with the Municipal Code.

Section 3. Upon receipt of the right of way dedication referenced in Section 2 above, the Community Development Director shall prepare a revision to the Plan to reflect the amendment approved herein.

Section 4. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

INTRODUCED, READ, AND PASSED THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

ORDINANCE NO. 10

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ZONING ANNEXED PROPERTY KNOWN AS PARCEL NUMBERS 2185-272-00-003 and 2185-272-20-001

WHEREAS, by Ordinance No, 10, Series of 19, the City Council of the City of Glenwood Springs annexed into the City real property described and depicted on the Annexation Map attached hereto as Exhibit A and known as Parcel Numbers 2185-272-00-003 and 2185-272-20-001 in Garfield County, Colorado (the “Property”);

WHEREAS, pursuant to Section 070.060.040(d) of the Glenwood Springs Municipal Code, annexation of land into the City is a legislative act of City Council and shall comply with C.R.S. § 31-12-101 et seq., the Municipal Annexation Act of 1965 (the “Act”); and

WHEREAS, C.R.S. § 31-12-115(2) provides that annexed property must be brought under a municipality’s zoning ordinance within 90 days of the annexation of the property; and

WHEREAS, pursuant to the Act and the Municipal Code, a property’s zoning designation must comply with the City’s Comprehensive Plan; and

WHEREAS, by Resolution No. 15, Series of 19, City Council amended the Comp Plan to designate Parcel Number 2185-272-00-003 as Multi-family Residential; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on January 22, 2019 to consider the zoning designation for the Property and recommended that Parcel Number 2185-272-11-003 be zoned Residential High Density (RH) and that Parcel Number 2185-272-20-001 be zoned Rural Residential (RR); and

WHEREAS, City Council considered the zoning designation for the Property at its duly noticed public meeting on March 7, 2019; and

WHEREAS, based on the Comprehensive Plan as amended by Resolution No. 15, Series of 19, the recommendation of City staff and the Planning and Zoning Commission, and evidence and comments presented at the public meeting, City Council desires to zone the Property as provided herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Parcel Number 2185-272-11-003 is hereby zoned Residential High Density (RH) and Parcel Number 2185-272-20-001 is hereby zoned Rural Residential (RR).

Section 3. Pursuant to Section 070.060.040(a)(3)g of the Municipal Code, the Community Development Director shall prepare a revision to the Official Zoning Map for the City of Glenwood Springs to reflect the zoning approved herein and shall record the amendment map and this Ordinance with the Garfield County Clerk and Recorder.

Section 4. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

ANNEXATION MAP:
IDDINGS & GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES PROPERTIES

SITUATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO.

ANNEXATION DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE COMMON BOUNDARY OF THE PARCEL DESCRIBED IN THE DEED RECORDED NOVEMBER 18, 1985 AS RECEPTION NO. 366662 (BOOK 679 PAGE 50), LOT 1, KINGDOM HALL SUBDIVISION RECORDED APRIL 15, 2002 AS RECEPTION NO. 601233, A TRACT OF LAND DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601425 THESE DOCUMENTS FROM THE GARFIELD COUNTY RECORDS AND THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD NO. 163; THENCE ALONG THE COMMON BOUNDARY OF SAID TRACT (REC. NO. 601425) AND PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.28°47'00"W., 25.68 FEET;
- 2) S.61°13'00"E., 80.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL (REC. NO. 366662), AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601424, AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT AFFIDAVIT RECORDED APRIL 16, 2002 AS RECEPTION NO. 601426 AND A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 1; THENCE LEAVING SAID COMMON BOUNDARY AND ALONG THE COMMON BOUNDARY OF THE PROPERTIES DESCRIBED IN REC. NOS. 601424 AND 601426 AND SAID PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.61°13'00"E., 220.00 FEET;
- 2) N.28°47'00"E., 18.83 FEET TO THE COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426), SAID PARCEL (REC. NO. 366662), AND SAID RIGHT-OF-WAY; THENCE LEAVING SAID COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426) AND ALONG THE COMMON BOUNDARY OF SAID PARCEL (REC. NO. 366662) AND SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

- 1) N.28°47'00"E., 31.17 FEET;
- 2) N.61°13'00"W., 300.00 FEET;
- 3) S.28°47'00"W., 24.32 FEET TO THE POINT OF BEGINNING.

SAID ANNEXATION PARCEL CONTAINS 15,000 SQ. FT. OR 0.344 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 366662) AS DESCRIBED ON THIS PLAT.

OWNER: MARK IDDINGS

STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY MARK IDDINGS.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 601427) AS DESCRIBED ON THIS PLAT.

OWNER: GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES

BY: _____ AS _____ OF GLENWOOD SPRINGS CONGREGATION OF
JEHOVAH'S WITNESSES

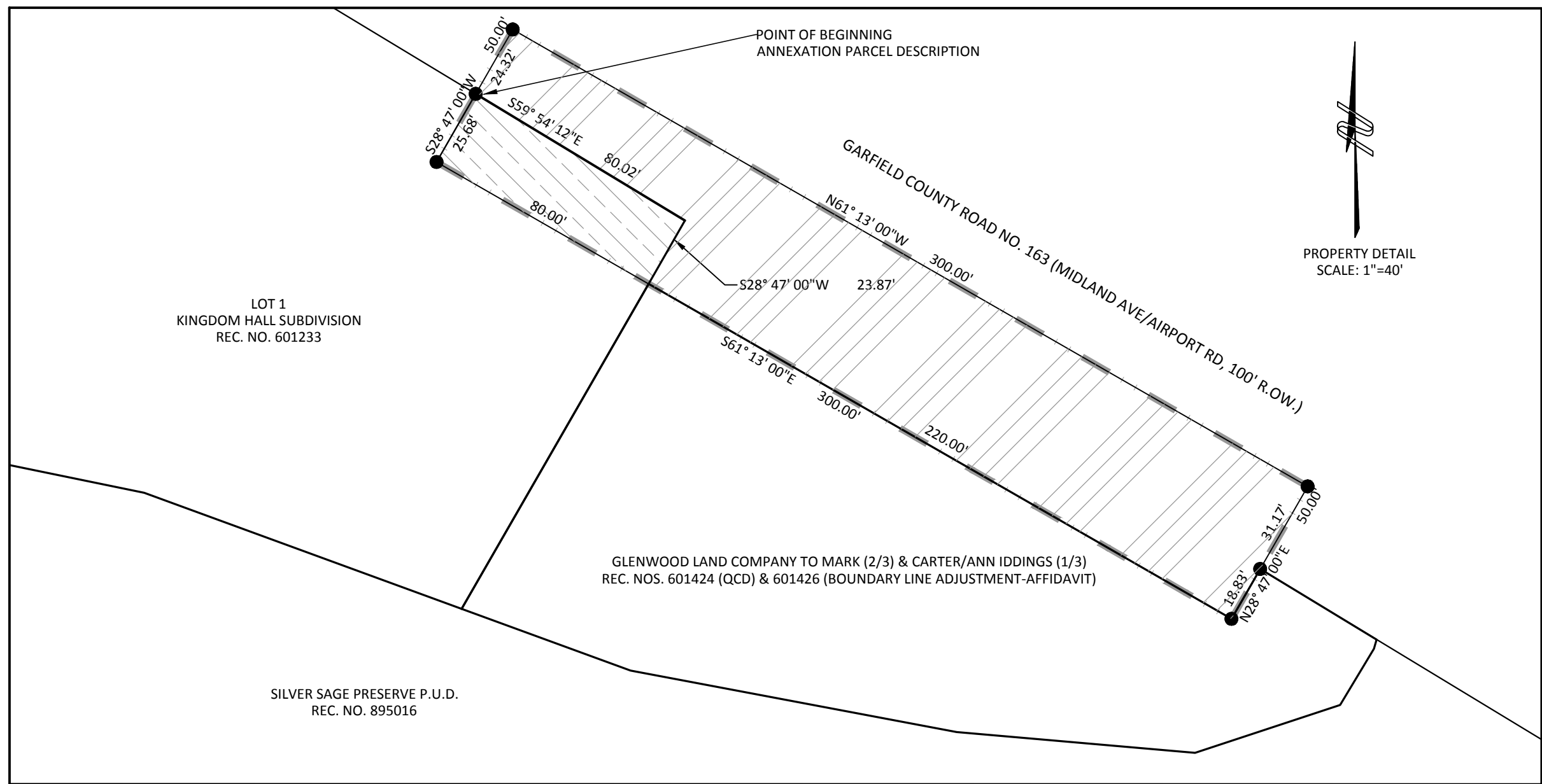
STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

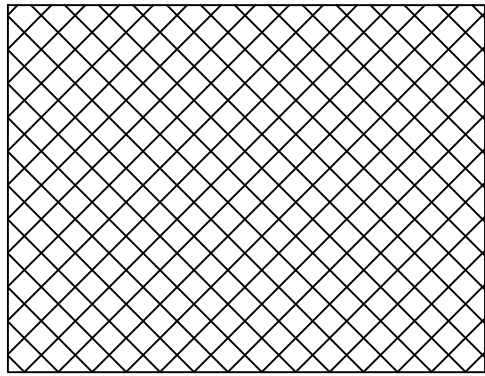
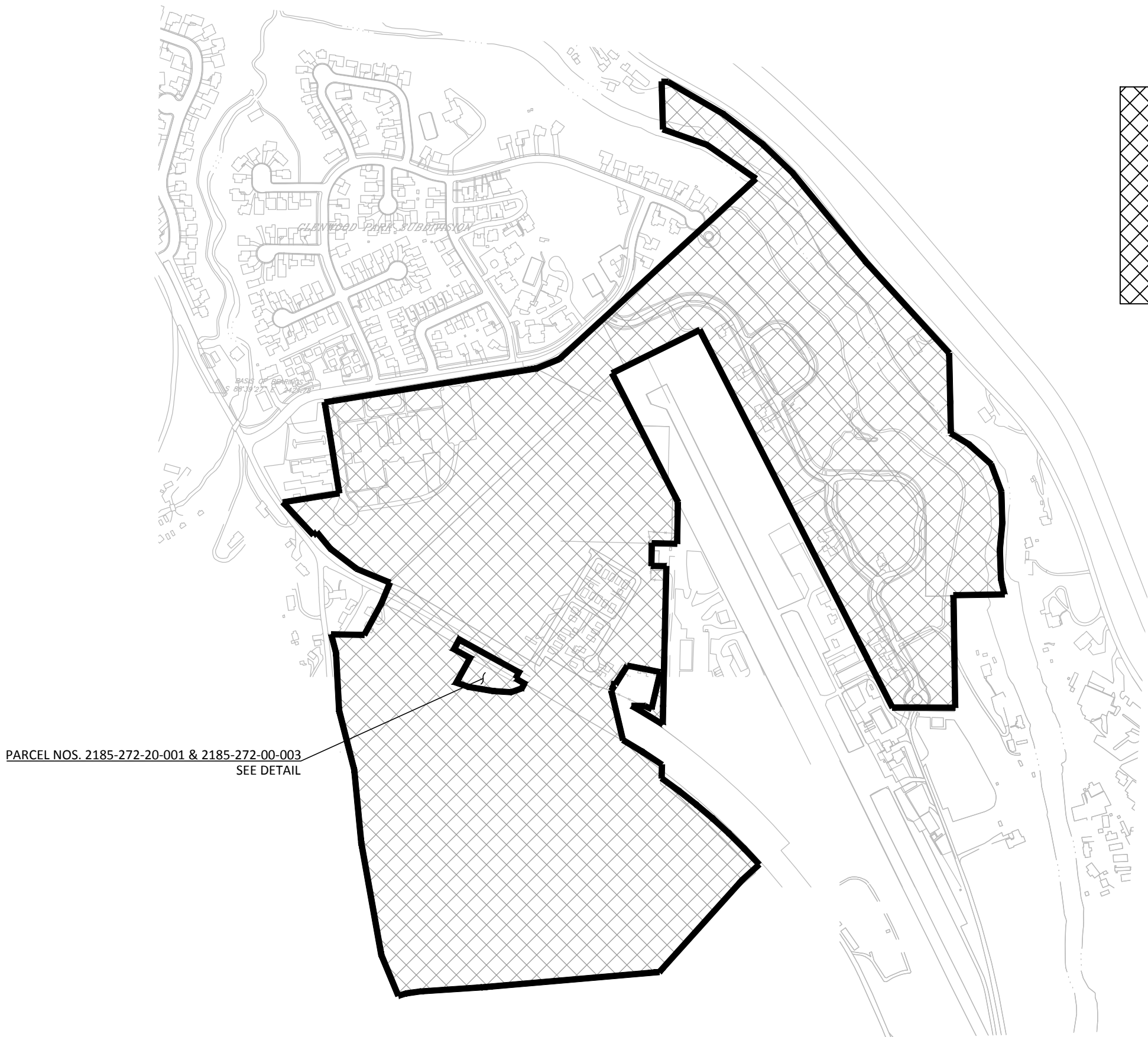


SOPRIS ENGINEERING - LLC

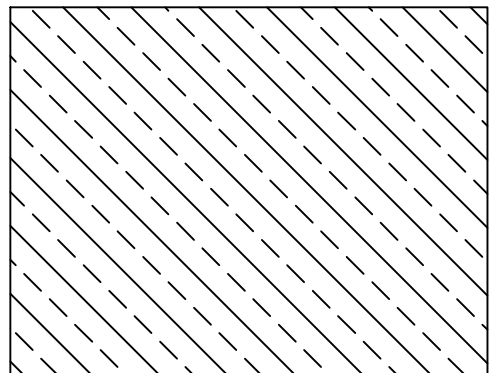
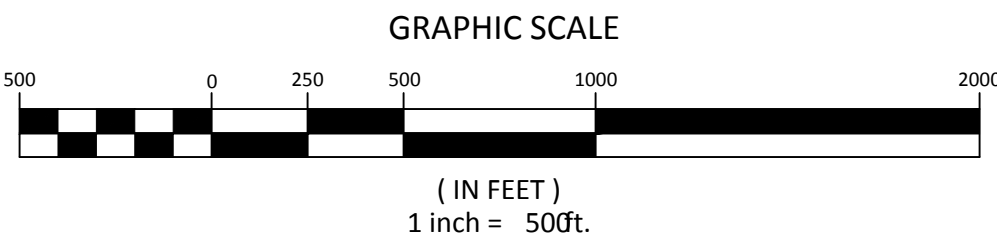
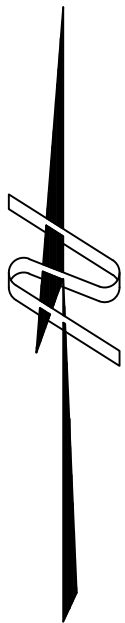
CIVIL CONSULTANTS
502 MAIN STREET, SUITE A3
CARBONDALE, COLORADO 81623
(970) 704-0311 SOPRISENG@SOPRISENG.COM

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 CERTIFICATION SHOWN HEREON.

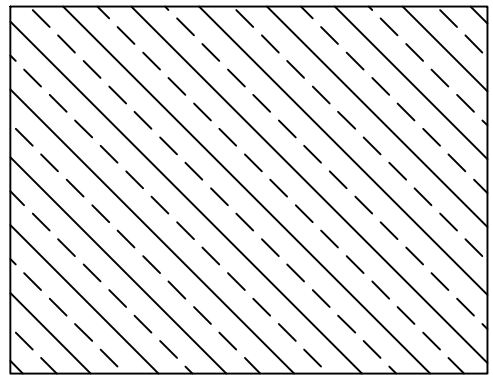
SHEET 1 OF 1
THE PURPOSE OF THIS ANNEXATION MAP IS TO ANNEX THE PROPERTIES LEFT OUT OF THE ANNEXATION MAP RECORDED DECEMBER 30, 1988 AS RECEPTION NO. 398013



AREA ANNEXED PER MAP RECORDED DECEMBER 30, 1988
AS RECEPTION NO. 398013

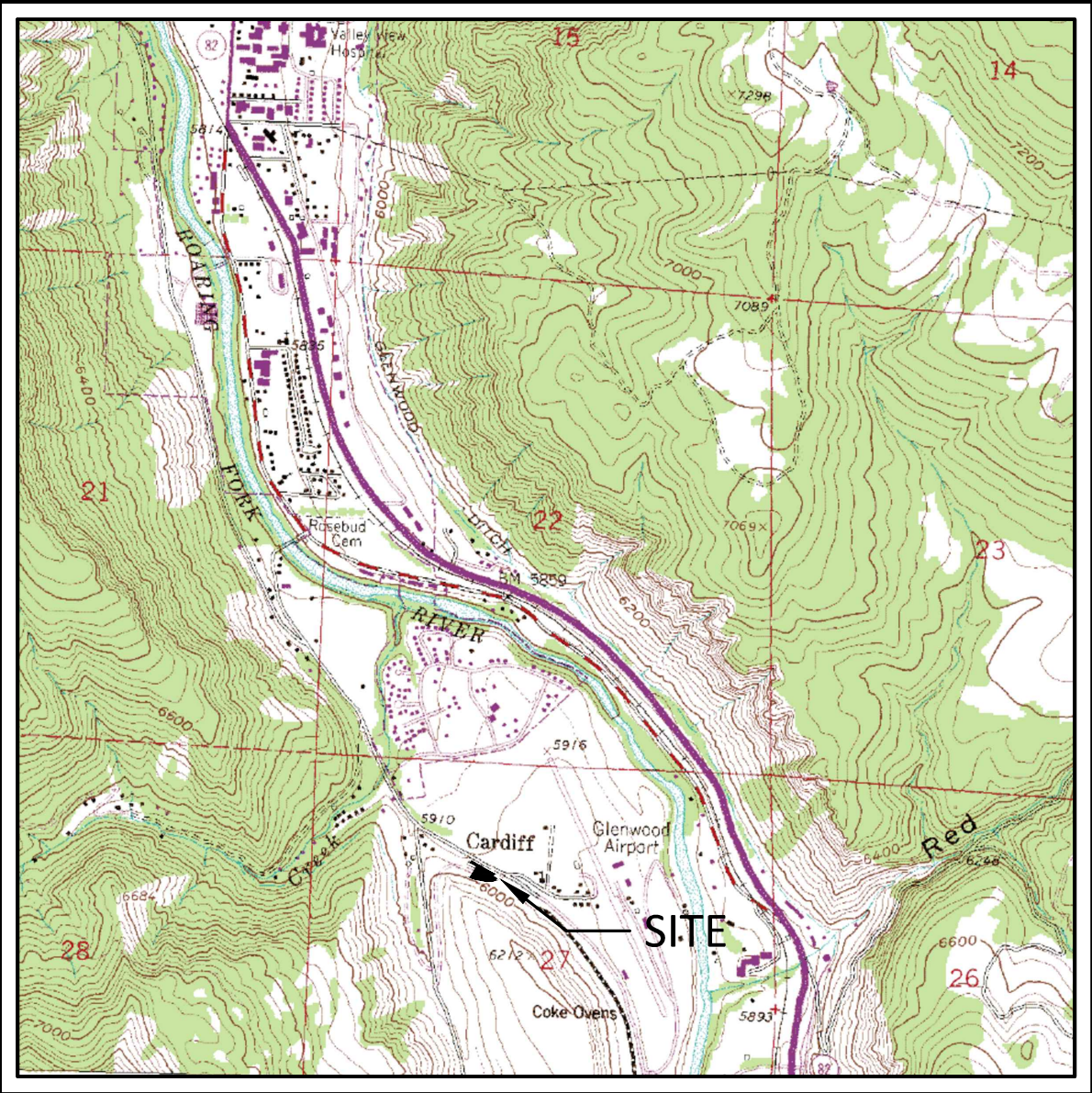


PROPERTY DESCRIBED IN DEED FROM ALPINE BANK TO MARK IDDINGS
NOVEMBER 18, 1985 REC. NO. 366662 (BOOK 679 PAGE 50)
AND
ANNEXATION PARCEL, THIS MAP



PROPERTY DESCRIBED IN QUIT CLAIM DEED FROM IDDINGS TO GLENWOOD LAND COMPANY, LLC
APRIL 16, 2002 REC. NO. 601425. A PORTION OF LOT 1, KINGDOM HALL SUBDIVISION (REC. NO.
601233). ENTIRE LOT 1 SOLD TO THE GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S
WITNESSES IN SPECIAL WARRANTY DEED RECORDED APRIL 16, 2002 AS REC. NO. 601427

CONTIGUOUS BOUNDARY WITH THE CITY OF GLENWOOD SPRINGS



VICINITY MAP
SCALE: 1" = 2000'

NOTES

- 1) DATE OF SURVEY: MARCH 20 & 24, 2018.
- 2) DATE OF PREPARATION: DECEMBER, 2018 AND JANUARY, 2019.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF S 08°43'24" E ALONG EASTERLY RIGHT-OF-WAY OF FOUR MILE ROAD (COUNTY RD. 117) BETWEEN TWO FOUND REBARS AND PLASTIC CAPS (L.S. 27613). THIS IS CONSISTENT WITH THE MONUMENTED LAND AND IMPROVEMENT SURVEY REFERENCED IN NOTE NO. 6. THEREFORE THIS SURVEY HAS BEEN ROTATED 01°06'56" CLOCKWISE FROM THE DEEDS OF RECORD/TITLE DESCRIPTION AND COUNTER-CLOCKWISE 01°11'11" FROM THE CITY OF GLENWOOD SPRINGS DATUM BASED ON A BEARING OF N 88°28'00" W ON THE CENTERLINE OF THE 8TH STREET RIGHT-OF-WAY..
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTY COMPANY, ORDER NO. ABS63012620, DATED MARCH 28, 2018 AND DOCUMENTS AND PLATS OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON.
- 6) THE ANNEXATION BOUNDARY IS ENTIRELY CONTIGUOUS WITH THE ANNEXATION PARCEL DESRIPTION PER THIS MAP.

SURVEYOR'S STATEMENT

I, GEOFFREY R. KELLER, DO HEREBY STATE THAT THIS ANNEXATION MAP WAS PREPARED BY SOPRIS ENGINEERING, LLC FOR MARK IDDINGS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

BY: _____
GEOFFREY R. KELLER, L.S. #37997

CLERK AND RECORDER'S CERTIFICATE

THIS ANNEXATION MAP WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, ON THE _____ DAY OF _____, 2019 AND WAS DULY RECORDED IN PLAT BOOK _____ AT PAGE _____ AS RECEPTION NO. _____.

CLERK AND RECORDER OF GARFIELD COUNTY

BY: _____



Planning and Zoning Commission Report

Date: January 22, 2019
 To: Planning and Zoning Commission
 From: Trent L. Hyatt, Senior Planner
 Subject: #29-18 – Iddings/City of Glenwood Springs Annexation, Rezoning, Comprehensive Plan Future Land Use Map Amendment

REQUEST	Consideration of an application for an enclave Annexation and a Comprehensive Plan Future Land Use Map Amendment and Rezonings associated therewith.
APPLICANT	James Mason/City of Glenwood Spring Community Development
OWNERS	Mark Iddings/Glenwood Springs Congregation of Jehovah Witnesses
LOCATION	PIN: 2185-272-00-003 and 101 Airport Road (PIN: 2185-272-20-001)
ZONE	Garfield County Residential/Suburban and Rural Residential
SURROUNDING LAND USES	North: Cardiff Glen single/multi-family residential Planned Unit Development (PUD) South: Silver Sage single/multi-family residential PUD East: Cardiff Glen single/multi-family residential PUD/ Cardiff Mini Storage West: Religious organization/single-family residential
LOT SIZE	Approximately 39,487 square feet (0.907 acres)

ACTION ITEMS:

The Planning and Zoning Commission (Commission) reviews amendments to the *Glenwood Springs Comprehensive Plan* (Comp Plan) and the rezonings. Enclave (areas completely surrounded by a municipality) annexations do not require review by the Commission but are addressed herein since the subject annexation relates directly to the applicants' request for a Comp Plan Future Land Use Map Amendment and the initial rezonings.

Action 1 – Comprehensive Plan Future Land Use Map Amendment – to revise the Iddings property from Low Density Residential and Hillside Preservation to Multi-family Residential.

Staff recommendation: Staff recommends **approval** of the *Comprehensive Plan Future Land Use Map Amendment* with the findings on page 8.

Action 2 – Rezoning (initial City zoning) – of the Iddings property to Residential High-Density (RH) District.

Staff recommendation: *Staff recommends **approval** of the Rezoning with the findings and conditions on pages 8-9.*

Action 3 – Rezoning (initial City zoning) – of a portion of the Glenwood Springs Congregation of Jehovah Witnesses property to Rural Residential (RR) District.

Staff recommendation: *Staff recommends **approval** of the Rezoning with the findings and conditions on page 9.*

BACKGROUND/ANALYSIS

Proposal

The City received an application from Jim Mason on behalf of Mark Iddings, for the annexation of an enclave parcel located at the southern end of the City. Accompanying the application are requests for an amendment to the Comp Plan Future Land Use Map and rezonings (or initial City zoning) of the subject properties.

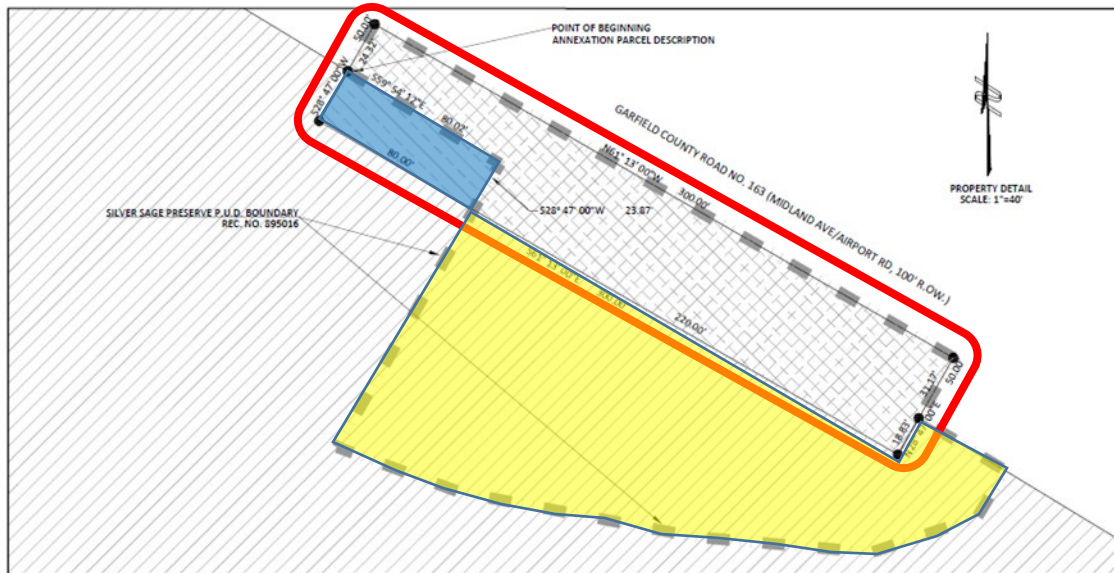
The current boundary of the Iddings property is depicted in red below and is a result of various land transfers which occurred in 2002.



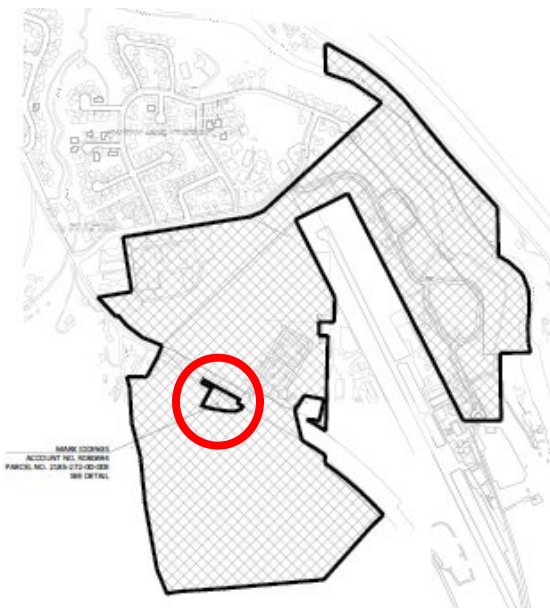
Source: Garfield County Land Explorer

To create the current boundary, a small approximately 25 foot by 80 foot rectangular tract was transferred from Iddings to the Glenwood Springs Congregation of Jehovah Witnesses (JW) at the

northern flagpole portion of the property (shown in blue below). Additionally, a larger triangular tract (shown in yellow below), formerly part of the Silver Sage property, was transferred to Iddings resulting in the current property boundary as represented by the gray, heavy dashed line.



City boundary and zoning maps have depicted the current boundary of the subject property as an enclave for many years. However, research of the application and various recorded documents, indicates otherwise. In 1988, City Council approved the annexation of approximately 165 acres in the area of the Glenwood Park Subdivision and municipal airport (known as the Glenwood Limited Annexation) as depicted below.



The boundaries of the current Iddings property boundary are shown as being within the annexation area in red (left). However, the 1988 Glenwood Limited annexation incorrectly included the property which was owned by the Iddings family at that time (50 foot by 300 foot rectangle circled in red above), not Glenwood Limited.

Annexation

The applicant's original intent was to annex and rezone the current Iddings property (gray, heavy dashed line above) only. However, it is not necessary to annex all of the property since the southern triangular portion (yellow above) was owned and annexed by Glenwood Limited in 1988. That being said, the City is now a party to the application in order to annex and zone the portion

of the enclave currently owned by JW (blue above). Per Colorado Revised Statutes, the annexation

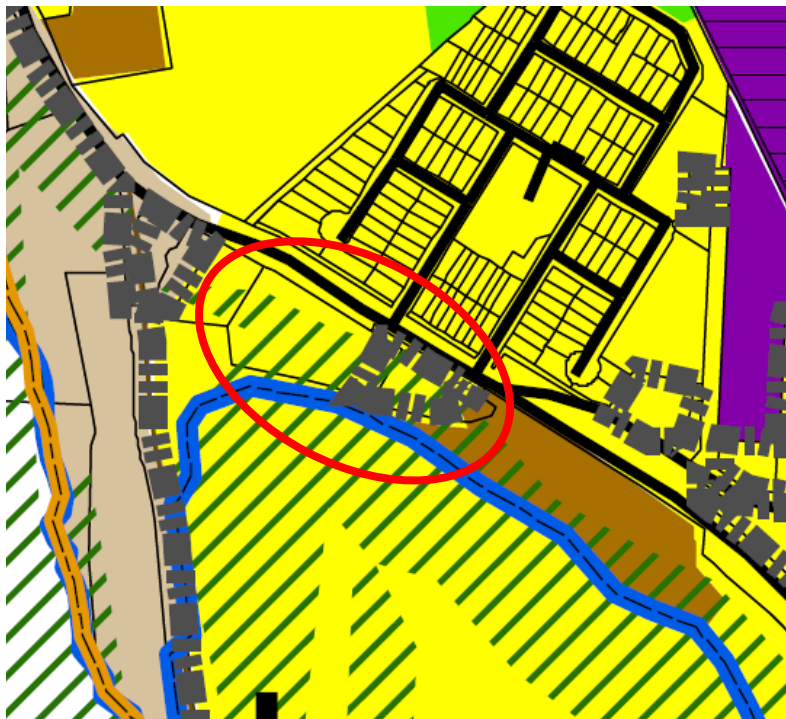
of enclaves or City owned property simply occur via the passage of related ordinances by City Council, not requiring the typical petition for annexation or election process.

Mr. Mason proposes to rezone the Iddings property to Residential High-Density (RH) District. A Comp Plan Future Land Use Map amendment from Single-family Residential and Hillside Preservation to Multi-family Residential accompanies the rezoning request. The City proposes to rezone the applicable portion of the JW property to Rural Residential (RR) District consistent with the rest of the JW parcel. A development proposal is not part of the current application. Attached for your review are the applicant's narrative, copies various maps and deeds, and a draft annexation plat.

Comprehensive Plan Future Land Use Map Amendment

A designation of Multi-family Residential is being requested for the Iddings property which according to Chapter 2, Page 29 of the Comp Plan "...accommodates multifamily structures of 3 units or greater. Home occupations, assisted living facilities, institutional uses such as churches, schools, public building, parks and trails are allowed uses." An amendment to the JW is not requested/necessary as it is already designated Single-family Residential.

As shown below, Map 2.3 Future Land Use – South Portion of the City of the Glenwood Springs Comp Plan identifies both the Iddings and JW properties as Single-family Residential (in yellow) and Hillside Preservation (green hatching).



Chapter 2 of Comp Plan explains the Single-family Residential designation as "...comprised primarily of single-family detached homes and duplexes on a variety of lot sizes, Accessory dwelling units and home occupations may be permitted with additional review. Institutional uses such as churches, schools, parks and trails are also allowed." Develop of Hillside Preservation areas "...requires special care. Hillside preservation areas, those with slopes in excess of twenty percent, are indicated on the Future Land Use Map with a green cross-hatch. Development is discouraged in these areas unless it is at very low

densities, in limited areas and done with little impact (physically and visually) to the hillsides."

Numerous community goals and related objectives and strategies outlined in the Executive Summary and subsequent chapters of the Comp Plan encourage economic development,

preserving our small town character, convenient transportation, infill development, housing opportunities, social diversity, and preserving natural resources all of which are supported by this proposal. These goals are outlined in the following table.

<u>Comprehensive Plan Goal</u>	<u>Comprehensive Plan Objective and Strategy</u>
-Promote long-term, sustainable, diverse, economic development	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34)
-Preserve small town small town character while maintaining the livability of Glenwood Springs and increasing the vibrancy and commercial success of the downtown	-Develop according to the vision (Chapter 4, Page 34) -Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Enhance pedestrian-friendliness while facilitating traffic (Chapter 3, Page 36) -Direct growth inward (Chapter 9, Page 102)
-Address transportation and provide multiple convenient travel choices	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34)
-Direct development to locations and building forms that are cost effective to serve	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Direct growth to areas where utilities and services can be provided efficiently (Chapter 7, Page 82)
-Provide housing opportunities for the entire community	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Encourage greater variety in housing types and price (Chapter 6, Page 75) -Encourage housing variety and affordability throughout the community (Chapter 6, Page 76) -Require good design for mixed-use and higher density projects (Chapter 6, Page 78) -Direct growth inward (Chapter 9, Page 102)
-Support social diversity	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Encourage greater variety in housing types and price (Chapter 6, Page 75) -Encourage housing variety and affordability throughout the community (Chapter 6, Page 76) -Require good design for mixed-use and higher density projects (Chapter 6, Page 78) -Direct growth inward (Chapter 9, Page 102)

Approval Criteria

City Council may amend the Comp Plan following a recommendation by the Commission. Chapter 1, Page 15 outlines the criteria for an amendment thereto as shown in italics below. Other language is provided by staff.

“The City may amend the Comprehensive Plan if the proposed change is consistent with the vision (intent), goals and polices of the Plan and one or more of the following:

- Subsequent events have invalidated the original premise and findings; and/or*

Not applicable.

- The character and/or condition of the area has changed such that the amendment is consistent with the plan; and/or*

The proposed amendment is consistent with multi-family residential development occurring in the area on directly adjacent and nearby properties.

- Public and community facilities are adequate to serve the type and scope of land use proposed; and/or*

Public and community facilities are adequate to serve the type of land use proposed.

- An inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and/or*

Adequate housing continues to be an issue in our community and the proposed amendment will potentially allow for additional units in the area.

- The community or area will derive benefits from the proposed amendment. ”*

The community will derive benefits from the additional housing permitted by the proposed designation if the property is developed in the future.

Rezoning

As outlined on page 1 and depicted on the map below, the Iddings property is zoned Garfield County Residential/Suburban (not identified by a color) and the JW is zoned Rural Residential (RR) District as shown in yellow. Residential High Density (RH) District and RR are requested for the properties respectively. Section 070.020.030(a) of the *Glenwood Springs Municipal Code* (Code) outlines the purpose of the RH zone as “...intended to accommodate various housing types ranging from single-family detached on small lots to multifamily dwellings. The RH district is intended to transition between established neighborhoods and more intense commercial or other nonresidential districts.” As per Section 070.020.070(a), “[T]he RR district is intended to accommodate very low-density, large-lot single-family residential uses with some limited agricultural uses. The district is intended to provide a transition between surrounding rural lands in the County on large parcels of land and more urbanized areas.”



Approval Criteria

A rezoning must adhere to the approval criteria outlined in Section 070.060.040(a)(3)f.3 of the Code and as provided in *italics* below. Other language is provided by staff.

i. In reviewing a proposed rezoning, the Planning Commission and City Council shall consider whether:

a. The rezoning is consistent with the City's comprehensive plan and the purpose of this Code;

The rezonings (initial zoning) are consistent with the Comp Plan by way of the amendment which accompanies the application discussed above and the current designation of the JW parcel. In addition, the properties are located within the City's Urban Growth Boundary. It appears that the initial zoning/rezonings are in compliance with City goals, policies, and plans. Additional review is required for future development proposals to determine compliance with applicable development standards.

b. The rezoning is consistent with the proposed purpose statement of the proposed zoning district;

The rezonings are consistent and/or do not negatively impact the goals and purpose requested zone districts purpose statements provided above.

c. Substantial changes in the subject area warrant a zoning change; and/or

Not applicable since this an initial zoning of areas currently located outside of the municipal limits.

d. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.

The request zone districts are not expected to create adverse impacts in the neighborhood.

Reviewing Agency/Adjacent Property Owner Comments

No comments were received regarding the proposal.

ACTION ALTERNATIVES AND STAFF RECOMMENDATIONS:

Section 070.060.030(g)(1)d of the Code outlines the review and decision procedures for applications being considered by the Commission and/or City Council stating, “[T]he applicable review body shall approve, approve with conditions, or deny the application based on the applicable approval criteria listed in the application-specific procedures. The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, Referral and Call- Up Procedures.”

Action 1 – Comprehensive Plan Future Land Use Map Amendment – to revise the Iddings property from Low Density Residential and Hillside Preservation to Multi-family Residential.

Staff Recommendation

Staff recommends **approval** of the Comprehensive Plan Future Land Use Map Amendment with the following findings:

Recommended Findings:

1. The character and/or condition of the area has changed such that the amendment is consistent with the plan; and/or
2. Public and community facilities are adequate to serve the type and scope of land use proposed; and/or
3. An inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and/or
4. The community or area will derive benefits from the proposed amendment.

Action 2 – Rezoning (initial City zoning) – of the Iddings property to Residential High-Density (RH) District.

Staff Recommendation

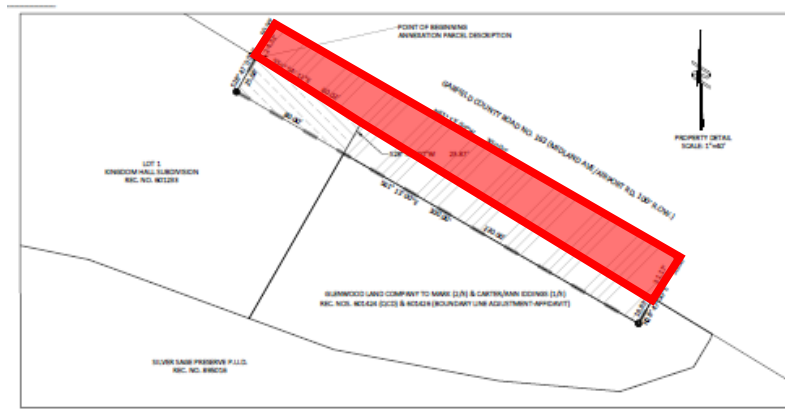
Staff recommends **approval** of the Rezoning with the following findings and conditions:

Recommended Findings:

1. The rezoning is consistent with the City's comprehensive plan and the purpose of this Code;
2. The rezoning is consistent with the proposed purpose statement of the proposed zoning district;
3. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.

Recommended Conditions:

1. The applicant shall grant a public access/utility/maintenance roadway easement to the City, in a form acceptable to the City Attorney and City Engineer for the portion of the property adjacent to Airport Road depicted in red in the graphic below.



2. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the *Glenwood Springs Municipal Code*.
3. The applicant shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director.

Action 3 –Rezoning (initial City zoning) – of a portion of the Glenwood Springs Congregation of Jehovah Witnesses property to Rural Residential (RR) District.

Staff Recommendation

Staff recommends **approval** of the Rezoning with the following findings and conditions:

Recommended Findings:

1. The rezoning is consistent with the City's comprehensive plan and the purpose of this Code;
2. The rezoning is consistent with the proposed purpose statement of the proposed zoning district;
3. The intensity of development in the new zoning district is not expected to create significantly adverse impacts to surrounding properties or the neighborhood.

Recommended Conditions:

1. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the *Glenwood Springs Municipal Code*.
2. The applicant shall comply with all verbal representations made in the public hearings, as outlined in all application materials, and/or as revised per conditions herein and approved by the Community Development Director.



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
January 22, 2019
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00PM

1. Roll Call Meeting called to order at 6:02 PM

Present at roll call were Commissioners: Ingrid Wussow, George Shaver, Marco Dehm, Kathryn Grosscup, Tim Malloy, and Sumner Schachter

Absent: Amber Wissing

Also present were: Jenn Ooton, Director/Asst. City Manager
Gretchen Ricehill, Assistant Director
Anna S. Itenberg, City Attorney's Office
Trent Hyatt, Senior Planner
Kathleen Michel, Admin. Assistant

2. Receipt of minutes of the December 18, 2018 regular meeting.

MOTION: Moved by Commissioner Grosscup, seconded by Commissioner Schachter, to accept the minutes of December 18, 2018 regular meeting as written. Commissioners Wussow and Malloy recused themselves as they were not at the prior meeting. Motion carried by voice vote. .

3. Comments from citizens appearing for items not on the agenda.

Dan Sullivan, spoke about change of hours for marijuana stores from 7:00 p.m. to 9:00 p.m. to be consistent with hours in other communities.

Jenn Ooton indicated that this would be a staff item and was on a future agenda.

New Items

4. 29-18 – Consideration of an enclave Annexation, a Comprehensive Plan Future Land Use Map Amendment, and Rezoning.

Applicant: James Mason/City of Glenwood Springs
Location: PIN: 2185-272-00-003 and 101 Airport Road (PIN: 2185-272-20-001)
Zone: Garfield County Residential/Suburban and Rural Residential

Trent Hyatt, Senior Planner, summarized the project in accordance with the staff report. There are three action items for consideration. The actual annexation will take place with an ordinance from the City Council.

Discussion followed regarding zoning, the right-of-way, an easement, setbacks, the church parcel and the church parking lot.

Applicant presentation: Jim Mason, 521 Sunny Acres Rd., was present to represent Mark Iddings who was unable to attend due to health reasons. Goal is to annex an enclave into City with uses compatible with neighboring properties. The Jehovah's Witnesses' parcel is a separate ownership. The Iddings' parcel is limited by topography and setbacks. Mr. Iddings is willing to grant an easement to the City for Airport Road.

The Chair opened the hearing for public comment at 6:41 p.m. No one wished to comment. The public portion of the hearing closed at 6:42 p.m.

Action Item 1: Future Land Use Map Amendment - To revise the Iddings' property from Low Density Residential and Hillside Preservation to Multi-family Residential.

Motion: Commissioner Malloy moved for approval, seconded by Commissioner Wussow. The motion carried unanimously.

Action Item 2: Rezoning of the Iddings' property to Residential High-Density (RH) District.

Motion: Commissioner Malloy moved, seconded by Commissioner Schachter, to approve with findings on page 8 and conditions 1, 2 and 3 as written on page 9.

Discussion followed about a possible amendment to straighten the right-of-way.

Commissioner Malloy moved to revise condition 1 to read that applicant shall dedicate right-of-way to for access, utility maintenance and roadway use to the City and the rest would read the same. Commissioner Schachter seconded. The motion carried unanimously.

Action Item 3: Rezoning of a portion of the Glenwood Springs Congregation of Jehovah's Witnesses' property to Rural Residential (RR) District.

Motion: Commissioner Malloy, seconded by Commissioner Schachter, to approve the rezoning. Motion carried unanimously.

5. 30-18 – Consideration of variance to allow for a two foot front setback and a variance for the requirement of the installation of a sidewalk.

Applicant: Ian Moritz/CO Energy Systems
Location: 1140 Devereux Road (PIN: 2185-054-08-011)
Zone: I2 River Industrial

Trent Hyatt summarized the project in accordance with the staff report.

Discussion followed regarding the cost of constructing a sidewalk or payment of fee in lieu which was a provision added to the new development code. The City owns much of the river bank area and some is owned by the railroad. Existing sidewalks on that side of the road are on the City property. There was discussion of whether fee in lieu was set aside in a specific fund for sidewalk construction.

Jenn Ooton advised that a dedicated fund for fee in lieu is not addressed in the code.

ANNEXATION MAP:
IDDINGS & GLENWOOD SPRINGS CONGREGATION OF JEHOVAHS WITNESSESS PROPERTIES

SITUATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO.

ANNEXATION DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE COMMON BOUNDARY OF THE PARCEL DESCRIBED IN THE DEED RECORDED NOVEMBER 18, 1985 AS RECEPTION NO. 366662 (BOOK 679 PAGE 50), LOT 1, KINGDOM HALL SUBDIVISION RECORDED APRIL 15, 2002 AS RECEPTION NO. 601233, A TRACT OF LAND DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601425 THESE DOCUMENTS FROM THE GARFIELD COUNTY RECORDS AND THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD NO. 163; THENCE ALONG THE COMMON BOUNDARY OF SAID TRACT (REC. NO. 601425) AND PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.28°47'00"W., 25.68 FEET;
- 2) S.61°13'00"E., 80.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL (REC. NO. 366662), AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601424, AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT AFFIDAVIT RECORDED APRIL 16, 2002 AS RECEPTION NO. 601426 AND A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 1; THENCE LEAVING SAID COMMON BOUNDARY AND ALONG THE COMMON BOUNDARY OF THE PROPERTIES DESCRIBED IN REC. NOS. 601424 AND 601426 AND SAID PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.61°13'00"E., 220.00 FEET;
- 2) N.28°47'00"E., 18.83 FEET TO THE COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426), SAID PARCEL (REC. NO. 366662), AND SAID RIGHT-OF-WAY; THENCE LEAVING SAID COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426) AND ALONG THE COMMON BOUNDARY OF SAID PARCEL (REC. NO. 366662) AND SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

- 1) N.28°47'00"E., 31.17 FEET;
- 2) N.61°13'00"W., 300.00 FEET;
- 3) S.28°47'00"W., 24.32 FEET TO THE POINT OF BEGINNING.

SAID ANNEXATION PARCEL CONTAINS 15,000 SQ. FT. OR 0.344 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 366662) AS DESCRIBED ON THIS PLAT.

OWNER: MARK IDDINGS

STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY MARK IDDINGS.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 601427) AS DESCRIBED ON THIS PLAT.

OWNER: GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES

BY: _____ AS _____ OF GLENWOOD SPRINGS CONGREGATION OF
JEHOVAH'S WITNESSES

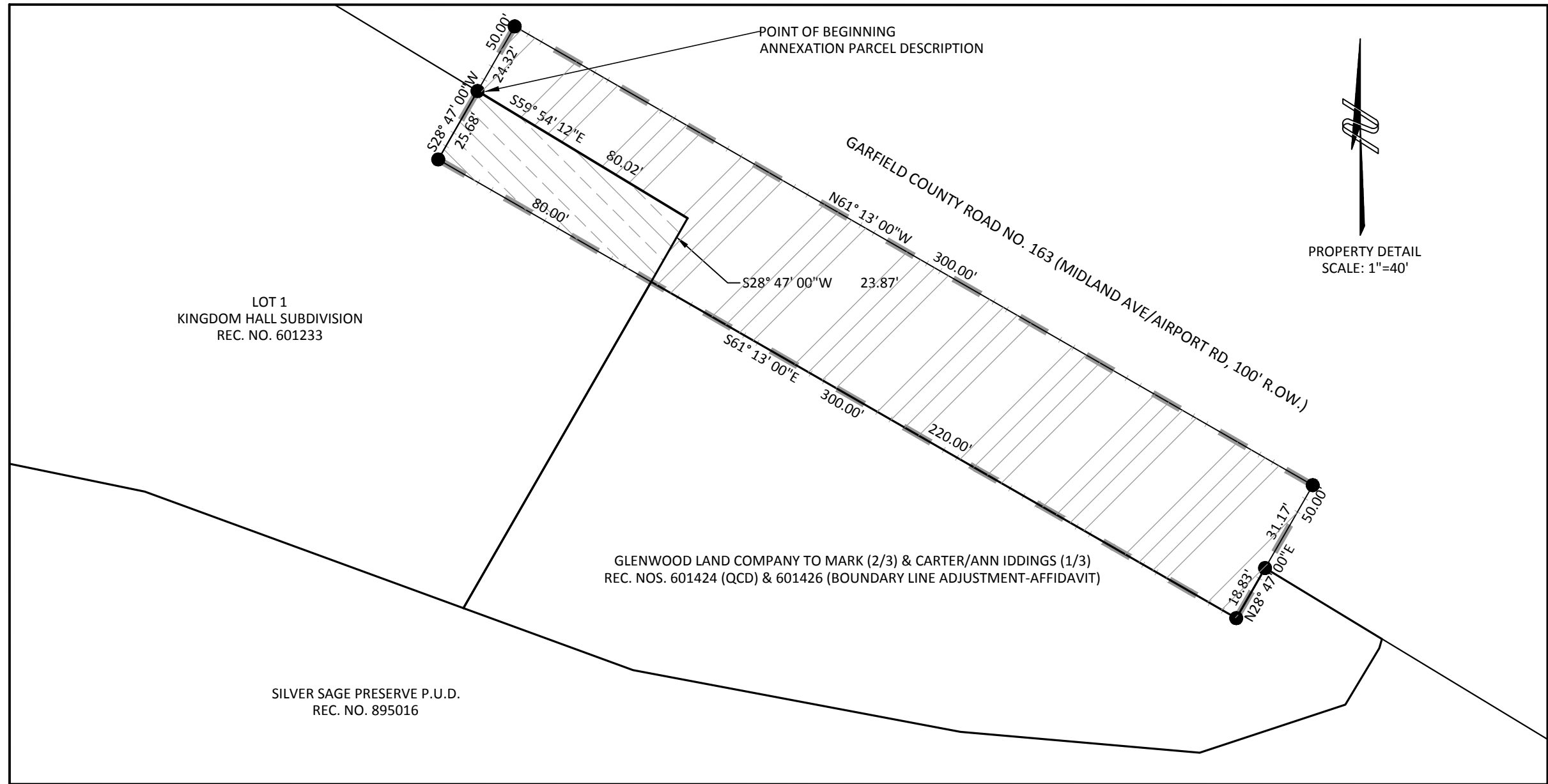
STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

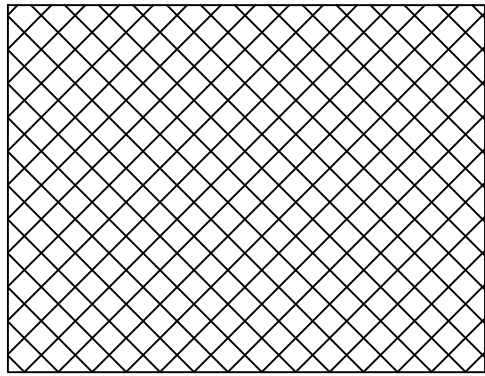
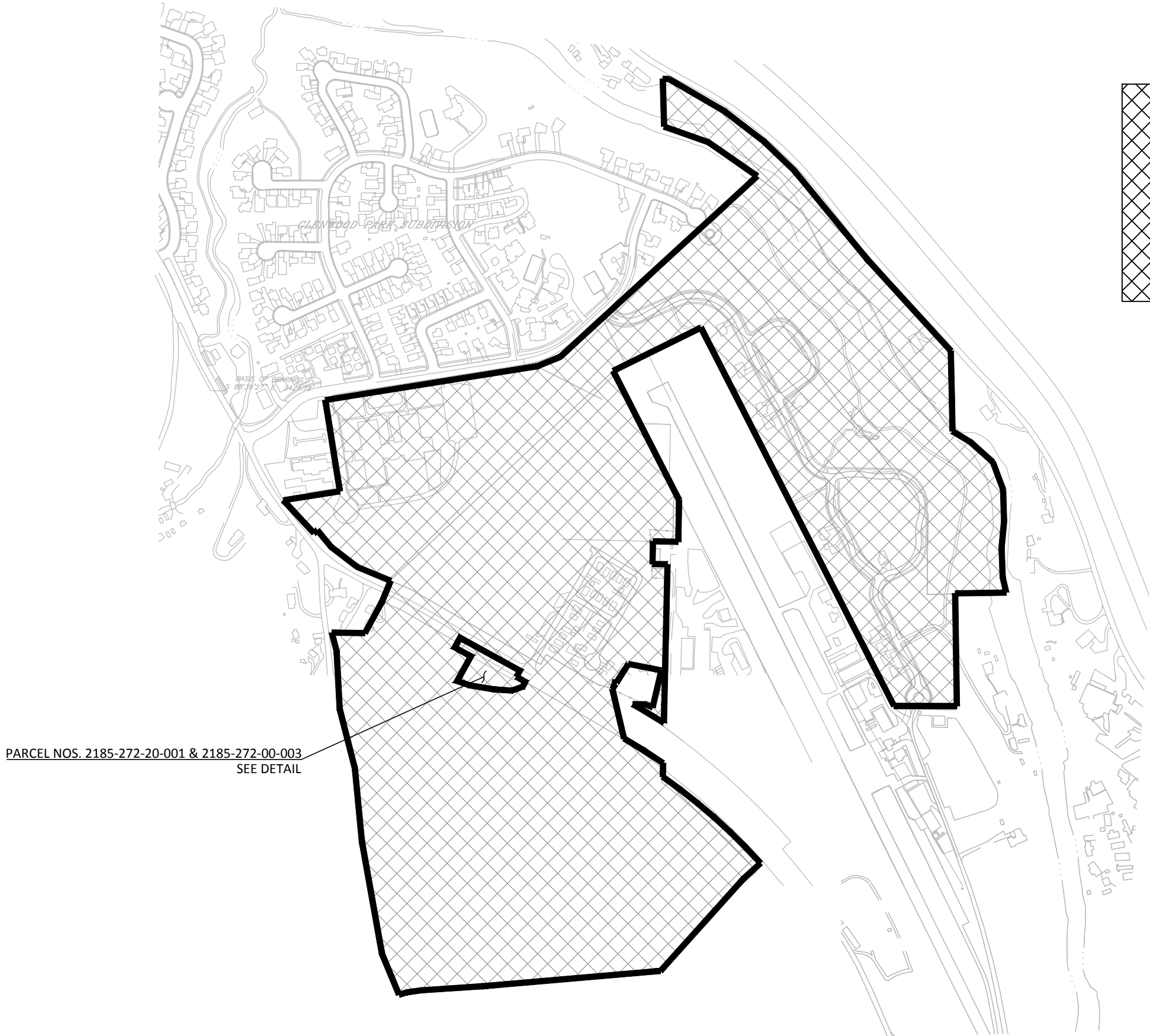


SOPRIS ENGINEERING - LLC

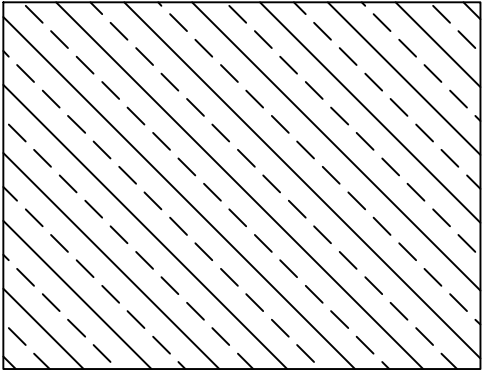
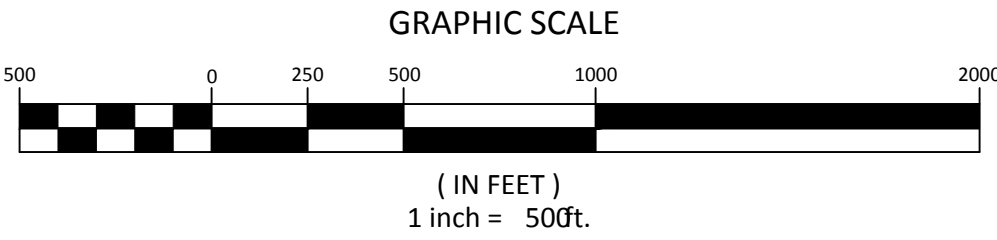
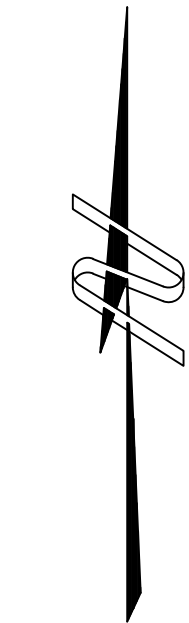
CIVIL CONSULTANTS
502 MAIN STREET, SUITE A3
CARBONDALE, COLORADO 81623
(970) 704-0311 SOPRISENG@SOPRISENG.COM

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 CERTIFICATION SHOWN HEREON.

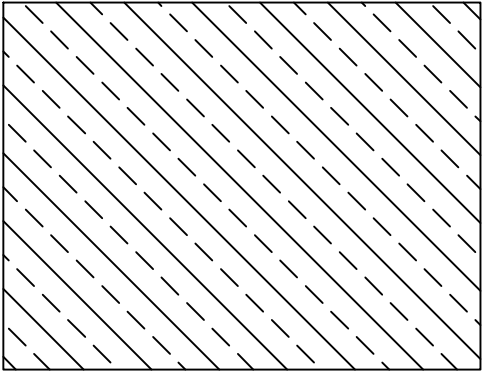
SHEET 1 OF 1
THE PURPOSE OF THIS ANNEXATION MAP IS TO ANNEX THE PROPERTIES LEFT OUT OF THE ANNEXATION MAP RECORDED DECEMBER 30, 1988 AS RECEPTION NO. 398013



AREA ANNEXED PER MAP RECORDED DECEMBER 30, 1988
AS RECEPTION NO. 398013

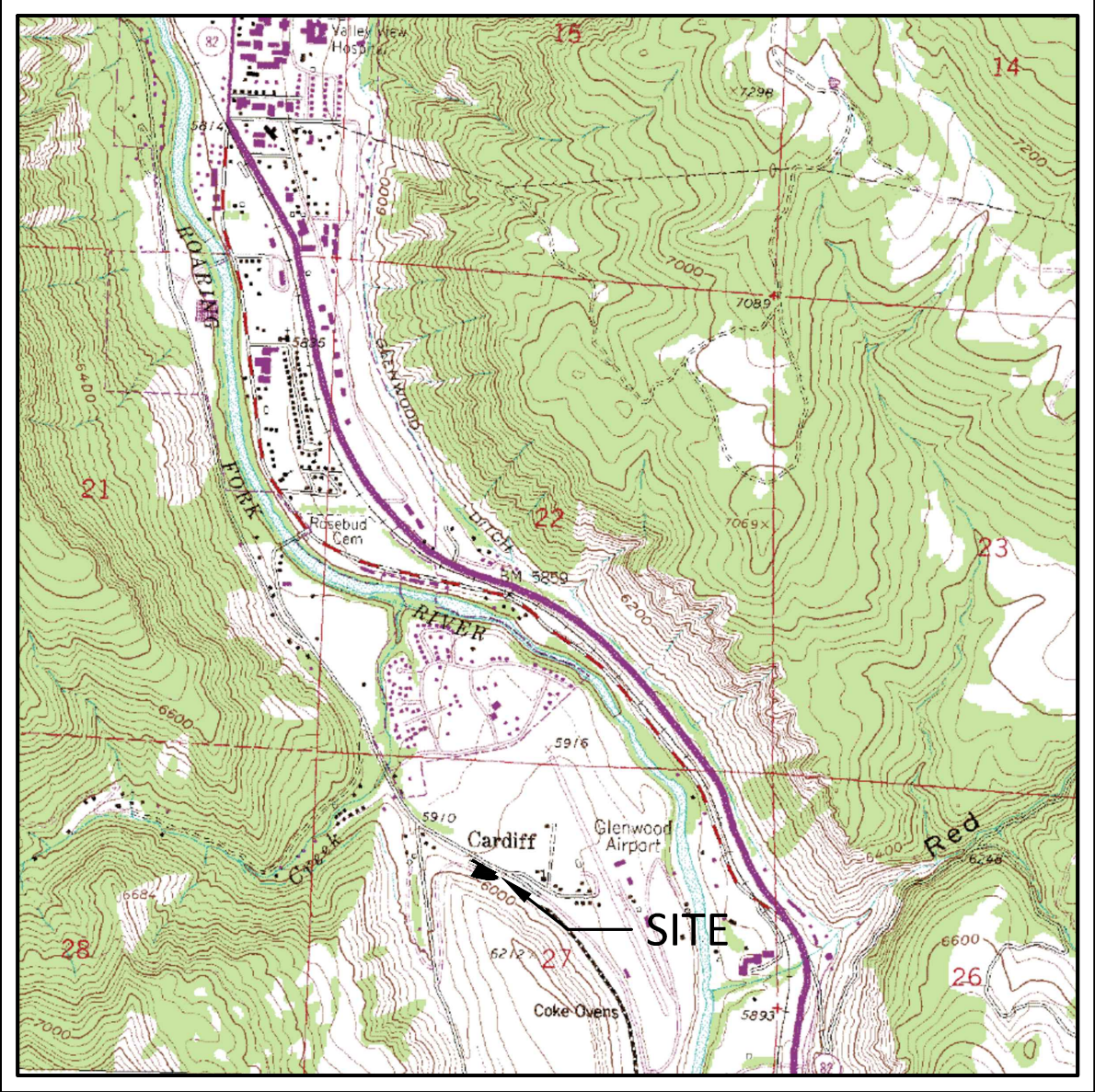


PROPERTY DESCRIBED IN DEED FROM ALPINE BANK TO MARK IDDINGS
NOVEMBER 18, 1985 REC. NO. 366662 (BOOK 679 PAGE 50)
AND
ANNEXATION PARCEL, THIS MAP



PROPERTY DESCRIBED IN QUIT CLAIM DEED FROM IDDINGS TO GLENWOOD LAND COMPANY, LLC
APRIL 16, 2002 REC. NO. 601425. A PORTION OF LOT 1, KINGDOM HALL SUBDIVISION (REC. NO.
601233). ENTIRE LOT 1 SOLD TO THE GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S
WITNESSES IN SPECIAL WARRANTY DEED RECORDED APRIL 16, 2002 AS REC. NO. 601427

CONTIGUOUS BOUNDARY WITH THE CITY OF GLENWOOD SPRINGS



VICINITY MAP
SCALE: 1" = 2000'

NOTES

- 1) DATE OF SURVEY: MARCH 20 & 24, 2018.
- 2) DATE OF PREPARATION: DECEMBER, 2018 AND JANUARY, 2019.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF S 08°43'24" E ALONG EASTERLY RIGHT-OF-WAY OF FOUR MILE ROAD (COUNTY RD. 117) BETWEEN TWO FOUND REBARS AND PLASTIC CAPS (L.S. 27613). THIS IS CONSISTENT WITH THE MONUMENTED LAND AND IMPROVEMENT SURVEY REFERENCED IN NOTE NO. 6. THEREFORE THIS SURVEY HAS BEEN ROTATED 01°06'56" CLOCKWISE FROM THE DEEDS OF RECORD/TITLE DESCRIPTION AND COUNTER-CLOCKWISE 01°11'11" FROM THE CITY OF GLENWOOD SPRINGS DATUM BASED ON A BEARINGS OF N 88°28'00" W ON THE CENTERLINE OF THE 8TH STREET RIGHT-OF-WAY..
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTY COMPANY, ORDER NO. ABS63012620, DATED MARCH 28, 2018 AND DOCUMENTS AND PLATS OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON.
- 6) THE ANNEXATION BOUNDARY IS ENTIRELY CONTIGUOUS WITH THE ANNEXATION PARCEL DESRIPTION PER THIS MAP.

SURVEYOR'S STATEMENT

I, GEOFFREY R. KELLER, DO HEREBY STATE THAT THIS ANNEXATION MAP WAS PREPARED BY SOPRIS ENGINEERING, LLC FOR MARK IDDINGS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

BY: _____
GEOFFREY R. KELLER, L.S. #37997

CLERK AND RECORDER'S CERTIFICATE

THIS ANNEXATION MAP WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, ON THE _____ DAY OF _____, 2019 AND WAS DULY RECORDED IN PLAT BOOK _____ AT PAGE _____ AS RECEPTION NO. _____.

CLERK AND RECORDER OF GARFIELD COUNTY

BY: _____

To: Gretchen Ricehill, City Planner

From: James Mason, Attorney in Fact for Mark Iddings

Project Description:

The following is a request to annex a parcel of property currently located in Garfield County. The parcel is adjacent to the Jehovah's Witnesses church on 160 road and across County Road 160, to the West of Cardiff Glen PUD. The parcel is North of Cardiff Mesa PUD to the South. This parcel is an enclave parcel and is surrounded by the City of Glenwood Springs, and has been surrounded by the City for more than 3 years.

The current owner, Mark Iddings, is requesting the parcel be annexed to the City along with a request for zoning of the parcel to a RH zone designation. This zoning is consistent with the local neighborhood. Mr. Iddings is not planning to develop the parcel, but wants to sell the parcel once it is annexed into the city. At this time it is a hardship for him to be able to market this property for sale, as it currently cannot be developed under the county regulations, without the approval of the city.

The annexation of this parcel along with the requested zoning would be a benefit to the city by eliminating a county parcel, essentially within the city limits, and would allow the City to have full control over any development. Mr. Iddings is also aware of the Cities desire for a Right of Way across the front boundary of the parcel for future road improvements. He is willing to work with the City as part of annexation and zoning to make this happen.

This parcel is approximately .861 of an acre in size and due to the topography it is limited in the total developable square footage. As such it would not qualify for a PUD. It is also not suited for a large commercial or industrial use. Having the parcel within the City limits with the appropriate zoning allows for a compatible project to be completed that would be consistent with the existing neighborhood, benefit the City, and eliminate the current unclear status of this parcel.

We respectfully request the City's consideration to this proposal and would request a pre-annexation conference with the City Attorney, Public Works director, Community Development, City Clerk, and other City staff you may deem necessary. We have attached a copy of the parcel survey and will provide additional documents as requested, prior to our meeting.

Recorded at 9:30 o'clock A M. NOV 18 1985
Reception No. 56662 MILDRED ALSDORF, RECORDER
GARFIELD COUNTY, COLORADO

DNK 679 PAGE 50

State Documentary Fee \$ 2.70

GARFIELD
NOV 18 1985
State Doc. Fee

SPECIAL WARRANTY DEED

ALPINE BANK, CARBONDALE, a Colorado banking corporation, whose address is 0326 Highway 133, Carbondale, CO, 81623, for the consideration of One Hundred Dollars and other good and valuable consideration, in hand paid, hereby sells and conveys to MARK IDDINGS, whose address is P. O. Box 1717, Glenwood Springs, Colorado 81602, the following real property in the County of Garfield, State of Colorado, to wit:

A parcel of land situated in the NE1/4 of Section 27, Township 6 South, Range 89 West of the 6th Principal Meridian beginning at a point whence the North Quarter Corner of said Section bears N. 41°45' E. 1394 feet; thence S. 28°47' W. 50 feet; thence S. 61°13' E. 300 feet; thence N. 28°47' E. 50 feet; and thence No. 61°13' W. 300 feet to the place of beginning,

with all its appurtenances and warrant title against all persons claiming under the grantor, subject to:

Reservations and rights of way as contained in the United States Patent recorded in Book 12 at Page 375 of the Garfield County records;

General taxes for 1985, due and payable in 1986.

SIGNED this 1st day of November, 1985.

ALPINE BANK, CARBONDALE

By: Joe Scofield
Joe Scofield, President

STATE OF COLORADO
COUNTY OF GARFIELD

} ss.
}

The foregoing Warranty Deed was acknowledged before me this 6th day of November, 1985, by Joe Scofield as President of Alpine Bank, Carbondale, a Colorado banking corporation.

Witness my hand and official seal.

Dorlene D. Linnay
Notary Public
Address:



My Commission expires:

8-16-87

ALPINE BANK
0326 Hwy. 133
Carbondale, CO 81623

**COLORADO POWER OF ATTORNEY FOR PROPERTY
OF
MARK J. IDDINGS, PRINCIPAL**

IMPORTANT INFORMATION:

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the Principal). Your agent will be able to make decisions and act with respect to your property (including money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the "Uniform Power of Attorney Act", Part 7 of Article 14 of Title 15, Colorado Revised Statutes (the "Act"). This power of attorney will be subject to and interpreted under the Act and the default provisions of the Act will apply unless you otherwise expressly provide below.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select one or more persons you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reasonable compensation unless you state otherwise in the special instructions.

This form provides for designation of one or more agents. If you wish to name more than one agent, you may name one or more co-agents and/or one or more agents to serve in succession. Co-agents shall be required to act together unless you specify otherwise below.

If at any time, there is no agent or successor agent able and willing to act for you, your power of attorney will end.

This power of attorney becomes effective immediately unless you state otherwise in the special instructions. You may revoke this power of attorney in the future by giving notice as required in the Act.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

I. DESIGNATION OF AGENT(S)

I, Mark J. Iddings (the Principal), name the following person as my agent:

Name of agent: James S. Mason

II. DESIGNATION OF SUCCESSOR AGENT(S)

If the above named agent ceases to serve due to death, incapacity, resignation or other cause, I name the following person as my successor agent:

Name of successor agent: **Jon Iddings**

III. GRANT OF GENERAL AUTHORITY

I grant my agent and any co-agent or successor agent (hereinafter "agent") general authority to act for me with respect to the following subjects as defined in the Act.

(Initial each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial item N, "All preceding subjects", instead of initialing each subject.)

- A. _____ Real property
- B. _____ Tangible personal property
- C. _____ Stocks and bonds
- D. _____ Commodities and options
- E. _____ Banks and other financial institutions
- F. _____ Operation of entity or business
- G. _____ Insurance and annuities
- H. _____ Estates, trusts, and other beneficial interests
- I. _____ Claims and litigation
- J. _____ Personal and family maintenance
- K. _____ Benefits from governmental programs or civil or military service
- L. _____ Retirement plans
- M. _____ Taxes
- N. *md* All preceding subjects; I grant the agent general authority over all the subjects listed in A through M above as if I had initialed each of subjects A through M.

To the extent that the authority under any of the provisions of such sections or as set forth in the provisions above are similar or overlap, the broadest authority controls. Except as expressly limited by the following provisions of this power of attorney, my agent may do all acts I could do.

IV. GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

Power of Attorney for Property for Mark J. Iddings

Page 2

- A. ☐ Create, amend, revoke, or terminate an intervivos trust
- B. ☐ Make a gift, subject to the limitations of the "Uniform Power of Attorney Act" set forth in section 15-14-740, Colorado Revised Statutes, and any special instructions in this power of attorney
- C. ☒ Create or change rights of survivorship
- D. ☒ Create or change a beneficiary designation
- E. ☐ Authorize another person to exercise the authority granted under this power of attorney
- F. ☐ Waive the Principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- G. ☐ Exercise fiduciary powers that the Principal has authority to delegate
- H. ☐ Disclaim, refuse, or release an interest in property or a power of appointment
- I. ☐ If the subject of estates, trusts, and other beneficial interests is authorized above in item H of the preceding Section III, exercise a general power of appointment for the benefit of the Principal
- J. ☐ If the making of a gift is specifically authorized hereunder, exercise a general power of appointment to make gifts for the benefit of persons other than the Principal, subject to the gifting authority and limitations of the agent hereunder
- K. ☐ Exercise powers, rights, or authority as a partner, member, or manager of a partnership, limited liability company, or other entity that the Principal may exercise on behalf of the entity
- L. ☐ All preceding authorities except that described in item E, above.

V. LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the special instructions.

VI. EFFECTIVE DATE/DURABILITY

This power of attorney is effective immediately unless I have stated otherwise in the special instructions. However, in exercising any powers hereunder, my agent should first try to discuss with me the specifics of any proposed action regarding my property, if I am able to communicate in any manner, however rudimentary. This Power of Attorney is durable, and the authority granted herein shall not be affected by my subsequent disability or incapacity.

VII. NOMINATION OF CONSERVATOR OR GUARDIAN

If it becomes necessary for a court to appoint a conservator of my estate or guardian of my person, I nominate the agent then authorized to serve hereunder as such conservator or guardian, or both, to serve without bond or security.

VIII. RELIANCE ON THIS POWER OF ATTORNEY

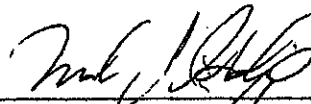
Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

IX. FAILURE TO RECOGNIZE AGENT'S AUTHORITY; COUNTERPARTS AND PHOTOCOPIES.

My agent is authorized to take legal action on behalf of me or my estate for any damages that may result from a third party's refusal to rely on the representations of my agent or to recognize the authority herein granted to my agent or failure to permit my agent to exercise any power granted by this instrument. This Power of Attorney is executed in two (2) counterparts. Each executed counterpart and any photographic copy of this Power of Attorney shall have the force and effect of the original.

X. SIGNATURE AND ACKNOWLEDGEMENT

Date: September 7, 2017



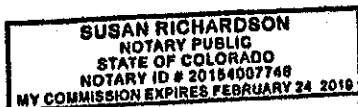
Mark J. Iddings, Principal

Address: 2819 Columbine Park Court
Grand Junction, Colorado 81501

STATE OF COLORADO)
) ss.
COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me this 7th day of September, 2017, by Mark J. Iddings, as Principal.

Witness my hand and official seal.





Notary Public

CERTIFICATION OF NOTICE PURSUANT TO C.R.S. 24-65.5-103

I hereby affirm that an examination of the records in the office of the County Clerk and Recorder was made in accordance with C.R.S. 24-65.5-103 et seq. and

(check applicable box and fill in the information)

- ☐ After such examination on _____, which is not less than thirty (30) days before the date scheduled for the initial public hearing on the application for the development known as _____, notice was sent, by certified mail, return receipt requested, or by a nationally recognized overnight carrier, to the below-named mineral right owner(s) as listed in the records of the County Clerk and Recorder, containing the time and place of the initial public hearing, and contact information of the Community Development Department, the nature of the hearing, the location and legal description of the property that is the subject of the hearing, and the name of the applicant(s). Notice was also sent, by certified mail, return receipt requested, or by a nationally recognized overnight carrier, to the City of Glenwood Springs, containing the name and address of the mineral right owners to whom the foregoing notice was sent. A copy of the notices sent is attached hereto.

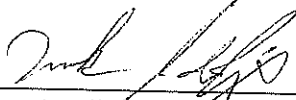
Listing of Mineral Right Owner(s)

Address

_____	_____
_____	_____
_____	_____
_____	_____

☒ Such records do not identify any mineral right owners; or

☐ The mineral right owner(s) have provided a signed waiver of the right to notice in writing, a copy of which is attached hereto.

Name: 
Applicant Signature

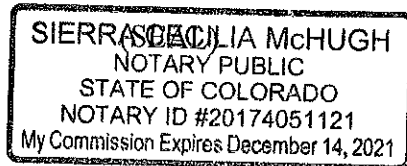
N/A
Surface Owner's Signature

Mark Iddings
Print Name

N/A
Print Name

Subscribed and sworn to before me, a notary public in and for the County of
Mesa, State of Colorado, this 28 day of
November 2018, A.D.

Witness my hand and official seal




Notary Public

My commission expires: 12-14-2021

**FAILURE TO PROVIDE THIS CERTIFICATION, INDICATING COMPLIANCE
WITH C.R.S. 24-65.5-103 ET SEQ., IS LIKELY TO RESULT IN A CONTINUANCE OF
THE HEARING.**

GARFIELD COUNTY ASSESSOR
JOHN GORMAN
109 8TH STREET, STE 207
GLENWOOD SPRINGS, CO 81601

2009 REAL PROPERTY NOTICE OF VALUATION

Phone (970)945-9134 Fax (970)945-3953
Office Hours: 8:00 a.m. - 5:00 p.m. M-F
jgorman@garfield-county.com
www.garfield-county.com

APPEAL FORM

RETURN TO ASSESSOR

DATE: May 1, 2009

SCHEDULE / ACCOUNT NUMBER	TAX YEAR	TAX AREA CODE	PROPERTY DESCRIPTION (MAY NOT BE COMPLETE)
R080494	2009	008	
IDINGS, MARK 2/3, CARTER & ANN G. 1/3 683 COUNTY ROAD 240 GLENWOOD SPGS CO 81601-9775			218527200003 SECT, TWN, RNG: 27-6-89 DESC: TR IN NENW, ALSO A TR OF LAND CONT 22,505 SQFT, EXC EPT A TR OF LAND CONT 1,983 SQFT AS BO TH DESC IN BLA BK 1345 PG 676. BK:0447
TYPE OF PROPERTY			
COMMERCIAL			
	234280	531170	298890
TOTALS		234280	531170
		298890	

Esta **NOTICIA IMPORTANTE** es tocante a la valuación de impuestos (tasación) de su propiedad. Si no comprende esta noticia o si tiene algunas preguntas, haga sus preguntas a la oficina del asesor en su condado inmediatamente y le darán información acerca de sus derechos a protestar dichos valores. Si esta noticia se refiere a su casa o otro terreno, usted debe comunicarse con su asesor antes del 1 de junio a mas tardar. Si esta noticia es tocante su propiedad personal, usted debe comunicarse con su asesor antes del 30 de junio a mas tardar. Si usted no se comunica con su asesor, usted perderá todos los derechos de apelar.

5K per yv.
1277705 + -

LAND SIZE	# OF BUILDINGS ON FILE	BUILDING #1 CHARACTERISTICS DISPLAYED
PROPERTY CHARACTERISTICS		

PLEASE REFER TO THE BACK OF THIS FORM FOR INFORMATION ON HOW TO APPEAL YOUR PROPERTY VALUATION OR ITS CLASSIFICATION.

NOVR181C0000

0144007 0002937 0002 OF 0002

EXHIBIT A

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH,
RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN BEGINNING AT A POINT WHENCE THE
NORTH QUARTER CORNER OF SAID SECTION BEARS N 41 DEGREES 45' E 1394
FEET;
THENCE S 28 DEGREES 47' W 50 FEET;
THENCE S 61 DEGREES 13' E 300 FEET;
THENCE N 28 DEGREES 47' E 50 FEET; AND THENCE N 61 DEGREES 13' W 300 FEET TO THE
PLACE OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

LESS AND EXCEPT THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002
IN BOOK 1346 AT PAGE 674

TOGETHER WITH THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002 IN
BOOK 1346 AT PAGE 673

**PROOF OF PUBLIC NOTICE
PRE-APPLICATION NEIGHBORHOOD MEETING**

I hereby affirm that Public Notice requirements of the Municipal Code of Glenwood Springs have been met for the Pre-Application Neighborhood Meeting held:

at Glenwood Springs Branch Library, 815 Cooper Ave.
(Location)

on November 28, 2018,
(Date)

Attached are:

1. A list of names and addresses of owners of record of all property within 300 feet of the subject property and registered neighborhood groups that have boundaries including the proposed project site.

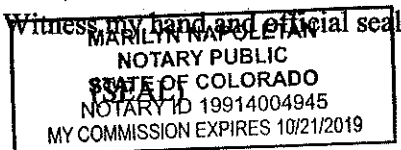
Date mailed: November 10, 2018. 1700 hrs.

2. A list of the meeting attendees;
3. A summary of the meeting.

Name: *Sam S. Mann*
Applicant

Date: 12-3-2018

Subscribed and sworn to before me, a notary public in and for the County of
Garfield, State of Colorado, this 3rd day of
December 2018, A.D.



Marilyn Napoletan
Notary Public

My commission expires: 10-21-2019

Meeting notes from Neighborhood Meeting, Iddings property, Airport Rd, Glenwood Springs
November 28, 2018

Below is a summary of the questions and concerns that were discussed at the neighborhood meeting for the annexation and zoning of Mr. Iddings property. Two individuals showed up for the meeting (see sign in sheet attached) and both were neighbors directly across the street from the subject property, in Cardiff Glen.

- How big is the Airport Road right of way? Both participants were concerned over the potential for the new bridge out South and how that would affect them both from a road-widening standpoint and increase in traffic.
- When do people make comment on the South Bridge proposal? We advised we did not know the answer to that question.
- What is the time line for this annexation request and the ability to comment further? We told them we thought the schedule would be December 4th, deadline to turn into the City for January P&Z. We thought there would be another notification and Public Notice required for that meeting. Presuming all went well with that hearing we would be scheduled for City Council presumably in February.
- Parking. Both neighbors were concerned over parking issues and advised that the availability of parking in the neighborhood was very inadequate. We advised that when a project was proposed for this parcel that the applicant would have to provide a parking plan that meets the City requirements. We also advised that we thought there would be another opportunity to comment on what ever is proposed to be built on this site.
- Congestion. See above parking comments.
- What is the new bridge/ Airport Road design? We advised that we did not know where that was currently at, but that we thought the City might be close to presenting that.
- Note: one of the neighbors left about this time in the conversation due to other commitments. It was also noted that there was a special HOA meeting called with the last couple of days to discuss a project in Cardiff Glen and that was scheduled of the same night as our neighborhood meeting.
- Neighbor across the street said she would like to see single family like houses, similar to the ones North West of the Church.
- Neighbor across street has a young child and is concerned over children playing in the grass @ Cardiff Glen and running into a busy street. A suggestion was made that maybe the HOA could do some fencing.
- Neighbor like the old equipment and view of a vacant lot verses any development. Doesn't want to look at buildings. We advised there would be some landscaping requirements to be met at the time of actual development and again the neighborhood would have time to comment.
- Neighbor was unaware of the history of the property and that there used to be a building(s) there for the block plant. She would like to see the equipment stay and be utilized in some way in the landscaping.
- Everyone adjourn at approximately 7:00 P.M.

Address

142 Airport Rd G25 860
150 Airport Rd

PUBLIC NOTICE

Please take notice that James Mason, Attorney in Fact for Mark Iddings, will hold a pre-application neighborhood meeting regarding the annexation of an enclave parcel of land and a request for RH zoning of that parcel. The parcel consists of 0.861 acres and the legal description is attached to this notice. The property is located on County Road 160, directly South East of the Jehovah Witness Church, North West of the Silver Sage PUD, and South of the Cardiff Glen PUD, in the City of Glenwood Springs, Colorado. The property is owned by Mark Iddings.

The meeting will be held on Monday November 28, 2018, at 6:00 P.M. at the Glenwood Springs Branch Library, located at 815 Cooper Avenue, Glenwood Springs, CO. 81601.

PROPERTY DESCRIPTION
(SEE NOTE NO. 4)

SCALE: 1" = 2000'

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEGINNING AT A POINT WHENCE THE NORTH QUARTER CORNER OF SAID SECTION BEARS N 41 ° 45' E. 1394 FEET;
THENCE S. 28 ° 47' W. 50 FEET;
THENCE S. 61 ° 13' E. 300 FEET
THENCE N. 28 ° 47' E. 50 FEET; AND
THENCE N 61 ° 13' W. 300 FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPT THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002 IN BOOK 1346 AT PAGE 674AT RECEPTION NO. 601425

TOGETHER WITH THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002 IN BOOK 1346 AT PAGE 673AT RECEPTION NO. 601424

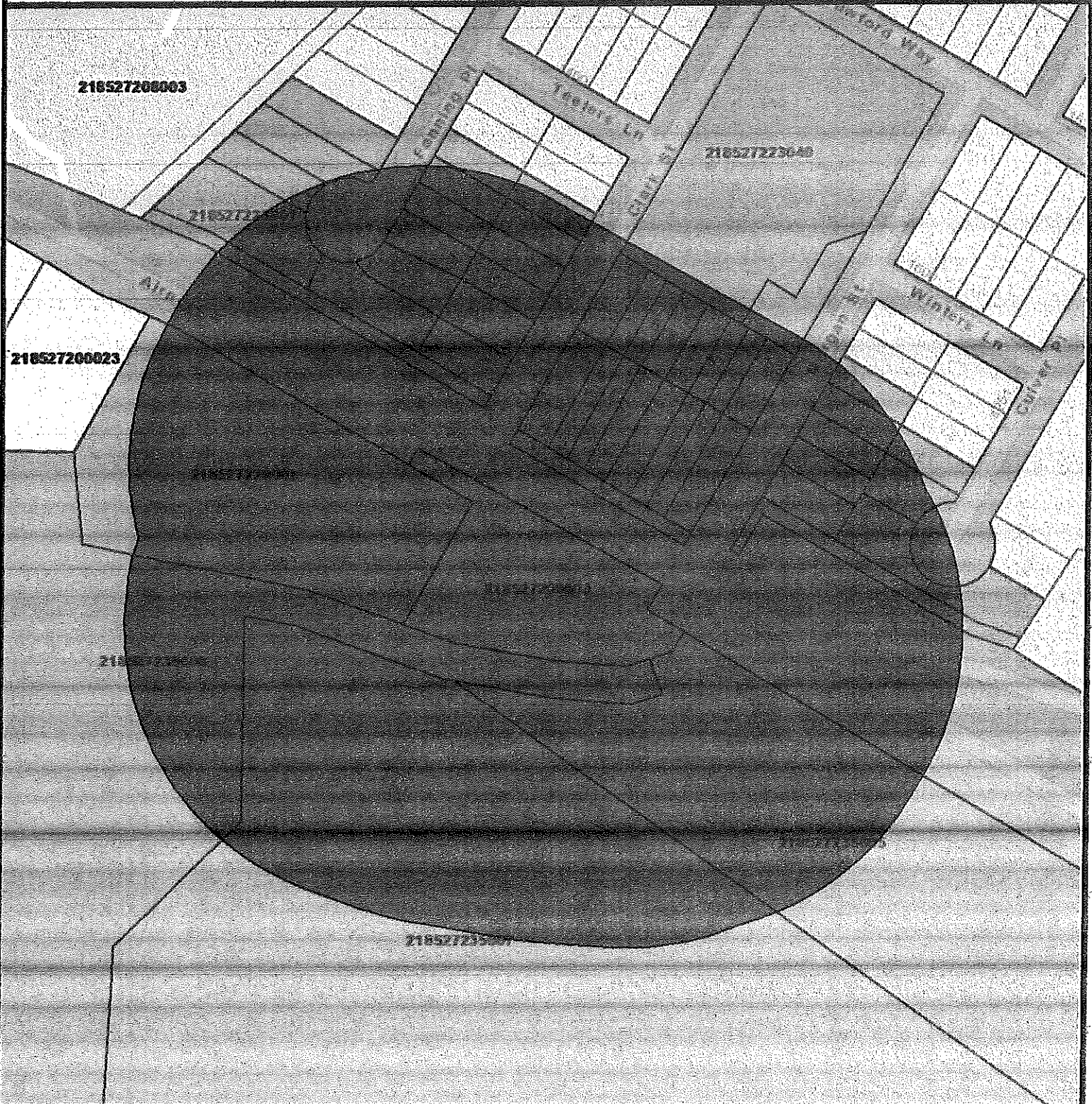
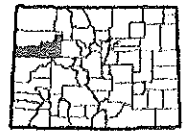
COUNTY OF GARFIELD, STATE OF COLORADO



Garfield County

Garfield County Land Explorer

Garfield County, Colorado



Garfield County Land Explorer

Printed by Web User

1 inch = 188 feet

1 inch = 0.04 miles



Garfield County

Garfield County Colorado

www.garfield-county.com

Colorado

Disclaimer

This is a compilation of records as they appear in the Garfield County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein contained.

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Printed: 10/31/2018 at 4:07:36 PM



IMPROVEMENT SURVEY PLAT:
IDDINGS PROPERTY

SITUATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO.

SHEET 1 OF 1

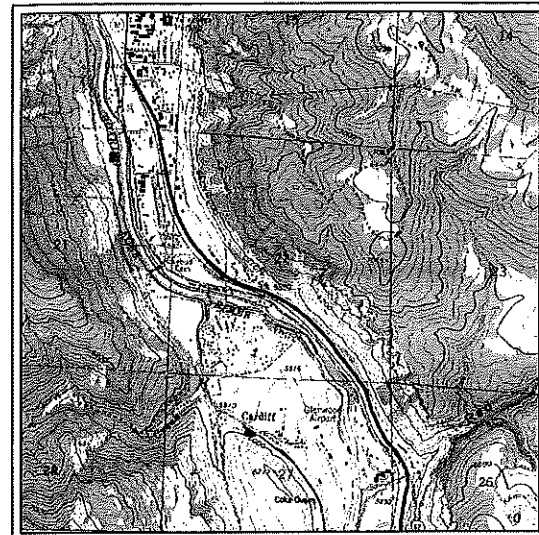
MONUMENT LEGEND

- CADASTRAL CORNER
- INDICATES FOUND MONUMENT-L.S. 27613
- ⊙ INDICATES FOUND MONUMENT-NO. 5 REBAR, NO CAP

EXISTING LEGEND

- EXISTING GAS
- EXISTING UNDERGROUND ELECTRIC
- EXISTING WATER VALVE
- EXISTING LIGHT POLE
- EXISTING SIGN
- EXISTING ELECTRIC MANHOLE
- DECIDUOUS TREE
- CONIFEROUS TREE

LINE TABLE		
LINE	LENGTH	BEARING
L7	3.14'	N 35°32'24" E
L8	21.50'	N 31°01'11" E
L9	49.90'	N 71°46'35" E
L10	78.27'	S 85°01'33" E
L11	108.63'	S 75°19'23" E
L12	58.83'	S 69°54'43" E



VICINITY MAP
SCALE: 1" = 2000'

PROPERTY DESCRIPTION
(SEE NOTE NO. 4)

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEGINNING AT A POINT WHENCE THE NORTH QUARTER CORNER OF SAID SECTION BEARS N 41° 45' E, 1394 FEET; THENCE S. 28° 47' W. 80 FEET; THENCE S. 61° 13' E. 300 FEET; THENCE N. 28° 47' E. 50 FEET; AND THENCE N 61° 13' W. 300 FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPT THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002 IN BOOK 1346 AT PAGE 674AT RECEPTION NO. 601425

TOGETHER WITH THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED APRIL 16, 2002 IN BOOK 1346 AT PAGE 673AT RECEPTION NO. 601424

COUNTY OF GARFIELD, STATE OF COLORADO

NOTES

- 1) DATE OF SURVEY: MARCH 20 & 24, 2018.
- 2) DATE OF PREPARATION: MARCH, 2018.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF S 08°43'24" E ALONG EASTERLY RIGHT-OF-WAY OF FOUR MILE ROAD (COUNTY RD. 117) BETWEEN TWO FOUND REBARS AND PLASTIC CAPS (L.S. 27613). THIS IS CONSISTENT WITH THE MONUMENTED LAND AND IMPROVEMENT SURVEY REFERENCED IN NOTE NO. 6. THEREFORE THIS SURVEY HAS BEEN ROTATED 01°06'56" CLOCKWISE FROM THE DEEDS OF RECORD/TITLE DESCRIPTION AND COUNTER-CLOCKWISE 01°11'10" FROM THE CITY OF GLENWOOD SPRINGS DATUM BASED ON A BEARING OF N 68°28'00" W ON THE CENTERLINE OF THE 8TH STREET RIGHT-OF-WAY.
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTY COMPANY, ORDER NO. ABS83012620, DATED MARCH 28, 2018 AND DOCUMENTS AND PLATS OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON.
- 6) BASIS OF ELEVATION: THE NAVD 1986 BENCHMARKS PER THE MONUMENTED LAND AND IMPROVEMENT SURVEY PREPARED BY SURVCO, DATED JANUARY 31, 2007 AS JOB NO. 07.003. THIS ESTABLISHED TWO SITE BENCHMARKS, SHOWN ON PAGE 1.
- 7) CONTOUR INTERVAL: ONE (1) FOOT.
- 8) THE SUBJECT PROPERTY IS SUBJECT TO A RIGHT-OF-WAY FOR WATER PIPE LINES SERVING THE TOWN OF CARBONDALE PER THE DOCUMENT RECORDED DECEMBER 9, 1907 IN BOOK 67 AT PAGE 823. NO LOCATION FOR THE RIGHT-OF-WAY OR WATER PIPE LINES IS DESCRIBED IN SAID DOCUMENT.
- 9) THE SUBJECT PROPERTY IS SUBJECT TO A RIGHT-OF-WAY AND EASEMENT FOR WATER PIPE LINES SERVING THE CITY OF GLENWOOD SPRINGS PER THE DOCUMENT RECORDED MARCH 19, 1952 IN BOOK 263 AT PAGE 385. NO LOCATION FOR THE RIGHT-OF-WAY OR WATER PIPE LINES IS DESCRIBED IN SAID DOCUMENT.

SOURCE DOCUMENTS:

- PLAT-SILVER SAGE PRESERVE P.U.D. (REC. NO. 895016)
- PLAT-KINGDOM HALL SUBDIVISION (REC. NO. 601233)
- SURVEY-IMPROVEMENT SURVEY-SURVCO, DATED 01/31/2007 (UNRECORDED)
- EASEMENT AGREEMENT (REC. NO. 858579)

ALL OF THE GARFIELD COUNTY, COLORADO RECORDS-UNLESS OTHERWISE NOTED.

IMPROVEMENT SURVEY PLAT

I, GEOFFREY R. KELLER, HEREBY CERTIFY TO MARK IDDINGS, THAT THIS IS AN 'IMPROVEMENT SURVEY PLAT' AS DEFINED BY C.R.S. § 38-51-102(9), AND THAT IT IS A MONUMENTED LAND SURVEY SHOWING THE CURRENT LOCATION OF ALL STRUCTURES, WATER COURSES, WATER FEATURES AND/OR BODIES OF WATER, ROADS, VISIBLE UTILITIES, FENCES, OR WALLS SITUATED ON THE DESCRIBED PARCEL AND WITHIN FIVE FEET OF ALL BOUNDARIES OF SUCH PARCEL, ANY CONFLICTING BOUNDARY EVIDENCE OR VISIBLE ENCROACHMENTS, AND ALL EASEMENTS AND RIGHTS OF WAY OF A PUBLIC OR PRIVATE NATURE THAT ARE VISIBLE, OR APPARENT, OR OF RECORD AND UNDERGROUND UTILITIES DESCRIBED IN LAND TITLE GUARANTY COMPANY'S PROPERTY INFORMATION BINDER, ORDER NO. ABS83012620, OR OTHER SOURCES AS SPECIFICALLY NOTED ON THIS IMPROVEMENT SURVEY PLAT.

GEOFFREY R. KELLER L.S. #37997

GENERAL UTILITY NOTES:

The locations of underground utilities have been plotted based on utility maps, construction/design plans, other information provided by utility companies and actual field locations in some instances. These utilities, as shown, may not represent actual field conditions. It is the responsibility of the contractor to contact all utility companies for field location of utilities prior to construction.

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 CERTIFICATION SHOWN HEREON.

SOPRIS ENGINEERING - LLC

CIVIL CONSULTANTS
502 MAIN STREET, SUITE A3
CARBONDALE, COLORADO 81623
(970) 704-0311 SOPRISENG@SOPRISENG.COM

ORDINANCE NO. 10

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ANNEXING INTO THE CITY OF GLENWOOD SPRINGS CERTAIN LANDS KNOWN AS PARCEL NUMBERS 2185-272-00-003 and 2185-272-20-001

WHEREAS, the City Council has been presented with a request for the annexation of the real property described and depicted on the Annexation Map attached hereto as Exhibit A and known as Parcel Numbers 2185-272-00-003 and 2185-272-20-001 in Garfield County, Colorado (the “Property”);

WHEREAS, the Property has been entirely contained within the boundaries of the City of Glenwood Springs (the “City”) in excess of three years and is an “enclave” as defined by Colorado statute; and

WHEREAS, pursuant to Section 070.060.040(d) of the Glenwood Springs Municipal Code, annexation of land into the City is a legislative act of City Council and shall comply with C.R.S. § 31-12-101 et seq.; and

WHEREAS, C.R.S. § 31-12-106(1) provides that a municipality may annex an enclave by ordinance without complying with C.R.S. §§ 31-12-104, 31-12-105, 31-12-108 and 31-12-109 if said area has been surrounding by the municipality for at least three years; and

WHEREAS, the notice of the proposed annexation of the Property was published as required by C.R.S. § 31-12-106(1) and C.R.S. § 31-12-108(2); and

WHEREAS, City Council finds that the annexation complies with the Municipal Code and Colorado statute and wishes to annex the Property into the City of Glenwood Springs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The annexation of the Property is hereby approved, and the Property is annexed to and made part of the City of Glenwood Springs, Colorado.

Section 3. Within thirty (30) days after the effective date of this ordinance, the City Clerk shall file the annexation map and the annexation in the office of the City Clerk of the City of Glenwood Springs and shall record a certified copy of this Ordinance and the annexation map with the Garfield County Clerk and Recorder.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

ANNEXATION MAP:
IDDINGS & GLENWOOD SPRINGS CONGREGATION OF JEHOVAHS WITNESSESS PROPERTIES

SITUATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO.

ANNEXATION DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE COMMON BOUNDARY OF THE PARCEL DESCRIBED IN THE DEED RECORDED NOVEMBER 18, 1985 AS RECEPTION NO. 366662 (BOOK 679 PAGE 50), LOT 1, KINGDOM HALL SUBDIVISION RECORDED APRIL 15, 2002 AS RECEPTION NO. 601233, A TRACT OF LAND DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601425 THESE DOCUMENTS FROM THE GARFIELD COUNTY RECORDS AND THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD NO. 163; THENCE ALONG THE COMMON BOUNDARY OF SAID TRACT (REC. NO. 601425) AND PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.28°47'00"W., 25.68 FEET;
- 2) S.61°13'00"E., 80.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL (REC. NO. 366662), AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601424, AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT AFFIDAVIT RECORDED APRIL 16, 2002 AS RECEPTION NO. 601426 AND A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 1; THENCE LEAVING SAID COMMON BOUNDARY AND ALONG THE COMMON BOUNDARY OF THE PROPERTIES DESCRIBED IN REC. NOS. 601424 AND 601426 AND SAID PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.61°13'00"E., 220.00 FEET;
- 2) N.28°47'00"E., 18.83 FEET TO THE COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426), SAID PARCEL (REC. NO. 366662), AND SAID RIGHT-OF-WAY; THENCE LEAVING SAID COMMON BOUNDARY OF SAID PROPERTIES (REC. NOS. 601424 AND 601426) AND ALONG THE COMMON BOUNDARY OF SAID PARCEL (REC. NO. 366662) AND SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES:

- 1) N.28°47'00"E., 31.17 FEET;
- 2) N.61°13'00"W., 300.00 FEET;
- 3) S.28°47'00"W., 24.32 FEET TO THE POINT OF BEGINNING.

SAID ANNEXATION PARCEL CONTAINS 15,000 SQ. FT. OR 0.344 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 366662) AS DESCRIBED ON THIS PLAT.

OWNER: MARK IDDINGS

STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY MARK IDDINGS.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 601427) AS DESCRIBED ON THIS PLAT.

OWNER: GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES

BY: _____ AS _____ OF GLENWOOD SPRINGS CONGREGATION OF
JEHOVAH'S WITNESSES

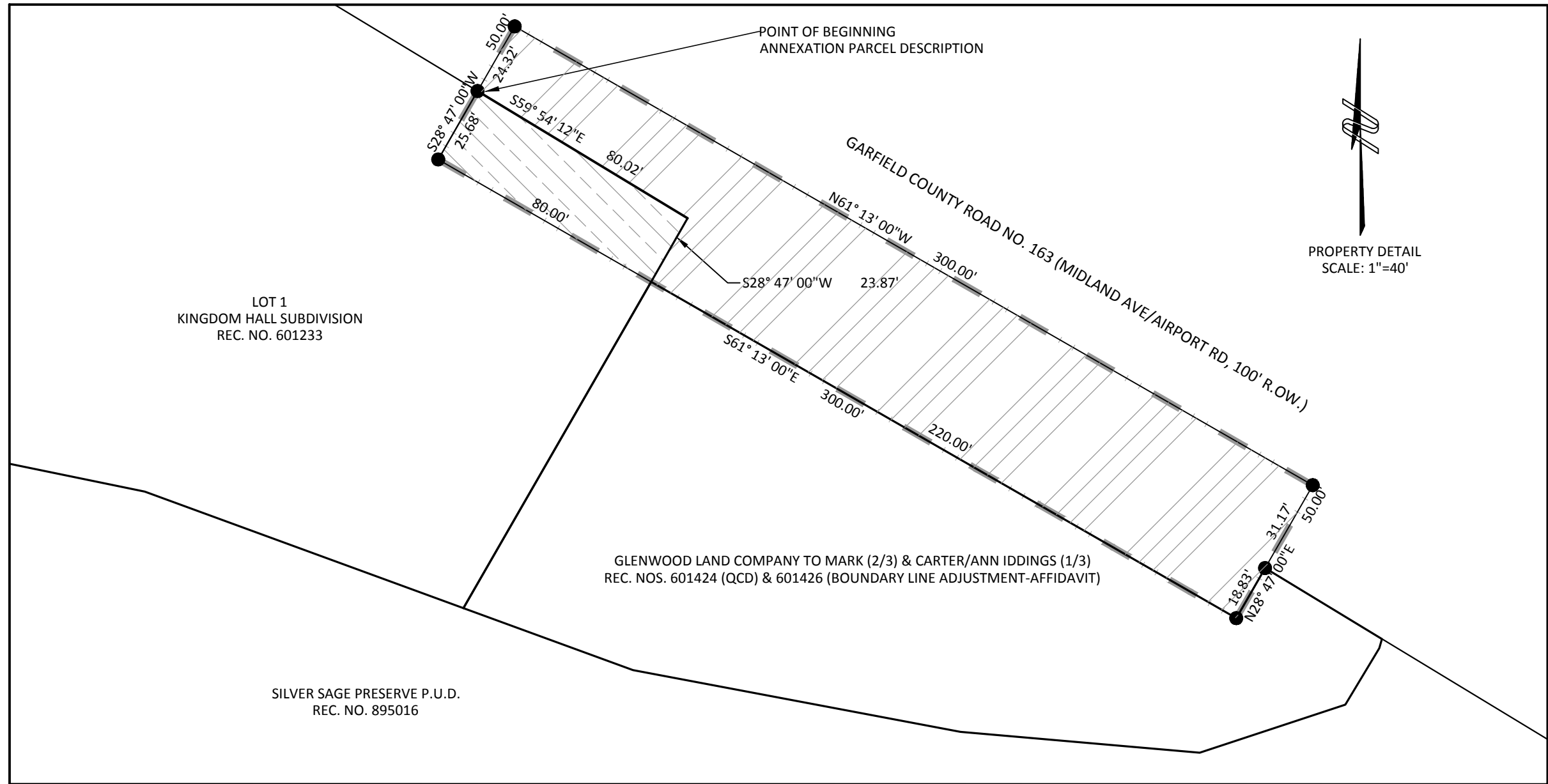
STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC



SOPRIS ENGINEERING - LLC

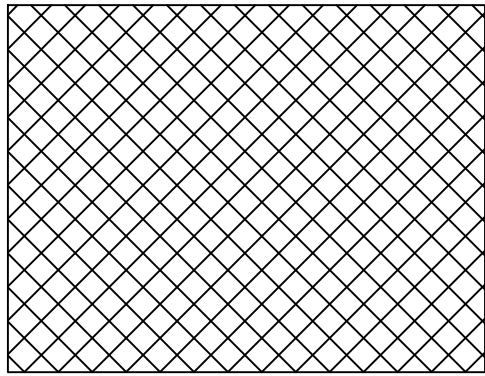
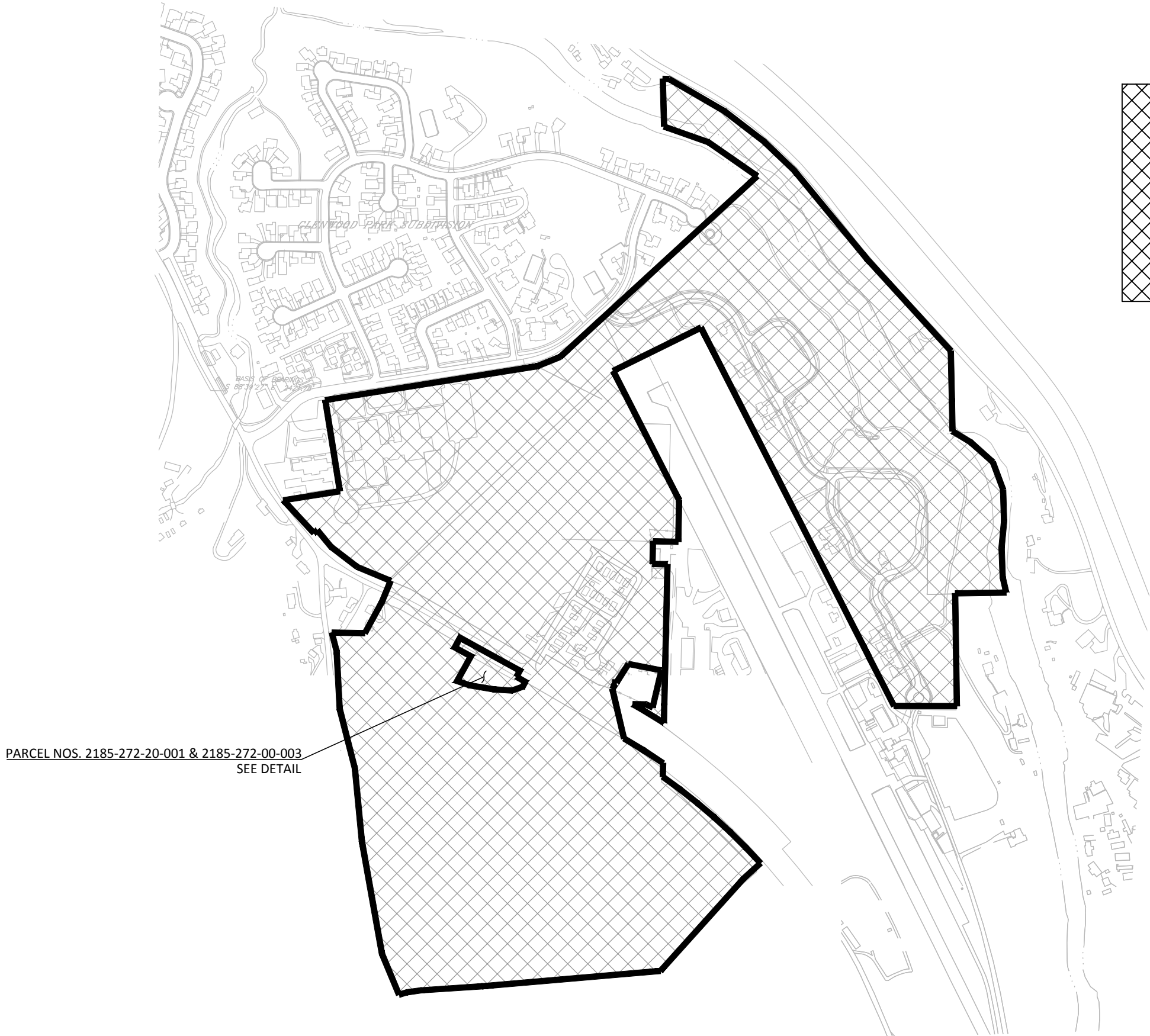
CIVIL CONSULTANTS
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NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

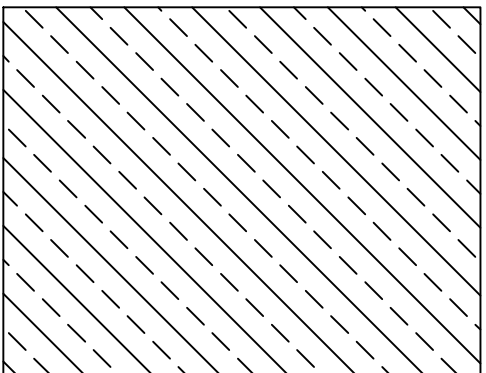
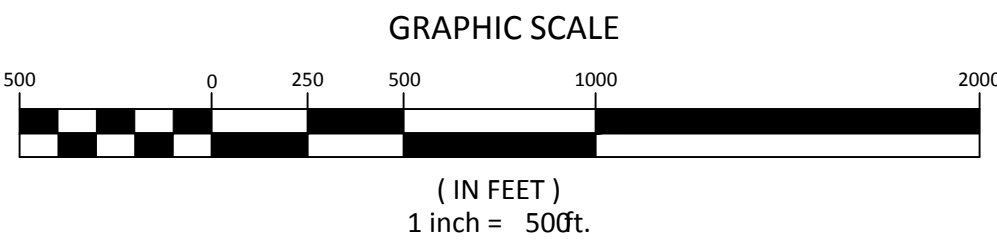
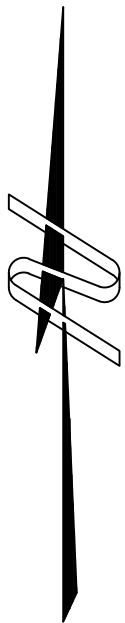
ANNEXATION MAP:

SHEET 1 OF 1

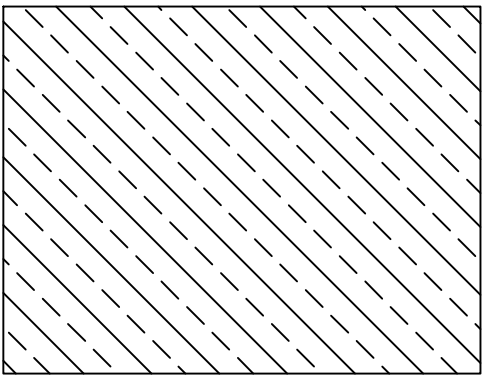
THE PURPOSE OF THIS ANNEXATION MAP IS TO ANNEX THE PROPERTIES LEFT OUT OF THE ANNEXATION MAP RECORDED DECEMBER 30, 1988 AS RECEPTION NO. 398013



AREA ANNEXED PER MAP RECORDED DECEMBER 30, 1988
AS RECEPTION NO. 398013

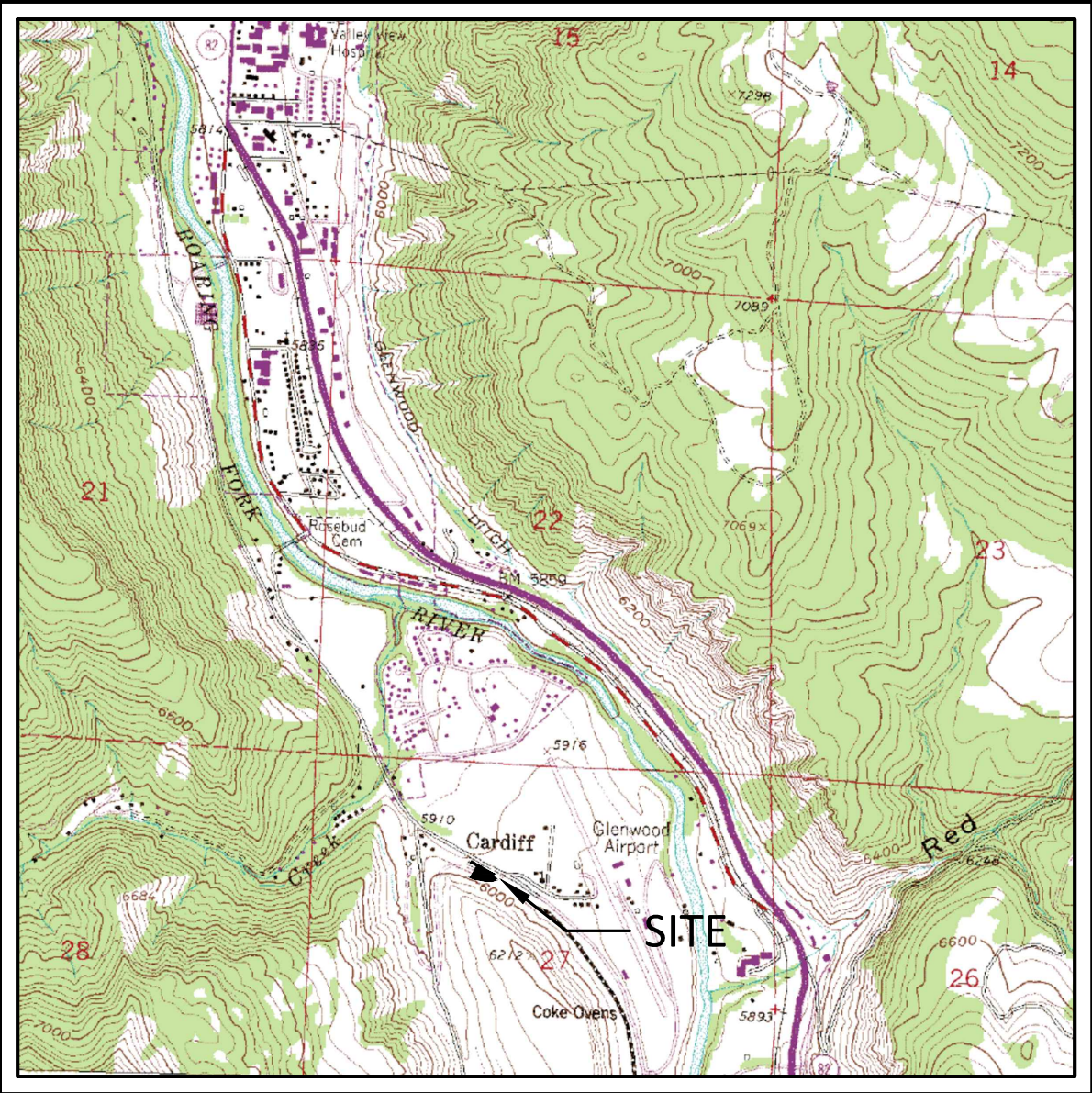


PROPERTY DESCRIBED IN DEED FROM ALPINE BANK TO MARK IDDINGS
NOVEMBER 18, 1985 REC. NO. 366662 (BOOK 679 PAGE 50)
AND
ANNEXATION PARCEL, THIS MAP



PROPERTY DESCRIBED IN QUIT CLAIM DEED FROM IDDINGS TO GLENWOOD LAND COMPANY, LLC
APRIL 16, 2002 REC. NO. 601425. A PORTION OF LOT 1, KINGDOM HALL SUBDIVISION (REC. NO.
601233). ENTIRE LOT 1 SOLD TO THE GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S
WITNESSES IN SPECIAL WARRANTY DEED RECORDED APRIL 16, 2002 AS REC. NO. 601427

CONTIGUOUS BOUNDARY WITH THE CITY OF GLENWOOD SPRINGS



VICINITY MAP
SCALE: 1" = 2000'

NOTES

- 1) DATE OF SURVEY: MARCH 20 & 24, 2018.
- 2) DATE OF PREPARATION: DECEMBER, 2018 AND JANUARY, 2019.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF S 08°43'24" E ALONG EASTERLY RIGHT-OF-WAY OF FOUR MILE ROAD (COUNTY RD. 117) BETWEEN TWO FOUND REBARS AND PLASTIC CAPS (L.S. 27613). THIS IS CONSISTENT WITH THE MONUMENTED LAND AND IMPROVEMENT SURVEY REFERENCED IN NOTE NO. 6. THEREFORE THIS SURVEY HAS BEEN ROTATED 01°06'56" CLOCKWISE FROM THE DEEDS OF RECORD/TITLE DESCRIPTION AND COUNTER-CLOCKWISE 01°11'11" FROM THE CITY OF GLENWOOD SPRINGS DATUM BASED ON A BEARINGS OF N 88°28'00" W ON THE CENTERLINE OF THE 8TH STREET RIGHT-OF-WAY..
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTY COMPANY, ORDER NO. ABS63012620, DATED MARCH 28, 2018 AND DOCUMENTS AND PLATS OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON.
- 6) THE ANNEXATION BOUNDARY IS ENTIRELY CONTIGUOUS WITH THE ANNEXATION PARCEL DESRIPTION PER THIS MAP.

SURVEYOR'S STATEMENT

I, GEOFFREY R. KELLER, DO HEREBY STATE THAT THIS ANNEXATION MAP WAS PREPARED BY SOPRIS ENGINEERING, LLC FOR MARK IDDINGS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

BY: _____
GEOFFREY R. KELLER, L.S. #37997

CLERK AND RECORDER'S CERTIFICATE

THIS ANNEXATION MAP WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, ON THE _____ DAY OF _____, 2019 AND WAS DULY RECORDED IN PLAT BOOK _____ AT PAGE _____ AS RECEPTION NO. _____.

CLERK AND RECORDER OF GARFIELD COUNTY

BY: _____

Exhibit A

RESOLUTION NO. 15

Series of 2019

A RESOLUTION OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE GLENWOOD SPRINGS COMPREHENSIVE PLAN WITH RESPECT TO PROPERTY KNOWN AS PARCEL NUMBER 2185-272-00-03.

WHEREAS, pursuant to Ordinance No. 10, Series of 2019, City Council approved annexation into the City of real property known as Parcel Number 2185-272-00-003; and

WHEREAS, the Glenwood Springs Comprehensive Plan (“Plan”) identifies the Property as Single-family Residential and Hillside Preservation; and

WHEREAS, the owner of the Property, Mark Iddings, through his agent James Mason (the “Applicant”), has requested the Plan be amended to designate the Property as Multi-family Residential; and

WHEREAS, development on the Property is limited by topography and setbacks; and

WHEREAS, the Plan provides that the City can amend the Plan if the proposed change is consistent with the vision (intent), goals and policies of the Plan and one or more of the following: subsequent events have invalidated the original premise and findings; the character or condition of the area has changed such that the amendment is consistent with the Plan; public and community facilities are adequate to serve the type and scope of land use proposal; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and/or the community or area will derive benefits from the proposed amendment; and

WHEREAS, the Planning and Zoning Commission considered the requested amendment to the Plan at a public hearing on January 22, 2019, and found that the character and/or condition of the area has changed since the adoption of the Plan such that the amendment to Multi-family Residential is consistent with the goals and objectives of the Plan; public and community facilities are adequate to serve the type and scope of land use proposed; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and the community or area will derive benefits from the proposed amendment; and

WHEREAS, based on its findings, the Planning and Zoning Commission approved the requested amendment to the Plan; and

WHEREAS, City Council, following notice required by law, held a public hearing at a regular meeting on March 7, 2019, to consider the amendment to the Plan; and

WHEREAS, City Council finds that amending the Plan to designate the Property as Multi-family Residential is consistent with the vision (intent), goals and policies of the Plan and that the

character and/or condition of the area has changed since the adoption of the Plan; public and community facilities are adequate to serve the type and scope of land use proposed; an inadequate supply of suitably designated land is available in the community to accommodate the proposed land use; and the community or area will derive benefits from the proposed amendment; and

WHEREAS, City Council wishes to amend the Plan to designate the Property Multi-family Residential subject to the conditions set forth herein.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The recitals above are hereby adopted as findings.

Section 2. The Plan is hereby amended to designate the Property as Multi-family Residential subject to the following conditions:

1. all representations of the Applicant in written and verbal presentations to the City or made at public hearings before the Planning and Zoning Commission or City Council and reflected in the minutes of such hearings shall be considered part of the Application and binding on the Applicant; and
2. the Applicant grant the City a right of way for the portion of the Property adjacent to Airport Road in a form acceptable to the City Attorney and City Engineer; and
3. any future physical changes or improvements to the Property or buildings on the Property are subject to the review and approval of the Community Development Director for compliance with the Municipal Code.

Section 3. Upon receipt of the right of way dedication referenced in Section above, the Community Development Director shall prepare a revision to the Plan to reflect the amendment approved herein.

Section 4. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

INTRODUCED, READ, AND PASSED THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

ORDINANCE NO. 11

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ZONING ANNEXED PROPERTY KNOWN AS PARCEL NUMBERS 2185-272-00-003 and 2185-272-20-001

WHEREAS, by Ordinance No, 10, Series of 19, the City Council of the City of Glenwood Springs annexed into the City real property described and depicted on the Annexation Map attached hereto as Exhibit A and known as Parcel Numbers 2185-272-00-003 and 2185-272-20-001 in Garfield County, Colorado (the “Property”);

WHEREAS, pursuant to Section 070.060.040(d) of the Glenwood Springs Municipal Code, annexation of land into the City is a legislative act of City Council and shall comply with C.R.S. § 31-12-101 et seq., the Municipal Annexation Act of 1965 (the “Act”); and

WHEREAS, C.R.S. § 31-12-115(2) provides that annexed property must be brought under a municipality’s zoning ordinance within 90 days of the annexation of the property; and

WHEREAS, pursuant to the Act and the Municipal Code, a property’s zoning designation must comply with the City’s Comprehensive Plan; and

WHEREAS, by Resolution No. 15, Series of 19, City Council amended the Comp Plan to designate Parcel Number 2185-272-00-003 as Multi-family Residential; and

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on January 22, 2019 to consider the zoning designation for the Property and recommended that Parcel Number 2185-272-11-003 be zoned Residential High Density (RH) and that Parcel Number 2185-272-20-001 be zoned Rural Residential (RR); and

WHEREAS, City Council considered the zoning designation for the Property at its duly noticed public meeting on March 7, 2019; and

WHEREAS, based on the Comprehensive Plan as amended by Resolution No. 15, Series of 19, the recommendation of City staff and the Planning and Zoning Commission, and evidence and comments presented at the public meeting, City Council desires to zone the Property as provided herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Parcel Number 2185-272-11-003 is hereby zoned Residential High Density (RH) and Parcel Number 2185-272-20-001 is hereby zoned Rural Residential (RR).

Section 3. Pursuant to Section 070.060.040(a)(3)g of the Municipal Code, the Community Development Director shall prepare a revision to the Official Zoning Map for the City of Glenwood Springs to reflect the zoning approved herein and shall record the amendment map and this Ordinance with the Garfield County Clerk and Recorder.

Section 4. Any ordinances or resolutions or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict only.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen, City Clerk

ANNEXATION MAP:
IDDINGS & GLENWOOD SPRINGS CONGREGATION OF JEHOVAHS WITNESSESS PROPERTIES

SITUATED IN SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF GARFIELD, STATE OF COLORADO.

ANNEXATION DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NE1/4NW1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE COMMON BOUNDARY OF THE PARCEL DESCRIBED IN THE DEED RECORDED NOVEMBER 18, 1985 AS RECEPTION NO. 366662 (BOOK 679 PAGE 50), LOT 1, KINGDOM HALL SUBDIVISION RECORDED APRIL 15, 2002 AS RECEPTION NO. 601233, A TRACT OF LAND DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601425 THESE DOCUMENTS FROM THE GARFIELD COUNTY RECORDS AND THE RIGHT-OF-WAY FOR GARFIELD COUNTY ROAD NO. 163; THENCE ALONG THE COMMON BOUNDARY OF SAID TRACT (REC. NO. 601425) AND PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

- 1) S.28°47'00"W., 25.68 FEET;
- 2) S.61°13'00"E., 80.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL (REC. NO. 366662), AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE QUIT CLAIM DEED RECORDED APRIL 16, 2002 AS RECEPTION NO. 601424, AN ANGLE POINT ON THE PROPERTY DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT AFFIDAVIT RECORDED APRIL 16, 2002 AS RECEPTION NO. 601426 AND A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 1; THENCE LEAVING SAID COMMON BOUNDARY AND ALONG THE COMMON BOUNDARY OF THE PROPERTIES DESCRIBED IN REC. NOS. 601424 AND 601426 AND SAID PARCEL (REC. NO. 366662) THE FOLLOWING TWO (2) COURSES:

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- 1) N.28°47'00"E., 31.17 FEET;
- 2) N.61°13'00"W., 300.00 FEET;
- 3) S.28°47'00"W., 24.32 FEET TO THE POINT OF BEGINNING.

SAID ANNEXATION PARCEL CONTAINS 15,000 SQ. FT. OR 0.344 ACRES, MORE OR LESS.

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 366662) AS DESCRIBED ON THIS PLAT.

OWNER: MARK IDDINGS

STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY MARK IDDINGS.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

CERTIFICATION OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT MARK IDDINGS BEING OWNER IN FEE SIMPLE OF A PORTION OF THAT REAL PROPERTY DESCRIBED AS THE ANNEXATION PARCEL (REC. NO. 601427) AS DESCRIBED ON THIS PLAT.

OWNER: GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES

BY: _____ AS _____ OF GLENWOOD SPRINGS CONGREGATION OF
JEHOVAH'S WITNESSES

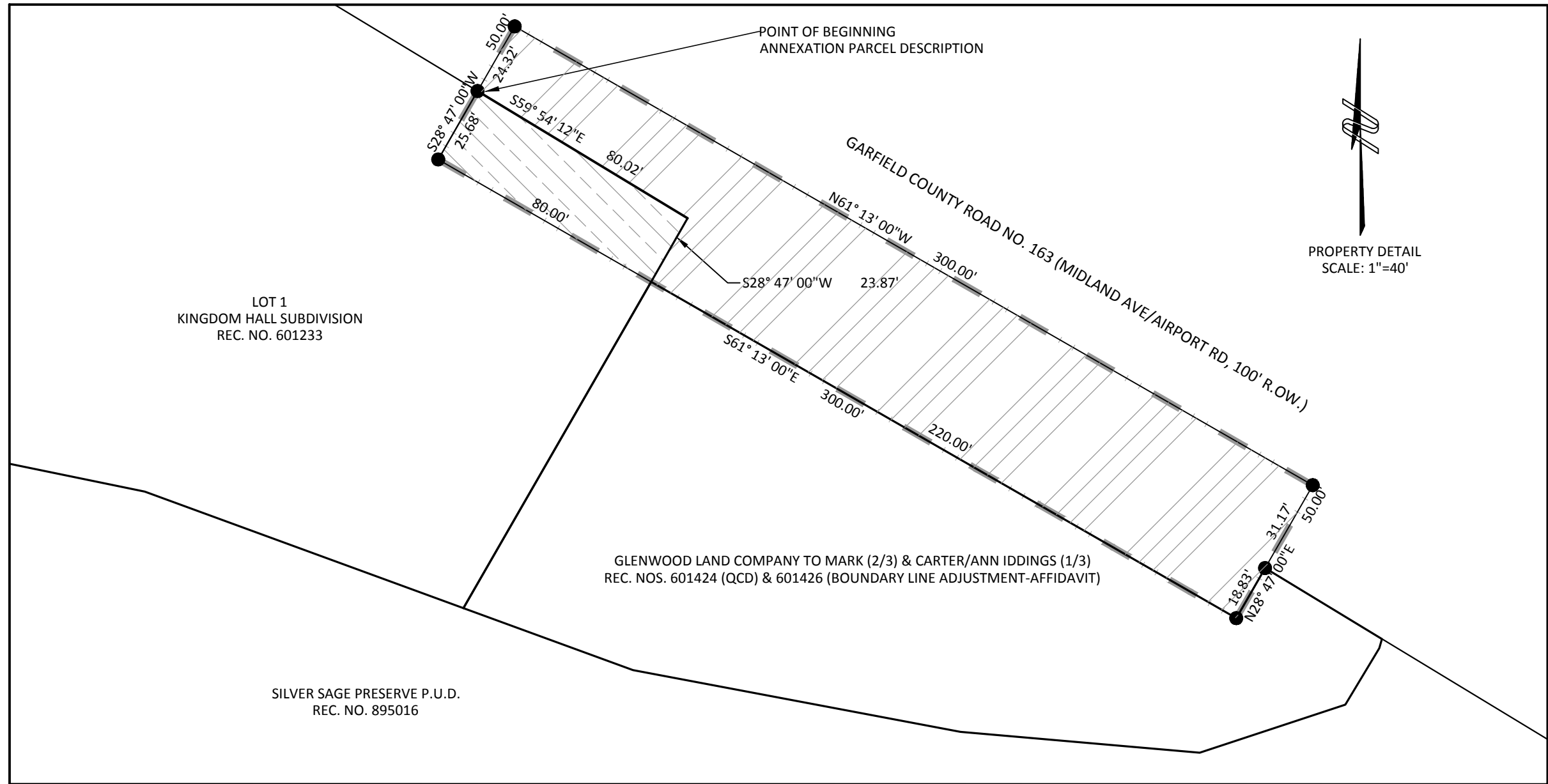
STATE OF _____ }
COUNTY OF _____ } SS.

THE FOREGOING CERTIFICATE OF DEDICATION AND OWNERSHIP WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, A.D. 2019, BY _____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC



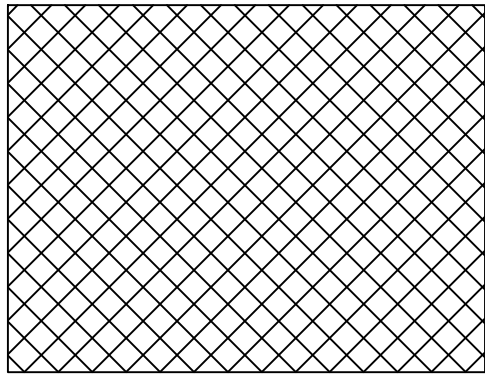
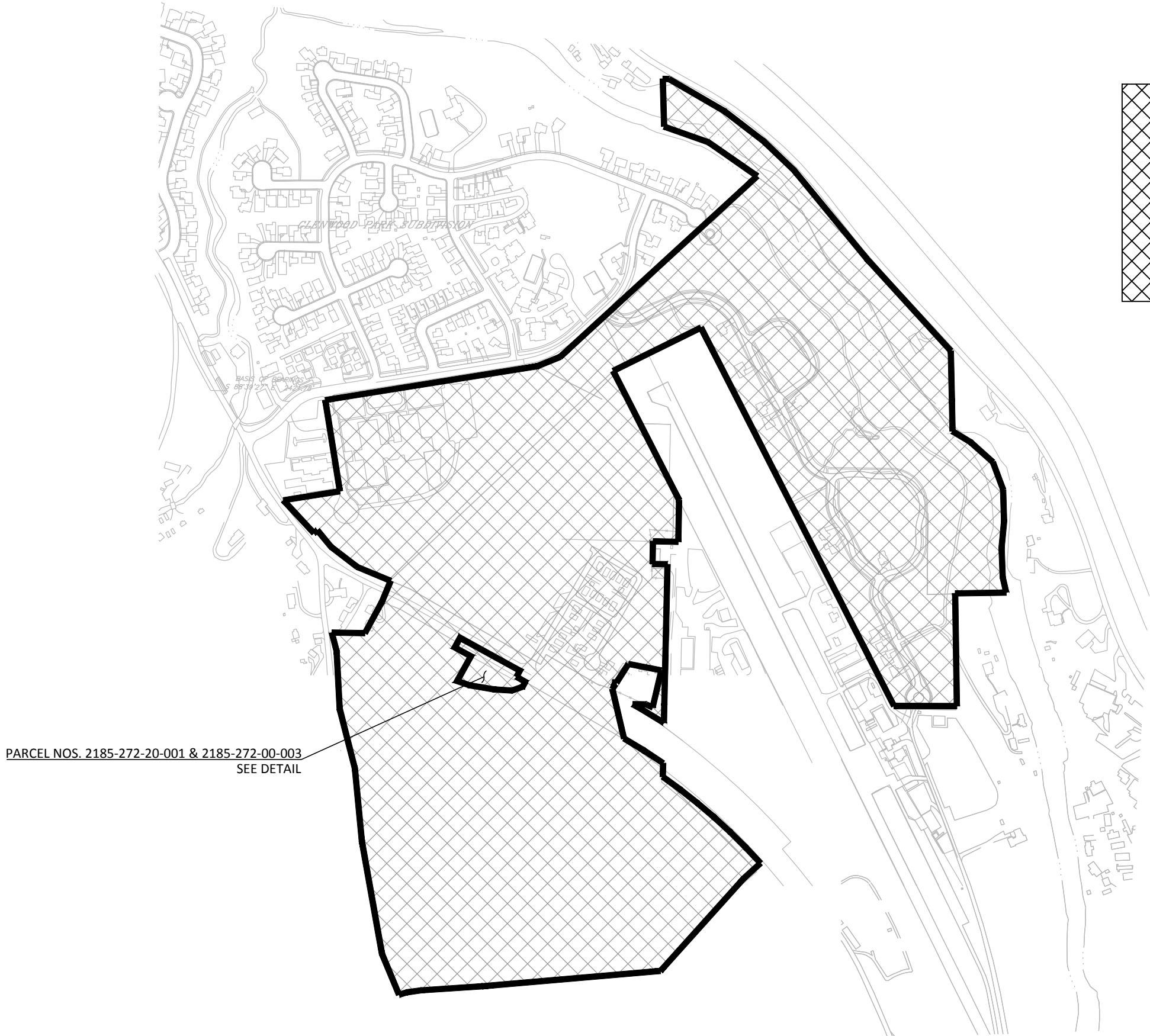
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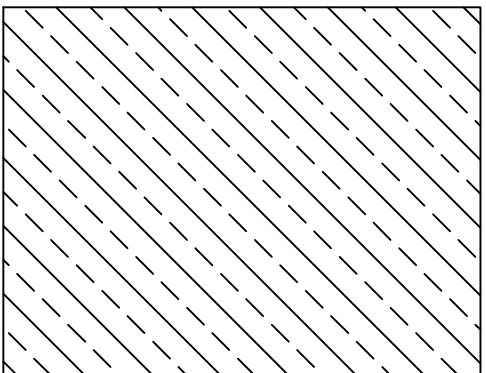
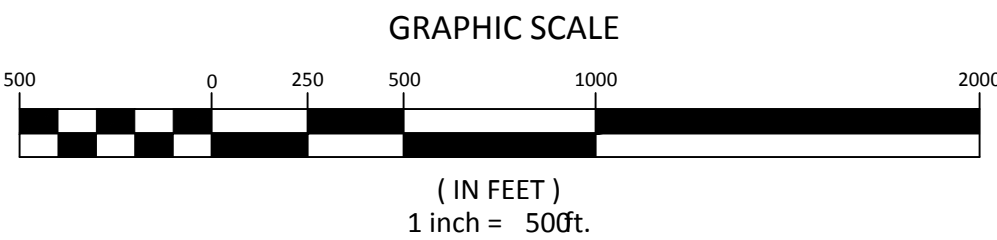
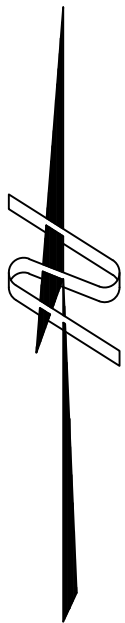
NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

SHEET 1 OF 1

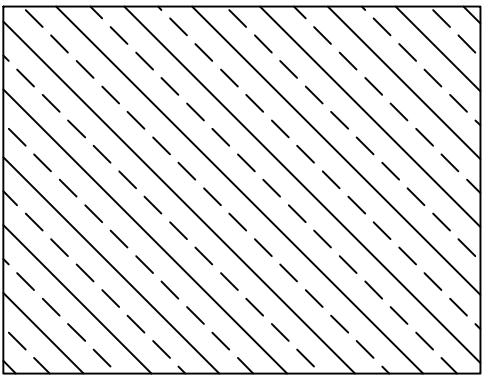
THE PURPOSE OF THIS ANNEXATION MAP IS TO ANNEX THE PROPERTIES LEFT OUT OF THE ANNEXATION MAP RECORDED DECEMBER 30, 1988 AS RECEPTION NO. 398013



AREA ANNEXED PER MAP RECORDED DECEMBER 30, 1988
AS RECEPTION NO. 398013

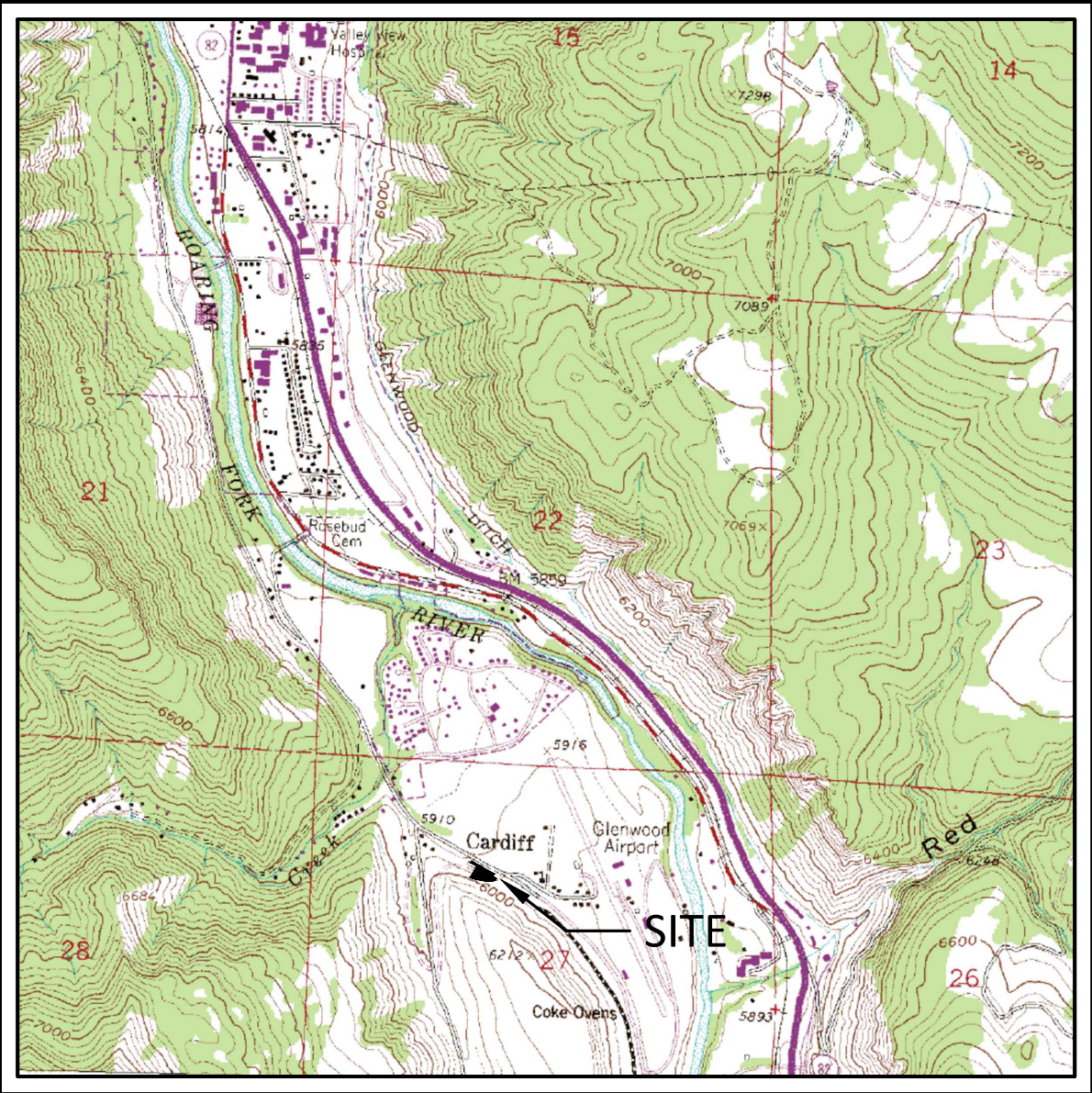


PROPERTY DESCRIBED IN DEED FROM ALPINE BANK TO MARK IDDINGS
NOVEMBER 18, 1985 REC. NO. 366662 (BOOK 679 PAGE 50)
AND
ANNEXATION PARCEL, THIS MAP



PROPERTY DESCRIBED IN QUIT CLAIM DEED FROM IDDINGS TO GLENWOOD LAND COMPANY, LLC
APRIL 16, 2002 REC. NO. 601425. A PORTION OF LOT 1, KINGDOM HALL SUBDIVISION (REC. NO. 601233). ENTIRE LOT 1 SOLD TO THE GLENWOOD SPRINGS CONGREGATION OF JEHOVAH'S WITNESSES IN SPECIAL WARRANTY DEED RECORDED APRIL 16, 2002 AS REC. NO. 601427

CONTIGUOUS BOUNDARY WITH THE CITY OF GLENWOOD SPRINGS



VICINITY MAP
SCALE: 1" = 2000'

NOTES

- 1) DATE OF SURVEY: MARCH 20 & 24, 2018.
- 2) DATE OF PREPARATION: DECEMBER, 2018 AND JANUARY, 2019.
- 3) LINEAR UNITS: THE LINEAR UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.
- 4) BASIS OF BEARING: A BEARING OF S 08°43'24" E ALONG EASTERLY RIGHT-OF-WAY OF FOUR MILE ROAD (COUNTY RD. 117) BETWEEN TWO FOUND REBARS AND PLASTIC CAPS (L.S. 27613). THIS IS CONSISTENT WITH THE MONUMENTED LAND AND IMPROVEMENT SURVEY REFERENCED IN NOTE NO. 6. THEREFORE THIS SURVEY HAS BEEN ROTATED 01°06'56" CLOCKWISE FROM THE DEEDS OF RECORD/TITLE DESCRIPTION AND COUNTER-CLOCKWISE 01°11'11" FROM THE CITY OF GLENWOOD SPRINGS DATUM BASED ON A BEARINGS OF N 88°28'00" W ON THE CENTERLINE OF THE 8TH STREET RIGHT-OF-WAY..
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY SOPRIS ENGINEERING, LLC (SE) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS OF WAY AND/OR TITLE OF RECORD, SE RELIED UPON THE PROPERTY INFORMATION BINDER PREPARED BY LAND TITLE GUARANTY COMPANY, ORDER NO. ABS63012620, DATED MARCH 28, 2018 AND DOCUMENTS AND PLATS OF RECORD AS SHOWN IN THE SOURCE DOCUMENTS, HEREON.
- 6) THE ANNEXATION BOUNDARY IS ENTIRELY CONTIGUOUS WITH THE ANNEXATION PARCEL DESRIPTION PER THIS MAP.

SURVEYOR'S STATEMENT

I, GEOFFREY R. KELLER, DO HEREBY STATE THAT THIS ANNEXATION MAP WAS PREPARED BY SOPRIS ENGINEERING, LLC FOR MARK IDDINGS AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

BY: _____
GEOFFREY R. KELLER, L.S. #37997

CLERK AND RECORDER'S CERTIFICATE

THIS ANNEXATION MAP WAS ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF GARFIELD COUNTY, COLORADO, ON THE _____ DAY OF _____, 2019 AND WAS DULY RECORDED IN PLAT BOOK _____ AT PAGE _____ AS RECEPTION NO. _____.

CLERK AND RECORDER OF GARFIELD COUNTY

BY: _____

Exhibit A



**City Council
STAFF REPORT
City of Glenwood Springs
March 7th, 2019**

Agenda Item:	7 th St Beautification and Sewer Change Order 1
Action Requested:	Approval of Change Order 1 and Consider Alternate Construction Schedules.
Presented By:	Terri Partch, City Engineer
Background Info:	At the direction of Council, the City Engineering Department has been working with Boundaries Unlimited Inc. to develop a change order to extend the 7th St Beautification and Sewer Project along the south side of 7th St from Grand Avenue to Colorado Avenue. Gould submitted change order pricing to the City on February 19th. Gould has requested \$157,138.60 to perform the additional sidewalk and curb and gutter removal and replacement, as well as an additional 15 days. On January 22nd, 2019, Gould Construction was given a revised Notice to Proceed with a start date of February 19th and a completion date of August 19th. This revision was done at Gould Construction's request in order to begin the project earlier than the original contract dates of March 1st and completion date of August 29th. The change order work interferes with the opening of the south lane of 7th Street, as envisioned in the awarded accelerated schedule. To address this conflict, Gould is proposing four options (labeled in the attachments): 1. Do not award the change order work. No increase in cost or schedule. 2. Award the change order work with no acceleration. In this scenario, Gould cannot open a lane for vehicular traffic. The City would keep the acceleration price and allow the contractor to completely close the road until August 19th. 3. Accelerate the opening of the pedestrian plaza, moving from east to west instead of opening a vehicular lane of traffic for the amount already approved for the accelerated vehicular opening schedule (\$134,400). 4. Accelerate the change order work for an additional price of \$25,000, to meet the desired one lane opening of 7th Street on July 2nd.
Issues:	The change order work interferes with the opening of the south lane of the road, as envisioned in the accelerated schedule that was awarded.
Action Alternatives:	1. Reject the change order.

	2. Award the change order without acceleration. The road would close through August 19th. 3. Accelerate the pedestrian plaza opening for a price of \$134,400. 4. Accelerate the change order work for a price of an additional \$25,000. (Total acceleration cost \$159,000)
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1: 7th Street Accelerated Schedule - no Sewer Change Order

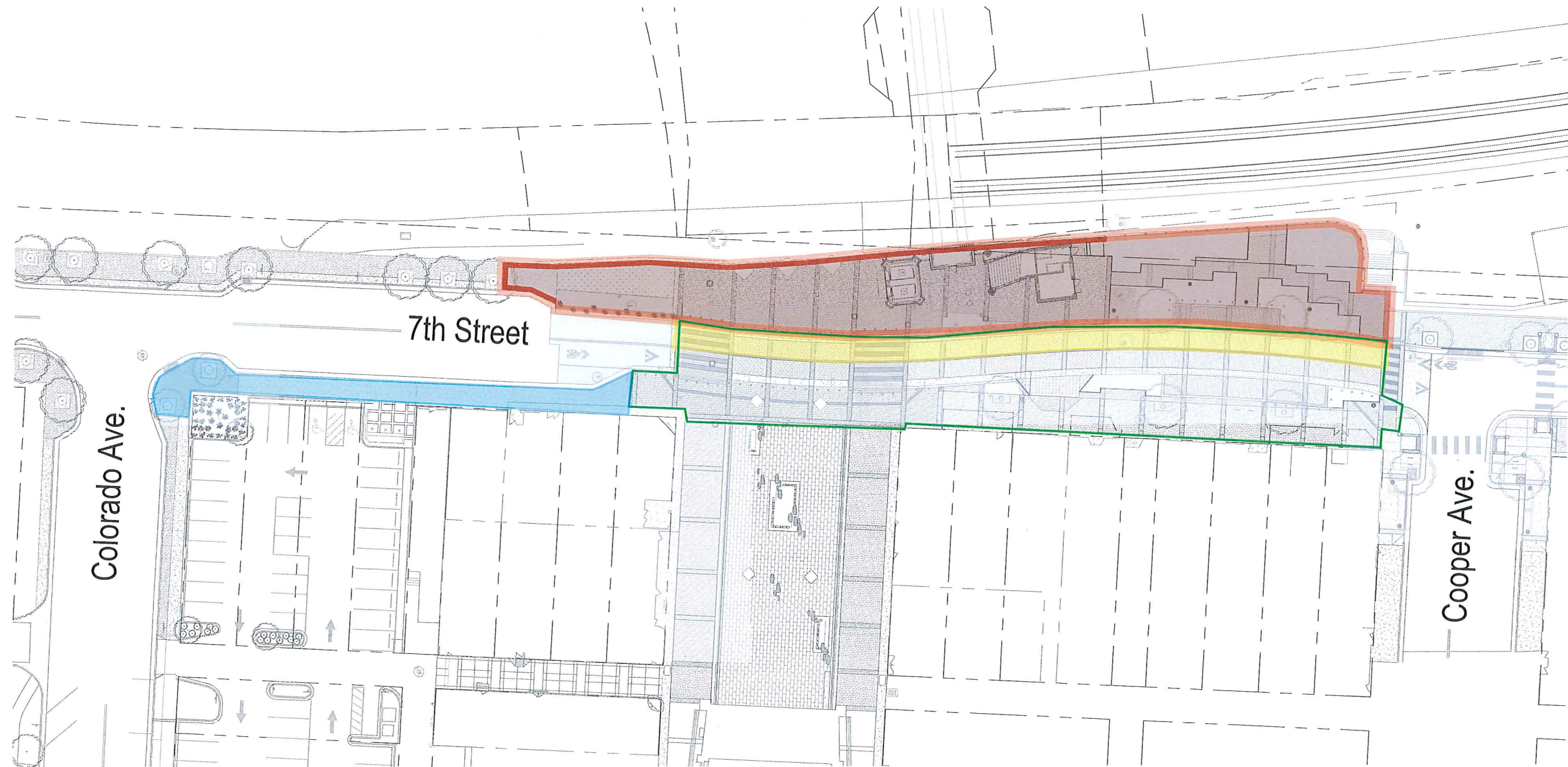
Completion Dates:

Green Outline: July 2nd

Yellow Area: July 2nd, but vehicle and pedestrian access restricted for construction vehicles and personnel only

Red Area: August Completion

Blue Area: July 2nd, **Sidewalk and Pavers to be replaced to match original**



2: 7th Street Accelerated Schedule - with Sewer Change Order

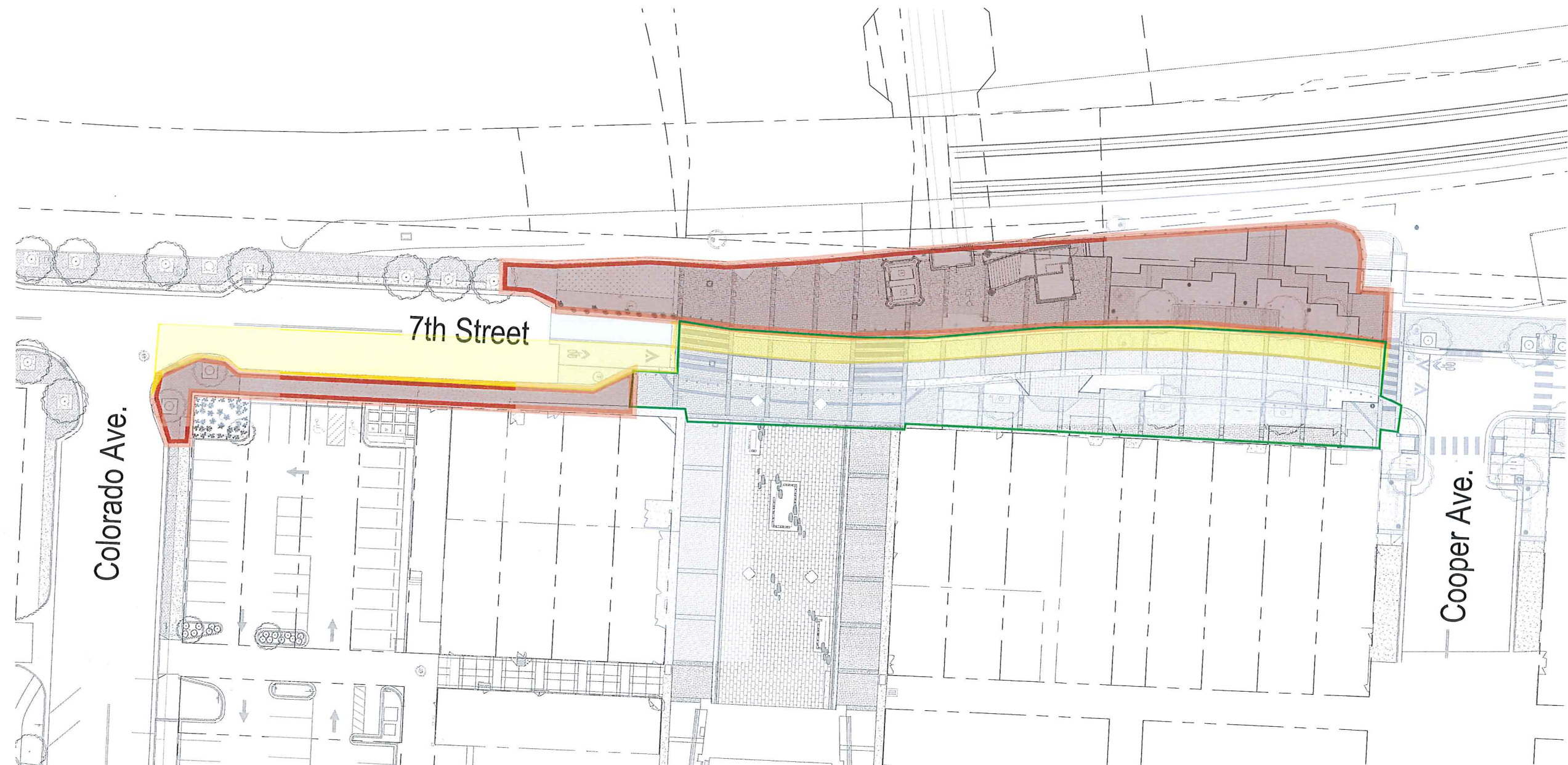
No Modification of Footprints - Sewer Change Order in Scope adds SF and Complexity

Completion Dates:

Green Outline: July 2nd

Yellow Area: July 2nd, but vehicle and pedestrian access restricted for construction vehicles and personnel only

Red Area: August Completion



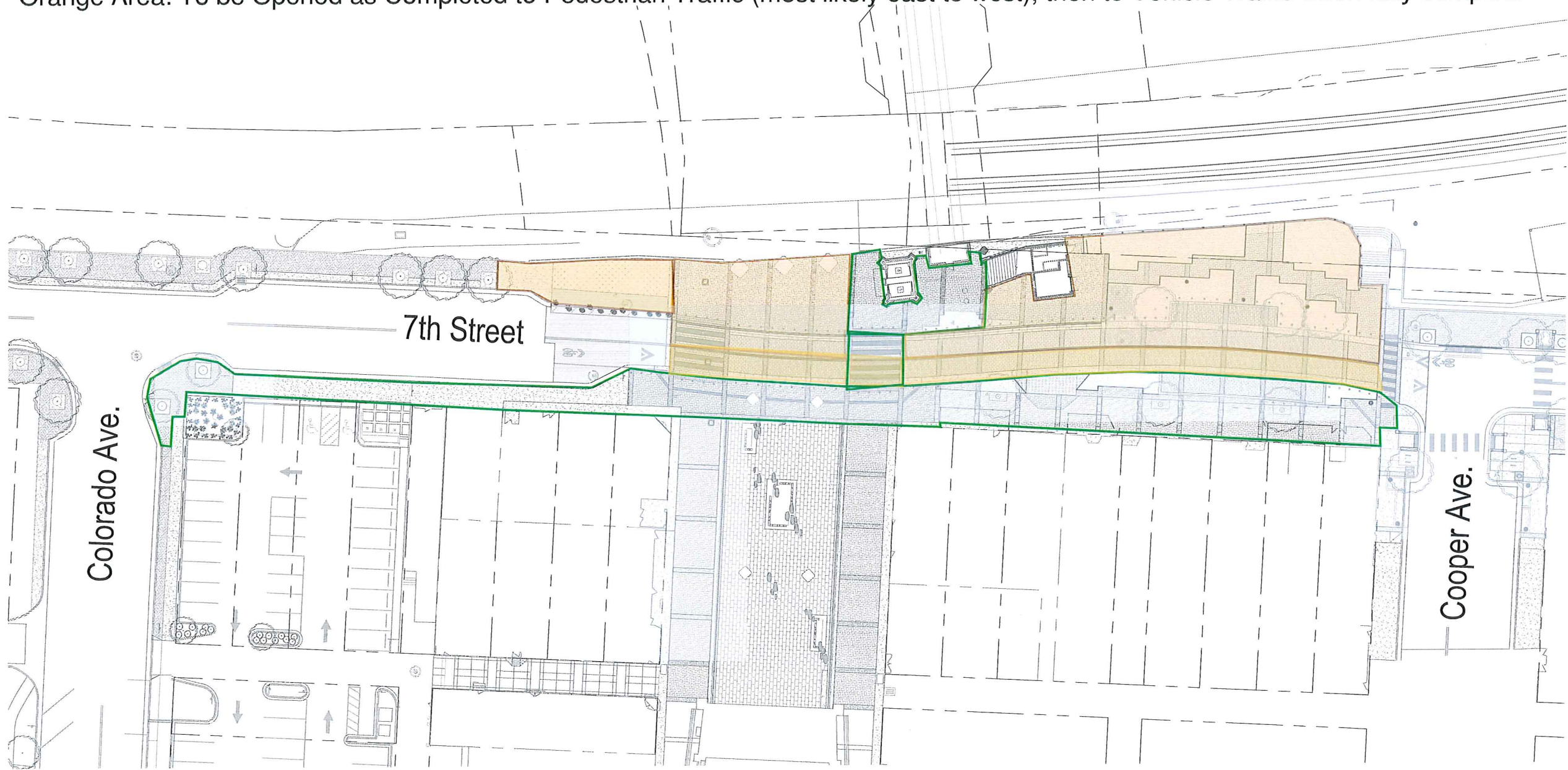
3: 7th Street Accelerated Schedule Modified Footprint- with Sewer Change Order Included in Accelerated Schedule

With Sewer Change Order and Modified Completions per Footprint

Completion Dates:

Green Outline: July 2nd

Orange Area: To be Opened as Completed to Pedestrian Traffic (most likely east to west), then to Vehicle Traffic when fully complete



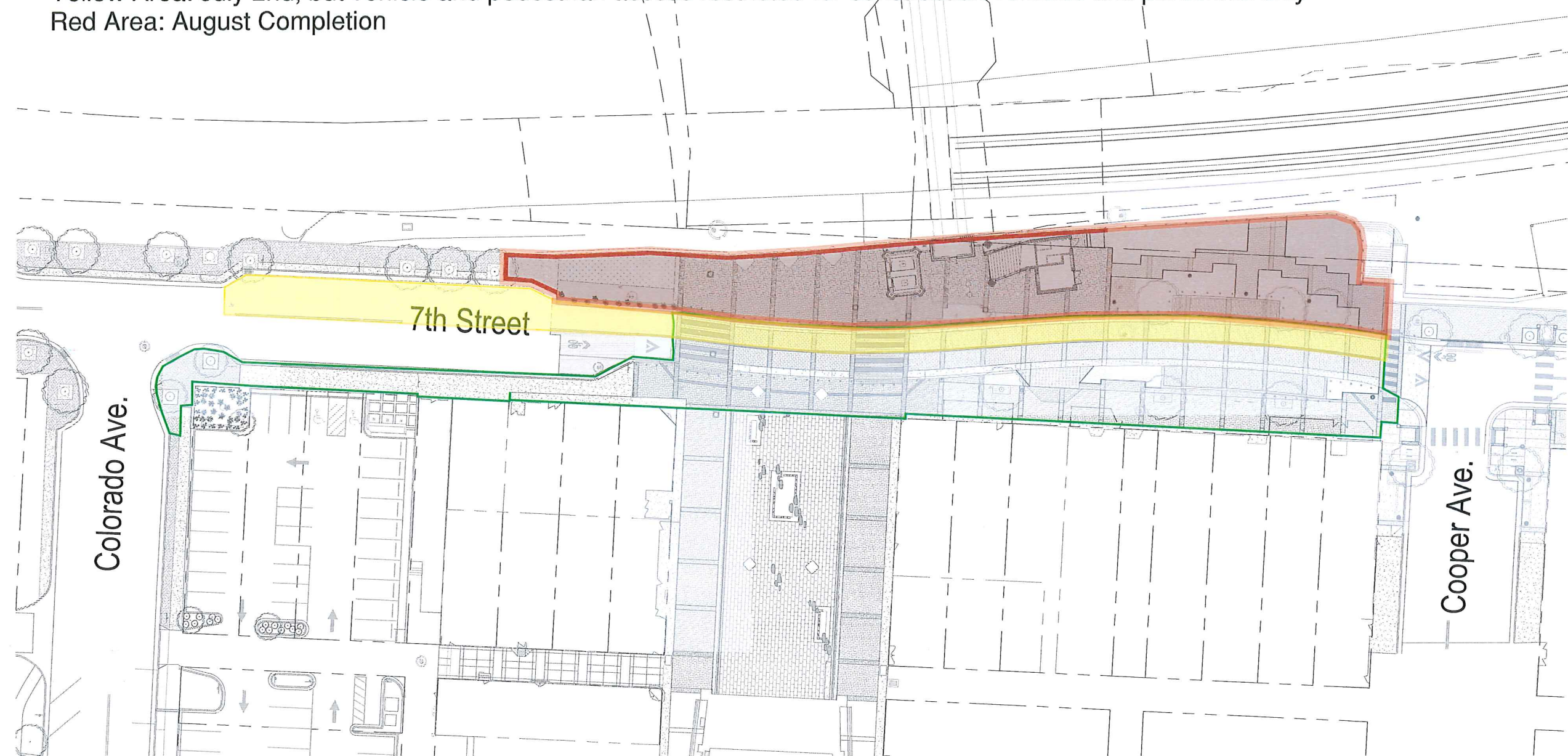
4: 7th Street Accelerated Schedule + Accelerated Sewer Scope

Completion Dates:

Green Outline: July 2nd

Yellow Area: July 2nd, but vehicle and pedestrian access restricted for construction vehicles and personnel only

Red Area: August Completion





City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Planning Item 02-19 Consideration of Text Amendments to 070.030.030 Accessory Tourist Rentals and Short Term Rentals and City Council Resolution for Vacation Rental Fees and Permit Procedures.

Action Requested: Consideration of a Resolution 2019-14 Vacation Rental Fees and Permit Procedures.

Consideration of Ordinance No 9, Series of 2019 various code text amendments to Municipal Code Title 070.030.030 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals.

Department: Economic and Community Development

Presented By: Hannah Klausman, Senior Planner

Background Info: In November of 2018, City Council voted to enact a 4-month moratorium on new vacation rental applications and directed staff to develop a robust public engagement process to gather information on the topic. The City of Glenwood Springs at the time of moratorium, has 134 permitted and legal vacation rentals. A map of those locations is provided in Exhibit A. In addition, City Council requested Staff to compile data related to how the City's program has been operating including growth, tax collection, HOA covenants, and other topics. A full analysis of the public engagement and additional research is attached as Exhibit B. *Public Engagement and Research (Unabridged)*. The exhibit list can be viewed on page 19 of this report.

The public engagement process included:

- **An Online survey** City staff drafted a survey consisting of twenty-seven (27) questions about community perception of vacation rental and feelings towards specific regulations. The survey was active from November 27, 2018 to February 15, 2019, a duration of two and a half months. The survey received 482 responses. The entire survey is attached as Exhibit C, and a summary is provided later in this report.
- **A Public work session** The City held a public meeting to go over the initial survey results and expand further on a few topic areas. Over 55 people attended the work session.
- **Research** into how other Colorado Municipalities regulate vacation rentals. A summary of municipal regulations are attached in Exhibits D. *Leniency Scale of Municipal Regulations*, and D. *Colorado Municipal League Matrix*
- **Planning and Zoning Commission Recommendation**

The Planning and Zoning Commission (Commission) reviewed all of the compiled data and information from staff at a specially convened public hearing on Monday, February 25, 2019.

During analysis of the public response, several policy areas provided clear direction, while other topic areas provided more divided results and may require additional consideration. Those areas that provided strong direction from the public include:

1. Vacation Rental Application Fee

2. Building Inspections and Occupancy Limits
3. Multifamily Building Limitations
4. Numerical Cap for Vacation Rentals

Those topics that were less clear include:

1. Neighborhood Notification
2. Parking

These topic areas and categorization provided a base point for review at the Planning and Zoning Commission public hearing, where the Commission was tasked with making recommendations to City Council.

SEE ATTACHED *City Council Report, Discussion and Analysis*, for further detail on each policy area.

LIST OF ATTACHED EXHIBITS

Information, documents, and other resources used in staff analysis is included in full in the following attached exhibits.

- A. Map of Glenwood Springs Permitted Rentals
- B. Public Engagement and Research (Unabridged)
- C. Survey Results
- D. Leniency Scale of Municipal Regulations
- E. Municipal Vacation Rental Matrix
- F. Public Meeting Summary
- G. Housing Commission Recommendation
- H. Building Department Memo
- I. Fire Department Memo
- J. Resolution 17-54 Vacation Rental Affidavit and Violation Schedule
- K. International Property Maintenance Code
- L. Staff Report and Minutes from 3-12-2018 City Council (MF and ADU changes discussion)
- M. Police Complaints
- N. Ordinance 11-2018
- O. Old Vacation Rental Permit Application with Building Inspection

P. Best Practice Papers and Articles

Q. Planning and Zoning Staff Report 2-25-2019

Issues:

Staff Recommendation: Staff has no recommendation and defers to recommendations made by the Planning and Zoning Commission and the public engagement process.



City Council Staff Report Attachment Discussion and Analysis

The following is a description of current regulation, summary of public opinion, and municipal examples related to each topic area.

1. Application Fee

Current regulations:

Currently the vacation rental application fee is set to a one-time payment of \$110. There is no renewal fee for the two year permit. Previously, up until April 2018, the fee of \$110 was charged biennially, first at time of application, and then every two years at time of renewal. On January 4, 2018, Council held a work session to discuss potential changes to the Code of Ordinances related to vacation rentals. During that discussion, Council directed staff to work toward allowing the fees for short-term rentals and accessory tourist rentals to be paid once, rather than charged every two years. Resolution 2018-29 – approved August 2, 2018, establishing a Development Review Fee, set the vacation rental application fee at \$110 with \$0 renewal fee.

Public Opinion:

The public opinion captured through the online survey and public meeting, expressed a strong desire to set the permit fee to a recurring basis. Sixty-one percent of survey respondents favored an annual fee over a one-time fee. Of those who favored an annual fee, sixty-three percent desired an annual fee over \$200.

At the public meeting, 56 participants had the opportunity to further look at the application fee question. Staff proposed six new options based on the feedback received from the survey. Those options included a choice between an annual fee or one-time fee, with additional options in each category for how much the fee should be. Seventy-eight percent of respondents indicated an annual fee of \$100-\$300 was preferable. For further insight into the reasoning and discussion behind this choice please see Exhibit F. *Public Meeting Summary*.

Other Municipalities:

Application fees charged by other Municipalities for vacation rentals varies widely. The chart on the next page, taken from Exhibit D. and using the concepts from a best practices article published by Lodging Revs¹, places Municipal approaches on a scale of regulation ranging from strict policy, to an intermediate middle option, to a lenient or encouraging policy. Those options on the scale are represented as Restrict, Balance, and Encourage. Municipal fee costs are placed from high (Restrict) to low (Encourage) below to illustrate the various approaches that exist.

¹ Best Practices in Regulation and Taxation of Short Term Rentals. <https://www.lodgingrevs.com/best-practices/>. Last visited 2/21/2019.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	\$250 Annually and up	\$75-200 Annually	Business License fee or less than \$50 annually
Fee	<u>Crested Butte</u> : \$750 Annually	<u>Blue River</u> : \$200 one time/ \$75 renewal	<u>Denver</u> : \$25 annually
	<u>Georgetown</u> : \$500/\$250 Renewal	<u>Breckenridge</u> : \$175 annual/Admin fee \$50	<u>Silverthorne/Frisco/Avon/Aspen</u> :
	<u>Durango</u> : \$750 Land Use Permit	<u>Boulder</u> : \$130/\$105 renewal	Business License only
		<u>Telluride</u> : \$165 +\$22/bedroom annual	
		<u>Estes Park</u> : \$200 +\$50/bedroom	
		<u>Lyons</u> : \$175/ \$50 Renewal	
		<u>Clear Creek County</u> : \$250 one time fee	<u>GLENWOOD SPRINGS</u> : One-time \$110, business
		<u>Vail</u> : \$150/annually	license

Planning and Zoning Recommendation

The commissioners gave careful thought to public opinion, and data regarding staff time, including possible building inspections, to arrive at a recommendation for an application fee. Consideration was given to the fact that a renewal application involves less staff time than the initial application review process, and therefore a reduced renewal fee is appropriate.

The Commission arrived at a unanimous recommendation of an initial application fee of \$300, followed by a reduced renewal fee of \$150 biennially following the current 2-year permit cycle.

2. Building Inspections and Occupancy Limits

Current regulations:

Building inspections for vacation rentals were previously required with all applications from 2012 through 2017. During that time after an applicant submitted their vacation rental application they would schedule a building inspection with the Building Department as indicated on the permit application which is attached for reference in Exhibit O. *Old Permit Application*. The Building Inspector would set up a time to meet at the property and inspect for a variety of life safety measures enumerated within Glenwood Springs Building Code and set occupancy limits which were based on the size and number of bedrooms per requirements of the International Property Maintenance Code.

In November 2017, City Council opted to forgo building inspections in favor of a notarized applicant affidavit that stated all municipal code requirements were met and indicated all safety responsibility was on the applicant. This action is attached in Exhibit J. *Resolution 17-54*. Since then vacation rentals have not required a building inspection however code still includes stipulation for occupancy based on the International Property Maintenance Code (IPMC). The IPMC is attached in Exhibit K. *International Property Maintenance Code*.

Public Opinion:

It was clear from questions regarding inspections and occupancy that respondents favor requiring building inspections (70%) to not (22%) as well as prefer that the building department set an occupancy limit for each vacation rental (73%) as opposed to no occupancy limit (19%).

At the public meeting 82% (41 of 50 participants) indicated that fire and safety inspections should be required (Question 4). Additionally, participants were asked separately about setting occupancy limits (Question 5). Seventy-six percent opted for occupancy limitations set by the building department and 24% that indicated it was not necessary. Of the respondents that indicated a preference for occupancy limits, the majority favored a maximum occupancy of 2 people per bedroom. The remainder chose the IPMC that allows for 2 people per bedroom plus additional per square footage standards.

Other Municipalities:

Some municipalities have chosen to enforce a maximum occupancy unless the applicant applies for a conditional or special use permit to be reviewed at a public hearing. Some of those examples are:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	Maximum People per unit	Square Foot Based	No Occupancy Limitation
Occupancy	<u>Estes Park</u> : Max 8, Special Use Review for Additional	<u>Summit County</u> : 1 person/300 square feet	<u>Frisco</u>
	<u>Lyons</u> : Max 8	<u>Eagle County</u> : 1 person/300 square feet	<u>Georgetown</u>
	<u>Durango</u> : 3 persons per parking spot OR 2/bedroom plus 2.	<u>Park City, UT</u> : 75 sq ft/bedroom + 50 sq. ft min/person	<u>Telluride</u>
	<u>Crested Butte</u> : 10, Additional with parking on site	<u>Breckenridge/Snowmass Village</u> : Per IPMC	
	<u>Clear Creek County</u> : Max 9 unless property is 2 acres+		
	<u>Boulder</u> : Up to 4 Family Members, + 2	<u>GLENWOOD SPRINGS</u> : Occupancy per IPMC	

Planning and Zoning Recommendation

After reviewing the recommendations from both the Building and Fire Departments, and acknowledging the strong public desire for life safety inspections, the Commission recommended a biennial building inspection to coincide with the 2-year vacation rental permit cycle.

City Council Resolution

Application fees and building inspections are both items that can be amended through a City Council resolution, as has been done in the past. The Municipal Code Section 070.030.030(e)7/9- vacation rentals, allows City Council to set the permit fee, amount and frequency, by resolution. In addition City Council can choose to revise the Vacation Rental Permit conditions to include a completed building inspection requirement rather than the applicant affidavit that is currently required. These policy actions are included in City Council Resolution No 2019-14.

3. Multifamily Single-Owner Building Limits

Current regulations:

Currently, vacation rentals are limited to 25%, or at least 1, in single owner multifamily buildings. This regulation has remained the same since the initiation of vacation rental permits in 2012 and is included as such in the use standards for vacation rentals in Code.

City Council reviewed this topic in March of 2018. A public hearing to review increasing the multifamily building limitation was held on March 12, 2018. There were numerous public comments both in support and opposition to the proposed changes. The item was tabled unanimously in order to conduct community outreach and further research on short term rentals. The Staff report and minutes from this meeting are attached as Exhibit L. *City Council 3-12-2018 Staff Report and Minutes*

Public Opinion:

The public indicated a strong preference for limits on single owner multifamily buildings. Survey and public meeting responses also indicated a preference for lowering the threshold of maximum units that are allowed to be vacation rentals.

The survey asked whether single-owner multifamily buildings and apartment buildings should have limits on how many units could be vacation rentals. The majority of respondents indicated that there should be a limit (61%). Almost a third of the respondents did not think a limit on these buildings was necessary (27%) and the remainder was unsure (11%).

When asked what the limit should possibly be, the respondents that had answered yes to the limitation indicated that they preferred 25% of the units as a maximum allowable percentage (41%) which is the current requirement. A large number of respondents wrote in their preferred answer instead of selecting from the given choices (40%). Analyzing those write in responses revealed that most of them indicated a lower threshold for the maximum allowable units in multifamily buildings than the provided answers. When the write in answers and the given answers were combined by category, 67% of respondents desire a limit of below the current threshold of 25%.

At the public meeting participants were again asked what the allowable limit should be on multifamily buildings under single ownership. This time, based on results from the survey, staff presented lower threshold options ranging from twenty-five percent or at least 1, down to ten percent or at least 1. Seventy-four percent preferred the lowest cap of 10% for single-owner multifamily buildings; 16% preferred the highest cap of 25%.

Other Municipalities:

Staff did not find evidence of this particular approach to limiting vacation rentals in other communities. Communities that chose to place limits on vacation rental numbers opted for a numerical cap, zoning limitations, or per block limitation.

Planning Commission Recommendation

Public opinion on this topic weighed heavily on the Planning Commissioners' recommendations, however careful thought was also given to current Glenwood Housing stock, and impact areas by housing type. When considering new and recent large developments that fall into this category of single owner rental apartments, Commissioners recommended a lower threshold.

Planning and Zoning Commission recommends reducing the current 25% limitation on single owner multifamily buildings to ten (10) %.

4. Numerical Limit on Vacation Rentals

Current regulations:

Currently the City of Glenwood Springs does not limit the number of vacation rentals that can operate within City limits other than the multifamily single owner building limitation and a prohibition on Accessory Dwelling Units being used for vacation rental purposes.

Public Opinion:

The survey asked whether respondents supported limiting the number of vacation rentals that can occur in the City. Fifty percent of the response believed there should be a limit, and 34% believed there should not be a limit. Sixteen percent were unsure. Of those respondents that believed there should be a limit the majority favored placing a numerical cap on the maximum allowed vacation rentals within the City (55%) followed closely by those that desire a numerical cap of vacation rentals per block (43%).

At the public meeting the response shifted slightly in opposition of applying a limit - 54% of respondents preferred no limit; to 45% that chose a limit. The preferred limit approach was a cap per block, and a citywide cap. The question of limiting vacation rentals garnered the biggest groups during the discussion portion of the public meeting. Staff found that many participants were unclear how a numerical restriction would, or could, be enforced and therefore were not in favor of such regulation.

In the public meeting summary attached as Exhibit F., the facilitator noted common discussion comments that were raised by participants across several management strategy discussions. Two of the common comments were the impact on available housing and affordable housing for locals, which pertain to discussions of numerical limits.

Glenwood Housing Stock Numbers:

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 134, represents approximately 3.2 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

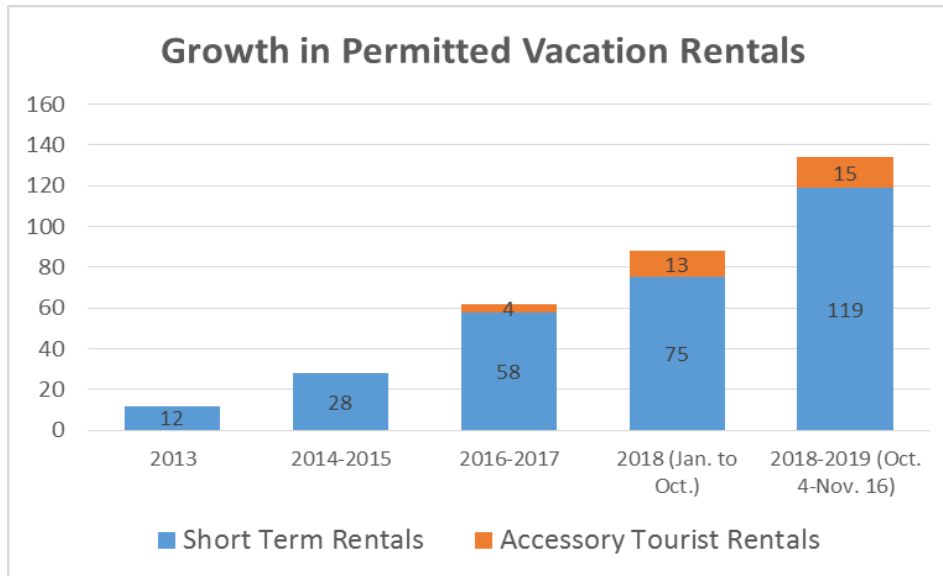
<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
10%	418
15%	628

Vacation Rental Growth in Glenwood Springs:

To illustrate the growth in vacation rentals from the start of permit issuance in 2013, staff presents the following charts. The 2018-19 Permit cycle is broken out into two segments to represent growth prior to and after the moratorium discussion began. The large increase of 48 rental permits between October 4 and November 16, 2019 is attributable to the uncertainty by the public if the program would continue, and is not representative of the standard growth pattern.

2 Year Permit Cycle	Short Term Rentals	% Increase previous year	Accessory Tourist Rentals	% Increase previous year
2013	12			
2014-2015	28	(16) 133%		
2016-2017	58	(30) 107%	4	
2018 (January to October)	75	(17) 30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	(44) 59%	15	15%

Total Permitted Rentals 2019	134
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Impact on Rental/Housing Cost

In order to respond to numerous comments regarding the impact of a growing vacation rental industry on local housing costs, staff looked for reputable research on the topic. Very little quantifiable data exists on the subject, and even less for small town rural areas.

Staff did find a peer reviewed study from Economics and Business Professors at UCLA and USC.² They posit that a 10% increase in Airbnb listings leads to a 0.42% increase in rents and 0.76% increase in home prices. Two other studies cited within this research performed for Boston and Los Angeles markets found slightly lower values, but still found a correlation of rent and home price increase as the number of vacation rental listings increased.

Police Actions with Vacation Rentals

To illustrate current levels of police complaints and actions regarding vacation rentals the Police Department provided a list of responses to permitted vacation rental addresses on file. The list includes the address, the date the property became a vacation rental, the complaints, calls, and issues that the Police have been involved with since that time. The “call type” column indicates how the occurrence was initiated, whether through dispatch, alarm, or officer initiated. The Code Violations listed also have an explanation of the nature of the violation. This list is included as Exhibit M.

Chief of Police Terry Wilson analyzed the list and noted that the frequency of police involved occurrences per vacation rental property is higher than that of a standard residence and closer to the frequency of calls received for commercial lodging properties. At the Planning and Zoning Commission meeting, Chief Wilson clarified that while incidents involving vacation rentals are more numerous than standard residential dwellings, the calls tend toward low impact, easily resolved incidents. When asked about the possibility of a significant increase in vacation rental permits and impact to the Police Department, Chief Wilson replied that the Police Department would need to evaluate to see if additional resources would be necessary in such a situation.

² Barron, Kyle & Kung, Edward & Proserpio, Davide. (2018). The Sharing Economy and Housing Affordability: Evidence from Airbnb. SSRN Electronic Journal. 10.2139/ssrn.3006832.

Other Municipalities:

Several communities have decided to limit the number of vacation rentals that can operate within their boundaries. Those limitations vary in approach from a strict numerical limit, primary residence requirement, per block limitation, and frequency and duration limitations. Examples include but are not limited to:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Allowance & Limits	Not Allowed	Allowed but Limited	ALLOWED
	<u>Morrison, CO</u>	<u>Crested Butte:</u>	<u>Snowmass Village</u>
	<u>Moab, UT</u>	*Primary residence with 60 night limit (Unlimited #)	<u>Frisco</u>
	<u>Teton County, WY</u>	*Non-Primary Residence limited to 30% housing Stock	<u>Carbondale</u>
		<u>Denver/Boulder/Lyons:</u> Primary Residence	<u>Aspen</u>
		<u>Durango:</u> 1/block face + zone limits	<u>Silverthorne</u>
		<u>Telluride:</u> Zoning Limitations of frequency & duration	
		<u>Green Mountain Falls:</u> 10% of Housing Stock (60)	<u>GLENWOOD SPRINGS: No</u>
		<u>Georgetown:</u> 7% of each ward housing units	<u>limits by number or zoning</u>
		<u>Estes Park:</u> 588 permit limit	

- * Crested Butte 30% Housing Stock, 212 permits.
- * Durango Numerical Limit in low-density residential zones
- * Telluride Residential Zone District Limit 3 times per year, 29 nights annually
- * Estes park 588 permits is approximately 15% of housing stock

Durango and Telluride are examples where the limits were placed on Residential Zone districts. Crested Butte opted to allow an open ended number of permits to local residents wishing to rent out their homes temporarily while away from their homes, while placing a cap on those properties that would most likely be rented out consistently for short term uses where the property is not the owner's primary residence. Green Mountain Falls, Georgetown, and Estes Park all went with a set numerical cap for all permits within their boundaries.

Planning Commission Recommendations

The Planning Commission discussed the complexity of this topic at length. During the discussion noted that while they believe additional analysis would be helpful in this area, the Commission was more comfortable recommending a restriction than none at all. There was significant concern that implementing a percent cap without also implementing a distance buffer provision, would more negatively impact some neighborhoods, particularly the downtown core. The proposed numerical cap and distance buffer is recommended only for the Short Term Rental permit category and is not applicable to Accessory Tourist Rental permits.

Planning and Zoning recommends a text amendment to implement a numerical limit on short term rentals of ten (10) percent, OR one unit per block face (meaning one unit on each side of the street), whichever is less. For areas where the block face standard does not or cannot be applied, a 500 lineal feet distance buffer between vacation rentals shall be applied.

STAFF NOTE: Developing a per-block or 500 foot lineal foot distance provision poses challenges for compliance to staff. If it is the will of the Council to implement this regulation staff recommends either adopting only the ten percent numerical cap, or changing the amendment to a numerical limit of ten percent AND one unit per block face, and removing the "whichever is less" statement.

5. Penalties for Violations

Currently the process for penalties and violations is enumerated within the Development code and provides for fines up to \$1,000 per day, as well as authority to revoke or deny permits through a public hearing process. There is also language within the Vacation Rental Use Specific Standards that allows for the Director to revoke a vacation rental permit at any time if it is deemed that the standards of the code are not being followed. The authority to revoke a permit has not been exercised to date. Planning and Zoning Commission provided a recommendation clarifying the Director's authority to revoke a permit without holding a public hearing, as well as more specificity to the fee schedule for Vacation Rentals.

Public Opinion:

The online survey and public meeting did not include a specific question about penalties and violations. However, multiple concerns raised by the public in both forums regarding absentee owners and nuisances point to a frustration with violations occurring at vacation rentals. Violations occurring at vacation rentals in Glenwood Springs are illustrated in the attached Exhibit M. Police Complaints, mentioned previously. Write in comments submitted on the survey point to trash, snow removal, noise, and animal activity being a source of objection for neighbors. The municipal example section indicates how some communities have added additional specificity to when a permit is revoked.

Other Municipalities:

Several other Municipalities have decided to institute penalties for violations specific to vacation rentals. Some have opted for a strict policy of permit revocation after a set number of violations within a one year period, whereas others have instituted an escalating fine structure and suspension time period based on the number of violations.

In addition some jurisdictions have a dedicated hotline, or third party nuisance management system for the community to use to report vacation rental violations. Some communities have added additional requirements for response times and residency distances for registered representatives. In addition, in multiple cases, after a certain number of complaints and/or permit condition violations, a permit is revoked.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Violations	Revocation	Fine Structure	Basic Municipal Fine Structure
	Georgetown: Revocation after 3 violations in 1 year	Breckenridge: Fine Structure and Temporary License Revocation	Telluride
	Green Mountain Falls: 3 violations in 1 year	1st: Suspension 30 days, \$200 Fine in lieu	GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
	Crested Butte: Violation penalty is revocation with 2 year suspension.	2nd: Suspension 60 days, \$500 Fine in lieu	
	Vail: 3 violations in 12 months	3rd: Suspension 90 days, \$999 Fine in lieu	
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	Vail: 60 minutes (30 Minutes at night), agent must reside in 60 miles	Durango: 24 hour Agent, If no response, penalty	Telluride
	Breckenridge: 60 Minutes		Green Mountain Falls
	Lyons: 60 Minutes (Responsible Agent must be within 60 miles)	Clear Creek County: 24 Hour Agent, Must reside within 1 hour from vacation rental property	
	Estes Park: (Code states "Immediate" response, no amount of time)	GLENWOOD SPRINGS	
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	Breckenridge: Hotline		
	Boulder: Rental Housing Licensing Code Violation Line and Online submittal		GLENWOOD SPRINGS
	Breckenridge: STR HELPER, nuisance management system		
	Vail: Online Reporting Portal		

*At time of research, Breckenridge was moving to a system where after two or more failures to respond to complaints within sixty minutes, the Director sets a formal hearing for revocation.

Planning Commission Recommendation

The Commission reviewed the various sections of code that regulate violations of municipal code and specifically the Development Code Section 070, and Vacation Rental Use Specific Standards. Specific consideration was given to enacting violation proceedings that made it less difficult for the Director to revoke a permit when violations exist, and provide a more specified violation schedule specific to vacation rentals. This included two separate actions.

First, Planning and Zoning Commission recommends a text amendment implementing a violation schedule including a first offense of \$250, and a fine not less than \$100 and up to a \$1,000 per day for subsequent offenses.

Second, the Commission recommends a text amendment to Section 070.010.080(e) which enumerates general violations for all of the development code, to state “except as otherwise provided in this code” to allow for the above amendment to apply specifically to vacation rentals. This change clarifies that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2).

Consideration of Ordinance No 9, Series of 2019 Text Amendments

Ordinance 9-2019 incorporates the policy actions on vacation rentals that require a text amendment to the Municipal code. Included within the ordinance are text amendments to penalties for violations, instituting a numerical limit, and changing the threshold for multifamily building limitations. City Council can choose to approve all or some of the ordinance items, deny all or some of the items, or continue the hearing.

For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment meets the approval criteria set forth in Section 070.060.040(c)(3)d.3. The criteria are numerically listed below with staff analysis.

1. Is consistent with the Comprehensive Plan and other City policies;

The City of Glenwood Springs’s Comprehensive Plan includes several community goals that pertain to vacation rental policy. Those include:

- Maintain small town character while maintaining the livability of Glenwood Springs
- Preserve and increase the vibrancy and commercial success of the Downtown
- Provide housing opportunities for the entire community
- Maintain Glenwood’s role as a regional center
- Promote sustainable economic diversity
- Support social diversity

The proposed text amendments support the comprehensive plan goals through a balanced regulatory approach. The continuation of Vacation Rental program adds to the community’s economic diversity, downtown vibrancy, provision of housing opportunities, and Glenwood’s role as a regional center by providing a diversity of tourist accommodations, creating new business opportunities, and through ability for residents to supplement the high cost of living and household expenses. The proposed regulatory limitations in the text amendment support the goals of maintaining a small town character, provision of housing opportunities, and supporting social diversity through mitigating possible negative impacts of vacation rentals on the community.

2. It does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;

The proposed text amendments do not conflict with other Code provisions. The violations and penalties text amendment clarifies existing code for specific vacation rental provisions.

3. It is necessary to address a demonstrated community need;

The public engagement process illustrated a strong public desire for alterations to the City's current vacation rental program. The community need demonstrated through that process is the basis for the proposed text amendments.

4. It is necessary to respond to substantial changes in conditions and/or policy; and;

The demonstrated growth in the number of vacation rental permits within Glenwood Springs constitutes a substantial change in the local sharing economy industry. The proposed text amendments are aimed at addressing that growth.

5. It is consistent with the general purpose and intent of this Code.

The general purpose of this Code is to protect the public health, safety, and welfare of the City and to implement the policies, goals, and strategies adopted by the City of Glenwood Springs. The proposed text amendments are consistent with the purpose and intent of this code.

Additional Topic Areas

Two areas with less clear public results included were Neighborhood Notification and Parking. Planning and Zoning Commission reviewed these topic areas and did not have a recommendation. The Commission did verbally encourage City Council to review Parking considerations.

Neighborhood Notification

This question asked whether neighbors should be notified for public comment when an applicant in their immediate area applied for a vacation rental permit. Fifty-two percent responded yes, the public should be notified, and 39% responded no. Staff found six Colorado Municipalities and one Colorado County that implement a public notification process for vacation rentals. They include, but are not limited to:

Neighbor	Adjacent Property Mailing	Duplex Only	No Notificaiton
Notification	Georgetown: 300 foot owners	Vail	Carbondale
	Crested Butte: 100 foot owners		Telluride
	Durango: 150 foot owners		Aspen
	Green Mountain Falls: 150 foot owners		Silverthorne
	Clear Creek County: 100 foot owners		
	Estes Park: 100 foot owners		GLENWOOD SPRINGS: No notification
			Boulder
			Blue River
			Denver
			Breckenridge
			Avon
			Lyons
			Snowmass

Parking

Many comments submitted from the survey and voiced in the public meeting included complaints regarding parking issues arising from vacation rentals. The Planning Department has also received several in person complaints regarding parking and vacation rentals. A few jurisdictions have decided to include parking requirements with a vacation rental permit application as seen below.

Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement		
	<u>Estes Park</u> : 2 minimum off street, except Downtown	<u>Lyons</u>	<u>Estes Park</u>	<u>Georgetown</u>	<u>Breckenridge</u>
	<u>Durango</u> : 1 space per Bedroom onsite	<u>Green Mountain Falls</u>	<u>Frisco</u>	<u>Avon</u>	<u>Boulder</u>
	<u>Clear Creek County</u> : 1 space per Bedroom onsite	<u>Crested Butte</u> : Over 10 Occupancy requires onsite	GLENWOOD SPRINGS: No extra parking required		

REVIEW AUTHORITY

For actions involving amendments to the Municipal Code, City Council is the deciding authority. All Municipal Code amendments are completed by ordinance, which requires two hearings before City Council.

For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and;
5. Is consistent with the general purpose and intent of this Code.

ACTION ALTERNATIVES

City Council may take one of the following actions:

1. Recommend approval of all or some of the amendments;
2. Recommend denial of some or all of the amendments; or,
3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.

ACTION ITEMS

Action 1: Consideration of Resolution 2019-14

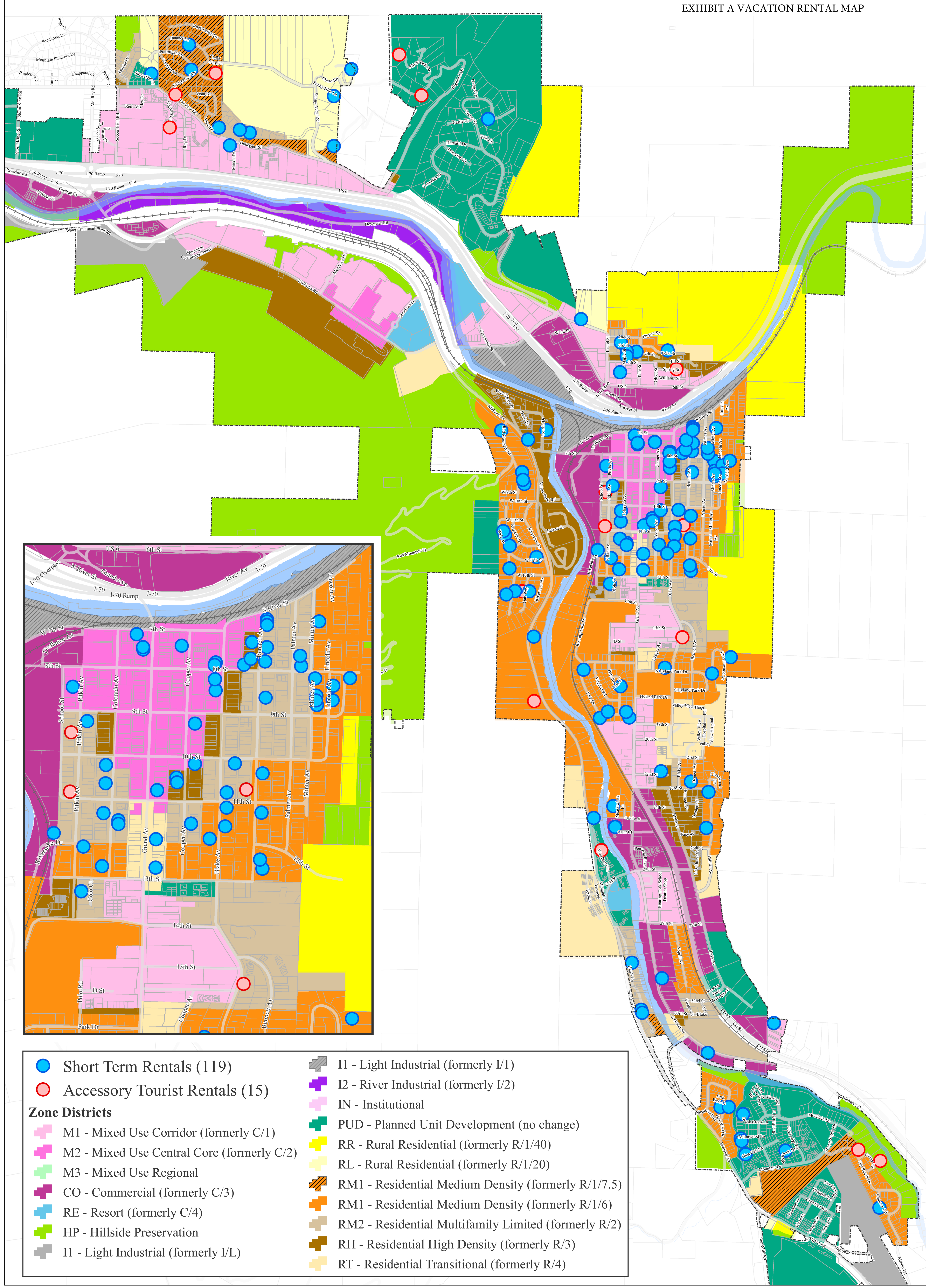
Consideration of City Council Resolution that includes amending the development fee schedule to reflect an initial permit application fee of \$300 and a \$150 renewal fee every other year coinciding with the two-year vacation rental permit, and the addition of a Vacation Rental Permit Condition requiring a building inspection at time of application and for renewal every other year.

Action 2: Consideration of Ordinance No 9, Series of 2019

Consideration of a various text amendment to Municipal Code Title 070.030.030(e)7 and 070.030.030(e)9 Use Specific Standards for Accessory Tourist Rentals and Short Term Rentals to include:

1. A reduction in the percentage of units that can be vacation rentals in a single-owner multifamily building from twenty-five (25) to ten (10)%;
2. A numerical cap on Short-Term Rental permits equal to (a) 10% of the City's total housing stock or (b) one short-term rental permit for every block face or for every 500 linear feet where regular block face measurement does not apply, whichever is less;
3. A violation fee schedule with the first violation of 070.030.030(e)(7)/(9) shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each subsequent offense; and

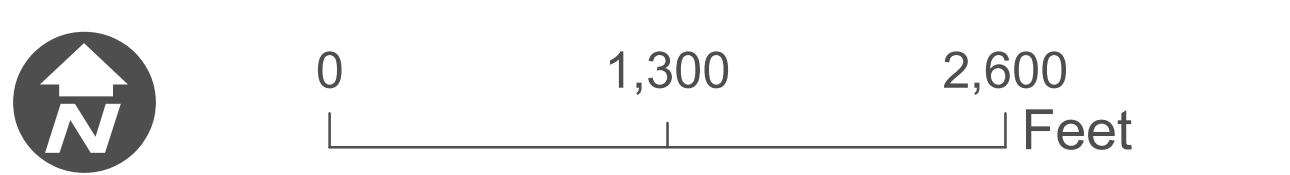
4. An amendment to Title 070.010.080(e) to add the following language: except as provided elsewhere in this code, clarifying that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2).



Vacation Rental Locations

This map was produced by the Engineering Department.
Use of this map should be for general purposes only.
City of Glenwood Springs does not warrant the accuracy
of the data contained herein.

Phone – 970-384-6439 <http://www.cogs.us/> Author: JKoenig, Date: 01/15/19
N:\GIS\GIS_Projects\Community Development\Short Term Rentals\STR_ATR_Zoning_011519.pdf



PUBLIC ENGAGEMENT

Online Survey

City staff drafted a survey consisting of twenty-seven (27) questions about community perception of vacation rental and feelings towards specific regulations. The survey was active from November 27th, 2018 to February 15, 2019, a duration of two and a half months. The survey received 482 responses. The entire survey is attached as Exhibit B, and a summary is provided below.

The major takeaways from the Survey is that the public is seeking a balance between the positive and negative impacts of vacation rentals. It is clear that residents want vacation rentals to be an available option, however desire some oversight and regulation to mitigate impacts to residents and the community as a whole. The specifics of “how” and “when” to regulate were less clear than the agreement that regulation is a necessary part of the process.

Demographics

482 respondents completed the survey that was closed on February 15th, 2019. A brief summary of the survey demographics is listed below.

- Residents of Glenwood Springs 81%
- Lived in Glenwood Springs for 6+ years 75%
- Work in Glenwood Springs, live elsewhere 6%
- Full Time Employees 71%
- Own their home 86%
- Rent their home. 11%
- Own/Operate Vacation Rental 19%

Allowance and Permits (Questions 8, 9, 10, 12)

The overwhelming majority of respondents believe that vacation rentals should be allowed in Glenwood Springs (68%) and that they should require permits to operate (81%). A small percentage of respondents thought that property owners should be allowed to have vacation rentals unregulated (26%). The survey further asked about allowing the two types of vacation rentals, Short Term Rental of the whole house and Accessory Tourist Rental of a single bedroom, and 66% of respondents indicated that both categories should be allowed.

Interestingly, when the responses were filtered to respondents that identified that they own or operate a vacation rental in Glenwood Springs the majority still believed that vacation rental permits should be required (78%) and believed that at least some regulation is necessary for property owners to have vacation rentals (64%).

Permit Fee (Question 11)

Survey results for what an appropriate permit fee is were divided. Forty-seven percent of respondents selected an Annual Fee of \$110 over the current one-time fee of \$110 which garnered 27% of the vote. After analyzing write-in comments it became clear that 61% of respondents favored an annual fee over a one-time fee. Of those who favored an annual fee 63% desired an annual fee over \$200.

Among vacation rental owners and operators, the majority favored the current fee structure of a one-time fee of \$110 (57%) with the next highest choice being an annual fee of \$110 (22%). When write in answers were tabulated, 31% of vacation rental owner/operators were in favor of an annual fee versus 61% for the one-time fee.

Limits on Vacation Rental Numbers (Questions 13, 14, 18)

Values on whether to limit the number of vacation rentals were fairly divided with 49% believing there should be a limit, and 35% believing there should not be a limit. 16% were unsure. Of those respondents that believed there should be a limit the majority favored placing a numerical cap on the maximum allowed vacation rentals within the City (55%) followed closely by those that desire a numerical cap of vacation rentals per block (43%).

In addition Question 18 asked about limiting vacation rentals by Zone district, which was not favored as an option. 49% responded no to zone limits, with 32% responding yes, and 20% unsure. Those that did think limiting vacation rentals to certain zones (32%) favored limiting vacation rentals to Commercial (46%) and Mixed Use Zones (48%).

Owner Occupancy (Questions 15, 16)

This was the most closely divided survey question with only a slight difference between those who believed there should be a minimum owner occupancy period to operate a vacation rental (45%), and those who did not (42%). When asked whether or not a Second Home Owner should be allowed to operate a vacation rental the answer was more favorably yes (63%) than no (26%).

Public Notification (Question 17)

This question asked whether neighbors should be notified for public comment when an applicant in their immediate area applied for a vacation rental permit. 52% responded yes, the public should be notified, and 39% responded no.

Multifamily Building Limits (Questions 20, 21)

Asked whether multifamily buildings and apartment buildings should have limits on how many units could be vacation rentals, the majority of respondents indicated that there should be a limit (61%). Almost a third of the respondents did not think a limit on these buildings was necessary (27%) and the remainder was unsure (11%).

When asked what the limit should possibly be, the respondents that had answered yes to the limitation indicated that they preferred $\frac{1}{4}$ of the units as a maximum allowable percentage (41%). Interestingly a large number of respondents wrote in their preferred answer instead of selecting from the given choices (39%). Analyzing those write in responses revealed that most of them indicated a lower threshold for the maximum allowable units in multifamily buildings than the provided answers. When the write in answers and the given answers were combined by category, 67% of respondents desire a limit of $\frac{1}{4}$ of the units or below.

Building Inspections and Occupancy (Questions 22, 23)

It was clear from questions regarding inspections and occupancy that respondents favor requiring building inspections (70%) to not (22%) as well as prefer that the building department set an occupancy limit for each vacation rental (73%) as opposed to no occupancy limit (19%).

Perceptions of Impact

The survey's final questions were aimed at assessing public perception of impact, both negative and positive, of vacation rentals. 53% of respondents believe that vacation rentals degrade a neighborhood in some way, compared to 21% who believe they improve a neighborhood. The remainder believed that vacation rentals had no impact on neighborhoods (26%).

Further along these lines the survey asked the public what benefits and drawbacks they associated with vacation rentals. On the positive benefit side of vacation rentals the top responses were allowing residents

to supplement income (76%) increased tourism (67%) positive economic impact (62%) and tax revenue (63%).

On the negative impact side of the question top responses were long term renter displacement (63%), absentee owners (59%), loss of housing stock (56%), and less parking (55%). Overcrowding and noise received 46% Deterioration of neighborhood character received 44%.

Public Meeting

The City held a public meeting to go over the initial survey results and expand further on a few topic areas. Over 55 people attended the public meeting on management of vacation rentals. The meeting gathered preferences and more detailed reasons for preferences in six areas (and the options):

1. Application fee
2. Limiting the number of vacation rentals
3. Limit for multifamily single-owner buildings
4. Requiring Fire and Safety Inspections
5. Limiting occupancy
6. Primary residency requirement

Polling Results

Areas with clearer results:

- 82% (41 of 50) - Fire and safety inspections should be required
- 74% (36 of 49) - For multifamily single-owner buildings only 10% should be allowed to be vacation rentals (16% preferred 25%, 6% preferred 20%)
- 57% (28 of 49)- No primary residency requirement (33% preferred a primary residency requirement)
- 54% (29 of 54) – No limit to the number of vacation rentals, not limited citywide or per block nor require a buffer between them. (26% preferred a per block cap, 19% preferred a Citywide cap)

The other two questions' highest response was 45%

- 45% (23 of 51) – Occupancy should be limited to 2 per bedroom (31% preferred a per bedroom plus some based on square feet of common space, and 26% preferred no occupancy limit)
- 45% (19 of 42) – Fee should be \$100-\$300 annually (33% preferred \$300+ annually, and 17% preferred the hybrid – larger application fee, smaller annual fee)

Common Discussion Comments

A few common concerns were raised by participants across several management strategy discussions:

- Impact on available housing for locals;
- Impact on availability of affordable housing for locals;
- Impact on City feel and sense of community; and
- Consistent regulations/treatment across long- and short-term rentals, bed & breakfasts and hotels (fairness across).

The question that garnered the biggest groups during discussion rounds was: Should vacation rentals be limited (citywide, per block, or buffer, or not at all)?

A complete summary of the public meeting and results is included in Exhibit E.

Summary of Public Engagement

Between the survey and the public meeting, a few topic areas became clear as far as how the public desires regulations to operate. Those are:

- Vacation Rentals should be allowed
- Vacation Rentals should require a permit
- The Permit fee should be an annual Fee as opposed to one time
- There should be Building Inspections of each rental for safety compliance
- Building Department should set occupancy limits
- The Multifamily threshold percentage should be reduced from 25% to 10%

Items that were fairly split by the public and necessitate further analysis are:

- Owner Occupancy Requirements
(Survey 44% Yes, 41% No, Public Meeting 43% Yes, 57% No)
- Numerical Limit on Vacation Rentals
(Survey 50% Yes, 34% No, Public Meeting 46% Yes, 54% No)
- Neighborhood Notification
(Survey 51% Yes to 39% No)

BACKGROUND AND RESEARCH

Glenwood Springs Vacation Rental Program

In addition to directing public engagement, staff conducted research on Glenwood Springs program specifics at the request of City Council. The areas included are:

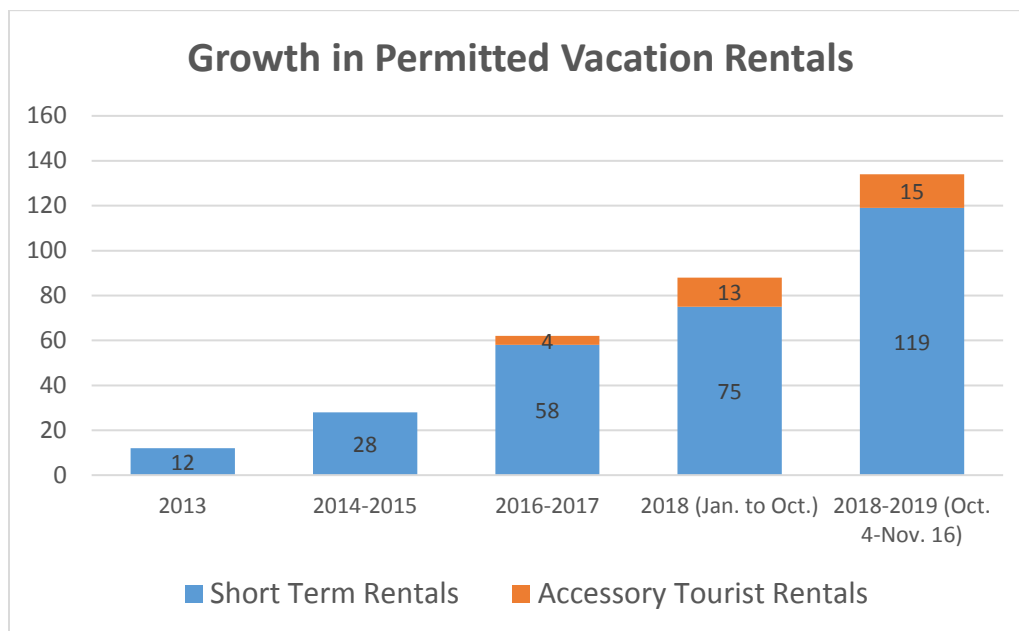
1. Growth of Vacation Rentals
2. Local versus Non Local Ownership of Vacation Rentals
3. Glenwood Housing Stock
4. Tax Collection
5. HOA Covenants Prohibiting Vacation Rentals
6. Police Complaints
7. Staff Time
8. Building Inspections and Occupancy Limits
9. PREVIOUS TEXT AMENDMENTS AND RESOLUTIONS

1. Growth of Vacation Rentals by year

The City of Glenwood Springs began requiring permits for vacation rentals in 2012 with Ordinance No. 10-12 which established a 2-year permitting process to coincide with business license renewals. Accessory Tourist Rentals, the renting of a single bedroom within a home, was added as a category in late 2015. The following chart shows the progression of the programs growth since its beginning until present. The 2018-19 Permit cycle is broken out into two segments to represent growth prior to and after the moratorium discussion began. The large increase of 48 rental permits between October 4 and November 16 is attributable to the uncertainty by the public if the program would continue, and is not representative of the standard growth pattern.

2 Year Permit Cycle	Short Term Rentals	% Increase previous year	Accessory Tourist Rentals	% Increase previous year
2013	12			
2014-2015	28	114%		
2016-2017	58	103%	4	
2018 (January to October)	75	30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	59%	15	15%

Total Permitted Rentals 2019	134
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2. Local versus Non Local Ownership of Vacation Rentals

Staff performed an analysis of ownership demographics of the current 134 vacation rental permits and found the following:

	SHORT TERM RENTAL		ACCESSORY TOURIST RENTAL		TOTAL VACATION RENTALS	
Total Number	119	100%	15	100%	134	100%
Glenwood Springs Owners	88	74% of total	13	87% of total	101	75% of total
Colorado Owners	23	19% of total	1	6.5% of total	24	18% of total
Out of State Owners	8	7% of total	1	6.5% of total	9	8% of total

3. Glenwood Housing Stock

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 134, represents approximately 3.2 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
10%	418
15%	628

4. Tax Collection

All vacation rentals operating within City boundaries are required to obtain a business license for purposes of tax collection. Vacation rentals are subject to local sales and lodging tax as well as state collected taxes. The table on the next page illustrates the taxes required, the tax percentage, and the amount collected from Glenwood Springs Vacation Rentals for the first 11 months in 2018.

Tax Category	Rate	Vacation Rental 2018 Collection (11 Months)
Glenwood Springs Sales Tax	3.7%	\$50,908
Glenwood Springs Accommodation Tax	2.5%	\$34,775
Rural Transit Authority	1.0%	
State of Colorado	2.9%	
Garfield County	1.0%	
Total	11.1%	\$85,683 (Average \$7,800/Month)

The City of Glenwood Springs Finance department reports that for the first eleven (11) months of 2018, vacation rentals remitted \$50,908 in sales taxes, and \$34,775 in accommodation taxes. This equates to roughly an average of \$7,800 in City taxes collected each month, or about \$93,000 a year.

5. HOA Covenants Prohibiting Vacation Rentals

Staff reviewed subdivision and Home Owners Association documents on file with the Community Development Department to ascertain how many areas within the city include language prohibiting vacation rentals within their recorded documents. Staff found eleven (11) subdivisions, PUD's, or HOA's that specifically restricted the operation of short term vacation rental activities. The language varied however common elements included a minimum lease or tenancy requirement of more than 30 days, 60 days or longer, and specific language stating that the owner shall not lease for transient for hotel purposes. Those areas include:

	Subdivision	Location
1	Meadowood Apartments	14th and Colorado
2	Oasis Creek Subdivision	Traver Trail
3	Cardiff Glen Subdivision	Airport Rd and Clark Street
4	Cottonwood Landing	27th and Midland
5	Parkwood Homes HOA	1000 Mount Sopris Drive
6	Colorado Plaza	201 14th St
7	Donnegan Development LLC	Orchard Lane and Donegan

8	Timber Creek Townhomes	Timber Creek Drive
9	Overlin Park Townhomes	White Horse Place
10	Penrose Townhomes	2550 S Grand Ave
11	Holiday House Condos	15th and Blake

***The list is not exhaustive. The City is not a party to, nor does it enforce these agreements.**

The City does not enforce private covenants nor does it require submittal of updates or changes. As such this list is by no means comprehensive or 100% accurate and is meant to illustrate that certain areas regulate vacation rentals outside of City regulations.

6. Police Complaints

The Police Department provided staff with a list of Police responses to Vacation Rental addresses on file. The list includes the address, the date the property became a vacation rental and the complaints, calls, and issues that the Police have been involved with since that time. The “call type” column indicates how the occurrence was initiated, whether through dispatch, alarm, or officer initiated. The Code Violations listed also have an explanation of the nature of the violation. This list is included as Exhibit L.

Chief of Police Terry Wilson analyzed the list and noted that the frequency of police involved occurrences per vacation rental properties is higher than that of a standard residence and closer to the frequency of calls received for business properties.

7. Staff Time

Staff receives vacation rental applications on a rolling basis. Review of the permit for compliance averages one hour per application, with an additional one hour on average for follow up on business license completion and permit issuance. In addition to this, staff conducts monthly compliance checks on website platforms such as VRBO and Airbnb to check for unpermitted vacation rentals. This amounts to approximately 4 hours a month for website review, with additional hours necessary when a violation is discovered. Violations can take up considerable staff time for documentation, certified mailings, follow ups and code enforcement citations for the worst cases. On average we discover 1-2 violations each month.

- Application processing 2 hours/application
- Website Compliance 4 hours/month
- Building Inspection 2 hours/application (when they were being performed)

8. Building Inspections and Occupancy Limits

Building inspections for vacation rentals were previously required with all applications from 2012 through 2017. During that time after an applicant submitted their vacation rental permit application, the applicant would schedule a building inspection with the Building Department. The Building Inspector would set up a time to meet at the property and inspect for a variety of life safety measures enumerated within Glenwood Springs Building Code.

In November 2017, City Council opted to forgo building inspections in favor of a notarized applicant affidavit that stated all municipal code requirements were met and indicated all safety responsibility was on the applicant. Since then, vacation rentals have not required a building inspection.

The Building and Fire Departments submitted memorandums for consideration in regards to building and fire safety concerns. The online survey and the public meeting both showed strong public inclinations for requiring building inspections to be performed. Likewise, both the Building and Fire Departments have indicated a preference for reinstating building inspection to check for life safety measures.

Currently the Code states that “Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.” The IPMC sets out specific occupancy limitations based on square feet minimums for different areas of the dwelling. Those specifications are attached in Exhibit J. There was indication from the public that a different maximum occupancy may be preferred. Some municipalities have chosen to allow a maximum occupancy unless the applicant applies for a conditional or special use permit to be reviewed at a public hearing.

9. PREVIOUS TEXT AMENDMENTS AND RESOLUTIONS

Since the vacation rental program was passed in 2012, there have been several changes implemented. Those are, listed from oldest to newest:

Ordinance 2012-10 Short Term Rental Program Initiation

Resolution 2012-20 Establishing Short Term Rental Permit Fee

Original resolution setting the Short Term Permit fee to be established annually by resolution from City Council.

Resolution 2017-54 Amnesty Period for Violations and Affidavit Requirements

Established an Amnesty period for unpermitted vacation rentals to get licensed without penalty and established an applicant affidavit affirming building code compliance in place of a building inspection.

Ordinance 2017-25 Short Term Rentals in PUD’s

Amended the Municipal Code to state that Short Term Rentals are allowed in PUD’s unless expressly prohibited in covenants instead of requiring it to be expressly listed as an allowed use.

Ordinance 2018-11 Vacation Rental Fee Change and Violation Schedule

Ordinance 11 of 2018, attached as Exhibit M was passed by City Council on May 17th, 2018 and made changes to the then regulations for vacation rentals. During this same time period the City was in the process of amending the entire Development Code in Chapter 070. During that process a new violations and penalties section was included in 070 and the Penalties for Violations clause of Ordinance 11 was not carried through. The major items included in Ordinance 11 were the following additions to code in double underlined text:

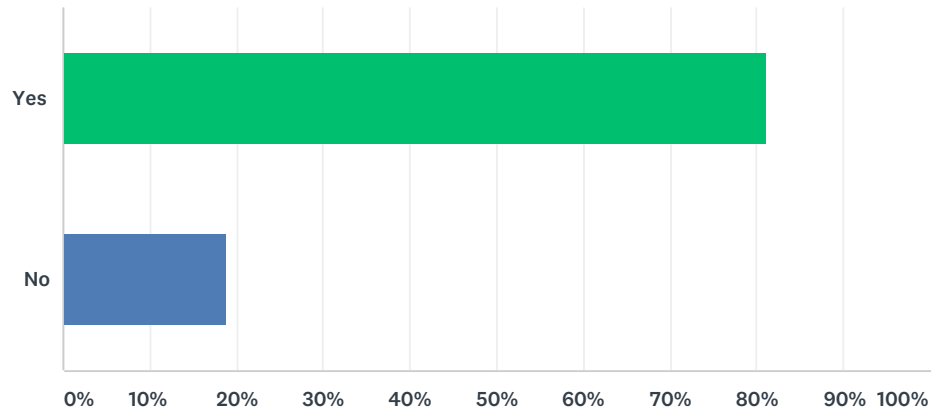
(i) Penalties for Violations. Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Resolution 2018-29 Establishing Development Review Fee Schedule

Set a new Vacation Rental permit fee to a one-time payment of \$110 with \$0 renewal fee.

Q1 Are you a resident of Glenwood Springs year round?

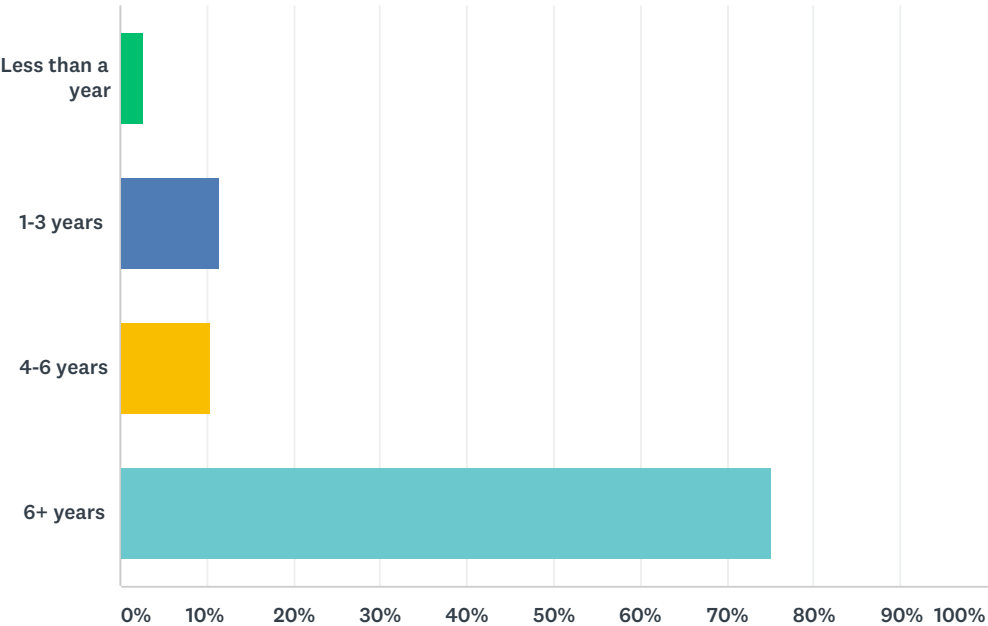
Answered: 480 Skipped: 2



ANSWER CHOICES		RESPONSES	
Yes		81.25%	390
No		18.75%	90
TOTAL			480

Q2 How long have you lived in Glenwood Springs?

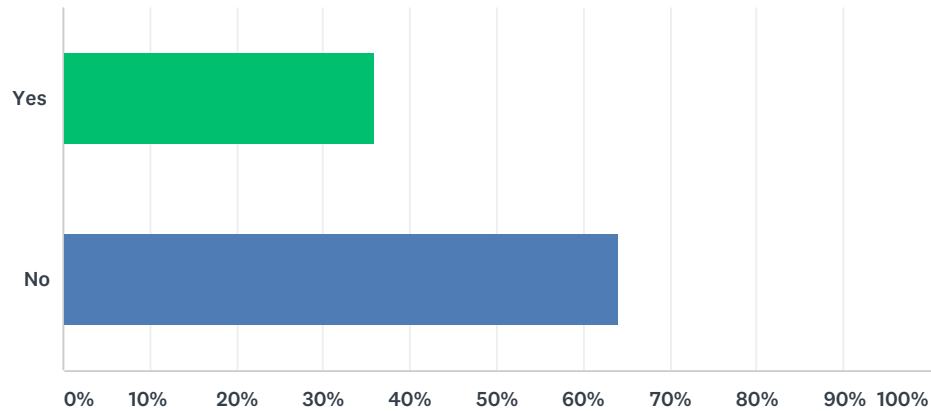
Answered: 391 Skipped: 91



ANSWER CHOICES		RESPONSES	
Less than a year		2.81%	11
1-3 years		11.51%	45
4-6 years		10.49%	41
6+ years		75.19%	294
TOTAL			391

Q3 Do you work in Glenwood Springs but live elsewhere?

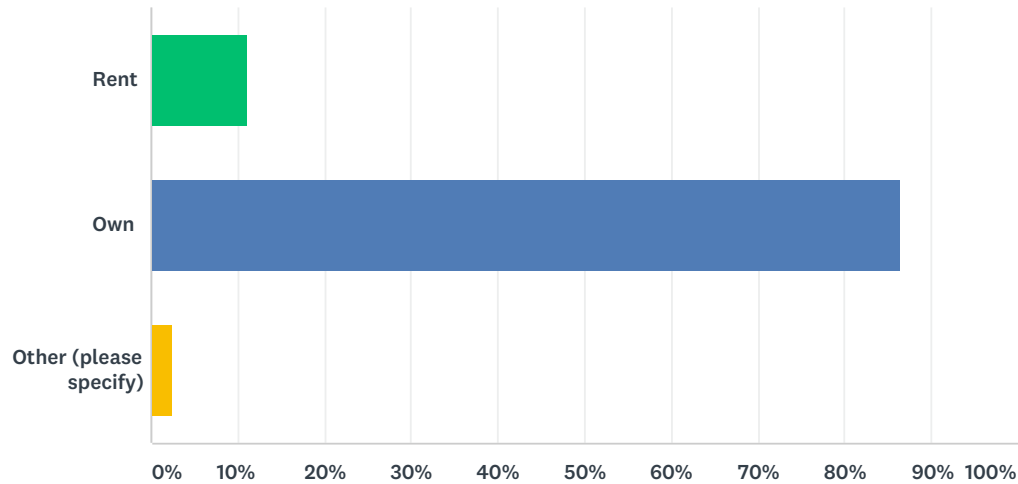
Answered: 89 Skipped: 393



ANSWER CHOICES		RESPONSES
Yes		35.96% 32
No		64.04% 57
TOTAL		89

Q4 Which best describes your current living situation?

Answered: 473 Skipped: 9

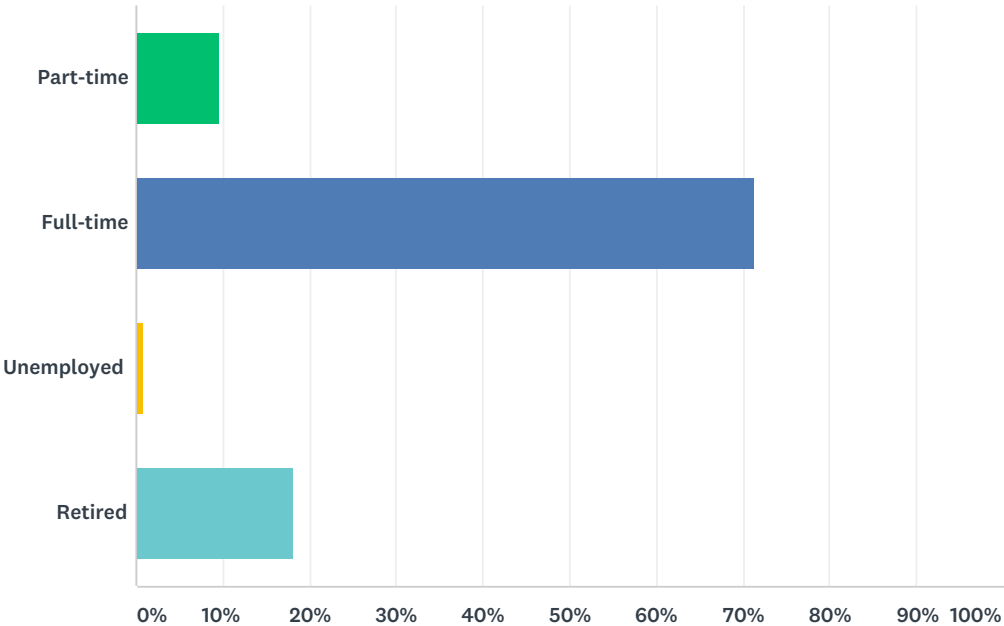


ANSWER CHOICES	RESPONSES	
Rent	10.99%	52
Own	86.47%	409
Other (please specify)	2.54%	12
TOTAL		473

#	OTHER (PLEASE SPECIFY)	DATE
1	Own rental duplex in Glenwood Springs. Live elsewhere.	1/9/2019 9:49 AM
2	previous resident visit often	12/21/2018 9:58 AM
3	Rent, building home	12/21/2018 9:28 AM
4	We own our home and rental property	12/21/2018 2:25 AM
5	Mobile home sorta rent sorta own	12/9/2018 4:40 PM
6	I own 3 houses in Garfield County. I live in one, one is long term rental for 6 years. the other was going term for 3 and now has been a VRBO for another 3. I have my own business currently and had a store downtown Glenwood for 5. Ive lived and paid taxes here for 25 years. As well I built a custom home in Silt in 2001.	12/6/2018 8:28 AM
7	Own in Glenwood Springs, Rent in Denver	12/4/2018 10:28 PM
8	Hotel	12/4/2018 5:58 PM
9	Manager On Site	12/4/2018 3:57 PM
10	I own 5 properties in Garfield County, 1 is a VRBO. 4 are long term rentals	12/4/2018 3:19 PM
11	Both	12/4/2018 6:26 AM
12	Own and live seasonally	11/30/2018 9:59 AM

Q5 Which best describes your employment status?

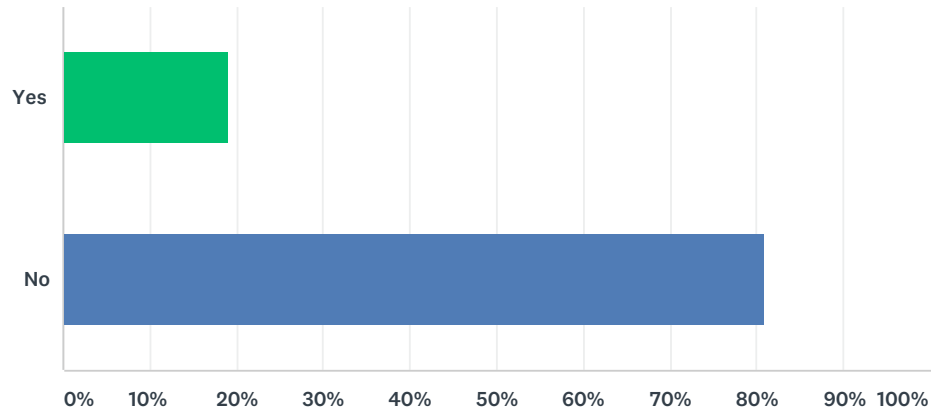
Answered: 473 Skipped: 9



ANSWER CHOICES		RESPONSES	
Part-time		9.73%	46
Full-time		71.25%	337
Unemployed		0.85%	4
Retired		18.18%	86
TOTAL			473

Q6 Do you own or operate one or more vacation rentals in Glenwood Springs?

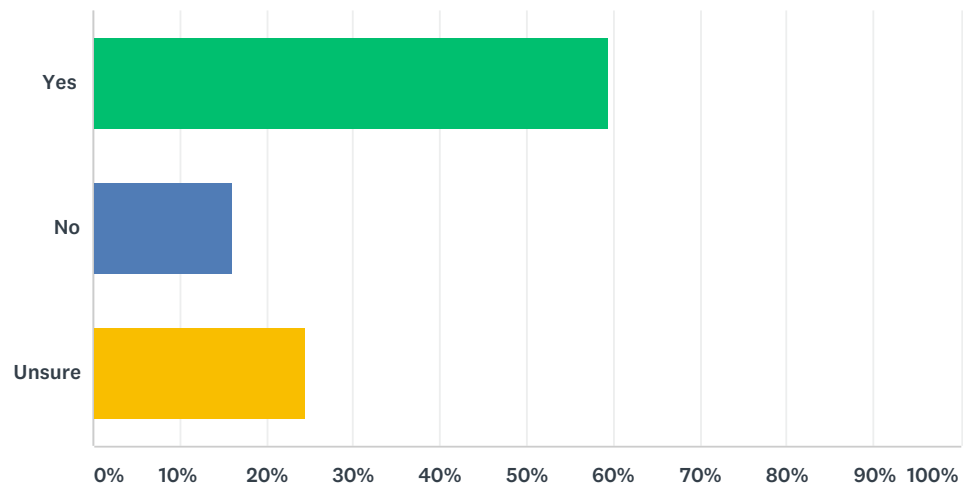
Answered: 474 Skipped: 8



ANSWER CHOICES	RESPONSES	
Yes	18.99%	90
No	81.01%	384
TOTAL		474

Q7 Do you live in a neighborhood with vacation rentals?

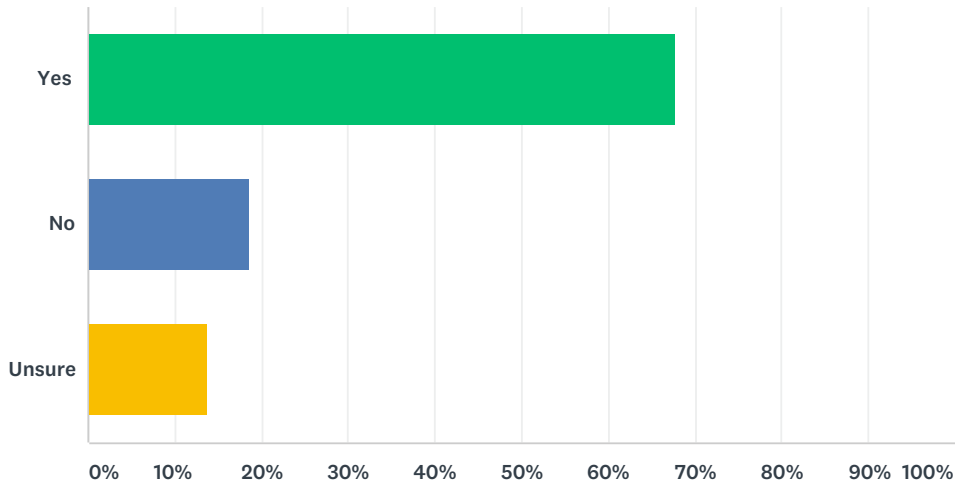
Answered: 473 Skipped: 9



ANSWER CHOICES	RESPONSES	
Yes	59.41%	281
No	16.07%	76
Unsure	24.52%	116
TOTAL		473

Q8 Do you think vacation rentals should be allowed in Glenwood Springs?

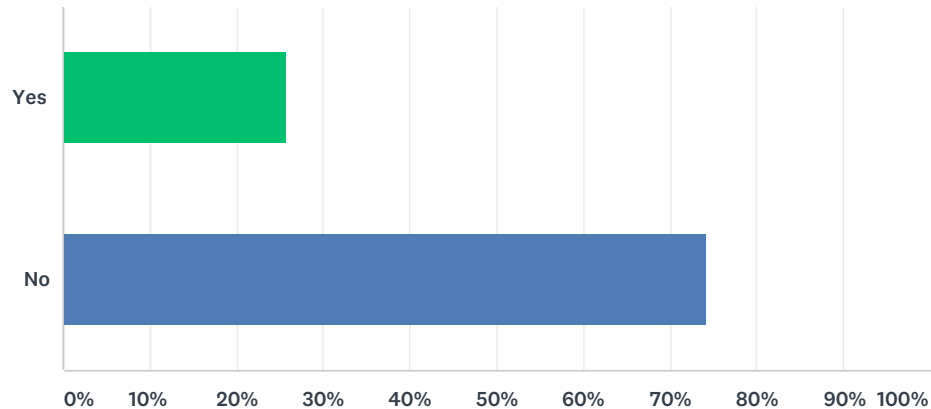
Answered: 474 Skipped: 8



ANSWER CHOICES		RESPONSES	
Yes		67.72%	321
No		18.57%	88
Unsure		13.71%	65
TOTAL			474

Q9 Do you believe that property owners should be able to have vacation rentals on their properties without any regulation?

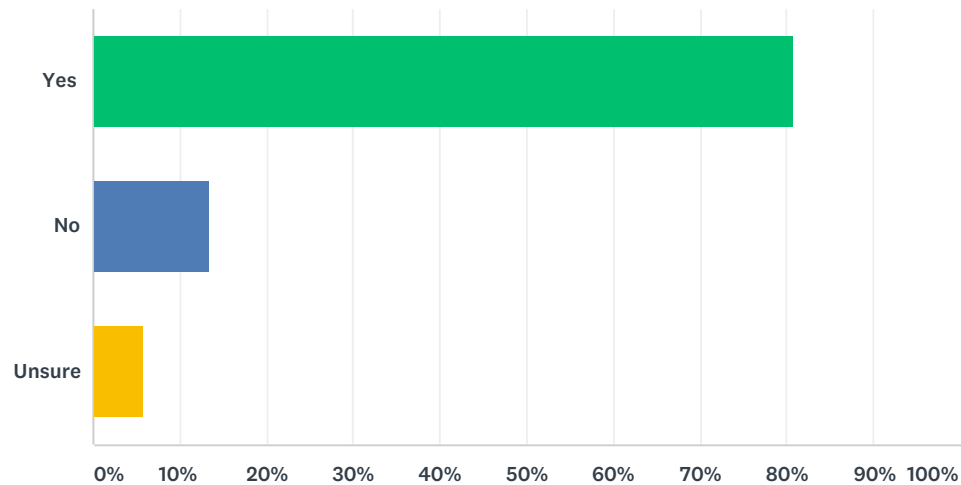
Answered: 473 Skipped: 9



ANSWER CHOICES		RESPONSES	
Yes		25.79%	122
No		74.21%	351
TOTAL			473

Q10 Do you think a permit should be required to operate a vacation rental?

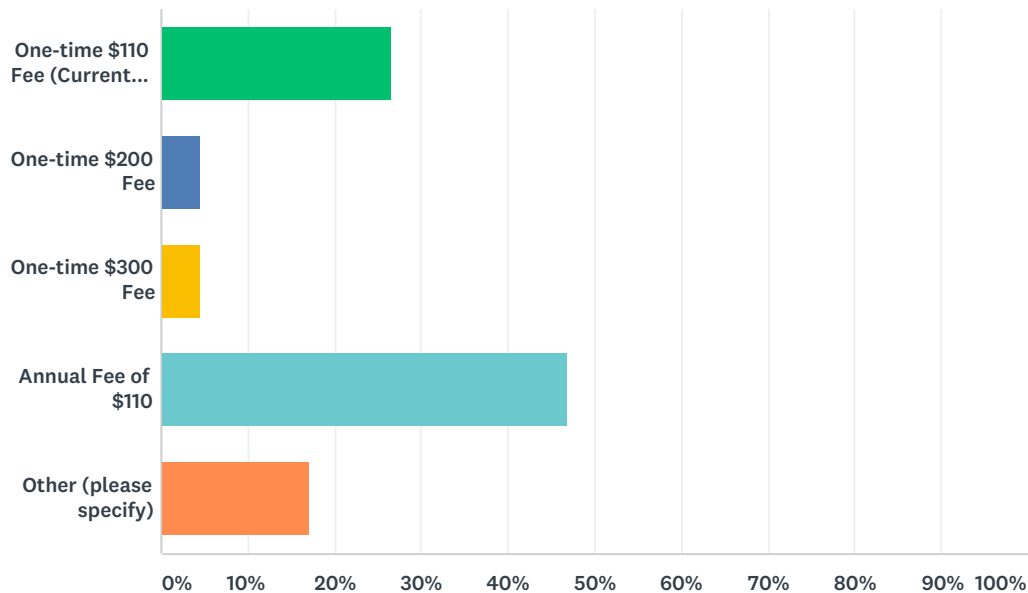
Answered: 474 Skipped: 8



ANSWER CHOICES		RESPONSES	
Yes		80.80%	383
No		13.29%	63
Unsure		5.91%	28
TOTAL			474

Q11 What do you think is an appropriate permit fee? (This is a permit fee to cover staff time and resources spent on managing vacation rentals)

Answered: 409 Skipped: 73



ANSWER CHOICES	RESPONSES	
One-time \$110 Fee (Current Cost)	26.65%	109
One-time \$200 Fee	4.65%	19
One-time \$300 Fee	4.65%	19
Annual Fee of \$110	46.94%	192
Other (please specify)	17.11%	70
TOTAL		409

#	OTHER (PLEASE SPECIFY)	DATE
1	I think a high fee should be set, occurring annually, with proceeds earmarked for affordable housing subsidies	1/10/2019 5:38 AM
2	Annual fee, possibly higher than the \$110 as that is likely only one night's rental.	1/9/2019 10:23 PM
3	annual \$100	1/9/2019 1:58 PM
4	Treat the same as lodging tax on a total bill any dedicated hospitality use must pay - property owners are competing with hotels.	1/9/2019 9:25 AM
5	properties used for short term rentals should pay property tax as a commercial property. If they rent like a hotel they should be taxed like a hotel.	1/1/2019 9:18 AM
6	If the owner lives full-time on the property, then \$110 is okay. If the owner does not live on the property they should have 10% higher property taxes.	12/31/2018 3:27 PM
7	I don't know the answer for this	12/30/2018 11:21 AM
8	should be determined by city employees who know the cost of payroll, etc. required to manage the permits	12/30/2018 10:14 AM
9	actual cost of staff time & resources	12/26/2018 1:33 PM

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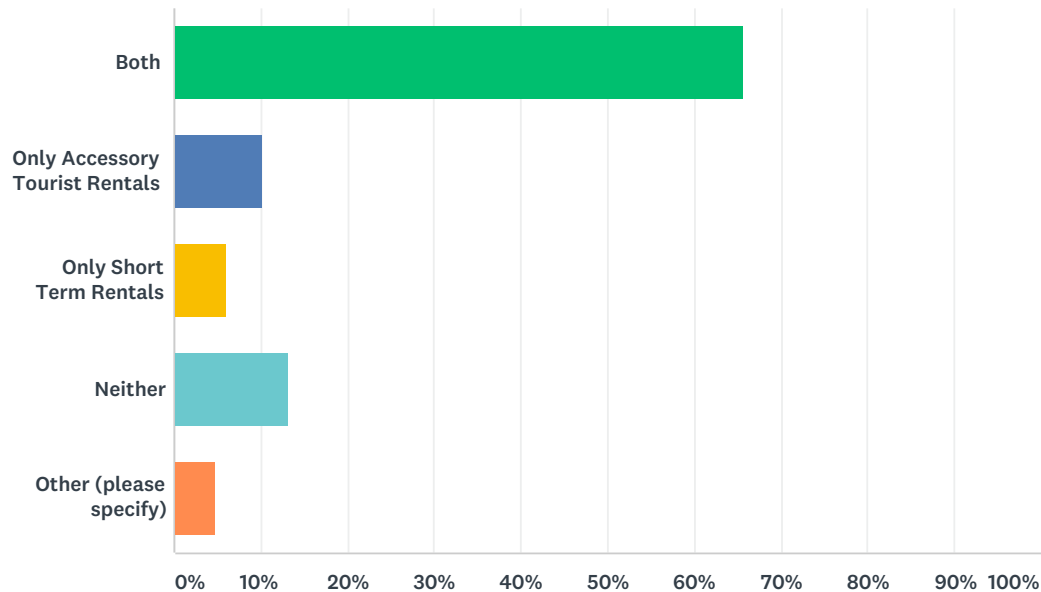
10	One time \$120 fee. Annual fee of \$50	12/23/2018 2:12 PM
11	Costs of staffs' time	12/23/2018 10:38 AM
12	This amount should be tied in with the actual COST. No one wants bigger government, but at the same time VRBOs should only be a small percentage of available rentals	12/23/2018 10:10 AM
13	\$1000 per year	12/22/2018 1:33 PM
14	Annual fee set by county after reviewing costs to manage	12/22/2018 11:46 AM
15	\$150 annually	12/22/2018 7:22 AM
16	Annual fee of \$20	12/21/2018 9:49 PM
17	Annual fee of 1,000	12/21/2018 7:29 PM
18	250/year	12/21/2018 8:38 AM
19	Annual fee of a few hundred dollars plus any tax money should be reported and go to the city	12/21/2018 7:18 AM
20	I think the fee should be a percentage of the revenue from the vacation rental	12/20/2018 9:29 PM
21	Annual \$300	12/19/2018 3:46 PM
22	1000000	12/18/2018 6:17 PM
23	I feel a fee that's associated with how many free market affordable living situations are occupied by the owner switching to VRBO, and the current rental cost climate. Basically, your short term leasing takes 3 bedrooms takes off of the affordable rental market, so a tax of xdollars (determined by current local long term rental rate).	12/18/2018 1:47 PM
24	1000 @ year	12/18/2018 1:24 PM
25	Annual \$300 fee	12/15/2018 12:21 PM
26	I don't know	12/14/2018 7:48 PM
27	Initial fee of \$100 + annual fee of \$40	12/13/2018 10:57 PM
28	Higher annual, there are way too many rentals downtown where we live.	12/12/2018 1:52 PM
29	Annual fee \$1200+	12/12/2018 12:05 PM
30	Annual \$1000	12/12/2018 9:58 AM
31	Higher monthly fee.	12/12/2018 9:56 AM
32	% of USE	12/10/2018 5:07 PM
33	Biennnial fee of \$110	12/8/2018 7:31 AM
34	Annual fee of more than \$110	12/6/2018 11:53 AM
35	\$1000 initial + \$600 per year	12/6/2018 11:39 AM
36	I'd be willing to pay a little more if it is necessary	12/6/2018 8:53 AM
37	Annual fee to be increased as well there should be taxes collected and paid to City like are done in States such as HI that we have VRBO with	12/5/2018 9:12 AM
38	depends on the use...is it a dedicated unit with year round availability versus subletting	12/4/2018 7:09 PM
39	\$25/per Rental	12/4/2018 5:59 PM
40	Do not allow.	12/4/2018 5:06 PM
41	same as business license	12/4/2018 4:01 PM
42	Annual Fee of \$1000 which will have a 4% increase yearly	12/4/2018 4:00 PM
43	I don't think they should be allowed.	12/4/2018 3:59 PM
44	50.00 annual	12/4/2018 3:19 PM
45	None, because you shouldn't have vacation rentals	12/3/2018 7:18 PM
46	What does it cost the city to administer the rental program. That plus 10% should be the fee	12/3/2018 6:32 PM

Vacation Rental Community Feedback Survey

47	annual variable amount depending upon previous year's income	12/3/2018 8:47 AM
48	\$200 per year	12/3/2018 8:46 AM
49	Any way that contributes to mitigating the impacts created	12/3/2018 6:08 AM
50	% of income, like a bed tax	12/2/2018 10:47 PM
51	need more info to decide	12/2/2018 1:19 PM
52	Percent of sales	12/2/2018 12:43 AM
53	I do not think the current system protects neighborhoods.	12/1/2018 6:51 AM
54	none	11/30/2018 11:06 PM
55	1k a year	11/30/2018 9:15 PM
56	Make it twice as much as the ADU permits. It should be cheaper and easier to permit a long-term ADU rental than to short-term.	11/30/2018 4:36 PM
57	Twice as much as an ADU fee	11/30/2018 4:34 PM
58	An annual fee of \$110 so long as the listing is active and live online.	11/30/2018 1:03 PM
59	One time permit fee around \$100 and an annual \$50 fee	11/30/2018 10:29 AM
60	Annual fee of \$500	11/30/2018 9:51 AM
61	Whatever is needed to cover cost of managing vacation rentals	11/30/2018 7:57 AM
62	Annual \$50	11/29/2018 7:44 PM
63	We already pay muni taxes on our rental. Why bleed us for more?	11/29/2018 5:41 PM
64	\$25	11/29/2018 5:29 PM
65	300 annually	11/29/2018 5:19 PM
66	Annual Fee of \$25	11/29/2018 4:24 PM
67	\$1000 annual fee	11/29/2018 12:04 PM
68	Annual Fee of \$400	11/29/2018 11:57 AM
69	0	11/29/2018 11:48 AM
70	annual \$500 at least	11/29/2018 11:29 AM

Q12 In Glenwood Springs, there are two types of vacation rentals: Short Term Rental is renting an entire dwelling. Accessory Tourist Rental is renting a single bedroom within a dwelling with onsite manager. Do you support allowing Short Term Rentals and Accessory Tourist Rentals?

Answered: 472 Skipped: 10



ANSWER CHOICES	RESPONSES	
Both	65.68%	310
Only Accessory Tourist Rentals	10.17%	48
Only Short Term Rentals	6.14%	29
Neither	13.14%	62
Other (please specify)	4.87%	23
TOTAL		472

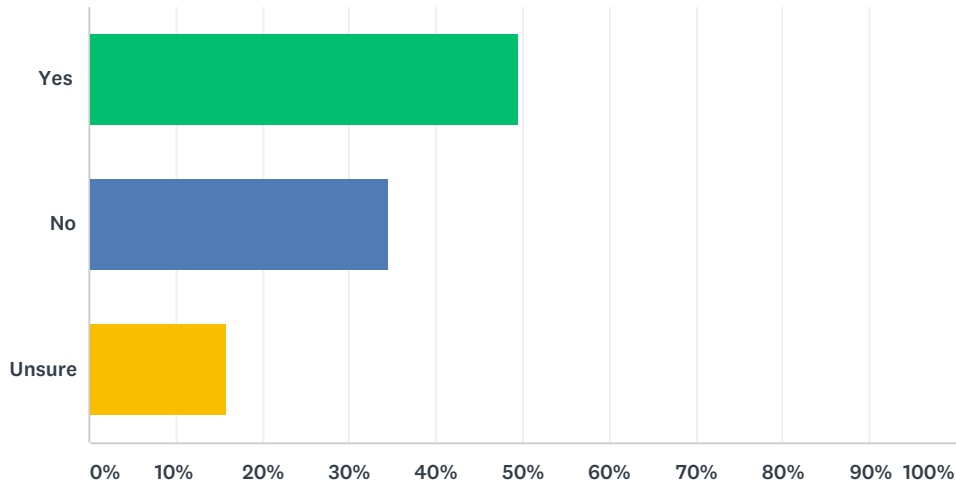
#	OTHER (PLEASE SPECIFY)	DATE
1	both, if properly regulated	1/18/2019 7:35 AM
2	If held to some level of risk that committed hospitality properties must. Proper owners are piggy-backing on others' marketing efforts - again sans any risk.	1/9/2019 9:29 AM
3	Short term rentals should be allowed only if there are enough rentals for local working citizens.	12/30/2018 1:52 PM
4	Owner of building must be a resident in Glenwood and also occupy the unit for a specific number of months	12/30/2018 11:23 AM
5	both ,if properly regulated	12/30/2018 10:15 AM
6	allow both, but only in areas with existing hotel/motels, not everywhere across the city	12/26/2018 1:35 PM
7	Both should pay business taxes like hotels	12/23/2018 10:40 AM
8	Both with STRONG conditions	12/21/2018 2:27 AM
9	Yes, but with limitations to keep the cost of living down for year-round residents.	12/18/2018 4:33 PM

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10	It seems if they are going to be allowed, there should be a cap on how many at any given time.	12/14/2018 9:45 PM
11	I believe there should be a limit to the amount of vacation rental permits	12/12/2018 11:15 AM
12	I believe that the tourist industry is a huge part of our economy. Rafting, skiing, hiking, biking, fishing , hunting, climbing. Will we also ban all of these activities? I worked 2 jobs between the ages of 18-23 to pay my rent whenI rented myself in downtown Glenwood. There were not a lot of houses then either. I had 2 roommates. We need to protect our tourism and the related activities, this is why people visit our beautiful town.	12/6/2018 8:57 AM
13	Both with regulations	12/5/2018 8:50 PM
14	Accessory Tourist Rental could be covered under landlord-tenant agreement separate rental	12/5/2018 9:13 AM
15	I am in support if there is restrictions in type of home and areas of Glenwood, for example a single home 3 bedroom should be for only long term	12/4/2018 10:24 PM
16	both but with some oversight	12/4/2018 2:29 PM
17	Unsure I need more information	12/3/2018 6:33 PM
18	Some regulated by duration ex. 6mo. or longer	12/3/2018 12:06 PM
19	Both, but with certain parameters in place. Too many long term rentals have turned into short term rentals, and this limits the local rental options for people who live here.	12/2/2018 1:21 PM
20	Depends on the area of town	12/1/2018 10:01 AM
21	Depends on the neighborhood	12/1/2018 8:39 AM
22	Not shure	11/29/2018 7:45 PM
23	Support short term rentals only for a limited amount of time - maybe 30 to 45 days per year, and only for owner-occupied homes.	11/29/2018 11:44 AM

Q13 Do you support limiting the number of vacation rentals that can occur in the City?

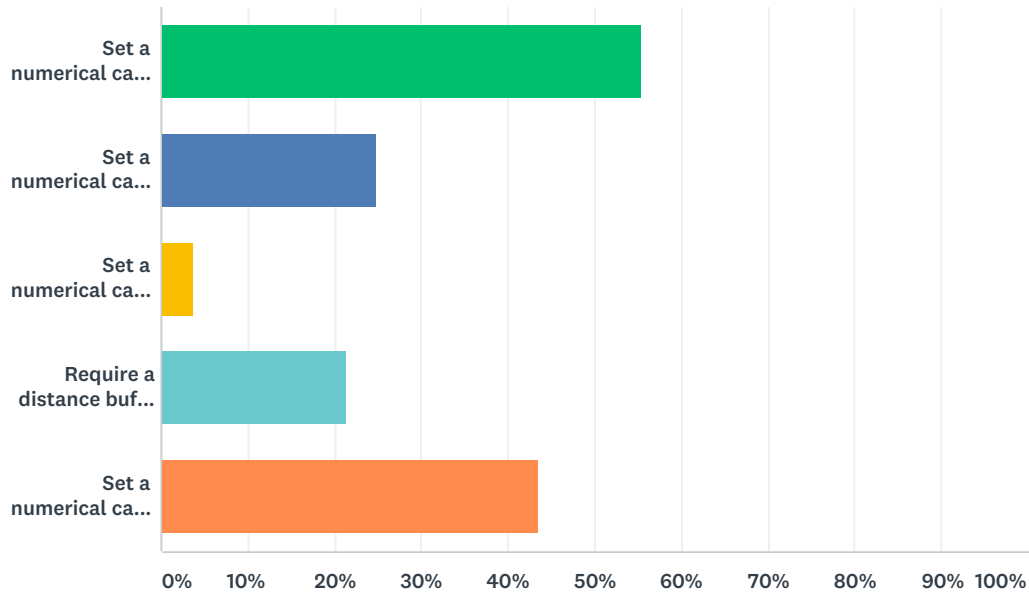
Answered: 470 Skipped: 12



ANSWER CHOICES	RESPONSES	
Yes	49.57%	233
No	34.47%	162
Unsure	15.96%	75
TOTAL		470

Q14 How do you think that vacation rentals should be limited? (Check all that apply)

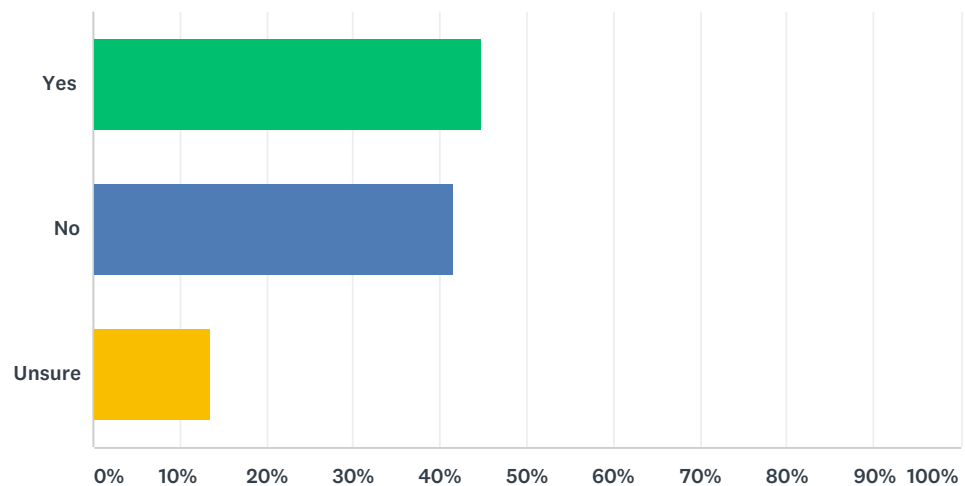
Answered: 262 Skipped: 220



ANSWER CHOICES	RESPONSES	
Set a numerical cap on ALL vacation rentals citywide.	55.34%	145
Set a numerical cap ONLY for Short term rentals (entire house rental) citywide.	24.81%	65
Set a numerical cap ONLY for Accessory Tourist rentals (single room rental) citywide.	3.82%	10
Require a distance buffer between vacation rentals, for example 300 feet.	21.37%	56
Set a numerical cap per block.	43.51%	114
Total Respondents: 262		

Q15 Do you support regulations that require an owner to occupy the residence for a minimum amount of time annually in order to operate a vacation rental?

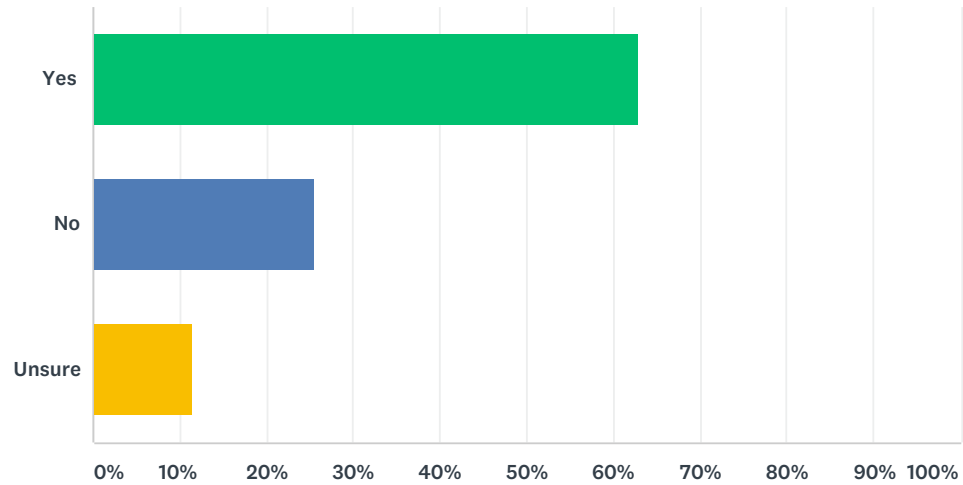
Answered: 464 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	44.83%	208
No	41.59%	193
Unsure	13.58%	63
TOTAL		464

Q16 Should owners of a second home that is not their primary Residence be allowed to rent it out on a short term basis?

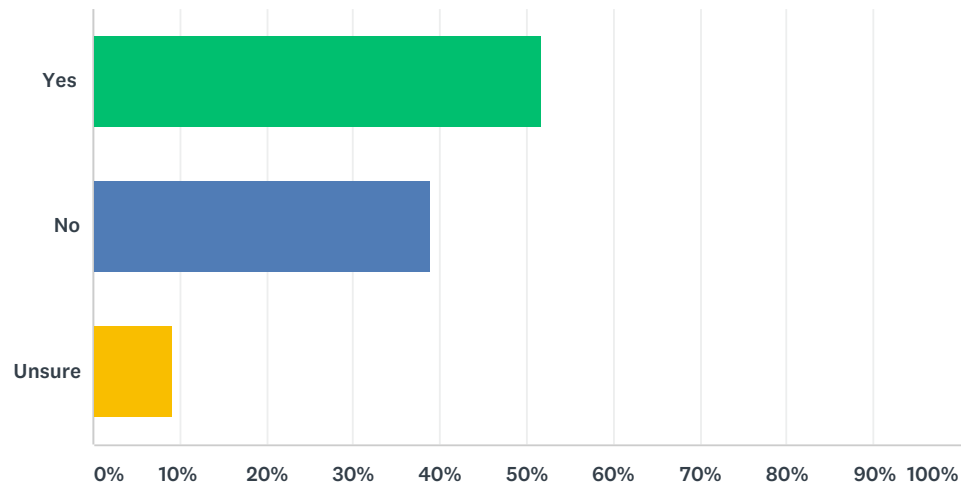
Answered: 466 Skipped: 16



ANSWER CHOICES	RESPONSES	
Yes	62.88%	293
No	25.54%	119
Unsure	11.59%	54
TOTAL		466

Q17 Do you think Neighbors should be notified for public comment when an applicant in their immediate area applies for a vacation rental permit?

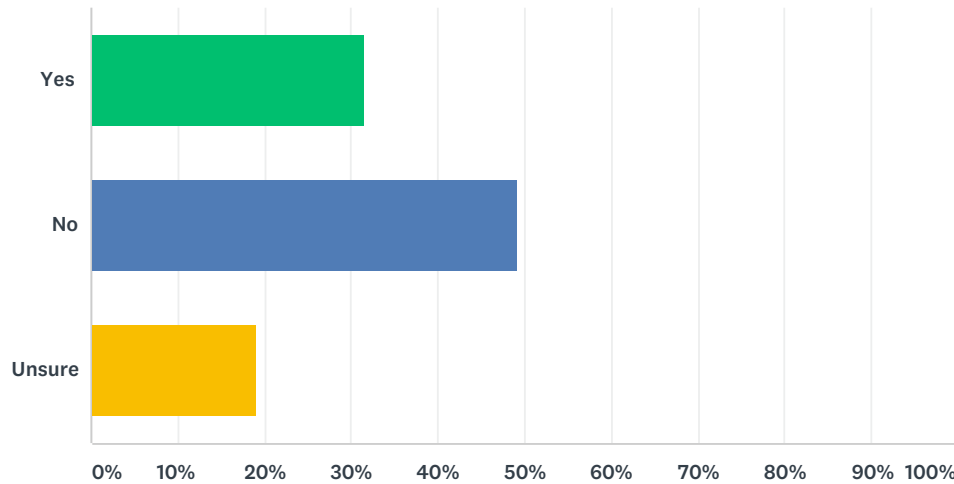
Answered: 464 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	51.72%	240
No	39.01%	181
Unsure	9.27%	43
TOTAL		464

Q18 Do you believe that vacation rentals should be limited to certain zoning districts within the City? (Example, Residential versus Commercial zoning districts)

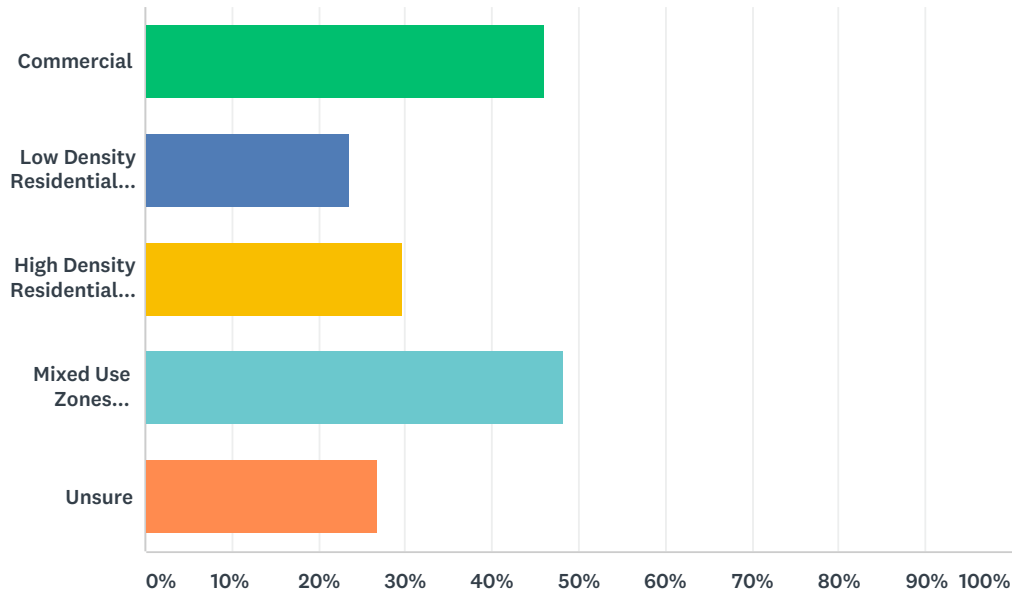
Answered: 465 Skipped: 17



ANSWER CHOICES	RESPONSES	
Yes	31.61%	147
No	49.25%	229
Unsure	19.14%	89
TOTAL		465

Q19 What zones should vacation rentals be allowed in? (select all that apply)

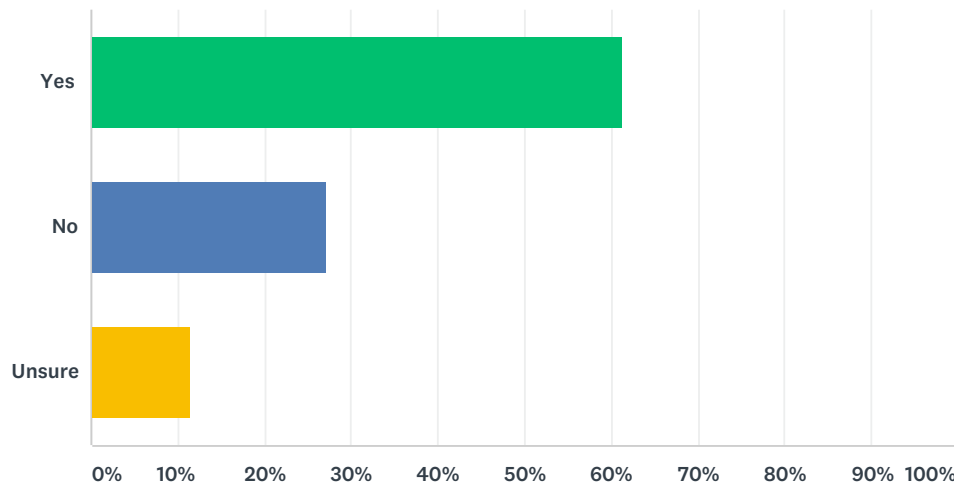
Answered: 232 Skipped: 250



ANSWER CHOICES	RESPONSES	
Commercial	46.12%	107
Low Density Residential (Single Family Neighborhoods)	23.71%	55
High Density Residential (Apartments and Multifamily)	29.74%	69
Mixed Use Zones (Residential and Commercial together)	48.28%	112
Unsure	26.72%	62
Total Respondents: 232		

Q20 Do you believe multifamily and apartment buildings should have limits on how many units can be short term rental permits? (For example, a 6 unit apartment complex can only have 3 units as vacation rentals)

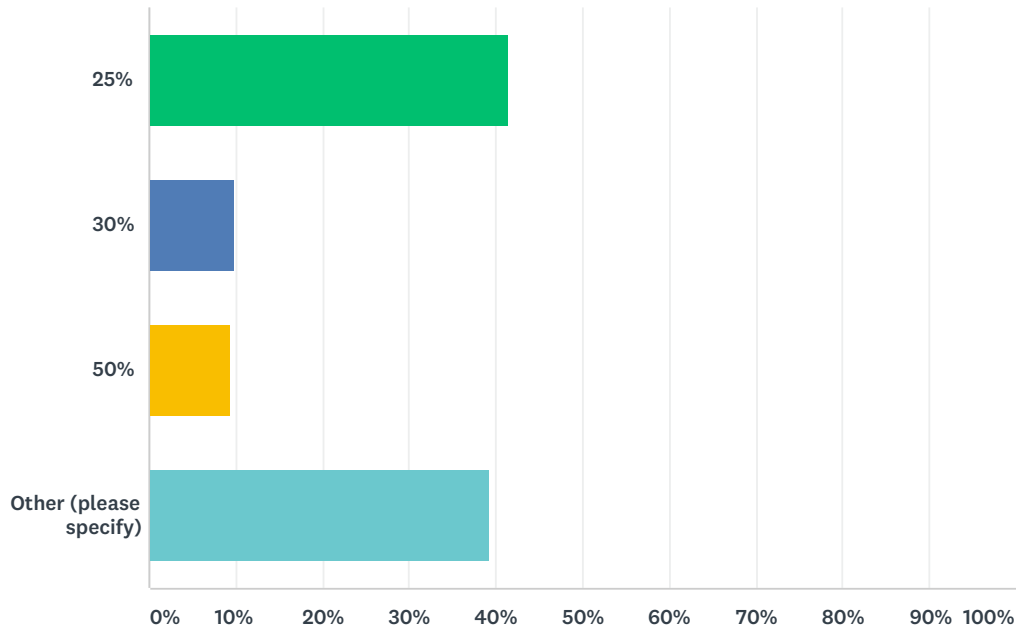
Answered: 463 Skipped: 19



ANSWER CHOICES	RESPONSES	
Yes	61.34%	284
No	27.21%	126
Unsure	11.45%	53
TOTAL		463

Q21 What should the percentage of allowable vacation rental units be?

Answered: 326 Skipped: 156



ANSWER CHOICES	RESPONSES
25%	41.41% 135
30%	9.82% 32
50%	9.51% 31
Other (please specify)	39.26% 128
TOTAL	326

#	OTHER (PLEASE SPECIFY)	DATE
1	10%	1/28/2019 7:40 AM
2	10%	1/18/2019 7:49 AM
3	10 percent	1/18/2019 7:38 AM
4	It should be a low %. This could be answered if there is a cap per block or in the nearby area.	1/17/2019 10:36 AM
5	0%	1/14/2019 2:30 PM
6	100	1/10/2019 11:03 AM
7	20%	1/10/2019 9:12 AM
8	0	1/10/2019 7:49 AM
9	Not sure	1/10/2019 5:44 AM
10	Limit short term rentals to less than 25% for sure...as that takes homes out of rental market for families and couples who need a place to LIVE!	1/9/2019 10:28 PM
11	10	1/9/2019 2:15 PM
12	5%	1/9/2019 10:33 AM
13	?	1/9/2019 9:52 AM

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14	Zero (0)%	1/9/2019 9:31 AM
15	10%	1/9/2019 8:22 AM
16	0%	1/9/2019 7:29 AM
17	0	1/6/2019 1:00 PM
18	less than 25%	12/30/2018 1:56 PM
19	Of what? All possible long term rentals?	12/30/2018 11:27 AM
20	should be based on the number of long term rental units available in the city-	12/30/2018 10:22 AM
21	NA	12/28/2018 11:02 PM
22	none	12/27/2018 10:52 AM
23	More like 10-20%.	12/23/2018 10:16 AM
24	1%	12/22/2018 1:36 PM
25	0%	12/22/2018 11:49 AM
26	10%	12/22/2018 7:24 AM
27	10	12/21/2018 5:46 PM
28	10%	12/21/2018 4:35 PM
29	5	12/21/2018 12:51 PM
30	0	12/21/2018 12:26 PM
31	10%	12/21/2018 11:48 AM
32	0	12/21/2018 10:37 AM
33	5%	12/21/2018 10:00 AM
34	?	12/21/2018 8:59 AM
35	5-10%	12/21/2018 8:56 AM
36	15	12/21/2018 7:34 AM
37	It is hard to set a percentage.	12/21/2018 7:01 AM
38	10%	12/21/2018 2:35 AM
39	0%	12/19/2018 3:35 PM
40	10	12/18/2018 11:06 PM
41	9%	12/18/2018 8:54 PM
42	0	12/18/2018 6:19 PM
43	0	12/18/2018 6:17 PM
44	Unsure. I'd like to see a study about housing cost impacts. It is too expensive to live here!	12/18/2018 4:35 PM
45	percentage is irrelevant	12/18/2018 3:21 PM
46	I need further education as to the current number of vrbo so I could make an accurate answer, as I feel are area is already flooded, especially in the diwntown area/neighbors.	12/18/2018 1:51 PM
47	10%	12/18/2018 1:27 PM
48	HOA determined	12/18/2018 8:35 AM
49	do not know	12/15/2018 12:22 PM
50	10	12/15/2018 8:32 AM
51	Lower than 25%	12/14/2018 9:47 PM
52	10%	12/12/2018 12:05 PM
53	10%	12/12/2018 11:17 AM

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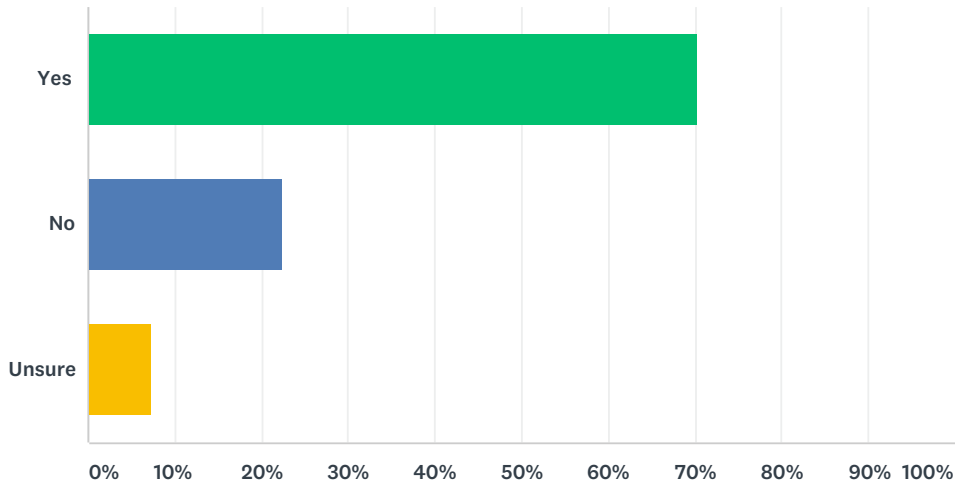
54	10-15%	12/12/2018 10:19 AM
55	Unsure	12/12/2018 10:08 AM
56	0	12/12/2018 10:00 AM
57	15	12/12/2018 9:46 AM
58	Let HOA decide.	12/11/2018 4:56 PM
59	Based on Location	12/10/2018 5:08 PM
60	10%	12/10/2018 8:46 AM
61	Unsure	12/9/2018 7:54 PM
62	10	12/6/2018 1:57 PM
63	0	12/6/2018 12:18 PM
64	10%	12/6/2018 11:41 AM
65	less than 10%	12/6/2018 8:37 AM
66	Depends on the location	12/5/2018 8:52 PM
67	15%	12/5/2018 1:04 PM
68	Zero, ideally	12/5/2018 10:56 AM
69	0%	12/5/2018 10:08 AM
70	25% or lower - should be owner occupied with all of the need for owner occupied housing in our valley	12/5/2018 9:17 AM
71	10%	12/5/2018 7:11 AM
72	Need more info	12/4/2018 7:40 PM
73	10%	12/4/2018 6:03 PM
74	Below 10%	12/4/2018 4:03 PM
75	unsure	12/4/2018 2:31 PM
76	0	12/4/2018 12:25 PM
77	10%	12/4/2018 12:39 AM
78	Not sure	12/3/2018 10:25 PM
79	0%	12/3/2018 7:21 PM
80	Let the market determine the number	12/3/2018 6:20 PM
81	0%	12/3/2018 12:10 PM
82	This deserves a little more complexity than a set percentage. A single-owner multi-family building should only be allowed one vacation rental unit, and then maybe one additional vacation rental unit in exchange for every deed-restricted affordable unit. Whatever regulations that arise from this should encourage affordable housing as much (if not more) than they discourage vacation rentals.	12/3/2018 11:40 AM
83	100%	12/3/2018 11:33 AM
84	5%	12/3/2018 10:31 AM
85	10%	12/3/2018 9:37 AM
86	15	12/3/2018 8:55 AM
87	10% or they are motels/hotels	12/3/2018 8:49 AM
88	none	12/3/2018 8:39 AM
89	Unsure	12/3/2018 7:55 AM
90	10%	12/3/2018 7:32 AM
91	10%	12/3/2018 7:25 AM

Vacation Rental Community Feedback Survey

92	No percentage limit needed- market will determine	12/3/2018 6:43 AM
93	10	12/3/2018 6:42 AM
94	Unsure	12/3/2018 6:12 AM
95	Shouldn't be allowed unless it's in commercial zone district	12/2/2018 10:50 PM
96	5	12/2/2018 10:08 PM
97	None in the "affordable" housing areas	12/2/2018 7:19 PM
98	unsure-need more into	12/2/2018 1:23 PM
99	10	12/1/2018 12:15 PM
100	10%	12/1/2018 9:44 AM
101	10% or lower. Why are they any different than a neighborhood?	12/1/2018 6:57 AM
102	10%	11/30/2018 10:00 PM
103	10	11/30/2018 6:47 PM
104	i don't understand this question - percentage of what?	11/30/2018 4:38 PM
105	10%	11/30/2018 1:48 PM
106	Unsure	11/30/2018 1:05 PM
107	10%	11/30/2018 10:55 AM
108	10	11/30/2018 10:34 AM
109	20	11/30/2018 10:06 AM
110	10%	11/30/2018 9:55 AM
111	40	11/30/2018 9:40 AM
112	15%	11/30/2018 8:15 AM
113	Let market dictate	11/30/2018 5:10 AM
114	0	11/29/2018 8:41 PM
115	15%	11/29/2018 8:28 PM
116	5%	11/29/2018 8:13 PM
117	.?	11/29/2018 7:54 PM
118	0%	11/29/2018 6:01 PM
119	for what, the high density?	11/29/2018 5:38 PM
120	Unsure - is this on percentage of apts question or general?	11/29/2018 3:21 PM
121	20	11/29/2018 3:01 PM
122	I don't know	11/29/2018 2:50 PM
123	20%	11/29/2018 2:44 PM
124	10%	11/29/2018 12:07 PM
125	1 in 6	11/29/2018 11:31 AM
126	10% or less	11/29/2018 11:28 AM
127	0	11/29/2018 11:21 AM
128	10	11/29/2018 11:20 AM

Q22 Do you believe an inspection of every vacation rental for compliance with building and fire codes should be required?

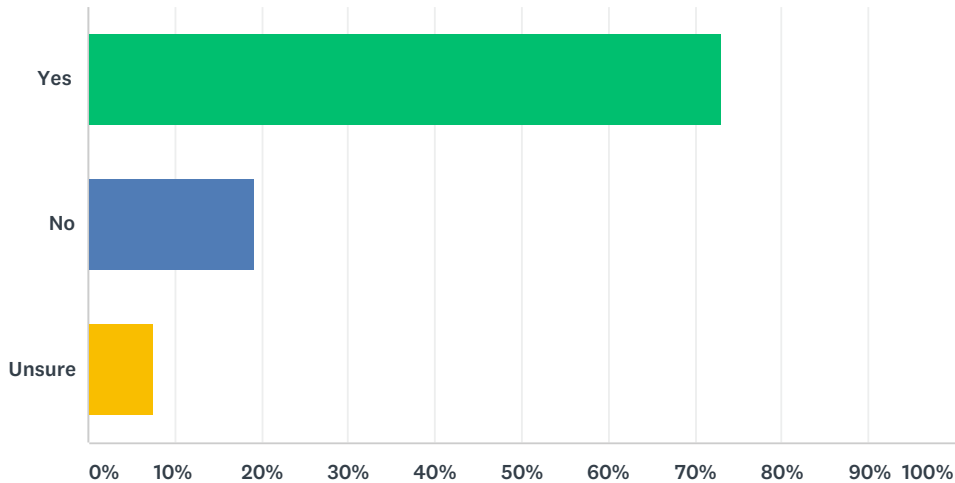
Answered: 460 Skipped: 22



ANSWER CHOICES	RESPONSES	
Yes	70.22%	323
No	22.39%	103
Unsure	7.39%	34
TOTAL		460

Q23 Do you believe the building department should set occupancy limits on the number of guests for vacation rentals?

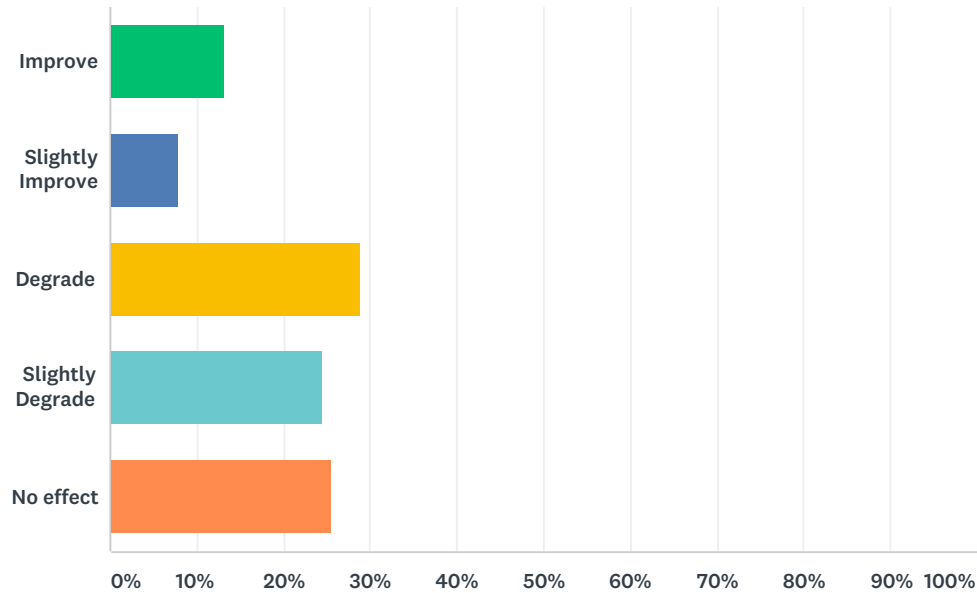
Answered: 461 Skipped: 21



ANSWER CHOICES	RESPONSES	
Yes	73.10%	337
No	19.31%	89
Unsure	7.59%	35
TOTAL		461

Q24 Do you think short term rentals improve the neighborhood? Degrade the neighborhood? Or have no effect?

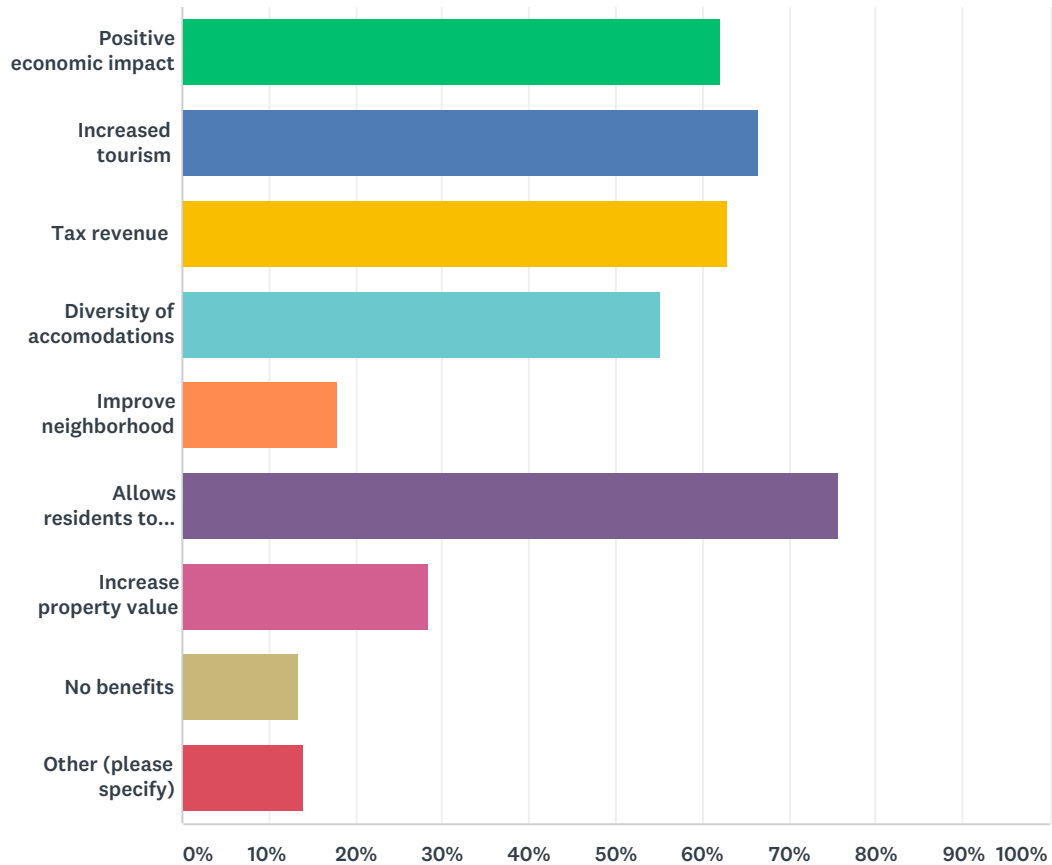
Answered: 457 Skipped: 25



ANSWER CHOICES	RESPONSES	
Improve	13.13%	60
Slightly Improve	7.88%	36
Degrade	28.88%	132
Slightly Degrade	24.51%	112
No effect	25.60%	117
TOTAL		457

Q25 Are there benefits to having vacation rentals in our community (Check all that apply)

Answered: 461 Skipped: 21



ANSWER CHOICES		RESPONSES	
Positive economic impact		62.04%	286
Increased tourism		66.59%	307
Tax revenue		62.91%	290
Diversity of accommodations		55.31%	255
Improve neighborhood		18.00%	83
Allows residents to supplement income		75.70%	349
Increase property value		28.42%	131
No benefits		13.45%	62
Other (please specify)		14.10%	65
Total Respondents: 461			

#	OTHER (PLEASE SPECIFY)	DATE
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Vacation Rental Community Feedback Survey

1	I have always thought that when someone purchases a home in Glenwood, they hold onto it forever. I see no problem with those that want to travel elsewhere and rent their home out during the time they are not living in it. I think people should be able to do that.	1/22/2019 12:08 PM
2	Vacation rentals appeal to families, families being their children, grandparents, etc. So many benefits.	1/17/2019 9:30 PM
3	Please differentiate more between accessory units and short term rentals. They both have very different positives and negatives.	1/17/2019 6:39 AM
4	VRBO should be a right by ownership. Its a way for owners to supplement their income. GWS is not getting less expensive to live. Many owners I know can scale down and still afford to stay in their homes renting a room or a floor.	1/11/2019 3:31 PM
5	allows people to come and see what living in our community is really like, house conveys this somewhat whereas a hotel room does not, also, allows someone with a family heirloom home to rent it for a couple of weeks and pay taxes, thereby maintaining the family tradition. if we are talking about history, family traditions and values, that's important	1/10/2019 11:25 AM
6	can generate funds for a specific city project; exposure to different demographic	1/9/2019 2:01 PM
7	This question is too conditional for a pat response.	1/9/2019 9:37 AM
8	Any decrease in the amount of housing available for citizens & workers is a negative.	1/6/2019 1:02 PM
9	Helps make accommodations for larger families much more affordable. Ex: 6 persons: hotel=\$5-600/ VRBO=\$2-300. Allows large families to stay in GWS and for longer periods of time with increased spending.	12/28/2018 11:36 PM
10	Vacation rentals increase community costs - extra police, parking issues, lowering of property values, degraded life styles and security for local residents. Brick and mortar buildings, licensed and inspected are the safest and most economical vacation rental program.	12/27/2018 10:59 AM
11	Homeowners experience less ware and tear on their properties than long term rentals, in many cases. Stimulates the economy through investor purchases. Allowing short term rentals is progressive and moving with niche lodging that is popular globally.	12/27/2018 10:05 AM
12	My neighborhood has had meth problems only 5 years ago, at both ends of the block. The VRBOs have cleaned that up. I really think that there should be fewer "illegal" VRBOs, though.	12/23/2018 10:27 AM
13	There is no worries with tourism in Glenwood Springs we have plenty of attractions and environment that people come here to enjoy. As a long time resident I worry about our neighborhoods losing neighbors and a revolving door of vacationers. We need to protect this above pocket books.	12/23/2018 8:44 AM
14	It decreases overall real estate values and is a selfish way to cover expenses. Live where you can afford and do not impact others in your attempt to meet your expenses.	12/22/2018 7:30 AM
15	Short-term rentals are simply another viable option for tourism in the area. The people that stay in my Airbnb are almost exclusively families with young children and we prefer it that way. They simply cannot afford the rates of staying downtown, which can be as high as \$200 per night on top of dining out for 3 meals a day and then also pay for 4-6 people to go to the Adventure Park or Hot Springs. If motels like Silver Spruce Inn, Hanging Lake Inn, Starlight Lodge, put any sort of money into their curb appeal and amenities, they'd be able to take these guests from hosts like us.	12/21/2018 2:25 PM
16	Most owners will upkeep their properties better if they have a chance to increase their income.	12/21/2018 9:55 AM
17	Look, would you want to live next door to a busy VRBO? If we want the Town of Glenwood to be a community, we have to favor the quality of life for the RESIDENTS. There should be STRONG oversight for the few units the town does let in. There should be a system to report infractions that are responded to quickly with a limit of say 3 legitimate complaints and the permit is pulled. Otherwise, town will be vacated and it will turn into a resort downtown with people who don't really care about town. Do we really want to continue to be the Disneyland of Colorado? That's the way we are heading, I fear.	12/21/2018 2:42 AM
18	Vacation rentals change the character of neighborhoods. Although the survey required me to respond to approaches that i don't agree with I really only support vacation rentals of accessory dwelling units (because they have a lesser impact on the character of the neighborhood). The ideal situation is to allow folks to airbnb a room in their house that they live in and have them long term rent their accessory unit.	12/19/2018 3:24 PM
19	Those are the ONLY benefits.	12/18/2018 8:56 PM

Vacation Rental Community Feedback Survey

20	I believe property owners should have rights to rent or occupy their own property as they see fit provided they aren't breaking any other existing laws.	12/18/2018 3:24 PM
21	All of these, sans two or 3 choices, are positive impacts. However the impact these things provide needs to be weighed against the impact the lack of housing is having on local workers and community in the rvf. Regulation undoubtedly needs to come into play.	12/18/2018 1:55 PM
22	All vacation rentals should be taxed as commercial.	12/18/2018 1:28 PM
23	Some vacation rentals can be a positive thing for a community. The properties have to be kept nicely or they are banned from the sites so that is positive; however too many rentals of this type can be devastating to a community creating less and less long-term housing for Glenwood employees and driving up rental prices for available long-term rentals. We need to come up with a fair mix or we will price ourselves out of a workforce	12/17/2018 6:29 PM
24	Do not know	12/15/2018 12:23 PM
25	allows more opportunity for visitors to experience the community than hotel complexes	12/12/2018 1:50 PM
26	Owners help improve the neighborhood. The home has to be attractive inside & outside to attract guest. No one wants to spend money to stay in a dump.	12/12/2018 1:31 PM
27	Connects guests to the community in a way that staying in a hotel doesn't. It gives tourists the flavor of our community and gives them more ownership and connection so they want to come back and take better care of our resources, tourist areas and town.	12/11/2018 8:28 PM
28	Volume of accommodations increases. GWS is short of hotel accommodations and many are not suitable for larger families and pet owners.	12/11/2018 5:00 PM
29	More interactions between locals and tourists, so outgoing people get local recommendations	12/6/2018 10:56 AM
30	It supports tourism. As I said before will we also ban hunting, fishing, motorcycle touring, hiking, mountain biking, kayaking, rafting, surfing the new wave at the water park, climbing, coming, birdwatching..... Tourism is huge in our town. Oh... lets close the hot springs pool, it brings too many people into our town. Most of the people who rent VRBOs are people who want a little more privacy than a hotel provides. They can feel as if they are at home when away from home. Cook in their own kitchen. Instances of loud partying and ruining a neighborhood is almost nonexistent.	12/6/2018 9:05 AM
31	Tax revenue is only increased if units are compliant with the coty	12/5/2018 8:53 PM
32	Property taxes should reflect commercial use. The city should be collecting a lodging tax. All taxes should include consideration for emergency services, education, transit and transportation, etc.	12/5/2018 1:09 PM
33	We have plenty of hotels for tourism visitors - some neighbors/owners have positive experiences but there has to be a limit in impact on number of guests especially with the issues our community already faces with high density neighborhoods that already experience massive parking issues with owners/tenants.	12/5/2018 9:19 AM
34	WE ARE A TOURISM COMMUNITY AND BY ALLOWING SHORT TERM RENTALS IT WILL IMPROVE ECONOMIC DEVELOPMENT. MANY PEOPLE INCLUDING MYSELF OWN SEVERAL PROPERTIES AND IF I CANNOT RENT THEM SHORT TERM AND USE THEM WHEN I ACCESS THE AREA, I WILL LEAVE IT VACANT WHICH IN TURN LIMITS AVAILABILITY OF LONG TERM RENTALS AS WELL. SHORT TERM RENTALS DO NOT IMPACT AFFORDABLE HOUSING OR LONG TERM RENTALS IN MY OPINION AND THESE NEED TO NOT BE IN THE SAME CONVERSATION.	12/5/2018 8:30 AM
35	The pros far outweigh the cons	12/4/2018 5:47 PM
36	Helps with jobs for local residents in tourist industry and basic supplies.	12/3/2018 12:41 PM
37	I lived in a townhome community that allowed VRBO. It was like living next to a hotel room. The community eventually limited the length of the rental to 6 mo. min. The safety of the neighborhood was compromised. Renters did not follow community or city rules, the entire character changed for the worse. I had rented my unit for a year. This was successful and did not impact the neighbors.	12/3/2018 12:19 PM
38	Governments should not restrict what a homeowner may do with their property. With the price of living in this valley, it is sometimes necessary to supplement income with a short-term rental. Telling a homeowner they are unable to do that is wrong.	12/3/2018 8:43 AM

Vacation Rental Community Feedback Survey

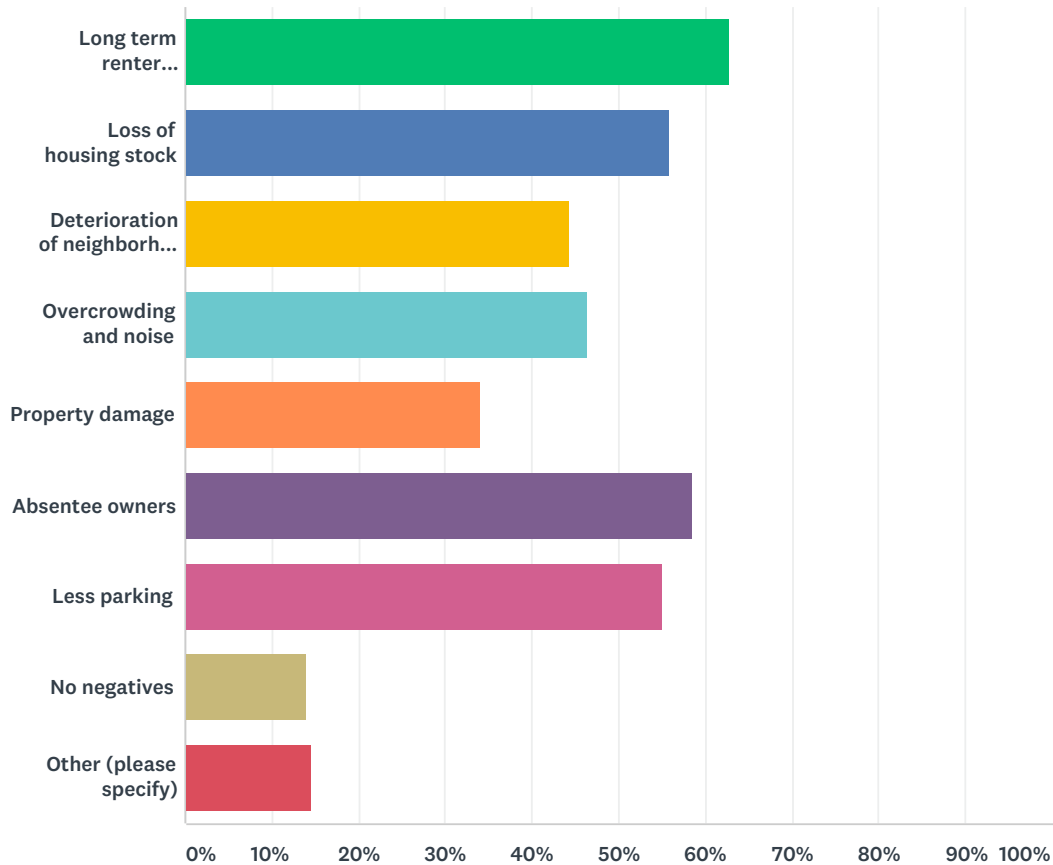
39	Vacation rentals are better for the neighborhood than having long term renters. Vacation rental properties are usually better maintained than long term rentals which are typically run down, not landscaped, etc. I live in downtown Glenwood and think that the best mix is residence that are the primary residence of the owners and vacation rentals.	12/3/2018 8:14 AM
40	Other than allowing residents to supplement their income, I see no real benefits to our community	12/3/2018 7:30 AM
41	Owners should be allowed to determine the terms of their lease. Short term rental or long term rental it is not the place of a city governments to determine terms of an owners lease. It benefits everyone when government does not over govern	12/3/2018 6:48 AM
42	We have plenty of hotels	12/2/2018 10:52 PM
43	Need more info and data	12/2/2018 8:03 AM
44	It brings more cars to already cramped parking in my neighborhood.	12/1/2018 8:46 AM
45	All of this is opinion. Will building more Hotels increase tourism, tax revenue ?	12/1/2018 7:03 AM
46	It has been my observation that people who are planning to enter the vacation rental market tend to upgrade their property, often dramatically, before putting it on the market.	11/30/2018 11:01 PM
47	From my experience, short term rentals are kept in beautiful condition, while long term rentals are often unkempt and in complete disrepair.	11/30/2018 2:54 PM
48	Short Term Vacation rental are a benefit to the community. The homeowner has to invents and maintain a competitive property to attract higher price points and clientele. Long term rental only contributes to the decay of property. Homeowners are unable to keep up with wear and tear on long term due to the lack of profit. Its difficult to evict problematic renters and recover damages. Concerdering the medium price of our local real estate- long term rental is not a viable options. Free market and respecting the rights of private property is important for the council to keep in mind. There is a reason we decided to not buy in to community with homeowners associations. Short term rental is good for the downtown community at large. The property owners are able to remodel and make improvements to the property otherwise not financially obtainable. I support regulations to ensure the homeowner is creating a safe environment and operating with in the current laws and codes.	11/30/2018 12:11 PM
49	I don't think there is a large income benefit to the city. We say we need employee housing yet we allow houses to become income investment property for out of town parties who do not want to have long term rentals but can make more in the short term market.	11/30/2018 10:44 AM
50	We have found vacation rental neighbors are happy to be here, take care of the property and the owners keep the property in excellent condition. Vs non vacation rental properties are loud, yards and property are not maintained and renters typically destroy the house.	11/30/2018 9:57 AM
51	Visitors gain an enhanced understanding of our community as a desirable place to live.	11/30/2018 9:44 AM
52	I'm a single person that was able to afford to purchase a home within this valley when the market crashed. Since then my wages have barely moved and I've had to take on extra jobs to be able to keep my home. The biggest benefit for me having a vacation rental is the ability to supplement my income without giving up my home. I can camp on weekends and provide an opportunity for someone to enjoy my home and what this valley has to offer without having to work 60+ hour weeks to make ends meet.	11/30/2018 9:40 AM
53	Gws is we're the common worker can somewhat afford to live. We don't want to become Aspen we're you pay an enormous amount of money to live in a closet. I am a home owner and take pride in my home and keeping it a single family home. I don't want inconsiderate vacationers being near my home. There's already apartment/condos behind mind me on Davis Dr. With junk piles in the yards, making my property value go down. Plus I have to look at it, it's discusting!	11/30/2018 8:33 AM
54	Allows people to afford a second home in an area they love when they otherwise might not be able to.	11/30/2018 8:02 AM
55	saving houses from foreclosure	11/29/2018 8:09 PM
56	Please respect the trusted shared economy, that is working world wide and join a global attitude of diversity, and accept broader views of traveling experiences. Focus on how to grow rather than fear change. Respect homeowner's use of their property, and continue to collect in city taxes. Learn from other cities, and this NIMBY attitude, is archaic, and unnecessary. Accept the change in how people want to travel and engage with the world. Thank you.	11/29/2018 6:50 PM

Vacation Rental Community Feedback Survey

57	From my experience operating an STR in Glenwood Springs, I found that many guests renting the home we offered for short-term rental were families that would likely not find it practical to vacation in Glenwood otherwise. The guests we hosted spent money at local businesses adding to the economy. Furthermore, not all guests we hosted were tourists. A number of guests hosted were either family members of those that live in the community who would not find it practical to make a visit without the availability of the extended STR rental, or staff members of companies that rented from 2-4 weeks for local project work. The STR fills a gap in practical accommodations offered by a hotel and long-term home/apartment rental.	11/29/2018 6:30 PM
58	Gws gets more national attention with tourism.	11/29/2018 5:59 PM
59	We make less money on our family home BUT the home stays in pristine shape. It is kept clean, perfect, no breakage, no damage so far in 2 years. We have had less luck with full time rentals.	11/29/2018 5:43 PM
60	As our society evolves I find majorly of young people I talk to do short term rentals several have said they never stay in traditional hotels	11/29/2018 5:39 PM
61	Property owners should not be restricted. Restriction will decrease property values in Glenwood Springs and limit options for tourists. As a homeowner and professional in Glenwood Springs I am strongly opposed to the city restricting vacation rentals.	11/29/2018 2:58 PM
62	I would have checked Increase Property Value, but I do not believe that it is a benefit. Glenwood Springs is already experiencing a shortage of affordable housing for middle- and lower-income households, so I believe that increasing property values is only a benefit for those who already own homes or who have a high income or substantial access to wealth.	11/29/2018 2:55 PM
63	For people that only live in a home part-time, it won't be vacant the remaining time.	11/29/2018 2:22 PM
64	Vacation rentals have an incentive to improve and maintain their property	11/29/2018 1:38 PM
65	Vacation rentals rely on reviews of guests. As such, the property is well maintained. Trash is picked up, lawns are maintained, exterior is repaired. These types of units are desired by guests. They want things a hotel cannot provide: kitchen, laundry, separate bedrooms, additional amenities. They are good for tourism. Glenwood 'sells out' on hotels in high season. Vacation rentals supplement, but should not be limited to a specific season. Economics should dictate in an open market.	11/29/2018 11:48 AM

Q26 Are there negatives to having vacation rentals? (Check all that apply)

Answered: 459 Skipped: 23



ANSWER CHOICES		RESPONSES	
Long term renter displacement		62.75%	288
Loss of housing stock		55.77%	256
Deterioration of neighborhood character		44.44%	204
Overcrowding and noise		46.41%	213
Property damage		34.20%	157
Absentee owners		58.61%	269
Less parking		55.12%	253
No negatives		13.94%	64
Other (please specify)		14.60%	67
Total Respondents: 459			

#	OTHER (PLEASE SPECIFY)	DATE
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Vacation Rental Community Feedback Survey

1	It's been proven that too many vacation rentals negatively effects the rentals for locals. The housing diminishes and it prices local workers out as owners chose to make a quick buck on vaca rentals vs renting to locals. It also can negatively effect a neighborhood with constant in and out of strangers, partying, and noise. We personally moved and bought a new house due to our old neighbors being a vacation rental. We didn't feel comfortable raising our child next to a house that has someone different in it every other day. People have walked in to the wrong home, left trash, partied and done inappropriate things (especially for family neighborhoods), etc. There needs to be a regulation on how many of these are allowed.	1/30/2019 10:17 AM
2	If you rent/own in a neighborhood with a vacation rental - you never know who is next store your neighbors always change ...	1/22/2019 12:08 PM
3	noise and parking limits for vacation rentals should comply with the area/block norms or HOA rules so as not to disturb the neighborhood	1/20/2019 7:20 PM
4	I think there are few to no negatives for accessory units. Personally, I would not want to have a year long live in tenant. However, I could use the extra money during ski season to rent out our extra bedroom/bathroom for weekend ski use. It's not an either or thing, many home owners (like myself) would only consider intermittent accessory rentals for extra income.	1/17/2019 6:39 AM
5	Increasing home costs when people are paying cash for homes to just be rented out and have no intention of living there	1/16/2019 5:18 AM
6	Would like to know more about other communities like ours.	1/12/2019 6:35 PM
7	I do not see enough negatives to warrant disallowing VRBO's Property damage would be no less than an owner renting long term and its the owner responsibility to maintain the property like any other property. It sure as heck is NOT local governments responsibility. There are counsel members who own homes with ADU's why should government have the right or obligation to manage my property.	1/11/2019 3:31 PM
8	this should not be a business venture. Speculative endeavors are not the intent of the vast majority of owners. To address 2nd home issues, consider the amount of time spent by the owner as a percentage of occupancy. Example; house is empty all winter, owner occupies for the summer and rents for some weeks before and/or after. This allows the owner to afford to keep the family home and maybe retire here and/or pass it along to following generations. History, heritage, family values, community, stability I am absolutely opposed to 100% vacation rental. A beautiful idea to help people maintain their home has been twisted to include avaricious ends and ruin it for everybody.	1/10/2019 11:25 AM
9	I live near several vacation rentals. I have also used them while vacationing in other areas and see the value and benefit. I also understand allowing home owners to have freedom to to what they would like with their property. Having said that I hate living next to several of these rentals. I was never informed this was happening, nor do I know the property owners in order to contact them if something is happening and have been disrupted by noise, parking impacts, destruction of property, etc. In other areas that I have visited, there have been strict codes that visitors are expected to adhere to, such as being inside by 9 or 10pm, no parking on the street (obviously works only in locations with parking spots and/or driveways/garages), etc. I believe something like this could help the impact on neighborhoods. Thank you for taking the time to ask for input and to carefully consider as many options as possible.	1/10/2019 8:35 AM
10	These negatives apply primarily to short term rentals.	1/9/2019 10:31 PM
11	can cause rental rates to rise	1/9/2019 2:01 PM
12	It commodifies the very notion of home and neighborhood.	1/9/2019 9:37 AM
13	I think it depends. If it's used by a resident to supplement income so they can afford to live here then I think it will be largely positive because the home owner has an incentive to insure that their renters are not having a negative effect on the home or their neighborhood. They can use ratings on Airbnb to ensure that they are only allowing renters who will be respectful. If it's used purely as an income source by someone who doesn't live in the community I think it's more likely to have a negative impact because the owner will care more about generating as much money as possible then ensuring that they have responsible and respectful tenants.	1/2/2019 5:17 PM
14	Currently the 4 short term vacation rentals near my house have not shoveled their walkways and it has been snowing today +5". One of the houses is on a corner. Very disrespectful of the people that are walking and living in the area of downtown.	12/31/2018 3:43 PM

Vacation Rental Community Feedback Survey

15	-High employee turnover due to lack of adequate, affordable housing. -Loss of talented individuals who might otherwise contribute to our community. -Long time residents losing homes in favor of vacation rentals. -Increased traffic and pollution from workers forced to drive from further and further away. -Children spending longer hours in daycare away from parents due to long commute times. -Potential for non-resident property owners with no stake in our town to create hardships for citizens who actually live here. -Shift in the nature of the town from a place to call home to a strictly tourist destination with a non-resident workforce. -Deterioration in quality of life for the majority of residents, for the profit of a few.	12/30/2018 10:48 AM
16	Council and their staff must gather verifiable and creditable information on all the above topics before making any decisions. Complaints or information received must not be considered based on impressions or conjecture. You are dealing with many families' livelihoods and use of their property.	12/28/2018 11:36 PM
17	Police calls. I will no longer be able to leave my door unlocked.	12/27/2018 10:59 AM
18	Neighboring residents not knowing the inhabitants of these rentals.	12/27/2018 10:05 AM
19	Guests don't always know what to do with their garbage. Lack of knowing who your neighbor is.	12/23/2018 10:46 AM
20	I live beside an absentee owner VRBO that is not registered with the city. Now that he owns 4 properties in GWS, I can see this getting out of hand. I think the city needs to clamp down on illegal units, and even more importantly, limit absentee owners (or all VRBO owners) to only one or two VRBOs. That way one wealthy person, or a few, can't turn the flavor of this town for their personal gain!	12/23/2018 10:27 AM
21	It degrades our single family neighborhoods such as the downtown core with our victorians turning into VRBO's. This is something we need to protect and put in regulations. I feel too many council members have their hands in this market, so certainly they do not want regulations. Government can be good in some areas when done effectively. In the age of texting and ordering online and doing so many things where you do not need to interact with a person, our neighborhoods need to be a priority promoting positive or possibly negative human interactions, but its with people that have an investment in the space, not just there for 4 days.	12/23/2018 8:44 AM
22	The owners/rental managers need to respect town curfews as it relates to NOISE. We are a working class neighborhood, people have to get up and go to work in the mornings, so NOISE from the vacationers is NOT appreciated. Owners/rental managers are often ABSENT and disrespectful of the neighborhood.	12/23/2018 8:15 AM
23	Some people are okay, but others leave trash for dogs, bear and raccoon to rummage through. I have to pick it up. There are many too many people with their many vehicles - a small two-bedroom in my neighborhood has had as many as 12 people at one time. The people who live here should be protected. For instance, only vehicles registered to the address should be allowed to park at that address and stiff fines should be against the property owners of the VRBOs for their renters' transgressions. The people who are making money hand over fist with this rental scheme will howl about this. "We're not responsible for what other people do". But they have to be. The neighbors are bearing the burden of their profitable business. Also, anytime a police officer is called to that address for noise, trash, etc., the property owner should receive a stiff fine. For the most part, these are absentee landlords, willing to have as many renters that they can pry in for their rentals. They don't feel the brunt of this. We do.	12/22/2018 1:46 PM
24	1) Stranger Danger and Criminal activity (the only person who may be vetted by VRBO or Airbnb is the person who made the reservation. None of the other adults staying in the vacation rental are vetted, so you don't know if they have criminal records-very unnerving, especially with large groups. 2) bed bugs 3) loose dogs (maybe not vaccinated), incessant barking when left outside in a strange place, using neighbors' yards as their bathrooms 4) strangers disregarding all boundaries, literally taking over your space and coming onto your property with their children and dogs 5) neighbors' driveways being partially or entirely blocked 6) unsupervised children playing in the street blocking traffic 7) trash thrown out on ground to be blown into our rivers and streams 8) decrease in property values (who would want to buy a house that is next to a hotel?) 9) fire safety (i.e., absentee owners allowing their guests to burn tiki torches and fire pits when the county is in stage 2 fire restrictions) 10) disrespect of the neighbors and neighborhoods (i.e., the attitude of "I'll be leaving in a couple of days, so what I do doesn't matter") 11) taking business away from our local hotels that pay a high accommodations tax to our city and county 12) people bringing their trailers and toys (rv's, snowmobiles, atv's), parking them where they shouldn't be parked and blocking access to neighbors' driveways 13) trash cans being left out on the street for days until the next group shows up 14) Complaints from neighbors directed to our local government employees, costing taxpayers more money, because there are no managers on site	12/22/2018 12:19 PM

Vacation Rental Community Feedback Survey

25	There appear to be codes but they are not applied. Rentals should be checked annually for safety. Occupancy is often too high stressing sewer and water systems. When rentals are sold, like the one I am in (at \$3000 per months) a FULL inspection should be required. This home has a sprinkler system for fire that was last inspected in 2011. New owner refuses to have it inspected. There is nothing in place to ensure any tenants safety or rights. The City Council has a haphazard way of approaching the rental market with an eye only on profit. It is only a matter of time before one of the over occupied and poorly maintained homes by the Boy Scout Trail burns and lives are lost.	12/22/2018 7:30 AM
26	I had a pair of skis stolen off of my porch. I immediately talked to four teenagers from California, that were in front of a nearby house, a few doors from Tony Hersey's house. (He has written to the GWS PI in opposition to vacation rentals.) The teens were drunk, and sick on the sidewalk. The police were sympathetic, but there is little that they can do.	12/21/2018 6:01 PM
27	I was a landlord and despite every available vetting process, we continually had run-ins with police, drugs, growing marijuana, having too many pets, having too many roommates, leaving dumpsters (this is a measure of trash *after* you remove it by the wheelbarrow from your home) of waste in common areas, dumping marijuana grow chemicals into the ground near the home killing trees and landscaping, flooding laundry rooms and kitchens and then not notifying anyone, you name it. Finally, the last straw was when my husband and I were physically threatened by a tenant who was arrested, and subsequently removed, from the property for domestic violence. Even then, we had no legal recourse in the courts for any damages or fines, only back rent. To those saying that you can do more to vet your tenants, see also: Christina Brusig. -- Issues like noise, trash, and parking are simply no different than long-term rentals with one glaring exception: if your Airbnb'ers next door are being loud or have 5 cars parked out front, you can bet they're leaving in a few days. Otherwise, you can get stuck with these types of neighbors in a 12-month lease. -- There already aren't enough places for people to live in the valley and to say that this is a new or emerging conversation because of short-term rentals is a farce. When the city starts really, truly making an effort at affordable housing and cracking down on slumlords who refuse to put a cent into their properties, I'll be more interested in stricter regulations for vacation rentals. -- Second homeowners and/or partial residents should not be able to have a short-term rental. These rentals require hands-on attention and intervention from owners.	12/21/2018 2:25 PM
28	Should pay commercial property tax rates if they are running a business	12/21/2018 1:57 PM
29	Vacation rentals are commercial enterprises that pay residential property taxes. They create added burdens on our infrastructure (police, ambulance and road wear). This adds more burden to the properties paying higher commercial tax rates in our unfair tax system. And does anyone verify that these properties pay income taxes on their profits?	12/21/2018 12:33 PM
30	There will be less impact if people hire the right management companies, or if the owners are held to a higher standard.	12/21/2018 9:55 AM
31	Not knowing who your neighbors are on a daily basis, not feeling as safe in your neighborhood, not having renters follow city ordinances, increase in property costs makes it more difficult for families trying to buy a house afford to buy causes more families to stay in the rental market with no long term rental inventory.	12/21/2018 9:01 AM
32	Honestly, these are the negatives. Do we want to create this scenario just so we can have more tax income? Sometimes less is more.	12/21/2018 2:42 AM
33	it goes beyond deterioration of neighborhood character, left unchecked short term rentals negatively impact community character and cohesiveness. Tourists don't go to meetings or support community events. It is a real shame that people that work in Glenwood can't live here because housing has become commercialized. Further, while it does provide more tourist options, it also competes with our hotels and lodging facilities.	12/19/2018 3:24 PM
34	Increases cost of living for year-round residents. Gentrifies areas and makes them unaffordable.	12/18/2018 4:36 PM
35	Should be no negatives, but would depend on character of owners and guest.	12/12/2018 1:31 PM
36	I have been a vacation rental owner for 24 years in Breckenridge and Glenwood. I feel it is reasonable to expect a town to collect an licensing fee and taxes should be paid. This allows for economic growth & increased tourism. Regulations requiring on site management are not necessary. Owners need to be sensitive to neighborhood concerns and be good stewards of their property.	12/12/2018 11:58 AM
37	Increase in long term rental rates due to supply and demand	12/12/2018 10:10 AM
38	Many of the hotels by the river have become run down. Probably less incentive to keep them nice.	12/11/2018 8:28 PM

Vacation Rental Community Feedback Survey

39	As long as there is a limit on how many short term rental permits are issued within city limits and there is a balance between long term and short term rentals, there are no negative impacts	12/8/2018 7:38 AM
40	Our community members are being kicked out of housing so vacation rentals can be used instead.	12/7/2018 5:46 AM
41	Losing housing for real locals is having a HUGE impact on housing availability and hence, cost	12/6/2018 10:56 AM
42	Possible damage---- this is also true with long term rental, I have experienced this twice myself with long term and I have had less damage with my VRBO. As I said before, I rented myself 25 years ago and there were not many rentals at that time either. I don't believe the VRBO market is causing a shortage in housing, these house are owned by local people.	12/6/2018 9:05 AM
43	THIS IS ALWAYS A POSSIBILITY.	12/5/2018 8:30 AM
44	loss of neighbors invested in the community	12/5/2018 7:36 AM
45	unpredictable who rents...sometimes too many vehicles in the neighborhood and parking is problematic	12/4/2018 7:17 PM
46	Property value went down. Rental prices went up. Neighborhood character changed, not neighbors that cared about the community.	12/3/2018 12:19 PM
47	100% of the vacation rental discussion should be focused on it's impact on available housing stock and affordability. The other factors are based too much in hearsay, and consist of the same nimby-ist arguments that can also be used to argue against density and affordable housing. Keeping this conversation based on affordability will keep it positive/constructive, and create other inroads for enhancing affordability moving forward as well.	12/3/2018 11:45 AM
48	I think if there are complaints such as noise, odor, etc. the owners should address them and if the problem persists, the owner's license is put on probation and could lose their permit. Overall I think VRBOs are an incentive to keep properties and neighborhoods nice. No one wants to vacation in a dump.	12/3/2018 8:38 AM
49	All of the above	12/3/2018 6:12 AM
50	It changes the feel of a neighborhood. We have two on our block at the moment. We know and interact with the owners of the rental next door and they are kind, polite, and available if we have questions or concerns but they are not here when the rental market is going non-stop all summer. It's a different family here every 2-3 days... we also don't want to be on the phone to complain because we know it's their business, but it can be annoying with parking, noisy renters during the work week while the visitors are on vacation, etc. It does change a neighborhood.	12/1/2018 12:18 PM
51	We know that we have a need of long term rental in GWS. This is making the problem MUCH worse. Furthermore, it was not my intention to purchase a house in a Hotel District.	12/1/2018 7:03 AM
52	I would like to see non-owner occupied vacation rentals capped, and owner occupied (6 months or more) without a cap. Owner occupied rentals come with many of the benefits without degrading the community that our neighborhoods offer.	11/30/2018 3:15 PM
53	Seriously? Those are the "negatives" the town can come up with for options? Maybe counsel and town employees need to visit some of our local vacation rentals that are clearly being misjudged. If you could see before and after photos of many of these properties- the improvements and care are incredible. Nothing like a deteriorating long term rental that violates many safety codes and leaves a eye sore on the downtown community. Parking may be your only argument..... but how many actually use more then a property owner or long term rental family would?	11/30/2018 12:11 PM
54	Potentially some of these negatives could apply depending on the location of the rental.	11/30/2018 10:17 AM
55	I have seen the regular rental home next door which has 2 bedrooms overwhelm our neighborhood with multiple vehicles, and more people living there than what 2 bedrooms normally support. Crystal Property does not inspect their homes nor hold renters to terms until neighbors complain. We have had None of this with the vacation rental.	11/30/2018 9:57 AM
56	The negatives are specific to each individual location/neighborhood. They might apply in one location and not another.	11/30/2018 9:44 AM
57	STR should be classified as commercial (income property) for property taxes.	11/29/2018 7:25 PM

Vacation Rental Community Feedback Survey

58	I have operated a short-term rental in Denver for 5 years and Glenwood Springs for 3 years. Although loss of housing stock and long-term renter displacement will occur, a supply and demand balance on short-term and long-term rental operations limit the number of short-term rentals that can operate on a practical basis. When competition between short-term rentals result in lower income to short-term renters, it becomes more practical for to rent long-term. As such, the market becomes self-regulating. The number of STR's that can operate on a practical basis is a very small percent of the total residential market. I closely followed Denver's Short-Term Rental policy development activities including attendance of public meetings STR Committee meetings and City Council meetings. From arguments presented, and analysis conducted, it seemed clear that the benefits short-term rentals provide the community outweigh the detriments.	11/29/2018 6:30 PM
59	No negatives yet for us. No complaints from neighbors..they all know. We are in a dual zone but predominately residential. We have it managed by relatives, don't rent during X game week and our house adds to the neighborhood, not deteriorates it.	11/29/2018 5:43 PM
60	More dogs that are not on leash or picked up after.	11/29/2018 5:43 PM
61	Many of the above can occur, owners can choose to limit number of guests. Many long term tenants do damage	11/29/2018 5:39 PM
62	The market WILL self regulate with unsafe, unpleasant, or unkept rentals. With feedback and social media, plus self regulating supply and demand, the properties that are NOT desirable will quickly be weeded out. Also, if there is too much supply, and not enough demand, short term rentals will likely be converted back to long term, but the overall condition of the property will ultimately be much better because the owners had to maintain it more frequently (or the reviews from guests will destroy their reputation). No one wants to come to Glenwood to just party and trash the place... our guests have been fantastic! It is too expensive in this town to have a cheap, run down rental.... it will NOT last!! Our long term tenants always have way more cars than short term rental tenants. Many of our guests come from Denver and take the train, or they will just have one vehicle.... most long term tenants have at least 2 or 3 vehicles!!	11/29/2018 5:34 PM
63	The negative currently is lack of affordable housing in general and the high cost of living - this isn't being impacted by VRBO options, etc...	11/29/2018 3:25 PM
64	If the City is concerned about long term rentals they should find ways to work on this problem. Limiting property owners short term rental options will not be effective in accomplishing this.	11/29/2018 2:58 PM
65	Increasing property values (which may benefit the wealthiest in the community, but harms everyone else)	11/29/2018 2:55 PM
66	Reduction of long-term residents who participate in civic affairs, potential increase in crime associated with tourists staying in residential neighborhoods in an era of expanding legalized drugs, not knowing who your neighbors are decreases sense of security for families with children, loss of community cohesion stemming from resentment of those who are profiting from their properties at the expense of others,...	11/29/2018 11:37 AM
67	No negatives that don't also occur when owners, long term renters are not respectful neighbors.	11/29/2018 11:23 AM

EXHIBIT D. Leniency Scale of Municipal Regulations.

****Information pulled from multiple sources and is not comprehensive in each category.**

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Allowance & Limits	Not Allowed	Allowed but Limited	ALLOWED
	<u>Morrison, CO</u> <u>Moab, UT</u> (except at previously established) <u>Teton County, WY</u>	Crested Butte: 2 Categories, one primary residence with 60 night limit, and one limited to 30% housing stock Boulder/Denver/Lyons: Primary Residence Durango: 1/block face + zone limits Telluride: Zoning Limitations of frequency & duration Green Mountain Falls: 10% of Housing Stock (60) Georgetown: 7% of each ward housing units Estes Park: 588 permit limit	<u>Snowmass Village</u> <u>Frisco</u> <u>Carbondale</u> <u>Aspen</u> <u>Silverthorne</u> GLENWOOD SPRINGS: No limits by number or zoning
Fee	\$250 Annually and up	\$75-200 Annually	Buisness License fee or less than \$50 annually
	Crested Butte: \$750 Annually Georgetown: \$500/\$250 Renewal Durango: \$750 Land Use Permit	Blue River: \$200 one time/ \$75 renewal Breckenridge: \$175 annual/Admin fee \$50 Boulder: \$130/\$105 renewal Telluride: \$165 +\$22/bedroom annual Estes Park: \$200 +\$50/bedroom Lyons: \$175/ \$50 Renewal Clear Creek County: \$250 one time fee	Denver: \$25 annually Silverthorne/ Frisco/Avon/Aspen: Business License only GLENWOOD SPRINGS: One-time \$110, business license
Additional Tax	Excise Tax Funds Affordable Housing		
	Crested Butte: Additional %5 tax Telluride: Additional %5 tax		
Building Inspection	Building Inspection every year with occupancy limits	Initial Building Inspection, affidavit upon renewal	No Building Inspection
	Georgetown: Annual Inspection Crested Butte: Inspection required to obtain permit and renewal.	Estes Park: Initial inspection Breckenridge: Inspection upon complaint, affidavit Durango: Inspection with Land Use Application Clear Creek County: Initial inspection	Vail: Self certify requirements Lyons: Affidavit self certifying safety standards Boulder: Life Safety Compliance verification form (Both of these Cities require Primary Res) GLENWOOD SPRINGS: No building inspection
Residency Requirement	Primary Residency Required	Some Residency Requirements	No Residency Requirement
	<u>Boulder</u> Lyons: 9 month Residency required <u>Telluride</u>	Crested Butte: No limit to Primary Residence Permits, Limit to Non Primary Residence Permits	<u>Carbondale</u> <u>Aspen</u> <u>Frisco</u> <u>Snowmass</u> GLENWOOD SPRINGS: No residency requirement
Violations	Revocation	Fine Structure	Basic Municipal Fine Structure
	Georgetown: Revocation after 3 violations in 1 year Green Mountain Falls: 3 violations in 1 year Crested Butte: Violation penalty is revocation with 2 year suspension. Vail: 3 violations in 1 year, revoked for two years	Breckenridge: Fine Structure and Temporary License Revocation 1st: Suspension 30 days, \$200 Fine in lieu 2nd: Suspension 60 days, \$500 Fine in lieu 3rd: Suspension 90 days, \$999 Fine in lieu 4th+: Suspension 1 year, no fine in lieu	<u>Telluride</u> GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	Vail: 30 Minutes, Agent must reside in 60 miles Breckenridge: 60 Minutes Lyons: 60 Minutes (Responsible Agent must be within 60 miles)	Durango: 24 hour Agent, If no response, penalty Clear Creek County: 24 Hour Agent, Must reside within 1 hour from vacation rental property	GLENWOOD SPRINGS

	<u>Estes Park:</u> (Code states "Immediate" response, no amount of time)		
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	<u>Breckenridge:</u> STR HELPER, nuisance management system		GLENWOOD SPRINGS
	<u>Boulder:</u> Rental Housing Licensing Code Violation Line and Online submittal		
	<u>Vail:</u> Online Reporting Portal		
Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement
	<u>Estes Park:</u> 2 minimum off street, except Downtown	<u>Lyons</u>	<u>Estes Park</u> <u>Georgetown</u> <u>Breckenridge</u>
	<u>Durango:</u> 1 per Bedroom onsite	<u>Green Mountain Falls</u>	<u>Frisco</u> <u>Avon</u> <u>Boulder</u>
	<u>Green Mountain Falls:</u> Onsite Parking Plan required	<u>Crested Butte:</u> Over 10 Occupancy requires onsite parking	GLENWOOD SPRINGS: No extra parking required
Neighbor Notification	<u>Clear Creek County:</u> 1 space per Bedroom		
	Adjacent Property Mailing	Duplex Only	No Notificaiton
	<u>Georgetown:</u> 300 Foot Owners	<u>Vail</u>	<u>Carbondale</u> <u>Boulder</u> <u>Denver</u>
	<u>Crested Butte:</u> 100 foot owners		<u>Telluride</u> <u>Blue River</u> <u>Breckenridge</u>
Accessory Dwelling Units	<u>Durango:</u> 150 Foot Owners		<u>Aspen</u> <u>Avon</u> <u>Lyons</u>
	<u>Green Mountain Falls:</u> 150 foot owners		<u>Silverthorne</u> <u>Snowmass</u>
	<u>Estes Park:</u> 100 Foot Owners		GLENWOOD SPRINGS: No notification
	ADU Vacation Rentals Prohibited	One Vacation Rental per Property (Either ADU or Main)	No Regulation
	<u>Estes Park:</u> Lots with ADU's cant have Vacation Rental	<u>Boulder:</u> Either ADU or Main Dwelling can be rental, not both	<u>Carbondale</u> <u>Blue River</u> <u>Silverthorne</u>
	<u>Lyons:</u> ADU VR not allowed, Owner occupancy of ADU while		<u>Breckenridge</u> <u>Avon</u>
	Glenwood Springs: No Vacation Rental in ADU		<u>Lyons</u> <u>Snowmass</u>

Exhibit E Municipal Vacation Rental Matrix

Short-Term Rental Property Ordinance Matrix

Credits: Colorado Association of Ski Towns, City of Fort Collins
Additional Information added by City of Glenwood Springs Staff

City	Primary Residence	Non-Primary Residence	Tax Required	Tax Collected: By municipality or listing agency	Vacation Rental Permit Required	Neighbor Notification	Concentration Limit	Parking Requirement	Zoning Limitations	Fees	Occupancy Requirement	Building Inspection	Other
GLENWOOD SPRINGS	Yes	Yes	Yes	Municipality	yes, non-transferrable	No	No	None	No	One time \$110	none	none	ADU vacation rentals prohibited
Avon	Yes	Yes	Yes	Municipality	Only business license	no	no	None	Yes, Only in Overlay Zone Areas Not in PUD's unless specified	Business License fee only	none	none	
Blue River	yes	yes	yes		yes, non-transferrable	no	not yet		no	\$200 first time; \$75 annually	none		In process of changing much of this.
Boulder	yes	no	yes		yes, non-transferrable	no	no		yes, determine occupancy limits	\$130 first time; \$105 for 4 year license	determined by zone		
Breckenridge	yes	yes	yes	Municipality	yes, non-transferrable	no	no		none- unless deed restricted workforce housing, then prohibited	\$75 - \$175 annually , based on bedrooms One time Admin fee \$25-150	none	Authority to inspect units granted in license language.	Single-Family Home - Special Conditions of License/BOLT License -Location Card posting requirement
Crested Butte	Yes	Yes but restricted with total Cap.	yes		yes, non-transferrable	yes, 100 foot property owners	yes, 30% cap of free market housing units for unlimited category. No limit for Primary Residence.	Over 10 Occupancy requires on site parking	yes, only allowed in certain zones	\$750 annually for Unlimited (two years paid in advance initially) \$200 Annually for Primary Residence	Only for Primary Resident License.	Yes	Max Occupancy of any property 10. Occupancy may be adjusted following physical inspection of the vacation rental property.
Denver	yes	no	yes		yes, non-transferrable	no	no		no	\$25 annually			
Durango	yes	yes	no, no mention		yes, non-transferrable	yes, 300 foot radius	yes, by zone including total number and by block face	1 off street space required	yes, only allowed in certain zones	\$750 first time	Site visit and inspection, property posted, parking requirements	Yes, Required	
Estes Park	no	yes	yes		yes for in town with fee, operating permit for county with no fee	no	588 Permit limit in Residential Zone Districts		no	\$200 base fee plus \$50 per bedroom	2 per bedroom, plus 2 up to 8 total		The Town and County have a task force to examine the 8 limitation on larger homes and other regulations such as neighbor notification and limitation on number of vacation homes within the valley, etc.
Estes Park - outside Town, inside Estes Valley	Same as Town	Same	Same		no; however, an operating permit is required per the land use code (Estes Valley Development Code)	Yes (100 foot)	Same		yes, in all residential zones, A-1 Accommodations/Low Intensity and CD - Downtown Commercial	none	Same		
Frisco	yes		yes		yes	no	none		none	\$75 business license	none		None, we are working on a new ordinance to address notification, occupancy, and several other issues.
Georgetown	yes	yes	sales/lodging		yes, non-transferrable	yes, owners within 300 feet	7% per town ward		no	\$500 first time; \$250 renewal	no		Local owner representative
Green Mountain Falls	Yes	yes	yes	Municipality	yes, non-transferrable	Yes, owners within 150 foot radius	Maximum 60 permits for town, roughly 10% of housing stock.	On site parking plan required for occupancy indicated.				Yes	
Lyons	yes, min 9 months	no	yes	Municipality	yes- non transferrable	no	no	Parking Plan submitted with application	yes, only allowed in certain zones	Annual payment	2/bedroom, Max 8 unless CUP 9 Months minimum primary resident	Yes	Rentals in ADU not allowed Owner occupancy of ADU during Primary rental not allowed Must respond w/in 60min code complaint
Morrison	PROHIBITED. The Board of trustees found that the rental or residential properties for periods of time less than 30 days would have an unacceptable adverse impact upon adjacent properties, public services and public health, safety and welfare because the nature of short-term residential occupation differs in kind and nature from residential occupation of greater than 30 days. Ordinance No. 421 July 2015												
Silverthorne	yes	yes	yes, business license		yes, business license	no	no		no	Business License fee is \$75	none		We only require a business license. We have somebody that tracks websites for rentals without a business license.
Snowmass Village	Yes	Yes	Yes	Third Party Contractor	yes, non-transferrable	No	No		No	No	Yes, under the building code		Not permitted in employee housing units, without prior approval.
Telluride	yes	yes	yes		yes	no	no		yes, restrictions in residential zone	\$165 base fee plus \$22 per bedroom	none		Restrictions in Residential Zone : no more than 3 rentals per year, w aggregate not to exceed 29 days; implemented in 2011; will revisit in 2017
Vail	Yes	Yes	Yes	Municipality	yes, non-transferrable	Yes, Duplex Only	No		No	\$150 annually	Per code, one person per 300 square feet	No	Responsible agent must respond to violations in 60min, 30 min after 11pm
Counties													
Clear Creek County	Yes	Yes	Yes	Municipality	Yes, TRANSFERABLE	100 foot owner notice		1 space per bedroom required		250 one time	Max 9 People Occupancy unless 2 acres or more	Yes, Initial Required	

Eagle County	Short-term rentals not allowed in price-capped deed-restricted units	No county wide restriction	If assessors's office is aware a unit is a rental, it is taxed as such		No	No county wide restriction	No county wide restriction		No county wide restriction	none	Eagle County Land use codes state no more than one person per every 300 square feet; this limit is not enforced		No county wide restriction
Summit County	yes	yes	Subject to the STATE sales tax and mass transit tax. License obtained from the State.		A sales tax license is required through the State of Colorado.	no	no		Not permitted in Deed Restricted Units	no	Per code, one person per 300 square feet		Not at this time
Out-of-state municipalities													
MOAB, UT	PROHIBITED UNLESS GRANDFATHERED IN												
Park City, UT	yes	yes	COMDEV does not have any enforcement.		yes, non-transferrable	yes, in cases of duplexes or if shared common areas/hallways exist between or within a building	Yes, 75 sq. ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)		yes, only allowed in certain zones or with CUP's in certain zones	\$149.00 Admin Fee, \$28.74 per bedroom fee, \$17.00 Yearly renewal	Yes, 75 sq. ft per bedroom, at least 50sq ft of floor space per occupant (if more than 1)		Site visit and safety inspection
Ketchum, ID	yes	yes	yes		yes, business license	no	no		yes (CC, T & STO zones only)	no	Max 30 days/guest		no
Teton County, WY	No	No	PROHIBITED. No residential										

Glenwood Springs
Vacation Rentals Public Meeting
January 16, 2018

Meeting Objective: To gather detailed public input on what specific requirements are desired and how it maintains/improves community's quality of life; provide Council with further detailed information about residents' perspective regarding management of vacation rentals in Glenwood Springs.

Over 55 people attended the public meeting on management of vacation rentals. The meeting gathered preferences and more detailed reasons for those preferences in six areas (and the options):

1. Application fee – annual (<\$100, \$100-\$300, \$300+), one-time(<\$100, \$100-\$300, \$300+), or a hybrid (larger one-time, smaller annual).
2. Limit the number of vacation rentals –per block, city wide, have a buffer between them, or no limit.
3. Limit for multifamily single-owner buildings – 25%, 20%, 15%, or 10%.
4. Require Fire and Safety Inspections – yes, or no.
5. Limit occupancy – 2 people per bedroom, per room plus number per square feet of common space, or no limit.
6. Primary residency requirement – primary resident, part-time, no residency requirement.

I. Process

Participants listen to a presentation on the survey responses to these six management areas. Then the public provided their preference for all six areas using a sticker to select their preference on each topic (per question; see Appendix A for poll results). After the six areas were polled, participants move into small group discussions to provide more detailed information about each strategy/question; providing reasons for their preferences to a small-group facilitator (see Appendix B for small group facilitator notes). After 15 minutes, participants moved to a new question, a new small group discussion. In all, participants joined four small group discussions (15 minutes each).

II. Executive Summary

Polling Results

Areas with clearer results:

- 82% (41 of 50) - Fire and safety inspections should be required
- 74% (36 of 49) - For multifamily single-owner buildings only 10% should be allowed to be vacation rentals (16% preferred 25%, 6% preferred 20%)

- 57% (28 of 49)- No primary residency requirement (33% preferred a primary residency requirement)
- 54% (29 of 54) – No limit to the number of vacation rentals, not limited citywide or per block nor require a buffer between them. (26% preferred a per block cap, 19% preferred a Citywide cap)

The other two questions' highest response was 45%

- 45% (23 of 51) – Occupancy should be limited to 2 per bedroom (31% preferred a per bedroom plus some based on square feet of common space, and 26% preferred no occupancy limit)
- 45% (19 of 42) – Fee should be \$100-\$300 annually (33% preferred \$300+ annually, and 17% preferred the hybrid – larger application fee, smaller annual fee)

Common Discussion Comments

A few common concerns were raised by participants across several management strategy discussions:

- Impact on available housing for locals;
- Impact on availability of affordable housing for locals;
- Impact on City feel and sense of community; and
- Consistent regulations/treatment across long- and short-term rentals, bed & breakfasts and hotels (fairness across).

The question that garnered the biggest groups during discussion rounds was: Should vacation rentals be limited (citywide, per block, or buffer, or not at all)?

III. Discussion – Why are certain management methods preferred

Participants, in four 15-minute rounds, provided additional details on why the preferred one strategy over another. Below is a summary of the comments made during small group discussions on each question; these do not reflect consensus or majority comments or perspectives (see Appendix A for all polling results and Appendix B for all small group facilitator flip-chart notes).

1. ***What should the Vacation Rental Application Fee be?*** (Options: 1. Annual fee of \$100 or less; 2. Annually \$100-\$300; 3. Annually \$300 or more; 4. One-time payment of \$110 or less; 5. One-time \$120 - \$300; 6. One-time \$300 or more; or 7. Hybrid-higher one-time fee with a smaller annual fee)

Poll: 45% preferred an annual \$100-\$300 fee; 33% preferred annual fee of more than \$300; 17% like the hybrid option (higher application fee, smaller annual fee).

Discussions:

Comments in support of a Higher Fee:

- Amount should cover the costs for the City to:
 - provide better program oversight;
 - provide better education to owners/operators; and
 - provide enforcement of rules and accuracy of reporting.
- A higher amount ensures people are more committed to their investment, and know how to run a professional business.
- A higher fee covers the privilege to earn money in a residential neighborhood.
- One person said the annual fee is better because: The expense to City happens every year; and STRs owners should have to signoff each year on any new rules or procedures.
- Short-term rentals (STRs) are for commercial purposes and should be considered a business (fee will be covered quickly by rentals).

Suggestions:

- It is for a commercial purpose the owner should be required to pay commercial property tax on top of any fees.
- Set a lower fee for smaller space (e.g., lower for renting a room versus a whole house).

Comments in support of a Lower fee:

- Why should STRs pay an application fee if a hotel can just get a business / sales tax license for less money.
- Taxpayers pay enough taxes (e.g., both sales tax and an accommodations tax); adding a fee is just getting greedy.

2. ***How should Vacation Rentals be limited?*** (Options: 1. numerical cap - ex. max. 200 allowed in the city; 2. Numerical cap per block - ex. max 2 per block; 3. Buffer distance between each vacation rental - ex. min 200 feet btwn; or 4. No limit)

Poll Results: 54% preferred no limit; 26% preferred a cap per block, and 19% like a citywide cap.

Discussion:

Support for “No Cap” because...

- STRs provide options for visitors –
 - provide amenities not in hotels (washer/dryer, kitchen);
 - provides a “local” experience; and
 - provides a potentially more affordable option than a hotel.

- Cap is not needed because –
 - the market is self-limiting;
 - STRs makes up only a small amount of overall city housing;
 - other regulations could limit the amount (occupancy, inspections); and
 - this won't achieve the intent to control for bad visitors (cannot control quality of long-term neighbors, how could one control visitors?).
- STRs are good for the community –
 - often STRs are in better shape (pretty to be competitive);
 - STRs provide a way for residents to afford to live in Glenwood; and
 - their visitors contribute to the local economy (restaurants, shops, attractions).
- Cap would be unfair - Setting caps lock out owners from the option of having an STR.
- Concern - Limiting the number could drive up the average nightly rate for staying in an STR.

A limit/cap is needed because too many STRs will...

- Decrease available housing for locals; secondarily, impacting local businesses ability to attract employees.
- Raise the cost of housing for locals.
- Decrease the community feel and create dead neighborhoods (no one knows their neighbors).
- *Concern (by block)* - There is a challenge of limiting STRs by block, how is the size of a block determined?
- *Concern (citywide)* - Setting a city-wide limit does not disperse STRs.

Suggestions/Consider

- If a limit is set, how would currently permitted STRs be included/managed?
- If a limit is set, there needs to be some due process to review STR permits.
- Consider how to address permit holders that do not actively rent out units; a cap should be for those owners that will actually operate a STR.
- Downtown neighborhoods have the most impact from STRs.

Other Vacation Rental Management Comments

- If no parking is available, don't issue STR permits.
- Don't make owners responsible for the conduct of their guests; you don't make owners responsible for the conduct of their long-term renters.
- Regulation of STR and long-term rentals should be the same.

- 3. *How should Vacation Rentals be limited in Multifamily buildings with a single owner?*** (Options: 1. 25% of the unit total, or at least 1; 2. 20% of the unit total, or at least 1; 3. 15% of the unit total, or at least 1; or 4. 10% of the unit total, or at least 1

Poll Results: 74% preferred the lowest 10% cap for single-owner multifamily buildings; 16% preferred the highest 25% cap.

Discussion:

(note: participants may have confused the idea of “single-owner” multifamily buildings with multiple owner buildings.)

Concerns Considered

- If more units are STR there will be a decrease in available housing for locals.
- Any limit will be tough to enforce.
- If more units are STR there will be a loss of affordable housing for locals.
- Parking issues - apartment buildings becoming hotels.
- Limits investment.
- Financing issues – could an owner get financing if cap was too small, or a cap at all?
- Already too many regulations (City, VRBO, AirBnB).

Comments

- A limit is not needed, the market will determine the amount.
- STRs benefit tourism and the City with sales tax, occupancy tax and use of local businesses.

Suggestions

- Perhaps 1 per X number of units, instead of percentage.
- City should seek out advice on the issue.

4. *Should Fire and Safety Inspections be conducted for Vacation Rentals?* (Options: 1. Yes, require Fire and Safety Inspection for vacation rentals; or 2. No, not needed leave as is now.

Poll Results: 82% preferred fire and safety inspections be required; 18% said they weren't needed.

Discussion:

Comments for requiring Fire and Safety Inspections

- STRs are commercial use, like hotels, and should be treated as commercial properties.
- Inspections are needed for fire safety, it is important.
- Inspections offer the people staying at that property a layer of protection; and renters assume the unit/house has been inspected by the city.
- Upgrading the STR house/unit is the cost of doing business.
- Inspections will regulate the total number of listings, not everyone will want to make improvements.
- Accessory Dwelling Units are required to have inspections, so vacation rentals should be required as well.

Suggestions

- Inspection should be conducted every other year.
- Send a questionnaire every year asking the owner if they have made any improvements.
- Inspections should be posted in the rental to show it is was completed and they passed, and should also include the number of occupants allowed.

Comments for no Fire and Safety Inspection requirement

- Online ratings will self-regulate safety, if a house is not safe website ratings will reflect it.
- Inspecting every short-term rental will take too much staff time.
- Long-term rentals don't require an inspection, why do short-term rentals?
- This will increase the cost of the permits.

5. ***Should the building department set occupancy limits?*** (Options: 1. Yes, no more than 2 people per bedroom; 2. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code); or 3. No, not needed. Owners of rentals set occupancy limit on online listings.)

Poll Results: 45% preferred a 2-per bedroom occupancy limit; 31% preferred a per bedroom plus some based on square footage of common areas; and 24% preferred no limit, not needed.

Discussion:

Comments for setting an Occupancy Limit

- Manages possible noise, trash and parking problems.
- Occupancy limits should be the same for hotels, short-term and long-term rentals.
- Need to manage for overcrowding.
- Glenwood is overcrowded, and there is a lack of housing.
- Safety is an issue when piling people in.

Concern

- How will it be enforced?

Suggestions/Consider

- Number of bathrooms is a factor for occupancy.
- What about large bedrooms, maybe base it on square feet.
- Parking should be a part of the STR permit process as it relates to occupancy.
- Must have local contact for permits, someone to contact if there is a violation.
- Residential parking permits would eliminate short term renters from parking on street.

- Enforce occupancy with renewal process, if break a rule the owner cannot renew their permit.
- Initiate a complaint system with penalties for reported problems.

Comments in opposition of setting an Occupancy Limit

- Self-regulating is fine.
- Occupancy is the home owner's responsibility.
- Owner shouldn't be responsible for renter's behavior.
- STRs are more affordable for groups, than hotels.

6. Do you support a Primary Resident requirement? (Options: 1. Yes, as primary resident (would require proof that it is owner's primary residence); 2. Yes, as part-time with minimum residency; or 3. No, not needed)

Poll Results: 57% preferred no residency requirement; 33% preferred a primary residency requirement.

Discussion:

Comments in support of Primary Residence requirement

(note: although the poll showed majority did not want this, most of the comments during discussions were about concerns that would lead to the requirement)

- Loss of housing in the city due to out-of-town owners buying up the houses.
- Outside owners/interests take money out of the community.
- City character changes with non-owner occupied STRs, particularly if owned by investment corporations; we are losing our small-town feel.
- Need local engagement with rental owners.
- Local owners connect with and contribute to the community.
- Unobserved short-term renters cause more damage to neighborhoods.
- Rules are harder to enforce with absentee owners, and absentee owners are not abiding by the rules; how does the City contact out-of-town owners with violations?
- Ensures homes aren't turned into party hotels.
- Helps address the declining availability of employee housing.
- Helps address the declining amount of affordable housing
- Improves control of issues and oversight of the property.
- Local owners contribute to the tax base and the community

Suggestions/Consider

- Consider seasonal employment needs when considering length of occupancy time.
- Regulations are unbalanced with how Bed & Breakfasts are required to have parking/on site manager etc., should be the same for vacation rentals.
- Consider a local ownership requirement instead of Primary Residency, perhaps the owner's primary residence must be in the 81601-zip code?

- Consider requiring use of a local management company instead of Primary Residency requirement.

Comments opposed to a Primary Residency Requirement, support no requirement.

- If property damage is the key concern, short-term renters are not as bad as long-term renters, and the average age of a short-term renter is 50 years old (more likely to not do major damage) which is older than long-term renters.
- Will be challenging to enforce.
- Would limit investment in the community.
- Many STR properties are too expensive for long-term renters, leaving property owners with little choice.
- Bars people from entering the rental ownership market.

APPENDIX A: Polling Results from the Meeting

Question/Answers	Results #	Results %
1. What should the Vacation Rental Application Fee be?	42	
Annual Fee - \$100 or less	1	2.4%
Annual Fee - \$100-\$300	19	45.2%
Annual Fee - \$300 or more	14	33.3%
One-Time - \$110 or less	4	9.5%
One-Time - \$120-\$300	4	9.5%
One-Time - \$300 or more	0	0%
Hybrid – Higher application fee, smaller annual fee	7	16.7%
2. How should Vacation Rentals be limited?	54	
City Wide numerical cap (ex. Max. 200 allowed in the city)	10	18.5%
Per block numerical cap per block (ex. Max 2 per block)	14	25.9%
Buffer distance between each (ex. Min 200 feet btwn)	1	1.9%
No limit	29	53.7%
3. How should Vacation Rentals be limited in Multifamily buildings with a single owner? (survey responses indicate a desire for limit)	49	
25% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 7 units, 2 vacation rentals for buildings with 8-11 units, 3 vacation rental permits for buildings with 12-15 units and so on.</i>	8	16.3%
20% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 9 units, 2 vacation rentals for buildings with 10- 14 units, 3 vacation rental permits for buildings with 15-19 units and so on.</i>	3	6.1%
15% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 13units, 2 vacation rentals for buildings with 14-19 units, 3 vacation rental permits for buildings with 19-26 units and so on.</i>	2	4.1%
10% of the unit total, or at least 1 <i>Example: 1 vacation rental for buildings up to 19 units, 2 vacation rentals for buildings with 20-29 units, 3 vacation rental permits for buildings with 30-39 units and so on.</i>	36	73.5%
4. Should Fire and Safety Inspections be conducted for Vacation Rentals?	50	
Yes, require them. Reinstituting building inspections does mean that property owners may have to complete some renovation work prior to receiving a permit.	41	82%
No, not needed Owners sign an affidavit stating that fire and building safety measures are met and accept all liability.	9	18%

Question/Answers	Results #	Results %
5. Should the building department set occupancy limits? This was previously identified by the Building department and listed on the permit for maximum persons.	51	
Yes, no more than 2 people per bedroom	23	45.1%
Yes, people per bedroom with additional in common areas based on square footage. (Based on International Property Maintenance Code)	16	31.4%
No, not needed. Owners of rentals set occupancy limit on online listings.	12	23.5%
6. Do you support a Primary Resident requirement? Some communities, such as Denver, Lyons, Boulder and Crested Butte require vacation rental property be the owners Primary Residence.	49	
Yes, as primary resident (would require proof that it is the owner's primary residence)	16	32.7%
Yes, as part-time with minimum residency	5	10.2%
No, not needed	28	57.1%

APPENDIX B: Small Group Facilitator Flip-Chart Notes

Small Group Facilitator Flip Chart Notes
<i>What should the Vacation Rental Application Fee be? (Options: 1. Annual fee of \$100 or less; 2. Annually \$100-\$300; 3. Annually \$300 or more; 4. One-time payment of \$110 or less; 5. One-time \$120 - \$300; 6. One-time \$300 or more; or 7. Hybrid-higher one-time fee with a smaller annual fee)</i>
<u>Comments for a Higher Fee:</u> • Charge a higher fee to provide more/better oversight of the program • Make it high enough to cover the cost of educating operators about their options • Should be more than \$300, this is a commercial purpose and that investment is recoverable in a couple of stays • Higher fee will make people more committed to their investment • It is for a commercial purpose the owner should be required to pay commercial property tax on top of any fees • High enough to cover the cost of administration to the City; taxpayers should not have to subsidize someone's private business • Higher fee (\$1000 annually): a. As a barrier of entry to reduce the number of "fly-by-night" owners who don't know how or won't run a professional business; and b. For the privilege of earning money in a residential neighborhood

- High enough to fund the city to enforce rules and reporting; ensure people accurately report number of rentals (e.g., not being able to say they rented it three times in a month when they actually rented it 20 times)
- Support for Annual fee: a. the expense to City happens every year; b. STRs owners should have to signoff each year on any new rules or procedures.

Comments for a Lower fee:

- Why should STRs pay an application fee if a hotel can just get a business / sales tax license for less money
- We pay both a sales tax and an accommodations tax; the City makes a ton of money on us, adding a fee is just getting greedy

Suggestion:

- Set a lower fee for smaller space (e.g., lower for renting a room versus a whole house)

How should Vacation Rentals be limited? (Options: 1. numerical cap - ex. max. 200 allowed in the city; 2. Numerical cap per block - ex. max 2 per block; 3. Buffer distance between each vacation rental - ex. min 200 feet btwn; or 4. No limit)

Comments for “No Cap”

Good to have NO Cap because:

- Provides homeowners with supplemental income (mentioned 4 times).
- Provides amenities not found in standard hotels (kitchens, washer/dryer, etc.)(mentioned 4 times).
- Not needed - The number of Short-Term-Rentals (STR) is self-limiting; the cap will be market driven. (mentioned 3 times)
- Cannot control quality of long-term neighbors, why control STRs?(mentioned 3 times)
- STRs provide affordable housing options for tourists
- Provides “local” experience for tourists.
- Properties are maintained to a higher degree than other properties (because of competition from other STRs and client comments)
- STRs are a small percentage of the overall housing
- STR guests contribute to the local economy – restaurants, shops, attractions

Suggestions/Consider

- Manage STRs through other regulations such as occupancy limits and inspections.

Concerns

- Setting caps lock out owners from the option of having an STR

Comments for a Cap

Good to implement a cap because:

- Limiting number of STRs may help with housing for locals.(mentioned 4 times)
- STRs are affecting the ability of local businesses to attract employees. (mentioned 3 times)
- STRs are raising the cost of housing in the city. (mentioned 3 times)
- Set a limit to protect neighborhoods
- There is a declining sense of community (mentioned 3 times)
- STRs create dead neighborhoods where neighbors do not know neighbors.
- There is an overwhelming number of STRs already in the city.
- STRs are driving down the economy.

Suggestions/Consider

- Consider how to address permit holders that do not actively rent out units. Open cap to those owners that will actually operate a STR.
- Local management needed to limit parties in STRs
- Like the Crested Butte method of capping STRs
- Greatest impact of STRs if felt in downtown neighborhoods
- There needs to be some due process to review STR permits

Concerns

- Limiting the number could drive up the average nightly rate for staying in an STR
- *Re: by-block option* - There is a challenge of limiting STRs by block – how is the size of a block determined?
- *Re: citywide option* - Setting a city-wide limit does not disperse STRs
- If you set a limit, how do you deal with the STRs already permitted?

Comments on Vacation Rentals Unrelated to Question

- If no parking is available don't issue STR permits
- Don't make owners responsible for the conduct of their guests; you don't do this for long-term rentals.
- Regulation of STR and LTR should be the same.

How should Vacation Rentals be limited in Multifamily buildings with a single owner? (Options: 1. 25% of the unit total, or at least 1; 2. 20% of the unit total, or at least 1; 3. 15% of the unit total, or at least 1; or 4. 10% of the unit total, or at least 1

Concerns

- Limits availability of housing for locals
- Tough to enforce
- Loss of affordable housing
- Parking issues with apartment buildings becoming hotels.
- Limits investment.
- Financing issues.
- There are too many regulations (City, VRBO, AirBnB)

Comments

- Market will determine (2)
- This is not an affordable housing issue; low wages are the issue, not short-term rentals
- Short term rentals benefits tourism, sales tax, occupancy tax and business.

Suggestions

- HOA should govern building limits. (2)
- Perhaps 1 per X number of units, instead of percentage.
- City should seek out advice on the issue.

Should Fire and Safety Inspections be conducted for Vacation Rentals? (Options: 1. Yes, require Fire and Safety Inspection for vacation rentals; or 2. No, not needed leave as is now.

Yes, Good to require

- We have older housing stock in Glenwood and therefore lots homes will not be up to today's standards, not fair to ask everyone upgrade
- Should have the exact same standard for inspections as hotels
- Inspections are needed for fire safety, it is important
- Inspections offer the people staying at that property a layer of protection
- People renting assume units are approved by the city, that it should be safe.
- Upgrading your house is the cost of doing business
- Inspections will regulate the total number of listings
- This is a commercial use and it should be treated like one.
- If a Certificate of Occupancy has already been issued it should be up to code and it should need an inspection
- Accessory Dwelling Units are required to have inspections, so vacation rentals should be required as well
- Since the time and code change, so should one's house and it should be brought up to code
- This will regulate the total number of rentals because not everyone will want to make the improvements

Suggestions

- Inspection should be conducted every other year
- Send a questionnaire every year asking the owner if they have made any improvements
- Inspections should be posted in the rental to show it is done and passed, including the number of occupants allowed

No, not needed

- Online ratings will self-regulate, if a house is not safe ratings will reflect that
- Inspecting every short-term rental will take too much staff time
- Long term renters don't require an inspection why do short term renters
- Why do long term rentals have no inspections, but short-term rentals do

- Renters will self-regulate on various websites if the property is not safe.... But, the bad owners ruin it for the good owners when it comes to inspection
- If inspections are required it will increase the cost of the permits

Should the building department set occupancy limits? (Options: 1. Yes, no more than 2 people per bedroom; 2. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code); or 3. No, not needed. Owners of rentals set occupancy limit on online listings.)

Comments for setting an Occupancy Limit

- Manages possible noise, trash and parking problems
- Easy to advertise the 2 per bedroom limit
- Occupancy should be equitable for both long term and short-term rentals, (i.e. hotel occupancy is set).
- Long term, short term and hotels should be equal in regulation.
- Need to manage for overcrowding, hard to do, but need to do it
- Glenwood is overcrowded
- With City Regulation, gives owner teeth to enforce/persuade limits.
- Same regulations as hotels.
- Helps with parking and noise impacts
- Safety is an issue when piling people in.
- A lack of housing in GWS overall.

Concerns

- What about large bedrooms, maybe base it on square feet.
- What happens when someone violates the limits? Hard to regulate.
- How will it be enforced? (2)

Suggestions/Consider

- Number of bathrooms is a factor for occupancy as well.
- Need building inspections.
- Enforce a parking limitation too
- Parking should be a part of the STR permit process as it relates to occupancy.
- Needs enforcement
- Must have local contact for permits, someone to contact if there is a violation.
- Could use parking regulations as way to enforce occupancy regulations.
- Residential parking permits would eliminate short term renters from parking on street.
- Enforce occupancy with renewal process, if break rule cannot renew permit.
- Should be a complaint system with penalties for reported problems.

Comments in opposition of setting an Occupancy Limit

- Self-regulating is fine
- Occupancy is the home owner's responsibility
- Owner shouldn't be responsible for renter behavior.

- Self-limiting through the advertising of what a home can accommodate.
- STRs are more affordable for groups, than hotels.

***Do you support a Primary Resident requirement?** (Options: 1. Yes, as primary resident (would require proof that it is owner's primary residence); 2. Yes, as part-time with minimum residency; or 3. No, not needed)*

Comments for a Primary Residence Regulation

- Loss of housing in the city due to out-of-town people buying up the houses.
- Don't want out of town owners.
- Outside interest takes money out of the community.
- No community connection with non-owner occupy.
- Need local engagement with rental owners.
- Local owners connect with and contribute to the community.
- No way to contact out-of-town owners.
- Vacation rentals creating a workforce housing shortage.
- Short-term renters cause more damage to neighborhood.
- Depends on how long the occupancy for a Primary Residence is (is 9 months too long?).
- Rules are harder to enforce with absentee owners, and they are not abiding by the rules.
- When corporations buy up investment properties the character will change.
- Losing the small town feel with increase in non-resident STRs; they will shape the future of GWS.
- Ensures homes aren't turned into party hotels.
- Reducing amount of employee housing availability.
- This could be a crisis in 10 years if nothing is done now to limit.
- Too many vacation rentals push up long term rental prices. (2)
- Owners need to be invested in the community.
- City needs to regulate.
- Improves control of issues and oversight.
- Local owners contribute to the Tax base and the community
- Need to keep the financial benefits of STRs in the City, not to outside investment companies.
- Short term rentals are causing the breakdown of rentals.

Suggestions/Consider

- Consider our seasonal employment when considering length of occupancy time.
- Regulations are unbalanced with how Bed and Breakfasts are required to have parking/on site manager etc., should be the same for Vacation Rentals.
- Want Local Ownership instead of Primary Residency, perhaps owner must be in 81601 zip code?
- Local Management Companies could be required instead of Primary Residency

Comments opposed to a Primary Residency Requirement, support no requirement.

- IRS has a 14-day occupancy limit for deduction purposes making an occupancy requirement less and less desirable for people who want to run a rental.
- Long term renters cause more damage to property
- Average age of STR is in 50's which is nicer than long term renter demographic.
- Enforcement and regulation of this seems challenging. (2)
- Would limit investment in the community.
- Many STR properties are too expensive for long term renters, leaving property owners with little choice.
- Houses are too expensive to break even with mortgages with long term renters.
- Bars people from entering the market.
- Too many loopholes in effectively regulating Primary Residence or part time residency.

Comment/Note Cards Submitted

- Whatever is decided by Council, hopefully there will be a follow up 1-2 years down the road to see if new policy is working and supported by the community.
- It is important to consider the financial contribution of short-term rentals to the City.

APPENDIX C: Agenda

**Glenwood Springs
Vacation Rentals Public Meeting
Community Center - 100 Wulfsohn Rd, Glenwood Springs
January 16, 2018; 6:00-8:00pm**

Meeting Objective: To gather detailed public input on what specific requirements are desired and how it maintains/improves community's quality of life; provide Council with further detailed information about residents' perspective regarding management of vacation rentals in Glenwood Springs.

6:00 Welcome, Agenda Preview, Meeting purpose

6:05 Presentation: The benefits and challenges of vacation rentals for Glenwood; and public survey results regarding possible regulations.

6:35 Gather Public Input: Sticky-Dot polling – To help direct small group discussions, participants will select a preference for each question (one sticky-dot per question).
Process: Participants will select and put a sticky-dot on their preferred answer.

6:45 Gather Public Input: Discussion – To gather more detailed input from as many people as possible, participants will rotate in small groups per question.
Process: World-Café – participants will rotate in small groups through four questions (15 minutes each) to provide more detail about a question and whether a certain requirement is important or not, and how it will help or hurt. Each question will have a staff facilitator to gather the input and ask probing questions. Participants are asked to spread out evenly among all questions to ensure more input/discussion is given to all questions.

1. What should the Vacation Rental Application Fee be?
 - a. Annual Fee
 1. \$100 or less, annually
 2. \$100-\$300, annually
 3. \$300 or more, annually
 - b. One-time payment
 1. \$110 or less, one-time
 2. \$120 - \$300, one-time
 3. \$300 or more, one-time
 - c. Application Fee (bigger one time) with annual fee (smaller renewal)
2. How should Vacation Rentals be limited? (Survey responses indicate desire for a numerical limit)
 - a. Numerical cap (ex. Max. 200 allowed in the city)
 - b. Numerical cap per block (ex. Max 2 per block)
 - c. Buffer distance between each vacation rental (ex. Min 200 feet btwn)
 - d. No limit
3. How should Vacation Rentals be limited in Multifamily buildings with a single owner? (survey responses indicate a desire for limit)
 - a. 25% of the unit total, or at least
Example: 1 vacation rental for buildings **up to 7 units**, 2 vacation rentals for buildings with **8-11 units**, 3 vacation rental permits for buildings with **12-15 units** and so on.
 - b. 20% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 9 units**, 2 vacation rentals for buildings with **10- 14 units**, 3 vacation rental permits for buildings with **15-19 units** and so on.
 - c. 15% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 13units**, 2 vacation rentals for buildings with **14-19 units**, 3 vacation rental permits for buildings with **19-26 units** and so on.
 - d. 10% of the unit total, or at least 1
Example: 1 vacation rental for buildings **up to 19 units**, 2 vacation rentals for buildings with **20-29 units**, 3 vacation rental permits for buildings with **30-39 units** and so on.
4. Should Fire and Safety Inspections be conducted for Vacation Rentals?
 - a. Yes, require Fire and Safety Inspection for vacation rentals. Reinstating building inspections does mean that property owners may have to complete some renovation work prior to receiving a permit.
 - b. No, not needed leave as is now. Owners sign an affidavit stating the fire and building safety measures are met and accept all liability.
5. Should the building department set occupancy limits? This was previously identified by the Building department and listed on the permit for maximum persons.
 - a. Yes, no more than 2 people per bedroom.
 - b. Yes, people per bedroom with additional in common areas based on square footage. (based on International Property Maintenance Code)
 - c. No, not needed. Owners of rentals set occupancy limit on online listings.
6. Do you support a Primary Resident requirement? Some communities, such as Denver, Lyons, Boulder and Crested Butte require vacation rental property be the owners Primary Residence.
 - a. Yes, as primary resident (would require proof that it is owner's primary residence)
 - b. Yes, as part-time with minimum residency
 - c. No, not needed.

7:50 Next Steps

8:00 Adjourn



Memorandum

To: Planning and Zoning Commission & City Council
From: Housing Commission
Date: February 13, 2019
Re: VACATION RENTALS

The Housing Commission reviewed current Vacation Rental program regulations, public opinion through an online survey and public meeting, as well as research on different municipal approaches provided by staff. After careful analysis of these issues and consideration of Comprehensive Plan goals and Housing Commission goals, the following recommendations are submitted for City Council consideration.

The Housing Commission's goal is to create a diversity of housing size and type, including homeownership and rental, in order to house Glenwood's workforce, Students, Retirees, and other populations as identified, including homeless population.

The City of Glenwood Springs's Comprehensive Plan includes several community goals that pertain to the topic and execution of vacation rental policy. Those are;

- Maintain small town character while maintaining the livability of Glenwood Springs
- Preserve and increase the vibrancy and commercial success of the Downtown
- Provide housing opportunities for the entire community
- Maintain Glenwood's role as a regional center
- Promote sustainable economic diversity
- Support social diversity

In order to uphold the Housing Commission Goal, as well as those outlined in the Comprehensive Plan, the Housing Commission seeks to recommend equitable solutions that protect public interests such as housing affordability, while retaining the economic benefits to the community and residents that vacation rentals can afford. Those recommendations are as follows.

Application Fee

The Housing Commission recommends a reoccurring fee, either annual or biennial depending on permit renewal timeline, for the operation of a Vacation Rental. The application fee would be required at time of initial application and at each subsequent renewal. The amount of the fee should be closely tied to staff time spent administering the program.

Building Inspections

Housing Commission recommends returning to the previous policy of requiring a building inspection to be completed prior to the issuance of a vacation rental permit, for compliance with life safety and building code measures. The frequency and interval of such inspections should be determined with consideration to staff time and capacity.

Multifamily Single Owner Building Limitations

The Housing Commission recommends the current policy of a 25% limit on the number of units in a single owner multifamily building that can operate as vacation rentals.

Numerical Limit on total Vacation Rentals

The Housing Commission recommends City Council review this topic and consider a limit on the number of vacation rentals. The growth capability of the vacation rental industry poses concerns for the availability of long term housing stock in Glenwood Springs. The Housing Commission recommends that City Council define what level of vacation rentals, based on a percentage of the housing stock, is appropriate for upholding the Community housing goals of Glenwood Springs.

Violations and Penalty Schedule

The Housing Commission recommends adopting a violation and suspension schedule similar to Georgetown and Green Mountain Falls Colorado that limits the number of violations that can occur before a vacation rental permit is revoked. This approach incentivizes compliance and poses clear terms for revoking a vacation rental permit. Currently the Director is given authority to revoke a permit with unclear parameters for when it should occur.

Excerpt from Green Mountain Falls Municipal Code:

All permitted short term rentals are subject to inspection under this Chapter. Licenses may be revoked or not renewed by the [Director] if license conditions and requirements are not met or if more than three (3) violations of license conditions or the requirements of this Chapter are found within one license year.

EXHIBIT H. Building Department Recommendation



Memorandum

To: City Council
From: Rick Fout, Building Official
GWS Building Department
Date: February 7, 2019
Re: VACATION RENTAL BUILDING INSPECTIONS

In response to public inclination for building inspections of Vacation Rentals as indicated in the online survey and public meeting, the Building Department submits these comments for consideration.

1. Requiring Inspections-

The Building Department supports renewing building inspections for vacation rental properties to check for, in general, existing serious life safety issues.

2. Inspection Frequency and type-

We recommend said properties should be inspected by the Building and Fire Department at time of application, and upon any renewal of permit (two years). Major inspection concerns from the Bldg. Dept. perspective include:

- (a) Appropriate egress openings (window or door), from all bedrooms.
- (b) Smoke alarms and CO alarms in all required locations (battery type OK).
- (c) Availability of a fire extinguisher and posted map to it plus all egress pts.
- (d) Safe condition of appliances, furnaces, hot water heaters, any flues, etc.
- (e) Present and appropriate interior and exterior stairway handrails and balcony guards.
- (f) Properly placed house numbers on front of building in plain sight of emergency responders, and any other serious life safety issues that exist.

3. Cost of Inspection-

Rather than going back to the random amount of \$94 we would like to raise the inspection fee to \$100. That would cover the staff's time in most cases, one hour in the field and one hour back at the office, at our standard charge of \$50 per hour.

4. Occupancy-

For a typical vacation rental (detached back-yard building or separate-entry portion of main residence) the type of occupancy is **Residential, Group R-3** under the general description as a "Boarding House (transient) with 10 or fewer occupants." The final total allowed being set by the inspector and the owner, and following the ICC's International Property Maintenance Code, specifically Section 404 (copies available).

EXHIBIT H. FIRE DEPARTMENT RECOMMENDATION



Memorandum

To: City Council
From: Greg Bak, Fire Protection Analyst
Glenwood Springs Fire Department
Date: February 7, 2019
Re: VACATION RENTAL BUILDING INSPECTIONS

In response to public inclination for building inspections of Vacation Rentals as indicated in the online survey and public meeting, the Fire Department submits these comments for consideration.

1. Requiring Inspections

The Fire Department strongly supports the idea of building inspections for vacation rental properties.

2. Inspection Frequency and type

We recommend said properties should be inspected by the Building and Fire Department at time of application, and upon any renewal of permit. Major inspection concerns from the fire perspective include:

- (a) Egress from the unit (as designed and maintained);
- (b) Access to the unit by fire and EMS crews;
- (c) Smoke/C-O detection and notification;
- (d) Availability of a fire extinguisher;
- (e) Safe use of heat-producing appliances;
- (f) Ensuring that the property OWNER understands that adherence to outdoor burning (recreational and cooking) regulations is the OWNER's responsibility. These regulations are readily available from the Fire Department.

3. Cost of Inspection:

Fire Inspections are performed free of charge. Since these properties are in actuality used for commercial purposes, if there is to be a plan review process I recommend the normal charge for such review.

4. Occupancy:

For a typical vacation rental (detached back-yard building or separate-entry portion of main residence) the type of occupancy is **Residential, Group R-3** under the general description as a "Boarding House (transient) with 10 or fewer occupants."

RESOLUTION 2017-54**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, PROVIDING AN AMNESTY PERIOD TO ALLOW THE LICENSING AND PERMITTING OF SHORT-TERM AND ACCESSORY TOURIST RENTALS.**

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) requires all owners of short-term and accessory tourist rentals in the City to be obtain business and sales tax licenses and a permit for the operation of their lodgings; and

WHEREAS, renting any property as a short-term or accessory tourist rental without first obtaining local business and sales tax licenses and a permit, and remitting all applicable local sales tax to the City is a violation of the Glenwood Springs Municipal Code and punishable by fines of up to \$1,000.00 each day; and

WHEREAS, the City’s staff performs regular review of publicly available information to locate unpermitted short-term and accessory tourist rentals in City, and in doing so, identifies short-term and accessory tourist rentals that have not been permitted or remitted applicable sales taxes; and

WHEREAS, the City Council for the City of Glenwood Springs finds and declares that it is in the public good and interest to provide an amnesty period for any un-permitted short-term and accessory tourist rentals to be licensed and permitted with the City in order to ensure the future, orderly collection of applicable sales taxes.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. Recitals. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Applicability. This Resolution shall apply to any short-term or accessory tourist rental unit within the City of Glenwood Springs that does not have a required sales tax license and/or permit as of the effective date of this Resolution.

Section 3. Amnesty Period. Any unlicensed and/or unpermitted short-term or accessory tourist rental within the City may apply for and receive the required licenses and rental permits without penalty if applied for by December 8, 2017.

Section 4. Affidavit. In receiving required licenses applicants shall be required to sign an affidavit regarding the minimum standards and inclusions required by the City and assuming responsibility for the safety of the rental for occupancy, as set forth on the attached **Exhibits A and B**, incorporated herein by this reference.

INTRODUCED, READ, AND PASSED THIS 2ND DAY OF NOVEMBER 2017.

CITY OF GLENWOOD SPRINGS, COLORADO



ATTEST:



Michael Gamba, Mayor

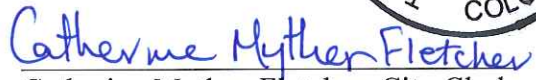

Catherine Mythen Fletcher, City Clerk

Exhibit A



SHORT TERM RENTAL PERMIT
APPLICATION

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, accessory tourist rental, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

GENERAL INFORMATION

OWNER:

Name: _____ Business/Tax License # _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

RENTAL PROPERTY INFORMATION:

Physical Address: _____

Complex Name.: _____

Number of Bedrooms: _____ Number of Dedicated Parking Spaces: _____

RESPONSIBLE PARTY: ☐ Owner ☐ Designated Responsible Party (below)

Name: _____ Company: _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

Exhibit A

AFFIDAVIT

By signing this Affidavit I represent that all information contained in this application is true and correct to the best of my knowledge and acknowledge and agree to abide by the requirements and restrictions of the Glenwood Springs Municipal Code as pertains to short-term rentals and affirm the following:

1. I have obtained a City of Glenwood Springs business and sales tax license as required under Title 050 of the Glenwood Springs Municipal Code and will promptly remit all applicable taxes in conformance with state and local law. If an individual or business entity acts as the Responsible Party, only one business license shall be required.

2. The rental of the property herein described is permissible under all applicable local zoning and land use regulations under the Glenwood Springs Municipal Code and any covenants and restrictions imposed by any owners' association with authority over the property.

3. I agree that the City of Glenwood Springs does not inspect accessory tourist rentals for conformance with applicable building codes prior to occupancy, that I am responsible for maintaining the property for health and safety, and to indemnify, defend, and hold harmless the City of Glenwood Springs, including its officers, agents, and employees, from any action resulting from damage, loss, injury, including death, of any occupant of the rental property herein described.

4. I have read and understand the requirements, restrictions, and standards of Section 070.040.120 of the Glenwood Springs Municipal Code and shall strictly comply therewith.

Note: A Short-term Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires the new property owner to apply for a new permit. Short-term rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner(s) Signature: _____ Date: _____
_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____ Date: _____

Application fee collected ☐ Amount: _____

Exhibit B



ACCESSORY TOURIST RENTAL PERMIT APPLICATION

Accessory Tourist Rental means the rental for monetary compensation of not more than one (1) bedroom for transient lodging to guests in those residential units which contain a minimum of two (2) bedrooms; is owner occupied or is occupied by a resident manager; and which comply with the provisions of Section 070.040.130 of the Glenwood Springs Municipal Code. This definition does not include a bed and breakfast or short-term rental.

GENERAL INFORMATION

OWNER:

Name: _____ Business/Tax License # _____

Mailing Address: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

RENTAL PROPERTY INFORMATION:

Physical Address: _____

Complex Name.: _____

Number of Bedrooms: _____ Number of Dedicated Parking Spaces: _____

(A minimum of two (2) bedrooms is required, one (1) for the resident manager or property owner to reside in and one (1) for guests.)

Provide a brief description of the bedroom that is to be used for the Accessory Tourist Rental. (For example, "upstairs back bedroom with two queen beds," or similar description.)

RESIDENT MANAGER: ☐ Owner ☐ Designated Resident Manager (below)

Exhibit B

(Either the property owner or a designated resident manager is required to live in the residential dwelling unit that will be used as an accessory tourist rental)

Name: _____

Phone No.: (home/office) _____ (mobile) _____

E-Mail Address: _____

AFFIDAVIT

By signing this Affidavit I represent that all information contained in this application is true and correct to the best of my knowledge and acknowledge and agree to abide by the requirements and restrictions of the Glenwood Springs Municipal Code as pertains to accessory tourist rentals and affirm the following:

1. I have obtained a City of Glenwood Springs business and sales tax license as required under Title 050 of the Glenwood Springs Municipal Code and will promptly remit all applicable taxes in conformance with state and local law. If an individual or business entity acts as the Responsible Party, only one business license shall be required.

2. The rental of the property herein described is permissible under all applicable local zoning and land use regulations under the Glenwood Springs Municipal Code and any covenants and restrictions imposed by any owners' association with authority over the property.

3. I agree that the City of Glenwood Springs does not inspect accessory tourist rentals for conformance with applicable building codes prior to occupancy, that I am responsible for maintaining the property for health and safety, and to indemnify, defend, and hold harmless the City of Glenwood Springs, including its officers, agents, and employees, from any action resulting from damage, loss, injury, including death, of any occupant of the rental property herein described.

4. I have read and understand the requirements, restrictions, and standards of Section 070.040.130 of the Glenwood Springs Municipal Code and shall strictly comply therewith.

Note: An Accessory Tourist Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires an application for a new permit. Accessory Tourist Rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner(s) Signature: _____ Date: _____

_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____

Date: _____

Application fee collected ☐

Amount: _____

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5
MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room ^{a,b}	No requirements	120	150
Dining room ^{a,b}	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.
2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.
4. The maximum number of occupants shall be three.

404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

EXHIBIT L. City Council 3/1/2018 Report and Minutes



City Council STAFF REPORT City of Glenwood Springs March 01, 2018

Agenda Item:	Discussion of changes to 070.040.120 and 070.040.130 regarding vacation rentals
Action Requested:	City Council requested that the public be invited to provide comments about proposed changes to the regulations and requirements for vacation rentals
Presented By:	Jenn Ooton, Economic and Community Development Director Gretchen Ricehill, Economic and Community Development Assistant Director Hannah Klausman, Planner II
Background Info:	On January 4, Council held a work session to discuss potential changes to the Code of Ordinances related to vacation rentals in the following categories: • Whether to allow accessory dwelling units to be used as short-term/accessory tourist rentals. • Percentage of multi-family buildings under single ownership allowed to be rented as a short-term/accessory tourist rental • Permit expiration Subsequent to the work session in January, Council indicated a desire to take public comment on potential changes to regulations around short-term rentals. This staff report is provided as background for that public comment. (It addresses the first two bulleted items, but does not revisit the permit expiration.) The Municipal Code currently does not allow accessory dwelling units (ADUs) to be rented as short-term or accessory tourist rentals. Short-term rentals are defined as rentals for an entire dwelling unit for a period of less than 30 days. Accessory tourist rentals are those vacation rentals in which a single room is rented. City Council at the Jan. 4, 2018, work session indicated interest in allowing either a primary house on a property or the ADU on the property to be rented as a vacation rental, but not both. The draft ordinance attached with this staff report represents potential changes to 070.040.120 Short Term Rentals and 070.040.130 Accessory Tourist Rentals that were discussed at the work session, and is attached here only for discussion purposes. The ordinance as drafted would allow either the primary dwelling or an ADU to be rented as a vacation rental. In the case of accessory tourist rentals, the ordinance proposes to clarify language allowing for the bedroom rental when the residential dwelling unit is occupied by a long-term tenant. Currently, the

code technically allows for an accessory tourist rental only when the dwelling unit is occupied by the property owner or by a resident manager.

When first created in the late 1990s, City Council recognized the need to provide long-term attainable housing throughout the entire community. In exchange for creating small affordable housing units, a property owner is given the opportunity to build a small unit on their property where, in many zone districts, one would otherwise not be allowed. ADUs are currently charged 0.25 EQR in water and sewer system improvement fees, in part to incentivize the construction of these smaller units. In January, City Council did not give direction regarding changing this rate if ADU's are removed from the attainable housing inventory and converted to vacation rental use.

At the January work session, City Council indicated an interest in changing the percentage of short-term rentals and accessory tourist rentals allowed to be rented within multi-family residential projects in single ownership downtown. City Council also discussed a scaled option based on the number of residential units. Currently, the Development Code states that no more than 25 percent (but at least one unit) of multi-family residential buildings under single ownership can be rented as short-term/accessory tourist rentals.

The draft ordinance proposes changes within the C/2 Commercial Core that would allow the first four units of a multi-family residential project to be rented as vacation rentals and an additional 50 percent of units in multi-family buildings with 5-8 units to be rented as vacation rentals, in addition to the initial four. It would allow an additional 25% of the units in excess of eight to be rented as vacation rentals for residential properties that have 9 or more units. (See Exhibit A attached). All other zone districts would remain limited to the existing 25 percent stipulation for allowable short term rental units unless changed by Council.

For clarity, staff has included the definitions for these categories, as well as other similar land uses, below.

Short Term Rental: (allowed in all zones)

The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel.

Accessory Tourist Rental: (allowed in all zones)

The rental for monetary compensation for any period of less than thirty (30) consecutive day, of not more than one (1) bedroom in those residential dwelling units which contain a minimum of two (2) bedrooms; are owner-occupied or occupied by a resident manager.

	Hotel: (prohibited in residential zones) A building or group of buildings where transient lodging is offered in bedrooms, sleeping rooms, and dwelling units. The building or buildings may include accessory facilities such as parking, restaurants, meeting rooms, on-site check in lobbies, recreation areas or similar facilities commonly associated with lodging. The term "hotel/motel" does not include bed and breakfast, short term rental or an accessory tourist rental. Bed & Breakfast: (SUP in Residential Zones) <u>A detached single-family dwelling, which is owner-occupied or occupied by a resident manager, where individual bedrooms are offered as single accommodations to guests for transient lodging and which facility includes incidental eating and drinking service from a single kitchen serving only residents and guests and is not operated in the manner of a commercial restaurant, or as a facility for commercial activities such as for-profit private parties or receptions, retail sales or similar activities.</u>
Issues:	None.
Action Alternatives:	Provide direction on one or more of the topics above.
Staff Recommendation:	None. Discussion Only.

Exhibit A: Multifamily Unit Examples

4 Unit Building (All 4 STR/ATR)

1	2
3	4

6 Unit Building (5 STR/ATR)

1	2
3	4
50% beyond 4	Long Term

8 Unit Building (6 ATR/STR)

1	2
3	4
50% beyond 4	50% beyond 4
Long Term	Long Term

9 Unit Building (8 ATR/STR)

1	2	3
4	5	6
7	8	Long Term

10 Unit Building (8 STR/ATR)

1	2	3
4	5	6
7	8	Long Term
Long Term		

12 Unit Building (9 STR/ATR)

1	2	3
4	5	6
7	8	25% beyond 4
Long Term	Long Term	Long Term

KEY

Short Term
Additional Short Term
Long Term

ORDINANCE NO. ____

Series of 2018

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING THE GLENWOOD SPRINGS MUNICIPAL
CODE REGARDING THE REGULATION AND PERMITTING OF
SHORT-TERM AND ACCESSORY TOURIST RENTALS IN THE CITY.**

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) is a home-rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code set forth the City’s regulations and permitting requirements for the operation of short-term and accessory tourist rentals within the City, as those terms are currently defined; and

WHEREAS, the City’s current system of regulation prohibits the permitting of a single property as both a short-term and accessory tourist rental and, furthermore, restricts the overall percentage of multi-family dwellings that may be permitted as for such uses; and

WHEREAS, the Glenwood Springs City Council desires to expand the number and classifications of dwelling units that can be permitted as short-term and accessory tourist rentals and, by doing so, to allow for greater opportunities for property owners to use their properties and visitors to the City to enjoy the City and its amenities; and

WHEREAS, the Glenwood Springs City Council finds and declares that the amendments to the Glenwood Springs Municipal Code regarding short-term and accessory tourist rentals set forth herein are proper in light of the reasonable needs and desires of the City and in the promotion of the public health, safety, and welfare of the City’s residents and visitors.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GLENWOOD
SPRINGS, COLORADO, ORDAINS THAT:**

Section 1. The forgoing recitals are incorporated herein as if set forth in full.

Section 2. Section 070.040.120 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.120 - Short Term Rentals.

- (a) *Intent.* The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short term rentals offers additional diversification to the resort and travelling professional accommodations market. However,

due to the potential for adverse impacts, short term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.

- (b) *Applicability.* The requirements of this section shall apply to any residential dwelling unit within the City of Glenwood Springs. This section does not apply to any residential use within a planned unit development unless specifically listed as a use allowed by the planned unit development. Nor does this section apply to any dwelling unit permitted as an accessory dwelling unit.

- (c) *Definition.* As used in this section, the following term shall have this meaning ascribed to it:

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

- (d) *Requirements, Restrictions, and Standards.* The following requirements, restrictions, and standards shall apply to short term rentals:

- (1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short term rentals.
- (2) There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short term rental. The designated responsible party may be the owner of the property.
- (3) The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
- (4) The owner or responsible party is responsible for ensuring the short term rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in residential property. ~~The property owner, responsible party, or other persons shall not reside in the short term vacation rental unit during periods of short term rental; however, the property owner or permanent tenants not part of the short term rental party may occupy the accessory dwelling unit on the property as their residence.~~
- (5) The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.
- (6) Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.
- (7) On properties with an accessory dwelling unit, only either the primary dwelling or the accessory dwelling unit on the property, but not both, shall be eligible for a short term rental permit.
- (8) All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

- (9) The owner shall be responsible for ensuring that the short term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and responsible parties shall make arrangements for proper garbage, refuse, and trash collection.
- (10) The following information must be posted in a prominent and visible location in the short term rental:
- City of Glenwood Springs license(s) and short term rental permit;
 - Contact information for owner and/or responsible party, including a phone number for 24 hour response to emergencies;
 - Description of location of fire extinguishers and emergency egress; and
 - Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- (11) Multi-family buildings on a single lot and under single ownership shall have the following district regulations:
- C/2 Commercial Core:
 - The first four (4) units may be permitted as short term rentals;
 - In multi-family buildings having five (5) to eight (8) units, no more than fifty percent (50%) of the units in excess of four (4) may be permitted as short term rentals;
 - In multi-family buildings having more than eight (8) units, no more than twenty-five (25%) of the units in excess of eight (8) may be permitted as short term rentals.
 - In all other zone districts, no more than twenty-five percent, but at least one (1) unit may be permitted as short term rentals.
- ~~In a multi-family building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as a short term rental.~~
- (12) All advertising of a short term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short term rental permit number and business license number.
- ~~(13) A property owner may not be issued both a short term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short term rental, he or she may do so by filing an application for an accessory tourist rental in accordance with Section 070.040.130—accessory tourist rentals. Upon issuance of a new accessory tourist rental permit, the existing short term rental permit is automatically revoked.~~
- (e) *Application requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional

information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code including, but not limited to, building code and inspection requirements.

- (f) *Short Term Rental Permit.* All short term rentals shall require a permit from the Community Development Director. This permit shall only be issued after the short term rental application has been approved in accordance with the Glenwood Springs Municipal Code and shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. ~~Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years. Permit fees shall be set by resolution of City Council.~~
- (g) *Revocation of Permit.* A short term rental permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this section or any other section of the Glenwood Springs Municipal Code.
- (h) *Appeals.* Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

Section 3. Section 070.040.130 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.130 - Accessory Tourist Rentals.

- (a) *Intent.* This section provides standards for the establishment of accessory tourist rentals, which are intended to provide an option for property owners of residential dwelling units to rent a single bedroom in their home for compensation to guests for stays of less than thirty (30) days.

The City's Comprehensive Plan recognizes and encourages policies to retain the City's tourism industry while maintaining the City's small town character through the preservation of its residential neighborhoods. The allowance and regulation of low impact tourist accommodations provides an additional lodging option for travelers who wish to vacation in a residential setting, and a source of supplemental income to homeowners, while still ensuring the protection of the public health, safety and welfare.

- (b) *Applicability.* The accessory tourist rental is accessory to the primary use of a residential dwelling unit as a residence for families/households. An accessory tourist rental use shall only be allowed upon issuance of an accessory tourist rental permit and shall not be allowed within a planned unit development unless specifically listed as an allowed use in the planned unit development. An accessory tourist rental permit shall not be allowed in any accessory dwelling unit.
- (c) *Definitions.* As used in this section, the following terms shall have the meanings ascribed below:

Accessory tourist rental means the rental for monetary compensation of ~~not more than one~~ (1) or bedrooms for transient lodging to guests in those residential dwelling units which contain

a minimum of two (2) bedrooms; are owner-occupied, occupied by a long-term tenant, or occupied by a resident manager; and which comply with the provisions of this section.

Bedroom means an enclosed space within a dwelling unit that is designed or could be used for sleeping purposes and which may also contain closets and have access to a bathroom, but which has a permanent door permitting complete closure and separation from all kitchen, living room, and hallway areas.

Resident means a person or family who lives and sleeps in a place with intention to establish his domicile or permanent residence.

Resident manager means a resident who is authorized by the owner of a property to oversee the day-to-day function and operations of the owner's property.

Transient lodging means the occupancy of a bedroom, sleeping unit, or a dwelling unit for compensation to any person(s), partnership, association, corporation, estate, representative, or any other combination of individuals by whatever name known, for any period of less than thirty (30) consecutive days under any concession, permit, right of access, license to use or other agreement, or otherwise.

(d) *Requirements, Restrictions, and Standards.* The following requirements, restrictions, and standards shall apply to accessory tourist rentals:

- (1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict property owners from engaging in the rental of their home or a portion of their home for periods of less than thirty (30) days.
- (2) The owner of the property or a resident manager must reside within one (1) of the bedrooms within the dwelling unit which is to be used as the accessory tourist rental and shall be present on the premises for the duration of the rental.
- (3) The owner shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
- (4) The owner is responsible for ensuring the accessory tourist rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in a residential property.
- (5) The owner is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.
- (6) Use and Occupancy Restrictions. The accessory tourist home is further restricted in use as follows:
 - a. Parties renting ~~the designated bedroom for transient~~ an accessory tourist rental shall have access to a private or shared full bathroom.
 - ~~b. Guest stays may only occur within the dwelling unit that the owner or resident manager occupies.~~
 - ~~c. The use is limited to one (1) designated bedroom with a maximum occupancy for two (2) people.~~
 - ~~d.~~ b. The bedroom used for guest stays shall not include a kitchen or partial kitchen.

- ec. Occupancy of the accessory tourist rental shall not exceed the occupancy allowed for single-family use as defined in the Glenwood Springs Municipal Code, i.e. one (1) or more persons living together on the premises of a dwelling unit, but it shall not include more than five (5) persons unrelated by blood or marriage. Occupancy limits shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.
- f. Residential units eligible for an accessory tourist rental permit shall not be issued or hold permits for another land use that would further impact traffic at the site of the accessory tourist rental, including special use permits for another land use per the applicable zone designation of the property, or a license or permit issued through another regulatory agency; except that properties issued a special use permit for a single-family dwelling in the Hillside Preservation Overlay zone district or minor home occupation permit shall be eligible for an accessory tourist rental permit.
- (7) On properties with an accessory dwelling unit, only either the primary dwelling or the accessory dwelling unit on the property, but not both, shall be eligible for an accessory tourist rental permit and the owner, long-term tenant, or resident manager must reside in the dwelling unit used as the accessory tourist rental.
- (8) All vehicles associated with the single-family residence and accessory tourist rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
- (9) The owner shall be responsible for ensuring that the accessory tourist rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.
- (10) The following information must be posted in a prominent and visible location in the designated bedroom permitted as an accessory tourist rental:
- City of Glenwood Springs' license(s) and accessory tourist rental permit;
 - Contact information for owner and/or resident manager, including phone number for twenty-four (24) hour response to emergencies;
 - Description of location of fire extinguishers and emergency egress; and
 - Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- (11) Multi-family buildings on a single lot shall have the following district regulations:
- C/2 Commercial Core:
 - The first four (4) units may be permitted as accessory tourist rentals;
 - In multi-family buildings having five (5) to eight (8) units, no more than fifty percent (50%) of the units in excess of four (4) may be permitted as accessory tourist rentals;

(iii) In multi-family buildings having more than eight (8) units, no more than twenty-five (25%) of the units in excess of eight (8) may be permitted as accessory tourist rentals.

b. In all other zone districts, no more than twenty-five percent, but at least one (1) unit may be permitted as accessory tourist rentals provided the owner, long-term tenant, or resident manager occupies the accessory tourist rental.

~~In a multi-family building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as an accessory tourist rental provided the owner or resident manager occupies the accessory tourist rental.~~

(12) All advertising of an accessory tourist rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs accessory tourist rental permit number and business license number.

~~(13) A property owner may not be issued both an accessory tourist rental permit and a short term rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted accessory tourist rental, he or she may do so by filing an application for a short term rental permit in accordance with Section 070.040.120 Short Term Rentals. Upon issuance of a new short term rental permit, the pre-existing accessory tourist rental is automatically revoked.~~

(e) *Application requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(f) *Accessory Tourist Rental Permit.* All accessory tourist rental uses shall require a permit from the Community Development Director. This permit shall only be issued after the residential dwelling unit and bedroom designated for transient lodging has been approved in accordance with the Glenwood Springs Municipal Code. The accessory tourist rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. ~~Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.~~ Permit fees shall be set by resolution of City Council.

(g) *Revocation of Permit.* An accessory tourist home permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this section or any other section of the Glenwood Springs Municipal Code.

(h) *Appeals.* Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED PUBLISHED
BY TITLE ONLY THIS 1ST DAY OF MARCH 2018.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS 15TH DAY OF MARCH 2018.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MARCH 1, 2018
101 W. 8TH STREET
6:00 P.M.

9 Roll Call

Mayor Mike Gamba called the meeting to order at 6:00 p.m. Present at roll call: Shelley Kaup, Rick Voorhees, Steve Davis, Jonathan Godes, Jim Ingraham and Todd Leahy.

Also present were Debra Figueroa, City Manager; Karl Hanlon and Jon Hoisted, City Attorneys; Jennifer Ooton, Assistant City Manager; Jill Peterson, Deputy City Clerk; Gary Tillotson, Fire Chief; Terri Partch, City Engineer; Gretchen Ricehill, Assistant Economic and Community Development Director; Steve Boyd, Finance Director; Brian Smith, Director of Parks and Recreation.

10 Pledge of Allegiance

Mayor Gamba led in the Pledge of Allegiance.

11 Citizens Appearing Before Council. (For items NOT on Agenda - comments limited to 3 minutes)

Rachel Windh spoke about the need for Arts and Culture programs in the city.

Chris Stuben noted that he felt that some trees were in violation of the municipal code and took care of them.

Diane Steuben requested that members of the Council drive between the Sunlight Bridge and Sopris Elementary School to observe the condition of the road before taking action on conducting an engineering study for the rebuild of South Midland.

12 Agenda Changes

Item 14 the city council appointment was removed as it was considered on February 28.

Item 16a was removed and will be considered at a future meeting.

13 Council Comments

Mayor Gamba noted he was not opposed to a full reconstruction of Midland Avenue and clarified the South Bridge project was not a \$100 million-dollar project, it was a \$45 million-dollar project which would require additional partners for the project.

14 City Council Appointment

The item was removed from the agenda as an appointment to the Councilor At-Large seat occurred at a special meeting on February 28, 2018.

15 Swearing in of Newly Elected Council Members

Jill Peterson issued the oath of office to new City Council member, Jim Ingram. The council members welcomed Mr. Ingraham to serve as councilor to fill the At-large seat until April 2019.

15a Election of Mayor Pro-Tem

Councilor Davis nominated Councilor Leahy as the next Mayor Pro Tem as he had previously served in this capacity prior to Kathryn Trauger. Jim Ingraham seconded the nomination.

Councilor Godes nominated Councilor Kaup as he saw this as a great leadership role for Shelley.

Councilors Kaup and Leahy accepted the nomination.

Jill Peterson read the results:

Kaup: Godes, Voorhees, Kaup

Leahy: Davis, Gamba, Ingraham, Leahy

Councilor Leahy was elected as Mayor Pro Tem.

16 Consent Agenda:

- A. Receipt of Minutes of the February 15, 2018 Regular Meeting
- B. Community Garden Renewal Agreements
- C. Award of Bid – BD 2018-007, 2018 Police Package Full Size SUV
- D. Award of Bid – BD 2018-010, 2018 #2500 HD ¾ ton 4x4 Pickup with a Snow Plow
- E. Award of Bid – BD 2018-011, #3500 HD Extended Cab Pickup
- F. Award of Bid – BD 2018-012, Extended Cab, Mid-Size or Compact 4X4 Pickup
- G. Ordinance No 5, Series of 2018; An Ordinance of the City of Glenwood Springs, Colorado, Repealing Section 050.050.020 of the Glenwood Springs Municipal Code Regarding Bicycle Licenses (SECOND READING)
- H. Ordinance No 6, Series of 2018; An Ordinance of the City of Glenwood Springs, Colorado, Amending 020.020. of the Glenwood Springs Municipal Code Regarding Number of Commissioners and Powers and Duties of the River Commission (SECOND READING)
- I. Agreement with Northslope Capital Advisors
- J. Extension of Fee Waivers in 2018 for Outdoor Seating on Public Sidewalks & Public Plaza Areas
- K. Resolution 2018-10; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Authorizing the Mayor or Mayor Pro-tem to Execute Closing Documents Related to the Sale of Property at 413 9th Street, Glenwood Springs, Colorado

Mayor Pro-Tem Leahy moved, seconded by Councilor Voorhees, to approve the consent agenda excluding item 16a which had been removed.

The Motion passed unanimously.

17 Land Access and Lease Option Agreement South Canyon

Karl Hanlon presented a draft lease option for the exploration and potential development of some facilities in South Canyon. The agreement is a lease option which would allow Canyon Hot Springs to access the property for exploration and assessment initially with a termination date of July 31, 2018. If

the Leasee wished to pursue an application. The application term would commence on August 1, 2018 and terminate on July 31, 2019

Brian Smith, gave a brief history on the amenities in South Canyon and the need to manage the area better to provide a benefit to the public. This lease allows Canyon Hot Springs the ability to test the area to see if future development is a viable option.

Steve Beckley, stated that the next year would be spent exploring and testing soils and wells. If the exploration indicates there is a viable option, an application would be submitted to both the City and the County for the appropriate approvals which would include a public comment period.

Mayor Gamba opened the item for public comment.

Gerald Olt spoke against the project. He was concerned about the wildlife and the historical significance of the area.

Tye Richardson expressed concern about the fire danger in the proposed camp grounds and the wildlife.

Craig Amichaux had concerns regarding the coal seam and high fire danger.

Ken Ransom noted there were lots of Hot Springs operators in the State and asked if an asset this large should be put out to bid. He was concerned with the potential developer paying the City 5% of the gross revenue generated on the leased area.

Bruce Stuben was concerned with the wildlife and the shifting ground.

Mayor Gamba closed public comment.

After further discussion, the Council directed the City Attorney to make revisions to the lease to allow for City termination of the lease and contingencies on the gross percentage of revenues generated.

Councilor Kaup moved, seconded by Councilor Davis, to continue the Land Access and Lease Option Agreement in South Canyon with direction to the City Attorney to make the discussed revisions.

The Motion passed unanimously.

18 Discussion of Amendments to Sections 070.040.120 and 070.040.130 Regarding Vacation Rentals

Jenn Ooton gave a brief history on vacation rentals. Based on prior Council direction, an Ordinance was drafted to allow the option for either the primary dwelling or an accessory dwelling unit (ADU) to be rented as a vacation rental, but not both. Council had also directed to allow an increase in the number of units within a multi-family building that could be used for a vacation rental.

Mayor Gamba opened the item for public comment:

Kevin Brady stated he was opposed to the changes as it might drastically change the number of vacation rentals which had an impact on housing.

Clark Anderson stated he was both a resident and owned a multi-family building with vacation rentals in the downtown. He felt housing affordability was a market issue and that the lack of rentals affected affordability. He stated there is a need for real people to be able to live in the downtown.

Damon Arreyondo commented that he was concerned with allowing ADU's to be used for vacation rentals as the units are lost to long term renters. He stated workers spend their dollars in the City. Taxes for vacation rentals should be the same as hotels.

Ken Murphy said he has seen the numbers from the VRBOS and there is growth but it affects staffing, employees, parking and housing and he would like to talk more about the impacts and managing proponents.

Joel Belmont liked the idea and wants to encourage the use of an ADU.

Ingrid Wussow noted pros and cons for both ADU's and long-term rentals and there would need to be a good sense of balance.

Michael Dunn noted that this ordinance would reduce the housing supply and employees are needed to service the visitors.

Jennifer Vanian commented on the vacation rental business.

Brad Hancock noted the original intent of ADU was for affordable housing. Does not feel that the City should be restraining what people do with their property. He was concerned about the parking.

Marco Dehm, here as a citizen. He supports the ADU change. Think you should be able to rent ADU. Cannot support the Multifamily change

Mayor Gamba closed public comments.

Councilor Kaup moved, seconded by Councilor Ingraham, to table this item and to allow staff to conduct community outreach and further research on short term rentals.

The Motion passed unanimously.

19 Report from City Administration

- A. City Manager:
 - Opportunity Zones
 -

The Opportunity Zones program was enacted as part of the 2017 tax reform package to address uneven economic recovery and lack of growth. This provides a tax incentive for investors to reinvest unrealized capital gains into low-income urban and rural communities.

- B. City Attorney:

No comments were noted by the City Attorney.

20 Executive Session to Conduct a Conference with the City Manager and City Attorney for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e), related to Former Library Building, CDOT IGA, and West Glenwood Mall

Mayor Gamba requested a motion to move into executive session at 9:18 p.m.

Councilor Godes moved, seconded by Councilor Kaup, to go into executive session for the Purpose of Discussing the City's Purchase, Acquisition, Lease, Transfer or Sale of Real Property; Determining Positions Relative to Matters That May be Subject to Negotiations, Developing Strategy for Negotiations, and Instructing Negotiators; and to Conduct a Conference with the City Attorney to Receive Legal Advice in Accordance with C.R.S. 24-6-402(4)(a), (b) and (e) related to the Former Library Building, CDOT IGA, and West Glenwood Mall

The executive session was adjourned at 10:10 p.m.

21 Contract for Sale of Former Library Building – 413 9th Street

Councilor Godes moved, seconded by Councilor Kaup to modify the terms of the contract to pay 50% of additional repair costs not to exceed \$15,000.

Ayes: Gamba, Kaup, Godes, Davis, Ingraham, Leahy

Nays: Voorhees

22 Adjournment

The meeting was adjourned at 10:13 p.m.

EXHIBIT M. Police Complaints

Date Issued	Address	Date	Incident type	Incident/Case #	Call Type	Disposition	Comments
9/10/2018	1104 Blake Avenue	10/10/2018	Abandoned Vehicle	18-18749	Dispatched	Red Tag	
1/6/2015	210 7th Street	8/19/2018	Suspicious Event	18-15359	Officer Initiated	Warning	
		7/26/2018	Parking Prob/Comp	18-13936	Dispatched	UTL	
6/24/2013	815 Blake Avenue	7/25/2018	Code Violation	18-13865	Officer Initiated	Warning	Bushes
		7/20/2017	Parking Prob/Comp	17-15968	Dispatched	Warning	
		7/6/2017	Parking Prob/Comp	17-14772	Dispatched	n/a	
		3/15/2017	Code Violation	17-5650	Officer Initiated	Warning	illegal Dumping
		2/10/2016	Parking Prob/Comp	16-2894	Dispatched	Ticket	
		8/13/2015	Parking Prob/Comp	15-14055	Dispatched	Ticket	
		11/4/2014	Parking Prob/Comp	14-18216	Dispatched	Ticket	
		7/12/2013	Parking Prob/Comp	13-10932	Dispatched	Ticket	
5/31/2018	814 Minter Avenue	7/14/2018	Abandoned Vehicle	18-13239	Dispatched	n/a	
4/12/2018	815 Pitkin Avenue	7/17/2018	Assist Citizen	18-13394	Dispatched		Tree Branches on Powerline
		6/12/2018	Harassment	18-10992	Dispatched	Warning	
		4/29/2018	Code Violation	18-8060	Officer Initiated	Warning	trash
3/14/2013	315 Sunny Hills Lane	9/19/2018	Civil	18-17501	Officer Initiated	n/a	
		9/19/2018	Civil	18-17495	Officer Initiated	UTL	
		1/10/2017	Alarm	17-852	Burglary Alarm	False Alarm	
		9/17/2016	Alarm	16-18114	Dispatched	n/a	
		3/29/2016	Animal	16-5822	Dispatched	n/a	
		7/29/2015	Code Violation	15-12895	Officer Initiated	Summons	Trash
		7/28/2015	Trespass	15-12861	911 Dispatch	unfounded	
		3/13/2014	Alarm	14-3683	Dispatched	False Alarm	
		1/1/2014	Alarm	14-46	Dispatched	False Alarm	
		12/12/2013	Alarm	13-18820	Dispatched	False Alarm	
		12/11/2013	Alarm	13-18745	Dispatched	False Alarm	
		12/11/2013	Alarm	13-18739	Dispatched	False Alarm	
		12/8/2013	Alarm	13-18593	Dispatched	False Alarm	
		9/9/2013	Alarm	13-14238	Dispatched	False Alarm	
2/20/2018	1202 Pitkin Avenue	3/21/2018	Suspicious Event	18-5392	911 Dispatch	UTL	
2/12/2018	837 Stoneridge CT	10/18/2018	Code Violation	18-19313	Dispatched	call serviced	nieghbor AirBB parking issues
		6/11/2018	Civil	18-10891	Dispatched	call serviced	

11/22/2017	906 Cooper Avenue	5/31/2018	Code Violation	18-10152	Dispatched	call serviced	Oil Spill
12/13/2013	802 Garfield Avenue	4/29/2018	Code Violation	18-8070	Officer Initiated	Ticket	trash can
		8/7/2016	Noise Complaint X2	16-14801	Dispatched	Warning	
		7/8/2016	Civil	16-12534	Officer Initiated	n/a	civil standby
		10/7/2015	Theft/Larceny	15-18010	Dispatched	Report/Case	Theft of items while guest stayed there
		6/3/2015	Animal	15-9042	Dispatched	n/a	dog call
		2/6/2015	Parking Prob/Comp	15-2135	Officer Initiated	Warning	
		5/1/2014	Bear Call	14-6123	Officer Initiated	Warning	Bear trash
12/4/2017	712 Bennett Avenue	4/12/2018	Parking Prob/Comp	18-6928	Officer Initiated	Red Tag	
12/7/2017	740 Palmer Ave Unit A	4/11/2018	Bear Call	18-6806	Officer Initiated	Ticket	Bear trash
12/4/2017	413 22nd St	8/5/2018	Welfare Check	18-14557	Dispatched	call serviced	
10/10/2017	1132 Walz Ave	3/17/2018	Assist EMS	18-5071	911 Dispatched	call serviced	
		10/19/2017	Assist EMS	17-25180	911 Dispatched	call serviced	
		10/18/2017	Animal	17-25082	911 Dispatched	call serviced	Bear at large
1/31/2014	115 1/2 3rd Street	7/16/2017	Citizen Assist	17-15610	Dispatched	call serviced	
		5/18/2016	Code Violation	16-8681	Officer Initiated	call serviced	unknown
		3/17/2016	Suspicious Event	16-5189	Dispatched	call serviced	
		5/20/2015	Animal	15-8087	Officer Initiated	Warning	
		3/4/2015	Sex Offender Reg.	15-3695	Officer Initiated	call serviced	
		9/15/2014	Bear Call	14-15067	Dispatched	call serviced	Bear at large
10/29/2013	1112 Walz Avenue	8/30/2017	Bear Call	17-20345	Officer Initiated	PA issued	
		7/25/2017	Citizen Assist	17-16379	Officer Initiated	call serviced	
		9/4/2014	Bear Call	14-14402	Officer Initiated	call serviced	
4/21/2014	550 Greenway Drive	7/29/2016	Assist	16-14148	Dispatched	call serviced	
		7/28/2016	Missing Person	16-13970	Dispatched	call serviced	
12/5/2015	1023 Bennett Avenue	8/19/2017	Suspicious Event	17-18920	Dispatched	Warning	
10/10/2012	1318 Pitkin Avenue	12/28/2017	Abandoned Vehicle	17-29759	Officer Initiated	Red Tag	
		12/15/2017	Parking Prob/Comp	17-29048	Officer Initiated	Red Tag	
		12/13/2017	Parking Prob/Comp	17-28938	Officer Initiated	Red Tag	
5/6/2013	1028 Bennett Avenue	12/29/2017	Abandoned Vehicle	17-29790	Officer Initiated	Red Tag	
		5/8/2016	Abandoned Vehicle	16-8133	Dispatched	Red Tag	
		5/7/2016	Parking Prob/Comp	16-8094	Dispatched	call serviced	
		1/18/2016	Abandoned Vehicle	16-1187	Officer Initiated	Red Tag	

1530

9/15/2015 1017 Cooper Avenue	10/5/2018 Assist Citizen	18-18457	Dispatched	call serviced	
	8/16/2018 Harassment	18-15202	Dispatched	call serviced	
	5/9/2018 Harassment	18-8703	Dispatched	call serviced	
	12/30/2016 Code Violation	16-26050	Officer Initiated	Warning	unknown
	10/3/2016 Trespass	16-19338	911 dispatched	Report/Case	
	6/6/2016 Civil	16-9979	911 dispatched	call serviced	
	4/7/2016 Civil	16-6253	911 dispatched	call serviced	
	1/21/2016 Assist Citizen	16-1421	Officer Initiated	call serviced	
4/22/2013 1219 Colordo Avenue	8/22/2017 Assist Fire	17-19333	911 dispatched	call serviced	
	2/4/2017 Animal	17-2845	Dispatched	call serviced	
	5/22/2016 Suspicious Event	16-8988	911 dispatched	call serviced	
	2/8/2014 Follow up	14-1952	Dispatched	call serviced	snow removal
	6/4/2013 Follow up	13-8396	Officer Initiated	call serviced	
	6/3/2013 Code Violation	13-8341	Officer Initiated	call serviced	trash warning
6/8/2015 415 8th Street	6/4/2018 Code Violation	18-10373	Officer Initiated	call serviced	political sign
	1/17/2018 Parking Prob/Comp	18-1018	Officer Initiated	call serviced	
	10/16/2017 Code Violation	17-24860	Dispatched	PA issued	Bear trash
12/10/2015 415 1/2 8th Street	6/21/2016 Code Violation	16-11125	Officer Initiated	Warning	Tree
12/17/2015 210 7th Street ?????? Ur	8/19/2018 Suspicious Event	18-15359	Officer Initiated	Warning	
	7/26/2018 Parking Prob/Comp	18-13936	Dispatched	UTL	
	5/18/2018 Assist Citizen	18-9349	Dispatched	call serviced	
	12/23/2017 Parking Prob/Comp	17-29508	Dispatched	parking ticket	
	12/8/2017 Alarm	17-28661	Dispatched	n/a	
	2/22/2017 Alarm	17-4131	Dispatched	call serviced	
11/12/2014 805 Blake Ave #3	3/1/2016 Noise Complaint	16-4250	Dispatched	Warning	
11/14/2012 1005 Colorado Ave	3/20/2017 Alarm	17-6149	Dispatched	False Alarm	
	9/10/2016 Assist Fire	16-17572	Dispatched	call serviced	
	1/17/2016 Assist Fire	16-1132	Dispatched	call serviced	
	12/19/2015 Alarm	15-22418	Dispatched	call serviced	
	11/11/2015 Alarm	15-20224	Dispatched	call serviced	
	10/21/2015 Alarm	15-18988	Dispatched	False Alarm	
	10/15/2015 Alarm	15-18625	Dispatched	call serviced	
	9/8/2015 Burglary	15-15908	Dispatched	Report/Case	
	7/16/2015 Code Violation	15-11926	Officer Initiated	Report/Case	trash

	9/12/2013	Code Violation	13-14373	Officer Initiated	Warning	bear trash	
	5/25/2013	Assist Fire	13-7863	Dispatched	call serviced		
	1/14/2013	Parking Prob/Comp	13-696	Dispatched	Red Tag		
8/19/2015	728 Bennett Ave	2/9/2018	Code Violation	18-2664	Officer Initiated	Warning	unknown
	11/7/2017	Civil	17-26698	Officer Initiated	n/a		
	11/7/2017	Civil	17-26683	Dispatched	call serviced		
	4/1/2017	Animal	17-6979	Dispatched	Summons	vicious animal	
	11/8/2016	Code Violation	16-22276	Officer Initiated	Warning	removal of property	
	10/13/2016	Code Violation	16-20252	Officer Initiated	Warning	political sign	
	9/5/2016	Suspicious Event	16-17081	Dispatched	call serviced		
	11/21/2015	Animal	15-20739	Dispatched	call serviced		
? 08/31/2015	717 1/2 Grand Avenue	7/22/2018	Alarm	18-13649	Dispatched	call serviced	
	5/25/2018	Theft/Larceny	18-9818	911 dispatched	Report/Case		
	4/14/2017	Alarm	17-8033	Dispatched	call serviced		
	11/26/2016	Citizen Assist	16-23710	Dispatched	call serviced		
	7/26/2016	Parking Prob/Comp	16-13855	Dispatched	parking ticket		
	6/22/2016	Alarm	16-11242	Dispatched	call serviced		
	3/4/2016	Parking Prob/Comp	16-4382	Dispatched	call serviced		
	11/25/2015	Alarm	15-20955	Dispatched	call serviced		
	9/3/2015	Suspicious Event	15-15577	Dispatched	call serviced		
	7/30/2015	Transient	15-12997	Dispatched	call serviced		
	6/10/2015	Transient	15-9436	Dispatched	call serviced		
	6/9/2015	Transient	15-9396	Dispatched	call serviced		
	4/19/2015	Alarm	15-6389	Dispatched	call serviced		
	2/21/2015	Assist Citizen	15-3063	Dispatched	call serviced		
	7/27/2014	Alarm	14-12997	dispatched	call serviced		
1/27/2016	910 Red Mountain Dr	9/14/2018	Code Violation	18-17153	Officer Initiated	Warning	garage sale signs
1/3/2014	509 Maple Street	2/10/2018	Parking Prob/Comp	18-2750	Officer Initiated	Red Tag	
	9/5/2017	Parking Prob/Comp	17-21016	Dispatched	call serviced		
	7/31/2017	Code Violation	17-16897	Dispatched	warning	illigal camping	
	10/21/2016	Suspicious Event	16-20875	Dispatched	Warning	illigal camping	
	7/29/2014	Animal	14-11964	Dispatched	Warning		
	7/18/2014	Trespass	14-11063	Dispatched	UTL	illigal camping	
2/23/2016	515 Maple Street	8/31/2018	Follow up	18-16210	Officer Initiated	call serviced	

	8/31/2018 Warrant	18-16207	911 Dispatched	Arrest	
	8/20/2018 Transient	18-15444	Dispatched	UTL	illigal camping
	10/7/2017 Parking Prob/Comp	17-24233	Officer Initiated	Red Tag	
	7/24/2017 Code Violation	17-16324	Dispatched	UTL	illigal camping
	9/6/2016 Assist Citizen	16-17269	Dispatched	call serviced	illigal camping
3/18/2016 509 W 12th St	10/3/2017 Code Violation	17-23869	Officer Initiated	call serviced	need to pull permit
	10/21/2016 Follow up	16-90925	Officer Initiated	call serviced	
	10/21/2016 Animal	16-20918	Officer Initiated	call serviced	
4/18/2016 1700 Midland Ave	7/10/2018 Sex Offense	18-12988	911 Dispatched	UTL	men urinating
	12/2/2017 Animal	17-28349	Dispatched	call serviced	barking dogs
	10/13/2017 Motorist Assist	17-24732	Dispatched	call serviced	
	9/21/2016 Trespass	16-18441	Dispatched	Report/Case	cold theft
	9/21/2016 Trespass	16-18439	Dispatched	call serviced	someone used home
	7/1/2016 Assist Citizen	16-11957	Officer Initiated	call serviced	
	6/16/2016 Assist	16-10699	Officer Initiated	call serviced	
	6/3/2016 Suspicious Event	16-9771	Officer Initiated	call serviced	
4/15/2016 714 23rd Street	4/18/2017 Parking Prob/Comp	17-8291	Dispatched	Warning	
	3/31/2017 Parking Prob/Comp	17-6906	Dispatched	Red Tag	
4/14/2016 650 Greenway Dr	6/20/2016 Code Violation	16-11080	Officer Initiated	PA issued	animal trash
6/15/2016 516 W 12th St	2/9/2018 Parking Prob/Comp	18-2635	Officer Initiated	parking ticket	
	10/3/2017 Parking Prob/Comp	17-23871	Officer Initiated	Red Tag	
	8/26/2016 Building Check	16-16260	Officer Initiated	call serviced	
	8/25/2016 Trespass	16-16218	Dispatched	Report/Case	
7/25/2016 1027 Cooper Ave	8/14/2018 Vehicle Lockout	18-15118	Dispatched	call serviced	
	7/6/2017 Abandoned Vehicle	17-17802	Officer Initiated	Warning	
	5/21/2017 Suspicious Event	17-10942	Dispatched	unfounded	
6/24/2016 1002 Cooper Ave	6/4/2018 Code Violation	18-10398	Officer Initiated	call serviced	political sign
	10/4/2017 Code Violation	17-23944	Officer Initiated	Warning	
	7/2/2017 Parking Prob/Comp	17-14388	Officer Initiated	Red Tag	
	10/31/2016 Code Violation	16-21716	Officer Initiated	call serviced	
7/27/2016 1030 Blake Ave	10/7/2018 Bear Call	18-18553	911 dispatched	n/a	
	2/27/2018 Theft/Larceny	18-3885	Dispatched	Report/Case	
	8/1/2016 Assist Citizen	16-14381	Dispatched	call serviced	

10/4/2016	1116 Walz Avenue	3/26/2018	Suspicious Event	18-5672	Dispatched	call serviced
		1/20/2018	Parking Prob/Comp	18-1285	Officer Initiated	Red Tag
11/11/2016	3114 S Grand Ave	8/13/2017	Disturbance	17-18165	Dispatched	call serviced
12/19/2016	1109 Colorado Ave	5/20/2017	Code Violation	17-10806	Officer Initiated	Ticket trash
3/6/2017	2205 Bennett Avenue	8/8/2018	Fraud	18-14711	Officer Initiated	Report/Case
		8/2/2018	Fraud	18-14388	Dispatched	Report/Case
3/31/2017	725 Bennett Ave	8/19/2017	Code Violation	17-18966	Officer Initiated	PA issued trash
4/5/2017	1127 Blake Avenue	5/13/2017	Theft/Larceny	17-10274	Dispatched	Report/Case
		4/30/2017	Disturbance	17-9212	911 dispatched	call serviced
		6/21/2018	Assist Citizen	18-11649	Dispatched	call serviced
		8/27/2017	Assist Citizen	17-19945	Officer Initiated	call serviced
		8/27/2017	DUI	17-19941	Officer Initiated	Summons
		8/26/2017	Disturbance	17-19940	Dispatched	Arrest
		7/10/2017	Assist Fire	17-15179	Dispatched	call serviced
4/5/2017	1116 Cooper Ave	4/26/2017	Code Violation	17-9131	Officer Initiated	call serviced dresser in roadway
		4/5/2018	Parking Prob/Comp	18-6452	Officer Initiated	call serviced
		12/24/2017	Assist Fire	17-29554	911 Dispatch	call serviced
5/10/2017	746 (1/2) ? Palmer Ave	9/4/2017	Bear Call	17-20841	Officer Initiated	PA issued bear trash
		10/13/2018	Code Violation	18-18969	Dispatched	call serviced branches on street
		7/27/2018	Animal	18-14018	Dispatched	Warning
		4/2/2018	Drug Investigation	18-6203	Dispatched	Report/Case
5/19/2017	715 (1/2) ? Cooper Ave	1/31/2018	Animal	18-2049	Dispatched	UTL
7/17/2014	710 Bennett Ave #B	8/23/2017	Bear Call	17-19574	Dispatched	call serviced bear trash
		11/8/2016	Code Violation	16-22278	Officer Initiated	Warning items of property on city right of way
		9/11/2016	Suspicious Event	16-17665	Dispatched	Summons
		4/17/2016	Animal	16-6814	Dispatched	Warning
		4/11/2016	Follow up	16-6451	Officer Initiated	call serviced
		4/2/2016	Follow up	16-5995	Officer Initiated	utl
		3/22/2016	Animal	16-5454	Dispatched	Report/Case
		3/15/2016	Animal	16-5047	Dispatched	Warning
		1/26/2016	Animal	16-1757	Officer Initiated	Warning
		1/15/2016	Assist Citizen	16-1063	Officer Initiated	call serviced

	1/10/2016 Follow up	16-692	Dispatched	call serviced	
	1/9/2016 Follow up	16-627	Dispatched	call serviced	
	10/17/2014 Assist EMS	14-17125	Dispatched	call serviced	
7/18/2017 2550 STHY 82	9/21/2018 Building Check	18-17588	Officer Initiated	call serviced	
	7/29/2018 Welfare Check	18-14156	Officer Initiated	call serviced	
	3/3/2018 Transient	18-4146	Dispatched	call serviced	camping
	1/18/2018 Assist Fire	18-1166	Dispatched	False Alarm	
	9/8/2017 Alarm	17-21408	Dispatched	False Alarm	
	9/4/2017 Alarm	17-20829	Dispatched	False Alarm	
	9/3/2017 Alarm	17-20736	Dispatched	False Alarm	
	8/27/2017 Suspicious Event	17-19996	Dispatched	call serviced	
	8/29/2017 ATL	17-19931	Dispatched	call serviced	
7/28/2017 1524 Blake Ave	5/5/2018 Code Violation	18-8446	Officer Initiated	Warning	couch on property
9/5/2014 3305 Hager Lane	2/11/2018 Assist Fire	18-2835	Dispatched	call serviced	
	9/7/2017 Assist Fire	17-21200	Dispatched	call serviced	
9/6/2017 111 Market Drive	9/29/2018 Animal	18-18053	Dispatched	n/a	
	6/5/2018 Animal	18-10440	Dispatched	call serviced	
	10/31/2017 Theft/Larceny	17-26107	Officer Initiated	Report/Case	
5/21/2015 1016 Minter Ave	8/8/2018 Code Violation	18-14757	Dispatched	UTL	fire ban
	4/30/2018 Civil	18-8094	Dispatched	call serviced	
	8/26/2017 Citizen Assist	17-19926	Dispatched	n/a	
	1/26/2017 Code Violation	17-2064	Officer Initiated	Summons	snow dumping
	6/13/2015 Code Violation	15-9612	Dispatched	call serviced	easment
3/26/2015 509 8th St	12/14/2017 Parking Prob/Comp	17-28997	Officer Initiated	Red Tag	
	12/1/2017 Parking Prob/Comp	17-28230	Officer Initiated	Red Tag	
	7/10/2017 Alarm	17-15143	Dispatched	call serviced	
	3/20/2017 Assist	17-6187	Dispatched	UTL	
	8/19/2015 Code Violation	15-14499	Dispatched	Warning	trash
	6/24/2015 Suspicious Event	15-10434	Dispatched	UTL	
	4/29/2015	911 15-6933	Dispatched	call serviced	
5/30/2013 3310 Hager Ln	8/13/2017 Assist EMS	17-18142	Dispatched	call serviced	
	5/27/2017 Assist EMS	17-11480	Dispatched	call serviced	
	9/1/2015 Burglary	15-15428	Dispatched	call serviced	burglary attempt

		6/7/2014 Assist Fire	14-8317	Dispatched	call serviced	
		8/9/2013 Parking Prob/Comp	13-12562	Officer Initiated	Warning	Vacation renter parking issue
5/30/2013	716 Lincoln Ave	8/17/2017 Assist Fire	17-18756	Dispatched	n/a	
		6/16/2016 Bear Call	16-10692	Dispatched	UTL	
5/22/2013	1620 Lincolnwood Dr	10/4/2018 911	18-18413	Dispatched	Warning	
		9/21/2018 Assist Other Agency	18-17594	Dispatched	Report/Case	
		2/8/2016 Animal	16-2701	Officer Initiated	Warning	
		12/21/2014 Animal	14-20630	Dispatched	call serviced	
		7/23/2014 Domestic	14-11541	Dispatched	call serviced	
11/9/2012	1605 Bennett Ave	10/9/2018 Follow up	18-18680	Dispatched	call serviced	
		10/9/2018 Bear Call	18-18664	Dispatched	call serviced	
		10/9/2018 911	18-18665	Dispatched	call serviced	
		8/30/2018 Assist	18-16141	Dispatched	call serviced	
		12/15/2014 Abandoned Vehicle	14-20319	Dispatched	Warning	
		7/25/2014 Abandoned Vehicle	14-11658	Dispatched	Red Tag	
2016-2018	1801 Midland Ave	none in 2016-2018				
2016-2018	1031 Pitkin Ave	12/2/2016 Animal Call	2016-24067	Dispatched	call serviced	
		6/1/2017 Code Violation	2017-11859	Officer Initiated	Call serviced	House used as VRBO w/o permit
		7/3/2017 Code Violation	2017-14460	Officer Initiated	Call serviced	overgrown bushes
		7/21/2017 Disturbance	2017-16107	Dispatched	Call serviced	irate guest
		6/16/2018 Burglary	2018-11053	Dispatched	report taken	
5/31/2017	1313 Oak Way Ave.	10/27/2016 Code Violation	2016-21370	Officer Initiated	warning	furniture on city right of way
		4/18/2018 Code Violation	2018-7292	Officer Initiated	Call serviced	unknown
2016-2018	1524 Blake Ave	5/5/2018 Code Violation	2018-8446	Officer Initiated	warning	couch
2016-2018	1810 Ouray Rd	None in 2016-2018				
2016-2018	605 Highlands Dr	None in 2016-2018				
2016-2018	85 Ptarmigan Ln	None in 2016-2018				
2016-2018	915 Pitkin Ave	7/5/2017 Theft/Larceny	2017-14672	Dispatched	call serviced	
		8/15/2017 Attempt to Locate	2017-18313	Dispatched	Call Serviced	
		8/27/2017 REDDI Report	2017-20010	Dispatched	Arrest	DUI

		10/6/2017 Animal Call	2017-24133	Dispatched	UTL
2016-2018	1023 Bennett Ave	8/19/2017 Suspicious Event	2017-18920	Dispatched	Warning
2016-2018	709 Silver Oak Drive	None in 2016/2018			
	95 Fairview Drive	None in 2016/2018			
2016-2018	503 Spring Street #3	None in 2016-2018			
2016-2018	3960 Sky Ranch Dr	7/3/2017 Parking Complaint	2017-14452	Officer Initiated	warning

39 Code Violation Calls

9 were Dispatced
 30 Officer Initiated

ORDINANCE NO. 11

Series of 2018

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING SECTION 070.040.120 AND 070.040.130
REGARDING THE REGULATION OF SHORT-TERM AND
ACCESSORY TOURIST RENTALS IN THE CITY.**

WHEREAS, the City of Glenwood Springs (“Glenwood Springs” or the “City”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code set forth the City’s regulations and permitting requirements for the operation of short-term and accessory tourist rentals within the City, as those terms are currently defined; and

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code provide that any applications for short-term and accessory tourist rentals shall be accompanied by a fee set by resolution of the Glenwood Springs City Council;

WHEREAS, the City Council desires to specify a permit application fee for short-term and accessory tourist rentals and add penalty provisions addressing violations of Sections 070.040.120 and 070.040.130 to deter such violations; and

WHEREAS, the Glenwood Springs City Council finds and declares that the amendments to the Glenwood Springs Municipal Code regarding short-term and accessory tourist rentals set forth herein are proper in light of the reasonable needs and desires of the City and in the promotion of the public health, safety, and welfare of the City’s residents and visitors.

NOW, THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 070.040.120 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

070.040.120 – Short Term Rentals

(e) *Application Requirements.* The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution, on a one-time basis, regardless of the number of permit renewals. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(i) Penalties for Violations. Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Section 3. Section 070.040.130 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

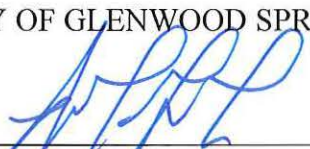
070.040.130 – Accessory Tourist Rentals

(e) Application Requirements. The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution, on a one-time basis, regardless of the number of permit renewals. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code, including, but not limited to, building code and inspection requirements.

(i) Penalties for Violations. Any violation of this Section 070.040.130 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED PUBLISHED BY
TITLE ONLY THIS 17TH DAY OF MAY 2018.

CITY OF GLENWOOD SPRINGS, COLORADO



Michael Gamba, Mayor

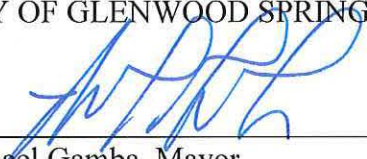
ATTEST:



Catherine Mythen Fletcher, City Clerk

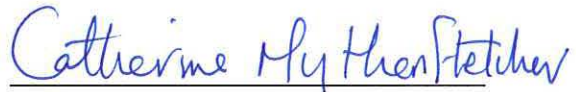
INTRODUCED, READ ON SECOND READING, AND ORDERED PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE OF SECOND PUBLICATION THIS 7TH DAY OF JUNE 2018.

CITY OF GLENWOOD SPRINGS, COLORADO



Michael Gamba, Mayor

ATTEST:



Catherine Mythen Fletcher, City Clerk



EXHIBIT O. Old Vacation Rental Application

Short-Term Rental Permit & Application City of Glenwood Springs, CO

General Information

If you want to rent your entire home for a period of less than 30 days, you are required to first obtain a Short-term Rental Permit from the City of Glenwood Springs Community Development Department.

Application & Review Process

1. Review the regulations which are located after the Frequently Asked Questions. If you determine that you are eligible to apply, complete the attached Short-term Rental Permit application and submit along with the applicable fee to the Community Development Department, 101 W. 8th Street, Glenwood Springs, CO 81601. Call the Community Development Department at 970 384-6411 for the current application fee.
2. In addition to the Short-term Rental Permit application, you must also obtain a Business and Sales Tax License through the city's Finance Department. You can apply for your business and sales tax license on line at <https://glenwoodsprings.munirevs.com>
3. Upon approval of the Short-term Rental Permit, Planning staff will advise the Finance Department that they may release your business and sales tax licenses. Questions pertaining to business or sales tax licenses may be made at 1/888-751-1911 or 970-384-6455.
4. Shortly after you submit your Short-term Rental application, a staff member from the Community Development Department will contact you regarding your application. If your application is complete, Community Development staff will have you schedule an inspection of your home. All inspections are handled through the city's Building Department. If you have questions regarding the inspection, contact the Building Department's administrative assistant at 970 384-6411.
5. After your inspection has been completed, the inspector will do one of two things, either approve your residence for use as a short-term rental, or require that you make modifications to ensure the public's health, safety and welfare. In some cases, the required modifications may require that you submit a Building Permit.
6. After you have completed successfully all of the work associated with your inspection or building permit, Community Development Department staff will issue your Short-term Rental Permit.

If you have additional questions regarding the Short-term Rental application process, please review the following Frequently Asked Questions, or call 970 384-6411.

Frequently Asked Questions:

1. **What is a short-term rental?** *A short-term rental is the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, accessory tourist rental, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.*
2. **Are City of Glenwood Springs' permits or licenses required as a pre-requisite to having a short-term rental in Glenwood Springs?** *Yes. It will be necessary to obtain a Short-term Rental Permit and a Business/Sales Tax License before commencing to rent a property as a short-term rental. In addition, a Building Permit may be required if it is determined that physical changes need to be made to the residence in order to comply with applicable building codes.*
3. **If I swap my house for another home elsewhere and no money is exchanged, do I need a short-term rental permit?** *The offering of the use of one's home where **no fee is charged** or collected is exempt from any City permitting.*
4. **Is any residential dwelling unit in the City eligible to become a short-term rental or are there certain areas where it is prohibited?** *The use of homes for short-term rental purposes is regulated via the zoning regulations of the Glenwood Springs Municipal Code in Article 070.040 Zoning. Short-term rentals are allowed in all residential and commercial zones. However, short-term rentals are not allowed in Planned Unit Developments (PUDs) unless specifically listed as an allowed use. Additionally, short-term rentals are not allowed in any dwelling unit that has been permitted as an Accessory Dwelling Unit.*
5. **Who may apply for a Short-term Rental Permit?** *All permits shall be issued to the owner of the property.*
6. **What are the requirements for a Short-term Rental Permit?** *The requirements are listed in the Glenwood Springs Municipal Code at Article 070.040.120 Short-term Rentals.*
7. **Do I need a business license to operate a short-term rental?** *A business license is required for short-term rentals. Additionally, short-term rentals are subject to sales and accommodations taxes. Owners are required to charge and collect sales and accommodation taxes. You may apply for a business and sales tax license at the same time you apply for a Short-term Rental permit. (See attached information sheet as to how to apply for a business and sales tax license on line.)*
8. **Will I need to have my home inspected?** *All homes will require an inspection to determine compliance with applicable zoning and building codes prior to the issuance of a Short-term Rental permit.*
9. **Do I need a building permit for a short-term rental?** *A Building Permit may be required if significant work is needed to bring the residence into compliance with the applicable codes. The need for a building permit will be determined at the conclusion of the inspection by the Building Department.*

**Short-Term Rental
Permit & Application
City of Glenwood Springs, CO**

10. **What building codes will short-term rentals be subject to?** *The applicable building code for your property depends on the underlying use of your property. One or more of the following codes will apply: International Property Maintenance Code (IPMC), International Residence Code (IRC), or International Building Code (IBC).*
11. **What is a “designated responsible party?”** *A designated responsible party is a person located in the local area who will be available to immediately respond to any issues arising from the short-term rental of the property, whether it be from the rental party, public safety personnel, utility personnel or any other municipal party.*

For additional questions regarding short-term rentals, please contact the Community Development Department at 970 384-6411.

**Short-Term Rental
Permit & Application
City of Glenwood Springs, CO**

Glenwood Springs Municipal Code section 070.040.120- Short Term Rentals.

(a) Intent. The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short term rentals offers additional diversification to the resort and travelling professional accommodations market. However, due to the potential for adverse impacts, short term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.

(b) Applicability. The requirements of this Section shall apply to any residential dwelling unit within the City of Glenwood Springs. This Section does not apply to any residential use within a Planned Unit Development unless specifically listed as a use allowed by the Planned Unit Development. Nor does this Section apply to any dwelling unit permitted as an Accessory Dwelling Unit.

(c) Definition. As used in this Section, the following term shall have this meaning ascribed to it:

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

(d) Requirements, Restrictions, and Standards. The following requirements, restrictions, and standards shall apply to short term rentals:

(1) The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short term rentals.

(2) There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short term rental. The designated responsible party may be the owner of the property.

(3) The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.

(4) The owner or responsible party is responsible for ensuring the short term rental meets all applicable local, state, and federal regulations. For example, §38-45-101 C.R.S. et seq. requiring carbon monoxide alarms in residential property. The property owner, responsible party, or other persons shall not reside in the short-term vacation rental unit during periods of short-term rental; however, the property owner or permanent tenants not part of the short-term rental party may occupy the accessory dwelling unit on the property as their residence.

(5) The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Glenwood Springs Municipal Code.

(6) Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.

(7) On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short term rental permit.

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(8) All vehicles shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.

(9) The owner shall be responsible for ensuring that the short term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled Garbage, refuse, and trash collection. Owners and responsible parties shall make arrangements for proper garbage, refuse, and trash collection.

(10) The following information must be posted in a prominent and visible location in the short-term rental:

- A. City of Glenwood Springs license(s) and short term rental permit;
- B. Contact information for owner and/or responsible party, including a phone number for 24 hour response to emergencies;
- C. Description of location of fire extinguishers and emergency egress; and
- D. Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.

(11) In a multi-family building under single ownership, no more than twenty-five (25%) but at least one (1) unit may be permitted as a short term rental.

(12) All advertising of a short-term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short-term rental permit number and business license number.

(13) A property owner may not be issued both a short-term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short-term rental, he or she may do so by filing an application for an accessory tourist rental in accordance with Section 070.040.130 accessory tourist rentals. Upon issuance of a new accessory tourist rental permit, the existing short-term rental permit is automatically revoked.

(e) Application requirements. The owner shall submit the application on the form provided by the Community Development Director and shall pay the application fee set by City Council resolution. The Community Development Director may require submittal of such additional information as is deemed necessary to demonstrate compliance with the requirements of the Glenwood Springs Municipal Code including, but not limited to, building code and inspection requirements.

(f) Short Term Rental Permit. All short term rentals shall require a permit from the Community Development Director. This permit shall only be issued after the short term rental application has been approved in accordance with the Glenwood Springs Municipal Code and shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.

(g) Revocation of Permit. A short term rental permit may be revoked at any time by the Community Development Director should it be determined that the use is not being operated in compliance with this Section or any other section of the Glenwood Springs Municipal Code.

(h) Appeals. Appeals of administrative decisions may be made in accordance with Section 070.010.050 of the Glenwood Springs Municipal Code.

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SHORT-TERM RENTAL APPLICATION

Short term rental means the rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, accessory tourist rental, or hotel. This definition does not include offering the use of one's property where no fee is charged or collected.

GENERAL INFORMATION

OWNER:

Owner(s) of Residence: _____

Owner(s) Mail Address: _____

Owner(s) Home and Cell Phone Nos.: _____

Owner(s) E-Mail Address: _____

PROPERTY INFORMATION:

Address of Property to be used as a Short-Term Rental: _____

Complex Name and Unit No. _____

Number of Bedrooms: _____

Number of Parking Spaces on Site: _____

If the unit is in a multi-family complex, are there off-street parking spaces allocated to this unit?

_____ Yes _____ No

If yes, how many spaces? _____

LOCAL CONTACT INFORMATION:

(You may designate yourself as the local contact or another responsible party that resides within the Glenwood Springs area).

Responsible Party Name: _____

Responsible Party Mail Address: _____

Responsible Party Home and Cell Phone Nos.: _____

Responsible Party E-Mail Address: _____

REQUIREMENTS, RESTRICTIONS AND STANDARDS:

1. The City of Glenwood Springs is not a party to and does not enforce any private covenants. Property owners should review covenants that apply to the property they wish to use as a short-term rental since covenants may restrict an owner from engaging in the use of their property as a short-term rental.
2. There must be a designated responsible party located within the local region who is available to immediately respond to any issues arising from the short-term rental. The designated responsible party may be the owner of the property.
3. The owner or responsible party shall collect and pay all applicable state and local taxes including sales and lodging taxes.
4. The owner or responsible party is responsible for ensuring that the short-term rental meets all applicable local, state, and federal regulations. For example §38-45-101 C.R.S. et seq. requiring carbon monoxide alarms in residential properties.
5. The owner or responsible party is responsible for obtaining all required licenses and permits in accordance with Title 050 of the Glenwood Springs Municipal Code. The business license and sales tax license number must be displayed in all advertising, including advertising on vacation rental websites.
6. Occupancy limitations of a short-term rental shall be established by the 2009 International Property Maintenance Code (IPMC) and shall be indicated on the short-term rental permit.
7. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short-term rental permit.
8. All vehicles shall be parked in designated parking areas, such as driveways and garages, or on the street where on-street parking is allowed. No parking of vehicles shall occur on lawns or sidewalks.
9. The owner or responsible party shall ensure that the short-term rental complies with Section 100.010.060 of the Glenwood Springs Municipal Code entitled garbage, refuse and trash collection. Owners and responsible parties shall make arrangements with rental parties for the proper collection and disposal of trash and refuse.
10. In a multi-family building where all units are under the same ownership, no more than 25% of the total number of units, but at least one (1) unit may be permitted as a short-term rental.
11. The following information must be posted in a prominent and visible location in the short-term rental:
 - a. City of Glenwood Springs licenses and Short-term Rental Permit.
 - b. Contact information for owner and/or designated responsible party including a phone number for 24 hour response to emergencies.
 - c. Diagram depicting the location of fire extinguishers and emergency egress.

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Permit & Application
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- d. Any other information deemed necessary by the Community Development Director or Building Official to ensure the public's health and safety.
- e. The maximum number of occupants as determined by the Building Official.

Note: A Short-term Rental Permit will only be issued after the application has been reviewed and approved in accordance with the Glenwood Springs Municipal Code. Specific terms and conditions may be included in the permit. All permits will be issued to the owner(s) of the property. A change in ownership requires the new property owner to apply for a new permit. Short-term rental permits expire at the end of odd numbered years. Property owners will be sent a new application form prior to expiration of their permit.

Owner's Signature/Certification:

By my signature below, I represent that all information contained in this application is true and correct to the best of my knowledge. I further certify that I have read the City of Glenwood Springs Short-term Rental regulations per Section 070.040.120 of the Glenwood Springs Municipal Code:

Owner(s) Signature: _____ Date: _____

_____ Date: _____

ADMINISTRATIVE USE ONLY:

Application received by: _____ Date: _____

Application fee collected: ☐ Amount: \$ _____

- EXHIBIT P. Best Practices Articles
- 1.Lodging Revs
 - 2.Colorado Municipal League
 - 3.Host Compliance
 - 4.Sustainable Economies Law Center



Best Practices in Regulation and Taxation of Short Term Rentals

LODGINGRevs White Paper Series

Best Practices in Regulation and Taxation of Short Term Rentals

The growth of online short term rental listing platforms (Airbnb, VRBO, FlipKey), has simplified the rental process, resulting in significant growth of short term rental properties in almost every community.

This growth is causing many communities to revisit and revise their municipal code ordinances regarding the regulation and taxation of these rental properties.

Our experience in working with municipalities since 2011 has given us a perspective on best practices to achieve the objectives the municipalities establish regarding short term rentals.

The ordinances, fees and taxes, and compliance procedures work together as a tailored package to achieve those objectives. We have found that setting three goals for this package achieves the best long term results for the municipality:

- Make compliance requirements clear and reasonably easy to achieve
- Make it evident to property owners that non-compliance is expensive and futile
- Establish systems and procedures that ensure the cost of monitoring compliance goes down over time

The rest of this paper outlines our experience in achieving these goals.

Taxation

Let's tackle the "easier" subject first – taxation.

We have found that municipalities have generally had the best experience when establishing a "level playing field" - lodging is lodging - and should be subject to equal or neutral tax rates. Local visitors should pick the accommodations that best suit their needs, not the one that avoids lodging taxes.

Some platform providers, especially Airbnb, like to point out that renting out part of your home helps pay the mortgage. True, but it's still a business transaction. Unless you rent for less than 14 days a year, the rental income must be reported on your income tax filing. If municipalities want to support renting out a part of your home (sometimes referred to as "homestays") best practice says that's better accomplished through lower fees or easier regulations than through lower lodging tax rates.

Most municipalities include a penalty (additional percentage) for past due taxes from a late filing property (probably “pulled” into compliance).

We believe the **Best Practice** is to make this penalty consistent with late sales tax penalties and to consider waiving it for voluntary compliers during the initial effort/program to bring short term rental properties into compliance.

We have seen a small percentage of municipalities make the listing platforms responsible for filing and paying lodging taxes. We believe that responsibility should be a requirement of the property owner or property management company to ensure complete and transparent compliance.

There is also a major campaign underway by Airbnb to enter into “voluntary” compliance and tax payment agreements with jurisdictions. This can have some benefits and significant drawbacks due to the restrictions on transparency that Airbnb imposes. See our White Paper on the subject for a deeper discussion.

We have found that implementing on-line automated tax filing and payment systems seems to encourage quicker tax compliance, is popular with rental hosts, and helps municipalities control or cap costs associated with compliance.

Regulation

There is not one set of best practices for establishing regulations and ensuring compliance, though certain specific best practices apply to all municipalities.

Best practices must reflect the municipality’s tailored policy concerning short term rentals – what is their impact on the community, and how can that impact be best “managed”.

There is no question that the availability of on-line rental platforms, and their marketing efforts, have made it easier and more profitable for property owners to rent part or all of their property, whether they live there full-time, part-time (second homes) or never (investment property). This has led to a very rapid increase in short term rentals in almost every community across the country. The impact varies.

For many municipalities, local visitors or tourists, are a primary driver of the economy. The municipality wants to ensure that there are an adequate number of rooms, at different price levels, locations, and characteristics to meet the diverse needs of the visitors. Municipalities tend to want to see more short term rentals, especially entire units (homes or condos) made available to house visitors. **Encouraging** is the category name we give this set of regulations appropriate for these municipalities.

For some municipalities the shifting of homes into the short term rental market has removed them from the longer term rental market. This has a significant impact on availability and price of rentals for the workforce and students (if the municipality is home to a college or university). Additional, the increased attractiveness of utilizing homes as investment properties removes them from the market, typically

resulting in higher home prices, making it more difficult for residents to afford to buy a home. Additionally, in some communities, the attractiveness and characteristics of specific neighborhoods can lead to larger numbers of short term rentals, and accompanying problems with noise, parking and traffic. When these impacts become significant, municipalities tend to want to limit or tightly control the number (and often the location) of short term rentals. We name the appropriate set of regulations for this category **Restrictive**.

For other communities, the tug between the positive and negative impacts of increased number of short term rentals comes down more in the “middle”. While they would like to see more visitors, spending money at local businesses and adding sales tax revenue, they want to protect the livability of their neighborhoods, help foster affordability of workforce and student housing, and provide a level playing field for commercial hotels, motels and B&Bs. The name of the category of the appropriate set regulations for this set of communities, we’ve named **Balanced**.

Each of these categories – **Restrictive, Balanced, and Encouraging** – will address the specific aspects of regulations and compliance procedures, but will tend to select varying levels. The first step for each community is to develop and articulate the policy stance regarding short term rentals.

There will be certain best practices that are universal – they apply to all municipalities, regardless of the policy stance category.

For instance, in working with one of our first communities in 2011, we determined that requiring the license or permit number be displayed in all advertisements (print and online) would simplify (and lower the cost of) verifying compliance. This has become an industry standard, used around the world, including Paris, Airbnb’s largest market.

More recently, we have been encouraging municipalities to have the property hosts use the words Trusted, e.g. Telluride Trusted, before the relevant number, rather than Sales Tax Permit or License number, in the listings. This has a more positive slant for the host, and ensures that only properties within the jurisdiction can use the term and be “certified” as being in the community.

Another best practice is to automate the licensing process. This makes it easier for the property host and controls costs for the municipality. Most municipalities make the online applications and renewals free (include the cost in the license fee) and establish a “surcharge” fee for paper applications. With these practices, our experience is a 97% usage of the automated online option. Property hosts appreciate the ease of filing and paying taxes which the municipality has provided.

Specific Regulation Framework

In this section we detail the individual decisions that each jurisdiction must consider in crafting the ordinance and associated regulations. We list options and ranges that can be selected based on the public policy stance. We also highlight Best Practices that we believe all communities should adopt

1. Define what constitutes a short term rental.

Assuming that commercial hotels, motels and B&Bs are licensed, the focus is on individual units that are rented for a relatively short period of time to different individuals.

- Most municipalities choose **30 days** as the duration cut-off.
- **Restrictive** sometimes choose **60 days**.

Most municipalities do not include properties that are corporate housing – renting to new or visiting employees of a local company.

Must also decide whether to differentiate between rental of entire units (homestays), a separate room within a unit (homeshare) or a bed (roomshare). Encouraging often establish more lenient rules and lower fees for the latter two.

2. Decide what (if any) restrictions will be placed on the general category of short term rentals.

- **Restrictive** often set total allowed, totals by neighborhood and occasionally even totals by city block.

3. Decide what (if any) restrictions will be placed on individual short term rentals.

- **Restrictive** can set limits including:
 - Total number of days rented per year, season or month
 - Total number of “bookings” per year in certain neighborhoods
 - Minimum nights stay for each booking
 - Maximum occupancy
 - Square footage per occupant
 - Maximum units in a multi-unit building or complex
 - Available parking spaces per unit – usually tied to rooms or beds rented
 - Requirement that host must be living in, and be present in, the rental unit, in general or in specific neighborhoods or districts
 - Prohibition on serving alcohol (or even food) to guests
 - Requirement that “duplex neighbor” approve
 - Loss of license or permit due to stipulated number of complaints by neighbors
 - Requirement that if covered by an HOA, the HOA must allow short term rentals
- **Balanced** and **Encouraging** will have fewer individual restrictions.
 - HOA concurrence is typical
 - Loss of license due to neighbor complaints is often included

4. Establish licensing (or permitting) requirements (in addition to general requirements listed above), durations and fees. Ordinances should state that licenses are required prior to advertising the unit for rent.

Requirements could include:

- initial and annual safety inspections by the building department with special focus on safety exits
- smoke and CO monitors, fire extinguishers

- trash and recycling storage areas
- accessibility
- insurance coverage
- availability of a local “owner’s representative”
- specific information to be posted within rental unit including permit and contact info
- requirement to submit a yearly affidavit to rental history (frequency, duration and nightly rate)

These requirements are sometimes lessened for home shares and room shares.

Best Practice: require that every property provide the name and contact information of a local owner’s representative (or designated responsible party, which could be the owner) who can physically be at the property within a set period of time (from immediately to 2 hours), with current information listed on the pertinent license file.

Best Practice: application process includes an affidavit signed by owner (or property management company) acknowledging safety, noise, parking, trash and insurance regulations.

License duration (before required renewal) is typically one year, though some municipalities use 2 years and a few as many as 5 years. New licenses should be required with a change of ownership of the dwelling unit.

License (and renewal fees) should be set to a level that at least covers the jurisdiction’s costs and can be much higher for **Restrictive communities**. For example, in Crested Butte, they charge \$1,500 for the first year’s license. Many jurisdictions have varying fee levels depending upon occupancy limits (bedrooms or beds) in the rental unit). Home shares and room shares could be a lower level if desired, but often easier to have one standard set of fees.

Most jurisdictions choose to impose a penalty (fine) with interest for licenses that were not acquired prior to (or within a certain period of) the initial advertising or first rental transaction.

Best Practice: develop an “information campaign” highlighting that the jurisdiction is undertaking a thorough process to identify and monitor short term rentals. Include coverage in local newspapers and on the municipality’s website. Include a description of compliance requirements (Factsheet), including necessary steps, and point to an FAQ. Provide a grace period with waiver of penalties for voluntary compliance.

Implementing an automated on-line licensing system, with clear, easy to follow instructions, makes compliance an easier task and controls costs. Such a system should try to tie in all departments involved in the licensing process. Adding short term rentals to the licensing base could result in a very large increase in staff workload if not automated.

The Knowledge Now series features practical research on timely topics from the Colorado Municipal League.

SHORT-TERM RENTALS: MUNICIPAL BEST PRACTICES IN COLORADO

Short-term rentals (STRs) are residential properties that are rented to a visitor for fewer than 30 days. As the popularity of short-term rental properties continues to grow, the issues they create for municipal governments are growing as well. Municipal officials find themselves dealing with citizens' concerns about residential neighborhood integrity, unfair business competition, housing safety, and availability of affordable housing. Cities and towns are also seeking to collect sales and lodging taxes generated by this new business activity. Municipalities in Colorado and across the nation are handling STR issues in many ways. Austin, Texas, limits STRs to no more than three percent of non-primary residences in any census tract. San Francisco requires an adequate amount of insurance coverage. Portland, Oregon's ordinance states that STR operators must occupy the residence for at least nine months of the year. Santa Monica has created an enforcement department dedicated to policing STRs. A 2015 National League of Cities (NLC) study showed 13 percent of municipalities have adopted ordinances specifically regulating short-term rental properties, five percent have banned the practice, 24 percent are handling STRs through existing business regulations, and 58 percent have not addressed the issue.

Internet platforms have fueled the rapid expansion of STRs from a



service focused on renting spare rooms in private homes to the creation of local businesses which own houses that are used exclusively for short-term rentals. Rental data and analytics firm Airdna estimates that more than 22,000 homes and apartments in Colorado are listed with Airbnb — a leader in the online listing business. The top five municipalities with listings are Denver, Breckenridge, Steamboat Springs, Boulder, and Vail. More than 16,000 Colorado listings are posted on rival VRBO. Thousands more are listed on the many other Internet listing services.

There is no one-size-fits-all answer for municipalities in regulating short-term rentals. Do you limit STRs to a primary residence? Do you cap their numbers in residential zones? Do you enter into an agreement with the Internet listing company to collect and remit taxes?

How do you effectively enforce regulations? The NLC study concludes with sound advice: "As city officials prepare to modify regulations or develop new ordinances or legislation to fit the sharing economy they must balance issues of innovation, economic development, tourism, equity, access, and safety. At the same time, they must be mindful of the processes they put in place to understand these new businesses, engage the right stakeholders, share ideas for new regulations, capture and analyze new data, and develop implementation strategies."

Cities and towns across Colorado have enacted ordinances that regulate short-term rentals in ways that meet their community's needs. This *Knowledge Now* profiles four different approaches.

SHORT-TERM RENTALS IN BOULDER

By Thomas Carr, Boulder city attorney



On Sept. 29, 2015, Boulder City Council passed ordinance 8050 legalizing and regulating short-term rentals. The ordinance was effective Jan. 4, 2016, contingent on the voters passing a ballot measure extending the city's accommodations tax to short-term rentals. The voters approved a 7.5 percent tax on short-term rentals and the ordinance went into effect.

Boulder's ordinance is based on code provisions regulating properties rented for more than 30 days, which has been in place since the 1990s. The short-term rental code requires a license for all short-term rentals. The rental property must be the owner's principal residence. The address must appear on the owner's voter registration, auto registration or as the address at which the owner's children are registered for school. The owner must be a natural person and the owner's name must appear on the deed for the property.

On Dec. 6, the city council will be considering an amendment to allow short-term rental of properties held in a living trust. The property must



have smoke and carbon monoxide detectors, but the life safety inspections required for long-term rentals are waived for all short-term rentals except those in accessory units. All advertisements must include the short-term rental license number. A property can only have one short-term rental license. If there is an accessory unit on the property, either the main

residence or the accessory unit may have a license, but not both.

Occupancy is limited to either three or four unrelated persons depending on the zoning. A group of related persons is counted as one person. Short-term rentals are not permitted in affordable housing units. Accessory units may only be rented as short-term rentals for 120 days in any calendar year.

BRECKENRIDGE: A PIONEER IN SHORT-TERM RENTALS

By Leslie Fischer, Breckenridge accounting services manager

Short-term rentals (STR) are nothing new to the Town of Breckenridge. The Town has historically embraced and thrived with the widespread practice of STRs since boarding houses in the 1850s and their revival in popularity with the opening of the ski area in 1961.

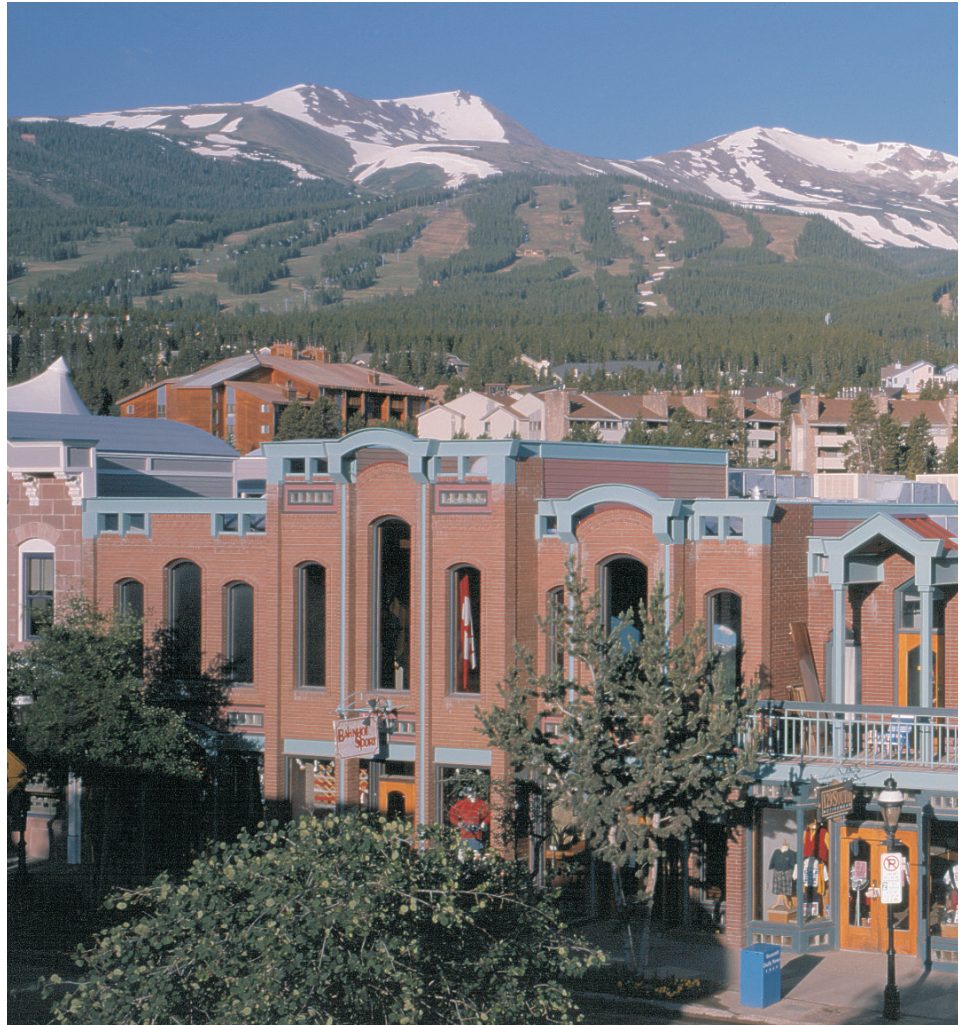
Breckenridge currently has a population close to 4,700 — yet sustains 3,345 accommodation unit licenses, six hotels, and three bed and breakfasts. Clearly STRs are vital to the economy of the Town. Combining sales, accommodations, and marijuana taxes — lodging services provide 40 percent of Town revenue. At the same time, the Town wants to ensure that long-term housing is available for the local workforce.

To that end, the Town has proposed a 2017 budget of more than \$19 million for the Affordable Housing Fund. The Town is also pursuing incentives for property owners to rent long-term. The “Housing Works” program, organized by a local nonprofit, is designed to match local families earning moderate household incomes with property owners who are either tired of dealing with the STR market or want to offer their home for long-term rental for the first time.

STR regulation in Breckenridge began in 1984 when the tax structure of collecting the town sales tax (currently 2.5 percent) and the Town accommodations tax (currently 3.4 percent) was applied to STRs. Together with state, county, and affordable housing sales taxes, the total tax on short term rentals is 11.675 percent.

The Breckenridge Municipal Code includes the following:

- Tax is collected on the purchase price of lodging, as well as any mandatory service charges required of the renter.
- Tax must be remitted directly to the Town and not be passed on



to another party such as a property manager.

- Tax charges must be listed separately on the bill presented to the consumer.
- Breckenridge recognizes that STRs are engaged in business. As a result, all property owners of STRs are required to pay an annual occupational license tax (aka Accommodation Unit License). The tax ranges from \$75 to \$175 annually, depending upon the number of bedrooms in the property. By requiring licensing (regardless of tax remittance), the Town is able to match online listings with the licensed owners.
- Breckenridge does not impose zoning restrictions on STRs, with the exception of prohibiting short

term rental of deed restricted workforce housing.

- Outside of the norm for residential properties, no additional restrictions are placed on STRs simply due to STR activity at the property (such as building inspections or additional safety regulations).
- STRs may be either a primary or non-primary residence and there is no occupancy limit imposed.

Even through these times of change, short-term rentals continue to play an important role in welcoming visitors to Breckenridge.

“ ... You better start swimming or you'll sink like a stone. For the times they are a-changing.”

— Bob Dylan

DENVER'S APPROACH TO SHORT-TERM RENTALS

By Luke Palmisano, aide to Denver Councilwoman Mary Beth Susman



Denver's approach to short-term rentals sought to craft 21st century solutions to 21st century concerns. We wanted solutions to protect the safety of guests and hosts while balancing the needs of neighbors, hosts, guests, hoteliers, and the city.

All short-term rentals (STRs) were illegal in solely residential zones prior to Denver's regulations. Actually the term "short-term rental" did not appear in our zoning code, but rental of residential units required at least a 30-day term.

The key components of Denver's regulations include a licensing requirement, an assessment of lodger's taxes (10.75 percent), measures to protect the safety of guests and hosts, and conditions that seek to ensure compliance. Denver requires hosts to obtain a short-term rental license through the Department of Excise and Licenses (EXL). The fee for the STR license is \$25 renewed annually. The tax license is \$50 renewed biennially.

STRs are an accessory use wherever residential uses are allowed; therefore the host does not need a zoning permit. The unit must be the primary residence of the host (whether owned or rented), certified by driver's license, voter registration, and other means. An



inspection is not required to obtain a license. Hosts do not need to be present while renting their dwelling.

Hosts must have a carbon monoxide detector, smoke detector, and fire extinguisher. They must also provide guests with an information packet that includes noise ordinance regulations, trash pick-up dates and rules, local contacts, and other information.

An important goal was to create a simple enough process that would induce the greatest compliance rate because licensing gives us the best route to enforcement. To further that end, Denver is the first municipality in the nation to offer a short-term rental

licenses completely online. Applicants affirm their primary residence status, presence of equipment and materials all online, under penalty of perjury.

To aid in enforcement, Denver's STR ordinance requires the licensed host to post the license number on all advertising. This provides EXL the ability to spot check STR listings on all venues/platforms for compliance. If a listing does not include a license number EXL pursues compliance.

All permitting of STRs can be prohibited by landlords and homeowners associations. Apartment complexes with "guest suites" are exempt from needing licenses.

DURANGO ADDRESSES SHORT-TERM RENTAL ISSUES

By Mary Beth Miles, Durango assistant to the city manager/sustainability coordinator

Checking in for a night's stay no longer requires going up to the welcome counter to produce your ID and credit card. With the arrival of Airbnb, VRBO, and HomeAway, lodging options have changed forever.

That is why the City of Durango recognized the need to address the impacts of short-term rentals in 2014. The policy adopted by the City Council focused on preserving residential and neighborhood character; ensuring collection of sales and lodging taxes; and requiring compliance with basic health and life safety regulations.

Durango's policy balances short-term lodging needs with the need to maintain and provide adequate housing options for full-time residents. The challenge is exacerbated by a 1.2 percent rental vacancy rate in an already strained housing market. As a tourist destination, Durango's economy benefits from visitors who contribute to the local economy. Property owners recognize the income potential of the short-term rental market. Thus, Durango developed an innovative policy solution that simultaneously balanced rental market pressures, the sharing of residential real estate, and income potential for local property owners.

The short-term rental regulations seek to maintain neighborhood character, vitality, and vibrancy by ensuring that land uses are compatible. Durango only allows short-term rentals in limited zones, employs a street segment cap



that restricts short-term rentals to only one per block face, and requires all short-term rentals to obtain a limited use permit. In addition to fulfilling the land use process requirements, short-term rentals are also required to obtain business and lodger's tax licenses. The City's regulations are intended to prohibit market saturation. Of the approximately 8,000 housing units in Durango, in the two zones where short-term rentals are permitted, there a total of 60 permits available for short-term rentals.

Additional changes to the policy are being contemplated by city council to address short-term rental agreements for a single room in a residential unit.

Under the existing regulations, this type of arrangement, common under the Airbnb model, is not permitted. A pilot program, restricted to certain areas of the city, is being developed with a separate permitting process to address these rental units.

There is no one-size-fits-all regulatory framework for municipalities in Colorado seeking to regulate short-term rentals. Durango has developed — and continues to refine — a policy governing this emerging economy that is context-sensitive and reflective of our community character.

RESOURCES

CML continues to develop STR information through the CML Sharing Economy Task Force, chaired by Denver Councilmember Mary Beth Susman. A matrix of STR ordinances as well as sample ordinances, licensing forms, and other information is available on the CML website at www.cml.org, under Issues > Sharing Economy > Ordinances.

An informative study of vacation home rentals conducted by the Colorado Association of Ski Towns may be viewed online at the CAST website (coskitowns.com/links-of-interest).



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Colorado Municipal League
1144 Sherman Street
Denver, CO 80203-2207

HOSTCOMPLIANCE WHITE PAPER

Introduction: The meteoric rise of “home-sharing” and short-term rentals

Sharing our homes has been commonplace for as long as there have been spare rooms and comfortable couches. Whether through word of mouth, ads in newspapers or flyers on community bulletin boards, renters and homeowners alike have always managed to rent out or share rooms in their living spaces. Traditionally these transactions were decidedly analog, local and limited in nature, but with advance of the internet and websites such as Airbnb.com and HomeAway.com it has suddenly become possible for people to advertise and rent out their homes and spare bedrooms to complete strangers from far-away with a few mouse-clicks or taps on a smartphone screen. As a result, the number of homes listed for short-term rent has grown to about 4 million, a 10 fold increase over the last 5 years. With this rapid growth, many communities across the country are for the first time experiencing the many positive and negative consequences of an increased volume of “strangers” in residential communities. While some of these consequences are arguably positive (increased business for local merchants catering to the tourists etc.) there are also many potential issues and negative side-effects that local government leaders may want to try to mitigate by adopting sensible and enforceable regulation.

How to effectively regulate home-sharing and short-term rentals has therefore suddenly become one of the hottest topics among local government leaders across the country. In fact, at the recent National League of Cities conference in Nashville, TN, there were more presentations and work sessions dedicated to this topic than to any other topic. Yet, despite more than 32,000 news articles written on the topic in recent years, surprisingly little has been written on how to implement simple, sensible and enforceable local policies that appropriately balances the rights of homeowners with the interests of neighbors and other community members who may only experience the negative side-effects associated with people renting out their homes on a short-term basis. This guide seeks to address this knowledge gap and offer practical advice and concrete examples of short-term rental regulation that actually works.

Why regulate home-sharing and short-term rentals in the first place?

There are many good reasons why local government leaders are focused on finding ways to manage the rapid growth of home-sharing and short-term rental properties in their communities. To name a few:

1. Increased tourist traffic from short-term renters has the potential to slowly transform peaceful residential communities into “communities of transients” where people are less interested in investing in one another’s lives, be it in the form of informal friend groups or church, school and other community based organizations.
2. Short-term renters may not always know (or follow) local rules, resulting in public safety risks, noise issues, trash and parking problems for nearby residents.
3. So-called “party houses” i.e. homes that are continuously rented to larger groups of people with the intent to party can severely impact neighbors and drive down nearby home values.
4. Conversion of residential units into short-term rentals can result in less availability of affordable housing options and higher rents for long-term renters in the community.
5. Local service jobs can be jeopardized as unfair competition from unregulated and untaxed short-term rentals reduces demand for local bed & breakfasts, hotels and motels.
6. Towns often lose out on tax revenue (most often referred to as Transient Occupancy Tax / Hotel Tax / Bed Tax or Transaction Privilege Tax) as most short-term landlords fail to remit those taxes even if it is required by law.
7. Lack of proper regulation or limited enforcement of existing ordinances may cause tension or hostility between short-term landlords and their neighbors
8. The existence of “pseudo hotels” in residential neighborhoods (often in violation of local zoning ordinances etc.) may lead to disillusionment with local government officials who may be perceived as ineffective in protecting the interests of local tax-paying citizens.

In short, while it may be very lucrative for private citizens to become part-time innkeepers, most of the negative externalities are borne by the neighbors and surrounding community who may not be getting much in return. The big questions is therefore not whether it makes sense to regulate short-term rentals and home-sharing, but how to do it to preserve as many of the benefits as possible without turning neighbors and other local community members into “innocent bystanders”. In the next sections we will explore how to actually do this in practice.

Effective home-sharing and short-term rentals regulation starts with explicit policy objectives and a clear understanding of what regulatory requirements can be enforced

As with most regulation enacted on the local level, there is no “one size fits all” regulatory approach that will work for all communities. Instead local regulation

should be adapted to fit the local circumstances and policy objectives while explicitly factoring in that any regulation is only worth the paper it is written on if it can be enforced in a practical and cost-effective manner.

START WITH EXPLICIT POLICY OBJECTIVES!

As famously stated in Alice in Wonderland: “If you don't know where you are going, any road will get you there.” The same can be said about short-term rental regulation, and unfortunately many town and city councils end up regulating the practice without first thinking through the community’s larger strategic objectives and exactly which of the potential negative side effects associated with short-term rentals that the regulation should try to address. As an example, the Town of Tiburon in California recently passed a total ban of short-term rentals and home-sharing without thinking through the severely negative impact of such regulation on its stated strategic policy objective of revitalizing its downtown. Likewise the City of Mill Valley, California recently adopted an ordinance requiring short-term landlords to register with the city, while failing to put in place an effective mechanism to shut-down “party-houses” although there had been several complaints about such properties in the past. Such oversight was clearly unintentional but highlights the fact that the topic of regulating short-term rentals and home-sharing is extremely complicated and it is easy to miss the forest for the trees when it comes time to actually writing the local code. To avoid this pitfall, local government leaders should therefore first agree on a specific list of goals that the new short-term rental regulation should accomplish before discussing any of the technical details of how to write and implement the new regulation. Any draft regulation should be evaluated against these specific goals and only code requirements that are specifically designed to address any of those concrete goals should be included in the final ordinance. Below are a few concrete examples of what such lists of concrete policy objective could look like for various types of communities:

EXAMPLE A: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR AN AFFLUENT RESIDENTIAL COMMUNITY IN ATTRACTIVE LOCATION

- Ensure that traditional residential neighborhoods are not turned into tourist areas to the detriment of long-time residents
- Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values (and property tax revenue)
- Ensure that homes are not turned into pseudo hotels or “party houses”
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department

- Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met

EXAMPLE B: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR AN URBAN COMMUNITY WITH A SHORTAGE OF AFFORDABLE HOUSING

- Maximize the availability of affordable housing options by ensuring that no long-term rental properties are converted into short-term rentals
- Ensure that short-term rentals and home-sharers are taxed in the same way as traditional lodging providers to ensure a level playing field and maintain local service jobs
- Ensure that the city does not lose out on hotel / bed / transient occupancy tax revenue that could be invested in much needed services for permanent residents
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department
- Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals and home-sharing as long as all of the above mentioned policy objectives are met

EXAMPLE C: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR A WORKING-CLASS SUBURBAN COMMUNITY WITH AMPLE HOUSING AVAILABILITY AND A STRUGGLING DOWNTOWN

- Give property owners the option to utilize their properties as short-term rentals and for home-sharing to help them make ends meet
- Encourage additional tourism to drive more business to downtown stores and restaurants
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department
- Ensure that the city does not lose out on tax revenue that could be invested in much needed services for permanent residents

EXAMPLE D: LIST OF SHORT-TERM RENTAL POLICY OBJECTIVES FOR BEACH TOWN WITH A LARGE STOCK OF TRADITIONAL VACATION RENTALS

- Ensure any regulation of hoe-sharing and short-term rentals does not negatively affect the value of second homes (and thereby property tax revenue)

- Encourage increased visitation to local stores and restaurants to increase the overall availability of services and maximize sales tax collection
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals and home-sharing without creating additional work for the local police department

Once clear and concrete policy objectives have been formulated the next step is to understand what information can be used for code enforcement purposes, so that the adopted short-term rental regulation can be enforced in a cost-effective manner.

ONLY ADOPT POLICY REQUIREMENTS THAT CAN AND WILL BE ENFORCED!

While it may seem obvious that only enforceable legislation should be adopted, it is mind-boggling how often this simple principle is ignored. To give a few examples, the two California towns previously mentioned not only failed to adopt regulation consistent with their overall strategic policy objectives, but also ended up adopting completely unenforceable rules. In the case of Tiburon, the town council instituted a complete ban of all short-term rentals and home-sharing within its jurisdiction, but not only failed to allocate any budget to enforce it, but also failed put in place fines large enough to deter any violation of the ban. As a result, the number of properties listed for rent has remained virtually unchanged before and after the ban.

In the case of Mill Valley, the town's registration requirement turned out to be completely unenforceable as the town's personnel had neither the technical expertise, time nor budget to track down short-term landlords that failed to register. As a result, the town has had to rely exclusively on self-reporting, and unsurprisingly the compliance rate has been less than 5%.

As for local governments that require short-term rental property owners to pay tax to the local jurisdiction without allocating budget to enforcing such rules, they have found themselves in similar situations, with compliance rates in the 5% range.

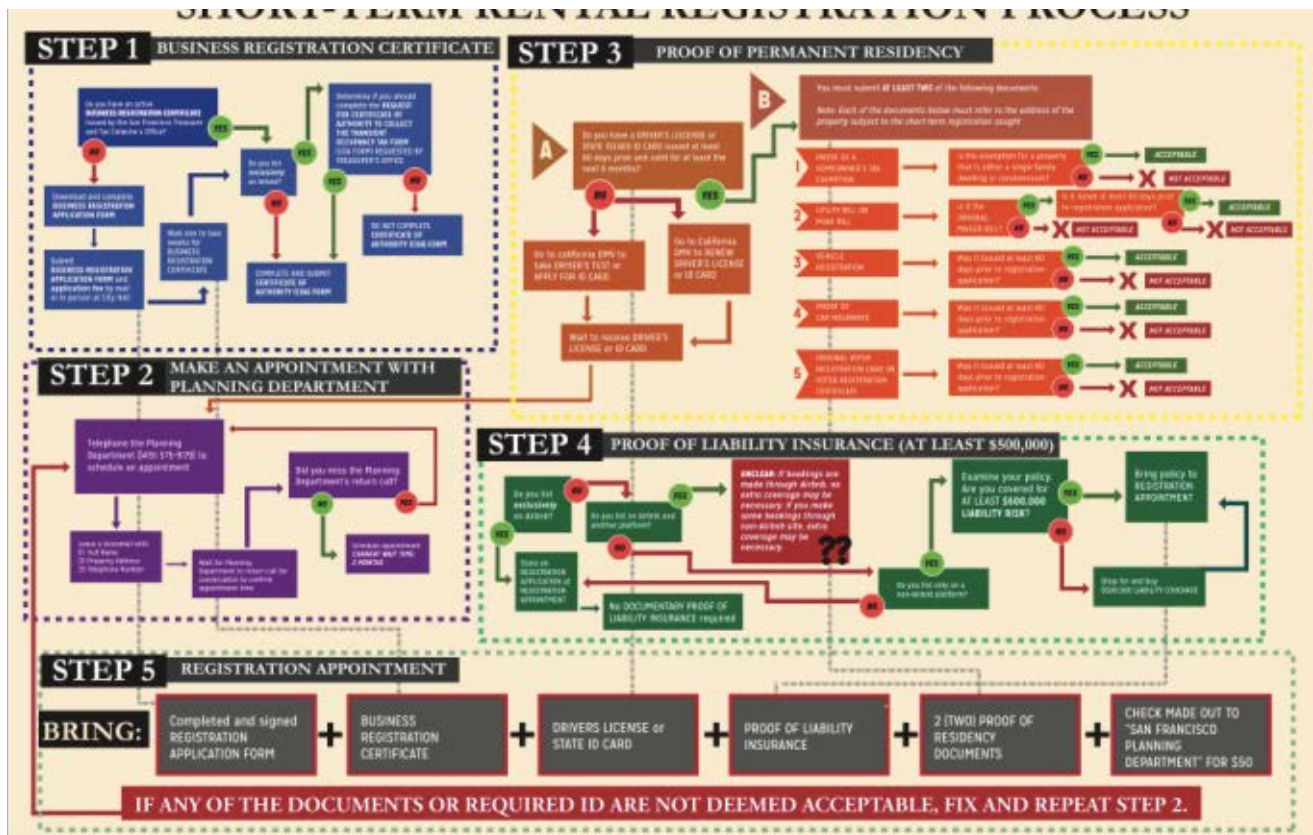
KEEP IT SIMPLE!

Another common mistake is for cities to adopt complicated rules that are hard for citizens to understand and follow and that require large investments in enforcement. As an example, despite setting up a dedicated department to enforce its short-term rental regulation, the City of San Francisco has only achieve a 10-15% compliance rate as its regulation is so complicated and its registration process so agonizing that most people give up before even trying to follow the rules. Below is

flow-chart that illustrates San Francisco’s cumbersome short-term rental registration process.

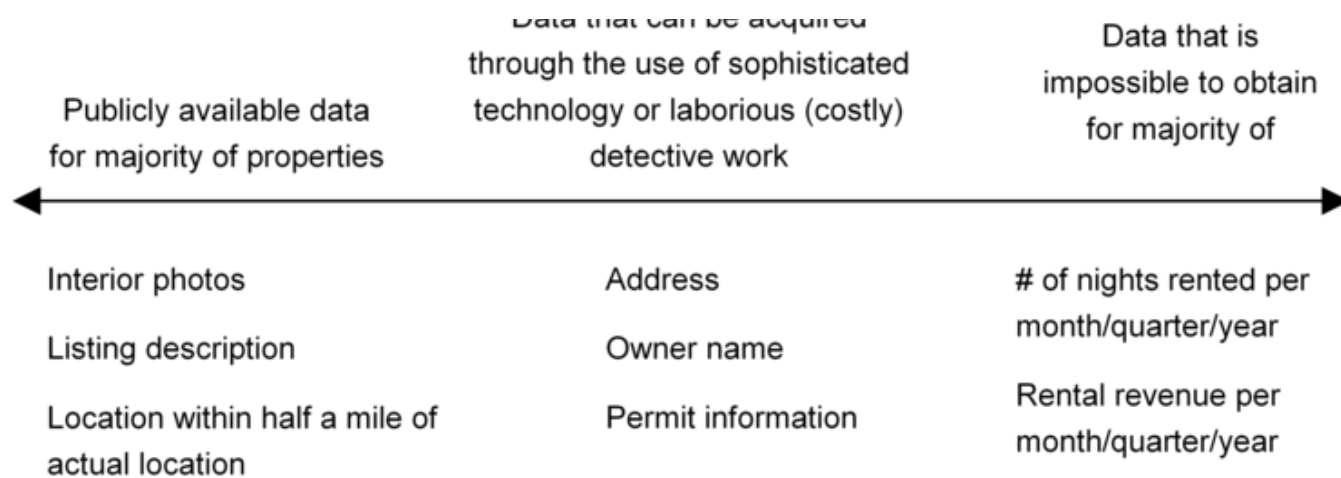
Sharing our homes has been commonplace for as long as there have been spare rooms and comfortable couches. Whether through word of mouth, ads in newspapers or flyers on community bulletin boards, renters and homeowners alike have always managed to rent out or share rooms in their living spaces. Traditionally these transactions were decidedly analog, local and limited in nature, but with advance of the internet and websites such as Airbnb.com and HomeAway.com it has suddenly become possible for people to advertise and rent out their homes and spare bedrooms to complete strangers from far-away with a few mouse-clicks or taps on a smartphone screen. As a result, the number of homes listed for short-term rent has grown to about 4 million, a 10 fold increase over the last 5 years. With this rapid growth, many communities across the country are for the first time experiencing the many positive and negative consequences of an increased volume of “strangers” in residential communities. While some of these consequences are arguably positive (increased business for local merchants catering to the tourists etc.) there are also many potential issues and negative side-effects that local government leaders may want to try to mitigate by adopting sensible and enforceable regulation.

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on for short-term rental compliance monitoring and enforcement purposes, please see the diagram below that shows which:

1. data is publicly available on the various home-sharing websites
2. information that can be uncovered through the deployment of sophisticated “big data” technology and trained experts (or time-consuming and therefore costly detective work conducted by a town’s own staff)
3. property specific details that are practically impossible to obtain despite significant investment of time and money



So where does that leave local government leaders who want to put in place enforceable short-term rental regulation? In the next section we will explore, describe, and assess the viable regulatory tools available for local government leaders to effectively address the key issues related to taxation, regulation, social equity and economic development.

Viable regulatory approaches to managing short-term rentals and home-sharing

As mentioned earlier, the first step to creating effective short-term rental regulation is to document and get agreement on a set of clear and concrete policy objectives. Once this has been accomplished putting together the actual regulatory requirements can be simplified by referring to the “cheat sheet” below, which lists the regulatory levers that can be pulled to accomplish those goals in a practical and cost-effective manner while factoring in the data limitations highlighted in the previous section.

SHORT-TERM RENTAL POLICY OBJECTIVES AND THE ASSOCIATED VIABLE
REGULATORY APPROACHES

Policy Objective	Viable Regulatory Approach(es)	Unviable Regulatory Approach(es)
Give law abiding and respectful citizens the option to utilize their homes as short-term rentals	Adopt a formal annual permitting requirement and a process for revoking permits from “trouble properties”. As an example a local government can adopt a “3 strikes rule” whereby a permit is automatically revoked for a number of years in the event the local government receives 3 (substantiated) complaints about a property within a certain time frame (i.e. a 24 month period). Alternatively, a local government can adopt a rule” by which a permit is automatically revoked in the event the town receives conclusive evidence (police report, video evidence etc.) that a city ordinance has been violated.	Failing to clearly specify what rules law abiding and respectful short-term landlords and their renters must comply with. Adopting regulation that does not clearly define the criteria and process for revoking a short-term rental permit.
Ensure that speculators do not buy up homes to turn them into pseudo hotels while still giving permanent residents the option to utilize their homes to generate	Adopt a formal permit requirement and make it a condition that the permit holder verifies residency on an annual basis by submitting the same documentation as is required to verify residency for public school attendance purposes	Adopting a permitting process that does not formally require short-term rental permit holders to verify that they are permanent residents of the permitted property

extra income from short-term rentals and home-sharing		
Ensure that homes are only occasionally used as short-term rentals (and not continuously rented out to new people on a short term basis)	It is unfortunately not practically possible to enforce any formal limits on the number of times or number of days that a particular property is rented on an annual/quarterly/monthly basis, but adopting a permanent residency requirement for short-term rental permit holders (see above) can ensure that there is a practical upper limit to how often most properties are any property is rented out each year (most people can only take a few weeks of vacation each year and they are therefore practically restricted to rent out their homes for those few weeks). There is unfortunately no easy way to deal with the tiny minority of homes where the “permanent resident” owners have the ability to take extended vacations and rent out their home continuously. That said, if the above mentioned “permanent residency requirement” is combined with rules to mitigate noise, parking and trash related issues, the potential problems associated with these few homes should be	A formal limit on the number of times or number of days each property can be rented on an annual/quarterly/monthly basis is not enforceable as occupancy data is simply not available without doing a formal audit of each and every property.

	manageable. Adopting a ““permanent residency requirement” also comes with the additional side benefit that most people don’t want to rent out their primary residence to people who may trash it or be a nuisance to the neighbors. The “permanent residency requirement” can therefore also help minimize noise, parking and trash related issues.	
Ensure homes are not turned into “party houses”	Adopt a formal permit requirement and put in place a specific limit on the number of people that are allowed to stay on the property at any given time. The “people limit” can be the same for all permitted properties (i.e. a max of 10 people) or be correlated with the number of bedrooms. In addition, the regulation should formally specify that any advertisement of the property (offline or online) and all rental contracts must contain language that specifies the allowed “people limit” to make it clear to (potential) renters that the home cannot be used for large gatherings. While not bullet-proof, adopting these requirements will deter most abuse. In addition it is possible to	Adopting any regulation that does not clearly define what types of uses are disallowed will be ineffective and likely result in misinterpretation and/or abuse.

	proactively enforce this rule as all listing websites require (or allow) hosts to indicate their property's maximum occupancy on the listings.	
Minimize potential parking problems for the neighbors of short-term rental properties	Adopt a formal permit requirement and put in place a specific limit on the number of motor vehicles that short-term renters are allowed to park on/near the property. The "motor vehicle limit" can be the same for all permitted properties (i.e. a max of 2) or be dependent on the number of permanent parking spots available on the property. In addition, the regulation should formally specify that any advertisement of the property (offline or online) and any rental contract must contain language that specifies the allowed "motor vehicle limit" to make it clear to (potential) renters that bringing more cars is disallowed. As with the "people limit" rule mentioned above, adopting these parking disclosure requirements will deter most abuse. In addition it is easy to proactively enforce this rule as most listing websites require or allow their hosts to describe their property's parking situation on the listing.	Adopting any regulation that does not clearly define a specific limit on the number of motor vehicles that short-term renters are allowed to park on/near the property.

Minimize public safety risks and possible noise and trash problems without creating additional work for the local police department and code enforcement personnel

- Require that all short-term rental contracts include a copy of the local sound/trash/parking ordinances and/or a "Good Neighbor Brochure" that summarizes the local sound/trash/parking ordinances and what is expected of the renter. ul>
- Require that short-term rental permit holders list a "local contact" that can be reached 24/7 and immediately take corrective action in the event any non-emergency issues are reported (i.e. deal with suspected noise, trash or parking problems) ul>
- Establish a 24/7 hotline to allow neighbors and other citizens to easily report non-emergency issues without involving local law/code enforcement officers. Once notified of a potential ordinance violation, the hotline personnel will contact the affected property's "local contact", and only involve the local law and/or code enforcement personnel in the event that the 'local contact' is unsuccessful in remedying the situation within a reasonable

Adopting any regulation and enforcement processes that do not explicitly specify how non-emergency problems should be reported and addressed.

	amount of time (i.e. 20-30 minutes).	
Ensure that no long-term rental properties are converted to short-term rentals to the detriment of long-term renters in the community	Adopt a permanent residency requirement for short-term rental permit holders (see above) to prevent absentee landlords from converting long-term rental properties into short-term rentals.	Adopting a permitting process that does not formally require short-term rental permit holders to verify that they are permanent residents of the permitted property will be ineffective in preventing absentee landlords from converting their long-term rental properties into short-term rentals.
Ensure that residential neighborhoods are not inadvertently turned into tourist areas to the detriment of permanent residents	Implement one or both of the following regulatory approaches: • Adopt a formal permit requirement and set specific quotas on the number of short-term rental permits allowed in any given neighborhood, and/or • Adopt the “permanent residency requirement” for short-term rental permit holders (mentioned above) to ensure that there is a practical upper limit to how often any property is rented out each year	Adopting a complete ban on short-term rentals, unless such a ban is heavily enforced.

Ensure the physical safety of short-term renters	Adopt a physical safety inspection requirement as part of the permit approval process. The inspection can be conducted by the municipality's own staff or the local fire/police force and can cover various amounts of potential safety hazards. As a minimum such inspection should ensure that all rentals provide a minimum level of protection to the renters who are sleeping in unfamiliar surroundings and therefore may be disadvantaged if forced to evacuate the structure in the event of an emergency.	Adopting a self-certification process that does not involve an objective 3rd party.
Ensure any regulation of short-term rentals and home-sharing does not negatively affect property values or create other unexpected negative long-term side-effects	Adopt regulation that automatically expires after a certain amount of time (i.e. 2-5 years) to ensure that the rules and processes that are adopted now are evaluated as the market and technology evolves over time.	Adopt regulation that does not contain a catalyst for evaluating its effectiveness and side-effects down the line.

In addition to the above targeted regulatory measures, local governments should adopt requirements for short-term rental permit holders to maintain books and records for a minimum of 3 years so that it is possible to obtain the information necessary to conduct inspections or audits as required. Finally, it is imperative that local governments adopt fine structures that adequately incentivizes short-term landlords to comply with the adopted regulation. Ideally the fines should be proportionate to the economic gains that potential violators can realize from breaking the rules, and fines should be ratcheted up for repeat violators. Below is an example of a fine schedule that will work for most jurisdictions:

	1st violation	2nd violation	3rd violation	4th violation
Fine for advertising a property for short-term rent (online or offline) without first having obtained a permit or for violating any other requirements of the local government's short-term rental regulation including failure to comply with the local listing requirements	\$250 per day	500 per day	\$750 per day	Upon the fourth or subsequent violation in any twenty-four month period, the local government may suspend or revoke any permit. The suspension or revocation can be appealed.
Notes: - Any person found to be in violation of this regulation in a civil case brought by a law enforcement agency shall be ordered to reimburse the local government and other participating law enforcement agencies their full investigative costs, pay all back-owed taxes, and remit all illegally obtained short-term rental revenue proceeds to the local government - Any unpaid fine will be subject to interest from the date on which the fine became due and payable to the local government until the date of payment. - The remedies provided for in this fine schedule are in addition to, and not in lieu of, all other legal remedies, criminal or civil, which may be pursued by the local government to address any violation or other public nuisance.				

Best Practices for Enforcing Home-Sharing and Short-term Rental Regulation

To implement any type of effective short-term rental regulation, be it a total ban, a permitting requirement, and/or a tax, local governments must expect to invest some level of staff time and/or other resources in compliance monitoring and enforcement. That said, most local governments are neither technically equipped nor large enough to build the true expertise and sophisticated software needed to do this cost-effectively. There are several reason why this is the case:

1. Rental property listings are spread across dozens (or hundreds) of different home sharing websites, with new sites popping up all the time (Airbnb and HomeAway are only a small portion of the total market)
2. Manually monitoring 100s or 1,000s of short-term rental properties within a specific jurisdiction is practically impossible without sophisticated databases as property listings are constantly added, changed or removed
3. Address data is hidden from property listings making it time-consuming or impossible to identify the exact properties and owners based just on the information available on the home-sharing websites
4. The listing websites most often disallow property owners from including permit data on their listings, making it impossible to quickly identify unpermitted properties
5. There is no manual way to find out how often individual properties are rented and for how much, and it is therefore very difficult to precisely calculate the amount of taxes owed by an individual property owner

Luckily, it is possible to cost-effectively outsource most this work to new innovative companies such as Host Compliance that specialize in this area and have developed sophisticated big data technology and deep domain expertise to bring down the compliance monitoring and code enforcement costs to a minimum. In many situations, these companies can even take on all the work associated with managing the enforcement of the short-term rental regulation in return for a percentage of the incremental permitting fees, tax revenue and fine revenue that they help their local government partners collect. Adopting short-term rental regulation and outsourcing the administration and enforcement can therefore be net-revenue positive for the local government, while adding no or little additional work to the plates of internal staff. What's more, getting started generally requires no up-front investment, long-term commitment or complicated IT integration.

That said, while it is good to know that adopting and enforcing short-term regulation can be net revenue positive if done in partnership with an expert firm, it is important to note that the economic benefits are only a small part of the equation and that local government leaders should also factor in the many non-economic benefits associated with managing and monitoring the rapidly growing short-term rental industry in their local communities. These non-economic benefits are often much more important to the local citizens than the incremental tax revenue, so even if the incremental revenue numbers may not seem material in the context of a local government's overall budget, the problems that unregulated and/or unmonitored short-term rentals and home-sharing can cause for the neighbors and other "innocent bystanders" can be quite material and should therefore not be ignored. Or as Jessica C. Neufeld from Austin,

TX who suddenly found herself and her family living next to a “party house” reminds us: *“We did not buy our house to be living next to a hotel. Would you buy a home if you knew a hotel like this was operating next door, if you wanted to set your life up and raise a family?”* [1].

Conclusion

It is the responsibility of local government leaders to ensure that as few people as possible find themselves in the same unfortunate situation as Jessica and her family. In this white-paper we have outlined how to make it happen - in a revenue positive way. To find out more about how we can help your community implement simple, sensible and enforceable short-term rental regulation, feel free to visit us on www.hostcompliance.com or call us for a free consultation on (415) 715-9280. We would also be more than happy to provide you with a complimentary analysis of the short-term rental landscape in your local government’s jurisdiction and put together an estimate of the revenue potential associated with adopting (or more actively enforcing) short-term rental regulation in your community.

[1] New York Times article: “New Worry for Home Buyers: A Party House Next Door”, October 10, 2015



**Sustainable
Economies
Law Center**

REGULATING SHORT-TERM RENTALS: A Guidebook for Equitable Policy

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Sustainable Economies Law Center (SELC) is a nonprofit that charts the legal territory of the new economy, educates people about the possibilities and limits of creative economic structures, and advocates for laws that clear the way for community resilience.

**(this publication does not necessarily represent their positions)*



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EXECUTIVE SUMMARY

Sooner or later, nearly every city will need to address the rapid spread of short-term rentals. Though the activity itself is not new, in recent years, companies including Airbnb, VRBO, Flipkey, and Homeaway have facilitated and mainstreamed short-term rentals to a point where local governments are taking note, and taking action.

Sustainable Economies Law Center (SELC) offers the following recommendations to assist policymakers with the process of drafting a local short-term rental ordinance. SELC's goal is for local governments to craft short-term rental policies that generate inclusive opportunities for local wealth-creation, while balancing the needs of all members of the community. Ideally, the result will be an equitable policy that protects public interests, including housing affordability, health and safety, neighborhood quality, and municipal revenues, while retaining reasonable latitude for city residents to host and earn money from short-term guests.

A short-term rental (STR) refers to a room or housing unit that is rented to a person or group for a short period of time, typically under 30 nights. The legality of STRs is being questioned in cities across the country because most local planning codes define STRs as a commercial activity akin to bed and breakfasts or inns, and typically prohibit them in residential areas without proper permitting and licensing.

In addition to legal questions, STRs raise important questions about local priorities and the larger role STRs play in cities and neighborhoods. The staunchest proponents of STRs argue that hosting short-term guests enables residents to offset the cost of housing, make efficient use of otherwise unused space, and benefit directly from tourism dollars and cultural exchange. Others are less convinced of the benefits of STRs, arguing that the short-term rental of residential units negatively impacts local housing stock, neighborhood quality, public tax revenues, and conventional hotels.

In cities with high housing demand, the most contentious issue tends to be the impact of STRs on housing availability and affordability. Though STRs may help some hosts occasionally rent a portion of their primary residence, thus offsetting mortgages and rent with the added income, a significant number of hosts are using STR platforms to rent multiple homes or entire apartment complexes to transient occupants instead of housing local residents. In many cases, STRs create a monetary incentive to shift the use of housing from long-term residential use to transient use, and without appropriate regulation, STRs will continue to reduce the amount of housing available to long-term residents – thereby increasing the cost of owning or renting in any impacted area.

In light of the complexity of STR issues, SELC sees a need for municipalities to respond with nuanced and comprehensive public policy. We offer this set of issue analyses and policy recommendations to assist policymakers, advocates, and residents in shaping such regulations. We emphasize that there is no one-size-fits-all STR regulation. In fact, of the existing local STR regulations, no two are exactly alike – and for good reason. Each city must regu-

late STRs according to its unique set of circumstances and priorities, and should arrive at an appropriate and equitable policy through open dialogue with the diversity of stakeholders involved. The following are key considerations cities should factor into an STR ordinance.

In crafting an equitable STR policy, we recommend that municipalities focus on how STRs:

- Impact the supply and affordability of housing;
- Provide economic benefit to those with economic need; and
- Affect neighborhood quality.

To address these issues, we recommend that municipalities take the following measures, where appropriate:

- Set clear definitions that distinguish STRs from commercial hotels;
- Limit STRs to primary residences, distinguishing them from vacation rentals;
- Require registration and recordkeeping;
- Institute a cap on rental nights per year;
- Establish protections and complaint procedures for guests and neighbors;
- Limit crowding, noise, and parking strains; and
- Collect transient occupancy tax.

I. INTRODUCTION



Sooner or later, nearly every city will need to address the rapid spread of short-term rentals, such as those facilitated by online platforms including Airbnb, VRBO, Flipkey, and Homeaway. To help local policymakers and advocates draft comprehensive and equitable short-term rental ordinances, Sustainable Economies Law Center (SELC) has conducted a broad survey of local short-term rental policies that have emerged over the past four years, offering this set of issue analyses and recommendations. SELC's goal is for STR policies to generate inclusive opportunities for local wealth-creation, while still balancing the needs of all members of the community.

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To create an equitable and appropriate short-term rental policy, each city must regulate short-term rentals according to its unique social and economic circumstances and priorities, and should craft solutions through open dialogue with the diversity of stakeholders involved. Ideally, the result will be a policy that protects public interests such as housing affordability, municipal revenues, health and safety, parking, and the quality and character of neighborhoods, while retaining reasonable latitude for city residents to host and earn money from short-term guests.

II. BACKGROUND

WHAT IS A SHORT-TERM RENTAL?

A short-term rental (STR) refers to a room or housing unit that is rented to a person or group for a short period of time, typically under 30 nights. STRs are distinct from long-term rentals in that the room or unit is rented on a nightly or weekly basis, whereas long-term rentals must exceed the minimum number of nights required by local laws. Due to the brief nature of STR stays, STR guests are typically transient occupants such as travelers who would otherwise stay in a hotel or similar accommodation. Long-term rentals, on the other hand, typically house individuals who work, attend school, or otherwise wish to “permanently” reside in the city.

STRS ARE NOT NEW

STRs are garnering more attention by the day, as are the online platforms that facilitate connections and/or payments between STR guests and hosts. But hosting short-term guests is not a new phenomenon, nor was it invented by these platforms. Before these platforms became available, travelers who wanted a different type of vacation experience were already opting to stay with locals rather than in hotels, in order to more fully experience the culture, food, and lifestyle of the region. Locals who hosted backpackers, “couch surfers,” pilgrims, and touring cyclists often did and continue to do so in exchange for money or skill trades, to be an ambassador of their locale, or simply to interact with visitors from faraway places.

STRS ON THE RISE

Within the past several years, both the *number* of properties available for short-term rental, and the *frequency* with which they are rented, have skyrocketed, transforming the activity from a casual and occasional practice to an increasingly formalized and pervasive activity in cities from San Francisco to Paris. Online platforms have played an essential role in the STR boom, enabling millions of people around the world to list and browse rentals, and to connect, coordinate, and transmit payments through one interface.

The most popular platform, Airbnb, self-reported that from 2013 to 2014, STR bookings in Nashville increased 365 percent, stays in New Orleans increased by 340 percent, and stays in Portland, Maine increased by 328 percent.¹ With such a sudden increase in STR activity and lack of corresponding regulatory action, it's no wonder cities are now feeling the effects of STRs on housing and rental markets, public tax revenues, and neighborhood quality.

San Francisco is one of many cities where STRs have caused heated controversy, particularly around tenant evictions and conversion of residential units to commercial use. A

1. Airbnb Unveils Top 10 Trending U.S. Travel Destinations for Summer 2014, Airbnb (May 1, 2014), <https://www.airbnb.com/press/news/airbnb-unveils-top-10-trending-u-s-travel-destinations-for-summer-2014>.

recent memo from the San Francisco Budget and Legislative Analyst states that between November 2013 and February 2015, the city had an estimated 5,249 to 6,113 Airbnb listings – all during a time when STRs were still illegal.² Not including STR units listed on other platforms or sites, Airbnb units alone were said to amount to 11 to 23.2 percent of the city’s vacant units, entire homes listed on Airbnb were estimated to remove 14.8 percent of the total rental housing available for rent citywide, and private and shared rooms that might otherwise be occupied by roommates were estimated to take even more units off the rental market.³ The same memo stated that STRs could lead to tenant evictions, because hosts have a financial incentive to leave the long-term rental market and enter the short-term rental market. In fact, the memo revealed that neighborhoods with the most intense STR activity also had high numbers of evictions.⁴

Numerous other studies and data scraping exposés have continued to illustrate the scope of STR use and impact in other cities including San Francisco, New Orleans, Nashville, New York, and Los Angeles.⁵ New York state Attorney General Eric Schneiderman, known for his early investigation of the STR impacts, released a report showing that Airbnb rentals in New York City increased from 2,650 in 2010 to 16,500 in 2014, with nearly three-quarters of these listings in violation of city or state laws.⁶ A Los Angeles study showed that 90 percent of Airbnb revenues are generated not by hosts who share a room in their homes, but by hosts who rent out *entire* units, and by leasing companies who rent out two or more entire units.⁷ Short-term renting in Los Angeles has also removed 7,316 rental units from the market, which amounts to the equivalent of seven years’ of affordable housing construction.⁸

Because STR platforms refuse to release detailed usage data, the full extent of STR impacts is still unclear. Despite that, the handful of public and independent investigations into STR impacts on housing, neighborhoods, and tax revenues – though painting only a partial picture – provide valuable insights into how STRs are changing cities on the ground. These investigations also provide clues about what cities can do to encourage fair use of STRs, minimize harms, and penalize those who violate regulations.

2. San Francisco Budget and Legislative Analyst’s Office, Analysis of the impact of short-term rentals on housing, 11 (May 13, 2015), available at <http://www.sfbos.org/Modules/ShowDocument.aspx?documentid=52601>.

3. Ibid.

4. Ibid at 30-31.

5. See, for example: Anti-Eviction Mapping Project. Last viewed November 24, 2015. <http://www.antievictionmappingproject.net/airbnbmap.html>. Inside Airbnb. Last viewed November 24, 2015. <http://inside-airbnb.com>. And, Airbnb and San Francisco: Descriptive Statistics and Academic Research. Alex Marqusee. April 12, 2015.

6. Office of New York State Attorney General Eric Schneiderman, Airbnb in the city, 6 (October 2014).

7. Roy Samaan, Airbnb, Rising Rent, And The Housing Crisis In Los Angeles, 3 (March 2015), available at <http://www.laane.org/airbnb-report>.

8. Ibid.

III. POSITIVE & NEGATIVE IMPACTS OF SHORT-TERM RENTALS

STRs can have a positive impact on cities, in that they can:

- **Contribute to local wealth** by giving residents the opportunity to earn money from hosting tourists, Fewer tourism dollars go to large corporate hotel chains, and more dollars stay within the community;
- **Make efficient use of space** by allowing residents to host guests in a room or unit when it might otherwise be unused;
- **Prevent economic hardship and displacement** by allowing some residents to use STR revenue to make ends meet and stay in their homes;
- **Provide both tourists and hosts with valuable social and cultural exchange**; and
- **Spread tourist dollars beyond typical hotel and tourism districts** by attracting travelers to less frequented neighborhoods and businesses.

At the same time, STRs can have a negative impact on cities, in that they can:

- **Take long-term rental units off the market**, creating a scarcity of housing options, and pushing up prices;
- **Incentivize property owners to keep rooms and units vacant or even evict long-term tenants** in order to make higher profit per night from short-term renters;
- **Unfairly compete with established hotels, inns, and bed and breakfasts** when STRs are not subject to the same level of taxation or regulation;
- **Reduce transient occupancy tax, or “hotel tax” revenues for the city** when STR hosts evade the tax or avoid remitting the tax on the grounds that they are not operating a hotel;
- **Violate residential zoning codes** that are intended to limit noise, traffic, parking shortages, and activities incompatible with the character of a neighborhood;
- **Adversely impact community cohesion** because vacation rentals house a revolving circuit of transient occupants who are not connected to or invested in the community; and
- **Reinforce class, gender, and racial inequities**, because online platforms make it easy for users to act on biases when selecting hosts or guests, and because the opportunity to rent living space to short-term guests, like most other economic opportunities, disproportionately privileges the privileged.

IV. CURRENT LAW



Many municipal codes prohibit residents from hosting short-term guests in exchange for payment unless residents comply with all regulations applicable to commercial hotels and bed and breakfasts.

These laws tend to require zoning approval, compliance with health, building, and safety laws, and payment of a transient occupancy tax (TOT), also known as a “hotel tax.” Given that such laws are generally designed for commercial hotels, in the absence of a local ordinance that tailors such laws to STRs, these local laws effectively ban STRs.

Meanwhile, a growing number of cities and counties have crafted local ordinances that both legalize some form of STRs and impose limitations and regulatory processes that protect public interests. These cities and counties include Austin, San Francisco, Portland, Nashville, Santa Monica, Madison, and many others. Interestingly, of the dozens of new and emerging STR ordinances around the U.S., no two regulations are exactly alike. Indeed, the differences among them may lend valuable insight into each city’s political priorities, social and economic values, and in some cases, their most influential stakeholders. Each municipality should calibrate its STR ordinance to its particular social and economic circumstances, but there are several basic considerations that all cities and counties should take into account when drafting such a policy. These considerations are outlined below.

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V. SELC'S RECOMMENDATIONS: THE BASIC COMPONENTS OF AN STR ORDINANCE



Local governments can benefit from adopting more nuanced regulations that simultaneously lift any outright ban on STRs, channel STR income-earning opportunities to those who need them, and restrict STRs in ways that reduce negative externalities. We believe that such short-term rental regulations must be comprehensive. Therefore, in this section, we highlight some of the key elements of a short-term rental policy, and include examples from local STR regulations throughout the county. Policymakers and advocates should adapt these recommendations to local contexts, and involve a diverse set of stakeholders in doing so. The result should be an STR regulation that fairly and accurately reflects local needs and priorities.

Though adoption of these or similar recommendations ultimately depends on local context, we encourage policymakers to still consider the principles that underlie these recommendations. That includes setting definitions that effectively frame the issues; creating restrictions that preserve housing affordability; devising registration, record-keeping, and reporting processes that encourage compliance and facilitate effective enforcement; and including measures to ensure the safety of guests, the preservation of neighborhood quality, and the protection of public revenues.

A. ESTABLISH CLEAR DEFINITIONS

We recommend that municipalities establish clear definitions that distinguish a “Short-Term Rental” from a long-term rental, as well as describe the qualities that set STRs apart from their more commercial counterparts, including a “Hotel,” “Motel,” “Boarding House,” or a “Bed and Breakfast.” In addition to drawing distinctions between STRs and other activities or establishments, regulators must also address variations among STRs, including whether or not the unit is a the host’s primary residence, and whether or not

the STR is occupied by the host during a guest's stay. Though a municipality's definition of STRs can include more embellishment, our recommended basic definition of STRs and STR subcategories are as follows:

Short-Term Rental (STR) is the rental of a primary residence or portion thereof for a period of less than 30 nights, for which the guest compensates an owner or lessee of the unit.⁹

Primary Residence: A housing unit in which an owner or lessee resides for the majority of the year.¹⁰

Hosted Primary Residence STRs: An STR unit is a Hosted Primary Residence STR if the owner or lessee who is hosting a short-term guest occupies that dwelling unit as his or her primary residence for the majority of the year, and if the owner or lessee hosts one or more guests in a bedroom or some portion of the unit and is generally present for the duration of the rental period.¹¹

Un-Hosted Primary Residence STRs: A unit is an Un-Hosted Primary Residence STR if the owner or lessee occupies the dwelling unit as his or her primary residence for the majority of the year, but leaves his or her unit for a period of time – for example, over a weekend, when traveling for work, or while on vacation – and rents out all or part of the unit in his or her absence.

Vacation Rentals: A Vacation Rental is an entire residential unit that is not a primary residence and is rented to guests on a short-term basis, typically under 30 nights.¹²

B. REQUIRE REGISTRATION AND RECORDKEEPING

Proof of Primary Residency:

We recommend that all STRs be limited to primary residences. As defined above, a primary residence is a housing unit in which a renter or owner resides for the majority of the year. By definition, a person may have only one primary residence, and it follows that a person may have only one STR address.

9. Though we define short-term as less than 30 nights, a common requirement for tenancy, the minimum number of nights for tenancy could be based on existing local tenancy laws if those are more appropriate.

10. We suggest defining majority as a minimum of nine months, with variations depending on local circumstances. If a municipality has an existing definition of primary residence, it could be referenced here.

11. We define "generally present" as having the host present for an average of 6 hours out of any 24-hour period.

12. The Sustainable Economies Law Center does not consider Vacation Rentals to be short-term rentals, but considers them a separate category of transient accommodations. See "Setting Caps on the Number of Rental Nights Per Year" in Section C for a description of how Austin, TX, and Nashville, TN regulate vacation rentals as a separate and distinct activity. See: Austin, Tx., City Land Development Code § 25-2-793 (2014), and Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.Q. (2015).

An STR registration process should require hosts to provide records demonstrating that the unit is their primary residence. We recommend that cities follow the example of San Francisco and require hosts to show that the unit is listed as the applicant's residence on at least two of the following documents in order to register: motor vehicle registration, driver's license, voter registration, or a utility bill.¹³ Though the documents listed in San Francisco's administrative code should provide sufficient evidence of primary residency, cities could add to the list of acceptable documentation federal and state tax returns that reflect the address of the residential unit in question. If primary residency is in dispute, regulators could resort to using the various factors that the IRS uses to determine principal residency.

Registration:

Enforcing the provisions of an STR ordinance, particularly caps on the number of units per host, rental nights per year, payment of transient occupancy taxes, and other recommendations outlined below, necessitates that hosts be accountable to some form of local oversight. By requiring STR hosts to register with the Planning Department or some similar office, cities will identify a unit being used for short-term rental, a point person for complaints, and a party who will be held liable for violations. We suggest that cities keep the registration process relatively simple to encourage participation. A primary objective of registration should be to collect basic information from hosts and to open a line of communication between hosts and the city. As discussed below, we do not recommend that approval of registration be contingent on inspection.

Cost of Registration:

We suggest that cities keep both registration costs and subsequent renewal fees as low as possible by relying on registration fees only to cover the administrative cost of processing registrations, as in Anaheim, CA.¹⁴ If registration costs are kept low, cities can factor the costs of fielding complaints and enforcing STR laws into the tax rate and fines for violations. That way, hosts who comply with the law or only engage in short-term rental occasionally will not bear the cost of oversight for those who do not comply.

Registration Renewal:

Registration renewal could be required yearly (as in Anaheim¹⁵ and Dana Point, CA¹⁶), every two years (as in St. Helena, CA¹⁷ and for Type A STRs in Portland, OR¹⁸), or follow a model like Maui County, HI, where permits are valid for one year but are extended to two years if there are no recorded complaints.¹⁹ We recommend that cities follow a responsive approach similar to Maui County's, where permits are valid for two years unless

13. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5.(g)(3)(A) (2015).

14. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.090 (2014).

15. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.070 (2014).

16. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.055 (2013).

17. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.060(F) (2012).

18. Portland, Or., City Code & Charter ch. 33.207, § 33.207.040(C) (2015).

19. Maui County, Haw., County Code ch. 19.65, § 19.65.070(A) (2012).

there are complaints of violation, in which case permits would have to be renewed more frequently. Unless regulators rely on yearly permit renewals to inform them of the number of active STRs, this process would be an effective way to reward law-abiding hosts and reduce paperwork for regulators.

In an effort to encourage compliance with its short-term rental laws, Portland, OR has included a provision in its permitting policy wherein an STR permit can be revoked for failure to comply with the city's set of STR rules.²⁰ We recommend that cities adopt a provision similar to Portland's, including withholding permit renewal for a certain amount of time after a host is found to be in violation of STR laws.

Reporting and Recordkeeping:

To assist with the oversight and enforcement of ordinance requirements, a city may want to require hosts to keep records of guest names, guest contact information, dates of stay, indication of the host's presence or absence during the stay, and revenue earned. Cities already requiring this level of detail in recordkeeping include Madison, WI²¹ and Portland, OR, the latter requiring hosts to also maintain guests' license plate numbers (if traveling by car) and a record of the room assigned to each guest.²² Cities could require hosts to maintain the records for at least two years and make them available to the city upon request when the host is suspected of a violation, or in the event of a randomized inspection.²³ An alternative process could require hosts to regularly submit reports to the city regarding the number of hosted and un-hosted nights the STR was rented, as is required in San Francisco.²⁴

However, the major online STR platforms already collect host, guest, and usage information, and if a city decides to require hosts to record and report that data, it could also require the STR intermediaries themselves to make some information – such as the number of STR units per host, and the number of nights rented per unit – available to the Planning Department or other oversight office as a condition for operating in their jurisdiction. Cities could require platforms to regularly submit a blanket report of all STR activity in their jurisdiction, or to submit the information of suspected violators only as requested by the city. Santa Monica, CA requires STR intermediaries to “Disclose to the City on a regular basis each home-sharing and vacation rental listing located in the City, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing and the price paid for each stay.”²⁵ We recommend that other cities wishing to improve recordkeeping and reporting follow suit.

Requiring STR platforms to report the information of their customers to local government could cause concerns about the information privacy of STR platform users. To

20. Portland, Or., City Code & Charter ch. 33.207, § 33.207.040(D) (2015).

21. Madison, Wis., Code of Ordinances ch. 28 § 28.151 “Tourist Rooming House” (h) (2014).

22. Portland, Or., City Code & Charter ch. 33.207, § 33.207.060 (2015).

23. Cities may want to require STR hosts to retain records for more than two years in some circumstances, such as if they city adopts a private right of action.

24. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(3)(C) (2015).

25. Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.050(b) (2015)

address privacy concerns, these intermediaries could require all users, prior to starting or continuing to use the service, to authorize the platform to share STR usage data with local governments, either regularly or in the event of a suspected violation. If a provision for STR intermediaries to report data were added to a local ordinance, it would also make sense for a host to list, on the municipality's STR registration application and in subsequent reporting and permit renewal, all the platforms that he or she uses to book an STR. Adding this question to STR registration would help authorities to cross check the self-reported information of suspected violators with data on multiple platforms – improving both the reliability of information and facility of enforcement.

Some will argue that requiring STR platforms to report host, guest, and usage data to the city would unduly burden only those platforms that collect such data, and cause STR hosts to migrate to platforms that do not collect this information. However, municipalities might consider reporting as a requirement for operating in their jurisdiction, particularly because without this information, local governments would be unable to effectively enforce STR laws. In fact, the San Francisco Planning Department itself admitted only months after the city's STR law went into effect that booking data from STR platforms was necessary for the effective enforcement of yearly caps and other provisions of the ordinance.

Without reporting from the STR platforms, tracking and regulating STR units to ensure hosts are licensed, registered, and in compliance will remain extremely difficult and require significant public resources – something most cities are unable or reluctant to dedicate to STRs.

Advertisement:

To assist with enforcement, a city should require that hosts include the STR registration or permit number on all advertisements. Municipalities that require disclosure of this information on advertisements include Austin, TX,²⁶ Maui County, HI,²⁷ Dana Point, CA,²⁸ San Francisco, CA,²⁹ and St. Helena, CA.³⁰ We recommend that cities require all STR advertisements, including listings on STR platforms, to include a valid permit number.

In addition to requiring hosts to verify the legality of their listed STR with a valid permit number, cities could also place responsibility on the STR platforms to list only registered STR units, and to remove the listings of any violators. A 2015 ballot initiative in San Francisco proposed placing such responsibility on any STR platform operating in the city, requiring that all listed units be registered with the city, creating a daily penalty for STR platforms that list unregistered units, and mandating that platforms remove the listing of any unit that has surpassed the yearly rental cap.³¹ Maui County places some degree of responsibility on STR platforms by requiring any intermediary advertising an STR-

26 Austin, Tx., City Land Development Code § 25-2-791(F) (2014).

27. Maui County, Haw., County Code ch. 19.65, § 19.65.040(A) (2012).

28. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(8) (2013).

29. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(1)(F) (2015).

30. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(N) (2012).

31 City of San Francisco Initiative to Restrict Short-Term Rentals, Proposition F (November 2015).

within the county to include or link to the municipality's STR policies.³² We believe that, in addition to informing their users of the law, STR platforms should also be responsible for requiring proof that listed STRs comply with the law (e.g., by requiring a valid permit number), and removing listings that are in violation of local laws, such as a yearly cap.

C. ESTABLISH PROTECTIONS FOR THE SUPPLY AND AFFORDABILITY OF HOUSING

STRs can escalate housing costs in at least two ways: 1) each room or unit regularly used for STRs removes from the market a room or unit that might otherwise have been offered to a long-term tenant, and 2) the ability to derive income from a housing unit raises its value, raises the tenant's ability to pay for expensive housing, and thereby raises prevailing housing prices.

Cities have the power to protect multiple public interests by, for example, setting caps on the number of allowed STR units per host and number of nights per year that an STR may be rented to short-term guests. We recommend that cities allow all residents to engage in a limited amount of STR activity within their primary residences, but to set parameters based on the interests the city is aiming to protect.

Preventing Speculation - STRs for Cost-Sharing, Not Profit-Making:

A San Francisco Planning Commission memo framed the STR issue succinctly: "The critical questions for policy makers seeking to protect housing are: when does STR make more efficient use of unused resources and when does it incentivize the conversion of residential space to tourist use?"³³ If the underlying purpose of STRs is helping residents offset the costs associated with owning or renting their home, an STR ordinance should include provisions that prevent people from buying or renting units with the primary goal of earning STR income.

In order to deter individuals or entities from buying or renting a unit with the intention to subsequently turn a profit from its short-term rental, a city could require that a resident have occupied the unit for a minimum number of months or years before hosting STR guests. San Francisco's STR regulations require residents to have occupied their unit for at least 60 days prior to hosting STR guests, which starts to address the issue, but is ultimately too short a time period to effectively deter such speculation.³⁴ Furthermore, in cities experiencing rapid gentrification, requiring a certain length of time of owner or tenant occupancy prior to being eligible to host STR guests could channel STR income-generating opportunities to longer-term residents who risk being crowded out by newer and often wealthier neighbors. Cities may find that directing the income-generating power

32 Maui County, Haw., County Code ch. 19.65, § 19.65.040(B) (2012).

33. San Francisco Planning Commission. Administrative Code Text Change Recommendations to Board of Supervisors, 10 (April 23, 2015). See: <http://commissions.sfplanning.org/cpcpackets/2014-001033PCA.pdf>.

34. San Francisco, Cal., Administrative Code ch. 41A, § 41A.4. "Permanent Resident" (2015).

of STRs to longer-term residents could provide those residents with the economic boost necessary to combat threats of displacement.

In many circumstances, property owners may find STRs to be a more lucrative option than long-term rentals. In order to reduce any incentive to evict tenants, STR regulations must pay special attention to rent-controlled units and units that have recently been

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subject to an eviction. To preserve the integrity of rent-controlled units, cities can limit the amount that residents of rent-controlled housing may charge for short-term rental of their dwelling. San Francisco's STR ordinance, though it allows renters to host short-term guests, limits the amount that a tenant in a rent-controlled unit may charge short-term guests to the equivalent of what the tenant pays to the landlord each month.³⁵ In order to reduce a property owner's incentive to evict tenants in order to engage in short-term rental, cities with high housing

demand could prohibit units that have recently been subject to an eviction from being registered as an STR.³⁶ A number of high-level San Francisco policymakers recommended instituting such a limitation, suggesting that units that have been subject to an Ellis Act Eviction within the last five years be barred from registering as an STR. Other California cities with high housing demand could find that adopting a similar restriction on STR registration for recent Ellis Act Eviction units could be a powerful way to prevent the tenant abuses and displacement caused by unfettered STR activity.

Preventing Conversion of Housing Stock & Preserving Residential Use:

Cities should adopt regulations that prevent the physical conversion of residential housing to transient use. For example, Portland prohibits remodeling or structurally altering units that would prevent the structure from being used as a residence in the future. Portland even prohibits changes that would make a unit appear "less residential," for example installation of more than three parking spaces, paving of required setbacks, and commercial-type exterior lighting.³⁷

Maui County has attempted to protect housing for permanent residents by deterring

35. San Francisco, Cal., Administrative Code ch. 41A, § 41A.4., § 41A.5. (g)(1)(G) (2015).

36. San Francisco Planning Commission. Administrative Code Text Change Recommendations to Board of Supervisors pp. 2, 16. (April 23, 2015). See: <http://commissions.sfplanning.org/cpcpackets/2014-001033PCA.pdf>.

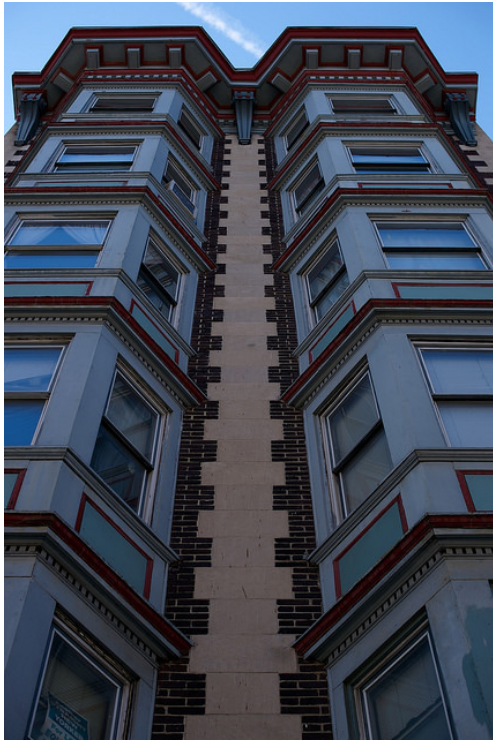
37. Portland, Or., City Code & Charter ch. 33.207, § 33.207.050(B)(9) (2014).

the construction of new homes that are primarily intended for rental to transient guests. The region does so by prohibiting short-term rental of single-family structures that were constructed less than 5 years prior to the date of application for an STR permit.³⁸

Setting Caps on the Number of Rental Nights Per Year:

In addition to limiting short-term rentals to primary residences, we recommend that all cities (with limited exceptions) set a baseline cap on Un-Hosted STR nights per year.

In cities where housing supply and affordability is a primary concern, this cap could be relatively low, for example, 30 nights per year, as is the case in Madison, WI.³⁹ In cities



where housing supply is not a major public concern, these caps could be considerably higher and adapted over time as the housing climate changes. Capping the number of Un-Hosted STR nights per year could encourage residents who leave town for months on end to rent their homes to longer-term tenants, including city residents who are transitioning between rental units, or to workers, students, or academics staying for a season or semester.

Unlike Madison, WI, which limits Un-Hosted STRs to 30 nights per year, but allows an unlimited number of Hosted STR nights per year,⁴⁰ and unlike Santa Monica, which prohibits Un-Hosted STRs but allows unlimited Hosted Primary Residence STR nights per year,⁴¹ we believe that the ideal STR ordinance places a *total cap* on both Hosted STR nights per year and Un-Hosted STR nights per year.

We recommend a cap on both Hosted and Un-Hosted STRs for two reasons. The first reason

is that regulators currently face a great challenge in distinguishing between STRs with a host present and STRs that are un-hosted. Indeed, since San Francisco legalized unlimited Hosted STR nights per year, the city's Planning Department has reported that it is "virtually impossible" to discern law-abiding hosts from scofflaws, stating that in order to effectively enforce the law, the department would require a straight cap on the number of days any unit can be rented out per year (i.e. a cap on both Hosted and Un-Hosted STRs).⁴² As long as STR platforms refuse to make STR records available to regulators, and as long as regulating agencies are limited in staff capacity to audit and confirm self-reported information, this challenge is likely to persist.

38. Maui County, Haw., County Code ch. 19.65, § 19.65.030(O) (2012).

39. Madison, Wis., Code of Ordinances ch. 28, § 28.151 "Tourist Rooming House"(e) (2014).

40. Madison, Wis., Code of Ordinances ch. 28, § 28.151 "Tourist Rooming House"(f) (2014).

41. Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.010(a) (2015).

42. Phil Matier and Andy Ross, 'No way of enforcing' Airbnb law, S.F. planning memo says (March 22, 2015), <http://www.sfchronicle.com/bayarea/matier-ross/article/No-way-of-enforcing-Airbnb-law-S-F-planning-6151592.php>.

The second reason is that an STR host engaging in Hosted Primary Residence STR activities has one or more bedrooms unused and available for travelers (presuming, of course, that the host is offering an entire room, rather than a living room couch or portion of some other shared space). If a cap were placed on the number of permissible Hosted Primary Residence STR nights per year, and a host reached that cap, the host would be prohibited from renting to transient guests for the remainder of the year, and would have an economic incentive to rent the unused bedroom to long-term tenants.

The STR regulations in Austin, TX, and Nashville, TN, bring up an interesting question of how to limit STR activity. Austin includes Vacation Rentals as one of several types of STR units, and limits their density by capping the number of permissible rental units per census tract.⁴³ Similarly, Nashville places a 3% cap on the percentage of non-owner occupied single-family and two-family Vacation Rentals allowed to legally operate in each census tract of the county.⁴⁴ Though a density

There may be situations where a city will want to refrain from capping STRs in any form, such as in a city wanting to encourage tourism and where housing is in relatively abundant supply. However, in the absence of adequate protections for housing affordability, STRs could escalate housing costs and ultimately drive out lower-income and even middle-income residents.

cap may be an approach worth investigating for cities interested in better regulating Vacation Rentals, we do not advocate for caps on the total number of permitted Primary Residence STRs, as that would place a haphazard limit on who can benefit from limited rental of their primary residences to short-term guests. Instead, we recommend that cities wishing to legalize but limit STR activity restrict STRs to primary residences, and then cap the number of permitted STR rental nights per year.

43. Austin, Tx., City Land Development Code § 25-2-793 (2014). Austin classifies its STRs into three types, and the density cap applies only to Type 2 STRs. A Type 2 STR is similar to what is referred to in this brief as a Vacation Rental. Type 2 STRs must be single-family, detached residential structures; cannot be not owner-occupied or associated with an owner-occupied principal residential unit; and cannot include the rental of less than the entire dwelling unit. On February 23, 2016, Austin City Council voted to ban all Type 2 STRs, and the City plans to phase out any existing Type 2 STRs in residential areas by 2022. As of this writing, the final ordinance language has not been released.

44. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030(Q) (2015). The Nashville metro area provides an online map illustrating the density of registered non-owner-occupied STRs in each census tract. Property owners interested in applying for a non-owner-occupied STR permit can use this map as a tool to determine their eligibility.

There may be situations where a city will want to refrain from capping STRs in any form, such as in a city wanting to encourage tourism and where housing is in relatively abundant supply. However, in the absence of adequate protections for housing affordability, STRs could escalate housing costs and ultimately drive out lower-income and even middle-income residents.

Below, in Section VI, we explore some creative and as yet untested opportunities for cities to create selective exemptions to STR caps in order to use STRs as a lever for economic development that does not cause or exacerbate resident displacement.

D. CREATE PROTECTIONS FOR THE WELLBEING OF GUESTS

Health and Safety Standards:

Cities should require STR hosts to adhere to basic standards for health and safety of their guests. For example, the city could deny an STR permit to an applicant whose residential unit has outstanding Planning, Building, Housing, Fire, Health, Police, or other applicable City code violations that would make their residence unsafe for short-term guests. In addition, cities could require hosts to apply basic safety precautions such as working smoke detectors in every bedroom, a carbon monoxide detector, and an evacuation plan that identifies all exits.

A city may also want to require that hosts provide guests with basic information, including proof of STR registration, a list of the minimum safety requirements, instructions for lodging a complaint, and the name and contact information for the host and/or another responsible party that could assist guests with any problems that arise during the stay.

Inspections:

Municipalities such as Austin, TX,⁴⁵ Tillamook County, OR,⁴⁶ and St. Helena⁴⁷ and Dana Point,⁴⁸ CA require inspection by the Fire Department, Planning Department, Bureau of Development Services, or a building official. Some of these cities provide a building and safety self-check list for hosts to prepare for the inspection.

We do not advocate for an inspection requirement, but might urge cities to create a self-inspection checklist that hosts can submit along with registration. Inspections would greatly raise the administrative costs for the city and hosts, creating undue barriers particularly for people who would only host guests during one to two weeks per year. A city may, however, wish to require inspections when guests file health & safety complaints.

45. Austin, Tx., City Land Development Code § 25-2-791 (2014). Note that the inspection requirement applies only to Vacation Rentals and multifamily unit STRs; it does not apply to Hosted Primary Residence STRs.

46. Tillamook County, Or., Ordinance 69, Section 9(a)(B) (2012).

47. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(F) (2012), and at § 17.134.080(B).

48. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(3) (2013).

Where STRs are arranged through select online portals, it is important to acknowledge that the safety and wellbeing of guests is already partially supported by the guests' access to information and reviews of the hosts. As bookings and profits are largely based on good reviews from past guests, hosts are incentivized to provide safe and clean accommodations in order to maintain a good reputation in the review and rating system.

Insurance:

To ensure that guests have recourse in the event that they are injured during an STR stay, cities should require that hosts are covered by an appropriate insurance policy.

Some examples could include general liability insurance, a homeowners' insurance endorsement, coverage through their STR platform, or other insurance appropriate to cover injuries to STR guests or other losses or damages that could result from the operation of an STR. San Francisco requires that hosts carry liability insurance for claims up to \$500,000, or to conduct STR transactions through an STR platform that provides equal or greater coverage.⁴⁹ Nashville, TN requires STR permit applications to include proof of homeowner's fire, hazard, and liability insurance, with liability insurance covering no less than \$1,000,000 per occurrence.⁵⁰ Dana Point, CA requires proof of general liability insurance with a minimum of \$1,000,000 in coverage, along with an agreement to indemnify and hold the city harmless for any liability claims.⁵¹ Further, the city of Dana Point requires STR permit holders to provide current proof of general liability insurance during each annual permit renewal.⁵²

E. ESTABLISH OVERSIGHT, COMPLAINT, AND SANCTION PROCEDURES FOR THE WELLBEING OF NEIGHBORS

Oversight:

Enforcement of an STR ordinance can present challenges, particularly in enforcing a cap on nights rented. Without access to transactional data from online STR portals, cities must rely primarily on hosts' own self-reporting, complaints by neighbors, and its own investigations of suspected violations. As such, a city could require online STR intermediaries to release, regularly or upon the city's request, information about the number of nights per year that any listed unit in their city was rented to short-term guests and the income received by the host. The city could also mandate that intermediaries do all reporting electronically and in a standardized format to make it easier for cities to aggregate data from multiple platforms. Of course, there are already dozens of companies and websites facilitating STRs, and it would be too large a burden on cities to discover and work with all of them. That being said, even just requiring the biggest players to report data could have a big impact on the ability of local regulators to oversee STR activity.

49. San Francisco, Cal., Administrative Code ch. 41A, § 41A.5(g)(1)(D) (2015).

50. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.D.2. (2015).

51. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.050(d) (2013).

52. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.055 (2013).

Avoiding and Addressing Conflict:

Cities should create channels for neighbors to file complaints about nuisance or STRs believed to be in violation of rental caps. To make neighbors aware of area STRs, an STR ordinance could require that residents applying for an STR permit or license notify adjacent neighbors, as is the case in Nashville, TN, where a permit applicant must provide proof of written notification to any property owner sharing a common wall or a common driveway with the applicant's unit.⁵³

For cases where neighbors are disgruntled about STR activity, but a host is neither in violation of an ordinance nor creating an objective nuisance, we also recommend that cities help fund community mediation services, to give neighbors low-cost conflict resolution mechanisms.

Complaints and Grievances:

A city should establish an accessible system for guests, neighbors, and other stakeholders to bring to the city's attention any host that is in violation of the ordinance or otherwise creating a nuisance or health and safety risk. Prior to resulting in sanctions, the grievance process should give hosts a reasonable opportunity to respond to the city to demonstrate compliance and/or explain measures the host will take to eliminate the concern. For example, Nashville, TN gives the department of codes administration the ability to revoke a host's STR permit if reports of code violation have been received, but not without providing fifteen days prior written notice of the alleged violations to the host and providing him or her the right to appeal the permit denial or revocation.⁵⁴



In addition to creating such a grievance process, a city may also consider creating a private right of action that gives certain stakeholders standing to bring a complaint in court, provided that the stakeholder has already taken a complaint to the city, and the city failed to respond within a specified amount of time. San Francisco's STR ordinance contains a private right of action wherein, following a determination that the STR ordinance has been violated, an interested party (defined as the city, county, unit owner, certain housing nonprofits, homeowners association associated with the STR unit, permanent resident of the building where the alleged STR is located, or permanent resident or owner of a property within 100 feet of the property containing the alleged STR) can

53. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.D.3. (2015).

54. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, §§ 6.28.030.R.2., 6.28.030.R.3., 6.28.030.R.4. (2015).

bring civil suit against the host for monetary and injunctive relief. In such a suit, the interested party is entitled to attorney's fees if it prevails in the suit.⁵⁵

Sanctions:

We recommend that cities create a graduated scale of sanctions for hosts who are in violation of STR regulations or who are the subject of multiple complaints.

Sanctions might include:

- Reducing the number of nights per year that a host may rent to STR guests;
- Prohibiting un-hosted nights, particularly where neighbors have complained that guests have created a nuisance;
- Inspection of the unit and a requirement that the host pay for costs of inspection;
- Suspension or revocation of the STR registration or permit;
- Fines that increase with the number of violations. For example, Dana Point, CA may penalize a host \$250 for a violation. If, within a single year, the host has multiple violations, the fines rise to \$500, then to \$1,000, and eventually result in revocation of the STR permit;⁵⁶ or
- Ineligibility to reapply for an STR permit for some extended period of time. For example, Nashville, TN imposes a one year waiting period on hosts found operating an STR without a permit,⁵⁷ and Maui County, HI makes a violator ineligible to apply for a permit for five years.⁵⁸

STR platforms should also be subject to sanctions for violation an STR ordinance. For example, San Francisco's STR ordinance states that any hosting platform violating its responsibilities under the code shall be subject to the city's administrative penalties and enforcement provisions, including payment of civil penalties of up to \$1,000 per day for the period of noncompliance.⁵⁹

F. PRESERVE NEIGHBORHOOD QUALITY

Cities play an important role in shaping the livability of neighborhoods, and STRs have the potential to both positively and negatively affect neighborhoods. On the positive side, visitors bring income to a neighborhood, both through payments to STR hosts and by potentially patronizing neighborhood businesses. However, many residential areas are zoned with the goal of preserving a quiet "neighborhood feeling" and promoting social cohesion among neighbors. A constant stream of STR guests can undermine both neighborhood character and simple infrastructure, such as adequate supply of street parking.

55. San Francisco, Cal., Administrative Code ch. 41A §§ 41A.4.; 41A.5.(d) (2015).

56. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.090(b) (2013).

57. Nashville, Tenn., Metropolitan Code Ordinance No. BL2014-951, § 6.28.030.R.6.b. (2015).

58. Maui County, Haw., County Code ch. 19.65, § 19.65.080(D) (2012).

59. San Francisco, Cal., Administrative Code ch. 41A § 41.A.5.(g)(4)(C) (2015).

Limiting Crowding and Noise:

Cities may want to limit the purposes for which residents may host guests. For example, Dana Point, CA,⁶⁰ Anaheim, CA,⁶¹ and Maui County, HI⁶² all limit or prohibit hosting of weddings, parties, and other similar gatherings. St. Helena, CA further specifies that a party may be no larger than twice the number of guests, with a maximum of 20 party guests.⁶³ Both Maui County and St. Helena also impose quiet hours at night.⁶⁴

Managing Parking:

In an effort to address parking concerns, Maui County, HI⁶⁵, Dana Point, CA⁶⁶, and Anaheim, CA⁶⁷ have all required hosts to provide off-street parking for STR guests. Because these requirements could bar residents of transit-oriented units, dense developments, or smaller lots from hosting short-term guests, we recommend against off-street parking requirements for STRs.

G. PRESERVE PUBLIC TAX REVENUES AND LEVEL THE PLAYING FIELD BETWEEN STRS AND COMMERCIAL HOTELS

Taxing STRs:

Cities attract visitors by investing in and cultivating welcoming public spaces, tourist attractions, and basic infrastructure. Cities' efforts to create welcoming environments for visitors provide substantial private benefit to hotels, B&Bs, and STR hosts. By charging a Transient Occupancy Tax (TOT) or "hotel tax," cities can recoup part of this benefit and invest travelers' dollars back into the city.

The hotel tax can be a substantial source of income for cities, generating approximately \$226 million in annual revenue for Washington D.C., \$274 million in San Francisco, and \$536 million in New York City in recent fiscal years.⁶⁸ Transient occupancy taxes from STR stays hosted through Airbnb are estimated to amount to roughly \$11 million per year in San Francisco,⁶⁹ and according to a 2014 estimate published by Airbnb, New York City STRs operating through its platform could generate \$21 million in annual TOT revenues

60. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(7) (2013).

61. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.100.0107 (2014).

62. Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(4) (2012).

63. St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(J)(4) (2012).

64. See Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(1) (2012), and St. Helena, Cal., Municipal Code ch. 17.134, § 17.134.040(J)(1) (2012).

65. Maui County, Haw., County Code ch. 19.65, § 19.65.030(Q)(3) (2012).

66. Dana Point, Cal., Municipal Code ch. 5.38, § 5.38.080(a)(5) (2013).

67. Anaheim, Cal., Municipal Code ch. 4.05, § 4.05.100.0105 (2014).

68. Alison Griswold, Why Airbnb Desperately Wants to Pay Hotel Taxes. And why some cities won't let it (February 13, 2015), http://www.slate.com/articles/business/moneybox/2015/02/airbnb_hotel_taxes_why_does_the_sharing_economy_startup_want_to_pay_them.html.

69. Ibid.

for the city.⁷⁰ If the projected TOT was calculated for all STR units, including those listed independently or facilitated by platforms other than Airbnb, the amount of annual TOT revenues for municipalities like San Francisco and New York City would likely be considerably higher.

Most cities with new STR ordinances require hosts to pay TOT. Due to the adverse effects STRs can have on housing affordability and displacement, we believe that cities should designate all or most of the TOT collected from STR activity toward affordable housing initiatives and other economic support services for low-income, unemployed, and underemployed residents. This could include investing TOT revenues into community land trusts, which are nonprofit housing providers that create permanently affordable homes for low-income residents.⁷¹ In cities where effective enforcement of STR regulations requires additional funds not provided by sanctions and fees, a municipality might also consider directing a portion of the TOT from STR activity toward improving oversight and compliance.

Collecting Taxes Through Intermediaries:

To ensure payment of taxes, cities should require that the third party facilitators of STRs collect and remit the TOT in the same way that these platforms could be required to report residents' STR activity to cities. STR platforms are in the best position to know who is hosting, which units are being rented, and how much revenue is earned. Additionally, because these platforms transfer payments from guests to hosts, they can withhold and remit the taxes with relative ease.

San Francisco's ordinance was the first to require STR platforms and services to collect the city's 14% TOT from guest fees and remit the revenue to the city. In addition, San Francisco requires STR platforms to maintain and make available to the city a record demonstrating that the TOT has been remitted, and the platforms will remain liable for the failure of a user to comply with the requirements of the Business and Tax Regulations Code.⁷² Santa Monica, CA, Portland, OR, and Multnomah County, OR have also required STR intermediaries to collect and remit a TOT.⁷³

70. David Hantman, \$21 million more for New York (April 14, 2014), <http://publicpolicy.airbnb.com/21-million-new-york/>.

71. Community Land Trusts sell or lease homes to low- and middle-income residents while permanently retaining ownership of the underlying land. Through this dual ownership system, CLTs insulate the value of housing from the fluctuating value of land and can preserve the affordability of housing even in areas with substantial increases in land value.

72. San Francisco, Cal., Administrative Code ch. 41A § 41.A.5.(g)(4)(B) (2015).

73. The City of Santa Monica charges a 14% TOT. (Santa Monica, Cal., Municipal Code ch. 6.20, § 6.20.020(a)(3) (2015), and at ch. 6.68, § 6.68.020 (2004).) The City of Portland charges a 6% TOT, and Multnomah County charges 5.5% TOT. See: <http://www.portlandoregon.gov/revenue/29976>.



SAN FRANCISCO: A CASE STUDY

For cities wishing to address the housing affordability issues exacerbated by STRs, it is helpful to use San Francisco as a case study of what not to do. Even those elements of San Francisco's STR ordinance that were intended to address housing affordability and availability were included without the reporting and enforcement mechanisms necessary for their success. Added to that, the San Francisco ordinance only focused on preventing units, but not rooms, from being removed from the long-term rental market. For cities wishing to address the housing affordability issues exacerbated by STRs, it is helpful to use San Francisco as a case study of what not to do. Even those elements of San Francisco's STR ordinance that were intended to address housing affordability and availability were included without the reporting and enforcement mechanisms necessary for their success. Added to that, the San Francisco ordinance only focused on preventing units, but not rooms, from being removed from the long-term rental market.

ATTEMPT TO PROTECT THE SUPPLY OF UNITS: ONE SUCCESS AND ONE FAILURE

San Francisco has attempted to prevent the conversion of residential units into primarily transient use by setting a cap on the number of nights per year that a whole unit may be rented to short-term guests. The city's short-term rental ordinance, which went into effect on February 1, 2015, limits STRs to primary residences, allows an unlimited number of hosted short-term stays (when the host concurrently resides in the unit) and places a 90-night cap on the number of un-hosted nights per year that a unit may be rented to short-term guests.

SAN FRANCISCO: A CASE STUDY, CONTINUED

Though the 90-night cap on un-hosted rentals was likely prompted by the need to prevent the removal of residential units from the market, in the end it is incredibly difficult for regulators to tell the difference between a short-term rental stay that was hosted versus one that was un-hosted, even with regular self-reporting requirements. Some San Francisco regulators say that their ability to reliably distinguish between hosted and un-hosted short-term rentals, as well as the frequency of use, could be greatly improved with access to booking data from the short-term rental platforms. However, STR platforms have refused to release this data, and the great majority of San Francisco's STR



hosts remain unregistered and outside the reach of the city's new rules. As such, and so long as the city lacks mechanisms for reliable reporting and effective enforcement, the provision allowing STR hosts to rent to short-term guests for up to 365 nights per year so long as they are present during the stay essentially opens the doors for year-round un-hosted STRs.

In the end, the element of San Francisco's ordinance that would most effectively reduce the conversion of residential units is actually its restriction of STRs to primary residences. By restricting STRs to primary residences, the ordinance allows only individuals who actually live in a unit to host short-term guests in an extra room, or to rent out the entire unit to short-term guests

for up to 90 nights per year when they are away from their homes. It does not, however, incentivize landlords to evict tenants or permit individuals who own multiple residential units to keep those units empty of tenants in order to rent to short-term guests.⁷⁴

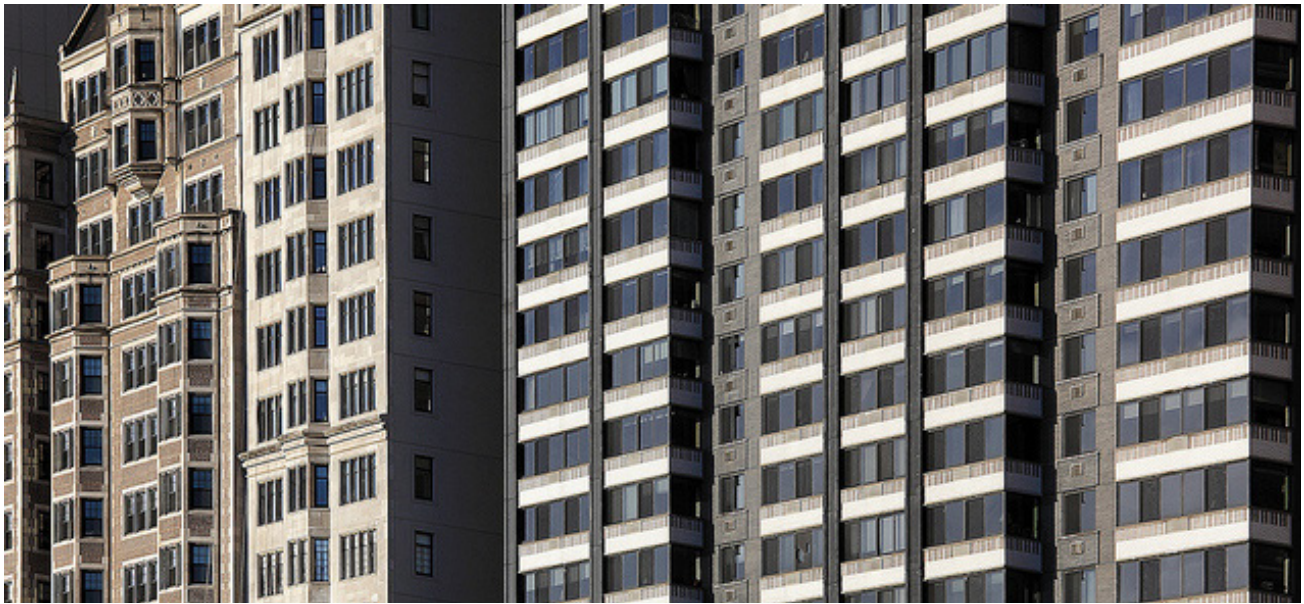
SAN FRANCISCO'S FAILURE TO PROTECT THE SUPPLY OF ROOMS:

As stated above, allowing hosts to engage in unlimited Hosted Primary Residence short-term rentals can reduce the availability and affordability of housing units if unaccompanied by proper reporting and enforcement mechanisms.⁷⁵ But allowing year-round hosted STRs is also problematic for another reason: it creates an incentive for renters and owners to remove rooms from the long-term rental market. If a city does not place a limit on Hosted Primary Residence STRs, people who might otherwise seek a housemate might opt to earn more flexibility or more income per night by using rooms primarily for short-term rental. However bedrooms for rent within a unit are a key source of affordable housing for single individuals, couples, students, and others who cannot afford to rent entire units. Therefore, in cities that are experiencing severe housing pressures, we recommend setting a limit on the number of nights per year that rooms can be rented to short-term guests, whether hosted or un-hosted.

74. Such units would be considered Vacation Rentals, and we recommend that cities where low-income and middle-income households experience difficulty finding affordable housing units strictly limit or even ban Vacation Rentals. See definition of Vacation Rentals in Section V.A.

75. See definition of Hosted Primary Residence STRs in Section V.A.

VI. GOING BEYOND IMPACT MITIGATION: RESTORATIVE APPROACHES TO REGULATING STRS



Although the recommendations above are aimed at mitigating potential harms of STRs, they do not solve the underlying economic imbalances that are damaging communities and motivating the pushback against STR platforms. We believe that it is the responsibility of cities to find ways to address wealth inequality, income inequality, affordable housing shortages, unemployment, under-employment, and poverty. Rather than focusing solely on mitigating the harms of STRs, cities could see STRs as a lever for economic change that can repair persisting economic problems already impacting communities. Indeed, the widespread use of STRs has encroached substantially upon domains under cities' control, namely land use laws and controls on housing supply. For this reason, cities can legitimately maintain their claim on such domains, and perhaps even go as far as prohibit private companies from brokering STRs.

Below, we offer three bold and creative approaches for municipalities interested in harnessing the economic benefits of STRs in addressing local economic issues. That we know of, no city has yet experimented with the following approaches.

Approach #1: Raising STR Caps on the Basis of Financial Need

Gentrification is a powerful economic and cultural process of neighborhood change. The patterns of gentrification can be found in the US and in districts, towns, and cities around the world. Complex and multifaceted, gentrification can occur at differing rates and for different reasons. One main factor, of course, is wealth and income disparities. Cities concerned by the disruptive and exclusionary effects of gentrification could consider STRs as either an agent of gentrification, or a lever against it.

Allowing high-income residents to earn additional income from STRs might intensify the process of gentrification, but allowing low-income residents to earn income from STRs has the potential to protect residents who might otherwise be displaced. Though regulating STRs on a household-by-household basis could be challenging to manage, cities could help low-income long-term residents use STR income to keep pace with increasingly expensive surroundings, remain in place, and benefit from – rather than be displaced by – the economic development of the area.

As STRs have become increasingly popular, many anecdotes have emerged of families, senior citizens, and other individuals avoiding foreclosure or eviction as a result of income generated by hosting short-term guests. Ideally, the potential for residents to use STR income to stay in place would not be fully lost if STR activity was limited by regulation. STR regulation could, in fact, offer cities a lever to create income opportunities for populations that are most impacted by unemployment and underemployment. Cities could even use this lever to selectively raise caps on the number of STR nights per year for households that meet objective financial need criteria.

Granting exemptions to STR caps on a household-by-household basis challenges cities to develop clear objective criteria on which to review applications, and makes the granting of exemptions somewhat more akin to a form of public benefit, like unemployment benefits. An application process might require the applicant to show that he or she has recently become unemployed, recently lost unemployment payments or other public benefits, or recently had a substantial increase in monthly rent. A cap exemption could also be time-limited, recognizing that the exemption acts as a temporary bridge for an individual or household seeking to get back on its feet after a financial blow. Any strategy for raising caps on a household-by-household basis should be carefully reviewed for compliance with constitutional due process provisions.

Selectively raising caps on a household-by-household basis would create substantial administrative costs for a city, but these costs should be seen in the context of the city's economic stabilization and development strategies. Furthermore, the administrative costs of such a program could be offset by TOT if the costs were passed to STR hosts through added STR taxes.

Approach #2: Keeping Wealth Local with a Municipally-Owned STR Platform

In order to recapture wealth that is leaving cities through payments to absentee STR platforms such as Airbnb, cities can prohibit the use of these STR companies, and require that residents use a municipally owned platform with functionality similar to that of Airbnb and other leading STR intermediaries. While this solution may prove difficult to implement at the level of a single city, it would become more financially viable if multiple large cities formed a partnership to jointly invest in the development and ongoing maintenance of the software. The financial return to cities would be nearly guaranteed, given that fees users

are accustomed and willing to pay to existing STR platforms would instead go directly to the City, providing funds for administration, affordable housing, or investment in other city programs. A substantial benefit of a municipal STR platform would be its facilitation of oversight and enforcement, because compliance with the law, including TOT remittances, reporting, and permit renewal, could be carried out directly through the platform.

Approach #3: Building Community Wealth Through a Sharing Economy Trust

Another bold strategy for using STRs to build community wealth is for a City to create a permanent trust for the collection, investment, and distribution of fees from STR bookings, much in the same way that the Alaska Permanent Fund pays all Alaska residents annual dividends from mineral, gas, and oil revenues.⁷⁶ Such a trust would ensure that all city residents benefit from the economic wealth brought by tourism and travel, and the trust could also align residents around the goal of ensuring an adequate supply of housing for all. Peter Barnes's book, *With Liberty and Dividends for All*, describes a variety of strategies for creating trusts that pay universal dividends derived from fees collected on the use of other assets, such as the atmosphere and intellectual property. In this vision, as the recipients of dividends from multiple sources, citizens would ultimately accumulate what amounts to a universal basic income.

We offer this idea because of its potential political viability in comparison to approaches that focus primarily on setting caps and investing tax revenue in affordable housing development. During a 1999 referendum, 83% of Alaskan voters voted to keep the Alaska Permanent Fund in place, demonstrating the potential for universal dividend systems to inspire support from citizens across the political spectrum.

To illustrate how this might work with STRs: Imagine that the City of San Francisco chartered a corporation called the "San Francisco Sharing Economy Trust." The stated purpose of the Trust is to support the long-term creation and preservation of an adequate housing supply for a socio-economically diverse city. Once chartered, the Trust would be somewhat insulated from the dynamics of electoral politics, enabling trustees to make decisions that serve the Trust's purposes, while remaining accountable to San Francisco residents, who are the beneficiaries of the Trust. The Trust could be empowered to determine the City's caps on STR rentals, and, separate from the 14% TOT already collected by the City, the Trust would be empowered to collect an additional percentage of all revenue from STRs. Ideally, the City would mandate that all STR bookings of housing within its borders be made through a municipally-owned or Trust-owned booking platform, rather than a for-profit platform like Airbnb. As such, the 10% to 20% booking fee normally collected by companies like Airbnb could go to the Trust. The Trust could then raise and lower the fee based on the Trust's assessment of housing unit supply in the city. When housing is in short supply, the Trust might raise the booking fee as high

76. For more information about the Alaska Permanent Fund, see <http://pfd.alaska.gov/>.

GOING BEYOND IMPACT MITIGATION, CONT.

as 30% to 40%, thereby giving STR hosts an incentive to put rooms back on the market for long-term rental. Because higher fees could ultimately bring higher dividends to city residents, residents will directly benefit from the Trust's efforts to preserve the housing supply.

There are at least three options for the management of the Trust's funds:

1. The Trust could retain all STR booking income and invest it (in the form of loans) in housing developments and purchases designed to preserve long-term affordability, such as projects stewarded by community land trusts. When the loans begin to pay a return, that income will be divided equally among all city residents and direct-deposited into their bank accounts.
2. The Trust could distribute STR booking income as dividends to residents, without the intermediate step of investing it in affordable housing development.
3. The Trust could strike a balance between the two options above, investing some STR booking income and making direct distributions of the rest.

Like its Alaskan counterpart, the San Francisco Sharing Economy Trust could create an online system to administer the funds. City residents could also use the online system to register and prove their residency in order to receive the dividend deposit. The Trust could set similar eligibility requirements to Alaska's Fund,⁷⁷ such as requiring that someone have lived in the city for at least one year prior to receiving a dividend.

77. See Alaska's residency verification information here: <http://pfd.alaska.gov/Eligibility/EstablishingResidency>.

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Planning Commission Report

Date February 25, 2019
 To: Planning and Zoning Commission
 From: Hannah Klausman, Senior Planner
 Subject: #2-19 Vacation Rental Text Amendments–Title 070.030.030 Glenwood Springs Municipal Code

REQUEST	Consideration of various code text amendments to Municipal Code Title 070.030.030 Use Specific Standards
APPLICANT	City of Glenwood Springs
OWNER	City of Glenwood Springs
LOCATION	City wide
ZONE	All

BACKGROUND

- A. In November of 2018, City Council voted to enact a 4-month moratorium on new vacation rental applications and directed staff to develop a robust public engagement process to gather information on the topic. The City of Glenwood Springs at the time of moratorium, has 134 permitted and legal vacation rentals. A map of those locations is provided in Exhibit A. In addition, City Council requested Staff to compile data related to how the City's program has been operating including growth, tax collection, HOA covenants, and other topics. A full analysis of the public engagement and additional research is attached as Exhibit B. *Public Engagement and Research (Unabridged)*. The exhibit list can be viewed on page 19 of this report.

The public engagement process included:

- **An Online survey** City staff drafted a survey consisting of twenty-seven (27) questions about community perception of vacation rental and feelings towards specific regulations. The survey was active from November 27, 2018 to February 15, 2019, a duration of two and a half months. The survey received 482 responses. The entire survey is attached as Exhibit C, and a summary is provided later in this report.
- **A Public work session** The City held a public meeting to go over the initial survey results and expand further on a few topic areas. Over 55 people attended the work session.
- **Research** into how other Colorado Municipalities regulate vacation rentals. A summary of municipal regulations are attached in Exhibits D. *Leniency Scale of Municipal Regulations*, and D. *Colorado Municipal League Matrix*
-

Several policy areas provided clear direction from the public response while specifics on implementation and exact regulations were more subtle. Those areas that provided strong direction from the public include:

1. Vacation Rental Application Fee
2. Building Inspections and Occupancy Limits
3. Multifamily Building Limitations
4. Numerical Cap for Vacation Rentals

In addition, staff has included an item for consideration regarding penalties for violations that was previously included in the Municipal Code, however this section was changed with the new code adoption.

5. Penalties for Violations

For each of the five topic areas, following is a description of current regulation, summary of public opinion, specific code language, municipal examples related to topic, and required action, if any, for each policy area mentioned above.

1. Application Fee

Where we are:

Currently the vacation rental application fee is set to a one-time payment of \$110. There is no renewal fee for the two year permit. Previously, up until April 2018, the fee of \$110 was charged biennially, first at time of application, and then every two years at time of renewal. On January 4, 2018, Council held a work session to discuss potential changes to the Code of Ordinances related to vacation rentals. During that discussion, Council directed staff to work toward allowing the fees for short-term rentals and accessory tourist rentals to be paid once, rather than charged every two years. Resolution 2018-29 – approved August 2, 2018, establishing a Development Review Fee, set the vacation rental application fee at \$110 with \$0 renewal fee.

Public Opinion:

The public opinion captured through the online survey and public meeting, expressed a strong desire to set the permit fee to a recurring basis. Sixty-one percent of survey respondents favored an annual fee over a one-time fee. Of those who favored an annual fee, sixty-three percent desired an annual fee over \$200.

At the public meeting, 56 participants had the opportunity to further look at the application fee question. Staff proposed six new options based on the feedback received from the survey. Those options included a choice between an annual fee or one-time fee, with additional options in each category for how much the fee should be. Seventy-eight percent of respondents indicated an annual fee of \$100-\$300 was preferable. For further insight into the reasoning and discussion behind this choice please see Exhibit F. *Public Meeting Summary*.

Code:

The Municipal Code Section 070.030.030(e)7(e)2- vacation rentals, allows City Council to set the permit fee by resolution through the following language:

Application Requirements. The owner shall submit the application on the form provided by the Director and shall pay the application fee set by City Council resolution.

Other Municipalities:

Application fees charged by other Municipalities for vacation rentals varies widely. The chart on the next page, taken from Exhibit D. and using the concepts from a best practices article published by Lodging Revs¹, places Municipal approaches on a scale of regulation ranging from strict policy, to an intermediate middle option, to a lenient or encouraging policy. Those options on the scale are represented as Restrict, Balance, and Encourage. Municipal fee costs are placed from high (Restrict) to low (Encourage) below to illustrate the various approaches that exist.

¹ Best Practices in Regulation and Taxation of Short Term Rentals. <https://www.lodgingrevs.com/best-practices/>. Last visited 2/21/2019.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	\$250 Annually and up	\$75-200 Annually	Business License fee or less than \$50 annually
Fee	<u>Crested Butte</u> : \$750 Annually	<u>Blue River</u> : \$200 one time/ \$75 renewal	<u>Denver</u> : \$25 annually
	<u>Georgetown</u> : \$500/\$250 Renewal	<u>Breckenridge</u> : \$175 annual/Admin fee \$50	<u>Silverthorne/Frisco/Avon/Aspen</u> :
	<u>Durango</u> : \$750 Land Use Permit	<u>Boulder</u> : \$130/\$105 renewal	Business License only
		<u>Telluride</u> : \$165 +\$22/bedroom annual	
		<u>Estes Park</u> : \$200 +\$50/bedroom	
		<u>Lyons</u> : \$175/ \$50 Renewal	
		<u>Clear Creek County</u> : \$250 one time fee	<u>GLENWOOD SPRINGS</u> : One-time \$110, business
		<u>Vail</u> : \$150/annually	license

Agency Comment

The Housing commission reviewed this information and recommended a recurring fee, either annual or biennial depending on permit renewal timeline. The full Housing Commission recommendations are attached as Exhibit G. *Housing Commission Recommendation*.

Action: No Action for Planning and Zoning Commission

Establishing a permit fee is at the discretion of City Council and does not require a text amendment to change.

2. Building Inspections and Occupancy Limits

Where we are:

Building inspections for vacation rentals were previously required with all applications from 2012 through 2017. During that time after an applicant submitted their vacation rental application they would schedule a building inspection with the Building Department as indicated on the permit application which is attached for reference in Exhibit O. *Old Permit Application*. The Building Inspector would set up a time to meet at the property and inspect for a variety of life safety measures enumerated within Glenwood Springs Building Code and set occupancy limits which were based on the size and number of bedrooms per requirements of the International Property Maintenance Code.

In November 2017, City Council opted to forgo building inspections in favor of a notarized applicant affidavit that stated all municipal code requirements were met and indicated all safety responsibility was on the applicant. This action is attached in Exhibit J. *Resolution 17-54*. Since then vacation rentals have not required a building inspection.

Public Opinion:

It was clear from questions regarding inspections and occupancy that respondents favor requiring building inspections (70%) to not (22%) as well as prefer that the building department set an occupancy limit for each vacation rental (73%) as opposed to no occupancy limit (19%).

At the public meeting 82% (41 of 50 participants) indicated that fire and safety inspections should be required (Question 4). Additionally, participants were asked separately about setting occupancy limits (Question 5). Seventy-six percent opted for occupancy limitations set by the building department and 24% that indicated it was not necessary. Of the respondents that indicated a preference for occupancy limits, the majority favored a maximum occupancy of 2 people per bedroom. The remainder chose the International Property Maintenance Code Standard (IPMC) that allows for 2 people per bedroom plus additional per square footage standards. The IPMC is attached in Exhibit K. *International Property Maintenance Code*.

Code:

For Building inspections the code includes the following language for both Accessory Tourist Rentals and Short Term Rental categories:

070.030.030(e)(7)(b)3 Accessory Tourist Rental and 070.030.030(e)(9)(c)3 Short Term Rental

The owner or responsible party is responsible for ensuring the short-term rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in residential property.

Currently the Code includes the following regarding occupancy limits:

070.030.030(e)(7)(c)3 Accessory Tourist Rental

The use is limited to one (1) designated bedroom with a maximum occupancy for two (2) people.

070.030.030(e)(9)(d)1 Short Term Rental

Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.

Chapter 060 of the Municipal Code “Construction Building Codes and Regulations” includes the following language in reference to short term residential units.

060.020.020 CHAPTER 3—USE AND OCCUPANCY CLASSIFICATION

§312.1 General (Utility and Miscellaneous Group U).

SHORT TERM RENTAL. An R/2 or R/3 residential unit that has been approved pursuant to Title 070 Glenwood Springs Municipal Code requirements for use as a rental dwelling for rental periods of less than thirty (30) days. The short term residential unit will be considered to maintain the code requirements of its previous R/2 or R/3 occupancy.

- R/2: Occupancies containing sleeping units or more than two dwelling units where occupants are primarily permanent in nature. (ex.: apartment houses, Dormitories, Hotels)
- R/3: Occupancies where the occupants are primarily permanent in nature and do not contain more than two dwelling units. (ex.: Single Family Home, Duplex, Townhouse)

The Building and Fire Departments submitted memorandums for consideration in regards to building and fire safety concerns. Both memorandum offer a recommendation to reinstitute building inspections of vacation rentals. Those are attached in Exhibit H. *Building Department Recommendation* and Exhibit I. *Fire Department Recommendation*.

Other Municipalities:

Some municipalities have chosen to enforce a maximum occupancy unless the applicant applies for a conditional or special use permit to be reviewed at a public hearing. Some of those examples are:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	Maximum People per unit	Square Foot Based	No Occupancy Limitation
Occupancy	Estes Park: Max 8, Special Use Review for Additional	Summit County: 1 person/300 square feet	Frisco
	Lyons: Max 8	Eagle County: 1 person/300 square feet	Georgetown
	Durango: 3 persons per parking spot OR 2/bedroom plus 2.	Park City, UT: 75 sq ft/bedroom + 50 sq. ft min/person	Telluride
	Crested Butte: 10, Additional with parking on site	Breckenridge/Snowmass Village: Per IPMC	
	Clear Creek County: Max 9 unless property is 2 acres+		
	Boulder: Up to 4 Family Members, + 2	GLENWOOD SPRINGS: Occupancy per IPMC	

Agency Comment

The Housing commission reviewed this information and recommends returning to the previous policy of requiring a building inspection to be completed prior to the issuance of a vacation rental permit, for compliance with life safety and building code measures, further recommending that the frequency and interval of such inspections should be determined with consideration to staff time and capacity. The full Housing Commission recommendations are attached as Exhibit G.

Action: Recommendation to City Council

This item does not necessarily require a text amendment and has previously been altered by City Council Resolution. Planning and Zoning Commission can choose to recommend a text amendment to list a building inspection as a mandatory aspect of the application process in Code section 070.030.030, or recommend a City Council resolution to revise the Vacation Rental Permit Application to include a completed building inspection condition requirement rather than the applicant affidavit that is currently required. Action items can be found on page 14 of this report and full draft text amendment language is on page 15-19 of this report.

3. Multifamily Single-Owner Building Limits

Where we are:

Currently, vacation rentals are limited to 25%, or at least 1, in single owner multifamily buildings. This regulation has remained the same since the initiation of vacation rental permits in 2012.

City Council reviewed this topic in March of 2018. A public hearing to review increasing the multifamily building limitation was held on March 12, 2018. There were numerous public comments both in support and opposition to the proposed changes. The item was tabled unanimously in order to conduct community outreach and further research on short term rentals. The Staff report and minutes from this meeting are attached as Exhibit L. *City Council 3-12-2018 Staff Report and Minutes*

Public Opinion:

The public indicated a strong preference for limits on single owner multifamily buildings. Survey and public meeting responses also indicated a preference for lowering the threshold of maximum units that are allowed to be vacation rentals.

The survey asked whether single-owner multifamily buildings and apartment buildings should have limits on how many units could be vacation rentals. The majority of respondents indicated that there should be a limit (61%). Almost a third of the respondents did not think a limit on these buildings was necessary (27%) and the remainder was unsure (11%).

When asked what the limit should possibly be, the respondents that had answered yes to the limitation indicated that they preferred 25% of the units as a maximum allowable percentage (41%) which is the current requirement. A large number of respondents wrote in their preferred answer instead of selecting from the given choices (40%). Analyzing those write in responses revealed that most of them indicated a lower threshold for the maximum allowable units in multifamily buildings than the provided answers. When the write in answers and the given answers were combined by category, 67% of respondents desire a limit of below the current threshold of 25%.

At the public meeting participants were again asked what the allowable limit should be on multifamily buildings under single ownership. This time, based on results from the survey, staff presented lower threshold options ranging from twenty-five percent or at least 1, down to ten percent or at least 1. Seventy-four percent preferred the lowest cap of 10% for single-owner multifamily buildings; 16% preferred the highest cap of 25%.

Code:

Multifamily building limitations are enumerated in the Use and Occupancy Restrictions section of Accessory Tourist Rental and Short Term Rental Use Specific Standards section of the code.

070.030.030(e)(7)(c)8

In a multifamily building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as an accessory tourist rental provided the owner or the resident manager occupies the accessory tourist rental.

070.030.030(e)(9)(d)3

In a multifamily building under single ownership, no more than twenty-five (25) percent but at least one (1) unit may be permitted as a short-term rental.

Other Municipalities:

Staff did not find evidence of this particular approach to limiting vacation rentals in other communities. Communities that chose to place limits on vacation rental numbers opted for a numerical cap, zoning limitations, or per block limitation.

Agency Comment

The Housing commission recommends the current policy of a 25% limit on the number of units in a single owner multifamily building that can operate as vacation rentals. The full Housing Commission recommendations are attached as Exhibit G.

Action: Text Amendment Recommendation to City Council

Changing the threshold for multifamily building limitations would require a text amendment to the above stated code sections. In the case of text amendments, the Planning and Zoning Commission is a recommending body to City Council. Action items can be found on page 14 of this report and full draft text amendment language is on page 15-19 of this report.

4. Numerical Limit on Vacation Rentals

Where we are:

Currently the City of Glenwood Springs does not limit the number of vacation rentals that can operate within City limits other than the multifamily single owner building limitation and a prohibition on Accessory Dwelling Units being used for vacation rental purposes.

Public Opinion:

The survey asked whether respondents supported limiting the number of vacation rentals that can occur in the City. Fifty percent of the response believed there should be a limit, and 34% believed there should not be a limit. Sixteen percent were unsure. Of those respondents that believed there should be a limit the majority favored placing a numerical cap on the maximum allowed vacation rentals within the City (55%) followed closely by those that desire a numerical cap of vacation rentals per block (43%).

At the public meeting the response shifted slightly in opposition of applying a limit - 54% of respondents preferred no limit; to 45% that chose a limit. The preferred limit approach was a cap per block, and a citywide cap. The question of limiting vacation rentals garnered the biggest groups during the discussion portion of the public meeting. Staff found that many participants were unclear how a numerical restriction would, or could, be enforced and therefore were not in favor of such regulation.

In the public meeting summary attached as Exhibit F., the facilitator noted common discussion comments that were raised by participants across several management strategy discussions. Two of the common comments were the impact on available housing and affordable housing for locals, which pertain to discussions of numerical limits.

Code:

There is currently no code language that pertains to a limit on the number of vacation rentals.

Staff has provided draft text amendment language for consideration added to Section 070.030.030(e)(7)c and 070.030.030(e)(9)d that includes a percentage of housing stock based approach. The draft addition for both Accessory Tourist Rental and Short Term Rental sections, reads:

Vacation rentals are not allowed in any property that is subject to a deed restriction, covenant or other City restriction or requirement regarding occupancy where the use as a vacation rental is inconsistent with the intent of such deed restriction, covenant or other City restriction or requirement.

Vacation rentals are permitted in all Zone Districts, provided that the number of vacation rentals shall at all times be limited to (X) percent of the total free market residential units in such Districts cumulatively.

Glenwood Housing Stock Numbers:

According to the Colorado State Demographers office most updated numbers, Glenwood Springs has approximately 4,177 housing units as of 2017. Subtracting the amount of deed restricted units in Glenwood Springs (232) results in approximately 3,945 free market housing units. Since 2017 Glenwood Springs has added, or is in the process of completing, 239 free market units bringing the approximate total to 4,184 free market housing units.

The current number of permitted vacation rentals in Glenwood Springs, 134, represents approximately 3.2 percent of the total housing stock. Based on the free market housing stock number, limiting vacation rentals as a proportion of the total number of free market units results in the following:

<u>Percent Limitation</u>	<u>Number of Allowed Vacation Rentals</u>
5%	209
10%	418
15%	628

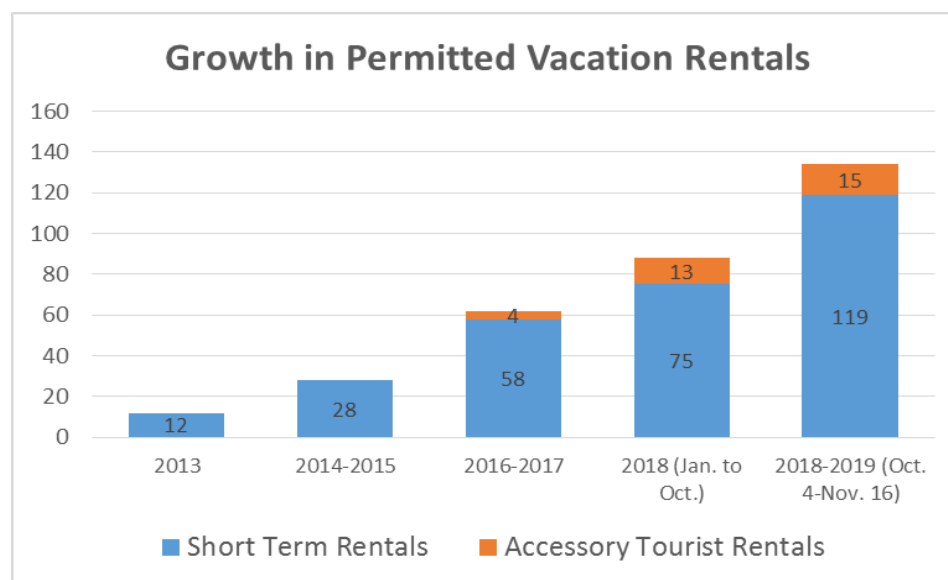
Vacation Rental Growth in Glenwood Springs:

To illustrate the growth in vacation rentals from the start of permit issuance in 2013, staff presents the following charts. The 2018-19 Permit cycle is broken out into two segments to represent growth prior to and after the moratorium discussion began. The large increase of 48 rental permits between October 4th

and November 16th is attributable to the uncertainty by the public if the program would continue, and is not representative of the standard growth pattern.

2 Year Permit Cycle	Short Term Rentals	% Increase previous year	Accessory Tourist Rentals	% Increase previous year
2013	12			
2014-2015	28	114%		
2016-2017	58	103%	4	
2018 (January to October)	75	30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	59%	15	15%

Total Permitted Rentals 2019	134
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Impact on Rental/Housing Cost

In order to respond to numerous comments regarding the impact of a growing vacation rental industry on local housing costs, staff looked for reputable research on the topic. Very little quantifiable data exists on the subject, and even less for small town rural areas.

Staff did find a peer reviewed study from Economics and Business Professors at UCLA and USC.² They posit that a 10% increase in Airbnb listings leads to a 0.42% increase in rents and 0.76% increase in home prices. Two other studies cited within this research performed for Boston and Los Angeles markets found slightly lower values, but still found a correlation of rent and home price increase as the number of vacation rental listings increased.

² Barron, Kyle & Kung, Edward & Proserpio, Davide. (2018). The Sharing Economy and Housing Affordability: Evidence from Airbnb. SSRN Electronic Journal. 10.2139/ssrn.3006832.

Police Actions with Vacation Rentals

To illustrate current levels of police complaints and actions regarding vacation rentals the Police Department provided a list of responses to permitted vacation rental addresses on file. The list includes the address, the date the property became a vacation rental, the complaints, calls, and issues that the Police have been involved with since that time. The “call type” column indicates how the occurrence was initiated, whether through dispatch, alarm, or officer initiated. The Code Violations listed also have an explanation of the nature of the violation. This list is included as Exhibit M.

Chief of Police Terry Wilson analyzed the list and noted that the frequency of police involved occurrences per vacation rental property is higher than that of a standard residence and closer to the frequency of calls received for commercial properties.

Other Municipalities:

Several communities have decided to limit the number of vacation rentals that can operate within their boundaries. Those limitations vary in approach from a strict numerical limit, primary residence requirement, per block limitation, and frequency and duration limitations. Examples include but are not limited to:

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	Not Allowed	Allowed but Limited	ALLOWED
Allowance & Limits	<u>Morrison, CO</u>	<u>Crested Butte:</u>	<u>Snowmass Village</u>
	<u>Moab, UT</u>	*Primary residence with 60 night limit (Unlimited #)	<u>Frisco</u>
	<u>Teton County, WY</u>	*Non-Primary Residence limited to 30% housing Stock	<u>Carbondale</u>
		<u>Denver/Boulder/Lyons:</u> Primary Residence	<u>Aspen</u>
		<u>Durango:</u> 1/block face + zone limits	<u>Silverthorne</u>
		<u>Telluride:</u> Zoning Limitations of frequency & duration	
		<u>Green Mountain Falls:</u> 10% of Housing Stock (60)	<u>GLENWOOD SPRINGS: No</u>
		<u>Georgetown:</u> 7% of each ward housing units	<u>limits by number or zoning</u>
		<u>Estes Park:</u> 588 permit limit	
	* Crested Butte	30% Housing Stock, 212 permits.	
	* Durango	Numerical Limit in low-density residential zones	
	* Telluride	Residential Zone District Limit 3 times per year, 29 nights annually	
	* Estes park	588 permits is approximately 15% of housing stock	

Durango and Telluride are examples where the limits were placed on Residential Zone districts. Crested Butte opted to allow an open ended number of permits to local residents wishing to rent out their homes temporarily while away from their homes, while placing a cap on those properties that would most likely be rented out consistently for short term uses where the property is not the owner’s primary residence.

Green Mountain Falls, Georgetown, and Estes Park all went with a set numerical cap for all permits within their boundaries.

Agency Comment

The Housing Commission recommends City Council, and Planning and Zoning Commission, review this topic and consider a limit on the number of vacation rentals. The growth capability of the vacation rental industry poses concerns for the availability of long term housing stock in Glenwood Springs. The Housing Commission recommends that City Council define what level of vacation rentals, based on a percentage of the housing stock, is appropriate for upholding the Community housing goals of Glenwood Springs.

Action: Text Amendment Recommendation to City Council

Instituting a numerical limit on vacation rentals would require a text amendment. In the case of text amendments, Planning and Zoning Commission is a recommending body to City Council. Action items can be found on page 14 of this report and full draft text amendment language is on page 15-19 of this report.

5. Penalties for Violations

Where we are:

Traditionally penalties for violations of the vacation rental regulations fell under the legal provisions as enumerated in the Municipal Charter which states:

Article XIII Section 13.12- Penalties for violation of Charter and Municipal Code

Any violation of a provision of the Glenwood Springs Municipal Code as adopted by the City Council from time to time shall be deemed a misdemeanor. Any person convicted of such violation may be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment for not more than one (1) year.

In 2018 City Council sought to tighten penalties for unpermitted vacation rental violations and voted to further define enforcement of such violations. Ordinance 11 of 2018, attached as Exhibit N. was passed by City Council on May 17th, 2018. That ordinance included the following language regarding penalties:

(i) Penalties for Violations. Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

During this same time period the City was in the process of repealing and replacing the entire Development Code in Chapter 070 with new process regulations. Part of the new code adoption included process for violation proceedings, penalties and remedies in the Development Code which replaced the language of Ord. 11-2018.

Public Opinion:

The online survey and public meeting did not include a specific question about penalties and violations. However, multiple concerns raised by the public in both forums regarding absentee owners and nuisances point to a frustration with violations occurring at vacation rentals. Violations occurring at vacation rentals in Glenwood Springs are illustrated in the attached Exhibit M. Police Complaints, mentioned previously. Write in comments submitted on the survey point to trash, snow removal, noise, and animal activity being a source of objection for neighbors.

Code:

Violations for vacation rentals are covered in the Development Code section 070.010.080 *Enforcement*.

(e) Penalties and Remedies. The Director, Building Official, or City Engineer, or such other person as may be designated by the Director, shall have the power to enforce this Code subject to the following penalties:

(1) Fines. Any violation of this Code shall be subject to a fine of not more than one thousand dollars (\$1,000.00). Each day's continuing violation shall be a separate and distinct offense.

(2) Deny, Withhold, or Revoke Entitlements.

a. The issuing/approval authority shall have the power to deny, withhold, or revoke permits for violation of this Code or violations of any conditions of approval.

b. The issuing/approval authority shall hold a hearing to determine the nature and extent of the alleged violation and shall have the power to deny, withhold, or revoke the permit issued to the violator, to require the violator to take corrective measures, or to direct employees or agents of the City to enter onto the premises and to take the corrective measures required by the authority, the cost to be borne by the violator. If the issuing/approval authority is the Director, then the hearing shall be held at the Planning Commission.

c. Any entitlement or other form of authorization may be denied, withheld, or revoked after notice and a hearing, when the Director determines that:

- 1. There is a departure from the approved plans, specifications, limitations, or conditions as required under the entitlement;*
- 2. The entitlement was established by false representation;*
- 3. The entitlement was issued in error; or*
- 4. There is any other violation of this Code.*

In addition the following language is included in the Use Specific Standards section for vacation rentals. Section 070.030.030(e)(7) and 070.030.030(e)(9)

The owner shall be responsible for ensuring that the short-term rental (Accessory Tourist Rental) complies with Section 100.010.060 of the Municipal Code, Garbage, Refuse, and Trash Collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.

This section provides for specific refuse violations, however does not include other sections of Chapter 100 pertaining to noise, 100.070.030, or Snow Removal 090.040.080, or other nuisances as enumerated in Code.

Revocation of Permit. An accessory tourist rental permit may be revoked at any time by the Director should it be determined that the use is not being operated in compliance with this Section or any other section of the Municipal Code.

The Director has not used this revocation of permit option so far in the program's history. Staff believes it lacks specificity for efficient implementation. The section below indicates how some communities have added additional specificity to when a permit is revoked.

In addition, this section of code grants authority to the Director to revoke a vacation rental permit, however Section 070.010.080 listed above indicates the Director must schedule a hearing with the Planning Commission in order to revoke a permit.

Other Municipalities:

Several other Municipalities have decided to institute penalties for violations specific to vacation rentals. Some have opted for a strict policy of permit revocation after a set number of violations within a one year period, whereas others have instituted an escalating fine structure and suspension time period based on the number of violations.

In addition some jurisdictions have a dedicated hotline, or third party nuisance management system for the community to use to report vacation rental violations. Some communities have added additional requirements for response times and residency distances for registered representatives. In addition, in multiple cases, after a certain number of complaints and/or permit condition violations, a permit is revoked.

ISSUE	RESTRICT	BALANCE	ENCOURAGE
	Revocation	Fine Structure	Basic Municipal Fine Structure
Violations	Georgetown: Revocation after 3 violations in 1 year	Breckenridge: Fine Structure and Temporary License Revocation	Telluride
	Green Mountain Falls: 3 violations in 1 year	1st: Suspension 30 days, \$200 Fine in lieu	GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
	Crested Butte: Violation penalty is revocation with 2 year suspension.	2nd: Suspension 60 days, \$500 Fine in lieu	
	Vail: 3 violations in 12 months	3rd: Suspension 90 days, \$999 Fine in lieu 4th+: Suspension 1 year, no fine in lieu	
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	Vail: 60 minutes (30 Minutes at night), agent must reside in 60 miles	Durango: 24 hour Agent, If no response, penalty	Telluride
	Breckenridge: 60 Minutes		Green Mountain Falls
	Lyons: 60 Minutes (Responsible Agent must be within 60 miles)	Clear Creek County: 24 Hour Agent, Must reside within 1 hour from vacation rental property	
	Estes Park: (Code states "Immediate" response, no amount of time)	GLENWOOD SPRINGS	
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	Breckenridge: Hotline		
	Boulder: Rental Housing Licensing Code Violation Line and Online submittal		GLENWOOD SPRINGS
	Breckenridge: STR HELPER, nuisance management system		
	Vail: Online Reporting Portal		

*At time of research, Breckenridge was moving to a system where after two or more failures to respond to complaints within sixty minutes, the Director sets a formal hearing for revocation.

Action: Text Amendment Recommendation to City Council

Re-instituting a schedule of penalties for violations would require a text amendment. In the case of text amendments, the Planning and Zoning Commission is a recommending body to City Council. Action items can be found on page 14 of this report and full draft text amendment language is on page 15-19 of this report.

Additional Topic Areas

In addition to the five areas above that had strong public results, there are other topic areas that were brought up by the public engagement process and research, that are possible areas for discussion. Those include, but are not limited to:

Neighborhood Notification

Parking

Neighborhood Notification

This question asked whether neighbors should be notified for public comment when an applicant in their immediate area applied for a vacation rental permit. Fifty-two percent responded yes, the public should be notified, and 39% responded no.

Staff found six Colorado Municipalities and one Colorado County that implement a public notification process for vacation rentals. They include, but are not limited to:

Neighbor Notification	Adjacent Property Mailing	Duplex Only	No Notificaiton		
	Georgetown: 300 foot owners	Vail	Carbondale	Boulder	Denver
	Crested Butte: 100 foot owners		Telluride	Blue River	Breckenridge
	Durango: 150 foot owners		Aspen	Avon	Lyons
	Green Mountain Falls: 150 foot owners		Silverthorne	Snowmass	
	Clear Creek County: 100 foot owners				
	Estes Park: 100 foot owners		GLENWOOD SPRINGS: No notification		

Parking

Many comments submitted from the survey and voiced in the public meeting included complaints regarding parking issues arising from vacation rentals. The Planning Department has also received several in person complaints regarding parking and vacation rentals. A few jurisdictions have decided to include parking requirements with a vacation rental permit application as seen below.

Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement		
	<u>Estes Park</u> : 2 minimum off street, except Downtown	<u>Lyons</u>	<u>Estes Park</u>	<u>Georgetown</u>	<u>Breckenridge</u>
	<u>Durango</u> : 1 space per Bedroom onsite	<u>Green Mountain Falls</u>	<u>Frisco</u>	<u>Avon</u>	<u>Boulder</u>
	<u>Clear Creek County</u> : 1 space per Bedroom onsite	<u>Crested Butte</u> : Over 10 Occupancy requires onsite	<u>GLENWOOD SPRINGS</u> : No extra parking required		

Best Practices

Staff compiled best practices from multiple published sources. Those include Colorado Municipal League, Vacation Rental Compliance companies that enforce municipal regulations across the Country, as well as various other sources. These articles have been included as an exhibit for review and consideration.

REVIEW AUTHORITY

For actions involving amendments to the Municipal Code, the Planning & Zoning Commission is a recommending body to City Council. All Municipal Code amendments are completed by ordinance, which requires two hearings before City Council.

For amendments to the Municipal Code, the Planning Commission and City Council shall consider whether and to what extent the proposed text amendment:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and;
5. Is consistent with the general purpose and intent of this Code.

ACTION ALTERNATIVES

The Planning and Zoning Commission may take one of the following actions:

1. Recommend approval of all or some of the amendments;
2. Recommend denial of some or all of the amendments; or,
3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.

ACTION ITEMS

Action 1:

Consideration of recommendation to City Council on the requirement and frequency of building inspections on vacation rental properties.

Action 2:

Consideration of code text amendment to Municipal Code Title 070.030.030 Use Specific Standards, to reduce the percentage of units that can be vacation rentals in a single-owner multifamily building to percent.

Action 3:

Consideration of code text amendment to Municipal Code Title 070.030.030 Use Specific Standards, implementing a numerical limit on vacation rentals.

Action 4:

Consideration of code text amendments to Municipal Code Title 070.030.030 Use Specific Standards, to implement violations for penalties.

DRAFT TEXT AMENDMENT LANGUAGE

Double underlined text added. ~~strike through language deleted.~~

Indicates Action

070.030.030 - Use-Specific Standards.

(c) *Commercial Uses.*

(7) *Accessory Tourist Rental.*

- a. *Applicability and Intent.* The requirements of this Subsection shall apply to any residential dwelling unit or a portion of a residential dwelling within the City. This Subsection is applicable within a Planned Unit Development unless specifically identified as a prohibited use by the Planned Unit Development.
- b. *Owner Responsibilities.*
 1. The owner of the property or a resident manager must reside within one (1) of the bedrooms within the dwelling unit which is to be used as the accessory tourist rental and shall be present on the premises for the duration of the rental.
 2. The owner shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
 3. The owner is responsible for ensuring the accessory tourist rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in a residential property.
 4. The owner is responsible for obtaining all required licenses in accordance with Title 050 of the Municipal Code.
- c. *Use and Occupancy Restrictions.*
 1. Parties renting the designated bedroom for transient rental shall have access to a private or shared full bathroom.
 2. Guest stays may only occur within the dwelling unit that the owner or resident manager occupies.
 3. The use is limited to one (1) designated bedroom with a maximum occupancy for two (2) people.
 4. The bedroom used for guest stays shall not include a kitchen or partial kitchen.
 5. Occupancy of the accessory tourist rental shall not exceed the occupancy allowed for single family use as defined in the Municipal Code, i.e. one (1) or more persons living together on the premises of a dwelling unit, but it shall not include more than five (5) persons unrelated by blood or marriage. Occupancy limits shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.
 6. Residential units eligible for an accessory tourist rental permit shall not be issued or hold permits for another land use that would further impact traffic at the site of the accessory tourist rental, including special use permits for another land use per the applicable zoning designation of the property, or a license or permit issued through another regulatory agency; except that properties issued a special use permit for a single family dwelling in the Hillside Preservation district or home occupation permit shall be eligible for an accessory tourist rental permit.
 7. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for an accessory tourist rental permit and the owner or resident manager must reside in the dwelling unit used as the accessory tourist rental.
 8. In a multifamily building under single ownership, no more than ten (10) ~~twenty-five (25)~~ percent but at least one (1) unit may be permitted as an accessory tourist rental provided the

Action 2

owner or the resident manager occupies the accessory tourist rental.

Action 3

9. Vacation rentals are not allowed in any property that is subject to a deed restriction, covenant or other City restriction or requirement regarding occupancy where the use as a vacation rental is inconsistent with the intent of such deed restriction, covenant or other City restriction or requirement.

10. Vacation rentals are permitted in all Zone Districts, provided that the number of vacation rentals shall at all times be limited to ten (10) percent of the total free market residential units in such Districts cumulatively.

d. *Operation.*

1. All vehicles associated with the single family residence and accessory tourist rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
2. The owner shall be responsible for ensuring that the accessory tourist rental complies with Section 100.010.060 of the Municipal Code, Garbage, Refuse, and Trash Collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.
3. The following information must be posted in a prominent and visible location in the designated bedroom permitted as an accessory tourist rental:
 - i. City of Glenwood Springs' license(s) and accessory tourist rental permit;
 - ii. Contact information for owner and/or resident manager, including phone number for twenty-four-hour response to emergencies;
 - iii. Description of location of fire extinguishers and emergency egress; and
 - iv. Any other information deemed necessary by the Director or Building Official to ensure the public's health and safety.
4. All advertising of an accessory tourist rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs accessory tourist rental permit number and business license number.

e. *Permit Procedures.*

1. *Limitation to Either Short-Term Rental or Accessory Tourist Rental.* A property owner may not be issued both an accessory tourist rental permit and a short-term rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted accessory tourist rental, he or she may do so by filing an application for a short-term rental permit in accordance with Subsection 070.030.030(e)(9). Upon issuance of a new short-term rental permit, the pre-existing accessory tourist rental permit is automatically revoked.
2. *Application Requirements.* The owner shall submit the application on the form provided by the Director and shall pay the application fee set by City Council resolution.
3. *Issuance of Permit.* All accessory tourist rental uses shall require a permit from the Director. Such permit shall only be issued after the residential dwelling unit and bedroom designated for transient lodging has been approved in accordance with the Municipal Code. The accessory tourist rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.

4. *Revocation of Permit.* An accessory tourist rental permit may be revoked at any time by the Director should it be determined that the use is not being operated in compliance with this Section or any other section of the Municipal Code.

Action 4

5. *Penalties for Violations.* Any violation of this Section 070.040.120 shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offense and by fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

(9) *Short-Term Rental.*

- a. *Intent.* The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short-term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short-term rentals offers additional diversification to the resort and travelling professional accommodations market. However, due to the potential for adverse impacts, short-term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.
- b. *Applicability.*
 1. The requirements of this Subsection shall apply to any residential dwelling unit within the City. This Subsection is applicable within a Planned Unit Development unless the short-term rental of property is specifically identified as a prohibited use by the Planned Unit Development.
 2. This Subsection does not apply to any dwelling unit permitted as an Accessory Dwelling Unit.
 3. The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short-term rentals.
- c. *Owner Responsibilities.*
 1. There shall be a designated responsible party, located within the local region, available for immediately responding to any issues arising from the short-term rental. The designated responsible party may be the owner of the property.
 2. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
 3. The owner or responsible party is responsible for ensuring the short-term rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in residential property.
 4. The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Municipal Code.
- d. *Use and Occupancy Restrictions.*
 1. Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.
 2. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short-term rental permit.

Action 2

3. In a multifamily building under single ownership, no more than ~~ten (10)~~ ~~twenty-five (25)~~ percent but at least one (1) unit may be permitted as a short-term rental.

Action 3

4. Vacation rentals are not allowed in any property that is subject to a deed restriction, covenant or other Town restriction or requirement regarding occupancy where the use as a vacation rental is inconsistent with the intent of such deed restriction, covenant or other Town restriction or requirement.

5. Vacation rentals are permitted in all Zone Districts, provided that the number of vacation rentals shall at all times be limited to ten (10) percent of the total free market residential units in such Districts cumulatively.

e. Operation.

1. All vehicles associated with the short-term rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
2. The owner shall be responsible for ensuring that the short-term rental complies with Section 100.010.060 of the Municipal Code, Garbage, Refuse, and Trash Collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.
3. The following information must be posted in a prominent and visible location in the short-term rental:
 - i. City of Glenwood Springs' license(s) and short-term rental permit;
 - ii. Contact information for owner and/or resident manager, including phone number for twenty-four-hour response to emergencies;
 - iii. Description of location of fire extinguishers and emergency egress; and
 - iv. Any other information deemed necessary by the Director or Building Official to ensure the public's health and safety.
4. All advertising of a short-term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short-term rental permit number and business license number.

f. Permit Procedures.

1. *Limitation to Either Short-Term Rental or Accessory Tourist Rental.* A property owner may not be issued both a short-term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short-term rental permit, he or she may do so by filing an application for an accessory tourist rental permit in accordance with Subsection 070.030.030(e)(7). Upon issuance of a new accessory tourist rental permit, the pre-existing short-term rental permit is automatically revoked.
2. *Application Requirements.* The owner shall submit the application on the form provided by the Director and shall pay the application fee set by City Council resolution.
3. *Issuance of Permit.* All short-term rental uses shall require a permit from the Director. Such permit shall only be issued after the short-term rental application has been approved in accordance with the Municipal Code. The short-term rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.

4. *Revocation of Permit.* A short-term rental permit may be revoked at any time by the Director should it be determined that the use is not being operated in compliance with this Section or any other section of the Municipal Code.

Action 4

5. *Penalties for Violations.* Any violation of this Section shall be deemed a misdemeanor and upon conviction of same shall be punished by a fine of \$250 for the first offence and by a fine of not less than \$100 and up to \$1,000 for each day of subsequent offense.

LIST OF ATTACHED EXHIBITS

- A. Map of Glenwood Springs Permitted Rentals
- B. Public Engagement and Research (Unabridged)
- C. Survey Results
- D. Leniency Scale of Municipal Regulations
- E. Municipal Vacation Rental Matrix
- F. Public Meeting Summary
- G. Housing Commission Recommendation
- H. Building Department Memo
- I. Fire Department Memo
- J. Resolution 17-54 Vacation Rental Affidavit and Violation Schedule
- K. International Property Maintenance Code
- L. Staff Report and Minutes from 3-12-2018 City Council (MF and ADU changes discussion)
- M. Police Complaints
- N. Ordinance 11-2018
- O. Old Vacation Rental Permit Application with Building Inspection
- P. Best Practice Papers and Articles

Vacation Rentals & Glenwood Springs

City Council

Thursday, March 7 2019



Moratorium Background

- City Council instituted moratorium on new Vacation Rental Permits, effective November 16-March 14. During that time Council asked staff to conduct thorough public engagement and research on the topic. That included the following:
- **Public Engagement**
 - **Online Survey:** Available for 2.5 Months (Closed Feb. 15th)
 - **Public work session:** Held January 16, 2019
- **Research**
 - Tax Information on Glenwood Springs Vacation Rentals
 - Demographics of Current Vacation Rental Owners
 - Colorado Municipal Regulation Comparison
 - Map of rentals
 - Glenwood Springs HOA analysis
 - Best Practices
 - Impact on housing prices
 - Police Complaints
 - Glenwood Housing Stock
 - Staff time
 - Compliance Regulation Contract Companies



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Definitions

- **Vacation Rental:**

- The rental of property for a period of time less than thirty (30) consecutive days. Includes STR and ATR categories.

- **Short Term Rental (STR):**

- The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days.

- **Accessory Tourist Rental (ATR):**

- The rental for monetary compensation of not more than one (1) bedroom for transient lodging to guests in those residential dwelling units that contain a minimum of two (2) bedrooms and are owner-occupied or occupied by a resident manager.



Vacation Rental Program Background

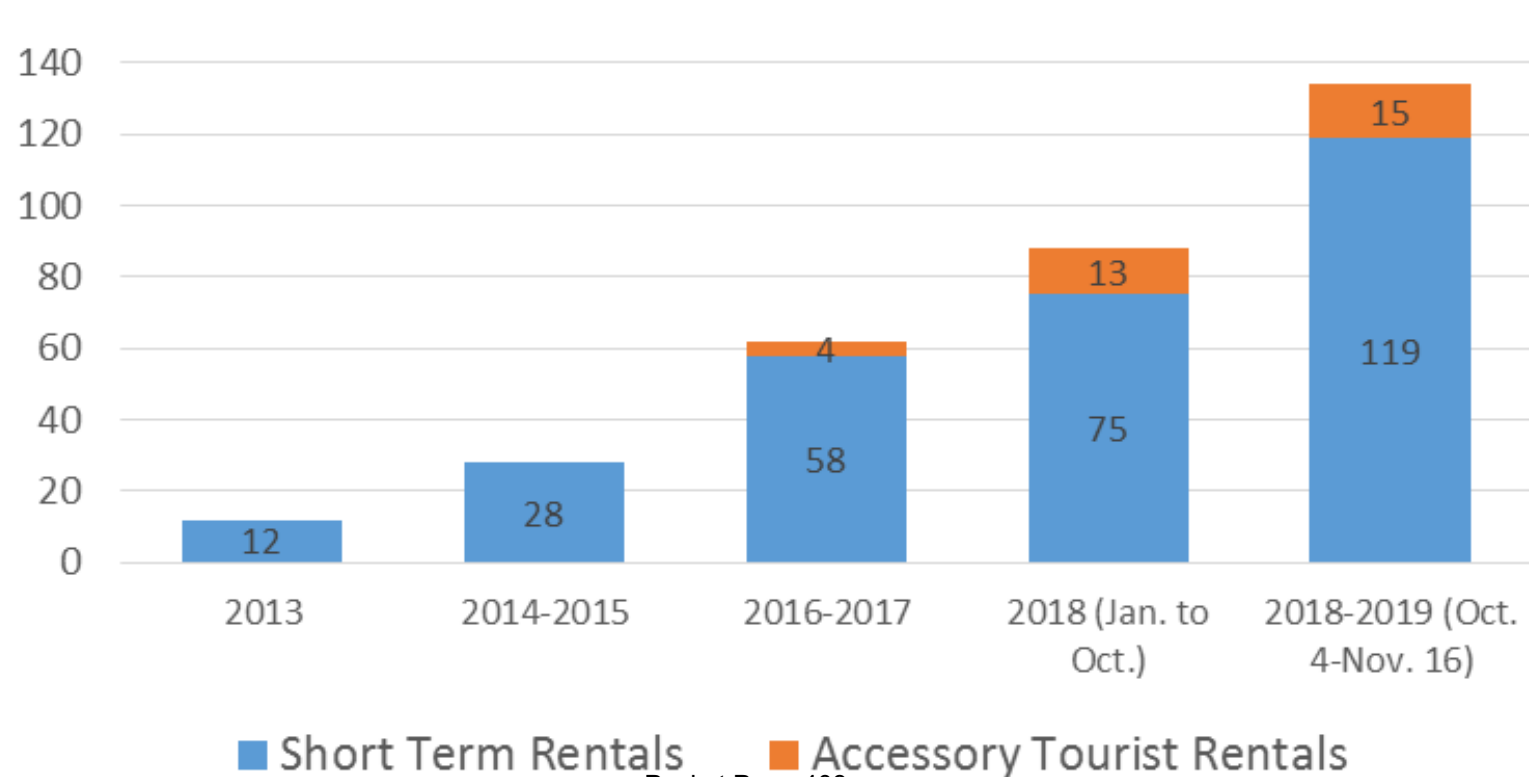
- Vacation Rental Permits were first instituted in 2012
- In 2015, an additional Category for “Accessory Tourist Rental” was added.
- Vacation Rentals have grown in number since 2013 exposing new community issues for Council to address.
- Currently there are **134** Permitted Vacation Rentals within Glenwood Springs municipal boundary.



Growth of Vacation Rental Permits

2 Year Permit Cycle	Short Term Rentals	% Increase previous year		Accessory Tourist Rentals	% Increase previous year
2013	12				
2014-2015	28	(16)	133%		
2016-2017	58	(30)	107%	4	
2018 (January to October)	75	(17)	30%	13	225%
2018-2019 (Oct. 4-Nov. 16)	119	(44)	59%	15	15%

Total Permitted Rentals 2019	134
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PUBLIC ENGAGEMENT

1. Survey
2. Public Meeting



Survey

- **482 Respondents**

- 390 Glenwood Residents (80%)
- 32 Glenwood Employees
- 57 Outside Glenwood Interest

- **75%** of Glenwood Resident Respondents have lived in Glenwood for 6 or more years.

- **86%** identify as owning their dwelling.

- **19%** of respondents own or operate a Vacation Rental currently.

- **60%** of respondents live in a neighborhood with vacation rentals.



Public Meeting

56 People in attendance

A few **common concerns** were raised by participants across several management strategy discussions:

- Impact on available housing for locals;
- Impact on availability of affordable housing for locals;
- Impact on City feel and sense of community; and
- Consistent regulations/treatment across long- and short-term rentals, bed & breakfasts and hotels (fairness across).



Survey and Public Meeting Results

Allowance and Permits

- Allow both types of Vacation Rentals
- Require a Permit

Permit Fee

- Annual Fee
- \$100-\$300

Multifamily Building Limitations

- Limit number of units that can be vacation rentals to 10% of total units.

Building Inspections and Occupancy

- Require buildings inspections and set occupancy.

Numerical Limits

- Survey says: YES 50%, NO 34%
- Public meeting says: YES 46%, NO 54%

Owner Occupancy Requirement

- Survey YES 45%, NO 42%
- Public meeting YES 43%, NO 57%

Neighbor Notification

- Survey only: Require neighbor notification for new vacation rental applications in the immediate area.

Clear Results

Less Clear Results



Starting Point for Actions

Item

1. **Permit Fee**
 - City Council Resolution
2. **Building Inspections and Occupancy**
 - City Council Resolution
 - Building Dept. Recommendation
 - Fire Department Recommendation
3. **Multifamily Building Limitations**
 - Text Amendment Recommendation
4. **Numerical Limits**
 - Text Amendment Recommendation
5. **Violations and Penalties**
 - Text Amendment Recommendation

Additional Topics

- **Neighborhood Notification**
- **Parking**



Research

- Map of rentals
- Colorado Municipal Regulation Comparison
- Police Complaints
- Glenwood Housing Stock
- Previous Discussions and Actions by City Council
- Recommendations from Commissions and Departments
 - Building
 - Fire
 - Housing
- Tax Collection information
- Demographics of Current Vacation Rental Owners
- Glenwood Springs HOA analysis
- Best Practices
- Impact on housing prices
- Staff time
- Compliance Regulation Contract Companies (Not in Staff Report)



List of Staff Report Exhibits

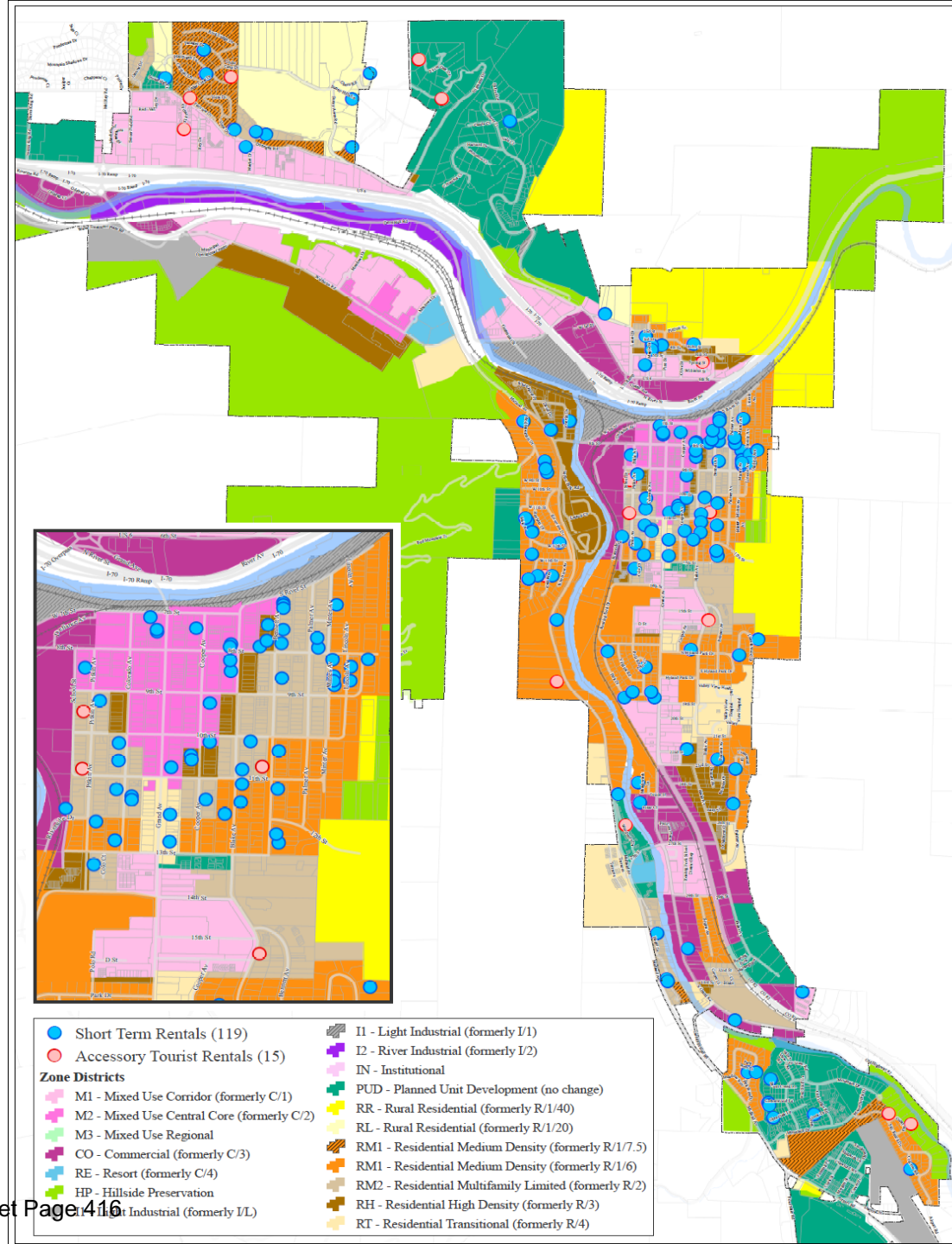
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Map of Permitted Vacation Rentals in Glenwood Springs with Zoning Designations

City Council
March 7, 2019



Leniency Scale of Municipal Examples

****Information pulled from multiple sources and is not comprehensive in each category.**

ISSUE	RESTRICT	BALANCE	ENCOURAGE
Allowance & Limits	Not Allowed	Allowed but Limited	ALLOWED
	<u>Morrison, CO</u> <u>Moab, UT</u> (except at previously established) <u>Teton County, WY</u>	<u>Crested Butte</u> : 2 Categories, one primary residence with 60 night limit, and one limited to 30% housing stock <u>Boulder/Denver/Lyons</u> : Primary Residence <u>Durango</u> : 1/block face + zone limits <u>Telluride</u> : Zoning Limitations of frequency & duration <u>Green Mountain Falls</u> : 10% of Housing Stock (60) <u>Georgetown</u> : 7% of each ward housing units <u>Estes Park</u> : 588 permit limit	<u>Snowmass Village</u> <u>Frisco</u> <u>Carbondale</u> <u>Aspen</u> <u>Silverthorne</u> <u>GLENWOOD SPRINGS</u> : No limits by number or zoning
Fee	\$250 Annually and up	\$75-200 Annually	Business License fee or less than \$50 annually
	<u>Crested Butte</u> : \$750 Annually <u>Georgetown</u> : \$500/\$250 Renewal <u>Durango</u> : \$750 Land Use Permit	<u>Blue River</u> : \$200 one time/ \$75 renewa <u>Breckenridge</u> : \$175 annual/Admin fee <u>Boulder</u> : \$130/\$105 renewal <u>Telluride</u> : \$165 +\$22/bedroom annual <u>Estes Park</u> : \$200 +\$50/bedroom <u>Lyons</u> : \$175/ \$50 Renewal <u>Clear Creek County</u> : \$250 one time fee	<u>Denver</u> : \$25 annually <u>Silverthorne/ Frisco/Avon/Aspen</u> : Business License only <u>GLENWOOD SPRINGS</u> : One-time \$110, business license
Additional Tax	Excise Tax Funds Affordable Housing		
	<u>Crested Butte</u> : Additional %5 tax <u>Telluride</u> : Additional %5 tax		
Building Inspection	Building Inspection every year with occupancy limits	Initial Building Inspection, affidavit upon renewal	No Building Inspection
	<u>Georgetown</u> : Annual Inspection <u>Crested Butte</u> : Inspection required to obtain permit and renewal.	<u>Estes Park</u> : Initial inspection <u>Breckenridge</u> : Inspection upon complaint, affidavit <u>Durango</u> : Inspection with Land Use Application <u>Clear Creek County</u> : Initial inspection	<u>Vail</u> : Self certify requirements <u>Lyons</u> : Affidavit self certifying safety standards <u>Boulder</u> : Life Safety Compliance verification form (Both of these Cities require Primary Res) <u>GLENWOOD SPRINGS</u> : No building inspection
Residency Requirement	Primary Residency Required	Some Residency Requirements	No Residency Requirement
	<u>Boulder</u> <u>Lyons</u> : 9 month Residency required <u>Telluride</u>	<u>Crested Butte</u> : No limit to Primary Residence Permits, Limit to Non Primary Residence Permits Packet Page 417	<u>Carbondale</u> <u>Aspen</u> <u>Frisco</u> <u>Snowmass</u> <u>GLENWOOD SPRINGS</u> : No residency requirement

Violations	Revocation	Fine Structure	Basic Municipal Fine Structure
	<u>Georgetown:</u> Revocation after 3 violations in 1 year <u>Green Mountain Falls:</u> 3 violations in 1 year <u>Crested Butte:</u> Violation penalty is revocation with 2 year suspension. <u>Vail:</u> 3 violations in 1 year, revoked for two years	<u>Breckenridge:</u> Fine Structure and Temporary License Revocation 1st: Suspension 30 days, \$200 Fine in lieu 2nd: Suspension 60 days, \$500 Fine in lieu 3rd: Suspension 90 days, \$999 Fine in lieu 4th+: Suspension 1 year, no fine in lieu	<u>Telluride</u> GLENWOOD SPRINGS: up to \$1,000 penalty, revocation of permit possible
Violation Response Time	Maximum Response Time	24 Hour Availability to Respond	No Response Time Requirement
	<u>Vail:</u> 30 Minutes, Agent must reside in 60 miles <u>Breckenridge:</u> 60 Minutes <u>Lyons:</u> 60 Minutes (Responsible Agent must be within 60 miles) <u>Estes Park:</u> (Code states "Immediate" response, no amount of time)	<u>Durango:</u> 24 hour Agent, If no response, penalty <u>Clear Creek County:</u> 24 Hour Agent, Must reside within 1 hour from vacation rental property	GLENWOOD SPRINGS
Complaint System	Dedicated Vacation Rental Complaint Line		Standard Code Enforcement
	<u>Breckenridge:</u> STR HELPER, nuisance management system <u>Boulder:</u> Rental Housing Licensing Code Violation Line and Online submittal <u>Vail:</u> Online Reporting Portal		GLENWOOD SPRINGS
Parking	OFF STREET PARKING REQUIRED	Parking Plan Submittal	No Parking Requirement
	<u>Estes Park:</u> 2 minimum off street, except Downtown <u>Durango:</u> 1 per Bedroom onsite <u>Green Mountain Falls:</u> Onsite Parking Plan required <u>Clear Creek County:</u> 1 space per Bedroom	<u>Lyons</u> <u>Green Mountain Falls</u> <u>Crested Butte:</u> Over 10 Occupancy requires onsite parking	<u>Estes Park</u> <u>Georgetown</u> <u>Breckenridge</u> <u>Frisco</u> <u>Avon</u> <u>Boulder</u> GLENWOOD SPRINGS: No extra parking required
Neighbor Notification	Adjacent Property Mailing	Duplex Only	No Notification
	<u>Georgetown:</u> 300 Foot Owners <u>Crested Butte:</u> 100 foot owners <u>Durango:</u> 150 Foot Owners <u>Green Mountain Falls:</u> 150 foot owners <u>Estes Park:</u> 100 Foot Owners	<u>Vail</u> 	<u>Carbondale</u> <u>Boulder</u> <u>Denver</u> <u>Telluride</u> <u>Blue River</u> <u>Breckenridge</u> <u>Aspen</u> <u>Avon</u> <u>Lyons</u> <u>Silverthorne</u> <u>Snowmass</u> GLENWOOD SPRINGS: No notification
Accessory Dwelling Units	ADU Vacation Rentals Prohibited	One Vacation Rental per Property (Either ADU or Main)	No Regulation
	<u>Estes Park:</u> Lots with ADU's cant have Vacation Rental <u>Lyons:</u> ADU VR not allowed, Owner occupancy of ADU <u>Glenwood Springs:</u> No Vacation Rental in ADU	<u>Boulder:</u> Either ADU or Main Dwelling can be rental, not both	<u>Carbondale</u> <u>Blue River</u> <u>Silverthorne</u> <u>Breckenridge</u> <u>Avon</u> <u>Lyons</u> <u>Snowmass</u>
Occupancy	Maximum People per unit	ICC Regulations (Bedroom Sq. Ft/Common area per Sq. Ft)	No Occupancy Limitation
	<u>Estes Park:</u> Max 8 <u>Lyons:</u> Max 8 <u>Durango:</u> 3 persons per parking spot OR 2/bedroom plus 1 <u>Crested Butte:</u> 10, unless parking provided <u>Boulder:</u> Up to 4 Family Members, + 2 <u>Clear Creek County:</u> Max 9 people, unless over 2 acres	<u>Breckenridge</u> <u>Snowmass Village</u> <u>Summit County:</u> 1 person/300 square feet <u>Eagle County:</u> 1 person/300 square feet <u>Park City, UT:</u> 75 sq ft/Person + 50 sq ft min per person GLENWOOD SPRINGS: Occupancy per ICC	<u>Frisco</u> <u>Georgetown</u> <u>Telluride</u>

Comments and Recommendations

- **Building Department Memo**
 - Reinstitute inspections
- **Fire Department Memo**
 - Reinstitute building inspections
 - Add Fire inspections
- **Housing Commission Recommendation**
 - Reinstitute Building Inspections
 - Recurring Application Fee
 - No change to Multifamily Limit
 - Consider a Numerical Limit
 - Violation and Penalty Schedule
- **Police Chief**
 - Police Complaint list
 - Comments summarized in staff report.



Planning and Zoning Commission Recommendations

1. **Permit Fee**

Recommend an initial permit application fee of \$300 and a \$150 renewal fee every other year coinciding with the two year vacation rental permit.

2. **Building Inspections and Occupancy**

Recommend requiring a building inspection at time of application and at renewal every other year.

3. **Multifamily Building Limitations**

Recommend reducing the percentage of units that can be vacation rentals in a single-owner multifamily building to ten (10) percent.

4. **Numerical Limits**

Recommend imposing a numerical cap on Short-Term Rental permits equal to (a) 10% of the City's total housing stock or (b) one short-term rental permit for every block face or for every 500 linear feet where regular block face measurement does not apply, whichever is less.

5. **Violations and Penalties**

Recommend implementing a violation schedule of a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each subsequent offense.

6. **Revocation of Permit**

Recommendation of a text amendments to Title 070.010.080(e) to add the following language: except as provided elsewhere in this code.



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Review Authority

For actions involving amendments to the Municipal Code City Council is the approving authority.

For amendments to the Municipal Code, City Council shall consider whether and to what extent the proposed text amendment:

- 1. Is consistent with the Comprehensive Plan and other City policies;**
- 2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;**
- 3. Is necessary to address a demonstrated community need;**
- 4. Is necessary to respond to substantial changes in conditions and/or policy; and;**
- 5. Is consistent with the general purpose and intent of this Code.**

ACTION ALTERNATIVES

City Council may take one of the following actions:

1. Approve of all or some of the amendments;
2. Deny of some or all of the amendments; or,
3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.



Action Items

Action 1: CITY COUNCIL RESOLUTION No 2019-14

Consideration of Resolution that includes:

- Amended Fee schedule: initial permit application fee \$300, \$150 renewal
- Addition of building inspections to permit conditions.

Action 2: ORDINANCE NO 9-2019

Consideration of Ordinance amending parts of the Municipal code to include:

- 10% limit on units that can be vacation rentals in a single-owner multifamily building
- A numerical cap on Short-Term Rental permits equal to (a) 10% of the City's total housing stock or (b) one short-term rental permit for every block face or for every 500 linear feet where regular block face measurement does not apply, whichever is less.
- Including a violation schedule where the first violation of 070.030.030(e)(7)/(9) shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each subsequent offense.
- Amending Title 070.010.080(e) to clarify that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2)



RESOLUTION 2019 - 14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE CITY'S DEVELOPMENT REVIEW FEE SCHEDULE AND VACATION RENTAL PERMIT APPLICATION FORM

WHEREAS, City Council adopted Title 070 of the Glenwood Springs Municipal Code through Ordinance 19, Series 2018; and

WHEREAS, pursuant to Section 070.060.030(d)(3)(a) of the City's Municipal Code, City Council adopted a development review fee schedule by Resolution 2018-29; and

WHEREAS, the existing development review fee schedule sets forth a \$110 one-time fee for short term rental permits; and

WHEREAS, by Ordinance No. 23, Series of 2018, the City Council of the City of Glenwood Springs imposed a temporary moratorium on the acceptance and processing of new vacation rental permits and associated business license applications and directed City staff to develop a robust public engagement process to gather information on the topic; and

WHEREAS, the moratorium applied to all vacation rentals as defined in Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code (Accessory Tourist Rentals) and Section 070.030.030(e)(9) of the Municipal Code (Short Term Rentals); and

WHEREAS, during the moratorium City staff engaged in a robust public engagement process which included an online survey regarding community perception of vacation rentals and feelings toward specific regulations; a public work session to discuss the online survey results and expand further into certain topic areas; and research into how other municipalities in Colorado regulate vacation rentals; and

WHEREAS, the Planning and Zoning Commission received and considered the information gathered through the public engagement process, as well as comments from the public, during a Special Meeting held on February 25, 2019; and

WHEREAS, the Planning and Zoning Commission recommended amending the development fee schedule to include a \$300 initial application fee for a vacation rental permit and a biennial \$150 renewal fee that follows the 2 year permit cycle; and

WHEREAS, the Planning and Zoning Commission further recommended amending the City's vacation rental permit application to require, as a condition of approval and renewal, a biennial building inspection that coincides with the 2 year permit cycle and which allows the building department to assign a maximum occupancy at the time of application; and

WHEREAS, City Council wishes to adopt the recommendations of the Planning and Zoning Commission and amend the City's development fee schedule and vacation rental permit application as set forth herein.

NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs.

Section 2. The City Council of the City of Glenwood Springs hereby approves revising the development review fee schedule to include a \$300 application fee for vacation rental permits and a \$150 permit renewal fee.

Section 3. The City Council of the City of Glenwood Springs hereby approves revising the City's vacation rental permit application form to require, as a condition of approval and renewal, biennial buildings inspections for all vacation rentals.

INTRODUCED, READ, AND PASSED THIS 7th DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

Ordinance No. 9

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE GLENWOOD SPRINGS MUNICIPAL CODE REGARDING THE REGULATION AND PERMITTING OF ACCESSORY TOURIST AND SHORT-TERM RENTALS IN THE CITY.

WHEREAS, the City of Glenwood Springs (the “City”) is a Colorado home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Glenwood Springs Home Rule Charter; and

WHEREAS, by Ordinance No. 23, Series of 2018, the City Council of the City of Glenwood Springs imposed a temporary moratorium on the acceptance and processing of new vacation rental permits and associated business license applications and directed City staff to develop a robust public engagement process to gather information on the topic; and

WHEREAS, the moratorium applied to all vacation rentals as defined in Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code (Accessory Tourist Rentals) and Section 070.030.030(e)(9) of the Municipal Code (Short Term Rentals); and

WHEREAS, during the moratorium City staff engaged in a robust public engagement process which included an online survey regarding community perception of vacation rentals and feelings toward specific regulations; a public work session to discuss the online survey results and expand further into certain topic areas; and research into how other municipalities in Colorado regulate vacation rentals; and

WHEREAS, the Planning and Zoning Commission received and considered the information gathered through the public engagement process, as well as comments from the public, during a Special Meeting held on February 25, 2019; and

WHEREAS, the Planning and Zoning Commission recommended amending the Municipal Code to reduce the percentage of units that can be vacation rentals in a single owner multifamily building from 25 to 10%, with at least one unit in the building still being eligible for a vacation rental permit; limit the total number of Short Term Rentals in the City to 10% of the City’s free market residential units or one unit for every block face or every 500 lineal feet in areas where the block face standard does not apply, whichever is less; specify that a violation of the vacation rental regulations in the Code is subject to a \$250 fine for the first offense and a fine of not less than \$100 per day and up to \$1,000 per day for subsequent offenses; and clarify that the Community Development Director may revoke a vacation rental permit without following the hearing process in Section 070.010.080(e)(2); and

WHEREAS, at its regular meeting on March 7, 2019, City Council received and considered the information gathered through the public engagement process, the recommendations of the Planning and Zoning Commission, comments from City staff, and testimony from the public; and

WHEREAS, City Council desires to amend Sections 070.030.030(e)(7) and (9) to reduce the percentage of permissible vacation units in a single-owner multifamily building; limit the total number of Short Term Rentals in the City to 10% of the City's free market residential units or one permit for every block face or every 500 lineal feet in areas where the block face standard does not/cannot be applied, whichever is less; specify that a violation of 070.030.030(e)(7) or (9) is subject to a fine of \$250 for the first offense and a fine of not less than \$100 per day and up to \$1,000 per day for subsequent offenses; and amend Section 070.010.080(e) to clarify that the penalties and remedies set forth therein apply unless another section of Title 070 states otherwise; and

WHEREAS, City Council finds and declares that the amendments to the Municipal Code regarding vacation rentals described herein satisfy the Code amendment approval criteria set forth in Section 070.060.040(c)(3)d.3. in that the amendments are consistent with the Comprehensive Plan and other City policies; do not conflict with other provisions of the Municipal Code; are necessary to address a demonstrated community need; are necessary to respond to substantial changes in conditions and/or policy; and are consistent with the general purpose and intent of the Municipal Code.

NOW THEREFORE, IT IS ORDAINED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:

Section 1. The recitals hereinabove are hereby adopted as findings and incorporated herein.

Section 2. Section 070.030.030(e)(7) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language~~ deleted:

c. Use and Occupancy Restrictions

8. In a multifamily building under single ownership, no more than 10 (25) percent but at least one unit may be permitted as an accessory tourist rental provided the owner of the resident manager occupies the accessory tourist rental.

d. Permit Procedures

5. Penalties for Violations

Any violation of this Section shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Section 3. Section 070.030.030(e)(9) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language~~ deleted:

d. Use and Occupancy Restrictions

3. In a multifamily building under single ownership, no more than 10 (25) percent but at least one unit may be permitted as a short-term rental.
4. The total number of short-term rentals in the City shall be limited to 10 percent of the City's total free market residential units or one short-term rental unit for every block face (or 1 unit for every 500 lineal feet if the block face standard does not apply), whichever is less. This limitation shall not apply to units that were permitted prior to the effective date of this subsection or to timely renewals of such permits. However, the 10 percent cap on short term rentals includes existing permitted units.

e.a. Operation

f.d. Permit Procedures

5. Penalties for Violations

Any violation of this Section shall be subject to a fine of \$250 for the first offense and a fine of not less than \$100 and up to \$1,000 for each day of a subsequent offense.

Section 4. Section 070.010.080(e) of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

(e) Penalties and Remedies

Unless otherwise provided in this Code, the ~~The~~ Director, Building Official, or City Engineer, or such other person as may be designated by the Director, shall have the power to enforce this Code subject to the following penalties:

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 7TH DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Michael Gamba, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS ____ DAY OF _____, 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Resolution 2019-16; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Approving the 2019 Street Plan and Alley Reconstruction Plan

Action Requested: Approve Resolution 2019-16 adopting the 2019 Street and Alley Reconstruction Plan.

Department: Public Works

Presented By: Matthew Langhorst, Director Public Works

Background Info: City Council has requested a 10 year plan to reconstruct city streets should funding become available. Attachment B is the plan that was presented to previously to City Council.

Issues: The plan is dynamic and will change based upon unforeseen emergencies and funding opportunities. Staff intends to hold a public meeting at the end of each calendar year explaining the work accomplished and the upcoming street reconstruction work plan.

Staff Recommendation: Approve Resolution 2019 -16; adopting the 2019 Street and Alley Reconstruction Plan.

RESOLUTION 2019-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, APPROVING
THE 2019 STREET RECONSTRUCTION PLAN.**

WHEREAS, in 2018, the City of Glenwood Springs determined the need to develop a Street Reconstruction Plan; and

WHEREAS, the City developed the 2019 Street Reconstruction Plan (the “Plan”) attached as **Exhibit A**; and

WHEREAS, the Plan is designed to address the needs of failing streets all across the City and is intended to provide a roadmap to complete the reconstruction of the City’s streets; and

WHEREAS, the City Council recognizes that priorities and timing within the Plan may shift due to unforeseen developments and opportunities and may include alleyway reconstruction as needed; and

WHEREAS, this planning is the result of the dramatic changes that are expected to occur following the construction of the new Grand Avenue and pedestrian bridges; and

WHEREAS, the City Council of the City of Glenwood Springs finds and believes it is in the interest of the City to adopt the 2019 Street Reconstruction Plan attached as **Exhibit A**.

**NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, THAT:**

Section 1. The above recitals are hereby incorporated as findings by the City Council of the City of Glenwood Springs.

Section 2. The City Council of the City of Glenwood Springs approves and adopts the 2019 Streets Reconstruction Plan attached on **Exhibit A**.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF MARCH 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Michael Gamba, Mayor

Catherine Mythen Fletcher, City Clerk

Street Name	Average Condition (Paver)	Surface Treatment	Street Surface (SF)	Cost to Repair per (SF) (2018)	Roadway Asphalt Repair Cost Totals	Existing Surface Condition (City)	Roadway Repair Cost per (SF) (2019)	Roadway Repair Cost Total (2019)	Roadway Repair Cost Total (2020)	Roadway Repair Cost Total (2021)	Roadway Repair Cost Total (2022)	Roadway Repair Cost Total (2023)	Roadway Repair Cost Total (2024)	Roadway Repair Cost Total (2025)	Roadway Repair Cost Total (2026)	Roadway Repair Cost Total (2027)	Roadway Repair Cost Total (2028)	Roadway Repair Cost Total (2029)	Roadway Repair Cost Total (2030)	Year for Work (2018-2030)	
Beverly Road	Very Good	Concrete Sections Failing	206,282			Good															2018
Dick Key	Good	Chip and Seal	25,175	8 0.35	\$ 8,801.25	Good															2018
7th Street	Very Good	City Project - TBD				Good															2018
Burgess Road	Good	Future Maintenance - Crack Seal	121,419	8 0.35	\$ 40,996.65	Good															2018
Winter's Lane	Good	Chip and Seal	4,822	8 0.35	\$ 1,612.70	Good															2018
Devere's Lane	Fair	Chip and Seal	4,415	8 0.35	\$ 1,545.11	Good															2018
Met Key Road	Fair	Chip and Seal	29,971	8 0.35	\$ 10,441.85	Good															2018
Blake Court	Fair	Chip and Seal	6,612	8 0.35	\$ 2,304.16	Fair															2018
Copper Court	Fair	Chip and Seal	21,483.11			Fair															2018
Valley Court	Fair	Chip and Seal	6,667	8 0.35	\$ 2,293.91	Fair															2018
Oxford Lane	Fair	Chip and Seal	7,529	8 0.35	\$ 2,635.26	Fair															2018
Shepards Lane	Fair	Chip and Seal	7,980	8 0.35	\$ 2,796.00	Good															2018
Valencia Court	Fair	Chip and Seal	8,114	8 0.35	\$ 2,860.01	Fair															2018
34rd Street	Very Good	Chip and Seal	9,317	8 0.35	\$ 3,225.82	Fair															2018
Culver Circle	Fair	Chip and Seal	9,329	8 0.35	\$ 3,262.22	Fair															2018
Fanning Place	Fair	Chip and Seal	9,376	8 0.35	\$ 3,331.73	Fair															2018
32nd Street	Fair	Chip and Seal	9,612	8 0.35	\$ 3,364.29	Fair															2018
Colorado Road	Fair	Chip and Seal	10,148	8 0.35	\$ 3,560.13	Fair															2018
Stockton Road	Good	Chip and Seal	10,650	8 0.35	\$ 3,682.50	Fair															2018
Candle Court	Fair	Chip and Seal	11,619	8 0.35	\$ 4,007.15	Fair															2018
Buffon Road	Fair	Chip and Seal	12,900	8 0.35	\$ 4,515.00	Fair															2018
Orsay Road	Fair	Chip and Seal	12,918	8 0.35	\$ 4,511.74	Fair															2018
Morgan Street	Fair	Chip and Seal	13,106	8 0.35	\$ 4,586.61	Fair															2018
Clark Street	Fair	Chip and Seal	13,106	8 0.35	\$ 4,586.61	Fair															2018
Brent Way	Fair	Chip and Seal	13,500	8 0.35	\$ 4,725.00	Fair															2018
Ovethin Drive	Fair	Chip and Seal	14,209	8 0.35	\$ 4,973.05	Fair															2018
Village Park Road	Fair	Chip and Seal	14,213	8 0.35	\$ 4,979.56	Fair															2018
Crawford Way	Fair	Chip and Seal	15,248	8 0.35	\$ 5,371.73	Fair															2018
Riverside Avenue	Good	Chip and Seal	15,706	8 0.35	\$ 5,493.69	Fair															2018
City Road 135	Good	Chip and Seal	20,160	8 0.35	\$ 7,056.00	Fair															2018
20th Street	Good	Chip and Seal	21,209	8 0.35	\$ 7,440.00	Fair															2018
Westbrook Drive	Fair	Chip and Seal	21,318	8 0.35	\$ 7,452.22	Fair															2018
Stearn King Road	Fair	Chip and Seal	23,380	8 0.35	\$ 8,183.00	Fair															2018
Cordia Drive	Fair	Chip and Seal	24,226	8 0.35	\$ 8,479.00	Fair															2018
North River Street - East	Good	Chip and Seal	27,824	8 0.35	\$ 9,688.46	Fair															2018
Beaumont Drive	Fair	Chip and Seal	44,570	8 0.35	\$ 14,473.06	Fair															2018
Secor Field Road	Fair	Chip and Seal	61,955	8 0.35	\$ 21,689.39	Fair															2018
61st Avenue	Fair	Chip and Seal	61,961	8 0.35	\$ 21,690.81	Fair															2018
Sky Ranch Drive	Fair	Chip and Seal	63,610	8 0.35	\$ 22,053.43	Good															2018
11th Street	Fair	Chip and Seal	72,234	8 0.35	\$ 25,181.00	Fair															2018
Mount Spruce Drive	Fair	Chip and Seal	66,924	8 0.35	\$ 23,423.40	Fair															2018
10th Street	Fair	Chip and Seal	86,456	8 0.35	\$ 30,259.56	Fair															2018
Mount Spruce Drive (Section 10)	Fair	Reconstruct and Replace	24,000	8 0.50	\$ 12,000.00	Fair															2018
Traver Trail	Fair	Chip and Seal	124,720	8 0.35	\$ 43,470.82	Fair															2018
Transecton Circle	Good	Chip and Seal	12,524	8 0.25	\$ 3,131.00	Fair															2018
Crack Seal Project with Mill	Good	Crack Seal		8 0.25	\$ 80,000.00	Fair															2018
Res. Spot Mill and Overlay (1.5")	Fair	Mill and Overlay	42,000	8 2.50	\$ 105,000.00	Good															2018
25th Street	Fair	Schedule as a Capital Project			\$ 0.00	Good															2019
Colorado Avenue (2th Street Project)	Fair	Mill and Overlay Expansion of 7th Street Project			\$ 0.00	Fair															2019
7th Street (Electric Run)	Fair	Electric Repair/Rebuild Project			\$ 0.00	Fair															2019
Colorado Court	Very Good	Crack Seal	4,620	8 0.15	\$ 693.00	Good															2019
Debrae Avenue	Good	Crack Seal	5,529	8 0.15	\$ 829.35	Good															2019
1th Street	Good	Crack Seal	15,961	8 0.15	\$ 2,394.13	Good															2019
Arbo Street	Very Good	Crack Seal	17,099	8 0.15	\$ 2,564.85	Good															2019
Cardiff Bridge Road	Good	Crack Seal	21,485	8 0.15	\$ 3,222.72	Good															2019
Rock Lodge Drive	Reconstruct	Crack Seal	28,622	8 0.15	\$ 4,293.30	Good															2019
Supra Avenue	Good	Crack Seal	41,062	8 0.15	\$ 6,159.30	Good															2019
Blake Avenue (7th to 13th)	Fair	Crack Seal/Chip and Seal	111,092	8 0.50	\$ 55,546.02	Fair															2019
Beaumont Avenue (7th to 13th)	Fair	Crack Seal/Chip and Seal	83,528	8 0.50	\$ 41,764.00	Fair															2019
Palmer Avenue (7th to 13th)	Fair	Crack Seal/Chip and Seal	111,419	8 0.50	\$ 55,709.50	Fair															2019
Beaumont Avenue (21st to 32nd)	Fair	Crack Seal/Chip and Seal	13,528	8 0.50	\$ 6,764.00	Fair															2019
Pittkin Avenue	Very Good	Crack Seal/Chip and Seal	109,119	8 0.50	\$ 54,559.43	Fair															2019
Secor Field Road	Good	Crack Seal	15,318	8 0.15	\$ 2,297.17	Good															2019
14th Street	Good	Crack Seal	37,105	8 0.15	\$ 5,565.76	Fair															2019
Sky Ranch Drive	Good	Crack Seal	63,610	8 0.15	\$ 9,541.47	Fair															2019
Orsay Road	Good	Crack Seal	12,918	8 0.15	\$ 1,937.17	Fair															2019
Colorado Road	Good	Crack Seal	10,116	8 0.15	\$ 1,607.33	Fair															2019
30th Street	Good	Crack Seal	8,423	8 0.15	\$ 1,263.45	Fair															2019
10th Street	Fair	Crack Seal	22,333	8 0.15	\$ 3,400.91	Fair															2019
23rd Street (Blake to Palmer)	Fair	Crack Seal	25,560	8 0.15	\$ 3,834.00	Fair															2019
Freewood Drive	Fair	Crack Seal	15,125	8 0.15	\$ 2,268.75	Good															2019
Palmer Avenue	Good	Crack Seal	35,345	8 0.15	\$ 5,301.75	Fair															2019
North Highland Park Drive (Hwy 82 to Blake)	Fair	2" Mill and Overlay	37,065	8 0.50	\$ 18,532.50	Good															2019
Monteridge Court	Fair	2" Mill and Overlay	15,500	8 0.50	\$ 7,750.00	Fair															2019
Blake Avenue (13th to Valley View Drive)	Fair	2" Mill and Overlay	10,000	8 0.50	\$ 5,000.00	Fair															2019
27th Street (S Grand to 82)	Fair	2" Mill and Overlay	32,265	8 0.50	\$ 16,132.50	Fair															2019
Midland Bridge Overlay	Fair	2" Mill and Overlay	11,250	8 0.50	\$ 5,625.00	Fair															2019
West 13th Street	Fair	Crack Seal/Chip and Seal	22,498	8 0.50	\$ 11,249.01	Fair															2020
Cedar Creek Drive	Good	City Water Project - Full Reconstruction	29,822	8 0.50	\$ 14,911.00	Good															2020
Cardinal Lane	Good	City Water Project - Full Reconstruction	15,504	8 0.50	\$ 7,752.00	Good															2020
Tanger Drive	Very Good	City Water Project - Full Reconstruction	20,419	8 0.50	\$ 10,209.50	Good															2020
Paragon Lane	Good	City Water Project - Full Reconstruction	20,965	8 0.50	\$ 10,482.50	Good															2020
Walt Avenue	Fair	Mill and Overlay/Full Reconstruction (50/50)	55,565	8 0.50	\$ 27,782.50	Fair/Good															2020
West 11th Street	Good	Full Reconstruction	11,817	8 0.80	\$ 9,453.60	Good															2020
West 12th Street	Good	Full Reconstruction	10,083	8 0.80	\$ 8,066.40	Good															2020
Red Mountain Bridge (South Section)	Good	Full Reconstruction	12,383	8 0.80	\$ 9,906.40	Good															2020
Reverview Drive	Good	Full Reconstruction	36,243	8 0.50	\$ 18,121.50	Good															2020
Farwood Lane	Good	Full Reconstruction	12,383	8 0.50	\$ 6,191.50	Good															2020
Red Bluff Lane	Good	Full Reconstruction	9,520	8 0.50	\$ 4,760.00	Good															2020
Park West Court	Good	2" Mill and Overlay	6,500	8 0.50																	



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: South Canyon Study

Action Requested: Approve a biological resource survey of South Canyon Parklands for \$18,499.

Department: Parks & Recreation

Presented By: Brian Smith, Recreation Director

Background Info: David Anderson, Director and Chief Scientist with Colorado Natural Heritage Program, has submitted a proposal to compile a biological resource survey on South Canyon. A CNHP botanist and zoologist, along with accompanying CSU field technicians will conduct biological surveys. Field surveys in early summer and mid to late summer.

The purpose of this project is to provide the City with current information on the distribution of rare plants, animals, and plant communities at the South Canyon property. This information is needed for conservation management and planning around improvements for the South Canyon Parklands.

The goals of the project are to:

- identify potential conservation targets (i.e. rare plant and animal species, and plant communities)
- provide a final report and maps summarizing location and population information on any rare species, as well as the dominant plant communities and zoological information
- provide a GIS layer of all rare species locations along with relevant management recommendations

CNHP will provide a report to the City of Glenwood Springs with a summary of the survey work, maps, and descriptions of any rare plant species or plant communities, rare animals that were documented across the entire property. CNHP will provide GIS layers with the locations of these occurrences. All deliverables will be provided by March 30, 2020.

The table below contains the total cost of the project, as well as a breakdown of costs by budget category. Materials include the cost of incidental field items. Travel includes mileage and vehicle rentals to transport field crews to South Canyon. CNHP Professional Services include salaries for the botanist and zoologist to conduct field surveys, collate field data, prepare reports and GIS layers, and coordinate with City staff. Indirect rates used in this proposal are 22.5%.

Budget Category	Botany / Zoology Survey South Canyon
Materials	\$200
Travel	\$1000
CNHP Professional Services* (Salaries: Botanist/Ecologist, Zoologist, Chief Scientist)	\$13,901

Indirect	\$3,398
Total	\$18,499

Issues:

The 2,977 acres South Canyon Parklands need an area Master Plan and have for some time. Issues include fire mitigation, illegal dumping, illegal shooting, illegal camping, water quality of the hot springs and creek, protection of local plant and wildlife, improvements to existing public recreation amenities, better public access and proactive management.

Local interest groups such as the South Canyon Coalition and the area's residents have called for a plan to balance the much needed improvements of South Canyon's recreational features with ecological protection of the Canyon. Additionally, a master plan will assist City Council and other decision makers with the information needed to budget and plan for smart incremental improvements.

This biological study proposed by CNHP is one component needed for a comprehensive Master Plan that will address Recreation, Access, Fire, and Management planning to improve recreation and protection of the Parklands.

This study was not budgeted in the 2019 Budget. Should Council want to move forward, staff recommends reappropriating these funds from A&I reserves.

Staff Recommendation:

Approve \$18,499 for a biological resource survey of the South Canyon Parklands.

Biological Resource Surveys on South Canyon, City of Glenwood Springs, CO

Scope of Work and Budget

Prepared by:

David G. Anderson
Colorado Natural Heritage Program (CNHP)
259 General Services Building
1475 Campus Delivery
Fort Collins, CO 80523-1475

Prepared for:

City of Glenwood Springs

Scope of Work

The purpose of this project is to provide natural resource planners with current information on the distribution of rare plants, animals, and plant communities at the South Canyon property. This information is needed for conservation management and species conservation. The goals of the project are to:

- identify potential conservation targets (i.e. rare plant and animal species, and plant communities)
- provide a final report and maps summarizing location and population information on any rare species, as well as the dominant plant communities and zoological information
- provide a GIS layer of all rare species locations along with relevant management recommendations

Methods

A CNHP botanist and zoologist, along with accompanying field technicians will conduct biological surveys on the South Canyon property owned by the City of Glenwood Springs to survey for rare plants and animals, and rare plant communities. A target list of rare plants, animals and plant communities that are known from the vicinity will be used for the focus of the field survey (Table 1). Field surveys will be conducted in early summer and mid- to late summer. A CSU student field technician may assist in field surveys and data entry. Additionally, student interns from Colorado State University or Colorado Mountain College may assist with field surveys and data collection.

Table 1. List of CNHP tracked plants, plant communities and animals known from the vicinity of South Canyon property.

Major Group	Common Name	Scientific Name	CNHP Rank/Last Observation
Animal	Roundtail Chub	<i>Gila robusta</i>	G3 S2/1990
Animal	Lewis's Woodpecker	<i>Melanerpes lewis</i>	G4S4/2002
Animal	Bald Eagle	<i>Haliaeetus leucocephalus</i>	G5 S1B,S3N/2008
Animal	Townsend's Big-eared Bat	<i>Corynorhinus townsendii pallascens</i>	G4T4 S2/1978
Animal	Midget Faded Rattlesnake	<i>Crotalus oreganus concoluor</i>	G5T4S3?
Animal	Western Yellowbelly Racer	<i>Coluber constrictor mormon</i>	G5T5 S3/1995
Animal	Spalding's Dotted-Blue	<i>Euphilotes spaldingi</i>	G3G4 S2S3
Animal	Grote's buckmoth	<i>Hemileuca grotei diana</i>	G4T3T4 S2
Animal	Modest sphinx	<i>Pachysphinx modesta</i>	G5 S3?
Animal	Two-banded Checkered-Skippe	<i>Pyrgus ruralis</i>	G5 S3
Animal	Doll's sphinx	<i>Sphinx dollii</i>	G4G5 S2?
Plant	DeBeque milkvetch	<i>Astragalus debequaeus</i>	G2 S2/2017
Plant	Wetherill's milkvetch	<i>Astragalus wetherillii</i>	G3 S3/2000
Plant	Ute ladies' tresses	<i>Spiranthes diluvialis</i>	G2G3 S2/2013
Plant	Juniper tumble mustard	<i>Thelypodopsis juniperorum</i>	G2 S2/1945
Plant Community	Narrowleaf Cottonwood Riparian Forests	<i>Populus angustifolia/Crataegus rivularis</i> Woodland	G2? S2/1992

Deliverables

CNHP will provide a report to the City of Glenwood Springs with a summary of the survey work, maps, and descriptions of any rare plant species or plant communities, rare animals (including birds and raptors, butterflies and amphibians) that were documented across the entire property. CNHP will provide GIS layers with the locations of these occurrences. All deliverables will be provided by March 30, 202.

Assumptions

The City of Glenwood Springs staff will secure any permissions necessary for CNHP staff biologists to access the South Canyon property.

Budget

The table below contains the total cost of the project, as well as a breakdown of costs by budget category. Indirect rates used in this proposal are 22.5%. Materials include the cost of incidental field items. Travel includes mileage and vehicle rentals to transport field crews to South Canyon. CNHP Professional Services include salaries for the botanist and zoologist to conduct field surveys, collate field data, prepare reports and GIS layers, and coordinate with City of Glenwood Springs staff.

Budget Category	Botany / Zoology Survey South Canyon
Materials	\$200
Travel	\$1000
CNHP Professional Services* (Salaries: Botanist/Ecologist, Zoologist, Chief Scientist)	\$13,901
Indirect (22.5%)	\$3,398
Total	\$18,499

Professional services breaks down to the following number of months per staff person: botanist 1.0, zoologist 0.8, chief scientist 0.08. To the extent possible we will bring interns along that are paid by funds donated to CNHP.



City Council
STAFF REPORT
City of Glenwood Springs
March 7, 2019

Agenda Item: Board and Commission Appointments for Arts & Culture, Parks & Recreation, River, and Transportation

Action Requested: Appoint members to the Boards and Commissions of Arts & Culture, Parks & Recreation, River, and Transportation

Department: City Clerk

Presented By: Catherine Fletcher, City Clerk

Background Info: Some of the boards and commissions have members with expiring terms. Applications have been submitted by potential members.

Transportation Commission:

- 2 Regular Seats Available
- 3 Alternate Seats Available
- **3 Applicants**

River Commission:

- 2 Regular Seats Available
- 2 Alternate Seats Available
- **5 Applicants**

Parks & Recreation Commission:

- 3 Regular Seats Available
- 1 Youth Rep Seat Available
- 1 Alternate Seat Available
- **3 Regular Seat Applicants**
- **1 Alternate Seat Applicant**
- **1 Youth Rep Applicant**

Arts & Culture Board

- 2 Regular Seats Available
- 3 Alternate Seats Available
- **1 Applicant**

Issues: None

Staff Recommendation: N/A



City of Glenwood Springs
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101 West 8th Street
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Fax: 970-945-5023
Email: catherine.mythen@cogs.us

TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE TRANSPORTATION COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

020.020.020(9) Composition of Transportation Commission:

a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

020.020.030(i) Powers and Duties of Transportation Commission. The powers and duties of the Transportation Commission shall be:

- (1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.
- (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
- (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
- (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.
- (5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.
- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name James "Sandy" Lowell
Home Address 15 Parmigan Dr., GWS
Mailing Address same

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-945-1295
Email slowell3@gmail.com

Section 3 - Occupation

Occupation Retired

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Transportation Commission?

I have been on the board for six years & it seems like I can still contribute

2. What do you view as your role if selected as a member of the Transportation Commission?

Constructive Input

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

Been on Board for ~ six years. Some other boards before that



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

Efficiency & value

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Have so far

6. Can you describe an experience making a decision that made people unhappy?

I am in general not in favor of more "Studies". Most of the time they are wasted

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

No

8. What experience do you have working with people on a board, commission or committee?

Previously stated

Thank you for your interest and time commitment in serving your community

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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Ralph Trapani, PE
Home Address 714 Cowdin DR. ,Glenwood Springs,CO 81601
Mailing Address same as home

Section 2 - Contact Information

Home 970 945 5290 Work _____
Fax _____ Mobile 970 618-8959 (USE)
Email _____

Section 3 - Occupation

Occupation Transportation Engineering Consultant

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the Transportation Commission?

I would like to serve the City. I have decades of experience in transportation engineering and government service as a former CDOT Program Engineer. Through the Commission, I will bring valuable experience to City Council on transportation issues. I want to support the City in accomplishing its transportation vision and goals.

2. What do you view as your role if selected as a member of the Transportation Commission?

To participate in discussions, provide advice, and build consensus on issues with the Commission, which will go to City Council.

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

As CDOT program engineer from 1992-2002, I was involved in numerous transportation planning studies on SH 82 and I 70. As a former GWS Transportation Commissioner, I participated in the COP process, and I am very familiar with the SH 82 Grand Avenue projects I also served as the project manager for the RFTA Destination 2040 planning study.



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

I support the City's transit and Transportation Demand Management efforts. I am concerned about safety parking, and congestion in the neighborhoods.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

6. Can you describe an experience making a decision that made people unhappy?

My decision to recommend to my CDOT supervisors that the I 70 Vail roundabouts be approved.

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

No.

8. What experience do you have working with people on a board, commission or committee?

I am a founding member of CLEER and have served on the Board of Directors since 2009. I currently serve as the vice Chair of CLEER. I previously served on the GWS Transportation Commission from 2008 to 2015. For a portion of that time I served as Vice Chair. During my 44 year career in engineering, have facilitated numerous committees, and presented to boards many times.

Thank you for your interest and time commitment in serving your community

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**TRANSPORTATION COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Charlie Willman

Home Address 1121 Bennett Av - GWS 81601

Mailing Address same

Section 2 - Contact Information

Home 970-379-7820 Work 970-945-8571 x2

Fax _____ Mobile 970-379-7820

Email charlie.willman@gmail.com

Section 3 - Occupation

Occupation _____

Section 4 - Personal and Professional Interests**1. Why are you interested in serving on the Transportation Commission?**

I have appreciated the opportunity to serve this last year to fill out a term. The City's transportation needs from the reconstruction issues, to South Bridge to connectivity and to multi modal transportation are critical to the future of the City. Also we need to find a viable cost effective way to relieve downtown day time congestion.

2. What do you view as your role if selected as a member of the Transportation Commission?

I am very familiar as a member of FAB with the financial resources of the City. This past year I have been able to move this information back and forth between these two important advisory bodies which has helped both provide better advice to the City.

3. Please list any of Glenwood Springs past transit/transportation studies and your familiarities with them.

I have reviewed the old parking study and as it relates the Brownfield study.



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TRANSPORTATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to transit or transportation in Glenwood Springs?

One thing that I think we need to re-explore and that is a 6th avenue/street and downtown shuttle. I think we could get the motels, hotels and business to contribute to this cost. Frequent stops and moving these visitors back and forth might be significantly less expensive than more parking structures.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes and I have shown that over my last 10 years of so of service on various City Boards and Commissions.

6. Can you describe an experience making a decision that made people unhappy?

I have to often tell clients in my practice as an attorney things they do not want to hear. It is always difficult to make decisions but a good explanation and a reasoned approach seems to really help ease the "bad news"

7. Transportation Commission members generally meet the first Tuesday of each month at 7:30 am, however sometimes special meetings may occur during the month, such as an evening worksession with City Council. In addition to meetings, there are monthly packet materials to review in preparation for the meetings. Do you have any existing time commitments that will hamper your ability to serve?

Yes, I have missed two or three meetings due to court conflicts but as I move more toward mediation these conflicts will be significantly mitigated. These meetings are a high priority.

8. What experience do you have working with people on a board, commission or committee?

DDA, FAB, Transportation for City. Numerous non profit boards including current service as Chair of Mt. Valley Developmental Services and on the board of River Bridge Center.

Thank you for your interest and time commitment in serving your community

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**RIVER COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE RIVER COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the River Commission:

(7) River Commission:

- a. Nine (9) citizens, at least (7) who are residents of the City and two (2) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

(g) Powers and Duties of River Commission. The powers and duties of the River Commission shall be:

- (1) To investigate, study and report to the City Council any and all matters concerning the use, enjoyment, preservation and conservation of the open space, rivers and streams in the City and its environs.
- (2) To coordinate with the Planning and Zoning Commission and Parks and Recreation Commission in the formulation, recommendation and implementation of plans for open space, rivers and streams and other land uses throughout the City.
- (3) To advise the City Council on public access to the open space and rivers and the establishment of a river trail system and open space preservation strategy
- (4) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in or adjacent to the rivers or open space.
- (5) To promote open space and riverfront cleanup efforts.
- (6) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and preservation of open space and improvement of the rivers, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.
- (7) To appoint subcommittees as necessary to carry out the foregoing functions.



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**RIVER COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

They are the reason I live here

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes

8. What experience do you have working with people on a board, commission or committee?

I'm on the river commission

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Ashley Moffatt
Home Address 509 Maple Street / GWS, CO
Mailing Address PO Box 1208 / GWS, CO 81602

Section 2 - Contact Information

Home N/A Work 970-945-6777
Fax Mobile 303-859-1725
Email amoffatt@resource-eng.com

Section 3 - Occupation

Occupation Water Resource Engineer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

When I initially applied to be on the River Commission in 2016, I stated that as a water professional and outdoor enthusiast, I could not think of a better way to serve my local community. That sentiment not only holds true today, but has been amplified through my involvement on the commission. I would welcome the opportunity to serve another term and

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

Having served on the River Commission for the past three years, I have collaborated on projects and participated in events that are directly related to the Commission's annual priorities and overall mission. Furthermore, in many instances, my professional experience as a water resource engineer has aided in this process.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

Yes. I use the City's open spaces and trails almost on a daily basis. And, when I'm commuting from my home in North Glenwood to my office Downtown, walking my dog at Two Rivers Park or running along the Rio Grande - Midland loop, I'm spending time in and around the ecosystem of the surrounding Colorado and Roaring Fork Rivers.



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

Outside of my participation on the City's River Commission, I have not served in a policy advisory role related to natural resource protection. However, professionally, I have worked with a number of clients to develop and adhere to land management and water resource plans that protect the natural environment.

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The Colorado and Roaring Fork Rivers define the character of Glenwood Springs, as represented in the City's most recent logo. These rivers and the surrounding trails and open spaces drive the recreation economy, provide an aesthetic amenity and supply an essential source drinking water. As such, the river corridor plays an important role in our community.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes.

8. What experience do you have working with people on a board, commission or committee?

I'm currently the Vice Chairman of the City's River Commission (Term: 2/2016-2/2019). Moreover, in my profession, I work with the boards of municipalities and conservancy districts on a regular basis on issues related to water rights and water supply planning.

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Brett Morrison
Home Address 326 Park Drive, Glenwood Springs, CO 81601
Mailing Address Same

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-379-3938
Email prideinwork@gmail.com

Section 3 - Occupation

Occupation Graphic Designer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

I want to learn more about all the workings of the local rivers and their relationship to the down river states. And do what I can to protect the watershed and drainages.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

Previously in the early nineties I created documentation for publication for the preservation of the Humpback Chub and other endangered fish in the Colorado River.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

Fishing, rafting, hiking, biking...



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The two rivers are the identity of Glenwood Springs and it is important to honor them and keep them accessible to everyone.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

At this point in time, yes.

8. What experience do you have working with people on a board, commission or committee?

I was on the board of the Glenwood Springs Center for the Arts in the early 90's.

Thank you for your interest and time commitment in serving your community

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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name Jared Walter
Home Address 2661 Woodberry Drive; Glenwood Springs, CO 81601
Mailing Address 2661 Woodberry Drive; Glenwood Springs, CO 81601

Section 2 - Contact Information

Home _____ Work _____
Fax _____ Mobile 970-618-0605
Email jwalter@za-engineering.com

Section 3 - Occupation

Occupation Water Resources Engineer

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

Concern/objection related to several aspects of Atkinson Trail project and need for continued maintenance on said trail. Concern/objection related to ongoing Colorado River RICD. Interest in using professional experience to advise City Council of considerations for maintenance of existing capital projects and future capital projects.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

15 years professional experience in areas included capital improvement projects, water rights, hydrology, and land use permitting. Licensed Professional Engineer, State of Colorado. I believe my experience would be especially relevant to items 1), 2) and 6) listed in the "Powers and Duties".

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

I am a periodic user of the Atkinson Trail, 3-Mile/Roaring Fork confluence area, and the Two Rivers Boat Ramp.



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RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No.

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

A unique recreational and scenic amenity for the public as well as private landowners in riparian areas.

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I have experience as a fiduciary adviser and understand the distinction between serving as a fiduciary as opposed to other purposes.

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes. It is my understanding there may be a vacancy in the "At Large" position. This would be the position I hope to fill.

8. What experience do you have working with people on a board, commission or committee?

Past member of an HOA. Advisory role as a consultant to numerous boards and HOAs in the region relating to private water system operation and funding.

Thank you for your interest and time commitment in serving your community

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Email: catherine.mythen@cogs.us

RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 - Name and Address

Name	Elise Osenga
Home Address	1004 Park West Drive, Glenwood Springs, CO 81601
Mailing Address	Same as above

Section 2 - Contact Information

Home	Work	970-925-7376
Fax	Mobile	303-917-6443
Email	ecmulder08@gmail.com	

Section 3 - Occupation

Occupation Research and Education Coordinator, Aspen Global Change Institute

Section 4 - Personal and Professional Interests

1. Why are you interested in serving on the River Commission?

My first job out of college was working as an environmental educator by the South Platte River. This experience illuminated for me how important rivers are to even urban communities, but how unaware those communities can be of the ways that rivers influence their lives. I am interested in serving on the River Commission as a way to give back to my community through discussion of a resource I care about.

2. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)?

I have a background in the biological sciences and currently work for an Earth science non-profit where my primary project collects data on soil moisture and weather. Consequently, I have a basic understanding of ecological functions of river and riparian ecosystems. In a prior position, I have also worked for a parks and recreation district (in Littleton, Colorado), so I have some prior knowledge of the goals and challenges associated with recreational river use. Additionally, last fall I served as a community partner for the Youth Summit Leadership Team, a local group of middle and high school students who helped to plan and organize the Healthy Rivers Youth Water Summit held in Carbondale last November.

3. Do you actively participate in activities using the City's open spaces, trails or rivers?

I do. I live near the Rio Grande trail and often go walking by the river or hiking at other open spaces (such as Red Mountain). I also enjoy floating the Roaring Fork and Colorado Rivers in the summer.



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Email: catherine.mythen@cogs.us

RIVER COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 - Personal and Professional Interests (Continued)

4. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role.

No

5. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community?

The town of Glenwood Springs grew up where it did in great part because of its rivers. These rivers and the surrounding natural areas continue to shape the community today: providing the water we need for our towns, ranches, and farms; drawing many of the tourists who support the local economy; and offering a scenic landscape that is a large draw for many of the people who live here. The environment has shaped the character and physical nature of our town, and I see trails and open spaces as a critical way to help keep today's residents aware of how special where they live is and the ways that their own lives are linked to the environment. Also, they are a great place to play :)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes

7. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month?

Yes, I believe so.

8. What experience do you have working with people on a board, commission or committee?

If selected, this would be the first board that I have served on, although several years ago I did serve on the committee for the annual conference of the Colorado Alliance for Environmental Education. I enjoyed the camaraderie and the opportunity to help shape a community event.

Thank you for your interest and time commitment in serving your community

Please complete and submit this application online or

Mail to: City Clerk, 101 West 8th Street, Glenwood Springs, CO 81601;

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

POWERS AND DUTIES OF THE PARKS AND RECREATION/TREE COMMISSION

(as defined in Title 020 of the Glenwood Springs Municipal Code)

Composition of the Parks and Recreation/Tree Commission:

(5) Parks and Recreation Commission:

- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- b. (R 20-05 §2)
- c. (R 20-05 §2)
- d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.

Powers and Duties:

(e) Powers and duties of Parks and Recreation Commission. The powers and duties of the Parks and Recreation Commission shall be:

- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
- (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
- (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
- (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
- (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
- (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.



City of Glenwood Springs

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**PARKS AND RECREATION COMMISSION
APPLICATION**

(for Powers and Duties, see page 3)

(7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.

(8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.

(9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.

(A 61-02 §4)



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

***YOUTH REPRESENTATIVE ***

Section 1 – Name and Address

Name Aeson Akins
Home Address 142 Haystack Rd Glenwood Springs Co 81601
Mailing Address same

Section 2 – Contact Information

Home 970-230-9945 Work n/a
Fax n/a Mobile 325-513-2442
Email benakins@msn.com

Section 3 - Occupation

Occupation High School Student

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am interested in being a more involved member of my community. Since I actively use the parks and community center almost daily, I thought that serving on the Parks and Recreation/Tree Commission would be a good way to serve.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I view my role as one mostly of learning. I welcome the opportunity to learn more about my community and about how it works with regards to Parks and Recreation. Also, I hope to provide a voice for the youth of our community on how our parks and recreation areas can best serve our needs.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

Since I am 15, I don't really have a lot of experience in these things. I am an active Boy Scout and member of the GSHS AFJROTC programs so I do have a lot of experience in volunteer service and have learned a lot about leadership skills. I would like to increase my knowledge and be a productive community member.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am a year-round swimmer who uses the Community Center daily. In addition, I utilize the city's parks frequently. My main area of interest is in learning more about the importance of these things in our lives. I don't think we realize sometimes how important parks and recreation areas are and I want to learn more about how to preserve and utilize them.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes. I serve as my Boy Scout patrol's Senior Patrol Leader and as a class leader for JROTC. Both require me to separate myself from my personal opinions and objectively present information and decisions that come from above me.

6. Can you describe an experience making a decision that made people unhappy?

I don't really have one experience that I can point to. I know that sometimes the decisions I make for our Boy Scout troop on what our weekly activity will be or how we will spend time in our JROTC class are not always popular decisions, but I haven't had to deal with any major backlash or complaints.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I am a swimmer who practices every day. In addition, I have a weekly Boy Scout meeting on Tuesday nights. Other than that, I believe that I can make a monthly meeting and participate as needed.

8. What experience do you have working with people on a board, commission or committee?

I have never served on a board or committee. I do attend a weekly staff meeting for JROTC, which consist of around 20 students who serve in various leadership roles within the organization. This is my only experience.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION

APPLICATION

(for Powers and Duties, see page 3)

Requested to take Alternate Position

Section 1 – Name and Address

Name Chelsea Carnoali
Home Address 625 Davis Dr, Apt 4, GWS, CO 81601
Mailing Address *same

Section 2 – Contact Information

Home 970-379-7641 Work _____
Fax _____ Mobile _____
Email Chelseacarnoali@gmail.com

Section 3 - Occupation

Occupation Case Manager- DHS

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

Care for community, desire to serve the City

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

Community member-professional and mother who utilizes parks programming and systems.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

Three years experience on Parks and Rec board



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

6. Can you describe an experience making a decision that made people unhappy?

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

8. What experience do you have working with people on a board, commission or committee?

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Wilson (Bill) W.Coleman
Home Address 1114 Colorado Ave., Glenwood Springs, CO 81601
Mailing Address Same

Section 2 – Contact Information

Home 945-7607 Work _____
Fax _____ Mobile 618-4730
Email lbhcf@comcast.net

Section 3 - Occupation

Occupation Retired

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I have been a member of Parcks and Rec. for about 10 years and would like to continue to serve.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

To provide experience of past activities of the commission and to be able to continue the work they are doing.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

73 years as a resident of Glenwood Springs.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

As a long time resident I have made use of almost all of our parks and wish to see to their upkeep and the growth of the system. As a 45 year member of Kiwanis we have been responsible for the development of Veltis (Kiwanis) park. I raised 4 children in Glenwood and I know the importance of parks.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

I hope so.

6. Can you describe an experience making a decision that made people unhappy?

As a retired Insurance agent it was never easy to tell an insured that they had no coverage for a loss.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

No

8. What experience do you have working with people on a board, commission or committee?

10 years on this board, 8 years on the Independent Insurance Agents board of directors. Most offices of the Glenwood Kiwanis, Church etc.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Andrew Mueller
Home Address 1004 Bennett Ave., Glenwood Springs, CO 81601
Mailing Address same

Section 2 – Contact Information

Home 970.318.1273 Work 970.945.8522
Fax _____ Mobile same as home
Email aamueller9901@gmail.com

Section 3 - Occupation

Occupation General Manager, Colorado River District

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I am committed to having a Parks and Recreation department which meets the needs of the Glenwood Springs community in a proactive but cost efficient manner.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

To provide a public voice on a policy level perspective to the City staff.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have significant experience in running and being part of community meetings on many areas including but not limited to recreation, education and water matters.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

Trails, recreation programming, lap swimming, and organized sports all are of particular interest to me.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

6. Can you describe an experience making a decision that made people unhappy?

Yes. As Manager of the River District, I recommended termination of our grants program to our Board of Directors due to our declining revenue.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

My job frequently takes me on the road throughout the state of Colorado and I may miss two to three meetings a year.

8. What experience do you have working with people on a board, commission or committee?

I have served on multiple boards and committees over the years including but not limited to: The City of Glenwood Springs Parks and Recreation Committee; The Board of Directors of the Colorado River District; the Ridgway School Accountability Committee; the Mount Sneffles Education Committee; the Ridgway School Construction Advisory Committee; The Board of Habitat for Humanity of the Roaring Fork Valley; the Colorado Attorney Disciplinary hearing board; the Seventh Judicial Nominating Committee and my prior Home Owners' association board.

Thank you for your interest and time commitment in serving your community

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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 1 – Name and Address

Name Laura Speck
Home Address 1216 Sprucewood Lane Glenwood Springs CO
Mailing Address 927 Grand Avenue Glenwood Springs CO

Section 2 – Contact Information

Home _____ Work 970-945-5663
Fax _____ Mobile 970-471-0614
Email thesilverbead@hotmail.com

Section 3 - Occupation

Occupation Business Owner of The Silver Bead

Section 4 – Personal and Professional Interests

1. Why are you interested in serving on the Parks and Recreation/Tree Commission?

I would like to see what types of projects/ideas the commission is working on and I would like to see some more active "environmentalist" be apart of the decisions the city is making in regards to our community.

2. What do you view as your role if selected as a member of the Parks and Recreation/Tree Commission?

I see myself as an active participant in generating ideas and enthusiasm for matters regarding our parks, trees and trails. I feel like I can bring some fresh new ideas and also learn a great deal from other projects that have been successful in the past for our community.

3. What experience and/or interest do you have in programming, planning, and being a part of community meetings?

I have owned my own business in downtown for over 17 years and have a good sense of planning, prioritizing and implementing creative ideas that benefit the entire community. I have organized several group meetings with concerned citizens and fellow business owners and also helped to promote unique opportunities such as Glen-a-palooza, various fashion shows and community events.



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PARKS AND RECREATION COMMISSION APPLICATION

(for Powers and Duties, see page 3)

Section 4 – Personal and Professional Interests (Continued)

4. Do you have any particular areas of interest or a particular perspective relating to parks and recreation in Glenwood Springs?

I am a die hard tree lover and outdoor enthusiast. I would like to see more trees planted in our downtown area to replace the ones that were cut down during the bridge construction period. I would also like to see our trail systems cleaned up and maintained to keep vagrants and pollution from harming our beloved environment.

5. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

I can try my best, but I am a very passionate person and I really like to see positive progress. I am very fair minded and open to options that work for "the bigger picture".

6. Can you describe an experience making a decision that made people unhappy?

There are lots of times we have all had to deal with this situation, especially when you own a store and have to deal with difficult customers. But, I generally find that if you speak your truth, listen intelligently and show compassion that people will come around.

7. Do you have any existing time commitments that will hamper your ability to serve? (The Commission generally meets monthly in the evening for approximately 90 minutes, with members encouraged to participate in ad hoc projects outside of the scheduled meetings.)

I work till 5:30 pm everyday, but seeing that your meetings are at 6:00 pm I should be able to attend with no problems. I am very interested in helping projects that we would be working on and will go above and beyond to help them be successful and dedicate my free time to help them do so.

8. What experience do you have working with people on a board, commission or committee?

I have been involved with several projects, events and organizations but this would be my first opportunity to serve on an official board or committee.

Thank you for your interest and time commitment in serving your community

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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Powers and Duties of the Arts and Culture Board (GSMC 020.020.030[N]):

(n) Arts and Culture Board. The powers and duties of the Arts and Culture Board shall be:

- 1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
- 2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
- 3) To provide opportunities for cultural and art experience and education for children and adults.
- 4) To promote increased interaction among artists and opportunities for growth and exposure.
- 5) To promote knowledge and appreciation for cultural forms of artistic expression.
- 6) To make recommendations to the City Council with respect to annual budget appropriations for the arts.
- 7) To advise and consult with local arts groups as requested by such groups or by the City Council.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 1 – Name and Address

Name Bryana Starbuck
Home Address 123 White Horse Place, Glenwood Springs, CO 81601
Mailing Address 123 White Horse Place, Glenwood Springs, CO 81601

Section 2 – Contact Information

Home: 970-691-6884 Work: 970-691-6884
Fax: N/A Mobile: 970-691-6884
Email: bmstarbuck@gmail.com

Section 3 – Occupation

Occupation Account Manager, Public Information Manager at PR STUDIO

Section 4 – Membership Qualifications

MEMBERSHIP QUALIFICATION	Check Here
A. Five (5) citizens who are a resident of the City.	☒
B. Two (2) citizens of which may reside outside of the City, but within 81601 zip code area or own real property or a business within the City.	☐

You must qualify as one of the above to serve on the Arts and Culture Board. Please check the box next to the one that applies to you, and explain here how you are qualified:

I have lived in the Glenwood Springs area for nearly my whole life and I have a deep understanding of the importance that arts and culture programs play in our community. I have been lucky to enjoy cultural and arts experiences thanks to local programs and organizations. I have already served one year on the Arts and Culture Board for the city.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests

1. Why are you interested in serving on the Arts and Culture Board?

I am an adamant patron and advocate for arts and culture programs as I believe that they are a key component to a thriving and vibrant community. I would like to continue with the work and initiatives that I have helped shape the last year.

2. What do you view as your role if selected as a member of the Arts and Culture Board?

My role as a Glenwood Springs resident would be to assess opportunities and move projects forward related to promoting arts and culture in Glenwood Springs without bias. I would work with fellow board members to support and follow all of the powers and duties of the Arts and Culture Board.

3. Do you have marketing, advertising or public relations experience or skills?

Yes, my professional background is in marketing, public relations and strategic communications.

4. Do you have Arts/Culture experience or skills? (ex. Performing arts, visual arts, public arts, museums arts education)

I have been a member of the Arts and Culture Board for the past year. I have been part of several choral organizations. In university, I lead the French Club and Education Abroad Club as president and as a club officer. Promoting cultural awareness was a large component of both organizations. I have also volunteered for numerous arts programs.

5. Can you describe an experience making a decision based on public opinion?

Two critical components of decision making are open communication and transparency. Open communication includes providing opportunities for input and collaboration, reviewing suggestions fairly, without bias, clearly explaining how a decision was reached and coming to alignment on messaging and next steps. Transparency creates trust and is especially important when not all sides agree.



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ARTS and CULTURE BOARD APPLICATION

(for Powers and Duties, see page 4)

Section 5 – Personal and Professional Interests (continued)

6. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion?

Yes.

7. Do you have any existing time commitments that will hamper your ability to serve?

While my work schedule is demanding, I can accommodate additional time commitments.

8. What experience do you have working with people on a board, commission or committee?

I have served the last year as part of the Arts and Culture Board. I've worked professionally with the Glenwood Springs Downtown Development Authority. I also work very collaboratively with local, regional and state organizations.

Thank you for your interest and time commitment in serving your community

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