



AGENDA
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
AUGUST 23, 2022
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

- 1 Roll Call
- 2 Receipt of the Minutes
 - A. July 26, 2022 Draft Planning and Zoning Commission Meeting Minutes
- 3 Comments from citizens appearing for items not on the agenda
- 4 New Items
 - A. Consideration of Code Text Amendments to Municipal Code Title 070
- 5 Commissioner Comments
- 6 Director Comments
- 7 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, Amber Wissing, Joy White, Jim Hardcastle, Mitchell Weimer
 - b. Also present: Assistance City Manager Jenn Ooton, Asst. City Attorney Richard Peterson, Asst. Director of Community Development Hannah Klausman, Senior Planner Watkins Fulk Gray.
2. Vice Chair Waller motioned to seat alternate Commissioner Mitchell Weimer. Commissioner White seconded the motion. Unanimously approved.
3. Receipt of Minutes June 28, 2022 Planning and Zoning Commission Meeting. Commissioner White motions to approve. Commissioner Weimer seconded the motion. Unanimously approved with a vote of 4-0. Commissioner Wissing abstains.
4. Comments from citizens appearing for items not on the agenda
No public comment was received.
5. New Items
 - a. **Planning File #54-21– Minor Site/Architectural Plan 175/185 County Road 135**

Senior Planner Watkins Fulk-Gray presented the Minor Site Architectural plan for 14 residential units in two buildings. He described the surrounding land uses and described the next steps if the P&Z approves the project tonight. The applicants would need to submit an administrative lot consolidation and an application for the administrative Final Plans Review. He described the topography of the site, stating that it slopes downhill from north to south, but not so much that Sensitive Area Protection regulations would apply. Water is supplied by the City and sewer service is provided by West Glenwood Springs Sanitation District. He noted that no sidewalk exists on the site, and because County Road 135 is on a list approved by City Council that requires sidewalk on only one side of the street, no sidewalk is being required for this redevelopment.

Fulk-Gray said that the Staff analysis found that with the suggested conditions of approval, the project can meet the requirements of the development code. He listed the following notable topics covered in the suggested conditions of approval:

- Changes to the landscaping plan
- Delineation of storage volume for each unit
- Changes to the primary materials on two building elevations
- Clarification of bicycle parking locations
- A change to the required community housing unit

He stated that the applicants have been made aware of the suggested conditions of approval and that

they have no issues with them, with one possible exception. Fulk-Gray added that he had received no public comment on the project.

Commissioner Questions

- Traffic count questions, seemed low
- Building orientation
- Façade building materials
- Rental versus for sale units
- Whether all units have garages
- Breakdown of surface and garage or covered parking
- Service by West Glenwood Sanitation
- Do we require developers to improve a street related to the project.
- How does the City direct the fee-in-lieu, could it be used towards a speedbump.
- Recommendation for staff to work with Public Works/Engineering on traffic calming on 135 Road.

Public Comment

Daniel Caron, resident of County Road 135

- Water service concerns
- Traffic on the road is a concern
- Sidewalk and parking is a concern.
- Streets are in disrepair.

Ruth Barber, resident of County Road 135.

- Traffic and the condition of the road is challenging.
- Parking signs are disobeyed. Parking is already a concern.

Kevin Mullins, resident of County Road 135.

- Not going to work for the space. Cant handle more cars.

Annette Caron, resident of County Road 135.

- Narrow access concerns in roundabout.
- Concerns about drainage from Donegan coming down.
- There are no speedbumps to slow people down.

Ralph. Resident at West Glen Townhomes.

- The area is poorly managed
- There are bear and trash issues currently.

Rudy Gulay, resident of 135 road.

- Traffic and traffic speed is terrible, especially with children playing on the road
- More units will be a major concern.

Penny. Resident of 135 Road.

- Existing density is already bad.
- The access is narrow.
- Looks nice but it will dominate the street.
- Wants speed bumps.

Senior Planner Fulk-Gray responded regarding traffic counts and corrected the number presented to the total project trips of 102 trips, which is an increase of 54 weekday trips over current conditions.

Asst. City Manager Jenn Ooton explained the Engineering standards regarding the exemption of sidewalks on certain streets and on specific sides of the streets. Mrs. Ooton also explained how the fee-in-lieu for sidewalk is utilized for the City and that we would not be taking a fee-in-lieu for a street that has an Engineering exemption for sidewalks.

Asst. City Attorney Richard Peterson-Cremer pointed out that the speedbump consideration could be brought to mind during City budgeting talks and street improvements. It was further recommended that a condition such as requiring a speedbump should be coordinated with Public Works and Engineering and reviewed by staff.

Applicant responded:

Keith Teahen, applicant, responded to questions about road improvements. If public works is open to having a speed bump installed, then applicant is open to providing it. We are doing road improvements in the cul-de-sac so we could look at providing that. He also noted that they will have professional management.

Currently cars are parked haphazardly, but the proposal has covered parking and garages to facilitate taking the cars off the road.

The project represents an increase of eight units over current conditions.

The project provides for a turnover of residents if there are violations or bad behavior, which should foster respect and ownership of the neighborhood.

Commissioner White motions to approve Planning File 54-21. Commissioner Wissing seconded the motion.

Commissioner Discussion:

Commissioner Waller mentioned the concern of water. Wondered if the Fire department commented on the road condition and fire truck access.

Staff responded that Public Works did not indicate that water service was of concern in providing 14 units, and that the Fire Department had no comments on access.

Motion passes unanimously with a vote of 5-0.

6. Commissioner Comments

Commissioner Wissing regrets losing the downtown farmer's market.

Commissioner Weimer feels that 135 Road seems neglected in regard to policing, maintenance, and code enforcement.

Commissioner Waller inquired about site visit possibilities. Could there be a standing site visit time.

Staff explained that commissioners can do organized site visits but that everyone who will sit on voting for the item would have to be in attendance. Some applications have been provided drone footage from the Fire Department, but that has traditionally been for larger projects.

7. Director Comments

8. Meeting Adjourned at 7:45PM.



Planning and Zoning Commission Report

Date: August 23, 2022
To: Planning and Zoning Commission
From: Emery Ellingson, Planner I
Subject: Planning File #23-22 Code Amendments

REQUEST	Consideration of code revisions to Section 070.040.110, Sign Code to amend sign regulations and 070.030.030 use specific standards to amend a language error.
APPLICANT	City of Glenwood Springs
LOCATION	Citywide
ZONE	All Zoning Districts
SIGN DISTRICTS	All Sign Districts

ACTION ITEMS

Action 1 – Code Amendment– Consideration of a code amendment changes to Section 070.040.110, and 070.030.030.

Staff recommendation: *Staff recommends **approval** of the proposed code amendments with findings and conditions on pages **9** and **10** of the staff report.*

Review Process

Per section 070.060.040(c) of the Municipal Code, any Code amendment change shall be reviewed by Planning Commission which recommends approval, approval with conditions or denial of the amendment. Following Planning Commission recommendation, City Council shall review the Code amendment application and approve, approve with conditions, or deny the amendment. City Council may also remand the Code amendment application back to the Director or the Planning Commission for further consideration.

Section 070.040.110, Sign Code
BACKGROUND

Signage in the City is regulated by sign type, location, and use.

Sign type refers to the type of sign and differentiates between attached signage, which are attached to structures and freestanding signage which are not attached to any structure.

Location refers to physical location within the City as well as applicable sign district. The City has seven sign districts which permit a variety of signage. These sign districts are intended to ensure that any permitted signage is compatible with the characteristics of each sign district. These characteristics include physical location, building design, pedestrian and vehicle circulations, and land uses. See below for map of City sign districts

Use refers to how the property is utilized. Sign Code makes distinctions between residential, mixed-use, and non-residential uses. The intent of Sign Code is to regulate the number and design of signs so that they are compatible with neighboring uses.



Monument sign (freestanding)



Pole Sign (freestanding)

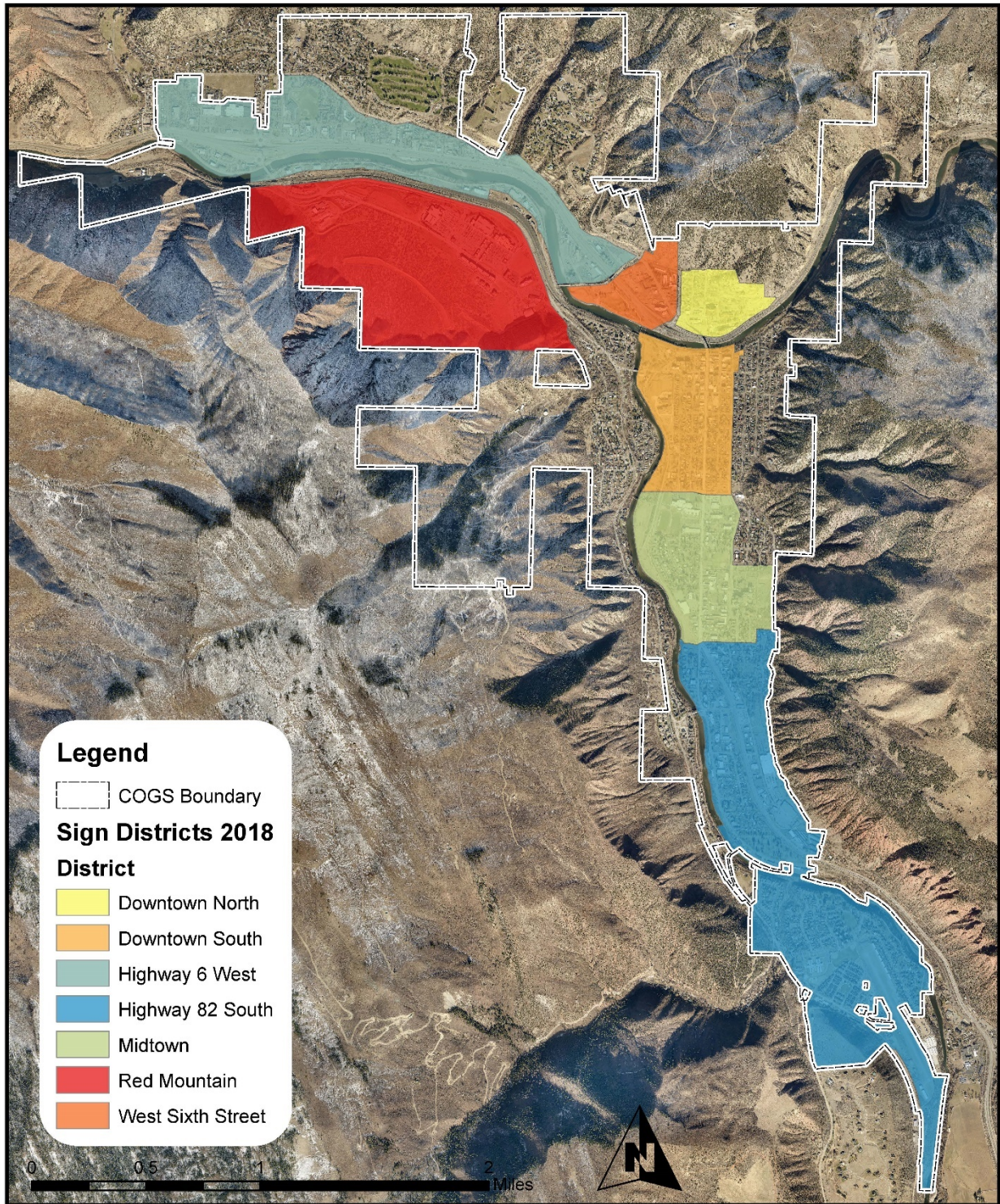


Wall sign (attached)



Roof sign (attached)

City of Glenwood Springs Sign Districts



This is not a survey. Boundaries shown are an approximation for general reference only.

PROJECT ANALYSIS

Staff has identified two potential Sign Code amendments which address freestanding signage associated with residential uses. These two items are as follows:

- Amend Code to allow monument type signage for residential uses
- Amend Code to prohibit pole signs for residential uses

The Code definitions for these sign types are as follows:

The definition of a pole sign is *“a freestanding sign erected on a frame, mast or pole that is affixed to the ground and not attached to any building”*

The definition of a monument sign is *“a freestanding ground sign typically containing design elements such as a base, columns, borders, topper, or cap specifically intended for the display of the sign”*

The proposed changes would apply city wide across all zoning districts and applicable sign districts and as with any sign regulation would only affect the size and location of signage and not the content of the sign.

Monument Signs for Residential Applications

Code currently allows freestanding monument signage for residential uses in commercial zoning districts only. This prohibits a residential development or subdivision located in a residential zoning district to place a monument type identification sign. Under current code, the signs below would not be allowed in any of the City's zoning districts or sign districts for any residential use.



The intent of these changes is to ensure that any monument sign for a residential use would be at a compatible scale and size with surrounding neighborhood uses. Proposed changes also include adjusting the maximum sign height and size for residential uses as well as maximum height for commercial and nonresidential uses. Staff recommends Planning & Zoning Commission further discuss potential changes to maximum sign area and height.

Current Code – Section 070.040.110(i)(2) Table 040.12

Table 040.12: Summary of Permanent Sign Standards					
Sign Type	Where Allowed	Number of Signs, Max.	Sign Area, Max.	Sign Height, Max.	Sign Location
Free Standing Signs					
Freestanding Monument	Residential applications in commercial zoning districts	One freestanding sign per street frontage, up to a total of two signs per subdivision or development access	100 square feet	Six feet	Setback five feet from property lines
	Mixed-use and nonresidential applications in all sign districts	One (1) freestanding monument sign per street frontage per property	Hwy 6 & 82 sign districts: 200 square feet Downtown districts: 64 square feet Others: 120 square feet	Eight feet	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet

Proposed Changes – Section 070.040.110(i)(2) Table 040.12

Table 040.12: Summary of Permanent Sign Standards					
Sign Type	Where Allowed	Number of Signs, Max.	Sign Area, Max.	Sign Height, Max.	Sign Location
Free Standing Signs					
Freestanding Monument	Residential applications in commercial zoning districts <u>All group living uses and all residential uses excluding single family detached dwelling, two family dwelling, and accessory dwelling unit uses</u>	One freestanding sign per street frontage, up to a total of two signs per subdivision or development access	100 square feet <u>64 square feet</u>	Six feet <u>Four feet</u>	Setback five feet from property lines
	Mixed-use and nonresidential applications in all sign districts	One (1) freestanding monument sign per street frontage per property	Hwy 6 & 82 sign districts: 200 square feet Downtown districts: 64 square feet Others: 120 square feet	Eight feet Six feet	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet

Pole Signs for Residential Uses

Code allows poles signs for residential, non-residential, and mixed uses in the Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain sign districts. Code does not distinguish between residential and non-residential uses in allowing this type of signage. Although residential land use is not the predominant land use in many of these sign districts, there are several residential neighborhoods within these areas. In these areas, a residential use would be allowed to install a 16-20' tall pole sign up to 200 square feet in size.

Staff finds that pole signs are an incompatible use with an existing residential use and proposes that pole signs be allowed specifically for mixed-use and non-residential uses only.

CURRENT CODE – Section 070.040.110(i)(2) Table 040.12

Table 040.12: Summary of Permanent Sign Standards					
<i>Sign Type</i>	<i>Where Allowed</i>	<i>Number of Signs, Max.</i>	<i>Sign Area, Max.</i>	<i>Sign Height, Max.</i>	<i>Sign Location</i>
Free Standing Signs					
<i>Freestanding Pole</i>	Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain sign districts	One freestanding pole sign per street frontage per property	Hwy 6 & 82 sign districts: 200 square feet Others: 120 square feet	Hwy 6 & 82 sign districts: 20 feet Others: 16 feet The bottom of the sign area shall be at least eight feet above the ground elevation	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet

PROPOSED CHANGE – Section 070.040.110(i)(2) Table 040.12

Table 040.12: Summary of Permanent Sign Standards					
<i>Sign Type</i>	<i>Where Allowed</i>	<i>Number of Signs, Max.</i>	<i>Sign Area, Max.</i>	<i>Sign Height, Max.</i>	<i>Sign Location</i>
Free Standing Signs					
<i>Freestanding Pole</i>	Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain sign districts <u>Mixed-use and nonresidential applications in the Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain Districts</u>	One freestanding pole sign per street frontage per property	Hwy 6 & 82 sign districts: 200 square feet Others: 120 square feet	Hwy 6 & 82 sign districts: 20 feet Others: 16 feet The bottom of the sign area shall be at least eight feet above the ground elevation	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet

This proposed amendment would not prohibit flagpoles on residential properties. Flag poles are allowed citywide subject to maximum building height limits for the corresponding zoning district.

Section 070.030.030, Use Specific Standards

BACKGROUND

Section 070.030.030(7) Use Specific Standards for Accessory Tourist Rentals

Upon reviewing code Staff discovered language defining Single Family occupancy that the City of Glenwood Springs removed from other areas Code in 2018 when the new Development Code was adopted.

Previous code definitions dating back to 2015 included the following:

Family means one (1) or more persons living together on the premises of a dwelling unit, but is shall not include more than five (5) persons unrelated by blood or marriage.

Such language has been removed entirely from the development code and now defers to occupancy limits established by International Property Maintenance Code (IPMC). Staff believes that this section in the Accessory Tourist Rental standards was overlooked and should now be removed to align with other sections of code.

Nationwide, numerous jurisdictions have removed this language defining of a Single Family from municipal codes as it is considered an equity issue in terms of housing access.

Staff proposes the following amendment to Code, Section 070.030.030(e) (7)c.5.

Current Code:

c. Use and Occupancy Restrictions.

5. Occupancy of the accessory tourist rental shall not exceed the occupancy allowed for single family use as defined in the Municipal Code, i.e. one (1) or more persons living together on the premises of a dwelling unit, but it shall not include more than five (5) persons unrelated by blood or marriage. Occupancy limits shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.

Proposed Code:

c. Use and Occupancy Restrictions.

...

5. Occupancy of the accessory tourist rental shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.

Review Criteria and Analysis

A Code amendment is a legislative decision by the City Council. The role of Planning & Zoning Commission is to recommend approval or denial. Prior to recommending approval or approving a proposed Code amendment, the Planning Commission and City Council shall consider whether and to what extent the proposed amendment meets the following criteria. Staff analysis is in bold.

- I. Is consistent with the Comprehensive Plan and other City policies;
The proposed amendment to the existing program upholds the goals of the Comprehensive plans and other City policies.
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
The proposed changes do not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code.
- III. Is necessary to address a demonstrated community need;
The proposed code revisions address previous language errors as well as items which seek to allow additional flexibility for residential subdivision signage and prohibits incompatible residential signage.
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
The amendment addresses observed deficiencies in existing Code
- V. Is consistent with the general purpose and intent of this Code.
The proposed amendment is in line with the purpose and intent of the Code.

Reviewing Agency Comments

No comments received

Action Item and Staff Recommendation

Section 070.060.030(g)(1)(d) outlines the review and decision procedures for applications being considered by the Planning and Zoning Commission and/or City Council. The Commission may approve, approve with conditions, or deny the application based on the applicable approval criteria listed in the application-specific procedures. The Commission may also continue the hearing to with a request for specific additional information.

Action Item:

Consideration of code revisions to Section 070.040.110, Sign Code to amend sign regulations and 070.030.030 use specific standards.

Staff recommends **APPROVAL** of the code revisions with the following suggested findings and conditions:

Suggested Findings

The proposed code revisions to the Section 070.040.110 Sign Code to amend sign regulations

- I. Are consistent with the Comprehensive Plan and other City policies;
- II. Do not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- III. Are necessary to address a demonstrated community need;
- IV. Are necessary to respond to substantial changes in conditions and/or policy; and
- V. Are consistent with the general purpose and intent of this Code.

Suggested Conditions:

[INSERT ADDITIONAL CONDITIONS BEYOND STANDARDS INCLUDED BELOW]

1. The development shall comply with the requirements of the Code. Any future physical changes or improvements to the property or buildings are subject to the review and approval of the Community Development Director for compliance with applicable requirements of the Glenwood Springs Municipal Code.

Alternative Motion

***A member of City Council has requested that land use applications include suggested motions for both approval and denial. 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. However, 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 outlining the shortcomings of the request as

shown in the example below:

MOTION TO DENY

Action 1:

Consideration of code amendments, I move to **DENY** finding that -

1. The code amendment is not consistent with the Comprehensive Plan and other City policies; **[insert reasoning]**;
2. The proposed amendment conflicts with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code; **[insert conflict/reasoning]**;
3. The proposed amendment is not necessary to address a demonstrated community need **[insert applicable Comp Plan or other City plan or policy sections here]**;
4. The proposed amendment is not necessary to respond to substantial changes in condition, and/or policy; **[insert reasoning]**and;
5. The proposed amendment is not consistent with general purpose and intent of this Code **[insert reasoning]**;