



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
SEPTEMBER 5, 2019
101 W. 8TH STREET
6:15 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.

EXECUTIVE SESSION

- | | | |
|--------|---|------------------------|
| 2:00pm | 1. 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 MOC, RMR and Paragliding. | Information/Discussion |
|--------|---|------------------------|

- | TIME | ITEM | ACTION |
|--------|-------------------------------------|------------------------|
| 3:00pm | 1. Review of Regular Session Agenda | Information/Discussion |
| | 2. Council Comments | Information/Discussion |

WORK SESSIONS

- | | | |
|--------|---|------------------------|
| 3:30pm | A. Budget 2020- Water, Electric, Airport, Landfill, Fleet, DDA, Tourism | Information/Discussion |
| 5:00pm | B. Facilities Management | Information/Discussion |

Meeting Set-up

REGULAR SESSION

- | | | |
|--------|--|--|
| 6:15pm | 2. Roll Call
3. Pledge of Allegiance
4. Agenda Changes & Conflicts
5. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)
6. Council Comments/Board and Commissions Updates | Quorum

Information

Information

Information/Discussion |
| 6:25pm | 7. Consent Agenda
<i>All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items.</i>
A. Minutes from August 15, 2019 Regular Meeting
B. Ordinance No 23, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Smoking in Public Places (SECOND READING)
C. Ordinance No 24, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Solicitation, Camping, Sleeping, and Inhabitation within the City (SECOND READING) | Discussion and/or Action |

- D. Resolution 2019-35; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Appointing the Garfield County Clerk as the Coordinated Election Official and Appointing the City Clerk as the City Election Officer for a Coordinated Election for the November 5, 2019 Election

ACTIONS AND/OR PRESENTATIONS

6:30pm	8. Presentation of the Draft 2020-2025 Strategic Vision	Discussion and/or Action
6:50pm	9. 6th Street Roundabout	Discussion and/or Action
7:10pm	10. 7th Street - Decision to Open or Close the Road	Discussion and/or Action
7:40pm	11. Ordinance No 16, Series 2019: Consideration of various amendment to Municipal Code Section 050.030.010 and to Title 070 to correct errors and omissions relating to the Glenwood Springs Development Code that was adopted August 2, 2018 (SECOND READING)	Discussion and/or Action
7:55pm	12. Resolution 2019-34; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting a Fee for a Tobacco Product Retail License	Discussion and/or Action
8:20pm	13. Ordinance 25, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Adding a Section of 120.050.020 to the Municipal Code to Authorize Graduated Penalty Assessment Fines for Certain Nuisance and Health Related Violations (FIRST READING)	
8:45pm	14. Report from City Administration	Information
	A. City Manager	
	i. DOLA and CIRCA Grant Applications	
	B. City Attorney	
	C. Correspondence Incoming/Outgoing	
9:00pm	15. Adjournment	



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
August 15, 2019
101 W. 8TH STREET
6:15 P.M.

1. Roll Call

Mayor Jonathan Godes called the meeting to order at 6:15pm. Present at roll call: Charlie Willman, Rick Voorhees, Shelley Kaup, Jonathan Godes, Steve Davis, Paula Stepp, and Tony Hershey.

Also present were Debra Figueroa; City Manager, Karl Hanlon; City Attorney, Steve Boyd; COO, Jenn Ooton; Assistant City Manager, Catherine Mythen Fletcher; City Clerk, Michael Gardner; Broadband Systems Technician, and Terry Wilson; Police Chief.

2. Pledge of Allegiance

Mayor Godes led in the Pledge of Allegiance.

3. Agenda Changes & Conflicts

Councilor Stepp and Hershey noted their conflicts with the YouthZone presentation (item 9) due to personal/work relationships with the organization.

Mayor Godes noted that both councilor Stepp and Councilor Hershey recused themselves from the YouthZone presentation.

4. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)

None Noted

5. Council Comments

Councilor Willman- Recommended that City Council join the Tourism Board, and the DDA to formal an informal commission in order to effectively maintain the downtown of Glenwood Springs.

Councilor Willman moved, Seconded by Councilor Hershey, to create a committee made up of 3 members from each City Council, the tourism board, and the DDA to better maintain and develop downtown Glenwood Springs.

Motion passed unanimously.

Mayor Godes- Thanked the Fire Department and Gary Tillotson; Fire Chief for their amazing work and hospitality.

6. Consent Agenda

All matters under consent are considered to be routine and will be enacted by one motion and vote. The titles will not be read aloud. There will be no separate discussion on these items unless a Councilmember or Audience Member so request.

- A. Approval of Regular Minutes from August 1, 2019 meeting
- B. Ordinance No 21, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Establishing License Twenty-One Years of Age, Further Regulating the Sale of Tobacco Products, and Amending Titles 050 and 120 of the Glenwood Springs Municipal Code (SECOND READING)
- C. IGA with the Garfield County Clerk for Coordinated Election
- D. Firm Electric Power Service Contract Extension with Western Area Power Administration

Councilor Willman moved, seconded by Councilor Voorhees to approve the consent agenda.

Ayes: Willman, Voorhees, Godes, Davis, Hershey

Nays: Stepp, Kaup

Motion passed.

ACTIONS AND/OR PRESENTATIONS

9. YouthZone

Robin Tolland and Marci Pattillo presented on behalf of YouthZone and asked that the City of Glenwood give YouthZone a grant of \$100,000 over the next two years to help repay debt and continue to develop the new YouthZone center.

Councilor Hershey and Councilor Stepp recused from this item.

Councilor Shelly moved, seconded by Councilor Davis to submit an application to the Financial Advisory Board.

Motion passed by all present.

Councilor Hershey and Councilor Stepp recused.

10. Resolution 2019-33, A Resolution of the City of Glenwood Springs, Colorado Setting the Title and Content of a Ballot Issue for a Tax Increase to be submitted at the Election to be held on November 5, 2019

Karl Hanlon began explaining the history of Resolution 2019-33 and discussed the resolution in comparison to other similar, nearby municipalities such as Aspen and Basalt. The proposed tax would be \$00.20 per cigarette and \$4.00 per pack of cigarettes. The tax is intended to deter young adult from buying tobacco products and e-cigarettes.

Mayor Godes opened the item for public comment.

Jodi Radki- (Regional Director for the Campaign for Tobacco Free Kids) shared more data following her presentation during the city council meeting on August 1, 2019 and encouraged council to implement an excise tax instead of a sales tax.

Dan Richardson- (Mayor of Carbondale) expressed his support on behalf of Carbondale.

Dan Rosenda- Shared his concerns and lack of support as a local business owner.

Elizabeth Walgner- Shared her personal concerns with taking business away from Glenwood Springs.

Nancy Brown- Shared her concerns as a local business owner.

Rob Stein- (Superintendent of Roaring Fork Schools) requested that proceeds from the sales tax be put towards mental health and addiction programs.

Wyatt Hoffman- Shared his support as a local medical professional.

Suzanna Kurtch- Expressed her support as a citizen and mother.

Sonia Lipman- Expressed her support as an educational professional.

Carrie Godes- Expressed her support and concern for the health of youth in the community.

Christina Garr- Spoke in favor of the tax.

Meghan Malone- Expressed her support as a mom and member of the community.

Mayor Godes closed public comment.

Karl Hanlon (City Attorney)- Discussed the difference between excise tax and sales tax.

Councilor Willman moved, seconded by Councilor Hershey setting the title and content of a ballot issue for a tax increase to be submitted at the election to be held on November 5, 2019.

Councilor Kaup amended the motion, seconded by councilor Stepp to amend Resolution 2019-33 to start at \$3.00 tax per pack of cigarettes graduating \$00.20/year for the next five years (\$4.00).

Ayes: Stepp, Godes, Kaup

Nays: Hershey, Davis, Voorhees, Willman

Motion failed.

Council voted on the original motion (moved by Councilor Willman, seconded by Councilor Hershey) setting the title and content of a ballot issue for a tax increase to be submitted at the election to be held on November 5, 2019.

Original motion passed unanimously.

11. Planning Item 28-19, Appeal of Planning and Zoning Commission Denial for a Variance request on lot size standards in the RM2 zone district. (moved from item 15 on the agenda)

The presentation was given to appeal the decision that the Planning and Zoning Commission has made regarding 1021 Blake Ave. The development designed for that space did not meet all 7 of the requirements as outlined by code. The presenters argued that since 2 of the 4 apartments would be affordable housing units that there should be an exemption from density regulations.

Mayor Godes opened the item for public comment.

Tim Riley- Expressed his support of the Planning and Zoning Committee's original decision as the owner and resident of the lot next to the proposed development.

Janet Riley- Expressed her concerns regarding the density of this complex.

Mayor Godes closed the item for public comment.

Councilor Hershey moved, seconded by Councilor Willman to deny the appeal of Planning and Zoning Commission denial for a variance request on lot size standards in the RM2 zone district

Ayes: Hershey, Stepp, Davis, Godes, Kaup, Willman

Nays: Voorhees

Motion Passed.

12. Planning item #16-19, Consideration of a Request for a Special Use Permit for a Retail Marijuana Establishment in the M1 Mixed-Use Corridor District at 2550 CO Highway 82, Suite A112 (moved from item 16 on the agenda)

Trent Hyatt with Community Development presented information regarding the request for use of a permit for a retail marijuana establishment. The proposed establishment followed all prerequisite items as outlined by the code. The item has been recommended for approval by staff and the Planning and Zoning Commission.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Stepp to affirm the recommendation to approve planning item #16-19, consideration of a request for a special use permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District at 2550 CO Highway 82, Suite A112.

Ayes: Hershey, Stepp, Davis, Godes, Kaup, Willman

Nays: Voorhees

Motion passed.

13. 6th Street Roundabout Landscaping- Update and Discussion (moved from item 14)

Shannon Murphy presented a planning view of the landscape architecture intended for the 6th Street Roundabout. This roundabout is one of the final parts of the Grand Avenue Bridge Project. The Landscape architecture is intended to beautify the roundabout and help guide the line of sight for drivers as well as pedestrians.

Terri Partch noted the original budget estimate was \$550,000. However, some items were underestimated such as electrical, lighting, permitting, project time line, and traffic control. The final estimated budget is currently \$1.1 million.

Mayor Godes opened the item for public comment.

Don Gilesbie- Shared his concerns with the budget and the expense of the project if the impacts on drivers.

Laura Kirk- (member of the DDA) Expressed her support of the project because it is the entrance and exit to Glenwood Springs and made recommendations to lower the budget towards \$800,000 - \$850,000.

Chad Lee- (DDA Vice Chair) Shared his support of the project proposal.

Terry Wilson- (Police Chief of Glenwood Springs) Shared his support in order to break the interstate mindset when drivers enter Glenwood Springs.

Steve Carver- (DDA Chairman) Expressed his support.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Voorhees to renegotiate the project with the single bidder and reevaluate the scope of the project with the goal of the original budget (\$550,000).

Ayes: Stepp, Davis, Godes, Kaup, Voorhees

Nays: Hershey, Willman

Motion passed.

14. Ordinance No 23, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Amending the Glenwood Municipal Code Regarding the Regulation of Smoking in Public Places (FIRST READING)

Karl Hanlon explained Ordinance No 23, Series of 2019 repeals and replaces the existing indoor and outdoor smoking regulations contained in Article 040, Title 100. It reflects several recent changes made to the Colorado Clean Indoor Air Act, including the treatment of vaping the same as smoking. There is also a new requirement for no smoking signage in the state law, for which the state is providing the signs for businesses.

The new code also defines the downtown area (between the Colorado River and 9th Street; and Blake to Colorado Avenues) previously presented by Chief Wilson, in which outdoor smoking and vaping in public places will be prohibited. Map to be provided at second reading.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Stepp to approve Ordinance No 23, Series of 2019 amending the Glenwood Municipal Code regarding the regulation of smoking in Public Places.

Motion passed unanimously.

15. Ordinance No 24, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Solicitation, Camping, Sleeping, and Inhabitation within the City (FIRST READING)

Karl Hanlon explained Ordinance No 24, Series of 2019 is intended to expand the existing citywide prohibition on camping, sleeping, and habilitation between the hours of 10 pm and 7 am. The ordinance also would remove the requirement to obtain a license when soliciting on city rights-of-way but prohibit solicitation on unpaved medians less than 36 inches wide.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Councilor Davis moved, seconded by Councilor Kaup to approve Ordinance No 24, Series of 2019 amending the Glenwood Springs Municipal Code regarding the regulation of solicitation, camping, sleeping, and inhabitation within the city.

Motion passed unanimously.

16. Resolution 2019-34; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting a Fee for a Tobacco Product Retail License. (moved from item 11 on the agenda)

Item tabled until regular council meeting on September 5th, 2019.

17. Confluence RFQ Direction (moved from item 18 on the agenda)

Item tabled until regular council meeting on September 5th, 2019.

18. 2020-2025 Strategic Plan Approval

Item tabled until regular council meeting on September 5th, 2019.

19. Broadband Implementation Strategy (moved from item 17 on the agenda)

Michael Gardner presented on the proactive approach to mitigating the threats of our existing operation by building new infrastructure that is designed to reach every residence and business in the City in a way that is financially sustainable long-term. The infrastructure will be built to existing GIS based fiber plans that UpTown has provided us eliminating our documentation problem. It allows the City to re-enforce the relationships it has with its citizens by providing services on next generation infrastructure that isn't available in most of the Country. The City of Glenwood was one of the first municipal fiber-based ISP's to exist in the country (2002). This deployment plan will allow Glenwood to remain at the leading edge of Broadband infrastructure.

Mayor Godes opened the item for public comment.

None were noted.

Mayor Godes closed the item for public comment.

Council agreed to move forward with the broadband implementation strategy dependent on to be determined budgetary restrictions and upcoming further discussion.

20. Report from City Administration

- A. City Manager
 - i. FMLD and DOLA Grant Applications
- B. City Attorney
- C. Correspondence Incoming/Outgoing

21. Adjournment

Meeting adjourned at 10:45 pm.



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Ordinance No 23, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Smoking in Public Places (SECOND READING)

Action Requested: Approve Ordinance No 23, Series of 2019 amending the Glenwood Municipal Code Regarding the Regulation of Smoking in Public Places.

Department: Attorney

Presented By:

Background Info: The attached Ordinance revises the current smoking regulations related to the downtown and core commercial areas. The regulations have been revised based on Council input at the July 18, 2019 work session and regular meeting

Issues:

Staff Recommendation:

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

[**Direct Mail to Glenwood Springs*](#)

DATE: August 8, 2019
TO: Glenwood Springs Mayor and City Council
FROM: Karp Neu Hanlon P.C.
RE: Public Smoking Ordinance

The public smoking ordinance, as depicted in **Exhibit A** repeals and replaces the existing indoor and outdoor smoking regulations contained in Article 040, Title 100. It reflects several recent changes made to the Colorado Clean Indoor Air Act, including the treatment of vaping the same as smoking. There is also a new requirement for no smoking signage in the state law, for which the state is providing the signs for businesses.

The new code also defines the downtown area (between the Colorado River and 9th Street; and Blake to Colorado Avenues) previously presented by Chief Wilson, in which outdoor smoking and vaping in public places will be prohibited.

ORDINANCE NO. 23

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING THE GLENWOOD SPRINGS MUNICIPAL CODE REGARDING THE REGULATION OF SMOKING IN PUBLIC PLACES.

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, the City is an international tourism destination, hosting opportunities for outdoor recreation, shopping, lodging, and entertainment; and

WHEREAS, the City has invested significant resources in making improvements to its downtown core; and

WHEREAS, the City has developed further plans to foster commercial development in a larger area within the boundary of the Downtown Development Authority plan of development; and

WHEREAS, in order keep a clean, safe, and attractive environment in the downtown core, the City may exercise its police powers to regulate smoking and vaping; and

WHEREAS, the activities of smoking and vaping of tobacco products are known to cause significant health effects to both those consuming and those in their general proximity; and

WHEREAS, during the 2019 session the Colorado General Assembly adopted HB 19-1076, which amended the Colorado Clean Indoor Air Act, C.R.S. § 25-14-201 *et seq.* to, among other things, consider vaping and smoking together, and requires certain amendments to be made by local governments; and

WHEREAS, the activities of smoking and vaping of tobacco products detract from the attractiveness of commercial areas; and

WHEREAS, City Council finds and declares that the amendments to the Municipal Code regarding certain activities in the downtown core set forth herein are proper in light of the 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 recitals above are hereby adopted as findings and incorporated herein.

Section 2. Article 040 of Title 100 of the Glenwood Springs Municipal Code is hereby repealed and readopted as set forth in **Exhibit A**.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS ____ DAY OF AUGUST 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Jonathan Godes, Mayor

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:

Jonathan Godes, Mayor

Catherine Mythen Fletcher, City Clerk

EXHIBIT A

ARTICLE 100.040 - CONTROL OF SMOKING

100.040.010 - Legislative Declaration.

The City of Glenwood Springs hereby finds and determines that it is in the best interest of the people of this City to protect nonsmokers from involuntary exposure to environmental tobacco smoke and aerosol vapor in areas open to the public, and places of employment. Therefore, the City hereby declares that the purpose of this article is to preserve and improve the health, comfort and environment of the people of this City by limiting exposure to tobacco smoke and aerosol vapor.

100.040.020 - Definitions.

As used in this article, the following words and phrases are defined as follows:

Business means any sole proprietorship, partnership, joint venture, corporation, association, landlord, or other entity formed for profit-making purposes.

Downtown area means, for purposes of this article, the areas described below, for which a map is available for public inspection in the office of the City Clerk at 1010 West 8th Street, Glenwood Springs, Colorado.

(a) the area south of the Colorado River and north of 9th Street, extending from Colorado Avenue on the west to Blake Avenue on the east;

(b) the area from 9th Street up to and including 10th Street, extending from Colorado Avenue on the West to Cooper Avenue on the east;

(c) the 6th Street right-of-way;

(d) U.S. Highway 6 from its intersection with 6th Street to its intersection with Devereux Road; and

(e) the pedestrian bridge crossing the Colorado River from 6th Street to 7th Street.

Electronic Smoking Device has the same meaning as set forth in section 050.110.020 of this Code.

Employee means any Person who is employed or retained as an independent contractor by any Employer in consideration for direct or indirect monetary wages or profit, or any Person who volunteers his or her services for an Employer.

Employer means any Business that retains the service of one or more Employee.

Entrances and Exits means the passageways by which persons may enter or exit a building or facility, typically consisting of a door or doorway. For the purposes of this chapter, this includes the stoop, steps, or ramp leading from the sidewalk or pavement to such a door or doorway.

Flavored Tobacco Product has the same meaning as set forth in section 050.110.020 of this Code.

Food/Beverage Service Area means any business establishment, including Outdoor Dining Areas of the establishment thereof, in which the business includes the sale of food or beverages for on-premises consumption.

Indoor Public Place means any enclosed area or portion thereof. The opening of windows or doors, or the temporary removal of wall panels, does not convert an indoor area into an outdoor area.

Outdoor Dining Area means any area, including streets and sidewalks, that is available to or customarily used by the general public or an Employee, and that is designed, established, or regularly used, for consuming food or drink.

Outdoor Public Place means any Public Place not specifically characterized as an Indoor Public Place.

Public Place means any place, indoors or outdoors that is publicly or privately owned, and open to the general public regardless of any fee or age requirement.

Person means any natural person, cooperative association, employer, personal representative, receiver, trustee, assignee, or any other legal entity including a government agency.

Playing Field means that portion of an outdoor Recreational Area that is set up and marked in some way for the playing of one or more specific games or sports (such as baseball, football, or soccer), and that is owned or operated by the City and open to the general public. For the purposes of this chapter, a playing field that is fenced or the outside perimeter of which is otherwise physically demarcated shall be deemed to include all of the area inside such fence or demarcation, together with any bleachers or other designated viewing area; a playing field that is not fenced or otherwise demarcated (as to its outside perimeter) shall be deemed to include all of the area customarily required for playing the game for which it is being used, together with any bleachers or other designated viewing area.

Public Event shall mean a festival, concert, parade, athletic contest, street fair, art and craft show, carnival, block party, racing event, or any other outdoor event sponsored, hosted by or requiring a permit from the City.

Reasonable Distance means a distance that ensures that people located within an area where Smoking and Electronic Smoking Device use is prohibited are not exposed to secondhand smoke created by smokers outside the area. This distance shall be a minimum of twenty-five (25) feet in any direction.

Recreational Area means any outdoor area that is owned or operated by the City and open to the general public for recreational purposes, regardless of any fee or age requirement. The term “Recreational Area” includes but is not limited to Playing Fields, playgrounds, parks, picnic areas, golf courses, walking paths, gardens, hiking trails, bike paths, horseback riding trails, swimming pools, roller- and ice-skating rinks, skateboard parks, and amusement parks. The term “Recreational Area” is not intended to include streets and sidewalks unless they are located within a demarcated Recreational Area such as a park.

Service Area means any area designed to be or regularly used by one or more persons to receive or wait to receive a service, enter a public place, or make a transaction, whether or not such service includes the exchange of money. Service Areas include, but are not limited to, bus stops and other mass transit shelters, ATMs, public telephones, ticket lines, bus stops, cab stands, concert lines, sporting event lines, and food vendor lines.

Smoke means the emissions or release of gases, particles, vapors or aerosols into the air from burning, heating or activation of any device, including, but not limited to a cigarette, Electronic Smoking Device, e-cigarette, vape pens, e-hookahs or any other product by any name or descriptor when the apparent or usual purpose of burning, heating or activation of the device is human tasting and inhalation.

Smoking means the act of burning, heating, activation or carrying of any device, including, but not limited to a cigarette, cigar, pipe, hookah, Electronic Smoking Device, electronic cigarette, vape pen, e-hookah or similar device, by any other product name or descriptor, that results in the release of smoke, vapors or aerosols when the apparent or usual purpose of the burning, heating or activation of the device is human inhalation.

Tobacco Product has the same meaning as set forth in section 050.110.020 of this Code.

100.040.030 - Prohibition of Public Smoking and Electronic Smoking Device Use.

Except as provided in Section 100.040.040, and in order to reduce the levels of exposure to environmental tobacco smoke and aerosol vapor, smoking shall not be permitted and no person shall smoke in the following areas:

- (a) Smoking is not permitted and no person shall smoke or use electronic smoking devices in any Indoor Public Place within the City of Glenwood Springs including:
 - (1) Indoor Public Place not exempt under this Article or pursuant to C.R.S. 25-14-205;
 - (2) Twenty-five foot (25') radius from the entrance or exit of an Indoor Public Place; or
 - (3) Hotel or motel rooms rented to one or more guests.
- (b) Smoking and Electronic Smoking Device use is prohibited in Outdoor Public Places within the City of Glenwood Springs including:
 - (1) Outdoor Dining Areas;

- (2) Food/Beverage Service Areas;
- (3) Playing Fields;
- (4) Public Events;
- (5) Recreational Areas;
- (6) Within twenty-five (25) feet of a transit stop;
- (7) On any park, parkland, or recreation area or facility as established in Section 090.030.010; and
- (8) Within twenty-five (25) feet of any common open space as defined in Section 070.040.040.

100.040.040 - Exceptions to smoking restrictions.

- (a) This Article shall not apply to:
 - (1) Private homes, private residences, and private automobiles; except that this article shall apply if any such home, residence, or vehicle is being used for child care or day care or if a private vehicle is being used for the public transportation of children or as part of health care or day care transportation;
 - (2) Limousines under private hire;
 - (3) A retail tobacco business;
 - (4) A private, nonresidential building on a farm or ranch, as defined in C.R.S. § 39-1-102, that has annual gross income of less than five hundred thousand dollars (\$500,000.00).

100.040.050 - Optional prohibitions.

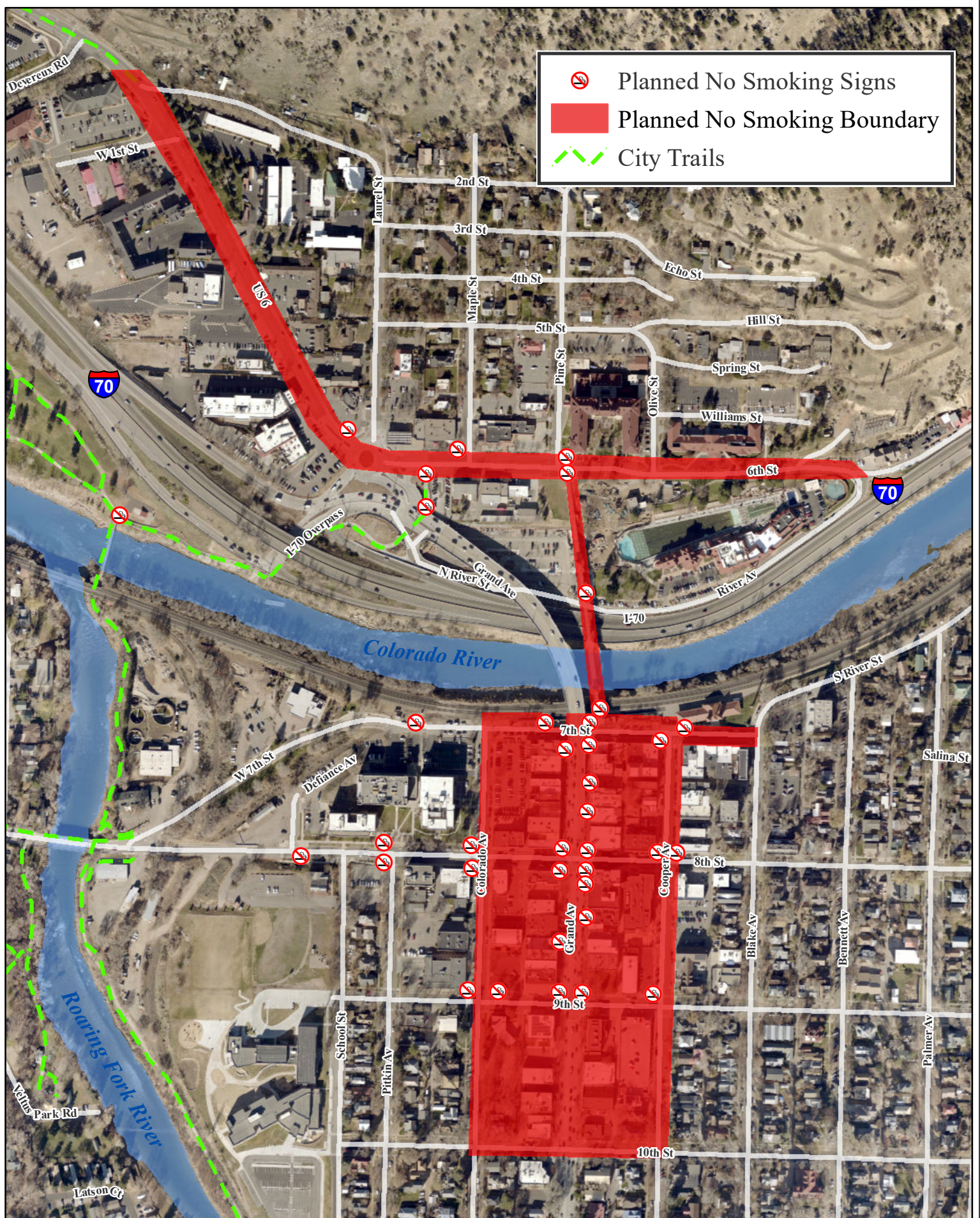
- (a) The owner or manager of any place not specifically listed in Section 100.040.030, including a place otherwise exempted under Section 100.040.040, may post signs prohibiting Smoking or providing Smoking and nonsmoking areas. Such posting shall have the effect of including such place, or the designated nonsmoking portion thereof, in the places where Smoking is prohibited or restricted pursuant to this article.
- (b) If the owner or manager of a place not specifically listed in Section 100.040.030, including a place otherwise exempted under Section 100.040.040, is an Employer and receives a request from an Employee to create a smoke-free work area, the owner or manager shall post a sign or signs in the smoke-free work area as provided in subsection (a) of this section.

100.040.060 - Signage required.

- (a) A Person or Employer or other entity that has legal or de facto control of an area in which Smoking and the use of Electronic Smoking Devices are prohibited by this Article shall post a clear and conspicuous “No Smoking and use of Electronic Smoking Devices” signs as follows:
 - (1) At each point of ingress to the area, and in other conspicuous location(s); and
 - (2) Signage shall have letters of no less than one inch in height and shall include the international “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it); and
 - (3) Signage posted on the exterior of buildings to comply with this section shall include the Reasonable Distance requirement set forth in Section 100.040.020; and
 - (4) At least one sign with the City phone number to where complaints can be directed and placed conspicuously in each place where Smoking and Electronic Smoking Device use is prohibited.
- (b) For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs in regulated facilities owned or leased in whole or in part by the City.
- (c) Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of Smoking and the use of Electronic Smoking Devices in violation of any other provision of this Article.
- (d) No Person or Employer shall intimidate, threaten any reprisal, or effect any reprisal, for the purpose of retaliating against another Person who seeks to attain compliance with this Article.

100.040.070 - Penalties and Enforcement.

- (a) The remedies provided by this Article are cumulative and in addition to any other remedies available at law or in equity.
- (b) Each instance of Smoking or Electronic Smoking Device use in violation of this Article shall constitute a separate violation.
- (c) A person violating this article shall be subject to the penalty provisions of Section 120.050.020 of this Code.
- (d) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this Article shall also constitute a violation of this Article.
- (e) Any violation of this Article is hereby declared to be a nuisance.



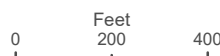

Planned No Smoking Signs


Planned No Smoking Boundary


City Trails



Planned No Smoking



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. Aerials: November 2018
 Phone - 970-384-6439 <http://www.cogs.us/> Author: J.Koenig, Date: 07/24/19
 N:\GIS\GIS_Projects\PlannedNoSmokingBndry_072419.pdf



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Ordinance No 24, Series of 2019; An Ordinance of the City Council of the City of Glenwood Springs, Colorado, Amending the Glenwood Springs Municipal Code Regarding the Regulation of Solicitation, Camping, Sleeping, and Inhabitation within the City (SECOND READING)

Action Requested: Approve Ordinance No 24, Series of 2019 amending the Glenwood Springs Municipal Code Regarding the Regulation of Solicitation, Camping, Sleeping, and Inhabitation within the City.

Department: Attorney

Presented By:

Background Info: The attached Ordinance revises the current camping regulations. The regulations have been revised based on Council input at the July 18, 2019 work session and regular meeting.

Issues:

Staff Recommendation:

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

*[*Direct Mail to Glenwood Springs](#)*

DATE: August 8, 2019
TO: Glenwood Springs Mayor and City Council
FROM: Karp Neu Hanlon P.C.
RE: Downtown Solicitation, Camping, Sleeping, and Inhabitation Ordinance

The downtown solicitation, camping, sleeping, and inhabitation ordinance updates existing code provisions to better protect public health and safety.

Exhibit A expands upon the existing citywide prohibition on camping, sleeping, and habitation between the hours of 10 p.m. and 7 a.m., to define a downtown area in which these activities are never permitted. This is a relatively small portion of the City's overall area and these activities will be permitted to occur in other locations outside of the previous code's time restrictions.

Exhibit B amends the City's solicitation ordinance to remove the requirement to obtain a license when soliciting on city right-of-way, and also to prohibit solicitation on unpaved medians less than 36 inches wide.

EXHIBIT A

120.020.100 - Unauthorized habitation, camping and sleeping.

(a) Definitions. For the purposes of this Section, the following definitions shall apply

Downtown area means, for purposes of this article, the areas described below, for which a map is available for public inspection in the office of the City Clerk at 1010 West 8th Street, Glenwood Springs, Colorado:

- (1) the area south of the Colorado River and north of 9th Street, extending from Colorado Avenue on the west to Blake Avenue on the east;
- (2) the area from 9th Street up to and including 10th Street, extending from Colorado Avenue on the West to Cooper Avenue on the east;
- (3) the 6th Street right-of-way;
- (4) U.S. Highway 6 from its intersection with 6th Street to its intersection with Devereux Road; and
- (5) the pedestrian bridge crossing the Colorado River from 6th Street to 7th Street.

(b) It shall be unlawful for any person to take up temporary or permanent residence or habitation, to camp out or to sleep at any time between the hours of 10:00 p.m. and 7:00 a.m., in any of the following locations:

- (1) In or upon any vacant building or property without owning the same or without the permission of the owner or the person entitled to possession thereof.
- (2) In or upon any street, alley, public parking lot, public park or any other public area within the City.
- (3) In any vehicle parked upon any street, alley, public parking lot, public park or any other public area within the City.

(c) It shall be unlawful for any person to take up temporary or permanent residence or habitation, to camp out or to sleep at any time in the Downtown area

- (1) in or upon any vacant building or property without owning the same or without the permission of the owner or the person entitled to possession thereof;
- (2) in or upon any street, alley, public parking lot, public park or any other public area; or
- (3) in any vehicle parked upon any street, alley, public parking lot, public park or any other public area.

(d) A person violating this section shall be subject to the penalty provisions of Section 120.050.020 of this Code.

EXHIBIT A

120.020.100 - Unauthorized habitation, camping and sleeping.

(a) Definitions. For the purposes of this Section, the following definitions shall apply

Downtown area means, for purposes of this article, the areas described below, for which a map is available for public inspection in the office of the City Clerk at 1010 West 8th Street, Glenwood Springs, Colorado:

- (1) the area south of the Colorado River and north of 9th Street, extending from Colorado Avenue on the west to Blake Avenue on the east;
- (2) the 6th Street right-of-way;
- (3) U.S. Highway 6 from its intersection with 6th Street to its intersection with Devereux Road; and
- (4) the pedestrian bridge crossing the Colorado River from 6th Street to 7th Street.

(b) It shall be unlawful for any person to take up temporary or permanent residence or habitation, to camp out or to sleep at any time between the hours of 10:00 p.m. and 7:00 a.m., in any of the following locations:

- (1) In or upon any vacant building or property without owning the same or without the permission of the owner or the person entitled to possession thereof.
- (2) In or upon any street, alley, public parking lot, public park or any other public area within the City.
- (3) In any vehicle parked upon any street, alley, public parking lot, public park or any other public area within the City.

(c) It shall be unlawful for any person to take up temporary or permanent residence or habitation, to camp out or to sleep at any time in the Downtown area

- (1) in or upon any vacant building or property without owning the same or without the permission of the owner or the person entitled to possession thereof;
- (2) in or upon any street, alley, public parking lot, public park or any other public area; or
- (3) in any vehicle parked upon any street, alley, public parking lot, public park or any other public area.

EXHIBIT B

120.030.150 - Unlawful solicitation.

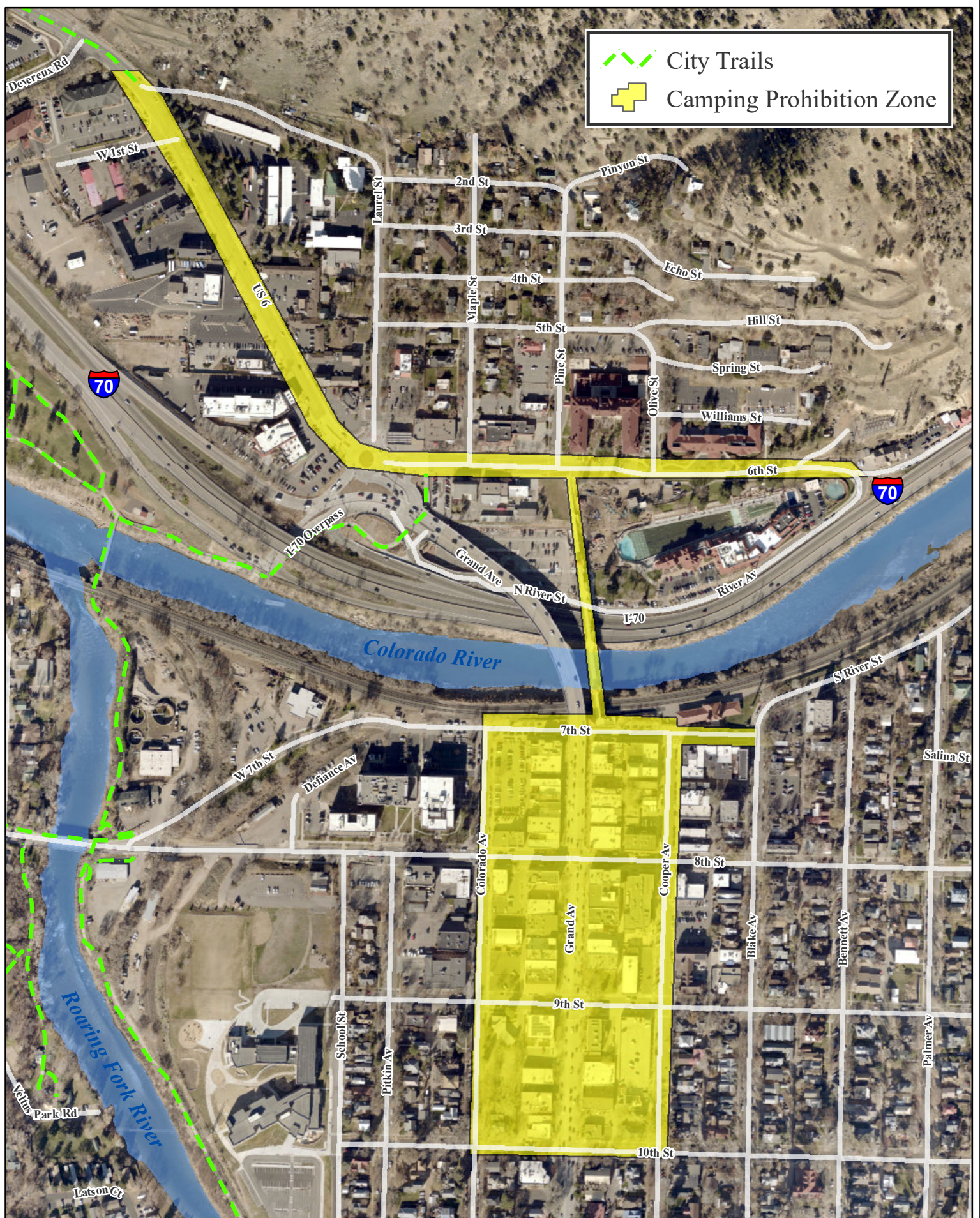
(a) *Definitions* .

- (1) "Solicit" means to request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The solicitation may be, without limitation, by the spoken, written, or printed word, or by other means of communication.
- (2) "Aggressive manner" means and includes:
 - a. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation without the person's consent;
 - b. Following the person being solicited, if that conduct is: (1) intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (2) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;
 - c. Continuing to solicit within five (5) feet of the person being solicited after the person has made a negative response, if continuing the solicitation is (1) intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (2) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;
 - d. Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation. Acts authorized as an exercise of one's constitutional right to picket or legally protest, and acts authorized by a permit issued pursuant to Article 050.030.010 of the Municipal Code, shall not constitute obstruction of pedestrian or vehicular traffic;
 - e. Intentionally or recklessly using obscene or abusive language or gestures: (1) intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (2) words intended to or reasonably likely to intimidate the person into responding affirmatively to the solicitation; or
 - f. Approaching the person being solicited in a manner that: (1) is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (2) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

(b) *Prohibited acts*. It shall be unlawful for any person to solicit money or other things of value, or to solicit the sale of goods or services:

- (1) In an aggressive manner in a public area;

- (2) In any public transportation vehicle, bus, station or stop;
- (3) Within fifteen (15) feet of any entrance or exit of any bank or check cashing businesses or within fifteen (15) feet of any automated teller machine during the hours of operation of such bank, automated teller machine or check cashing business without the consent of the owner or other person legally in possession of such facilities. Provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility;
- (4) On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property; ~~and~~
- (5) From any operator of a motor vehicle that is in traffic on a public street, whether in exchange for cleaning the vehicle's windows, or for block, occupying, or reserving a public parking space, or directing the occupant to a public parking space; provided, however, that this paragraph shall not apply to services rendered in connection with emergency repairs requested by the operator or passengers of such vehicle; or
- ~~(6) On any unpaved median, or any median of less than 36 inches.~~
- ~~(6) Within one hundred (100) feet of an intersection on public right-of-way unless such person has obtained a license to do business and a license to encroach, both issued by the City.~~
- (c) Penalties. A person violating this section shall be subject to the penalty provisions of Section 120.050.020 of this Code. ~~A violation of this section may be punished by a fine not to exceed one thousand dollars (\$1,000.00) or by imprisonment for a term not to exceed one (1) year, or by both.~~
- (d) Construction and severability.
 - (1) Severability is intended throughout and within the provisions of this Section 120.030.150. If any section, sentence, clause, or phrase of this Section 120.030.150 is held invalid or unconstitutional by a court of competent jurisdiction, then such judgment shall in no way affect or impair the validity of the remaining portions of this Section 120.030.150.
 - (2) This Section 120.030.150 is not intended to prescribe any demand for payment for services rendered or goods delivered.



Camping Prohibition Zone



0 200 400
Feet

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. Aerials: November 2018
Phone - 970-384-6439 <http://www.cogs.us/> Author: J.Koenig, Date: 07/24/19
N:\GIS\GIS_Projects\CampingProhibitionZone_072419.pdf



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Resolution 2019-35; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Appointing the Garfield County Clerk as the Coordinated Election Official and Appointing the City Clerk as the City Election Officer for a Coordinated Election for the November 5, 2019 Election

Action Requested: Approve Resolution 2019-35

Department: City Clerk

Presented By: Catherine Fletcher, City Clerk

Background Info: This Resolution appoints the Garfield County Clerk as the Coordinated Election Official and Appoints the City Clerk as the City Election Officer for a Coordinated Election for the November 5, 2019 Election

Issues: None

Staff Recommendation: Approve Resolution 2019-35

RESOLUTION 2019-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, APPOINTING THE GARFIELD COUNTY CLERK AS THE COORDINATED ELECTION OFFICIAL AND APPOINTING THE CITY CLERK AS THE CITY ELECTION OFFICER FOR A COORDINATED ELECTION FOR THE NOVEMBER 5, 2019 ELECTION.

WHEREAS, pursuant to the Colorado Constitution Article XIV, Section 18(2)(a), and Colorado Revised Statute Sections 29-1-203 and 1-7-116(2), as amended, the City of Glenwood Springs and the Garfield County Clerk and Recorder are required to enter into an agreement to conduct a coordinated election; and

WHEREAS, such agreement shall specify the duties and obligations of each party with regard to the conduct of the coordinated election; and

WHEREAS, Garfield County has provided an updated draft of an Intergovernmental Agreement regarding the conduct of the coordinated election, which agreement has been provided to Council for approval.

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

Section 1. City Council has determined it is in the best interest of the City that the election of November 5, 2019 be conducted as a coordinated election.

Section 2. City Council hereby appoints the Garfield County Clerk and Recorder as the Coordinated Election Official for the City of Glenwood Springs for the November 5, 2019 election.

Section 3. City Council hereby appoints the Glenwood Springs City Clerk as the election officer for the City of Glenwood Springs for the November 5, 2019 election.

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

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

Jonathan Godes, Mayor

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Presentation of the Draft 2020-2025 Strategic Vision

Action Requested: Approve the Draft 2020-2025 Strategic Vision and Direct Staff to Seek Public Input before Final Adoption by City Council.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: City Council has been working with staff to draft a 2020-2025 Strategic Vision for the City of Glenwood Springs. The subcommittee of City Council working on the Vision would like to present the latest version of the document and have staff publicize the document for public comment.

Issues: NA

Staff Recommendation: Staff recommends putting the 2020-2025 Strategic Vision out for public comment.

City of Glenwood Springs Draft 2020-2025 Strategic Vision

VISION

The City of Glenwood Springs desires to maintain its small-town character and to preserve its cultural and natural resources. Implementing a proactive plan that achieves directed and balanced development, social and economic diversity, and addresses transportation needs will move the City forward.

MISSION

To meet the health, safety, and welfare needs of our citizens and contribute to their quality of life, the City of Glenwood Springs and its employees believe and will act on the following:

- We provide excellent customer service through positive engagement with all of our citizens
- We are guided by integrity and honesty
- We are responsible stewards of the public's resources and the environment
- We empower our employees to innovate and challenge the status quo
- We are dedicated to continuous improvement
- We maintain a safe, supportive, and professional working environment
- We advance the interests of the community openly and transparently

STRATEGIC GOALS

The City Council believes that five goals are essential for moving our community forward. It is the responsibility of the Council and all city employees to uphold these goals to guide future decisions.

1. Provide Efficient and Responsive City Government

Glenwood Springs deserves a city government that operates ethically, efficiently, and is responsive to its citizens. To meet this goal, the city council and city employees will ensure transparency in its operations and budgeting. City staff will have access to tools and training to advance the city's operations while pursuing systematic citizen engagement.

Specific strategies for providing an efficient and responsive city government:

- ◇ *The City will prepare and maintain a budget plan.*
- ◇ *Plan for long term development, training and competitive compensation for city employees so they are able to provide the highest quality services to the city.*
- ◇ *Balance the city's expenses and revenues in a responsive, transparent manner.*
- ◇ *Support and enhance relationships between the city and its partners both locally and regionally.*

2. Preserve and Improve Infrastructure

The citizens of Glenwood Springs have made significant investments in city infrastructure. It is critical to the health and vitality of the City that infrastructure is constructed, repaired and maintained to high standards. Through deliberate action the City will prioritize and address all infrastructure needs to ensure safety, health, livability, and to protect taxpayer's investments.

Specific strategies to preserve and improve infrastructure:

- ◇ *Develop and maintain high quality infrastructure including city streets and utility systems to serve the city residents, businesses and institutions.*
- ◇ *Undertake appropriate planning to increase and ensure future water supplies throughout the city.*
- ◇ *Improve the city's transportation system to meet growing needs for circulation, access, safety and transit.*

3. Protect and Preserve Our Quality of Life

Glenwood Springs is a highly desirable place to live with a pristine high desert environment, mineral springs, access to recreation, and favorable climate. The city has excellent health and human services, education, and commercial services for its residents. At the same time, there are challenges to our quality of life including traffic congestion, increased impacts from growth, and proposed inappropriate industrial development. It is the City's goal to protect and preserve the quality of life and environment so that future generations can enjoy the same benefits as the present citizens.

Specific strategies to protect, preserve and improve the quality of life:

- ◇ *Oppose any threats to liveability and environment of our community.*
- ◇ *Insure accessibility to recreation facilities and amenities*
- ◇ *Enhance and preserve and integrate the city's history, cultural heritage and arts.*
- ◇ *Develop a long-term sustainability plan for all city operations.*
- ◇ *Improve mental health services, reduce substance abuse, reduce homelessness, and establish a detox facility.*
- ◇ *Minimize the impacts of city activities on wildlife and the surrounding natural areas.*

4. Generate Sustainable Economic Development

Glenwood Springs is a regional center for retail, education, healthcare, and professional services. Glenwood Springs serves as the county seat for Garfield County, and the regional headquarters for a number of state and federal offices. The city is well known for its long-standing tourism market that dates to the city's founding in the late 1800s. A diverse economy is a strong and resilient economy.

Specific strategies to generate sustainable economic development:

- ◇ Develop and pursue compatible business and industry sectors to create new jobs and livable wages to expand our economic base and broaden economic diversity.
- ◇ Support local businesses to enhance their economic success.
- ◇ Develop affordable housing with strategic partners so more people who work in the city can live in the city.
- ◇ Expand the city's role as a regional center for commercial, professional and government services.
- ◇ Expand high-speed citywide broadband services.
- ◇ Continue to support our tourism industry.

5. Ensure Public Safety

A safe city for all residents and visitors is a foundational goal. Residents should feel safe throughout the city, in their neighborhoods, in their city parks, and in their homes.

Specific strategies to ensure public safety:

- ◇ *Develop and pursue a long-term plan for excellence for police, fire and EMS services to serve the city.*
- ◇ *Develop a succession plan for the police and fire departments.*
- ◇ *Plan and construct new West Glenwood fire station.*



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: 6th Street Roundabout

Action Requested: Approval of the 6th and Laurel Roundabout Landscaping Project with Value Engineering

Department: Engineering

Presented By: Terri Partch, City Engineer

Background Info: This project was developed with the Grand Avenue Bridge Project in 2016. At that time, the City and the DDA recognized that CDOT had no ability to place and maintain landscaping for the City. They were only willing to place irrigation sleeves and mulch. Since that time, the DDA has been working with the City Council to develop a landscaping plan that would represent the City as the entrance to Glenwood. Multiple refinements of the plan have been developed. The budget for the project has been carried forward for two years.

On July 2nd of this year the City held a bid opening for the project where we received no bids. Contractors expressed concerns about traffic control for the project, plant availability, and the project schedule. The project was again refined and rebid. The City reopened bids for the project on August 2nd with additional time and the ability to split the project between two seasons. We received one bid from Gould Construction for 1.1 million. On August 15th, the Council asked that we negotiate the bid with Gould Construction down closer to the anticipated budget of \$600,000.

Gould Construction, their landscaping sub consultant David Small and Shannon Murphy have worked to reduce and change landscaping materials. Some narrow islands have been changed to decomposed granite to reduce cost and improve the safety of maintenance staff.

Other changes include:

- Changing perennials to sod in one island
- Changing some sod areas to native seed
- Changing the soil amendment product
- Reducing the size and number of shrubs and perennials
- Eliminating project lighting
- Eliminating one year of maintenance

These changes have reduced the overall project budget to \$ 647,423.05. This amount is within the budget that the City rolled forward for this project in 2019.

If awarded, the project would start soon after award and place the project rocks, trees, irrigation and available shrubs. The project would close for the season in mid to late November. The contractor would remobilize to the site in the early spring to complete the plantings.

Issues: Funding for the project will come from the A&I account. Please see the attached spreadsheet.

Staff Recommendation: Award the project as redesigned with the value engineering in the amount of \$647,423.05.



LANDSCAPE ARCHITECT:
SHANNON MURPHY LANDSCAPE ARCHITECTS
231 MIDLAND AVENUE STE 206
BASALT, CO 81621
970-927-2899

Stamp
SHANNON S. MURPHY
329
01/01/2008
Original Date of License
VSM 5-3-19
LICENSED LANDSCAPE ARCHITECT
STATE OF COLORADO

Client Information:
CITY OF GLENWOOD SPRINGS
GLENWOOD_SPRINGS_DDA

GLENWOOD_SPRINGS

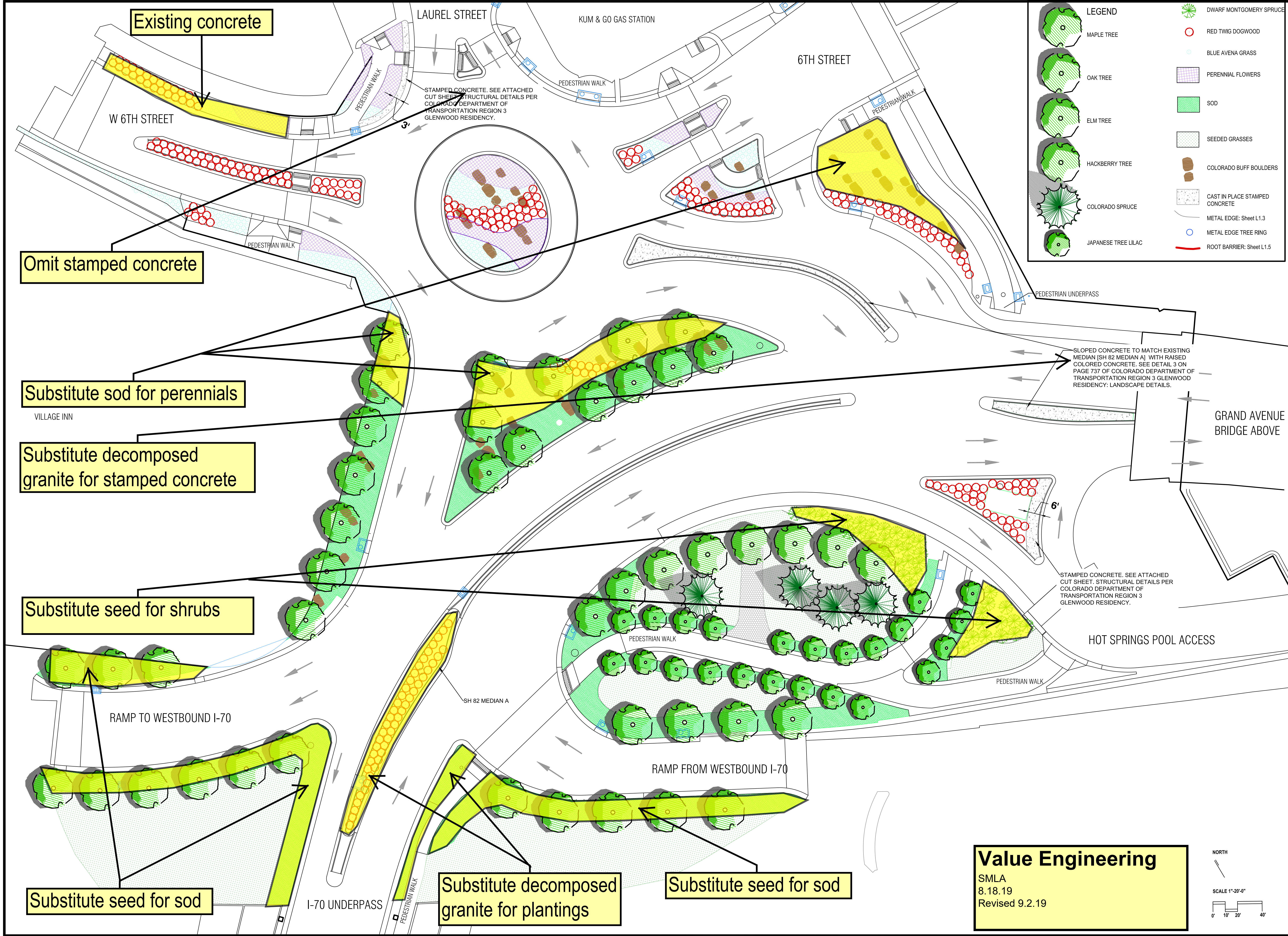
ROUNDABOUT 6TH AND LAUREL

TREE PLAN

No.	Date	Revision	By
		REVISION#1	
		REVISION#2	
		REVISION#3	
		REVISION#4	
		REVISION#5	
		REVISION#6	
		REVISION#7	
		REVISION#8	
		REVISION#9	

PROJECT NO:
GWS_ROUNDABOUT
FILE NAME:
ROUNDABOUT_LANDSCAPE
Designer:
SM/EA
Checker:
EG
Date:
5.30.19

Sheet
L1.0.1



LANDSCAPE ARCHITECT:
SHANNON MURPHY LANDSCAPE ARCHITECTS
231 MIDLAND AVENUE STE 206
BASALT, CO 81621
970-927-2899

Stamp
SHANNON S. MURPHY
329
01/01/2008
Original Date of License
5-19-19
STATE OF COLORADO
LICENSED LANDSCAPE ARCHITECT

Client Information:
CITY OF GLENWOOD SPRINGS
GLENWOOD_SPRINGS_DDA

ROUNDABOUT 6TH AND LAUREL
TREE PLAN

No.	Date	Revision	By
REVISION#1			
REVISION#2			
REVISION#3			
REVISION#4			
REVISION#5			
REVISION#6			
REVISION#7			
REVISION#8			
REVISION#9			

PROJECT NO.
GWS_ROUNDABOUT
FILE NAME:
ROUNDABOUT_LANDSCAPE
Designer:
SMLA
Checker:
EG
Date:
8.30.19

Sheet
L1.0.1

6th Street Landscaping GWS

BID PROPOSAL

						VE September 3, 2019	
Gould Original Bid						Rev. QTY	Rev. TOTAL
Biditem	Description	Quantity	Units	Unit Price	Bid Total		
10	Supervision/General Conditions	1.00	LS	\$92,400.00	\$92,400.00	0.58	\$ 53,592.00
20	Fence Staging Area - South of Ped Tunnel	1.00	LS	\$7,600.00	\$7,600.00	1.00	\$ 7,600.00
30	MOBILIZATION	2.00	EA	\$15,730.00	\$31,460.00	2.00	\$ 31,460.00
40	Site Cleanup	60.00	HR	\$51.00	\$3,060.00	60.00	\$ 3,060.00
50	Hauling & Disposal of Rock and Const. Debris	1.00	LD	\$2,000.00	\$2,000.00	1.00	\$ 2,000.00
60	Labor for Misc. Items Directed by Architect	100.00	HR	\$55.00	\$5,500.00	-	\$ -
70	Porta-Potty Rental	60.00	DY	\$19.00	\$1,140.00	60.00	\$ 1,140.00
75	VMS Boards (2 Each)	70.00	DY	\$185.00	\$12,950.00	-	\$ -
80	Traffic Control	60.00	DY	\$3,370.00	\$202,200.00	50.00	\$ 168,500.00
85	Potholing	10.00	HR	\$680.00	\$6,800.00	10.00	\$ 6,800.00
	Site Prep, GC, Spec. Equip				\$365,110.00		\$ 274,152.00
90	Hardscape: Boulder Procurement (Purchase New)	10.00	EA	\$470.00	\$4,700.00	-	\$ -
100	Hardscape: Boulder Placement (Incl Hauling)	40.00	HR	\$570.00	\$22,800.00	40.00	\$ 22,800.00
105	Median Paving - Endicott Brick Pattern	1.00	LS	\$38,100.00	\$38,100.00	-	\$ -
	Hardscape				\$65,600.00		\$ 22,800.00
110	Metal Edging at edge of sod and gardens	1,200.00	LF	\$12.00	\$14,400.00	1,200.00	\$ 14,400.00
120	Root Barrier at back of curb	1,090.00	LF	\$9.00	\$9,810.00	1,090.00	\$ 9,810.00
130	Root Barrier at edge of sidewalk	475.00	LF	\$7.00	\$3,325.00	475.00	\$ 3,325.00
NEW	Decomposed Granite	5,136.00	SF	\$4.00	\$-	5,136.00	\$ 20,544.00
	Metal Edging & Root Barrier				\$27,535.00		\$ 48,079.00
140	Xerescape Flower Blue Avena Zone; 2" Compost Sprd	100.00	CY	\$122.00	\$12,200.00	100.00	\$ 12,200.00
150	Xerescape Flower and Blue Avena Zone; Till Compost	8,100.00	SF	\$0.20	\$1,620.00	8,100.00	\$ 1,620.00
160	Red Dogwood/Spruce Zone; 2" Compost Sprd	60.00	CY	\$122.00	\$7,320.00	30.00	\$ 3,660.00
170	Red Dogwood/Spruce Zone; Till Compost	4,885.00	SF	\$0.20	\$977.00	1,885.00	\$ 377.00
180	Sod Zone; 2" Compost Spread	170.00	CY	\$122.00	\$20,740.00	85.00	\$ 10,370.00
190	Sod Zone" Till Compost	13,940.00	SF	\$0.12	\$1,672.80	8,540.00	\$ 1,024.80
200	Grass Zone; 2" Compost Spread	240.00	CY	\$196.00	\$47,040.00	0.00	0.00
210	Grass Zone; Till Compost	19,400.00	SF	\$0.12	\$2,328.00	0.00	0.00
	Soil Ammendment				\$93,897.80		\$ 29,251.80
220	Trees: Evergreen: Colorado Spruce 16'	2.00	EA	\$1,900.00	\$3,800.00	2.00	\$ 3,800.00
230	Trees: Evergreen: Colorado Spruce 14'	2.00	EA	\$1,700.00	\$3,400.00	2.00	\$ 3,400.00
240	Trees: Deciduous Maple "Autumn Blaze" 2" Caliper	27.00	EA	\$775.00	\$20,925.00	27.00	\$ 20,925.00
250	Trees: Deciduous Oak 2" Caliper	9.00	EA	\$715.00	\$6,435.00	9.00	\$ 6,435.00
260	Trees: Deciduous Elm 2" Caliper	8.00	EA	\$715.00	\$5,720.00	8.00	\$ 5,720.00
270	Trees: Deciduous Hackberry 2" Caliper	9.00	EA	\$715.00	\$6,435.00	9.00	\$ 6,435.00
280	Trees: Deciduous Japanse Tree Lilac 1.5" Caliper	23.00	EA	\$715.00	\$16,445.00	23.00	\$ 16,445.00
290	Tree Rings:Shade TreeCoyote Edge blk 6" Tall 3'dia	32.00	EA	\$120.00	\$3,840.00	42.00	\$ 5,040.00
300	Tree Rings:JapLilac Coyote Edge blk 6" Tall 2'dia	23.00	EA	\$85.00	\$1,955.00	23.00	\$ 1,955.00
310	Tree Rings:Spruce Tree Coyote Edge blk 5' dia	4.00	EA	\$195.00	\$780.00	4.00	\$ 780.00
320	Mulch to Topdress Trees (Mini Nuggets)	76.00	EA	\$12.00	\$912.00	76.00	\$ 912.00
330	Shrubs: Coniferous Montgomery Shrubs 10#	40.00	EA	\$484.00	\$19,360.00	0.00	0.00
340	Shrubs: Deciduous Shrubs Red Twig 10#	200.00	EA	\$245.00	\$49,000.00	0.00	0.00
350	Shrubs: Deciduous Shrubs Red Twig 5#	80.00	EA	\$68.00	\$5,440.00	195.00	\$ 13,260.00
360	Mulch to Topdress Shrubs (Mini Nuggets)	225.00	EA	\$12.00	\$2,700.00	195.00	\$ 2,340.00
370	Perennials: Xerescape Flower Zone #1 Pots	1,340.00	EA	\$41.00	\$54,940.00	0.00	0.00
380	Perennials: Xerescape Flower Zone F15 (2700plants)	180.00	EA	\$172.00	\$30,960.00	153.00	\$ 26,316.00
390	Perennials: Blue Avena Grass #1	1,065.00	EA	\$42.00	\$44,730.00	0.00	0.00
400	Mulch to Topdress Xerescape Flowers/Grass Areas	140.00	CY	\$110.00	\$15,400.00	140.00	\$ 15,400.00
410	Sod	13,940.00	SF	\$1.55	\$21,607.00	9,047.00	\$ 14,022.85
420	Seeded Grass-Drill Seed & Hydromulch	19,400.00	SF	\$0.25	\$4,850.00	23,432.00	\$ 5,858.00
	Trees				\$319,634.00		\$ 149,043.85
425	Lighting Install per LS Group	1.00	LS	\$105,170.00	105,170.00	0.00	0.00
427	Force Account - Field Adjustments	1.00	LS	\$20,000.00	20,000.00	1.00	20,000.00
428	Maintenance - 1 Year	1.00	LS	\$9,800.00	9,800.00	0.00	0.00
430	Irrigation: Flower/Blue Avn. Zone (high pop spray)	8,100.00	SF	\$1.85	14,985.00	8,100.00	\$ 14,985.00
440	Irrigation: Red Twig/Spruce Zone (high pop spray)	4,885.00	SF	\$1.85	9,037.25	4,885.00	\$ 9,037.25
450	Irrigation: Sod Zone (Rotars)	15,100.00	SF	\$1.85	27,935.00	9,047.00	\$ 16,736.95
460	Irrigation: Seeded Grass Zone (Rotars)	19,400.00	SF	\$1.85	35,890.00	23,432.00	\$ 43,349.20
470	Irrigation to Trees (Bubbler Emitters)	76.00	EA	\$58.00	4,408.00	76.00	\$ 4,408.00
480	Irrigation Control Remote	1.00	EA	\$780.00	780.00	1.00	\$ 780.00
490	Irrigation Control Clock, Rain Sensor, Trad. Wire	1.00	EA	\$14,800.00	14,800.00	1.00	\$ 14,800.00
	Irrigation & Lighting				\$242,805.25		\$ 124,096.40
	Bid Total				\$1,114,582.05		\$ 647,423.05

City of Glenwood Springs Fund Balance Summary

A&I Fund

2019 Beginning Fund Balance	\$14,353,246
Add: Closing of Bond Tranche 2	\$12,105,683
Add: 2019 Appropriated but Unspent Funds and Transfers in	\$1,078,000
Restricted - Bond Reserve Tranche 1	-\$896,948
Restricted - Bond Reserve Tranche 2	-\$1,083,440
Committed - Theatre	-\$704,112
Assigned - Discretionary Grants	-\$48,807
Assigned - Contingency Reserve	-\$3,000,000
Encumbered - 2019 Carryovers to 2020	\$0
Encumbered - 2019 Supplemental Appropriations (MOC)	-\$1,474,283
Encumbered - Bond Funds	-\$20,000,000
Allocated - SouthBridge	
Allocated -	
Allocated -	
Unallocated Fund Balance Available	<u>\$329,339</u>

Includes \$10 million bond from tranche 1
 Net of closing costs
 6th Street, 7th Street, RICD, from Utility Funds, from Tourism

Bond Project Fund

Beginning Balance	\$20,000,000
Repayment at Close Pre-2018 Costs	-\$742,500
2018 - Southbridge	-\$246,207
2018 - South Midland	-\$395,747
2018 - 27th Street Bridge	-\$311,221
2019 - Southbridge	-\$83,361
2019 - South Midland	-\$100,000
2019 - 27th Street Bridge	-\$7,719,000
2019 - 6th & Laurel	-\$16,875
2020 - South Midland	-\$5,500,000
Available Bond Funds Remaining	<u>\$4,885,089</u>

Net of other funding; County, Utilities, Grants

\$13,000,000 estimate less funding from County, Utilities, Grants

Total A&I Fund Reserves Available in 2020=> \$5,214,428



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item:	7th Street - Decision to Open or Close the Road
Action Requested:	Council decision to open the newly completed road to vehicles, or keep the road closed to vehicles.
Department:	Engineering
Presented By:	Terri Partch, City Engineer Terry Wilson, Police Chief
Background Info:	In 2016 the City began a joint design project with the DDA to create a pedestrian friendly area under the bridge with the completion of the Grand Avenue Bridge Project. The design favored pedestrians over vehicles by raising the driving surface of the road, changing the traditional roadway surfacing from asphalt or concrete to granite pavers, narrowing the lanes, adding a curve to the road to slow vehicles and adding plaza like landscaping elements. The roadway section was increased to allow for vehicular and truck traffic. Parking spaces are included in the project. Bollards were included on the east end, to allow for temporary closures.
Issues:	1. The design has been very successful. Many pedestrians are crossing from the north side of the river to the south side over the bridge and then enjoying events programmed into the space. 2. The road once had a high volume of users, both local and cut through traffic. Before 8th street approximately 9000 vehicles per day used the route. 3. Volume and congestion on Grand Avenue have increased. CDOT is having trouble timing their own corridor based on the current volumes. The City side streets are seeing increasing delays and poorer levels of service due to CDOT's need to clear the large volumes of traffic on their own corridor. People do try to bypass the signals on SH 82 in the afternoon peak period by using Blake and Midland. Opening 7th Street would allow locals and commuters another route through. 7th Street would see increasing pressure over time to function as an arterial. 4. The space looks like a pedestrian space. Visual cues that you are entering a roadway have been reduced. Visitors who are unfamiliar with our town will feel like they should be able to walk where they want to. 5. Mixing local and commuter vehicles with pedestrians who are unfamiliar with our area will create safety concerns.
Staff Recommendation:	Public opinion on whether to open or close the road is split. Please see the attached public and committee comments. Although we recognize the value that this road once held as a vehicular arterial, it's function for vehicles has been substantially reduced. Adding local and commuter traffic back into this area that now appears to be a pedestrian space will impair it's function and reduce it's appeal as a pedestrian area, and make it less safe for both pedestrians and vehicles. Vehicular traffic has been reestablished on 8th Street. There is significant delay on 8th and 9th Street, but allowing vehicles that are trying to get through the signals quickly into a pedestrian area creates safety concerns.

We recommend that 7th Street remain closed.

August 26th, 2019

To: Terri Partch – City Engineer

From: Terry Wilson – Outgoing Chief of Police



Bill Kimminau – Interim Chief of Police



Subj: 7th Street

Terri,

The Administrative personnel of the Police Department met and discussed the recent public discourse about the future of 7th Street, particularly that portion from Cooper to Colorado which has undergone considerable rebuilding. The summary of recent discourse is whether or not that area should be opened to vehicular traffic or maintained as closed to vehicles and treated as a pedestrian mall area.

Although normally we fall in favor of maintaining roadways and access points for use by vehicles as it provides more options and circulation, the design and materials of 7th Street are such that this may be a poor use. Having had a few months of closure during the construction to observe the area, we support keeping this area closed to vehicular traffic, with a couple of small exceptions for consideration.

1. Find some method to close the street that allows for expedited entry by fire equipment.
2. Consider time-limited access to deliveries, or provide space on Colorado and Cooper.
3. Allow for emergency use such as parades, accidents or other events that may compromise other streets.

The use we have observed during construction has been very unconstructed pedestrianism, and this area is a draw for such use as it is the downtown landing of the pedestrian bridge. Large volumes of visitors and locals frequent this area to visit the many restaurants and shops immediately adjacent. We believe that the current configuration would need substantial change to provide safe passage for pedestrians if opened to vehicles. It is structured to provide an open pedestrian area.

We hope that our concerns for safety on behalf of pedestrians will be weighed on this topic, and recognize there are many facets to making this decision. We will of course support any decision the City and the community settle upon.

7th Street Traffic Submitted Input

Green = Supports vehicle traffic

Red = Does not support vehicle traffic

Gray = No position taken, general comments, or hybrid

My name is Jillian Sutherland and I've lived and worked in Glenwood for the past eight years. Over that time, I've seen our downtown blossom and turn into something truly great. The sky is the limit to its potential, and it is critical that we "get it right." As a certified urban planner (AICP) that specializes in transportation issues, I wanted to write to you all and recommend that you do not leave 7th Street as a pedestrian-only plaza.

Connectivity is critical to the success of local businesses - not only the ones that already exist within this very successful two block segment of 7th Street - but for future businesses, particularly as we look west toward the redevelopment of the Confluence Area. Maintaining through traffic is critical for creating a connection to the river. Whatever shape the Confluence takes down the road (no pun intended) - whether it be a park, housing, hotel, offices, retail (or combination) - it needs to be well connected to the historic downtown core for cars, buses, pedestrians and cyclists. The design of 7th Street is excellent for an event street and encourages slow-moving traffic for all users. It is a SAFE design for all users because any traffic will be moving slow. People are everywhere on 7th Street, so drivers understand to look for pedestrians. This traffic will be destination-oriented traffic to the businesses there or the residences up the road to the east, people just wanting to blast through will continue to use 8th Street.

I encourage you to keep 7th Street open to cars with closures often for events. It was designed for this. Please do not be short-sighted in this decision - the connectivity that 7th Street offers is CRITICAL to the success of the Confluence Area. We need more connection to that area, not less. Keeping it open to traffic hurts nothing and we have so much to gain.

Thank you for your service to our community and for your consideration of these comments.

Respectfully,
Jillian Sutherland
3703 Red Bluff Lane
815-735-9315

I was very pleased when I read the paper this morning that there was still a chance that 7th Street would stay closed. I have worked in downtown Glenwood Springs for over 40 years now. The 700 block of Downtown and 7th Street is very special and I am in total support of every penny you have put into this area. You have created a beautiful Plaza and walking area where people can congregate without the worry of traffic. It gives us pause to look around at the historic and beautiful surroundings that are there.

The traffic congestion is getting worse and I'm sure will continue to get worse. We should not let this traffic mess leak into the very heart of our downtown. I think you should listen to what the city staff and police department are saying –it would be dangerous to pedestrians to open the Plaza to traffic.

Please keep the Plaza closed, change is hard for a lot of people. All the people against closing the Plaza will see the light eventually, as they will see the people coming in masses to enjoy this wonderful area!

Thank you for your hard work for our lovely town!

Respectively,

Judy

Judy Gillespie

Please leave 7th street open except for the occasional event. Today's newspaper said staff want to keep it closed because it feels like a pedestrian plaza and people have gotten used to walking thru it without watching for cars. The paper also mentioned it cost over \$2 million to build. I think it was a mistake to spend so much on the street. But, that is past, we need to move forward. Making 2 poor decisions (spending the money and closing the street) does not make the situation right. The design was approved as a street not a pedestrian plaza, but now people are using the design as a reason it should be closed. It feels like a backdoor way into getting the street closed from the beginning. It is designed to be a street, the bricks are designed to be driven on, it should remain a street. Just because "it really looks very nice" isn't a reason to close a street. I grew up in a town that had many brick streets. It gave a quaint feel to the community. With 8th street now connected to the 8th street bridge, 7th street will not be a very busy street. 7th street was a busy street for a very long time. In that perspective, it has been closed for a relatively short time. Apparently, in that short time people have gotten used to aimlessly walking thru it without watching for cars. I am confident people will get used to treating it like the street that it is and will use proper precautions for crossing the street. I think it is a lame excuse to close a street. Really, we don't trust that people can figure out how to cross a street? Are we trying to be like Aspen or Boulder? Why don't we just be Glenwood Springs. Shutting down 7th street to vehicles will reduce connectivity in our community. Please don't continue the cycle of poor decisions. Thank you for your time.

Diane Boat

704 N. Traver Trail

Glenwood Springs, CO. 81601

Dear Mr. Godes,

As a 38-year resident of Glenwood Springs, I have witnessed many changes in local transportation, including the construction of the new Grand Avenue Bridge project.

It is my opinion that the recently-completed 7th Street "festival street" should remain closed to traffic, including delivery trucks. Those trucks seem to be successfully managing their deliveries to local restaurants and retailers from their current parking positions on 8th Street and Cooper Avenue. Glenwood residents and visitors have become adjusted to new traffic patterns over the past 2 years, utilizing other city streets instead of 7th Street. That street as it is presently finished is a

welcoming, safe, and attractive area for pedestrians, and the flowers and other plantings beautify our city.

I urge the City Council to vote to maintain the closure of 7th Street to vehicular traffic!

Sincerely,
Judith L. Oakes
1607 Bennett Avenue
GWS

It is my understanding that it was always the plan to reopen 7th street to to traffic with occasional closures for “festivals”. I believe that the majority of citizens have this same expectation.

If the street improvements were over designed, over constructed and over funded; this should not be a reason to change that plan.

Safety concerns are always a priority. However, I think the local population and returning tourists have the capacity to relearn to watch for traffic when crossing the street. New tourists can be informed with signage, markings, etc. of traffic. These safety issues should be a priority over “prettiness “ factors of the new design.

The greatest number of people would be served by reopening the street as opposed to utilizing that valuable space 24/7/365 days a year for pedestrians to cross the street and perhaps briefly stop on it.

As far as festivals, I suggest utilizing the area as appropriate in the next year and evaluate their effectiveness by monitoring factors such as attendance numbers, ability of organizers to use the space, access of the public to the venue, public input, etc..

Thank you for your time and service.

Nancy Frizell
922 Palmer Avenue
Glenwood Springs

Dear Mayor Jonathan Godes & City Council Members,

Even though I do not live in Glenwood Springs, my family and I spend almost every day in Glenwood Sprins running errands or doing business. Considering that the city spent a lot of money beautifying 7th Street, I highly recommend that the street stay closed to vehicle traffic. It is a beautiful project. It would be a disaster if the street was opened to traffic. I have been hoping for this opportunity to say that 7th Street will be one of the best river walks in the state. It will be a great tourist attraction. Maybe the market can go there. Keeping 7th Street closed will reduce the carbon footprint of the downtown area. This is a big plus! Utilize 7th Street as another beautification asset for Glenwood Springs.

Best Regards,
Randy Fricke
New Castle, CO

I would appreciate if you could read my letter in the meeting Wednesday morning if doesn't appear in the Independent by tomorrow morning. After talking to people on a daily basis the over whelming majority don't want 7th Street closed. However, they don't oppose closing it occasionally for special events. I feel that the silent majority that are unable to attend meetings during the work week need to be heard. I have enclosed a copy of the letter.

Thanks Hooner

Letter in Post Independent:

Once again the city has left out the major stake holders in a decision that effects all of Glenwood's citizens. It seems that the DDA along with city council has decided for the citizens that 7th St. should be closed. In the 3 plus years that the citizens have put up with 7th St. being closed, I don't recall it ever was said that 7th St. would be closed in the future except for the occasional event. Some downtown business & property owners would like to know why they were not consulted on this matter. What about access for deliveries, people with disabilities, and the added traffic to the intersections on Grand Avenue? The spending of over 2 million dollars to create a plaza that will be used mostly in the summer months and impossible to maintain in the fall and winter months doesn't seem practical. Nor does a fountain that will be shut down close to six or more months out of the year. The DDA has painted itself into a corner by creating a street that is too expensive to maintain, meanwhile pocket parks and flower beds are not being watered or weeded. I guess I shouldn't be surprised since the city turned one block of Cooper Avenue (between 7th & 8th) into a parking lot. Closing streets only makes the traffic in town worse.

The citizens need 7th Street to be open (except for the occasional event).

Don "Hooner" Gillespie

Dear City Councilors,

1. After 3 years of non-stop construction, we are suffering from construction fatigue. The new bridge did nothing but bring more traffic into our downtown area where it's now nearly impossible for pedestrians to cross the streets safely. Stop the construction, now. It only benefits the outfits who charge for "studies", construction companies and up-valley employers, not the people of Glenwood!

2. The confluence area needs to be preserved as public recreational space for the people of Glenwood. It is not a golden goose for developers to salivate over and for the City to sell to off to the highest bidder. No town ever said "we have too much public space or two many parks. Lets stop the insanity and greed now, by declaring it public park space into perpetuity. Our children and grand children will thank us for saving the confluence for all of us to enjoy.

3. As I tried to park a shuttle car in Two Rivers park on Sat, I was told by a private security company that only those with a permit could park in our public park's parking area. When I looked online to see who had the park and the parking lot tied up for one of the busiest weekends of the summer, there was very little I found that indicated this was a proper use of a public park. They fenced areas off, they kept us from parking in our own park, they sold tickets and they got sponsors. All indications pointed this to being a private event being put on by a private company in exchange for money. WTH? Why is this being permitted? Did anyone see "the books" on this events? What about this paid event made it so important as to justify closing the park to the public? How did the people of Glenwood benefit from it?

Thanks,
Mary
Mary Bowling

Hi Shelley,

As residents, we too have been impacted by the 'temporary' closure of 7th street but tolerate it because it has an end date. Now, that is in question.

I implore you to keep 7th street OPEN. I certainly understand if the city wants to close it for certain special events or holidays but it needs to remain open the rest of the time.

I feel like this is a case of 'bait & switch'. Now that it's almost done, City Council is considering keeping it closed permanently. It's been a real PITA to have it closed so long already as you already know if you travel in that area.

Parking is difficult there, getting around 8th and Grand gets gridlocked into Cooper and most importantly... in the winter I prefer to drop my car companions off in front of the restaurants on 7th street while I go find a parking place so they don't have to walk on the sloped icy side streets.

It's just simply a bad idea for everyone.

Thank You for reading my note,

Respectfully, Walt Posluszny

Hi Steve Davis!

I hope this email finds you doing fabulous. 😊

I wanted to voice my support for keeping 7th street traffic-free. The City has spent much time, money and effort to make the bridge, under the bridge and 7th street a beautiful, pedestrian-friendly area. I walked downtown last night and ate in one of the dining establishments. The renovated area is really nice. I would like the City to vote to keeping 7th street free of traffic and continue to improve the store fronts in the downtown area. The work done on the new Casey's brewery, Ming's, under the bridge and the newly planted areas along 7th street are a nice addition to downtown. I would like to see that work

continue. It would be nice to be able to continue to enjoy that area without cars, providing a space for the farmer's market, outdoor concerts, festivals and the like. We enjoy perfect weather in Colorado in the evenings, during most of the year, and being able to sit outside at a restaurant without hearing traffic noise is lovely.

Please work to extend a pedestrian area down 7th street to the river. This street has the potential to be a hip, happening, community gathering space for locals and tourists alike. With global warming, a dancing fountain could be installed for kids to play in and for people to cool off. A central market could be developed along this corridor, offering high-end meats, cheeses, wine, seafood, new restaurants, etc. similar to Union Station's Mercantile or the new Denver Central Market in RiNo. Walking paths, parks, and green space could be developed along with restaurants, boutique retail space and gathering spaces, extending Glenwood's downtown area off of busy and noisy, unpleasant Grand Avenue. This could be further extended to Two River's park, the Glenwood's Rec Center and the wave park. Please work to create a new downtown that is vital, pedestrian friendly, walkable and enjoyable. As it will be difficult to do anything like a by-pass diverting traffic away from Grand Avenue, please work to create a new downtown that is free from noise, traffic, congestion and cars.

Best regards,

Diane Kruse

From voicemail: Owns house at 10th and Cooper, lives in Boulder, support 7th Street closed to vehicular traffic. Live in Boulder and watched for years the effectiveness of Pearl Street Mall being closed to traffic has created a wonderful environment and how busy it is and how prosperous the restaurants and retail stores are. Absolutely support it being closed to vehicle traffic.

Bruce Tenanbaum

Please forward my comments to staff & council regarding the closure of 7th Street. Note this is my personal opinion and is not in any way affiliated with the views of the Glenwood Springs Citizens' Alliance. With respect to the GSCA – THANK YOU for all of the work the city is doing to push back against the mine expansion. If approved it would be devastating for our community (as you all know).

Here's my two cents on 7th Street:

Seventh Street is a street and was designed to function as one. It looks great! Let it operate as designed (including the street). A wonderful pedestrian space has been created. We've eliminated two side streets, finished alley space and added substantial square footage under the bridge - all exclusively for pedestrian use. Ninety nine percent of the time there is ample room for both pedestrian and vehicle use. By permanently blocking traffic on 7th Street the city will be continuing to force 9,000 cars/day (the figure seems high but it's from the PI article) to find another means of crossing Grand Ave. This is an important route for local traffic and closing it changes traffic patterns and forces congestion to other intersections. Contrary to some loud voices, Grand Avenue is not the only means of getting around town and shouldn't be the only vehicular conduit. We have to continue to work on bimodal transportation solutions, but blocking an important local access road only compounds the issue! Closing

7th to vehicles also eliminates parking spaces, deliveries to local businesses, impacts to-go restaurant orders and eliminates the ability to drop off handicapped passengers.

The time for debating the function of Seventh Street has passed. It was decided years ago during the design process. A last minute debate as the project is concluding problematic. Please do not let the voices of a vocal minority dictate what is clearly not in the best interest of the majority. Listen to the businesses whose livelihood depends on 7th Street. Look at studies that show we do not have the recipe for a successful pedestrian mall area. Address the issue IF there is an issue once it's opened and functioning as designed.

Sincerely,

Jeff Peterson

Dear Ms. Obrien,

Angie Anderson has invited Colorado Mountain College to provide its input for the potential closure of 7th Street to vehicle traffic. We appreciate the opportunity.

The college's welcome center is located in the lobby of CMC's central services facility at 8th and Grand, providing information to the public about college services. Approximately 149 college employees work at this location, and a pedestrian-friendly area would benefit both college staff and the downtown businesses who welcome locals for regular business.

CMC would benefit from increased foot traffic in an area that already experiences heavy vehicle traffic. The college therefore supports closure of 7th Street to vehicle traffic to further enhance the attraction of downtown Glenwood Springs to visitors on foot.

Thank you.

Richard Gonzales, General Counsel CMC

Good Afternoon Shelley,

I wanted to reach out to you and your fellow city council members regarding the vote you are considering on Thursday evening regarding closing 7th street to vehicles permanently. I saw the article in the paper this morning, and appreciate that the council members would like to hear from more constituents regarding the issue. I plan on attending the council meeting as well, but wanted to share some thoughts before then.

I **strongly** disagree with this idea, both as a home-owner in the downtown area (8th and Lincoln) and as a design professional. The biggest argument I have heard so far is that the car traffic on 7th Street poses a danger to the pedestrian flow from the bridge. The design and engineering of the "festival street" is extremely successful in creating all the cues that both cars and pedestrians need to interact safely, and it is how it was intended to function. The change in paving and narrowing of the lanes naturally slows drivers down. There is ample pedestrian circulation space on both sides of the driving area.

The area designated for pedestrians to cross happens primarily at and under the bridge, which acts as another visual and spatial indicator of reduced speeds. The addition of signage to designate that main pedestrian flow corridor from the bridge will further enhance these cues for motorists. The whole area was designed more as a “woonerf” (Dutch for “living street”) – an area where cars, pedestrians, cyclists, and other local and visiting residents can travel and exist together. Many examples of incredibly vibrant and successful versions of this mixed use can be found around the country, and especially in European towns and cities. Their success is particularly seen in smaller towns, such as Glenwood Springs. I’ve included a link to a short article about the concept below, with some examples. Additionally, pedestrian-only plazas and streets often struggle to maintain their vibrancy outside of the absolute peak uses. Historically, only about 11% of pedestrian malls in the United States have been successful long term. Mixed uses maintain flexibility.

Link to article: <https://www.citylab.com/solutions/2015/03/6-places-where-cars-bikes-and-pedestrians-all-share-the-road-as-equals/388351/>

As a homeowner in the downtown area, and a full-time resident and daily user of the businesses in the area, I believe that allowing local traffic to circulate from one side of the bridge to the other is very important. The stoplights at 8th, 9th, and 10th streets are timed to maximize the flow of traffic in and out of town on highway 82, which often causes traffic to back up at 8th street. The amount of pedestrians that need to cross at 8th street, both East-West and North-South, severely limits the number of cars that can even get through each light to access the other side of downtown. Allowing low-speed motorists to circulate to the other side of downtown without interacting with highway 82 is important for letting the downtown area not feel even more bifurcated by 82. It makes hunting for a parking spot to run pick up a pizza easier. It allows cars leaving downtown much more flexibility in circulation, and it will alleviate some of the pressure on the 8th street light.

I would strongly encourage the council to allow the street to open to traffic as intended, especially as the bulk of the summer tourism season is winding down, and evaluate the functionality and performance of an incredibly well-designed and executed public space through the fall, winter, and spring seasons. I could see the street regularly closing for the weekends through the summer, and it would be wonderful to have a farmers market down there on the weekend. I think intermittent closing of the street for festivals, concerts, markets, events, etc is a fantastic idea that will enhance the downtown vitality even further. But to close it entirely will stagnate that area for 8-9 months out of the year.

The lack of local traffic flow in the downtown area is an issue right now, and it is one that was already solved by design, paid for, and built. Please do not allow an unfounded fear of a pedestrian accident undermine what is a very thoughtful public space.

Kind Regards,

Maura

MAURA TRUMBLE | Associate

Hi Shelley,

I know you are getting ready to vote on whether to reopen 7th Street. We've been waiting for that to happen since the construction started. Obviously with where we live, we love using 7th Street to get to the other side of town. Also, it just seems unnecessary to keep it closed on a regular basis. I love the idea of closing it for specific downtown celebrations. But we don't have the crowds necessary to keep it closed all the time. In the newspaper, it said the police chief was worried about people getting hit by cars. It's a road for goodness sakes. In big cities, in fact even for our summer Bennett celebration, there are periodic street closures. When the event is over, the street is reopened and people need to look both ways before crossing.

Thanks for all you do!

Anne-Marie Kelley

Hello City Council:

First off, would you please share this with Paula Stepp, Charlie Willman and Tony Hershey as their email addresses are not on the on-line directory.

I saw the article in this morning's paper where Charlie expressed a desire to get more feedback about opening up 7th St to vehicles or keeping it closed. I live on the west side of the Roaring Fork and travel to the east side of town frequently. I used to use 7th Street all the time to get across Grand more quickly and I know many locals who do the same thing. I completely support closing 7th to vehicles because I think a Pedestrian Zone will make our town more friendly and safer. I really enjoy sitting out on 7th having a meal without cars going by. If the street is opened back up to vehicles, then I will probably stop doing that. I think opening it up, perhaps, for two hours, twice a day, for deliveries would be appropriate. Of course it should always open for emergencies. As a City we have invested a lot of money and effort to create a beautiful downtown that will be enjoyed by residents and tourists alike. Let's not destroy that by opening it to traffic.

Thanks for taking the time to read this.

Steve Barbee

Dear Council Members,

I would like to weigh-in in favor of opening Seventh Street back up to traffic with limited closures for occasional festivals. The ability of patrons to find parking is crucial to the success of downtown businesses. With very limited parking, Seventh Street allows for critical circulation to find parking. Please

listen to the downtown businesses who have been most impacted by this lengthy closure and construction downtown: re-open Seventh Street as was originally planned and promised to voters.

Regards,
Dendy Heisel
Resident and Business Owner

Dear Council Members,

I would like to weigh-in in favor of opening Seventh Street back up to traffic with limited closures for occasional festivals. The ability of patrons to find parking is crucial to the success of downtown businesses. With very limited parking, Seventh Street allows for critical circulation to find parking and to flow to Midland since you cannot get off the side streets onto Grand or for that matter get across Grand to get to Midland. Please listen to the downtown businesses who have been most impacted by this lengthy closure and construction downtown: re-open Seventh Street as was originally planned and promised to voters.

Tiffany B. Eggleston

Dear Ward 4 and At-Large Council Members:

As my representatives on the Glenwood Springs City Council, I write you to urge your vote to open 7th street to vehicular traffic. With several small children that need picked-up and dropped-off, I'm often unable to walk to work and a car is a necessity. As a resident of Ward 4 but an employee in the legal profession downtown, 7th street provided a link for me to get to and from work without waiting and idling at stoplights to cross Grand Avenue.

I was born here in Glenwood Springs and after completing my education out of state, I returned home. I've always enjoyed the small-town character of our city. The ability to take my time making my way down Blake Avenue, to pause at stop signs and waive to my neighbors, has always been my preference rather than trying to merge into the aggressive traffic on Grand Avenue.

I have no problem closing the space under the bridge on 7th street for events or on special occasions. The space has already been put to great use with music and other events. But to close it permanently would rob those of us who enjoy a small-town commute a link across Grand Avenue without having to wait and idle at stoplights.

Please vote to open 7th street.

Kind Regards,
Graham Jackson
Bennett Avenue
Glenwood Springs

Let's look around at what we have lost from the decisions related to traffic through Glenwood and the projects resulting from these decisions that are all related to the Grand Avenue Bridge.

We have lost so many trees, views of the pool, a safe intersection on 6th street, innumerable parking spaces, easy transit around town. We have gained a route through town that continues to be impassable, severe traffic congestion, a bisected town where a what little sense of community has been lost. Parking downtown is a nightmare, businesses are suffering and closing. And tax dollars are being burned away. Who asked for or needed bricks as paving on 7th street? What was the additional cost for that and who made that decision? What will be the additional cost in the future to repave there when it is needed? Could a more expensive way of paving been found? My tax dollars were wasted on that and those dollars could have been spent more productively elsewhere.

People are used to walking across that street – really?? That is an argument for closing the street? If people have learned to cross without looking, people will learn to look right and left in order to cross. That is a kindergarten skill. We will close off traffic for everyone who used the street because some people cannot look before they cross. That is b____t. Festival Street – what is that???? This is not a festival town. We have a few events. We also have places where an event can happen. Sayre, Two Rivers, other parks in town.

That the police do not think the area can be used without blocking the street simply speaks to a lack of basic enforcement and imagination.

We need safe, simple and easy access around town instead of bricking and concreting, and asphaltting everything. This also goes for the confluence, but that is another issue. Most Glenwood citizens I speak to like grass, trees, and flowers.

Under the bridge has always been a poor venue and the fact that it is new concrete does not make it any more feasible. We need parking. We need access. We need less traffic.

I would appreciate it if the city would stop wasting my tax dollars, get their priorities in line with the citizens they claim to serve and think about those things instead of their own personal agendas. Listen to way, way more than 15 or 20 people. And be sure they live here – not out of towners.

ALL OUR STREETS INCLUDING 7TH STREET SHOULD BE OPEN WITH AN OCCASIONAL CLOSURE FOR EVENTS. PERIOD.

Cheryl Cain
1801 Grand
Glenwood Springs, Colorado

Hi, Shelley

I support the idea of closing 7th Street with some exceptions. I think Cooper Street businesses need some relief from having to handle delivery trucks for all the other businesses in the area.

I support the 7th Street closing for the following reasons.

* Clearly the design of the 7th street road and surrounds was intended for a closed street as it is narrow and landscaping/materials are not built for resiliency of lots of pounding truck and auto traffic. It does feel a bit like better to ask for forgiveness than permission kind of situation on the design. If full load traffic was expected all along the whole area would have been designed differently to take the brutality of that type of traffic. Seems a bit disingenuous..... but, a lot of dollars have been sunk into the area as a pedestrian focused design and the investment now needs to be protected.

* That said, I live on a residential street that gets abused by commuter through-traffic when Grand Ave chokes up and I hate it. Almighty Connectivity for cars and trucks ruins neighborhoods and fun locations like 7th Street. Opening 7th to traffic is just that.... traffic. It will mostly serve people trying to get someplace else, often further down valley, and they have lots of options, albeit ones that take a bit more time. Locals and tourists enjoy the restaurants downtown and I for one don't miss the traffic as I eat out at these places occasionally or take a walkabout downtown to shop or do business. I say SLOW DOWN. Keep the predominantly through-traffic on Grand and if commuting and car driving folks don't like it, maybe it's time to use mass transit, ride share, walk, bike, park and walk, etc.

Thank you,

Trish Kramer
2501 Palmer Avenue
Glenwood Springs

I sure hope the city council asks your opinion on their hair-brained idea to permanently close 7th street. I know that you have been greatly impacted by the existing closure and likely have lost a fair amount of income because of it. As residents, we to have been impacted by the 'temporary' closure of 7th street as well but tolerate it because it has an end date. Now, that is in question.

I just want you to know as a loyal customer of your establishment, I implore you to ask the city council to keep 7th street open. I certainly understand if they want to close it for certain events or holidays but it needs to remain open the rest of the time.

I feel like this is a case of 'bait & switch'. Now that it's almost done, they are considering keeping it closed permanently. It's been a real PITA to have it closed so long already as you already know.

Parking is difficult there, getting around 8th and Grand gets gridlocked into Cooper and most importantly... in the winter I prefer to drop my car companions off in front of your restaurant while I go find a parking place so they don't have to walk on the sloped icy side streets.

It's just simply a bad idea for everyone.

Thanks

We'd like 7th Street open to vehicular traffic. Occasionally closing for an event but NOT seasonally.

Cece & David Zumwinkle

Owners, Juicy Lucy's Steakhouse

Jon and I are working on Las Vegas this week but I believe Z has given our views to Charlie that we believe that vehicular traffic is needed on 7th Street. The option of closing it for special events is great but it should be open to cars most of the time.

Erin and Jon Z

My opinion is that Seventh Street should be closed and for pedestrian use only because it cost SO MUCH money to lay all those bricks in a pattern one at a time. Who ever heard of paving a street for traffic in such a manner? Thanks, Joan Troth, GWS

We have done fine without it for 2 years, spent too much money on granite pavers, let's keep it as a pedestrian walkway so people eating outside do not have to inhale fumes!

Mogli Cooper

In crafting a plan for 7th it is important to learn from earlier and present lessons. Glenwood has traffic and it will continue to increase. Much of the growth is from outside our community.

The 7th Street adjacent East side neighborhood of Glenwood has experienced traffic count relief with the closure. It reduced the # of out of the neighborhood drivers significantly especially in the earlier am as shift workers reported from the West to VVH.

Examining our own driving behavior this fact is universal:

Drivers will always choose, what they view as, the "comfortable" drive and will go out of their way to avoid the mandatory traffic light stops and the fuller traffic counts on Grand.

Valet parkers at VVH have brought to the attention of the transportation commission too many stop sign runners at their 4 way stop.

Traffic is to the detriment of any residential neighborhood. We must not sacrifice the investment of our Glenwood valley floor residents in our fruitless pursuit of traffic accommodation.

The negative impact is easily viewed by streets exposed to traffic, Grand Avenue is our most visible example: who among us wishes to move our residence there?

It must be reconciled that if we choose to drive we will be in traffic. A few minutes wait to

navigate Glenwoods valley floor (North South length from the river 2 miles) will still deliver us easily and comfortably to our destinations.

If we opt to re- open 7th it will be at the expense of the adjacent neighborhoods quality of life and their financial investment in our city. In my opinion it is not connectivity but auto-mobility that we would be supporting.

With minimal parking along 7th, the restaurant patrons will need to park and walk. Let's not make it any more dangerous.

Please protect and preserve GWS

Diane Reynolds

I live @ 1215 Cooper ave. I say keep 7th street closed. We're all use to it being closed already. I don't think people eating outside at the restaurants would want to inhale car fumes either. Trucks bringing in food deliveries are ok but no regular traffic is my vote!

Megan Malone

Thank you for the email keeping us updated on the development of Glenwood Springs. I was very involved during the conversation over 7th street during the bridge project. An email came it at some point regarding a meeting I believe Tuesday morning at 8:30 am. I am not able to locate that email, and wanted to clarify the time and location as to a meeting about 7th street. I live downtown and am very excited for 7th street to open back up to traffic. The 8th street and grand ave light from Cooper is a nightmare during rush hour and even more so on Tuesday. And the cross walk make it impossible to make a right hand turn on a green light when pedestrians are present, thus forcing all the through traffic to sit through multiple signal rotations. I love the idea of closing 7th street for special events, and even on a semi regular schedule, such as weekends. However, I would very much, like a lot a lot, want to see the 7th street remain open for traffic to assist with relief during the week.

Please reach out to me if you have any questions or would appreciate any clarifications. I'd also love to know when and where that meeting is Tuesday.

Thank you again for everything you do to keep the community informed.

All my best,
Solomon Liston

I will be out of town August 14th so I will not be able to attend the meeting. I support keeping 7th Street closed, at least for the time being. Let's see how that works out for maybe a year and then reassess the situation. I do want to make sure that area under the bridge stays open for everyone to enjoy and is kept a clean and safe place in which to recreate.

Sheila Markowitz

As much as I love being able to get to the other side of town without negotiating Grand Ave, I think 7th Street under the bridge to Cooper should remain closed. It's too beautiful and has had too much money spent on it just to let it be another road. Vehicular traffic there would significantly change (and not for the better) the feel of the Festival Street area.

Whether it remains closed or is reopened, the entire Bethel Plaza/Festival area must be kept free of loiterers and homeless. I do have compassion for them but that is absolutely not an appropriate area for people to camp out.

Thanks for your consideration.

Jan Krische

I'm not able to attend the meeting, however I would like to see the 7th street open for ped and vehicle traffic as well as allowing the street temporary closed once in awhile for special events. This gives an added access from across town and closing it off permanently does not help with traffic flow. It also allows for elderly and anyone with a disability etc to get picked up by Uber, taxis and the like. It's a great area for that. Thank you for my input. Jeanie Lucas owner of the Italian underground rest.

My preference for 7th street would be to keep the street open for pedestrian traffic only. A lot of kids play under the bridge and I think it makes the space safer not having cars buzzing back and forth through there.

Best,

Dr. Casey

I will not be able to attend the Wednesday 14th 7th Street meeting. I am not a downtown business owner. However, I believe we all have a strong stake in the success and outcome of the downtown as a source of tax revenue, local amenities, pride, connectivity, visitor attraction and general well being and appearance of Glenwood.

So, at this point I am advocating the closing to vehicular traffic of 7th Street from Colorado (or at least Slope and Hatch) to either Cooper or Blake.

My reasons include:

1. The city and citizens and DDA have invested a lot of money to create a special atmosphere, appearance and gathering place for that area of downtown. I believe that motorized vehicle traffic on 7th will detract from that investment. Auto and truck traffic will likely lead to greater depreciation/maintenance, more noise and less 'friendly' gathering, less pleasant walking (including walking bicycles in that area), lower quality dining experiences and conversation and events.

2. There has been some concern stated that business may suffer. I believe that we can look at data and find out if business has increased or not with the actual closure of 7th Street. We have sales tax data from prior to the GAB as well as sales info that businesses could provide. We also have data during the GAB closure. We should have full 2018 information of tax revenue and sales while the bridge was open and 7th Street open as well I believe. And we have 2019 comparison this year while 7th Street has been closed. Has business suffered or grown? Let's find out.

3. We have the elements of a successful ped mall. Several critics of the 7th street closing have cited the fact that many ped malls have failed. I would argue that many of those examples are not comparable to Glenwood. They are older models from larger urban areas. The elements of success do include adequate cross traffic and flow. We have invested a lot of money in 8th street and making it a major arterial west of Grand. It does provide through traffic and flow to and through the downtown area. Elements of success also involve access and parking. Glenwood has provided downtown expanded access. We have after hours parking at the library/CMC facility, we have the 9th street facility, we have Colorado and 7th and, I believe some after hours County access. We have worked on keeping parking on Cooper. We could, in the future, provide additional parking west of City Hall where the old United Lumber shed(s) are coming down. If needed we could increase wayfinding and consider ways to allow 'turn around' at Cooper and 7th, perhaps and Colorado and 7th to allow vehicles to 'drop off' passengers as well as loop back in search of parking if needed. Successful malls have businesses that attract people and there is no question that our new ped bridge and restaurant row and lower Grand Avenue do that. In addition, increased events under the bridge will attract more visitors and locals and not having motor vehicle conflict and noise would enhance those events. Glenwood attracts visitors and residents for its 'small town' atmosphere, natural beauty and resources and livability and connectivity. I believe the closure of 7th will enhance all of this.

4. There are some downtown and local residents who want 7th street open for convenience of cross town/east west car travel. As a resident of Blake Avenue I, somewhat selfishly, would advocate the closure to discourage additional auto traffic, local or commuter, to use 7th and Blake as a cut through route. In addition, I feel that Glenwood as a whole benefits from less traffic on any residential streets, more emphasis on ped and bike traffic (we have plenty of auto traffic and ill effects on our main street highway), keeping traffic on Grand/Highway 82 is best for the town in my opinion. If we believe in keeping neighborhoods livable and multi modal transportation and connectivity, I think we are best off without 7th street open. Those of us downtown who believe this and believe in 'Take a Minute' can adjust to the possible 3 or 4 minute delay crossing Grand at a signalized intersection.

So, all in all, I strongly favor the closure of 7th and believe for reasons stated above and others, that it is a win for Glenwood and downtown and businesses and residents. And, lest we not be sure, I think erring on closure would be best as it is always much easier to open a route than to close one after some period of 'wait and see' or study or actual need. At the very least, I would urge consideration of closure from May through October and, perhaps open in the remaining months.

Thank you for your time, the ability to provide input and your efforts.

Sincerely,

Sumner Schachter

The Seventh Street brick paving and landscaping is looking absolutely beautiful! Today, as I walked along the interesting brick patterns being laid, I had to stop and tell the artisans how wonderful it all looked. They were very grateful to hear that. Smiling people were walking every which way with strollers, bikes, dogs, wheelchairs and such. It was a beautiful summer sight.

Then I realized that this fabulous tapestry will soon be ruined by cars driving over it, spewing gas and oil and fumes, completely spoiling the beautiful landscape of a pedestrian mall/park.

Why are we spending all this money on 7th, only to ruin it by allowing traffic to drive on this beautiful and expensive area??? Yes, emergency vehicles can certainly drive on it if there's a need. That's a plus! Yes, there are hotels and a train station but Cooper and Blake both lead very close to these businesses. Delivery trucks can use the alleys. There will always be exceptions and that is important to accommodate. I urge the city to close this area to through traffic and not ruin what we paid so much to create.

Michele

7th is the only connection between East and West Glenwood that does not involve actively intersecting with a State Highway/major thoroughfare. Permanently removing this artery would, I believe, have a negative effect on the town. My reasons are as follows:

- Glenwood is already dealing with an increasing volume of traffic and that trend seems likely to continue into the foreseeable future.
- For locals, dealing with the through-commuter traffic on Grand is a major struggle and eliminating a means of doing so that doesn't require building a new road seems unwise.
- As was pointed out by the Downtown Market folks, commuters can't even see 7th until they're crossing the bridge (and unlikely to turn around because of the traffic) so the idea that they will spontaneously stop for festivals is questionable.
- The geographic restrictions of the town severely limit its ability to ease the above traffic volume so shutting off another, already existing, way to get through town seems inadvisable and likely to result in a downtown that is actually harder for pedestrians to navigate due to drivers becoming frustrated with the congestion and engaging in risky practices that put foot and bicycle traffic at risk. (e.g. crossing

Grand on foot got downright scary during the bridge construction when drivers were desperate to get on the road.)

- Making it harder to get around downtown by car is likely to hurt downtown businesses as, in order to walk around down there, you first have to be able to get off the road and find a parking spot. Right now, this is difficult.
- Those using 7th street will still have to contend with a one-way stop sign when going west and several stop signs and/or a left turn through traffic when going east, so it isn't likely to be used as a fast detour by the through-commuters, but rather a safe detour around Grand for locals.
- The location of 7th street is not ideal for a "festival" street as it isn't very visible to traffic on Grand Avenue. A more viable option would be to revitalize the 6th street corridor for this purpose.

In the end, I believe that closing 7th street would be detrimental to the citizens of Glenwood, especially those in the Downtown corridor. I don't believe that this detriment would be offset in any meaningful way (if at all) by increased custom for downtown businesses or a nicer experience for pedestrians.

I urge to City Council to reopen the street as planned.

Sincerely,

Ksana Oglesby

Dear Council,

Thank you for taking the time to gather public input on this matter. Let me briefly relay an experience my husband and I had two Fridays ago downtown. We went out to dinner for our anniversary at The Riviera and were fortunate enough to get an outside table. We enjoyed live music, a kids magic show and Zumba. It was so refreshing to be able to enjoy an outside atmosphere free of traffic. We saw tourists joining in the fun and smiling with joy. Heck! Even out of shape people in jeans were joining in the Zumba class.

Please consider keeping it closed and preserving this gem we can all, finally, enjoy.

Sincerely,

Amber Wissing

I vote that the street remain CLOSED to vehicle traffic and Open ONLY for pedestrian traffic.

Thanks

--

Melissa DeHaan
Art on 8th

I am unable to attend Thursday's 7th Street meeting but would like to voice my opinion on 7th Street closure. I believe closing the street permanently to auto traffic and making it pedestrian friendly is a wonderful idea.

Regards,
Lindsey Johnson
Rifle

Close the street and only allow pedestrian traffic. With as much traffic we have in this town it is nice to have a non-traffic area in our downtown.

Tonya Green-Nieslanik

Please keep it closed.

Thank you for asking.
Manette Anderson

Thank you for this opportunity. My feeling is that the redesign of 7th street was done with the intention of opening it up to traffic eventually once again, and therefore it should be opened to traffic, primarily for the ease of downtown traffic flow. The congestion thru the downtown area in the mornings and evenings is awful and I often feel it is a safety issue, there is no emergency lane. When considering the effects on downtown businesses, we need to consider all the downtown businesses, not just the ones on 7th street.

Thanks,
Annette

My preference for 7th Street is to definitely keep it open to vehicular traffic year round with closures only for special events. 7th Street is needed for an East -West connection since 8th Street becomes so backed up and is also hazardous to pedestrians crossing both 8th and Grand Avenue. 7th Street is vital to emergency vehicles to access downtown neighborhoods. 7th Street should be durable enough for traffic since it was engineered for that purpose.

Sincerely,
Patricia Trauger

The **Arts and Culture Board** Motioned to recommend 7th street be closed to vehicular traffic and open to bicycle traffic.

Some of their comments on it:

Close- should be a festival street

One way with bike lane

Keep it closed and promote bike and ped downtown

Visual beauty will be degraded with vehicles, delicate materials

Plaza feel is a nicer space
City leadership made promise to businesses to reopen street
What is the business consensus
Seasonal closures
Granite pavers will look bad after being driven on continually
Plaza experience downtown
Pedestrian mall areas most successful when both sides have stores- nothing on north side
Can always open it later if it's not working as a ped area.
Motion to recommend 7th street be closed to vehicular traffic and closed bicycle traffic

As you heard during our **DDA** meeting this past week, the Board voted 6-1 to open 7th Street with periodic closures for events. Let me know if you need more.

Thanks,
Laura

The **River Commission** voted last week to recommend that City Council limit the use of 7th Street to pedestrians only for the following reasons:

- Less maintenance related to snow removal will generally allow for improved water quality;
- Allows more area for potential stormwater improvements;
- Less use will allow for the longevity of the construction materials installed;
- Will reduce potential safety impacts to pedestrians;
- Will allow for pedestrians to be closer to the river.

I say keep 7th closed to traffic OR have a 12.5 mile per hour speed cap, with multiple Stop Signs for pedestrian crossings, if open to traffic. Don't want cars using 7th as a way to bypass down town and get over to the 8th Street bridge and Midland Ave.

Munro Wilcox
FAB member

I think 7th Street should stay closed to traffic. I think the community has gotten used to this closure. I think the experience of outside/sidewalk dining – only makes sense with the street to remain closed. I have talked to some locals who have walked the pedestrian bridge and the closed 7th street just adds to that experience. Thanks for the opportunity to weigh in.

Terri Miller (FAB)

Tourism Board

2:45 PM ~ City Council Request for Opinion on 7th Street – Jenn Ooton, Assistant City Manager Jenn Ooton explained council's request, the board voted to have the street opened!

Transportation Commission

As we did not have a quorum for a formal vote, no formal position was taken.

We did have a lot of discussion about a recommendation to Council regarding opening or closing 7th Street. Ahead of the meeting,

Sandy Lowel let me know that he would vote to keep it closed.

Rob Gavrell also let me know ahead of the meeting that he would vote to open 7th Street.

The Commission members that were present took the following positions:

a. John Stephens- John preferred to keep 6th street, the GAB pedestrian bridge and 7th street as pedestrian and bike corridors. He was concerned about creating a vehicular bypass route around the signals on SH 82. He was not concerned about waiting on the side streets to cross SH 82. He emphasized preserving the character of 7th Street and promoting the continued development of the restaurants in the area. He said that the confluence development may change how the community feels about 7th Street in the future.

b. Ralph Trapani said that the street functioned as a valuable collector before the project went in, allowing locals a route through the City that didn't require waiting at the signals on Grand Avenue. Ralph supports reopening the street.

c. Roger Poirier said that the pedestrian space improved the local quality of life. Pedestrian spaces are valuable. He said that opening 7th Street wouldn't solve our current congestion and operational issues, but adding vehicles back to the space would result in the loss of the asset.

I very much agree with all points made above on 7th Street for opening or closing. I feel it serves as a critical vehicular link as well as a premier pedestrian and bike link in our system. I was under the impression we had designed it to serve this multi-modal purpose in the future, with the additional benefit of temporary street closures for festivals, markets, etc.

With life being as contentious as it is today, would it be prudent to recommend a "both" option? We could allow the street to function as it did during certain times of the day and then close it in the evening or weekends to promote our waterfront/restaurant row. I feel this is following through with the original intent and function of the design.

In the future, we could revisit the permanent closure idea as we learn from experience of temporary closures.

Thank you,
Lee (Lee Barger from Transportation Commission)

The Parks & Recreation Commission made a motion to recommend one way, one directional traffic with bike path. 4-1 approved. James wanted to see it stay closed.

Comments during discussion:

We should promote a walking/bike friendly city.

Meet half way and have it as a one way street with closure for festivals.

Alleviate downtown parking issues by encouraging people to walk into downtown rather than drive around and park.

Ride Glenwood stop at 7th.

Discussion should have been made during design stick to original intent.

How weighted should businesses view be?

Accessibility issues.

Meant to be a festival street. Whether open or closed should close for any events.

Charlie Willman, City Councilor
1121 Bennett
Glenwood Springs, CO
81601

August 7, 2019

Dear Sir,

I read with interest the story regarding the possible closure of Seventh Street in the July 30, Glenwood Post Independent. As a business owner and resident of Ward three I have a number of concerns and questions. The story suggests a divided council on this matter. Certainly it is appropriate for you to hear the concerns of your constituents in this matter as you previously suggested. I am personally opposed to the closure.

I believe it is premature to talk of the Seventh street closure when the improvement project for the area has yet to be completed. I am referring to the completion of the under the bridge enhancements. It appears to me that plans to change the scope of projects in midstream is something that occurs in the city with a disturbing frequency.

Fundamentally, with a vehicle count of some 28,000 daily; why would any street closure be considered? Businesses would be harmed as closure would affect vehicle circulation. Again, with the closure, more parking would be lost. How will purveyors deliver products to businesses? This is critical in the restaurant business. How will those with physical limitations or disabilities be affected by the closure?

I personally know that the operators of the two businesses in my building have yet to be contacted for their thoughts on the closure. I have not been contacted either as a business owner or resident of Ward three. I have a vehicle capable area behind my building. How will I access this if Seventh Street is closed? It seems to me that much more outreach in our area is called for.

Please exercise thoughtful and professional due diligence in this matter and directly poll those most affected by a proposed closure.

Sincerely,



Anthony Rosa
702 Grand Ave
Glenwood Springs, Co.
970-618-7531

Western Hospitality Group, LTD

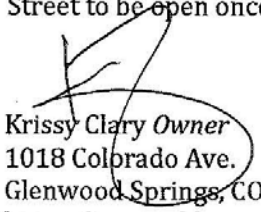
August 5, 2019

City Council members of Glenwood Springs,

Since before the Grand Ave bridge came down, the idea of turning 7th Street into a pedestrian mall has been brought up as an option. We have always adamantly been against the idea and have vocalized that opinion. After the current design of the street was approved and moved forward on we believed that the idea had finally been put to rest but we find ourselves again debating it as an option. The following are the reasons that the owners and management of CO Ranch House, as well as all three of us being residents of Glenwood Springs, believe that turning 7th Street into a pedestrian mall is not in the best economic or cultural interest of our community.

- Pedestrian malls have an extremely low success rate. A simple Internet search will show multiple studies that detail the failure of pedestrian malls generating additional tax revenue. There are a few exceptions to the rule but they are few and far between. I have also been unable to find an example of a successful pedestrian mall with only a single side of revenue generating businesses.
- Not allowing vehicular traffic marginalizes our elderly and handicapped guests and citizens. Furthermore, 7th Street serves as an important vehicle thoroughfare, and there has been a distinct increase in traffic at the intersection of 8th and Grand.
- There is currently an air of polarization between our locals and tourists, this move would further that division. While the aesthetics of a pedestrian mall is appealing for two or three months of the year downtown businesses rely our locals to sustain us year round.
- The area under the Grand Avenue bridge was seeing a sharp rise in people camping, drinking and drug use until the recent implementation of security on select evenings. Expanding the area to include 2 additional blocks in downtown will undoubtedly prove difficult in discouraging the transient population from continuing illicit behavior.

As business owners having navigated and endured the inevitable financial highs and lows seen throughout the Grand Avenue Bridge Project and ensuing 7th Street Beautification Process, it has grown incredibly tiring and frustrating to be discussing the future of 7th Street once again. As an establishment, we always state that we are "in it for the long haul" – well, the "long haul" is here and it is time for 7th Street to be open once again.



Krissy Clary Owner
1018 Colorado Ave.
Glenwood Springs, CO
krissy@coranchhouse.com



Tom Brennan Owner
519 Easy Street
Glenwood Springs, CO
tom@coranchhouse.com



Brian Montemurro GM
195 Orchard Lane
Glenwood Springs, CO
brian@coranchhouse

PO Box 2258 Glenwood Springs CO 81602
970.945.9059

Comments and Notes from Public Meeting on August 14

Raise of hands: majority raised hands for opening the road for vehicle traffic

What would closing it look like in terms of bollards or construction barricades

3k-4K vehicles a day on 7th prior to GAB/8th Street completion

Alleviate traffic on 8th if 7th opens

"No parking," opening 7th for additional spots

Request for a resident based decision, not tourist based

Vehicle traffic on 7th is mobility for residents

Elderly access with vehicles is important

One way might be a good possibility - access to driveways on 7th

Traffic lights on 82/Grand are under CDOT control

Cooper Avenue parking, traffic flow - how would this impact 7th?

Concerns of one way street

Keep it open for success of local

Small businesses Elderly and disabled need access with open street

Speed limit lowered on 7th

Open but no trucks other than deliveries

Assured by City that 7th Street would re-open before construction started, lessens trust with City, why add pavers instead of asphalt if plans to re-open?

Specific pedestrian crossings for safety concern

Events liked, temp closures seem fine for events

Air pollution from traffic back ups downtown

7th Street restaurants more successful when street is open, more opportunities for businesses

Decreased value of property with pedestrian only access

Over construction, just open it

No seasonal closures

Entertainment is good with events, but keep it open for vehicles

Open for better customer numbers

Important to open so officers can patrol easier in vehicles

Vehicles need 7th to avoid 8th

Thankful for this discussion

Issue of traffic on 8th on east and west sides of Grand

Concern of failures of businesses on pedestrian malls

High traffic speed on Grand Avenue, 3-4K cars on 7th speeding with pedestrians, number of cars through town is only increasing

Noise, pollution, traffic too much in adjacent neighborhoods

Find a balance with vehicle traffic and close it when it makes sense

7th is not a normal cross street, will not behave like 8th to cross Grand

Livelihood under bridge won't be there if businesses go out due to it being closed

Taking a few cars here and there off 8th to 7th can help backups

Street design will slow traffic naturally

Need 7th for circulation except for periodic closures for events

Enjoy and like 7th and pedestrian area, does not want vehicle traffic to impede pedestrian enjoyment

Local traffic area, should not alleviate commuters from 8th

Close crosswalk east to west at north crosswalk at 8th and Grand; add lighted stop sign and crosswalk on 7th for more pedestrian feel

Parking on Cooper concern

Closing the street interrupts connectivity

Closure for festivals, events but not "seasonally," concern over what seasonally could mean

Open for business viability, close for festivals/events

Loading zone on Cooper causes congestion

Locals need to be able to get to businesses

Glenwood Springs is a choke point for all valley traffic, 7th is not the issue



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Ordinance No 16, Series 2019: Consideration of various amendment to Municipal Code Section 050.030.010 and to Title 070 to correct errors and omissions relating to the Glenwood Springs Development Code that was adopted August 2, 2018 (SECOND READING)

Action Requested: Ordinance 16, Series 2019: Consideration of various amendment to Municipal Code Section 050.030.010 and to Title 070 to correct errors and omissions relating to the Glenwood Springs Development Code that was adopted August 2, 2018

Department: Economic and Community Development

Presented By: Gretchen Ricehill, Assistant Director of Economic and Community Development

Background Info: In August 2018, the City adopted a new Land Use Development Code and in December of that same year the Planning and Zoning Commission recommended certain corrections which subsequently were adopted through Ordinance 3, Series 2019. As staff applies the new code, we continue to find errors and omissions that require correction, as well as certain provisions that require clarification. These second round of code corrections are detailed in a spreadsheet which is attached to and made a part of this staff report. The spreadsheet includes an explanation of the issues and the recommended corrections.

The Planning and Zoning Commission considered these code amendments at their meeting April 23, 2019.

In a unanimous 7-0 vote, the Commission recommended approval of the amendments with the following exceptions which are noted below and highlighted in red font in the attached spreadsheet:

Sign Code Revisions, spreadsheet entry #5: For freestanding monument signs, the Commission recommended setting a maximum sign area of 100 square feet. This would apply to residential applications in commercial zoning districts. Currently the Code allows 10 square feet of signage. The Commission discussed revisiting sign allowances for all uses at some point in the future.

Appeals, spreadsheet entry #10: The Commission discussed changing the current references to “administration official”, “agency” and “officer” to “decision-making body or authority” and clarifying paragraph 3, Stay of Proceedings. The Commission left the final text to the discretion of the City Attorney’s office.

Automotive Fuel Sales and Service Station, spreadsheet entry #13: The Commission requested additional information regarding the issue and need for changing the definition prior to rendering a decision.

It is important to note that the recommended amendments do not substantially change existing requirements or add new code provisions. They simply correct errors and omissions and provide clarification to existing requirements. As staff continues to administer the new Development Code we fully expect to find other errors that will need correction.

Issues: The recent appeals of planning items to City Council have given staff an opportunity to review the existing appeal procedures in the Code. In the attached ordinance, the portions highlighted in yellow are changes that have been added following first reading. The current Code allows staff to provide

very limited information to Council as the appellate body. Under that paradigm, the applicant has the ability to present whatever facts and evidence it wants and there is no way for Council to get an impartial description of the underlying application and the basis for the Commission's decision. To remedy this, legal staff added language describing additional information that should be included in the staff report provided to Council on appeal. These revisions are based largely on the information that staff provided to Council in August during an appeal because it seemed that information was helpful to City Council.

Staff Recommendation:

City Council may take one of the following actions:

1. Approve of all or some of the amendments;
2. Deny all or some 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 1:

Consideration of Ordinance 16, Series 2019: An ordinance of the City of Glenwood Springs, Colorado, amending section 050.030.010 and Title 070 of the Glenwood Springs Municipal Code.

Staff recommends that Council uphold the Planning and Zoning Commission's recommendation and approve Ordinance 16, Series 2019 (first reading).

ORDINANCE NO. 16

Series of 2019

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING SECTION 050.030.010 AND TITLE 070 OF
THE GLENWOOD SPRINGS MUNICIPAL CODE.**

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, on August 2, 2018, City Council approved a revised development code as set forth in Title 070 of the Municipal Code; and

WHEREAS, in the process of applying the revised development code, City staff discovered errors and omissions that require correction and provisions that warrant clarification as set forth in **Exhibit A** attached hereto; and

WHEREAS, the Planning and Zoning Commission recommends approval of the corrections and clarifications to the development code and Section 050.30.010 as set forth on **Exhibit A**; and

WHEREAS, the City Council finds that the amendments set forth on **Exhibit A** are necessary to correct and clarify the development code.

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. Title 070 of the Glenwood Springs Municipal Code is hereby amended as set forth in **Exhibit A** attached hereto.

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY THIS 1ST DAY OF AUGUST 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, 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 5TH DAY OF SEPTEMBER 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk

Exhibit A

New language is double underlined

~~Strike through language is deleted~~

ARTICLE 050.030 - TEMPORARY SALES AND STRUCTURES

050.030.010 Permit Required

- (d) Temporary use permits may be allowed in the ~~C-1, C-2, C-3 and C-4~~ M1, M2, M3, CO, and RE zone districts only and shall be prohibited at all times on the Wing Street Pedestrian Mall, defined as the east wing street of Grand Avenue between the Seventh Street Esplanade and the curb line of Eighth Street and the Seventh Street Esplanade, except during special community events and subject to a special community event permit.

ARTICLE 070.010 GENERAL PROVISIONS

070.010.070 - Nonconformities

(d) Nonconforming Structures

- (1) A nonconforming structure may ~~only be expanded pursuant to 070.010.070(b)(3), Maintenance and Minor Repair, and~~ provided that any such expansion shall be in full compliance with this Code.

ARTICLE 070.030 USE REGULATIONS

070.030.030 - Use-Specific Standards

(e) *Commercial Uses*

(9) *Short-Term Rental*

a. e. Operation

b. f. Permit Procedures

ARTICLE 070.040 DEVELOPMENT STANDARDS

070.040.060 - Off-street Parking and Loading

(h) *Parking and Loading Area Use and Design*

(3) *Parking Area Layout*

a. *Parking Stall and Aisle Design*

Parking areas shall be designed according to ~~Table 040.9: Parking Space and Drive Aisle Layout, and Figure 040-10: Parking Stall and Aisle Dimension Measurements~~ the Engineering Standards.

070.040.070 - Access and Circulation

(e) Streets, Alleys, and Vehicular Circulation

(4) Public Street Connectivity

c. Public Street Connectivity

3. Unobstructed, direct, and convenient access for vehicles to and from a public street shall be provided for all off-street parking spaces. Access from any parking area to a public street shall be designed ~~to allow vehicles to enter and exit in forward drive according to the Engineering Standards.~~

070.040.110

(i) Summary of Permanent Sign Standards.

(3)Nonresidential Uses in Residential Zone Districts. Nonresidential uses shall be allowed signage subject to the requirements of a through d below. Home occupation signs shall not be considered nonresidential uses for purposes of this subsection.

- a. Number, Maximum. One attached or one freestanding sign shall be allowed.
- b. Sign Area, Maximum. Ten square feet.
- c. Sign Height, Maximum. 42 inches.
- d. Sign Location. Detached signs shall observe a minimum five-foot setback from any property line.

Table 040.13: Summary of Permanent Sign Standards					
Sign Type	Where allowed	Number of Signs, Maximum	Sign Area, Maximum	Sign Height, Maximum	Sign Location

Freestanding Signs					
Freestanding monument	Residential applications in all sign-commercial <u>zoning</u> districts	One freestanding sign per street frontage	40-100 square feet	Six feet	Setback five feet from property line
	Mixed-use and nonresidential applications in all sign districts	One freestanding monument sign per street frontage per property	Hwy 6 and 82 sign districts: 200 square feet Downtown districts: 64 square feet Others: 120 square feet	Eight feet	Setback a minimum of 10 feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet

070.040.120 Affordable and Workforce Housing

(b) *Voluntary Provisions.*

(1) *Deed-Restricted Development.*

d. *Impact Fees.* The deed restriction shall provide for a waiver of the following impact and improvement fees required by this Code according to the percentage of new for-rent units restricted thereby:

1. Any water or sewer tap fee required under 080.040.010(c) or 080.030.010(c), respectively.
2. Any water or sewer system improvement fee required under Article 080.060.
3. Any school land dedication required under Subsection 070.040.030(g)4, School Land Dedication.

4. Any fire and emergency service impact fees required under Subsection 070.040.030(g)5, Fire and Emergency Services Impact Fee.
5. Any parkland dedication fees required under 070.040.030(g)(2), Parkland Dedication.

ARTICLE 070.060 – ADMINISTRATION AND PROCEDURES**070.060.020 – Summary Table of Development Review Procedures.**

Table 060.1: Summary of Development Review Procedures										
Key: R= Review and Recommendation D= Review and Decision A= Appeal ✓= required										
Procedure	Code Reference	Notice			Pre-App Neigh. Meeting	Pre-Application Conference	Review and Decision-Making Bodies			
		Published	Written Mailed	Posted			Staff	DRC	Planning Comm.	City Council

Development Permits										

Construction Plans	***	***	***	***	***	✓	***	***	***	***
***	***	***	***	***	***	***	***	***	***	***
ROW Encroachment License		✓	✓							

70.60.50 – Development Permits.

(a) Site/Architectural Plan Review

(2) Applicability

c. Referral and Call-up Procedures.

1. Administrative Site/Architectural Plans.

ii. Planning Commission Call-Up

~~c. For plans that are called up by the Commission, the~~ The Director shall provide public notice for those proposing five or more new residential units in accordance with 070.060.030(f).

(b). Master Plan.

(3). Master Plan Procedure.

g. Post-Decision Actions and Limitations.

1. Effect of Approval. Master plan approval authorizes the subsequent submittal of site/architectural plan applications for all development consistent with the approved master plan through the administrative site/architectural plan procedures according to 070.060.050(a)(3). Master plan approval does not itself authorize specific development activity. If the Director determines, in the consideration of a site/architectural plan application pursuant to this section, that such development is not consistent with the approved master plan, the Director shall process the application as a minor or major site/architectural plan, as applicable, based on the type of development proposed.

(f) Right of Way Encroachment License.

(3). *Right of Way Encroachment License Procedure.*

- d. *Scheduling and Notice of Public Hearings.* If required, the right-of-way encroachment license application shall be scheduled for a public hearing before the City Council and noticed in accordance with Subsection 070.060.030(f)(3)a2.

070.060.070 – Flexibility and Relief Procedures.

(c) *Appeal of Administrative Decision Appeals*

- (1) *Purpose.* The appeal procedure establishes an administrative mechanism for persons claiming to have been aggrieved by a decision of the Director or other administrative official in appealing decisions made in the administration or enforcement of by the Director, administration officials or the Planning Commission while administering this Code to appeal that decision.
- (2) *Applicability.* Any interested party person may appeal a decision of an administrative office or agency made in the administration or enforcement of this Code. Appeals shall be made to the appropriate appellate body as indicated in Table 060:1: Summary of Development Review Procedures, except that appeals of decisions by the City Council shall be made to the District Court in accordance with state law.
- (3) *Appeal Procedure.* Figure 060-18 identifies the applicable steps from the common review procedures in Section 070.060.030 that apply to the review of appeals. Additions or modifications to the common review procedures are noted below.

1	2	3	4	5	6
Pre-Application Conference	Application Submittal and Handling	Staff Review and Action	Scheduling and Notice of Public Hearings	Review and Decision (Planning Commission and/or City Council)	Post-Decision Actions and Limitations
Optional at applicant's discretion	Submit to Director within seven days of decision being appealed	Staff determines <u>appropriate appellate body</u> appeal decision authority and documents facts	Hearing required with <u>appellate body</u> appeal decision authority depending on application type <u>of appeal</u>	Review and decision depends on <u>application type of appeal</u>	Further appeals to the courts

b. Application Submittal and Handling. The appeal application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d), with the following modifications:

1. *Burden of Proof on Appellant.* The party making the appeal (the appellant) shall have the burden of proving the necessary facts to warrant reversal or amendment of the decision being appealed ~~approval of an appeal by the appropriate decision-making body~~. Such proof shall include applicable specific section references within this Code and shall be provided with ~~at the time of the application~~.

2. *Stay of Proceedings.* An appeal automatically stays all proceedings from further action on the subject decision unless the Planning Commission determines that decision-making authority from whom the appeal is taken certifies to the appellate body, after the appeal application has been filed, that by reason of facts stated in the certificate, a stay would create adverse impacts to the health, safety, or welfare of the City or would cause imminent peril to life and property; in which case proceedings shall not be stayed absent a restraining order which may be granted by the appellate body. ~~Such determination shall be made only after written request to the Director and a public hearing by the Planning Commission. The public hearing shall be held within two (2) business days of receipt of the request. Notice for such a hearing shall be provided on the City's website and shall be posted at City Hall.~~

c. Staff Review and Action

The Director shall review the appeal application and prepare a staff report in accordance with 070.060.030(e), with the following modifications:

1. Staff review of the appeal shall ~~only~~ confirm that the application is complete and that the appeal is heard by the appropriate authority.
2. The staff report shall identify the relevant facts and procedural history, the decision that is the subject of the appeal and the action requested by the appellant on appeal.
3. The staff report shall not make a formal recommendation on the merits of the appeal but may advise the appellate body of the actions it may take in response to the appeal and shall only include the necessary facts to warrant — an appeal, which shall be provided by the applicant.

d. Scheduling and Notice of Public Hearings. The appeal shall be scheduled for a public hearings before the ~~Planning Commission or City Council~~ appropriate appellate body and noticed in accordance with Subsection 070.060.030(f).

e. Review and Decision ~~(Planning Commission, and/or City Council).~~

1. The appropriate ~~decision-making appellate~~ body shall consider the following in determining whether to affirm, reverse or amend a decision or interpretation made by the decision-making body:
 - i. The facts stated in the application, as presented by the appellant ~~and/or the Director~~;
 - ii. The requirements and intent of the applicable standards from this Code compared to the ~~written~~ decision that is being appealed;
 - ~~iii. Evidence related to how the applicable standards from this Code have been administered or interpreted in the past; and~~
 - iii. Consistency with the Comprehensive Plan.
2. The ~~appeal decision-making authority~~ appellate body may reverse a previous decision in whole or in part, or may modify the order, requirement, decision, or determination appealed from.
3. The ~~appeal decision-making authority~~ appellate body may attach conditions of approval on any appeal to ensure the health, safety, and welfare of the City.

- f. *Post-Decision Actions and Limitations.* Post-decision actions and limitations in Subsection 070.060.030(i) shall apply. Any further appeals from the ~~appropriate appeal decision-making body~~ City Council shall be made to the courts in accordance with state law.

ARTICLE 070.070 – RULES OF CONSTRUCTION AND DEFINITIONS

070.070.030 – All Other Terms Defined.

Building Form.

Building Frontage. The horizontal, linear dimension of that side of a building that abuts a street, parking area, mall or other circulation area open to the general public and that has either a main window display of the business or a public entrance to the building.

Title 070 Adoption Draft
Glenwood Springs Development Code
Errata Sheet
Post Adoption 2nd Amendment
Text being deleted is ~~stricken~~; added text is **bold and underlined**

Note: Unless otherwise stated in **red font**, Planning & Zoning Commission recommended approval of all amendments

Code Reference	Error	Correction
Article 050.030	Section 050.030.010 of the Municipal Code addresses permitting requirements for temporary sales and structures. This section of the code defines temporary uses as: "... any outdoor retail and/or wholesale sales use on a short-term basis, including, but not limited to: produce stands; peddlers; solicitors; hawkers; itinerant merchants; and transient merchants, and excluding temporary promotions or sidewalk sales by permanent businesses on their own property. Temporary sales structure shall mean a structure for the purpose of storing or displaying goods for retail sale or for the purpose of conducting business for a short term outside of a pre-existing building or structure, including, but not limited to, long-term or recurrent yard or garage sales, produce stands, tents, fences, tables, display racks, canopies, vending carts, trailers and other vehicles." The code allows these temporary uses in the C-1, C-2, C-3, and C-4 commercial zoning districts. These are the commercial classifications from the old code and need to be updated to the current classifications- M1, M2, CO and RE. Additionally, staff recommends adding the M3- Mixed Use Regional district which is a newly created zone that exists in the code text but has yet to be added to the zoning map.	Article 050.030 – Temporary Sales and Structures 050.030.010 (d) – Permit Required Temporary use permits may be allowed in the C-1, C-2, C-3 and C-4 <u>M1, M2, M3, CO, and RE</u> zone districts only... Note: this amendment to Title 050 did not require Planning and Zoning Commission consideration or recommendation. The amendment simply updates to zoning district references to the current nomenclature.

1	070.010.070(d) Nonconformities-Nonconforming Structures	A structure on a nonconforming lot is considered a nonconforming structure. Expansions / additions are allowed as long as they are in conformance with the Maintenance and Repair section, 070.010.070(b)(3), and as long as the expansion is in full compliance with the Code. However, the maintenance and repair section of the Code expressly prohibits increasing building height or expanding the building footprint. The prior code allowed additions on nonconforming structures if all other zone district standards were met. Staff recommends deleting the reference to the Maintenance and Minor Repair section.	070.010.070 Nonconformities ... (d) Nonconforming Structures ... (1) A nonconforming structure may only be expanded pursuant to 070.010.070(b)(3), Maintenance and Minor Repair, and <u>provided that</u> any such expansion shall be in full compliance with this Code.
2	070.030.030(e)(9) Use Regulations-Short-term Rental	This correction fixes paragraphs that are not lettered correctly.	070.030.030 Use Regulations ... (e) Commercial Uses ... (9) Short-Term Rental ... a-e. Operation b-f. Permit Procedures
3	070.040.060(h)(3)a-Off-street Parking and Loading	Table 040.9 and Figure 040-10 provides a table and illustration of parking layout requirements (stall width & length, aisle width). A parking space and drive aisle layout is also included in the Engineering Standards but the dimensions are slightly different between the two tables. To avoid confusion, Staff recommends deleting the table and figure and instead reference the Engineering Standards.	070.040 Development Standards 070.040.060 Off-street Parking and Loading (h) Parking and Loading Area Use and Design (3) Parking Area Layout a. Parking Stall and Aisle Design Parking areas shall be designed according to Table 040.9: Parking Space and Drive Aisle Layout, and Figure 040-10: Parking Stall and Aisle Dimension Measurements <u>the Engineering Standards.</u>

4	070.040.070(e)(4)(b)3- Access and Circulation- Public Street Connectivity	For all off-street parking spaces, the Code requires unobstructed, direct and convenient access for vehicles to and from a public street. Access from any parking area to a public street shall be designed to allow vehicles to enter and exit in forward drive. This requirement is for all development from single family residences to commercial uses. The Engineering Standards also require that vehicles enter and exit in forward drive however, the standards expressly exempt single family and duplex residential uses located on local streets. Staff recommends deleting this requirement from the Development Code and simply referencing the Engineering Standards. Note: The Engineering Standards do not allow the City Engineer the ability to waive the requirement. Instead, applicants are required to go through a variance process which requires a hearing before the Planning and Zoning Commission and/or City Council, depending on the type of development. (Reference section 5.12 Design Variances, Engineering Standards).	070.040 – Development Standards 070.040.070 – Access and Circulation (e) Streets, Alleys, and Vehicular Circulation (4) Public Street Connectivity b. Public Street Connectivity ... 3. <u>Unobstructed, direct, and convenient access for vehicles to and from a public street shall be provided for all off-street parking spaces. Access from any parking area to a public street shall be designed to allow vehicles to enter and exit in forward drive</u> according to the Engineering Standards.
5	070.040.110(i) Signs – Summary of Permanent Sign Standards	<u>Issue #1:</u> Table 040.13 summarizes sign requirements and allowances for all permanent signs. Regarding Freestanding Monument signs the table indicates- <u>For residential applications in all sign districts : One freestanding monument sign per street frontage up to a total of two signs per subdivision or development access. However, the maximum sign area is 10 square feet.</u> Comment: This does not allow much signage especially for multi-family	070.040 – Development Standards 070.040.110 – Signs ... (i) Summary of Permanent Sign Standards (3) <u>Nonresidential Uses in Residential Zone Districts.</u> <u>Nonresidential uses shall be allowed signage subject to the requirements of a through d below. Home occupation signs shall not be considered nonresidential uses for purposes of this subsection.</u> a. <u>Number, Maximum. One attached or one freestanding sign shall be allowed.</u> b. <u>Sign Area, Maximum. Ten square feet.</u> c. <u>Sign Height, Maximum. 42 inches.</u> d. <u>Sign Location. Detached signs shall observe a minimum five- foot setback</u>

	developments in commercial areas, such as along the Highway 6 corridor. Alternatively, a multi-family development along Highway 6 would be allowed to install a 200 square foot pole sign. Recommendation: To encourage monument signs rather than pole signs, staff recommends changing the table to allow a residential development in a commercial zone district to have as much signage as would be allowed for commercial development. <u>Issue #2</u> According to Table 040:13, freestanding pole signs are allowed in certain sign districts. The boundaries of the sign districts are loosely defined in the sign code and they could be interpreted to include some residential neighborhoods: neighborhoods that allow a small handful of commercial uses. It would appear that a permitted commercial use in a residential neighborhood located within one of the named sign districts could install a 120 – 200 square foot pole sign. Recommendation: Staff recommends adding language in the code regarding <u>non-residential</u> uses in the RR, RL, RM1, RM2 and RH residential zone districts, similar to the old sign code which had this requirement: <i>For each nonresidential use or business tenancy in a residential zone district, there shall be allowed 1 detached or wall sign and 1 directional sign per vehicle entrance from a public right-of-way. Home occupation signs are not considered nonresidential uses for purposes of this subsection.</i> <i>Attributes. Detached and wall sign shall not exceed 10 square feet in area per sign face. Detached signs shall be setback at least 6 feet from the property line and the height shall not exceed 42 inches.</i>	<u>from any property line.</u> Table 040.13 Summary of Permanent Sign Standards <table><tr><th>Sign Type</th><th>Where allowed</th><th>Number</th><th>Sign Area</th><th>Height</th><th>Location</th></tr><tr><td rowspan="2">Freestanding monument</td><td>Residential applications in all sign districts</td><td>One freestanding sign per street frontage</td><td>10 square feet</td><td>Six feet</td><td>Setback five feet from property line</td></tr><tr><td>Mixed-use and nonresidential applications in all <u>All</u> sign districts</td><td>..</td><td>..</td><td>..</td><td>..</td></tr></table> The Planning & Zoning Commission recommended a 100 square foot maximum for residential uses in all commercial zoning districts for freestanding monument signs. Table 040.13 above is changed to the following: <table><tr><th>Sign Type</th><th>Where allowed</th><th>Number</th><th>Sign Area</th><th>Height</th><th>Location</th></tr><tr><td rowspan="2">Freestanding monument</td><td>Residential applications in all sign <u>commercial zoning</u> districts</td><td>One freestanding sign per street frontage</td><td>10-100 square feet</td><td>Six feet</td><td>Setback five feet from property line</td></tr><tr><td>Mixed-use and nonresidential applications in all sign districts</td><td>..</td><td>..</td><td>..</td><td>..</td></tr></table>	Sign Type	Where allowed	Number	Sign Area	Height	Location	Freestanding monument	Residential applications in all sign districts	One freestanding sign per street frontage	10 square feet	Six feet	Setback five feet from property line	Mixed-use and nonresidential applications in all <u>All</u> sign districts	..	..	..	..	Sign Type	Where allowed	Number	Sign Area	Height	Location	Freestanding monument	Residential applications in all sign <u>commercial zoning</u> districts	One freestanding sign per street frontage	10-100 square feet	Six feet	Setback five feet from property line	Mixed-use and nonresidential applications in all sign districts	..	..	..	..
Sign Type	Where allowed	Number	Sign Area	Height	Location																															
Freestanding monument	Residential applications in all sign districts	One freestanding sign per street frontage	10 square feet	Six feet	Setback five feet from property line																															
	Mixed-use and nonresidential applications in all <u>All</u> sign districts	..	..	..	..																															
Sign Type	Where allowed	Number	Sign Area	Height	Location																															
Freestanding monument	Residential applications in all sign <u>commercial zoning</u> districts	One freestanding sign per street frontage	10-100 square feet	Six feet	Setback five feet from property line																															
	Mixed-use and nonresidential applications in all sign districts	..	..	..	..																															

		The RR, RL, RM1, RM2 and RH zones allow short term rental, bed and breakfast, small child day care, community garden, produce sales, golf course/country club, commercial outdoor recreation. These zones allow assembly uses, schools, civic buildings by special review. Additionally, the RH zone lists administrative/professional offices and banks as permitted uses, and indoor recreational facilities by special review. See Attachments 1 and 2 for a map of the sign districts and land use table.	
6	070.040.120(b)(1)d Affordable and Workforce Housing -Voluntary Provisions – Impact Fees	Ordinance 01, Series 2018 added parkland fees to the list of fees that could be waived for the creation of new, for-rent units that were deed-restricted through the City’s affordable and workforce housing program. This provision was inadvertently omitted from the new Code when it was adopted in August 2018. The affordable and workforce housing program is a voluntary program whereby owners of newly created for-rent units agree to lease their units for a price that does not exceed the maximum rents established by the Colorado Housing Finance Authority, for 120% of the Garfield County AMI. The average of all deed restricted units in the development cannot exceed 100% of the maximum rents. The deed restriction is a covenant running with the property for 30 years unless the owner terminates the agreement, at which point the owner pays the waived fees based on an amount amortized over 30 years.	070.040 Development Standards 070.040.120 Affordable and Workforce Housing ... (b) Voluntary Provisions (1) Deed-Restricted Development ... d. Impact Fees The deed restriction shall provide for a waiver of the following impact and improvement fees required by this Code according to the percentage of new for-rent units restricted thereby: 1. any water or sewer tap fee required under 080.040.010(c) or 080.030.010(c), respectively. 2. Any water or sewer system improvement fee required under Article 080.060. 3. Any school land dedication required under 070,040.030(g)(4), <i>School Land Dedication</i>. 4. Any fire and emergency service impact fees required under 070.040.030(g)(5), <i>Fire and Emergency Services Impact Fee</i>. 5. <u>Any parkland dedication fees required under 070.040.030(g)(2), Parkland Dedication.</u>

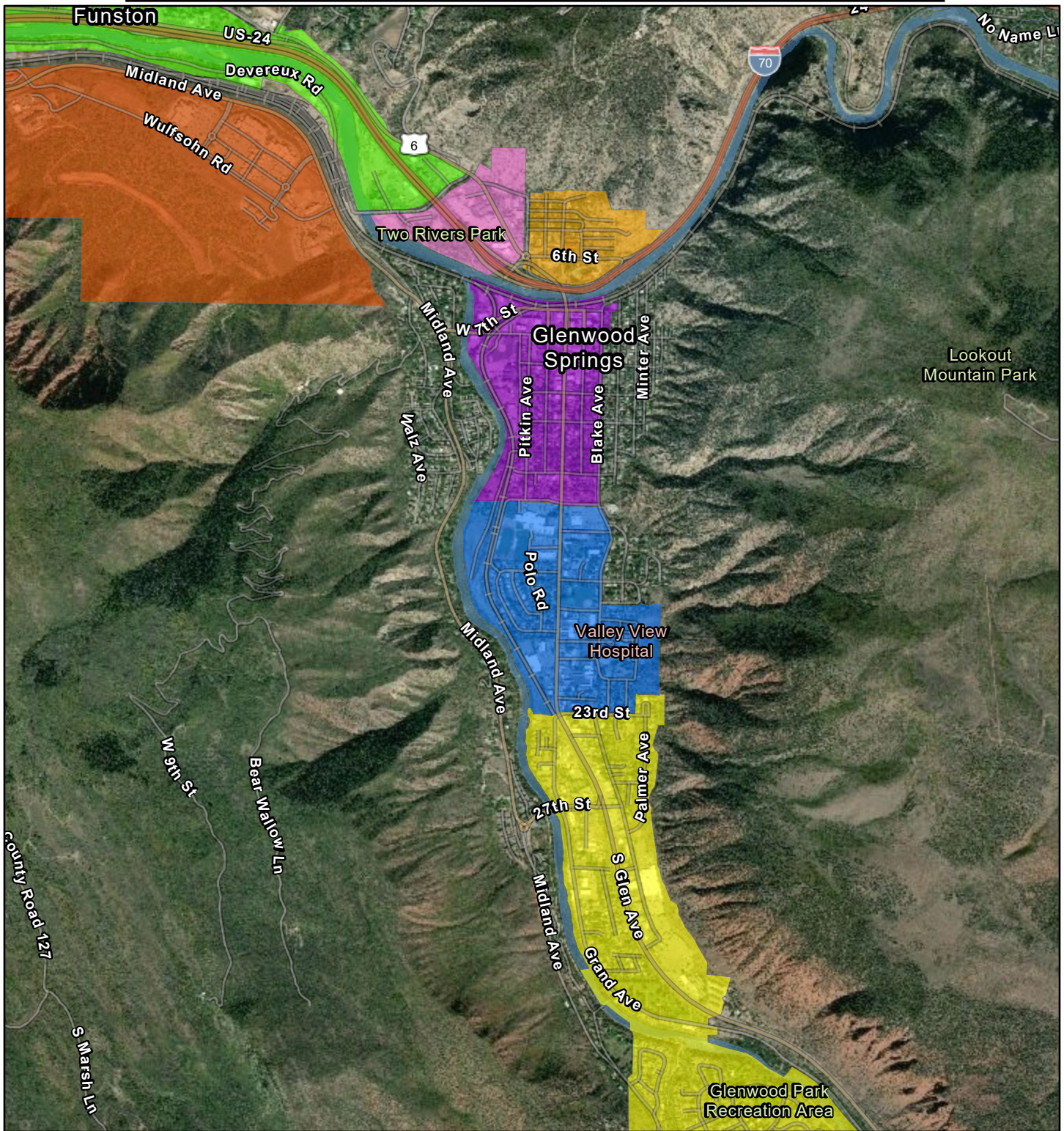
7	070.060.020 Administration and Procedures – Summary Table of Development Review Procedures Table 060:1	Table 060:1 is a summary of development review procedures. The headers include the following Public Noticing Categories: Published – Written – Posted Recommendation: In the text (reference 070.060.030(f)(3) Notice Format and Content) describing the details of noticing requirements, the categories are: Published – Mailed – Posted. Staff recommends changing the table from “Written” to “Mailed” to conform to the text.	070.060 Administration and Procedures 070.060.020 Summary Table of Development Review Procedures Table 060:1 <table><tr><th colspan="3">Notice</th></tr><tr><td>Published</td><td>Written Mailed</td><td>Posted</td></tr></table>	Notice			Published	Written Mailed	Posted						
Notice															
Published	Written Mailed	Posted													
8	070.060.020 Administration and Procedures – Summary Table of Development Review Procedures Table 060:1	According to section 070.060.050(c)(3)a), Construction Plan Reviews require a pre-application meeting. However, Table 060.1 which summarizes the review procedures for all land use applications, in advertently omitted the pre-application conference from construction plan review procedures.	070.060 Administration and Procedures 070.060.020 Summary Table of Development Review Procedures Table 060:1 <table><tr><td></td><td>Pre-Application Conference</td></tr><tr><td>Construction Plans</td><td><u>✓</u></td></tr></table>		Pre-Application Conference	Construction Plans	<u>✓</u>								
	Pre-Application Conference														
Construction Plans	<u>✓</u>														
9	070.060.020 – Summary Table of Development Review Procedures - Table 060:1 And 070.060.050(f) – Right-of-Way Encroachment License	According to procedural summary Table 060:1, a Right-of-Way Encroachment License requires a written [mailed] notice to property owners within 300 feet of the encroachment. The code text which details procedures for reviewing right-of-way encroachments (section 070.060.050(f)) includes a reference to a separate section of the code about noticing public hearings. According to the text, right-of-way encroachments require that notices be posted, mailed and published. Recommendation: Since encroachments are normally issues between the applicant and the city, not necessarily involving other property owners, staff recommends that the notification simply be a published notice.	070.060 Administration and Procedures 070.060.020 Summary Table of Development Review Procedures Table 060:1 <table><tr><td></td><th colspan="3">Notice</th></tr><tr><td></td><td>Published</td><td>Written</td><td>Posted</td></tr><tr><td>ROW Encroachment License</td><td><u>✓</u></td><td><u>✓</u></td><td></td></tr></table> ... 070.060.050 Right-of-Way Encroachment License ... (f) ... (3) ... d. Scheduling and Notice of Public Hearings If required, the right-of-way encroachment license application shall be scheduled for a public hearing before the City Council <u>in accordance with 070.060.030(f),</u> and noticed in accordance with 070.060.030(f)(3)a2.		Notice				Published	Written	Posted	ROW Encroachment License	<u>✓</u>	<u>✓</u>	
	Notice														
	Published	Written	Posted												
ROW Encroachment License	<u>✓</u>	<u>✓</u>													

10	070.060.030(i)(2)b- Common Review Procedures – Post-Decision Actions and Limitations – Appeal And 070.060.070(c)- Appeal of Administrative Decision	The Common Review Procedures section of the Code (reference 070.060.030(i)(2)b) includes the process of filing appeals. The issue is the process of how an individual appeals a Planning and Zoning Commission decision. Currently 070.060.030(i)(2)b states: “A party aggrieved by other final decisions may appeal the decision in accordance with the procedures in <u>070.060.070(c).</u>” However, the referenced 070.060.070(c) is the process of appealing an administrative decision. Recommendation: Staff recommends revising 070.060.070(c) to include appeals of Planning and Zoning Commission decisions.	070.060 Administration and Procedures ... 070.060.070 Flexibility and Relief Procedures ... (c) Appeal of Administrative Decision <u>Appeals</u> ... (1) Purpose The appeal procedure establishes an administrative <u>a</u> mechanism for persons claiming to have been aggrieved by a decision of the Director or other administrative official in <u>appealing decisions made by the Director, administration officials or the Planning Commission while</u> administering this Code to appeal that decision. (2) Applicability <u>Appeals may be made by any person aggrieved by the decision of any administrative officer or agency, based upon or made during the administration of or enforcement of this Code.</u> Any person may appeal a decision of an administrative office or agency made in the administration or enforcement of this Code. Appeals shall be made to the appropriate body as indicated in Table 060:1: Summary of Development Review Procedures, except that appeals of decisions by the City Council shall be made to the District Court in accordance with state law. Figure 060-18: Summary of Appeal Procedure <table><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr><tr><td>...</td><td>Application Submittal and Handling</td><td>...</td><td>...</td><td>...</td><td>...</td></tr><tr><td>...</td><td>Submit to Director within seven days of <u>the</u> decision <u>which is</u> being appealed</td><td>...</td><td>...</td><td>...</td><td>...</td></tr></table>	1	2	3	4	5	6	...	Application Submittal and Handling	...	...	...	...	...	Submit to Director within seven days of <u>the</u> decision <u>which is</u> being appealed	...	...	...	...
1	2	3	4	5	6																
...	Application Submittal and Handling	...	...	...	...																
...	Submit to Director within seven days of <u>the</u> decision <u>which is</u> being appealed	...	...	...	...																

			(3) Appeal Procedure ... b. Application Submittal and Handling The appeal application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d), with the following modifications: 2. Time Limit Appeals shall be made in writing and filed with the Director within seven days of the decision <u>which is</u> being appealed. 3. Stay of Proceedings An appeal stays all proceedings from further action on the subject decision unless the Planning Commission determines <u>officer from whom the appeal is taken certifies to the decision-making body, after the notice of appeal has been filed, that, by reason of facts stated in the certificate,</u> a stay would create adverse impacts to the health, safety, or welfare of the city or would cause imminent peril to life and property, <u>in which case proceeding shall not be stayed otherwise than by a restraining order which may be granted by the decision-making body hearing the appeal or a court of record on application, and on notice to the officer from whom the appeal is taken and on due cause shown.</u> Such determination shall be made only after written request to the Director and a public hearing by the Planning Commission. The public hearing shall be held within two business days of receipt of the request. Notice for such a hearing shall be provided on the City's website and shall be posted at City Hall. The Commission recommended changing references from “administration official, agency and officer” to “decision-making body or authority” and discussed clarifying paragraph 3, Stay of Proceedings. The Commission left the final text to the discretion of the City Attorney’s office.

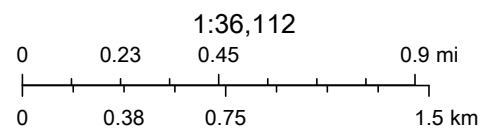
11	070.060.050(a)(2)c - Site/Architectural Plan Review – Referral and Call Up Procedures	New residential projects of 1 to 8 units are reviewed Administratively. The Planning Commission can call up projects involving 3 or more new residential units (reference (070.060.050(a)(2)c)). For plans that are called up by the Commission, the Code required that notice be given <u>by the Director</u> for those proposing 5 or more new residential units. Issue: It is unclear who is responsible for giving notification for those project that involve 3 and 4 units, the owner or the Director. Recommendation: Staff recommends that the Director provide notification for all applications that are called up to the Planning and Zoning Commission.	070.060-Administration and Procedures ... 070.060.050- Development Permits (a) Site/Architectural Plan Review ... (2) Applicability ... c. Referral and Call-Up Procedures 1. Administrative Site/Architectural Plans ... ii. Planning Commission Call-Up ... c. For plans that are called up by the Commission, the <u>The</u> Director shall provide public notice for those proposing five or more new residential units in accordance with 070.060.030(f).
12	070.060.050(b)(3) Master Plan Procedure	In paragraph g. 1. <i>Effect of Approval</i>, there is a missing word.	070.060 Administration and Procedures ... 070.060.050 – Development Permits ... (b) Master Plan ... (3) Master Plan Procedure ... g. Post-Decision Actions and Limitations 1. Effect of Approval Master plan approval authorizes the subsequent submittal of site/architectural plan applications for all development consistent with the approved master plan through the administrative site/architectural plan procedures according to 070.060.050(a)(3). Master plan approval does not itself authorize specific development activity. If the Director determines, in the consideration of a site/architectural plan application pursuant to this section, that such development is not consistent with the approved master plan, the <u>Director</u> shall process the application as a minor or major site/architectural plan, as applicable, based on the type of development proposed.

13	070.070.020(c)(13) Rules of Construction and Definitions-Vehicles and Equipment	Automotive Fuel Sales and Service Station is currently defined as: <i>An establishment primarily engaged in selling gasoline and lubricating oils and which may sell other convenience merchandise or perform minor repair work.</i> Staff recommends removing the words “primarily” and “minor” from the definition.	070.070 Rules of Construction and Definitions ... 070.070.020 Definitions of Use Categories and Specific Use Types ... (c) Commercial Uses ... (13) Vehicles and Equipment ... (a) An establishment primarily engaged in selling gasoline and lubricating oils which may sell other convenience merchandise or perform minor repair work. Prior to rendering a decision on this item, the Commission requested additional information regarding the nature of the issue with the current definition. This item was not included in the Commission’s approved amendments and has not been included in Ordinance 16.
14	070.070.030 Rules of Construction and Definitions – All Other Terms Defined	The sign code, 070.060.110, measures sign allowance by “building frontage”. The Code does not define “building frontage”. Staff recommends using the definition from the prior code which is: <i>...the horizontal, linear dimension of that side of a building that abuts a street, parking area, mall or other circulation area open to the general public and that has either a main window display of the business or a public entrance to the building.</i>	070.070 Rules of Construction and Definitions ... 070.070.030 All Other Terms Defined ... Building Form ... <u>Building Frontage</u> <u>The horizontal, linear dimension of that side of a building that abuts a street, parking area, mall or other circulation area open to the general public and that has either a main window display of the business or a public entrance to the building.</u>



4/10/2019 11:58:16 AM

- Sign District Boundaries
- Downtown North
 - Downtown South
 - Highway 6 West
 - Highway 82 South
 - Midtown
 - West Sixth Street
 - Rivers
 - Red Mountain



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



**Minutes
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
April 23, 2019
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00 PM**

Chair Marco Dehm called the meeting to order at 6:03 PM.

**MOTION: To seat alternates Commissioner Cipperly and Commissioner Kinkel.
Motion carried by unanimous voice vote.**

1. Roll Call

Present at roll call were Commissioners: Marco Dehm, Amber Wissing, George Shaver, Sumner Schachter, Tim Malloy and Alternates Carolyn Cipperly and Dean Kinkel

Absent: Kathryn Grosscup and Ingrid Wussow

Also present were: Gretchen Ricehill, Assistant Director
Anna S. Itenberg, City Attorney's Office
Kathleen Michel, Admin. Assistant

2. Receipt of minutes of the February 26, 2019 regular meeting.

MOTION: Moved by Commissioner Shaver, seconded by Commissioner Schachter, to accept the minutes of the February 26, 2019 regular meeting. Commissioner Malloy abstained as he was not present. Motion carried by voice vote.

3. Comments from citizens appearing for items not on the agenda. No one appeared.

4. Item #03-19 – Consideration of amendment to Sections 070.030.030(e)(10) – (e)(11), 050.080.080(b)(2) and 050.090.090(b)(2) of the Glenwood Springs Municipal Code to extend the business hours for medical marijuana businesses and retail marijuana establishments to 9 p.m.

Commissioner Schachter commented that the applicant met with the neighbors who objected to expanded hours and determined that he would not pursue the change of hours. He thought it was a good outcome.

New Items

5. 14-19 –Consideration of various amendments to Municipal Code Title 070 to correct errors and omissions in the Glenwood Springs Development Code that was adopted August 2, 2018.

Applicant: City of Glenwood Springs
Location: City wide
Zone: Various

Ms. Ricehill reviewed the recommended amendments to the Development Code in accordance with the staff report. The Commission discussed the amendments and provided direction and comment on the following:

- Sign Code Revisions, spreadsheet entry #5: For freestanding monument signs, the Commission recommended setting a maximum sign area of 100 square feet. This would apply to residential applications in commercial zoning districts. Currently the Code allows 10 square feet of signage. The Commission discussed revisiting sign allowances for all uses at some point in the future.
- Appeals, spreadsheet entry #10: The Commission discussed changing the current references to “administration official”, “agency” and “officer” to “decision-making body or authority” and clarifying paragraph 3, Stay of Proceedings. The Commission left the final text to the discretion of the City Attorney’s office.
- Automotive Fuel Sales and Service Station, spreadsheet entry #13: The Commission requested additional information regarding the issue and need for changing the definition prior to rendering a decision.

Public Comment: None.

Commissioner Malloy moved that the Planning Commission recommend approval of the amendments to Municipal Code Title 070 presented in pages 4 through 13 the April 23, 2019 staff report, with changes to items 5 and 10 and excluding item 13.

Commissioner Shaver seconded the motion.

Discussion: None

The motion carried unanimously.

Discussion Item

Ms. Ricehill discussed the current Code requirements and standards for Sensitive Area Protection Standards. In implementing the new requirements, certain issues or questions have arisen with regards to applicability, setback and limits of disturbance, and maximum lot coverage for which she requested Planning and Zoning Commission direction.

The Commission discussed each provision but due to the interconnected nature of all the provisions, the Commission requested further information before providing direction. Further information included –

- Understanding the original intent of eliminating the Downtown Core from having to establish limits of disturbance;
- Looking at examples of how the current standards apply to flat, moderately and steeply sloped downtown lots, and the repercussions of eliminating the Downtown Core exemption;
- How application of zone district setbacks impact establishment of limits of disturbance

Commissioner Comments

Commissioner Malloy informed the Commission about last evening's BOCC regarding the RMR mine expansion proposal. The County Commissioners required that the mine comply with the provisions of its existing permit.

Commissioner Malloy asked about the sidewalk fee-in-lieu provision in the new Code. Anna Itenberg stated that Jenn Ooton was drafting some changes for Commission consideration. The changes will address creating a dedicated fund and removing the option to apply for a variance.

Director Comments

Gretchen Ricehill informed the Commission about the following:

- In the near future Council will be meeting with all boards and commissions. Jenn Ooton requested that the Commission start thinking about the Commission's top two or three priorities that are within its purview. An example would be creating a long-range plan of the Highway 6 corridor. Email ideas to Gretchen and/or Jenn. Staff will combine all ideas then bring back to the full Commission for further discussion and prioritization.
- This year the city will go through the process of amending the zoning map to clean up the several parcels with split zoning and to consider amending zoning designations in the 6th Street area, per recommendations made in the 6th Street Corridor Plan.

Adjournment

The meeting adjourned at 8:44 PM.



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Resolution 2019-34; A Resolution of the City Council of the City of Glenwood Springs, Colorado, Adopting a Fee for a Tobacco Product Retail License

Action Requested: Approve Resolution 2019-34 adopting a Fee for a Tobacco Product Retail License.

Department: Police Department

Presented By: Terry Wilson, Police Chief

Background Info: The attached resolution sets fees for licensing for tobacco retailers in Glenwood Springs. This resolution is a companion to Ordinance 21, Series 2019 creating a tobacco retailer licensing program.

Issues:

Staff Recommendation:

Glenwood Springs – Main Office

201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen

323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

*[*Direct Mail to Glenwood Springs](#)*

DATE: August 8, 2019
TO: Glenwood Springs Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Tobacco Licensing and Tax

This resolution is related to Ordinance 21, Series of 2019 establishing licensing requirements for the retail sale of tobacco products in Glenwood Springs. City Council typically sets licensing fees by resolution.

As such, we recommend the City set the licensing fee for the retail sale of tobacco products at \$2000, as currently drafted.

RESOLUTION 2019 - 34

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, ADOPTING A
FEE FOR A TOBACCO PRODUCT RETAIL LICENSE.**

WHEREAS, tobacco use remains one of the greatest public health challenges in the United States where almost 500,000 Americans still die prematurely each year from diseases related to cigarette smoking, comprising 85 percent of lung cancer deaths, which in Colorado is the number one cause of preventable death and accounts for 5,100 deaths per year; and

WHEREAS, on August 15, 2019 through Ordinance 21, Series of 2019, City Council established licensing requirements for the retail sale of tobacco products; and

WHEREAS, City Council has amended the Municipal Code regarding the tobacco retail licensing requirements in light of the needs and desires of the City and in the promotion of the public health, safety and welfare of the City's residents and visitors; and

WHEREAS, City Council now wishes to establish a fee for licenses for the retail sale of tobacco products in the City of Glenwood Springs.

**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 finds that all license applications shall be accompanied by the payment in full of a licensing fee of two thousand dollars (\$2,000).

INTRODUCED, READ, AND PASSED THIS 15TH DAY OF AUGUST 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: Ordinance 25, Series of 2019; An Ordinance of the City of Glenwood Springs, Colorado, Adding a Section of 120.050.020 to the Municipal Code to Authorize Graduated Penalty Assessment Fines for Certain Nuisance and Health Related Violations (FIRST READING)

Action Requested:

Department: City Administration

Presented By:

Background Info:

Issues:

Staff Recommendation:

ORDINANCE NO. 25

Series of 2019

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO ADDING A SECTION 120.050.020 TO THE MUNICIPAL CODE TO AUTHORIZE GRADUATED PENALTY ASSESSMENT FINES FOR CERTAIN NUISANCE AND HEALTH RELATED VIOLATIONS.

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, the Glenwood Springs Municipal Code makes certain nuisance and health related activities unlawful that may be punished by alternative means than by the general penalty; and

WHEREAS, alternative diversion and graduated penalties have been shown to reduce recidivism in habitual offenders; and

WHEREAS, the Glenwood Springs City Council finds and declares that it is in the interest of judicial efficiency and the public health, safety, and welfare to add a new Section 120.050.020 to authorize graduated penalties for certain nuisance and health related violations.

NOW, THEREFORE, THE CITY COUNCIL OF CITY OF GLENWOOD SPRINGS, COLORADO, ORDAINS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. A new Section 120.050.020 of the Glenwood Springs Municipal Code is hereby added to read as follows”

120.050.020 – Graduated Penalties for Specific Violations.

A person violating the following provisions shall be subject to graduated penalties based on the number of violations per calendar year as follows:

- a) Section. 100.040.030 - Smoking and Electronic Smoking Device Use in Prohibited Public Areas
 - (1) First offense: Fifty dollar (\$50) fine.
 - (2) Second offense: One hundred dollar (\$100) fine.
 - (3) Third offense: Two hundred fifty dollar (\$250) fine.

- (4) Subsequent offense: The Municipal Court may impose such fines and penalties as it is authorized pursuant to Municipal Code Section 010.020.080.
- b) Section 120.030.092 – Possession, Use, and Purchase of tobacco products by underage persons
 - (1) First offense: Mandatory enrollment into tobacco use cessation therapy program. No fine or community service substitute permitted unless no cessation program is available.
 - (2) Second offense: One hundred dollar (\$100.00) fine or community service credited against fines and court costs.
 - (3) Third offense: Two hundred fifty dollar (\$250) fine.
 - (4) Subsequent offense: The Municipal Court may impose such fines and penalties as it is authorized pursuant to Municipal Code Section 010.020.080.
- c) Section 120.030.150 - Unlawful Solicitation
 - (1) First offense: Fifty dollar (\$50) fine.
 - (2) Second offense: One hundred dollar (\$100.00) fine.
 - (3) Subsequent offense: The Municipal Court may impose such fines and penalties as it is authorized pursuant to Municipal Code Section 010.020.080.
- d) Section 120.020.100 Unauthorized habitation, camping and sleeping
 - (1) First offense: Fifty dollar (\$50) fine.
 - (2) Second offense: One hundred dollar (\$100.00) fine.
 - (3) Subsequent offense: The Municipal Court may impose such fines and penalties as it is authorized pursuant to Municipal Code Section 010.020.080.

Section 3. Section 120.030.092 of the Glenwood Springs Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~:

120.030.092 – Possession, Use, and Purchase of tobacco products by underage persons ~~and furnishing or selling cigarettes or tobacco products to minors underage persons prohibited.~~

- (b) Any person who is under twenty-one (21) years of age and who possesses, purchases, acquires, or attempts to purchase any Tobacco Products commits a misdemeanor; and, upon conviction thereof, shall be punished as set forth in Section 120.050.020 ~~010.020.080, or the court shall allow such person to perform community service and be granted credit against the fine and court costs.~~

INTRODUCED, READ ON FIRST READING, PASSED AND ORDERED
PUBLISHED IN FULL THIS 5TH DAY OF SEPTEMBER 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, 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 _____ DAY OF _____ 2019.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Catherine Mythen Fletcher, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
September 5, 2019

Agenda Item: DOLA and CIRCA Grant Applications

Action Requested:

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation: