



AGENDA
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JULY 6, 2023
101 W. 8TH STREET
6:15 p.m.

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.

ATTENTION: To ensure your written comments are included in the City Council packet, public comments must be received by 4 p.m. on the day before City Council meetings. Comments may be submitted to ryan.muse@coqs.us.

Written comments may be submitted after this deadline and will be shared via email to City Council but are not guaranteed to make it into the meeting packet. Submit comments at any time directly to City Council via email at citycouncil@coqs.us.

WORK SESSION

3:00	1. South Bridge	Information/Discussion
3:45	2. Downtown Design Overlay	Information/Discussion
4:30	3. Historic Preservation Commission Joint Work Session	Information/Discussion
5:15	4. Transportation Commission Joint Work Session	Information/Discussion

ZOOM INSTRUCTIONS

You are invited to a Zoom webinar. When: Jul 6, 2023 06:15 PM Mountain Time (US and Canada) Topic: 2023/7/06 Regular City Council Meeting
Please click the link below to join the webinar: <https://us02web.zoom.us/j/83818879992?pwd=c3Nkbkh4a3BmOGZkdllzbHp5YWlrZz09> Passcode: 336531 Or One tap mobile: +17193594580,,83818879992# US +16694449171,,83818879992# US Or Telephone: Dial(for higher quality, dial a number based on your current location): +1 719 359 4580 US +1 669 444 9171 US +1 669 900 6833 US (San Jose) +1 253 205 0468 US +1 253 215 8782 US (Tacoma) +1 346 248 7799 US (Houston) +1 929 205 6099 US (New York) +1 301 715 8592 US (Washington DC) +1 305 224 1968 US +1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 360 209 5623 US +1 386 347 5053 US +1 507 473 4847 US +1 564 217 2000 US +1 646 931 3860 US +1 689 278 1000 US Webinar ID: 838 1887 9992 International numbers available: <https://us02web.zoom.us/j/krP4isVz9>

REGULAR SESSION

6:15	5. Roll Call	
	6. Agenda Changes & Conflicts	
	7. Council Announcements	
	8. Citizens Appearing Before Council (for items not on the Agenda-comments limited to 3 minutes)	
	9. Parks and Recreation Month Proclamation	Presentation
	10. Consent Agenda	Discussion and/or Action
	A. June 15, 2023 Council Minutes	
	B. Resolution 2023-21; Oil Sand Separator Log Form and Guidelines	
	C. Resolution 2023-22; Meadows Lift Station Impact Fee	
	D. Resolution 2023-23; Community Broadband Rate Card Adjustment	
	E. River Commission Appointment	

ACTIONS AND/OR PRESENTATIONS

11. Pay as You Throw Roll Out Information	Information/Discussion
12. Ordinance 2023-10; Code Amendments to Title 070 including Sections 070.040.080, 070.040.090 related to site and building design. Second Reading	Discussion and/or Action
13. Ordinance 2023-12; Amending Sec. 110.030 - Disaster Emergency Services	Discussion and/or Action
14. Resolution 2023-20; Short Term Rental License Fees	Discussion and/or Action

15. Update on Economic Development Incentives

Discussion and/or Action

A. General Improvement District

B. Economic Incentives for Businesses

16. Council Comments

17. Report from City Administration

A. City Manager

B. City Attorney

C. Correspondence Incoming/Outgoing

18. Executive Session

An executive session pursuant to CRS 24-6-402(4)(b) and (e) for the purposes of receiving legal advice from the City Attorney on specific legal questions and for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators more specifically related to RMR, Shoshone negotiations and 102 County Road 156.

19. Adjournment



City of Glenwood Springs

101 West 8th Street, Glenwood Springs, CO 81601

Ryan Gordon, City Engineer
970-384-6413 (o)
ryan.gordon@cogs.us

6/15/2023

City Council
101 West 8th Street
Glenwood Springs, CO 81601

Subject: South Bridge

Dear City Council,

Need for project

1. Provide a fire Evacuation for Four Mile and South Glenwood neighborhoods. Fire modeling shows that there is a significant potential for loss of life and property during a serious fire event. Traffic congestion caused by a fire through the South Midland corridor is expected which could also contribute to loss of life under extreme scenarios. The East Troublesome Fire was the “model” fire used for the Rural Surface grant.
2. Provide multimodal opportunities by providing a connection to SH 82 which could support expanded transit options through South Glenwood, pedestrian and biking connections to the Rio Grande Trail.
3. South Bridge is part of the overall transportation plan. South Midland and the 27th St bridge were designed assuming South Bridge is built. These elements will be undersized based on traffic projects in the future. South Bridge removes ~440 cars in the 2040 AM (340 in the 2022 AM peak) peak and 670 cars in the 2040 PM peak (440 in 2022 PM peak).
4. Potential economic development (commercial/residential/industrial) opportunities in South Glenwood by providing upgraded facilities to the area. Additional development/housing in the Four Mile/Sunlight region would be likely be boosted with the construction of South Bridge.

Current status – design

1. Drawings are at the 90% design stage. Jacobs has a proposed change order to take the project to final bid documents. Specific items to complete are:
 - a. Update to environmental documents including wetlands mapping and weed management.
 - b. Additional potholing for utility design.

- c. ROW services
 - d. Redesign of some elements on the frontage road to the east of SH82.
 - e. Infiltration gallery design.
 - f. Miscellaneous design details (lighting, access roads, sidewalk details)
 - g. Construction risk assessment
- 2. EA has been finalized and the FONSI has been issued.
- 3. ROW drawings have been approved by CDOT and we have permission to begin ROW acquisition.
 - a. We have met with the Jackson Family Ranch and AVLT (at their request) to reopen lines of communication and to address concerns and.
 - b. We have not engaged other property owners.
- 4. Per the cost estimate prepared by Jacobs dated 11/1/21 (escalated by 5% to 2022), project is estimated to cost \$57.4M. There are 2 significant line items that are not included and there are other concerns with the estimate:
 - a. New sidewalks/ramps: ~\$750k
 - b. Soil amendment/mitigation for collapsible soils: ~\$2M
 - c. 5% inflation is low – is probably in the 6-8% range.
 - d. Inflation to 2023, 2024 and beyond have not been incorporated.
 - e. Construction cost/material escalation has not been included.
- 5. To date, the City has spent ~\$xx on engineering fees. There is approximately \$300k remaining in the previously authorized contract amendment.
 - a. Jacobs amendment to bring drawings to 100% bid set: ~\$950k

Funding

- 1. Current funding in hand:
 - a. Federal earmark dating back to 2007 and amended in 2020- ~\$7M
 - b. RFTA Destination 2040 ~\$4M
 - c. GWS A&I fund ~\$20M
 - d. Transportation, Housing and Urban Development (THUD) Congressionally Directed Spending request by Senator Hickenlooper ~\$1M

GWS applied for but did not get 2022 US DOT Rural Surface Transportation Grant for ~\$33M. Potential upcoming funding opportunities:

- 1. 2023 Rural Surface grant – expected to open in August 2023 - ~\$33M
- 2. Congressional earmarks - ~\$1.4M (Rep Boebert) ~\$32M (Sen Bennett and Sen Hickenlooper)

Next Steps/concerns/options

- 1. Peer review/Value Engineering analyses to review constructability and current costs and to look at cutting elements from the project to reduce construction costs.
- 2. Proceed with finalizing the design with Jacobs (\$950k)

Sincerely,

Ryan Gordon, City Engineer
City of Glenwood Springs
970-384-6413 (o)
ryan.gordon@cogs.us

Hardcopy



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Downtown Design Overlay

Action Requested: Direction of proposed amendment to Title 070 Development Code of a downtown commercial overlay district.

Department: Economic and Community Development

Presented By: Danielle Campbell, Hannah Klausman

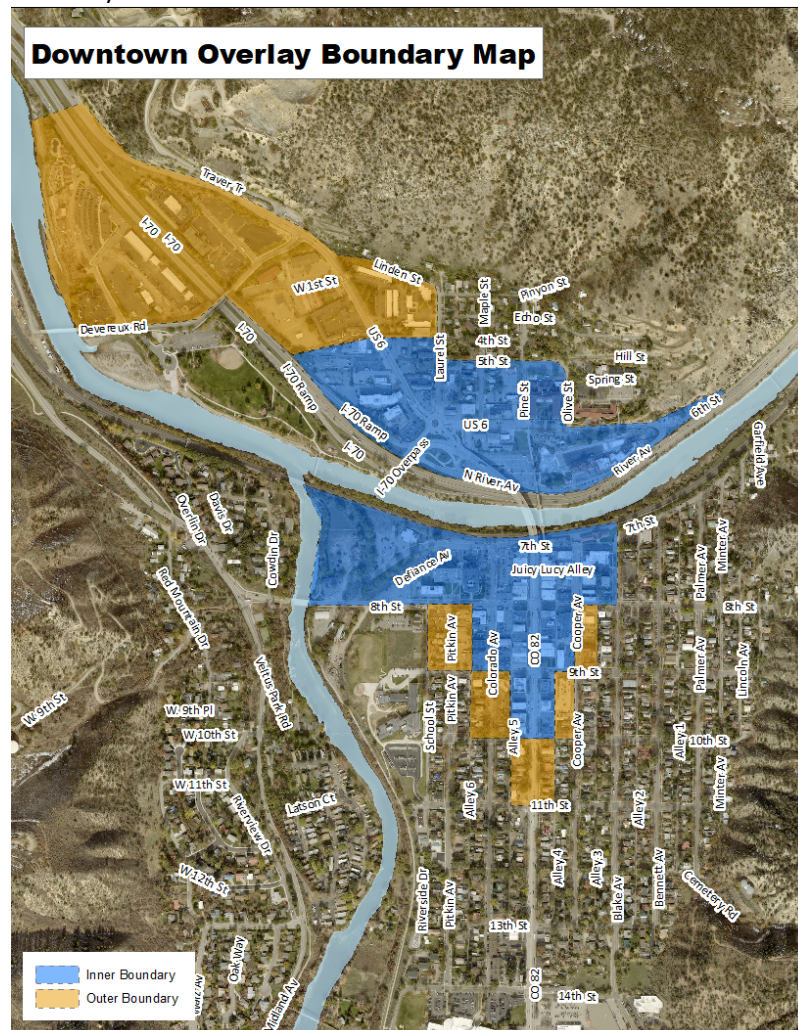
Strategic Goals: Provide Efficient and Responsive City Government
Generate Sustainable Economic Development

Background Info: The purpose of the District is to enhance the pedestrian-oriented business and service character in the central core to support an active, vibrant street life.

Council Directed Zoning Standards to Date.

The overlay district would include the following standards in addition to the base layer zoning standards:

1. Boundary:



2.

3. Ground Floor Uses within "Inner" Overlay Boundary:
 - Food and beverage establishments
 - Retail
 - Recreation and Entertainment, Indoor
 - Personal Services for the following:
 - Beauty/barber shops
 - Shoe repair, Alterations
 - Spas/Massage
 - Personal Grooming
4. Ground Floor Uses within "Outer" Overlay Boundary:
 - Food and beverage establishments
 - Retail
 - Recreation and Entertainment, Indoor
 - Personal Services
 - Professional Office
5. Approved uses must be on the ground floor, open to the public, 50% of ground floor area of the parcel, street facing with a primary entrance.
6. 100% of off-street surface parking is required to occur behind the rear wall of the primary building.
7. Parking lots and parking structures are non-exempt.
8. 50% reduction of parking of approved uses on the ground floor of properties not within the G.I.D.

Exemptions:

- Parks and Open Space
- Deed Restricted Housing including resident occupancy and/or affordability at or below 100% of Area Median Income.
- Residential remodel or rebuild due to tragic event such as a fire.
- Nonconforming structures that have been damaged or destroyed by fire or other causes may be restored pursuant to Section 070.010.070(d)

Governing Body and Public History

The Downtown Overlay District was originally proposed by the Planning and Zoning Commission in 2021. City Council held two work sessions on February 3, 2022, and May 19, 2022, to discuss Planning and Zoning Commission recommendations to implement a Downtown Commercial Overlay District to promote downtown vibrancy. Work Session staff reports are included as attachments to this report. Council requested an additional public outreach meeting in order to elicit more feedback. Staff responded that the item would need to wait until 2023 due to the project workload. Council more recently requested this item be brought back to Council for initial review and direction to be able to proceed with the public engagement meeting with Council. On February 2, 2023, the Council directed staff to move forward with a public engagement meeting specifically to provide information on how the public generally feels about an overlay district, restricting uses, and the size of the district within downtown. Two public meetings were held on April 26, 2023. A summary of the public findings can be found as an attachment to this report. Since the public meetings, Council has had two evening meetings and one work session amending the Downtown Design Overlay.

1. April 26, 2023 Public Meeting Takeaways:

- Majority supported regulating uses. However, did not support regulating the square footage of the ground floor of that use.
- Majority preferred seeing a medium to larger overlay district.
- Majority supported regulating building forms to encourage diverse uses in downtown.
- People want to see a walkable downtown with a safe, clean, attractive atmosphere and a distinct sense of place.

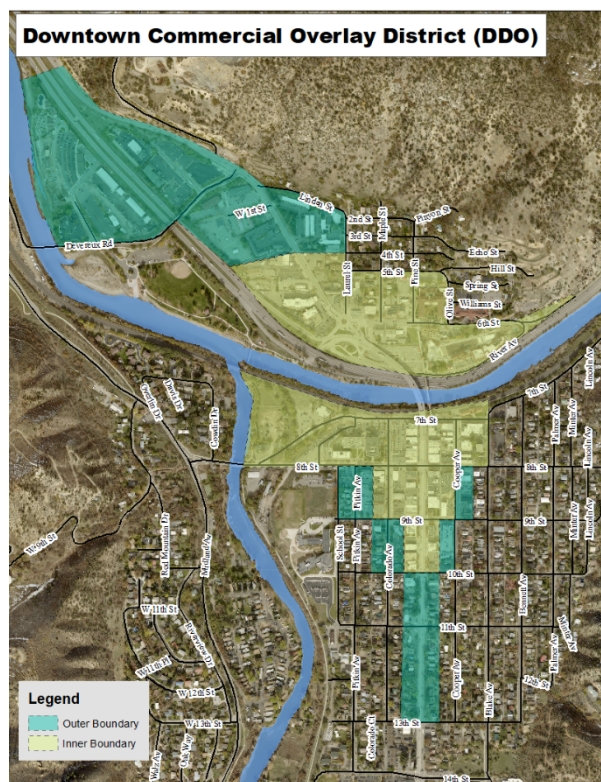
- General support for a diversity of businesses that serve residents and visitors. This included restaurants, retail, and attractions (art classes, etc.)
- Boundaries Presented to public are defined below.

Downtown Boundaries



2. June 1st Council Meeting Summary: During the June 1st Council Meeting and Work Session, staff received direction on the proposed overlay boundary, threshold, allowed uses, and exemptions.

- **Boundary:** Council directed staff to expand the overlay and create an additional buffer to the overlay. Throughout the staff report the buffer will be referred to as the outer boundary and the central boundary will be referred to as the inner boundary. The intent of the “inner” boundary would have more extensive regulation regarding the allowed uses on the ground floor. However, the expanded “outer” boundary would allow all personal services & professional offices in addition to the allowed uses within the inner boundary on the ground floor. See map below of the Council’s recommended boundary from June 1st. (This has since changed.)



- **Building Form:** Council directed staff to require that the allowed uses must be at least fifty percent (50%) of the ground floor area facing the street with a primary entrance.
- **Uses:** Council directed staff to limit allowed ground floor uses within the inner boundary and expand uses within the outer boundary. The intent is to retain and foster Glenwood Character and the authenticity of local downtown businesses.
 - "Inner" Boundary Allowed Uses:
 - Food and Beverage Establishments
 - Retail
 - Recreation and Entertainment, Indoor
 - Personal Services for the following:
 - Beauty/barber shops
 - Shoe repair, Alterations
 - Spas/Massage
 - Personal Grooming
 - "Outer" Boundary Allowed Uses:
 - Food and Beverage Establishments
 - Retail
 - Recreation and Entertainment, Indoor
 - Professional Office
 - Personal Services
- **Special Permit:** Uses that are not approved would be required to submit a Special Use Permit.
- **Threshold:** Council directed staff to increase the residential remodel threshold to be greater than twenty-five (25) percent as originally proposed. The intent of this change is to preserve existing residential and to not prohibit the ability for residential property owners to update units as needed.
- **Exemptions:** Council directed staff to include tragic events to be exempt, and remove institutions as allowed use on the ground floor. See additional details below.
 - Tragic Event: Any building severely impacted by a tragic event such as a fire that will need to be remodeled or rebuilt. The reconstructed building would be allowed to continue as the previous use as long as built architecturally similar to the original structure.
 - Institutions: Remove institutions as an exemption from ground floor use.
 - Historical Significance: Local landmarks and buildings with historical significance will be exempt from overlay.

3. June 15 Council Meeting Summary: Staff and the public presented concerns of the overlay. These concerns are expanded upon within the issues section of this staff report if they were not resolved during the June 15th Council meeting.

- **Boundary Overlay:** The intent of the overlay is to transition uses that enhance the vibrancy by regulating uses that adhere to the pedestrian-oriented streetscape. Incorporating past 11th Street for the overlay could provide a burden to businesses and property owners due to the required parking standards for commercial uses and the lack of space to develop parking on Grand Avenue from 11th to 13th. In addition, the streetscape beyond 11th Street is auto-oriented, fostering businesses and residences that align with that design currently. Council approved Staff's recommendation to decrease the overlay on Grand Avenue from 13th to 11th.



- Parking Constraints on 6th Street
- Boundary too expansive
- Inner Boundary removing professional office as an allowed use
- Commercial Remodels threshold limited to 25%

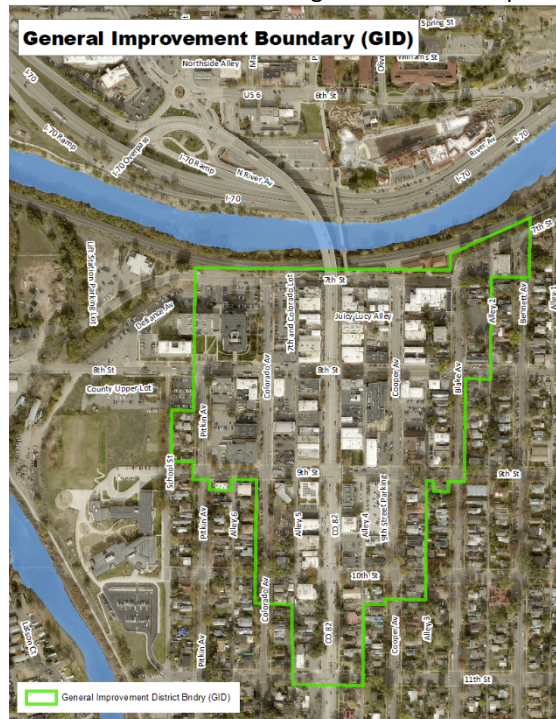
Issues:

The following identifies are a combination of Staff and Public concerns addressed in the June 15th Council Meeting.

Staff Comments

1. **Parking Constraints on 6th Street:** The General Improvement District (GID) is designed to serve an area generally perceived to be downtown and operates to facilitate a general program of providing parking and related improvements. Currently, the GID boundary only represents areas south of the Colorado River. See the GID boundary map below. The benefit of the GID eliminates the need for buildings and businesses to provide parking. This elimination creates a significant incentive for businesses to locate within the GID. 6th Street struggles to attract the approved businesses of the proposed overlay due to parking requirements. Staff recommends the consideration of decreasing the parking requirement

for the allowed uses on the ground floor to expand the vibrancy across the river.



2. **Inner Boundary Allowed Uses:** Council direction on June 1st requested to keep the proposed allowed uses presented within the inner boundary. This includes the personal services below. These allowed uses have been a concern from the public. Staff request to discuss during the first reading to confirm policy direction.
 - Personal Services
 - Beauty/barber shops
 - Shoe repair, Alterations
 - Spas/Massages
 - Personal Grooming
3. **Outer Boundary Allowed Uses:** Council's direction would allow for all Professional Service uses within the outer boundary. Previously, these uses were of concern to Council as they would prohibit vibrancy. Staff request to discuss during the first reading to confirm policy direction.
 - **Professional Services**
 - Administrative, professional, or government office
 - Bank or financial institution
 - Printing and copying establishment
4. **Thresholds of applicability:** These proposed regulations would be triggered when any of the following occur
 - Any project including any amount of demolition of an existing structure;
 - Non-Residential or Mixed-Use. A building permit for addition, alteration, demolition, or repair of an existing building or structure where the total gross floor area of the proposed alterations are twenty five (25) percent or more than that of the total gross floor area of the existing structure before addition or renovation.
 - Residential Only. A building permit for demolition, addition, alteration, or repair where the total gross floor area of the proposed alterations are eighty (80) percent or more than that of the total gross floor area of the existing structure before addition or renovation.
 - Development on vacant land.
 - Changes of use within an existing structure of the ground floor.
 - The Change of Use threshold would be an aggressive option resulting in quick implementation as businesses turnover. The other criteria above would result in a slower-paced change when businesses remodel, or there is demolition of a building. In order to see, the most immediate impact would be to move forward with a change of use threshold. It is important

to note that new businesses do not always apply for a business license prior to signing a lease, which could result in challenging situations. This would not be new for Community Development staff, as this sometimes occurs in other areas of the City when a prohibited or Special Use business locates in a building without meeting with the City. Council should be prepared that this may also occur with the overlay regulations and consider an aggressive public awareness campaign.

Public Comment from June 15th meeting

1. The Overlay boundary is too expansive and incorporates areas that have not traditionally been associated with a retail district.
2. The Inner boundary removes professional office as an allowed use on the ground floor. This policy could hinder the redevelopment of spaces downtown causing them to be vacant for an extended amount of time
3. The commercial remodel threshold is too low for the basic upkeep of buildings that are currently professional offices.

Review Criteria and Staff Analysis

A Code amendment is a legislative decision by the City Council with a recommendation from the Planning and Zoning Commission. Prior to approving a proposed Code amendment, City Council shall consider whether and to what extent the proposed amendment meets the following five criteria. Staff analysis is included after each criterion.

1. **Is consistent with the Comprehensive Plan and other City policies;** The proposed amendment supports several goals and strategies identified in the Comprehensive Plan. Those include:
 - Promote long-term, sustainable, and diverse economic development
 - Encourage a compact urban form
 - Focus growth in areas of change
 - Encourage redevelopment and prioritize public investment in identified revitalized areas to spur private investment
 - Foster and protect vibrant, diverse and well-connected neighborhoods
 - Support neighborhood commercial mixed-use development
 - Protect historical resources and buildings
 - Retain Glenwood Springs role as a regional commercial hub
 - Attract and retain diverse businesses and industries
 - Revitalize underutilized properties
 - Ensure downtown is pedestrian and bicycle friendly
 - Promote Mixed-Use development
 - Support the management of sustainable tourism in Glenwood Springs
2. **Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;** Staff believes the code changes are compatible with the Code as they expand on an existing requirement, and maintain the intent as stated.
3. **Is necessary to address a demonstrated community need;** Glenwood Springs has experienced a significant amount of redevelopment and business change in commercial corridors. Per the 2018 Economic Development Strategy Glenwood Springs has a strong base of small businesses. 85% of Glenwood Springs businesses have less than 10 employees. However, there is a lack of small-scale store frontages that accommodates small businesses. A growing need to support and expand small retail businesses as an increasing number have been displaced by large-scale single-use businesses.
4. **Is necessary to respond to substantial changes in conditions and/or policy;** The City of Glenwood Springs has seen an increase in large commercial projects with single tenants in the last five years displacing more businesses than replacing them. In order to provide better

transparency to the development community and clarity of desired ground floor character in Glenwood Springs a code change is warranted

5. **Is consistent with the general purpose and intent of this Code.** The code amendments meet the stated intent of the design standards and the general purpose of the Code.

Fiscal Impact: The City may see increased retail businesses generating additional sales tax in the downtown area. No major increase in sales tax generation for the entire City is expected.

Legal Review: Legal has drafted the ordinance and reviewed regulations.

Staff Recommendation: Staff defers to Council.

Exhibit A

070.020.180 Downtown Commercial Overlay (DDO) District

(a) General Provisions.

(1) Purpose. The Downtown Commercial Overlay district is intended to promote downtown vibrancy and pedestrian engagement, with an emphasis on walkability and active ground-floor uses. The DDO district allows for retail, food and beverage establishments, indoor recreation and entertainment, and specific personal and professional services as listed. The overlay district comprises two areas, an inner boundary aimed at engaging activities and uses, and an outer boundary incorporating some additional professional service uses.

(2) Applicability.

a. General.

b. The overlay standards shall apply to:

1. Non-Residential or Mixed-Use. A building permit for addition, alteration, demolition, or repair of an existing building or structure where the total gross floor area of the proposed alterations are twenty-five (25) percent or more than that of the total gross floor area of the existing structure before addition or renovation;
2. Residential Only. A building permit for demolition, addition, alteration, or repair where the total gross floor area of the proposed alterations are eighty (80) percent or more than that of the total gross floor area of the existing structure before addition or renovation. Nonconforming structures that have been damaged or destroyed by fire or other causes may be restored pursuant to Section 070.010.070(d);
3. Changes of use within an existing structure of the ground floor.
4. Development on vacant land.

(3) Exemptions. This section shall not apply to the following:

- a. Parks and Open Space
- b. Deed Restricted Housing including resident occupancy and/or affordability at or below 100% of Area Median Income.

(b) Uses. In addition to uses listed in Table 030.1: Table of Allowed Uses for the base zoning, the overlay includes the following list of allowed uses for the ground-floor uses.

(1) Area. Approved uses must comprise a minimum of 50% of the ground floor, be open to the public, be street-facing, and have a primary entrance. All other uses allowed within the base zone district would apply to non-ground-floor areas.

(2) Inner Overlay Boundary

- a. Food and beverage establishments
- b. Retail
- c. Recreation and Entertainment, Indoor
- d. Personal Services, specifically:
 1. Beauty/barber shops.

-
2. Shoe repair, Alterations
 3. Spas/Massage
 4. Personal Grooming
- (3) Outer Overlay Boundary. In addition to uses listed in (1) above, the following uses are allowed on the ground floor:
- a. All Other Personal Services
 - b. Professional Services
- (4) Parking areas. 100% of off-street surface parking is required to occur behind the rear wall of the primary building. This shall only apply to development of vacant land, or building additions occurring outside of the existing building footprint over 25% of the gross floor area.
- a. Cumulative Maximum Reduction for Parking Alternatives. The maximum reduction of required off-street parking spaces by any single parking alternative or combination of parking alternatives outlined in Section 070.040.060(e) shall be fifty (50) percent for development within the entire overlay boundary.
- (5) Base Zoning District Uses. Uses allowed in the base zoning district and not listed in (1) or (2) above, proposed for the ground floor within the overlay boundary shall be considered through a Special Use Permit review process. (Subsection 070.060.050(e))
- (c) Standards. All Dimensional and lot standards shall follow the base zoning district standards.

070.020.18090 Planned Unit Development (PUD) District.

...

070.020.190200 Measurements and Exceptions.

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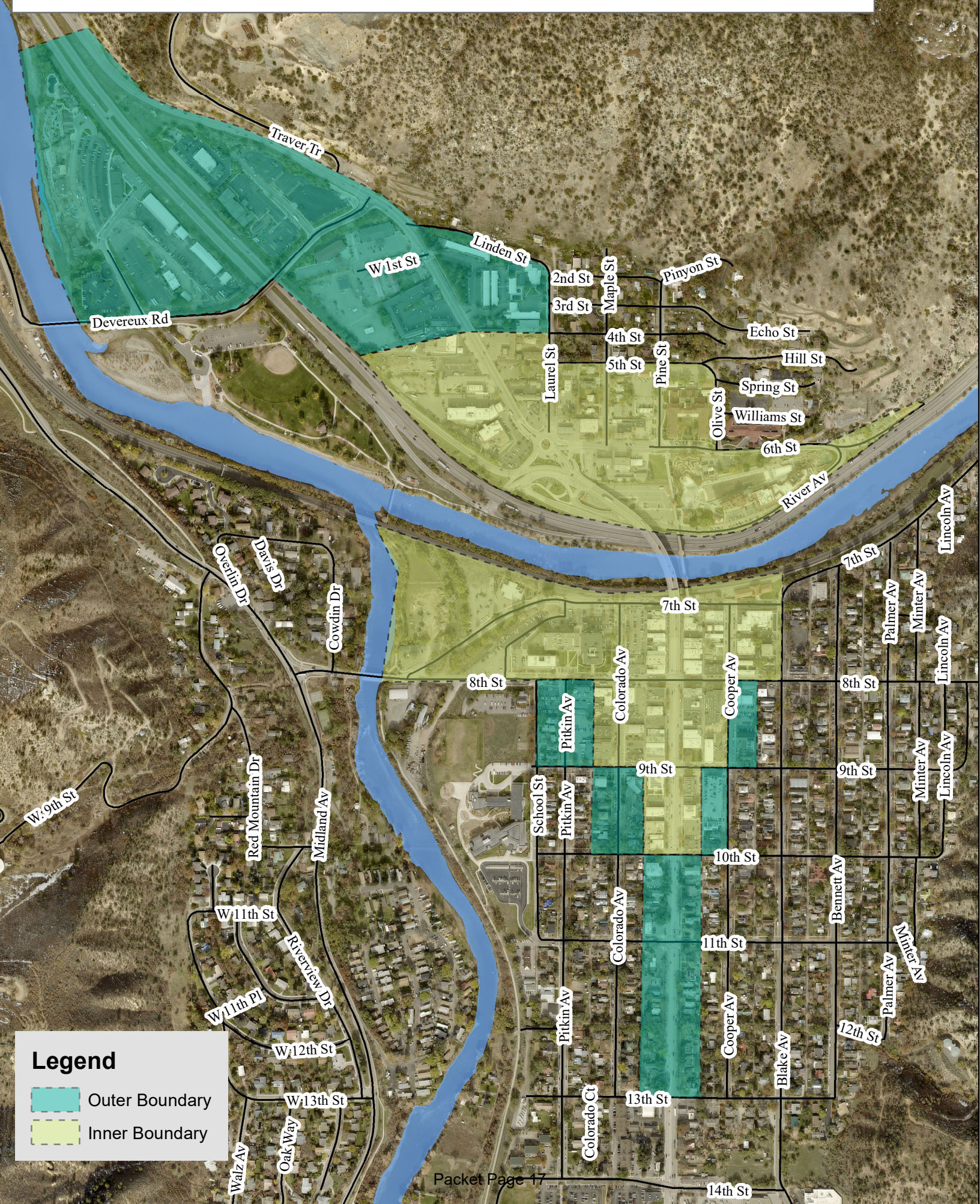
070.040.060 Off-Street Parking and Loading.

...

- (d) *Number of Off-Street Parking Spaces Required.*
- (1) *Minimum Number of Off-Street Parking Spaces Required.* The number of off-street parking spaces required shall be pursuant to the corresponding use type in Table 030.1: Table of Allowed Uses.
 - (2) *Accessible Parking.* The number and design of accessible parking spaces shall be pursuant to the International Building Code as adopted in the Municipal Code and the American Disabilities Act, as amended.
 - (3) *Maximum Parking Spaces Allowed.* In nonresidential and mixed-use districts, uses shall not provide off-street parking spaces in an amount more than one hundred twenty-five (125) percent of the minimum parking spaces required pursuant to Table 030.1: Table of Allowed Uses, unless:
 - a. The use is "automotive sales or leasing" or "transit terminal or station;"
 - b. The applicant submits a parking demand study to the Director pursuant to Subsection 070.040.060(c)(5);

-
- c. The proposed development has unique or unusual characteristics such as high sales volume per floor area or low parking turnover, that create a demand exceeding the maximum ratio and that typically does not apply to comparable uses, with authorization from the Director; and
 - d. Additional landscaping is provided in an amount equal to the percentage above the maximum parking ratio allowed.
- (e) *Parking Alternatives.* The developer of a property may submit an application to the Director requesting consideration of alternatives to the off-street parking spaces required by Table 030.1: Table of Allowed Uses, pursuant to the following standards:
- (1) *Cumulative Maximum Reduction for Parking Alternatives.* The maximum reduction of required off-street parking spaces by any single parking alternative or combination of parking alternatives in this Section shall be thirty (30) percent **except as allowed for in Section 070.020.180 Downtown Commercial Overlay District.**

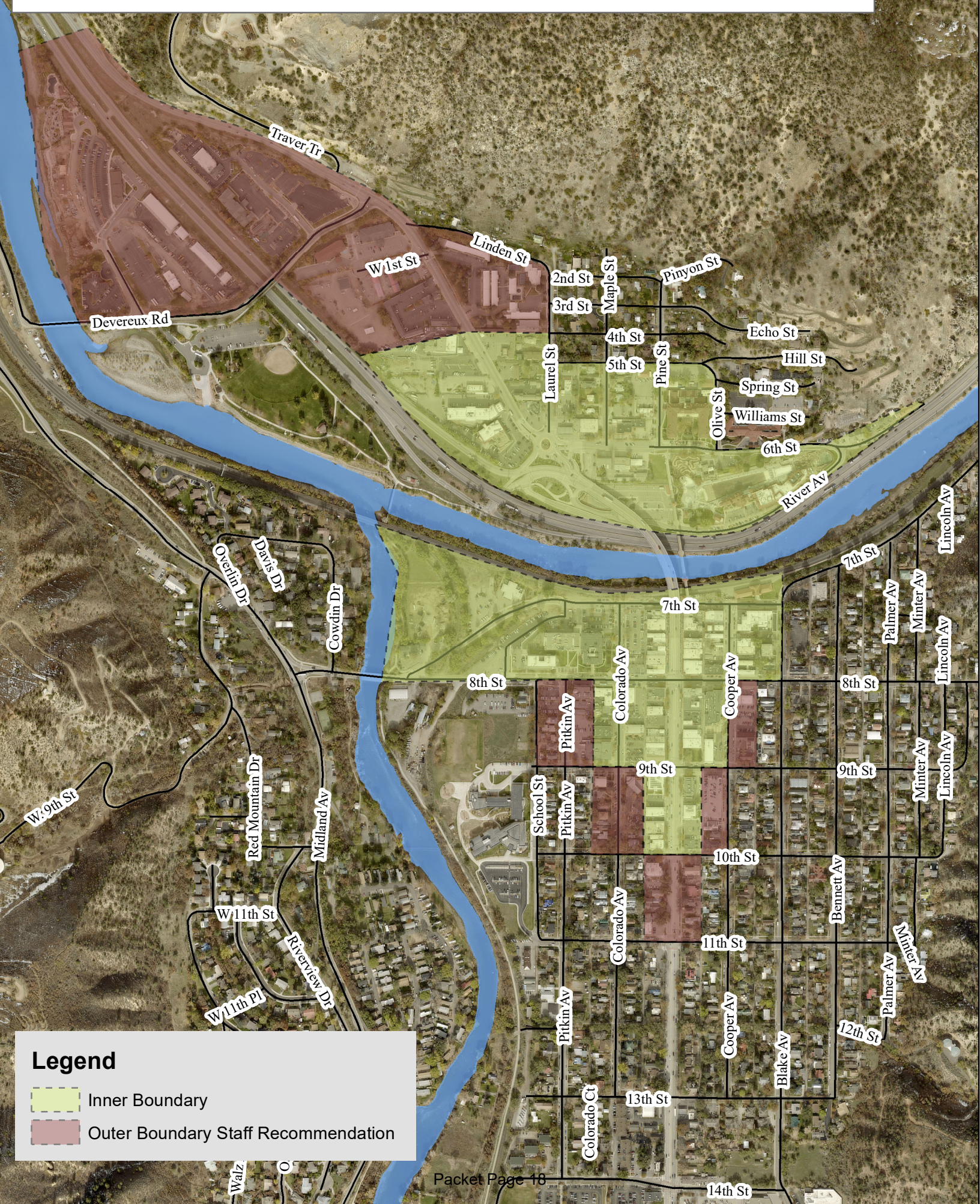
Downtown Commercial Overlay District (DDO)



Legend

- Outer Boundary
- Inner Boundary

Downtown Commercial Overlay District (DDO)



Legend

-  Inner Boundary
-  Outer Boundary Staff Recommendation

Downtown Commercial Overlay District

1st Reading

City Council

June 15, 2023

Hannah Klausman, Economic and Community Development Director



Where have we been?

Intent: The purpose of the District is to enhance the pedestrian-oriented business and service character in the central core to support an active, vibrant street life.

1. 2021 Planning and Zoning Commission recommended the implementation of a Downtown Overlay
2. 2022 City Council held two Worksession to discuss Proposed Overlay
3. 2023
 1. February - City Council directed Staff proceed with public engagement
 2. April – Staff held two public meetings
 3. June – City Council reviewed and recommended changes to draft Overlay policy including threshold, boundary, uses, and exemptions



CITY OF
GLENWOOD
SPRINGS
COLORADO



Downtown Commercial Overlay District (DDO)



Overlay District Summary

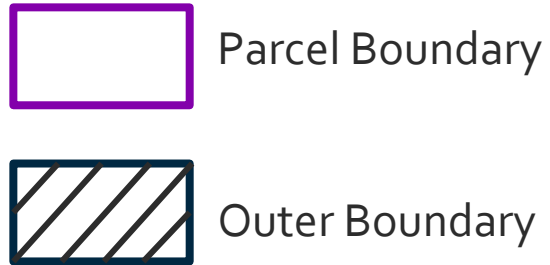
The Downtown Commercial Overlay district is intended to promote downtown vibrancy and pedestrian engagement, with an emphasis on walkability and active ground-floor uses. The DDO district allows for retail, food and beverage establishments, indoor recreation and entertainment, and specific personal and professional services as listed. The overlay district comprises two areas, an inner boundary aimed at engaging activities and uses, and an outer boundary incorporating some additional professional and personal service uses.

Allowed Uses on the ground floor:

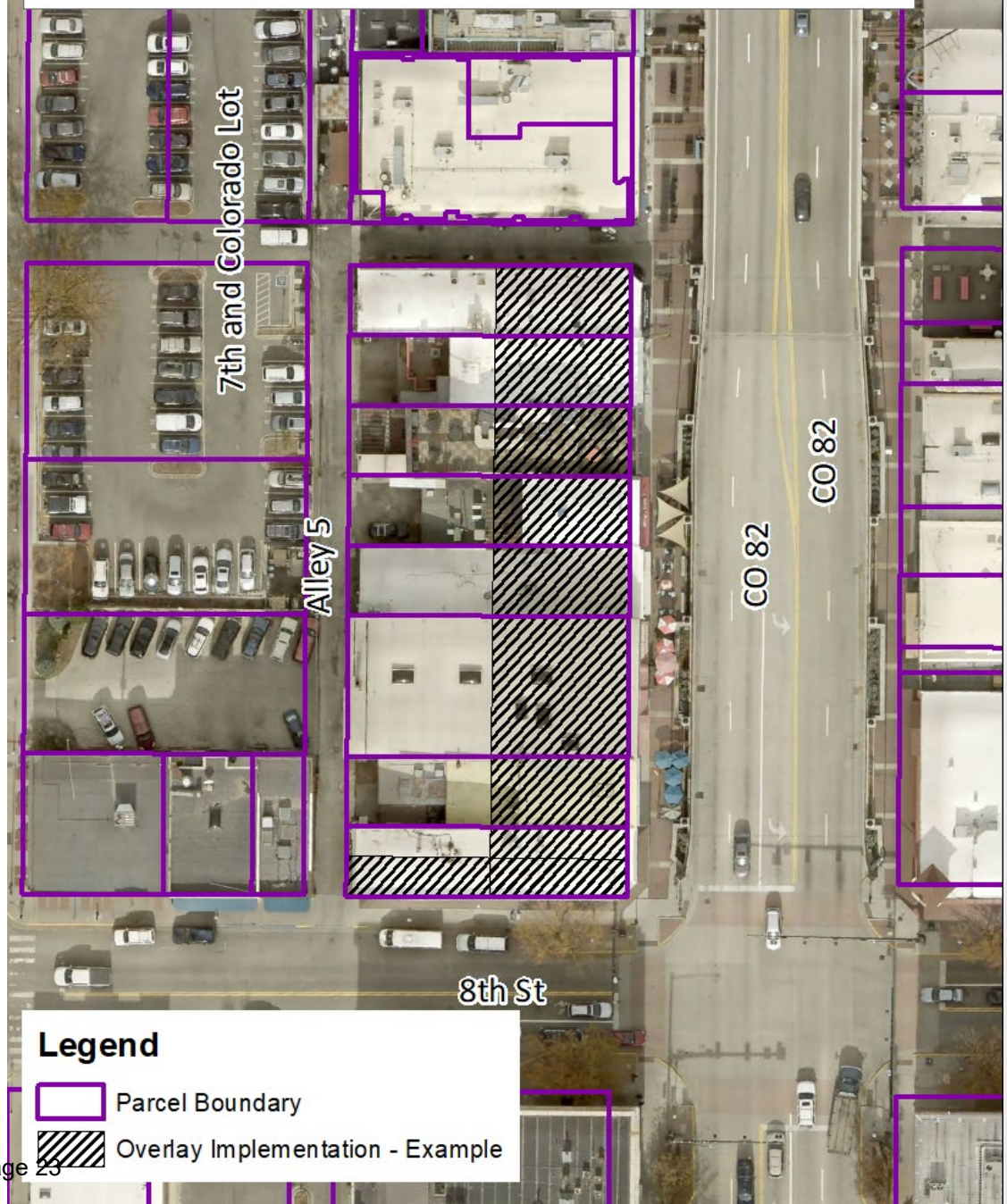
- Area. Approved uses must comprise a minimum of 50% of the ground floor, be open to the public, be street-facing, and have a primary entrance. All other uses allowed within the base zone district would apply to non-ground-floor areas.
- Inner Overlay Boundary
 - Food and beverage establishments
 - Retail
 - Recreation and Entertainment, Indoor
 - Personal Services, specifically :
 - Beauty/barber shops,
 - Shoe repair, Alterations
 - Spas/Massage
 - Personal Grooming
- Outer Overlay Boundary. In addition to uses listed in (1) above, the following uses are allowed on the ground floor:
 - All Other Personal Services
 - Professional Services
- Parking areas. 100% of off-street surface parking is required to occur behind the rear wall of the primary building.
- Base Zoning District Uses. Uses allowed in the base zoning district and not listed in (1) or (2) above, proposed for the ground floor within the overlay boundary shall be considered through a Special Use Permit review process. (Subsection 070.060.050(e))



Implementation



Example Implementation of Ground Floor Uses



Exemptions

Shall not apply to the following:

- Parks and Open Space
- Deed Restricted Housing including resident occupancy and/or affordability at or below 100% of Area Median Income .
- Nonconforming structures that have been damaged or destroyed by fire or other causes may be restored



Threshold of Applicability

These proposed regulations would be triggered when any of the following occur:

- Non-Residential or Mixed-Use. A building permit for addition, alteration, demolition, or repair of an existing building or structure where the total gross floor area of the proposed alterations are twenty-five (25) percent or more than that of the total gross floor area of the existing structure before addition or renovation;
- Residential Only. A building permit for demolition, addition, alteration, or repair where the total gross floor area of the proposed alterations are eighty (80) percent or more than that of the total gross floor area of the existing structure before addition or renovation.
- Changes of use within an existing structure of the ground floor.
- Development on vacant land.



Discussion

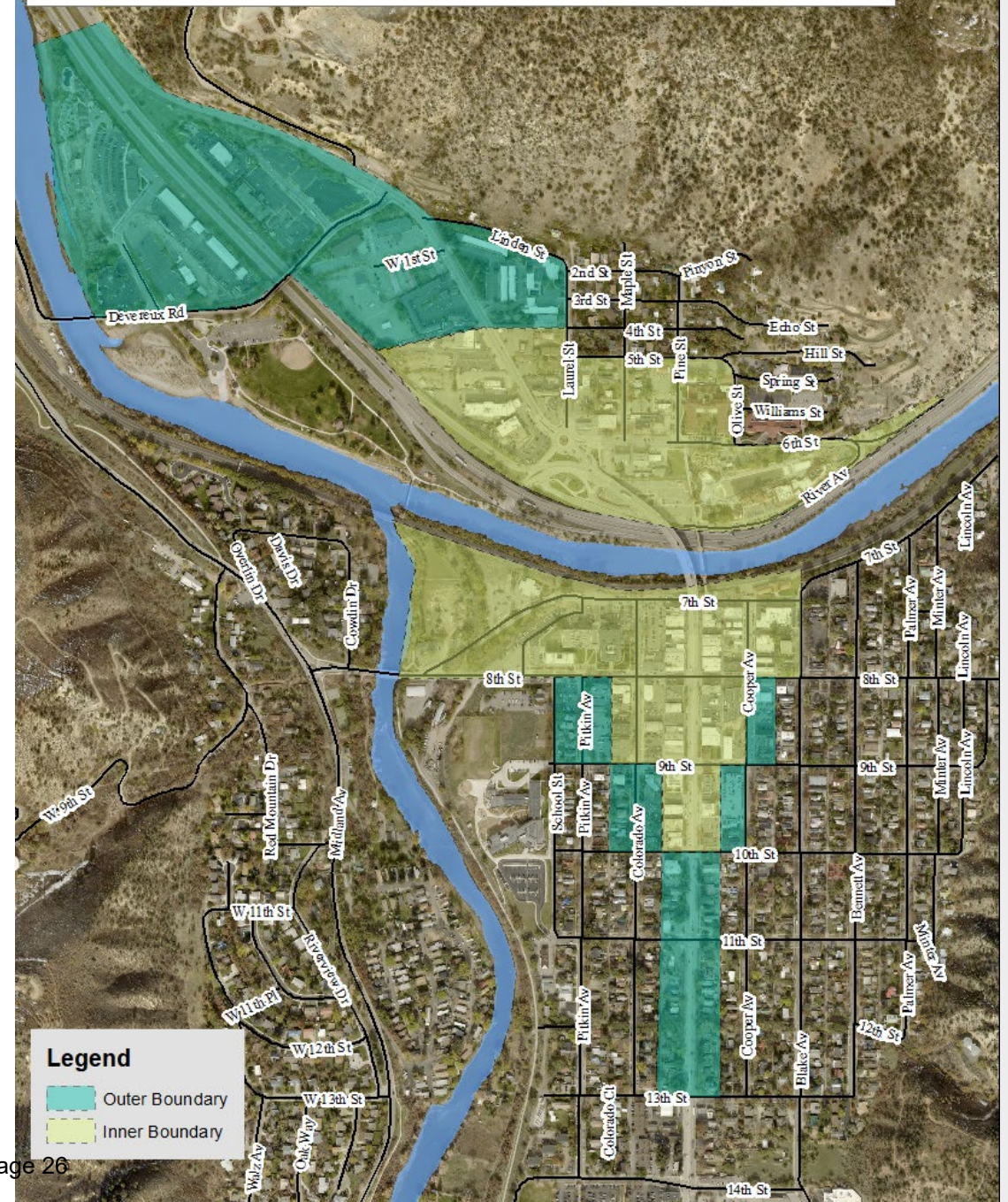
Inner Boundary Allowed Uses:

- **Personal Services:**
 - Beauty/barber shops
 - Shoe repair, Alterations
 - Spas/Massage
 - Personal Grooming

Outer Boundary Allowed Uses:

- **Professional Services:**
 - Administrative, professional, or government office
 - Bank or financial institution
 - Printing and copying establishment

Downtown Commercial Overlay District (DDO)





Proposed Code Language: 070.020.180 Downtown Commercial Overlay (DDO) District

1. **Purpose.** The Downtown Commercial Overlay district is intended to promote downtown vibrancy and pedestrian engagement, with an emphasis on walkability and active ground-floor uses. The DDO district allows for retail, food and beverage establishments, indoor recreation and entertainment, and specific personal and professional services as listed. The overlay district comprises two areas, an inner boundary aimed at engaging activities and uses, and an outer boundary incorporating some additional professional and personal service uses.
2. **Applicability.**
 - A. General
 - B. The overlay standards shall apply to:
 1. Non-Residential or Mixed-Use. A building permit for addition, alteration, demolition, or repair of an existing building or structure where the total gross floor area of the proposed alterations are twenty -five (25) percent or more than that of the total gross floor area of the existing structure before addition or renovation;
 2. Residential Only. A building permit for demolition, addition, alteration, or repair where the total gross floor area of the proposed alterations are eighty (80) percent or more than that of the total gross floor area of the existing structure before addition or renovation.
 3. Changes of use within an existing structure of the ground floor.
 4. Development on vacant land.
3. **Exemptions. This section shall not apply to the following:**
 - A. Parks and Open Space
 - B. Deed Restricted Housing including resident occupancy and/or affordability at or below 100% of Area Median Income.
 - C. Nonconforming structures that have been damaged or destroyed by fire or other causes may be restored pursuant to Section 070.010.070(d);



Proposed Code Language: 070.020.180 Downtown Commercial Overlay (DDO) District

Uses. In addition to uses listed in Table 030.1: Table of Allowed Uses for the base zoning, the overlay includes the following list of allowed uses for the ground-floor uses.

1. Area. Approved uses must comprise a minimum of 50% of the ground floor, be open to the public, be street-facing with, and have a primary entrance. All other uses allowed within the base zone district would apply to non-ground-floor areas.
2. Inner Overlay Boundary
 - A. Food and beverage establishments
 - B. Retail
 - C. Recreation and Entertainment, Indoor
 - D. Personal Services, specifically
 - E. Beauty/barber shops,
 - F. Shoe repair, Alterations
 - G. Spas/Massage
 - H. Personal Grooming
3. Outer Overlay Boundary. In addition to uses listed in (1) above, the following uses are allowed on the ground floor:
 - A. All Other Personal Services
 - B. Professional Services
4. Parking areas. 100% of off-street surface parking is required to occur behind the rear wall of the primary building.
5. Base Zoning District Uses. Uses allowed in the base zoning district and not listed in (1) or (2) above, proposed for the ground floor within the overlay boundary shall be considered through a Special Use Permit review process. (Subsection 070.060.050(e))

Staff Recommendation

Downtown Overlay Boundary

-  Inner Boundary
-  Outer Boundary



Downtown Commercial Overlay District (DDO)



Legend

-  Inner Boundary
-  Outer Boundary Staff Recommendation

DOWNTOWN OVERLAY ENGAGEMENT SUMMARY

The origination of the Downtown Overlay District is based upon policy recommendations from Planning and Zoning Commission. The purpose for which this District is created is to enhance the pedestrian-oriented business and service character in the central core to support an active, vibrant street life. City Council directed staff to provide additional opportunities for public feedback on an overlay. Staff provided two public meetings on **April 26th from 8:30am-10:30am and 6:00pm-8:00pm**. See the results below.

Key Takeaways

- Majority supported regulating uses, however, did not support regulating the square footage of the ground floor of that use.
- Majority preferred seeing a medium to larger overlay district.
- Majority supported regular building forms to encourage uses in downtown.
- People want to see a walkable downtown with a safe, clean, attractive atmosphere and a distinct sense of place.
- General Support for a diversity of businesses that serve residents and visitors. This included restaurants, retail, and attractions(art classes, etc.)

Attendees wanted to see more of the following in downtown:

- Ped and bike connectivity through trails and alleyway improvements
- Complete streets
- Alley improvements
- Diverse and activated storefronts (retail, attraction, and restaurants)
- Public Gathering spaces
- Parking Management

Attendees wanted to less of the following in downtown:

- Personal services
- Financial institutions
- Residences on the ground floor
- Car Noise

General Concerns:

- Stringent regulation in downtown may cause an increase in vacant storefronts.
- Financial incentives need to be considered as part of regulation.

Downtown Boundaries



Option 1



Option 2



Option 3

Overlay Boundary Preference

Option 1	Option 2	Option 3
28%	33%	39%
(5)	(6)	(7)

Questionnaire Results

Questionnaire Results	Does NOT Support 	Support 
Do you support regulating the type of uses (such as restaurants, clothing stores, coffee shop) on the ground floor?	36% (9)	64% (16)
Would you support a requirement that the ground floor of buildings in the overlay district be required to be 50% retail uses only?	56% (14)	44% (11)
Would you support 75% on the ground floor be retail uses?	61% (14)	39% (9)
Do you support limiting or not allowing vacation rentals (VRBO and Airbnb), Motels, or Hotels on the ground floor?	50% (12)	50% (12)
Do you support regulating building forms? An example is to limit the size of a store or building frontage on the street.	40% (10)	60% (15)
Do you support including the Confluence area in this type of overlay?	46% (11)	54% (13)
Do you support including parts of 6 th Street in this type of overlay?	28% (7)	72% (18)

May 24, 2023 Note from Jillian Sutherland, DDA Executive Director:

This memo was developed over a year ago at the direction of the full DDA Board. Since then, the Board has had three new members. Should timing allow between the 1st and 2nd reading, this can be discussed again at the June 20th DDA Board meeting and a refreshed memo can be provided. The DDA Board has been notified this will be on the agenda at the June 1st meeting.

Memorandum

Date: May 10, 2022

To: Glenwood Springs City Council & Staff

From: Glenwood Springs Downtown Development Authority Board

Subject: Requested Recommendation Regarding Downtown Commercial Overlay District

Recognizing that the City is considering establishing a Downtown Commercial Overlay District, it is the position of the Downtown Development Authority Board at this time that the proposed boundaries shown on the following page are appropriate and beneficial to the downtown. It is the Board's position that an expanded boundary beyond these parameters is unnecessary, and that such restrictions could potentially deter future redevelopment from occurring. Therefore, the DDA Board recommends that the City institute the Commercial Overlay but limit it to the boundaries shown on the following page.

The Board is supportive of the Overlay for the following reasons:

- Retail and other sales tax generating uses, such as lodging, are critical to the continued activation of these core downtown streets.
- Requiring all off-street surface parking behind the rear wall of primary buildings prohibits street frontage from being used for parking and enhances the pedestrian environment.
- Existing buildings are not required to change parking or uses unless demolished and rebuilt.

Absent a deep understanding of future retail demand, the DDA cannot endorse a boundary for the Commercial Overlay District beyond what is depicted on the following page. It is the opinion of the DDA Board that the private market should inform the redevelopment that occurs within the rest of the City's Downtown Core, and feels the existing Downtown Design Standards have been successful in ensuring quality, pedestrian-oriented development appropriate to the character of the downtown.



Map of Proposed Downtown Commercial Overlay District City of Glenwood Springs



Overlay
 District

Disclaimer: The GIS information shown is provided as a public resource for general information purposes only. The representation of locations cannot be substituted for actual legal surveys.



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Historic Preservation Commission Joint Work Session

Action Requested:

Department: Economic and Community Development

Presented By: Emery Ellingson

Strategic Goals: Provide Efficient and Responsive City Government
Protect and Preserve our Quality of Life

Background Info: Annual joint work session between the Historic Preservation Commission and City Council.

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:

Historic Preservation Commission Joint Session with City Council

Duties and responsibilities of Historic Preservation Commission

- To recommend to City Council methods for protection and preservation of the City's historic and cultural heritage, including the designation of historic landmarks and historic districts
- To recommend to City Council methods for enhancing property values and stabilization of historic neighborhoods
- To recommend to City Council methods for increasing economic and financial benefits
- To provide educational opportunities to increase public appreciation of the City's unique heritage through preservation of the built environment
- Any other tasks related to historic preservation of resources in Glenwood Springs.

Historic Preservation Accomplishments June 2022-June 2023

- Maintained Certified Local Government status with State Historic Preservation Office. This requires monthly reporting and also requires Commissioners to attend trainings throughout the year. These trainings include Saving Places Conference, History Colorado webinars, and other trainings offered by preservation groups.
- Conducted outreach to (NUMBER) property owners to promote local landmarking
- Provided design review for improvements to Western Hotel remodel at 716 Cooper Avenue
- Coordinated with Parks & Recreation Department to discuss potential improvements to Linwood Cemetery, a City owned local landmark.
- Provided a letter of support for a Rural Revitalization Grant through Colorado Preservation Inc. to pursue grant funding for a roof replacement for the City Arts Center.
- Worked with Council to issue proclamation of May 2023 as preservation month in honor of National Preservation Month
- Will be working with consultant to contribute to the South Canyon Master Plan.

Historic Preservation Goals June 2023-2024

- Improve incentives for local landmarked properties and historic districts. This could include the following:
 - Waiving building permit fees for roof permits and window permits
 - Sales tax waivers for rehabilitation project for landmarked properties
- Promote existing local landmarked properties and increase number of landmarked properties. This includes the following:
 - Completing design and publication of a booklet which documents existing landmarked properties. This booklet would be printed in both Spanish and English and would be made available to the public at locations in town.
 - Continued outreach to property owners of potential landmarked buildings
- Establish a local historic district
- Identify grant opportunities to further preservation efforts in the community. This could include grants from History Colorado for the following activities:
 - Projects which promote preservation for resources associated with underrepresented communities
 - Additional historic surveys

- Preservation planning which would include preservation plans, survey plans, development of design guidelines, or resilience plans.
- Nomination of properties to the National, State, or local register

City Council Assistance

- Consider code amendments which advance goals of historic preservation in the community
- Consider nominations for potential local landmarks and local historic district with property owner buy-in.
- Provide support including providing possible matching funds for preservation related grant opportunities.

Illinois Historic Preservation Agency

Property tax assessment freeze:

Eight year duration

Change of use nullifies tax freeze

City of San Antonio TX

Property taxes frozen at pre-rehab valuation for 5 (then reduced 50%) or ten years

Eugene, OR

\$1000 grants for rehab

Loan Program

Historic Zoning

Conservation Easements

Florida State

Tax exemptions

County Grants

Facade improvement programs

Fort Collins, Colorado

State and Fed tax incentives

0% interest rehab loans

Design and application filing assistance

OTHER:

Transfer of Development Rights- TDRs

Zoning Variances

Low income and disabled access incentives

Requiring de-construction and re-use of buildings constructed prior to XXX

(an effort to keep materials out of landfills and make them more affordable)

An EPIC 1991 Overview on Preservation Incentives: Not much has changed

<https://www.thc.texas.gov/public/upload/publications/Education/Handout%201.%20Local%20Preservation%20Incentive%20Ideas.pdf>

Illinois Historic Preservation Agency

Applications for the Certificate must be submitted within two years of project completion. If the property is sold within the eight-year freeze period, or if its use changes from that of a single-family owner-occupied residence, the Certification will be revoked. Subsequent rehabilitation work must also meet the "Standards" or the Certificate will be revoked. The property owner is required to file an affidavit with the assessor each year verifying ownership and use.

Property Tax Assessment Freeze Program

The Property Tax Assessment Freeze Program provides tax incentives to owner-occupants of certified historic residences who rehabilitate their homes. Through the Property Tax Assessment Freeze Program the assessed valuation of the historic property is frozen for eight years at its level the year rehabilitation began. The valuation then is brought back to market level over a period of four years.

Benefits

The Property Tax Assessment Freeze Program benefits both the owner-occupant and the community by —

- encouraging landmark protection through the promotion, recognition, and designation of historic structures;
- increasing the value of the rehabilitated property;
- upgrading neighborhoods and housing within a community.

Provisions

To qualify for the Property Tax Assessment Freeze a property must —

- be a registered historic structure, either by listing on the National Register of Historic Places, or designated by an approved local historic preservation ordinance

- be used as a single-family, owner-occupied residence or condominium, or as a cooperative, or as an owner-occupied residential building with up to six units
- have at least 25% of the property's market value spent on an approved rehabilitation project
- be a substantial rehabilitation that significantly improves the condition of the historic building
- be rehabilitated in accordance with the Secretary of the Interior's "Standards for Rehabilitation"

Certification Procedure

Part 1: Contact the Illinois Historic Preservation Agency (IHPA)

- Contact the IHPA or your local landmark commission to determine if your property is a registered historic structure. Individual properties within historic districts will be certified as historic structures by the IHPA if it makes a positive contribution to the historic significance of the district.
- Determine the assessed valuation and market value (or fair cash value) of your property by contacting your assessment officer or by referring to your current property tax bill.

Part 2: Conditional Approval of Rehabilitation Plans

- Provide the IHPA with the proposed rehabilitation plans and photographs showing the condition of the building prior to initiating work. The IHPA

will determine if both the interior and exterior rehabilitation plans comply with the Secretary of Interior's "Standards for Rehabilitation."

- Once your preliminary plans are approved, proceed with the rehabilitation project. Contact the IHPA if there are changes made to the rehabilitation plans during the course of the project.

Part 3: Final Approval

- When the project is completed, forward to the IHPA photographs showing the completed work and documentation proving that 25% of the property's market value was spent on rehabilitation (paid bills, cancelled checks). With the exception of landscaping, appliances, and new construction (outside the historic building), any money spent on the physical rehabilitation of the property will qualify.
- Within 45 days of receipt of the complete and correctly drafted application, the IHPA will determine if the project meets all the program requirements, including the guidelines established by the Secretary of Interior's "Standards." If the project is approved, a Certificate of Rehabilitation will be issued.
- The Certificate of Rehabilitation is transmitted to the assessment officer and a copy forwarded to the property owner. The assessor then makes the necessary adjustments.

TAX EXEMPTIONS

PROGRAMS

RESOURCES

LOCAL TAX EXEMPTION FOR OWNER-OCCUPIED RESIDENCES IN NEW HISTORIC DISTRICTS

All residential properties occupied by the property owner in newly designated local historic districts at the time of designation receive a 20% exemption on their City property taxes for 10 years. The exemption can be extended for an additional five (5) years for a total of 15 years for owners who remain in the same house for the entire period of the exemption.

Owners of historic properties in San Antonio may be eligible for certain incentives for rehabilitation either through local or federal programs.

LOCAL TAX EXEMPTION FOR SUBSTANTIAL REHABILITATION

A tax exemption is available for designated local landmarks and properties within local historic districts that under go a substantial rehabilitation. Substantial rehabilitation includes improvements that extend the life of a building such as:

- Roof Work
- Foundation Work
- Siding Work
- Electrical
- Plumbing
- HVAC system work
- Other structural work
- Interior work.



Following substantial rehabilitation of residential properties, City property taxes are frozen at the assessed value prior to rehabilitation for up to 10 years. Substantially rehabilitated commercial properties are eligible for the 5 Zero/5 Fifty tax exemption: no City property taxes are owed for the first five (5) years, and for the next five (5) years the City property taxes are assessed at 50% of a post-rehabilitation appraisal after the 5th year. The tax exemption for substantial rehabilitation remains with the property regardless of change of ownership or sale of the property.

Note: City property taxes refers to the City of San Antonio line on your tax bill (Entity 21). Additional taxing agencies, such as SAISD, Bexar County, and the River Authority, are not affected by this City incentive.

Certain restrictions apply, and the tax exemption for Substantial Rehabilitation requires Certification by the Historic and Design Review Commission (HDRC) prior to project implementation or permit acquisition. Verification by the HDRC is also required upon completion of the work. After verification, the tax exemption will go into effect on January 1 of the following year. Copies of the Tax Certification and Verification forms are available on the [Application Portal page](#).

Contact Rachel Rettaliata of the Office of Historic Preservation for further details. See our [staff directory](#).

- [Step-by-Step Guide for Redeeming Substantial Exemptions \(PDF\)](#)
- [Fee Waivers Program \(PDF\)](#)
- [Local Tax Incentives Brochure \(PDF\)](#)
- [Local Tax Incentive Brochure SPANISH \(PDF\)](#)

Office of Historic Preservation

https://www.sanantonio.gov/Portals/0/Files/HistoricPreservation/Tax%20Workshop/Brochure-Tax%20Incentives%20english_20200226_.pdf?ver=2022-07-01-140548-097

Eugene, OR

Historic Property Restoration Grant

The City of Eugene offers a program that benefits owners of historically significant properties. Similar programs have been implemented in Salem and Albany - so far their programs have been very successful and well received by the community.

If you own a National Register property or a City Landmark, you could potentially receive an award of up to \$1,000 to make repairs or renovations to your structure. Awards shall be matched by the owner dollar-for-dollar. The process has three simple steps:

1. Fill out an [application](#) and submit to the City of Eugene Planning Division before the due date.
 - Electronic applications can be submitted by e-mail to [Althea Sullivan](#)
 - Hand written applications can be submitted at the City of Eugene Planning Division offices, located at 99 West 10th Avenue (the Atrium Building).
2. Applications will be reviewed by staff and the Historic Review Board - the top 5-10 applications will be selected and awarded the restoration grant.
3. The property owner then completes the repair/restoration project within 1 year. Award funds are distributed to property owner after the project is completed and inspected by City staff.

What types of projects can be awarded?

- Restoring integrity of historic buildings. This could include removing unoriginal/incompatible features and replacing them with features that would have been seen on the original structure.
- Replacing incompatible vinyl windows with original-style wood windows.
- Repair or replacement of deteriorated historic features such as stairs, railings, columns, porches, roofs, sidings, doors, chimneys, and other exterior features.
- Any painting project that increases the historic value of the structure.

FAQs

- [My property has historical significance but it is not listed as a City Landmark or on the National Register of Historic Places. Am I eligible for this grant?](#)
- [Why does the award require a dollar-for-dollar match from the property owner?](#)
- [If my project is not selected, can I apply again?](#)
- [If my project is selected, can I apply again during the next award cycle for a different project on the same property?](#)

[VIEW ALL](#)

Historic Loan Program (HLP)

The HLP provides financial assistance to owners of historic landmarks. Established in 1976 to support private investment in the restoration, rehabilitation, repair, and/or maintenance of historic properties, the HLP has benefited more than 70 Eugene properties and loaned over \$330,000.

Funds for this program are available through the City of Eugene. [Applications](#) are accepted and reviewed throughout the year. Approval of a loan request is determined in part by the availability of funds.

Eugene, OR, con't

application online here: <https://www.eugene-or.gov/DocumentCenter/View/27307/Historic-Restoration-Grant-Application-Form?bidId=>

Historic Zoning

The S-H Historic zoning designation is used selectively to help ensure the conservation of historic properties in Eugene. The S-H Historic overlay designation allows greater flexibility with allowable uses and development standards for the property, with a goal of finding a use that is compatible with the historic character of the property that will help ensure its continued productive use.

An example of this is a professional office in a historic house in a residential district where such an office would not normally be permitted. Before a property can receive the S-H Historic zoning designation it must first be designated as a city landmark or be listed in the National Register of Historic Places. Download the [Historic Designation Application](#).

Donating Conservation or Preservation Easements

A conservation easement or preservation easement donates certain specified rights over a portion of a historic property (i.e., a facade) to a qualified local, state or government entity who in turn ensures the preservation of that portion of the property. In Oregon, the [Historic Preservation League of Oregon \(HPLO\)](#) accepts and manages preservation easements. Qualified property must be listed in the National Register of Historic Places. For more information visit the [Restore Oregon Website](#) or the [Advisory Council on Historic Preservation](#).

Federal Grants

Limited federal grant funds are available for the preservation of buildings listed in the National Register. For more information on federal grants for historic preservation and the [federal tax incentive program](#), visit the [National Park Service \(NPS\) Heritage Preservation Service's page](#).

Tax Incentives for Rehabilitation

Owners of properties listed in the National Register may be eligible for a 20% investment tax credit for the certified rehabilitation of income-producing certified historic structures such as commercial, industrial or rental residential buildings. To find out more, visit the [federal page on tax incentives for preserving historic properties](#).

Project Costs	
Materials Budget: Click here to enter text.	Labor Budget: Click here to enter text.
Project Total: Click here to enter text.	
NOTE: Copies of materials receipts and contractor billing forms or invoices must be submitted.	
Grant Request	
Grant Request (up to 50% of project total; approval from Historic Review Board required for requests exceeding \$1,000): Click here to enter text.	
Does your project require a building permit? Yes ☐ No ☐	
Not sure? Call the Code Question Line at 541-682-5611, or visit the Building Department's help desk in the Atrium Building located Downtown Eugene at 99 W. 10th Avenue.	
Project Timeline	
Beginning Date: Click here to enter text.	Completion Date: Click here to enter text.
Project Evaluation	
Funding is limited and it is possible that not all projects will receive an award. Projects will be evaluated based on four primary criteria:	
1. Project Value – To what extent does the project improve the existing structure?	
2. Project Design – Is the design tasteful and consistent with the structure's original appearance?	
3. Project Feasibility – Is the project feasible given the proposed budget and timeline?	
4. Significance / Integrity of Existing Structure – Does the structure still have historical significance?	

Florida State constitution was amended to allow municipalities the option of offering ad valorem tax exemptions on improvements to historic properties. The purpose of providing this exemption was to stimulate the revitalization of historic properties and to ease the burden of maintaining these properties.

In September 1993, the City of Tampa adopted Ordinance #93-137 creating such a tax exemption. The properties which qualify for the exemption are those designated as local landmarks or as contributing properties in a local historic district. The Barrio Latino Commission (BLC) reviews applications for exemptions for those properties within the Ybor City Historic District. The Architectural Review Commission (ARC) reviews applications for exemptions for properties in any other locally designated historic district in the city and for any locally designated landmark in the city.

There are a number of tax incentives available to encourage the restoration and preservation of historic properties. Below you will find a *program overview* on the process of the Historic Preservation Ad Valorem Tax Exemption and...

<https://www.tampa.gov/historic-preservation/programs>

- [Historic Ad Valorem Tax Exemption Program Overview](#) (PDF)
- [Checklist](#)
- [Pre-Rehabilitation Instructions](#) (PDF)
- [Submittal Application and Part I-Pre-Rehabilitation Tax Application](#) (PDF)
- [Submittal Application and Part II-Post Rehabilitation Tax Application](#) (PDF)

Links to other tax incentive programs:

- [State of Florida Historic Preservation Grants](#)
- [Federal Historic Preservation Tax Credits](#)
- [Hillsborough County Historic Preservation Challenge Grant](#)
- [Community Redevelopment Agency \(CRA\) Facade Improvement Program](#) (PDF)

The brief incentive handout from San Antonio, TX is very concise and convincing. Favorite so far.

https://www.sanantonio.gov/Portals/0/Files/HistoricPreservation/Tax%20Workshop/Brochure-Tax%20Incentives%20english_20200226_.pdf?ver=2022-07-01-140548-097

Fort Collins, Colorado

Financial Incentives

Owning a historic building that is part of the community's history can be rewarding, but also comes with its own challenges and obligations. Owners of *designated* historic properties in Fort Collins are eligible for several financial incentives to help plan with the care and maintenance of the city's recognized treasures. If you own an historic building, or plan to acquire one in the future, check out the information below about the various tools you may be able to use to help preserve these pieces of history.

Please note that different historic designation levels (federal, state, or local) can result in access to different incentives, as outlined below. However, most of these programs use the [Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties](#) to determine what work is appropriate and qualifies for funding.

Tax Credits

Colorado State Tax Credits

A State Tax Credit for 20% of qualified expenses on historic properties.

- *Who qualifies:* Residential or commercial owners of *designated* historic properties (National Register, State Register, or Fort Collins Landmark, either individually or a contributing resource in a designated historic district.
- *What qualifies:* Interior and exterior work that meets the *Secretary of the Interior's Standards for Rehabilitation*.
- *Available Funding:* Costs must exceed \$5,000 but are capped at \$50,000 per property. Any unused credit may be carried forward ten years.
- *Where to Apply & Learn More:* History Colorado's [Office of Historic Preservation and Archaeology](#).

Federal Tax Credits

A Federal Tax Credit for 20% of qualified expenses on income-producing historic properties. This can be claimed in addition to the 20% State Tax Credit.

- *Who qualifies:* Owners of income-producing (commercial, office, rental residential, etc.) properties that are listed in the National Register of Historic Places either individually or a contributing resource in an historic district.
- *What qualifies:* Interior and exterior work that meets the *Secretary of the Interior's Standards for Rehabilitation*.
- *Available Funding:* Costs must meet the adjusted basis for the property, or a minimum of \$5,000 - there is no cap on the amount of credit that can be claimed. Any unused credit may be carried back one year, or forward twenty years.
- *Where to Apply & Learn More:* the [National Park Service](#).

Loans

Landmark Rehabilitation 0% Interest Loans

A City of Fort Collins matching loan program (1:1) for up to \$7,500 each year, for approved exterior work.

- *Who qualifies:* Owners of properties designated as a Fort Collins Historic Landmark (individual or contributing to a Landmark District).

Fort Collins, Colorado, con't

- *What qualifies:* Exterior work that meets the [Secretary of the Interior's Standards for Rehabilitation](#).
- *Available Funding:* \$7,500 in matching loans (applicant must match at 1:1) per year. Loans carry no interest but must be repaid at or before the point of sale to a new owner. Applications are competitive.
- *Where to Apply & Learn More:* City of Fort Collins [Historic Preservation Division](#).

Colorado Historic Foundation Loans

Below market, fixed-rate loans to complete work on, or acquire, designated historic properties.

- *Who qualifies:* Owners of, or prospective buyers of, designated historic properties (National Register, Colorado State Register, or City of Fort Collins Landmark), either individual or contributing to an historic district.
- *What qualifies:* Preservation projects that meet the *Secretary of the Interior's Standards for Treatment of Historic Properties*, or acquisition of historic properties.
- *Available Funding:* Varies - negotiable fixed interest rates generally at or below prime, with flexible repayment schedules and terms, generally up to five years.
- *Where to Apply & Learn More:* [Colorado Historical Fund](#)

Grants

State Historic Fund Grants

An assortment of competitive and non-competitive grants available for non-profit organizations and public (state or local) entities,

- *Who qualifies:* Non-profit organizations and public (state and local) entities, or private owners if a non-profit or public entity applies and administers the grant on their behalf.
- *What qualifies:* Historical research, historic resource survey, property specific or community-wide planning, preservation/rehabilitation of a *designated* historic resource, etc.
- *Available Funding:* Varies, up to \$200,000 per application. Up to \$10,000 for non-competitive grants.
- *Where to Apply & Learn More:* History Colorado's [State Historic Fund](#)

Technical Assistance

Design Assistance Program

City of Fort Collins grants up to \$2,000 to provide no-obligation consultations with select architects, preservation contractors, or structural engineers to provide expert advice on design and construction issues affecting historic buildings. [Read more...](#)

Free Assistance Preparing Applications

Preservation staff with the Historic Preservation Division is available to assist in preparing applications for the various financial programs.

Other Financial Programs

- [Downtown Development Authority's](#) facade funds
- [Community Development Block Grants \(CDBG\)](#)
- [Affordable Housing Tax Credits](#)

What can State or Local Historic Boards mandate?

Rehabilitation Tax Credit

Rehabilitation Tax Credit for Non-Historic Commercial Buildings Built Before XXX

Disabled Access Tax Credit

Property Tax Assessment Freeze Program

Preservation Easements

Investment Tax Credit for Low Income Housing

<https://www.dixongov.com/historic-preservation-docs/8.pdf>

From SavingPlaces.org

<https://forum.savingplaces.org/viewdocument/low-cost-local-incentives-for-histo>

Low-Cost Local Incentives for Historic Preservation

Regulatory Relief

Building and Seismic Codes

Zoning-Based Incentives

Transfer of Development Rights

Zoning Variances

Easements

Tax Incentives

For TDRs, Trasferable Development Rights, see

<https://forum.savingplaces.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=bad2b890-b69a-721b-5b3b-86fcc48d6eeb&forceDialog=0>



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Transportation Commission Joint Work Session

Action Requested: Transportation Commission Joint Work Session

Department: Engineering

Presented By: Ryan Gordon, Matthew Langhorst

Strategic Goals: Provide Efficient and Responsive City Government
Preserve and Improve Infrastructure

Background Info:

Issues: Annual joint work session between the Transportation Commission and City Council.

Fiscal Impact:

Legal Review:

Staff Recommendation:

City of Glenwood Springs Transportation Commission

June 27, 2023

to Glenwood Springs City Council

Thank you very much for the opportunity to discuss recent and ongoing efforts and recommendations, from the city's Transportation Commission. We present the following documents for your background reading, in anticipation of our July 6 work session with City Council.

- Work session agenda summary
- FY 2024 Long Range Transportation Plan recommendations
- Commission recommendations, bicycle-pedestrian Engineering Standards
- Transportation Commission Vision Statement

We look forward to a productive discussion, including the council's guidance and expectations for the commission's continuing service.

Ralph Trapani

Transportation Commission Chairman

City of Glenwood Springs Transportation Commission agenda for July 6, 2023 City Council work session

Summary, commission engagement in, support for transportation initiatives

Progress in transportation projects

- South Midland reconstruction
- 27th Street underpasses start
- 6&24 shared-use path design
- Meadows Mall streets repair
- South Blake Avenue resurfacing

Transportation demand management (TDM)

- Community engagement
- Renewed downtown parking enforcement
- City Engineering Standards, bicycle-pedestrian recommendations (to staff)
- Federal *Safe Streets and Roads for All* grant application, endorsement
- 6&24 shared-use path reconstruction, review and comments
- Blake Avenue Design Project, initial review
- Meadows Mall/West Midland, initial review and comments
- Bike-share potential expansion, initial comments

Topics for discussion and clarification

- Commission annual review and recommendations, *Long Range Transportation Plan 2015-2035*
 - Priority regional leadership projects
 - Priority programs and policies
 - Major transportation projects – policies and guidance
 - FY 2024 major projects priorities ranking
 - Anticipated priority projects – planning, design, cost estimates
- Transportation Demand Management
- Downtown parking enforcement and management
- Council expectations and assignments for commission
- Other topics, at council's pleasure

Related attachments

- commission FY 2024 recommendations, *Long Range Transportation Plan*
- commission recommendations, bicycle-pedestrian Engineering Standards
- commission vision statement

City of Glenwood Springs Transportation Commission
Long Range Transportation Plan
FY2024 annual update & recommendations to City Council

Priority Regional Leadership Projects

Transportation demand management (TDM)

- Local projects as regional models
- Multi-jurisdictional coordination and leadership
- Multi-modal options and improvements
- Regional transit address local needs and impacts
- Mitigate transportation impacts of major housing projects

South bridge

- Updated cost projections, and available funding
- Regional consensus and shared funding
- Mitigate local impacts
- Anticipate shifts in travel and growth patterns

RFTA/local governments collaboration

- Transit enhancements, convenience, and promotion
- Integrate regional and local transit
- Safe, convenient access to transit (routes and infrastructure)
- Mitigate local impacts of regional transit services and vehicles
- Bicycle and pedestrian travel and access enhancements
- Traffic safety improvements
- Bus rapid transit, community-engaged route selection
- Multi-modal continuity plan, West Glenwood park-and-ride to Blake Avenue (via West Midland Path, 8th, 7th)
- Prompt transition to electric-powered transit vehicles
- On-demand transit, special needs
- On-demand transit, general needs

Local transportation, priority programs and policies

Transportation demand management (TDM)

- Parking management, enforcement, incentives, and pricing
- Bicycle and pedestrian routes, safety and continuity
- Local shuttles on popular routes
- On-demand transit, special needs

- On-demand transit, general needs
- Public-private coordination, transportation alternatives for employees

Engineering design standards

- Bicycle and pedestrian updates and refinements
- General update for safety, durability, and cost-effective maintenance

Safe Streets initiative

- Prioritize local safety and convenience on regional travel routes
- Traffic-calming features
- Community-engaged design

Streets maintenance schedule

- Publish implementation schedule
- Include reliable maintenance schedule, bicycle and pedestrian facilities
- Include multi-modal facilities

Core-area gutters maintenance program

- Include cycles of parking controls
- Include annual repair and maintenance, bicycle lanes

Ride Glenwood Springs, rebrand and expand

- Frequency and hours to attract new riders
- Add routes for unserved and under-served neighborhoods
- Integrate with regional transit, local shuttles
- Prompt transition to electric-powered transit vehicles
- On-demand transit, special needs
- On-demand transit, general needs

Bike-share network

- Safe, practical stations and connection routes
- Serve homes and destinations
- Integrate with regional and local transit
- Maintain sustainable funding for broader bicycle & pedestrian network, facilities, and services

Major transportation projects – policies and guidance

- Include up-to-date cost estimate for each project
- Integrate all major projects in comprehensive planning, budgeting, funding sources, and implementation-schedules
 - new capital projects
 - major reconstruction/maintenance projects
 - development-related infrastructure

- reliable schedule for acute repairs and maintenance for motor, bicycle, and pedestrian features

FY-2024 project priorities ranking

#1 – 6&24 shared-use path reconstruction

- Base, drainage, concrete surface, separate from motor traffic
- Design cost estimate \$_____
- Construction cost estimate \$_____
- Completion timing estimate _____

#2 – 8th Street/Midland Avenue safety improvements

- 10-foot shared use path, Overlin Drive to Red Mountain Drive
- Add crosswalk signal across 8th, with slip lane traffic signal
- Redesign acceleration/slip lane
- Design cost estimate \$_____
- Construction cost estimate \$_____
- Sequence, timing estimate _____

#3 – Blake Avenue reconstruction, 13th-23rd streets

- Seek federal transportation alternatives funding
- Design cost estimate \$_____
- Construction cost estimate \$_____
- Sequence, timing estimate _____

#4 – Rectangular rapid flashing beacons (bicycle-pedestrian crossings)

- I-70 exit 114, westbound off-ramp
- 8th Street crosswalk at 7th Street
- Highway 6&24/Soccer Field Road (bus stop, school connection)
- Highway 6&24/County Road 135 (bus stop)
- Design cost estimate minimal
- Installation cost estimate, combined \$60,000 (\$15,000 each)
- Installation timing estimate _____

#5 – 6th Street reconfiguration (Olive-Maple)

- Incorporate North Landing features
- Anticipate bicycle-pedestrian continuity, Maple to Devereux
- Design cost estimate \$_____

- Construction cost estimate \$_____
- Completion timing estimate

Anticipated priority projects – planning, design, cost estimates

- Multi-modal continuity plan, West Glenwood park-and-ride to Blake Avenue (via West Midland Path, 8th, 7th)
- Bicycle-pedestrian master plan update
- West 8th Street reconstruction
- Blake Avenue reconstruction, 7th-13th streets
- Bicycle-pedestrian pavement-marking maintenance (crosswalks, bicycle lanes), with consistent annual implementation and funding plan
- Cooper Avenue redesign
- 7th Street reconstruction
- Soccer Field Road and Mel Ray Road schools, peak traffic management, bicycle and pedestrian safety improvements
- Safe routes to schools, improvements (consult with RE-1 schools)
- Glenwood Meadows/West Midland traffic plan, implementation sequence

Updating and clarifying city engineering design standards bicycle and pedestrian facilities

Approved by Transportation Commission, referred to city staff, April 2023

Summary

Crosswalks

Shall be white bars in piano-keys pattern, 24" marking bars, 1:1 ratio marking:clear pavement

Multiple-use, shared- use paths

Shall be installed to standards approved for original River Trail

- Minimum width 10 feet; select exceptions for short lengths
- Concrete surface, continuous pour, saw-cut joints, broom finish
- 5" thickness

Bicycle lanes

Shall be installed both sides of applicable street

Preferred width 6 feet; select exceptions

Do not use "sharrows"

Curb-cuts – intersections, crosswalks, refuge islands, driveways

Width shall match width of sidewalk or path accommodated

Smooth transit required

first presented to city council February 2021; revised slightly July 2022

City of Glenwood Springs, Transportation Commission

Vision Statement

The Transportation Commission strives to ensure its priorities at all times align with the Strategic Vision and Transportation Plan of the City of Glenwood Springs.

Relevant to transportation priorities, the City's *2020-2025 Strategic Vision* includes:

- *Maintaining Glenwood Springs' small-town character;*
- *Developing, constructing, repairing and maintaining high quality infrastructure;*
- *Improving the city's transportation system to meet growing needs for circulation, access, safety and transit;*
- *Ensuring accessibility to recreation facilities and amenities;*
- *Opposing any threats to livability and the environment of our community; and*
- *Supporting local businesses to enhance economic success.*

The City's *Long Range Transportation Plan's* strategic vision is to, *create a multi-modal transportation system that safely and efficiently moves people and goods, enhances the quality of life, promotes economic vitality and preserves the historic community character that is Glenwood Springs.*

The Transportation Commission prioritizes its efforts, evaluates development and transportation proposals submitted to it for comment, and proposes relevant implementation plans, all to further the following priorities:

- 1) Developing and maintaining a robust, integrated, safe, user-friendly transportation system for all modes of travel, serving the entire municipality of Glenwood Springs.
- 2) Reducing the impacts of commuter traffic on the resident individuals, businesses and cultural identity of Glenwood Springs.
- 3) Annually updating a proactive, equitable schedule for the repair, reconstruction, maintenance, signing and striping of existing streets.
- 4) Fostering and encouraging the use of emerging alternative mobility options including, but not limited to: cycling, e-bikes, electric vehicles, scooters, on-demand transit, ride-sharing, and efficient non-redundant bus & public transit options.
- 5) Encouraging the City's leadership in regional planning coordination efforts significant to the Roaring Fork and Grand Valley corridors.



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Parks and Recreation Month Proclamation

Action Requested: Presentation of the Proclamation

Department: City Administration

Presented By:

Strategic Goals:

Background Info:

Issues: NA

Fiscal Impact: NA

Legal Review: NA

Staff Recommendation: NA



A PROCLAMATION FOR PARKS AND RECREATION MONTH JULY 2023

WHEREAS parks and recreation promote health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promote time spent in nature, which positively impacts mental health by increasing cognitive performance and well-being; and

WHEREAS parks and recreation encourage physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS park and recreation programming and education activities, such as out- of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the City of Glenwood Springs recognizes the benefits derived from parks and recreation resources by building strong, vibrant, and resilient neighborhoods where no one is excluded and where everyone has the opportunity to thrive; and

WHEREAS we celebrate the honor bestowed upon the City's Parks and Recreation Department in being selected as the cover photo of the National Recreation and Parks Association (NRPA) July 2023 magazine, with an included article spotlighting "Where Community Grows and Thrives",

NOW, THEREFORE, I, Marco Dehm, Mayor Pro Tem of the City of Glenwood Springs, Colorado, do hereby proclaim that the month of July 2023 is recognized as Park and Recreation Month in the City of Glenwood Springs.

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 July, in the year 2023.

Marco Dehm, Mayor Pro Tem
City of Glenwood Springs



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: June 15, 2023 Council Minutes

Action Requested: June 15, 2023 City Council Minutes

Department: City Clerk

Presented By:

Strategic Goals: Provide Efficient and Responsive City Government

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



MINUTES
CITY OF GLENWOOD SPRINGS
REGULAR CITY COUNCIL MEETING
JUNE 15, 2023
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

Item 6. :03 Roll Call

Present: Mayor Wussow, Mayor Pro-Tem Dehm, Councilor Schachter, Councilor Kaup, Councilor Weimer, and Councilor Zalinski. Also present were; Beverli Marshall, City Manager; Joseph Deras, Chief of Police; Steve Boyd, Chief Operating Officer; Ryan Muse, City Clerk; Yvette Gustad, Finance Director; Matt Langhorst, Director of Public Works; Hannah Klausman, Director of Economic and Community Development; Karl Hanlon, City Attorney; and Sara Weigel, Executive Administrative Assistant.

Comments were made by Mayor Wussow.

Item 7. :04 Agenda changes and conflicts

None.

Item 8. :04 Council Announcements

Comments were made by Councilor Schachter.

Comments were made by Mayor Pro-Tem Dehm.

Comments were made by Mayor Wussow.

Comments were made by Councilor Kaup.

Item 9. :06 Citizens Appearing Before Council (for items not on the agenda-comments limited to 3 minutes)

None.

Item 10. :06 Consent Agenda

:06 Councilor Schachter moved, seconded by Councilor Kaup, to approve the Consent Agenda.

Motion passed unanimously.

Item 11. :07 27th Street Underpass Update

Ben Ludlow, Project Manager for RFTA presented.

Item 12. :11 State Proposition 123 Commitment Requirements

Hannah Klausman, Director of Economic and Community Development presented.

Comments were made by Councilor Kaup, Director of Economic and Community Development Hannah Klausman, Councilor Schachter, City Manager Beverli Marshall, Councilor Weimer, Mayor Pro-Tem Dehm, Mayor Wussow, Councilor Zalinski, and City Attorney Karl Hanlon.

:36 Mayor Wussow opened the item for public comment.

Public comment was taken.

:39 Mayor Wussow closed the item for public comment.

:39 Councilor Kaup moved, seconded by Councilor Zalinski, to direct staff draft a commitment letter to increase affordable housing in compliance with Proposition 123 for the City of Glenwood Springs and include how we will increase a combination of newly constructed units or conversion of existing units.

Motion passed unanimously.

Ordinance 2023-10; Code Amendments to Title 070 including Sections 070.040.080, 070.040.090 related to site and building design will be moved after Item 14: Ordinance 2023-09; Downtown Design Overlay.

Item 14. :41 Ordinance 2023-09; Downtown Design Overlay

Hannah Klausman, Director of Economic and Community Development and Danielle Campbell, Economic Development Specialist presented.

Comments were made by Councilor Kaup, Director of Economic and Community Development Hannah Klausman, Mayor Pro-Tem Dehm, City Attorney Karl Hanlon, Mayor Wussow, Councilor

Schachter, Economic Development Specialist Danielle Campbell, Councilor Weimer, and Councilor Zalinski.

1:14 Mayor Wussow opened the item for public comment.

Public Comment was taken.

1:29 Mayor Wussow closed the item for public comment.

Comments were made by Director of Economic and Community Development Hannah Klausman, Councilor Schachter, Councilor Zalinski, and Mayor Pro-Tem Dehm.

1:38 Mayor Pro-Tem Dehm moved, seconded by Councilor Weimer, to continue Ordinance 2023-09; Downtown Design Overlay for one more workshop for further discussion.

Comments were made by Mayor Wussow.

Motion passed unanimously.

Comments were made by City Attorney Karl Hanlon, Mayor Pro-Tem Dehm, and Mayor Wussow.

Item 13. 1:40 Ordinance 2023-10; Code Amendments to Title 070 including Sections 070.040.080, 070.040.090 related to site and building design.

Hannah Klausman, Director of Economic and Community Development presented.

Comments were made by Mayor Pro-Tem Dehm, Director of Economic and Community Development Hannah Klausman, Councilor Zalinski, City Attorney Karl Hanlon, Councilor Kaup, City Manager Beverli Marshall, Councilor Weimer, Mayor Wussow, and Councilor Schachter.

2:22 Mayor Wussow opened the item for public comment.

Public comment was taken.

2:25 Mayor Wussow closed the item for public comment.

2:26 Mayor Pro-Tem Dehm moved, seconded by Councilor Kaup, to approve the recommended code changes, recommended by PNZ, with the following changes: move the threshold from 40 to 20, from 80 to 60, and from 120 to 100, and move the 10% from the 3 bedroom or each bedroom type to 25% based on the 5 criteria that Director of Economic Development Hannah Klausman pointed out on page 3.

Councilor Kaup amended the motion to increase the 10% of the total dwelling units on variety of housing types #7 to 25%.

Comments were made by Councilor Schachter, Councilor Zalinski, Councilor Weimer, and Mayor Wussow.

Ayes: Zalinski, Wussow, Godes, Dehm, Kaup, Schachter

Nays: Weimer

Motion Passes 5-1

Council took a short recess.

Item 15. 2:38 Short Term Rental License Fee Review

Emery Ellingson, Community Development Planner II presented.

Comments were made by Mayor Pro-Tem Dehm, Community Development Planner II Emery Ellingson, Mayor Wussow, Councilor Kaup, Councilor Weimer, City Attorney Karl Hanlon, Councilor Zalinski, Councilor Schachter, and City Manager Beverli Marshall.

2:48 Mayor Wussow opened the item for public comment.

Public comment was made.

2:51 Mayor Wussow opened the item for public comment.

2:51 Mayor Pro-Tem Dehm moved, seconded by Councilor Zalinski, to approve staff recommendation to move the STR or the full house fees to 600 for the initial set up and 400 every 2 years thereafter and the ATR to 360 for the permit and 180 for renewals and to implement the CPI from there on out to adjust those rates.

Comments were made by Mayor Wussow.

Motion passed unanimously.

Item 16. 2:53 Council Comments

Comments were made by Councilor Schachter.

Comments were made by Councilor Kaup, Mayor Wussow, and City Manager Beverli Marshall.

Comments were made by Councilor Weimer, Mayor Wussow, City Attorney Karl Hanlon, and Councilor Kaup.

Comments were made by Mayor Pro-Tem Dehm.

Comments were made by Councilor Zalinski, Mayor Wussow, and City Manager Beverli Marshall.

Comments were made by Mayor Wussow.

Item 17. 3:03 Report from City Administration

Comments were made by City Manager Beverli Marshall, City Attorney Karl Hanlon, and Mayor Wussow.

Comments were made by City Attorney Karl Hanlon, Councilor Schachter, and Mayor Pro-Tem Dehm.

Item 18. 3:12 Executive Session: An executive session pursuant to Colorado Revised Statute 24-6-402(4)(b)(f)(I) regarding personnel matters which no employee has requested be in an open meeting; more specifically, the City Manager's Performance Objectives

3:12 Mayor Wussow moved, seconded by Councilor Kaup, to go into An executive session pursuant to Colorado Revised Statute 24-6-402(4)(b)(f)(I) regarding personnel matters which no employee has requested be in an open meeting; more specifically, the City Manager's Performance Objectives

Motion passed unanimously.

Item 19. 3:12 Adjournment

Mayor Wussow moved, seconded by Councilor Kaup, to adjourn after the Executive Session.

Motion passed unanimously.



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item:	Resolution 2023-21; Oil Sand Separator Log Form and Guidelines
Action Requested:	Approval of Resolution 2023-21; Oil Sand Separator Log Form and Guidelines
Department:	Public Works
Presented By:	Matthew Langhorst
Strategic Goals:	Preserve and Improve Infrastructure
Background Info:	The City implemented a Fats, Oils and Grease (FOG) maintenance log form and guidelines in 2020, and that program has improved the issues that FOG causes within the sanitary sewer collection system. Staff would like to complete the same implementation program for Sand/Oil Separators (SOS) that are on our collection system. SOS are below ground tanks designed to capture dirt, sand, sweepings, minor petroleum spills, etc. generally from vehicle maintenance facilities to keep these substances out of the wastewater system. The separator treats these wastes by allowing substances lighter than water (such as oil) to float and substances heavier than water (such as sand) to sink. Only the gray water between these two zones should flow to the wastewater system. If the sand/oil separators are not pumped frequently enough, the heavier dirt, sand, sweepings (sludge) and/or the lighter oil and grease will occupy too much space in the tank and be siphoned through the outlet pipe to the wastewater system. If the separator is not maintained properly, waste can also cause a blockage and/or odor problems and public health issues. The staff is asking owners of SOS systems to inspect and log their SOS inspections monthly to assure that it is pumped as needed to keep prohibited waste out of the City's wastewater system and the attached Forms and Guidelines will help them log that information, how to complete the inspections and why we need them to complete this work.
Issues:	None at this time.
Fiscal Impact:	Staff is already available to complete this work.
Legal Review:	Legal created the Resolution document.
Staff Recommendation:	Staff is Recommending Approval of Resolution 2023-21; Oil Sand Separator Form and Guidelines

Sand/Oil Separator Policy and Guidance

Sand/oil Separators are below ground tanks designed to capture dirt, sand, sweepings, minor petroleum spills, etc. from vehicle maintenance facilities to keep these substances out of the wastewater system. The separator treats these wastes by allowing substances lighter than water (such as oil) to float and substances heavier than water (such as sand) to sink.

Only the gray water between these two zones should flow to the wastewater system.

Why is maintenance needed?

If the sand/oil separators are not pumped frequently enough, the heavier dirt, sand, sweepings (sludge) and/or the lighter oil and grease will occupy too much space in the tank and be siphoned through the outlet pipe to the wastewater system. If the separator is not maintained properly, waste can also cause a blockage and/or odor problems and public health issues.

What are your responsibilities?

Inspect and log your sand/oil separator inspections monthly to assure that it is pumped as needed to keep prohibited waste out of the City's wastewater system. Refer to City of Glenwood Springs Municipal Code 080.030.030 for a list of prohibited discharges.

Immediately following pumping, make sure the "tee" on the outlet pipe of the sand/oil separator is present, is properly secured to the wall, to make sure the tank is not being bypassed. The primary purpose of the "tee" is to trap floating materials and keep them from exiting the tank.

Sand/oil separator maintenance records must be kept on site for at least three (3) years and shall be available upon request.

All cleanout of sand/oil separators must be performed by a contracted company. This company must be a reliable and trustworthy hauler authorized to pump out sand/oil separators and permitted to properly dispose of the waste.

The contracted company will be responsible for the collection and analysis of oily liquid from the separator. Typically, this involves using on-site qualitative procedures, and when those indicate that the tested materials may be classified as hazardous waste, a verification sample will be collected, and a verification test shall be performed by an accredited laboratory. Avoid using any chemicals that have hazardous characteristics.

When should the sand/oil separator be pumped?

Sand/oil separators are required to be pumped frequently (at least every 4 months unless a different pumping frequency has been allowed by the City of Glenwood Springs Inspector) to prevent the discharge of waste materials into the sanitary sewer system.

The separator must be cleaned when the total accumulation of surface oil and settled solids reaches twenty-five percent (25%) of the sand-oil separator's overall liquid depth. The chart below provides you with different vertical distances from the bottom of the outlet "tee" (same as water level) to the floor of the sand/oil separator. If the bottom of your outlet "tee" is 24 inches from the floor of the interceptor, then the bottom sludge layer or the floating

materials layer shall not occupy a depth within six (6) inches from the bottom of the “tee”.

Sand/Oil Separator Maintenance Chart

Water Level (inches)	24	36	42	48	54	60	66	72	inches
Max capacity (top & bottom) 25% (inches)	6	9	10.5	12	13.5	15	16.5	18	inches

*The amount of waste in the sand/oil interceptor can be determined by using a tape measure or long rod.

Remember: It could cost you more money in the long run to wait until the last minute to have your sand/oil separator pumped. Pumping it regularly to avoid potential damage to your system, facilities, or the local utilities wastewater collection system.

Recommended Best Management Practices (BMPs) to reduce pumping frequency.

- Don't wash spills into the sand/oil separator. Instead, use dry clean-up methods.
- Wash vehicles and engines less often.
- Filter solids out of the sand/oil separator using grates and screens over floor drains.
- Use reusable absorbent pads that absorb only floating oil and grease. Once saturated, squeeze the oil into your used oil drum.
- The use of any product that facilitates the bypass of the separator to the wastewater mainline is strictly prohibited.
- Post signage near floor drains to remind employees to follow BMP's.
- Chemicals should not be stored or used near the sand/oil separator's floor drains.
- Contain leaks or spills if it can be done so safely.
- Report any significant spill into the sanitary sewer to the City of Glenwood Springs Water/Wastewater Department immediately.

Inspection Program

The City of Glenwood Springs will inspect the initial installation of a sand oil separator and perform regular inspections, thereafter. New sand oil separators will be inspected 3 months after installation and every 6 months, thereafter. Should a facility have a history of non-compliance, more frequent observations will be performed. The City of Glenwood Springs will review maintenance records at the time of inspection, which are required to be stored on-site and available for review as noted above.

Owner Recordkeeping and Submittal Requirements

- Pumping intervals shall be adjusted, as necessary such that the sand oil separator has no more than 25% solids/grease at any one time.
- Maintain records on-site (not at corporate headquarters, etc.) of all maintenance and hauling activities for a minimum of three years.
- All sand oil separators and associated plumbing shall be installed by a licensed plumber or contractor.
- Maintenance records shall be submitted within 10 days after each service.
- Records shall be submitted to Lynne Springer Neighborhood Services Specialist, lynne.springer@cogs.us and Mike Hoffman Field Operations Superintendent, mike.hoffman@cogs.us

Policy Enforcement

- Owners that receive a failing inspection will be provided a copy of the inspection report. The inspection report will include instructions and a deadline for correcting the deficiency.
- Violations will be subject to City code 080.030.030(g).

MAINTENANCE LOG FOR SAND/OIL SEPERATOR

PLEASE WRITE CLEARLY

BUSINESS NAME _____ ADDRESS _____

LOCATION OF TRAP/INTERCEPTOR _____

(For example: In parking lot on northwest side of building)

DATE OF CLEANING OR INSPECTION?	NAME OF PERSON OR COMPANY WHO INSPECTED OR CLEANED UNIT?	APPROXIMATE GALLONS OF OIL & DEBRIS REMOVED? (IF CLEANED)	HOW WAS THE WASTE DISPOSED? (IF CLEANED)

MAKE ADDITIONAL COPIES AS NECESSARY

CERTIFICATION: I certify under penalty of law that the above information is true and accurate and complete to the best of my knowledge. I am aware that there are significant penalties for submitting false information including the possibility of fine and/or imprisonment for knowing violations.

Signature of Authorized Representative Title / Date

CERTIFICATION OF INSPECTION: I certify under penalty of law that the above indicated sand/oil trap/interceptor has been inspected on the above indicated date(s). The sand/oil trap/interceptor contains oil & debris which occupy less than 25% of the holding capacity of the trap/interceptor.

Signature of Authorized Representative Title / Date

Date of last cleaning Approx. inches of oil & debris

RESOLUTION 2023-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, ADOPTING
SAND, OIL SEPARATOR GUIDELINES AND AN
INSPECTION REPORT FORM.**

WHEREAS, Section 080.030.030 of the Glenwood Springs Municipal Code regulates the use of grease, oil, sand separators (“SOS”) for the proper handling of any liquid waste containing grease in excessive amounts or any flammable waste, sand, or other harmful ingredients into the City of Glenwood Springs wastewater system; and

WHEREAS, City staff recommends that City Council adopt SOS guidelines that set forth citizen’s responsibilities regarding the maintenance of SOS and record-keeping requirements and inspection procedures; and

WHEREAS, the Glenwood Springs City Council, after consideration of the SOS Guidelines attached as **Exhibit A**, desires to approve adoption of the same as well as the SOS Inspection Report form attached as **Exhibit B**.

**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 SOS Guidelines as set forth in **Exhibit A**, attached hereto, and the SOS Inspection Report form as set forth in **Exhibit B**, attached hereto, are hereby adopted and approved.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF JULY 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk

Sand/Oil Separator Policy and Guidance

Sand/oil Separators are below ground tanks designed to capture dirt, sand, sweepings, minor petroleum spills, etc. from vehicle maintenance facilities to keep these substances out of the wastewater system. The separator treats these wastes by allowing substances lighter than water (such as oil) to float and substances heavier than water (such as sand) to sink.

Only the gray water between these two zones should flow to the wastewater system.

Why is maintenance needed?

If the sand/oil separators are not pumped frequently enough, the heavier dirt, sand, sweepings (sludge) and/or the lighter oil and grease will occupy too much space in the tank and be siphoned through the outlet pipe to the wastewater system. If the separator is not maintained properly, waste can also cause a blockage and/or odor problems and public health issues.

What are your responsibilities?

Inspect and log your sand/oil separator inspections monthly to assure that it is pumped as needed to keep prohibited waste out of the City's wastewater system. Refer to City of Glenwood Springs Municipal Code 080.030.030 for a list of prohibited discharges.

Immediately following pumping, make sure the "tee" on the outlet pipe of the sand/oil separator is present, is properly secured to the wall, to make sure the tank is not being bypassed. The primary purpose of the "tee" is to trap floating materials and keep them from exiting the tank.

Sand/oil separator maintenance records must be kept on site for at least three (3) years and shall be available upon request.

All cleanout of sand/oil separators must be performed by a contracted company. This company must be a reliable and trustworthy hauler authorized to pump out sand/oil separators and permitted to properly dispose of the waste.

The contracted company will be responsible for the collection and analysis of oily liquid from the separator. Typically, this involves using on-site qualitative procedures, and when those indicate that the tested materials may be classified as hazardous waste, a verification sample will be collected, and a verification test shall be performed by an accredited laboratory. Avoid using any chemicals that have hazardous characteristics.

When should the sand/oil separator be pumped?

Sand/oil separators are required to be pumped frequently (at least every 4 months unless a different pumping frequency has been allowed by the City of Glenwood Springs Inspector) to prevent the discharge of waste materials into the sanitary sewer system.

The separator must be cleaned when the total accumulation of surface oil and settled solids reaches twenty-five percent (25%) of the sand-oil separator's overall liquid depth. The chart below provides you with different vertical distances from the bottom of the outlet "tee" (same as water level) to the floor of the sand/oil separator. If the bottom of your outlet "tee" is 24 inches from the floor of the interceptor, then the bottom sludge layer or the floating

materials layer shall not occupy a depth within six (6) inches from the bottom of the “tee”.

Sand/Oil Separator Maintenance Chart

Water Level (inches)	24	36	42	48	54	60	66	72	inches
Max capacity (top & bottom) 25% (inches)	6	9	10.5	12	13.5	15	16.5	18	inches

*The amount of waste in the sand/oil interceptor can be determined by using a tape measure or long rod.

Remember: It could cost you more money in the long run to wait until the last minute to have your sand/oil separator pumped. Pumping it regularly to avoid potential damage to your system, facilities, or the local utilities wastewater collection system.

Recommended Best Management Practices (BMPs) to reduce pumping frequency.

- Don't wash spills into the sand/oil separator. Instead, use dry clean-up methods.
- Wash vehicles and engines less often.
- Filter solids out of the sand/oil separator using grates and screens over floor drains.
- Use reusable absorbent pads that absorb only floating oil and grease. Once saturated, squeeze the oil into your used oil drum.
- The use of any product that facilitates the bypass of the separator to the wastewater mainline is strictly prohibited.
- Post signage near floor drains to remind employees to follow BMP's.
- Chemicals should not be stored or used near the sand/oil separator's floor drains.
- Contain leaks or spills if it can be done so safely.
- Report any significant spill into the sanitary sewer to the City of Glenwood Springs Water/Wastewater Department immediately.

Inspection Program

The City of Glenwood Springs will inspect the initial installation of a sand oil separator and perform regular inspections, thereafter. New sand oil separators will be inspected 3 months after installation and every 6 months, thereafter. Should a facility have a history of non-compliance, more frequent observations will be performed. The City of Glenwood Springs will review maintenance records at the time of inspection, which are required to be stored on-site and available for review as noted above.

Owner Recordkeeping and Submittal Requirements

- Pumping intervals shall be adjusted, as necessary such that the sand oil separator has no more than 25% solids/grease at any one time.
- Maintain records on-site (not at corporate headquarters, etc.) of all maintenance and hauling activities for a minimum of three years.
- All sand oil separators and associated plumbing shall be installed by a licensed plumber or contractor.
- Maintenance records shall be submitted within 10 days after each service.
- Records shall be submitted to Lynne Springer Neighborhood Services Specialist, lynne.springer@cogs.us and Matt Langhorst Public Works Director, matthew.langhorst@cogs.us

Policy Enforcement

- Owners that receive a failing inspection will be provided a copy of the inspection report. The inspection report will include instructions and a deadline for correcting the deficiency.
- Violations will be subject to City code 080.030.030(g).

MAINTENANCE LOG FOR SAND/OIL SEPERATOR

PLEASE WRITE CLEARLY

BUSINESS NAME _____ ADDRESS _____

LOCATION OF TRAP/INTERCEPTOR _____
(For example: In parking lot on northwest side of building)

DATE OF CLEANING OR INSPECTION?	NAME OF PERSON OR COMPANY WHO INSPECTED OR CLEANED UNIT?	APPROXIMATE GALLONS OF OIL & DEBRIS REMOVED? (IF CLEANED)	HOW WAS THE WASTE DISPOSED? (IF CLEANED)

MAKE ADDITIONAL COPIES AS NECESSARY

CERTIFICATION: I certify under penalty of law that the above information is true and accurate and complete to the best of my knowledge. I am aware that there are significant penalties for submitting false information including the possibility of fine and/or imprisonment for knowing violations.

Signature of Authorized Representative Title / Date

CERTIFICATION OF INSPECTION: I certify under penalty of law that the above indicated sand/oil trap/interceptor has been inspected on the above indicated date(s). The sand/oil trap/interceptor contains oil & debris which occupy less than 25% of the holding capacity of the trap/interceptor.

Signature of Authorized Representative Title / Date

Date of last cleaning Approx. inches of oil & debris



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Resolution 2023-22; Meadows Lift Station Impact Fee

Action Requested: Approval

Department: Attorney

Presented By: Karl Hanlon

Strategic Goals: Provide Efficient and Responsive City Government
Protect and Preserve our Quality of Life

Background Info: This impact fee collection and rembursement is part fo the development agreement for the BLD development in Glenwood Meadows to defray the developer's upfront contribution to lift station upgrades. See attorney memo for further details.

Issues:

Fiscal Impact:

Legal Review: Drafted by legal. See attached memo.

Staff Recommendation: Approval

Glenwood Springs – Main Office

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

Aspen

0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

DATE: June 29, 2023
TO: Glenwood Springs Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Ord. 12 - Emergency Disaster Services

The fee enacted by this resolution is required under the development agreement with Glenwood Land Holdings, LLC as part of the BLD project approvals. The developer is contributing \$475,000 – approximately 50% of anticipated costs – at the time of building permit issuance towards the necessary upgrade of the Midland Sewer lift station to an estimated capacity to serve all future development within Glenwood Meadows. As such, the City agreed to reimburse the developer through impact fees collected on future development within the Glenwood Meadows for a period of 20 years.

RESOLUTION 2023-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, SETTING CITY OF GLENWOOD SPRINGS MEADOWS LIFT STATION IMPACT FEES.

WHEREAS, City staff recommends, and City Council agrees, that setting Glenwood Springs rates addresses certain operational needs of the Utilities Department, the needs of the community, and the needs of the City; and

WHEREAS, the City and Glenwood Land Holdings, LLC (the “Developer”) entered into a development agreement governing the development of Lot 2 Glenwood Meadows Filing No. 7 recorded in the Garfield County Clerk and Recorder’s Office at Reception No. 983203 on February 1, 2023 (the “Development Agreement”); and

WHEREAS, the Development Agreement provided for the Developer to contribute a certain lump sum to the upgrade of the Midland Sewer lift station and for the City to collect and reimburse an impact fee in the amount set forth below therefor; and

WHEREAS, City Council finds that setting the fees for lift stations at Glenwood Meadows, as set forth in Section 2 below, 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 Glenwood Meadows lift station impact fees at the amount of \$814 per one (1) equivalent residential unit (“EQR”) to be collected for development in all Glenwood Meadows subdivision filings, including but not limited to Glenwood Meadows Filing No. 7, Lots 1 and 3.

Section 3. The effective date of the fees will be on the date that the Developer’s first building permit is issued.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item:	Resolution 2023-23; Community Broadband Rate Card Adjustment
Action Requested:	Approval of Resolution 2023-23; Community Broadband Rate Card Adjustment to add New Options/Rates to the Broadband Pricing
Department:	Public Works
Presented By:	Matthew Langhorst, Michael Gardner
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	Two years into the expansion of Fiber to the Home project, Community Broadband Network (CBN) would like to make the following changes to the existing rate sheets to best meet the needs of our customers, both commercial and residential. These changes are in alignment with bringing next-generation services to our community. CBN would like to add the following services to the rate cards: • 2.5G service at \$105 for Residential Service. This option will provide an even faster service for homes that have many people living in one household, for customers that game at home, or customers with a capacity need as they work from home. • 500Mbps at \$400 for Commercial Service for customers that need more speed for multiple employees. These changes reflect the needs and wants of the customers, as well as the input from the staff at CBN that interact with customers daily and understand their needs.
Issues:	None at this time.
Fiscal Impact:	None at this time.
Legal Review:	Legal generated the Resolutions.
Staff Recommendation:	Staff is Recommending Approval of Resolution 2023-23; Community Broadband Rate Card Adjustment to add New Options/Rates to the Broadband Pricing

RESOLUTION 2023 - 23

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, AMENDING
COMMUNITY BROADBAND NETWORK RATES FOR
RESIDENTIAL AND COMMERCIAL SERVICES.**

WHEREAS, the City of Glenwood Springs provides internet services to local residents and businesses through the Community Broadband Network (CBN); and

WHEREAS, City Council finds that it is necessary and appropriate to adjust the rates charged by CBN for residential and commercial services.

**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 CBN rates for residential services set forth on **Exhibit A** attached hereto and incorporated herein.

Section 3. The City Council of the City of Glenwood Springs hereby adopts the CBN rates for commercial services set forth on **Exhibit B** attached hereto and incorporated herein.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City of Glenwood Springs Residential Broadband Rates

High Speed Internet*:

25Mbps Tier (25mbps/25mpbs)	\$60
1Gbps Tier (1gbps/1gbps)	\$70
2.5Gbps**(2.5gbps/2.5gbps)	\$105
Wireless Gateway	\$10

Installation and Other Services:

Standard Install	\$50
Custom Install Hourly Rate	\$50
Custom Install Half-Hour Rate	\$25
Unwired Premises	\$100
Service Call – Customer Premise Issue	\$50
Change of Service – Technician	\$50
Change of Service – Electronic	Free
Additional Outlet – Initial Install	\$30
Relocate Outlet – Initial Install	\$20
Relocate Outlet – Separate Trip	\$20
NSF Check fee	\$25
Reactivation Fee	\$35
Unreturned equipment – Replacement Cost	
Paper Bill (E-bill is Free)	\$2

These rates apply to Services provided at a residence and used in a residential manner.

Service installation includes one outlet and one phone jack.

*Residential Internet Utilize a dynamic IP address.

**Availability is limited, please call to inquire



City of Glenwood Springs Commercial Broadband Rates

High Speed Internet*:

50Mbps Tier (50mbps/5mpbs)	\$70
100Mbps Tier (100mbps/20mbps)	\$105
250Mbps Tier (250mbps/50mbps)	\$200
500Mbps Tier (500mbps/100mbps)	\$400
1Gbps Tier (1gbps/500mbps)	\$600
Wireless Gateway (80211.ac)	\$10

Installation and Other Services:

Standard Install	\$50
Custom Install Hourly Rate	\$50
Custom Install Half-Hour Rate	\$25
Unwired Premises	\$100
Service Call – Customer Premise Issue	\$50
Change of Service – Technician	\$50
Change of Service – Electronic	Free
Additional Outlet – Initial Install	\$30
Relocate Outlet – Initial Install	\$20
Relocate Outlet – Separate Trip	\$20
NSF Check fee	\$25
Reactivation Fee	\$35
Unreturned equipment	Replacement Cost
Paper Bill (E-bill is Free)	\$2

*Internet Services includes 1 dynamic IP address.

Service installation includes one outlet.

Higher bandwidth internet access services are available on a customizable



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: River Commission Appointment

Action Requested: River Commission Appointment

Department: City Administration

Presented By: Sara Weigel

Strategic Goals: Provide Efficient and Responsive City Government
Protect and Preserve our Quality of Life
Ensure Public Safety

Background Info: **Councilor Weimer and Councilor Kaup Recommendation**
Appoint Trent Hyatt to the alternate seat with a term to expire March 2025.

Current Vacancy

One alternate seat with a term expiring March 2025.

Applicant

- Trent Hyatt, a city resident, served as the Staff Liaison to the River Commission during his employment with the City of Glenwood Springs until late 2022.

Composition of the River Commission

Seven (7) citizens, with one (1) alternate, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

Issues: None.

Fiscal Impact: None.

Legal Review: None.

Staff Recommendation: Staff defers to City Council.

020.020.020 Composition of boards and commissions.

The membership of boards and commissions shall be composed of the following persons:

- (1) *Local Liquor Licensing Authority.*
 - a. The Local Liquor Licensing Authority shall consist of a Hearing Officer appointed by the City Council by resolution and may be removed with or without cause by a majority vote of the City Council.
- (2) *Airport Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (3) *Building Board of Appeals.* The Planning and Zoning Commission shall act as the Building Board of Appeals whenever such a board is required by this Code, other ordinances of the City or State or Federal law.
- (4) *Finance Advisory Board:*
 - a. Seven (7) members of which at least six (6) are City residents. One (1) member shall be employed in the finance industry; one (1) member shall be employed by the tourism industry; and one (1) member may be a non-resident, but shall own or be employed by a business within the City.
- (5) *Parks and Recreation Commission.*
 - a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. Reserved.
 - d. One (1) youth (under the age of eighteen [18] at appointment) who shall serve a one-year term from June 1 to May 31 of the following year.
- (6) *Planning and Zoning Commission.*
 - a. Seven (7) citizens who are residents of the City.
- (7) *River Commission.*
 - a. Seven (7) citizens, with one (1) alternate, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (8) *Victim's and Witnesses Assistance and Law Enforcement Board.*
 - a. Five (5) citizens, at least four (4) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
 - b. Reserved.
 - c. The Chief of Police as an advisory member, but a nonvoting member of the Board.
- (9) *Transportation Commission.*

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- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (10) Reserved.
- (11) *Glenwood Springs Housing Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- Membership should reflect a broad representation of organizations and other entities which are related to housing, including but not limited to the financial community, the building and development community, the real estate industry, and organizations which support low-income residents of the community.
- (12) *Historic Preservation Commission.*
- a. Seven (7) citizens, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.
- (13) *Tourism Promotion Board.*
- a. Two (2) representatives from the tourism related businesses located within the City;
 - b. Two (2) representatives from the lodging businesses located within the City;
 - c. One (1) representative from the restaurant or retail businesses located within the City;
 - d. One (1) representative from the Glenwood Springs Chamber Resort Association; and
 - e. Three (3) citizens, at least two (2) who are residents of the City and that shall not have a direct or indirect financial interest in a business referenced in (a), (b) or (c) above and one (1) who is a resident that may have a financial interest in a business referenced in (a), (b) or (c) above.
- (14) *Arts and Culture Board.*
- a. Eight (8) members, at least five (5) of which are residents of the City, three (3) of which may reside outside of the City, and one (1) of which being a youth representative under the age of eighteen (18) or not having completed his or her final year of high school. Those representatives residing outside of the City must reside within the 81601 postal zip code area, own real property or a business within the City, or attend school within the City.
- (15) Council and Staff Participation on Boards and Commissions:
- a. The Mayor may appoint up to two (2) members of Council to act as a liaison between Council and a Board or Commission.
 - b. The City Manager may appoint a member of staff to assist a Board or Commission as necessary to fulfill their duties as provided for in 020.020.030.

(Code 1971 §§ 2-61, 4-75, 4-230, 15-2; 26-84 § 1; 19-89 § 1; 12-90 § 1; 54-90 § 1; 29-91 § 1; 10-93 § 1; 29-93 § 1; 7-94 § 1; 23-94 § 1; 10-95 § 1; 19-95 §§ 1, 2; 40-95 § 1; 28-97 § 1; 29-97 § 1; 1-01 § 1; 61-01 § 2; 14-03 § 1; 9-04 § 1; 20-05 § 2; 7-06 § 2; 13-06, § 2; 10-07 § 2; 6-08 § 2; 12-09 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 2-2016, § 2(Exh. A), 2-4-2016; Ord. No. 16-2017, § 3, 8-17-2017; Ord. No. 2-2018, § 2, 1-18-2018; Ord. No. 6-2018, § 2, 3-1-2018; Ord. No. 21-2018, § 2, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

020.020.030 Powers and duties of boards and commissions.

(a) *Local Liquor Licensing Authority.*

- (1) *Powers and duties of local liquor licensing authority.* The Local Liquor Licensing Authority shall have the powers granted to local licensing authorities pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (2) *Temporary permits.* The City Clerk is hereby delegated the authority to issue temporary fermented malt beverage permits to license transferees, as authorized by C.R.S. § 12-46-106.5, as amended, and temporary permits for any class of liquor license as authorized by C.R.S. § 12-47-106.5, as amended. Each temporary permit shall authorize the transferee to continue selling fermented malt beverages and other licensed beverages in accordance with state law during the period in which an application to transfer is pending. The City Clerk may issue the temporary permit if: (a) the premises shall have been previously licensed by the State and the license is valid at the time the application for transfer is filed; (b) the application appears to be in order, an application for transfer of the appropriate license has been filed, all fees have been paid, the initial background check has been successfully completed, and the fingerprint cards have been completed; and (c) the application for the temporary permit is filed no later than thirty (30) days after the filing of the application for transfer and associated fees paid. No temporary permit issued by the City Clerk shall be for a period greater than one hundred twenty (120) days from the date of its issuance.
- (3) *Wine tastings.* The Local Liquor Licensing Authority is authorized to issue annual wine tasting permits pursuant to C.R.S. § 12-47-301 with the following conditions: (a) All requirements of C.R.S. § 12-47-301 have been met; and (b) Payment of an annual application fee of one hundred dollars (\$100.00); and (c) No more than one hundred four (104) wine tastings may be held during the term of any permit issued pursuant to this section; and (d) Permit holders shall notify the City Clerk and Police Department at least seven (7) days prior to any wine tasting.
- (4) *Rules, policies and procedures.* The Local Liquor Licensing Authority shall adopt rules, policies and procedures for the implementation of its duties and powers as those have been granted pursuant to C.R.S. Title 12, Articles 46, 47, and 48, as amended.
- (5) *Report to city council.* The Local Liquor Licensing Authority shall be required to report on all actions taken with respect to the issuance of or control over liquor licenses within the City to the City Council. Reports shall be made in a timely fashion to the City Council.
- (6) *Appeal to city council.* Any decision of the Local Liquor Licensing Authority may be appealed to the City Council within ten (10) calendar days, or at the next regularly scheduled meeting. City Council shall have the authority to sustain, modify or overturn the decision of the Local Liquor Licensing Authority. In any event, the City Council shall direct the Local Liquor Licensing Authority to take a particular action. The Local Liquor Licensing Authority shall conform to the written direction of the City Council within ten (10) calendar days from the date of the written directive.
- (7) *Appeal to district court.* Any person applying to the District Court for review of a decision of the Local Liquor Licensing Authority shall apply for review within thirty (30) days of the decision of the Local Liquor Licensing Authority. The thirty-day period shall be inclusive of the appeal process to City Council as outlined in Subparagraph (5) above.

- (b) *Powers and Duties of Airport Board.* The powers and duties of the Airport Board shall be to investigate, study and report to the City Council all matters concerning the airport facilities of the City and other matters concerning the subject of aviation which may be pertinent to the City as shall be requested of the Airport Board by the City Council; and such Board may investigate, study and report to the City Council on such other matters concerning the Municipal Airport as the Board may deem for the best interests of the City.

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- (c) *Powers and Duties of Building Board of Appeals.* The powers and duties of the Building Board of Appeals shall be to hear appeals in accordance with the International Building Code, International Residential Code, International Fire Code, and the other adopted codes from the International Code Council, as adopted or amended by Title 060 of this Code. Such power shall not include matters of interpretation arising under the Code.
- (d) *Powers and Duties of Finance Advisory Board.* The Finance Advisory Board shall advise and assist the City Manager and Finance Director in the preparation of the City budget, the establishment of accounting systems for the City, the planning of expenses, the projection of revenues and the analysis of the other fiscal matters presented to the Board by the City Council. The Finance Advisory Board shall also be responsible for making recommendations to City Council regarding grants from the City's various grant programs as Council may establish from time to time. No decision of the Finance Advisory Board shall be binding upon the City or anyone acting on its behalf.
- (e) *Powers and duties of Parks and Recreation Commission.* The powers and duties of the Parks and Recreation Commission shall be:
- (1) To investigate, study and report to the City Council all matters concerning City parks and recreation within the City and other matters concerning the subject of parks and recreation which may be pertinent to the City and requested of such Commission by the City Council.
 - (2) To investigate, study and report to the City Council on such other matters concerning parks and recreation within the City as the Commission may deem in the best interests of the City.
 - (3) To provide technical assistance, advice and planning support to the Parks and Recreation Director and City Council regarding tree planting and maintenance needs in the City.
 - (4) To provide recommendations from time to time regarding the administration and implementation of Article 090.050 of this Code.
 - (5) To investigate, study and report to City Council all matters concerning the burial and internment facilities of the City and other such matters as may be requested by City Council from time to time.
 - (6) To investigate, study and report to City Council on such other matters concerning burial and internment facilities and such other similar matters as the Commission may deem in the best interests of the City.
 - (7) To investigate, study and report to City Council any and all matters concerning the use and operation of the City's Community Center.
 - (8) To coordinate with other City boards and commissions on any aspect of the Community Center that may relate to the powers and duties of such other boards and commissions.
 - (9) To investigate, study and report to City Council on grants, donations and other forms of funding to assist in the operation of the Community Center, and to otherwise advise City Council on budgetary needs related to the operation of the Community Center.
- (f) *Powers and duties of Planning and Zoning Commission.* The powers and duties of the Planning and Zoning Commission shall be:
- (1) To develop and recommend a master plan subject to the approval of the City Council and its environ in accordance with the provisions of this Code and the laws of the State.
 - (2) To recommend to the City Council boundaries of zone districts and regulations to be enforced therein, in accordance with the provisions of this Code and the laws of the State.

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- (3) To review proposals relating to subdivision, development and use of land and make decisions or recommendations on such proposals, in accordance with the procedures and provisions set forth in this Code.
 - (4) To hear and decide appeals wherein there is a question of interpretation of the zone district map, the master plan or related documents and similar questions as they may arise in the administration of this Code.
 - (5) The Planning and Zoning Commission shall have the duty and power to act on appeals with regard to matters arising from enforcement of provisions of Title 070 of this Code, including:
 - a. *Review of administrative decisions.* To hear and decide appeals where it is alleged there is error in any action, including any order, interpretation, requirement, decision or determination made by an administrative official of the city in the enforcement of Title 070 of this Code.
 - b. *Variances.* To hear and decide requests for variances from the zoning provisions and sign regulation provisions where there are unique, unnecessary and unreasonable hardships in the way of carrying out the strict letter of said provisions; and to hear and decide requests for variances to allow deviations from restrictions upon the construction and placement of buildings and other structures on site. Examples of such variances include, but are not limited to, modifications of minimum area requirements, building coverage and setback restrictions. Variances from permitted and special review uses in zone district text shall not be considered.
 - (6) To perform such other functions as required by the provisions of Title 070.
 - (7) To service as the Building Board of Appeals.
 - (g) *Powers and duties of River Commission.* The powers and duties of the River Commission shall be:
 - (1) To investigate, study, and report to the City Council any and all matters concerning the use, enjoyment, conservation of the, rivers and streams in the City and its environs and the open space adjacent thereto, including water quality issues, the protection of valuable riparian ecosystems, and water rights matters.
 - (2) To advise the City Council on public access to and use of rivers and streams in the City and the adjacent environs and maintain and update a map related thereto as necessary.
 - (3) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in the rivers or adjacent open space.
 - (4) To promote and celebrate riverfront cleanup efforts and public awareness of non-point source water pollution.
 - (5) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and improvement of the rivers and adjacent open space, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions.
 - (7) To coordinate with the Parks and Recreation Commission, Roaring Fork Conservancy, Middle Colorado Watershed Council, and other organizations, stakeholders groups, and property owners as is necessary to carry out the foregoing functions.
 - (8) At the request of City Council hold an annual work session with the City Council to review the actions taken by the River Commission regarding the foregoing functions and discuss future plans.
 - (h) *Powers and duties of the Victim's and Witnesses Assistance and Law Enforcement Board.*

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- (1) The Board shall designate one (1) of its members as chairman, shall establish rules of procedure and order and shall hold meetings as it might deem necessary.
 - (2) A surcharge equal to twenty-five (25) percent of the fine imposed for violation of all municipal ordinances, including ordinance violations under the Model Traffic Code, is hereby levied on each Municipal Court action resulting in a conviction, plea of guilty or no contest or in a deferred judgment and sentence, which municipal ordinance violation is charged pursuant to City ordinances. All calculated surcharge amounts resulting in dollars and cents shall be rounded to the nearest whole dollar. In the event a portion of the fine is suspended, the surcharge levied shall be computed based upon the original fine, regardless of whether a portion of said fine has been suspended. Said surcharges shall be paid to the Clerk of the Court by the defendant, and said Clerk shall deposit the money so received in the fund hereinafter created.
 - (3) The Victim's and Witnesses Assistance and Law Enforcement Fund, hereinafter referred to as the "Fund," consist of all monies paid as a surcharge as provided in Subsection (2) above. All monies deposited in the Fund shall be deposited in an interest-bearing account, and all interest earned by monies in the Fund shall be credited to the Fund. The City Manager, by and through the Finance Director, shall be responsible for establishing a separate fund for purposes of accounting for the revenues and expenditures. At the conclusion of each fiscal year, all monies remaining in the Fund shall remain in the Fund for allocation as hereinafter set forth.
 - (4) The Board shall disburse monies from the Fund in the following manner:
 - a. First, to the payment of all reasonable and necessary expenses and costs incurred by the Board in the performance of its duties, including but not limited to professional fees, office supplies and meeting expenses.
 - b. Second, not less than fifty (50) percent of the monies remaining in the Fund after the deduction of reasonable expenses and costs shall be allocated for the purchase of victims (and witnesses) services and reimbursements, as hereinafter set forth. No funds shall be paid except in those specific instances where a police report has been filed by the Police Department for an alleged violation of a municipal ordinance, regardless of whether the perpetrator has been identified, arrested or prosecuted.
 - c. Third, any remaining monies may be allocated to the Police Department for the following purposes, including, but not limited to: equipment purchases, training programs for personnel and the employment of additional personnel. Such funds shall not be used by the Police Department for defraying the costs of routine and ongoing operating expenses. No disbursement within this category of expenditure shall be made without the approval of the City Council following a written recommendation by the Board.
 - (5) Disbursement of funds by the Board on behalf of the victim's and witnesses assistance services may be used for the following purposes:
 - a. Provision of services for early crisis intervention;
 - b. Assistance in prompt return of victims' property;
 - c. Assistance to victims and witnesses in arranging transportation to and from court;
 - d. Provision of translator services;
 - e. Protection from threats of harm and other forms of intimidation;
 - f. Reasonable medical and hospital expenses and expenses incurred for dentures, eyeglasses, hearing aids or other prosthetic or medically necessary devices; and

-
- g. Losses resulting from property damage, including repair or replacement of property damaged as a result of crime or payment of the deductible amount on a residential insurance policy in an amount not to exceed five hundred dollars (\$500.00). Victims' recovery due to property damage shall not exceed five hundred dollars (\$500.00) for any crime, but in no case shall a loss be compensable if the aggregate property damages are less than twenty-five dollars (\$25.00).
 - (6) The Board is authorized to accept and evaluate all applications for disbursement of funds, whether emanating from victims, witnesses or law enforcement agencies. Applications for disbursement shall be made upon forms prescribed by the Board, and made available by the Municipal Court and the Police Department. The Board shall establish its own criteria for evaluating applications for disbursement, and nothing herein contained shall obligate the Board to make disbursement of any funds available to it. Upon a finding by the Board that a disbursement shall be made from the Fund, the Board shall submit a written request for payment to the Finance Department, which shall then remit payment in accordance with the request.
 - (7) The Board is required to submit minutes of its meetings to the City Council at the next regular Council meeting following the Board's meeting.
 - (i) *Powers and duties of Transportation Commission.* The powers and duties of the Transportation Commission shall be:
 - (1) To investigate, study and report to the City Council any and all matters concerning transportation issues which directly affect the City.
 - (2) To investigate, study and report to the City Council on other intergovernmental committees, boards or commissions working on transportation issues in the Tri-County (Pitkin, Garfield and Eagle) area.
 - (3) To meet with the City Council on an annual basis to identify which transportation issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the transportation needs of the City.
 - (5) To perform functions concerning oversight of transportation issues or functions as delegated by the City Council.
 - (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
 - (j) Reserved.
 - (k) *Powers and duties of Glenwood Springs Housing Commission.* The powers and duties of the Housing Commission shall be:
 - (1) To investigate, study and report to the City Council any and all matters concerning housing issues which directly affect the City, including the preparation of a Comprehensive Housing Affordability Strategy (CHAS).
 - (2) To assist City Council in defining the nature and scope of housing opportunities in the City.
 - (3) To meet with the City Council on an annual basis to identify which housing issues require priority attention.
 - (4) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in meeting the housing needs of the City.
 - (5) To perform functions concerning oversight of housing issues or functions as delegated by the City Council, including monitoring the implementation of activities as described in the CHAS.

-
- (6) To appoint subcommittees as necessary to carry out the foregoing functions subject to the approval of the City Council.
- (l) *Powers and duties of Historic Preservation Commission.* The powers and duties of the Historic Preservation Commission shall be:
- (1) To recommend to City Council methods for the protection and preservation of the City's historic and cultural heritage, including, but not limited to, the designation of historic landmarks and districts by appropriate regulations.
 - (2) To recommend to City Council methods for enhancing property values and the stabilization of historic neighborhoods.
 - (3) To recommend to City Council methods for increasing economic and financial benefits, including, but not limited to, City attractions.
 - (4) To provide educational opportunities to increase public appreciation of the City's unique heritage.
 - (5) To do any other tasks related to the historic preservation of resources in the community of Glenwood Springs.
- (m) *Powers and duties of Tourism Promotion Board.* The powers and duties of the Tourism Promotion Board shall be:
- (1) To investigate, study and report to the City Council:
 - a. All matters concerning tourism marketing and promotion that pertain to the benefit of Glenwood Springs and the area within the 81601 postal zip code; and
 - b. Other matters concerning the subject of tourism marketing and promotion which may be pertinent to the benefit of the City and the area within the 81601 postal zip code.
 - (2) To coordinate with City staff, community organizations, community businesses, and other boards and commissions, when applicable to efficiently market and promote tourism to the benefit of Glenwood Springs and the area within the 81601 postal zip code.
 - (3) To, at its discretion, and in addition to initiatives that directly market and promote features and attractions within the City and the area within the 81601 postal zip code, market and promote the geographical proximity of Glenwood Springs to other features and attractions outside of the 81601 postal zip code in ways that could reasonably be expected to benefit the City.
 - (4) To establish rules of procedure and order for the Board to follow.
 - (5) To review tourism marketing plans; to set tourism marketing goals, to determine the methods to accomplish and measure success in accomplishing those goals; to determine the appropriate staff and marketing contractor(s)/vendor(s) resources needed; to recommend to the City Council an annual tourism marketing budget; to recommend, to the City Council, award of contract(s) for the best candidate for contract staff and marketing contractor(s)/vendor(s), deemed necessary, based upon an approved Request for Proposal, Request for Qualification or other process; and to provide oversight of performance of contract staff and marketing vendor(s)/contractor(s) contract terms to ensure the efficient and effective implementation of the marketing goals and to report problems with performance to City Council.
 - (6) To meet with the City Council on an annual basis, or as often as requested by the City Council, to identify marketing priorities of the City.
 - (7) To complete all other duties as may be directed by City Council.
- (n) *Powers and duties of Arts and Culture Board.* The powers and duties of the Arts and Culture Board shall be:
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- (1) To promote awareness, access, and appreciation of the fine, performing, and practical arts for City residents and visitors.
 - (2) To advise the City Council in connection with all matters relating to the artistic and cultural development of the City.
 - (3) To provide opportunities for cultural and art experience and education for children and adults.
 - (4) To promote increased interaction and collaboration among artists, art-related organizations, and opportunities for growth and exposure.
 - (5) To promote knowledge and appreciation for cultural forms of artistic expression.
 - (6) To make recommendations to the City Council with respect to fundraising and annual budget appropriations for the arts.
 - (7) To advise and consult with local arts groups as requested by such groups or by the City Council.

(Code 1971 §§ 2-64.1, 2-2, 2-65[a], [b], 2-65.1, 4-78, 4-232, 4-155, 15-2; 26-84 § 3; 19-89 § 3; 12-90 § 1; 54-90 § 3; 39-91 § 3; 10-93 § 2; 29-93 § 3; 7-94 § 3; 17-94 § 1; 23-94 § 3; 10-95 § 3; 11-95; 19-95 § 3; 46-95 § 1; 55-95 § 1; 28-97 § 3; 29-97 § 5; 32-97 § 1; 42-00 § 1; 61-01 § 3, 4, 5; 61-02 § 4; 9-04 § 1; 20-04, § 1; 33-05, § 2; 7-06 § 3; 13-06, § 2; 6-08 § 2; 12-10 § 2; 2-12 § 2; Ord. No. 16-2017, § 4, 8-17-2017; Ord. No. 2-2018, § 3, 1-18-2018; Ord. No. 6-2018, § 3, 3-1-2018; Ord. No. 21-2018, § 3, 9-20-2018; Ord. No. 2-2021, § 2(Exh. A), 4-15-2021)

020.020.040 Appointment, removal, term and vacancies of boards and commissions.

- (a) *Appointment and term of members.* Except as otherwise provided, all appointments to the boards and commissions shall be by the City Council for terms of three (3) years each, and each member shall serve until his/her successor is appointed and takes office; provided, however, that the initial terms of office may be shortened by the City Council so as to provide overlapping terms of office. Appointments shall expire the day before the first regular meeting of the City Council in each month according to the following schedule:

- (1) February:
 - Planning and Zoning Commission;
 - Finance Advisory Board;
 - Tourism Promotion Board;
 - Building Board of Appeals.
- (2) March:
 - Transportation Commission;
 - Arts and Culture Board;
 - Parks and Recreation Commission;
 - Airport Board;
 - River Commission.
- (3) April:
 - Local Liquor Licensing Authority;
 - Victim's Witnesses Assistance and Law Enforcement Board;
 - Historic Preservation Commission;

Glenwood Springs Housing Commission.

- (b) *Alternate members.* The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.
- (c) *Limit to term of members.* No board member shall serve more than two (2) successive terms on the same board or commission.
- (d) *Removal of members.* All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.
- (e) *Vacancies.* The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018; Ord. No. 29-2020 , § 2, 1-7-2021)

[View results](#)

Respondent

9

Anonymous

13:25

Time to complete

River Commission Application

Thank you for your interest and time commitment in serving your community. Please complete all questions on this application.

Composition of the River Commission:

(as defined in Title 020 of the Glenwood Springs Municipal Code)

(7) River Commission.

- Seven (7) citizens, with one (1) alternate, at least six (6) who are residents of the City and one (1) who may reside outside of the City but within the 81601 zip code area or own real property or a business within the City.

Personal Information

1. Membership Qualifications *

You must qualify with one of the options below to be eligible to serve on the Housing Commission. Please select the option that applies to you.

- ☒ Resident of Glenwood Springs within city limits.
- ☐ Resident outside of Glenwood Springs city limits, but within the 81601 zip code.
- ☐ Owner of real property or a business within Glenwood Springs city limits.

2. Name *

Trent L. Hyatt

3. Home Address *



4. Mailing Address *

5. Home Phone *

6. Work Phone *

7. Mobile Phone *

8. Email Address *

9. Occupation *

Deputy Director of Community Development, Eagle County

Personal and Professional Interests

10. Why are you interested in serving on the River Commission? *

I served as staff liaison for the River Commission for approximately 7 years. Prior thereto, I was appointed to and served on a water quality related commission. Otherwise, I am passionate about water supply/quality and related issues.

11. What personal or professional experience do you have relative to the mission of the River Commission (see Powers and Duties attached)? *

As staff liaison, I coordinated/grew the annual river cleanup and navigated adoption of the City current riparian setback standard.

12. Do you actively participate in activities using the City's open spaces, trails or rivers? *

Yes, my family and I utilize City open space almost daily.

13. Have you previously served in any policy advisory capacity relative to natural resource protection? If so, state your role. *

Co-Chair of the Upper Clear Creek Watershed Association (UCCWA), 2015
Co-Vice Chair of UCCWA, 2014

14. What do you see as the role that rivers, trails and open spaces play in the character and function of the Glenwood Springs Community? *

Our rivers and trails resources are essential to the economic, physical, and phycological well being of the citizens of the City and the greater region.

15. Can you separate yourself from your personal opinions and represent the City's goals, policies, plans and the Glenwood Springs Municipal Code in an equitable fashion? *

Yes, I have had to do so in my professional career as a practicing planner the last 20 years.

16. What experience do you have working with people on a board, commission or committee? *

Stated above.

17. Are you able to attend a monthly meeting of the River Commission held at 7:30 a.m. on the first Wednesday of each month? *

☒ Yes

☐ No

18. Please select today's date. *

6/20/2023



19. Have you served on the River Commission before? *

☒ No

☐ Yes

Powers and Duties of the River Commission

(as defined in Title 020 of the Glenwood Springs Municipal Code)

(g) Powers and duties of River Commission.

The powers and duties of the River Commission shall be:

(1) To investigate, study, and report to the City Council any and all matters concerning the use, enjoyment, conservation of the, rivers and streams in the City and its environs and the open space adjacent thereto, including water quality issues, the protection of valuable riparian ecosystems, and water rights matters.

(2) To advise the City Council on public access to and use of rivers and streams in the City and the adjacent environs and maintain and update a map related thereto as necessary.

(3) To advise the City Council on the use of municipally owned property adjacent to the rivers and City construction projects in the rivers or adjacent open space.

(4) To promote and celebrate riverfront cleanup efforts and public awareness of non-point source water pollution.

(5) To investigate, study and report to the City Council on grants, donations and other forms of funding to assist in the acquisition and improvement of the rivers and adjacent open space, and to otherwise advise the City Council on budgetary needs related to preservation of open space and river improvement.

(6) To appoint subcommittees as necessary to carry out the foregoing functions.

(7) To coordinate with the Parks and Recreation Commission, Roaring Fork Conservancy, Middle Colorado Watershed Council, and other organizations, stakeholders groups, and property owners as is necessary to carry out the foregoing functions.

(8) At the request of City Council hold an annual work session with the City Council to review the actions taken by the River Commission regarding the foregoing functions and discuss future plans.

Appointment, Removal, Term and Vacancies of Boards and Commissions

(Per the Glenwood Springs, CO Municipal Code 020.020.040)

(a) Appointment and term of members. Except as otherwise provided, all appointments to the boards and commissions shall be by the City Council for terms of three (3) years each, and each member shall serve until his/her successor is appointed and takes office; provided, however, that the initial terms of office may be shortened by the City Council so as to provide overlapping terms of office. Appointments shall expire the day before the first regular meeting of the City Council in each month according to the following schedule:

March:

River Commission.

(b) Alternate members. The City Council at its discretion may appoint up to three (3) persons as alternate members for each board or commission. If a regular member of a board or commission is to be absent from a meeting, the presiding officer for the meeting may select an alternate member to fill such absence and to attend and serve at the meeting. The alternate member may exercise all powers at the meeting which the absent regular member could exercise, and the alternate's powers and privileges shall terminate at the end of the meeting attended. The presiding officer may at his/her discretion select the same alternate to serve at successive meetings in the absence of any member.

(c) Limit to term of members. No board member shall serve more than two (2) successive terms on the same board or commission.

(d) Removal of members. All appointed members of a board or commission shall be subject to removal, at any time, by the City Council. In the event an appointed member of a board or commission ceases to qualify for membership, his or her appointment is immediately terminated.

(e) Vacancies. The City Council shall fill all vacancies on boards and commissions by appointment for the unexpired term.

(Code 1971 §§ 2-63, 2-64, 2-67; 6-95 § 1; 10-07 § 2; Ord. No. 9-2018 , § 2, 4-20-2018)



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item:	Pay as You Throw Roll Out Information
Action Requested:	
Department:	City Administration
Presented By:	Bryana Starbuck
Strategic Goals:	Provide Efficient and Responsive City Government Preserve and Improve Infrastructure
Background Info:	Beginning in July, the City of Glenwood Springs will start enrollment for the city-wide residential trash and recycling collection program, Pay as You Throw (PAYT).

Reminders

- Residents should assess service level needs and enroll with a desired service level selection anytime from July 10 to August 4, 2023.
- Services are expected to begin in November and will be billed through the City of Glenwood Springs Finance Department and will appear on water bills.
- Customers who do not select a service level by August 4 will be enrolled at the default service level, the medium trash with medium recycling option.

Program Goals

- Reduce truck traffic on our streets
- Increase correct recycling
- Reduce the number of recyclables being thrown away
- Incentivize overall waste reduction

Choose the right size containers

"Pay as you throw" means the price of trash service will be based on how much trash you produce, if you reduce your trash you will save money. There are several size combinations, and options to meet your specific needs.

Monthly cost is based on the size of your trash bin. Recycling service every other week is included in the price. You can select any size for your recycling, but your recycling cart must be the same size or bigger than your trash cart. After services begin, residents will be able to change the size of service for free during the first two months.

How to Enroll (July 10 to August 4)

- Online at cogs.us/PAYT
- In person at City Hall

- Finance Desk, 101 W. 8th Street, 1st Floor
- Monday-Thursday: 7:30 AM to 5:30 PM
- Via phone at 970-384-6441
- At Pop-Up Events (more dates and times to be announced):
 - July 4, 6-8 p.m., Fourth of July Celebration, Two Rivers Park
 - July 18, 4-7 p.m., Market on 7th, Bethel Plaza/7th Street
 - July 22, 4-7 p.m., Latino Conservation Week Celebration, Two Rivers Park

Interested in helping get the word out with your neighbors? Volunteer to be a neighborhood captain and help with hanging door-to-door flyers! If you're interested, contact Bryana Starbuck at bryana.starbuck@cogs.us or call/text 970-930-1411.

Outreach Plan Highlights

Materials will be produced in both English and Spanish.

- Utility bill insert
- Postcard mailer
- Email and text alerts
- Neighborhood captains and door-to-door flyers
- Pop-up display at City Hall
- Pop-ups
- Facebook, NextDoor, Instagram, WhatsApp, Twitter posts and boosted content
- Digital Ads
- Ads in Post Independent, Aspen Daily and Sol del Valle
- Radio Ads
- Earned media

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Ordinance 2023-10; Code Amendments to Title 070 including Sections 070.040.080, 070.040.090 related to site and building design. Second Reading

Action Requested: Approval of Code Amendments to Title 070 Development Code.

Department: Economic and Community Development

Presented By: Hannah Klausman, Karl Hanlon

Strategic Goals: Protect and Preserve our Quality of Life

Background Info: Recent residential projects have illustrated that Section 070.040.080 Variety of Housing standards, may not be functioning as the Code intends. Staff is proposing possible changes to the Code to further the goals of the City as well as the intent of the site design standards.

Planning and Zoning Commission reviewed the Code Amendments at their regularly scheduled May 23, 2023 meeting and voted unanimously to recommend the amendments. Included in the amendments are sections of code that during implementation, staff has identified as needing clarification or modification.

City Council reviewed the Code Amendments at the June 15, 2023 meeting and made changes upon first reading for adoption.

Issues: Minimum Variety
Currently, the City's housing variety regulations apply to large development parcels of 3 acres or more and provide a list of five (5) housing categories to choose from to meet the requirements. Section 070.040.080(e)(3) reads as follows:

(3) *Variety of Housing Types.* Development parcels encompassing more than three (3) acres shall incorporate a minimum of two (2) housing types. Development parcels larger than six (6) acres shall incorporate a minimum of three (3) housing types. The following housing types may be used to satisfy these standards:

- a. Detached single-family dwellings;
- b. Accessory dwelling units;
- c. Two-family dwellings;
- d. Single-family townhouse dwellings; or
- e. Multi-family dwellings other than two-family or townhouse dwellings.

The application of this code allows for projects to provide minimal variety to meet the standard. For example, a project with 100 multifamily units could provide a single duplex to meet the standard as there is no minimum percentage for application. To avoid projects applying only the minimum amount, staff and Planning and Zoning Commission recommend changing the threshold to unit counts and including a base threshold of 10% of the total units if not identified specifically in the category.

The proposed unit count threshold would replace the acreage currently in place. City Council recommended implementing requirements at 20 units, then 40 units, and finally 80 units with tiered requirements, replacing Planning and Zoning Commissions recommendation for 40, 80, and 120 unit thresholds respectively. The proposed requirements are as follows:

Projects including 20 units would need to provide a minimum of two housing types.
Projects including 40 units would need to provide a minimum of three housing types.
Projects including 800 units would need to provide a minimum of four housing types.

Staff has included this language in Exhibit A, *Draft Code Amendments*, attached to this report.

Housing Types

In addition to changing the thresholds for application, the categories for Housing types also warrant review. The purpose section of 070.040.080 Residential Site and Building Design Code includes

"Encourage a variety of housing choices for Glenwood Springs Residents." With recent substantial increases in housing costs and availability, staff believes this purpose also applies to a variety of price and size choices for Glenwood Springs Residents. Staff and Planning and Zoning Commission reviewed and recommend the following additional housing types to be added as category options:

1. 100% of units are resident occupied as defined in the Glenwood Springs Housing Guidelines.
2. 70% of the total number of units deed restricted to an average of 100% Area Median Income.
3. Three different bedroom count configurations. Each bedroom type shall be a minimum of 10% of the total dwelling units.

Exceptions.

Staff has included an exemption for projects where 100% of the units are restricted to below 100% Area Median Income. Projects like this typically receive Low-Income Housing Tax Credits with affordability at or below 80% Area Median Income or are heavily subsidized by mission-driven non-profit organizations. Reducing barriers to these types of rare projects ensures deeper affordability for units being developed in Glenwood Springs. Staff has included an exception where projects meeting this criteria have waived or reduced requirements.

Fee In Lieu

Staff has also included a mechanism to pay a fee-in-lieu of providing the housing variety requirements. Fees-in-lieu of requirements is a common practice in development. The Municipal Code allows in-lieu payments for other items such as sidewalks, parkland dedication, and previously had a fee-in-lieu for the Inclusionary Housing requirements.

There are advantages and disadvantages to allowing payments in-lieu of code requirements. Some of those are detailed below for consideration.

Staff has included language that would dedicate funds received from a fee-in-lieu for housing variety to a specific fund for affordable and workforce housing including a buy-down program. These funds could bolster the recently passed housing fund from the 2C ballot measure in November 2022. The exact amount of the fee-in-lieu would be determined and adopted by City Council resolution pending approval of these proposed amendments.

Inclusionary Zoning

The housing type amendments are intended to coordinate and comply with the City's Inclusionary Housing requirements in Section 070.045 Community Housing Standards. Units in a development that are being deed restricted to meet 070.045 requirements can count towards the percentages of housing types and access incentives indicated in 070.045.080 Incentives for Community Housing Units.

Other Code Amendments

Staff has also included several other code amendments outside of the Housing Variety topic. In the process of applying the revised development code adopted in 2018, City staff discovered provisions that need clarification or modification relating to residential, nonresidential, and mixed-use site and building design. Those include the following:

Applicability

Both the residential and nonresidential mixed-use site and building design standards include applicability and exceptions that reference renovation and additions. Currently projects that propose under 50% addition to the existing floor area are not subject to design standards. Staff believes this was an oversight as a 50% increase in floor area can be quite substantial and without design requirements could result in noncompatible building additions. Staff has included language that lowers this threshold to 20%.

Lot Coverage

Lot coverage standards apply to infill development. The current language fails to address how vacant lots can develop if they are infill and only addressed existing development scenarios. Staff has added clarifying language to indicate the maximum lot coverage for vacant lots for infill residential at 50%, which matches other code requirements.

REVIEW CRITERIA AND STAFF ANALYSIS

A Code amendment is a legislative decision by the City Council with a recommendation from the Planning and Zoning Commission. Prior to approving a proposed Code amendment, City Council shall consider whether and to what extent the proposed amendment meets the following five criteria. Staff analysis is included after each criterion.

i. Is consistent with the Comprehensive Plan and other City policies;

The proposed amendment supports several goals and strategies identified in the Comprehensive Plan.

Those include:

- Promote long-term, sustainable, and diverse economic development
- Provide equitable and diverse housing for the entire community

- Support social diversity Strategies
- Promote Mixed-Use development
- Provide diversity in housing types

ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;

Staff believes the code changes are compatible with the Code as they expand on an existing requirement, and maintain the intent as stated.

iii. Is necessary to address a demonstrated community need;

The City's housing needs are detailed in a 2019 Regional Housing study that identified the need for approximately 2,000 units across all income levels. A variety of housing types and configurations is needed to address that shortfall.

iv. Is necessary to respond to substantial changes in conditions and/or policy;

The City of Glenwood Springs has seen an increase in large residential projects with homogenous housing types in the last five years. In order to provide better transparency to the development community and clarity of desired housing character in Glenwood Springs a code change is warranted.

v. Is consistent with the general purpose and intent of this Code.

The code amendments meet the stated intent of the residential building design standards and the general purpose of the Code.

Fiscal Impact:

The proposed amendments are likely to make development projects incur significant additional costs. The exact costs are unknown. Staff has created exemptions for projects that are receiving a heavy subsidy to produce affordable housing to ensure that affordable housing projects are not negatively impacted by these regulations.

Legal Review:

Legal drafted the code language parameters.

Staff Recommendation:

Staff and Planning and Zoning Commission recommend approval of the Code Amendments to Title 070, 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. Is 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.

ORDINANCE NO. 10

Series of 2023

AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AMENDING TITLE 070 SECTIONS 070.040.080, 070.040.090, 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 residential, nonresidential, and mixed-use site and building design; 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 housing variety standards; and

WHEREAS, recommended amendments to the development code to address the foregoing issues are set forth on **Exhibit A** attached hereto; and

WHEREAS, on May 23, 2023, 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 15TH DAY OF JUNE, 2023.

Ingrid Wussow, 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 _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk

Exhibit A

070.040.080 Residential Site and Building Design.

- (a) *Purpose.* This Section is intended to:
- (1) Promote high-quality residential development and construction;
 - (2) Protect the character of Glenwood Springs' established residential neighborhoods;
 - (3) Promote new residential developments that are distinctive, have character, and relate and connect to established neighborhoods;
 - (4) Encourage a variety of housing choices at varying affordability levels for Glenwood Springs residents;
 - (5) Provide variety and visual interest in the exterior design of residential buildings;
 - (6) Protect and enhance property values; and
 - (7) Enhance the residential streetscape and diminish the prominence of garages and parking areas.
- (b) *Applicability.*
- (1) *General.*
 - a. This Section shall apply to:
 1. Development, addition, or renovation, of any structure that will contain only residential uses, including single-family detached dwellings, two-family dwellings, single-family townhouse dwellings, and multi-family dwellings;
 2. An addition or renovation to an existing structure that will contain a residential use where the total gross floor area of the proposed addition is ~~fifty (50)~~ twenty (20) percent or more than that of the total gross floor area of the existing structure before addition or renovation; and
 3. Structures that are exclusively residential and are included as part of a multi-building mixed-use development.
 - b. In cases where building modifications are subject to these standards, only the modification shall be subject to compliance with this Section. For purposes of this standard, "modifications" shall not include routine maintenance and repair of a building, changes to signage, or general repairs to a surface parking area, changes to landscaping, or other features on the parcel. The Director shall determine if a modification shall be subject to these standards.
 - c. All standards in this Section 070.040.080 that apply to "multi-family" shall apply to multi-family dwellings and single-family townhouse dwellings.
 - (2) *Exceptions.* This Section shall not apply to the following:
 - a. Development of any structure that will contain a mix of nonresidential and residential uses (which are subject instead to Section 070.040.090, Nonresidential and Mixed-Use Site and Building Design), including live-work dwellings;
 - b. An addition or renovation project, where the total gross floor area of the proposed addition is less than ~~fifty (50)~~ twenty (20) percent of the total gross floor area of the existing structure before addition or renovation except for Subsections 070.040.080(d)(3) surface Parking Configuration Locations, 070.040.080(d)(4)Refuse Containers, 070.040.080(e)(5) Four-sided Design. , 070.040.080(e)(6) Building Materials;

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- c. Properties subject to the Hillside Development standards (Standards in Subsection 070.040.020(b) Hillside Development);
 - d. Subdivision or condominiumization of existing structures;
 - e. Properties subject to the Glenwood Meadows Annexation and Development Agreement; or
 - f. Accessory dwelling units (which are subject to the standards in Subsection 070.030.040(d)(1), Accessory Dwelling Units).
- (3) *Planned Unit Developments.*
- a. Development of a residential structure within any new Planned Unit Development established after the effective date of this Code shall be subject to this Section 070.040.080, unless alternative residential site and building design standards are adopted as part of the PUD approval that, in the determination of the Director, are at least equal to the standards set forth in this Section.
 - b. Development of a residential structure within an existing Planned Unit Development established prior to the effective date of this Code is exempt from this Section 070.040.080.
- (c) *Administration.*
- (1) *Alternative Equivalent Compliance.*
- a. *Purpose and Scope.* To encourage creative and unique design, "alternative equivalent compliance" allows development to occur in a manner that meets the intent of this Section, yet through an alternative design that does not strictly adhere to the Section's standards. This is not a general waiver of regulations. Rather, this authorizes a site-specific plan that is equal to or better than the strict application of the standard.
 - b. *Applicability.* The alternative equivalent compliance procedure is available only for the standards in Subsection 070.040.080(e), Residential Building Design and Character, and Subsection 070.040.080(e)(10), Supplemental Architectural Design Standards: Downtown Core.
 - c. *Alternative Equivalent Compliance Meeting Required.* An applicant proposing alternative equivalent compliance shall request and attend an alternative equivalent compliance meeting prior to submitting application materials for the applicable permit(s), to determine the preliminary response from the Director. Based on the response, the application shall include sufficient explanation and justification, in both written and graphic form, for the requested alternative compliance. The Director may require that the applicant provide additional drawings and/or material samples in order to better understand the need for the proposed alternative.
 - d. *Decision-Making Responsibility.* Final approval of any proposed alternative compliance shall be the responsibility of the decision-making body responsible for deciding upon the application. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.
 - e. *Criteria.* Alternative equivalent compliance may be approved if the applicant demonstrates that following criteria have been met by the proposed alternative:
 - 1. Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - 2. Advances the goals and policies of this Code to the same or better degree than the subject standard;
 - 3. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and

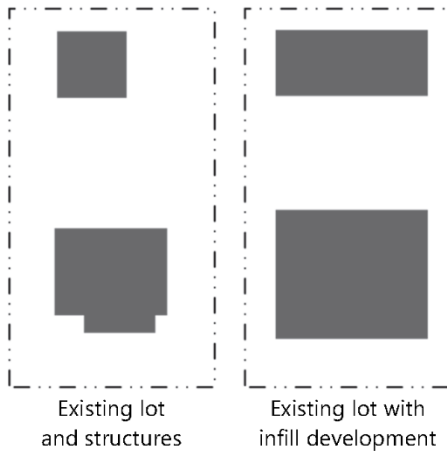
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- 4. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Code.
 - f. *Effect of Approval.* Alternative equivalent compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.
- (2) *Site/Architectural Plan Review Process.*
- a. Review for compliance with these standards shall occur at the time of site/architectural plan review. Where site/architectural plan review is not required, review for compliance with these standards shall occur prior to issuance of a building permit.
 - 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 Subsection 070.060.070(c), Appeals.
- (d) *Residential Site Design Standards.*
- (1) *General Intent.* These residential site design standards are generally intended to:
- a. Encourage the use of creative site planning and design techniques that complement Glenwood Springs' unique topographic features;
 - b. Protect the established character of the City's residential neighborhoods while allowing for the natural evolution of the City's neighborhoods through renovations, infill, and redevelopment;
 - c. Reinforce and continue to allow the variation in streetscape character found in Glenwood Springs' neighborhoods;
 - d. Protect the privacy and solar access of neighboring residents in areas where infill and redevelopment and higher-density development are likely to occur over time;
 - e. Promote a more compact and pedestrian-friendly pattern of residential development, especially in mixed-use areas and along travel corridors that have traditionally been occupied by auto-oriented commercial development; and
 - f. Reduce the visual impacts of surface parking on the City's street frontages.
- (2) *Dimensional Standards.*
- a. *Front Yard Setbacks.* For all residential development, front yard setbacks are based on the applicable zoning district and are set forth in Article 070.020: Zoning Districts.
 - b. *Side Yard Setbacks.*
 - 1. For all residential development, side yard setbacks for primary structures are based on the applicable zoning district and are set forth in Article 070.020: Zoning Districts.
 - 2. Side yard setbacks for garages and other buildings accessory to residential uses shall be a minimum of five (5) feet, provided the garage does not exceed one (1) story in height. A zero-foot side setback may be used to accommodate a common garage that is shared across a side lot line. Garages that exceed one (1) story in height shall comply with the setback applicable to primary structures.
 - c. *Rear Yard Setbacks.*
 - 1. For all residential development, rear yard setbacks are based on the applicable zoning district and are set forth in Article 070.020: Zoning Districts.
 - 2. An accessory structure ~~that does not include a living unit~~ may be located in a required rear yard setback, provided that not more than forty (40) percent of the rear yard setback area

is covered. Such building shall observe a minimum ten-foot setback from the rear lot line when such line abuts an alley, or a seven-and-one-half-foot setback where there is no alley.

d. *Lot Coverage.*

1. *Maximum Lot Coverage.* For infill residential development, maximum lot coverage shall be fifty (50) percent of the total lot area, or twenty-five (25) percent above the existing lot coverage, whichever is less. For vacant lots, maximum lot coverage shall be fifty (50) percent of the total lot area. (Figure 040-11: Maximum Lot Coverage Example Calculations)

Example A



Lot size: 6,000 sf

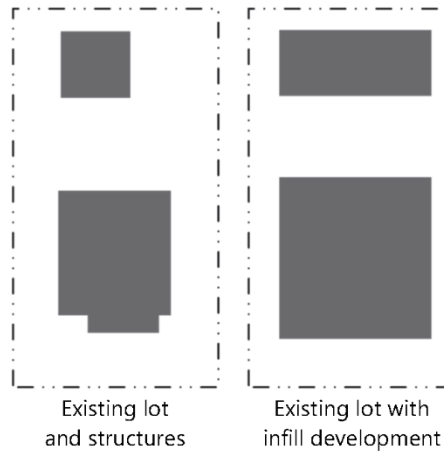
Existing lot coverage: $(1,250/6,000) = 21\%$

Allowable lot coverage: $21\% + 25\% = 46\%$

Allowable lot coverage in square feet:

$46\% \times 6,000\text{sf} = 2,800\text{ sf}$

Example B



Lot size: 6,000 sf

Existing lot coverage: $(1,850/6,000) = 30\%$

Allowable lot coverage: 50%

Allowable lot coverage in square feet:

$50\% \times 6,000\text{sf} = 3,000\text{sf}$

Figure 040-11: Maximum Lot Coverage Example Calculations

2. *Lot Coverage in Sensitive Areas.* In areas subject to Section 070.040.020, Sensitive Area Protection, lot coverage may be further limited by the establishment of limits of disturbance as required by Subsection 070.040.020(a)(4), Limits of Disturbance.

(3) *Surface Parking Configuration and Location.*

a. *Generally.*

1. For all residential development, off-street parking within the front yard setback (not including parking within a driveway) is prohibited.
2. For multi-building developments, surface parking lots shall be internalized in building groupings and located away from street frontages.

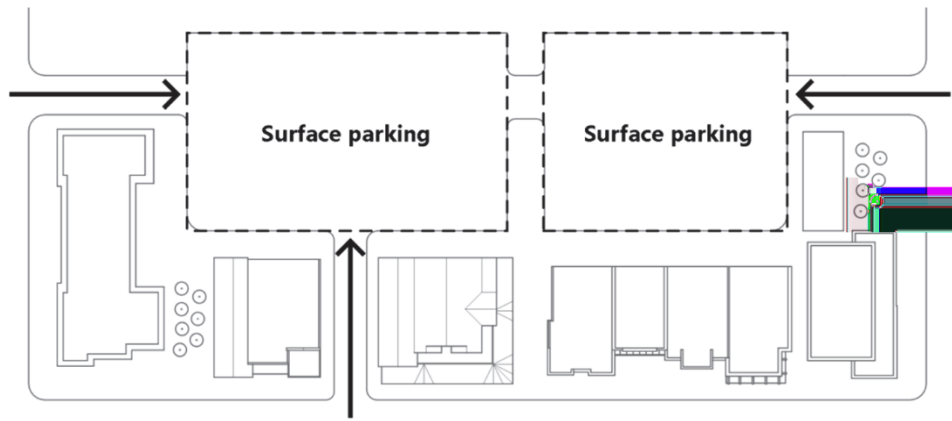


Figure 040-12: Surface Parking in Multi-Building Developments

3. No parking space shall be located closer than five (5) feet from a window or door of a habitable structure.
- b. *Additional Standards in the Downtown Core.*
 1. Established parallel or diagonal parking configurations along downtown residential streets, along with associated tree lawns, shall be maintained in new developments to help buffer automobile traffic and provide a safe environment for pedestrians on the sidewalk.
 2. Off-street parking areas that do not connect to an alley are prohibited within residential neighborhoods, in order to minimize disruption to the single-family character of the neighborhood.
 - i. If providing off-street parking is unavoidable for multi-family residential located in a residential neighborhood, it shall be located behind or to the side of the building.
 - ii. New curb cuts and off-street parking and driveways located in front yard setbacks compromise the residential character of the street frontage and are prohibited.
 3. Front-loading garages are inconsistent with the historic character of downtown residential neighborhoods and are prohibited. New garages shall be set back from the primary structure and accessed from an alley.
- (4) *Refuse Containers.*
 - a. *General.* Refuse containers shall comply with Article 100.010 of the Municipal Code.
 - b. *Design and Materials: Multi-family.* Dumpsters and refuse containers shall be located within the footprint of a building, or shall meet the following standards:
 1. Dumpsters and refuse containers shall be located on a non-porous surface and within a four-sided, opaque enclosure that completely screens the dumpster or container and accumulated trash.
 2. Enclosures shall be a maximum of six (6) feet in height and shall have gated access for the collection of waste materials.

-
3. Dumpster and refuse container enclosures shall incorporate compatible materials, colors, and architectural details that are compatible with the primary associated residential buildings.
 4. The use of chain-link fencing as screening is prohibited.
 - c. *Location: Multi-family.* Enclosures shall be located to minimize visual and impacts and odors on the primary street frontage and neighboring residents to the maximum extent feasible.
- (e) *Residential Building Design and Character.*
- (1) *General Intent.* These residential building design standards are generally intended to:
 - a. Promote context-sensitive infill and redevelopment that complements, rather than detracts, from the City's small-town character;
 - b. Avoid repetitive patterns of residential development;
 - c. Reinforce the diversity of architectural styles that exists within Glenwood Springs;
 - d. Increase the predictability of infill and redevelopment requirements and resulting development for residents and the development community;
 - e. Maximize the quality, value, and longevity of Glenwood Springs' neighborhoods through the use of durable materials that will minimize maintenance costs and improve the overall appearance of the development;
 - f. Ensure that the massing and height of infill and redevelopment are compatible with neighboring residential development; and
 - g. Reduce the visual impacts of street-oriented garages and promote a more pedestrian-friendly environment in Glenwood Springs' residential neighborhoods.
 - (2) *Building Orientation.*
 - a. *Single-Family and Duplex Residential.*
 1. The orientation of the primary entrance and façade of single-family and duplex residential dwellings shall be consistent with the established pattern along the block face.
 2. No single-family residential structure shall be sited diagonally or otherwise skewed on the lot.
 - b. *Multi-Family Residential.*
 1. All units with frontage along the primary street shall have an entrance that faces the street. Multi-family buildings located with multiple street frontages, as would be typical on a corner lot or with larger developments on corner lots, shall provide entrances to units along each street frontage.
 2. To the maximum extent feasible, the primary entrance and façade of individual buildings within a multi-family development shall be oriented towards:
 - i. Primary, internal or perimeter streets; or
 - ii. Common open space, such as interior courtyards, parks, or on-site natural areas or features with a clearly defined and easily accessible pedestrian circulation system. (Figure 040-13)

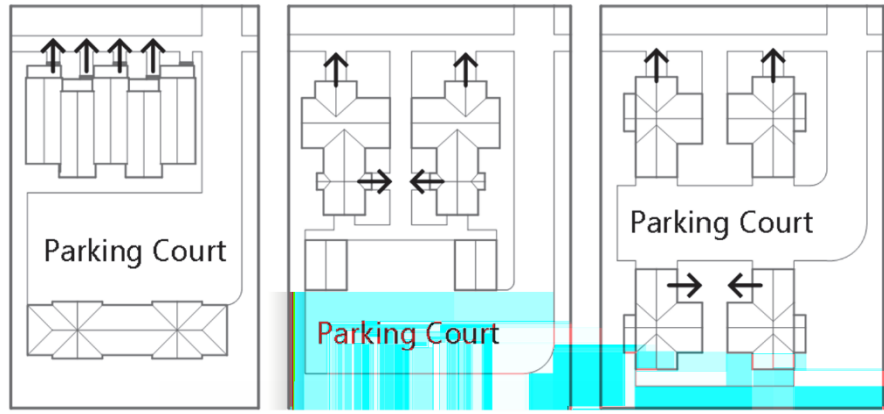


Figure 040-13: Building Orientation: Multi-Family

(3) *Variety of Housing Types.*

a. Development parcels encompassing projects including 20 or more units than three (3) acres shall incorporate a minimum of two (2) housing types. Development parcels larger than six (6) acres projects with 40 or more units shall incorporate a minimum of three (3) housing types. Development projects with 80 or more units shall incorporate a minimum of four (4) housing types. Each type must represent a minimum of 25% of the total dwelling units provided unless otherwise indicated in the category below. Where a fractional number results the number shall round up at .5 or higher. The following housing types may be used to satisfy these standards: Detached single-family dwellings;

- a. 1. Detached singly-family dwellings;
- b. 2. Accessory dwelling units;
- c. 3. Two-family dwellings;
- d. 4. Single-family townhouse dwellings; or
- e. 5. Multi-family dwellings other than two-family or townhouse dwellings.

6. Live-work units.

7. Inclusion of three different bedroom count configurations. Each bedroom type shall be a minimum of 10% of the total dwelling units.

8. 100% of units Deed Restricted for Resident Occupancy. Resident occupancy is defined in Glenwood Springs Community Housing Guidelines as adopted by City Council.

9. 70% of the total number of units deed restricted to an average of 100% Area Median Income.

b. Inclusionary Zoning. Developments required to provide deed-restricted units in compliance with Subsection 070.045 Community and Workforce Housing may count those units to meet the housing type percentages. Housing-type units are also applicable for incentives identified in Subsection 070.045.080 Incentives for Residential Developments.

c. Exceptions. Projects with 20 to 40 units where 100% of the units are restricted at or below 100% Area Median Income shall be exempt from item (3)a. Projects with more than 40 units where 100% of the units are restricted at or below 100% Area Median Income shall only be required to provide two (2) housing types.

d. Fee-In-Lieu of providing housing variety.

1. In lieu of providing the required housing variety in accordance with Subsection 070.040.080(e)(3), the developer may, with the approval of the City Council make a payment to the City in lieu of providing all or a portion of the required housing variety types.

2. The amount of such in-lieu payment shall be set by City Council resolution.

3. The City shall deposit any in-lieu fee into a special fund that shall be used only for the acquisition or development of affordable, or workforce housing, including buy-down acquisitions of market-rate units. These fees shall not be used for the general expenses of the City.

(Figure 040-14)



Figure 040-14: Variety of Housing Types

- (4) *Architectural Variety.* A continuous row of identical homes or multi-family buildings along a block is prohibited. Individual structures shall be differentiated through distinctions in the architectural features required in Subsection (5)c. below in combination with requirements for varied garage orientation in Subsection (9) below, Garages. (Figure 040-15) This provision is not intended to prohibit a row of attached townhouses, provided that each individual unit is architecturally distinguished from adjacent units through distinctions in the architectural features required in Subsection (5)c. below.



Figure 040-15: Architectural Variety

(5) *Four-Sided Design.*

- a. Although the front facade of a building is expected to be the primary focal point in terms of level of architectural character and features, all sides of a residential building shall incorporate architectural detailing that complements the front facade and provides visual interest. Blank walls void of architectural detailing are prohibited except where required by the fire code. (Figure 040-16)



Figure 040-16: Four-Sided Design

- b. For the purposes of satisfying this standard, a minimum number of the architectural features listed below shall be incorporated into the overall design on each side of the building.
 1. For each single-family residential structure, a minimum of three (3) different architectural features; and
 2. For each multi-family residential structure, a minimum of five (5) different architectural features.
- c. Architectural features appropriate for achieving the standard in Paragraph b. above may include:
 1. Covered porches;
 2. Balconies,

-
3. Prominent entry features;
 4. Windows;
 5. Door openings,
 6. Distinct variations in color (not a slight variation of a similar hue, such as beige or pastel);
 7. Variations in materials;
 8. Variations in building height;
 9. Variation in roof form;
 10. Dormers;
 11. Projected or recessed building walls; or
 12. Another architectural feature as approved by the Director.

(6) *Building Materials.*

a. *Primary Materials.*

1. Primary building materials shall be selected for their ability to withstand Glenwood Springs' variable mountain climate. Materials with demonstrated durability include, but are not limited to:
 - i. Brick;
 - ii. Stone;
 - iii. Cementitious siding products;
 - iv. Wood and log construction;
 - v. Cast concrete; or
 - vi. Other comparable materials as approved by the Director.
2. Exterior Insulation and Finish Systems (EIFS) shall not be utilized in high-traffic areas, such as at primary building entrances, where it may be easily damaged.

- b. *Accent Materials.* The creative use of accent building materials to provide variety and visual interest is encouraged.

(7) *Building Colors (Multi-Family Only).*

- a. The predominant exterior colors on multi-family buildings shall be earth tones to minimize the visual impact of these buildings.
- b. Darker accent colors shall be utilized on garage door surfaces to minimize their visual prominence.
- c. White or other highly reflective colors are prohibited.
- d. The use of bright or highly reflective metal finishes shall be limited to accent materials.

(8) *Transitions to Existing Residential.* Any new residential structure that will be located adjacent to an existing residential dwelling or residential zoning district shall comply with the standards in this Subsection, in addition to complying with all other general residential design standards above.

- a. *Minimization of Use Impacts.* New residential development shall be designed to minimize impacts on existing homes and the privacy of residents to the maximum extent feasible by:

1. Locating off-street surface parking lots, loading, and service areas away from a shared property line and screening them from neighboring residences;
 2. Locating sources of audible noise (e.g., heating and air conditioning units) away from building facades that face lower intensity uses;
 3. Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into neighboring homes; and
 4. Orienting porches, balconies, and other outdoor living spaces away from neighboring homes.
- b. *Height Transitions.* A new building with a height that exceeds that of an adjacent existing dwelling by one (1) story or more shall provide a transition using at least three (3) of the following techniques: (Figure 040-17)
1. "Stepping down" building height and mass along the shared property line to meet the height of the existing neighboring home along a minimum of fifty (50) percent of the new building's length. The "stepped-down" portion of the new building shall be a minimum of ten (10) feet in width and depth. This option is available only where the existing residential building is located along the property line adjacent to the new building;
 2. Providing variations in the side building wall and/or roof form so that new structures have a comparable scale as neighboring homes along the shared property line;
 3. Utilizing a roof pitch and overhang similar to that of the neighboring structures; and
 4. Utilizing dormers and sloping roofs to accommodate upper stories.

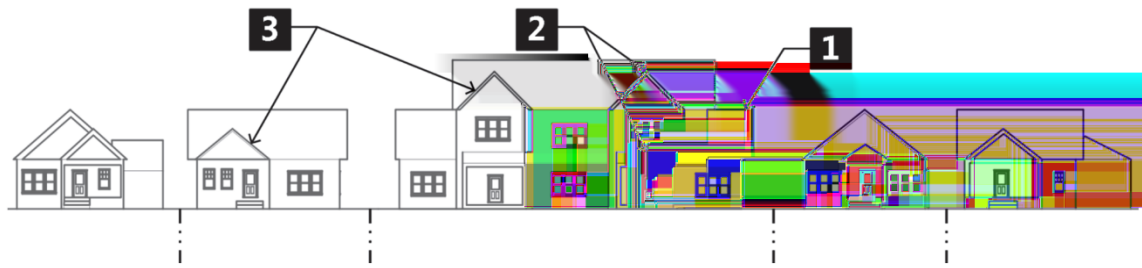


Figure 040-17: Height Transitions

- c. *Massing and Form: (Multi-Family Only).* Multi-family development located on a block face where more than seventy-five (75) percent of existing homes are single family shall employ one (1) or more of the following techniques to help reduce the overall bulk and mass of individual buildings and help maintain a lower-intensity residential character along the street frontage: (Figure 040-18)
1. Breaking up the mass of the multi-family building by stepping back the façade (minimum two (2) feet deep and one (1) foot feet wide) for every thirty (30) feet of building frontage, so that the building appears from the street to be separate homes;
 2. Organizing units around a central courtyard that maintains the impression of the traditional side yard setback between units along the street frontage; or
 3. Designing the multi-family building so that the massing, arrangement of architectural elements, and use of exterior materials gives the appearance of a large single-family home.



Figure 040-18: Massing and Form (Multi-Family Only)

(9) *Garages, Storage and Accessory Structures.*

- a. *Alley-oriented Garages.* Where an alley exists, new garages serving new residential development shall be located at the rear of the lot and accessed from the alley.
- b. *Street-oriented Garages.*
 1. For single-family residential dwellings, street-oriented garages shall not comprise more than fifty (50) percent of the front width of the front façade.
 2. For all residential development, garages that protrude towards the street in front of the primary façade of the structure are prohibited. All street-oriented garages shall be either: (Figure 040-19)
 - i. Recessed a minimum of ten (10) feet behind the front façade of the dwelling portion of the structure (including side-oriented garages) or a front porch or porte-cochere that is a minimum of five (5) feet deep by eight (8) feet long, or
 - ii. Recessed a minimum of two (2) feet beneath a second floor bay or balcony that extends the length of the garage door(s), roof overhang, or decorative roof element.
 3. Where attached garages are provided for multi-family dwellings, landscaped islands or peninsulas shall be provided between every two (2) units' garage doors unless the soils or geotechnical report does not permit landscaping near the foundation. Such islands or peninsulas shall have minimum dimensions of four (4) feet wide by ten (10) feet in length.
 4. Other garage configurations may be warranted by site constraints, such as topographic features and/or access limitations, and may be administratively approved as determined by the Director.



Figure 040-19: Street-Oriented Garages

c. *Additional Garage Standards for Multi-Family.*

1. *Garage Variety and Location.*

- i. Residential developments with five (5) or more units shall incorporate a variety of garage configurations (e.g., street-oriented, side-loaded, alley-loaded, tandem) to minimize the visual impact resulting from long, uninterrupted rows of garages.
- ii. For multi-building developments, garage entries shall be internalized in building groupings and located away from street frontages or accessed using an alley.

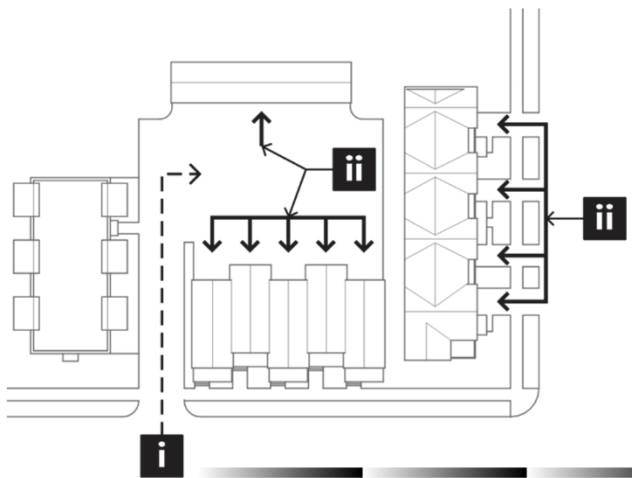


Figure 040-20: Garage Variety and Orientation

2. *Tuck-Under Garages.* Tuck-under garages for multi-family residential buildings shall be recessed a minimum of one (1) foot beneath a second floor bay or balcony that extends the length of the garage door(s).
3. *Free-standing Garage Structures.* Free-standing garage structures that have four (4) or more two-car garage bays and/or exceed ninety (90) feet in length shall incorporate one (1) or more of the following to break up their appearance and increase their functionality: (Figure 040-21)
 - i. Dwelling units above designated garage spaces;
 - ii. Storage facilities above designated garage spaces; or
 - iii. A 'green' or living roof on sites with varied topography, where:
 - a. Free-standing garage structures may be "tucked" into or are adjacent to a slope; or
 - b. Where roof surfaces are clearly visible from residences or a public right-of-way above.

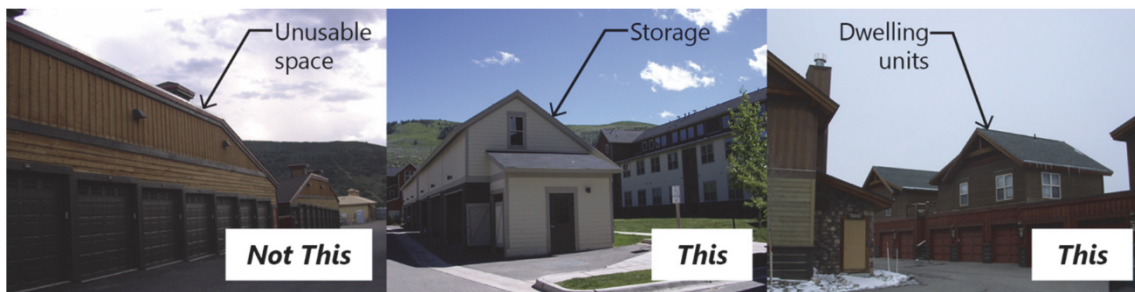


Figure 040-21: Free-Standing Garage Structures - Multi-Family

- d. *Other Accessory Buildings.* For multi-family development, free-standing garages and other accessory structures (including but not limited to grouped mailboxes, storage and maintenance facilities, recreational facilities, picnic shelters, and gazebos) shall incorporate materials, scale, colors, architectural details, and roof slopes that are compatible with the primary multi-family buildings, except that flat and shed roofs are prohibited.
 - e. *Storage Space.* Multi-family developments shall provide a minimum of one (1) cubic foot of enclosed storage space per three (3) square feet gross floor area per unit. Storage may be provided through one (1) or more of the following:
 1. Increased garage dimensions that allow for storage in front of parked vehicles;
 2. Storage units incorporated above detached garage structures or within the multi-family building;
 3. Storage closets within units, not including bedroom closets, kitchen cabinets, and food storage areas; or
 4. Detached storage buildings or sheds.
- (10) *Supplemental Architectural Design Standards: Downtown Core.* In addition to complying with the above standards that are generally applicable to all residential development, development of any residential structure in the Downtown Core shall comply with the following standards. For the purposes of evaluating the surrounding neighborhood context for these standards, consideration shall be given to

predominant characteristics of existing structures along the same block face of the subject application. Where any standards in this Subsection conflict with the standards generally applicable to all residential development, the standards in this Subsection shall control.

- a. *Building Height, Scale, Massing, and Form.* New structures and additions shall be simple rectangular forms similar to those found historically. A similarity of building forms contributes to the visual continuity of downtown residential neighborhoods. New structures shall maintain a similar lot coverage and width of existing homes along the same block face to respect the traditional single-family scale of downtown neighborhoods.
- b. *Building Additions.*
 1. Additions shall be distinguishable from the original building through subtle changes in material or construction techniques.
 2. Additions shall appear visually subordinate to the original building.
 3. When additions taller than the main building are necessary, they shall be set back from the front façade.
- c. *Architectural Details.*
 1. Projects shall incorporate architectural details compatible with the existing historic buildings in the surrounding neighborhoods.
 2. All elevations on new buildings shall be articulated with windows, insets and other architectural details compatible with the character of surrounding development.



Figure 040-22: Architectural Details

3. Solid walls without windows on any side of a structure are prohibited, except where required by the fire code.
4. Multi-family dwellings in the Downtown Core shall have the appearance of being a single-family dwelling, with similar structural proportions, window spacing, and decorative elements. Building fronts of new multi-family developments shall include articulations such as bays, insets and porches traditionally found on historic homes in the Downtown Core. For purposes of this Section, "historic homes" includes individual landmarks, contributing properties to designated historic districts, and properties that are eligible for listing in the National Register of Historic Places.
5. Roof forms shall appear similar to those seen traditionally in downtown neighborhoods (Figure 040-23).
 - i. Sloping roofs such as shed, gabled, and hipped roofs with a minimum roof pitch of 6:12 are appropriate roof forms.

-
- ii. Flat or mansard rooflines as a primary roof form detract from the neighborhood's visual continuity and shall not be used. The Director may consider exceptions for proposed new structures that will replicate historic styles such as Art Deco or Moderne, which have flat roofs.

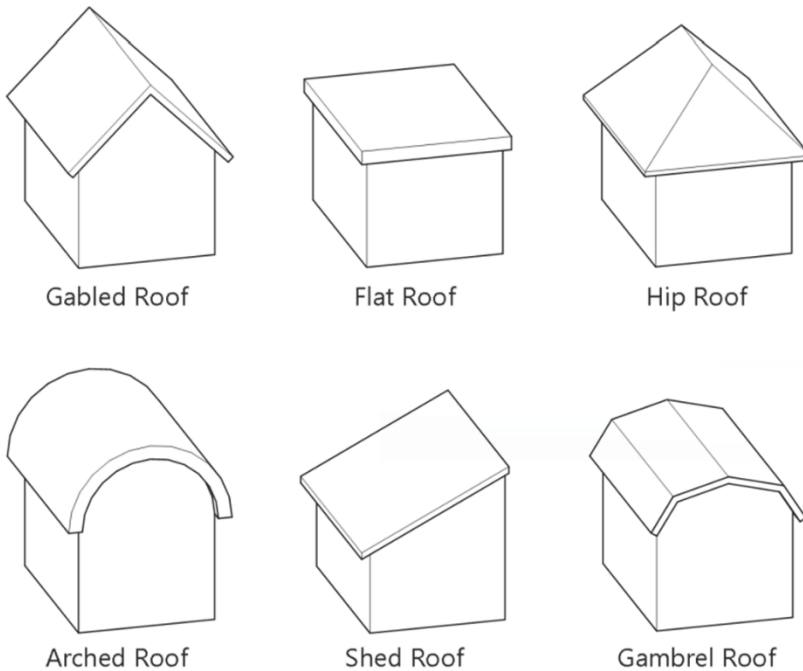


Figure 040-23: Roof Forms

d. *Building Materials.*

1. Exterior wall finishes for new buildings shall utilize building materials similar in scale, texture, and finish to those found on historic homes within the Downtown Core. New materials of similar scale, texture, and finish are also appropriate.
2. Horizontal clapboard siding or brick is appropriate for use in residential infill projects.
3. The use of decorative shingles shall be limited to use on dormers or in gables.

e. *Color.*

1. White, off-white, fluorescent, metallic, or other high-intensity colors are prohibited.
2. The use of bright or highly reflective metal finishes shall be limited to accent materials.

(Ord. No. 19-2018 , § 2(Exh. A), 8-2-2018; Ord. No. 8-2020 , § 2(Exh. A), 5-7-2020; Ord. No. 15-2020 , § 2(Exh. A), 7-2-2020; Ord. No. 3-2021 , § 2(Exh. A), 5-20-2021)

...

070.040.090 Nonresidential and Mixed-Use Site and Building Design.

(a) *Purpose.* This Section is intended to promote high-quality building design and is intended to:

- (1) Protect and enhance the visual interest, character, and quality of nonresidential and mixed-use areas;

-
- (2) Ensure compatibility between residential neighborhoods and adjacent commercial and mixed-use areas;
 - (3) Mitigate negative impacts created by the scale and bulk of large buildings;
 - (4) Promote an environment that is friendly toward multiple modes of transportation and accommodates varying ages and abilities; and
 - (5) Protect and enhance property values and encourage further investment and reinvestment.
- (b) *Applicability.*
- (1) *General Applicability.* This Section shall apply to the following:
 - a. Development of any structure that will contain a nonresidential use or a mix of nonresidential and residential uses; and
 - b. An addition or renovation to an existing structure that will contain a nonresidential use where the total gross floor area of the proposed addition is ~~fifty (50)~~ twenty (20) percent or more than that of the total gross floor area of the existing structure before addition or renovation. In cases where modifications are subject to these standards, only the modification shall be subject to compliance with this Section. For purposes of this standard, "modifications" shall not include routine maintenance and repair of a building, changes to signage, or general repairs to a surface parking area, changes to landscaping, or other features on the parcel. The Director shall determine if a modification shall be subject to these standards.
 - (2) *Exemptions.* This Section shall not apply to the following:
 - a. An addition or renovation project to an existing structure that will contain a nonresidential use where the total gross floor area of the proposed addition is less than ~~fifty (50)~~ twenty (20) percent of the total gross floor area of the existing structure before addition or renovation; and
 - b. Properties subject to the Glenwood Meadows Annexation and Development Agreement.
 - (3) *Special Review Uses.* All nonresidential special review uses located within the zone districts enumerated in Article 070.030: Use Regulations, shall comply with this Section 070.040.090, in addition to any special review use performance standards of the applicable zone district, and the general special review approval criteria in Subsection 070.060.050(e)(3)e.2.
 - (4) *Planned Unit Developments.*
 - a. Development of a nonresidential or mixed-use structure within any new Planned Unit Development established after the effective date of this Code shall be subject to this Section, unless alternative nonresidential/mixed-use site and building design standards are adopted as part of the PUD approval that, in the determination of the Director, are at least equal to the standards set forth in this Section.
 - b. Development of a residential structure within an existing Planned Unit Development established prior to the effective date of this Code is exempt from this Section.
- (c) *Administration.*
- (1) *Site/Architectural Plan Review Process.*
 - a. Review for compliance with these standards shall occur at the time of site/architectural plan review. Where site/architectural plan review is not required, review for compliance with these standards shall occur prior to issuance of a building permit.

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- 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 Subsection 070.060.070(c), Appeals.
- (2) *Alternative Equivalent Compliance.*
- a. *Purpose and Scope.* To encourage creative and unique design, "alternative equivalent compliance" allows development to occur in a manner that meets the intent of this Section, yet through an alternative design that does not strictly adhere to the Section's standards. This is not a general waiver of regulations. Rather, this authorizes a site-specific plan that is equal to or better than the strict application of the standard.
 - b. *Applicability.* The alternative equivalent compliance procedure is available only for the standards in Section 070.040.090, Nonresidential and Mixed-Use Site and Building Design.
 - c. *Alternative Equivalent Compliance Meeting Required.* An applicant proposing alternative equivalent compliance shall request and attend an alternative equivalent compliance meeting prior to submitting application materials for the applicable permit(s), to determine the preliminary response from the Director. Based on the response, the application shall include sufficient explanation and justification, in both written and graphic form, for the requested alternative compliance. The Director may require that the applicant provide additional drawings and/or material samples in order to better understand the need for the proposed alternative.
 - d. *Decision-Making Responsibility.* Final approval of any proposed alternative compliance shall be the responsibility of the decision-making body responsible for deciding upon the application. Administratively approved projects proposing alternative compliance shall receive written approval of the alternative compliance from the Director.
 - e. *Criteria.* Alternative equivalent compliance may be approved if the applicant demonstrates that following criteria have been met by the proposed alternative:
 - 1. Achieves the intent of the subject standard to the same or better degree than the subject standard;
 - 2. Advances the goals and policies of this Code to the same or better degree than the subject standard;
 - 3. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
 - 4. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Code.
 - f. *Effect of Approval.* Alternative equivalent compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.
- (d) *Nonresidential and Mixed-Use Site Design Standards.*
- (1) *General Intent.* The general intent of these site design standards is to:
- a. Ensure development relates to the physical characteristics of the site;
 - b. Ensure building scale, orientation, and design relates to the surrounding uses and streets, and creates a cohesive visual identity and an attractive street scene;
 - c. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns, and create a high-quality pedestrian environment;

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- d. Promote design environments built to "human scale," which means that buildings and objects are designed in size and shape to be optimized for pedestrian use;
 - e. Ensure delivery, trash, and loading facilities are located so as not to impede regular vehicular and pedestrian circulation and access routes; and
 - f. Ensure safe and efficient access between buildings and parking areas.
- (2) *Building Organization and Location.*
- a. *Building Orientation.* Buildings shall be sited parallel to public rights-of-way, to the maximum extent practicable.
 - b. *Climatic Conditions.* Local climatic conditions shall be considered when designing the orientation of new buildings. For example, north-facing facades are especially susceptible to winter snow and ice accumulation, and entries may require special treatment. Snow shed from roofs and snowpiling zones along streets shall be considered in arranging building elements on the site. Adequate solar access shall be considered when planning outdoor spaces, with shade and relief from glare provided by landscaping and overhead structures.
 - c. *Primary Entrance.*
 - 1. The primary entrances to a building shall be clearly identified.
 - 2. Buildings shall be oriented so that the principal building entrance faces the principal street or the street providing main access to the site.
 - 3. Where there are multiple buildings on a development parcel, at least one (1) building shall be oriented with an entrance facing the principal street or the street providing main access to the site.
 - 4. A corner site may orient its primary entry towards the corner for emphasis.
 - d. *Corner Lots.*
 - 1. *Scale and Massing.* Structures shall relate to the scale and massing of the buildings on each of the respective streets.
 - 2. *Building Entries.* When a structure is located on a corner lot, prominent entries shall be designed for both façades along the street edge or a single prominent entry shall be turned forty-five (45) degrees to face the corner. The primary entrance shall not be oriented to an interior court.
 - 3. *Courtyards.* When designing interior courtyards for buildings on corner lots, a minimal amount of street frontage shall be utilized. Courtyards shall not extend across the entire front of the property. Instead, a building shall be located flush with the property line on the street side.
 - 4. *Focal Points.*
 - i. To visually and physically anchor street intersections, buildings located on corner lots shall provide a focal point within a box formed from lines extending thirty (30) feet away from intersecting property lines. The focal point shall include one (1) or more of the following elements:
 - a. A primary building. In the case where a primary building includes drive-in and/or drive-through lanes, or gasoline pumping bays, the bays and/or queuing lanes shall not be located within the focal point.

- b. Decorative architectural wall that is between thirty (30) and thirty-six (36) inches tall and complies with any other sight distance triangle restrictions in Subsection 070.020.190(c)(5), Sight Distance Triangle Requirement.
 - c. An architectural feature that is a minimum of the height of the building and a maximum of the height restriction for the zoning district (for example, a clock tower, spire, or other decorative roof form). These architectural features shall not contain signs or logos in any form.
 - d. Public art or sculpture within a landscaped area.
 - e. Fountains or other water feature within a landscaped area.
 - f. Public plaza or open space with landscaping, a low decorative wall to visually and physically separate the space from nearby traffic lanes, and other pedestrian-oriented amenities such as benches. The low decorative wall shall match or complement the building exterior in materials and colors.
- ii. Signs may be located within this focal point area provided that they are incorporated with another focal point element enumerated above. Signs shall comply with Section 070.040.110, Signs.
 - iii. For all focal point options, the sufficiency of proposed pedestrian-oriented amenities and landscaping shall be determined by the Director. All such features shall meet all applicable requirements of this Code, including but not limited to the general landscaping, building materials and color, and signage standards.
 - iv. The Alternative Equivalent Compliance process in Subsection 070.040.090(c)(2) may be used to consider alternatives from this requirement where strict compliance would result in unsafe or inadequate access, where the lot has less than fifty (50) linear feet of frontage, and/or where the site has unique topographical characteristics that make it infeasible to locate at least one (1) of the listed focal point elements. (Figure 040-24)

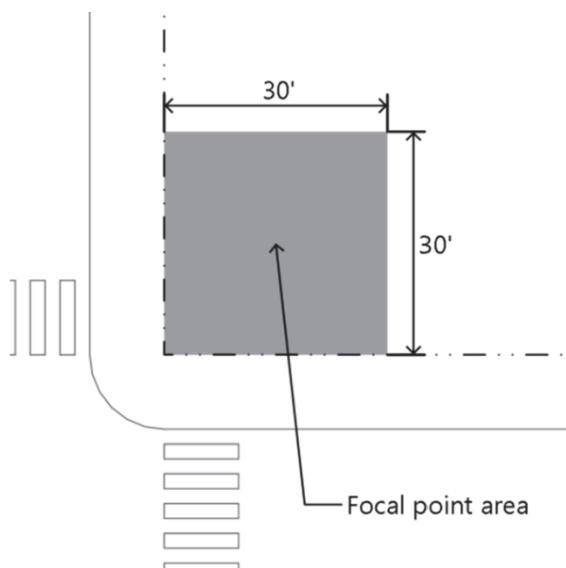


Figure 040-24: Focal Points

- (3) *Surface Parking Configuration and Location.*
 - a. In the mixed-use and other nonresidential districts, except in the Downtown Core, no more than thirty (30) percent of the total number of off-street parking spaces provided shall be located between the principal building and the front property line.
 - b. No parking space shall be located closer than five (5) feet from a window or door of a habitable structure.
 - c. No portion of a parking space, loading space, or maneuvering area shall be provided in any required landscape area, sidewalk, or other pedestrian or bicycle path.
 - d. Surface parking shall not be located in a focal point area.
- (4) *Parking Structures.* The visual impacts of a parking structure shall be minimized through compliance with the standards in Subsection 070.040.060(h)(8), Parking Structures.
- (5) *Refuse Containers.*
 - a. *General.* Refuse containers shall comply with Article 100.010 of the Municipal Code.
 - b. *Design and Materials.* Dumpsters and refuse containers shall be located within the footprint of a building, or shall meet the following standards:
 - 1. Dumpsters and refuse containers shall be located on a non-porous surface and within a four-sided, opaque enclosure that completely screens the dumpster or container and accumulated trash.
 - 2. Enclosures shall be a maximum of six (6) feet in height and shall have gated access for the collection of waste materials.
 - 3. Dumpster and refuse container enclosures shall incorporate compatible materials, colors, and architectural details that are compatible with the primary associated residential buildings.
 - 4. The use of chain-link fencing as screening is prohibited.
 - c. *Location.* Enclosures shall be located to minimize visual and impacts and odors on the primary street frontage and neighboring properties and uses to the maximum extent feasible.
- (6) *Supplemental Site Design Standards: Downtown Core.* Development of any nonresidential or mixed-use structure in the Downtown Core shall comply with the general site layout and building design standards set forth above, plus the standards of this Subsection.
 - a. *Building Edge to Sidewalk.* A minimum of seventy-five (75) percent of the building edge shall be located adjacent to the sidewalk edge (e.g., zero setback). (Figure 040-25)

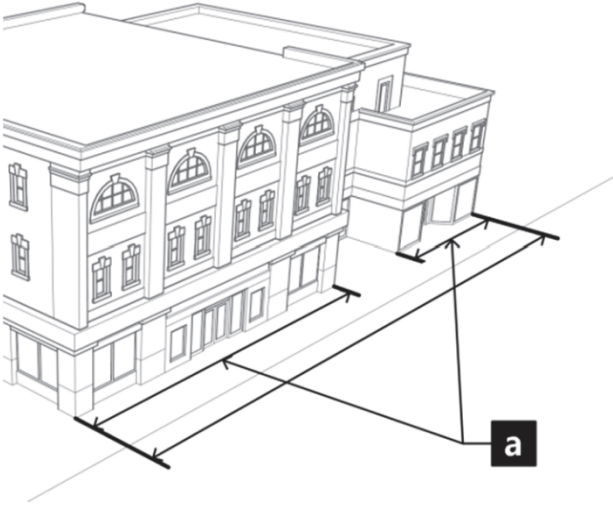


Figure 040-25: Zero Setback

- b. *Building Entrances.* The building entrance shall appear similar in scale and character to those used historically, both in the location of the building entrance and also in how the entrance area is distinguished from the rest of building by materials, size, projections or recessions, and other techniques.
- (e) *Nonresidential and Mixed-Use Building Design Standards.*
 - (1) *General Intent.*
 - a. The general intent of these building design standards is to encourage creative design that:
 - 1. Preserves Glenwood Springs' small-town atmosphere;
 - 2. Enhances the visual and physical qualities of Glenwood Springs;
 - 3. Considers how the building relates to the site, neighboring properties, and the community;
 - 4. Provides strong pedestrian orientation by visually connecting the building's interior with the public exterior;
 - 5. Creates prominent, well-proportioned customer entrances;
 - 6. Uses high quality, long lasting materials with a proven ability to withstand Glenwood Springs' environment;
 - 7. Promote building designs and construction practices that are sustainable and adaptable to multiple uses for extended building lifecycles; and
 - 8. Incorporates a palette of colors that adds visual interest to the development parcel and that is compatible with the surrounding natural environment.
 - b. The general intent of these building design standards is to discourage:
 - 1. Buildings that are out of scale or have little physical or visual connection to the street, neighboring properties, or the community;

2. Building elements, materials, and colors that are out of character with the community, that are inherently associated with brand identification, or that are designed to function as signs;
3. Minimal or no physical pedestrian connections between the building and public street; and/or
4. Large expanses of blank, flat wall surfaces.

(2) *Building Elevations.*

- a. *Horizontal and Vertical Articulation Required.* No building elevation, regardless of exterior wall plane setback or the location of interior walls, shall exceed thirty (30) feet in length without incorporating at least three (3) of the following elements:
 1. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum of twenty-four (24) inches in depth and that has the effect of casting shadows;
 2. Glazed windows and doors, if used to comply with this standard shall comprise not less than thirty (30) percent of the elevation of which they are a part. See also Subsection 070.040.090(e)(3), Windows, Doors, and Customer Entrances, for additional requirements;
 3. Change in texture and/or masonry pattern;
 4. Change in building, parapet, or roofline height. If used to comply with this standard, the minimum change in roofline shall be two (2) feet; and/or
 5. Awnings, canopies, or marquees extending at least four (4) feet beyond the building face.

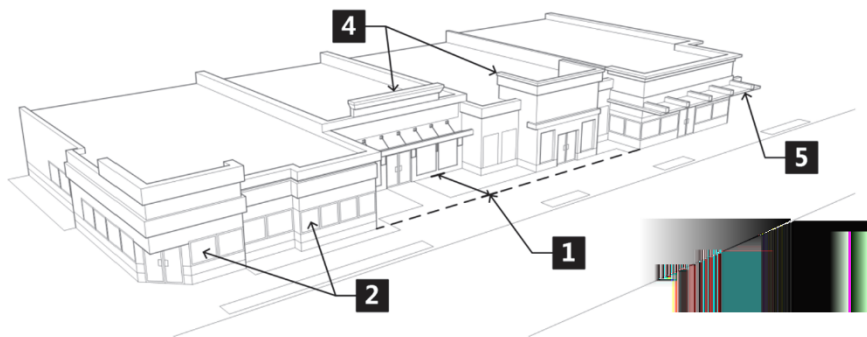


Figure 040-26: Horizontal and Vertical Articulation

Annotations correspond with paragraph numbers in the preceding text.

- b. *Alternative Designs.* An equivalent design that provides pedestrian interest by dividing the façade into horizontal and vertical planes and is in proportion to the height and width of the entire building may be approved through the Alternative Equivalent Compliance process. However, design elements used to fulfill this standard shall not consist solely of color variations.
- c. *Building Design as Signage.* Building elevations and/or elements used to comply with these standards shall not function as signs. The incorporation of certain design elements that are unique or symbolic of a particular business shall be unobtrusive and secondary to the overall architectural design.

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- d. *Building Elevations Facing Public Rights-of-Way.* Building elevations that face public rights-of-way, parking lots, or adjacent residential land uses shall include glazed windows and doors as one (1) of the required elements enumerated in Paragraph a. above. See also Subsection 070.040.090(e)(3), Windows, Doors, and Customer Entrances, for additional requirements.
 - e. *False Windows and Doors.* Building elevations not adjacent to residential land uses, public rights-of-way, or parking lots, or that do not have a customer entrance, may use false windows and/or doors to fulfill the requirement in Paragraph a. above. The windows and/or doors, whether functional, false, or a combination of functional and false windows and/or doors, shall make up a minimum of thirty (30) percent of the elevation of which they are a part and shall have a minimum six-inch change of wall plane from the primary wall in order to provide shadow or sense of depth.
- (3) *Windows, Doors, and Customer Entrances.*
- a. In order to create a sense of transparency and to visually connect the building's interior with the public exterior, primary and secondary customer entrances shall be clearly defined, highly visible and feature a minimum of two (2) of the following treatments:
 - 1. Recessions and/or projections with a minimum change in wall plane of twenty-four (24) inches;
 - 2. Display windows that are located immediately adjacent to the customer entrance and that are in proportion to the overall façade of which they are a part;
 - 3. Canopies, porticos, overhangs, awnings, or marquees with a minimum projection of four (4) feet and of a width that at minimum spans the customer entrance;
 - 4. Raised, corniced parapets located over the customer entrance with a minimum projection of four (4) feet and that span at least the width of the customer entrance door; or
 - 5. Outdoor patios with customer seating and landscaping that at a minimum includes perennials, shrub plantings, and/or ornamental trees. Landscaping provided to meet this standard shall be credited towards the general minimum landscaping requirements as set forth in Section 070.040.050, Landscaping, Screening, and Fencing.
 - b. To preserve views and to provide a clear sense of connection into and out of the building, window and door glazing shall be transparent or have a low-reflectivity. Mirror-like windows are prohibited.
- (4) *Roofs.*
- a. To reduce the visual impact of roof mass, no roofline along any building elevation shall exceed fifty (50) feet in length without a visual variation that incorporates:
 - 1. Projections, recessions, dormers that alter the vertical or horizontal plane of the roof by at least two (2) feet; or
 - 2. Change in roof height of at least two (2) feet; or
 - 3. Another architectural feature approved through the Alternative Equivalent Compliance process.
 - b. Mansard roofs, or roofs having a mansard-like appearance, are prohibited.
 - c. Flat roofs shall be concealed by parapets that are in proportion to the overall building design and that are generally of sufficient height to conceal rooftop mechanical systems that are in view from public rights-of-way, residential land uses, public parking areas, and/or adjacent properties. Parapets shall not exceed the maximum building height as established in Article 070.020: Zoning

Districts, except where allowed by Subsection 070.020.190(d)(2), Exceptions to Height Requirements.

(5) *Building Materials.*

- a. *Primary Exterior Wall Materials.* Building materials shall be high-quality and long-lasting and shall have a proven ability to withstand Glenwood Springs' intense sunlight and temperature extremes. The primary exterior building wall material, consisting of at least seventy (70) percent of the elevation to which it is applied, shall be one (1) or more of the following:
 1. Brick;
 2. Natural and cultured stone;
 3. Wood;
 4. Stucco, including synthetic stucco;
 5. Metal, excluding metal with exposed rivets, seams or fasteners, ribs and batons; or
 6. Concrete, excluding smooth-faced gray concrete block, painted concrete block and pre-cast ribbed concrete panels.
 7. Another material that meets the intent of this standard if approved through the Alternative Equivalent Compliance process.
- b. *Accent Exterior Wall Materials.* Exterior building walls shall consist of one (1) or more of the following materials provided that the sum total of the materials enumerated below comprise no more than thirty (30) percent of the elevation to which it is applied:
 1. Smooth-faced gray concrete block, painted concrete block, or pre-cast ribbed concrete panels. However, when used in combination with the allowance above for concrete as a primary exterior wall material, the concrete in its entirety may not exceed seventy (70) percent of the elevation to which it is applied.
 2. Metal with exposed seams, rivets or fasteners, ribs and batons. However, when used in combination with the allowance above for metal as a primary exterior wall material, the metal in its entirety may not exceed seventy (70) percent of the elevation to which it is applied.
 3. Glass, when used as a curtain wall or when designed to span multiple floors.
- c. *Exterior Wall Materials Generally.*
 1. All sides of the building shall be constructed using materials that are compatible with, or of equal or greater quality, as those used on elevations with customer entrances, facing public rights-of-way, or surface parking areas.
 2. Highly reflective building materials shall not be used.
- d. *Roofing Materials.*
 1. Acceptable roofing material includes the following:
 - i. Rubber membrane or EPDM (ethylene propylene diene monomer).
 - ii. Built up or modified bitumen roofing systems.
 - iii. Asphalt shingles.
 - iv. Metal, standing seam.

-
- v. Clay tile.
 - vi. Another material approved through the Alternative Equivalent Compliance process.

2. Roofing materials shall not include corrugated metal panels.

(6) *Building and Roofing Colors.*

- a. Color and intensity of color proposed for all exterior building and roofing materials, including exposed rooftop mechanical systems such as HVAC equipment, roof vents, air handling/exchange units, shall be warm or dark earth-toned colors with low reflectivity.
- b. Exterior building and roofing colors shall not include white, off-white, high-intensity primary colors, and/or fluorescent colors.

(7) *Variety of Housing Types (Mixed-Use Only).*

a. Development projects including 40 or more residential units within a mixed-use development shall incorporate a minimum of two (2) housing types. Development projects with 80 or more units shall incorporate a minimum of three (3) housing types. Development projects with 120 or more units shall incorporate a minimum of four (4) housing types. Each type must represent a minimum of 10% of the total dwelling units provided unless otherwise indicated in the category below. Where a fractional number results the number shall round up at .5 or higher. The following housing types may be used to satisfy these standards:

1. Detached single-family dwellings;

12. Two-family dwellings;

3. Single-family townhouse dwellings; or

4. Multi-family dwellings other than two-family or townhouse dwellings;

5. Live-work units;

6. Inclusion of three different bedroom count configurations. Each bedroom type shall be a minimum of 10% of the total dwelling units;

7. 100% of units Deed Restricted for Resident Occupancy. Resident occupancy is defined in Glenwood Springs Community Housing Guidelines as adopted by City Council; or

8. 70% of the total number of units deed restricted to an average of 100% Area Median Income.

b. Exceptions.

1. Projects with 20 to 40 units where 100% of the units are restricted at or below 100% Area Median Income shall be exempt from item (3)a.

2. Projects with more than 40 units where 100% of the units are restricted at or below 100% Area Median Income shall only be required to provide two (2) housing types.

c. Fee-In-Lieu of providing housing variety.

1. In lieu of providing the required housing variety in accordance with Subsection 070.040.080(e)(3), the developer may, with the approval of the City Council make a payment to the City in lieu of providing all or a portion of the required housing variety types.

2. The amount of such in-lieu payment shall be set by City Council resolution.

3. The City shall deposit any in-lieu fee into a special fund that shall be used only for the acquisition or development of affordable, or workforce housing, including buy-down acquisitions of market-rate units. These fees shall not be used for the general expenses of the City.

~~(7)~~ (8) Supplemental Building Design Standards: Downtown Core. Setbacks, orientation, and heights of new buildings in the Downtown Core shall be similar to those found on the same block face and shall comply with the following additional standards:

a. *Building Scale and Massing.*

1. Building scale and massing shall respect the scale and massing of existing buildings along the block face.
2. The height of new buildings shall vary as follows:
 - i. Variation shall be used in building roof and parapet heights to add visual interest and reduce boxy or monolithic building masses.
 - ii. Upper floors of a large building mass shall be stepped back from the street or an adjacent residential zone to reduce looming effect.
 - iii. Step back distances and proportions shall be varied to avoid monotonous, uniform, tiered "wedding cake" appearance.
3. Featureless backs of buildings shall not be located adjacent to the Roaring Fork or Colorado River. To encourage active uses in this area, all design standards applicable to street frontage structures shall also be applicable to the back of a building in this area.

b. *Building Height.*

1. Floor heights in new buildings shall be similar to those of existing historic buildings in the downtown commercial core. (Figure 040-27)
 - i. The level of the first floor shall be at or near grade level at the entrance.
 - ii. The first floor shall appear to be a full floor in height.

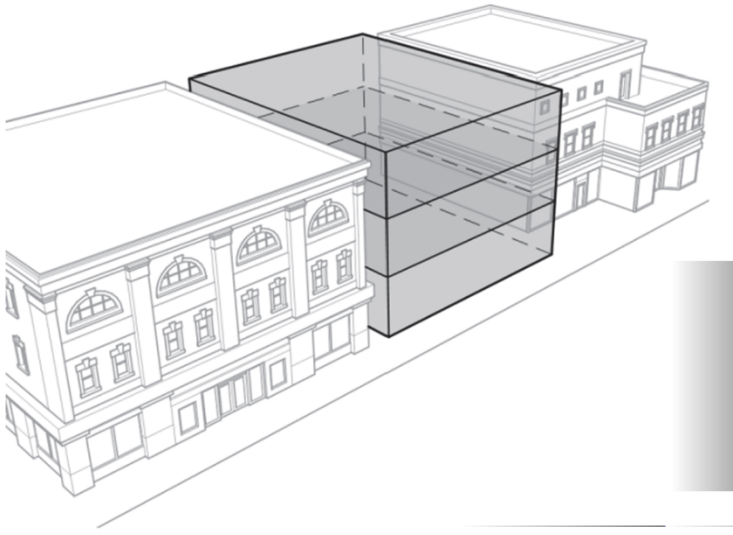


Figure 040-27: Building Floor Heights

2. Structures directly adjacent to residential buildings shall "step-down" in height on the abutting edge to match the height of the adjacent structure.
- c. *Roof Design.*
1. The alignment of horizontal elements along the block face, including parapets and cornices, shall be maintained along the entire façade to provide a continuous visual line along the block.
 - i. This alignment occurs most successfully when buildings are similar in height.
 - ii. Window sills and moldings are examples of other building elements that shall be aligned.
 2. The primary roof form shall appear to be flat, as traditionally found on the City's downtown commercial structures. A parapet shall conceal roofs.
 3. Roof design shall be consistent with those of historic buildings in the commercial Downtown Core.
 4. Roofs are encouraged to be activated with decks or vegetation. Roof decks are appropriate to take advantage of views. Green roofs, or "living roofs," are appropriate to bring visual interest to highly visible roofs, as well as contribute to sustainability principles.
 5. Roofs shall be designed to manage snowfall, using methods that appropriately prevent injuries from snow or ice falling from buildings.
 6. Monolithic roof design is not appropriate. See also requirements under Building Articulation.
- d. *Building Articulation.*
1. Vertical and horizontal articulation techniques shall be used to establish a sense of scale in the design of a larger building. Articulation techniques include, but are not limited to:
 - i. Wall offsets;
 - ii. Step backs;
 - iii. Base, middle, and cap design; and
 - iv. Variation in material (Figure 040-28).



Wall offsets



Step backs



Base, middle, cap



Variation in material

Figure 040-28: Building Articulation Techniques

2. Vertical articulation shall be used to express traditional façade widths where a new larger building is adjacent to existing, smaller-scale buildings.
 3. To minimize apparent mass, new buildings shall be divided into bays through projections and/or recesses (minimum two (2) feet deep and one (1) foot wide) at a minimum of every twenty-five (25) feet in order to be compatible with the character of historic building frontages. Civic structures may vary in front width and shall be reviewed on an individual basis for compatibility.
 4. Buildings shall have a clearly articulated architectural distinction between the street level and upper floors, expressed through detailing, changes in materials, and fenestration. One (1) or more belt courses shall be used to help distinguish between floors.
- e. *Floor Distinctions.* Buildings shall have a clearly articulated architectural distinction between the street level and upper floors, expressed through detailing, changes in materials, and fenestration. One (1) or more belt courses shall be used to help distinguish between floors.
- f. *Commercial-Oriented Building Design.*
1. The ground-level street frontage of every nonresidential and mixed-use building in the Downtown Core shall be primarily dedicated to commercial uses.
 2. New commercial storefront buildings shall incorporate the following character-defining elements: (Figure 040-29)
 - i. Display windows: The main portion of glass on the storefront.
 - ii. Glass transom: The upper portion of the display, separated from the main display window by a frame.
 - iii. Kickplate: Found beneath the display window. Sometimes called a bulk-head panel.
 - iv. Upper-story windows: Windows located above the street level. These usually have a vertical orientation, and appear to be less transparent than the large expanse of glass in the storefront below.

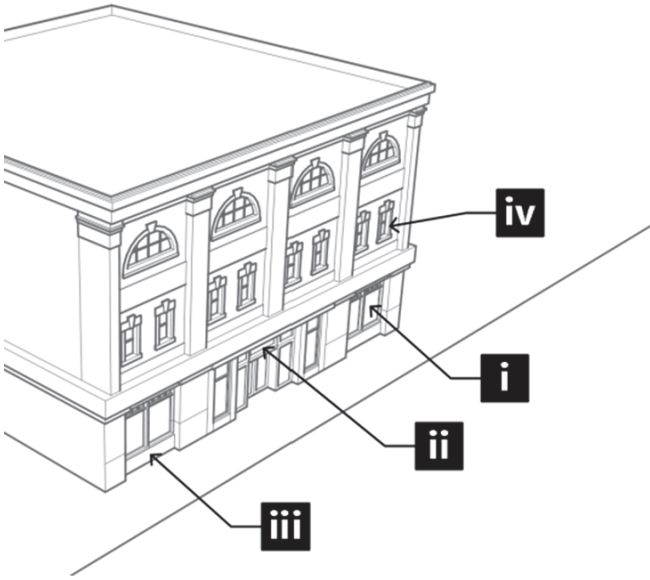


Figure 040-29: Commercial-Oriented Building Design

Annotations correspond with paragraph numbers in the preceding text.

g. *Windows and Transparency.*

1. Windows shall be located and spaced to express the rhythm and visual continuity found in historic buildings in the Downtown Core.
 - i. Horizontal spacing shall be consistent between windows on a floor.
 - ii. Windows shall be vertically aligned on upper and lower floors.
2. The size and proportion of windows shall be in the range of heights and width as found in historic buildings in the Downtown Core.
3. The first floor of the primary façade shall be sixty-five (65) to eighty (80) percent transparent glass.
4. Windows shall be designed windows to create depth and shadow on a façade.
 - i. Upper floors shall be perceived as being more opaque than the lower floor.
 - ii. Highly reflective or darkly tinted glass is prohibited.

h. *Building Entry.*

1. The primary building entrance shall be recessed; doors that are flush with the sidewalk are prohibited.
2. Doors shall be made of at least forty (40) percent glass.
3. Accent colors shall be used on the door(s) to encourage pedestrian activity.

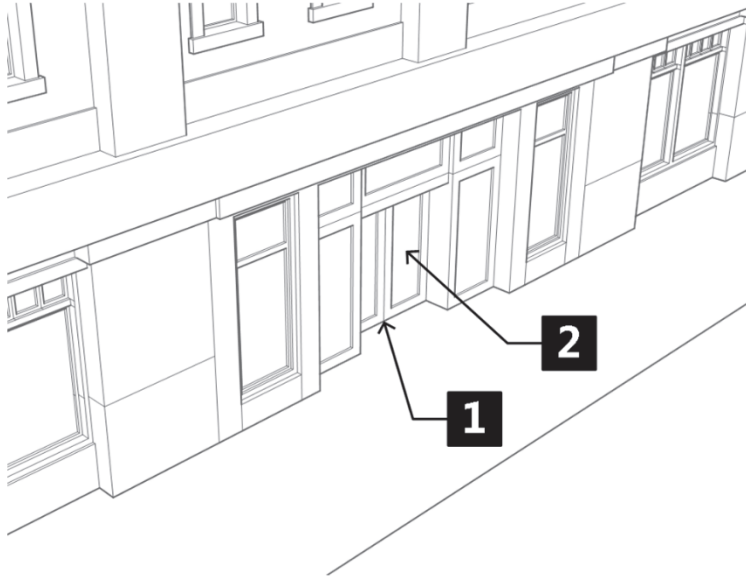


Figure 040-30: Commercial-Oriented Building Design

Annotations correspond with paragraph numbers in the preceding text.

- i. *Awnings, Canopies, and Marquees.*
 - 1. Awnings and canopies shall be canvas with a matte finish. Awnings with high gloss finishes are prohibited. Marquees may be constructed in metal but shall be painted or shall have a matte finish.
 - 2. Rigid frame awnings and canopies may be used, but shall stop at the top section and shall not be included in the valance.
 - 3. Illuminated, plastic awnings and canopies are prohibited.
 - 4. Awning and canopy colors shall be compatible with the overall color scheme of the façade. Solid colors or subtle striped patterns shall be used.
 - 5. Awnings and canopies for rectangular openings shall be simple shed shapes. Rounded or bull-nose awnings and canopies shall only be allowed over arched openings.
 - 6. Marquees shall be located only over the primary public entrance into a building.
 - 7. Awnings, canopies, or marquees that span continuously across more than one (1) structural bay or storefront shall not be allowed.
 - 8. Poles or posts supporting awnings, canopies, or marquees shall not be allowed.
 - 9. Awnings, canopies, or marquees shall not project more than five (5) feet from the building façade to which they are attached.
 - 10. Awnings, canopies, or marquees shall maintain an eight-foot height clearance above a public sidewalk, or other publically owned space. Additional height clearance may be required if an awning, canopy, or marquee is located over a public right-of-way, including an alley way.
- j. *Building Materials and Colors.*

-
1. Primary materials shall be similar in character to those used traditionally on downtown commercial structures by complying with the following standards:
 - i. Brick and masonry, known for their durability, were traditionally found on historic commercial structures in downtown. New materials shall demonstrate similar durability and compatibility. The use of split face concrete block is prohibited, but may be approved through the Alternative Equivalent Compliance procedure.
 - ii. Diagonal wood siding shall not be used.
 - iii. Cinder block is acceptable for interior walls, but shall not be used as an exposed material on building façades facing streets, alleys, or undeveloped lots.
 2. Accent materials shall be similar to those used historically. Wood was traditionally used for trim elements on commercial storefronts while stone, painted metal, terra cotta, ceramic tile, and rounded plaster were used in detailing.

(Ord. No. 19-2018 , § 2(Exh. A), 8-2-2018; Ord. No. 3-2021 , § 2(Exh. A), 5-20-2021)



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Ordinance 2023-12; Amending Sec. 110.030 - Disaster Emergency Services

Action Requested: Approval on First Reading

Department: City Administration

Presented By: Beverli Marshall, Karl Hanlon

Strategic Goals: Ensure Public Safety
Protect and Preserve our Quality of Life

Background Info: The existing Disaster Emergency Services section of code is outdated and does not reflect current practices. Staff believes a revision is warranted.

Issues: See legal cover memo.

Fiscal Impact: N/A

Legal Review: Drafted by legal.

Staff Recommendation: Approve on First Reading

Glenwood Springs – Main Office

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

Aspen

0133 Prospector Rd.
Suite 4102J
Aspen, CO 81611

Montrose

1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Office: 970.945.2261

Fax: 970.945.7336

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

DATE: June 29, 2023
TO: Glenwood Springs Mayor and Council
FROM: Karp Neu Hanlon, P.C.
RE: Ord. 12 - Emergency Disaster Services

The City's current Disaster Emergency Services code provisions at 110.030 do not reflect the reality of how a disaster would be handled in a Council-Manager form of government. Previously the disaster coordinator would be the mayor, but staff has determined and after surveying other municipal codes confirmed, that the City Manager, delegee, or next staff in succession is the appropriate person to coordinate any disaster response. This is required by state law and allows staff and Council further discretion to enact regulations. C.R.S. 24-33.5-707. Looking at other larger municipalities' emergency services codes, we decided to include some basic processes and powers under an emergency declaration that would enable the city manager to more effectively respond in a timely manner.

ORDINANCE NO. 12

Series of 2023

**AN ORDINANCE OF THE CITY OF GLENWOOD SPRINGS,
COLORADO, AMENDING ARTICLE 110.030 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, City staff has identified the need to amend Article 110.030 addressing Disaster Emergency Services; and

WHEREAS, recommended amendments to the code to address the foregoing issues are set forth on **Exhibit A** attached hereto; and

WHEREAS, the City Council finds and declares that the amendments to Article 110.030 on **Exhibit A** of the Municipal Code the Development Code regarding solid waste collection services within the City, as set forth herein 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. Article 110.030 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 ____ DAY OF _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, 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 _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk

ARTICLE 110.030 DISASTER EMERGENCY SERVICES¹

110.030.010 Disaster agency established.

There is hereby created and established a City disaster agency, to be composed of the City Manager or an authorized designee who shall serve as the City disaster coordinator. If the City Manager is unavailable, the line of succession of authority shall include in order, the Assistant City Manager, Public Works Director, Police Chief, Fire Chief, and thereafter any other department head in alphabetical order of the name of the department. In the event none of these people are available to serve as the acting city manager, the deputy or assistant director of the various departments in the line of succession as indicated shall serve in such capacity. Mayor as chairman and such other persons as the Mayor may appoint from time to time. Each member shall serve at the pleasure of the Mayor. The City disaster coordinator is authorized to declare a civil emergency, emergency, or local disaster if the City disaster coordinator finds that the City or any part thereof is suffering from or is in imminent danger of suffering a natural or manmade civil emergency, emergency, or local disaster.

110.030.020 Duties.

The City disaster coordinator ~~agency~~ shall perform such functions as are required ~~of it~~ by state law under C.R.S. § 24-33.5-707.

110.030.030 Rules and regulations.

The ~~Mayor~~ City disaster coordinator shall have the power to promulgate, in writing, rules and regulations which shall be reasonably necessary for providing disaster emergency services.

110.030.040 Powers

Upon the issuance of a declaration of civil emergency, emergency, or local disaster, the city manager may exercise the following powers, including, but not limited to:

- (1) An order to direct and compel the evacuation of all or a part of the population from any stricken or threatened areas within the city, if the city manager deems this action is necessary for the preservation of life, property or other civil emergency, emergency, or local disaster mitigation, response or recovery activities, and to prescribe routes, modes of transportation and destination in connection with any such evacuation.
- (2) An order closing any streets, alleys, sidewalks, public parks, public ways or other public places.
- (3) An order establishing control routes of transportation ingress or egress.
- (4) An order imposing traffic restrictions to control ingress and egress from a civil emergency, emergency, or local disaster site, including prohibiting all traffic except for vehicles operated by individuals deemed essential by the city manager to assist in the emergency operations and prohibiting any person to stop, stand, park or abandon any vehicle in a right-of-way that in the discretion of a police officer obstructs emergency operations or snow removal operations. Any such vehicle shall be subject to removal pursuant to the general police power of the city to protect the public health, safety and welfare.

-
- (5) Appropriate and expend funds, execute contracts, authorize the obtaining and acquisition of property, equipment, services, supplies and materials without the strict compliance with procurement regulations or procedures.
 - (6) Hire or contract for construction, snow removal, engineering, architectural, building, electrical, plumbing, and/or other professional or construction services essential to continue the activities of the city without the advertising of bids or compliance with procurement requirements which otherwise would be applicable.
 - (7) Transfer the direction, personnel or functions of city departments and agencies for the purposes of performing or facilitating civil emergency, emergency, or local disaster services.
 - (8) Suspend or limit the use of the city's water resources.
 - (9) Require emergency services of any city officer or employee. If regular city forces are determined to be inadequate, then to acquire the services of such other personnel as are available, including citizen volunteers. All duly authorized persons rendering emergency services shall be entitled to the privileges and immunities provided by applicable state law.
 - (10) Accept services, gifts, grants and loans, equipment, supplies, and materials whether from private, nonprofit or governmental sources.
 - (11) Make application for local, state or federal assistance.
 - (12) Enter into mutual aid agreements
 - (13) Terminate or suspend any process, operation, machine, device or event that is or may negatively impact the health, safety and welfare of persons or property within the city.
 - (14) Exercise such powers and functions in light of the exigencies of civil emergency, emergency, or local disaster including the waiving of compliance with any time consuming procedures and formalities, including notices, as may be prescribed by law pertaining thereto.
 - (15) Issue any and all other orders or undertake such other functions and activities as the city manager reasonably believes is required to protect the health, safety, welfare of persons or property within the city, to preserve the public peace, or to abate, clean up, or mitigate the effects of any civil emergency, emergency or local disaster.

110.30.50 Enforcement of orders.

- (1) The members of the police department, code enforcement, and such other law enforcement and peace officers as may be authorized by the city manager, are further authorized and directed to enforce the orders, rules and regulations made or issued pursuant to this chapter. All members of the public shall be deemed to have been given notice of the restrictions contained within a declaration upon its dissemination to the news media or publication on the city website or other means of publicity.
- (2) The municipal court shall have the jurisdiction to preside over alleged violations of this section. A person convicted of a violation of this section shall be subject to the penalties set forth in section 1-16 of the code of ordinances.

110.030.060 Location of governing body meetings

Whenever a civil emergency, emergency, or local disaster makes it imprudent or impossible to conduct the affairs of the city at its regular locations, the governing body may meet at any place, inside or outside the city limits, or may meet via the telephone or other communication device. Any temporary civil emergency, emergency, or local disaster meeting location for the governing body shall continue until a new location is established or until the civil emergency, emergency, or local disaster is terminated and the governing body is able to return to its normal location.

110.030.070 Report by city manager/discretionary ratification by city council.

At such time as a civil emergency, emergency, or local disaster shall be declared ended, the city manager shall prepare a written report that details the official actions taken by the city manager during the declaration, including a timeline, significant actions, and a detailed summary of all expenses incurred during such declaration. Such written report shall be submitted to the city council within thirty (30) days. The city council may, but is not required to, approve a resolution ratifying the actions taken by the city manager during the declaration. In the event that a resolution is not approved, the city manager's report shall be retained by the city clerk and made a part of the official record of the city council meeting at which the report was discussed by the city council in conjunction with the city manager.

110.030.040 Acts done under Article's authority immune from liability.

All things done by authority of this article, or by authority of any rule or regulation promulgated pursuant to this article, shall constitute the exercise by the City of its governmental functions; and the City, its officers, authorized persons and organizations as herein provided for, and any persons complying with this article, or with the rules and regulations promulgated pursuant to this article, shall not be liable for any damage sustained by any person or property as a result of the enforcement of or compliance with this article or any such rule or regulation.

110.030.050 Compliance with Article required.

It shall be a misdemeanor for any person to violate any provision of this article or any rule or regulation promulgated pursuant to this article and upon, conviction of the same, such person shall be punished in accordance with the provisions of Section 010.020.080.



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item:	Resolution 2023-20; Short Term Rental License Fees
Action Requested:	Approval of increase in fees for Short Term Rental Permits to \$600 for initial permit and \$400 for subsequent renewals. Approval of increase in fees for Accessory Tourist Rental Permits to \$360 for initial permit and \$180 for subsequent renewals.
Department:	Economic and Community Development
Presented By:	Emery Ellingson
Strategic Goals:	Provide Efficient and Responsive City Government
Background Info:	On May 18th, the Council requested staff to research vacation rental license fees for Short Term Rental Permits (STR) and Accessory Tourist Rental Permits (ATR). Staff has reserached licensing fees for other communities in Colorado, see attached Vacation Rental Comparison Chart for more information. A Short Term Rental Permit allows for rental of an entire residential unit while the Accessory Tourist Rental is limited to one bedroom in an owner-occupied or resident managed residential unit. A short term rental is considered any stay fewer than 30 days. Any stay longer than 30 days is considered a long term rental and does not require a permit. Only long term rentals are allowed in residential units designated as accessory dwelling units (ADU). All permits run on a two year calendar ending in odd numbered years. The current permit period started January 1, 2022 and will end December 21, 2023. The cost for a permit is not pro-rated and charged per permit period. The cost for an STR Permit is \$500 for the first permit period and \$300 for each subsequent permit renewal. The cost for an ATR Permit is \$300 for the first permit period and \$150 for each subsequent renewal. This fee structure has been in place since the 2019-2021 permit period. At the June 15th City Council meeting, Council recommended increasing Short Term Rental Fees to \$600 for initial and \$400 for renewal and increasing Accessory Tourist Rental Fees to \$360 and \$180.
Issues:	Next step would be communicating increase in fees as soon as possible to permit holders so that they may plan accordingly for this increased cost.
Fiscal Impact:	Nominal Increase in collection of fees collected for Short Term Rental Permit and Accessory Tourist Rental Permit programs.
Legal Review:	
Staff Recommendation:	Staff recommends approval

COMMUNITY	FEE	PERMIT PERIOD	PRO-RATEDS FEES?	EQUIVALENT FEE (Cost for a two year permit period)	WEBSITE LINK*
Eagle	\$0	ANNUAL	NO	\$0	Eagle
Winter Park	\$150	ANNUAL	NO	\$300	Winter Park
Silverthorne	Between \$150 and \$500 based on number of bedrooms	ANNUAL	NO	Range \$300-\$1000	Silverthorne
Grand Junction	\$175	ANNUAL	NO	\$350	Grand Junction
Buena Vista	\$250 initial, \$150 renewals	ANNUAL	NO	\$400	Buena Vista
Glenwood Springs ATR	\$300 initial, \$150 renewals	Bi-ANNUAL	NO	450 for initial two years	Glenwood Springs
Steamboat Springs	\$250	ANNUAL	NO	\$500	Steamboat Springs
Glenwood Springs STR	\$500 initial, \$300 renewal	Bi-ANNUAL	NO	\$800 for initial two years	Glenwood Springs
Leadville	\$365 (includes \$40 inspection fee)	ANNUAL	NO	\$810	Leadville
Alamosa	\$750 initial, \$300 for renewals	ANNUAL	NO	\$1050 for initial two years	Alamosa
Durango	\$750	ANNUAL	NO	\$1,500	Durango
Breckenridge	\$756 per bedroom per year	ANNUAL	NO	Range starting at \$1,512	Breckenridge
Salida	\$1,000 plus one time admin fee of \$200	ANNUAL	No	\$2,000	Salida

*Website Link to City websites with more specific information

RESOLUTION 2023-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF GLENWOOD SPRINGS, COLORADO, AMENDING
CITY OF GLENWOOD SPRINGS SHORT-TERM AND
ACCESSORY TOURIST RENTAL LICENSE FEES.**

WHEREAS, Sections 070.040.120 and 070.040.130 of the Glenwood Springs Municipal Code provide that any applications for short-term and accessory tourist rentals shall be accompanied by a fee set by resolution of the Glenwood Springs City Council; and

WHEREAS, Staff has researched licensing fees for other communities in Colorado; and

WHEREAS, City Council finds that amending the fees for short-term and accessory tourist rentals, as set forth in Section 2 below, 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. Permit application fees for short-term and accessory tourist rentals under Sections 070.030.030(e)(7) and 070.030.030(e)(9) of the Glenwood Springs Municipal Code shall be collected at the first instance of application for a short-term or accessory tourist rental permit. Said initial permit application fee for short-term rentals shall be \$600.00. The initial permit application fee for accessory tourist rentals shall be \$360.00.

Section 3. Renewal permit fees shall be \$400.00 for short-term rentals and \$180.00 for accessory tourist rentals.

Section 4. The fees set forth in this resolution shall be adjusted annually based on the United States Bureau of Labor Statistics Consumer Price Index for Denver-Boulder-Greeley, to be effective February 1 of each year.

Section 5.

INTRODUCED, READ, AND PASSED THIS ____ DAY OF _____ 2023.

CITY OF GLENWOOD SPRINGS, COLORADO

Ingrid Wussow, Mayor

ATTEST:

Ryan Muse, City Clerk



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item:	Update on Economic Development Incentives
Action Requested:	No action is requested
Department:	Economic and Community Development
Presented By:	Danielle Campbell, Hannah Klausman
Strategic Goals:	Provide Efficient and Responsive City Government Protect and Preserve our Quality of Life Generate Sustainable Economic Development Preserve and Improve Infrastructure
Background Info:	Staff would like to update City Council on various economic incentive programs the City currently has in place as well as new possibilities. Two focus areas are the General Improvement District and various City rebate and loan programs. Staff has included reports for each of these items.
Issues:	
Fiscal Impact:	Different incentives could involve financial support from the City.
Legal Review:	Not applicable.
Staff Recommendation:	For discussion and direction purposes only.

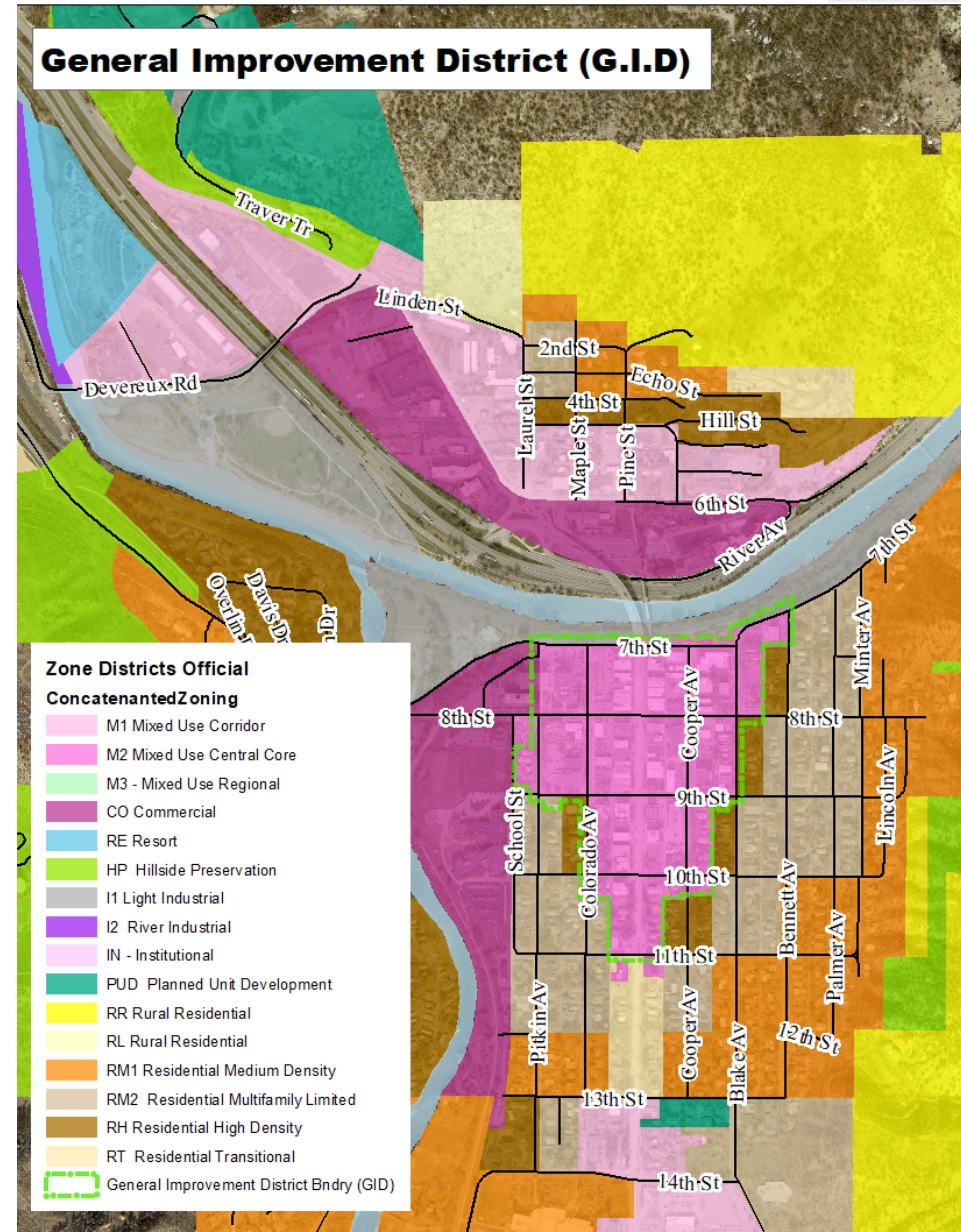
Economic Development Programs/Incentives

Council Meeting | July 6, 2023



General Improvement District (G.I.D)

The Glenwood Springs General Improvement District (G.I.D.) was originally established in 1982 with the intent of serving an area generally perceived to be downtown Glenwood Springs south of the Colorado River. A goal of the G.I.D. is to assist in preserving and enhancing a vital mix of retail, professional, financial, educational, entertainment and governmental uses to keep downtown an inviting and exciting place, attractive to citizens and visitors alike.



Purpose of G.I.D.

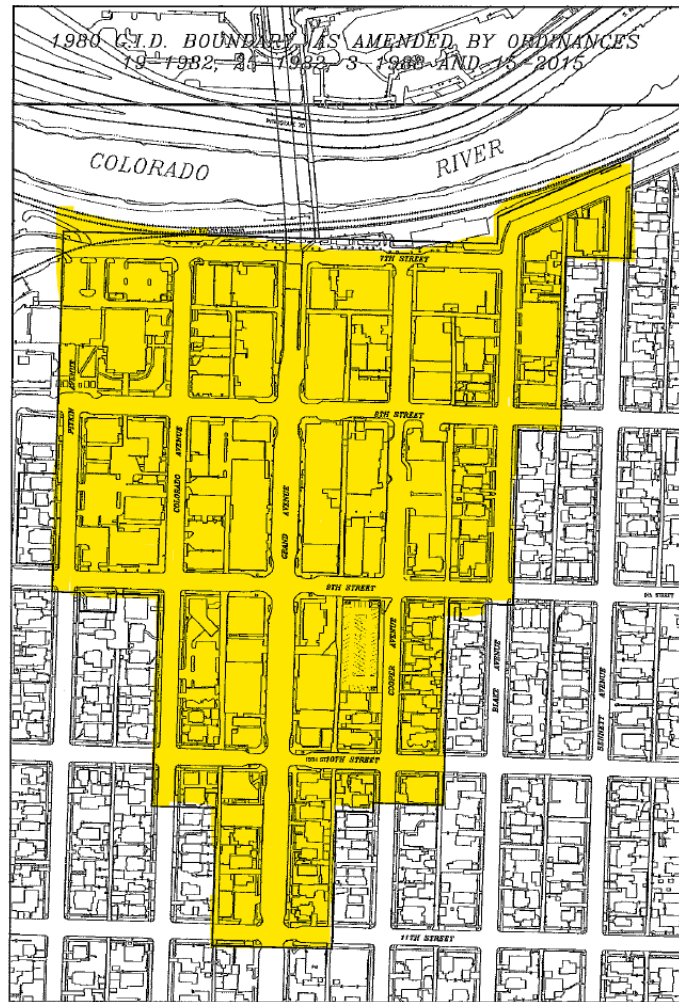
☞ The City's G.I.D. was established to formulate and implement a general program of providing parking and related improvements for the G.I.D. area, which may include, but shall not be limited to:

- ☞ Parking and off-street parking facilities including, but not limited to structures;
- ☞ Acquisition or lease of necessary land or interests therein, and improvements thereto in connection with said facilities;
- ☞ Other incidental and appurtenant facilities and improvements are designed to provide parking and improve the convenience of District area and landscaping, beautification and pedestrian improvements.



How has G.I.D. changed?

1982



2015



1982

2015 Updated Resolution Language

- Any property that is used solely for residential purposes may be included (annexed) in the G.I.D. where the Board of Directors finds that the character of the neighborhood in which the property is located warrants its inclusion (annexation) in the G.I.D. in order to facilitate the goals of the G.I.D. Findings and conditions shall include that the neighborhood in which the property is located is transitioning to commercial uses, the property is currently zoned C/2, and that the inclusion of the property is conditioned on limiting residential uses and densities as the exist on the date of inclusion. The Board may require additional conditions upon inclusion as it determines are necessary to meet the goals of the G.I.D.
- Where multiple properties seek inclusion (annexation) concurrently, inclusion will be considered by either serial annexation, the contiguity of each sequential property with the G.I.D. boundary being calculated individually; or en masse, the contiguity of the properties with the G.I.D. boundary being calculated as a unified whole.



G.I.D Fund

☞ Max \$50,000 annually (varies each year)

☞ \$228,000 in G.I.D. fund as of 2023

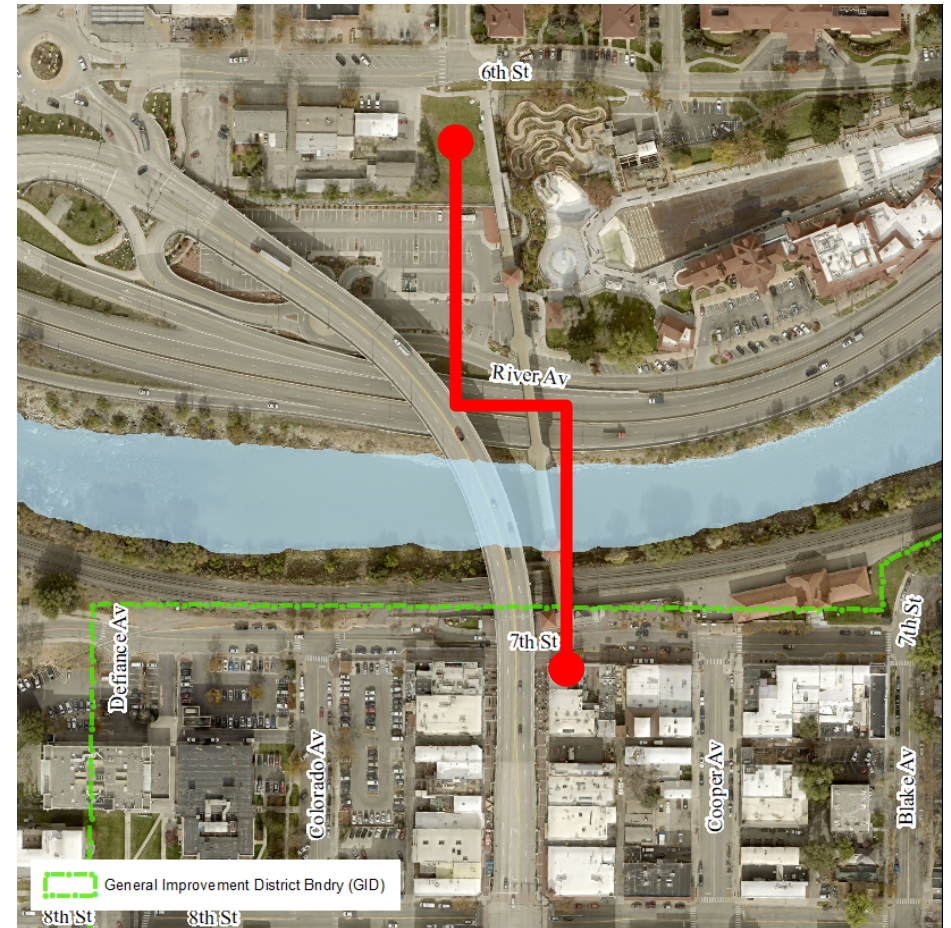


Why G.I.D.



New Restaurant: 1600 Square Feet

	GID	Outside of GID
Parking	0 (Parking Not Required)	1600 Square Feet / 200 Square Feet per Parking Space = <u>8 Off-Street Parking Spaces Required</u>
Fee in Lieu	\$0	8 parking space x \$8,000 per parking space = <u>\$64,000 Fee</u>



Business Incentives

Downtown Development Authority

- ☞ **Facade Improvement Grant:** Maximum award is \$25,000 per business. If multiple businesses exist on one property, all businesses are eligible to apply and will be treated individually. The grant requires a 1:1 match by the applicant.
- ☞ **Design Assistance Grant:** If no conceptual design has been developed for facade improvement, a \$1,000 grant is available for architectural assistance.

City

- ☞ **Revolving Loan Fund:** This revolving loan fund (RLF) will provide low-interest financing options to business owners operating within the city limits.
 - ☞ **Amount:** Loans will be distributed in amounts between \$5,000 and \$40,000 or 50% of the total eligible project costs. Currently, we only have about 10,000 available in the Loan Fund.
 - ☞ **Terms:** Annual interest rates around 3.0% with a repayment term of up to 7 year



Inactive Incentives

Sales Tax Rebate Program

❧ **About:** The City has previously operated a sales tax rebate program for qualified businesses to offset the cost of water and sewer system improvement fees, fire and emergency services impact fees, electric line extension, and building permit fees, over a period of 5 years. The program was in operation from 2004 to July 2022. 11 businesses participated in the existing sales tax rebate program for construction projects using local labor.

❧ **Issues:** In the past 5 years, the program has not received a significant amount of interest due to the significant amount of documentation and the minimal return they are able to receive.



Council Discussion

- What are the barriers impacting businesses today?
- Are these barriers addressed through operating programs?
- Should Staff reinstate, reevaluate, and/or expand programs or boundaries?





City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: General Improvement District

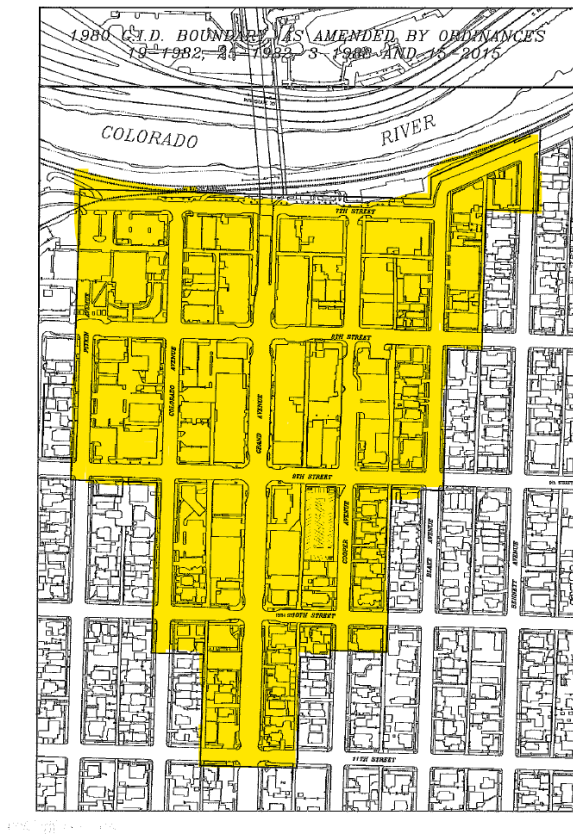
Action Requested: No action requested

Department: Economic and Community Development

Presented By: Danielle Campbell, Hannah Klausman

Strategic Goals: Provide Efficient and Responsive City Government
Protect and Preserve our Quality of Life
Generate Sustainable Economic Development
Preserve and Improve Infrastructure

Background Info: The Glenwood Springs General Improvement District (G.I.D.) was originally established in 1982 with the intent of serving an area generally perceived to be downtown Glenwood Springs south of the Colorado River. A goal of the G.I.D. is to assist in preserving and enhancing a vital mix of retail, professional, financial, educational, entertainment and governmental uses to keep downtown an inviting and exciting place, attractive to citizens and visitors alike. The original boundary is below.



The City's G.I.D. was established to formulate and implement a general program of providing parking and related improvements for the G.I.D. area, which may include, but shall not be limited to:

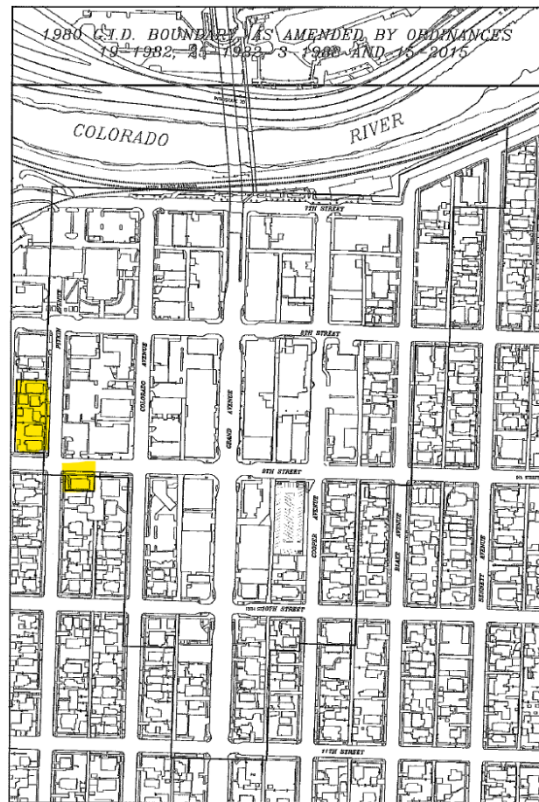
- Parking and off-street parking facilities including, but not limited to structures;

- Acquisition or lease of necessary land or interests therein, and improvements thereto in connection with said facilities;
- Other incidental and appurtenant facilities and improvements are designed to provide parking and improve the convenience of District area and landscaping, beautification and pedestrian improvements.

In addition, the G.I.D continues to:

- Preserve and maintain its financial health.
- Committed to preserving an orderly transition of uses from the core commercial area to neighboring residential areas
- Concerned that extension of its boundaries into neighboring residential areas will not adversely affect on-street parking in those neighborhoods.

In 2015, the GID was expanded to include five (5) residential parcels. The updated boundaries can be found below. The highlighted area was the expanded G.I.D.boundary.



Properties within the G.I.D. have much more flexibility due to parking and short-term rental regulations. G.I.D develops a pedestrian-oriented vibrancy by removing parking barriers and encouraging compact development.

- **Short Term Rentals:** Within the GID, the total number of short-term rentals shall be limited to eighteen (18) percent of the GID's total free market residential units as determined by the Garfield County Assessor. In a multifamily building under single ownership, no more than two (2) units may be permitted as a short-term rental. GID short-term rental permits shall not count towards the total permit number. Today roughly thirty (30) short-term rental permits are allowed within the GID. Only fifty (50) percent of the short-term rental permits have been used.
- **Parking:** Properties within the boundaries of the G.I.D. do not require parking. However, if parking exists or is proposed within the G.I.D. it must meet off-street parking and loading design standards, per 070.040.060. Parking is a consistent barrier and oftentimes prohibits

new businesses from opening in areas the communities desire to see a compact urban form with diverse businesses.

Issues:

If the GID were to be amended or expanded, the properties must meet the following criteria and conditions to annex to the GID. *The items highlighted in yellow are replacements or additions to the sections identified.*

1. Any property which is to be used solely for residential purposes shall not be allowed to annex to the G.I.D. Any property which is multi-use, *a* portion of which is residential, may be annexed to the G.I.D. However, such a project must provide, as condition of annexation, parking as required by Chapter 20 of the Glenwood Springs Municipal Code (the development Code) for the residential use portion of that property. **Replaced with the following:**
 - **Updated in 2015 to replace section 1 (above) to read as follows:** Any property that is used solely for residential purposes may be included (annexed) in the G.I.D. where the Board of Directors finds that the character of the neighborhood in which the property is located warrants its inclusion (annexation) in the G.I.D. in order to facilitate the goals of the G.I.D. Findings and conditions shall include that the neighborhood in which the property is located is transitioning to commercial uses, the property is currently zoned C/2, and that the inclusion of the property is conditioned on limiting residential uses and densities as the exist on the date of inclusion. The Board may require additional conditions upon inclusion as it determines are necessary to meet the goals of the G.I.D.
2. Any and all property seeking to be annexed to the G.I.D. shall provide one parking space per employee as a condition of annexation. Should the number of employees increase within one year of annexation, additional parking space must be provided for such additional employees. Any such property seeking to be annexed to the G.I.D. which has structures upon it, and which structures are to be either used in their present state or to be remodeled in the present structural outlines of the building, shall not be required to provide such employee parking. However, should such building be altered outside of the present structural outlines of the building, or should the building be demolished and another building be constructed within one year of annexation, then employee parking pursuant to this paragraph shall be required prior to issuance of *a* building permit.
3. The following findings must be made by the Board of Directors of the G.I.D. with regard to property proposed to be annexed to the District:
 - That the property serves *a* positive contribution to the fiscal health of the G.I.D. and to the economic health of downtown Glenwood Springs.
 - That the design of the structures located upon the property are *a* positive contribution to the Glenwood Springs historical and architectural context as defined by the neighborhood surrounding the property proposed to be annexed to the G.I.D.
 - That the property is not north of Colorado River;
 - That the following contiguity requirements are met:
 - If the property is rectangular in shape that at least two sides of the property are contiguous with the present boundaries of the G.I.D., or;
 - At least twenty five percent of the boundary of the property proposed to be annexed is contiguous with the present boundaries of the G.I.D., or;
 - Artificial divisions of property (not along plotted property lines and/or multiple annexations may not be not be utilized to satisfy the above contiguity requirements.
 - **Added in 2015:** Where multiple properties seek inclusion (annexation) concurrently, inclusion will be considered by either serial annexation, the contiguity of each sequential property with the G.I.D. boundary being calculated individually; or en masse, the contiguity of the properties with the G.I.D. boundary being calculated as a unified whole.
4. The Board of Directors shall also be guided by the following criteria although such will not be determinative in deciding whether or not the property should be annexed:

- That no further property should be rezoned to C/2 Core Commercial unless exceptional or unique circumstances exist, especially if the rezoning *is* done contemporaneously with the request for annexation to the G.I.D.
- The District encourages the use of special review procedures to insure compatibility of non residential with the residential neighborhoods and to minimize adverse impacts on on-street parking

Fiscal Impact:

The G.I.D. is paid through a MIL Levy that fluctuates every year. The maximum amount of funding received annually is \$50,000. Historically, we have used this funding to pay for parking studies. There is \$228,000 in the G.I.D fund as of 2023.

The following fees shall be paid upon application to the G.I.D.:

- Annexation processing fee in the sum of \$100.00 which will cover the actual cost of the annexation proceedings;
- A system improvement fee to be calculated as follows: \$130.00 x (the number of off-street parking spaces which would be required for the development if not in the G.I.D. pursuant to Article 5, Chapter 20 of the Glenwood Springs Municipal Code minus the number of parking spaces provided pursuant to paragraph I above for residential portions of the property to be annexed minus the number of employee parking spaces provided pursuant to paragraph 2 above). If the use of the property changes within two years of the date of annexation, this fee is required for any additional parking spaces which would have been required if the property were not in the G.I.D. shall be paid before the commencement of the new use.

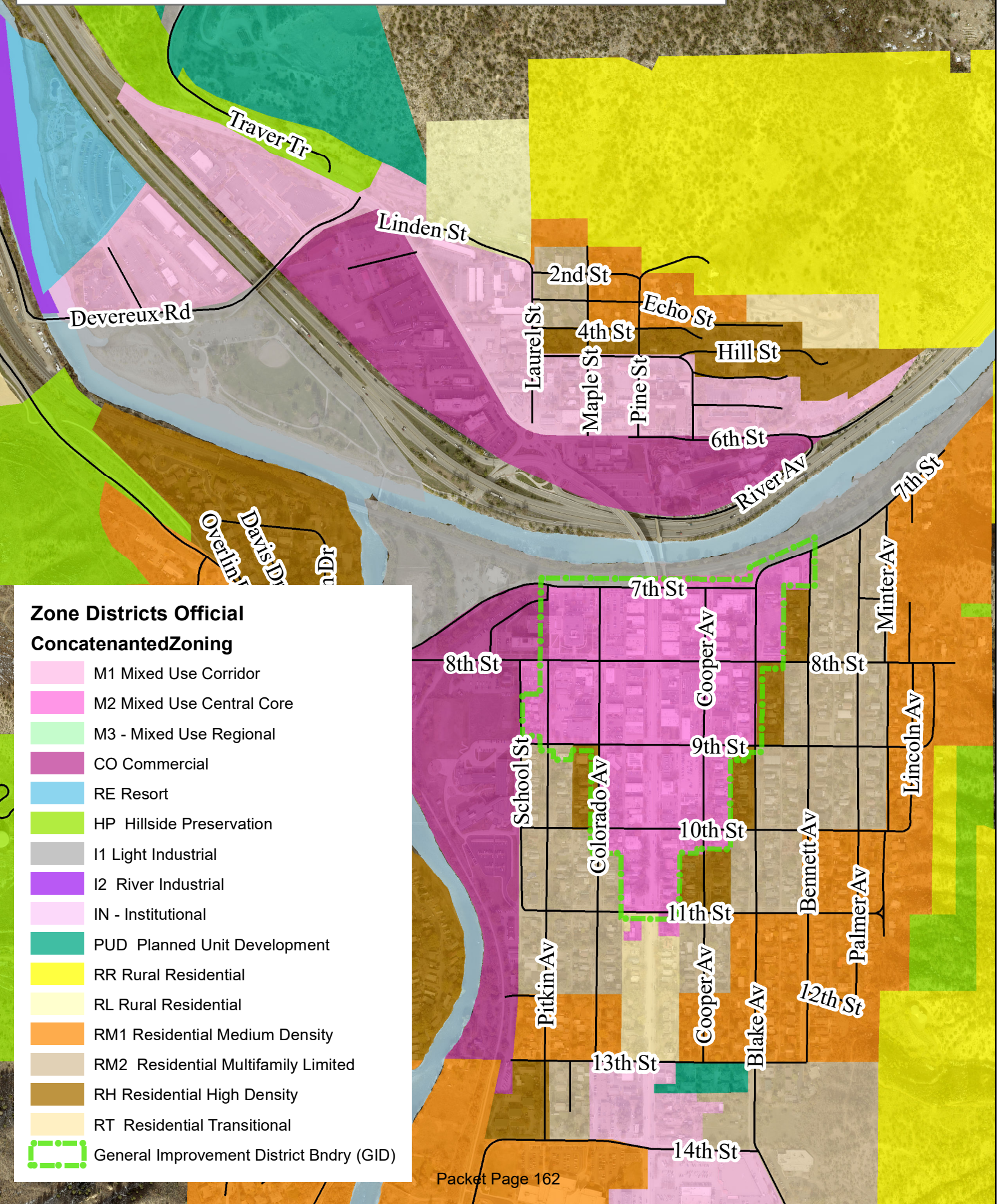
Legal Review:

Not applicable

Staff Recommendation:

Staff has no recommendation at this time.

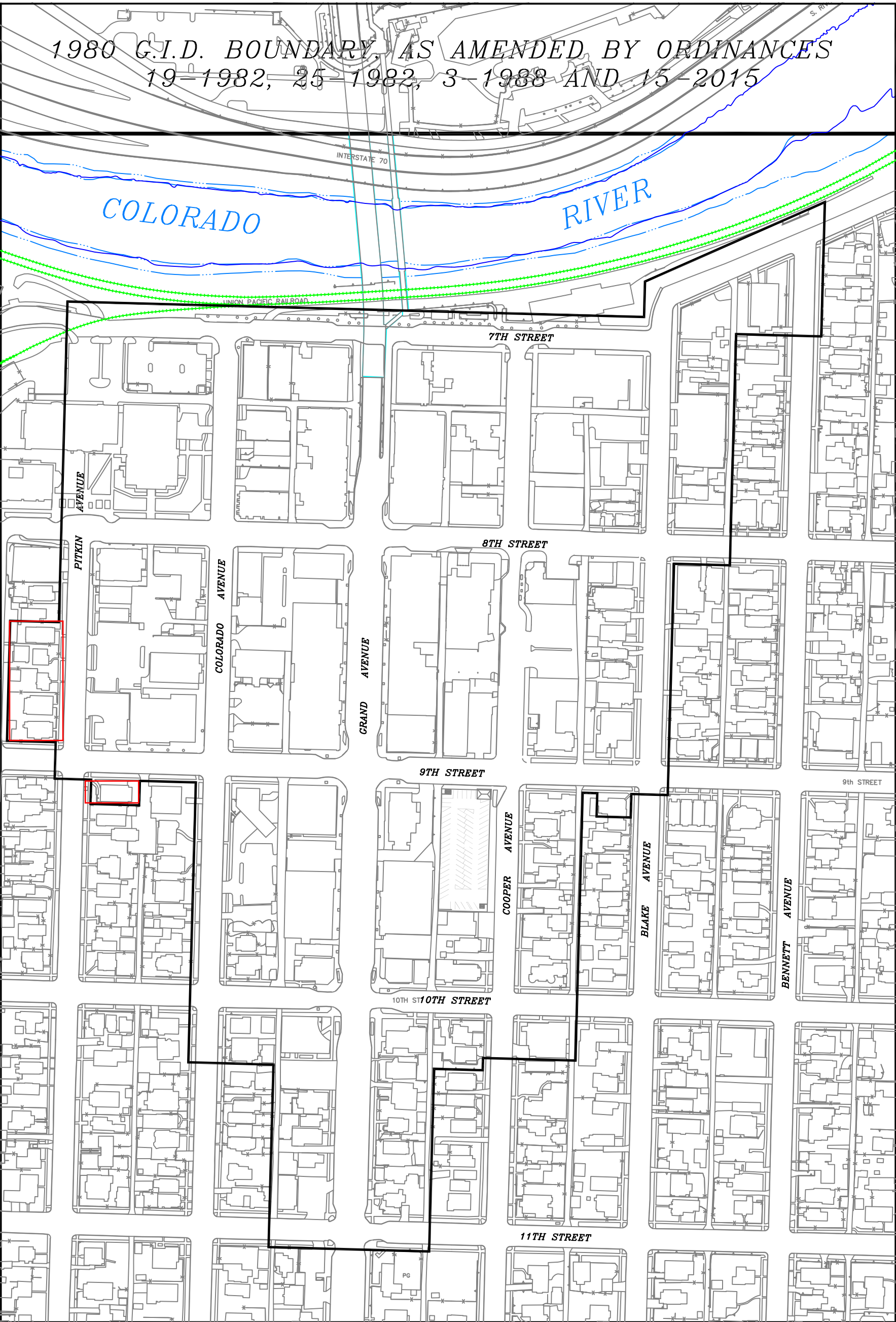
General Improvement District (G.I.D)



Zone Districts Official ConcatenatedZoning

- M1 Mixed Use Corridor
- M2 Mixed Use Central Core
- M3 - Mixed Use Regional
- CO Commercial
- RE Resort
- HP Hillside Preservation
- I1 Light Industrial
- I2 River Industrial
- IN - Institutional
- PUD Planned Unit Development
- RR Rural Residential
- RL Rural Residential
- RM1 Residential Medium Density
- RM2 Residential Multifamily Limited
- RH Residential High Density
- RT Residential Transitional
- General Improvement District Bndry (GID)

1980 G.I.D. BOUNDARY, AS AMENDED BY ORDINANCES
19-1982, 25-1982, 3-1988 AND 15-2015



RESOLUTION 82-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE GLENWOOD SPRING GENERAL IMPROVEMENT DISTRICT NO. 1980 ADOPTING ANNEXATION REQUIREMENTS FOR PROPERTY TO BE ANNEXED TO SAID DISTRICT

WHEREAS:

A) The Glenwood Springs General Improvement District No. 1980 (G.I.D.) is designed to serve an area generally perceived to be downtown Glenwood Springs south of the Colorado River;

a) The G.I.D. has been established and operates to formulate and implement a general program of providing parking and related improvements for the G.I.D. area, which may include, but shall not be limited to:

1. Parking and off-street parking facilities including, but not limited to structures;
2. Acquisition or lease of necessary land or interests therein, and improvements thereto in connection with said facilities;
3. Other incidental and appurtenant facilities and improvements designed to provide parking and improve the convenience of District area; and
4. Landscaping, beautification and pedestrian improvements.

b) A goal of the G.I.D. is to assist in preserving and enhancing a vital mix of retail, professional, financial, education, entertainment and governmental uses to keep downtown an inviting and exciting place, attractive to citizens and visitors alike.

c) The G.I.D. must at all times preserve and maintain its financial health.

d) The G.I.D. is committed to preserving an orderly transition of uses from the core commercial area to neighboring residential areas.

e) The G.I.D. is concerned that extension of its boundaries into neighboring residential areas not adversely affect on-street parking in those neighborhoods.

f) All costs of annexation (inclusion) proceedings shall be borne by the petitioner.

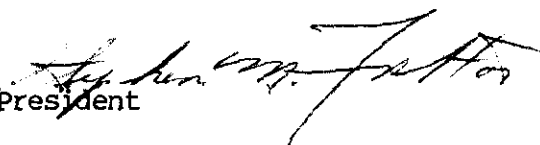
NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GLENWOOD SPRINGS GENERAL IMPROVEMENT DISTRICT NO. 1980 that all petitions for annexation (inclusion) pursuant to 31-25-601 et. seg. C.R.S. 1973, as amended, shall be reviewed and considered in terms of the following criteria and requirements. The G.I.D. Board of Directors must find that property proposed for annexation (inclusion) substantially meets the standards and conditions established by these criteria and requirements to be allowed to annex to the G.I.D:

1. Any property which to be used solely for residential purposes shall not be allowed to annex to the G.I.D. Any property which is multi-use, a portion of which is residential, may be annexed to the G.I.D. however, such project must provide, as a condition of annexation, parking as required by Chapter 20 of the Glenwood Springs Municipal Code (the Development Code) for the residential use portion of that property.
2. Any and all property seeking to be annexed to the G.I.D. shall provide one parking space per employee as a condition of annexation. Should the number of employees increase within one year of annexation additional parking space must be provided for such additional employees. Any such property seeking to be annexed to the G.I.D. which has structures upon it, and which structures are to be either used in their present state or to be remodeled in the present structural outlines of the building, shall not be required to provide such employee parking. However, should such building be altered outside of the present structural outlines of the building, or should the building be demolished and another building be constructed within one year of annexation, then employee parking pursuant to this paragraph shall be required prior to issuance of a building permit.
3. The following findings must be made by the Board of Directors of the G.I.D. with regard to property proposed to be annexed to the District:
 - a) That the property serves a positive contribution to the fiscal health of the G.I.D. and to the economic health of downtown Glenwood Springs.
 - b) That the design of the structures located upon the property are a positive contribution to the Glenwood Springs historical and architectural context as defined by the neighborhood surrounding the property proposed to be annexed to the G.I.D.
 - c) That the property is not north of Colorado River;
 - d) That the following contiguity requirements are met:
 1. If the property is rectangular in shape that at least two sides of the property are contiguous with the present boundaries of the G.I.D., or;
 2. At least twenty five percent of the boundary of the property proposed to be annexed is contiguous with the present boundaries of the G.I.D., or;
 3. Artificial divisions of property (not along plotted property lines and/or multiple annexations may not be not be utilized to satisfy the above contiguity contiguity requirements.
4. The Board of Directors shall also be guided by the following criteria although such will not be determinative in deciding whether or not the property should be annexed:
 - a) That no further property should be rezoned to C/2 Core Commercial unless exceptional or unique circumstances exist especially if the rezoning is done contemporaneously with the request for annexation to the G.I.D.;

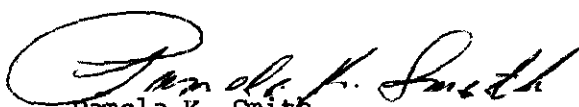
- b) The District encourages the use of special review use permitting procedure to insure compatibility of non-residential with the residential neighborhoods and to minimize adverse impacts on on-street parking.
5. The following fees shall be paid upon application to the G.I.D.:
- a) Annexation processing fee in the sum of \$100.00 which will cover the actual cost of the annexation proceedings;
 - b) A system improvement fee to be calculated as follows:
\$130.00 x (the number of off street parking spaces which would be required for the development if not in the G.I.D. pursuant to Article 5, Chapter 20 of the Glenwood Springs Municipal Code minus the number of parking spaces spaces provided pursuant to paragraph 1 above for residential portions of the property to be annexed minus the number of employee parking spaces provided pursuant to paragraph 2 above)
If the use of the property changes within two years of the date of annexation, this fee required for any additional parking spaces which would have been required if the property were not in the G.I.D. shall be paid before the commencement of the new use.

INTRODUCED, READ AND PASSED THIS 7TH DAY OF OCTOBER, 1982.

BOARD OF DIRECTORS OF THE GENERAL
IMPROVEMENT DISTRICT

By: 
President

ATTEST:


Pamela K. Smith
Acting City Clerk

Recorded at 10 42 o'clock A P. JUN 17 1980
Reception No. **304769** MILDRED ALSDORF, RECORDER

BOOK **550** PAGE **238**

ORDINANCE NO. 18

AN ORDINANCE CREATING THE CITY OF GLENWOOD SPRINGS GENERAL IMPROVEMENT DISTRICT NO. 1980, WITHIN THE CITY OF GLENWOOD SPRINGS; SETTING FORTH THE BOUNDARY OF THE DISTRICT; DESCRIBING THE PROPOSED IMPROVEMENTS TO BE CONSTRUCTED AND INSTALLED; DESIGNATING THE GOVERNING BOARD OF THE DISTRICT, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH

WHEREAS, Petitions for the creation of the City of Glenwood Springs General Improvement District No. 1980 in Glenwood Springs, Colorado, have been filed with the City Clerk on April 17, 1980; and

WHEREAS, a Bond has been filed to pay all expenses connected with the proceedings in case the organization of the District is not effected, which Bond is hereby approved; and

WHEREAS, on April 17, 1980, the City Council adopted a Resolution and entered an Order authorizing the Notice of Hearing on the Petitions for the organization of said District, such Hearing to be on May 15, 1980; and

WHEREAS, the City Clerk caused Notice by publication to be made of the pendency of the Petitions, of the purposes and boundaries of the proposed District, and of the time and place of hearing thereon, such Notice having been published in the Glenwood Springs Post in accordance with Law; and

WHEREAS, the City Clerk also caused a copy of the Notice of Hearing to be mailed to each registered elector of the proposed District at his or her last-known address, as disclosed by the tax and official voter registration records of Garfield County, Colorado; and

the District and the construction of the improvements therein;
and

WHEREAS, the City Council has ascertained that the Petitions were signed by the required number of registered electors of the City who own real or personal property within the proposed District, and that, together with the other owners of property within the proposed District having signed consents to inclusion, said Petitioners own the required amount of property having the requisite valuation for assessment therein; and

WHEREAS, the Council has determined, and hereby determines, that the allegations of the Petitions are true, and that it has jurisdiction concerning the creation of the District; and

WHEREAS, the City Council has determined that the proposed improvements will confer a general benefit on the District and that the cost of such improvements would not be excessive, as compared with the value of the property within the District;

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

Section 1. Creation of the District. That it is hereby determined and declared that the Petitions for Organization of the City of Glenwood Springs General Improvement District No. 1980, have been duly and properly signed by not less than a majority of the registered electors of the City who own real or personal property within the proposed District, and that, together with the other owners of property within the proposed District having signed consents to inclusion, said Petitioners own real or personal property therein having a valuation for assessment of not less than one-half of the valuation for assessment of all

of Title 31, Article 25, Page 6, Colorado Revised Statutes 1973, as amended, that the allegations thereof are true, and that nothing prevents the adoption of an ordinance creating the District at this time.

That the City of Glenwood Springs General Improvement District No. 1980 is hereby duly created and organized. That the corporate name of said District shall be "City of Glenwood Springs General Improvement District No. 1980", in the City of Glenwood Springs, Colorado, by which name in all proceedings it shall hereafter be known, and said District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in said Part 6.

Section 2. Description of Improvements. A general description of the improvements to be constructed within the District is:

A general program of providing parking and related improvements for the District area, which may include, but shall not be limited to:

- A. Parking and off-street parking facilities including, but not limited to structures;
- B. Acquisition or lease of necessary land or interests therein, and improvements thereto in connection with said facilities;
- C. Other incidental and appurtenance facilities and improvements designed to provide parking and improve the convenience of the District area; and,
- D. Landscaping, beautification and pedestrian improvements.

The present estimated cost of the proposed improvements is approximately \$1,500,000; the City will pay approximately \$-0- toward such cost.

Section 3. Boundary of District. The territory to

EXHIBIT "A"
LEGAL DESCRIPTION
OF
GENERAL IMPROVEMENT DISTRICT NO. 1980

Beginning at a point located at the intersection of the centerline of Grand Avenue with the southern edge of the 11th Street right-of-way both public streets as platted on the original townsite, thence east to the northwest corner of Lot 32, Block 4, thence northerly to the northwest corner of Lot 29, Block 17, thence easterly to the eastern edge of the Block 16 alley right-of-way, thence northerly to the northwest corner of Lot 32, Block 25, thence easterly to the northwest corner of Lot 1, Block 26, thence northerly to the northwest corner of Lot 35, Block 35, thence easterly to the northwest corner of Lot 32, Block 35, thence northerly to the northwest corner of Lot 34, Block 46, thence easterly to the eastern edge of the Bennett Avenue right-of-way, thence northerly to the northern edge of the South River Street right-of-way, thence southwesterly following the northern edge of River Street right-of-way to the western edge of the Blake Avenue right-of-way, thence southerly to the northern edge of the 7th Street right-of-way, thence westerly to the western edge of the Pitkin Avenue right-of-way extension, thence southerly to the northeast corner of Lot 1, Block 21, thence easterly to the northeast corner of Lot 32, Block 22, thence southerly to the northeast corner of Lot 1, Block 19, thence easterly to the

Section 4. Filing with County Clerk and Recorder and Assessor. Within thirty (30) days after the date of the final adoption of this ordinance, the City Clerk shall submit to the County Clerk and Recorder of Garfield County, Colorado, to the County Assessor of the County, and to the Division of Local Government, copies of this ordinance to be filed in accordance with Sec. 31-25-608 and 39-1-110, C.R.S. 1973, as amended.

Section 5. Governing Board of the District. The City Council of the City of Glenwood Springs shall constitute ex-officio the board of directors of the District. The Mayor of the City shall be ex-officio the President of the board and of the District. The Director of Finance of the City shall also be the Secretary and the Treasurer, respectively, of the board and of the District. The board shall adopt a seal. The Secretary shall keep a record of all its proceedings, minutes of all meetings, certificates and contracts, and all corporate acts which shall be open to inspection of all owners of property in the District, as well as to all other interested parties. The Treasurer shall keep permanent records containing accurate accounts of all money received by and disbursed for and on behalf of the District.

Section 6. Severability. That if any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions hereof, it being the intention that the various provisions of this Ordinance are and shall be severable.

Section 7. Repealer. All Ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

Section 8. Recording and Authentication. This Ordinance, as adopted by the City Council, shall be numbered and recorded, and the adoption and publication shall be authenticated by the signature

INTRODUCED AND PASSED ON FIRST READING This 15th day of
May, 1980.

(S E A L)

Marian I. Smith
Marian I. Smith, Mayor

ATTEST:

Ruby Dunham
RUBY DUNHAM
ACTING FINANCE DIRECTOR

FINALLY PASSED AND ADOPTED This 5th day of June,
1980.

(S E A L)

Marian I. Smith
Marian I. Smith, Mayor

ATTEST:

Ruby Dunham
RUBY DUNHAM
ACTING FINANCE DIRECTOR

Affidavit of Publication in full of the Ordinance following
First Reading)

AN ORDINANCE CREATING THE CITY OF GLENWOOD SPRINGS GENERAL IMPROVEMENT DISTRICT NO. 1980, WITHIN THE CITY OF GLENWOOD SPRINGS; SETTING FORTH THE BOUNDARY OF THE DISTRICT; DESCRIBING THE PROPOSED IMPROVEMENTS TO BE CONSTRUCTED AND INSTALLED; DESIGNATING THE GOVERNING BOARD OF THE DISTRICT, AND PROVIDING OTHER DETAILS IN CONNECTION THEREWITH.

WHEREAS, Petitions for the creation of the City of Glenwood Springs General Improvement District No. 1980 in Glenwood Springs, Colorado, have been filed with the City Clerk on 4-17-80, 1980; and

WHEREAS, a Bond has been filed to pay all expenses connected with the proceedings in case the organization of the District is not effected, which Bond is hereby approved; and

WHEREAS, on April 17, 1980, the City Council adopted a Resolution and entered an Order authorizing the Notice of Hearing on the Petitions for the organization of said District, such Hearing to be on May 15, 1980; and

WHEREAS, the City Clerk caused Notice by publication to be made of the pendency of the Petitions, of the purposes and boundaries of the proposed District, and of the time and place of hearing thereon, such Notice having been published in the Glenwood Springs Post in accordance with law; and

WHEREAS, the City Clerk also caused a copy of the Notice of Hearing to be mailed to each registered elector of the proposed District at his or her last-known address, as disclosed by the tax and official voter registration records of Garfield County,

City who own real or personal property within the proposed District, and that, together with the other owners of property within the proposed District having signed consents to inclusion, said Petitioners own the required amount of property having the requisite valuation for assessment therein; and

WHEREAS, the Council has determined, and hereby determines, that the allegations of the Petitions are true, and that it has jurisdiction concerning the creation of the District; and

WHEREAS, the City Council has determined that the proposed improvements will confer a general benefit on the District and that the cost of such improvements would not be excessive, as compared with the value of the property within the District:

THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, ORDAIN:

Section 1. Creation of the District. That it is hereby determined and declared that the Petitions for Organization of the City of Glenwood Springs General Improvement District No. 1980, have been duly and properly signed by not less than a majority of the registered electors of the City who own real or personal property within the proposed District, and that, together with the other owners of property within the proposed District having signed consents to inclusion, said Petitioners own real or personal property therein having a valuation for assessment of not less than one-half of the valuation for assessment of all the real and personal property in the proposed District.

That it is further hereby determined and declared that said Petitions comply fully with all of the applicable requirements of Title 31, Article 25, Part 6, Colorado Revised Statutes 1973, as amended, that the allegations thereof are true, and that nothing prevents the adoption of an ordinance creating the District at this time.

That the City of Glenwood Springs General Improvement District No. 1980 is hereby duly created and organized. That the corporate name of said District shall be "City of Glenwood Springs General Improvement District No. 1980", in the City of Glenwood Springs, Colorado, by which name in all proceedings it shall hereafter be known, and said District shall be a public or quasi-municipal subdivision of the State of Colorado and a body corporate with the limited proprietary powers set forth in said Part 6.

Section 2. Description of Improvements. A general description of the improvements to be constructed within the District is:

A general program of providing parking and related improvements for the District area, which may include, but shall not be limited to:

A. Parking and off-street parking facilities including, but not limited to structures;

B. Acquisition or lease of necessary land or interests therein, and improvements thereto in connection with said facilities;

C. Other incidental and appurtenant facilities and improvements designed to provide parking and improve the convenience of the District area; and,

D. Landscaping, beautification and pedestrian improvements.

The present estimated cost of the proposed improvements is approximately \$1,500,000; the City will pay approximately \$-0- toward such total cost.

Section 3. Boundary of the District. The territory to be included in the proposed district is as follows:

EXHIBIT "A"

LEGAL DESCRIPTION
OF

GENERAL IMPROVEMENT DISTRICT NO. 1980
Beginning at a point located at the intersection of the centerline of Grand Avenue with the southern edge of the 11th Street right-of-way, both public streets as platted on the original townsite, thence easterly to the northwest corner of Lot 32, Block 4, thence northerly to the northwest corner of Lot 29, Block 17, thence easterly to the eastern edge of the Block 16 alley right-of-way, thence northerly to the northwest corner of Lot 32, Block 25, thence easterly to the northwest corner of Lot 1, Block 26, thence northerly to the northwest corner of Lot 1, Block 35, thence easterly to the northwest corner

the northeast corner of Lot 28, Block 19, thence easterly to the northeast corner of Lot 5, Block 18, thence southerly to the northeast corner of Lot 1, Block 3, thence easterly to the point of beginning, all the aforementioned being contained in the original townsite.

Section 4. Filing with County Clerk and Recorder and Assessor. Within thirty (30) days after the date of the final adoption of this ordinance, the City Clerk shall submit to the County Clerk and Recorder of Garfield County, Colorado, to the County Assessor of the County, and to the Division of Local Government, copies of this ordinance to be filed in accordance with Sec. 31-25-608 and 39-1-110, C.R.S. 1973, as amended.

Section 5. Governing Board of the District. The City Council of the City of Glenwood Springs shall constitute ex-officio the board of directors of the District. The Mayor of the City shall be ex-officio the President of the board and of the District. The Director of Finance of the City shall also be the Secretary and the Treasurer, respectively, of the board and of the District. The board shall adopt a seal. The Secretary shall keep a record of all its proceedings, minutes of all meetings, certificates and contracts, and all corporate acts which shall be open to inspection of all owners of property in the District, as well as to all other interested parties. The Treasurer shall keep permanent records containing accurate accounts of all money received by and disbursed for and on behalf of the District.

Section 6. Severability. That if any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions hereof, it being the intention that the various provisions of this Ordinance are and shall be severable.

Section 7. Repealer. All Ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

Section 8. Recording and Authentication. This Ordinance, as adopted by the City Council, shall be numbered and recorded, and the adoption and publication shall be authenticated by the signature of the Mayor and the Director of Finance, and by the certificate of publication.

INTRODUCED AND PASSED ON FIRST READING This 15th day of May, 1980.

(SEAL) /s/ Marian I. Smith
Mayor

ATTEST:

/s/ Chad Burkey

Director of Finance

Published May 22, 1980 in the Glenwood Post.

PROOF OF PUBLICATION
GLENWOOD POST

STATE OF COLORADO
COUNTY OF GARFIELD

I, Peter

swear that I am

GLENWOOD POST or in part, and published in the State of Colorado and has a general circulation in Garfield County for a period prior to the first publication; that said newspaper publishes second-class mail as second-class matter since March 3, 1879, or earlier, and is a newspaper devoted to the publication of advertisements with circulation in Colorado.

That the annexed copy of the Ordinance is the regular and

the period of publication of said notice is
May 22

notice was in the issue of

19

In witness whereof
day of May

Subscribed and sworn to before me

County of Garfield,
May

(SEAL)

My Commission Expires

18

**PROOF OF PUBLICATION
GLENWOOD POST**

STATE OF COLORADO, } ss.
COUNTY OF GARFIELD. }

No 11010

I, Peter W. Stauffer

do solemnly

swear that I am General Manager

of the

GLENWOOD POST; that the same is a newspaper printed, in whole or in part, and published in the County of Garfield, State of Colorado and has a general circulation therein; that said newspaper has been published continuously and uninterruptedly in said County of Garfield for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof and that said newspaper is a newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said newspaper for

the period of 1 consecutive insertions; and that the first publication of said notice was in the issue of said newspaper dated May 22 80

.....A.D., 19....., and the last publication of said notice was in the issue of said newspaper datedA.D., 19.....

In witness whereof I have hereunto set my hand this 28th day of May A.D., 19 80

Peter W. Stauffer
General Manager / Publisher

Subscribed and sworn to before me, a notary public in and for the County of Garfield, State of Colorado, this 28th day of May A.D., 19 80

(SEAL) *Angeline S. Samuelson*
Notary Public

My Commission Expires My Commission expires Jan. 2, 1983

the northeast corner of lot 28, Block 19, thence easterly to the northeast corner of lot 5, Block 18, thence southerly to the northeast corner of lot 1, Block 3, thence easterly to the point of beginning, all the aforementioned being contained in the original town-site.

Section 4. Filing with County Clerk and Recorder and Assessor. Within thirty (30) days after the date of the final adoption of this ordinance, the City Clerk shall submit to the County Clerk and Recorder of Garfield County, Colorado, to the County Assessor of the County, and to the Division of Local Government, copies of this ordinance to be filed in accordance with Sec. 31-25-608 and 39-1-110, C.R.S. 1973, as amended.

Section 5. Governing Board of the District. The City Council of the City of Glenwood Springs shall constitute ex-officio the board of directors of the District. The Mayor of the City shall be ex-officio the President of the board and of the District. The Director of Finance of the City shall also be the Secretary and the Treasurer, respectively, of the board and of the District. The Secretary board shall adopt a seal. The Secretary shall keep a record of all its proceedings, minutes of all meetings, certificates and contracts, and all corporate acts which shall be open to inspection of all owners of property in the District, as well as to all other interested parties. The Treasurer shall keep permanent records containing accurate accounts of all money received by and disbursed for and on behalf of the District.

Section 6. Severability. That if any one or more sections or parts of this Ordinance shall be adjudged unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions hereof, it being the intention that the various provisions of this Ordinance are and shall be severable.

Section 7. Repealer. All Ordinances or parts thereof in conflict with this Ordinance are hereby repealed.

Section 8. Recording and Authentication. This Ordinance, as adopted by the City Council, shall be numbered and recorded, and the adoption and publication shall be authenticated by the signature of the Mayor and the Director of Finance, and by the certificate of publication.

INTRODUCED AND PASSED ON FIRST READING This 15th day of May, 1980.
(SEAL) /s/ Morton I. Smith Mayor

ATTEST:
/s/ Chad Burkley
Director of Finance
Published May 22, 1980 in the Glenwood Post.

1 or personal property in said District, and that, the owners of property in said District having signed a petition, said Petitioners own the property having the value for assessment therein;

Council has determined that the improvements will confer a benefit on the District and that the improvements would not be excluded with the value of the property in the District;

CL OF THE CITY OF GLENWOOD, COLORADO, ORDINANCE No. 11010, that it is the policy of the City of Glenwood to improve the District and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District;

and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District;

and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District;

and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District and that the City of Glenwood shall be authorized to issue bonds to finance the improvement of the District;

PROOF OF PUBLICATION
GLENWOOD POST

STATE OF COLORADO, }
COUNTY OF GARFIELD. } ss.

Nº 11058

I, Peter W. Stauffer do solemnly

swear that I am General Manager of the
GLENWOOD POST; that the same is a newspaper printed, in whole
or in part, and published in the County of Garfield, State of Colo-
rado and has a general circulation therein; that said newspaper has
been published continuously and uninterruptedly in said County of
Garfield for a period of more than fifty-two consecutive weeks next
prior to the first publication of the annexed legal notice or advertise-
ment; that said newspaper has been admitted to the United States
mails as second-class matter under the provisions of the Act of
March 3, 1879, or any amendments thereof, and that said newspaper
is a newspaper duly qualified for publishing legal notices and ad-
vertisements within the meaning of the laws of the State of
Colorado.

That the annexed legal notice or advertisement was published in
the regular and entire issue of every number of said newspaper for

the period of 1 consecutive insertions; and that the first pub-
lication of said notice was in the issue of said newspaper dated
June 9 A.D., 1980, and the last publication of said
notice was in the issue of said newspaper dated A.D.,
19 .

In witness whereof I have hereunto set my hand this 17th
day of June A.D., 1980.

Peter W. Stauffer
General Manager / Publisher

Subscribed and sworn to before me, a notary public in and for the
County of Garfield, State of Colorado, this 17th day
of June A.D., 1980.

(SEAL)

Angeline S. Samuelson
Notary Public

My Commission Expires My Commission expires Jan. 2, 1983

ORDINANCE NO. 18
AN ORDINANCE CREATING THE CITY OF
GLENWOOD SPRINGS GENERAL IM-
PROVEMENT DISTRICT NO. 1980, WITHIN THE
CITY OF GLENWOOD SPRINGS; SETTING
FORTH THE BOUNDARY OF THE DISTRICT;
DESCRIBING THE PROPOSED IMPROVEMENT
TO BE CONSTRUCTED AND INSTALLED;
DESIGNATING THE GOVERNING BOARD OF
THE DISTRICT, AND PROVIDING OTHER
DETAILS IN CONNECTION THEREWITH.
INTRODUCED, READ BY TITLE AND NUM-
BER, PASSED ON SECOND READING BY ROLL
CALL VOTE OF THE CITY COUNCIL, AND OR-
DERED PUBLISHED IN FULL WITH NOTICE AS
REQUIRED BY LAW THIS 5th DAY OF JUNE,
1980.
/s/ Marian I. Smith,
Mayor
ATTEST:
/s/ Ruby Dunham
Acting Director of Finance
Published June 9, 1980 in the Glenwood
Post

RESOLUTION 2015-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GLENWOOD SPRINGS SITTING AS THE BOARD OF DIRECTORS OF
THE GLENWOOD SPRINGS GENERAL IMPROVEMENT DISTRICT
NO. 1980 AMENDING ANNEXATION REQUIREMENTS FOR
PROPERTY TO BE ANNEXED TO SAID DISTRICT**

WHEREAS, the Glenwood Springs General Improvement District No. 1980 ("G.I.D.") is designed to serve an area generally perceived to be downtown Glenwood Springs south of the Colorado River; and

WHEREAS, the G.I.D. was established and operates to facilitate a general program of providing parking and related improvements for the G.I.D. area, such improvements including, but not being limited to:

- (a) the erection of parking and off-street parking facilities, but not limited to structures;
- (b) acquisition or lease of land or interests therein, and such improvements necessary and in connection with such facilities; and
- (c) other incidental and appurtenant facilities and improvements as may be designed to provide parking and improve the convenience of the district, including landscaping, beautification, and pedestrian improvements; and

WHEREAS, the goal of the G.I.D. is to assist in preserving and enhancing a vital mix of retail, professional, financial, education, entertainment, governmental and mixed uses to keep the downtown Glenwood Springs area an inviting and exciting place, attractive to citizens and visitors alike; and

WHEREAS, the G.I.D. must preserve and maintain its financial health at all times; and

WHEREAS, the G.I.D. is committed to preserving an orderly transition of uses from the core commercial area to neighboring residential areas; and

WHEREAS, the character of the areas neighboring the G.I.D. are, through growth and redevelopment, altering in use from residential to limited commercial mixed-use or residential transitional; and

WHEREAS, all costs of annexation proceedings shall be borne by the petitioner.

NOW, THEREFORE, IT IS RESOLVED BY THE BOARD OF DIRECTORS OF THE GLENWOOD SPRINGS GENERAL IMPROVEMENT DISTRICT NO. 1980, THAT:

Section 1. The recitals made above are hereby incorporated as findings of the Board of Directors.

Section 2. That all petitioners for inclusion (annexation) pursuant to C.R.S. § 31-25-601 et. seq. shall hereafter be reviewed and considered in terms and conditions adopted in RESOLUTION 82-31 and inclusive of the amended criteria and requirements herein. The G.I.D. Board of Directors must find that the property proposed for inclusion (annexation) substantially meets the standards and conditions established by these criteria and requirements to be included (annexed) in the G.I.D.

Section 3. Resolution 82-31 is hereby amended as follows:

Section 1. is replaced with the following:

1. Any property that is used solely for residential purposes may be included (annexed) in the G.I.D. where the Board of Directors finds that the character of the neighborhood in which the property is located warrants its inclusion (annexation) in the G.I.D. in order to facilitate the goals of the G.I.D. Findings and conditions shall include that the neighborhood in which the property is located is transitioning to commercial uses, the property is currently zoned C/2, and that the inclusion of the property is conditioned on limiting residential uses and densities as they exist on the date of inclusion. The Board may require additional conditions upon inclusion as it determines are necessary to meet the goals of the G.I.D.

Section 3. d) 4. is added.

4. Where multiple properties seek inclusion (annexation) concurrently, inclusion will be considered by either serial annexation, the contiguity of each sequential property with the G.I.D. boundary being calculated individually; or en masse, the contiguity of the properties with the G.I.D. boundary being calculated as a unified whole.

INTRODUCED, READ, AND PASSED THIS 4th DAY OF JUNE, 2015.

BOARD OF DIRECTORS OF THE GENERAL
IMPROVEMENT DISTRICT NO. 1980

ATTEST:

Catherine Mythen
Catherine Mythen, City Clerk



Michael Gamba, President

ORDINANCE NO. 15

Series of 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO SITTING AS THE BOARD OF DIRECTORS OF THE GLENWOOD SPRINGS IMPROVEMENT DISTRICT NO. 1980 FOR THE INCLUSION OF CERTAIN PROPERTIES INTO THE DISTRICT.

WHEREAS, the Glenwood Springs General Improvement District No. 1980 ("G.I.D.") is designed to serve an area generally perceived to be downtown Glenwood Springs south of the Colorado River; and

WHEREAS, the G.I.D. was established and operates to facilitate a general program of providing parking and related improvements for the G.I.D. area; and

WHEREAS, the goal of the G.I.D. is to assist in preserving and enhancing a vital mix of retail, professional, financial, education, entertainment, governmental and mixed uses to keep the downtown Glenwood Springs area an inviting and exciting place, attractive to citizens and visitors alike; and

WHEREAS, the G.I.D. is committed to preserving an orderly transition of uses from the core commercial area to neighboring residential areas; and

WHEREAS, the City Council sitting as the Board of Directors for the G.I.D., by and through Resolution 2015-16, amended the criteria and requirement for inclusion (annexation) of properties into the G.I.D.; and

WHEREAS, petition has been made for inclusion (annexation) of five (5) properties into the G.I.D.; and

WHEREAS, the City Council finds that the properties meet the requirements for inclusion (annexation) as described in Resolution 1982-31, as amended by Resolution 2015-16, as well as C.R.S. § 31-25-618; and

WHEREAS, the City Council desires, in fairness and equity, to include (annex) the petitioning properties into the G.I.D. without assessing the costs of such proceedings against the petitioners.

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

Section 1. The recitals above are hereby adopted as findings.

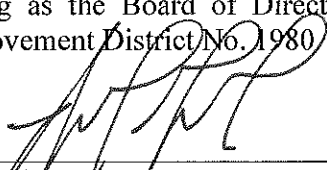
Section 2. The petitions for inclusion (annexation) of properties into the G.I.D. are granted. The following properties are hereby included (annexed) into the G.I.D.:

Luis and Kristine Del Rio	815 Pitkin Avenue (All of Lot 8 and the South 21.5 ft. of Lot 7, Block 40, City of Glenwood Springs)
Andrew T. and Karen L. Holtmeier	817 Pitkin Avenue (Lots 9 and 10, Block 40 City of Glenwood Springs)
Eric E. and Jennifer E. Liska	823 Pitkin Avenue (Lots 11 and 12, Block 40, City of Glenwood Springs)
Rick D. Rossow Trust and Melanie G. Rossow Trust	827 Pitkin Avenue (Lots 13 and 14, Block 40, City of Glenwood Springs)
Stabenau Family Trust	829 Pitkin Avenue (Lots 15 and 16, Block 40, City of Glenwood Springs)

Section 3. The applicable fees and costs to inclusion (annexation) are waived.

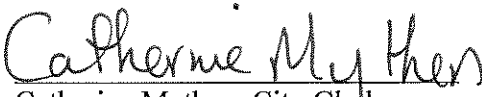
INTRODUCED, READ ON FIRST READING, PASSED, AND ORDERED
PUBLISHED BY TITLE ONLY THIS 6TH DAY OF AUGUST, 2015.

CITY OF GLENWOOD SPRINGS, COLORADO,
Sitting as the Board of Directors of the General
Improvement District No. 1980



Michael Gamba, Mayor

ATTEST:


Catherine Mythen, City Clerk

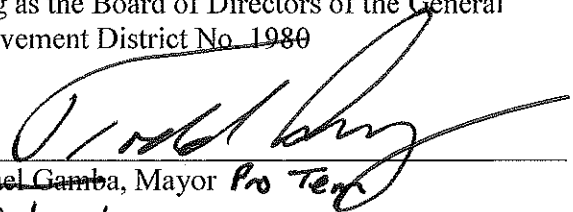


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09/17/2015 04:49:14 PM Jean Alberico
3 of 4 Rec Fee:\$26.00 Doc Fee:0.00 GARFIELD COUNTY CO

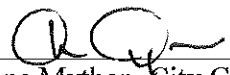
INTRODUCED, READ ON SECOND READING, PASSED AND ORDERED
PUBLISHED BY TITLE ONLY TO BE EFFECTIVE TEN DAYS FOLLOWING THE DATE
OF SECOND PUBLICATION THIS 20TH DAY OF AUGUST, 2015.

CITY OF GLENWOOD SPRINGS, COLORADO,
Sitting as the Board of Directors of the General
Improvement District No. 1980

ATTEST:


Michael Gamba, Mayor *Pro Tem*

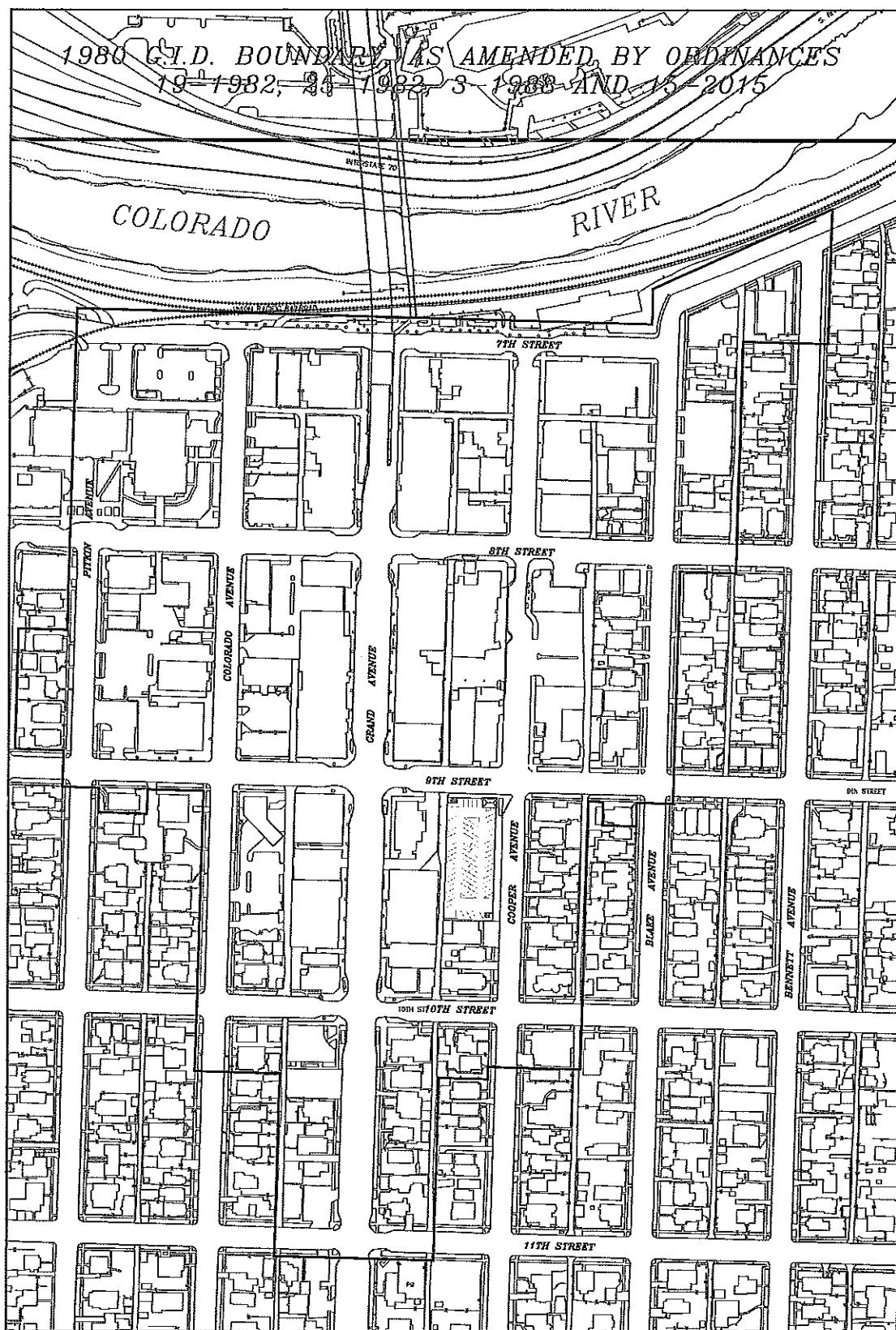
Todd Leahy


Catherine Mythen, City Clerk

Ann Green, Deputy



Reception#: 868128
09/17/2015 04:49:14 PM Jean Alberico
4 of 4 Rec Fee:\$26.00 Doc Fee:0.00 GARFIELD COUNTY CO



1980 G.I.D. BOUNDARY
AS AMENDED BY ORDINANCES
19-1982, 24-1982, 3-1988 AND 15-2015



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Economic Incentives for Businesses

Action Requested: No action requested

Department: Economic and Community Development

Presented By: Danielle Campbell

Strategic Goals: Generate Sustainable Economic Development

Background Info: The City of Glenwood Springs and the Downtown Development Authority offer economic development incentives to encourage redevelopment of existing businesses and encourage new businesses within the City. The following programs are what is offered to date.

Downtown Development Authority:

- **Facade Grant:** The Facade Improvement Program has been designed to award a portion of the funds generated by the District as an incentive for ongoing revitalization. Improvements to exterior facades (front, back or side) supports the purpose of the DDA to promote a healthy downtown business environment, as well as preserve the unique character of the area. This matching grant program provides support to property owners for small and large renovation projects. It is also intended to encourage compatibility between structures that have been renovated and those that have not to increase the overall aesthetic experience of downtown. What Conditions Apply?
 - Maximum award is \$25,000 per business. If multiple businesses exist on one property, all businesses are eligible to apply and will be treated individually. The grant requires a 1:1 match by the applicant. No more than one grant per calendar year shall be awarded to the same business/applicant.
 - Applications will be reviewed by the DDA Board and must be approved before any work is commenced. The DDA Board has sole discretion in determining if funds will be awarded.
 - Work must be started within three months of the date of approval and must be completed within twelve months of approval, unless extenuating circumstances can be demonstrated.
 - All work must be completed prior to requesting reimbursement.
 - **Grant Use:**
 - Add new awnings, lights, permanent signs, or other exterior amenities and architectural details, including murals and public art
 - Replace, repair or add window and/or display area
 - Uncover or rehabilitate the historic exterior of a building
 - Improve or add outdoor space for public use, such as outdoor dining
 - Improve alley business entryways
 - Meet exterior building accessibility requirements
- **Design Assistance Grant:** If no conceptual design has been developed for facade improvement, a \$1,000 grant is available for architectural assistance.

City of Glenwood Springs:

- **Revolving Loan Fund:** The City of Glenwood Springs offers a new financing opportunity through a grant from the U.S. Department of Agriculture (USDA). This revolving loan fund

(RLF) will provide low-interest financing options to business owners operating within the city limits. The city had provided loans to two separate businesses for expansion purposes and in the process of 1 additional business.

- **Loan Purpose:**

- Fire suppression systems
- Working capital needs
- Acquisition or rehabilitation of fixtures, furniture, or equipment
- Property rehabilitation
- Site improvements
- Limited new construction project (*Per USDA regulations, any new construction projects require extensive federal review which could take multiple months.*)

- **Amount:** Loans will be distributed in amounts between \$5,000 and \$40,000 or 50% of the total eligible project costs. Currently, we only have about 10,000 available in the Loan Fund.

- **Terms:** Annual interest rates around 3.0% with a repayment term of up to 7 year

- **Application:** Eligible business owners must pre-application materials for initial review prior to submitting an application.

Issues:

The City has previously operated a sales tax rebate program for qualified businesses to offset the cost of water and sewer system improvement fees, fire and emergency services impact fees, electric line extension, and building permit fees, over a period of 5 years. The program was in operation from 2004 to July 2022. 11 businesses participated in the existing sales tax rebate program for construction projects using local labor.

- 711 Grand Ave, LLC (Cajun/Smoke)
- Courtyard by Marriott
- Residence Inn by Marriott
- Jags Bayou Ltd.
- WMG Meadows, LLC
- Russo's Pizza
- Caverns Centre, LLC
- Mancinelli's (Kaya Corporation)
- Glenwood Suites
- The Pullman
- Iron Mountain Hot Springs
- Sundae

040.020.170 Economic incentives; sales tax rebate program.

- a. Qualified businesses may apply for a Tier one or Tier two City sales tax rebate for up to five (5) consecutive years provided that:
 - 1. The amount of the annual Tier one rebate shall not exceed twenty (20) percent of their annual City sales tax remittance in any one year; and
 - 2. The amount of the annual Tier two rebate shall not exceed eighty (80) percent of their annual City sales tax remittance in any one year, as further detailed in Subsection (c)(5) below; and
 - 3. The total amount of all rebates received shall not exceed the total amount of fees and costs identified in Paragraph (b) below.
- b. The City sales tax rebate may be applied against the following City-imposed fees, costs and tax:
 - 1. Water and sewer system improvement fees may be available for Tier one and Tier two rebates.
 - 2. Fire and emergency services impact fees may be available for Tier one and Tier two rebates.

3. Cost incurred pursuant to the City Electric Department's Line Extension Policy may be available for Tier one and Tier two rebates.
 4. Building fees may be available for Tier two rebates only.
 5. The costs of City required public improvements at fifty (50) percent of the installation costs to a maximum of two hundred thousand dollars (\$200,000.00) may be available for Tier two rebates only.
- c. *Qualifications for application*
1. If applicable, the applicant has collected and remitted on time to the City all applicable sales, use or accommodation taxes; and
 2. The applicant is not currently in violation of any development permit or building permit conditions; and
 3. The applicant is not in default under any agreement with the City; and
 4. The applicant has paid all other applicable City-imposed fees including those for which the rebate is being applied; and
 5. Tier two applicants shall use either (a) local contractors and suppliers or (b) local businesses, as defined in Subsection (g), below, for construction of the project. At issuance of the certificate of occupancy, the applicant shall provide documentation of the amounts paid to local contractors and suppliers or local businesses as a percentage of the total costs of the project, excluding land. Projects using either (a) local contractors and suppliers or (b) local businesses for less than fifty (50) percent but more than twenty-five (25) percent of the total costs of the project, excluding land, will be eligible for a forty (40) percent Tier two rebate. Projects using either (a) local contractors and suppliers or (b) local businesses for fifty (50) percent or more of the total costs of the project, excluding land, will be eligible for an eighty (80) percent Tier two rebate. Tier two applicants must provide detailed calculation documentation upon request by the City.
- d. *Application for rebate.*
1. All businesses which qualify for such City sales tax rebates shall apply for the same by making application to the Director of Finance upon forms to be provided by him/her.
 2. All applications for City sales tax rebate shall be made to the Director of Finance on or before July 15 of the year following the year for which the tax rebate is sought.
- e. *Effective date.* This section shall apply to all City-imposed fees after the effective date of Ordinance No. 27, Series of 2005.
- f. Tier two applicants will only be accepted from May 22, 2009 until July 15, 2022. To apply for a Tier two rebate, an applicant must have a building permit issued on or before July 15, 2022. The amendments contained in Ordinance No. 8, Series of 2009, Ordinance No. 11, Series of 2010, Ordinance No. 12, Series of 2011, Ordinance No. 5, Series of 2012, Ordinance No. 14, Series of 2014, Ordinance No. 11, Series of 2016, Ordinance No. 18, Series of 2018, and Ordinance No. 11, Series of 2020, shall be repealed, effective July 15, 2022, unless otherwise extended by further action of City Council.
- g. "Local business" when applied to construction contracts shall mean a business and/or subcontractor individually applying for Local Business designation which meets criteria in either Subsections (1) and (3) or Subsections (2) and (3) as listed below:
1. The business headquarters must be located and primarily doing business within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs. In the event the business is incorporated or otherwise registered, it must be incorporated or otherwise registered in Colorado.
 2. At least seventy-five (75) percent of the business work force, at the time of application, must reside within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs.
 3. The business shall have at least seventy-five (75) percent of business vehicles registered at the time of the application, with the government agency having jurisdiction over areas within a forty-five (45) mile radius of the intersection of 8th Street and Grand Avenue in Glenwood Springs.

In the past 5 years, the program has not received a significant amount of interest due to the significant amount of documentation and the minimal return they are able to receive.

Fiscal Impact: No fiscal impact at this time

Legal Review:

Staff Recommendation: Staff defers to councils.

	Sales Tax Rebate Worksheet	
	Tier 1	Tier 2
Qualifications:		
Businesses can apply for 5 consecutive years	Yes	Yes
Amount available for rebate	Up to 20% of City-imposed sales tax and fees from the previous year	Up to 80% of City-imposed sales tax and fees from the previous year
Total rebates won't exceed cost of eligible fees	Yes	Yes
Fees being rebated:		
Water & Sewer Improvement Fees	Yes	Yes
Fire Impact Fees	Yes	Yes
Electric Line Extension Fees	Yes	Yes
Building Fees	--	Yes
City Public Improvement Fees	--	Yes
-50% of installation costs up to \$200,000		
Requirements:		
Sales, Use & Accomodation Taxes paid on time	Yes	Yes
Application not in violation of building permit	Yes	Yes
Applicant not in default of any City agreement	Yes	Yes
Applicant has paid all City-imposed fees	Yes	Yes
Applicant used local contractors as defined	--	Yes
-at CO they provided spreadsheet to Bldg. Dept. showing all costs of the project	--	Yes
-provided spreadsheet showing amounts paid to local contractors & suppliers, or local contractors	--	Yes
Determination of Rebate Amount:		
Building Department will determine percentage of rebate	--	Yes
If used 25%-50% of total costs for local contractors...	--	Eligible for 40% rebate
If used more than 50% of total costs for local contractors...	--	Eligible for 80% rebate
Application:		
Applies to Finance Director	Yes	Yes
Application must be received before July 15 for rebate of previous year's taxes	Yes	Yes
Acceptance dates	After February 20, 2004	May 22, 2009 - July 15, 2022
Notes:		
At the first year's application, the Finance Dept. will obtain the amounts eligible for rebate from each of the departments involved. After receiving each year's application, a questionnaire will be sent to each department asking to verify that the applicant is not in violation of any agreements with the City. When the questionnaire is returned to the Finance Dept., they will determine the amount of rebate due for that year and issue the check.		

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(4-04 § 2; 27-05, § 2; 8-09, § 2; 11-10 § 2; 12-11, § 2; 5-12, § 2; Ord. No. 11-2016, § 2(Exh. A), 6-16-2016; Ord. No. 18-2018, § 2, 7-19-2018; Ord. No. 17-2019, § 2, 6-27-2019; Ord. No. 11-2020, § 2(Exh. A), 5-21-2020)



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: City Manager

Action Requested:

Department: City Administration

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: City Attorney

Action Requested:

Department: City Administration

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Executive Session

Action Requested:

Department: City Administration

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation:



City Council
STAFF REPORT
City of Glenwood Springs
July 6, 2023

Agenda Item: Adjournment

Action Requested:

Department: City Clerk

Presented By:

Strategic Goals:

Background Info:

Issues:

Fiscal Impact:

Legal Review:

Staff Recommendation: