



AGENDA
CITY OF GLENWOOD SPRINGS
Planning and Zoning Commission
Regular Meeting
MAY 26, 2026
Council Chambers, First Floor
101 W. 8TH STREET
6:00 PM

1 Meeting Instructions

- A. This meeting is held in person as well as via Zoom.
Join at: <https://us02web.zoom.us/j/86380550264>
Or Dial: 719-359-4580,
253-215-8782 US (Tacoma) 346 248 7799 US (Houston)
Webinar ID: 863 8055 0264
International numbers available: <https://us02web.zoom.us/j/86380550264>

2 Roll Call

3 Receipt of the Minutes

- A. March 24, 2026 Meeting Minutes
- B. April 28, 2026 Meeting Minutes

4 Comments from citizens appearing for items not on the agenda

5 New Items

- A. APPEAL-000029-2026 319 Park Drive Short Term Rental
- B. CDA-000049-2026 Code Amendment Short Term Rental and Accessory Tourist Rental
- C. CDA-000038-2026 Code Amendments to Sign Regulations
- D. CDA-000039-2026 Code Amendment Right-of-Way Encroachment License

6 Commissioner Comments

7 Director Comments

8 Adjournment

MINUTES
City of Glenwood Springs Planning and Zoning Commission
Regular Meeting
March 24, 2026
City Hall Council Chambers
101 West 8th Street
6:00 PM

1. Roll Call

Present: Kyle Jones (seated by motion), Patrick Corcoran, Amy Connerton, Joy White, John Houghton, Connie Geiman

Also Present: Community Development Director Trent Hyatt, Senior Planner Emery Ellingson, Long Range Principal Planner Jim Hardcastle, Community Development Technician Joel Asplund, City Attorney Karl Hanlon

Motion:

Motion to seat Commissioner Kyle Jones, carried unanimously by voice vote.

2. Conflicts of Interest

No conflicts of interest were declared.

3. Receipt of Minutes

Motion:

Motion to receive the minutes of February 24, 2026, was made by Commissioner Amy Connerton.

Commission Questions & Discussion Included:

The visibility of tracked changes and the appropriate level of detail for minutes.

Community Development Director Trent Hyatt elaborated that the issue was found and resolved since first published.

City Attorney Karl Hanlon elaborated that changes in the level of detail for meetings should be discussed with City Council before being made.

Outcome:

Commissioner Patrick Corcoran and Commissioner Connie Geiman seconded the motion. The motion passed unanimously by voice vote.

4. Comments from citizens for items not appearing on the agenda

No public comments offered in person or online.

5. New Items

a. Planning File CDA-000027-2026 Code Amendment: Section 070.41.100 Exterior Lighting & Section 070.41.110 Signs

Presenter: Emery Ellingson, Senior Planner

Emery Ellingson presented updates to the lighting and signage standards, noting:

- Proposed regulation of correlated color temperature (CCT) for outdoor lighting, recommending a maximum of 3000K across all lighting districts.
- Clarification and expansion of rules for illuminated sign curfews, aligning Glenwood Springs with similar “dark sky-aligned” communities.
- Adjustments to gas station canopy lighting, reducing allowable maximum illumination from 25 foot-candles to 20.
- Comparisons made with Breckenridge, Flagstaff, Moab, and Nucla as examples of communities with strong dark-sky policies.

Commission Questions & Discussion Included:

- Discussion of legal nonconforming signs, noting that existing signs would remain allowed until replaced or modified.
- Safety vs. nuisance lighting concerns.
- Impacts on business owners and cost considerations.
- The need for shielding residential light fixtures and enforcement challenges.
- Desire for clear language on when signs may be turned back on (e.g., upon business opening).
- Public education as a tool to achieve voluntary compliance rather than strict regulation.
- Duration of amortization periods (initial proposal: 15 years; adjusted to 5 years after discussion).
- Whether changes position the city for potential Dark Sky certification (answer: not automatically).
- Interaction with public safety and existing city streetlighting (not part of this code change).

Public Comment:

No public comment received in person or online.

Motion:

Commissioner Connie Geiman moved to recommend **approval** of Planning File **CDA-000027-2026**, with the following additions:

1. Establish a **10:00 PM sign curfew** or one hour after closing, whichever is later.
2. Signs shall remain off **until business reopens**.

3. Add a **15-year amortization period** for existing illuminated signs to comply.
4. Recommend that the City conduct a **public education campaign** regarding dark-sky values and lighting practices.

Commissioner John Houghton moved to **amend the approval to a 5-year amortization period** with Commissioner Connie Geiman approving the amended time frame.

Outcome:

Motion was seconded by Commissioner John Houghton and approved by hand vote unanimously (digital vote system malfunctioned).

b. Planning File no. CDA-000026-2026 Code Amendment: Section 070.50.000 Landscaping, Screening, and Fencing

Presenter: Jim Hardcastle, Long-Range Principal Planner

Jim Hardcastle introduced a comprehensive set of amendments to clarify intent of code, ease of use, and remove errors regarding landscaping, screening and fencing:

- Cleanup of outdated or unclear language.
- Compliance with **State Senate Bill 24-5 (SB5)** regarding drought-tolerant landscaping, water conservation, and restrictions on non-functional turf.
- Integration of new **Colorado Wildfire Resiliency Code** requirements, including vegetation spacing and defensible-space rules.
- Clarifications to street tree placement, mechanical equipment screening, and acceptable plant lists.

Major Components Presented:

- Updated exemptions for small-scale residential projects.
- Restrictions on **artificial turf** except in limited functional areas.
- Required spacing for trees based on mature canopy spread.
- New requirements for vegetation near structures (e.g., no plantings within 5 feet, 10-foot canopy separation).
- Stronger requirements for refuse enclosure screening.
- Use of city and county plant lists (drought-tolerant, non-noxious species).

Commission Questions & Discussion Included:

- Concern about interpretation of tree-maintenance requirements for homeowners.
- Clarification that new standards apply **only when development permits are triggered**, not to existing private yards.
- Street tree spacing conflicts between city standards and wildfire resiliency rules (40-ft canopy trees and 30-ft spacing requirement).
- Request for further staff review on aligning tree spacing with wildfire standards.

- Discussion of existing city practices, such as waterline projects replacing problem street trees.
- Conversation on short-term rentals, auditing, and legal nonconforming status (arose during commissioner comments but relevant to applicability discussions).

Public Comment:

No public comment received in person or online.

Motion:

Commissioner John Houghton moved to recommend **approval** of Planning File **CDA-000026-2026** with staff's findings, **plus an amendment directing staff to re-evaluate street tree spacing standards** (Table 40.6 in the staff report) to ensure consistency with wildfire code (10-ft canopy separation requirement).

Outcome:

Motion seconded by Commissioner Connie Geiman and approved unanimously by digital vote.

6. Commissioner Comments

Commissioners discussed a variety of community topics, including:

- Short-term rental audits and enforcement of buffer zone regulations.
- Access to STR listings and monitoring tools.
- The city's turf-replacement rebate program and community use of drought-tolerant landscaping.
- Questions about ignition-resistant vegetation categories.
- General appreciation expressed for collaboration among commissioners and staff.

7. Director Comments

Director Trent Hyatt expressed:

- Appreciation for the Commission's dedication, thoughtfulness, and willingness to tackle complex policy topics.
- Recognition of Commissioner Gregory Cowan for his service.
- Notice of upcoming application reviews, possible appeals (including a tax-related short term rental case), and future code projects.
- Updates on anticipated water-use conditions, noting the contingencies and water reserves.

8. Adjournment

Meeting adjourned at 7:15PM.

MINUTES
City of Glenwood Springs Planning and Zoning Commission
Regular Meeting
April 28, 2026
City Hall Council Chambers
101 West 8th Street
6:00 PM

1. Roll Call

Present: Chairman Peter Waller, Alternate Kyle Jones, Patrick Corcoran, Amy Connerton, John Houghton, Connie Geiman

Also Present: Community Development Director Trent Hyatt, City Attorney Karl Hanlon, Chief of Public Safety Joseph Deras, and City Manager Steve Boyd.

Motion: Motion to seat Alternate Commissioner Kyle Jones was approved unanimously.

Conflicts of Interest

No conflicts of interest were declared.

2. Comments from citizens for items not appearing on the agenda

No public comments offered in person or online.

3. New Items

a. Planning File no. 22-03 (Special Use Permit no. 4-04), 100 Midland Avenue, Suite 110 and 210, Enforcement Action per Section 070.010.080(e)(2).

Presenter: Community Development Director Trent Hyatt

Community Development Director Trent Hyatt presented the procedures for violations and corrections of the code. He provided the following history related to the previously approved special use permit, noting:

- On May 27th, 2003, the Planning and Zoning Commission (Commission) unanimously approved the special use permit for the detention center.
- December 14th, 2004, a final building inspection and temporary certificate of occupancy was issued for group type B (business) and I-3 (detention and correctional facilities).
- Final building inspections are only conducted and approved when all fire and life safety matters have been addressed and verified by the Building Official and Fire Marshal.
- January 29th, 2026, a Colorado Open Records Request found a full Certificate of Occupancy was never issued.
- We assume that consideration of the final Certificate of Occupancy was transferred to the units while potential non safety related construction or construction outside of the unit continued.

- February 18th, 2026, the City contacted the operators of the facility.
- February 25th, 2026, Fire Marshal and Building Official performed an inspection of the facility and found:
 - Several maintenance issues typical for the age of the building include:
 - Repair or replacement of non-functioning exit/emergency lighting.
 - Removal of obstructions around electrical panels.
 - Drywall repair around heater in garage ceiling.
 - Evacuation plan prepared and documented for holding area.
 - Sprinkler heads certified by certified technician.
- March 6th, 2026, the City was informed via a Freedom of Information Act request that the 12-hour maximum hold time was met or exceeded 11 times in May and August of 2025.
- March 25th, 2026, the City sent a Notice of Violation to the property owners and tenants of the building.
- April 1st, 2026, the City was informed of 12 additional exceedances of the 12-hour hold time occurred in 2022, 2025, and 2026.
 - Media reports show exceedances dating back to 2012, not yet verified by staff.
 - April 9th, 2026, The Building Official and Fire Marshal reinspected the property and verified previous issues were corrected and a Certificate of Occupancy was issued.
- April 17th and 20th, 2026, notice of meeting was published in The Post Independent.
- Staff recommends the Commission require the applicant take corrective action to address the violation.

City Attorney Karl Hanlon reminded the Planning and Zoning Commission of the limitations of their decision.

City Attorney Karl Hanlon noted:

- In 2003 the special use permit that was applied for under 40 U.S.C. 3312 Section F which encourages cooperation with jurisdictions regarding building codes and zoning but does not require them to do so.
 - A Special Use permit is a zoning law.
- The City also lacks any authority to bring forth any actions or penalties against the federal government under 40 U.S.C. 3312 Section F.
- The City also has very limited ability to enforce that outcome against the federal government in court based on law.

Commission Questions & Discussion Included:

- **Commissioner Houghton:** What is the difference between deny and revoke in the alternate motions?
 - **Staff response:** The Commission should use the motion that says revoke if they choose.

- **Commissioner Houghton:** Where does the reference in the staff report to subcontractor issues leading to the 12-hour violation come from?
 - **Staff response:** The explanation given is that the exceedances are associated with transportation contractor in getting detainees to the long term hold facility in Aurora, CO.
- **Commissioner Connerton:** If the Special Use Permit is not revoked but additional stipulations are imposed, is there more oversight of the facility?
 - **Staff response:** Only if the federal agency chooses to abide by them. Staff has to find pathways to greater transparency, but enforcement tools are limited.
- **Commissioner Connerton:** Was the March 2026 violation before or after the Notice of Violation?
 - **Staff response:** The violation occurred on or about March 5, 2026; the Notice of Violation was issued on March 25, 2026, after the violation occurred but before the City had Freedom of Information Act data confirming it.
 - The Department of Homeland Security/ICE issued a memo in June 2025 indicating that holds in temporary facilities of up to 72 hours would be acceptable, although these facilities are not designed for hold times of that length.
- **Chair Peter Waller:** The federal exemption appears to distinguish between leased and owned buildings, does that matter here?
 - **Staff response:** Case law shows that even on leased premises, the federal government has prevailed in arguing that compliance with local jurisdiction is not required where it would impair the federal mission. The relevant Code of Federal Regulations was repealed in December 2025 to further clarify leased and owned properties.
- **Commissioner Connerton:** Has the applicant responded to the Notice of Violation?
 - **Staff response:** No response has been received to date.
- **Commissioner Geiman:** Has staff received any documentation on the facility's operational procedures?
 - **Staff response:** We have not received any of their documentation and are only limited to what we have observed.
- **Commissioner Geiman:** Do we know the size of the holding cells?
 - **Staff response:** Only approximate sizes of 10 foot by 12 foot separated into male and female areas.
- **Commissioner Geiman:** The original application had minimum requirements on how many people can fit in a single cell. One of the Freedom of Information Act documents indicated as many as six people were in a single cell on a specific day. Do we know how these people were held?

- **Staff response:** Staff does not have documentation of how individuals were held internally, only that there are two cells. An assumption that all six were held in one cell cannot be confirmed.
- **Commissioner Connerton:** Would staff characterize the exceedances as isolated incidents or a recurring pattern?
 - **Staff response:** A mixture of both, a percentage of exceedances appears to occur every year going back to 2012. 2025 saw a substantially higher number of exceedances coinciding with a substantially higher number of detentions.
- **Commissioner Houghton:** Under City Code, is responsibility for violations with the permit holder or the property owner?
 - **Staff response:** Both the property owner and the applicant for the Special Use Permit. In this case, the actual federal tenant operates under a lease through the Federal Government. Case law also precludes circumventing the Supremacy Clause by enforcing solely against the property owner.
- **Commissioner Jones:** Even if the Special Use Permit were amended to require better conditions, can they simply ignore the amendment?
 - **Staff response:** Yes, the same Supremacy Clause limitations would apply.
- **Chair Waller:** Is the detention use currently allowed by right or by special review under the existing Commercial zoning?
 - **Staff response:** No, the use is not allowed by right or by special review today but was legally established as a Special Use at the time and allowed to continue as a legal nonconforming use.
- **Commissioner Jones:** How far back does the Freedom of Information Act data extend, are we able to obtain data from when the use began?
 - **Staff response:** That data might exist. Data the City relied upon dates from approximately 2022 forward. Media reporting has identified exceedances going back to 2012. Staff focused on the more recent and the most relevant data available.
- **Commissioner Geiman:** The original application referenced ICE working with local law enforcement. Is that still the case?
 - **Staff response:** Colorado state law has prohibited local law enforcement cooperation in immigration enforcement since approximately 2020. The Glenwood Springs Police Department does not engage in immigration enforcement.
- **Chair Waller:** Could the temporary certificate of occupancy situation in 2004 recur today?
 - **Staff response:** No, with our current permitting software we review temporary certificates of occupancy weekly.
- **Chair Waller:** Have the building-wide life safety issues identified in February been addressed?

- **Staff response:** Yes, we were allowed to inspect the facility and found the issues resolved.
- **Chair Waller:** What about the sprinkler system?
 - **Staff response:** A licensed contractor was hired by the property owners association to test a sample of sprinkler heads building-wide for operability; the test passed, and a full certificate of occupancy was issued.
- **Commissioner Geiman:** What about the evacuation plan?
 - **Staff response:** The evacuation plan was required by the Fire Marshal in 2004. An evacuation plan was provided to us when asked and posted in prominent locations within the space. These plans did include the evacuation of detained inmates.
- **Chair Waller:** How does the June 2025 federal memo extending acceptable hold times to 72 hours affect the Special Use Permit?
 - **Staff response:** From the City's standpoint, the memo does not alter the terms of the 2003 Special Use Permit, which limits hold times to 12 hours. The memo is an internal federal policy change.
- **Chair Waller:** What are the reasons they would exceed the 12-hour limit?
 - **Staff response:** Any assumptions we would make are purely speculative. The most likely issue is lack of transportation for transfer to other facilities.
- **Commissioner Geiman:** Should the revocation analysis consider conditions beyond the 12-hour exceedances such as seating, meals, monitoring, and officer staffing?
 - **Staff response:** The most defensible record evidence supporting any decision up to and including revocation is the federal agency's own Freedom of Information Act -released data documenting hold-time exceedances. On-site observations indicated food, water, and seating were available; staff cautioned against assumptions on items lacking direct evidence.
- **Commissioner Houghton:** Did staff observe more than five employees working at the facility, as referenced in the 2003 application?
 - **Staff response:** No staff observed fewer than five employees on each of two site visits, and no detainees were present at the time of the visits.
- **Commissioner Jones:** Is there a viable legal path for the City to enforce zoning against the federal agency?
 - **Staff response:** Likelihood of success on local zoning enforcement is very low given current case law and the plain language of the statute; most successful actions in this space have been constitutional claims brought by or on behalf of detainees.

Public Comment:

The applicant was not present, either in person or online. Chair Waller opened the public hearing. Public comments were limited to three minutes per speaker. Spanish-language interpretation services were provided.

The following individuals offered comment, the substance of which is summarized below. Unless otherwise noted, speakers urged the Commission to revoke the special use permit:

- **Claire Noone**, Glenwood Springs resident and local attorney, referenced a written legal analysis of the Special Use Permit submitted to the City Clerk that day for inclusion in the administrative record, addressed the burden of proof, and described the 12-hour hold threshold as the line between temporary processing space and a facility required to provide beds, attorney access, medical screening, and other detainee rights. She also raised life safety concerns within the Coal Seam Fire burn scar.
- **Ashley Stahl**, Glenwood Springs homeowner, addressed the historical context of the 2003 approval, pointing out that staff also made the oversight error of allowing the facility to operate without a Certificate of Occupancy. Pointing out that Carbondale did not approve the facility when they applied for their area. Pointing out the impacts the facility has on Glenwood Springs families, and urged revocation.
- **Erin Anderson**, a Glenwood Springs resident, urged the board to request technical documentation as needed. Sharing several accounts from families affected by arrests and deportations following routine police interactions. Anderson emphasized that these families are local community members and highlighted the emotional and practical harm experienced by parents and children during these incidents. They urged the board not to grant preferential treatment.
- **Sally Boughton**, Garfield County resident criticized City staff for providing incomplete information. Arguing that the proposed monitoring plan would not prevent continued violations of the facility's Special Use Permit and that the building remains out of compliance with I-3 detention code requirements, posing safety risks to detainees. Noting that the City issued a new certificate of occupancy without clear evidence of proper process and highlighted data showing repeated and increasing violations of detention limits. Expressing concerns about ICE's compliance and urged the commission to revoke the Special Use Permit rather than rely on conditions.
- **Alex Kelloff**, Garfield County resident, and a congressional candidate, urged the commission to pursue all possible steps to phase out the ICE detention facility and revoke its Special Use Permit. He cited repeated hold-time violations exceeding 12 hours and stated that such practices infringe on detainees' constitutional rights.
- **Katie Langenhuizen**, Glenwood Springs resident, emphasized that although the facility has operated for over two decades, significant changes and recent violations require action. Arguing that the building should meet I-3 detention standards, that increased facility use has heightened safety risks, and that continued violations

demonstrate an escalating pattern. Urging the commission to uphold zoning codes and revoke the Special Use Permit.

- **Mae Gray**, Garfield County resident, stated that the matter before the commission concerns civil rights and community well-being rather than political affiliation. Noting that representatives from the facility were not present to address concerns or respond to the community. Asserting that sufficient evidence exists to revoke the Special Use Permit, referencing the commission's legal counsel and prior documentation. Urging the commission to revoke the Special Use Permit in the interest of community safety, emphasizing the impact on local families and the importance of affirming the value of all residents.
- **Hannah Saggau**, Glenwood Springs resident, urged the commission to revoke the Special Use Permit, stating that it functions as a detention site and has repeatedly violated the 12-hour holding limit. Noting documented instances of people held for more than 20 hours in conditions not intended for extended detention and argued that intent does not negate violations. Expressing concern about staff recommendations to uphold the permit despite ongoing non-compliance and urged the commission to revoke the Special Use Permit without fear of federal repercussions.
- **The Raging Grannies**, offered a sung public comment in opposition to the facility.
- **Will Hodges**, Garfield County resident, urged the commission to revoke the Special Use Permit, stating that the facility has a long history of ordinance violations and held approximately 100 people in 2025. Noting that ICE has not responded to City concerns and that questions remain about the building's fire safety compliance. Referencing legal counsel's statement that the commission has grounds to revoke the permit and expresses concern that ICE is unlikely to comply with any new conditions.
- **Zodie Woolsey**, Glenwood Springs resident, presented a 3-D printed scale model of the holding cell layout and expressed concern about the facility's physical conditions, noting that the holding cells are located underground, lack windows, have limited ventilation, and provide only metal benches. Referencing building layout documents and stated that the facility was approved with these conditions in 2003. Criticizing the treatment of individuals held there and urged the commission to remove the facility from the community, emphasizing safety concerns and the impact on local families.
- **Molly Hamilton**, Glenwood Springs resident, expressed opposition to renewing the Special Use Permit. Stating that the permit's conditions are no longer being met, citing repeated violations of the 12-hour holding limit, leading to unresolved life-safety concerns. Arguing that the facility has never been properly evaluated under the appropriate I-3 building and fire code classification and does not meet those required safety standards. Bringing into question the staff recommendation to approve the permit, noting that the facility is not on federal property and that local governments retain authority to enforce safety codes.

- **Father Bert Chilson**, Garfield County resident and retired Catholic priest of St. Stephens Catholic Church, spoke in opposition to the facility's permit renewal, recounting the experience of a parishioner who was detained during a routine appointment and later deported, leaving her family separated for years. He emphasized that immigrant communities have long been integral to Glenwood Springs and that local institutions effectively support and monitor the community without ICE involvement. He urged the commission to consider the harmful impacts of detention on families and stated that the community does not need ICE to maintain safety or cohesion.
- **Sarah Klingelheber**, Garfield County resident, thanked the commission for holding the public hearing and expressed support for the concerns raised by previous speakers. Highlighting a 2003 GSA letter that downplayed the detention functions of the facility while still acknowledging a 12-hour limit for holding individuals during processing and transport. Referencing comments about federal jurisdiction and emphasizing that constitutional protections, including the prohibition on cruel and unusual punishment, apply to all individuals.
- **Michelle Coombs**, a Garfield County resident, spoke in opposition to the ICE facility. Expressing concern about racial profiling and the treatment of immigrants, noting that many affected individuals contribute significantly to the community but fear speaking publicly. Stating that ICE has demonstrated inhumane behavior and urged the commission to have the courage to take action and not grant additional authority to the agency.
- **Casey DeFrates**, Glenwood Springs resident, stated that substantial evidence shows ongoing and escalating violations at the facility. Expressing pride in the community's engagement and emphasized that accountability is essential. Urging the commission to revoke the Special Use Permit.
- **Julie Bommersbach**, Garfield County resident, stated that the facility has repeatedly violated its 2003 special use permit, including multiple 12-hour hold-time violations and continued noncompliance with required I-3 life-safety standards. Noting a lack of accountability from the building owners and tenants and expressed disappointment in the staff's recommendation to allow continued operations. Emphasizing that the facility is in leased, not federally owned, space and therefore remains subject to local safety and zoning laws. Arguing that monitoring or self-reporting would be insufficient.
- **Jonathan Godes**, former Councilor, Mayor and Glenwood Springs resident, urged the commission to focus on enforcing code requirements. Noting that while some violations in other contexts might be corrected through cooperative compliance, the facility has not demonstrated good-faith engagement, citing lack of response to City communications and absence from the hearing. Arguing that half-measures or conditional approvals would be ineffective and recommended revoking the Special Use Permit based on the City's legal authority and documented noncompliance.
- **Claire Graf**, Glenwood Springs resident, expressed concern about aspects of the City's report and the handling of code issues related to the facility. Stating that

explanations for 12-hour hold violations were irrelevant and instead highlighted the tenant's inability to manage operations within safety limits. Questioning the interpretation of federal regulations cited and noted that other applicable federal leasing and safety provisions were not addressed. Raising concerns about the property owner's practices and the facility's lack of compliance with I-3 life-safety requirements. Stating that comments about the facility being a "good neighbor" were not relevant to code compliance and concluded that the owner and tenant have shown a pattern of noncompliance and lack of transparency, making continued approval inappropriate.

- **Jacob Richards**, Roaring Fork Valley resident, questioned the City's handling of the facility's past inspections and stated that the explanation of a clerical error was inadequate without a full investigation or audit. Expressing concern that the building has been evaluated under standards appropriate for retail use rather than detention and argued that this reflects a flawed process. Suggesting the City seek outside counsel, noting that those involved in past decisions should not oversee corrective actions. Stating that bringing the entire building up to the required detention-facility code would be cost-prohibitive, which he argues would force the landlord to revoke lease.
- **Christina**, Glenwood Springs area resident (by Zoom, with Spanish interpretation), expressed concern that the facility has repeatedly violated rules and may continue to disregard local requirements. Noting that even if litigation against the federal government would be difficult to win, pursuing it would still allow the community to be part of the broader conversation. Stating that only a small percentage of individuals detained at the facility have criminal records, questioning the justification for the facility's operations under claims of national security.
- **Marcella Shufflin**, former Western Slope resident and policy specialist, stated that the issue before the commission reflects a broader statewide question about whether local governments can enforce land-use regulations when federal operations violate them. Noting that the facility has repeatedly exceeded the 12-hour detention limit and continues to operate without a final certificate of occupancy, creating safety and legal concerns. Emphasizing that ongoing violations could expose the City to significant legal and financial liability for failing to enforce its own permit conditions.
- **George Ware**, Garfield County resident and former Glenwood Springs Planning and Zoning Commissioner, stated that, based on his prior experience on the commission, he knows how he would vote on this matter and urged the commission to revoke the Special Use Permit.

Chair Waller closed the public hearing.

Motion:

Commissioner Connerton moved to revoke **Special Use Permit no. 4-04**, 100 Midland Avenue, Suite 110 and 210 pursuant to **Section 70.10.80.E.2.c** of the Glenwood Springs Municipal Code, based on 11 documented occurrences of detentions exceeding the 12-

hour maximum hold time and potential non-compliance after the Notice of Violation. Commissioner Houghton seconded the motion.

Commissioner comments:

- Commissioner Connerton added that the use also does not align with the City's Comprehensive Plan in protecting public health and safety but elected not to add that finding to the motion.
- Chair Waller observed that the 12-hour limitation was repeatedly stated by GSA throughout the 2003 application materials and was not a nuance that arose later. Commissioner Jones noted that revocation signals the City treats all applicants equally under its rules. Commissioner Geiman asked the Director to address fire safety and the I-3 inspection standard;
 - Director Hyatt confirmed that the building currently holds a certificate of occupancy for Groups B (business) and I-3 (detention) and that all inspections occurred in association with those uses.
- Commissioner Houghton, identifying himself as a building safety professional, stated that he had no reason to believe the certificate of occupancy was issued out of compliance with the applicable building code, which would have been the 1997 Uniform Building Code at the time of original construction.
- Chair Waller raised the difficulty of the 72-hour federal memo given the facility's design and suggested a future discussion of follow-up procedures for special use permits with behavioral conditions.

Outcome:

Motion was approved by digital vote five in favor and one opposed (Commissioner Patrick Corcoran).

6. Commissioner Comments

Commissioners discussed a variety of community topics, including:

- Commissioner Jones acknowledged the likelihood of Supremacy Clause issues but expressed support for the decision.
- Commissioner Corcoran passed.
- Commissioner Connerton thanked staff for their work.
- Chair Waller thanked staff and the community for the showing and recognized the difficulty of the staff report.
- Commissioner Houghton stated staff has his support.
- Commissioner Geiman observed that it was good to see this level of community involvement and noted that turnout on more routine zoning matters is typically much lower.

7. Director Comments

Director Trent Hyatt expressed:

- Appreciation for the Commission's dedication, thoughtfulness, and willingness to tackle complex policy topics.
- Recognition of Commissioner Gregory Cowan for his service.
- Notice of upcoming application reviews, possible appeals (including a tax-related short term rental case), and future code projects.
- Updates on anticipated water-use conditions, noting the contingencies and water reserves.

8. Adjournment

Meeting adjourned at 8:35PM.

DRAFT



Planning and Zoning Commission Staff Report

Date	May 26, 2026
Planning File Number	APPEAL-000029-2026
Request	An Appeal of an administrative decision regarding the enforcement of Section 070.030.030(e)(9)(f)(6) and denial of a Short-Term Rental Permit renewal
Applicant	Cindy Svatos
Owner	Svatos Trust
Location	319 Park Drive
Zone	Residential Medium-Density (RM1)
Staff	Emery Ellingson, Senior Planner, Community and Economic Development

ACTION ITEM

As per Section 070.060.070(c)(1) *Purpose of the Glenwood Springs Municipal Code (Code), “[T]he appeal procedure establishes a mechanism for appealing decisions made in the administration or enforcement of this Code.”* Section 070.060.070(c)(2) states, “[A]ny interested party may appeal a decision made in the administration or enforcement of this Code to the appropriate appellate body...”. The Planning and Zoning Commission (Commission) serves as the appropriate appellate body for appeals of administrative decision made by staff. *Per Section 070.060.070(c)(3)e*, the Commission may affirm, reverse, or amend the decision, in whole or in part, or may modify the order, requirement, decision or determination appealed. In addition, the Commission may attach conditions of approval on any appeal to ensure the health, safety, and welfare of the City.

Action 1 Appeal– Consideration of an Appeal of an administrative decision regarding the enforcement of Section 070.030.030(e)(9)(f)(6) and denial of a Short-Term Rental Permit.

Staff Recommendation: Not applicable. Per Section 070.060.070(c)(3)c.2 of the Code, the staff report shall not make a recommendation and shall only include the necessary facts to warrant an appeal, which shall be provided by the applicant.

BACKGROUND AND TIMELINE

Within the City, any rental of a residential dwelling unit or rental of space within a residential dwelling unit for a period of less than 30 days requires review and approval. The regulation of vacation rentals has occurred since the adoption of Ordinance No. 16-2015 in 2015 which established a specific permit system with two types of permits as outlined in Section 070.070.020(c)(5) of the Code and listed below:

Short-Term Rental Permit: *The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days. This definition does not include offering the use of one's property where no fee is charged or collected.*

Accessory Tourist Rental Permit: *The rental for monetary compensation of not more than one (1) bedroom for transient lodging to guests in those residential dwelling units that contain a minimum of two (2) bedrooms and are owner-occupied or occupied by a resident manager.*

One key difference between these two permit types is that any new Short-Term Rental must be located at least 250' from any other existing Short-Term Rental Permit. This means that not every property within the City is eligible. In contrast, there is no distance requirement for the Accessory Tourist Rental Permit which means that any property owner of a residential dwelling can obtain this permit.

These permits all run on the same two-year permit renewal period in which they expire at the end of odd-numbered years. Each fall of an expiration year, any permit holder wishing to continue their permit must complete the renewal process which consists of the following steps:

- 1) Submit a renewal permit application on the City's online application portal;
- 2) Pay the renewal fee
 - a. Short-Term Rental Permits Renewals currently cost \$409.08
 - b. Accessory Tourist Rental Permit Renewals currently cost \$184.09;
- 3) Pass a building inspection; and
- 4) Provide proof of the collection of accommodation taxes.

The requirement for a passed building inspection is to ensure that residences which are rented for vacation rentals are safe for guests. The intent of requiring proof of accommodation taxes is to ensure that property owners who obtain permits are actually using them and are not merely obtaining the permit in an effort to obstruct their neighbors from doing so. It is also important to note that the City has been fairly lenient in enforcing that only some amount of accommodation taxes is collected and remitted to the City at

the current effective rate of 5.0%. As long as the amount remitted is greater than \$0.00, a permit holder would be in compliance with this condition of renewal. Some communities require that short-term rentals be rented a minimum number of nights per year or the owner is at risk of losing their permit. The exact code language as written in Section 070.030.030(e)(9)(f)(6) is as follows:

“A permit holder who fails to collect lodging taxes on a short-term rental during the permit period shall not be permitted to renew the permit for the next two-year permit cycle”.

The appellant submitted a total of \$0 in lodging taxes during the 2024-2025 permit period which resulted in staff denying the renewal application for the 2026-2027 permit period. During this renewal period, there were three other properties which were also denied renewal applications for failure to collect accommodation taxes during the 2024-2025 permit period.

Timeline

The following table outlines various events related to the nonrenewal of the subject permit.

<u>Date</u>	<u>Action</u>
April 7, 2025	Cindy Svatos (the “applicant”) submitted a Short-Term Rental Permit application for 319 Park Drive (the “property”) at 11:18 AM. A neighboring property owner of 322 Park Drive submitted a Short-Term Rental Permit application at 3:38 PM. Since 319 Park Drive completed their application prior to 322 Park Drive, the property owner of 322 Park was informed that their application could not move forward since 319 Park Drive is within 250’. Please see Attachment A for e-mail.
April 8, 2025	Applicant received an email acknowledging receipt of the application and included information related to next steps in the process. This email included language outlining the requirements of renewing the permit in the fall, including submitting proof of accommodation taxes. Please see Attachment A for e-mail.
April 14, 2025	The property failed the building inspection for the following deficiencies; • Missing egress windows on two upstairs bedrooms; • One bedroom could not be utilized due to being open to a furnace and water heater; • Missing egress drawing (emergency evacuation plan); and • Missing carbon monoxide and smoke detectors in living room and gaming room.

	Applicant was notified at the inspection of these deficiencies at the time of inspection and that they would need to submit a building permit for the installation of egress windows, in addition to rectifying other items not requiring a building permit.
September 8, 2025	The applicant submitted a building permit for the installation of required egress windows.
September 11, 2025	Building permit for the installation of egress windows issued by the City.
September 30, 2025	Applicant's contractor passes final inspection for installation of egress windows. This final inspection also served as passed building inspection for the corresponding Short-Term Rental Permit application.
October 22, 2025	Applicant completes public notice process. The Short-Term Rental Permit is issued with an expiration date of 12/31/2025. Applicant received email which describes the renewal process, including submitting proof of accommodation taxes collected. The e-mail is included in Attachment A and the permit is included in Attachment B.
November 1, 2025	Applicant submits accommodation tax form for October 2025 with \$0 in accommodation tax collected. This form is included in Attachment C.
December 2, 2025	Applicant submits accommodation tax form for November 2025 with \$0 in accommodation tax collected. This form is included in Attachment C.
December 9, 2025	Applicant submits a renewal application for the Short-Term Rental Permit. Applicant receives an email acknowledging receipt of the application. This email also clarifies the requirement of renting the home and remitting accommodation taxes to the City. This correspondence is included in the packet in Attachment A. In addition, the Building Department waived an additional renewal inspection since the property had just recently passed a building inspection to get the original Short-Term Rental permit.
January 12, 2026	Applicant submits accommodation tax form for December 2025 with \$0 in accommodation tax collected. This form is included in Attachment C.
January 20, 2026	The deadline for submitting accommodation and sales taxes for 4 th quarter of 2025.
February 5, 2026	Applicant notified via email that the Short-Term Rental Permit renewal has been denied due to failure to collect accommodation

	tax for the property within the 2024-2025 permit period. This correspondence is included in the packet.
March 5, 2026	Applicant provided a formal Notice of Decision for denial of the renewal of the Short-Term Rental Permit. As per <i>Section 070.060.070(c)(3)(b)(2)</i> which requires an appeal to be filed within 7 days of a decision, an appeal deadline was set for Thursday, March 12, 2026. This notice of decision is included in the packet as Attachment D.
March 12, 2026	Applicant submits an Appeal application (Attachment E). Applicant notified that the Commission would consider the appeal at their April 28, 2026, meeting in order to meet required public noticing requirements for the March 24, 2026, meeting.
April 1, 2026	Staff requests and the applicant agree to move consideration of the application to the May 26, 2026, Commission meeting due to the scheduling of another sensitive item at the April 28, 2026, meeting. This e-mail is included in Attachment A.

APPEAL CRITERIA

Section 070.060.070(c)(3)(e)(1) *Review and Decision* of the Code provides guidance/decision criteria that the Commission should use to consider the Appeal as outlined in *italics* below:

- i. The facts stated in the application as presented by the appellant;*
- ii. The requirements and intent of the applicable standards from this Code compared to the decision that is being appealed;*
- iii. Evidence related to how the applicable standards from this Code have been administered or interpreted in the past; and*
- iv. Consistency with the Comprehensive Plan.*

PUBLIC COMMENT

The Code Amendment completed the public notice process per the requirements of Section 070.060.030 which includes:

- Notice published in the *Glenwood Springs Post Independent* on May 12 and 19, 2026;
- Notices were also mailed to all property owners within 300 feet; and
- Sign posted on the subject property on Friday, May 15, 2026.

One public comment was received and has been included in the packet.

ACTION ALTERNATIVES

Section 070.060.070(c)(3)(e) allows the Commission to “affirm, reverse, or amend...” the decision made by the Community Development Director. Additionally, the Commission “may reverse a previous decision in whole or in part, or may modify the order, requirement, decision, or determination appealed from.” Finally, the Commission also has the ability to “attach conditions of approval on any approval to ensure the health, safety, and welfare of the city.” Staff has provided examples of potential motions below.

Action 1 – Appeal– Consideration of an Appeal of an administrative decision regarding the enforcement of Section 070.030.030(e)(9)(f)(6) and denial of a Short-Term Rental Permit.

Staff Recommendation

Not applicable as outlined above.

Motion to Affirm Staff’s Decision

I move to affirm the administrative decision to deny renewal of a Short-Term Rental Permit for failure to collect lodging taxes per Section 070.030.030(e)(9)(f)(6) finding [ENTER SPECIFIC FINDINGS HERE].

Suggested Findings

Findings for any motion should be based on the criteria outlined below and amended as necessary.

1. The facts stated in the application as presented by the appellant;
2. The requirements and intent of the applicable standards from this Code compared to the decision that is being appealed;
3. Evidence related to how the applicable standards from this Code have been administered or interpreted in the past; and
4. Consistency with the Comprehensive Plan

Conditions

The Commission can include conditions as determined necessary.

Motion to Reverse Staff’s Decision

I move to reverse the administrative decision to deny renewal of a Short-Term Rental Permit for failure to collect lodging taxes per Section 070.030.030(e)(9)(f)(6) finding [ENTER SPECIFIC FINDINGS FROM LIST ABOVE AND/OR NECESSARY CONDITIONS HERE].

Motion to Amend Staff’s Decision

I move to amend the administrative decision to deny renewal of a Short-Term Rental Permit for failure to collect lodging taxes per Section 070.030.030(e)(9)(f)(6) [ENTER SPECIFIC AMENDMENTS, FINDINGS FROM LIST ABOVE, AND/OR NECESSARY CONDITIONS HERE].

Motion to Continue

I move to continue consideration of Planning File CDA-000027-2026, to [ENTER SPECIFIC MEETING DATE HERE] to gather additional information necessary for a decision.

Emery Ellingson

From: Emery Ellingson
Sent: Tuesday, April 8, 2025 3:34 PM
To: Cindy Svatos
Subject: City of Glenwood Springs - Short Term Rental Application
Attachments: Vacation Rental Inspection Items.pdf

Hello,

This e-mail is a follow up on the application for a Short Term Rental at 319 Park Drive.

Here are the remaining steps to complete the permit application:

- 1) Schedule a building inspection. To schedule a building inspection, please call inspection line at 970-384-6432. Please leave your name, phone number, and a few times for inspection at least 24 hours in advance of a requested inspection. The next morning following the request, the Building Department will return your call to confirm an inspection time. Attached is a list of inspection items.
- 2) Pass building inspection
- 3) Complete public notice. Following a passed building inspection, I will send you instructions on sending out the public notice. You will need to send letters to all property owners within 250' of your property.

Also, please note that the permits run on two year permit periods. The current permit period is 2024-2025. Any permit issued this year will be valid until the end of the year. **This fall, if you wanted to renew the permit you would need to pay the renewal fee (\$400), pass another building inspection, and also submit proof of lodging tax submitted.**

Questions on anything, let me know.

Emery Ellingson
Senior Planner
City of Glenwood Springs
101 W. Eighth Street
Glenwood Springs, CO 81601
970.384.6472 (p) 970.945.8582 (f)
emery.ellingson@cogs.us



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City Hall hours are Monday-Thursday from 7:30 AM to 5:30 PM and closed on Fridays. Phone calls and e-mails will be returned during the new business hours.

Emery Ellingson

From: Emery Ellingson
Sent: Tuesday, April 8, 2025 11:59 AM
To: 322parkdrive@gmail.com
Cc: Carly Stillman; jonnylipp@gmail.com
Subject: 322 Park Drive STR Application
Attachments: 03-0029 Plans Combined.pdf

Hello,

This e-mail is a follow up to the proposed Short Term Rental for 322 Park Drive.

I have spoken with Hannah Klausman, Community Development Director about this application and the determination is that since 319 Park Drive submitted a complete application through the online application portal on Monday April 7th prior to any received application for 322 Park Drive, the application for 319 Park Drive will move forward. As a result, the property at 322 Park Drive is no longer eligible for a Short-Term Rental Permit and will be refunded the application fee.

I would also like to mention the following items:

- Applicants have 180 days to complete an application. If an applicant does not complete the application within 180 days, the application will expire.
- Short Term Rental Permits are not transferable with the sale of the property. If 319 Park completes their permit process but sells their home at a later date, their permit would expire.
- Any rental of a residential unit for more than 30 consecutive days is considered a long-term rental which does not require any special permits or licensing.
- An Accessory Tourist Rental Permit is not subject to the 250' buffers. This does require a long term tenant or owner to reside at the property and the rental is limited to one bedroom.
- Garfield County Assessor shows that there is a finished basement with 912 square feet and that the house is a total of 3,344 square feet. The size of that finished basement would be within what is allowed for an Accessory Dwelling Unit. An accessory dwelling unit would have to be used for long term rentals, however the property is configured in a way that could allow for a conversion of the basement to an ADU. Attached are plans from the basement remodel from 2003 for reference.

If you have further questions about this determination, please contact Hannah Klausman at Hannah.klausman@cogs.us or 970-384-6407.

Sincerely,

Emery Ellingson
Senior Planner
City of Glenwood Springs
101 W. Eighth Street
Glenwood Springs, CO 81601
970.384.6472 (p) 970.945.8582 (f)
emery.ellingson@cogs.us



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Emery Ellingson

From: Emery Ellingson
Sent: Wednesday, October 22, 2025 5:27 PM
To: Cindy Svatos
Subject: 319 Park Drive STR Permit
Attachments: 319 Park Drive STR Permit 2024-2025.pdf

Hello,

Attached is a copy of the Short Term Rental Permit for 319 Park Drive.

This permit should be placed somewhere visible in the home and the permit number should be shown in all online listings.

This permit is valid until 12/31/2025. Please note that if you wish to renew the permit for the 2026-2027 permit period that you will need to complete the entire renewal process by 12/31/2025. This include paying a renewal fee, building inspection, and submitting proof of accommodation taxes.

The business license on MUNIREVs has also been approved and will also need to be renewed prior to the end of the year.

Further questions on anything, let me know.

Emery Ellingson
Senior Planner
City of Glenwood Springs
101 W. Eighth Street
Glenwood Springs, CO 81601
970.384.6472 (p) 970.945.8582 (f)
emery.ellingson@cogs.us



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Emery Ellingson

From: Emery Ellingson
Sent: Tuesday, December 9, 2025 3:07 PM
To: Cindy Svatos
Subject: RE: Short Term Rental Renewal Application

Hello,

Ok, it looks like you have submitted the permit.

To clarify – a requirement of renewing the permit is that you have rented and have remitted some amount of sales tax to the City. This is where you would use MUNIREVs to report your sales and accommodation taxes. If you have not done that yet, that is something you need to do to renew.

I have invoiced the permit for \$409.08 which is the cost for the renewal application.

Additional questions, let me know.

Emery Ellingson
Senior Planner
City of Glenwood Springs
101 W. Eighth Street
Glenwood Springs, CO 81601
970.384.6472 (p) 970.945.8582 (f)
emery.ellingson@cogs.us



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City Hall hours are Monday-Thursday from 7:30 AM to 5:30 PM and closed on Fridays. Phone calls and e-mails will be returned during the new business hours.

From: Cindy Svatos <cmsvatos@gmail.com>
Sent: Tuesday, December 9, 2025 1:05 PM
To: Emery Ellingson <emery.ellingson@cogs.us>
Subject: Re: Short Term Rental Renewal Application

I am pretty positive I have not sent everything, but I will. I can't figure out the Munreves report. we have not rented any as I have had multiple surgeries (7 since July on my left heel!)

What am I missing?

On Thu, Dec 4, 2025 at 11:42 AM Emery Ellingson <emery.ellingson@cogs.us> wrote:

Hello,

This is e-mail following up on Short Term Rental renewal. You will need to submit a Short Term Rental application, not a Change of Use.

Use application below on the application page.

redentials here; no need to re-register.

[Home](#) [Apply](#) [Map](#) [Fee Estim](#)

Application Assistant

[All](#) [Trending](#) [LICENSE](#)

[Show Categories](#)



Vacation Rental - Short Term Rental
Category Name:
Vacation Rental
Description:
Vacation Rental - Short Term Rental



Contractor License - Class AA - General Unlimited
Category Name:
Contractor License
Description:
Contractor license covering all occupancy types. B.E.S.T.



Pre-Application Meeting
Category Name:
Planning Permits
Description:
For certain project types it is recommended that the app Development Department to review the project applicat the applicable regulations set forth in this Code. Please c Development Department if you have questions about s meeting.



Residential Mechanical Permit - HVAC Changeout
Category Name:
Residential
Description:
HVAC stands for Heating, Ventilation and Air Conditioni home comfort system. A complete system can control air air intake and maintain the quality of the air in your hom when replacing any part of this system.

Emery Ellingson

From: Emery Ellingson
Sent: Thursday, February 5, 2026 1:09 PM
To: 'Cindy Svatos'
Subject: 319 Park Drive STR Permit
Attachments: 319 Park Drive STR Permit 2024-2025.pdf; 319 Park Drive STR Permit

Hello,

This e-mail is a follow up on the Short Term Rental Permit for 319 Park Drive. The permit, which was issued on 10/22/2025 expired on 12/31/2025. A renewal application and application fee was submitted, however, no accommodation tax was ever issued for the property within the timeline. This means that the permit is no longer active and was not eligible for renewal.

The renewal fee of \$409.08 can be refunded and a check will be mailed to the address below:

319 Park Drive
Glenwood Springs, CO 81601

If you prefer the refund to be mailed elsewhere, please let us know.

Please note that since the permit at 319 Park Drive has expired that the 250' buffer limiting neighboring property owners is no longer in place.

Other questions, let us know.

Emery Ellingson
Senior Planner
City of Glenwood Springs
101 W. Eighth Street
Glenwood Springs, CO 81601
970.384.6472 (p) 970.945.8582 (f)
emery.ellingson@cogs.us



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City Hall hours are Monday-Thursday from 7:30 AM to 5:30 PM and closed on Fridays. Phone calls and e-mails will be returned during the new business hours.

Emery Ellingson

From: Emery Ellingson
Sent: Wednesday, April 1, 2026 11:52 AM
To: Cindy Svatos
Subject: RE: April 28th Planning and Zoning Commission Meeting

Thanks for confirming. Will plan for the May 26th meeting then.

From: Cindy Svatos <cmsvatos@gmail.com>
Sent: Wednesday, April 1, 2026 11:07 AM
To: Emery Ellingson <emery.ellingson@cogs.us>
Subject: Re: April 28th Planning and Zoning Commission Meeting

Let's move it to May 26th. Thanks for the heads up.
Cindy

On Tue, Mar 31, 2026 at 11:35 AM Emery Ellingson <emery.ellingson@cogs.us> wrote:

Hello,

This e-mail is a follow up on the appeal application going to Planning and Zoning Commission for April 28th.

My question is I wanted to ask if you would like to move the hearing to the May 26th meeting.

The reason I am asking is because on April 28th, the Planning and Zoning Commission will be doing a review of the Special Use Permit for the ICE facility on Midland Avenue. There will likely be a substantial amount of public comment and could be a long meeting. This could result in you having to wait a long time for your item.

It is up to you if you would like to move the item to May. Please note that if you stay with April, there is a chance Planning and Zoning Commission could choose to continue the item anyway.

In any case, whatever date you pick, the City will be doing the public notice.

Please let me know if you would like to stay with the April 28th meeting or move to the May 26th meeting. Please let me know by next week, Wednesday, April 8th.

Questions, let me know.

Emery Ellingson

Senior Planner

City of Glenwood Springs

101 W. Eighth Street

Glenwood Springs, CO 81601

970.384.6472 (p) 970.945.8582 (f)

emery.ellingson@cogs.us



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City of Glenwood Springs

101 W 8th Street
Glenwood Springs, CO 81601
970-384-6400

Business Name: Svatos Trust Vacation Rental

Business Location: 319 PARK DR
Glenwood Springs, CO 81601

Owner: Cindy Svatos

License Number: VACA-000014-2025

Issued Date: 10/22/2025

Expiration Date: 12/31/2025

Mailing Address: No address entered for the Business

License Type: Vacation Rental

Classification: Short Term Rental

Fees Paid: \$600.00

Trent Hyatt - Director, Community Development

TO BE POSTED IN A CONSPICUOUS PLACE

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Building Type

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THE CITY OF GLENWOOD SPRINGS

Accommodations Tax Form (Oct 2025)

[028010]

Svatos Vacation Rental

319 Park Drive

Glenwood Springs, CO

970-618-3650

Due: 11/20/2025

Date Submitted: 11/01/2025

Accommodations Tax			
1	Available Rental Nights in Period		0.00
1A	Occupied Nights in Period		0.00
1B	Occupancy Rate (%)		
1C	Average Daily Rate		
3	Lodging Gross Sales (Including Mandatory Surcharges) *		0.00
4A	Deductions - Government, Religious, Charity		
4B	Deductions - Long Term Rentals (30 continuous days or more)		
4C	Deductions - Other		
4D	Total Deductions		0.00
5	Net Taxable		0.00
6	Total Accommodations Tax (5%, or 2.5% prior to 1/1/23)		0.00
7	Add Excess Tax Collected		0.00
8	Total Tax		0.00
9	Accommodations Tax Penalty - 10%		0.00
10	Accommodations Tax Interest - .5% per month		0.00
11	Total Tax, Penalty & Interest Due		0.00
15	ADJUSTMENT		0.00
16	Total Due and Payable		0.00
16A	Accommodations Tax - Tourism Promotion Fund (50% of total due)		0.00
16B	Accommodations Tax - Work Force Housing Fund (50% of total due)		0.00

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Title *

Date *

cindy svatos

owner

11/01/2025 11:32:19

AFTER SUBMITTING THIS FORM with the orange submit button below, ALL FILERS must continue through the shopping cart to obtain a receipt, including Zero Filers and ACH Credit remitters.

Payment via ACH Credit: You must proceed through checkout. Submit your form below, moving through the cart to select the ACH credit payment method and then click Pay Now.

Zero Return: You must complete a zero cost checkout. Submit your form below, moving through the cart to complete the zero transaction.

Once a form has been properly completed, a receipt will be issued and the form will no longer appear as an open task in the Business Center.

Save

https://glenwoodsprings.munirevs.com/admin/business-form/edit/?businesstaskId=1139330&uniqueid=

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Contact Roles

Parcel Status

Parcel Zoning

Building Type

County

Details

Audit Log (1)

THE CITY OF GLENWOOD SPRINGS

Sales and Use Tax Form (Oct 2025)

[028010]
Svatos Vacation Rental
319 Park Drive
Glenwood Springs, CO
970-618-3650

Due: 11/20/2025 Date Submitted: 11/01/2025

Tax Form Income			
1	Gross Sales & Service *		0.00
2A	Add: Bad Debts Collected		0.00
2B	Total 1 + 2A		0.00

Tax Form Deductions			
3A	Non-taxable Service		
3B	Sales for Resale		
3C	Shipped Out of Town		
3D	Bad Debts		
3E	Trade-ins for Resale		
3F	Gas & Cigarettes		
3G	Government, Religious, Charitable		
3H	Returned Goods		
3I	Prescription Drugs / Prosthetic Devices		
3J	Other Deductions		
3K	Other Deductions		
	Total Deductions	0.00	

Tax Form Calculations			
4	Total Town Net Taxable Sales & Service	0.00	
5	Amount of Town Sales Tax (4.2% of Line 4) *	0.00	
6A	Amount Subject to Use Tax	0.00	
6B	Use Tax (4.2%)		0.00
EXCESS	Add Excess Tax Collected		0.00
TOTAL	TOTAL TAX DUE *		0.00

Tax Form Penalties and Interest			
12A	Penalty 10% Penalty for late Payments		0.00
12B	Interest - .5% per month		0.00
13	TOTAL TAX , PENALTY & INTEREST DUE		0.00

Adjustments			
15	ADJUSTMENT	0.00	

TOTALDUE	TOTAL DUE AND PAYABLE	0.00	
----------	-----------------------	------	--

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Title *

Date *

Cindy Svatos

owner

11/01/2025 11:35:33

AFTER SUBMITTING THIS FORM with the orange submit button below, ALL FILERS must continue through the shopping cart to obtain a receipt, including Zero Filers and ACH Credit remitters.

Payment via ACH Credit: You must proceed through checkout. Submit your form below, moving through the cart to select the ACH credit payment method and then click Pay Now.

Zero Return: You must complete a zero cost checkout. Submit your form below, moving through the cart to complete the zero transaction.

Once a form has been properly completed, a receipt will be issued and the form will no longer appear as an open task in the Business Center.

Save

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Site Configuration

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Permission

Submission Type

WaivePI

Contact Roles

Parcel Status

Parcel Zoning

Building Type

County

Details

Audit Log (1)

THE CITY OF GLENWOOD SPRINGS

Accommodations Tax Form (Nov 2025)

[028010]

Svatos Vacation Rental

319 Park Drive

Glenwood Springs, CO

970-618-3650

Due: 12/22/2025

Date Submitted: 12/02/2025

Accommodations Tax			
1	Available Rental Nights in Period		0.00
1A	Occupied Nights in Period		0.00
1B	Occupancy Rate (%)		0.00
1C	Average Daily Rate		0.00
3	Lodging Gross Sales (Including Mandatory Surcharges) *		0.00
4A	Deductions - Government, Religious, Charity		0.00
4B	Deductions - Long Term Rentals (30 continuous days or more)		0.00
4C	Deductions - Other		0.00
Deduction Notes			
4D	Total Deductions		0.00
5	Net Taxable		0.00
6	Total Accommodations Tax (5%, or 2.5% prior to 1/1/23)		0.00
7	Add Excess Tax Collected		0.00
8	Total Tax		0.00
9	Accommodations Tax Penalty - 10%		0.00
10	Accommodations Tax Interest - .5% per month		0.00
11	Total Tax, Penalty & Interest Due		0.00
15	ADJUSTMENT		0.00
16	Total Due and Payable		0.00
16A	Accommodations Tax - Tourism Promotion Fund (50% of total due)		0.00
16B	Accommodations Tax - Work Force Housing Fund (50% of total due)		0.00

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Title *

Date *

Cindy Svatos

Owner

12/02/2025 14:53:19

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https://glenwoodsprings.munirevs.com/admin/business-form/edit/?businesstaskId=1150586&uniqueid=

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Permission

Submission Type

WaivePI

Contact Roles

Parcel Status

Parcel Zoning

Building Type

County

Details

Audit Log (1)

THE CITY OF GLENWOOD SPRINGS

Sales and Use Tax Form (Nov 2025)

[028010]
Svatos Vacation Rental
319 Park Drive
Glenwood Springs, CO
970-618-3650

Due: 12/22/2025 Date Submitted: 12/02/2025

Tax Form Income			
1	Gross Sales & Service *		0.00
2A	Add: Bad Debts Collected		0.00
2B	Total 1 + 2A		0.00

Tax Form Deductions			
3A	Non-taxable Service	0.00	
3B	Sales for Resale	0.00	
3C	Shipped Out of Town	0.00	
3D	Bad Debts	0.00	
3E	Trade-ins for Resale	0.00	
3F	Gas & Cigarettes	0.00	
3G	Government, Religious, Charitable	0.00	
3H	Returned Goods	0.00	
3I	Prescription Drugs / Prosthetic Devices	0.00	
3J	Other Deductions	0.00	
3K	Other Deductions	0.00	
	Total Deductions	0.00	

Tax Form Calculations			
4	Total Town Net Taxable Sales & Service	0.00	
5	Amount of Town Sales Tax (4.2% of Line 4) *	0.00	
6A	Amount Subject to Use Tax	0.00	
6B	Use Tax (4.2%)		0.00
EXCESS	Add Excess Tax Collected		0.00
TOTAL	TOTAL TAX DUE *		0.00

Tax Form Penalties and Interest			
12A	Penalty 10% Penalty for late Payments		0.00
12B	Interest - .5% per month		0.00
13	TOTAL TAX , PENALTY & INTEREST DUE		0.00

Adjustments			
15	ADJUSTMENT	0.00	

TOTALDUE	TOTAL DUE AND PAYABLE	0.00	
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I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Title *

Date *

Cindy Svatos

Owner

12/02/2025 14:56:37

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Save

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Advanced Menus [open](#)

Site Configuration

Static Data

Permission

Submission Type

WaivePI

Contact Roles

Parcel Status

Parcel Zoning

Building Type

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Audit Log (1)

THE CITY OF GLENWOOD SPRINGS

Accommodations Tax Form (Dec 2025)

[028010]

Svatos Vacation Rental

319 Park Drive

Glenwood Springs, CO

970-618-3650

Due: 01/20/2026

Date Submitted: 01/12/2026

Accommodations Tax			
1	Available Rental Nights in Period		0.00
1A	Occupied Nights in Period		0.00
1B	Occupancy Rate (%)		0.00
1C	Average Daily Rate		0.00
3	Lodging Gross Sales (Including Mandatory Surcharges) *		0.00
4A	Deductions - Government, Religious, Charity		0.00
4B	Deductions - Long Term Rentals (30 continuous days or more)		0.00
4C	Deductions - Other		0.00
		Deduction Notes	
4D	Total Deductions		0.00
5	Net Taxable		0.00
6	Total Accommodations Tax (5%, or 2.5% prior to 1/1/23)		0.00
7	Add Excess Tax Collected		0.00
8	Total Tax		0.00
9	Accommodations Tax Penalty - 10%		0.00
10	Accommodations Tax Interest - .5% per month		0.00
11	Total Tax, Penalty & Interest Due		0.00
15	ADJUSTMENT		0.00
16	Total Due and Payable		0.00
16A	Accommodations Tax - Tourism Promotion Fund (50% of total due)		0.00
16B	Accommodations Tax - Work Force Housing Fund (50% of total due)		0.00

I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Cindy M Svatos

Title *

Owner

Date *

01/12/2026 07:47:41

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Save

https://glenwoodsprings.munirevs.com/admin/business-form/edit/?businesstaskId=1167750&uniqueid=

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Advanced Menus open

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WaivePI

Contact Roles

Parcel Status

Parcel Zoning

Building Type

County

Details

Audit Log (1)

THE CITY OF GLENWOOD SPRINGS
Sales and Use Tax Form (Dec 2025)

[028010]
Svatos Vacation Rental
319 Park Drive
Glenwood Springs, CO
970-618-3650

Due: 01/20/2026 Date Submitted: 01/12/2026



Tax Form Income			
1	Gross Sales & Service *		0.00
2A	Add: Bad Debts Collected		0.00
2B	Total 1 + 2A		0.00

Tax Form Deductions			
3A	Non-taxable Service	0.00	
3B	Sales for Resale	0.00	
3C	Shipped Out of Town	0.00	
3D	Bad Debts	0.00	
3E	Trade-ins for Resale	0.00	
3F	Gas & Cigarettes	0.00	
3G	Government, Religious, Charitable	0.00	
3H	Returned Goods	0.00	
3I	Prescription Drugs / Prosthetic Devices	0.00	
3J	Other Deductions	0.00	
3K	Other Deductions	0.00	
	Total Deductions	0.00	

Tax Form Calculations			
4	Total Town Net Taxable Sales & Service	0.00	
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EXCESS	Add Excess Tax Collected		0.00
TOTAL	TOTAL TAX DUE *		0.00

Tax Form Penalties and Interest			
12A	Penalty 10% Penalty for late Payments		0.00
12B	Interest - .5% per month		0.00
13	TOTAL TAX , PENALTY & INTEREST DUE		0.00

Adjustments			
15	ADJUSTMENT	0.00	

TOTALDUE	TOTAL DUE AND PAYABLE	0.00	
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I CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Name (as electronic signature) *

Title *

Date *

Cindy M Svatos

owner

01/12/2026 07:50:22

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Economic Development Department
101 W. 8th Street
Glenwood Springs, CO 81601
(970) 384-6450

FROM: Community Development Department
RE: Notice of Decision, VACA-000162-2025 Short Term Rental Permit Application
DECISION DATE: March 5, 2026

Project Information:

Applicant:	Cindy Svatos
Property Owner:	Svatos Trust
Project Name:	319 Park Drive Short Term Rental Permit Renewal Application
Project Location	319 Park Drive, Parcel Number 2185-161-14-008
Action Summary:	The applicant submitted a renewal application for a Short-Term Rental Permit on December 9, 2025. The renewal application was not approved due to non-compliance with <i>Section 070.030.030(e)(9)(f)(6)</i> which states that a permit holder that fails to collect lodging taxes on a short-term rental permit during the permit period shall not be permitted to renew the permit for the next two-year permit cycle. Based on the fact the applicant remitted no amount of lodging taxes for the permit period of 2024-2025, staff did not approve the renewal of the Short Term Rental Permit for 319 Park Drive. This notice serves as official notice of the Community Development Department's decision to deny the renewal application.
Action Taken:	Denial of renewal of a Short Term Rental Permit for the 2026-2027 permit period due to non-compliance with <i>Section 070.030.030(e)(9)(f)(6)</i>
Appeal – Deadline to File	7 days – Thursday, March 12, 2026

Emery Ellingson

Emery Ellingson, Senior Planner
Community and Economic Development

Distribution List

☐ File	☐ Engineering/GIS	☐ Police Dept
☐ Property Owner/Applicant	☐ Electric Dept	☐ Public Works Dept
☐ Building Dept	☐ Fire Dept	☐ Water/Wastewater Dept
☐ City Attorney	☐ Planning & Zoning Comm	☐ Other:
☐ City Council		

I have lived in GWS since 1978. We have lived in our home at 319 Park Dr, Glenwood Springs, CO 81601 for 40 years; it is part of our retirement. Located in south park, it is one of best neighborhoods for young families.

When the home across the street was being sold in early April 2025 the seller told us he was sorry that it was going to solely used as a short-term rental. I immediately filled out an STR application. My husband and I had been contemplating going away for the winters and renting out our home while gone. I did everything the application required. We replaced two bedroom windows to comply as well as added more smoke/co2 alarms, cleaned out the basement egress window exits, etc. My application was not finalized until October 22, 2025. At the time of my application I was told I would need to renew in December, which I agreed to and completed in a timely manner,

I did not have the opportunity to rent this out during the short 2.3 months that were left in 2025 after I received my permit. I filed my tax reports for each month required. When Emery questioned if I had filed my taxes I said yes to the amount of \$0. He NEVER said I had to actually rent it. In December I sent in all the correct paperwork and money to have the permit renewed.

I did not hear back until February 5 when I was informed my permit was not renewed as I have never had guests and therefore never paid taxes. No where in the application does it say you absolutely have to rent it out. Never was I informed of this technicality even when it had to have been apparent that I was filling \$0 taxes

Of note there were 2 other applicants who were turned down on their renewals. Both were for failing to file actual revenue and actual taxes paid. The difference for them was they were informed of what they had to do to make this right. That being too quickly rent out their place by December 31 and to pay taxes. Both properties had had their permits for TWO years and apparently were unaware of this stipulation of having to actually rent their place out and pay taxes. I had mine for 2 months and it seems this courtesy was not given to me.

The ordinance states simply that all taxes must be paid to renew. I filed the requisite forms regarding taxes. No where in the application does it clearly state you absolutely have to rent it out. I was never informed of this technicality even when it had to have been apparent that I was filing \$0 taxes. If the City wanted this to be a requirement it should be in the ordinance and made clear to everyone. The City has not been transparent with the enforcement of the ordinance and is adding conditions to the permit that were not on the permit and that are not in the ordinance.

I have lived in GWS since 1978. We have lived in our home at 319 Park Dr, Glenwood Springs, CO 81601 for 40 years; it is part of our retirement. Located in south park, it is one of best neighborhoods for young families.

When the home across the street was being sold in early April 2025 the seller told us he was sorry that it was going to be used solely as a short term rental. I immediately filled out an STR application. My husband and I had been contemplating going away for the winters and renting out our home while gone. I did everything the application required. We replaced two bedroom windows to be in compliance as well as added more smoke/co2 alarms. cleaned out the basement egress window exits, etc . My application was not finalized until October 22, 2025. At the time of my application I was told I would need to renew in December, which I agreed to and completed in a timely manner,

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ordinance and is adding conditions to the permit that were not on the permit and that are not in the ordinance.

Of note with our STR, the new owners from across the street have, I believe, have been putting pressure on some of our neighbors, and I believe city staff, to get the permit freed up.

I strongly protest and appeal that my STR permit was taken from us. And, as an aside, since July 2025 I have had 5 surgeries on my left foot, and have been nonweight bearing. None of this was anticipated when I filed for the permit. This prevents me from being fully functional in all regards. and I cannot easily leave my house for long periods of time, not can I get downstairs where our rental rooms are mainly located. I look forward to hearing back from you.

Cindy Svatos

cmsvatos@gmail.com

970-618-3650

I strongly protest and appeal that my STR permit was taken from us. And, as an aside, since July 2025 I have had 5 surgeries on my left foot and have been non-weight bearing. None of this was anticipated when I filed for the permit. This prevents me from being fully functional in all regards. and I cannot easily leave my house for long periods of time, nor can I get downstairs where our rental rooms are mainly located. I look forward to hearing back from you.

Cindy Svatos

cmsvatos@gmail.com

970-618-3650

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

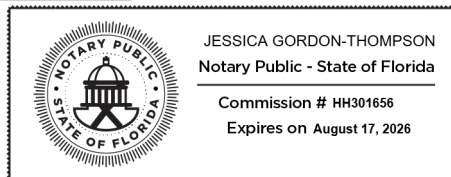
Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Glenwood Springs Post Independent, that the same weekly newspaper printed, in whole or in part and published in the County of Garfield, State of Colorado, 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 a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly 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 weekly newspaper for the period of 2 insertions; and that the first publication of said notice was in the issue of said newspaper dated 12 May 2026, 19 May 2026 in the issue of said newspaper.

That said newspaper was regularly issued and circulated on those dates.

Total cost for publication: \$43.68**NOTICE ID:** bQC3wYTqtxGaPPGhAuR7**NOTICE NAME:** 8CD09 COGS Appeal 000029-2026*Anjana Bhadoriya*

(Signed) _____

VERIFICATIONState of Florida
County of OrangeSubscribed in my presence and sworn to before me on this: **05/19/2026**Notary Public
Notarized remotely online using communication technology via Proof.

Please note that the Glenwood Springs Planning and Zoning Commission will conduct a public hearing to consider an appeal of an administrative decision and enforcement of Glenwood Springs Municipal Code Section 070.030.030(e)(9)(f)(6) to deny renewal of a Short-Term Rental Permit for failure to collect lodging taxes within the 2024-2025 permit period. The appeal is associated with a property located at 319 Park Drive, zoned as RM1 Zoning District, and legally described as Section 16 Township 6 Range 89 South Park Subdivision Block 4 Lot 8 8250 SQ FT. The application is submitted by Cindy Svatos and the property is owned by Svatos Trust.

The public hearing will be held on Tuesday, May 26, 2026, at 6:00 PM in the Council Chambers, Glenwood Springs City Hall, 101 W 8th Street, Glenwood Springs, Colorado. Additional information on the application is available for review at the Community Development Department at City Hall or by calling 970-384-6472.

The City of Glenwood Springs ensures meaningful access to City programs, services, and activities to comply with American Disabilities Act and reasonably provides: translation, interpretation, modifications, accommodations, alternative formats, auxiliary aids and services. To request these services, contact Bryana Starbuck, Public Information Officer, bryana.starbuck@cogs.us or 970-309-7521.

**PUBLISHED IN THE GLENWOOD SPRINGS
POST INDEPENDENT ON TUESDAY, MAY 12,
2026 AND TUESDAY, MAY 19, 2026.**

Planning and Zoning Commission
City of Glenwood Springs
101 W. 8th Street
Glenwood Springs, CO 81601

May 20, 2026

RE: Appeal of Revocation of STR Permit – 319 Park Drive / Application for 322 Park Drive

Dear Planning and Zoning Commissioners,

I respectfully request that the Planning and Zoning Commission uphold the City staff's determination revoking the short-term rental permit for 319 Park Drive and allow the short-term rental permit application for 322 Park Drive to proceed.

I purchased 322 Park Drive together with my business partners, Jon Lipp and Carly Stillman, for the sole purpose of operating a lawful and compliant short-term rental within the City of Glenwood Springs. Prior to purchasing the property, we confirmed with City staff and the City's STR map that the property was eligible for a short-term rental permit. On April 1, 2025, before closing, we contacted the City regarding the process and informed the City we intended to apply immediately upon closing.

We closed on the property on April 4, 2025 and attempted to submit our STR application immediately thereafter. However, during that exact period, the City had transitioned to a new online permitting system that experienced technical issues and failed to properly process our submission and payment. On April 7, 2025, we informed City staff that the portal did not take us to a payment page after submission.

Because of those technical issues, another application for 319 Park Drive was timestamped approximately twenty minutes before ours and our property was rendered ineligible under the 250-foot buffer rule.

Unfortunately, what followed was not the legitimate operation of a short-term rental at 319 Park Drive, but instead the use of the STR permitting system solely to block our property from eligibility.

From the outset, the owners of 319 Park Drive openly stated to multiple individuals that they had no intention of operating a short-term rental and only applied to prevent us from obtaining a permit. We communicated these concerns to the City multiple times throughout 2025 and 2026.

The evidence ultimately confirmed those concerns:

- 319 Park Drive never operated as a short-term rental;
- the property was never marketed on Airbnb, VRBO, or similar platforms;
- no lodging taxes were collected or remitted;
- the owners continued occupying the home as their residence; and
- City staff confirmed in February 2026 that no accommodation taxes had been remitted.

Importantly, City staff specifically advised us that failure to remit accommodation taxes was grounds for revocation and that our application could proceed once noncompliance was confirmed.

The City then rightfully reactivated our application and instructed us to proceed with inspections and permitting requirements.

In reliance on the City's determination, we moved forward in good faith and incurred substantial expense to comply with the STR requirements. During the inspection process, we were informed that certain bedroom windows did not satisfy egress requirements. We invested approximately \$5,000 replacing those windows solely to comply with the City's STR inspection requirements so we could lawfully operate the property.

At every step, we have acted transparently, cooperatively, and in full compliance with City regulations. We have demonstrated a genuine intent to operate a lawful short-term rental, remit taxes, maintain safety standards, and contribute positively to the Glenwood Springs economy and tourism community.

By contrast, the permit at 319 Park Drive appears to have been used not for its intended purpose, but as a mechanism to block another property owner from exercising a lawful use. That outcome is inconsistent with both the purpose and spirit of the City's STR ordinance.

The STR regulations and 250-foot spacing requirement were designed to manage density, neighborhood impacts, and responsible STR operations — not to allow property owners to reserve permits indefinitely without operating, generating lodging tax revenue, or participating in the regulated STR market.

Allowing a permit holder to maintain an STR permit despite admittedly never operating, never collecting lodging taxes, and never intending to rent would create a dangerous precedent that undermines the integrity of the City's entire STR framework. It would encourage speculative permit blocking rather than lawful and active participation in the STR program.

We respectfully submit that the City staff's revocation decision was correct and supported by the facts, including the absence of any lodging tax remittance and the complete non-

operation of the purported STR use. The City's own communications acknowledged that non-remittance of accommodation taxes was relevant to permit continuation and compliance review.

We therefore respectfully ask the Planning and Zoning Commission to:

1. Uphold the City staff's revocation of the STR permit for 319 Park Drive;
2. Confirm that the 319 Park Drive permit was not operated in accordance with the purpose and requirements of the City's STR regulations;
3. Allow the STR application process for 322 Park Drive to continue without further delay; and
4. Recognize the substantial good-faith efforts and financial investments we have made in reliance upon the City's determination and instructions.

We appreciate the Commission's time, service, and thoughtful consideration of this matter. We respectfully ask for a fair and equitable outcome consistent with the purpose of the City's STR ordinance and the integrity of the permitting process.

Sincerely,

James Maguire
322 Park Drive LLC
322 Park Drive
Glenwood Springs, CO 81601
970-948-5882

Jon Lipp

Carly Stillman



Planning and Zoning Commission Staff Report

Date	May 26, 2026
Planning File Number	CDA-000049-2026
Request	Consideration of a Code Amendment application regarding Section 070.030.030 Use Specific Standards for Short Term Rentals and Accessory Tourist Rentals
Applicant	City of Glenwood Springs
Owner	Not applicable (N/A)
Location	Applies citywide
Zone	Applies to all zone districts
Staff	Emery Ellingson, Senior Planner, Community and Economic Development

ACTION ITEM

According to Section 070.060.040(c)(1), the Code Amendment process allows for the review and approval of changes to the text of Title 070 of the *Glenwood Springs Municipal Code* (Code) to respond to “...*changed conditions or changes in public policy, or to advance the general welfare of the City.*” Per Section 070.060.040(c)(3)d, the Planning and Zoning Commission (Commission) “...*shall review the Code Amendment application and recommend approval, approval with conditions, or denial to City Council.*”

Action 1 - Code Amendment – Consideration of a Code Amendment application regarding Section 070.030.030 Use Specific Standards for Short Term Rentals and Accessory Tourist Rentals.

Staff Recommendation: Staff recommends approval of the Code Amendment with the findings outlined on pages 5 and 6 of the staff report.

BACKGROUND

Within the City, any rental of an entire residential dwelling unit or portion thereof for a period of less than 30 days requires a permit. This requirement and regulation of vacation rentals have occurred since the adoption of Ordinance No. 16-2015 in 2015 which established a specific permit system with two types of permits as outlined in Section

070.070.020(c)(5) of the Code and described below:

Short-Term Rental Permit: *The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days. This definition does not include offering the use of one's property where no fee is charged or collected.*

Accessory Tourist Rental Permit: *The rental for monetary compensation of not more than one (1) bedroom for transient lodging to guests in those residential dwelling units that contain a minimum of two (2) bedrooms and are owner-occupied or occupied by a resident manager.*

Since the adoption of Ordinance No. 16-2015, there have been other amendments to the Code as follows:

Ordinance 23-2018

This ordinance established a temporary moratorium on the acceptance and processing of new vacation rental permits and associated building permits for four months to allow time to develop updated regulations.

Ordinance 09-2019

This ordinance included updated vacation rental regulations, which followed substantial public input on the matter. This ordinance created the 250-foot buffer limitation for Short-Term Rental Permits as well as established the requirement that applicants submit some amount of accommodation taxes in order to maintain eligibility to renew a permit.

Resolution 2023-20

This resolution increased Short-Term Rental Permit fees to \$600 for new permits and \$400 for renewals. It also increased the Accessory Tourist Rental fees to \$360 for new permits and \$180 for renewed permits. This resolution also called for the fee to be adjusted annually based on the United States Bureau of Labor Statistics Consumer Price Index for Denver-Boulder-Greeley, effective on February 1 of each year.

Ordinance 09-2024

This ordinance resulted in minor changes to vacation rentals, based on staff observations and recommendations of the Commission, and include the following:

- Reduction of total number of permits permitted within the General Improvement District (GID) to 15% of all free market units;
- Counting permits within the GID towards the citywide cap. Previously, permits within the GID were not counted towards the citywide cap;

- Requiring completion of the permit application process by the applicant within 6 months of a complete application;
- Requiring an applicant to have an active Certificate of Occupancy prior to applying for a permit; and
- Requiring applications designate a permit holder who is a natural person, aged 18 years or older, having an ownership stake greater than 33%.

Proposed Amendment

The following section describes the proposed Code Amendments regarding Short Term and Accessory Tourist Rentals.

Section 070.030.030(e)(7)(e)(5) (Accessory Tourist Rentals)

5. *Penalties for Violations.* Any violation of this section occurring upon the premises shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense, seven hundred fifty dollars (\$750.00) for the third offense, and one thousand dollars (\$1,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense. Notwithstanding any penalty provision of this Code or any fines adopted pursuant to this Code to the contrary, the penalty for any offense that also constitutes a violation of similar state law shall not exceed the penalty provided for by the applicable provisions in the Colorado Revised Statutes.

A permit holder who fails to utilize and collect more than \$0.00 in lodging taxes on an accessory tourist rental during the permit period shall not be permitted to renew the permit for the next two-year permit cycle.

Section 070.030.030(e)(9)(e)(6) (Short Term Rentals)

6. *Penalties for Violations.* Any violation of this section occurring upon the premises shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense, seven hundred fifty dollars (\$750.00) for the third offense, and one thousand dollars (\$1,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense. Notwithstanding any penalty provision of this Code or any fines adopted pursuant to this Code to the contrary, the penalty for any offense that also constitutes a violation of similar state law shall not exceed the penalty provided for by the applicable provisions in the Colorado Revised Statutes.

A permit holder who fails to utilize and collect more than \$0.00 in lodging taxes on a short-term rental during the permit period shall not be permitted to renew the permit for the next two-year permit cycle.

The intent of these proposed changes is to provide additional clarification that an applicant must submit some amount of accommodation taxes in order to renew and not just remit the applicable tax forms without any amount being collected.

APPROVAL CRITERIA AND ANALYSIS

Section 070.060.040(c)(3)d.3 of the Code, outlines the approval criteria (listed in *italics* below) the Commission and City Council shall consider in the review of a Code Amendment application. Staff analysis of these criteria follows.

Approval Criteria 070.060.040(c)(3)d.3.i	Compliance Yes
<i>i. Is consistent with the Comprehensive Plan and other City policies;</i> <u>Analysis:</u> The proposed amendments uphold the goals of Comprehensive Plan and other City policies, specific ally Goal 5.3.D “Review the short-term rental policy to determine the impact in the local housing market”. <u>Finding:</u> Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.i of the Code as it the proposed changes are intended to better clarify the polices and procedures associated with short term rentals.	

Approval Criteria 070.060.040(c)(3)d.3.ii	Compliance Yes
<i>ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;</i> <u>Analysis:</u> The proposed changes do not conflict with Code and help to clarify existing requirement outlined therein.	

Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.ii of the Code as it does not conflict with the provisions thereof.

Approval Criteria 070.060.040(c)(3)d.3.iii	Compliance Yes
<i>iii. Is necessary to address a demonstrated community need;</i>	
Analysis: The proposed Code revisions address the need to clarify sections which may not be immediately clear.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.iii of the Code by addressing a demonstrated community need.	

Approval Criteria 070.060.040(c)(3)d.3.iv	Compliance Yes
<i>iv. Is necessary to respond to substantial changes in conditions and/or policy; and</i>	
Analysis: These Code amendments are necessary to respond to an identified need to clarify certain regulations associated with Short-Term Rentals and Accessory Tourist Rentals.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.iv of the Code as it responds to the substantial changes in conditions.	

Approval Criteria 070.060.040(c)(3)d.3.v	Compliance Yes
<i>v. Is consistent with the general purpose and intent of this Code.</i>	
Analysis: The proposed amendments align with general purpose and intent of Code which is to allow property owners to utilize their property for vacation rentals and at the same time mitigating the negative impacts from such as use on neighboring properties and residents.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.v as it is consistent with the purpose and intent of the Code.	

PUBLIC COMMENT

The Code Amendment was noticed in the *Glenwood Springs Post Independent* on May 15 and 22, 2026 per the requirements of Section 070.060.030. To date, no public comment has been received.

ACTION ALTERNATIVES AND STAFF RECOMMENDATION

The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the Code Amendment to City Council. The Commission may also continue the hearing with a request for specific information necessary to determine compliance with the Code and city goals and policies.

Action 1 – Code Amendment – Consideration of a Code Amendment application regarding Section 070.030.030 Use Specific Standards for Short Term Rentals and Accessory Tourist Rentals.

Staff Recommendation

Staff has reviewed the Code Amendment application and find that it complies with the approval criteria outlined in Section 070.060.040(c)(3)d.3 of the Code. Therefore, we recommend approval thereof as outlined in the suggested motion below.

Suggested Motion to Approve

I move to recommend approval of Planning File CDA-000049-2026, to City Council, incorporating staff's findings, because the application meets the approval criteria for a Code Amendment.

Suggested Findings:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and
5. Is consistent with the general purpose and intent of this Code.

Suggested Conditions:

None.

Alternative Motion to Deny

Any motion to deny the application shall include findings explaining which approval criteria have not been met. An example motion for denial is provided below.

*I move to recommend **denial** of Planning File CDA-000049-2026, to City Council, because the application does not meet the approval criteria for a Code Amendment specifically [ENTER APPLICABLE APPROVAL CRITERIA HERE].*

Motion to Continue

I move to continue consideration of Planning File CDA-000049-2026, to [ENTER SPECIFIC MEETING DATE HERE] to gather additional information necessary for a decision.

EXHIBIT A

Language which is struck through is proposed to be removed

Language which is underlined is proposed to be added.

[...] represents additional Code language in section not affected by amendment.

070.030.030 Use-Specific Standards.

[...]

(e) *Commercial Uses.*

[...]

(7) *Accessory Tourist Rental.*

- a. *Applicability and Intent.* The requirements of this Subsection shall apply to any residential dwelling unit or a portion of a residential dwelling within the City. This Subsection is applicable within a Planned Unit Development unless specifically identified as a prohibited use by the Planned Unit Development.
- b. *Owner Responsibilities.*
 1. The owner of the property or a resident manager must reside within one (1) of the bedrooms within the dwelling unit which is to be used as the accessory tourist rental and shall be present on the premises for the duration of the rental.
 2. The owner shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
 3. The owner is responsible for ensuring the accessory tourist rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in a residential property.
 4. The owner is responsible for obtaining all required licenses in accordance with Title 050 of the Municipal Code.
- c. *Use and Occupancy Restrictions.*
 1. Parties renting the designated bedroom for transient rental shall have access to a private or shared full bathroom.
 2. Guest stays may only occur within the dwelling unit that the owner or resident manager occupies.
 3. The use is limited to one (1) designated bedroom with a maximum occupancy for two (2) people.
 4. The bedroom used for guest stays shall not include a kitchen or partial kitchen.
 5. Occupancy of the accessory tourist rental shall be established by International Property Maintenance Code (IPMC) and shall be listed on the accessory tourist rental permit.
 6. Residential units eligible for an accessory tourist rental permit shall not be issued or hold permits for another land use that would further impact traffic at the site of the accessory

tourist rental, including special use permits for another land use per the applicable zoning designation of the property, or a license or permit issued through another regulatory agency; except that properties issued a special use permit for a single family dwelling in the Hillside Preservation district or home occupation permit shall be eligible for an accessory tourist rental permit.

7. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for an accessory tourist rental permit and the owner or resident manager must reside in the dwelling unit used as the accessory tourist rental.
8. In a multifamily building under single ownership, no more than ten (10) percent but at least one (1) unit may be permitted as an accessory tourist rental provided the owner of the resident manager occupies the accessory tourist rental.

d. *Operation.*

1. All vehicles associated with the single family residence and accessory tourist rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
2. The owner shall be responsible for ensuring that the accessory tourist rental complies with Section 100.010.060 of the Municipal Code, Garbage, Refuse, and Trash Collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.
3. The following information must be posted in a prominent and visible location in the designated bedroom permitted as an accessory tourist rental:
 - i. City of Glenwood Springs' license(s) and accessory tourist rental permit;
 - ii. Contact information for owner and/or resident manager, including phone number for twenty-four-hour response to emergencies;
 - iii. Description of location of fire extinguishers and emergency egress; and
 - iv. Any other information deemed necessary by the Director or Building Official to ensure the public's health and safety.
4. All advertising of an accessory tourist rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs accessory tourist rental permit number and business license number.

e. *Permit Procedures.*

1. *Limitation to Either Short-Term Rental or Accessory Tourist Rental.* A property owner may not be issued both an accessory tourist rental permit and a short-term rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted accessory tourist rental, he or she may do so by filing an application for a short-term rental permit in accordance with Subsection 070.030.030(e)(9). Upon issuance of a new short-term rental permit, the pre-existing accessory tourist rental permit is automatically revoked.
2. *Application Requirements.* The owner shall submit the application on the form provided by the Director and shall pay the application fee set by City Council resolution.
3. *Issuance of Permit.* All accessory tourist rental uses shall require a permit from the Director. Such permit shall only be issued after the residential dwelling unit and bedroom designated for transient lodging has been approved in accordance with the Municipal

Code. The accessory tourist rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.

4. *Revocation of Permit.* An accessory tourist rental permit may be revoked at any time by the Director without following the hearing process in Section 070.010.080(e)(2) should it be determined that the use is not being operated in compliance with this section or any other section of the Municipal Code. An accessory tourist rental permit shall be revoked automatically upon the third cumulative conviction of a property owner, tenant, or guest for a violation occurring upon the premises of a provision in Articles 100.010 or 100.020 with respect to the accessory tourist rental.
5. *Penalties for Violations.* Any violation of this section occurring upon the premises shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense, seven hundred fifty dollars (\$750.00) for the third offense, and one thousand dollars (\$1,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense. Notwithstanding any penalty provision of this Code or any fines adopted pursuant to this Code to the contrary, the penalty for any offense that also constitutes a violation of similar state law shall not exceed the penalty provided for by the applicable provisions in the Colorado Revised Statutes.

A permit holder who fails to utilize and collect more than \$0.00 in lodging taxes on an accessory tourist rental during the permit period shall not be permitted to renew the permit for the next two-year permit cycle.

[...]

(9) *Short-Term Rental.*

- a. *Intent.* The City of Glenwood Springs recognizes that there are benefits to allowing owners of residential units within the City to rent their dwelling units for periods of time less than thirty (30) days. Short-term rental of dwelling units bring additional visitors to the City, can allow owners to recoup housing costs, and provides revenues for the City through the additional tax collections. The provision of short-term rentals offers additional diversification to the resort and travelling professional accommodations market. However, due to the potential for adverse impacts, short-term rentals must be regulated by the City to protect the health, safety, and welfare of owners, neighbors, and visitors.
- b. *Applicability.*
 1. The requirements of this Subsection shall apply to any residential dwelling unit within the City. This Subsection is applicable within a Planned Unit Development unless the short-term rental of property is specifically identified as a prohibited use by the Planned Unit Development.
 2. This Subsection does not apply to any dwelling unit permitted as an Accessory Dwelling Unit.
 3. The City of Glenwood Springs is not a party to and does not enforce any private covenants. Private covenants may restrict the ability for owners to engage in short-term rentals.
- c. *Owner Responsibilities.*

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1. The owner shall designate a natural person located within a thirty-minute distance of the short-term rental who is available twenty-four (24) hours per day, seven (7) days per week, to serve as the local responsible party for the short-term rental and to immediately respond to any issues arising from the short-term rental. The designated responsible party may be the owner of the property. The owner shall notify the Director in writing of the designation of the responsible party within five (5) days of such designation or modification of any such designation.
 2. The owner or responsible party shall collect and pay all applicable local, state, and federal taxes including sales and lodging taxes.
 3. The owner or responsible party is responsible for ensuring the short-term rental meets all applicable local, state, and federal regulations. For example, C.R.S. § 38-45-101 et seq. requiring carbon monoxide alarms in residential property.
 4. The owner or responsible party is responsible for obtaining all required licenses in accordance with Title 050 of the Municipal Code.
- d. *Use and Occupancy Restrictions.*
1. Occupancy limitations of a short term rental shall be established by the International Property Maintenance Code (IPMC) and shall be indicated on the short term rental permit.
 2. On properties with an accessory dwelling unit, only the primary dwelling on the property shall be eligible for a short-term rental permit.
 3. In a multifamily building under single ownership, no more than ten (10) percent but at least one (1) unit may be permitted as a short-term rental.
 4. In all areas outside the City's General Improvement District (GID), as the GID may be amended from time to time, the total number of short-term rentals shall be limited to five (5) percent of the City's total free market residential units as determined by the State Demography Office. In addition, a short-term rental unit shall be located a minimum of two hundred fifty (250) feet from any other short-term rental unit. This two hundred fifty-foot limitation shall not apply to units in a multifamily building under single ownership, to parcels whose boundaries are not entirely contained within the two hundred fifty-foot buffer distance, or to units that received permits prior to the effective date of this subsection or to timely renewals of such permits. However, the five (5) percent cap on short-term rentals includes existing permitted units.
 5. Within the GID, as it may be amended from time to time, the total number of short-term rentals shall be limited to fifteen (15) 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 count towards the total permit number limit identified under Paragraph 4 above.
- e. *Operation.*
1. All vehicles associated with the short-term rental use shall be parked in designated parking areas, such as driveways and garages, or on-street parking, where permitted. No parking shall occur on lawns or sidewalks.
 2. The owner shall be responsible for ensuring that the short-term rental complies with Section 100.010.060 of the Municipal Code, Garbage, Refuse, and Trash Collection. Owners and resident managers shall make arrangements for proper garbage, refuse, and trash collection.

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3. The following information must be posted in a prominent and visible location in the short-term rental:
 - i. City of Glenwood Springs' license(s) and short-term rental permit;
 - ii. Contact information for owner and/or resident manager, including phone number for twenty-four-hour response to emergencies;
 - iii. Description of location of fire extinguishers and emergency egress; and
 - iv. Any other information deemed necessary by the Director or Building Official to ensure the public's health and safety.
 4. All advertising of a short-term rental, including advertising on website vacation booking sites, shall display the City of Glenwood Springs short-term rental permit number and business license number.
- f. *Permit Procedures.*
1. *Limitation to Either Short-Term Rental or Accessory Tourist Rental.* A property owner may not be issued both a short-term rental permit and an accessory tourist rental permit on the same property at the same time; however, should an owner wish to change the use of a permitted short-term rental permit, he or she may do so by filing an application for an accessory tourist rental permit in accordance with Subsection 070.030.030(e)(7). Upon issuance of a new accessory tourist rental permit, the pre-existing short-term rental permit is automatically revoked.
 2. *Application Requirements.* The owner shall submit the application on the form provided by the Director and shall pay the application fee set by City Council resolution.
 - a. At time of application, property shall have a Certificate of Occupancy for the property or unit which is subject of application.
 - b. At time of application, applicant shall provide proof of ownership in form approved by the Director.
 - c. Applicant shall be a natural person, aged eighteen (18) years or older, that holds a thirty-three (33) percent or greater interest in the ownership of the property.
 - d. Applicant shall complete the entire application process within six (6) months of complete application submittal with an additional six-month extension at discretion of the Director.
 3. *Issuance of Permit.* All short-term rental uses shall require a permit from the Director. Such permit shall only be issued after the short-term rental application has been approved in accordance with the Municipal Code. The short-term rental permit shall specify any terms and conditions of the permit. All permits shall be issued to the owner of the property. A change in ownership shall necessitate the issuance of a new permit. Permits shall be issued for a period of two (2) years and shall expire at the end of odd numbered years.
 4. *Neighborhood Notification.* Upon issuance of a short-term rental permit, the property owner shall be responsible for mailing public notification of the permit to owners of all real property within two hundred fifty (250) feet of any boundary or edge of the subject property or parcel. The property owner shall provide certification to the Director that proper notice has been provided, including a signed affidavit. The format of such certification shall be established by the Director.

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5. *Revocation of Permit.* A short-term rental permit may be revoked at any time by the Director without following the hearing process in Section 070.010.080(e)(2) should it be determined that the use is not being operated in compliance with this section or any other section of the Municipal Code. A short-term rental permit shall be revoked automatically upon third cumulative conviction of a property owner, tenant, or guest for a violation occurring upon the premises of a provision in Articles 100.010 or 100.020 with respect to the short-term rental.
 6. *Penalties for Violations.* Any violation of this section occurring upon the premises shall be subject to a fine of two hundred fifty dollars (\$250.00) for the first offense, five hundred dollars (\$500.00) for the second offense, seven hundred fifty dollars (\$750.00) for the third offense, and one thousand dollars (\$1,000.00) for the fourth offense and all subsequent offenses. Each day's continuing violation shall be a separate and distinct offense. Notwithstanding any penalty provision of this Code or any fines adopted pursuant to this Code to the contrary, the penalty for any offense that also constitutes a violation of similar state law shall not exceed the penalty provided for by the applicable provisions in the Colorado Revised Statutes.

A permit holder who fails to utilize and collect more than \$0.00 in lodging taxes on a short-term rental during the permit period shall not be permitted to renew the permit for the next two-year permit cycle.

[...]

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 9-2019, §§ 2, 3, 7-18-2019; Ord. No. 27-2020, § 2(Exh. A), 11-19-2020; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021; Ord. No. 18-2021, § 2(Exh. A), 1-6-2022; Ord. No. 04-2022, § 2(Exh. A), 3-3-2022; Ord. No. 18-2022, § 2(Exh. A), 7-21-2022; Ord. No. 20-2022, § 2(Exh. A), 9-1-2022; Ord. No. 28-2022, § 2(Exh. A), 12-1-2022; Ord. No. 15-2023, § 2(Exh. A), 10-5-2023; Ord. No. 9-2024, § 2(Exh. A), 5-16-2024; Ord. No. 13-2024, § 2(Exh. B), 7-18-2024; Ord. No. 6-2025, § 2(Exh. A), 3-6-2025; Ord. No. 11-2025, § 2(Exh. A), 4-3-2025)



Planning and Zoning Commission Staff Report

Date	May 26, 2026
Planning File Number	CDA-000038-2026
Request	Consideration of a Code Amendment application to adopt the existing Glenwood Meadows Sign Plan and other minor
Applicant	City of Glenwood Springs
Owner	Not applicable (N/A)
Location	Applies citywide
Zone	Applies to all zone districts
Staff	Watkins Fulk-Gray, AICP, Senior Planner

ACTION ITEM

According to Section 070.060.040(c)(1), the Code Amendment process allows for the review and approval of changes to the text of Title 070 of the *Glenwood Springs Municipal Code* (Municipal Code or Code) to respond to “...*changed conditions or changes in public policy, or to advance the general welfare of the City.*” Per Section 070.060.040(c)(3)d, the Planning and Zoning Commission (Commission) “...*shall review the Code Amendment application and recommend approval, approval with conditions, or denial to City Council.*”

Action 1 - Code Amendment – Consideration of a Code Amendment application regarding Section 070.030.030 to adopt the existing Glenwood Meadows Sign Master Plan.

Staff Recommendation: Staff recommends approval of the Code Amendment with the findings outlined on page seven of the staff report.

BACKGROUND

In 2002, the City approved the Glenwood Meadows Annexation and Development Agreement and related Zoning and Development Plan. As a result, signage in Glenwood Meadows (GWM) has since been subject to Glenwood Meadows Master Sign Plan (GMMSPP) included as an attachment hereto. The GMMSPP attempts to maintain a specific design aesthetic, and it has standards that in most cases are significantly more detailed

than other Code sign regulations. Though the GMMSP is a document separate from the Municipal Code, the City still regulates signage in GWM and reviews sign permit applications for compliance. With the expiration of the Glenwood Meadows Annexation Agreement in August 2024, the Community Development Department has maintained that the GMMSP still controls sign regulation in the Meadows, but it is necessary to formalize this arrangement.

The GMMSP was last updated in 2023 by the Commission at the request of the GWM property owner. Interestingly, changes to the GMMSP have been processed as a variance rather than code changes because of provisions in the expired annexation agreement. If the GMMSP is adopted by reference into the Municipal Code, changes in the future will follow the standard process for code changes. Several other proposed sign change regulations not related to Glenwood Meadows are described in the next section.



Proposed GWM Changes

The intent of this Code Amendment is to maintain the GMMSP as the regulating document for signage in GWM and merge it with the Municipal Code. Certain sections of the GMMSP, such as its provisions on illumination and the measurement of sign area, are either silent on or differ from the Municipal Code's regulations. To address these mismatches and to provide clarity throughout the Municipal Code's signage regulations, staff recommends the following changes:

1. Create a new statement, which will be Section 070.040.110(b)(5), to state that new signs in GWM will be subject to the GMMSP;
2. Edit Section 070.040.110(g)(1) to exclude GWM from the standard sign area measurement provisions. Create a new statement, which will be Section 070.040.110(g)(1)(d), stating that the GMMSP has its own methodology for measuring sign area.
3. Create a new statement, which will be Section 070.040.110(g)(6), outlining that illuminated signs in Glenwood Meadows shall be allowed pursuant to the GMMSP,

except that all other standards like maximum illumination levels and light trespass allowances will be subject to the standard Municipal Code regulations.

4. Create a new statement, which will be Section 070.040.110(h)(5), outlining that signs in GWM will be subject to the standards for the specific sign types identified in the GMMSP.
5. Create a new statement, which will be Section 070.040.110(i)(4), outlining that permanent signs in GWM will be subject to the standards in the GMMSP rather than Table 040.12.
6. Create a new provision, which will be Section 070.040.110(j)(2)(g)(5), stating that signs in the GWM will be subject to the GMMSP, except as specified elsewhere in the Municipal Code (i.e., sign illumination standards).

Other Proposed Changes to Sign Regulations

Staff recommends deleting 070.040.110(d)(20) *Window Signs*, and editing the definition of Interior Signs in 070.070.030, All Other Terms Defined. Currently, the definition of Interior Signs refers you to the definition of Window Signs, though there are other types of sign applications that exist inside buildings other than Window Signs. Section 070.040.110(d)(20) *Window Signs* does not provide a maximum area of signs applied to windows, while (confusingly) 070.040.110(d)(15), Interior Signs, does provide maximum area of signage of window panels. This section, 070.040.110(d)(15), is the appropriate place to regulate signs applied to windows.

For clarity, Staff recommends deleting 070.040.110(g)(4)(c)(3), which discusses internally illuminated signs in the Downtown Core. There is a code section specifically for downtown signage (070.040.110(j)(3)), so 070.040.110(g)(4)(c)(3) is not necessary. Furthermore, 070.040.110(g)(4)(d) should be deleted, because it conflicts with 070.040.110(e)(6).

In summary, Staff recommends the following changes to the sign regulations:

1. Create a new statement, which will be Section 070.040.110(b)(5), to state that new signs in GWM will be subject to the GMMSP;
2. Edit Section 070.040.110(g)(1) to exclude GWM from the standard sign area measurement provisions. Create a new statement, which will be Section 070.040.110(g)(1)(d), stating that the GMMSP has its own methodology for measuring sign area.
3. Create a new statement, which will be Section 070.040.110(g)(6), outlining that illuminated signs in Glenwood Meadows shall be allowed pursuant to the GMMSP, except that all other standards like maximum illumination levels and light trespass allowances will be subject to the standard Municipal Code regulations.
4. Create a new statement, which will be Section 070.040.110(h)(5), outlining that signs in GWM will be subject to the standards for the specific sign types identified in the GMMSP.

5. Create a new statement, which will be Section 070.040.110(i)(4), outlining that permanent signs in GWM will be subject to the standards in the GMMSP rather than Table 040.12.
6. Create a new provision, which will be Section 070.040.110(j)(2)(g)(5), stating that signs in the GWM will be subject to the GMMSP, except as specified elsewhere in the Municipal Code (i.e., sign illumination standards).
7. Delete 070.040.110(d)(20), Window Signs, and edit the definition of Interior Signs in 070.070.030.
8. Delete 070.040.110(g)(4)(c)(3).
9. Delete 070.040.110(g)(4)(d).

Connections to Adopted City Plans

The Comprehensive Plan states as a policy, “Reduce light pollution.” These proposed changes do not explicitly work toward that goal, but would bring illuminated signs in Glenwood Meadows under the same umbrella as sign illumination in the rest of the City, allowing City-wide changes at a later date if deemed appropriate. The Comprehensive Plan calls for the implementation and enforcement of the existing design standards, which generally refer to buildings rather than signs.

APPROVAL CRITERIA AND ANALYSIS

Section 070.060.040(c)(3)(d)(3) of the Code outlines the approval criteria (listed in *italics* below) the Commission and City Council shall consider in the review of a Code Amendment application. Staff analysis of these criteria follows.

Approval Criteria 070.060.040(c)(3)(d)(3)(i)	Compliance Yes
<i>i. Is consistent with the Comprehensive Plan and other City policies;</i> Analysis: The proposed amendments are consistent with the goals of the Comprehensive Plan. The amendments support one of the Plan’s listed policies, Reduce light pollution, because it will bring all signage in Glenwood Springs under the same set of regulations and therefore facilitate future changes. Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)(d)(3)(i) of the Code as it the proposed changes support or have no impact on the Comprehensive Plan and other City policies.	

Approval Criteria 070.060.040(c)(3)(d)(3)(ii)	Compliance Yes
<i>ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood</i>	

Springs Municipal Code;

Analysis: The proposed changes do not conflict with Code and help to clarify existing requirement outlined therein.

Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)(d)(3)(ii) of the Code as it does not conflict with the provisions thereof.

Approval Criteria 070.060.040(c)(3)(d)(3)(iii)	Compliance Yes
<i>iii. Is necessary to address a demonstrated community need;</i>	
Analysis: The proposed Code revisions address the need to provide sign regulations for the GWM, now that the Annexation and Development Agreement has expired, and to clarify sections which may not be immediately clear.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)(d)(3)(iii) of the Code by addressing a demonstrated community need for clear administration of land use rules.	

Approval Criteria 070.060.040(c)(3)(d)(3)(iv)	Compliance Yes
<i>iv. Is necessary to respond to substantial changes in conditions and/or policy; and</i>	
Analysis: The Annexation and Development Agreement has recently expired, and this has caused the need to re-establish the GMMSP as the sign regulations for GWM. Other elements of this Code Amendment are necessary for the continuous improvement of the City's land use regulations.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)(d)(3)(iv) of the Code as it responds to the substantial changes at GWM.	

Approval Criteria 070.060.040(c)(3)(d)(3)(v)	Compliance Yes
<i>v. Is consistent with the general purpose and intent of this Code.</i>	
Analysis: The proposed amendments align with general purpose and intent of Code, which is to allow for signage within reasonable limitations and consistent with community goals.	
Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)(d)(3)(v) as it consistent with the purpose and intent of the Code.	

PUBLIC COMMENT

The Code Amendment was noticed in the *Glenwood Springs Post Independent* on May 15 and 22, 2026 per the requirements of Section 070.060.030. To date, no public comment has been received.

ACTION ALTERNATIVES AND STAFF RECOMMENDATION

The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the Code Amendment to City Council. The Commission may also continue the hearing with a request for specific information necessary to determine compliance with the Code and city goals and policies.

Review Criteria and Staff Analysis

Text amendments to the Municipal Code must meet all of the following criteria:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and
5. Is consistent with the general purpose and intent of this Code.

Staff believes that these criteria are met for the general reason that these changes provide clarity and disambiguation of the administration of the Municipal Code. Without these changes, all existing signage in Glenwood Meadows would be considered nonconforming signs, and the area would be better served by continuing under the regulations of the GMMSP. Specific findings for how the Code Amendment meets these criteria of approval are listed above on pages five and six and again on page seven.

Staff Recommendation

Staff has reviewed the Code Amendment application and find that it complies with the applicable approval criteria outlined in Section 070.060.040(c)(3)(d)(3) of the Code. Therefore, we recommend approval thereof as outlined in the suggested motion below.

Suggested Motion to Approve

I move to recommend approval of Planning File CDA-000038-2026, incorporating staff findings, because the application meets the approval criteria for a Code Amendment.

Suggested Findings:

1. The proposed changes support or have no impact on the Comprehensive Plan and other City policies;
2. The proposed changes do not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code, and in fact promote clarity and cohesion of numerous provisions of the Municipal Code;
3. The proposed changes are necessary to address a demonstrated community need, which is a reasonable limitation of signage and the clear administration of provisions of the Municipal Code both in Glenwood Meadows in particular and the City in general;
4. The proposed changes are necessary to respond to a substantial change in conditions and/or policy, which is the expiration of the Annexation and Development Agreement; and
5. The proposed changes are consistent with the general purpose and intent of this Code.

Suggested Conditions:

None.

Alternative Motion to Deny

Any motion to deny the application shall include findings explaining which approval criteria have not been met. An example motion for denial is provided below.

*I move to recommend **denial** of Planning File CDA-000038-2026, to City Council, because the application does not meet the approval criteria for a Code Amendment specifically [ENTER APPLICABLE APPROVAL CRITERIA HERE].*

Motion to Continue

*I move to **continue** consideration of Planning File CDA-000038-2026, to [ENTER SPECIFIC MEETING DATE HERE] to gather additional information necessary for a decision.*

070.040.110 Signs.

(a) *Purpose.*

- (1) The City Council recognizes that signs are necessary means of visual communication for the public convenience and that uses and activities have the right to identify themselves by using signs that are accessory and incidental to the use on the property where the signs are located.
- (2) The purpose of this Section is to:
 - a. Minimize incompatibility between signs and their surroundings;
 - b. Recognize distinct geographic districts within the City that possess unique characteristics of physical location, building design, land use patterns, and pedestrian and vehicle circulation;
 - c. Provide for signs within reasonable limitations, consistent with the goals and objectives of the community, to retain the special character and economic advantages that rest largely on the quality of the community's appearance;
 - d. Protect the public from hazardous conditions by prohibiting signs that are structurally unsafe or obscure, distract the vision of motorists, or compete or conflict with necessary traffic signs and warning signals;
 - e. Eliminate hazards caused by the size and placement of signs and reduce the possibility of injuries to those coming near or under signs;
 - f. Promote the health, safety and public welfare of the City, its residents and its visitors;
 - g. Regulate signs in accordance with the City's policies and with the U.S. and Colorado Constitutions; and
 - h. Protect the right to free speech by the display of messages on signs through content-neutral regulations.

(b) *Applicability.*

- (1) All signs and support structures shall conform to the requirements of this Section and all other applicable provisions of this Code.
- (2) No sign shall be displayed, installed, constructed, altered, moved, or improved within the City limits until the City has issued a permit, unless the sign or sign activity is designated as not requiring a permit pursuant to Subsection 070.040.110(d).
- (3) All face changes, except those identified in Subsection 070.040.110(d)(1), require a permit.
- (4) Developments and/or properties with approved sign plans shall not be subject to these standards, except that the procedures for obtaining a sign permit shall apply.

(c) *Savings and Severability.*

- (1) Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.
- (2) If any clause, subsection, or other part of the application of this Section shall be held by any court of competent jurisdiction to be unconstitutional or invalid, it is the intent of the City that such clause, subsection, or other part of the application of this Section shall be considered eliminated and not affecting the validity of the remaining clauses, sections, or applications remaining in full force and effect.

(d) *Signs Not Requiring a Sign Permit.*

- (1) *Sign Activities Not Requiring a Permit.* The following sign activities shall not require a permit:
 - a. The ordinary preventative maintenance of a lawfully existing sign that does not involve a change of placement, size, lighting, or height.
 - b. The repainting of a lawfully existing sign.
 - c. The changing of copy on marquees, reader boards, and similar changeable copy signs on permitted or existing legal nonconforming signs.
- (2) *Balloons.* Inflatable balloons shall not require a sign permit. Replica and/or synthetic balloons shall be considered a temporary sign and shall comply with the number, size, and location standards in Subsection 070.040.110(f)(4).
- (3) *Development Site Signs.* Development site signs shall be allowed without a sign permit subject to the following:
 - a. *Number Allowed.* One (1) sign along each lot line frontage on a street, not to exceed a total of two (2) signs per frontage.
 - b. *Size.* Development site signs shall not exceed thirty-two (32) square feet per sign.
 - c. *Location and Design.* Development site signs:
 1. Shall not be located within ten (10) feet of any lot line unless attached to a development site barrier or fence; and
 2. Shall not be illuminated.
 - d. *Duration.* Development site signs may be erected and maintained for a period not to exceed thirty (30) days prior to commencement of development activities and shall be removed within fourteen (14) days of termination of development activities.
- (4) *Directional Signs.* Directional signs shall be allowed without a sign permit pursuant to the following:
 - a. Shall not exceed four (4) signs per property, plus one (1) sign per entryway from a public right-of-way;
 - b. Shall not exceed four (4) square feet of sign area per face; and
 - c. Shall not exceed forty-two (42) inches in height.
- (5) *Feather Flags.* Feather flags shall be allowed without a sign permit pursuant to the following:
 - a. Shall not be located in the public right-of-way;
 - b. Shall not be located in a sight distance triangle; and
 - c. Shall be limited to three (3) per street frontage per property.
- (6) *Flags.* Flags, not including feather flags, shall be allowed without a sign permit pursuant to the following:
 - a. Flags shall be affixed to a flagpole or affixed to a building;
 - b. The height of all flagpoles shall not exceed the allowed building height in the applicable zoning district; and
 - c. Flags shall not exceed forty (40) square feet.

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- (7) *Gas Pump and External Vending Machine Signs.* Signs on gas pump islands and external vending machines shall be allowed without a sign permit provided the total signage on each gas pump island or external vending machine does not exceed sixteen (16) square feet.
 - (8) *Historic Designation Signs.* Signs placed on an historic building identifying the structure as a local, state, or federal historic landmark shall be allowed without a sign permit pursuant to the following:
 - a. Shall be affixed to the wall of the historic building or property; and
 - b. Shall not exceed six (6) square feet.
 - (9) *Historic Signs.* Any sign designated as an historic landmark by the City Council shall be allowed without a sign permit pursuant to the following:
 - a. *General.*
 - 1. Any sign designated as an historic landmark by the City Council pursuant to Article 070.050: Historic Preservation, shall be exempt from the nonconforming signs and dimensional standards of this Subsection.
 - 2. Historic signs will be debited against the total allowable signage for the building or use unless it is a ghost sign that does not pertain to the business or building upon which it exists.
 - b. *Historic Landmark Criteria.* Alterations to signs that are designated historic landmarks shall be reviewed for compliance with the criteria in Subsection 070.050.040(f).
 - c. *Ghost Signs.* Historic signs may include ghost signs.
 - d. *Attributes.* An historic sign may be restored to its original condition and location with the exception of animation and flashing components, which are prohibited.
 - (10) *Holiday Decorations.* Holiday decorations shall be allowed without a sign permit provided such decorations comply with Section 070.040.100, Exterior Lighting.
 - (11) *Home Occupation Signs.* Home occupation signs shall be allowed without a sign permit but shall not exceed one (1) sign per property and shall not exceed a maximum sign area of six (6) square feet.
 - (12) *Incidental Vehicle Signs.* Signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer shall be allowed without a sign permit provided they are not placed on or affixed to vehicles or trailers that are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way.
 - (13) *Information Signs.* Informational signs guiding persons to facilities intended to serve the public, provided as a courtesy to the public, and/or signs providing instruction to persons using a facility or property shall be allowed without a sign permit provided such signs do not exceed three (3) square feet.
 - (14) *Integral Signs.* Any inscription carved into stone or similar material that is integral to a building, such as those commonly found on cornerstones, stamped into sidewalks, or identified by plaques or tablets, shall be allowed without a sign permit pursuant to the following:
 - a. Shall not exceed four (4) square feet; and
 - b. Shall not exceed six (6) feet in height.
 - (15) *Interior Signs.* Signs located entirely within the interior of a building shall be allowed without a sign permit pursuant to the following:

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- a. Shall not cover more than thirty (30) percent or eight (8) square feet, whichever is greater, of any window panel;
 - b. Shall not be permanently affixed to any window surface; and
 - c. Shall not contain flashing lights visible from a public street.
- (16) *Nonvisible Signs.* Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public right-of-way shall be allowed without a sign permit. The Director shall determine whether such sign is visible from a public right-of-way.
- (17) *Public Signs.* Signs required or installed by or on behalf of the local and/or state government, or signs erected or required by other government agencies, utilities, or special districts, including address signs, signs for traffic, schools, safety, railroad crossing, wayfinding, historic interpretation signs, civic and special events, seasonal banners, public notices, and other official and legal notices, are exempt from the standards and permit requirements specified in this Section. Public signs shall be consistent with design standards in this Section to the extent practicable, and shall not include any signs prohibited pursuant to Subsection 070.040.110(e).
- (18) *Temporary Off-Premises Directional Signs.* Temporary off-premises directional signs shall be allowed without a permit pursuant to the following:
- a. Shall not exceed twenty-four (24) square feet of total temporary off-premises directional signage on any property;
 - b. Shall not exceed a height of forty-two (42) inches;
 - c. May be located within the public right-of-way provided such signs:
 - 1. Are not displayed for more than one (1) week before an event or more than one (1) week after an event;
 - 2. Are located within a planting strip when such planting strip exists;
 - 3. Do not obstruct any portion of a sidewalk or walkway;
 - 4. Are not located within a sight distance triangle; and
 - 5. Are not located in a median, roundabout, or any travel lane of any street or thoroughfare.
- (19) *Wind Signs.* Wind signs shall be allowed without a sign permit provided they are not animated or otherwise powered by any source other than the wind.
- (20) *Window Signs.* Signs displayed in or upon a window. Such displays shall not contain flashing lights visible from a public street.
- (21) *Yard Signs.*
- a. Yard signs are allowed without a sign permit pursuant to the following:
 - 1. *In Residential Zoning Districts.*
 - i. Shall not exceed more than four (4) signs per property at any one (1) time;
 - ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;
 - iii. Shall not exceed a height of forty-two (42) inches;
 - iv. Shall not be located in the public right-of-way;
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- v. Shall be located at least five (5) feet from any property line; and
- vi. Shall not be displayed for a period of more than ninety (90) days per calendar year.

2. *In All Other Zoning Districts.*

- i. Shall not exceed more than four (4) signs per property at any one (1) time;
- ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;
- iii. Shall not exceed a height of six (6) feet, or forty-two (42) inches if placed within a sight distance triangle;
- iv. Shall not be located in the public right-of-way; and
- v. Shall not be displayed for a period of more than ninety (90) days per calendar year.

(e) *Prohibited Signs.* The following signs are expressly prohibited within all districts unless otherwise stated in this Section:

(1) *Distracting or Unsafe Signs.* Any sign that:

- a. Is structurally unsafe or constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
- b. Is capable of causing electrical shocks to persons likely to come into contact with it;
- c. In any way obstructs the view of, or may be confused with an official traffic sign, signal or device or any other official government regulatory or informational sign;
- d. Uses any words, phrases, symbols, or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle or creates, in any other way, an unsafe distraction for vehicle operators, bicyclists, or pedestrians, except as provided in Subsection 070.040.110(d)(2), Balloons.
- e. Obstructs the view of vehicle operators, bicyclists, or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley, or other thoroughfare;
- f. Is located or painted on trees, rocks, retaining walls, fences, light poles, utility poles, or natural features, except where required by law or allowed by this Code;
- g. Causes any direct glare into or upon any public right-of-way, adjacent lot, or building other than the building to which the sign may be accessory;
- h. Create optical illusion of movement by means of a design that presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy; or
- i. Obstructs any window or door opening used as a means of egress, prevents free passage from one (1) part of a roof to any other part, interferes with an opening required for legal ventilation, or is attached to or obstructs any standpipe, stairway, ladder, fire escape, or fire hydrant.

(2) *Abandoned Signs or Sign Structures.* Any sign or sign structure on a property that is vacant, unoccupied, or where the use has been discontinued for a period of three (3) months or more, or any sign or sign structure that pertains to an event or purpose that no longer applies, shall be deemed abandoned.

(3) *Animated or Moving Signs.* Signs with visible moving, revolving, or rotating parts (including "air dancer" or "tube man" signs); or visible mechanical movement of any description or other apparent visible

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- movement achieved by electronic or mechanical means, including automatic electronically controlled copy changes, except for holiday decorations pursuant to Subsection 070.040.110(d)(10), time-temperature-date signs, and rotating cylinder signs.
- (4) *Banners and Inflatable Signs.* Except as temporary signs pursuant to Subsection 070.040.110(f).
 - (5) *Beacons and Search Lights.* Other than for emergency purposes or by permission of the Director.
 - (6) *Electronic Message Signs.* Except freestanding electronic signs as authorized in Table 040.12.
 - (7) *Flashing Signs.* Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, with the exception of holiday decorations pursuant to Subsection 070.040.110(d)(10).
 - (8) *Obscene or Illegal Activity Signs.* Signs containing statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency or that includes messages of illegal activity in accordance with state or local laws.
 - (9) *Off-Premises Signs.* Except for temporary off-premises directional signs pursuant to Subsection 070.040.110(d)(17) or otherwise approved through an off-premises sign permit pursuant to Subsection 070.040.110(k)(2).
 - (10) *Portable Signs.* Portable signs, except as authorized in Table 040.13: Summary of Permanent Sign Standards.
 - (11) *Signs in Public Right-Of-Way.* Any sign placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street, right-of-way, property, or thoroughfare, shall be prohibited unless authorized by the City Council or the City Manager. Authorized signs in the public right-of-way shall comply with Subsection 070.040.110(g)(5).
 - (12) *Signs on Parked Vehicles.* Signs placed on or affixed to vehicles and/or trailers that are parked on a public right-of-way, or parked on a private property so as to be visible from a public right-of-way.
 - (13) *Signs with Auditory Messages.* Signs with auditory messages except those related to public safety or otherwise allowed in Subsection 070.040.110(d) or Subsection 070.040.110(h)(4).
 - (14) *Signs with Projected Copy.* Such as motion pictures, film slides, holographs, or other similar images.
 - (15) *Unlawful Signs.* Any sign unlawfully erected or maintained.
- (f) *Temporary Sign Standards.* Temporary signs may be allowed pursuant to the following:
- (1) *Applicability.*
 - a. These standards apply to non-permanent signs and other signs with limited duration unless otherwise stated in this Section.
 - b. These standards shall not apply to temporary public signs.
 - (2) *Generally.*
 - a. Temporary signs shall not be displayed for more than forty-five (45) days prior to the start of an event or more than fifteen (15) days after the conclusion of an event;
 - b. Temporary signs shall be limited to three (3) times per calendar year per property for single-tenant properties and three (3) times per calendar year per tenant for multi-tenant properties.
 - (3) *Banners.*
 - a. *Number and Size.*

1. Only one (1) temporary banner is allowed per use.
 2. Temporary banners shall not exceed thirty-six (36) square feet.
- b. *Location.*
1. Temporary banners may be attached or freestanding. When freestanding, temporary banners shall be located at least ten (10) feet from any property line.
 2. Temporary banners shall not be located above the roofline of any building.
 3. Temporary banners shall not exceed forty-two (42) inches in height when located within a sight distance triangle.
- (4) *Inflatable Signs.*
- a. *Number and Size.*
1. Only one (1) inflatable sign is allowed per property.
 2. Inflatable signs shall not exceed two hundred (200) square feet.
 3. Inflatable signs shall not exceed twenty (20) feet in height.
- b. *Location.*
1. Inflatable signs may be attached or freestanding, but shall be located at least ten (10) feet from any property line.
 2. Inflatable signs shall not be located above the roof line of any building.
- (g) *General Sign Regulations.*
- (1) *Sign Area Measurement.*
- a. *Single-Faced Signs.* Sign area shall be determined by calculating the area inside the outer limits of a sign. The sign area includes the area of the smallest geometric figures having eight (8) or fewer segments that encompass the face of the sign, including copy, border, and nonstructural trim.

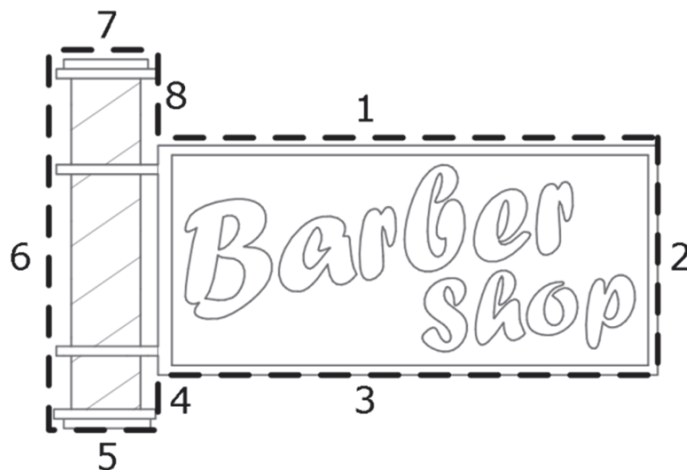


Figure 040-31: Sign Area Measurement

- b. *Double-Faced Signs.* Signs other than wall signs may be back-to-back with two (2) sign faces, and each face may have an area not to exceed the maximum stated for each respective sign type.
- c. *Three-Dimensional Signs.* Three-dimensional figures shall be calculated on the largest possible silhouette cross-section encompassed by the smallest plane geometric figure having eight (8) or fewer segments. (Figure 040-32)

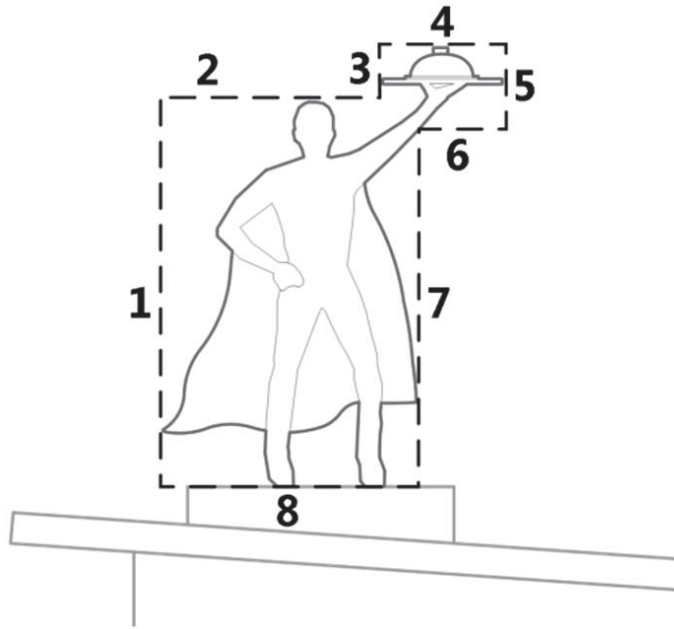


Figure 040-32: Three-Dimensional Sign Area

- (2) *Sign Height Measurement.* Sign height shall be determined by calculating the vertical distance between the lowest elevation of the ground abutting the sign and level of the highest point of the sign.
- (3) *Materials and Safety.*
 - a. *Materials.*
 - 1. Permanent signs shall be constructed of durable materials and installed to comply with applicable City codes. Permanent signs shall not be made of paper, cloth, canvas (except for awning/canopy/marquee signs), cardboard, wallboard, or other similar nondurable materials.
 - 2. No sign shall be erected or painted upon utility poles, light poles, retaining walls, fences, rocks, trees, or natural features except where expressly allowed by this Code.
 - b. *Overhangs.* The lowest point of a sign that extends over an area intended for pedestrian use shall be at least eight (8) feet above the finished grade below it. The lowest point of a sign that extends over an area intended for vehicular use shall be at least fourteen (14) feet above the finished grade below it.
 - c. *Sight Distance Triangles.* No sign shall obstruct the view in any direction at the intersection of a street or with an alley or driveway.
- (4) *Illumination.*

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- a. *Generally.* Illuminated signs are allowed pursuant to the following:
 - 1. Illumination sources are shielded so as not to shine onto surrounding areas.
 - 2. Illumination on the surface of an illuminated sign, measured at the brightest point ten (10) feet from the surface of the sign, shall not exceed five (5) foot-candles.
 - 3. No illumination source shall create a traffic hazard or distraction to operators of motor vehicles on public streets.
 - 4. Illuminated signs shall be prohibited in residential zoning districts.
 - 5. Any illuminated sign visible from and located within three hundred (300) feet of any lot in a residential zoning district shall be turned off no later than 10:00 p.m., or one (1) hour after the close of business, whichever is later.
 - 6. Pole signs adjacent to Highways 6 and 82 shall not illuminate any sign face directed away from Highways 6 and 82.
 - b. *Externally Illuminated Signs.* To the maximum extent practicable, fixtures used to illuminate signs shall be top-mounted and directed downward onto the sign surface and the light source shall not be directly visible from adjacent properties or the public right-of-way.
 - c. *Internally Illuminated Signs.*
 - 1. For internally illuminated signs, dark background colors with light lettering shall be used.
 - 2. For internally illuminated awning/canopy/marquee signs, such illumination shall not exceed five (5) foot-candles when measured six (6) inches from the awning/canopy/marquee.
 - 3. Internally illuminated awning/canopy/marquee signs shall be prohibited in the Downtown Core.
 - d. *Electronic Message Signs.* Illumination of electronic message signs shall comply with Subsection 070.040.110(h)(3)b., Electronic Message Signs.
 - (5) *Projection Within or Above Public Right-of-Way.* Any sign projecting within or above the public right-of-way shall obtain a right-of-way encroachment license pursuant to Subsection 070.060.050(f)(3).
 - (h) *Specific Sign Type Standards.*
 - (1) *Signs for Secondary Entrances or Entrances on an Alley.*
 - a. Buildings or businesses with a secondary public entrance on an alley or public walkway shall be allowed an additional attached sign at such secondary entrance at a rate of one-fifth ($\frac{1}{5}$) of a square foot of sign area per linear foot of building frontage. The allowance for such secondary signs is per building, not per tenant.
 - b. Buildings that front and have sole access on an alley shall be allowed a total sign area equal to that allowed for a similar sign on a building frontage pursuant to Table 04.13.
 - (2) *Attached Signs.*
 - a. *Wall Signs.* Wall signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Wall signs shall comply with the following additional standards:
 - 1. Shall be designed to be consistent and compatible with the building to which the signs are attached, including proportional scale and compatible design, materials, and color.

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2. Shall be located on the side of a building that abuts a street, parking area, or other area open to the general public and that has a public entrance to the building.
 - b. *Projecting Signs.* Projecting signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Signs projecting over public property shall not project more than five (5) feet from the face of the building.
 - c. *Roof Signs.* Roof signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards.
 - d. *Awning/Canopy/Marquee Signs.* Awning, canopy, and marquee signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Signs displayed on canopies, awnings, and marquees that are located more than twelve (12) inches away from the building façade shall comply with the following additional standards:
 1. Signs shall not project above or below the face of the canopy, awning, or marquee, except for suspended signs and individual letters or other content on top of a marquee sign.
 2. Sign content shall not project more than twelve (12) inches from a canopy or marquee that such sign is attached to.
 3. Signs on awnings shall not project beyond the surface of the awning.
 - e. *Suspended Signs.* Suspended signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Suspended signs hanging from the underside of an awning, canopy, or marquee shall not extend beyond the edge of such structure.
 - f. *Changeable Copy Signs.* Changeable copy signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Changeable copy signs that project from the façade of the building by more than fifteen (15) inches shall be considered projecting signs and shall comply with the standards for such in Table 040.12: Summary of Permanent Sign Standards, and Subsection 070.040.110(h)(2)b.
- (3) *Freestanding Signs.*
- a. *Freestanding Signs, Generally.* Freestanding signs, except portable signs, are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Freestanding signs shall comply with the following additional standards:
 1. Shall be designed to be consistent and compatible with the building to which the signs are attached, including proportional scale and compatible design, materials, and color.
 2. Shall be placed within a landscaped area equal in size to the area of the sign face or shall be located within an improved area clearly oriented toward pedestrians such as a seating, dining, or landscaped entry area.
 - b. *Monument Signs.* Monument signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. The monument sign base on which the sign is attached shall not exceed fifty (50) percent of total sign area.
 - c. *Pole Signs.*
 1. Pole signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Sign copy on a pole sign shall be contained within a single border; except that one (1) accessory reader board within a sign border may be separate provided the reader board contains less than fifty (50) percent of the allowable sign area. The bottom of the sign area

shall be no less than eight (8) feet above the average elevation of the ground, except within the sight triangle.

2. Pole signs shall incorporate a single pole as support.
3. Pole signs shall be placed within a landscaped area equal in size to the area of the sign face or, with the approval of the Director, shall be located within an improved area clearly oriented toward pedestrians such as a seating, dining, or landscaped entry area. For purposes of this Subsection only, landscaped area shall mean an area designed, constructed, and maintained to include natural materials such as live plant materials and wood, stone, or earth.
- d. *Portable Signs.* Portable signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards.
- (4) *Drive-Through Facility Signs.* Drive-through signs are allowed as indicated in Table 040.13: Summary of Permanent Sign Standards. Drive-through facility signs shall:
 - a. Be limited to one (1) face per sign; and
 - b. Shall be of a similar design using similar colors and materials as other freestanding signs associated with the use.
- (i) *Summary of Permanent Sign Standards.*
 - (1) *Applicability.* This Subsection establishes the allowed permanent sign types. Permanent signs shall also comply with other standards within this Section, and other applicable federal, state, and local standards.
 - (2) *Summary of Permanent Sign Standards Table.*
 - a. Signs shall only be allowed in the areas designated in Table 040.12: Summary of Permanent Sign Standards.
 - b. Sign districts identified in Table 040.12 are described in Subsection 070.040.110(j).
 - c. All signs shall comply with Subsection 070.020.200(c)(5), Sight Distance Triangle Requirement.

Table 040.12: Summary of Permanent Sign Standards					
Sign Type	Where Allowed	Number of Signs, Maximum	Sign Area, Maximum	Sign Height, Maximum	Sign Location
Attached Signs					
Wall	Residential applications in all sign districts	One per building	One square foot per linear foot of building frontage	Top of wall	
	Mixed-use and nonresidential applications in all sign districts	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant:	Total sign area shall not exceed the greater of 25 square feet or: Single-	Top of wall	Wall signs may be located on walls or parapets See additional standards for properties in

		one wall, projecting, or roof sign per tenant or use of a building	tenant: one square foot per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage; no individual sign shall exceed one square foot per linear foot of the largest building frontage for an individual tenant		Downtown Core: Subsection 070.040.110(j)(3)
Projecting	Mixed-use and nonresidential applications in all sign districts	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant: one wall, projecting, or roof sign per tenant or use of a building	Total sign area shall not exceed the greater of 25 square feet or: Single-tenant: one square foot per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage;	Minimum clearance of eight feet above a sidewalk and 14 feet above an alley; shall not extend above the roof line of a building (except for designated historic signs)	

			no individual sign shall exceed one square foot per linear foot of the largest building frontage for an individual tenant		
Roof	Downtown - south sign district	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant: one wall, projecting, or roof sign per tenant or use of a building	Total sign area shall not exceed the greater of 25 square feet or: Single-tenant: one square foot per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage	Shall not exceed the allowed building height for the applicable zoning district	Shall not project into a required yard
Awning, canopy, or marquee	Mixed-use and nonresidential applications in all sign districts	One per awning or canopy per street frontage; one marquee sign per property	Shall not exceed 30 percent of the width of the projection multiplied by the vertical height of the projection.	Shall maintain a minimum clearance of eight feet above a sidewalk and 14 feet above an area intended for vehicular use	Sign content is allowed to extend above a canopy or marquee (but not an awning) pursuant to Subsection 070.040.110 (h)(2)d.

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			<i>(Example: a 10-foot wide by three-foot tall awning [30 sf] could have a maximum sign area of nine square feet); letter height shall not exceed one foot.</i>		
Suspended	Mixed-use and nonresidential applications in all sign districts	One per building entrance; maximum one per tenant	Four square feet	Shall maintain a minimum clearance of eight feet above a sidewalk and 14 feet above an area intended for vehicular use	Shall not project beyond the limits of the awning, marquee, or canopy to which they are attached; shall be separated from other suspended signs by 12 feet
Freestanding Signs					
Freestanding monument	All residential uses excluding single-family detached dwelling, two-family dwelling, and accessory dwelling unit uses	One freestanding sign per street frontage, up to a total of two signs per subdivision or development access	64 square feet	Four feet	Setback five feet from property lines
	Mixed-use and nonresidential applications in all sign districts	One (1) freestanding monument sign per street frontage per property	Hwy 6 and 82 sign districts: 200 square feet Downtown	Six feet	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated

			districts: 64 square feet Others: 120 square feet		from other permanent detached signs by at least 25 feet
Freestanding pole	Mixed-use and nonresidential applications in the Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain Districts	One freestanding pole sign per street frontage per property	Hwy 6 and 82 sign districts: 200 square feet Others: 120 square feet	Hwy 6 and 82 sign districts: 20 feet Others: 16 feet The bottom of the sign area shall be at least eight feet above the ground elevation.	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet
Freestanding changeable copy	<i>Only allowed as accessory part of a pole or monument sign</i>		Shall not exceed 50 percent of allowable sign area	<i>See applicable standards for pole or monument sign</i>	
Portable	All sign districts	One per tenant with street frontage See additional standards for properties in Downtown Core 070.040.110(j)(3).	Eight square feet	Four feet	Shall maintain five feet sidewalk clearance; shall be located directly in front of tenant space and not off-premises; shall be separated from other portable signs by 15 feet. Signs shall not be affixed to street lights, traffic poles, sign posts, or other site or landscape features. See additional standards for properties in

					Downtown Core 070.040.110(j)(3).
Other Sign Types					
Transit stop sign	<i>Shall be designed as part of the shelter and/or bench design</i>				
Drive-through facility sign	Wherever drive-through uses are allowed, pursuant to Table 030.1	Two additional freestanding signs	48 square feet each	Six feet	Shall be located adjacent to drive-through lane(s); shall not be located within 50 feet of a residential zoning district
Historic signs	<i>See Subsection 070.040.110(d)(9)</i>				

- (3) *Nonresidential Uses in Residential Zone Districts.* Except for nonresidential uses in the RT-Residential Transitional zoning district, nonresidential uses shall be allowed signage subject to the requirements of a. through d. below. Home occupation signs shall not be considered nonresidential uses for purposes of this Subsection.

- a. *Number, Maximum.* One (1) attached or one (1) freestanding sign shall be allowed.
- b. *Sign Area, Maximum.* Ten (10) square feet.
- c. *Sign Height, Maximum.* Forty-two (42) inches.
- d. *Sign Location.* Detached signs shall observe a minimum five-foot setback from any property line.

(j) *Sign District Standards.*

- (1) *Purpose and Intent.* This Subsection recognizes seven (7) geographic districts within the City with unique characteristics based on physical location, building design, pedestrian and vehicle circulation, and land uses. The intent of this Subsection and district identification is to ensure the appropriate number and design of signs that are compatible with the characteristics of each sign district.

(2) *Sign Districts.*

- a. *Downtown—South.*
 1. *Location.* This district includes property located between the Colorado River (on the north) and Fourteenth Street (on the south) along Grand Avenue and, to a lesser degree, between the Roaring Fork River (on the west) and Blake Street (on the east) within the Original Town Site.
 2. *Building Types.* The predominant building type in this district consists of single- and multi-tenant occupancy, historic storefront-type buildings abutting directly on the sidewalks of Grand, Colorado and Cooper Avenues and Seventh, Eighth and Ninth Streets. Buildings, often multi-tenant, on single lots of twenty-five-foot width are typical. Building heights vary from one (1) to three (3) stories.
 3. *Land Use.* Street-level use is dominated by hospitality retail and eating and drinking establishments. Professional services and residential uses occupy upper floors. This district

also includes buildings occupied by government administrative offices and services. Primary user orientation is to the pedestrian with secondary orientation to vehicular traffic.

4. *Other Characteristics.* Vehicle speeds throughout this district are less than twenty-five (25) miles per hour.
- b. *Downtown—North.*
1. *Location.* This district includes property located along Sixth Street from the east side of Laurel Street and the Laurel roundabout to its eastern terminus. The district is accessible from I-70 interchange 116; however, visibility from I-70 is limited. Portions of this district are the community's first point of contact for most visitors.
 2. *Building Types.* The district is dominated by the historic Hotel Colorado and Hot Springs Pool. The district also includes a mix of single- and multi-story buildings of varying building heights.
 3. *Land Use.* Street-level uses are primarily tourist-oriented retail and restaurants. Primary user orientation is to the pedestrian with a secondary orientation to vehicular traffic.
 4. *Other Characteristics.* Vehicle speeds throughout this district generally are less than twenty-five (25) miles per hour. To the north of the Sixth Street commercial area is one (1) of the City's oldest residential neighborhoods.
- c. *Midtown.*
1. *Location.* This district includes property located along and accessible from Grand Avenue between Fourteenth Street and Twenty-Third Street.
 2. *Building Types.* Single-tenant, local retail buildings predominate in this district, with secondary multi-tenant, strip or two-story office buildings. Valley View Hospital, a multi-story, multi-building complex, is two (2) blocks east of Grand Avenue.
 3. *Land Use.* In addition to the hospital and other health care-related services, this district also contains a mix of hospitality and restaurants, and regional and local retail uses. Primary user orientation is to vehicular and transit traffic with limited pedestrian attention.
 4. *Other Characteristics.* Vehicle speeds throughout this district are twenty-five (25) to thirty-five (35) miles per hour.
- d. *West Sixth Street.*
1. *Location.* This district includes property located along and accessible from Sixth Street, west of Laurel Street and the Laurel roundabout, to Devereux Road. Although this district is immediately accessible from Interstate 70 interchange 116, visibility from I-70 is limited. The eastern portion of this district is often the community's first point of contact for visitors.
 2. *Building Types.* The district includes a mix of single- and multistory buildings with single- and multi-tenant occupancy. Building heights range from one (1) to three (3) stories.
 3. *Land Use.* Primary street-level uses are auto-oriented tourist businesses including restaurants and a concentration of hotels and motels. Primary user orientation is vehicular traffic, with secondary pedestrian and transit users.
 4. *Other Characteristics.* Vehicle speeds throughout the district are less than twenty-five (25) miles per hour.

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- e. *Highway 82—South.*
1. *Location.* This district includes property located south of Twenty-Third Street along the Highway 82 corridor.
 2. *Building Types.* The character of development is predominantly single-story, single-tenant buildings, with some strip development. It is dominated by the Roaring Fork Market Place, a large multi-tenant, single-story retail development. Buildings in this district are generally single-story.
 3. *Land Use.* This district contains a mix of local and regional retail uses, with limited hospitality uses. Primary user orientation is to vehicular and transit traffic, with very limited pedestrian attention.
 4. *Other Characteristics.* Vehicle speeds of thirty-five (35) to forty-five (45) miles per hour and a proliferation of curb cuts contribute to the auto-oriented nature of businesses within this district.
- f. *Highway 6—West.*
1. *Location.* This district includes commercially zoned property located north of the railroad right-of-way, west of Devereux Road. The district is immediately accessible from I-70 interchange 114; visibility from I-70 is very high.
 2. *Building Types.* The character of development in this district is primarily single-story, single-tenant uses, with some multi-tenant buildings, strip retail, auto dealerships, gasoline stations, fast food establishments, and single-and two-story motels.
 3. *Land Use.* Primary uses are regional retail and hospitality. Orientation is to vehicular and transit traffic, with limited pedestrian attention.
 4. *Other Characteristics.* Vehicle speeds throughout this district should be less than 40 miles per hour on Highway 6 and less than sixty-five (65) miles per hour on Interstate 70. Commercial uses are very visible from adjacent residential neighborhoods to the north. Length of strip development contributes to lack of definition within district.
- g. *Red Mountain.*
1. *Location.* This district includes property located south of the railroad right-of-way, generally west of the Devereux Road bridge. The district is accessible from I-70 interchange 114. Visibility from I-70 is high.
 2. *Building Types.* The character of development in this district is primarily single-story, single-tenant uses, strip retail, and multi-story hotels. This district is dominated by the Glenwood Meadows shopping area.
 3. *Land Use.* Orientation primarily is to vehicular traffic. Primary uses are retail, light industrial, and hospitality. The district includes the City's community center and a regional bus service maintenance facility and park-and-ride.
 4. *Other Characteristics.* The district is highly visible from West Glenwood and from the Oasis Creek and Highlands neighborhoods. Vehicle speeds throughout this district vary from twenty-five (25) to forty-five (45) miles per hour to sixty-five (65) miles per hour on Interstate 70.
- (3) *Additional Standards in the Downtown Core.*
- a. *General.*

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1. Signs shall be less prominent than the overall building composition; and
 2. Signs shall be in character with the material, color, and detail of the historic context of downtown Glenwood.
 - b. *Materials.*
 1. Highly reflective materials shall not be used; and
 2. Unpainted wood and other unfinished materials shall not be used.
 - c. *Illumination.*
 1. Internally-illuminated signs including freestanding electronic message signs are prohibited;
 2. Awnings and canopies shall not be illuminated;
 3. Non-flashing neon signs shall be allowed; and
 4. Marquees may be illuminated provided the lights are fully shielded and directed downwards.
 - d. *Portable Sign Standards.*
 1. *Number.* Ground-floor tenants without street frontage are allowed one (1) sign, pending compliance with the requirements of this Subsection.
 2. *Location.*
 - i. Portable signs shall be located not more than four (4) feet from the building face; and
 - ii. Portable signs may be located on the public sidewalk in areas where the sidewalk width is eight (8) feet wide or greater.
 3. *Design.*
 - i. Portable signs shall be constructed of materials that present a finished appearance. Portable signs shall have a designed, finished edge of solid wood or metal. Signs shall not be constructed of rough-cut plywood; plastic signs are not allowed.
 - ii. Sign frames shall be painted or stained wood, metal with a matte finish; plastic frames are prohibited.
 - iii. Portable sign bases shall be properly weighted, with the weight elements incorporated into the overall design of the sign. Use of improvised measures such as concrete blocks and sandbags to secure signs is prohibited.
 - iv. Portable signs including frames shall not be white or neon-colored. Black or other dark colors are preferred.
 - (k) *Sign Review and Approval Procedures.*
 - (1) *Standard Sign Permit.*
 - a. *Applicability.* A standard sign permit shall be required pursuant to Subsection 070.040.110(b).
 - b. *Procedure.* The Director shall evaluate sign permit applications and issue standard sign permits on a form designated by the Director.
 - (2) *Off-Premises Sign Permit.*

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- a. *Applicability.* This Subsection shall apply to all off-premises signs except for temporary off-premises directional signs.
 - b. *Procedure.* Off-premises sign permits shall require a public hearing before the Planning Commission. The Planning Commission shall review and approve, approve with conditions, or deny the off-premises sign permit in accordance with the following approval criteria:
 - 1. The off-premises sign will not harm the public or impair the intent or purposes of the Municipal Code or the City's goals or policies; and
 - 2. A significant hardship will result without such off-premises sign.
 - c. *Additional Standards.*
 - 1. The off-premises sign shall comply with the applicable size, height, placement, and number of signs permitted on the property where the off-premises sign is to be located. The off-premises sign size shall be counted against the sign size and type allowed on the property on which it is displayed.
 - 2. If the off-premises sign is proposed in the public right-of-way, such sign shall require compliance with Subsection 070.060.050(f), Right-of-Way Encroachment License.
- (3) *Master Sign Plan.*
- a. *Applicability.* A master sign plan shall be required for multi-tenant buildings and commercial developments containing more than one (1) building.
 - b. *Procedure.*
 - 1. Applicants shall submit a master sign plan to the Director for approval upon application for a sign permit. If the master sign plan meets all the conditions of this Subsection, then it may be approved by the Director.
 - 2. A master sign plan shall be approved prior to the issuance of a building permit for all new buildings, additions, or renovations and prior to the issuance of any sign permit for an individual business. The master sign plan shall run with a multi-use building property and not with individual tenants.
- (l) *Sign Installation and Maintenance.*
- (1) *Compliance to Building Code and other Applicable Codes.* Signs and sign structures shall comply with the building code and other applicable codes as adopted by the City.
 - (2) *Maintenance.*
 - a. Signs shall be maintained in good structural condition at all times.
 - b. The Director shall inspect and may order the painting, repair, alteration, or removal of a sign that constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, dilapidation, or disrepair under the notice to repair or remove procedure in Paragraph c. below.
 - c. The Director shall notify the sign owner or property owner by certified mail of the duty to alter or remove and that such person has thirty (30) days from the date of the notice, or such longer period as the Director finds is reasonably necessary, to complete such alteration or removal.
- (m) *Nonconforming Signs.*
- (1) *Continuation of Nonconforming Signs.* Any existing individual sign that exceeds the maximum area or height limitations of this Code by no more than ten (10) percent shall be considered a conforming sign.

At the time such sign is replaced, altered, or renovated, it shall comply with all requirements of this Code.

(2) *Termination of Nonconforming Signs.*

- a. The right to maintain a nonconforming sign terminates immediately upon any of the following:
 1. Abandonment of a sign, including sign copy and/or logos and graphics, for a continuous period of ninety (90) days;
 2. Any further violation of this Code;
 3. Destruction or damage of the sign to the extent that the cost of restoration to its condition before the occurrence exceeds fifty (50) percent of the total cost of reconstructing the entire sign; or
 4. Determination by the Director and Building Official that the sign is an immediate hazard to the public health, safety, and welfare because of disrepair, unsafe mounting, imminent dislodging, or other safety factors.
- b. Any party wishing to appeal a determination concerning the termination of a nonconforming sign or request a variance from the requirements of this Subsection may appeal the determination to the Director and may appeal the Director's decision to the Planning Commission.

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 3-2019, § 2(Exh. A), 1-31-2019; Ord. No. 16-2019, § 2(Exh. A), 9-5-2019; Ord. No. 15-2020, § 2(Exh. A), 7-2-2020; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021; Ord. No. 28-2022, § 2(Exh. A) 12-1-2022; Ord. No. 9-2023, § 2, 10-26-2023)



MASTER SIGN PLAN

FEBRUARY 9, 2004

MILLER WEINGARTEN REALTY, LLC.
COMMUNICATION ARTS, INC. / RTA ARCHITECTS

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PHOTOGRAPHS, DRAWINGS AND RENDERINGS OF EXISTING OR PROPOSED BUILDINGS, STOREFRONTS AND SIGNS IN THIS MASTER SIGN PLAN ARE EXAMPLES FOR DISCUSSION PURPOSES ONLY AND ARE NOT APPROVED FOR FINAL DESIGN.

This Master Sign Plan, in conjunction with the Tenant Sign Criteria, will ensure that signage used by individual businesses will contribute to the vitality and interest of Glenwood Meadows while respecting the character of the community of Glenwood Springs and the style of the project architecture. Project-wide identity and wayfinding signs will work with other site amenities to establish the Glenwood Meadows neighborhood while individual tenant signs will clearly identify businesses, encourage window shopping and enhance the visitor's experience.

The Master Plan for the Glenwood Meadows project, the access routes to the project site and the view corridors from upriver, from Interstate 70 and from across the valley requires "360 degree architecture" — the buildings must be designed to present an attractive facade on all sides. Similarly, the tenant identity signage must work from all sides to enhance the project's appearance, to improve the tenant's presence and to provide information to the visitor at all decision making points. This Master Sign Plan provides allowances for increased sign areas and quantities, enabling signage to occur on multiple facades to meet these requirements.

The Glenwood Meadows Master Sign Plan recognizes two levels of tenant signage: Primary Identity Signs and Secondary Identity Signs. Primary Identity Signs are larger and more brightly illuminated, and are intended to provide a quick read for vehicular traffic, whether driving by or in the parking fields. Secondary Identity Signs are intended to add another level of detail to the tenant storefront through the use of pedestrian-oriented, smaller scale signs. Along Market Street, Secondary Identity Signs become an

absolutely critical element, equally important to the Primary Identity Signs encouraging visitors to shop the street as opposed to a single store.

To encourage the use of Secondary Identity Signs by tenants, this document provides two sign area calculations for each tenant type. In order to achieve their maximum allowable sign area, tenants must incorporate Secondary Identity Signs (refer to Section 4 for allowable sign area calculations). All tenants on Market Street as described in this document shall be required to incorporate a minimum of one (1) Secondary Identity Sign *type*.

For the purposes of this document, "tenant" shall mean any retail, commercial, office or institutional business operating from a space or building within the Glenwood Meadows retail and mixed-use project.

The Glenwood Meadows Master Sign Plan shall govern all signage within the confines of the Glenwood Meadows retail and mixed-use project excluding the following sign types:

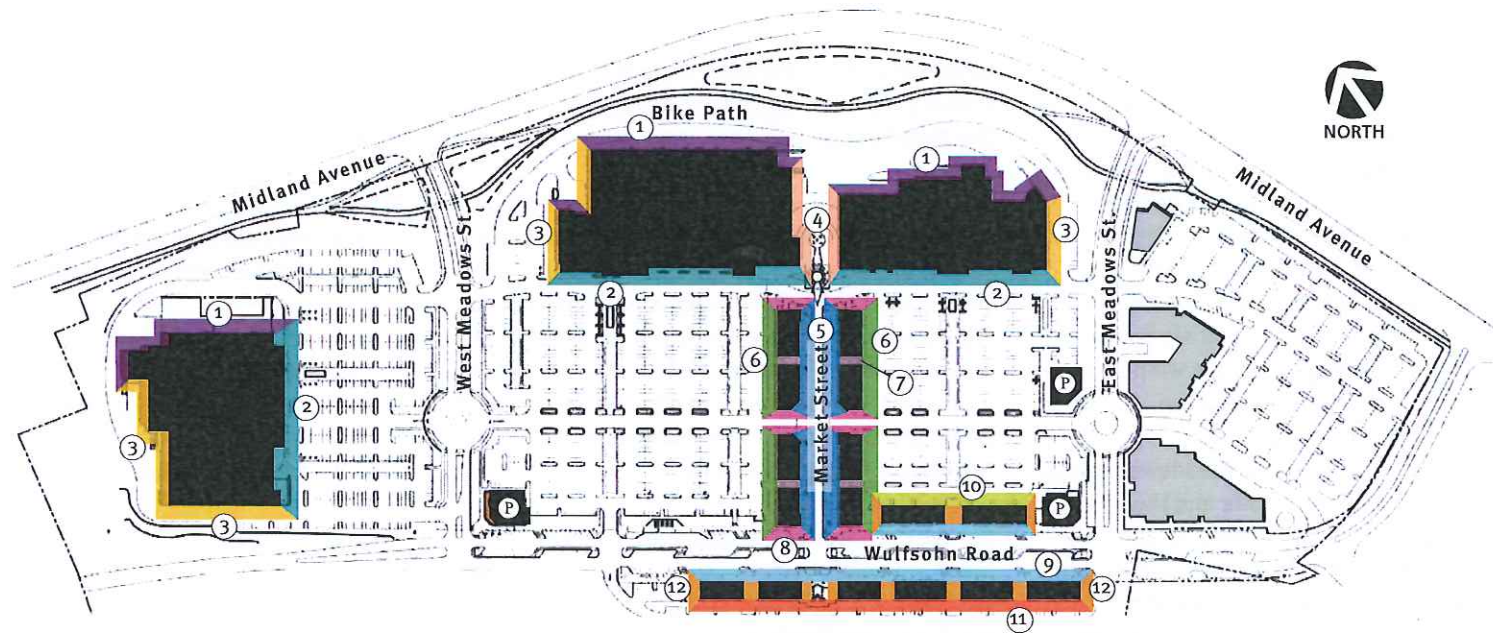
- wayfinding signs
- traffic control and regulatory signs
- project directories

Public art, including building murals and sculpture, as well as installation art, seasonal displays and/or holiday decorations (i.e. Halloween, Christmas, St. Patrick's Day, Cinco de Mayo, etc.) that are sponsored by the landlord, a tenant or a third party shall not be considered signage. Public art and building murals with content whose primary purpose is determined to be to advertise products, goods and/or services shall

be considered signage and required to be in compliance with the sign quantity and area allowances described herewith.

Tenant and project street addresses shall not be considered signage for the purposes of sign area calculations except under the following conditions:

- The street address is an integral part of the tenant identity, ie. "Market Street Flowers"
- The address plaque is greater than 1.5 square feet in area
- The address plaque is internally illuminated



Allowable sign types, maximum letter heights and sign illumination and/or detailing restrictions vary with the tenant types and the frontages upon which the signs are to be placed. The chart in Section 1.3 outlines the basic sign allowances by tenant and frontage types based upon the following categories:

- ① Major Retail Tenant frontages facing Midland Avenue.
- ② Major Retail Tenant frontages facing primary parking fields.
- ③ Major Retail Tenant frontages facing either East or West Meadows Streets or the west end of Wulfsohn Road.
- ④ Tenant frontages facing the Plaza at the north end of Market Street.

- ⑤ Market Street Tenant frontages facing Market Street.
- ⑥ Market Street Tenant frontages facing the primary parking fields.
- ⑦ Market Street Tenant frontages facing pedestrian alleyways.
- ⑧ Market Street Tenant frontages facing Wulfsohn Road or other vehicular cross streets.
- ⑨ Mixed-Use Tenant frontages facing Wulfsohn Road.
- ⑩ Mixed-Use Tenant frontages facing the primary parking fields.

- ⑪ Mixed-Use Tenant frontages facing the proposed residential site.
- ⑫ Mixed-Use Tenant frontages facing driveways, pedestrian alleyways and/or vehicular cross streets.
- P Pad Site Tenants

Note: The not-to-scale site plan diagram above is consistent with the most current proposed site plan. This plan and the accompanying colored legend shall serve as a guide for the specific building blocks. Pursuant to the specific conditions described herewith, this guide allows for flexibility of sign types and sign locations, based on similar sign conditions for alternate building configurations and locations during the development of the site design and the subsequent construction of the Glenwood Meadows project.

TENANT / FRONTAGE TYPE	ALLOWABLE SIGN TYPES	MAXIMUM LETTER HEIGHT	ADDITIONAL CONDITIONS
① Major Retail Tenant frontages facing Midland Avenue.	Only Sign Type A - Fascia Sign - is allowed along these frontages.	Max. letter height is not to exceed 5'-0"	
② Major Retail Tenant frontages facing primary parking fields.	All sign types are allowed along these frontages.	Max. letter height is not to exceed 5'-0"	
③ Major Retail Tenant frontages facing either East or West Meadows Streets or the west end of Wulfsohn Road.	Only Sign Type A - Fascia Sign - is allowed along these frontages.	Max. letter height is not to exceed 4'-0"	
④ Tenant frontages facing the Plaza at the north end of Market Street.	All sign types are allowed along these frontages.	Max. letter height is not to exceed 2'-0"	
⑤ Market Street Tenant frontages facing Market Street.	All sign types are allowed along these frontages.	Max. letter height is not to exceed 2'-0"	Internally illuminated signs with acrylic faces are not permitted on these frontages.
⑥ Market Street Tenant frontages facing the primary parking fields.	All sign types are allowed along these frontages.	Max. letter height is not to exceed 2'-0"	
⑦ Market Street Tenant frontages facing pedestrian alleyways.	All sign types are allowed along these frontages excluding Sign Type C - Feature Sign.	Max. letter height is not to exceed 1'-6"	Internally illuminated signs with acrylic faces are not permitted on these frontages.
⑧ Market Street Tenant frontages facing Wulfsohn Road or other vehicular cross streets.	All sign types are allowed along these frontages.	Max. letter height is not to exceed 2'-0"	
⑨ Mixed-Use Tenant frontages facing Wulfsohn Road.	All sign types are allowed along these frontages excluding Sign Type C - Feature Sign.	Max. letter height is not to exceed 1'-6"	
⑩ Mixed-Use Tenant frontages facing the primary parking fields.	All sign types are allowed along these frontages excluding Sign Type C - Feature Sign.	Max. letter height is not to exceed 1'-6"	
⑪ Mixed-Use Tenant frontages facing the proposed residential site.	Only non-illuminated signs are permitted on these frontages. Sign Type C - Feature Sign - is not permitted.	Max. letter height is not to exceed 9"	
⑫ Mixed-Use Tenant frontages facing driveways, pedestrian alleyways and/or vehicular cross streets	Only secondary sign types are permitted along these frontages.	Max. letter height is not to exceed 9"	
P Pad Site Tenants	All sign types are permitted for these tenants, including freestanding monument signs.	Max. letter height is not to exceed 2'-6"	

PRIMARY IDENTIFICATION SIGNAGE

Sign Type A—Fascia Sign

Fascia Signs are located above the storefront display windows and/or entry doors parallel to the building facade and projecting no more than twelve inches from the building face. Fascia Signs consist of letter and logo forms attached to a panel or, in some cases, directly to the building's standard format raceway or directly to the building fascia. Fascia Signs are permitted to be placed on the parapet wall surface. For buildings with a second story, occupied or false, Fascia Signs may vertically extend along a wall or pilaster from the second floor up to the parapet or horizontally between floor levels.

Sign Type B—Canopy Sign

Canopy Signs are panels and/or letter forms that are attached to or project above a vertical surface of an architectural canopy. They provide the main identity for tenants who occupy spaces where an entry canopy is part of their base building facade.

Sign Type C—Feature Sign

Feature Signs are large format, multi-sided, illuminated projecting signs. These signs are permitted to be mounted perpendicular to the building facade and/or diagonally on a corner, providing visibility from multiple directions.

Sign Type D1—Awning Sign

Awning Signs used as primary identification signage consist of identity graphics applied to the primary surface of the awning.

Sign Type M—Project Identity/Monument Sign Project Identity/Monument Signs occur at the primary vehicular entries to the project site. They consist of stucco and stone walls integrated with the landscape and support the “Glenwood Meadows” identity sign. These walls also provide a surface upon which tenant identity signs may be mounted. The quantity of signs permitted on these walls is limited and availability is subject to negotiation with the landlord.

SECONDARY IDENTIFICATION SIGNAGE

Sign Type D2—Awning Sign

Awning Signs used as secondary identification signage consist of identity graphics applied to the valance of the awning.

Sign Type E—Projecting Blade Sign

Projecting Blade Signs are mounted perpendicular to the building facade or are suspended beneath an architectural canopy providing visibility from a distance. These signs must be mounted with the bottom edge of the sign at a minimum height of 8'-0" above the finished sidewalk elevation and shall project no more than 3'-6" from the face of the building to which they are mounted. They provide identity for the tenants and are intended to convey the personality of the tenant with text, logos or three-dimensional objects.

Sign Type F—Plaque Sign

Plaque Signs are dimensional panels mounted flat against the building facade. They are intended

to add another level of detail to the individual tenant's identity.

Sign Type G—Window Sign

Window Signs are tenant graphics that are placed directly on or behind the glass of windows and/or doors. They provide additional identity or be graphic elements that add interest to the tenant's space. They may be skeletal neon signs suspended behind the storefront glazing or professional quality vinyl or painted graphics applied to the second surface of the storefront glazing.

Sign Type H—Changeable Sign

Changeable Signs are signs that are promotional or seasonal in nature and are fabricated such that the sign imagery and/or information can be changed. This sign type includes restaurant menu displays, poster display cases and banners/flags. Changeable signs are intended to augment the tenant's storefront character and to provide timely information regarding available products or services.

Sign Type I—Suspended Sign

Suspended signs are supplemental signs suspended below a building canopy or other architectural feature. This sign type may be used, for instance, under a porch or gable feature to indicate retail departments such as “lumber” or “garden center”. These signs are architectural in nature and not illuminated.

Note: Signs and sign locations on keyed elevations shown throughout Section 3 are diagrammatic and not to scale. The building design is generic and is used for illustrative purposes only. Described sign conditions apply to both one and two-story buildings.

Sign Type A—Fascia Signs: Fascia Signs are located above the storefront display windows and/or entry doors, parallel to the building facade, projecting no more than twelve inches from the building face. Generally, the colors, finishes and materials for Fascia Signs are an extension of those used for the tenant's or building identity. In the case of retail tenants, contrasting designs and materials may be used to convey the tenant's unique identity provided that the entire ensemble of the Fascia Sign and storefront demonstrate a unified design intent. Types of Fascia Wall Signs to be allowed include:

- ▶ **DIMENSIONAL LETTERS AND LOGO FORMS FABRICATED FROM SUITABLE MATERIALS THAT HAVE A PAINTED, GILDED OR METAL FINISH (A):** These letters must be illuminated with point source, bracket mounted light fixtures that accentuate the form of the letter and logo forms. Color temperature of lamps used in the fixtures must be between 2,500 and 3,000 degrees Kelvin.
- ▶ **LETTER AND LOGO FORMS PAINTED, GILDED OR SCREEN PRINTED ONTO CONTINUOUS OR INDIVIDUAL FASCIA PANELS:** These panel signs will be illuminated in the same manner as described above. Panels may be layered to give the fascia more visual interest and a three-dimensional quality. *Tenants in corner locations along Market Street with a tall masonry expression (see diagram) are encouraged to use this sign type. These tenants shall be permitted to exclude the back panel of their sign from the sign area calculation, subject to approval by the City and Landlord.*
- ▶ **REVERSE PAN CHANNEL LETTER AND LOGOS WITH HALO ILLUMINATION (B):** These letters and logos will be fabricated using metal channels and finished similar to the dimensional letters listed above.



- ▶ **INTERNALLY ILLUMINATED PAN CHANNEL LETTERS WITH ACRYLIC FACES (C):** These signs will be allowed except along frontage type five (5). Internally illuminated pan channel letters are subject to the following quality requirements:
 - The attachment of acrylic faces to the metal channel of the letter form must be clean, flush and discreet.
 - The acrylic face of the letter forms must have a matte finish to avoid reflections in the letter face when the letter is not illuminated.
 - Raceways connecting letter forms must be integral to the sign design.

- The letter returns shall be painted to match a building standard color that generally matches the building's primary masonry color.
- ▶ **OPEN PAN CHANNEL LETTERS WITH EXPOSED NEON ILLUMINATION (D):** These signs will be allowed for restaurant and entertainment tenants only.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



Sign Type B—Canopy Sign: This sign type is permitted on architectural canopies. Colors, finishes and materials used for Canopy Signs shall be complementary to the tenant facade and an integral part of the canopy or architectural element to which it is mounted. These signs can be mounted above and/or to the vertical surface of the canopy. Types of Canopy Signs to be allowed include:

- ▶ **DIMENSIONAL LETTERS AND LOGO FORMS FABRICATED FROM SUITABLE MATERIALS THAT HAVE A PAINTED, GILDED OR METAL FINISH (A):** These letters should be illuminated with point source, bracket mounted light fixtures that accentuate the form of the letter and logo forms. The character of the fixtures should be consistent with that of the overall facade and canopy design. Color temperature of lamps used in the fixtures must be between 2,500 and 3,000 degrees Kelvin.
- ▶ **LETTER AND LOGO FORMS PAINTED, GILDED OR SCREEN PRINTED ONTO INDIVIDUAL FASCIA PANELS:** These panel signs will be illuminated in the same manner as described above and are mounted above or onto the vertical surface of the canopy. Panels may be layered to give the fascia a more three-dimensional quality.
- ▶ **REVERSE PAN CHANNEL LETTER AND LOGOS WITH HALO ILLUMINATION (B):** These signs will be fabricated using metal channels with finishes similar to the dimensional letters listed above.
- ▶ **OPEN PAN CHANNEL LETTERS AND LOGOS WITH EXPOSED NEON ILLUMINATION:** This sign type shall be permitted for restaurant or entertainment tenants only.



- ▶ **INTERNALLY ILLUMINATED PAN CHANNEL LETTERS WITH ACRYLIC FACES (C):** These signs will be allowed except along frontage type five (5). Internally illuminated pan channel letters are subject to the following quality requirements:
 - The attachment of acrylic faces to the metal channel of the letter form must be clean, flush and discreet.

- The acrylic face of the letter forms must have a matte finish to avoid reflections in the letter face when the letter is not illuminated.
- Raceways connecting letter forms must be integral to the sign design.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



Sign Type C—Feature Signs: These large vertically oriented signs will be multi-dimensional and mounted projecting perpendicular to the building face or diagonally from the building corner. Feature Signs are permitted to extend vertically up to the building parapet. A minimum clearance of twelve feet (12'-0") above the finished sidewalk must be maintained under these signs. Allowable methods of displaying identity through Feature Signs include but are not limited to:

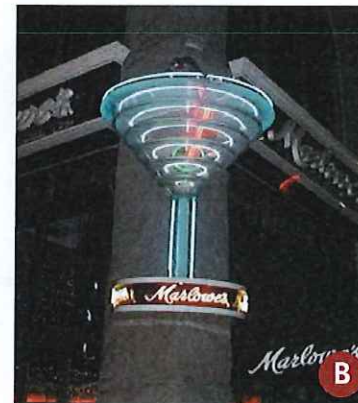
- ▶ **LETTER AND LOGO FORMS PAINTED, GILDED OR SCREEN PRINTED ONTO SIGN PANEL:** Surface mounted fixtures appropriate to the tenant facade design will illuminate these elements. Sign elements may be layered to give the fascia more visual interest and a three-dimensional quality with the potential for silhouette lighting.
- ▶ **REVERSE PAN CHANNEL LETTERS AND LOGOS WITH HALO ILLUMINATION**
- ▶ **OPEN PAN CHANNEL LETTERS AND LOGOS WITH EXPOSED NEON ILLUMINATION:** These signs will be allowed for restaurant and entertainment tenants only.
- ▶ **EXPOSED NEON LETTERS AND LOGO FORMS (A):** These signs will be allowed for restaurant and entertainment tenants only.
- ▶ **THREE-DIMENSIONAL, ARTISTICALLY SCULPTED OBJECT SIGNS (B)**



- ▶ **INTERNALLY ILLUMINATED PAN CHANNEL LETTERS WITH ACRYLIC FACES:** These signs will be allowed except along frontage type five (5). Internally illuminated pan channel letters are subject to the following quality requirements:
 - The attachment of acrylic faces to the metal channel of the letter form must be clean, flush and discreet.

- The acrylic face of the letter forms must have a matte finish to avoid reflections in the letter face when the letter is not illuminated.
- Raceways connecting letter forms must be integral to the sign design.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



Feature Sign Area Calculation: The area of a three dimensional feature sign is determined by one-half the surface area of a regular geometric shape fully enclosing the feature sign. In Diagram A, the feature sign is enclosed in a cylinder with a height of (h) and a diameter of (d). The surface area of a cylinder equals $\pi \times d \times h$. Therefore the area of the feature sign to be included in the tenant's total sign area calculations would be $1/2\pi \times d \times h$.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.

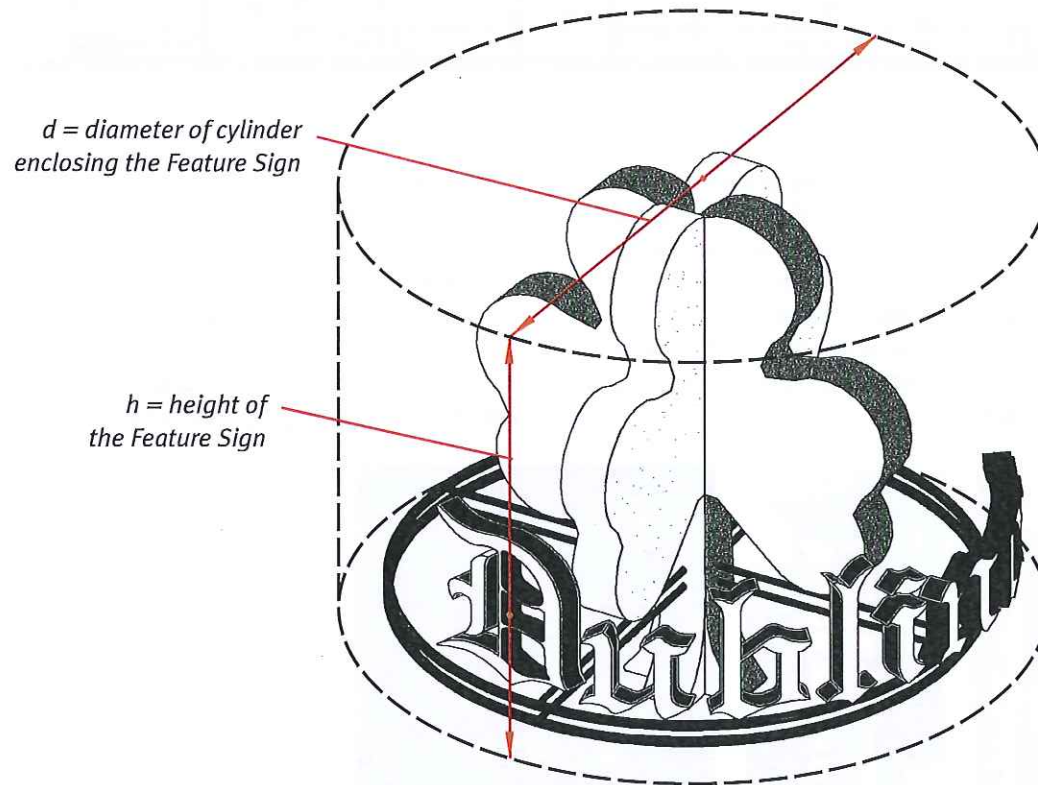


Diagram A Sign Area = $\frac{\pi \times d \times h}{2}$

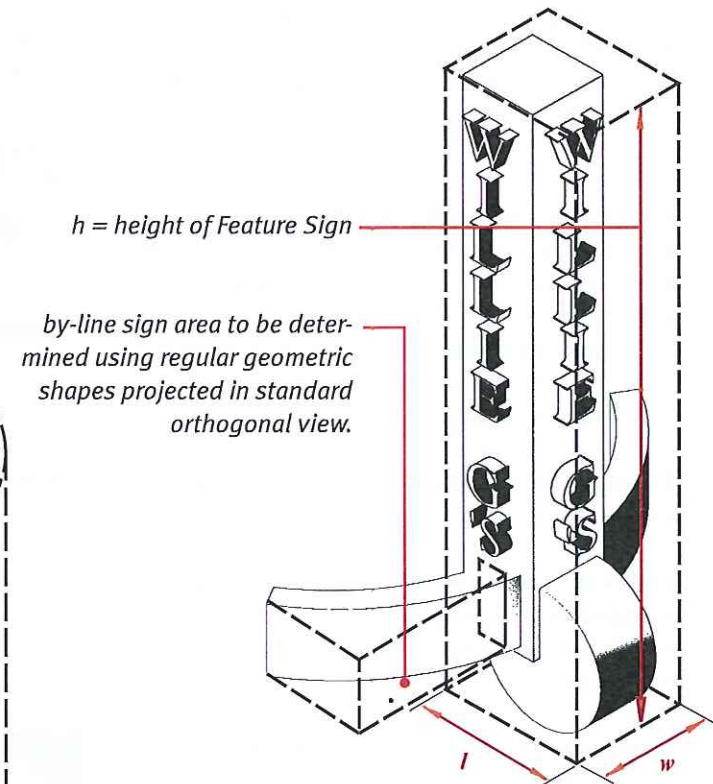


Diagram B Sign Area = $(h \times l) + (h \times w) + \text{area of by-line}$

Sign Type D1 & D2—Awning Sign:

Awning Signs will be considered as either Primary or Secondary Identification Signs depending upon the location of the applied graphics. If the tenant logo and/or letters are applied to the sloped (primary) surface of the awning it shall be considered a Primary Identification Sign (Type D1) and the entire vertical surface area of the awning is counted against the tenant's total maximum allowable sign area. If the tenant logo and/or letters occur only on the valance of the awning and are limited to eight inches (8") in height, then the awning shall be considered a Secondary Identification Sign (Type D2) and only those surfaces to which the letters or logos are applied are counted towards the total maximum allowable sign area. (See the awning sign area calculation diagrams on this page.)

Logos, letters and graphics may be either sewn or screen printed onto the awning surfaces. **Internally illuminated awnings are expressly prohibited.** Awnings shall be illuminated from above using bracket mounted point source light fixtures with lamps of a color temperature of 2,500 to 3,000 degrees Kelvin.

Secondary awning signs are not subject to quantity limitations and are permitted on all windows and glazed entry doors occupied by a tenant up to the total maximum allowable sign area provided that the secondary awning signs are not duplications of the tenant's Primary Identifications Signs.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.

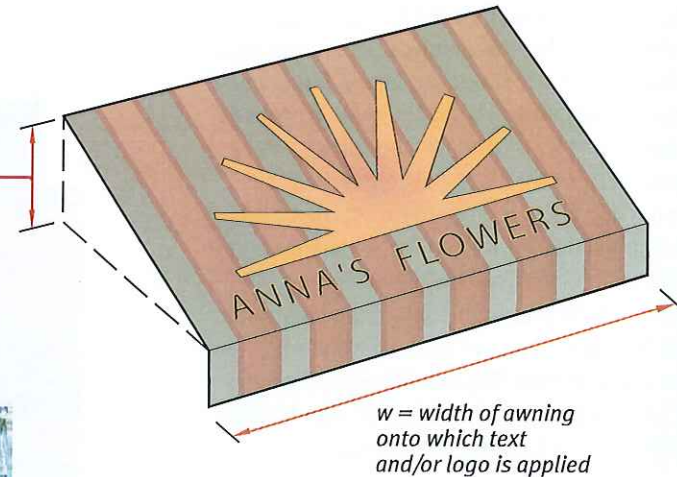


valance surface used as secondary identification



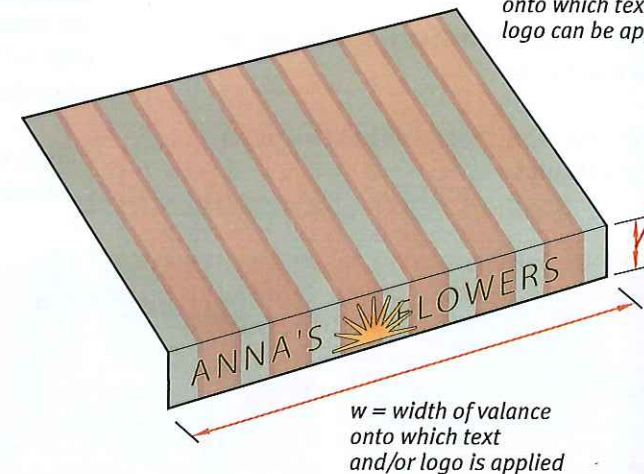
primary surface used as primary identification

h = height of awning surface with graphic



D1 Sign Area = $w \times h$
Awning Sign, Type D1 Area Calculation

h = height of valance onto which text and/or logo can be applied



D2 Sign Area = $w \times h$
Awning Sign, Type D2 Area Calculation

Sign Type E—Projecting Blade Sign:

The details and materials used for tenant blade signs should display the unique character of each individual tenant. All Projecting Blade Signs must be mounted perpendicular to the building facade and project 18" to 42" from the building surface and be no greater than 42" in their vertical dimension. They may be mounted from the building facade using a decorative bracket or suspended beneath an architectural canopy or awning. All blade signs must maintain a minimum clearance of eight feet (8'-0") above the sidewalk. All tenants along Market Street will be required to install blade signs. A wide variety of sign fabrication options are allowable, including:

- ▶ **OBJECT SIGNS OF LOGO OR PRIMARY SALES PRODUCT(S) FABRICATED/SCULPTED FROM SUITABLE MATERIALS.**
- ▶ **PAINTED, SCREEN PRINTED OR GILDED SIGN PANELS (A).**
- ▶ **DIMENSIONAL LETTERS/LOGOS ATTACHED TO SIGN PANELS (B).**
- ▶ **STRETCHED FABRIC SIGNS WITH SEWN OR APPLIED GRAPHICS.**



Projecting Blade Signs are permitted to utilize either external light fixtures to illuminate their signs or integral illumination such as exposed neon. **Internally illuminated, vacuum-formed cabinet type signs are expressly prohibited.** The color temperature of external lamps used must be between 2,500 and 3,000 degrees Kelvin. Tenants may elect to:

- ▶ **HAVE LETTER AND LOGO FORMS RENDERED IN EXPOSED NEON APPLIED TO THE SIGN PANEL (C).**

- ▶ **ATTACH REVERSE PAN CHANNEL LETTERS WITH HALO ILLUMINATION TO THE SIGN PANEL.**
- ▶ **ATTACH OPEN PAN CHANNEL LETTERS WITH EXPOSED NEON ILLUMINATION TO THE SIGN PANEL.**

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



Sign Type F—Plaque Signs:

Plaque signs are dimensional panels located on walls, columns or pilasters and display a tenant's name, logo and/or address. Tenant's shall be limited to one Plaque Sign per public entry. Plaques shall not exceed five square feet in area. Fabrication materials and methods include but are not limited to:

- ▶ **CAST METAL WITH POLISHED LETTER FORMS AND/OR PAINT FILLED BACKGROUNDS (A).**
- ▶ **ETCHED OR MACHINED METAL.**
- ▶ **PROFESSIONALLY FABRICATED CUSTOM PORCELAIN OR CERAMIC TILES (B).**
- ▶ **CARVED AND GILDED STONE PANELS.**
- ▶ **DEEP ETCHED GLASS PANELS.**

Restaurant tenants are permitted to use an illuminated shadow box in lieu of a plaque sign to display menus or daily specials. Reference Sign Type H—Changeable Signs, for additional information.

Note: Reference sections 1 and 11 for additional information regarding sign restrictions.

Sign Type G—Window/Door Sign:

Tenants are encouraged to add more interest and identity to their facade with signs placed directly on or behind the glass of windows and/or doors. These may include:

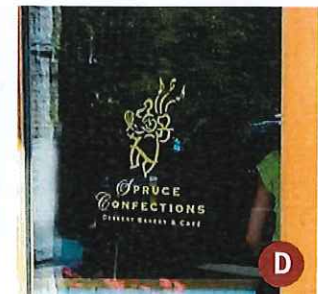
- ▶ **SKELETAL FRAME NEON DEPICTING THE TENANT'S IDENTITY OR ARTISTIC PRODUCT GRAPHIC (C):** The area described by the outline of the neon will be calculated for allowable square footage.



- ▶ **SCREEN-PRINTING, GILDING AND CUT VINYL (D):** These are to be applied to the second (inner) surface of the glass. Logos, letter forms or other supplemental graphics that contribute to the tenant's identity are permitted.
- ▶ **INDIVIDUAL DIMENSIONAL LETTER FORMS AND/OR LOGOS:** These are to be applied directly to the

inside surface of the storefront glazing or pin-mounted within three inches (3") of the window surface. The maximum letter height for dimensional letters shall be four inches (4").

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



Sign Type H—Changeable Signs:

Changeable signs are armatures or cabinets with replaceable imagery, text or graphics. Their purpose is to provide opportunities to display information that may change such as menus, special promotions, upcoming events or holiday imagery. Changeable Signs include, but are not limited to, the following:

- ▶ **SHADOW BOXES:** Shadow Boxes are dimensional cabinets with a concealed illumination source used to display flyers, menus or daily specials. The cabinets shall be fabricated of high quality materials to compliment the tenant facade. The cabinet face shall be safety glass. Shadow Boxes are permitted on the columns or pilasters adjacent to the tenant entry or can be freestanding elements adjacent to outdoor dining areas. These signs must be changed a minimum of twice per year.
- ▶ **BANNERS/FLAGS:** Banners are stretched fabric with digitally printed or sewn graphics and may be used as signage or as promotional, seasonal or decorative displays. Banners shall be mounted perpendicular to the building facade and project 18" to 42" from the building surface using a fixed armature at top and bottom to keep the fabric taut. Flags are loose hanging fabric and are limited to 60" in length. Flags of the United States, the State of Colorado and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction are not considered signs. Building mounted banners and flags must maintain a minimum clearance above the finished sidewalk of 8'-0". Banners and flags may be externally illuminated using bracket mounted point light

sources with lamps of a color temperature range of 2,500 to 3,000 degrees Kelvin.

Banners/Flags are also allowed to be mounted to light poles or other freestanding armatures to promote special events or to enhance the character of Glenwood Meadows. These banners are a part of the Project Identity Signage and must be designed, installed and maintained by the Landlord or the Landlord's agents. Tenant logos, logotypes and tenant specific promotional graphics will not be permitted on banners mounted to common area amenities. These banners must be changed a minimum of once per year.

- ▶ **DISPLAY STANDS/EASELS:** Movable stands, easels or sandwich boards used to display promotional

material are permitted in the zone immediately in front of the tenant storefront. Display stands are to be fabricated of wood or lightweight metal framing and finished to match the building character. Illumination for the display stands will be provided by ambient lighting only. Only the area of display stands/easels (not the design or content) need be submitted as part of the overall tenant storefront plan. This area shall be counted as a part of the tenant's maximum allowable sign area. These signs must be changed a minimum of four times per year.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.



banners



shadow box



flag



display stand/easel

Sign Type I—Suspended Signs:

Suspended Signs are panel-type signs hanging from canopies or similar architectural features. Suspended Signs are typically mounted parallel to the building facade, at the forward member of the supporting canopy and oriented to address the parking fields. Their purpose is to convey secondary messages, such as products sold or internal departments of the tenant and to give long, single-tenant building faces a multi-tenant character.

Suspended Signs are not permitted to repeat the tenant's primary identity except on building front-ages where the Suspended Sign will be the only expression of the primary identity. In these instances, the tenant's primary identity may be expressed by one (1) Suspended Sign only.

The colors, finishes and materials for Suspended Signs should be an extension of those used for the tenant's identity or of the building facade. Tenants incorporating multiple Suspended Signs in their identity program should use a consistent type face and sign detailing for all of their Suspended Signs. Contrasting designs and materials may be used provided that the entire ensemble of the Suspended Sign and the storefront demonstrate a unified design intent. Internally illuminated sign boxes with vacuum-formed or flat acrylic faces are expressly prohibited. Types of Suspended Signs to be allowed include:

- ▶ **DIMENSIONAL LETTERS AND LOGO FORMS FABRICATED FROM SUITABLE MATERIALS THAT HAVE A PAINTED, GILDED OR METAL FINISH:** These letters must be mounted to a backing panel of metal or

wood and illuminated with point source, bracket mounted light fixtures that accentuate the letter forms. Color temperature of lamps used in the fixtures must be between 2,500 and 3,000 degrees Kelvin.

- ▶ **LETTER AND LOGO FORMS PAINTED, GILDED OR SCREEN PRINTED ONTO CONTINUOUS PANELS:** These panel signs will be illuminated in the same manner as described above. Panels may be layered to give the fascia more visual interest and a three-dimensional quality.
- ▶ **REVERSE PAN CHANNEL LETTER AND LOGOS WITH HALO ILLUMINATION:** These letters and logos will be fabricated using metal channels with a painted, gilded or bright metal finish. The halo illumination will softly silhouette the letters against the backing panel.
- ▶ **PUSH-THROUGH ACRYLIC LETTERS WITH INTERNAL ILLUMINATION:** This sign type consists of a painted metal cabinet with letters router cut from the face. Router cut individual letters of translucent acrylic project through these openings a minimum of 1/2". The internal light source illuminates the letter forms while the background panel remains dark.

Note: Refer to sections 1 and 4 for additional information regarding sign restrictions.

TENANT CALCULATION OF ALLOWABLE SIGN AREA

RETAIL TENANTS OF LESS THAN 10,000 SQUARE FEET LEASABLE AREA

Total maximum allowable signage per tenant of less than 10,000 square feet of leasable area is not to exceed 1.0 square feet per lineal foot of tenant frontage for Primary Identification Signage and .5 square feet per lineal foot of tenant frontage for Secondary Identification Signage. Primary Identification Signage is not to exceed a total of 200 square feet. Secondary Identification Signage is not to exceed 120 square feet ¹ . Maximum letter/logo height allowed is as outlined on the chart in Section 1.3 unless otherwise approved.		
Sign Type - Description	Formula for Determining Sign Area/Quantity	Max. Allowable Individual Sign Area ²
PRIMARY IDENTIFICATION SIGNAGE		
Type A - Fascia Sign	N/A	75 square feet
Type B - Canopy Sign	N/A	75 square feet
Type C - Feature Sign	N/A	75 square feet
Type D1 - Awning Sign (Primary ID)	N/A	75 square feet
SECONDARY IDENTIFICATION SIGNAGE		
Type D2 - Awning Sign (Secondary ID)	Sign area is not to exceed 25% of the surface area of each awning valance to which graphics will be applied; letters and logos on valance not to exceed 8" in height	20 square feet per awning; NOTE: All tenant awnings are permitted to display graphics within the total maximum allowable sign area.
Type E - Projecting Blade Sign	One (1) blade sign maximum per tenant frontage	10 square feet (only one side is included in area calculations)
Type F - Plaque Sign	One (1) plaque per public entry	5 square feet
Type G - Window/Door Sign	Sign area is not to exceed 15% of the glazing area to which the signage is applied	16 square feet per structural bay; NOTE: All tenant windows are permitted to display graphics within the total max. allowable sign area
Type H - Changeable Sign		
a. Shadow Boxes	One (1) shadow box per public entry	6 square feet
b. Banners	One (1) banner per structural bldg. bay	50 square feet
c. Flags	One (1) corporate flag per business premises	24 square feet
d. Display Stands/Easels	One (1) per street frontage	8 square feet
Project Identity / Monument Sign Listing	One (1) single-faced listing only at the discretion of the developer. Sign area is limited and not available to all tenants. See Signage & Graphics document sheet #6.0 for complete requirements.	32 square feet
- Small retail tenants with less than 25 linear feet of frontage shall be permitted a sign area allowance of 25 square feet of Primary Identification Signage per frontage and 25 square feet of total Secondary Identification Signage. - Sign area is defined as the area within regular geometric shapes enclosing the limits of lettering, emblems, or other figures on a sign, together with any material or color forming an integral part of the display or used to differentiate the sign from the background on which it is placed except as noted in Section 3.1 for tenants in corner locations along Market Street. Structural members bearing no sign copy shall not be included in its surface area.		

Allowable Sign Type Quantities:

PRIMARY IDENTIFICATION SIGNAGE

Sign Types in this category include:

- Sign Type A—Fascia Wall Sign
- Sign Type B—Marquee/Canopy Sign
- Sign Type C—Feature Sign
- Sign Type D1—Awning Sign

Tenants with frontage on one principal street shall be allowed to have two (2) of the above Primary Identification Signs. Tenants in corner locations or with frontage on two principal streets may be permitted to have one (1) additional Primary Identification Sign. Tenants in any location serving food and/or drinks may be allowed to have three (3) of the above Primary Identification Signs.

SECONDARY IDENTIFICATION SIGNAGE

All Tenants shall be allowed to use any three (3) of the following Secondary Identification Sign types:

- Sign Type D2—Awning Sign
- Sign Type E—Projecting Blade Sign
- Sign Type F—Plaque Sign
- Sign Type G—Window/Door Sign
- Sign Type H—Changeable Sign

Note: Tenants eligible for additional signage due to a corner location, frontage on two primary streets or multiple frontages must allocate their additional signage in proportion to the linear frontage of each facade and/or in accordance to the particular facade's importance (customer entrances, storefronts and parking fields).

TENANT CALCULATION OF ALLOWABLE SIGN AREA

RETAIL TENANTS OF 10,000 SQUARE FEET OR GREATER LEASABLE AREA

Total maximum allowable signage per tenant of 10,000 square feet or greater leasable area is not to exceed 1.0 square feet per lineal foot of tenant frontage for Primary Identification Signage and .3 square feet per lineal foot of tenant frontage for Secondary Identification Signage. Maximum letter/logo height allowed is as outlined on the chart in Section 1.3 unless otherwise approved.

Sign Type - Description	Formula for Determining Sign Area/Quantity	Max. Allowable Individual Sign Area *
PRIMARY IDENTIFICATION SIGNAGE		
Type A - Fascia Sign	N/A	400 square feet
Type B - Canopy Sign	N/A	250 square feet
Type C - Feature Sign	N/A	250 square feet
Type D1 - Awning Sign (Primary ID)	N/A	250 square feet
SECONDARY IDENTIFICATION SIGNAGE		
Type D2 - Awning Sign (Secondary ID)	Sign area is not to exceed 25% of the surface area of each awning valance to which graphics will be applied; letters and logos on valance not to exceed 8" in height	20 square feet per awning; NOTE: All tenant awnings are permitted to display graphics within the total maximum allowable sign area.
Type E - Projecting Blade Sign	Two (2) blade sign maximum per tenant frontage	10 square feet (only one side is included in area calculations)
Type F - Plaque Sign	One (1) plaque per public entry	5 square feet
Type G - Window/Door Sign	Sign area is not to exceed 15% of the glazing area to which the signage is applied	16 square feet per structural bay; NOTE: All tenant windows are permitted to display graphics within the total max. allowable sign area
Type H - Changeable Sign		
a. Shadow Boxes	One (1) shadow box per public entry	6 square feet
b. Banners	One (1) banner per structural bldg. bay	50 square feet
c. Flags	One (1) corporate flag per business premises	24 square feet
d. Display Stands/Easels	One (1) per street frontage	8 square feet
Type I - Suspended Sign	Four (4) signs per exterior frontage	35 square feet
Project Identity / Monument Sign	One (1) sign per entry	32 square feet per face
* Sign area is defined as the area within regular geometric shapes enclosing the limits of lettering, emblems, or other figures on a sign, together with any material or color forming an integral part of the display or used to differentiate the sign from the background on which it is placed. Structural members bearing no sign copy shall not be included in its surface area.		

Allowable Sign Type Quantities:**PRIMARY IDENTIFICATION SIGNAGE**

Sign Types in this category include:

- Sign Type A—Fascia Wall Sign
- Sign Type B—Marquee/Canopy Sign
- Sign Type C—Feature Sign
- Sign Type D1—Awning Sign

All tenants shall be allowed to have two (2) Primary Identification Signs. Tenants in corner locations or with frontage on two principal streets may be permitted to have one (1) additional Primary Identification Sign.

SECONDARY IDENTIFICATION SIGNAGE

All Tenants shall be allowed to use any three (3) of the following Secondary Identification Sign types:

- Sign Type D2—Awning Sign
- Sign Type E—Projecting Blade Sign
- Sign Type F—Plaque Sign
- Sign Type G—Window/Door Sign
- Sign Type H—Suspended Sign
- Sign Type I—Changeable Sign

Note: Tenants eligible for additional signage due to a corner location, frontage on two primary streets or multiple frontages must allocate their additional signage in proportion to the linear frontage of each facade and/or in accordance to the particular facade's importance (customer entrances, storefronts and parking fields).

TENANT CALCULATION OF ALLOWABLE SIGN AREA

COMMERCIAL/OFFICE TENANTS IN THE MIXED-USE DISTRICT ALONG WULFSOHN ROAD

Total maximum allowable signage per tenant for commercial and office tenants in the mixed-use district along Wulfsohn Road is not to exceed .75 square feet per lineal foot of tenant frontage for Primary Identification Signage and .5 square feet per lineal foot of tenant frontage for Secondary Identification Signage. Primary Identification Signage is not to exceed a total of 100 square feet. Secondary Identification Signage is not to exceed 60 square feet ¹ . Maximum letter/logo height allowed is as outlined on the chart in Section 1.3 unless otherwise approved.		
Sign Type - Description	Formula for Determining Sign Area / Quantity	Max. Allowable Individual Sign Area ²
PRIMARY IDENTIFICATION SIGNAGE		
Type A - Fascia Sign	N/A	75 square feet
Type B - Canopy Sign	N/A	75 square feet
Type C - Feature Sign	NOT PERMITTED FOR THIS TYPE OF TENANT	N/A
Type D1 - Awning Sign (Primary ID)	N/A	75 square feet
SECONDARY IDENTIFICATION SIGNAGE		
Type D2 - Awning Sign (Secondary ID)	Sign area is not to exceed 25% of the surface area of each awning valance to which graphics will be applied; letters and logos on valance not to exceed 8" in height	20 square feet per awning; NOTE: All tenant awnings are permitted to display graphics within the total maximum allowable sign area.
Type E - Projecting Blade Sign	One (1) blade sign maximum per tenant frontage	10 square feet (only one side is included in area calculations)
Type F - Plaque Sign	One (1) plaque per public entry	5 square feet
Type G - Window/Door Sign	Sign area is not to exceed 15% of the glazing area to which the signage is applied	16 square feet per structural bay; NOTE: All tenant windows are permitted to display graphics within the total max. allowable sign area
Type H - Changeable Sign		
a. Shadow Boxes	One (1) shadow box per public entry	6 square feet
b. Banners	NOT PERMITTED FOR THIS TYPE OF TENANT	N/A
c. Flags	One (1) corporate flag per business premises	24 square feet
d. Display Stands/Easels	NOT PERMITTED FOR THIS TYPE OF TENANT	N/A
- Commercial and office tenants with less than 50 linear feet of frontage shall be permitted a minimum sign area allowance of 35 square feet of Primary Identification Signage and 25 square feet of Secondary Identification Signage. - Sign area is defined as the area within regular geometric shapes enclosing the limits of lettering, emblems, or other figures on a sign, together with any material or color forming an integral part of the display or used to differentiate the sign from the background on which it is placed. Structural members bearing no sign copy shall not be included in its surface area.		

Allowable Sign Type Quantities:

PRIMARY IDENTIFICATION SIGNAGE

Sign Types in this category include:

- Sign Type A—Fascia Wall Sign
- Sign Type B—Marquee/Canopy Sign
- Sign Type C—Feature Sign
- Sign Type D1—Awning Sign

Tenants with frontage on one principal street shall be allowed to have one (1) of the above Primary Identification Signs. Tenants in corner locations or with frontage on two principal streets may be permitted to have one (1) additional Primary Identification Sign.

SECONDARY IDENTIFICATION SIGNAGE

All Tenants shall be allowed to use any two (2) of the following Secondary Identification Sign types:

- Sign Type D2—Awning Sign
- Sign Type E—Projecting Blade Sign
- Sign Type F—Plaque Sign
- Sign Type G—Window/Door Sign
- Sign Type I—Changeable Sign

Note: Tenants eligible for additional signage due to a corner location, frontage on two primary streets or multiple frontages must allocate their additional signage in proportion to the linear frontage of each facade and/or in accordance to the particular facade's importance (customer entrances, storefronts and parking fields).



Scale: 1/8" = 1'-0"

Bloemenhaus Florist

SIGN AREA ALLOWED

Leasable Area: 2,000 sf
 Frontage: 40 lf x (2) facades
 Max. Primary ID Sign Area = $1.0 \times 80 = 80$ sf
 Max. Secondary ID Area = $0.5 \times 80 = 40$ sf

SIGN AREA SHOWN

Canopy Sign: 32.5 sf
 Fascia Sign (opp. facade): 47.5 sf
Total Primary Sign Area: 60 sf
 Window Signs: $3.8 \text{ sf} \times 4 = 15.2$ sf
 Window Signs (opp. facade): $3.8 \text{ sf} \times 2 = 7.6$ sf
 Blade Sign: 10 sf
 Easel Sign: 3.2 sf
Total Secondary Sign Area: 36 sf

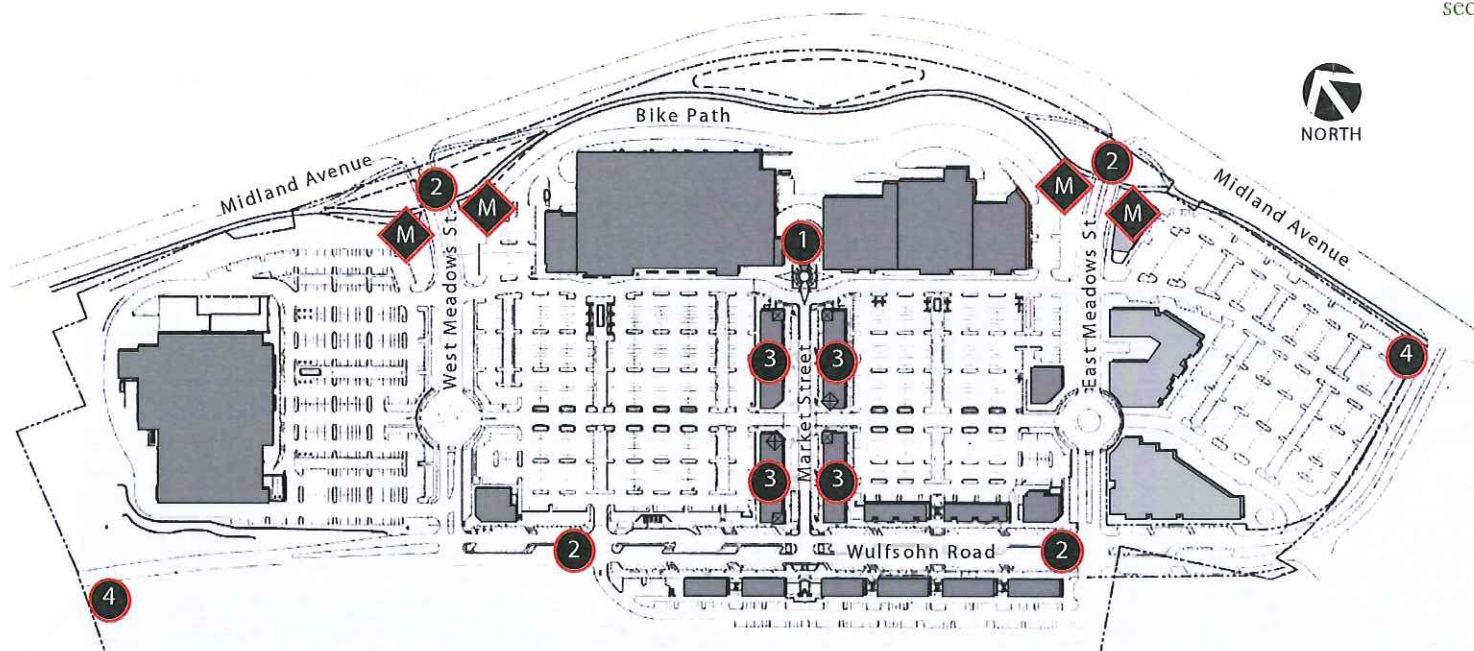
Tom's Cyclery

SIGN AREA ALLOWED

Leasable Area: 1,200 sf
 Frontage: 24 lf x 2 facades + 50 lf = 98 lf
 Max. Primary ID Sign Area = $1.0 \times 98 = 98$ sf
 Max. Secondary ID Area = $0.5 \times 98 = 49$ sf

SIGN AREA SHOWN

Fascia Sign: 37 sf
 Fascia Sign (opp. facade): 37 sf
 Fascia Sign (side facade): 24 sf
Total Primary Sign Area: 98 sf
 Blade Sign: 10 sf
 Awning Signs: $11.3 \text{ sf} \times 2 = 22.6$ sf
Total Secondary Sign Area: 32.6 sf



Project Identity Signs are to be designed and located so as to provide presence for the project along Midland Avenue, to provide visual cues for visitors at decision-making points, to reinforce the neighborhood quality of the project and to enhance the overall appearance of the project by adding an additional layer of detail and visual interest. There are five major types of Project Identity Signs:

1. Tower Identity: Mounted to the architectural tower element in the plaza this sign will consist of the project logo and logotype integrated with the architectural character of the tower. This sign may be internally illuminated.

2. Gateway Columns: Flanking either end of the Mixed-Use district of Glenwood Meadows and in the entry median at each of the Meadows Streets, the Gateway Pillars create a sense of arrival. These signs

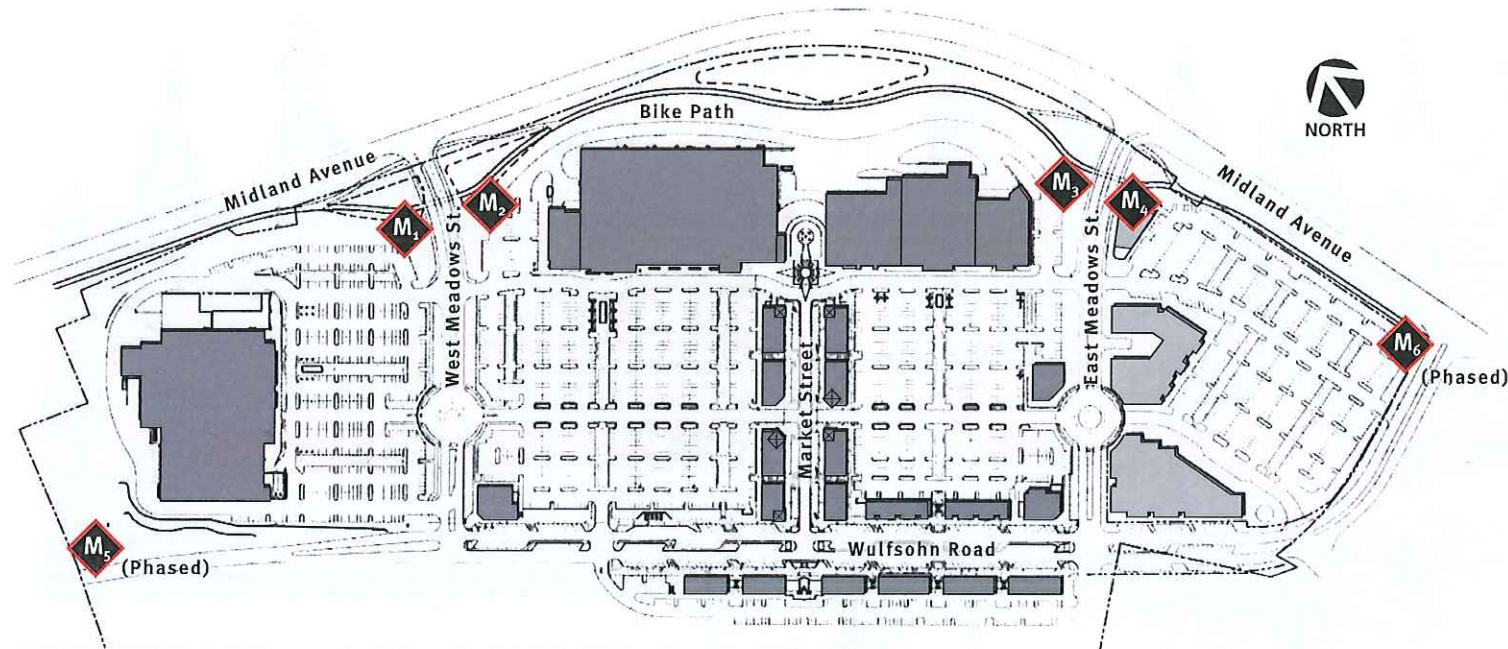
will be freestanding elements similar or complimentary to the architectural character of the project and will incorporate the project logo and logotype. These signs may be internally or externally illuminated.

3. Pedestrian Alleyway Canopy Signs: These signs are to be mounted to and integrated with the canopies covering the pedestrian alleyways between the parking fields and Market Street. They provide visual cues to visitors, directing them from their cars to the pedestrian oriented shopping district. In addition to the project logo and logotype, these signs may incorporate a Market Street identifier. These signs may be internally or externally illuminated.

4. Wulfsohn Road Monument Signs: These signs are smaller freestanding ground signs strongly related to the architecture or landscaping of the project. They provide for project identifiers at the secondary entries to the project along Wulfsohn Road.

M. Midland Avenue Project Identity / Monument Signs: Reference sections 6.2 through 6.4 for additional descriptions and details of these signs.

Note: This site plan indicates the approximate locations for the Project Identity Signs only. Additional signs that may contain the project logo or logotype, such as vehicular directional signs, pedestrian directional signs and directories, are not indicated on this plan.



PROJECT IDENTITY / MONUMENT SIGN

Flanking either side of the East and West Meadows Street entries, for a total of four locations, will be 5' to 8' high walls set against the hillside and integrated with the landscape. One wall at each entry shall be used for project identity, with the Glenwood Meadows sign standing on top of the wall. The faces of each of the four walls may be used for tenant identification. Tenant Identity signs of up to 32 square feet will be permitted at each site wall location. Monument sign availability shall be determined through negotiation with the Landlord.

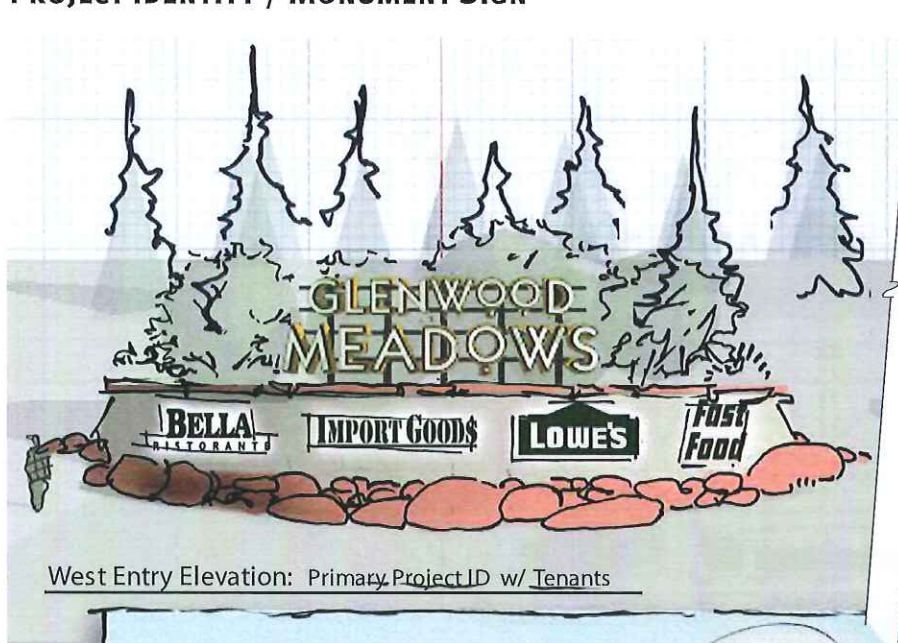
The tenant sign area of the Project Identity/Monument Signs shall be limited as follows:

1. **Tenants of 5,000 sf or Greater Leasable Area:** 32 square feet per sign face
2. **Tenants of Less Than 5,000 sf Leasable Area:** 32 square feet per sign face or divided between another tenant pending negotiation with the Landlord.

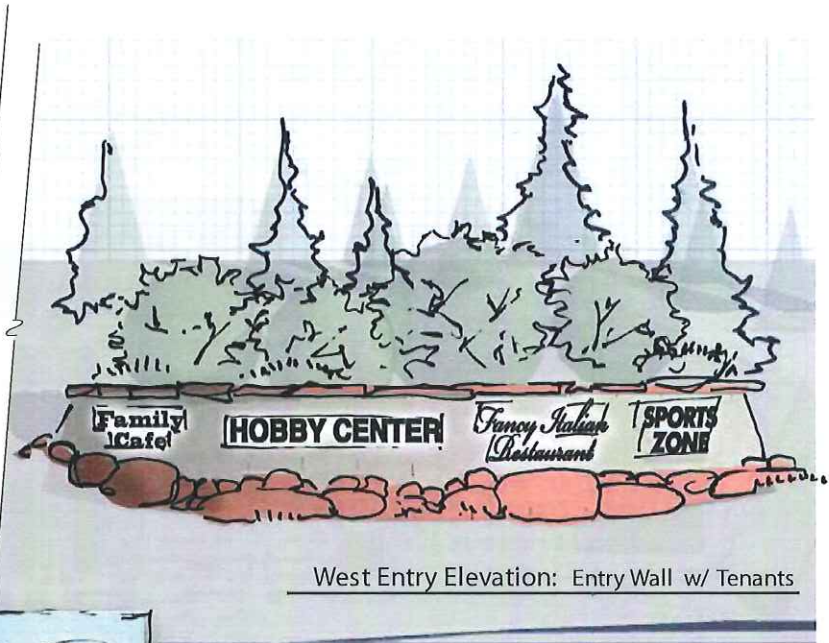
Two additional monument signs, one at each secondary entry, may be phased in at a later date. These signs would be of similar character and incorporate both the tenant and project identities.

Note: Refer to section 6.3 and 6.4 for additional information regarding this sign type.

PROJECT IDENTITY / MONUMENT SIGN



West Entry Elevation: Primary Project ID w/ Tenants



West Entry Elevation: Entry Wall w/ Tenants



West Entry Partial Perspective: Primary Project ID w/ Tenants

The walls of the Primary Project Identity Signs along Midland Avenue provide an opportunity for tenant identity signs. These signs shall be limited to a maximum area of 32 square feet each. Sign availability shall be determined through negotiation with the Landlord.

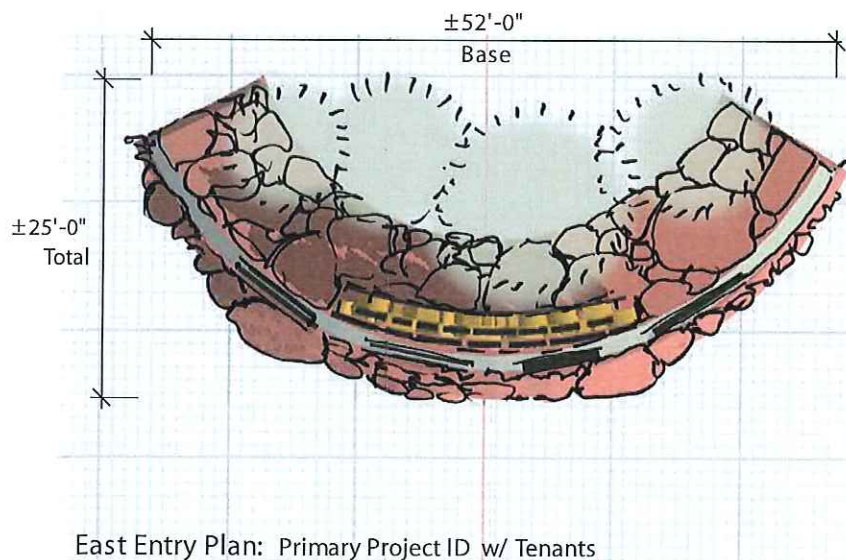
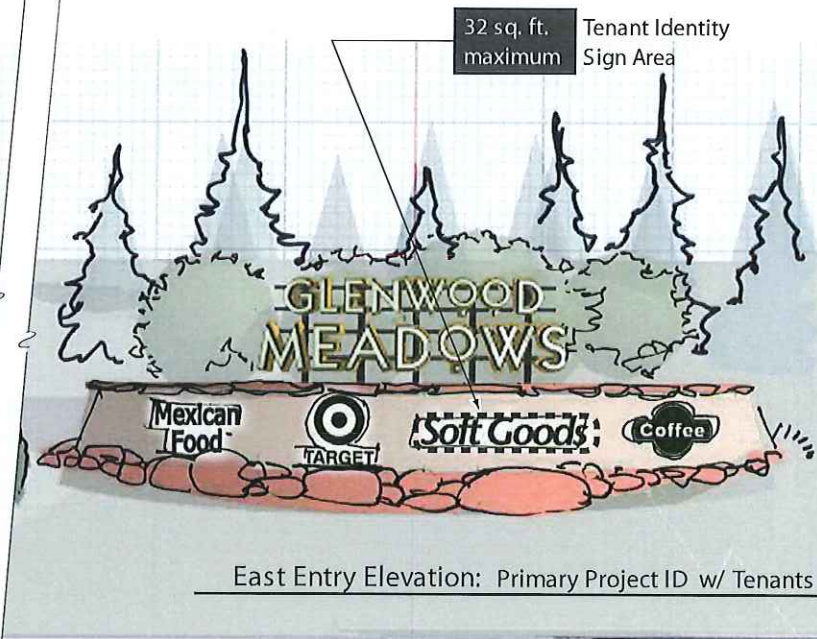
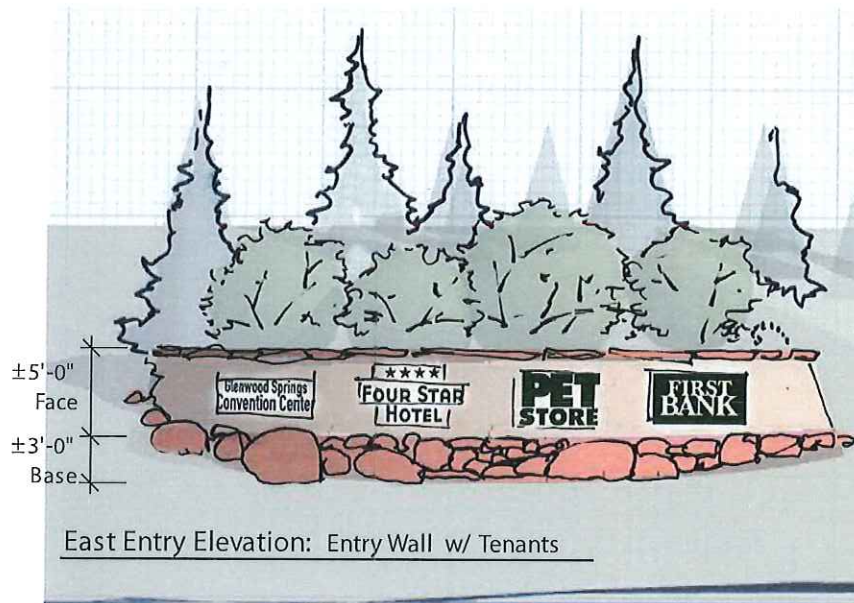
Tenant sign panels are to be fabricated of 3/8" plate aluminum and have a painted finish. Panels are to be pin-mounted 3" off the face of the wall and are externally illuminated by spotlight fixtures in the landscaping.

All Tenant signs are to be a single, consistent color. The color for the tenant signs is to be determined. (Tenant signs are shown as a match for the dark green of the project logo.)

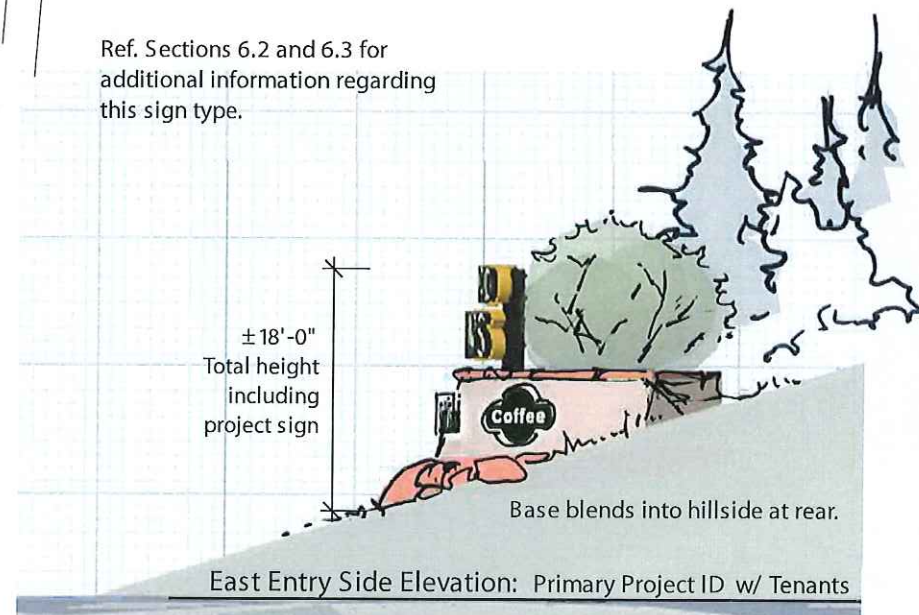
The entry wall will consist of a stucco-finished CMU back wall of a warm, light earth-tone color and a stacked indigenous stone base of various unit sizes.

Ref. Sections 6.2 and 6.4 for additional information regarding this sign type.

PROJECT IDENTITY / MONUMENT SIGN



Ref. Sections 6.2 and 6.3 for additional information regarding this sign type.



070.040.110 Signs.

(a) Purpose.

- (1) The City Council recognizes that signs are necessary means of visual communication for the public convenience and that uses and activities have the right to identify themselves by using signs that are accessory and incidental to the use on the property where the signs are located.
- (2) The purpose of this Section is to:
 - a. Minimize incompatibility between signs and their surroundings;
 - b. Recognize distinct geographic districts within the City that possess unique characteristics of physical location, building design, land use patterns, and pedestrian and vehicle circulation;
 - c. Provide for signs within reasonable limitations, consistent with the goals and objectives of the community, to retain the special character and economic advantages that rest largely on the quality of the community's appearance;
 - d. Protect the public from hazardous conditions by prohibiting signs that are structurally unsafe or obscure, distract the vision of motorists, or compete or conflict with necessary traffic signs and warning signals;
 - e. Eliminate hazards caused by the size and placement of signs and reduce the possibility of injuries to those coming near or under signs;
 - f. Promote the health, safety and public welfare of the City, its residents and its visitors;
 - g. Regulate signs in accordance with the City's policies and with the U.S. and Colorado Constitutions; and
 - h. Protect the right to free speech by the display of messages on signs through content-neutral regulations.

(b) Applicability.

- (1) All signs and support structures shall conform to the requirements of this Section and all other applicable provisions of this Code.
- (2) No sign shall be displayed, installed, constructed, altered, moved, or improved within the City limits until the City has issued a permit, unless the sign or sign activity is designated as not requiring a permit pursuant to Subsection 070.040.110(d).
- (3) All face changes, except those identified in Subsection 070.040.110(d)(1), require a permit.
- (4) Developments and/or properties with approved sign plans shall not be subject to these standards, except that the procedures for obtaining a sign permit shall apply.
- (5) All permanent signs within the areas previously subject to the Annexation and Development Agreement for Glenwood Meadows, LLC Annexation, which area is generally known as the "Glenwood Meadows," shall be subject to the Glenwood Meadows Master Sign Plan, incorporated here by reference.

(c) Savings and Severability.

- (1) Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

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- (2) If any clause, subsection, or other part of the application of this Section shall be held by any court of competent jurisdiction to be unconstitutional or invalid, it is the intent of the City that such clause, subsection, or other part of the application of this Section shall be considered eliminated and not affecting the validity of the remaining clauses, sections, or applications remaining in full force and effect.

(d) *Signs Not Requiring a Sign Permit.*

- (1) *Sign Activities Not Requiring a Permit.* The following sign activities shall not require a permit:
- The ordinary preventative maintenance of a lawfully existing sign that does not involve a change of placement, size, lighting, or height.
 - The repainting of a lawfully existing sign.
 - The changing of copy on marquees, reader boards, and similar changeable copy signs on permitted or existing legal nonconforming signs.
- (2) *Balloons.* Inflatable balloons shall not require a sign permit. Replica and/or synthetic balloons shall be considered a temporary sign and shall comply with the number, size, and location standards in Subsection 070.040.110(f)(4).
- (3) *Development Site Signs.* Development site signs shall be allowed without a sign permit subject to the following:
- Number Allowed.* One (1) sign along each lot line frontage on a street, not to exceed a total of two (2) signs per frontage.
 - Size.* Development site signs shall not exceed thirty-two (32) square feet per sign.
 - Location and Design.* Development site signs:
 - Shall not be located within ten (10) feet of any lot line unless attached to a development site barrier or fence; and
 - Shall not be illuminated.
 - Duration.* Development site signs may be erected and maintained for a period not to exceed thirty (30) days prior to commencement of development activities and shall be removed within fourteen (14) days of termination of development activities.
- (4) *Directional Signs.* Directional signs shall be allowed without a sign permit pursuant to the following:
- Shall not exceed four (4) signs per property, plus one (1) sign per entryway from a public right-of-way;
 - Shall not exceed four (4) square feet of sign area per face; and
 - Shall not exceed forty-two (42) inches in height.
- (5) *Feather Flags.* Feather flags shall be allowed without a sign permit pursuant to the following:
- Shall not be located in the public right-of-way;
 - Shall not be located in a sight distance triangle; and
 - Shall be limited to three (3) per street frontage per property.
- (6) *Flags.* Flags, not including feather flags, shall be allowed without a sign permit pursuant to the following:

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- a. Flags shall be affixed to a flagpole or affixed to a building;
 - b. The height of all flagpoles shall not exceed the allowed building height in the applicable zoning district; and
 - c. Flags shall not exceed forty (40) square feet.
- (7) *Gas Pump and External Vending Machine Signs.* Signs on gas pump islands and external vending machines shall be allowed without a sign permit provided the total signage on each gas pump island or external vending machine does not exceed sixteen (16) square feet.
- (8) *Historic Designation Signs.* Signs placed on an historic building identifying the structure as a local, state, or federal historic landmark shall be allowed without a sign permit pursuant to the following:
- a. Shall be affixed to the wall of the historic building or property; and
 - b. Shall not exceed six (6) square feet.
- (9) *Historic Signs.* Any sign designated as an historic landmark by the City Council shall be allowed without a sign permit pursuant to the following:
- a. *General.*
 - 1. Any sign designated as an historic landmark by the City Council pursuant to Article 070.050: Historic Preservation, shall be exempt from the nonconforming signs and dimensional standards of this Subsection.
 - 2. Historic signs will be debited against the total allowable signage for the building or use unless it is a ghost sign that does not pertain to the business or building upon which it exists.
 - b. *Historic Landmark Criteria.* Alterations to signs that are designated historic landmarks shall be reviewed for compliance with the criteria in Subsection 070.050.040(f).
 - c. *Ghost Signs.* Historic signs may include ghost signs.
 - d. *Attributes.* An historic sign may be restored to its original condition and location with the exception of animation and flashing components, which are prohibited.
- (10) *Holiday Decorations.* Holiday decorations shall be allowed without a sign permit provided such decorations comply with Section 070.040.100, Exterior Lighting.
- (11) *Home Occupation Signs.* Home occupation signs shall be allowed without a sign permit but shall not exceed one (1) sign per property and shall not exceed a maximum sign area of six (6) square feet.
- (12) *Incidental Vehicle Signs.* Signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer shall be allowed without a sign permit provided they are not placed on or affixed to vehicles or trailers that are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way.
- (13) *Information Signs.* Informational signs guiding persons to facilities intended to serve the public, provided as a courtesy to the public, and/or signs providing instruction to persons using a facility or property shall be allowed without a sign permit provided such signs do not exceed three (3) square feet.
- (14) *Integral Signs.* Any inscription carved into stone or similar material that is integral to a building, such as those commonly found on cornerstones, stamped into sidewalks, or identified by plaques or tablets, shall be allowed without a sign permit pursuant to the following:

-
- a. Shall not exceed four (4) square feet; and
 - b. Shall not exceed six (6) feet in height.
- (15) *Interior Signs.* Signs located entirely within the interior of a building shall be allowed without a sign permit pursuant to the following:
- a. Shall not cover more than thirty (30) percent or eight (8) square feet, whichever is greater, of any window panel;
 - b. Shall not be permanently affixed to any window surface; and
 - c. Shall not contain flashing lights visible from a public street.
- (16) *Nonvisible Signs.* Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public right-of-way shall be allowed without a sign permit. The Director shall determine whether such sign is visible from a public right-of-way.
- (17) *Public Signs.* Signs required or installed by or on behalf of the local and/or state government, or signs erected or required by other government agencies, utilities, or special districts, including address signs, signs for traffic, schools, safety, railroad crossing, wayfinding, historic interpretation signs, civic and special events, seasonal banners, public notices, and other official and legal notices, are exempt from the standards and permit requirements specified in this Section. Public signs shall be consistent with design standards in this Section to the extent practicable, and shall not include any signs prohibited pursuant to Subsection 070.040.110(e).
- (18) *Temporary Off-Premises Directional Signs.* Temporary off-premises directional signs shall be allowed without a permit pursuant to the following:
- a. Shall not exceed twenty-four (24) square feet of total temporary off-premises directional signage on any property;
 - b. Shall not exceed a height of forty-two (42) inches;
 - c. May be located within the public right-of-way provided such signs:
 - 1. Are not displayed for more than one (1) week before an event or more than one (1) week after an event;
 - 2. Are located within a planting strip when such planting strip exists;
 - 3. Do not obstruct any portion of a sidewalk or walkway;
 - 4. Are not located within a sight distance triangle; and
 - 5. Are not located in a median, roundabout, or any travel lane of any street or thoroughfare.
- (19) *Wind Signs.* Wind signs shall be allowed without a sign permit provided they are not animated or otherwise powered by any source other than the wind.
- ~~(20) *Window Signs.* Signs displayed in or upon a window. Such displays shall not contain flashing lights visible from a public street.~~
- (21) *Yard Signs.*
- a. Yard signs are allowed without a sign permit pursuant to the following:
 - 1. *In Residential Zoning Districts.*
 - i. Shall not exceed more than four (4) signs per property at any one (1) time;

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- ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;
 - iii. Shall not exceed a height of forty-two (42) inches;
 - iv. Shall not be located in the public right-of-way;
 - v. Shall be located at least five (5) feet from any property line; and
 - vi. Shall not be displayed for a period of more than ninety (90) days per calendar year.

2. *In All Other Zoning Districts.*

- i. Shall not exceed more than four (4) signs per property at any one (1) time;
- ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;
- iii. Shall not exceed a height of six (6) feet, or forty-two (42) inches if placed within a sight distance triangle;
- iv. Shall not be located in the public right-of-way; and
- v. Shall not be displayed for a period of more than ninety (90) days per calendar year.

(e) *Prohibited Signs.* The following signs are expressly prohibited within all districts unless otherwise stated in this Section:

(1) *Distracting or Unsafe Signs.* Any sign that:

- a. Is structurally unsafe or constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
- b. Is capable of causing electrical shocks to persons likely to come into contact with it;
- c. In any way obstructs the view of, or may be confused with an official traffic sign, signal or device or any other official government regulatory or informational sign;
- d. Uses any words, phrases, symbols, or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle or creates, in any other way, an unsafe distraction for vehicle operators, bicyclists, or pedestrians, except as provided in Subsection 070.040.110(d)(2), Balloons.
- e. Obstructs the view of vehicle operators, bicyclists, or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley, or other thoroughfare;
- f. Is located or painted on trees, rocks, retaining walls, fences, light poles, utility poles, or natural features, except where required by law or allowed by this Code;
- g. Causes any direct glare into or upon any public right-of-way, adjacent lot, or building other than the building to which the sign may be accessory;
- h. Create optical illusion of movement by means of a design that presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy; or
- i. Obstructs any window or door opening used as a means of egress, prevents free passage from one (1) part of a roof to any other part, interferes with an opening required for legal ventilation, or is attached to or obstructs any standpipe, stairway, ladder, fire escape, or fire hydrant.

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- (2) *Abandoned Signs or Sign Structures.* Any sign or sign structure on a property that is vacant, unoccupied, or where the use has been discontinued for a period of three (3) months or more, or any sign or sign structure that pertains to an event or purpose that no longer applies, shall be deemed abandoned.
 - (3) *Animated or Moving Signs.* Signs with visible moving, revolving, or rotating parts (including "air dancer" or "tube man" signs); or visible mechanical movement of any description or other apparent visible movement achieved by electronic or mechanical means, including automatic electronically controlled copy changes, except for holiday decorations pursuant to Subsection 070.040.110(d)(10), time-temperature-date signs, and rotating cylinder signs.
 - (4) *Banners and Inflatable Signs.* Except as temporary signs pursuant to Subsection 070.040.110(f).
 - (5) *Beacons and Search Lights.* Other than for emergency purposes or by permission of the Director.
 - (6) *Electronic Message Signs.* Except freestanding electronic signs as authorized in Table 040.12.
 - (7) *Flashing Signs.* Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations, with the exception of holiday decorations pursuant to Subsection 070.040.110(d)(10).
 - (8) *Obscene or Illegal Activity Signs.* Signs containing statements, words, or pictures of an obscene, indecent, or immoral character, such as will offend public morals or decency or that includes messages of illegal activity in accordance with state or local laws.
 - (9) *Off-Premises Signs.* Except for temporary off-premises directional signs pursuant to Subsection 070.040.110(d)(17) or otherwise approved through an off-premises sign permit pursuant to Subsection 070.040.110(k)(2).
 - (10) *Portable Signs.* Portable signs, except as authorized in Table 040.13: Summary of Permanent Sign Standards.
 - (11) *Signs in Public Right-Of-Way.* Any sign placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street, right-of-way, property, or thoroughfare, shall be prohibited unless authorized by the City Council or the City Manager. Authorized signs in the public right-of-way shall comply with Subsection 070.040.110(g)(5).
 - (12) *Signs on Parked Vehicles.* Signs placed on or affixed to vehicles and/or trailers that are parked on a public right-of-way, or parked on a private property so as to be visible from a public right-of-way.
 - (13) *Signs with Auditory Messages.* Signs with auditory messages except those related to public safety or otherwise allowed in Subsection 070.040.110(d) or Subsection 070.040.110(h)(4).
 - (14) *Signs with Projected Copy.* Such as motion pictures, film slides, holographs, or other similar images.
 - (15) *Unlawful Signs.* Any sign unlawfully erected or maintained.
- (f) *Temporary Sign Standards.* Temporary signs may be allowed pursuant to the following:
- (1) *Applicability.*
 - a. These standards apply to non-permanent signs and other signs with limited duration unless otherwise stated in this Section.
 - b. These standards shall not apply to temporary public signs.
 - (2) *Generally.*
 - a. Temporary signs shall not be displayed for more than forty-five (45) days prior to the start of an event or more than fifteen (15) days after the conclusion of an event;

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- b. Temporary signs shall be limited to three (3) times per calendar year per property for single-tenant properties and three (3) times per calendar year per tenant for multi-tenant properties.
- (3) *Banners.*
- a. *Number and Size.*
 - 1. Only one (1) temporary banner is allowed per use.
 - 2. Temporary banners shall not exceed thirty-six (36) square feet.
 - b. *Location.*
 - 1. Temporary banners may be attached or freestanding. When freestanding, temporary banners shall be located at least ten (10) feet from any property line.
 - 2. Temporary banners shall not be located above the roofline of any building.
 - 3. Temporary banners shall not exceed forty-two (42) inches in height when located within a sight distance triangle.
- (4) *Inflatable Signs.*
- a. *Number and Size.*
 - 1. Only one (1) inflatable sign is allowed per property.
 - 2. Inflatable signs shall not exceed two hundred (200) square feet.
 - 3. Inflatable signs shall not exceed twenty (20) feet in height.
 - b. *Location.*
 - 1. Inflatable signs may be attached or freestanding, but shall be located at least ten (10) feet from any property line.
 - 2. Inflatable signs shall not be located above the roof line of any building.
- (g) *General Sign Regulations.*
- (1) *Sign Area Measurement.*
- a. *Single-Faced Signs.* Sign area shall be determined by calculating the area inside the outer limits of a sign. The sign area includes the area of the smallest geometric figures having eight (8) or fewer segments that encompass the face of the sign, including copy, border, and nonstructural trim.

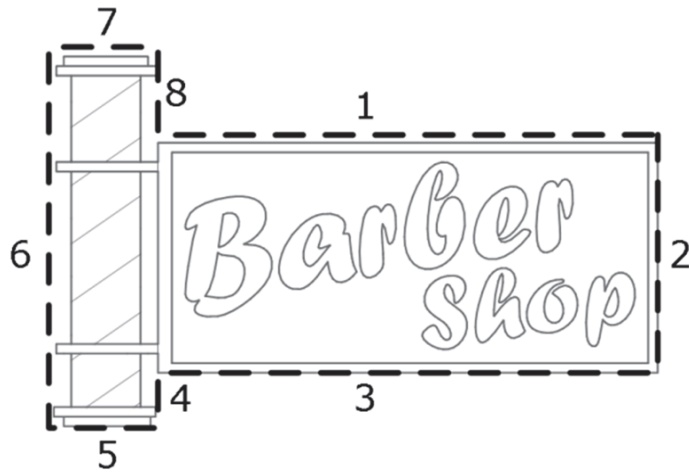


Figure 040-31: Sign Area Measurement

- b. *Double-Faced Signs.* Signs other than wall signs may be back-to-back with two (2) sign faces, and each face may have an area not to exceed the maximum stated for each respective sign type.
- c. *Three-Dimensional Signs.* Three-dimensional figures shall be calculated on the largest possible silhouette cross-section encompassed by the smallest plane geometric figure having eight (8) or fewer segments. (Figure 040-32)

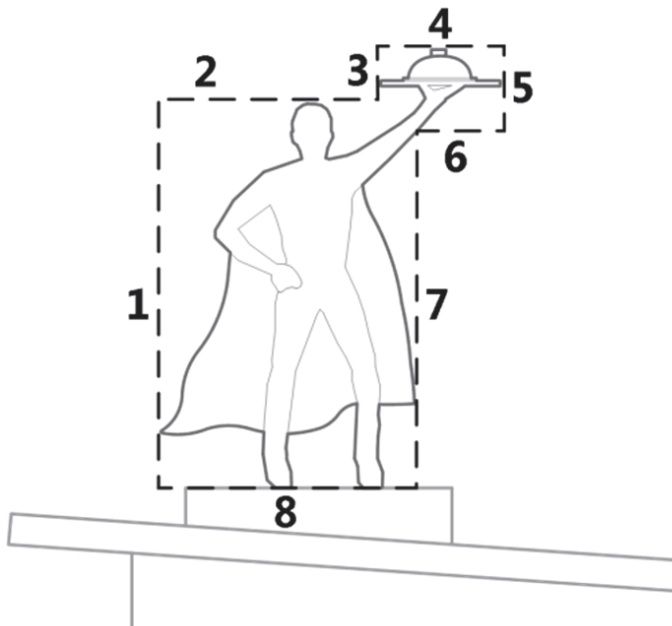


Figure 040-32: Three-Dimensional Sign Area

d. Areas subject to the Glenwood Meadows Master Sign Plan shall use the sign area measurement methodologies contained therein to calculate sign area.

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- (2) *Sign Height Measurement.* Sign height shall be determined by calculating the vertical distance between the lowest elevation of the ground abutting the sign and level of the highest point of the sign.
- (3) *Materials and Safety.*
- a. *Materials.*
 - 1. Permanent signs shall be constructed of durable materials and installed to comply with applicable City codes. Permanent signs shall not be made of paper, cloth, canvas (except for awning/canopy/marquee signs), cardboard, wallboard, or other similar nondurable materials.
 - 2. No sign shall be erected or painted upon utility poles, light poles, retaining walls, fences, rocks, trees, or natural features except where expressly allowed by this Code.
 - b. *Overhangs.* The lowest point of a sign that extends over an area intended for pedestrian use shall be at least eight (8) feet above the finished grade below it. The lowest point of a sign that extends over an area intended for vehicular use shall be at least fourteen (14) feet above the finished grade below it.
 - c. *Sight Distance Triangles.* No sign shall obstruct the view in any direction at the intersection of a street or with an alley or driveway.
- (4) *Illumination.*
- a. *Generally.* Illuminated signs are allowed pursuant to the following:
 - 1. Illumination sources are shielded so as not to shine onto surrounding areas.
 - 2. Illumination on the surface of an illuminated sign, measured at the brightest point ten (10) feet from the surface of the sign, shall not exceed five (5) foot-candles.
 - 3. No illumination source shall create a traffic hazard or distraction to operators of motor vehicles on public streets.
 - 4. Illuminated signs shall be prohibited in residential zoning districts.
 - 5. Any illuminated sign visible from and located within three hundred (300) feet of any lot in a residential zoning district shall be turned off no later than 10:00 p.m., or one (1) hour after the close of business, whichever is later.
 - 6. Pole signs adjacent to Highways 6 and 82 shall not illuminate any sign face directed away from Highways 6 and 82.
 - b. *Externally Illuminated Signs.* To the maximum extent practicable, fixtures used to illuminate signs shall be top-mounted and directed downward onto the sign surface and the light source shall not be directly visible from adjacent properties or the public right-of-way.
 - c. *Internally Illuminated Signs.*
 - 1. For internally illuminated signs, dark background colors with light lettering shall be used.
 - 2. For internally illuminated awning/canopy/marquee signs, such illumination shall not exceed five (5) foot-candles when measured six (6) inches from the awning/canopy/marquee.
 - 3. ~~Internally illuminated awning/canopy/marquee signs shall be prohibited in the Downtown Core.~~

~~d. — *Electronic Message Signs.* Illumination of electronic message signs shall comply with Subsection 070.040.110(h)(3)b., *Electronic Message Signs.*~~

(5) *Projection Within or Above Public Right-of-Way.* Any sign projecting within or above the public right-of-way shall obtain a right-of-way encroachment license pursuant to Subsection 070.060.050(f)(3).

~~(6) *Illuminated signs in areas subject to the Glenwood Meadows Master Sign Plan shall be allowed pursuant to the Glenwood Meadows Master Sign Plan, provided, however, that such signage shall be subject to all other Municipal Code standards, including but not limited to illumination standards.*~~

(h) *Specific Sign Type Standards.*

(1) *Signs for Secondary Entrances or Entrances on an Alley.*

- a. Buildings or businesses with a secondary public entrance on an alley or public walkway shall be allowed an additional attached sign at such secondary entrance at a rate of one-fifth ($\frac{1}{5}$) of a square foot of sign area per linear foot of building frontage. The allowance for such secondary signs is per building, not per tenant.
- b. Buildings that front and have sole access on an alley shall be allowed a total sign area equal to that allowed for a similar sign on a building frontage pursuant to Table 04.13.

(2) *Attached Signs.*

- a. *Wall Signs.* Wall signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Wall signs shall comply with the following additional standards:
 1. Shall be designed to be consistent and compatible with the building to which the signs are attached, including proportional scale and compatible design, materials, and color.
 2. Shall be located on the side of a building that abuts a street, parking area, or other area open to the general public and that has a public entrance to the building.
- b. *Projecting Signs.* Projecting signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Signs projecting over public property shall not project more than five (5) feet from the face of the building.
- c. *Roof Signs.* Roof signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards.
- d. *Awning/Canopy/Marquee Signs.* Awning, canopy, and marquee signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Signs displayed on canopies, awnings, and marquees that are located more than twelve (12) inches away from the building façade shall comply with the following additional standards:
 1. Signs shall not project above or below the face of the canopy, awning, or marquee, except for suspended signs and individual letters or other content on top of a marquee sign.
 2. Sign content shall not project more than twelve (12) inches from a canopy or marquee that such sign is attached to.
 3. Signs on awnings shall not project beyond the surface of the awning.
- e. *Suspended Signs.* Suspended signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Suspended signs hanging from the underside of an awning, canopy, or marquee shall not extend beyond the edge of such structure.
- f. *Changeable Copy Signs.* Changeable copy signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Changeable copy signs that project from the façade of

the building by more than fifteen (15) inches shall be considered projecting signs and shall comply with the standards for such in Table 040.12: Summary of Permanent Sign Standards, and Subsection 070.040.110(h)(2)b.

(3) *Freestanding Signs.*

- a. *Freestanding Signs, Generally.* Freestanding signs, except portable signs, are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Freestanding signs shall comply with the following additional standards:
 - 1. Shall be designed to be consistent and compatible with the building to which the signs are attached, including proportional scale and compatible design, materials, and color.
 - 2. Shall be placed within a landscaped area equal in size to the area of the sign face or shall be located within an improved area clearly oriented toward pedestrians such as a seating, dining, or landscaped entry area.
 - b. *Monument Signs.* Monument signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. The monument sign base on which the sign is attached shall not exceed fifty (50) percent of total sign area.
 - c. *Pole Signs.*
 - 1. Pole signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards. Sign copy on a pole sign shall be contained within a single border; except that one (1) accessory reader board within a sign border may be separate provided the reader board contains less than fifty (50) percent of the allowable sign area. The bottom of the sign area shall be no less than eight (8) feet above the average elevation of the ground, except within the sight triangle.
 - 2. Pole signs shall incorporate a single pole as support.
 - 3. Pole signs shall be placed within a landscaped area equal in size to the area of the sign face or, with the approval of the Director, shall be located within an improved area clearly oriented toward pedestrians such as a seating, dining, or landscaped entry area. For purposes of this Subsection only, landscaped area shall mean an area designed, constructed, and maintained to include natural materials such as live plant materials and wood, stone, or earth.
 - d. *Portable Signs.* Portable signs are allowed as indicated in Table 040.12: Summary of Permanent Sign Standards.
- (4) *Drive-Through Facility Signs.* Drive-through signs are allowed as indicated in Table 040.13: Summary of Permanent Sign Standards. Drive-through facility signs shall:
- a. Be limited to one (1) face per sign; and
 - b. Shall be of a similar design using similar colors and materials as other freestanding signs associated with the use.

(5) Specific sign types identified in the Glenwood Meadows Master Sign Plan shall be subject to the specific sign type standards identified therein.

(i) *Summary of Permanent Sign Standards.*

- (1) *Applicability.* This Subsection establishes the allowed permanent sign types. Permanent signs shall also comply with other standards within this Section, and other applicable federal, state, and local standards.

(2) *Summary of Permanent Sign Standards Table.*

- a. Signs shall only be allowed in the areas designated in Table 040.12: Summary of Permanent Sign Standards.
- b. Sign districts identified in Table 040.12 are described in Subsection 070.040.110(j).
- c. All signs shall comply with Subsection 070.020.200(c)(5), Sight Distance Triangle Requirement.

Table 040.12: Summary of Permanent Sign Standards					
Sign Type	Where Allowed	Number of Signs, Maximum	Sign Area, Maximum	Sign Height, Maximum	Sign Location
Attached Signs					
Wall	Residential applications in all sign districts	One per building	One square foot per linear foot of building frontage	Top of wall	
	Mixed-use and nonresidential applications in all sign districts	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant: one wall, projecting, or roof sign per tenant or use of a building	Total sign area shall not exceed the greater of 25 square feet or: Single-tenant: one square foot per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage; no individual sign shall exceed one square foot per linear foot of the largest building frontage for	Top of wall	Wall signs may be located on walls or parapets See additional standards for properties in Downtown Core: Subsection 070.040.110(j)(3)

			an individual tenant		
Projecting	Mixed-use and nonresidential applications in all sign districts	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant: one wall, projecting, or roof sign per tenant or use of a building	Total sign area shall not exceed the greater of 25 square feet or: Single-tenant: one square foot per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage; no individual sign shall exceed one square foot per linear foot of the largest building frontage for an individual tenant	Minimum clearance of eight feet above a sidewalk and 14 feet above an alley; shall not extend above the roof line of a building (except for designated historic signs)	
Roof	Downtown - south sign district	Single-tenant: Two total wall, projecting, or roof signs; one per building frontage Multi-tenant: one wall, projecting, or	Total sign area shall not exceed the greater of 25 square feet or: Single-tenant: one square foot	Shall not exceed the allowed building height for the applicable zoning district	Shall not project into a required yard

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		roof sign per tenant or use of a building	per linear foot of building frontage Multi-tenant: Two square feet per linear foot of building frontage		
Awning, canopy, or marquee	Mixed-use and nonresidential applications in all sign districts	One per awning or canopy per street frontage; one marquee sign per property	Shall not exceed 30 percent of the width of the projection multiplied by the vertical height of the projection. <i>(Example: a 10-foot wide by three-foot tall awning [30 sf] could have a maximum sign area of nine square feet);</i> letter height shall not exceed one foot.	Shall maintain a minimum clearance of eight feet above a sidewalk and 14 feet above an area intended for vehicular use	Sign content is allowed to extend above a canopy or marquee (but not an awning) pursuant to Subsection 070.040.110 (h)(2)d.
Suspended	Mixed-use and nonresidential applications in all sign districts	One per building entrance; maximum one per tenant	Four square feet	Shall maintain a minimum clearance of eight feet above a sidewalk and 14 feet	Shall not project beyond the limits of the awning, marquee, or canopy to which they are attached; shall be separated from

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				above an area intended for vehicular use	other suspended signs by 12 feet
Freestanding Signs					
Freestanding monument	All residential uses excluding single-family detached dwelling, two-family dwelling, and accessory dwelling unit uses	One freestanding sign per street frontage, up to a total of two signs per subdivision or development access	64 square feet	Four feet	Setback five feet from property lines
	Mixed-use and nonresidential applications in all sign districts	One (1) freestanding monument sign per street frontage per property	Hwy 6 and 82 sign districts: 200 square feet Downtown districts: 64 square feet Others: 120 square feet	Six feet	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet
Freestanding pole	Mixed-use and nonresidential applications in the Midtown, West Sixth Street, West Highway 6, South Highway 82, and Red Mountain Districts	One freestanding pole sign per street frontage per property	Hwy 6 and 82 sign districts: 200 square feet Others: 120 square feet	Hwy 6 and 82 sign districts: 20 feet Others: 16 feet The bottom of the sign area shall be at least eight feet above the ground elevation.	Setback a minimum of ten feet from back of curb or back of pavement; shall be separated from other permanent detached signs by at least 25 feet
Freestanding changeable copy	<i>Only allowed as accessory part of a pole or monument sign</i>		Shall not exceed 50 percent of	<i>See applicable standards for pole or monument sign</i>	

			allowable sign area		
Portable	All sign districts	One per tenant with street frontage See additional standards for properties in Downtown Core 070.040.110(j)(3).	Eight square feet	Four feet	Shall maintain five feet sidewalk clearance; shall be located directly in front of tenant space and not off-premises; shall be separated from other portable signs by 15 feet. Signs shall not be affixed to street lights, traffic poles, sign posts, or other site or landscape features. See additional standards for properties in Downtown Core 070.040.110(j)(3).
Other Sign Types					
Transit stop sign	<i>Shall be designed as part of the shelter and/or bench design</i>				
Drive-through facility sign	Wherever drive-through uses are allowed, pursuant to Table 030.1	Two additional freestanding signs	48 square feet each	Six feet	Shall be located adjacent to drive-through lane(s); shall not be located within 50 feet of a residential zoning district
Historic signs	<i>See Subsection 070.040.110(d)(9)</i>				

- (3) *Nonresidential Uses in Residential Zone Districts.* Except for nonresidential uses in the RT-Residential Transitional zoning district, nonresidential uses shall be allowed signage subject to the requirements of a. through d. below. Home occupation signs shall not be considered nonresidential uses for purposes of this Subsection.

a. *Number, Maximum.* One (1) attached or one (1) freestanding sign shall be allowed.

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- b. *Sign Area, Maximum.* Ten (10) square feet.
 - c. *Sign Height, Maximum.* Forty-two (42) inches.
 - d. *Sign Location.* Detached signs shall observe a minimum five-foot setback from any property line.

(4) Permanent signs in areas subject to the Glenwood Meadows Master Sign Plan shall not be subject to Table 040.12 and instead shall be subject to the provisions of the Glenwood Meadows Master Sign Plan.

(j) *Sign District Standards.*

(1) *Purpose and Intent.* This Subsection recognizes seven (7) geographic districts within the City with unique characteristics based on physical location, building design, pedestrian and vehicle circulation, and land uses. The intent of this Subsection and district identification is to ensure the appropriate number and design of signs that are compatible with the characteristics of each sign district.

(2) *Sign Districts.*

a. *Downtown—South.*

- 1. *Location.* This district includes property located between the Colorado River (on the north) and Fourteenth Street (on the south) along Grand Avenue and, to a lesser degree, between the Roaring Fork River (on the west) and Blake Street (on the east) within the Original Town Site.
- 2. *Building Types.* The predominant building type in this district consists of single- and multi-tenant occupancy, historic storefront-type buildings abutting directly on the sidewalks of Grand, Colorado and Cooper Avenues and Seventh, Eighth and Ninth Streets. Buildings, often multi-tenant, on single lots of twenty-five-foot width are typical. Building heights vary from one (1) to three (3) stories.
- 3. *Land Use.* Street-level use is dominated by hospitality retail and eating and drinking establishments. Professional services and residential uses occupy upper floors. This district also includes buildings occupied by government administrative offices and services. Primary user orientation is to the pedestrian with secondary orientation to vehicular traffic.
- 4. *Other Characteristics.* Vehicle speeds throughout this district are less than twenty-five (25) miles per hour.

b. *Downtown—North.*

- 1. *Location.* This district includes property located along Sixth Street from the east side of Laurel Street and the Laurel roundabout to its eastern terminus. The district is accessible from I-70 interchange 116; however, visibility from I-70 is limited. Portions of this district are the community's first point of contact for most visitors.
- 2. *Building Types.* The district is dominated by the historic Hotel Colorado and Hot Springs Pool. The district also includes a mix of single- and multi-story buildings of varying building heights.
- 3. *Land Use.* Street-level uses are primarily tourist-oriented retail and restaurants. Primary user orientation is to the pedestrian with a secondary orientation to vehicular traffic.
- 4. *Other Characteristics.* Vehicle speeds throughout this district generally are less than twenty-five (25) miles per hour. To the north of the Sixth Street commercial area is one (1) of the City's oldest residential neighborhoods.

c. *Midtown.*

1. *Location.* This district includes property located along and accessible from Grand Avenue between Fourteenth Street and Twenty-Third Street.
2. *Building Types.* Single-tenant, local retail buildings predominate in this district, with secondary multi-tenant, strip or two-story office buildings. Valley View Hospital, a multi-story, multi-building complex, is two (2) blocks east of Grand Avenue.
3. *Land Use.* In addition to the hospital and other health care-related services, this district also contains a mix of hospitality and restaurants, and regional and local retail uses. Primary user orientation is to vehicular and transit traffic with limited pedestrian attention.
4. *Other Characteristics.* Vehicle speeds throughout this district are twenty-five (25) to thirty-five (35) miles per hour.

d. *West Sixth Street.*

1. *Location.* This district includes property located along and accessible from Sixth Street, west of Laurel Street and the Laurel roundabout, to Devereux Road. Although this district is immediately accessible from Interstate 70 interchange 116, visibility from I-70 is limited. The eastern portion of this district is often the community's first point of contact for visitors.
2. *Building Types.* The district includes a mix of single- and multistory buildings with single- and multi-tenant occupancy. Building heights range from one (1) to three (3) stories.
3. *Land Use.* Primary street-level uses are auto-oriented tourist businesses including restaurants and a concentration of hotels and motels. Primary user orientation is vehicular traffic, with secondary pedestrian and transit users.
4. *Other Characteristics.* Vehicle speeds throughout the district are less than twenty-five (25) miles per hour.

e. *Highway 82—South.*

1. *Location.* This district includes property located south of Twenty-Third Street along the Highway 82 corridor.
2. *Building Types.* The character of development is predominantly single-story, single-tenant buildings, with some strip development. It is dominated by the Roaring Fork Market Place, a large multi-tenant, single-story retail development. Buildings in this district are generally single-story.
3. *Land Use.* This district contains a mix of local and regional retail uses, with limited hospitality uses. Primary user orientation is to vehicular and transit traffic, with very limited pedestrian attention.
4. *Other Characteristics.* Vehicle speeds of thirty-five (35) to forty-five (45) miles per hour and a proliferation of curb cuts contribute to the auto-oriented nature of businesses within this district.

f. *Highway 6—West.*

1. *Location.* This district includes commercially zoned property located north of the railroad right-of-way, west of Devereux Road. The district is immediately accessible from I-70 interchange 114; visibility from I-70 is very high.

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2. *Building Types.* The character of development in this district is primarily single-story, single-tenant uses, with some multi-tenant buildings, strip retail, auto dealerships, gasoline stations, fast food establishments, and single-and two-story motels.
 3. *Land Use.* Primary uses are regional retail and hospitality. Orientation is to vehicular and transit traffic, with limited pedestrian attention.
 4. *Other Characteristics.* Vehicle speeds throughout this district should be less than 40 miles per hour on Highway 6 and less than sixty-five (65) miles per hour on Interstate 70. Commercial uses are very visible from adjacent residential neighborhoods to the north. Length of strip development contributes to lack of definition within district.
- g. *Red Mountain.*
1. *Location.* This district includes property located south of the railroad right-of-way, generally west of the Devereux Road bridge. The district is accessible from I-70 interchange 114. Visibility from I-70 is high.
 2. *Building Types.* The character of development in this district is primarily single-story, single-tenant uses, strip retail, and multi-story hotels. This district is dominated by the Glenwood Meadows shopping area.
 3. *Land Use.* Orientation primarily is to vehicular traffic. Primary uses are retail, light industrial, and hospitality. The district includes the City's community center and a regional bus service maintenance facility and park-and-ride.
 4. *Other Characteristics.* The district is highly visible from West Glenwood and from the Oasis Creek and Highlands neighborhoods. Vehicle speeds throughout this district vary from twenty-five (25) to forty-five (45) miles per hour to sixty-five (65) miles per hour on Interstate 70.
5. Signs in Glenwood Meadows shall be subject to the Glenwood Meadows Master Sign Plan.

(3) *Additional Standards in the Downtown Core.*

- a. *General.*
 1. Signs shall be less prominent than the overall building composition; and
 2. Signs shall be in character with the material, color, and detail of the historic context of downtown Glenwood.
- b. *Materials.*
 1. Highly reflective materials shall not be used; and
 2. Unpainted wood and other unfinished materials shall not be used.
- c. *Illumination.*
 1. Internally-illuminated signs including freestanding electronic message signs are prohibited;
 2. Awnings and canopies shall not be illuminated;
 3. Non-flashing neon signs shall be allowed; and
 4. Marquees may be illuminated provided the lights are fully shielded and directed downwards.
- d. *Portable Sign Standards.*

-
1. *Number.* Ground-floor tenants without street frontage are allowed one (1) sign, pending compliance with the requirements of this Subsection.
 2. *Location.*
 - i. Portable signs shall be located not more than four (4) feet from the building face; and
 - ii. Portable signs may be located on the public sidewalk in areas where the sidewalk width is eight (8) feet wide or greater.
 3. *Design.*
 - i. Portable signs shall be constructed of materials that present a finished appearance. Portable signs shall have a designed, finished edge of solid wood or metal. Signs shall not be constructed of rough-cut plywood; plastic signs are not allowed.
 - ii. Sign frames shall be painted or stained wood, metal with a matte finish; plastic frames are prohibited.
 - iii. Portable sign bases shall be properly weighted, with the weight elements incorporated into the overall design of the sign. Use of improvised measures such as concrete blocks and sandbags to secure signs is prohibited.
 - iv. Portable signs including frames shall not be white or neon-colored. Black or other dark colors are preferred.

(k) *Sign Review and Approval Procedures.*

(1) *Standard Sign Permit.*

- a. *Applicability.* A standard sign permit shall be required pursuant to Subsection 070.040.110(b).
- b. *Procedure.* The Director shall evaluate sign permit applications and issue standard sign permits on a form designated by the Director.

(2) *Off-Premises Sign Permit.*

- a. *Applicability.* This Subsection shall apply to all off-premises signs except for temporary off-premises directional signs.
- b. *Procedure.* Off-premises sign permits shall require a public hearing before the Planning Commission. The Planning Commission shall review and approve, approve with conditions, or deny the off-premises sign permit in accordance with the following approval criteria:
 1. The off-premises sign will not harm the public or impair the intent or purposes of the Municipal Code or the City's goals or policies; and
 2. A significant hardship will result without such off-premises sign.
- c. *Additional Standards.*
 1. The off-premises sign shall comply with the applicable size, height, placement, and number of signs permitted on the property where the off-premises sign is to be located. The off-premises sign size shall be counted against the sign size and type allowed on the property on which it is displayed.
 2. If the off-premises sign is proposed in the public right-of-way, such sign shall require compliance with Subsection 070.060.050(f), Right-of-Way Encroachment License.

(3) *Master Sign Plan.*

- a. *Applicability.* A master sign plan shall be required for multi-tenant buildings and commercial developments containing more than one (1) building.
- b. *Procedure.*
 1. Applicants shall submit a master sign plan to the Director for approval upon application for a sign permit. If the master sign plan meets all the conditions of this Subsection, then it may be approved by the Director.
 2. A master sign plan shall be approved prior to the issuance of a building permit for all new buildings, additions, or renovations and prior to the issuance of any sign permit for an individual business. The master sign plan shall run with a multi-use building property and not with individual tenants.

(l) *Sign Installation and Maintenance.*

- (1) *Compliance to Building Code and other Applicable Codes.* Signs and sign structures shall comply with the building code and other applicable codes as adopted by the City.

(2) *Maintenance.*

- a. Signs shall be maintained in good structural condition at all times.
- b. The Director shall inspect and may order the painting, repair, alteration, or removal of a sign that constitutes a hazard to safety, health, or public welfare because of inadequate maintenance, dilapidation, or disrepair under the notice to repair or remove procedure in Paragraph c. below.
- c. The Director shall notify the sign owner or property owner by certified mail of the duty to alter or remove and that such person has thirty (30) days from the date of the notice, or such longer period as the Director finds is reasonably necessary, to complete such alteration or removal.

(m) *Nonconforming Signs.*

- (1) *Continuation of Nonconforming Signs.* Any existing individual sign that exceeds the maximum area or height limitations of this Code by no more than ten (10) percent shall be considered a conforming sign. At the time such sign is replaced, altered, or renovated, it shall comply with all requirements of this Code.

(2) *Termination of Nonconforming Signs.*

- a. The right to maintain a nonconforming sign terminates immediately upon any of the following:
 1. Abandonment of a sign, including sign copy and/or logos and graphics, for a continuous period of ninety (90) days;
 2. Any further violation of this Code;
 3. Destruction or damage of the sign to the extent that the cost of restoration to its condition before the occurrence exceeds fifty (50) percent of the total cost of reconstructing the entire sign; or
 4. Determination by the Director and Building Official that the sign is an immediate hazard to the public health, safety, and welfare because of disrepair, unsafe mounting, imminent dislodging, or other safety factors.

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- b. Any party wishing to appeal a determination concerning the termination of a nonconforming sign or request a variance from the requirements of this Subsection may appeal the determination to the Director and may appeal the Director's decision to the Planning Commission.

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 3-2019, § 2(Exh. A), 1-31-2019; Ord. No. 16-2019, § 2(Exh. A), 9-5-2019; Ord. No. 15-2020, § 2(Exh. A), 7-2-2020; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021; Ord. No. 28-2022, § 2(Exh. A) 12-1-2022; Ord. No. 9-2023, § 2, 10-26-2023)

070.070.030 All Other Terms Defined.

~~Interior sign. See "window sign." A sign located inside a building that is visible from right-of-way, including signs applied to windows visible from right-of-way, but excluding merchandise included in a window display.~~

~~Window sign. A sign that is painted on, applied, or attached to, or located within fifteen (15) inches of the interior of a window and that can be seen through the window from the exterior of the structure, but excludes merchandise included in a window display.~~

(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. 1-2021, § 2(Exh. A), 2-18-2021; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021; Ord. No. 18-2021, § 2(Exh. A), 1-6-2022; Ord. No. 31-2022, § 2(Exh. A), 1-5-2023; Ord. No. 9-2023, § 2, 10-26-2023; Ord. No. 15-2023, § 2(Exh. A), 10-5-2023)



Planning and Zoning Commission Staff Report

Date	May 26, 2026
Planning File #	CDA-000039-2026
Request	Consideration of a Code Amendment application regarding a revision to Section 070.060.050(f) Right-of-Way Encroachment License
Applicant	City of Glenwood Springs
Owner	Not applicable (N/A)
Location	Applies citywide
Zone	Applies to all zone districts
Staff	Jim Hardcastle, Long Range Principal Planner, Economic and Community Development

ACTION ITEM

According to Section 070.060.040(c)(1), the Code Amendment process allows for the review and approval of changes to the text of Title 070 of the Glenwood Springs Municipal Code (Code) to respond to "...changed conditions or changes in public policy, or to advance the general welfare of the City." Per Section 070.060.040(c)(3)d, the Planning and Zoning Commission (Commission) "...shall review the Code Amendment application and recommend approval, approval with conditions, or denial to City Council."

Action 1 Code Amendment – Consideration of a Code Amendment application regarding Section 070.060.050(f) Right-of-Way Encroachment License.

Staff Recommendation: Staff recommends approval of the Code Amendments with the findings outlined on pages 3-7 of this staff report.

BACKGROUND

Per Section 070.060.050(f) of the Code, Right-of-Way (ROW) Encroachment Licenses provide "...a mechanism for the City to evaluate proposed encroachments of private property or structures into publicly owned ROW, such as streets, sidewalks, and/or other City property. This procedure was originally intended to ensure adequate mitigation is

provided for anticipated impacts.” Often, staff receives application for a ROW encroachment license which the City has no objection to merits or intent of the request. The intent in proposing the current redline changes for considerations is to: (1) streamline the license procedure for applicants and staff; (2) to limit the number of applications that are heard in front of City Council, typically those which have minimal concern to staff; and (3) to support the interests of the City codes and regulations and Comprehensive Plan Update 2023 (Comp Plan).

ANALYSIS

The following section summarizes related aspects of redline changes to Section 070.060.050, Development Permits, Right-of-Way Encroachment License.

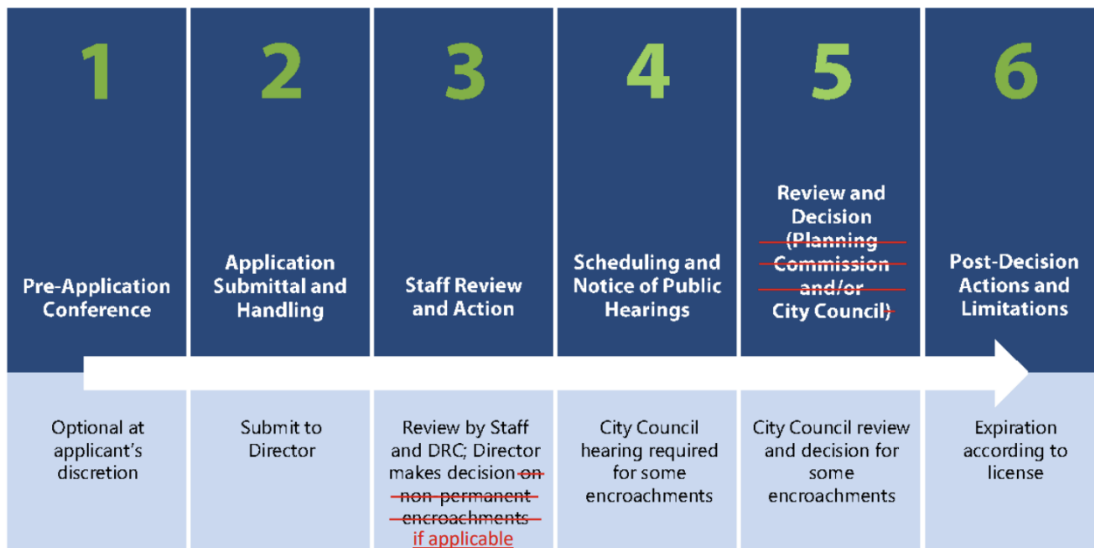
Group 1

These changes reflect a group of encroachments that are not complex, where staff can review and make decisions without burdening Council with unneeded public hearings.

- (2) *Applicability.* A right-of-way encroachment license is required for any private use or structure proposed to be located within the City's right-of-way or on other City property.
 - a. *Administrative Review.* Encroachments that are not permanent in nature; are located in the air space above the City's right-of-way; or are at grade and are less than one (1) foot in projection, including, but not limited to, awnings landscaping /walls, retaining walls, foundations, buildings, balconies, lighting and fences and sidewalk signs, shall be subject to administrative review by the Director.

Group 2

The redlines below clarify authority within the established process.



Group 3

This addition includes a site plan as an acceptable form of detailing the encroachment.

- b. *Application Submittal and Handling.* The right-of-way encroachment license application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Subsection 070.060.030(d). Additionally, the application shall be accompanied by a site plan, map, or plat showing the location and dimensions of the encroachments, and any parcels of land affected by the proposed encroachment.

Group 4

This proposed change corrects an authority error.

- e. *Review and Decision* (~~Planning Commission and/or~~ City Council).

Group 5

This clarification instructs the Public Works Director and/or the City Council to determine when an encroachment will require an umbrella liability policy, as many encroachments routinely do not warrant such coverage.

3. For all these encroachments ~~that are reviewed and approved by City Council~~, the applicant shall obtain and provide the City with a copy of an umbrella liability policy covering the encroachment area and in limits of no less than one million dollars (\$1,000,000.00) , when determined necessary by the Public Works Director and/or City Council to protect public health, safety, or general welfare. Such policy shall be renewed by the applicant for the life of the encroachment, and a copy of each new policy shall be furnished to the City upon the anniversary date of the license to encroach. Failure to provide the policy as required shall automatically nullify the license to encroach without necessity of further notice and shall require the applicant's removal of the encroachment at the applicant's sole expense. Should the applicant fail to remove the encroachment within a reasonable time, the City

APPROVAL CRITERIA AND ANALYSIS

Section 070.060.040(c)(3)d.3 of the Code, outlines the approval criteria (listed in *italics* below) the Commission and City Council shall consider in the review of a Code Amendment application. Staff analysis of these criteria follows.

Approval Criteria 070.060.040(c)(3)d.3.i	Compliance Yes
<i>i. Is consistent with the Comprehensive Plan Update 2023 (Comp Plan) and other City policies;</i>	
Analysis: The proposed Code Amendment is relatively neutral in terms of consistency with the Comp Plan. However, activities in the ROW potentially impact numerous City plans/policies. Regarding the Comp Plan, Transportation Master Plan, various utility master plans, Downtown Plan, etc., the considerations below shall be made in the review of individual applications.	

- Encroachments should remain restrictive and subject to utility and mobility needs;
- Be more permissive and predictable in denser areas to include patios, canopies signage, etc.; and
- Should be context based.

Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.i of the Code as it does not negatively impact consistency with the Comp Plan and/or other city plans/policies related to mobility or infrastructure.

Approval Criteria 070.060.040(c)(3)d.3.ii	Compliance Yes
<i>ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;</i> Analysis: The proposed amendments align with existing provisions of the Code and does not conflict with sections which manage and address utilities, roadways, waterways, health, safety and welfare. Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.ii of the Code as it does not conflict with the provisions thereof.	

Approval Criteria 070.060.040(c)(3)d.3.iii	Compliance Yes
<i>iii. Is necessary to address a demonstrated community need;</i> Analysis: Within Section 070.060.050(f) of the Code, the purpose is to ensure that regulations of the ROW encroachment license procedure address proposed encroachments of private property or structures into publicly owned ROW, such as streets, sidewalks, and/or other City property. This procedure is intended to ensure that adequate mitigation is provided for anticipated impacts which currently include awnings, landscaping, balconies, and sidewalk signs. The proposed revisions are necessary to address these needs in a more procedurally efficient and timely manner. Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.iii of the Code by addressing a demonstrated community need.	

Approval Criteria 070.060.040(c)(3)d.3.iv	Compliance Yes
<i>iv. Is necessary to respond to substantial changes in conditions and/or policy; and</i> Analysis: Many applicants have approached the city in the last several years with a	

variety of ROW encroachment applications of low level concern. Had the majority of these been reviewed by staff, circulated for interagency review, and approved administratively, it would have minimized the amount of time/expense associated with applicant submittal, staff preparation, and presentation to City Council.

Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.iv of the Code as it responds to the substantial changes in conditions.

Approval Criteria 070.060.040(c)(3)d.3.v	Compliance Yes
<i>v. Is consistent with the general purpose and intent of this Code.</i>	
Analysis: Staff finds that this Code Amendment is consistent with of the Code per Section 070.010.030 “...to protect the public health, safety, and welfare of the City and to implement the policies, goals, and strategies adopted by the City of Glenwood Springs, including those set forth in the Glenwood Springs Comprehensive Plan.” The proposal implements specific policies outlined in the Plan while being directly related to the safety and general welfare of the City and intent of the Code to regulate “...the development and use of land based upon the impact of such development or use on surrounding areas or the City.” Finding: Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.v as it is consistent with the purpose and intent of the Code.	

PUBLIC COMMENT

The Code Amendment was noticed in the *Glenwood Springs Post Independent* on May 15 and 22, 2026, per the requirements of Section 070.060.030. To date, no public comment has been received.

ACTION ALTERNATIVES AND STAFF RECOMMENDATION

The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of the Code Amendment to City Council. The Commission may also continue the hearing with a request for specific information necessary to determine compliance with the Code and city goals and policies.

Action 1 Code Amendment – Consideration of a Code Amendment application regarding Section 070.060.050(f) Right-of-Way Encroachment License.

Staff Recommendation: Staff recommends approval of the Code Amendments with the

findings outlined on pages 3-7 of this staff report.

Staff Recommendation

Staff has reviewed the Code Amendment application and find that it complies with the approval criteria outlined in Section 070.060.040(c)(3)d.3 of the Code. Therefore, we recommend approval thereof as outlined in the suggested motion below.

Suggested Motion to Approve

I move to recommend approval of Planning File CDA-000039-2026, to City Council, incorporating *staff's findings, because the application meets the approval criteria for a Code Amendment.*

Suggested Findings:

1. Is consistent with the Comprehensive Plan and other City policies;
2. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;
3. Is necessary to address a demonstrated community need;
4. Is necessary to respond to substantial changes in conditions and/or policy; and
5. Is consistent with the general purpose and intent of this Code.

Suggested Conditions:

None.

Alternative Motion to Deny

Any motion to deny the application shall include findings explaining which approval criteria have not been met. An example motion for denial is provided below.

*I move to recommend **denial** of Planning File CDA-000039-2026, to City Council, because the application does not meet the approval criteria for a Code Amendment specifically [ENTER APPLICABLE APPROVAL CRITERIA HERE].*

Motion to Continue

I move to continue consideration of Planning File CDA-000039-2026, to [ENTER SPECIFIC MEETING DATE HERE] to gather additional information necessary for a decision.

070.060.050 Development Permits.

(f) *Right-of-Way Encroachment License.*

- (1) *Purpose.* The right-of-way encroachment license procedure provides a mechanism for the City to evaluate proposed encroachments of private property or structures into publicly owned rights-of-way, such as streets, sidewalks, and/or other City property. This procedure is intended to ensure that adequate mitigation is provided for anticipated impacts.
- (2) *Applicability.* A right-of-way encroachment license is required for any private use or structure proposed to be located within the City's right-of-way or on other City property.
 - a. *Administrative Review.* Encroachments that are not permanent in nature; are located in the air space above the City's right-of-way; or are at grade and are less than one (1) foot in projection, including, but not limited to, awnings landscaping/walls, retaining walls, foundations, buildings, balconies, lighting and fences and sidewalk signs, shall be subject to administrative review by the Director.
 - b. *City Council Review.* Encroachments into the City's right-of-way not eligible for administrative review shall require City Council review.
- (3) *Right-of-Way Encroachment License Procedure.* Figure 060-12 identifies the applicable steps from the common review procedures in Subsection 070.060.030 that apply to the review of right-of-way encroachment licenses. Additions or modifications to the common review procedures are noted below.

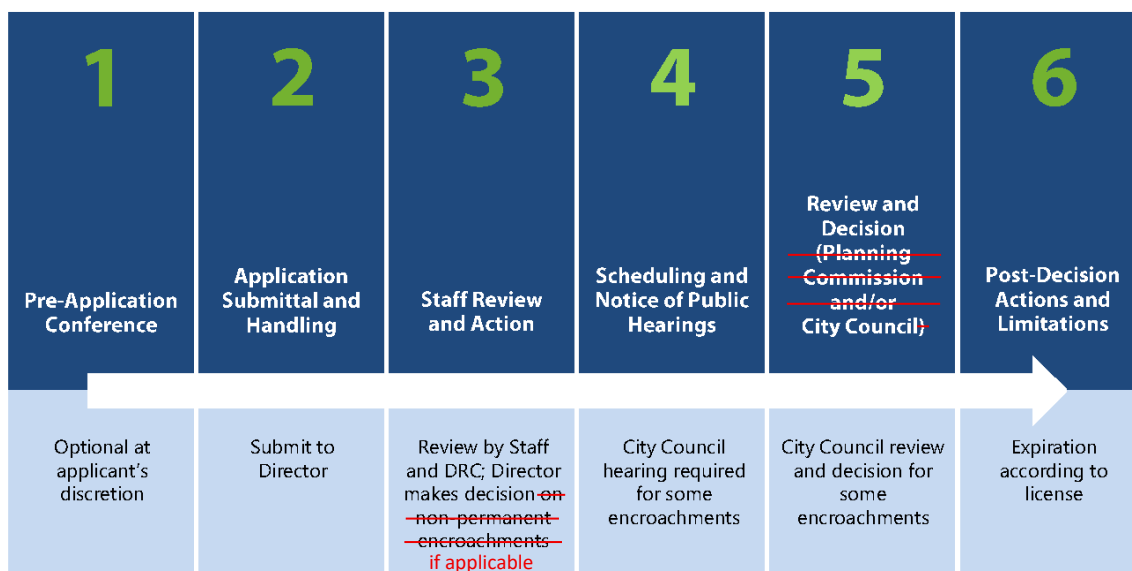


Figure 060-12: Summary of Right-of-Way Encroachment License Procedure

- a. *Pre-Application Conference.* An optional pre-application conference may be held in accordance with Subsection 070.060.030(b) at the applicant's discretion.
- b. *Application Submittal and Handling.* The right-of-way encroachment license application shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Subsection 070.060.030(d). Additionally, the application shall be accompanied by a site plan, map, or plat showing the location and dimensions of the encroachments, and any parcels of land affected by the proposed encroachment.

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- c. *Staff Review and Action.*
1. The Director and DRC shall review the right-of-way encroachment license application.
 2. If the right-of-way encroachment is determined to require City Council approval, the Director shall prepare a staff report and recommendation in accordance with Subsection 070.060.030(e).
 3. If the right-of-way encroachment can be approved administratively, the Director shall approve, approve with conditions, or deny the right-of-way encroachment license based on the criteria in Subsection e.2. below.
- d. *Scheduling and Notice of Public Hearings.* If required, the right-of-way encroachment license application shall be scheduled for a public hearing before the City Council and noticed in accordance with Subsection 070.060.030(f)(3)a.2.
- e. *Review and Decision (~~Planning Commission and/or~~ City Council).*
1. *City Council Review and Decision.* The City Council shall review the right-of-way encroachment license application and approve, approve with conditions, or deny the right-of-way encroachment license in accordance with Subsection 070.060.030(g) and the approval criteria in Paragraph 2. below.
 2. *Right-of-Way Encroachment License Approval Criteria.* In reviewing the proposed right-of-way encroachment license, the Director and City Council shall consider whether or not the proposed encroachment:
 - i. Furthers the City's land use and utility goals and objectives;
 - ii. Could be reasonably accommodated on the applicant's own property and outside of the City's right-of-way;
 - iii. Compromise public safety, health, and welfare of the community;
 - iv. Compromise access to other public and/or private lands; and
 - v. Is necessary based on a hardship created by the applicant.
- f. *Post-Decision Actions and Limitations.* Post-decision actions and limitations in Subsection 070.060.030(i) shall apply with the following modifications:
1. No license to encroach may be assigned without the prior written consent of the approval body (City Council or the Director), together with an executed indemnity agreement that indemnifies the City from any and all damages to property or persons resulting from the encroachment.
 2. Upon construction of an approved encroachment, the applicant shall provide the City with as-built drawings of all encroachment structures in the format specified by the Director.
 3. For ~~all these~~ encroachments ~~that are reviewed and approved by City Council,~~ the applicant shall obtain and provide the City with a copy of an umbrella liability policy covering the encroachment area and in limits of no less than one million dollars (\$1,000,000.00) when determined necessary by the Public Works Director and/or City Council to protect public health, safety, or general welfare. Such policy shall be renewed by the applicant for the life of the encroachment, and a copy of each new policy shall be furnished to the City upon the anniversary date of the license to encroach. Failure to provide the policy as required shall automatically nullify the license to encroach without necessity of further notice and shall require the applicant's removal of the encroachment at the applicant's sole expense. Should the applicant fail to remove the encroachment within a reasonable time, the City

may declare the encroachment a public nuisance, undertake removal, and attach a lien to the applicant's property for the costs of the removal.

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 3-2019, § 2(Exh. A), 1-31-2019; Ord. No. 16-2019, § 2(Exh. A), 9-5-2019; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021; Ord. No. 18-2021, § 2(Exh. A), 1-6-2022; Ord. No. 18-2022, § 2(Exh. A), 7-21-2022; Ord. No. 13-2024, § 2(Exh. A), 8-1-2024)