



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
February 25, 2020
Council Chambers, First Floor, City Hall
101 W. 8th Street
6:00PM

1. Roll Call

Present at roll call were Commissioners: Amber Wissing, Marco Dehm, Kathryn Grosscup, Carolyn Cipperly, Dean Kinkel and Ben West

Absent: Ingrid Wussow, George Shaver, and Sumner Schachter

Also present were: Jenn Ooton, Asst. City Manager, Director Gretchen Ricehill, Assist. Director Hannah Klausman, AICP, Senior Planner Trent Hyatt, Senior Planner Anna S. Itenberg, City Attorney's Office Kathleen Michel, Admin. Assistant

2. Receipt of [Minutes January 28, 2020](#)

Motion: On motion of Commissioner Cipperly, seconded by Commissioner Wissing, the minutes were accepted as written. Motion carried by voice vote.

3. Comments from citizens appearing for items not on the agenda. No citizens were present.

4. Election of Chairman and Vice-chairman

Nomination: Commissioner Grosscup, seconded by Commissioner Cipperly, nominated Marco Dehm as chair and Sumner Schachter as vice chair. Carried by voice vote.

Continued Items

5. 20-19 – Consideration of a Code Amendment to Section 070.040.020(d)(24) of the Glenwood Springs Municipal Code regarding riparian setbacks.

Trent Hyatt presented the staff report;

- The proposal was previously considered in 2018 and 2019 by Planning & Zoning Commission and City Council.
- Following staff meeting September 2019, staff hired High Country Engineering to evaluate the peak flow of the rivers.
- Found that flow was greater than anticipated for several areas.
- Staff then hired SGM to study the actual flow rates at specific locations and prepare flood plain models.
- Impact was less than anticipated
- Nonconforming use regulations
- Flood plain regulations in Municipal Code apply
- Intent: added statement to include “protect human drinking water”
- Applicability was added for additional uses such as boat ramps as well as other public or private uses
- Standards definition of OHWM set using USACE definition
- Options: Further revise setback from OHWM, disturbance area allowed, additional non-conforming use regulation revisions
- New recommendations from the public acknowledged
- Staff recommends adoption of code amendment

Questions to staff

Commissioners discussed the proposed regulations and compared to surrounding jurisdictions including those of Garfield County; flood plain mapping, and funding of a riparian survey.

Commissioner Dehm asked about setback and application to three specific properties: the airport, former Raymond property which is currently city owned, and Two Rivers Park. Dehm asked for what the biggest change would be in the standards and Hyatt explained that new regulations would prevent removal of vegetation from protected area.

Comments from River Commission invited:

Ashley Moffatt, 509 Maple Street, chair, noted that the code does not provide any measurement for cooling river waters. High river temperatures and algae blooms have occurred with the rivers. Other jurisdictions are replanting riparian habitat areas to help cool waters. Also commented on how neighboring jurisdictions regulate setback of the riparian area.

Scott Schreiber, vice chair of the River Commission, spoke in favor of the passing the proposed amendment.

Chad Rudow, 1201 Mountain Drive, Glenwood Springs. Mr. Rudow was representing the Roaring Fork Conservancy which has served as a technical advisor. The Conservancy is a science-based organization that speaks about the health of rivers. Stated that scientific studies show that riparian setbacks help to preserve the health of watersheds. Referenced a study from 2014 that states that buffers of greater to or equal to 30 meters were the most

effective. Garfield County arrived at its 30-foot setback as a compromise between 50 feet and no setback. Voiced support for the passing of this amendment.

Laurie Rink from Middle Colorado Watershed Council spoke about flood damage in Colorado and programs to protect property from damage. The Council is currently working on an integrated watershed management program for the region, including a fluvial hazard delineation which will cover the Glenwood Springs area. The Middle Colorado Watershed Council voices their support for the passing of the proposed amendment.

6:43 p.m. Opened hearing to public comment.

Dan Angeloro, 612 Cowdin Drive expressed opposition to the proposed amendment on the grounds that the proposed amendment would severely impact how he uses his property and believes it would negatively affect his property value.

Dr. Paul Salmen, 1504 Midland Avenue spoke about the proposal as a reasonable measure to protect the rivers. Salmen expressed support of the amendment and believes protection of the river will enhance home values.

Michael Blair, 1204 Sprucewood Lane, was concerned about the proposal as property owners have the right to use their properties. Many chemicals in river come from anywhere upstream before it even reaches Glenwood Springs. Support more education on use of river properties, plantings, and how to provide access to the river without harming the riverbank rather than the proposed amendment which controls private use of property.

Hailey Carmer, 901 Grand Avenue, used combined time of four property owners to speak in opposition of amendment. Questioned whether these regulations are necessary, especially in prohibiting removal of riparian area plantings.

Gary Vick, 614 Cowdin Drive representing himself and the Friends of the Roaring Fork. Mr. Vick spoke representing himself and seven others. Spoke in opposition to the amendment and claimed devaluation of properties adjacent to the river. He presented two proposed motions for Commission consideration and requested to have a stakeholder meeting to redraft this ordinance.

7:26 p.m. closed public comment.

Commission Cipperly asked if an engineer was required to plan removal of any vegetation. Trent Hyatt confirmed that this was not the expectation of the amendment.

Trent Hyatt confirmed that non-conforming uses would be allowed to continue under the proposed amendment in recognition that property owners retain use of the river.

Ms. Ooton explained that this came from the development code revision. River Commission became involved through the review process.

Scott Schreiber addressed the restoration of riparian areas to reduce river temperatures in Steamboat Springs.

Ashley Moffatt also spoke about Steamboat Springs program.

Chairman Dehm questioned Mr. Hyatt about public outreach completed by the City. Commissioner Dehm asked how the proposed amendment would apply to current property owners. Mr. Hyatt explained that the amendment would only affect the use of chemicals and removal of additional plantings in the future. Hyatt also explained that there were exceptions included in the proposed amendment which include: proving that activity will not result in increased water quality degradation, stream bank erosion or a reduction of the function and quality of a riparian area or wetland.

Commissioner Grosscup asked about the language concerning proposed activity descriptions.

Discussion: Based on public input, Commissioner Grosscup recommended that the limit of 10% for removal of vegetation was too low. City should be held to its own regulations, as there have been projects that have not been great in terms of relationship with the river. Wanted greater distance for application of chemicals. Also, there was a request for a provision for revegetation of riparian area after construction work, and discussion regarding non-conformities.

Chad Rudow, Roaring Fork Conservancy, stated that they often receive calls from concerned citizens but knows who to contact with those concerns. River users are good stewards of the river. We receive information from rafters, fishing guides, other river users.

Commissioner Cipperly also mentioned that education for property owners would be necessary.

Motion: Item 20-19 to approve the proposed Amendment to Section 070.040.020(d)(24) of the Glenwood Springs Municipal Code regarding riparian with the following changes: the area of native vegetation removal be changed from “not to exceed 10%” to “not to exceed 50%”; change “activity” in Paragraph 4 (iii) to “improvements”, and adding language to the non-conforming section of the Code to address existing nonconforming structures. Motion by Commissioner Grosscup, seconded by Commissioner Cipperly. Motion carried unanimously.

Break at 8:15 p.m. Resumed meeting at 8:20 p.m.

New Items

6. Item 02-20 – Consideration of a Variance request from a required 20-foot rear yard setback.

Applicant: Steven B. Pittman
Owner: Steven B. Pittman and Patricia J. Pittman
Address: 604 N. Traver Trail
Zone District: R/2-Multi-Family-Oasis Creek Planned Unit Development

Gretchen Ricehill presented the staff report.

- The proposed bedroom encroaches approximately 7 feet into the 20-foot setback
- Variance would allow wheelchair access to main floor bedroom
- A 2007 variance was allowed for a deck into east side setback

- In 2018, the property boundary line was adjusted to address deck encroachment
- Historical encroachments due to angled placement of home on the lot
- Complied with the variance criteria and staff recommended approval
- Reviewing agencies did not raise questions

Steve Pittman, 604 Traver Trail, spoke briefly regarding his application.

Public Comment: No one appeared.

Motion: Commissioner Cipperly moved to approve the item with findings and conditions on page 8 of the staff report. Commissioner Grosscup seconded. Motion carried unanimously.

7. Item 01-20: Amending ADU Standards 070.040.080

Hannah Klausman presented the staff report and summarized the proposed Code changes as follows:

- Increasing size of units from 850 to 1,000 square feet
- Allowing detached ADUs in front and at sides of primary dwelling
- Altering design standards
- Changing percentage from 49% to 55% of the principal dwelling and altering method of how ADU size is measured

Commissioners asked about implications for existing nonconforming structures and conversions to ADUs; proposed increase of maximum size; total lot coverage requirements; addition of design standards.

Motion: Commissioner Grosscup moved, seconded by Commissioner Cipperly, to approve the proposed Code changes with the addition of the requirement that ADUs provide two architectural features from the four-sided design requirement listed in Section 070.040.080 (e)-Residential Building Design and Character. The motion carried unanimously.

- 8. Item 48-19 – Location & Extent Review-** construction of a 5-bay 2250 square foot garage/shop building; 3150 square foot covered storage building; 1140 square foot wash bay, fuel station with above ground storage tanks and 6-foot tall black chain link fence.

Applicant: City of Glenwood Springs
 Owner: City of Glenwood Springs
 Address: 2222 Devereux Road
 Zone District: I2-River Industrial

Gretchen Ricehill presented the staff report.

Commissioners asked about visibility of structures from Highway 6 and I-70; and applicability of sidewalk requirements.

Motion: Commissioner Kinkel moved to approve Item 48-19; Commissioner Wissing seconded with conditions on page 5. Carried unanimously.

- 9. Extending Meeting Motion”** Made to extend meeting to 11:00 p.m. by Commissioner Grosscup, seconded by Commissioner Wissing. Motion carried by voice vote.
- 10. Nomination for Chair and Vice-Chair of Planning & Zoning Commission.** Commissioner Wussow nominated Commissioner Dehm as Chair and Commissioner Schachter as Vice Chair. Commissioner Cipperly seconded. Motion carried by voice vote.
- 11. Planning Commission work sessions –** There has been a request for additional work sessions on items such as solar panels, housing, parking, comprehensive plan update, landscaping, and other items.

12. Commissioner Comments

Commissioner Kinkel felt the Commission made progress this evening.

Commissioner Cipperly was glad to have completed riparian amendment, would like to see more riparian vegetation installed by the City. Was also happy to have passed the new ADU requirements.

Commissioner Grosscup: Mentioned that the Housing Commission would be going on a tour of valley to see examples of affordable housing on March 11th.

Commissioner Wissing: Expressed thanks for former Commissioner Malloy's service.

Commissioner West: Thanked Commission for allowing opportunity to serve on the Commission.

13. Director Comments

14. Adjournment 10:22 PM