



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
MAY 6, 2021
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.

ZOOM INSTRUCTIONS

1. You are invited to a Zoom webinar.

When: May 6, 2021 03:00 PM Mountain Time (US and Canada)

Topic: 2021/05/06 Regular Council Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89482357090>

Or One tap mobile :

US: +16699006833,,89482357090# or +12532158782,,89482357090#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 894 8235 7090

International numbers available: <https://us02web.zoom.us/j/kcOX6A8Hzw>

WORK SESSION

3:00	2. VALE Board	Information/Discussion
3:30	3. Discussion of Current Strategic Vision	Information/Discussion
4:30	4. Council Chambers	Information/Discussion

REGULAR SESSION

- | | |
|------|-------------------------------|
| 6:15 | 5. Roll Call |
| | 6. Pledge of Allegiance |
| | 7. Agenda Changes & Conflicts |

	8. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	
6:25	9. Council Comments	
6:40	10. Consent Agenda	Discussion and/or Action
	<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 unless a Councilmember or Audience Member so requests.</i>	
	A. Acceptance and Appropriation of Grant Funds from the Colorado Water Conservation Board Water Supply Reserve Fund and Watershed Restoration Program for the Three Mile Creek Confluence Restoration Project	
	B. Colorado Rural Resiliency and Recovery Roadmaps	
	C. Main Street Safety Infrastructure Grant	
	D. Sol Maya System Improvement Fee Agreement Restructuring	
	E. April 15, 2021 Minutes	
	F. Substation Recloser Bid Award to Border States/GW & Beckwith	
	G. Resolution 2021-08 Landfill Fees	
	H. Resolution 2021-09 CWCB Loan Resolution	
6:50	11. Police Week Proclamation	Presentation
6:55	12. John Logan Bartek "Logan" Proclamation	Presentation
	ACTIONS AND/OR PRESENTATIONS	
7:00	13. Planning File 69-20 Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue (PIN 2185-164-00-095)	Discussion and/or Action
8:00	14. Ordinance No 2021-03 of the City of Glenwood Springs, Colorado, Amending Title 070 Sections 070.010.070, 070.020.020, 070.030.020, 070.030.030, 070.030.040, 070.040.020, 070.040.050, 070.040.060, 070.040.080, 070.040.090, 070.040.110, 070.050.040, 070.060.020, 070.060.050, 070.060.070, 070.070.020, AND 070.070.030 of the Glenwood Springs Municipal Code.	Discussion and/or Action
8:20	15. Open Records Request Policy	Discussion and/or Action
8:35	16. Housing Commission Appointments	Discussion and/or Action
8:40	17. Council Commission & Boards Liaison Appointments	Discussion and/or Action
8:50	18. Bid for Council Chambers	Discussion and/or Action
9:15	19. Resolution Number 2021-11 in support of the Outdoor Restoration Force Act	Discussion and/or Action
9:20	20. Citizen Survey	Discussion and/or Action
9:25	21. Report from City Administration	
	A. City Manager	
	B. City Attorney	
	C. Correspondence Incoming/Outgoing	
9:30	22. Adjournment	



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: VALE Board

Action Requested: NA

Department: City Administration

Presented By: Joseph Deras, Police Chief

Background Info: This is the annual meeting requested by City Council with each Board and Commission.

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Discussion of Current Strategic Vision

Action Requested: NA

Department: City Administration

Presented By:

Background Info: City Council approved a 2020-2025 Strategic Vision early in 2020. Staff wants to check back in with City Council to determine if it still reflects City Council's overall vision for the city and if not, what process City Council would like to pursue to update it.

The 2020-2025 Strategic Vision is attached.

Issues:

Staff Recommendation:



CITY OF
GLENWOOD
SPRINGS
COLORADO



2020-2025
STRATEGIC VISION

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 five year 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.



STRATEGIC GOALS



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, rising housing costs, 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 livability and environment of our community.
- Develop affordable housing with strategic partners so more people who work in the city can live in the city.
- 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.



STRATEGIC GOALS

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.
- 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.



STRATEGIC GOALS

City Council has identified the following projects as major initiatives to accomplish the overall strategic vision set forth in this document.

1. PROVIDE EFFICIENT AND RESPONSIVE CITY GOVERNMENT

PROJECTS/STRATEGIES
Competitive Wages for City Staff
Improve IT Infrastructure to Maintain Security and Availability of Services
Preserve and Improve Wellness Benefits
Provide Financial Information that has Improved Transparency and Better, more Complete Information to Staff and Council

2. PRESERVE AND IMPROVE INFRASTRUCTURE

PROJECTS/STRATEGIES
Strong Reserves
Build South Bridge / Continue with the Airport Scenario Plan and South Bridge
Reconstruction of Streets and Utilities to include South Midland, Cedar Crest and Red Mountain
4th Electric Substation
Maintain Operations and Availability of the Broadband Network/Last Mile Deployment of Broadband
MOC Relocation Electric Building and Final Improvements for Other Buildings
Long Term Landfill Plan
Improve Blake and Open Blake Gate
Performance Contract with an ESCO to Address Failing, End of Life, or Inefficient Facility Systems
Update and Maintain Facilities
6&24 Bicycle Path
Franchise Trash Collection
In-Depth Water System Planning (Includes Underground Piping Improvements, Diversification of Water Rights, Mitchel Cooper Utility, Secondary Treatment Facility, Additional Water Tanks, Reservoir Planning and Construction, Reducing Drought Risk)
Implement Asset Management, EnerGov, and Asset Management Software. Research a Stormwater Utility
Ride Glenwood Restructuring and Rebranding

RANKING:  HIGH  MEDIUM  LOW

3. PROTECT AND PRESERVE OUR QUALITY OF LIFE

PROJECTS/STRATEGIES
Sustainability Plan
Work with Partners on a Detox Facility (Continue Homeless Solutions Discussion)
Ensure the City is in the best possible situation to protect its natural resources and economy from a largescale expansion of the Mid-Continent Mine.
LoVa Trail
Build Multiple Boat Ramps to Include a ramp near the Glenwood Springs Airport
Increased Cleanliness of Downtown
Public Outreach/Awareness/Education: related to watershed and riparian health
Update the Parks Master Plan and Inventory for City Parks
Prioritize Fundamental Community Needs over Wants.
Restructure Community Center Division to Improve Services

4. GENERATE SUSTAINABLE ECONOMIC DEVELOPMENT

PROJECTS/STRATEGIES
Long-Term Funding for Affordable Housing/ Affordable Housing Incentives to include dedication of City owned land
Creation of Diverse and Inclusionary Housing
Alley Improvements by Bethel Lot/Downtown Trash Compactor Implementation
Confluence Redevelopment
6th and Laurel Improvements
Continue to Work Towards Redevelopment of West Glenwood Mall
Continued Focus on Enhancing and Improving the Vitality of Downtown Glenwood
Improvements to 6th Street
North Landing Site Development

5. ENSURE PUBLIC SAFETY

PROJECTS/STRATEGIES
Attract, hire and retain excellent staff
Plan and Construct New West Glenwood Fire Station
Implement a Ranger/Code Enforcement Program for Downtown Glenwood Springs
Hire a Deputy Fire Chief
27th Street Pedestrian Overpasses

GLENWOOD SPRINGS CITY COUNCIL



Mayor Jonathan Godes
Ward 5
Elected April 2017
Elected Mayor April 2019
End of term April 2021



Charlie Willman
Ward 3
Elected April 2019
End of Term April 2023



Mayor Pro Tem Shelley Kaup
At Large
Elected 04/2017
Elected Mayor Pro Tem April 2019
End of Term April 2021



Paula Stepp
Ward 4
Elected April 2019
End of Term April 2023



Steve Davis
Ward 1
Elected April 2015 and April 2019
End of Term April 2023



Tony Hersehy
At Large
Elected April 2019
End of Term April 2023



Rick Voorhees
Ward 2
Elected April 2017
End of Term April 2021



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www.cogs.us/CityCouncil



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Council Chambers

Action Requested: Discussion on Hybrid City Council Meetings

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: City Council has directed staff to move forward with a RFP to update City Council Chambers so that in person City Council meetings can be held in conjuncture with on-line participation. At the time of this direction, staff was asked to come back to City Council to further discuss if City Council wanted to move forward with hybrid meetings starting in July.

We've designed the room and put the equipment out to bid which ends Friday, April 30. Our selection committee will meet on Tuesday next week and we'll be ready to report to Council at this meeting.

Issues: NA - This is a policy discussion only.

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Acceptance and Appropriation of Grant Funds from the Colorado Water Conservation Board Water Supply Reserve Fund and Watershed Restoration Program for the Three Mile Creek Confluence Restoration Project

Action Requested: **Action Item 1** - Acceptance and Appropriation of \$190,000 in grant funding from the Colorado Water Conservation Board Water Supply Reserve Fund and Watershed Restoration Program for portions of the Three Mile Creek Confluence Restoration Project.

Department: Economic and Community Development

Presented By: Trent Hyatt, Senior Planner

Background Info: **Three Mile Creek Confluence Comprehensive Planning and Design Project**
In Fall 2018 and then again in Spring 2019, the City applied for and received two separate grant awards from Pitkin County, via the Healthy Rivers Board, totaling \$55,000 to address erosion and degradation near the Three Mile Creek confluence area with the Roaring Fork River. The City provided emergency erosion improvements in October 2018 to stop the loss of valuable park space, however, a long term plan was still needed to determine the best means of accommodating the heavy use of the site. The City commenced the Three Mile Creek Confluence Comprehensive Planning and Design Project in May 2019. The planning process followed and included public meetings both onsite (July 20, 2019) and at Sopris Elementary (December 2, 2019) and public surveys to better the needs and desires of park users and adjacent neighborhoods and related improvement costs (Three Mile Planning Report and Appendices attached hereto). Following completion of public outreach for the project, 90 percent construction document design and cost estimates (also attached) were developed based on the findings.

Three Mile Creek Confluence Restoration Project
Throughout public outreach and project design, the prevailing project theme leaned towards protecting and enhancing the Three Mile area as opposed to adding new site amenities. Achieving 90% construction document design gave the City a better understanding of anticipated project costs related to that goal. Full build out of the project as outlined on page 2 of the attached estimate, is anticipated to cost approximately **\$631,771**. Associated work includes but is not limited to over 734 feet of streambank protection along the Roaring Fork River and Three Mile Creek, protection of high traffic pedestrian areas, fencing/protection of sensitive areas, educational signage, porta-let screening, final design and permitting, and the filling of and improved drainage for the failing detention pond (commonly referred to as "The Swamp"). Most important to the health of the riparian ecosystem, approximately 18 percent (\$113,559) of the project cost is related to riparian restoration revegetation, plantings, and irrigation.

Subsequent Grant Applications
During the fall of 2020, the City applied for three separate grants (two from the Colorado Water Conservation Board (CWCB) and one from the National Fish and Wildlife Foundation) to construct various work items outlined in the 90 percent plans above. We were successful with the two CWCB applications ultimately receiving a total award of \$190,000, the maximum permitted via grant funding stipulations and the City's matching funds (\$35,000 via City's Manager discretionary funds and \$25,750 in-kind volunteer and professional services). However, the award amount is only approximately 38 percent of the estimated total project cost. Therefore, the grant applications represent work costs (\$240,750) scaled down to the award amount and meeting the various grant specifications.

Plan Forward

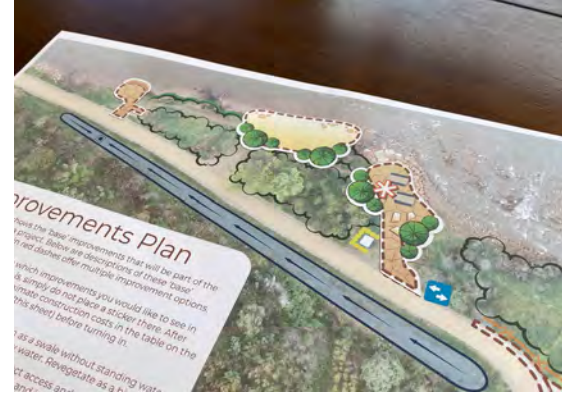
While the City would like to complete the entirety of the project to limit disturbances the Three Mile Creek Confluence ecosystem, recreationalists, and Atkinson Trail users, we simply do not have the funding at this time. Instead, we propose bidding out the project as per the grant award and the total project. This will help us understand real constructions costs and determine the current shortfall in full completion. Thereafter, the City can determine options to fully fund the project or simply move forward with available grant funds. Regardless, construction activities are anticipated for early 2022.

Issues:

Addressed above.

Staff Recommendation:

Staff recommends City Council accept and appropriate \$190,000 in grant funding from the Colorado Water Conservation Board Water Supply Reserve Fund and Watershed Restoration Program for portions of the Three Mile Creek Confluence Restoration Project.



Three Mile Creek Confluence Planning Project Conceptual Design Report



For the City of Glenwood Springs, this project was led by Trent Hyatt, Senior Planner, and City staff provided valuable input throughout the project.

Project Grant funding provided by:



Consultant Team:



Scott Schreiber, PE, CFM - Project Manager
Drake Ludwig, PE - Water Resources/Restoration Engineer



Jon Altschuld, RLA, ASLA - Landscape Architect



Randy Mandel - Vegetation Restoration Specialist
Sara Copp Franz - Vegetation Restoration Specialist
Jessica Foley - Vegetation Restoration Specialist

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Appendices (under separate cover)

Colorado Parks and Wildlife Habitat Memo
Public Meeting #1 Materials
Public Input Survey #1 Full Results
Public Meeting #2 Materials
Public Meeting #2 Responses
Public Input Survey #2 Full Results

Introduction

The Three Mile Creek Confluence Planning Project is centered around providing a more sustainable and resilient space for the community at the Three Mile Creek and Roaring Fork River confluence. The area is currently used by a wide variety of community members, ranging from commercial boating operators, to private boaters, to anglers, to residents in the adjacent neighborhoods, to users of the Atkinson Trail. Not surprisingly, the uses at the confluence also vary and include fishing, picnicking, dog walking, playing with children, and enjoying nature. This project was initiated partly in response to the increasing use and a growing popularity of the area. There is interest from both the City and the community in protecting this area while retaining sustainable and responsible access and use. Early in the planning process, the consultant team and the City developed the following Project Goals Statement in order to capture the goals and vision of the project:

Develop a holistic and resilient plan that addresses current and future impacts from the use of the Three Mile Creek confluence area while providing ecologically diverse and naturally sustainable habitats, improved water quality, trail connectivity, recreational access, and education regarding our most valuable natural resource, water.

As the project area is a community resource, community members were invited to give input and direction to the project team. This document summarizes the community outreach efforts, the results of those efforts, and the final recommendations for the project site. In addition to community outreach, the project team worked with Colorado Parks and Wildlife (CPW) to gather their input and determine the most appropriate courses of action for this sensitive and environmentally important area. This coordination had a special focus on the fish spawning and habitat values of the Three Mile Creek Confluence area. A memo from CPW is included as an appendix to this document.



Public Outreach Efforts

In an effort to collect valuable public input at the beginning of the planning process, the project team (consisting of the consultants and City staff) developed a two-prong approach to initial outreach. First, a public input survey was created and published online. The survey was advertised through the City's website, post card mailers, and in an article by the Post Independent. In addition to the online survey, the project team hosted an on-site public meeting on Saturday, July 20. At the public meeting, participants could provide feedback through the online survey, picture 'dot' boards, by drawing on maps of the site, and by discussing ideas and concerns with members of the project team. The public meeting was advertised in the same ways as the input survey.

Public Meeting #1

At the public meeting, **more than 60 community members participated** and provided valuable input. Participants included residents of the surrounding neighborhoods, City residents, people using the Atkinson Trail, and boaters pulling off from the Roaring Fork for a break. In this way, the project team was able to collect input from a wide group of people who use the project site. The project team also talked with participants about the environmental importance of the project area. Overall, input was positive and people were excited about improvements to the area. Below are some of the recurring themes the project team heard:

- Keep Three Mile Creek Confluence Area natural
- Forming a plan that anticipates higher future use while protecting the environment is important
- Don't over-develop the area
- The Three Mile Creek Confluence Area is special because it is a bit quieter and more removed from the main City
- More shade, especially with trees, would be a positive improvement



Picture 'dot' boards were used to gauge the public's interest in different types of improvements. Costs were specifically not included in order to not sway opinions. Participants placed **green** dots on features they liked for the project, and **red** dots of features they did not like for the project.

Photo Examples (1 of 2)

The images below are examples of the types of amenities and improvements that **could** be incorporated into the Three Mile Creek confluence plan; our Team will take your feedback into account as we develop the plan options.

For each of the categories, place red dots on image examples that you dislike for the Three Mile Creek confluence area, and green dots on image examples that you do like for the Three Mile Creek confluence area. Each image has a few keywords associated with that image.

Seating and Tables

- Make no seating improvements
- natural, low
- fabricated, wood, simple, table with seating
- metal, stone
- fabricated, wood, simple
- fabricated, metal, table with seating

Plaza Areas

- Make no plaza improvements
- natural, flagstone, integrated seating
- concrete, boulders, modern
- concrete, overlook

Restrooms

- Make no restroom improvements
- porta-potty, painted, public art
- porta-potty, enclosure/enclosed elsewhere in Glenwood
- composting, permanent enclosure, finished materials

Shade Structures

- Make no shade structure
- fabric, curved
- peaked roof, metal, stone, large
- peaked roof, wood, rustic
- polyagonal, wood and metal

Water Crossings

- scripted, concrete, low-flow, stone
- natural stone, low-flow, stone
- bridge/boardwalk, wood, year-round, breaks, easy access
- Make no water crossing improvements

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WWE WRIGHT WATER ENGINEERS

Photo Examples (2 of 2)

The images below are examples of the types of amenities and improvements that **could** be incorporated into the Three Mile Creek confluence plan; our Team will take your feedback into account as we develop the plan options.

For each of the categories, place red dots on image examples that you dislike for the Three Mile Creek confluence area, and green dots on image examples that you do like for the Three Mile Creek confluence area. Each image has a few keywords associated with that image.

Educational Elements & Signage

- Make no sign/education improvements
- covered, large, multi-panel, themed
- sign, themed, ecology, colorful
- educational, loop, wayfinding
- pet waste station
- sign, interactive, tactile, vegetation
- fish, biology, surface treatment, colorful

Vegetation

- Make no vegetation improvements
- animals, tracks, surface treatment, island
- willows, riparian, lush/full, native
- willow, cottonwood, native, some access
- maintained, ornamental

Secondary Trails

- Make no secondary trail improvements
- foot trail, narrow
- crusher fines, wide, maintained
- loops, connections with main trail, trail network

Barriers

- Make no barrier improvements
- wood, split rail, rustic
- dense vegetation, grading/slope
- signage and fence, wood
- signage, railing, metal
- wood and rope, minimal

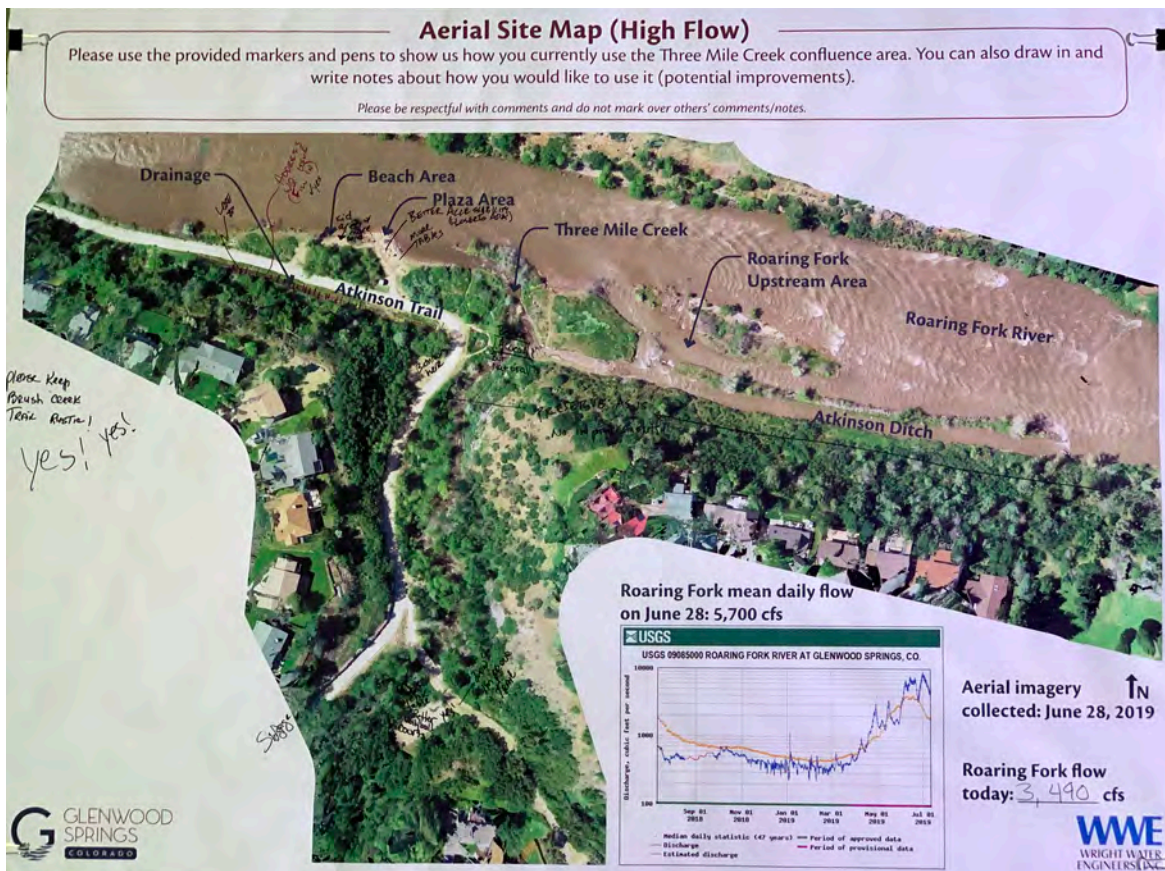
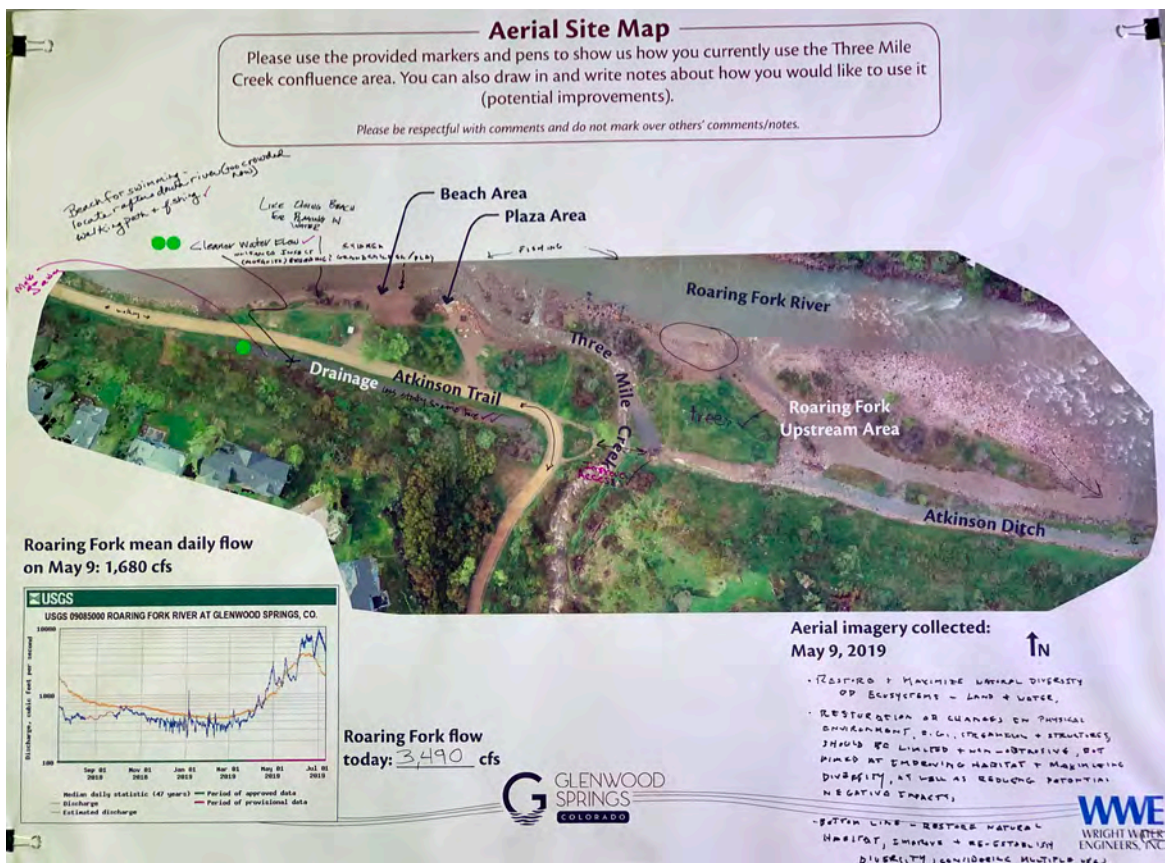
Beach and Water Access

- Make no beach access improvements
- natural, gravel/river stones, informal
- designated boat landing area
- formal/controlled, stone

GLENWOOD SPRINGS COLORADO

WWE WRIGHT WATER ENGINEERS

Boards with high resolution aerial images of the project site offered participants the opportunity to make notes of how they currently use the site, how they would like to use the site, and how they access the site. Each board showed a different time of year, and different flow conditions for Three Mile Creek and the Roaring Fork River.



Participants had competing opinions on whether a trail connection to continue the Atkinson Trail East/South along the Roaring Fork River would be desirable. Some participants very much liked the idea, while others were very opposed to it.



The public meeting was also an opportunity to discuss the environmental importance of riparian areas and the Three Mile Creek Confluence Area with participants.

Riparian Zone Functions

The riparian zone is an area of land near rivers, streams, and other water bodies which is critical to the health of plants and animals (including humans) that depend on the ecosystem. Healthy riparian zones contain diverse vegetation, buffer streams from human impacts, and provide essential benefits to stream health, acting as:

- Umbrellas:** shade from trees keeps streams cool
- Velcro:** plant roots stabilize soil, minimizing erosion
- Sponges:** vegetated ground stores water and mitigates flooding
- Grocery Stores:** plants provide diverse food for wildlife
- Filters:** vegetated soil removes pollutants before they enter a stream
- Buffer Zones:** zone between the river and uplands which mitigate sedimentation and erosion
- Speed Bumps:** dissipation of stream energy
- Apartment Complex:** multi-storied habitat/home to abundant and diverse wildlife

Examples of riparian zones in poor health/condition:

Examples of riparian zones in good health/condition:

Fish Spawning and Movement

Many fish species live and move through both the Roaring Fork River and Three Mile Creek. The confluence area does seem to be a popular spot for fish spawning; several fish species do travel through this confluence to spawn further up the Creek.

Rainbow Trout
To protect spawning trout, the Roaring Fork 50 yards up and downstream of the confluence, and Three Mile Creek from the confluence upstream 1/2 mile are closed to fishing MARCH 15 - MAY 15 and OCTOBER 1 - NOVEMBER 30

Brown Trout

Brook Trout

Native Cutthroat Trout
Fish species artwork courtesy of Joseph Tomelleri

Mountain Whitefish

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WWE WRIGHT WATER ENGINEERS

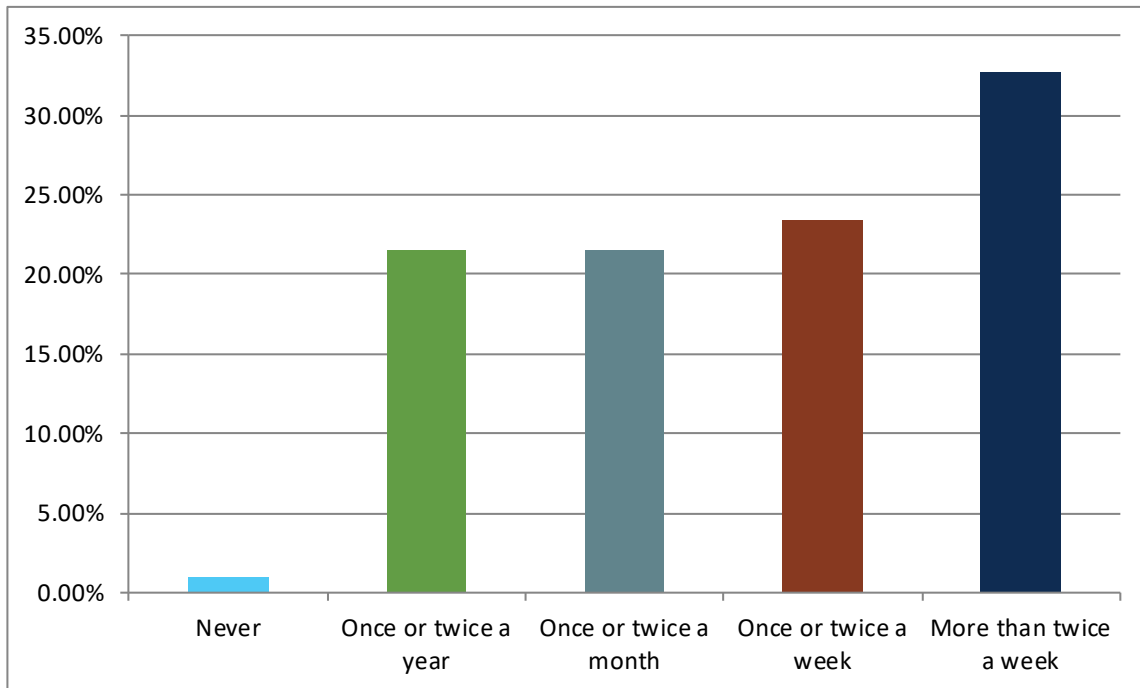
RF River NATIVE FLANNELMOUTH SUCKERS



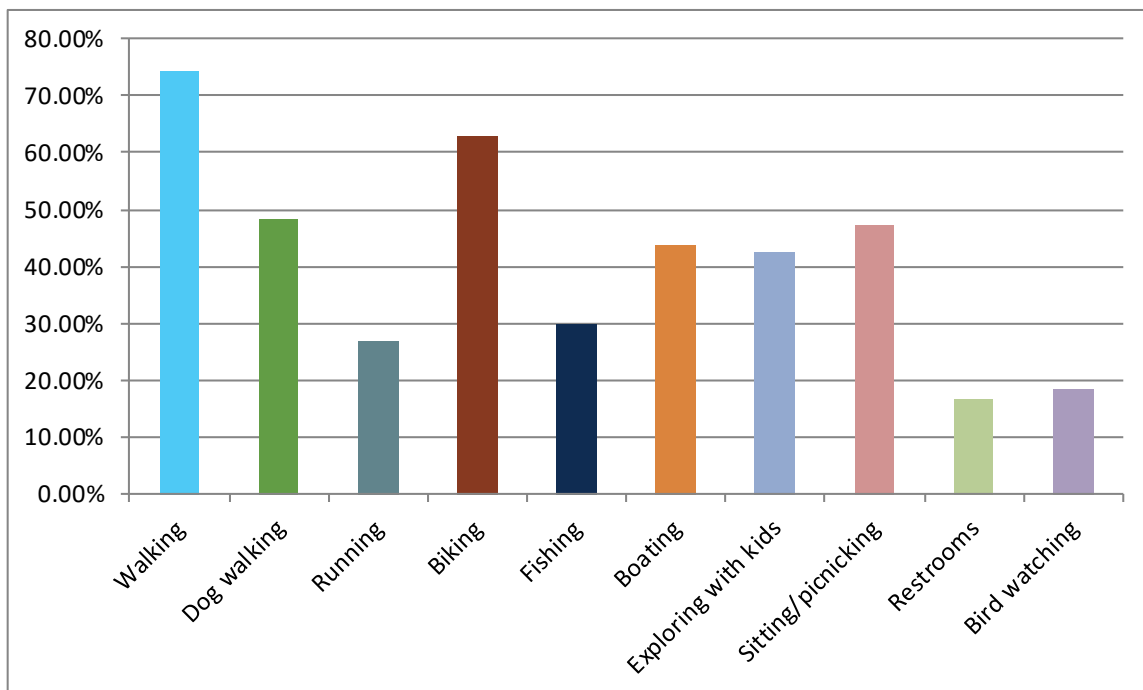
Public Input Survey #1

The online public input survey asked participants 21 questions about how they use the project site, what improvements they would like to see, what they want to remain as is, and what concerns they have about the project site. Participants spent approximately 10 minutes on the survey, and **108 people completed the survey**. It was opened before the public meeting and was left open for several weeks after the public meeting in order to allow as many people as possible to participate. Below are answers to some of the questions.

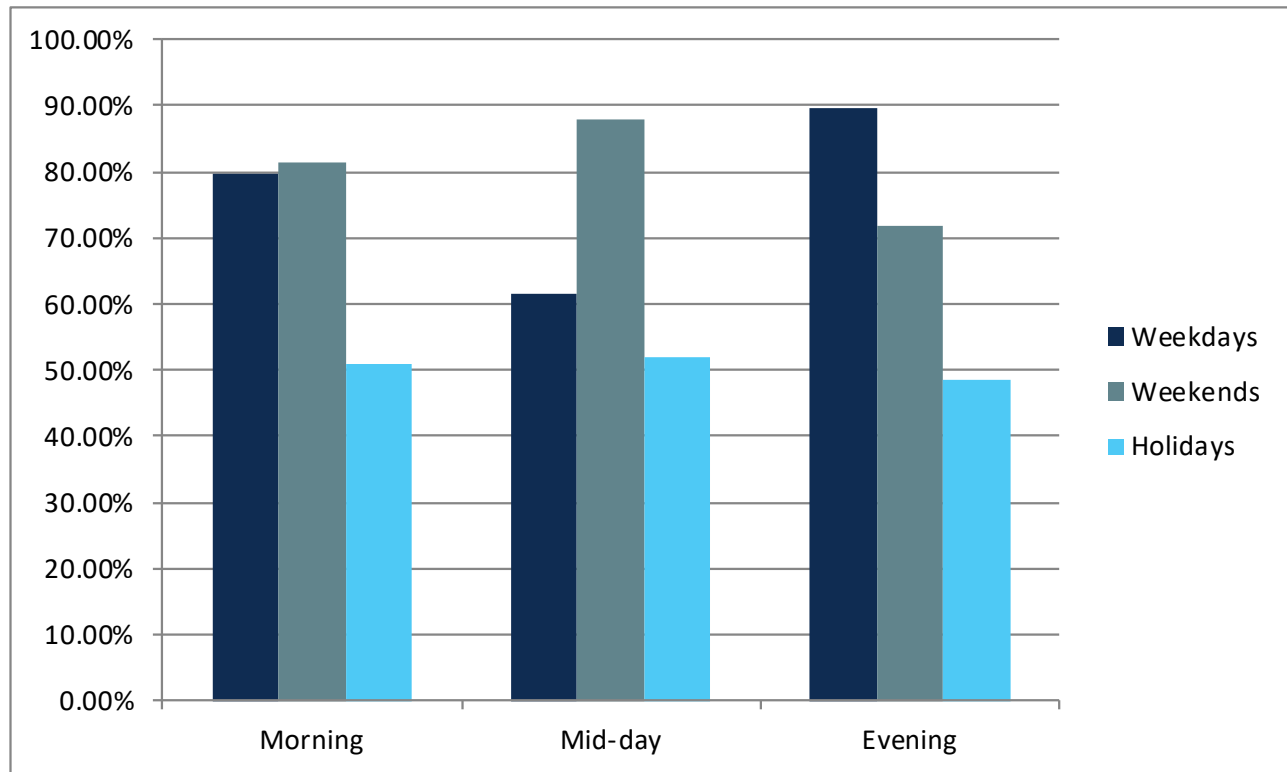
Q1: How often to you use the Three Mile Creek Confluence Area?



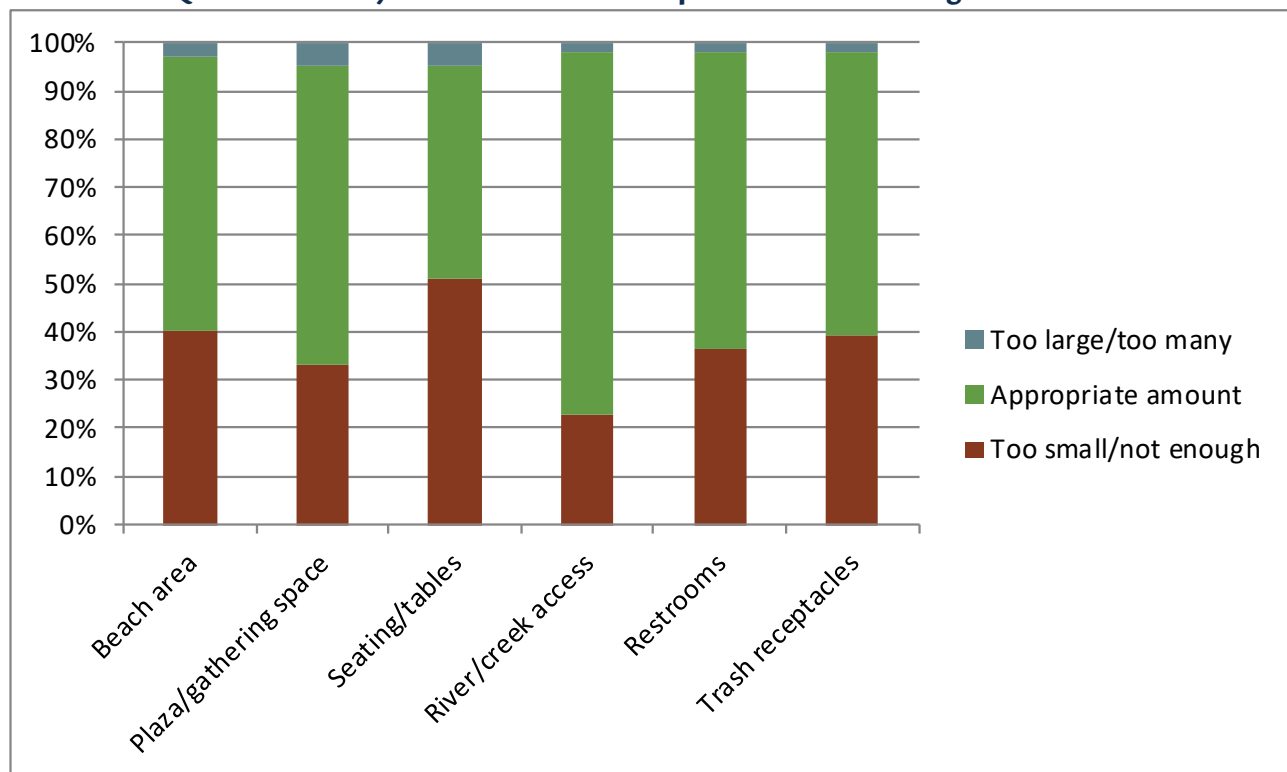
Q3: Which activities do you use the Three Mile Creek Confluence Area for?



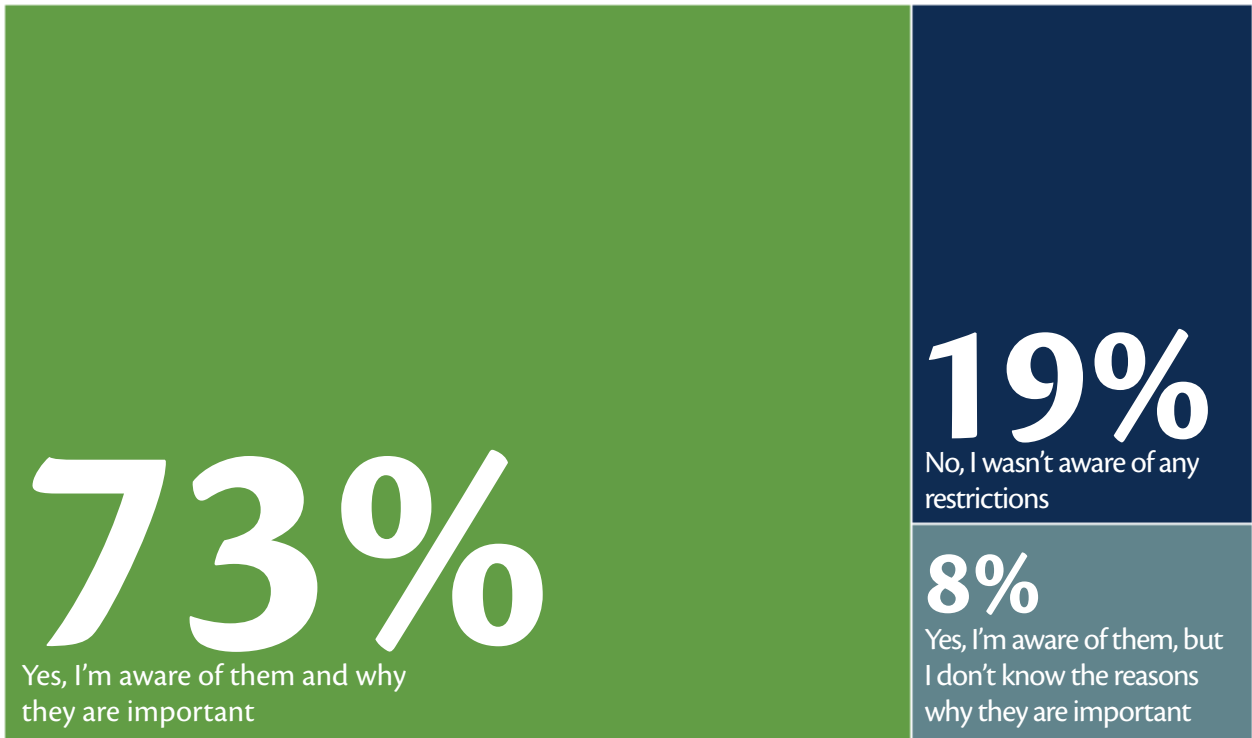
Q5: What time of day do you typically use the Three Mile Creek Confluence Area?



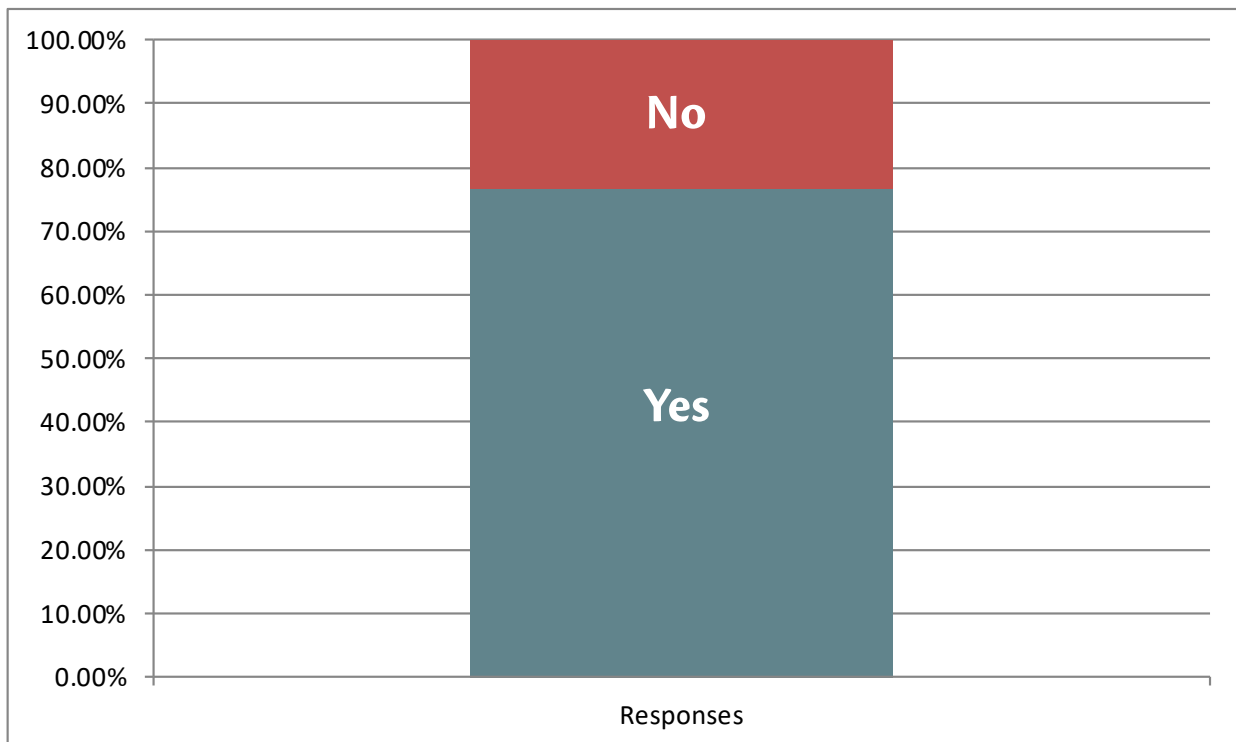
Q7: How would you rate the allocated space for the following amenities?



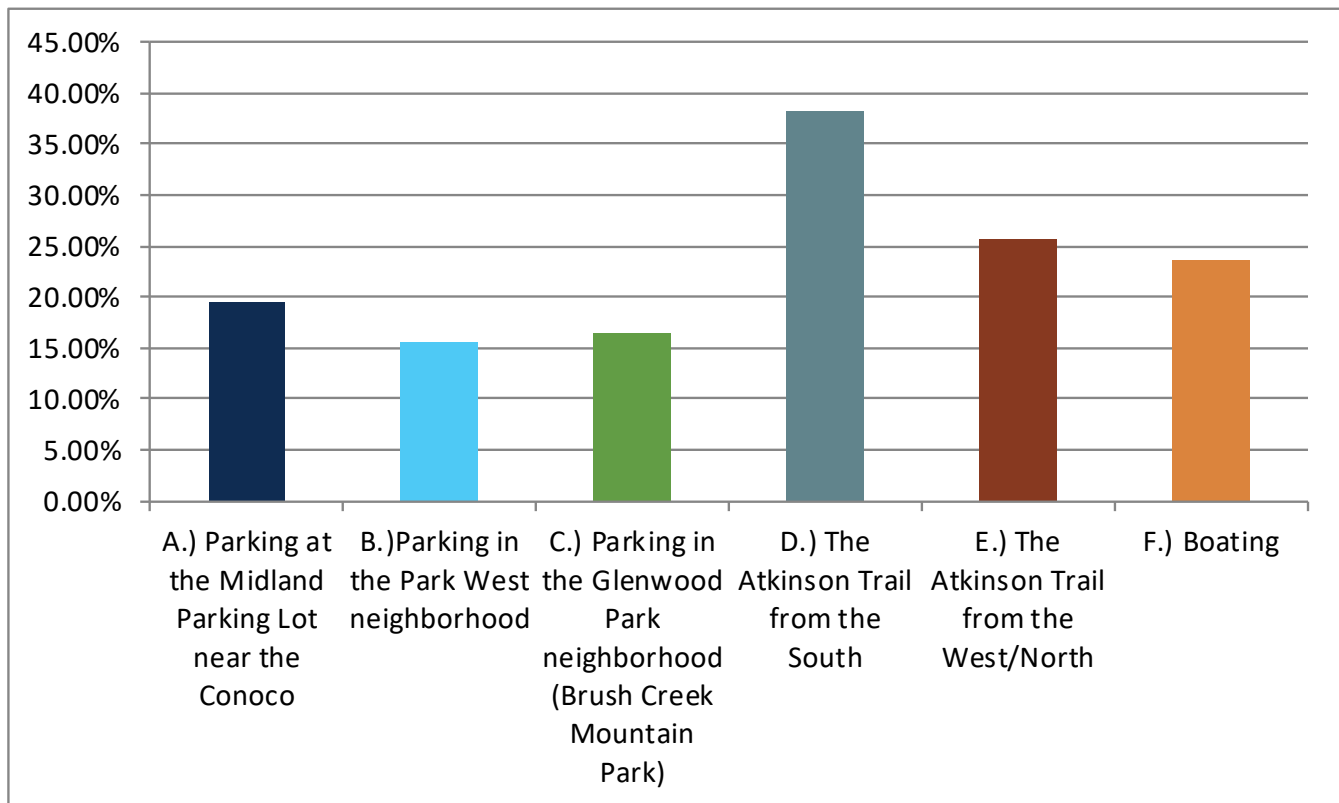
Q13: Are you aware of the seasonal restrictions on fishing at and near the confluence, and reasons why they are important?



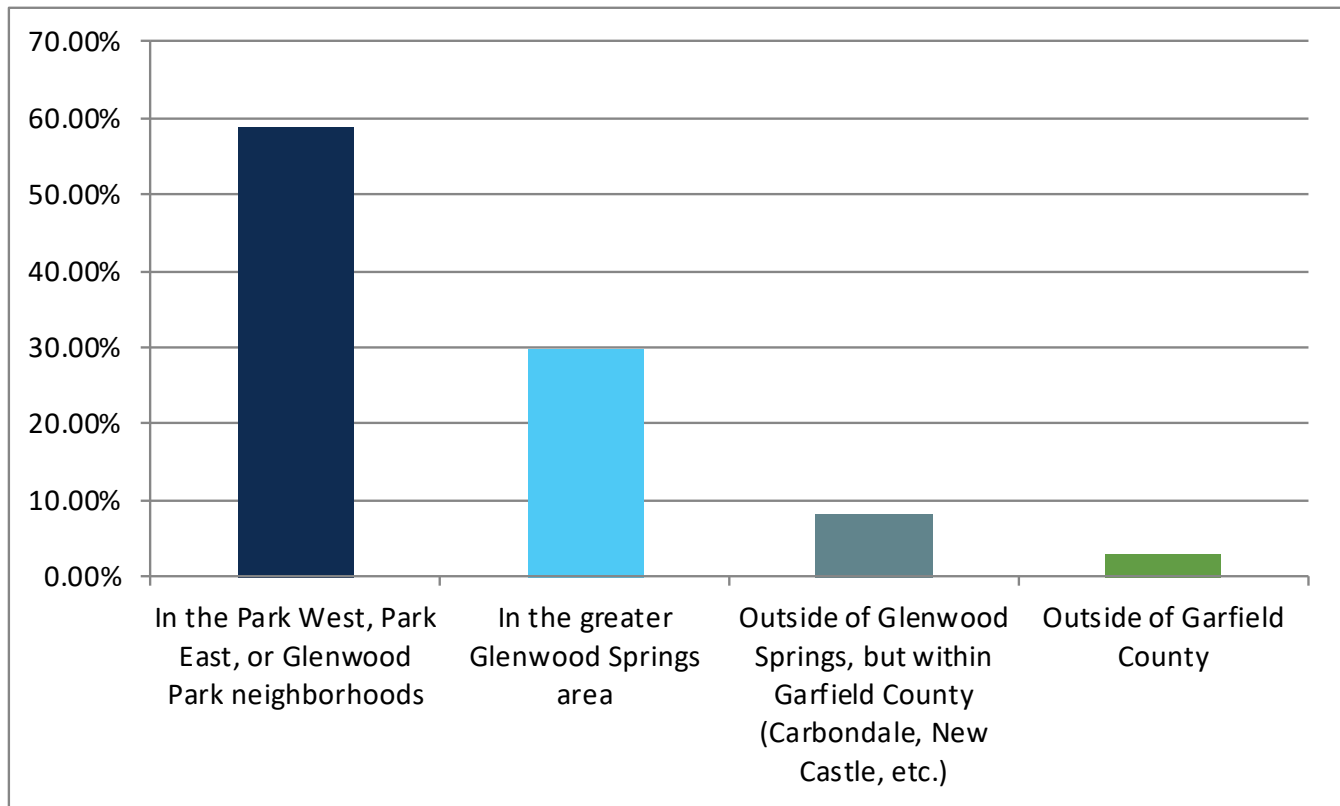
Q14: The seasonal fishing restrictions are put in place by Colorado Parks and Wildlife (CPW) to protect sensitive spawning habitat for many native fish species. Trout and other fish use these areas during spawning, as well as to move upstream for spawning. CPW is only allowed to regulate fishing activities. However, any wading through these areas during spawning season (from March 15-May 15 and October 1-November 30) is disruptive to fish spawning. Knowing this, would you be in favor of restricting all activities in the stream channel during these periods? These activities would include wading, walking, dog walking, etc. within the water. (select one)



Q15: How do you typically access the Three Mile Creek Confluence Area?



Q17: Where do you live?



Q18: Please rate the priority of the following concerns based on current conditions at the Three Mile Creek Confluence Area (5 being the highest priority):

Water Quality received the most '5' votes (highest priority)

Impacts on ecological health, Impacts to sensitive fish spawning environments, and river bank erosion were close behind Water Quality

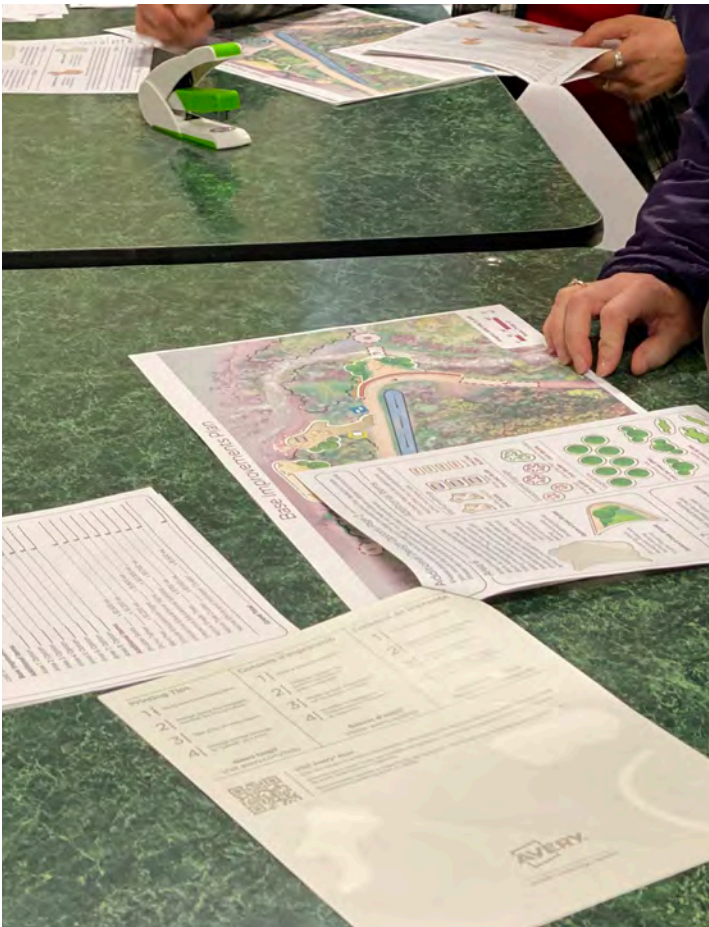
Invasive Plants received a high number of '5, 4, and 3' votes

Q19: Please rate the importance of adding the following improvements to the Three Mile Creek Confluence Area (5 being the most important):

Protection of sensitive fish spawning environment was voted the most important

Improvement to the health of existing vegetation and Natural vegetated bank stabilization were second most important

More parking received the most '1' votes (least important)



Public Meeting #2 and Input Survey #2

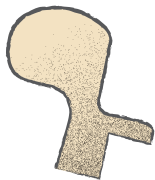
As the project progressed, the project team prepared design alternatives based upon the feedback gathered from the first public meeting and online survey. The project team then hosted the second and final public outreach meeting in December 2019. This meeting allowed participants to learn how their input from the previous community outreach was used to develop design alternatives and provided participants an opportunity to choose their preferred alternative. At the meeting, a set of Base Improvements was presented, and attendees participated in a 'create your own design' exercise where they chose from a set of design alternative options for particular areas within the site. The Base Improvements, as well as each design alternative option, had accompanying preliminary cost estimates for final design and construction. Although these costs are subject to change as the design progresses, it allowed participants to see the monetary impact of choosing design alternative options.

Community members could also provide this same input through an online survey (Survey #2). Below and on the following pages are the overall results of this public outreach effort. The statistics for both the in-person meeting and the online survey have been combined to provide a summary of the results. Where appropriate, additional notes and comments have been added.

* Denotes the recommended option

Area 1

Area 1 is at the west end of the project site, this area is where the outfall from the ditch currently is. Base Improvements will include rebuilding this outfall to function and drain properly. Additional Design options range from adding a crusher fines surface, to building a small flagstone plaza and boulder steps to the Roaring Fork River.



- Add crusher fines surface over outfall & to existing bench
- ADA fishing platform

Option A Cost: \$2,000



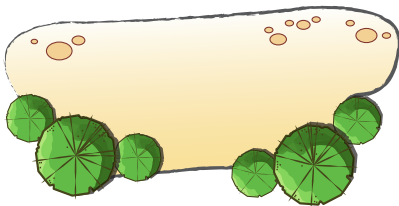
- Add small flagstone plaza
- Add boulder steps
- ADA fishing platform

Option B Cost: \$32,000

* Option A	51%
Option B	27%
No additional improvements	22%

Area 2

Area 2 is the beach area. This Additional Design option expands the beach area slightly, adds boat tie offs, and adds shade trees.



- Expand beach access
- Add boat tie offs
- Add shade trees

Option A Cost: \$15,000

* Option A	64%
No additional improvements	36%

Area 3

Area 3 is the main plaza and the connection to the Atkinson Trail. The first option mostly improves the area by adding/refreshing crusher fines & adding shade trees, while the second option adds flagstone to the Trail as well.

* Option A	51%
Option B	24%
No additional improvements	25%

Note on Area 3: Although Option B received the least amount of votes, there was significant interest in adding an educational sign to this area. The project team recommends Option A, with the addition of an educational sign.

- Fill flagstone joints with crusher fines
- Add shade trees
- Flagstone, table and boulder seats to remain

Option A Cost: \$9,000



- Add flagstone to Atkinson Trail
- Add spawning educational sign
- Add additional table and seating
- Add shade trees

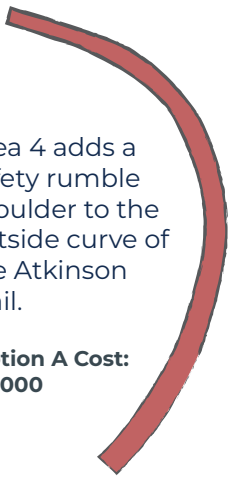
Option B Cost: \$37,000

Area 4

Area 4 adds a safety rumble shoulder to the outside curve of the Atkinson Trail.

Option A Cost: \$5,000

* Option A	29%
* No additional improvements	71%

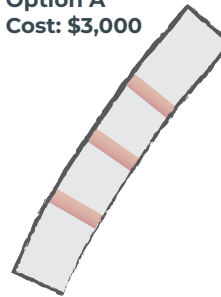


Area 5

Area 5 adds a slowing rumble strips on the downhill section of the Atkinson Trail.

Option A Cost: \$3,000

* Option A	23%
* No additional improvements	77%

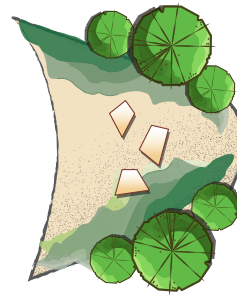


Note on Areas 4 and 5: At the public meeting, there were several questions about the details of what these improvements would look like. Through these discussions, it was discovered that the online survey caused confusion for some about how much of a visual impact these improvements would cause. Several participants at the public meeting stated they would be in favor of these improvements after discussing the details. However, the overall results from the survey and public meeting still showed the majority of respondents preferred no additional improvements for both Area 4 and Area 5.

Area 6

Area 6 has a depression leading to the ditch, as well as a crusher fines trail. Both Additional Design options include filling the depression. The first option adds a new small crusher fines area with boulder seats, while the second area simply revegetates the filled in area and refreshes the existing crusher fines trail.

* Option A	36%
* Option B	42%
No additional improvements	22%

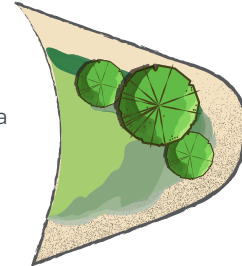


- Fill in existing ditch
- Add small gathering space with boulder seating
- Add shade trees
- Revegetate perimeter

Option A Cost: \$11,000

- Fill in existing ditch
- Revegetate filled area
- Refresh existing crusher fines trail

Option B Cost: \$7,000



Note on Area 6: In the online survey, Option B was the favored choice with 48% of the votes. At the in person public meeting, Option A was the favored choice with 57% of the vote. Although Option B was the overall favored choice, it was by a fairly small margin. Therefore, the project team recommends that either Option A or B would meet community desires and site needs.

Area 7

The area 7 option adds stepping boulders to cross Three Mile Creek during low flow times of the year.



Option A Cost: \$4,000

* Option A	56%
No additional improvements	44%

Note on Area 7: Based on discussions with Colorado Parks and Wildlife and hydraulic modeling to be completed, the utilization of boulders as stepping stones may be modified to a small bridge.

Area 8

Either remove the headgate (A), or transform it into an educational exhibit (B).



Option A Cost: \$19,000



Option B Cost: \$10,000

* Option A	36%
Option B	22%
* No additional improvements	42%

Note on Area 8: Given the small margin between Option A and no additional improvements, the project team recommends leaving the headgate, but utilizing it with improvements as a bridge to the island/upstream area.

Additional Items

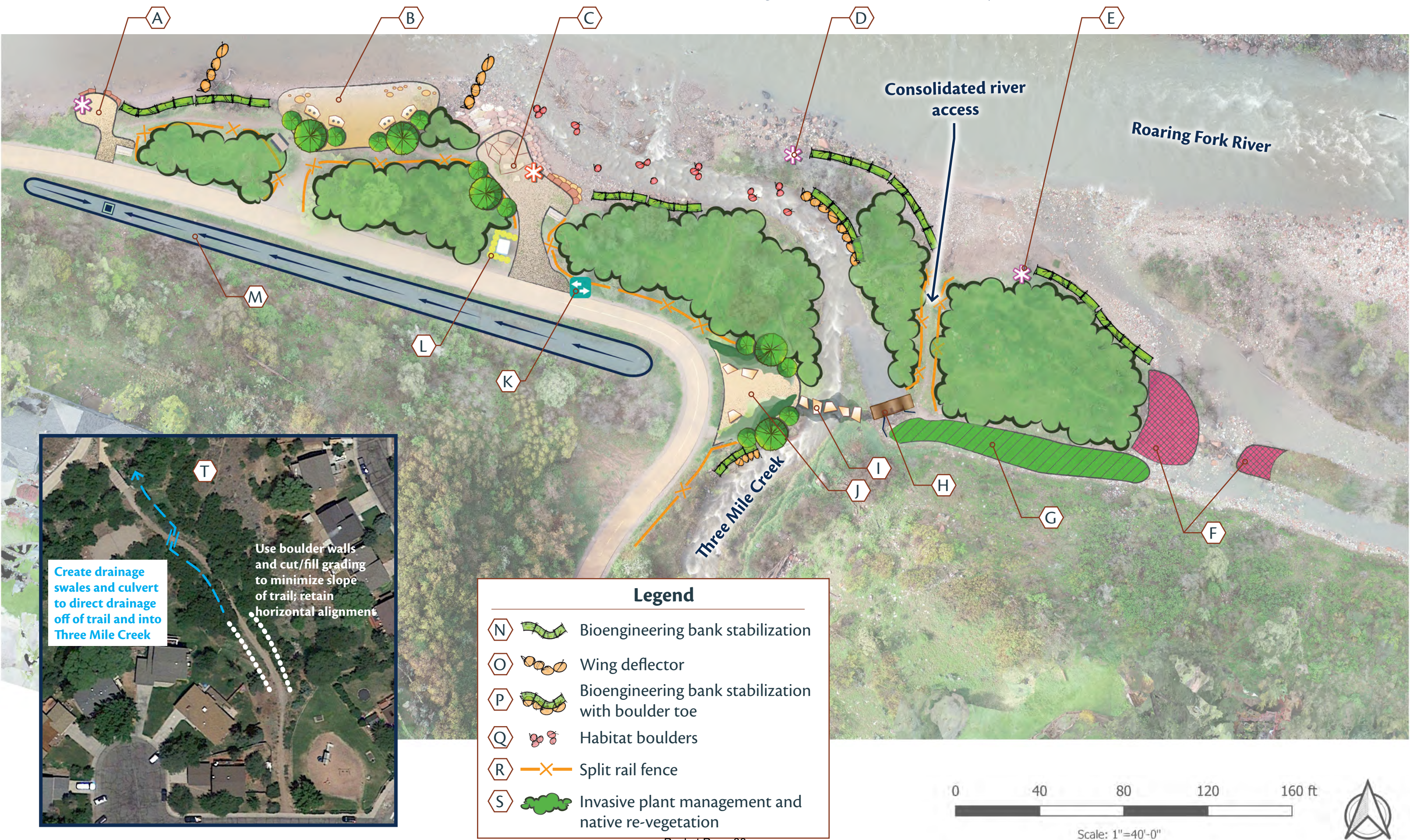
In addition to the focus areas for alternatives, participants were able to add additional items. The most requested items were additional native shade trees, native shade tree clusters, and native shrub/pollinator clusters. Many respondents also wanted an additional picnic table and/or seating (numbers were very close picking between boulder seating and benches). Although less votes were given for educational signage/exhibits, 35% of respondents desired a simple educational sign, 14% an interactive sign, and 8% an interactive exhibit. These numbers can be a bit misleading because it split the larger group of people who desired some type of educational sign/exhibit into smaller groups. Overall, more than 50% of respondents desired some sort of educational sign or exhibit at the site.

Site Improvement Recommendations

The following 11x17 plan sheet (the Three Mile Creek Confluence Planning Recommendations Map) shows the project team's recommended improvements. These include the 'base improvements,' as well as the selected additional design options that the public gave input on. Below is a summary of these recommended improvements (letters refer to labeled features on the 11x17 plan):

- A.** Outfall and secondary plaza area - Stabilize the river bank with boulders. On top of the re-constructed outfall and boulder stabilization, create a small crusher fines plaza that connects with the foot path to the beach area. Add fish spawning educational sign.
- B.** Beach area - Expand the beach area, add boulder tie-offs for boats, and add larger native shade trees and a picnic table towards the back (inland) side of the beach.
- C.** Main plaza area - fill the flagstone joins with crusher fines and extend the usable area by adding crusher fines to the restroom and the Atkinson Trail. At the east end of the main plaza, continue the boulder steps using larger boulders until approximately in line with the existing bench. Add an illustrative, educational sign on fish habitat and spawning at the main plaza. Existing table and boulder seats to remain.
- D.** Add a boating access sign (directed to boat traffic).
- E.** Fishing information and restrictions sign detailing extents and importance of spawning areas at and around the confluence.
- F.** Re-grade and re-vegetate the ditch avulsion area on the east edge of the site to create a functioning overflow channel that returns to the Roaring Fork River.
- G.** Re-vegetate re-graded Atkinson ditch area.
- H.** Add a structure to the existing headgate to allow safe crossing of the area directly below the headgate.
- I.** Add a crossing to Three Mile Creek. Depending on construction budget and final design, this could be either an in-stream low water crossing that is designed to also be a grade control structure, or a small bridge.
- J.** Fill the existing 'hole' between Three Mile Creek and the Atkinson Trail. Re-vegetate the edges of this area and create a crusher fines trail with boulder seats.
- K.** Add wayfinding signage along the Atkinson Trail. Potential labels include: Three Mile Creek Confluence, Restroom, Downtown Glenwood Springs, Three Mile Creek Parking, Beach/Boat Access, Fishing Access.
- L.** Add a wooden enclosure around the existing restroom, to match existing restroom enclosures in the surrounding neighborhoods.
- M.** Re-grade and fill existing ditch so that it functions as a bioswale without standing water. Fix drainage outfall to better convey water to the Roaring Fork River, which likely means extending the outfall to properly function (see area A).
- N.** Install bio-engineering measures to stabilize river banks as shown.
- O.** Install at-grade wing deflectors to protect river banks and allow for better river access.
- P.** Install bio-engineering measures with a boulder toe to stabilize river banks as shown.
- Q.** Install habitat boulders in Three Mile Creek to increase aquatic habitat and diversity.
- R.** Add split rail fencing to direct pedestrian traffic and protect native vegetation.
- S.** Perform invasive weed management and native re-vegetation across the entire site.
- T.** Design and install improvements to the Volleyball Court Trail to minimize the trail slope and increase safety. This will likely require boulder retaining walls, re-grading, and drainage swales to direct water away from the trail and into Three Mile Creek. A single culvert to convey water from the south side of the trail to the north side is also likely.

Three Mile Creek Confluence Planning Recommendations Map



Vegetation Management and Recommendations

Vegetation recommendations on-site consist of invasive plant management and native species re-vegetation. The following pages contain invasive plant species that were observed on site, as well as native plant species recommended for revegetation efforts.

Scientific Name	Common Name	Colorado Invasive Status
<i>Bromus tectorum</i>	Cheatgrass	List C Noxious
<i>Cynoglossum officinale</i>	Hounds Tongue	List B Noxious
<i>Elaeagnus angustifolia</i>	Russian Olive	List B Noxious
<i>Poa bulbosa</i>	Bulbous Bluegrass	List C Noxious
<i>Tanacetum vulgare</i>	Common Tansy	List B Noxious
<i>Ulmus pumila</i>	Siberian Elm	Species Watch List

Invasive Plants On-Site



Siberian Elm



Russian Olive



Bulbous Bluegrass



Common Tansy



Cheatgrass



Hounds Tongue

Examples of Recommended Plant Species



Rocky Mountain Maple



Netleaf Giant Hyssop



Redosier Dogwood



Water Sedge



Blanket Flower



Rocky Mountain Penstemon

Below is a list of recommended plant species for re-vegetation:

Wetland Graminoids

Scientific Name	Common Name	Container Size	Spacing
<i>Carex aquatilis</i>	Water Sedge	10 ci	2' center
<i>Carex nebrascensis</i>	Nebraska Sedge	10 ci	2' center
<i>Carex utriculata</i>	Beaked Sedge	10 ci	2' center
<i>Eleocharis palustris</i>	Creeping Spikerush	10 ci	2' center
<i>Glyceria striata</i>	Fowl Mannagrass	10 ci	2' center
<i>Juncus arcticus ssp. littoralis</i>	Mountain (Baltic) Rush	10 ci	2' center
<i>Juncus ensifolius</i>	Three-Stemmed Rush	10 ci	2' center
<i>Juncus toryi</i>	Torey's Rush	10 ci	2' center
<i>Scirpus microcarpus</i>	Smallflowered Bulrush	10 ci	2' center

Pollinator Friendly Forbs

Scientific Name	Common Name	Container Size	Spacing
<i>Agastache urticifolia</i>	Netleaf Giant Hyssop	10 ci	2' center
<i>Aquilegia coerulea</i>	Colorado Blue Columbine	10 ci	2' center
<i>Aquilegia crisantha</i>	Yellow Columbine	10 ci	2' center
<i>Campanula rotundifolia</i>	American Harebell	10 ci	2' center
<i>Cleome serrulata</i>	Rocky Mountain Beeplant	10 ci	2' center
<i>Erigeron engelmannii</i>	Englemann's Fleabane	10 ci	2' center
<i>Erigonum umbellatum</i>	Sulfur-Flowered Buckwheat	10 ci	2' center
<i>Frageria virginiana</i>	Wild Strawberry	10 ci	2' center
<i>Gallardia aristata</i>	Blanket Flower	10 ci	2' center
<i>Geranium viscosissimum</i>	Sticky Geranium	10 ci	2' center
<i>Geum macrophyllum</i>	Largeleaf Avens	10 ci	2' center
<i>Heliomeris multiflora</i>	Showy Goldeneye	10 ci	2' center
<i>Hymenoxys hoopesii</i>	Orange Sneezeweed	10 ci	2' center
<i>Monarda fistulosa</i>	Wild Bergamot	10 ci	2' center
<i>Penstemon procerus</i>	Small-Flowered Penstemon	10 ci	2' center
<i>Penstemon strictus</i> 'Bandera'	Rocky Mountain Penstemon	10 ci	2' center
<i>Solidago canadensis</i>	Canada Goldenrod	10 ci	2' center
<i>Thermopsis montana</i>	Goldenbanner	10 ci	2' center

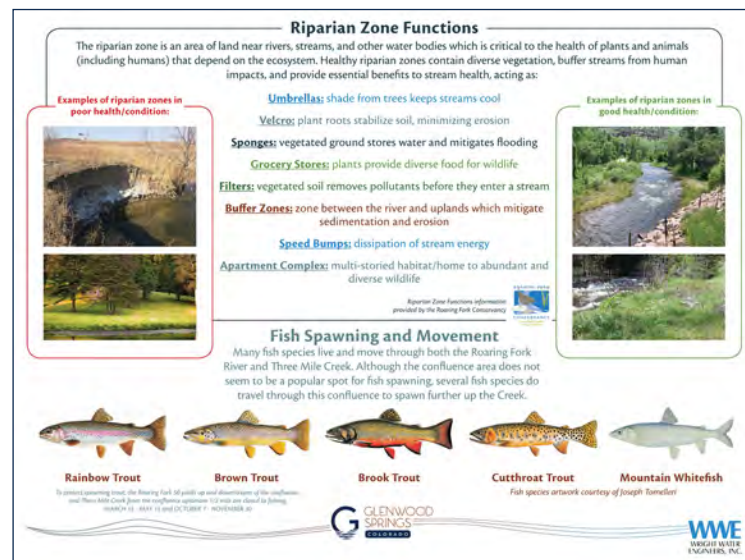
Trees and Shrubs

Scientific Name	Common Name	Container Size	Spacing
<i>Populus fremontii</i>	Fremont Cottonwood	2 1/2" caliper	15' center
<i>Acer glabrum</i>	Rocky Mountain Maple	D60 or #5	6' center
<i>Alnus incana ssp. tenuifolia</i>	Thinleaf Alder	D60 or #5	6' center
<i>Betula occidentalis</i>	Western River Birch	D60 or #5	6' center
<i>Cornus sericea</i>	Redosier Dogwood	D60 or #5	6' center
<i>Prunus virginiana ssp. melanocarpa</i>	Black Chokecherry	D60 or #5	6' center
<i>Rhus trilobata</i>	Three-leaf Sumac	D60 or #5	6' center
<i>Ribes aureum</i>	Golden Currant	D60 or #5	6' center
<i>Rosa woodsii</i>	Woods' Rose	D60 or #5	6' center
<i>Salix exigua</i>	Coyote Willow	3-4' stake	3' center

Final Design and Construction Cost Estimates

The following cost estimates were developed based on the conceptual plans. These costs were calculated based on the approach that all work would be designed, permitted, and constructed at the same time. If the projects are broken up, it can be assumed individual project prices would increase. Because the design is at an early stage and many things are likely to change before design is finalized, the costs do include a contingency percentage. The letters below align to the Recommendations List/Map.

Area A - Outfall Plaza	\$1,400
Area B - Beach Area	\$12,300
Area C - Main Plaza	\$16,700
Area D - Boat Access Sign	\$1,800
Area E - Fishing Sign	\$1,800
Area F - Avulsion Area.....	\$17,100
Area G - Atkinson Diversion Channel	\$16,300
Area H - Headgate Bridge Structure.....	\$5,000
Area I - Crossing Stepping Stones	\$5,000
Area J - The 'Hole'	\$11,500
Area K - Wayfinding Signage	\$3,500
Area L - Restroom Enclosure	\$5,300
Area M - Ditch Improvements	\$57,500
Area N - Bioengineering Bank Stabilization	\$56,400
Area O - Wing Deflectors.....	\$10,000
Area P - Bioengineering Bank Stabilization with Boulder Toe	\$24,200
Area Q - Habitat Boulders	\$10,000
Area R - Split Rail Fence.....	\$18,800
Area S - Invasive Plant Management and Revegetation.....	\$55,600
Area T - Volleyball Trail Improvements	\$100,300
 Front End Costs.....	 \$179,700
Construction surveying	
Mobilization	
Contingency	
Construction administration	
 Total Construction Cost	 \$610,200
 Final Design and Permitting.....	 \$172,200
 Total Project Cost (Design and Construction)	 \$782,400



Three Mile Creek Confluence Planning Project

Appendices

Appendices Table of Contents

Colorado Parks and Wildlife Habitat Memo

Public Meeting #1 Materials

Public Input Survey #1 Full Results

Public Meeting #2 Materials

Public Meeting #2 Responses

Public Input Survey #2 Full Results

Colorado Parks and Wildlife Habitat Memo



COLORADO

Parks and Wildlife

Department of Natural Resources

Glenwood Springs Area Wildlife Office

88 Wildlife Way

Glenwood Springs, CO 81601

P 970.947.2920 | F 970.947.2936

December 20, 2019

Scott Schreiber
Senior Water Resources Engineer
Wright Water Engineers
818 Colorado Avenue, Suite 307
Glenwood Springs, CO 81601

Memorandum – Fisheries in the Threemile Creek Area

Dear Mr. Schreiber,

Colorado Parks and Wildlife (CPW) is mandated to manage fisheries in Colorado's public waters. Our statutory mission is to perpetuate the wildlife resources of the State, to provide a quality State parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as strategic stewards of Colorado's natural resources. This mission is implemented through our 2015 Strategic Plan, and the goals it embraces which are designed to make CPW a national leader in wildlife management, conservation, and sustainable outdoor recreation for current and future generations. The Town of Glenwood's project at Threemile Creek's confluence area along the Roaring Fork River is an excellent opportunity to connect the public to our local river and fishery resources. It also has the potential to inspire stewardship through increased awareness of these resources and thoughtful development that accommodates the needs of the local fishery resource and use by people, as well.

Threemile Creek is a tributary to the Roaring Fork River. Both waters are considered coldwater fisheries that are managed for trout, a popular coldwater sportfish. In particular, the Roaring Fork River is a Gold Medal Water due to its abundance of Quality Trout of 60 trout/acre that well exceeds the 12 quality trout/acre Gold Medal standard. The river also hosts a high biomass of trout, 115 lbs/acre, which also surpasses the Gold Medal standard of 60 lbs/acre, as documented in CPW's 2019 fishery surveys. Other coldwater species present in the Roaring Fork River around Threemile Creek include mountain whitefish, native bluehead and flannelmouth suckers, non-native white and longnose suckers, native mottled sculpin and speckled dace. Threemile Creek hosts brown and rainbow trout, and mottled sculpin from its confluence up to Fourmile Park, the distribution of which may vary with water availability as Threemile Creek is heavily diverted below U.S. Forest Service land in the headwaters.

Threemile Creek is a well known spawning tributary for sportfish from the Roaring Fork River. Longstanding fishing closures protect fish during their spawning activities in the spring and fall within 50 feet upstream and downstream of the confluence on the Roaring Fork River and the first half mile up Threemile Creek. The closures protect the large trout and whitefish from the river that are especially vulnerable to anglers in their spawning congregations. Indeed, these closures are being extended in the spring to the end of May starting in 2020 due to the lingering abundance of spawners documented during that time.

Spring spawning rainbow trout and fall spawning brown trout will move into Threemile Creek to lay their eggs in redds that provide the protection of a small stream for their offspring when they hatch up to 3 months later and large predatory fish have returned to the river. Of course, water availability varies annually in the small creek due to snowpack and water diversions, and water may be particularly limited in some falls when diverters are still using water or baseflow conditions are not sustained following low snowpack or summer drought conditions. Adult fish passage is possible when streamflows are high enough to sustain channel depths of 6 inches or more. Fall



spawning mountain whitefish will congregate in pools in the lower 1000 feet of Threemile Creek when water is available or the pool at the confluence in the Roaring Fork River to spawn. Mountain whitefish are broadcast spawners, so once their eggs are fertilized they settle into the substrate in or near the pools where they congregate. As well, native flannelmouth suckers are often observed around the confluence of Threemile Creek and are likely utilizing the gravel bars immediately upstream of the confluence to spawn in late spring and early summer. Once fish lay their eggs, they incubate in the gravels for 1 to 5 months depending on species, and then the fry emerge and grow until they are large enough to actively move in the flowing water column when they will disperse in search of desirable forage and habitat, which is optimal downstream in the Roaring Fork River.

During CPW's Spring 2019 spawning surveys, spawning rainbow trout and active redds were observed within a few feet of the confluence with the Roaring Fork River and upstream in Threemile Creek to the Midland Bridge. Indeed, large spawning trout from the Roaring Fork are often observed (and sometimes stranded when the ditches turn on) in Threemile Creek near The Hideout on the upstream side of Midland Avenue. Disruption of spawning activities and disturbance of redds due to trampling by the feet of water users is a big risk in the park area and increasing with rising use. Human and pet disturbance in the stream can lead to mortality of eggs and emerging fry, and disruption of spawners that can reduce spawning success due to stress or displacement. Ultimately this can impact the wild recruitment of whirling disease resistant rainbow trout that CPW is actively trying to recover in the Roaring Fork River. It could also impact the abundance of other desirable sportfish such as brown trout and mountain whitefish that utilize Threemile Creek and its confluence in the Roaring Fork River when flows are suitable.

Whirling disease (WD) is a major issue for trout in Colorado, including the Roaring Fork River. By the late 1990s natural recruitment of rainbow trout was virtually eliminated. CPW has developed strains of rainbow trout that have developed resistance to the disease and has implemented a stocking program to reestablish wild rainbow trout. We request that any projects in local waters avoid increasing fine sediment deposition (e.g., fine and course sand, beaches, etc.) to limit the habitat available to tubifex worms that are one of the two hosts, the other being a trout, the WD parasite needs to complete its lifecycle. We also encourage the reduction of any existing areas of fine sediment. Fine sediment can be discouraged by encouraging water to actively flow through a site, maintaining scour.

Due to the change in fishing regulations that extends the spring fishing closures, CPW will be producing new signage similar to the signs that are present. We are also happy to help develop signage to place in educational kiosks or at creek crossings that will discourage or restrict traffic through the stream.

Colorado Parks and Wildlife appreciates the opportunity to provide technical information for this project and we look forward to our continued involvement in the project to enhance the use around Threemile Creek as it develops. If there are any questions or needs for additional information, please contact Aquatic Biologist Kendall Bakich at 970.947.2924 or District Wildlife Manager Dan Cacho at 970.947.2934.

Sincerely,



Kendall Bakich
Aquatic Biologist
Wildlife Area 8, Glenwood Springs

Cc: Matt Yamashita, Area Wildlife Manager
Dan Cacho, District Wildlife Manager
File

Public Meeting #1 Materials

We Want to Hear from You!

This is the **first** public workshop for the **Three Mile Creek Confluence Planning Project**. We are here to explain the project details and **understand what you want to see** in **your** public space!

Project Goals Statement

“ Develop a **holistic** and **resilient** plan that addresses current and future impacts from the use of the Three Mile Creek confluence area while providing ecologically diverse and naturally sustainable **habitats**, improved **water quality**, **trail connectivity**, **recreational access**, and **education** regarding our most valuable natural resource, **water**. ”

What should you do here today?

Find out about the project:

- » Sign in
- » Review the boards and learn
- » Ask us questions

Give us your input:

- » Take the survey online or on paper
- » Show us what you like and dislike on the photo example boards



www.surveymonkey.com/r/3Mile

Show us how you use the Three Mile Creek confluence area:

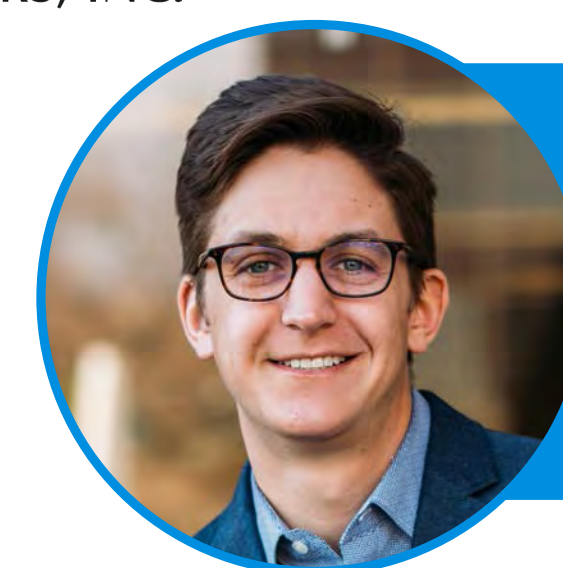
- » Draw on the aerial map how you use the area
- » Draw/write notes on what you would like here

And talk to our team members!

Consultant Team



Scott Schreiber, PE
Project Manager
Restoration Engineer



Drake Ludwig, EI
Restoration Engineer



Jon Altschuld, RLA
Landscape Architect



Randy Mandel
Revegetation specialist
Restoration Ecologist

Grant funding provided by:



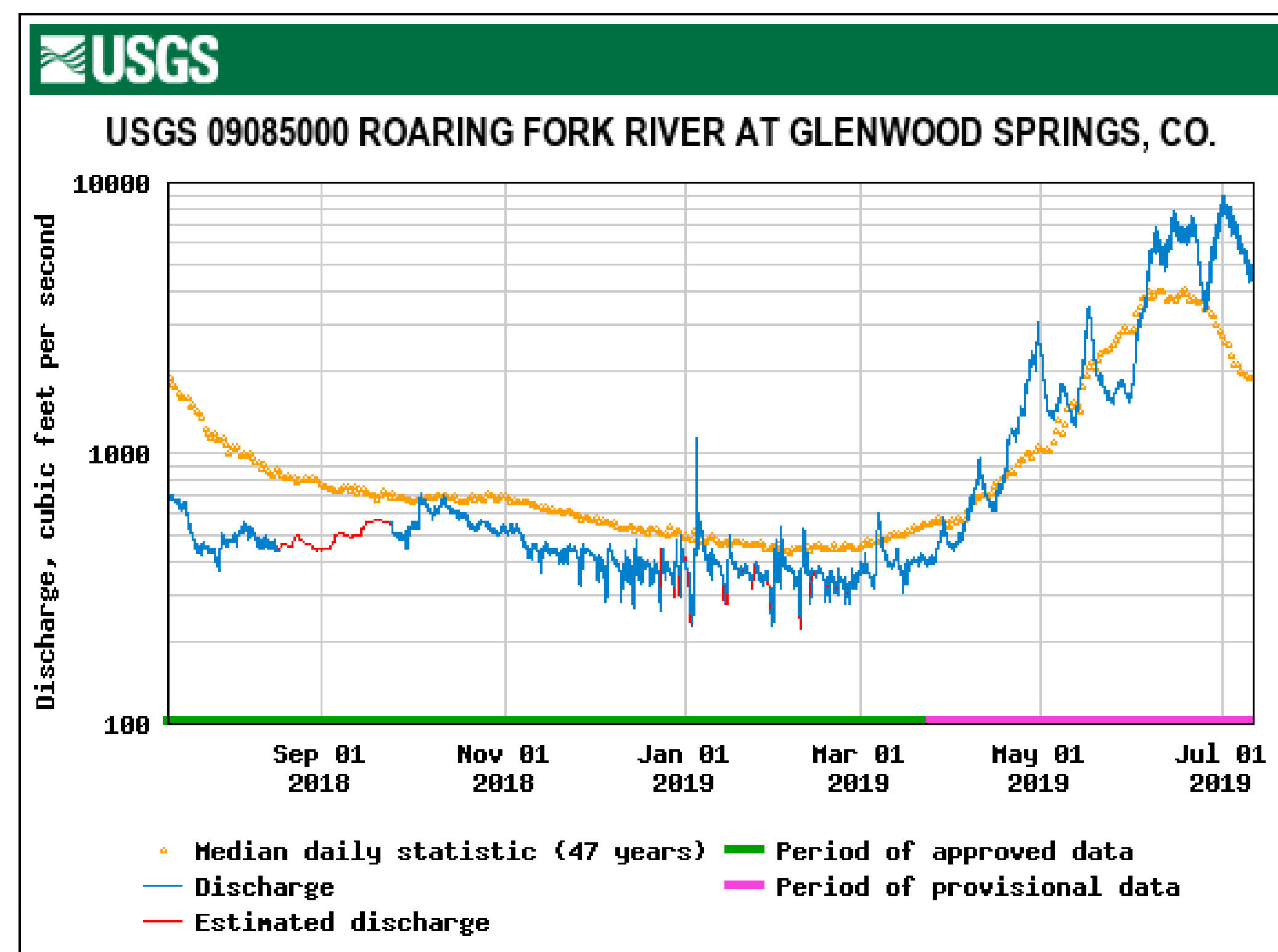
Aerial Site Map

Please use the provided markers and pens to show us how you currently use the Three Mile Creek confluence area. You can also draw in and write notes about how you would like to use it (potential improvements).

Please be respectful with comments and do not mark over others' comments/notes.



**Roaring Fork mean daily flow
on May 9: 1,680 cfs**



**Roaring Fork flow
today: _____ cfs**

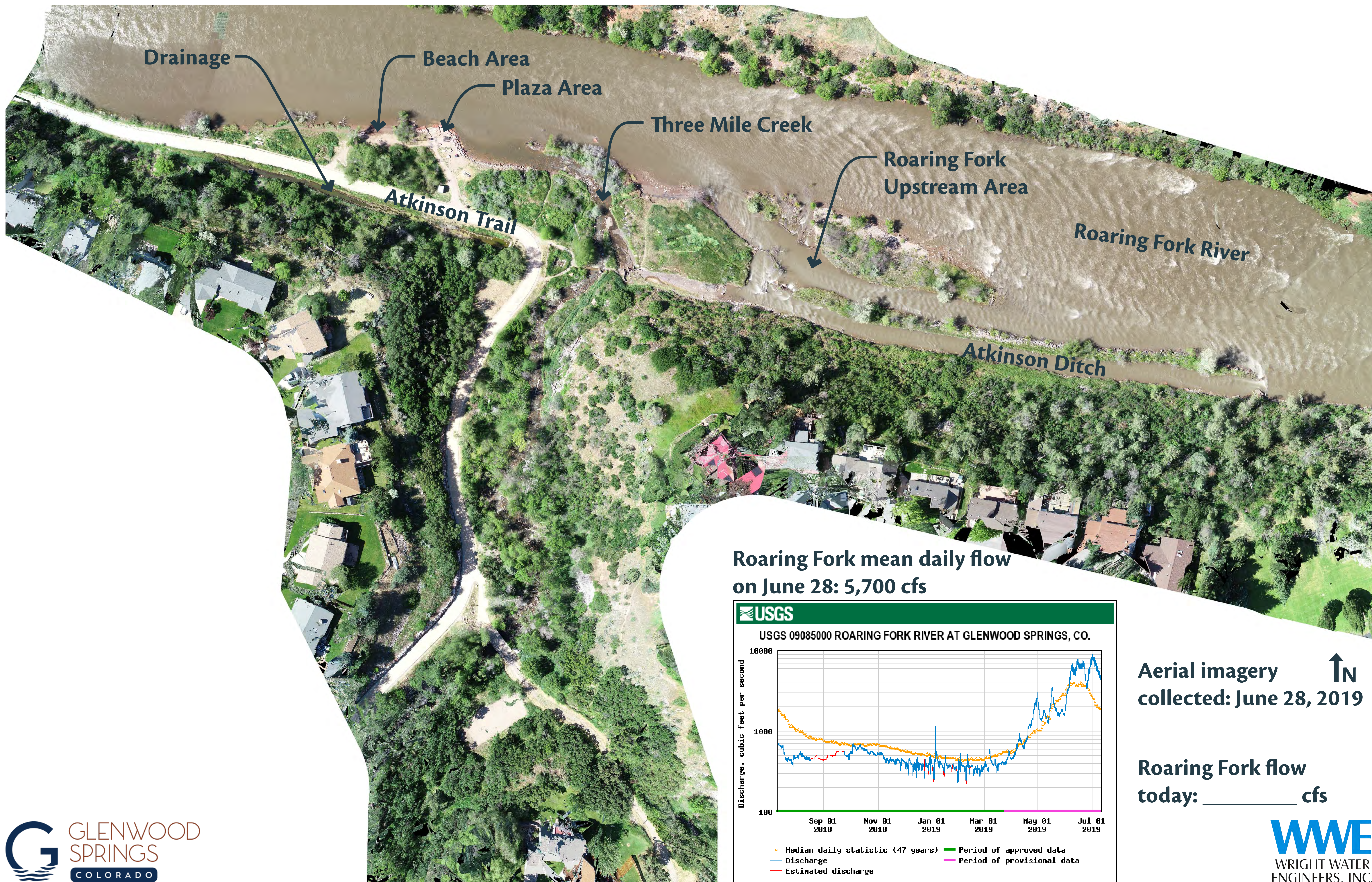
**Aerial imagery collected:
May 9, 2019**



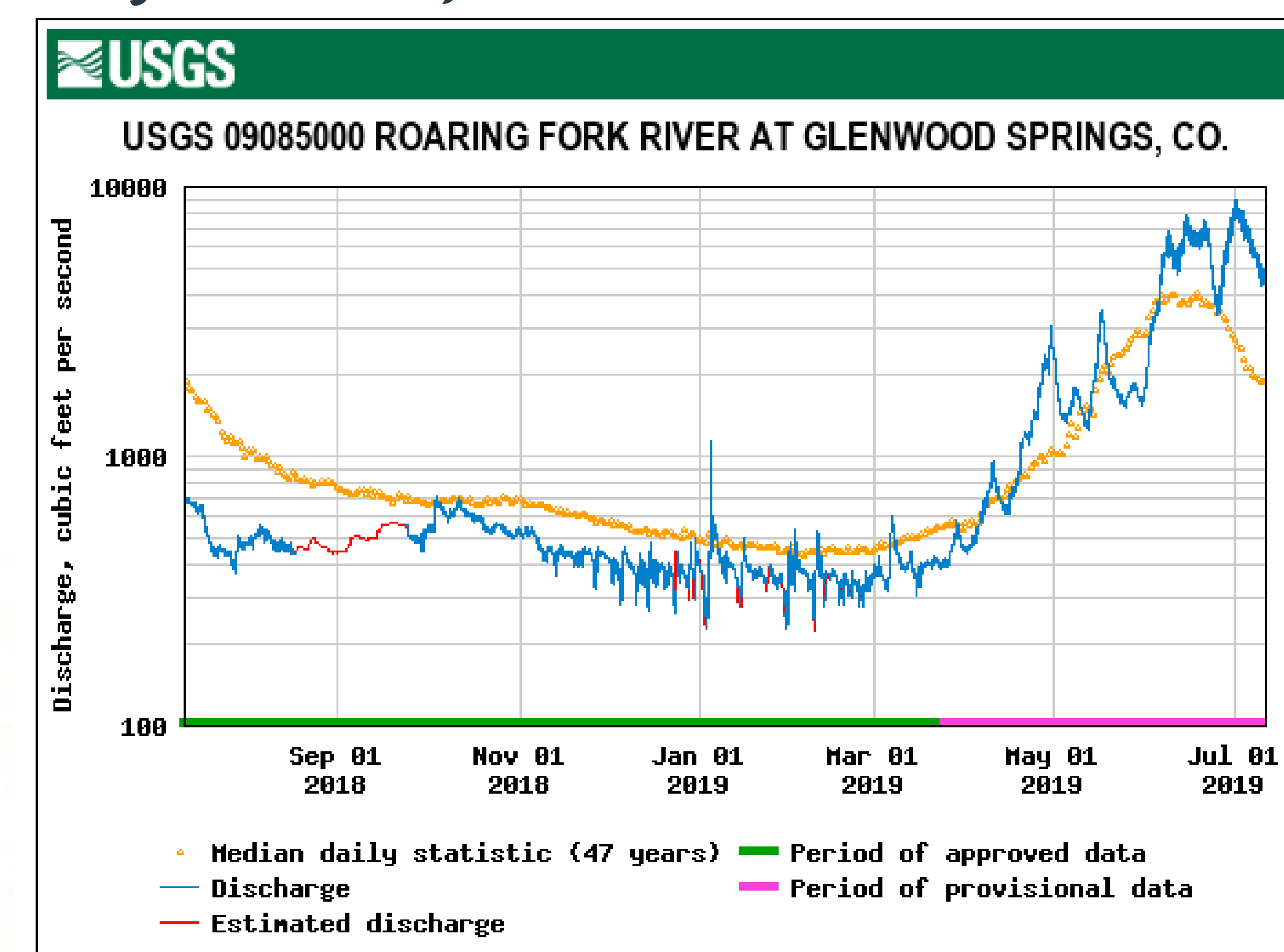
Aerial Site Map (High Flow)

Please use the provided markers and pens to show us how you currently use the Three Mile Creek confluence area. You can also draw in and write notes about how you would like to use it (potential improvements).

Please be respectful with comments and do not mark over others' comments/notes.



Roaring Fork mean daily flow
on June 28: 5,700 cfs



Aerial imagery 
collected: June 28, 2019

Roaring Fork flow
today: _____ cfs

Photo Examples (1 of 2)

The images below are examples of the types of amenities and improvements that **could** be incorporated into the Three Mile Creek confluence plan; our Team will take your feedback into account as we develop the plan options.

For each of the categories, place red dots on image examples that you dislike for the Three Mile Creek confluence area, and green dots on image examples that you do like for the Three Mile Creek confluence area. Each image has a few keywords associated with that image.

Seating and Tables

Make no seating improvements



natural, log



natural, stone



fabricated, wood, simple



fabricated, wood, simple, table with seating



fabricated, metal, table with seating

Plaza Areas

Make no plaza improvements



natural, flagstone, integrated seating



concrete, boulders, modern



concrete, overlook

Restrooms

Make no restroom improvements



porta-potty, painted, public art



porta-potty, enclosure/facade, used elsewhere in Glenwood



composting, permanent enclosure, finished materials

Shade Structures

Make no shade structure improvements



fabric, curved



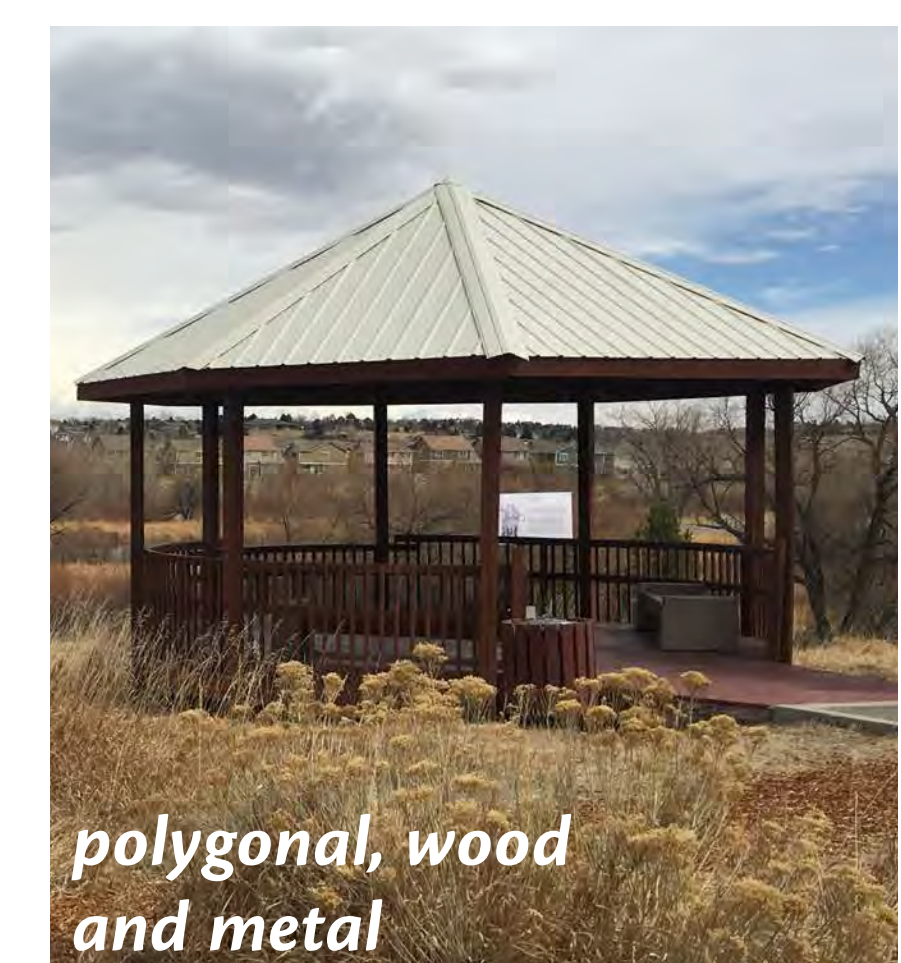
peaked roof, metal, stone, large



weathered metal, tilted roof, industrial



peaked roof, wood, rustic



polygonal, wood and metal

Water Crossings



sculpted concrete, low-flow steppers



natural stone, low-flow steppers



bridge/boardwalk, wood, year-round, breaks away in flood

Make no water crossing improvements

Photo Examples (2 of 2)

The images below are examples of the types of amenities and improvements that **could** be incorporated into the Three Mile Creek confluence plan; our Team will take your feedback into account as we develop the plan options.

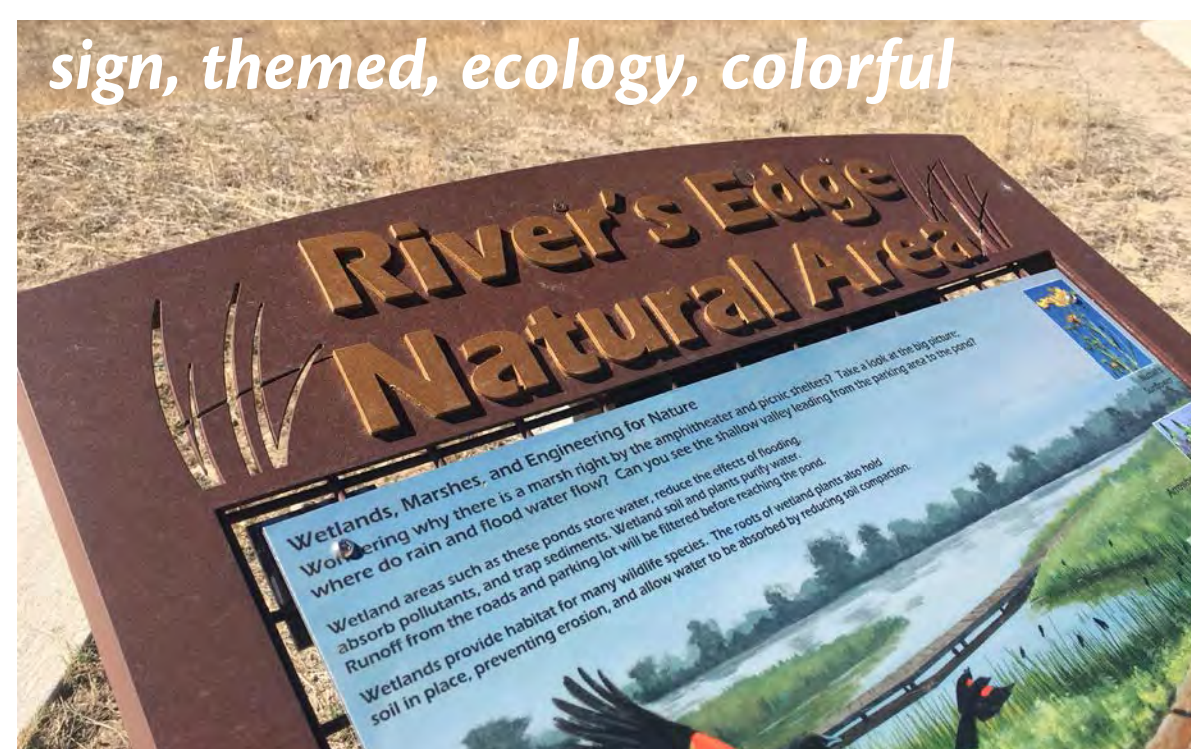
For each of the categories, place red dots on image examples that you dislike for the Three Mile Creek confluence area, and green dots on image examples that you do like for the Three Mile Creek confluence area. Each image has a few keywords associated with that image.

Educational Elements & Signage

Make no sign/
education
improvements



covered, large, multi-panel, themed



sign, themed, ecology, colorful



sign, interactive, tactile, vegetation



animals, tracks, surface treatment, subtle



educational loop,
wayfinding



pet waste
station

Vegetation

Make no
vegetation
improvements



willows, riparian,
lush/full, native



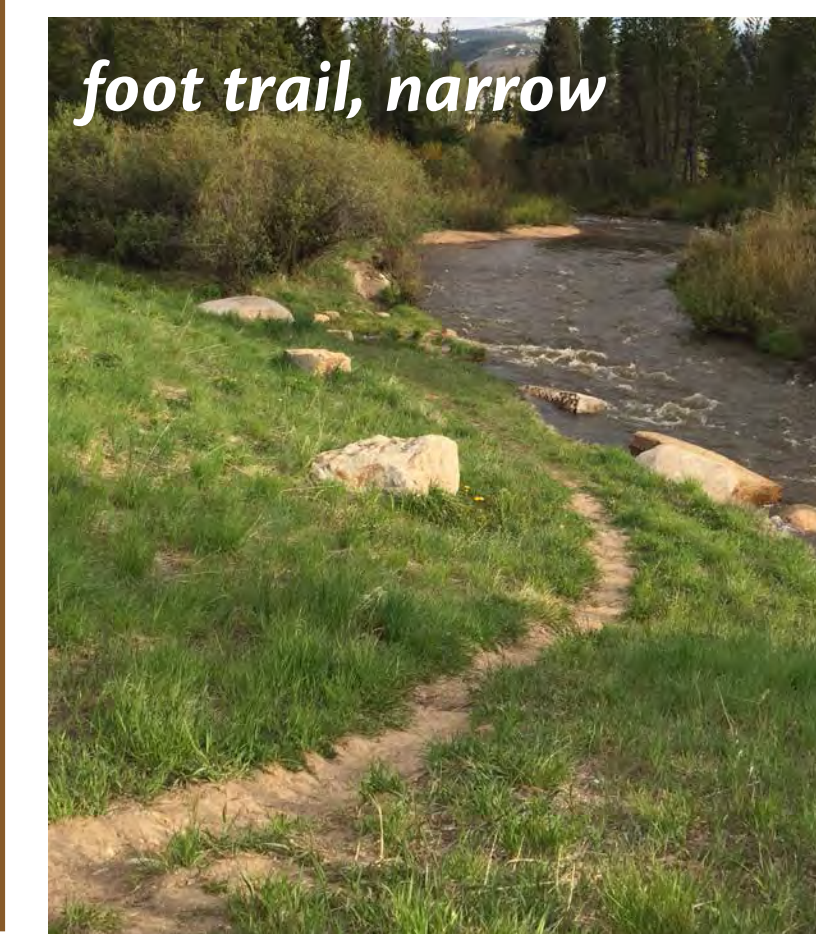
willow, cottonwood, native, some access



maintained, ornamental

Secondary Trails

Make no secondary trail
improvements



foot trail, narrow



crusher fines, wide, maintained



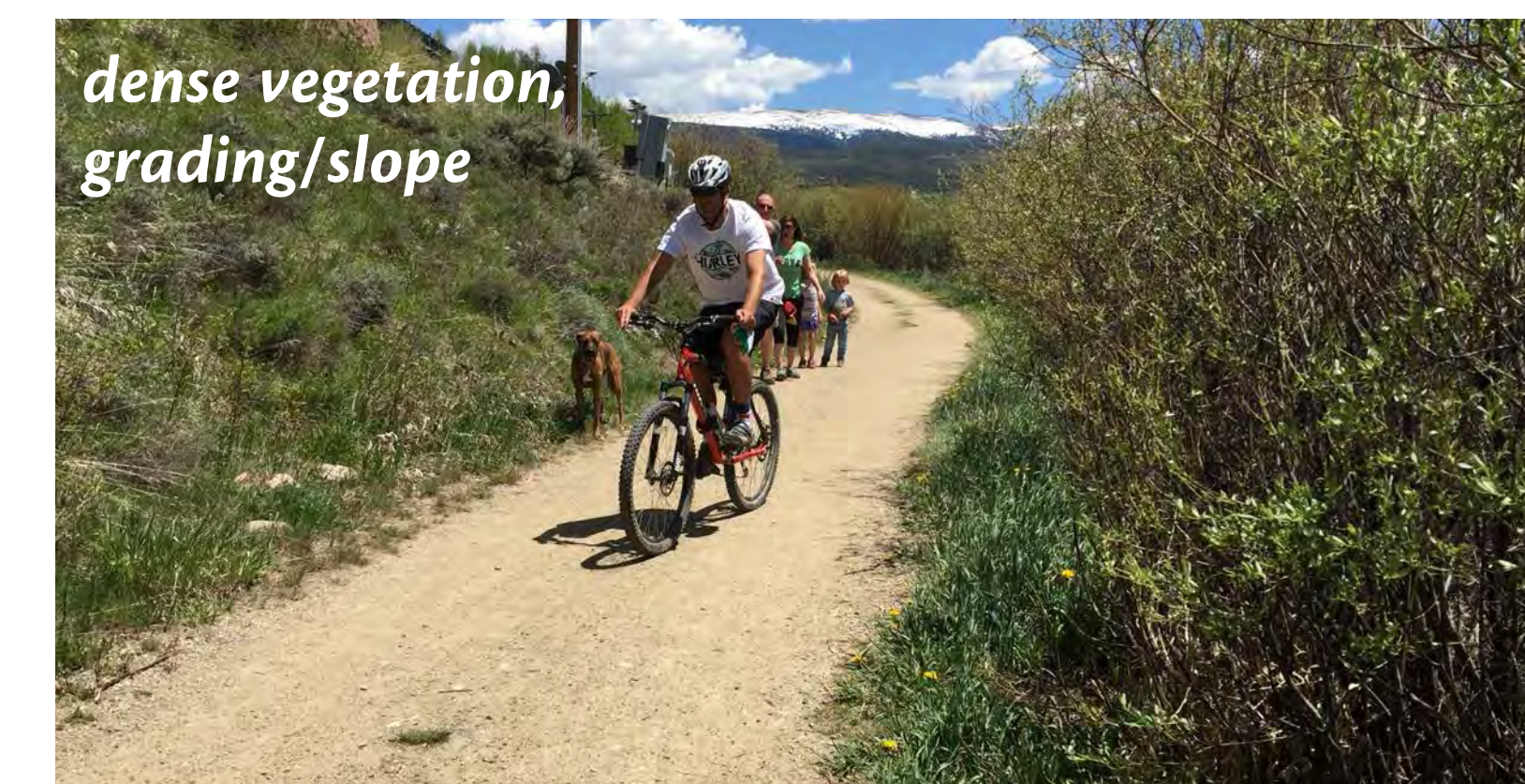
loops, connections with
main trail, trail network

Barriers

Make no barrier
improvements



wood, split rail, rustic

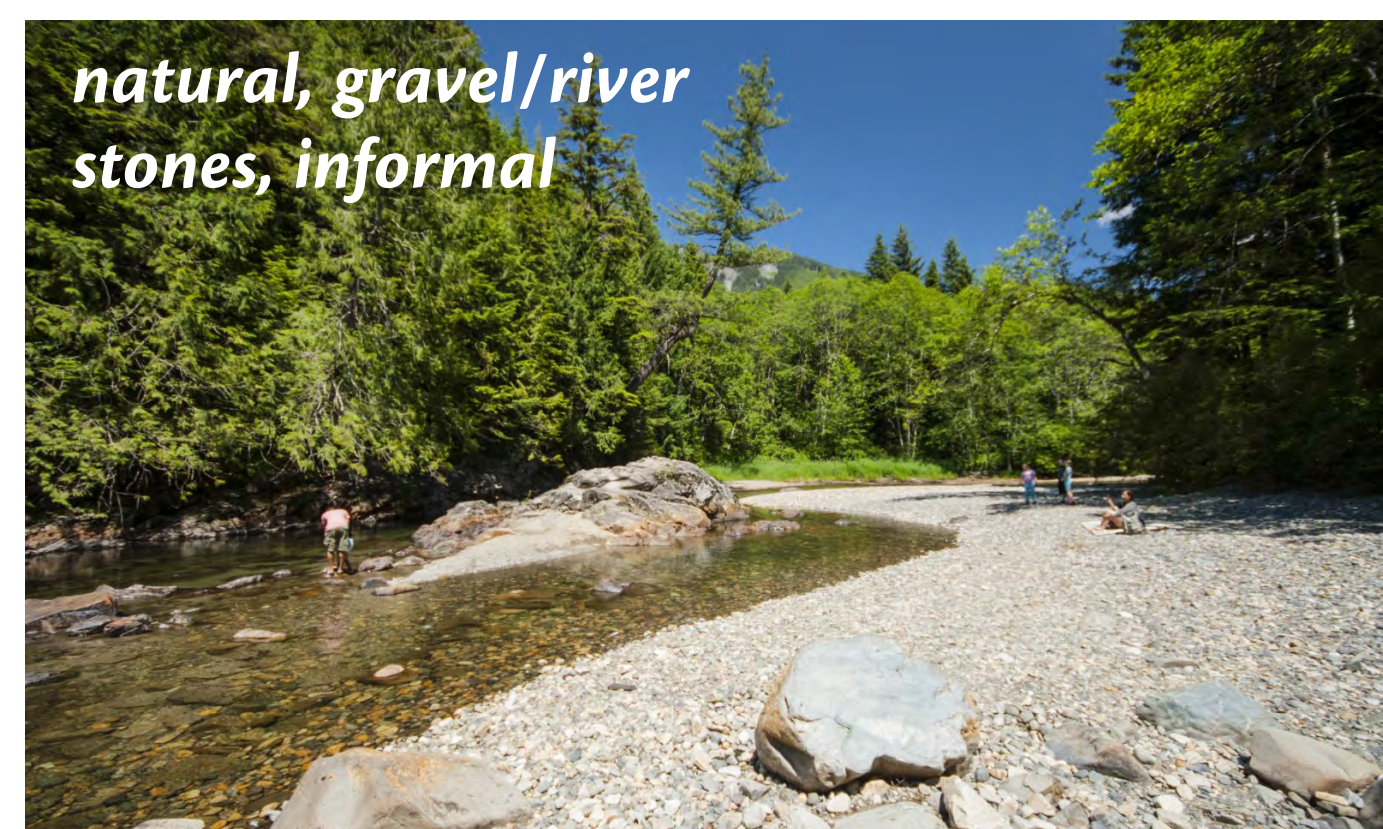


dense vegetation,
grading/slope

Beach and Water Access



formal/controlled, stone



natural, gravel/river
stones, informal



designated boat
landing area

Make no beach access improvements



signage and fence,
wood



signage, railing, metal

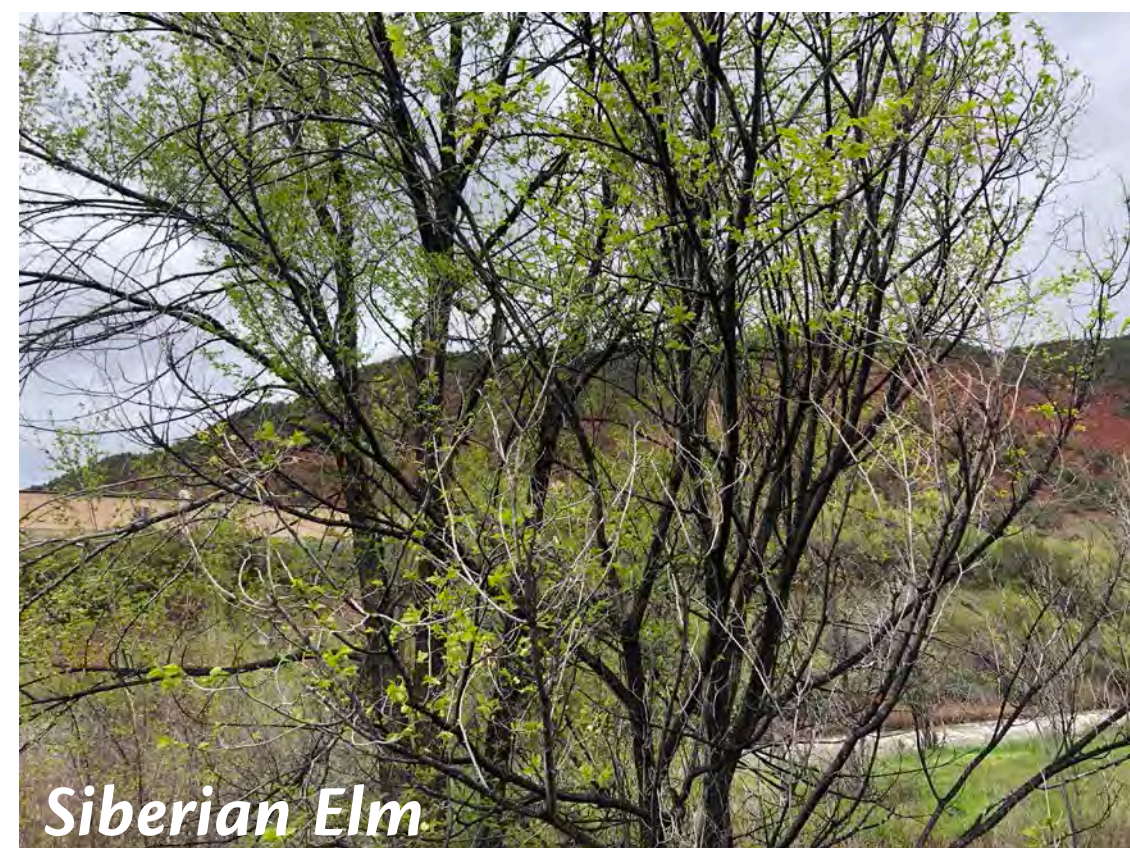


wood and rope, minimal

Existing Site Conditions

Below are several pictures of existing site conditions at the Three Mile Creek confluence area.

Invasive/Noxious Plant Species Examples



Siberian Elm



Russian Olive



Bulbous Bluegrass



Common Tansy



Cheatgrass



Hounds Tongue

Native Plant Examples



Rocky Mountain Maple



Saskatoon Serviceberry



Buffaloberry



Whitestem Gooseberry

Drainage



Bank Conditions



Atkinson Trail



Brush Creek Park Trail



Parking/Trailhead



Restroom



Riparian Zone Functions

The riparian zone is an area of land near rivers, streams, and other water bodies which is critical to the health of plants and animals (including humans) that depend on the ecosystem. Healthy riparian zones contain diverse vegetation, buffer streams from human impacts, and provide essential benefits to stream health, acting as:

Examples of riparian zones in poor health/condition:



Umbrellas: shade from trees keeps streams cool

Velcro: plant roots stabilize soil, minimizing erosion

Sponges: vegetated ground stores water and mitigates flooding

Grocery Stores: plants provide diverse food for wildlife

Filters: vegetated soil removes pollutants before they enter a stream

Buffer Zones: zone between the river and uplands which mitigate sedimentation and erosion

Speed Bumps: dissipation of stream energy

Apartment Complex: multi-storied habitat/home to abundant and diverse wildlife

Riparian Zone Functions information
provided by the Roaring Fork Conservancy



Examples of riparian zones in good health/condition:



Fish Spawning and Movement

Many fish species live and move through both the Roaring Fork River and Three Mile Creek. Although the confluence area does not seem to be a popular spot for fish spawning, several fish species do travel through this confluence to spawn further up the Creek.



Rainbow Trout



Brown Trout



Brook Trout



Cutthroat Trout



Mountain Whitefish

To protect spawning trout, the Roaring Fork 50 yards up and downstream of the confluence, and Three Mile Creek from the confluence upstream 1/2 mile are closed to fishing:
MARCH 15 - MAY 15 and OCTOBER 1 - NOVEMBER 30

Fish species artwork courtesy of Joseph Tomelleri



Site Access Map

Please use the provided markers and pens to show us how you currently **access** the Three Mile Creek confluence area. You can also draw in ideas you have for future access; 2 **possible** future connections have been drawn on the map.

Please be respectful with comments and do not mark over others' comments/notes.

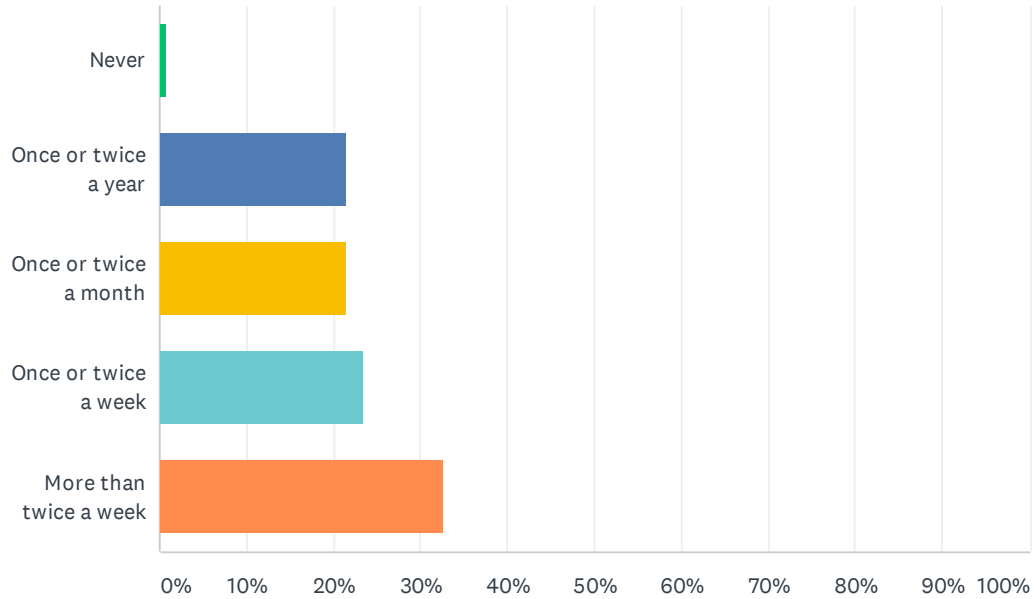


Google Earth

Public Input Survey #1 Full Results

Q1 How often do you use the Three Mile Creek Confluence Area? (select one)

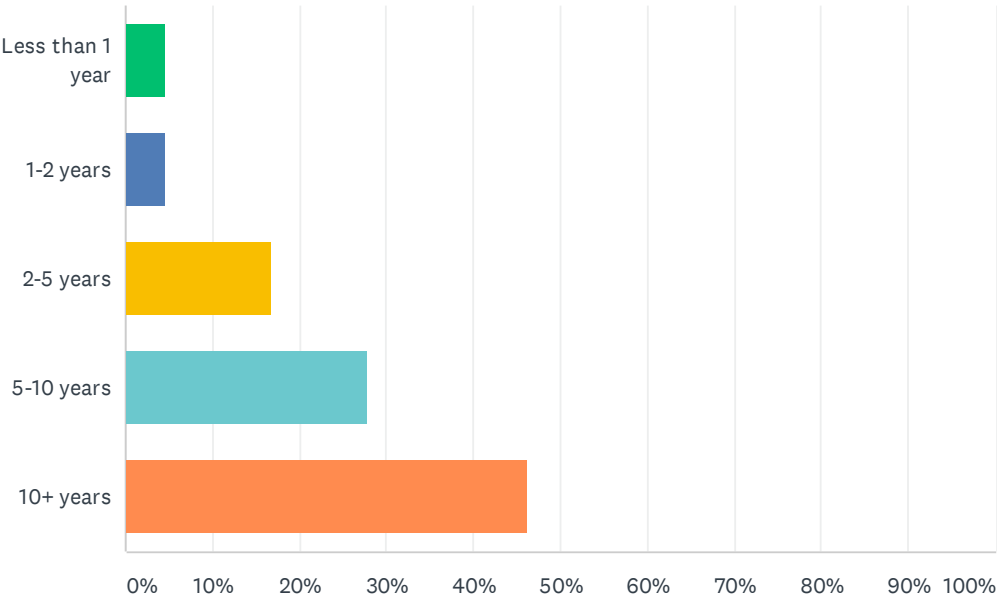
Answered: 107 Skipped: 4



ANSWER CHOICES	RESPONSES	
Never	0.93%	1
Once or twice a year	21.50%	23
Once or twice a month	21.50%	23
Once or twice a week	23.36%	25
More than twice a week	32.71%	35
TOTAL		107

Q2 How long have you been using the Three Mile Creek Confluence area? (select one)

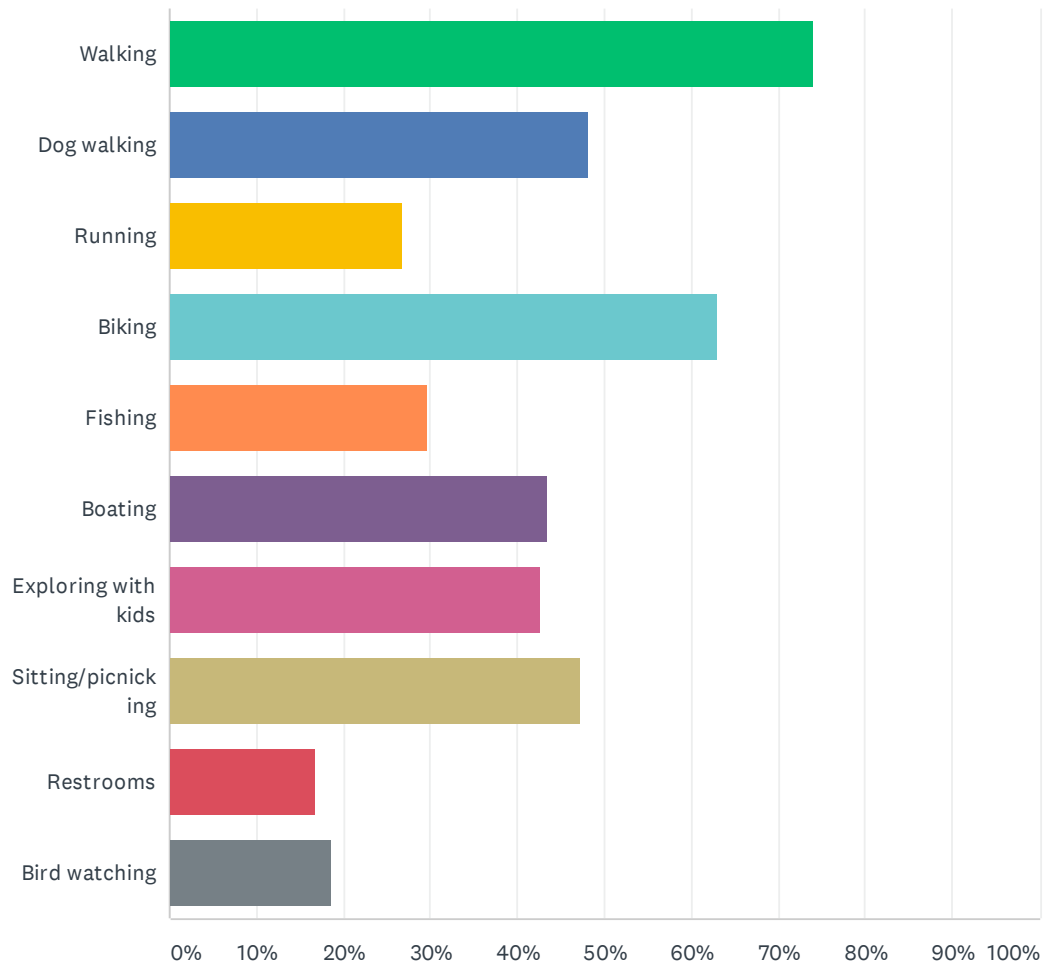
Answered: 108 Skipped: 3



ANSWER CHOICES	RESPONSES	
Less than 1 year	4.63%	5
1-2 years	4.63%	5
2-5 years	16.67%	18
5-10 years	27.78%	30
10+ years	46.30%	50
TOTAL		108

Q3 Which activities do you use the Three Mile Creek Confluence area for? (select all that apply)

Answered: 108 Skipped: 3



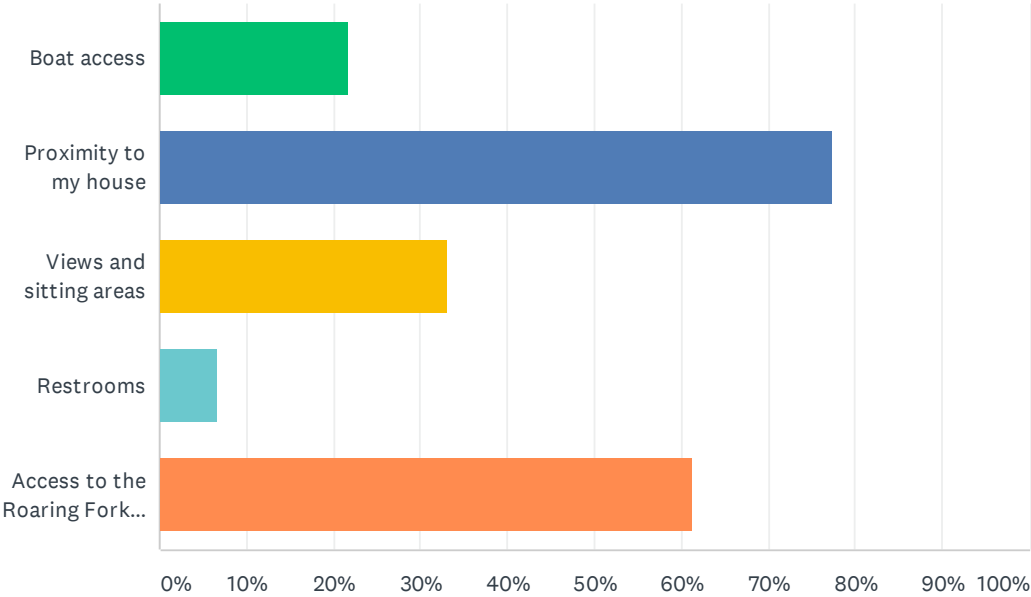
Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

ANSWER CHOICES	RESPONSES	
Walking	74.07%	80
Dog walking	48.15%	52
Running	26.85%	29
Biking	62.96%	68
Fishing	29.63%	32
Boating	43.52%	47
Exploring with kids	42.59%	46
Sitting/picnicking	47.22%	51
Restrooms	16.67%	18
Bird watching	18.52%	20
Total Respondents: 108		

#	OTHER (PLEASE SPECIFY)	DATE
1	Raft by the area but do not stop.	8/21/2019 7:11 AM
2	wading in the river	8/20/2019 8:53 AM
3	swimming	8/16/2019 5:43 PM
4	Wading	8/2/2019 10:02 AM
5	Swimming	7/26/2019 6:43 PM
6	Commuting to work	7/21/2019 10:45 PM
7	Swimming dogs	7/21/2019 4:53 PM
8	commuting to work	7/21/2019 3:56 PM
9	X-c skiing	7/20/2019 10:33 AM
10	swimming	7/19/2019 8:16 AM
11	none	7/19/2019 4:53 AM
12	Bathing	7/19/2019 1:30 AM
13	observing the maintenance of the site	7/11/2019 8:29 AM
14	meeting friends, and outside social events	7/10/2019 3:56 PM
15	Swimming	7/5/2019 10:36 PM

Q4 Why do you choose the Three Mile Creek Confluence area over other parks or trails? (select all that apply)

Answered: 106 Skipped: 5



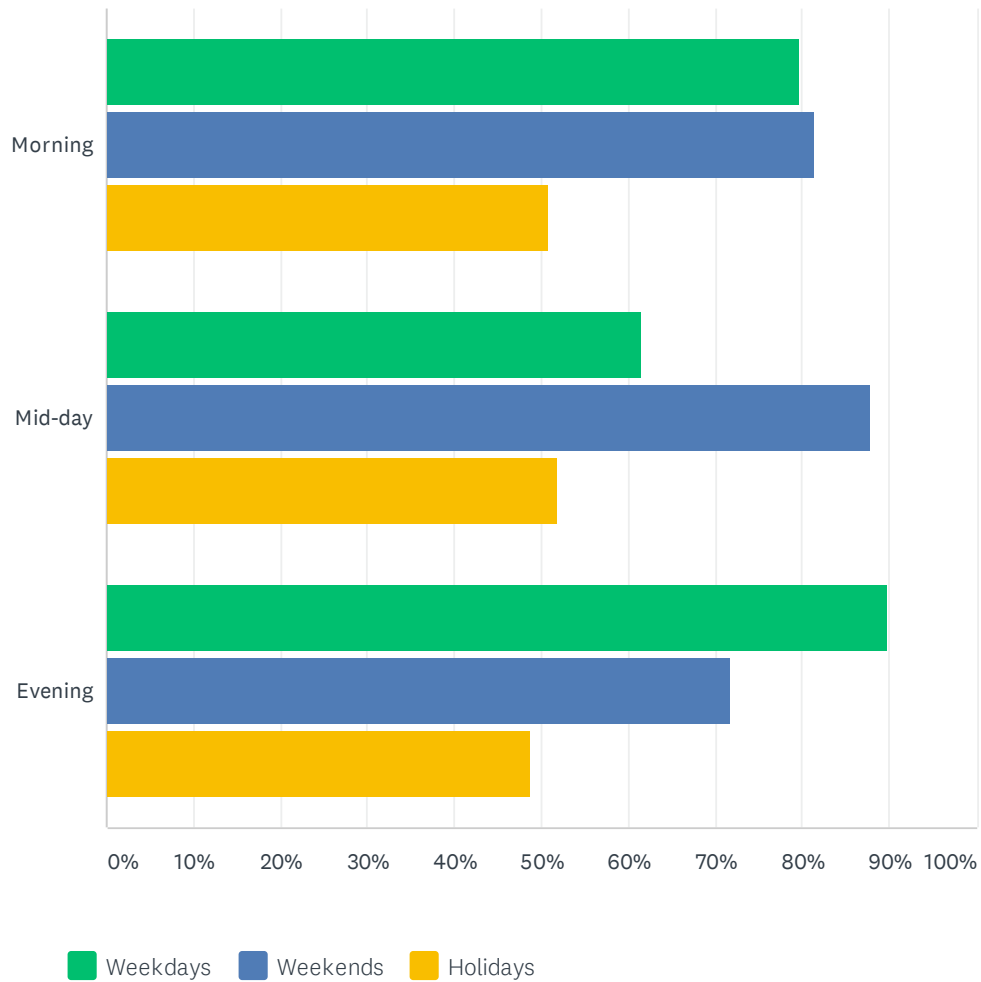
ANSWER CHOICES	RESPONSES	
Boat access	21.70%	23
Proximity to my house	77.36%	82
Views and sitting areas	33.02%	35
Restrooms	6.60%	7
Access to the Roaring Fork River and Three Mile Creek	61.32%	65
Total Respondents: 106		

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

#	OTHER (PLEASE SPECIFY)	DATE
1	It's still nice.	8/21/2019 8:44 AM
2	I rarely do choose this area first.	8/21/2019 7:11 AM
3	Beaches	8/16/2019 5:43 PM
4	it is a nice resting place on Roaring Fork River float	7/22/2019 7:46 AM
5	Beach area for kids	7/19/2019 8:49 AM
6	It's location on the bike path	7/19/2019 7:40 AM
7	i dont	7/19/2019 4:53 AM
8	Do restrooms even exist there currently? Wasn't aware	7/17/2019 2:10 PM
9	a component of my employment	7/11/2019 8:29 AM
10	no car traffic/access. serenity of river viewscape, no traffic noise, sandy beach for sitting and playing with young kids, shaded sandy beach, great fishing	7/10/2019 3:56 PM
11	Great place to swim and play in the river	7/5/2019 10:36 PM
12	My dog loves to swim there	7/3/2019 9:36 PM

Q5 What time of day do you typically use the Three Mile Creek Confluence area? (select all that apply)

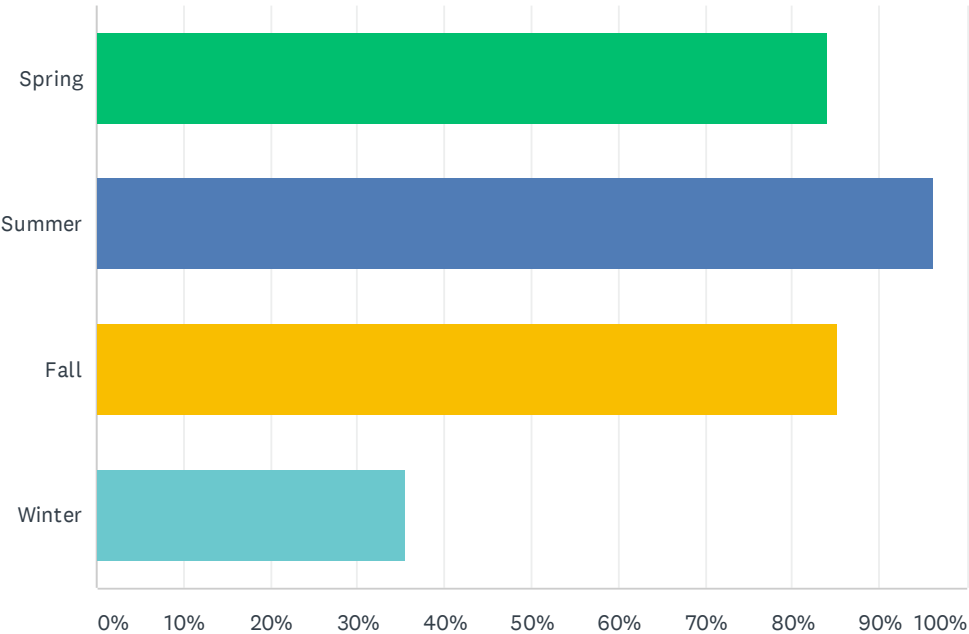
Answered: 106 Skipped: 5



	WEEKDAYS	WEEKENDS	HOLIDAYS	TOTAL RESPONDENTS
Morning	79.66% 47	81.36% 48	50.85% 30	59
Mid-day	61.45% 51	87.95% 73	51.81% 43	83
Evening	89.74% 70	71.79% 56	48.72% 38	78

Q6 During which seasons do you typically use the Three Mile Creek Confluence area? (select all that apply)

Answered: 107 Skipped: 4

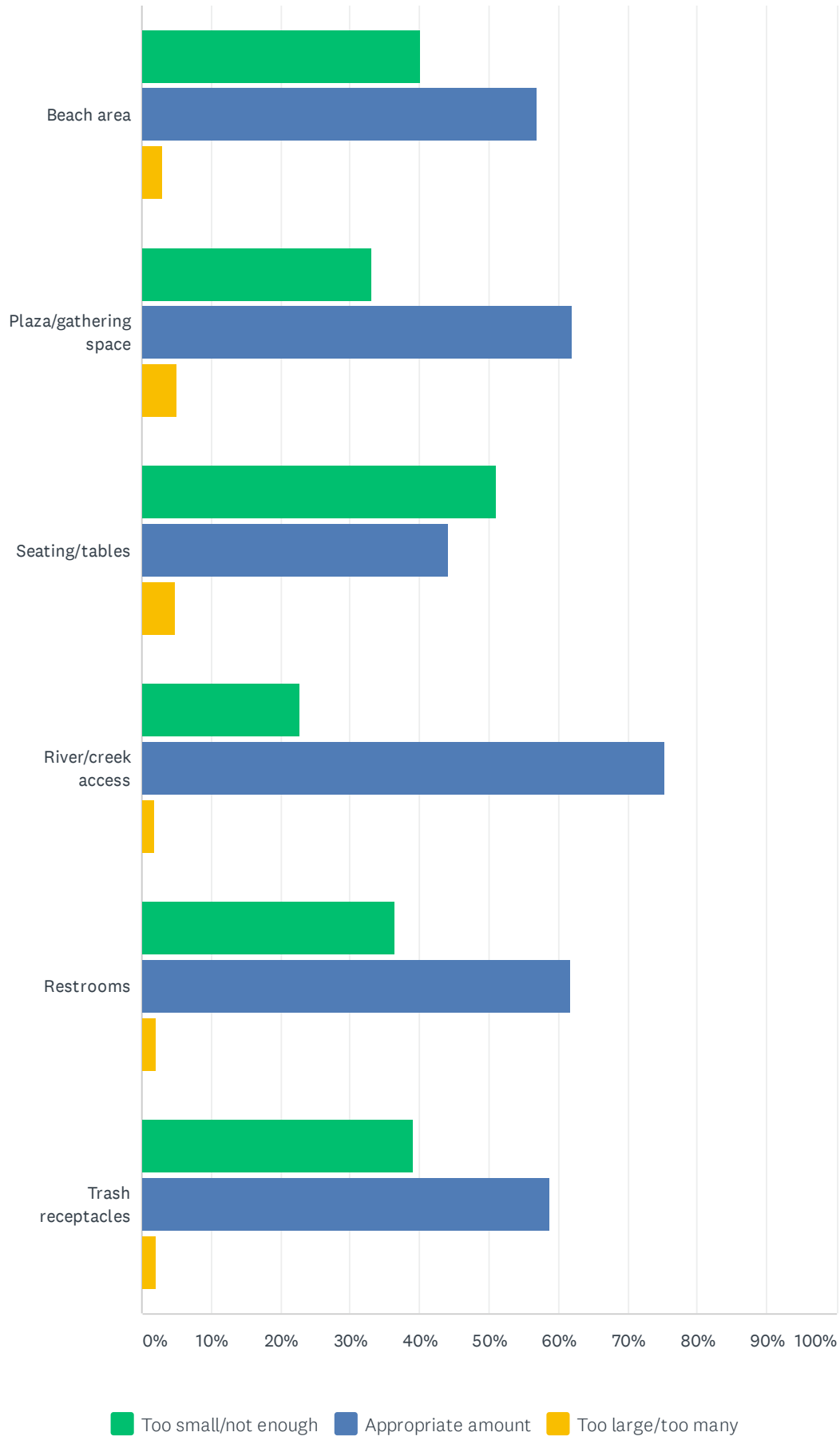


ANSWER CHOICES	RESPONSES	
Spring	84.11%	90
Summer	96.26%	103
Fall	85.05%	91
Winter	35.51%	38
Total Respondents: 107		

**Q7 How would you rate the allocated space for the following amenities?
(select one per row)**

Answered: 105 Skipped: 6

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



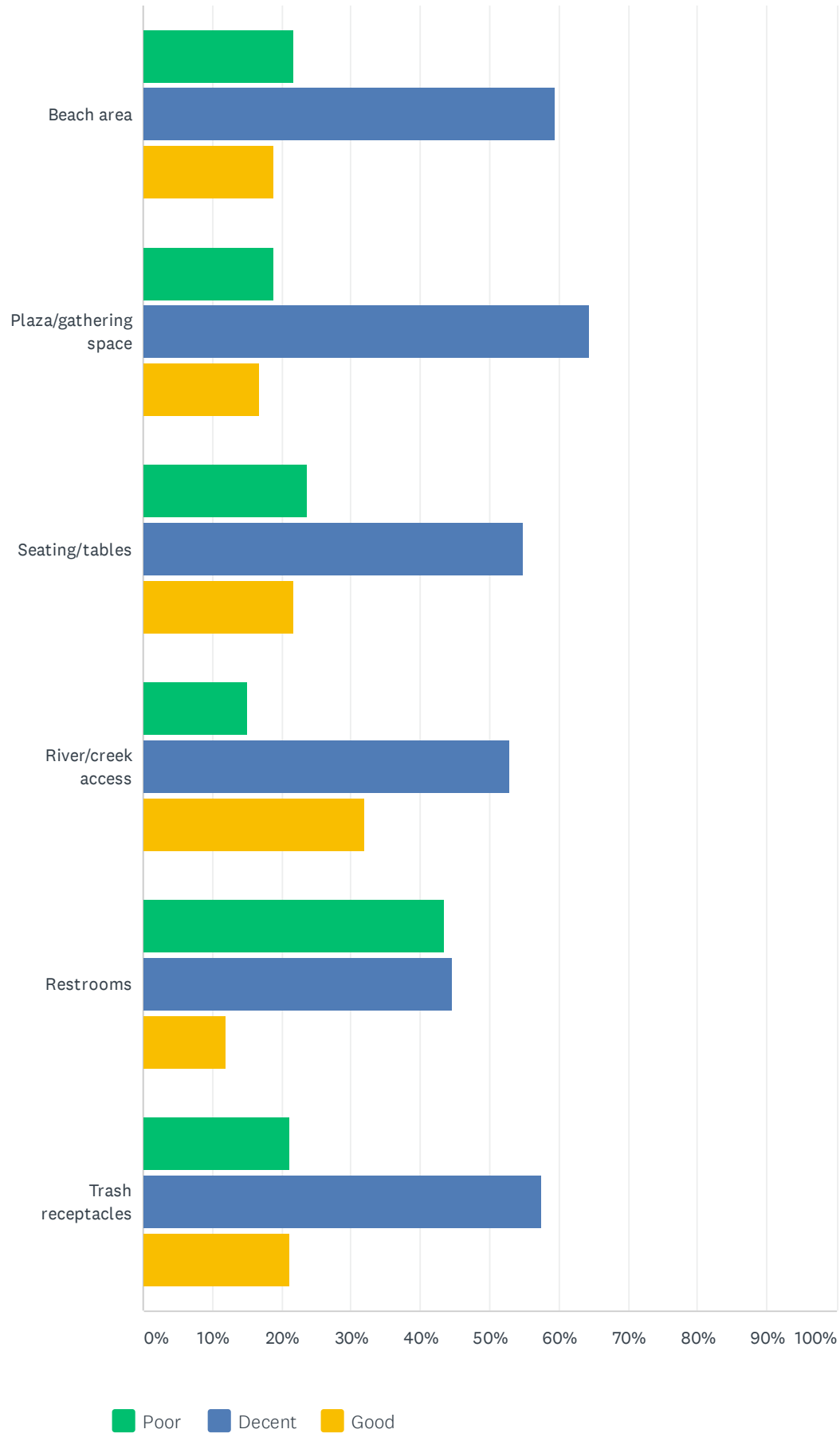
Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

	TOO SMALL/NOT ENOUGH	APPROPRIATE AMOUNT	TOO LARGE/TOO MANY	TOTAL
Beach area	40.20% 41	56.86% 58	2.94% 3	102
Plaza/gathering space	33.00% 33	62.00% 62	5.00% 5	100
Seating/tables	50.98% 52	44.12% 45	4.90% 5	102
River/creek access	22.77% 23	75.25% 76	1.98% 2	101
Restrooms	36.36% 36	61.62% 61	2.02% 2	99
Trash receptacles	39.18% 38	58.76% 57	2.06% 2	97

Q8 How would you rate the quality of the following amenities? (select one per row)

Answered: 107 Skipped: 4

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

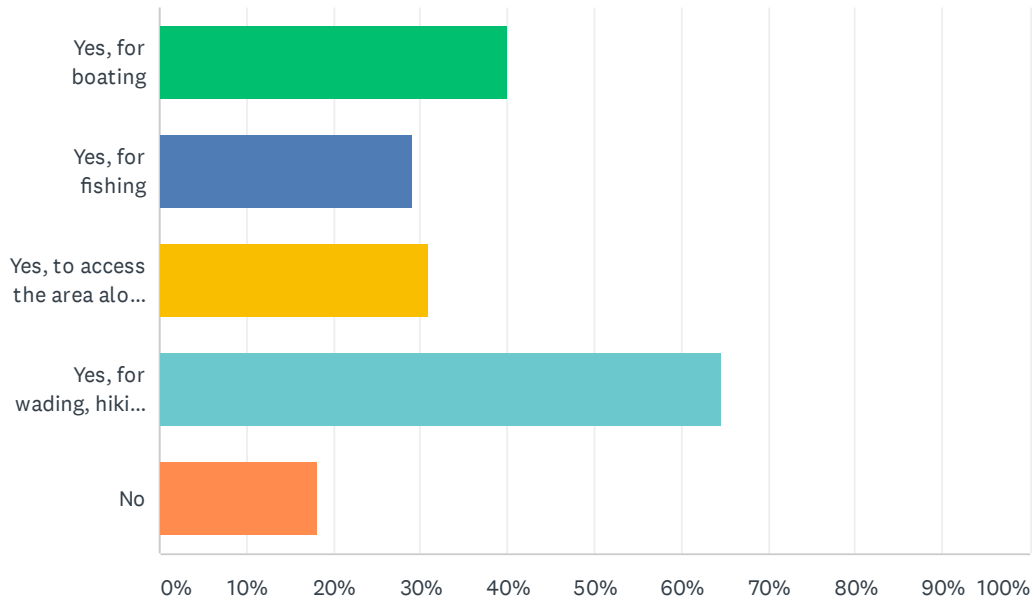


Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

	POOR	DECENT	GOOD	TOTAL
Beach area	21.70% 23	59.43% 63	18.87% 20	106
Plaza/gathering space	18.81% 19	64.36% 65	16.83% 17	101
Seating/tables	23.58% 25	54.72% 58	21.70% 23	106
River/creek access	15.09% 16	52.83% 56	32.08% 34	106
Restrooms	43.56% 44	44.55% 45	11.88% 12	101
Trash receptacles	21.21% 21	57.58% 57	21.21% 21	99

Q9 Do you go into the water (Roaring Fork River or Three Mile Creek) when you use the Three Mile Creek Confluence area? (select all that apply)

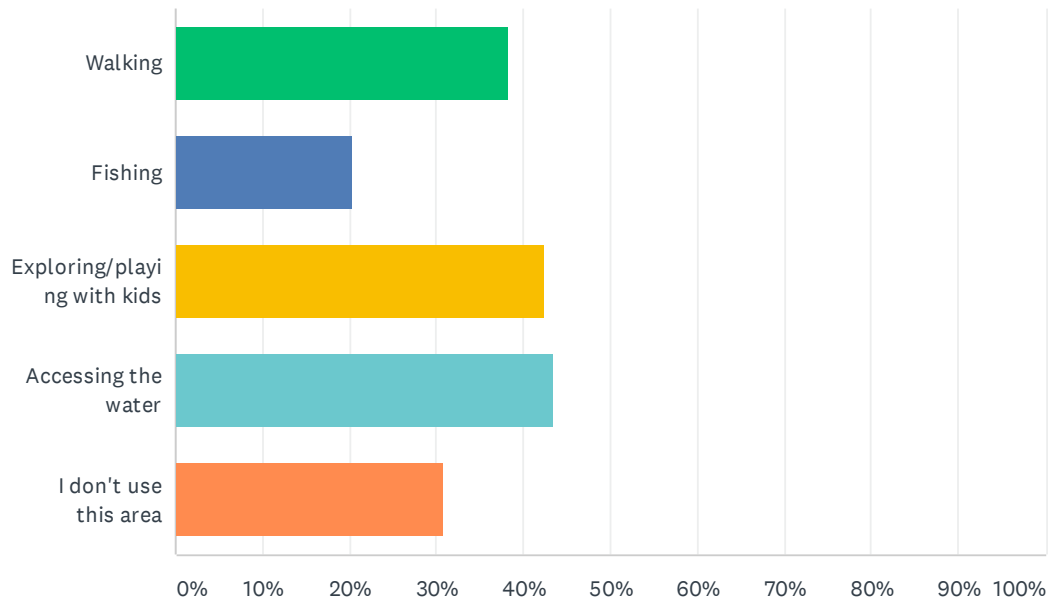
Answered: 110 Skipped: 1



ANSWER CHOICES	RESPONSES	
Yes, for boating	40.00%	44
Yes, for fishing	29.09%	32
Yes, to access the area along the Roaring Fork River, upstream of the confluence	30.91%	34
Yes, for wading, hiking, dog walking, etc. (including dogs entering the water)	64.55%	71
No	18.18%	20
Total Respondents: 110		

Q10 Which activities do you use the Roaring Fork Upstream Area for? (select all that apply)

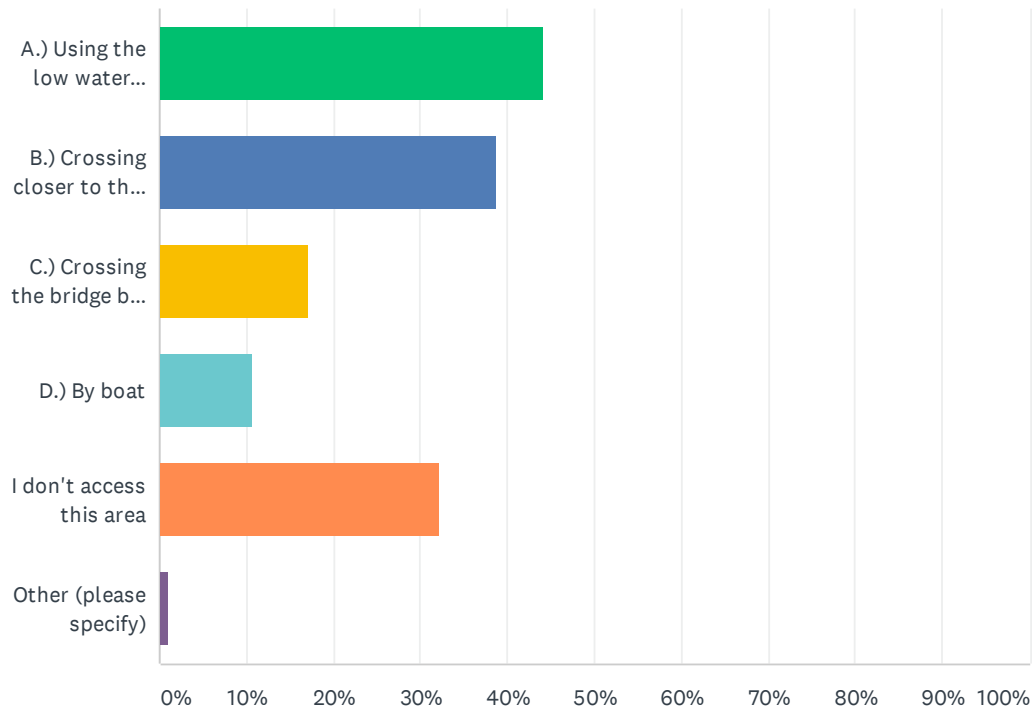
Answered: 94 Skipped: 17



ANSWER CHOICES	RESPONSES	
Walking	38.30%	36
Fishing	20.21%	19
Exploring/playing with kids	42.55%	40
Accessing the water	43.62%	41
I don't use this area	30.85%	29
Total Respondents: 94		

Q11 How do you typically access the Roaring Fork Upstream Area (how do you cross Three Mile Creek)? (select all that apply)

Answered: 93 Skipped: 18

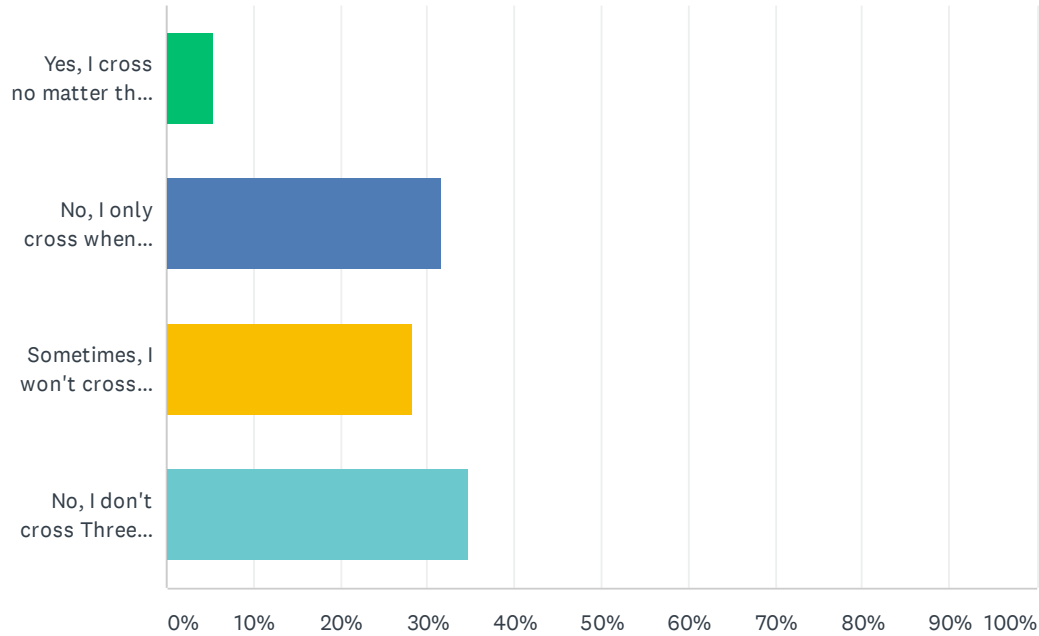


ANSWER CHOICES		RESPONSES	
A.) Using the low water crossing near the Atkinson Ditch and old head gate		44.09%	41
B.) Crossing closer to the confluence, near the plaza sitting area		38.71%	36
C.) Crossing the bridge by the volleyball courts and walking along the east side of Three Mile Creek		17.20%	16
D.) By boat		10.75%	10
I don't access this area		32.26%	30
Other (please specify)		1.08%	1
Total Respondents: 93			

#	OTHER (PLEASE SPECIFY)	DATE
1	From the mountain market	7/22/2019 12:36 PM

Q12 Do you cross Three Mile Creek to access this area during higher flows? (select one)

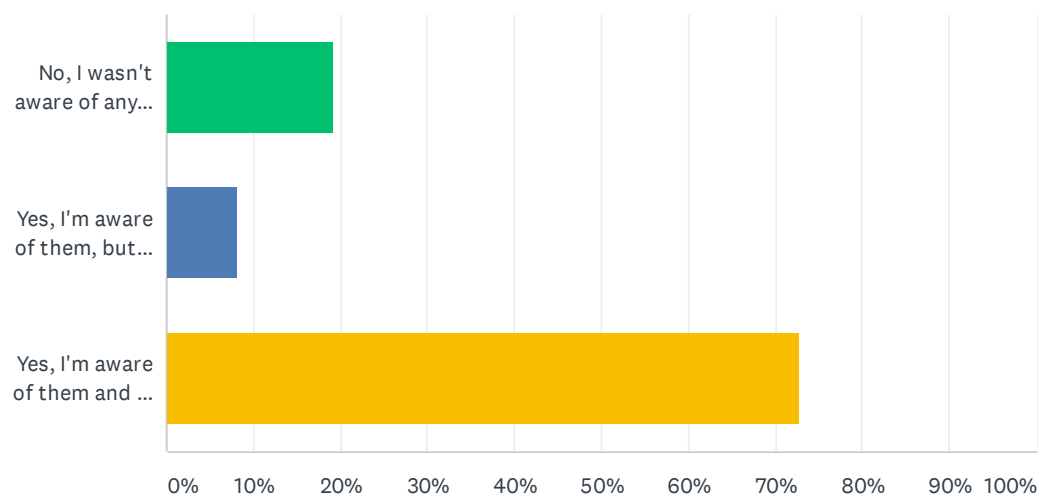
Answered: 92 Skipped: 19



ANSWER CHOICES	RESPONSES	
Yes, I cross no matter the flow	5.43%	5
No, I only cross when Three Mile Creek is flowing pretty low (a few inches deep)	31.52%	29
Sometimes, I won't cross during peak flows, but I do cross when it's higher than low flow	28.26%	26
No, I don't cross Three Mile Creek at all	34.78%	32
TOTAL		92

Q13 Are you aware of the seasonal restrictions on fishing at and near the confluence, and reasons why they are important? (select one)

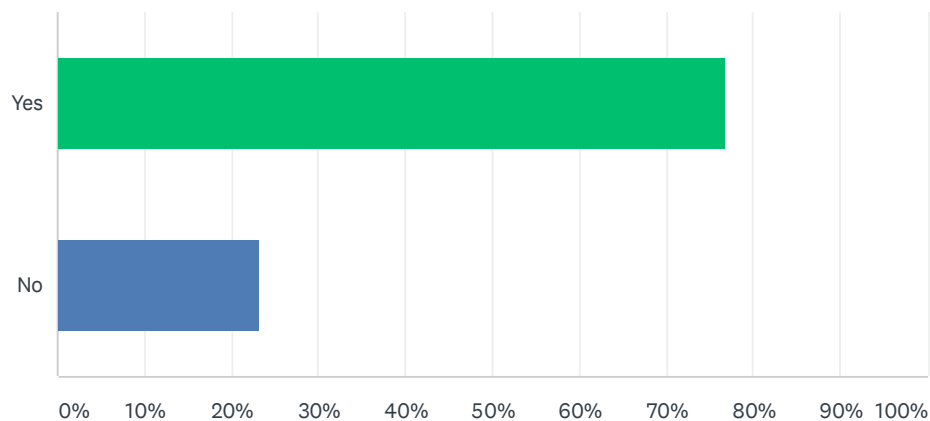
Answered: 99 Skipped: 12



ANSWER CHOICES		RESPONSES	
No, I wasn't aware of any restrictions		19.19%	19
Yes, I'm aware of them, but I don't know the reasons why they are important		8.08%	8
Yes, I'm aware of them and why they are important		72.73%	72
TOTAL			99

Q14 The seasonal fishing restrictions are put in place by Colorado Parks and Wildlife (CPW) to protect sensitive spawning habitat for many native fish species. Trout and other fish use these areas during spawning, as well as to move upstream for spawning. CPW is only allowed to regulate fishing activities. However, any wading through these areas during spawning season (from March 15-May 15 and October 1-November 30) is disruptive to fish spawning. Knowing this, would you be in favor of restricting all activities in the stream channel during these periods? These activities would include wading, walking, dog walking, etc. within the water. (select one)

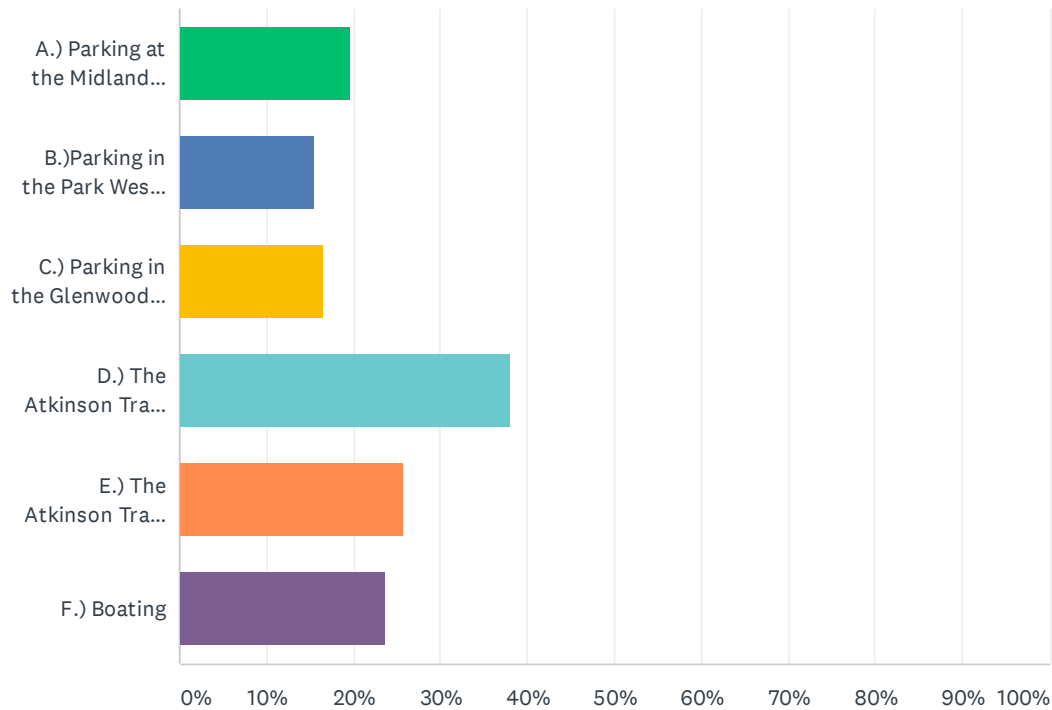
Answered: 99 Skipped: 12



ANSWER CHOICES	RESPONSES	
Yes	76.77%	76
No	23.23%	23
TOTAL		99

Q15 How do you typically access the Three Mile Creek Confluence? (select all that apply)

Answered: 97 Skipped: 14



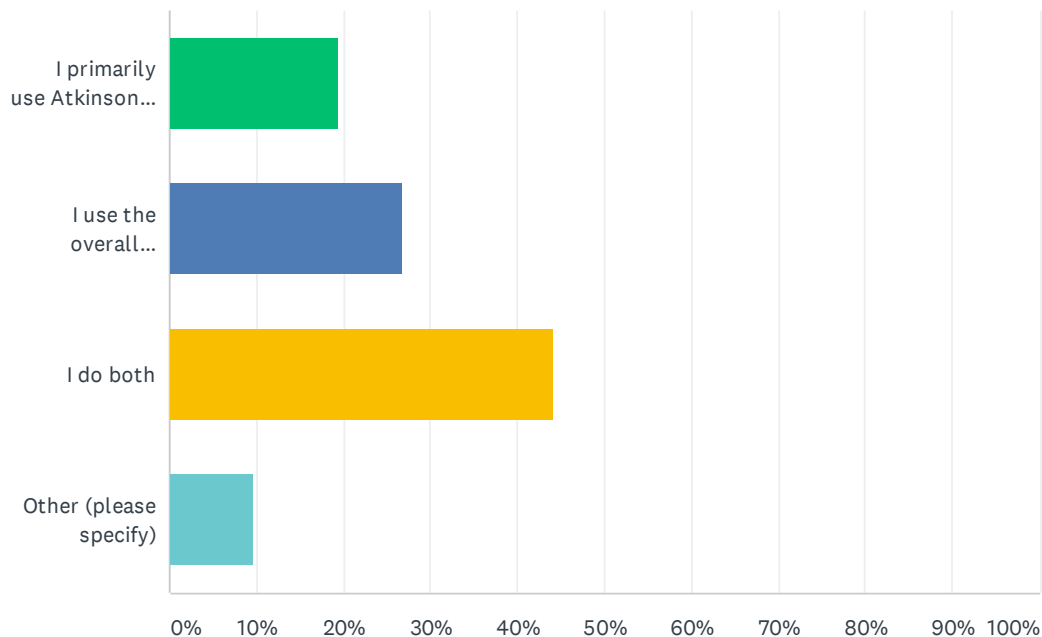
ANSWER CHOICES	RESPONSES	
A.) Parking at the Midland Parking Lot near the Conoco	19.59%	19
B.) Parking in the Park West neighborhood	15.46%	15
C.) Parking in the Glenwood Park neighborhood (Brush Creek Mountain Park)	16.49%	16
D.) The Atkinson Trail from the South	38.14%	37
E.) The Atkinson Trail from the West/North	25.77%	25
F.) Boating	23.71%	23
Total Respondents: 97		

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

#	OTHER (PLEASE SPECIFY)	DATE
1	walking from my home in park west	8/21/2019 11:35 AM
2	Bike or walk	8/21/2019 8:47 AM
3	We live in Glenwood Park and walk/bike down.	8/16/2019 9:36 AM
4	I walk from park west not park	8/16/2019 8:43 AM
5	Walk from Brush creek	8/15/2019 6:14 PM
6	Walking/biking from our house in Glenwood Park	8/8/2019 11:01 AM
7	Park West Residence	8/2/2019 10:08 AM
8	Walk from gGlenwood Park where we live, down dirt hill path	7/24/2019 8:28 AM
9	From Glenwood Park, walking	7/22/2019 12:40 PM
10	Walking	7/22/2019 8:54 AM
11	Tubing or boating - we stop at the beach for a rest and snack.	7/22/2019 7:59 AM
12	Walk from my house	7/21/2019 5:30 PM
13	Walking from Cardiff Glen	7/21/2019 5:13 PM
14	we walk from our house through park west	7/20/2019 4:10 PM
15	Walking or biking from home	7/20/2019 3:10 PM
16	I walk from Brush Creek Lane	7/20/2019 1:29 PM
17	My house is in Park West so I walk from there	7/20/2019 11:15 AM
18	Either from mountain market trail or trail in glenwood park	7/19/2019 8:57 AM
19	Walk from my home Glenwood Park	7/19/2019 2:28 AM
20	home in glenwood park	7/18/2019 1:00 PM
21	live nearby	7/12/2019 11:34 AM
22	Rocky trail by the volley ball courts	7/6/2019 7:47 PM
23	Walk from home to trailhead a	7/3/2019 5:30 PM

Q16 Primarily, do you use the Atkinson Trail as a way to access the Three Mile Creek Confluence, or do you use the Three Mile Creek Confluence as a break area along the Atkinson Trail? (select one)

Answered: 93 Skipped: 18

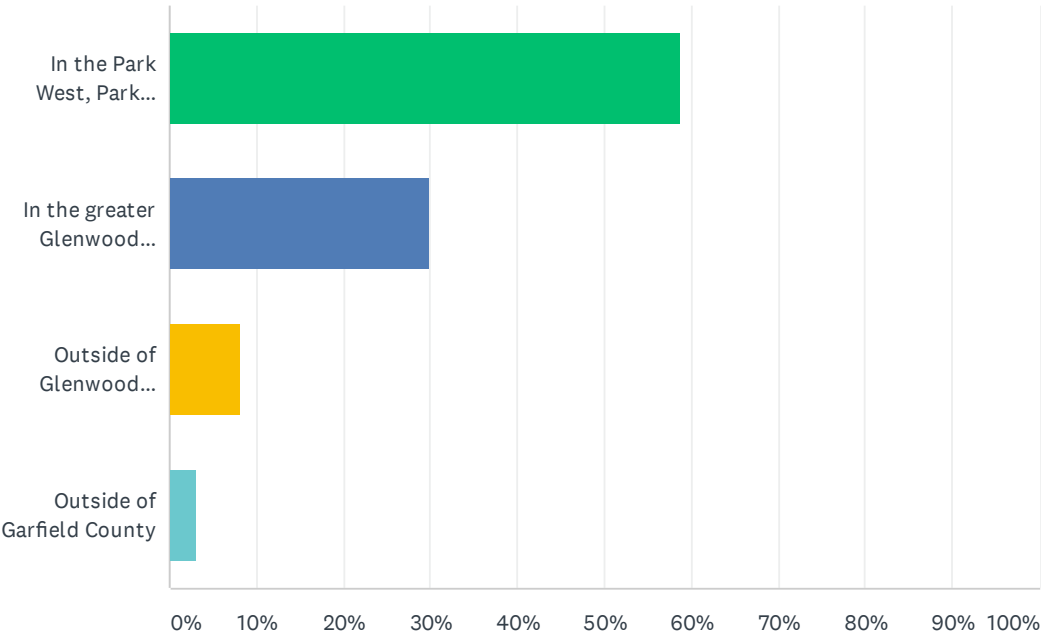


ANSWER CHOICES	RESPONSES	
I primarily use Atkinson Trail as a way to access the Three Mile Creek Confluence	19.35%	18
I use the overall Atkinson Trail as a longer trail, and the Three Mile Creek Confluence is primarily a break area I use along it	26.88%	25
I do both	44.09%	41
Other (please specify)	9.68%	9
TOTAL		93

#	OTHER (PLEASE SPECIFY)	DATE
1	Use as a way to access town, walking or biking	7/22/2019 12:40 PM
2	As a break along a river float.	7/22/2019 7:59 AM
3	I do not use the actual trail system only boat access.	7/19/2019 9:14 AM
4	Neither	7/19/2019 8:52 AM
5	K only use beach area, picnic tables and restrooms as a stop every time we raft.	7/19/2019 8:10 AM
6	I use this as a break area, both for walks along the longer Atkinson trail and as a break during boating on the Roaring Fork River	7/19/2019 6:37 AM
7	Hi	7/19/2019 2:28 AM
8	I use the Atkinson Trail as a route to the 27th St Bridge	7/9/2019 9:09 AM
9	Bike past 3 mile confluence	7/4/2019 12:02 PM

Q17 Where do you live? (select one)

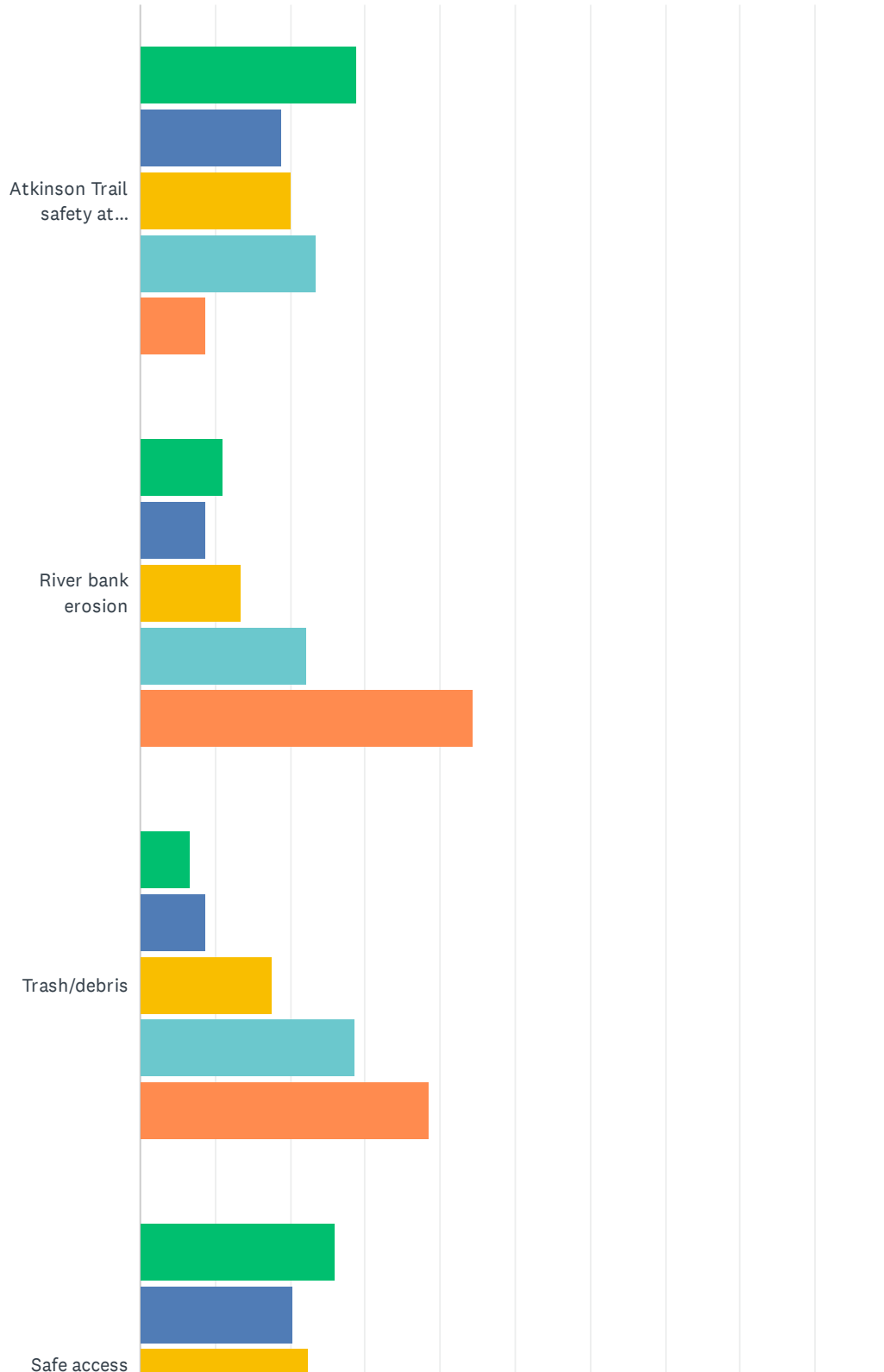
Answered: 97 Skipped: 14



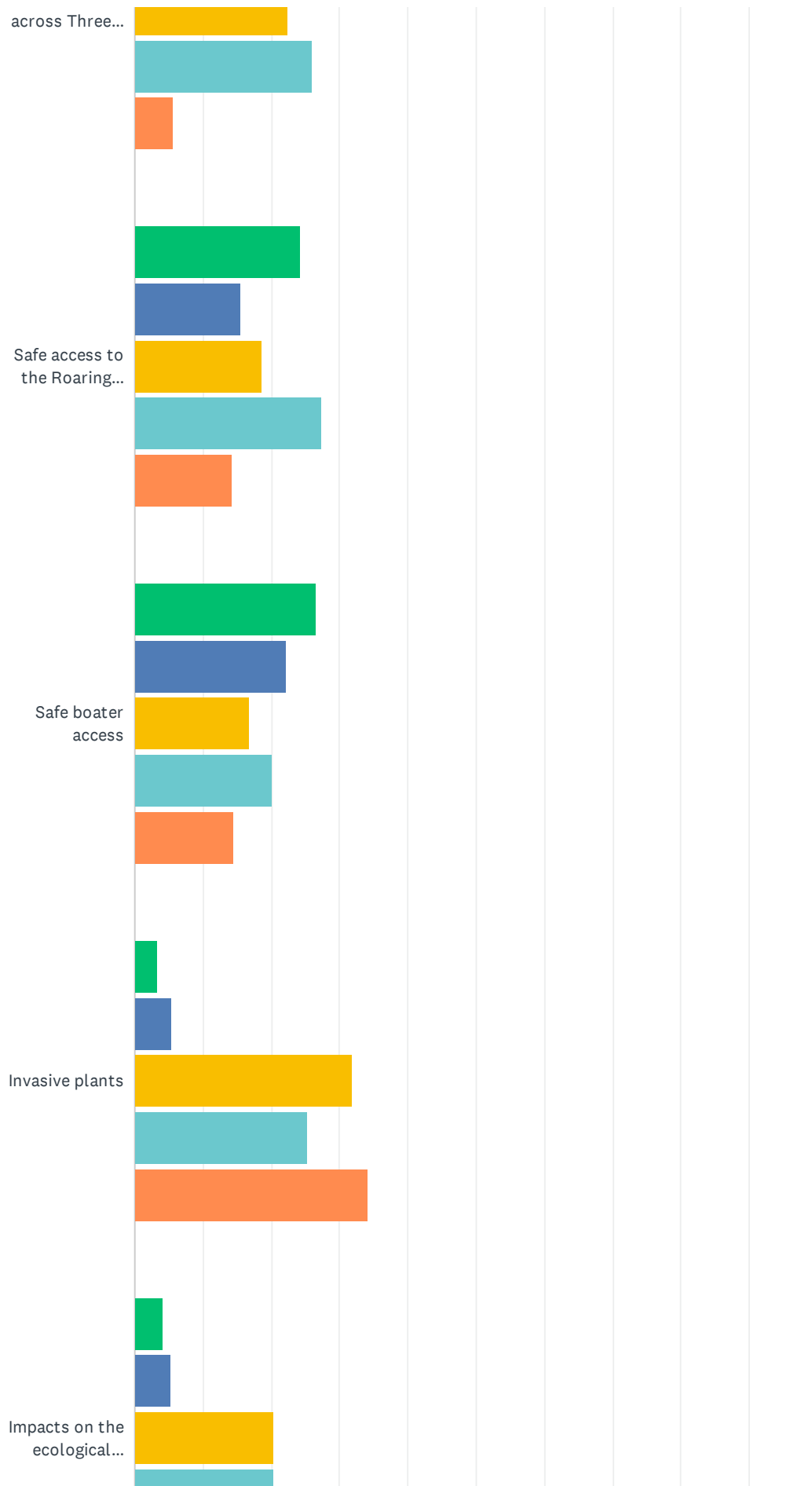
ANSWER CHOICES		RESPONSES	
In the Park West, Park East, or Glenwood Park neighborhoods		58.76%	57
In the greater Glenwood Springs area		29.90%	29
Outside of Glenwood Springs, but within Garfield County (Carbondale, New Castle, etc.)		8.25%	8
Outside of Garfield County		3.09%	3
TOTAL			97

Q18 Please rate the priority of the following concerns based on current conditions at the Three Mile Creek Confluence (5 being the highest priority). (select one per row)

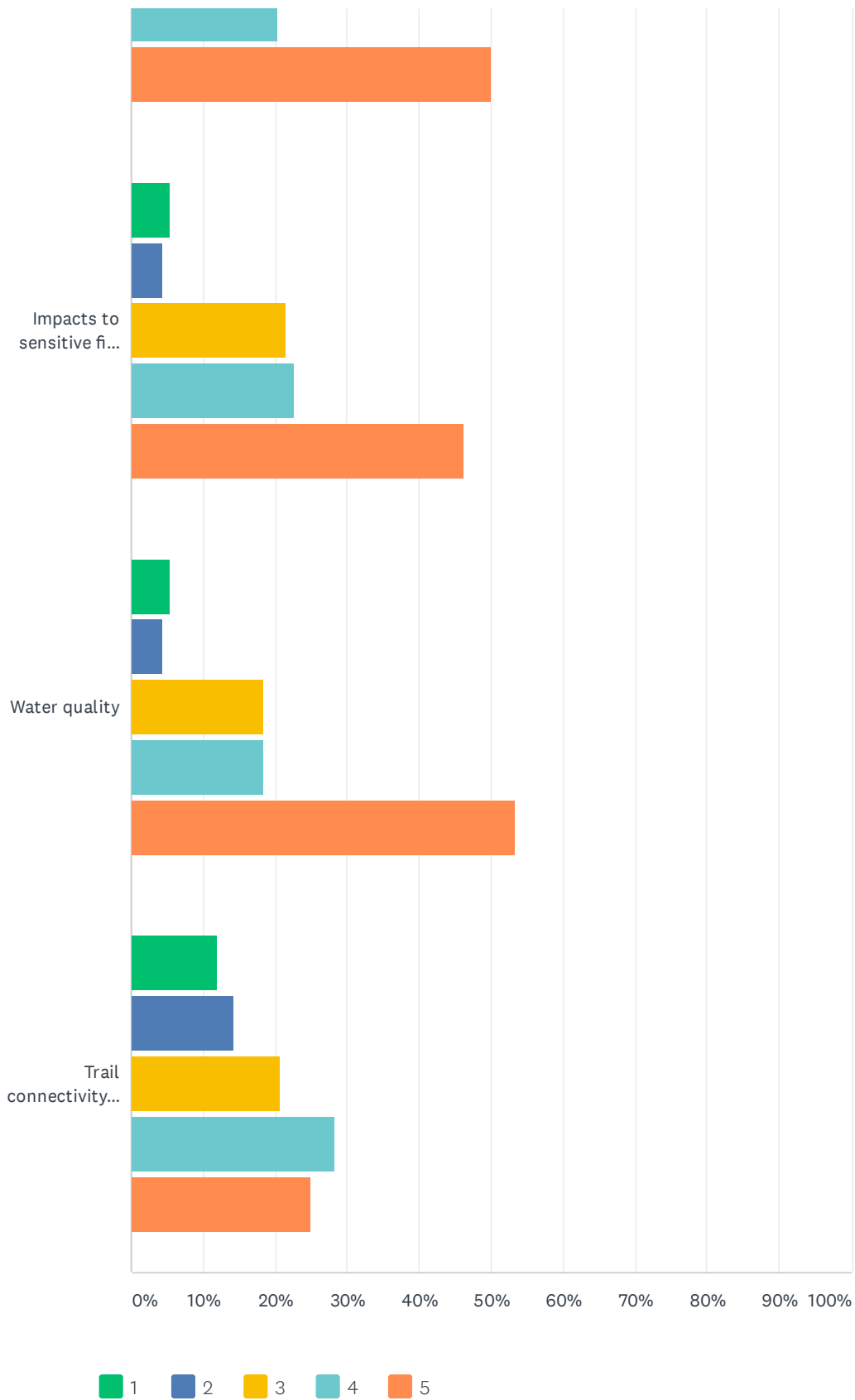
Answered: 94 Skipped: 17



Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



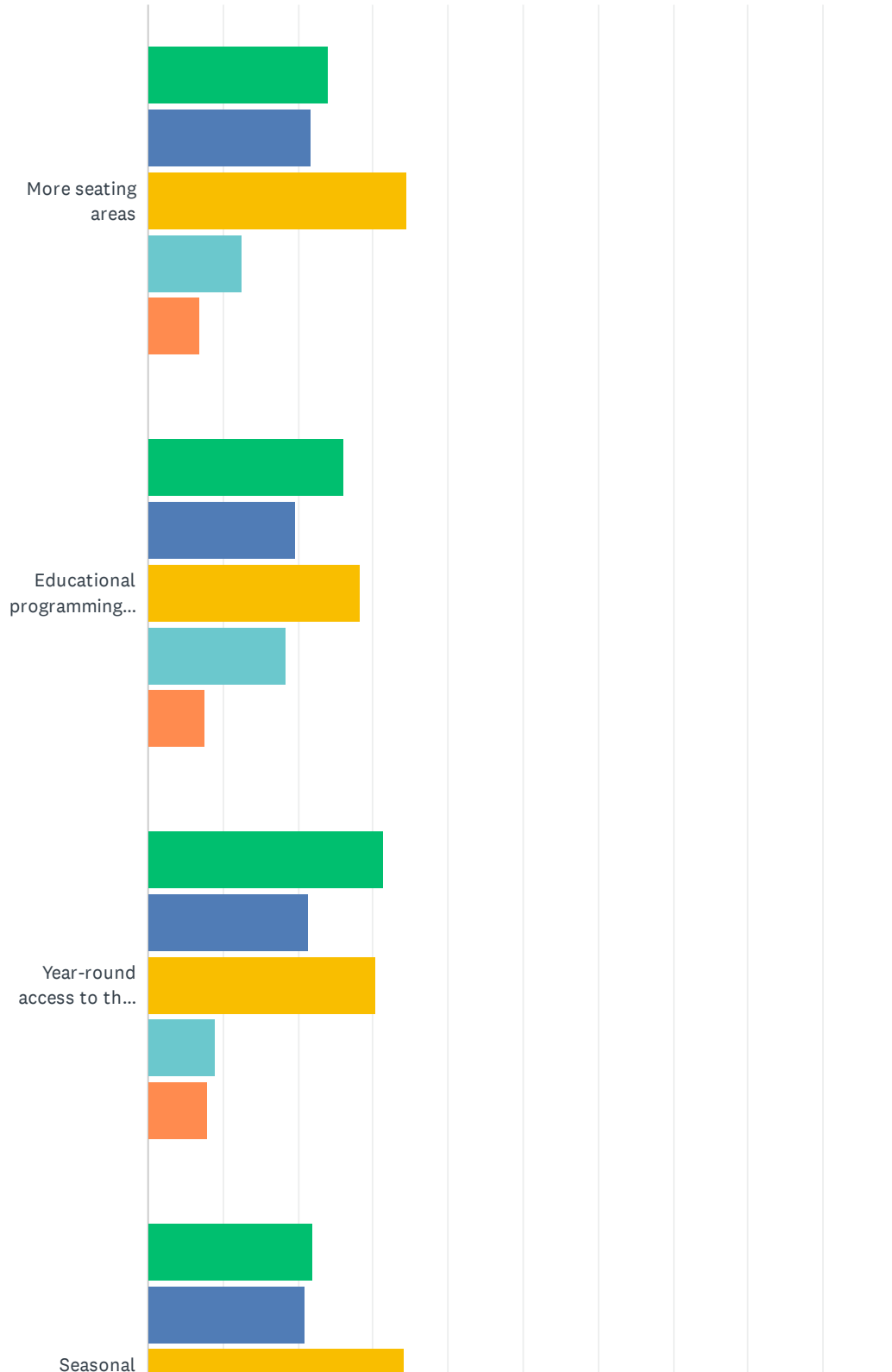
Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

	1	2	3	4	5	TOTAL
Atkinson Trail safety at bottom curve	28.89% 26	18.89% 17	20.00% 18	23.33% 21	8.89% 8	90
River bank erosion	11.11% 10	8.89% 8	13.33% 12	22.22% 20	44.44% 40	90
Trash/debris	6.59% 6	8.79% 8	17.58% 16	28.57% 26	38.46% 35	91
Safe access across Three Mile Creek	25.84% 23	20.22% 18	22.47% 20	25.84% 23	5.62% 5	89
Safe access to the Roaring Fork	24.18% 22	15.38% 14	18.68% 17	27.47% 25	14.29% 13	91
Safe boater access	26.67% 24	22.22% 20	16.67% 15	20.00% 18	14.44% 13	90
Invasive plants	3.30% 3	5.49% 5	31.87% 29	25.27% 23	34.07% 31	91
Impacts on the ecological health of the confluence area	4.26% 4	5.32% 5	20.21% 19	20.21% 19	50.00% 47	94
Impacts to sensitive fish spawning environments	5.38% 5	4.30% 4	21.51% 20	22.58% 21	46.24% 43	93
Water quality	5.43% 5	4.35% 4	18.48% 17	18.48% 17	53.26% 49	92
Trail connectivity to neighborhoods and other trails	11.96% 11	14.13% 13	20.65% 19	28.26% 26	25.00% 23	92

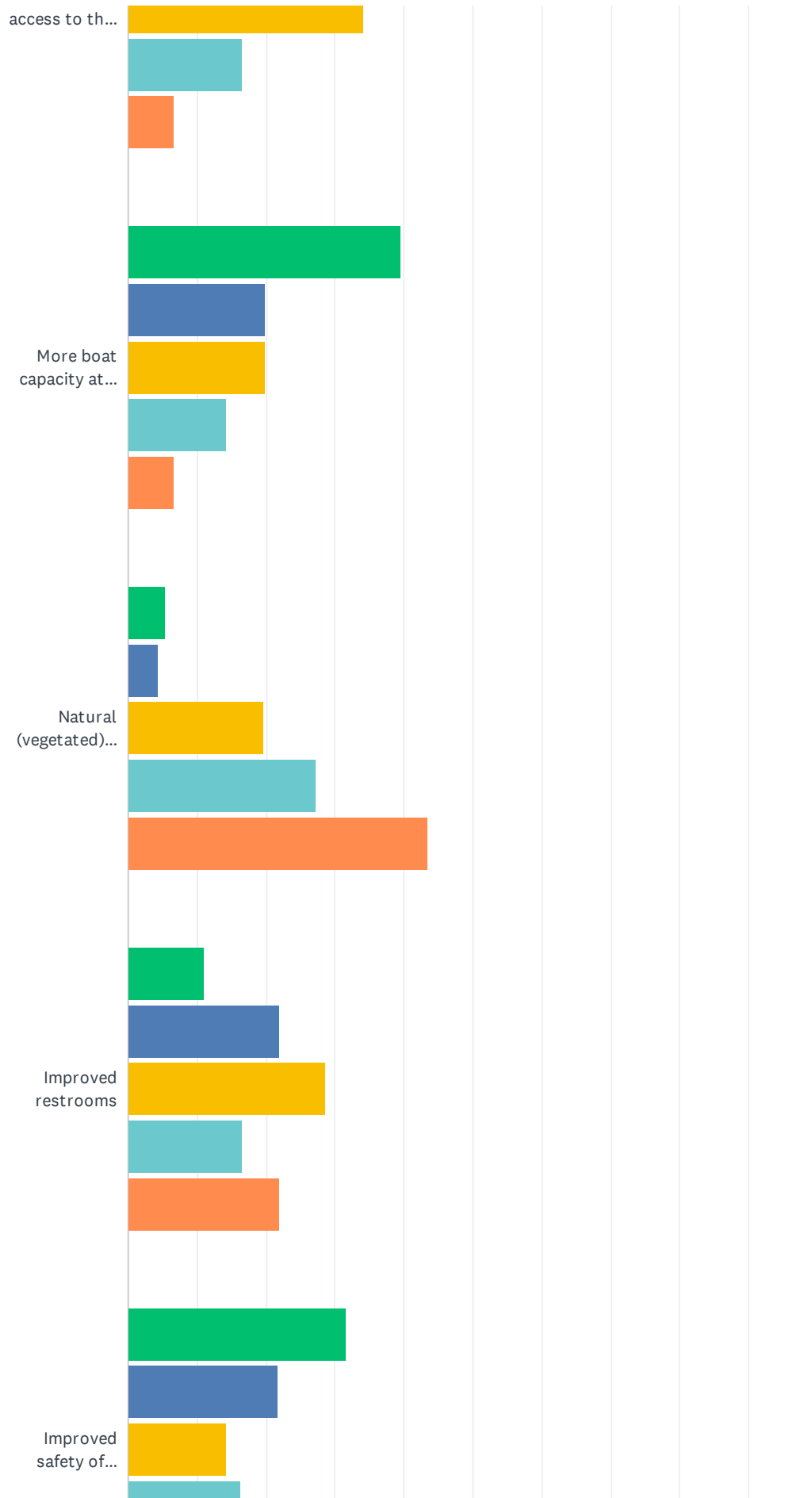
#	OTHER (PLEASE SPECIFY)	DATE
1	Don't let parks and rec. get their hands on on this.	8/21/2019 8:55 AM
2	SHADE!!! There is no shade at 3 mile. Also- it is essentially used as a dog park so keeping one part okay for dogs and another part not okay for dogs so kids can play more easily. And general user friendly conditions	8/12/2019 1:33 PM
3	overall quality of recreation at the site.	7/22/2019 8:05 AM
4	Safety... homeless hang out down there	7/21/2019 6:31 PM
5	The drainage along the trail right around the confluence is always yucky	7/21/2019 8:36 AM
6	health impacts of standing water in canal	7/20/2019 4:17 PM
7	No snow plowing	7/20/2019 10:43 AM
8	Midpoint trash can needed on Atkinson	7/19/2019 8:46 PM
9	Development of Atkinson trail	7/19/2019 9:00 AM
10	Guide boats violate closures	7/19/2019 2:32 AM

**Q19 Please rate the importance of adding the following improvements to the Three Mile Creek Confluence area (5 being the most important).
(select one per row)**

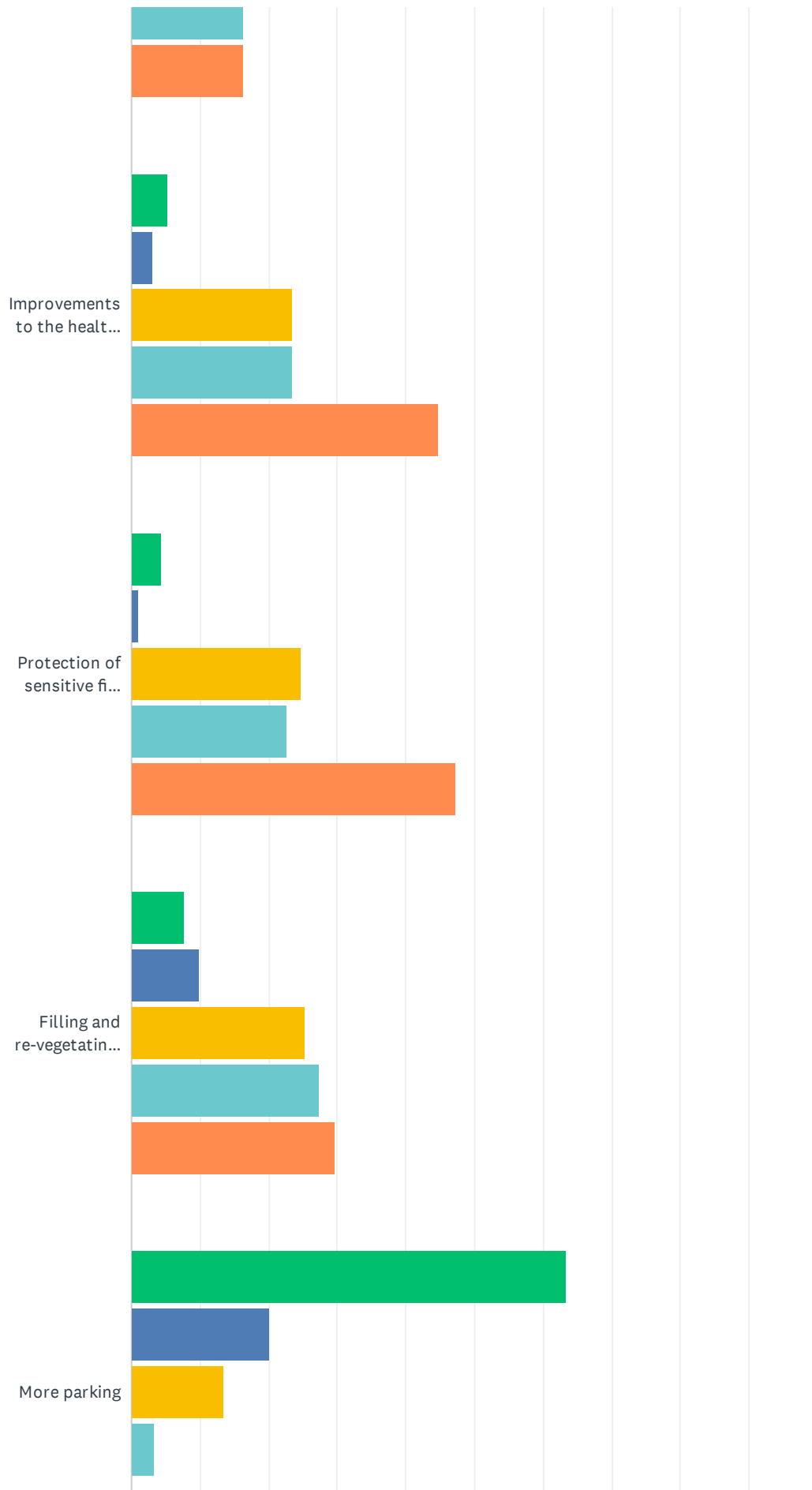
Answered: 94 Skipped: 17



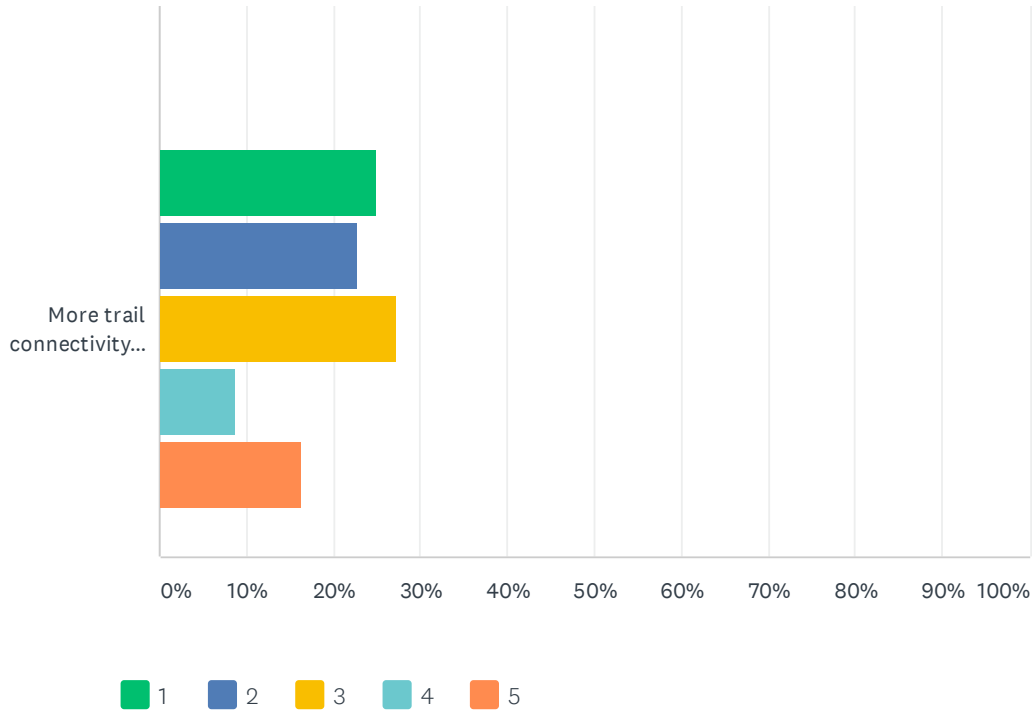
Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey



	1	2	3	4	5	TOTAL
More seating areas	24.14% 21	21.84% 19	34.48% 30	12.64% 11	6.90% 6	87
Educational programming (signage, exhibits, learning opportunities)	26.09% 24	19.57% 18	28.26% 26	18.48% 17	7.61% 7	92
Year-round access to the area upstream of the confluence	31.46% 28	21.35% 19	30.34% 27	8.99% 8	7.87% 7	89
Seasonal access to the area upstream of the confluence	21.98% 20	20.88% 19	34.07% 31	16.48% 15	6.59% 6	91
More boat capacity at beach area	39.56% 36	19.78% 18	19.78% 18	14.29% 13	6.59% 6	91
Natural (vegetated) bank stabilization	5.43% 5	4.35% 4	19.57% 18	27.17% 25	43.48% 40	92
Improved restrooms	10.99% 10	21.98% 20	28.57% 26	16.48% 15	21.98% 20	91
Improved safety of Atkinson Trail around curve	31.52% 29	21.74% 20	14.13% 13	16.30% 15	16.30% 15	92
Improvements to the health of the existing vegetation	5.32% 5	3.19% 3	23.40% 22	23.40% 22	44.68% 42	94
Protection of sensitive fish spawning environment	4.30% 4	1.08% 1	24.73% 23	22.58% 21	47.31% 44	93
Filling and re-vegetating the Atkinson Ditch	7.69% 7	9.89% 9	25.27% 23	27.47% 25	29.67% 27	91
More parking	63.33% 57	20.00% 18	13.33% 12	3.33% 3	0.00% 0	90
More trail connectivity to neighborhoods and other trails	25.00% 23	22.83% 21	27.17% 25	8.70% 8	16.30% 15	92

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

#	OTHER (PLEASE SPECIFY)	DATE
1	Trails in town are great. Disrupting wildlife with trails is damaging.	8/21/2019 8:55 AM
2	the boaters should be restricted to landing at the 2nd site	8/20/2019 9:06 AM
3	Again safety from crime	7/21/2019 6:31 PM
4	A way to connect to Cardiff bridge would be nice	7/20/2019 11:19 AM
5	Quit plowing the snow	7/20/2019 10:43 AM
6	How about more boat capacity in other areas than the beach. Atkinson Ditch should be addressed but i'm not sure filling it in is the only solution. Better connectivity throughout the whole area is needed not just to the upper portion (foot trails should be turned into actual paths). I'd also like to see more diverse vegetation be planted and then general protection of the existing and planted vegetation so it doesn't get over-run by visitors and dogs.	7/10/2019 4:14 PM

Q20 Please use this area to tell the Master Plan Team anything additional you would like them to consider during the planning process:

Answered: 43 Skipped: 68

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

#	RESPONSES	DATE
1	The City took out a large Russian Olive tree several years ago and as a result of this over half the beach eroded and the course of Three Mile Creek changed. I don't mind getting rid of invasive species; but have a plan in place to stabilize the stream banks before you do something like that in the future. It also looks to me like the rip rap that was recently put in is too small. I would spec in larger rocks for future work.	8/21/2019 10:52 AM
2	Stop planning everything for masses of people to be coming from Denver. It does not have to be perfectly staged on the river banks.	8/21/2019 8:55 AM
3	I think that the wildlife habitat should be priority over any public access.	8/21/2019 8:52 AM
4	low impact recreation with protection of fishing habitat.	8/21/2019 7:17 AM
5	It's a great area. Those in the hood liked it when it had more trees (they were cut down). It's ok that some of the nearby trails are gravel and not paved. They are fine to walk up or walk around if you can't walk up the steep incline and not worth spending money on. The ditch is often gross but we are used to it. We would not want to see this area developed into a more major overused location. The fact that it is quiet makes it special. We also love that there is a rocky natural drainage and gives kids a place to hunt for bugs and hop from rock to rock. A sandy beach and a spot for boaters already exists. Keeping the area natural and doing more to educate the public about spawning fish is important.	8/20/2019 2:54 PM
6	Separate raft and paddler access area from walking access picnic and beach wading area	8/20/2019 11:26 AM
7	It has gotten awfully busy with the number of rafters who stop there and they crowd out the picnickers, waders and fishermen/women. Even though they are mostly polite, it just makes for a noisy, crowded place. I think it would be better if they landed at the 2nd area downriver from the confluence. I would also like to see more sitting areas at the picnic area, some of which could be tree shaded. It would be nice if the outhouses were behind wooden or fake wooden screens.	8/20/2019 9:06 AM
8	I would like to see some of the dead trees removed before they fall on to the bike path and potentially hurt someone. Also, the ditch is in dire need of being drained or flushed. Composting toilet would probably smell better but is it too close to the river to have one? Possibly some attention to dog's not being so rowdy around children. Picnic table to trimming around the volleyball court. Natural setting is preferred for seating. I love the new rocks and the way the high water worked with the terraced rocks. Upstream is really lovely too. Keep it natural and wild with all choices!	8/19/2019 12:08 PM
9	Commercial rafts should help pay for the improvements. Three or more stop and swarm the beach and restroom driving out people who are using the beach. Commercial fishing boats seem unaware about the restrictions during spawning and fish right through on their boats. More police presence would be nice and tickets issued to irresponsible dog owners who dont clean up after their pets.	8/17/2019 8:55 AM
10	Great project, thanks for your work!	8/16/2019 5:48 PM
11	The area is beautiful as it is, a source of access to the river convenient for the 20% of the town that live south of the 27th Street Bridge.	8/16/2019 9:39 AM
12	the port a potty is an eyesore. please move to the Atkinson curve or improve	8/16/2019 8:48 AM
13	This area first needs to protect from erosion, etc and then make it user friendly including shade, better designed areas, etc.	8/12/2019 1:33 PM
14	We appreciate the opportunity to access our local streams and rivers at this location but prefer the less urbanized feel of the amenities. We would be in favor of keeping the area as and "city open space" rather than altering it more towards a city park.	8/8/2019 11:07 AM
15	Improve trail leading up to Glenwood Park - needs erosion control.	8/8/2019 7:28 AM
16	I love our beach... but I hate the stinky bathroom, even though I know it's necessary. I'm also not happy about the the drinking that now occurs at the beach since it's been open to more people.	8/4/2019 12:52 AM
17	Keep it as natural as possible. Separate area for rafters pulling in from picnic areas.	8/2/2019 10:29 AM
18	This is one of the only public access areas along the lower fork and will continue to get	8/1/2019 8:12 AM

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

increased usage as the valley continues to grow. We can learn a lot from similar communities growth such as Buena Vista, Salida and Durango. Also recycling options need to be provided at this area and throughout Glenwood. Thanks for all your efforts to get this done right!

19	This area needs to be protected. Preservation is the priority.	7/22/2019 8:59 AM
20	Keep the area natural, yet improve access for the neighborhood, boaters and tubers on the river - people like to float and play in the rapids, preserve this fun use for the locals. Improve picnic area, prevent erosion, and improve quality of riverbank. Steer users to access areas, while preventing deterioration of natural areas.	7/22/2019 8:05 AM
21	Use of the Atkinson trail to connect our neighborhood to the rest of the community is our top priority. Living in Glenwood park we would love to have the trail to the Brush Creek Mountain Park paved. Also the sand volleyball court near three mile is under used and not clearly identified as city property. The confluence is a great place for boaters to take a break but I do not view it as a proper embarkment/disembarkment area.	7/21/2019 10:58 PM
22	I wonder if there could be more access for boaters from the beach to the walking bridge to allow for fishing, rafters, and for dogs.	7/21/2019 4:01 PM
23	better access from the old cardiff brige to the atkinson trail,community cleanup along the trail	7/20/2019 4:17 PM
24	I would like to keep the Brush Creek Trail rustic, not paved. Please provide more dog waste stations and enforcement of laws.	7/20/2019 1:34 PM
25	Replacing the volleyball net and improve the court	7/20/2019 11:19 AM
26	Better signs to direct pedestrians and bicyclists away from midland road . Allow the snow to remain on the concrete path . Quit plowing the snow	7/20/2019 10:43 AM
27	Rafters can take over the Area	7/20/2019 10:09 AM
28	Please add a trash can midway between 27th street and the confluence.	7/19/2019 8:46 PM
29	Many people and dogs are too much impact in this small area unless they are just walking through and on leash. Commercial boats need a pull up or should not be allowed.	7/19/2019 4:40 PM
30	The park doesn't need to be extremely large. The area by the river should not be used to accommodate large numbers of people. However, the area has been wrecked by flooding and haphazard planning. Make the area nicer/more organized with easier access to the river for those who use it to regularly walk/bike/fish. This would be a vast improvement. Thanks for considering the update of this area. P.S. Odoyle rules.	7/19/2019 4:14 PM
31	Please keep the area as natural as possible. Restoring degraded banks and vegetation are important to fish, birds, mammals, etc. Keep people concentrated and not spread out along the bank.	7/19/2019 11:21 AM
32	More beach access for kids. Clean up after dogs!!!!!!	7/19/2019 9:00 AM
33	need to connect Atkinson to Rio Grande trail via upstream continuation of trail or bridge at 3 mile	7/19/2019 8:23 AM
34	Additional boat access downstream of the confluence with access to seating, picnic tables and bathrooms would be a vast improvement. This could limit the impacts to the vegetation as well as the sensitive spawning areas upstream of the confluence. Boating access could look like a beach protected from the main current flow, with solid boat tie offs and a dedicated path to the tables and bathroom. This is a very popular spot to stop on boats to warm up and dry off after the splashy rapids just upstream, especially for children. These same children need access to a bathroom as well as a place to play in shallow water, or a beach without disturbing the spawning beach upstream of the confluence. As a regular river and trail user, I really appreciate your interest in improving this area and look forward to being a part of the process with you. Thanks! JR	7/19/2019 8:22 AM
35	Guide boats are the biggest offenders of fishing through closed sections when posted	7/19/2019 2:32 AM
36	thanks!	7/18/2019 1:04 PM
37	I want to see improvements to this area but I don't want to see it so vastly improved that it encourages lots of meeting there that will further degrade the area "loving it to death" - it feels like a hidden gem still and I want this area to stay as natural as possible and not become "too"	7/11/2019 9:35 AM

Three Mile Creek Confluence Comprehensive Plan and Design Public Input Survey

improved - like with paving, plazas, tons of seating, etc. I like that it is usually a quiet place to hang out. I'd hate to see it overtaken with boats which I don't think will happen as parking is pretty restricted.

38	The recent shore line rock work looks and is doing well	7/11/2019 8:40 AM
39	The project team should talk in-depth with CPW about actual spawning specific to the Three Mile Creek, especially if considering shutting down all river access during those periods. In my discussions with CPW they stated they don't believe there is any native fish spawning in the fall as there isn't sufficient water in Three Mile Creek. Additionally CPW has stated that they don't want to promote spawning in sandy areas due to whirling disease so i'd question whether or not closing the beach would actually improve spawning conditions in the Fall. I haven't had discussion about the Spring peak flow periods but generally the water is so high that there isn't a lot of river/beach use during that time anyway. Bank stabilization should be looked at along the Roaring Fork River from high flows as well as from shoreline river use in the upper area and the main use areas. natural stabilization is obviously ideal but other means should be evaluated as well such as recessed grouted rock.	7/10/2019 4:14 PM
40	Fishing is excellent downstream of the confluence but the dead trees and poor access along the bank are impediments. Also the ditch and drainage into the river downstream of the confluence is gross.	7/6/2019 7:52 PM
41	I believe that the two most important improvements to the confluence area are 1) erosion stabilizstion and remediation, including removal of the exposed and tattered geo-textile mat which is currently in place, and 2) filling/remediating the old Atkinson ditch, which is currently a stagnant mosquito breeding ground. The addition of bear-proof garbage, recycling, and pet waste containers would also be an improvement. If additional or improved seating is installed, it would be beneficial to provide shade, in the form of mature trees or perhaps a small gazebo.	7/4/2019 9:03 PM
42	This project can only attract more use which will include more problems. The city should have higher priorities. The state of current infrastructure is deplorable so building more infrastructure that cannot be maintained is sheer stupidity.	7/4/2019 12:09 PM
43	If any in chanel work accidentally created a river play hole I wouldnt complain	7/3/2019 5:33 PM

Public Meeting #2 Materials

Public Meeting #2

This is the **second and last** public workshop for the **Three Mile Creek Confluence Planning Project**. This is your chance to determine what features are incorporated into the final design for the project.

Project Goals Statement

“ Develop a **holistic** and **resilient** plan that addresses current and future impacts from the use of the Three Mile Creek confluence area while providing ecologically diverse and naturally sustainable **habitats**, improved **water quality**, **trail connectivity**, **recreational access**, and **education** regarding our most valuable natural resource, **water**. ”

What should you do here today?

Create your Three Mile Confluence Design:

- » Start with the 11x17” Base Improvements Plan
- » Using the Choose Your Own Design packet,
 - » Pick an optional improvement sticker for each Area and place it on the Base Improvements Plan
 - » Place Additional Items stickers on the Plan as desired
 - » Boards show examples of the improvement options
 - » Areas can be left blank if you don’t want improvements beyond what is on the Base Improvements Plan
- » On the Choose Your Own Design Instructions sheet, add up the costs of your selected options
- » Staple the Instructions Sheet to your Design and hand it in

Base Improvements Plan

Additional Design Options Page 1

Please place stickers from this page on the Base Improvements Plan based on where you would like to see these options built. You do not have to place a sticker on every area. Please see the boards for picture examples of each improvement.

Area 1
At the west end of the project site, this area is where the outfall from the ditch currently is. Base improvements will include rebuilding this outfall to function and drain properly. Additional design options range from getting a crusher fines surface, to building a small flagstone plaza and boulder steps to the bearing fork river.
Add crusher fines surface and install it to existing berms
Add small flagstone plaza
Add boulder steps
Add flagstone berms
Option A Cost: \$2,000
Option B Cost: \$12,000

Area 2
At the west end of the project site, this area is where the outfall from the ditch currently is. Base improvements will include rebuilding this outfall to function and drain properly. Additional design options range from getting a crusher fines surface, to building a small flagstone plaza and boulder steps to the bearing fork river.
Add crusher fines surface and install it to existing berms
Add small flagstone plaza
Add boulder steps
Add flagstone berms
Option A Cost: \$2,000
Option B Cost: \$12,000

Area 3
This area is the main plaza and the connection to the Ashcroft Trail. The first option mostly improves the area by adding shade trees, while the second option adds flagstone to the first as well.
Add flagstone to existing berms
Add shade trees
Add flagstone to existing berms
Option A Cost: \$10,000
Option B Cost: \$17,000

Area 4
Add a safety hurdle to the outside corner of the Ashcroft Trail.
Option A Cost: \$1,000
Option B Cost: \$2,000

Area 5
Add a safety hurdle to the outside corner of the Ashcroft Trail.
Option A Cost: \$1,000
Option B Cost: \$2,000

Area 6
Add a safety hurdle to the outside corner of the Ashcroft Trail.
Option A Cost: \$1,000
Option B Cost: \$2,000

Area 7
Add a safety hurdle to the outside corner of the Ashcroft Trail.
Option A Cost: \$1,000
Option B Cost: \$2,000

Area 8
Add a safety hurdle to the outside corner of the Ashcroft Trail.
Option A Cost: \$1,000
Option B Cost: \$2,000

Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

Based on public input and site analysis, we have created the Base Improvements Plan and the attached Additional Design Options sticker sheets. The Base Improvements Plan shows improvements that will be part of the final design no matter what. The Additional Design Options sheets provide stickers for you to choose options in addition to the base improvements to create your own design.

Some of these stickers apply to specific areas (ie Area 1, Area 2, etc.), while others can be placed anywhere (ie picnic tables, additional trees, etc.). If you do not want additional improvements to an area, simply do not place a sticker there.

Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

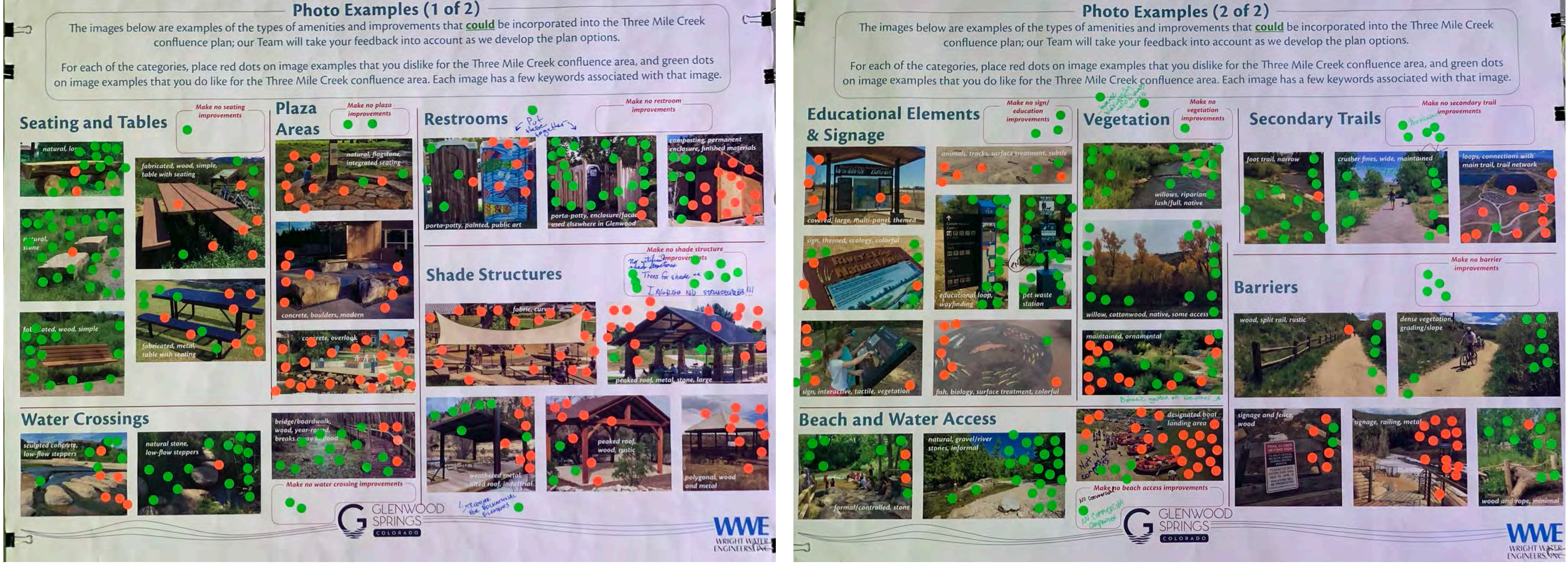
Base Improvements including Final Design and Permitting	\$320,000
Additional Items:	
Area 1: Option	\$
Area 2: Option	\$
Area 3: Option	\$ 9,000
Area 4: Option	\$
Area 5: Option	\$
Area 6: Option	\$
Area 7: Option	\$
Area 8: Option	\$
Additional Items:	
Boulder Seats: x \$1,200 ea	\$
Picnic Tables: x \$800 ea	\$
Benches: x \$600 ea	\$
Simple Educational Signs: x \$1,200 ea	\$
Interactive Educational Signs: x \$2,500 ea	\$
Interactive Educational Exhibits: x \$7,500 ea	\$
Native Shade Trees: x \$500 ea	\$
Native Tree Cluster: x \$1,500 ea	\$
Native Shrub and Pollinator Cluster: x \$XXX ea	\$
Grand Total	\$

Grant funding provided by:

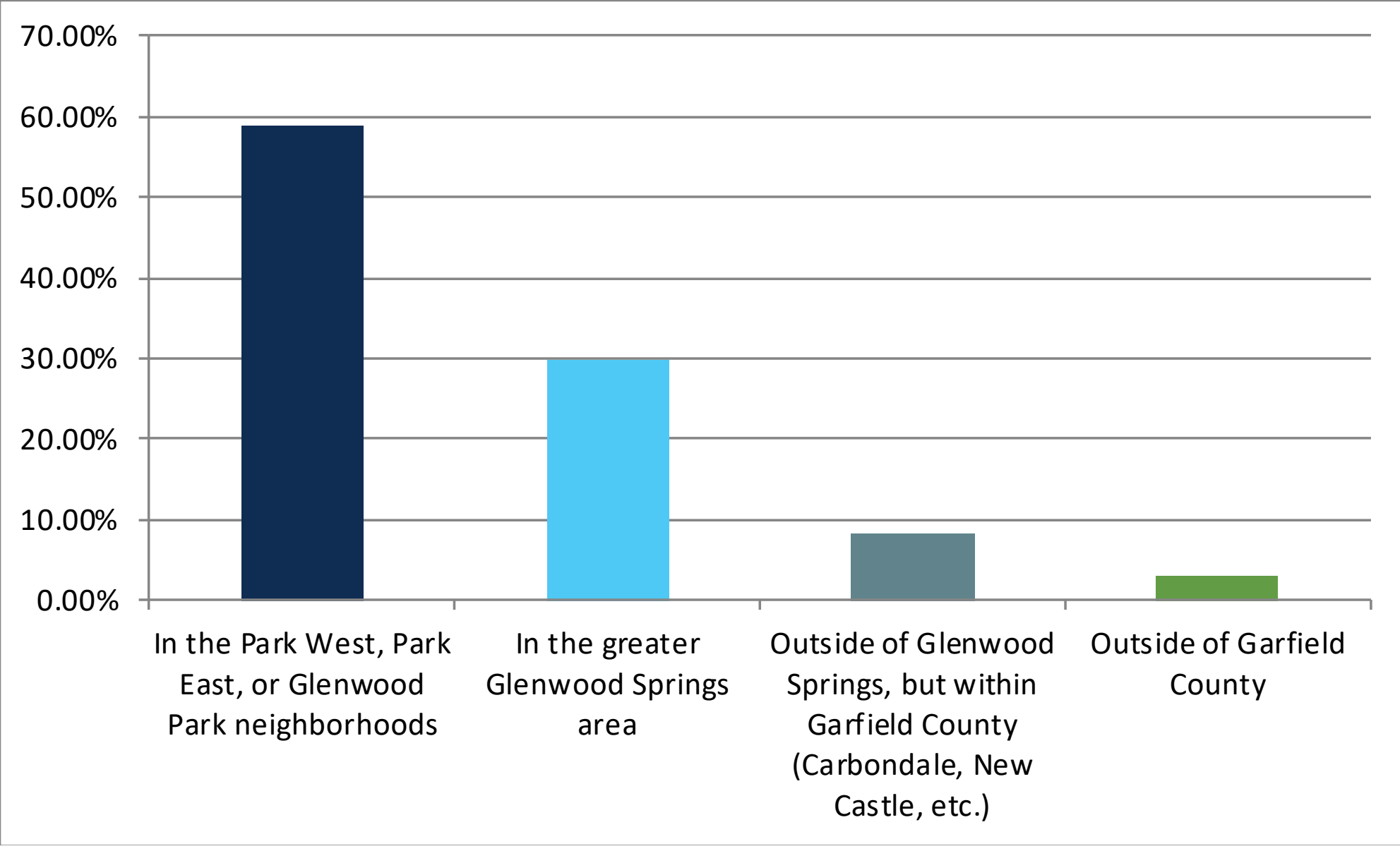


This board displays a sample of the input that the community gave our Team at the 1st Public Meeting and through the online survey.

Picture ‘dot’ boards were used to gauge the public’s interest in different types of improvements. Costs were specifically not included in order to not sway opinions. Participants placed **green** dots on features they liked for the project, and **red** dots of features they did not like for the project.



Q17: Where do you live?



Q18: Please rate the priority of the following concerns based on current conditions at the Three Mile Creek Confluence Area:

Water Quality received the most '5' votes (highest priority)

Impacts on ecological health, Impacts to sensitive fish spawning environments, and river bank erosion were close behind Water Quality

Invasive Plants received a high number of '5, 4, and 3' votes

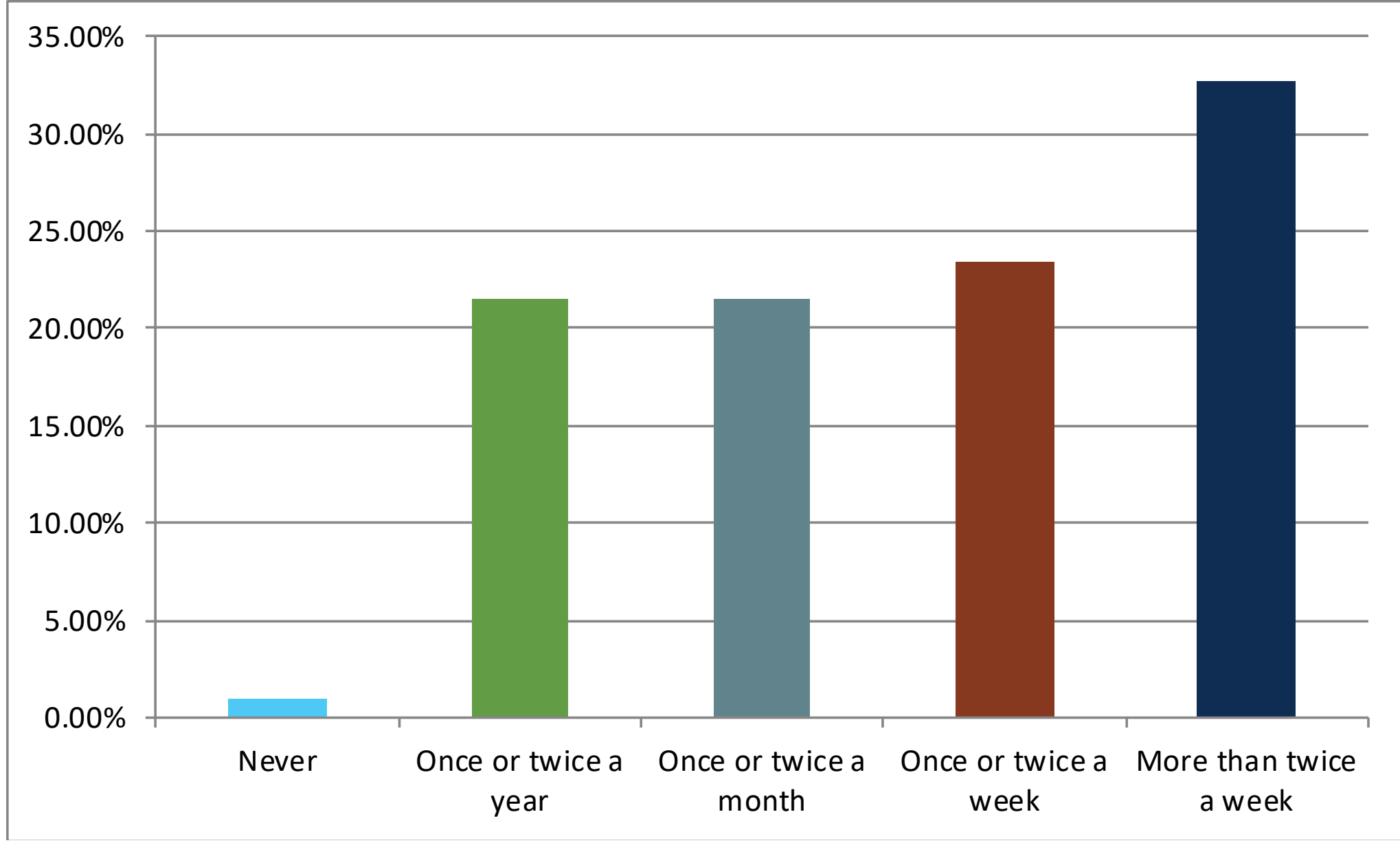
Q19: Please rate the importance of adding the following improvements to the Three Mile Creek Confluence Area:

Protection of sensitive fish spawning environment was voted the most important

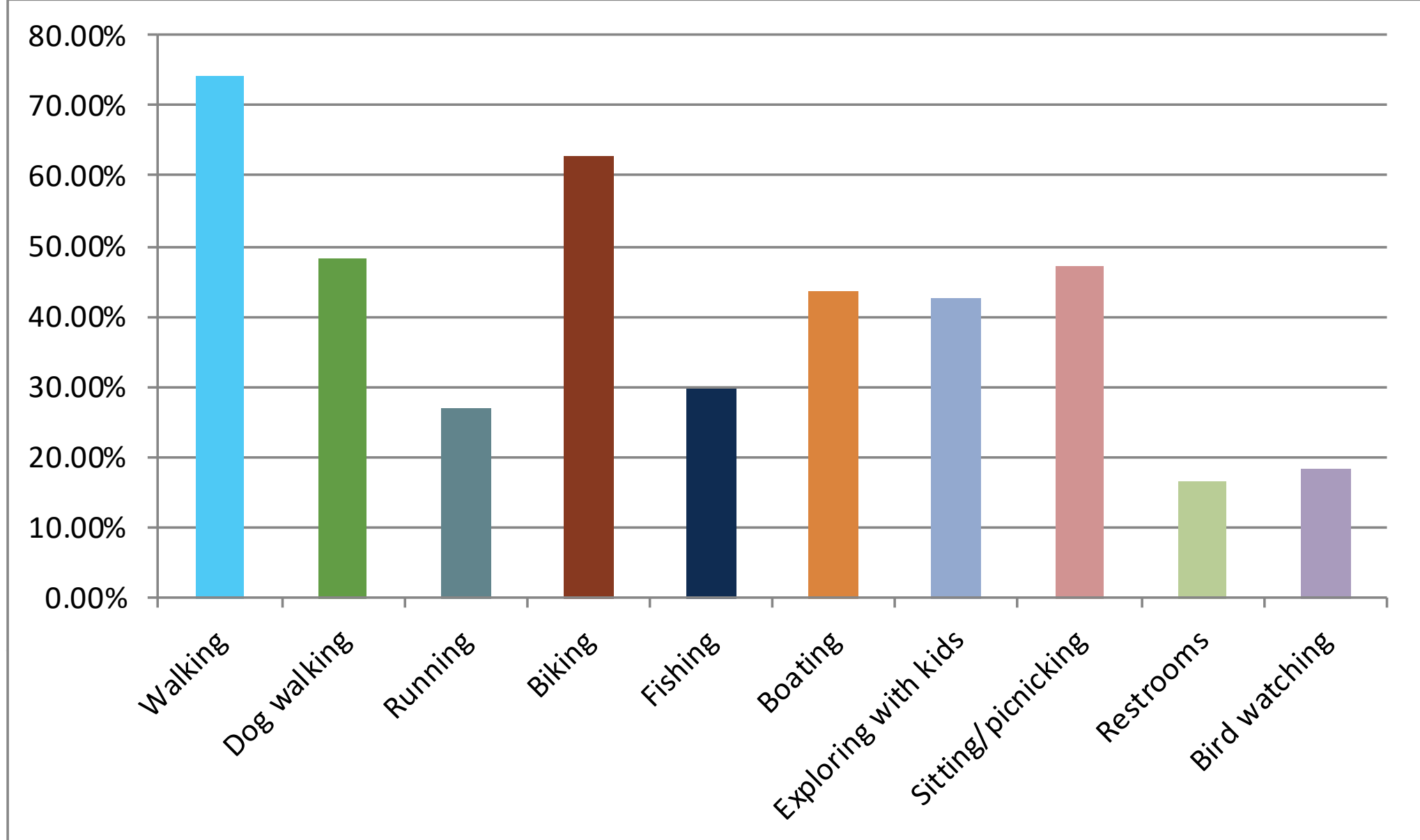
Improvement to the health of existing vegetation and Natural vegetated bank stabilization were second most important

More parking received the most '1' votes (least important)

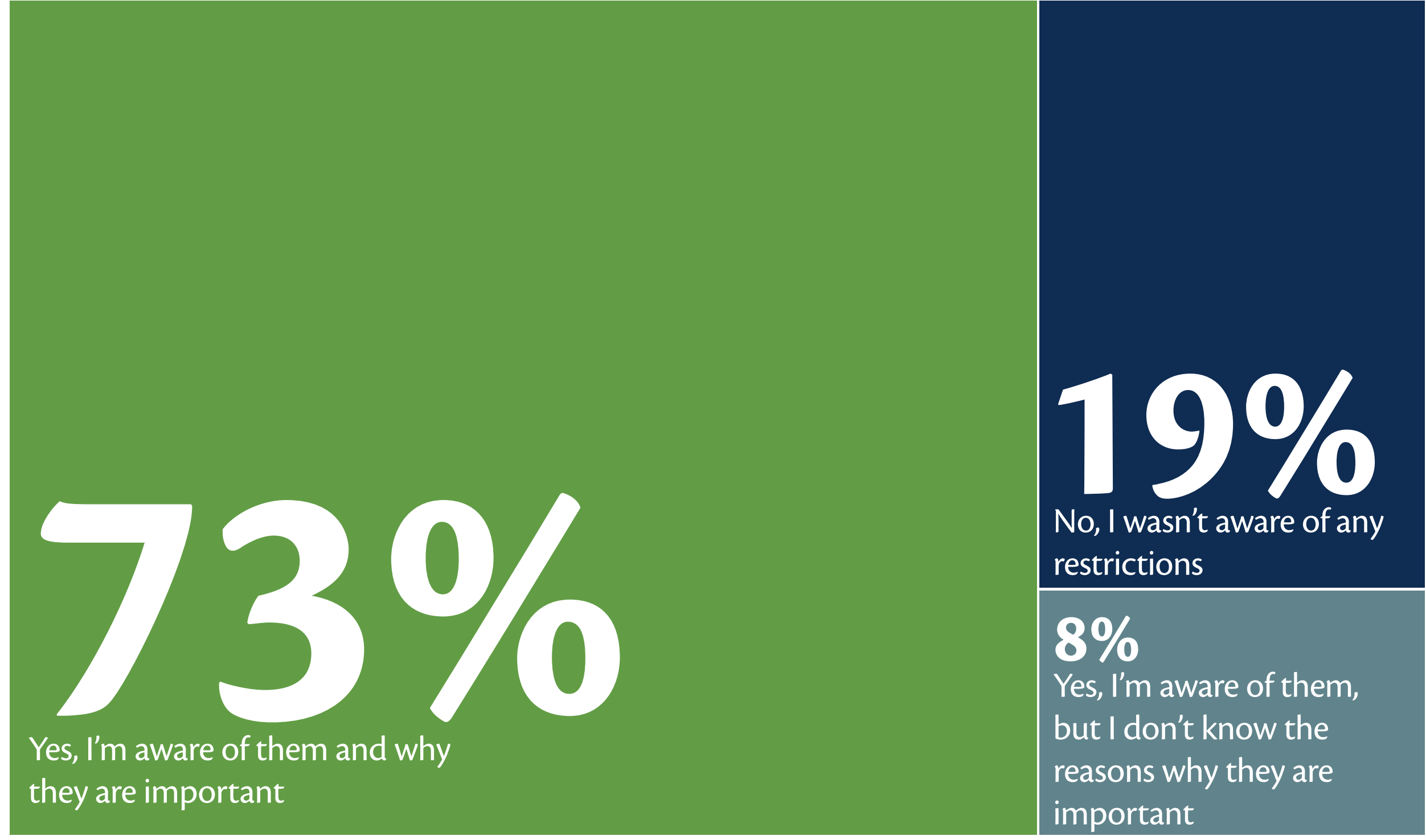
Q1: How often to you use the Three Mile Creek Confluence Area?



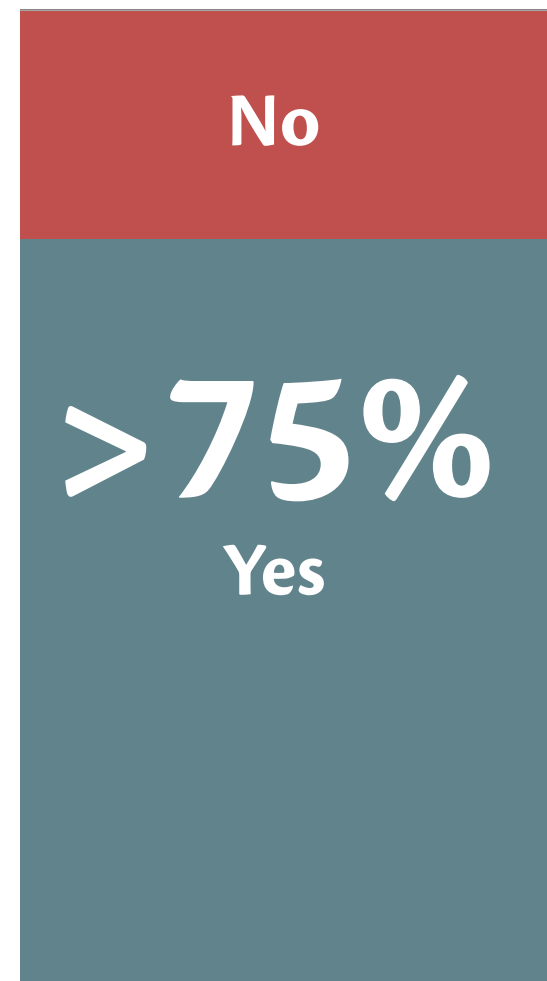
Q3: Which activities do you use the Three Mile Creek Confluence Area for?



Q13: Are you aware of the seasonal restrictions on fishing at and near the confluence, and reasons why they are important?



Q14: Would you be in favor of restricting all activities in the stream channel during the restricted periods?



Q20: Please tell the Master Plan Team anything additional you would like them to consider during the planning process:

The below word cloud is a combination of the open ended answers received for this question. The bigger a word is, the more often it appeared in responses. This helps the project team to recognize what issues the community is most concerned about.

The responses have been slightly modified; for example, words that did not contribute to the answer (the, area, I, etc.) were removed. Similar words were also combined (for example, all instances of 'beach area' were changed to 'beach', all variations of 'improve' such as 'improves', 'improvements', etc. were changed to 'improve'.



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WRIGHT WATER
ENGINEERS, INC.

Base Improvement Photo Examples

Below are example photographs corresponding to the proposed improvements on the Base Improvements Plan. These improvements will be included in the final design regardless of Additional Options chosen.

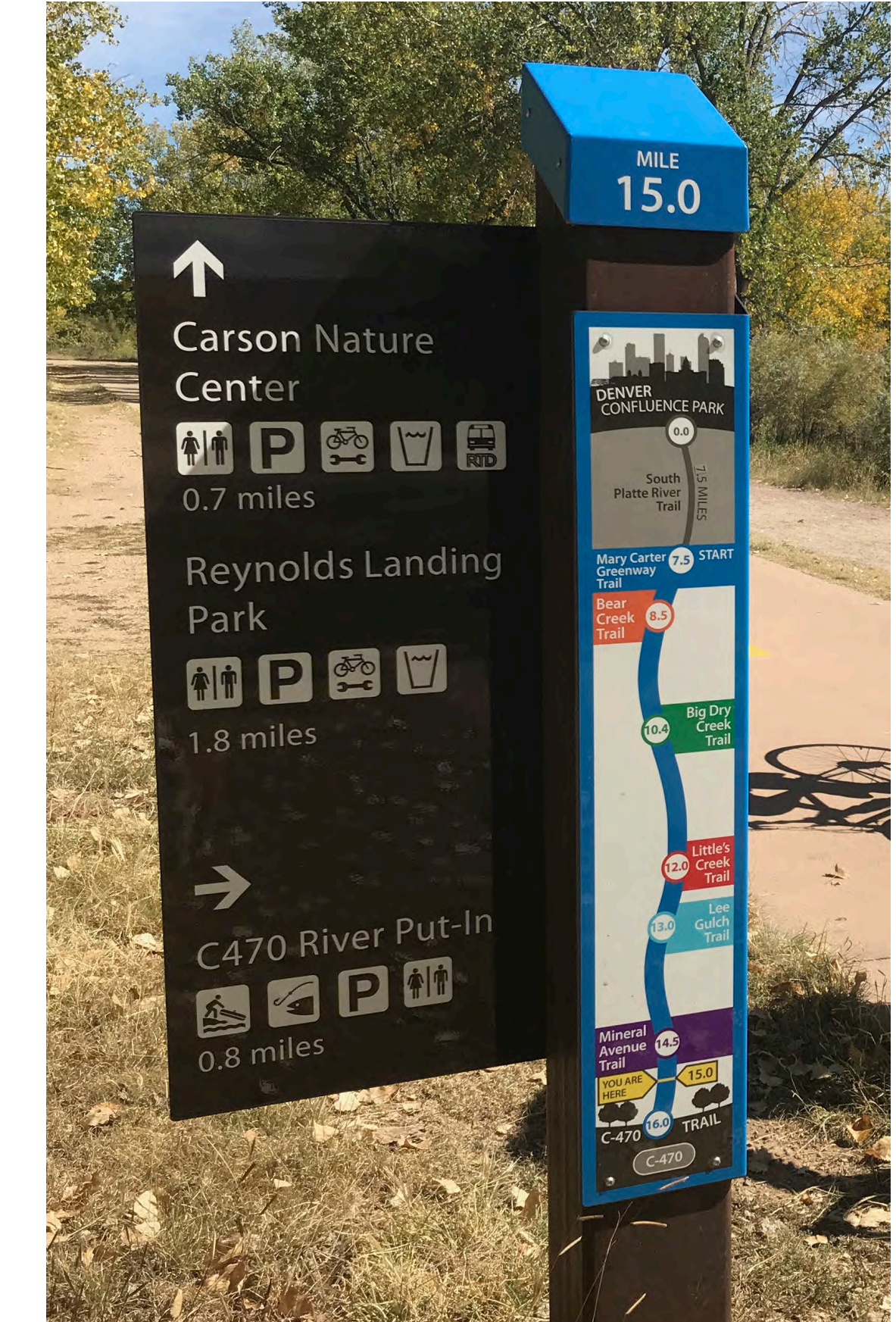
Bioswale



Split rail fencing



Wayfinding signage



Native revegetation



Restroom enclosure



Volleyball trail improvements

Steep access from Glenwood Park neighborhood



Vegetative river bank stabilization



Additional Options Photo Examples

Below are example photographs corresponding to the proposed improvement options on the Additional Design Options sheets. These options are in addition to the Base Improvements.

Area 1 South Seating Area



Option A - Crusher fines



Option B - Flagstone and boulder steps

Area 2 Beach Area



Option A - Expand beach and add boat tie offs

Area 3 Main Plaza



Option A - Add crusher fines

Option B - Add flagstone and seating

Additional Options Photo Examples

Below are example photographs corresponding to the proposed improvement options on the Additional Design Options sheets. These options are in addition to the Base Improvements.

Area 4 Atkinson Trail Curve



Option A - Safety rumble shoulder

Area 5 Atkinson Trail Slope



Option A - Slowing rumble strips on slope before curve

Area 6 Trail Corner Area



Option A - Crusher fines and boulder seats

Area 7 Three Mile Creek Crossing



Option A - Stepping stones

Area 8 Headgate



Option A - Remove and revegetate
Option B - Educational exhibit



Option B - Revegetate

Additional Options Photo Examples

Below are example photographs corresponding to the proposed improvement options on the Additional Design Options sheets. These options are in addition to the Base Improvements.

Additional Items

Boulder seats



Simple educational sign



Native shade tree



Native tree cluster



Interactive educational sign



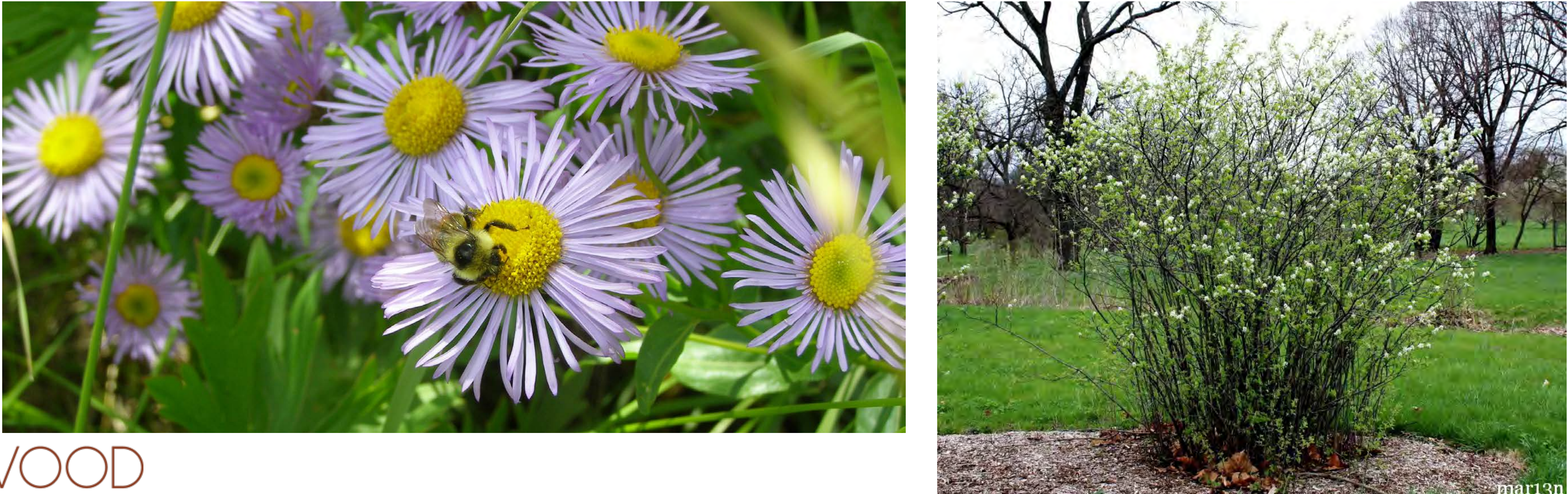
Native shrub and pollinator cluster



Interactive educational exhibit

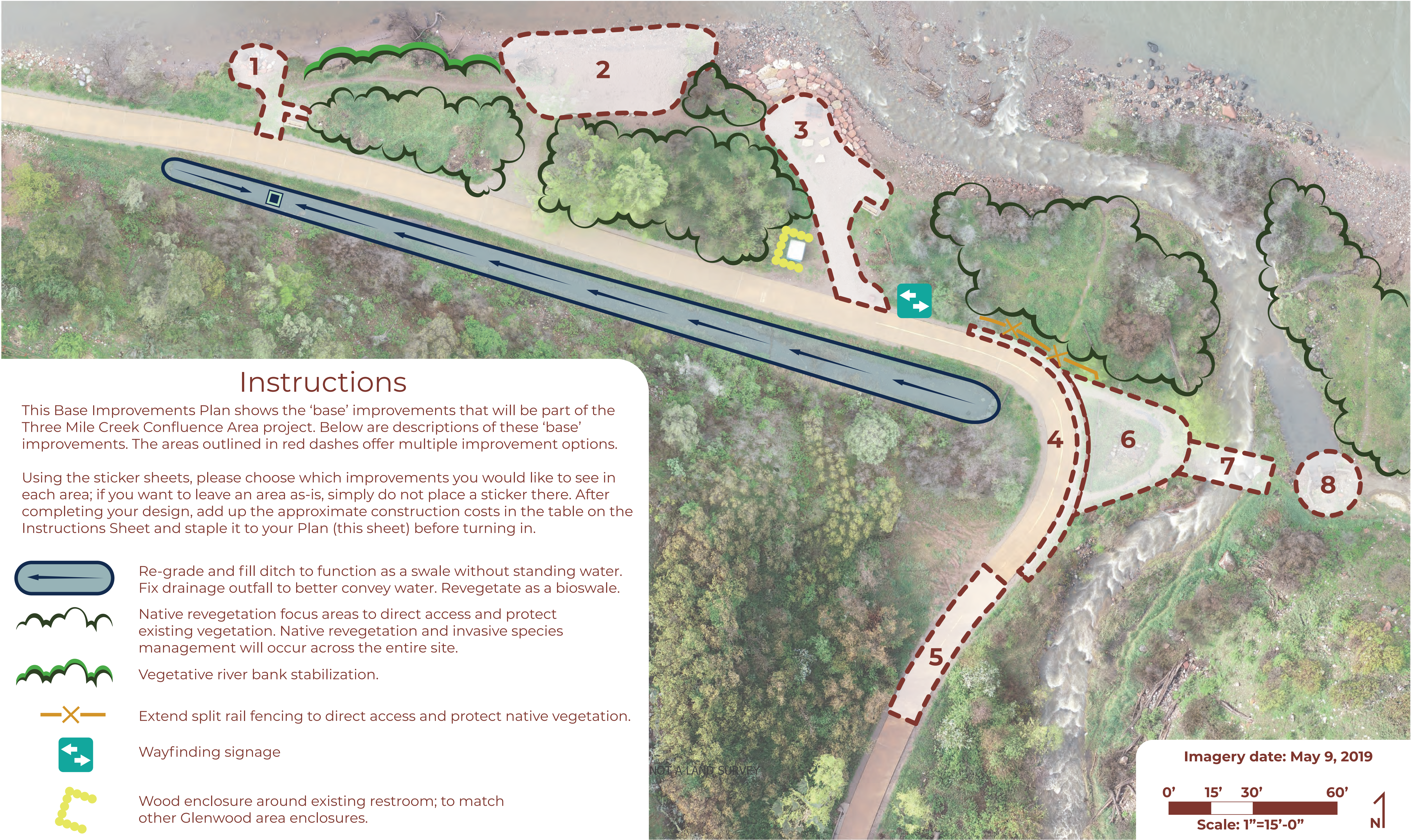


Bench

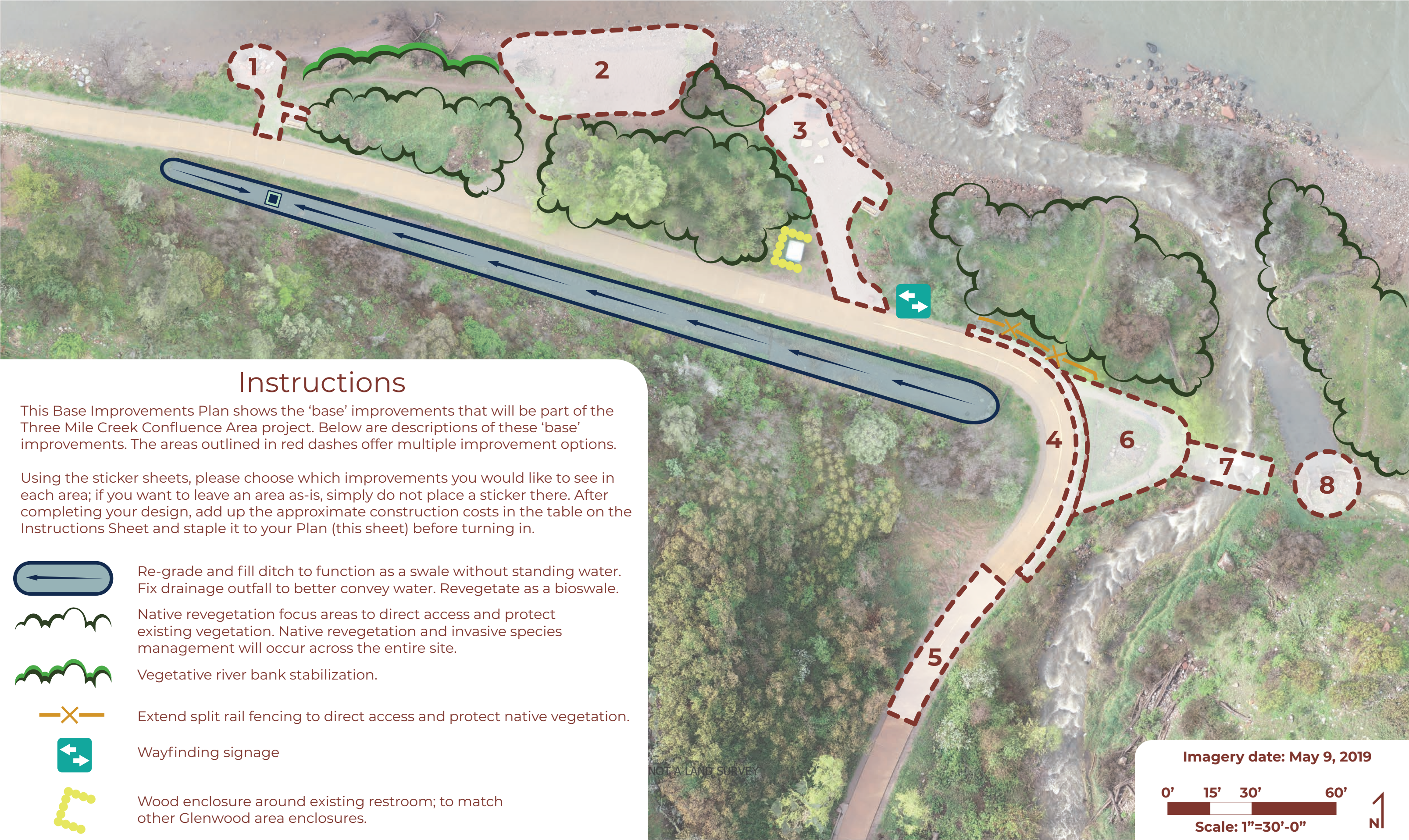


Base Design Improvements Plan

Below is an enlarged version of the Base Improvements Plan Sheet. On the 11x17 sheet, place stickers to show which optional improvements you would like to see in addition to the base improvements.



Base Improvements Plan



Instructions

This Base Improvements Plan shows the ‘base’ improvements that will be part of the Three Mile Creek Confluence Area project. Below are descriptions of these ‘base’ improvements. The areas outlined in red dashes offer multiple improvement options.

Using the sticker sheets, please choose which improvements you would like to see in each area; if you want to leave an area as-is, simply do not place a sticker there. After completing your design, add up the approximate construction costs in the table on the Instructions Sheet and staple it to your Plan (this sheet) before turning in.

-  Re-grade and fill ditch to function as a swale without standing water. Fix drainage outfall to better convey water. Revegetate as a bioswale.
-  Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.
-  Vegetative river bank stabilization.
-  Extend split rail fencing to direct access and protect native vegetation.
-  Wayfinding signage
-  Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

Based on public input and site analysis, we have created the Base Improvements Plan and the attached Additional Design Options sticker sheets. The Base Improvements Plan shows improvements that will be part of the final design no matter what. The Additional Design Options sheets provide stickers for you to choose options in addition to the base improvements to create your own design.

Some of these stickers apply to specific areas (ie Area 1, Area 2, etc.), while others can be placed anywhere (i.e. picnic tables, additional trees, etc.). If you do not want additional improvements to an area, simply do not place a sticker there.

Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting \$320,000

Additional Items:

Area 1: Option _____	.....	\$ _____
Area 2: Option _____	.....	\$ _____
Area 3: Option _____	.....	\$ _____
Area 4: Option _____	.....	\$ _____
Area 5: Option _____	.....	\$ _____
Area 6: Option _____	.....	\$ _____
Area 7: Option _____	.....	\$ _____
Area 8: Option _____	.....	\$ _____

Additional Items:

Boulder Seats: _____ x \$1,500 ea	.....	\$ _____
Picnic Tables: _____ x \$1,200 ea	.....	\$ _____
Benches: _____ x \$1,200 ea	.....	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	.....	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	.....	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	.....	\$ _____
Native Shade Trees: _____ x \$700 ea	.....	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	.....	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	.....	\$ _____

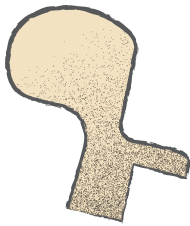
Grand Total \$ _____

Additional Design Options Page 1

Please place stickers from this page on the Base Improvements Plan based on where you would like to see these options built. You do not have to place a sticker on every area. Please see the boards for picture examples of each improvement.

Area 1

At the west end of the project site, this area is where the outfall from the ditch currently is. Base Improvements will include rebuilding this outfall to function and drain properly. Additional Design options range from adding a crusher fines surface, to building a small flagstone plaza and boulder steps to the Roaring Fork River.



- Add crusher fines surface over outfall & to existing bench
- ADA fishing platform

Option A Cost: \$2,000

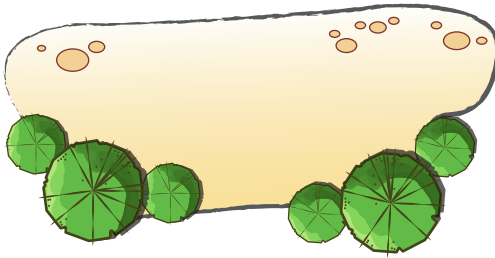


- Add small flagstone plaza
- Add boulder steps
- ADA fishing platform

Option B Cost: \$32,000

Area 2

Area 2 is the beach area. This Additional Design option expands the beach area slightly, adds boat tie offs, and adds shade trees.



- Expand beach access
- Add boat tie offs
- Add shade trees

Option A Cost: \$15,000

Area 3

Area 3 is the main plaza and the connection to the Atkinson Trail. The first option mostly improves the area by adding/refreshing crusher fines & adding shade trees, while the second option adds flagstone to the Trail as well.

- Fill flagstone joints with crusher fines
- Add shade trees
- Flagstone, table and boulder seats to remain

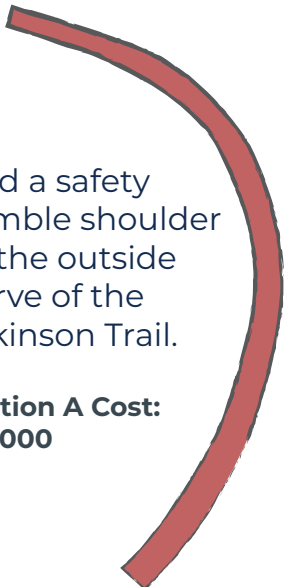
Option A Cost: \$9,000



Area 4

Add a safety rumble shoulder to the outside curve of the Atkinson Trail.

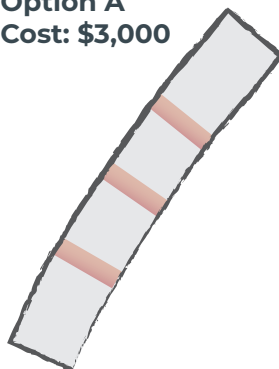
Option A Cost: \$5,000



Area 5

Add slowing rumble strips on the downhill section of the Atkinson Trail.

Option A Cost: \$3,000



- Add flagstone to Atkinson Trail
- Add spawning educational sign
- Add additional table and seating
- Add shade trees

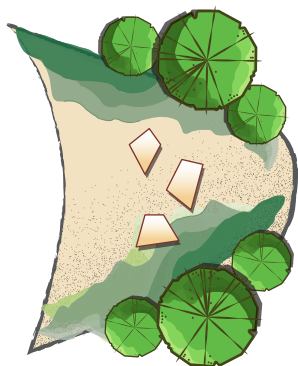
Option B Cost: \$37,000

Additional Design Options Page 2

Please place stickers from this page on the Base Improvements Plan based on where you would like to see these options built. You do not have to place a sticker on every area. Please see the boards for picture examples of each improvement.

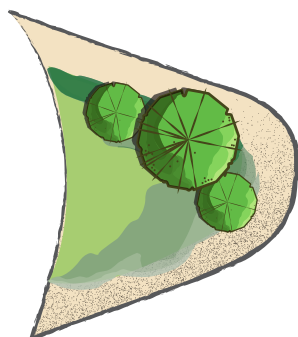
Area 6

Area 6 has a depression leading to the ditch, as well as a crusher fines trail. Both Additional Design options include filling the depression. The first option adds a new small crusher fines area with boulder seats, while the second area simply revegetates the filled in area and refreshes the existing crusher fines trail.



- Fill in existing ditch
- Add small gathering space with boulder seating
- Add shade trees
- Revegetate perimeter

Option A Cost: \$11,000



- Fill in existing ditch
- Revegetate filled area
- Refresh existing crusher fines trail

Option B Cost: \$7,000

Area 7

The area 7 option adds stepping boulders to cross Three Mile Creek during low flow times of the year.



Option A Cost: \$4,000

Area 8

Either remove the headgate, or transform it into an educational exhibit.



Option A Cost: \$19,000



Option B Cost: \$10,000

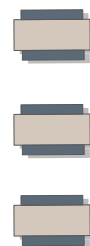
Additional Items

The below features are additional features that you can place anywhere within the project site.

Site Furnishings



Boulder Seats (3)
Cost: \$1,500



Picnic Table
Cost (ea): \$1,200



Bench
Cost (ea): \$1,200

Educational Signage



Simple Sign
Cost: \$1,800

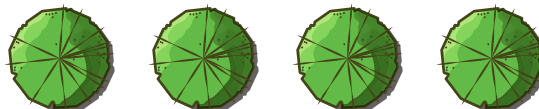


Interactive Sign
Cost: \$3,000

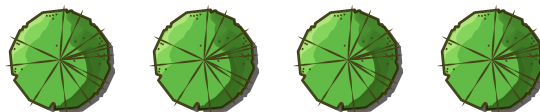


Interactive Exhibit
Cost: \$9,000

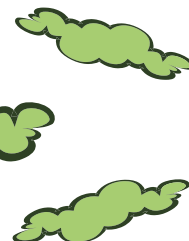
Vegetation



Native Shade Tree
Cost (ea tree): \$700



Native Tree Cluster
Cost (ea cluster): \$1,900



Native Shrub and Pollinator Cluster
Cost (ea cluster): \$1,600

Public Meeting #2 Responses

Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting \$320,000

Additional Items:

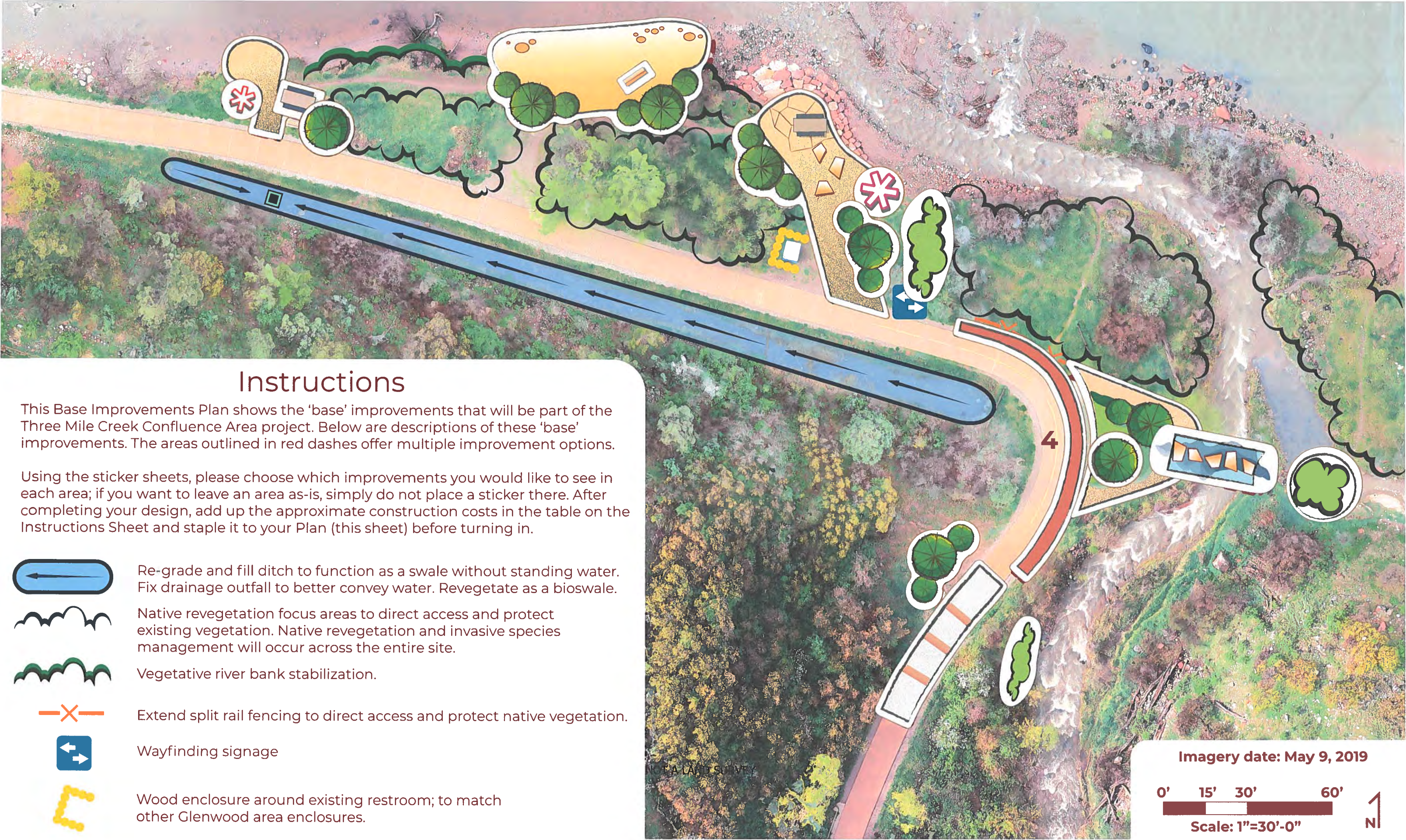
Area 1: Option <u>A</u>	.....	\$ <u>2,000</u>
Area 2: Option <u>A</u>	.....	\$ <u>15,000</u>
Area 3: Option <u>A</u>	.....	\$ <u>9,000</u>
Area 4: Option <u>A</u>	.....	\$ <u>5,000</u>
Area 5: Option <u>A</u>	.....	\$ <u>3,000</u>
Area 6: Option <u>B</u>	.....	\$ <u>7,000</u>
Area 7: Option <u>A</u>	.....	\$ <u>4,000</u>
Area 8: Option <u>A</u>	.....	\$ <u>19,000</u>

Additional Items:

Boulder Seats: _____ x \$1,500 ea	.....	\$ _____
Picnic Tables: <u>1</u> x \$1,200 ea	.....	\$ _____
Benches: <u>1</u> x \$1,200 ea	.....	\$ _____
Simple Educational Signs: <u>1</u> x \$1,800 ea	.....	\$ _____
Interactive Educational Signs: <u>1</u> x \$3,000 ea	.....	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	.....	\$ _____
Native Shade Trees: <u>11</u> x \$700 ea	.....	\$ _____
Native Tree Cluster: <u>11</u> x \$1,900 ea	.....	\$ _____
Native Shrub and Pollinator Cluster: <u>11</u> x \$1,600 ea		\$ _____

Grand Total \$ _____

Base Improvements Plan



Instructions

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Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



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Choose Your Own Design Construction Costs

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

Area 1: Option	_____	boat tie up area + vegetation	\$	?
Area 2: Option	_____	beach only people/dogs/fishing	\$	15 000.00
Area 3: Option	A		\$	9 000.00
Area 4: Option	_____		\$	0
Area 5: Option	A		\$	3 000.00
Area 6: Option	A		\$	11 000.00
Area 7: Option	A		\$	4 000.00
Area 8: Option	A	educational/interactive water rights ranching	\$	19 000.00
				61 000.00

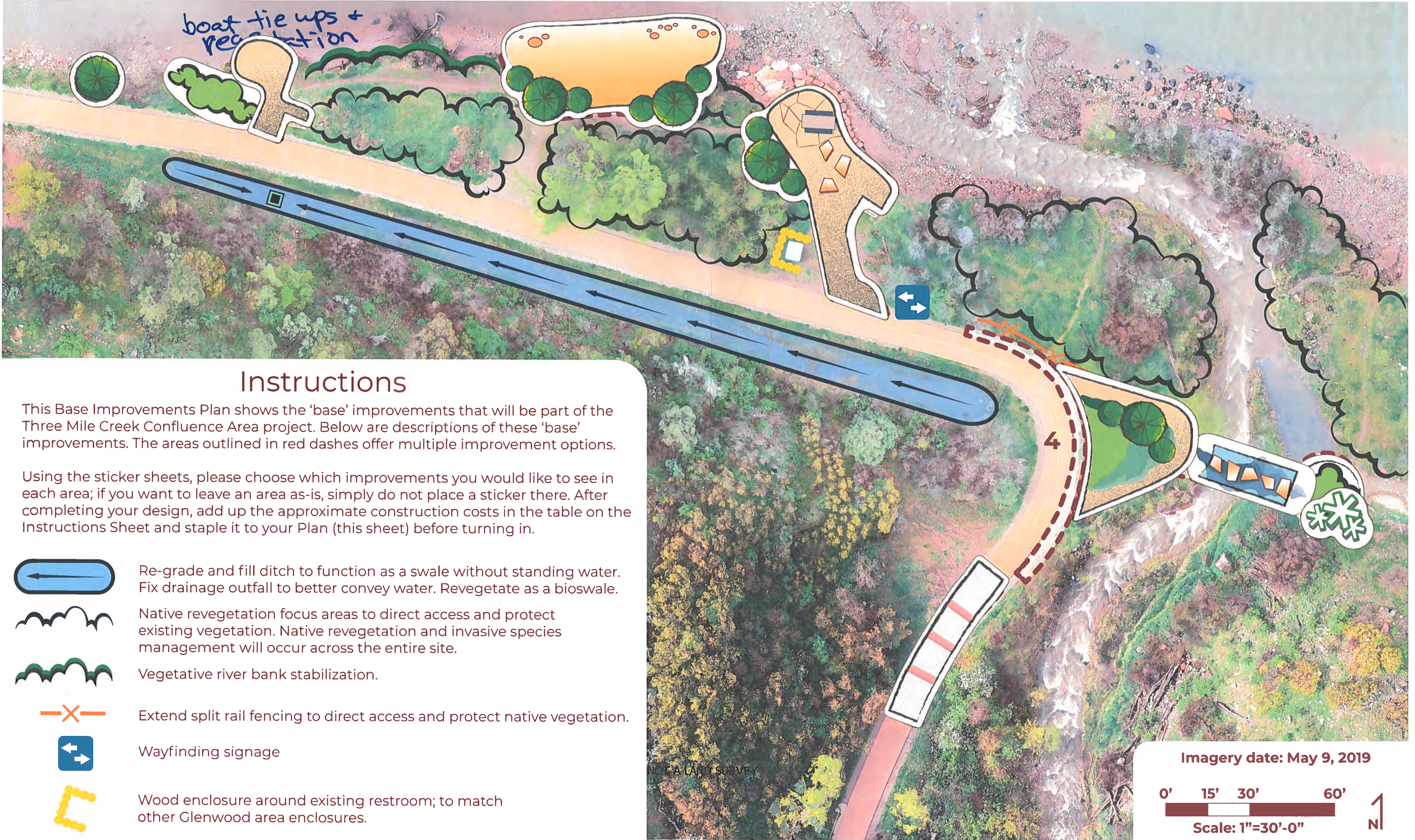
Additional Items:

Boulder Seats:	_____	x \$1,500 ea	\$	_____
Picnic Tables:	_____	x \$1,200 ea	\$	_____
Benches:	_____	x \$1,200 ea	\$	_____
Simple Educational Signs:	_____	x \$1,800 ea	\$	_____
Interactive Educational Signs:	_____	x \$3,000 ea	\$	_____
Interactive Educational Exhibits:	_____	x \$9,000 ea	\$	_____
Native Shade Trees:	_____	x \$700 ea	\$	_____
Native Tree Cluster:	_____	x \$1,900 ea	\$	_____
Native Shrub and Pollinator Cluster:	4	x \$1,600 ea	\$	6,400.00

yes consider another area near/under ped. bridge by H.S. to redirect some of the usage

Grand Total \$ 63400.00

Base Improvements Plan



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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

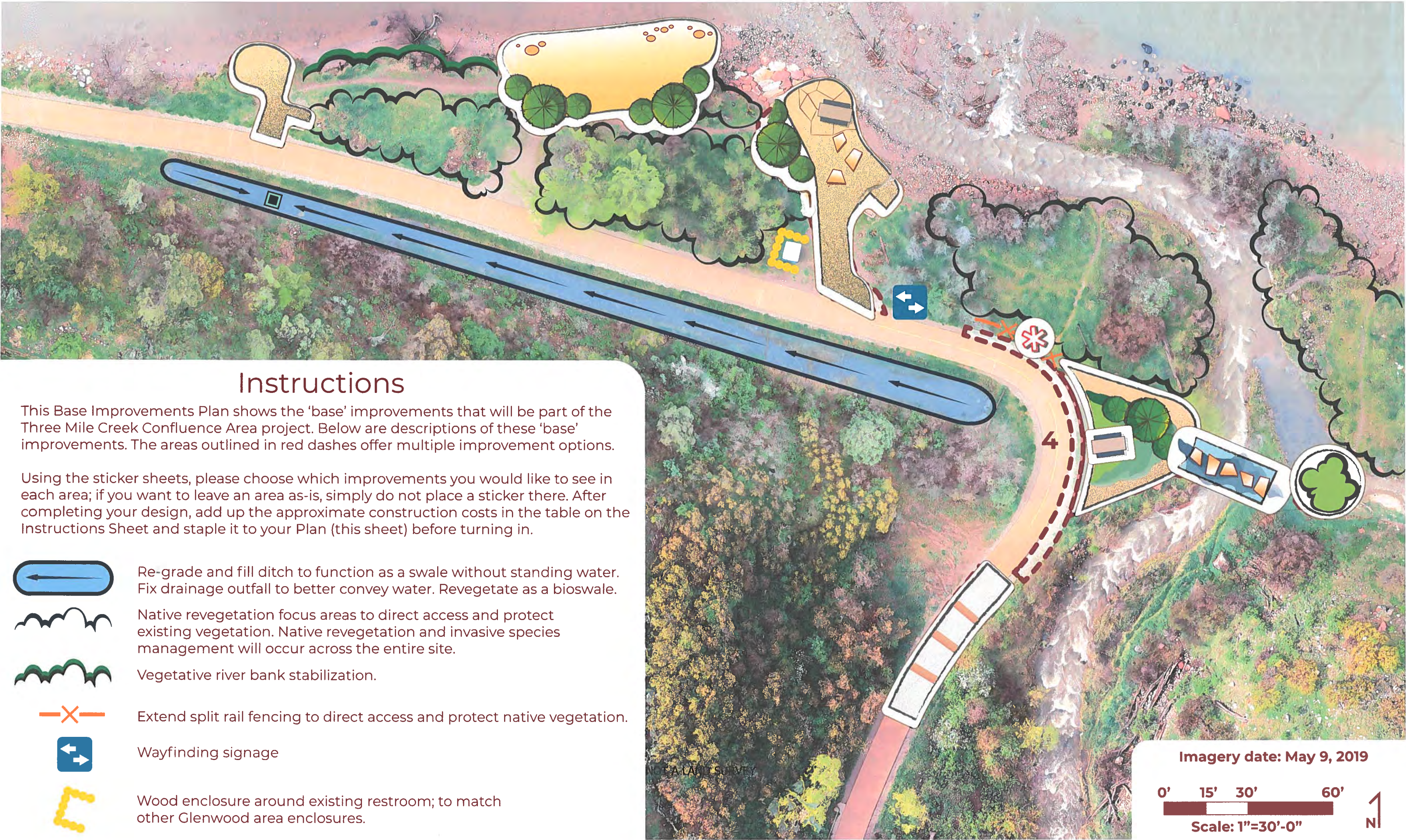
Area 1: Option <u>A</u>	\$ <u>2,000</u>
Area 2: Option	\$ <u>15,000</u>
Area 3: Option <u>A</u>	\$ <u>9,000</u>
Area 4: Option	\$
Area 5: Option	\$ <u>3,000</u>
Area 6: Option <u>B</u>	\$ <u>7,000</u>
Area 7: Option	\$ <u>4,000</u>
Area 8: Option	\$ <u>19,000</u>

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1,200</u>
Benches: _____ x \$1,200 ea	\$
Simple Educational Signs: <u>1</u> x \$1,800 ea	\$ <u>1,800</u>
Interactive Educational Signs: _____ x \$3,000 ea	\$
Interactive Educational Exhibits: _____ x \$9,000 ea	\$
Native Shade Trees: _____ x \$700 ea	\$
Native Tree Cluster: _____ x \$1,900 ea	\$
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$

Grand Total \$ 62,000

Base Improvements Plan



Instructions

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Re-grade and fill ditch to function as a swale without standing water. Fix drainage outfall to better convey water. Revegetate as a bioswale.



Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019

0' 15' 30' 60'

Scale: 1"=30'-0"

N

Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

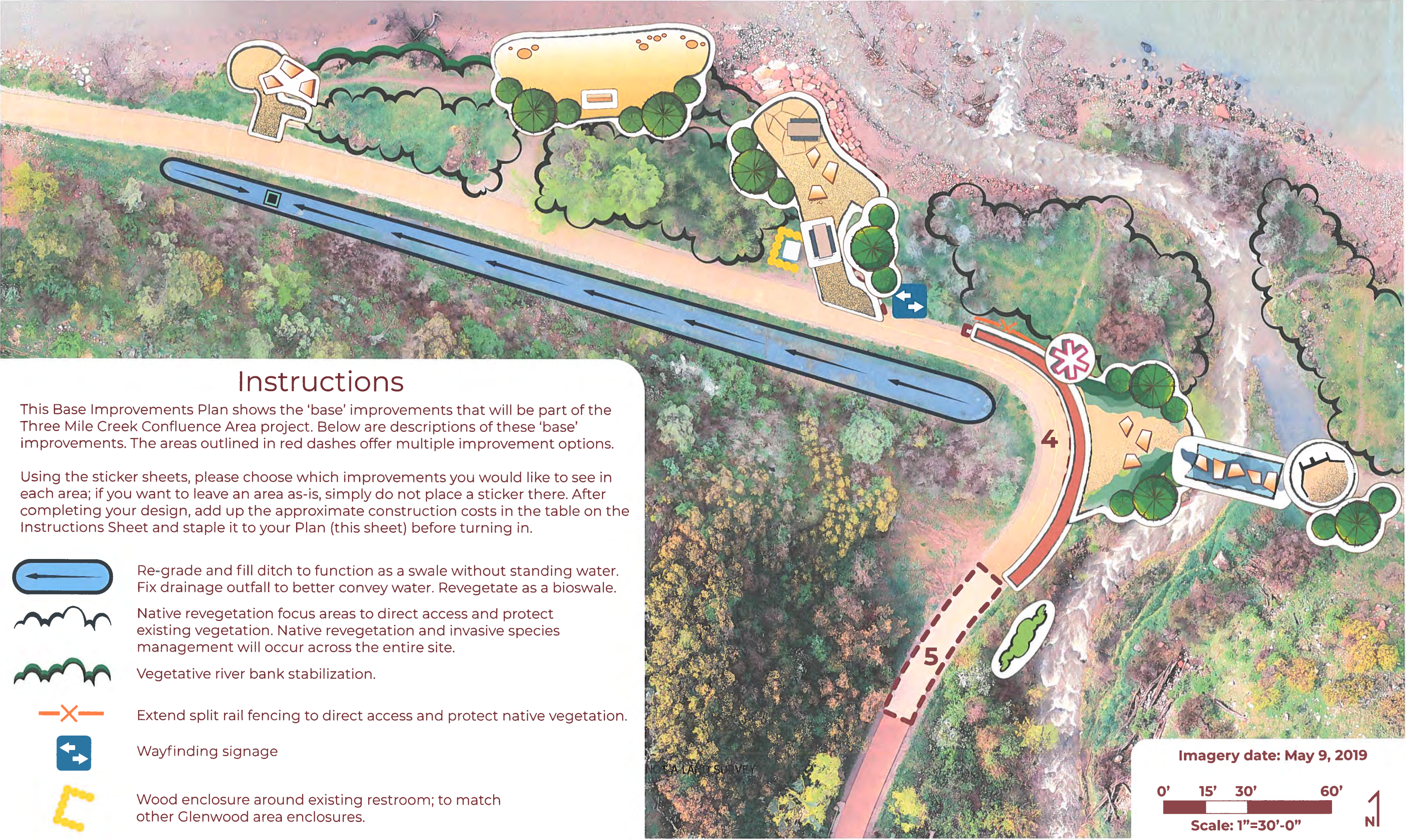
Area 1: Option <u>A</u>	\$ <u>2,000</u>
Area 2: Option _____	\$ <u>15,000</u>
Area 3: Option _____	\$ <u>9,000</u>
Area 4: Option _____	\$ <u>5,000</u>
Area 5: Option _____	\$ <u>- NO</u>
Area 6: Option _____	\$ <u>11,000</u>
Area 7: Option _____	\$ <u>7,000</u>
Area 8: Option _____	\$ <u>10,000</u>

Additional Items:

Boulder Seats: <u>1</u> x \$1,500 ea	\$ <u>1500</u>
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1200</u>
Benches: <u>1</u> x \$1,200 ea	\$ <u>1200</u>
Simple Educational Signs: <u>5</u> x \$1,800 ea	\$ <u>-</u>
Interactive Educational Signs: <u>1</u> x \$3,000 ea	\$ <u>3000</u>
Interactive Educational Exhibits: <u>0</u> x \$9,000 ea	\$ <u>-</u>
Native Shade Trees: <u>0</u> x \$700 ea	\$ <u>0</u>
Native Tree Cluster: <u>2</u> x \$1,900 ea	\$ <u>3800</u>
Native Shrub and Pollinator Cluster: <u>1</u> x \$1,600 ea	\$ <u>1600</u>

Grand Total \$ _____

Base Improvements Plan



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Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



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Choose Your Own Design Construction Costs

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

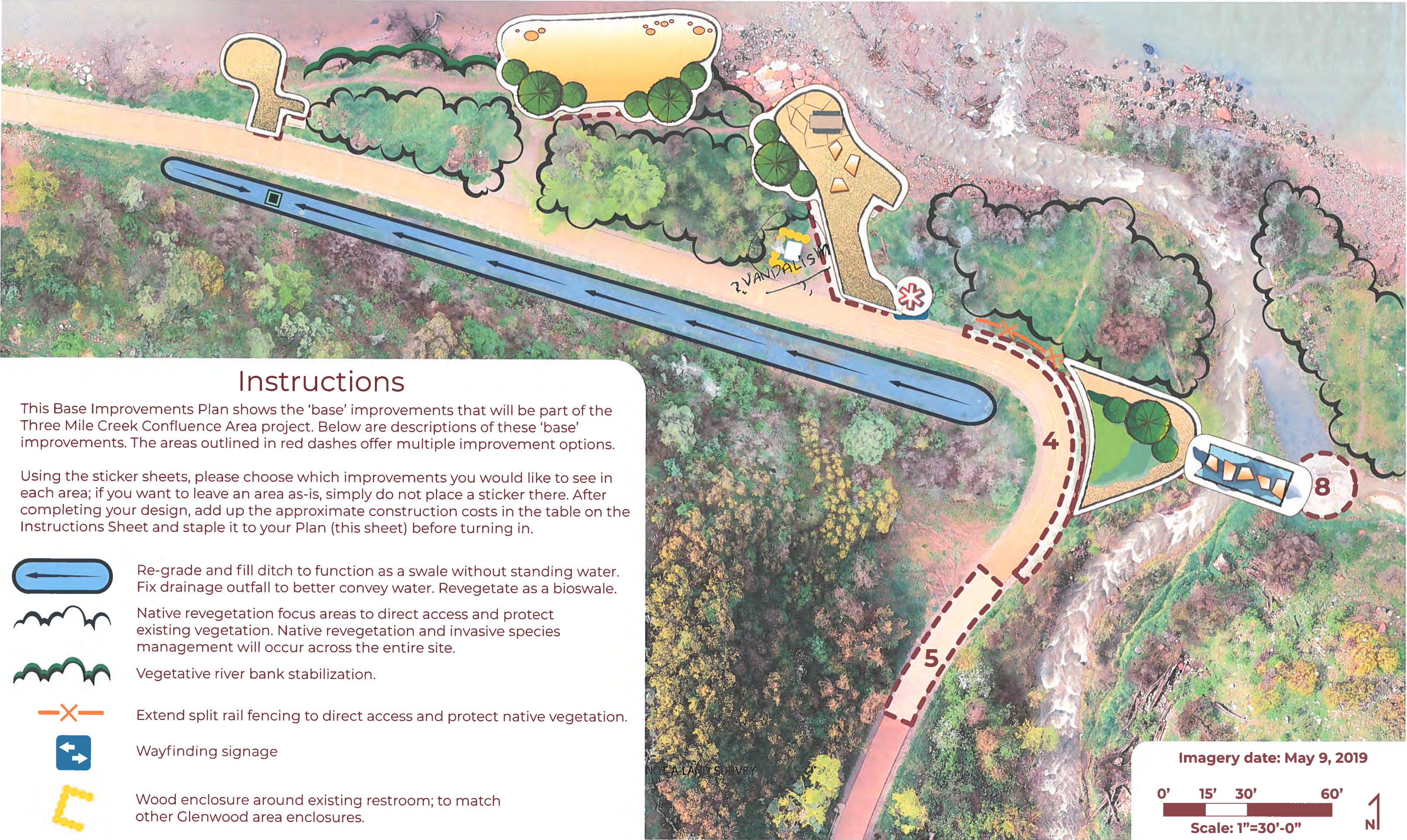
Area 1: Option	\$ 2,000.00
Area 2: Option	\$ 15,000.00
Area 3: Option	\$ 9,000.00
Area 4: Option	\$
Area 5: Option	\$
Area 6: Option	\$ 7,000.00
Area 7: Option	\$ 4,000.00
Area 8: Option	\$

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$
Picnic Tables: _____ x \$1,200 ea	\$
Benches: _____ x \$1,200 ea	\$
Simple Educational Signs: _____ x \$1,800 ea	\$ 1,800.00
Interactive Educational Signs: _____ x \$3,000 ea	\$
Interactive Educational Exhibits: _____ x \$9,000 ea	\$
Native Shade Trees: _____ x \$700 ea	\$
Native Tree Cluster: _____ x \$1,900 ea	\$
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$

Grand Total \$ 38,800

Base Improvements Plan



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Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

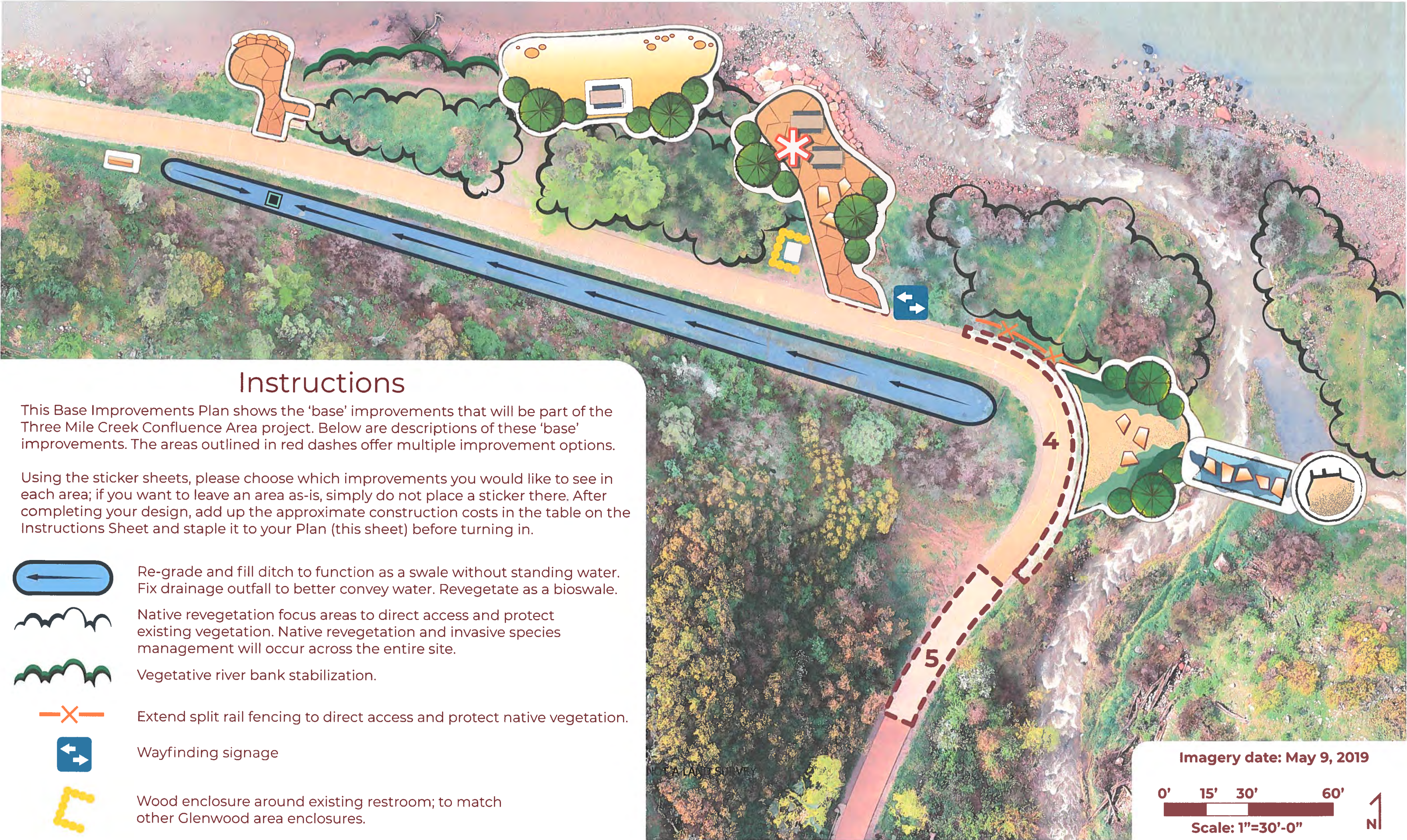
Area 1: Option _____	\$ <u>32,000</u>
Area 2: Option _____	\$ <u>15,000</u>
Area 3: Option _____	\$ <u>37,000</u>
Area 4: Option _____	\$ <u>0</u>
Area 5: Option _____	\$ <u>0</u>
Area 6: Option _____	\$ <u>11,000</u>
Area 7: Option _____	\$ <u>4,000</u>
Area 8: Option _____	\$ <u>10,000</u>

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: _____ x \$1,200 ea	\$ <u>12,000</u>
Benches: _____ x \$1,200 ea	\$ <u>12,000</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total **\$ 453,000**

Base Improvements Plan



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Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

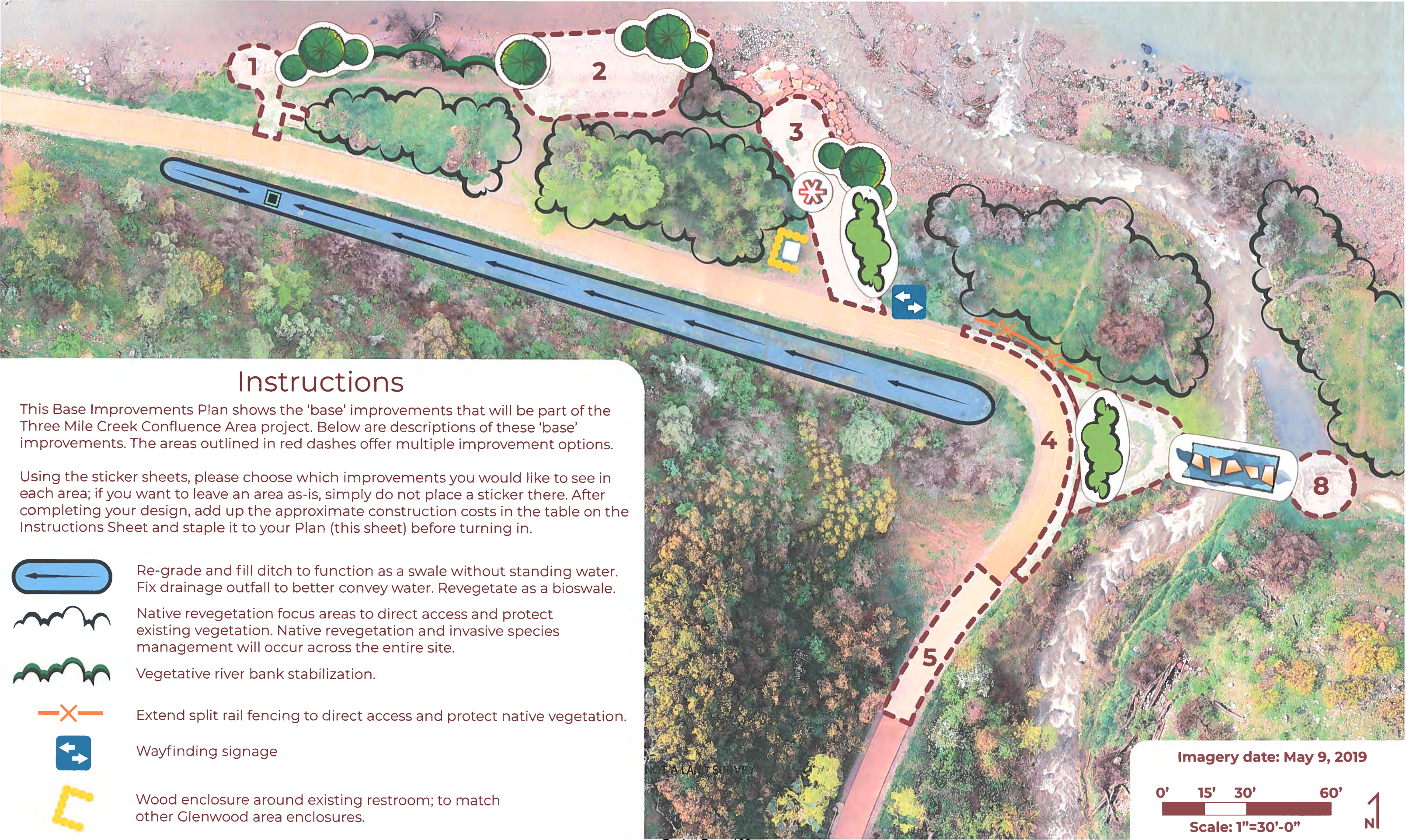
Area 1: Option _____	\$ _____
Area 2: Option _____	\$ _____
Area 3: Option _____	\$ _____
Area 4: Option _____	\$ _____
Area 5: Option _____	\$ _____
Area 6: Option _____	\$ <u>2</u>
Area 7: Option _____	\$ <u>4100</u>
Area 8: Option _____	\$ _____

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: <u>1</u> x \$1,800 ea	\$ <u>1800</u>
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: <u>3</u> x \$700 ea	\$ _____
Native Tree Cluster: <u>3</u> x \$1,900 ea	\$ <u>5700</u>
Native Shrub and Pollinator Cluster: <u>1</u> x \$1,600 ea	\$ <u>1600</u>

Grand Total \$131000

Base Improvements Plan



Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

Based on public input and site analysis, we have created the Base Improvements Plan and the attached Additional Design Options sticker sheets. The Base Improvements Plan shows improvements that will be part of the final design no matter what. The Additional Design Options sheets provide stickers for you to choose options in addition to the base improvements to create your own design.

Some of these stickers apply to specific areas (ie Area 1, Area 2, etc.), while others can be placed anywhere (i.e. picnic tables, additional trees, etc.). If you do not want additional improvements to an area, simply do not place a sticker there.

Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

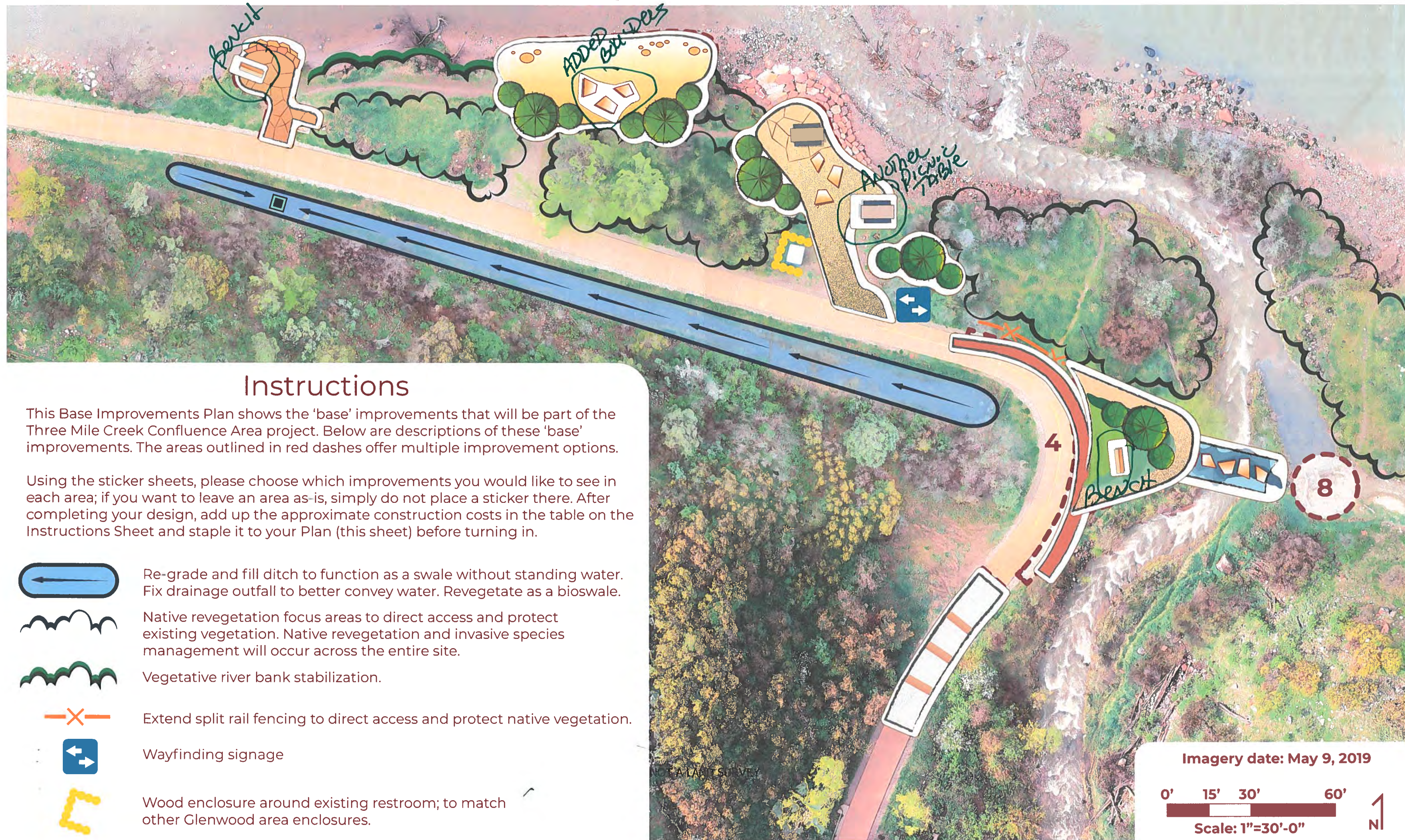
Area 1: Option _____	\$ <u>32,000</u>
Area 2: Option _____	\$ <u>15,000</u>
Area 3: Option _____	\$ <u>9,000</u>
Area 4: Option _____	\$ <u>5,000</u>
Area 5: Option _____	\$ <u>3,000</u>
Area 6: Option _____	\$ <u>7,000</u>
Area 7: Option _____	\$ <u>4,000</u>
Area 8: Option _____	\$ _____

Additional Items:

Boulder Seats: <u>1</u> x \$1,500 ea	\$ <u>1,500</u>
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1,200</u>
Benches: <u>2</u> x \$1,200 ea	\$ <u>2,400</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: <u>1</u> x \$700 ea	\$ <u>700</u>
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total **\$ 400,800**

Base Improvements Plan



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

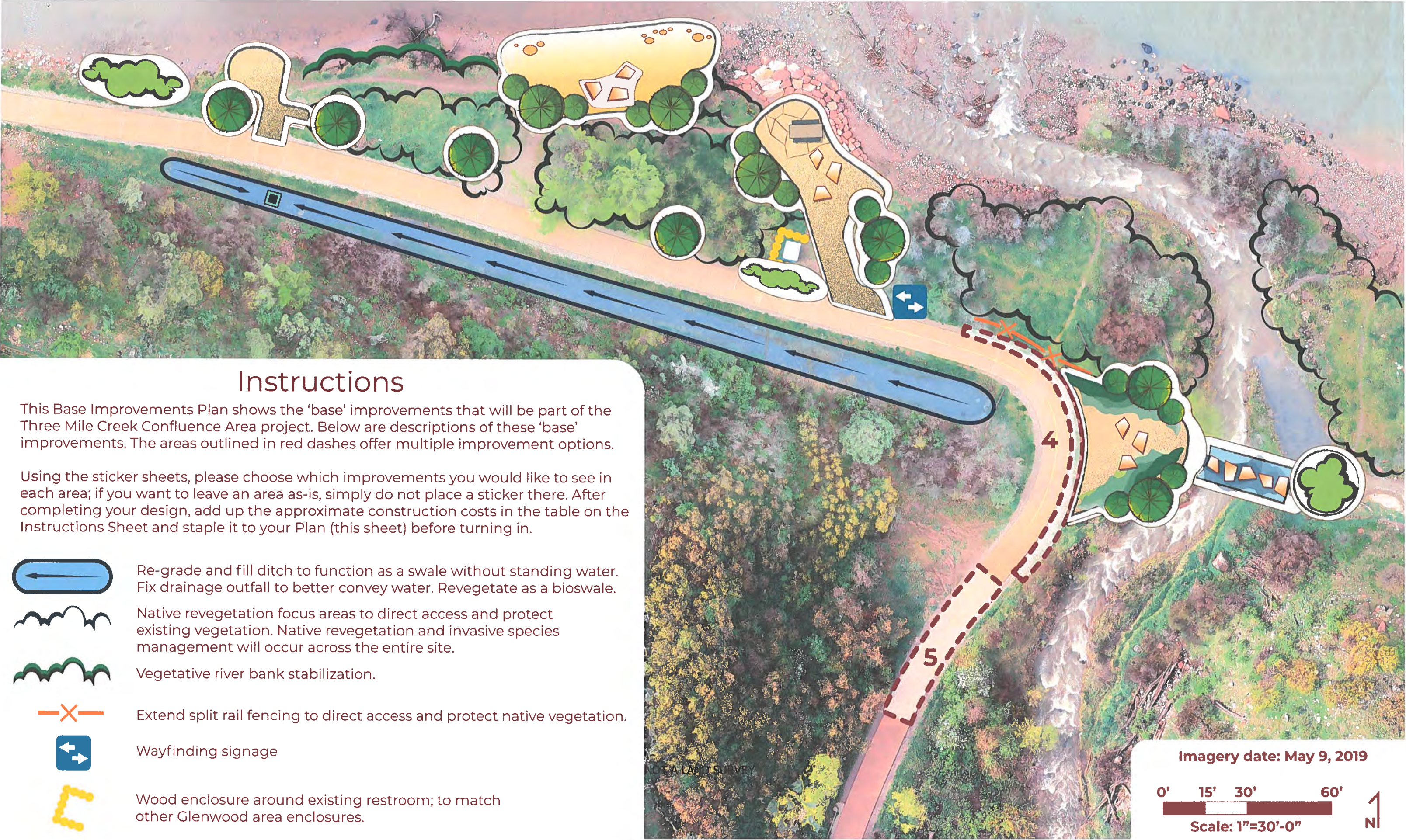
Area 1: Option <u>A</u>	\$ <u>2,000.00</u>
Area 2: Option <u>A</u>	\$ <u>15,000.00</u>
Area 3: Option <u>A</u>	\$ <u>9,000.00</u>
Area 4: Option _____	\$ _____
Area 5: Option _____	\$ _____
Area 6: Option <u>A</u>	\$ <u>11,000.00</u>
Area 7: Option <u>A</u>	\$ <u>4,000.00</u>
Area 8: Option <u>A</u>	\$ <u>19,000.00</u>

Additional Items:

Boulder Seats: <u>1</u> x \$1,500 ea	\$ <u>1,500.00</u>
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: <u>4</u> x \$700 ea	\$ <u>2,800.00</u>
Native Tree Cluster: <u>1</u> x \$1,900 ea	\$ <u>1,900.00</u>
Native Shrub and Pollinator Cluster: <u>2</u> x \$1,600 ea	\$ <u>3,200.00</u>

Grand Total **\$ 389,400.00**

Base Improvements Plan



Instructions

This Base Improvements Plan shows the 'base' improvements that will be part of the Three Mile Creek Confluence Area project. Below are descriptions of these 'base' improvements. The areas outlined in red dashes offer multiple improvement options.

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Re-grade and fill ditch to function as a swale without standing water. Fix drainage outfall to better convey water. Revegetate as a bioswale.



Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

Based on public input and site analysis, we have created the Base Improvements Plan and the attached Additional Design Options sticker sheets. The Base Improvements Plan shows improvements that will be part of the final design no matter what. The Additional Design Options sheets provide stickers for you to choose options in addition to the base improvements to create your own design.

Some of these stickers apply to specific areas (ie Area 1, Area 2, etc.), while others can be placed anywhere (i.e. picnic tables, additional trees, etc.). If you do not want additional improvements to an area, simply do not place a sticker there.

Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

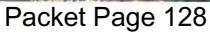
Area 1: Option <u>B</u>	\$ <u>32,000</u>
Area 2: Option <u>A</u>	\$ <u>15,000</u>
Area 3: Option <u>B</u>	\$ <u>37,000</u>
Area 4: Option <u>A</u>	\$ <u>5,000</u>
Area 5: Option <u>—</u>	\$ <u>—</u>
Area 6: Option <u>A</u>	\$ <u>11,000</u>
Area 7: Option <u>A</u>	\$ <u>4000</u>
Area 8: Option <u>A</u>	\$ <u>19,000</u>

Additional Items:

Boulder Seats: <u>3</u> x \$1,500 ea	\$ <u>4,500</u>
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1,200</u>
Benches: <u>2</u> x \$1,200 ea	\$ <u>2,400</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: <u>7</u> x \$700 ea	\$ <u>4,900</u>
Native Tree Cluster: <u>4</u> x \$1,900 ea	\$ <u>5,600</u>
Native Shrub and Pollinator Cluster: <u>2</u> x \$1,600 ea	\$ <u>3,200</u>

Grand Total **\$ 144,800**

J



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

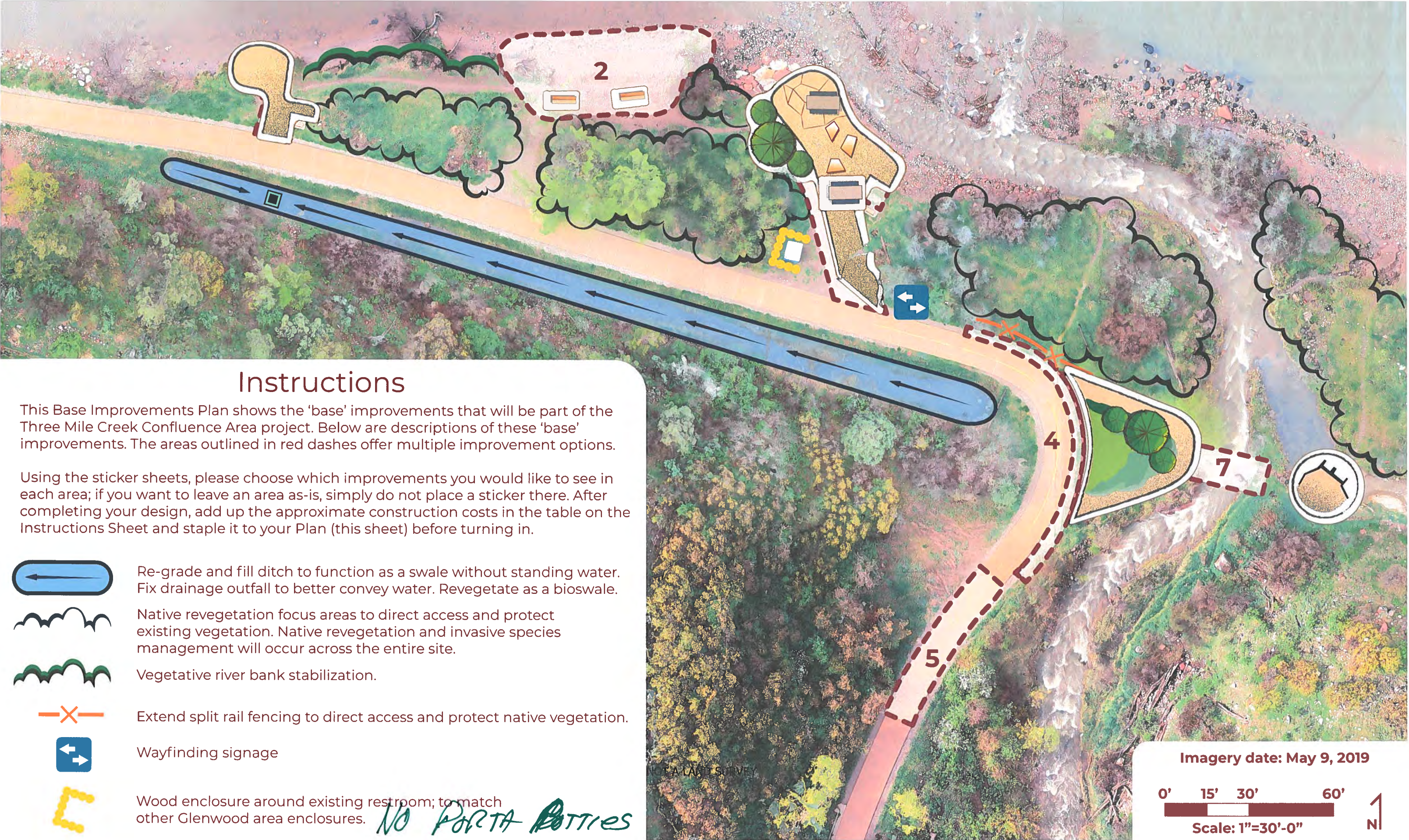
Area 1: Option <u>1</u>	\$ <u>2,000</u>
Area 2: Option	\$ <u> </u>
Area 3: Option	\$ <u>9,000</u>
Area 4: Option	\$ <u> </u>
Area 5: Option	\$ <u>7,000</u>
Area 6: Option <u>5</u>	\$ <u> </u>
Area 7: Option	\$ <u> </u>
Area 8: Option <u>B</u>	\$ <u>10,000</u>

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1,200</u>
Benches: <u>2</u> x \$1,200 ea	\$ <u>2,400</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ <u>31,600</u>

Grand Total **\$ 351,600**

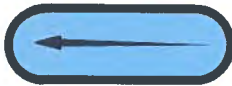
Base Improvements Plan



Instructions

This Base Improvements Plan shows the 'base' improvements that will be part of the Three Mile Creek Confluence Area project. Below are descriptions of these 'base' improvements. The areas outlined in red dashes offer multiple improvement options.

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Re-grade and fill ditch to function as a swale without standing water. Fix drainage outfall to better convey water. Revegetate as a bioswale.



Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

No Porta Potties

Imagery date: May 9, 2019

0' 15' 30' 60'

Scale: 1"=30'-0"

N

Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

Based on public input and site analysis, we have created the Base Improvements Plan and the attached Additional Design Options sticker sheets. The Base Improvements Plan shows improvements that will be part of the final design no matter what. The Additional Design Options sheets provide stickers for you to choose options in addition to the base improvements to create your own design.

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Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting \$320,000

Additional Items:

Area 1: Option <u>A</u>	\$ <u>2,000</u>
Area 2: Option <u>A</u>	\$ <u>15,000</u>
Area 3: Option <u>A</u>	\$ <u>9,000</u>
Area 4: Option <u>X</u>	\$ <u>X</u>
Area 5: Option <u>X</u>	\$ <u>X</u>
Area 6: Option <u>A</u>	\$ <u>11,000</u>
Area 7: Option <u>X</u>	\$ <u>4,000</u>
Area 8: Option <u>A</u>	\$ <u>19,000</u>

Additional Items:

Boulder Seats: <u>1</u> x \$1,500 ea	\$ <u>1,500</u>
Picnic Tables: _____ x \$1,200 ea	\$ <u>X</u>
Benches: <u>2</u> x \$1,200 ea	\$ <u>2,400</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ <u>X</u>
Interactive Educational Signs: _____ x \$3,000 ea	\$ <u>X</u>
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ <u>X</u>
Native Shade Trees: <u>8</u> x \$700 ea	\$ <u>5,600</u>
Native Tree Cluster: _____ x \$1,900 ea	\$ <u>X</u>
Native Shrub and Pollinator Cluster: <u>3</u> x \$1,600 ea	\$ <u>2,200 4,800</u>

Grand Total Additional Items \$74,300 \$ ~~684,000~~

Base Improvements Plan



Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

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Each Additional Design Option has an estimated cost associated with it. Please place stickers on the Base Improvements Plan based on where you would like to see these options. Then, total up the cost of the additional design options you chose on this sheet and staple this sheet to your Plan before turning it in.

Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

Area 1: Option	1A <u>no change</u>	\$ 15,000
Area 2: Option	<u>A</u>	\$ <u>15,000</u>
Area 3: Option	<u>A</u>	\$ <u>9,000</u>
Area 4: Option	<u>—</u>	\$ <u>—</u>
Area 5: Option	<u>A</u>	\$ <u>3,000</u>
Area 6: Option	<u>A</u>	\$ <u>11,000</u>
Area 7: Option	<u>—</u>	\$ <u>—</u>
Area 8: Option	<u>B</u>	\$ <u>12,000</u>

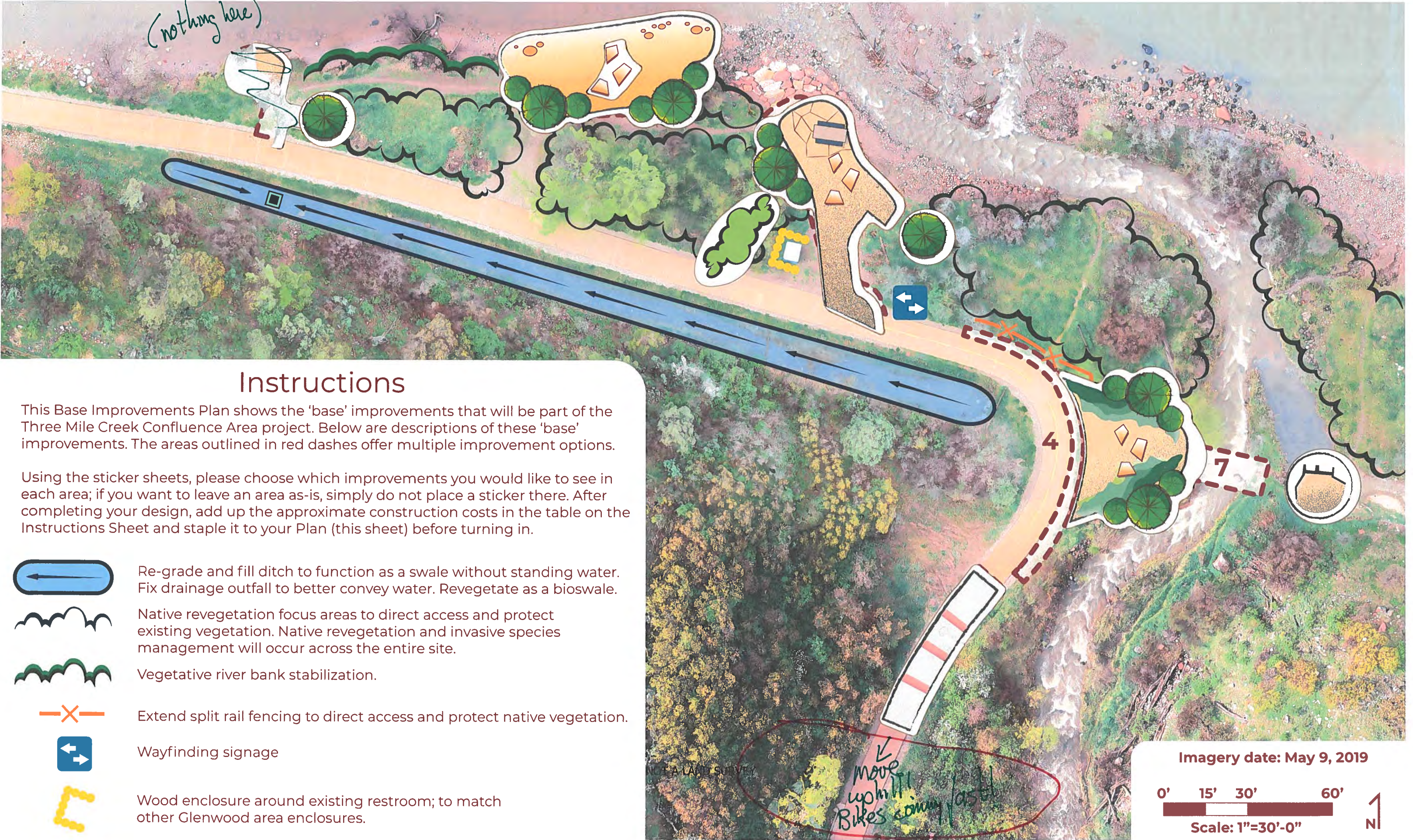
Additional Items:

Boulder Seats:	<u>1</u> x \$1,500 ea	\$ <u>1,500</u>
Picnic Tables:	_____ x \$1,200 ea	\$ _____
Benches:	_____ x \$1,200 ea	\$ _____
Simple Educational Signs:	_____ x \$1,800 ea	\$ _____
Interactive Educational Signs:	_____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits:	_____ x \$9,000 ea	\$ _____
Native Shade Trees:	<u>2</u> x \$700 ea	\$ <u>1,400</u>
Native Tree Cluster:	_____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster:	<u>1</u> x \$1,600 ea	\$ <u>1,600</u>

(12%) sub 212,500

Grand Total **\$362,500**

Base Improvements Plan



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting **\$320,000**

Additional Items:

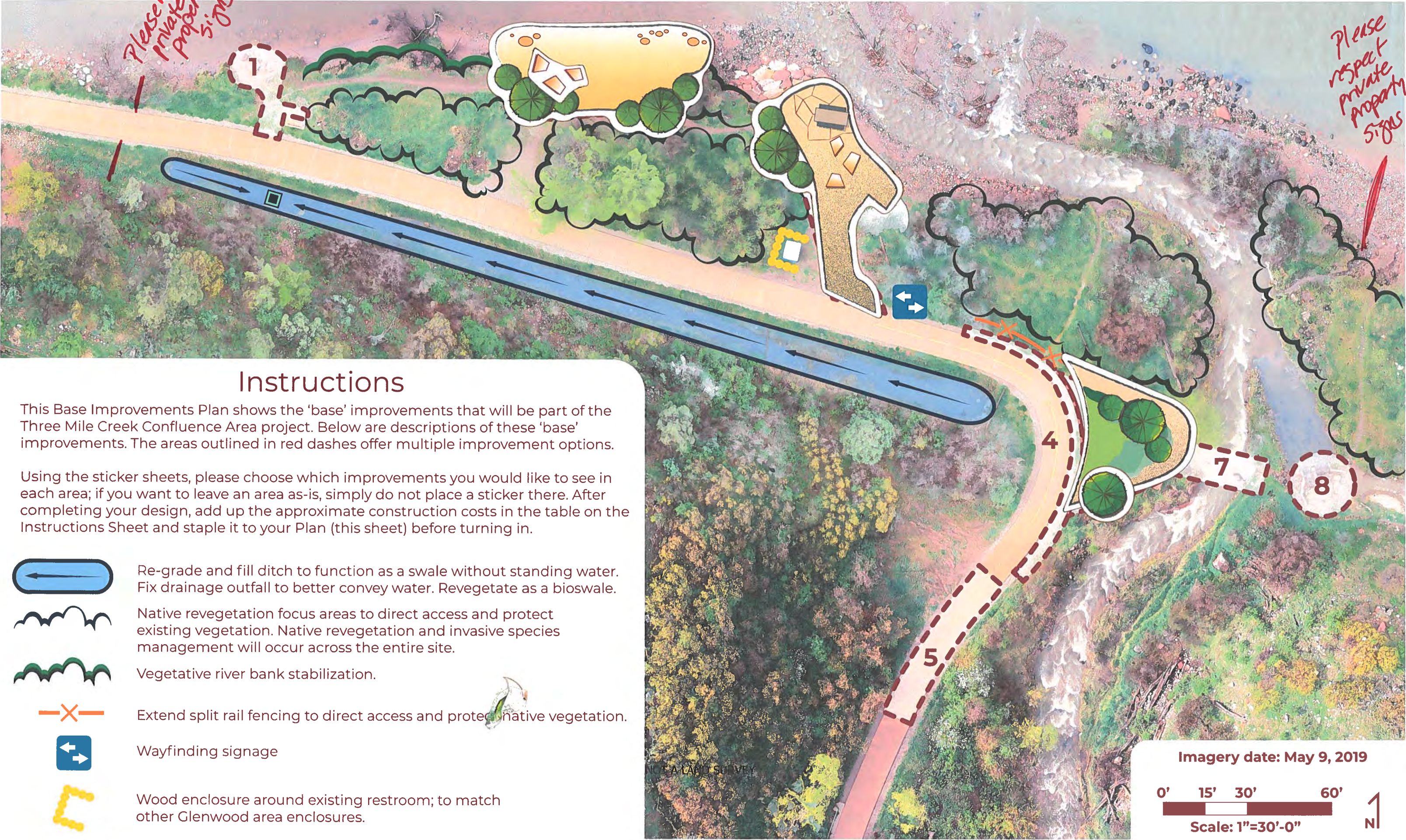
Area 1: Option	\$	
Area 2: Option	\$	15,000
Area 3: Option	\$	9,000
Area 4: Option	\$	
Area 5: Option	\$	
Area 6: Option	\$	11,000
Area 7: Option	\$	
Area 8: Option	\$	

Additional Items:

Boulder Seats: <u>12</u> x \$1,500 ea	\$	1500 3000
Picnic Tables: _____ x \$1,200 ea	\$	
Benches: _____ x \$1,200 ea	\$	
Simple Educational Signs: _____ x \$1,800 ea	\$	
Interactive Educational Signs: _____ x \$3,000 ea	\$	
Interactive Educational Exhibits: _____ x \$9,000 ea	\$	700
Native Shade Trees: <u>12</u> x \$700 ea	\$	2100 1400
Native Tree Cluster: _____ x \$1,900 ea	\$	
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$	

Grand Total **\$ 37,200**

Base Improvements Plan



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

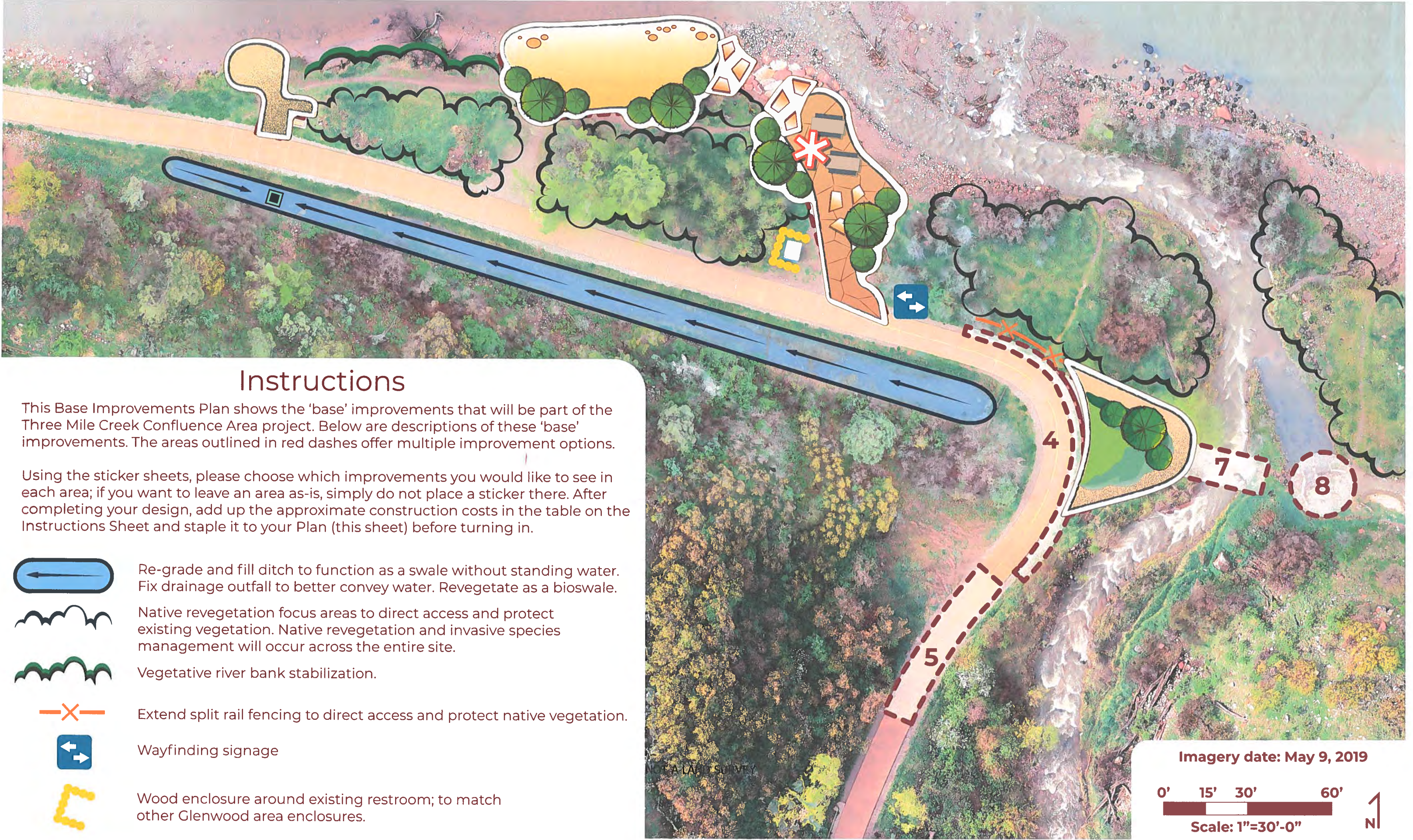
Area 1: Option <u>A</u>	\$ <u>2,000.00</u>
Area 2: Option <u>A</u>	\$ <u>15,000.00</u>
Area 3: Option <u>B</u>	\$ <u>37,000.00</u>
Area 4: Option <u>A</u>	\$ <u>7,000.00</u>
Area 5: Option _____	\$ _____
Area 6: Option <u>B</u>	\$ <u>7,000.00</u>
Area 7: Option _____	\$ _____
Area 8: Option <u>B</u>	\$ <u>10,000.00</u>

Additional Items:

Boulder Seats: <u>6</u> x \$1,500 ea	\$ <u>3,000</u>
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total \$ 74,000.00

Base Improvements Plan



Instructions

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Re-grade and fill ditch to function as a swale without standing water. Fix drainage outfall to better convey water. Revegetate as a bioswale.



Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

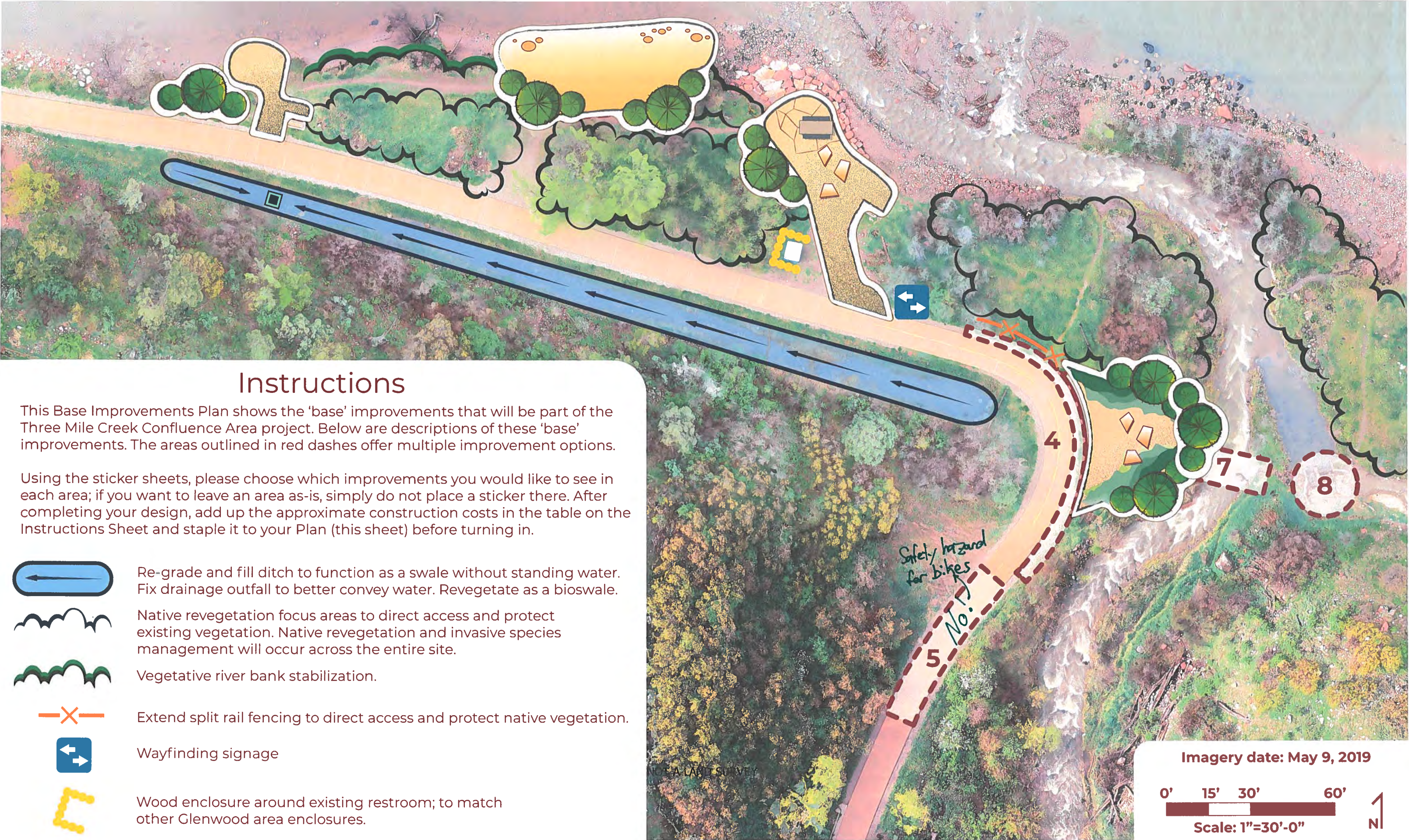
Area 1: Option _____	\$ <u>2</u>
Area 2: Option _____	\$ <u>15</u>
Area 3: Option _____	\$ <u>9</u>
Area 4: Option _____	\$ _____
Area 5: Option _____	\$ _____
Area 6: Option _____	\$ <u>11</u>
Area 7: Option _____	\$ _____
Area 8: Option _____	\$ _____

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: <u>2</u> x \$1,900 ea	\$ <u>3800</u>
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total \$ 40,800

Base Improvements Plan



Instructions

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Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019



Scale: 1"=30'-0"



Choose Your Own Design Instructions

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Choose Your Own Design Construction Costs

Using the costs for each Additional Design Option that you chose, fill in the below cost sheet to arrive at an approximate total cost for your design's construction.

Base Improvements including Final Design and Permitting \$320,000

Additional Items:

Area 1: Option <u>A</u>	\$ <u>2000</u> -
Area 2: Option <u>A</u>	\$ <u>15000</u> -
Area 3: Option <u>A</u>	\$ <u>9000</u> -
Area 4: Option <u>A</u>	\$ <u>5000</u> -
Area 5: Option <u>A</u>	\$ <u>3000</u> -
Area 6: Option <u>B</u>	\$ <u>7000</u> -
Area 7: Option <u>A</u>	\$ <u>4000</u> -
Area 8: Option <u>B</u>	\$ <u>10,000</u> -

Additional Items:

I don't know enough about what is needed but prefer not too much gentrification

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total \$ _____

Base Improvements Plan

Instructions

This Base Improvements Plan shows the 'base' improvements that will be part of the Three Mile Creek Confluence Area project. Below are descriptions of these 'base' improvements. The areas outlined in red dashes offer multiple improvement options.

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Native revegetation focus areas to direct access and protect existing vegetation. Native revegetation and invasive species management will occur across the entire site.



Vegetative river bank stabilization.



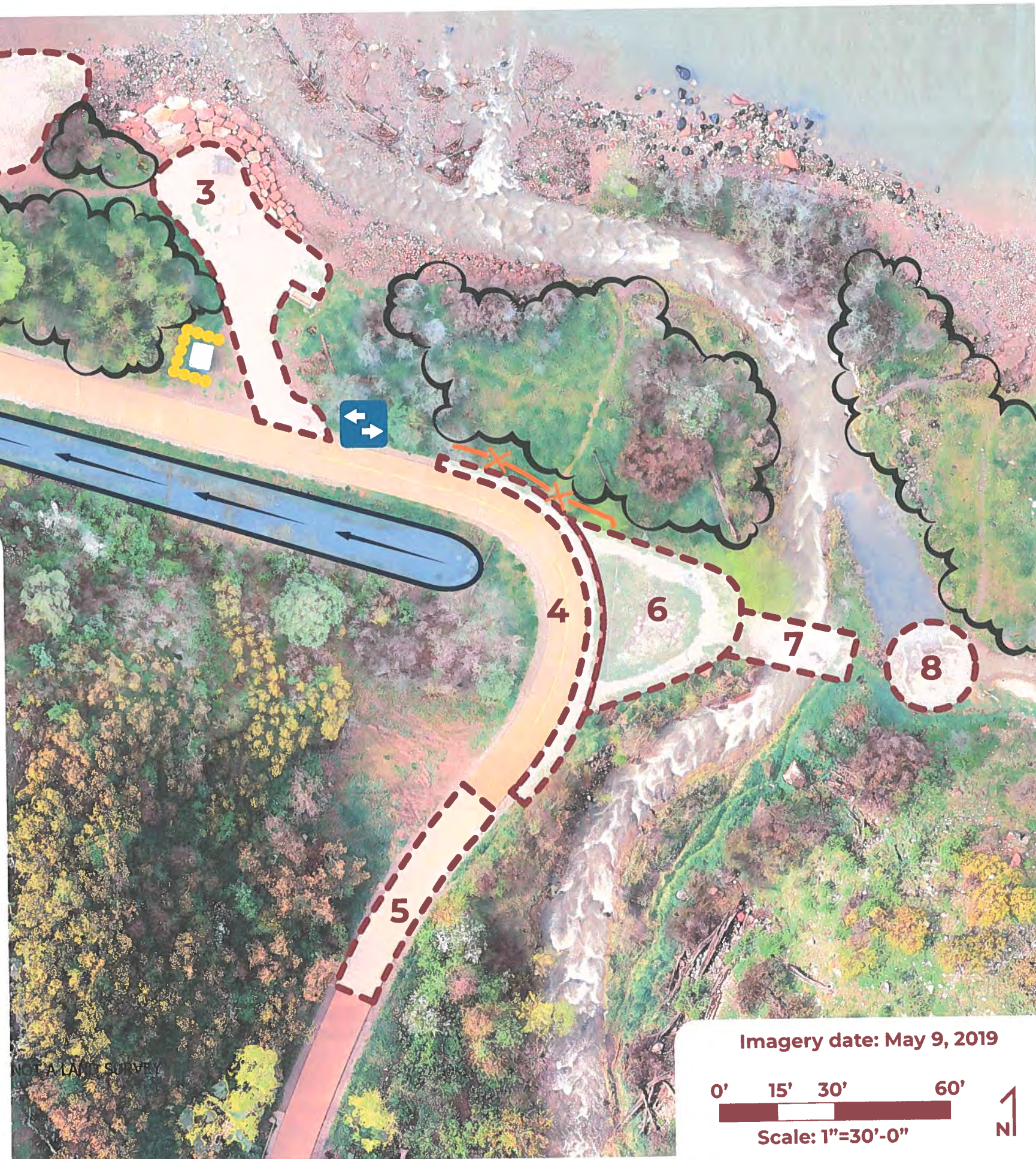
Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.



Imagery date: May 9, 2019

0' 15' 30' 60'

Scale: 1"=30'-0"

N

Choose Your Own Design Instructions

For this activity, you will create your own custom design for the Three Mile Creek Confluence Area.

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

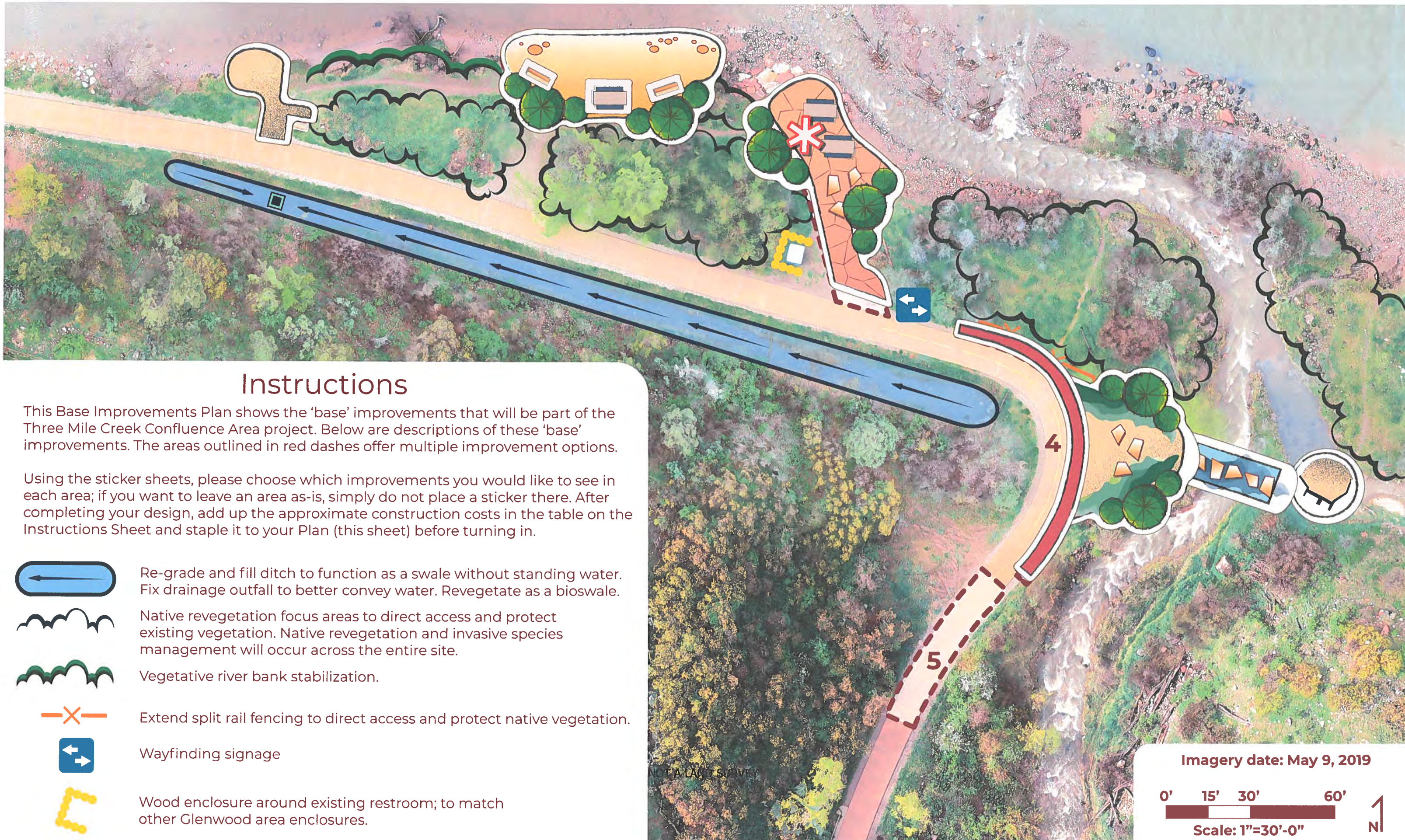
Area 1: Option <u>A</u>	\$ <u>2,000</u>
Area 2: Option _____	\$ <u>15,000</u>
Area 3: Option <u>B</u>	\$ <u>37,000</u>
Area 4: Option _____	\$ <u>5,000</u>
Area 5: Option _____	\$ <u>—</u>
Area 6: Option <u>A</u>	\$ <u>11,000</u>
Area 7: Option _____	\$ <u>4,000</u>
Area 8: Option <u>B</u>	\$ <u>10,000</u>

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: <u>1</u> x \$1,200 ea	\$ <u>1,200</u>
Benches: <u>2</u> x \$1,200 ea	\$ <u>2,400</u>
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea	\$ _____

Grand Total \$ 87,600

Base Improvements Plan



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Vegetative river bank stabilization.



Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.

Imagery date: May 9, 2019

0' 15' 30' 60'

Scale: 1"=30'-0"

Scale: 1"=30'-0"

4

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Base Improvements including Final Design and Permitting \$320,000

Additional Items:

Area 1: Option _____	\$ _____
Area 2: Option _____	\$ _____
Area 3: Option _____	\$ 9,000
Area 4: Option _____	\$ _____
Area 5: Option _____	\$ _____
Area 6: Option _____	\$ 7,000
Area 7: Option _____	\$ _____
Area 8: Option _____	\$ _____

Additional Items:

Boulder Seats: _____ x \$1,500 ea	\$ _____
Picnic Tables: _____ x \$1,200 ea	\$ _____
Benches: _____ x \$1,200 ea	\$ _____
Simple Educational Signs: _____ x \$1,800 ea	\$ _____
Interactive Educational Signs: _____ x \$3,000 ea	\$ _____
Interactive Educational Exhibits: _____ x \$9,000 ea	\$ _____
Native Shade Trees: _____ x \$700 ea	\$ _____
Native Tree Cluster: _____ x \$1,900 ea.	\$ _____
Native Shrub and Pollinator Cluster: _____ x \$1,600 ea.	\$ _____

Grand Total \$ 16,000

Base Improvements Plan

Instructions

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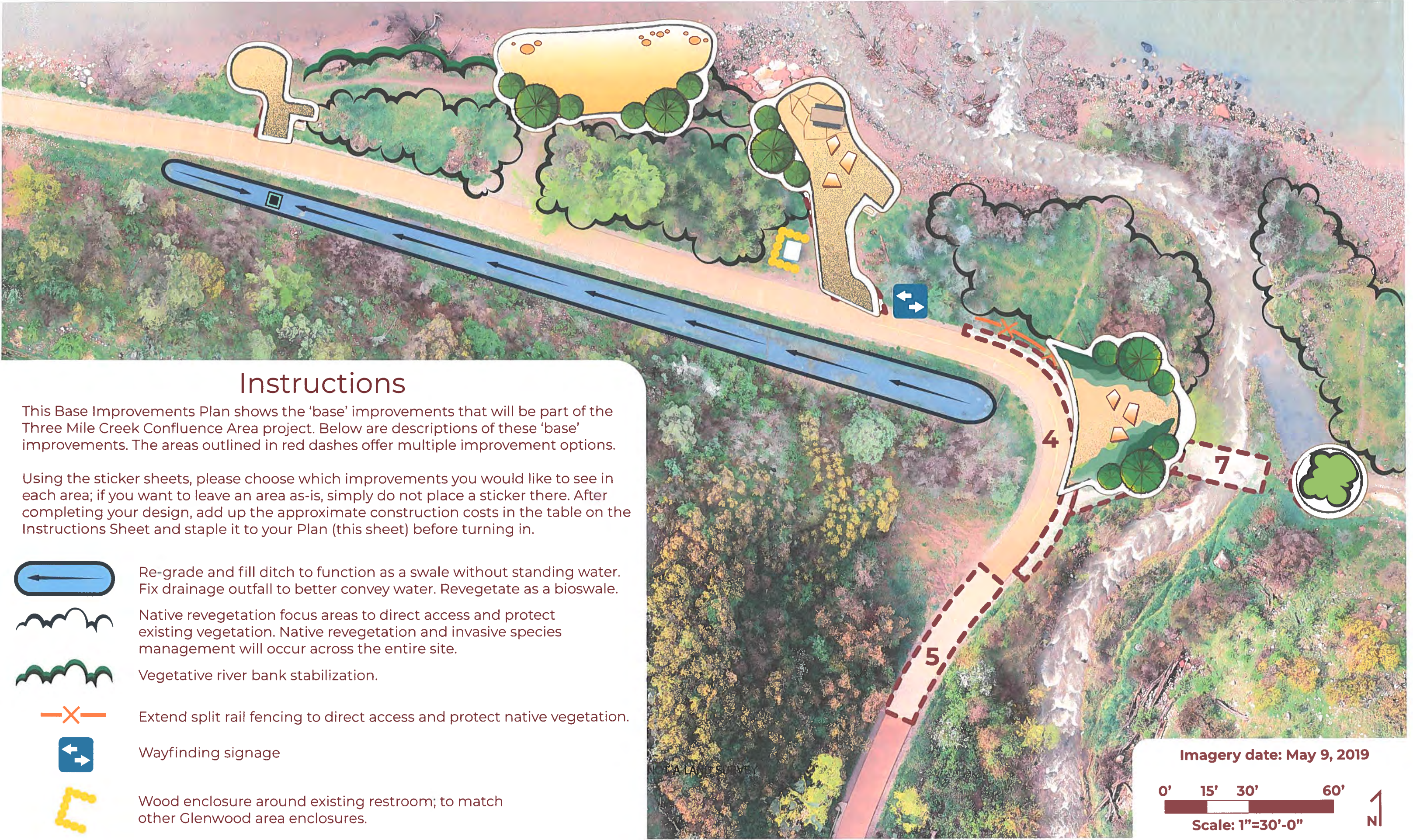
Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.



Base Improvements Plan



Base Improvements Plan

Good base plan -

like shade trees.

Don't think anything else
really adds value to
the river experience.

Low
Branch

Instructions

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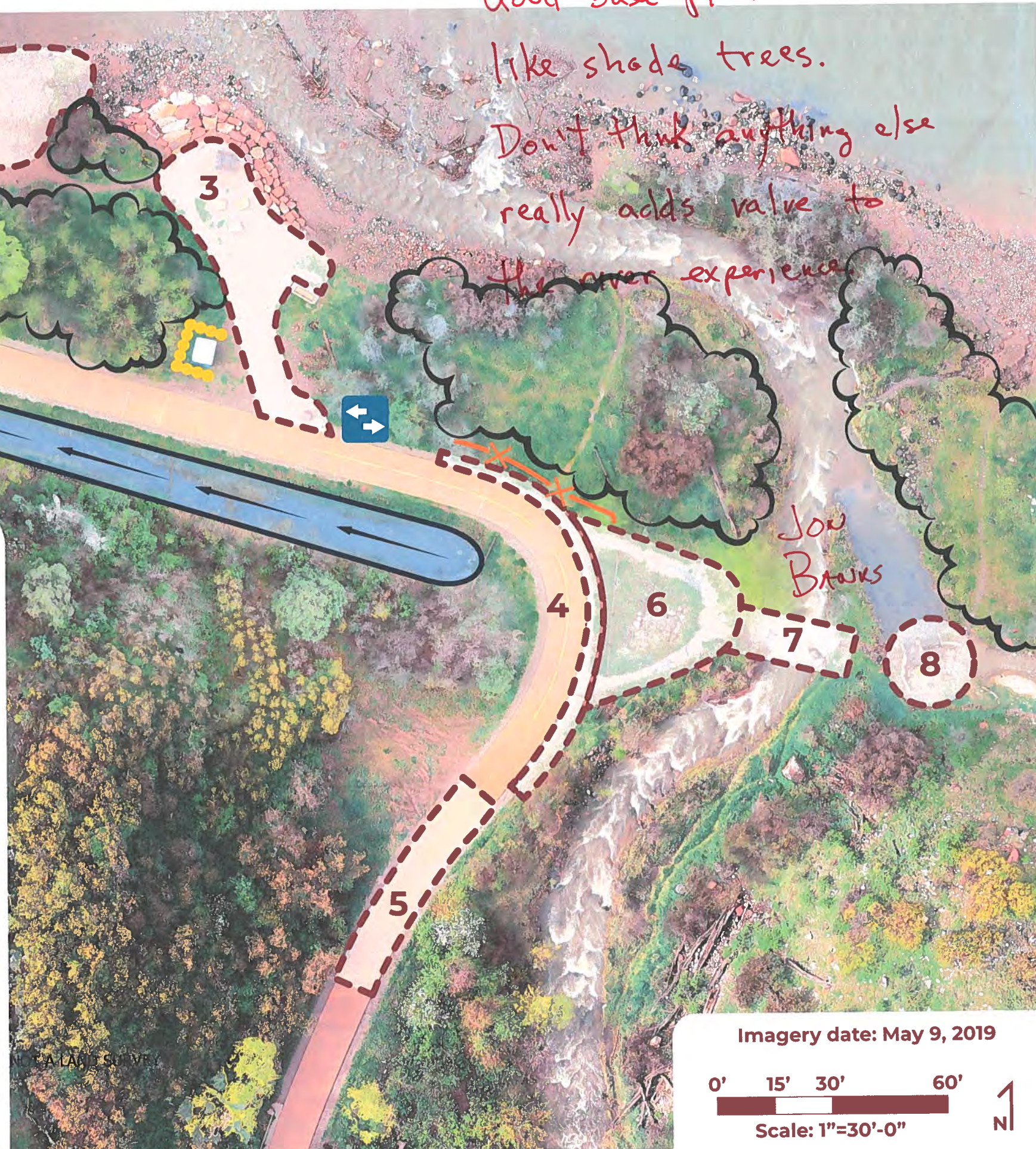
Extend split rail fencing to direct access and protect native vegetation.



Wayfinding signage



Wood enclosure around existing restroom; to match other Glenwood area enclosures.



Imagery date: May 9, 2019

0' 15' 30' 60'

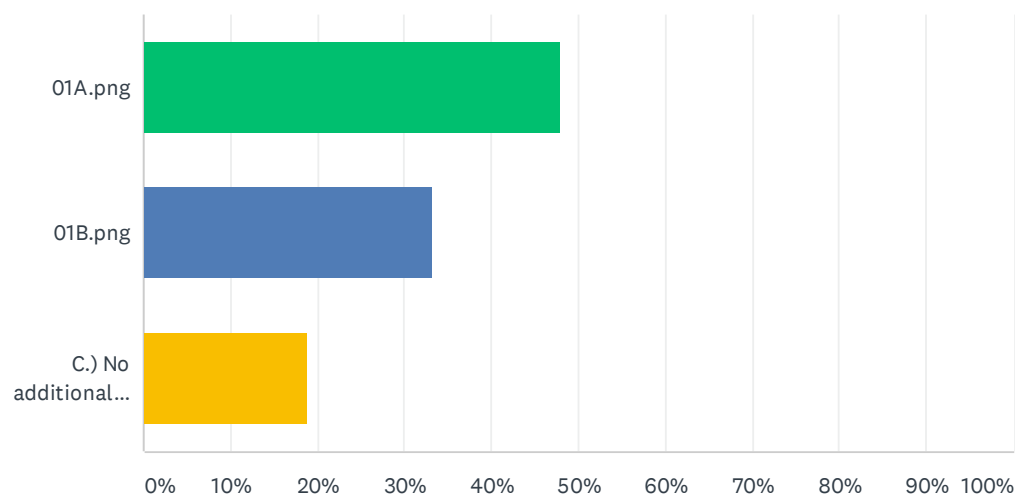
Scale: 1"=30'-0"

N

Public Input Survey #2 Full Results

Q1 Which option would you like to see for Area 1? (picture examples are shown below the question)

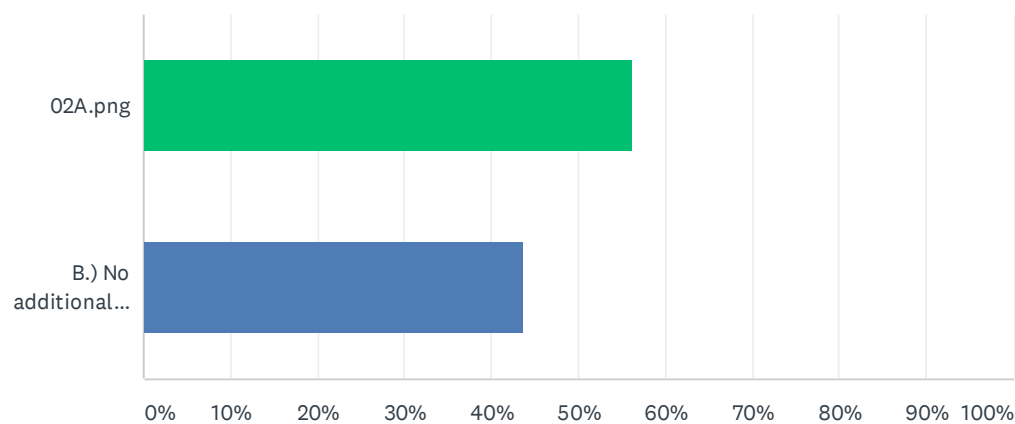
Answered: 48 Skipped: 2



ANSWER CHOICES		RESPONSES	
		47.92%	23
		33.33%	16
C.) No additional improvements		18.75%	9
TOTAL			48

Q2 Which option would you like to see for Area 2? (picture below the question shows approx. limits of Option A expansion)

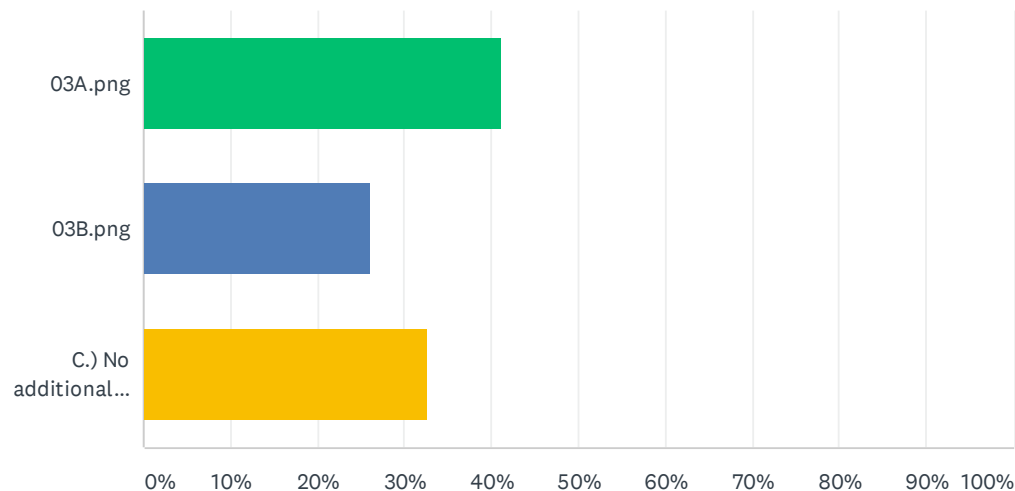
Answered: 48 Skipped: 2



ANSWER CHOICES	RESPONSES	
	56.25%	27
B.) No additional improvements	43.75%	21
TOTAL		48

Q3 Which option would you like to see for Area 3? (picture below the question shows approx. limits of Optional Improvements)

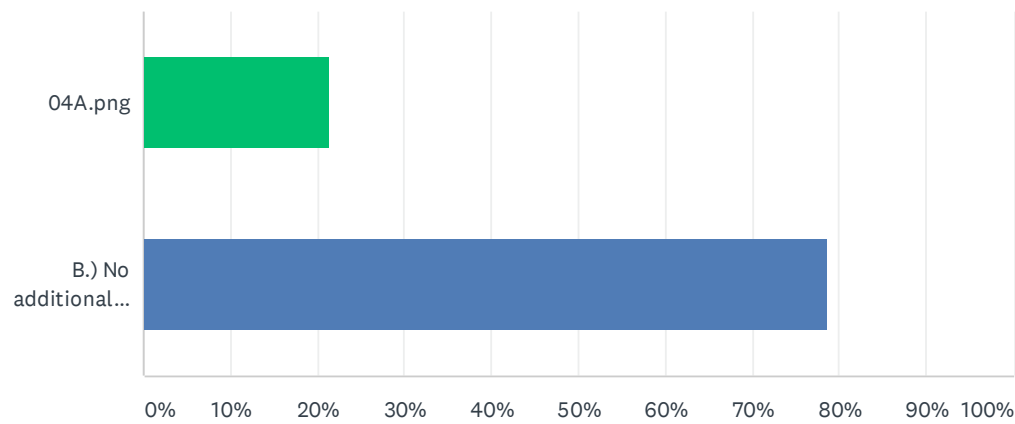
Answered: 46 Skipped: 4



ANSWER CHOICES	RESPONSES	
	41.30%	19
	26.09%	12
C.) No additional improvements	32.61%	15
TOTAL		46

Q4 Which option would you like to see for Area 4?

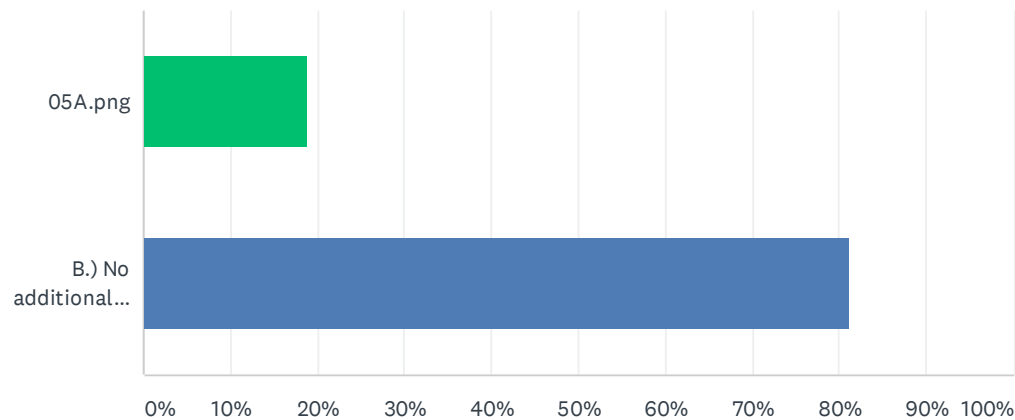
Answered: 47 Skipped: 3



ANSWER CHOICES	RESPONSES	
	21.28%	10
B.) No additional improvements	78.72%	37
TOTAL		47

Q5 Which option would you like to see for Area 5? (picture below the questions shows an example)

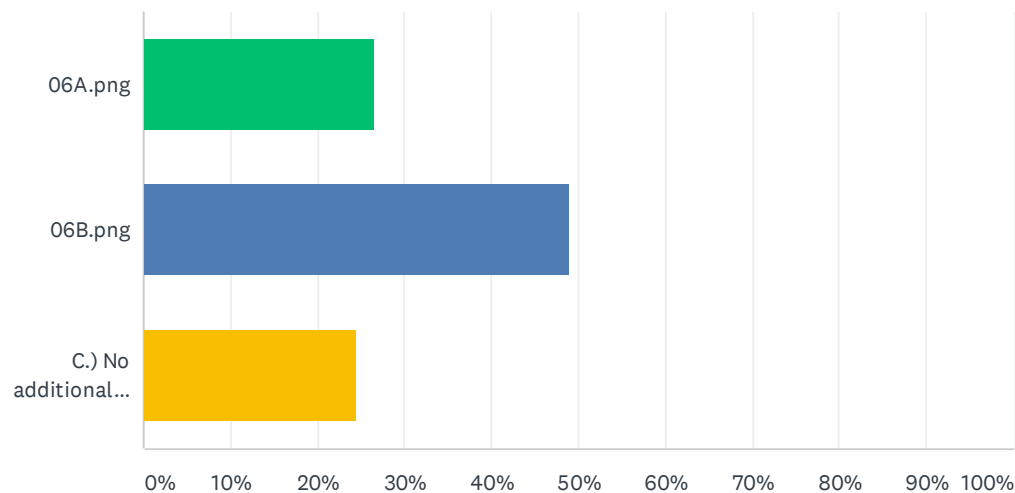
Answered: 48 Skipped: 2



ANSWER CHOICES	RESPONSES	
	18.75%	9
B.) No additional improvements	81.25%	39
TOTAL		48

Q6 Which option would you like to see for Area 6?

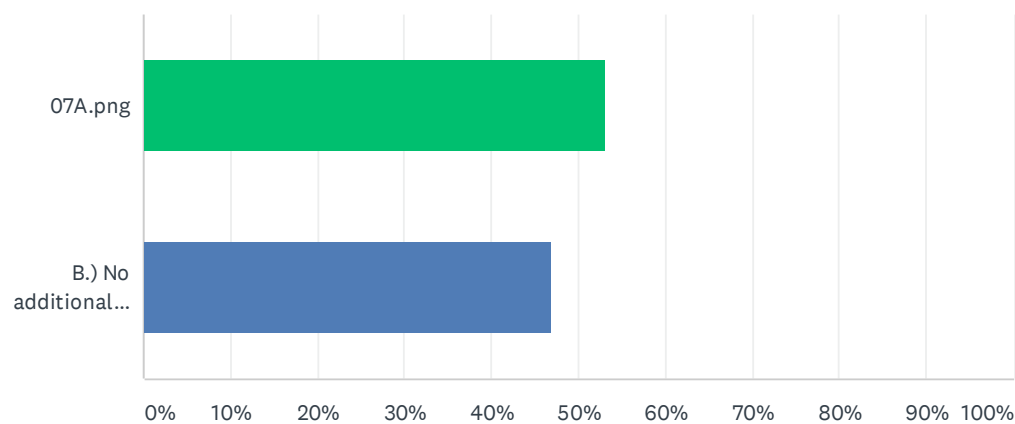
Answered: 45 Skipped: 5



ANSWER CHOICES		RESPONSES	
		26.67%	12
		48.89%	22
C.) No additional improvements		24.44%	11
TOTAL			45

Q7 Which option would you like to see for Area 7? (picture below question shows an example)

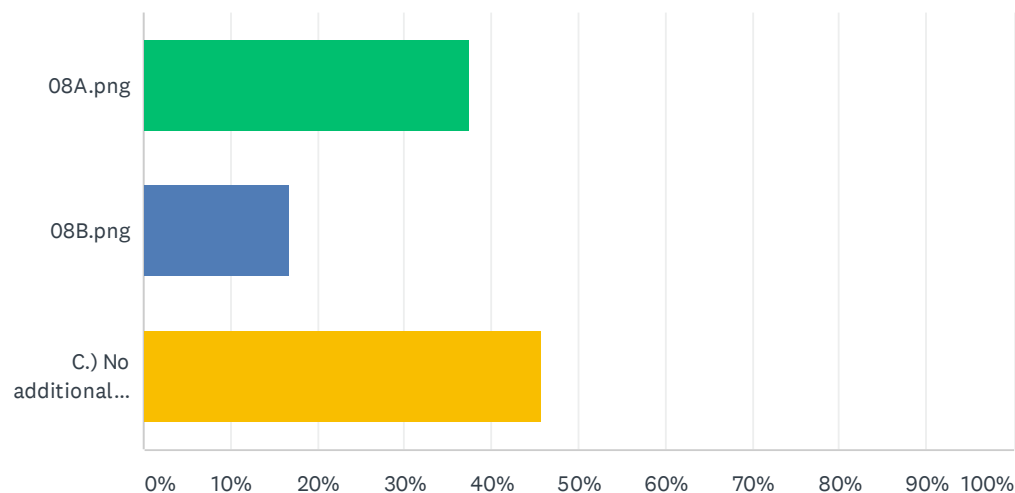
Answered: 49 Skipped: 1



ANSWER CHOICES		RESPONSES	
		53.06%	26
B.) No additional improvements		46.94%	23
TOTAL			49

Q8 Which option would you like to see for Area 8? (picture below the question shows the existing headgate)

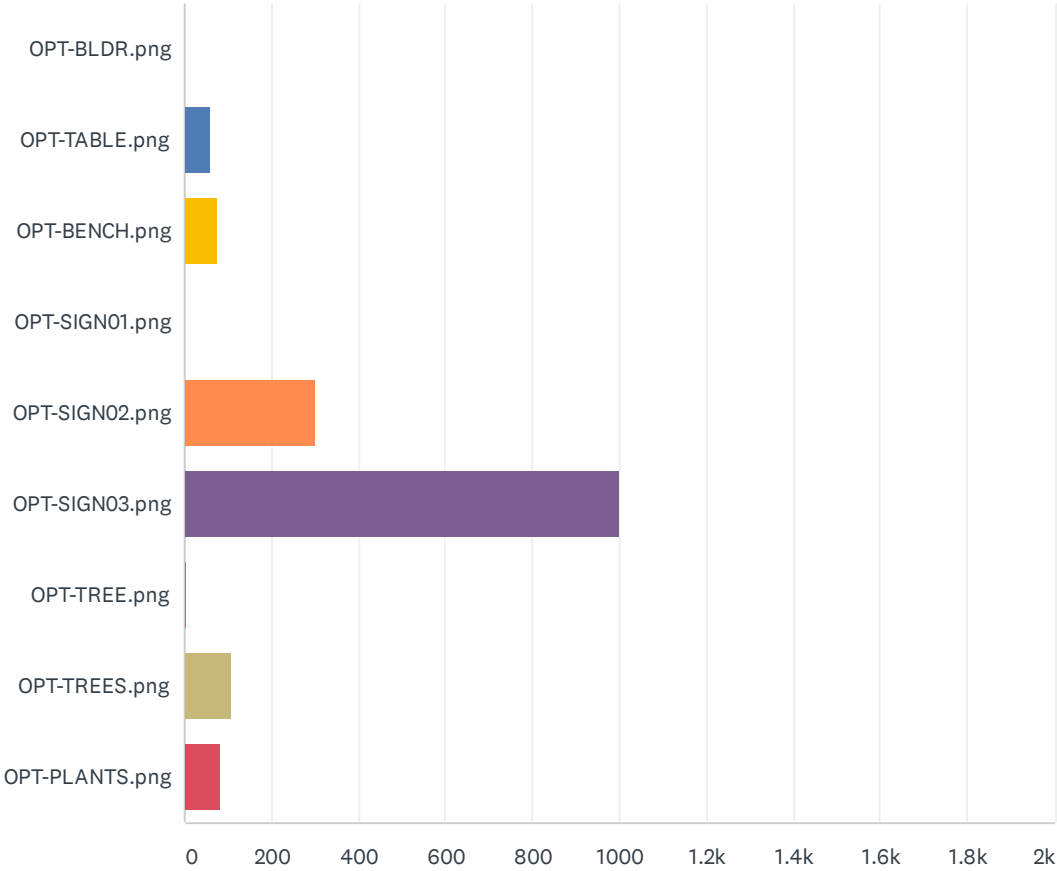
Answered: 48 Skipped: 2



ANSWER CHOICES		RESPONSES	
		37.50%	18
		16.67%	8
C.) No additional improvements		45.83%	22
TOTAL			48

Q9 Please choose the number of each additional item you would like to add to your design: (picture examples are shown below the question)

Answered: 28 Skipped: 22



Three Mile Creek Confluence Planning and Design Project Public Design Exercise

ANSWER CHOICES	AVERAGE NUMBER	TOTAL NUMBER	RESPONSES
	1	21	16
	59	1,230	21
	76	1,219	16
	1	19	17
	301	3,005	10
	1,000	9,004	9
	4	62	17
	107	1,931	18
	82	1,642	20
Total Respondents: 28			

#	OPT-BLDR.PNG	DATE
1	1	12/8/2019 5:52 PM
2	2	12/6/2019 1:57 PM
3	1	12/4/2019 8:08 PM
4	1	12/2/2019 9:04 AM
5	1	11/21/2019 9:12 PM
6	2	11/21/2019 12:08 PM
7	3	11/20/2019 4:19 PM
8	0	11/20/2019 11:54 AM
9	0	11/20/2019 11:27 AM
10	0	11/20/2019 10:10 AM
11	1	11/19/2019 11:28 AM
12	3	11/13/2019 4:51 PM
13	2	11/13/2019 10:27 AM
14	1	11/13/2019 9:28 AM
15	2	11/13/2019 8:35 AM
16	1	11/12/2019 8:13 PM

Note: one respondent accidentally filled in the price instead of the quantity for several of the additional options. While combining online and in person results, these were changed to the correct quantity. For example, this respondent responded '1200' for table instead of '1'; this was fixed prior to final calculations.

Three Mile Creek Confluence Planning and Design Project Public Design Exercise

#	OPT-TABLE.PNG	DATE
1	1	12/12/2019 12:23 PM
2	1	12/8/2019 5:52 PM
3	1	12/6/2019 1:57 PM
4	1200	12/6/2019 12:44 PM
5	1	12/4/2019 8:08 PM
6	0	12/2/2019 9:04 AM
7	1	11/21/2019 9:12 PM
8	0	11/21/2019 12:08 PM
9	5	11/20/2019 4:19 PM
10	2	11/20/2019 3:38 PM
11	2	11/20/2019 12:49 PM
12	2	11/20/2019 11:54 AM
13	0	11/20/2019 11:27 AM
14	3	11/20/2019 11:14 AM
15	1	11/20/2019 10:10 AM
16	1	11/19/2019 11:28 AM
17	3	11/13/2019 4:51 PM
18	1	11/13/2019 10:27 AM
19	1	11/13/2019 9:28 AM
20	2	11/13/2019 8:35 AM
21	2	11/12/2019 8:13 PM

Three Mile Creek Confluence Planning and Design Project Public Design Exercise

#	OPT-BENCH.PNG	DATE
1	1	12/12/2019 12:23 PM
2	1	12/8/2019 5:52 PM
3	2	12/6/2019 1:57 PM
4	1200	12/6/2019 12:44 PM
5	1	12/4/2019 8:08 PM
6	0	12/2/2019 9:04 AM
7	1	11/21/2019 9:12 PM
8	0	11/21/2019 12:08 PM
9	1	11/21/2019 8:43 AM
10	5	11/20/2019 4:19 PM
11	2	11/20/2019 11:54 AM
12	0	11/20/2019 11:27 AM
13	0	11/20/2019 10:10 AM
14	2	11/13/2019 10:27 AM
15	1	11/13/2019 9:28 AM
16	2	11/13/2019 8:35 AM
#	OPT-SIGN01.PNG	DATE
1	1	12/12/2019 12:23 PM
2	1	12/8/2019 5:52 PM
3	4	12/6/2019 1:57 PM
4	1	12/4/2019 8:08 PM
5	1	12/2/2019 4:52 PM
6	1	12/2/2019 4:45 PM
7	3	12/2/2019 10:13 AM
8	1	12/2/2019 9:04 AM
9	1	11/22/2019 1:45 PM
10	1	11/21/2019 12:08 PM
11	1	11/21/2019 8:43 AM
12	0	11/20/2019 4:19 PM
13	1	11/20/2019 11:54 AM
14	0	11/20/2019 11:27 AM
15	0	11/20/2019 10:10 AM
16	1	11/13/2019 4:51 PM
17	1	11/13/2019 9:28 AM

Three Mile Creek Confluence Planning and Design Project Public Design Exercise

#	OPT-SIGN02.PNG	DATE
1	1	12/8/2019 5:52 PM
2	3000	12/6/2019 12:44 PM
3	2	12/2/2019 10:13 AM
4	0	12/2/2019 9:04 AM
5	1	11/21/2019 12:08 PM
6	0	11/20/2019 4:19 PM
7	0	11/20/2019 11:54 AM
8	0	11/20/2019 11:27 AM
9	0	11/20/2019 10:10 AM
10	1	11/13/2019 10:27 AM
#	OPT-SIGN03.PNG	DATE
1	9000	12/6/2019 12:44 PM
2	2	12/2/2019 10:13 AM
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5	0	11/20/2019 11:54 AM
6	0	11/20/2019 11:27 AM
7	0	11/20/2019 10:10 AM
8	1	11/13/2019 4:51 PM
9	1	11/13/2019 10:27 AM

Three Mile Creek Confluence Planning and Design Project Public Design Exercise

#	OPT-TREE.PNG	DATE
1	3	12/6/2019 1:57 PM
2	4	12/4/2019 8:08 PM
3	5	12/4/2019 1:43 PM
4	5	12/2/2019 10:13 AM
5	0	12/2/2019 9:04 AM
6	4	11/21/2019 9:12 PM
7	2	11/21/2019 12:08 PM
8	10	11/20/2019 4:19 PM
9	2	11/20/2019 11:54 AM
10	0	11/20/2019 11:27 AM
11	5	11/20/2019 11:14 AM
12	3	11/19/2019 11:28 AM
13	4	11/13/2019 4:51 PM
14	5	11/13/2019 10:27 AM
15	1	11/13/2019 9:28 AM
16	5	11/12/2019 8:13 PM
17	4	11/12/2019 5:28 PM
#	OPT-TREES.PNG	DATE
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3	5	12/4/2019 1:43 PM
4	2	12/2/2019 10:13 AM
5	0	12/2/2019 9:04 AM
6	1	11/22/2019 1:45 PM
7	3	11/21/2019 9:12 PM
8	1	11/21/2019 12:08 PM
9	1	11/21/2019 8:43 AM
10	2	11/20/2019 4:19 PM
11	0	11/20/2019 11:54 AM
12	1	11/20/2019 11:27 AM
13	0	11/20/2019 10:10 AM
14	2	11/19/2019 11:28 AM
15	4	11/13/2019 4:51 PM
16	2	11/13/2019 10:27 AM
17	1	11/13/2019 9:28 AM
18	5	11/12/2019 8:13 PM

Three Mile Creek Confluence Planning and Design Project Public Design Exercise

#	OPT-PLANTS.PNG	DATE
1	2	12/8/2019 5:52 PM
2	2	12/6/2019 1:57 PM
3	1600	12/6/2019 12:44 PM
4	5	12/4/2019 1:43 PM
5	4	12/2/2019 10:13 AM
6	1	12/2/2019 9:04 AM
7	1	11/22/2019 1:45 PM
8	2	11/21/2019 9:12 PM
9	2	11/21/2019 12:08 PM
10	1	11/21/2019 8:43 AM
11	2	11/20/2019 4:19 PM
12	1	11/20/2019 11:54 AM
13	0	11/20/2019 11:27 AM
14	0	11/20/2019 10:10 AM
15	5	11/19/2019 11:28 AM
16	4	11/13/2019 4:51 PM
17	4	11/13/2019 10:27 AM
18	2	11/13/2019 9:28 AM
19	2	11/12/2019 8:13 PM
20	2	11/12/2019 5:28 PM

The logo for the City of Glenwood Springs Riverway Commission. It features a stylized illustration of a river flowing through a valley with mountains and a sun in the background, enclosed in a rounded rectangular frame. To the right of the illustration, the text "CITY OF GLENWOOD SPRINGS" is written in a small, sans-serif font. Below this, the word "Riverway" is written in a large, blue, cursive script font with a thick black outline. Underneath "Riverway", the word "COMMISSION" is written in a bold, black, sans-serif font.

GLENWOOD SPRINGS, CO

CONTACTS

- ### VICINITY MAP



MAP SOURCE: GOOGLE MAPS, © GOOGLE 2020



SHEET INDEX

SHEET LIST TABLE	
SHEET NUMBER	SHEET TITLE
G1	COVER SHEET
G2	NOTES AND LEGEND
C1	OVERALL PLAN VIEW
C2	CIVIL HORIZONTAL CONTROL PLAN
C3	REMOVAL PLAN
C4	DETAILED PLAN VIEW 1
C5	DETAILED PLAN VIEW 2
C6	PLAN AND PROFILE - ATKINSON DITCH
C7	PLAN AND PROFILE - DIVERSION CHANNEL AND HOLE
C8	PLAN AND PROFILE - BACKWATER AREA
C9	ACTUAL SECTIONS
C10	ACTUAL SECTIONS
C11	ACTUAL SECTIONS
D1	DETAILS
D1	DETAILS
S1	SITE LAYOUT PLAN
SD1	SITE LAYOUT DETAILS
SD2	SITE LAYOUT DETAILS
L1	LANDSCAPE GENERAL NOTES
L2	NOXIOUS WEED CONTROL
L3	PLANTING SCHEDULES
L4	LANDSCAPE PLAN
LD1	LANDSCAPE DETAILS
LD2	LANDSCAPE DETAILS
LD3	LANDSCAPE DETAILS



NO.	BY	DATE	DESCRIPTION	COMMENTS
△				

NOT FOR
CONSTRUCTION

		DATE
DESIGN	SDS	10/01/20
DETAIL	SDS	10/01/20
CHECK	DAL	10/01/20
SCALE		SHOW

COVER SHEET

JOB NO. 191-025.000
REVISION NO. ----
SHEET NO. G1

NOTES

GENERAL NOTES

1.

ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE COLORADO DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" 2019 EDITION, UNLESS SPECIAL PROVISIONS, SPECIFIC NOTES, OR DETAILS ARE PROVIDED IN THE CONSTRUCTION DRAWINGS OR PROJECT SPECIFICATIONS. SPECIFICATIONS SHOULD BE VERIFIED WITH CITY OF GLENWOOD SPRINGS.
2.

THE CONTRACTOR SHALL COMPLY WITH ALL LOCAL, STATE, AND FEDERAL LAWS AND REGULATIONS THAT ARE PERTINENT TO THIS WORK.
3.

ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION BY THE OWNERS. THE OWNERS RESERVE THE RIGHT TO ACCEPT OR REJECT ANY SUCH MATERIALS AND WORKMANSHIP THAT DOES NOT CONFORM TO THE STANDARDS AND SPECIFICATIONS.
4.

THE CONTRACTOR SHALL HAVE ONE SIGNED COPY OF THE APPROVED PLANS, ONE COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS, AND A COPY OF ANY PERMITS REQUIRED AT THE JOB SITE AT ALL TIMES.
5.

PRIOR TO COMMENCING CONSTRUCTION ACTIVITIES THE CONTRACTOR SHALL MEET WITH THE OWNER'S REPRESENTATIVE AND RECORD NOTES AND PICTURES OF EXISTING CONDITIONS OF THE SITE AND ADJACENT PROPERTY DURING PRE-CONSTRUCTION MEETING.
6.

UNAUTHORIZED CHANGES AND USES: THE ENGINEER WHO PREPARED THESE PLANS WILL NOT BE RESPONSIBLE OR LIABLE FOR UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS AND SPECIFICATIONS MUST BE IN WRITING AND MUST BE APPROVED BY THE OWNER AND THE PREPARER OF THESE PLANS.
7.

THE CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE IMMEDIATELY OF ANY FIELD CONDITION NOT CONSISTENT WITH THE CONSTRUCTION DOCUMENTS.
8.

THE CONTRACTOR SHALL PERFORM ALL WORK WITHIN THE CONSTRUCTION LIMITS AS SHOWN ON THE DRAWINGS AND IN THE CONTRACT DOCUMENTS. IF THE CONTRACTOR DAMAGES ANY EXISTING SITE OR PUBLIC/PRIVATE AMENITIES (PAVEMENTS, CURBS, CURB AND GUTTER, SOD, GRASS, LANDSCAPING, TREES, FENCES, ETC.) OUTSIDE OR WITHIN THE EASEMENTS OR CONSTRUCTION LIMITS, THEY SHALL REMOVE AND REPAIR SUCH TO THE SATISFACTION OF THE INDIVIDUAL PROPERTY OWNERS.
9.

ITEMS TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR, UNLESS NOTED OTHERWISE IN THE PLANS OR SPECIFICATIONS.
10.

ALL ITEMS NOT INCLUDED IN THE BID TAB AND NECESSARY TO PROVIDE A COMPLETE AND FUNCTIONAL PROJECT OR NOTED AS 'INCIDENTAL' IN THE PLANS OR SPECIFICATIONS WILL NOT BE MEASURED AND PAID FOR SEPARATELY BUT ARE INCLUDED IN THE WORK.
11.

DIMENSIONS AND NOTATIONS SUPERSEDE SCALE OF THE DRAWINGS. ALL GRADES SHOWN ARE FINISHED GRADES EXCEPT WHERE OTHERWISE NOTED ON THE DRAWINGS.

SITE CONDITIONS

1.

ANY CONSTRUCTION DEBRIS OR MUD TRACKED ONTO THE PUBLIC RIGHT-OF-WAY, RESULTING FROM THE PROJECT, SHALL BE IMMEDIATELY REMOVED BY THE CONTRACTOR. THE CONTRACTOR SHALL IMMEDIATELY FIX ANY EXCAVATION, OR PAVEMENT FAILURE CAUSED BY THE PROJECT, AND SHALL PROPERLY BARRICADE THE SITE UNTIL CONSTRUCTION IS COMPLETE.
2.

THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR THE CONDITIONS AT, AND ADJACENT TO, THE JOB SITE, INCLUDING BUT NOT LIMITED TO TRENCH EXCAVATIONS AND SHORING, TRAFFIC CONTROL, SECURITY, AND SAFETY OF ALL PERSONS AND PROPERTY, DURING THE PERFORMANCE OF THE WORK. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY, AND SHALL NOT BE LIMITED TO NORMAL WORKING HOURS. THE DUTY OF THE OWNERS TO CONDUCT CONSTRUCTION REVIEW OF THE CONTRACTOR'S PERFORMANCE IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTOR'S SAFETY MEASURES IN OR NEAR THE CONSTRUCTION SITE.
3.

THE CONTRACTOR SHALL PROVIDE A SANITARY FACILITY AT THE SITE AT ALL TIMES.
4.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCEPTANCE, CONVEYANCE, AND CONTROL OF ALL SURFACE

- AND SUBSURFACE WATER FLOWS IN AND ENTERING THE AREA AFFECTED BY THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OPERATIONS OR ANY OTHER ACCEPTABLE MEANS TO PREVENT POLLUTION OF THE AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY NEEDED DEWATERING OPERATIONS INCLUDING ANY REQUIRED PERMITS FOR DEWATERING OPERATIONS. THE CONTRACTOR SHALL MAINTAIN AND PROVIDE DRAINAGE THROUGH THE SITE DURING CONSTRUCTION.
5.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION CONTROL THROUGHOUT THE CONSTRUCTION DURATION AND SHALL INSTALL EROSION CONTROL MEASURES AS NECESSARY. THE CONTRACTOR SHALL PREVENT SEDIMENT, DEBRIS AND ALL OTHER POLLUTANTS FROM ENTERING THE STORM SEWER SYSTEM OR RECEIVING WATERS DURING ALL DEMOLITION, EXCAVATION, TRENCHING, BORING, GRADING OR OTHER CONSTRUCTION OPERATIONS THAT ARE PART OF THIS PROJECT.
6.

THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR REMEDIATION OF ANY ADVERSE IMPACTS TO ADJACENT WATERWAYS, WETLANDS, ETC., RESULTING FROM WORK DONE AS PART OF THIS PROJECT. THE CONTRACTOR SHALL REMOVE ALL SEDIMENT, MUD, CONSTRUCTION DEBRIS, OR OTHER POTENTIAL POLLUTANTS THAT MAY HAVE BEEN DISCHARGED TO OR, ACCUMULATE IN, THE FLOW LINES AND PUBLIC RIGHTS OF WAYS AS A RESULT OF CONSTRUCTION ACTIVITIES ASSOCIATED WITH THIS SITE DEVELOPMENT OR CONSTRUCTION PROJECT. SAID REMOVAL SHALL BE CONDUCTED IN A TIMELY MANNER.
7.

UNDERGROUND UTILITIES IN THE AREA OF CONSTRUCTION WILL NEED TO BE LOCATED BY THE CONTRACTOR. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR THE PROTECTION OF ANY UTILITIES AFFECTED BY THE EXECUTION OF THIS CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND AGENCIES AND FOR THE COORDINATION OF ALL WORK IN THE PROXIMITY OF THE UTILITIES. THE CONTRACTOR SHALL NOTE THAT ALL UTILITIES MAY NOT APPEAR ON THESE PLANS. UTILITIES SHOWN ARE APPROXIMATE AND BASED ON INFORMATION PROVIDED BY OTHERS.

PROJECT SPECIFIC NOTES

(TO BE UPDATED FOR FINAL DESIGN)

1.

THE OVERALL INTENT OF THE PROJECT IS TO STABILIZE ERODING BANKS, REVEGETATE AREA AND PROVIDE BETTER AMENITIES FOR A NATURAL PARK IN THE CONFLUENCE OF THREE MILE CREEK AND THE ROARING FORK RIVER.
2.

THE OVERALL DESIGN SHALL MIMIC NATURE. IT IS RECOMMENDED TO VIEW THE CORRIDOR ALONG THE ROARING FORK RIVER TO UNDERSTAND THE ENVIRONMENT THE DESIGN TEAM IS TRYING TO REPLICATE. THESE PLANS ARE ENGINEERED PLANS, BUT PROVIDE ROOM FOR VARIATION WITH APPROVAL FROM THE ENGINEER TO MIMIC NATURE. MINIMUM SLOPES, DEPTHS AND HEIGHTS SHALL BE ADHERED TO BUT THERE IS FLEXIBILITY IN PLANFORM ASPECTS WITH APPROVAL FROM THE ENGINEER.
3.

IT SHALL BE UNDERSTOOD THAT THERE WILL BE SOME FIELD FITTING AS PART OF THE CONSTRUCTION. THE ENGINEER WILL BE PRESENT DURING ALL MAJOR CONSTRUCTION OPERATIONS AS EXPLAINED IN THE SPECIFICATIONS
4.

ALL WORK TAKING PLACE, ESPECIALLY WORK SOON TO BE BURIED, SHALL BE DOCUMENTED WITH PHOTOS AND MEASUREMENTS.
5.

COMPACTION OF SUBGRADE TO BE VERIFIED BY GEOTECHNICAL ENGINEER AND PROVIDED BY THE CONTRACTOR. COST WILL BE INCIDENTAL TO WORK BEING PERFORMED.
6.

AS BUILT SURVEY AND DRAWINGS FOR ALL WORK COMPLETED WILL BE REQUIRED AND SUPPLIED BY THE CONTRACTOR. THIS WORK WILL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION SURVEYING.
7.

OVERALL LIMITS OF DISTURBANCE NOT SHOWN ON PLANS DUE TO NATURE OF THE WORK. FIELD FITTING WILL BE REQUIRED TO OBTAIN DESIRED NATURAL INTENT. LIMITS OF DISTURBANCE WILL BE MARKED IN THE FIELD BY DESIGN TEAM PRIOR TO CONSTRUCTION.
8.

EROSION AND SEDIMENT CONTROL OUTSIDE EROSION CONTROL BLANKET, STREAM SUBSTRATE, AND REVEGETATION ASPECTS CAN BE APPLIES AS NEEDED TO KEEP SEDIMENT FROM LEAVING THE SITE. AN EROSION AND SEDIMENT CONTROL PLAN WILL BE DEVELOPED FOR THE STATE STORMWATER DISCHARGE PERMIT.
9.

ALL DIMENSIONS ARE APPROXIMATE AND SHOULD PROVIDE NATURAL VARIATION IN FINAL CONSTRUCTION AS DIRECTED BY

THE ENGINEER.

10.

OVERALL EARTHWORK NUMBERS ARE PROVIDED FOR REFERENCE ONLY. THE AMOUNT OF MATERIAL TO BE IMPORTED AND EXPORTED TO THE SITE MIGHT VARY FROM QUANTITIES PROVIDED. THE CONTRACTOR WILL NEED TO PROVIDE PROOF OF MATERIAL QUANTITIES HAULED TO AND FROM SITE. ACTUAL QUANTITY OF MATERIAL TO BE IMPORTED SHALL BE VERIFIED IN THE FIELD WITH THE ENGINEER PRIOR TO BRINGING ON SITE.
11.

THE ACCESS TO THE SITE WILL NEED TO BE COORDINATED WITH THE CITY.
12.

WORK WILL BE PERFORMED DURING LOW WATER. THEREFORE THE MAJORITY OF THE WORK AREA SHOULD BE ACCESSIBLE VIA DRY CONDITIONS AND DEWATERING WILL BE VERY MINIMAL.
13.

STREAM SUBSTRATE WITH FINES WITH BE ACQUIRED FROM EXCAVATION REQUIRED TO EMPLACE BANK STABILIZATION FEATURES.

BID QUANTITIES

ITEM #	ITEM DESCRIPTION	QUANTITY	UNIT
1	MOBILIZATION	1	LS
2	DEWATERING	1	LS
3	SURVEYING	1	LS
4	PEDESTRIAN CONTROL	1	LS
6	ABANDON 18" CMP CULVERT	48	LF
7	REMOVE 3 CONCRETE SUPPORTS	1	LS
8	REMOVE CONCRETE DEBRIS	1	LS
9	REMOVE 36" RCP CULVERT	1	LS
10	REMOVE SPLIT RAIL FENCING	1	LS
11	REMOVE TREE	4	EA
12	ABANDON DIVERSION STRUCTURE	1	LS
14	STREAM SUBSTRATE (D50 = 6")	78	CY
15	STREAM SUBSTRATE (D50 = 9")	147	CY
16	STREAM SUBSTRATE (D50 = 12")	340	CY
17	3' BOULDER	335	CY
18	EROSION CONTROL BLANKET	338	SY
19	EARTHWORK (ON SITE)	460	CY
20	EARTHWORK (HAUL OFF SITE)	214	CY
21	10 CI FORBS AND GRAMINIDS	592	EA
22	#15 TREE	23	EA
23	CUTTING 48"	3,520	EA
24	D60 SHRUB/PERENNIAL	341	EA
25	INVASIVE SPECIES MANAGEMENT	1	AC
26	IRRIGATION	1	LS
27	KOIRMAT 400	2,450	SY
28	KOIRMAT 1000	500	SY
29	PLANT CAGES	23	EA
30	SPLIT RAIL FENCE	1,000	LF
31	12" SOIL RIPPING FOR SEEDED AREAS	2,670	SY
32	WILLOW WADDLES/FASCINES	290	LF
33	ZONE 3- UPLAND SEEDING	10,932	SF
34	ZONES 1 AND 2: WETLAND AND RIPARIAN	13,071	SF
35	SWALE SEEDING	4,327	SF
36	FLAGSTONE REPAIR	100	SF
37	NEW FLAGSTONE	200	SF
38	RESTROOM ENCLOSURE	35	LF
39	FOOT TRAIL	250	LF
40	BOULDER SEAT	3	EA
41	BOULDER BOAT TIE OFF	4	EA
42	PICNIC TABLE	1	EA
43	EDUCATIONAL INTERPRETIVE SIGN	2	EA
44	BOATING SIGN	1	EA
45	SPAWNING INFO SIGN	1	EA
46	WAYFINDING SIGNAGE	1	EA
47	CRUSHER FINES	35	CY

LOCATION	LENGTH
	(ft)
BANK STABILIZATION #1	118
BANK STABILIZATION #2	184
BANK STABILIZATION #3	130
BANK STABILIZATION #4	47
BANK STABILIZATION #5	96
BANK STABILIZATION #6	110
STEPPING STONES	23
DEFLECTOR	26
BOULDER WALL	16
BOULDER STEPS	24
REPLACE STREAM SUBSTRATE	44
TOTAL	818

*BANK STABILIZATION LENGTHS PROVIDED FOR INFORMATION ONLY AND SUBJECT TO EXISTING CONDITIONS.

EARTHWORK AND ROCK QUANTITIES

*FOR INFORMATION ONLY

ITEM	UNITS	BANK STABILIZATION #1	BANK STABILIZATION #2	BANK STABILIZATION #3	BANK STABILIZATION #4
STREAM SUBSTRATE (D50=6")	(CY)	35	0	0	0
STREAM SUBSTRATE (D50=9")	(CY)	0	43	50	15
STREAM SUBSTRATE (D50=12")	(CY)	94	89	0	0
3' BOULDER	(CY)	79	61	43	0
EROSION CONTROL BLANKET	(SY)	111	0	123	0

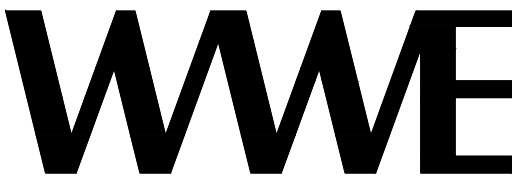
ITEM	UNITS	BANK STABILIZATION #5	BANK STABILIZATION #6	STEPPING STONES	DEFLECTOR
STREAM SUBSTRATE (D50=6")	(CY)	0	33	0	0
STREAM SUBSTRATE (D50=9")	(CY)	18	0	4	10
STREAM SUBSTRATE (D50=12")	(CY)	0	157	0	0
3' BOULDER	(CY)	0	73	8	18
EROSION CONTROL BLANKET	(SY)	0	104	0	0

ITEM	UNITS	BOULDER WALL	FEATURE BOULDER	BOULDER STEPS	REPLACE STREAM SUBSTRATE
STREAM SUBSTRATE (D50=6")	(CY)	4	0	6	0
STREAM SUBSTRATE (D50=9")	(CY)	0	0	0	12
STREAM SUBSTRATE (D50=12")	(CY)	0	0	0	0
3' BOULDER	(CY)	10	10	32	0
EROSION CONTROL BLANKET	(SY)	0	0	0	0

LOCATION	CUT	FILL	TOTAL EARTHWORK	NET - FILL
	(CY)	(CY)	(CY)	(CY)
ATKINSON DITCH	14	268	282	254
DIVERSION CHANNEL	1	140	141	138
HOLE	0	24	24	24
BACKWATER AREA	0	13	13	13
TOTAL	15	445	460	429

EARTHWORK QUANTITIES FOR INFORMATION ONLY. EARTHWORK QUANTITIES ONLY PROVIDED FOR SELECT AREAS RECEIVING SUBSTANTIAL FILL. EXISTING MATERIAL ALONG THE BANKS AND OTHER PLACES TO BE REMOVED AND REPLACED WITH LARGER, IMPORTED MATERIAL CAN BE USED TO FILL THESE. APPROXIMATE VOLUME OF MATERIAL AVAILABLE FROM PLACING BANK STABILIZATION MEASURES IS 643 CUBIC YARDS. BASED ON CALCULATIONS IT SHOULD BE ASSUMED THAT SOME EXISTING MATERIAL, APPROXIMATELY 250 CUBIC YARDS, WILL NEED TO BE HAULED OFFSITE DUE TO IMPORT OF LARGER MATERIAL FOR BANK STABILIZATION MEASURES. HAUL OFFSITE WILL HAVE TO BE VERIFIED WITH TRUCKING TICKETS.

STREAM SUBSTRATE, BOULDER AND EROSION CONTROL BLANKET QUANTITIES PROVIDED FOR INFORMATION ONLY AND ARE APPROXIMATE. ACTUAL QUANTITIES WILL BE VERIFIED IN THE FIELD AND ADAPTED TO EXISTING CONDITIONS AS DIRECTED BY THE ENGINEER. EXISTING ONSITE MATERIAL, IF APPROVED BY THE ENGINEER, MAY BE USED TO SUPPLEMENT SOME OF THESE QUANTITIES. QUANTITIES OF MATERIAL WILL NEED TO BE VERIFIED WITH TRUCKING TICKETS.



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NOT FOR CONSTRUCTION

		DATE
DESIGN	SDS	10/01/20
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THREE MILE CREEK CONFLUENCE

NOTES AND LEGEND

JOB NO.

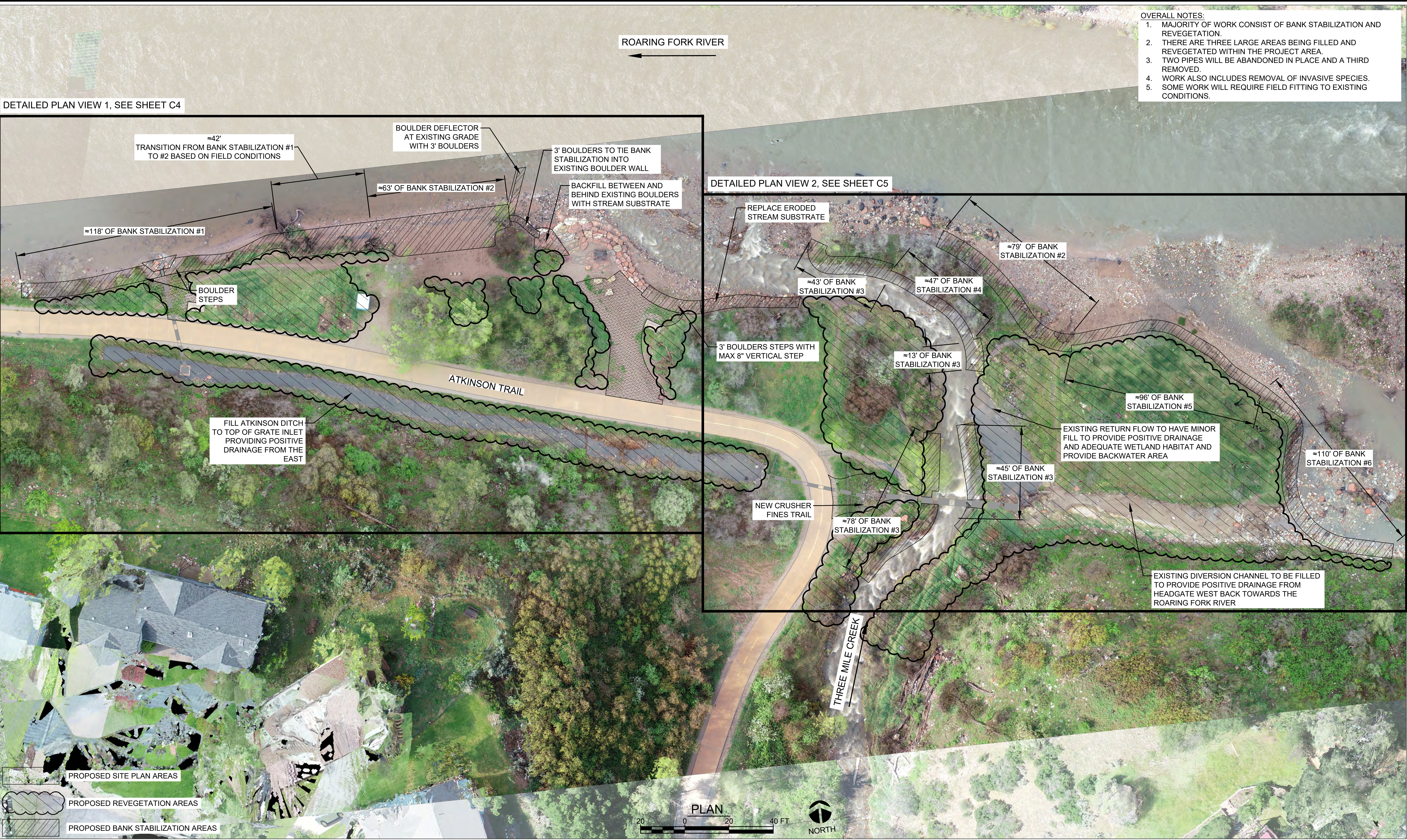
191-025.000

REVISION NO.

SHEET NO.

G2

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- OVERALL NOTES:
1. MAJORITY OF WORK CONSIST OF BANK STABILIZATION AND REVEGETATION.
 2. THERE ARE THREE LARGE AREAS BEING FILLED AND REVEGETATED WITHIN THE PROJECT AREA.
 3. TWO PIPES WILL BE ABANDONED IN PLACE AND A THIRD REMOVED.
 4. WORK ALSO INCLUDES REMOVAL OF INVASIVE SPECIES.
 5. SOME WORK WILL REQUIRE FIELD FITTING TO EXISTING CONDITIONS.

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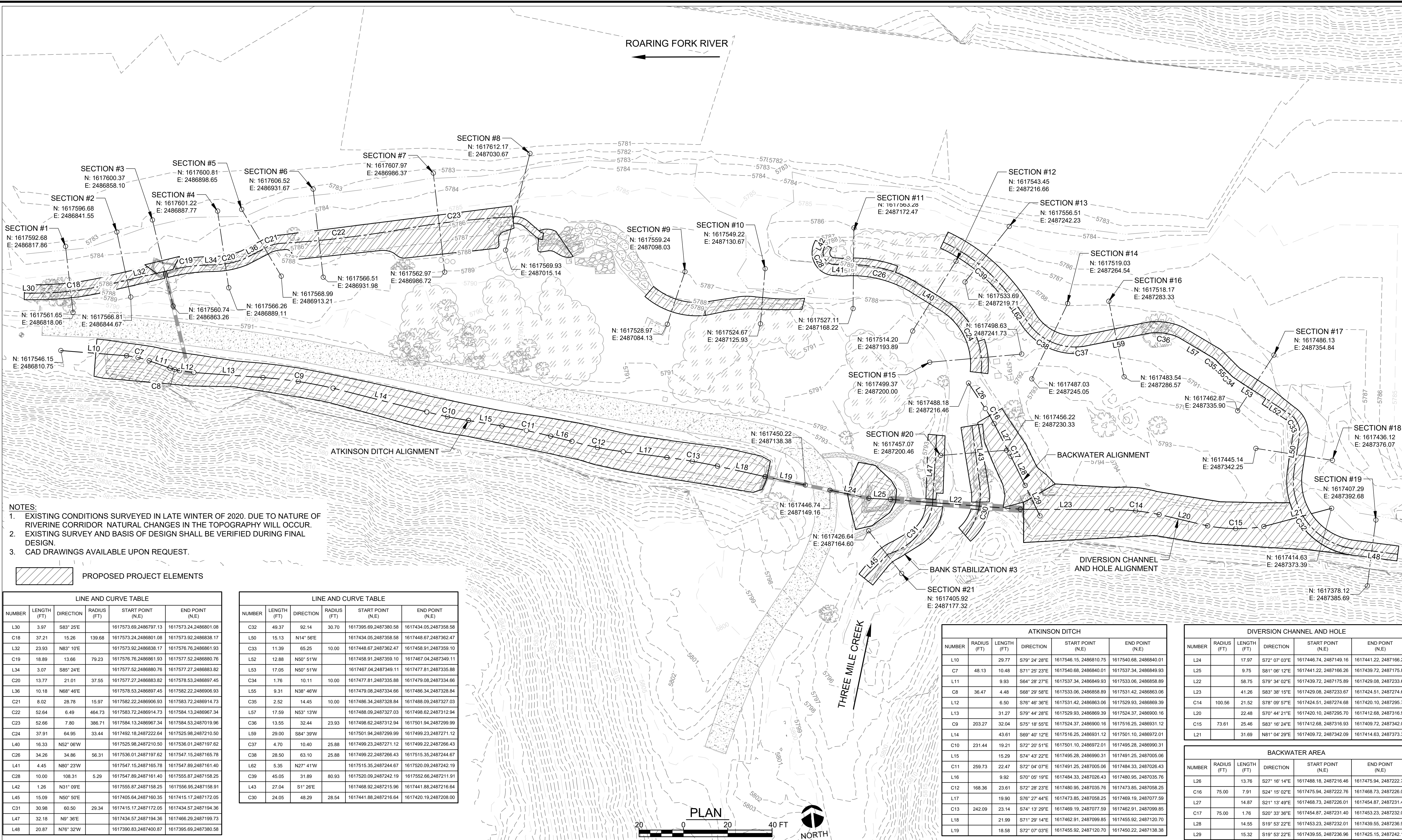
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THREE MILE CREEK CONFLUENCE

OVERALL PLAN VIEW

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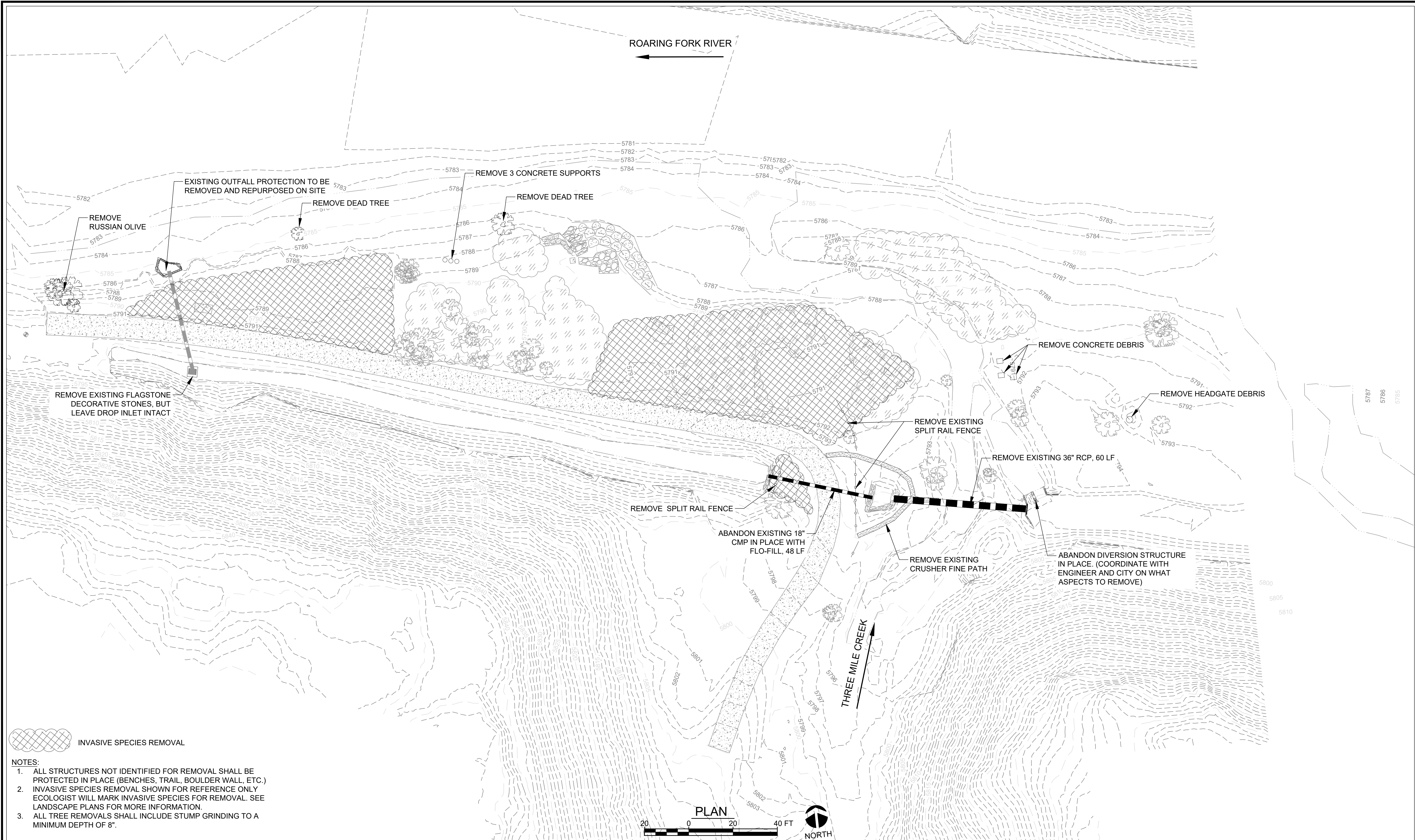
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THREE MILE CREEK CONFLUENCE		JOB NO. 191-025.000
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 INVASIVE SPECIES REMOVAL

- NOTES:
1. ALL STRUCTURES NOT IDENTIFIED FOR REMOVAL SHALL BE PROTECTED IN PLACE (BENCHES, TRAIL, BOULDER WALL, ETC.)
 2. INVASIVE SPECIES REMOVAL SHOWN FOR REFERENCE ONLY ECOLOGIST WILL MARK INVASIVE SPECIES FOR REMOVAL. SEE LANDSCAPE PLANS FOR MORE INFORMATION.
 3. ALL TREE REMOVALS SHALL INCLUDE STUMP GRINDING TO A MINIMUM DEPTH OF 8".

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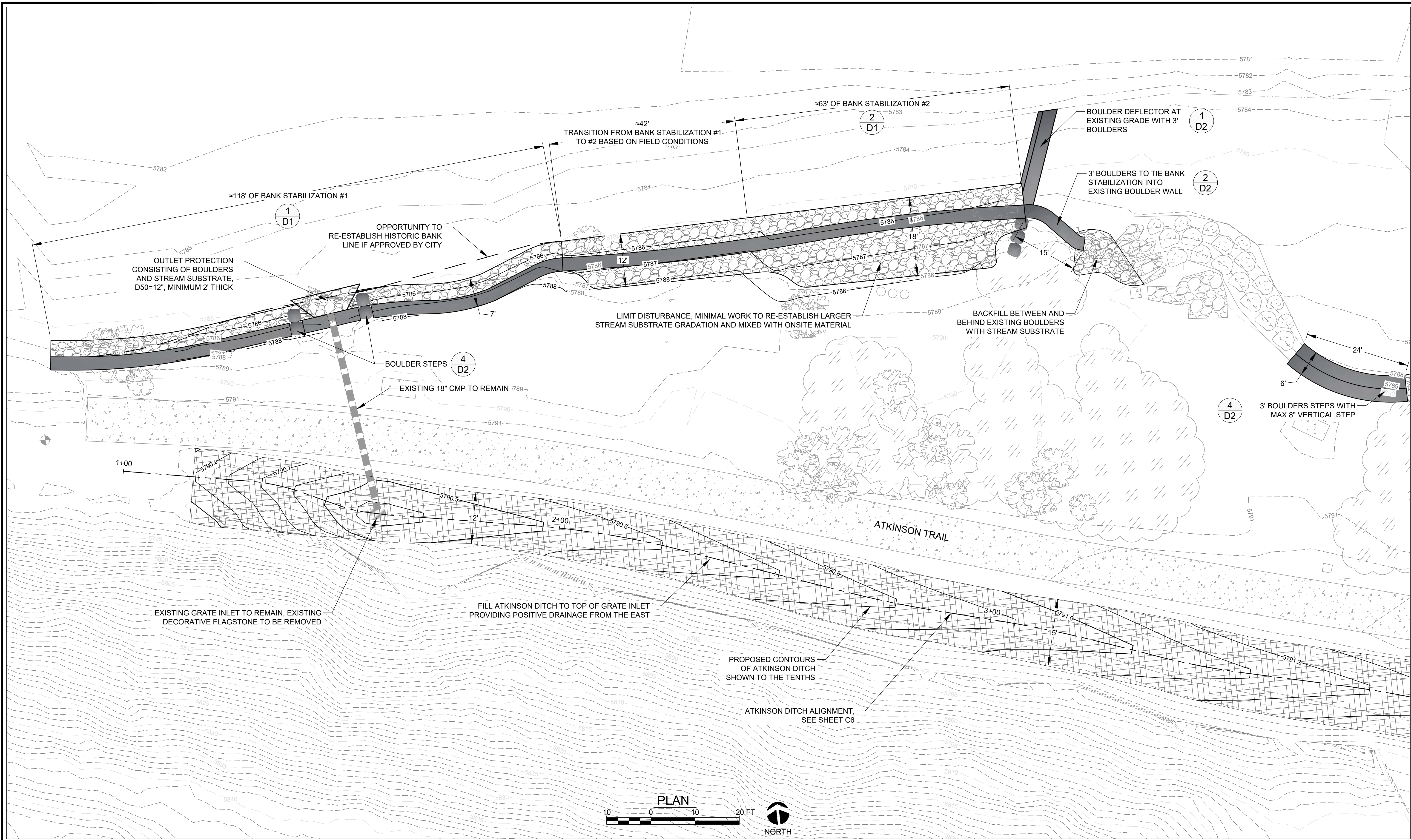
THREE MILE CREEK CONFLUENCE

REMOVAL PLAN

JOB NO.
191-025.000
REVISION NO.

SHEET NO.
C3

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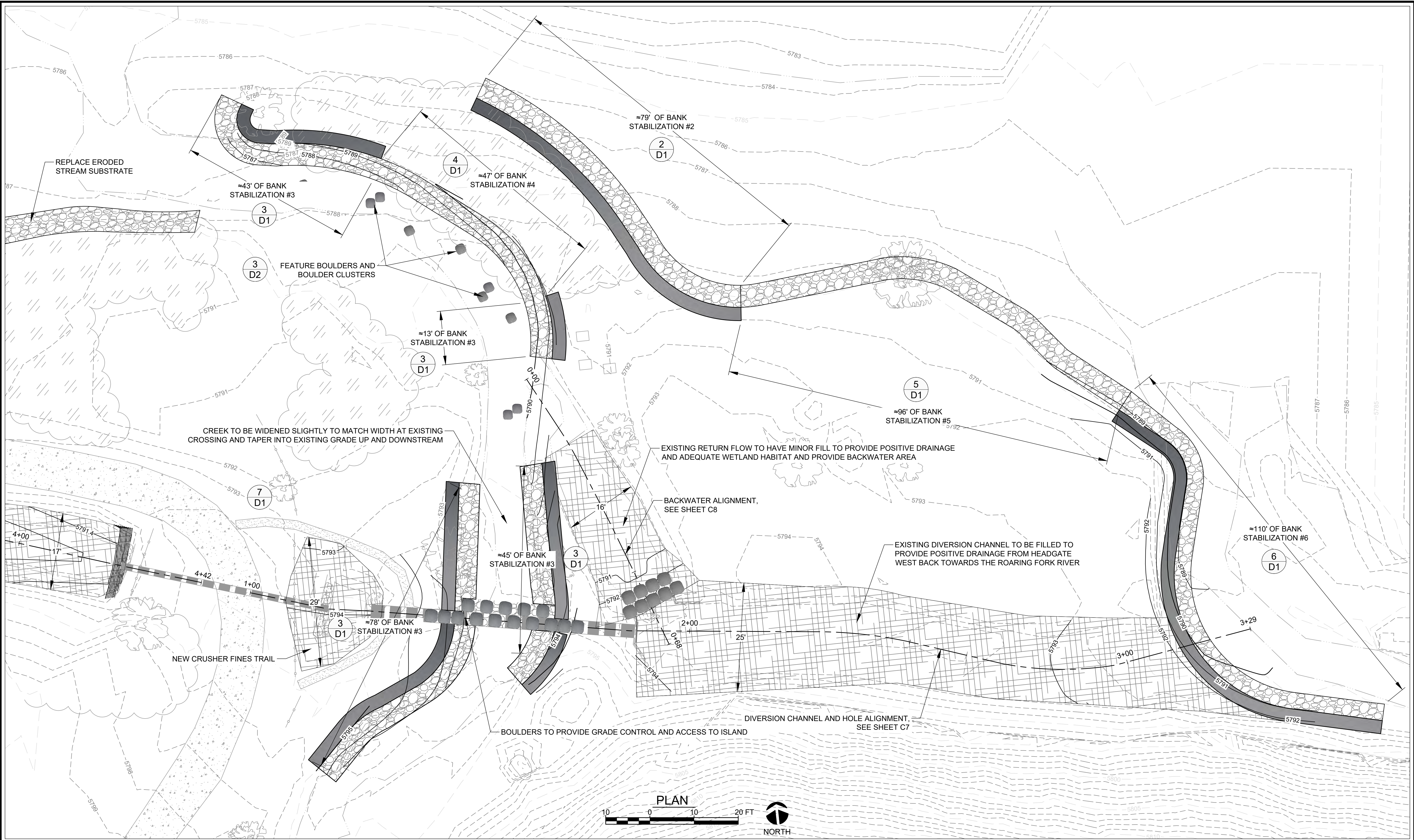
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THREE MILE CREEK CONFLUENCE

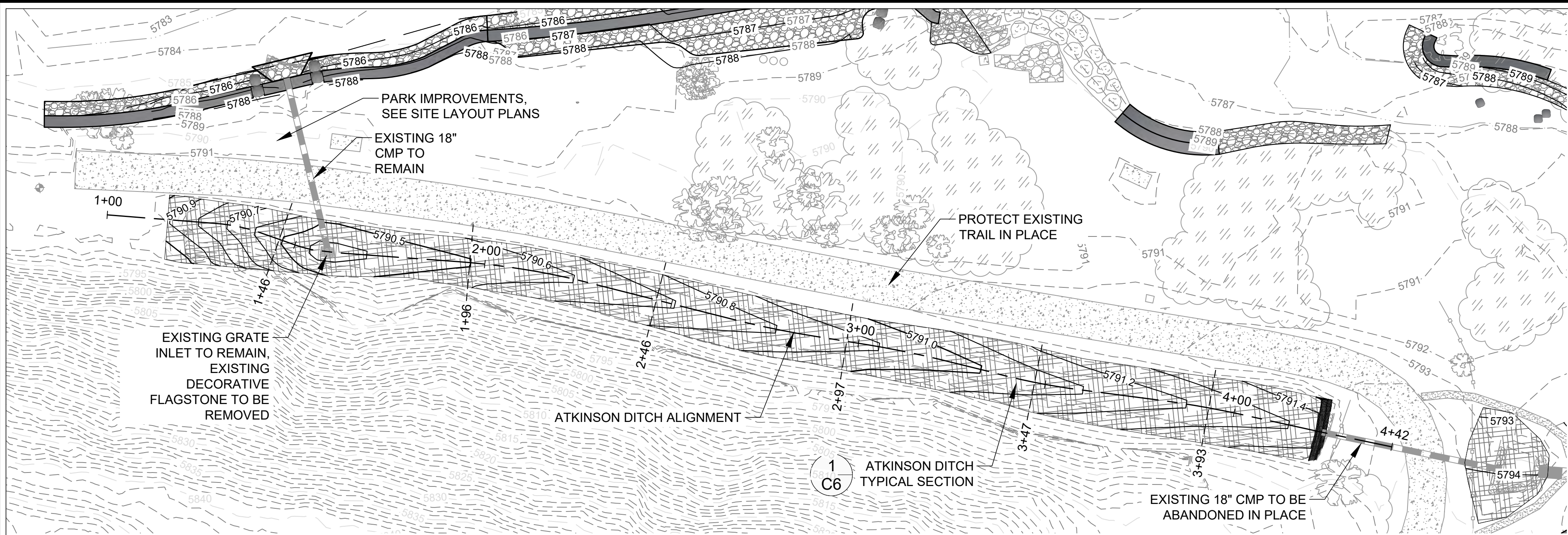
DETAILED PLAN VIEW 1

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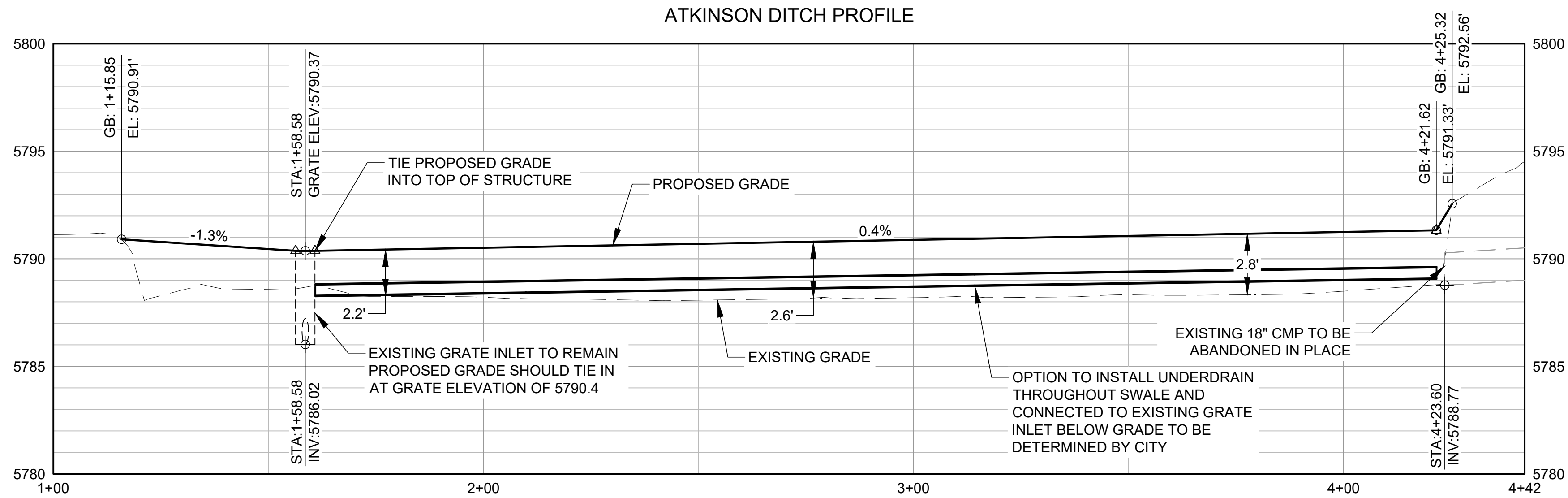


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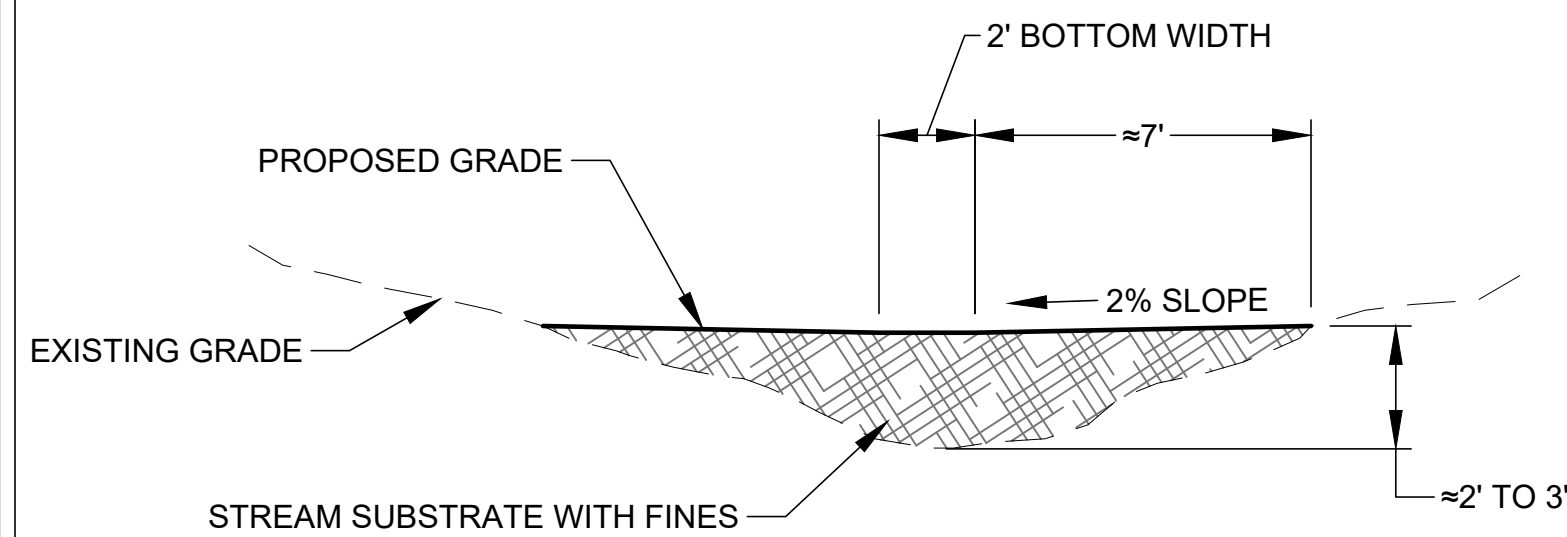


* CONTOUR INTERVAL TO TENTH DECIMAL FOR VISUALIZATIONS DUE TO MINOR CHANGES IN TOPOGRAPHY THROUGH ATKINSON DITCH

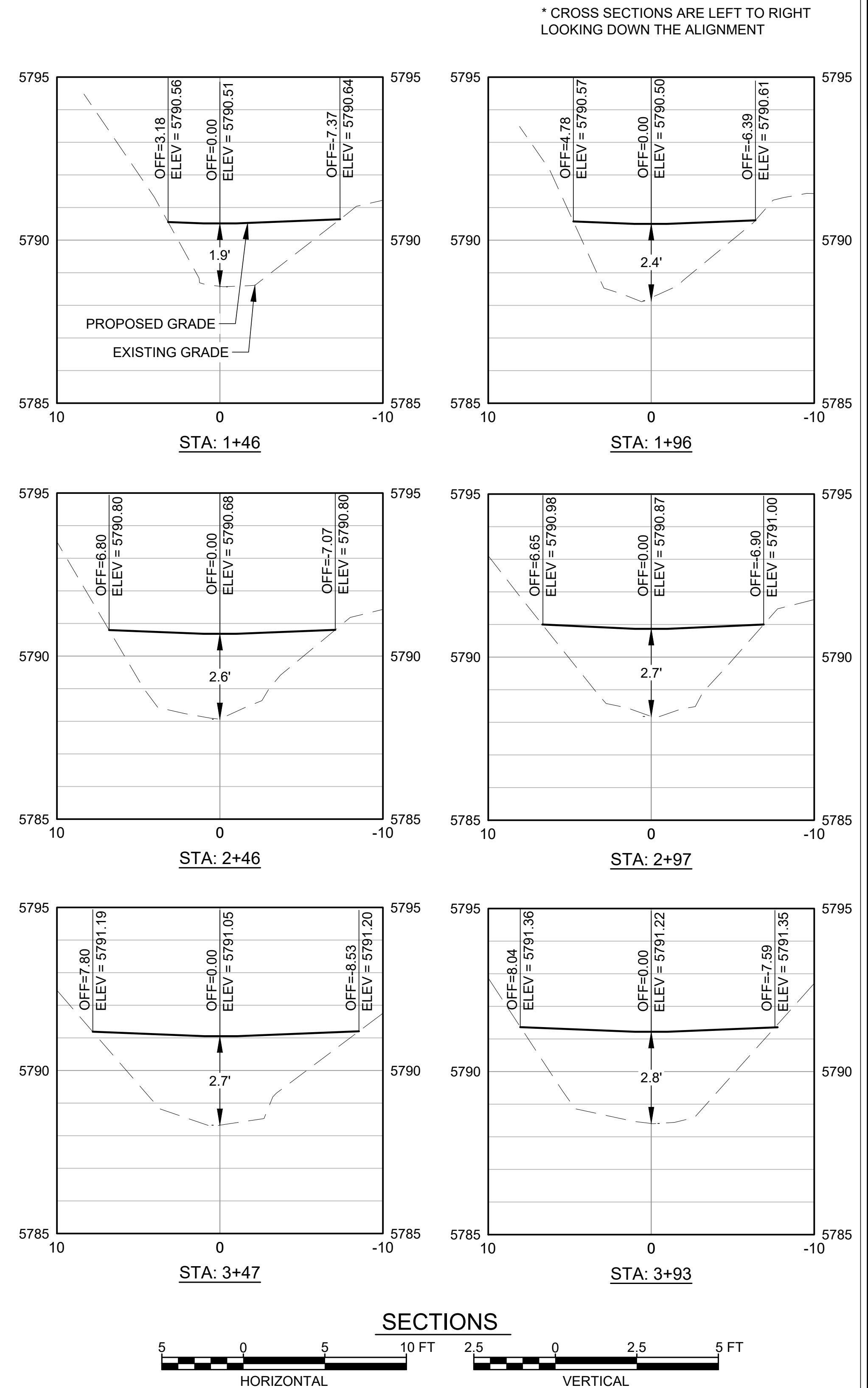
ATKINSON DITCH PROFILE



PROFILE



1 ATKINSON DITCH TYPICAL SECTION
C6 SCALE 1" = 4'



SECTIONS

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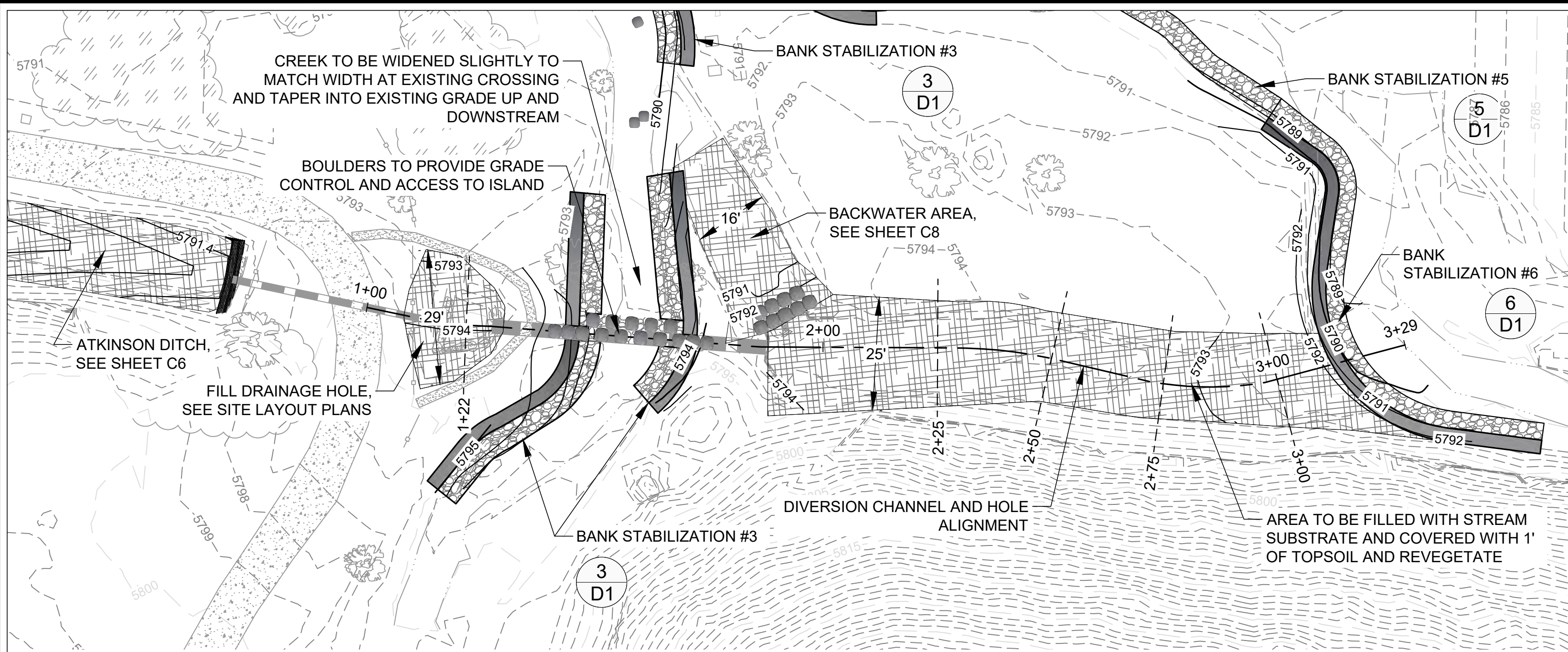
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THREE MILE CREEK CONFLUENCE

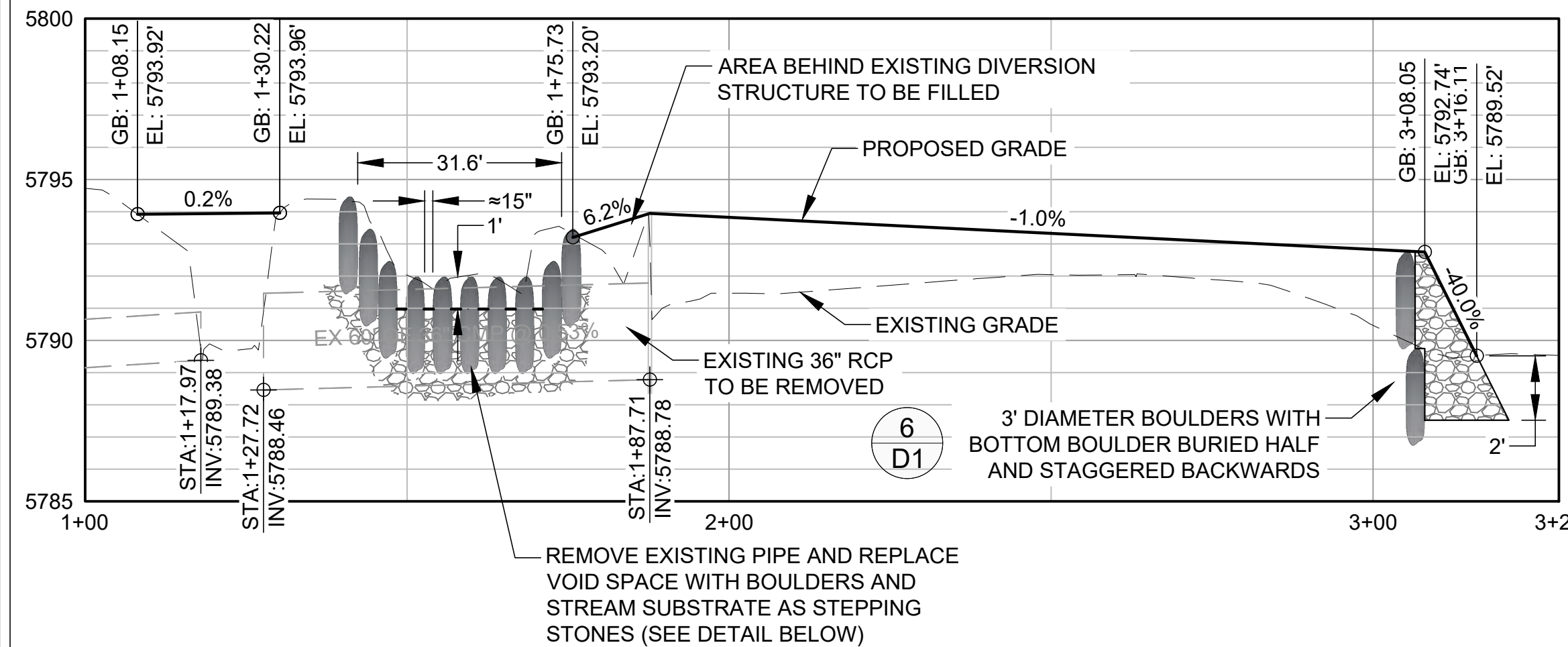
PLAN AND PROFILE -
ATKINSON DITCH

JOB NO.	191-025.000
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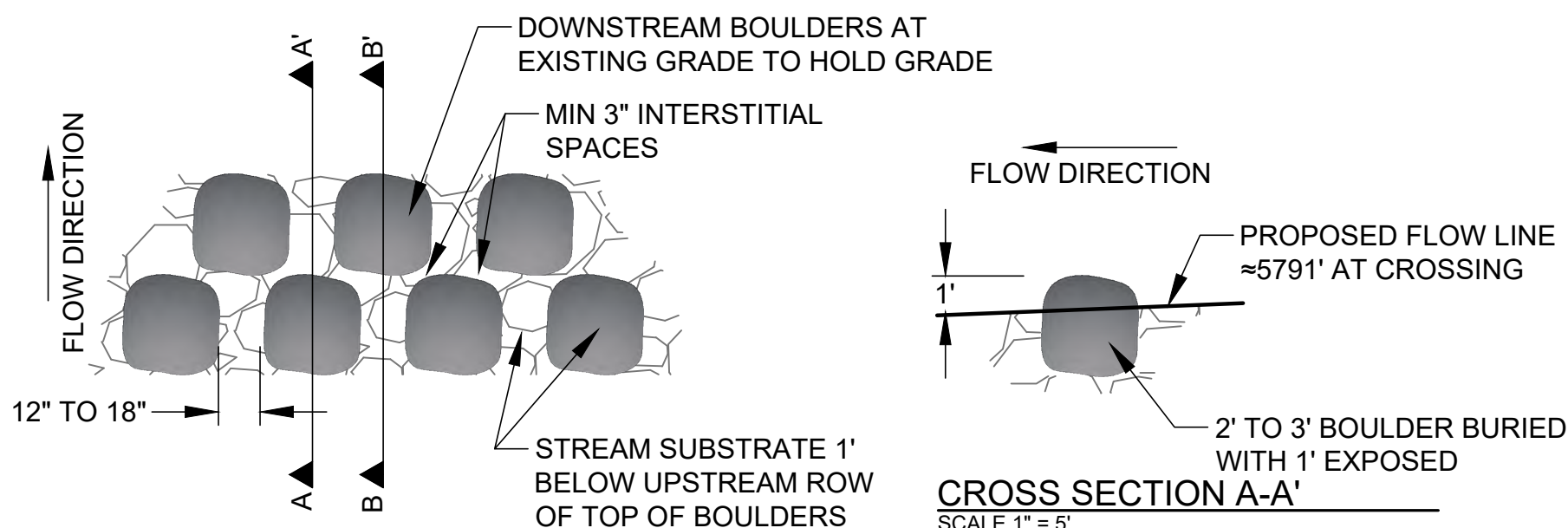
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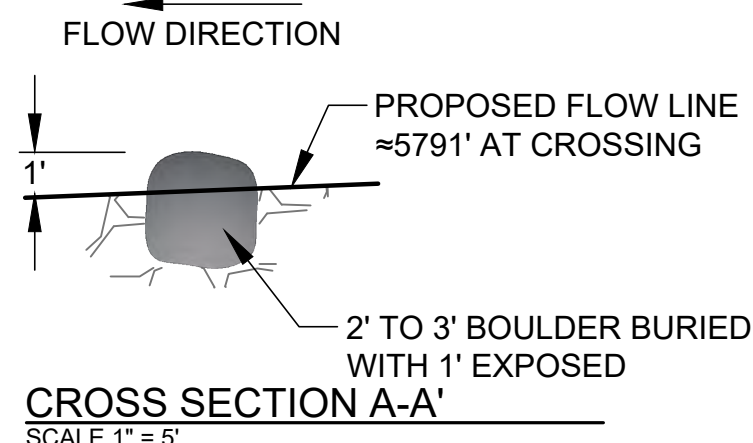
DIVERSION CHANNEL AND HOLE PROFILE



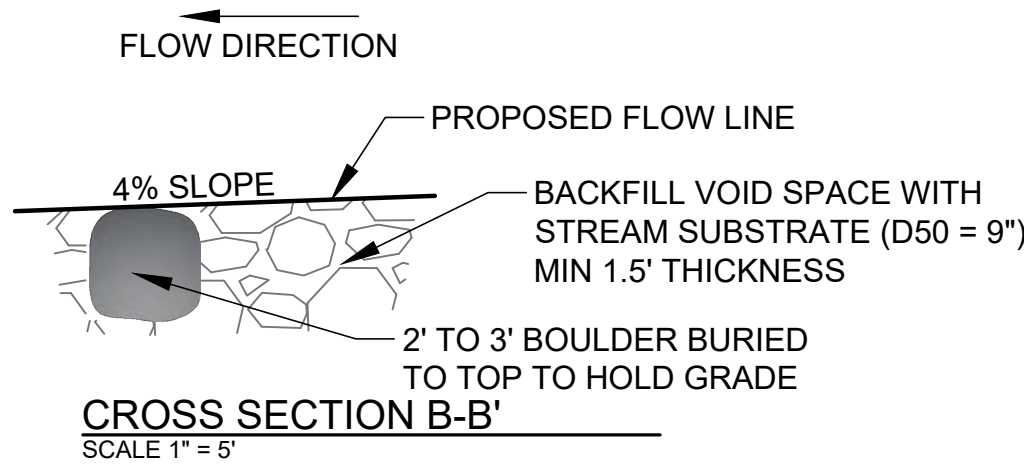
PROFILE



STEPPING STONE DETAIL
SCALE 1" = 5'



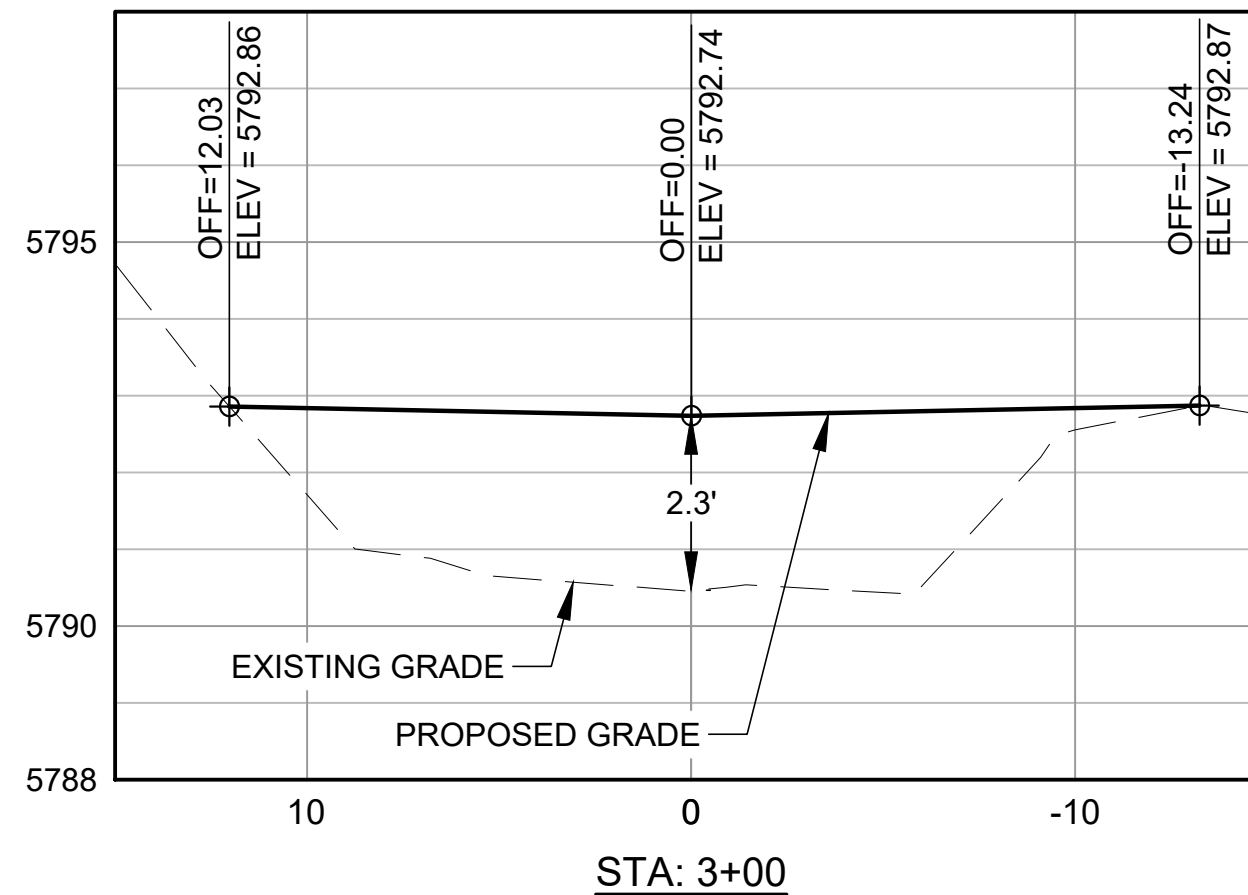
CROSS SECTION A-A'
SCALE 1" = 5'



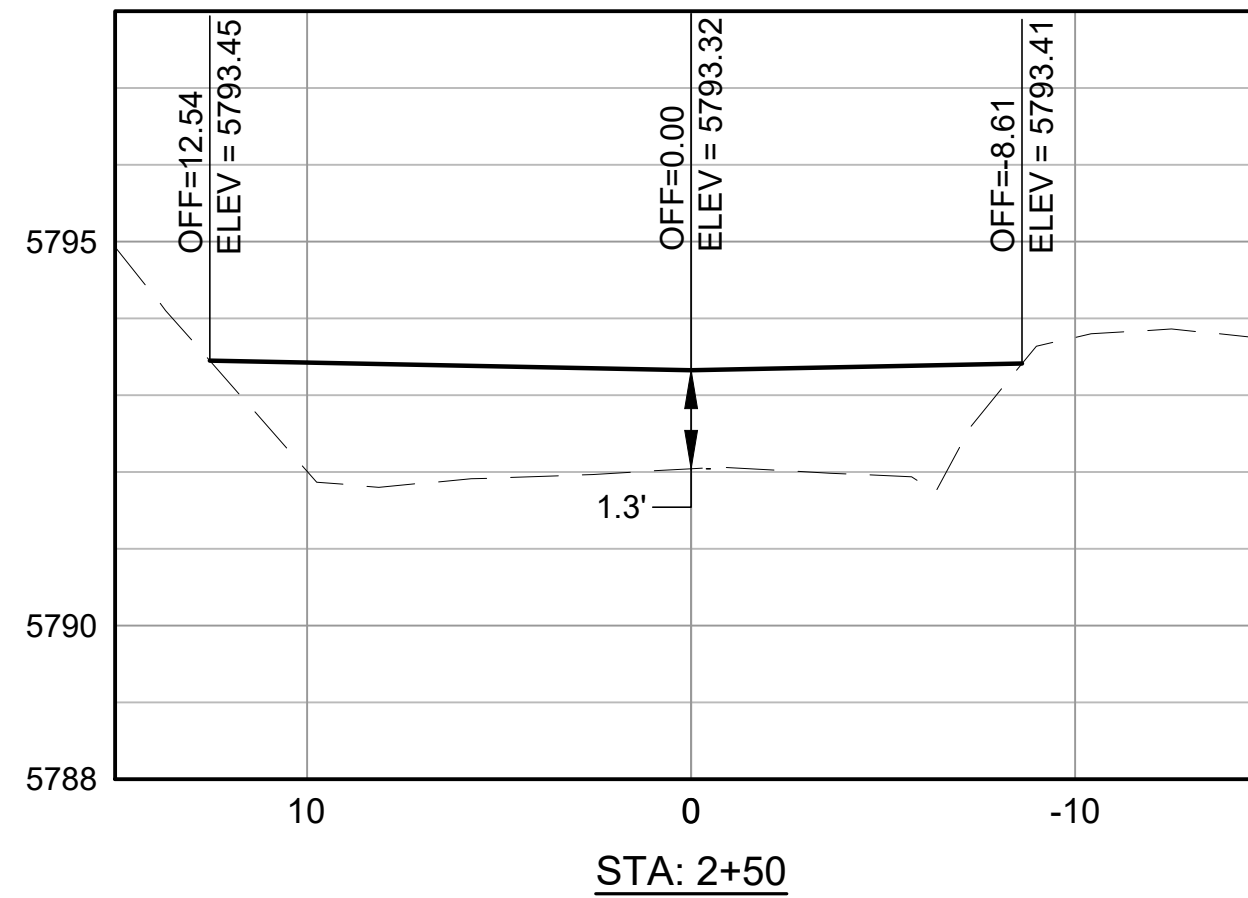
CROSS SECTION B-B'
SCALE 1" = 5'

STEPPING STONE NOTES:

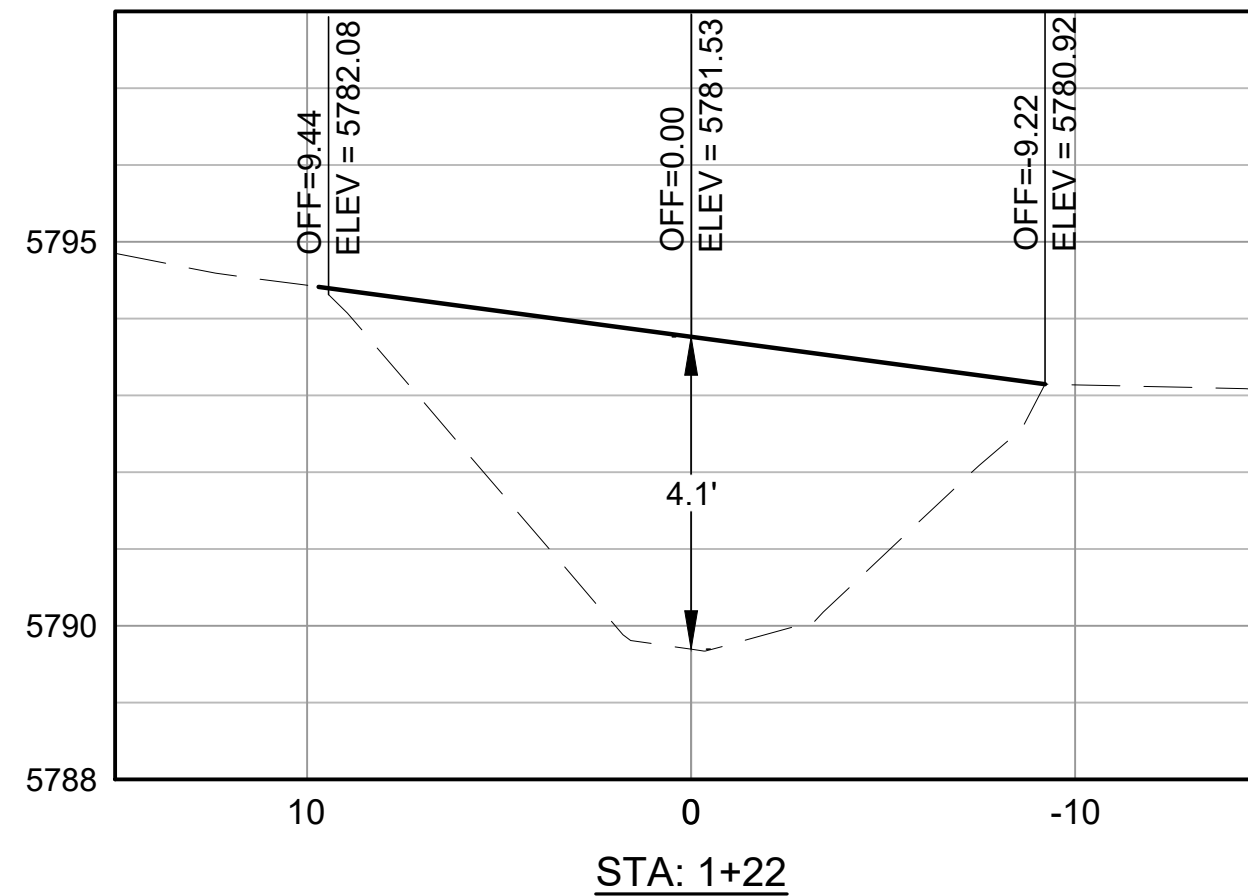
1. SECTION SHOWN IS AT EXISTING RCP CROSSING AND IS OVER WIDENED COMPARED TO TYPICAL SECTION.
2. TYPICAL TOP WIDTH UP AND DOWNSTREAM OF CROSSING IS APPROXIMATELY 15'.
3. TOP WIDTH WITH BE SLIGHTLY INCREASED AT CROSSING AND MASSAGED INTO EXISTING GRADE WITHIN 5' TO 10' UP AND DOWNSTREAM.
4. INTENT IS TO PROVIDE STEPPING STONES 1' ABOVE CREEK THAWLEG WITH APPROXIMATELY 15" BETWEEN EDGE OF BOULDERS. STREAM SUBSTRATE BETWEEN BOULDERS WILL BE STABILIZED WITH ROW OF STAGGERED BOULDERS DOWNSTREAM.
5. PROFILE OF CREEK AT CROSSING WILL ALSO BE LOWERED TO REMOVE FISH BARRIER AND BALANCE SLOPE DUE TO RCP CROSSING.
6. MAXIMUM OF 12" VERTICAL SEPARATION BETWEEN TOP OF BOULDERS AND STREAM SUBSTRATE.
7. HORIZONTAL SEPARATION BETWEEN EDGE OF BOULDERS TO HAVE MINIMUM OF 12" AND MAXIMUM OF 18".



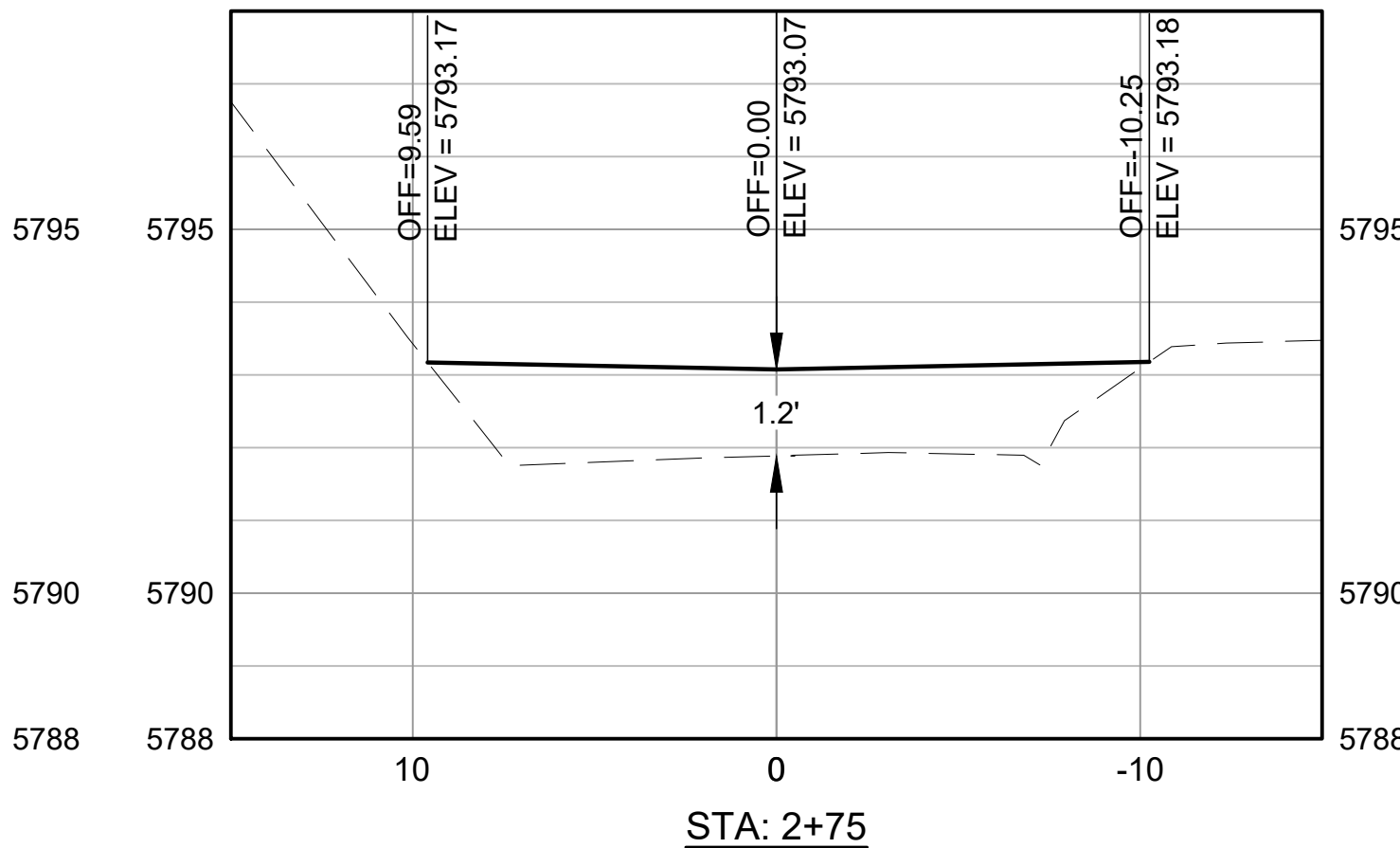
STA: 3+00



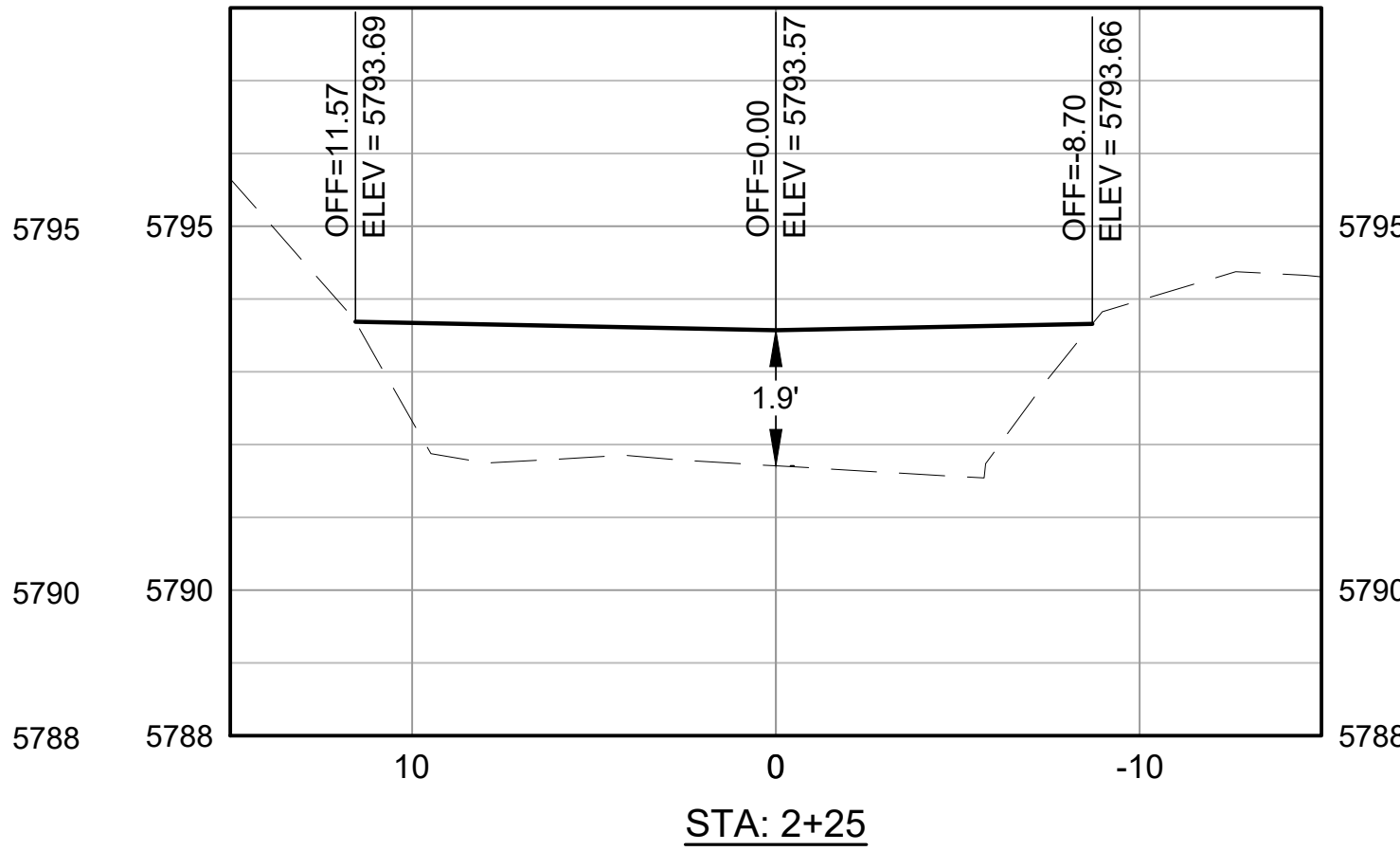
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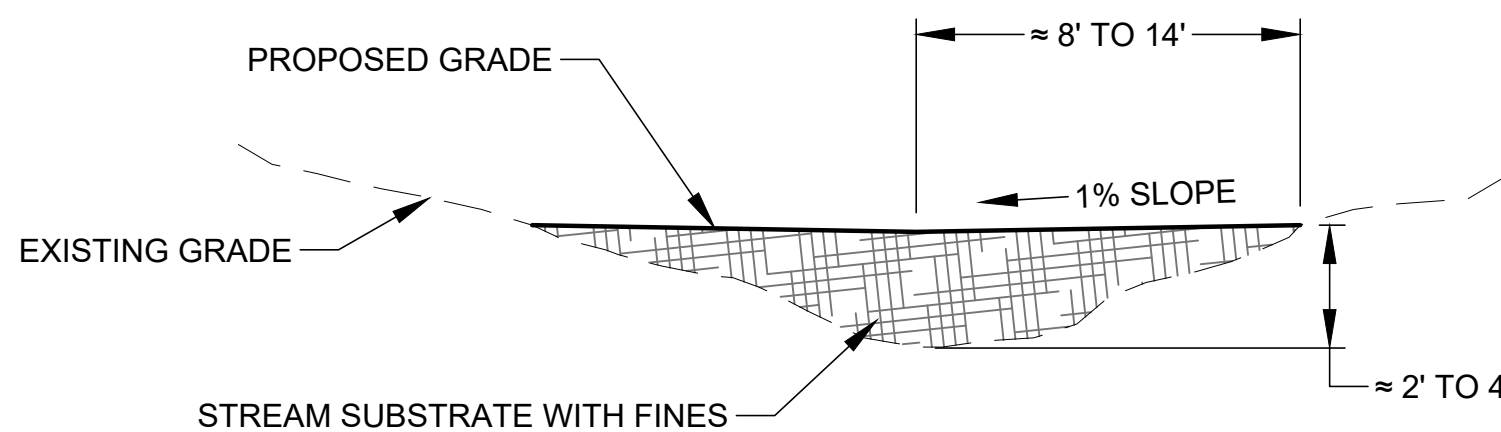
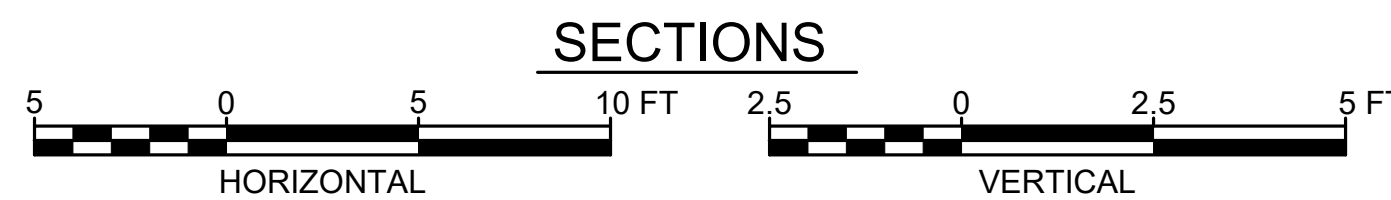
STA: 1+22



STA: 2+75



STA: 2+25



1 DIVERSION CHANNEL TYPICAL SECTION
SCALE 1" = 4'

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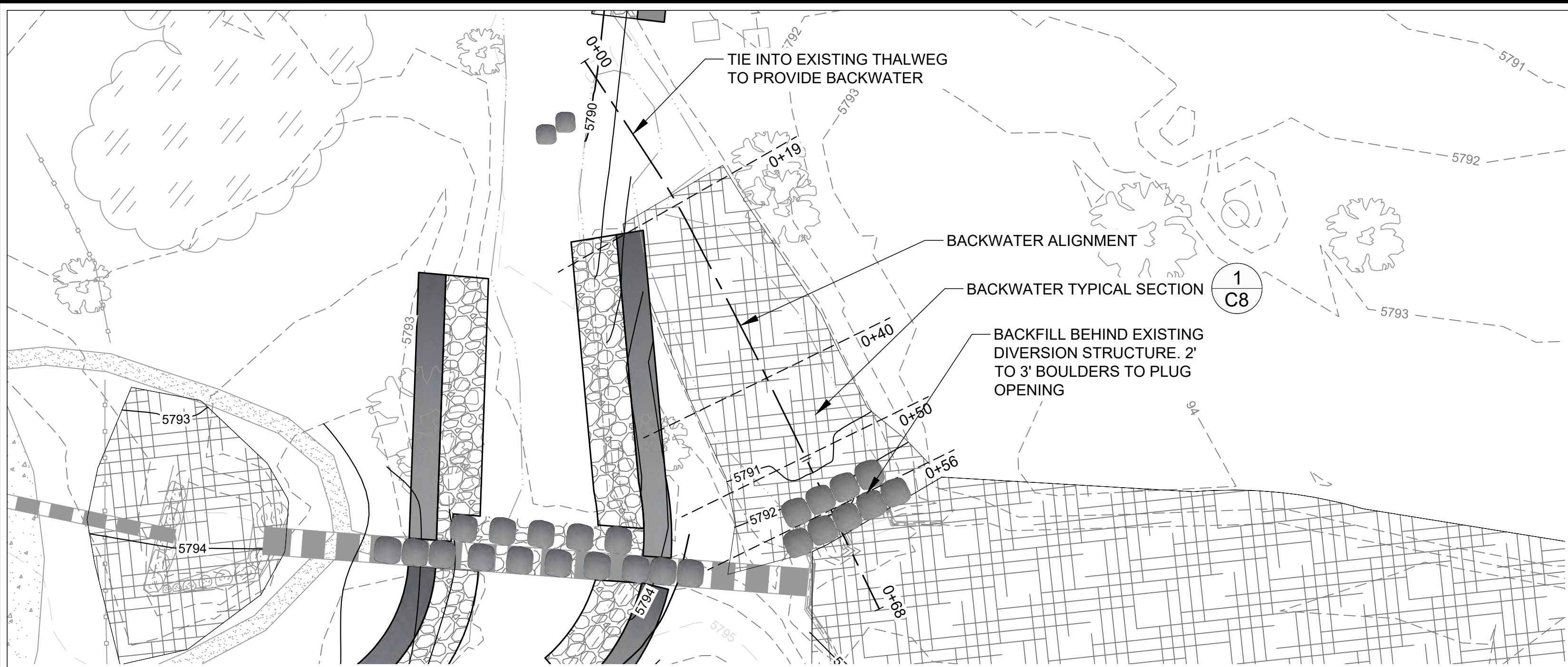
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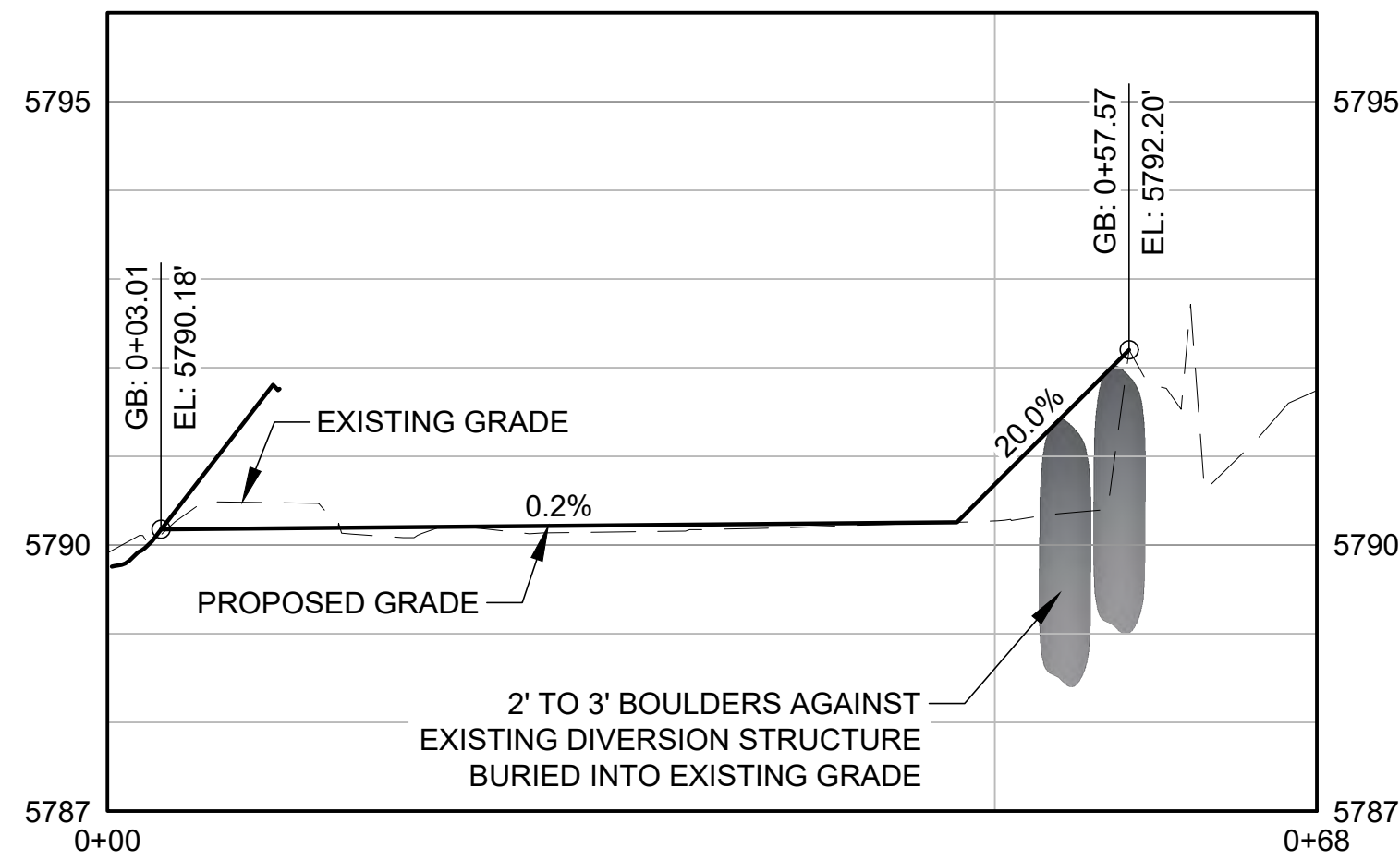
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THREE MILE CREEK CONFLUENCE	JOB NO. 191-025.000
PLAN AND PROFILE - DIVERSION CHANNEL AND HOLE	REVISION NO. ----
	SHEET NO. C7

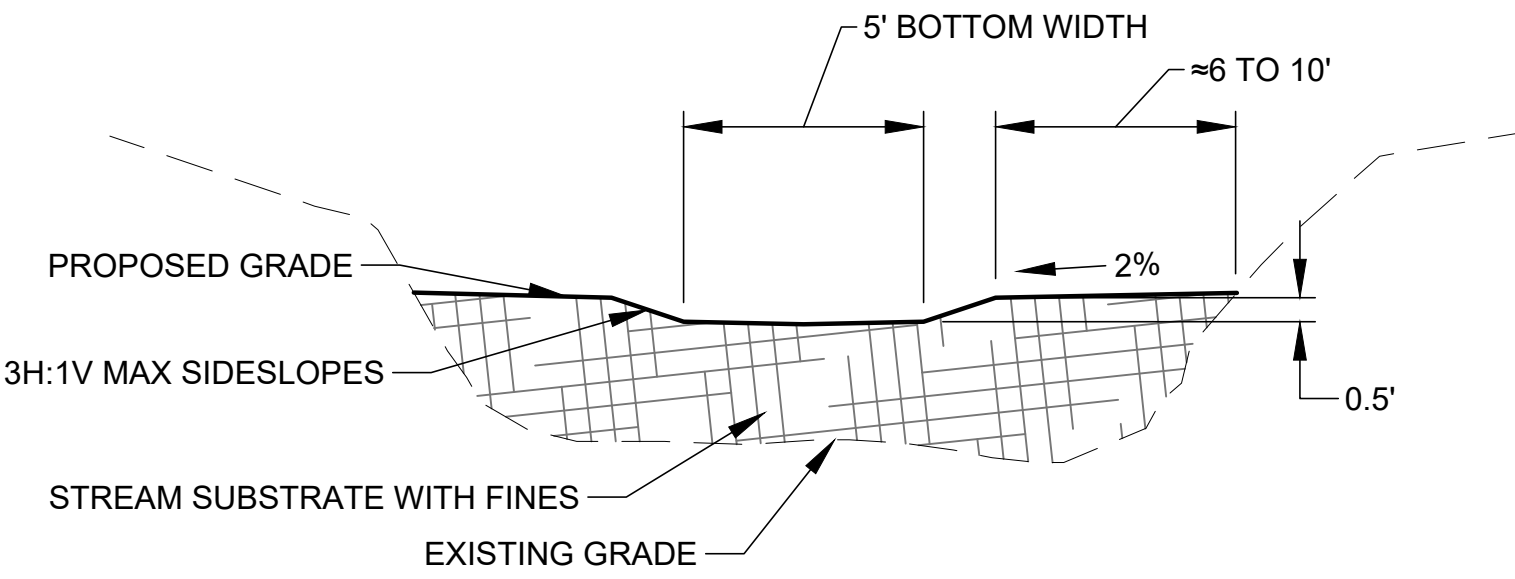
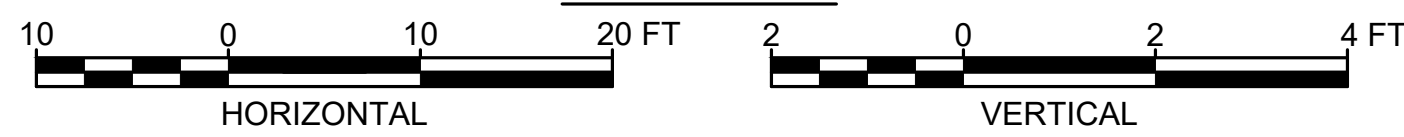
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BACKWATER PROFILE



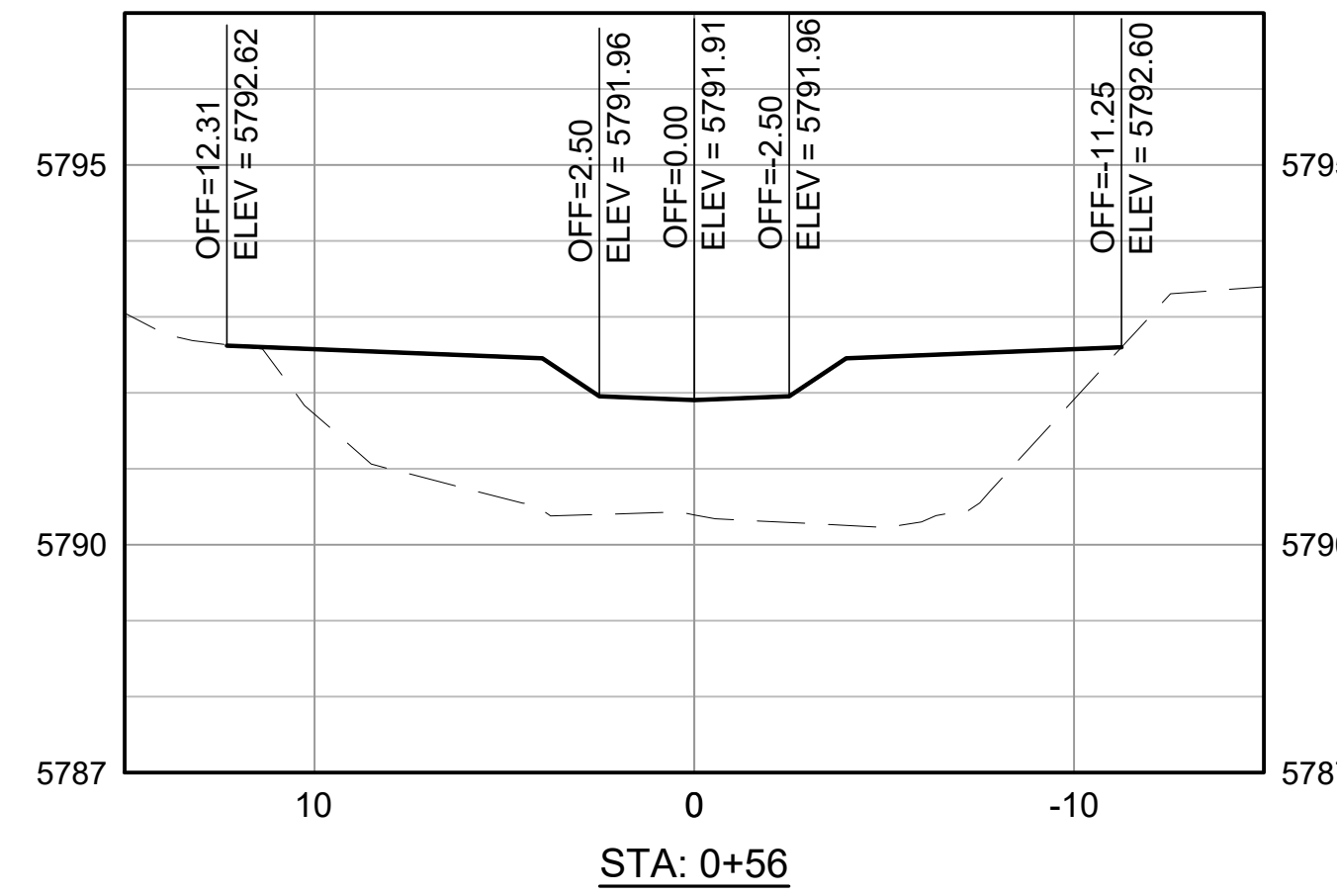
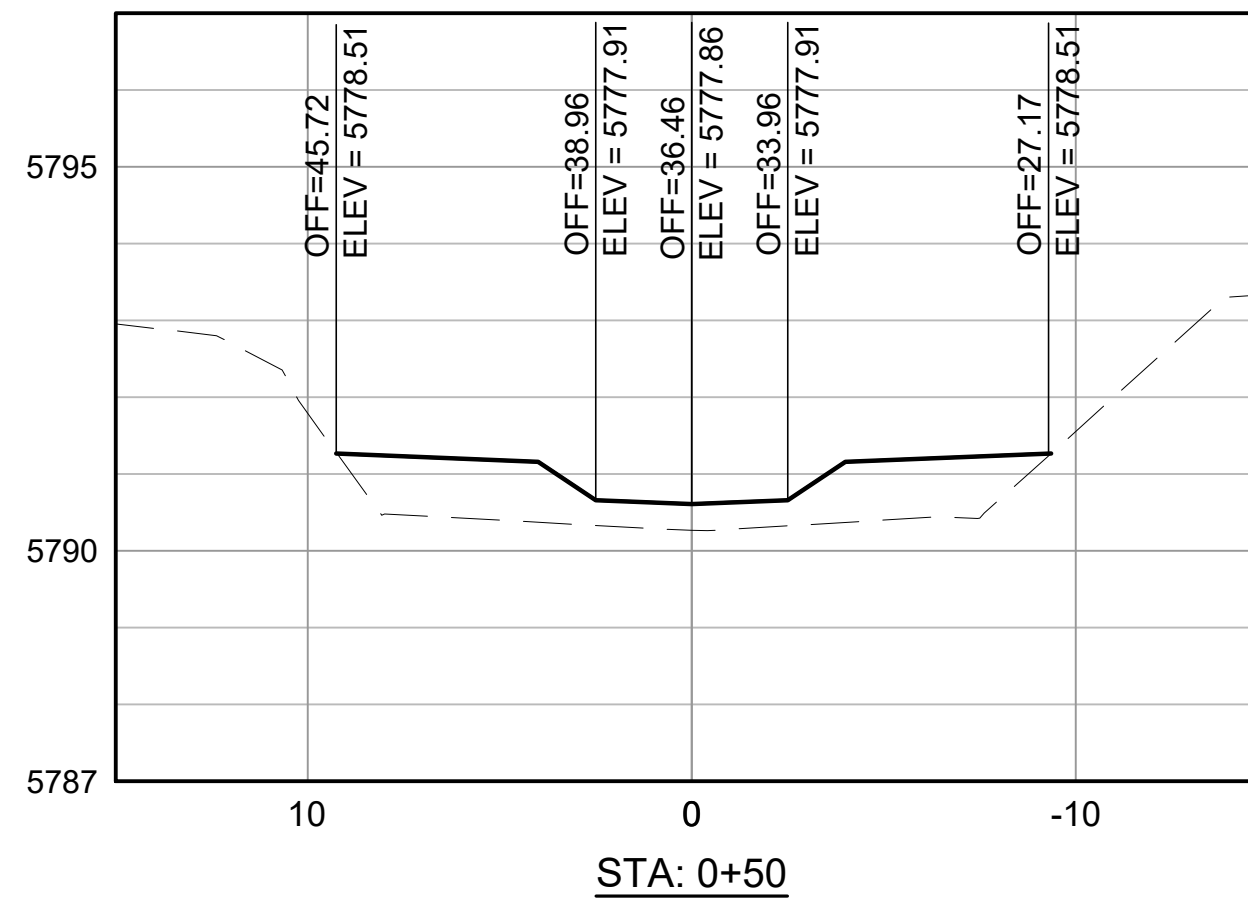
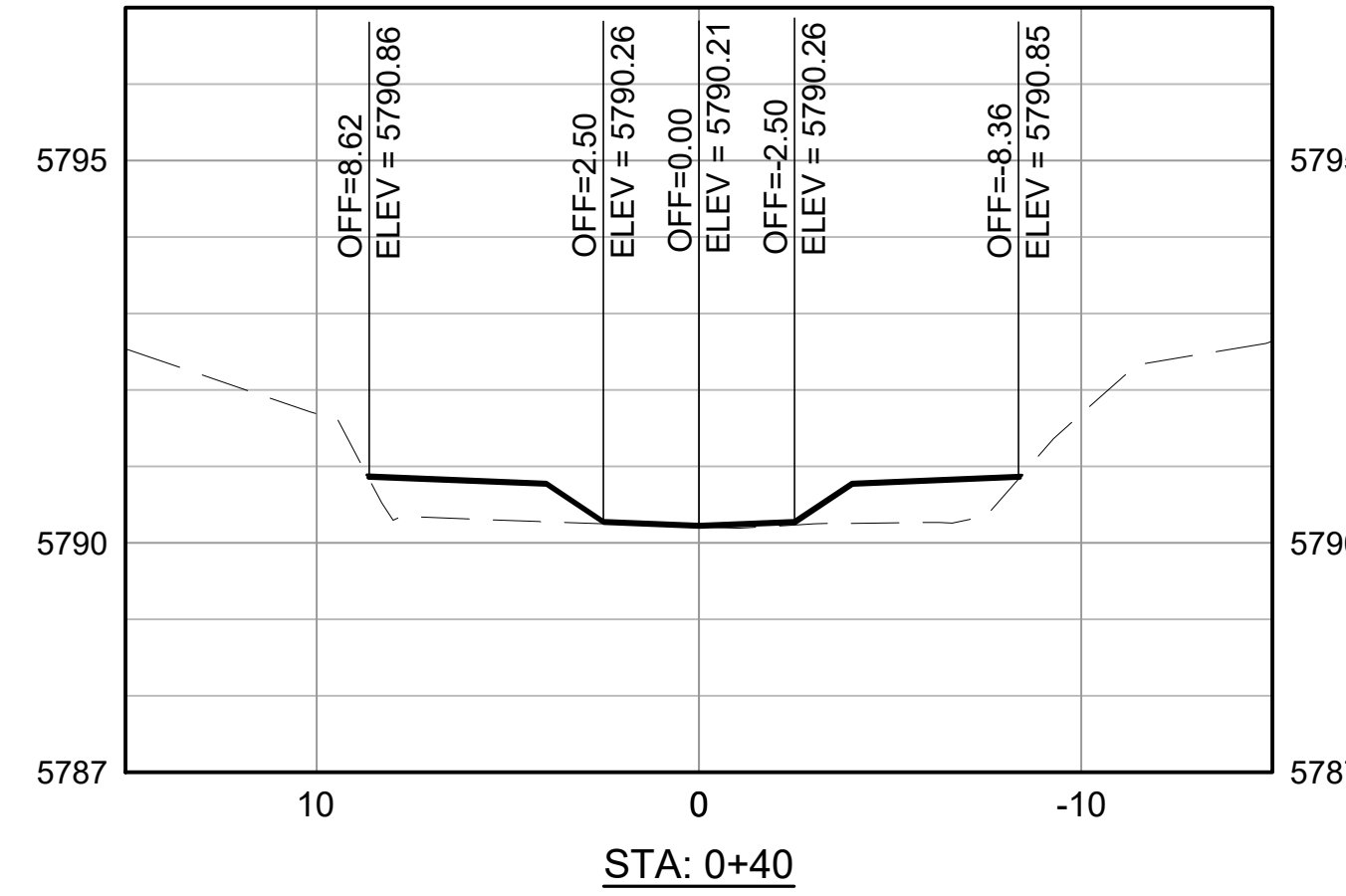
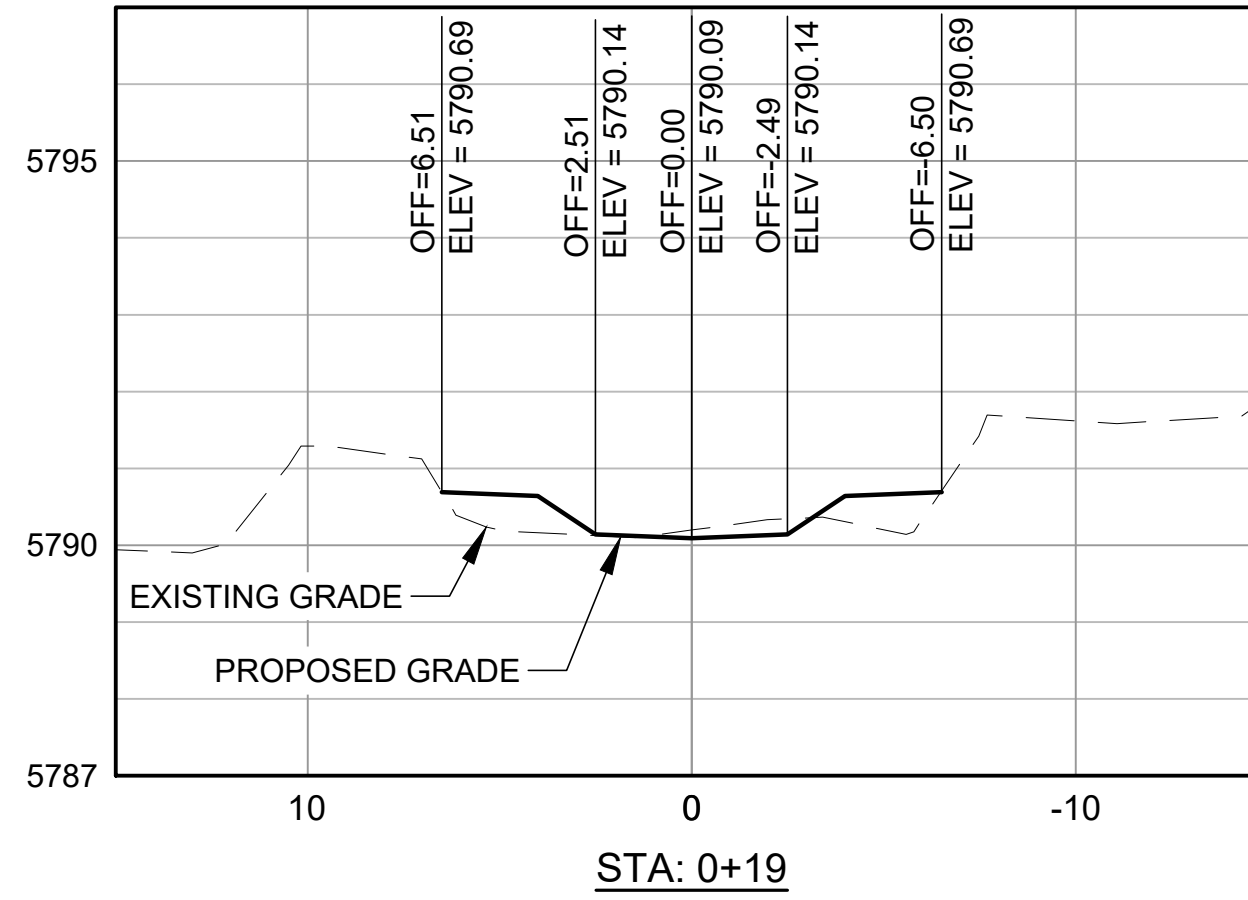
PROFILE



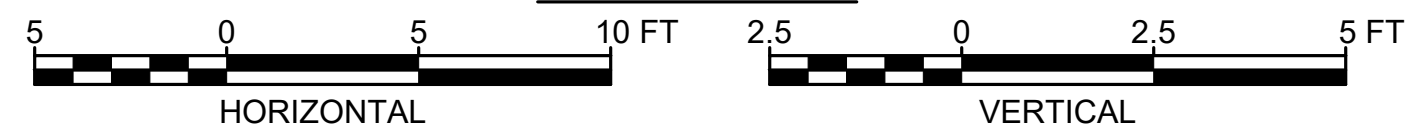
1/C8 BACKWATER AREA TYPICAL SECTION

SCALE 1" = 4'

* CROSS SECTIONS ARE LEFT TO RIGHT LOOKING DOWN THE ALIGNMENT



SECTIONS



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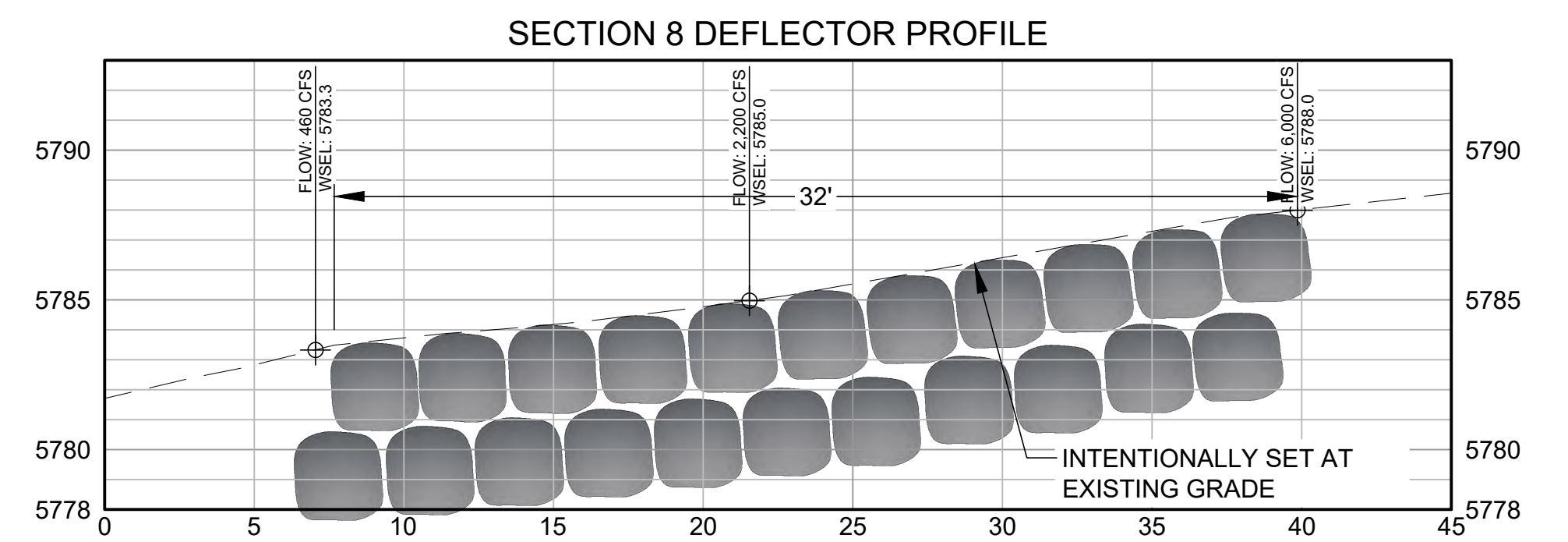
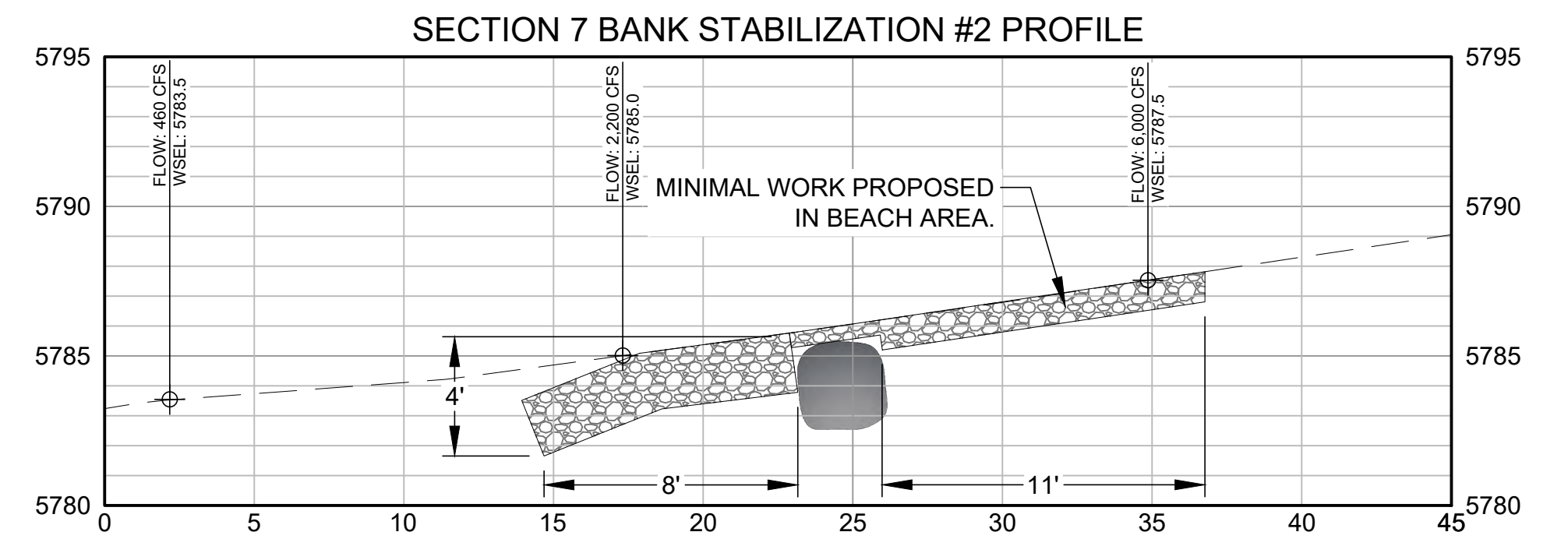
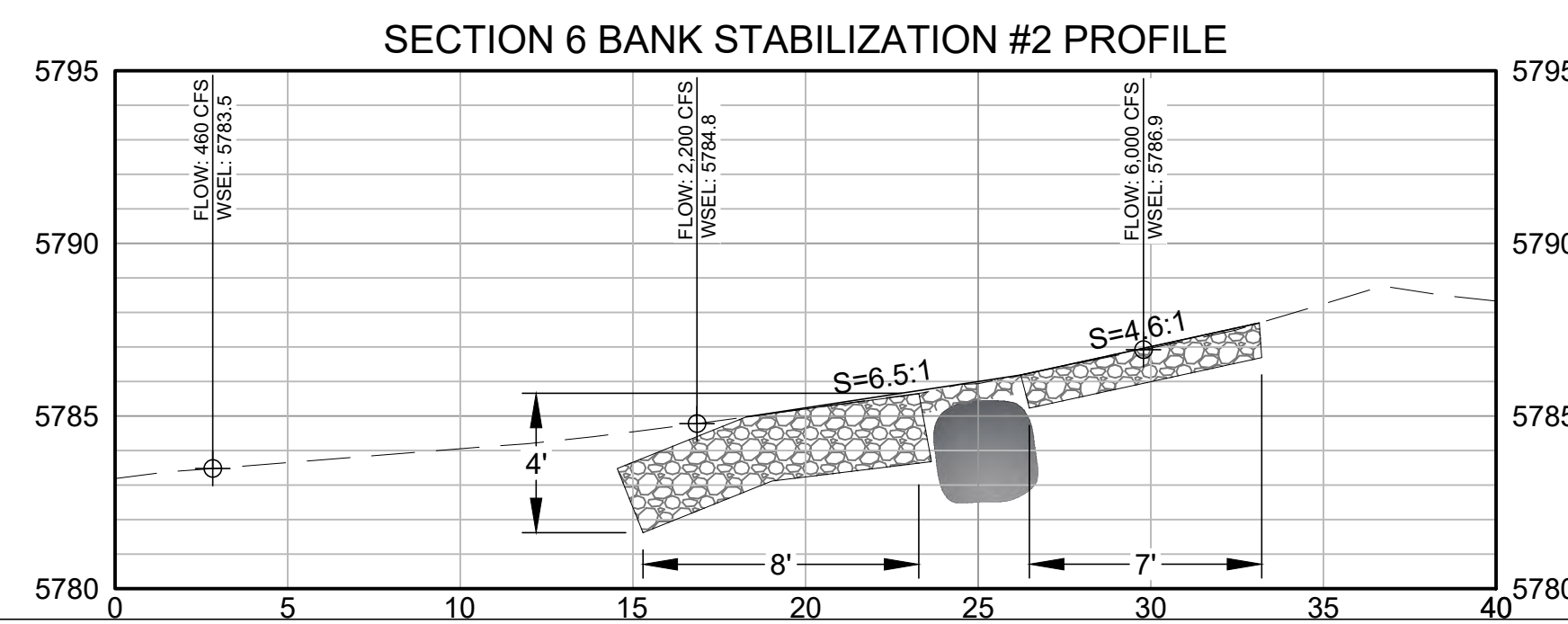
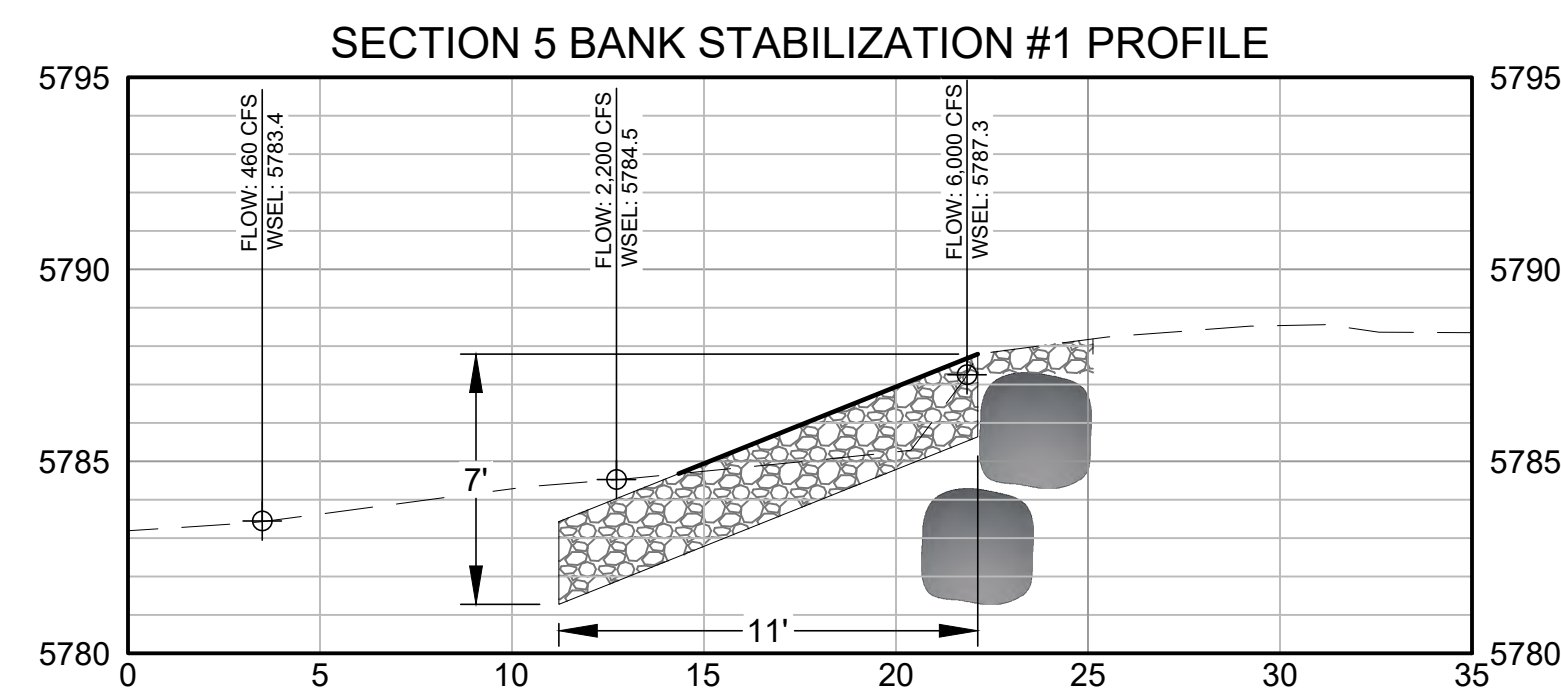
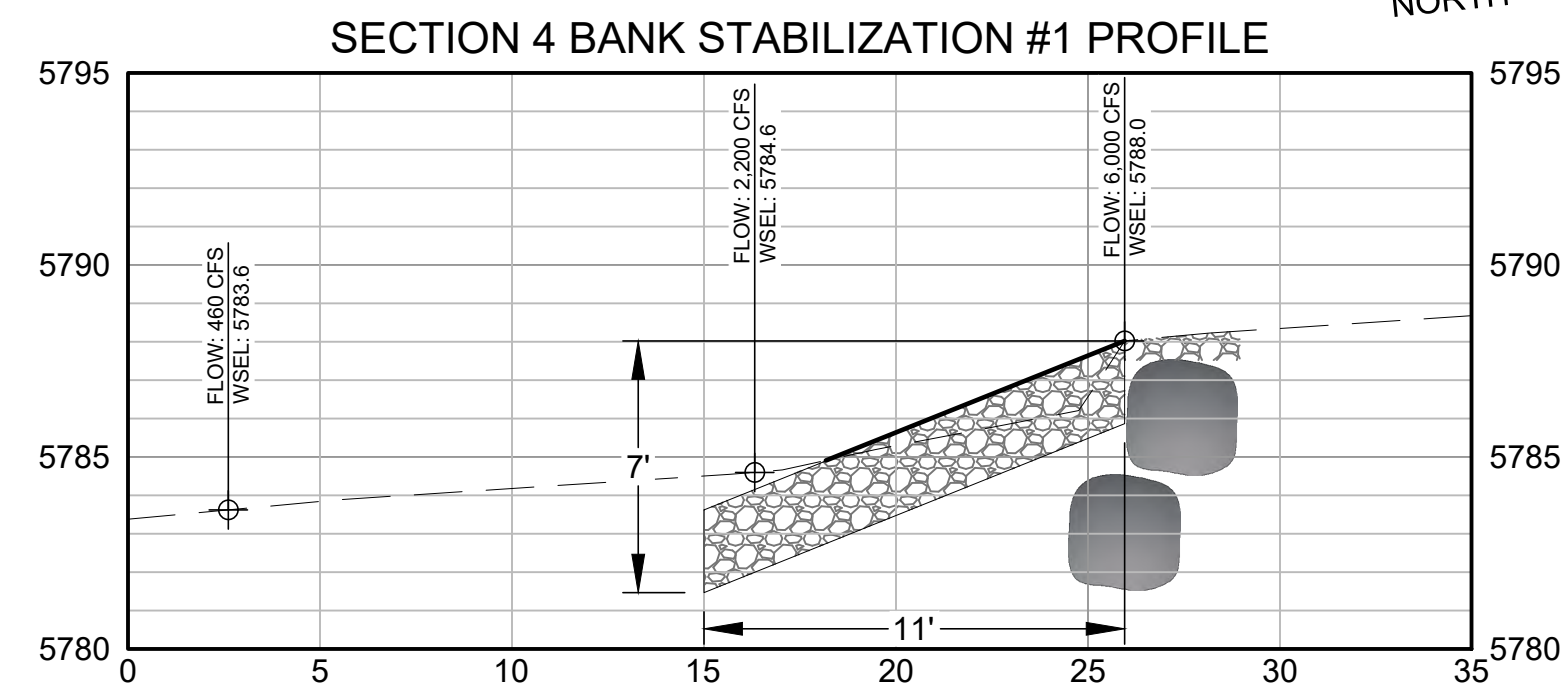
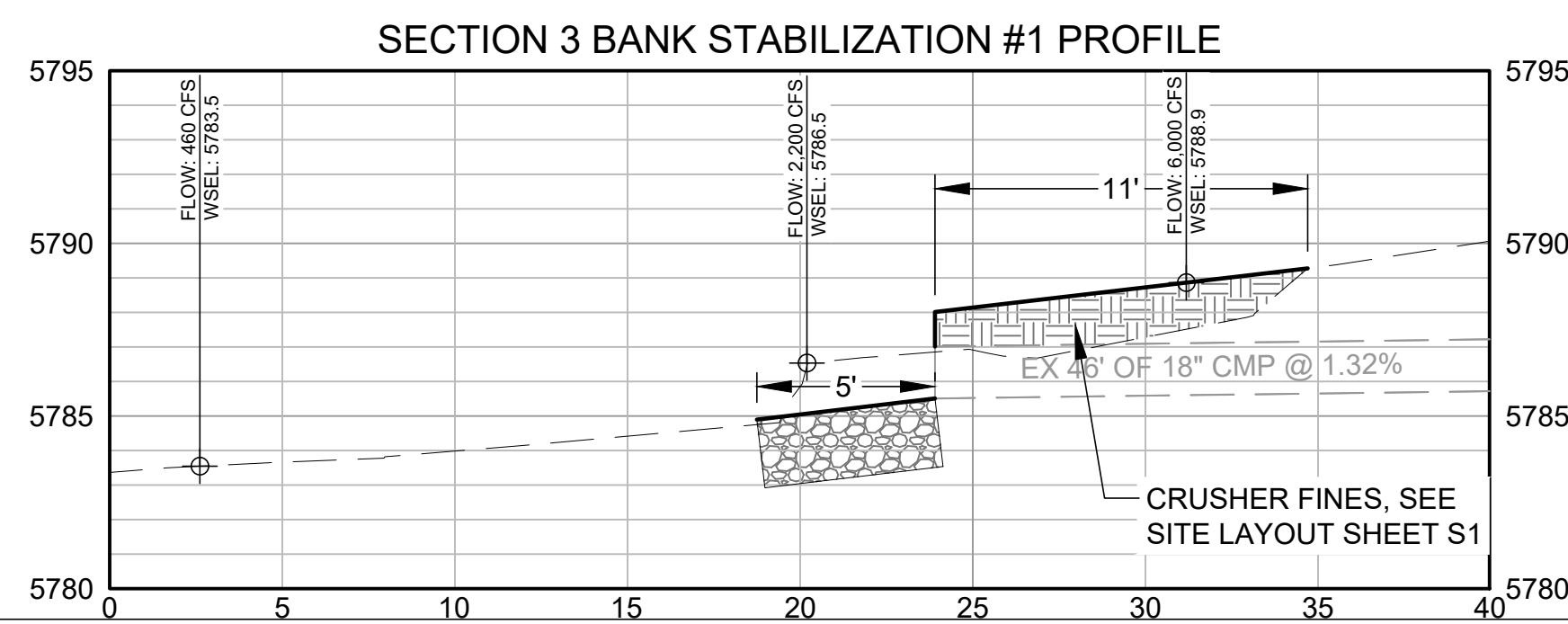
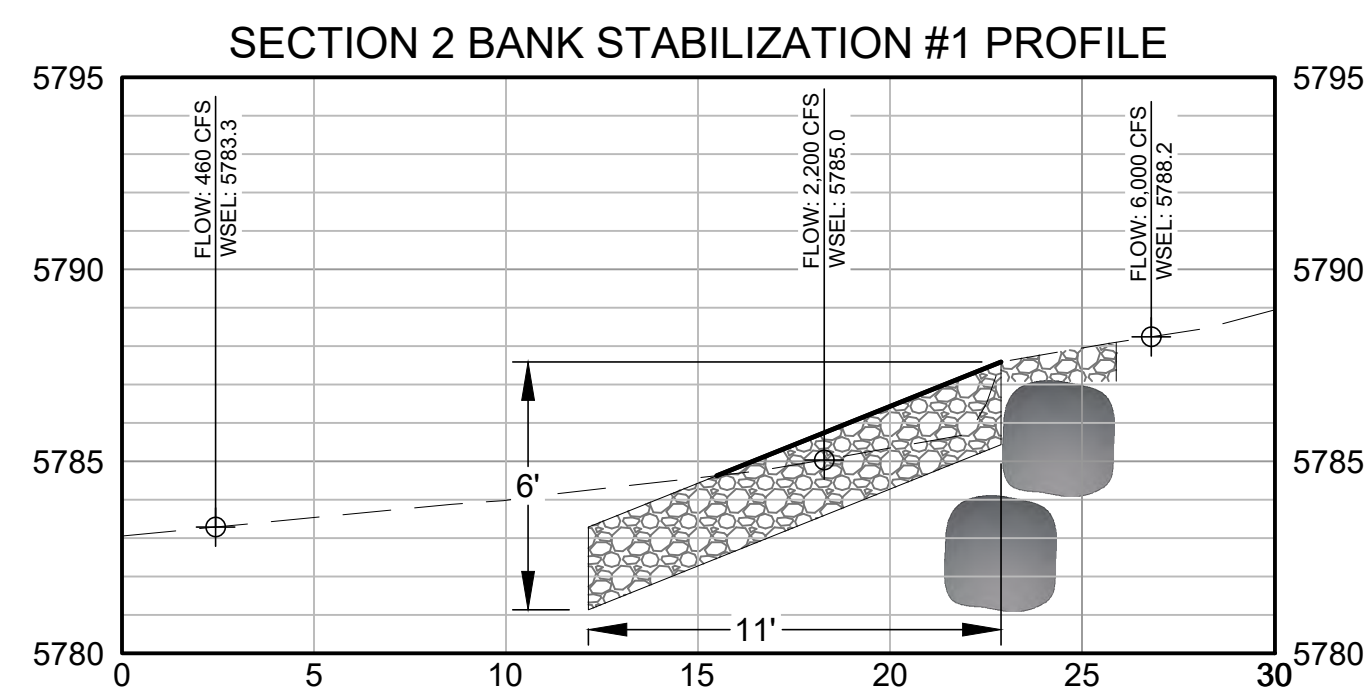
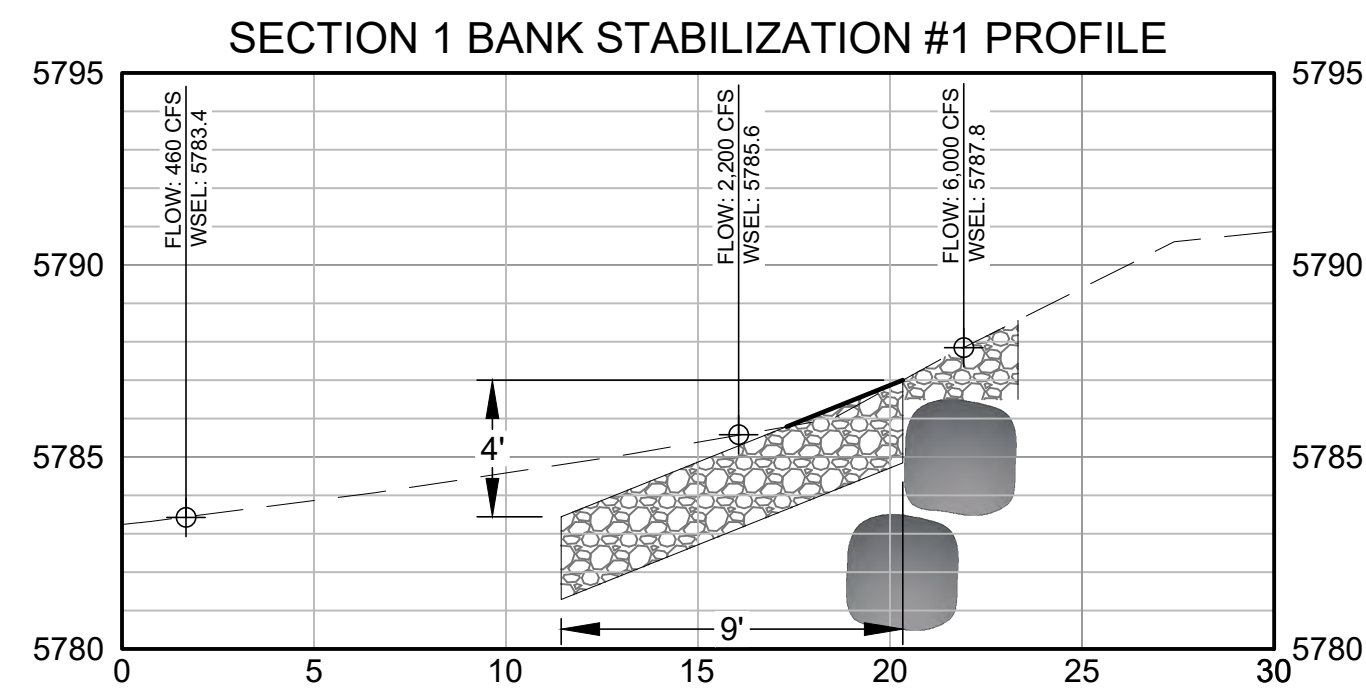
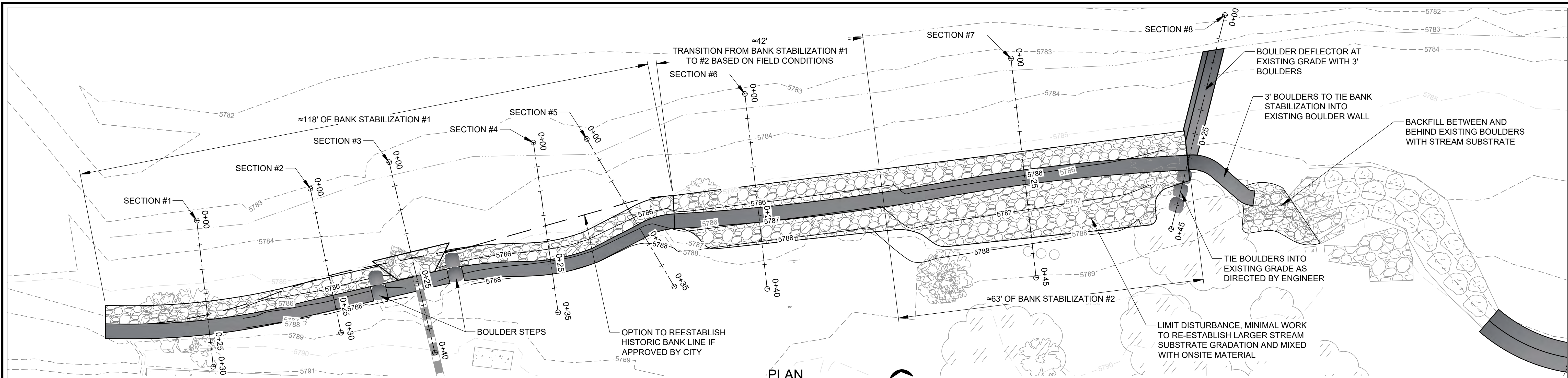
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THREE MILE CREEK CONFLUENCE

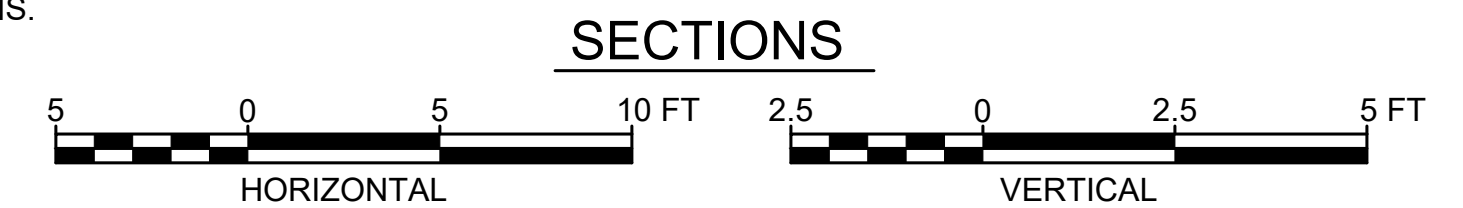
PLAN AND PROFILE - BACKWATER AREA

JOB NO.	191-025.000
REVISION NO.	----
SHEET NO.	C8

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- SECTION NOTES:
- SEE DETAIL SHEETS FOR ROCK SIZES, SLOPES AND ADDITIONAL INFORMATION.
 - ALL BOULDERS TO BE SET AT EXISTING GRADE OR BELOW. INTENT IS TO LIMIT BOULDER VISIBILITY. AS DIRECTED BY ENGINEER BURY BUILDER 6" TO PROVIDE STREAM SUBSTRATE BACKFILL FOR REVEGETATION ASPECTS.
 - FLOW AND WATER SURFACE ELEVATIONS EVALUATED FROM DRONE AERIALS WITH GAGE RECORDS FROM USGS STREAM GAGE AT VELTUS PARK. FLOWS NOT PROVIDED FOR THREE MILE CREEK SINCE GAGE DOES NOT EXIST.
 - EXISTING BEACH AREA TO RECEIVE MINIMAL WORK AND SHOULD ONLY INCLUDE MIXING OF LARGER D50 WITH EXISTING MATERIAL.
 - DEFLECTOR TO PROVIDE PROTECTION DURING FUTURE EVENTS IF SCOURING OCCURS. DEFLECTOR NOT NEEDED BUT PLACED AT CITY DIRECTION. INTENT OF DEFLECTOR TO BE PLACED AT EXISTING GRADE TO REMOVE SAFETY CONCERNS.



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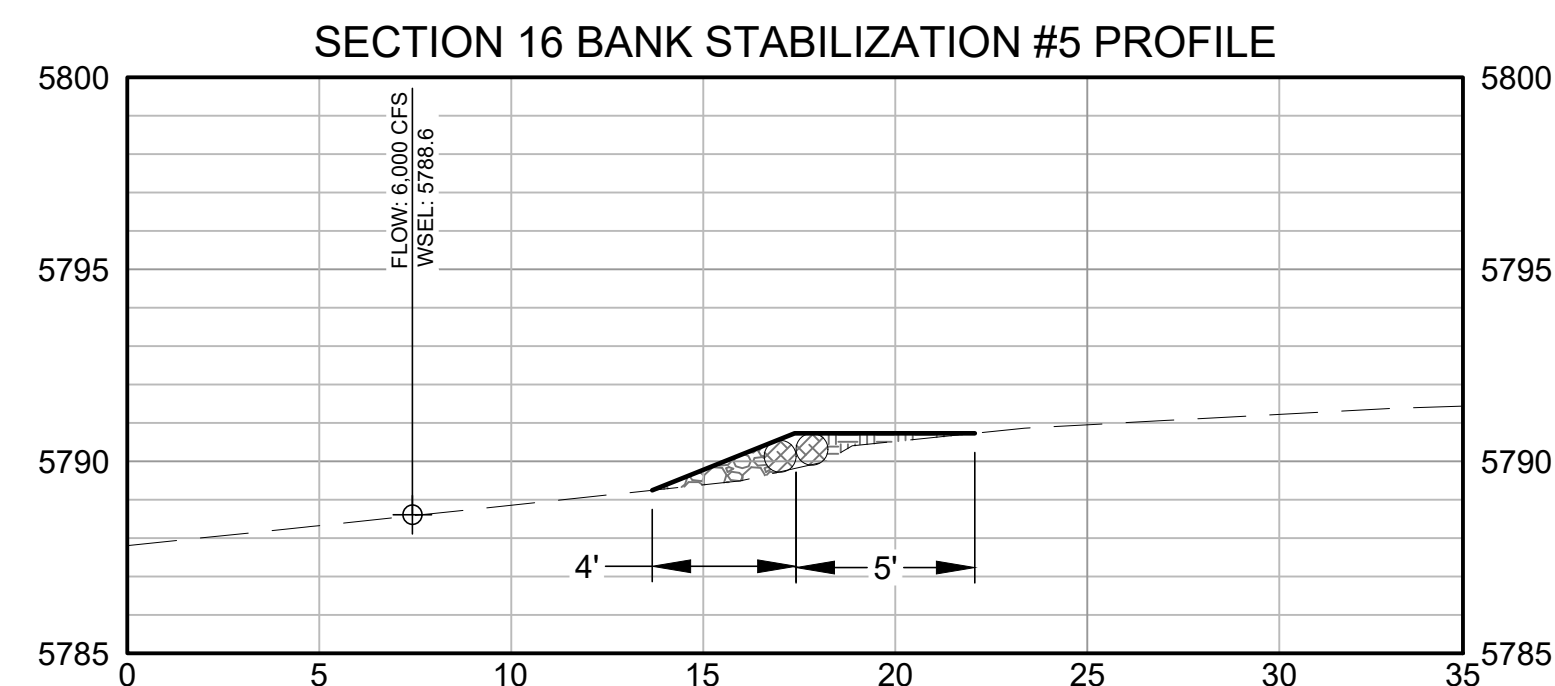
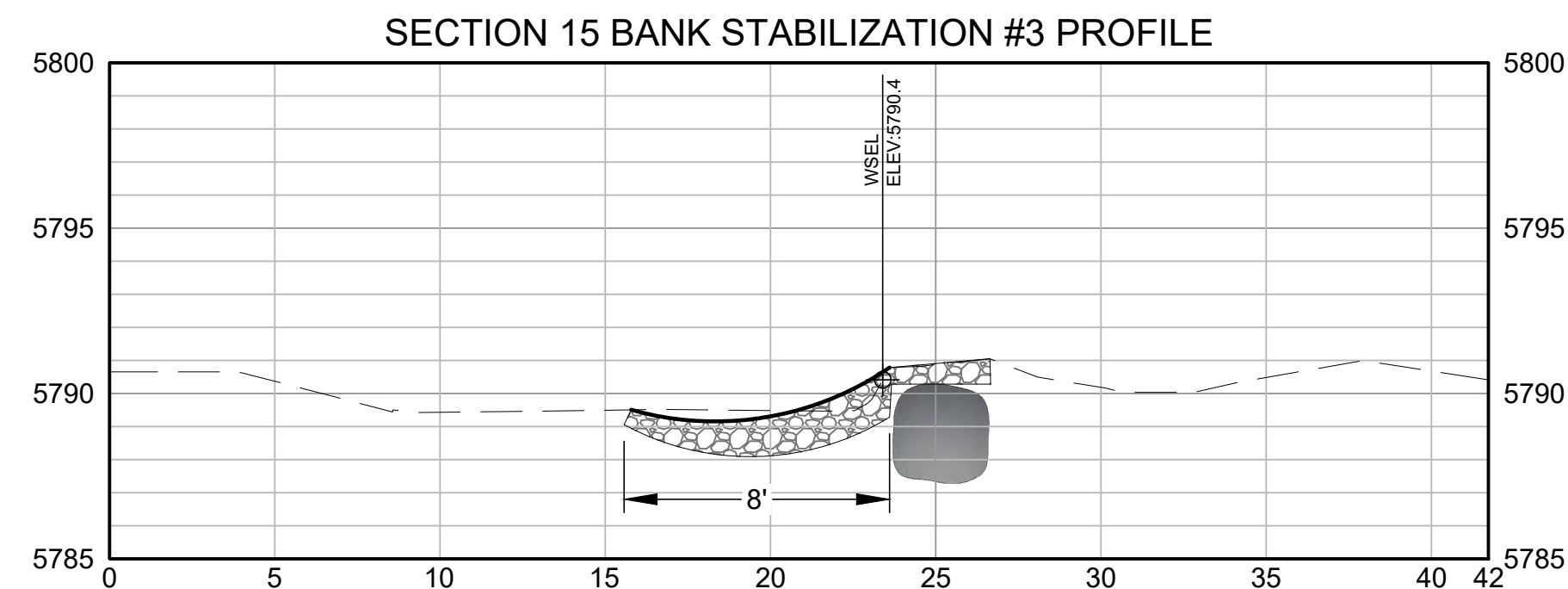
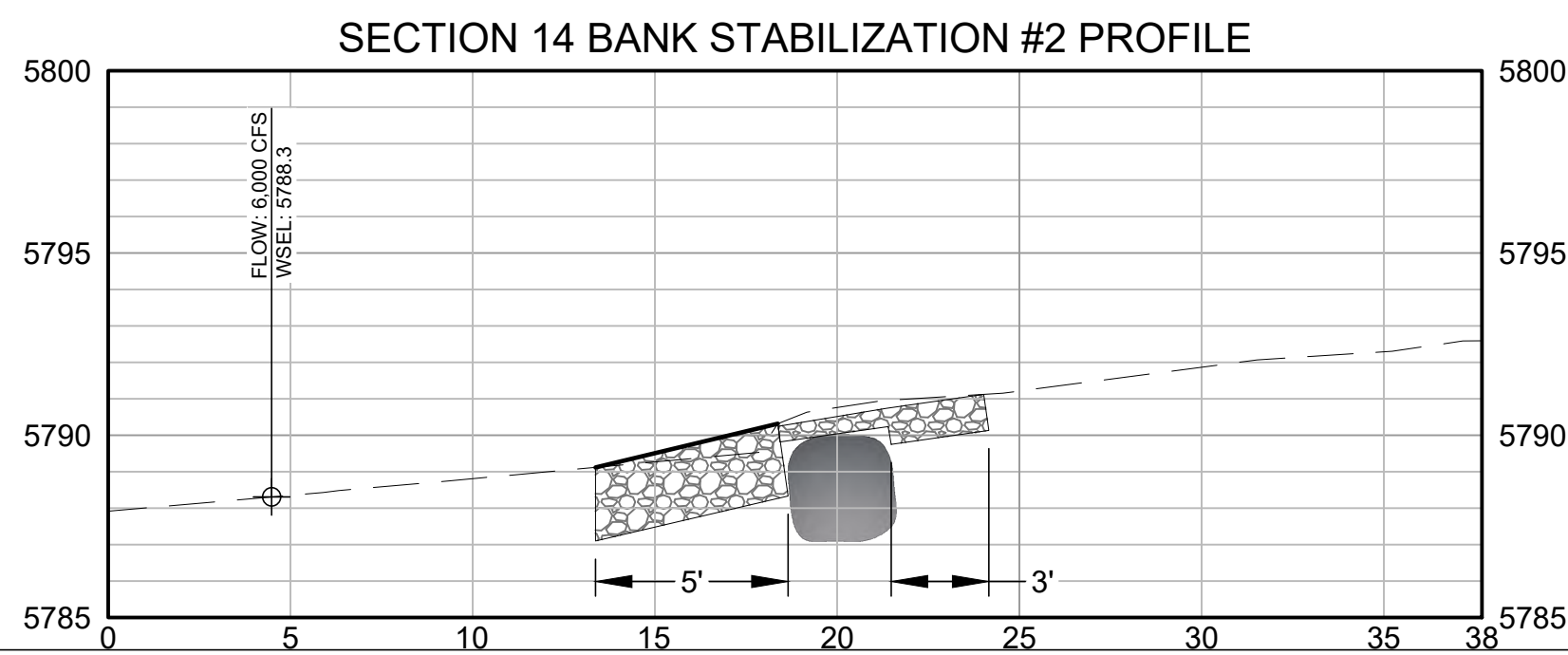
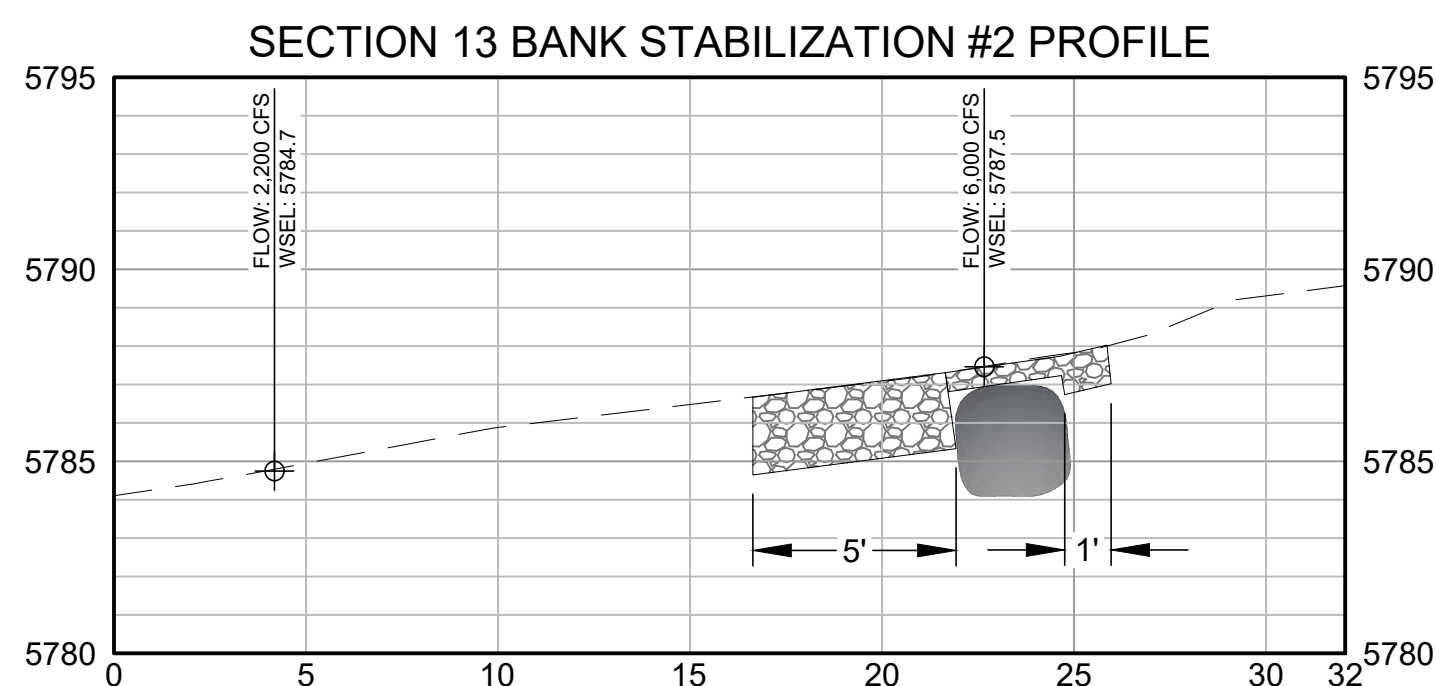
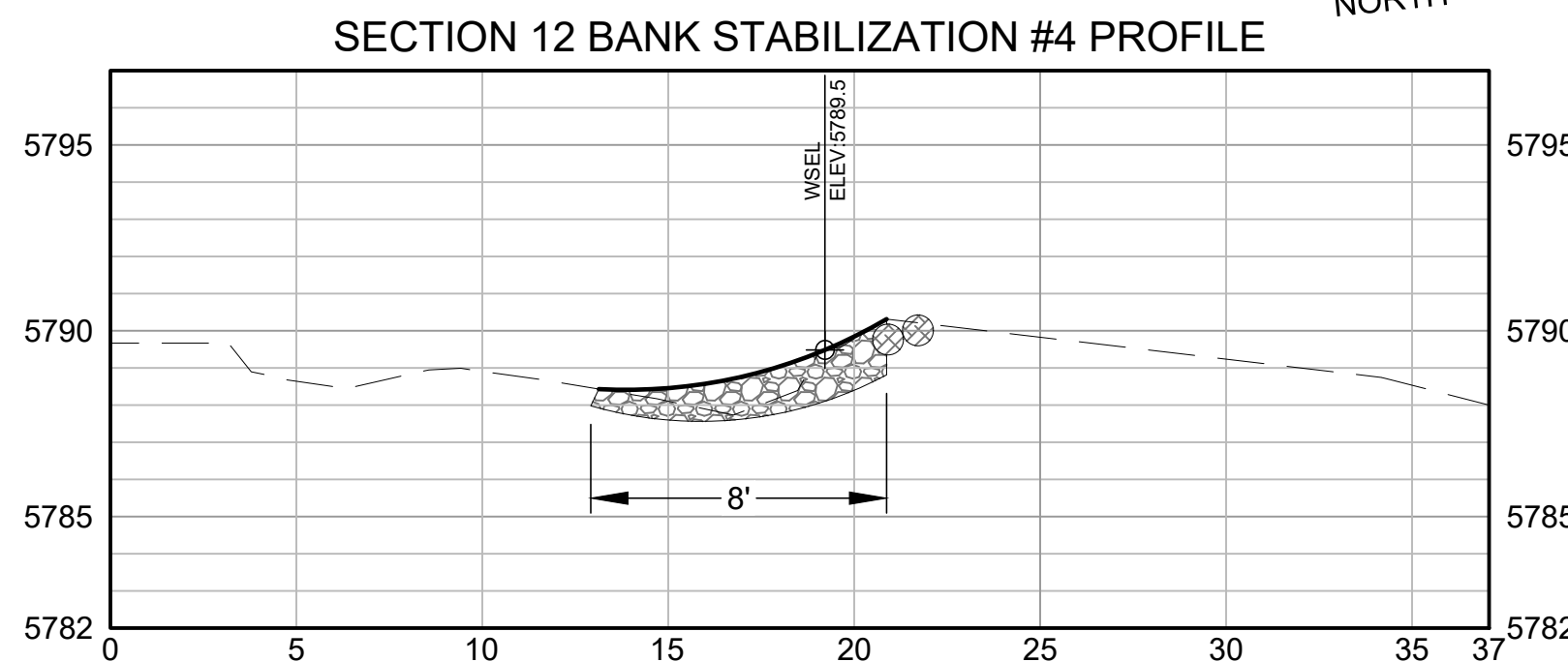
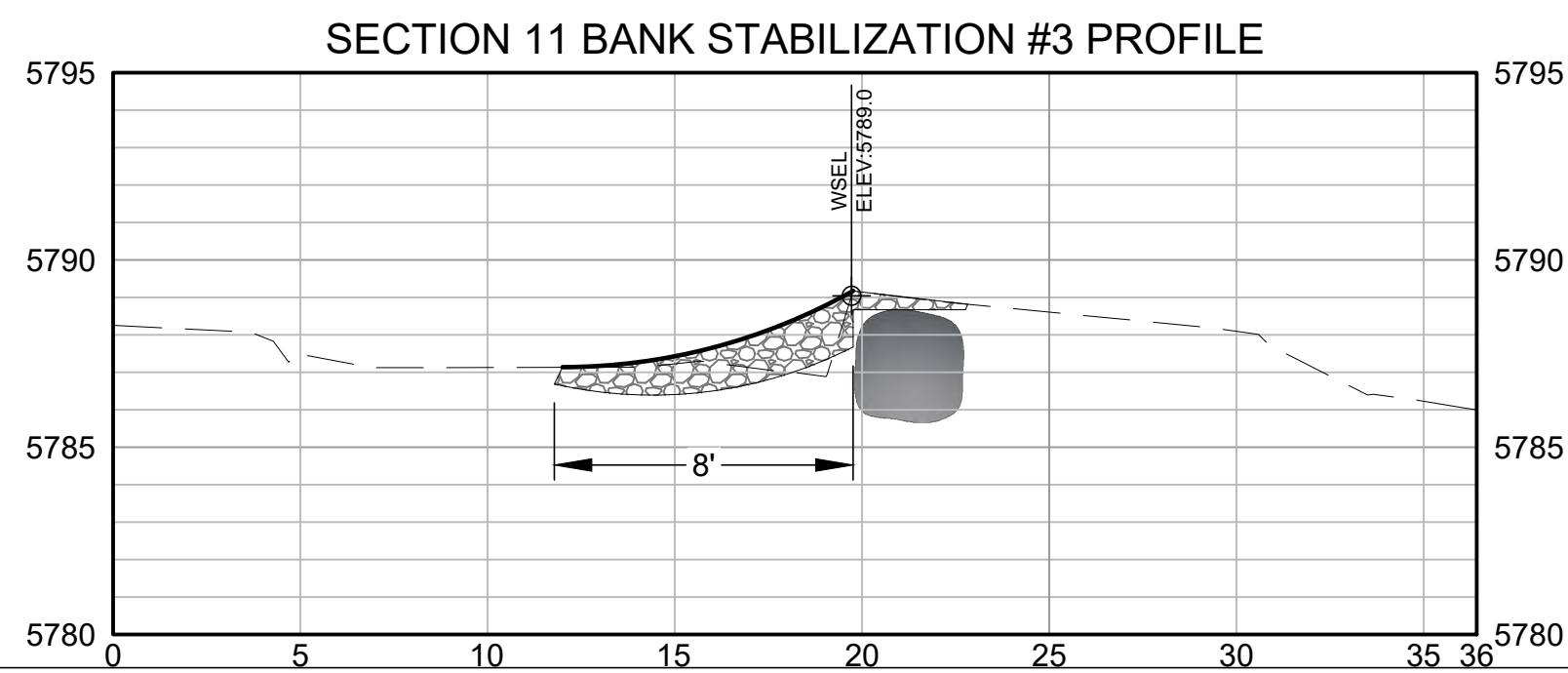
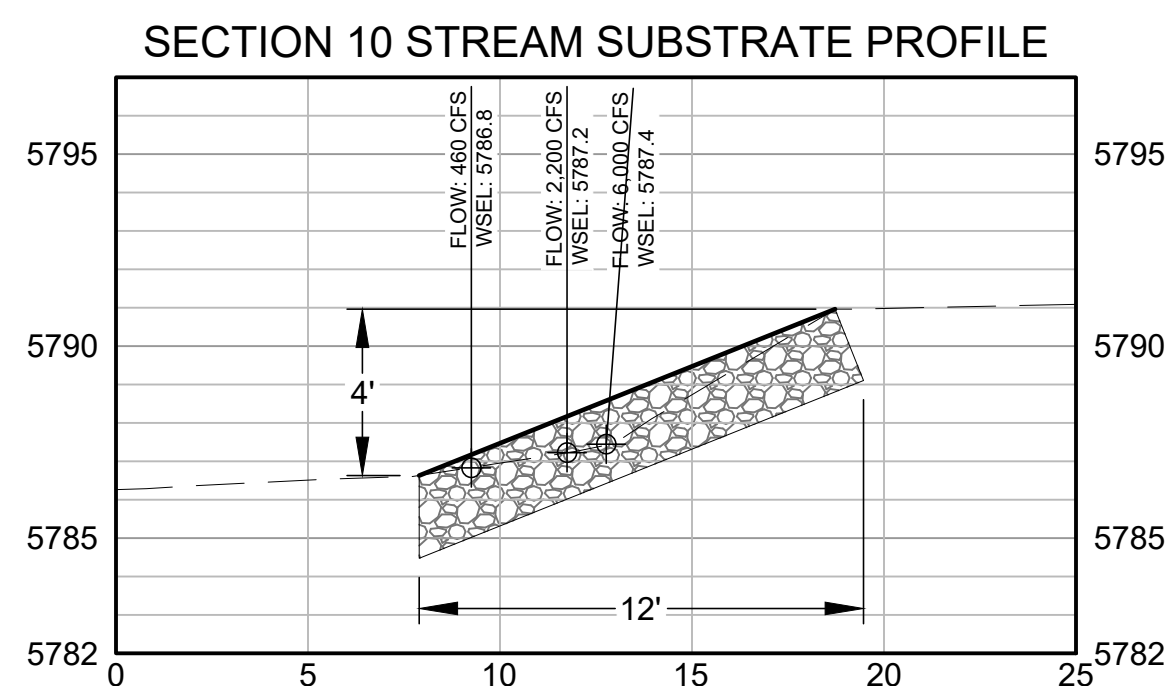
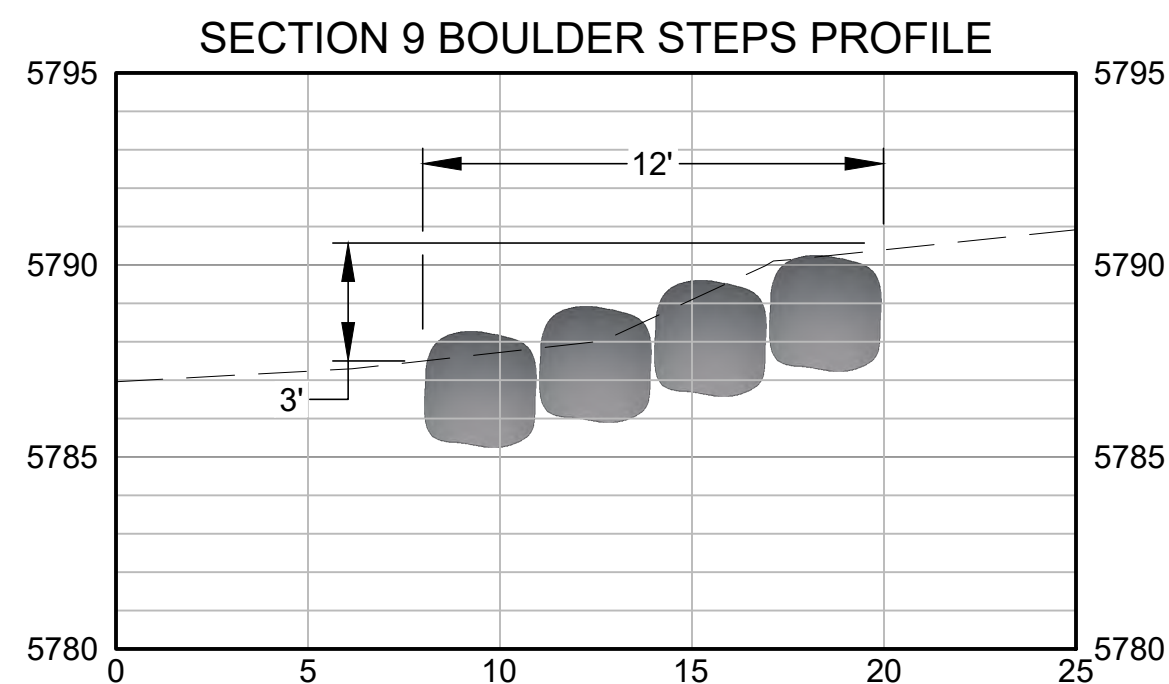
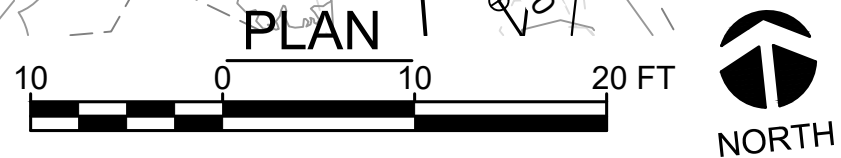
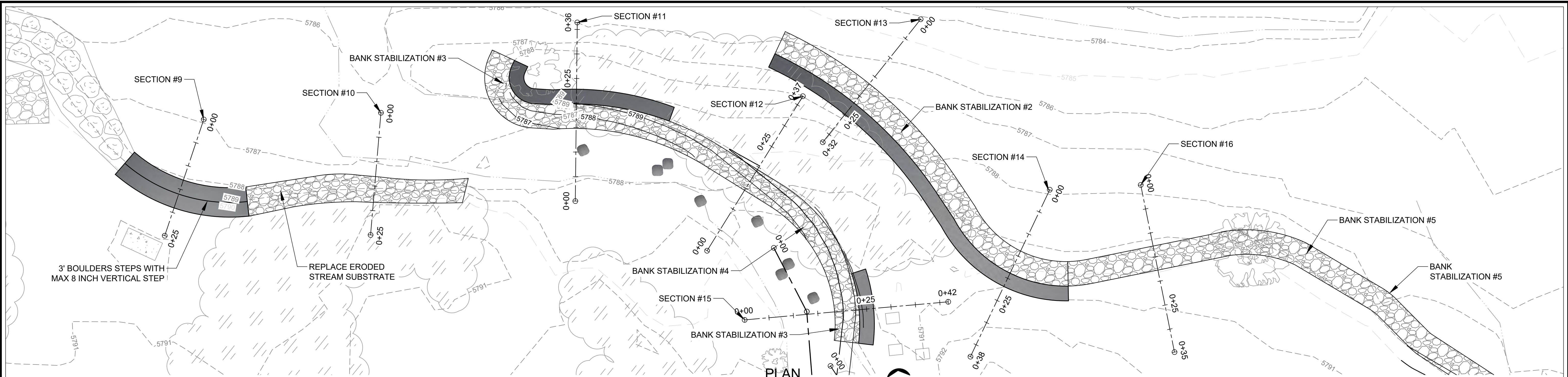
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THREE MILE CREEK CONFLUENCE

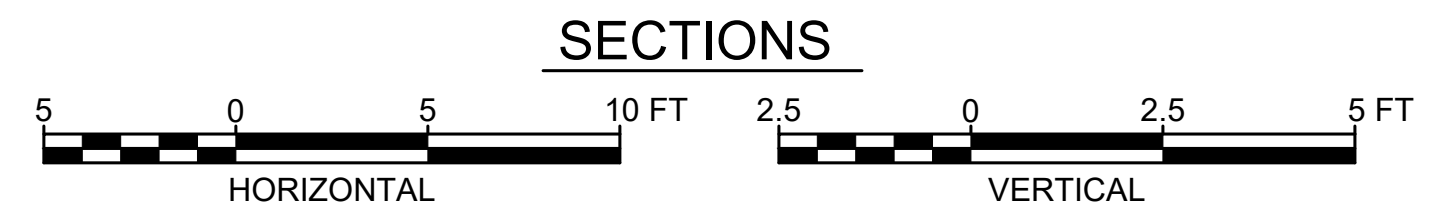
ACTUAL SECTIONS

JOB NO.	191-025.000
REVISION NO.	----
SHEET NO.	C9

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- SECTION NOTES:
1. SEE DETAIL SHEETS FOR ROCK SIZES, SLOPES AND ADDITIONAL INFORMATION.
 2. ALL BOULDERS TO BE SET AT EXISTING GRADE OR BELOW. INTENT IS TO LIMIT BOULDER VISIBILITY. AS DIRECTED BY ENGINEER BURY BUILDER 6" TO PROVIDE STREAM SUBSTRATE BACKFILL FOR REVEGETATION ASPECTS.
 3. FLOW AND WATER SURFACE ELEVATIONS EVALUATED FROM DRONE AERIALS WITH GAGE RECORDS FROM USGS STREAM GAGE AT VELTUS PARK. FLOWS NOT PROVIDED FOR THREE MILE CREEK SINCE GAGE DOES NOT EXIST.
 4. EXISTING BEACH AREA TO RECEIVE MINIMAL WORK AND SHOULD ONLY INCLUDE MIXING OF LARGER D50 WITH EXISTING MATERIAL.



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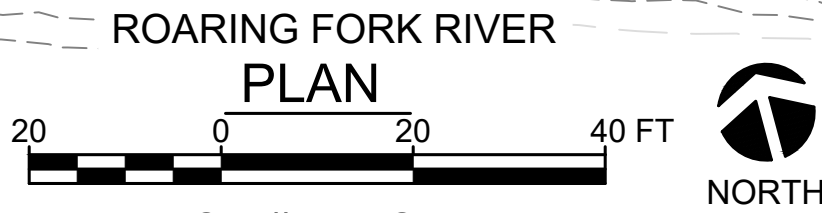
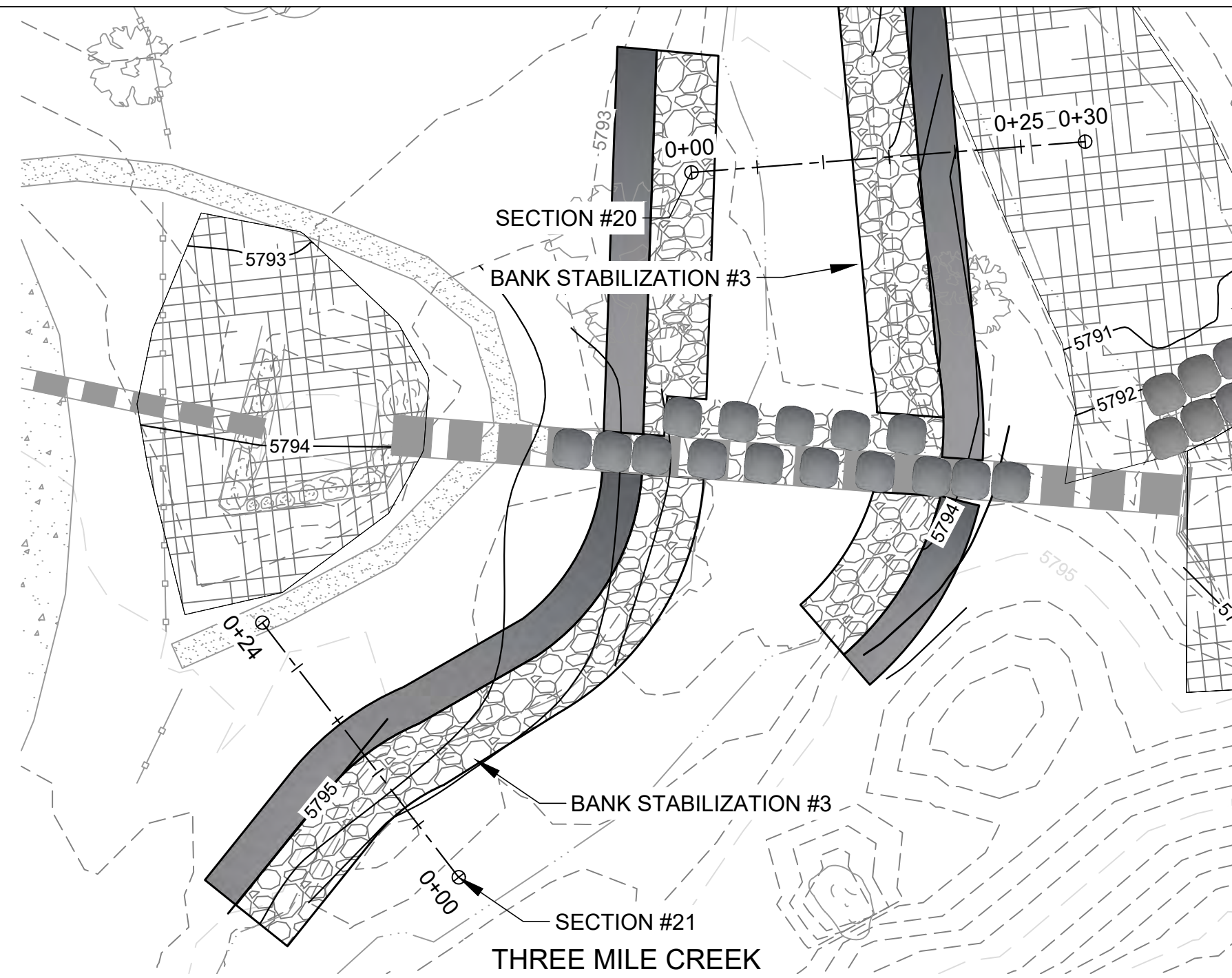
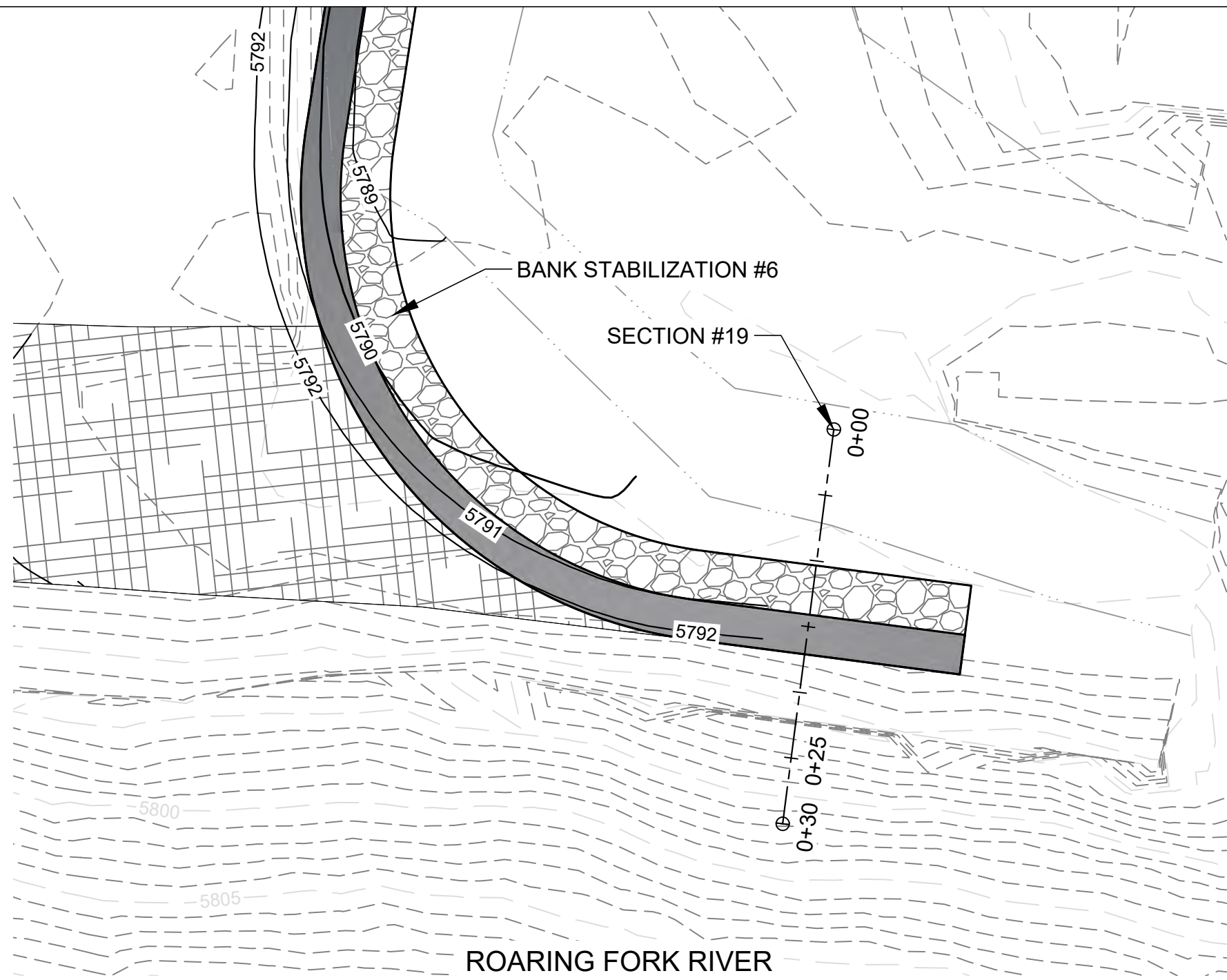
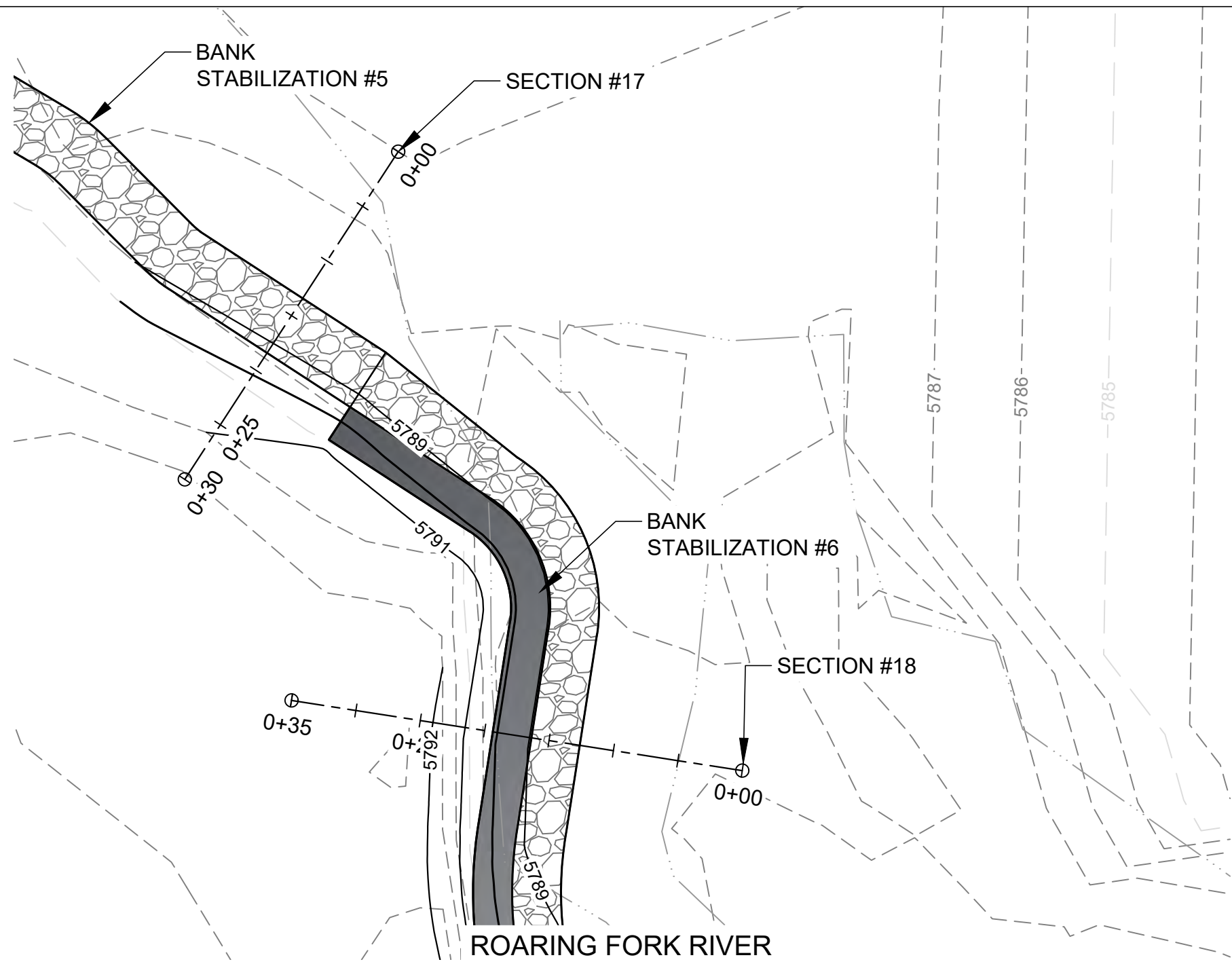
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THREE MILE CREEK CONFLUENCE

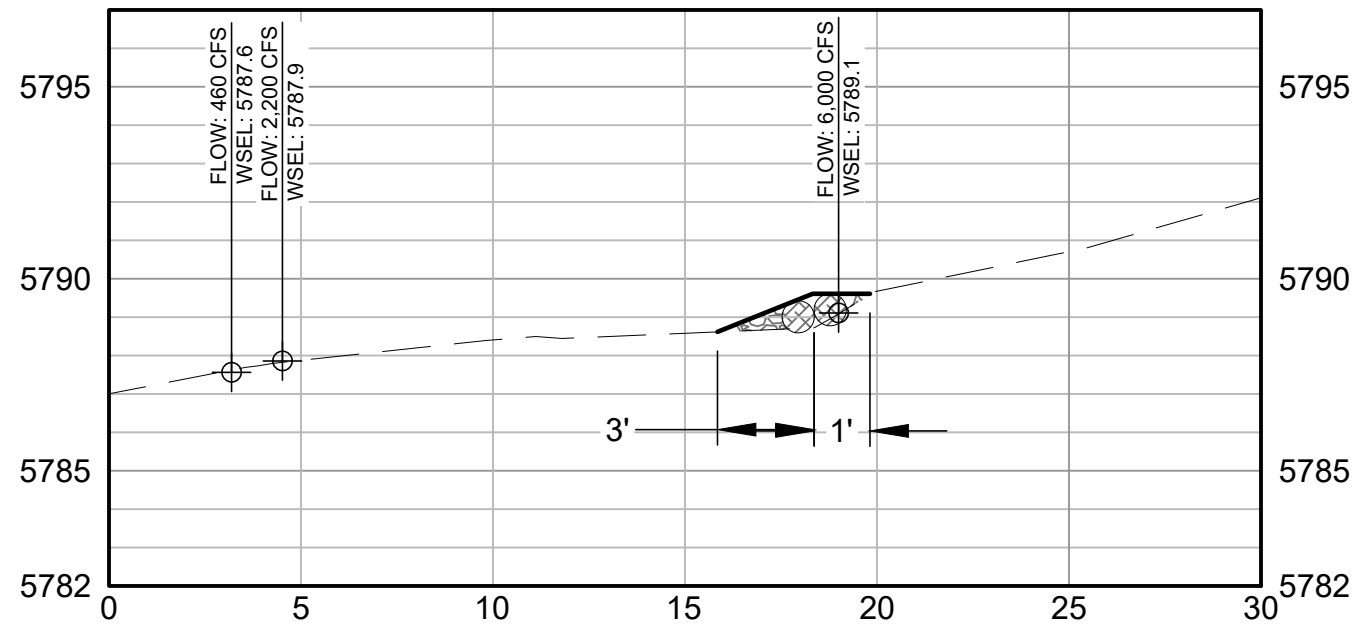
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JOB NO.	191-025.000
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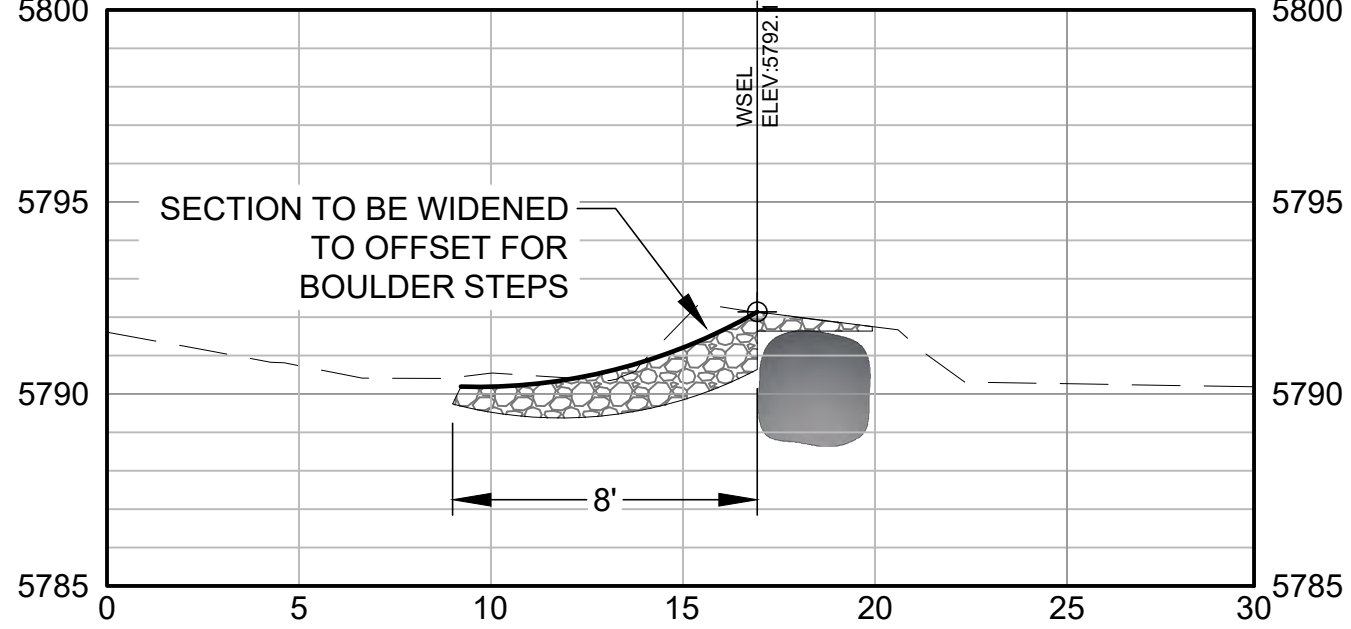
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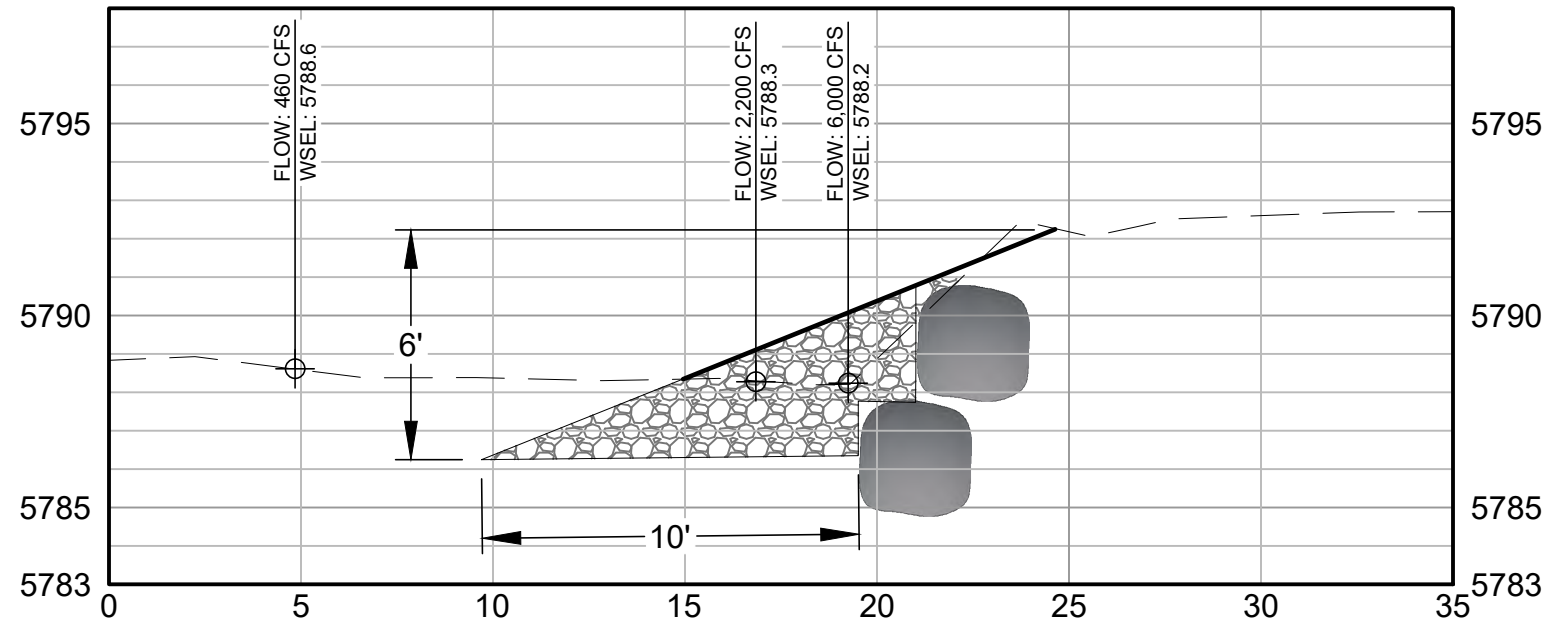
SECTION 17 BANK STABILIZATION #5 PROFILE



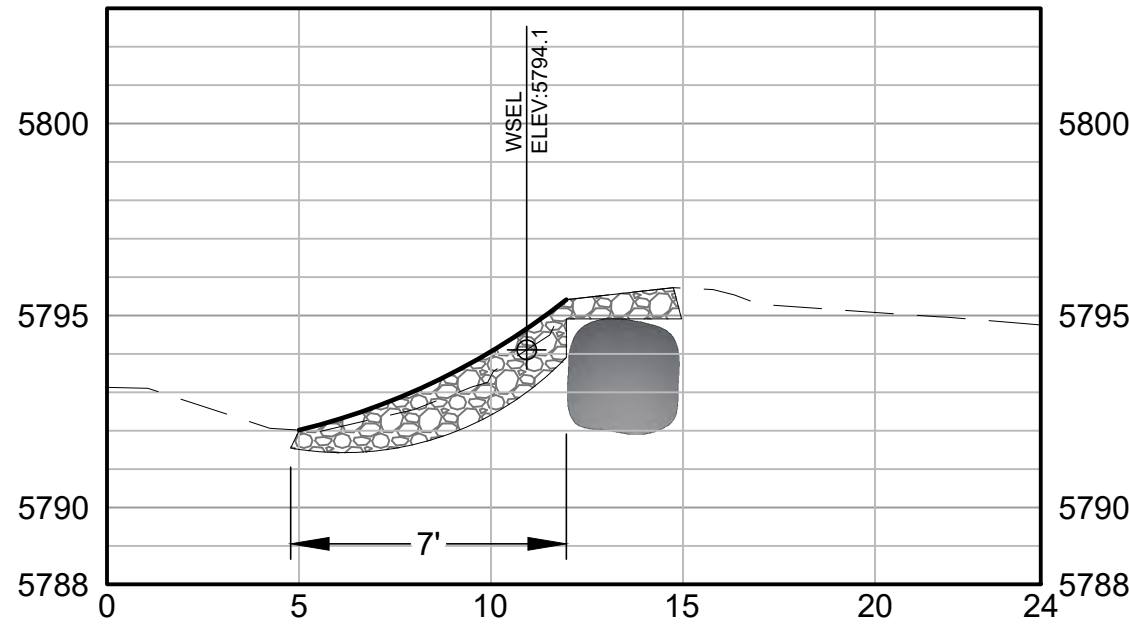
SECTION 20 BANK STABILIZATION #3 PROFILE



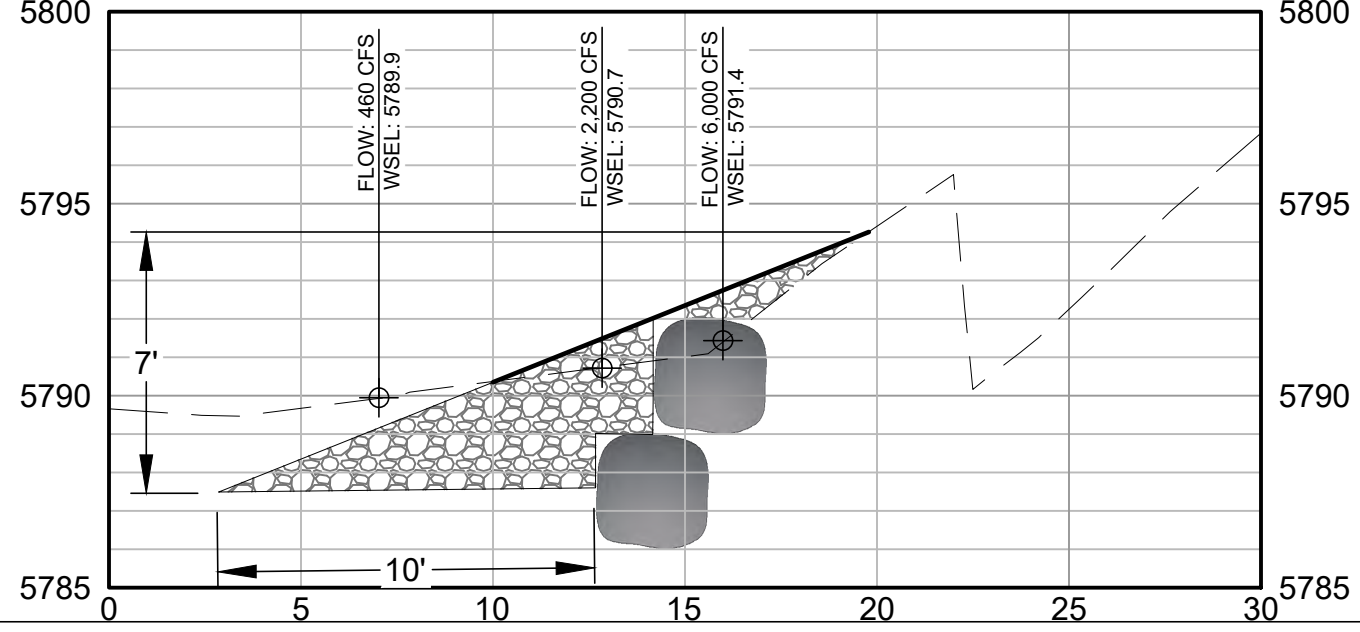
SECTION 18 BANK STABILIZATION #6 PROFILE



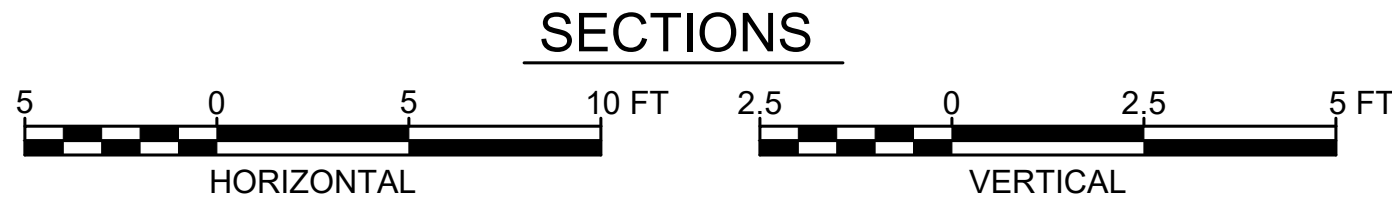
SECTION 21 BANK STABILIZATION #3 PROFILE



SECTION 19 BANK STABILIZATION #6 PROFILE



- SECTION NOTES:
1. SEE DETAIL SHEETS FOR ROCK SIZES, SLOPES AND ADDITIONAL INFORMATION.
 2. ALL BOULDERS TO BE SET AT EXISTING GRADE OR BELOW. INTENT IS TO LIMIT BOULDER VISIBILITY. AS DIRECTED BY ENGINEER BURY BUILDER 6" TO PROVIDE STREAM SUBSTRATE BACKFILL FOR REVEGETATION ASPECTS.
 3. FLOW AND WATER SURFACE ELEVATIONS EVALUATED FROM DRONE AERIALS WITH GAGE RECORDS FROM USGS STREAM GAGE AT VELTUS PARK. FLOWS NOT PROVIDED FOR THREE MILE CREEK SINCE GAGE DOES NOT EXIST.
 4. EXISTING BEACH AREA TO RECEIVE MINIMAL WORK AND SHOULD ONLY INCLUDE MIXING OF LARGER D50 WITH EXISTING MATERIAL.



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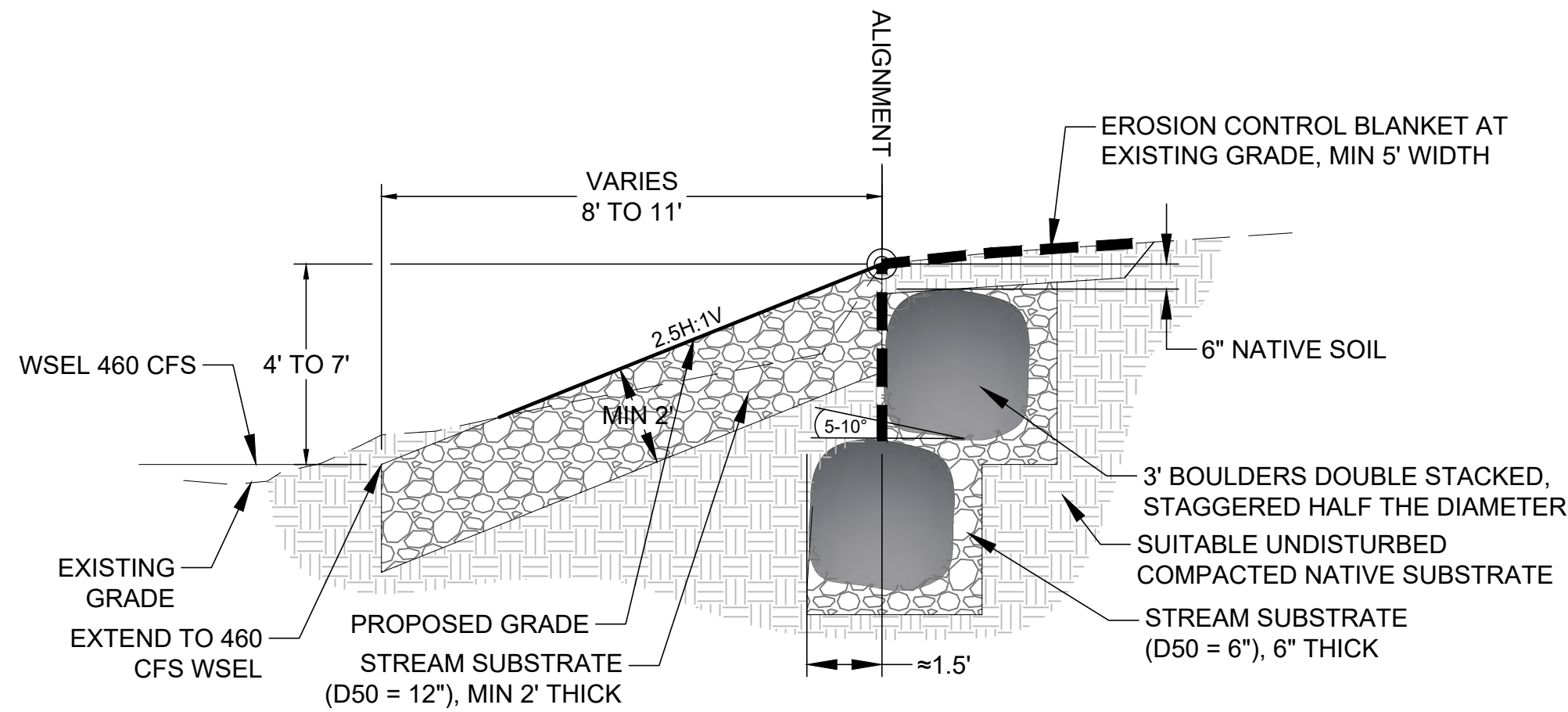
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THREE MILE CREEK CONFLUENCE

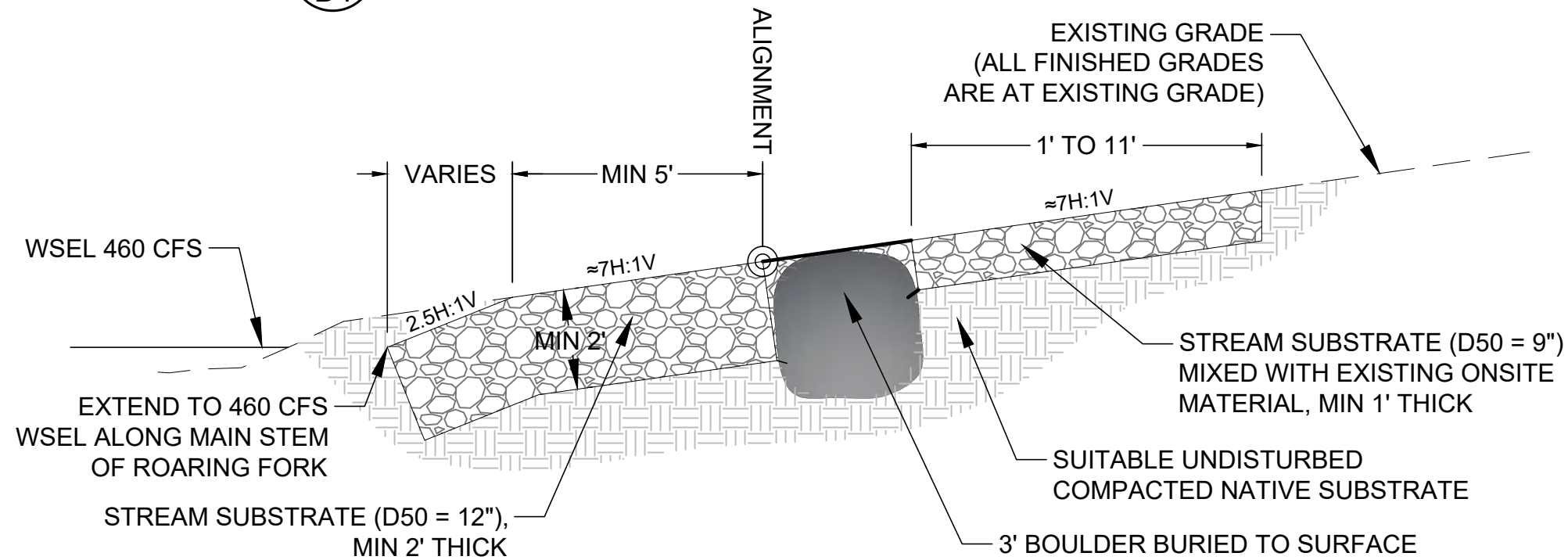
ACTUAL SECTIONS

JOB NO.	191-025.000
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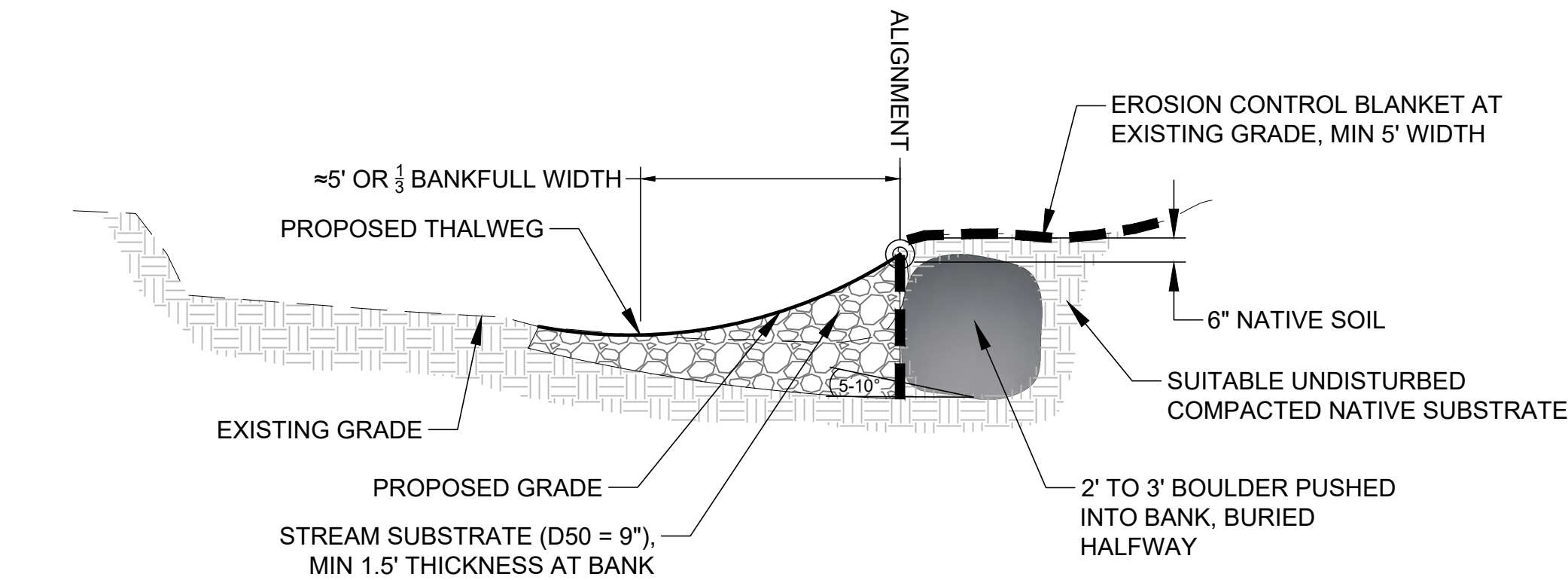
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1 BANK STABILIZATION #1 (ROARING FORK RIVER)
D1 SCALE 1" = 3'



2 BANK STABILIZATION #2 (ROARING FORK RIVER)
D1 SCALE 1" = 3'



3 BANK STABILIZATION #3 (THREE MILE CREEK)
D1 SCALE 1" = 3'

BANK STABILIZATION NOTES:

- NOTES APPLICABLE TO ALL DETAIL SHEETS AND PROJECT ASPECTS.
- CONTRACTOR TO PLACE BANK STABILIZATION FEATURES IN PRESENCE OF ENGINEER. EXPECT THE ENGINEER TO DIRECT ADJUSTMENTS OF INDIVIDUAL BOULDERS AND EXCHANGES OF BOULDERS TO MINIMIZE VOIDS AND ADJUST TO EXISTING SURFACE TOPOGRAPHY.
- THE OVERALL INTENT OF THE WORK IS TO STABILIZE THE BANK AS NATURALLY AS POSSIBLE. CARE WILL BE GIVE TO AESTHETIC IN MIMICKING THE EXISTING LANDFORMS AND AS DIRECTED BY THE ENGINEER.
- PLACEMENT OF STREAM SUBSTRATE AND BOULDERS SHOULD BE IN COORDINATION WITH LANDSCAPE PLANS INCLUDING THE USE OF ANY EROSION CONTROL BLANKETS.
- INTERSTITIAL SPACE BETWEEN BOULDERS SHALL BE FILLED WITH STREAM SUBSTRATE. AREAS ABOVE THE WATER LINE SHALL ALSO BE MIXED WITH NATIVE MATERIAL FOR REVEGETATION.
- DIMENSIONS SHOWN ON THIS PLAN ARE FOR GENERAL GUIDANCE. ADJUSTMENTS DURING CONSTRUCTION WILL BE REQUIRED TO ENSURE THE PROPER INSTALLATION OF FEATURES.
- STACKED BOULDERS SHALL BE PLACED WITH THE FLATTEST SURFACE ON TOP.
- ALL FOOTER (BOTTOM) BOULDERS SHALL BE BURIED AT LEAST HALF WAY.
- IF BOULDERS ARE BEING USED THEY SHALL BE BARELY VISIBLE ONCE FEATURE IS COMPLETE BY COVERING WITH STREAM SUBSTRATE.
- EROSION CONTROL BLANKET SHALL BE WRAPPED AROUND FRONT FACE OF BOULDER TO BE ANCHORED BETWEEN STREAM SUBSTRATE AND BOULDER. BLANKET HALL BE EXTENDED A MINIMUM OF 5' INTO THE BANK. SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION. ALL EROSION CONTROL BLANKET TO BE KOIRMAT 1000 OR EQUIVALENT. INSTALL EROSION CONTROL BLANKET PER MANUFACTURERS SPECIFICATIONS.
- ALL STREAM SUBSTRATE SHALL BE BURIED A MINIMUM OF 2' INTO EXISTING GRADE.
- NO SLOPE SHALL BE STEEPER THAN 2.5H:1V.
- SEE BOULDER AND STREAM SUBSTRATE GRADATION TABLE FOR RANGE OF SIZES APPLICABLE.
- PROPOSED STREAM SUBSTRATE CAN BE SUPPLEMENTED WITH EXISTING ONSITE MATERIAL APPROVED BY ENGINEER.
- THE INTENT OF THE 2' THICK MATTRESS OF STREAM SUBSTRATE IS TO PROVIDE A GENTLE SLOPE BACK TOWARDS THE RIVER. IF EXISTING MATERIAL IS FOUND COMPETENT AND APPROVED BY ENGINEER IT MAY BE USED TO SUPPLEMENT IN PLACE.
- STREAM SUBSTRATE CAN BE USED AS BEDDING AND BACKFILL TO HELP SET AND ADJUST BOULDERS.
- COLOR AND SHAPE OF IMPORTED BOULDERS AND STREAM SUBSTRATE SHALL MATCH EXISTING BED AND BANK MATERIAL. SAMPLE OF STREAM SUBSTRATE TO BE APPROVED BY ENGINEER BEFORE BRINGING TO SITE.
- ENGINEERED DETAILS SHOWN FOR INTENT OF BANK STABILIZATION. CONSTRUCTION OF STABILIZATION MEASURES TO MIMIC NATURAL BANK CONDITIONS AND AESTHETICS. SEE EXAMPLE PHOTOGRAPH ON THIS SHEET.
- BACK FILL ALL VOIDS WITH STREAM SUBSTRATE.
- UNLESS OTHERWISE SPECIFIED, THE BOULDERS ASSOCIATED WITH BANK STABILIZATION SHALL BE BURIED BENEATH A SECTION OF STREAM SUBSTRATE WITH MINIMUM THICKNESS OF 6". INTENT IS TO NOT SEE BOULDERS.
- INTEGRATE STAKE PLANTING DURING ROCK PLACEMENT TO ENSURE THAT THE LOWER 12-INCHES OF EACH STAKE IS IN CONTACT WITH MEAN ANNUAL MINIMUM GROUNDWATER LEVEL. WOODY PLANT MATERIAL THAT IS TO BE INSTALLED WITHIN DESIGNATED BANK STABILIZATION AREAS, WILL BE INSTALLED AT TWO WILLOWS PER LINEAR FOOT AT THE SAME TIME AS BOULDER PLACEMENT. SEE LANDSCAPE PLANS FOR MORE INFORMATION.

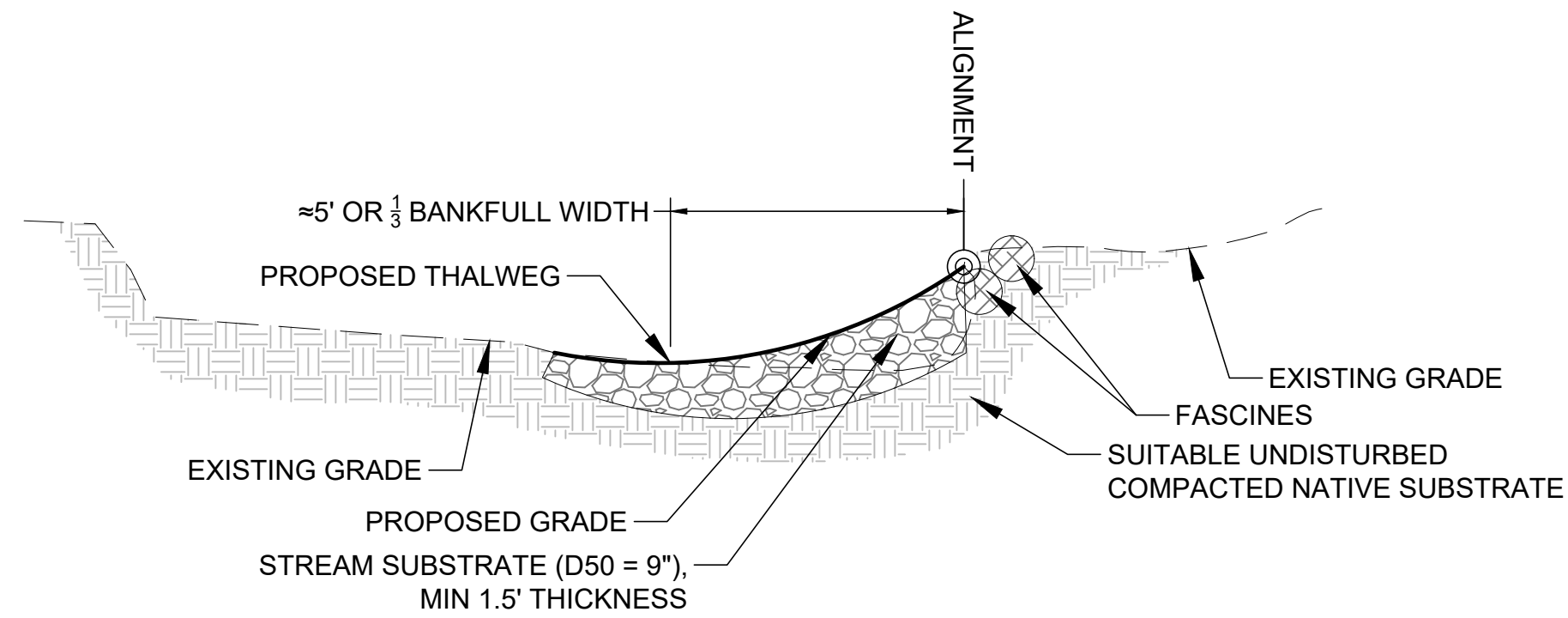
EXAMPLE OF NATURAL BANK STABILIZATION WITH REVEGATION



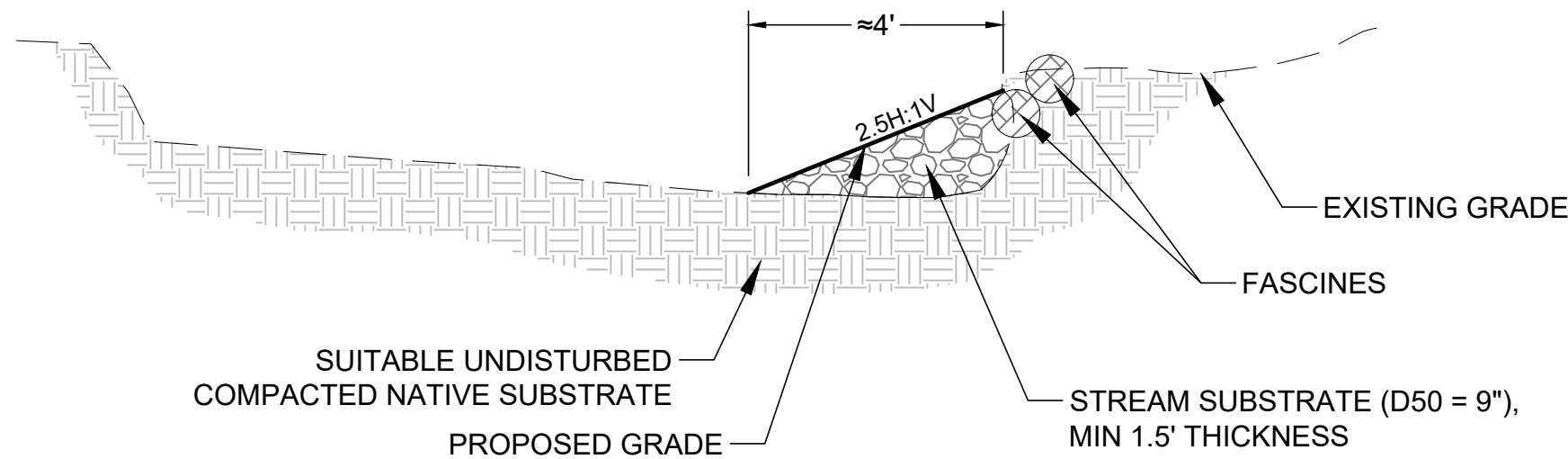
STREAM SUBSTRATE GRADATION	% SMALLER THAN GIVEN SIZE BY WEIGHT	INTERMEDIATE ROCK DIMENSIONS (INCHES)
TYPE VL (D50 = 6")	70-100	12
	50-70	9
	35-50	6
	2-10	2
TYPE L (D50 = 9")	70-100	15
	50-70	12
	35-50	9
	2-10	3
TYPE M (D50 = 12")	70-100	21
	50-70	18
	35-50	12
	2-10	4

*STREAM SUBSTRATE WITH FINES SHALL BE PROCURED AS PIT RUN WITH APPROXIMATELY 30% FINES

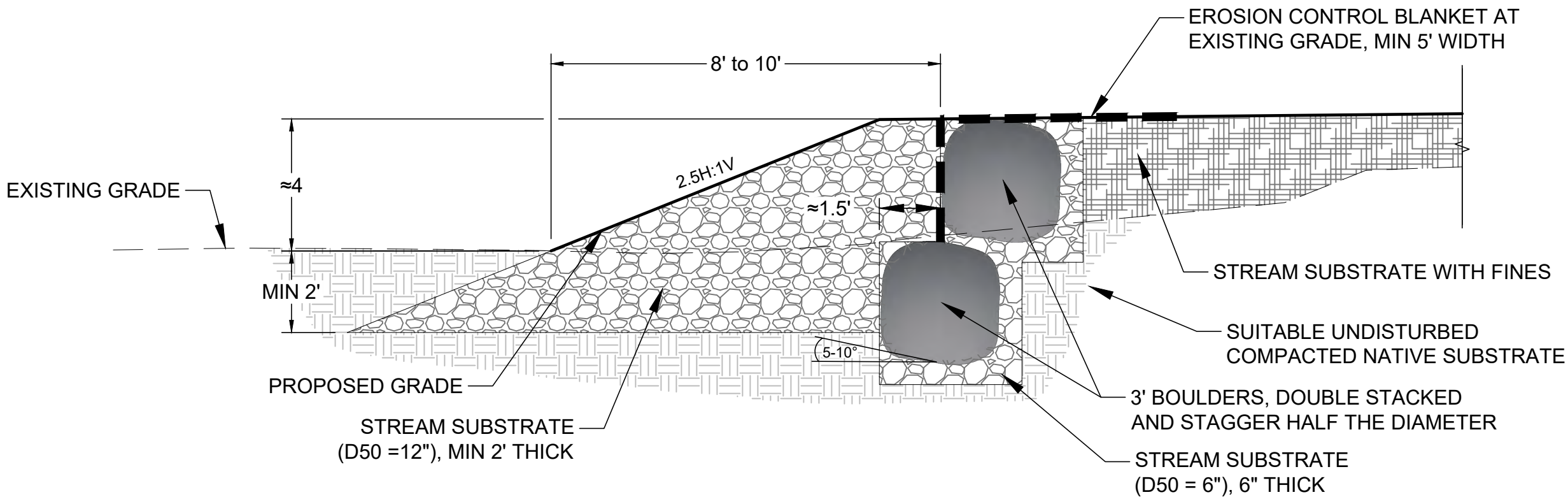
BOULDER CLASSIFICATION	NOMINAL SIZE (INCHES)	RANGE IN SMALLEST DIMENSION OF INDIVIDUAL ROCK BOULDERS (INCHES)	MAXIMUM RATIO OF LARGEST TO SMALLEST ROCK DIMENSION OF INDIVIDUAL BOULDERS
B24	24	20 - 28	1:50
B30	30	26 - 34	1:50
B36	36	32 - 40	1:50



4 BANK STABILIZATION #4 (THREE MILE CREEK)
D1 SCALE 1" = 3'



5 BANK STABILIZATION #5 (ROARING FORK RIVER)
D1 SCALE 1" = 3'



6 BANK STABILIZATION #6 (ROARING FORK RIVER)
D1 SCALE 1" = 3'



WRIGHT WATER ENGINEERS, INC.
818 COLORADO AVE. P.O. BOX 219
GLENWOOD SPRINGS, CO 81602
(970)945-7755 FAX(970)945-9210

NO.	BY	DATE	DESCRIPTION	COMMENTS
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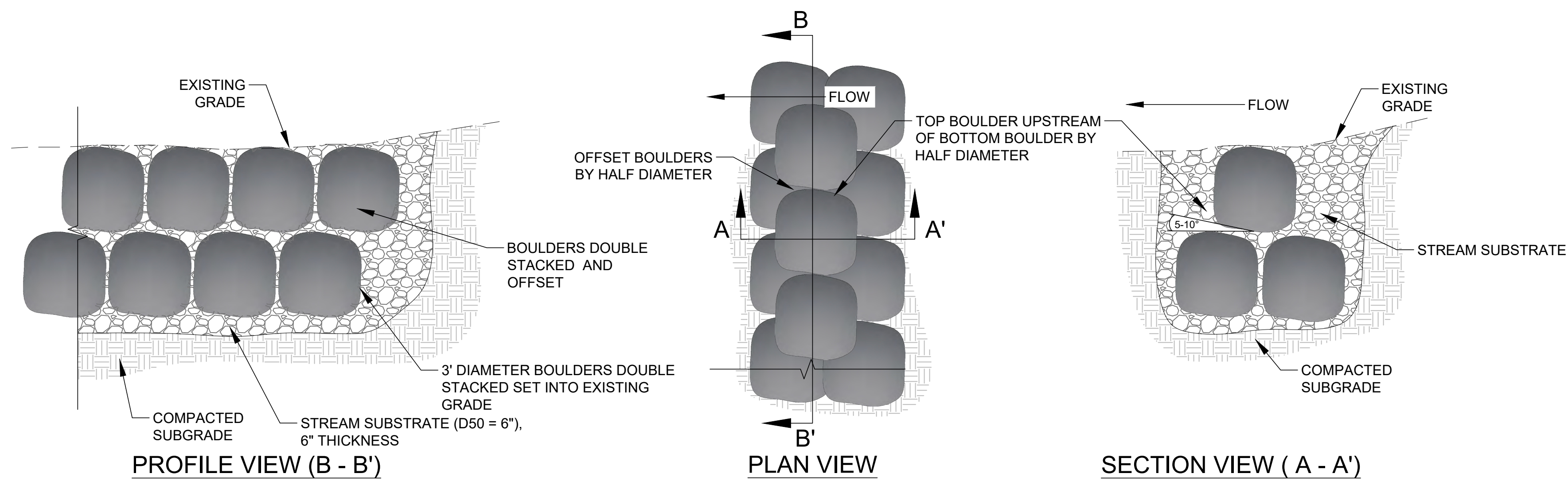
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SCALE		SHOWN

THREE MILE CREEK CONFLUENCE

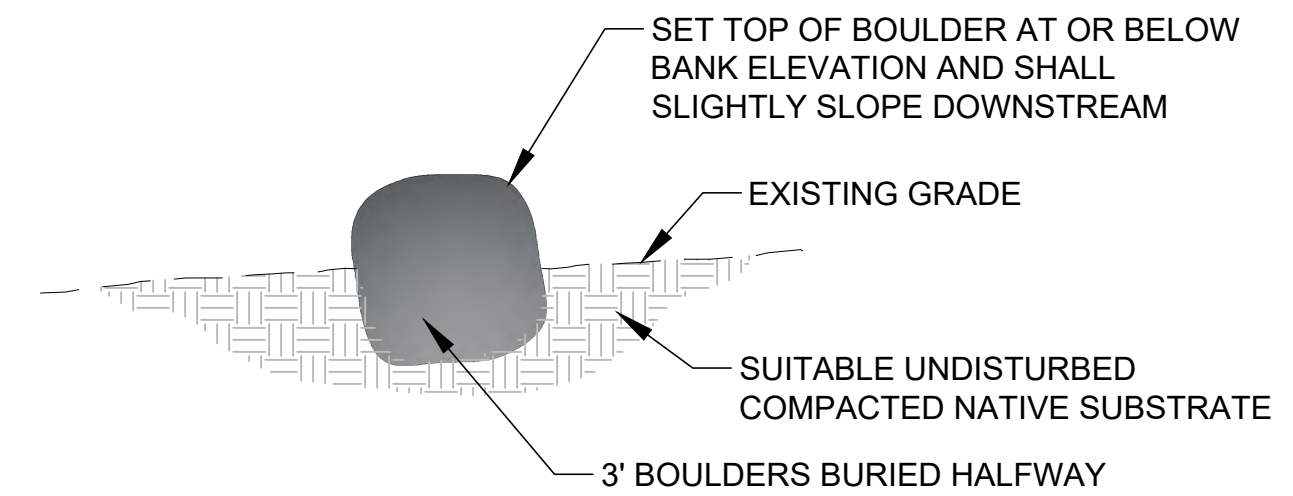
DETAILS

JOB NO. 191-025.000
REVISION NO. ----
SHEET NO. D1

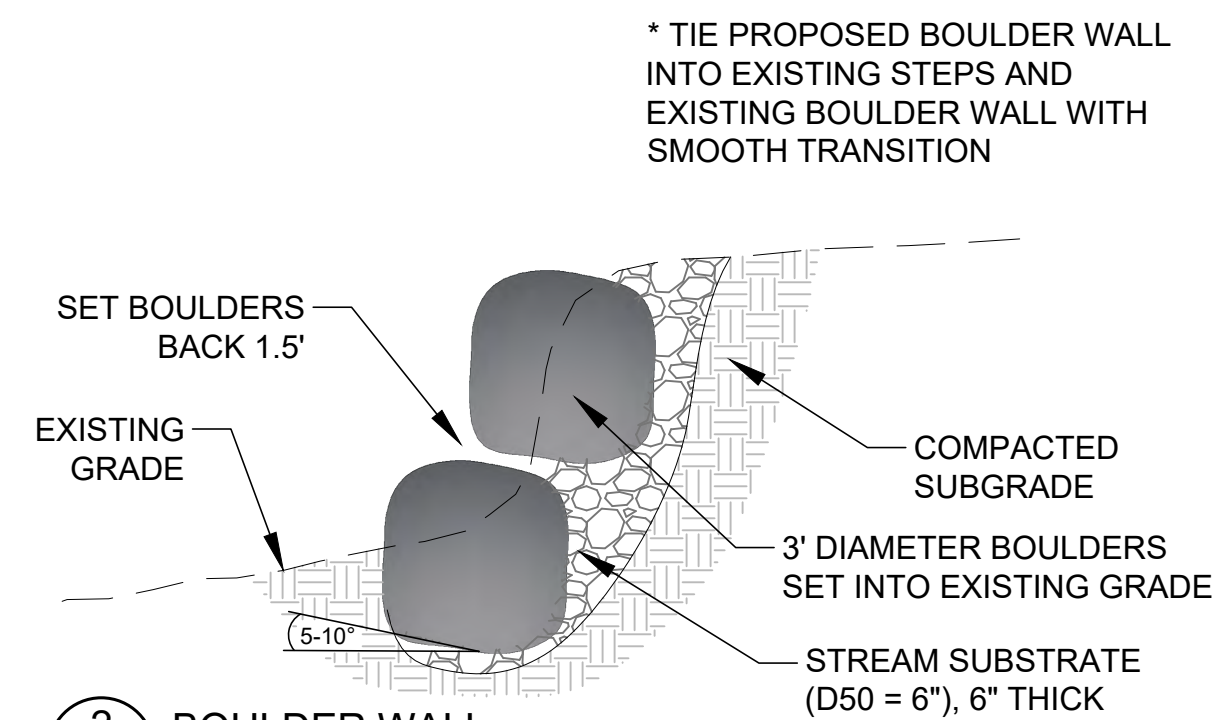
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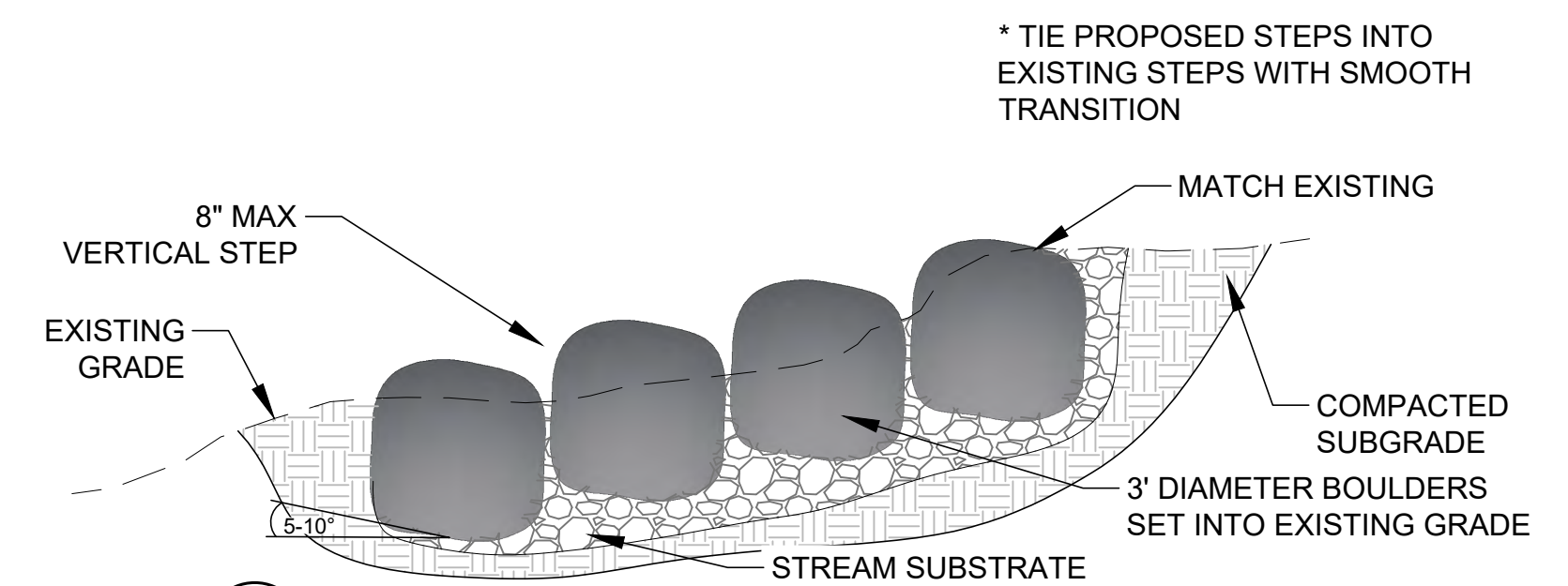
1
D2 DEFLECTOR
SCALE 1" = 3'



3
D2 FEATURE BOULDER (THREE MILE CREEK)
SCALE 1" = 3'



2
D2 BOULDER WALL
SCALE 1" = 3'



4
D2 BOULDER STEPS
SCALE 1" = 3'



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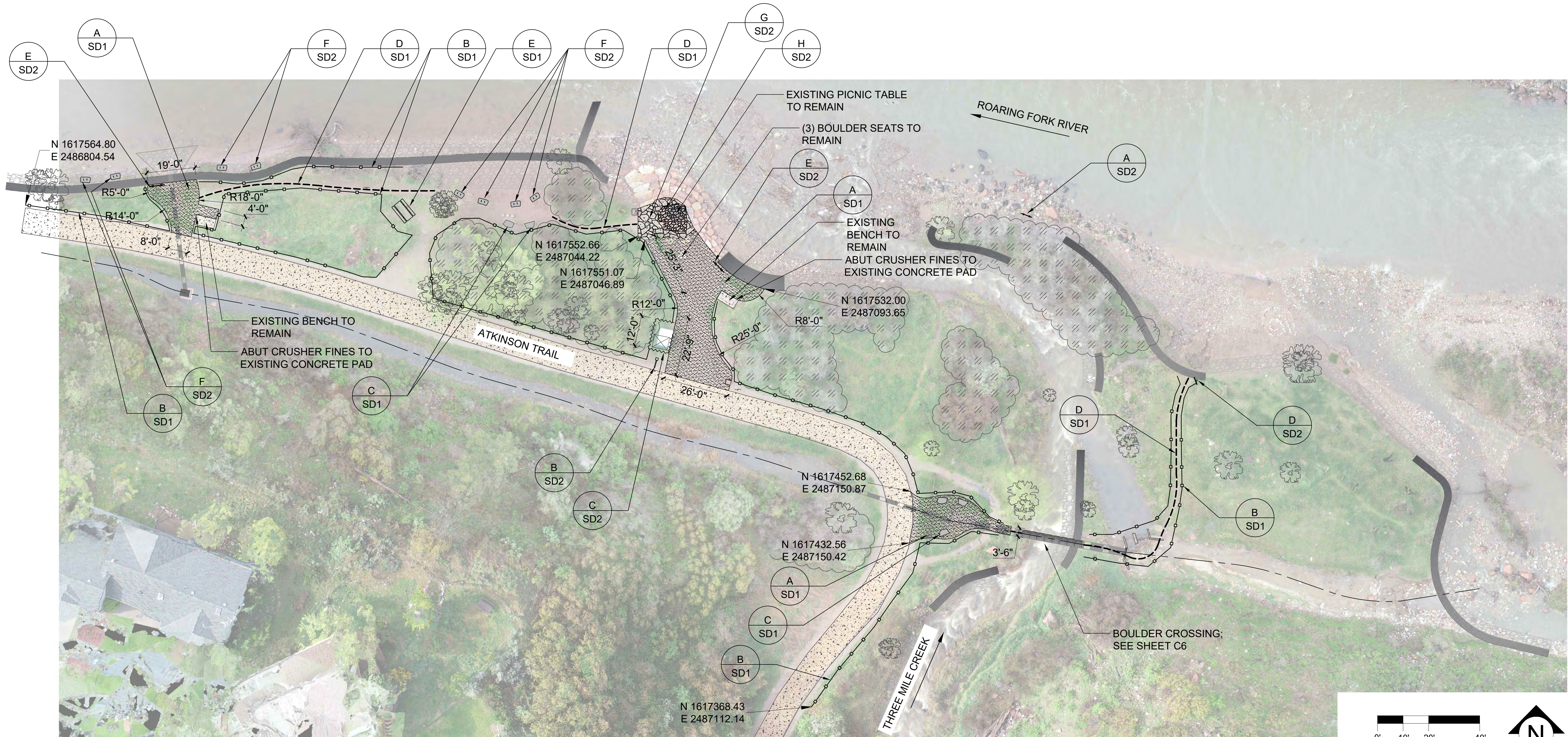
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THREE MILE CREEK CONFLUENCE

DETAILS

JOB NO.	191-025.000
REVISION NO.	----
SHEET NO.	D2

Plot Date/Time: 01/05/2021, 08:10:25 AM; E:\DROPOUT\THREE MILE CREEK\90% DESIGN PLANS\CHINOOK SITE LAYOUT PLANS\DWG-L1-LANDSCAPE PLANS



LEGEND

- CRUSHER FINES; DETAIL A SHEET SD1
- FLAGSTONE; DETAIL G SHEET SDS
- FLAGSTONE REPAIR; DETAIL H SHEET SD2
- FOOT TRAIL; DETAIL D SHEET SD1
- SPLIT RAIL FENCE; DETAIL B SHEET SD1
- RESTROOM ENCLOSURE; DETAIL C SHEET SD2
- BOULDER SEAT; DETAIL C SHEET SD1
- BOULDER BOAT TIE OFF; DETAIL F SHEET SD2
- PICNIC TABLE; DETAIL E SHEET SD1

SITE LAYOUT NOTES

- ALL LAYOUT FEATURES, INCLUDING SIGNS, PAVING/GATHERING AREAS, AND FENCING SHALL BE STAKED FOR APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- IF DIFFERENCES ARE OBSERVED BETWEEN THESE PLANS AND EXISTING CONDITIONS, LANDSCAPE ARCHITECT MUST BE NOTIFIED PRIOR TO PROCEED WITH INSTALLATION OF ANY AFFECTED ITEMS/FEATURES.
- ALL NORTHING/EASTING COORDINATES ARE BASED UPON 2020 SITE CONDITIONS; SITE FEATURES MUST BE STAKED FOR APPROVAL BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- BOULDER BOAT TIE OFF LOCATIONS MUST BE STAKED FOR APPROVAL BY LANDSCAPE ARCHITECT AND CITY REPRESENTATIVE PRIOR TO INSTALLATION.

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MEMBER UTILITIES



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CONSTRUCTION

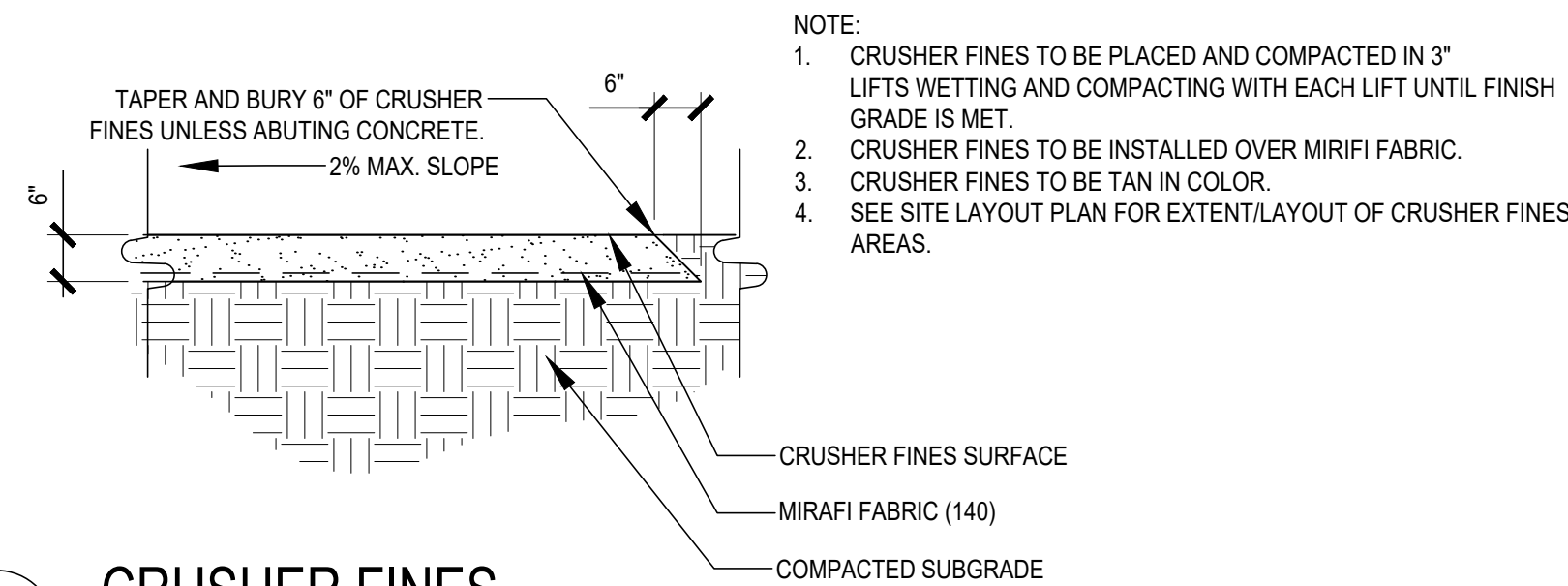
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THREE MILE CONFLUENCE

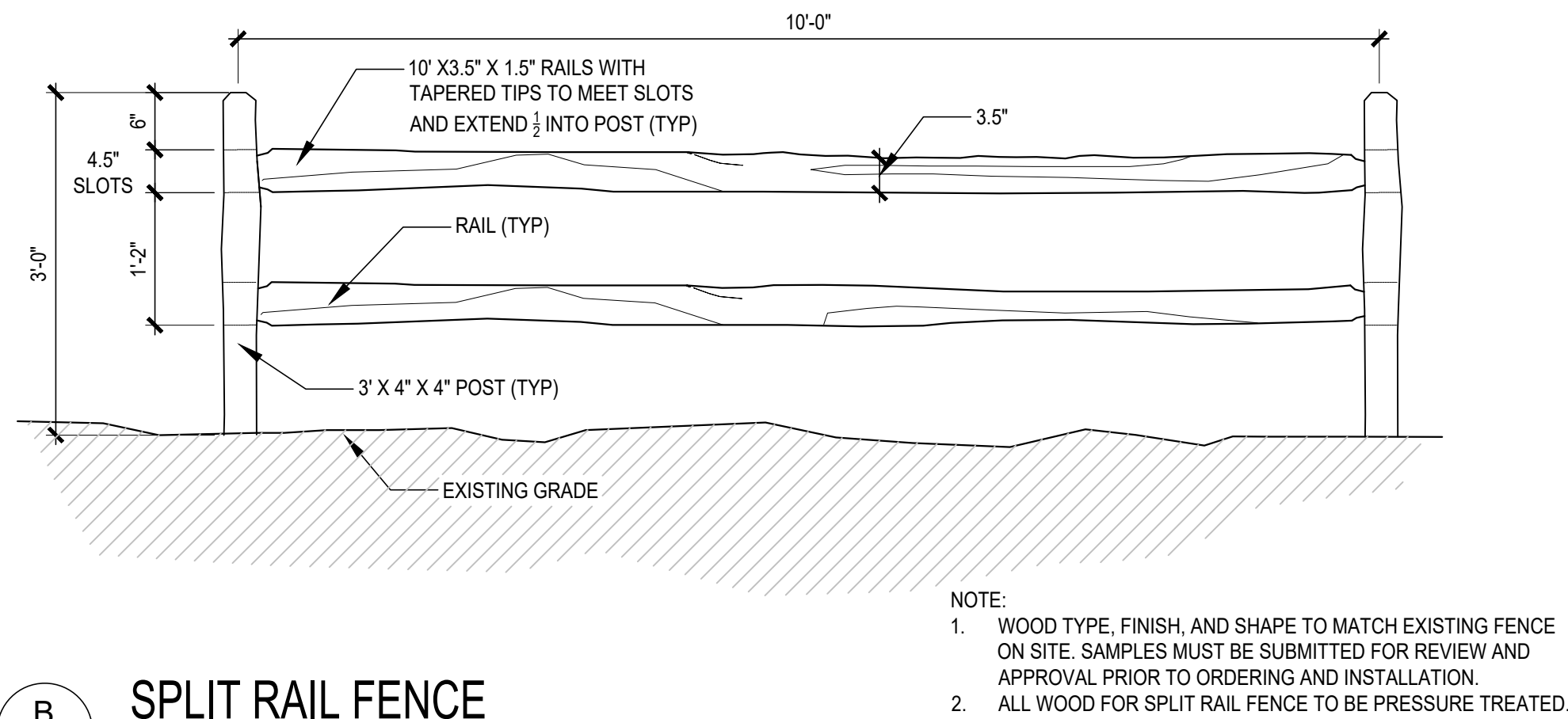
SITE LAYOUT PLANS

JOB NO. 191-025.000
REVISION NO. ----
SHEET NO. S1

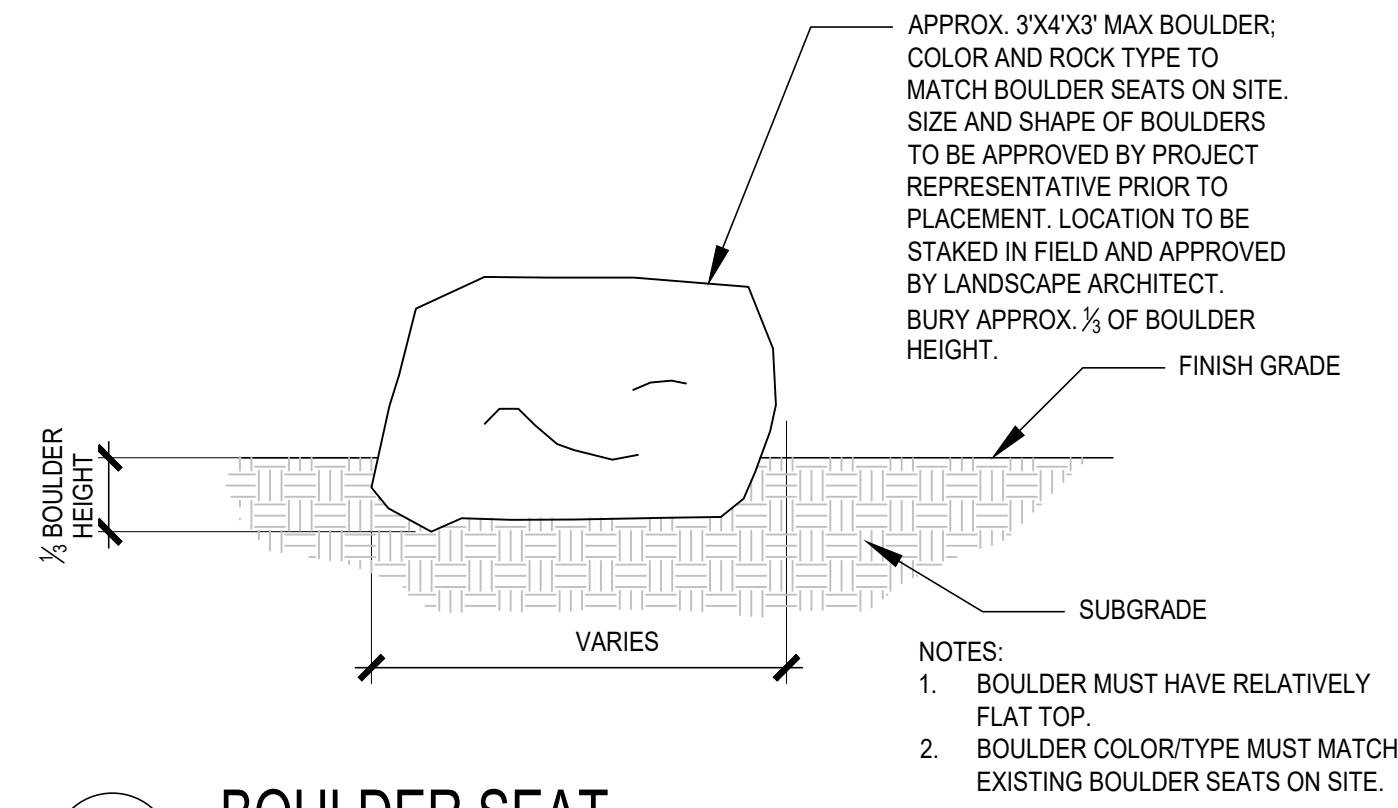
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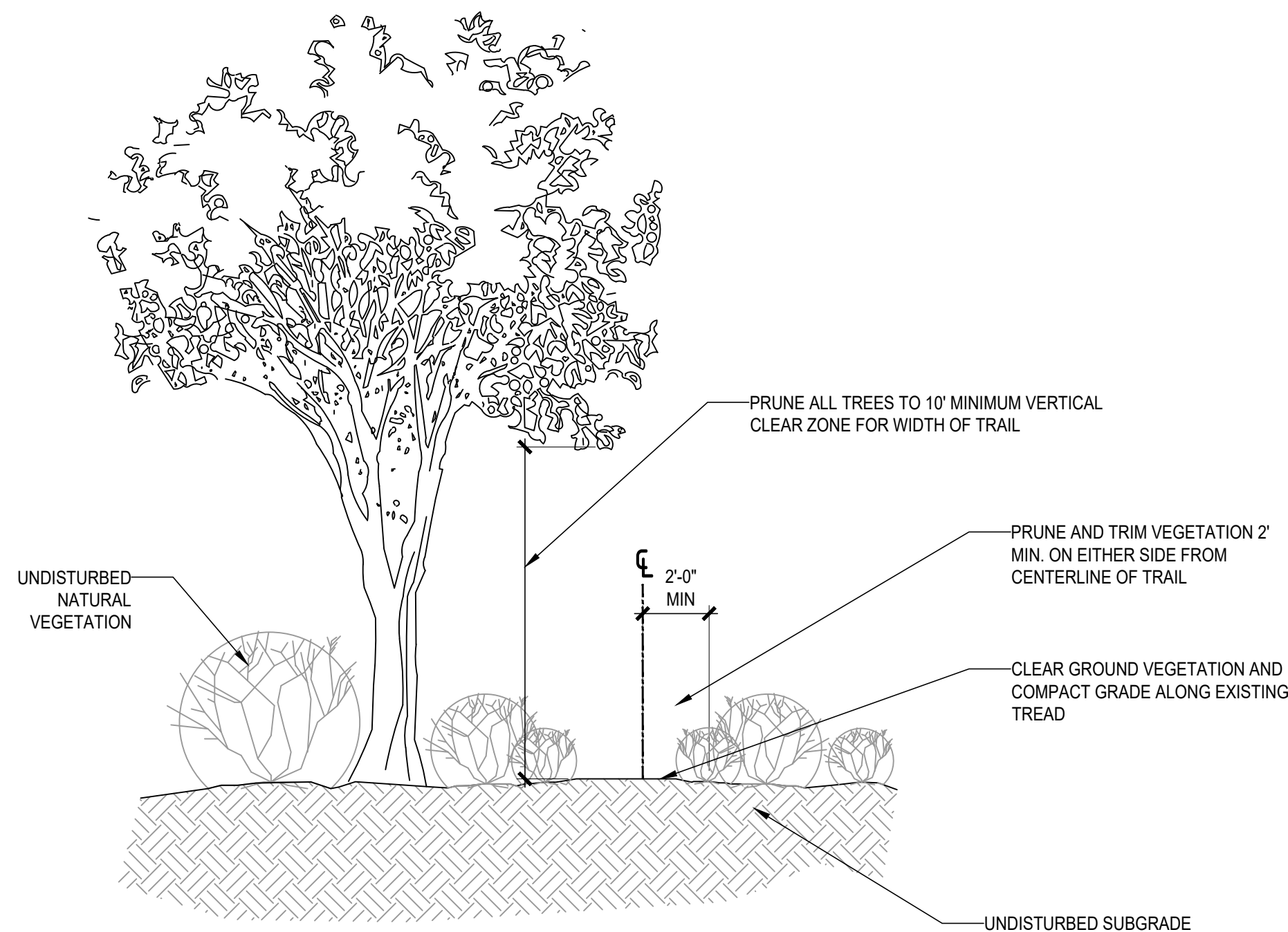
A
SD1
CRUSHER FINES
SCALE: 1/2"=1'-0"



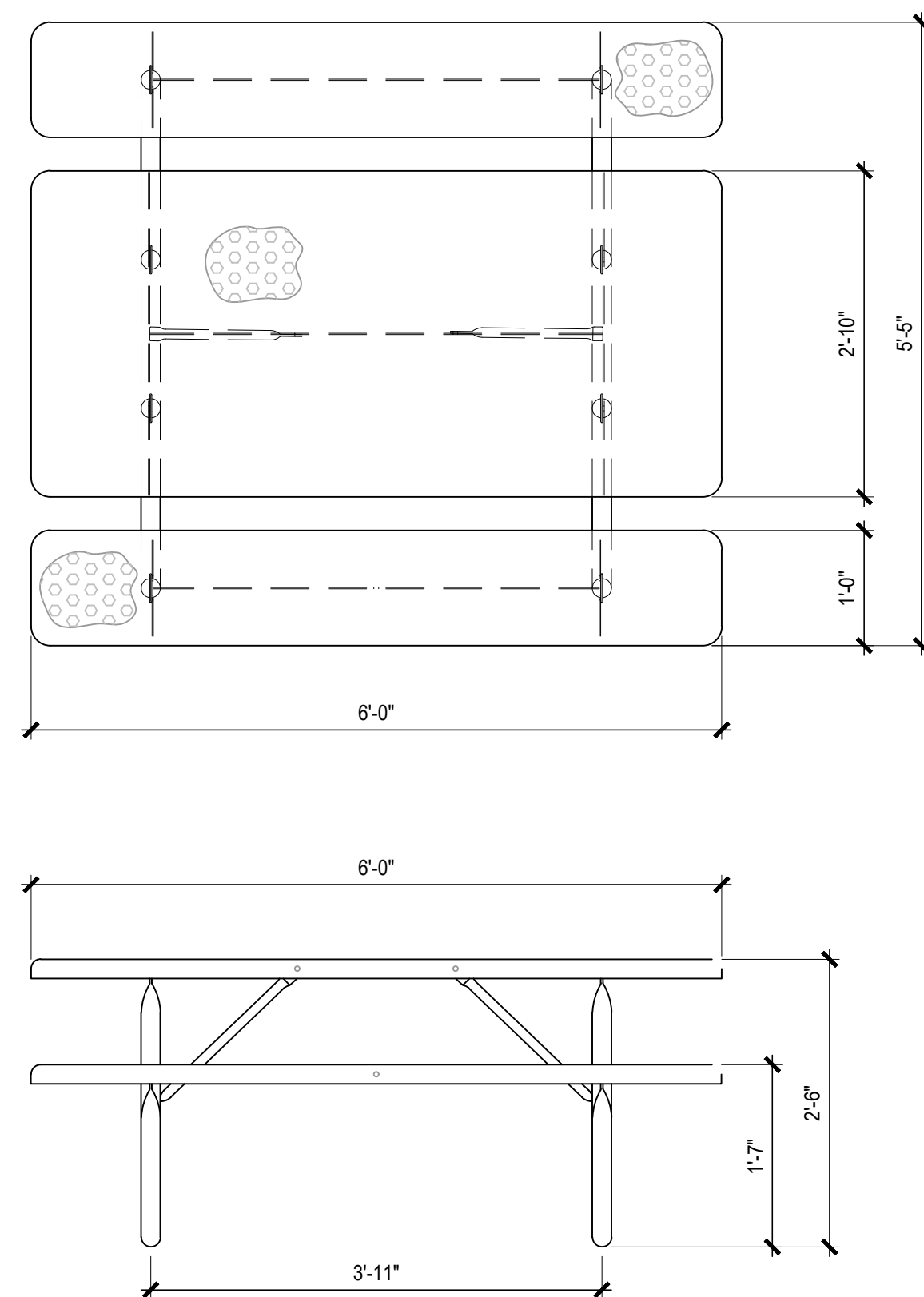
B
SD1
SPLIT RAIL FENCE
SCALE: 3/4"=1'-0"



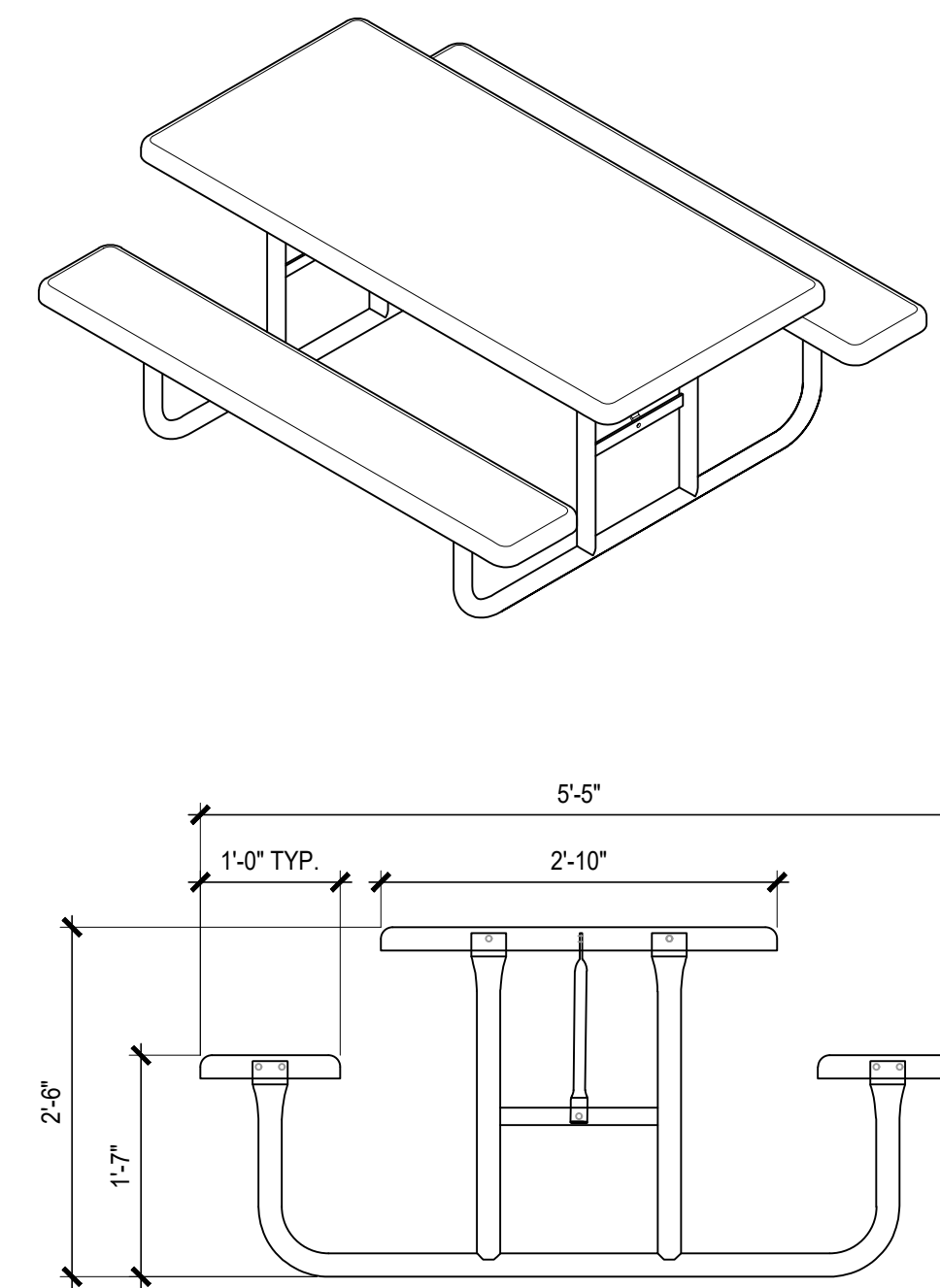
C
SD1
BOULDER SEAT
SCALE: NTS



D
SD1
FOOT TRAIL REPAIR
SCALE: 1/4"=1'-0"



E
SD1
PICNIC TABLE
SCALE: 3/4"=1'-0"



- NOTE:
1. TABLE MODEL TO MATCH EXISTING TABLE AT SITE.
 2. CONTRACTOR MUST SUBMIT TABLE MANUFACTURER, MODEL, MOUNTING STYLE, AND COLORS TO OWNER FOR APPROVAL PRIOR TO ORDERING.
 3. TABLE MUST BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.
 4. TABLE MUST BE SECURED TO PREVENT VANDALISM, EITHER BY BOLTING TO CONCRETE CAISSONS OR BY CHAINING TABLE TO GROUND SECURED ELEMENT. SUBMIT SECURING PLAN TO OWNER FOR APPROVAL PRIOR TO INSTALLATION.

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CONSTRUCTION

DESIGN	JDA	DATE	10/1/2020
DETAIL	JDA	DATE	10/1/2020
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THREE MILE CONFLUENCE

SITE LAYOUT DETAILS

JOB NO.
191-025.000
REVISION NO.

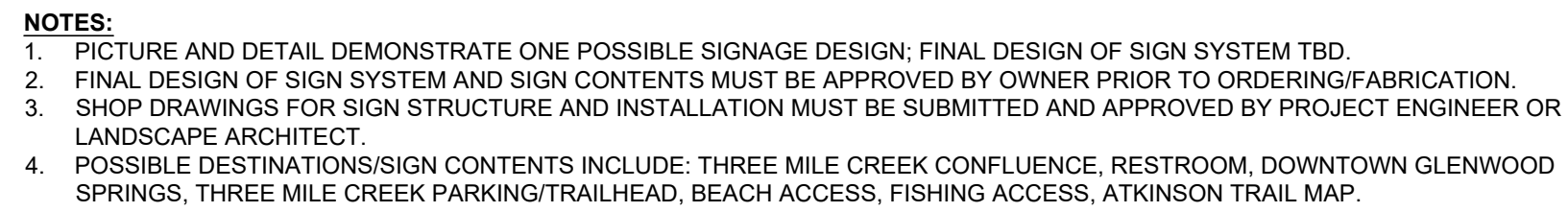
SHEET NO.
SD1



SD2 SCALE: 1/2"=1'-0"



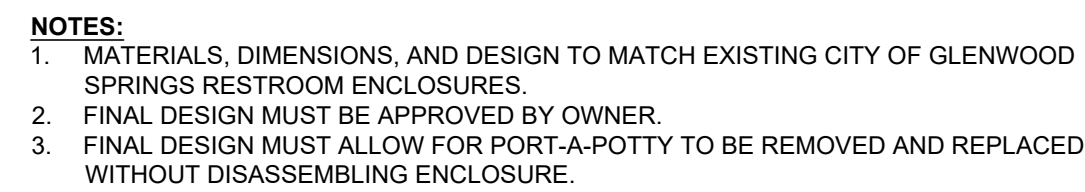
SD2 SCALE: 1/2"=1'-0"



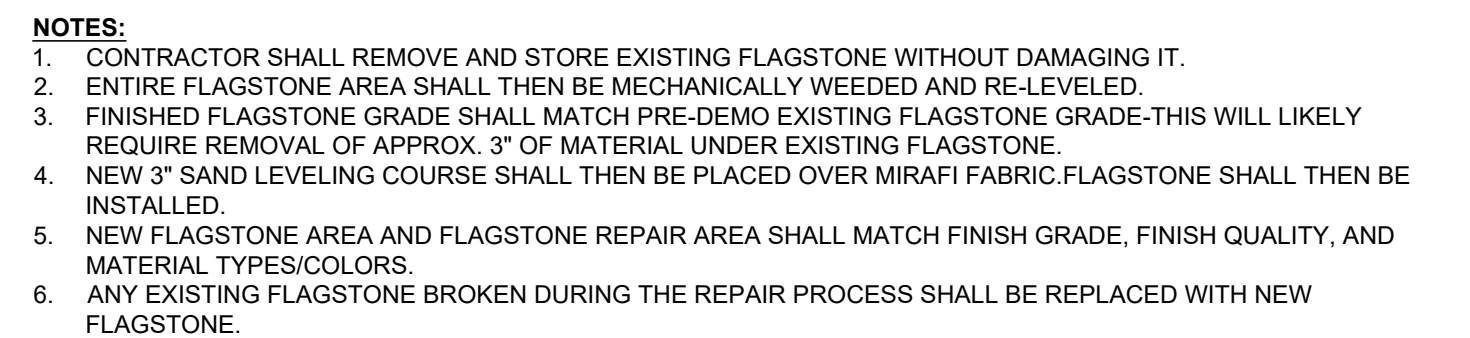
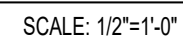
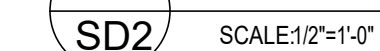
SD2 SCALE: 1/2"=1'-0"



SD2 SCALE: NTS



SD2 SCALE: NTS



SD2 SCALE: 1/2"=1'-0"

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GENERAL PLANTING NOTES

OVERALL:

1. THE HYDROLOGIC ZONES WILL BE FLAGGED AND IDENTIFIED BY PROJECT TEAM (INCLUDING RESTORATION ECOLOGIST AND LANDSCAPE ARCHITECT), PRIOR TO PLANTING. HYDROLOGIC ZONES ARE BASED ON RELATIVE DEPTH OF GROUNDWATER.
2. NO SUBSTITUTIONS OF PLANT MATERIAL WILL BE ALLOWED. IF PLANTS ARE SHOWN TO BE UNAVAILABLE, THE CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT PRIOR TO BID DATE IN WRITING.
3. ALL CONTAINERIZED HERBACEOUS PLANT MATERIALS (GRASSES AND GRASS-LIKES) AND WOODY PLANT MATERIAL WILL BE PLANTED AS SHOWN ON PLANS.

BANK STABILIZATION AREAS:

4. WOODY PLANT MATERIAL INSTALLED WITHIN DESIGNATED "BOULDER COBBLE TOE" BANK STABILIZATION AREAS, WILL BE INSTALLED AT TWO (2) WILLOWS PER LINEAR FOOT AT THE SAME TIME AS BOULDER PLACEMENT.
5. LIVE FASCINES SHOULD BE CONSTRUCTED USING 40 LIVE WILLOW CUTTINGS BUNDLED ON EITHER END WITH BIODEGRADABLE TWINE. EACH BUNDLE SHALL BE APPROXIMATELY 5-FEET IN LENGTH. THE BUNDLES SHALL BE ARRANGED IN ALTERNATING LAYERS SO BOTH ENDS OF THE FASCINES ARE RELATIVELY EVEN AT EACH END. LIVE FASCINES SHALL BE INSTALLED PER DETAIL B ON PAGE LD3.
6. WOODY PLANT MATERIAL INSTALLED WITHIN DESIGNATED "WILLOW TRENCH" BANK STABILIZATION AREAS, WILL BE INSTALLED AT FOUR (4) WILLOW CUTTINGS PER LINEAR FOOT LATERAL TRENCHES WILL BE DUG DOWN TO THE LOW SEASON WATER TABLE AS SHOWN ON PLANS. WILLOW CUTTINGS WILL BE INSTALLED WITHIN THE TRENCH TO THE MEAN ANNUAL MINIMUM WATER TABLE THEN BACKFILLED WITH NATIVE SOIL AND ROCK MATERIAL.
7. WHEN INSTALLING STAKES WITHIN THE BANK STABILIZATION AREAS, IF THE POINT WHERE THE STEM MEETS GROUND AFTER INSTALLATION IS BELOW THE BANKFULL WATERSURFACE ELEVATION (BELOW ZONE 2), THEN THE CONTRACTOR IS RECOMMENDED TO USE *SALIX EXIGUA* (SANDBAR WILLOW); HOWEVER, IF POINT WHERE THE STEM MEETS GROUND AFTER INSTALLATION IS ABOVE BANKFULL (ZONES 2 AND 3), THE CONTRACTOR IS RECOMMENDED TO USE OTHER *SALIX* SPECIES PREFERENTIALLY INSTEAD OF *S. EXIGUA*.
8. THE EXACT LOCATION OF LIVE PLANT MATERIAL WILL BE BASED ON FINAL GRADING, AS DETERMINED BY THE PROJECT LANDSCAPE ARCHITECT AND RESTORATION ECOLOGIST WHO WILL BE ONSITE TO ASSIST WITH PROJECT IMPLEMENTATION.

PLANT MATERIAL INSTALLATION:

9. IF THE CONTRACTOR IS HARVESTING LIVE CUTTING MATERIAL, THE CONTRACTOR SHALL HARVEST MATERIAL FROM PRE-IDENTIFIED SITE-SPECIFIC COLLECTION LOCATIONS COLLECTED ON-SITE OR FROM ELSEWHERE IN GARFIELD COUNTY FOR INSTALLATION. IF PURCHASING CUTTING MATERIAL, CUTTINGS SHALL BE PROFESSIONALLY HARVESTED FROM LOCAL SOURCES AND THROUGH REPUTABLE VENDORS.
10. CUTTINGS SHALL BE HARVEST NO MORE THAN TWO WEEKS PRIOR TO PLANTING. MATERIAL SHALL BE HARVESTED BETWEEN FALL DORMANCY AND SPRING BUD BREAK (BEFORE LEAVES EMERGE OR AFTER THEY ARE DROPPED) FROM LIVE PLANTS. CUTTINGS SHALL BE 0.5 TO 1.0 INCH IN DIAMETER AND 3 TO 5 FEET IN LENGTH.
11. ALL STAKES SHALL BE INSTALLED TO AN ADEQUATE LENGTH TO REACH EIGHT INCHES INTO THE THE MEAN ANNUAL MINIMUM WATER TABLE, WITH STEMS TRIMMED SUCH THAT NO FEWER THAN THREE TO FOUR LIVE BUDS REMAINING ABOVE THE GROUND SURFACE.
12. THE STEM WILL BE STRIPPED OF ALL BRANCHES BEFORE CUTTING AND THEN TRIMMED TO THE DESIRED LENGTH AFTER INSTALLATION. THE LOWER (ROOTING) END OF THE STEM WILL BE CUT AT A 45 DEGREE ANGLE AND THE UPPER END WILL BE CUT AT A 90 DEGREE ANGLE. THE CUTTINGS WILL THEN BE PLACED INTO WATER WITHIN TWO MINUTES OF CUTTING AND SOAKED---COMPLETELY SUBMERGED---FOR FIVE TO SEVEN DAYS PRIOR TO PLANTING, BUT NOT MORE THAN 14 DAYS, PRIOR TO PLANTING.
13. A QUALIFIED LANDSCAPE ARCHITECT AND RESTORATION ECOLOGIST WILL DIRECT AND SUPERVISE ALL PLANTINGS.
14. FOR CONTAINERIZED STOCK, ALL PLANTS SHALL BE PRE-INSPECTED BY THE PLANTING CONTRACTOR TO HELP ENSURE QUALITY, PROPER HARDENING (2-WEEK MINIMUM), AND SPECIES CORRECTNESS. ANY DEAD, DYING, STRESSED, OR BADLY "ROOT-BOUND" PLANTS WILL BE REJECTED. PLANTING HOLES SHALL BE HAND DUG OR DRILLED WITH AN AUGER WHERE NECESSARY TO ALLOW DEEP ROOT PENETRATION AND TO MINIMIZE "J-ROOTING." HOLES WILL BE DUG TWICE THE WIDTH AND EQUAL TO THE DEPTH OF THE ROOT BALL OF THE PLANT. HOLES WILL BE WATERED BEFORE PLANTING, THEN FILLED, TAMPING DOWN THE SOIL TO REMOVE AIR POCKETS, AND WATERED AGAIN IMMEDIATELY.
15. ALL DEEP PLANTED COTTONWOODS SHALL BE D60 CONTAINER STOCK INSTALLED USING THE DEEP PLANTING METHOD. D60 COTTONWOOD SHALL BE INSTALLED TO ENSURE ROOTBALL CONTACT WITH THE THE MEAN ANNUAL MINIMUM WATER TABLE AND WITH APPROX. 6-INCHES OF THE ABOVE GROUND STEM IS EXPOSED.
16. 2-INCHES OF FINELY SHREDDED CEDAR MULCH SHALL BE APPLIED OVER THE ROOT BALL OF ALL CONTAINERIZED PLANTS IMMEDIATELY AFTER INSTALLATION.

GRADING AND SEEDING

17. FOR ALL ZONES, THE FINISH GRADES WILL BE LEFT NATURAL AND ROUGH WITH NO SMOOTH SURFACES, RIGHT ANGLES, OR STRAIGHT EDGES.
18. ALL WORK AREAS (OTHER THAN THE IMMEDIATE CHANNEL BANKS) WILL BE LOOSENED TO A DEPTH OF 12 INCHES BEFORE PLANTING AND SEEDING.
19. THE FORMULA FOR DETERMINING THE QUANTITY OF PURE LIVE SEED (PLS) SHALL BE (POUNDS OF SEED) X (PURITY) X (GERMINATION) = POUNDS OF PURE LIVE SEED (PLS).
20. ALL SEED RECOMMENDATIONS ARE BASED ON THE 140 PLS PER SQUARE FOOT, AS DETERMINED ON A PERCENTAGE BASIS BY SPECIES. ALL NATURAL FLOODPLAIN AREAS (INCLUDING THOSE NOT DISTURBED BY RESTORATION ACTIVITIES) AND AREAS DISTURBED BY RESTORATION ACTIVITIES INCLUDING CONSTRUCTION WORK AREAS WILL BE BROADCAST SEEDED WITH THE APPROPRIATE SEED MIX SPECIFIED FOR EACH ZONE,

AND SHALL REPRESENT THE SPECIES AND QUANTITIES PRESENTED WITHIN THE SEEDING TABLES. SEEDING WILL ONLY BE PERFORMED BETWEEN SEPTEMBER 1ST AND WHEN THE GROUND FREEZES AND WHEN THE GROUND THAWS AND JUNE 1ST, UNLESS APPROVED BY RESTORATION ECOLOGIST.

21. THE SEED SHALL BE APPLIED THROUGH BROADCAST SEEDING, HAND-RAKED TO ¼-TO ½-INCH DEPTH TO MINIMIZE SEED LOSS, THEN SURFACE-PRESSED THROUGH A WATER-FILLED PRESS-WHEEL TO FACILITATE GOOD SEED-TO-SOIL CONTACT. ALL SEED SHALL BE LABELED AS "CERTIFIED" AND SHALL NOT INCLUDE THE PRESENCE OF NOXIOUS OR INVASIVE SPECIES PROHIBITED UNDER THE COLORADO SEED ACT (AS INDICATED ON THE TAG BY THE COLORADO SEED GROWERS ASSOCIATION APPROVED LABELING). ALL SEED WILL BE INSPECTED BY THE RESTORATION ECOLOGIST AND/OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION AND ALL TAGS MUST BE MAINTAINED FOR DOCUMENTATION BY THE OWNER, OR THEIR DESIGNEE. PRIOR TO DELIVERY, SEED SHALL BE PROCESSED BY THE SEED PROVIDER ON A "GRAVITY-TABLE" TO REMOVE NON-TARGET SEED TYPES, SUCH AS YELLOW SWEETCLOVER, ALFALFA, WOOD SORREL, AND OTHER POTENTIALLY INVASIVE SPECIES.
22. ONCE THE SEED HAS BEEN PROPERLY APPLIED TO THE SITE, THE CONTRACTOR SHALL APPLY BIODEGRADABLE EROSION CONTROL BLANKET WITHIN 24 HOURS OF SEED APPLICATION AS NECESSARY. KOIRMAT 1000 SHALL BE INSTALLED WITHIN BANK TREATMENT AREAS - SEE CIVIL SHEETS. KOIRMAT 400 SHALL BE USED ON ALL SEEDED AREAS THROUGHOUT THE REMAINDER OF THE SITE.

IRRIGATION:

23. ALL 2" CALIPER TREES SHALL BE WATERED BY THE CONTRACTOR USING GATOR BAGS. ALL OTHER LARGE CONTAINERIZED WOODY PLANT MATERIALS (5-GALLON CONTAINERS, 1-GALLON/D60 CONTAINERS), SHALL BE WATERED BY THE CONTRACTOR BY HAND, WATERING TRUCK, WATER TANK, HOSE, OR PUMP, AS NEEDED BY AMBIENT TEMPERATURE AND SOIL MOISTURE. WATERING SHALL FOLLOW THE GENERAL PARAMETERS BELOW. WITHIN YEAR ONE, THE PLANT MATERIALS SHALL BE WATERED AT THE TIME OF PLANTING WITH A MINIMUM OF 5-GALLONS OF WATER PER PLANT, THEN THREE TIMES A WEEK FOR THE FIRST THREE WEEKS. AFTER THE FIRST THREE WEEKS, THE PLANTS SHALL BE WATERED ONCE A WEEK UNTIL SEPTEMBER 1ST. AFTER SEPTEMBER 1ST, THE PLANTS SHALL BE WATERED ONCE EVERY TWO WEEKS UNTIL THE FIRST FROST. WITHIN THE SECOND YEAR, THE PLANTS SHALL BE WATERED ONCE A WEEK FROM APRIL TO SEPTEMBER. AFTER SEPTEMBER 1ST, THE PLANTS SHALL BE WATERED ONCE EVERY TWO WEEKS UNTIL THE FIRST FROST. THE CONTRACTOR SHALL MONITOR THE PLANTS, SOIL MOISTURE, AMBIENT TEMPERATURES, AND PRECIPITATION OF THE PLANT MATERIALS TO ENSURE THAT THE PLANTS ARE WATERED APPROPRIATELY.

AT EACH WATERING, WOODY PLANTS SHALL RECEIVE THE FOLLOWING MINIMUM AMOUNTS OF WATER BASED ON CONTAINER SIZE OR AN AMOUNT SUFFICIENT TO SATURATE THE SOIL TO A DEPTH OF 12 INCHES:

- a. ONE-GALLON/D40/D60 SIZED CONTAINERS SHALL RECEIVE 2.5 GALLONS;
- b. FIVE GALLON SIZED CONTAINERS SHALL RECEIVE 5 GALLONS;
- c. AND 2" CALIPER TREE SHALL RECEIVE 20 GALLONS.
22. CONTRACTOR SHALL INSTALL PROTECTION FENCE AROUND ALL 2" CALIPER TREES TO PROTECT THE MATERIAL FROM WILDLIFE PREDATION. PROACTIVELY OR UPON SIGNS OF DAMAGE, FENCING SHALL ALSO BE APPLIED TO 5-GALLON WOODY SHRUBS. FENCING SHALL BE AT LEAST A 48-INCH HIGH 2-INCH X 2-INCH WIRE MESH. CAGES SHALL BE 12 INCHES IN DIAMETER AND FULLY ENCIRCLE THE PLANT. THE CAGE SHALL BE STAKED TO THE GROUND WITH EITHER TWO 6-FOOT INDUSTRIAL GRADE GREEN T-POSTS WIRED TO THE WIRE MESH OR THREE 6-FOOT REBAR RODS WOVEN THROUGH THE WIRE MESH. RECOMMEND ENGAGE A FENCING CONTRACTOR TO PROVIDE RECOMMENDATIONS FOR THE MOST EFFICIENT AND EFFECTIVE WILDLIFE EXCLUSION METHODS FOR EACH PROJECT SITE.
23. ALL TREES ARE TO BE PROTECTED DURING CONSTRUCTION UNLESS IDENTIFIED ON THE PLANS FOR REMOVAL ADD FLAGGED/PAINTED FOR REMOVAL BY OWNER/RESTORATION ECOLOGIST.
24. REMOVAL OF TREES FOR THE PROJECT WILL NEED TO OCCUR OUTSIDE OF NESTING SEASON FOR MIGRATORY BIRDS (BETWEEN SEPTEMBER 1ST AND MARCH 31ST). IF THIS IS NOT POSSIBLE, THEN AN ACTIVE NEST SURVEY MAY BE REQUIRED.
25. NO EQUIPMENT WILL BE ALLOWED IN THE RESTORATION AREA AFTER SEEDING OR PLANTING.
26. IN THE EVENT THAT CONSTRUCTION ACTIVITIES IMPACT OR DAMAGE TREES NOT INTENDED TO BE REMOVED, THE CONTRACTOR WILL BE SOLELY RESPONSIBLE FOR THE MITIGATION REQUIREMENTS AND MAY PAY DAMAGES UP TO THREE TIMES MARKET VALUE OF THE TREE AS DETERMINED BY THE REPLACEMENT COST OF THE TREE.
27. IN AN ATTEMPT TO AVOID THE CONTINUED SPREADING OF NOXIOUS WEEDS, ALL DISCRETE POPULATIONS OF COLORADO LIST A OR B NOXIOUS WEEDS FOUND IN OR WITHIN 100 FEET OF THE RESTORATION AREA WILL BE SPRAYED WITH THE APPROPRIATE HERBICIDE(S) BY A LICENSED APPLICATOR PRIOR TO CONSTRUCTION IN COORDINATION WITH THE APPROPRIATE WEED REGULATIONS AND LOCAL WEED COORDINATOR.
28. MUCH OF THE ECOTYPIC (I.E. ADAPTED TO LOCAL SITE CONDITIONS) PLANT MATERIAL CAN BE PURCHASED AT LOCAL NATIVE PLANT NURSERIES. IF SPECIFIED ECOTYPIC PLANT MATERIALS ARE UNABLE TO BE PURCHASED AT LOCAL NURSERIES, THEN APPROPRIATE COLORADO NURSERIES AND SEED PROVIDERS SHALL BE RECOMMENDED BY RESTORATION ECOLOGIST AND APPROVED BY LANDSCAPE ARCHITECT.
29. FERTILIZER WILL NOT BE USED IN SEEDED AREAS BECAUSE IT CAN ENHANCE THE GROWTH OF NOXIOUS WEEDS AT THE EXPENSE OF DESIRED VEGETATION.
30. TOPSOIL WILL NOT BE IMPORTED DUE TO THE POTENTIAL FOR SPREAD OF NOXIOUS WEEDS.
31. THE USE OF CHEMICALS, SUCH AS SOIL STABILIZERS, DUST PALLIATIVES, HERBICIDES, GROWTH INHIBITORS, DEICING SALTS, ETC., SHALL BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDED APPLICATION RATES, FREQUENCY, AND INSTRUCTIONS. THESE CHEMICALS SHALL NOT BE USED, STORED, OR STOCKPILED WITHIN 50 HORIZONTAL FEET OF THE CREEK OR OTHER AQUATIC HABITATS.
32. CONSTRUCTION EQUIPMENT, FUELS, AND OTHER PETROLEUM PRODUCTS SHALL NOT BE STORED OR STOCKPILES WITH 50 FEET OF THE CREEK OR OTHER AQUATIC HABITATS. FUELING SHALL ONLY OCCUR WITHIN APPROVED DESIGNATED AREAS.

INVASIVE PLANT AND WEED MANAGEMENT:

33. WEED CONTROL IS FACILITATED BY THE GENERAL CONTRACTOR IN ACCORDANCE WITH ALL GARFIELD COUNTY AND STATE OF COLORADO WEED REGULATIONS AND LOCAL WEED COORDINATOR.
34. PREVENTION SHALL ALWAYS BE PRACTICED AND IS EFFECTIVE ON ALL SPECIES OF WEEDS. IT IS ACCOMPLISHED THROUGH GOOD LAND STEWARDSHIP, PLANTING WEED-FREE SEED, AVOIDING PLANTING OR SPREADING INVASIVE WEED SPECIES, USING WEED-FREE SEED MULCH AND EROSION CONTROL, USING CLEAN EQUIPMENT AND TAKING LEGAL MEASURES SUCH AS QUARANTINES AND WEED LAWS.
35. AN INTEGRATED APPROACH TO NOXIOUS WEED MANAGEMENT IS IMPORTANT BECAUSE NO SINGLE TECHNIQUE WILL BE EFFECTIVE. AN INTEGRATED APPROACH TO NOXIOUS WEED MANAGEMENT WILL INCLUDE:
 - a. CULTURAL MANAGEMENT INCLUDES METHODS OR MANAGEMENT PRACTICES WHICH FAVOR THE GROWTH OF DESIRABLE PLANTS OVER NOXIOUS WEEDS, INCLUDING MAINTAINING OPTIMUM FERTILITY AND PLANT MOISTURE STATUS IN AN AREA, PLANTING AT OPTIMUM DENSITY AND SPATIAL ARRANGEMENT IN AN AREA, AND PLANTING SPECIES MOST SUITED TO A PARTICULAR AREA. TECHNIQUES INCLUDE DENSE SEEDING, FERTILIZATION, MULCHING, CAREFUL IRRIGATION PRACTICES, SENSIBLE GRAZING REGIMES AND IMPROVED LAND MANAGEMENT PRACTICES.
 - b. MECHANICAL MANAGEMENT METHODS OR PRACTICES THAT PHYSICALLY DISRUPT PLANT GROWTH AND INCLUDE TILLING, MOWING, BURNING, FLOODING, MULCHING, HAND-PULLING, SHOVELING, HOEING AND CHOPPING. MECHANICAL METHODS ARE MOST EFFECTIVE FOR ANNUAL AND BIENNIAL WEEDS AND LESS EFFECTIVE FOR PERENNIALS. EQUIPMENT SHALL BE CLEANED THOROUGHLY BEFORE MOVING TO UNINFESTED AREAS TO PREVENT THE SPREAD OF WEEDS.
 - c. BIOLOGICAL MANAGEMENT INVOLVES THE USE OF ORGANISMS SUCH AS INSECTS AND ANIMALS TO DISRUPT THE GROWTH OF NOXIOUS WEEDS. IT RARELY PROVIDES 100% CONTROL AND MUST BE INCORPORATED WITH OTHER METHODS FOR SUCCESSFUL MANAGEMENT. INSECT SPECIES DEVELOPED TO MITIGATE SPECIFIC NOXIOUS PLANTS ARE AVAILABLE TO THE PUBLIC FREE OF CHARGE FROM THE COLORADO DEPARTMENT OF AGRICULTURE CONSERVATION SERVICES DIVISION, BIOLOGICAL CONTROL PROGRAM, 750 37.8 RD., PALISADE, CO 81526; 866- 324-2963 OR 970-464-7916.
 - d. HERBICIDE APPLICATION. IT IS EXTREMELY IMPORTANT TO TREAT SMALL INFESTATIONS OF CERTAIN WEEDS (LIST A AND B SPECIES TO BE ERADICATED) AS SOON AS POSSIBLE. HERBICIDES ARE MOST EFFECTIVE WHEN SPRAYED AT SPECIFIC STAGES DURING THE LIFE CYCLE OF THE WEED. TO ENSURE THAT SMALL INFESTATIONS OF NOXIOUS WEEDS ARE CONTROLLED OR ERADICATED EFFECTIVELY, IT IS EXTREMELY IMPORTANT TO TAKE IMMEDIATE ACTION ON CERTAIN WEED PATCHES.
36. GARFIELD COUNTY VEGETATION MANAGEMENT IS COMMITTED TO USING BEST MANAGEMENT PRACTICES WHEN APPLYING HERBICIDES TO CONTROL NOXIOUS WEEDS. THESE PRACTICES INCLUDE FOLLOWING LABEL DIRECTIONS AND SELECTIVE SPOT SPRAYING TO ENSURE DIRECT TREATMENT OF NOXIOUS WEEDS AND PROTECTION OF NATIVE VEGETATION AND WATER RESOURCES. THE HERBICIDE LABEL IS THE LAW.
37. CHANGES IN HERBICIDE REGISTRATIONS OCCUR CONSTANTLY. THE HERBICIDE LABEL IS THE LEGAL DOCUMENT ON HERBICIDE USE. READ AND FOLLOW ALL DIRECTIONS CAREFULLY. THE USE OF AN HERBICIDE IN A MANNER NOT CONSISTENT WITH THE LABEL CAN LEAD TO INJURY OF CROPS, HUMANS, ANIMALS AND THE ENVIRONMENT.



NO.	BY	DATE	DESCRIPTION	COMMENTS
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THREE MILE CONFLUENCE

LANDSCAPE GENERAL NOTES

JOB NO.	191-025.000
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Plot Date/Time: 09/30/2020, 11:46:19 AM, D:\DROBOX\THREE MILE CREEK\60% DESIGN PLANS\CHINOOK CAD\4.1 SHEETS\CHINOOK LANDSCAPE PLANS DWG-L2-INVASIVE NOTES

SITE SPECIFIC NOXIOUS WEED CONTROL

1. THE FOLLOWING TABLE INCLUDES THE STATE LISTED NOXIOUS WEEDS CURRENTLY FOUND AT THE PROJECT SITE THAT NEED TO BE REMOVED. IF A TREE REMOVAL WILL CAUSE SIGNIFICANT RIVER BANK INSTABILITY, CONTACT PROJECT REPRESENTATIVE PRIOR TO REMOVING THE TREE.

<i>Bromus tectorum</i>	cheatgrass	Colorado State List C Noxious
<i>Cynoglossum officinale</i>	houndstongue	Colorado State List B Noxious
<i>Elaeagnus angustifolia</i>	Russian olive	Colorado State List B Noxious
<i>Poa bulbosa</i>	bulbous bluegrass	Colorado State List C Noxious
<i>Tanacetum vulgare</i>	common tansy	Colorado State List B Noxious
<i>Ulmus pumila</i>	Siberian elm	Colorado State Watch List Species

CHEATGRASS CONTROL (LIST C):

1. CHEATGRASS MECHANICAL CONTROL:

- DO NOT MOW OR CHOP CHEATGRASS AREAS; THEY LEAVE ROOTS BEHIND, STIMULATE FLOWER PRODUCTION, DISPERSE SEEDS, AND EXPAND THE SIZE OF THE INFESTED AREA.
- COLLECT, BAG, AND DISPOSE OF OR DESTROY FLOWERS; SEEDS CAN MATURE AND GERMINATE IF LEFT.
- TILLING MUST BE DEEPER THAN 6 INCHES TO WORK.

2. CHEATGRASS CHEMICAL CONTROL:

- IF DEEMED NECESSARY, APPLY A PSEUDOMONAS FLUORESCENS D7 HERBICIDE TREATMENT AS IT IS KNOW TO INHIBIT CHEATGRASS AND IS CURRENTLY APPROVED BY EPA AND COLORADO.
- HERBICIDE RECOMMENDATIONS TO CONTROL CHEATGRASS IN PASTURES AND RANGELAND ARE FOUND AT: <https://drive.google.com/file/d/1Z7zZtAgRP6rK4pRE7EB54GLnPjDzz2M/view>
- FOLLOW THE LABEL FOR EXACT HERBICIDE APPLICATION RATES. CONSULT LOCAL TURF AND ORNAMENTAL EXPERTS FOR RESIDENTIAL SETTINGS. ALWAYS READ, UNDERSTAND, AND FOLLOW THE LABEL DIRECTIONS.
- THE HERBICIDE LABEL IS THE LAW.



HOUNDSTONGUE CONTROL (LIST B):

1. CHEMICAL CONTROL:

- ALL DISCRETE POPULATIONS OF COLORADO LIST A OR B NOXIOUS WEEDS FOUND IN OR WITHIN 100 FEET OF THE RESTORATION AREA WILL BE SPRAYED WITH THE APPROPRIATE HERBICIDE(S) BY A LICENSED APPLICATOR PRIOR TO CONSTRUCTION IN COORDINATION WITH THE APPROPRIATE WEED REGULATIONS AND LOCAL WEED COORDINATOR.
- USE RECOMMENDED HERBICIDES INCLUDE METSULFURON (ESCORT XP) + 2,4-D; CHLORSULFURON* (TELAR) + 2, 4-D; METSULFURON + CHLORSULFURON (CIMARRON X-TRA).
- APPLY IN SPRING ROSETTE TO EARLY FLOWER GROWTH STAGES. ALWAYS APPLY HERBICIDES FOLLOWING GUIDANCE ON THE HERBICIDE LABEL.
- THE HERBICIDE LABEL IS THE LAW.

2. CULTURAL CONTROL:

- RESEED DISTURBED SITES WITH FAST-GROWING NATIVE GRASSES. MAINTAIN RANGE AND PASTURE IN GOOD CONDITION. PROMOTE HEALTHY GRASS GROWTH THROUGH PROPER IRRIGATION AND CARE.

3. MECHANICAL CONTROL:

- CUT OR PULL PLANTS AND REMOVE ENTIRE ROOT CROWN WHEN PLANTS ARE IN THE ROSETTE STAGE. REMOVE DENSE LITTER LAYER (UP TO 4 INCHES) TO STIMULATE GERMINATION OF DESIRED PLANTS.
- TO REDUCE SEED PRODUCTION, MOW OR CUT FLOWERING STEMS BEFORE SEED NUTLETS DEVELOP, THIS CAN SIGNIFICANTLY REDUCE SEED PRODUCTION.



RUSSIAN OLIVE CONTROL (LIST B):

1. CHEMICAL CONTROL:

- ALL DISCRETE POPULATIONS OF COLORADO LIST A OR B NOXIOUS WEEDS FOUND IN OR WITHIN 100 FEET OF THE RESTORATION AREA WILL BE SPRAYED WITH THE APPROPRIATE HERBICIDE(S) BY A LICENSED APPLICATOR PRIOR TO CONSTRUCTION IN COORDINATION WITH THE APPROPRIATE WEED REGULATIONS AND LOCAL WEED COORDINATOR.
- RECOMMENDED HERBICIDES FOR CUT-STUMP TREATMENT IN LATE SUMMER TO FALL INCLUDE TRICLOPYR (GARLON 4, REMEDY); GLYPHOSATE (RODEO - APPROVED AQUATIC LABEL). PLEASE NOTE THAT GLYPHOSATE IS NON-SELECTIVE AND WILL KILL ANY VEGETATION CONTACTED. ALWAYS APPLY HERBICIDES FOLLOWING GUIDANCE ON THE HERBICIDE LABEL.
- THE HERBICIDE LABEL IS THE LAW.

2. CULTURAL CONTROL: PREVENT ESTABLISHMENT OF NEW TREES BY REMOVING SEEDLINGS AND SAPLINGS BEFORE THEY MATURE.

3. MECHANICAL CONTROL: SAPLINGS CAN BE PULLED WITH A WEED-WRENCH OR CUT WITH BRUSH-CUTTERS. TREES CAN BE GIRDLED OR CUT WITH CHAINSAWS. HOWEVER, STUMP EXCAVATION WITHOUT REMOVING ALL PARTS OF THE ROOTS CAN RESULT IN ROOT SPROUTING. TREATING CUT-STUMPS WITH AN HERBICIDE CAN ELIMINATE SPROUTING.



BULBOUS BLUEGRASS CONTROL (LIST C):

1. CULTURAL CONTROL:

- USE CROP SEED, HAY AND STRAW THAT IS FREE OF BULBOUS BLUEGRASS BULBLETS OR SEED.
- CLEAN EQUIPMENT BEFORE MOVING FROM A SITE INFESTED WITH BULBOUS BLUEGRASS AND CONTROLLING WEEDS ALONG FENCE ROWS AND ROADSIDES WILL PREVENT ITS SPREAD.

2. MECHANICAL CONTROL:

- PERFORM SPRING TILLAGE AS IT IS VERY EFFECTIVE IN CONTROLLING BULBOUS BLUEGRASS. FALL TILLAGE IS LESS EFFECTIVE.
- HAYING AND MOWING ARE NOT EFFECTIVE BECAUSE THE SEED HEADS ARE FREQUENTLY SHORTER THAN THE CUTTING HEIGHT.

3. CHEMICAL CONTROL:

- IF DEEMED NECESSARY, THERE IS A WIDE RANGE OF CHEMICALS AVAILABLE TO CONTROL BULBOUS BLUEGRASS. CONTACT YOUR LOCAL AGRICULTURAL EXTENSION AGENT OR COUNTY WEED SPECIALIST TO LEARN WHAT PRODUCTS WORK BEST IN YOUR AREA AND HOW TO USE THEM PROPERLY.
- ALWAYS READ AND FOLLOW HERBICIDE LABEL AND SAFETY INSTRUCTIONS.
- THE HERBICIDE LABEL IS THE LAW.

COMMON TANSY CONTROL (LIST B):

1. CHEMICAL CONTROL:

- ALL DISCRETE POPULATIONS OF COLORADO LIST A OR B NOXIOUS WEEDS FOUND IN OR WITHIN 100 FEET OF THE RESTORATION AREA WILL BE SPRAYED WITH THE APPROPRIATE HERBICIDE(S) BY A LICENSED APPLICATOR PRIOR TO CONSTRUCTION IN COORDINATION WITH THE APPROPRIATE WEED REGULATIONS AND LOCAL WEED COORDINATOR.
- RECOMMENDED HERBICIDES FOR TREATMENT WHEN IN THE FLOWER BUD TO FLOWERING GROWTH STAGES (LATE SPRING TO MID-SUMMER) INCLUDE AMINOCYCLOPYRACHLOR + CHLORSULFURON (PERSPECTIVE); AMINOPYRADLID + METSULFURON (OPENSIGHT); OR METSULFURON (ESCORT XP). ALWAYS APPLY HERBICIDES FOLLOWING GUIDANCE ON THE HERBICIDE LABEL.

c. ADDITIONAL HERBICIDE RECOMMENDATIONS TO CONTROL COMMON TANSY IN PASTURES AND RANGELAND ARE FOUND AT: <https://drive.google.com/file/d/1Z7zZtAgRP6rK4pRE7EB54GLnPjDzz2M/view>

FOLLOW THE LABEL FOR EXACT RATES.

d. THE HERBICIDE LABEL IS THE LAW.

2. CULTURAL CONTROL:

- COMMON TANSY PREFERS FREQUENT DISTURBANCE AND FLOODING, THEREFORE MODIFY THE HYDROLOGY AND REDUCE DISTURBANCE UNTIL CONTROL IS ESTABLISHED, ESPECIALLY WHERE DENSE COLONIES EXIST.

3. MECHANICAL CONTROL:

- REMOVE ALL ROOT BIOMASS OR SEVER ROOTS BELOW THE SOIL SURFACE EARLY IN THE SEASON TO REDUCE ENERGY STORAGE AND BEFORE SEED PRODUCTION.
- DO NOT MOW, CHOP, HAND-PULL, OR DEADHEAD PLANTS. THIS LEAVES ROOTS BEHIND AND STIMULATES FLOWER PRODUCTION, REQUIRING CONSECUTIVE YEARS OF SEASON-LONG TREATMENTS. MOWING DISPERSES THE SEEDS AND EXPANDS THE INFESTED AREA.
- COLLECT, BAG, AND DISPOSE OF OR DESTROY ALL FLOWERS; SEEDS COULD MATURE AND GERMINATE IF LEFT ON SITE ON THE GROUND.



SIBERIAN ELM CONTROL (COLORADO WATCH LIST):

1. CULTURAL CONTROL:

- PREVENT ESTABLISHMENT OF NEW TREES BY REMOVING SEEDLINGS AND SAPLINGS BEFORE THEY MATURE.

2. MECHANICAL CONTROL:

- GIRDLE STEM TO KILL TREES, HAND PULL SEEDLINGS, AND REMOVE SMALL TREES WITH A WEED WRENCH.

3. CHEMICAL CONTROL:

- IF DEEMED NECESSARY, THERE ARE SEVERAL REGISTERED PRODUCTS THAT CAN BE APPLIED IN A VARIETY OF WAYS INCLUDING (1) FOLIAGE APPLICATION, (2) SOIL APPLICATION, (3) TOPICAL APPLICATION TO CUT-STEMS AND STUMPS, AND (4) BASAL SPRAYING. HERBICIDE SPRAYING IS RARELY SUCCESSFUL AS A ONE-TIME TREATMENT SO IT SHALL BE ANTICIPATED THAT TREATED AREAS WILL NEED TO BE MONITORED FOR SEVERAL YEARS AND RE-SPROUTS AND NEW SEEDLINGS WILL REQUIRE FURTHER TREATMENT. ALWAYS READ AND FOLLOW HERBICIDE LABEL AND SAFETY INSTRUCTIONS.
- THE HERBICIDE LABEL IS THE LAW.



REFERENCES:

USDA FOREST SERVICE. 2017. SOUTHWEST REGION, FIELD GUIDE FOR MANAGING SIBERIAN ELM IN THE SOUTHWEST. AVAILABLE AT https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd563046.pdf (ACCESSED JUNE 2020).

USDA, NRCS. 2020. THE PLANTS DATABASE ([HTTP://PLANTS.USDA.GOV](http://plants.usda.gov), 29 JUNE 2020). NATIONAL PLANT DATA TEAM, GREENSBORO, NC 27401-4901 USA.

PHOTOS: Unless otherwise noted, photos are from the Colorado Department of Agriculture - Conservation Services and Colorado State University



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PLANTING SCHEDULE

SEED MIXES

Zone 3: Native Upland Seed Mix (approximately 0.25 AC)						
Scientific Name	Common Name	Recommended Variety	Percent mix	Broadcast Seeds/sq ft	Seed Weight per PLS/lb	PLS LB Seed/ac
<i>Achnatherum hymenoides</i>	Indian ricegrass	Rimrock	5	7	181,741	1.68
<i>Asclepias hallii</i>	Hall's milkweed		2.5	3.5	57,000	2.67
<i>Bouteloua gracilis</i>	blue grama		7.5	10.5	724,000	0.63
<i>Bromus marginatus</i>	mountain brome	Garnet	18	25.2	104,843	10.47
<i>Cleome serrulata</i>	Rocky Mountain beeplant		2.5	3.5	87,250	1.75
<i>Elymus lanceolatus</i> ssp. <i>lanceolatus</i>	thickspike wheatgrass	Critana	12	16.8	155,350	4.71
<i>Elymus trachcaulus</i> ssp. <i>trachycaulus</i>	slender wheatgrass	San Luis; Pryor	15	21	147,500	6.20
<i>Festuca idahoensis</i>	Idaho fescue	Joseph	7	9.8	472,500	0.90
<i>Helioeris multijlora</i>	showy Goldeneye		2.5	3.5	566,875	0.27
<i>Pascopyron smithii</i>	western wheatgrass	Arriba; Rosana	18	25.2	133,000	8.25
<i>Poa palustris</i>	fowl wheatgrass	vns	5	7	2,078,000	0.15
<i>Pseudoroegneria spicata</i>	bluebunch wheatgrass	Secar	5	7	140,000	2.18
Total			100	140		39.86

Zone 1 & 2: Native Wetland & Riparian Seed Mix (approximately 0.30 AC)						
Scientific Name	Common Name	Recommended Variety	Percent mix	Broadcast Seeds/sq ft	Seed Weight per PLS/lb	PLS LB Seed/ac
<i>Calamagrostis canadensis</i>	bluejoint reedgrass	vns	10	14	4,114,583	0.15
<i>Deschampsia cespitosa</i>	tufted hairgrass	vns	12	16.8	1,276,000	0.57
<i>Elymus lanceolatus</i> ssp. <i>psammophilus</i>	streambank wheatgrass	Streamcrest	15	21	161,500	5.66
<i>Elymus trachcaulus</i> ssp. <i>trachycaulus</i>	slender wheatgrass	San Luis; Pryor	7	9.8	147,500	2.89
<i>Gallardia aristata</i>	blanket flower	vns	2.5	3.5	132,000	1.16
<i>Glyceria striata</i>	fowl mannagrass	vns	10	14	170,000	3.59
<i>Agastache urticifolia</i>	netleaf giant hyssop	vns	2.5	3.5	485,268	0.31
<i>Juncus arcticus</i> ssp. <i>littoralis</i>	mountain rush	vns	5	7	6,950,000	0.04
<i>Juncus ensifolius</i>	threeestern rush	vns	4	5.6	13,457,000	0.02
<i>Juncus torreyi</i>	Torrey rush	vns	5	7	12,150,000	0.03
<i>Nassella viridula</i>	green needlegrass	Lodorm	7	9.8	152,117	2.81
<i>Penstemon strictus</i>	Rocky Mountain penstemon	Bandera	2.5	3.5	692,000	0.22
<i>Poa palustris</i>	fowl wheatgrass	vns	12	16.8	2,078,000	0.35
<i>Solidago canadensis</i>	Canada goldenrod	vns	2.5	3.5	700,000	0.22
<i>Triglochin maritima</i>	arrowgrass	vns	3	4.2	469,000	0.39
Total			100	140		18.41

Native Swale Seed Mix (approximately 0.10 AC)						
Scientific Name	Common Name	Recommended Variety	Percent mix	Broadcast Seeds/sq ft	Seed Weight per PLS/lb	PLS LB Seed/ac
<i>Agastache urticifolia</i>	netleaf giant hyssop	vns	2.5	3.5	485,268	0.31
<i>Beckmannia syzigachne</i>	American slough grass	vns	5	7	240,000	1.27
<i>Deschampsia cespitosa</i>	tufted hairgrass	vns	16	22.4	1,276,000	0.76
<i>Elymus lanceolatus</i> ssp. <i>psammophilus</i>	streambank wheatgrass	Streamcrest	16	22.4	161,500	6.04
<i>Elymus trachcaulus</i> ssp. <i>trachycaulus</i>	slender wheatgrass	San Luis; Pryor	7	9.8	147,500	2.89
<i>Gallardia aristata</i>	blanket flower	vns	2.5	3.5	132,000	1.16
<i>Juncus arcticus</i> ssp. <i>littoralis</i>	mountain rush	vns	5	7	6,950,000	0.04
<i>Juncus ensifolius</i>	threeestern rush	vns	5	7	13,457,000	0.02
<i>Nassella viridula</i>	green needlegrass	Lodorm	7	9.8	152,117	2.81
<i>Penstemon strictus</i>	Rocky Mountain penstemon	Bandera	2.5	3.5	692,000	0.22
<i>Poa palustris</i>	fowl wheatgrass	vns	17	23.8	2,078,000	0.50
<i>Solidago canadensis</i>	Canada goldenrod	vns	2.5	3.5	700,000	0.22
<i>Triglochin maritima</i>	arrowgrass	vns	12	16.8	469,000	1.56
Total			100	140		17.81

Willow Planting (approximately 2,680 total plants)						
Scientific Name	Common Name	Size	Recommended Spacing	Number	Unit	Total Plant Number
<i>Salix exigua</i>	Coyote Willow	3-5 ft cutting	Trenched (60%)	4	Per linear foot	1608
<i>Salix ligulifolia</i>	Strapleaf Willow	3-5 ft cutting	Trenched (40%)	4	Per linear foot	1072

Associated Bank Stabilization								
Associated Bank Stabilization Type	Scientific Name	Common Name	Scientific Name	Size	Unit	Number	Willows Per Unit	Total Willows
Boulder Cobble Toe	Salix exigua (60%); Salix ligulifolia (40%)	Coyote Willow and Strapleaf Willow	Salix exigua (60%); Salix ligulifolia (40%)	3-5 ft cutting	Per linear foot	420	2	840 Willows
Fascines	Salix exigua (60%); Salix ligulifolia (40%)	Coyote Willow and Strapleaf Willow	Salix exigua (60%); Salix ligulifolia (40%)	3-5 ft cutting	Per 5' Fascine	58	30	1740 Willows

PLANTING SCHEDULE

Zones 2 & 3: Native Riparian and Upland Plantings (approximately 0.51 AC)				
Scientific Name	Common Name	Recommended Container Size	Recommended Spacing	Plant Number
Trees				
<i>Picea pungens</i>	Colorado Blue spruce	#15 Cont.*	8-ft center	6
<i>Pinus ponderosa</i>	Ponderosa pine	#15 Cont.*	8-ft center	6
<i>Populus angustifolia</i>	Narrowleaf Cottonwood	#15 Cont.*	8-ft center	11
<i>Populus fremontii</i>	Fremont Cottonwood	D60 Deep	8-ft center	15
Small Trees & Shrubs				
<i>Acer glabrum</i>	Rocky Mountain Maple	D60	6-ft center	3
<i>Alnus incana</i> ssp. <i>tenuifolia</i>	Thinleaf Alder	D60	6-ft center	3
<i>Betula occidentalis</i>	Water Birch	D60	6-ft center	7
<i>Cornus sericea</i>	Redosier Dogwood	D60	6-ft center	10
<i>Crataegus rivularis</i>	River Hawthorne	D60	6-ft center	4
<i>Dasiphora fruticosa</i>	Shrubby Cinquefoil	D60	6-ft center	3
<i>Prunus virginia</i> ssp. <i>melanocarpa</i>	Black Chokecherry	D60	6-ft center	2
<i>Peraphyllum ramosissimum</i>	Wild Crab Apple	D60	6-ft center	5
<i>Philadelphus microphyllus</i>	Littleleaf Mock Orange	D60	6-ft center	3
<i>Rhus trilobata</i>	Threeleaf Sumac	D60	6-ft center	2
<i>Ribes aureum</i>	Golden Currant	D60	6-ft center	20
<i>Rosa woodsii</i>	Woods' Rose	D60	6-ft center	26
<i>Shepherdia argentea</i>	Silver Buffaloberry	D60	6-ft center	9
Total Zones 2 & 3 Plants				135

Zone 1: Native Wetland Mix (approximately 0.04 AC)				
Scientific Name	Common Name	Recommended Container Size	Recommended Spacing	Plant Number
Wetland Graminoids (plugs)				
<i>Carex nebrascensis</i>	Nebraska Sedge	10 ci (cubic inch)	2-ft center	51
<i>Eleocharis palustris</i>	Creeping Spikerush	10 ci (cubic inch)	2-ft center	51
<i>Glyceria striata</i>	Fowl Mannagrass	10 ci (cubic inch)	2-ft center	101
<i>Juncus arcticus</i> ssp. <i>littoralis</i>	Mountain Rush (Baltic Rush)	10 ci (cubic inch)	2-ft center	76
<i>Juncus ensifolius</i>	Three-stamened Rush	10 ci (cubic inch)	2-ft center	51
<i>Juncus torreyi</i>	Torey's Rush	10 ci (cubic inch)	2-ft center	51
<i>Scirpus microcarpus</i>	Smallflowered Bulrush	10 ci (cubic inch)	2-ft center	76
<i>Triglochin maritima</i>	Arrowgrass	10 ci (cubic inch)	2-ft center	51
Total Wetland Plants				508

Swale Plant Mix (approximately 0.10 AC)				
Scientific Name	Common Name	Recommended Container Size	Recommended Spacing	Plant Number
Shrubs				
<i>Ribes aureum</i>	Golden Currant	D60	6-ft center	21
<i>Rosa woodsii</i>	Woods' Rose	D60	6-ft center	21
<i>Salix exigua</i>	Narrowleaf Willow	D60	4-ft center	126
<i>Shepherdia argentea</i>	Silver Buffaloberry	D60	6-ft center	26
Wetland Graminoids				
<i>Beckmannia syzigachne</i>	American Slough Grass	plug	3-ft center	28
<i>Juncus arcticus</i> ssp. <i>littoralis</i>	Mountain Rush (Baltic rush)	plug	3-ft center	28
<i>Triglochin maritima</i>	Arrowgrass	plug	3-ft center	28
Total Swale Mix				278

* ALL #15 CONTAINER DECIDUOUS TREES MUST HAVE A MINIMUM DBH CALIPER OF 2" AND ALL #15 EVERGREENS MUST BE MINIMUM 6' TALL. IF CONTAINER TREES DO NOT MEET THIS CRITERIA, B&B TREES MUST BE USED INSTEAD WITH APPROVAL OF LANDSCAPE ARCHITECT.

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PLANTING SCHEDULES

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Plot Date/Time: 10/01/2020, 10:10:38 AM; E:\DROPOBOX\THREE MILE CREEK\90% DESIGN PLANS\CHINOOK CAD\4.1 SHEETS\CHINOOK LANDSCAPE PLANS DWG\L4-LANDSCAPE PLANS



NOTES

1. SEE CIVIL SHEETS FOR ALL BANK STABILIZATION DETAILS AND LOCATIONS.
2. SEE SHEET L1 FOR SEED MIXES, PLANT LISTS AND QUANTITIES.
3. PLANT SYMBOLS WITH A "D" INSIDE THEM INDICATE DEEP PLANTED COTTONWOODS; SEE DETAIL D SHEET LD2.

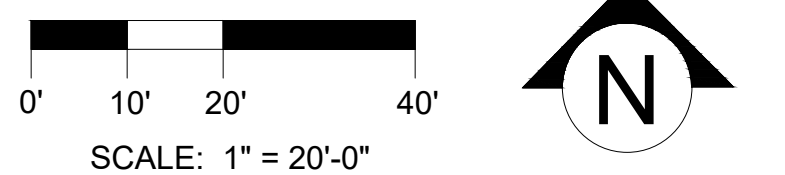
LEGEND

APPROX. REVEGETATION AREAS	QUANTITY
ZONE 1 NATIVE WETLAND PLANTINGS	0.04 AC
ZONE 2 NATIVE RIPARIAN PLANTINGS	0.26 AC
ZONE 3 NATIVE UPLAND PLANTINGS	0.25 AC
SWALE PLANT MIX	0.10 AC
WILLOW STAKES (TRENCHED)	2,680 EA
WILLOW CUTTINGS IN COBBLE TOE	420 LF
WILLOW FASCINES	145 LF

TREES	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	<i>Populus fremontii</i>	Fremont Cottonwood	D60 Deep	15
	<i>Populus angustifolia</i>	Narrow Leaf Cottonwood	#15 *	11
	<i>Picea pungens</i>	Colorado Blue Spruce	#15 *	6
	<i>Pinus ponderosa</i>	Ponderosa Pine	#15 *	6
SMALL TREES & SHRUBS				
	<i>Acer glabrum</i>	Rocky Mountain Maple	D60	3
	<i>Alnus incana ssp. tenuifolia</i>	Thinleaf Alder	D60	3
	<i>Betula occidentalis</i>	Western River Birch	D60	7
	<i>Peraphyllum ramosissimum</i>	Wild Crab Apple	D60	5

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	<i>Cornus sericea</i>	Redosier Dogwood	D60	10
	<i>Crataegus rivularis</i>	River Hawthorne	D60	4
	<i>Dasiphora fruticosa</i>	Shrubby Cinquefoil	D60	3
	<i>Philadelphus microphyllus</i>	Littleleaf Mock Orange	D60	3
	<i>Prunus virginia ssp. melanocarpa</i>	Black Chokecherry	D60	2
	<i>Rhus trilobata</i>	Threeleaf Sumac	D60	2
	<i>Ribes aureum</i>	Golden Currant	D60	20
	<i>Rosa woodsii</i>	Woods' Rose	D60	26
	<i>Shepherdia argentea</i>	Silver Buffaloberry	D60	9

* ALL #15 CONTAINER DECIDUOUS TREES MUST HAVE A MINIMUM DBH CALIPER OF 2" AND ALL #15 EVERGREENS MUST BE MINIMUM 6' TALL. IF CONTAINER TREES DO NOT MEET THIS CRITERIA, B&B TREES MUST BE USED INSTEAD WITH APPROVAL OF LANDSCAPE ARCHITECT.



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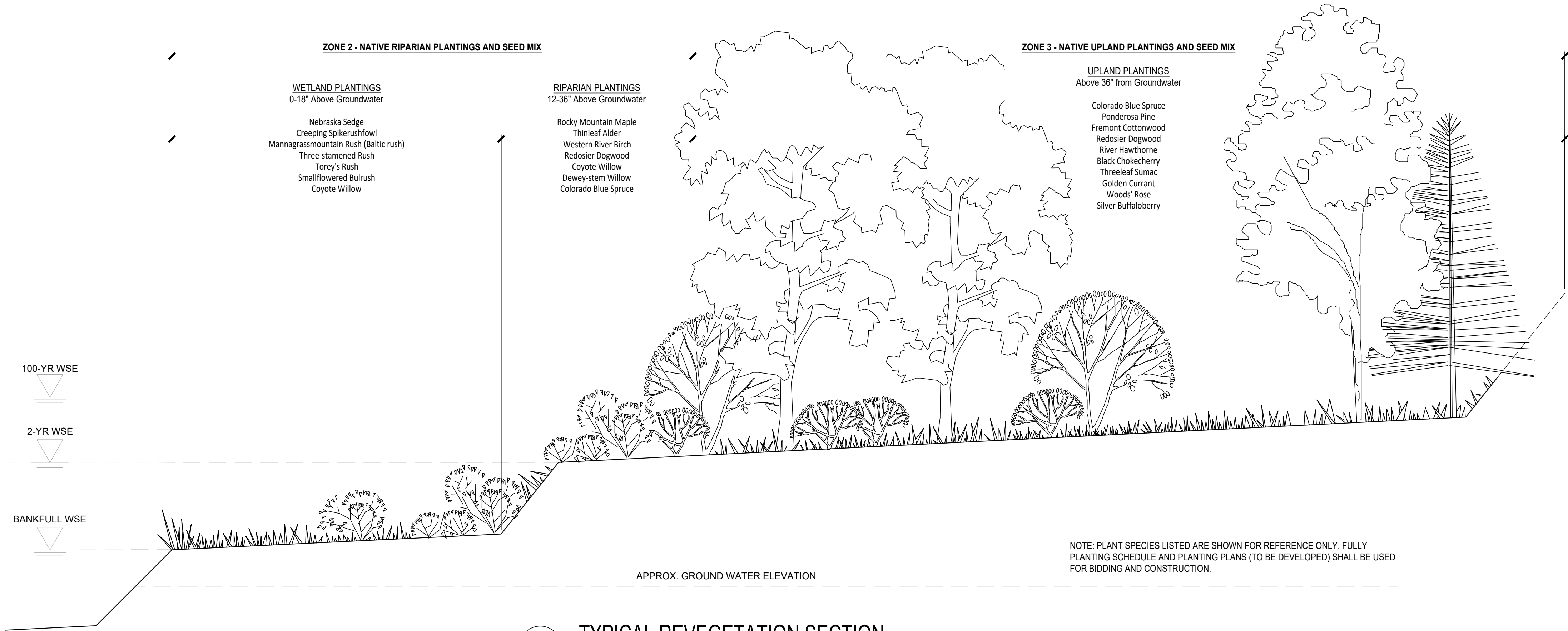
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THREE MILE CONFLUENCE

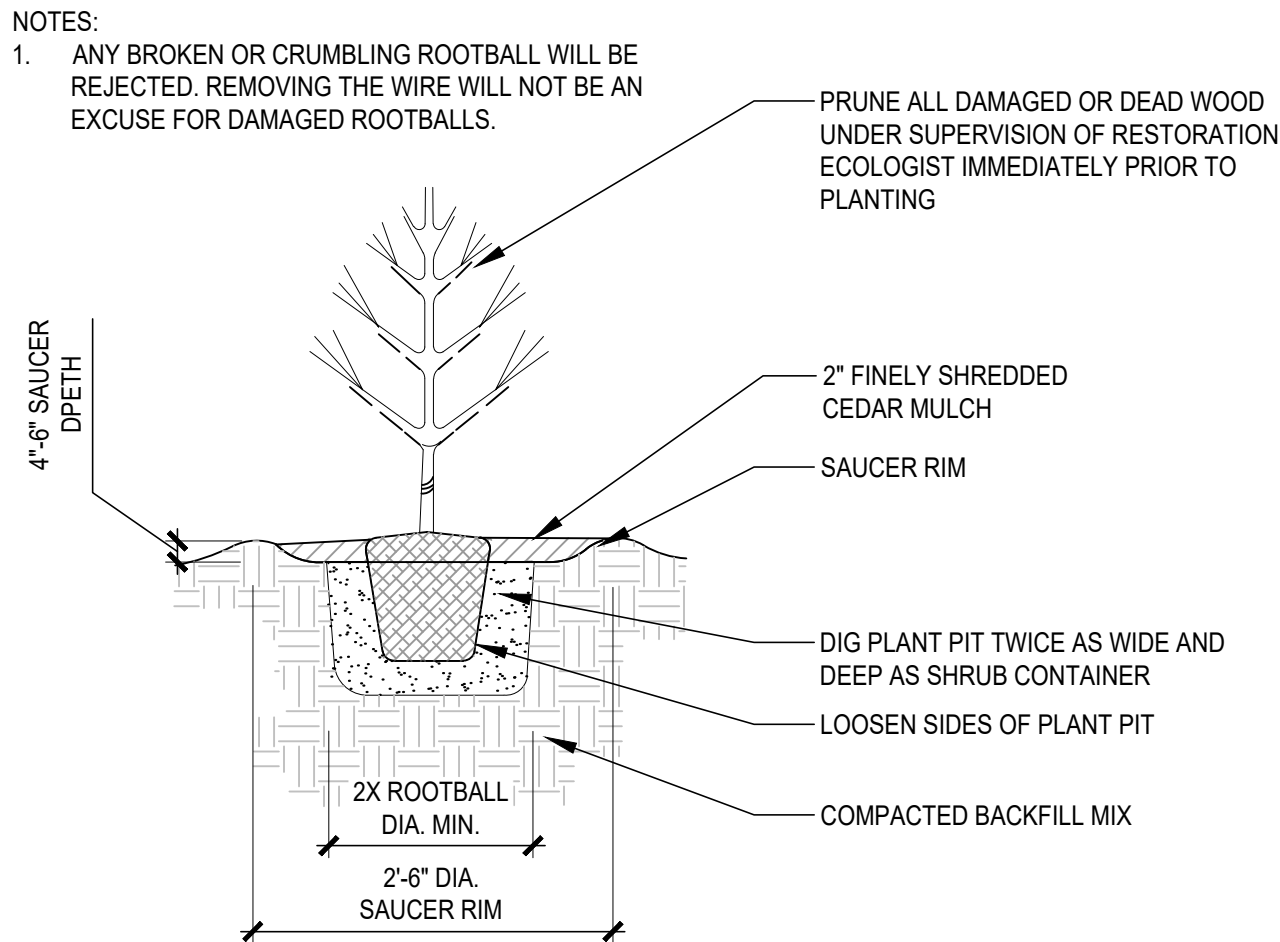
LANDSCAPE PLAN

JOB NO. 191-025.000
REVISION NO.
SHEET NO. L4

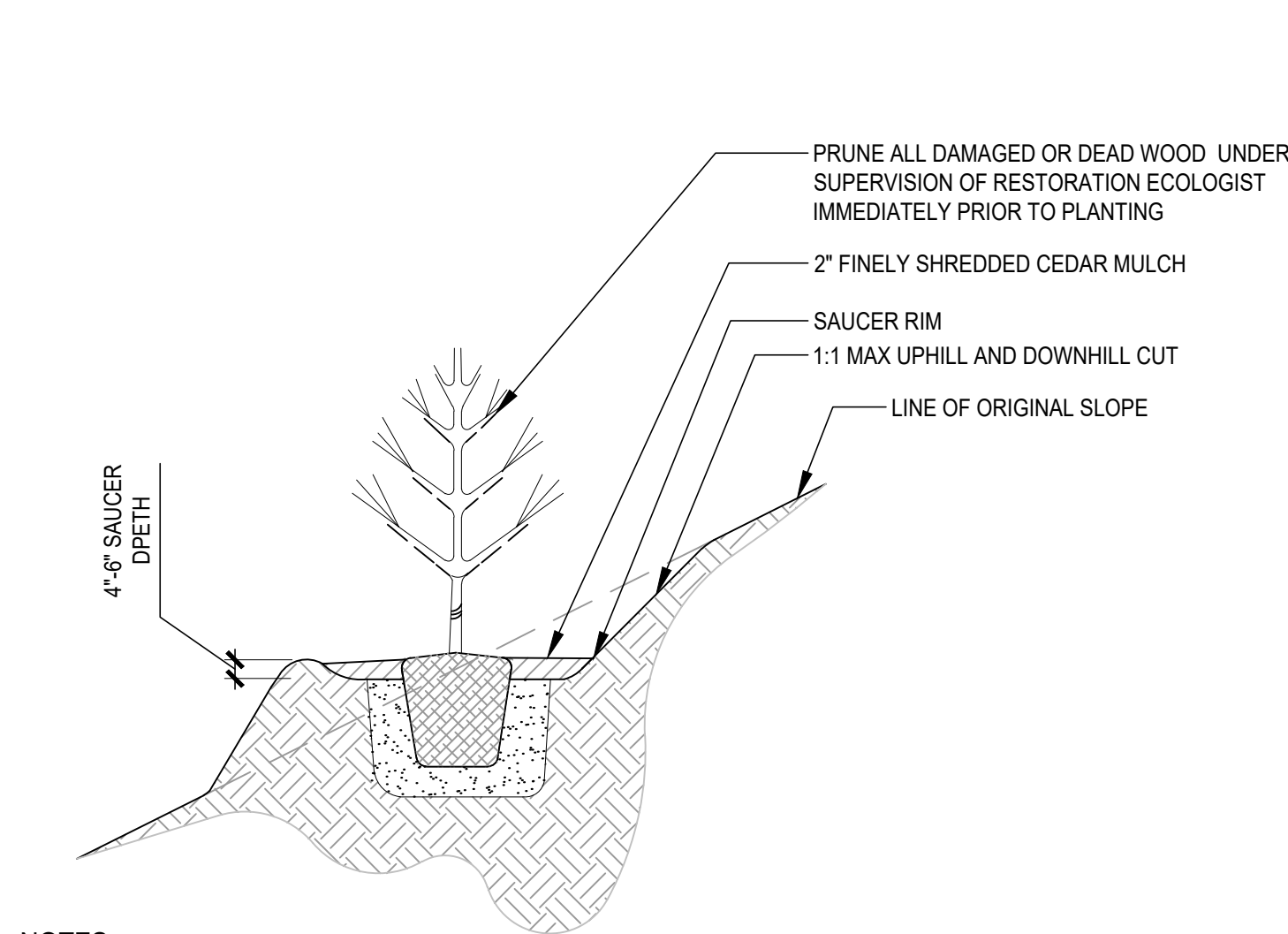
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A
LD1
TYPICAL REVEGETATION SECTION
SCALE: 1"= 1'-0"

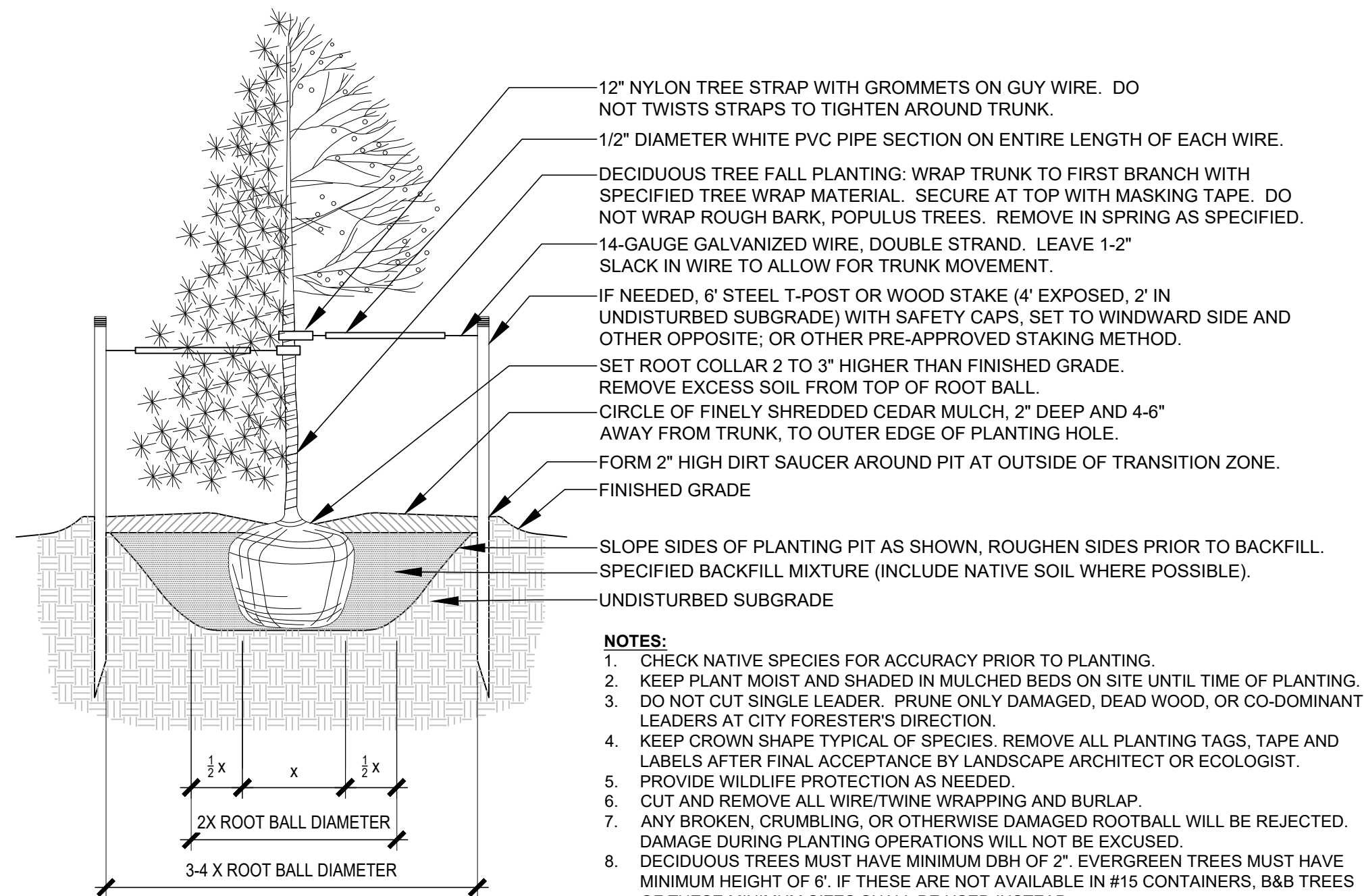


B
LD1
SMALL TREE/SHRUB PLANTING
SCALE: N.T.S.



- NOTES:
- WATER PREPARED PLANTING HOLES PER THE PLANTING NOTES.
 - PLANT CONTAINERS PER PLANTING NOTES.
 - ANY BROKEN OR CRUMBLING ROOTBALL WILL BE REJECTED. REMOVING THE WIRE WILL NOT BE AN EXCUSE FOR DAMAGED ROOTBALLS.
 - MULCH THE NEWLY PLANTED AREA WITH WOODSTRAW AT 75% COVER.

C
LD1
SMALL TREE/SHRUB PLANTING ON SLOPE
SCALE: N.T.S.



D
LD1
#15 CONTAINER TREE PLANTING
SCALE: 1/2"= 1'-0"



- NOTES:
- PLACE AROUND TRUNK OF ALL 2-INCH CALIPER TREES, WITH THE ZIPPERS ON UPHILL SIDE OF TREE.
 - WRAP BOTH SIDES AROUND TRUNK UNTIL ZIPPERS MEET AND ZIP TOGETHER FROM BOTTOM TO TOP.
 - LIFT TAG TO EXPOSE FILL OPENING AT TOP OF BAG.
 - INSERT HOSE INTO FILL OPENING AND BEGIN FILLING WITH WATER.
 - FILL BAG TO 1/4 CAPACITY, GENTLY LIFT UP ON STRAPS AT TOP OF BAG TO EXPAND BOTTOM.
 - FILL TO DESIRED LEVEL AND LET EMPT.
 - CONTINUOUSLY WATERS FOR APPROXIMATELY 5 TO 9 HOURS

E
LD1
TREE GATOR DETAIL
SCALE: N.T.S.

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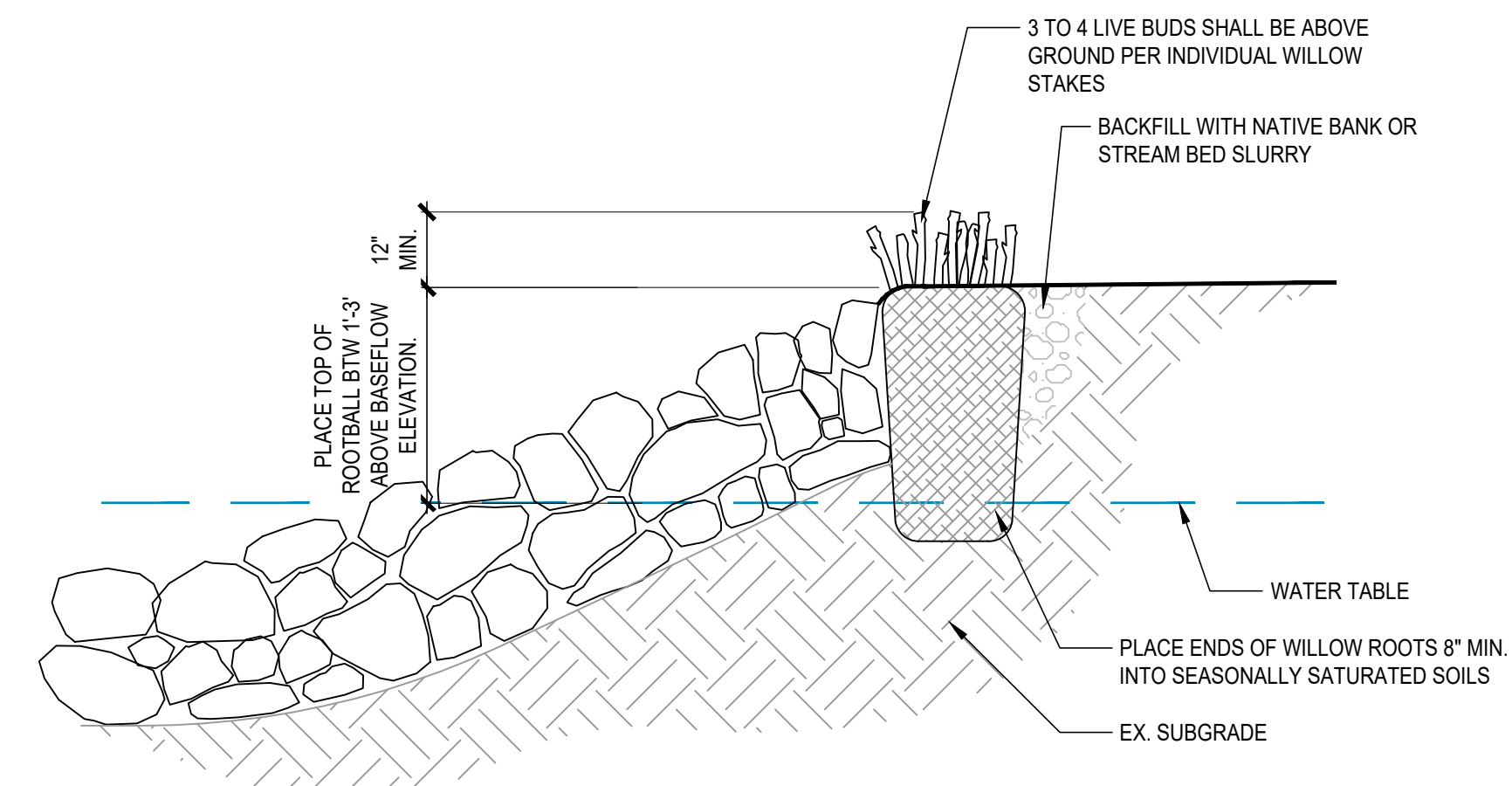
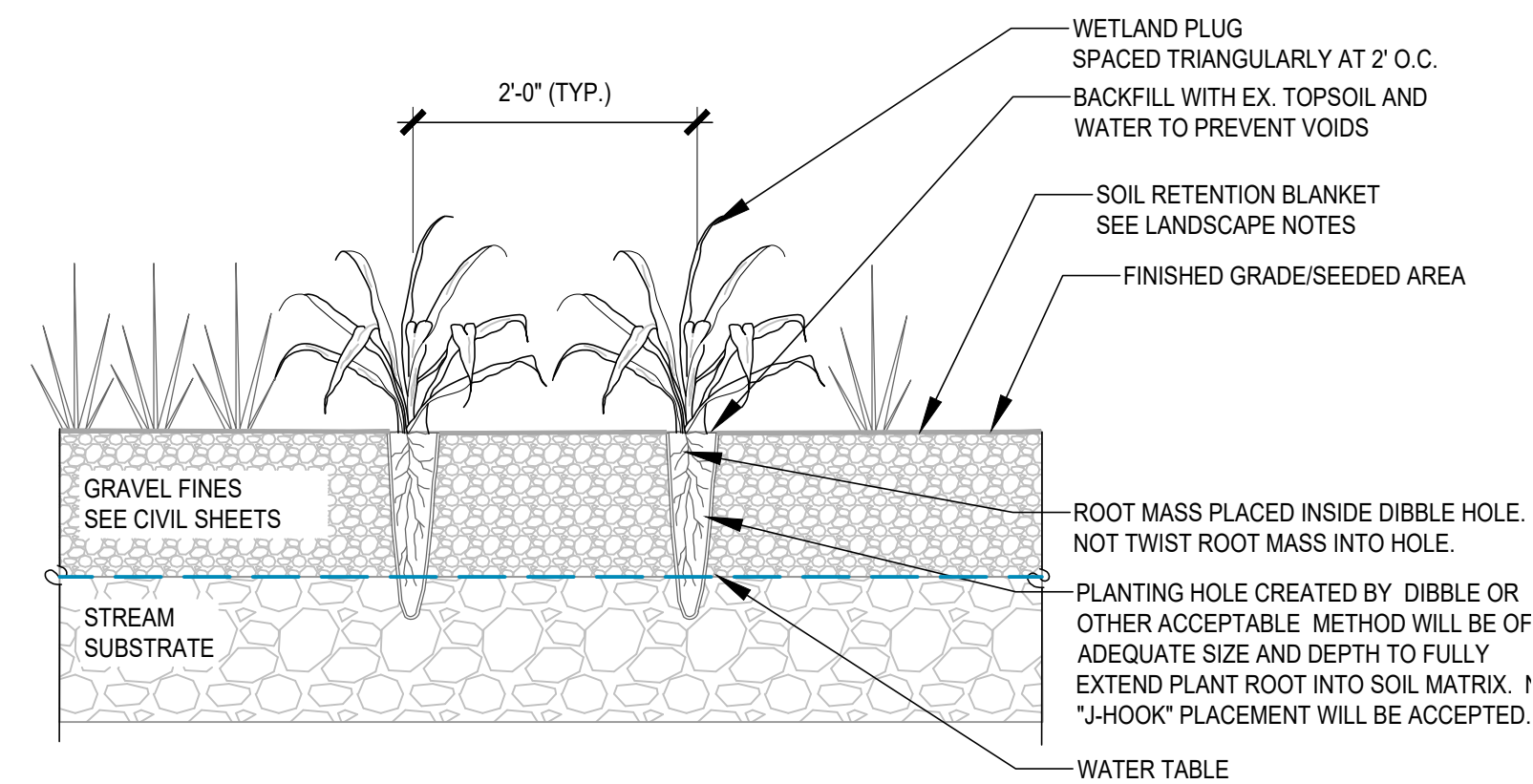
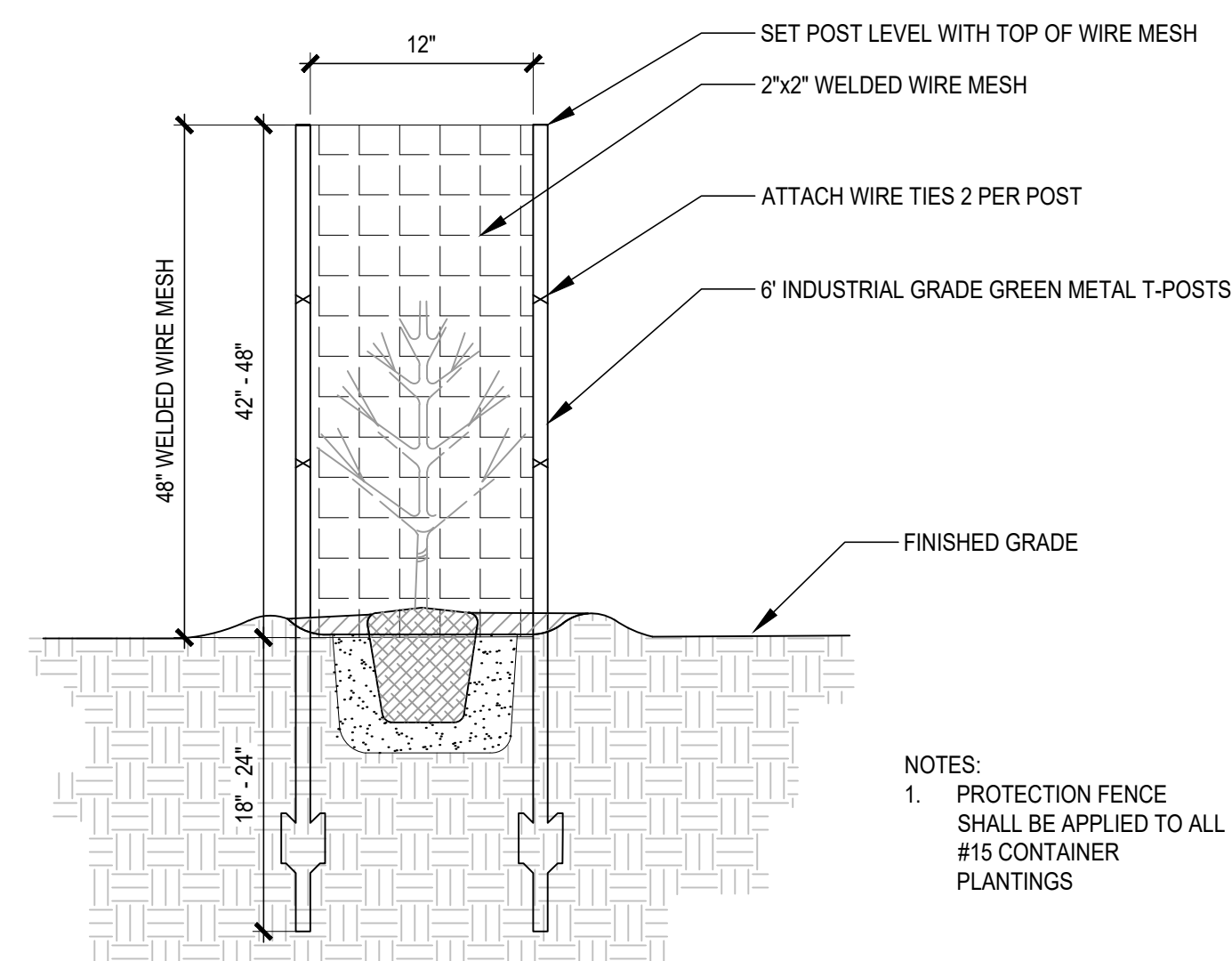
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THREE MILE CONFLUENCE

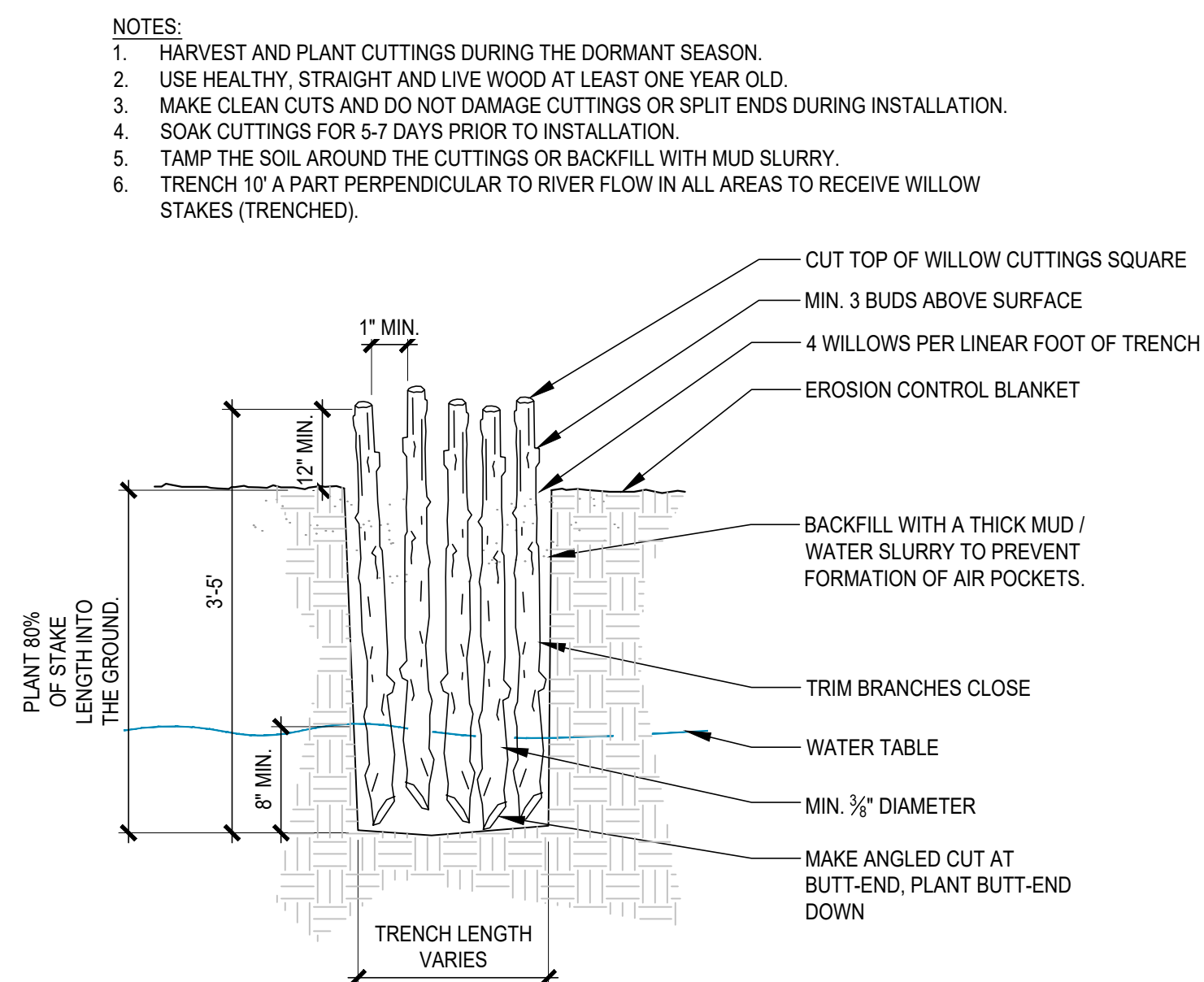
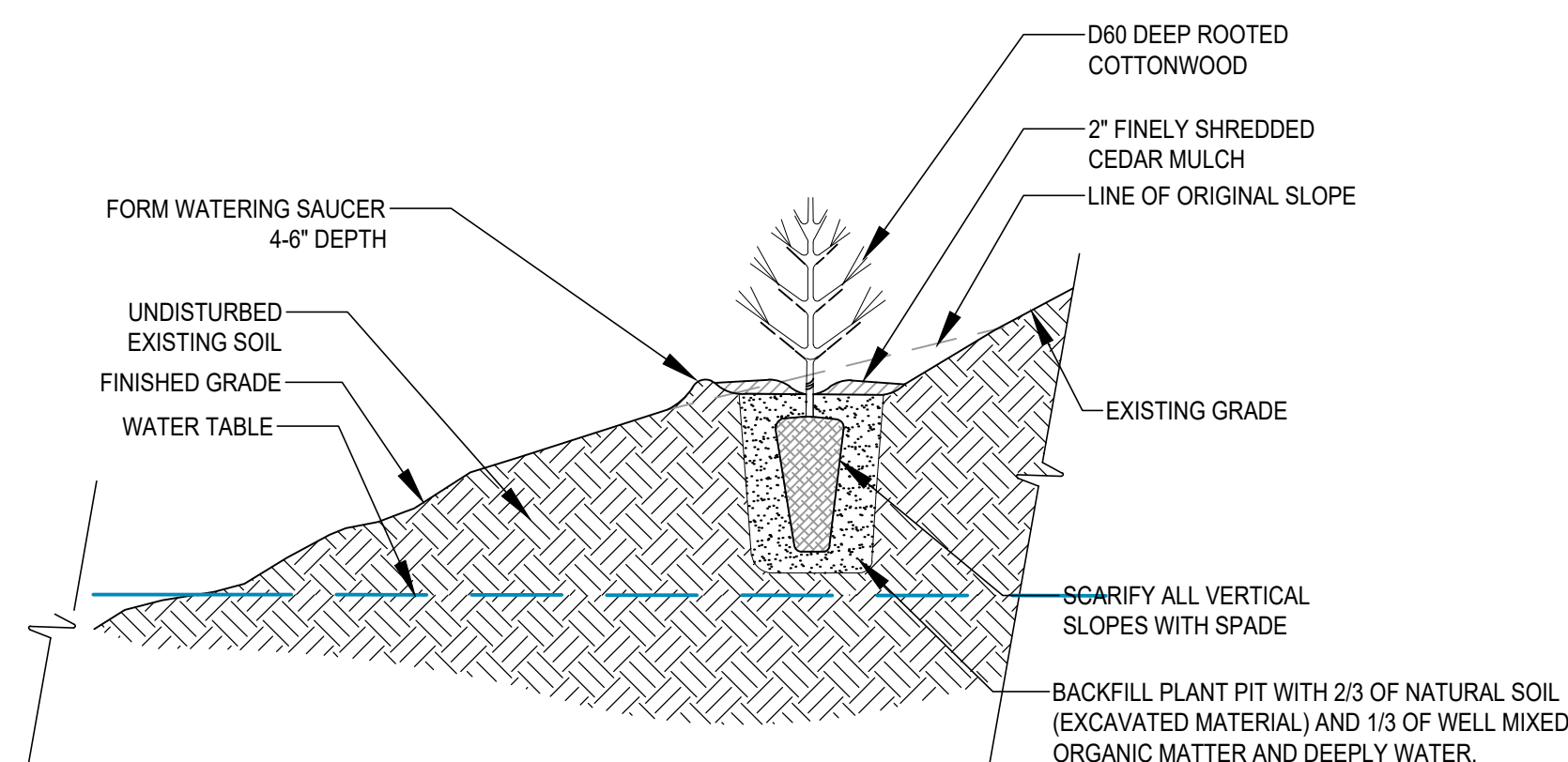
LANDSCAPE DETAILS

JOB NO.
191-025.000
REVISION NO.

SHEET NO.
LD1



1. RESTORATION ECOLOGIST TO CHECK NURSERY STOCK FOR SPECIES CORRECTNESS PRIOR TO PLANTING.
2. PLANTING LOCATIONS SHOULD BE STAKED BY LANDSCAPE CONTRACTOR AND CHECKED BY ECOLOGIST AND LANDSCAPE ARCHITECT PRIOR TO PLANTING.
3. EXCAVATE HOLES TO WATER TABLE AND ALLOW TIME FOR WATER LEVEL TO STABILIZE BEFORE PLANTING TREES. PROJECTS WITH LONG TERM USE OF DEWATERING TRENCHES (OVER 2 WEEKS) MAY TAKE SEVERAL WEEKS FOR THE GROUND WATER TO STABILIZE ON THE SITE AFTER WATER IS RETURNED.
4. KEEP ALL PLANTS MOIST AND SHADE IN MULCHED BEDS ON SITE UNTIL TIME OF PLANTING.
5. PLANT TREE SO THAT NO MORE THAN 1/3 OF TRUNK IS BELOW GROUND AND TRIM LOWER BRANCHES AS NEEDED.
6. DO NOT CUT OR DAMAGE LEADER.
7. PRUNE ALL DAMAGED OR DEAD WOOD AFTER PLANTING, STAKING AND MULCHING.
8. KEEP CROWN SHAPE TYPICAL OF SPECIES.
9. DEEPLY WATER TREE ONCE INSTALLED AND CONSIDER INSTALLING WATER TUBE IF SOIL IS SANDY.
10. REMOVE ALL PLANTING TAGS, TAPE AND LABELS AFTER FINAL ACCEPTANCE BY RESTORATION ECOLOGIST.



NOTES:

1. ONLY HARVEST AND TRANSPLANT MATURE WILLOWS FOUND ONSITE DURING DORMANT SEASON - CONTAINER WILLOWS CAN BE PLANTED OUTSIDE OF DORMANCY
2. MATURE WILLOW TRANSPLANTS SHALL BE SELECTED BY LANDSCAPE ARCHITECT ONSITE PRIOR TO CLEARING AND GRUBBING
3. MATURE WILLOW TRANSPLANTS SHALL BE PLANTED IMMEDIATELY AFTER REMOVAL
4. FINAL QUANTITY AND LOCATIONS OF MATURE WILLOWS SHALL BE DETERMINED BY LANDSCAPE ARCHITECT DURING CONSTRUCTION

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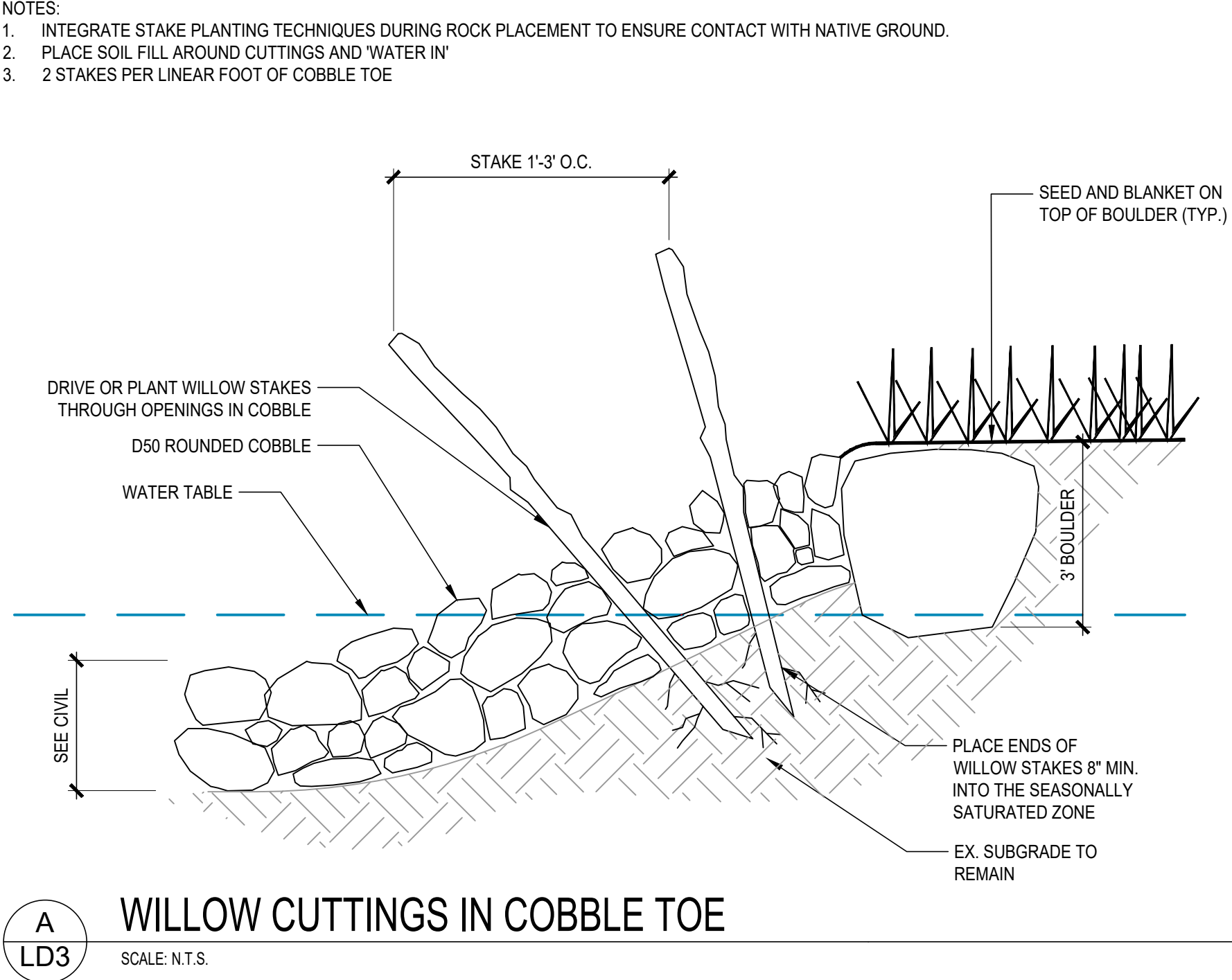
THREE MILE CONFLUENCE

LANDSCAPE DETAILS

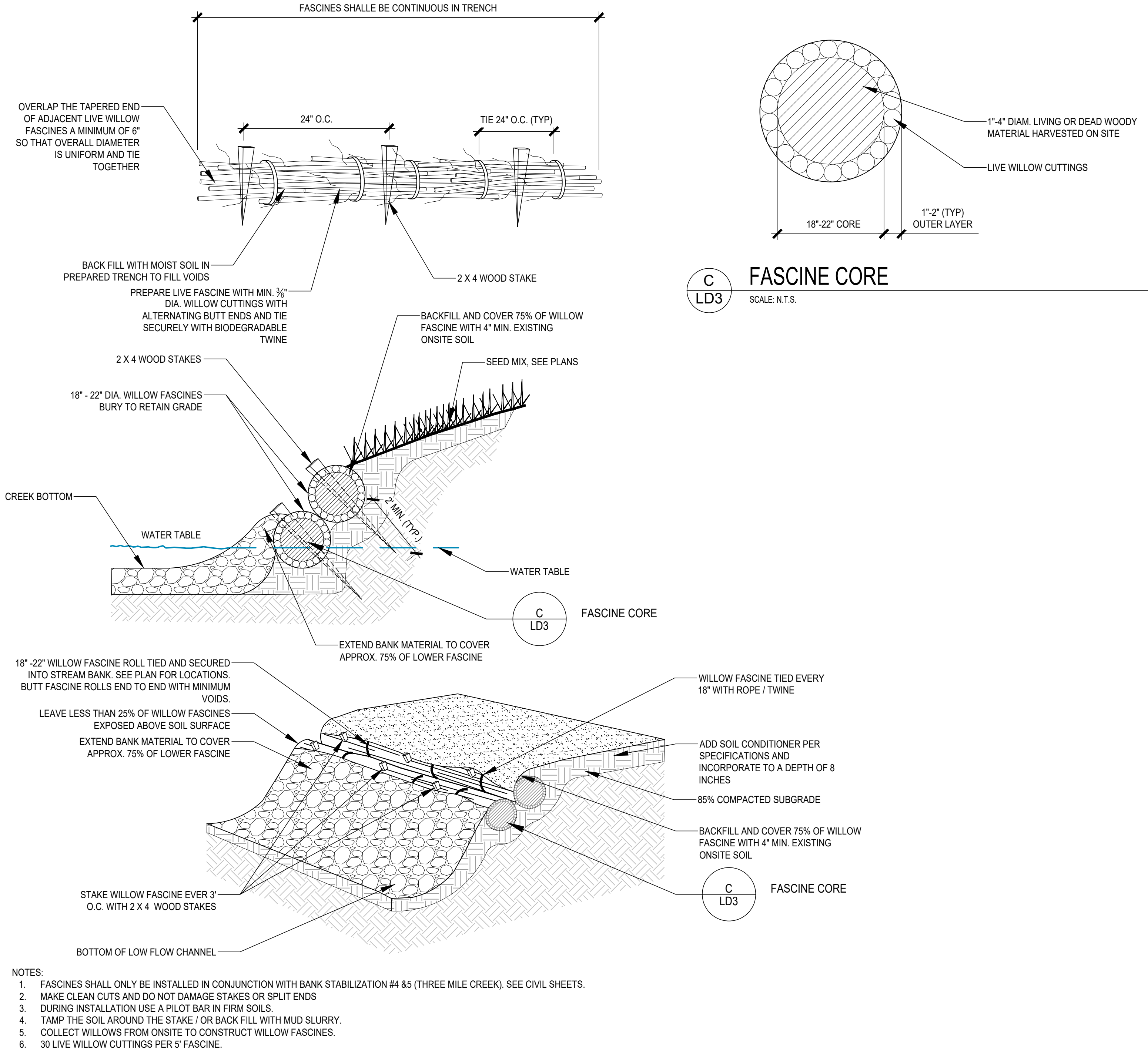
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REVISION NO.

SHEET NO.
LD2



WILLOW CUTTING IN COBBLE TOE EXAMPLE



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THREE MILE CONFLUENCE

LANDSCAPE DETAILS

JOB NO.	191-025.000
REVISION NO.	----
SHEET NO.	LD3

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BEFORE YOU DIG, GRADE, OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES

ITEM #	ITEM DESCRIPTION	QUANTITY	UNIT
1	MOBILIZATION	1	LS
2	DEWATERING	1	LS
3	SURVEYING	1	LS
4	PEDESTRIAN CONTROL	1	LS
5	SITE ACCESS	1	LS
6	ABANDON 18" CMP CULVERT	48	LF
7	REMOVE 3 CONCRETE SUPPORTS	1	LS
8	REMOVE CONCRETE DEBRIS	1	LS
9	REMOVE 36" RCP CULVERT	1	LS
10	REMOVE SPLIT RAIL FENCING	1	LS
11	REMOVE TREE	4	EA
12	ABANDON DIVERSION STRUCTURE	1	LS
13	STREAM SUBSTRATE WITH FINES	429	CY
14	STREAM SUBSTRATE (D50 = 6")	78	CY
15	STREAM SUBSTRATE (D50 = 9")	147	CY
16	STREAM SUBSTRATE (D50 = 12")	340	CY
17	3' BOULDER	335	CY
18	EROSION CONTROL BLANKET	338	SY
19	EARTHWORK (ON SITE)	460	CY
20	EARTHWORK (HAUL OFF SITE)	214	CY
21	10 CI FORBS AND GRAMINIDS	592	EA
22	#15 TREE	23	EA
23	CUTTING 48"	3,520	EA
24	D60 SHRUB/PERENNIAL	341	EA
25	INVASIVE SPECIES MANAGEMENT	1	AC
26	IRRIGATION	1	LS
27	KOIRMAT 400	2,450	SY
28	KOIRMAT 1000	500	SY
29	PLANT CAGES	23	EA
30	SPLIT RAIL FENCE	1,000	LF
31	12" SOIL RIPPING FOR SEEDED AREAS	2,670	SY
32	WILLOW WADDLES/FASCINES	290	LF
33	ZONE 3- UPLAND SEEDING	10,932	SF
34	ZONES 1 AND 2: WETLAND AND RIPARIAN	13,071	SF
35	SWALE SEEDING	4,327	SF
36	FLAGSTONE REPAIR	100	SF
37	NEW FLAGSTONE	200	SF
38	RESTROOM ENCLOSURE	35	LF
39	FOOT TRAIL	250	LF
40	BOULDER SEAT	3	EA
41	BOULDER BOAT TIE OFF	4	EA
42	PICNIC TABLE	1	EA
43	EDUCATIONAL INTERPRETIVE SIGN	2	EA
44	BOATING SIGN	1	EA
45	SPAWNING INFO SIGN	1	EA
46	WAYFINDING SIGNAGE	1	EA
47	CRUSHER FINES	35	CY

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
ABANDON 18" CMP CULVERT	48	LF	\$50	\$2,400
REMOVE 3 CONCRETE SUPPORTS	1	LS	\$2,000	\$2,000
REMOVE CONCRETE DEBRIS	1	LS	\$2,000	\$2,000
REMOVE 36" RCP CULVERT	1	LS	\$10,000	\$10,000
REMOVE SPLIT RAIL FENCING	1	LS	\$1,000	\$1,000
REMOVE TREE	4	EA	\$1,000	\$4,000
ABANDON DIVERSION STRUCTURE	1	LS	\$5,000	\$5,000
STREAM SUBSTRATE WITH FINES	429	CY	\$80	\$34,338
STREAM SUBSTRATE (D50 = 6")	78	CY	\$80	\$6,252
STREAM SUBSTRATE (D50 = 9")	147	CY	\$90	\$13,205
STREAM SUBSTRATE (D50 = 12")	340	CY	\$100	\$34,039
3' BOULDER	335	CY	\$300	\$100,520
EARTHWORK (ON SITE)	460	CY	\$30	\$13,799
EARTHWORK (HAUL OFF SITE)	214	CY	\$150	\$32,127
10 CI FORBS AND GRAMINOIDS	592	EA	\$5	\$2,853
#15 TREE	23	EA	\$500	\$11,500
CUTTING 48"	3,520	EA	\$7	\$23,760
D60 SHRUB/PERENNIAL	341	EA	\$17	\$5,858
INVASIVE SPECIES MANAGEMENT	1	AC	\$6,000	\$3,360
IRRIGATION	1	LS	\$25,000	\$25,000
KOIRMAT 400	2,450	SY	\$9	\$21,560
KOIRMAT 1000	500	SY	\$15	\$7,500
PLANT CAGES	23	EA	\$45	\$1,035
SPLIT RAIL FENCE	1,000	LF	\$34	\$34,000
12" SOIL RIPPING FOR SEEDED AREAS	2,670	SY	\$1	\$2,670
WILLOW WADDLES/FASCINES	290	LF	\$20	\$5,800
ZONE 3- UPLAND SEEDING	10,932	SF	\$0.10	\$1,093
ZONES 1 AND 2: WETLAND AND RIPARIAN	13,071	SF	\$0.12	\$1,569
SWALE SEEDING	4,327	SF	\$0.25	\$1,082
FLAGSTONE REPAIR	100	SF	\$10	\$1,000
NEW FLAGSTONE	200	SF	\$15	\$3,000
RESTROOM ENCLOSURE	35	LF	\$150	\$5,250
FOOT TRAIL	250	LF	\$5	\$1,250
BOULDER SEAT	3	EA	\$400	\$1,200
BOULDER BOAT TIE OFF	4	EA	\$800	\$3,200
PICNIC TABLE	1	EA	\$1,000	\$1,000
EDUCATIONAL INTERPRETIVE SIGN	2	EA	\$2,500	\$5,000
BOATING SIGN	1	EA	\$750	\$750
SPAWNING INFO SIGN	1	EA	\$500	\$500
WAYFINDING SIGNAGE	1	EA	\$5,000	\$5,000
CRUSHER FINES	35	CY	\$125	\$4,375
SUBTOTAL OF MATERIAL CONSTRUCTION ASPECTS				\$440,845
MOBILIZATION (10% OF SUBTOTAL)	1	LS	\$44,084	\$44,084
DEWATERING (1% OF SUBTOTAL)	1	LS	\$4,408	\$4,408
SURVEYING	1	LS	\$10,000	\$10,000
PEDESTRIAN CONTROL	1	LS	\$5,000	\$5,000
SUBTOTAL OF FRONT END COSTS				\$63,493
FINAL DESIGN	1	LS	\$35,000	\$35,000
PERMITTING	1	LS	\$15,000	\$15,000
CONSTRUCTION SERVICES	1	LS	\$20,000	\$20,000
SUBTOTAL OF FINAL ENGINEERING COSTS				\$70,000
SUBTOTAL				\$574,338
CONTINGENCY (10%)	1	LS	\$57,434	\$57,434
TOTAL				\$631,771

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
EARTHWORK (ON SITE)	793	CY	\$30	\$23,799
EARTHWORK (HAUL OFF SITE)	749	CY	\$75	\$56,189
CONCRETE TRAIL	430	LF	\$50	\$21,498
STREAM SUBSTRATE (D50 = 12")	127	CY	\$100	\$12,741
3' BOULDER	360	CY	\$200	\$71,977
CULVERT (24" HDPE)	40	LF	\$100	\$4,000
			SUBTOTAL	\$190,204
FRONT END COST (25%)	25%	%	\$47,551	\$47,551
CONTINGENCY (25%)	25%	%	\$47,551	\$47,551
			SUBTOTAL	\$95,102
ENGINEERING	15%	%	\$28,531	\$28,531
			TOTAL	\$313,837



City of Glenwood Springs
Colorado Water Conservation Board
Watershed Restoration Program Grant Application
November 5, 2020



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources



Project Proposal Summary Sheet

Project Title: Three Mile Creek Confluence Restoration Project

Project Location: The project site is located at the confluence of Three Mile Creek and the Roaring Fork River in southern Glenwood Springs, Colorado. Glenwood Springs is located within Garfield County, approximately 120 miles west of Denver. Approximate coordinates of the project site are 39.5144604N, -107.317885W.

Grant Type: Watershed/Stream Restoration and/or Protection (Restoration)

Grant Request/Amount: \$85,000

Cash Match Funding: \$35,000 (secured City of Glenwood Springs)
\$95,000 (pending CWCB WRSF)

In-Kind Match Funding: \$25,750

Project Sponsor(s): The Three Mile Creek Confluence Restoration Project is sponsored by the City of Glenwood Springs, Colorado.

Contact: Trent Hyatt, trent.hyatt@cogs.us, (970) 384-6427 or Jennifer Ooton, jenn.ooton@cogs.us, (970) 384.6404.

Brief Project Description: The Three Mile Creek Confluence in southern Glenwood Springs is a heavily used natural area that has been degraded over time due to increasing recreational use and pedestrian traffic. The City of Glenwood Springs, in partnership and input from many local stakeholders has identified improvements that will allow the space to be enjoyed by visitors while also protecting the area's ecological diversity: stabilization and ecological restoration of over 500 linear feet of bio-engineered bank stabilization, reestablishing native riparian vegetation by planting over 30,000 square feet of trees and shrubs, installing more than 500 linear feet of fencing to reduce the impact of pets and pedestrians, removing a large number of invasive species, restoring over 8,000 square feet of wetland/riparian areas, and multiple new signs that will educate the public on the importance of a healthy riparian ecosystem and spawning restrictions associated with sensitive confluences. The proposed work as part of this grant is a subset of the complete project due to funding limitations, but the overall intent of the grant funding will be to stabilize banks and reestablish a healthy ecosystem at a sensitive stream confluence. Funding is being requested from multiple sources and the design team will evaluate proposed measures to be implemented based on final funding available.

Dropbox Links to Public Outreach Documents and Plan Set:

[Three Mile Creek Public Education/Outreach and Concepts](#)

[Three Mile Creek Confluence Designs](#)



Application Evaluation Criteria

Qualifications Evaluation: Identify the lead project sponsor and describe the other stakeholders' level of participation and involvement: The lead project sponsor is the City of Glenwood Springs, Colorado. The project plan and design were informed by input from Colorado Parks and Wildlife to determine the most appropriate course of action for this sensitive and environmentally important area. The project plan and design were additionally informed by two public meetings and two community surveys. Dozens of people participated in the two public meetings and the City collected more than 100 responses to its two surveys. Additionally, multiple local organizations support the project, including the City of Glenwood Springs River Commission, the Middle Colorado Watershed Council, Pitkin County Healthy Rivers, Trout Unlimited, Colorado Parks and Wildlife, the Colorado River District, and the Roaring Fork Conservancy.

Specify in-kind services and cash contributions (match) amount for the proposed activities. See section B.2. of the grant program guidance to determine match funding requirements. Discuss whether other funding sources are secured or pending: The City of Glenwood Springs has committed \$35,000 in cash match. The City of Glenwood Springs' River Commission has committed \$5,000 in in-kind match to coordinate, support, and enable volunteer plantings, public outreach at the site, and perform routine monitoring and adaptive management after the project has been completed. The City of Glenwood Springs has committed \$11,250 in in-kind match to create educational signage for the project area on the importance of healthy riparian ecosystems. Wright Water Engineers has committed \$7,500 in in-kind match to complete the final design, permitting, and construction observation activities for the project. Ramboll Group and Chinook Landscape Architecture have both committed \$1,000 in in-kind match to support design, construction management, and post-project monitoring and reporting of project efficacy.

The City of Glenwood Springs has also applied for project funding from the Restoration and Stewardship of Outdoor Resources (RESTORE) Colorado grant program, sponsored by the National Fish and Wildlife Foundation in partnership with the Colorado Department of Natural Resources, Colorado Parks and Wildlife, the Colorado Water Conservation Board, the Gates Family Foundation, and Great Outdoors Colorado. The City of Glenwood Springs will not know the status of this funding until March 2021.

Organizational Capability: What is the applicant organization's history of accomplishments in the watershed? Provide several past project or planning examples. List partner organizations and agencies with whom applicant worked to implement past projects or planning efforts: The City of Glenwood Springs has an extensive, successful history in watershed projects and plans. The Three Mile Creek Confluence Planning and Design Project, to create the plans for this application, was supported by two separate grant awards from



Pitkin County Healthy Rivers in addition to matching funds from the City of Glenwood Springs. The project was completed with help and coordination from the City, the River Commission, the Parks and Recreation Commission, and letters of support from the River Commission, the Colorado Basin Roundtable, Middle Colorado Watershed Council, Roaring Fork Conservancy, Roaring Fork Fishing Guide Alliance, Ruedi Water and Power Authority, and Colorado Parks and Wildlife. In the Three Mile Creek area, the City also completed successful emergency streambank protection in the fall of 2018.

Outside of the Three Mile Creek area, the City of Glenwood Springs completed the Two Rivers Park Shoreline Restoration project in the winter of 2020, in conjunction with the Parks and Recreation Commission and the River Commission. This project improved the experience for recreational and family users of the park through excavation of the in-river railroad abutment and industrial debris along the park's shoreline, the installation of a river walk trail, the protection of beach areas, improved boat ramp and staging area, Americans with Disabilities Act (ADA) connectivity, restrooms, and riverfront landscaping.

The City of Glenwood Springs has also completed streambank protection at Veltus Park in the fall of 2018, as well as riparian restoration in the fall of 2018 and again on November 1, 2020. This included the installation of educational signage and was supported by the City, the Parks and Recreation Commission, and the River Commission.

The City Council of Glenwood Springs adopted a riparian setback ordinance, which establishes acceptable distances from bodies of water to areas where building and other soil disturbing activities are taking place, on September 17, 2020. This ordinance was adopted after a more than two year effort by the City, the River Commission, and the Roaring Fork Conservancy, alongside letters of support from the Middle Colorado Watershed Council, the Roaring Fork Conservancy, the Roaring Fork Fishing Guide Alliance, Ruedi Water and Power Authority, and Colorado Parks and Wildlife.

Lastly, the River Commission supports local bodies of water through river cleanups that have occurred annually since 2000.

What level of staffing will be directed toward the implementation of the proposed project/planning effort? Discuss the number of staff and amount of time dedicated for the project. Will volunteers be utilized, and if so, how? Include brief resumes for each member of the active project team: The active project team consists of the Jennifer Ooton and Trent Hyatt from the City of Glenwood Springs and Scott Schreiber from Wright Water Engineers. Jennifer, Trent, and Scott have completed the project planning effort, incorporating input from local stakeholders to influence the final project design. During project implementation, Jennifer will dedicate 5% of her time, Trent will dedicate 25% of his time, and Scott will dedicate 15% of his time to the Three Mile Creek Confluence Restoration project.



Jennifer Ooton, Assistant City Manager in charge of Community and Economic Development for the City of Glenwood Springs, will serve as co-project manager. Jennifer has extensive experience in both city government and grants management, including project management for a U.S. Environmental Protection Agency (EPA) grant award to create a development master plan for several brownfield properties within Glenwood Springs. Jennifer holds a bachelor's degree from the University of Colorado at Boulder and a master's degree in public administration from the University of Colorado at Denver.

Trent Hyatt, Senior Planner for Community Development for the City of Glenwood Springs, will serve as co-project manager. Trent has an impressive track record in grants management, including a Colorado Division of Local Affairs (DOLA) grant to evaluate and prioritize historic cultural resources in Clear Creek County, a DOLA Energy and Mineral Impact Assistance Fund grant to study various planning scenarios for potential redevelopment of the City's municipal airport, a Colorado Water Conservation Board Public Education, Participation, and Outreach grant for the development of a riparian guide for riverfront property owner and landscapers, and two Pitkin County Healthy Rivers Board grants for the development of the comprehensive planning effort related to this specific grant request. Trent holds a bachelor's degree in community and regional planning from Appalachian State University.

Scott Schreiber, Water Resource Engineer for Wright Water Engineers, will serve as the senior engineer. Scott has over a decade of experience in stream restoration, water budget analysis, Clean Water Act permitting, corridor planning studies, groundwater studies, and more. He has served as a lead on numerous comparable projects, including the development of conceptual designs for fish passage in Canyon Creek in Colorado, and implementing stream restoration measures at Coal Creek in Fremont County, Colorado. Scott holds a bachelor's degree in civil engineering from Virginia Polytechnic Institute and State University (Virginia Tech) and a master's degree in water resource engineering and management from the Georgia Institute of Technology (Georgia Tech).

Volunteers will participate in the planting of trees and shrubs to reestablish native riparian vegetation, prevent erosion, and continue public education and outreach efforts. A minimum of 200 volunteers are expected to participate.

Demonstrate that the project budget and schedule are realistic. Please use the budget/timeline spreadsheet attached to the application. Please note that the start date will take place after funding awards are announced and grant awards are contracted: Please see the attached Budget & Timeline Table. The project budget and schedule have been informed by Wright Water Engineers and previous comparable projects and are realistic.

Proposal Effectiveness: What information is the project sponsor using to develop the proposed plan or project? Include any relevant information regarding existing watershed



plans, stream management plans, geomorphic assessments, flood studies, fire protection plans, riparian conditions assessments, aquatic/terrestrial habitat conditions, wildlife studies, and/or river restoration reports: In addition to being informed by the *Roaring Fork Watershed Plan*, which the City of Glenwood Springs adopted in 2012, the Three Mile Creek Confluence Restoration project is a direct result of community outreach efforts that culminated in the Three Mile Creek Confluence Planning Project Conceptual Design Report.

[Roaring Fork Watershed Plan](#)

The Three Mile Creek Confluence Planning Project Conceptual Design Report was a result of the City of Glenwood Springs, in conjunction with Wright Water Engineers, Chinook Landscape Architecture, and Ramboll Group, and with grant funding provided by Pitkin County Rivers. The project team conducted two public meetings and two public surveys to incorporate community voices into the report. Ultimately, the report identified 20 site improvement recommendations. These consisted of revegetating multiple locations within the Three Mile Creek Confluence area to reestablish the native riparian ecosystem, installing signage detailing the extents and importance of fish spawning areas at and around the Confluence, stabilizing the riverbank with boulders to reduce erosion, additional bio-engineering measures to stabilize the riverbank, installing boulders within the creek to increase aquatic habitat and diversity, adding split rail fencing to protect native vegetation from pedestrian traffic, and performing invasive weed management across the site. These site improvement recommendations, fully influenced and approved by local stakeholders, have informed the final project design.

The Three Mile Creek Confluence Planning Project was also informed by the Roaring Fork Watershed Plan. Two “Urgent Action” items of the plan include planning and implementing key riparian and instream protection and restoration projects, a category this project falls into, and increasing the awareness of the importance of riparian areas, which this project will do by installing educational signage. Additionally, the project aligns with the Watershed Plan’s broad objectives to improve public education and understanding concerning complex federal and state water policies and programs affecting management of rivers and streams, ensure coordination of local land use actions to prevent or mitigate water resource impacts throughout the watershed, improve public awareness and support of water quality protection and improve public engagement in water quality protection activities, assess the condition of riparian and instream habitat for all major streams in the watershed, enhance and preserve native riparian and instream flora and fauna, minimize the impact of development and other activities in riparian and instream areas, improve understanding of the importance of riparian and instream areas, and eradicate or control invasive species in riparian and instream areas.

Discuss the multiple objective aspects of the project and how they relate to each other. Describe similar activities in the watershed and how this project or plan complements but does not duplicate those activities: Located in southern Glenwood Springs, Colorado, along the



Roaring Fork River, the Three Mile Creek Confluence area is a popular natural space that is widely enjoyed by pedestrians, anglers, boaters, beachgoers, and other community members and visitors. With increasing use from these populations, the Three Mile Creek Confluence area has become debris-ridden and degraded over time, with problems including bank destabilization, increased soil and land loss, reduced nutrient filtering, poor moderation of water temperature, and the depletion of terrestrial wildlife habitat and corridors of movement. The City of Glenwood Springs identified the need for a comprehensive restoration plan that includes necessary improvements to accommodate the heavy, multi-recreational use while limiting ecological disturbances.

The City of Glenwood Springs and partner Wright Water Engineers have identified a number of important project activities that need to be undertaken to address these concerns. Please see the scope of work below for specific information related to each proposed construction task.

Describe the proposed monitoring or implementation plan. How will the project or plan measure success of its objectives?: The project team will monitor objectives at six month and yearly intervals. The installation of boulders, bio-engineered bank stabilization, trees, shrubs, and fencing will be measured both at the beginning to establish a baseline and following its conclusion to calculate the exact area that has been improved. The natural moderation of water temperature will be monitored monthly to evaluate fish health. Additionally, the City will monitor the prevalence of native fish and animal species to determine the success of reestablishing habitat, areas of refugia, and corridors of movement necessary for ecological improvements. Lastly, the project team will count participating volunteers to measure the reach of community education efforts.

It can be difficult to measure the presence of native fish, animal, and plant species in the Three Mile Creek Confluence area to a precise number. The City of Glenwood Springs will make every effort to conduct a complete count to the best of its abilities. Additionally, while community education can be challenging to measure, the City will conduct periodic surveys at the Three Mile Creek Confluence area to evaluate community perceptions and the depth of knowledge among users of the space.



Scope of Work

Grantee: The City of Glenwood Springs, Colorado

Primary Contact: Trent Hyatt

Address: 101 W 8th Street, Glenwood Springs, CO 81601

Phone: (970) 384-6427

Project Name: Three Mile Creek Confluence Restoration Project

Grant Amount: \$85,000

Introduction and Background: The Three Mile Creek Confluence in southern Glenwood Springs is a heavily used natural area that has been degraded over time due to increasing recreational use and pedestrian traffic. The City of Glenwood Springs, in partnership and input from many local stakeholders has identified improvements that will allow the space to be enjoyed by visitors while also protecting the area's ecological diversity.

Prior to the development of the constructions plans to be implemented through this grant, an intensive public education and outreach campaign was developed. This outreach included two physical meetings to discuss the intent of the project, educate the public on certain ecological values and also gain insights on what the public wanted to see at the confluence area. The first public outreach meeting was completed on site to allow for the public to understand the various deficiencies at the site and educate the public on ecological restoration. The second public outreach held at a local school allowed participants to provide input on the proposed design features. Along with physical meetings online surveys were also developed to gather additional feedback. Outreach documents can be found at the link below.

[Three Mile Creek Public Education/Outreach and Concepts](#)

From the public outreach as well as in-depth field investigations by the design team many site features were developed not only to provide ecological uplift to the system, but also allow for a resilient ecosystem that can be enjoyed by the many visitors that venture to the site on a daily basis. The overall project includes bank stabilization and ecological restoration of over 500 linear feet through bio-engineered bank stabilization, reestablishing native riparian vegetation by planting over 30,000 square feet of trees, shrubs, and grasses, installing more than 500 linear feet of fencing to reduce the impact from public use, placement of habitat boulder clusters, removing a large number of invasive species, restoring over 8,000 square feet of wetland/riparian areas, installation multiple signs that will educate the public on the importance of a healthy riparian ecosystem and spawning restrictions associated with sensitive confluences, and inclusion of hardscaped features such as trails, benches, boulder seats, etc. The proposed work as part of this grant is a subset of the complete project due to funding limitations, but the overall intent of the grant funding will be to stabilize banks and reestablish a healthy ecosystem at a sensitive stream confluence. Funding is



being requested from multiple sources and the design team will evaluate proposed measures to be implemented based on final funding available. The construction plan sets are at a 90% level currently to allow for modifications based on funding and area available at the link below.

[Three Mile Creek Confluence Designs](#)

Objectives: The overarching objectives of this project are to provide ecological uplift to a sensitive confluence area, while also providing user access and enjoyment at the site and educational opportunities to inform people about sensitive riparian confluences.

Tasks: The following pages contain a detailed breakdown of the proposed tasks associated with the project. The individuals task items do overlap due to the fact this is an implementation project. The costs associated for each task are based on approximations and combination of items from the engineer's construction estimate. Below is a link to the engineers estimate used to developed scope and costs for the tasks below.

[Engineers Estimate](#) (also attached below)

Task 1 – Debris Removal

Description of Task: Throughout the project area there are instances of debris and large trash items that have been acquired over time. These aspects are too large for volunteer activities to remove and will need heavy equipment. The debris is composed of concrete debris, concrete footers, and dilapidated split rail fencing.

Method/Procedure: The project team will use CWCB funding to remove accumulated debris and haul to offsite disposal location.

Deliverable: Removal of debris from project area.

Task 2 – Invasive Species Removal

Description of Task: The project team has developed a plan sheet that details the process of invasive species removal, including photos and best management practices, and will remove many invasive species throughout the project area.

Method/Procedure: The project team will use matching funds to complete the removal of invasive species in the Three Mile Creek Confluence area. The work will be supervised by design ecologist. Procedures in the construction plan set as well as direction from the design team will be followed.

Deliverable: The deliverable of this task is the removal of over 7,000 square feet of invasive species. The deliverable will also include training of River Commissioner on invasive species removal that can be additional completed on site or at other areas throughout the watershed.

Task 3 – Bio-Engineering Bank Stabilization

Description of Task: Approximately 500 linear feet of bio-engineered bank stabilization will be provided through the installation buried boulders with native stream substrate revetment and



intensive revegetation. The boulders will be buried to provide structural stability for the park area, but buried and covered with native stream substrate to limit increased velocities due to boulders and also reduce visual appearance of lined boulder wall. This installation will not only prevent erosion that is damaging the creek's ecosystem, but also provide habitat and refugia for native animal species. Further, the stabilization will keep existing overflow channels activated to prevent avulsions.

Method/Procedure: The project team will use CWCB funds to purchase and install larger native stream substrate, rounded boulders, harvest willows and install fascines. Onsite materials will be utilized as possible. Work will include installing boulders to be buried with stream substrate and then revegetated with mature willow plantings, wetland plugs, willow cuttings (trenched and untrenched), and fascines. Bio-engineering bank stabilization features will also be stabilized with KoirMat 400 and 1000 as appropriate depending on locations. Procedures in the construction plan set as well as direction from the design team will be followed.

Deliverable: The deliverables of this task are 500 linear feet of bio-engineered bank stabilization. Based on available funding bank stabilization length could be increased to provide stabilization less prioritized areas.

Task 4 –Reestablishment of Native Riparian Vegetation and Wetland Plantings

Description of Task: As part of a previous task the project team will install approximately 500 linear feet of bio-engineered bank stabilization that will include planting of native riparian vegetation. Additionally, over 30,000 square feet of native wetland/riparian vegetation will be reestablished through the planting of large trees, small trees, shrubs, and grasses in different ecological zones. Volunteers will assist the project team in completing this task over at least two days of planting.

Method/Procedure: The project team will use CWCB funding for on-site earthwork to provide stabilization and assist in reestablishing native vegetation. The revegetation will include 592 forbs and graminoids, 23 #15 trees, 3,520 48-inch willow cuttings, 341 D60 shrubs/perennials, 290 willow waddles/fascines, 15,259 square feet of upland seeding, 13,071 square feet of wetland and riparian seeding. The funding will also include the use of 23 plant cages, 1,000 square yards of KoirMat 400, and 500 square yards of KoirMat 1000. The funding will also provide for more than 2 years of irrigation at the site. Irrigation will also be supplement by volunteers.

Deliverable: The deliverables of this task are a fully revegetated site.

Task 5 – Site Work

Description of Task: The project team will repair existing flagstones, install new flagstones, enclose the area's porta-pottie, install boulders for both seating and boat tie-offs, create a designated foot trail using crusher fines, and install a picnic table for users of the area. Re-stabilization of existing boulder wall and inclusion of smaller steps will allow greater use at the site. The purpose of this tasks is to provide the public designated areas where they can enjoy the confluence without impact sensitive riparian corridors associated with the confluence. The site work will also provide an enclosure for an existing porta-pottie and boulder boat tie-offs to limit



ecological deterioration from recreational use. The site work aspects will also support the educational signage discussed in a later task.

Method/Procedure: The project team will purchase and install 200 square feet of new flagstones, repair 100 feet of existing flagstone, provide a porta-pottie enclosure, 250 linear feet of foot trails, 3 boulder seats, 4 boulder boat tie offs and a picnic table. Approximately 25 linear feet of boulder steps will also be included that will allow greater access to the site by younger children or people with disabilities. Procedures in the construction plan set as well as direction from the design team will be followed.

Deliverable: The deliverable of this task will be a robust site that allows the public to safely use the confluence area, while also limiting ecological deterioration from this use. The overall intent of the site work will be to work with nature by provide environmentally aesthetic features the fit the landscape.

Task 6 –Fencing

Description of Task: The project team will install approximately 500 linear feet of fencing to reduce the impact of people and pets on the Three Mile Creek Confluence area and to allow for revegetation efforts and native plants to be successful in their growth. Additional fencing could be utilized if funding allows.

Method/Procedure: The project team will purchase 500 linear feet of split rail fencing.

Deliverable: The deliverable of this task is the installation of 500 linear feet of split rail fencing.

Task 7 – Public Education

Description of Task: The project team will install an educational interpretive sign detailing the importance of wetland and riparian vegetation efforts for ecosystem improvements, an educational sign explaining the importance of area closures during sensitive fish spawning periods, an informational boating sign, and wayfinding signage. The City as well as design team will support this task with cash and in-kind match.

Method/Procedure: The project team will use funds to design, purchase, and install signage.

Deliverable: The deliverable of this task is the installation of four signs in the Three Mile Creek Confluence area.

Task 8 – Design and Construction

Description of Task: The project team will complete the final design and permitting for the project plan. The project team will also provide funding for construction costs of mobilization, dewatering, surveying, and pedestrian control, as well as for final construction services. The City as well as the design team will support this task with in-kind match.

Method/Procedure: The project team will use matching funds to complete the final design and permitting for the project plan, mobilization, dewatering, surveying, pedestrian control, and final construction services.



Deliverable: The deliverables of this task are the project team bringing the final design from 90 percent completion to 100 percent, as well as providing for necessary construction costs to complete all project tasks.



Reporting and Final Deliverable: The City will provide CWCB a progress report at least every 6 months, from the date of the executed contract which will describe the completion or partial completion of the tasks identified above which will include a description of any major issues that have occurred and any corrective action taken to address these issues, if applicable.

At completion of the project, the City will provide the CWCB a final report that summarizes the project and documents how the project was completed which will include photographs, summaries of construction activities, and final engineering designs.

Budget & Timeline Table: See Three Mile Creek Confluence Funding Summary attached below.

Letters of Support Project: Six attached below.

Pertinent Site Photos: Attached below

Three Mile Creek Confluence Engineers Estimate

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
REMOVE 3 CONCRETE SUPPORTS	1	LS	\$2,000	\$2,000
REMOVE CONCRETE DEBRIS	1	LS	\$2,000	\$2,000
REMOVE SPLIT RAIL FENCING	1	LS	\$1,000	\$1,000
REMOVE TREE	4	EA	\$1,000	\$4,000
STREAM SUBSTRATE WITH FINES	100	CY	\$90	\$9,000
STREAM SUBSTRATE (D50 = 12")	100	CY	\$100	\$10,000
3' BOULDER	60	CY	\$250	\$15,000
EARTHWORK (ON SITE)	100	CY	\$20	\$2,000
10 CI FORBS AND GRAMINIDS	592	EA	\$5	\$2,853
#15 TREE	23	EA	\$500	\$11,500
CUTTING 48"	3,520	EA	\$7	\$22,880
D60 SHRUB/PERENNIAL	341	EA	\$17	\$5,858
INVASIVE SPECIES MANAGEMENT	0.6	AC	\$6,000	\$3,360
IRRIGATION	2	LS	\$10,000	\$20,000
KOIRMAT 400	1,000	SY	\$10	\$10,000
KOIRMAT 1000	500	SY	\$15	\$7,500
PLANT CAGES	23	EA	\$45	\$1,035
SPLIT RAIL FENCE	500	LF	\$34	\$17,000
12" SOIL RIPPING FOR SEEDED AREAS	2,670	SY	\$1.5	\$4,005
WILLOW WADDLES/FASCINES	290	LF	\$20	\$5,800
ZONE 3- UPLAND SEEDING	10,932	SF	\$0.20	\$2,228
ZONES 1 AND 2: WETLAND AND RIPARIAN	13,071	SF	\$0.17	\$2,261
SWALE SEEDING	4,327	SF	\$0.30	\$1,298
FLAGSTONE REPAIR	100	SF	\$10	\$1,000
NEW FLAGSTONE	200	SF	\$15	\$3,000
RESTROOM ENCLOSURE	35	LF	\$150	\$5,250
FOOT TRAIL	250	LF	\$5	\$1,250
BOULDER SEAT	3	EA	\$400	\$1,200
BOULDER BOAT TIE OFF	4	EA	\$800	\$3,200
PICNIC TABLE	1	EA	\$1,000	\$1,000
EDUCATIONAL INTERPRETIVE SIGN	2	EA	\$2,500	\$5,000
BOATING SIGN	1	EA	\$750	\$750
SPAWNING INFO SIGN	1	EA	\$500	\$500
WAYFINDING SIGNAGE	1	EA	\$5,000	\$5,000
CRUSHER FINES	35	CY	\$125	\$4,375
SUBTOTAL OF MATERIAL CONSTRUCTION ASPECTS				\$194,104
MOBILIZATION (5% OF SUBTOTAL)	1	LS	\$9,705	\$9,705
DEWATERING (1% OF SUBTOTAL)	1	LS	\$1,941	\$1,941
SURVEYING	1	LS	\$10,000	\$10,000
PEDESTRIAN CONTROL	1	LS	\$5,000	\$5,000
SUBTOTAL OF FRONT END COSTS				\$26,646
SUBTOTAL				\$220,750
FINAL DESIGN AND PERMITTING	1	LS	\$10,000	\$10,000
CONSTRUCTION SERVICES	1	LS	\$10,000	\$10,000
SUBTOTAL OF FINAL ENGINEERING COSTS				\$20,000
TOTAL				\$240,750

Three Mile Creek Confluence Funding Summary

Task	Description	Target Start Date	Target Completion Date	Total Cost	Approximate Material Cost	CWRP (CWCB)	WSRF (CWCB)	Other Funding Cash	Other Funding In-Kind	Total
1	Debris Removal	July 1, 2021	October 1, 2021	\$5,000	\$0	\$1,000	\$3,000	\$1,000		\$5,000
2	Invasive Species Removal	July 1, 2021	October 1, 2021	\$7,360	\$0	\$3,180	\$3,180	\$1,000		\$7,360
3	Bio-Engineering Bank Stabilization	July 1, 2021	October 1, 2021	\$49,300	\$36,975	\$20,650	\$20,650	\$8,000		\$49,300
4	Reestablishment Vegetation	July 1, 2021	October 1, 2021	\$83,919	\$62,939	\$34,459	\$34,459	\$15,000		\$83,919
5	Site Work	July 1, 2021	October 1, 2021	\$20,275	\$15,206	\$7,638	\$7,638	\$5,000		\$20,275
6	Fencing	July 1, 2021	October 1, 2021	\$17,000	\$12,750	\$2,000	\$10,000	\$5,000		\$17,000
7	Public Education	July 1, 2021	October 1, 2021	\$11,250	\$8,438	\$0	\$0		\$11,250	\$11,250
8	Design and Construction	July 1, 2021	October 1, 2021	\$46,646	\$0	\$16,073	\$16,073		\$14,500	\$46,646
Totals				\$240,750	\$136,308	\$85,000	\$95,000	\$35,000	\$25,750	\$240,750

Schedule is dependent on weather and spring runoff. Work planned after spring runoff.

Approximate material cost assumed to be 75% of total costs which are based on engineer's estimate unit costs.

Total CWCB funding requests includes \$10,000 from WSRF Basin Request, \$85,000 from WSRF Statewide Request, and \$85,000 from Watershed Restoration Funding

Match	
City Cash	\$35,000
In Kind Match River Commission*	\$5,000
In Kind Match - Signs	\$11,250
Wright Water In Kind	\$7,500
Ramboll In Kind	\$1,000
Chinook In Kind	\$1,000
In Kind Subtotal	\$25,750
Subtotal	\$60,750
Grants	
CWCB WSRF Basin Request*	\$10,000
CWCB WSRF Statewide Request*	\$85,000
Subtotal	\$95,000
CWCB Watershed Restoration	\$85,000
CWCB Funding Subtotal	\$180,000
Total Project Budget	\$240,750
Check	
Maximum CWCB Funding Total (75% of Total)	\$180,563
Total CWCB Funding	\$180,000

*Will support volunteer planting, monitoring and adaptive management.

*Will provide and install educational signage.

*Will provide support during final design, construction, monitoring, and adaptive management.

*Will provide support during construction and adaptive management.

*Will provide support for sign development and during construction.

*Has been approved by Next Steps Committee and should received Rountable Authorization on November 23.

*Will be requested by December 1st deadline.



November 5, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Director West,

On behalf of the City of Glenwood Springs River Commission, I write to convey our full support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

The River Commission supports the Three Mile Creek Shoreline Restoration project, because we consult with the City's Council on all matters related to riparian and aquatic health. In fact, we initiated this very project in order to protect and even improve upon the existing riparian and aquatic habitat as the area is severely degraded and debris-ridden from heavy use. ; it will advance a multi-jurisdictional ecological partnership to protect fish and wildlife; it will accommodate both human users and the ecological needs of a popular outdoors space;; it will help reverse the depletion of terrestrial wildlife habitat and corridors of movement; protecting fish and wildlife is critical to our region's tourism economy; we understand the value of ecosystem services that are threatened by overuse of natural areas].

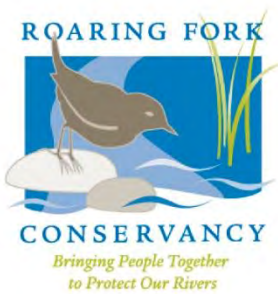
The River Commission has given at least 100 volunteers hours of professional expertise from our engineers, water attorney, soil scientist, and angling guides to the project to date and will continue to do so through its completion. Additionally, we volunteer annually for community shoreline cleanups, invasive species removal and riparian plantings, and outreach related thereto.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

A handwritten signature in black ink that reads "Ashley Moffatt".

Ashley Moffatt, P.E.
Chairman



November 5, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

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*Water Quality Program
Manager*
Sheryl Sabandal
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Elliott Audette
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RE: Support for the City of Glenwood Springs' Threemile Creek Shoreline Restoration Project

Dear Mr. Sturm,

Roaring Fork Conservancy (RFC), wishes to express strong support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Threemile Creek Shoreline Restoration project. This project includes riparian restoration at the Threemile Creek confluence area with the Roaring Fork River to address erosion, restore riparian vegetation, remove invasive species, and mitigate heavy user impacts.

RFC, the watershed organization for the Roaring Fork Valley, has actively worked with the City of Glenwood Springs in recent years to improve and protect riparian habitat within city limits. Currently, riparian areas around the Threemile Creek confluence are severely degraded through a combination of heavy use, erosion, and a lack of healthy riparian vegetation. In addition, Threemile Creek is noted by Colorado Parks and Wildlife as an important trout spawning area and protected by fishing closures during spawning seasons. These factors combined represent a significant restoration opportunity, which would help focus appropriate recreational use while substantially improving riparian habitat and reducing erosion. These benefits would generate a ripple effect improving water quality, aquatic habitat, and overall stream health.

RFC served as a stakeholder and technical advisor throughout the development of this project, and will continue to support project implementation by providing technical assistance and expertise as well as participating in related outreach and education.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and riparian habitats through the Threemile Creek Shoreline Restoration project.

Sincerely,

Rick Lofaro
Executive Director

Since 1996, Roaring Fork Conservancy has inspired people to explore, value and protect the Roaring Fork Watershed. We bring people together to protect our rivers and work hard to keep water in local streams, monitor water quality, and preserve riparian habitat.





Pitkin County Healthy Rivers
530 East Main Street Suite 301
Aspen Colorado 81611
970 920 5191
pitkincountyrivers.com

November 5, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Sturm,

On behalf of Pitkin County's Healthy Rivers Program and Board, I write to convey our full support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

In 2008, Pitkin County voters authorized a dedicated sales tax to establish a healthy rivers and streams fund. The River Board assists the Commissioners in administering the fund program and in furthering the objectives of the program. Objectives for the fund include maintaining and improving water quality and quantity within the Roaring Fork Watershed as well as working with other entities to ensure ecological health, recreational opportunities, and wildlife and riparian habitat.

Over the past two years, the River Board has recommended to the Board of County Commissioners grant awards totaling \$55,000 to the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project through our grant program.

The Three Mile Creek Shoreline Restoration project meets the goals and mission of our Program as it will improve a severely degraded and debris-ridden area on the river, it joins multi-jurisdictional ecological partnership to protect fish and wildlife and accommodates both human users and the ecological needs of a popular outdoor space.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lisa MacDonald', is written over a light blue horizontal line.

Lisa MacDonald
Director



11/05/2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Sturm,

On behalf of the Ferdinand Hayden Chapter of Trout Unlimited (FHTU), I write to convey our full support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

FHTU supports the Three Mile Creek Shoreline Restoration project because it is one of the most heavily used (and abused) sections of riparian habitat in the Roaring Fork Watershed. This is a great place for wading anglers, boaters to catch their breath after Cemetery Rapid, and for valley residents and visitors to enjoy the natural beauty of where we call home. In addition to its recreational value, ecologically the confluence of Three Mile Creek and the Roaring Fork River is vital spawning habitat for local fish and any improvements will surely help the vitality of our local ecosystems.

FHTU commits to helping in any way that we can. This means trying to provide volunteers for any on the ground activities such as assisting with restoration, stream clean ups, community outreach etc. We would also provide \$425 in cash donation to further help get this project off the ground.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Kelsic".

Matt Kelsic, FHTU President



COLORADO RIVER DISTRICT

PROTECTING WESTERN COLORADO WATER SINCE 1937

November 5, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Sturm,

On behalf of the Colorado River District, I write to convey our full support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

The River District supports the Three Mile Creek Shoreline Restoration project, because the area is currently severely degraded and debris-ridden from heavy use. The proposed restoration of this popular outdoor space will accommodate both human users and advance a multi-jurisdictional ecological partnership to protect fish and wildlife both of which are critical to our region's tourism economy.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

Andrew A. Mueller
General Manager



COLORADO

Parks and Wildlife

Department of Natural Resources

Glenwood Springs Area Wildlife Office
88 Wildlife Way
Glenwood Springs, CO 81601
P 970.947.2920 | F 970.947.2936

November 4, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: City of Glenwood Springs' Threemile Creek Shoreline Restoration Project

Dear Mr. Sturm,

Colorado Parks and Wildlife (CPW) is writing in support of the City of Glenwood Springs' Threemile Creek Shoreline Restoration project. Glenwood Springs is proposing a shoreline restoration project along the confluence of Threemile Creek and the Roaring Fork River to restore riparian habitat, address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management. The project goals strongly align with CPW's statutory mission to perpetuate the wildlife resources of the State, to provide a quality State parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as strategic stewards of Colorado's natural resources.

Threemile Creek and the confluence with the Roaring Fork River is an ecologically important area utilized by local fishes and terrestrial wildlife. Aggregations of native suckers are often observed in the river around the confluence with Threemile Creek. Trout from the river have been documented utilizing the creek to spawn – thus, providing critical recruitment to the Gold Medal fishery in the Roaring Fork River. Riparian habitats further support a multitude of terrestrial wildlife species including a wide variety of birds, game, and small mammals. The project intends to bring awareness to these resource values and proposes thoughtful development that reduces user impacts and accommodates the needs of the local fishery resource.

Furthermore, the Threemile Creek confluence is currently a popular location for river users and local residents to connect with the Roaring Fork River. However, this relatively primitive area is severely degraded by increasingly heavy use. Glenwood Springs' proposed restoration project takes an approach that balances user demands on the area with the desire to support the ecological functions and natural feel of this streamside area. Thus, it will provide an example of thoughtful development to inspire stewardship of resources while meeting needs of the community and resource users.

Local CPW Staff have served as resource advisors for this project and we look forward to our continued involvement in project development around Threemile Creek that balances community needs and while providing meaningful protections to the important ecological functions inherent to the area. We support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Threemile Creek Shoreline Restoration project. If there are any questions or needs for additional information, please contact Aquatic Biologist Kendall Bakich at 970.947.2924 or District Wildlife Manager Dan Cacho at 970.947.2934.

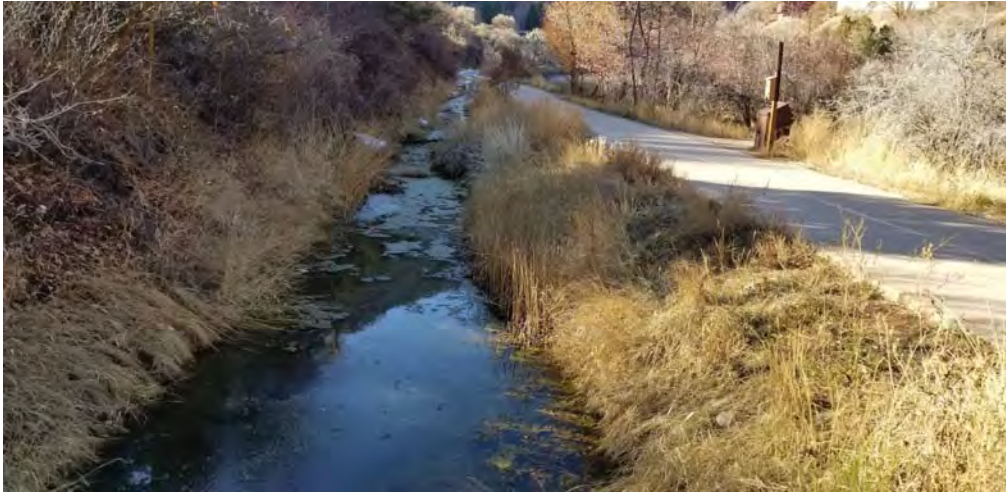
Sincerely,

Kendall Bakich, Aquatic Biologist

Cc: Matt Yamashita, Area Wildlife Manager; Dan Cacho, District Wildlife Manager; Lori Martin, Senior Aquatic Biologist; File



Three Mile Creek Confluence Photo Documentation Existing Conditions















Last Update: September 18, 2020

Colorado Water Conservation Board
Water Supply Reserve Fund
Grant Application

Instructions

All WSRF grant applications shall conform to the current [2020 WSRF Criteria and Guidelines](#).

To receive funding from the WSRF, a proposed water activity must be recommended for approval by a Roundtable(s) **AND** the approved by the Colorado Water Conservation Board (CWCB). The process for roundtable consideration and recommendation is outlined in the 2020 WSRF Criteria and Guidelines. The CWCB meets bimonthly.

If you have questions, please contact the WSRF Grant Program Manager (for all Roundtables) or your Roundtable Liaison:

Ben Wade ben.wade@state.co.us 303-866-3441 x3238 (office)	Sam Stein Sam.stein@state.co.us 303-866-3441 (office)
---	--

WSRF Submittal Checklist (Required)
--

YES ☐ NO ☐ This request was recommended for CWCB approval by the sponsoring roundtable.

YES ☒ NO ☐ I have read and understand the [2020 WSRF Criteria and Guidelines](#).

YES ☒ NO ☐ Grantee will be able to contract with CWCB using the [Standard Contract](#).¹

Application Documents included:

YES ☒ NO ☐ Exhibit A: Statement of Work² (*Word – see Template*)

YES ☒ NO ☐ Exhibit B: Budget & Schedule² (*Excel Spreadsheet – see Template*)

YES ☒ NO ☐ Letters of Matching and/or Pending 3rd Party Commitments²

YES ☒ NO ☐ Map²

YES ☒ NO ☐ Photos/Drawings/Reports

YES ☒ NO ☐ Letters of Support

Contracting Documents³

YES ☒ NO ☐ Detailed/Itemized Budget³ (*Excel Spreadsheet – see Template*)

YES ☒ NO ☐ Certificate of Insurance⁴ (*General, Auto, & Workers' Comp.*)

YES ☒ NO ☐ Certificate of Good Standing⁽⁴⁾

YES ☒ NO ☐ W-9 Form⁴

YES ☒ NO ☐ Independent Contractor Form⁴ (*If applicant is individual, not company/organization*)

YES ☒ NO ☐ Electronic Funds Transfer (ETF) Form⁴

¹Click "Grant Agreements". For reference only/do not fill out or submit/required for contracting

² Required with application if applicable.

³ Additional documentation providing a Detailed/Itemized Budget maybe required for contracting. Applicants are encouraged to coordinate with the CWCB Project Manager to determine specifics.

⁴ Required for contracting. While optional at the time of this application, submission can expedite contracting upon CWCB Board approval.



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Schedule		
CWCB Meeting	Application Submittal Dates	Type of Request
January	October 1	Basin Account
March	December 1	Basin/Statewide Account/Water Plan Grant Match ¹
May	February 1	Basin Account
July	April 1	Basin Account
September	June 1	Basin/Statewide Account
November	August 1	Basin Account

¹ If either the basin or statewide match includes matching funds from a pending Water Plant Grant, both must be submitted by December 1st deadline for March Board meeting review.

Water Activity Summary		
Name of Applicant	City of Glenwood Springs	
Name of Water Activity	Three Mile Creek Confluence Restoration Project	
Approving Roundtable(s)	Basin Account Request(s) ¹	
Colorado Basin Roundtable	\$10,000	
*CWCB Watershed Restoration Program	\$85,000	
*Glenwood Springs Cash Match	\$35,000	
*In Kind Match	\$27,750	
Basin Account Request Subtotal	\$10,000	
Basin Account Request Subtotal Approved by Roundtable	\$10,000	
Statewide Account Request ⁽¹⁾	\$85,000	
Total WSRF Funds Requested (Basin & Statewide)	\$95,000	
Total Project Costs	\$240,750	

¹ Please indicate the amount recommended for approval by the Roundtable(s)

Grantee and Applicant Information	
Name of Grantee(s)	City of Glenwood Springs
Mailing Address	101 West 8 th Street, Glenwood Springs, CO 81601
FEIN	98-04162



Last Update: September 18, 2020

Grantee and Applicant Information	
Grantee's Organization Contact¹	Trent L. Hyatt
Position/Title	Senior Planner
Email	trent.hyatt@cogs.us
Phone	970-384-6427
Grant Management Contact²	<u>Trent Hyatt</u>
Position/Title	Senior Planner
Email	trent.hyatt@cogs.us
Phone	970-384-6427
Name of Applicant (if different than grantee)	
Mailing Address	
Position/Title	
Email	
Phone	

¹ Person with signatory authority

² Person responsible for creating reimbursement invoices (Invoice for Services) and corresponding with CWCB staff.

Description of Grantee
Provide a brief description of the grantee's organization (100 words or less).
The City of Glenwood Springs is a well-known governmental organization in the Roaring Fork Valley with a successful history in the administration of grants/management of projects with funding from federal, state, and local sources. Glenwood Springs successfully completed a planning grant for the current request and has completed similar restoration projects at two other City owned parks in the last two years.

Type of Eligible Entity (check one)	
X	Public (Government): municipalities, enterprises, counties, and State of Colorado agencies. Federal agencies are encouraged to work with local entities. Federal agencies are eligible, but only if they can make a compelling case for why a local partner cannot be the grant recipient.
	Public (Districts): authorities, Title 32/special districts (conservancy, conservation, and irrigation districts), and water activity enterprises
	Private Incorporated: mutual ditch companies, homeowners associations, corporations



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Type of Eligible Entity (check one)	
☐	Private Individuals, Partnerships, and Sole Proprietors: are eligible for funding from the Basin Accounts but not for funding from the Statewide Account.
☐	Non-governmental organizations: broadly, any organization that is not part of the government
☐	Covered Entity: as defined in Section 37-60-126 Colorado Revised Statutes

Type of Water Activity (check one)	
☐	Study
☒	Implementation

Category of Water Activity (check all that apply)		
☒	Nonconsumptive (Environmental)	
☒	Nonconsumptive (Recreational)	
☐	Agricultural	
☐	Municipal/Industrial	
☐	Needs Assessment	
☒	Education & Outreach	
☐	Other	Explain:

Location of Water Activity	
Please provide the general county and coordinates of the proposed activity below in decimal degrees . The Applicant shall also provide, in Exhibit C, a site map if applicable.	
County/Countries	Garfield County
Latitude	39.5144604N
Longitude	-107.317885W

Water Activity Overview
Please provide a summary of the proposed water activity (200 words or less). Include a description of the activity and what the WSRF funding will be used for specifically (e.g. studies, permitting, construction). Provide a description of the water supply source to be utilized or the water body affected by the activity. Include details such as acres under irrigation, types of crops irrigated, number of residential and commercial taps, length of ditch improvements, length of pipe installed, area of habitat improvements. If this project addresses multiple purposes or spans multiple basins, please explain. The Applicant shall also provide, in Exhibit A, a detailed Statement of Work, Budget, and Schedule.



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Water Activity Overview

The Three Mile Creek Confluence in southern Glenwood Springs is a heavily used natural area that has been degraded over time due to increasing recreational use and pedestrian traffic. The City of Glenwood Springs, in partnership and input from many local stakeholders has identified improvements that will allow the space to be enjoyed by visitors while also protecting the area's ecological diversity: stabilization and ecological restoration of over 500 linear feet of bio-engineered bank stabilization, reestablishing native riparian vegetation by planting over 30,000 square feet of trees and shrubs, installing more than 500 linear feet of fencing to reduce the impact of pets and pedestrians, removing a large number of invasive species, restoring over 8,000 square feet of wetland/riparian areas, and multiple new signs that will educate the public on the importance of a healthy riparian ecosystem and spawning restrictions associated with sensitive confluences. The proposed work as part of this grant is a subset of the complete project due to funding limitations, but the overall intent of the grant funding will be to stabilize banks and reestablish a healthy ecosystem at a sensitive stream confluence. Funding is being requested from multiple sources and the design team will evaluate proposed measures to be implemented based on final funding available.

Measurable Results

To catalog measurable results achieved with WSRF funds please provide any of the following values.

	New Storage Created (acre-feet)	
	New Annual Water Supplies Developed or Conserved (acre-feet), Consumptive or Nonconsumptive	
	Existing Storage Preserved or Enhanced (acre-feet)	
500+	Length of Stream Restored or Protected (linear feet) – <u>Bioengineering stabilization</u>	
	Efficiency Savings (indicate acre-feet/year OR dollars/year)	
8,000	Area of Restored or Preserved Habitat (acres)	
400	Length of Pipe/Canal Built or Improved (linear feet)	
X	Other	• 5,000 square feet of invasive species removal • 3 educational signs • 500 linear feet of fencing

Water Activity Justification

Provide a description of how this water activity supports the goals of [Colorado's Water Plan](#), the most recent [Statewide Water Supply Initiative](#), and the respective [roundtable Basin Implementation Plan and Education Action Plan](#) ⁽¹⁾. The Applicant is required to reference specific needs, goals, themes, or Identified Projects and Processes (IPPs), including citations (e.g. document, chapters, sections, or page numbers).

For applications that include a request for funds from the Statewide Account, the proposed water activity shall be evaluated based upon how well the proposal conforms to Colorado's Water Plan criteria for state support (CWP, Section 9.4, pp. 9-43 to 9-44;) (Also listed pp. 4-5 in [2020 WSRF Criteria and Guidelines](#)).



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Water Activity Justification

The Three Mile Creek confluence project supports many of the goals of the Colorado Water Plan, the Statewide Water Supply Initiative, and Colorado River Basin Roundtable Basin Implementation Plan. The overall project is an ecological restoration and educational campaign to provide the City of Glenwood Springs and the multitude of visitors to the City a natural pristine place to recreate and learn as well as provide the ecological services to support a thriving riparian/wetland corridor that will benefit not only the environment but reduce sedimentation impacts from erosion and help reduce water temperatures by providing riparian cover. The project will also protect a sensitive spawning area as described by Colorado Parks and Wildlife.

Colorado Water Plan: The Three Mile creek confluence project meets the five main goals noted at the beginning of the Environmental and Recreational Projects and Method sections of the Colorado Water Plan. (CWP pg 6-157)

Colorado River Basin Roundtable Basin Implementation Plan: The Three Mile creek confluence project meets the #1 Theme which is "Protect and Restore Healthy Streams, Rivers, Lakes, and Riparian Areas" (CWP, pg 6-172). The project will also be included on the upcoming BIP to be included in the updated Colorado Water Plan.

Statewide Water Supply Initiative: The Three Mile creek confluence project aligns with the Key Future Water Management Issues for the Colorado Basin in "Recreational use and environmental conservation are major drivers in the basin and are important for economic health and quality of life" (SWSI, pg 77).

The project addresses not only environmental needs, but also recreational and potentially municipal and agricultural needs. The revitalization and inclusion of riparian and wetland plantings will not only provide bank stabilization, better water quality and habitat, but will also reduce stream temperatures, reduce erosion and potential downstream sediment aggradation, and provide educational opportunities to better inform the community about sensitive human/environmental interfaces. A robust outreach and educational campaign took part as part of this planning process. The confluence area is also used by many recreationalists that provide an economical uplift to the community. The work has partnered with many non-profits throughout the area including the Roaring Fork Conservancy, Middle Colorado Watershed Council, Pitkin County Health Rivers, and Glenwood Springs River Commission. This project also is being completed after a recent adoption of a riparian setback land use code the Glenwood Springs River Commission has been heading up over the past 2 years.

Three educational signs will be developed through this project o informat and outreach to the greater public why these areas are important and vital to protect. Work will be completed by contractors as well as volunteers to give the community a sense of ownership.

All the proposed construction work also fits seamlessly with the riparian planting guide recently supported by Colorado River Basin Roundtable.

¹ Access Basin Implementation Plans or Education Action Plans from Basin drop down menu.

Matching Requirements: Basin Account Requests

Basin (only) Account grant requests require a 25% match (cash and/or in-kind) from the Applicant or 3rd party and shall be accompanied by a **letter of commitment** as described in the [2020 WSRF Criteria and Guidelines](#) (submitted on the contributing entity's letterhead). Attach additional sheet if necessary.

Contributing Entity	Amount and Form of Match (note cash or in-kind)



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Matching Requirements: Basin Account Requests	
Total Match	\$
If you requested a Waiver to the Basin Account matching requirements, indicate the percentage you wish waived.	

Matching Requirements: Statewide Account Requests	
Statewide Account grant requests require a 50% match as described in the 2020 WSRF Criteria and Guidelines. At least of 10% of the required Statewide Account Grant request match shall be cash from Basin Account funds whether that is from one or multiple basins; and the remaining 40% of the required match may be provided from any source, including other grants, cash from the Basin Account, or any combination of cash, in-kind services, or in-kind materials.and shall be accompanied by a letter of commitment. Attach additional sheet if necessary.	
Contributing Entity	Amount and Form of Match (note cash or in-kind):
City of Glenwood Springs, River Commission, and Designers	\$35,000 Cash
City of Glenwood Springs, River Commission, and Designers	\$25,750 In Kind
CWCB Watershed Restoration Program	\$85,000
Colorado Basin Roundtable WSRF	\$10,000
Total Match	\$145,760
If you requested a Waiver to the Statewide Account matching, indicate % you wish waived. (Max 50% reduction of requirement).	

Related Studies
Please provide a list of any related studies, including if the water activity is complimentary to or assists in the implementation of other CWCB programs.



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Related Studies

1. Three Mile Creek Emergency Repairs
2. Three Mile Creek Confluence Planning Project – Conceptual Design Report and Public Outreach
3. Three Mile Creek Confluence 90% Designs
4. Colorado Parks and Wildlife Memorandum
5. City of Glenwood Springs Riparian Outreach and Recommended Plantings Manual

Previous CWCB Grants

List all previous or current CWCB grants (including WSRF) awarded to both the Applicant and Grantee. Include: 1) Applicant name; 2) Water activity name; 3) Approving RT(s); 4) CWCB board meeting date; 5) Contract number or purchase order

1. City of Glenwood Springs - Riparian Outreach and Recommended Plantings Manual - Colorado River Basin Roundtable Public Education, Participation, and Outreach Funding– \$2,000 Awarded April 22, 2019, Invoice Dated April 25, 2019

Tax Payer Bill of Rights

1. Not applicable.

Last Update: March 17, 2020

<https://cwcb.colorado.gov/>

Colorado Water Conservation Board	
Water Supply Reserve Fund	
<u>Exhibit A - Statement of Work</u>	
Date:	10/25/20
Water Activity Name:	Three Mile Creek Confluence
Grant Recipient:	City of Glenwood Springs
Funding Source:	
Water Activity Overview: (Please provide brief description of the proposed water activity (no more than 200 words). Include a description of the overall water activity and specifically what the WSRF funding will be used for. (PLEASE DEFINE ALL ACRONYMS)). The Three Mile Creek Confluence in southern Glenwood Springs is a heavily used natural area that has been degraded over time due to increasing recreational use and pedestrian traffic. The City of Glenwood Springs, in partnership and input from many local stakeholders has identified improvements that will allow the space to be enjoyed by visitors while also protecting the area's ecological diversity: stabilization and ecological restoration of over 500 linear feet of bio-engineered bank stabilization, reestablishing native riparian vegetation by planting over 30,000 square feet of trees and shrubs, installing more than 500 linear feet of fencing to reduce the impact of pets and pedestrians, removing a large number of invasive species, restoring over 8,000 square feet of wetland/riparian areas, and multiple new signs that will educate the public on the importance of a healthy riparian ecosystem and spawning restrictions associated with sensitive confluences. The proposed work as part of this grant is a subset of the complete project due to funding limitations, but the overall intent of the grant funding will be to stabilize banks and reestablish a healthy ecosystem at a sensitive stream confluence. Funding is being requested from multiple sources and the design team will evaluate proposed measures to be implemented based on final funding available.	
Objectives: (List the objectives of the project. (PLEASE DEFINE ACRONYMS)). The overarching objectives of this project are to provide ecological uplift to a sensitive confluence area, while also providing user access and enjoyment at the site and educational opportunities to inform people about sensitive riparian confluences. • Revegetation • Bank stabilization • Invasive species removal • Education/Outreach • Water Quality • Aquatic and Terrestrial Habitat Enhancement • Spawning protection • Ditch revegetation • Water Quality Enhancement	



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Tasks
Provide a detailed description of each task using the following format: (PLEASE DEFINE ACRONYMS)
Task 1 – Debris Removal
Description of Task:
Throughout the project area there are instances of debris and large trash items that have been acquired over time. These aspects are too large for volunteer activities to remove and will need heavy equipment. The debris is composed of concrete debris, concrete footers, and dilapidated split rail fencing.
Method/Procedure:
The project team will use CWCB funding to remove accumulated debris and haul to offsite disposal location.
Grantee Deliverable:
Removal of debris from project area.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 2 – Invasive Species Removal
Description of Task:
The project team has developed a plan sheet that details the process of invasive species removal, including photos and best management practices, and will remove many invasive species throughout the project area.
Method/Procedure:
The project team will use matching funds to complete the removal of invasive species in the Three Mile Creek Confluence area. The work will be supervised by design ecologist. Procedures in the construction plan set as well as direction from the design team will be followed.
Grantee Deliverable:
The deliverable of this task is the removal of over 7,000 square feet of invasive species. The deliverable will also include training of River Commissioner on invasive species removal that can be additional completed on site or at other areas throughout the watershed.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 3 – Bio-Engineering Bank Stabilization
Description of Task:
Approximately 500 linear feet of bio-engineered bank stabilization will be provided through the installation buried boulders with native stream substrate revetment and intensive revegetation. The boulders will be buried to provide structural stability for the park area, but buried and covered with native stream substrate to limit increased velocities due to boulders and also reduce visual appearance of lined boulder wall. This installation will not only prevent erosion that is damaging the creek's ecosystem, but also provide habitat and refugia for native animal species. Further, the stabilization will keep existing overflow channels activated to prevent avulsions.
Method/Procedure:
The project team will use CWCB funds to purchase and install larger native stream substrate, rounded boulders, harvest willows and install fascines. Onsite materials will be utilized as possible. Work will



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Tasks
include installing boulders to be buried with stream substrate and then revegetated with mature willow plantings, wetland plugs, willow cuttings (trenched and untrenched), and fascines. Bio-engineering bank stabilization features will also be stabilized with KoirMat 400 and 1000 as appropriate depending on locations. Procedures in the construction plan set as well as direction from the design team will be followed.
Grantee Deliverable:
The deliverables of this task are 500 linear feet of bio-engineered bank stabilization. Based on available funding bank stabilization length could be increased to provide stabilization less prioritized areas.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 4 – Reestablishment of Native Riparian Vegetation and Wetland Plantings
Description of Task:
As part of a previous task the project team will install approximately 500 linear feet of bio-engineered bank stabilization that will include planting of native riparian vegetation. Additionally, over 30,000 square feet of native wetland/riparian vegetation will be reestablished through the planting of large trees, small trees, shrubs, and grasses in different ecological zones. Volunteers will assist the project team in completing this task over at least two days of planting.
Method/Procedure:
The project team will use CWCB funding for on-site earthwork to provide stabilization and assist in reestablishing native vegetation. The revegetation will include 592 forbs and graminoids, 23 #15 trees, 3,520 48-inch willow cuttings, 341 D60 shrubs/perennials, 290 willow waddles/fascines, 15,259 square feet of upland seeding, 13,071 square feet of wetland and riparian seeding. The funding will also include the use of 23 plant cages, 1,000 square yards of KoirMat 400, and 500 square yards of KoirMat 1000. The funding will also provide for more than 2 years of irrigation at the site. Irrigation will also be supplement by volunteers.
Grantee Deliverable:
The deliverables of this task are a fully revegetated site.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 5 – Site Work
Description of Task:
The project team will repair existing flagstones, install new flagstones, enclose the area's restrooms, install boulders for both seating and boat tie-offs, create a designated foot trail using crusher fines, and install a picnic table for users of the area. Re-stabilization of existing boulder wall and inclusion of smaller steps will allow greater use at the site. The purpose of this tasks is to provide the public designated areas where they can enjoy the confluence without impact sensitive riparian corridors associated with the confluence. The site work will also provide an enclosure for an existing restroom and boulder boat tie-offs to limit ecological deterioration from recreational use. The site work aspects will also support the educational signage discussed in a later task.
Method/Procedure:
The project team will purchase and install 200 square feet of new flagstones, repair 100 feet of existing flagstone, provide a restroom enclosure, 250 linear feet of foot trails, 3 boulder seats, 4 boulder boat tie offs and a picnic table. Approximately 25 linear feet of boulder steps will also be

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Tasks
included that will allow greater access to the site by younger children or people with disabilities. Procedures in the construction plan set as well as direction from the design team will be followed.
Grantee Deliverable:
The deliverable of this task will be a robust site that allows the public to safely use the confluence area, while also limiting ecological deterioration from this use. The overall intent of the site work will be to work with nature by provide environmentally aesthetic features the fit the landscape.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 6 – Fencing
Description of Task:
The project team will install approximately 500 linear feet of fencing to reduce the impact of people and pets on the Three Mile Creek Confluence area and to allow for revegetation efforts and native plants to be successful in their growth. Additional fencing could be utilized if funding allows.
Method/Procedure:
The project team will purchase 500 linear feet of split rail fencing.
Grantee Deliverable:
The deliverable of this task is the installation of 500 linear feet of split rail fencing.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 7 – Public Education
Description of Task:
The project team will install an educational interpretive sign detailing the importance of wetland and riparian vegetation efforts for ecosystem improvements, an educational sign explaining the importance of area closures during sensitive fish spawning periods, an informational boating sign, and wayfinding signage. The City as well as design team will support this task with cash and in-kind match.
Method/Procedure:
The project team will use funds to design, purchase, and install signage.
Grantee Deliverable:
The deliverable of this task is the installation of four signs in the Three Mile Creek Confluence area.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.
Task 8 – Design and Construction
Description of Task:
The project team will complete the final design and permitting for the project plan. The project team will also provide funding for construction costs of mobilization, dewatering, surveying, and pedestrian control, as well as for final construction services. The City as well as the design team will support this task with in-kind match.
Method/Procedure:
The project team will use matching funds to complete the final design and permitting for the project plan, mobilization, dewatering, surveying, pedestrian control, and final construction services.
Grantee Deliverable:

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<https://cwcb.colorado.gov/>

Tasks
The deliverables of this task are the project team bringing the final design from 90 percent completion to 100 percent, as well as providing for necessary construction costs to complete all project tasks.
CWCB Deliverable:
Photo documentation, contractor invoices, and closeout memorandum.

Budget and Schedule
Exhibit B - Budget and Schedule: This Statement of Work shall be accompanied by a combined Budget and Schedule that reflects the Tasks identified in the Statement of Work and shall be submitted to CWCB in <u>excel format</u> . A separate <u>excel formatted</u> Budget is required for engineering costs to include rate and unit costs.

Reporting Requirements
Progress Reports: The grantee shall provide the CWCB a progress report every 6 months, beginning from the date of issuance of a purchase order, or the execution of a contract. The progress report shall describe the status of the tasks identified in the statement of work, including a description of any major issues that have occurred and any corrective action taken to address these issues. The CWCB may withhold reimbursement until satisfactory progress reports have been submitted.
Final Report: At completion of the project, the grantee shall provide the CWCB a Final Report on the grantee's letterhead that: • Summarizes the project and how the project was completed. • Describes any obstacles encountered, and how these obstacles were overcome. • Confirms that all matching commitments have been fulfilled. • Includes photographs, summaries of meetings and engineering reports/designs.

Payments
Payment will be made based on actual expenditures, must include invoices for all work completed and must be on grantee's letterhead. The request for payment must include a description of the work accomplished by task, an estimate of the percent completion for individual tasks and the entire Project in relation to the percentage of budget spent, identification of any major issues, and proposed or implemented corrective actions.
The CWCB will pay the last 10% of the <u>entire</u> water activity budget when the Final Report is completed to the satisfaction of CWCB staff. Once the Final Report has been accepted, and final payment has been issued, the water activity and purchase order or contract will be closed without any further payment. Any entity that fails to complete a satisfactory Final Report and submit to CWCB within 90 days of the expiration of a purchase order or contract may be denied consideration for future funding of any type from CWCB.

Performance Requirements
Performance measures for this contract shall include the following: (a) Performance standards and evaluation: Grantee will produce detailed deliverables for each task as specified. Grantee shall maintain receipts for all project expenses and documentation of the minimum in-kind contributions (if applicable) per the budget in Exhibit B. Per Grant Guidelines, the CWCB will pay out the last 10% of the budget when the final deliverable is completed to the satisfaction of CWCB staff. Once the final deliverable has been accepted, and final payment has been issued, the purchase order or grant will be closed without any further payment.



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<https://cwcb.colorado.gov/>

Performance Requirements

- (b) Accountability: Per the Grant Guidelines full documentation of project progress must be submitted with each invoice for reimbursement. Grantee must confirm that all grant conditions have been complied with on each invoice. In addition, per the Grant Guidelines, Progress Reports must be submitted at least once every 6 months. A Final Report must be submitted and approved before final project payment.
- (c) Monitoring Requirements: Grantee is responsible for ongoing monitoring of project progress per Exhibit A. Progress shall be detailed in each invoice and in each Progress Report, as detailed above. Additional inspections or field consultations will be arranged as may be necessary.
- (d) Noncompliance Resolution: Payment will be withheld if grantee is not current on all grant conditions. Flagrant disregard for grant conditions will result in a stop work order and cancellation of the Grant Agreement.



COLORADO
Colorado Water
Conservation Board
Department of Natural Resources

Colorado Water Conservation Board

Water Supply Reserve Fund

EXHIBIT B - BUDGET AND SCHEDULE - Direct & Indirect (Administrative) Costs

Date: 11/9/20

Water Activity Name: Three Mile Creek Confluence Restoration Project

Grantee Name:

Task No. ⁽¹⁾	Description	Start Date ⁽²⁾	End Date	Matching Funds (cash & in-kind) ⁽³⁾			WSRF Funds (Basin & Statewide combined) ⁽³⁾	Total
				CWRP - Cash (CWCB)	City of Glenwood Springs - Cash	City of Glenwood Springs - In-Kind		
1	Debris Removal	July 1, 2021	October 1, 2021	\$1,000	\$1,000	\$0	\$3,000	\$5,000
2	Invasive Species Removal	July 1, 2021	October 1, 2021	\$3,000	\$1,000	\$0	\$3,200	\$7,200
3	Bio-Engineering Bank Stabilization	July 1, 2021	October 1, 2021	\$20,700	\$8,000	\$0	\$20,700	\$49,400
4	Reestablishment Vegetation	July 1, 2021	October 1, 2021	\$34,500	\$15,000	\$0	\$34,500	\$84,000
5	Site Work	July 1, 2021	October 1, 2021	\$7,700	\$5,000	\$0	\$7,600	\$20,300
6	Fencing	July 1, 2021	October 1, 2021	\$2,000	\$5,000	\$0	\$10,000	\$17,000
7	Public Education	July 1, 2021	October 1, 2021	\$0	\$0	\$11,250	\$0	\$11,250
8	Design and Construction	July 1, 2021	October 1, 2021	\$16,100	\$0	\$14,500	\$16,000	\$46,600
Total				\$85,000	\$35,000	\$25,750	\$95,000	\$240,750

Schedule is dependent on weather and spring runoff. Work planned after spring runoff.

Approximate material cost assumed to be 75% of total costs which are based on engineer's estimate unit costs.

Total CWCB funding requests includes \$10,000 from WSRF Basin Request, \$85,000 from WSRF Statewide Request, and \$85,000 from Watershed Restoration Funding

Additional Funding Breakdown

Match	
City Cash	\$35,000
In Kind Match River Commission*	\$5,000
In Kind Match - Signs	\$11,250
Wright Water In Kind	\$7,500
Ramboll In Kind	\$1,000
Chinook In Kind	\$1,000
In Kind Subtotal	\$25,750
Subtotal	\$60,750
Grants	
CWCB WSRF Basin Request*	\$10,000
CWCB WSRF Statewide Request*	\$85,000
Subtotal	\$95,000
CWCB Watershed Restoration	\$85,000
CWCB Funding Subtotal	\$180,000
Total Project Budget	\$240,750
Check	
Maximum CWCB Funding Total (75% of Total)	\$180,563
Total CWCB Funding	\$180,000

*Will support volunteer planting, monitoring and adaptive management.

*Will provide and install educational signage.

*Will provide support during final design, construction, monitoring, and adaptive management.

*Will provide support during construction and adaptive management.

*Will provide support for sign development and during construction.

*Has been approved by Next Steps Committee and should received Roundtable Authorization on November 23.

*Will be requested by December 1st deadline.



Application Evaluation Criteria

Qualifications Evaluation: Identify the lead project sponsor and describe the other stakeholders' level of participation and involvement: The lead project sponsor is the City of Glenwood Springs, Colorado. The project plan and design were informed by input from Colorado Parks and Wildlife to determine the most appropriate course of action for this sensitive and environmentally important area. The project plan and design were additionally informed by two public meetings and two community surveys. Dozens of people participated in the two public meetings and the City collected more than 100 responses to its two surveys. Additionally, multiple local organizations support the project, including the City of Glenwood Springs River Commission, the Middle Colorado Watershed Council, Pitkin County Healthy Rivers, Trout Unlimited, Colorado Parks and Wildlife, the Colorado River District, and the Roaring Fork Conservancy.

Specify in-kind services and cash contributions (match) amount for the proposed activities. See section B.2. of the grant program guidance to determine match funding requirements. Discuss whether other funding sources are secured or pending: The City of Glenwood Springs has committed \$35,000 in cash match. The City of Glenwood Springs' River Commission has committed \$5,000 in in-kind match to coordinate, support, and enable volunteer plantings, public outreach at the site, and perform routine monitoring and adaptive management after the project has been completed. The City of Glenwood Springs has committed \$11,250 in in-kind match to create educational signage for the project area on the importance of healthy riparian ecosystems. Wright Water Engineers has committed \$7,500 in in-kind match to complete the final design, permitting, and construction observation activities for the project. Ramboll Group and Chinook Landscape Architecture have both committed \$1,000 in in-kind match to support design, construction management, and post-project monitoring and reporting of project efficacy.

The City of Glenwood Springs has also applied for project funding from the Restoration and Stewardship of Outdoor Resources (RESTORE) Colorado grant program, sponsored by the National Fish and Wildlife Foundation in partnership with the Colorado Department of Natural Resources, Colorado Parks and Wildlife, the Colorado Water Conservation Board, the Gates Family Foundation, and Great Outdoors Colorado. The City of Glenwood Springs will not know the status of this funding until March 2021.

Organizational Capability: What is the applicant organization's history of accomplishments in the watershed? Provide several past project or planning examples. List partner organizations and agencies with whom applicant worked to implement past projects or planning efforts: The City of Glenwood Springs has an extensive, successful history in watershed projects and plans. The Three Mile Creek Confluence Planning and Design Project, to create the plans for this application, was supported by two separate grant awards from



Pitkin County Healthy Rivers in addition to matching funds from the City of Glenwood Springs. The project was completed with help and coordination from the City, the River Commission, the Parks and Recreation Commission, and letters of support from the River Commission, the Colorado Basin Roundtable, Middle Colorado Watershed Council, Roaring Fork Conservancy, Roaring Fork Fishing Guide Alliance, Ruedi Water and Power Authority, and Colorado Parks and Wildlife. In the Three Mile Creek area, the City also completed successful emergency streambank protection in the fall of 2018.

Outside of the Three Mile Creek area, the City of Glenwood Springs completed the Two Rivers Park Shoreline Restoration project in the winter of 2020, in conjunction with the Parks and Recreation Commission and the River Commission. This project improved the experience for recreational and family users of the park through excavation of the in-river railroad abutment and industrial debris along the park's shoreline, the installation of a river walk trail, the protection of beach areas, improved boat ramp and staging area, Americans with Disabilities Act (ADA) connectivity, restrooms, and riverfront landscaping.

The City of Glenwood Springs has also completed streambank protection at Veltus Park in the fall of 2018, as well as riparian restoration in the fall of 2018 and again on November 1, 2020. This included the installation of educational signage and was supported by the City, the Parks and Recreation Commission, and the River Commission.

The City Council of Glenwood Springs adopted a riparian setback ordinance, which establishes acceptable distances from bodies of water to areas where building and other soil disturbing activities are taking place, on September 17, 2020. This ordinance was adopted after a more than two year effort by the City, the River Commission, and the Roaring Fork Conservancy, alongside letters of support from the Middle Colorado Watershed Council, the Roaring Fork Conservancy, the Roaring Fork Fishing Guide Alliance, Ruedi Water and Power Authority, and Colorado Parks and Wildlife.

Lastly, the River Commission supports local bodies of water through river cleanups that have occurred annually since 2000.

What level of staffing will be directed toward the implementation of the proposed project/planning effort? Discuss the number of staff and amount of time dedicated for the project. Will volunteers be utilized, and if so, how? Include brief resumes for each member of the active project team: The active project team consists of the Jennifer Ooton and Trent Hyatt from the City of Glenwood Springs and Scott Schreiber from Wright Water Engineers. Jennifer, Trent, and Scott have completed the project planning effort, incorporating input from local stakeholders to influence the final project design. During project implementation, Jennifer will dedicate 5% of her time, Trent will dedicate 25% of his time, and Scott will dedicate 15% of his time to the Three Mile Creek Confluence Restoration project.



Jennifer Ooton, Assistant City Manager in charge of Community and Economic Development for the City of Glenwood Springs, will serve as co-project manager. Jennifer has extensive experience in both city government and grants management, including project management for a U.S. Environmental Protection Agency (EPA) grant award to create a development master plan for several brownfield properties within Glenwood Springs. Jennifer holds a bachelor's degree from the University of Colorado at Boulder and a master's degree in public administration from the University of Colorado at Denver.

Trent Hyatt, Senior Planner for Community Development for the City of Glenwood Springs, will serve as co-project manager. Trent has an impressive track record in grants management, including a Colorado Division of Local Affairs (DOLA) grant to evaluate and prioritize historic cultural resources in Clear Creek County, a DOLA Energy and Mineral Impact Assistance Fund grant to study various planning scenarios for potential redevelopment of the City's municipal airport, a Colorado Water Conservation Board Public Education, Participation, and Outreach grant for the development of a riparian guide for riverfront property owner and landscapers, and two Pitkin County Healthy Rivers Board grants for the development of the comprehensive planning effort related to this specific grant request. Trent holds a bachelor's degree in community and regional planning from Appalachian State University.

Scott Schreiber, Water Resource Engineer for Wright Water Engineers, will serve as the senior engineer. Scott has over a decade of experience in stream restoration, water budget analysis, Clean Water Act permitting, corridor planning studies, groundwater studies, and more. He has served as a lead on numerous comparable projects, including the development of conceptual designs for fish passage in Canyon Creek in Colorado, and implementing stream restoration measures at Coal Creek in Fremont County, Colorado. Scott holds a bachelor's degree in civil engineering from Virginia Polytechnic Institute and State University (Virginia Tech) and a master's degree in water resource engineering and management from the Georgia Institute of Technology (Georgia Tech).

Volunteers will participate in the planting of trees and shrubs to reestablish native riparian vegetation, prevent erosion, and continue public education and outreach efforts. A minimum of 200 volunteers are expected to participate.

Demonstrate that the project budget and schedule are realistic. Please use the budget/timeline spreadsheet attached to the application. Please note that the start date will take place after funding awards are announced and grant awards are contracted: Please see the attached Budget & Timeline Table. The project budget and schedule have been informed by Wright Water Engineers and previous comparable projects and are realistic.

Proposal Effectiveness: What information is the project sponsor using to develop the proposed plan or project? Include any relevant information regarding existing watershed



plans, stream management plans, geomorphic assessments, flood studies, fire protection plans, riparian conditions assessments, aquatic/terrestrial habitat conditions, wildlife studies, and/or river restoration reports: In addition to being informed by the *Roaring Fork Watershed Plan*, which the City of Glenwood Springs adopted in 2012, the Three Mile Creek Confluence Restoration project is a direct result of community outreach efforts that culminated in the Three Mile Creek Confluence Planning Project Conceptual Design Report.

[Roaring Fork Watershed Plan](#)

The Three Mile Creek Confluence Planning Project Conceptual Design Report was a result of the City of Glenwood Springs, in conjunction with Wright Water Engineers, Chinook Landscape Architecture, and Ramboll Group, and with grant funding provided by Pitkin County Rivers. The project team conducted two public meetings and two public surveys to incorporate community voices into the report. Ultimately, the report identified 20 site improvement recommendations. These consisted of revegetating multiple locations within the Three Mile Creek Confluence area to reestablish the native riparian ecosystem, installing signage detailing the extents and importance of fish spawning areas at and around the Confluence, stabilizing the riverbank with boulders to reduce erosion, additional bio-engineering measures to stabilize the riverbank, installing boulders within the creek to increase aquatic habitat and diversity, adding split rail fencing to protect native vegetation from pedestrian traffic, and performing invasive weed management across the site. These site improvement recommendations, fully influenced and approved by local stakeholders, have informed the final project design.

The Three Mile Creek Confluence Planning Project was also informed by the Roaring Fork Watershed Plan. Two “Urgent Action” items of the plan include planning and implementing key riparian and instream protection and restoration projects, a category this project falls into, and increasing the awareness of the importance of riparian areas, which this project will do by installing educational signage. Additionally, the project aligns with the Watershed Plan’s broad objectives to improve public education and understanding concerning complex federal and state water policies and programs affecting management of rivers and streams, ensure coordination of local land use actions to prevent or mitigate water resource impacts throughout the watershed, improve public awareness and support of water quality protection and improve public engagement in water quality protection activities, assess the condition of riparian and instream habitat for all major streams in the watershed, enhance and preserve native riparian and instream flora and fauna, minimize the impact of development and other activities in riparian and instream areas, improve understanding of the importance of riparian and instream areas, and eradicate or control invasive species in riparian and instream areas.

Discuss the multiple objective aspects of the project and how they relate to each other. Describe similar activities in the watershed and how this project or plan complements but does not duplicate those activities: Located in southern Glenwood Springs, Colorado, along the



Roaring Fork River, the Three Mile Creek Confluence area is a popular natural space that is widely enjoyed by pedestrians, anglers, boaters, beachgoers, and other community members and visitors. With increasing use from these populations, the Three Mile Creek Confluence area has become debris-ridden and degraded over time, with problems including bank destabilization, increased soil and land loss, reduced nutrient filtering, poor moderation of water temperature, and the depletion of terrestrial wildlife habitat and corridors of movement. The City of Glenwood Springs identified the need for a comprehensive restoration plan that includes necessary improvements to accommodate the heavy, multi-recreational use while limiting ecological disturbances.

The City of Glenwood Springs and partner Wright Water Engineers have identified a number of important project activities that need to be undertaken to address these concerns. Please see the scope of work below for specific information related to each proposed construction task.

Describe the proposed monitoring or implementation plan. How will the project or plan measure success of its objectives?: The project team will monitor objectives at six month and yearly intervals. The installation of boulders, bio-engineered bank stabilization, trees, shrubs, and fencing will be measured both at the beginning to establish a baseline and following its conclusion to calculate the exact area that has been improved. The natural moderation of water temperature will be monitored monthly to evaluate fish health. Additionally, the City will monitor the prevalence of native fish and animal species to determine the success of reestablishing habitat, areas of refugia, and corridors of movement necessary for ecological improvements. Lastly, the project team will count participating volunteers to measure the reach of community education efforts.

It can be difficult to measure the presence of native fish, animal, and plant species in the Three Mile Creek Confluence area to a precise number. The City of Glenwood Springs will make every effort to conduct a complete count to the best of its abilities. Additionally, while community education can be challenging to measure, the City will conduct periodic surveys at the Three Mile Creek Confluence area to evaluate community perceptions and the depth of knowledge among users of the space.

Three Mile Creek Confluence – WRSF Grant – Supporting Documentation

- 1. Three Mile Creek 90% Designs**
- 2. Three Mile Creek Planning and Public Outreach Report**
- 3. Three Mile Creek Confluence Quantities and Cost Estimate**
- 4. Letters of Recommendation**

Three Mile Creek 90% Designs

Due to file size document is available at link below:

<https://www.dropbox.com/s/oqagz7mpcvu4lte/Three%20Mile%20Creek%20Confluence%20Desings.pdf?dl=0>

Three Mile Creek Planning and Public Outreach Report

Due to file size document is available at link below:

<https://www.dropbox.com/s/udn6om7lxl84e4c/Three%20Mile%20Creek%20Public%20Outreach%20Education%20and%20Concepts.pdf?dl=0>

Three Mile Creek Confluence Quantities and Cost Estimate

<https://www.dropbox.com/s/mq6vf4dmlj0nrjn/Three%20Mile%20Creek%20Confluence%20Quantities%20and%20Cost%20Estimate.pdf?dl=0>

Letters of Support



November 11, 2020

Colorado Water Conservation Board
Water Supply Planning Section
WSRF Application
1313 Sherman Street, Room 718
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Stein and Mr. Wade,

On behalf of the City of Glenwood Springs River Commission, I write to convey our full support for the City of Glenwood Springs' Water Supply Reserve Fund grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

The River Commission supports the Three Mile Creek Shoreline Restoration project, because we consult with the City's Council on all matters related to riparian and aquatic health. In fact, we initiated this very project in order to protect and even improve upon the existing riparian and aquatic habitat as the area is severely degraded and debris-ridden from heavy use. ; it will advance a multi-jurisdictional ecological partnership to protect fish and wildlife; it will accommodate both human users and the ecological needs of a popular outdoors space;; it will help reverse the depletion of terrestrial wildlife habitat and corridors of movement; protecting fish and wildlife is critical to our region's tourism economy; we understand the value of ecosystem services that are threatened by overuse of natural areas].

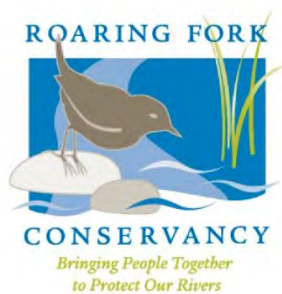
The River Commission has given at least 100 volunteers hours of professional expertise from our engineers, water attorney, soil scientist, and angling guides to the project to date and will continue to do so through its completion. Additionally, we volunteer annually for community shoreline cleanups, invasive species removal and riparian plantings, and outreach related thereto.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

A handwritten signature in black ink that reads "Ashley Moffatt".

Ashley Moffatt, P.E.
Chairman



November 11, 2020

Colorado Water Conservation Board
Water Supply Planning Section WSRF Application
1313 Sherman Street, Room 718
Denver, CO 80203

BOARD OF DIRECTORS

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Christina Medved
*Director of Community
Outreach*
Megan Dean
Education Director
Chad Rudow
*Water Quality Program
Manager*
Sheryl Sabandal
Development Director
Elliott Audette
Business Manager

RE: Support for the City of Glenwood Springs' Threemile Creek Shoreline Restoration Project

Dear Mr. Stein and Mr. Wade,

Roaring Fork Conservancy (RFC), wishes to express strong support for the City of Glenwood Springs' Water Supply Reserve Fund grant application for the Threemile Creek Shoreline Restoration project. This project includes riparian restoration at the Threemile Creek confluence area with the Roaring Fork River to address erosion, restore riparian vegetation, remove invasive species, and mitigate heavy user impacts.

RFC, the watershed organization for the Roaring Fork Valley, has actively worked with the City of Glenwood Springs in recent years to improve and protect riparian habitat within city limits. Currently, riparian areas around the Threemile Creek confluence are severely degraded through a combination of heavy use, erosion, and a lack of healthy riparian vegetation. In addition, Threemile Creek is noted by Colorado Parks and Wildlife as an important trout spawning area and protected by fishing closures during spawning seasons. These factors combined represent a significant restoration opportunity, which would help focus appropriate recreational use while substantially improving riparian habitat and reducing erosion. These benefits would generate a ripple effect improving water quality, aquatic habitat, and overall stream health.

RFC served as a stakeholder and technical advisor throughout the development of this project, and will continue to support project implementation by providing technical assistance and expertise as well as participating in related outreach and education.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and riparian habitats through the Threemile Creek Shoreline Restoration project.

Sincerely,

Rick Lofaro
Executive Director

Since 1996, Roaring Fork Conservancy has inspired people to explore, value and protect the Roaring Fork Watershed. We bring people together to protect our rivers and work hard to keep water in local streams, monitor water quality, and preserve riparian habitat.





Pitkin County Healthy Rivers
530 East Main Street Suite 301
Aspen Colorado 81611
970 920 5191
pitkincountyrivers.com

November 11, 2020

Colorado Water Conservation Board
Water Supply Planning Section
WSRF Application
1313 Sherman Street, Room 718
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Stein and Mr. Wade,

On behalf of Pitkin County's Healthy Rivers Program and Board, I write to convey our full support for the City of Glenwood Springs' Water Supply Reserve Fund grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

In 2008, Pitkin County voters authorized a dedicated sales tax to establish a healthy rivers and streams fund. The River Board assists the Commissioners in administering the fund program and in furthering the objectives of the program. Objectives for the fund include maintaining and improving water quality and quantity within the Roaring Fork Watershed as well as working with other entities to ensure ecological health, recreational opportunities, and wildlife and riparian habitat.

Over the past two years, the River Board has recommended to the Board of County Commissioners grant awards totaling \$55,000 to the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project through our grant program.

The Three Mile Creek Shoreline Restoration project meets the goals and mission of our Program as it will improve a severely degraded and debris-ridden area on the river, it joins multi-jurisdictional ecological partnership to protect fish and wildlife and accommodates both human users and the ecological needs of a popular outdoor space.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lisa MacDonald', is written over a light blue horizontal line.

Lisa MacDonald
Director



COLORADO RIVER DISTRICT

PROTECTING WESTERN COLORADO WATER SINCE 1937

November 12, 2020

Colorado Water Conservation Board
Water Supply Planning Section
WSRF Application
1313 Sherman Street, Room 718
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Stein and Mr. Wade,

On behalf of the Colorado River District, I write to convey our full support for the City of Glenwood Springs' Water Supply Reserve Fund grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

The River District supports the Three Mile Creek Shoreline Restoration project, because the area is currently severely degraded and debris-ridden from heavy use. The proposed restoration of this popular outdoor space will accommodate both human users and advance a multi-jurisdictional ecological partnership to protect fish and wildlife both of which are critical to our region's tourism economy.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

Andrew A. Mueller, General Manager



11/05/2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: Strong Support for the City of Glenwood Springs' Three Mile Creek Shoreline Restoration Project

Dear Mr. Sturm,

On behalf of the Ferdinand Hayden Chapter of Trout Unlimited (FHTU), I write to convey our full support for the City of Glenwood Springs' Watershed Restoration Program grant application for the Three Mile Creek Shoreline Restoration project. This project includes riparian restoration at the Three Mile Creek Confluence area with the Roaring Fork River to address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management.

FHTU supports the Three Mile Creek Shoreline Restoration project because it is one of the most heavily used (and abused) sections of riparian habitat in the Roaring Fork Watershed. This is a great place for wading anglers, boaters to catch their breath after Cemetery Rapid, and for valley residents and visitors to enjoy the natural beauty of where we call home. In addition to its recreational value, ecologically the confluence of Three Mile Creek and the Roaring Fork River is vital spawning habitat for local fish and any improvements will surely help the vitality of our local ecosystems.

FHTU commits to helping in any way that we can. This means trying to provide volunteers for any on the ground activities such as assisting with restoration, stream clean ups, community outreach etc. We would also provide \$425 in cash donation to further help get this project off the ground.

We are pleased to support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Three Mile Creek Shoreline Restoration project.

Sincerely,

Matt Kelsic, FHTU President



COLORADO

Parks and Wildlife

Department of Natural Resources

Glenwood Springs Area Wildlife Office
88 Wildlife Way
Glenwood Springs, CO 81601
P 970.947.2920 | F 970.947.2936

November 4, 2020

Chris Sturm
Colorado Water Conservation Board
1313 Sherman Street, Room 721
Denver, CO 80203

RE: City of Glenwood Springs' Threemile Creek Shoreline Restoration Project

Dear Mr. Sturm,

Colorado Parks and Wildlife (CPW) is writing in support of the City of Glenwood Springs' Threemile Creek Shoreline Restoration project. Glenwood Springs is proposing a shoreline restoration project along the confluence of Threemile Creek and the Roaring Fork River to restore riparian habitat, address shoreline erosion, restore water quality for aquatic habitats, remove invasive species, and improve stormwater management. The project goals strongly align with CPW's statutory mission to perpetuate the wildlife resources of the State, to provide a quality State parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as strategic stewards of Colorado's natural resources.

Threemile Creek and the confluence with the Roaring Fork River is an ecologically important area utilized by local fishes and terrestrial wildlife. Aggregations of native suckers are often observed in the river around the confluence with Threemile Creek. Trout from the river have been documented utilizing the creek to spawn – thus, providing critical recruitment to the Gold Medal fishery in the Roaring Fork River. Riparian habitats further support a multitude of terrestrial wildlife species including a wide variety of birds, game, and small mammals. The project intends to bring awareness to these resource values and proposes thoughtful development that reduces user impacts and accommodates the needs of the local fishery resource.

Furthermore, the Threemile Creek confluence is currently a popular location for river users and local residents to connect with the Roaring Fork River. However, this relatively primitive area is severely degraded by increasingly heavy use. Glenwood Springs' proposed restoration project takes an approach that balances user demands on the area with the desire to support the ecological functions and natural feel of this streamside area. Thus, it will provide an example of thoughtful development to inspire stewardship of resources while meeting needs of the community and resource users.

Local CPW Staff have served as resource advisors for this project and we look forward to our continued involvement in project development around Threemile Creek that balances community needs and while providing meaningful protections to the important ecological functions inherent to the area. We support the City of Glenwood Springs as they seek funding to enhance and restore aquatic and terrestrial habitats through the Threemile Creek Shoreline Restoration project. If there are any questions or needs for additional information, please contact Aquatic Biologist Kendall Bakich at 970.947.2924 or District Wildlife Manager Dan Cacho at 970.947.2934.

Sincerely,

Kendall Bakich, Aquatic Biologist

Cc: Matt Yamashita, Area Wildlife Manager; Dan Cacho, District Wildlife Manager; Lori Martin, Senior Aquatic Biologist; File



Three Mile Creek Confluence Engineers Estimate

ITEM DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
REMOVE 3 CONCRETE SUPPORTS	1	LS	\$2,000	\$2,000
REMOVE CONCRETE DEBRIS	1	LS	\$2,000	\$2,000
REMOVE SPLIT RAIL FENCING	1	LS	\$1,000	\$1,000
REMOVE TREE	4	EA	\$1,000	\$4,000
STREAM SUBSTRATE WITH FINES	100	CY	\$90	\$9,000
STREAM SUBSTRATE (D50 = 12")	100	CY	\$100	\$10,000
3' BOULDER	60	CY	\$250	\$15,000
EARTHWORK (ON SITE)	100	CY	\$20	\$2,000
10 CI FORBS AND GRAMINIDS	592	EA	\$5	\$2,853
#15 TREE	23	EA	\$500	\$11,500
CUTTING 48"	3,520	EA	\$7	\$22,880
D60 SHRUB/PERENNIAL	341	EA	\$17	\$5,858
INVASIVE SPECIES MANAGEMENT	0.6	AC	\$6,000	\$3,360
IRRIGATION	2	LS	\$10,000	\$20,000
KOIRMAT 400	1,000	SY	\$10	\$10,000
KOIRMAT 1000	500	SY	\$15	\$7,500
PLANT CAGES	23	EA	\$45	\$1,035
SPLIT RAIL FENCE	500	LF	\$34	\$17,000
12" SOIL RIPPING FOR SEEDED AREAS	2,670	SY	\$1.5	\$4,005
WILLOW WADDLES/FASCINES	290	LF	\$20	\$5,800
ZONE 3- UPLAND SEEDING	10,932	SF	\$0.20	\$2,228
ZONES 1 AND 2: WETLAND AND RIPARIAN	13,071	SF	\$0.17	\$2,261
SWALE SEEDING	4,327	SF	\$0.30	\$1,298
FLAGSTONE REPAIR	100	SF	\$10	\$1,000
NEW FLAGSTONE	200	SF	\$15	\$3,000
RESTROOM ENCLOSURE	35	LF	\$150	\$5,250
FOOT TRAIL	250	LF	\$5	\$1,250
BOULDER SEAT	3	EA	\$400	\$1,200
BOULDER BOAT TIE OFF	4	EA	\$800	\$3,200
PICNIC TABLE	1	EA	\$1,000	\$1,000
EDUCATIONAL INTERPRETIVE SIGN	2	EA	\$2,500	\$5,000
BOATING SIGN	1	EA	\$750	\$750
SPAWNING INFO SIGN	1	EA	\$500	\$500
WAYFINDING SIGNAGE	1	EA	\$5,000	\$5,000
CRUSHER FINES	35	CY	\$125	\$4,375
SUBTOTAL OF MATERIAL CONSTRUCTION ASPECTS				\$194,104
MOBILIZATION (5% OF SUBTOTAL)	1	LS	\$9,705	\$9,705
DEWATERING (1% OF SUBTOTAL)	1	LS	\$1,941	\$1,941
SURVEYING	1	LS	\$10,000	\$10,000
PEDESTRIAN CONTROL	1	LS	\$5,000	\$5,000
SUBTOTAL OF FRONT END COSTS				\$26,646
SUBTOTAL				\$220,750
FINAL DESIGN AND PERMITTING	1	LS	\$10,000	\$10,000
CONSTRUCTION SERVICES	1	LS	\$10,000	\$10,000
SUBTOTAL OF FINAL ENGINEERING COSTS				\$20,000
TOTAL				\$240,750



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Colorado Rural Resiliency and Recovery Roadmaps

Action Requested: Approval of a letter of commitment for a technical assistance application for the Colorado Rural Resiliency and Recovery Roadmaps program.

Department: Economic and Community Development

Presented By: Jennifer Ooton, Assistant City Manager

Background Info: The State of Colorado/DOLA was awarded \$2.3 million from EDA for Recovery Assistance and has funding for technical assistance for 16 rural, regional teams that have an interconnected economy.

According to the state, this is a general description of how the program benefits participants:

"While the specifics of each individual Roadmap Plan are uncertain now, there will be some baseline needs that need to be addressed to help rural communities kickstart their ongoing and post-COVID-19 future. The Local Economic Activation Projects (or LEAP's) are meant to address those needs with technical assistance and implementation funding for projects like:

- creating a community-wide business-to-consumer e-commerce solution;
- developing a supply chain support plan for an existing key industry;
- developing a new or expanded existing industry business development strategy
- creating a customized business access-to-capital map (from start-up to growth-stage businesses); and
- or it could be a customized project identified during the planning process that initiates or accelerates regional business- and industry-focused priorities that directly relate to retaining or creating high-value jobs."

Staff has been working with regional partners over the past few months on a potential application for this program for the Roaring Fork Valley from Glenwood Springs to Aspen. Originally, the letter of intent that was submitted in December for the program focused on four key areas: Transportation, Housing, Child Care, and Equity and Inclusion. Pitkin County will be the lead applicant for the Roaring Fork Valley and the application will focus on bringing together these elements with other regional efforts such as those from the Aspen Institute and Manus Fund.

Issues: NA

Staff Recommendation: Approval of the Letter of Support.

Marguerite Harden
Local Resiliency Manager Colorado Resiliency Office
marguerite.harden@state.co.us

Greg Winkler
Norther Mountain Regional Manager Department of Local Affairs, Field Services
greg.winkler@state.co.us

Re: Regional Resiliency and Recovery Roadmaps to COVID-19 Recovery

Dear Ms. Harden and Mr. Winkler:

I write to convey my strong support for the Roaring Fork Valley's grant application for the Regional Resiliency and Recovery Roadmaps program. With technical assistance from the Department of Local Affairs, Office of Economic Development and International Trade, and the Colorado Department of Labor and Employment, Pitkin County and municipalities in the Roaring Fork Valley region will partner with Chambers of Commerce, the Colorado Workforce Center, nonprofit entities focused on vulnerable populations and housing insecurity such as the Aspen Institute and Manaus Fund, large employers, and other local stakeholder groups to address vulnerabilities in our region.

The Roaring Fork Valley is an interconnected mountain economy along the Colorado Highway 82 corridor, stretching from Glenwood Springs to Aspen. The City of Glenwood Springs located in Garfield County at the southern end of the Valley is committed to supporting this planning effort to address community needs that will support economic recovery following the COVID-19 pandemic: Transportation, Housing, Child Care, Equity and Inclusion, and the needs of underserved populations who are housing insecure. Vulnerabilities in our region include a shared workshed that commutes long distances in a constrained valley corridor; skyrocketing housing costs; lack of child care throughout the entire region; an overreliance on lower paying hospitality/leisure/retail and food jobs; and a high risk for natural disasters.

For example, the recent Grizzly Creek Fire which took place during the pandemic highlighted a critical need to significantly improve the area's resiliency, address the vulnerability for our communities to be cutoff from their homes/jobs/daycare, food and other supplies when the I-70/Independence Pass corridors are closed due to one or more emergencies, and provide timely culturally relevant communications for Spanish-speaking residents.

The City of Glenwood Springs is an active partner in this effort and commits to engage in the planning process; assist with public outreach and marketing for this collaborative planning process; providing data and other expertise to aid the process; and provide staff resources to support the project as it moves forward.

Please give the Roaring Fork Valley's grant application the greatest consideration.
Sincerely,

Jonathan Godes,
Mayor of Glenwood Springs on behalf of the City of Glenwood Springs



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Main Street Safety Infrastructure Grant

Action Requested: Approve Grant 1 and Grant 2 opportunities for CDOT's revitalizing Main Streets program.

Department: City Administration

Presented By: Terri Partch, City Engineer
Jennifer Ooton, Assistant City Manager

Background Info: Following passage through the General Assembly and signature from the Governor, a new Revitalizing Main Street Program was released earlier this year. The state has made available \$30 million for "transportation related projects that improve safety and yield long-term benefits to community main streets."

This money has been divided into two grant programs. The first is the **Small Multimodal and Economic Resiliency Projects** (about \$9 million available statewide). The City has twice applied for received these smaller project dollars. This year's program is an extension of the program, which became available during the 2020 pandemic. The first grant funded the "Safe & Warm Street Eats" Project for outdoor dining improvements that helped us make it through the winter, including patio heaters and igloos/Topeks. In April, we were approved for \$50,000 to fund bike racks, bilingual wayfinding, and flagstone repairs downtown.

Staff is recommending that the City apply for \$150,000 (the most the city is eligible to apply for) to complete the sidewalk extension project at Devereux Road. The overall estimate for this project is currently \$700,000. Confirmed funding sources for this project include \$300,000 in funds committed by Steve and Jeanne Beckley, owners of Iron Mountain Hot Springs and the Glenwood Caverns Adventure Park, due to requirements of a recent development permit.

The proposed trail will connect the existing pedestrian bridge with the intersection of the driveway to Two Rivers Park and Centennial Street. The trail is needed to address the volume of pedestrians walking along a narrow and dangerous section of Devereux Road to reach popular destinations in the area. Pedestrians choose to walk the road instead of going out of direction to utilize the existing trail from the pedestrian bridge that wraps around the eastern side of Two Rivers Park.

The scope of the project will include construction of an 8'-wide concrete bike path with Mechanically Stabilized Earth (MSE) retaining walls along 510 linear feet of Devereux Road.

If awarded, staff will request to amend the 2021 budget for the remaining City share since the project must be done within eight months of award per the grant guidelines. This project is considered a safety project due to the lack of sidewalk on this heavily used tourist area.

The second grant opportunity is the **Larger Safety Infrastructure Grants** (about \$22 million statewide). For these applications, projects may be awarded up to \$2 million to improve user safety along urban arterials or main street corridors, especially for vulnerable users such as pedestrian, bikers, motorcycles, transit users, elderly adults, and people with disabilities. Projects that address observed crash data and that are shovel ready receive more weight.

Staff is recommending that the City applies for funding to complete the first segment of the 6th Street

Reconstruction Project from Laurel to Pine Street. The current estimate for this project is \$2 million dollars and staff would apply for \$1,500,000 in funding. Currently there is an A&I reserve for \$2 million for this project and there is an RFQ out for design for this project that will be paid for with DDA funds. If awarded, Council could use the remaining funds in this project to then fund the remaining project costs in the Devereux Sidewalk Project.

The RFP for the design of the 6th Street from Laurel to Pine was released on April 13, 2021, and responses are due on May 7, 2021. The proposed street project will include wider 9-foot walkways and 5-foot amenity zones adjacent to the curb for street trees, benches, lighting, bike racks, and trash receptacles. On the north side of the street, an 8-foot wide, two-way protected bike lane and 3-foot buffer zone will be adjacent to the curb. Staff believes that engineering drawings for the project will be available by November and the project could start in March of 2022 and be completed by August of 2022.

Issues:

The timeframe and grant requirements will make both of these projects competitive. Staff is recommending the most competitive projects that fit the grant criteria and spirit of the grant competition.

Staff Recommendation:

Approve applying for a small CDOT Grant for the Devereux Sidewalk Construction Project and for 6th Street Reconstruction Project for the larger CDOT grant.



City Council Staff Report

Date: May 6, 2021
 To: City Council
 From: Emery Ellingson, Planner I
 Subject: Restructure of System Improvement Fees Payment Plan for Sol Maya Salon, 1001 Grand Avenue Unit 103.

REQUEST	Restructure remaining balance of system improvement fees due for Sol Maya Salon
APPLICANT	Sol Maya Salon, owner Baneza Andrades
LOCATION	1001 Grand Avenue, Unit 103
ZONE	M2 – Mixed Use Central Core

REQUESTED ACTION

Restructure remaining system improvement fees for Sol Maya Salon to a six-month payment plan.

BACKGROUND

In 2019, the City received a business license application for Sol Maya Salon to operate at 1001 Grand Avenue Unit 103. As part of the business license review process, system improvement fees due were assessed at \$4,267 total, \$2,056.45 for sewer and \$2,210.58 for water.

Sol Maya met code requirements to set up a 12-month payment schedule to pay off the balance. The monthly payment was set at \$323.26. Payment schedule and history shown below.

MONTH	SEWER	WATER	TOTAL PAID	BALANCE
JAN 2020	\$342.74	\$368.43	\$711.17	\$3,555.86
FEB 2020	\$155.79	\$167.47	\$323.26	\$3,232.60
MAR 2020*	\$0	\$0	\$0	\$3,232.60
APRIL 2020*	\$0	\$0	\$0	\$3,232.60
MAY 2020	\$155.79	\$167.47	\$323.26	\$2,909.34
JUNE 2020	\$155.79	\$167.47	\$323.26	\$2,586.08
JULY 2020	\$155.79	\$167.47	\$323.26	\$2,262.82
AUG 2020	\$155.79	\$167.47	\$323.26	\$1,939.56
SEPT 2020	\$0	\$0	\$0	\$1,939.56
OCT 2020	\$311.58	\$334.94	\$646.52	\$1,293.04
NOV 2020**	\$0	\$0	\$0	\$1,293.04
DEC 2020	\$0	\$0	\$0	\$1,293.04
JAN 2021	\$0	\$0	\$0	\$1,293.04
FEB 2021	\$0	\$0	\$0	\$1,293.04
MAR 2021	\$0	\$0	\$0	\$1,293.04
APRIL 2021	TBD	TBD	TBD	\$1,293.04

*Business closed due to COVID shutdown

** Business closed due to COVID exposure and quarantine

Due to COVID, the business was closed during the months of March and April 2020. Following that shutdown, the business was able to make successive payments, including a double payment in October 2020 for both September and October payments.

For the first 8 months of operation, excluding the two months when the business was shut down due to COVID, Sol Maya was on track making its payments. The year 2020 was an unprecedented challenge for many small businesses, especially businesses such as Sol Maya for whom COVID related restrictions were especially difficult due to the nature of their business.

In November 2020, Sol Maya closed again for a two-week period due to a COVID exposure and corresponding quarantine period. Payment was not made for that month. Owner requested to make a double payment in December.

In December 2020, the owner of Sol Maya notified staff that the salon would be moving locations. Staff did not send a payment request for fees that month as system improvement fees are tied to the building location. The business did not relocate as planned. The owner notified staff of prolonged medical expenses and time away from the business.

Recognizing extraordinary circumstances of the impact of COVID on small business, particularly in the personal service industry, staff started drafting a new payment schedule to assist with the remaining balance. The owner agreed to an amended payment schedule, as included below.

PROPOSED PAYMENT SCHEDULE

This request proposes restructuring the remaining balance into a six-month payment schedule as shown below. This will result in lower monthly payments for the business and enable it to pay the full amount of system improvement fees due to the City.

While salons and personal services have been able to reopen since the industry shut down in March of 2020, the financial impact of COVID and reduced sales continues to impact revenue. The restructuring of the remaining balance will create lower payments and enable the business to make its payments while continuing to operate. The owner has approved of this route and is committed to paying the remaining balance within the new timeframe.

	JUN21	JUL21	AUG21	SEPT21	OCT21	NOV21
SEWER	\$103.87	\$103.86	\$103.86	\$103.86	\$103.86	\$103.86
WATER	\$111.67	\$111.64	\$111.64	\$111.64	\$111.64	\$111.64
PAYMENT	\$215.54	\$215.50	\$215.50	\$215.50	\$215.50	\$215.50
BALANCE	\$1,077.50	\$862.00	\$646.50	\$431.00	\$215.50	\$0.00

REVIEWING AGENCY COMMENTS

There are no agency comments

ACTION ITEM AND STAFF RECOMMENDATION

Action Item:

Approve or deny restructured payment schedule for the remaining system improvement fees for Sol Maya Salon.

Staff recommends approval of the restructured payment schedule.

SECOND AMENDED BUILDING DEPARTMENT FEES PAYMENT AGREEMENT

THIS SECOND AMENDED AGREEMENT is made and entered into between the City of Glenwood Springs, Colorado, a municipal corporation (hereinafter "City") and Banezza Andrades Vargas (hereinafter "Customer") whose business address is 1001 Grand Avenue Unit 103, Glenwood Springs, CO, Parcel No. 218509427014, to be effective the 1st day of June 2021.

1. RECITALS:

- a. On December 20, 2019, Customer and City entered into a 6-month Payment Agreement relating to the system improvement fees set forth below.
- b. Customer timely made the first payment of \$711.17 on January 8, 2020.
- c. In February 2020, the Parties entered into an Amended Payment Agreement which allowed Customer to pay the system improvement fees over a 12-month period according to the schedule set forth therein.
- d. Throughout 2020 Customer faced several challenges and financial difficulties due to the COVID-19 pandemic.
- e. To help ameliorate the impact of COVID-19 on Customer's business, the Parties now desire to enter into this Third Amended Payment Agreement to allow Customer to pay the remaining balance of the system improvement fees over a 6-month period according to the schedule herein.

2. System Improvement Fees Due. Customer acknowledges the obligation to pay the following fees to the City of Glenwood Springs for the Business License for Sol Maya Salon 1001 Grand Avenue Unit 103, Glenwood Springs, CO 81601.

- | | |
|--------------------------|-----------------|
| a. Sewer Improvement Fee | \$623.17 |
| b. Water Improvement Fee | <u>\$669.87</u> |
| Total Fees Due | \$1,293.04 |

3. INSTALLMENT PAYMENTS. Customer agrees to pay the above amount as follows:

- | | | |
|----------------|-------------------|------------|
| a. Due Date: | June 1, 2021 | \$ 215.54 |
| b. Due Date: | July 1, 2021 | \$ 215.50 |
| c. Due Date: | August 1, 2021 | \$ 215.50 |
| d. Due Date: | September 1, 2021 | \$ 215.50 |
| e. Due Date: | October 1, 2021 | \$ 215.50 |
| f. Due Date: | November 1, 2021 | \$ 215.50 |
| Total Fees Due | | \$1,293.04 |

IF ANY installment is not paid in full with good funds, when due, as listed above, the customers business license for Sol Maya Salon will be revoked without any further notice by the City, all business operations shall cease, and the balance will be turned over to collections.

If the person signing this agreement is other than the name of the account, they are assuming financial responsibility for the above-mentioned account and will be sent to collections if account is not paid according to this agreement.

CITY OF GLENWOOD SPRINGS

CUSTOMER: Banezza Andredas Vargas

By _____
Debra Figueroa
City Manager

Customer Phone #: 562-746-6884

AMENDED BUILDING DEPARTMENT FEES PAYMENT AGREEMENT

THIS AMENDED AGREEMENT is made and entered into between the City of Glenwood Springs, Colorado, a municipal corporation (hereinafter "City") and Banezza Andrades Vargas (hereinafter "Customer") whose business address is 1001 Grand Avenue Unit 103, Glenwood Springs, CO, Parcel No. 218509427014 and whose Social Security number is 521 89 6655, to be effective the 6th day of February 2020.

1. RECITALS:

- a. On December 20, 2019, Customer and City entered into a 6-month Payment Agreement relating to the system improvement fees set forth below.
- b. Customer timely made the first payment of \$711.17 on January 8, 2020.
- c. The Parties desire to extend the Payment Agreement to allow Customer to pay the system improvement fees over a 12-month period according to the schedule set forth herein.

2. System Improvement Fees Due. Customer acknowledges the obligation to pay the following fees to the City of Glenwood Springs for the Business License for Sol Maya Salon 1001 Grand Avenue Unit 103, Glenwood Springs, CO 81601.

a. Sewer Improvement Fee	\$2,056.45
b. Water Improvement Fee	<u>\$2,210.58</u>
Less: Fees Paid	(\$ 711.17)
Total Fees Due	\$3,555.83

3. INSTALLMENT PAYMENTS. Customer agrees to pay the above amount as follows:

a. Due Date:	February 20, 2020	\$ 323.26
b. Due Date:	March 20, 2020	\$ 323.26
c. Due Date:	April 20, 2020	\$ 323.26
d. Due Date:	May 20, 2020	\$ 323.26
e. Due Date:	June 20, 2020	\$ 323.26
f. Due Date:	July 20, 2020	\$ 323.26
g. Due Date:	August 20, 2020	\$ 323.26
h. Due Date:	September 20, 2020	\$ 323.26
i. Due Date:	October 20, 2020	\$ 323.26
j. Due Date:	November 20, 2020	\$ 323.26
k. Due Date:	December 20, 2020	\$ 323.23

Total Fees Due	\$3,555.83
----------------	------------

4. IF ANY installment is not paid in full with good funds, when due, as listed above, the customers business license for Sol Maya Salon will be revoked without any further notice by the City and all business operations shall cease.
5. If the person signing this agreement is other than the name of the account, they are assuming financial responsibility for the above-mentioned account and will be sent to collections if account is not paid according to this agreement.

CITY OF GLENWOOD SPRINGS

By 
Debra Figueroa
City Manager

CUSTOMER: Banezza Andredas Vargas

 2.21.20
Customer Phone #: 562-746-6884



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: April 15, 2021 Minutes

Action Requested: Approve minutes from the April 15, 2021 Meeting.

Department: City Clerk

Presented By:

Background Info: April 15, 2021 Minutes.

Issues:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
APRIL 15, 2021
101 W. 8TH STREET
6:15 PM

Note: Official meeting minutes are located on the City website via YouTube video at the following link: <https://www.youtube.com/user/GlenwoodSprings1885/videos>. The times in agenda items indicate approximately where the item can be found on the YouTube video timeline.

REGULAR SESSION

:03:20 Roll Call

Present: Mayor Godes, Mayor Pro-Tem Kaup, Councilor Willman, Councilor Wussow, Councilor Stepp, Councilor Hershey, Councilor Davis. Also present were Debra Figueroa, City Manager; Steve Boyd, COO; Jenn Ooton, Asst. City Manager and Karl Hanlon, City Attorney.

:03:47 Pledge of Allegiance

Mayor Godes led the Pledge.

:04:05 Agenda Changes and Conflicts

None were offered.

:04:16 Citizens Appearing Before Council

Heather McGregor 63 Airport Road commented that development projections in the Environmental Assessment are not realistic and questioned the wisdom of the wall at Cardiff Glen. Asks City to postpone the noise wall until necessary.

Steve Smith 63 Airport Road said he's concerned about South Bridge becoming a de-facto bypass and believes curb and gutters are necessary. Would like Council to insist curb and gutter be installed in the neighborhood.

:11:16 Council Comments

Councilor Hershey said the corner of 10th and Cooper has had an increase in traffic going the wrong way.

:12:40 Councilor Hershey moved, seconded by Mayor Pro-Tem Kaup, to reinstall the temporary barrier and return it to the condition it was previously, and that staff bring back longer term options in the May 20th meeting.

Motion passed 7-0.

Mayor Pro-Tem Kaup wants to see the clean-up behind Walmart move forward and have the City consider holding trail easements if the property passes to a private owner. Asked that Council give direction to Debra to cooperate with the County and participate in a meeting. Councilor Stepp said the County's plan is to clean the property up and transfer it to Triumph Developers, at which point the City would consider supporting easements for trail development. County is also working with Mind Springs and ECOS to assist the homeless community in the area.

:25:14 Mayor Pro-Tem Kaup moved, seconded by Mayor Godes, to have the City work cooperatively with the County to move this project forward, and investigate whether the City can approve trail easements, including participating in meetings. Seconded by Mayor Godes.

Motion passed 7-0.

Councilor Kaup asked that Council schedule a work session on traffic thresholds currently under consideration in the Cardiff area.

Councilor Stepp noted that Glenwood Canyon Restoration Alliance has Grizzly Creek and No Name opportunities to volunteer in May and June and people can register through Roaring Fork Outdoor Volunteers.

Mayor Godes said Johnson and Johnson is still a safe and effective vaccine and supports people getting it when they have the opportunity to help get the economy back more quickly.

Mentioned Colorado Association of Ski Towns (CAST) has a board seat open and asked him, wants to check in with Council to make sure it is supportive and it was.

:32:34 Consent Agenda

Councilor Hershey moved, seconded by Mayor Pro-Tem Kaup, to approve Consent Agenda.

Passed 7-0.

ACTIONS AND/OR PRESENTATIONS

:32:59 Swearing in of Council members

The three recently elected Councilors; Godes, Kaup and Wussow were sworn in by City Clerk Ryan Muse who certified their oaths.

:39:00 Election of Mayor and Mayor Pro-Tem

City Attorney Karl Hanlon outlined the process of electing a Mayor and a Mayor Pro-Tem, and opened the floor for nominations.

:40:30 Councilor Davis, seconded by Councilor Wussow, nominated Mayor Godes for Mayor. Nomination accepted by Mayor Godes. Councilor Hershey nominated Councilor Willman for Mayor. Nomination accepted by Councilor Willman. City Attorney Hanlon called to vote. Councilor Davis, Mayor Pro-Tem Kaup, Councilor Wussow, Councilor Stepp, and Mayor Godes voted for Mayor Godes. Councilor Willman withdrew his candidacy and added his vote to Councilor Godes.

Councilor Godes was voted Mayor 6-1.

:44:36 Mayor Godes opened the floor to nominations for Mayor Pro-Tem. Councilor Stepp nominated Mayor Pro-Tem Kaup for Mayor Pro-Tem, seconded by Mayor Godes. Nomination accepted by Mayor Pro-Tem Kaup. Councilor Wussow nominated Councilor Willman for Mayor Pro-Tem, seconded by Councilor Hershey. Nomination accepted by Councilor Willman. There were no other nominations. Mayor Godes called to vote. Mayor Pro Tem- Kaup, Councilor Stepp, and Mayor Godes voted for Mayor Pro-Tem Kaup. Councilor Willman, Councilor Davis, Councilor Hershey, and Councilor Wussow voted for Councilor Willman.

Councilor Willman was elected Mayor Pro-Tem 4-3.

47:10 Councilor Stepp requested that Councilor appointments to Commissions and Boards be discussed next meeting.

:48:33 South Midland Update

Kathleen Wanatowicz told the Council that the project is going well and complimented the entire team including the residents. Mayor Godes stated he has not had a single complaint from a resident.

:55:45 Solar Campaign in Garfield County

Maisa Metcalf, Director of Consumer Engagement at CLEER updated Council on solar rebates available to residents.

1:05:35 South Bridge Design – Amendment #8

City Engineer Terri Partch explained that this amendment to the Jacobs Engineering contract results from 33 different designs over several years. This amendment covers utility coordination in the corridor, design and reconstruction of Airport Center Road.

1:35:41 Councilor Kaup moved, seconded by Mayor Godes, to approve Amendment 8 with the condition that we remove the White Pathway as outlined in the staff report as well as work with the County for separate funding for the Four Mile Path.

Yayes: Wussow, Stepp, Hershey, Davis, Godes, Kaup

Nays: Willman

1:42:23 Devolution of the State Coronavirus

Assistant City Manager Jenn Ooton reported that we are moving toward more local guidance and education rather than enforcement. Four options were summarized from the staff report for Council to consider regarding local guidance when mask and distancing dial restrictions ease.

Mayor Godes turned it over to public comment.

Christian Henny stated that he would like there to be consistency throughout town and supported removing the outdoor mask mandate.

Mayor Godes brought it back for further Council discussion.

2:05:31 Councilor Stepp moved, seconded by Councilor Kaup, to follow Option 2 in the staff report, including an indoor facemask order and promoting social distancing, until May 20, the second Council meeting in May.

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

Nays: Hershey

Motion passed 6-1.

2:09:20 Resolution 2021-07 Water Rates

Public Works Director Matt Langhorst summarized the origination of the rate study two years ago and budgeting efforts since then.

2:26:10 Mayor Pro-Tem Willman moved, seconded by Councilor Davis, to approve the Option 2 outlined in the staff report, with the amendment that annual rate increases after the initial increase be considered and approved in the budget process.

Ayes: Willman, Davis, Godes, Kaup, Wussow

Nays: Stepp, Hershey

Motion passed 5-2.

2:50:45 Tourism Board Conversation

2:50:54 Councilor Hershey moved, seconded by Councilor Davis, to continue item #8, Tourism Board Conversation, until May 6th.

Motion passed unanimously.

2:51:14 Report from City Administration

Debra told Council that staff expects significant price increases in various materials needed for upcoming projects put out to bid. Debra has also put in a fireworks ban in the City until November 1, 2021.

2:53:47 Adjournment

2:53:50 Mayor Pro-Tem Willman moved, seconded by Councilor Kaup, to adjourn.

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

Nays: Hershey

Motion passes 6-1



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Substation Recloser Bid Award to Border States/GW & Beckwith

Action Requested: Approval of Substation Recloser Bid Award to Border States/GW & Beckwith

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs is updating all of its substations within the system with Electronic Recloser units that allow the City to monitor and control the reclosers from a remote location. These reclosers will be replacing outdated hydraulic reclosers that need to be updated.

Staff is recommending the award of the bid go to Border States/GW & Beckwith even though they are not the low bid. Bids came in from three suppliers ranging from \$179,176.80 down to \$126,380.10, with Border States coming in at \$151,909.77. The reason staff is recommending the city go with the second low bid is because the low bidder had listed exceptions within their bid that did not meet the bid material requirements within the bid documents. Thus, they did not submit a bid that met our specific requirements. The Electric Department budgeted \$150,000 for this purchase in 2021 and staff is comfortable with the bid from BS/GWB being within an acceptable range at \$151,909.77.

Issues: None at this time.

Staff Recommendation: Staff is recommending approval of Substation Recloser Bid Award to Border States/GW & Beckwith



BORDER STATES

Supply Chain Solutions™

Border States Electric Supply

Border States Electric - DEN
4686 Ivy Street
Denver CO 80216-6412
Phone: 303-336-7360

City of Glenwood Springs
101 W 8TH ST
GLENWOOD SPGS CO 81601-3303

Quote

Page: 1 of 4

BSE Quote: 26061748
Sold-To Acct #: 113008
Valid From: 04/14/2021 To: 05/14/2021
PO No: BD 2021-009
PO Date: 04/14/2021

Created By: Gwendolyn Young
Tel No: 303-336-7387
Fax No:

Inco Terms:
PPA prepaid & allow freight

Payment Terms:
Net 25th prox

Taxes, if applicable, are not included.

Attention: Ricky Smith

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
10	000010	- VIP376ER-12S Viper-S Solid Dielectric Re Item 1: G&W Electric Viper-S Solid Dielectric Recloser, Catalog No. VIP376ER-12S Standard Features: Three (3) epoxy insulated vacuum interrupter modules One (1) three phase magnetic actuator operator, providing three phase operation Manual trip and lockout handle with mechanical block, capable of physically blocking electronic and manual operation Contact position indicator Three (3) 400/200:1 current transformers, encapsulated within the solid dielectric insulation, exclusively for use with the recloser control (factory set 200:1) Operation counter Lifting provisions Additional Features: # "L" style vacuum interrupter modules # Six (6) 800 Amp interfaces with screw-on silicone insulators # Aerial lugs included: NEMA 4-hole pads # Six (6) capacitively coupled voltage sensors, encapsulated within the solid dielectric insulation, exclusively for use with customer supplied recloser control. 10-foot voltage sensing cable, with 8 pin connectors on both ends for connection to customer supplied control. 10-foot control cable, with 14 pin connectors on both ends 10-foot AC power cable, with 2 pin connectors on recloser end, for connection from recloser to 120 VAC via the control. Customer to hardwire to control. Galvanized steel substation frame, with recloser mounting positions of 45 and 90 degrees. Shipped unassembled, with instructions for field assembly. Control will mount to left side of substation frame Recloser requires 120VAC, to be supplied by user Three (3), externally mounted 200:5, 0.3-B0.2 current transformers including galvanized steel mounting bracket. External CTs to be mounted on the Y-side bushings. (Customer requested note: wiring for the external 200:5 CT#s exit the left hand side as you are looking up from the Y-side.) Six (6) wildlife protectors No Control Provided Ratings: Maximum design voltage 15.5kV Impulse level (BIL) 110kV Continuous and load break current 630A 8 Hr. Overload at 20°C 960A 60Hz Withstand, kV rms Dry, 1 min 50kV 60Hz Withstand, kV rms Wet, 10 sec 45kV Interrupting Rating RMS (kA) 12.5kA	4 EA	28,177.17 / 1	EA	112,708.68

Border States Electric - DEN
4686 Ivy Street
Denver CO 80216-6412
Phone: 303-336-7360

Cust Item	BSE Item	Material MFG - Description	Quantity	Price	Per	UoM	Value
		Making Current, RMS, asym, KA 20kA Peak, asym (kA) 32kA Short Circuit Current, kA sym, 3 second 12.5kA Mechanical Operations 10K Operating Temperature Range: Temperature range, -40°C to + 65°C (-40°F to 150°F) Standards: Ratings per IEEE C37.60-2012 and IEC 62271-111 Lead time 16 weeks					
20	000020	- Beckwith Control: A-7679 # Relay: M-7679- V6L1MH6SLA2C0000 # Cabinet: M-2979- A14CL1DW10900T00 Note: The Beckwith control requires 120VAC for control power, to be provided via connection to a user supplied source	1 EA	5,511.96	/ 1	EA	5,511.96

Cust Item	BSE Item	Material MFG - Description	Quantity	Price Per	UoM	Value
30	000030	- VIP376ER-12S Viper-S Solid Dielectric Re Standard Features: # Three (3) epoxy insulated vacuum interrupter modules # One (1) three phase magnetic actuator operator, providing three phase operation # Manual trip and lockout handle with mechanical block, capable of physically blocking electronic and manual operation # Contact position indicator # Three (3) 400/200:1 current transformers, encapsulated within the solid dielectric insulation, exclusively for use with the recloser control (factory set 200:1) # Operation counter # Lifting provisions Additional Features: # "L" style vacuum interrupter modules # Six (6) 800 Amp interfaces with screw-on silicone insulators # Aerial lugs included: NEMA 4-hole pads # Six (6) capacitively coupled voltage sensors, encapsulated within the solid dielectric insulation, exclusively for use with customer supplied recloser control. # 10-foot voltage sensing cable, with 8 pin connectors on both ends for connection to customer supplied control. # 10-foot control cable, with 14 pin connectors on both ends # 10-foot AC power cable, with 2 pin connectors on recloser end, for connection from recloser to 120 VAC via the control. Customer to hardwire to control. # Galvanized steel substation frame, with recloser mounting positions of 45 and 90 degrees. Shipped unassembled, with instructions for field assembly. Control will mount to left side of substation frame # Recloser requires 120VAC, to be supplied by user # Three (3), externally mounted 200:5, 0.3-B0.2 current transformers including galvanized steel mounting bracket. External CTs to be mounted on the Y-side bushings. (Customer requested note: wiring for the external 200:5 CT#s exit the left hand side as you are looking up from the Y-side.) # Six (6) wildlife protectors # No Control Provided Ratings: - Maximum design voltage 15.5kV - Impulse level (BIL) 110kV - Continuous and load break current 630A 8 Hr. Overload at 20°C 960A 60Hz Withstand, kV rms Dry, 1 min 50kV 60Hz Withstand, kV rms Wet, 10 sec 45kV - Interrupting Rating RMS (kA) 12.5kA - Making Current, RMS, asym, KA 20kA - Peak, asym (kA) 32kA - Short Circuit Current, kA sym, 3 second 12.5kA - Mechanical Operations 10K - Operating Temperature Range: Temperature range, -40°C to + 65°C (-40°F to 150°F) - Standards: Ratings per IEEE C37.60-2012 and IEC 62271-111 - Lead time 16 weeks	1 EA	28,177.17 / 1	EA	28,177.17
40	000040	- Beckwith Control: A-7679 # Relay: M-7679- V6L1MX6SLA2C0000 # Cabinet: M-2979- A14CL1DW10900T00 Note: The Beckwith control requires 120VAC for control power, to be provided via connection to a user supplied source	1 EA	5,511.96 / 1	EA	5,511.96

Border States Electric - DEN
4686 Ivy Street
Denver CO 80216-6412
Phone: 303-336-7360

Quote

Total Value	151,909.77
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To access BSE's Terms and Conditions of Sale, please go to
<https://www.borderstateselectric.com>

Shipping and handling fees in this quote are an estimate only and will
be finalized at the time of Invoice.

All clerical errors contained herein are subject to correction. In the event of any cost or price increases from manufacturers or other suppliers, caused by, but not limited to, currency fluctuations, raw material or labor prices, fuel or transportation cost increases, and any import tariffs, taxes, fees, or surcharges, BSE reserves the exclusive right to change its pricing at the time of shipping and will provide notice of any such change to its customers prior to costs being incurred.



City of Glenwood Springs
101 West 8th Street
Glenwood Springs, CO 81601
INVITATION TO BID BD 2021-009
COVER SHEET

Date:	March 24, 2021
Bid number:	BD 2021-009
Bid title:	Reclosers
Bids will be received until:	April 14, 2021 2:00 p.m., local time at bidresponse@cogs.us
Goods or services to be delivered to or performed at:	City of Glenwood Springs Electrical Department 2222 Devereaux Road Glenwood Springs, CO 81601 <u>Responses must be submitted electronically to bidresponse@cogs.us no later than the required time and date. Include PROPOSAL #BD 2021-009 in the subject line of the email.</u>
For additional information please contact Doug Hazzard:	970-384-6353
Email Address	bidresponse@cogs.us
Documents included in this package:	Invitation to Bid Cover Sheet Special Terms and Conditions Specification and Pricing Form Addendum to Professional Services Agreement

The undersigned hereby affirms that (1) he/she is a duly authorized agent of the vendor, (2) he/she has read all terms and conditions and technical specifications which were made available in conjunction with this solicitation and fully understands and accepts them unless specific variations have been expressly listed in his/her offer, (3) that the offer is being submitted on behalf of the vendor in accordance with any terms and conditions set forth in this document, and (4) that the vendor will accept any awards made to it as a result of the offer submitted herein for a minimum of ninety (90) calendar days following the date of submission.

PRINT OR TYPE YOUR INFORMATION

Name of Company: [Border States](#)

Fax: _____

Address: [4686 Ivy Street](#)

City/State: [Denver, CO](#)

Zip: [80216](#)

Contact Person: [Gwen Young, Tyler](#)

Title: [CSR/Acct Mgr](#)

Phone: [303-336-7360](#)

[Davis](#)

Authorized Representative's Signature:



Phone: [303-336-7360](#)

Printed Name: [Gwendolyn Young](#)

Title: [CSR](#)

Date: [04/14/2021](#)

Email Address:

gyoung@borderstates.com



City of Glenwood Springs
Electric Department
101 West 8th Street
Glenwood Springs, CO 81601

INVITATION TO BID BD 2021-009

SPECIAL TERMS AND CONDITIONS

SCHEDULE OF ACTIVITIES: The following activities outline the process to be used to solicit vendor responses and to evaluate each vendor proposal.

March 24, 2021 and April 7, 2021
April 7, 2021
April 14, 2021
May 7, 2021

Advertise
Deadline for submitting questions
Proposal deadline
Award contract

PURPOSE OF SOLICITATION - TO PURCHASE ITEMS THROUGH A SINGLE SOLICITATION: The purpose of this Solicitation is to purchase five (5) Three Phase Electronically Controlled Reclosers through a single solicitation.

TERM OF CONTRACT: This contract shall commence on the date of the Purchase Order or Notice of Award and shall remain in effect until such time as the commodities, equipment and/or services acquired in conjunction with this Solicitation have been completed and accepted by the City's authorized representative. Notwithstanding, it shall be understood and agreed that any required warranty period which exceeds this term shall remain in full force for the duration of the warranty period.

TERMINATION OF CONTRACT:

- A. The City may, by written notice to the successful Vendor, terminate the contract if the Vendor has been found to have failed to perform its service in a manner satisfactory to the City as per specifications, including delivery as specified. The date of termination shall be stated in the notice. The City shall be the sole judge of non-performance.
- B. The City may cancel the contract, without penalty, upon thirty days written notice for reason other than cause. This may include the City's inability to continue with the contract due to the elimination or reduction of funding.

METHOD OF AWARD - SINGLE PRODUCT: Award of this Contract will be made to the lowest responsive, responsible Vendor whose Offer will be most advantageous to the City, as determined solely by the City of Glenwood Springs. Availability of reclosers for a timely delivery will be a major consideration for award of this bid.

ELIGIBILITY OF VENDORS - MINIMUM YEARS OF EXPERIENCE AND OPERATIONAL FACILITIES REQUIRED: Pre-award inspection of the Vendor's facility may be made prior to award of the contract. Responses will only be considered from firms which have been engaged in the business of manufacturing or distributing the goods and/or performing services as described in this Solicitation for a minimum period of three years prior to the date of this Solicitation. The Vendors must be able to produce evidence that they have an established satisfactory record of performance for a reasonable period of time and have sufficient financial support, equipment and organization to ensure that they can satisfactorily execute the services if awarded a contract. The term equipment and organization as used herein shall be construed to mean a fully equipped and well established company in line with the best business practices in the industry and as determined by the proper authorities of the City. The City reserves the right, before awarding the contract, to require a Vendor to submit such evidence of its qualifications as it may deem necessary, and may consider any evidence available to it (including, but not limited to, the financial,

technical and other qualifications and abilities of the Vendor, including past performance and experience with the City) in making the award in the best interest of the City.

ASSIGNMENT OF CONTRACT NOT ALLOWED: Responses will only be considered from firms which are directly engaged in the business of manufacturing or distributing the goods and/or performing the services described in this Solicitation. Accordingly, no part of this contract can be assigned to another vendor.

ESTIMATED QUANTITIES: Estimated quantities or estimated dollars are provided in this solicitation for the Vendor's guidance only. No guarantee is expressed or implied as to quantities or dollars that will be used during the contract period. The City is not obligated to place an order for any given amount subsequent to the award of this Solicitation. Estimates quoted on the Specification and Pricing Form are based on the City's actual needs and usage during the previous contractual period or prior twelve-month period, whichever is longer. Said estimates may be used by the City for purposes of determining the low Vendor meeting Specifications.

DEFICIENCIES IN WORK TO BE CORRECTED BY VENDOR: The successful Vendor shall promptly correct all deficiencies and/or defects in work and/or any work that fails to conform to the Contract Documents. All corrections shall be made within seven (7) calendar days after such rejected defects, deficiencies, and/or non-conformances are verbally reported to the Vendor by the City's Project Manager. The Vendor shall bear all costs of correcting such rejected work. If the Vendor fails to correct the work within the period specified in this Solicitation, the City reserves the right to place the Vendor in default of its contractual obligations, obtain the services of another vendor to correct the deficiencies, and charge the Vendor for these costs, either through a deduction from the final payment over to the Vendor or through invoicing.

INDEMNIFICATION: The successful Vendor shall indemnify and hold the City harmless from any and all claims, liabilities, losses and causes of action which may arise out of the fulfillment of the Vendor's contractual obligations as outlined in this Solicitation. The Vendor or its insurer(s) shall pay all claims and losses of any nature whatever in connection therewith, and shall pay the costs of defense of all suits, against the City when applicable, and shall pay all costs and judgments which may issue thereon.

PRICES SHALL BE FIXED FOR 30 CALENDAR DAYS WITH ADJUSTMENTS ALLOWED THEREAFTER: If the Vendor is awarded a contract under this Solicitation, the prices proposed by the Vendor shall remain fixed for a period of 30 calendar days after the issuance of the initial contract document. After this period, the Vendor may submit a price adjustment to the City if the manufacturer notifies the Vendor/supplier of a price adjustment. It shall be understood that such price adjustments shall not exceed the amount passed on to the Vendor/supplier by the manufacturer. The Vendor is obligated to notify the City of such adjustments, either price reductions or price increases, within 14 calendar days after receiving said notification from the manufacturer. Additionally, notification from the Vendor shall be received by the City's Electric Department at least thirty calendar days prior to the effective date of the new price to be charged to the City. The City reserves the right to reject any price adjustments submitted by the Vendor and/or to terminate the contract with the Vendor based on such price adjustments.

LABOR, MATERIALS AND EQUIPMENT TO BE SUPPLIED BY THE VENDOR: Unless otherwise provided in this Solicitation, the Vendor shall furnish all labor, materials and equipment necessary for satisfactory contract performance. When not specifically identified in this Solicitation, such materials and equipment shall be of a suitable type and grade for the intended purpose. All materials, workmanship, and equipment shall be subject to the inspection and approval of the City's Project Manager.

RESPONSE TO QUESTIONS: Questions which arise during the response preparation period regarding issues around this Solicitation, purchasing and/or award should be directed, in writing via email to Doug Hazzard, doug.hazzard@cogs.us. The vendor submitting the question shall be responsible for ensuring that the question is received by the buyer at least seven (7) calendar days prior to the scheduled opening of the Solicitation.

GOVERNMENT STANDARDS AND REQUIREMENTS: All items or services to be purchased or supplied in conjunction with this Solicitation shall be in accordance with all federal, state and local governmental standards to include, but not be limited to, those issued by the Office of Safety and Health Administration (OSHA), the National Institute of Occupational Safety Hazards (NIOSH) and the National Fire Protection Association (NFPA), and the National Electric Code (NEC).

CONTENTS OF OFFER:

A. General Conditions. Vendors are required to submit their Offers in accordance with the following expressed conditions:

1. Vendors shall make all investigations necessary to thoroughly inform themselves regarding the plant and facilities affected by the delivery of materials and services as required by the conditions of the Solicitation. No plea of ignorance by the Vendor of conditions that exist or that may hereafter exist as a result of failure to fulfill the requirements of the contract documents will be accepted as the basis for varying the requirements of the City or the compensation to the Vendor.
2. Vendors are required to state exactly what they intend to furnish to the City via this Solicitation and must indicate any variances to the terms, conditions, and specifications of this Solicitation no matter how slight. If variations are not stated in the Vendor's Offer, it shall be construed that the Vendor's Offer fully complies with all conditions identified in this Solicitation.
3. City Of Glenwood Springs intends and expects that the contracting processes of the City and its Vendors provide equal opportunity without regard to gender, race, ethnicity, religion, age or disability and that its Vendors make available equal opportunities to the extent third parties are engaged to provide goods and services to the City as subcontractors, vendors, or otherwise. Accordingly, the Vendor shall not discriminate on any of the foregoing grounds in the performance of the contract, and shall make available equal opportunities to the extent third parties are engaged to provide goods and services in connection with performance of the contract (**joint ventures are encouraged**). The Vendor shall disseminate information regarding all subcontracting opportunities under this contract in a manner reasonably calculated to reach all qualified potential subcontractors who may be interested. The Vendor shall maintain records demonstrating its compliance with this article and shall make such records available to the City upon the City's request.
4. All Offers and other materials submitted in response to this Solicitation shall become the property of the City of Glenwood Springs.

B. Clarification and Modifications in Terms and Conditions

1. If any Vendor contemplating submitting an Offer under this Solicitation is in doubt as to the true meaning of the specifications, the Vendor must submit a **written request** for clarification to the City's Contact person as stated in the Special Terms and Conditions. The Vendor submitting the request shall be responsible for ensuring that the request is received by the City at least five (5) calendar days prior to the scheduled Solicitation opening or as stated in the Special Terms and Conditions.

The City shall issue a written addendum if substantial changes which impact the technical submission of Offers are required. The Vendor shall certify its acknowledgment of the addendum by signing the addendum and returning it with its Offer. In the event of conflict with the original contract documents, addenda shall govern all other contract documents to the extent specified. Subsequent addenda shall govern over prior addenda only to the extent specified.

C. Prices Contained in Offer--Discounts, Taxes, Collusion

1. Vendors may offer a cash discount for prompt payment. Discounts will be considered in determining the lowest net cost for the evaluation of Offers; discounts for periods of less than twenty days, however, will not be considered in making the award.

2. Vendors shall not include federal, state, or local excise or sales taxes in prices offered, as the City is exempt from payment of such taxes.
3. The Vendor, by affixing its signature to this Solicitation, certifies that its Offer is made without previous understanding, agreement, or connection either with any persons, firms or corporations making an Offer for the same items, or with the City. The Vendor also certifies that its Offer is in all respects fair, without outside control, collusion, fraud, or otherwise illegal action. To insure integrity of the City's public procurement process, all Vendors are hereby placed on notice that any and all Vendors who falsify the certifications required in conjunction with this section will be prosecuted to the fullest extent of the law.

PREPARATION AND SUBMISSION OF OFFER:

A. Preparation

1. The Offer must be typed or legibly printed in ink. The use of erasable ink is not permitted. All corrections made by the Vendor must be initialed in **blue ink** by the authorized agent of the Vendor.
2. Offers must contain, in **blue ink**, a manual signature of an authorized agent of the Vendor in the space provided on the Solicitation cover page. **The original cover page of this Solicitation must be included in all Offers. If the Vendor's authorized agent fails to sign and return the original cover page of the Solicitation, its Offer shall be invalid and shall not be considered.**
3. Unit prices shall be provided by the Vendor on the Solicitation's Specification and Pricing Form when required in conjunction with the prescribed method of award and **shall be for the unit of measure requested**. Prices that are not in accordance with the measurements and descriptions requested may be considered non-responsive and may not be considered. Where there is a discrepancy between the unit price and the extension of prices, the unit price shall prevail.
4. Alternate Offers will not be considered unless expressly permitted in the Specification's Special Terms and Conditions.
5. The accuracy of the Offer is the sole responsibility of the Vendor. No changes in the Offer shall be allowed after the date and time that the Offers are due.

B. Submission

1. The Offer shall be sealed in an envelope with the vendor's name and the bid number on the outside.
2. Unless otherwise specified, when a Specification and Pricing form is included as a part of the Solicitation, it must be used when the Vendor is submitting its Offer. The Vendor shall not alter this form (e.g. add or modify categories for posting prices offered) unless expressly permitted in the addendum duly issued by the City. No other form shall be accepted.
3. Offers submitted via facsimile will not be accepted.
4. Vendors which qualify their Offers by requiring alternate contractual terms and conditions as a stipulation for contract award must include such alternate terms and conditions in their Offers. The City reserves the right to declare Vendors' Offers as non-responsive if any of these alternate terms and conditions are in conflict with the City's terms and conditions, or if they are not in the best interests of the City.

- C. Late Offers. Offers received after the date and time set for the opening shall be considered non-responsive and returned unopened to the Vendor.

MODIFICATION OR WITHDRAWAL OF OFFERS

- A. Modifications to Offers. Offers may only be modified in the form of a written notice on company letterhead and must be received prior to the time and date set for the Offers to be opened. Each modification submitted to the City's Electric Department must have the Vendor's name and return address and the applicable Solicitation number and title clearly marked on the face of the envelope. If more than one modification is submitted, the modification bearing the latest date of receipt by the City's Electric Department will be considered the valid modification.
- B. Withdrawal of Offers
 - 1. Offers may be withdrawn prior to the time and date set for the opening. Such requests must be made in writing on company letterhead.
 - 2. In accordance with the Uniform Commercial Code, Offers may not be withdrawn after the time and date set for the opening for a period of ninety (90) calendar days. If an Offer is withdrawn by the Vendor during this ninety-day period, the City may, at its option, suspend the Vendor from the bid list and may not accept any Offer from the Vendor for a six month period following the withdrawal.

REJECTION OF OFFERS:

- A. Rejection of Offers. The City may, at its sole and absolute discretion:
 - 1. Reject any and all, or parts of any or all, Offers submitted by prospective Vendors;
 - 2. Readvertise this Solicitation;
 - 3. Postpone or cancel the process;
 - 4. Waive any irregularities in the Offers received in conjunction with this Solicitation to accept an offer(s) which has additional value or function and/or is determined to be more advantageous to the City;
 - 5. and/or Determine the criteria and process whereby Offers are evaluated and awarded. No damages shall be recoverable by any challenger as a result of these determinations or decisions by the City.
- B. Rejection of a Particular Offer. The City may, at its sole and absolute discretion, reject an offer under any of the following conditions:
 - 1. The Vendor misstates or conceals any material fact in its Offer;
 - 2. The Vendor's Offer does not strictly conform to the law or the requirements of the Solicitation;
 - 3. The Offer expressly requires or implies a conditional award that conflicts with the method of award stipulated in the Solicitation's Special Terms and Conditions;
 - 4. The Offer does not include documents, including, but not limited to, certificates, licenses, and/or samples, which are required for submission with the Offer in conjunction with the Solicitation's Special Terms and Conditions and/or Technical Specifications; or
 - 5. The Offer has not been executed by the Vendor through an authorized signature on the Specification's Cover Sheet.
- C. Elimination From Consideration
 - 1. An Offer may not be accepted from, nor any contract be awarded to, any person or firm which is in arrears to the City upon any debt or contract or which is a defaulter as surety or otherwise upon any obligation to the City.

2. An Offer may not be accepted from, nor any contract awarded to, any person or firm which has failed to perform faithfully any previous contract with the City, state or federal government, for a minimum period of three years after this previous contract was terminated for cause.
- D. The City reserves the right to waive any technical or formal errors or omissions and to reject any and all bids, or to award contract for the items hereon, either in part or whole, if it is deemed to be in the best interest of the City to do so.

APPEAL OF AWARD.

- A. Right to protest. Any actual or prospective bidder, offeror or contractor who is aggrieved in connection with the solicitation or award of a contract may file a protest as follows:
 1. Prior to bid opening. If the course of the protest is known or should have been known to the aggrieved person prior to the opening of bids, such protest must be presented, if at all, to the City Manager as soon as it becomes known or should have become known but no later than the close of business on the day prior to the bid opening.
 2. After bid opening. If the cause of the protest is known or should have been known to the aggrieved person after the bid opening, such protest must be presented, if at all, to the City Council within two (2) business days after the bid opening but, in no event, later than the bid award.
- (b) Form of protest. The bid protest shall be in writing and specify the exact grounds for the protest. Any grounds not set forth in the written protest shall be waived.
- (c) Determination of protest.
 - (1) By the City Manager. Bid protests made to the City Manager shall be decided by the City Manager as soon as is practicable after receipt of the protest but, in any event, no later than one hour prior to the bid opening. Such decision shall be in writing. In the event the decision is such and so substantial that other bidders or prospective bidders may desire to modify their bid proposals, the City Manager shall give notice of such decision to all bidders and prospective bidders of such decision. If insufficient time remains prior to the bid opening for bidders and prospective bidders to modify their bid proposals, then the City Manager at the place and time for bid opening can announce a reasonable continuance of the bid opening. No further public notice will be required except that all bidders who have submitted proposals as of the original time for bid opening and who are not present at the bid opening shall be given prompt written notice of the continuance of the bid opening and the reason for such continuance.
 - (2) By the City Council. Any person aggrieved by the decision of the City Manager may appeal his/her decision to the City Council, which appeal shall be decided, if practicable, prior to bid opening or, if not practicable, then prior to the award of bids. If the City Manager determines it to be in the best interests of the City when an appeal is made of his/her decision pursuant to this Paragraph, he/she may continue the bid opening in accordance with the provisions of this Subsection. If a bid protest is made to Council pursuant to Paragraph 010.060.160(a)(1), Council shall make a determination of the protest prior to bid award. If Council determines that the bid protest is appropriate, it may, but need not, determine to rebid the contract. The decision of Council shall be final from which an appeal to Court in accordance with the laws of the State, may be taken. Such appeal must be filed within ten (10) days of Council's decision or it shall be waived.
- (d) Waiver. The failure of an aggrieved person to make a bid protest or an appeal of the same in accordance with the terms of this Section shall be deemed to be a waiver of such protest.

SUBMISSION OF BIDS

Bids shall be submitted electronically to bidresponse@cogs.us, **no later than the required time and date.** Include **PROPOSAL #BD2021-009** in the subject line of the email.

BID SUBMITTALS

The following documents must be provided in each submitted bid: Invitation to Bid Cover Sheet, Pricing Sheet, Issued Addendum, copies Addendum to Professional Services.

PRICE OFFERS SHALL BE FIXED AND FIRM FOR A PERIOD OF 30 CALENDAR DAYS: The prices offered by the Vendor shall remain fixed and firm for a period of thirty calendar days, **NO EXCEPTIONS.** No changes in the Response shall be allowed after the date and time of the Solicitation opening due to error by the Vendor. Responses may not be withdrawn after the time and date set for the Solicitation opening for a period of thirty calendar days.

SHIPPING TERMS - FOB DESTINATION: All Vendors shall quote prices based on F.O.B. Destination and shall hold title to the goods until such time as they are delivered to, and accepted by, an authorized City representative. **Twenty-four hour notice must be given prior to delivery of reclosers. Vendor must call 970-384-6352 to notify the City of when delivery will take place. Delivery must be made with an open top or flatbed trailer.**



City of Glenwood Springs
Electric Department
101 West 8th Street
Glenwood Springs, CO 81601

INVITATION TO BID BD 2021-009

SPECIFICATION AND PRICING FORM

The Electric Department is requesting bids for five (5) Three Phase Electronically Controlled Recloser with (4) Beckwith Control A-7679 Relay M-7679-V6L1MH6SLA2C000 with Cabinet M-2979-A14CL1DW10900T00 and (1) Beckwith Control A-7679 Relay M-7679-V6L1MX6SLA2C000 with cabinet M 2979 A14CL1DW10900T00. Vendors may submit for either an Eaton NOVA or G&W Viper VIP376ER-12S Recloser.

Electronic Recloser Specifications:

Eaton NOVA, 15kv, BIL 110, 12.5 KV 630-amp continuous minimum. NOVA AP with auxiliary powered interface, 48 volt DC closing, NOVA internal voltage sensors and cabling. Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules

G&W Viper VIP378ER-12S 15 kv, BIL 110 kv 630-amp continuous minimum, auxiliary powered interface, internal voltage sensors, Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules.

Additional Features:

Six (6) 800-amp interfaces with screw on silicone insulators

Six (6) capacitively coupled voltage sensors , encapsulated within the solid state dielectric insulation exclusively for customer recloser control, 3 High/3 Low

3 current transformers rated at 200:1 for relay control.

3 current transformers rated at 200:5 0.3-B0.2 external mounted on Load side bushings. Wiring for external C.Ts to exit the left-hand side as you are looking up from load side.

10 foot voltage sensing cable with 8 pin connectors on both ends for connection with customer control

10 foot control cable with 14 in connectors on both end

10 foot AC power cord with 2 pin connectors on recloser end, for connection from recloser to 120 VAC via the control

Six wildlife protectors

NEMA 4 Hole pads

Galvanized steel substation frame which allows recloser to be mounted in a 45 degree angle.

RECLOSER AVAILABILITY:

Availability of reclosers will be a major consideration for award of this bid.

Pricing Sheet:

PRICE OFFERS SHALL BE FIXED AND FIRM FOR A PERIOD OF 30 CALENDAR DAYS: The prices offered by the Vendor shall remain fixed and firm for a period of thirty calendar days, **NO EXCEPTIONS.** No changes in the Response shall be allowed after the date and time of the Solicitation opening due to error by the Vendor. Responses may not be withdrawn after the time and date set for the Solicitation opening for a period of thirty calendar days.

Bidding _____ (4) Eaton NOVA , 15kv, BIL 110, 12.5 KV 630-amp continuous minimum. NOVA AP with auxiliary powered interface, 48 volt DC closing, NOVA internal voltage sensors and cabling. Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules with Beckwith Control M-7679 Relay M- 7679-V6L1MH6SLA2C000 with Cabinet M-2979-A14CLDW10900T00

Bidding _____ (1) Eaton NOVA, 15kv, BIL 110, 12.5 KV 630-amp continuous minimum. NOVA AP with auxiliary powered interface, 48 volt DC closing, NOVA internal voltage sensors and cabling. Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules with Beckwith Control A-7679 Relay M-7679 V6L1MX6SLA2C000 with cabinet M-2979-A14CL1DW10900T00

Bidding \$118,220.64 (4) G&W Viper VIP378ER-12S 15 kv, BIL 110 kv 630-amp continuous minimum, auxiliary powered interface, internal voltage sensors, Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules with Beckwith Control A-7679 Relay M-7679-V6L1MH6SLA2C000 with Cabinet M- 2979 A14CL1DW10900T00

Bidding \$33,689.13 (1) G&W Viper VIP378ER-12S 15 kv, BIL 110 kv 630-amp continuous minimum, auxiliary powered interface, internal voltage sensors, Magnetic actuator operator for three phase operation, position indicator, operation counter, lifting provisions. Three insulated vacuum interrupter modules with Beckwith Control A-7679 Relay M-7679-V6L1MX6SLA2C000 with cabinet M-2979-A14CL1DW10900T00

Does your offer comply with all the terms and conditions? If no, indicate exceptions.

Yes ☒ X
No _____

Does your offer meet or exceed all specifications? If no, indicate exceptions.

Yes ☒ X
No _____

Have you filled in all the blanks listed above?

Yes ☒ X
No _____

Responses must be submitted electronically to bidresponse@cogs.us no later than the required time and date. Include PROPOSAL #BD2021-009 in the subject line of the email.

City of Glenwood Springs
Addendum to Professional Services Agreement

Work By Illegal Aliens Prohibited. Pursuant to Section 8-17.5-101, C.R.S., *et. seq.*, as amended, Contractor warrants, represents, acknowledges, agrees and certifies that:

1. Contractor does not knowingly employ or contract with an illegal alien who will perform work under this agreement. Contractor shall not knowingly enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien who will perform work under this Agreement.
2. Contractor will participate in the electronic employment verification program created in Public Law 208, 104th Congress, as amended, and expanded in Public Law 156, 108th Congress, as amended, and jointly administered by the Department of Homeland Security and the Social Security Administration, or its successor program (hereinafter, "E-Verify Program") or will participate in the "Department Program" as established in §8-17.5-102(5)(c), C.R.S., as amended, in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under this Agreement.
3. Contractor has confirmed the employment eligibility of all employees who are newly hired for employment to perform work under this agreement through participation in the E-Verify Program or the Department Program.
4. Contractor shall not use either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.
5. If Contractor obtains actual knowledge that a subcontractor performing work under this Agreement knowingly employs or contracts with an illegal alien, Contractor shall be required to:
 - (a) notify the subcontractor and the City within three (3) days that Contractor has actual knowledge that the subcontractor is employing or contracting with an illegal alien; and
 - (b) terminate the subcontract with the subcontractor if within three (3) days of receiving the notice required pursuant to this subparagraph the subcontractor does not stop employing or contracting with the illegal alien; except that Contractor shall not terminate the contract with the subcontractor if during such three (3) days the subcontractor provides information to establish that the subcontractor has not knowingly employed or contracted with an illegal alien.
6. If Contractor participates in the Department Program, Contractor shall provide a notarized written affirmation to City that Contractor has, as required by the Department Program, examined the legal work status of employees hired to perform work under this Agreement and shall comply with all other requirements of the Department Program. (A sample contract affirmation may be obtained at: <http://www.coworkforce.com/lab/pcs/default.asp>)
7. Contractor shall comply with any reasonable request by the Colorado Department of Labor and Employment ("Department") made in the course of an investigation that the Department is undertaking pursuant to its legal authority.
8. Nothing in this Addendum shall be construed as requiring Contractor to violate any terms of participation in the E-Verify Program.
9. If Contractor violates this Addendum, the City may terminate this Agreement for breach of contract. If this Agreement is so terminated, Contractor shall be liable for actual and consequential damages to the City arising out of said violation.

CONTRACTOR: [Border States](#)

DATE: [04/14/2021](#)

BY: [Gwendolyn Young](#)



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Resolution 2021-08 Landfill Fees

Action Requested: Approval and Authorization for Signature of Resolution 2021-08 Landfill Fees Resolution

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs has hired a new landfill manager, Liz Mauro, who would like to make some small changes to the Landfill Fee schedule. Liz is recommending that our Raw Compost is a bit lower than the local market and would like to move it from \$27 a ton to \$30 a ton. She would also like to add a Chipped Wood product to our schedule of fees, so as we chip wood from our brush pile that we can either use it within the Compost operations or sell it to the public. People do like the option of purchasing natural wood materials for their use instead of colored or chemically treated materials. This would be set at \$30 a ton. Please see attached resolution for the language being recommended and Exhibit A for the rate schedule updates.

Issues: None at this time.

Staff Recommendation: Staff is Recommending Approval and Authorization for Signature of Resolution 2021-08 Landfill Fee Setting Resolution

RESOLUTION 2021-08

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, SETTING 2021
LANDFILL FEES.**

WHEREAS, City Council sets fees for the Glenwood Springs Landfill Enterprise; and

WHEREAS, the most recent adjustment to Landfill fees was approved in March 2020;
and

WHEREAS, excess chipped wood material is a valuable resource which can be sold as a
product at the landfill when available, and

WHEREAS, City staff recommends that the City establish and charge a fee for chipped
wood material as set forth on Exhibit A hereto; and

WHEREAS, City staff recommends that the Compost material at the landfill be updated
to the price set forth on Exhibit A; and.

WHEREAS, City staff recommends, and City Council agrees, that imposing the additional
fees described on Exhibit A takes into account the needs of the community, the City, and the
operational needs of the Landfill Enterprise and other area landfills;

WHEREAS, City Council wishes to implement updated fees for 2021 finding that they
are necessary and appropriate.

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

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

Section 2. The City Council of the City of Glenwood Springs hereby adopts the Landfill Fee
Schedule as set forth on **Exhibit A** attached hereto and incorporated herein, effective June 1st,
2021.

INTRODUCED, READ, AND PASSED THIS 6th DAY OF MAY 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

Exhibit A		
South Canyon Landfill Tipping Fees		
Waste Stream	In County	Out of County
Compost for Sale	\$30.00/ton*	\$30.00/ton*
Chipped Wood for Sale	\$30.00/ton*	\$30.00/ton*

*** = Plus Local Sales Tax**



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Resolution 2021-09 CWCB Loan Resolution

Action Requested: Approval and Authorization for Signature of Resolution 2021-09 CWCB Loan Resolution

Department: Public Works

Presented By: Matthew Langhorst, Public Works Director

Background Info: The City of Glenwood Springs applied for and received authorization from the Colorado Water Conservation Board (CWCB) for up to an \$8 million dollar low interest loan under their Wildfire Emergency Impact loan program. The loan is for design and construction of the 16" redundant waterline from the Roaring Fork Pump Station up to the Red Mountain Water Plant, mixing vault at the plant and for the sediment removal infrastructure constructed at the No Name tunnel. Attached to this staff report is the required Resolution for accepting that loan and moving the process forward to start reimbursement payments.

Issues: None at this time.

Staff Recommendation: Staff is Recommending Approval and Authorization for Signature of Resolution 2021-09 CWCB Loan Resolution.

RESOLUTION 2021-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ACCEPTING A LOAN FROM THE COLORADO DEPARTMENT OF NATURAL RESOURCES COLORADO WATER CONSERVATION BOARD FOR THE CITY'S SYSTEM REDUNDANCY AND PRE- TREATMENT IMPROVEMENTS PROJECT

WHEREAS, the City of Glenwood Springs ("City") applied to the Colorado Department of Natural Resources Colorado Water Conservation Board (CWCB) for a loan to be used for the City's System Redundancy and Pre-Treatment Improvements Project (the "Project"); and

WHEREAS, the purpose of the Project is to ensure the City's continued ability to deliver treatable water to the City's water treatment plan; and

WHEREAS, the CWCB determined the Project to be technically and financially feasible and approved a loan to the City for the Project in an amount up to \$8,000,000; and

WHEREAS, the City desires to accept the loan and enter into the loan agreement with the CWCB attached as Exhibit A (the "Agreement").

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.

Section 2. The City accepts the loan and will perform and observe all terms, conditions and obligations of the Agreement.

Section 3. The City authorizes the expenditure of funds necessary to repay the loan and makes an irrevocable, but not exclusive, pledge to the CWCB of water and sewer enterprise revenues in such amount as necessary to make each annual payment due under the Agreement, subject to the approval of existing debtholder(s). The City shall also provide an assessment covenant as evidenced by annual financial reporting.

Section 4. The City Council hereby authorizes the Mayor or Mayor Pro Tem to sign the Agreement.

INTRODUCED, READ, AND PASSED THIS 6TH DAY OF MAY 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Police Week Proclamation

Action Requested: Proclaim May 9th through May 15th as Police Week in the City of Glenwood Springs.

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



CITY OF GLENWOOD SPRINGS

PROCLAMATION

WHEREAS, the Congress of the United States has designated May 15th of each year to be Peace Officers' Memorial Day, and the week in which May 15th falls as National Police Week; and

WHEREAS, there are approximately 900, 000 law enforcement officers serving in communities across the United States including the dedicated women and men of the Glenwood Springs Police Department; and

WHEREAS, the City of Glenwood Springs wishes to recognize National Police Week 2021 and honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy; and

WHEREAS, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C; and,

WHEREAS, 264 new names of fallen heroes are being added to the National Law Enforcement Memorial Wall this spring; and,

NOW THEREFORE, I Jonathan Godes, Mayor of Glenwood Springs, and on behalf of the entire City Council, do hereby proclaim May 9-15, 2021 as

POLICE WEEK IN THE CITY OF GLENWOOD SPRINGS

and publicly salute the service of law enforcement officers in the City of Glenwood Springs and in communities across the nation.

Mayor Jonathan Godes



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: John Logan Bartek "Logan" Proclamation

Action Requested: Proclaim John Logan Bartek Top Front Line Worker

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



A PROCLAMATION HONORING JOHN LOGAN BARTEK aka “LOGAN”

WHEREAS, Logan is originally from Evansville, Indiana having moved to Glenwood Springs in 2012, and;

WHEREAS, Logan, working as a Game Developer for Glenwood Escape Room, is referred to as a “Computer Wizard”. He has also recently receiving his Pilot’s License, and;

WHEREAS, Logan graduated from Perdue University with a degree in Mechanical Engineering Technology and is currently the General Manager of Glenwood Adventure Company and Logistics and IT Manager for H2O Ventures, and;

WHEREAS, Logan was instrumental in developing the customer service programs during COVID-19 that allowed Hanging Lake and Maroon Bells to stay open, and;

WHEREAS, Logan was one of ten people across the state who were designated Colorado Tourism Office’s Top Frontline Worker Award, and;

WHEREAS, Logan was honored during a webinar for the National Travel and Tourism Week,

AND WHEREAS, Logan will be featured on The Colorado Tourism Office website, their Facebook page as well as their newsletters.

THEREFORE BE IT RESOLVED, I, Jonathan Godes, Mayor of Glenwood Springs in the State of Colorado, ask all our city residents to join me in proudly honoring and celebrating Logan for his profound accomplishment.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Glenwood Springs, Colorado to be affixed, this 6th day of May, in the year 2021.

Jonathan Godes, Mayor



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Planning File 69-20 Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue (PIN 2185-164-00-095)

Action Requested: **Action 1 - Special Use Permit** - for a retail marijuana establishment in the M1 Mixed-Use Corridor District.

Department: Planning Department

Presented By: Trent Hyatt, Senior Planner

Background Info: The Planning and Zoning Commission (Commission) is the recommending body to City Council special use review related to marijuana uses. For a complete summary and analysis of the proposal, please refer to the attached Commission staff report dated February 23, 2021, minutes from the February 23, 2021 Commission meeting, draft minutes from the March 23, 2021 Commission meeting, and other attached application materials.

Issues: **Planning and Zoning Commission Discussion**
Staff provided background on the proposal to the Commission at their February 23, 2021 meeting where public comment was also taken. The Commission discussed various issues including but not limited to the proposed revisions to parking/circulation at the site, the location of others related businesses in the City, proposed turning movement access restrictions and related easements, façade improvements proposed by the applicant, etc.

Planning and Zoning Commission Recommendation

The Commission voted 5-1 to recommend approval of the Special Use Permit to City Council.

Staff Recommendation: **Action Alternatives**
Section 070.060.050(e)(3)e.1 of the Code explains, "The Planning Commission shall review and approve, approve with conditions, or deny the special use permit application in accordance with 070.060.030(g) and the approval criteria in paragraph 2 below. The Planning Commission may also remand the application back to the Director for further consideration." Referred to Section 070.060.030(g)(1)d states, "The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, Referral and Call-Up Procedures. In the instance of marijuana related business, Section 070.060.020(d)/ Table 060.1 Summary of Development Review Procedures outlines the Commission is the review and recommending authority to City Council.

Action Item 1 - Special Use Permit - for a retail marijuana establishment in the Mixed-Use Core (M2) District.

Staff Recommendation

Staff recommends approval with conditions of the Special Use Permit with the findings and conditions outlined below.

Recommended Findings:

1. The use is compatible with the surrounding area;
2. The impacts of the use on surrounding areas have been adequately minimized;
3. The use is consistent with the general purpose and intent of this Code;
4. The use complies with all applicable standards of this Code;
5. The use is in conformance with the Comprehensive Plan and other City plans and policies; and

6. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Recommended Conditions:

1. The applicant shall provide evidence of approval of licenses from the State of Colorado and the City of Glenwood Springs for a retail marijuana establishment prior to issuance of a Special Use Permit.
2. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code.
3. The proposed retail marijuana establishment shall comply with all verbal representations made by the applicant in the public hearing, as well as all approved plans and application materials, as revised per conditions of the Special Use Permit and approved by the Community Development Director prior to issuance of a Special Use Permit.
4. The applicant shall remove all existing freestanding signage at the site. Any new signage shall conform to applicable standards. Any changes to signage on the site shall require a sign permit and demonstrated compliance with applicable requirements of the of the Glenwood Springs Municipal Code.
5. The use shall comply with the use standards and special review criteria for marijuana uses specified in the Glenwood Springs Municipal Code at all times. Failure to comply with the applicable standards may result in an enforcement action or the incorporation of additional mitigation methods for Code compliance.
6. If complaints are received from adjacent property owners regarding any odors emitting from the site or any other matter regulated by the Code, City Council shall have the ability to re-evaluate or revoke the special use permit. The special use permit shall be subject to reconsideration and revocation by City Council within sixty (60) days of notification of the violation if the business owners are convicted by the City's Municipal Court of two Glenwood Springs Municipal Code nuisance violations pertaining to odors, etc. emitting from the site within a six (6) month period.
7. The applicant shall submit a building permit application as required. All contractors must receive a license to work in the City of Glenwood Springs.
8. The applicant shall provide an access easement along the south property line to allow for a future combined access with the adjacent property, 15 feet in width, in a form approved by the City Attorney and City Engineer.
9. Prior to the issuance of a building permit, the applicant shall obtain an access permit from the Colorado Department of Transportation, as required. Additionally, the applicant shall work with the Colorado Department of Transportation and the City Engineer to determine an accessible means of right-in/right-out only restricted access to the site, and the installation thereof at their expense.



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
February 23, 2021
Zoom
6:00PM

1. Roll Call

Present at roll call were Commissioners: George Shaver, Marco Dehm, Carolyn Cipperly, Kathryn Grosscup, Ben West, Joy White

Absent at roll call were Commissioners: Amber Wissing, Sumner Schachter, Pete Waller

Also present were: Asst. City Manager Jenn Ooton, Asst. Community/Economic Dev. Director Gretchen Ricehill, Senior Planner Trent Hyatt, City Attorney Karl Hanlon, Assistant City Engineer Jessica Bowser,

2. Receipt of the Minutes

Commission reviewed the minutes from the 1/26/2021 meeting.

Commissioner Shaver made a motion to approve the minutes from 1/26/2021. Commissioner Cipperly seconded the motion. Commissioner Dehm called the item to question.

Motion passed unanimously.

3. Public Comments

Comments from citizens appearing for items not on the agenda. No citizens presented.

4. Continued Items

- a. Planning File 40-20: *Consideration of a Special Use Permit to operate a Large Child Care Center at 536 S. Hyland Park Drive, a property in the RM1-residential medium density zoning district (PIN 2185-161-30-002 & 2185-161-21-006)*

Assistant Community/Economic Development Director Gretchen Ricehill asked the Commission to confirm that the members had reviewed the additional public comments received. Commission confirmed. Ricehill provided a short presentation on the application including additional information which was provided in the staff report.

Ricehill recommended that the Commission approve the application with the findings and conditions on page 9 of the staff report.

Commissioner Shaver asked for more information on the Brittany Place Subdivision, which includes parcels 2185-161-03-002 and 2185-161-21-006. Staff confirmed. Shaver has additional questions on the covenants of the subdivision. City Attorney Karl Hanlon stated that the enforcement of private covenants was not a municipal matter.

Commissioner Cipperly had questions on grade of access road and the existing retaining wall on the south side of 536 Hyland Park Drive.

Commissioner West provided comments on the grade of the access road. West suggested limiting traffic to one way. Staff indicated the submitted traffic report did not include a one-way street as an option and that such a proposal would require input from Engineering Department.

Commissioner White requested to review the conditions of approval.

Applicant Maggie Brown provided the Commission with more information on the requested capacity, potential capacity, and the role of the property owner, Valley View Hospital, with the application.

Commissioner Dehm opened the item to public comment.

Mari Lee Rippy supported application denial, citing potential for increased impact to the neighborhood.

Graham Jackson supported application denial. Jackson stated it seemed that this center would only benefit Valley View employees and not the entire community.

Commissioner Dehm asked the applicant to confirm contents of a letter from Valley View Hospital in the application. Applicant Maggie Brown explained the letter was a letter of support from Valley View for the application. Commissioner Dehm also asked if there was ADA compliant access, which the applicant confirmed.

Commissioner Shaver made a motion to deny the application. Shaver referenced lack of access, parking issues, and infrastructure challenges. Commissioner Cipperly seconded the motion. Commissioner Cipperly cited possible negative impacts to parking, traffic, and the neighborhood.

Commissioner Dehm expressed interest in approving the application, with additional conditions. Dehm suggested continuing the application to allow applicant to address concerns.

Commission further discussed continuing the application and what conditions would be required of applicant. City Attorney Karl Hanlon explained the Commission would need to specify requirements regarding the application, including addressing concerns on access and traffic.

Commissioner Shaver withdrew the motion to deny the application. Commissioner Cipperly withdrew the second to deny.

Commissioner Dehm asked the applicant to confirm interest in continuing application. Applicant Maggie Brown confirmed interest to continue application.

Community Development Director Jenn Ooton explained that some conditions could be addressed in the construction plan and building permit review.

Commissioner Dehm made a motion to continue the item and to include conditions of approval for primary access to the property from the south with intent of reducing neighborhood impact. Commissioner White seconded the motion.

Commissioner Dehm amended the motion to include the condition that 15% of available childcare spots be available to individuals not employed by Valley View Hospital. Commissioner White seconded the amended motion.

Commissioner Dehm called the item to question.

Motion passed unanimously.

5. New Items

- a. Planning File 69-20: Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue (PIN 2185-164-00-095)

Commissioner West exited the Zoom meeting.

Senior Planner Trent Hyatt provided a short presentation to Commission on the Special Use Permit application. Hyatt explained that this application was a separate and revised application compared to the one previously denied by City Council on 6/18/2020. Staff recommended approval to recommend to City Council with findings and conditions on page 9 & 10 of the staff report.

Commissioner Shaver asked about proposed uses of other units, access to the property, parking plan, snow removal, suggested conditions, and potential for other redevelopment in the area.

Commissioner Cipperly asked about access to the property, fire access, traffic patterns.

Commissioner White asked about current City regulations on marijuana retail stores and existing residential use on the property. Hyatt confirmed there were 2 residential units to the rear of the property.

Assistant City Engineer Jessica Bowser provided more information on parking and proposed access to Grand Avenue.

Commissioner Dehm asked questions on the proposed uses of the building, including residential uses. Hyatt confirmed the proposed uses and confirmed that building would contain residential uses.

Applicant Chris Hawkins, Alpine Planning, made a presentation to the Commission on the application. Presentation covered site design, parking, access, and proposed uses.

Applicant Eric Marquez, Apex Consulting Engineering LLC, provided information on the submitted traffic study.

Commissioner White asked if the buffer zone included a nearby treatment facility. Applicant Chris Hawkins stated the buffer only applied to schools.

Commissioner Cipperly had questions for the applicant on proposed employment numbers, parking, access to the property, and proposed design of the side elevation of the building. Applicant provided additional information on these items.

Assistant City Engineer Jessica Bowser stated that the final access design would be a product of conversation between the applicant, the City of Glenwood Springs, and CDOT.

Commissioner Dehm asked staff the threshold of development allowed before a major redevelopment would be required.

Commissioner Dehm opened the item to public comment.

Haley Carmer, Attorney at Garfield & Hecht, expressed support to deny the application citing incompatibility to the neighborhood especially nearby hotel and residential areas and concerns about overflow parking.

Commissioner Dehm closed the item to public comment. Commissioner Dehm and staff provided details on submittal of public comments.

Applicant Chris Hawkins asked when applicant could respond to public comments. Dehm explained this would happen at next meeting.

Commissioner Cipperly made a motion to continue the item to the next scheduled Planning & Zoning Commission meeting. Commissioner Shaver seconded the motion.

Commissioner Dehm called the item to question.

Motion passed unanimously.

At 8:17 PM Commissioner Dehm called for a five minute recess.

Meeting resumed at 8:23 PM.

6. Continued Items

Planning File 66-20: Consideration of various code text amendments to Municipal Code Title 070 Sections including but not exclusive of Sections 070.030, 070.040, 070.060, and 070.070 regarding Use Regulations; Accessory Uses; Landscaping, Screening, and Fencing; Off-street Parking; Signs; Administration and Procedures; and Rules of Construction and Definitions. Continued from January 26, 2021

Staff confirmed that there was not a quorum and discussed potential of continuing item.

Commissioner Shaver made a motion to continue the item to the next month's meeting. Commissioner Cipperly seconded the motion. Commissioner Dehm called the question.

Motion passed unanimously.

7. Discussion

Planning and Zoning Commission discussed the upcoming joint meeting between the Planning & Zoning Commission and Housing Commission.

8. Commissioner Comments

Commission members discussed upcoming workshops and other city meetings.

9. Director Comments

Director Jenn Ooton commented on upcoming city meetings and other Commission items.

10. Adjournment

Meeting was adjourned at 8:44 PM.



MINUTES
City of Glenwood Springs
Planning and Zoning Commission
Regular Meeting
March 23, 2021
Zoom
6:00PM

1. Roll Call

Present at roll call were Commissioners: George Shaver, Marco Dehm, Carolyn Cipperly, Ben West, Pete Waller, Sumner Schachter, Amber Wissing

Absent at roll call were Commissioners: Joy White

Also present were: Asst. City Manager Jenn Ooton, Asst. Community/Economic Dev. Director Gretchen Ricehill, Senior Planner Trent Hyatt, City Attorney Karl Hanlon, Assistant City Engineer Jessica Bowser

2. Seating of Alternate Commissioner

Commissioner Shaver made a motion to seat Alternate Commissioner Waller. Commissioner Cipperly seconded the motion. Commissioner Dehm called the item to question.

Motion passed unanimously.

3. Receipt of the Minutes

Commissioners Wissing, Shaver, and Waller all attested they had viewed the recording for the previous meeting and were prepared to discuss the continued items.

Commission reviewed the minutes from the 2/23/2021 meeting.

Commissioner Schachter made a motion to approve the minutes. Commissioner Shaver seconded the motion.

Motion passed unanimously.

4. Public Comments

Comments from citizens appearing for items not on the agenda. No citizens presented.

5. Continued Items

- a. Planning File 40-20: Consideration of a Special Use Permit to operate a Large Child Care Center at 536 S. Hyland Park Drive, a property in the RM1-residential medium density zoning district (PIN 2185-161-30-002 & 2185-161-21-006) Application withdrawn.
- b. Planning File 69-20: Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue (PIN 2185-164-00-095)

Senior Planner Trent Hyatt introduced the application, continued from the February 23, 2021 meeting. Hyatt indicated that since the previous meeting, three letters of support were received by staff for the application. Hyatt also summarized the additional items which Planning & Zoning Commission requested of the applicant.

Applicant Chris Hawkins provided a short commentary on the additional items submitted and response to public comments.

Commissioner Waller asked for more detail on access to the site from Grand Avenue. Trent Hyatt explained that additional design to that access would occur in the future in collaboration with CDOT.

Commissioner Cipperly asked about the timing of the application in relation to the new buffers.

Commissioner Shaver asked if the neighboring property owner had agreed to the access agreement, which was confirmed by staff and the applicant.

Commissioner Schachter asked if traffic flow could be restricted into the property such as prohibiting left hand turns. Staff explained the City of Glenwood Springs did not have the authority to require the project to restrict traffic flow in a CDOT right-of-way. Schachter also asked staff to confirm that this application was being heard due to a City Council decision to allow the applicant to re-apply following Planning & Zoning Commission denial of a previous application by the applicant. Staff confirmed that City Council had voted to allow resubmittal of the application.

Commissioner Waller asked if the HVAC system for the store was separate from the residential uses. Applicant Chris Hawkins confirmed that there were 2 separate HVAC units for the different uses.

Commissioner Dehm indicated that there would be no further public comment as there had been a public comment period at the first meeting and the period afterwards.

Commissioner Cipperly made a motion to approve the application with the findings and conditions as listed on page 1 & 2 of the revised March 23rd staff report.

Commissioner Shaver seconded the motion.

Commissioner Dehm expressed concerns over the mixed use of the project, citing incompatibility between residential use and retail marijuana use.

Commissioner Dehm called the item to question.

Motion passed 4-1. Commissioners Shaver, Schachter, Wissing, and Waller voted to approve. Commissioner Dehm voted to deny. Commissioner West abstained from voting, citing absence at previous meeting.

- c. Planning File 66-20: Consideration of various code text amendments to Municipal Code Title 070 Sections including but not exclusive of Sections 070.030, 070.040, 070.060, and 070.070 regarding Use Regulations; Accessory Uses; Landscaping, Screening, and Fencing; Off-street Parking; Signs; Administration and Procedures; and Rules of Construction and Definitions. Continued from February 23, 2021

Assistant Community Development Director Ricehill provided a short presentation on the item. Ricehill explained that this item had been continued from previous meetings, going back to its original discussion at the December 2020 Planning & Zoning Commission meeting. Ricehill recommended approval of the amendments with all findings and conditions found on pages 1-26 of the staff report.

Commissioner Dehm has additional questions on the amendment for downtown wall signage. Ricehill stated that item could be split from the other items for further review.

Commissioner Schachter had questions on the size limit of location and extent review. Schachter also asked if there was a height limit on the storage containers. Schachter also asked for additional details on the maximum size of a commercial use in the Residential Transition (RT) Zoning District.

Commissioner Shaver expressed support for a height limit for the temporary storage containers. Shaver also asked for additional information on the solar panel amendments.

Commissioner Schachter made a motion to approve the amendments as presented and modified by staff including suggested verbiage from Commissioner Shaver on item 10 and placing a height limit of 10' on temporary storage containers on item 5.

Commissioner Wissing seconded the motion.

Commissioner Shaver suggested the maximum time following an event for a temporary sign would be 15 days rather than 45 days.

Commissioner Wissing asked for more clarification on the timeline suggested by Shaver. Staff provided additional information on the sign code's definition of temporary signs.

Commissioner Schachter made a motion to amend the original motion to include the change proposed by Commissioner Shaver to limit the timeline of a temporary sign to 15 days following an event.

Commissioner Wissing seconded the amended motion.

Commissioner Dehm asked to confirm if item 17, which contained language on wall signage in the downtown area, was included in this motion. City Attorney Karl Hanlon confirmed that it was.

Commissioner Cipperly stated support for item 17. Cipperly also expressed some concern with the 5,000 square foot limit of location and extent review.

Commissioner Shaver asked if any of the recent City projects exceeded 5,000 square feet. Staff explained majority of recent City projects were larger than 5,000 square feet.

Commissioner Dehm called the item to question.

Motion passed 6-0. Commissioner Waller abstained citing absence at previous discussion of the item.

6. New Items

- a. Planning File 09-20: Consideration of an Annexation and the initial zoning/rezoning of 15.818 acres to Commercial (CO) District and Planned Unit Development (PUD) District at 214 Center Drive (PIN 2185-061-00-042)

Senior Planner Trent Hyatt provided a presentation to Commission on the application. Hyatt summarized the application including information on the annexation process as it related to City requirements and State of Colorado law. Staff recommended approval with findings and conditions listed on pages 15-16 of the submitted staff report.

Commissioner Shaver had questions on slope of the property and view of the proposed development from Storm King Road.

Commissioner Schachter had questions on the ability of Planning & Zoning to place conditions on the annexation, process of annexation, PUD process, location of City/County boundary, current County zoning regulations, traffic, long term costs of annexation to the City, owner-occupied housing, stormwater drainage, and road improvements.

City Engineer Terri Partch provided information on the traffic study, fire study, and stormwater drainage.

City Attorney Karl Hanlon stated that a potential fire study would be a large study area that may or may not relate to the size of this development.

Hyatt confirmed that the units added would be rentals and the maximum height of buildings would be 53'. Hyatt also provided additional information on the process of annexation as well as on the major site plan review that this project would require.

Karl Hanlon provided additional information on the potential cost benefit of annexation to a community and its effects on police, fire, utilities, and other city services.

Commissioner Schachter had additional questions on road maintenance of Donegan, building height, and opens space requirements. Staff provided more information on these items.

Commissioner Waller had questions on traffic, the City taking over County roads, water and sewer capacity, drainage and slope of site, and the PUD parcel intended for a restaurant.

Karl Hanlon provided additional information on sewer and water capacity for the City and stated that this area was served by West Glenwood for sewer. Hyatt provided additional information on the roads and PUD parcels.

Commissioner Dehm asked staff for additional information on the traffic generated for this potential project as detailed in the traffic study.

Commissioner Cipperly had questions on the potential for PUD amendments if there were changes to what was being proposed. Cipperly also asked if the open space would be available to only residents or to the general public.

Haley Carmer, Attorney at Garfield & Hecht, representing the applicant provided the Commission with an overview of the proposed project and application.

Applicants, John & Floyd Diemoz representing the Glenwood Partnership, current owners of the property, provided a short presentation on the proposed project and application for annexation.

Applicant Barry Rosenberg, representing R2 Partnerships provided a short presentation on the proposed project and application for annexation.

Applicant Matthew Fitzimmons and other representatives from HCN, a planning and design firm, provided a short presentation on the proposed project and application for annexation.

Applicant Yancy Nichol from Sopris Engineering provided a short presentation on the traffic and physical site design of the application.

Commissioner Schachter had questions for the applicants if deeded homes could be incorporated in the project, citing a lack of home ownership opportunities. Applicant Barry Rosenberg explained that the project was designed with a focus on long term management of rental properties.

Commissioner Shaver had questions on fence locations, building elevations, drainage design, and effect of the proposed development on the existing Montessori school.

Commissioner Waller had questions on the setbacks on Donegan, building elevations, physical characteristics of the site, open space requirements, bike path, traffic study,

Commissioner Cipperly had questions on roof heights, parking, traffic circulation, pedestrian connections,

Commissioner Dehm had questions on the gated connection to the south the Glenwood Springs mall property. Applicant Yancy Nichol stated that the gate was there to create a clear connection and circulation to the property. Nichol also explained that future redevelopment of the mall could affect this connection.

At 9:19 PM, Commissioner Dehm called a five minute recess.

At 9:24 PM, Commissioner Dehm called the meeting back to order.

Commissioner Dehm opened the item to public comment.

Jenn Zwickl supported denial citing fire evacuation concerns, traffic, and infrastructure concerns.

Lisa Orosz supported denial citing fire evacuation concerns, traffic, parking, police response times

Carlos Pinay supported denial citing traffic concerns especially in regard to school-generated traffic, as well as increases in infrastructure and service demands to schools, hospitals, police, and fire.

Lorie Raymond supported denial citing traffic, fire evacuation concerns, and increased density in West Glenwood.

Linda Holloway supported denial citing lack of perceived benefits of annexation to the City, parking, and traffic.

Rose Shepard supported denial citing fire evacuation concerns, traffic, infrastructure demands, and building heights.

Susie Strauss supported denial citing fire evacuation concerns, traffic, and increased infrastructure demands.

Don Bassett supported denial citing fire evacuation concerns, traffic and school traffic, and increased density.

Michael Hoban supported denial citing increased density, traffic, and incompatibility with the neighborhood.

Joanne Kesselring supported denial citing fire evacuation concerns, increased density, traffic, building height, increased infrastructure demands, and incompatibility with the neighborhood.

Thomas Clark supported denial citing traffic and capacity of existing roads.

Annie Stephens supported denial citing fire evacuation concerns and need for a wildfire evacuation study, scale of development, parking, building height, and traffic.

Todd Hurst commented that any development of this parcel should reflect the wants and needs of the community.

Sherri Tonozzi supported denial citing concerns over increased noise impacts and light pollution.

Karleen Clark supported denial citing concerns over fire evacuation and expressed need for a new fire evacuation study. Karleen also cited concerns over traffic and increased density.

Carlos Penay expressed additional concerns regarding wildfire evacuation.

Larry Raymond, supported denial citing concerns over fire evacuation and need for an evacuation plan and incompatibility with existing neighborhood.

Jennie Bassett supported denial citing fire evacuation concerns, increased traffic, and need for additional traffic study.

Jenn Zwickl commented a second time in support of denial citing fire evacuation concerns, traffic, and building heights.

Michael Hoban commented a second time, in support of denial and expressing desire for further public comment.

Commissioner Dehm closed the item to public comment.

Commissioner Schachter made a motion to continue the item to the next regularly scheduled Planning & Zoning Commission meeting.

Commissioner Shaver seconded the motion.

Commissioner Dehm called the item to question.

Motion passed unanimously.

- b. Planning File 64-20: Consideration of a Minor Site Architectural Plan to add five new dwelling at 405 Laurel Street, a property with five existing units (PIN#2185-091-00-008)

Commissioner West recused himself and left the meeting.

Assistant Community Development Director Gretchen Ricehill provided Planning & Zoning Commission with a presentation on the application. Ricehill recommended approval of the application with findings and conditions found in the staff report.

Commissioner Waller had questions on parking and design standards of the project.

Commissioner Cipperly asked staff to confirm the provided parking.

Commissioner Schachter asked staff about the Laurel Street sidewalk. Ricehill confirmed the applicant would be required to install a 5' sidewalk. Schachter also asked what would happen if the natural screening died and Ricehill explained that not maintaining the screening would be a violation of the original development agreement.

Applicant Leah Meyer provided the Commission with additional information in response to their questions. Meyer confirmed that two large trees would be kept on the property and that the colors of the development was intended to match the existing structures.

Commissioner Dehm opened the item to public comment.

Linda Holloway supported denial of the application citing concerns over parking and traffic.

Commissioner Dehm closed the item to public comment.

Commissioner Waller made a motion to continue this item to the April 6th meeting

Commissioner Shaver seconded the motion.

Commissioner Dehm called the item to question.

Motion passed 6-0. Commissioner West had been removed from the meeting.

7. Commissioner Comments

Commission Schachter mentioned that he would not be present at April 6th meeting.

8. Director Comments

Director Jenn Ooton had no comments.

9. Adjournment

Meeting was adjourned at 10:46 PM.



Planning and Zoning Commission Report

Date: February 23, 2021
To: Planning and Zoning Commission
From: Trent L. Hyatt, Senior Planner
Subject: #69-20 - Special Use Review for a Retail Marijuana Establishment, Kind Castle

REQUEST	Consideration of a request for a special use permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District
APPLICANT	Kind Glenwood LLC
OWNER	2114 Grand Avenue, LLC
LOCATION	2114 Grand Avenue (PIN: 2185-164-00-095)
ZONE	M1 Mixed Use Corridor District
SURROUNDING LAND USES	North: Hotel lodging South: Retail convenience store/gas station East: Grand Avenue right-of-way West: Multi-family residential
LOT SIZE	Approximately 0.398 acres/17,337 square feet

ACTION ITEM:

The Planning and Zoning Commission (Commission) is the recommending body to City Council on marijuana related uses requiring a special use permit.

Action 1 - Special Use Permit - for a retail marijuana establishment in the M1 Mixed-Use Corridor District.

Staff recommendation: *Staff recommends **approval (with conditions)** of the Special Use Permit with the findings and conditions on pages 9-10.*

BACKGROUND/ANALYSIS

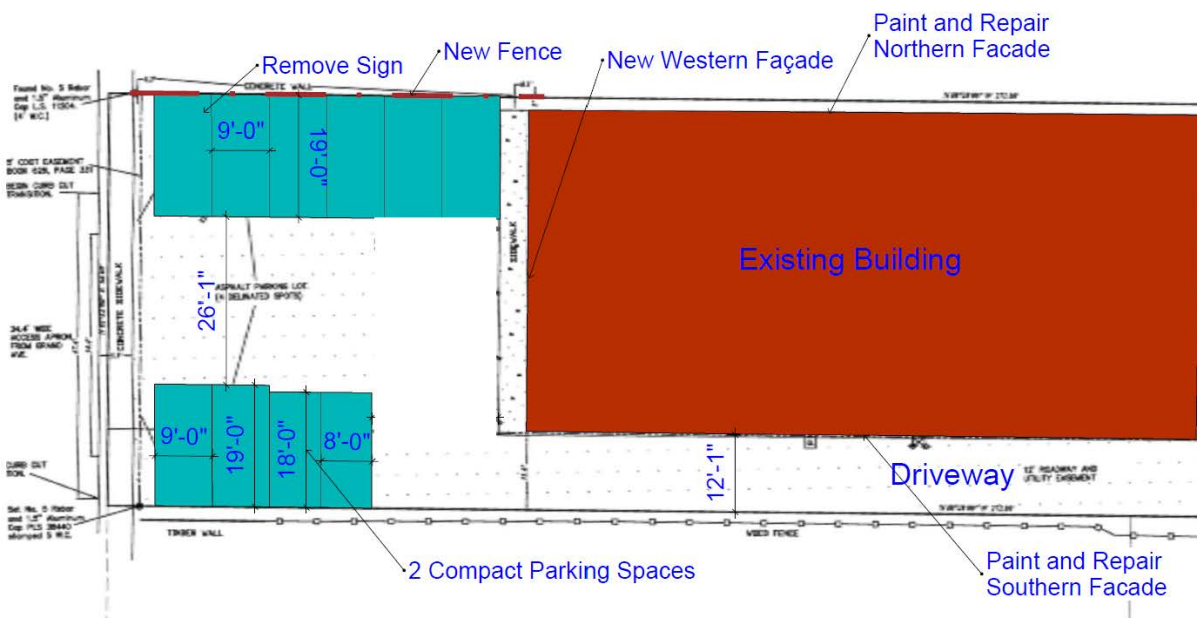
Proposal

The applicant, John Dyet of Kind Glenwood LLC, doing business as Kind Castle, proposes the interior remodel of an existing approximately 2,989 square foot building for the purpose of establishing a retail marijuana business. Suites A and C of the building are currently vacant, whereas, a pawn shop temporarily occupies Suite B. Suite B and a portion of the Suite C, totaling approximately 1,957 square feet, are intended to serve the subject retail marijuana business. Suite A is being retained by the applicant as office space.

A similar yet different application was denied (5-2) by City Council on June 18, 2020 following a recommendation for denial (7-0) from the Commission. Thereafter, Kind Glenwood LLC revised their proposal to address issues/concerns outlined by both bodies and requested City Council allow

resubmission prior to the one-year required by Section 070.060.030(i)(5) Limitation on Subsequent Similar Applications of the *Glenwood Springs Municipal Code* (Code). On October 15, 2020, City Council determined that the applicant's proposal is substantially/materially different than the previously submitted application. Revisions are further explained below.

A significant aspect of the current application includes the removal of all other land uses from the site prior to operation of the retail business. This action intends to address various concerns related to site parking, vehicle circulation, and anticipated traffic generation. Restriping angled parking to 90 degree and the creation of two compact spaces for a total of 16, as recommended by the Engineering Department and depicted on a portion of the site plan below, improves vehicle circulation by allowing vehicles to safely enter/exit in forward drive. The attached revised traffic report explains a reduction in the expected vehicle trip generation due to the elimination of other site uses. The applicant is also considering options to restrict the historic nonconforming, wide driveway access to the site to right-in/right-out only turning movements in hopes to limit potential vehicle conflicts moving forward.

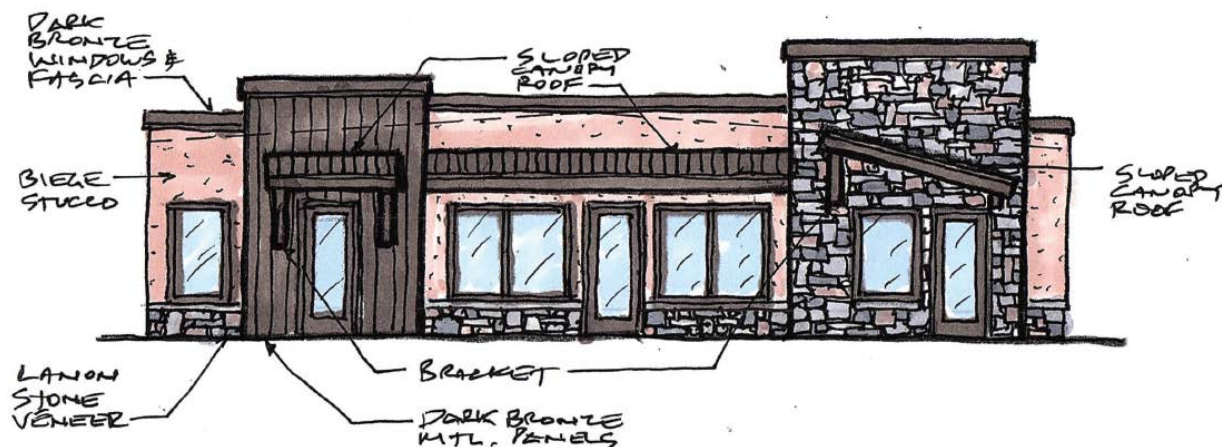


Removal of the existing freestanding monument and banner signs depicted below will improve site distance as well as the view of the property from the street. As required, Community Development will review any future site signage for compliance with applicable standards under separate permit prior to installation.



Project narrative details show an increase in the capacity of the ventilation and HVAC system to mitigate/eliminate any potential odors emitting from the building. The applicant estimates the capacity of the system provides four times the odor mitigation required for the space.

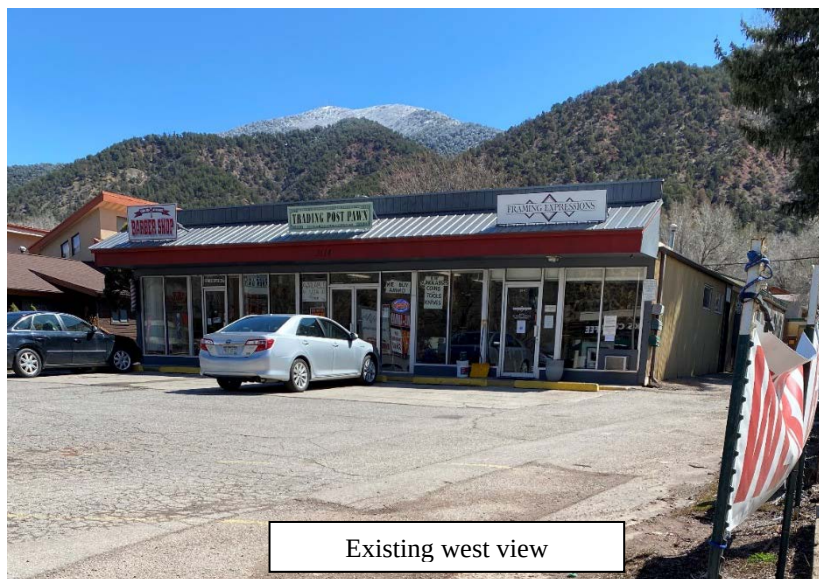
Previously, the applicant was hesitant to make facade improvements while only leasing a portion of the existing building. With the inclusion of all units/building space, they propose replacing windows, adding roof pitch and height variations, and changes in materials and colors to enhance the aesthetic as shown in the design perspective below.



A retail marijuana establishment, excluding cultivation is defined by Section 070.070.020(c)(7)b of the Code as “[T]he retail sale, storage, product manufacturing or testing of marijuana to the extent permitted by Article XVIII, Section 16 of the Colorado Constitution and in various provisions of the Colorado Marijuana Code, Article 10 of Title 44, C.R.S., and any other applicable state or city law or regulation.” This use requires additional licensing through the State of Colorado and City of Glenwood Springs which is generally applied for and acquired following the issuance of any special use permit.

Special Review Criteria

There are two sets of criteria in the Municipal Code to consider in the analysis of marijuana related businesses. Section 070.030.030(e)(11) of the Code are use specific standards which apply to retail marijuana businesses. Section 070.060.050(e)(3)e.2 applies generally to special review uses. Staff lists each of the criteria in **bold** below along with comments. Please note, the subject application was received prior to the



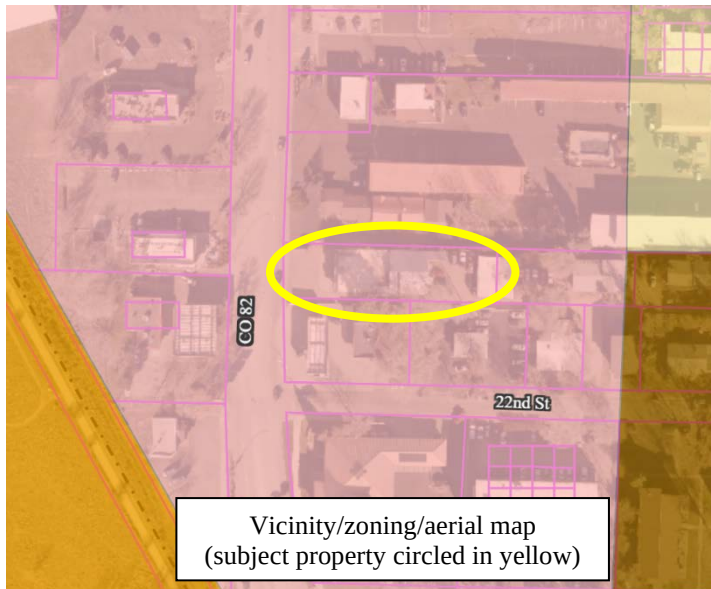
Existing west view

effective date of recent revisions to marijuana related business standards, mainly separation/buffers. Therefore, the former requirements are applicable to this submittal.

Section 070.030.030(e)(11) – Retail Marijuana Establishment

b. License Required

Retail marijuana establishments shall comply with City Code Article 050.090.



The applicant shall apply for a City business license for the proposed use prior to future operation.

c. Location of Licensed Establishment Retail marijuana establishments shall be located only in areas of the city as allowed in the City Code. No retail marijuana establishment shall be located:

1. Within 500 feet of any existing public or private school facility where classes are held for children aged kindergarten through the 12th grade. The distance shall be

property computed by a straight line measurement from the nearest property line of the school to the nearest property line of the site housing the retail marijuana establishment;

The retail marijuana establishment is located over 600 feet from both St. Stephens School and Columbine School, the two closest in proximity.

2. Within 900 feet of another retail marijuana establishment or a medical marijuana business. A retail marijuana establishment may locate on the same licensed premises as a medical marijuana business of the same class and same ownership, only if the licensed premises is located to meet the distance requirements from other retail marijuana establishments and medical marijuana businesses. This distance shall be computed by a straight line measurement between property lines of the sites housing the two facilities; and

The proposed retail establishment is located over 3,000 from The Green Dragon to the southwest.

3. In any zoning district not specifically permitted by the City Code.

The use is proposed in a zone district, M1, which allows retail marijuana establishments.

d. Requirements Related to Operation of a Retail Marijuana Establishment

1. Retail marijuana establishments shall meet all operational criteria for the procurement, display, dispensing, labeling, sanitation, security, and any other criteria as required by the state pursuant to the CRMC and the City Code Article 050.090.

The operation shall apply for and receive all applicable permits from the state and maintain compliance therewith.

2. In addition, all retail marijuana establishments shall comply with the following local restrictions:

- i. Hours of operation shall be limited to between 8:00 a.m. and 7:00 p.m. Monday through Sunday; and**

The business shall comply with the restricted hours of operation.

- ii. A sign permit shall be obtained through the Community Development Department. All exterior signage associated with a retail marijuana establishment will meet the standards established in the CRMC and in the City Code.**

The applicant shall apply for and receive a sign permit prior erecting any signage at the site.

- iii. Storage of retail marijuana shall be considered an accessory use. Not more than 25 percent of the licensed premises of a retail marijuana business shall be used for such purposes.**

All cannabis product onsite shall be for retail sale. Significantly less than 25 percent of the floor plan is proposed for storage.

- iv. No discernible odor shall be projected beyond the exterior walls of the licensed premises.**

Odor is a concern with any marijuana related business and is an expected nuisance. However, the issue is more closely related to grow facilities as the City does not generally receive complaints for sales only businesses. That being said, the applicant proposes a high efficiency exhaust system which utilizes carbon filter fans to combat the issue as outlined above. In addition, the applicant proposes off site prepackaging of flower products. As is the norm with all applications associated with marijuana businesses, staff is recommending a condition of the special use permit that requires compliance with the above criteria at all times. In the event that documented inspections of the premises by City staff, preceded by complaints, indicate that odor is an issue, the applicant will need to employ alternative methods to mitigate odors or be at risk of losing their City license.

Section 070.060.050(e)(3)e.2 – All Land Uses

- i. The use will be compatible with the surrounding area;**

Similar uses, retail and service, are currently operating at the site and a mix of uses are located in close proximity including lodging, multi-family residential, and automobile fuel sales. The subject property is directly adjacent to Colorado State Highway 82 and related uses which generally serve the travelling public. Therefore, the use is compatible with the surrounding area.

- ii. The impacts of the use on surrounding areas have been adequately minimized;**

Other than potential odor nuisance discussed above, the proposed use is not expected to create any additional impacts than currently exist at the site. Measures are proposed, as outlined above, to mitigate existing and/or impacts anticipated by the use.

iii. The use will be consistent with the general purpose and intent of this Code;

The use/proposal appears to be consistent with the general purpose and intent of the Code.

iv. The use will comply with all applicable standards of this Code;

The use is either in compliance with most standards of the Code or the applicant is taking action to improve upon existing nonconformities that would otherwise continue at the site.

v. The use is in conformance with the Comprehensive Plan and other City plans and policies; and

As shown at right, Map 2.2 Future Land Use – Central Portion of the City of the Glenwood Springs of the Comprehensive Plan (Comp Plan) identifies the property as “Commercial” in red. According to the Comp Plan, the “Commercial” designation “...provides a wide range of general retail goods and services for both regional and local markets, in attached and freestanding structures. Retail that would compete directly with Downtown retail is discouraged.” The current proposal is in compliance with the map designation and description.



Numerous community goals and related objectives and strategies outlined in the Executive Summary and subsequent chapters of the Comp Plan encourage economic development, preserving our small-town character, convenient transportation, infill development, housing opportunities, social diversity, and preserving natural resources all of which are supported by this proposal. These goals are outlined in the following table.

<u>Comprehensive Plan Goal Supported</u>	<u>Objectives and Strategies</u>
-Promote long-term, sustainable, diverse, economic development	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Attract diverse businesses and industries (Chapter 4, Page 50) -Maintain the role as regional center (Chapter 4, Page 54)

	-Retain role as a regional center (Chapter 7, Page 83)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill retail development/redevelopment.	
-Maintain Glenwood Springs as the regional tourism, retail, commercial, and governmental center of Garfield County	-Attract diverse businesses and industries (Chapter 4, Page 50) -Maintain the role as regional center (Chapter 4, Page 54) -Retain role as a regional center (Chapter 7, Page 83)
Staff Comment: Continuing to utilize the space for retail, as proposed, helps to maintain/retain the City's role as a regional center.	
-Preserve small town character while maintaining the livability of Glenwood Springs and increasing the vibrancy and commercial success of the downtown	-Develop according to the vision (Chapter 4, Page 34) -Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Enhance pedestrian-friendliness while facilitating traffic (Chapter 3, Page 36) -Maintain the role as regional center (Chapter 4, Page 54) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: Infill, as proposed, makes improvements more cost effective. The use is in character with surrounding the site area and aligns with zone district purpose.	
-Address transportation and provide multiple convenient travel choices	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34)
Staff Comment: Infill, as proposed, is a land use strategy used to address transportation issues per the Comp Plan.	
-Direct development to locations and building forms that are cost effective to serve	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Direct growth to areas where utilities and services can be provided efficiently (Chapter 7, Page 82) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	
-Support social diversity	-Direct development into a compact form: infill and redevelopment (Chapter 3, Page 34) -Retain role as a regional center (Chapter 7, Page 83) -Direct growth inward (Chapter 9, Page 102)

Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	
-Preserve natural resources	-Promote water conservation (Chapter 7, Page 84) -Direct growth inward (Chapter 9, Page 102)
Staff Comment: The objective/strategy outlined above are supported by the current application as it includes infill development/redevelopment.	

vi. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

The use/proposal does not appear to negatively impact health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Reviewing Agency Comments

An overview of comments received from referral agencies is provided below. Said comments are also attached.

Colorado Department of Transportation – Separate comments received outline the need for an access permit and future shared access with the adjacent property and/or that there are no concerns following the receipt of updated information related to anticipated vehicle trips.

Engineering Department – Comments received outline the need for a CDOT access permit, the need for an easement to accommodate future shared access with the adjacent property, and questions regarding 22nd Lane.

Adjacent Property Owner/Public Comments

Virginia Gera – Comments received outline the significant opposition from neighbor/citizen associated with the previous application, the number of marijuana businesses in the City, considerations related to distancing/buffer revisions for the use, and the impact on the real estate market.

Garfield and Hecht, P.C. for Cedar Lodge Motel, Inc – Comments received outline concerns that the proposal is not materially different from the former application, is non-compliant with the special use permit criteria, incompatible with the neighborhood due to proximity to residential uses and River Bridge Regional Center office, has a potential to cause a loss of business in the downtown core, will create traffic/odors, the site has inadequate parking,

Staff will forward any comments to the Commission as they become available, where applicable.

ACTION ALTERNATIVES AND STAFF RECOMMENDATION:

Section 070.060.050(e)(1)e.1 of the Code explains, “The Planning Commission shall review and approve, approve with conditions, or deny the special use permit application in accordance with 070.060.030(g) and the approval criteria in paragraph 2 below [addressed above in in this instance]. The Planning Commission may also remand the application back to the Director for further consideration.” Section 070.060.030(g)(1)d also states, “The body may also continue the hearing or refer the application to another authority as provided in 070.060.050(a)(2)c, *Referral*

and Call-Up Procedures. In the instance of marijuana related business, Section 070.060.020(d)/ Table 060.1 Summary of Development Review Procedures outlines the Commission is the review and reminding authority to City Council.

Action 1 - Special Use Permit - for a retail marijuana establishment in the M1 Mixed-Use Corridor District.

Staff recommendation: Staff recommends **approval with conditions** of the Special Use Permit application with the **findings** and **conditions** below:

Recommended Findings:

1. The use is compatible with the surrounding area;
2. The impacts of the use on surrounding areas have been adequately minimized;
3. The use is consistent with the general purpose and intent of this Code;
4. The use complies with all applicable standards of this Code;
5. The use is in conformance with the Comprehensive Plan and other City plans and policies; and
6. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Recommended Conditions:

1. The applicant shall provide evidence of approval of licenses from the State of Colorado and the City of Glenwood Springs for a retail marijuana establishment prior to issuance of a Special Use Permit.
2. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the *Glenwood Springs Municipal Code*.
3. The proposed retail marijuana establishment shall comply with all verbal representations made by the applicant in the public hearing, as well as all approved plans and application materials, as revised per conditions of the Special Use Permit and approved by the Community Development Director prior to issuance of a Special Use Permit.
4. The applicant shall remove all existing freestanding signage at the site. Any new signage shall conform to applicable standards. Any changes to signage on the site shall require a sign permit and demonstrated compliance with applicable requirements of the of the *Glenwood Springs Municipal Code*.
5. The use shall comply with the use standards and special review criteria for marijuana uses specified in the *Glenwood Springs Municipal Code* at all times. Failure to comply with the applicable standards may result in an enforcement action or the incorporation of additional mitigation methods for Code compliance.
6. If complaints are received from adjacent property owners regarding any odors emitting from the site or any other matter regulated by the Code, City Council shall have the ability to re-evaluate or revoke the special use permit. The special use permit shall be subject to reconsideration and revocation by City Council within sixty (60) days of notification of the violation if the business owners are convicted by the City's Municipal Court of two *Glenwood Springs Municipal Code* nuisance violations pertaining to odors, etc. emitting from the site within a six (6) month period.
7. The applicant shall submit a building permit application as required. All contractors must receive a license to work in the City of Glenwood Springs.

8. The applicant shall provide an access easement along the south property line to allow for a future combined access with the adjacent property, 15 feet in width, in a form approved by the City Attorney and City Engineer.
9. Prior to the issuance of a building permit, the applicant shall obtain an access permit from the Colorado Department of Transportation, as required. Additionally, the applicant shall work with the Colorado Department of Transportation and the City Engineer to determine an accessible means of right-in/right-out only restricted access to the site, and the installation thereof at their expense.

The Kind Castle Marijuana Dispensary An Update to the Previous L1 TIS

LEVEL 2 TRAFFIC IMPACT STUDY

Project Location: 2114 Grand Ave
Glenwood Springs, CO

CDOT Access: SH 082 / MP 1.33 / L

Prepared By: APEX Consulting Engineers, LLC
1000 N 9th Street, Suite 44
Grand Junction, CO 81501

Report Date: Feb. 8, 2021



APEX
CONSULTING ENGINEERS
CIVIL ENGINEERS • MANAGEMENT • DEVELOPMENT



Kind Castle, Glenwood Springs, CO
Level 2 Traffic Impact Study

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Appendix

- A. Project Trip Generation
- B. Intersection Turning Movement Count Traffic Summaries
- C. Peak Hour Traffic Calculations
- D. LOS Calculations

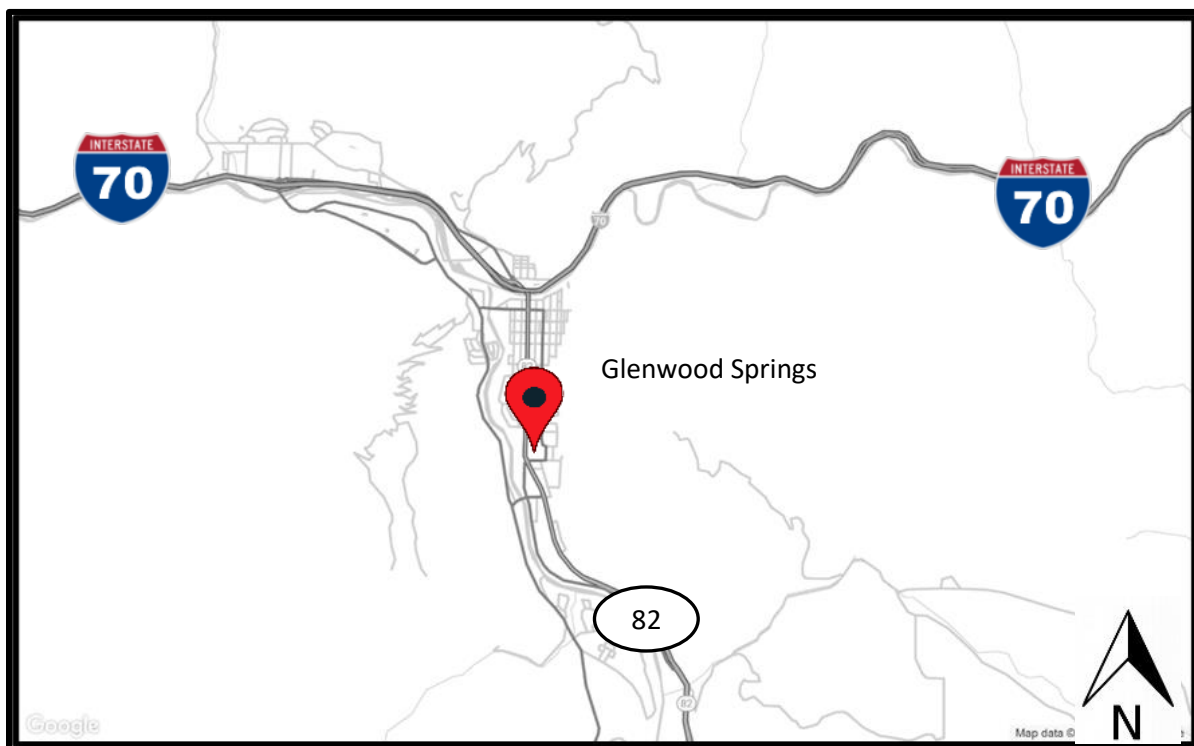
1. Introduction

APEX Consulting Engineers, LLC prepared this Level 2 Traffic Impact Study (Study) for the proposed Kind Castle Marijuana Dispensary (Project), located in Glenwood Springs, CO, accessing SH 082A. The Project will renovate the existing 2,979 sf, 3 unit building into a marijuana dispensary leasing two units and the third unit being leased as general office space. The general office space will be located in Suite A and the dispensary will be located in Suites B & C. The following sections describe the Project, traffic volumes, auxiliary turn lane assessments, access spacing, and sight distance evaluation for this intersection.

2. Project Location and Description

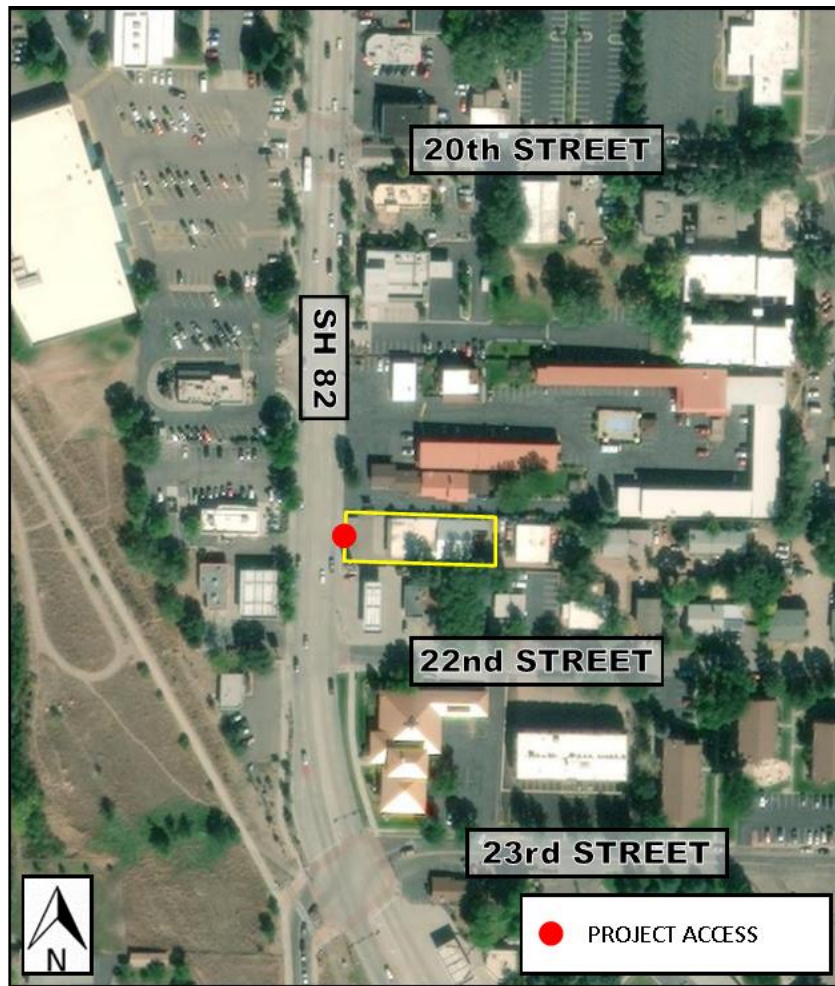
As shown in Figure 1, the proposed Project will be located on the south side of Glenwood Springs along SH 082A to the north of 22nd street at MP 1.33. The Project is expected to be completed in 2023. The dispensary hours will be 8:00 am to 7:00 pm, daily.

Figure 1 - Site Location Map



The proposed Project extents and existing access is shown in Figure 2.

Figure 2 – Project Site Access Locations and Adjacent Access Points



3. Trip Generation & Distribution

3.1 Trip Generation

Where appropriate, the higher of “either peak hour of roadway” or “peak hour of generator” is used, providing a conservative assessment. Trip generation traffic calculations from the ITETripGen Web-based App are attached in Appendix A. Where data does not exist within the ITE Trip Generation Manual, counts were conducted using the ITE methodology. Count summaries are attached in Appendix B.

The recent use of Suite A was a barber shop which does not have ITE trip data. The property owner was interviewed regarding traffic generated by the barber shop and indicated the shop contained three barbers’ chairs and generated 5-8 customers in the peak hour. This study will use the conservative estimate of 6 trips per hour in the peak hour for the barber shop. Using the generally accepted ADT ratio of 1:10, the estimated ADT of the barber shop is 60 trips per day.

The recent use of Suite B is a pawn shop which does not have ITE trip data. Traffic counts were conducted using the ITE methodology at the existing shop to determine a peak hour traffic volume.

The recent use of Suite C was a retail framing business. The description of this use is included in the Land Use Code (LUC) 879, Arts and Crafts Store, from the ITE Trip Generation Manual.

Table 1 shows the historical peak hour traffic of the building.

Table 1 – Existing PM Peak Hour Traffic

Location	Suite A	Suite B	Suite C	Total
Entry	3	12	2	17
Exit	3	8	3	14
TOTAL	6	20	5	31

The proposed use of Suite A will be a general office for the operator to manage their multiple businesses in the region and is separate from the dispensary. Land Use Code 710, General Office Building, from the ITE Trip Generation Manual 10th Edition, was used in trip generation calculations. Using the Weekday, PM Peak Hour of Generator values resulted in a Fitted Curve of 66 total trips which is unreasonable for a 650 sf unit. The Average Rate was used in the trip generation.

The proposed use of Suites B & C will be a retail marijuana dispensary. Traffic counts were conducted using the ITE methodology at a similar dispensary located at 2922 South Glenwood Avenue, which is about 0.6 miles south of the Project. Table 2 compares counts from the Green Dragon (GD) dispensary, and the ITE Trip Generation Manual using LUC 882, Marijuana Dispensary. The Green Dragon is located in a 2,940 sf unit but does not open until 9:00 am, so AM counts were not performed.



Table 2 – PM Peak Hour Traffic Volumes for Dispensaries

Source	Green Dragon Counts	Green Dragon ITE LUC 882
Entry	13	44
Exit	16	44
TOTAL	29	88

Note that the ITETripGen Web-based App shows AM peak hour trip generation rates for dispensaries are 70% of the the PM peak hour trip generation rates.

The counted values for the Green Dragon are approximately one third of the ITE Trip Generation Manual's predicted values. It is reasonable to use a local trip generation rate using the GD counts and apply the locally developed rate to the Project site. The result, a rate of trips per thousand sf, was calculated from the counts. Table 3 includes the calculation values found for determining a usable rate.

Table 3 – Rate Calculation

Source	Green Dragon Counts	Green Dragon ITE LUC 882
Peak Hour Trips	29	88
1000 SF	2.94	2.94
Rate (Trips/1000 SF)	10	30

Table 4 shows the Project trips using the calculated rate for a marijuana dispensary along State Highway 82. The office space is 650 sf and the dispensary is 2,339 sf.

Table 4 – PM Peak Hour Traffic Volumes for Project

Location	Office	Dispensary	Project Total	Historic	Change
Entry	0	11	11	17	-35%
Exit	1	13	14	14	0%
TOTAL	1	24	25	31	-19%

3.2 Trip Reduction Factors

An internal capture trip reduction factor was not used.

4. Trip Distribution & Assignment

4.1 Determination of Trip Distribution

Project PM peak hour trip distribution was developed from the traffic counts at the Green Dragon dispensary.



The AM project trip distribution was calculated from a previous Traffic Impact Study for an adjacent property, Stinker Stores, at 2122 Grand, Glenwood Springs, CO¹. Count summaries are included in Appendix B.

The detailed Project trip distribution is shown in Figure 3.

Figure 3 – Project Trip Distribution

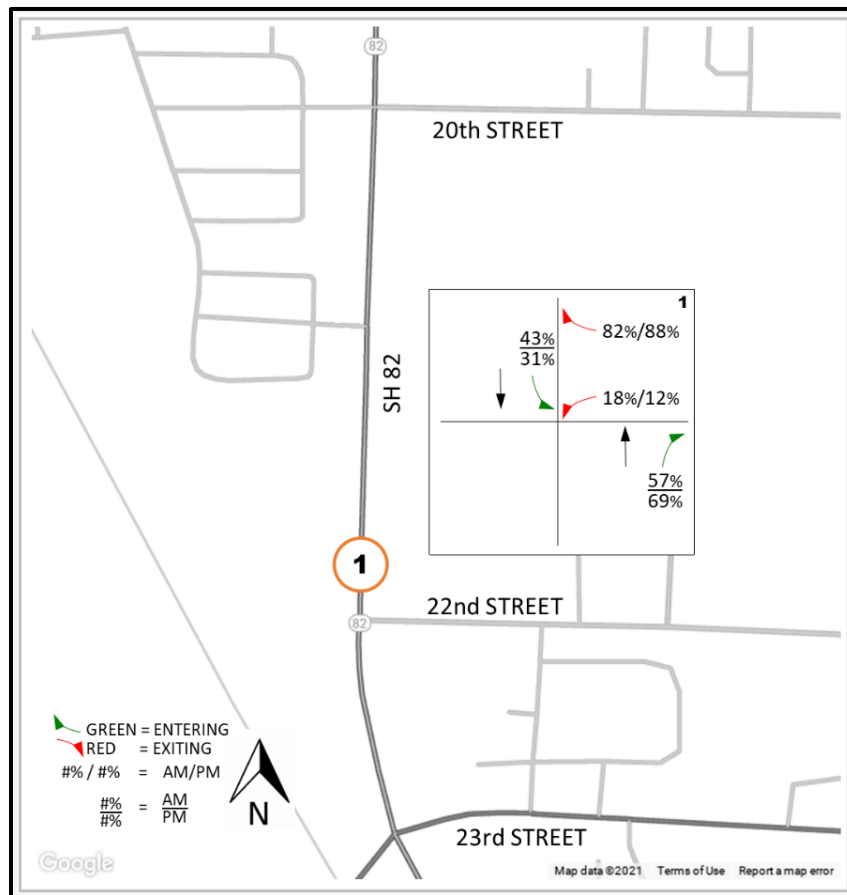


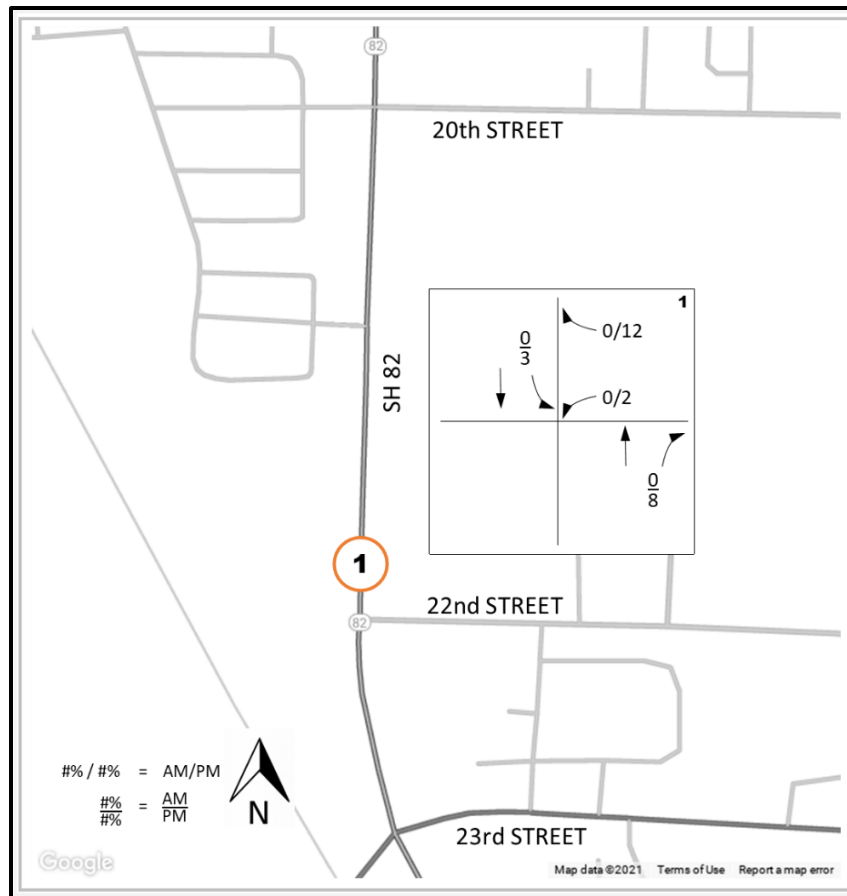
Figure 3 shows similar AM and PM Project peak hour distributions. However, with AM Project peak hour trip generation being 70% of the PM peak hour volume, only PM Project peak hour traffic is evaluated in this study since the AM and PM distributions are similar and AM trip assignment is not shown.

4.2 Assignment of Project Traffic

Project traffic determined from the trip generation calculation is assigned to the existing traffic network using the distributions from Figure 3. The resulting Project trip assignment is shown in Figure 4.

¹ SM Rocha, LLC, *Traffic Impact Study For Stinker Stores 2122 Grand, Glenwood Springs, Colorado* (May 2019): 6.

Figure 4 – Project Trip Assignment



5. Existing & Future Traffic Volumes

Peak hour through movement counts were conducted at the following intersections January 27-28, 2021.

- SH 82 & Project Access

Peak seasonal adjustment of 1.19 was used to account for the traffic counts being completed in January. Table 5 shows the monthly peak seasonal adjustments using continuous data from SH082A Station 000214 between the years of 2001 to 2020.

Table 5 – Peak Season Adjustment Factors by Month

Seasonal Adjustments

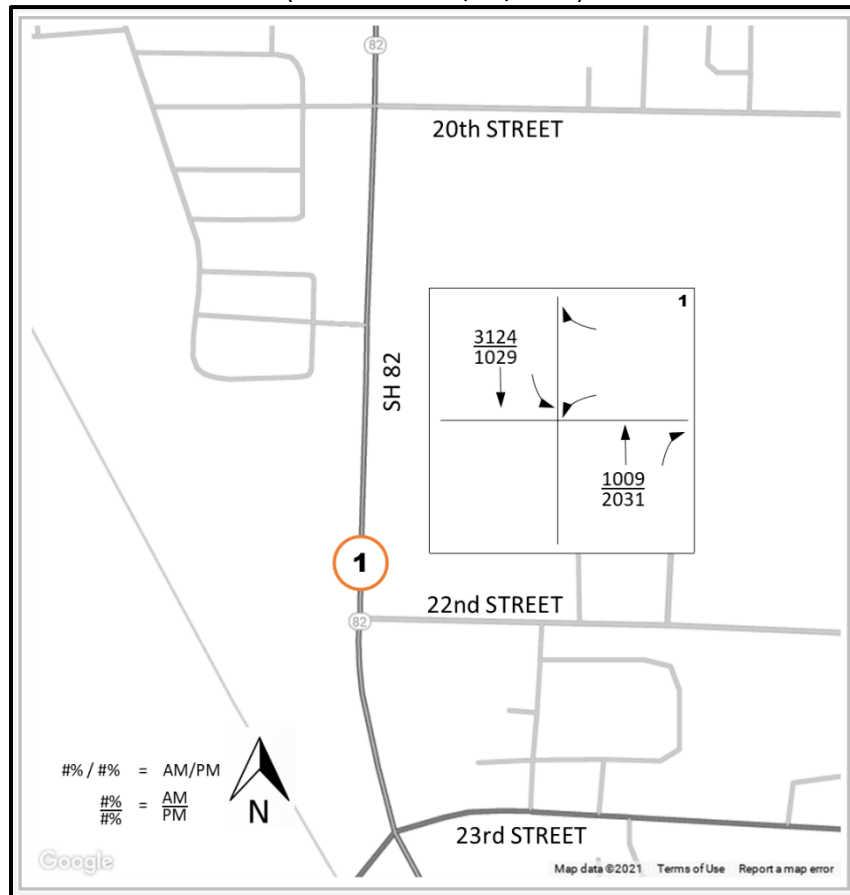
CDOT Count Station ID 214: SH 082A Traffic Data - South of Blake Ave, Glenwood Springs

STATION ID	CAL YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
214	2020	23732	23818	19530	15080	21526	24775	25592	24845	26241	25786	22462	22231
214	2019	22045	22387	22885	23892	24283	25402	25858	25648	25266	26224	24326	23900
214	2018	23365	23237	24444	24974	25824	26106	25420	25235	24793	23781	22025	21717
214	2017	22576	23590	24797	25270	25389	27223	27128	23295	21072	21144	22774	23736
214	2016	22629	22949	23948	24786	25563	27086	27406	27089	27051	25737	23475	23145
214	2015	22134	22151	23508	23842	24174	26460	27049	26201	26455	25224	22799	22782
214	2014	20312	20646	21761	22204	22727	24366	25318	24725	24859	23947	20843	21677
214	2013	20065	20137	20483	20986	21928	22998	23938	23718	22993	22538	20564	19880
214	2012	19531	19709	20760	20884	21349	22956	23301	23793	22904	22152	20404	19386
214	2011	19557	19445	20557	20174	20612	22241	23089	23255	23149	21614	19952	20194
214	2010	20137	20140	20998	20777	21017	23097	24447	24073	24005	21863	21239	20097
214	2009	21638	22319	22144	22424	22912	24701	25134	24300	24150	22561	19785	20400
214	2008	23112	23324	24444	24929	25006	26191	26580	26231	25768	25323	22664	22140
214	2007	20956	23067	24472	24836	25605	26598	26724	27227	26754	25724	24328	22715
214	2006	21346	22174	22476	23410	23967	25736	25747	25967	25854	24205	22466	22424
214	2005	21024	21907	22544	22652	22997	24963	25564	25465	24352	23362	22362	21578
214	2004		21061	21761	22242	21886	24336	24937	24743	24373	22921	21363	21829
214	2003	20521	20586	20471	20691	21234	23811	24859	23899	23188	22506	19602	20525
214	2002									23173	22975	20658	20815
214	2001	20369	20980	22123	22774	23131	24161	24315	25555	24094			
Average		21,392	21,770	22,321	22,465	23,217	24,906	25,390	25,014	24,525	23,662	21,794	21,641
% of highest month		84%	86%	88%	88%	91%	98%	100%	99%	97%	93%	86%	85%
Peak Season Factor		1.19	1.17	1.14	1.13	1.09	1.02	1.00	1.02	1.04	1.07	1.16	1.17

The existing peak hour traffic, adjusted for peak season, is represented in Figure 5. Count summaries are included in Appendix B.



Figure 5 – Existing Peak Hour Traffic adjusted for Peak Season
(From counts 1/27/2021)



6. Study Years Traffic Volumes on SH 340

Future background traffic is determined in this section.

The study years are 2023 and 2043. The Online Transportation Information System (OTIS) was used to find ADT values for 2019 counts & 2045 projected counts which are the basis for the following road segment growth factors:

Table 6 – Road Segment Growth

Road	Segment	ADT		Period Growth Factor	Avg. Annual Growth Rate	2 - year growth factor (2021-2023)	22 - year growth factor (2021-2043)
		2019	2045				
SH 82	N & S of Access	26,000	29,042	1.117	0.43	1.009	1.099

These growth factors were used to determine future peak hour background traffic volumes, as shown in the peak hour traffic calculations provided in Appendix C.



7. Study Period Volumes

Total traffic volumes consist of future background traffic volumes plus Project trips. The following figures present background and total peak hour traffic for the study periods. Calculations are included in Appendix C.

Figure 6 – Background Peak Hour Future Traffic (Year 2023)

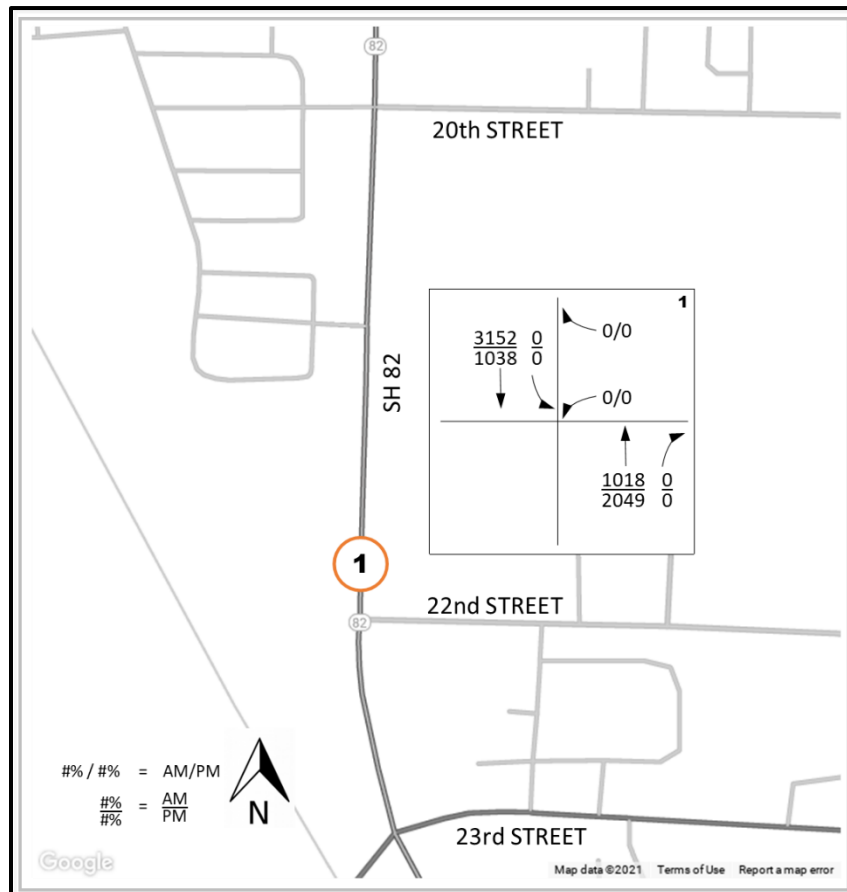


Figure 7 –Total Peak Hour Future Traffic (Year 2023)

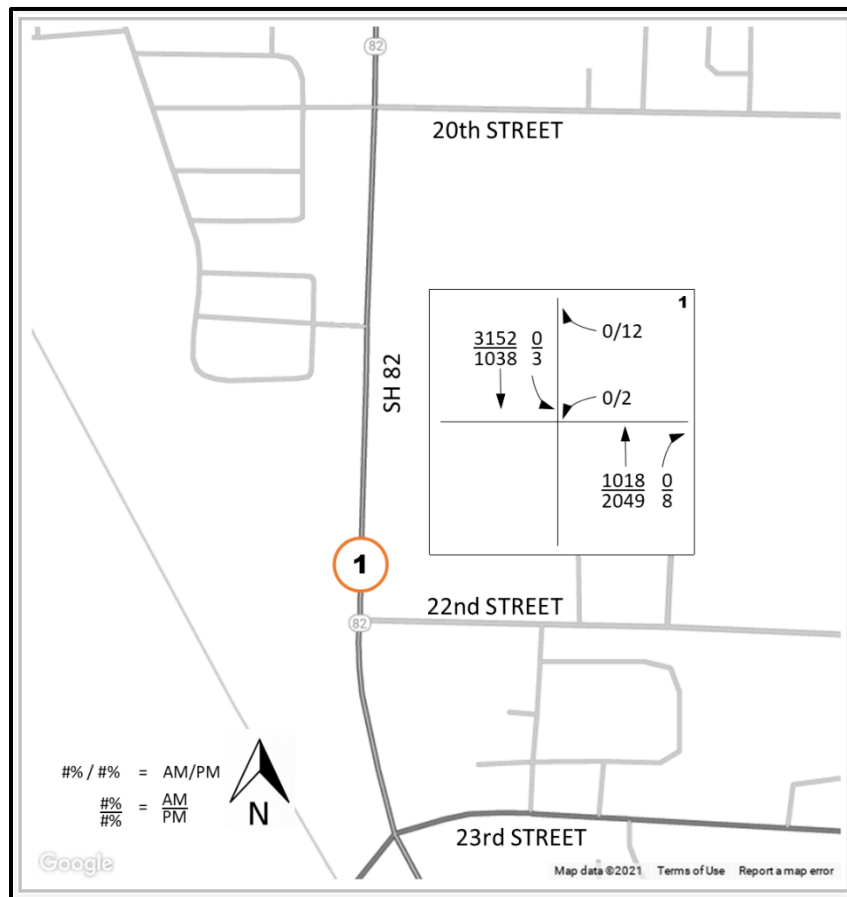


Figure 8 – Background Peak Hour Future Traffic (Year 2043)

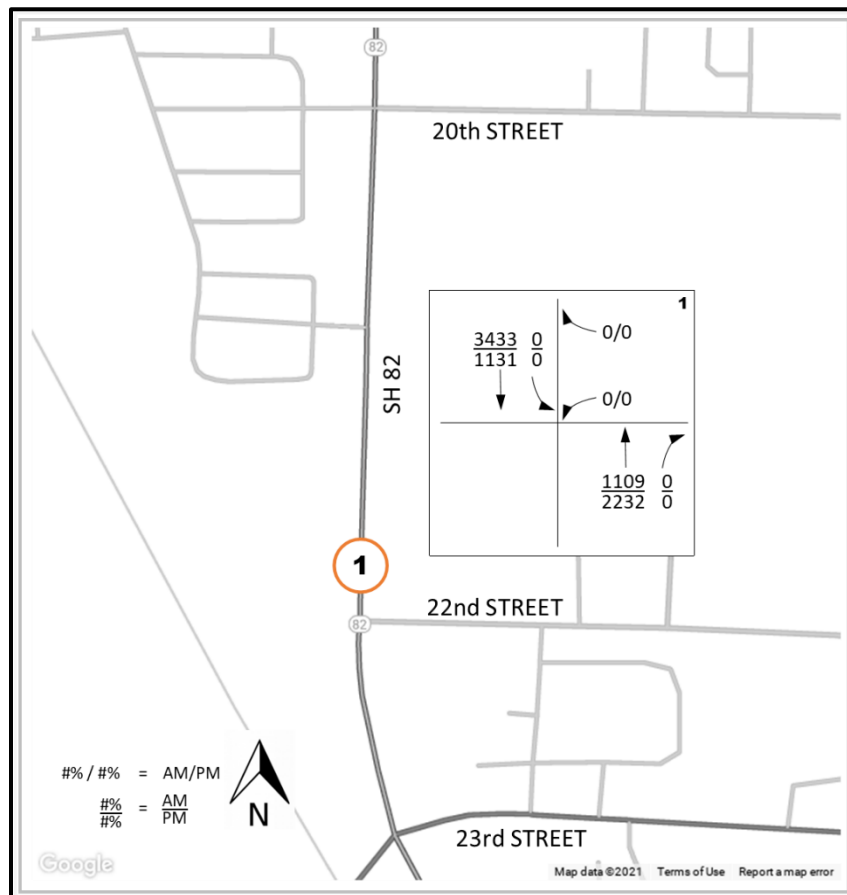
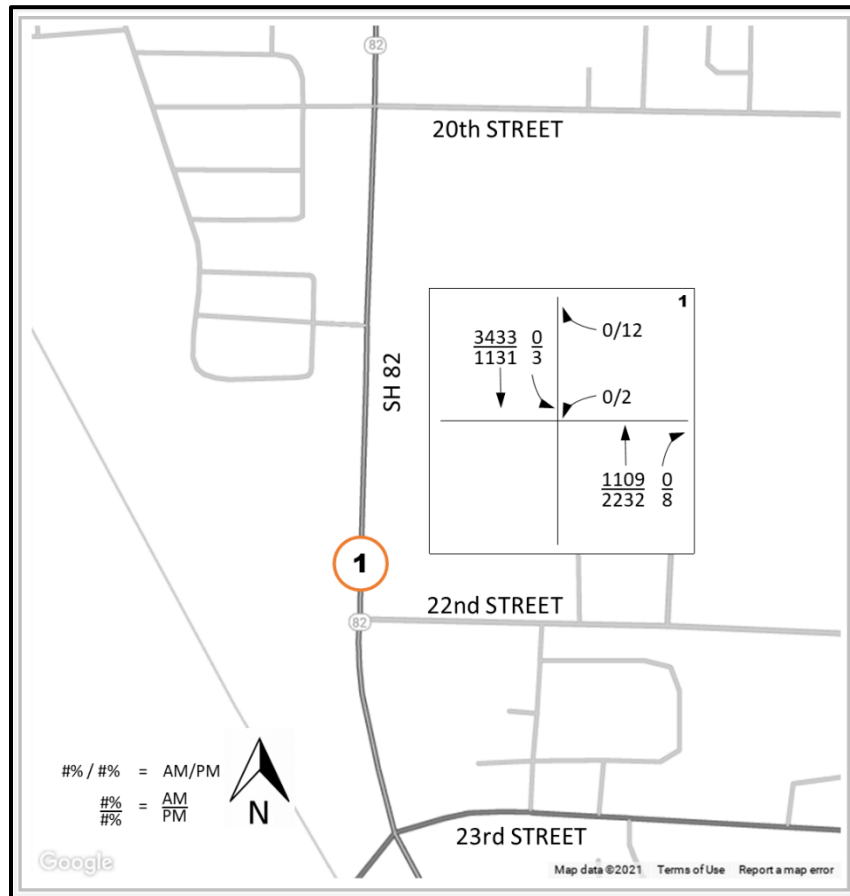


Figure 9 – Total Peak Hour Future Traffic (Year 2043)



8. Auxiliary Turn Lane Evaluation

The need for auxiliary lanes was based on the turn lane warrants listed in the SHAC. The following table shows the data and criteria necessary to identify the need for exclusive right-turn and left-turn deceleration lanes at the intersections in the Study area.

SH 82 is a north south highway with milepost markings increasing from north to south and is classified by CDOT as NR-B: Non-Rural Arterial.

**Table 7 – Comparison of Turning Volumes to
Turn Lane Requirements**

SH 82 & Kind Castle Access (Year 2043 Condition) Speed Limit = 25 mph			
Auxiliary Lane	Turning Volume (VPH)	CDOT Auxiliary Lane Requirements	Lane Required?
NB Right Turn Deceleration Lane (inbound)	8 (PM)	Greater than 50 vph	NO
SB Left Turn Deceleration Lane (inbound)	3 (PM)	Greater than 25 vph	NO
WB Right Turn Acceleration Lane (outbound)	12 (PM)	Generally not required except greater than 120 vph	NO
WB Left Turn Acceleration Lane (outbound)	2 (PM)	Generally not required except greater than 120 vph	NO

In addition to the factors stated in the previous table, additional auxiliary turn lanes were not recommended, in combination with the following factors:

- A two way left turn lane exists for any SB left inbound and WB left outbound traffic, which will act as a storage as to not impede through traffic.

9. Capacity Analysis and Level of Service

The traffic analysis was conducted using the methodologies outlined in the Transportation Research Board's Highway Capacity Manual, 2010 Edition. Synchro® 10 Planning & Analysis Software was used to determine traffic operation.

The results of the intersection operational analysis were used to assess the LOS experienced by drivers as the duration of delay a driver experiences at a given intersection. LOS A represents the most desirable conditions with free-flow movement of traffic and minimal delay to motorists. LOS F generally indicates severely congested conditions with excessive delays to motorists. Intermediate grades of B, C, D, and E reflect incremental increases in congestion.



The duration of delay is measured differently for signalized intersections as compared to unsignalized intersections. The LOS delay range for an unsignalized intersection is typically shorter than at a signalized intersection primarily because at a stop sign, the traveling public has an expectation to experience less delay than at a signal. In addition, studies have shown that at unsignalized intersections drivers tend to become impatient with long delays and may use inadequate and unsafe gaps in the traffic stream to make left turns or enter the major street. The following table provides the delay thresholds for signalized and unsignalized intersections.

Table 8 – Intersection Delay & LOS Thresholds

Level of Service (LOS)	Signalized Intersections (seconds/vehicle)	Unsignalized Intersection (seconds/vehicle)
A	0.0 – 10.0	0.0 – 10.0
B	10.1 – 20.0	10.1 – 15.0
C	20.1 – 35.0	15.1 – 25.0
D	35.1 – 55.0	25.1 – 35.0
E	55.1 – 80.0	35.1 – 50.0
F	Greater than 80.0	Greater than 50.0

Source: Transportation Research Board, Highway Capacity Manual, 2010 Edition

Traffic Operations Analysis Results

Peak hour LOS was computed within the Study area using Synchro's Highway Capacity Manual 2010 Methodology Module. Results are reported in Table 9 and calculations are included in Appendix D.

Table 9 – Project Access LOS

Intersection		Period	Traffic Control	New Lane Geometry	2023		2043	
E-W	N-S				Background	Total	Background	Total
1	Proj Access Grand Ave	PM	Signalized	Intersection LOS				
	Eastbound			0				
	Westbound			1 left-right		D		E
	Northbound			1 thru/1 thru-right		A		A
	Southbound			1 left/2 thru		A		A
Control Delay LOS & Delay (sec/veh)						D (32.1)		E (38.7)

Note the Project access intersection has negligible impact to the northbound and southbound traffic. Delays at the intersection are for existing traffic. Platooning, as a result of the signalized intersections allow for adequate gaps to allow multiple vehicles to exit during a signal phase. The LOS reports show a south bound left turn queue length of less than one vehicle, which is accommodated within the center two way turn lane.



10. Intersection Sight Distance

SH 82 is a 4-lane split highway with a center twiddle lane and a posted speed limit of 25 mph with a grade of less than 3% to the north and south. Sight distance increases are not required, and the study will not use reductions in sight distance that are allowed for grades greater than 3%.

The required sight distance for a vehicle traveling on the highway toward the access is 150 feet for a 25 mph speed limit (from Table 4-1 SHAC). The observed sight distance is greater than 150 feet from each direction of travel to the access. Refer to Images 1 and 2.

Image 1 – Looking North from 150' South of the Project Access



Image 2 – Looking South from 150' North of the Project Access



The required sight distance for passenger cars and pickup trucks entering the roadway at this location is 300 feet per SHAC, Table 4-2. The observed sight distance is greater than 300 feet looking north and south at the Project access, as shown in Images 3 and 4.

Image 3 – Looking North from Project Access



Image 4 – Looking South from Across Street of Project Access



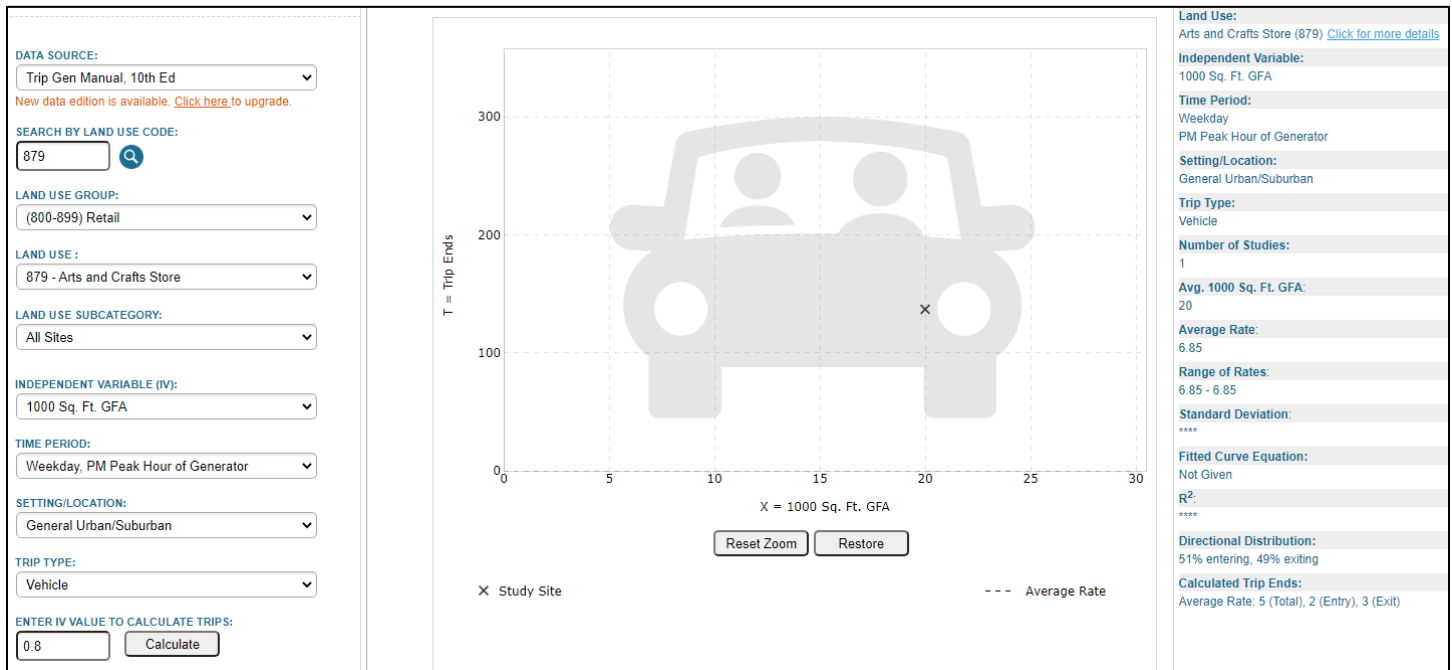
11. Existing Access Permits

A previous letter was sent by CDOT informing that a site redevelopment requires an easement between the Project and the adjacent property to the south, 2122 Grand Ave. CDOT's response to a previous traffic impact study at this location stated that when the adjacent property next to the Project redevelops, both sites will be required to share a single access.

12. Summary and Recommendations

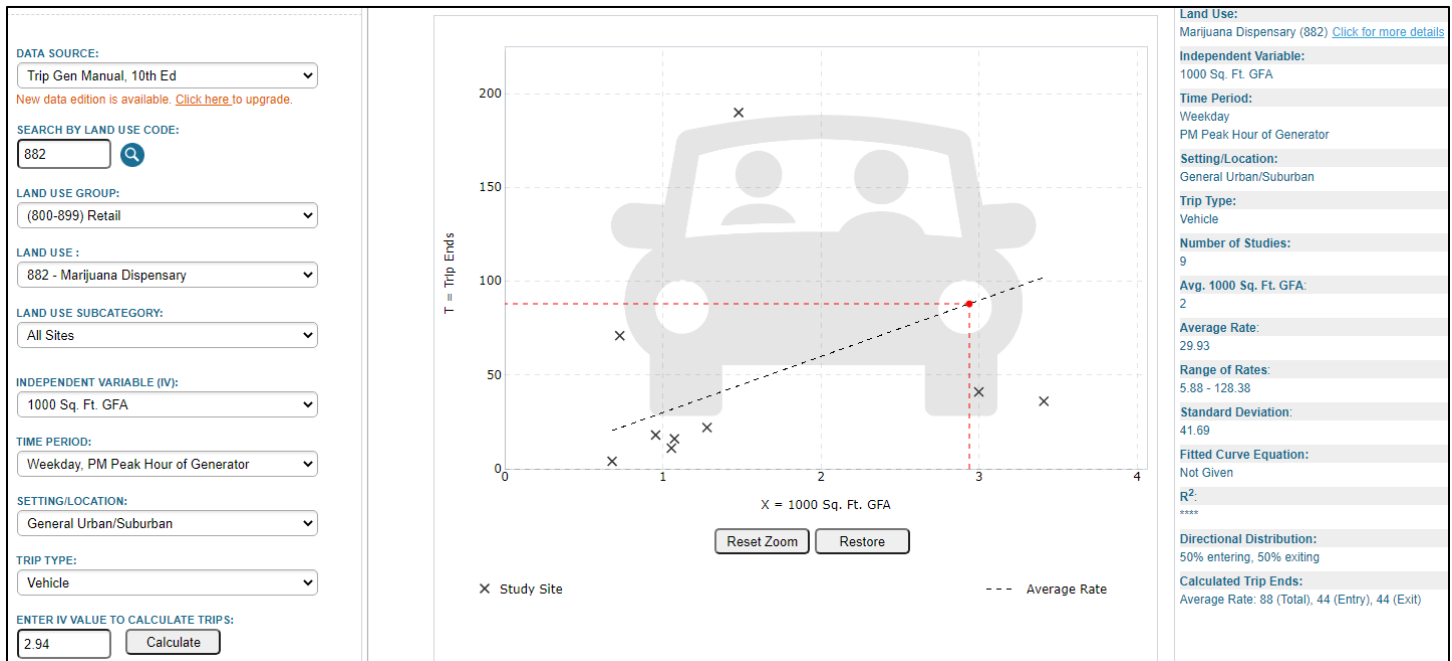
- Auxiliary lanes are not required.
- A CDOT access permit is not required as the increase in traffic volumes at the access is less than 20%.
- Due to the low peak hour project traffic volumes, the full movement project intersection will continue to work similarly to existing service levels through year 2043.

Appendix A – Project Trip Generation

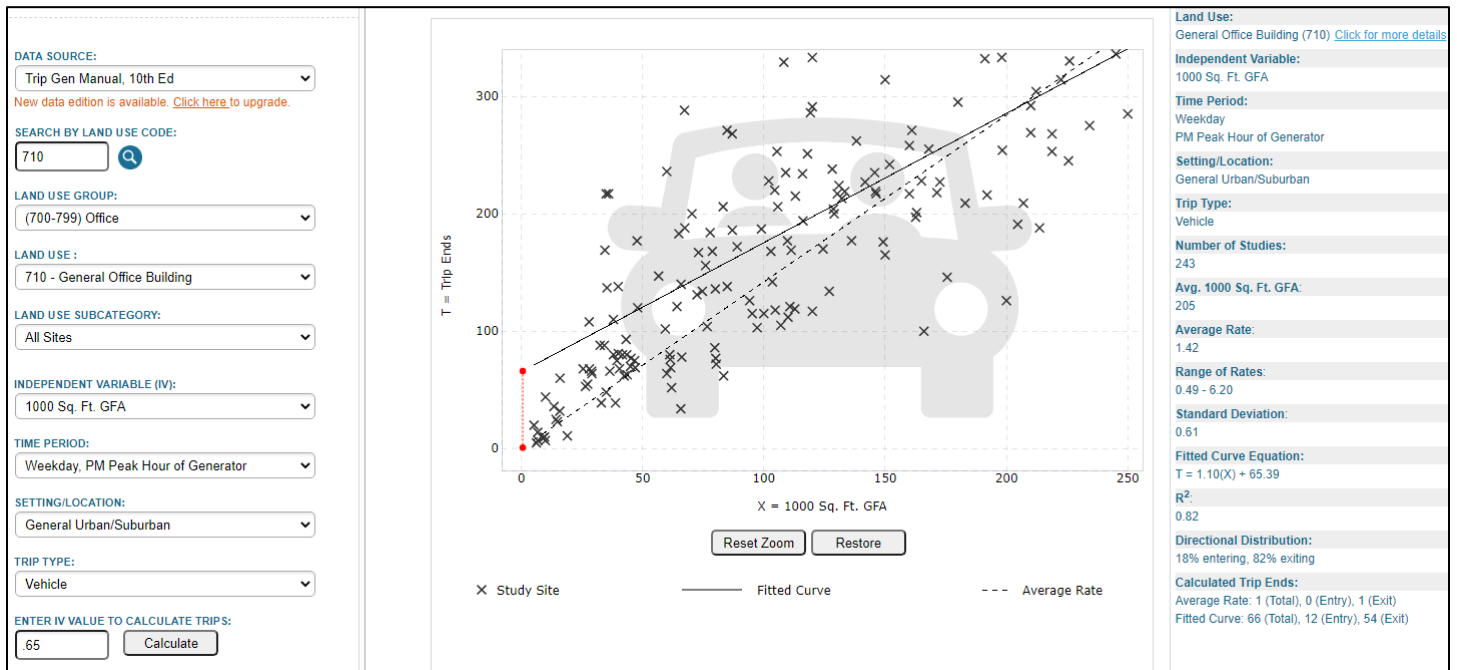


PM Peak Hour for Existing LUC 879

ITE PM Peak Hour of Green Dragon LUC 882



Appendix A – Project Trip Generation



PM Peak Hour of Proposed LUC 710

Appendix B – Intersection Turning Movement Count Traffic Summaries

Intersection Turning Movement Count Summary

Project: Kind Castle
Location: Glenwood Springs
EB/WB Road: Green Dragon
NB/SB Road: Glenwood Ave

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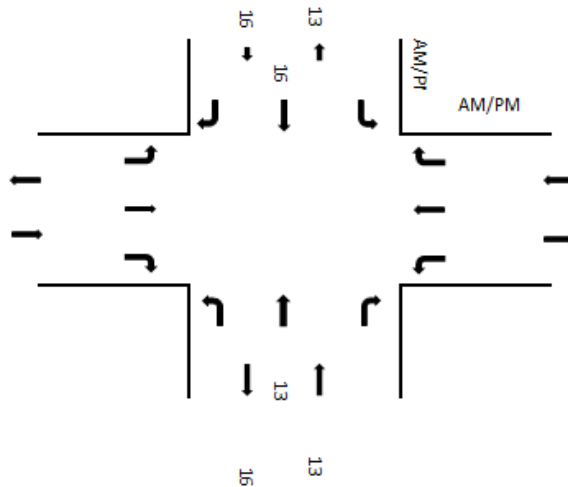
Counted by: APEX
Count Date: 1/27/2021

Intersection 0

Peak Season Adjust: 1

Time									Entering				Exiting				Total
PM																	Volume
13:30									0				0				0
13:45									0				0				0
14:00									0				0				0
14:15									0				0				0
14:30									0				0				0
14:45									0				0				0
15:00									0				0				0
15:15									0				0				0
15:30									0				0				0
15:45									0				0				0
16:00									1				1				2
16:15									0				1				1
16:30									1				1				2
16:45									3				3				6
17:00									7				5				12
17:15									2				7				9
17:30									1				1				2
17:45									0				0				0
Totals									15				19				34

Peak Hr	0	0	0	0	0	0	0	0	0	13	0	0	0	16	0	0	29
Intersection Peak Hour: 16:30-17:30 PM													EB	WB	NB	SB	Total
													0	0	13	16	29



Appendix B – Intersection Turning Movement Count Traffic Summaries

Intersection Turning Movement Count Summary

Project: Kind Castle
Location: Glenwood Springs
EB/WB Road: Project Access
NB/SB Road: Glenwood Ave

Intersection 1



Counted by: APX
Count Date: 1-27/1-28

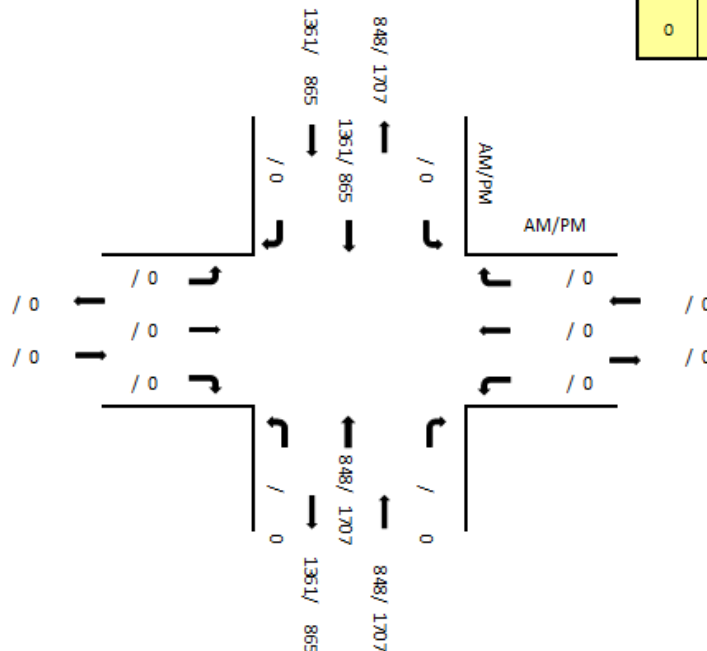
Peak Season Adjust: 1

Time	Project Access - (EB)				Project Access - (WB)				Glenwood Ave - (NB)				Glenwood Ave - (SB)				Total
	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Volume
7:00 AM	0	0	0	0	0	0	0	0	0	95	0	0	0	319	0	0	414
7:15	0	0	0	0	0	0	0	0	0	155	0	0	0	335	0	0	490
7:30	0	0	0	0	0	0	0	0	0	169	0	0	0	382	0	0	551
7:45	0	0	0	0	0	0	0	0	0	223	0	0	0	365	0	0	588
8:00	0	0	0	0	0	0	0	0	0	231	0	0	0	325	0	0	556
8:15	0	0	0	0	0	0	0	0	0	225	0	0	0	289	0	0	514
8:30	0	0	0	0	0	0	0	0	0	221	0	0	0	295	0	0	516
8:45	0	0	0	0	0	0	0	0	0	306	0	0	0	315	0	0	621
Totals	0	0	0	0	0	0	0	0	0	1625	0	0	0	2625	0	0	4250

Peak Hr	0	0	0	0	0	0	0	0	0	848	0	0	0	1361	0	0	2209
Intersection Peak Hour: 7:30-8:30 AM													EB	WB	NB	SB	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	848	1361	2209

Time	Project Access - (EB)				Project Access - (WB)				Glenwood Ave - (NB)				Glenwood Ave - (SB)				Total
	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Volume
4:00 PM	0	0	0	0	0	0	0	0	0	381	0	0	0	214	0	0	595
4:15	0	0	0	0	0	0	0	0	0	388	0	0	0	217	0	0	605
4:30	0	0	0	0	0	0	0	0	0	412	0	0	0	178	0	0	590
4:45	0	0	0	0	0	0	0	0	0	419	0	0	0	192	0	0	611
5:00	0	0	0	0	0	0	0	0	0	405	0	0	0	255	0	0	660
5:15	0	0	0	0	0	0	0	0	0	455	0	0	0	219	0	0	674
5:30	0	0	0	0	0	0	0	0	0	428	0	0	0	199	0	0	627
5:45	0	0	0	0	0	0	0	0	0	350	0	0	0	171	0	0	521
Totals	0	0	0	0	0	0	0	0	0	3238	0	0	0	1645	0	0	4883

Peak Hr	0	0	0	0	0	0	0	0	0	1707	0	0	0	865	0	0	2572
Intersection Peak Hour: 4:45-5:45 PM													EB	WB	NB	SB	Total
	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1707	865	2572



Appendix B – Intersection Turning Movement Count Traffic Summaries

Intersection Turning Movement Count Summary

Project: Kind Castle
 Location: Glenwood Springs
 EB/WB Road: Project Access
 NB/SB Road: Glenwood Ave

Intersection Access

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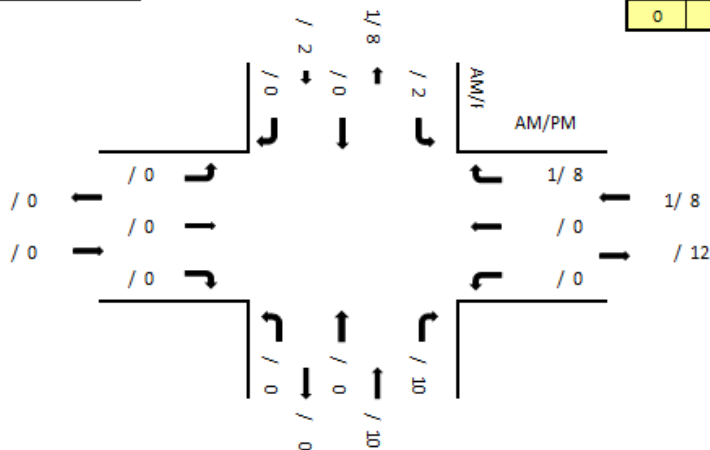
Counted by: APX
 Count Date: 1-27/1-28
 Peak Season Adjust: 1

Time	Project Access - (EB)				Project Access - (WB)				Glenwood Ave - (NB)				Glenwood Ave - (SB)				Total
	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Volume
7:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Totals	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	2

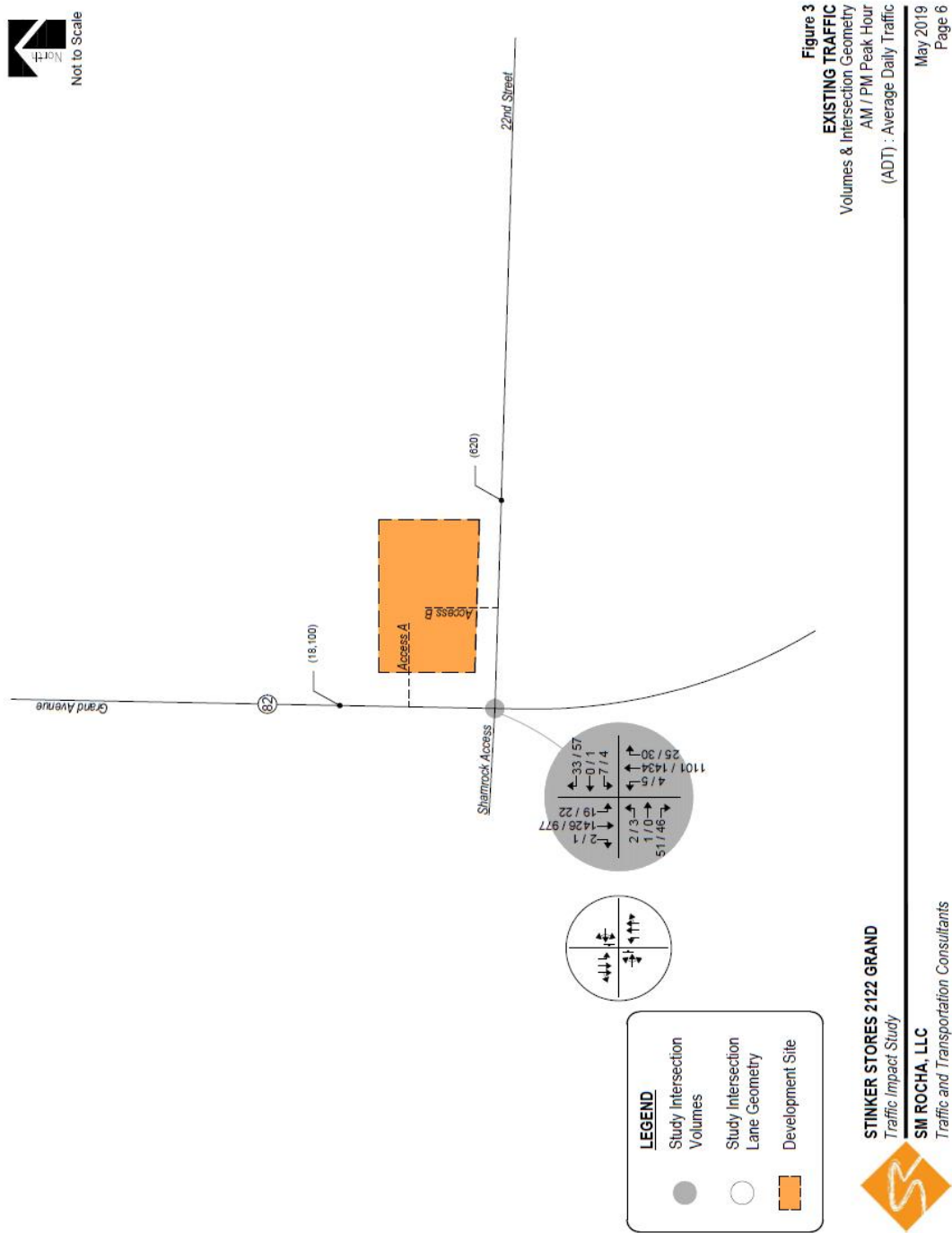
Peak Hr	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
Intersection Peak Hour: 6:45-7:45 AM													EB	WB	NB	SB	Total
													0	1	0	0	1

Time	Project Access - (EB)				Project Access - (WB)				Glenwood Ave - (NB)				Glenwood Ave - (SB)				Total
	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Left	Thru	Right	RTOR	Volume
4:00	0	0	0	0	0	0	2	0	0	0	5	0	1	0	0	0	8
4:15	0	0	0	0	0	0	2	0	0	0	2	0	1	0	0	0	5
4:30	0	0	0	0	0	0	3	0	0	0	2	0	0	0	0	0	5
4:45	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	2
5:00	0	0	0	0	1	0	1	0	0	0	3	0	1	0	0	0	6
5:15	0	0	0	0	0	0	3	0	0	0	2	0	0	0	0	0	5
5:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5:45	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	2
Totals	0	0	0	0	1	0	13	0	0	0	15	0	4	0	0	0	33

Peak Hr	0	0	0	0	0	0	8	0	0	0	10	0	2	0	0	0	20
Intersection Peak Hour: 4:00-5:00 PM													EB	WB	NB	SB	Total
													0	8	10	2	20



Appendix B – Intersection Turning Movement Count Traffic Summaries



SM Rocha, LLC Existing Traffic Counts at SH 82 & 22nd Street

Appendix C – Peak Hour Traffic Calculations

INT 1 - SH 82 & Access

2/4/2021

Kind Castle Glenwood

AM Condition												
Description	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Existing Volumes								848			2625	
¹ Seasonally Adjusted base volumes	0	0	0	0	0	0	0	1009	0	0	3124	0
Trip Distribution % Inbound Phase 1	0%	0%	0%	0%	0%	0%	0%	0%	57%	43%	0%	0%
Trip Distribution % Outbound Phase 1	0%	0%	0%	18%	0%	82%	0%	0%	0%	0%	0%	0%
Driveway Enter "1" Yes, or "0" No Phase 1	1	1	1	1	1	1	1	1	1	1	1	1
Trip Distribution % Inbound Phase 2	0%	0%	0%	0%	0%	0%	0%	0%	57%	43%	0%	0%
Trip Distribution % Outbound Phase 2	0%	0%	0%	18%	0%	82%	0%	0%	0%	0%	0%	0%
Driveway Enter "1" Yes, or "0" No Phase 2	1	1	1	1	1	1	1	1	1	1	1	1
Project Trip Volume Inbound - Phase 1	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Outbound - Phase 1	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Total - Phase 1	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Inbound - Phase 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Outbound - Phase 2	0	0	0	0	0	0	0	0	0	0	0	0
Project Trip Volume Total - Phase 2	0	0	0	0	0	0	0	0	0	0	0	0
Growth Factor Period 1	0.000	0.000	0.000	1.000	0.000	1.000	0.000	1.009	1.000	1.000	1.009	0.000
Growth Factor Period 2	0.000	0.000	0.000	1.000	0.000	1.000	0.000	1.099	1.000	1.000	1.099	0.000
Future Background Volume - Period 1				0		0		1018	0	0	3152	
Future Background Volume - Period 2				0		0		1109	0	0	3433	
Other Trip Assignment AM Period 1												
Other Trip Assignment AM Period 2												
Total Future Volume - Period 1				0		0		1018	0	0	3152	
Total Future Volume - Period 2				0		0		1109	0	0	3433	

PM Condition												
Description	Eastbound			Westbound			Northbound			Southbound		
	L	TH	R	L	TH	R	L	TH	R	L	TH	R
Existing Volumes								1707			865	
Seasonally Adjusted base volumes	0	0	0	0	0	0	0	2031	0	0	1029	0
Trip Distribution % Inbound Phase 1	0%	0%	0%	0%	0%	0%	0%	0%	69%	31%	0%	0%
Trip Distribution % Outbound Phase 1	0%	0%	0%	12%	0%	88%	0%	0%	0%	0%	0%	0%
Trip Distribution % Inbound Phase 2	0%	0%	0%	0%	0%	0%	0%	0%	69%	31%	0%	0%
Trip Distribution % Outbound Phase 2	0%	0%	0%	12%	0%	88%	0%	0%	0%	0%	0%	0%
Project Trip Volume Inbound - Phase 1	0	0	0	0	0	0	0	0	8	3	0	0
Project Trip Volume Outbound - Phase 1	0	0	0	2	0	12	0	0	0	0	0	0
Project Trip Volume Total - Phase 1	0	0	0	2	0	12	0	0	8	3	0	0
Project Trip Volume Inbound - Phase 2	0	0	0	0	0	0	0	0	8	3	0	0
Project Trip Volume Outbound - Phase 2	0	0	0	2	0	12	0	0	0	0	0	0
Project Trip Volume Total - Phase 2	0	0	0	2	0	12	0	0	8	3	0	0
Growth Factor Period 1				1.000		1.000		1.009	1.000	1.000	1.009	
Growth Factor Period 2				1.000		1.000		1.099	1.000	1.000	1.099	
Future Background Volume - Period 1				0		0		2049	0	0	1038	
Future Background Volume - Period 2				0		0		2232	0	0	1131	
Other Trip Assignment AM Period 1												
Other Trip Assignment AM Period 2												
Total Future Volume - Period 1				2		12		2049	8	3	1038	
Total Future Volume - Period 2				2		12		2232	8	3	1131	

NOTES:

1. Peak season factor of 1.19 applied to EB and WB through volumes

1: Grand Ave & Project Access
 HCM 2010 TWSC

 Year 2023 Total
 Timing Plan: PM Peak

Intersection						
Int Delay, s/veh	0.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	2	12	2049	8	3	1038
Future Vol, veh/h	2	12	2049	8	3	1038
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	75	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2	13	2227	9	3	1128
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	2802	1118	0	0	2236	0
Stage 1	2232	-	-	-	-	-
Stage 2	570	-	-	-	-	-
Critical Hdwy	6.84	6.94	-	-	4.14	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	-	-	2.22	-
Pot Cap-1 Maneuver	15	201	-	-	228	-
Stage 1	67	-	-	-	-	-
Stage 2	529	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	15	201	-	-	228	-
Mov Cap-2 Maneuver	57	-	-	-	-	-
Stage 1	67	-	-	-	-	-
Stage 2	522	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	32.1	0	0.1			
HCM LOS	D					
Minor Lane/Major Mvmt	NBT	NBR/WBLn1	SBL	SBT		
Capacity (veh/h)	-	-	148	228	-	
HCM Lane V/C Ratio	-	-	0.103	0.014	-	
HCM Control Delay (s)	-	-	32.1	21	-	
HCM Lane LOS	-	-	D	C	-	
HCM 95th %tile Q(veh)	-	-	0.3	0	-	

1: Grand Ave & Project Access
 HCM 2010 TWSC

 Year 2043 Total
 Timing Plan: PM Peak

Intersection						
Int Delay, s/veh	0.2					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	2	12	2232	8	3	1131
Future Vol, veh/h	2	12	2232	8	3	1131
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	75	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	2	13	2426	9	3	1229
Major/Minor	Minor1	Major1	Major2			
Conflicting Flow All	3052	1218	0	0	2435	0
Stage 1	2431	-	-	-	-	-
Stage 2	621	-	-	-	-	-
Critical Hdwy	6.84	6.94	-	-	4.14	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	-	-	2.22	-
Pot Cap-1 Maneuver	10	172	-	-	190	-
Stage 1	52	-	-	-	-	-
Stage 2	498	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	10	172	-	-	190	-
Mov Cap-2 Maneuver	44	-	-	-	-	-
Stage 1	52	-	-	-	-	-
Stage 2	490	-	-	-	-	-
Approach	WB	NB	SB			
HCM Control Delay, s	38.7	0	0.1			
HCM LOS	E					
Minor Lane/Major Mvmt	NBT	NBR/WBLn1	SBL	SBT		
Capacity (veh/h)	-	-	122	190	-	
HCM Lane V/C Ratio	-	-	0.125	0.017	-	
HCM Control Delay (s)	-	-	38.7	24.3	-	
HCM Lane LOS	-	-	E	C	-	
HCM 95th %tile Q(veh)	-	-	0.4	0.1	-	

***A member of City Council has requested that land use applications include suggested motions for both approval and denial. Please use the following as an example of how to form decisions and motions on various requests.

Suggested Motions

Planning File 69-20

**Consideration of a Special Use Permit for a Retail Marijuana establishment at
2114 Grand Avenue (PIN 2185-164-00-095)**

May 5, 2021

Action 1 - Special Use Permit - for a retail marijuana establishment in the M1 Mixed-Use Corridor District.

In most instances, staff has worked diligently with the applicant to address requirements outlined in the *Glenwood Springs Municipal Code* (Code) applicable to any given proposal. Therefore, we are usually in support of an application by the time it reaches the Planning and Zoning Commission and/or City Council. Below is an option for such a motion.

Motion to Approve:

I move to uphold the recommendation of the Planning and Zoning Commission and approve with conditions the Special Use Permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District with the findings and conditions outlined on pages [include applicable pages of the staff report packet here] (also provided below for reference) of the May 5 , 2021 staff report packet.

Findings are always included which are reflective of the approval criteria for the specific application type.

Recommended Findings:

1. The use is compatible with the surrounding area;
2. The impacts of the use on surrounding areas have been adequately minimized;
3. The use is consistent with the general purpose and intent of this Code;
4. The use complies with all applicable standards of this Code;
5. The use is in conformance with the Comprehensive Plan and other City plans and policies; and
6. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Many times, staff is recommending conditions related to meeting certain Code requirements, approval criteria, or staff comments received during our review.

Recommended Conditions:

1. The applicant shall provide evidence of approval of licenses from the State of Colorado and the City of Glenwood Springs for a retail marijuana establishment prior to issuance of a Special Use Permit.
2. Any future physical changes or improvements to the property or buildings on the parcel are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the *Glenwood Springs Municipal Code*.
3. The proposed retail marijuana establishment shall comply with all verbal representations made by the applicant in the public hearing, as well as all approved plans and application materials,

as revised per conditions of the Special Use Permit and approved by the Community Development Director prior to issuance of a Special Use Permit.

4. The applicant shall remove all existing freestanding signage at the site. Any new signage shall conform to applicable standards. Any changes to signage on the site shall require a sign permit and demonstrated compliance with applicable requirements of the of the *Glenwood Springs Municipal Code*.
5. The use shall comply with the use standards and special review criteria for marijuana uses specified in the *Glenwood Springs Municipal Code* at all times. Failure to comply with the applicable standards may result in an enforcement action or the incorporation of additional mitigation methods for Code compliance.
6. If complaints are received from adjacent property owners regarding any odors emitting from the site or any other matter regulated by the Code, City Council shall have the ability to re-evaluate or revoke the special use permit. The special use permit shall be subject to reconsideration and revocation by City Council within sixty (60) days of notification of the violation if the business owners are convicted by the City's Municipal Court of two *Glenwood Springs Municipal Code* nuisance violations pertaining to odors, etc. emitting from the site within a six (6) month period.
7. The applicant shall submit a building permit application as required. All contractors must receive a license to work in the City of Glenwood Springs.
8. The applicant shall provide an access easement along the south property line to allow for a future combined access with the adjacent property, 15 feet in width, in a form approved by the City Attorney and City Engineer.
9. Prior to the issuance of a building permit, the applicant shall obtain an access permit from the Colorado Department of Transportation, as required. Additionally, the applicant shall work with the Colorado Department of Transportation and the City Engineer to determine an accessible means of right-in/right-out only restricted access to the site, and the installation thereof at their expense.

Motion to Deny:

I move to reverse the recommendation of the Planning and Zoning Commission and deny the Special Use Permit for a retail marijuana establishment in the M1 Mixed-Use Corridor District with the following findings:

If the Planning and Zoning Commission does not believe the application meets the Code's minimum standards, your denial motion should be based on one or more of the same approval criteria applicable to the application. You should support your findings with information outlying the shortcomings of the request as shown in the example below.

Recommended Findings:

1. The use is not compatible with the surrounding area because **[insert your reasoning here]**;
2. The impacts such as **[insert your reasoning here]** of the use on surrounding areas have not been adequately minimized;
3. The use is not consistent with the general purpose and intent of this Code because **[insert your reasoning here]**;
4. The use does not comply with **[insert applicable Code sections here]** of the Code;
5. The use is not in conformance with **[insert applicable Comp Plan or other City plan or policy sections here]** of the Comprehensive Plan and other City plans and policies; and
 1. The use does not minimize the adverse impacts of **[insert the adverse impacts here]** to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

February 22, 2021

John Dyet
The Kind Castle
PO Box 687
Glenwood Springs, CO 81602

Re: Trip Generation Memorandum from SGM, dated 2-12-2021

Dear Mr. Dyet,
The purpose of this letter is to respond to the memorandum referenced above.

Note that the traffic assessment SGM evaluated was prepared by APEX Consulting Engineers, LLC (APEX) for a project with different parameters and is not relevant to the current land use application. A traffic assessment of the current land use application has been prepared by APEX and should be used in evaluation of the project.

SGM prepared an evaluation of trip generation for the proposed project using the Institute of Transportation Engineer's (ITE) Trip Generation Manual 10th Edition using land use code 882, Marijuana Dispensary. Application of the ITE trip generation data is valid and APEX used the same data for the previous assessment. However, it was apparent that the ITE trip generation rates are not consistent with data collected locally by APEX. As a result, and in preparation of the updated traffic assessment, APEX performed trip counts at a dispensary near the proposed project to develop a local trip generation rate which is used in the updated assessment. The local rate is approximately 1/3 the ITE rate and consistent with other APEX counts.

APEX did not perform parking counts, but it is reasonable to assume that the local parking rate would be approximately 1/3 the rate published by ITE, or approximately 6 spaces.

Respectfully,
APEX CONSULTING ENGINEERS LLC



Eric C. Marquez, P.E.
Managing Member

cc: file



City of Glenwood Springs
Planning Commission & City Council
Sent via email

November 11, 2020

Dear Planning Commission & City Council Members,

This letter concerns a new special use permit application for a retail marijuana store application for Kind Glenwood LLC (**"Applicant"**) located at 2114 Grand Avenue (**"Property"**). The Applicant previously submitted a special use permit application for a retail marijuana store only in Suite C at 2114 Grand Avenue (**"Prior Application"**). The Prior Application was denied by the City of Glenwood Springs City Council on June 18th, 2020. Since the denial, the Applicant has managed to lease all of the suites for the Property (Suites A-C), has fixed all prior issues, and plans on submitting a new retail marijuana store application for the Property (**"New Application"**). The New Application consists of utilizing Suites A, B and C as follows and as graphically shown in Exhibit A:

Suite A (NOT PART OF LICENSED PREMISES) shall serve as Office space and no marijuana products or sales shall occur in this Office space, nor shall any customers enter this suite.

Suite B shall encompass the total Retail Space (only Suite B shall be "Restricted Access Area" for customer sales). The total square footage is 1,560, of which 1,040 is habitable space as defined per the city code.

Suite C shall serve as a Lobby space with a total suite size of 779 square feet. The habitable space of the Lobby shall be 397 square feet. All customers shall enter/exit through Suite C. This keeps the customers on the south portion of the building front (on the opposite side of the hotel), but most importantly, this sealed Lobby space shall provide a power layer of air odor protection from the Retail Space. With multiple carbon filtration air purification units in both suites, it would not be possible for odor to permeate from the premises.

The City of Glenwood Springs Section 070.060.030(i)(5) states:

"Limitation on Subsequent Similar Applications. Following denial of an application, the decision-making body shall not decide on applications that are the same or substantially similar within one (1) year of the previous denial. This waiting period may be waived by the decision-making body provided that:

- a. There is a substantial change to circumstances, or new information available, relevant to the issues or facts considered during the previous application review; or

- b. The new application is materially different from the previous application.

The New Application is materially different from the Prior Application for the following reasons:

1. The New Application consists of Suites B and C and the Applicant's control of the whole retail building on the Property as detailed above. With Suites B and C as the newly proposed marijuana store, this adds 850 sq. ft. of habitable space to the licensed premises while the Prior Application only involved 587 sq. ft. of habitable space (only Suite C) which is a substantial material difference and significant change to circumstances. The Applicant now has total control of the property's commercial use. The New Application has double the amount of front parking, 100% dedicated to this sole use.
2. Additional Parking: 6 parking spaces in the rear and plenty more parking on 22nd Street.
3. The New Application provides new information that drastically improves the parking, egress/ingress, signage, odor concerns, and on-site occupancy therefore this is relevant to the issues and facts considered during the previous application review.
4. The New Application represents a single use for the retail space on the Property, whereas the Prior Application was for Suite C while a pawn shop remained in Suite B, which substantially impacted the parking capacity at the site for the Prior Application.
5. The parking plan has materially changed. The Applicant has now achieved a 67% increase in parking, which is now significantly more than the required amount. The proposed habitable space, as defined in the Glenwood Springs Development Code, of the entire proposed licensed premises is 2,339 sq. ft. (1,040 sq. ft. as the retail space in Suite B and 397 sq. ft. for the Lobby in a portion of Suite C). The parking requirement for the New Application is five (5) parking spaces (1,437 sq. ft. / 300 sq. ft. = 4.79 spaces). The parking plan now provides for 10 parking spaces as shown in Exhibit A due to the lease of the three retail suites and the use of the entire commercial parking area which is five (5) more parking spaces than required. The single use of the Property will also eliminate customer parking from occurring at the neighboring Cedar Lodge property.
6. A proposed future easement from Stinkers Gas Station will be identified with the New Application that allows for shared access between the properties.
7. The New Application provides for substantially enhanced odor mitigation for the residences at the rear of the building with the construction of a barrier wall between commercial and residential spaces for odor and security. The front commercial spaces will also have its own separate air handling system from the air handling system in the rear residences. No shared air handling between front retail and rear residences.
8. The residents occupying the two (2) apartments in the rear of the building will provide signed affidavits agreeing to, and supporting of, the Applicant's proposed use of the front retail space for a marijuana business. The residents agree that marijuana odor does not bother them whatsoever, in the unlikely event marijuana could be smelled in their apartment. However, Applicant's aggressive odor mitigation plan shall prevent odor from permeating from the Retail Space. The proposed air purification system can cleanse a facility 7 times larger than the Applicant's square footage, designed for much heavier odor producers such as cultivation and manufacturing facilities.
9. Framing store opposition is gone with the New Application, all expressed concerns of impact to the surrounding area have been completely mitigated, and there is now strong support.
10. This New Application materially reduces the anticipated parking and trip generation on the Property due to limiting the retail space to a singular use, which is appropriate use of this property. The Applicant controls the entire commercial front of the property that provides one tenant, one small sign and one point of contact for any property issues. The building is best suited from one commercial tenant. Having one tenant in the retail front addresses all concerns of egress/ingress, neighbor complaints of current signage, and overall parking. Due to the reduction of traffic

entering the property from the Trading Post Pawn shop vacating the premises, Applicant's proposed business traffic will now make no negative impact to the traffic counts at this site. Applicant's traffic engineer shows a substantial reduction in traffic counts. The Applicant hired Apex Consulting Engineers to assess the traffic impact of its application for a marijuana business at this site. The traffic engineer determined that the former business in Suite A (barber shop) had a weekday trip (ADT) traffic count of 45. The engineer determined the former business in Suite C (framing store) had a traffic count of 60 daily trips. By factoring in the traffic counts for the pawn shop in Suite B, the Applicant's proposed business shall replace all these traffic counts and equate to no excessive traffic impact. Apex Consulting Engineers indicate in its traffic study that the Applicant's proposed use would generate an estimated 202 daily trips which is higher than the Applicant's anticipates but provides that the Applicant's business does not contribute to traffic increases entering/exiting from/to Grand Avenue.

11. The sign plan for the New Application will be materially changed with one small sign for the retail space on the Property that eliminates current and perceived issues.

The Applicant respectfully requests that the Planning Commission determine that the New Application represents a material change as allowed by Development Code Section 070.060.030(i)(5) so that we can prepare and submit a new Special Use permit application.

Thank you for your time and consideration.

Sincerely,

Chris Hawkins, AICP
Alpine Planning, LLC



SPECIAL USE PERMIT APPLICATION CHECKLIST

For office use:

Pre-application Meeting Date: _____

Planning File #: _____

Applicant: _____

Lead Planner: _____

During or shortly following your pre-application meeting, you will receive this checklist noting the materials that the City will need to process your special use permit application. This information constitutes your application. Failure to provide the required materials on or before the application deadline will delay your application.

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
1	Planning Application – completed in full and signed by applicant and all property owners of record	√			√			
2	Ownership - provide proof of ownership such as Deed of Trust, Warranty Deed or Quit Claim Deed. Title commitment will not suffice	√			√			
3	Public Noticing – signed and notarized affidavit proof of public notice including mineral estate owner notification	√						
4	Project Description – narrative describing the project and addressing how the application meets the general Special Use permit approval criteria page 1 of this guide and any applicable use-specific standards listed in 070.030.030	√			√			
5	Administrative Adjustment Request – refer to Administrative Adjustment information, criteria and questionnaire page 11	√			√			

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
6	Variance – refer to Variance criteria and questionnaire page 15							
7	Site Improvement Survey	√		√	√			
8	Complete Plan Set including:	0	1	1	√			
	Cover Sheet							
	Site Plan							
	Preliminary Grading Plan							
	Conceptual Architectural Plans							
	Preliminary Landscape Plan							
	Sample materials board							
	Lighting Plan							
9	Engineering Reports including:	2	0	0	√			
	Preliminary Traffic Impact Analysis or Letter – the level of documentation required depends on the location of the property and the type of development proposed							
	Preliminary Soils & Geotechnical Report							
	Drainage Letter or Study – level of information required depends on the project location, size and type of development. Refer to Engineering Standards							
10	Fee	\$ _____				Cash, check or credit card. Check payable to the City of Glenwood Springs		

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (✓)	Submitted by Applicant (✓)
		8 ½ x11	11 x 17	24 x 36				
11	Other Materials (list other materials that will be required)							



LAND USE APPLICATION

City of Glenwood Springs
Economic and Community Development Dept.
101 West 8th Street
Glenwood Springs, CO 81601
970-384-6411

Ordinance Amendments		Development Permits	
Rezoning	☐	Site/Architectural Plan Review	☐
Rezoning to Planned Unit Development (PUD)	☐	Administrative	☐
Annexation	☐	Minor	☐
Condominiumization	☐	Major	☐
Annexation	☐	Master Plan	☐
Street Vacation	☐	Construction Plans	☐
	☐	Special Use Permit	☒
Subdivisions	☐	Right of Way Encroachment License	☐
Minor Subdivision	☐	Floodplain Development Permit	☐
Preliminary Plat	☐		☐
Final Plat	☐	Flexibility and Relief Procedures	☐
Vacation of Right-of-Way	☐	Variance	☐
	☐	Administrative Adjustment	☐
	☐	Appeal	☐

Applicant/Property Owner Information:			
Applicant		Owner	
Kind Glenwood LLC		2114 Grand Avenue, LLC	
Relationship to Owner		Owner	
Lessee		Todd and Kristine Leahy	
Applicant Address		Owner Address	
PO Box 687	Glenwood Springs, CO	P.O. Box 2738	Glenwood Springs, CO 81602
Phone (970) 773-5463	Email Address john@kindcastle.com	Phone (970) 618-0756	Email Address sunlightcabin@comcast.net

Property Information:	
Address	Parcel Number
2114 Grand Avenue, Suites A-C	218516400095
Subdivision	Lot and Block Number
NA Metes and Bounds Description	NA
Zone District M1 - Mixed Use Corridor	Existing Land Use Commercial retail uses

General Project Description:
Special use permit for a retail marijuana establishment.

Signatures:		
The owner or applicant must be present at the hearing. All public hearings must be properly noticed according to G.S.M.C. Section 070.010.030. Signatures of all owners of the property must appear before the application is accepted. Partnerships or corporations may have the authorized general partner or corporate officer sign the application. (Attach additional incorporation documents if necessary.) I declare under the penalty of perjury that the above information is true and correct to the best of my knowledge.		10/29/2020
	Applicant	Date
		
	Owner 2114 Grand Avenue, LLC By: Kristine Leahy, Owner	Date 11-4-2020
		
	Owner 2114 Grand Avenue, LLC By: Todd Leahy, Owner	Date 11-4-2020

SPECIAL WARRANTY DEED

THIS DEED, made on December 16, 2019

between **Todd Leahy and Kristine Leahy**

of the County of Garfield, and State of Colorado, grantor(s), and

2114 Grand Avenue, LLC, a Colorado limited liability company

whose legal address is : P.O. Box 2738, Glenwood Springs, CO 81602

of the County of Garfield, and State of Colorado, grantee:

WITNESS, that the grantor(s), for and in consideration of the sum of ten dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do grant, bargain, sell, convey and confirm unto the grantees, their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows:

ALL THAT PORTION OF THE NE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 16, TOWNSHIP 6 SOUTH, RANGE 89 WEST OF THE SIXTH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY SIDE OF COLORADO STATE HIGHWAY NO. 82, WHICH BEARS SOUTH 01°32' WEST 788 FEET FROM THE INTERSECTION OF THE EAST-WEST CENTERLINE OF SAID SECTION 16 WITH SAID EASTERLY SIDE OF SAID COLORADO STATE HIGHWAY; THENCE ALONG THE EASTERLY SIDE OF SAID COLORADO STATE HIGHWAY NO. 82 SOUTH 01°32' WEST 64 FEET; THENCE SOUTH 88°28' EAST 271 FEET; THENCE NORTH 01°32' EAST 64 FEET; THENCE NORTH 88°28' WEST 271 FEET TO THE POINT OF BEGINNING.

also known by street and number as: 2114 Grand Avenue, Glenwood Springs, CO 81601

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. The grantor(s), for themselves, their heirs, and personal representatives, successors and assigns do covenant and agree that they shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s); excepting from the grantor's warranty, all liens, reservations, easements, covenants, general taxes and assessments for the year 2019 and subsequent years; encumbrances of record and "subject to statutory exceptions" as defined in § 38-30-113(5)(a), C.R.S.

IN WITNESS WHEREOF, the grantor(s) have executed this deed on the date set forth above.

Todd Leahy

Kristine Leahy

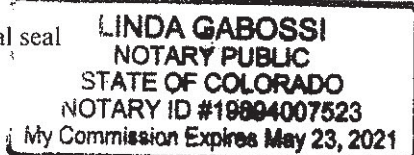
STATE OF COLORADO)

) ss.

COUNTY OF GARFIELD)

The foregoing instrument was acknowledged before me on December 16, 2019, by Todd Leahy and Kristine Leahy.

WITNESS my hand and official seal



Linda Gabossi
Notary Public

E-RECORDED

simplifile

ID: 929569

County: _____

Date: 12/16/19 Time: _____

P.O. Box 2738, Glenwood Springs, CO 81602

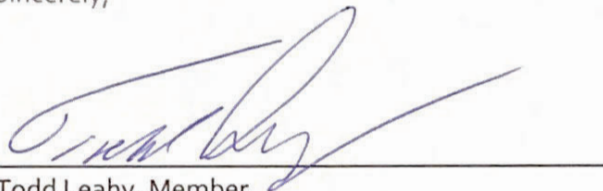
December 19, 2019

Town of Glenwood Springs
Community Development Department
Gretchen Ricehill, Assistant Economic & Community Development Director
101 West 8th Street
Glenwood Springs, CO 81601

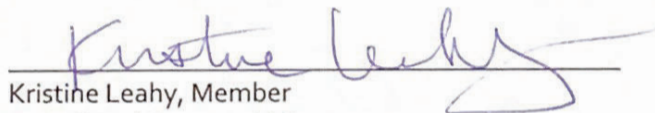
Dear Ms. Ricehill,

2114 Grand Avenue, LLC ("**Owner**") is the owner of the property located at 2114 Grand Avenue, Glenwood Springs, CO 81601 ("**Property**"). Please be advised that for purposes of submitting all necessary licenses and planning applications for a retail marijuana store on the Property, the Owner appoints John Dyet and Mark Mayasich of Kind Glenwood LLC ("**Lessee**") to act as our agent with authority to submit, process and represent such applications. The Lessee has a few of the commercial units under contract to rent provided the City approves the special use permit application and Lessee obtains the required license from City.

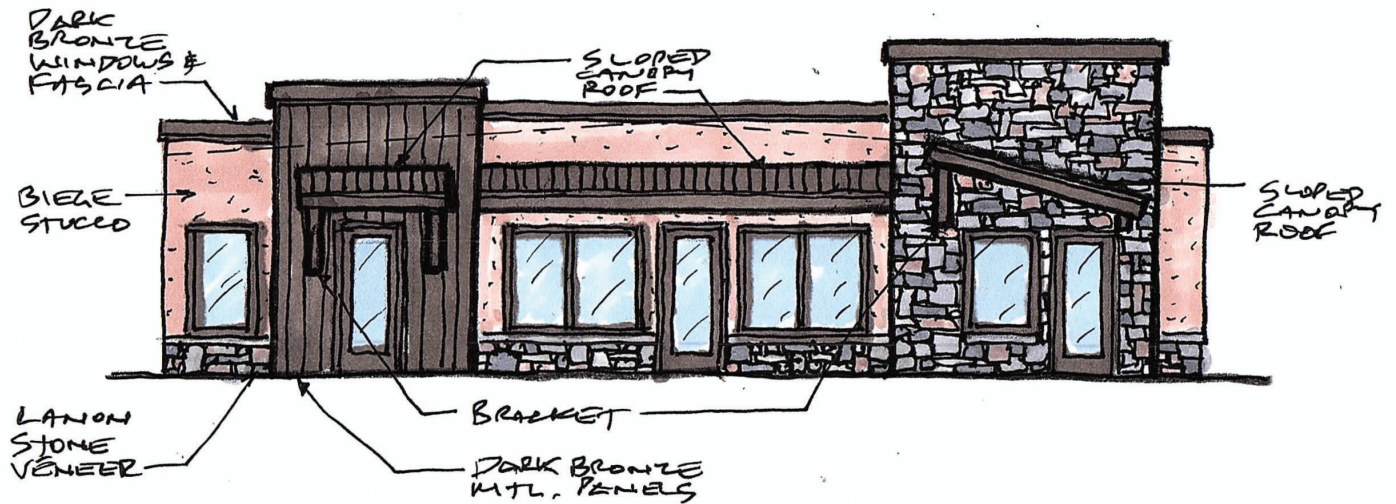
Sincerely,

A handwritten signature in blue ink, appearing to read "Todd Leahy", written over a horizontal line.

Todd Leahy, Member
2114 Grand Avenue, LLC

A handwritten signature in blue ink, appearing to read "Kristine Leahy", written over a horizontal line.

Kristine Leahy, Member
2114 Grand Avenue, LLC



2114 S. Grand Ave

Retail Marijuana Store Special Use Permit

Submitted on November 13, 2020

PROJECT TEAM

Alpine Planning, LLC

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BACKGROUND

Kind Glenwood, LLC (**Applicant**) is under contract to lease all three (3) retail units that are located at 2114 S. Grand in the City of Glenwood Springs (**Property**) as shown in Figure 1. This application presents a single use for the retail space and associated site infrastructure. The Applicant intends to remodel the Property to operate a new retail marijuana facility (**Facility**) if the required Special Use Permit and license are approved by the City of Glenwood Springs.

The Property is located in the M1 Mixed Use Corridor Zone District as shown in Figure 2. The City of Glenwood Springs Development Code ("**Development Code**") Section 070.030.020, Table of Allowed Uses, establishes that a retail marijuana business is an allowed use in the M1 Zone District subject to the approval of a special use permit.

The Property contains 8,494 sq. ft. or 0.398 acres and has 64 lineal feet of frontage onto the Grand Avenue Right-of-Way on its western border. The western building on the Property contains three (3) retail units in the front of the store and two (2) residential apartments that are located at the rear of the building.

The three (3) retail units are planned to accommodate the following Facility uses:

- Suite A: Facility Office Space containing 650 sq. ft.
- Suite B: Facility Retail Space containing 1,560 sq. ft.
- Suite C: Facility Lobby containing 779 sq. ft.

The licensed premises shall be Suites B and C, and is planned to contain 2,339 gross sq. ft. and 1,437 sq. ft. of habitable floor area for purposes of calculating the parking requirements.



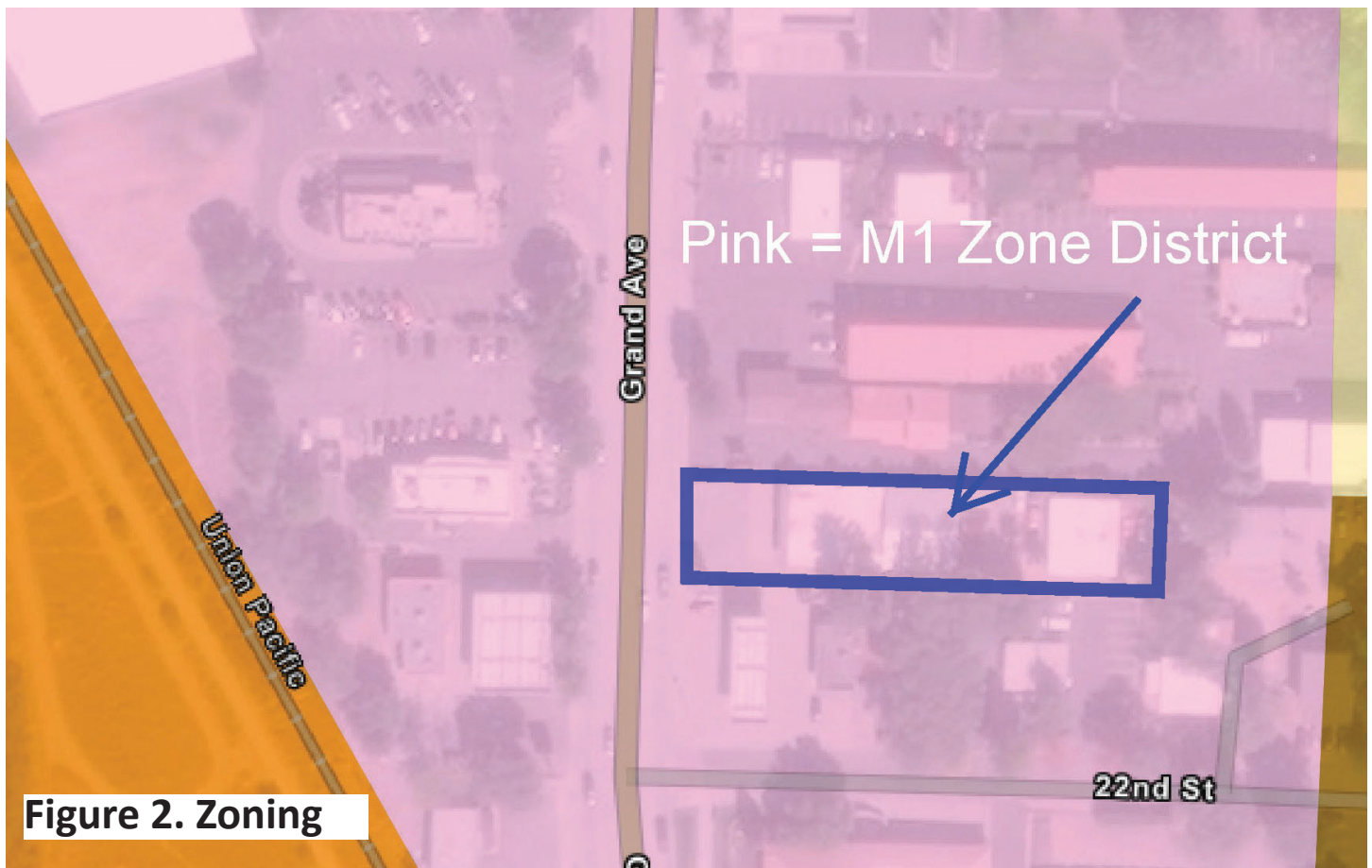


Figure 2. Zoning

SPECIAL USE PERMIT CRITERIA

Development Code Section 070.060.050(e) establishes the special use permit procedures. Section 070.060.050(e)(1) establishes the purpose of the special use permit process:

“Purpose. The special use permit procedure provides a mechanism for the City to evaluate proposed development and land uses that have unique or widely varying operating characteristics or unusual features. This procedure is intended to ensure compatibility with surrounding areas and that adequate mitigation is provided for anticipated impacts.”

This purpose and intent is important because it anticipates that mitigation can be provided to address any anticipated impacts and also assure project compatibility.

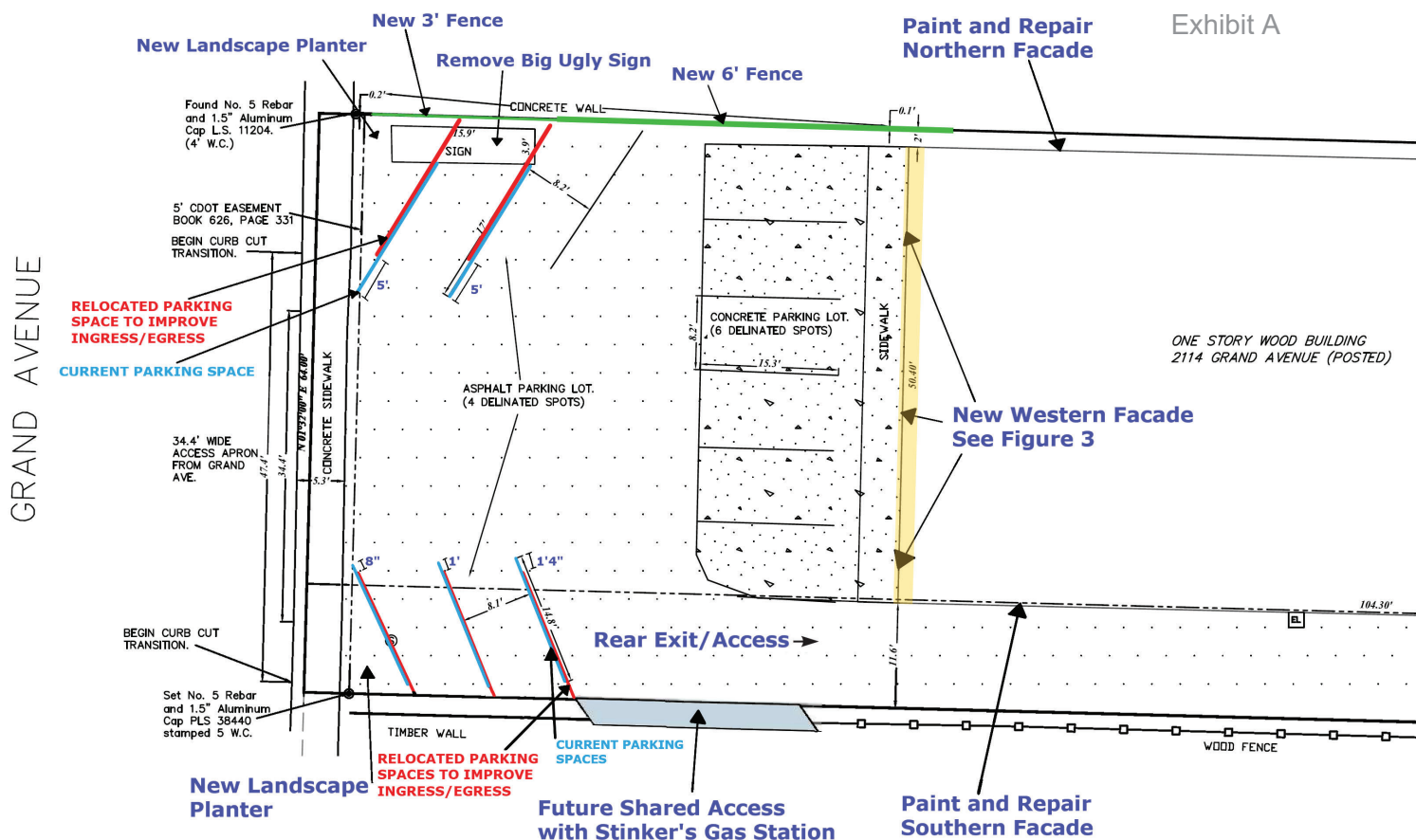
The following sections analyze how the project meets the special use permit approval criteria contained in Development Code Section 070.060.050(e)(3)(e)(2).

Section 1. Compatibility with Surrounding Area

This retail store will be perfectly compatible with the surrounding area. The Facility is located in a very intensive commercial area that includes a Stinker's gas station, and Alpine Bank parking lot to the south, with Big Sids Bottles liquor store, Uncles Pizza, Domino's Pizza, Shell gas station, and Coloradough bakery; Turtle's Glenwood Liquors, Cedar Lodge and Taco Bell to the north; Grand Avenue, Circle K, Wendy's, Starbucks and Anglers fishing store to the west; and additional commercial use at the rear of the Property. This retail store is very much compatible with these businesses and surrounding area.

Retail marijuana stores are a part of the retail landscape in Colorado where such stores are a permitted use (Refer to Figure 3). They have similar potential impacts as liquor stores and pawn shops with the potential adverse impacts limited to traffic and parking.

The historic and current uses in the three retail spaces generated more traffic than the proposed facility will generate (updated traffic study will be provided). The Development Code requires 5 parking spaces for the Facility (1,437 sq. ft divided by 300 sq. ft.). The Applicant has 10 parking spaces 100% dedicated to this store that provided in the front and 6 spaces in the rear. In addition, there is now plenty of extra parking located very close by on 22nd Street.

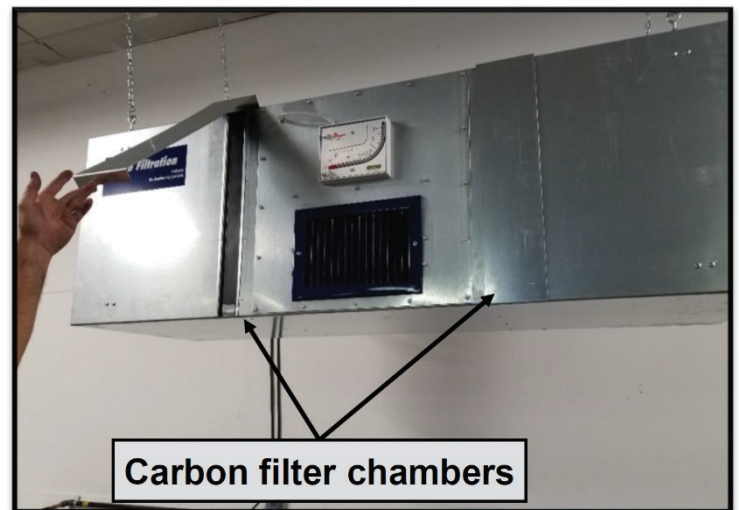


The design of the Site and building will also assure compatibility with surrounding land uses. The Applicant will install a fence along the full length of the northern property line with Cedar Lodge as shown in the Facility Site Plan (Attached hereto as Exhibit A) that will prevent easy access between the two properties and encourage compatibility. The Applicant has also agreed to remove the current blighted sign and replace such with a small, single pole-mounted sign for the Facility. The current sign is unsightly, large, consuming parking space, and the Cedar Lodge wants it removed because of its ugly appearance and for their customers to have better visibility accessing/exiting the hotel for traffic safety. We are also proposing to resurface and re-stripe the current parking lot design and add planters as shown on the site plan. The Applicant will also repaint and repair the north building facades. More importantly, the Applicant has agreed to redo the western facade with a new contemporary facade as shown in Figure 3. The Applicant respectfully requests that the City approval of the permit include a condition that the Applicant

submit the final western facade plan, signage plan, fencing plan, landscaping plan and other improvements prior to the City issuing the license. A building permit will be required for the new western facade.

Odor will not be an issue with 4x the odor mitigation and air purification capacity required. In addition, new vapor barrier and sound proof wall will be installed in between the Facility and the two apartments to ensure no smell. Please see Odor Mitigation Plan and Floor Plan for extensive odor elimination practices. The residents of the apartments have provided affidavits that they do not have any concerns with the proposed Facility or if any little odor could be smelt. Even City staff has indicated that odor is not an issue with retail stores, only with cultivation facilities. The City Police Department have never received any odor complaints from any retail stores. The Applicant requests that the City approval of the permit require the installation of sound proofing and vapor barrier prior to opening the store (New drywall will require a building permit). The signed apartment Affidavits are shown in Exhibit B, which are signed/notarized by the rear residents supporting the license approval.

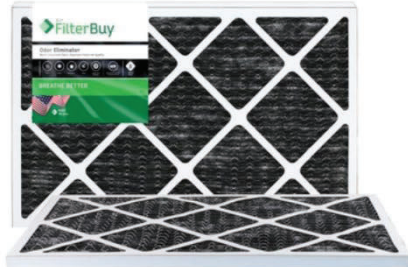
The Facility will also ensure compatibility and minimized, even eliminated, impact through its mechanical conditioning. The Applicant's Odor Mitigation Plan is extraordinarily equipped and will make odor impossible. The retail sales area and product storage room will be equipped with AF-3000C Heavy Odor Air Filtration units made by Elite Manufacturing Specialists. In addition, the entire Facility will include six (6) activated carbon filtration, "Air Purifier T600" units. These additional carbon filtration systems are independent to the activated carbon air filtration system running through the air conditioning/heating systems. The Air Purifier T600 units are an industry leading activated carbon



air filtration system that are very effective at handling marijuana terpene emissions and overall odor. The Applicant's plan described herein contains over quadruple the amount of air filtration operation and power for the size of the proposed retail space, as just Air Purifier T600 can remove odors from 2,000 square feet of space. Such odor mitigation efforts significantly exceed those deployed by all other marijuana retailers in the city. The Facility mechanical systems will be designed by qualified professionals to ensure the highest levels of performance, energy efficiency and odor prevention. Please refer to Exhibit C that contains more information on the proposed odor mitigation plan. Mechanical permits may be needed for the odor mitigation and conditioning systems. The commercial units in the front operate on a separate air handling system than the system for the rear residents therefore no odor can transfer through the residents' air vents. The air handling systems for both commercial and residential sides will each force all air through odor-eliminating carbon filters.



18x18x1 Odor Eliminator Pleated Air Filter



Odor Eliminator
3 Month Filter



- 18x18x1 Odor Eliminator MERV 8 with carbon filters made and manufactured by FilterBuy
- Actual Size 17 3/4" x 17 3/4" x 3/4"
- Removes ODORS from smoke, pets, and cooking to let clean air pass through. MERV 8 media base which traps and blocks pollen, dust mites, and larger dust particles.

The Facility will also include a state of the art security, fire, and carbon monoxide systems that will be monitored by an off-site professional security firm. The Applicant will install many more cameras (29 in total) than required to ensure customer safety, neighborhood peace and employee accountability. In accordance with State regulations, security cameras will be installed to monitor and record all of the interior and exterior spaces of the Facility and the Site. Facility staff will be trained to view security cameras covering the customer parking areas and walkways to prevent loitering, excessive noise, or on-site consumption which is expressly prohibited by City and State laws. Staff will also periodically walk the property to ensure compatible and quiet customer use and Facility operations. Please refer to Exhibit D that contains the Retail Marijuana Store summary.

The Applicant's Facility meets the demand and needs of the neighborhood including, but not limited to, the following facts:

There are currently no other retail marijuana stores operating within the neighborhood, as shown in Figure 4 below, so it provides a walkable solution to residences and businesses in the area.

The Facility meets the City's desired walk-ability and therefore reduces traffic within the city. In fact, the nearest marijuana store is over 3,200 feet away from this site so its substantially qualified for this use.

All concerns and issues put forth by the P & Z commission and City Council as well as any public comments have all been thoroughly addressed and significantly mitigated by the Applicant. Concerns of odor, parking, egress/ingress, traffic counts, signage and support from residents have all be properly and thoroughly addressed. The new elevations and design of this building as well as new small pole sign will make a pleasant impact to the appearance, add a revitalized look to this area of Grand avenue, and uplift surrounding businesses, which are all compatible uses.

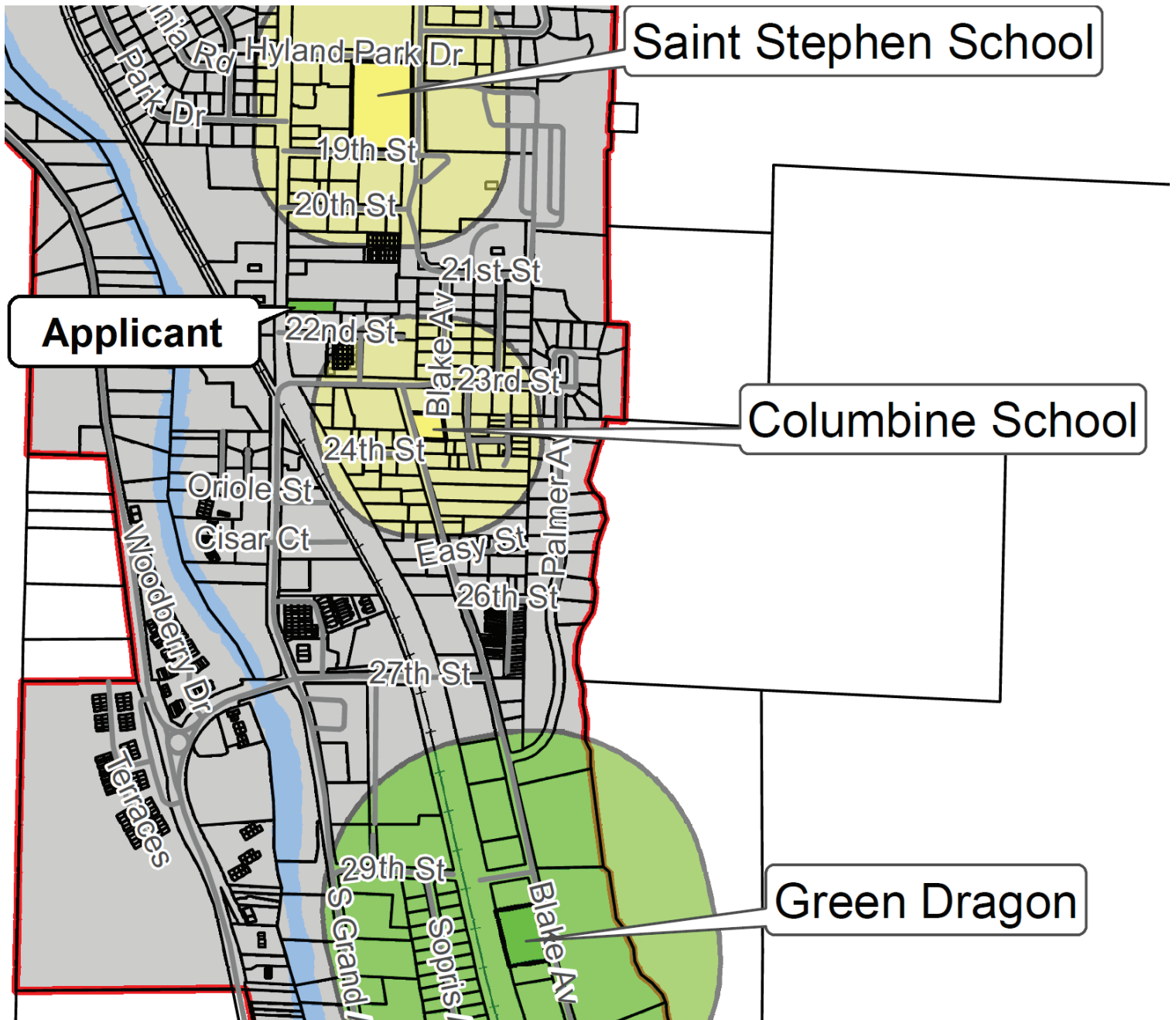


Figure 4. City Buffer Map

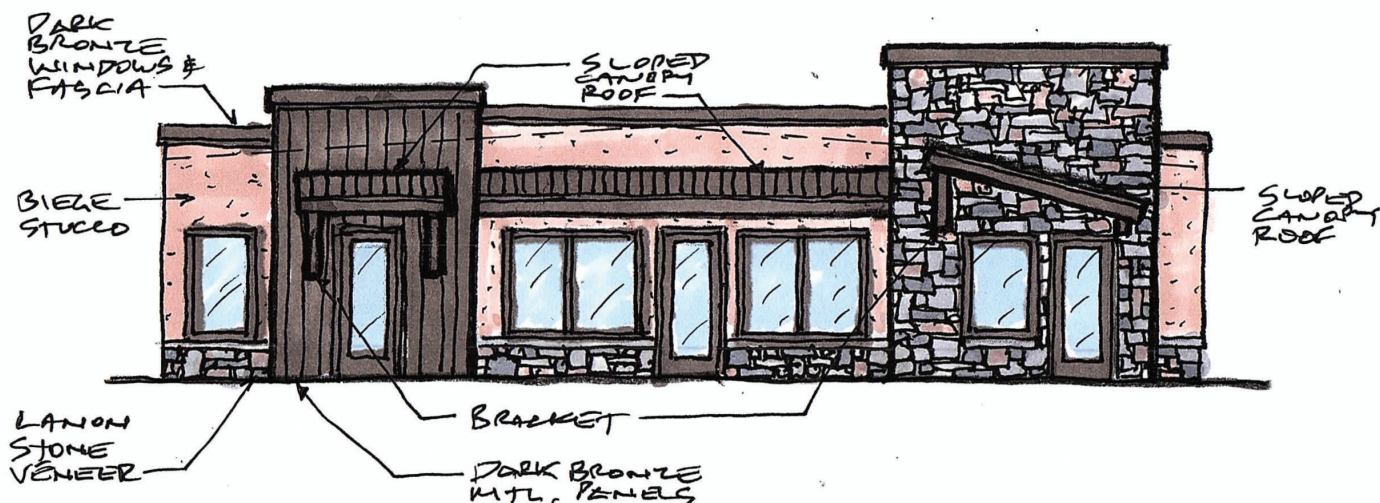


Figure 3. Conceptual Western Facade Plan

Section 2. Minimized Impacts on Surrounding Area

The impacts of the use on surrounding areas have been adequately minimized. The main impacts to surrounding properties for a retail marijuana store typically can include odor, traffic, and parking.

Odor. Odor will be prevented and mitigated as discussed in Section 1. See Floor Plan & Odor Mitigation Plan.

Traffic. There is actually a trip reduction in historic and current uses within the retail spaces on the Property as shown in Exhibit D. With a singular retail marijuana use in the commercial front instead of the 3 different uses barber, pawn, and framing stores, the traffic counts are less which is precisely what this site needs; one use. The Applicant has obtained consent from the Stinker's Gas Station for a reciprocal easement between the properties that allows for access to the Property via 22nd Street. The Applicant established a good relationship with Stinker's and both businesses will work together to allow for sharing of customers in harmony. Currently, there is also rear access/exit via the alleyway to 22nd Street to ease some traffic flow.

Parking. Parking for the store meets and substantially exceeds (more than doubles) City standards as discussed in Section 1. The store requires 5 spaces. There are 10 front spaces, plus 6 spaces in the rear and additional parking on 22nd Street.

The proposed store will also improve the appearance of the Property with a new retail western facade as shown in Figure 3; painting and repair of the northern and southern facades; new fenced on the northern side to the west and north of the store; resurfacing and re-striping the front parking lot; and landscaping improvements as shown on the Facility Site Plan. Also included in the plan is a bicycle parking area.

Section 3. Consistency with the General Purposes of the Code

The use will be consistent with the general purpose and intent of this Code. Development Code Section 070.010.030 establishes the following purpose and intent, with comments on the proposed Facility compliance shown in *italics*:

Purpose. The general purpose of this Code is to protect the public health, safety, and welfare of the City and to implement the policies, goals, and strategies adopted by the City of Glenwood Springs, including those set forth in the Glenwood Springs Comprehensive Plan. *Over 60% of the City electorate voted to legalize marijuana under Amendment 64 in 2012 so there is broad support for the use in the city. The City adopted and modified regulations related to retail marijuana since that time with an understanding that the base rules established in the Development Code will protect the public health, safety and welfare while also limiting the number of stores in the city due to the use-specific standards. Retail marijuana facilities are only permitted via the special use permit process in 25% of the City's zoning districts (4 of 16 zone districts) including M1, M2, CO, and I2 zone districts. Retail marijuana facilities are also subject to the retail marijuana use-specific standards contained in Development Code Section 070.030.030(e)(11) as discussed in Section 4. The Facility is located in a zone district that permits the use where it meets the use-specific standards and is compatible with surrounding uses. The Facility also generally conforms to the Glenwood Springs Comprehensive Plan as discussed in Section 5. Therefore, the proposed Facility is consistent with the purpose of the Development Code.*

Intent. More specifically, this Code is intended to create the best built environment for the City by:

1. Promoting orderly, efficient, and integrated development within the City. *The retail store will be integrated into the commercial neighborhood through the roadway, sidewalks and improved site and store design as provided for in this narrative. The retail store improvements will enhance the site and the surrounding area aesthetics. A blighted, old, large ground sign will be removed and replaced with a modern sign on a 6 inch wide pole. Visual impacts are positive for aesthetics and safety for opening visibility turning on/off Grand Ave.*
2. Providing for a variety of housing and neighborhood types and densities at a range of housing costs, including affordable workforce housing. *The store will not remove the two housing apartments, or residents within, at the rear of the building, with odor protection and sound protection provided.*
3. Regulating the development and use of land based upon the impact of such development or use on surrounding areas or the City. *The retail marijuana facility use-specific standards will ensure that there are no adverse impacts to surrounding uses. Odor, traffic, and parking are completely mitigated as provided for in this narrative. City zoning rules allow for retail marijuana facilities via the special use permit process to ensure that uses are compatible with the surrounding area, ensure compliance with the use-specific standards and also require appropriate mitigation. The Applicant will significantly improve the appearance of the retail building with a new western facade; painting and repairing the western and eastern facades; resurfacing and striping the parking spaces; removal of a blighted sign and replacement with a modern and clean, compliant sign; and landscaping as shown on the Facility Site Plan.*
4. Providing minimum standards for the design and improvement of land, subdivision, and development to ensure that each building site is capable of accommodating a structure devoted to the intended use of the land. *The Facility has been designed in accordance with the applicable standards and requirements of the Development Code as discussed in this narrative, including but not limited to the Facility use-specific standards (070.030.030). Any non-compliant lighting on the retail store will be replaced with compliant lights.*
5. Guarding against loss from natural hazards such as flooding, falling rock, landslides, snowslides, debris flow, and unstable soils. *There are no apparent geohazards that adversely impact the Property..*
6. Ensuring equitable processing of development proposals by providing uniform procedures and standards. *The Facility is being processed and evaluated in accordance with the special use permit process; the retail marijuana facility use-specific standards; the ADA and other requirements set forth in the Development Code and Municipal Code.*
7. Providing a legally accepted record of lot lines, easements, and dedications in accordance with this Code and Colorado law. *The Property is a legal parcel within the city.*

Section 4. Compliance with Applicable Standards of the Code

The use will comply with all applicable standards of the Development Code.

USE-SPECIFIC STANDARDS

The Facility will meet the use-specific standards contained in Development Code Section 070.030.030, with our compliance comments shown in *italics*:

- a. Purpose. The City Council intends to allow state-licensed retail marijuana establishments to exist in Glenwood Springs in accordance with Article XVIII, Section 16 of the Colorado Constitution, Article 43.4 of Title 12 Colorado Revised Statutes, and any other applicable state laws and regulations as well as the additional local licensing requirements and other restrictions set forth in the Glenwood Springs Municipal Code. Nothing within this Article is intended to promote or condone the production, use, sale, testing or distribution of marijuana other than in compliance with applicable state law. *The Facility is proposed under the authority of Article XVIII Section 16 of the Colorado Constitution and the Colorado Marijuana Code in Colorado Revised Statutes Title 44, Article 10. The proposed Facility design and operation will comply with the Colorado Marijuana Code and the applicable requirements of the Glenwood Springs Municipal Code as discussed in this narrative. The Applicant will submit a retail marijuana store license application to the State of Colorado's Marijuana Enforcement Division ("MED").*
- b. License Required. Retail marijuana establishments shall comply with City Code Article 050.090. *The Facility will comply with the requirements of City Code Article 050.090, Retail Marijuana. The Applicant will submit a retail marijuana license and all required plans, materials and forms to the Glenwood Springs City Clerk (Local Licensing Authority). The Facility is not located within 500 feet of an existing public or private school facility where classes are held for K-12 grades. The proposed Facility is located more than 4,400 feet from the Green Joint to the north, and approximately 3,230 feet away from Green Dragon retail store. This is actually one of the best remaining locations in Glenwood Springs because there are no stores in the neighborhood, many surrounding residents and businesses are in support, all issues have been mitigated, and this is a prime site to capture the City's final retail marijuana store license. Retail store staff will be trained to ensure compliance with the requirements related to the operation of a retail marijuana facility contained in Development Code Section 050.090.090. Facility staff will be extensively trained in the Colorado Retail Marijuana Code related to procurement, display, dispensing, labeling, sanitation, security and other criteria. Hours of operation will comply with the current city limitations. Facility signage will comply with the City Sign Regulations. New or replacement lighting will be designed in accordance with the Lighting Regulations. No on-site consumption will be allowed within the Facility. The Facility manager will be a designated employee of the Applicant that is listed on the required City forms. A sign will be posted in the store with all of the required warnings and notifications per City Code Section 050.090.090(b)(8).*
- c. Location of Licensed Establishment. Retail marijuana establishments shall be located only in areas of the City as allowed in the City Code. No retail marijuana establishment shall be located:
 1. Within five hundred (500) feet of any existing public or private school facility where classes are held for children aged kindergarten through the 12th grade. The distance shall be computed by a straight line measurement from the nearest property line of the school property to the nearest property line of the site housing the retail marijuana establishment. *The Facility is located 650 feet away from Saint Stephen School as shown in Figure 4 and Area Maps attached.*
 2. Within nine hundred (900) feet of another retail marijuana establishment or a medical marijuana business. A retail marijuana establishment may locate on the same licensed premises as a medical marijuana business of the same class and same ownership, only if the licensed premises is located to meet the distance requirements from other retail marijuana establishments and medical marijuana businesses. This distance shall be computed by a straight line measurement between property lines of the sites housing the two (2) facilities. *The closest existing facilities are located more than*

3,200 feet away from the proposed store.

3. In any zoning district not specifically permitted by the City Code. *The Facility is located in the M1 Zone District that allows retail marijuana facilities via the special use permit process.*
- d. Requirements Related to Operation of a Retail Marijuana Establishment.
 1. Retail marijuana establishments shall meet all operational criteria for the procurement, display, dispensing, labeling, sanitation, security, and any other criteria as required by the state pursuant to the CRMC and the City Code Article 050.090. *The Facility will meet the City and State operational requirements. The Applicant has been operating the Kind Castle in Parachute, CO for almost three years without any Town or State MED violations. The Parachute store has won many awards as one of the best stores in Colorado and attracts customers from far distances.*
 2. In addition, all retail marijuana establishments shall comply with the following local restrictions:
 - i. Hours of operation shall be limited to between 8:00 a.m. and 7:00 p.m. Monday through Sunday. *The Facility will comply with the City hours of operation.*
 - ii. A sign permit shall be obtained through the Community Development Department. All exterior signage associated with a retail marijuana establishment will meet the standards established in the CRMC and in the City Code. *A sign permit will be obtained for the business signage. All signage will comply with the Colorado Marijuana Code, City Sign Regulations and retail marijuana ordinances. There shall be no marijuana leaf depictions or green crosses.*
- di. Storage of retail marijuana shall be considered an accessory use. Not more than twenty-five (25) percent of the licensed premises of a retail marijuana business shall be used for such purposes. *This shop will store a limited amount of product, which is held in odor-proof bulk plastic bags until handled/ packaged. The limited amount of product on site will be stored in an odor-proof storage closet, which is located within the Product Storage Room. The Product Storage Room is surrounded by a hallway and all walls shall be reinforced for odor elimination. The product storage room contains 190 sq. ft. of floor area that represents 8% of the total 2,339 gross sq. ft. for the Facility.*
 - i. No discernible odor shall be projected beyond the exterior walls of the licensed premises. *The proposed odor mitigation plan is outlined under Section 1. No odor will be projected beyond the exterior walls of the Facility. In general, retail stores typically do not generate an odor nuisance as confirmed by City planning staff. See Odor Mitigation Plan.*

OTHER DEVELOPMENT CODE REQUIREMENTS

The Facility improvements will be designed in accordance with the applicable standards and requirements of the Development Code.

Drainage. Drainage from the property is grandfathered from the current Development Code requirements.

Roads and Traffic. The proposed store reduces the amount of trip generation from the Property's retail space as discussed under Section 1. Grand Avenue can handle this lower level of traffic.

Section 5. General Conformance with the Glenwood Springs Comprehensive Plan

The use is in conformance with the Comprehensive Plan and other City plans and policies. The proposed retail marijuana facility conforms to the Glenwood Springs Comprehensive Plan (**Comprehensive Plan**”).

The proposed retail use is envisioned by the Future Land Use Map that shows Mixed-use in the Site area. The Future Land Use Descriptions indicate the following for Mixed-use areas:

The Mixed-use land use designation allows for a variety of uses including commercial, retail, office, restaurant, entertainment and multi-family housing co-existing through design either in a horizontal or vertical fashion.

The Facility helps maintain a small town character with a single-story building surrounded by intensive commercial and hotel buildings. The Facility provides a walkable retail destination that will serve existing commercial and residential development in the area, and also compliments the neighborhood since there are no stores in the area as shown in Figure 4. The Facility is readily served by utility and transportation infrastructure, with all utilities either on or adjacent to the Site and a bus stop located to the north. The sidewalk system will provide direct access to the store.

The Applicant will improve the store and site appearance as discussed in the narrative including a new western facade as conceptually shown in Figure 3; repainting and repairing the northern and southern facades; land-scaping; and other improvements as documented in this narrative.

The Facility is also supported by the Comprehensive Plan's economic development policies. First, the approval of the special use permit will create an opportunity for new and expanding local business. The proposed store will employ approximately 12-15 people with good paying jobs and livable wages of \$15 to 25 per hour or greater.

The Facility will also help Glenwood Springs to further integrate and balance the city's multi-modal transportation system. Sidewalks connect to the Facility from all of the surrounding developments. The store will generate less traffic than the historic and current Pawn Shop uses.

The special use permit directs growth to an area where utilities and services can be efficiently provided. Water, sewer, electricity, natural gas, telecommunications and broadband are provided to the site. Police service, fire protection and emergency services are provided to the Site from the Glenwood Springs Police Department and the Glenwood Springs Fire Department. Security and fire alarm services will be provided through a security monitoring firm. The Applicant's security system is an industry-leading system that will ensure the safety and security of the area.

Sign Removal

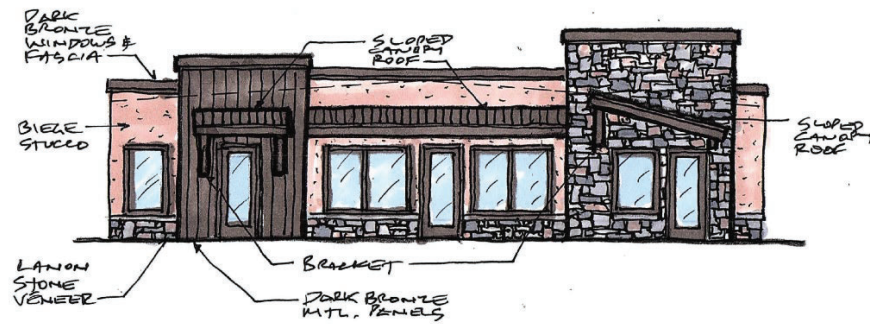
It is time to remove the numerous signs cluttered everywhere and uplift this property's appearance.



The Cedar Lodge has previously made requests to this property's landlord for this sign's removal therefore the Applicant's plan accommodates a major contribution to neighborhood compatibility and needs. Neighborhood businesses stand to gain from this site's remodeled new look.



No more advertisements for guns, bullets or gun transfers or other cluttered signs all over the place. Removing the current large ground sign will improve safety for guests leaving/entering Cedar Lodge. The Applicant will work with Cedar Lodge for their desired height of our proposed fencing between the properties.



Minimization of Adverse Impacts to the Health, Safety, and Welfare of Surrounding Residents and the City

The proposed retail marijuana establishment will protect the public health, safety and welfare of surrounding and residents and the city. The proposed retail store will provide state of the art security and alarm systems with reinforced doors and video cameras located around and within the establishment. The proposed retail store also meets the City regulations for issuing a retail marijuana license as outlined above, which further ensures the health, safety and welfare of the community. There will be no cultivation or production within the Property so there will be no adverse impacts from odors, excessive electric or water use. The retail store owner, manager and employees will operate in accordance with City regulations and the Colorado Retail Marijuana Code.

Access to the site is readily available from Grand Avenue. The Colorado Department of Transportation has been consulted on the proposed use and does not see any issues or the need for an access permit. All of the surrounding businesses have high traffic and turning movements. Parking meets the requirements of the Development Code.

More than 60% of the voters approved Amendment 64 in Glenwood Springs and the City crafted regulations to ensure the public health, safety and welfare would be protected. The proposed store is in line with the will of the voters and City regulations. The City subsequently voted to impose a local 5% sales tax by a vote of 1,205 to 813 in 2017. This represented 60% of the voters in the community. Thus, a majority of the community accepts retail marijuana establishments within the community per the adopted City regulations that limit and constrain retail establishments to certain areas of the city. Based on this, and the fact that the applicant meets all requirements under applicable ordinances, we strongly believe that the proposed retail marijuana establishment promotes the public health, safety and welfare of the City with hardly any impacts to the surrounding area.

Currently many of Glenwood Springs' adult inhabitants are driving approximately 41 minutes (43 miles) on I-70 to The Kind Castle in the Town of Parachute, therefore there is an established need in the neighborhood for this business to operate, and it concurrently allows Glenwood to gain that tax revenue from retail sales of residents shopping locally to purchase marijuana.

The proposed store also conforms to the Comprehensive Plan transportation policies. The proposed retail store is located on the Ride Glenwood bus route with a stop only 500 feet away. Accommodation will be made for cyclists with a small bike rack provided near the front of the store.





CLIENT
Kind Glenwood, LLC

ISSUE
November 5, 2020

RE-ISSUE
MM.DD.YY

PROJECT
2114 S. Grand
Glenwood Springs, CO

DRAWN BY
CH

DESCRIPTION
Overall Site Plan

SP

01

SECURITY/SURVEILLANCE PLAN VERSION

FLOOR AREA SPACE:

- SUITE B TOTAL AREA = 1,560 SQ FT
- HABITABLE SPACE OF SUITE B = 1,040 SQ FT
- SUITE C TOTAL AREA = 779 SQ FT
- HABITABLE SPACE OF SUITE C = 397 SQ FT

- FLOOR AREA (HABITABLE) = 1,437 SQ FT

ODOR ELIMINATION FEATURES:

There will be no product weighing/handling/
packaging room at this location which
substantially eliminates odor to a large degree.

Most product will be stored at the Applicant's other location in the Glenwood Meadows area.

- This shop will store a limited amount of product, which is held in odor-proof bulk plastic bags until handled/packaged. The packaged product is also substantially odor-proof.
- The limited amount of product on site will be stored in an odor-proof storage closet.
- The odor-proof storage closet is located within the Product Storage Room.
- The Product Storage Room is surrounded by a hallway and all walls shall be reinforced for odor elimination.

Walls adjacent to tenants in the rear shall be reinforced with an odor-proof layer and covered with additional drywall.

No marijuana products or customers in suite A for an additional buffer to the North neighboring property.

The basement is unusable space, its not part of the licensed premises, and therefore shall not be utilized for this establishment.

Air conditioning/heating system's negative air machine will be equipped with an activated carbon air filter to force purify the air for odor.

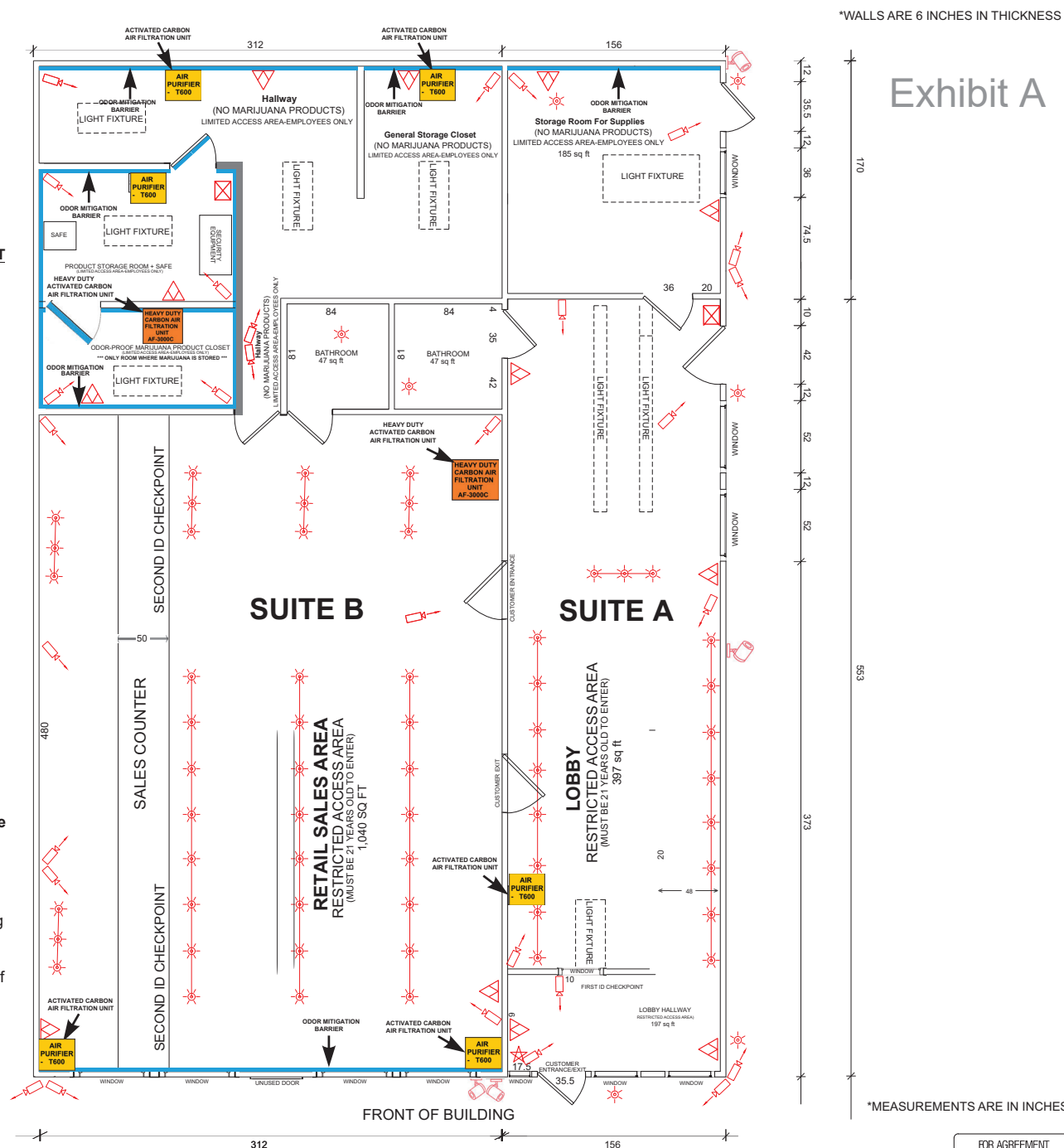


Exhibit A

WALLS ARE 6 INCHES IN THICKNESS

*MEASUREMENTS ARE IN INCHES

KEY

-  LOCATION OF POSTED LICENSE
-  ALARM KEY PADS
-  LIGHTS
-  MOTION DETECTORS
-  SECURITY CAMERAS
(ARROW INDICATES DIRECTION)
-  AFTER HOURS MOTION
SENSOR LIGHTS

NOTE:

**SECURITY SYSTEM
& ODOR MECHANISMS:**

29	SECURITY CAMERAS
12	ALARM MOTION DETECTORS
2	ALARM KEY PADS
4	MOTION SENSOR SECURITY LIGHTS
3	LAYERS OF WALLS/ROOMS ENCASEING MARIJUANA STORAGE, REINFORCED TO PREVENT ORB PERMEATION
2	HEAVY DUTY INDUSTRIAL STRENGTH ORB ELIMINATING UNITS
2	ID CHECKPOINTS | RETAIL / LOBBY
6	CARBON FILTER AIR PURIFICATION UNITS FOR TOTAL ORB MILDATION

PROJECT

ARCHITECTURE
DRAFTING

2114 GRAND AVENUE
SUITES B & C
GLENWOOD SPRINGS, CO 81601

DRAWING TILE
FLOOR PLAN

FOR AGREEMENT _____

A/001

AFFIDAVIT OF REAR NEIGHBOR RESIDENT

IN SUPPORT OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Fabe Gamima Castro Espinoza state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado.
My address is: 2114 Grand Ave Unit 2 & 3
2. I believe The Kind Castle can mitigate odors but the odor from marijuana will not bother me or my family.
3. Currently, our direct neighborhood does not have any retail marijuana stores. We need another marijuana retailer and I believe The Kind Castle would meet this need in our neighborhood.
4. Currently, the nearest marijuana store is well over 3,000 feet away from my residence, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking, sign, and egress/ingress traffic. The Kind Castle's new application is substantially different.
6. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, providing jobs to residents thereby improving the economy and ultimately benefiting the city.
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: [Signature]

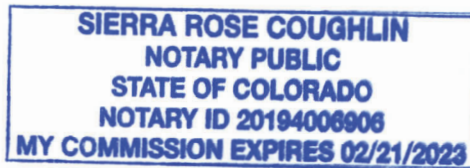
Name: Fabe Gamima Castro Espinoza

Date: 10/10/2020
11/6/2020

NOTARIZATION FOR DOCUMENT AS AN AFFIDAVIT IN SUPPORT OF KIND GLENWOOD LLC

STATE OF Colorado)
COUNTY OF Garfield)

Sworn to before me this 6th day of November, 2020
by Febe Castro Espinoza.




Notary Public

My Commission Expires: 02/21/2023

AFFIDAVIT

IN SUPPORT OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Kristine Leahy, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

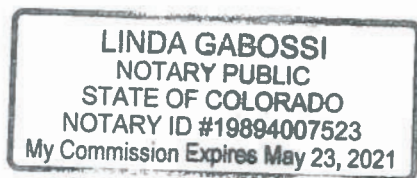
1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 1028 Blake Avenue, Glenwood Springs, CO 81601
2. The Kind Castle will mitigate odor but I certify that marijuana odor will not cause issues to my tenants.
3. Currently, our direct neighborhood does not have any retail marijuana stores. We need another marijuana retailer and I believe The Kind Castle would meet this need in our neighborhood.
4. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
5. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, and providing jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: Kristine LeahyName: Kristine LeahyDate: 10-15-20

NOTARIZATION FOR DOCUMENT AS AN AFFIDAVIT IN SUPPORT OF KIND GLENWOOD LLC

STATE OF Colorado)
COUNTY OF Garfield)

Sworn to before me this 15 day of October, 2020
by Kristine heahy



Linda Gabossi
Notary Public

My Commission Expires: 5-23-21

**RESIDENT PETITION IN SUPPORT OF THE APPLICATION FOR KIND GLENWOOD LLC
d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA
STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE SUITE B & C**

I, Valery Gonzalez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the city operate a retail marijuana store licensed at 2114 Grand Avenue, Suite B and C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado.

My address is:

50627 Hwy 6e Glenwood
Springs.

2. Since the City of Glenwood Springs voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
3. The Applicant offers better prices, quality and more options than the existing stores in Glenwood Springs.
4. At the same time, there has been no noticeable negative effects related to the retail marijuana stores.
5. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
6. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, providing jobs to residents, thereby improving the economy and ultimately benefiting the city.
7. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs, Colorado.
8. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and Licensing Authority, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs.

By:

Valery Gonzalez

Name:

Valery Gonzalez

Date:

11/12/20

**RESIDENT PETITION IN SUPPORT OF THE APPLICATION FOR KIND GLENWOOD LLC
d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA
STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE SUITE B & C**

I, Daysi Anchondo, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the city operate a retail marijuana store licensed at 2114 Grand Avenue, Suite B and C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado.

My address is:

421 22ND St Glenwood springs. CO

2. Since the City of Glenwood Springs voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
3. The Applicant offers better prices, quality and more options than the existing stores in Glenwood Springs.
4. At the same time, there has been no noticeable negative effects related to the retail marijuana stores.
5. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
6. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, providing jobs to residents, thereby improving the economy and ultimately benefiting the city.
7. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs, Colorado.
8. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and Licensing Authority, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suite B and C in the City of Glenwood Springs.

By:



Name: Daysi Anchondo

Date: 11/12/2020



CANNABIS ODOR ELIMINATION

The Kind Castle shall utilize extensive odor mitigation tactics to ensure marijuana odor is filtered from the air to avoid permeating the Applicant's marijuana store site. The new air conditioning/heating system's negative air machine (model #6560 or similar) will be equipped with an activated carbon air filter (made from 100% coconut shells) installed at the vent of the system's air return, which will powerfully draw in air from the premises and force it through the activated carbon filter and therefore eliminating odors from the premises. The filters will be changed routinely to ensure peak operation and performance at consistently and aggressively removing marijuana odor.

The Applicant shall install 2 AF-3000C Heavy Duty Odor Filtration units. These are incredibly effective odor elimination systems with the power to mitigate odors in large cultivation operations, so purifying the air of a low-odor retail store is very easy and effective for this system. One unit will be located in the retail sales area, another unit in the product storage room, which are the only areas of the of the whole building where marijuana is located. The product storage room will also only store a limited amount of marijuana product.

Additionally, The Kind Castle shall purchase and operate six (6) additional activated carbon filtration units, one in the front sales area and one in the back storage room. These additional carbon filtration systems are independent to the air filtration system running through the air conditioning/heating system defined above. The 6 individual standalone carbon air filtration systems are called Air Purifier T600, which is known as a leading activated carbon air filtration system as most effective, especially at handling marijuana terpene emissions and overall odor. The Kind Castle's plan described herein contains over five times the amount of air filtration power for the size of this proposed retail space, since just one Air Purifier T600 can remove odors from 2,000 square feet of space.

The following pages contain additional product information and technical specifications of the Air Purifier T600 and the AF-3000C units.

Heavy Odor Air Filtration



Specifications

CFM	3,000
Dimmensions	72" X 24" X 24" Length X Width X Height
Filters	2 X Paper Pre-filter- MERV 11 2 X Primary High Level of Pollutant – MERV 15 2 X 30 lb Carbon tray filters
Motor	Marathon 3/4 HP PSC motor
Amp Draw	10.2
Noise Level	62 DB
Mounting	Eyebolts / Optional: Wall Brackets
Manometer	Dwyer Series Mark II
Weight	230LB
Warranty	5 year – full replacement

Highlights

- ✓ 60 lb of charcoal media to eliminate heavy odors
- ✓ Eliminate odors from smoke to chemical
- ✓ Unit fully functional without charcoal filters installed

Included with purchase:

- ✓ 3000 CFM Filtration Unit
- ✓ 10' Remote corded switch
- ✓ (2) MERV 11 & 15 filters
- ✓ (2) 30 lb Re-fillable Carbon Trays
- ✓ Manometer
- ✓ Eye bolts
- ✓ Shipping pallet

Pricing

Standard Unit	\$2,575 + shipping
---------------	--------------------

Elite Manufacturing Specialists
720 Liberty Way
North Liberty, IA 52317
P 319.774.5450 / 844.792.0226
F 319.774.5498
sales@activefiltration.com
www.ActiveFiltration.com

Air purifier T600

An air purifier specially designed to remove the odors and gases of thousands of noxious chemicals including marijuana odor, carcinogens and tars contained in smoke.

Odor Control

There are a group of compounds found in marijuana called terpenes, in addition to the well-known cannabinoids. These essential oils give marijuana their signature tastes and aromas. Terpenes evaporate quickly making them VOCs (volatile organic compounds). This quick evaporation causes their aromas to disperse easily causing that skunky smell. Your best friend in neutralizing terpenes is activated carbon. An air purifier with the maximum amount of carbon that allows for maximum dwell time of the terpenes over the surface area will remove this smell from the premises.

Why this Air Purifier is considered #1:

- Powerful 26-lb carbon filter adsorbs odors from the air and is very effective in achieving odor mitigation.
- Unique TarBarrier pre-filter traps tars, completely eliminating them from air stream.
- HEPA barrier captures 95% of airborne particles, as small as 1 micron.
- 360° air distribution allows for purification for up to 2000 sq. ft with 2 air exchanges an hour (based on 8-foot ceilings).
- Sleek machine design that will blend in with all decors.
- Easy care and maintenance

Technical Specs

Manufacturer Suggested Room Size (sq.ft)	2,000 sq.ft
Ozone Emissions	No
Performance	
System Efficiency	95% of airborne particles $\geq$ 1 microns
Fan Speed	560 CFM (Free Flow)
Air Exchange per Hour	2
Filter Configuration	

Filter Configuration

Chemical gas & odor filter

3" Carbon Filter

26-lbs, Activated Carbon Filter (100% Coconut Shell)

Replace: 24 months

Upgrade Option

26-lbs, Impregnated Carbon Filter

The potassium iodide accelerates the binding of chemicals faster and thus removes them quicker
(Potassium Iodide, Coconut Shell Carbon)

Main Particle Filter

HEPA Barrier

95% of airborne particles $\geq$ 1 micron

Replace: 1 year

General Specifications	
Dimension	23" High, 15" Wide
Colors	Black, White, Beige
Housing Materials	Powder coat steel
Fan Speed	Variable
Casters	Yes
Voltage	115 or 220 volts



Retail Marijuana Store Project Description

Name of Applicant

KIND GLENWOOD LLC d/b/a THE KIND CASTLE

Hours of Operation

Monday — Sunday: OPEN 8am / CLOSED 7pm

Location & Zoning

2114 Grand Avenue, Suite B & C, Glenwood Springs, CO 81601 | M1 - Mixed Use Corridor (formerly C/1) Zoning

Description of Applicant's Services

The Applicant will provide (to end-use consumers) sales services consisting of the highest quality retail marijuana and marijuana-infused product. Products sold are organic driven. The business nature of the Applicant is a retail/recreational marijuana store and does not include medical sales, product-manufacturing or cultivation. Customers must be 21 years of age or older to enter, which will be **strictly** enforced through the Applicant's customer identification (ID) check/verification process including the first ID checkpoint upon entering into a fully secured, double-door lobby and then a second ID checkpoint at the sales counter. The Applicant will strictly enforce all of its policies and procedures, especially close oversight of its employees to screen all customers diligently for age and in-state/out-of-state residency status. The Applicant has a very strong interest in the knowledge of codes and compliance of this business and therefore the Applicant warrants that the business and its employees will at all times be in full compliance with the codes and regulations of the **City of Glenwood Springs** and the **State of Colorado's Marijuana Enforcement Division**. Furthermore, the Applicant has retained legal and consulting services to contribute to the current and future compliance of this business operation. The retail sales provided by the Applicant will solely occur at the **Applicant's physical business premises located at 2114 Grand Avenue, Suite B & C in Glenwood Springs** and the Applicant will not provide delivery service to customers. The Applicant will offer quality products in proper packaging in a safe environment with full respect to the all industry-standard practices.

Lighting Plan (See "Floor Plan")

The Applicant's lighting plan will fully address the safety/security of the public, respective to city code, in addition to enhancing the city's nighttime character yet respecting the residents' value of the local mountain setting. The internal and external areas of the premises will have sufficient lighting for the safety of the customers, business, and surrounding residents, however, the Applicant will take precautions to ensure the safety of the installation/maintenance of such lighting fixtures. The Applicant will be in full compliance with the City code including, but not limited to, parking, display, security, and general purpose lighting structures.

Storage of Products

The Applicant will securely store its products on-site in a room identified as the Product Storage Room, which will house all inventory, receipts and the safe, located in the back portion of the building. The Product Storage Room shall consist of 9" solid brick walls, double-bolt door, and secured safe. The Product Storage Room will also have its own alarm system, only accessible to management level staff. For adequate product safety and odor control, products will be stored inside a locked safe in labeled, sealed containers in a temperature-controlled environment. The Product Storage Room, in addition to the rest of the premises, will be under video surveillance at all times. For more details regarding Applicant's policies relating to Product Storage, see "Storage of Marijuana Products" section of the "Retail Marijuana Store Plan Summary" document accompanying the Retail Marijuana Application.

Security Plan Summary

The Applicant takes security and the safety of the public very seriously. Therefore, an extensive security plan beyond industry-standard practices will govern the business establishment. The Applicant's security plan consists of alarms, video surveillance, monitoring services, motion sensors, and many other components. The Applicant will install and maintain alarms systems on-site at the premises, with remote alarm system monitoring services which operate 24 hours per day, 7 days per week. The alarm systems will have functions of 24/7 remote monitoring services, motion detection devices throughout the premises (particularly at all points of entry/exit including windows), and security measures such as a silent duress alarm in the event of robbery during business hours. Codes for alarm systems will be changed frequently. Employees must complete several training protocols such as a complete security and safety training courses. The Applicant will not employ any person that does not appear to be able to enforce Applicant's security measures.

The Applicant will install and facilitate the full use of full color, high-resolution video surveillance 24 hours per day, 7 days per week. Internally, the video surveillance will sufficiently monitor and capture such recordings of all entrances/exits of the premises, windows, lobby area, restricted areas, Security/Product Storage Room/Safe(s), points of sale, and all rooms/space within. Externally, video surveillance will capture front, side and rear views of the premises in addition to the covering all entrances/exits, surrounding area in front of the establishment, and the alley driveway. See the "Retail Marijuana Store Plan Summary" for additional supporting details relating to the Applicant's security procedures. See Applicant's Floor Plans (drawn to scale) for indications of camera locations throughout the proposed licensed premises.

ID Check Points

The Applicant's strict policy on double checking the unexpired and appropriate identification from both in-state and out-of state customers for age verification ensures no underage person shall be sold any products from this establishment. Our store in the Town of Parachute has passed underage sting operation tests conducted by the State of Colorado's Marijuana Enforcement Division (see attached letter from the MED). All entrants to the premises have their ID checked once at the door and again at the sales counter. Employees undergo extensive and frequent training and compliance enforcements measures to IDs are consistently checked properly.

Ventilation & Odor Mitigation Plan

The Applicant's licensed premises shall include an aggressive plan to mitigate any odor from permeating through the exterior of the building containing the licensed premises. The plan will include utilizing an extensive, top-quality carbon filtration system to be installed in the building at 2114 Grand Avenue, Suite B & C, Glenwood Springs, CO 81601. The carbon odor filtration system implemented and installed by the Applicant at the licensed premises shall meet and exceed the odor mitigation requirements set forth in the City of Glenwood's Retail Marijuana Business Ordinance and expectations for such establishment. The carbon filtration shall effectively filter the air and ensure odor is never an issue. In our current operation the past 2 years, we have never had a complaint about odor. The licensed premises shall operate a fully functional ventilation system as desired by the City of Glenwood Springs.

Waste Disposal Plan

Please see "Plan Summary" and "Operations Manual" for all details related to the waste disposal plan.

AREA MAP

Proximity to the nearest marijuana business establishment

The following Area Map depictions below indicates the nearest distance from the nearest property line of the proposed Licensed Premises of the Applicant at 2114 Grand Avenue to the nearest property line of Green Dragon marijuana business located at 2922 S Glen Ave, Glenwood Springs, CO 81601 in accordance with the City of Glenwood Springs ordinance. As indicated below, the nearest other marijuana business is very far away from the Applicant's proposed retail marijuana store with separation distance of well over 3,000 feet.



AREA MAP – PROXIMITY TO OTHER MARIJUANA ESTABLISHMENT

MAP #2

DISTANCE TO NEAREST MARIJUANA STORE - GREEN DRAGON (GOOGLE MAP)

Distance from The Kind Castle to Green Dragon is 0.7 miles, which is three and half times (3.5x) the required setback buffer of 900 feet per the city's retail marijuana ordinance.



AREA MAP – PROXIMITY TO OTHER MARIJUANA ESTABLISHMENT

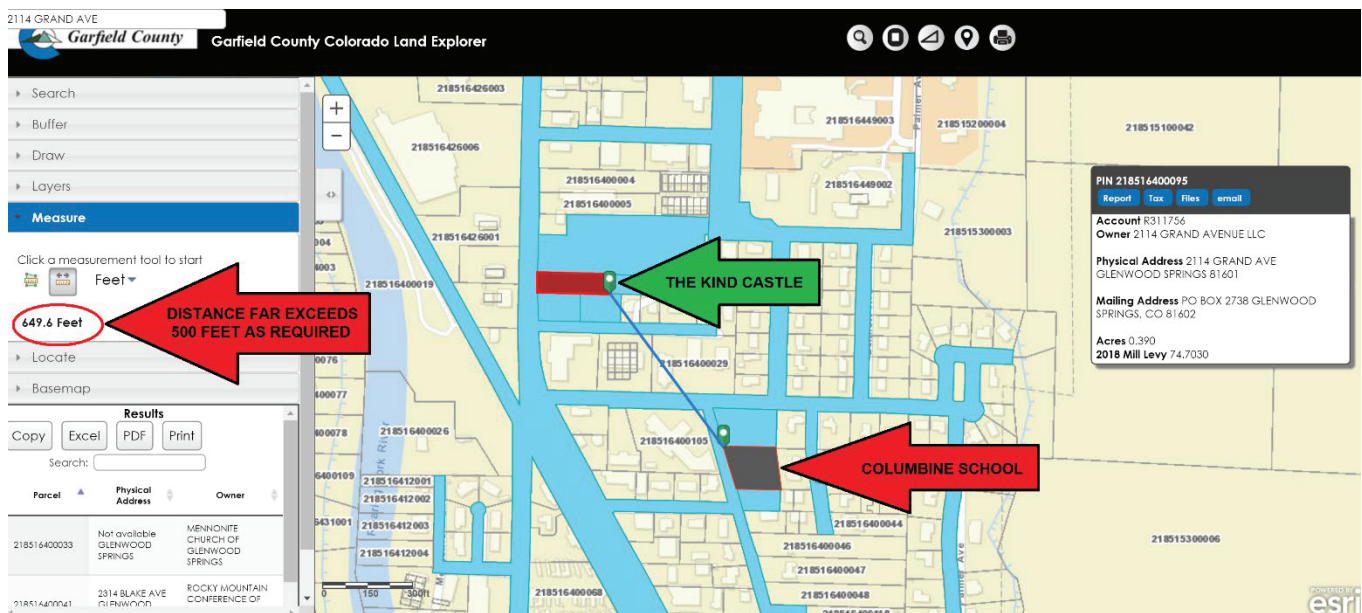
AREA MAP

Proximity to the nearest schools

The following Area Map depictions below indicates the nearest distance from the nearest property line of the proposed Licensed Premises of the Applicant at 2114 Grand Avenue to the nearest property line of Columbine School located at 2314 Blake Ave, Glenwood Springs, CO 81601 in accordance with the City of Glenwood Springs ordinance:

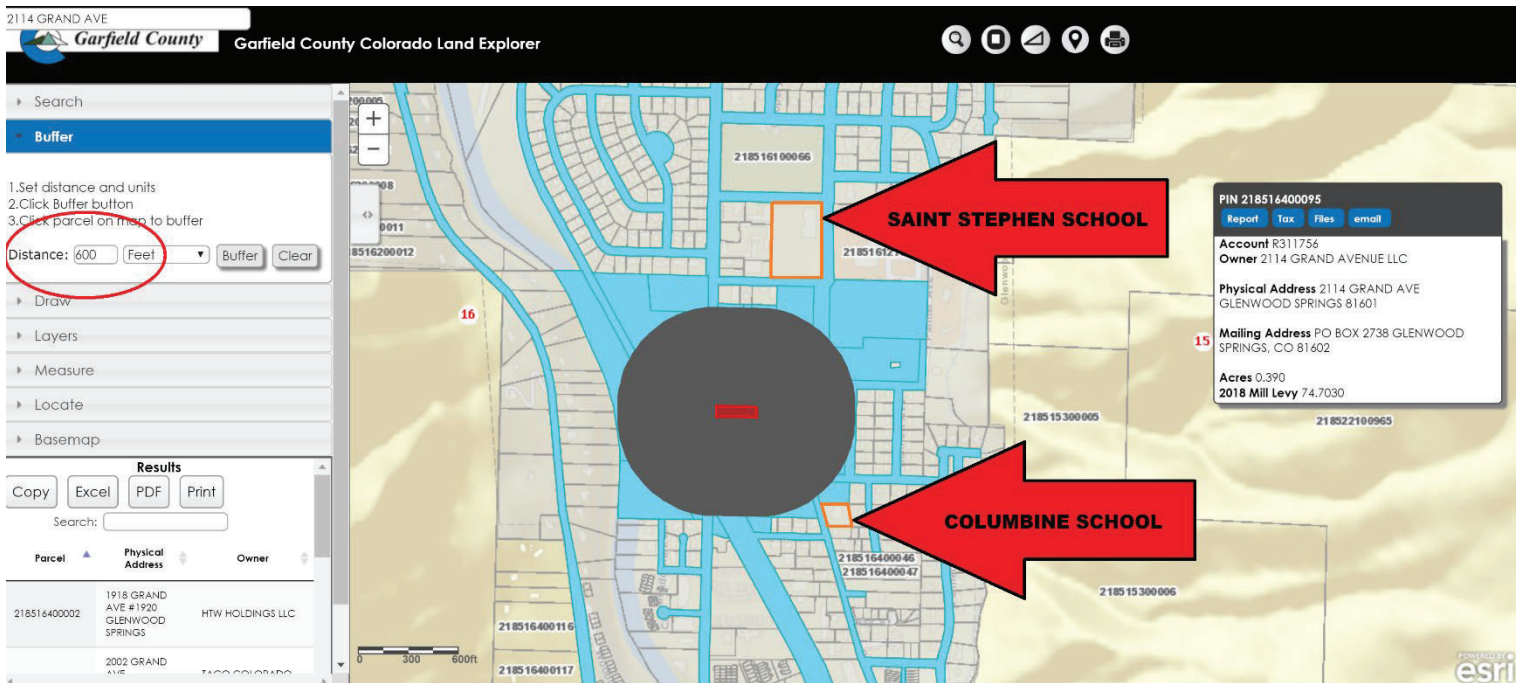
MAP 1 – DISTANCE TO COLUMBINE SCHOOL (GARFIELD COUNTY ASSESSOR)

Distance to the nearest school is approximately 650 feet distance away from Applicant's location, which significantly exceeds the city's minimum required distance of 500 feet separation. In accordance with the city's retail marijuana ordinance, this site is qualified for a retail marijuana business including the setback distance requirement to the nearest school.



MAP 2 – APPLICANT WITH A 600 FOOT BUFFER (GARFIELD COUNTY ASSESSOR)

The buffer of 600 feet was added to the Applicant's location on Garfield County Assessor's website to depict that even with a 600 foot buffer, the buffer still is far from reaching the Saint Stephen and Columbine Schools' property lines, which significantly exceeds the city's minimum required distance of 500 feet separation.



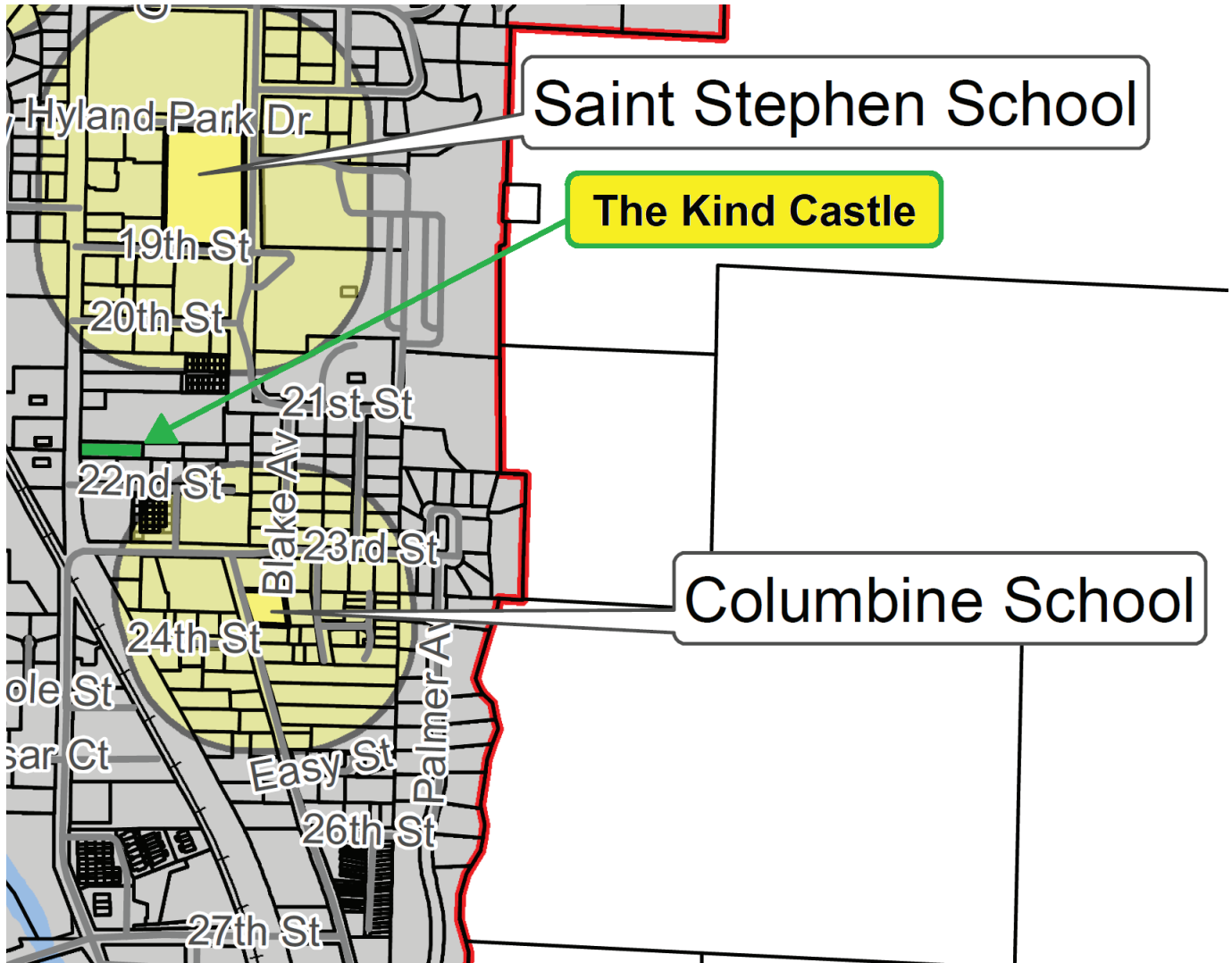
AREA MAP – Page 2 of 5

AREA MAP – PROXIMITY TO OTHER MARIJUANA ESTABLISHMENT

MAP 3 – SAINT STEPHEN/COLUMBINE SCHOOLS WITH 500 FT BUFFER (GLENWOOD SPRINGS MAP)

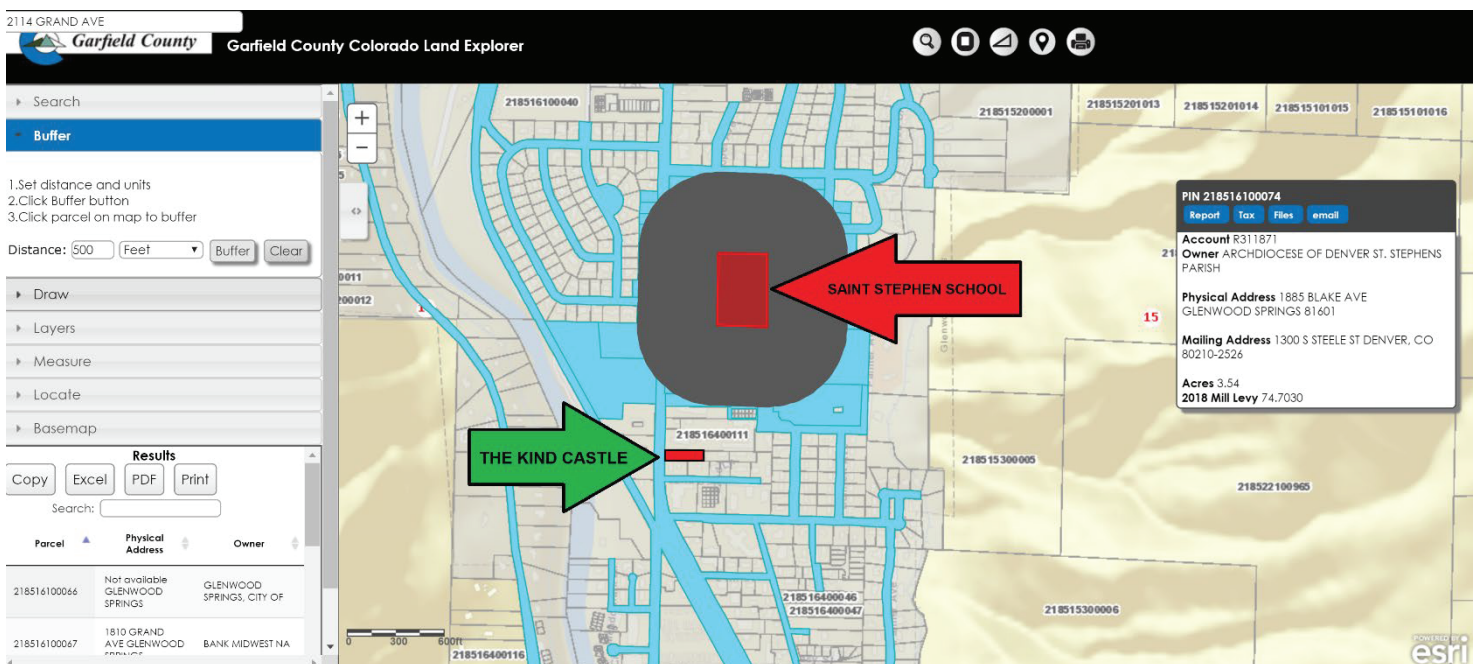
The buffer of 500 feet was added to the schools' locations created by the City of Glenwood Springs which the Applicant's indication of its location added to the map. The buffers are still far from reaching the Applicant's property lines, which significantly exceeds the city's minimum required distance of 500 feet separation.

Therefore this site is qualified per city's retail marijuana ordinance.



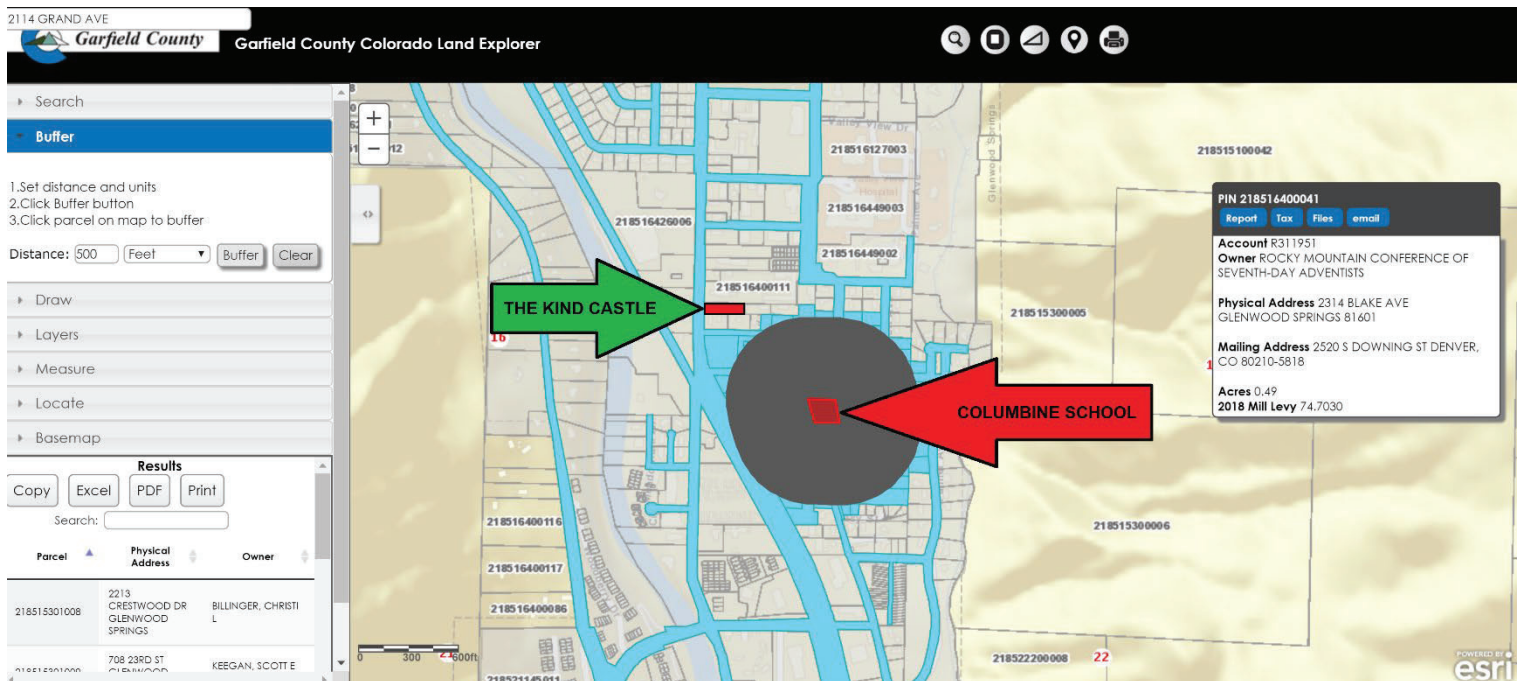
MAP 4 SAINT STEPHEN SCHOOL WITH 500 FOOT BUFFER (GARFIELD COUNTY ASSESSOR)

The buffer of 500 feet was added to Saint Stephen School on Garfield County Assessor's website to depict that with a 500 foot buffer, the buffer still is far from reaching the Applicant's property lines, which significantly exceeds the city's minimum required distance of 500 feet separation.



MAP 5 – COLUMBINE SCHOOL WITH 500 FOOT BUFFER (GARFIELD COUNTY ASSESSOR)

The buffer of 500 feet was added to Columbine School on Garfield County Assessor's website to depict that with a 500 foot buffer, the buffer still is far from reaching the Applicant's property lines, which significantly exceeds the city's minimum required distance of 500 feet separation.



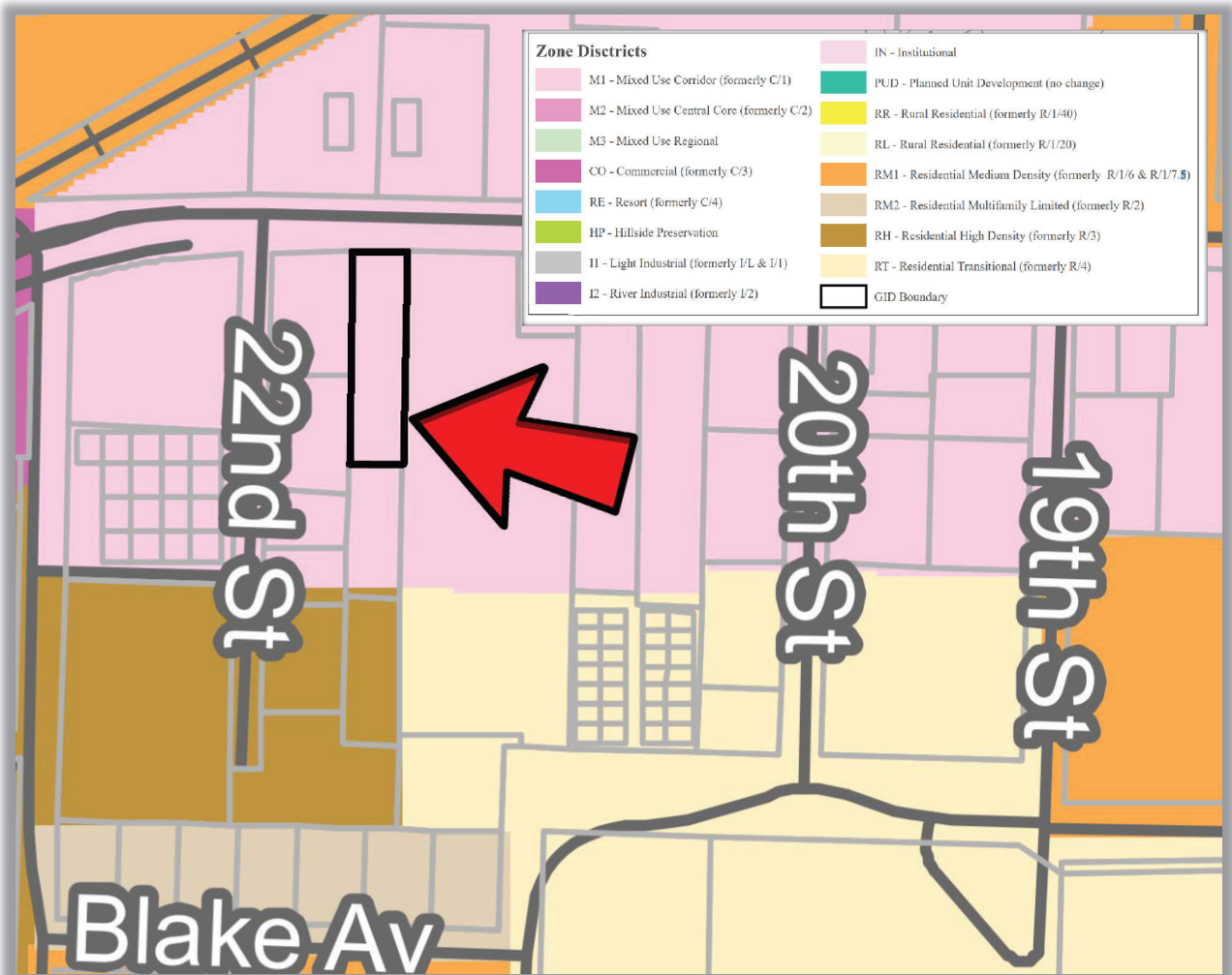
PROOF OF COMPLIANCE WITH ZONING AND LAND USE LAWS

Applicant: Kind Glenwood LLC d/b/a The Kind Castle

Property Address: 2114 Grand Avenue, Glenwood Springs

Proof that the proposed Licensed Premises will be located in a location that is compliant with the City of Glenwood Springs' zoning and land use laws.

In accordance with City of Glenwood Springs' Retail Marijuana ordinance, the following section cut from the City of Glenwood Springs zoning map provides proof that the proposed Retail Marijuana Establishment will be located in a location that is compliant with the zoning and land use laws. The proposed Retail Marijuana Establishment is located in the M1 - Mixed Use Corridor (formerly C/1) zoning area (see Legend), of which its location shall be identified in the map below as the bold black property line indicated by the **red** directional arrow in the center. As reflected below, the M1 - Mixed Use zoning is represented by the areas in **light pink** in the map below.

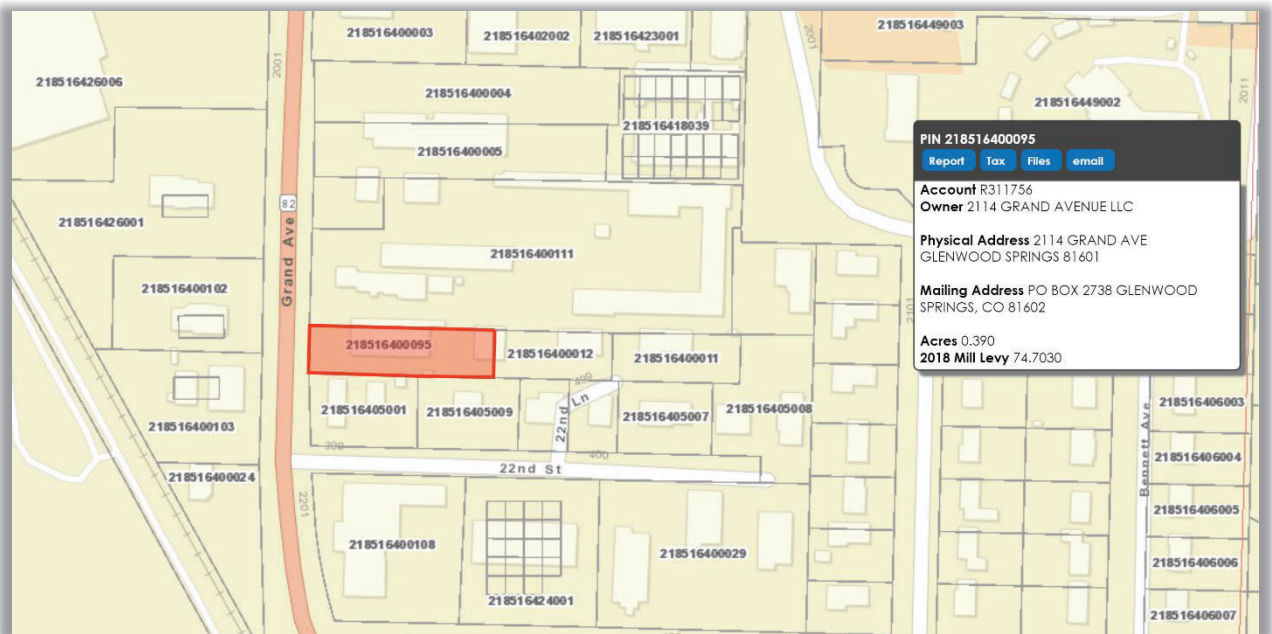


Article 1 of 2

PROOF OF COMPLIANCE WITH ZONING AND LAND USE LAWS

PROOF OF COMPLIANCE WITH ZONING AND LAND USE LAWS

The area map below, derived from the Garfield County Assessor website, displays the property lines of the proposed location outlined in the map below in blue and therefore indicates the boundaries of the property upon which the proposed Licensed Premises is located, and indicate the property is located within the city limits. There are no other Licensed Premises, or applications made thereof, within 900 feet of the applicant's proposed Licensed Premises at the time in which this application has been submitted.



Article 2 of 2

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Alexander Gonzalez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 512 10th Street apt. 30
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By:

Alexander Gonzalez

Name:

5/1/21

Date:

Alexander Gonzalez

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Roberto Carlos, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 2102 Grand Avenue Glenwood Springs CO 81601
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: [Signature]

Name: Roberto Carlos

Date: 05-01-2021

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Bryan Z Bohlander, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 2321 Bennett Ave, Apt C, Glenwood Springs, CO 81601
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: Bryan Z Bohlander

Name: Bryan Z Bohlander

Date: 8/1/2021

From: [Jennifer Ooton](#)
To: [Gretchen E Ricehill](#); [Trent Hyatt](#)
Cc: [Hannah Klausman](#)
Subject: FW: Online Form Submittal: General Comment Form
Date: Monday, November 2, 2020 8:15:33 AM

Morning,
For the record.
Thanks,
Jenn

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Saturday, October 31, 2020 1:18 PM
To: Public Information Officer <pio@cogs.us>
Subject: Online Form Submittal: General Comment Form

General Comment Form

First Name	Virginia
Last Name	Gera
Phone Number	9704041013
Email Address	Co89gera@comcast.net
Comment	I am writing in regards to the recent resubmission of an application for a special use permit for a marijuana dispensary on Grand Ave. During their previous application many neighbors and fellow citizens of Glenwood voiced their opposition to yet another pot shop in Glenwood Springs. Surely a town of 10,000, with only one grocery store, doesn't need more than eight marijuana shops. What was once a favorite family vacation destination will attract a very different type of tourist. There has been discussion on whether to impose an outright moratorium to limit additional shops or to increase the distances required between shops and from schools. While I agree shops shouldn't be on every street corner or next to schools, distance requirements have the unintended consequence of creating pockets of over-valued real estate. Pot shops, with their high profit margins, are able to offer property owners two to three times the going rate for rent or sale, which other businesses can't afford. Existing viable businesses, some of which are the only one of their kind in town, get kicked out. I know because it happened to my business. In the midst of the corona virus, when

we were already hurting from being closed for two months, we had to relocate on a month's notice because our landlord had "another use for the space".

How many times will Kind Kastle submit applications and city council turn them down before everyone realizes Glenwood has enough pot shops? Please impose a moratorium and stop this nonsense.

I understand city council's reluctance to interfere with a free market, but without government interference 7th Street would probably still be a red light district.

Sincerely,
Virginia Gera

Email not displaying correctly? [View it in your browser.](#)

Glenwood Springs Office
901 Grand Avenue, Suite 201
Glenwood Springs, Colorado 81601
Telephone (970) 947-1936
Facsimile (970) 947-1937

GARFIELD & HECHT, P.C.

ATTORNEYS AT LAW
Since 1975

www.garfieldhecht.com

Haley M. Carmer
hcarmer@garfieldhecht.com

February 17, 2020

Via E-mail

Trent Hyatt, Senior Planner
City of Glenwood Springs
101 West 8th Street
Glenwood Springs, Colorado 81601
E-mail: trent.hyatt@cogs.us

Re: Kind Castle Special Use Permit Application

Dear Mr. Hyatt:

As you know, this law firm represents Cedar Lodge Motel, Inc. Cedar Lodge has asked us to provide this letter in opposition to the Special Use Permit application (“Application”) for a retail marijuana store submitted by Kind Glenwood, LLC, d/b/a Kind Castle (“Kind”). The proposed retail marijuana store would be located at 2114 Grand Avenue (the “Property”), which is immediately adjacent to Cedar Lodge. Kind submitted the same type of application for the same use at the same Property last spring. Due to the incompatibility of the proposed use with the surrounding area and the unmitigated negative impacts of the business on its neighbors, Kind was denied the Special Use Permit it needed to operate the retail marijuana store on the Property. With City Council’s blessing, Kind was allowed to submit its new Application on November 13, 2020, which the Planning and Zoning Commission (“Commission”) will consider at its February 23, 2021 meeting. As with its past SUP application, this Application does not meet the special use permit approval criteria set forth in Section 070.060.050(e)(3)(e)(2) of the Glenwood Springs Municipal Code (“Code”) and should be denied.

According to Kind, its pending Application is materially different from its first one because Kind will be utilizing all three of the commercial units in the building on the Property, not just two; it now has access to up to 16 parking spots instead of 4 and an easement that, someday, may provide for shared access with the adjacent gas station; Kind has beefed up its odor mitigation system; the two residents at the rear of the Property purportedly support the proposed use; and the single-tenant nature of the Property will eliminate adverse traffic impacts and signage issues. None of those factors brings the Application into compliance with the Code’s SUP approval criteria.

First, nothing has changed regarding the Application’s compliance with the first approval criterion—compatibility of the use with the surrounding area. The fact remains that a retail marijuana store would be out-of-place at the proposed location. As the Commission has already

determined, locating the store at the Property will divert business from downtown, which conflicts with the Comp Plan. A business operating within an industry notorious for odor issues is also incompatible with places where people go to seek comfort, privacy, and rest such as the residential units on the Property, the Cedar Lodge Motel next door, and the numerous multi-family residential structures to the east of the Property. It should be telling that no other marijuana establishment in the City shares a wall with a residential unit, let alone two units. While the affidavit from the current tenants states that they are not opposed to the proposed use, that may not be true for future residents of the building, and Kind has no control over who those future tenants will be. Nor is the affidavit indicative of the sentiments of the residents along 22nd Street who will be impacted by the use and possibly overflow traffic from the Property. Finally, the Property is just over 300 feet from the River Bridge Regional Center office, a facility that advocates for, regularly meets with, and supports victims of child abuse. Locating a marijuana dispensary next to those uses is not compatible and is bound to lead to user conflicts and complaints.

Second, despite Kind's claims to the contrary, the Application does not adequately minimize the impacts of its proposed use on surrounding areas or the health, safety, and welfare of its inhabitants and the City. The impacts of most concern here are parking, traffic circulation, and odor. This is especially true seeing as the marijuana-housing portion of the building has increased from the last application to the pending one. That is, having more space available for the sale of marijuana means more product being stored and displayed on the Property. More marijuana means more odor and may translate to more customers and more traffic and parking concerns due to a wider variety of offerings.

Kind claims that the now 16 parking spaces located on the Property are more than enough to satisfy its needs. As an initial matter, Kind claims that all of those parking spaces will be devoted to its use, but at least three parking spots need to be reserved for the two residential units at the back of the Property per Table 030.1 of the Code. The residents in the building shouldn't be expected to give up their parking spaces and park on 22nd Street to accommodate Kind's proposed business. Even assuming Kind could use all 16 spaces located on the Property, it is clear that that number is not enough since Kind will employ 12-15 people at its store. There is no offsite parking for those employees, so some will inevitably park on the Property, reducing spots available for customers.

The inadequacy of the parking on the Property for its retail tenants—whether three different business or one—is evidenced by the constant, unauthorized use of Cedar Lodge's property for overflow parking. Videos showing how patrons of the property regularly utilize Cedar Lodge's property can be found using this link: <https://www.dropbox.com/sh/8vjxls9r35zp78c/AADxrlvOdpSHOjNnmedXVOzCa?dl=0>. That practice is bound to continue if a busy marijuana store moves in. Indeed, due to the location of the Property, there is no viable overflow parking area for Kind's customers or employees or nearby on-street parking, so it is inevitable that customers will continue to attempt to park on Cedar Lodge's property. If the Commission is at all inclined to recommend approval of the Application, at a minimum, the Commission should include a condition requiring Kind to actively prohibit and prevent overflow parking on neighboring properties by, among other things, installing signage and fencing approved by adjacent property owners. Including such an express

condition will incentivize Kind to comply with it and give the City a viable means of enforcement if overflow parking continues to be a problem.

Even with the minimal improvements Kind is proposing to make to the parking area on the Property, the layout—which staff has acknowledged is nonconforming—is also a safety concern. The parking lot deficiencies are explained in more detail in the enclosed letter from SGM. In the past, the fire department has expressed concern about responding to an emergency at the Property due to the circulation on the lot. Those concerns are not mitigated under the current Application. And the fact that the owner of the Property has secured an easement from the adjacent gas station does nothing to mitigate the current traffic circulation issues. All it does is allow a joint access point at some time in the future when the properties are redeveloped.

In addition to addressing the Property's parking circulation, the enclosed SGM letter includes a traffic generation analysis of the use proposed in the Application. According to SGM's analysis, the dispensary portion of the Property (i.e. Units B and C only) is projected to generate approximately 591 weekday trips to the Property. In contrast, the prior uses of the Property combined only generated 165 weekday trips. That change is hardly insubstantial as Kind claims. Even if Grand Avenue can handle the added capacity, the Application does not address how it will mitigate the increased safety concerns for motorists and pedestrians that may result from increased traffic into and out of the Property, especially in light of the poorly designed parking area that intuitively orients customers parking in the diagonal spaces to back toward and into Grand Avenue traffic.

Finally, with respect to odor, the air filtration systems Kind says it will use and the fact that marijuana cultivation and product manufacturing will not occur on the Property do not eliminate Cedar Lodge's concerns on this issue. Kind claims that "odor will not be an issue" and that its odor mitigation plan "will make odor impossible." Unless Kind can make its product scentless, odor will always be a possibility when it comes to a marijuana business. Of primary concern to Cedar Lodge is the location of the odor mitigation system's exterior vent. Depending on its location, it is certainly possible that the expelled air and associated odor—even if filtered—will waft directly into hotel rooms and Cedar Lodge's front office, causing discomfort and annoyance to staff and guests alike. Cedar Lodge has no way to combat those impacts and, in event, that should be Kind's obligation since it is the one bringing the nuisance to the area.

As the foregoing makes clear, the Application fails to satisfy three of the six approval criteria for a special use permit, which is reason enough to deny it. The Commission agreed before, and not enough has changed in the new Application to justify a different result. But not only is the proposed use a bad fit for the proposed location, it's a bad fit for the City as a whole. Eight marijuana store licenses have been issued by the City; there is no need for a ninth. The promise of tax revenue cannot salvage an application that does not otherwise meet the City's Code requirements.

Other than making the incompatible use bigger, nothing has changed between the last application and this one. The fact remains that the use itself—a retail marijuana store—is incompatible with other surrounding uses, and the impact of that use on adjacent properties has not been sufficiently mitigated. Cedar Lodge, on behalf of its owners and guests, therefore urges

the Commission to once again unanimously recommend denial of the Application to City Council. At a minimum, the Commission should include a condition of approval requiring Kind to address the overflow parking issue as described in this letter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Haley Carmer". The signature is fluid and cursive, with the first name "Haley" and last name "Carmer" clearly distinguishable.

Haley M. Carmer

Search

Buffer

Draw

Layers

Measure

Click a measurement tool to start

320.8 Feet

Locate

Basemap

Results

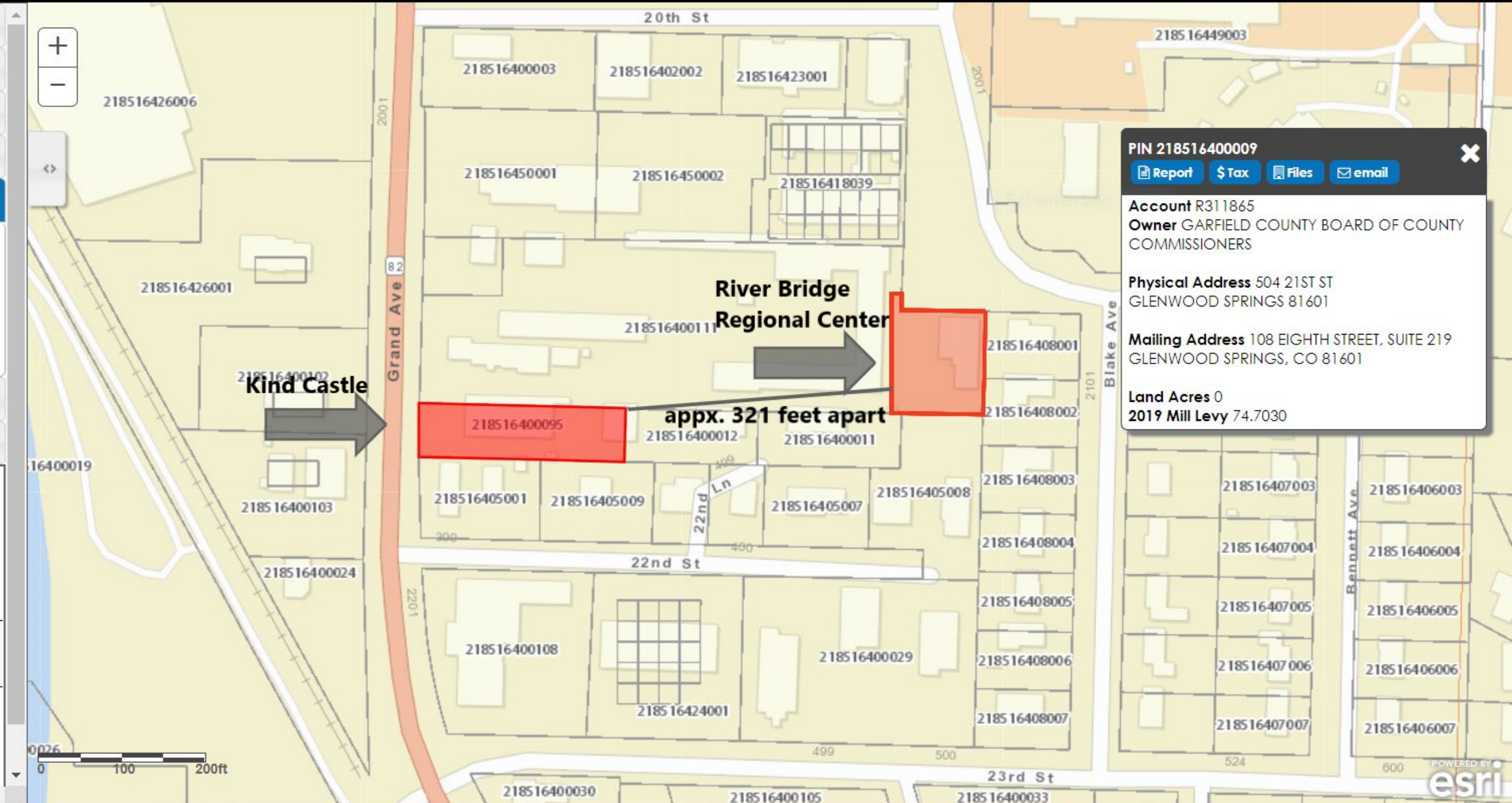
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Search:

Parcel	Physical Address	Owner
21851640009	504 21ST ST GLENWOOD SPRINGS	GARFIELD COUNTY BOARD OF COUNTY COMMISSIONERS

Showing 1 to 1 of 1 entries

Previous 1 Next



PIN 218516400009

[Report](#) [Tax](#) [Files](#) [email](#)

Account R311865

Owner GARFIELD COUNTY BOARD OF COUNTY COMMISSIONERS

Physical Address 504 21ST ST
GLENWOOD SPRINGS 81601

Mailing Address 108 EIGHTH STREET, SUITE 219
GLENWOOD SPRINGS, CO 81601

Land Acres 0

2019 Mill Levy 74.7030

MEMORANDUM

TO: Richard Koziol

FROM: Dan Cokley, PE, PTOE 

DATE: February 12, 2021

The purpose of this memo is to provide a review of the 2114 Grand Ave Kind Glenwood LLC Special Use Permit Application with cover letter dated November 11, 2020 prepared by Alpine Planning LLC. The materials reviewed include the referenced letter, the Special Use Permit Application dated November 13, 2020, and the APEX Consulting Engineers Traffic Assessment dated March 17, 2020.

I have been a Professional Engineer in Colorado since 1994 and a Professional Traffic Operations Engineer since 2014. over the past several years I have completed several Traffic Assessments and Trip Generation related to Marijuana Dispensaries that have been accepted by CDOT and local agencies. I have reviewed the Trip Generation estimates, Parking layout and traffic circulation. It is my understanding that APEX Consulting has not prepared an updated traffic assessment for this second application at 2114 Grand Avenue.

TRIP GENERATION

The existing trip generation results are based upon the data presented in the APEX Assessment.

TABLE 1 – EXISTING BUILDING TRIP GENERATION

Land Use	Number of Units	ITE Code	Weekday Rate	Design Hour Rates			Weekday Traffic	Design Hour Traffic	
				PM Rate	PM Entering	PM Exiting		PM IN	PM OUT
Frame Shop	0.8	879	56.55	6.85	3.49	3.36	45	3	3
Barber Shop	1	*	60.00	6.00	3.06	2.94	60	3	3
Pawn Shop	1	*	60.00	6.00	3.00	3.00	60	3	3
EXISTING TRIPS:							165	9	9

The proposed trip generation is based upon the Institute of Transportation Engineer's (ITE) Trip Generation Manual 10th Edition and the building square footage provided in the updated application. In my experience, the total square footage of the building used for the Marijuana Dispensary is used in the trip generation calculation This would include the lobby, the retail area and the back-room area. The area described in the application and calculated from Exhibit A plans is 2339 sf of Retail + Lobby (Suite A + B) and an additional 650 sf of office.

TABLE 2 – PROPOSED BUILDING TRIP GENERATION

Land Use	Number of Units	ITE Code	Weekday Rate	Design Hour Rates			Weekday Traffic	Design Hour Traffic	
				PM Rate	PM Entering	PM Exiting		PM IN	PM OUT
Marijuana Dispensary	2.34	882	252.70	29.93	14.97	14.97	591	35	35
Single Tenant Office	0.65	715	11.25	1.71	0.26	1.45	7	0	1
PROPOSED TRIPS:							598	35	36

The total average weekday traffic for the proposed Marijuana Dispensary is 598 vehicles per day with a typical late afternoon peak of 71 vehicles per hour. This is a significantly higher traffic volume than the existing uses have generated historically.

PARKING

Estimated parking requirements are also provided by ITE in the Parking Generation Manual, 5th Edition. Based on 2339 sf, a Marijuana Dispensary will have an estimated need for 17 parking spaces.

Review of the site plan regarding parking, it appears there are potentially 6-8 usable spaces in the front of the building. The 6 spaces fronting the building are all compact spaces, the four spaces adjacent to Grand Avenue have the potential of two practically usable spaces. Although all are questionable due to lack of dimensioning or plan scale, Angled parking at the estimated 75 degree shown, requires 21 ft stall lines, 20 ft stall depth and 9 ft stall width. There is discussion of 6 additional parking spaces in the rear of the building.

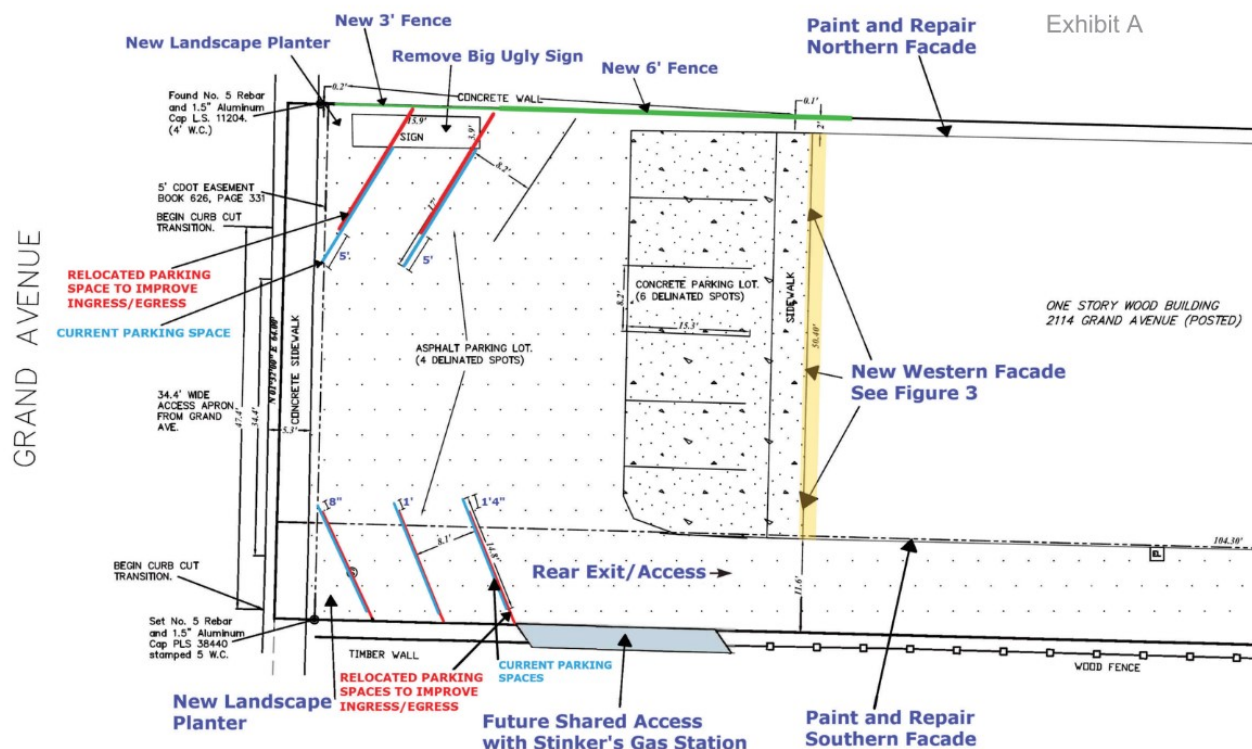


FIGURE 1 – SITE PLAN

CIRCULATION

Traffic circulation as depicted on the site plan above will be extremely difficult unless the four angled parking spaces are removed. The angled parking spaces partially block backing movements from the perpendicular front building spaces. The angled parking spaces provide backing movements that intuitively orient the driver into backing toward and into Grand Avenue traffic.

The 12 ft width one-way to access the additional parking in the rear of the building is constrained on the north by the building and to the south by fencing for over 100 ft length. Two vehicles will not be able to pass which could cause eastbound vehicles to back up into the front parking area or across the proposed Stinker's access, both which could cause chain reactions back to Grand Avenue. The situation is exacerbated by additional traffic generated by rental units at the back of the building.

In summary, the applicant needs to provide a viable plan that addresses the additional trips generated, the lack of parking and inadequate and unsafe traffic circulation.

Trip Generation

ITE Trip Generation, 10th Edition

Land Use	Number of Units	ITE Code	Design Hour Rates				Design Hour Traffic		
			Weekday Rate	PM Rate	PM Entering	PM Exiting	Weekday Traffic	PM IN	PM OUT
Frame Shop	0.8	879	56.55	6.85	3.49	3.36	45	3	3
Barber Shop	1	*	60.00	6.00	3.06	2.94	60	3	3
Pawn Shop	1	*	60.00	6.00	3.00	3.00	60	3	3
EXISTING TRIPS:							165	9	9

ITE Ttrip Generation Manual, 10th Edition	ITE Code	Basis of Rate	Time Period	PM IN	PM OUT
Marijuana Dispensary	882	Ave Rate	PM peak hour of generator	50%	50%
Single Tenant Office	715	Ave Rate	PM peak hour of generator	15%	85%
Arts and Crafts	879	Ave Rate	PM peak hour of generator	51%	49%
Barber Shop	*	Interview Owner		50%	50%
Pawn Shop	*	Assumption		50%	50%



Query

Filter

DATA SOURCE:

Trip Gen Manual, 10th Ed

▼

New data edition is available. [Click here to upgrade.](#)

SEARCH BY LAND USE CODE:

882



LAND USE GROUP:

(800-899) Retail

▼

LAND USE :

882 - Marijuana Dispensary

▼

LAND USE SUBCATEGORY:

All Sites

▼

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

▼

TIME PERIOD:

Weekday

▼

SETTING/LOCATION:

General Urban/Suburban

▼

TRIP TYPE:

Vehicle

▼

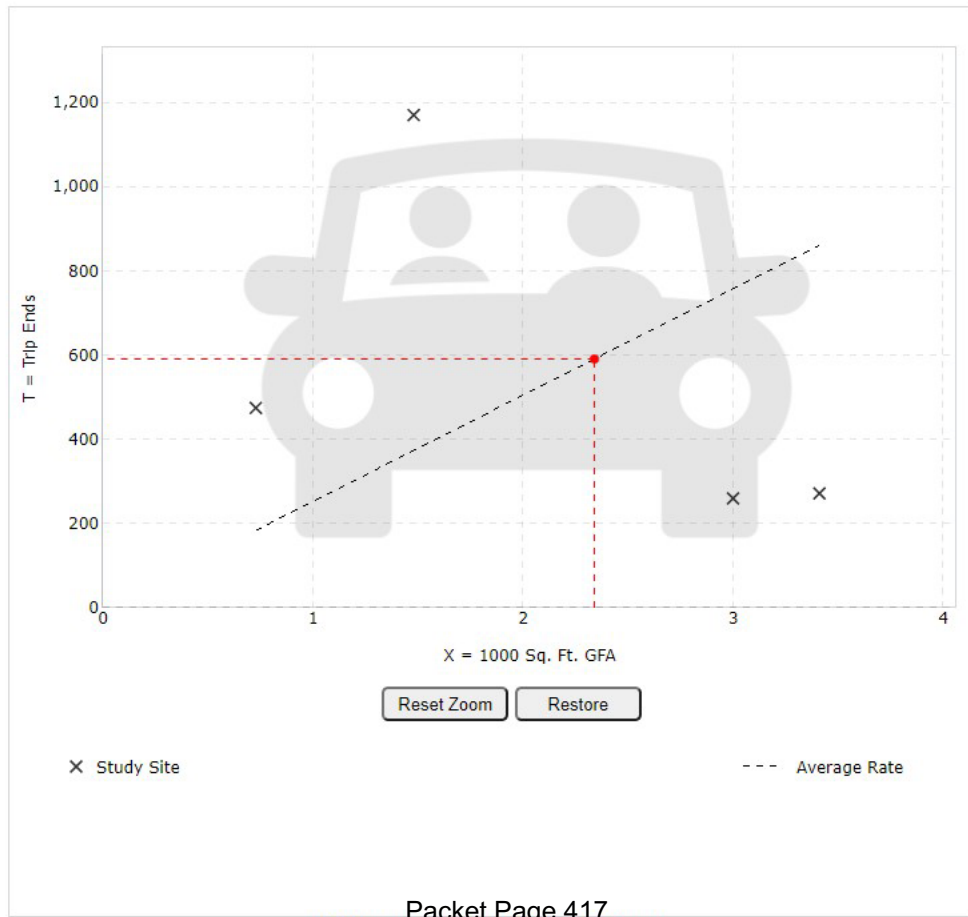
ENTER IV VALUE TO CALCULATE TRIPS:

2.34

Calculate

Data Plot and Equation

Caution – Small Sample Size



DATA STATISTICS

Land Use:	Marijuana Dispensary (882) Click for more details
Independent Variable:	1000 Sq. Ft. GFA
Time Period:	Weekday
Setting/Location:	General Urban/Suburban
Trip Type:	Vehicle
Number of Studies:	4
Avg. 1000 Sq. Ft. GFA:	2
Average Rate:	252.70
Range of Rates:	79.74 - 791.22
Standard Deviation:	336.11
Fitted Curve Equation:	Not Given
R ² :	****
Directional Distribution:	50% entering, 50% exiting
Calculated Trip Ends:	Average Rate: 591 (Total), 295 (Entry), 296 (Exit)

Graph Look Up



[Query](#) [Filter](#)

DATA SOURCE:
Trip Gen Manual, 10th Ed

New data edition is available. [Click here to upgrade.](#)

SEARCH BY LAND USE CODE:
882

LAND USE GROUP:
(800-899) Retail

LAND USE :
882 - Marijuana Dispensary

LAND USE SUBCATEGORY:
All Sites

INDEPENDENT VARIABLE (IV):
1000 Sq. Ft. GFA

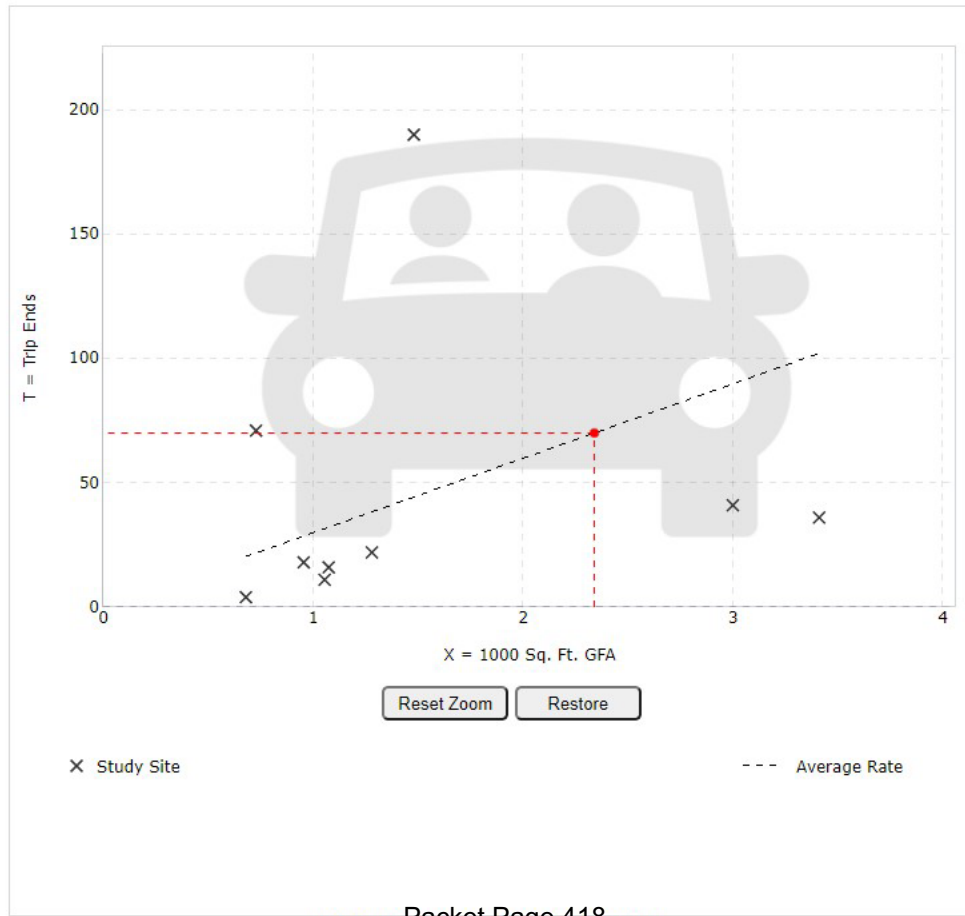
TIME PERIOD:
Weekday, PM Peak Hour of Generator

SETTING/LOCATION:
General Urban/Suburban

TRIP TYPE:
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:
2.34 [Calculate](#)

Data Plot and Equation



DATA STATISTICS

Land Use:
Marijuana Dispensary (882) [Click for more details](#)

Independent Variable:
1000 Sq. Ft. GFA

Time Period:
Weekday
PM Peak Hour of Generator

Setting/Location:
General Urban/Suburban

Trip Type:
Vehicle

Number of Studies:
9

Avg. 1000 Sq. Ft. GFA:
2

Average Rate:
29.93

Range of Rates:
5.88 - 128.38

Standard Deviation:
41.69

Fitted Curve Equation:
Not Given

R²:

Directional Distribution:
50% entering, 50% exiting

Calculated Trip Ends:
Average Rate: 70 (Total), 35 (Entry), 35 (Exit)



Query Filter

DATA SOURCE:
Trip Gen Manual, 10th Ed

New data edition is available. [Click here to upgrade.](#)

SEARCH BY LAND USE CODE:
715

LAND USE GROUP:
(700-799) Office

LAND USE:
715 - Single Tenant Office Building

LAND USE SUBCATEGORY:
All Sites

INDEPENDENT VARIABLE (IV):
1000 Sq. Ft. GFA

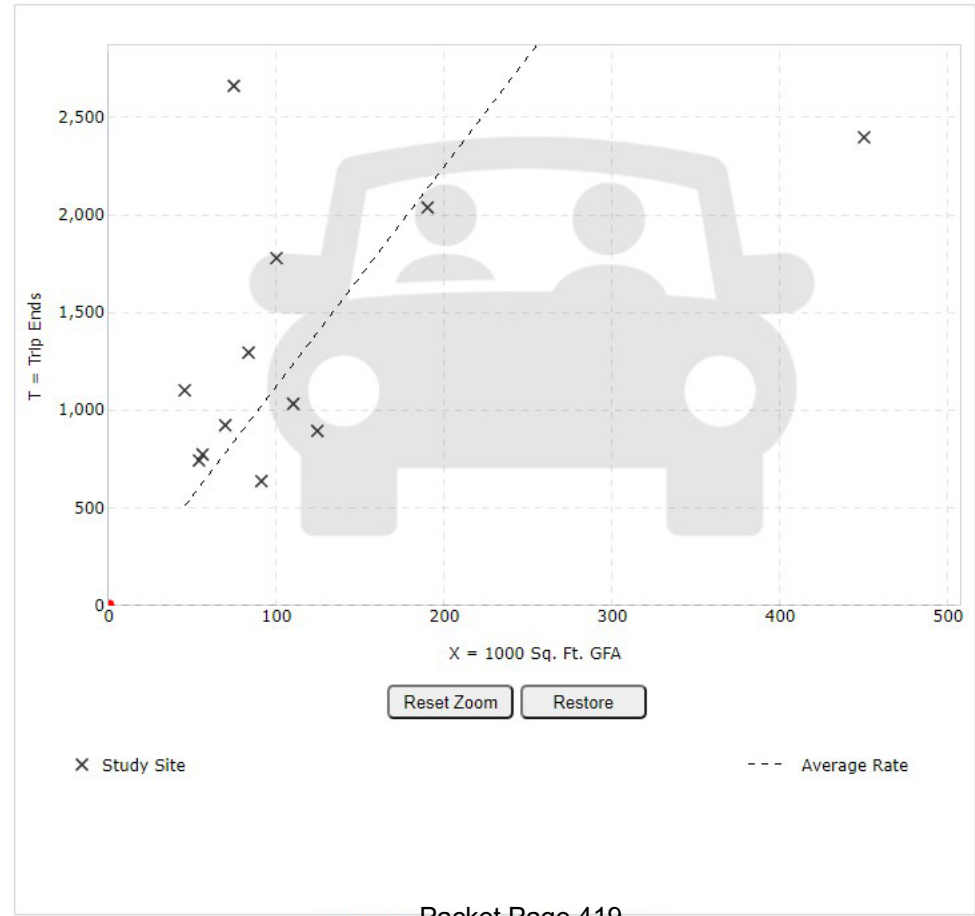
TIME PERIOD:
Weekday

SETTING/LOCATION:
General Urban/Suburban

TRIP TYPE:
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:
0.65 Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:
Single Tenant Office Building (715) [Click for more details](#)

Independent Variable:
1000 Sq. Ft. GFA

Time Period:
Weekday

Setting/Location:
General Urban/Suburban

Trip Type:
Vehicle

Number of Studies:
12

Avg. 1000 Sq. Ft. GFA:
121

Average Rate:
11.25

Range of Rates:
5.33 - 35.68

Standard Deviation:
7.71

Fitted Curve Equation:
Not Given

R²:

Directional Distribution:
50% entering, 50% exiting

Calculated Trip Ends:
Average Rate: 7 (Total), 3 (Entry), 4 (Exit)

Graph Look Up



Query

Filter

DATA SOURCE:

Trip Gen Manual, 10th Ed

New data edition is available. [Click here to upgrade.](#)

SEARCH BY LAND USE CODE:

715



LAND USE GROUP:

(700-799) Office

LAND USE :

715 - Single Tenant Office Building

LAND USE SUBCATEGORY:

All Sites

INDEPENDENT VARIABLE (IV):

1000 Sq. Ft. GFA

TIME PERIOD:

Weekday, PM Peak Hour of Generator

SETTING/LOCATION:

General Urban/Suburban

TRIP TYPE:

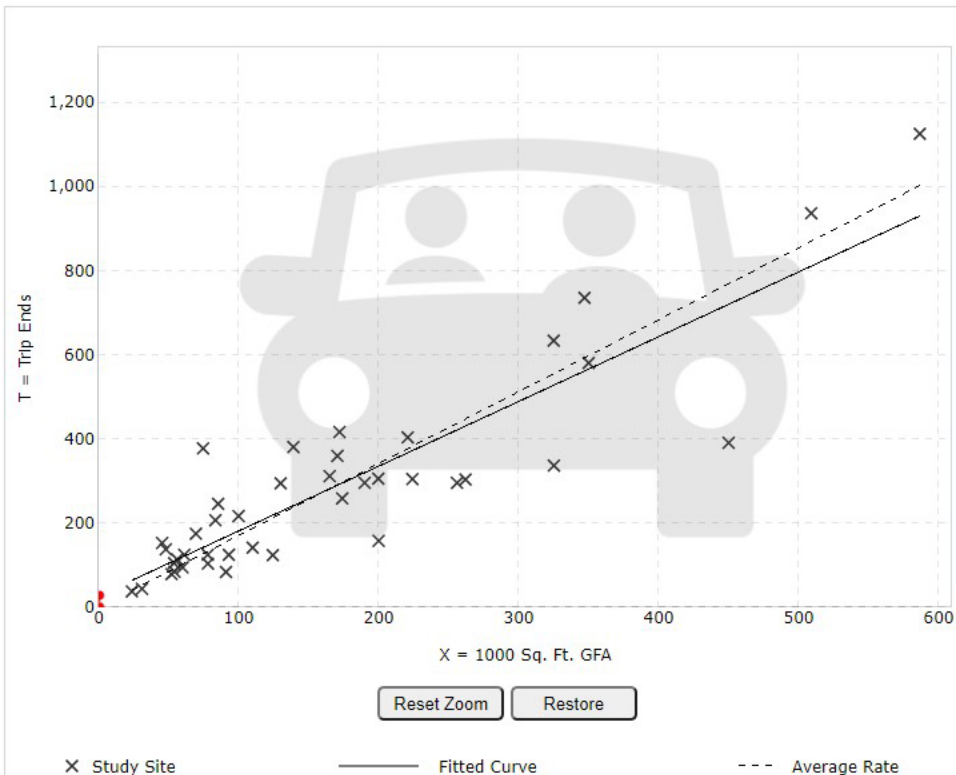
Vehicle

ENTER IV VALUE TO CALCULATE TRIPS:

0.65

Calculate

Data Plot and Equation



DATA STATISTICS

Land Use:

Single Tenant Office Building (715) [Click for more details](#)

Independent Variable:

1000 Sq. Ft. GFA

Time Period:

Weekday
PM Peak Hour of Generator

Setting/Location:

General Urban/Suburban

Trip Type:

Vehicle

Number of Studies:

41

Avg. 1000 Sq. Ft. GFA:

168

Average Rate:

1.71

Range of Rates:

0.79 - 5.07

Standard Deviation:

0.64

Fitted Curve Equation:

$T = 1.54(X) + 27.59$

R²:

0.79

Directional Distribution:

15% entering, 85% exiting

Calculated Trip Ends:

Average Rate: 1 (Total), 0 (Entry), 1 (Exit)

Fitted Curve: 29 (Total), 4 (Entry), 25 (Exit)

Graph Look Up

Query Filter

DATA SOURCE:
Parking Generation Manual, 5th Ed

SEARCH BY LAND USE CODE:
882

LAND USE GROUP:
(800-899) Retail

LAND USE:
882 - Marijuana Dispensary

LAND USE SUBCATEGORY:
All Sites

INDEPENDENT VARIABLE (IV):
1000 Sq. Ft. GFA

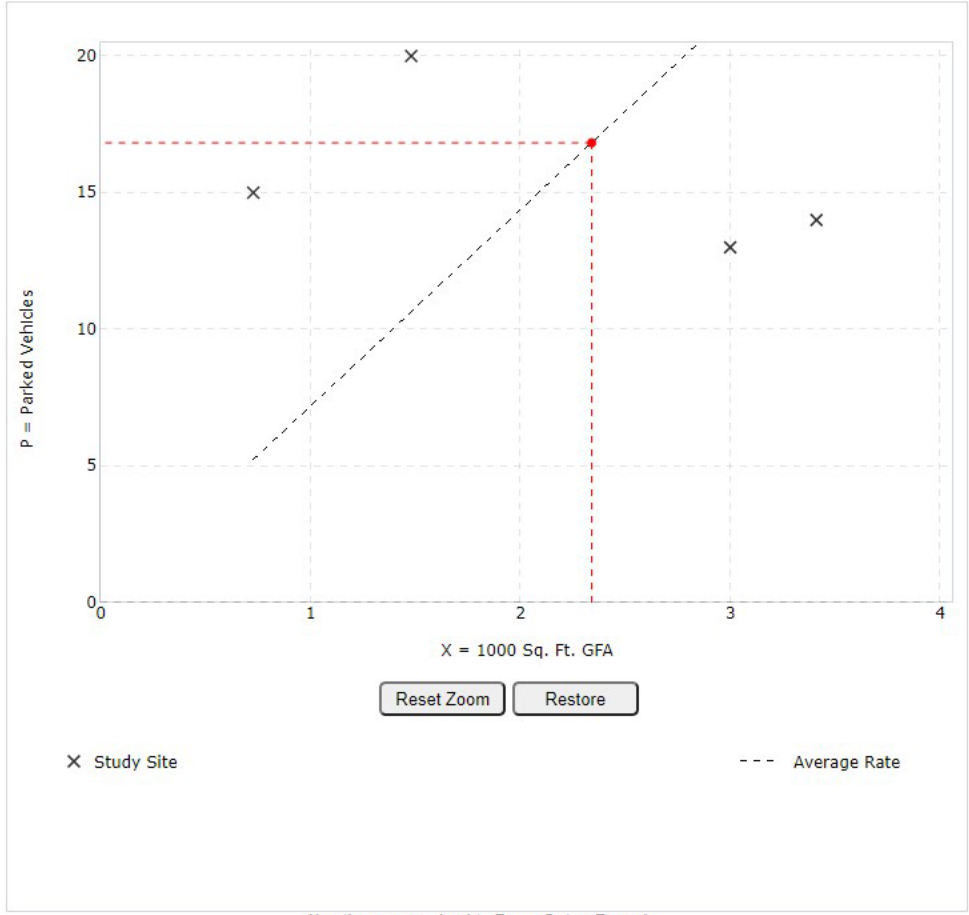
TIME PERIOD:
Weekday (Monday - Friday)

SETTING/LOCATION:
General Urban/Suburban

ENTER IV VALUE TO CALCULATE PARKING DEMAND:
2.34 Calculate

Data Plot and Equation

Caution – Small Sample Size



DATA STATISTICS

Land Use:
Marijuana Dispensary (882) [Click for more details](#)

Independent Variable:
1000 Sq. Ft. GFA

Time Period:
Weekday (Monday - Friday)

Setting/Location:
General Urban/Suburban

Peak Period of Parking Demand:
12:00 - 6:00 p.m.

Number of Studies:
4

Avg. 1000 Sq. Ft. GFA:
2.2

Average Rate:
7.19

Range of Rates:
4.10 - 20.60

33rd / 85th Percentile:
4.25 / 20.60

95% Confidence Interval:

Standard Deviation:
6.18

Coefficient of Variation:
86%

Fitted Curve Equation:

R²:

Calculated Parking Demand:
Average Rate: 17 (Total)

From: [Roger Titmus](#)
To: [Trent Hyatt](#)
Subject: The Kind Castle - Support Letter
Date: Monday, March 8, 2021 3:34:51 PM

Hi Trent,
Hope life is good for you in GS. Got the notice of our neighbor's plans to give their building a facelift.
Just wanted to drop a line saying we're in support.
All the best,

Roger Titmus
Stinker Stores
208-337-2830

This communication is the property of Stinker Stores and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

Scott Dillard

March 22, 2001

TO: City Planning Department

RE: Support of Kind Castle application

Please accept this letter of support for the Kind Castle application located at 2114 Grand Avenue. I own apartment units to the east of this location on 22nd Street and feel that a single tenant occupying this retail space would be a benefit to this section of Grand Avenue. The offer of a right turn only exit from the property would help make Grand Avenue safer at this location and at the stop sign at 22nd and Grand. The remodeled front with a raised sign would help the aesthetics of the area.

I would rather see a marijuana retail site with a single tenant than see this site with multiple tenants like it was before. I have other properties in the valley and marijuana retail sites have not caused any issues.

Thanks,

Scott Dillard

03/22/2021

Scott Dillard

Rene Tornare
PO Box 39
Aspen, CO 81612

TO: City of Glenwood Springs Planning Department
RE: 2114 Grand Avenue letter of support for Kind Castle

March 22, 2021

To whom it concerns:

I am writing this letter in support of the Kind Castle retail store at 2114 Grand Avenue. I am the owner of the 4 plex bordering this property to the east, just behind their back shop apartment. My tenants share this alley access with 2114 Grand and would greatly appreciate the changes and added benefits that this remodel, parking lot improvements and access plan would bring to this area of Grand. It is a challenge owning property in this location and this plan will make many issues better.

The marijuana operation does not affect my property at all. I do not know of any issues that these retail outlets have caused. I am more interested in having a single tenant with a new parking lot plan and limited right hand turn access on Grand. What product is sold from this location just does not matter.

Thank you for your time and best regards,

Rene Tornare

03/22/2021

Rene Tornare
Owner, 405 22nd Lane, Glenwood Springs, Colorado

RE: 06-20 Consideration of a Special Use Permit for a Retail Marijuana establishment at 2114 Grand Avenue

April 22, 2021

Dear City Council Members,

In this letter, we will address concerns on behalf of owners of Cedar Lodge Motel Inc. regarding the Special Use Permit application for a Retail Marijuana shop at 2114 Grand Avenue. Our points will highlight the inevitable safety and liability concerns should this permit be approved.

Jozef and Maria Koziol have owned Cedar Lodge for over 30 years and have greatly contributed to the Glenwood Springs community during their time here. This is a multi-generational family business and more often than not, the owners' grandkids and family members are on site with them. This is in addition to the thousands of families that choose to stay at Cedar Lodge. Our tourists love the "small-town" feel they have been accustomed to when visiting our charming town. They often tell us this. Having marijuana shops all throughout our community will definitely be detrimental. As small business owners, this is a very sensitive issue for us.

A big concern we need to address includes the safety of OUR employees, guests and visiting family members. Presently, we routinely find store patrons of 2114 Grand Ave. parked in our lot when there are not enough spots available next door. The following link is a small example of what we've witnessed at our property: <https://www.dropbox.com/sh/2kjozhdqh8dm53d/AAD2P6ZKnI5pfKol0k6Ovyfsa?dl=0>. With this being said, putting a Retail Marijuana shop in such a busy location congested with pedestrians and commuters is simply dangerous. The applicant states they will employ approximately 10 full-time employees. There is *not* enough parking for even the staff of that size, much less customers. This leads us to have numerous concerns regarding the safety of guests and staff. Overflow parking would surely become a great safety hazard as well as a huge liability for the hard-working immigrant owners. Additionally, our property includes an outdoor and indoor pool. Kids are often walking around the parking lot, enjoying our amenities. The potential for increased traffic flow of non-registered guests poses a huge risk for us.

The owners of Cedar Lodge Motel take great pride in their property and this town. The owners realize the negative impact that a Retail Marijuana establishment in such close proximity would have on their lodging business. We would also like to point out that the proposed location is near tenants and rental properties. Concerns remain for current residential tenants that have families who potentially will have to share a common wall with retail marijuana. These factors must not be overlooked.

We take our responsibility to our guests seriously and the safety and welfare of our guests and staff is top priority. This is a very sensitive subject for us and we respectfully ask you to deny the applicant's permit application. Thank you for your time.

Regards,

Barbara Koziol

Barbara Koziol (on behalf of Maria and Jozef Koziol)

Cedar Lodge Motel, Inc.
2102 Grand Ave
Glenwood Springs, CO 81601

Glenwood Springs Office
901 Grand Avenue, Suite 201
Glenwood Springs, Colorado 81601
Telephone (970) 947-1936
Facsimile (970) 947-1937

GARFIELD & HECHT, P.C.

ATTORNEYS AT LAW
Since 1975

www.garfieldhecht.com

Haley M. Carmer
hcarmer@garfieldhecht.com

April 27, 2021

Via E-mail

Trent Hyatt, Senior Planner
City of Glenwood Springs
101 West 8th Street
Glenwood Springs, Colorado 81601
E-mail: trent.hyatt@cogs.us

Re: Kind Castle Special Use Permit Application

Dear Mr. Hyatt:

As you know, this law firm represents Cedar Lodge Motel, Inc. Cedar Lodge has asked us to provide this letter in opposition to the Special Use Permit application (“Application”) for a retail marijuana store submitted by Kind Glenwood, LLC, d/b/a Kind Castle (“Kind”). The proposed retail marijuana store would be located at 2114 Grand Avenue (the “Property”), which is immediately adjacent to Cedar Lodge. Kind submitted the same type of application for the same use at the same Property last spring. Due to the incompatibility of the proposed use with the surrounding area and the unmitigated negative impacts of the business on its neighbors, Kind was denied the Special Use Permit it needed to operate the retail marijuana store on the Property. City Council will be considering Kind’s new Application on May 6, 2021. As with its past SUP application, this Application does not meet the special use permit approval criteria set forth in Section 070.060.050(e)(3)(e)(2) of the Glenwood Springs Municipal Code (“Code”) and should be denied.

Kind was allowed to submit its pending Application because, according to Kind, it is materially different from its first one. But the changes Kind has made to its proposal are not enough to bring the Application into compliance with the Code’s SUP approval criteria. First and foremost, nothing has changed regarding the Application’s compliance with the first approval criterion—compatibility of the use with the surrounding area. The fact remains that a retail marijuana store would be out-of-place at the proposed location. As the Planning & Zoning Commission (“P&Z”) and Council found the first time around, locating the store at the Property will divert business from downtown and other commercial centers, which conflicts with the City’s Comprehensive Plan. A business operating within an industry notorious for odor issues is also incompatible with places where people go to seek comfort, privacy, and rest such as the residential units on the Property, the Cedar Lodge Motel next door, and the numerous multi-family residential structures to the east of the Property. It should be telling that Kind’s facility

may be the first marijuana establishment in the City to share a wall with a two¹ residential units. Council should be weary of setting a precedent of this nature. Note too that the Property is just over 300 feet from the River Bridge Regional Center office, a facility that advocates for, regularly meets with, and supports victims of child abuse. Locating a marijuana dispensary next to those uses is not compatible and is bound to lead to user conflicts and complaints.

Similarly, even though there are other dispensaries near hotels in the City, none are as close to those lodging facilities as Kind's shop would be to Cedar Lodge. The Green Dragon dispensary on South Glen Avenue (an example Kind referred to during the public hearing before P&Z) is separated from the nearest hotel by the Taqueria El Nopal/Smoker Friendly building and parking lot and 29th Street, a distance door-to-door of over 500 feet. Kind's recently-approved dispensary in Glenwood Meadows is across Wulfsohn Road from the Marriott hotels and is not visible from the entry of those buildings. Finally, the distance between the southwest corner of the Hotel Colorado and the northeast corner of the former Martin's Recreational building was nearly 200 feet. In contrast, Cedar Lodge and the Property share a boundary line, the Cedar Lodge owners live on-site with family visiting regularly, and the distance between the front door of Kind's proposed dispensary and the front door of Cedar Lodge's front office is approximately 90 feet. To argue that a marijuana dispensary on the Property is compatible with surrounding uses just because other dispensaries might be close to hotels in other parts of the City is not persuasive considering the unique aspects of the Property and adjacent uses. Hence the need for special review of the Application to consider issues specific to the location of the proposed development.

Second, despite Kind's claims to the contrary, the Application does not adequately minimize the impacts of its proposed use on surrounding areas or the health, safety, and welfare of its inhabitants and the City. The impacts of most concern here are parking, traffic circulation, and odor. This is especially true seeing as the marijuana-housing portion of the building has increased from the last application to the pending one. That is, having more space available for the sale of marijuana means more product being stored and displayed on the Property. More marijuana means more odor and may translate to more customers and more traffic and parking concerns due to a wider variety of offerings.

Kind claims that the now 16 parking spaces located on the Property are more than enough to satisfy its needs. As an initial matter, Kind claims that all of those parking spaces will be devoted to its use, but at least three parking spots need to be reserved for the two residential units at the back of the Property per Table 030.1 of the Code. The residents in the building shouldn't be expected to give up their parking spaces and park on 22nd Street to accommodate Kind's proposed business. Even assuming Kind could use all 16 spaces located on the Property, it is clear that that number is not enough since Kind will employ 12-15 people at its store. There is no offsite parking for those employees, so some will inevitably park on the Property, reducing spots available for customers.

¹ Based on Garfield County assessor records, Kind argued at the P&Z hearing that two other marijuana stores in Glenwood—the Green Joint and Doctor's Garden—have residential uses on site. Even if that is the case, it is not clear whether the residential use at the Green Joint is in the same building as the dispensary, and the residential use at the Doctor's Garden may be on the upper floor of that building. In that event, there would be more separation between the marijuana and residential uses (if any) than exists on the Property at issue here.

The inadequacy of the parking on the Property for its retail tenants—whether three different business or one—is evidenced by the constant, unauthorized use of Cedar Lodge’s property for overflow parking. A separate letter submitted to Council on behalf of the Cedar Lodge owners includes a link to videos showing how patrons of the Property regularly utilize Cedar Lodge’s parking area. That practice is bound to continue if a busy marijuana store moves in. Indeed, due to the location of the Property, there is no viable overflow parking area for Kind’s customers or employees or nearby on-street parking, so it is inevitable that customers will continue to attempt to park on Cedar Lodge’s property. If Council is at all inclined to recommend approval of the Application, at a minimum, Council should include a condition requiring Kind to actively prohibit and prevent overflow parking on neighboring properties by, among other things, installing signage and fencing approved by adjacent property owners. Including such an express condition will incentivize Kind to comply with it and give the City a viable means of enforcement if overflow parking continues to be a problem.

Even with the minimal improvements Kind is proposing to make to the parking area on the Property, the layout—which staff has acknowledged is currently nonconforming—is also a safety concern. In the past, the fire department has expressed concern about responding to an emergency at the Property due to the circulation on the lot. Indeed, first responders have had to park on Cedar Lodge’s property when responding to emergencies at the Property due to its inadequate parking area and circulation. Those concerns are not mitigated under the current Application. And the fact that the owner of the Property has secured an easement from the adjacent gas station does nothing to mitigate the current traffic circulation issues. All it does is allow a joint access point at some time in the future when the properties are redeveloped.

Shortly before the February 23, 2021, P&Z hearing, Kind completed a new traffic study of its proposed use. The traffic study Kind submitted with its first SUP application last year projected that a dispensary (notably, one smaller than is proposed in the Application) would nearly double the existing, average daily trips to and from the Property. According to the new study, the peak hour trips generated by a dispensary on the Property would be about the same as the existing peak hour trips. But the new study is based on traffic counts conducted at the Green Dragon dispensary on South Glen Avenue, not the ITE Trip Generation Manual. Whether the traffic generated at Kind’s dispensary would be more or less than what is experienced at Green Dragon remains to be seen. And regardless of any additional traffic and Grand Avenue’s capacity to accommodate it, cars entering and exiting the Property will impact the flow of traffic (and motorist, pedestrian, and bicycle safety) differently than what’s experienced at the Green Dragon considering (i) the Property’s poorly designed parking area that intuitively orients customers parking on site to back toward and into Grand Avenue traffic and (ii) Green Dragon’s two easily-accessible access points.

Finally, with respect to odor, the air filtration systems Kind says it will use and the fact that marijuana cultivation and product manufacturing will not occur on the Property do not eliminate Cedar Lodge’s concerns on this issue. Kind claims that “odor will not be an issue” and that its odor mitigation plan “will make odor impossible.” Unless Kind can make its product scentless, odor will always be a possibility when it comes to a marijuana business. Of primary concern to Cedar Lodge is the location of the odor mitigation system’s exterior vent. To date,

Kind has not explained where its HVAC system will vent the filtered air. Depending on its location, it is certainly possible that the expelled air and associated odor—even if filtered—will waft directly into hotel rooms and Cedar Lodge’s front office, causing discomfort and annoyance to staff and guests alike. Cedar Lodge has no way to combat those impacts and, in any event, that should be Kind’s obligation since it is the one bringing the nuisance to the area.

As the foregoing makes clear, the Application fails to satisfy three of the six approval criteria for a special use permit, which is reason enough to deny it. Council agreed once before, and not enough has changed in the new Application to justify a different result. But not only is the proposed use a bad fit for the proposed location, it’s a bad fit for the City as a whole. Eight marijuana store licenses have been issued by the City; there is no need for a ninth, especially when that license will go to a company that was recently granted the same type of license for another location in the City. The promise of tax revenue cannot salvage an application that does not otherwise meet the City’s Code requirements.

Other than making the incompatible use bigger, nothing has changed between the last application and this one. The fact remains that the use itself—a retail marijuana store—is incompatible with other surrounding uses, and the impact of that use on adjacent properties has not been sufficiently mitigated. Cedar Lodge, on behalf of its owners and guests, therefore urges City Council to once again deny the Application. At a minimum, Council should include a condition of approval requiring Kind to address the overflow parking issue by, among other things, installing signage and fencing approved by adjacent property owners.

Very truly yours,

A handwritten signature in black ink, appearing to read "Haley Carmer", written in a cursive style.

Haley M. Carmer

AFFIDAVIT OF REAR NEIGHBOR RESIDENT

IN SUPPORT OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Martin Jinez Lopez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado.
My address is: 2114 Grand Avenue Apt 1H
2. I believe The Kind Castle can mitigate odors but the odor from marijuana will not bother me or my family.
3. Currently, our direct neighborhood does not have any retail marijuana stores. We need another marijuana retailer and I believe The Kind Castle would meet this need in our neighborhood.
4. Currently, the nearest marijuana store is well over 3,000 feet away from my residence, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking, sign, and egress/ingress traffic. The Kind Castle's new application is substantially different.
6. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, providing jobs to residents thereby improving the economy and ultimately benefiting the city.
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: Martin Jinez Lopez

Name: Martin Jinez Lopez

Date: 04/17/2024

NOTARIZATION FOR DOCUMENT AS AN AFFIDAVIT IN SUPPORT OF KIND GLENWOOD LLC

STATE OF Colorado)
COUNTY OF Garfield)

Sworn to before me this 17th day of April, 2021,
by Martin Topete.

Kira Robbins
Notary Public

My Commission Expires: Mar 2, 2025



AFFIDAVIT OF PARTY IN INTEREST

IN SUPPORT OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

1. Alex M Sanchez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado.
My address is: Mountain Shadow 334
2. I believe The Kind Castle can mitigate odors but the odor from marijuana will not bother me or my family.
3. Currently, our direct neighborhood does not have any retail marijuana stores. We need another marijuana retailer and I believe The Kind Castle would meet this need in our neighborhood.
4. Currently, the nearest marijuana store is well over 3,000 feet away from my residence, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different.
6. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, providing jobs to residents thereby improving the economy and ultimately benefiting the city.
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: 

Name: Alex

Date: 4-22-2021

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

- I, COLLIN TRICHE, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:
1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: E 23rd ST ASPENWOOD APARTMENTS
 2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
 3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
 4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
 5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
 6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
 7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
 8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
 9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
 10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
 11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
 12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: C. Triche

Name: COLLIN TRICHE

Date: 4/22/21

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, SPENCER ICE, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 417 E 23rd ST.
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: Spencer Ice Name: Spencer Ice

Date: 4-22-21

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Andrew Johnson, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 418 E 23 St
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

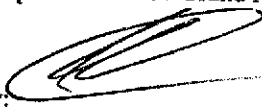
By: Andrew Johnson Name: Andrew Johnson
Date: 4-22-21

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Carlos Gonzalez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 1128 Pixin Ave
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: 

Name: Carlos Gonzalez

Date: 04/22/2021

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Emanuel Gonzalez, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: Mountain Shadow 3345
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
7. There has been no noticeable negative effects or complaints related to the retail marijuana stores.
8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: Emanuel Gonzalez Name: [Signature]

Date: April 22, 2021

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, JUAN NUNEZ, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 50627 WY 6 -24 GLENWOOD SPRINGS CO
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
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8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: [Signature] Name: _____

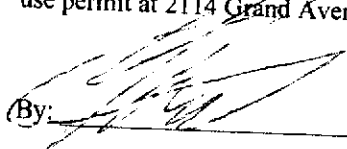
Date: JUAN NUNEZ 4-22-21

PETITION IN SUPPORT

OF THE APPLICATIONS OF KIND GLENWOOD LLC d/b/a THE KIND CASTLE TO RECEIVE CITY APPROVALS FOR ITS RETAIL MARIJUANA STORE LICENSE AND SPECIAL USE PERMIT AT 2114 GRAND AVENUE IN GLENWOOD SPRINGS

I, Stanley Anggasuriza, state the following in support of Kind Glenwood LLC d/b/a The Kind Castle's (hereinafter "The Kind Castle") application to apply for and receive all approvals from the City to operate a Retail Marijuana Store licensed at 2114 Grand Avenue, Suites A-C, Glenwood Springs, CO 81601:

1. As a Party in Interest, 21 years of age or older, I reside in the City of Glenwood Springs, Colorado. My address is: 2321 Bennett Ave. Unit A Glenwood Springs, CO
2. Currently, the direct neighborhood of The Kind Castle's location does not have any retail marijuana stores. We need another marijuana retailer in that area and The Kind Castle would meet this need in the neighborhood.
3. The Applicant offers better prices, quality, and more options than existing stores in Glenwood Springs.
4. Currently, the nearest marijuana store is well over 3,000 feet away from this property, therefore as a Party in Interest, the desires of the adult inhabitants is to allow this retail marijuana store to operate.
5. I believe The Kind Castle will mitigate odors but the odor from marijuana will not cause any nuisance.
6. One business occupying the entire commercial front of the building such as The Kind Castle is desired to better manage the parking and egress/ingress traffic. The Kind Castle's new application is substantially different than the prior one because it now encompasses the entire retail front (Suites A, B and C), with Suite B as the retail sales area instead of Suite C therefore eliminating all the prior application's issues (i.e. parking, odor, traffic, etc).
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8. I believe approving this retail marijuana store license and special use permit meets the needs of the neighborhood and desires of the adult inhabitants in the City of Glenwood Springs since this approval will bring additional customers to the area and surrounding businesses, promote walkability instead of driving, serve the Hispanic community, and provide jobs to residents thereby improving the economy and ultimately benefiting the city.
9. I support The Kind Castle and their application to receive a retail marijuana store license at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs. Since this business meets my needs as an adult inhabitant, I also support the continuous renewal of this license and permit annually.
10. I believe The Kind Castle meets all requirements set forth by the City of Glenwood Springs to operate a retail marijuana business at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs, Colorado.
11. Since the City voted to allow retail marijuana sales, there has been significant development in City as a result of the new retail marijuana stores. There has also been an increase in visitors and tourism for marijuana products.
12. Based on the foregoing, I request that the City of Glenwood Springs, including its City Council and its Planning and Zoning Commission, approve The Kind Castle's application for a retail marijuana store license and special use permit at 2114 Grand Avenue, Suites A-C, in the City of Glenwood Springs.

By: 

Name: Stanley Anggasuriza

Date: 04/22/21

**Engineering
Department**

**Jessica Bowser
Asst. City
Engineer**

Date: December 18, 2020

To: Community Development

Re: Kind Castle 2114 Grand Avenue

Please see the following comments from Engineering for the Special Use Review.

1. CDOT will still issue the access permit for this site, even with a proposed reduction in traffic.
2. There should be a shared access easement dedication for a shared access with the Sinclair station.
3. Parking is still a concern. The current proposal retains parking that does not meet the existing design standards with poor configuration where cars would back up into the sidewalk. Something similar to this could help protect pedestrians and lower risk to SH 82 traffic:

4. Is there an existing easement for the use of 22nd Lane?

From: [Aggen - CDOT, Kandis](#)
To: [Trent Hyatt](#)
Cc: [Brian Killian - CDOT](#)
Subject: Re: FW: 12/21 Department Review Meeting
Date: Friday, December 18, 2020 10:21:41 AM
Attachments: [image001.png](#)

Hi Trent,

Thanks for keeping us in the loop. Our previous comments still apply. They will need an access permit, proof of the shared easement with the neighboring parcel to the south and a revised traffic study. Let me know if you need any further information.

Thanks,

Kandis Aggen
Assistant Access Manager
Region 3 Traffic & Safety



P 970.683.6270 | F 970.683.6290
kandis.aggen@state.co.us | www.codot.gov
222 S. Sixth St., Rm 100, Grand Junction, CO 81501



On Wed, Dec 16, 2020 at 3:08 PM Trent Hyatt <trent.hyatt@cogs.us> wrote:

Hi Kandis,

I want to inform you of a revised yet similar application for a retail marijuana established at 2114 Grand Avenue here in the Glenwood Springs. You can find details for the application via the link provide in the attached agenda. While the agenda is for a City staff meeting, I would still like to know if CDOT has any new/revised comments. There wasn't much concern regarding the application previously and site traffic should actually reduce since the pawn shop will no longer operate there. Regardless, please let me know if you have any questions or concerns.

Best regards,

Trent L. Hyatt

970.384.6427 (p)

trent.hyatt@cogs.us

From: [Killian - CDOT, Brian](#)
To: [Trent Hyatt](#)
Cc: [Christopher Hawkins](#); [John Dyet](#); [Kandis Aggen - CDOT](#)
Subject: Re: TA Kind Castle Glenwood Dispensary2 210119 Final.pdf
Date: Tuesday, January 26, 2021 3:16:43 PM
Attachments: [image002.png](#)

Trent,

Thanks for sending this to us for review. After reviewing the traffic study, CDOT has no concerns or comments with this development.

Thanks,

Brian Killian
Region 3 Access Program Manager
Traffic & Safety



P 970-683-6284 | C 970-210-1101 | F 970-683-6290
222 S. 6th St, Room 100 Grand Junction, CO 81501
brian.killian@state.co.us | www.codot.gov | www.cotrip.org

On Tue, Jan 26, 2021 at 10:03 AM Trent Hyatt <trent.hyatt@cogs.us> wrote:

Chris,

I let you know if Engineering has any additional comments. I have copied Kandis Aggen and Brian Killian at CDOT as well in case they have any comments on the revised traffic estimate due to the removal/change of use proposed.

Thanks,

Trent L. Hyatt

970.384.6427 (p)

trent.hyatt@cogs.us

Egress Improvement Signage

The Applicant fully commits to restricting Grand Avenue egress to right-turn only from the property. Eliminating left-turning egress traffic is a substantial improvement to the safety of this section of Grand Avenue. Additionally, this will expedite the clearance of customer traffic entering and exiting the parking lot.

The Applicant shall enforce this on its property by posting “right turn only” signage as depicted below and informing customers to exit onto Grand Ave via right-turn only.



2114 Grand Ave., Glenwood Springs, CO 81601



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item:	Ordinance No 2021-03 of the City of Glenwood Springs, Colorado, Amending Title 070 Sections 070.010.070, 070.020.020, 070.030.020, 070.030.030, 070.030.040, 070.040.020, 070.040.050, 070.040.060, 070.040.080, 070.040.090, 070.040.110, 070.050.040, 070.060.020, 070.060.050, 070.060.070, 070.070.020, AND 070.070.030 of the Glenwood Springs Municipal Code.
Action Requested:	Planning File 66-20 Consideration of various code text amendments to Municipal Code Title 070 including but not exclusive of Sections 070.020, 070.030, 070.040, 070.060 and 070.070 regarding Use Regulations; Accessory Uses; Landscaping, Screening and Fencing; Off-street Parking; Signs; Administration and Procedures; and Rules of Construction and Definitions.
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 which updated a code that had been in place since the 1970s. As staff applies the new code we continue to find errors that require correction as well as provisions that need clarification or modification. We also find opportunities to add new provisions that address issues or procedures that were not contemplated under the old code or the 2018 update. The Planning and Zoning Commission conducted workshops in the fall of 2020 as well as public hearings on December 15, 2020 and March 23, 2021 to consider a number of code amendments including adding design variance criteria; adding regulations that address portable storage containers; correcting and clarifying sign code provisions; and renaming the "Construction Plans" procedure for clarity. All of the code revisions are detailed in the attached March 23, 2021 Planning and Zoning Commission staff report. A spreadsheet included with the report provides code citations, descriptions of errors or issues, and recommended corrections. During the December 15, 2020 and March 23, 2021 hearings, the Commission modified some of staff's recommendations. These are highlighted and noted in the spreadsheet.
Issues:	None.
Staff Recommendation:	At their March 23, 2021 hearing, the Planning and Zoning Commission found that the recommended amendments satisfied the code amendment approval criteria found in Section 070,060.040(c)d.3. Therefore staff recommends that City Council <u>uphold</u> the Planning and Zoning Commission's recommendation and approve the amendments to Title 070 by adopting Ordinance 3, Series 2021 (first reading).

ORDINANCE NO. 03

Series of 2021

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING TITLE 070 SECTIONS 070.010.070, 070.020.020, 070.030.020, 070.030.030, 070.030.040, 070.040.020, 070.040.050, 070.040.060, 070.040.080, 070.040.090, 070.040.110, 070.050.040, 070.060.020, 070.060.050, 070.060.070, 070.070.020, AND 070.070.030 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 provisions that need clarification or modification relating to use regulations; accessory uses; landscaping, screening and fencing; off-street parking; signs; administration and procedures; and rules of construction and definitions; and

WHEREAS, City staff also identified the need for additional Code provisions to address issues that were not contemplated in the originally approved 2018 Code update, including additional design variance criteria; requirements for portable storage containers; and new terminology for the “Construction Plans” review process; and

WHEREAS, recommended amendments to the development code to address the foregoing issues are set forth on **Exhibit A** attached hereto; and

WHEREAS, on March 23, 2021, the Planning and Zoning Commission found that the recommended amendments on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)d.3. and recommended adopting the amendments on Exhibit A; and

WHEREAS, the City Council finds and declares that the amendments to the development code on **Exhibit A** satisfy the Code Amendment Approval Criteria set forth in Section 070.060.040(c)d.3. and are proper and necessary to advance the public health, safety and welfare of the City’s residents.

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 6TH DAY OF MAY 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, 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 _____ 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk

EXHIBIT A

The following sections of the Municipal Code are amended as follows with **double underlined bold text added** and ~~strike through text deleted~~.

ARTICLE 070.010 GENERAL PROVISIONS

...

070.010.070 - Nonconformities

...

(c) Nonconforming Uses

Nonconforming uses of land or structures are subject to the following additional limitations:

(1) Limitations on Continuation of Nonconforming Uses of Land or Structures

...

b. Any existing occupied single-family residential dwelling that is deemed to be a nonconforming use may make improvements to the main and accessory structures so long as improvements do not increase the degree of nonconformity or increase the height or building footprint. **Roof-mounted Small Scale Solar Energy Systems may increase the height of a nonconforming structure by five feet but shall not extend above the roof peak or ridge or impact solar access to an adjacent property. Properties designated as a landmark or proposed landmark, or in a designated or proposed historic district shall first obtain a Landmark Alteration Certificate as required in 070.050.040.**

...

ARTICLE 070.020: ZONING DISTRICTS

...

070.020.020 – Summary of Dimensional Standards

...

(c) Other Residential Districts

Table 020:4 Summary of Other Nonresidential Dimensional Standards		
Lot Standards	...	HP
...	...	
Density, maximum	...	Areas on a lot with slopes up to 20 percent: 1 du/ 10,000 <u>5,000</u> sf Areas on a lot with slopes greater than 20 percent: see 070.040.020(b).

...

EXHIBIT A

ARTICLE 070.030: USE REGULATIONS

...

070.030.020 – Table of Allowed Uses

...

(d) Classification of New and Unlisted Uses

...

(4) Post-Determination Actions

a. Appeals of the Director's determination shall be made following the procedures under 070.060.070(c),
Appea**Appeals.**

[NEXT PAGE]

EXHIBIT A

(e) Table of Allowed Uses

Table 030.1: Table of Allowed Uses																		
Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use Specific Standards	Required Minimum Parking
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Public, Institutional, and Civic Uses																		
Community and Cultural Facilities	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Civic building facility																	
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Industrial Uses																		
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Utilities	...																	
	Geothermal heat exchange																	
	<u>Solar Energy System, Large Scale Ground Mounted</u>						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>070.030.030(f)(5)</u>	<u>No requirement</u>
	<u>Solar Energy System, Large Scale Roof Mounted</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>070.030.030(f)(5)</u>	<u>No requirement</u>
	Wastewater treatment facility																	

EXHIBIT A

...	...																	
Accessory Uses																		
	Backyard Chickens																	
	...																	
	Outdoor storage accessory <u>Portable storage containers</u>							<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>070.030.040(d)(4)</u>	<u>No requirement</u>
	Parking Structure																	
	<u>Solar Energy System, Small Scale</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>No requirement</u>
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

EXHIBIT A

070.030.030 – Use-Specific Standards

...

(f) Industrial Uses

...

(5) Solar Energy System, Large Scale

a. For ground-mounted units, a minimum of 20 percent of the site shall consist of landscaped areas. Use of pollinator plants is encouraged.

b. All ground-mounted units shall be screened from view of adjacent residential uses or districts, and from public rights-of-way pursuant to 070.040.050(f)(1)d, Screening Mechanical and Utility Equipment.

c. All large scale solar energy systems shall be required to comply with the procedures and policies of the City's Electric Department which may include execution of interconnection or purchase agreement.

070.030.040 - Accessory Uses and Structures

...

(c) General Standards for Accessory Uses and Structures

...

~~(4) Size of Accessory Structures~~

~~Unless otherwise stated in this Code, the maximum size for an accessory structure shall be 1,000 square feet. The maximum for all accessory structures on a lot shall be 1,000 square feet.~~

~~(5)~~ **(4)** Dimensional Standards for Accessory Structures

...

~~(6) Outdoor Storage~~

~~Outdoor storage associated with any accessory use or structure is prohibited.~~

(d) Additional Standards for Accessory Uses and Structures

(1) Accessory Dwelling Units

...

g. Number and Size of Accessory Dwelling Units. Accessory dwelling units shall comply with all of the following:

...

4. Unit Size Exception. The limitations of ~~f.3~~ **g.3** above shall not apply to Accessory Dwelling Units located within the footprint of an existing home as long as the Accessory Dwelling Unit is not larger than 50% of the existing structure, including the basement, up to the maximum allowed gross floor area in ~~f.2~~ **g.2**. For example, if a home has a 1,000 square foot basement, an Accessory Dwelling Unit could be established in this space if the principal dwelling also contains at least 1,000 square feet.

...

(4) Portable Storage Containers

a. Applicability

The following requirements, standards and restrictions are in addition to the requirements of 070.030.040(c)-General Standards for Accessory Uses and Structures and shall apply to all outdoor portable storage containers.

b. Exceptions

Portable storage containers may be temporarily placed on construction sites for storage incidental to an active construction or remodeling project subject to the following:

1. A building permit has been issued for construction on site and the permit has not expired; and
2. The portable storage container is removed once the construction is completed and a Certificate of Occupancy has been issued in accordance with Title 060-Construction Building Codes and Regulations, or once the building permit has expired, whichever occurs first.

c. Where Permitted

Portable storage containers are allowed in zoning districts according to Table 030.1, Table of Allowed Uses.

d. Location

1. Portable storage containers shall be located at the rear or side of a principal building.
2. Portable storage containers shall not be located within circulation aisles, fire lanes, easement areas, or public rights-of-way;
3. Portable storage containers may be located within parking areas provided that the containers do not occupy any required parking space.
4. Portable storage containers shall not be located within any required landscaped or common open space areas.

e. Number and Size

1. Portable storage containers shall not exceed ten feet in height.
2. In no case shall the total number of portable storage containers on site exceed 1,000 square feet.
3. Portable storage containers shall be a single height and shall not be stacked.

f. Screening Required

When visible from a customer parking area or public rights-of-way; or when adjacent to lodging facility uses, or residential uses or zoning districts, portable storage containers shall be screened from view using fences, walls, or berms that are at least six feet in height and provide a permanent opaque, year-round screen. Fences and walls shall conform to the requirements of 070.040.050(f) Screening, Fences, and Walls. All fencing, walls, or berms shall include trees, shrubs, ornamental grasses, and/or perennials that are of sufficient quantity to add visual interest and to minimize the impact of the structure when viewed from customer parking areas or public rights-of-way; or adjacent lodging facility uses, or residential uses or zoning districts.

...

EXHIBIT A

ARTICLE 070.040 – DEVELOPMENT STANDARDS

...

070.040.020 - Sensitive Area Protection

(a) General Provisions

...

(2) Applicability

This section shall apply to any proposed development that requires one or more of the following:

a. Any development permit required by 070.060.050, Development Permits, including:

...

3. ~~Construction~~ **Final** Plans (070.060.050(c);

...

(b) Hillside Development

...

Table 040.1: Allowed Residential Development

Average Slope of Overall Site (within LOD)	Residential Allowable Units
<u>In excess of 20% and up to 25%</u>	...
<u>In excess of 25% and up to 30%</u>	...

...

(d) Development in Waterways and Areas of Special Flood Hazard

...

(14) Variance Procedure

...

f. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the requirements of ~~070.090.130~~ **070.040.020(d)(13)** have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the variance increases.

...

070.040.050 – Landscaping, Screening, and Fencing

...

(b) Applicability

EXHIBIT A

...

(2) Exemptions

- a. Single- and two-family residential uses except 070.040.050(d), *Streetscape Requirements* and 070.040.050(f)(2), *Fence Standards*, and 070.040.050(f)(3) *Retaining Wall Standards*.

...

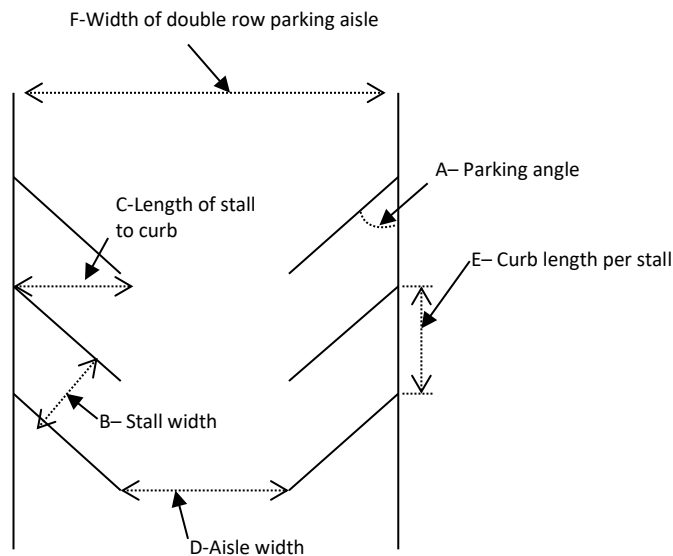
070.040.060 - Off-street Parking and Loading

[Delete Table 040.9 and Figure 40.10 and renumber all subsequent tables and figures]

Table 040.9: Parking Space and Drive Aisle Layout					
A Parking Angle (in degrees)	B Stall Width	C Length of Stall to Curb	D Aisle Width	E Curb Length per Stall	F Width of Double Row with Aisle
0°	8 feet 6 inches	22 feet	12 feet	22 feet	29 feet
10°	9 feet	9 feet	12 feet	23 feet	30 feet
20°	9 feet	15 feet	11 feet	26 feet 3 inches	41 feet
30°	9 feet	17 feet 3 inches	11 feet	18 feet	45 feet 6 inches
45°	9 feet	19 feet 8 inches	13 feet	12 feet 7 inches	52 feet 5 inches
60°	9 feet	21 feet	18 feet	10 feet 4 inches	60 feet
70°	9 feet	21 feet	19 feet	9 feet 6 inches	61 feet
80°	9 feet	20 feet 3 inches	24 feet	9 feet 1 inch	64 feet 3 inches
90°	9 feet	19 feet	24 feet	9 feet	62 feet
Compact (90°)	8 feet	16 feet	24 feet	9 feet	56 feet

EXHIBIT A

Figure 40-10: Parking Stall and Aisle Dimension Measurements



070.040.060 – Off-Street Parking and Loading

...

(e) Parking Alternatives

The developer of a property may submit an application to the Director requesting consideration of alternatives may adjust or approve alternatives to the off-street parking spaces required by Table 030:1: Table of Allowed Uses, pursuant to the following standards:

...

(4) On-Street Parking

The Director may approve reduced off-street parking requirements on a one-to-one basis for on-street parking spaces adjacent to a proposed development. **When considering the use of on-street parking, the Director shall consider existing on-street parking demands in the vicinity of the proposed development.** The on-street parking spaces shall be available for public use. Elimination of on-street parking for any reason may result in a requirement for the applicant to provide additional off-street parking to comply with this Code.

...

070.040.080 - Residential Site and Building Design

...

(c) Administration

...

EXHIBIT A

(2) Site/Architectural Plan Review Process

...

b. Interpretations as to applicability or design requirements contained within this Section shall be the responsibility of the Director. Appeals of the Director's interpretations shall be heard according to the process set forth in 070.060.070(c), ~~Appea~~ Appeals.

...

070.040.090 – Nonresidential and Mixed-Use Site and Building Design

...

(c) Administration

(1) Site/Architectural Plan Review Process

...

b. Interpretations as to applicability or design requirements contained within this Section shall be the responsibility of the Director. Appeals of the Director's interpretations shall be heard according to the process set forth in 070.060.070(c), ~~Appea~~ Appeals.

...

070.040.110 – Signs

...

(d) Signs Not Requiring a Permit

...

(19) Window signs

Signs displayed in or upon a window. Such displays shall not contain flashing lights visible from a public street.

~~(19)~~ **(20) Yard Signs**

a. Yard signs, ~~except for temporary yard signs,~~ are allowed without a sign permit pursuant to the following:

.....

(f) Temporary Sign Standards

...

(2) Generally

a. Temporary signs, ~~except for temporary yard signs,~~ shall not be displayed for more than 45 days prior to the start of an event or more than 15 days after the conclusion of an event;

EXHIBIT A

b. Temporary signs, ~~except for temporary yard signs,~~ shall be limited to three times per calendar year per property for single-tenant properties and three times per calendar year per tenant for multi-tenant properties.

...

(i) Summary of Permanent Sign Standards

...

(3) Nonresidential Uses in Residential Zone Districts.

Except for nonresidential uses in the RT-Residential Transitional zoning district, 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.

...

(j) Sign District Standards

...

(3) Additional Standards in the Downtown Core

...

~~d. Wall Sign Standards~~

~~Wall signs on multi-story buildings shall be located within the traditional sign band area which is generally between the first and second floor windows.~~

...

e. **d.** Portable Sign Standards

...

ARTICLE 070.050 – HISTORIC PRESERVATION

...

070.050.040 – Landmark Alteration Certificate

...

(l) Appeals

Anyone aggrieved by any decision of the GSHPC may file an appeal pursuant to the procedures set forth in 070.060.070(c), ~~Appea~~ **Appeals.**

...

EXHIBIT A

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	Mailed	Posted			Staff	DRC	Planning Comm.	City Council

...

DEVELOPMENT PERMITS

Site/Architectural Plan Review	Admin.	...	...	...	...	...	...	...	...
	Minor	...							
	Major	...							
Optional Master Plan		...							
Construction <u>Final</u> Plans	070.060.050(c)					✓	D	R ^[2]	A

...

070.060.050 - Development Permits

(a) Site/Architectural Plan Review

(1) Purpose

This subsection describes the process by which propose development is reviewed for compliance with the development and design standards of this Code. The site/architectural plan review procedure ensures that potential impacts of development are considered before submittal of an application for ~~construction~~ **final** plan approval (pursuant to the City of Glenwood Springs Engineering Standards) or issuance of a building permit.

...

(2) Applicability

...

2. ~~Construction~~ **Final** Plans

...

i. An application for administrative site/architectural plan approval may be submitted and reviewed concurrently with an application for ~~construction~~ **final** plan review. In such case, the Director shall review the ~~construction~~ **final** plan application concurrently with the site/architectural plan application, but the Director shall not decide the ~~construction~~ **final** plan approval until after the site/architectural plan decision is made by the appropriate approval body.

EXHIBIT A

ii. The choice to submit ~~construction~~ **final** plans concurrently with an associated administrative site/architectural plan is at the applicant's discretion, and the applicant shall be responsible for making any necessary changes to the ~~construction~~ **final** plans based on the site/architectural plan approval.

...

(3) Administrative Site/Architectural Plan Review Procedure

...

b. Application Submittal and Handling

The administrative site/architectural plan application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d). ~~Construction~~ **Final** plan applications submitted concurrently with administrative site/architectural plans shall include the required materials per the City's Engineering Standards.

...

d. Post-Decision Actions and Limitations

...

2. No Building Permit without Approval

No building permit shall be issued until the administrative site/architectural plan and associated ~~construction~~ **final** plans have been approved pursuant to this subsection.

...

(4) Minor Site/Architectural Plan Review Procedure

...

b. Application Submittal and Handling

The minor site/architectural plan application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d). ~~Construction~~ **Final** plan applications submitted concurrently with minor site/architectural plans shall include the required materials per the City of Glenwood Springs Engineering Standards.

...

f. Post-Decision Actions and Limitations

...

2. No Building Permit without Approval

No building permit shall be issued until the minor site/architectural plan and associated ~~construction~~ **final** plans have been approved pursuant to this subsection.

...

(5) Major Site/Architectural Plan Review Procedure

EXHIBIT A

...

c. Application Submittal and Handling

The major site/architectural plan application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d). ~~Construction~~ **Final** plan applications submitted concurrently with minor site/architectural plans shall include the required materials per the City's Engineering Standards.

...

g. Post-Decision Actions and Limitations

Post-decision actions and limitations in 070.060.030(i) shall apply with the following modifications:

...

2. No Building Permit without Approval

No building permit shall be issued until the major site/architectural plan and associated ~~construction~~ **final** plans have been approved pursuant to this subsection.

...

(c) ~~Construction~~ **Final** Plans

(1) Purposse

The ~~construction~~ **final** plans procedure provides a mechanism for the City to review and approve technical drawings associated with approved development applications and to ensure compliance with this Code and the City's Engineering Standards.

(2) Applicability

a. General

Except for a single-family detached, or a two-family dwelling, approval of ~~construction~~ **final** plans pursuant to this section is required for any type of development prior to issuance of a building permit, a grading or excavation permit, or a floodplain development permit. Approval of ~~construction~~ **final** plans pursuant to this section is also required for any application that includes infrastructure or utility improvements unless such improvements are guaranteed by a separate agreement with the City.

b. Concurrent Review

An application for ~~construction~~ **final** plans approval may be submitted concurrently with an application for any site/architectural plan approval.

(3) ~~Construction~~ **Final** Plan Procedure

Figure 060-9 identifies the applicable steps from the common review procedures in 070.060.030 that apply to the review of ~~construction~~ **final** plans. Additions or modifications to the common review procedures are noted below.

EXHIBIT A

Figure 060-9: Summary of Construction Final Plans Procedure

1 ...	2 ...	3 ...	4 ...	5 ...	6 ...
...	...	...	...	...	Construction Final plans expire if an associated development permit expires

...

b. Application Submittal and Handling

~~Construction~~ **Final** plans shall be submitted, accepted, and revised, and may be withdrawn, in accordance with 070.060.030(d).

c. Staff Review and Action

1. Director Review and Decision

The Director shall review the ~~construction~~ **final** plans in accordance with 070.060.030(e) and shall approve, approve with conditions, or deny the ~~construction~~ **final** plan application according to the approval criteria below.

2. ~~Construction~~ **Final** Plans Approval Criteria

In reviewing and approving construction final plans, the Director shall determine that:

...

- ii. The ~~construction~~ **final** plans comply with all applicable standards in this Code;
- iii. The ~~construction~~ **final** plans comply with the City's Engineering Standards;
- iv. The ~~construction~~ **final** plans comply with other applicable City standards and policies; and
- v. The ~~construction~~ **final** plans comply with requirements and conditions of approval for any prior approvals.

d. Post-Decision Actions and Limitations

Post-decision actions and limitations in 070.060.030(i) shall apply with the following modifications:

1. Effect of Approval

~~Construction~~ **Final** plans approval authorizes the subsequent submittal of a building permit application or permit for other site-disturbance activities, such as a grading or excavation permit or a floodplain development permit.

2. Expiration of Approval

~~Construction~~ **Final** plans approval shall automatically expire at the time an associated building permit application expires. ~~Construction~~ **Final** plans without an associated building permit application shall not expire.

3. Modifications to Approved ~~Construction~~ **Final** Plans

A minor modification to an approved ~~construction~~ **final** plan may be approved by the Director, provided that the applicant demonstrates that the proposed modification:

...

EXHIBIT A

4. Inspections

City staff may inspect sites authorized by ~~construction~~ **final** plans to determine whether development activities are consistent with approved plans and whether any additional protection measures are necessary to mitigate adverse impacts.

...

(d) Location and Extent Review

...

(3) Location and Extent Procedure

a. Figure 060-10 identifies the applicable steps from the common review procedures in 070.060.030 that apply to the location and review. Additions or modifications to the common review procedures are noted below. **Projects that are less than 5,000 square feet gross floor area are subject to staff review following procedures in 070.060.030(e)- Staff Review and Action. In reviewing the proposed location and extent application, the Director shall consider the Location and Extent Approval Criteria in 070.060.050(e)(3)e.3.**

...

070.060.070 - Flexibility and Relief Procedures

(a) Variance

...

(3) Variance Procedure

...

e. Planning Commission Review and Decision

1. Review and Decision

i. The Planning Commission shall review the variance application and shall approve, approve with conditions, or deny the variance in accordance with 070.060.030(g) and the criteria in paragraph 2 **or 3** below. The Planning Commission may also remand the application back to the Director for further consideration.

...

2. Variance Approval Criteria

Except as provided in paragraph 3 below, in ~~In~~ reviewing a variance application, the Planning and Zoning Commission shall find that all of the following exist:

- i. The subject property has an exceptional shape, topography, building configuration or other exceptional site condition that is not a general condition throughout the zone district;
- ii. The strict application of the Code standards for which a variance is sought would produce undue hardship;
- iii. The applicant did not create the hardship by his/her own actions;
- iv. The variance requested does not harm the public and does not impair the intent or purposes of this Code, goals, and policies, including the specific regulation for which the variance is sought;
- v. The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden;
- vi. The variance request will not violate building or fire code requirements; and

EXHIBIT A

vii. The variance is the minimum variance that will afford relief of the subject standards of the Code.

3. Design Variance Approval Criteria

In reviewing a variance application from 070.040.050, Landscaping, Screening, and Fencing; 070.040.060(h)(6), Parking Area Landscaping; 070.040.080, Residential Site and Building Design; and 070.040.090, Non-Residential and Mixed-Use Site and Building Design, the Planning and Zoning Commission shall find that the variance request meets all of the criteria listed in Section A, and at least four of the criteria listed in Section B:

<u>Section A</u> <u>All design variances shall meet the following criteria:</u>	<u>AND</u>	<u>Section B</u> <u>At least four of the following criteria</u>
<u>The variance requested does not harm the public health, safety, or welfare; and</u>		<u>The variance requested advances the goals and policies of the Code or achieves the intent of the subject standard to the same or better degree than the subject standard; or</u>
<u>The variance requested is in general conformance with the Comprehensive Plan and with the stated purpose and intent of the Code including the specific regulation for which the variance is sought; and</u>		<u>The subject property has an exceptional shape, topography, building configuration or other exceptional site condition that is not a general condition throughout the zone district; or</u>
<u>The variance requested will not violate building or fire code requirements.</u>		<u>The variance requested results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; or</u>
		<u>The variance is necessary and appropriate to make possible the reasonable use of the land or the structures on the property; or</u>
		<u>The variance is the minimum variance that will afford relief of the subject standards of the Code; or</u>
		<u>The strict application of the Code standards for which a variance is sought would produce undue hardship.</u>

...

EXHIBIT A

ARTICLE 070.070 – RULES OF CONSTRUCTION AND DEFINITIONS

...

070.070.020 - Definitions of Use Categories and Specific Use Types

...

(b) Public, Institutional, and Civic Uses

(1) Community and Cultural Facilities

...

b. Civic ~~Building~~ **Facility**

Any noncommercial public ~~building~~ **facility** housing uses for the prepose of promoting the general health, safety, and welfare of the citizens of Glenwood Springs. Some civic ~~buildings~~ **facilities** are also considered government offices.

...

(d) Industrial Uses

...

(6) Utilities

...

c. ~~Wastewater Treatment Facility~~ **Solar Energy System, Large-Scale**
A roof, ground, or wall mounted device and/or system that collects and converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy.

d. ~~Wind Power Generation~~ **Wastewater Treatment Facility**

...

~~d.~~ **e.** Wind Power Generation

...

(e) Accessory Uses and Structures

...

b. Home Occupation

A business, occupation, or activity undertaken for compensation within a residence in a residential zoning district and that is incidental to the use of that structure as a dwelling unit. A home occupation shall not be interpreted to include the following uses: kennels, veterinary clinics, pet animal breeding operations; medical clinics, dental clinics, hospitals; restaurants, clubs, drinking establishments; motor or recreational vehicle repair, storage, rental, painting, or wrecking; adult entertainment establishments; undertaking or

EXHIBIT A

funeral parlors; ~~medical marijuana business~~; on-site retail sales of items made or produced off-site; or ~~retail marijuana establishments~~ businesses.

c. ~~Outdoor Storage, Accessory~~ Portable Storage Container

The incidental keeping of goods, materials, or equipment in a location not enclosed by walls and a roof. Any temporary, transportable, movable or portable container which is delivered to and placed outdoors on private property for storage purposes. A portable storage container does not include a refuse container.

...

e. Solar Energy System, Small-Scale

A roof, ground, or wall mounted device and/or system that collects and converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy. Net Metered Residential solar systems are limited to an installed capacity of 10 KW. Net Metered Commercial solar systems are limited to an installed capacity of 25 KW.

...

070.070.030 - All Other Terms Defined

...

~~Construction Plans~~

~~Technical engineered drawings demonstrating compliance with this Code, the Building Code, and the City of Glenwood Springs Engineering Standards. Review and approval of construction plans shall be pursuant to 070.060.050(c).~~

...

Fence

A man-made barrier of any material or combination of materials erected to enclose, screen, or separate areas.

Final Plans

Technical engineered drawings demonstrating compliance with this Code, the Building Code, and the City of Glenwood Springs Engineering Standards. Review and approval of final plans shall be pursuant to 070.060.050(c).

Finished Grade

...

Lot Coverage

The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures excepting the percentage covered by ground-mounted Small Scale Solar Energy Systems.



Planning Commission Report

Date March 23, 2021 (Updated 5/6/2021 for City Council meeting)
To: Planning and Zoning Commission
From: Gretchen Ricehill, Asst. Director
Subject: #66-20 Code Text Amendments–Title 070
Glenwood Springs Municipal Code

REQUEST	Consideration of various code text amendments to Municipal Code Title 070 Sections including but not exclusive of Sections 070.030, 070.040, 070.060 and 070.070 regarding Use Regulations; Accessory Uses; Landscaping, Screening and Fencing; Off-street Parking; Signs; Administration and Procedures; and Rules of Construction and Definitions. CONTINUED From December 15, 2020; January 26, and February 23, 2021
APPLICANT	City of Glenwood Springs
OWNER	City of Glenwood Springs
LOCATION	City wide
ZONE	All

This item was continued from the December 15, 2020 Planning & Zoning Commission meeting for additional information about certain specific recommended changes namely outdoor storage containers; signage within the RT-residential transitional zoning district; solar panel regulations; and minimum square footage requirements for location & extent reviews. The items pulled for additional consideration are highlighted in yellow. After the December meeting, staff added the following code amendments: 1) Corrections to a marijuana establishment reference; and 2) signage location on buildings in the downtown core. During the March 23, 2021 hearing, the Commission considered the highlighted and new amendments and recommended certain revisions. Information about the amendments and final/approved recommendations is in blue font in the attached spreadsheet.

REQUIRED ACTION

Action 1:

Consideration of various code text amendments to Municipal Code Title 070 Sections including but not exclusive of Sections 070.030, 070.040, 070.060 and 070.070 regarding Use Regulations; Accessory Uses; Landscaping, Screening and Fencing; Off-street Parking; Signs; Administration and Procedures; and Rules of Construction and Definitions.

Staff recommends approval of amendments to Title 070 as listed on page 3-18 of this report, with findings listed on page 2.

REVIEW AUTHORITY

For actions involving amendments to the Land Use Code, the Planning & Zoning Commission is a recommending body to City Council. All Municipal Code amendments are completed by ordinance, which requires two hearings before City Council.

SUMMARY

In August 2018, the City adopted a new Land Use Development Code which updated a code that had been in place since the 1970s. As staff applies the new code, we continue to find errors that require correction and provisions that need clarification or modification. In this series of amendments, in addition to corrections and modifications, we are also recommending certain new provisions to address issues that were not contemplated under the old 1970s-era Code or the originally approved 2018 update.

In addition to correcting spelling and code reference errors, the list of amendments presented here includes more substantive changes such as

- adding design variance criteria;
- adding requirements for portable storage containers;
- correcting and clarifying sign code requirements; and
- renaming the “Construction Plans” review process

A spreadsheet which details the requested amendments is attached to and made a part of this staff report. The spreadsheet includes an explanation of the issues and the recommended corrections or additions.

For general reference, a link to the [Development Code is provided here](#).

ACTION ALTERNATIVES

Regarding the amendments, the Planning and Zoning Commission may take one of the following actions:

1. Recommend approval of some or all of the amendments;
2. Recommend denial of some or all of the amendments; or,
3. Continue the hearing with a requirement that staff submit changes or provide additional information regarding some or all the amendments.

Staff Recommendation

Staff recommends approval of the amendments as listed on pages 3 through 22 of this report with the following findings:

Recommended Findings:

1. Pursuant to the authority in the Glenwood Springs Municipal Charter and Colorado Revised Statutes §29-20-101 et seq., and §31-23-301 et seq., as amended the City of Glenwood Springs has the authority to plan for and regulate the use of land within the municipality and to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the height and location of trees and other vegetation, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes.
2. The proposed text amendments-
 - a. Are consistent with the Comprehensive Plan and other City policies;
 - b. Do not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
 - c. Are necessary to address a demonstrated community need;
 - d. Are necessary to respond to substantial changes in conditions and/or policy; and
 - e. Are consistent with the general purpose and intent of this Code.

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

	Code Reference	Error	Correction																													
1	General – throughout Code	Currently there are many references to “Appea”. Correct spelling of “Appeal”.	Correct spelling.																													
2	070.020.020(c) Table 020.4 Summary of Other Nonresidential Dimensional Standards	In the HP-Hillside Preservation column there is an incorrect reference to the maximum density that does not correspond to the actual Hillside Preservation zoning requirements (070.020.170)	<table><tr><td>Lot Standards</td><td>...</td><td colspan="2">HP</td></tr><tr><td>...</td><td>...</td><td colspan="2"></td></tr><tr><td>Density, maximum</td><td>...</td><td colspan="2">Areas on a lot with slopes up to 20 percent: 1 du/10,000 <u>5,000 sf</u> Areas on a lot with slopes greater than 20 percent: see 070.040.020(b)</td></tr><tr><td></td><td></td><td colspan="2"></td></tr></table> Commissioners questioned if this recommended change highlighted in yellow was correct. Staff reviewed the minimum lot size requirements in 070.020.170-Hillside Preservation District standards and found that the recommended change is correct. The dimensional standards indicate that on slopes up to 20%, 1 dwelling is allowed per 5,000 square feet of lot area.				Lot Standards	...	HP		...	...			Density, maximum	...	Areas on a lot with slopes up to 20 percent: 1 du/10,000 <u>5,000 sf</u> Areas on a lot with slopes greater than 20 percent: see 070.040.020(b)															
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3	070.030.020 Use Regulations – Table of Allowed Uses – Table 030.1	Under the Public, Institutional, and Civic Uses there is a “Civic building” use. There are several civic-related sites that do not include buildings, such as the city’s recycling center. Staff recommends changing	<table><tr><td colspan="4">Table 030.1: Table of Allowed Uses</td></tr><tr><td>Use Category</td><td>Use Type</td><td></td><td></td></tr><tr><td>...</td><td>...</td><td></td><td></td></tr><tr><td colspan="4">Public Institutional, And Civic Uses</td></tr><tr><td rowspan="3">Community and Cultural Facilities</td><td>Assembly</td><td></td><td></td></tr><tr><td>Civic building <u>facility</u></td><td></td><td></td></tr><tr><td>...</td><td></td><td></td></tr></table>				Table 030.1: Table of Allowed Uses				Use Category	Use Type			...	...			Public Institutional, And Civic Uses				Community and Cultural Facilities	Assembly			Civic building <u>facility</u>			...		
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		the use to “Civic Facility”.	<table><tr><td>...</td><td>...</td><td></td><td></td></tr></table>	...	...																							
...	...																											
4	070.030.020 Use Regulations – Table of Allowed Uses – Table 030.1	There are several Code provisions that regulate outdoor storage and application of these regulations is confusing and uncertain. Outdoor Storage, Accessory is defined as: <i>“The incidental keeping of goods, materials, or equipment in a location not enclosed by walls and a roof.”</i> The Use Table 030.1 includes “Outdoor Storage, Accessory” as a <u>special review use</u> in most of the commercial and industrial zoning districts. The Accessory Uses and Structures section (070.030.040) states that Outdoor Storage associated with a primary use or structure is prohibited. Yet	Table 030.1: Table of Allowed Uses <table><tr><th>Use Category</th><th>Use Type</th><th>...</th><th>Use Specific Standards</th></tr><tr><td>...</td><td>...</td><td></td><td></td></tr><tr><td colspan="4">Accessory Uses</td></tr><tr><td rowspan="4"></td><td>Backyard Chickens</td><td></td><td></td></tr><tr><td>...</td><td></td><td></td></tr><tr><td>Outdoor storage, accessory</td><td></td><td></td></tr><tr><td>....</td><td></td><td></td></tr></table>	Use Category	Use Type	...	Use Specific Standards	...	...			Accessory Uses					Backyard Chickens			...			Outdoor storage, accessory					
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		several use definitions include provisions for storage such as retail sales, maintenance and repair services, vehicle & equipment sales/service, industrial services. and manufacturing & production. And finally, the Landscaping, Screening and Fencing (Section 70.040.050(f)(1)b) requires screening of outdoor storage areas when in view of public rights-of-way by adding dense landscaping, constructing landscaped berms, or constructing a 6- foot tall screening fence. This brings up a question regarding process – Do we require a special use permit even if a business screens the storage area? Staff believes that if the outdoor storage is properly screened and otherwise meets the Code requirements, the property owner should not also have	
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		to obtain a special use permit. Staff recommends deleting “Outdoor Storage, Accessory” from the use table. If an owner does not want to provide the required screening, they have the option of applying for a variance.																																																																																																																			
5	070.030.020 Use Regulations – Table of Allowed Uses – Table 030.1	There is a related issue regarding the use of portable storage containers (shipping or Conex containers). Staff believes that these should be classified as outdoor storage, and that they be screened from view of public rights-of-way and adjacent residential uses. Staff also recommends that their use undergo an administrative review. In many cases, the impact of these containers, especially multiple containers, is no different than constructing a building. For example, city staff needs to assess – • how the placement of the container(s) affects on-site	<table><tr><th colspan="19">Table 030.1</th></tr><tr><th>Use Category</th><th>Use Type</th><th>RR</th><th>RL</th><th>RM1</th><th>RM2</th><th>RH</th><th>RT</th><th>M1</th><th>M2</th><th>M3</th><th>CO</th><th>RE</th><th>I1</th><th>I2</th><th>IN</th><th>HP</th><th>Use Specific Standards</th><th>Required Minimum Parking</th></tr><tr><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td></tr><tr><td></td><td>...</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td>Outdoor storage accessory <u>Portable storage containers</u></td><td></td><td></td><td></td><td></td><td></td><td></td><td><u>P</u></td><td></td><td><u>P</u></td><td><u>P</u></td><td><u>P</u></td><td><u>P</u></td><td><u>P</u></td><td><u>P</u></td><td></td><td><u>070.030.040(d)(4)</u></td><td></td></tr><tr><td></td><td>....</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> <u>070.030.040(d) Additional Standards for Specific Accessory Uses and Structures</u> <u>(4) Portable Storage Containers</u> <u>a. Applicability</u> <u>The following requirements, standards and restrictions are in addition to the requirements of 070.030.040(c)-General Standards for Accessory Uses and Structures and shall apply to all outdoor portable storage containers.</u> <u>b. Exceptions</u> <u>Portable storage containers may be temporarily placed on construction sites for storage incidental to an active construction or remodeling</u>	Table 030.1																			Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use Specific Standards	Required Minimum Parking	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		...																			Outdoor storage accessory <u>Portable storage containers</u>							<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>070.030.040(d)(4)</u>																				
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	drainage • whether the container(s) observes zone district setback requirements • if the container(s) is outside of easement areas • whether the container(s) blocks any access areas, including fire access; • if the container(s) occupies any required parking spaces; and • Establishing a limit on the number, size and/or square footage of containers on a parcel. Portable storage container shall be defined as: any temporary, transportable, movable or portable container which is delivered to and placed outdoors on private property for storage purposes. A portable storage container does not	project subject to the following: 1. <u>A building permit has been issued for construction on site and the permit has not expired; and</u> 2. <u>The portable storage container is removed once the construction is completed and a Certificate of Occupancy has been issued in accordance with Title 060-Construction Building Codes and Regulations, or once the building permit has expired, whichever occurs first.</u> c. <u>Where Permitted</u> <u>Portable storage containers are allowed in zoning districts according to Table 030.1, Table of Allowed Uses.</u> d. <u>Location</u> 1. <u>Portable storage containers shall be located at the rear or side of a principal building.</u> 2. <u>Portable storage containers shall not be located within circulation aisles, fire lanes, easement areas, or public rights-of-way;</u> 3. <u>Portable storage containers may be located within parking areas provided that the containers do not occupy any required parking space.</u> 4. <u>Portable storage containers shall not be located within any required landscaped or common open space areas.</u> e. <u>Number and Size</u> 1. The size of any portable storage container shall not exceed sixteen feet in length by eight feet in width by eight feet in height. <u>Portable storage containers shall not exceed ten feet in height.</u> 2. <u>In no case shall the total number of portable storage containers on site exceed 1,000 square feet [NOTE: THIS ALLOWS UP TO 6 -8' X 16'-SIZED CONTAINERS].</u> 3. <u>Containers shall be a single height and shall not be stacked.</u> f. <u>Screening Required</u> <u>When visible from a customer parking area or public rights-of-way; or when adjacent to lodging facility uses, or residential uses or zoning districts, portable storage containers shall be screened from view using any one or a combination of fences, walls, or berms or landscaping that is are at least six feet in height and provides a permanent opaque, year-round screen. Fences and walls shall conform to the requirements of 070.040.050(f) Screening, Fences, and Walls. All fencing, walls, or berms shall include trees, shrubs, ornamental grasses, and/or perennials that are of sufficient quantity to add visual interest and to minimize the impact of the structure when viewed from customer parking areas or public rights-of-way; or adjacent lodging facility uses, or residential uses or zoning districts.</u> At the December and March meetings, Commissioners suggested- • deleting the maximum 8'wide x 16' long x 8' high requirement; • adding screening requirement when adjacent to lodging uses;
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		include a refuse container.	- requiring landscaping in addition to fence screening; - adding a 10 foot container height limit. Additionally, staff added clarification that the containers shall not be stacked. Staff added recommended changes, reflected in red font above.																																																																																																																
6	070.010.070 Nonconformities; 070.030.020 Use Regulations – Table of Allowed Uses – Table 030.1	Currently the land use code does not address small and large-scale solar energy installations. These uses are defined as: Small scale A roof, ground, or wall mounted device and/or system that collects and converts the sun’s radiant energy into thermal, chemical, mechanical, or electrical energy. Net Metered Residential solar systems are limited to an installed capacity of 10 KW. Net Metered Commercial solar systems are limited to an installed capacity of 25 KW. Large scale A roof, ground, or wall mounted device and/or system that collects and converts the sun’s radiant	070.010.070 Nonconformities ... (c) Nonconforming Uses (1) Limitations on Continuation of Nonconforming Uses of Land or Structures ... b. Any existing occupied single-family residential dwelling that is deemed to be a nonconforming use may make improvements to the main and accessory structures so long as improvements do not increase the degree of nonconformity or increase the height or building footprint. Roof-mounted Small Scale Solar Energy Systems may increase the height of a nonconforming structure by five feet but shall not extend above the roof peak or ridge or impact solar access to an adjacent property. Properties designated as a landmark or proposed landmark, or in a designated or proposed historic district shall first obtain a Landmark Alteration Certificate as required in 070.050.040. 070.030.020 - Table 030.1 <table><tr><th colspan="19">INDUSTRIAL USES</th></tr><tr><th>Use Category</th><th>Use Type</th><th>RR</th><th>RL</th><th>RM1</th><th>RM2</th><th>RH</th><th>RT</th><th>M1</th><th>M2</th><th>M3</th><th>CO</th><th>RE</th><th>I1</th><th>I2</th><th>IN</th><th>HP</th><th>Use Specific Standards</th><th>Required Minimum Parking</th></tr><tr><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td><td>...</td></tr><tr><td rowspan="3">Utilities</td><td>...</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Geothermal heat exchange</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Solar Energy System, Large Scale</td><td></td><td></td><td></td><td></td><td></td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>S</td><td>070.030.030(f)(5)</td><td>No Requirement</td></tr></table>	INDUSTRIAL USES																			Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use Specific Standards	Required Minimum Parking	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	Utilities	...																		Geothermal heat exchange																		Solar Energy System, Large Scale						S	S	S	S	S	S	S	S	S	S	070.030.030(f)(5)	No Requirement
INDUSTRIAL USES																																																																																																																			
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		energy into thermal, chemical, mechanical, or electrical energy. Recommended changes include adding and clarifying definitions, adding these types of installations in the land use table, and clarifying that nonconforming structures may be improved to include solar panels. Regarding changes to the land use table, Large scale solar system is added as a special review under the Industrial Use heading, Utility use category in the commercial and industrial zoning districts. This recommendation also includes adding a requirement that 20% of the parcel be landscaped and that it be placed to screen the installation from view of adjacent residential uses and public rights-of-way. Small scale solar system is added as a permitted accessory use in all zoning		<u>Ground Mounted</u>																
				<u>Solar Energy System, Large Scale Roof Mounted</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>070.030.030(f)(5)</u>	<u>No Requirement</u>
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070.030.030 Use-Specific Standards																				
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(f) Industrial Uses																				
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<u>(5) Solar Energy System, Large Scale</u>																				
<u>a. For ground-mounted units, a minimum of 20 percent of the site shall consist of landscaped areas. Use of pollinator plants is encouraged.</u>																				
<u>b. This use All ground-mounted units shall be screened from view of adjacent residential uses or districts, and from public rights-of-way pursuant to 070.040.050(f)(1)d, Screening Mechanical and Utility Equipment.</u>																				
<u>c. All large scale solar energy systems shall be required to comply with the procedures and policies of the City’s Electric Department which may include execution of interconnection or purchase agreement.</u>																				
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070.030.020 – Table 030.1																				
ACCESSORY USES																				
	Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use Specific Standards	Required Minimum Parking	
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		Parking Structure																		
		<u>Solar Energy</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			

		districts.	<table><tr><td></td><td><u>System, Small Scale</u></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr><tr><td></td><td>...</td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table> During the December meeting, Commissioners had several comments regarding the addition of small and large-scale solar regulations including- • Clarifying the nonconformity section - when exceeding the maximum roof height by 5 feet, the solar panels do not extend above the roof peak. • Ensuring that the panels do not impact solar access to neighboring properties. • Clarify that the screening requirements for large scale solar systems apply to ground-mounted equipment. • Procedurally, roof mounted large scale solar systems could be a permitted use in all zoning districts while ground mounted large scale solar remains a special review use as proposed. Staff made modifications based on the Commission’s recommendations which are reflected in red font above. See also comments under definitions – Solar Energy System, Small Scale (row #22 of this spreadsheet)		<u>System, Small Scale</u>																			...																	
	<u>System, Small Scale</u>																																								
	...																																								
7	070.030.040 Accessory Uses and Structures	(c) General Standards for Accessory Uses and Structures (4) Size of Accessory Structures Unless otherwise stated in the Code, the maximum size for an accessory structure shall be 1,000 square feet. The maximum total for all accessory structures on a lot shall be 1,000 square feet. The issue is the maximum total of 1,000 square foot limit for all accessory	070.030.040 Accessory Uses and Structures ... (c) General Standards for Accessory Uses and Structures ... (4) Size of Accessory Structures Unless otherwise stated in this Code, the maximum size for an accessory structure shall be 1,000 square feet. The maximum for all accessory structures on a lot shall be 1,000 square feet.																																						

		structures on a parcel. There are other sections of the Code that address or limit lot coverage: • Accessory structures must observe zoning district setback requirements. If located in a required rear yard, accessory structures cannot cover more than 40% of that required rear yard. • Residential design standards limit total lot coverage for infill development. These standards also include design requirements for single- and multi-family detached garages. In fact, the multi-family section discusses design were banks of freestanding garages exceed 90 feet in length. Clearly this footprint would exceed the	
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		1,000 square foot maximum. Although the Accessory Uses and Structures section includes the statement: “Unless otherwise stated in the Code”, staff recommends deleting the 1,000 square foot limitation on accessory structures.	
8	070.030.040 Accessory Uses and Structures	(c) General Standards for Accessory Uses and Structures (6) Outdoor Storage. Outdoor storage associated with any accessory use or structure is prohibited. Issue: Staff recommends deleting this provision as we are uncertain as to what it is trying to regulate. Backyard Chickens, Home Occupation, Parking Structure and Warehousing are accessory uses, as is outdoor storage.	070.030.040 Accessory Uses and Structures ... (c) General Standards for Accessory Uses and Structures ... (6) Outdoor Storage. Outdoor storage associated with any accessory use or structure is prohibited.
9	070.030.040 Accessory Uses	(d) General Standards for Accessory Uses and	(d) General Standards for Accessory Uses and Structures

	and Structures	Structures (1)g Number and Size of Accessory Dwelling Units. Issue: There is an incorrect citation in paragraph (1)g4.	(1) Accessory Dwelling Units ... g. Number and Size of Accessory Dwelling Units. Accessory dwelling units shall comply with all of the following: ... 4. Unit Size Exception. The limitations of f.3 g.3 above shall not apply to Accessory Dwelling Units located within the footprint of an existing home as long as the Accessory Dwelling Unit is not larger than 50% of the existing structure, including the basement, up to the maximum allowed gross floor area in f.2 g.2 . For example, if a home has a 1,000 square foot basement, an Accessory Dwelling Unit could be established in this space if the principal dwelling also contains at least 1,000 square feet.						
10	070.040.020 Sensitive Area Protection (b) Hillside Development	Hillside development standards apply when slopes exceed 20%. Table 040.1 includes density allowances based on slope categories of 20 to 25% and 25 to 30%. This correction is to clarify that the average slope is <u>in excess of 20%</u> , and <u>in excess of 25%</u> .	Table 040.1: Allowed Residential Development <table><tr><th>Average Slope of Overall Site (within LOD)</th><th>Residential Allowable Units</th></tr><tr><td><u>In excess of 20%</u> and up to 25%</td><td>...</td></tr><tr><td><u>In excess of 25%</u> and up to 30%</td><td>...</td></tr></table> During the March meeting, Commissioners recommended clarifying the threshold slope classifications.	Average Slope of Overall Site (within LOD)	Residential Allowable Units	<u>In excess of 20%</u> and up to 25%	...	<u>In excess of 25%</u> and up to 30%	...
Average Slope of Overall Site (within LOD)	Residential Allowable Units								
<u>In excess of 20%</u> and up to 25%	...								
<u>In excess of 25%</u> and up to 30%	...								
11	070.040.020 Sensitive Area Protection (d) Development in Waterways and Areas of Special Flood Hazard	Issue: Paragraph (14)f of the Variance Procedures contains a citation from the original code.	070.040.020 Sensitive Area Protection ... (d) Development in Waterways and Areas of Special Flood Hazard ... (14) Variance Procedure ... f. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that the requirements of 070.090.130 070.040.020(d)(13) have been fully considered. As the lot size increases beyond the one-half acre, the technical justifications required for issuing the variance increases.						

12	070.040.050(b) Landscaping, Screening, and Fencing - Applicability	Except for planting street trees and complying with fence requirements, single-family and duplexes are not required to meet the landscaping and screening requirements. This Landscaping & Screening section of the code also includes retaining wall design requirements such as maximum wall height, terracing, articulation, type and color of materials. Staff recommends that single family and duplex homes also comply with the retaining wall design requirements which among other things addresses terracing, articulation when walls exceed 30 feet, and materials compatible with the primary building and surrounding environment.	070.040.050 Landscaping, Screening, and Fencing .. (b) Applicability ... (2) Exemptions a. Single- and two-family residential uses except 070.040,050(d), <i>Streetscape Requirements</i> and 070.040.050(f)(2), <i>Fence Standards</i>, and <u>070.040.050(f)(3) Retaining Wall Standards.</u>
13	070.040.060 Off-		Delete Table 040.9 and Figure 040-10.

	street Parking and Loading	This section of the code includes Table 040.9 detailing parking stall and aisle dimension requirements. Also included is Figure 40.10 illustrating those requirements. The related text however refers the reader to the Engineering Standards. Staff recommends deleting the table and figure to avoid duplication and possible confusion in the event the Engineering Standards are amended in the future. This also requires renumbering of all subsequent tables and figures in Title 070.	<table><tr><th colspan="6">Table 040.9: Parking Space and Drive Aisle Layout</th></tr><tr><th>A Parking Angle (in-degrees)</th><th>B Stall Width</th><th>C Length of Stall to Curb</th><th>D Aisle Width</th><th>E Curb Length per Stall</th><th>F Width of Double Row with Aisle</th></tr><tr><td>0°</td><td>8 feet 6 inches</td><td>22 feet</td><td>12 feet</td><td>22 feet</td><td>29 feet</td></tr><tr><td>10°</td><td>9 feet</td><td>9 feet</td><td>12 feet</td><td>23 feet</td><td>30 feet</td></tr><tr><td>20°</td><td>9 feet</td><td>15 feet</td><td>11 feet</td><td>26 feet 3 inches</td><td>41 feet</td></tr><tr><td>30°</td><td>9 feet</td><td>17 feet 3 inches</td><td>11 feet</td><td>18 feet</td><td>45 feet 6 inches</td></tr><tr><td>45°</td><td>9 feet</td><td>19 feet 8 inches</td><td>13 feet</td><td>12 feet 7 inches</td><td>52 feet 5 inches</td></tr><tr><td>60°</td><td>9 feet</td><td>21 feet</td><td>18 feet</td><td>10 feet 4 inches</td><td>60 feet</td></tr><tr><td>70°</td><td>9 feet</td><td>21 feet</td><td>19 feet</td><td>9 feet 6 inches</td><td>61 feet</td></tr><tr><td>80°</td><td>9 feet</td><td>20 feet 3 inches</td><td>24 feet</td><td>9 feet 1 inch</td><td>64 feet 3 inches</td></tr><tr><td>90°</td><td>9 feet</td><td>19 feet</td><td>24 feet</td><td>9 feet</td><td>62 feet</td></tr><tr><td>Compact (90°)</td><td>8 feet</td><td>16 feet</td><td>24 feet</td><td>9 feet</td><td>56 feet</td></tr></table>	Table 040.9: Parking Space and Drive Aisle Layout						A Parking Angle (in-degrees)	B Stall Width	C Length of Stall to Curb	D Aisle Width	E Curb Length per Stall	F Width of Double Row with Aisle	0°	8 feet 6 inches	22 feet	12 feet	22 feet	29 feet	10°	9 feet	9 feet	12 feet	23 feet	30 feet	20°	9 feet	15 feet	11 feet	26 feet 3 inches	41 feet	30°	9 feet	17 feet 3 inches	11 feet	18 feet	45 feet 6 inches	45°	9 feet	19 feet 8 inches	13 feet	12 feet 7 inches	52 feet 5 inches	60°	9 feet	21 feet	18 feet	10 feet 4 inches	60 feet	70°	9 feet	21 feet	19 feet	9 feet 6 inches	61 feet	80°	9 feet	20 feet 3 inches	24 feet	9 feet 1 inch	64 feet 3 inches	90°	9 feet	19 feet	24 feet	9 feet	62 feet	Compact (90°)	8 feet	16 feet	24 feet	9 feet	56 feet
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			Figure 40-10: Parking Stall and Aisle Dimension Measurements F-Width of double row parking aisle C-Length of stall to curb B- Stall width D-Aisle width A- Parking angle E- Curb length per stall
14	070.040.060 Off-Street Parking and Loading	(e) Parking Alternatives This section allows the Director to approve certain alternatives to providing on-site parking. The maximum allowed reduction is 30%. Issue: Since this provision was added to the code, developers have assumed	070.040.060 ... (e) Parking Alternatives <u>The developer of a property may submit an application to the Director requesting consideration of alternatives</u> may adjust or approve alternatives to the off-street parking spaces required by Table 030:1: Table of Allowed Uses, pursuant to the following standards: ... (4) On-Street Parking The Director may approve reduced off-street parking requirements on a one-to-one basis for on-street parking spaces adjacent to a proposed development. <u>When considering the use of on-street parking, the Director shall consider existing on-street parking demands in the vicinity of the proposed development.</u> The on-street parking spaces shall be available for public use. Elimination of on-street parking for any reason

		that the parking reduction is automatically applied and approved. Staff recommends clarification that consideration of the reduction is not automatic.	may result in a requirement for the applicant to provide additional off-street parking to comply with this Code.
15	070.040.110 Signs (d) Signs Not Requiring a Permit	When adopting the new Code “window signs” were inadvertently omitted. The old code did not regulate window signs and staff recommends that this be carried forward in the new code.	070.040 Development Standards ... 070.040.110 Signs ... (d) Signs Not Requiring a Permit ... <u>(19) Window signs</u> <u>Signs displayed in or upon a window. Such displays shall not contain flashing lights visible from a public street.</u> (19) <u>(20)</u> Yard Signs ...
16	070.040.110 Signs (d) Signs Not Requiring a Permit And (f) Temporary Sign Standards	In the Sign Code, there is a circular issue related to the display of yard signs that needs correcting. Section (d) provides a list of signs that do not require a permit. Paragraph 19 specifically addresses Yard Signs: <i>Yard signs, except for temporary yard signs, are allowed without a sign permit pursuant to...</i>	070.040 Development Standards ... 070.040.110 Signs ... (d) Signs Not Requiring a Permit ... (19) Yard Signs a. Yard signs, except for temporary yard signs , are allowed without a sign permit pursuant to the following: (f) - Temporary Sign Standards ... (2) Generally a. Temporary signs, except for temporary yard signs , shall not be displayed for more than 45 days prior to the start of an event or more than

		The section goes on to list the size, location, and duration of display requirements. Temporary Signs in paragraph (f) specifically states that the standards <u>do not apply to temporary yard signs</u>. In short, there is no definition of, and no standards or requirements for “temporary yard signs”. Staff simply recommends deleting the reference to “temporary yard signs”. By doing so, as long as yard signs comply with the location, duration (90 days per year) and size requirements, they do not require a sign permit.	45- 15 days after the conclusion of an event; b. Temporary signs, except for temporary yard signs, shall be limited to three times per calendar year per property for single-tenant properties and three times per calendar year per tenant for multi-tenant properties. During the March meeting, Commissioners recommended that temporary signs be removed 15 days following the event.
17	070.040.110 Signs (i) Summary of Permanent Sign Standards	(3) Nonresidential Uses in Residential Zone Districts. This section includes dimensional and location standards for nonresidential uses in residential zoning	070.040 Development Standards ... 070.040.110 Signs ... (i) Summary of Permanent Sign Standards ... (3) Nonresidential Uses in Residential Zone Districts.

	districts. One sign is allowed per property and limited to 10 square feet, and 42 inches in height. The issue is that this does not account for the wide variety of commercial uses allowed in the RT-residential transitional zoning district. By way of example, Valley View Hospital is located in the RT zone. Each time the hospital needs to add signage, it is required to seek a variance from the sign standards. Staff recommends exempting the RT zone from these standards which would allow all commercial uses to comply with the permanent sign standards applicable to all commercial uses across the city. Other permitted commercial uses in the RT zone include offices, banks, personal service establishments less than 1500 sf, general retail less and 1500 sf. A number of other commercial uses are allowed in the RT zone	<u>Except for nonresidential uses in the RT-Residential Transitional zoning district,</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. - Number, Maximum. One attached or one freestanding sign shall be allowed. - Sign Area, Maximum. Ten square feet. - Sign Height, Maximum. 42 inches. - Sign Location. Detached signs shall observe a minimum five-foot setback from any property line. Commissioners requested additional information about the potential impact of this recommended sign change on all RT-Residential Transitional zoning districts throughout the city. Link to zoning map. Note that in addition to the hospital and surrounding area, the RT district roughly includes the following seven areas: • 1100 – 1200 block of Grand Ave (variety of office, and residential uses) • 1600 block of Grand Ave (6 properties; 3 properties are office uses; 1 residential; 1 church; 1 multifamily); • Bell Rippy property; • Terraces; • Mountain Market; • 3300 block S Grand (5 properties; 4 properties are residential; 1 lot is vacant) • 2225-2301 Midland Ave (3 properties. 2 properties are residential; 1 lot is vacant) The proposed change would allow nonresidential uses in the RT district to have up to 1 square foot of signage per lineal foot of qualifying building frontage. To qualify as a building frontage, there must be a customer entrance or a display window. Existing buildings in the RT zone vary widely including attached and detached dwellings some converted to commercial uses; single and multistory commercial office buildings; religious institutions; and multistory hospital.
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		by special review.	
New Addition	070.040.110 Signs	(j) Sign District Standards (3) Additional Standards in the Downtown Core	d. Wall Sign Standards Wall signs on multi-story buildings shall be located within the traditional sign band area which is generally between the first-and second-floor windows. The Sign Code contains heightened sign design standards for buildings within the Downtown Core. Included is a requirement that wall signs are located within the traditional sign band area which is <u>generally</u> between the first and second floors. Since at least 2006, staff has interpreted standard to require that signs are located between the first and second floors. Since that time, there have been several prominent development projects that have been granted a variance from this standard, thereby allowing wall signs above the second floor near the building cornice. Buildings granted this variance include – Colorado Mountain College and Bank of Colorado. Other buildings with signs above the traditional sign band include Blue Bird Café; Hotel Denver; Glenwood Canyon Brewing; Spring Restaurant; Tamarac Building. During the March 23rd meeting, the Commission recommended removing this standard.
18	070.060.050 Administration and Procedures – Development Permits	(c) Construction Plans At issue is the name “Construction Plans” which causes applicant and city staff confusion. Prior to adopting the new code, applicants were required to provide nearly complete (100%) architectural and civil plans. With the adoption of the	070.060 Administration and Procedures ... 070.060.050 Development Permits ... (c) Construction Plans Technical Final Plans Review Additionally, staff will word search the code to remove “Construction Plans” and replace with “Technical Final Plans Review”. During the December and March hearings, Commissioners commented that Technical Plans Review may cause some confusion and suggested “Final Plans Review” which is consistent with other similar terms used in the Code. To further clarify the process, staff added that the Final Plans review does not include single family and duplex projects. (c) Construction Final Plans Review

	new code, fewer details are required up front. The intent is to allow a project to be reviewed in concept without the applicant having to spend a significant amount of money in design without the assurance that the project would be approved. After a project is approved but before submission of a building permit, the applicant is required to submit a Construction Plans application for staff-level review. This intermediary step is designed to ensure that the development meets the conditions of approval, in particular the Engineering Standards requirements before the applicant submits a building permit. At this stage plans are approximately 80-90% complete. However, the name "Construction Plans" confuses both the applicant and the city's reviewing departments. Some believe	... (2) Applicability a. General <u>Except for a single-family detached, or a two-family dwelling</u>, approval of construction plans pursuant to this section is required for any type of development prior to issuance of a building permit, a grading or excavation permit, or a floodplain development permit. Approval of construction plans pursuant to this section is also required for any application that includes infrastructure or utility improvements unless such improvements are guaranteed by a separate agreement with the City.
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		that the plans are building permit ready, final plans. In a few instances, applicants have completely by-passed this intermediary step and tried to submit their building permit application. Staff recommends changing the name to “Technical Plans Review”.	
19	070.060.050 Administration and Procedures – Development Permits (d) Location and Extent Review	Issue: As the code is currently written, a location and extent review application is required when any project, regardless of size, is proposed by a public entity. All location and extent applications are reviewed by the Planning and Zoning Commission. Staff recommends establishing an administrative review for those projects that are less than 10,000 square feet gross floor area which is consistent with the site/architectural review threshold for an administrative review.	070.060 Administration and Procedures ... 070.060.050 Development Permits ... (d) Location and Extent Review ... (3) Location and Extent Procedure a. Figure 060-10 identifies the applicable steps from the common review procedures in 070.060.030 that apply to the location and review. Additions or modifications to the common review procedures are noted below. <u>Projects that are less than 10,000 5,000 square feet gross floor area are subject to staff review following procedures in 070.060,030(e)- Staff Review and Action. In reviewing the proposed location and extent application, the Director shall consider the Location and Extent Approval Criteria in 070.060.050(e)(3)e.3.</u> Staff recommended establishing an administrative review for those projects that were less than 10,000 square feet gross floor area which was consistent with the site/architectural review threshold for an administrative review. Commissioners recommended a 5,000 square foot threshold.

20	070.060.070 Administration and Procedures – Flexibility and Relief Procedures (a) Variance	Issue: The new code was adopted with a strict set of seven variance criteria by which all variances are judged. Under the previous code there was flexibility in that design variances were held to lesser standard than deviations from zoning requirements (setback, building height, lot coverage, for example). In applying the new Code, the Commission realized that there is some benefit to having some flexibility especially when addressing variances from certain design standards. The Commission held workshops in July, August and September to consider a separate set of criteria for deviations from the following design/development standards: • Residential and non-residential design standards • Parking area landscaping standards	070.060.070 Flexibility and Relief Procedures (a) Variance ... (3) Variance Procedure ... e. Planning Commission Review and Decision 1. Review and Decision i. The Planning Commission shall review the variance application and shall approve, approve with conditions, or deny the variance in accordance with 070.060.030(g) and the criteria in paragraph 2 <u>or 3</u> below. The Planning Commission may also remand the application back to the Director for further consideration. ... 2. Variance Approval Criteria <u>Except as provided in paragraph 3 below, in</u> in reviewing a variance application, the Planning and Zoning Commission shall find that all of the following exist: i. The subject property has an exceptional shape, topography, building configuration or other exceptional site condition that is not a general condition throughout the zone district; ii. The strict application of the Code standards for which a variance is sought would produce undue hardship; iii. The applicant did not create the hardship by his/her own actions; iv. The variance requested does not harm the public and does not impair the intent or purposes of this Code, goals, and policies, including the specific regulation for which the variance is sought; v. The variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden; vi. The variance request will not violate building or fire code requirements; and vii. The variance is the minimum variance that will afford relief of the subject standards of the Code. 3. <u>Design Variance Approval Criteria</u> <u>In reviewing a variance application from 070.040.050, Landscaping, Screening, and Fencing; 070.040.060(h)(6), Parking Area Landscaping; 070.040.080, Residential Site and Building Design; and 070.040.090, Non-Residential and Mixed-Use Site and Building Design, the Planning and Zoning Commission shall find that the variance request meets all of the criteria listed in Section A, and at least four of the criteria listed in Section B:</u> <table><tr><td><u>Section A</u> <u>All design variances shall meet the following criteria:</u></td><td><u>AND</u></td><td><u>Section B</u> <u>At least four of the following criteria</u></td></tr></table>	<u>Section A</u> <u>All design variances shall meet the following criteria:</u>	<u>AND</u>	<u>Section B</u> <u>At least four of the following criteria</u>
<u>Section A</u> <u>All design variances shall meet the following criteria:</u>	<u>AND</u>	<u>Section B</u> <u>At least four of the following criteria</u>				

		Landscaping, screening & fencing requirements	<u>The variance requested does not harm the public health, safety, or welfare; and</u> <u>The variance requested is in general conformance with the Comprehensive Plan and with the stated purpose and intent of the Code including the specific regulation for which the variance is sought; and</u> <u>The variance requested will not violate building or fire code requirements.</u>	<u>The variance requested advances the goals and policies of the Code or achieves the intent of the subject standard to the same or better degree than the subject standard; or</u> <u>The subject property has an exceptional shape, topography, building configuration or other exceptional site condition that is not a general condition throughout the zone district; or</u> <u>The variance requested results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; or</u> <u>The variance is necessary and appropriate to make possible the reasonable use of the land or the structures on the property; or</u> <u>The variance is the minimum variance that will afford relief of the subject standards of the Code; or</u> <u>The strict application of the Code standards for which a variance is sought would produce undue hardship.</u>
21	070.070.020 Definitions of Use Categories and Specific Use Types	In the use table, staff recommended that Civic Buildings be changed to “Civic Facilities” to address those civic-related sites that do not include buildings, such as the recycling center.	070.070.020 Definitions of Use Categories and Specific Use Types (b) Public, Institutional, and Civic Uses (1) Community and Cultural Facilities ... b. Civic Building-Facility Any noncommercial public building <u>facility</u> housing uses for the prepose of promoting the general health, safety, and welfare of the citizens of Glenwood Springs. Some civic buildings <u>facilities</u> are also considered government offices.	

22	070.070.020 Definitions of Use Categories and Specific Use Types	Staff recommended adding large and small-scale solar energy systems to the Land Use Table. These terms are currently undefined.	070.070.020 Definitions of Use Categories and Specific Use Types ... (d) Industrial Uses ... (6) Utilities ... c. Wastewater Treatment Facility <u>Solar Energy System, Large-Scale</u> <u>A roof, ground, or wall mounted device and/or system that collects and converts the sun’s radiant energy into thermal, chemical, mechanical, or electrical energy.</u> d. Wind Power Generation <u>Wastewater Treatment Facility</u> ... <u>e. Wind Power Generation</u> ... (e) Accessory Uses and Structures ... <u>e. Solar Energy System, Small-Scale</u> <u>A roof, ground, or wall mounted device and/or system that collects and converts the sun’s radiant energy into thermal, chemical, mechanical, or electrical energy. Net Metered Residential solar systems are limited to an installed capacity of 10 KW. Net Metered Commercial solar systems are limited to an installed capacity of 25 KW.</u> At the December meeting, some Commissioners commented that the maximum 10 Kw cap for residential small scale solar is limiting. Commissioners and staff also discussed net metering which is a utility rate structure that requires the electric department and/or MEAN (the City’s electric provider) to purchase the excess solar energy created by the solar panels at the full retail rate of electricity. This means that when the solar panels produce more electricity than is needed by the home, the excess power is sent to the grid. The 10 Kw is a maximum set by state law. Properties are allowed to install panels that exceed the maximum. In that case, the city and property owner enter into a non-net meter agreement.
23	070.070.020 Definitions of Use Categories and	Issue: staff recommends removing “outdoor storage, accessory” from the land	c. Outdoor Storage, Accessory The incidental keeping of goods, materials, or equipment in a location not enclosed by walls and a roof. <u>Portable Storage Container</u>

	Specific Use Types	use table and replacing it with “portable storage containers”. The definition of outdoor storage will be moved to 070.070.030 <i>All Other Terms Defined</i> (see below).	<u>Any temporary, transportable, movable or portable container which is delivered to and placed outdoors on private property for storage purposes. A portable storage container does not include a refuse container.</u>
24	070.070.030 All other Terms Defined	This recommended change to the Lot Coverage definition clarifies that ground mounted solar panels are not included in the calculation.	Lot Coverage The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures <u>excepting the percentage covered by ground-mounted Small Scale Solar Energy Systems.</u>
25	070.070.020 Definitions of Use Categories and Specific Use Types	<i>Issue: recently the Planning & Zoning Commission and City Council approved code changes related to marijuana regulations including updating the terms “retail marijuana establishments” and “medical marijuana business” to “marijuana businesses”. This change was inadvertently omitted from the Home Occupation definition.</i>	070.070.020 Definitions of Use Categories and Specific Use Types ... (e) Accessory Uses and Structures ... b. Home Occupation A business, occupation, or activity undertaken for compensation within a residence in a residential zoning district and that is incidental to the use of that structure as a dwelling unit. A home occupation shall not be interpreted to include the following uses: kennels, veterinary clinics, pet animal breeding operations; medical clinics, dental clinics, hospitals; restaurants, clubs, drinking establishments; motor or recreational vehicle repair, storage, rental, painting, or wrecking; adult entertainment establishments; undertaking or funeral parlors; medical marijuana business ; on-site retail sales of items made or produced off-site; or retail-marijuana establishments businesses.

Councilor Kaup Attachement

Councilor Kaup's Questions

1. What is temporary storage for?
2. 10' height seems excessive - higher than most plate heights on a house.
3. 1000 s.f - larger than most accessory dwellings or storage sheds. Code --e refers to 'number and size', --e.2 says 'In no case shall total *number* of portable storage containers exceed 1000 s.f.'
We should clarify this to address total s.f., the units don't match.
4. How long will these be allowed to stay onsite?
5. Are these allowed indefinitely? It is essentially expanding the building capacity on a site...
6. Can you please explain purpose, why the need for 1000 s.f., and 10 ft. height?

Gretchen Ricehill's Answers

We were/are having growing issues with portable (shipping, or Conex) storage containers showing up on commercial properties, but we do not have regulations to address them appropriately. They are used for all types of storage from used tires to goods/materials.

We want to be able to address placement, such as not allowing them to take up required parking spaces, not allowing them in front of buildings, or in required setbacks. Some containers can become unsightly, so we want to require that they be screened, much like screening dumpsters. Also, we need to make sure that they don't affect a property's storm drainage pattern so as to cause problems on adjacent properties.

Regarding your other questions

1. Height – 10 feet was suggested by the P & Z. I think that many containers are around 6-8 feet in height.
2. Square footage – originally, I suggested a maximum number. The Commission reasoned that there were many different container sizes and it might be better to limit by coverage. Thanks for catching the fact that I didn't remove "number" from the recommended code text. The Commission suggested 1000 square feet which was consistent with our maximum allowance for accessory buildings, including accessory dwelling units. This 1,000-sf coverage would allow for 6 of the large containers. Again, we're open to other thoughts if you feel this square footage should be reduced.
3. Duration – we propose allowing the containers on site permanently.

I understand your concern regarding use/abuse as "housing". Unfortunately, with these regulations we are trying to address what we perceive as a need from businesses but in doing so it could have unintended consequences. In the past when we became aware of sheds, for example, being used for housing, we addressed the issue through enforcement of the building code.



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Open Records Request Policy

Action Requested: Provide staff direction on updates to the City of Glenwood Springs' Colorado Open Records Act (CORA) process.

Department: City Administration

Presented By:

Background Info: At the Mayor's request we have compiled a list of other municipalities Open Records forms and where available online policies. Please find those attached along with a spreadsheet summarizing fees and practices. Also attached is an opinion of the Colorado Attorney General regarding frequently asked questions regarding Open Records and an example of how a federal agency provides transparency by having a publicly accessible FOIA log. Staff will be available to answer any questions Council may have.

Issues: NA

Staff Recommendation: Staff defers to Council.

CORA Policies Comparison

Municipality	Written Request Required	Research Fees	Per page copy fees	Online Submission	Policy/procedure is available on-line
Aspen	yes	N/C 1st hour \$30 each add'l hour	0.25/pg	yes	yes
Basalt	yes	N/C 1st hour \$30 each add'l hour	0.25/pg with add'l fee structure	unclear	no
Boulder (City)	If request is for significant amt of docs/time	\$35 for large requests/manipulation of data (not reserch and retrieval) Research and retrieval: N/C 1st hour \$30 each add'l hour	0.25/pg or actual cost if not standard page	unclear	yes
Boulder County	yes	N/C 1st hour \$30 each add'l hour	0.25/pg or actual cost if not standard page	unclear	yes
Carbondale			0.25/pg or actual cost if not standard page	unclear	no
Denver	yes	N/C 1st hour \$33 each add'l hour	0.25/pg or actual cost if not standard page	yes	yes
Eagle (Town)	yes	N/C 1st hour \$30 each add'l hour	0.25/pg with add'l fee structure	yes	no
Eagle County	yes, form recommended but not required	N/C 1st hour \$33.38 each add'l hour	0.25/pg or actual cost if not standard page	in person, mail, facsimile	yes
Garfield County	yes	Each department has fee structure for research	after 1st 10 pgs, 0.25/pg or actual cost if not standard page	in person, email, mail, fax,	yes
Grand Junction	yes	\$7.50/quarter hour (\$30/hour) after first hour	0.25/pg with add'l fee structure	letter, email, or request form	yes
Gypsum	yes	N/C 1st hour \$30 each add'l hour	0.25/ pg or actual cost if not standard page	yes	no
Pitkin County	yes	N/C 1st hour \$30 each add'l hour	0.25/ pg or actual cost if not standard page	unclear	yes
Rifle	yes	N/C 1st hour \$30 each add'l hour	0.25/pg with add'l fee structure	No, except at custodian's discretion	no

REQUEST FOR PUBLIC RECORDS

All public records shall be open for inspection by any person at reasonable times, except as provided for in Section 24-72-203 of the Colorado Revised Statutes, copy follows. All requests for records shall be submitted to the City Clerk's office. The City Attorney prior to release of the records shall review any request for public records that may include information specified in Section B below.

ELECTRONIC MAIL REQUESTS

Electronic Mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval, including electronic messages that are transmitted through a local, regional or global computer network (CRS 24-72-204.5)

The City of Aspen Information Systems Department maintains an email retention and deletion policy. Currently, the City of Aspen does not archive electronic mail. Data storage may be retrievable for 60 days from the date of request. The City Clerk maintains the official files of the City and is responsible for researching and providing copies of official actions of the City at the request of citizens and City departments. Requests which include electronic mail must be submitted to the City Clerk on a Request for Public Records.

The City Clerk will access the data collection and costs necessary to comply therewith. A total estimated amount of the cost to produce the electronic records will be provided to requestor and this estimated amount will need to be deposited with the City Clerk before the request shall be processed. Should the production of the records prove more costly the difference will need to be paid before records are released. Should the actual cost prove less than the estimate a refund of the difference will be provided.

A. Procedure for Processing of Request

1. A Request for Public Records Form must be completed.
2. If it is clear that the records requested *do not* contain information listed in Section B, the following shall apply:
 - a. If records are readily accessible, they shall be presented for review or copied as requested.
 - 1) The charge for record copies is \$0.25/page.
 - 2) The charge for providing copies of records on media types other than paper is \$15 per disk/CDROM/tape etc.
 - 3) The charge for research and retrieval of material, including extraction of email data, is \$0 for the first hour and \$30 for each additional hour. (24-72-205(6)(a)).
 - 4) The charge for verbatim transcript is \$5.00 / page.
 - 5) The charge for certification is \$1.50 /record certified.

- b. If the records requested are not readily accessible, they shall be produced within 3 working days or less. If extenuating circumstances exist, that times frame may be extended to no longer than 7 working days (24-72-203(3)(b)). The same charges apply as above.
3. If the records requested *may* include information listed in Section B, the following shall apply:
 - a. The requestor shall be notified that all requests must first be reviewed and approved by the City Attorney's office. Contingent on the approval of the City Attorney, the requested records shall be produced within a reasonable amount of time. A reasonable amount of time shall be 3 working days or less. If extenuating circumstances exist, that times frame may be extended to no longer than 7 working days (24-72-203(3)(b)). The same charges apply as above.
 - b. The Request for Public Records form, along with the requested records, shall be forwarded to the City Attorney for review.
 - c. Once the requested has been reviewed by the City Attorney, either
 - 1) The request is approved and the records will be copies as requested. For applicable charges see 2(a).
 - 2) The request is denied, the requestor will be notified of the denial and the reasons. The reasons shall be provided in writing if requested.

B. Possible Grounds for Denial of Request for Records

The City shall deny any person the right to inspect the following types of records:

1. Police Department records (24-72-204(2)(a)(I))
2. Test questions, scoring keys regarding licensing examination or examination for employment. (24-72-204(2)(a)(II))
3. Specific details of research projects. (24-72-204(2)(a)(III))
4. Medical, mental health, sociological or scholastic achievement data on individual persons. (24-72-204(3)(a)(I))
5. Personnel files (24-72-204(3)(a)(II(A)))
6. Letters of reference (24-72-204(3)(a)(III))
7. Privileged information and confidential commercial, financial, geological or geophysical data. (24-72-204(3)(a)(IV))
8. Addresses, telephone numbers and personal financial information of past or present users of public utilities, public facilities, or recreational or cultural services. (24-72-204(3)(a)(IX))
9. Any records of sexual harassment complaints and investigations. (24-72-204(3)(a)(X))
10. Any record that would cause substantial injury to the public if disclosed. (24-72-204(3)(a)(XIII)).

TOWN OF BASALT
Ordinance No. 14
Series of 2015

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, ADOPTING AN
ADMINISTRATIVE FEE SCHEDULE FOR THE PRODUCTION OF PUBLIC
RECORDS**

RECITALS

WHEREAS, The Town of Basalt is authorized to establish charges for services rendered to members of the public in producing public records in accordance with the Colorado Open Records Act, C.R.S. 24-72-205, *et seq.* ("CORA"); and

WHEREAS, such services may include supervising the copying, printing out, and photographing of public records, as well as the research and retrieval of public records; and

WHEREAS, Article X, Section 2-381 of the Basalt Municipal Code authorizes the Town Council to set administrative fees by ordinance, including charges for copies and materials, to ensure that the costs of services are borne by the recipients of services rather than the taxpayers at large; and

WHEREAS, the amount of revenue generated from fees should cover both the direct and indirect costs of the services provided, and should not exceed the estimated costs of providing the services for which fees are charged; and

WHEREAS, the adoption of this Ordinance is in the best interests of the Town of Basalt.

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, AS FOLLOWS:

Section 1. CORA FEE SCHEDULE. The Town Council hereby adds a new Fee Schedule for Production of Public Records. Unless otherwise specified by the Fines, Penalties, and Administrative Fees of Section 2-381 of the Municipal Code, established by Ordinance No. 25 Series of 2013, and Ordinance No. 17, Series of 2014 the fees set forth in Exhibit A hereto shall apply to all requests to produce public records in accordance with the Colorado Open Records Act ("CORA"), C.R.S. 24-72-205, *et seq.*,

Section 2. PAYMENT OF FEES. All requests for public records must meet the requirements of CORA. A deposit of 50% of the estimated cost of complying with the request is required. The deposit shall be credited to the final fee, and a refund made where the actual fee is less than the amount of the deposit. The Town shall notify the requesting person that a copy of the record(s) is available but will only be released or transmitted once the Town receives payment of all fees associated with the production of the record(s) as specified above.

Section 3. CHANGE IN FEE SCHEDULE. The fees established by this article shall be increased automatically at such time as the provisions of C.R.S. 24-72-205(5) are amended to increase or decrease the fees that may be charged, and the fees specified by the statute as amended shall thereafter apply.

Section 4. APPLICABILITY OF CORA. Except as specifically provided herein, the production of public records by the Town shall be governed by the applicable requirements of the Colorado Open Records Act ("CORA"), C.R.S. 24-72-101, *et seq.*

Section 5. POSTING FEE SCHEDULE. This Ordinance, upon full execution, shall be posted on the Town of Basalt web site.

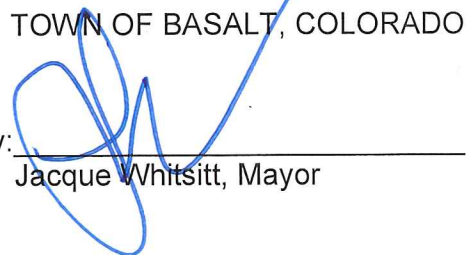
Section 6. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions thereof.

Section 7. EFFECTIVE DATE. The effective date of this ordinance shall be two weeks after the final publication of the ordinance. Approval of this ordinance constitutes the Town's Final Approval subject to the conditions contained herein.

READ OF FIRST READING, ORDERED PUBLISHED AND SET FOR PUBLIC
HEARING TO BE HELD ON July 28 2015, by a vote of 5 to 0, July 14 2015.

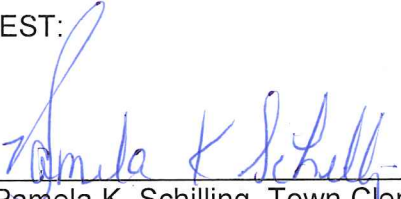
READ ON SECOND READING AND ADOPTED, by a vote of 6 to 0 on 2015, July 28.

TOWN OF BASALT, COLORADO

By: 
Jacque Whitsitt, Mayor

ATTEST:

By


Pamela K. Schilling, Town Clerk

First Publication: _____

Final Publication: _____

Effective date: _____

EXHIBIT A

ARTICLE VII. FEE SCHEDULE FOR THE PRODUCTION OF PUBLIC RECORDS

Section 4-128. FEE SCHEDULE.

TYPE OF SERVICE	CHARGE	ADDITIONAL CHARGES
Open Records Request for criminal justice records- onsite standard size paper documents or scanned files(includes traffic citations, sex offender registry)	1 st hour no charge; subsequent time \$30 per hour.	\$.25 per page
Open Records Request for non-criminal justice records- onsite standard size documents (hard copy or scanned)	\$.25 per standard size copy	
Open Records Request- Documents such as plats required to be plotted	\$25.00 for 24"x36" \$35.00 for 36"x48"	
Open Records Request- CD Documents	\$25 per CD (up to 700MB)	
Open Records Request- Printed Photographs (3.5x5 size) each	\$3.00	6 or more \$20.00 plus \$.50 per print
Open Records Request- Printed Photographs (8x10 size) each	\$7.00	6 or more \$40.00 Plus \$5.00 per print
Open Records Request- Digital Photos (additional pictures)	\$10.00 for each additional set of 50	Digital Photos (not prorated)
Open Records Request- Audio CD	\$12.00 per recording	
Open Records Request- Video Recording	\$25.00 per recording	
Open Records Request- Off-site Records (covers the cost of delivery and pickup only)	\$75.00 PRE-PAID for one off-site box, plus the standard copy fees as listed above	\$10.00 PRE-PAID for each additional box, plus the standard fees as listed above
Manual and/or Computer Research and/or Retrieval (applicable to all CORA Requests)	First hour- no charge; Additional time- \$30 per hour	

Note: A single-sided piece of paper (up to 11" x 17") constitutes one page.

A double-sided piece of paper (up to 11" x 17") constitutes two pages.

ORD 14. 2015



Town of Basalt
Request for Public Records

All requests for public records will, under normal circumstances, be processed within 3 business days of the date requested in accordance with the Colorado Open Records Law

Date Received Stamp

Requested By: _____

Phone No.: _____

Mailing Address: _____

Date Requested: _____

Specific Records Requested: _____

Request To: Inspect _____ Mail Copies _____

Means of Notification: Mail _____ Pick Up _____

Requestor's Signature: _____ Date: _____

Office Use Only

Fee: No _____ Yes _____ _____ per page Total Cost \$ _____

Date Request Completed: _____

Request Completed by: _____

Distribute Mail _____ Date Mailed _____ Initials _____

Pick Up _____ Date Picked Up _____ Initials _____

**CITY OF BOULDER
POLICIES AND PROCEDURES**

ACCESS TO PUBLIC RECORDS

EFFECTIVE DATE: December 3, 2001

AMENDED DATE: June 27, 2014


Jane S. Brautigam, City Manager

I. POLICY

It shall be the policy of the City of Boulder to make public records available for public inspection at reasonable times in accordance with the provisions of the Colorado Open Records Act, as reflected in § 24-72-201, C.R.S., *et seq.* ("the Act").

"Public records" means records that exist on paper or on other recorded media and includes records in the form of electronic mail communication (email).

II. PURPOSE

2.1 The purposes of this policy are to:

- Set forth a general procedure for providing City-wide, consistent, prompt and equitable service to members of the public requesting access to public records in accordance with the requirements of the Act;
- Foster open and accessible government;
- Allow members of the public to have access to information regarding the manner in which taxes and other City resources are allocated;
- Facilitate appropriate access to public records while also recognizing the need to avoid unwarranted interference with the discharge of critical City business and ensuring that the process of responding to requests for records does not inordinately interfere with the completion of previously scheduled or critical City work;
- Establish reasonable charges for copying records (as authorized by the Act) and allow recovery of the value of a portion of staff time required to respond to complex records requests; and
- Establish reasonable charges for research and retrieval of records and allow recovery of the value of a portion of staff time required to respond to complex records requests.

- 2.2 This policy is intended to be consistent with, and implement provisions of, the Act. In that regard, it recognizes the existence of documents to which the City *shall allow* public access, documents to which the City *shall deny* access, and documents to which the City *may deny* access. See § 24-72-204, C.R.S.

III. SCOPE

This policy shall apply to all City records and, more generally, to all records requested pursuant to the Act, with the exception of records covered under the Criminal Justice Records Act.

IV. DEFINITIONS

The definitions found in § 24-72-202, C.R.S., as amended from time to time, shall apply when interpreting this policy, unless the context clearly requires a different interpretation.

V. PROCEDURES

- 5.1 It is the responsibility of each department head to become familiar with, and to educate affected employees about, the standards and requirements of this policy.
- 5.2 Official custodians for City records are as follows:
- The City Clerk is the official custodian of all records which are centrally maintained by the city;
 - Department heads are the official custodians of all records maintained within their departments; and
 - The Director of Information Technology is the official custodian of e-mail.
- 5.3 Members of the public may make informal requests to the official custodian for copies of public records. The custodian will make reasonable efforts to fill such requests immediately.
- 5.4 If a request is made for voluminous documents, extensive information, or if it requires significant research or redaction of records, it shall be made in writing to the official custodian maintaining the records being requested. Such a formal written request should describe the requested information with as much specificity as possible in order to allow a custodian to locate the requested records.
- 5.5 If an applicant is uncertain about the identity of the official custodian of requested records, the request shall be made in writing to the Office of the City Attorney.
- 5.6 The City Attorney's Office and Central Records shall be notified immediately of all written records requests and may assist in processing such requests. The City

Attorney's Office may advise staff about the need to review records with regard to confidentiality, official privilege, and related matters prior to their release.

- 5.7 If immediate production of requested records is not feasible the custodian will set a date and time for inspection of the records within three working days of the date on which the request was made. This time period may be extended by seven additional working days in the event of extenuating circumstances as described in § 24-72-203(3)(b), C.R.S. Production of records within these time limits shall be excused if such production is a physical impossibility or when such production would significantly and adversely impact critically important or previously scheduled City work.
- 5.8 The City is not obligated to provide records in electronic form. However, the City will endeavor to provide information in that form which is most convenient and practical. Toward that end, a request for information in electronic form will be forwarded to the City Manager's Office Communications staff for determination about whether or not such information can or will be generated and released in electronic form. The Information Technology Department will determine feasibility of recovery.
- 5.9 When a request for electronic records is received, it shall be the responsibility of the department in possession of such records, after consulting with the City Attorney's Office, to determine whether or not the records should be released in view of the deliberative process and work product exemptions that are set forth and defined in the Act.¹
- 5.10 Records requests from the news media shall be directed to the City Manager's Office Communications staff with a copy to Central Records. Staff will make reasonable efforts to comply promptly with such requests. If staff is unable to do so, media representatives will be directed to submit a written request to the City Attorney's Office. Thereafter, the request will be governed by the provisions of this policy and the Act.

VI. CHARGES

- 6.1 The City may charge reasonable fees for research, retrieval, and necessary redaction in connection with producing public records.²
- 6.2 Each department having custody of requested records shall charge for any copies, printouts, or photographs requested. Charges for reproduction of records will be standard throughout the City for similar items.

¹ The Act defines work product as advisory materials assembled for the benefit of elected officials, which materials express an opinion or are deliberative in nature and are communicated for the purpose of assisting such elected officials in reaching a decision within the scope of their authority. Work product documents do not include materials distributed to elected officials for use at a public meeting and/or that express a final decision by an elected official.

² See Black v. Southwestern Water Conservation District, 74 P.3d 462 (Colo. App. 2003).

- 6.3 Department heads have the authority to waive charges for good cause.
- 6.4 The cost for a standard size photocopy shall be \$0.25 per page. No sales tax will be charged.
- 6.5 When a commercial copy service is utilized to produce copies, the person or party requesting the records will be responsible for paying the actual charges for that commercial copy service. The decision about when outside commercial copy services will be used shall be made by the Director of the department that maintains the requested public records. In making this determination, a department Director may consider, without limitation, the logistical impact upon the department of using internal or external resources, and the security of documents and other City resources that might be implicated by such a decision. Such a decision by a department Director is final and is not reviewable.
- 6.6 Departments may charge for time spent responding to large requests, including, without limitation, requests that require the searching of voluminous files for specific information, manipulating data, or redacting documents to excise confidential information. The charge for these kinds of services (except research and retrieval) shall be \$35 per hour. Departments shall impose no charge for the first hour spent for research and retrieval. After the first hour, departments may charge \$30 per hour for research and retrieval. After July 1, 2019, departments shall adjust the charge for research and retrieval, as posted on the Colorado General Assembly's website under C.R.S. 24-72-205 (6)(a). A charge of \$35 per hour may also apply where manipulation of data is required in order to generate a record in a form not ordinarily used by the City (including redaction of documents to excise privileged material) or when production requires use of computer technology other than word processing. Specific additional departmental fees may apply.
- When staff time in excess of one hour is required to respond to a records request, a time-log should be maintained describing the time spent in responding to the request.
- 6.7 All persons making a subsequent request for the same record or records shall be charged the same fee as was the initial requestor.
- 6.8 The City, at its discretion, may respond to requests for access to public records stored electronically and in computer databases by providing, upon written request, a copy, disk or printout, but shall not allow access to a computer terminal connected to internal City computer systems that is not ordinarily available for general public use. The exception to this restriction is public information provided by the City on the Internet. The fee charged for providing records in electronic form will be based on recovery of the actual incremental costs associated with building and maintaining the relevant database in providing the responsive electronic records, as determined by the Information Technology Department.

- 6.9 The City Manager's Office Communications staff should be notified on all requests relating to media stories. The City Manager's Office Communications staff will determine if the media will be charged on a case-by-case basis.
- 6.10 At its discretion, the department head may waive charges for the following:
- Requests from other cities or states or from professional organizations to which the City as a whole pays membership dues to or participates in, such as the Colorado Municipal League; or
 - Requests from students for documents needed in conjunction with specific educational projects. However, if compliance with such requests requires extensive staff time, research charges may be imposed at the discretion of the affected department head.
- 6.11 Questions about producing records at the request of representatives of the news media should be referred to the City Manager's Office Communications staff for evaluation.

VII. ACCESS DENIED

- 7.1 Access to public records may be denied in accordance with the provisions of the Act.
- 7.2 No records shall be produced when, after consultation with the City Attorney, a custodian determines that the records are privileged or otherwise inappropriate for disclosure based upon the application of a City ordinance, state statute, federal statute, or pursuant to any regulation issued pursuant to any such provision of law or where production of documents is prohibited by a court order, court decision, or court directive.
- 7.3 The following records shall not be produced pursuant to an open records request:
- The contents of personnel files, specifically including but not limited to, social security numbers, home addresses, home telephone numbers, and personal medical, psychological, and sociological data;
 - Scholastic achievement data;
 - Letters of reference;
 - Identities of applicants, except finalists, for the positions of City Manager, City Attorney, Municipal Judge, and department and divisions heads;
 - Criminal justice records;
 - Names, addresses, telephone numbers, or financial data of past or present users of public utilities, public facilities or recreational or cultural services;

- Correspondence between City Council and constituents where it is clear that there was an expectation of confidentiality;
- Trade secrets, privileged information, or confidential commercial or financial information furnished or obtained from a person that cannot be accessed by the general public;
- Correspondence sent or received by an elected official without consent of that elected official; and
- Sexual harassment investigations.

7.4 The following records may not be produced pursuant to an open records request:

- Test questions and scoring keys;
- Work product and drafts;
- Deliberative process materials;³
- Investigatory files compiled for any law enforcement purpose;
- Real estate appraisal documents relating to land the title of which has not yet passed to the City; and
- Disclosure of documents that would do substantial injury to the public interest, i.e. when release would serve to inhibit free and frank discussion in future documents.

7.5 Attorney/client and attorney work product communications which convey legal advice shall not be produced for inspection. Such records include all confidential communications to or from the City Attorney's Office or to or from other special counsel representing the City. Confidential material of this type may include records of electronic communications. However, copies of such records may be released to those to whom the communications were initially directed.

In order to facilitate the protection of attorney/client and attorney work product material, it is recommended such material be kept in segregated and clearly marked portions of files or otherwise stored in a manner that makes them easily identifiable. Electronic communication that falls within these categories should not be maintained longer than necessary and, when maintained, should be placed in appropriately segregated locations.

³ Deliberative process material is defined as material so candid or personal that public disclosure is likely to stifle honest and frank discussion within the government.

- 7.6 If, in the opinion of a records custodian, disclosure of the contents of any public record would do substantial injury to the public interest, even though such record is otherwise available for public inspection under the provisions of this policy, the custodian may deny access to such public record. When a public record is withheld pursuant to this provision, the custodian shall provide the person requesting that record a sworn statement generally describing the document or documents withheld and explaining why disclosure would cause substantial injury to the public interest.
- 7.7 Birth dates will not be released. However, birth dates may be released to representatives of the news media if names are not associated with those birth dates. Birth dates may be otherwise provided to representatives of the news media upon the execution of agreements acceptable in format to the City Manager in which news media representatives agree that they will not publish individual names with associated birth dates based upon the material provided.
- 7.8 Notwithstanding the above, documents that are privileged or that would otherwise be withheld from production pursuant to this policy may be produced when a waiver is obtained from the person whose privacy interest would be protected by the refusal to produce the documents. However, production pursuant to this provision shall occur only after consultation with, and approval by, the City Attorney.

VIII. SPAM IDENTIFICATION

All City employees' inbound email traffic will be routed through an electronic system prior to delivery to the City network. Each message will be scanned for viruses and worms, content and attachment block lists, email service attacks, member of domain level or deny lists, and spam. When focusing on the spam identification, the system analyzes the likelihood of spam from each message. If the aggregate score from the multilevel review is 90% or greater, the system identifies the message as spam, blocks it and delivers the message to a safe, external quarantine. The quarantine is accessible by the City Email Administrator to review if needed. Once quarantined, the email is considered undeliverable and left to be automatically deleted after seven calendar days.

IX. CONSTRUCTION AND INTERPRETATION

Employees who have questions concerning the interpretation or application of this policy should be directed to the City Attorney's Office.

X. EXCEPTIONS/CHANGE

This policy supersedes all previous policies covering the same or similar topics. Exceptions to this policy may be granted only by the City Manager. This policy may be reviewed and changed at any time.

XI. PUBLICATION

The City Clerk, on behalf of all custodians for City of Boulder records, shall publish this Policy by posting and maintaining it on the City of Boulder's website.



City of Boulder Open Records Request Form

To be used for records requested in accordance with the City of Boulder's Access to Public Records policy (amended September 25, 2006) and the Colorado Open Records Act (CORA), C.R.S. 24-72-201, *et seq.*

I. Give Your Information

Name: _____
Company or Group: _____
Address: _____
Telephone: _____
Email: _____

II. Describe the Requested Record(s)

Please be as specific as possible in describing the requested record(s). Include a date or date range, the subject matter, and specific names of persons or documents.

Record(s) Requested: _____

III. Submit the Request to the Official Custodian

- The City Clerk is the official custodian of all records which are centrally maintained by the City
- Department heads are the official custodians of all records maintained within their departments

Additionally, each department having custody of requested records may charge for any copies, printouts, or photographs requested, as well as research, retrieval, and necessary redaction.



SECTION 1 GENERAL AND ADMINISTRATIVE POLICIES

NUMBER 1.10 Guidelines for Handling Requests for Public Records

(July 1, 2016)

Colorado statutes (C.R.S. § 24-72-200.1, *et seq.*) set forth the rights and requirements of the Colorado Open Records Act (CORA). Generally, the public has the right to access the public documents of a governmental entity. Boulder County EO/DH are the custodians of records maintained within their respective offices and departments. A completed Public Records Request Form should be sent directly to the office/department that maintains the records. A fee may be charged for these records; refer to section C of this policy, which addresses fees.

It is the policy of the BOCC that all public records shall be open for inspection by any person at reasonable times, except as provided by the Colorado Open Records Act (CORA) or by other laws. This policy is intended to provide a guideline for employees handling public records requests and will be deemed modified by additional or new language added to CORA.

Although "all public records are to be open for inspection by any person at reasonable times," procedures for such disclosure can be subject to rules and regulations made by the official custodian or the custodian. C.R.S. § 24-72-203(1)(a). These rules and regulations are authorized, if they are reasonably necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or his/her office/department. C.R.S. § 24-72-203(1)(a). Such rules and regulations cannot change the Act; for example, such rules and regulations cannot limit who is entitled to records or limit what records are open for inspection. This policy is intended as a general guideline to assist employees in handling public records requests. However, depending upon the circumstances of a request, the county reserves the right to allow a custodian to establish specific rules and regulations necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or his/her office/department.

A. Definitions

The definitions found in C.R.S. § 24-72-202, as amended from time to time, shall apply unless the context clearly requires a different meaning. Two (2) definitions of particular importance are listed below:

1. Public Records: “[A]ll writings made, maintained, or kept by... [any] political subdivision... for use in the exercise of functions required or authorized by law... or involving the receipt or expenditure of public funds.” C.R.S. § 24-72-202(6)(a)(I). CORA does not include criminal justice records, which are addressed by the Colorado Criminal Justice Records Act, C.R.S. § 24-72-301 to -309.
2. Writings: [A]ll books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form of characteristics. ‘Writings’ includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.” C.R.S. § 24-72-202(7).

B. Procedure

1. The county has determined that the use of an official request form to be used by members of the public is necessary for the efficient handling of such public records requests. The Public Records Request Form should be given to any individual who makes a request that is not on the form, or the individual should be directed to the web page where a fillable PDF version of the public records request page is located:
<http://www.bouldercounty.org/records/public/pages/pubrecform.aspx> or HR to receive a request form. The individual should be told that county policy requires that requests be made on this form and the employee should make every effort to ensure that the individual is given enough information to access the form without delay. Once a request is received on the official Public Records Request Form, a copy should be transmitted to the CA Office immediately. Additionally, if the records are not held by the office/department receiving the request, the request should be transmitted to the office/department that maintains the records being sought. The county has a limited amount of time within which to respond to public records requests and employees receiving such requests should be familiar with these statutory deadlines. See Section D, Time for Accessing Public Records, in this policy for more information regarding timelines.
2. The Clerk to the BOCC is the official custodian of all records centrally maintained by the county. Elected officials and department heads are the official custodians of all records maintained within their offices or departments. The IT Division

Director is the official custodian of emails. It is the responsibility of each department head to become familiar with and to educate his/her affected employees about the standards and requirements of this policy.

Elected officials may develop their own policies and procedures regarding public records in their custody; however, to the extent that the county has custody of any public records of an elected official, the county shall, in consultation with the elected official, meet any requirement of the CORA as it may apply to documents in the county's possession.

If the public records requested are not in the custody or control of the person to whom the application is made, such person shall "forthwith" notify the applicant of this fact, in writing if requested by the applicant. In such notification, the person shall state in detail to the best of the person's knowledge and belief the reason for the absence of the records from the person's custody or control, the location of the records, and what person then has custody or control of the records. C.R.S. § 24-72-203(2)(a).

3. Requests for information that do not include a request for public records are not CORA requests. A custodian may respond to such a request by stating that CORA does not apply.

C. Fees

1. Requests for records which fit the following criteria may, in the judgment of the official custodian, be provided free of charge:
 - a. A single request for electronic documents retrievable within one hour; or
 - b. Agenda materials which have been prepared in advance and which are in support of items scheduled for consideration by the BOCC at a future date (copying fees may still apply), unless the request exceeds copies in excess of fifty pages of material; or
 - c. Records which are normally produced for public information, such as the current year budget document, brochures on county services, or procedures, etc.
2. In all cases where a person has the right to inspect any public record, s/he may request copies, printouts or photographs of such record.
 - a. The fee for copies and printouts shall be \$.25 per page. In addition, actual costs may be charged and may include

staff time if the records created are in a format other than word processing or if the records are larger than the customary letter-size page. Fees may be waived or reduced with prior approval of the BOCC, or the EO/DH.

- b. In the case of a request for a computer printout other than word processing, the fee may be based on the recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system.
- c. All payments for copies etc. must be received in advance of releasing the requested records.
- d. Checks for copies shall be made payable to Boulder County.
- e. Departments may charge for time spent responding to large requests, including without limitation, overseeing and managing requests, requests that require the searching of files for specific information, manipulating data (including manipulating data in order to generate a record in a form not used by the county, although such manipulations is not required by CORA), or redacting documents to excise confidential information. The charge for these kinds of services shall be \$30.00 per hour. All time spent on such tasks may be charged to the requestor. When staff time in excess of three hours is required to respond to a records request, a time log should be maintained describing the time spent in responding to the request. For large requests, a deposit of the estimated cost of work shall be collected before work begins. The time period for responding does not begin to run until the county receives the deposit. If actual charges are less than the deposit, the balance will be refunded.
- f. Official custodians may treat serial or multiple requests from the same person, entity, or group for documents related to the same or similar subject matter as a single request for purposes of assessing fees.

D. Time for Accessing Public Records

1. Time for Inspection of Records – Three working days within receipt of request.

If the requested records are in active use or are in storage and, therefore, are not available right away, this fact shall be communicated to the applicant “forthwith” in writing if requested. The custodian shall set a date and hour within three

(3) working days when the records will be available for inspection.

2. Extension of Time to Ten (10) Working Days

The period of providing requested documents for review may be extended up to ten days if the custodian determines that one of the following conditions exists, and, states such condition in writing to the requestor within the first three (3) days that the request was received:

- a. A broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three (3) day period; or
 - b. A broadly stated request is made that encompasses all or substantially all of a large category of records and the custodian is unable to prepare or gather the records within the three (3) day period because the custodian or department needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month; or
 - c. A request involves such a large volume of records that the custodian cannot reasonably prepare or gather records within the three (3) day period without substantially interfering with the custodian's obligation to perform other public service responsibilities.
3. In no event can extenuating circumstances apply to a request that relates to a single, specifically identified document.
 4. If the request is too broad, speculative or voluminous to prepare in ten (10) days, the county may request relief from the court, including attorney's fees, as provided by law.
 5. The time period for response does not begin to run until the county receives the request on the county's official Public Records Request Form.

CORA requests received on weekends, county holidays, county closure days, or after regular business hours, are deemed received on the following working day.

E. Reviewing Records

The custodian of the records may set the location where the records may be viewed by the requestor. In no event may a requestor remove documents or add documents to those provided for review. The requestor shall not bring and shall not use cameras, photocopiers, digital copiers, fax machines or any other copy, scanning or

reproduction device to copy county records. Upon completion of the review, the requestor must mark the pages s/he wishes to have copied with adhesive tabs. Copies will be made at a later time, depending upon volume. The requestor will be notified when the copies are available for pick-up.

If the custodian has the capability to make reproductions s/he shall do so at the rates set in the section entitled Fees, above. If the custodian does not have the facilities for making copies, printouts, or photographs of the records, the custodian may make arrangements for the services to be rendered at another facility. If other facilities are necessary, the person desiring a copy, printout or photograph of the record shall pay the cost of providing them. In no event shall the records leave the custody and possession of a county employee during this process (other than providing the items to the third party facility for reproduction). The county is under no obligation to allow members of the public access to county computers nor is the county obligated to provide records in electronic format.

Public Records Request Form



COMPLETE CONTACT INFORMATION

Requestors Name:

Company Name:

Date Submitted:

Mailing Address:

Street Address

Email Address:

Phone Number:

SELECT RECORD FORMAT

Format Requested:

☒ In Office Inspection
☐ Hard Copies
☐ CD or Electronic Copies

Desired Retrieval Method:

☐ Mail
☒ Pickup
☐ EMail

IDENTIFY TYPES OF RECORD REQUESTED

Please list the Information desired and/or list each requested document.

Please be as specific as possible.

You may attach a letter indicating the requested public records.

I have read the Town of Breckenridge Public Records Policy and agree to pay all charges incurred in accordance with such Policy and fee schedule.

Signature of Person Requesting Public Record(s)

Date

Request may be faxed to 970-547-3138 OR e-mailed to websiteclerk@townofbreckenridge.com

Note: please contact Municipal Services at 970-547-3127 to ensure public records request was received by Clerk's Office.

Fee Schedule:

- A. First hour of research & retrieval shall be free.
- B. \$25 per hour for additional time devoted to searching for requested information.
- C. Cost of postage or courier to be paid for by requesting party.
- D. No charges for transmitting public records via email, provided that requesting party may be charged staff time associated with research and retrieval of the requested records.

Staff Use Only

Date Received: _____

Completed by: _____

Date Completed: _____

Charges: To be completed by Records Custodian

Amount Prepaid \$ _____

Balance Due before Release \$ _____

Total Amount Paid \$ _____

Remarks or Summary of Response

If denied, reasons include:

Exhibit “A”

Fee Schedule

Audio Recordings Provided on CD or Flash Drive Emailed	\$10.00 Free
Digital Reports and Information Printed Provided on CD or Flash Drive Emailed	\$0.25 per one-sided page \$10.00 Free
Computer reports requiring special programming services	\$75 per hour (after the first hour)
Document certification	\$1.25 per document
Photos Printed Emailed	\$5.00 Free
Faxes (Local or long distance)	\$0.50 per page (must include a cover page)
Maps & Plans – Black and White 8.5 x 11 inches 11 x 17 inches 24 x 36 inches Provided on CD or Flash Drive Emailed	\$1.00 \$1.00 \$5.00 \$10.00 Free
Maps & Plans – Color 8.5 x 11 inches 11 x 17 inches 24 x 36 inches 36 x 48 inches Emailed	\$5.00 \$10.00 \$25.00 \$30.00 Free
Photocopies – Black and White, up to 11x17 inches	\$0.25 per one-sided page
Research and Retrieval Fees	\$25 per hour for requests requiring more than one (1) hour of staff time
Town Code Town Code plus binder Yearly supplements Code book binder only	\$175.00 Fee based on a proportional share of prior year’s supplement cost \$35.00
Transcripts – pursuant to court order only	\$3.50 per page, or current contractor rate for transcription service
Privilege Review Fee/Create Privilege Log	\$25.00 per hour

Town of Carbondale Fee Schedule for Public Records Requested via a
“Public Records Request Form” under the Colorado Open Records Act

Description	Fee
Copies – standard page (defined as a document created from Word processing, generated onto paper sized 8 ½ x 11 to 11 x 17 from a non-color printer)	\$.25/page
• Copy, printout, or photograph in a format other than a standard page • Request for data in a form not used by the Town • Research and Retrieval ❖ A 50% advance deposit may be required for public records requests that will require significant staff time and resources to complete. ❖ A 100% advance deposit may be required for requests from persons who have made previous records requests and not paid or not come in to view the requested information.	Actual cost to the Town Actual cost to the Town Actual time spent in excess of one-half hour based on hourly rate, including benefits, of the least technically trained person capable of performing the search/retrieval

Town of Carbondale Fee Schedule for Town Records Requested without a
“Public Records Request Form”

Description	Fee
Video recordings of Council, Board or Commission meetings	\$25.00 for CD Copy
Bid documents sold during bidding periods	Varies
Brochures and pamphlets provided to citizens and businesses	No Charge
Town Code Book (free online @www.carbondalegov.org)	
Town Charter	\$10.00 each
Town Council agendas and minutes faxed copy – local number (free online @www.carbondalegov.org)	No Charge
Document Certification	\$2.00 each document
Comprehensive Plan in CD format or Paper Copy	\$25.00
Printed publications not specified herein	Town’s cost
Town Budget • Paper Copy • CD Copy paper copies subject to availability	\$20.00 \$ 5.00



REQUEST FOR INSPECTION/COPYING OF RECORD

Date of request: _____ Time of request: _____

Applicant name: _____

Address: _____ Day time phone #: _____

INSTRUCTIONS:

Indicate below the information you desire and/or list each requested document. Please be as specific as possible. Allow three (3) working days for a search of the records.

Purpose of request:

☐ Court Case ☐ Personal Information ☐ Other (please specify)

Certified Copy? ☐ Yes ☐ No

FOR TOWN CLERK USE ONLY

Responsible Department _____

Availability: ☐ Paper Copy ☐ Electronic Format

Location: ☐ In Storage ☐ Readily Available (on-site)

Cost Estimate: # of copies @ \$.25 = _____

Research and Retrieval Fees: Number of hours @ hourly rate = _____

Total Cost Estimate: _____

Having received the foregoing cost estimate, I choose to confirm my request for the records described and agree to pay the charges at the time the records are made

available. If over \$50, I understand I must provide security to pay for the cost incurred to obtain the records.

☐ **Yes** ☐ **No – Cancel request**

Signature _____ Date _____

Request completed by: _____ Date _____

Request denied by: _____ Date _____

Give Reason(s)

S:Cathy/Records for Inspection.Copying/Records for Inspection Form

Denver City Council CORA FAQs

What is CORA?

"CORA" stands for "Colorado Open Records Act". The Colorado Open Records Act requires that most public records be available to the public. Anyone can request information that is in the possession of a government office, including the Denver City Council.

What is a public record?

A "public record" includes most writings made, maintained, or kept by our office. However, there are some exceptions concerning records made available under CORA.

Do all open records requests go through the Denver City Council?

No. An open records request needs to be filed directly with the appropriate government office or the custodian of the records that you want to see. Other agencies may have different processes for open records requests, so contact the office directly to review its process.

Where do I submit my records request?

You must submit your request to the custodian of the record- the government office that holds the record itself. There is no central repository for public records or single office that fulfills public records requests in Colorado. For most governmental agencies, you can submit your request directly to the Public Information Officer of that agency. If you don't know how to contact that person, call the government entity and ask how to submit your request. To request records in possession of the Denver City Council, send a written request in person, by email, or regular mail to:

City Council CORA Custodian
1437 Bannock Street, Room 451
Denver, CO 80202
CouncilCORA@denvergov.org

Do I have to submit a CORA request with the Denver City Council to get information?

No. It is the intent of our office to provide records to the public without requiring a CORA request. Before making a CORA request, contact our office to request information from our staff. Many of the documents are already readily available to the public. Our office may be able to help you access these documents without asking you to make a CORA request.

How do I submit a CORA request to the Denver City Council?

To request records in possession of the Denver City Council, send a written request in person, by email, or regular mail to:

City Council CORA Custodian
1437 Bannock Street, Room 451
Denver, CO 80202
CouncilCORA@denvergov.org

How do I request public information from the Denver City Council?

There is no special form to fill out for a CORA request. If you want to gain access to information through CORA, then you must make a written request.

You can send your written request in person, by email, or regular mail to:

City Council CORA Custodian
1437 Bannock Street, Room 451
Denver, CO 80202
CouncilCORA@denvergov.org

To ensure you receive records in a timely manner, your request must include the following:

- Your name and mailing address.
- Your phone number or email address so that we can contact you if we have questions about your request.
- A detailed list or description of the specific information you are seeking. The more specific your request is, the faster we can complete it.
- If you send your request by email, the subject line must indicate that you are making a "CORA request," "Open Records Request," or other similar language.

We will not ask you why you are requesting the information. However, we may ask you to clarify your request to determine which records are relevant and avoid giving you too much or too little information.

How do you deliver the information to me?

Information that is available in an electronic format can generally be placed on a disk or emailed to you, if you prefer.

If the information is not available electronically, we will send paper copies to you by mail. You will be charged in advance for all electronic or paper documents sent to you.

Can I view the information in your office?

If you want to physically inspect the information, please state that in your written request. Once the documentation has been gathered, you will be notified by the custodian. The custodian will work with you to make the records available for you to do so during normal business hours at the administrative offices of City Council.

Any information that is confidential by law or is exempt from the Colorado Open Records Act will be removed from the documents that you view.

Is there a fee?

Custodians of public records within the City and County of Denver may charge for research and retrieval time, data manipulation, and the production and copying of records necessary to respond to requests for records in accordance with CORA. When a custodian receives a CORA request, the custodian may estimate the research and retrieval time to estimate the appropriate fee for the work to be performed. The custodian will disclose the fee amount to you. You must pay all costs in advance. If you do not submit the payment, the custodian will consider your CORA request abandoned.

The first hour of time for research and retrieval of records is complimentary. If more than one hour is required for searching, retrieving, redacting, and compiling documents, the fee for staff time is \$30 per hour after the first hour in addition to copying fees.

Copying fees are as follows:

- Photocopies of public records are \$0.25 cents per page for photocopies not exceeding 11 inches by 17 inches
- Copies of public records transmitted to media (CDs and USB Flash Drives) are \$15.00 per media.
- Copies of video footage transmitted to media are \$35.00 per media.
- Where copies can be transmitted via email transmission, no fee shall be charged. Photocopies on larger sheets, paper copies such as plans, blueprints, drawings, and photographs are subject to an increased fee.

I've sent in my CORA request. How long will it take?

We have up to three working days upon receipt of your request to respond to your request. If extenuating circumstances exist, then we have up to seven working days to fill your request. You will be notified in writing when your request is complete.

After you send your CORA, you will receive an automated reply email acknowledging receipt of your CORA request. This is not an official response under the statutory requirements of CORA. If you have not received an acknowledgement reply email by the end of the next regular business day after you emailed your request, please check with us to ensure that we've received your request. Once all responsive records are located, compiled, and reviewed, the custodian will send another response informing you that:

- There are no responsive records;
- The responsive records are available for inspection; or
- That there are responsive records but they are being withheld.

What happens if I request confidential information? Can any information be excluded from my request?

Some information is considered confidential or is excluded from the Colorado Open Records Act.

Some examples of excluded public records include:

- Criminal justice records or documents prepared for a criminal investigation.
- Work product prepared for an elected official.
- Trade secrets and proprietary software information, including programs and source code.
- Home address and home telephone number of any City officer, official, or employee

See the [Colorado Open Records Act](#) for more details.

Where can I find more information about CORA requests?

You can read the [Colorado Open Records Act](#).



Denver Community Planning and Development *Records Request*

To request records under the Colorado Open Records Act or "CORA" (Colorado Revised Statutes §24-72-201, et seq), please complete and return this form. Most records requests will be fulfilled within 3 business days; if extenuating circumstances prevent a 3-day turnaround, staff will provide a timing estimate.

Fees may apply. Please see the Denver Community Planning and Development public records page on DenverGov.org/CPD for information about fees, delivery methods and payment.

1 Your Request

Today's date:

Records requested (please be specific):

Date range of records:

I am (check one): ☐ Requesting electronic records ☐ Asking to inspect records in person*

2 Your Contact Information

Name:

Agency/Company:

Street Address:

City:

State:

Zip:

Phone 1:

Phone 2:

Email:

3 Please send your request to the proper records custodian:

- Building permits and building inspection records: 720-865-2790 or cpd.permitrecords@denvergov.org
- Planning records: 720-865-2983 or planningservices@denvergov.org
- Landmark Preservation records: 720-865-2709 or landmark@denvergov.org
- Zoning records: 720-865-3000 or zoning.review@denvergov.org
- Neighborhood inspection records: 720-865-2505 or Neighborhood.inspection@denvergov.org
- Accounting (fines and liens imposed by CPD): 720-865-2775 or CPDaccounting@denvergov.org
- All requests from the news media: laura.swartz@denvergov.org, alexandra.foster@denvergov.org, or amanda.weston@denvergov.org

**To inspect records in person, please schedule an appointment in advance with the associated group listed above. Fees may apply.*

Public Records

A. Requests for Public Records

Please request records as follows:

- Building permits and building inspection records: 720-865-2790 or **cpd.permitrecords@denvergov.org**
- Planning records: 720-865-2983 or **planningservices@denvergov.org**
- Landmark Preservation records: 720-865-2709 or **landmark@denvergov.org**
- Zoning records: 720-865-3000 or **zoning.review@denvergov.org**
- Neighborhood inspection records: 720-865-2505 or **Neighborhood.inspectionsservice@denvergov.org**
- Accounting (fines and liens imposed by CPD): 720-865-2775 or **CPDaccounting@denvergov.org**

B. Fees

Hourly fees for research and retrieval of records

Research, retrieval and administrative fees may apply to your public records request. Up to 1 hour of research, retrieval and administrative work toward responding to a public records request will be completed at no charge. **Beginning at 1 hour, a \$33/hour charge will be assessed.** Fees also apply for hard copies of public records as follows:

Fees for hard copies of records (Hourly fees for research, retrieval and administrative time may apply):

- Documents in electronic format if normally maintained in electronic format: No charge.
- Paper, standard page (one page, up to 11" x 17"): No charge for first 20 pages; after 20 pages, 25 cents/page.
- Paper, oversized page (one side of a page, larger than 11" x 17"): \$5 per page
- Paper, oversized or large volume that must be sent out for scanning or copying by a third-party vendor: actual vendor charge
- Records retrieved from off-site storage by a third-party vendor: actual vendor charge. Charges begin at \$25. May require 5-10 business days.
- CD or DVD: \$1
- Certified letter verifying records provided are certified copies (for court purposes): \$5

C. Methods of Delivery and Inspection

Research, retrieval and administrative fees may apply.

- Email is the preferred method of delivery for public records, when possible. There is no charge for sending electronic documents via email.
- Records may be mailed via US Mail. Requestor will be charged the actual mailing cost.
- Upon request, staff will make original or hard copies of public records available for inspection, with staff accompaniment, by appointment and during business hours. Such records may not be removed from the premises.
- Upon request, other requested methods of delivery, such as uploading documents to an FTP site, saving documents on a customer's thumb drive, or shipping via FedEx against the requestor's account, may be accommodated. Please inquire along with your records request.

D. Payment methods/process

Fees for public records may be paid by check, cash or credit card.

- To pay for records in person, take your invoice to the cashier on the 2nd floor of the Wellington Webb Municipal Building.
- To pay for records by phone or email, please contact 720-865-2780 or cpd.cashiers@denvergov.org. Staff will contact you between the hours of 7:30 and 10 a.m. for your credit card information.
- To pay for records by mail, send a check along with a copy of your invoice to:

Records

Denver Community Planning and Development
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Requests made under the Colorado Open Records Act

Denver Community Planning and Development is a local government entity and will make public records available in accordance with the applicable provisions of the Colorado Open Records Act ("CORA"), Colorado Revised Statutes §24-72-201, et seq.

A formal Colorado Open Records Act request is NOT necessary for most records requests. Requests made under the Colorado Open Records Act must be made in writing (**records request form** [PDF] optional) and must include the following.

- Requestor's full name, address and telephone number.
- As detailed a description of the records requested as is reasonably possible.
- A statement that the request is made pursuant to the provisions of the Colorado Open Records Act, Colorado Revised Statutes §24-72-201, et seq.
- If a request includes documents from multiple sections within CPD, send the request to CPD.permitrecords@denvergov.org and records staff will coordinate a joint response.

Staff will provide records in the form in which they are used by Denver Community Planning and Development. Generally, staff will not manipulate data to generate a record in another form.

Requests for records held by other city departments will be declined and customers will be referred to the department(s) believed to be custodians of the records.

Building Permit Records

Search permit records online

How?

- 1) Enter e-permits to **register for an e-permits account**
- 2) Sign into e-permits and then go to the "Development Services" tab
- 3) Search building permit records either by date, record type, address, or specific record number

From any record that has an issued permit, use the "Permits and Licenses" link at the top of your screen to download a copy of the permit.

Need help? Visit our FAQs

1 Dismissed Announcement

Home (<https://www.denvergov.org/Home>) / **Colorado Open Records Act**

Colorado Open Records Act

The City and County of Denver is committed to making city government open, accountable and accessible to the public. The City's approach to the Colorado Open Records Act (CORA) is an important part of its pledge to transparency to build trust with our residents. These guidelines help City agencies and departments provide the public with efficient access to documents and records pursuant to the Colorado Revised Statutes, C.R.S. §24-72-205(6).

Resources

Making a Records Request

Requesters must submit a request to the agency that is the custodian of the record itself. The City does not maintain a central repository for public records or a single office that fulfills requests.

Please visit the **City Directory online** (<https://www.denvergov.org/Directory>) for a list of department webpages for each City agency to request and obtain records. You will find information on how to make a CORA request on the agencies' Contact page. For further information, contact the agency directly to ask how to submit a CORA request.

PLEASE NOTE: A CORA request received after 3 p.m. or any day that the agency is officially closed will be considered received on the following working day.

CORA Costs

CORA Costs

To pay for the cost of processing a CORA request, the agency may charge for the time spent to research and respond to requests for records under CORA.

- Staff time may be charged at a rate up to \$33 per hour.
- There is no charge for the first hour to research and retrieve records.
- There is an additional charge of \$0.25 per page for regular paper copies, or an additional cost for the cost of other paper sizes.

Time and Cost Estimates

Agencies may provide the requester with a time and cost estimate, which may require a prepayment before processing the request. If you pay for more time than is spent processing your request, you will receive a refund.

Document Format

Documents may be available in their native format if they do not need to be redacted or if they can be readily accessed.

Documents such as databases or spreadsheets that can be sorted or searched will be available in a similar format. The City will not provide documents in a format that requires providing software or that would violate the terms of any agreement or rights held by a third party, such as licensing agreements or copyrights.

Common Records Requested

Building/Zoning Records

(<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/contact-us/public-records.html>)

Clerk and Recorder (<https://www.denvergov.org/content/denvergov/en/denver-office-of-the-clerk-and-recorder/city-clerk-records.html>)

Human Services Records (<https://www.denvergov.org/content/denvergov/en/denver-human-services/contact.html>)

Police Department Records

(<https://www.denvergov.org/Government/Departments/Police-Department/Records>)

Public Health Records

(<https://www.denvergov.org/content/denvergov/en/environmental-health/about-us/deh-reports.html>)

Public Records

The Town of Eagle has adopted the Colorado Municipal Records Retention Schedule for records management. [Adopting Resolution 20-2013, State Approval.](#)

[Colorado Records Retention Manual for Municipalities.](#)

The Colorado Open Records Act (CORA) is a series of laws designed to guarantee that the public has access to the records of government bodies at all levels in Colorado. The law was first enacted in 1969. Most records are public and open for inspection.

To make an Open Records Request, please first search our site. If the record is not listed then complete the [Request for Public Records Form](#) and email to clerk@townofeagle.org.

MISCELLANEOUS FEES

Copies Black and White – Letter Size	.25 per page
Copies larger than 8x11	\$1.50 per page
Records Search	\$30.00 per hour
Copy of Annual Budget	\$25.00
Copy of Meeting CD	\$10.00 per meeting
Copy of Annual Audit	\$25.00
Copy of Eagle Municipal Code and Updates	\$100.00
Notary Services	\$5.00

The Town may require and collect a 50% advance deposit of estimated research, retrieval, and copy fees for any public record requests that will take significant staff time and resources to complete.

The Town of Eagle will respond to records requests within three working days (per CRS 24-72-203) or, in the case of extenuating circumstances, the response period may be extended by seven working days.

Contact Us

Jenny Rakow

Town Clerk/Municipal Court Supervisor

jenny.rakow@townofeagle.org

Phone: 970-328-9623

[More Information](#)

Select Language ▼



Form Center

By [signing in or creating an account](#), some fields will auto-populate with your information and your submitted forms will be saved and accessible to you.

Request for Public Records

THIS REQUEST FORM IS NOT FOR POLICE RECORDS

If you need Police Records or Reports, please visit
[Eagle Police Records Request](#)

Read our Public Information Request Policy Here

[Public Information Records Request Policy](#)

First Name*

Last Name*

Today's Date*

Address 1*

Address 2

City*

State*

Zip*

Phone Number*

Email Address*

Is this a commercial request?*

☐ Yes

☐ No

Select Language ▼

Records*

Please describe the public records you wish to receive. In order to expediate the search for the records, please be as specific as possible.

Department*

- | | |
|---------------------------------------|--|
| ☐ Police | ☐ Community Development |
| ☐ Building | ☐ Administration |
| ☐ Public Works | ☐ Finance |
| ☐ Clerk | ☐ Other |

Is this a municipal court record request?

- ☐ Yes
☐ No

For court records, please include date of birth.

Signature of person making the request

Type first and last name of requestor.

Fees for research are \$30 per hour, first hour is free. Additional fees may apply for copies, retrieval of archived documents, and professional fees. By signing above, you acknowledge there may be costs for this request.

Additional fees may apply depending on the volume and type of records.

I agree to the terms of this request.

- ☐ Agree
☐ Disagree

protected by reCAPTCHA

[Privacy](#) - [Terms](#)

☒ Receive an email copy of this form.

Email address

This field is not part of the form submission.

* indicates a required field

Select Language ▼

EAGLE COUNTY OPEN RECORDS POLICY

I. PURPOSE

It is the policy of the Eagle County Board of County Commissioners (“Board of County Commissioners”) that all public records shall be open to inspection by any person at reasonable times, except as provided by the Colorado Public Records Act (the “Act”), or as otherwise specifically provided by law. In all cases where a person has the right to inspect a public record, the person may request a copy, printout or photograph of the record.

Although public records are typically open to inspection, the Act authorizes a custodian of records to make rules and regulations regarding the disclosure and inspection of public records as are reasonably necessary for the protection of the records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian’s office. Consequently, it is important that all requests be carefully evaluated to determine what records can be provided to the requesting party in compliance with Colorado law.

The purpose of the Eagle County Open Records Policy (the “Policy”) is to set forth a general guideline for use by citizens or entities requesting public records, and for use by Eagle County (the “County”) staff in responding to such requests. In addition to this Policy, the custodian of a County department may, following approval by the County Manager, establish a more specific policy as may be necessary under certain circumstances for the protection of particular records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian. Elected officials may also develop their own policies and procedures regarding public records in their custody. For example, the Eagle County Clerk and Recorder’s office has a specific policy dealing with requests for ballots when made in proximity to elections.

This Policy and the fees set forth herein shall apply to all requests for public records except where a County department or an elected official has established a specific policy for the protection of particular records and which modifies or eliminates the established fees. In the event of a conflict between this Policy and the specific policy of a County department or an elected official with regard to the fees which can be charged by the County when responding to a request for records, the higher amount will apply.

To the extent the County has custody of any public records of an elected official, the County will, in consultation with that elected official, meet any requirements of the Open Records Act as may apply to documents in the County’s possession. See Section III. 5, below, for a list of the departments or elected officials who have specific statutes which pertain to their records.

This Policy is subject to interpretation by the Eagle County Attorney’s Office, and exceptions may be made in individual circumstances in its sole discretion. As Colorado law changes, this Policy and process will be amended. For the complete Act, see §24-72-201 et seq., C.R.S.

II. DEFINITIONS

The definitions contained in §24-72-201 et seq., C.R.S., as amended from time to time, shall apply to this Policy unless the context clearly requires a different meaning. Two definitions of particular relevance are set forth below:

- “Public Records” means and includes “all writings made, maintained, or kept by . . . any political subdivision . . . for use in the exercise of functions required or authorized by law . . . or involving the receipt or expenditure of public funds.” §24-72-202(6) et seq., C.R.S.
- “Writings” means and includes “all books, papers, maps, photographs, cards, tapes, recordings or other documentary materials, regardless of physical form or characteristics. “Writings” includes digitally stored data, including without limitation electronic mail messages, but does not include computer software.” §24-72-202(7) et seq., C.R.S.

III. PROCEDURE

The following procedure shall apply to all open records requests, except where a more specific policy of a County department or an elected official controls. Please review this Policy in its entirety before submitting an open records request.

A. REQUESTS

1. Form. An open records request must be in writing and contain at least the following information:

- the requestor’s name;
- name of organization, if any;
- mailing address or email address; and
- be clearly identified as a Colorado Open Record Request or “CORA” request.

Requests that do not contain this information will not be accepted. If a request is made verbally, the requestor will be asked to put his/her request in writing. As a general rule, the more specific the request, the more likely the custodian will be able to locate available records that respond to the request, and the more likely fees will be reduced. For any request that is broad or vague, the custodian may require the requestor to provide a more specific request.

The County has available an official Records Request Form for use by persons making open records requests. Although not required, the Records Request Form should be used whenever possible to ensure all required information is provided and to assist in the efficient and timely handling of records requests. For a copy of the Form, please see the County’s website at www.eaglecounty.us or contact the County Attorney’s Office.

2. Submission. Open records requests may be submitted in person, via regular mail or via facsimile to the official custodian of records for a particular County department. Requests submitted via email are discouraged. The reason for this is, due to spam filters, inactive or incorrect email accounts, the County cannot guarantee that a particular custodian has received an electronic email request. Department heads are the official custodians of all records maintained

within their departments. The Clerk to the Board of County Commissioners is the official custodian of all recorded records maintained by Eagle County.

3. Transmission to County Attorney. Upon receipt of a written request for records, County staff shall make a notation on the request stating the date it was received by the particular office, and shall immediately deliver or email a copy of the request to administrative staff in the County Attorney's Office. The request will be assigned to an attorney for review and determination as to whether the requested records are (a) not subject to disclosure; (b) subject to disclosure which requires redaction of certain information; or (c) subject to full disclosure. The County Attorney's Office will notify the custodian as to the appropriate response, and the custodian of records, or his or her designee, will compile the available records and respond to the request.

4. Location of Records. If the public records requested are not in the custody or control of the department or person to whom the request is made, such person or department shall immediately notify the requestor of this fact, in writing if so requested by the requestor. The notification shall state in detail to the best of the person's/department's knowledge and belief the reason for the absence of the records from the person's/department's custody or control, the location of the records and what person/department then has custody or control of the requested records. § 24-72-203(2)(a), C.R.S. If the official custodian has custody of correspondence sent to or received by an elected official, the official custodian shall consult with the elected official prior to allowing inspection of the correspondence for purposes of determining whether the correspondence is a public record. § 24-72-203(2)(b), C.R.S.

5. Additional Rules Affecting other Departments. Please be advised that the following offices and departments handle open records requests directed to their particular departments, and additional laws and regulations may pertain to their records.

- Eagle County Sheriff's Office. Requests for records maintained by the Sheriff's Office should be submitted in writing to: 0885 E Chambers Avenue, P.O. Box 359, Eagle, CO 81631; fax: (970) 328-1447. Criminal justice records are governed by the Criminal Justice Act, § 24-72-301.
- Eagle County District Attorney's Office. Requests for records maintained by the District Attorney's Office should be submitted in writing to: 955 Chambers Avenue, P.O. Box 295, Eagle, CO 81631; fax: (970) 328-1016.
- Eagle County Coroner's Office. Requests for records maintained by the Eagle County Coroner should be submitted in writing to: P.O. Box 5200, Eagle, CO 81631.
- Eagle County Department of Health and Human Services ("HHS"). Requests for records maintained by Health and Human Services should be submitted in writing to: 551 Broadway, P.O. Box 660, Eagle, CO 81631; fax: 855-848-8828. Health and Human Services records are subject to additional legal protections under state and federal law. Please contact HHS to inquire about particular forms which HHS may utilize for document requests.

B. TIMING FOR ACCESS TO OR PRODUCTION OF PUBLIC RECORDS

In all cases in which a person has the right to inspect a public record, the person may request a copy, printout or photograph of the record. Physical inspection of available records is not required, and a requestor may decide an inspection is not necessary when it knows with certainty what records it wants produced and copied. However, there may be other situations in which a requestor wants to inspect available records in advance of or in lieu of receiving copies. To assist County staff in responding to a request, a requestor should state in its request whether it wants to schedule an inspection of available records, or whether it wants copies of available records in lieu of inspection. The custodian shall furnish a copy, printout or photograph as set forth herein and may charge a fee as set forth in Section III. D., below.

1. Time for Inspection or Production of Records – Three (3) Working Days. If records are available pursuant to § 24-72-201, C.R.S., the custodian of records shall set a date and time when the requested records will be available for inspection or production. The typical time for inspection or production of available records shall be three (3) working days beginning on the first working day after a request which complies with the requirements of Section III.A.1 above is received. If the requested records are in the custody and control of the person to whom the request is made but are in active use, in storage, or otherwise are not readily available at the time the requestor asks to examine them or requests copies of them, the custodian shall immediately notify the requestor of this fact, in writing if requested by the requestor. If requested by the requestor, the custodian shall set a date and time at which the records will be available for inspection or production. § 24-72-203(3)(a)-(b), C.R.S.

2. Seven Working Day Extension of Time. The three-day period of time for inspection or production of records may be extended for an additional seven (7) working days if the County Attorney's Office determines that extenuating circumstances exist which prevent the inspection or production of available records within the initial three-day period described. The requestor shall be notified in writing of the basis for the extenuating circumstances and the resulting extension within the initial three-day period. An extension of time is not available for a request that relates to a single, specifically identified document. § 24-72-203(3)(b), C.R.S.

Extenuating circumstances shall be found to exist when:

- A broadly stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather the records within the three-day period; or
- A broadly stated request is made that encompasses all or substantially all of a large category of records and the agency is unable to prepare or gather the records within the three-day period because the agency needs to devote all or substantially all of its resources to meeting an independent deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month; or
- A request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligations to perform his or her other public service responsibilities.

If a request is too broad, speculative or voluminous to respond to within ten (10) working days (initial three days plus seven-day extension), the County may request relief from the Court, including attorney's fees as provided for by law.

C. INSPECTION AND COPYING OF RECORDS

1. Inspection. If the requestor wishes to inspect available records in advance of or in lieu of receiving copies of such records, such inspection shall be by appointment only during normal business hours (Monday – Friday, 8:00 a.m. – 5:00 p.m.) at the office of the custodian of records, unless the County Attorney's Office deems it appropriate for the inspection to take place in another County department. The original records shall not be removed from the custodian's office.

2. Copies of Records. Upon request for records transmission by a person seeking a copy of any public record, the custodian shall transmit a copy of the record by U.S. Mail, other delivery service, facsimile or electronic mail, in the discretion of the custodian. Within three (3) working days beginning on the first working day after a request which complies with the requirements of Section III.A.1 above is received, the custodian shall notify the requestor that copies of the requested records are available but will only be sent to the requestor once the custodian either receives payment for all costs associated with records transmission and for all other fees lawfully allowed, unless recovery of all or any portion of such costs or fees has been waived by the custodian. Upon receiving payment in full, the custodian shall send the record(s) to the requestor as soon as practicable, but not more than three (3) business days after receipt of full payment. § 24-72-205, C.R.S. In the event the requestor conducts an inspection as set forth above and requests copies of available records at the time of such inspection, the requestor must mark with tabs or clips the pages that he or she wants copied. Copies may be made at a later date and time, based on volume and staff availability. In such case, the requestor will be notified when the copies are available for pick-up. Copies of available records may be also be transmitted as set forth herein upon request.

3. Outside Copiers or other Devices. If the custodian determines that it does not have the facilities for making a copy, printout or photograph of a record that a person has a right to inspect, the person shall be granted access to the record for the purpose of making a copy, printout or photograph. The copy, printout or photograph shall be made while the record is in the possession, custody and control of the custodian thereof and shall be subject to the supervision of the custodian. The custodian may establish a reasonable schedule of times for making a copy, printout or photograph, and may charge the same fee for the services rendered in supervising the copying, printing out or photographing as the custodian may charge for furnishing a copy, printout or photograph under Section III.D.1. hereof.

D. Fees for Inspection and Copying of Records

A substantial amount of public records related to Eagle County are available for review free of charge on the County website. These records include, but are not limited to budgets, agendas, minutes of the meetings of the Board of County Commissioners, parcel maps, and other information.

Where a person or entity wants to inspect and/or request copies of available records, the following fee schedule shall apply. Please note that Eagle County is not obligated to provide copies of records in electronic format.

1. Copy, printout or photograph.

- The fee for a copy, printout or photograph shall be \$.25 per standard page (8 ½ x 11). For documents in non-standard format (larger than 8 ½ x 11), the actual cost of providing a copy, printout or photograph of the record will be charged. Where the fee for a certified copy or other copy, printout, or photograph of a record is specifically prescribed by law, the specific fee shall apply.
- In addition to the \$.25 per page fee, the requestor may be charged a reasonable research and retrieval fee based on the actual cost of responding to the request, including staff time of gathering, preparing, reviewing, redacting to excise privileged material, and copying available documents. No fee will be imposed for the first hour of time expended in connection with the research and retrieval. After the first hour, a fee of \$33.38 per hour will be charged for each additional hour expended in connection with the research and retrieval.
- In the case of a request for a computer printout (other than a document which can be printed via word processing) the fee may be based on recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system.

2. Manipulation of Data. Please note that Eagle County is not obligated to manipulate data in response to a request in order to generate a record in a form not used by the County. However, if the County elects to do so in response to a specific request, the custodian may charge the requestor a reasonable hourly fee associated with the request. The fee shall not exceed the actual cost of manipulating the data and generating the record in accordance with the request. Persons making subsequent requests for the same or similar records may be charged a fee not in excess of the original fee.

3. Transmission of Records. Upon request, and after receipt of payment in full for the requested records, the custodian may deliver or mail via U.S. Mail copies of the available records to the requestor. In such case, the requestor will be required to prepay the cost of the delivery or mailing. No transmission fees will be charged to the record requestor for transmission of public records via electronic mail.

4. Notice of Fees. The requestor will be notified in advance of the types of fees outlined above. If a request involves voluminous research or records, the requestor may wish to request an estimate of the full cost to produce the records. The County will not commence work to assemble a response to a request without prior written approval from the requestor. For requests involving voluminous research or records, a deposit of 50% of the estimated cost of the work may be collected by the custodian before work will start.

5. Reduction or Waiver of Fees. In certain circumstances, and depending on the nature of the request, the fees set forth in this Section III.D. may be reduced or waived with prior approval of the County Attorney. For example, if a response to the request requires minimal

staff time and the requested public records are to be used for a public purpose, including public agency program support, nonprofit activities, journalism or academic research, a fee reduction or waiver may be appropriate. To request consideration of a fee waiver or reduction, please contact the specific custodian of the County department to whom you are directing your open records request. The custodian will forward the request to the County Attorney's office for review. Fee reductions and waivers shall be uniformly applied among persons similarly situated. A fee reduction or waiver for one request does not guarantee future reductions or waivers.

6. Payment. The County cannot bill for fees relating to open records requests. Full payment for the applicable fees outlined above, including transmission fees, must be remitted to the County before copies of the available records will be released to the requestor.

E. DENIAL OF INSPECTION OF RECORDS

A denial of inspection must be specific and can only be based on reasons set forth in the Colorado Open Records Act.

1. Contrary to Statute or Court Order. A requestor may be denied the right of inspection if:

- Inspection would be contrary to any state statute;
- Inspection would be contrary to any federal statute or regulation issued thereunder having the force and effect of law; or
- Inspection is prohibited by rules promulgated by the Supreme Court or by the order of any court.

2. Contrary to Public Interest. Inspection of the following records may be denied on the grounds that disclosure would be contrary to the public interest:

- Any records of the investigations conducted by any sheriff, prosecuting attorney, or police department, any records of the intelligence information or security procedures of any sheriff, prosecuting attorney, or police department, or any investigatory files compiled for any law enforcement purpose. § 24-72-204(2)(a)(I), C.R.S.
- Test related data pertaining to administration of a licensing exam, exam for employment, or academic exam. See § 24-72-204(2)(a)(II), C.R.S.
- Details of bona fide research projects of state institutions. § 24-72-204(2)(a)(III), C.R.S.
- Contents of real estate appraisals relative to acquisition (not sale) of property for public use until title passes to Eagle County. § 24-72-204(2)(a)(IV), C.R.S.
- Market analysis generated by the Department of Transportation's bid analysis and management system for the confidential use of the department for awarding contracts or for the purchase of goods or services and any documents prepared for the bid analysis and management system. § 24-72-204(2)(a)(V), C.R.S.
- Records and information relating to the identification of persons filed with, maintained by, or prepared by the Department of Revenue pursuant to § 42-2-121, C.R.S. § 24-72-204(2)(a)(VI), C.R.S.

- Electronic email addresses provided by a person to Eagle County for purposes of future electronic communications to the person from the agency, institution, or political subdivision. § 24-72-204(2)(a)(VII), C.R.S.
- Details of security arrangements or investigations. § 24-72-204(2)(a)(VIII), C.R.S.

If the right of inspection of any records set forth above is granted to any news agency, it shall be allowed to all such news agencies.

3. Personal Information. Inspection of the following records *shall* be denied, unless otherwise provided by law, or unless requested by the person in interest:

- Medical, mental health, sociological, or scholastic achievement data on individuals. § 24-72-204(3)(a)(I), C.R.S.
- Personnel files, except that such files are available to the person in interest and to the elected and appointed officials who supervise that person's work. § 24-72-204(3)(a)(II), C.R.S.
- Letters of reference (not available to the person in interest if they concern employment, licensing or the issuance of permits). § 24-72-204(3)(a)(III), C.R.S.
- Trade secrets, privileged information, and confidential commercial, financial, geological, or geophysical data, including a social security number, furnished by or obtained from any person. § 24-72-204(3)(a)(IV), C.R.S.
- Addresses and telephone numbers of students in any public elementary or secondary school. § 24-72-204(3)(a)(VI), C.R.S.
- Library records identifying users. § 24-72-204(3)(a)(VII), C.R.S.

In addition to the above-described documents, the Act provides specific and detailed circumstances for the denial of, or limited release of, records related to:

- Records concerning sexual harassment complaints and investigations.
- Records of applicants for an executive position at Eagle County.
- Records protected by common law privileges such as the governmental or "deliberative privilege", the deliberative process privilege, work product privilege, or attorney-client privilege. If a record is withheld pursuant to the deliberative process privilege, the custodian shall provide the requestor with a sworn statement specifically describing each document withheld, explaining why each document is privileged and why disclosure would cause substantial injury to the public interest. See § 24-72-204(3)(a)(X)(XI) and (XIII), C.R.S.

4. Substantial Injury to Public Interest. The official custodian of any public record may petition the Eagle County District Court for an order permitting him or her to restrict disclosure of records otherwise available to public inspection if disclosure would do substantial injury to the public interest. § 24-72-204(6), C.R.S.

5. Denial of Request. If inspection of public records is denied, the requestor may request a written statement of the grounds for the denial. The statement shall cite the law or regulation which is the basis for the denial and shall be furnished forthwith to the requestor.

F. CLOSED REQUEST

An open records request will be deemed closed under any of the following circumstances:

1. Following Inspection. After records made available for inspection have been inspected by the requestor and no copies of the records are requested.

2. Copies Provided. After records made available for inspection have been inspected by the requestor and copies of the records have been provided consistent with this Policy.

3. Failure to Inspect or Pay. In the event a requestor does not make arrangements for review of documents within ten (10) days after being contacted by Eagle County for such purpose, fails to appear for a scheduled review, fails to prepay a deposit for the cost of research or records or fails to pay the total of all costs within ten (10) working days of notification of the availability of records.

4. Request Closed. A person whose request has been closed under this Section F and who still wishes to inspect the same records must submit a new request.

Eagle County Public Records Request Form

The following request is made under the Colorado Open Records Statute

Printed Name: _____

Organization represented (if any): _____

Address: (mailing) _____

Phone number: _____ Email: _____

Inspection prior to requesting copies: YES / NO Request for copies in lieu of inspection: YES / NO

Name or identification of record(s) requested: _____

If the record name is unknown, provide a brief, but specific description of the document or information requested (include date of issuance and location of document or information, if known). A request which is vague, broad or which seeks voluminous records, may cause a delay in the time in which the County can produce the records. Please attach an additional page if necessary to list the requested records in detail.

If the records are available pursuant to C.R.S. § 24-72-201 et seq., the records will typically be made available within three (3) business days of the County's receipt of this completed form. However, if extenuating circumstances exist such that the custodian cannot reasonably assemble the records within this three (3) day period, the period shall be extended for seven (7) additional working days. The person requesting the records shall be notified of the extension within the initial three-day period.

The fee for copies of records produced by the County is \$.25 per standard page. The requestor will also be charged a reasonable research and retrieval fee. No fee will be imposed for the first hour of time expended in connection with the research and retrieval. After the first hour, a fee of \$33.38 per hour will be charged for each additional hour expended in connection with the research and retrieval. Full payment of all fees must be received by the County in advance of the County's release of the records. Please request an estimate of the cost to produce the records if your request involves voluminous research or copying. Please refer to the County's Open Records Policy for complete information and fees. The Policy is available on the County's website or by request at the Eagle County Attorney's Office.

Date: _____ Signature: _____

FILING INSTRUCTIONS: Open records requests may be submitted in person, via regular mail or via facsimile. Requests submitted via email are discouraged. The reason for this is, due to spam filters, in active or incorrect email accounts, the County cannot guarantee that a particular custodian has received an electronic email request. Open records requests should be submitted to the official custodian of records for a particular department or to the person who is believed to be the custodian of the requested records.

FOR OFFICIAL USE ONLY

Records request received by: _____ Date: _____

Time spent by staff in researching, retrieving, redacting and copying the requested documents: _____

No. of pages (where copies provided): _____

Cost of research, retrieval, redacting and copying: \$_____



A-11 SUBJECT: OPEN RECORDS REQUESTS

PURPOSE:

Definitions:

Public Record: All writings made, unless specifically exempted, by Colorado Law, maintained or kept by the Town or any agency, institution, or political subdivision thereof for use in the exercise of functions required or authorized by law or administrative rule or involving the receipt or expenditure of public funds. Criminal justice records (as defined elsewhere) are not governed by this Policy.

Writings: All books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. Includes certain digitally stored data, printouts of digitally stored data, including without limitation electronic mail messages, but does not include computer software.

State Law: In the event of conflict between this policy and the Colorado Statute, the Statute shall control.

INSPECTION, COPYING OR PHOTOGRAPHING OF PUBLIC RECORDS:

The Colorado Revised Statutes (C.R.S.) state, in relevant part, the following:

24-72-203 - Public records open to inspection:

1. All public records shall be open for inspection by any person at reasonable times.
2. If the public record requested is not in the custody or control of the person to whom application is made, such person shall notify the applicant of this fact. In such notification he shall state the reason for the absence of the records from his custody, their location, and what person then has custody of the record.
3. If the public record requested is in the custody or control of the person to whom application is made but is in active use or in storage and unavailable at the time an applicant asks to examine them, such person shall notify the applicant of this fact. If requested by the applicant, the custodian shall set a date and hour within three (3) working days at which time the records will be available. The time period may be extended up to seven (7) days if there are extenuating circumstances as defined in C.R.S.

GROUND FOR DENIAL - APPEAL PROCESS:

[Other relevant State Law:]

24-72-204 - Allowance or denial of inspection - grounds - procedure - appeal.

1. The custodian of any public record shall allow any person the right of inspection of such records EXCEPT on one or more of the following grounds:
 - a. Such inspection would be contrary to any state statute.
 - b. Such inspection would be contrary to any federal statute or regulation issued there under having the force and effect of law.
 - c. Such inspection is prohibited by rules promulgated by the supreme court or by the order of any court.

2. The custodian may deny the right of inspection of the following records on the ground that disclosure to the applicant would be contrary to the public interest:
 - a. Any records of the investigations conducted by any sheriff, prosecuting attorney, or police department, or any records of the intelligence information or security procedures of said individuals, or files compiled for any other law enforcement purpose.
 - b. Any records pertaining to administration of a licensing examination, employment examination or academic examination. Written promotional examinations and the scores and results shall be available for inspection, but not copying, by the person in interest after any examination.
 - c. The contents of real estate appraisals relative to the acquisition of property or any interest in property for public use, until such time as title to the property has been transferred.
 - d. Personnel files. Such files shall be available to the person in interest and the person who supervises that person's work.
 - e. Privileged information and confidential commercial, financial, geological or geophysical data.
 - f. Addresses, telephone numbers and personal financial information of users of public utilities, public facilities or recreational or cultural services.
3. If the custodian denies access, the applicant may:
 - (a) Request a written statement of the grounds for the denial;
 - (b) Apply to district court for a hearing where the custodian must show cause for denying inspection.

POLICY:

All Town records must remain at all times in the custody of the Town. Originals or file copies shall not be released to anyone not in the employ of the Town.

When responding to Open Records requests, regardless of whether the record(s) is inspected or copied, the Open Record Log must be completed. Log entries should describe what was inspected or copied. (see Log attached)

Transcripts (verbatim) will be provided by court order only. An applicant has the option of obtaining a copy of any audio recording of a public meeting by making arrangements for duplication and paying the cost. Video tapes may also be copied at the applicant's expense.

The Town will not bill for later payment of copies or other services in conjunction with open records requests. Charges must be paid at the time of service.

The Open Records Act allows \$.25 charge per page when copies are requested and provided, or the actual cost of preparation if the cost is greater. The actual COST may include, but is not limited to, the hourly rate paid to the employee conducting the research, cost of the physical medium of the document (e.g., tape or diskette) and the cost of retrieving the document from off-site storage for inspection.

Hourly charges will be based on actual costs, determined to be as follows:

Cost per hour for research, retrieval and related services will be based upon staff's hourly wage.

The Division responsible for the record shall provide it to the Town Clerk so that the Clerk's office may make an appointment with the applicant for inspection within the time frame required.

PROCEDURE:

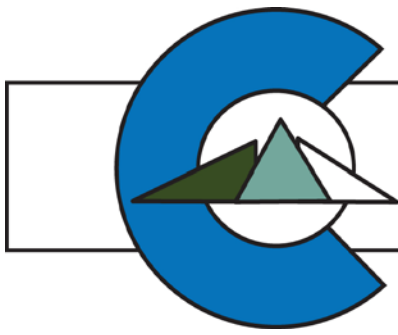
1. Open Records Requests are initiated with the Town Clerk for all departments.
2. If request is under Open Records Act (as opposed to a copy of a readily available document - see list) the requestor needs to complete an application.
3. Town Clerk personnel determine:
 - a. Who is the physical custodian of the requested document(s);
 - b. The status of the record (availability, etc.);
 - c. Cost estimate from the appropriate department.
4. Applicant gets cost estimate and signs request.
 - a. A copy is sent to the responsible Department;
 - b. That Department makes the copies and returns them to the Town Clerk's office (within 2 working days of the request, day and time); unless extenuating circumstances (C.R.S 24-72-203 (3)(b) exist.
 - c. Town Clerk makes appointment and collects fee.
5. A copy of the request is maintained in the Town Clerk's Office.



Town Manager

May 2008
Origination Date

03/2013
Date reviewed/revised



Garfield County

OPEN RECORDS POLICY

1. BASIC PRINCIPLE.

It is the policy of the Board of County Commissioners (BOCC) that all public records shall be open for inspection by any person at reasonable times, except as provided by the Colorado Open Records Act § 24-72-201, *et seq.*, C.R.S. (the Act) or by other laws. In the event the Act is amended, this policy will be deemed amended to be consistent with the amended Act.

Though “all public records are to be open for inspection by any person at reasonable times,” procedures for such disclosure can be subject to rules and regulations made by the official custodian or the custodian. These rules and regulations are authorized as being reasonably necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or his or her office or department. Such rules and regulations cannot change the Act, and in the event this policy conflicts with the Act, the Act always controls. For example, such rules and regulations cannot limit who is entitled to records or limit what records are open for inspection. Depending upon the circumstances of a request, Garfield County reserves the right to allow a custodian to establish specific rules and regulations necessary for the protection of such records and for the prevention of unnecessary interference with the regular discharge of the duties of the custodian or her or his office or department. This policy is subject to interpretation by the Garfield County Attorney’s Office, and exceptions may be made in individual cases at their discretion. For the complete Act, see § 24-72-201, *et seq.*, C.R.S.

2. DEFINITIONS.

The definitions found in § 24-72-202, C.R.S., as amended from time to time, shall apply unless the context clearly requires a different meaning. Two definitions of particular importance are listed below:

- A. Public Records: “All writings made, maintained, or kept by . . . any political subdivision . . . for use in the exercise of functions required or authorized by law . . . or involving receipt or expenditure of public funds.” *See* § 24-72-202(6), C.R.S.
- B. Writings: All books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. Writing includes digitally stored data, including without limitation email messages, but does not include computer software. *See* § 24-72-202(7), C.R.S.

3. PROCEDURE.

- A. Garfield County has determined that the use of an official Records Request Form by citizens is necessary for the efficient handling of such open records requests. The Records Request Form will be given to any individual who makes a request that is not on the form, or the individual will be directed to www.garfield-county.com or the Garfield County Attorney's Office to receive a Records Request Form. The Records Request will be delivered to the Garfield County Attorney's Office. The Garfield County Attorney's Office will transmit the Records Request Form to the appropriate department(s) immediately. Garfield County has a limited amount of time within which to respond to open records requests. See Section 4 below (Time for Accessing Public Records) for more information.
- B. The Clerk to the Board of County Commissioners is the official custodian of all recorded records maintained by Garfield County. Department heads are the official custodians of all records maintained within their departments. The Manager of IT is the official custodian of emails.

Elected Officials may develop their own policies and procedure regarding public records in their custody. To the extent that Garfield County has custody of any public records of an Elected Official, however, Garfield County shall, in consultation with the Elected Official, meet any requirement of the Open Records Act as it may apply to documents in Garfield County's possession.

If the public records requested are not in the custody or control of the department or person to which the application identifies, the requestor shall be forthwith notified of this fact, in writing, if requested by the requestor. Such notification shall state in detail to the best of the person's knowledge and belief the reason for the absence of the records from the person's custody or control, the location of the records, and what person then has custody or control of the records. See § 24-72-203(2)(a), C.R.S.

- C. Please be advised that the following offices and departments handle their own Open Records Requests and additional laws and regulations may pertain to their records:
- (1) **Garfield County Sheriff's Office:** Information regarding records requests from the Garfield County Sheriff's Office is available at www.garcosheriff.com. Requests for Sheriff's Office records should be made in writing and mailed or delivered to the Records Manager, 107 8th St., Glenwood Springs, CO 81601; (970) 945-0453. Criminal Justice Records are governed by the Criminal Justice Records Act, § 24-72-301, C.R.S., *et seq.*
 - (2) **Garfield County District Attorney's Office:** Make all records requests to the District Attorney's Office, 109 8th Street, Suite 308, Glenwood Springs, CO 81601; (970) 945-8635.
 - (3) **Garfield County Coroner's Office:** Make all record requests to the Garfield County Coroner, 405 West 7th Street, Glenwood Springs, Co 81601; (970) 945-5815.

- (4) **Department of Human Services:** Make all records requests to the Administrative Clerk/Records Coordinator, Garfield County Department of Human Services, 195 West 14th Street, Rifle, CO 81650. Human Services records are subject to additional legal protections under state and federal law.
- (5) **Department of Public Health:** Make all records requests to the Department of Public Health, 2014 Blake Avenue, Glenwood Springs, CO 81601; (970) 945-6614. Public Health records are subject to additional legal protections under state and federal law.

4. TIME FOR ACCESSING PUBLIC RECORDS.

- A. Time for inspection of records – three working days.

The Garfield County Attorney's Office shall set a date and hour within three working days when the records will be available for inspection. If the requested records are in active use or are in storage and, therefore, are not available right away, this fact shall be communicated to the requestor forthwith, in writing, if requested. See § 24-72-203(3)(a), C.R.S.

- B. Seven-day extension of time.

The period of providing requested documents for review may be extended for an additional seven working days if the Garfield County Attorney's Office determines that one of the following conditions exists ("extenuating circumstances"), and states such condition in writing, to the requestor, within the first three working days of receipt of the request (§ 24-72-203(3)(b), C.R.S.):

- (1) A broadly-stated request is made that encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the Garfield County Attorney's Office reasonably to prepare or gather the records within the three-day period, § 24-72-203(3)(b)(I), C.R.S., or
- (2) A broadly-stated request is made that encompasses all or substantially all of a large category of records, and the agency is unable to prepare or gather the records within the three-day period because:
 - a. The custodian needs to devote all or substantially all of its resources to meeting an impending deadline or period of peak demand that is either unique or not predicted to recur more frequently than once a month; or
 - b. A request involves such a large volume of records that the custodian cannot reasonably prepare or gather records within the three-day period without substantially interfering with the custodian's obligation to perform his or her other public service responsibilities. See § 24-72-203(3)(b)(II), C.R.S.
- (3) In no event can extenuating circumstances apply to a request that relates to a single, specifically identified document. See § 24-72-203(3)(b)(III)(c), C.R.S.

- (4) If the request is too broad, speculative or voluminous to prepare in ten working days (three days plus seven-day extension), Garfield County may request relief from the Court, including attorney's fees, as provided by law.

C. When Time Period for Response Begins:

The time period for response does not begin to run until Garfield County receives the request on its official Records Request Form. If the form is sent by:

- (1) E-mail, it is deemed received when it is viewed by the recipient.
- (2) U.S. Mail, it is deemed received when its seal is broken.
- (3) Fax, it is deemed received when it is printed during regular business hours.
- (4) Notwithstanding the foregoing, requests received outside of normal business hours, on holidays, and over weekends will be deemed received no earlier than 8:00 a.m. on the next business day.

D. The Garfield County Attorney's Office shall notify the BOCC of receipt of records requests and action taken thereon. The Garfield County Attorney's Office shall also maintain a master log of all records requests.

5. FEES.

A. A substantial amount of public records related to Garfield County are available free of charge at the county website, www.garfield-county.com. These include but are not limited to budgets, agendas and minutes of the meetings of the Board of County Commissioners, parcel maps, oil and gas reports, and other information. See § 24-72-205, C.R.S.

B. Requests for records which do not exceed ten pages are provided free of charge.

C. In all cases where a person has the right to inspect any public record, he or she may request copies, printouts or photographs of such record.

- (1) Copies of documents are 25¢ per page. Documents delivered electronically are 25¢ per page plus \$5 per CD if a CD is requested. We do not accept credit cards and cannot bill for services. Although inspection of documents is free of charge, payment in the form of cash or check made payable to the Garfield County Treasurer must be made in advance.
- (2) If actual costs exceed 25¢ per page, actual costs, including staff time, may be charged.
- (3) Any fees charged in this policy will include the cost of redacting documents to excise privileged material.
- (4) In the case of a request for a computer printout other than word processing, the fee may be based on the recovery of the actual incremental cost of providing the

electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system. Each department may also charge a reasonable hourly fee for the manipulation of data in order to generate a record in a form not used by Garfield County, if it elects to provide information in this manner.

- (5) You will be notified in advance of any such fee. We will commence no work of this type on your behalf without your prior approval and advance payment.

6. INSPECTION OF RECORDS.

Inspection of records will take place during regular business hours (Monday - Friday, 8:00 to noon and 1:00 to 5:00 p.m.) in the Garfield County Attorney's Office, 108 8th Street, Suite 219, Glenwood Springs, CO 81601, unless the Garfield County Attorney's Office deems it appropriate that the inspection take place in a different Garfield County department. In no event may a requestor remove documents or add documents to those provided for review. The requestor shall not bring and shall not use photocopiers, fax machines or any other copy, scanning or reproduction device to copy Garfield County records. Upon completion of the review, the requestor must mark with tabs the pages she or he wishes to have copied. Copies will be made at a later time, depending upon volume. The requestor will be notified when the copies are available for pick-up. Garfield County is under no obligation to allow citizens access to Garfield County computers nor is Garfield County obligated to provide records in electronic format.

7. CLOSURE OF REQUEST.

A records request is deemed closed under any of the following cases:

- A. After records made available for inspection have been inspected by the requestor and no copies of these records are requested;
- B. After records made available for inspection have been inspected by the requestor and requested copies have been provided consistent with this Policy; or
- C. After records have been made available for inspection for ten business days and the requestor has (i) failed to make arrangements for inspection; (ii) failed actually to inspect the records after arrangements have been made; or (iii) failed to provide advance payment as required.
- D. A requestor whose request has been closed under this Section 7 and who still wishes to inspect the same records must submit a new request.

8. DENIAL OF INSPECTION OF RECORDS.

- A. Denial of inspection must be specific and can only be based on reasons specified in the Colorado Open Records Act. The Act provides that documents may be withheld from disclosure:

- (1) If inspection would be contrary to any state statute. See § 24-72-204(1)(a),

C.R.S.

- (2) If inspection would be contrary to federal statute or regulation. *See* § 24-72-204(1)(b), C.R.S.
 - (3) If inspection is prohibited by a rule of the Supreme Court or by order of any Court. *See* § 24-72-204(1)(c), C.R.S.
- B. Denial is permitted in the following situations, if disclosure would be contrary to the public interest, but if such one news agency is allowed inspection of records, all news agencies shall have the same right to inspection:
- (1) Any records of the investigation conducted by any sheriff or prosecuting attorney; any records of intelligence information or security procedures of any sheriff or prosecuting attorney; or any investigatory files compiled for any other law enforcement purpose. *See* § 24-72-204(2)(a)(I), C.R.S.
 - (2) Test-related data listed in § 24-72-204(2)(a)(II) C.R.S.
 - (3) Contents of real estate appraisals relative to acquisition (not sale) of property for public use until title passes to Garfield County. *See* § 24-72-204(2)(a)(IV), C.R.S.
 - (4) Market analysis data generated by the Department of Transportation's bid analysis and management system for the confidential use of the department for awarding contracts or for the purchase of goods or services and any documents prepared for the bid analysis and management system. *See* § 24-72-204(2)(a)(V), C.R.S.
 - (5) Records and information relating to the identification of persons filed with, maintained by, or prepared by the Department of Revenue pursuant to § 42-2-121, C.R.S. *See* § 24-72-204(2)(a)(VI), C.R.S.
 - (6) E-mail addresses provided to Garfield County. *See* § 24-72-204(2)(a)(VII) C.R.S.
 - (7) Specialized details of security arrangements or investigations. *See* § 24-72-204(2)(a)(VIII), C.R.S.
- C. Inspection of the following shall be denied, unless otherwise provided by law or unless requested by the person in interest:
- (1) Medical, mental health, sociological, or scholastic achievement data on individuals. *See* § 24-72-204(3)(a)(I), C.R.S.
 - (2) Personnel files, except for application and performance ratings. *See* § 24-72-204(a)(II), C.R.S.
 - (3) Letters of reference (which are not disclosable to the person in interest, if they concern employment, licensing, or issuance of permits). *See* § 24-72-

204(3)(a)(III), C.R.S.

- (4) Trade secrets, privileged information, and confidential commercial, geological, or geophysical data furnished by or obtained from any person. *See* § 24-72-204(3)(a)(IV), C.R.S.
- (5) Home addresses, telephone numbers, and financial information of Garfield County employees. *See* § 24-72-204(3)(a)(IX), C.R.S.
- (6) In addition to the above-described documents, the Act provides specific and detailed circumstances for the denial of, or limited release of:
 - a. Records concerning sexual harassment complaints and investigations;
 - b. Records of applicants for an executive position at Garfield County;
 - c. Records protected by common law privileges such as the governmental privilege, the deliberative process privilege, work product privilege, or attorney–client privilege. If a record is withheld pursuant to the deliberative process privilege, the custodian shall provide the requestor with a sworn statement specifically describing each document withheld, explaining why each document is privileged and why disclosure would cause substantial injury to the public interest; and
 - d. Records triggering the constitutional right of privacy may, in very limited circumstances, be a basis for resisting disclosure, particularly for the person in interest.

See § 24-72-204(3)(a)(X), C.R.S.

D. Denial on the basis that release would do substantial injury to the public interest.

- (1) The official custodian may petition the District Court for an order restricting disclosure of records otherwise subject to inspection, if disclosure would do substantial injury to the public interest. *See* § 24-72-204(6), C.R.S.
- (2) If inspection is denied, the requestor may request a written statement of the grounds for denial and that statement shall cite the law or regulation which is the basis for denial. *See* § 24-72-204(4), C.R.S.
- (3) Even records which must be kept confidential are subject to subpoena, discovery requests, etc., but such requests can be resisted under the balancing tests set up in *Martinelli vs. District Court*, 612 P.2d 1083 (Colo. 1980).

Date ***Requestor's name ***

First Name

Last Name

Organization represented (if any)**Address ***

Address Line 1

Address Line 2

City

State

ZIP Code

Phone number (with area code) ***Fax (with area code)**

Email ***Name of document(s) requested, including the county office or department where the document(s) originated ***

5000/5000

Maximum 5,000 characters



I'm not a robot

reCAPTCHA
Privacy - Terms

Submit Form

Filing instructions



You may fill out the electronic form and submit it. Otherwise, you may print the form, fill it out, and then file it by fax at (970) 384-5005, or by mail or in person to the Garfield County Attorney's Office, 108 8th Street, Suite 219, Glenwood Springs, CO 81601.

Instructions for records requests

Colorado Open Records Act (CORA)

1. Provide a brief, but specific description of the documents or information requested noting the date of issuance and location of the document(s), if known. A request that is broad, vague or too voluminous may cause a delay in the time Garfield County can produce the records. If needed, please attach an additional page to list these items in detail.
2. All requests must be submitted to the Garfield County Attorney by one of the following methods:
 1. U.S. Mail or hand-delivery to 108 8th Street, Suite 219, Glenwood Springs, CO 81601;
 2. email to the Garfield County Attorney's Office; or
 3. facsimile to (970) 384-5005.

All requests must be made on the official Garfield County Request Form above.

3. If the records are available pursuant to C.R.S. § 24-72-201, et seq., the records shall be made available for inspection within three working days. If extenuating circumstances exist so that the custodian cannot gather the records within the three-day period, the period shall be extended an additional seven working days. The requestor shall be notified of the extension within the first three days of receiving the request. Please refer to Garfield County's Open Records Policy for complete information. The Policy is available at www.garfield-county.com or at the Garfield County Attorney's Office, 108 8th Street, Suite 219, Glenwood Springs, CO 81601; (970) 945-9150.
4. Upon receipt of the request, we will collect the records and notify the requestor. We will schedule a time for review and inspection of the records. Reviews will take place during regular business hours (Monday – Friday, 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m.) in the Garfield County Attorney's Office, 108 8th Street, Suite 219, Glenwood Springs, CO 81601, unless another location for the review is designated by the Garfield County Attorney's Office.
5. The requestor may take notes, bring tape recording devices and/or portable computers. Outside photocopiers or scanners are not allowed.
6. We do not accept credit cards and cannot bill for services. Advance payment for applicable research and retrieval fees may apply and fees for copies must be paid in advance in

of cash or check made payable to the Garfield County Treasurer. Fees shall be assessed in accordance with the Fee Schedule.

7. In the case of a request for a computer printout other than word processing, the fee may be based on the recovery of the actual incremental costs of providing the electronic services and products together with a reasonable portion of the costs associated with building and maintaining the information system. Each department may also charge a reasonable hourly fee for the manipulation of data in order to generate a record in a form not used by Garfield County, if it elects to provide information in this manner.
8. You will be notified in advance of any such fee. We will commence no work of this type on your behalf without your prior approval and advance payment.
9. In the event requestor does not make arrangements for a review of documents, fails to appear for the review, or fails to prepay costs within ten working days of notification of the availability of records, the request will be deemed closed.

NOTE: It is a Class 1 Misdemeanor for a person to knowingly make a false entry or alter any public record or to destroy, mutilate, conceal, remove, or impair the availability of any public record. C.R.S. § 18-18-114. "Public record" is defined as all official books, papers, or records created, received, or used by or in any governmental office or agency.

PAGES

GARFIELD COUNTY

ATTORNEY'S OFFICE

COUNTY COMMISSIONERS

COMMUNITY DEVELOPMENT

CLERK & RECORDER

OIL & GAS

OPEN RECORDS
POLICY

WEBSITE PRIVACY POLICY





Garfield County Attorney

108 8th Street, Suite 219
Glenwood Springs, Colorado 81601

Map

970-945-9150 | phone
970-384-5005 | fax
Monday - Friday, 8 a.m. to 5 p.m.

© Garfield County |  | **locations** | **privacy policy**

Top photo by Ryan Mackley.



CITY OF GLENWOOD SPRINGS

PUBLIC RECORD REQUEST



Name _____

Date _____

Address _____

City _____

State _____ Zip _____ Phone _____

Fax _____

E-mail Address _____

It is the policy of the City of Glenwood Springs to respond to requests for public records within a 72-hour period. The City requires requests for public information to be in writing.

INSTRUCTIONS

Please indicate the record you are requesting. Be as specific as possible. See the attached Fee Schedule for charges.

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL	\$ _____

Signature

C.R.S. §24-72-201 provides that public records are open for inspection by any person at reasonable times unless otherwise provided by the act itself or other law. "Public records" include writings made, maintained, or kept by the City of Glenwood Springs. Certain records may not be released on grounds that they would be contrary to the public interest and include current investigations, intelligence information, personnel files, pending real estate transactions, and any medical, sociological or achievement data.

Submit Form

STAFF USE ONLY

RECEIVED: Date _____ Time _____ By _____

COMPLETED: Date _____ Time _____ By _____

COMMENTS: _____

OFFICE OF THE CITY CLERK 101 W. 8TH STREET GLENWOOD SPRINGS, COLORADO 81601

970-384-6406 Fax 970-945-5023 ryan.muse@cogs.us

FEE SCHEDULE
Copying Charges and Miscellaneous Fees
 (§24-72-205 C.R.S.)

Annual Budget	www.cogs.us	No cost
Audited Financial Statements	www.cogs.us	No cost
CD/Tape Duplication	Per CD/cassette (provided by City)	\$25.00
Electronic Records	Records that are transmitted via electronic devices	No cost for record but charges for staff time to gather the record may be charged.
Municipal Code	www.cogs.us	No cost
Certification of Document	Each copy This applies to requests from: • Citizens/agencies for certified true copies of City documents	\$5.00
Copies of Documents	Letter, 11x8½ Legal, 11x17 18x24 24x36 Documents requiring outside printing will be assessed the City's actual cost	\$.25/page \$1.25/page \$3.25/page \$5.50/page
Liquor Code Book	www.colorado.gov/pacific/enforcement/liquor-enforcement-laws-rules-regulations	No cost
Model Traffic Code	http://www.dot.state.co.us	No cost
Notarization of Signature		No cost
Other Requests and Documents		Actual cost to obtain or reproduce
Staff Time	When information gathering, printing or document retrieval requires staff research, labor or travel time, the hourly charge will be assessed and pro-rated in quarter hour increments after the first hour which is free	\$33.58/hr
Uniform Fire, Plumbing, Building Codes, etc.	www.constructionbook.com	No cost

City of Grand Junction Open Records Manual	Page 1 of 5	Policy Number: 2.100 Revision Number: 003
Chapters 1-9: Open Records Policy		Effective Date: 01/01/2018

1. TITLE: CITY OF GRAND JUNCTION OPEN RECORDS POLICY

2. POLICY

It is the policy of the City of Grand Junction to provide public access to City records as allowed and required by the Colorado Open Records Act (CORA) codified in 24-72-201 C.R.S. *et. Seq.* The State Legislature has declared that all public records shall be open for inspection by any person at reasonable times, except as provided in the law.

In general, all City records are public records open to public inspection regardless of the form (paper or electronic) unless specifically exempted by law. Records which are exempted from disclosure include many police records, most personnel records, protected health information, real estate appraisals, customer service and usage information, legal advice from the City Attorney's Office and other privileged information. Questions on the disclosure of records should be directed to the City Records Manager.

2.1. Requests for Records

A request for inspection or copying of records should be treated as a formal Open Records Request when:

- 2.1.1. A written request is submitted to you (letter, email, or request form).
- 2.1.2. A certified copy is requested.
- 2.1.3. A subpoena to supply records is served to you (contact the legal department).
- 2.1.4. The request form indicates the request is for a court case (contact the legal department).
- 2.1.5. The requested document may be confidential or privileged.
- 2.1.6. There is some other unusual circumstance.
- 2.1.7. The person is asking for a record that does not directly apply to them, their property, or their interests.

2.2. Exceptions

- 2.2.1. Citizen asks for copies of agendas, minutes, or other documentary material relative to a City Council meeting or action.
- 2.2.2. Citizen asks for routine copies of a non-restricted, readily available document (e.g., a list of Councilmembers and City Officials, etc.).

If you are unsure of how to proceed, contact the City Records Manager.

3. DEFINITIONS

- 3.1.** *City personnel* includes all employees, whether permanent, temporary, full-time, or part-time; Board members; and Councilmembers.
- 3.2.** *Electronic records* are records stored in a form that only a computer can access including, but not limited to, e-mail, word processing documents, calendars, spreadsheets, voice messages, videos, photographs, and text messages.
- 3.3.** *Official Records custodian* is by law the City Clerk or his or her designee.
- 3.4.** *Public Records* include, unless exempted, all writings made, maintained or kept by the City, any employee or division. Criminal justice records (as defined elsewhere in State Law) are not presumptively public records. Correspondence of elected officials (including e-mail) is

Chapters 1-9: Open Records Policy**Effective Date: 01/01/2018**

a public record unless it is a work product, it is without demonstrable connection to the elected official's function, or it is a communication from a constituent who expects it to be confidential by its content or otherwise subject to non-disclosure as required in 24-72-204 (1) C.R.S.

- 3.5.** *Records Custodian* is the authorized person having personal custody and control of the public records in question.
- 3.6.** *Writings* mean all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. Writings include digitally stored data and electronic mail, but does not include computer software.

4. RESPONSIBILITIES

- 4.1.** Affected City personnel are responsible for:
- 4.1.1. Protecting and maintaining all public records in the custody of the City.
 - 4.1.2. Responding to open records requests in a timely manner using the procedure adopted by the City.
 - 4.1.3. Maintaining a record of all requests and the response made. The record of the request and response are to be maintained for two years.
 - 4.1.4. Denying access to records that are non-disclosable. Respond to the requester in writing the reason for the denial if requested.
 - 4.1.5. Collecting fees and charges according to the Open Records Fee Schedule. The City does not bill for the charges. Fees must be collected at the time of service.
 - 4.1.6. Contacting the City Attorney, the City Clerk, or the City Records Manager with any questions concerning the interpretation or technical application of this policy.

In general, a request for records should be directed to the City Records Manager. If you are the custodian of the records being requested, the City Records Manager will contact you to obtain those records in order to respond to the request. The request form can be found on the City's website under City Public Records.

- 4.2.** Supervisors of affected City personnel are responsible for:
- 4.2.1. Training all employees they supervise on this Open Records Policy.

5. INSPECTION, COPYING, OR PHOTOGRAPHING OF PUBLIC RECORDS.

- 5.1.** The official custodian of any public records may make such rules with reference to the inspection of such records as are reasonable necessary for the protection of such records and the prevention of unnecessary interference with the regular discharge of the duties of the custodian or the custodian's office [24-72-203 (1) (a) C.R.S.].
- 5.2.** If the public record requested is not in the custody or control of the person to whom application is made, such person shall notify the applicant of this fact. In such notification he shall state the reason for the absence of the records from his custody, their location, and what person then has custody of the record [24-72-203 (2) (a) C.R.S.].

City of Grand Junction Open Records Manual	Page 3 of 5	Policy Number: 2.100 Revision Number: 003
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5.3. If the public record requested is in the custody or control of the person to whom application is made but is in active use or in storage and unavailable at the time an applicant asks to examine them, such person shall notify the applicant of this fact. If requested by the applicant, the custodian shall set a date and hour within three (3) working days at which time the records will be available. The time period may be extended up to seven (7) days if there are extenuating circumstances. (The person requesting the record may agree to a longer/different time period.)

5.4. The Official Records Custodian of the City of Grand Junction does hereby establish that upon the third request for the same or substantially the same records, with the sameness of the request being determined in his or her sole discretion, he or she will require the requestor to state in writing the reason(s) for any additional request and/or how an additional request(s) is not the same or similar to prior requests. Absent such written clarification, the Records Custodian may reject the request or may toll any response to the request unless and until the requestor complies [adopted locally on 6-23-2014].

6. GROUNDS FOR DENIAL – APPEAL PROCESS

The custodian of any public record shall allow any person the right of inspection of such records EXCEPT on one or more of the following grounds:

6.1. Such inspection would be contrary to any state statute.

6.2. Such inspection would be contrary to any federal statute or regulation issued thereunder having the force and effect of law.

6.3. Such inspection is prohibited by rules promulgated by the supreme court or by the order of any court.

6.4. Such inspection would be contrary to the requirements of any joint rule of senate and houses pertaining to lobbying practices.

State law prohibits disclosure of certain records. The list is expansive. Contact the City Records Manager, the City Clerk, or the City Attorney first.

7. FEE SCHEDULE

The Open Records Act allows \$.25 charge per page for copies/printouts plus the actual cost of collection, review and manipulation after the first hour of time. The actual cost will be \$7.50 per quarter hour (\$30 per hour) after the first hour regardless of who is performing the work, plus the cost of the physical storage medium (e.g., CD). The hourly fee will be adjusted in accordance with 24-72-205 (6)(b) C.R.S. to stay current with the amount allowed by Law. If the fee estimate is over \$50, a 50% deposit will be collected prior to processing the request.

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Copies/Printouts

8 ½" X 11", 8 ½" X 14", 11" X 17" .25 each
(same for black & white or color)
Duplex copies are charged as two copies but are provided whenever possible

Large Format Copies \$10 per page

Audio or Video Recording \$1.00 each
(for video recordings copied from the dvr *ONLY* no charge if cd or dvd provided – no outside medium should be introduced into the City's computer system).

Audio or Video Recording from either the Police Department Property & Evidence section or the Communication Center Recordings

Not subject to the first hour at no charge rule
Tapes/DVD/CD Copies \$6.00 per disk

City Manuals (Planning) \$15.00

City Code/City Charter Subscription Service only through Code Publishing

Outside Services (reprographics, transcription) – actual cost

City Mapping

black & white ink, paper 24"x 36"	\$ 3
colored ink, paper 24"x 36"	\$10
City Map 30" X 36" (2000 scale)	\$15
Index for City map	\$15
City Map 36" X 48" (1500 scale)	\$20
City Map 42" X 48" (1500 scale)	\$30
City Map 72" X 80" (1000 scale)	\$65 (2 pages)
Zoning Map 24" X 36"	\$10
Comprehensive Map 42" X 42"	\$25
Special Mapping Requests	\$10 per square foot

Digital files

City map CAD files new customer	\$250.00
City map CAD files update	\$50.00 (repeat customer)
Air photos	\$75.00 per Sq. mile
Contours	\$25.00 per Sq. mile

Police Records from Microfilm \$5.00 per ¼ hour

Not subject to the first hour at no charge rule

City of Grand Junction Open Records Manual	Page 5 of 5	Policy Number: 2.100 Revision Number: 003
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Exemptions:

No fees shall be charged when providing copies of:

- City Council agendas, minutes, ordinances, resolutions
- Personnel records to employees or ex-employees
- Police Incident reports to victims
- Requests from Law Enforcement to the Fire Department
- Insurance Denials to Patients (EMS)
- EMS Trip Sheets to Patients or Donor Alliance

Waivers specifically granted by the City Manager.

A customer may collect information on their own equipment (such as hand held scanner or camera) if feasible. No outside media collection devices will be introduced into the City's computer system for purposes of copying records including but not limited to external drives or disks.

8. DISCIPLINARY ACTION:

Violators of this policy are subject to discipline including termination of employment.

OPEN RECORDS REQUEST FORM

Pursuant to the Colorado Open Records Act

Please know that depending on your request you may be charged a **fee** for the time necessary to research and locate certain documents and for any necessary photocopies.

For more detail on possible fees associated with an Open Records Request please reference item #8 of the Town of Gypsum [Open Records Request Policy](#).

Date and Time

Full Name

*First Name**M.I.**Last Name*

Full Address

*Street Number and Name**City**State/Province/Region**Postal/ZIP Code*

Phone

Email

Confirm email address

Department you are requesting records from

- ☐ Community Development
- ☐ Police
- ☐ Public Works
- ☐ Town Clerk
- ☐ Town Council
- ☐ I'm not sure?
- ☐ Other

Please enter the information you desire and/or list each requested document. Please be as specific as possible. Allow three working days for a search of records.

500 characters

***** BE SURE TO SCROLL TO THE BOTTOM OF THIS PAGE AND CLICK "SUBMIT" TO COMPLETE YOUR REQUEST. *****

AREA BELOW IS FOR STAFF ONLY**Charges**

of copies - _____ X rate - _____ = \$

of research hours - _____ X rate - _____ = \$

Request completed by: _____ Date: _____

Request denied by: _____ Date: _____

Give reason(s) below -

All record requests should be initiated through the Town Clerk's Office.

To receive a copy of your submission, please fill out your email address below and submit.

Email Address

TOWN OF GYPSUM

POLICY ON RESPONDING TO OPEN RECORDS REQUESTS

The Town of Gypsum fully supports, and complies with, all Federal and State laws relating to the retention, protection and disclosure of Town records including, but not limited to, the Colorado Open Records Act, Title 24, Article 72, Part 2, C.R.S. (“CORA”), the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), and the Privacy Rule promulgated by the U.S. Department of Health and Human Services which interprets and implements HIPAA.

It is the policy of the Town that all public records shall be open for inspection by any person at reasonable times, except as otherwise provided by law. Public records are defined by CORA as all writings made or maintained by the Town, regardless of the format or medium of the records, subject to certain exceptions and public records expressly include e-mail communications.

The Town maintains an archive of all e-mail messages for emergency backup purposes only; such archived e-mail communications are not individually retrievable and are specifically not intended to create a public record.

By action of the Town Council, the Town Clerk is hereby designated as the official Custodian of Records responsible for the maintenance, care and keeping of all records of the Town. The Official Custodian of Records shall have the authority to designate such agents as he/she shall determine appropriate to perform any and all acts necessary to enforce and execute the provisions of this Policy.

The following are general policies concerning the release of records:

1. All public records of the Town shall be open for inspection at the times designated herein, unless prohibited by the provisions of CORA or policies adopted by the Town Council in conformance with CORA.
2. Upon receipt, requests by a citizen, entity, Federal or State agency, Town Council member, subpoena, Administrative or Court Order, or other legal process, to inspect and/or copy any Town record (collectively referred to as a “Records Request”) should be immediately sent to the Official Custodian.
3. Every Records Request shall be submitted to the Town’s Official Custodian in writing and be specific as to the information desired.
4. If any question arises as to the propriety of fully complying with a Records Request, the Official Custodian shall immediately forward it to the Town’s legal counsel.

5. The Town's legal counsel shall determine the Town's obligations under the applicable Federal and/or State law(s). If the Town is permitted to comply with the Records Request in whole or in part, the Town's legal counsel will so notify the Town's Official Custodian, who will assemble the disclosable requested documents for inspection and/or copying in accordance with applicable Federal or State law.

6. If the Town's legal counsel determines the Town is not permitted by Federal or State law to comply with the Records Request in whole or in part, legal counsel shall provide a written response to the party submitting the Records Request stating the legal basis upon which the Records Request in whole or in part is being denied.

7. Pursuant to CORA, all records must be made available for inspection within three (3) working days, unless extenuating circumstances exist. The deadline may be extended by seven (7) working days if extenuating circumstances exist and the requesting party is notified of the delay within the statutory period. The Official Custodian may set the time during normal office hours and the place for records to be inspected and require that the Official Custodian or a delegated employee be present while the records are examined. Inspection of the Town's public records shall be made, where permitted by law, during normal business hours, Monday through Friday, except on holidays, at an hour specifically set by the appropriate Official Custodian for each particular request for inspection.

8. A person granted the right to inspect Town records may also be furnished copies requested at a cost of twenty-five cents (\$.25) per standard page, except that there shall be no charge for council agendas and brochures produced specifically for assistance and convenience of citizens and businesses in complying with municipal regulations. The charge for providing a copy, printout or photograph of a public record in a format other than a standard page will be assessed at the actual cost of production. Additionally, in those cases where the location or existence of specific documents must be researched and the documents must be retrieved, sorted or reviewed for applicability to the request, and such process requires more than one hour of staff time, the Custodian may charge a research and retrieval fee not to exceed thirty dollars (\$30.00) per hour. The Custodian will not impose a charge for the first hour of time expended in connection with the research and retrieval of public records. In the event the person making the request desires the documents to be mailed, he or she must pay the cost of postage.

9. The Town may require a deposit to cover the estimated cost to produce the records, including the cost of the copies and the research and retrieval fee, prior to commencing work to produce such records. Payment of any actual costs exceeding the deposit must be made at the time of release of the final work product or copies.

10. When practical, the copy, printout, or photograph of the requested record will be made in the place where the record is kept, but if it is impractical to do so, the

Official Custodian may allow arrangements to be made for the copy, printout, or photograph to be made at other facilities. If other facilities are necessary, the cost of providing requested records will be paid by the person making the request.

11. No person shall be permitted to inspect or copy any records of the Town if, in the opinion of the Official Custodian after consultation with the Town's general counsel, such inspection or copying would come within the prohibition of one or more exemptions set forth in CORA.

This policy shall supersede any previous policy related to records requests.

ADOPTED by the Town of Gypsum Custodian of Records.

Danette Schlegel,
Town Clerk / Custodian of Records

Date

POLICY TYPE: Operations

**POLICY TITLE: Open Records and
Public Information Requests**

POLICY 3.1.9

EFFECTIVE DATE: May 1, 2006

Revised July 1, 2014

Per House Bill 14-1193

Pitkin County is a public entity and most of the documentation and records we maintain are public in nature and available to the public for review and copying. Requests for review and/or copying of public records may be directed to board members and staff. Staff should contact the County Attorney if they have questions regarding the statutes and procedures required in responding to any such requests.

Accordingly, the following procedures apply:

1. Documents and records consist of any maintained record in a paper, digital, or audio/video format such as staff notes, records of staff meetings, interoffice memos, e-mail messages, research and communications to and from members of the public and audio or video tapes of meetings. These are all public records, unless they fall within statutory exceptions.
2. When a member of the public walks in and makes a simple request to review a document or records, staff should be able to handle such a request when it is made.
3. For the requests that are in writing, unusual, burdensome, or otherwise of concern, the response may need to be in written form to demonstrate adherence to statutory requirements. Having the request itself in written form is the best way to document what has been requested and the timeliness of the response. Any staff member receiving such a request must immediately bring the request to the attention of his/her supervisor. The County Attorney should be contacted immediately if there are any questions about how to respond.
4. A response to a written request for public records should also be in writing and must be made within three business days or less, C.R.S. § 24-72-203(3)(b).
5. Per House Bill 14-1193: In order to defray the cost of the production of public records to individual requesting parties and not overly burden the County general or special funds with undue expenses, the County establishes a fee of \$30 per hour for research and retrieval time to gather public documents associated with a request for production. The first hour of time shall not be charged.
6. A response to a request for public records may be in one of the following five forms:
 - a. The staff person to whom the request is directed is not the custodian of the records sought. In this circumstance, to the best of staff's ability, the written response must indicate who the custodian is.

- b. The request is so vague that staff is unable to determine what records are being requested. The written response should indicate that staff will respond once the request has been adequately clarified.
 - c. The records are available and the person requesting them may come in to the office during regular business hours to inspect them. The response should also indicate that if copies are requested during the inspection, a copying charge consistent with the County rate will be collected.
 - d. The information sought is not available as it is protected or confidential under the Public Records Act. The County Attorney must be consulted before this response is given.
 - e. The records are of a nature that they are either so voluminous or so scattered in different locations that the request cannot be complied with within three business days. This response should include how much time it will take to assemble the records for inspection and the cost of that assembly. The requesting party should also be advised that the record will be sent only upon receipt of payment for all costs associated with research and retrieval of the records and for all other fees lawfully allowed, unless all or any portion of such costs or fees have been waived by the custodian.
7. In addition to the research and retrieval costs allowed by HB14-1193, the custodian may charge a fee not to exceed twenty five cents per standard page for a copy of a public record or a fee not to exceed the actual cost of providing a copy, printout or photograph of a public record in a format other than a standard page.
 8. Response to a request for public documents must be pursued diligently. Such diligence is best demonstrated by a clear **written** communication with the requesting party.
 9. Staff must exercise caution in allowing public inspection of records, as we are under a continuing obligation to maintain many of our records. Inspection of records should be supervised whenever possible.
 10. There are a number of exceptions to what records may be disclosed. The County Attorney's office must be consulted before any records are being withheld based on exceptions, and staff should be cognizant of what records should not be readily available to the public. The more notable exceptions are:
 - a. Attorney-client communications. All materials coming from the County Attorney's Office to individual staff members regarding items of concern should not be available to the public. This includes written memoranda and email communications.
 - b. Personnel files. Generally, personnel files are not available to the public.
 - c. Investigation files in the possession of Social Services or the Sheriff's Office should not be available to the public.
 - d. Records of sexual complaints and investigations are only available to an administrative agency investigating the complaint upon a showing of necessity. Disclosure of records of sexual harassment complaints and investigations is permissible to the person making the complaint or who is the subject of such a complaint only to the extent that the disclosure can be made without permitting the identification of any individual involved.

- e. Military records filed with a county clerk and recorder's office concerning a member of the military's separation from the separation from military service are only available to the military service member, or, if deceased, to family members.
 - f. Records of executive session discussions of the Boards of the County are not public.
 - g. Electronic mail addresses provided to the County for the purpose of receiving future e-mail communications from the County are not available to the public.
 - h. Social Security numbers shall not be included on any document issued by the County, including licenses, permits, passes and certificates, nor shall social security numbers be requested over the phone, internet or by mail.
 - i. Library records that disclose the identity of an individual are not available to the public.
 - j. Information contained in motor vehicle records, including title applications and motor vehicle registrations, are not available to the public.
11. The County Attorney's Office may be contacted whenever staff has questions about this policy.

**CITY OF PUEBLO
OPEN RECORDS REQUEST
FOR INSPECTION/COPYING OF RECORD**

To Record Custodian

I, _____ Request the documents listed below:
(Please Print Name)

DETAILED DESCRIPTION OF DOCUMENTS BEING REQUESTED

REQUESTOR INFORMATION

COMPANY NAME: (if applicable) _____

ADDRESS: _____

TELEPHONE: _____ FAX: _____ EMAIL: _____

DATE REQUESTED: _____

PURPOSE OF REQUEST: ☐ Court Case ☐ Personal ☐ Other, please specify _____

DOCUMENTS NEED TO BE CERTIFIED? ☐ YES ☐ NO

SIGNATURE: _____

FOR DEPARTMENT USE ONLY

Responsible Department: _____ By: (Initials) _____

REQUESTED BY ☐ In Person ☐ Phone ☐ Fax Mail ☐ Email

AVAILABILITY ☐ Paper Copy ☐ Electronic Format

LOCATION ☐ On Site Available ☐ Off Site In Storage

FEES

TOTAL HOURS RESEARCH/STAFF TIME

1st Hour _____ No Charge _____ = \$ -0-

Staff Copy Time _____ hours @ hourly rate of \$33.50/hour = \$ _____

Copying Fee: _____ pages @ cost per page of \$.25/page = \$ _____

Certification Fee: _____ pages @ cost per page of \$ 5.00/Cert. = \$ _____

Other Fee: _____ items @ cost per item of \$ _____ = \$ _____

TOTAL FEE DUE \$ _____

Your signature below affirms that you will pay all fees associated with this request and that, per Colorado State Statute 24-72-305.5, you will not use the records released to you for the direct solicitation of business for pecuniary gain. If the requested record is a booking photo, your signature additionally affirms that you will not put the photo on a website or in any other publication and then require the subject of the photo to pay a fee or other exchange for pecuniary gain to have the photo removed.

Having received the foregoing cost estimate I choose to confirm my request for the records described and agree to pay the charges at the time the records are made available.

☐ Yes ☐ No - Cancel request

Signature

Date

**CITY OF RIFLE, COLORADO
RESOLUTION NO. 15
SERIES OF 2014**

A RESOLUTION OF THE OF THE CITY COUNCIL OF THE CITY OF
RIFLE, COLORADO, ADOPTING A POLICY REGARDING REQUESTS
FOR INSPECTION AND PRODUCTION OF THE PUBLIC RECORDS OF
THE CITY OF RIFLE PURSUANT TO THE COLORADO OPEN RECORDS
ACT.

WHEREAS, the State of Colorado has adopted the Colorado Open Records Act (the “Act”) at C.R.S. §§24-72-200.1 to 24-72-206; and

WHEREAS, as set forth in the Act, it is the public policy of the State of Colorado that all public records shall be open for inspection by any person at reasonable times, except as otherwise provided by the Act or other applicable law; and

WHEREAS, the Act establishes the grounds under which the custodian of the public records of the City of Rifle (the “City”) shall allow or deny inspection of the City’s public records and the procedures therefore; and

WHEREAS, the Act provides that the City’s custodian of public records may make rules regarding the inspection of the City’s public records as are reasonably necessary for the protection of the City’s public records and the prevention of unnecessary interference with the regular performance of duties by the City custodian of public records or the employees of the office of the City’s custodian; and

WHEREAS, the Act provides that the City’s custodian of records may charge fees for the retrieval and research of the City’s public records, including the time it takes to identify and segregate records that need not be disclosed, and for the manipulation of data and production of copies of the City’s public records pursuant to a request under the Act; and

WHEREAS, House Bill 14-1193 amended §24-72-205 of the Act to require that the City’s custodian of public records shall either post on the custodian’s website or otherwise publish a written policy that specifies the applicable conditions concerning the research and retrieval of public records by the custodian, including the amount of any current fee; and

WHEREAS, the City Council desires to adopt a written policy and rules regarding inspection of the City’s public records and the fees for production thereof, including the City’s fees for the research, retrieval, identification, and segregation of City public records which need not be disclosed pursuant to a request.

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

Section 1. The “City of Rifle Open Records Policy and Procedures” as attached

hereto is hereby adopted and is to be published on the City's website and used in the City's response to open records requests submitted to the City.

Section 2. This Resolution shall take effect immediately upon its passage.

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at a regular meeting held this 6th day of August, 2014.

CITY OF RIFLE, COLORADO

By: _____
Randy Winkler, Mayor

ATTEST:

Lisa Hamilton, City Clerk

CITY OF RIFLE OPEN RECORDS POLICY AND PROCEDURES

1. Intent.

It is the policy of the City of Rifle (the “City”) that all public records shall be open for inspection by any person at reasonable times, except as provided by the Colorado Open Records Act §24-72-201, *et seq.*, C.R.S. (the “Act”) or by other laws or court order. In the event the Act is amended, this Policy will be deemed amended to be consistent with the amended Act.

Pursuant to the Act, this Policy sets forth City rules, regulations and policies that are reasonably necessary for the protection of public records, for the prevention of unnecessary interference with the regular performance of duties by the City’s custodian of records and the employees of the City custodian’s office, and for enabling timely access to public records of the City that are subject to disclosure under the Act.

2. Definitions.

The definitions provided in §24-72-202, C.R.S., as amended from time to time, shall apply in and to this Policy unless the context clearly requires a different meaning.

3. Procedure.

A. The City Clerk is the official custodian of all public records maintained by the City, except that the City’s Police Department, through its Chief of Police and/or Records Clerk, administers criminal justice records as defined by C.R.S. §24-72-302. The maintenance, inspection and dissemination of the criminal justice records shall be in accordance with state statutes and the policy and procedures promulgated by the City of Rifle Police Department.

B. The City has determined that the use of an official public records request form prescribed by the City Clerk is necessary for the efficient handling of requests of the City Clerk made under the Act. The City’s public records request form is available from the City Clerk and shall be made available on the City’s internet website, if any.

C. The City’s public records request form must be filed with the City Clerk to initiate a request for public records under the Act. Public records requests not made on the prescribed form or made to any person other than the City Clerk or employees of the City Clerk’s office will not be accepted. Requests may be mailed or sent via facsimile.

Requests made via electronic mail will not automatically be accepted. The City Clerk, at the City Clerk's sole discretion, may accept public record request forms sent via e-mail.

D. All requests for records must be specific as to the records sought and the relevant dates. Requests for correspondence must identify the parties to the correspondence. For any request that is vague or broadly stated the City Clerk may require the party making the request to provide a more specific request.

E. If a requesting party is unable to identify the specific document(s) sought, the requesting party is encouraged to contact the City Clerk in advance of submitting the request for assistance in providing the requisite specificity.

4. Time for Response to Public Records Requests.

A. Upon the receipt of a public records request, the City Clerk shall set a date and hour when the requested public records will be available for inspection. The normal time for production of documents by the City shall be three (3) working days. Such period shall begin on the first business day after the request is received. The date that a written request is received by the City Clerk will constitute the date of receipt. The date on which the City Clerk provides confirmation and approval of receipt of an e-mailed public records request shall be constitute the date of receipt of the e-mailed request. Notwithstanding the foregoing, requests received outside of normal business hours, on holidays, and over weekends will be deemed received no earlier the next business day.

B. The period within which the City Clerk must make the requested documents available for review may be extended for an additional seven working days if the City Clerk determines that one of the extenuating circumstances described in §24-72-203(3)(b)(I) – (III) of the Act exists. A finding by the City Clerk that an extenuating circumstance exists shall be provided to the requesting party in writing within the first three working days after receipt of the party's public records request. In no event can extenuating circumstances apply to a public records request which relates to a single, specifically identified document.

C. If the public records requested are not in the custody or control of the City Clerk, the City Clerk shall immediately notify the person requesting the records of this fact. Such fact shall be communicated in writing if written communications are requested by the person making the public records request. Any such notification by the custodian shall state in detail to the best of the City Clerk's knowledge and belief the reason for the

absence of the records from the City Clerk's custody or control, the location of the records, and who has custody or control of the records.

D. If the public records requested are in active use or are in storage and, therefore, are not immediately available, this fact shall be immediately communicated by the City Clerk to the person requesting the records. Such fact shall be communicated in writing if written communications are requested by the person making the public records request.

E. When the requested documents have been compiled, the City Clerk will notify the person making the request of the completion of the request response, the availability of the records, and the cost of service, including copying charges and research and retrieval or other fees that may be applicable to the request. Records subject to nondisclosure by law or under the Act will be withheld from inspection as provided by the Act.

F. If the estimated cost of complying with the public records request is \$50.00 or more, the City Clerk will require the person making the request to pay a deposit toward the City's estimated cost of compliance with the request prior to the City fulfilling the request. The City Clerk will return any amount of the deposit in excess of the actual costs, and shall collect any amount by which the actual costs exceed the amount deposited. No copies shall be released until all amounts due have been paid.

G. The City Clerk shall notify the City Council of receipt of all public records requests and action taken thereon. The City Clerk shall also maintain a master log of all records requests under the Act.

5. Schedule of Fees.

A. In all cases in which a person has the right to inspect a public record, the person may request a copy, printout, or photograph of the record. The City Clerk shall furnish a copy, printout, or photograph of the record and shall charge a fee as specified in this section. In the event production of a copy of the record exceeds the costs set forth in this section, including copies made utilizing an outside source, the party making the request will be charged the actual cost to provide the copy.

B. The City Clerk shall charge to the person making the public records request the cost of research and retrieval services in excess of one hour which are provided by the City pursuant to the public records request. The City Clerk will charge \$30.00 per hour of research and retrieval for such services exceeding one hour provided. Such research and retrieval services includes identification and segregation of documents that need not

be disclosed. Multiple requests for public records may be aggregated together for purposes of determining the applicability of research and retrieval fees.

C. The City Clerk will return any amount of the deposit made pursuant to section 4 which is in excess of the actual charge, and the City Clerk shall collect any amount by which the actual charge exceeds the amount deposited. No copy shall be released by the City until all amounts due have been paid.

Cost for research, retrieval and related services:

Scanning /B&W copies	\$0.25 per page (one sided, up to 11 x 17 Duplex copies are charged as two copies but are provided whenever possible.)
Colored copies	\$1.00 per page (one sided, up to 11 x 17 Duplex copies are charged as two copies but are provided whenever possible.)
Certified copies	\$1.00 additional per document
CD/DVD	\$5.00 (CD/DVD provided by City No outside media collection devices will be introduced into the City's computer system for purposes of copying records, including but not limited to external drives or disks.)
Large format copies	Actual cost
B&W maps	Actual cost
Mylars	Actual cost
Research and retrieval fee	\$30.00 per hour (for time required in excess of one hour, billed in fifteen minute increments)
Legal review	Actual cost

6. Closure of Request.

A public records request is deemed closed by the City under any of the following scenarios:

A. After records made available for inspection have been inspected by the party making the request and no copies of these records have been requested;

B. After records made available for inspection have been inspected by the party making the request and requested copies have been provided consistent with this Policy;
or

C. After records have been made available for inspection for ten business days and the requestor has (i) failed to make arrangements for inspection; (ii) failed actually to

inspect the records after arrangements have been made; or (iii) failed to provide advance payment as required.

D. A party making a request whose request has been closed under this section and who still wishes to inspect the same records must submit a new request.



**Request for Records
Pursuant to the Colorado Open Records Act**

Date of Request: _____ Time: _____

Name: _____

Mailing address: _____

Telephone Number (daytime): _____

Specific description of the record desired:

(Signature)

Please note the City of Steamboat Springs has an Administrative Regulation relative to Open Record Requests (Resolutions 2007-39 & 2016-11). The first four standard sized pages are free, per requester, annually; additional pages are \$.25 each this includes 8 X 14 and 11 X 17 copies. FAX Copies \$.25 per page; Color copies \$.30 per page; Duplication of Audio Tapes/Mini Discs \$30.00 item. City Clerk's Office charges a research and retrieval fee of \$30 per hour (first hour is free). This rate is charged in addition to the usual copying/scanning fees.

****NON-REFUNDABLE DEPOSIT FOR ALL REQUESTS ESTIMATED TO BE \$50.00 OR MORE. PAYABLE IN
ADVANCE \$25.00 PER \$50.00 REQUEST.****

(Do not write below this line - this section to be completed by the City Clerk)

Response Date: _____

Response Time: _____

Method of delivery: _____

Number of pages: _____

Amount Paid: _____

Request Filled By: _____

Denial of request and basis for denial:

Pursuant to the Colorado Open Records Act, the City (C.R.S. 24-72-203) of Steamboat Springs has 72 hours in which to respond to this request. If the request is large, an extension of seven (7) working days is permitted.

Revised 05/2017

FORMAL OPINION of KEN SALAZAR Attorney General	No. 01-1 Colorado Open Records Act Nineteen Frequently Asked Questions Alpha No. LW AG AGBAM Issued July 5, 2001
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The Colorado Open Records Act statute gives everyone broad access to government records throughout the state. This opinion is issued to provide the people of Colorado and Colorado's governments with answers to frequently asked questions about this law.

QUESTIONS PRESENTED AND CONCLUSIONS

This opinion is presented in a "frequently asked questions" format. The questions and answers begin on page four below. The questions addressed in this formal opinion are:

- 1. What governmental records are open to the public under the Colorado Open Records Act?**
- 2. How do I ask for public records from the government, and how is the government supposed to respond?**
- 3. What if I think I am entitled to see particular public records but the government refuses to give them to me?**
- 4. Are public records of disciplinary actions and investigations open to the public?**
- 5. What is the interaction between the Colorado Open Records Act and the rules of discovery in state or federal court?**
- 6. What happens if a public record holds some information that is open to the public and some information that falls within an exception to the Open Records Act?**
- 7. What if I request public records from the wrong agency of government? Will I be directed to the agency that actually holds the records I want?**
- 8. What are common problems faced by people who seek public records, and how do I respond if they happen to me?**
- 9. How can I get a public record certified by an agency of government?**
- 10. Does the Open Records Act provide any special benefits for veterans?**
- 11. What are the specific Open Records Act rules for sexual harassment proceedings?**
- 12. Are social security numbers in public records released in response to a request?**
- 13. Are government employees' performance ratings or salaries open public records?**
- 14. What happens if my request for public records includes voluminous documents or many records?**

15. What are the consequences to the government involved in a public records request if it wrongly denies my request?

16. What happens if the government receives a request for public records that is confusing or ambiguous or vague?

17. How do I get criminal justice records?

18. What is the deliberative process exception to open public records, and how does it work?

19. What is the public interest exception to open public records, and how does it work?

BACKGROUND

The Colorado Open Records Act gives people in Colorado a very important right. It allows them to learn - very quickly and completely - what their government is doing. It empowers everyone to understand how Colorado's government affects their lives in matters big and small. The citizens of Colorado want an open government, and this statute is the most basic embodiment of that goal.

The Colorado Open Records Act begins at Section 24-72-201 of the Colorado Revised Statutes. This law can be found in most libraries. For those with access to the Internet, it can be located through the home page of the Colorado General Assembly (http://www.state.co.us/gov_dir/leg_dir/geninfo.htm), among other places. In the questions and answers that follow, sections of this statute are highlighted to guide the reader.

The thought behind this part of open government in Colorado is a very simple, yet very broad and powerful idea: all public records are open for inspection by any person at reasonable times. The only public records that fall outside this expansive policy are records identified in specific exceptions set forth in the Colorado Open Records Act, in other laws of the state, and in federal law.

The Colorado Open Records Act contains several specific exceptions. Though access to government records is the general rule in Colorado, people and companies also want to know that the private information they must give the government will be respected as private, and not made public. For that reason, laws authorize, and sometimes require, that the government keep some types of records confidential. These laws protect the privacy of records such as personnel files, law enforcement investigations, research projects conducted by state institutions, real estate appraisals when property is being acquired for public use, and certain tax records, among others.

Some state laws outside the Open Records Act protect specific records. For example, certain medical records held by the Colorado Department of Public Health and Environment are specifically kept from disclosure under separate laws. Certain records maintained by the Department of Human Services are exempt from disclosure. Investigative records maintained by regulatory agencies and business and professional licensing boards may be exempt. Careful legal research is required

to identify this type of exception to the Open Records Act.

Finally, a specific federal law sometimes governs whether a particular public record is confidential, notwithstanding state laws such as the Colorado Open Records Act. The effect of federal law must be evaluated in the context of a particular request for public records.

Requests for documents under the Colorado Open Records Act are sometimes publicly controversial. This controversy often flows from a difficult balance to be struck between the fundamental principles of open government described above and the important privacy rights of the individuals who are the subject of the records sought. For example, some of the aspects of the hiring and firing of individuals by government are open to the public, even though this information may be embarrassing or uncomfortable for the people involved. As another example, some of the information held by the government in applications for licenses and similar approvals may be open to the public for eventual use for commercial purposes, even though the citizen applicants might prefer that the application information not be shared with commercial interests.

This important balance must be found by interpreting the specific text of the laws involved in the light of the particular circumstances of the request for information. The legal outcome of this process - whether a particular sensitive record is to be released publicly - at times can be very difficult to determine.

DISCUSSION

The following questions and answers give general guidance to people who want to see public records and to the public servants who manage the records in trust for the people. It does not answer all questions you might have. The application of the Colorado Open Records Act to a particular public record can be legally complicated and uncertain, so please be aware that your specific circumstances might require an analysis different from that described below.

1. What governmental records are open to the public under the Colorado Open Records Act?

The Colorado Open Records Act applies to virtually all levels and types of governments within Colorado. These include the state, its agencies and institutions, cities, counties, cities and counties, towns, school districts, special districts, and housing authorities, among others. Each of these organizations of government must meet the requirements of the Open Records Act.¹

The Colorado Open Records Act does not apply to federal government records. A different federal statute, called the Freedom of Information Act, applies to federal government. In a similar way, this federal statute does not apply to Colorado state or local government, either.

The "public records" that are open for inspection under the Colorado Open Records

Act include a very wide variety of materials. Books, papers, maps, photographs, tape recordings and electronic mail, among other written materials, are all open records. In order to be a "public record," the materials must be made by the government, kept by the government, or maintained by the government, and the record must also involve the receipt or expenditure of public funds, or the exercise of functions required or authorized by law or administrative rule. ²

The Open Records Act only makes public written information that already exists within the government. It does not force an agency or other government organization involved to create new records to respond to a request. It also does not require the government to manipulate or analyze information it might have in a new way in order to respond to a request. ³

For example, suppose a public file held by a special district contains all applications for water taps, and that it is organized by street address. The special district must allow inspection of this file if asked, but the special district does not have to organize the applications alphabetically or chronologically. That task would be the responsibility of the person requesting to see the file.

Computers are widely used in Colorado government to hold public information. Many of the computer records kept by governments in Colorado are open for inspection under this law. For example, electronic mail is widely used, and is an open record unless it is otherwise exempt from public inspection. The same is true of records kept in government databases.

2. How do I ask for public records from the government, and how is the government supposed to respond?

In general, asking to look at public records in Colorado is very easy. You must first find out what part of government has the records you want to see. Then you have to ask an appropriate person to see them, and make arrangements to inspect them.

Each agency is responsible for its own records, and one of the employees for each agency is the "official custodian" of those records. The official custodian is probably an administrator for the agency. This person is responsible for all of the agency's records, even though he or she may not actually keep track of these records on a day to day basis. The official custodian is responsible for answering requests for records. ⁴

The government's record custodians hold public records in trust for all citizens of Colorado. Every time you ask to see a record, a custodian must balance your right to access public records with the agency's obligation to maintain the record and to perform its other jobs. The custodian must protect the integrity of the record, and must prevent unnecessary interference with the agency's function.

Your request to see records should be in writing, and it should be as clear and specific as you can make it. That way the agency knows what you want to see, and

if a problem arises you can also prove that you made your request and when you made it. A written request is not legally necessary (unless an agency rule requires it), but it is always a very good idea to ask for records in writing anyway.

Once the agency receives your request, the custodian will decide whether you can see the records and, if so, when and where. Normally, you will look at the records at the agency's office. Many times, the records will be immediately available. If the record is not readily available, ask the custodian to let you know when it will be available. If you request one, you will then get a letter identifying a date and time that you can review and copy the record. ⁵

If the custodian cannot make the record immediately available for you to look at, the agency has three working days to make it available to you. If your request is large enough that the agency cannot respond within three days, the custodian will let you know in writing, and will have an additional seven working days to make it available under the Open Records Act. ⁶ If your request for records is very large, the agency will usually try to make arrangements with you for your review as soon as it reasonably and practically can.

Agencies can and normally do charge for copying records. The Open Records Act requires that the charge must be "reasonable," and cannot exceed \$1.25 per page unless the actual cost exceeds that amount. ⁷ Agencies may have their own statutes or rules that set copying costs. For example, the secretary of state may charge less than its cost under certain circumstances. ⁸ Keep in mind that the agency's cost may include not only the cost of the copy, but the cost of the employee's time spent making your copies. If you ask for copies of special documents, like your own set of photographic prints, the cost may be higher. If you ask for certified copies, the cost may be higher. The bottom line, however, is that government agencies cannot and do not profit from this service. Your cost of obtaining a copy should not exceed the agency's cost of making the copy.

You may desire to make your own copies to save money. You may, if the agency is not prepared to make copies for you and if the agency allows you to do so. Most agencies will be prepared to copy a small number of records. Copies must be made at the office of the agency, if it is practical.

The custodian decides who will make the copies and where. ⁹ If the copies will be made at a copy business, you must make arrangements and pay the cost of taking the records to the copying business. While that might sound like a good idea, keep in mind that the agency must maintain control of the records and supervise the copying. If you remove the documents from the agency office, your cost will include the cost of the custodian's time to accompany the records. As always, you should ask the agency about its copying procedures.

3. What if I think I am entitled to see particular public records but the government refuses to give them to me?

If the custodian denies you access to records, ask for a written statement

explaining why he or she made that decision. The custodian's letter must tell you the legal basis for the custodian's decision, and give you reasons that will allow you to decide if you think the decision makes sense.

Most agency custodians of record are very knowledgeable about their records and the restrictions that apply to their access. Of course, they might make the wrong decision on your request. If you are denied access to records that you believe should be accessible, you can file a civil action to ask a court to decide if the custodian's decision is wrong.¹⁰ The district court that would hear your complaint is the one that is nearest the place where the records are kept.

If you get a decision that denies your access to the records you want to see, you might write a letter to the custodian disputing his or her decision and reasoning. You do not have to write a letter like this, but - if your reasons are persuasive - you might get the custodian to change his or her mind. This is an easy, practical and inexpensive way to try to overturn an adverse decision.

4. Are public records of disciplinary actions and investigations open to the public?

The State of Colorado regulates many businesses and professionals. This regulation involves investigating possible misconduct and, where appropriate, imposing discipline for violations of Colorado law. The Open Records Act states that records of these law enforcement investigations may be held confidential.¹¹ It is also common to find that the statutes applying to each specific agency require that agency to hold investigation records confidential, at least until the investigation is closed.¹²

Like all other government records, records of discipline are open to the public unless there is a specific exception.¹³ One such exception applies in many circumstances to records of discipline of government employees, when these records are part of the employee's personnel file.¹⁴ There are few other exceptions.¹⁵ This is another example of a situation where it is best to ask the agency holding the record for the rules that apply to the record. You can save a lot of time researching these statutes by simply calling the agency that keeps the record you want to see.

5. What is the interaction between the Colorado Open Records Act and the rules of discovery in state or federal court?

When people become parties to a civil lawsuit, they can get information from other parties to the lawsuit by using the "discovery" rules that apply in the particular court in which the lawsuit has been filed. Only parties to a lawsuit may use the discovery rules to get information. In this situation, they may get information from government agency parties and private parties alike. In contrast, anyone can use the Open Records Act to get information from government agencies, not just parties in a lawsuit.

The interaction between the Open Records Act rules and the rules of discovery can be complicated and uncertain. There may be times when parties to a civil lawsuit can use the Open Records Act to obtain information concerning their lawsuit from governments in Colorado, whether or not the government involved is a party to the lawsuit.¹⁶ But there may also be times when parties to a civil lawsuit cannot use the Open Records Act to obtain information. That can happen in cases where a request for records under the Open Records Act violates a limit on discovery imposed by the court or under the rules of civil procedure or otherwise interferes with the judicial process.¹⁷

6. What happens if a public record holds some information that is open to the public and some information that falls within an exception to the Open Records Act?

Some public records contain a mixture of information that is public and information that is confidential, and not subject to inspection under the Open Records Act. In general, the government is not required to black out, or "redact," confidential portions of a record. It can lawfully refuse to let you see that record because of its partial confidential content.¹⁸

Nevertheless, in practice if a public record contains only a word, sentence or paragraph that is confidential, you may still be able to inspect it. The custodian may be willing to black out the confidential portion. On the other hand, the custodian often will not redact information from records if that would require a lot of effort. Generally speaking, the more confidential information a record contains, the less likely it is in practice that it will be available to you.

If the record you want contains anything confidential, the custodian will decide whether it is appropriate to keep the document confidential, or to black out the confidential part and give you the document. How will the custodian make this decision? He or she will consider the following questions. How difficult is it to block out the confidential information? Is there so much confidential information that blacking it out is impractical because it will make the rest of the document meaningless? Does he or she risk accidentally disclosing something confidential? The easier it is to take it out the confidential part, the more likely it is the custodian will let you have a copy.

7. What if I request public records from the wrong agency of government? Will I be directed to the agency that actually holds the records I want?

You probably will be directed to the right agency, but that result is not guaranteed. Many of the people you talk to in the government will be anxious to help, but may not have the information you need. You might have to contact several agencies before you find the record you want.

The law requires that if the person you talk to does not have the record you want, that person must let you know that he or she does not have it and why. If he or she

knows, you will be told who has it and where it is.¹⁹

8. What are common problems faced by people who seek public records, and how do I respond if they happen to me?

a) You ask for a record and the response is something like, "I am just a clerk here, and I do not have any authority to give you anything. You have to see someone else, and no one is here right now."

You may have the right office but the wrong person. If you get a response like that, do not give up. Ask this person who you should talk to, the phone number you should call, and the time you should call. Write a note to the agency memorializing your request because the government must respond within the short deadlines in the statute. Be polite, but be persistent. (Another good reason to make your request in writing to the government in the first place is to try to avoid situations like this.)

b) When you ask for a public record, you are asked questions about your affiliations, why you want the public record, and what you will use the record for.

You are not obligated to explain the reason you want any record. You do not have to discuss who you are or what you will do with the record. All you have to do is ask, and the government is obligated to make its public records available to you, as long as they are not confidential.²⁰

c) You are told you cannot use public records for commercial purposes.

The state agency may not impose conditions on your use of a copy of a public record unless those conditions are specifically allowed by law. In most cases, you can use the records you inspect for any lawful purpose. Criminal justice records cannot be used to solicit business for profit.²¹

d) You are told that an attorney for the government agency will have to review the request before any documents can be released.

Usually if a records custodian asks its attorney to review a records request, it is because the custodian is concerned about releasing something confidential. As discussed above, some government records are confidential, and the custodian cannot legally make confidential records available to the public. The custodian may take three working days to review a request with an attorney to avoid this problem, or up to seven more working days if your request is large.²²

e) You are told that you can look at a public record, but you cannot copy it or make notes about it.

This type of statement is incorrect. The Open Records Act generally provides that if you are entitled to inspect a record, you are entitled to copy it.²³

Make sure you are talking to the official custodian. If you are not, then ask for the custodian's name and phone number. If the official custodian tells you that you are not entitled to a copy, ask to have these restrictions in writing. You can try to reason with the custodian at first, but then you will be left to your legal options in court.

f) The agency takes too long to make records available for inspection.

The custodian is required to produce records immediately upon its receipt of a records request, if the records are available.²⁴ If the records are not immediately available, the custodian must make them available within three working days. If your records request is unusually large, then the custodian is entitled to as many as seven additional working days to make the records available.

In most situations, an agency will be able to comply with these requirements. However, there may be occasions when you do not get to see the records as soon as you should. The people who will work to make records available to you have other duties as well. In fact, their duty to help you with records is something they have to do in addition to their other work obligations. Usually, the best approach is to be patient if the agency has provided a reasonable explanation to you about the delay.

In most cases, you will not face any significant delay. Again, it helps if you know what to expect. Discuss the date and time for inspection and copying with the custodian.

If an agency does not comply with these deadlines, you can go to court to enforce your rights. If your need is so urgent that you want to consider such action, be sure to make the records custodian aware of your needs. Chances are very good that you will save time in the long run by fully informing and working with the custodian to make sure he or she understands your needs.

g) You visit an agency to find a particular document, but the agency has thousands of records and you do not know where to find what you are looking for.

State agencies must make records available for you to see and ordinarily must copy the records if you request a copy.²⁵ They are not obligated, however, to help you narrow your search when you ask for a mass of similar records. The exception is for a record that has been stored on microfilm or computer. For these records, the agency must help you locate and see the specific record you want.²⁶

As you can imagine, some agencies have so many files that the average person would have a hard time finding any particular document without help from somebody who has an idea about where to find it. If you make a broad, vague request to an agency, the custodian will have a hard time giving you what you need. The custodian must react quickly to your request and so, if your request is vague, you will probably get access to all records instead of just the records you

want. This is likely to be a frustrating and fruitless search from your point of view.

The agency's records custodian will understand this problem. Generally speaking, if you can help the custodian by being very clear about what you want, the custodian will help you. Before you contact an agency to ask for a record, identify as much information about the record as possible. The more information you can provide a records custodian, the quicker you will get the information. Under most circumstances, if you ask for a particular record, the custodian will find it for you so you can review it and get a copy, if you want one.

h) You ask for a record, and the records custodian tells you that the agency has the record, but it is currently being used.

Many public records are in the working files of the agencies. While you may be entitled to see these records, the records may not be available for immediate inspection because they are being used by the agency. In such circumstances, the records custodian will let you know, and is required to make the records available within three working days.²⁷

9. How can I get a public record certified by an agency of government?

When you make your first request for records, tell the records custodian that you need a certified copy. This is a simple process, but it does involve more than simply making copies, so be prepared to pay a higher fee. The fee for certified copies may be set by statute or rule.²⁸ Be sure to ask about the fee at the beginning, so you know what to expect.

10. Does the Open Records Act provide any special benefits for veterans?

Yes. If a veteran needs a record to demonstrate her eligibility for veteran benefits provided by the federal government, the custodian must provide a certified copy of that record without charge.²⁹

11. What are the specific Open Records Act rules for sexual harassment proceedings?

A records custodian for an agency that has records about sexual harassment complaints and investigations must keep those records confidential.³⁰ There are three exceptions to this general rule. First, if another government agency needs information from those records to investigate the sexual harassment complaint, it may get only those records it needs. Second, if the record is included in a court file or record of a court proceeding, this restriction does not apply. Third, a "person in interest" may see the records.³¹

12. Are social security numbers in public records released in response to a request?

The Open Records Act does not specifically say whether your social security number is confidential. It does authorize a records custodian to deny a request for a social security number if it would be contrary to federal law.³² Under federal law, if you gave your social security number to the state because of a law enacted after October 1, 1990, the state must treat your social security number as confidential.³³

If a state agency asks you for your social security number and you are uncomfortable providing it, you are entitled to certain information.³⁴ Find out if you must provide it. If you must, then find out what law requires it and what the state will do with it. Ask if the agency will hold it confidential. In most cases, if you must give a state agency your social security number, the law requires that it be held confidential.

13. Are government employees' performance ratings or salaries open public records?

Yes. Employees' personnel files are confidential.³⁵ However, those files do not include performance ratings, salaries, expense allowances, or benefits paid to state employees or employees of its political subdivisions.³⁶

14. What happens if my request for public records includes voluminous documents or many records?

If your request involves many records, it is probably going to take some time for the custodian to make the records available to you. In these cases, the custodian may take up to ten working days.³⁷ The custodian may have many duties in addition to responding to your request, so he or she has to balance those duties with her duty to respond to you. Of course, your request should receive a very high priority because you are entitled to a timely response.

At the time you make your request, the custodian should be able to tell you if you can expect a delay. This is the time to discuss when, where and how you will get to review the records and, if you choose, make copies. It would be a good idea to discuss the details so each of you can reach an agreement about these details. He or she can then put these details in her letter to you, so you both have a clear understanding. If you and the custodian cooperate, it will be easier to complete your task.

15. What are the consequences to the government involved in a public records request if it wrongly denies my request?

If you go to court to challenge an agency's decision denying you access to records and you win, the court will order the agency to give you the records. If the court decides that the custodian's decision was wrong, it is to award costs and attorneys fees to the prevailing applicant.³⁸ If the court determines that your request for records was frivolous, groundless or vexatious, it will award attorneys fees and costs to the government.³⁹

A willful and knowing violation of the open records act is a crime, punishable by a fine not to exceed \$100.00, ninety days in jail, or both.⁴⁰

16. What happens if the government receives a request for public records that is confusing or ambiguous or vague?

A confusing request for records will probably cause some delay. If the custodian does not understand your request, chances are good he or she will deny it. If he or she does so, you have the right to request a decision in writing so that you may understand his reasons.⁴¹ Of course, the custodian would rather save time by discussing your request so that he or she better understands what you want. The best approach is to discuss the request first, so the custodian can help you make sure you are asking the correct agency, and identifying the correct records.

Once you have confirmed which agency has the record you seek, and what to ask for, it is best to send the custodian a written request confirming these details.

17. How do I get criminal justice records?

You can get criminal justice records that are open to inspection by the public in the same way that you get other public records. The custodian has the same authority to make rules to protect the records and prevent unnecessary interference with her and her office's duties.⁴²

As you might guess, these records are not as available as other public records. The only records that must be made available are records of official actions, and there are exceptions.⁴³ The custodian has more discretion with other criminal justice records.⁴⁴ If he or she denies access, you may request a written statement of reasons, and you may challenge the decision in district court.

18. What is the deliberative process exception to open public records, and how does it work?

A custodian must hold documents confidential if they contain privileged information.⁴⁵ The label "privileged" refers to information that is protected from disclosure under various legal rules used in litigation. Certain deliberative process documents can be privileged, confidential records, if their release would tend to harm honest and frank discussion within the government.⁴⁶

Deliberative process records are documents that contain agency staff recommendations or opinions on legal or policy matters that are being considered for a final decision. As an example, administrators of government agencies normally make the most important decisions in the agency. Before they do so, they ask for and receive input from their subordinates, including opinions and recommendations. This input is often in writing. These written documents are part of the agency's deliberative process, and are confidential.

These records do not include the record of the final agency decision, or records created after the decision.⁴⁷

The deliberative process exception is a good example of a balance struck in the Open Records Act among important principles. On the one hand, the bias in the statute is for all records to be open. On the other hand, staff people in government might not put their honest views and recommendations in writing if they know the writings would be available to the public. It is obvious that decisions in government must be made upon the best information available to the decisionmaker from his or her staff. The rule that deliberative process records are confidential is a reflection of the need to have government function well outweighing the desire for open government in this instance.

The deliberative process exception in the Open Records Act places some special responsibilities upon the government claiming its protection. The government must provide to the person requesting the records a sworn statement that specifically describes each document withheld, explains why the document is privileged, and says why disclosure of the document would cause substantial harm to the public interest.⁴⁸

19. What is the public interest exception to open public records, and how does it work?

If you give a document to the government that you consider private, you would not want any citizen to be able to get a copy. In fact, many members of the public do give information to the government, which they expect will be held confidential. This information may not be specifically confidential under the Open Records Act. Yet, the expectation that it will be private is reasonable. Does the government have to give this type of information to any citizen? It depends on the circumstances.

The "public interest" exception is a specific exception in the Open Records Act. According to this law, an agency may hold public records confidential if the records custodian decides that making it available to the public would cause substantial injury to the public interest.⁴⁹ This is the case even if the record is something that would otherwise be available to the public under the Open Records Act. The reason this law exists is that the Legislature realizes that there will be situations in which information should be kept private, even though no law specifically states that it is private.

You might think that such a broad exception is reason to worry about access to public records. However, custodians know that this exception rarely applies. In situations where this exception has been tested, a court has normally ruled in favor of public disclosure.⁵⁰

It is the rare case that a record will be held confidential using the public interest exception. In the first place, the custodian must ask for permission from the district court to use the exception. Also, the custodian must prove how the public interest will be injured; just saying so will not be enough. And, the injury must outweigh the

public's compelling interest in access to its government's records to make sure the government is conducting its affairs fairly, efficiently and effectively. Essentially, the custodian - and then the court - must balance the public's interest in open government with the public's interest in protecting the privacy of individual citizens. In exceptional circumstances, the interests of an individual override the interests of the whole.

This balance is evaluated by taking into account 1) whether the individual has a legitimate expectation that the record will not be disclosed, 2) whether there is a compelling reason to make the records available to the public, and 3) if there is such a compelling reason, how the record might be disclosed in a way that is least intrusive to the individual.⁵¹

It is difficult to predict when this exception will apply. The courts will look at each situation and try to balance these competing interests.

CONCLUSION

The Colorado Open Records Act gives broad and fundamental rights to every person to learn what is happening in Colorado's government. To use these rights effectively, citizens must know how to use this law. This opinion describes the how this law works.

Issued this 5th day of July, 2001.

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FOOTNOTES

FN1 § 24-72-202(5) and 202(6)(a)(I), C.R.S.

FN2 § 24-72-202(6)(a)(I) and 202(7), C.R.S.

FN3 See, e.g., *Sargent School District No. RE-33J v. Western Services*, 751 P.2d 56 (Colo. 1988); *Office of State Court Administrator v. Background Information Services, Incorporated*, 994 P.2d 420 (Colo. 1999)

FN4 Larger agencies may have other "custodians" as well. § 24-72-202(1.1), C.R.S. These other custodians will have more direct control over the records you seek. They probably handle the agency's records each day.

FN5 § 24-72-203(3), C.R.S.

FN6 § 24-72-203(3)(b), C.R.S.

FN7 § 24-72-205(1), C.R.S.

FN8 § 24-21-104(3), C.R.S.

FN9 Requests to copy government documents can raise copyright questions. For example, some as-built drawings or other architectural drawings in government files might be protected by a copyright. While the custodian may allow inspection of such copyrighted materials, the custodian ordinarily will not copy such materials or allow others to copy them. See § 24-72-204(1)(b) (inspection denied if contrary to federal statute); § 24-72-205 (custodian "may" furnish copies).

FN10 § 24-72-204(5), C.R.S. This topic is discussed in more detail in response to Question 15.

FN11 § § 24-72-204(2)(a)(I), C.R.S.

FN12 Examples include insurance company investigations, § 10-1-206(8)(b), C.R.S.; investigations of engineers, § 12-25-109(2), C.R.S.; and investigations of dentists, § 12-35-118(5)(e), C.R.S.

FN13 § 24-72-204(1)(a), C.R.S.

FN14 §§ 24-72-202(4.5) and 204(3)(a)(II)(A), C.R.S.

FN15 One example of a confidential record of discipline is the private admonishment of an attorney. C.R.C.P. 251.6(d). (1999).

FN16 See *People in the Interest of A.A.T.*, 759 P.2d 853, 854 (Colo.App. 1988).

FN17 § 24-72-204(1)(c), C.R.S.

FN18 *Sargent School District No. RE-33J v. Western Services, Inc.*, 751 P.2d 56 (Colo. 1988); *Bodelson v. Denver Pub. Co.*, 5 P.3d 373 (Colo. App. 2000).

FN19 § 24-72-203(2)(a), C.R.S.

FN20 § 24-72-203(1), C.R.S. Also, see *Bodelson, supra*, 5 P3d 373; *Denver Publishing Co. v. Dreyfus*, 184 Colo. 288, 520 P2d 104 (1974) (no special interest is necessary to access a public record.)

FN21§ 24-72-305.5.

FN22§ 24-72-203(3)(b), C.R.S.

FN23§ 24-72-205(1), C.R.S. See note 7, above, concerning copyrighted material.

FN24§ 24-72-203(1), C.R.S.

FN25 24-72-203(1)(a), 205(1).

FN26 24-72-203(1)(b)(II).

FN27 § 24-72-203(3)(a), C.R.S.

FN28 § 24-72-205(1), C.R.S.

FN29 § § 24-72-112, C.R.S.

FN30 § 24-72-204(3)(a)(X)(A), C.R.S.

FN31 A "person in interest" (for this purpose only) is the person making the complaint and the person who is the subject of the complaint. § 24-72-202(3)(a)(X)(B), C.R.S.

FN32 § 24-72-204(1)(b), C.R.S.

FN33 42 U.S.C. § 405(c)(2)(C)(viii)(I).

FN34 Privacy Act of 1974, Pub.L. 93-579, Section 7.

FN35 § 24-72-204(3)(a)(II)(A), C.R.S.

FN36 § 24-72-202(4.5), C.R.S.

FN37 § 24-72-203(3)(b), C.R.S.

FN38 § 24-72-204(5), C.R.S. (as modified by HB 01-1359). House Bill 01-1359, enacted in May, 2001, also provides new rules for applicants to seek records of executive sessions of state and local agencies.

FN39 *Id.*

FN40 § 24-72-206, C.R.S.

FN41 § 24-72-204(4), C.R.S.

FN42 § 24-72-304(1), C.R.S.

FN43 § 24-72-302(7), C.R.S. defines "official action" to include arrests, indictments, filed charges, the disposition of such charges, records of release, and many other actions.

FN44 § 24-72-305, C.R.S. identifies the reasons a criminal justice records custodian may deny access.

FN45 § 24-72-204(3)(a)(IV), C.R.S.

FN46 See § 24-72-204(3)(a)(XII), C.R.S.; *City of Colorado Springs v. White*, 967 P.2d 1042 (Colo. 1998) (common law privilege recognized). As with many rules, this one has an exception. If you can show that your interests in getting the record are more important than the government's interest in keeping it confidential, you can get the record. This determination is made on a "case by case" basis. If you challenge the confidentiality of the record, the agency must demonstrate that it has an important interest in keeping the record confidential. If the agency can prove that point, then you must prove that your interest in seeing the record is more important than the agency's interest. *White*, 967 P.2d at 1053, 54.

FN47 Russell L. Weaver & James T.R. Jones, *The Deliberative Process Privilege*, 54 Mo. L.Rev. 279-299 (1989).

FN48 § 24-72-204(3)(a)(XIII), C.R.S.

FN49 § 24-72-204(6)(a), C.R.S.

FN50 See, for examples, *Denver Post Corp. v. University of Colorado*, 739 P.2d 874 Colo.App. 1987); *Denver Pub. Co. v. University of Colorado*, 812 P.2d 682 (Colo.App. 1990); *Zubeck v. El Paso County Retirement Plan*, 961 P.2d 597 (Colo.App. 1998); *Freedom Newspapers, Inc. v. Tollefson*, 961 P.2d 1150 (Colo.App. 1998); *Daniels v. City of Commerce City, Custodian of Records*, 988 P.2d 648 (Colo.App. 1999). For an example of a particularly sensitive case in which the exception applied, see *Bodelson v. Denver Pub. Co.*, 5 P.2d 373 (Colo.App. 2000).

FN51 See *Freedom Newspapers, Inc. v. Tollefson*, 961 P.2d 1150, 1156 (Colo.App. 1998), *Denver Post Corp v. University of Colorado*, 739 P.2d 874 (Colo.App. 1987), *Martinelli v. District Court*, 199 Colo. 163, 612 P.2d 1083 (1980).

Freedom of Information Act Requests - Full Report

Requests received from April 1, 2020 through June 30, 2020

Ages are in working days, calculated either at completion or through June 30, 2020

<i>Date Received</i>	<i>Date Completed</i>	<i>Age</i>	<i>Determination</i>	<i>Denial Reason(s)</i>	<i>NARA Log #</i>	<i>Requester</i>	<i>Subject</i>
April 1, 2020	April 29, 2020	20	Other	NOR	NGC20-340	Valerie Lopez	S: Immigration & Naturalization records of Client
April 1, 2020		69			NGC20-341	(b) (6)	C: Records of Allison Olson Dir of Preservation re Self
April 1, 2020	April 30, 2020	21	Partial grant	b5 b6	NGC20-343	Shasta Evans	C: FOIA for NGC17-207 Electronic Messaging Appraisal AC
April 2, 2020		68			NGC20-342	(b) (6)	C: NARA Emails (b) (6)) Sep 28-Dec 31, 2018
April 2, 2020		68			NGC20-344	(b) (6)	C: NARA emails (b) (6) -NGC) re termination
April 2, 2020		68			NGC20-345	(b) (6)	C: NARA Emails (b) (6)) 2019
April 2, 2020		68			NGC20-346	(b) (6)	C: NARA Emails sent to Cummings re Specs for Termination 2019
April 2, 2020		68			NGC20-347	(b) (6)	C: NARA Emails (b) (6) referral to EAP Apr 2019
April 2, 2020		68			NGC20-036A	Andy Conte	C: Appeal of RD 59533 (FBI file)
April 2, 2020		68			NGC20-348	(b) (6)	C: NARA Emails (b) (6) re proposal suspend May 8, 2019 Ltr
April 3, 2020		67			NGC20-349	Shasta Evans	G: OGIS Emails of Martha Murphy re Harrington Feb 7-Mar 31, 2020
April 3, 2020		67			NGC20-350	Shasta Evans	C: OGIS Emails (Mitchell) re Harrington Feb 7-Mar 31, 2020
April 3, 2020		67			NGC20-351	(b) (6)	C: OGIS Emails (Sheela Portonovo) Aug 1-Nov 27, 2019 re (b) (6)
April 3, 2020		67			NGC20-352	(b) (6)	C: OGIS Emails (Carrie McGuire) Aug 1-Nov 27, 2019 re (b) (6)
April 6, 2020		66			NGC20-353	(b) (6)	C: Bosanko Emails (with (b) (6)) & NGC/others re termination
April 6, 2020		66			NGC20-354	(b) (6)	C: NGC Correspondence re (b) (6) Whistleblower complaint 2019
April 6, 2020	May 1, 2020	19	Other	IMP	NGC20-355	Colton Kukendall	S: JFK Assassination records
April 6, 2020	May 1, 2020	19	Other	NOR	NGC20-356	(b) (6)	S: Loss of Nationality Record

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April 6, 2020		66			NGC20-357	(b) (6)	C: Emails bet (b) (6) Nov 9-19, 2018
April 7, 2020	April 14, 2020	5	Other	NOR	NGC20-358	(b) (6)	S: Records re Permanent Residency or Citizenship c. 1996 (USCIS)
April 7, 2020		65			NGC20-359	(b) (6)	C: OGIS (Bacon) Emails 8.1.19-11.27.19 re (b) (6) & FDA
April 7, 2020		65			NGC20-360	Harry Duty	C: OGIS (Brady) Emails 8.1.19-11.27.19
April 8, 2020	May 4, 2020	18	Other	NOR	NGC20-361	Michael Ayele	S: Records of DC Office Police Complaints re Job Fairs at Colleges
April 9, 2020	May 4, 2020	17	Other	DUP	NGC20-362	(b) (6)	S: Entry denial record (CBP)
April 9, 2020	May 4, 2020	17	Other	NOR	NGC20-363	(b) (6)	S: I-94 no date given (CBP)
April 10, 2020		62			NGC20-364	(b) (6)	C: Anti-Harrasement Committee Emails
April 10, 2020		62			NGC20-365	(b) (6)	C: Harrmann Emails
April 10, 2020	May 4, 2020	16	Other	NRD	NGC20-370	Domonic Medley	S: Any fingerprint record in Grandmother's Passport or Visa app file
April 10, 2020	April 17, 2020	5	Other	IMP	NGC20-381	Deborah Hughes	S: Hughes Genealogy Grandmother Residency Questions
April 12, 2020		61			NGC20-367	Vincent Carney	C: Training Records of Five NARA employees
April 13, 2020		61			NGC20-366	(b) (6)	C: NARA Ad Hoc Cttee on Harassment Records re him
April 13, 2020		61			NGC20-368	Vincent Carney	C: NARA Policies re acts that disrupt the workplace
April 13, 2020		61			NGC20-369	(b) (6)	C: Email bet (b) (6) re Self 4.29.19
April 13, 2020		61			NGC20-371	(b) (6)	C: NARA records re Sta king Incident 2018-Self & annual report 2019
April 13, 2020		61			NGC20-372	Vincent Carney	C: Correspondence NARA-OPM-DOJ re Stalking 2016-present
April 13, 2020	May 4, 2020	15	Other	NRD	NGC20-373	Quentin J Crocheron	S: Improper FOIA-no records described
April 13, 2020	April 17, 2020	4	Other	IMP	NGC20-374	Deborah Hughes	S: Hughes Improper Rec on Parent New Jersey Property
April 13, 2020	April 16, 2020	3	Other	IMP	NGC20-037A	Michael Ayele	S: Improper Appeal-trying to appeal response to Appeal NGC20-032A
April 13, 2020	April 22, 2020	7	Partial grant	b5	NGC20-038A	(b) (6)	C: Appeals withholding in full two documents in response to NGC20-253
April 15, 2020	May 4, 2020	13	Other	NOR	NGC20-375	Jose M. Diaz, Jr.	S: Pre-employment Medical Exam Records for CBP Employee

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April 15, 2020	May 4, 2020	13	Other	NOR	NGC20-376	(b) (6)	S: Immigration & Asylum records (USCIS)
April 16, 2020	April 30, 2020	10	Other	NOR	NGC20-377	Shen ka Green	S: Great-Grandmother's birth & death certificate
April 16, 2020	May 11, 2020	17	Denial	IMP	NGC20-039A	Michael Ayele	S: Appeal of NGC20-312 (Improper FOIA)
April 16, 2020	April 30, 2020	10	Other	NOR	NGC20-378	Richard J Lucas	S: Records of Patients-Ft. Irwin CA Med facility 1999-2000-Army
April 17, 2020	May 1, 2020	10	Other	NRD	NGC20-379	Sterling E Pollard	S: All records collected by NGC (no clear description)
April 17, 2020	May 5, 2020	12	Other	NOR	NGC20-380	C. David Durkee	S: Coast Guard Records 2010 (not at NARA)
April 20, 2020	May 4, 2020	10	Other	NOR	NGC20-382	Fred Noble	S: Birth & death certificates of relatives different states
April 20, 2020	May 4, 2020	10	Other	NOR	NGC20-383	Florencia Ibarra	S: Entry & exit records for client 1983 (CBP)
April 21, 2020	May 21, 2020	22	Total grant		NGC20-384	Rose Santos	C: FRC records re storage of IRS records
April 21, 2020	May 18, 2020	19	Total grant		NGC20-385	William E Powell	C: Standard Form 135 Document Locator Number 17552-238-9000-3 (1993)
April 21, 2020	May 5, 2020	10	Other	NOR	NGC20-386	(b) (6)	S: Divorce case filing papers-no state mentioned
April 21, 2020	May 5, 2020	10	Other	NRD	NGC20-387	(b) (6)	S: Records re himself not described
April 22, 2020	May 6, 2020	10	Other	NOR	NGC20-388	Carol King	S: Death Certificate for Relative-no state given
April 22, 2020	May 6, 2020	10	Other	NOR	NGC20-389	Carrie A House	S: Records on Mother's birth mother
April 22, 2020		54			NGC20-040A	Paul Maas Risenhoover	C: Appeal of GWBush L b 2019-0386-F-adequacy of search
April 23, 2020		53			NGC20-041A	Rukmini Ms. Callimachi	S: 2020-0673-A Gorbachev 1989 Summit
April 23, 2020		53			NGC20-042A	Rukmini Callimachi	S: GHBush Lib 2020-0674-A 1989 Revolution Romania
April 24, 2020		52			NGC20-390	Emilio Reyes	C: Riverside and San Bruno Communication with BIA
April 27, 2020	June 15, 2020	34	Other	OTH	NGC20-043A	Rodrigo Cezar	C: Appeal of 20-32696 (Textual Reference) US Trade Rep Records
April 27, 2020		51			NGC20-391	(b) (6)	C: (b) (6) Emails with (b) (6) who referred (b) email 7.5.19
April 27, 2020	May 6, 2020	7	Total grant		NGC20-392	Eric Scicchitano	C: Copy of GW Bush Lib log entry FOIA 2019-0115-F & Records Released
April 28, 2020	May 11, 2020	9	Other	NOR	NGC20-393	Jovanna Flores	S: CA Labor Dept Approvals for Client 2001
April 28, 2020		50			NGC20-394	(b) (6)	C: OGIS Emails (Mitchell) 3/25-4/28/2020
April 28, 2020		50			NGC20-395	(b) (6)	C: OGIS Emails (Murphy) Mar 25-Apr 28_2020

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April 28, 2020		50			NGC20-396	(b) (6)	C: OGIS Emails (Semo) Mar 25-Apr 28_2020
April 28, 2020		50			NGC20-397	(b) (6)	C: OGIS Emails (Brady) Aug 1-Nov 27_2019
April 28, 2020	May 12, 2020	10	Other	NOR	NGC20-398	Naomi Sanchez	S: Personnel Records of Congress Employee
April 28, 2020	May 7, 2020	7	Other	NOR	NGC20-399	Cody Lowman	S: Navy Criminal Records for Navy veteran 1980-81
April 29, 2020	May 12, 2020	9	Other	NRD	NGC20-400	Amanda N (Mrs) Hale	S: Records on Mother - not described
April 30, 2020	May 7, 2020	5	Other	NOR	NGC20-401	Cody Lowman	S: Navy Court-martial records circa 1980-81 John F. Clements, Jr.
April 30, 2020	May 29, 2020	20	Partial grant	b6	NGC20-402	Shasta Evans	S: Response Ltr & Records Released NGC17-128
April 30, 2020	May 11, 2020	7	Partial grant	b6	NGC20-403	Shasta Evans	S: Request & records released NGC17-129 (SF135s)
April 30, 2020	May 11, 2020	7	Partial grant	b6	NGC20-404	Shasta Evans	S: Response Ltr & any records released NGC17-019A
May 1, 2020	May 8, 2020	5	Partial grant	b6	NGC20-405	Eric Jelle	C: Human Cap Cert lists & Requests to pass over self (see NGC20-318)
May 1, 2020	May 8, 2020	5	Other	NOR	NGC20-408	Sasha Pezen k	S: Sen. Biden Records 1993, staffer complaint & personnel file
May 1, 2020	May 14, 2020	9	Other	NOR	NGC20-412	(b) (6)	S: Privacy Act Request-Commerce Dept Records
May 1, 2020	May 11, 2020	6	Other	NOR	NGC20-421	Yovana Burns	S: Employment records for Navy officer - may be on active duty
May 4, 2020	May 14, 2020	8	Other	NRD	NGC20-406	(b) (6)	S: Navy Court-martial records-no date
May 4, 2020	May 14, 2020	8	Other	NOR	NGC20-407	(b) (6)	S: His emails with WhiteHouse.gov 2017-2019
May 4, 2020	May 8, 2020	4	Other	NOR	NGC20-409	Mary M. Olohan	S: Sen. Biden Personnel Records Jan. 1, 1993-Dec. 31, 1994
May 4, 2020	May 15, 2020	9	Other	OTH	NGC20-410	Faye Edens	S: Birth Certificate & military Draft record-grandfather born 1905
May 4, 2020	May 15, 2020	9	Other	NOR	NGC20-411	(b) (6)	S: Records for Immigration hearing-not described
May 4, 2020	May 15, 2020	9	Other	NRD	NGC20-413	(b) (6)	S: Records on Self 1988-2020-no description of type of records
May 4, 2020		46			NGC20-414	Nicole Einbinder	C: NARA Communications w/Biden & others re Reade 3/1-present
May 4, 2020		46			NGC20-415	Donald K Sherman	C: NARA Communications re Pres Transition Mar 1_2020 to present
May 4, 2020	May 18, 2020	10	Other	NAR	NGC20-422	Jovan Dr. Miles	C: Data files for Thomas Jefferson Papers (Founders Archive)NHPRC
May 7, 2020	May 20, 2020	9	Other	NRD	NGC20-416	Edward Inserra	S: IRS Records re Named Individual 1945-1962

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May 7, 2020	May 19, 2020	8	Other	NOR	NGC20-417	Antonia A. Macias	S: USCIS and Visa Records for Client
May 8, 2020	May 28, 2020	13	Other	NOR	NGC20-418	Jocelyn Adams	S: Life & death Records for Mother
May 11, 2020	May 15, 2020	4	Other	NRD	NGC20-419	Barbara Green-ThaSimmons	S: Records on Father by Name only & SSN
May 11, 2020	May 15, 2020	4	Other	NRD	NGC20-420	(b) (6)	S: All records on self not described
May 11, 2020		41			NGC20-423	Kohl Harrington	C: Response Ltr to GWBush 2016-0088-F & any docs released
May 11, 2020		41			NGC20-424	(b) (6)	C: NARA Emails referenced by (b) (6) in EEO ROI
May 11, 2020	May 20, 2020	7	Other	IMP	NGC20-425	(b) (6)	S: Arrest, Investigation & Trial Records-federal court case 1986
May 12, 2020	May 27, 2020	10	Other	NOR	NGC20-426	(b) (6)	S: Alien File
May 12, 2020	May 27, 2020	10	Other	NOR	NGC20-427	Paul Wu	S: Alien files for parents (birth years 1916 & 1921
May 12, 2020	May 15, 2020	3	Partial grant	b6	NGC20-428	Shasta Evans	C: Response Ltr & Records Released NGC17-020A
May 12, 2020	May 15, 2020	3	Partial grant	b6	NGC20-429	Shasta Evans	C: Response Ltr & Records Released NGC17-021A
May 13, 2020	May 18, 2020	3	Other	IMP	NGC20-430	Michael Ayele	S: Improper FOIA-no federal records described
May 13, 2020	May 25, 2020	8	Other	NOR	NGC20-431	Alyssa D Smith	S: Birth, death, immigration & military records for relatives
May 14, 2020		38			NGC20-432	Vincent Carney	C: NARA's Annual EEO Prog Rept FY2013-2017
May 14, 2020		38			NGC20-433	Vincent Carney	C: NARA FY19 Annual No Fear Act Report
May 15, 2020	May 29, 2020	9	Other	NOR	NGC20-434	(b) (6)	S: Copy of tourist visa covering self issued to Mother 1990-93
May 15, 2020	May 19, 2020	2	Other	NOR	NGC20-435	Antonia A Macias	S: Alien File for Client
May 18, 2020		36			NGC20-436	Michael Ayele	C: Emails bet NARA staff & EEOC re Man Dir 175 & Complaints to EEO
May 18, 2020	May 28, 2020	7	Other	NOR	NGC20-437	Matthew Hood	S: Records re Protecting Hist Recs from Covid-19
May 19, 2020		35			NGC20-440	Deborah Ann Bianchi	S: Mother's Birth Certif, School, Baptismal & Confirmation Records
May 19, 2020	May 29, 2020	7	Other	NOR	NGC20-441	Vivian Pounder	S: Railroad Pension File-father-in-law
May 19, 2020	June 1, 2020	8	Other	IMP	NGC20-442	(b) (6)	S: Records of Nine agencies on Self
May 19, 2020	June 15, 2020	18	Total grant		NGC20-447	William E Powell	C: SF 135 for IRS transfer of Estate Tax Return William A. Powell
May 20, 2020	July 1, 2020	29	Partial grant	b6	NGC20-438	Sharon Mahaney	C: Lee's Summit FRC SF 135 Doc Request SBA

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May 20, 2020		34			NGC20-439	(b) (6)	C: Correspondence re (b) (6) Email to (b) (6)
May 20, 2020	May 28, 2020	5	Denial	IMP	NGC20-044A	Michael Ayele	S: Appeal of NGC20-430
May 20, 2020		34			NGC20-443	(b) (6)	S: Records on Self - no description
May 20, 2020	June 1, 2020	7	Other	NOR	NGC20-444	Deborah Crawford	S: Alien files for client's 7 family members
May 20, 2020	June 17, 2020	19	Total grant		NGC20-445	Edwina Denise Arnold	C: Records released in Appeal NGC15-080A (RD 41741)
May 21, 2020	May 29, 2020	5	Other	NOR	NGC20-446	Stefanie T Caso	S: USCIS I-751 Petition for Client
May 22, 2020	June 3, 2020	7	Other	NOR	NGC20-448	Teresa Rivera	S: Immigration records for father re Permanent Resident status
May 22, 2020	June 4, 2020	8	Other	NRD	NGC20-449	Tiffany Melton	S: Records on grandfather not described
May 22, 2020		32			NGC20-455	Vincent Carney	C: Cheatham Memo sent to OIG re NARA-X-19-015
May 22, 2020		32			NGC20-456	Violet Esters	C: Harris Emails received by NARA employees in Barg Unit
May 26, 2020	June 25, 2020	22	Other	OTH	NGC20-045A	Kel McClanahan	C: Appeal Denial GWBush L b for Expedited 2020-0171-F Bolton Book
May 26, 2020	June 4, 2020	7	Other	NOR	NGC20-450	Robert A Moore IV	S: Records on Grandmother's work history (SSA)
May 26, 2020	May 29, 2020	3	Other	NRD	NGC20-451	(b) (6)	S: All records on herself-not described
May 26, 2020	June 4, 2020	7	Total grant		NGC20-452	Willeena Booker	S: Grandfather's SSA application
May 26, 2020	June 1, 2020	4	Other	NOR	NGC20-453	James Bartlett	S: Verification of Seattle PD mug shot
May 26, 2020	June 4, 2020	7	Other	NRD	NGC20-454	Rebecca King	S: Records on Great Uncle (immigrant) pre 1940
May 26, 2020	June 8, 2020	9	Other	IMP	NGC20-457	Zack Zaromatidis	S: Immigration & Naturalization Records for Great-Grandfather (1909)
May 26, 2020	June 5, 2020	8	Other	NRD	NGC20-458	Matthew Phelan	S: Records re Bernard J. O. Carvalho-no federal agency identified
May 27, 2020	June 2, 2020	4	Other	NRD	NGC20-459	Karliss Coats	S: Request for veteran's OMPF-no mil branch or dates given
May 29, 2020	June 2, 2020	2	Other	IMP	NGC20-460	Michael Ayele	S: MD National Guard & other state records 2015 Baltimore riot
May 29, 2020	June 2, 2020	2	Other	NRD	NGC20-461	Hasi Smith	S: No records described-genealogy
June 2, 2020	June 8, 2020	4	Other	IMP	NGC20-462	Nicholas Erikson	S: Fed Court Case Records involving named law firms 1969-1980 Delaware
June 2, 2020	June 8, 2020	4	Other	NOR	NGC20-463	Rodney Leake	S: Navy Court-martial Records 1987-88
June 4, 2020	June 5, 2020	1	Other	NOR	NGC20-464	(b) (6)	S: Records on poss ble adoption

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June 8, 2020	June 9, 2020	1	Other	IMP	NGC20-465	Richard Mills	S: DOJ Hotline Complaint Record-no date
June 9, 2020	June 16, 2020	5	Other	NOR	NGC20-474	Tyrone M Jamison	S: OMPF (no branch given) & Area 51 & ODNI file 1995-2011
June 10, 2020	June 12, 2020	2	Other	IMP	NGC20-469	Jacob Hoskins	S: Fed Court Record from US Dist Court Anchorage AK
June 11, 2020	June 12, 2020	1	Other	NOR	NGC20-466	(b) (6)	S: Records on Self Collected in last 2 years
June 11, 2020	June 30, 2020	13	Other	NOR	NGC20-467	William E Powell	C: Form 2275 (Charge & recharge)- Estate Tax Return at Dayton FRC
June 11, 2020	June 17, 2020	4	Partial grant	b6	NGC20-468	Hajar Hammado	C: Consultation from EPA for records of Chief Records Officer
June 12, 2020	June 15, 2020	1	Other	NOR	NGC20-470	Jason Mavropoulos	C: NARA plan to re-open NPRC
June 15, 2020	June 16, 2020	1	Other	NRD	NGC20-471	Bryan Laing	S: Improper FOIA-no records described
June 15, 2020	June 16, 2020	1	Other	NOR	NGC20-472	Marie Tonietto	S: Father's death certificate
June 15, 2020	June 16, 2020	1	Other	NRD	NGC20-473	Jayne Mauldin	S: Improper FOIA-no records described
June 15, 2020	June 17, 2020	2	Other	NRD	NGC20-475	(b) (6)	S: Passenger Arrival & Entry-Exit Record June 1959
June 16, 2020	June 23, 2020	5	Other	NOR	NGC20-476	(b) (6)	S: Naturalization Records re name change
June 17, 2020	June 26, 2020	7	Other	NOR	NGC20-477	Cezary Podkul	C: Communications bet OGIS & SBA re PPP & EIDL and FOIA
June 17, 2020		15			NGC20-478	Jason Mavropoulos	C: NARA records re planning to reopen NPRC
June 19, 2020	June 26, 2020	5	Other	NOR	NGC20-479	Jennifer Whittaker	S: Smithsonian Air & Space Museum Exh bit catalog
June 22, 2020		12			NGC20-480	Schellenberg Schellenberg	C: NARA Emails Jan 1, 2019-May 1, 2020 (Ferriero-Wall-Pam Wright)
June 22, 2020	June 30, 2020	6	Other	NOR	NGC20-491	Taylor A Scott	S: Army Emails of Named Sgt 2019-20
June 22, 2020	July 2, 2020	8	Other	WIT	NGC20-494	Brian Libgober	C: NARA policy on ex parte communication in rule making
June 23, 2020	June 29, 2020	4	Other	NOR	NGC20-483	Rosalind Ehrenberg	S: Death Certificate
June 24, 2020	June 30, 2020	4	Other	NOR	NGC20-481	(b) (6)	S: Immigration records-self
June 24, 2020	June 30, 2020	4	Other	NOR	NGC20-482	(b) (6)	S: Exit and Entry Records-self-last 28 years
June 24, 2020		10			NGC20-484	Seth Watkins	S: Record re disposal of WH records 44 USC 3303a
June 25, 2020	June 30, 2020	3	Other	NOR	NGC20-485	(b) (6)	S: CBP records on self - no dates
June 25, 2020	June 30, 2020	3	Other	NOR	NGC20-486	Caoimhe Hill	S: Eric Harris videotapes prior to Columbine School Shooting 1999

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June 29, 2020	July 7, 2020	5	Other	NOR	NGC20-487	Cynthia Castegnaro	S: Army CID Ft. Riley KS death report on daughter 2019
June 29, 2020	June 29, 2020	0	Other	NOR	NGC20-488	Taylor (Ms) Oliver	S: Death certificate
June 29, 2020	July 9, 2020	7	Denial	b6	NGC20-489	Harry Duty	C: Records & Ltr released for NGC17-130
June 29, 2020	July 8, 2020	6	Partial grant	b6	NGC20-490	Harry Duty	C: Records & Ltr Released in NGC17-022A
June 29, 2020	July 8, 2020	6	Other	NOR	NGC20-492	Stephanie Andrews	S: Father's Merchant Marine service records WWII
June 29, 2020	July 8, 2020	6	Other	NOR	NGC20-495	Tyler Moreno	S: Confirmation of Top Secret Classified Records
June 30, 2020		6			NGC20-493	Eloy Gallegos	S: Client's Alien file & Record of Removal proceedings 1984-85
June 30, 2020		6			NGC20-496	(b) (6)	S: SSA Applications-Self & Relatives
June 30, 2020		6			NGC20-497	William E Powell	C: NARA Record of IRS DLN No. for FRC Txfr 058-095-546

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Nondisclosure Codes

<i>Nondisclosure Category</i>	<i>Code</i>	<i>Definition</i>
Exemption	b1	Classified information
Exemption	b2	Internal personnel rules and practices
Exemption	b3	Information exempt under other laws
Exemption	b4	Confidential business information
Exemption	b5	Internal government communications
Exemption	b6	Personal privacy
Exemption	b7a	Law Enforcement: Proceedings
Exemption	b7b	Law Enforcement: Fair trial
Exemption	b7c	Law Enforcement: Personal privacy
Exemption	b7d	Law Enforcement: Confidential sources
Exemption	b7e	Law Enforcement: Law enforcement techniques & procedures
Exemption	b7f	Law Enforcement: Physical safety
Exemption	b8	Supervision of financial institutions
Exemption	b9	Geological information concerning wells
Procedural Denial	DUP	Duplicate request
Procedural Denial	FEE	Fee-related reason
Procedural Denial	IMP	Improper request for some other reason
Procedural Denial	NAR	Not an agency record
Procedural Denial	NOR	No records
Procedural Denial	NRD	Records not reasonably described
Procedural Denial	OTH	Other
Procedural Denial	PRA	Records subject to Presidential Records Act in lieu of FOIA
Procedural Denial	REF	Referrals
Procedural Denial	WIT	Request withdrawn



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Housing Commission Appointments

Action Requested: Housing Commission Appointments

Department: Economic and Community Development

Presented By: Hannah Klausman, Senior Planner

Background Info: The Housing Commission has four regular seats available with terms expiring 04/2024. Sumner Schachter and Sean Nesbitt renewed applications for a second term in 2021. Both applicants are eligible for appointment to a second term.

Bobbi Hodge applied in 2021 and interviewed with Shelley Kaup on April 14, 2021. Bobbi is eligible for appointment.

Ongoing members include:

Ellen Dole (Term Expires 2023)

Erin Morelli (Term Expires 2022)

Matt Spidell (Term Expires 2022)

The City has advertised for the open seat but has had not applications at time of staff report.

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Council Commission & Boards Liaison Appointments

Action Requested: Appoint City Council members as necessary to Boards and Commissions.

Department: City Administration

Presented By: Debra Figueroa, City Manager

Background Info: After every election, the Mayor appoints City Council members to existing Boards and Commissions as a liaison.

Issues: NA

Staff Recommendation: NA

Current Council Liasions on Boards and Commissions
As of April 30, 2021

Boards	Councilor	Alternate
Arts and Culture	Kaup	
DDA	Davis	Willman
FAB	Stepp	Willman
Tourism	Stepp	Wussow
VALE	Hershey	
Volunteer Fire Pension	Godes	
Rural Fire District	Hershey	
RFTA	Godes	
Commissions	Councilor	Back-up Councilor
Airport	Godes	Hershey
Historic Preservation	Hershey	
Housing	Kaup	Stepp
Parks	Davis	
River	Kaup	Davis
Transportation	Willman	Kaup



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Bid for Council Chambers

Action Requested: NA- this bid will be received early next week and will be added to the packet at that time.

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Resolution Number 2021-11 in support of the Outdoor Restoration Force Act

Action Requested: Approval of Resolution Number 2021-11 in support of the Outdoor Restoration Force Act.

Department: Attorney

Presented By: Glenwood Springs Legal, Legal

Background Info: Senator Bennet has introduced the Outdoor Restoration Force Act in the US Senate. The proposed legislation aims to create jobs by investing in natural public lands and water through collaborative forest health, wildlife habitat, and watershed restoration projects across the West.

Mayor Godes requested a Resolution of Support be added to the agenda for City Council consideration. Letters of support are also attached for City Council's consideration.

Issues: NA

Staff Recommendation: Staff defers to Council



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

24 February, 2021

Senator Michael Bennet
United States Senate
261 Russell Senate Office Building
Washington, DC 20510
Phone: 202-224-5852

RE: Outdoor Restoration Force Act

Dear Senator Bennet,

The Southwest Colorado Council of Governments (SWCCOG) is located in the southwest corner of the State of Colorado. The mission of the SWCCOG is to provide regional leadership on behalf of governments throughout Southwest Colorado by defining regional issues, advocating for mutual goals, and administering regional programs. The region includes the counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan, the municipalities of the Cities of Cortez and Durango, and the Towns of Bayfield, Dolores, Dove Creek, Ignacio, Mancos, Pagosa Springs, Rico, and Silverton, as well as the two Native American Tribes of the Southern Ute and the Ute Mountain Ute. Public lands are central to the character of Southwest Colorado.

The SWCCOG region spans an area of roughly 6550 square miles; about 85% of this area is public lands including Forest Service, Bureau of Land Management, National Park Service, National Monuments, Bureau of Reclamation, Bureau of Indian Affairs, and even Colorado State Parks. The varied land uses include grazing, hydrocarbon extraction, hard rock mining, historic preservation, and recreation such as hunting, fishing, kayaking, rafting, hiking, camping, horseback riding, mountain biking, dirt biking, and four wheeling. These activities are the economic drivers for the five counties. The importance of maintaining and supporting federal lands through partnerships with local communities in Colorado cannot be overstated.

Additionally, southwest Colorado has experienced natural disasters ranging from catastrophic wildfires and their resulting debris flows, an abandoned mine waste-water spill, and extensive pine beetle infestations. The Outdoor Restoration Force Act is a necessary investment in the ecosystems so critically important in southwest Colorado and the rest of the country. Federal assistance with local efforts to support forest health, restore watersheds, protect wildlife habitats, and enhance resiliency in the face of climate change will benefit communities for years to come.

The SWCCOG applauds the efforts to wholly invest in our lands and natural resources and wishes to thank you for your leadership on these critical issues.

Sincerely,

David Black, Chair
Southwest Colorado Council of Governments

295 Girard Street, Ste B, Durango, CO 81303

970-779-4592

www.swccog.org

January 20, 2021

The Honorable Senator Michael Bennet
261 Russell Senate Building
Washington, D.C. 20510

Re: Outdoor Restoration Force Act

Dear Senator Bennet,

Thank you for your work to secure crucial federal investment in forests and watersheds through the Outdoor Restoration Force Act. Denver Water fully supports the legislation's goal of restoring our natural infrastructure and ensuring its resilience by providing funding for collaborative efforts across the country. The legislation represents an opportunity for the type of proactive coordination at the local, state and federal levels that will be needed to combat the increasingly destructive effects of climate change on forests and watersheds.

Denver Water appreciates the Outdoor Restoration Force Act's dual goal of not only restoring forests and watersheds so that they are healthier in the short term, but also planning for future generations through its focus on resilience over time. This funding can build upon existing partnership commitments, such as the From Forests to Faucets Partnership, to which Denver Water has committed \$33 million for forest management and hazardous fuels reduction in drinking water supply watersheds. Making proactive investments to strengthen our forests and watersheds is an effective approach from an environmental and economic perspective.

As the environmental impacts of climate change accelerate, new and innovative approaches will be necessary to meet the challenge. This legislation recognizes the vital role that leaders at the local and state level have to play in responding to that challenge. It empowers these on-the-ground experts to work collaboratively across boundaries to rehabilitate and enhance our natural infrastructure, while also providing funding to ensure those efforts are successful. Finally, bolstering investment in restoration and resilience efforts within federal agencies such as the Department of Agriculture and Department of the Interior will serve to increase the pace and scale of forest and watershed restoration work at a time when it is desperately needed.

A problem as complex as climate change requires similarly multifaceted and forward-thinking solutions, and this is the approach embraced by the Outdoor Restoration Force Act. Denver Water supports this legislation as it provides critical, strategic investments in forests and watersheds that will ensure the viability and quality of our drinking water supply for years to come. Again, we thank you for your efforts on this important matter.

Sincerely,



James S. Lochhead
CEO/Manager

RESOLUTION 2021-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO SUPPORTING THE OUTDOOR RESTORATION FORCE ACT

WHEREAS, the Outdoor Restoration Force Act (the “Act”), if passed, would establish a \$60 billion outdoor restoration fund to dramatically increase funding available for restoration and resilience projects across the country;

WHEREAS, the Act is intended to restore forests and watersheds so they are healthier in the short term and to plan for future generations through its focus on resilience over time; and

WHEREAS, the Act provides an opportunity for proactive coordination at the local, state and federal levels needed to combat the increasingly destructive effects of climate change on forests and watersheds; and

WHEREAS, the City Council believes that the Act provides critical, strategic investments in forests that will ensure the viability and quality of our drinking water for years to come; and

WHEREAS, the City’s ability to access assistance available in the Act to reduce fire risk and increase restoration and resiliency would be lifesaving for the City and throughout the Western Slope; and

WHEREAS, City Council desires to express its support for the Act.

**WHEREAS, 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 supports the Outdoor Restoration Force Act and urges community members to vote in favor of the Act.

INTRODUCED, READ AND PASSED THIS ____ DAY OF May 2021.

CITY OF GLENWOOD SPRINGS, COLORADO

Jonathan Godes, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
May 6, 2021

Agenda Item: Citizen Survey

Action Requested: Mayor Godes will take the lead in this discussion.

Department: City Clerk

Presented By:

Background Info:

Issues:

Staff Recommendation:

**CITY OF GLENWOOD SPRINGS**

101 West 8th Street
Glenwood Springs, CO 81601
(970) 384-6435 ~ Fax (970) 945-8582
www.cogs.us

NOISE REGULATION EXEMPTION REQUEST**TO:** **DEBRA FIGUEROA, CITY MANAGER****DATE:** 4-30-2021

FROM: **Name of Applicant/Contractor:** Casper Electric
Contact Name: Ryan Waterbury
Mailing Address: 3150 E Yellowstone Hwy
City, State, Zip Code: Casper, WY 82609(307) 258-5520
Telephone Number: (307) 258-5520
Email Address: ryan@casperelectric.biz

Currently, the Municipal Code prohibits noise from construction equipment after 8:00 p.m. via the following code section:
100.070.030 Noises prohibited.

(1) Construction work. Any noise created by operating or causing to be operated any equipment (mechanical or non-mechanical, self-propelled or manually manipulated) used in construction, repair, alteration or demolition work on buildings, structures, streets, alleys or appurtenances at any time other than between the hours of 7:00 a.m. to 8:00 p.m. on Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday and Sunday. The City Manager is hereby authorized to issue a construction work noise permit allowing construction work noise to occur at a time other than the time set forth herein based on circumstances which necessitate such construction work. In the event the City Manager issues such a permit, the City Council shall be advised of such issuance at the next regular City Council meeting.

PURPOSE OF REQUEST: Potholing - CDOT C22476 Garfield County Signals SH 82 at 11th St. and 14th St.

APPROVAL

Pursuant to Municipal Code Section 100.070.030, **Applicant/Contractor Name:** Casper Electric hereby requests temporary relief from the normal work hours of 7:00 a.m. to 8:00 p.m. on Monday through Friday, and 8:00 a.m. to 6:00 p.m. on Saturday and Sunday to conduct

Purpose of Request: Potholing - CDOT C22476 Garfield County Signals SH 82 on

Date(s): 5/4/2021-5/5/2021 between the hours of 7 AM (AM/PM) and 7 PM (AM/PM)

Requested by:

Approved by:

Digitally signed by Ryan D Waterbury
DN: c=US, e=ryan@casperelectric.biz, o=Casper
Electric, Inc., ou=Project Manager, cn=Ryan D
Waterbury
Date: 2021.05.02 14:37:52-0600
Ryan D Waterbury
Applicant's Signature

5/2/2021
Date

Debra Figueroa
Debra Figueroa
City Manager

5/3/2021
Date