



AGENDA
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
JULY 25, 2023
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

1 Attendance Instructions

- A. This meeting is being held IN PERSON as well as via ZOOM. Please click the link below to join the webinar:
<https://us02web.zoom.us/j/88139737073?pwd=Rm8rdy9QakVDNUZHeFlzaHpjY1INUT09>
Passcode: 177366
Or Dial: 719 359 4580 US

2 Roll Call

3 Conflicts of Interest

4 Receipt of the Minutes

- A. June 27, 2023 Planning and Zoning Commission Meeting DRAFT Minutes

5 Comments from citizens appearing for items not on the agenda

6 New Items

- A. Housing Policy Discussion for Title 070 Municipal Code
B. Code amendments to Title 070 regarding Child Care and other minor changes

7 Commissioner Comments

8 Director Comments

9 Adjournment



MINUTES
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
June 27, 2023
Council Chambers, First Floor
101 W. 8TH STREET 6:00 PM P&Z

1) Roll Call

Present: Commissioners: Commissioner Waller, Commissioner Cowan, Commissioner Connerton, Commissioner Shaver, Commissioner Davey, Commissioner Simms and Commissioner White.

Also Present: Director of Community and Economic Development Hannah Klausman, Assistant City Attorney Richard Peterson-Kremer, Senior Planner Watkins Fulk-Gray.

Chair Shaver asked for a motion to seat alternates Commissioner Cowan, Commissioner White motioned to seat him Commissioner Waller seconded the motion.

2) Receipt of the Minutes for April 25, 2023 and May 23, 2023:

- a. May 23, 2023: Commissioner Simms motioned to approve, and Commissioner Waller seconded the motion. Motion passes with a vote of four in favor. Commissioner Connerton, Commissioner White and Commissioner Waller abstained from voting.
- b. April 25, 2023: Commissioner Waller motioned to accept and Commissioner Connerton seconded the motion. Motion passes unanimously 7-0.

3) Comments from citizens appearing for items not on the agenda:

None

4) New Items

a. Strategic Housing Plan Update

Senior Planner Watkins Fulk-Gray introduced the Strategic Housing Plan Update process. The current Strategic Housing Plan is from 2010 and is due to be replaced. He noted that the majority of the Plan Update is being funded by the State, and the State requires a good-faith effort to adopt at least one of a list of 16 qualifying strategies as a result of the process. The City already does many of the things on the list. He then introduced the consultant team, Andrew Knudtsen and Carson Bryant.

The consultant team discussed the Plan Update and the process to create it. They presented the policy tools available to the City too create affordable housing and the needs assessment portion of the plan.

Commissioner comments and questions included:

- Can the City waive system improvement fees for its own projects?
- How does the City recoup the revenue from fees that are waived?
- How will the Strategic Housing Plan Update be implemented?
- Where is the biggest opportunity for increasing the supply of affordable housing?
- Additional explanation about community land trusts.
- Clarification of the P&Z's role in making a recommendation to City Council.
- Preservation seems to be an important strategy.
- Clarification about next steps regarding the State's qualifying strategies.
- Staff should schedule discussions at least once a year to check progress on meeting the Plan Update's goals.

Staff and the consultants explained that system improvement fees can be waived by City Council, and that they are backfilled by the general fund. The Plan Update is implemented over time, both through City-sponsored projects or programs and by the private sector. Community land trusts separate the ownership of land from the ownership of structures on it, which makes the structures on it more affordable. Nonprofits normally operate land trusts.

Public comment included:

- This is government overreach. More public education is needed.
- How many people who commute to Glenwood don't actually want to live in Glenwood?

Commissioner Waller and White to recommend City Council adopt the Strategic Housing Plan Update. Motion passes unanimously. Motion passes unanimously 7-0.

b. Planning Item #27-23, Habitat for Humanity Administrative Site/Architectural Plan Review

Senior Planner Watkins Fulk-Gray presented the Staff analysis of the project. He explained that as an Administrative Site/Architectural Plan, normally the Planning Director makes the decision to approve or deny the project. However, the Planning Director has referred the application to the P&Z, so the P&Z is the deciding body for the project. Fulk-Gray explained the code analysis for the project and discussed the flexible application of strict zoning requirements available to this project as an affordable housing project.

Commissioner comments and questions included:

- Clarification that the lot could allow nine units according to the zoning's lot standards.
- Is the planting strip irrigated?
- What will the deed restriction be? A cap on appreciation? Resident-occupied?
- Is there any fencing?

- Is the trash enclosure screened?
- Will there be parking lot lighting?
- Will there be a homeowner association (HOA)?
- Will the parking spaces be dedicated to residents? Will there be guest parking?
- Will residents be allowed to exit Cowdin onto 8th St. as motorists do currently?
- Does the intersection need upgrades to accommodate the proposed development?
- Clarification about exterior lighting.
- The HOA documents should state the residents cannot parking in the Veltus Park overflow lot.

Staff explained that the deed restrictions will be appreciation-capped and affordable to 80% Area Median Income (AMI) as stipulated in the Memorandum of Understanding signed with Habitat for Humanity approved by City Council.

The applicants stated that parking will be assigned to specific residents, and there will be guest parking.

Public comment included:

- A discussion about the development history of the neighborhood.
- There are safety concerns about Cowdin and the Cowdin/8th St. intersection. The neighborhood is too dense already.
- People speed on 8th St. and on Midland.
- The proposal is not the best use of the parcel; it should be used for transportation purposes.
- The project is nice but it is in the wrong place. It will not look attractive eventually.
- There needs to be a public vote to use the parcel for a residential use.

Commissioner White motioned and Commissioner Connerton seconded to approve the project with the findings and conditions as written.

Commissioner Waller asked for an amendment to the motion to include a condition of approval requiring review and coordination between the applicant team and the City Engineer on the 8th St./Cowdin Dr. intersection to review traffic impacts. Commissioner White accepted the amendment and Commissioner Connerton seconded. **Amended motion passes by unanimous vote.**

c. Code Amendments to Title 070 regarding Child Care Uses (Continued to Next Meeting)

Commissioner Waller motioned to continue the item to the next regularly scheduled meeting in July. Commissioner Simms seconded the motion. Motion passes unanimously 7-0.

5) Commissioner Comments

Commissioner White stated Garfield County has some sort of sales tax for mobile homes in the City of Glenwood Springs it is a 3% tax that they will not close the home transaction without that tax is paid.

6) Director Comments

Director Hannah Klausman updated on upcoming applications for Planning and Zoning future meetings.

7) Adjournment

Meeting adjourned at 9:30pm.

DRAFT



Planning and Zoning Commission Report

Date: July 25, 2023
 To: Planning and Zoning Commission
 From: Watkins Fulk-Gray, Senior Planner
 Subject: Planning Item 39-23

REQUEST	Discussion of code changes to Title 070 in regards to allowed uses in residential zone districts and changes to 070.45.080, Incentives for Residential Developments.
APPLICANT	City of Glenwood Springs
LOCATION	Citywide

ACTION ITEMS

No action items are involved with this item at this time. Staff would like to present concepts for code changes that may be brought forward at the next available meeting. Feedback from Planning and Zoning commissioners is requested.

Background & Project Summary

The Strategic Housing Plan Update, which at the time of writing is yet to be adopted by City Council, contains several recommendations regarding potential changes to the City's density bonus allowance and the allowed density in some of the City's residential zone districts. Staff would like to bring these two issues forward as potential code changes.

Changes to allowed uses in certain zone districts

The draft Strategic Housing Plan Update recommends allowing up to a triplex on lots that are currently restricted to single-family homes when the two additional units are deed restricted. Currently, the Residential Medium Density (RM1), Residential Low Density (RL), and Rural Residential (RR) zones do not allow triplexes. The RM1 and RL zones allow duplexes with a Special Use Permit, while the RR zone does not allow duplexes at all. Triplexes are allowed as a use-by-right in all other residential zone districts and in several mixed-use districts. Together, the RM1, RL, and RR zone districts make up about 26% of the City's land area.

Table 030.1: Table of Allowed Uses																		
P = permitted by right S = special use permit required Blank = use prohibited																		
	Districts →																	
Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	IM1	IM2	IM3	CO	RE	I1	I2	IN	HP	Use-Specific Standards	Required Minimum Parking
RESIDENTIAL USES																		
Household Living	Dwelling, live-work						P	P	P	P	P	P	P	P			070.030.030(c)(2)	1 per dwelling unit
	Dwelling, multifamily				P	P	P	P	P	P	P	P					070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units
	Dwelling, townhouse				P	P	P	P	P	P	P	P				S	070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units
	Dwelling, single-family detached	P	P	P	P	P	P	P	P		P	P				S	070.030.030(c)(1)	1 per dwelling unit
	Dwelling, two-family		S	S	P	P	P	P	P		P					S	070.030.030(c)(1)	1.5 per dwelling unit

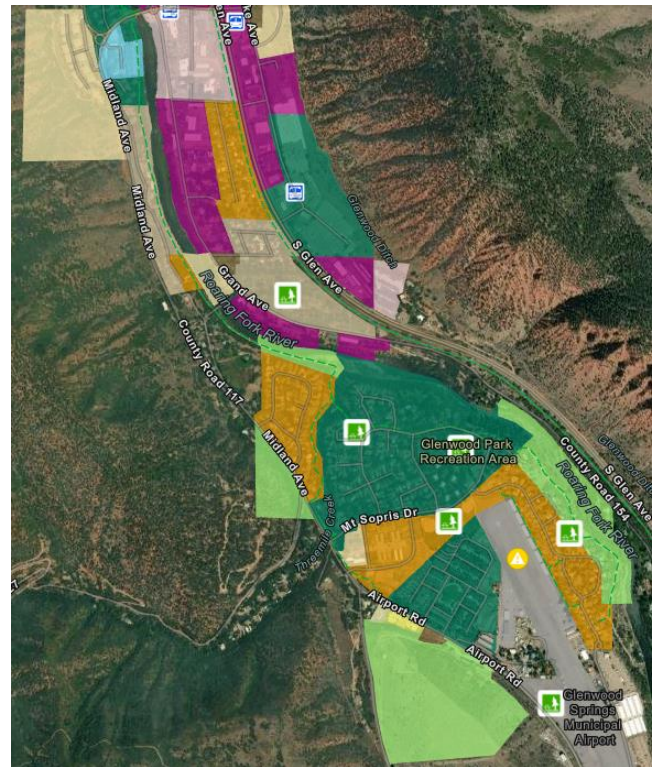
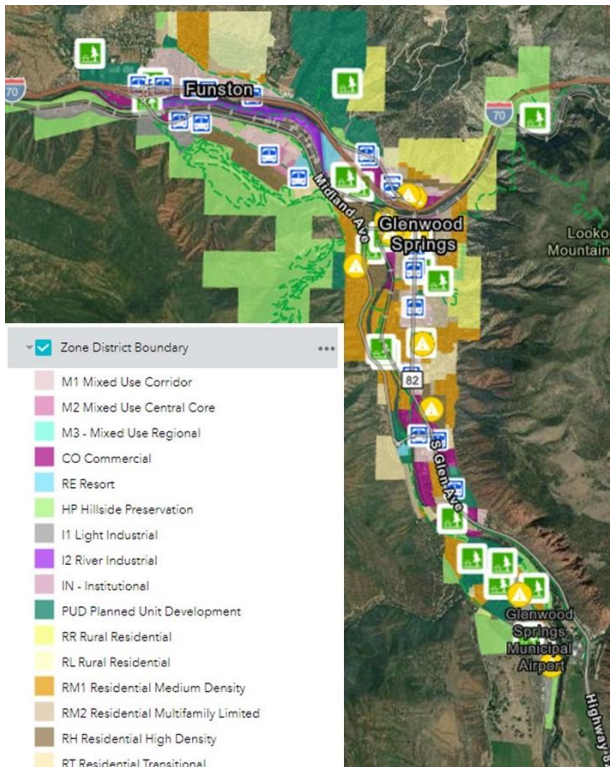
Above: The portion of the Municipal Code showing allowed residential uses by zone district.

Allowing up to triplexes in all residential zoning districts, sometimes described as an “upzoning” that allows more density, would allow greater infill redevelopment in existing neighborhoods. As an upzoning this could be written to allow either triplexes on the free market or allowing up to two additional units when they are deed restricted. Requiring deed restrictions to access additional units would be a less attractive proposition to developers and property owners and may result in fewer units, though any units that were produced would be deed restricted. Allowing additional free market units would likely attract much more interest, lead to more housing units created, and increase property values more than allowing additional deed restricted units would. A further consideration that is difficult to predict is whether allowing additional free market units in an upzoning would spur teardowns of existing homes.

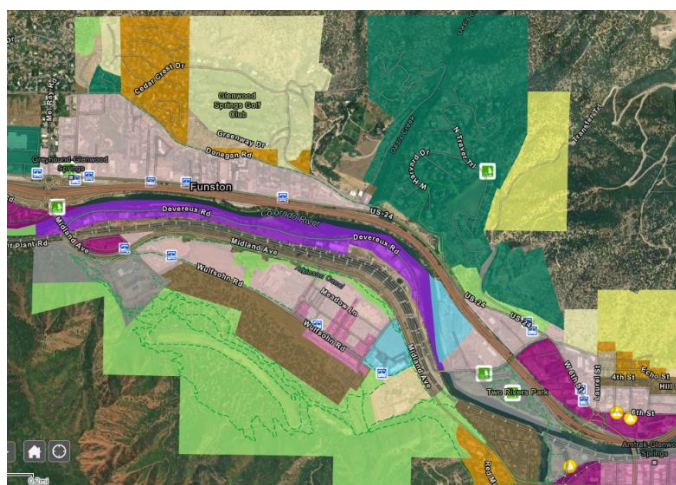
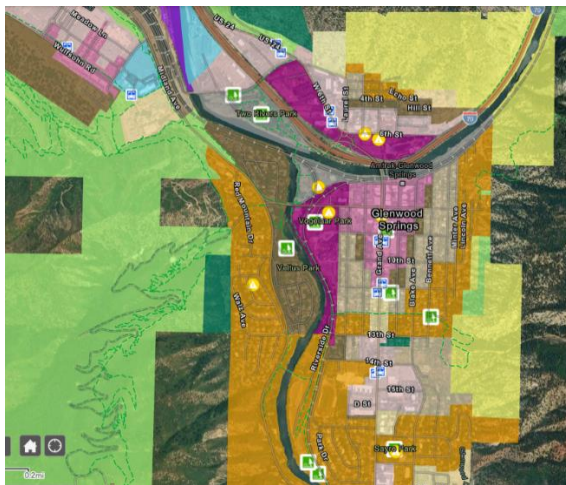
Existing neighborhoods are already served by roads, sidewalks and bike lanes, schools, parks, and utilities, and therefore greater density would represent less cost to the City compared to greenfield development. However, redevelopment of existing structures is also inherently more complicated than greenfield development, and would impact Glenwood’s residents and neighborhoods. Like greenfield development, redevelopment often has impacts that include additional traffic, noise, and dust. Since redevelopment occurs within already-established neighborhoods, the noise, dust, and construction parking impacts are usually noticed by neighbors, whereas greenfield development may have less immediate impact on existing neighborhoods. When redevelopment changes the design and appearance of existing homes or buildings, residents may also find that it changes neighborhood character.

Not all residential lots would be eligible for increased density. Factors such as landscaping, common open space, and parking are three site elements that often must be upgraded to allow increased density, so not all sites would have the capacity to meet zoning requirements of additional density. It is also important to note that allowing triplexes would place no obligation for landowners to build triplexes, it would only provide development potential to those who desired to redevelop.

Upzonings that allow duplexes or more in all zoning districts, which effectively end zoning exclusive to single-family homes, have precedent in many jurisdictions around the country. At least 13 states have legislation or are considering legislation that would allow greater density than single-family homes everywhere and preempt local zoning, and at least four states—California, Connecticut, Montana, and Oregon—have passed measures doing so. Many other cities, including Minneapolis, MN; Charlotte, NC; and Walla Walla, WA, have reformed their zoning codes so that no zone district allows only single-family homes. While all of these places have made these changes relatively recently, Minneapolis’s zoning reforms, which were undertaken in 2018, appears to have not been accompanied by significant increases in new units. Glenwood Springs’s housing market may be more likely to take advantage of additional allowable density, but the limiting factors discussed above such as parking, common open space, and landscaping will still play a limiting role.



Above left: An overall map of the City's zone districts. RR is in light yellow, RL is a pale yellow, and RM1 is a dark yellow or light brown. Above right: The zoning of Glenwood Springs's southern neighborhoods.



Above left: Zone districts in central Glenwood Springs. Right: West Glenwood zone districts. A public interactive map of the city's zoning is available at:

<https://gwsco.maps.arcgis.com/apps/webappviewer/index.html?id=4ddd04a3ec904da8a3bec0c357c7a7d4>

Changes to density bonuses

Section 070.45.080 contains incentives, including a density bonus, for deed restricted housing by allowing up to one bonus dwelling unit in residential zone districts and an additional story in commercial zone districts. Current code language states that “the City may offer a density bonus” for projects one or more deed restricted units. Additional provisions for the density bonus are found in the Housing Guidelines, a supplemental document referred to in code that was adopted by resolution by City Council. This language states that “Developments proposed in Residential Zones shall be

limited to one additional unit than the zoning would otherwise allow.” Staff believes, and the Strategic Housing Plan Update supports, that this incentive needs work in order to be useful. The current density bonus language would benefit from refining what makes a project eligible for a density bonus and lacks clarity about how the bonus unit or units must be incorporated into the project. Naturally, bonus units must also allow more than what is allowed by zoning.

070.045.080 - Incentives for Residential Developments (Inclusionary Housing) Over One (1) Dwelling Unit.



Any residential or mixed-use development proposing to create one (1) or more residential dwelling units may be eligible for the following incentives when providing deed restricted community housing in the form of resident occupied community housing, for sale community housing and/or rental community housing that is deed restricted in accordance with the City's Community Housing Standards and Guidelines.

- (1) *Density Bonus.* As part of any new residential or mixed-use development, the City may offer a density bonus.
- (2) *Site Design Flexibility.* Provided that the housing goals and eligibility requirements are met and provided that the intents and purposes of this title are not compromised, the City may consider flexible application of design standards including, but not limited to minimum lot size, building height, lot coverage, impervious coverage, setbacks and landscaping.
- (3) *Public-Private Partnerships.* The City may participate in, or facilitate participation with other governmental entities regarding financing or purchasing of community housing units directly from the applicant or by other means of subsidy or participation.
- (4) *Tax Rebate or Reduction.* The City Council may at its sole discretion waive, reduce or rebate property, construction use, or other tax applicable to the project.

(Ord. No. [1-2021](#), § 2(Exh. A), 2-18-2021)

Above: Current code language with density bonus provision.

The concept of a density bonus is that in exchange for building something that the City wants, the developer gets to build an additional unit or units that would otherwise not be allowed by code. Some parameters, or things that the City may want in a residential project, for the density bonus could include the following:

- Deeper affordability. Affordability could be considered in terms of number of deed restricted units, affordability at levels less than 100% AMI, or both.
- Location. Density bonuses could be allowed only in proximity to transit stops or other geographic criteria.
- Parking. Currently, parking reductions are explicitly not allowed in 070.45.080 as an incentive. If there is appetite to change this, Staff would recommend requiring at least one additional parking space for each bonus unit.
- Creation of ADA-complaint units. The free market does not always fill the need for ADA units, and there is at least some need for additional units.
- Creation of specific bedroom configurations. To create units suitable for families that include units with a minimum number of bedrooms could be a trigger for a bonus unit or units.
- Creation of units for ownership opportunities. The condominiumization of multifamily housing could unlock a bonus unit or units.

Current provisions for what the developer can get is limited to one additional unit, which may be free market. Should more than one be allowed? Bonus units could be free market or deed restricted. Requirements could be tailored so that greater community benefit could produce a greater number of

bonus units, though the neighborhood impacts would grow with an expansion of the bonus available to developers.

The grant from the Department of Local Affairs that the City received for updating the Strategic Housing Plan requires that the City make a bona fide effort to adopt at least one of 16 qualified strategies after the culmination of the plan update. The proposals contained in this memo constitute two qualifying strategies.

Reviewing Agency Comments

The Housing Commission at their July meeting discussed these potential code changes. Housing Commission believes an upzoning may be warranted, but expressed concern about losing some of the City's historic single-family homes to redevelopment. Broad support, but not unanimous support, was held for allowing triplexes as a by-right permitted use in the RM1 zone and allowing duplexes by-right in the RR and RL zones. Methods of limiting the number of conversions from single-family homes to triplexes was also discussed.

Housing Commission believes that dwelling units with two or three bedrooms, condominiumized units, and ADA units are housing products that the City needs more of and which should be included as ways that make a project eligible for a bonus unit. They identified three- and even two-bedroom units as sufficient for families. These, and ADA-compliant housing units, they view as particular needs in short supply.

Review Criteria and Staff Analysis

A Code amendment is a legislative decision by the City Council. No action is requested at this time, but for reference, a finding must be made that these five criteria are satisfied for text amendments to the Municipal Code:

The proposed amendment:

- i. Is consistent with the Comprehensive Plan and other City policies;
- ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
- iii. 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.

The Comprehensive Plan identifies housing as an important goal. Comprehensive Plan Policies/Actions relating to the proposed code changes:

- Provide incentives for developers to build condos or townhouse units, including identifying and supporting condominiumization opportunities to increase homeownership.
- Re-evaluate current deed restriction policies to determine effectiveness for homeownership and adjust City policy accordingly.
- Require qualified workforce and affordable housing buyers and renters under subsidized housing programs to be employed locally within city limits or in close proximity as determined by deed restriction regulations.
- Create a policy or program to preserve existing missing middle housing and explore ways to develop new missing middle housing.

Staff Recommendation

Staff seeks feedback on the upzoning proposal and on new parameters to the density bonus incentive. Specific code language and a specific proposal will be presented at the next available meeting.



CITY OF GLENWOOD SPRINGS

Housing Commission

FROM: HOUSING COMMISSION
TO: PLANNING & ZONING COMMISSION
DATE: July 25, 2023
RE: Recommended Code Changes

Planning and Zoning Commission:

At its July 13th meeting, Housing Commission discussed two possible code changes that City Staff is bringing forward. The first involves a possible upzoning for three of the City's zone districts and the other would see changes to the current provisions for a density bonus. The Housing Commission understands that Staff will bring these possible changes forward for discussion in July and possibly for adoption later.

Housing Commission recommends considering allowing triplexes as a use-by-right in the Residential Medium Density (RM1) zone and duplexes as use-by-right in the Rural Residential (RR) and Residential Low Density (RL) zones. The RM1 zone district may be more appropriate for the added density of triplexes, although we have reservations about what this would mean if such conversions happened on a wide scale. An upzoning allowing not more than duplexes in the RR and RL zones may be more appropriate, given the name of the zone districts and their underlying characteristics.

For changes to the density bonus provisions, we believe that among the City's housing needs, at the top of the list are more two- and three-bedroom units, more ownership units, and ADA-accessible units. At this time Housing Commission does not have a position on what kind of bonus developers should be eligible for, but these three things should be considered for developers to be able to receive a density bonus.

There are potential impacts to these changes. We know that the number of homes that could convert to duplexes or triplexes is limited by upgrades that would be required by code, but we do not think it is desirable for historic single-family homes to be replaced by triplexes in most cases. Any tools or provisions to limit teardowns should be considered. However, we are in favor of creating more housing, and the goal of allowing more dwelling units in existing structures, if an owner desires it and if permitted by code, should be considered.

Thank you for your consideration.

Sincerely,

Glenwood Springs Housing Commission



Planning & Zoning Commission Report

Date: July 25, 2023
To: Planning & Zoning Commission
From: Jim Hardcastle, Long Range Principal Planner
Subject: #40-23 Code Amendments related to Child Care Uses and other minor changes.

REQUEST	Consideration of various code text amendments to Municipal Code including Title 070.030.020 Allowed Uses, 070.20.020 Table 20.4 Summary of Other Nonresidential Dimensional Standards, 070.030.040 Accessory Dwelling Units, 070.40.060 Tandem parking, 070.50.040 Criteria for Reviewing Structure Demolition, and 070.70.030 All Other Terms Defined.
APPLICANT	City of Glenwood Springs
OWNER	N/A
LOCATION	Citywide
ZONE	Citywide

ACTION ITEMS

Action 1 – Code Amendment– Consideration of code amendment changes to the following Sections:

1. 070.030.020 Table of allowed uses 030.1
2. 070.20.020(c), Table 20.4 Summary of Other Nonresidential Dimensional Standards
3. 070.030.040(d)(1)(d)(3) Accessory Dwelling Units
4. 070.40.060(e)(5) Tandem parking
5. 070.50.040(h)(1)(d)(2) *Criteria for Reviewing Structure Demolition*
6. 070.70.030 All Other Terms Defined. Porch

Staff recommendation: *Staff recommends **approval** of the proposed code amendments with findings and conditions at the end of this staff report.*

BACKGROUND

Childcare Uses

News articles in the Post Independent (Fredregill, 2022) over the last year and a half have illustrated the already high cost of childcare has risen dramatically, and availability of open spots for enrollment are sparse. These conditions have made daycare services prohibitive for many families.

Northwest Colorado Council of Governments (NWCCOG) reported a family with an infant and a 4-year-old in full-time care could expect to pay about;

- \$27,000 annually, or
 - o about 33% of Colorado’s annual median income (AMI) of 72,000 (Fredregill, 2022),
 - o roughly 35% of Garfield County’s 2021 AMI at \$77,212 (www.census.gov), and
 - o 38% of 2021 AMI in Glenwood Springs at 69,728 (www.census.gov).

An additional aspect to affordability is highlighted in a 2021 report from the U.S. Department of Treasury that cited workers who struggle with childcare needs can experience significant impacts to their career, missing promotion opportunities and even the loss of a job.

Another article (Lassalle, 2023) notes childcare pre-registration lists have included the names of 250 children or more with some waiting over two years. Additionally, Fredregill reported (2022) that Garfield County’s licensed capacity for infants is about 8% of the county’s infant population. Further, the licensed capacity in Garfield County can serve about 23% of the county’s toddler population. Childcare services in Glenwood Springs have clients that travel as far as Parachute and Carbondale from the City.

Fredregill, I. (2022, February 21) A crisis of care: No winners in Western Slope’s child care dilemma. Post Independent. <https://www.postindependent.com/news/no-winners-in-western-slopes-child-care-dilemma/>

Lassalle, L (2023, March 5) Report sheds light on child care capacity gap across the Aspen-to-Parachute region. <https://aspenjournalism.org/report-sheds-light-on-child-care-capacity-gap-across-the-aspen-to-parachute-region/>

All other code text amendments

The remainder of the proposed code text amendments are concerning errors and omissions that require correction and provisions that warrant clarification for the smooth operation and use of the Municipal Code Title Section 070.

PROJECT SUMMARY

To facilitate and encourage licensed day-care facilities within Glenwood Springs, Staff has identified changes to the Development Code that could make the siting and creation of such businesses easier while still maintaining State licensing standards. These changes include altering the use by right status within a few of the zoning districts and clarifying the allowance of ages and numbers of enrolled in various programs.

Proposing changes to 070.030.020 Table 030.1, & 070.030.030(d)(1)&(2) Child Care Centers and Child Day Care requirements are submitted to help alleviate economic and routine hardships for families in Glenwood Springs to facilitate childcare services in the City and allow more home-based daycare.

Staff is recommending allowing changes within “Special Use Permits Required” and to uses that are “Permitted By Right” in 6 zone districts for the category “Child Day Care Home, Large” and 2 zone districts for “Child Care Center”, as seen in the table below and attached to this staff report. The cost to start such a venture will be reduced by removing the requirement of a Special use Permit, encouraging Day Care Centers and Child Day Care in homes.

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

Proposed changes to Code sections:

1. 070.030.020, Table 030.1

Reasoning: As discussed in the previous section above.

Changes in Code: Adjusting “Special Use Permit Required” to allow “Permitted by right” in the following Zone Districts and Use Specific Standards:

070.030.020 - Table of Allowed Uses.

(e) Table of Allowed Uses.

Table 030.1: Table of Allowed Uses																		
P = permitted by right S = special use permit required Blank = use prohibited																		
	Districts →																	
Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use-Specific Standards	Required Minimum Parking
PUBLIC, INSTITUTIONAL, AND CIVIC USES																		
Adult and Child Care Facilities	Adult day care				S	S	S	P	P	P	P	P			P	S		1 per 300 square feet
	Child care center	S	S	S	S	S-P	S-P	P	P	P	P	P			S		070.030.030(d)(1)	1 per 250 square feet
	Child day care home, large	S-P	S-P	S-P	S-P	S-P	S-P	P	P		P	P					070.030.030(d)(2)	3 per dwelling unit
	Child day care home, small	P	P	P	P	P	P	P	P		P	P	S			P	070.030.030(d)(3)	2 per dwelling unit

AND,

Adjusting and adding language for clarity within the sections below.

2. 070.20.020(c), Table 20.4. Summary of Other Nonresidential Dimensional Standards.

Reasoning: Ordinance 15 of 2020 changed the required ratio of landscaping in the Light Industrial (I1) and River Industrial (I2) zone districts. However, in 2020 these changes were not reflected in the zone district summary table that is Section 070.20.020(c). This housekeeping change would cause the summary table to match the zone district profile pages.

Change in Code: Should say 10% minimum landscaping area for I1 and I2, does not match the I1 and I2 specific page. Ord 15 of 2020.

3. 070.030.040(d)(1)(d)(3) Accessory dwelling Units.

Reasoning: Any external improvement involving a detached structure, such as a garage, to a historic district would require a landmark alteration certificate from Historic Preservation Commission. Since a board already exists for additional design review in a historic district,

accessory dwelling units should not be prohibited but rather individually reviewed by Historic Preservation Commission to ensure compliance and coherence with the historic district. This prohibition of detached accessory dwelling units in a historic district restricts housing. Also, for reference, City does not have any local historic districts currently. Language removal for clarity and ease of processing such requests.

(d) Additional Standards for Specific Accessory Uses and Structures.

(1) Accessory Dwelling Units.

- a. Purpose and Intent. The intent of this Subsection is to promote small rental housing units in the form of accessory dwelling units on lots with detached single-family dwellings, to increase the stock of attainable rental housing in the community, use available land more efficiently, and minimize the additional infrastructure that must be provided to support such rental units. These standards are established to minimize impacts to the surrounding residential neighborhoods and the community.
- b. Applicability. These standards apply to all accessory dwelling units. Private covenants, conditions, or restrictions on any development, subdivision, or use of land do not preclude compliance with this Section.
- c. Ownership. An accessory dwelling unit shall not be sold independently of the principal dwelling on the parcel.
- d. Where Permitted.
 1. Accessory dwelling units are allowed in zoning districts according to Table 030.1, Table of Allowed Uses.
 2. Accessory dwelling units are allowed within a planned unit development unless specifically identified as a prohibited use by the planned unit development.
 3. Accessory dwelling units are allowed by right within a historic district ~~only when they are internal to an existing residential dwelling or existing accessory structure.~~
 4. Accessory dwelling units shall only be permitted on a lot where a detached single-family dwelling exists or will be constructed concurrently with the accessory dwelling unit.

Change in Code: Removal of language “only when they are internal to an existing residential dwelling or existing accessory structure.”

4. **070.40.060(e)(5).** Tandem parking.

Reasoning: This change deletes a word that was unintentionally employed twice in a sentence.

Change in Code: Delete first “uses” word to fix an error.

(5) *Tandem Parking.* Tandem parking is allowed for any residential parking area, and for vehicle sales and leasing uses. The Director may also approve tandem parking for employee parking areas for ~~uses~~ nonresidential uses requiring fewer than ten (10) parking spaces pursuant to Table 030.1: Table of Allowed Uses.

5. **070.50.040(h)(1)(d)(2).** Criteria for Reviewing Structure Demolition.

Reasoning: This change improves the clarity of a sentence by removing a word that was unintentionally included in 070.050.040 Landmark Alteration Certificate.

Change in Code: Delete the word “importance” as unnecessary.

2. Any impact to the historical or architectural significance ~~importance~~ of other buildings located on the property and to adjacent landmarks or contributing

6. **070.70.030.** Definition of “porch:”

Reasoning: The word “protection” was unintentionally used instead of “projection” in this definition, therefore replacing it with the correct word will improve clarity.

Changes in Code: The word “protection” should be “projection.”

Porch. Any gallery, veranda, piazza, portico, or similar ~~protection~~ projection from the main wall of a building and covered by a roof, other than a carport, with no opaque side enclosures (except screens and handrails) that is more than thirty-six (36) inches in height.

REVIEW CRITERIA AND STAFF ANALYSIS

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

- I. Is consistent with the Comprehensive Plan and other City policies;
The proposed code revisions and amendments to the existing Code sections upholds the goals of the Comprehensive Plan Update 2023 and other City policies.
 - o Preserve Glenwood’s character while maintaining livability and increasing the vibrancy and commercial success of the Downtown and throughout Glenwood Springs.
 - o Promote long-term, sustainable, and diverse economic development.
 - o Provide equitable and diverse housing for the entire community.
- II. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
The proposed code revisions and amendments to the existing Code do not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code.

- III. Is necessary to address a demonstrated community need;
The proposed code revisions and amendments to the existing Code address previous language errors and provide clarification as well as items which seek to allow additional flexibility for childcare facilities.
- IV. Is necessary to respond to substantial changes in conditions and/or policy; and
The proposed code revisions and amendments to the existing Code observe deficiencies and address necessary changes in existing Code.
- V. Is consistent with the general purpose and intent of this Code.
The proposed code revisions and amendments to the existing Code are in line with the purpose and intent of the Code.

ACTION ITEMS AND STAFF RECOMMENDATIONS

Review Process

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

Action Item:

Consideration of code text amendments to Municipal Code Title 070 including Sections related to:

1. 070.030.020 Table of allowed uses 030.1
2. 070.20.020(c), Table 20.4 Summary of Other Nonresidential Dimensional Standards
3. 070.030.040(d)(1)(d)(3) Accessory Dwelling Units.
4. 070.40.060(e)(5) Tandem parking
5. 070.50.040(h)(1)(d)(2) *Criteria for Reviewing Structure Demolition.*
6. 070.70.030 All Other Terms Defined. Porch

Staff Recommendation: Staff recommends **APPROVAL** of the text amendments with the following suggested findings:

SUGGESTED FINDINGS

The proposed code revisions to the various Code Sections in Title 070:

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

Exhibit A

070.030.020 - Table of Allowed Uses.

...

(e) Table of Allowed Uses.

Table 030.1: Table of Allowed Uses																		
P = permitted by right S = special use permit required Blank = use prohibited																		
Use Category	Districts →	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use-Specific Standards	Required Minimum Parking
PUBLIC, INSTITUTIONAL, AND CIVIC USES																		
Adult and Child Care Facilities	Adult day care				S	S	S	P	P	P	P	P			P	S		1 per 300 square feet
	Child care center	S	S	S	S	<u>S-P</u>	<u>S-P</u>	P	P	P	P	P			S		070.030.030(d)(1)	1 per 250 square feet
	Child day care home, large	<u>S-P</u>	<u>S-P</u>	<u>S-P</u>	<u>S-P</u>	<u>S-P</u>	<u>S-P</u>	P	P		P	P					070.030.030(d)(2)	3 per dwelling unit
	Child day care home, small	P	P	P	P	P	P	P	P		P	P	S			P	<u>070.030.030(d)(3)</u>	2 per dwelling unit

070.020.020 Summary of Dimensional Standards.

...

(c) Other Nonresidential Districts.

Table 020.4: Summary of Other Nonresidential Dimensional Standards					
	RE	I1	I2	IN	HP
Lot Standards					
Lot area, minimum	None	10,000 sf	None	None	5,000 sf
Landscaped area, minimum	10 percent	20 <u>10</u> percent	20 <u>10</u> percent	10 percent	20 percent
Density, maximum	—	—	—	—	- Areas on a lot with slopes up to 20 percent: 1 du/ 5,000 sf - Areas on a lot with slopes greater than 20 percent: see 070.040.020(b).
Setbacks					
Front, minimum	5 feet	20 feet	20 feet	15 feet	15 feet
Front, maximum	60 feet	—	—	—	—
Side, minimum	5 feet	10 feet	5 feet	5 feet	5 feet
Rear, minimum	10 feet	10 feet	10 feet	5 feet	15 feet
Building Standards, Maximum					
Building height	60 feet	40 feet	40 feet	40 feet	27 feet

070.030.040(d)(1)(d)(3) – Accessory Uses and Structure.

(d) Additional Standards for Specific Accessory Uses and Structures.

(1) Accessory Dwelling Units.

- a. Purpose and Intent. The intent of this Subsection is to promote small rental housing units in the form of accessory dwelling units on lots with detached single-family dwellings, to increase the stock of attainable rental housing in the community, use available land more efficiently, and minimize the additional infrastructure that must be provided to support such rental units. These standards are established to minimize impacts to the surrounding residential neighborhoods and the community.
- b. Applicability. These standards apply to all accessory dwelling units. Private covenants, conditions, or restrictions on any development, subdivision, or use of land do not preclude compliance with this Section.
- c. Ownership. An accessory dwelling unit shall not be sold independently of the principal dwelling on the parcel.
- d. Where Permitted.
 1. Accessory dwelling units are allowed in zoning districts according to Table 030.1, Table of Allowed Uses.
 2. Accessory dwelling units are allowed within a planned unit development unless specifically identified as a prohibited use by the planned unit development.
 3. Accessory dwelling units are allowed by right within a historic district ~~only when they are internal to an existing residential dwelling or existing accessory structure.~~
 4. Accessory dwelling units shall only be permitted on a lot where a detached single-family dwelling exists or will be constructed concurrently with the accessory dwelling unit.

070.040.060 Off-Street Parking and Loading.

...

- (e) *Parking Alternatives.* The developer of a property may submit an application to the Director requesting consideration of alternatives to the off-street parking spaces required by Table 030.1: Table of Allowed Uses, pursuant to the following standards:

...

- (5) *Tandem Parking.* Tandem parking is allowed for any residential parking area, and for vehicle sales and leasing uses. The Director may also approve tandem parking for employee parking areas for ~~uses~~ nonresidential uses requiring fewer than ten (10) parking spaces pursuant to Table 030.1: Table of Allowed Uses.

070.050.040 Landmark Alteration Certificate.

...

(h) Criteria for Reviewing Structure Demolition.

- (1) *Review Criteria for Total Demolition.* Applicants requesting a landmark alteration certificate for total demolition must provide data to clearly demonstrate that the situation meets the following four (4) criteria:
- a. The building is structurally unsound.
 - b. The building cannot be rehabilitated or reused on site to provide for any reasonable beneficial use of the property.
 - c. The building cannot be practically moved to another site in the City.
 - d. The applicant demonstrates that the proposal mitigates to the greatest extent practicable the following:
 1. Any impacts that occur to the visual character of the neighborhood where demolition is proposed to occur; and
 2. Any impact to the historical or architectural significance ~~importance~~ of other buildings located on the property and to adjacent landmarks or contributing buildings within an historic district.
 - e. In the case of archaeological sites, consideration will be given to whether information can be recovered as part of the demolition.

070.070.030 All Other Terms Defined.

...

Porch. Any gallery, veranda, piazza, portico, or similar ~~protection~~ projection from the main wall of a building and covered by a roof, other than a carport, with no opaque side enclosures (except screens and handrails) that is more than thirty-six (36) inches in height.

Exhibit B

070.070.020 Definitions of Use Categories and Specific Use Types.

...

(b) Public, Institutional, and Civic Uses.

...

- (2) *Adult and Child Care Facilities.* Uses in this category include temporary care facilities on a less than twenty-four-hour basis for adults and children of varying ages. Activities include supervision, education, and recreation for care facility participants. Accessory uses commonly include recreation, personal storage buildings, and parking.
- a. *Adult Day Care.* A facility, whether in a private home or institutional setting, providing temporary care and supervision for persons eighteen (18) years of age or older. Care is provided for periods of less than twenty-four (24) hours a day and does not include overnight care.
 - b. *Child Care Center.* A facility that is maintained for the whole or part of a day for the care of five (5) or more children who are eighteen (18) years of age or younger and who are not related to the owner, operator, or manager of the facility, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children and those facilities that give twenty-four-hour care for children and includes those facilities for children under the age of six (6) years with stated educational purposes operated in conjunction with a public, private or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private or parochial elementary school system of at least six (6) grades or operated as a component of a school district's preschool program operated pursuant to the Colorado Preschool and Kindergarten Program Act, 22-28-101, et seq. of the Colorado Revised Statutes, as amended. The term shall not include any facility licensed as a family child care home or foster care home.
 - c. *Child Day Care Home, Large.* A family child care home that provides care for seven (7) to twelve (12) children. Child care may be provided to children from twenty-four (24) months to thirteen (13) years of age. This does not prohibit

the care of children ages thirteen (13) to eighteen (18). Care may be provided to no more than two (2) children under the age of two (2) whether or not older siblings are in care.

- d. *Child Day Care Home, Small.* A type of family care home that provides less than twenty-four-hour care for two (2) or more children on a regular basis in a place of residence. Children in care are from different family households and are not related to the caregiver. Care may be provided for six (6) children from birth to thirteen (13) years of age with no more than two (2) children under two (2) years of age. This does not prohibit the care of children ages thirteen (13) to 18. Care also may be provided for no more than two (2) additional children of school age attending full-day school. School-age children are children enrolled in a kindergarten program a year before they enter the first grade and children six (6) years of age and older. Residents of the home under twelve (12) years of age who are on the premises and all children on the premises for supervision are counted against the approved capacity, except where specifically indicated otherwise. A family child care licensee may be approved to care for three (3) children under two (2) years of age with no more than two (2) children under twelve (12) months, including the caregiver's own children per the state's requirements.