



AGENDA
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
JUNE 28, 2022
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

1 Attendance Instructions

- A. This meeting will be held in person and via zoom.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82586728430>

Or One tap mobile :

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Webinar ID: 825 8672 8430

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2 Roll Call

3 Receipt of the Minutes

- A. May 24, 2022 Draft Minutes

- B. April 26, 2022 Draft Minutes

4 Comments from citizens appearing for items not on the agenda

5 New Items

- A. Planning Item 19-22 Code Amendment Hotel Conversions

- B. Affordable Housing Accomplishment Report

6 Commissioner Comments

7 Director Comments

8 Adjournment



MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
May 24, 2022
Council Chambers,
First Floor 101 W. 8TH STREET

1. Roll Call
 - a. Present: Commissioners Peter Waller, Carolyn Cipperly, Amber Wissing, Joy White, Chair George Shaver, Amy Connerton, Mitchell Weimer
 - b. Also present: Assistance City Manager Jenn Ooton, Asst. City Attorney Richard Peterson, Asst. Director of Community Development Hannah Klausman, Senior Long Range Planner Trent Hyatt.
2. Chair Shaver called for a motion to seat alternate Commissioner Mitchell Weimer in place of Commissioner Jim Hardcastle. Commissioner Cipperly motioned to seat the alternate. Commissioner Waller seconded the motion. Unanimously approved.
3. Receipt of Minutes
Staff explained that the draft meeting minutes for the April 26, 2022 meeting were not available at time of staff reports and will be reviewed at the next regularly scheduled meeting in June.
4. Comments from citizens appearing for items not on the agenda
No public comment was received.
5. New Items
 - a. **Planning Item 14-22 Special Use Permit Amendment 2517 South Grand Avenue**

Long Range Senior Planner Trent Hyatt presented the item which is a Consideration of an amendment to a Special Use Permit allowing for a change in kennel ownership and a revision to the conditions of approval requiring reconsideration for said change. Staff explained that Section 070.030.030(e)(1) of the Code provides the specific standards related to kennel operations and Section 070.060.050(e)(3)e.2 to outlines the general special use permit standards, both of which are intended to mitigate any related impacts. Staff explained that only one complaint related to animal noise had been received since approval approved in 2016.

Staff is recommending approval of the amended Special Use Permit.

Commissioner Questions:

Commissioner Shaver asked about the new residential developments that have been approved near the location and whether they fall into the 200-foot buffer area of the dog runs.

Staff: Explained that this standard applies to residential districts and not residential uses. The developments adjacent to the kennel property are all in commercial zone districts.
Commissioner White asked about the 50 foot buffer from animal runs to the adjacent properties.

Staff explained again that it is a buffer from districts and not uses. Staff pointed out that there are likely residences that are within 50 feet of the new property.

Commissioner Mitchell asked about the striking of the eleventh condition for the special use permit to be reviewed if the business and or property sells and wanted Staff's opinion why it is not necessary to include.

Staff explained that the business has been operating without major incidence or impacts and does not find it necessary going forward. Commissioner White stated that complaints and the ability to revoke the permit if prosecuted are also a safety net related to potential impacts. Staff also pointed out that two complaints prosecuted in municipal court would indicate an issue at the site that would warrant reconsideration by Planning and Zoning Commission if violations occur.

Commissioner Waller asked about the staffing ratio of 1 staff person per every 8 animals and the daytime hours it is required.

The applicant, Jason Hershman, of Wanderlust Dog Ranch, explained that managing the care of the dog is during business hours. In the evening the dogs are placed in cabins, so less supervision is needed. Commissioner Shaver asked about the numbers dogs that the operation would allow. Mr. Hershman also explained that less capacity is planned for his business model than the previous operation. It will be a reduction from 30 some kennels to 12 kennels. The day and night operations are different. Multiple dogs from a family can be in one kennel, so the expected overnight capacity would average 12-25. Daytime expected capacity is a maximum of 45. Mr. Hershman pointed out that their business is regulated by the Department of Agriculture and they are required to abide by those stipulations outside of City Special Use Permits.

Commissioner Waller asked after the maximum boarding and maximum daytime dogs are anticipated for the operation. Commissioner Waller expressed support for removing the eleventh condition. Staff explained that boarding refers to overnight stays and also that the State agriculture Department has stipulations for staffing and animal boarding.

Commissioner Comments

Commissioner Wissing explained that she works right next door and has no complaints regarding the operations and does not see or hear the animal neighbors. Commissioner Cipperly commended the fact that there has only been one complaint. Commissioner Connerton pointed out that dog boarding is highly needed use in the community. Commissioner Weimer stated that it appears Mr. Hershman runs a good operation in Eagle. Commissioner White commented that it is a smart business move with the new residential developments going in across the street.

Commissioner Wissing motioned to approve Planning Item 14-22. Commissioner White seconded the motion.

Motion passes unanimously with a vote of 7-0.

b. Planning Item 76-21 Location and Extent Review 2307 Wulfohn Road

Senior Long Range Planner Trent Hyatt explained that the item is a consideration of a Location and Extent Review application for the construction of a 60,000 square foot bus storage/office building, 4,600 square fuel/wash bay addition to the existing 40,650 square foot maintenance/bus storage/fuel/wash facility, and other related site improvements.

Staff is recommending approval of the Location and Extent Application.

Commissioner Questions:

- Phasing and presence of a master plan represented by all the phases current and future. Staff explained that phases 1 and 2 were a bus storage barn and a maintenance and facility operation. Staff explained that some of the phases have changes as the applicant has purchased property.
- What is proposed vs. existing at the site and grading changes and the phasing plan. Staff deferred to the applicant. He pointed out that the hydrocompactive soils are a well-known danger in that area and would like the applicant to explain how this is being mitigated with the proposal.
- Combined referral comments and the items that were listed as comments that have not been addressed. Staff explained that it is the intent for any life safety comments to be addressed prior to the issuance of any grading or building permit application. Mr. Senn stated that RFTA would address the City's comments in future phase 6.
- Concerns for erosion during rain events, and other emergency concerns.
- Staff explained that it is not a submittal requirement to include such emergency plans however the applicant likely has internal plans that they could explain.
- retaining walls that are exceeding 30 feet, much higher than the City Code allowance of six feet. She also asked what the material of the wall is? Staff again deferred to the application.
- color of the garage doors. Mr. Hyatt explained that the application is willing to change them to a bronze color that would blend in better.
- The Applicant, Sherri Sanzone from BlueGreen, and Nick Senn from RFTA, introduced their team including engineers from SGM. The applicant explained the 10 phases for the overall project and that the current application includes Phases 3-5 and 7. Phasing has changed through the years as the former Municipal Operations Center property was purchased from the City. Projected completion of the current phases is planned by May of 2024.
- Location of the new fueling lane. Mr. Senn outlined the location on the site plan as parallel to the existing building.
- Mr. Senn explained the benefit of providing indoor storage of buses including future electrification of the fleet. He also explained that the foundation design is intended to limit subsidence of the buildings and the warranty associated with it. He also explained that rocks from the site grading are to be used for the gabion retaining wall.
- Question about the trail at the south of the property. Mr. Senn outlined that the road was access to the cell tower and debris flow ponds. He also asked who is responsible for them. Public Works Director Matt Langhorst responded that Glenwood Meadows Metro District 3 maintained the ponds.
- Specifics of Soil mitigation proposed. Mr. Senn answered that they will use a combination of compactive grouting down drilled down to bedrock and caisson piers. She also asked about the purpose of the new retaining walls. Mr. Senn explained they are needed to flatten/create the area of the new bus barn building.

- Design and visibility of the retaining walls and whether there is vegetation. Mr. Senn stated that all vegetation and/or irrigation is not permitted near the walls due to the site soil issues. Mr. Senn explained that the existing and proposed building would block much of the wall. She asked about the chain linked fence along Wulfsohn Road. Mr. Senn explained that it is existing but would be removed with Phase 6 in the future. Commissioner Cipperly asked whether alternate heating methods were considered for the large new building. Mr. Senn stated they had but that costs limited them from doing so. She asked about the color of the new shotcrete wall. Mr. Senn stated it could be colored to match the surroundings. She asked about the height of the new building relative to the new existing. Mr. Senn explained that the top of the existing building is close to floor elevation of the new building.

Chairman Shaver called for five-minute recess.

Ms. Sanzone reviewed the building design via various renderings. She further explained the location of the site retaining walls via a site plan, cross sections, typical wall designs, photos from offsite.

access circulation around the rear of the proposed building. The applicant explained that the circulatory road has a 20-foot width and that every other road is 24 feet wide. RFTA also does extensive bus turning movements around the site and busses tend to be bigger and wider than fire trucks.

Terri Partch, City Engineer explained some of the staff comments from the Engineering Department including comments regarding fire truck access, and height of retaining walls. She explained that Engineering is still concerned about geohazard aspects of this site and have asked that the engineers address those comments specifically with a stamped and signed geotechnical report. Ms. Partch explained that with the next future phase Engineering expects a revised traffic study with impacts to surrounding streets.

Why traffic related comments are being pushed to a future phase. Mr. Hyatt explained that the City feels comfortable with waiting to future phase that will include greater traffic generating uses such as housing.

Whether new operations associated with the bus storage building would increase traffic. Mr. Senn stated that it shouldn't as they operate out of rented space across the street at the Midland Center.

Number of buses at the site. Mr. Senn explained that RFTA already stores 58 at the site currently and doesn't expect an increase in traffic with the current proposal.

Is the access road to the City's wastewater treatment plant is impacted. Mr. Hyatt explained that coordination is intended to limit that from happening.

Commissioner Shaver asked that RFTA get the 27th Street underpass completed as soon as possible to improve bicycle safety. Commissioner Cipperly asked for bus service to south Glenwood.

Commissioner Shaver opened the hearing to comments from the public. There were none.

Commissioner Comments:

Commissioner Waller wants staff to approve the colors and materials changes to the building.

Commissioner Cipperly amended her motion to include that as a condition.

Commissioner Cipperly motioned to approve Planning Item 14-22. Commissioner Connerton seconded the motion. Motion passes unanimously with a vote of 7-0.

6. Commissioner Comments

Commissioner Wissing thanks City Manager Debra Figueroa and wishes her all the best.
Commissioner Waller asked for an update on the Comprehensive Plan.
Staff explained that the next meeting is coming up on June 14, 2022.

7. Director Comments

Director Ooton gave an overview of upcoming and completed items with City Council including:

- Work Session with City Council on the downtown design standards and that Council asked for additional public engagement.
- Planning Grant from the state to add affordable housing strategies. Planning and Zoning Commission will be involved with any adoption of strategies.
- Habitat for Humanity will have a work session with Council on June 2, 2022 to discuss next steps.
- Urban Renewal authority meeting was held today and another one will be held in June.

8. Adjournment



MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
APRIL 26, 2022
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

1 Roll Call

Present: Commissioners Weimer, Hardcastle, Connerton, Shaver, Waller, White, Cipperly.

Also Present: Asst. City Manager Jenn Ooton, Asst. City Attorney Richard Peterson, Asst. Community Development Director Hannah Klausman, City Engineer Terri Partch, Planner I Emery Ellingson.

2 Receipt of the Minutes

- A. Draft Minutes March 22, 2022 Planning and Zoning Commission Meeting
Commissioner Waller motioned to approve the minutes. Commissioner Connerton seconded the motion.
Chair Shaver asked about the mention of adding windows to the east side of the Parks and Recreation Building and whether that made it into the motion. Staff added that the windows aspect would be double checked and added into the minutes if it was indeed part of the approved motion for the Location and Extent Application.

3 Comments from citizens appearing for items not on the agenda

No comments from the public.

4 Agenda Change

Chair Shaver asked for a motion to move item C under the New Items section to be considered first. Commissioner Weimer motioned to approve the agenda change. Commissioner Waller seconded the motion. Unanimously approved.

5 New Items

A. Code Amendments to Title 070.040 as it relates to Floodplain regulations

City Engineer, and City Floodplain administrator Terri Partch explained that these regulations are State initiated and are required in order for the City to maintain Floodplain compliance.

Commissioner Questions:

Are the floodplain maps changing?

Staff: No

What would a variance from the floodplain regulations look like?

Staff: We have never had a variance requested from a developer and likely variances of this nature would not be supported by staff.

Would any of these regulations be applied retroactively.

Staff: No, we will apply these when they go into effect after approval from City Council.

If these were applied, would Two Rivers Park have been able to be built.

Staff: Yes, we took those into consideration when designing Two Rivers Park.

What part of the Sensitive Area code is being changed.

Staff: Section 15 of 070.040 is the area of code that is being revised. Much of the language will remain the same. Staff clarified that section 24 relating to the high water setback will also be kept as part of the code.

Commissioner Hardcastle motions to approve, Seconded by Commissioner Cipperly.

Motion passes unanimously with a vote of 7-0.

B. Planning Item 66-21 Variance 727 Blake Avenue

Planner I Emery Ellingson presented the variance application to the Commission.

Commissioner Hardcastle asked if building commenced after a meeting with staff. Ellingson explained project was completed after correspondence between staff and applicant and that the project did not require a building permit due to size of structure being under 120 square feet.

Applicant James Shannon provided further explanation to the timeline of correspondence and construction including site visits. Applicant indicated that they received verbal approval to build the shed.

Commissioner Hardcastle asked how approval of this item could affect future variance applications and how to avoid a similar situation in the future.

Staff explained that the cooperation of the applicant in remedying the situation resulted in staff recommending approval and that staff would review an application differently if an applicant did not show good faith in complying with code.

Commissioner Shaver opened the item for public comment. No members of the public presented. Commissioner Shaver closed the item for public comment.

Commissioner White motioned to approve the Variance request at 727 Blake Avenue. Commissioner Hardcastle seconded the motion.

Commissioner White commented that construction like this happens frequently and commended the applicant for thoughtful conversations with staff.

Motion passes unanimously with a vote of 7-0.

C. Planning Item 82-21 Design Variance 1120 Palmer

Commissioner Waller disclosed that he is friends with the applicants. Commissioner White also disclosed that she is friends with the applicants. Both Commissioners stated they have no conflict of interest outside of knowing the

applicant.

Planner I Emery Ellingson presented the design variance and administrative adjustment application to Commission.

Commissioner White asked why Code prohibits front loading garages in the Downtown Core, questioning if it was a safety issue or an aesthetic issue.

Staff explained the Code requirement addressed both safety and aesthetic concerns.

Commissioner White also asked how the administrative adjustment for height would impact surrounding properties such as view from the parcel to the rear of 1120 Palmer.

Staff explained that there is a Right of Way to the rear of the property to create distance and that the slope increase results in a grade differential that would not negatively impact the viewshed of any potential development to the rear of 1120 Palmer.

Commissioner Hardcastle asked if the current use was nonconforming to any degree.

Staff explained the current use is a trailer which is located within the front yard setback, there is a shed in the side setback, and the existing curb cut are all non-conforming aspects of the property.

Commissioner Cipperly asked for further clarification on covered porches in front yard setbacks.

Staff explained the an open porch can extend into the front yard setback and that a porch can be covered with a roof but must be an open porch.

Commissioner Waller asked about staff review process for determining how the 3:12 pitch fit in with the neighborhood and how that standard would be applied elsewhere in the Downtown Core.

Staff explained a future similar variance application would be evaluated according to neighborhood context on the block face.

Commissioner Shaver asked how the project meet the design requirement for transition to existing residential.

Staff confirmed the proposed project met that design requirement for stepping down to provide transition to existing residential.

Commissioner Shaver had additional questions on how the height was measured on the north and west elevations and if that measurement was taken from existing grade or finished grade.

Staff confirmed measurement taken from finished grade to midpoint of highest gable and provided additional information as to how height was measured.

Commissioner Connerton asked staff if the administrative adjustment would have been processed by staff if it had not been concurrent with variance applications. Staff confirmed that if not for the design variances, that the administrative adjustment would have been reviewed by staff.

Applicant Tim Cashel, 1120 Palmer provided additional information on the project.

Commissioner White asked which materials would be used on exterior of building. Cashel provided additional information.

Commissioner Cipperly had questions on locations of stairs, grading, and porch columns.

Commissioner Hardcastle asked the difference between proposed height and existing height as well as existing structure.

Cashel explained existing trailer was approximately 12' tall and proposed structure would be closer to 30' to midpoint of gable facing Palmer.

Hardcastle also asked if further excavation could be used to drop the height and Cashel explained that further excavation would likely still require an adjustment.

Chair Shaver opened the item to public comment. No members of the public presented for comment. Shaver closed the item to public comment.

Action Item 1. Commissioner Waller motioned to approve the design variance for front loading garages with findings and conditions on pages 14-17 of the staff report. Commissioner Connerton seconded the motion.

The applicant submitted two handwritten letters from neighbors in support of the project. Staff had not seen the letters and indicated they will be added to record of application.

Motion passes unanimously with a vote of 7-0.

Action Item 2. Commissioner Waller motioned to approved the design variance request for a roof pitch of less than 6:12 in the Downtown Core with findings and conditions on pages 14-17 of the staff report. Commissioner Connerton seconded the motion.

Commissioner Cipperly cited the finding that the adjacent properties have similar roofs.

Motion passes unanimously with a vote of 7-0.

Action Item 3. Administrative adjustment for building height.

Commissioner Waller motions to approve the adjustment for building height with findings and conditions on pages 14-17 of the staff report. Commissioner Cipperly seconded the motion.

Motion passes unanimously with a vote of 7-0.

6 Commissioner Comments

Commissioner Waller asked for an update on the Affordable Housing RFP.

Staff gave a brief overview of the Request for proposals that Habitat for Humanity responded to. on upcoming meeting for final Council approval of the project.

Commissioner Shaver complemented Emery Ellingson, Staff Planner on his work with short term rentals.

7 Director Comments

Director Ooton mentioned the upcoming Comprehensive Plan Steering committee meeting in May.

8 Adjournment

Meeting adjourned at 7:42 PM



Planning and Zoning Commission Report

Date: June 17, 2022
To: Planning and Zoning Commission
From: Jenn Ooton, Director Community Development
Subject: Planning Item 19-22

REQUEST	Consideration of code changes to Title 070 development standards in regard to hotel conversions.
APPLICANT	City of Glenwood Springs
LOCATION	Citywide

ACTION ITEMS

Action 1:

Consideration of code text amendments to Municipal Code Section 070.010.070 Nonconformities, 070.030 Use Regulations, 070.045.120 Affordable and Workforce Housing and 070.060.050 Development Permits.

Staff recommends approval with suggested findings on page 5.

Review Authority

A Code amendment is a legislative decision by the City Council. Planning Commission is a recommending body to City Council.

Background & Project Summary

City of Glenwood Springs Community Development staff members have met with several developers over the past four-five years regarding proposals to convert existing motels into workforce housing/apartments.

Developers have identified several barriers to these conversions, including the high cost of system improvement fees, the need to retrofit fire suppression/fire sprinkler systems, process timelines and challenges related to parking. Staff believes that our region is at a critical point regarding housing and is proposing these changes in order to make hotel conversions easier. The proposal includes two strategies, one commercial and one residential.

The following proposed changes would create a new use category, Extended Stay Hotel, which would allow for longer-term stays than what is currently allowed within the code for lodging uses. If approved, extended-stay hotel rental agreements would not exceed 180 days, unless the rental agreement was with a governmental or quasi-governmental entity (such as a school district, special district, county government, etc). Staff proposes:

- Creating an exemption for extended-stay hotels that were previously another lodging use from the requirement to provide the additional number of parking stalls that would be required by the code today, when the existing footprint of the structure does not change and when the hotel is proximate

to transit (750 feet of an active transit stop) and when the number of units doesn't increase from the previous number of rooms.

- The proposal would also create a new commercial use category, with requirements regarding kitchenettes, bathrooms and clothes washing facilities on site.
- Staff is proposing that these extended-stay hotels have rental agreements where there is a deed restriction requiring 20% of the units be leased at an average of 80 percent area median income. Current Area Median Income rent limits provided by Colorado Housing and Finance Authority are included below.
- This change would also remove two parking lot upgrade requirements entirely from the code for any nonconforming uses. Upgrading the nonconforming parking lot is currently required when there is an increase in the vehicular use area and when remodeling of the structure would cost more than 50% of the current assessed value.
- Additionally, staff is including a potential short delay of the installation of a fire suppression sprinkler system of 90-days. This provision would be in Title 060.

Rent and Income limits are published annually by the United States Department of Housing and Urban Development.

County	HERA	AMI	2022 Maximum Rents				
			0 Bdrm	1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm
Garfield		120%	1,980	2,121	2,544	2,940	3,279
Garfield		100%	1,650	1,767	2,120	2,450	2,732
Garfield		80%	1,320	1,414	1,696	1,960	2,186
Garfield		70%	1,155	1,237	1,484	1,715	1,912
Garfield		60%	990	1,060	1,272	1,470	1,639
Garfield		55%	907	972	1,166	1,347	1,502
Garfield		50%	825	883	1,060	1,225	1,366
Garfield		45%	742	795	954	1,102	1,229
Garfield		40%	660	707	848	980	1,093
Garfield		30%	495	530	636	735	819
Garfield		20%	330	353	424	490	546

For more traditional hotel conversion projects, where the end result is a new multi-family residential project, staff is proposing changes to the code that largely are focused on processing time. These buildings are already in the built environment, so the changes to the neighborhood surrounding them should be minimized. These projects would still have to provide new parking stalls, which might mean combining hotel rooms to make the parking work on constrained sites.

For hotel conversions, staff proposes:

- Changing the process requirements to make the Planning Commission the decision-making body. For most of these hotel properties, a change to apartments would currently require a hearing before the Commission and City Council. This is because projects that convert commercial or mixed-use area into dwelling units would follow the normal development review thresholds in the code: 9 to 24 new units would be heard and decided by Planning Commission; 25 units or more would be decided by City Council.

- Create a final plans exemption for hotel conversions when the footprint doesn't change. Staff would recommend that these projects vest following the major site architectural consideration at Planning and Zoning Commission and upon signature of the development agreement. Following the public hearing and development agreement, these projects would be able to submit for building permit processing.
- Staff believes that these projects should be presented at a public hearing, but that the full 28-week process should not be necessary.
- Exempt development from common open space requirements due to these sites generally being constrained and the difficulty in meeting the requirement that 20 percent of the site be common open space area for residential uses when the sites are generally taken up by parking.

Extended Stay Hotel	Hotel Conversion to Multi-Family Residential
Commercial Classification	Residential Classification
Would require kitchenettes, washer and dryer facilities to be available on site, and at least a ¾ bathroom within the units. Stays not longer than 180 days, unless the contract is with a government or quasi-governmental agency.	Full multi-family residential conversion
Planning Application is not required. Change of use would be commercial to commercial use. Building Permit application for remodeling	Planning Commission would be deciding body
Average time for building permit review 6-8 weeks	No Final Plans Review. Shortens development review timeline by 12 weeks. Building permit review would be the same: 6-8 weeks.
Stays commercial for the purposes of system improvement fees.	Would be subject to residential system improvement fees.
Deed restriction of 20 percent of the units at an average of 80 percent area median income	Subject to the Inclusionary Zoning requirements (No Change)
	Exempt from common open space requirements.
Exemption from providing additional parking stalls if the footprint of the building(s) does not change, when the hotel is proximate to transit, and when the number of units doesn't increase from the previous number of rooms	Subject to the requirement to provide parking stalls for the number of units (No Change).
Extended-stay hotels in existence as of the effective date of the ordinance, may receive a 90-day extension for the installation of the approved fire suppression sprinkler system if the development is on a properly sized and approved city water service at the time of the Building Permit such that it is sufficient to meet required fire flows. This may be extended by the Building Official for an additional 90 days.	

Reviewing Agency Comments

Staff discussed code changes for these types of extended stay hotels and hotel conversions with the Fire Marshal and Building Official and incorporated changes to the proposal. Staff believes the requirement of a kitchenette would improve safety.

The Housing Commission at their June meeting heard a presentation on the topic. Members of the Housing Commission wanted to clarify what type of bathrooms would be in the units and increase the affordability for these projects with deeper affordability/a greater percentage of affordability. Staff incorporated language regarding the bathrooms. Housing Commission felt that with the trade offs in the code, there should be an increased gain in affordability. The Commission talked about 50 percent affordable units or rents at much deeper AMI.

Review Criteria and Staff Analysis

A Code amendment is a legislative decision by the City Council. Prior to recommending approval a proposed Code amendment, the Planning Commission and City Council shall consider whether and to what extent the proposed amendment:

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. necessary to address a demonstrated community need;
- iv. Is necessary to respond to substantial changes in conditions and/or policy; and
- v. Is consistent with the general purpose and intent of this Code.

The Comprehensive Plan identifies providing housing for the entire community as a goal.

Comprehensive Plan Policies:

- The City encourages a variety of housing types, sizes and costs throughout the community and in each neighborhood. A variety of housing types will create the opportunity for households with diverse characteristics.
- The City will use both regulations and incentives (such as density or zoning bonuses, additional height, parking waiver, etc.) to encourage the development of housing at lower, more attainable price points.

A 2019 Regional Housing Study showed that at the time Glenwood Springs has a gap of 107 units in the 60-80 percent AMI category, and predicted that number growing to 403 by 2027. The pandemic has exacerbated the housing crisis, but the exact gap in this AMI category is unknown.

Recently, the city conducted a community survey in advance of the Comprehensive Plan update process. Affordable Housing ranked as one of the top issues to address in the next three years.

According to the work of the Ad Hoc Housing Committee that has convened for the past several months to focus on addressing this issue, "The housing affordability challenges in our community impact a wide range of households. Our regional housing needs assessment identified significant shortfalls across nearly every income level from very low income all the way to over 160% of AMI. In our community, this includes: a city police officer (100% AMI), a marketing and communications specialist at CMC (~70-75% AMI), an established Teacher (80% AMI), a registered nurse at Valley View (~120% AMI), a Senior Systems Administrator at Holy Cross Energy (~160% AMI), a dental assistant (50-60% AMI). These are people and jobs we need for a healthy community and economy."

This proposal is intended to incentivize conversion of these units to more stable and longer-term housing. Staff believes that requiring a greater percentage of affordability or much deeper affordability may make these projects more difficult to finance.

Action Item and Staff Recommendation

Action Item: Consideration of code text amendments to Municipal Code Section 070.010.070 Nonconformities, 070.030 Use Regulations, 070.045.120 Affordable and Workforce Housing and 070.060.050 Development Permits.

Staff recommends approval of the proposed text amendments with the following suggested findings:

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. necessary to address a demonstrated community need;
- iv. Is necessary to respond to substantial changes in conditions and/or policy; and
- v. Is consistent with the general purpose and intent of this code.

070.010.070 Nonconformities.

...

(f) *Nonconforming Site Features.*

(1) *Applicability.*

- a. For purposes of this Subsection, the term "nonconforming site feature" includes any driveway, off-street parking or loading area, landscaping, buffer, screening, or exterior lighting element that lawfully existed per regulations in place prior to the effective date of this Code, as well as the lack of any such feature required by subsequently enacted City regulations.
- b. A nonconforming site feature may continue to exist even though it does not conform to current applicable standards of this Code, subject to the requirements of this Subsection.
- c. No action shall be taken that increases the degree of the nonconformity of a site feature.

(2) *Nonconforming Parking.*

- a. *Continuation of Nonconforming Parking.* Any parking spaces or access to public rights-of-way lawfully existing on the effective date of this Code that are made nonconforming by virtue of enactment of this Code shall be allowed to continue, provided that:
 1. Any change or expansion of any use or structure shall only be permitted if the additional number of parking spaces required by such change or expansion is provided in accordance with Subsection 070.040.060, Off-Street Parking and Loading.
 - i. Extended stay hotels previously categorized as another lodging use shall be exempted from this requirement when the footprint of the existing hotel building(s) does not change, the number of extended hotel stay rooms does not increase from the previous use, and where the building(s) is proximate to transit per 070.040.060(e)(7)
 2. Nonconforming parking areas shall not be expanded, except pursuant to Paragraph b. below.
- b. *Upgrading Nonconforming Parking.*
 1. Nonconforming off-street parking facilities shall be upgraded to comply with this Code's minimum parking space requirements when the following development activities occur:
 - i. An addition to or expansion of one (1) or more structures that, over a two-year period, would increase the total gross floor area of the structures by more than fifty (50) percent; or
 - ii. A remodeling of one (1) or more structures that, over a two-year period, would cost more than fifty (50) percent of the current assessed value of the structures.

... (3) *Nonconforming Buffers, Landscaping, Screening, and Exterior Lighting.* Nonconforming buffers, landscaping, screening elements, and exterior lighting shall be upgraded to comply with this Code's applicable standards for such features if the site containing the nonconforming site feature is proposed for any of the following development activities:

- a. An increase in the total square footage of the vehicular use area, including parking, loading, circulation, and driveway areas;

070.030.020 - Table of Allowed Uses.

Lodging Facilities	Accessory tourist rental	P	P	P	P	P	P	P	P	P	P	P	P			P	070.030.030(e)(7)	Per residential use standards
	Bed and breakfast	S	S	S	S	P	P	P	P	P	P	P	P			S	070.030.030(e)(8)	1 space per guest room, plus 1 space for the owner/manager
	Boarding house					S	S	P	P	P	P	S				S		1 space per guest room, plus 1 space for the owner/management
	Hotel, motel, hostel, or lodge						S	P	P	P	P	P				S		1 space per guest room
	Short-term rental	P	P	P	P	P	P	P	P	P	P	P	P			P	070.030.030(e)(9)	Per residential use standards
	<u>Extended stay hotel</u>						<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					<u>070.030.030(e)(10)</u>	<u>1 per guest room</u>

Marijuana Businesses	Medical marijuana business, excluding cultivation						S	S	S	S			S			070.030.030(e)(10) (11)	1 per 300 square feet
	Retail marijuana business, excluding cultivation						S	S		S			S			070.030.030(e)(11)-(12)	1 per 300 square feet

Office, Business, and Professional Services	Administrative, professional, or government office					P	P	P	P	P	P	P	P	P	P			1 per 300 square feet
	Bank or financial institution					P	P	P	P	P	P	P	P	P	P		070.030.030(e) (12)(13)	1 per 300 square feet
	Printing and copying establishment						S	P	P	P	P	P	P	P	P			1 per 400 square feet
Personal Services	Commercial laundry and dry cleaning										P			P	P			1 per 400 square feet
	Personal service, general <1,500 sq. ft.						P	P	P	P	P	P	P	P	P		070.030.030(e) (13)(14)	1 per 400 square feet
	Personal service, general ≥1,500 sq. ft.						S	P	P	P	P	P	S	S	S		070.030.030(e) (13)(14)	1 per 400 square feet
	Self-service laundry						S	P	P	P	P	P	P	P	P			1 per 400 square feet
Recreation and Entertainment, Indoor	Indoor recreation facility					S	S	P	P	P	P	P	P	P	P			1 per 400 square feet
Recreation and Entertainment, Outdoor	Commercial outdoor recreation use	S	S	S	S	P	P	P	P	P	P	P	P	P	P	S		1 per 400 square feet building area, plus 1 per 10,000 square

																			feet site area
	Commercial outdoor recreation-concentrated							S	S	S	S	S	S	S	S	S			Based on demand study, see Subsection 070.040.060(c)(5)
	Golf course or country club	P	P	P								P				S			4 per hole, plus 1 per 250 square feet clubhouse area
	Recreational vehicle park					S	S	S	S		S					S	070.030.030(e)(14) (15)		
Retail Sales	Building materials and supply store							P	P	P	P		P	P					1 per 400 square feet
	Convenience store							P	P	P	P	P	S	S	S				1 per 300 square feet
	Flea market or swap meet							S			P	P							Based on demand study, see Subsection 070.040.060(c)(5)
	Grocery store							P	P	P	P	P							1 per 300 square feet
	Liquor store							P	P	P	P						070.030.030(e)(15)-(16)		1 per 300 square feet
	Lumber yard										P		P	S					Based on demand study, see Subsection 070.040.060(c)(5)

	Pawn shop							P	P	P	P							1 per 300 square feet
	Retail, general <1,500 sq. ft.						P	P	P	P	P	P	S	P	S		070.030.030(e) (16) (17)	1 per 400 square feet
	Retail, general >1,500 sq. ft.						S	P	P	P	P	P	S	P	S		070.030.030(e) (16) (17)	1 per 300 square feet
	Retail, shopping center									P	S			S				1 per 300 square feet
Vehicles and Equipment	Automotive fuel sales and service station							S		P	S	S	S	S	S		070.030.030(e) (17) (18)	1 per fueling pump, plus 1 per 400 square feet retail and office area
	Automotive parts and accessories sales							P	S	P	P		P	P				1 per 400 square feet
	Automotive repair shop							P			P		S	P				1 per 500 square feet, plus 3 per repair bay
	Automotive sales or leasing							S	S	S	P		P	P			070.030.030(e) (18) (19)	1 per 500 square feet sales area, plus 2 per repair bay

070.030.030 Use Specific Standards

...

(e) *Commercial Uses.*

...

(10) Extended Stay Hotels

(a). Extended stay hotels must have in place individual kitchenette facilities and at least a ¾ bathroom within individual units and laundry facilities consisting of washer and dryer machines made available to patrons for a fee. This equipment shall be maintained and in good repair at all times.

(b). No extended-stay rental agreement shall exceed 180 consecutive days

(c). The provisions of subsection (b) above shall not apply when the extended-stay rental agreement is with a government and quasi governmental entity

(d). Twenty percent of the development shall be deed restricted per 070.045.100(a). The average of all deed-restricted units in the development shall not exceed eighty (80) percent of the maximum rents established according to the Colorado Housing and Finance Authority, Colorado County Income and Rent Table, as determined at the time each individual unit was leased. Maximum rent prices are updated annually.

...

~~(10)~~ (11) *Medical Marijuana Business*

~~(11)~~ (12) *Retail Marijuana Business*

~~(12)~~ (13) *Bank or Financial Institution.*

~~(13)~~ (14) *Personal Service, General.*

~~(14)~~ (15) *Recreational Vehicle Park.*

~~(15)~~ (16) *Liquor Store.* Drive-through services are prohibited in all zoning districts except for the M2 and CO districts.

~~(16)~~ (17) *Retail, General.* In the I2 district, retail sales exceeding ten (10) percent of the gross floor area of the structure and/or site shall require a special use permit.

~~(17)~~ (18) *Automotive Fuel Sales and Service Station.* The following types of modifications to the site and use require a special use permit and approval from the Fire Department:

~~(18)~~ (19) *Automotive Sales or Leasing.*

070.040.050 Development Permits.

...

Table 060.2: Site/Architectural Plan Review Thresholds ^[1]			
Type of Development	Administrative Site/Architectural Plan (Director) ^[2]	Minor Site/Architectural Plan (Planning Commission)	Major Site/Architectural Plan (City Council)
Residential	1 to 8 new dwelling units	9 to 24 new dwelling units Hotel Conversions	Any new development on site larger than 10 acres; 25 or more new dwelling units

070.045.120 Affordable and Workforce Housing.

...

(d) Hotel Conversions. Conversion of an existing hotel, motel, hostel or lodge with to a multi-family residential use with six (6) or more dwelling units shall be exempted from the Common Open Space requirements in 070.040.040 and Final Plans review when

(1.) The existing footprint of the building(s) does not change

(2.) The development shall be deed restricted per 070.045.100(a)

070.070.020 Definitions of Use Categories and Specific Use Types.

...

Lodging Facilities. Uses in this category include facilities where lodging, meals, and other services are provided to transient visitors and guests for a fee for a defined period of time less than thirty (30) days per instance. Accessory uses may include storage, cafeterias, limited retail, health and recreation facilities, and parking or other amenities. Uses in this category primarily include facilities where lodging, meals, and other services are provided to transient visitors and guests for a fee for a defined period of time less than thirty (30) days per instance. Transient lodging for any period of less than thirty (30) consecutive days shall pay accommodation tax.

(f). Extended-stay hotel means any structure consisting of one or more buildings, with more than five dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered to persons for non-transient extended stays or stays longer than 30 days, regardless of the

presence of rentals or leases for shorter periods of time. Extended-stay hotels must include individual kitchenette facilities.

City of Glenwood Springs Affordable Housing Measures Progress Report



Where we were, Where we are

Code Amendments & Policy Changes

2016	Voluntary Deed Restriction Program
2018	Development Code Rewrite
2019	Vacation Rentals
2020	Accessory Dwelling Units
2021	Inclusionary Zoning

On the Horizon:

2022	Affordable Housing Tax Question City Owned Property Request for Proposals
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Voluntary Deed Restriction Program

System improvement fee waivers for voluntarily deed restricted rental prices to average 100% AMI for 30 years, or unless otherwise terminated.

- Primary occupancy requirements based on employment or student/retired/disability benefit status.
- Units must average 100% AMI
- 30 year Timeline
- Accessory Dwelling Units are Eligible
- Amortization begins in year 5 (Amended in 2020)



RESULTS:

45 Rental Units in the Program

Two Major Employers:

- **Iron Mountain Hot Springs (15 Units)**
- **Roaring Fork School District (23 Units)**

On the Horizon:



Parking

2018 Development Code Rewrite

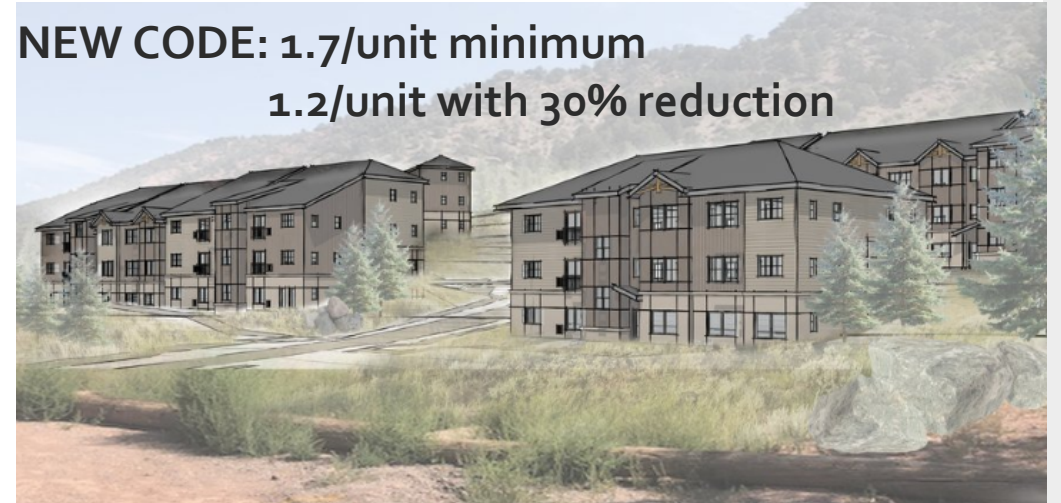
- 1.5 spaces/unit + 1 space per 5 units for guest parking
- 30% Administrative reduction allowance
- Maximum reduction to 1.2 spaces/unit

OLD CODE: 2.4/unit minimum



Approved 2015
181 Parking Spaces for 116 Units
(1.6/unit)
Required Contentious Variance

NEW CODE: 1.7/unit minimum
1.2/unit with 30% reduction



Approved 2020
148 Parking Spaces for 100 Units
(1.48/unit)
20% reduction from required

Vacation Rentals



2019 Vacation Rental Policy and Code Update

OLD CODE:

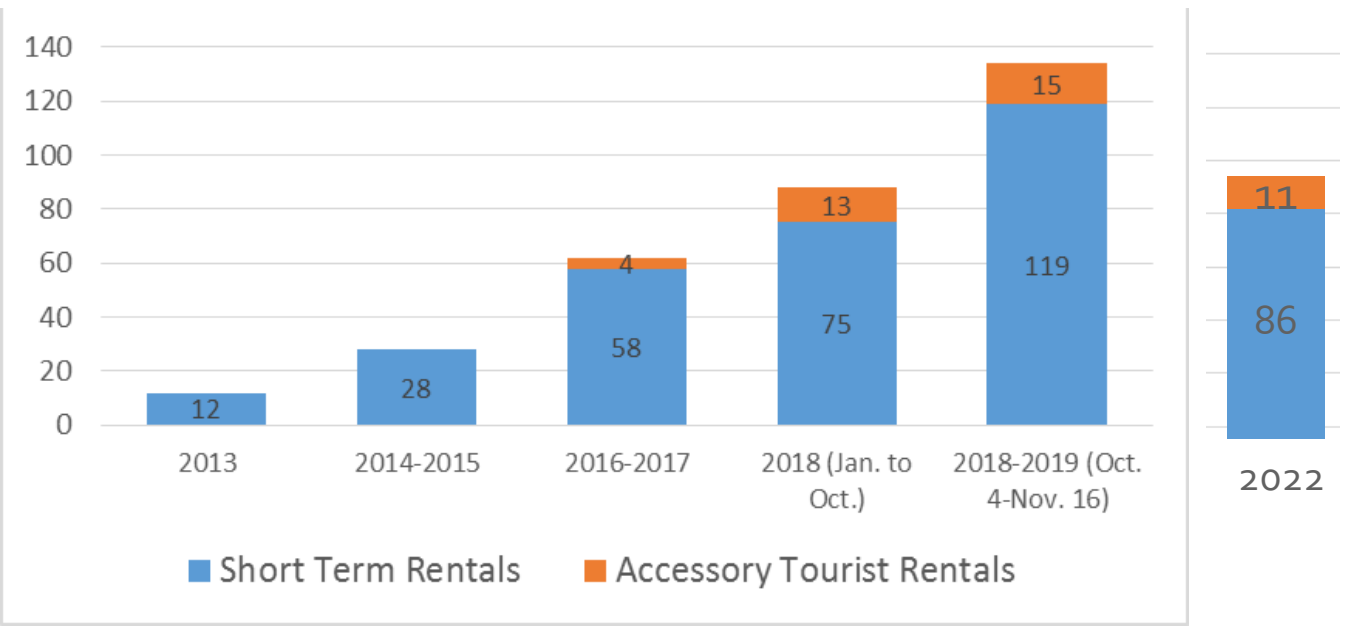
- \$100 Permit, One time
- No Building Inspection
- Not Permitted in ADU's
- Non-Transferable

NEW CODE:

- \$500 Permit, \$300 Renewal
- 250 Foot Buffer
- 10% Multifamily Cap
- Not Permitted in ADU's
- Non-Transferable
- Building Inspections
- City Permit Cap

RESULTS: 134 Permits in 2019

RESULTS: 97 Permits in 2022



Accessory Dwelling Units



Over the Garage



Garage Conversion



Stand-Alone Unit



Basement or Attic Conversion

- ⌘ Increasing maximum ADU size from 850 to 1000 square feet
- ⌘ Increasing % of Primary Dwelling from 49 to 55%
- ⌘ Adding Unit Size Exception for ADU conversions in existing homes without footprint increase, can be 50% of structure, up to maximum size allowance.
- ⌘ Front Yard Placement Exemption for detached product.
- ⌘ Reduced Rear Yard Setback allowance of 5 feet.

RESULTS: 5 Accessory Dwelling Units permitted that were not previously allowed.

On the Horizon: Concept Review of allowing more than 1 ADU on a lot

Packet Page 29

Inclusionary Zoning



- œ Applies to Rental and For Sale projects
- œ 20% of units must be Resident Occupied
- œ 10% of units must be Deed Restricted to 100% Area Median Income
- œ Occupancy requirement is tiered geographical employment:
 - œ City Boundary
 - œ 81601 Zip Code
 - œ 30 miles of City Limit

RESULTS: All units have been APPROVED, but not built.

RENTAL, 12 Resident Occupied, 6 Deed Restricted to 100% AMI

FOR SALE, 3 Resident Occupied, 1 Deed Restricted to 100% AMI

On the Horizon: Review of percent of units required

Summary

œ Reduced Parking Standards help Residential projects utilize land efficiently.

œ Reduced number of homes being utilized as vacation homes.

œ Increased production of Accessory Dwelling Units

œ 51 rental units rent capped at 100% AMI

œ 1 For Sale Townhome Deed Restricted to 100% AMI

œ 15 Resident Occupied restricted units



DEVELOPMENT SUMMARY -
HOUSING

Project Name	Unit type	Inclusionary Zoning / Deed Restricted	Total Units	Square footage	Acres	Units per acre	Total # of Parking Spaces	Parking Ratio	Status	Cert. Occ.	NOTES
Lofts at Red Mountain, phase 1	Studio-1-2 bedroom rentals in 2 buildings	0	88	555-1270 sf	2	43.80		0.00	Construction complete; CO issued		
Lofts at Red Mountain, phase 2	studio-1-2 bedroom rentals in 3 buildings	0	97	555-1270 sf	1.84	52.80		0.00	Construction complete: CO issued		
Lofts at Red Mountain, phase 3	studio & 1 bedroom rentals in 1 building	0	88	535-720 sf	0.52	168.26		0.00	Approved; in construction		
Notes: Buildings 1 & 2 (2019); Building 3 (CO 2020); Building 4 (CO 2021, Building 5 (CO 2021);											
Six Canyons	1-2 bedroom rentals	0	116	683-1064 sf	3.73	31.05		0.00	Construction complete; CO issued	2020	
Bell Rippy, MultiFamily	1-2 bedroom rentals in 5 buildings and 1 duplex	0	100	630 - 910 sf	5.63	17.42		0.00	Approved; in construction		
TB & SB LLC	1 bedroom condos	0	13	535-820 sf				0.00	Construction complete: CO issued	2021	
Oasis Creek duplexes-subdivision	for sale duplexes	0	12	2300-2400 sf				0.00	Approved subdivision. No housing units constructed.		
Cardiff Glen Lot 95 & 96	For sale townhouse units	0	29		1.95	14.84		0.00	In construction		
Notes: Building 1 (CO 2021); Building 2 (CO 2021)											
Caverns Village Mixed Use	1-2 bedroom rental units	15 @ 100% AMI	19	565 - 980 sf				0.00	Temporary CO issued.	TCO 2021	
Glenwood Mall Area (Diemoz Annexation)	3 bedroom townhomes 1-2-3 bedroom apartments Live/work units	22 @ 130% AMI 22 @ 130% AMI 3 townhomes sale price restricted	300		12.929	23.20		0.00	Approved, Pending Ballot Approval		
2512 S Grand	1 - 2 bedroom units	4 RO, 2 @ 100%AMI	20	586-750 sf	0.67	29.90	34.00	1.70	Approved. Not constructed.		
BLD GW Meadows proposal- Wulfsohn Rd	Multifamily	10 units at 100% AMI for five years	300		27.929	10.74		0.00	Approved. Not constructed.		
Western Hotel	Multifamily	0	11		0.05	220.00		0.00	Approved. Not constructed.		
405 Laurel	Multifamily	0	10	675-720 sf	0.46	21.74		0.00	Under Construction		
Lofts Phase IV	Efficiency - 3 bedroom	0	36	454-1270 sf	0.96	37.50		0.00	Approved. Not Constructed		
Mountain View Flats	1-3 Bedroom	8 RO, 4 @ 100% AMI	40		1.29	31.00	63.00	1.58	Approved. Not constructed.		Admin Parking Reduction #26-21
2525 S Grand. Rivers Project	17 Townhomes	3 RO, 1 @100% AMI	17				38.00	2.24	Approved. Not constructed.		
702 23rd Street	2 bedroom apartments	0	5	880-1320 sf	0.3	1.67	9.00	1.80	Approved. Not constructed.		
TBD S. Grand Ave	3 Townhomes	0	3	1,232-1,430 sf	0.21	14.20	6.00	2.00	Active application.		
TOTAL			1304								
IN PIPELINE											
WestLink, on CR 135	~14 MF units, replacing 6 existing units		14								
BLD Phase II	Townhomes	10% at 100% AMI required by Code	115						Pending Application submittal		
TOTAL			129								