



AGENDA  
CITY OF GLENWOOD SPRINGS  
Planning and Zoning Commission  
Regular Meeting  
JUNE 23, 2026  
Council Chambers, First Floor  
101 W. 8<sup>TH</sup> 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/u/kbEVpOzwHL>

2 Roll Call

3 Receipt of the Minutes

- A. May 26, 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-000050-2026 Code Amendment Electric Vehicle Charging Stations

6 Commissioner Comments

7 Director Comments

8 Adjournment

MINUTES  
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. Roll Call**

**Present:** Chairman Peter Waller, Kyle Jones, Patrick Corcoran, Amy Connerton, Joy White, John Houghton, Connie Geiman.

**Also Present:** Economic and Community Development Director Trent Hyatt, Senior Planner Watkins Fulk-Gray, Long Range Principal Planner Jim Hardcastle, Permit Technician Joel Asplund, and City Attorney Karl Hanlon.

**Conflicts of Interest**

No conflicts of interest were declared.

**2. Receipt of the Minutes**

**a. March 24, 2026 Meeting Minutes**

**Motion:** Councilor Amy Connerton made the motion to approve the meeting minutes for March 24, 2026, and Commissioner Patrick Corcoran seconded the motion.

**Commissioner Comments:** None

**Outcome:** Motion was approved by unanimously.

**b. April 28, 2026 Meeting Minutes**

**Motion:** Commissioner Amy Connerton made the motion to approve the meeting minutes for April 28, 2026, and Commissioner John Houghton seconded the motion.

**Commissioner Comments:** None

**Outcome:** Motion was approved unanimously. Commissioner Joy White abstained from the vote due to her absence at the April 28, 2026 meeting.

**3. Comments from citizens for items not appearing on the agenda**

No public comments offered in person or online.

#### 4. New Items

##### a. APPEAL-000029-2026 319 Park Drive Short Term Rental

Director Trent Hyatt explained that the applicant was unable to attend the meeting due to health complications. The applicant requested that this item be continued to the June 23, 2026 Planning and Zoning Commission meeting. The applicant was asked to attend this meeting instead of last month's meeting due to the anticipated length of last month's meeting. The applicant agreed to the change initiated by staff and the same consideration should be extended.

**Motion:** Councilor John Houghton made the motion to continue consideration of Item a. APPEAL-000029-2026 319 Park Drive Short Term Rental to the June 23, 2026, Planning and Zoning Meeting and Commissioner, Joy White seconded the motion.

**Commissioner Comments:** None

**Outcome:** Motion was approved unanimously.

##### b. CDA-000049-2026 Code Amendment Short Term Rental and Accessory Tourist Rental

Community Development Director Trent Hyatt elaborated that due to the close relationship of the appeal and the wording in the code that staff requests the item also be continued to the June 23, 2026, Planning and Zoning Meeting.

**Motion:** Commissioner Joy White made the motion to approve the continuation of Item b. CDA-000049-2026 Code Amendment Short Term Rental and Accessory Tourist Rental to the June 23, 2026, Planning and Zoning Meeting and Commissioner Patrick Corcoran seconded the motion.

**Commissioner Comments:**

- Commissioner Connie Geiman: While the two are related, aren't these two separate items?
  - Staff Response: That is correct the items are separate. However, it could lead to confusion, and the amendments are closely related.
- Commissioner Joy White: Is it possible that the applicant doesn't show for the next meeting as well causing problems for the neighboring parcels?
  - **Staff Response:** Continuations are at the discretion of the commission. Typically, an appellant is granted a single continuance unless there is good reason. Appeals mostly involve a review of the records and can continue without the appellant present.

**Outcome:** Motion was approved by a vote of 6-1 with Commissioner Connie Geiman opposed.

**Public Comment:** Staff stated that all comments should be held until the application is considered at the next meeting.

**c. CDA-000038-2026 Code Amendments to Sign Regulations**

**Presenter:** Senior Planner Watkins Fulk-Gray

Senior Planner Watkins Fulk-Gray presented proposed amendments to the municipal sign code. The purpose of the amendments is to improve clarity, maintain consistency within the code, and address the expiration of the Glenwood Meadows Annexation and Development Agreement (ADA) and the related Glenwood Meadows Master Sign Plan (GWMSP).

**Key points of the presentation included:**

- Incorporation of the expired Glenwood Meadows Master Sign Plan into Title 070 of the municipal code.
  - The GMMSP, adopted in 2003 with the original annexation documents, has been the governing signage document for Glenwood Meadows.
- The ADA expired in August 2024, leaving signage within the development being subject to general requirements in the municipal code not those developed specifically for the mixed-use area.
- Staff proposes incorporating the master sign plan into the municipal code by reference without modification to preserve existing signage standards and avoid ongoing administrative inconsistencies.
- Citywide edits to window and interior sign regulations
- Current code language surrounding window signs contains inconsistencies.
- Staff proposes removing the definition of “window sign,” creating a new definition of “interior sign,” and clarifying how vinyl-applied window signage is regulated.
- The goal is clarification, not substantive changes to current practice.
- Clean-up of illuminated sign regulations in the Downtown Core
- Staff proposes eliminating two sections of code: one redundant with other provisions and one that conflicts with an existing section.
  - These relate to illumination standards for specific sign types in the downtown area.

**Commission Questions & Discussion Included:**

- Commissioner John Houghton: Asked whether municipal code applies when the Glenwood Meadows Master Sign Plan is silent on a topic.
  - Staff Response: In such cases, general municipal code regulations do apply. This amendment also attempts to proactively resolve potential conflicts that might arise such as with illumination standards.
- Commissioner Joy White: Asked what elements of the ADA expired beyond signage, and whether land use or density rules were affected.
  - Staff Response: Zoning in Glenwood Meadows remains in effect because zoning does not expire. However, most elements tied to the expired

annexation and development agreement; such as design standards, sign and lighting rules, density limits, traffic fees, and affordable housing requirements no longer apply unless they were adopted directly into the zoning. Two parcels remain developable, and any new projects there must now follow current city code and design standards.

- Commissioner Connie Geiman: Who would review sign variance requests for properties within Glenwood Meadows under the updated system
  - Staff Response: All sign variance requests would go to Planning and Zoning Commission.
- Commissioner Amy Connerton: Are the proposed updates to window sign regulations needed to avoid conflicts in the language of the code?
  - Staff Response: Current code language contains conflicts and lacks clarity, and the proposed changes aim to make the regulations clearer and more usable for everyone.
- Chair Peter Waller: With the ADA expired, the remaining Glenwood Meadows parcels are still bound by the original ADA density limits or is density now determined solely by current zoning standards?
  - Staff Response: The original ADA density caps, square footage and number of units would no longer apply. Future development can always choose to apply to stricter versions of the code but are not required too. Without the ADA future development would have to follow current zoning and all modern code requirements with the density limitations of today.
- Chair Peter Waller: Without the ADA would existing signs, for example need to comply with current codes when any changes are made?
  - Staff Response: That is correct, any future changes would require compliance with current city standards or a variance request. Without adopting the GMMSP, new or replacement signs would end up conflicting with the surrounding grandfathered signage, creating inconsistency, administrative complications.

**Public Comment:** One written letter in favor of the Code Amendment was provided to the Planning and Zoning Commission.

**Motion:** Commissioner Amy Connerton made the motion to approve CDA-000038-2026 Code Amendments to Sign Regulations and Commissioner Patrick Corcoran seconded the motion.

**Commissioner Comments:**

- Commissioner Geiman: Are you able to provide an example of a window sign and what we are trying to avoid?
  - Staff Response: A visual example was displayed of a sign taking up an entire windowpane. Window signs are currently permitted with wording being vague

on how much of a window can be taken up by a window sign. This amendment would give us clarity on those decisions.

- Commissioner Kyle Jones: How does this amendment interact with the previously discussed illumination, lighting and curfew standards?
  - Staff Response: By incorporating the GMMSP into municipal code all existing citywide illumination standards including maximum foot-candle levels and lighting curfews will now apply.

**Outcome:** Motion was approved unanimously.

#### **d. CDA-000039-2026 Code Amendment Right-of-Way Encroachment License**

**Presenter:** Long Range Principal Planner Jim Hardcastle

Long Range Principal Planner Jim Hardcastle presented proposed updates to the municipal code governing right-of-way encroachment licenses. The purpose of the amendments is to streamline the process, reduce unnecessary costs, improve clarity, and ensure consistent application of standards for items extending into public streets, sidewalks, or other city property.

#### **Key points of presentation Included:**

- A right-of-way or ROW encroachment is the placement of any private property into any publicly owned right-of-way.
  - City street
  - Sidewalk
  - Or any other city owned property
- Items can be temporary like a small blade sign or permanent like a retaining wall.
- The proposed changes are needed to improve accuracy and clarity of the code.
- Changes remain restrictive and subject to utility and mobility needs.
- More permissive and predictable in:
  - Denser areas
  - Patios
  - Canopy signage
- Context based
- Expands applicability to include retaining walls, foundations, buildings, lighting and fences.
- Eliminating reference to Planning and Zoning Commission as reviewing body to City Council.
  - This was likely an oversight and was always meant to be City Council.
- Wording changed to include a site plan as part of the application.
- Wording changed for umbrella liability insurance to be at the discretion of the Public Works Director and City Council.
  - This change is meant to accommodate for encroachments that would have no potential risk to public safety, health or general welfare.

### Commission Questions & Discussion Included:

- Commissioner John Houghton: Is there a reason right-of-way encroachment is in Title 70 Development and not incorporated into Title 90 Public Lands of the code where right-of-way permits are located?
  - Staff Response: A right-of-way permit is intended for temporary use of the right-of-way while an encroachment is usually a more permanent fixture that would require more work if removal was needed. At the same time, when this code was developed the Engineering and Public Works departments were not equipped to handle permits like Community Development.
- Commissioner Amy Connerton: Should all encroachments be approved by City Council?
  - Staff Response: That would only be applicable when staff and the director deem it appropriate. Without that measure in place all projections greater than a foot would have to go to council. Based on feedback from council projections above the right of way like awnings and canopies don't always need that level of review for a decision.
- Commissioner Patrick Corcoran: How often do right-of-way encroachments occur?
  - Staff Response: The frequency of these permits can fluctuate with demand, two being requested recently. Things like outdoor dining leases fall into the right-of-way permit category while encroachments would be things like signs and awnings. With items like these, decisions should be made at the staff level to speed up the process for local shops and businesses.
- Commissioner Connie Geiman: The wording of the amendment refers to encroachments at ground level as well while all our examples keep gravitating towards signs and awnings.
  - Staff Response: These types of encroachments can be quite common within our historic downtown especially. Previous surveys were not as accurate as they are today leading to parts of developments in the right-of-way. As developments come in, we can notice these encroachments and make the owner aware the city can use this land for public use if needed and secure proper insurance for any damage that could occur from this encroachment.

**Public Comment:** None

**Motion:** Commissioner Connie Geiman made the motion to approve CDA-000039-2026 Code Amendment Right-of-Way Encroachment License and Commissioner Amy Connerton seconded the motion.

**Outcome:** Motion was **approved** by digital vote **unanimously**.

### 5. Commissioner Comments:

None

## 6. Director Comments

### Director Trent Hyatt:

- Two items for next month's meeting so far.
- There has been a lack of planning and zoning items makes it easier for staff to address much needed code amendments and improve clarification of the code.

## 7. Adjournment Meeting adjourned at 6:52PM.

DRAFT



## Planning and Zoning Commission Staff Report

<b>Date</b>	May 26, 2026
<b>Planning File Number</b>	APPEAL-000029-2026
<b>Request</b>	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
<b>Applicant</b>	Cindy Svatos
<b>Owner</b>	Svatos Trust
<b>Location</b>	319 Park Drive
<b>Zone</b>	Residential Medium-Density (RM1)
<b>Staff</b>	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.

<b>Date</b>	<b>Action</b>
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; <ul style="list-style-type: none"> <li>• Missing egress windows on two upstairs bedrooms;</li> <li>• One bedroom could not be utilized due to being open to a furnace and water heater;</li> <li>• Missing egress drawing (emergency evacuation plan); and</li> <li>• Missing carbon monoxide and smoke detectors in living room and gaming room.</li> </ul>

	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 <sup>th</sup> 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.

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**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.*

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**PUBLIC COMMENT**

The Appeal 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.

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## **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

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**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](mailto:emery.ellingson@cogs.us)



[\\*Accessibility Policy / Política de accesibilidad\\*](#)

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

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**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 7<sup>th</sup> 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](mailto: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](mailto:emery.ellingson@cogs.us)



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## Emery Ellingson

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**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)  
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## Emery Ellingson

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**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](mailto:emery.ellingson@cogs.us)



[\\*Accessibility Policy / Política de accesibilidad\\*](#)

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---

**From:** Cindy Svatos <[cmsvatos@gmail.com](mailto:cmsvatos@gmail.com)>  
**Sent:** Tuesday, December 9, 2025 1:05 PM  
**To:** Emery Ellingson <[emery.ellingson@cogs.us](mailto: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](mailto: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.

## Application Assistant

Search for application names and keywords

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](mailto:emery.ellingson@cogs.us)



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## 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 26<sup>th</sup> 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](mailto: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 28<sup>th</sup>.

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

The reason I am asking is because on April 28<sup>th</sup>, 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 28<sup>th</sup> meeting or move to the May 26<sup>th</sup> meeting. Please let me know by next week, Wednesday, April 8<sup>th</sup>.

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](mailto: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**

Business Center
Submit

Admin Dashboard

Businesses 577

Business Workflows

Tasks

**Forms**

Fees

Documents

Approvals 65 100

Licenses

Transactions

Batch Processing

Reconciliations

Admin Tools

Notifications

Media Library

Groups

Users

Reports

Accrual Based Reports

My Reports Menu

Business Audits

Audits

Events

Contacts

Audit Log

Log Out

Advanced Menus [open](#)

---

Site Configuration

---

Static Data

---

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

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Save

- Admin Dashboard
- Businesses 577
- Business Workflows
- Tasks
- Forms**
- Fees
- Documents
- Approvals 65 100
- Licenses
- Transactions
- Batch Processing
- Reconciliations
- Admin Tools
- Notifications
- Media Library
- Groups
- Users
- Reports
- Accrual Based Reports
- My Reports Menu
- Business Audits
- Audits
- Events
- Contacts
- Audit Log
- Log Out

Advanced Menus open

Site Configuration

Static Data

- 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 (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			
<b>1</b>	Gross Sales & Service *		0.00
<b>2A</b>	Add: Bad Debts Collected		0.00
<b>2B</b>	<b>Total 1 + 2A</b>		0.00

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

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

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

Adjustments			
<b>15</b>	ADJUSTMENT	0.00	

<b>TOTALDUE</b>	<b>TOTAL DUE AND PAYABLE</b>	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 *
<input type="text" value="Cindy Svatos"/>	<input type="text" value="owner"/>	<input type="text" value="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.

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Save

Business Center
Submit

Admin Dashboard

Businesses 577

Business Workflows

Tasks

**Forms**

Fees

Documents

Approvals 65 100

Licenses

Transactions

Batch Processing

Reconciliations

Admin Tools

Notifications

Media Library

Groups

Users

Reports

Accrual Based Reports

My Reports Menu

Business Audits

Audits

Events

Contacts

Audit Log

Log Out

Advanced Menus [open](#)

---

Site Configuration

---

Static Data

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

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Save

- Admin Dashboard
- Businesses 577
- Business Workflows
- Tasks
- Forms**
- Fees
- Documents
- Approvals 65 100
- Licenses
- Transactions
- Batch Processing
- Reconciliations
- Admin Tools
- Notifications
- Media Library
- Groups
- Users
- Reports
- Accrual Based Reports
- My Reports Menu
- Business Audits
- Audits
- Events
- Contacts
- Audit Log
- Log Out

Advanced Menus open

Site Configuration

Static Data

- 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			
<b>1</b>	Gross Sales & Service *		0.00
<b>2A</b>	Add: Bad Debts Collected		0.00
<b>2B</b>	<b>Total 1 + 2A</b>		0.00

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

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

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

Adjustments			
<b>15</b>	ADJUSTMENT	0.00	

<b>TOTALDUE</b>	<b>TOTAL DUE AND PAYABLE</b>	0.00	
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Name (as electronic signature) \*  Title \*  Date \*

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Save

Business Center
Submit

Admin Dashboard

Businesses 577

Business Workflows

Tasks

**Forms**

Fees

Documents

Approvals 65 100

Licenses

Transactions

Batch Processing

Reconciliations

Admin Tools

Notifications

Media Library

Groups

Users

Reports

Accrual Based Reports

My Reports Menu

Business Audits

Audits

Events

Contacts

Audit Log

Log Out

Advanced Menus [open](#)

---

Site Configuration

---

Static Data

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

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- Admin Dashboard
- Businesses 577
- Business Workflows
- Tasks
- Forms**
- Fees
- Documents
- Approvals 65 100
- Licenses
- Transactions
- Batch Processing
- Reconciliations
- Admin Tools
- Notifications
- Media Library
- Groups
- Users
- Reports
- Accrual Based Reports
- My Reports Menu
- Business Audits
- Audits
- Events
- Contacts
- Audit Log
- Log Out
- Advanced Menus open
- Site Configuration
- Static Data
- 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 (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			
<b>1</b>	Gross Sales & Service *		0.00
<b>2A</b>	Add: Bad Debts Collected		0.00
<b>2B</b>	<b>Total 1 + 2A</b>		0.00

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

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

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

Adjustments			
<b>15</b>	ADJUSTMENT	0.00	

<b>TOTALDUE</b>	<b>TOTAL DUE AND PAYABLE</b>	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

**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



Economic Development Department  
 101 W. 8<sup>th</sup> 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:**

<b>Applicant:</b>	Cindy Svatos
<b>Property Owner:</b>	Svatos Trust
<b>Project Name:</b>	319 Park Drive Short Term Rental Permit Renewal Application
<b>Project Location</b>	319 Park Drive, Parcel Number 2185-161-14-008
<b>Action Summary:</b>	<p>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.</p> <p>This notice serves as official notice of the Community Development Department’s decision to deny the renewal application.</p>
<b>Action Taken:</b>	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>
<b>Appeal – Deadline to File</b>	7 days – Thursday, March 12, 2026

---

Emery Ellingson, Senior Planner  
 Community and Economic Development

**Distribution List**

<input type="checkbox"/> File	<input type="checkbox"/> Engineering/GIS	<input type="checkbox"/> Police Dept
<input type="checkbox"/> Property Owner/Applicant	<input type="checkbox"/> Electric Dept	<input type="checkbox"/> Public Works Dept
<input type="checkbox"/> Building Dept	<input type="checkbox"/> Fire Dept	<input type="checkbox"/> Water/Wastewater Dept
<input type="checkbox"/> City Attorney	<input type="checkbox"/> Planning & Zoning Comm	<input type="checkbox"/> Other:
<input type="checkbox"/> 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.

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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](mailto:cmsvatos@gmail.com)

970-618-3650

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Cindy Svatos

[cmsvatos@gmail.com](mailto:cmsvatos@gmail.com)

970-618-3650

**AFFIDAVIT OF PUBLICATION**

State of Florida, County of Orange, ss:

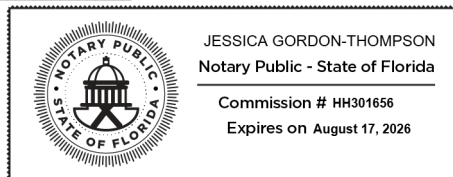
Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Glenwood Springs Post Independent, that the same weekly newspaper printed, in whole or in part and published in the County of Garfield, State of Colorado, 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) \_\_\_\_\_

**VERIFICATION**State 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

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

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### **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.

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### **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.

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### **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.

<b>Approval Criteria</b> <b>070.060.040(c)(3)d.3.i</b>	<b>Compliance</b> <b>Yes</b>
<p><i>i. Is consistent with the Comprehensive Plan and other City policies;</i></p> <p><b>Analysis:</b> 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”.</p> <p><b>Finding:</b> 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.</p>	

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

**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.

<b>Approval Criteria</b> <b>070.060.040(c)(3)d.3.iii</b>	<b>Compliance</b> <b>Yes</b>
<p><i>iii. Is necessary to address a demonstrated community need;</i></p> <p><b>Analysis:</b> The proposed Code revisions address the need to clarify sections which may not be immediately clear.</p> <p><b>Finding:</b> 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.</p>	

<b>Approval Criteria</b> <b>070.060.040(c)(3)d.3.iv</b>	<b>Compliance</b> <b>Yes</b>
<p><i>iv. Is necessary to respond to substantial changes in conditions and/or policy; and</i></p> <p><b>Analysis:</b> These Code amendments are necessary to respond to an identified need to clarify certain regulations associated with Short-Term Rentals and Accessory Tourist Rentals.</p> <p><b>Finding:</b> 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 substansstainal changes in conditiosn.</p>	

<b>Approval Criteria</b> <b>070.060.040(c)(3)d.3.v</b>	<b>Compliance</b> <b>Yes</b>
<p><i>v. Is consistent with the general purpose and intent of this Code.</i></p> <p><b>Analysis:</b> 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.</p> <p><b>Finding:</b> 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.</p>	

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**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.

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## **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.*

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# 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

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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

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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.*

- 
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

<b>Date</b>	June 23, 2026
<b>Planning File Number</b>	CDA-000050-2026
<b>Request</b>	Consideration of a Code Amendment application regarding electric charging stations
<b>Applicant</b>	City of Glenwood Springs
<b>Owner</b>	Not applicable (N/A)
<b>Location</b>	Applies citywide
<b>Zone</b>	Applies to all zone districts
<b>Staff</b>	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* (GSMC 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 electric charging stations.

Staff Recommendation: Staff recommends a recommendation for approval of the Code Amendment with the findings outlined on page 13 of the staff report.

### **BACKGROUND**

Nationwide, the electric vehicle charging network continues to grow alongside electric vehicle (EV) sales. This growth has been accompanied by an increase in charging sites and the need for clear regulations and guidance for the siting thereof. At the state level, the

[2023 Colorado EV Plan](#) estimated that Colorado would need 7,500 additional charging ports by 2025 to meet demand. For this reason, the State of Colorado passed the Electric Vehicle Charging System Permits law ([HB-24-1173](#)) requiring any municipality with over 10,000 people or counties with 20,000 or more people as of the 2020 Federal Census to address electric charging stations within their permitting process. As of the 2020 Federal Census, the City of Glenwood Spring had a population of 9,963 which exempted the City from the requirements of HB-24-1173. However, staff has identified the need for a clear review and approval process for electric charging stations which has prompted this Code Amendment. For example, the most recent application for a charging station was processed via Special Use Permit under the “Parking as a Primary Use” use category per Table 030.1 of the Code. In order to improve this process, staff proposes various revisions to establish such a process for electric charging development based on the state’s *EV Charging Model Land Use Code (Model Code)*, including deviations when appropriate.

## **ANALYSIS**

This section summarizes the proposed changes to Code and outlines where they differ from various standards outlined in the Model Code.

### **State of Colorado Model Code – Base Definitions**

Jurisdictions must adopt these definitions to comply with Model Code. If similar terms are already defined in the jurisdictions’ existing land use Code, they may be used.

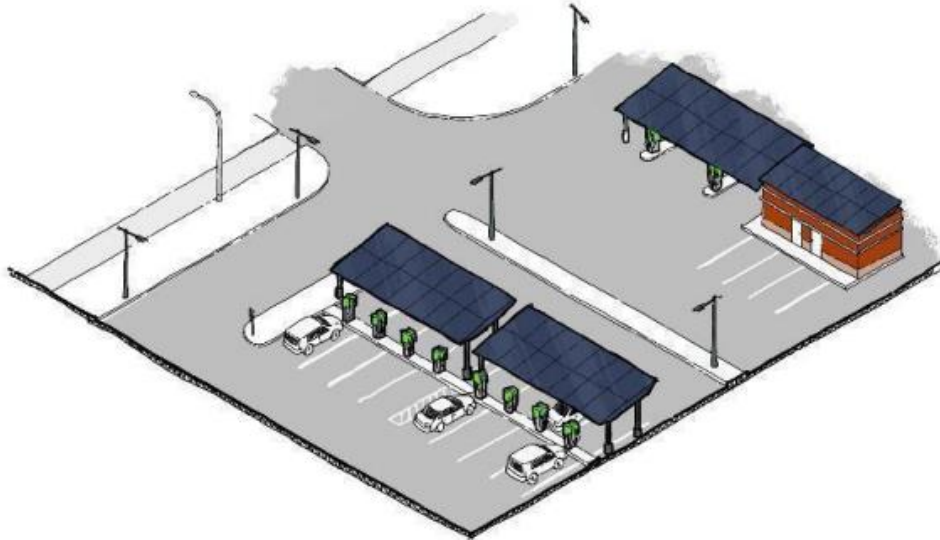
Providing clear and concise definitions is an integral part of any code. *GSMC Article 070.070 Rules of Construction and Definitions* lacks many definitions necessary for the regulation of electric charging stations. Staff recommends adding the following definitions which are not defined. Please see Exhibit A to see where these changes would be added in Code.

***EV Charging Port:*** A power supply device that provides electrical current charging for EVs. One EV Charging Port provides power for one vehicle.

- ***Direct Current Fast Charging (DCFC):*** High speed charging that provides about 50-350+ kilowatts (kW) of power per hour and uses a 480 volt (V) three-phase outlet.
- ***Level 2 Charging:*** Mid-speed charging that provides about 7-19 kW of power per hour and uses a 240V outlet
- ***Level 1 Charging:*** Slow charging that provides about 1-2kW of power per hour and uses a 120V outlet.

**EV Charging Project:** A proposed development of Primary or Accessory EV Charging Stations and Equipment, which may include other supporting site improvements like landscaping, lighting, or weather protection.

**Primary Use EV Charging Project:** Any proposed development of DCFC EV Charging Stations and Equipment that serves as a primary land use on the Subject Property.



**Example of a Primary Use EV Charging Project**

**Accessory Use EV Charging Project:** A proposed development of DCFC Charging Stations and Equipment that are incidental and subordinate to the primary use on the Subject Property.



## Example of an Accessory Use EV Charging Project

The definition of a Primary Use EV Charging Project and Accessory Use EV Charging Project is important because it can be used as a way to differentiate between the two in the land use process.

### **State of Colorado Model Code – Standard 1 Permit Applicability**

Jurisdictions may only require land use permits for EV charging development that meets the definition of an “EV Charging Project” (and associated definitions for “Primary Use” and “Accessory Use” EV Charging Projects). Conversely, jurisdictions may not require a land use permit for other types of EV charging development (i.e. all Level 1 and Level 2 charging).

This standard specifies that the City cannot require a land use approval such as a Development Permit (i.e. Special Use Permit, Site and Architectural Plan Review, or similar) for a Level 1 and Level 2 charger. A municipality may require a building permit for Level 2 chargers, however since the City does not review nor issue review electrical permits, but rather the State of Colorado, staff does not recommend this requirement. The only way a building permit would be required for a Level 1 or Level 2 charger is if there was associated work such as framing, plumbing, or insulation that was affected or changed during the installation of a charger. Excepting a building permit, staff proposes no additional approvals or permits for Level 1 or Level 2 in all zone districts.

The state generally allows for the requirement of a land use review/approval (such as a Site and Architectural Plan or Final Plans) for either a Primary or Accessory Use EV Charging Project. The size and scope of a Primary or Accessory Use EV Charging Project would determine the appropriate land use review process.

### **State of Colorado Model Code – Standard 2 Permit Review Process**

Jurisdictions must review land use permit applications for EV Charging Projects using the applicable permitting processes from the zoning district where projects are Proposed.

This standard states that the review process for an EV Charging project must be similar to other comparable land use applications. Staff proposes utilizing existing administrative process for review and approval of EV Charging Projects with the specific process dependent upon size and location of the project.

### **State of Colorado Model Code – Standard 3 Existing Primary Use Conformance Updates**

Jurisdictions may not require existing land uses on the same subject property as a proposed Accessory Use EV charging project to make site improvements or otherwise

conform with land use regulations, unless the existing land uses propose simultaneous changes to their use, structures, or site that would otherwise require such conformance.

Staff intends to incorporate Accessory Use EV charging project in a timely, safe, and efficient manner in appropriate zone districts. Some existing nonconforming sites, however, may be in need of access, circulation, pedestrian, landscaping, etc. improvements to adequately accommodate an increase in traffic associated with these projects. Therefore, staff does not wish to add this exemption language to the Code.

**State of Colorado Model Code – Standard 4 Regulation of Primary Use EV Charging Stations**

Jurisdictions may apply existing regulations from their land use code (or develop new regulations) for Primary Use Charging Projects, so long as the regulations are no more restrictive to Primary Use EV Charging than those that apply to similar land uses, such as parking or commercial uses. Whether jurisdictions apply existing regulations or develop new regulations, they must define Primary Use EV Charging Projects as a land use and clarify which regulations apply to Primary Use EV Charging Projects.

Primary Use EV Charging regulations must also align with the Model Code base standards that apply to Primary Use EV Charging including Standards 6-7 (Parking), Standard 10 (Equipment), and Standard 12 (Electrical Equipment Safety)

This standard prohibits communities from regulating charging stations more strictly than other similar uses such as parking or commercial uses. This model language also requires that communities follow other applicable Primary Charging standards such as parking, equipment, and electrical supply. The proposed changes to the Code are less restrictive than similar land uses (i.e. parking as a primary use, automotive fuel stations, etc.) because the use generally is the subject of fewer impacts such as fumes, noise, traffic, etc.

**State of Colorado Model Code – Standard 5 Permitted by Zoning District**

Primary Use EV Charging Projects and Accessory Use EV Charging Projects shall be permitted as a use by right in all land use contexts, except for low-density housing land use contexts where they shall be permitted as a conditional use.

This standard allows for EV stations to be permitted as a use-by right with minor exceptions for low density housing, pedestrian oriented commercial, low density mixed use, medium density housing, and recreational zoning districts.

Staff is generally supportive of this policy subject to typical development standards per Section 070.040 of the Code. The table below shows the proposed amendments to Table

030.1 Table of Allowed Uses. This includes assigning parking requirements for the use at the rate of 1 parking space per charging port plus 1 per 400 square feet of retail and office area. The requirement of 1 space per 400 square feet of building area is intended to create additional parking outside of charger ports for any project which adds building space.

(f) Table of Allowed Uses.

Table 030.1: Table of Allowed Uses																	
P = permitted by right S = special use permit required Blank = use prohibited																	
Use Category	Use Type	Districts →														Use-Specific Standards	Required Minimum Parking
		RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN		
Vehicles and Equipment	Automotive fuel sales and service station							S		P	S	S	S	S		070.030.030(e)(18)	1 per fueling pump, plus 1 per 400 square feet retail and office area
	Automotive parts and accessories sales							P	S	P	P		P	P			1 per 400 square feet
	Automotive repair shop							P			P		S	P			1 per 500 square feet, plus 3 per repair bay
	Automotive sales or leasing							S	S	S	P		P	P		070.030.030(e)(19)	1 per 500 square feet sales area, plus 2 per repair bay
	Automobile wash							S		S	S	S	S	S			1 per 300 square feet retail and office area, plus 3 stacking spaces per service lane and 1 stacking space per detailing bay if separate from wash bay/lane)
	<i>Primary Use Electric Vehicle (EV) Charging Project</i>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>1 per charging port, plus 1 per 400 square feet retail and office area</u>
	Parking as a principal use						S	S	S	S	S	S	S	S	S	S	No requirement
	Equipment sales and rental							P	S	S	P		P	P			1 per 300 square feet
	Mobile home sales							P			P			P			No requirement

Likewise, staff recommends following the Model Code’s standard for Accessory Use EV Charging Stations adding them as a by-right use to nearly all the zoning districts. No additional parking is required since these chargers would be accessory to any existing use and off-street parking on the property. The table below shows the proposed amendments to Table 030.1 Table of Allowed Uses.

(f) Table of Allowed Uses.

Table 030.1: Table of Allowed Uses																		
P = permitted by right S = special use permit required Blank = use prohibited																		
Districts →																		
Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use-Specific Standards	Required Minimum Parking
<b>ACCESSORY USES</b>																		
	Accessory Use Electric Vehicle (EV) Charging Project	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		No requirement
	Backyard chickens	P	P	P	P	P	P	P			P						070.030.040(d)(2)	No requirement
	Home occupation	P	P	P	P	P	P	P	P	P	P	P				P	070.030.040(d)(3)	No requirement
	Parking structure						S	S	S	S	S	S	S	S	P			No requirement
	Portable storage containers							P		P	P	P	P	P	P		070.030.040(d)(4)	No requirement
	Solar energy system, small scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		No requirement
	Warehousing							P		P	P	P	P	P	P			Based on demand study, see Subsection 070.040.060(c)(5)

**State of Colorado Model Code – Standard 6 Parking Standards**

**Standard 6:** Any parking space served by an EV Charging Port or any parking space used to site EV Charging Stations or Equipment must be counted toward applicable parking minimums as at least one standard automobile parking space.

This standard requires municipalities to count charging port parking towards minimum parking requirements. This is similar to how Code allows parking spaces at gas pumps to count towards the minimum requirement. The proposed parking requirements for electric charging stations matches current requirements for gas stations and meets this standard as it does not exclude charging port stations.

**State of Colorado Model Code – Standard 7 Parking Standards**

**Standard 7:** Any van-accessible parking space that is designated to accommodate a person in a wheelchair, is served by an EV Charging Port, and is not designated as parking reserved for a person with a disability under C.R.S. 42-4-1208 must be counted as at least two standard automobile parking spaces towards applicable parking minimums.

The intent of this standard is to provide extra flexibility for meeting required parking minimums. No similar parking bonus for a van accessible space exists in current Code and staff finds that the proposed parking requirements requiring 1 parking space per charger stations and 1 parking space per 400 square feet of office or retail is sufficient. Staff does not recommend any changes to meet this standard.

**State of Colorado Model Code – Standard 8 Parking Standards**

**Standard 8:** The design of parking spaces and parking access for all EV Charging

Projects shall comply with the US Access Board Design Recommendations for Accessible Electric Vehicle Charging Stations or any applicable accessibility regulations issued by the federal Department of Justice or Department of Transportation, or in state statute.

Section 070.040.060 Off-Street Parking and Loading already requires *“that the number and design of accessible parking spaces shall be pursuant to the International Building Code as adopted in the Municipal Code and the American Disabilities Act, as amended”*. Staff finds that existing language in Code is sufficient.

**State of Colorado Model Code – Standard 9 Setback Standard**

For Accessory Use EV Charging Projects, EV Charging Stations and Equipment, and any required screening material, shall be permitted within designated setbacks of the subject property.

Code does not prohibit electric equipment such as a transformer and associated required screening from being located within a setback area. Code allows ground-mounted mechanical equipment to encroach up to five (5) feet into required side and rear yards provided no element is located closer than two (2) feet from any property line. Staff finds that it would be reasonable to allow both Accessory Charging Stations and Equipment to be allowed within a side or rear setback as long as the equipment was screened. Staff has proposed amending Table 020.20 to clarify that the setback exception applies to both electric and mechanical equipment as long as it complies with screening standards of Section 070.040.050 Landscaping, Screening, and Fencing.

- (6) *Exceptions to Setback Standards.* The features listed in Table 020.20 shall be permitted to project into the required setbacks of the applicable zoning district. The exceptions apply to all zoning districts unless otherwise stated.

<b>Table 020.20: Authorized Exceptions to Setback Standards</b>	
Accessibility ramps	May be located within required yards. Ramps shall be removed within three (3) months after the need for such ramp is removed. Ramps shall not be located in the public right-of-way without approval by the City.
Front porches and stoops	May encroach ten (10) feet into required front yard provided such porch or stoop is a minimum of sixty-five (65) percent open (including screens and/or windows) on the front and each side and is no closer than ten (10) feet from the front property line.
Ground-mounted solar panels	May encroach five (5) feet into required side and rear yards provided no element is located closer than two (2) feet from any property line.
Ground-mounted mechanical, <u>electrical, and other utility</u> equipment	May encroach five (5) feet into required side and rear yards provided no element is located closer than two (2) feet from any property line and the equipment complies with screening standards in Subsection 070.040.050(f), Screening, Fences, and Walls.
Roof eaves and other incidental architectural features	May encroach eighteen (18) inches into a required yard.
Storage sheds	In residential districts, storage sheds less than one hundred twenty (120) square feet in size may be placed up to, but not closer than three (3) feet from a rear or side property line provided they are not placed on a permanent foundation or over an easement.
Uncovered balconies and fire escapes	May encroach eighteen (18) inches into required side yard; four (4) feet into required front or rear yard.
Uncovered porches, slabs, patios, walks, and steps	May encroach into required yards by any amount provided all components of the encroachment are no greater than thirty (30) inches above ground level.
Retaining walls	May encroach by any amount into required front, rear, or side yards with the approval of the Public Works Director and City Engineer, provided that all other standards of this Code and the Engineering Standards related to retaining walls are met.

### **State of Colorado Model Code – Standard 10 Equipment Standard**

The appearance, materials, and dimensions of EV Charging Stations and Equipment shall be determined by current EV Charging manufacturing standards and utility design standards

EV Charging Stations and Equipment are pre-manufactured and specific aesthetic or dimensional standards may complicate project approval. Design elements that go beyond functional needs of charging such as digital advertising screens or bright lighting could be regulated separately. Staff is not recommending any additional standards regarding the aesthetic, material, or dimensional standards of the charging equipment. Any signage or lighting placed upon a charging station would be subject to corresponding requirements in Code.

### **State of Colorado Model Code – Standard 11 Screening and Landscape**

Jurisdictions are encouraged not to require screening for Accessory Use EV Charging Projects

Section 070.040.050 Landscaping, Screening, and Fencing already require that all mechanical and utility equipment be enclosed in an accessory structure or screened from public view using one (1) or a combination of the following:

- *Decorative wall, fence, or enclosure that is constructed of materials that are compatible with the overall architectural design of the development and of a height that is not less than the height of the equipment to be screened; or*
- *Landscaping that is of sufficient height at maturity and opacity to effectively soften and screen the equipment and that is integrated into the overall landscaping plan.*

Staff finds that charging equipment for an Accessory Charging Station is similar enough to all other mechanical and utility equipment which is required to be screened and therefore does not recommend any changes to meet this standard. Any charging equipment associated with an Accessory Charging Project would have to meet the existing screening requirements described in Code.

#### **State of Colorado Model Code – Standard 12 Screening and Landscape**

Jurisdictions may not require screening or landscaping to be located within the electrical equipment safety and access distances from national electric safety standards, including National Fire Protection Association (NFPA) standards, the National Electric Safety Code (NESC) and other relevant national safety standards.

Any proposed land use that includes electric infrastructure such as a transformer is already reviewed against these standards which means that the existing City process already meets this standard. In cases where proposed screening or landscaping contradicts these safety standards, the safety standards would prevail.

#### **State of Colorado Model Code – Option Standard 13 Lighting**

Charging Stations proposed as part of an EV Charging Project must be within the Horizontal Illuminance of on-site lighting, as defined in Code. Lighting may be provided by existing on-site lighting and/or by new lighting fixtures integrated into EV Charging Stations or Equipment or by new separate light fixtures.

Any new lighting that is part of a Charging Project would be subject to meeting the requirements of the corresponding Lighting District as described in *Section 070.040.100 Exterior Lighting. Section 070.040.100(f)(8) Canopy Lighting for Automotive Fuel Sales and Service Station* provides parameters for lighting of a gas station canopy. Staff

recommends updating this section’s language to include both Primary EV and Accessory EV Charging Projects. Proposed changes shown below.

- (9) *Canopy Lighting for Automotive Fuel Sales and Service Stations*, *Primary Use EV Charging Projects, and Accessory Use EV Charging Projects* . Canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least five (5) foot-candles. The maximum horizontal illuminance under canopies shall be twenty (20) foot-candles.
- a. Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or the fixture.
  - b. Lights shall not be mounted on the top or sides of the canopy. The sides (fascias) of the canopy shall not be illuminated for any purpose, with the exception of internally illuminated signage which shall comply with Subsection 070.040.110(g)(4)c., Internally Illuminated 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.

<b>Approval Criteria</b> <b>GSMC 070.060.040(c)(3)d.3.i</b>	<b>Compliance</b> <b>Yes</b>
<p><i>i. Is consistent with the Comprehensive Plan and other City policies;</i></p> <p><b>Analysis:</b> Numerous policies/actions outlined in the <i>2023 Glenwood Springs Comprehensive Plan Update</i> (Comp Plan) and the <i>2024 Energy and Climate Action Plan (ECAP)</i> outlined below address are directly or indirectly related to the Code Amendment.</p> <p><b>2023 Glenwood Springs Comprehensive Plan Update</b> <b>Transportation and Mobility</b> <b>4.11 Support the expansion of green transportation options</b> <b>4.11.A Plan and incentivize EV and E-bike growth and operations</b></p> <p><b>2024 Energy and Climate Action Plan</b> <b>Strategy T1.3 Adopt policies to expand availability of EV charging while reducing impacts of L3 charging on the City’s electric grid.</b></p> <p><b>Finding:</b> Staff finds that the Code Amendment application complies with Section 070.060.040(c)(3)d.3.i of the Code as it is consistent with the Comp Plan and ECAP goals to plan for EV growth and operations.</p>	

Approval Criteria 070.060.040(c)(3)d.3.ii	Compliance Yes
<p><i>ii. Does not conflict with other provisions of this Code or other provisions in the Glenwood Springs Municipal Code;</i></p> <p><b>Analysis:</b> The proposed amendments align with existing provisions of the Code and do not conflict with any provisions of the GSMC.</p> <p><b>Finding:</b> 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.</p>	

Approval Criteria 070.060.040(c)(3)d.3.iii	Compliance Yes
<p><i>iii. Is necessary to address a demonstrated community need;</i></p> <p><b>Analysis:</b> As the use of electric vehicles continues to grow, so does the need for a consistent and clear set of regulations for the use. These amendments provide this.</p> <p><b>Finding:</b> 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.</p>	

Approval Criteria 070.060.040(c)(3)d.3.iv	Compliance Yes
<p><i>iv. Is necessary to respond to substantial changes in conditions and/or policy; and</i></p> <p><b>Analysis:</b> These code amendments are necessary to respond to substantial changes in conditions and or/policy as the use of electric vehicles continues to grow and become more widespread.</p> <p><b>Finding:</b> 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 substanstainal changes in conditions.</p>	

Approval Criteria 070.060.040(c)(3)d.3.v	Compliance Yes
<p><i>v. Is consistent with the general purpose and intent of this Code.</i></p> <p><b>Analysis:</b> 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</p>	

implements specific policies outlined in the Comp 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 consistent with the purpose and intent of the Code.

## **PUBLIC COMMENT**

The Code Amendment was noticed in the *Glenwood Springs Post Independent* on June 12 and 19 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 to electric charging stations

### **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-000050-2026, 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-000050-2026, 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-000050-2026, to [ENTER SPECIFIC MEETING DATE HERE] to gather additional information necessary for a decision.*

Language which is ~~struck through~~ is proposed to be removed

Language which is underlined is proposed to be added.

### Section 070.020.200 Measurements and Exceptions

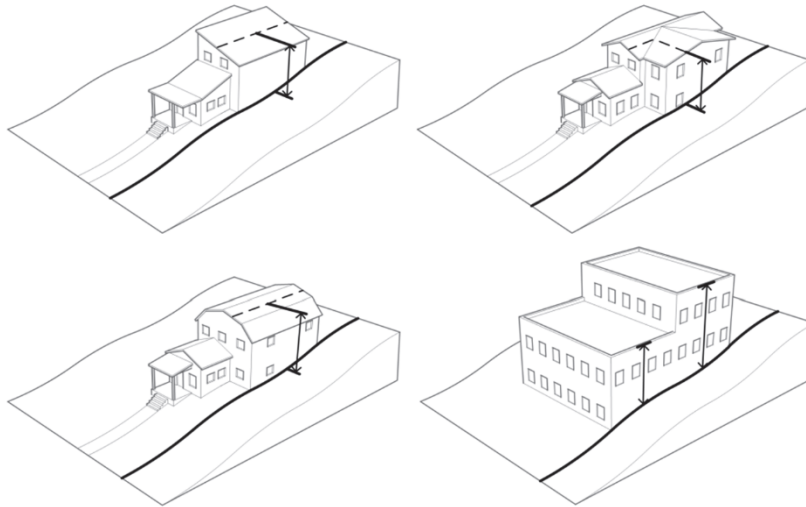
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- (6) *Exceptions to Setback Standards.* The features listed in Table 020.20 shall be permitted to project into the required setbacks of the applicable zoning district. The exceptions apply to all zoning districts unless otherwise stated.

Table 020.20: Authorized Exceptions to Setback Standards	
Accessibility ramps	May be located within required yards. Ramps shall be removed within three (3) months after the need for such ramp is removed. Ramps shall not be located in the public right-of-way without approval by the City.
Front porches and stoops	May encroach ten (10) feet into required front yard provided such porch or stoop is a minimum of sixty-five (65) percent open (including screens and/or windows) on the front and each side and is no closer than ten (10) feet from the front property line.
Ground-mounted solar panels	May encroach five (5) feet into required side and rear yards provided no element is located closer than two (2) feet from any property line.
Ground-mounted mechanical, <u>electrical, and other utility</u> equipment	May encroach five (5) feet into required side and rear yards provided no element is located closer than two (2) feet from any property line and the equipment complies with screening standards in Subsection 070.040.050(f), Screening, Fences, and Walls.
Roof eaves and other incidental architectural features	May encroach eighteen (18) inches into a required yard.
Storage sheds	In residential districts, storage sheds less than one hundred twenty (120) square feet in size may be placed up to, but not closer than three (3) feet from a rear or side property line provided they are not placed on a permanent foundation or over an easement.
Uncovered balconies and fire escapes	May encroach eighteen (18) inches into required side yard; four (4) feet into required front or rear yard.
Uncovered porches, slabs, patios, walks, and steps	May encroach into required yards by any amount provided all components of the encroachment are no greater than thirty (30) inches above ground level.
Retaining walls	May encroach by any amount into required front, rear, or side yards with the approval of the Public Works Director and City Engineer, provided that all other standards of this Code and the Engineering Standards related to retaining walls are met.

- (d) *Building Height.*

- (1) *Measurement.* Height shall be measured as the vertical distance above finished grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the midpoint of the highest gable of a pitched or hipped roof. (See examples in Figure 020-17)



**Figure 020-17: Examples of Building Height Measurement**

(2) *Exceptions to Height Requirements.* The features listed in Table 020.21 shall be permitted to project beyond the maximum height requirements of the applicable zoning district.

<b>Table 020.21: Authorized Exceptions to Maximum Height Standards</b>	
Elevator tower	May extend up to ten (10) feet above the maximum height requirement.
Spires, belfries, cupolas, domes, towers, or similar inhabitable ornamentation	May be twenty-five (25) percent greater than the allowed height with approval from the Director.
Parapet walls	May extend thirty (30) inches above the maximum height requirement for residential buildings containing two (2) or more dwelling units and for mixed-use and other nonresidential buildings.
Rooftop mechanical equipment	Except for building-mounted wireless communication facilities, rooftop mechanical equipment may extend five (5) feet above the maximum height requirement provided the equipment complies with screening requirements in Subsection 070.040.050(f)(1).
Roof-mounted solar panels	May extend five (5) feet above the maximum height requirement.
Transmitting antennas	Pursuant to Subsection 070.030.030(g).

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 9-2023, § 2(Exh. A), 10-26-2023; Ord. No. 13-2024, § 2(Exh. B), 7-18-2024)

Note(s)—See editor's note at § 070.020.190.

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**Language which is struck through is proposed to be removed**

**Language which is underlined is proposed to be added.**

**070.030.020 Table of Allowed Uses.**

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Table 030.1 lists the uses allowed within each base zoning district. Each listed use is defined in Section 070.070.020, Definitions of Use Categories and Specific Use Types.

- (a) *Explanation of Use Permissions.*
- (1) *Permitted Uses by Right.* A "P" designation in a cell within Table 030.1 indicates that the use is allowed by right in the respective zoning district. Permitted uses are subject to all other applicable standards in this Code.
  - (2) *Special Use Permit Required.* An "S" designation in a cell within Table 030.1 indicates that the use is allowed in the respective zoning district only with approval of a special use permit pursuant to Subsection 070.060.050(e), Special Use Permit. Uses requiring special use permits are also subject to all other applicable standards in this Code. The "S" designation does not constitute authorization or ensure that a special use permit will be approved for that use. Each special use permit application shall be evaluated on its own merit based on the approval criteria in Subsection 070.060.050(e)(3)e.2.
  - (3) *Prohibited Use.* A blank cell in Table 030.1 indicates that the use is prohibited in the respective zoning district.
  - (4) *Use-Specific Standards.* Regardless of whether or not a use is allowed by right or with approval of a special use permit, additional standards may be applicable to that use. Such use-specific standards are identified and cross-referenced in the last column of Table 030.1.
- (b) *Use for Other Purposes Prohibited.* Approval of a use listed in Table 030.1, and compliance with applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in Table 030.1, and approved under the appropriate process, is prohibited.
- (c) *Table Organization.* In Table 030.1, land uses and activities are classified by general "use categories" and specific "use types" based on common functional, product, or physical characteristics such as the type and intensity of activity, the type of customers or residents, operation requirements, how goods or services are sold or delivered, and typical site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories. Certain uses may be listed in one (1) category when they may reasonably have been listed in one (1) or more other categories. The use categories are an indexing tool and are not regulatory.
- (d) *Classification of New and Unlisted Uses.* The following procedures shall apply if an application is submitted for a use category or use type that is not specifically listed in Table 030.1. Submission and approval of such an application shall be required prior to approval of any other permit or development approval associated with the use.
- (1) *Director Determination of Appropriate Use Category and Use Type.* The Director shall determine the appropriate use category and use type for the proposed use. In such determination, the Director shall consider the potential impacts of the proposed use including the nature of the use

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and whether it includes dwellings, sales, processing, storage, operations, employment characteristics, nuisances, requirements for public utilities, and transportation requirements.

- (2) *Establish Use-Specific Standards if Necessary.* During the initial determination, the Director shall also determine whether or not additional use-specific standards are necessary to reduce potential impacts to the surrounding properties or the community.
- (3) *Notice of Determination.* The Director shall send a written notification of the use category and use type determination to the applicant, the Planning Commission, and the City Council within five (5) days of such determination. The determination shall become effective fourteen (14) days after written notification is sent.
- (4) *Post-Determination Actions.*
  - a. Appeals of the Director's determination shall be made following the procedures under Subsection 070.060.070(c), Appeals.
  - b. If the determination of an appropriate use category and use type results in a finding that the use, structure, or activity will be a common use or would create confusion by remaining unlisted, the Director may initiate an application for a Code Amendment pursuant to Subsection 070.060.040(c), Code Amendment, to revise Table 030.1 accordingly. Until final action is taken on the Code Amendment application, the use determination by the Director shall be binding.
- (e) *Multiple Primary Uses Permitted.* Multiple primary uses on one (1) lot shall be allowed in the RM2, RH, RT, M1, M2, M3, CO, and RE zoning districts if each individual use is allowed in the zoning district and all uses can be accommodated within the zoning district's dimensional standards and comply with all use-specific conditions or standards required of any of the principal uses.

(f) Table of Allowed Uses.

Table 030.1: Table of Allowed Uses																			
P = permitted by right S = special use permit required Blank = use prohibited																			
	Districts →																		
Use Category	Use Type	RR	RL	RM1	RM2	RH	RT	M1	M2	M3	CO	RE	I1	I2	IN	HP	Use-Specific Standards	Required Minimum Parking	
<b>RESIDENTIAL USES</b>																			
Household Living	Dwelling, live-work						P	P	P	P	P	P	P	P			070.030.030(c)(2)	1 per dwelling unit	
	Dwelling, multifamily				P	P	P	P	P	P	P	P					070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units	
	Dwelling, townhouse				P	P	P	P	P	P	P	P				S	070.030.030(c)(1)	1.5 per dwelling unit, plus 1 guest space per each 5 dwelling units	
	Dwelling, single-family detached	P	P	P	P	P	P	P	P		P	P				S	070.030.030(c)(1)	1 per dwelling unit	
	Dwelling, two-family		S	S	P	P	P	P	P		P					S	070.030.030(c)(1)	1.5 per dwelling unit	
	Mobile home park						S	S	S			P						070.030.030(c)(3)	1 per dwelling unit
	Accessory dwelling unit	P	P	P	P	P	P	P	P			P	P				S	070.030.040(d)(1)	1 per unit
Group Living	Convalescent or nursing home					S	S	P	P		P	P			P			1 per 3 beds	
	Personal care boarding home	S	S	S	S	S	S	S	S		S	S			S	S	070.030.030(c)(4)	2 per dwelling unit	
<b>PUBLIC, INSTITUTIONAL, AND CIVIC USES</b>																			
Community and Cultural Facilities	Assembly	S	S	S	S	S	S	P	P		P	P	P		P	S		1 per 250 square feet	
	Civic facility		S	S	S	S	S	P	P	P	P	P	P	P	P			1 per 300 square feet	

	Club or lodge						S	P	P	P	P	P						1 per 300 square feet
	Community centered board facility						P											Based on demand study, see Subsection 070.040.060(c)(5)
Adult and Child Care Facilities	Adult day care				S	S	S	P	P	P	P	P			P	S		1 per 300 square feet
	Child care center, large	S	S	S	S	S	S	P	P	P	P	P			S		070.030.030(d)(1)	1 per 250 square feet
	Child care center, small	S	S	S	S	P	P	P	P	P	P	P			S		070.030.030(d)(1)	1 per 250 square feet
	Family child care home	P	P	P	P	P	P	P	P	P	P				P		070.030.030(d)(2)	per required residential use
Educational Facilities	School	S	S	S	S	S	S	P	P	P	P	P	S		P	S		High school: 4 per classroom All others: 1.5 per classroom
Health Care Facilities	Hospital							P	P	P	P	P				P		1 per 400 square feet
	Medical or dental clinic							P	P	P	P	P			P	P		1 per 250 square feet
Parks and Open Space	Park, playground, and open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		No requirement
Transit Uses	Transit stop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Based on demand study, see Subsection 070.040.060(c)(5)
	Transit terminal or station								S	P	P	P			P	P	P	Based on demand study, see Subsection 070.040.060(c)(5)
<b>COMMERCIAL USES</b>																		
Agriculture and Animal-Related Services	Commercial farming, animal husbandry, and plant husbandry	S														P		No requirement

	Community garden	P	P	P	P	P	P	S	S	S	S	S			S	P		No requirement
	Kennel							S			S		S	S			070.030.030(e)(1)	1 per 1,000 square feet
	Sale of produce or plants raised on premises (excluding marijuana uses)	P	P	P	P	P	P	P	P	S	P	S	P	P	S	S	070.030.030(e)(2)	No requirement
	Veterinarian hospital or clinic							S	S	S	S	S	P	P	P		070.030.030(e)(3)	1 per 250 square feet
Adult Entertainment Establishments	Adult entertainment establishment													S			070.030.030(e)(4)	1 per 200 square feet
Food and Beverage Establishments	Bar, lounge, or tavern						S	P	P	P	P	P	P	P		S	070.030.030(e)(5)	1 per 200 square feet
	Microbrewery, distillery, or winery							P	P	P	P	P	P	P		S	070.030.030(e)(6)	1 per 200 square feet seating/tasting area, plus 1 per 500 square feet production area
	Restaurant						S	P	P	P	P	P	S	P		S		1 per 200 square feet
	Restaurant, with drive-through							S		S	S	S				S		1 per 200 square feet
Funeral and Interment Services	Cemetery					S	S	S	S	S	S	S	P	P	P			1 per 400 square feet of building area
	Funeral home, columbarium, crematorium, or mortuary					S	S	S	S	S	S	S	P	P	P			1 per 250 square feet
Lodging Facilities	Accessory tourist rental	P	P	P	P	P	P	P	P	P	P	P				P	070.030.030(e)(7)	Per residential use standards
	Bed and breakfast	S	S	S	S	P	P	P	P	P	P	P				S	070.030.030(e)(8)	1 space per guest room, plus 1 space for the owner/manager

	Boarding house					S	S	P	P	P	P	S				S		1 space per guest room, plus 1 space for the owner/management
	Hotel, motel, hostel, or lodge						S	P	P	P	P	P				S		1 space per guest room
	Short-term rental	P	P	P	P	P	P	P	P	P	P	P				P	070.030.030(e)(9)	Per residential use standards
	Extended stay hotel						S	P	P	P	P	P					070.030.030(e)(10)	1 space per guest room
Marijuana Businesses	Medical marijuana business, excluding cultivation							S	S	S	S				S		070.030.030(e)(11)	1 per 300 square feet
	Retail marijuana business, excluding cultivation							S	S		S				S		070.030.030(e)(12)	1 per 300 square feet
Office, Business, and Professional Services	Administrative, professional, or government office					P	P	P	P	P	P	P	P	P	P			1 per 300 square feet
	Bank or financial institution					P	P	P	P	P	P	P	P	P	P		070.030.030(e)(13)	1 per 300 square feet
	Natural medicine center						S	S	S	S	P	P		P	P		070.030.030(e)(20)	1 per 400 square feet
	Printing and copying establishment						S	P	P	P	P	P	P	P	P			1 per 400 square feet
Personal Services	Commercial laundry and dry cleaning										P		P	P				1 per 400 square feet
	Personal service, general <1,500 sq. ft.						P	P	P	P	P	P	P	P			070.030.030(e)(14)	1 per 400 square feet
	Personal service, general ≥1,500 sq. ft.						S	P	P	P	P	P	S	S	S		070.030.030(e)(14)	1 per 400 square feet

	Self-service laundry						S	P	P	P	P	P	P	P	P			1 per 400 square feet
Recreation and Entertainment, Indoor	Indoor recreation facility					S	S	P	P	P	P	P	P	P	P			1 per 400 square feet
Recreation and Entertainment, Outdoor	Commercial outdoor recreation use	S	S	S	S	P	P	P	P	P	P	P	P	P	P	S		1 per 400 square feet building area, plus 1 per 10,000 square feet site area
	Commercial outdoor recreation-concentrated							S	S	S	S	S	S	S	S	S		Based on demand study, see Subsection 070.040.060(c)(5)
	Golf course or country club	P	P	P								P				S		4 per hole, plus 1 per 250 square feet clubhouse area
	Recreational vehicle park					S	S	S	S		S					S	070.030.030(e)(15)	
Retail Sales	Building materials and supply store							P	P	P	P		P	P				1 per 400 square feet
	Convenience store							P	P	P	P	P	S	S	S			1 per 300 square feet
	Flea market or swap meet							S			P	P						Based on demand study, see Subsection 070.040.060(c)(5)
	Grocery store							P	P	P	P	P						1 per 300 square feet
	Liquor store							P	P	P	P						070.030.030(e)(16)	1 per 300 square feet
	Lumber yard										P		P	S				Based on demand study, see Subsection 070.040.060(c)(5)
	Pawn shop							P	P	P	P							1 per 300 square feet
	Retail, general <1,500 sq. ft.						P	P	P	P	P	P	S	P	S		070.030.030(e)(17)	1 per 400 square feet

	Retail, general >1,500 sq. ft.						S	P	P	P	P	P	S	P	S		070.030.030(e)(17)	1 per 300 square feet	
	Retail, shopping center							P	S	P	S	S		S				1 per 300 square feet	
Vehicles and Equipment	Automotive fuel sales and service station							S		P	S	S	S	S	S		070.030.030(e)(18)	1 per fueling pump, plus 1 per 400 square feet retail and office area	
	Automotive parts and accessories sales							P	S	P	P		P	P				1 per 400 square feet	
	Automotive repair shop							P			P		S	P				1 per 500 square feet, plus 3 per repair bay	
	Automotive sales or leasing							S	S	S	P		P	P			070.030.030(e)(19)	1 per 500 square feet sales area, plus 2 per repair bay	
	Automobile wash							S		S	S	S	S	S				1 per 300 square feet retail and office area, plus 3 stacking spaces per service lane and 1 stacking space per detailing bay if separate from wash bay/lane)	
	<b><u>Primary Use Electric Vehicle (EV) Charging Project</u></b>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>			<b><u>1 per charging port, plus 1 per 400 square feet retail and office area</u></b>
	Parking as a principal use						S	S	S	S	S	S	S	S	S	S			No requirement
	Equipment sales and rental							P	S	S	P		P	P					1 per 300 square feet
	Mobile home sales							P			P			P					No requirement
<b>INDUSTRIAL USES</b>																			
Industrial Services	Airport/ aviation-related business												S						Based on demand study, see

																			Subsection 070.040.060(c)(5)
	Asphalt or concrete batch plant											P							Based on demand study, see Subsection 070.040.060(c)(5)
	Motor or rail freight terminal											S	S						Based on demand study, see Subsection 070.040.060(c)(5)
	Natural resource extraction or processing											S							Based on demand study, see Subsection 070.040.060(c)(5)
	Printing or publishing facility						S	S		P		P							1 per 300 square feet office and retail area, plus 1 per 1,000 square feet all other building area
	Research and development facility						P	P	P	P		P	P	P					1 per 300 square feet office and retail area, plus 1 per 1,000 square feet all other building area
Manufacturing and Production	Brewery or bottling plant						P	S	S	P	S	P	P	S				070.030.030(f)(1)	Based on demand study, see Subsection 070.040.060(c)(5)
	Fabrication, manufacturing, and testing facility						S	S	S	S	S	S	P					070.030.030(f)(2)	Based on demand study, see Subsection 070.040.060(c)(5)
	Food processing and packing plant											P	S						Based on demand study, see Subsection 070.040.060(c)(5)
	Craft manufacturing							P	P	P	P	P	P	P					

Marijuana Businesses	Marijuana cultivation, with or without retail or medical business													S			070.030.030(f)(3)	1 per 1,000 square feet storage, warehousing, and distribution area, plus 1 per 35 square feet manufacturing, assembly, packing, preparation, plus 1 per 300 square feet for retail sales and office area
Natural Medicine Business	Natural medicine cultivation facility							S			P			P			070.030.030(e)(20)	1 per 1,000 square feet
	Natural medicine products manufacturer							S			P			P			070.030.030(e)(20)	1 per 1,000 square feet
	Natural medicine testing facilities							S			P			P			070.030.030(e)(20)	1 per 1,000 square feet
Storage and Warehousing	Bulk materials or machinery storage													P				Based on demand study, see Subsection 070.040.060(c)(5)
	Contractor offices and equipment storage yards							P			P		P	P				1 per 400 square feet of building area used as office
	Mini-warehouse or storage							S			P		P	S			070.030.030(f)(4)	3 spaces, plus 1 per resident caretaker
	Storage of hazardous liquids and gasses										S		S	S				070.030.030(b)(2)
	Warehousing										P		P	S				Based on demand study, see Subsection 070.040.060(c)(5)
Waste and Salvage	Salvage yard													S				Based on demand study, see Subsection 070.040.060(c)(5)

Utilities	Commercial television, radio, or microwave tower												S	S				No requirement
	Geothermal heat exchange						P	P	P	P	P	P	P	P	P	P		No requirement
	Solar energy system, large scale ground mounted						S	S	S	S	S	S	S	S	S	S	070.030.030(f)(5)	No requirement
	Solar energy system, large scale roof mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	070.030.030(f)(5)	No requirement
	Wastewater treatment facility											S				S		No requirement
	Wind power generation tower							S		S	S	S	S	S	S			No requirement
<b>WIRELESS COMMUNICATION FACILITIES</b>																		
	Alternative tower structure in right-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	070.030.030(g)	No requirement
	Alternative tower structure not in right-of-way	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	070.030.030(g)	No requirement
	Base station in right-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	070.030.030(g)	No requirement
	Base station not in right-of-way	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	070.030.030(g)	No requirement
	Eligible facilities request	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	070.030.030(g)	No requirement
	Small cell facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	070.030.030(g)	No requirement
	Tower	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	070.030.030(g)	No requirement
<b>ACCESSORY USES</b>																		
	<u>Accessory Use Electric Vehicle (EV) Charging Project</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P			<u>No requirement</u>

	Backyard chickens	P	P	P	P	P	P	P			P						070.030.040(d)(2)	No requirement
	Home occupation	P	P	P	P	P	P	P	P	P	P					P	070.030.040(d)(3)	No requirement
	Parking structure						S	S	S	S	S	S	S	S	P			No requirement
	Portable storage containers							P		P	P	P	P	P		070.030.040(d)(4)		No requirement
	Solar energy system, small scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P			No requirement
	Warehousing							P		P	P	P	P	P				Based on demand study, see Subsection 070.040.060(c)(5)
<b>TEMPORARY USES</b>																		
	Temporary sales and structures					P	P	P	P	P	P	P	P	P	P			Determined at time of temporary use permit.
	Temporary special event							P	P	P	P	P	P	P				070.030.050(e)

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 3-2019, § 2(Exh. A), 1-31-2019; Ord. No. 15-2020, § 2(Exh. A), 7-2-2020; 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. 18-2022, § 2(Exh. A), 7-21-2022; Ord. No. 15-2023, § 2(Exh. A), 10-5-2023; Ord. No. 13-2024, § 2(Exh. B), 7-18-2024; Ord. No. 11-2025, § 2(Exh. A), 4-3-2025; Ord. No. 36-2025, § 2(Exh. A), 12-4-2025)

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Language which is ~~struck through~~ is proposed to be removed

Language which is underlined is proposed to be added.

**070.040.100 Exterior Lighting.**

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- (a) *Purpose.* The purpose of this Section is to provide for exterior lighting that enhances safety, preserves the City's nighttime character, and improves the ability to view the nighttime sky from within the City. This Section is intended to decrease light pollution, increase energy efficiency, and promote high quality lighting design as it relates to the built environment. The lighting regulations are also intended to:
- (1) Ensure that parking areas, public gathering places, and other public places have adequate outdoor illumination;
  - (2) Ensure that light levels are uniform to enhance night vision and security;
  - (3) Minimize adverse impacts on public safety and neighborhood enjoyment due to excessive glare;
  - (4) Minimize spillover of light onto adjacent or nearby properties; and
  - (5) Minimize the effects of skyglow.
- (b) *Applicability.*
- (1) *General.* All exterior lighting devices shall be installed in conformance with this Section 070.040.100, the building code, the electrical code, and other applicable City codes under appropriate permit and inspection.
  - (2) *Exemptions.* The following types of exterior lighting are exempt from the requirements of this Section 070.040.100, provided they shall not create glare to motorists or result in light trespass onto adjacent properties:
    - a. Holiday lighting;
    - b. Twinkle lighting located on trees, bushes, or landscape features in the commercial zone district;
    - c. Bistro lighting located in a commercial zone district; and
    - d. Special events that have been issued a temporary use permit.
- (c) *Lighting Districts Established.* The City is divided into the following three (3) lighting districts within which specific standards and limitations are indicated throughout this Section:
- (1) *Lighting District 1.* The standards for this lighting district shall apply to the CO, M1, M3, I1, I2, and IN zoning districts.
  - (2) *Lighting District 2.* The standards for this lighting district shall apply to the RH, RT, M2, and RE zoning districts.
  - (3) *Lighting District 3.* The standards for this lighting district shall apply to the RR, RL, RM1, RM2, and HP zoning districts.
- (d) *Demonstration of Compliance.*
- (1) *Lighting Plan Required.* Unless expressly exempt from the lighting plan requirement in Paragraph (2), all new multifamily, mixed-use, or nonresidential developments shall provide a lighting plan with the applicable land use application and/or building permit.

- (2) *Exempt from Lighting Plan Requirement.* Properties in Lighting District 3 are exempt from the lighting plan requirement, provided:
  - a. No more than one (1) freestanding lighting fixture (not attached to a building or structure) shall be installed; and
  - b. Installed lighting meets the remaining standards of this Section.
- (e) *Prohibited Lighting Types.* The following types of exterior lighting are prohibited unless allowed elsewhere in this Code:
  - (1) Unshielded lights, lamps, or floodlights that produce glare and light trespass in excess of that allowed in Table 040.10;
  - (2) Lights affixed to the top of a roof, except where required by building code;
  - (3) Lights that flash, move, revolve, blink, flicker, vary in intensity, change color, or use intermittent electrical pulsation, except for holiday lighting pursuant to Subsection 070.040.100(b)(2)a;
  - (4) Mercury vapor and low-pressure sodium lighting;
  - (5) Linear lighting as defined in Article 070.070: Rules of Construction and Definitions; and
  - (6) Upward directed lighting that allows spillage into the sky.
- (f) *General Lighting Requirements for All Lighting Districts.*
  - (1) *On-Site Lighting Level.* Maximum on-site illumination, including spillage from doorways, signs, and windows, shall not exceed ten (10) foot-candles, unless otherwise allowed in this Code.
  - (2) *Light Trespass.*
    - a. *Maximum Allowed.* The maximum measured light levels shall not exceed those provided in Table 040.10:

<b>Table 040.10: Maximum Lighting Trespass Levels</b>		
Lighting District	Point A (foot-candles)	Point B (foot-candles)
District 1	5.0	3.0
District 2	0.5	0.2
District 3	0.3	0.1

- b. *Measurement.*
  - 1. *Methodology.*
    - i. Light trespass shall be measured at grade level unless otherwise noted. Two (2) measurements shall be taken: one (1) at any point along the property line (point A), and one (1) taken ten (10) feet (measured perpendicular to property line) onto the property being trespassed (point B). Where grade changes or obstructions prohibit measurements at the same grade level, measurements shall be taken on the same horizontal plane.
    - ii. Lighting measurements shall be taken under normal conditions. Measurements to determine compliance shall not be taken when conditions are present that will influence the outcome of measurements including snow, snowpack, rain, fog, or other influences.

2. *Cumulative Light Readings.* Light sources from a property shall be measured as cumulative of all sources on the subject property, except for internally illuminated signs.
3. *Transitions between Lighting Districts.*
  - i. Where properties in District 1 are separated by City streets in District 2, the trespass levels shown in Table 040.10 may be exceeded on streets in the M2 zoning district only. Where M2 zoning is across the street from other zoning or lighting districts, the levels in Table 040.10 shall apply at the center line of the street.
  - ii. The maximum light level for light trespass in any lighting district that borders a different lighting district shall be the lower of the two (2), along that border only. Where separated by a public street or right-of-way, the levels shall apply at the center line of the street adjacent to the light source.

(3) *Lighting Controls.*

- a. *Extinguish Lighting at Night.* All exterior lighting, except lighting specifically exempted in Subsection 070.040.100(b)(2), Exemptions, and security lighting as provided for in Subsection 070.040.100(f)(5) below shall be extinguished one (1) hour after close of business, or 10:00 p.m., whichever is later.
- b. *Motion Sensors.* Motion sensors may be used where the sensor is triggered by activity within the property lines and shall only be used with incandescent, fluorescent, LED lighting, or halogen lamps.
- c. *Timer/Photocell Combinations.* Timer/Photocell combinations that activate the light source at dusk and turn off lighting at a specific time may be used at front entries for nonresidential uses.

(4) *Surface Parking Area Lighting.*

- a. *Fixtures.* All lighting for surface parking lots and upper uncovered decks of parking structures shall be full cut-off fixtures.
- b. *Standards.* Parking area lighting shall comply with the standards in Table 040.11: Parking Area Lighting Standards:

<b>Table 040.11: Parking Area Lighting Standards</b>			
Lighting District	Mounting Height	Minimum light level at grade (foot-candles)	Maximum light level at grade (foot-candles)
District 1	35 feet	0.7	7
District 2	20 feet	0.3	3
District 3	Not allowed. Public or quasi-public facilities shall comply with the district 2 standards.		

1. *Parking Area Lighting in Lighting District 3.* Parking area lighting shall be prohibited except for public or quasi-public facilities requiring exterior parking lot illumination. Such facilities shall comply with the parking area lighting standards for district 2 as indicated in Table 040.11: Parking Area Lighting Standards.
2. *Parking Areas Bordering Districts 2 and 3.* Where a parking lot is located on a property in district 1 and shares a common lot line with a property located in districts 2 or 3, parking

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area lighting shall comply with specifications for light levels and pole heights for district 2 as indicated in Table 040.11: Parking Area Lighting Standards.

(5) *Security Lighting.*

- a. *Applicability.* Security lighting shall be allowed in all lighting districts. The need for security lighting shall be demonstrated as part of any development permit application package.
- b. *Standards.*
  1. *Examples of Appropriate Security Lighting Techniques.*
    - i. Recessed lights under a canopy.
    - ii. Full cut-off fixtures on parking lot poles.
    - iii. Fully shielded wall packs or other fixtures.
    - iv. Floodlights that are down-directed, fully shielded, and are controlled by motion sensors.
  2. *Fixtures.*
    - i. Security lighting fixtures shall be fully shielded and directed only to the designated area.
    - ii. Security lighting shall not be directed above a horizontal plane through the top of the lighting fixture.
    - iii. Security lighting fixtures shall include shields that prevent the light source from being visible from adjacent properties and roadways to the maximum extent practicable.
  3. *Light Levels.*
    - i. Security lighting may illuminate ingresses and egresses of buildings up to a level eight (8) feet above grade or the bottom of doorways, windows, or entries, whichever is greater.
    - ii. Security lighting on a parcel in district 1 that shares a common lot line with a parcel located in districts 2 or 3 shall comply with specifications for light levels and maximum mounting heights as noted in district 2.
    - iii. Security lighting for entrances, stairways and loading docks shall not exceed five (5) foot-candles at the designated area illuminated. Parking lot lighting used for after-hours security shall not exceed three (3) foot-candles at the designated area illuminated.

(6) *Building Façade Lighting.*

- a. *Applicability.*
  1. *Lighting District 1.* In lighting district 1, building façades may be illuminated if the illumination is part of the overall design of the building, adds to the visual quality of the surrounding neighborhood, and does not produce glare or illumination of nearby streets or properties. Building façades that face districts 2 and 3 that do not have a primary public entrance shall not be illuminated.
  2. *Lighting Districts 2 and 3.* In lighting districts 2 and 3 building façades and roofs shall not be illuminated except for those structures having exceptional symbolic or historic significance in the community or buildings in the M2 zoning district pursuant to Paragraph 3. below.

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Existing lighting on structures that are listed in the National Register of Historic Places are exempt from this Subsection.

3. *Building Lighting in the Downtown Core.* In the Downtown Core, lighting shall be used as it was used historically in the area as follows:
    - i. Low-scale, decorative lighting may be used to accent architectural details or building entries.
    - ii. Lights shall not be focused upward to light the façade or used to dominate a façade or the street.
  - b. *Standards.* A design for the illumination of a building shall be submitted with the lighting plan as part of the applicable development application and shall comply with the following:
    1. Lighting fixtures shall be carefully located, directed, and shielded so that light is directed only onto the building façade.
    2. Lighting fixtures shall not be directed towards streets or roads, other properties, or the sky.
- (7) *Lighting of Walkways and Common Areas.* Lighting for walkways, parks, and other common areas shall be illuminated to a minimum of two-tenths ( 2/10) of a foot-candle and a maximum of three (3) foot-candles. Such lighting shall be down-directed. Such lighting shall be included with the lighting plan submitted with an applicable development permit application.
- (9) *Canopy Lighting for Automotive Fuel Sales and Service Stations, Primary Use EV Charging Projects, and Accessory Use EV Charging Projects.* Canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least five (5) foot-candles. The maximum horizontal illuminance under canopies shall be twenty (20) foot-candles.
  - a. Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or the fixture.
  - b. Lights shall not be mounted on the top or sides of the canopy. The sides (fascias) of the canopy shall not be illuminated for any purpose, with the exception of internally illuminated signage which shall comply with Subsection 070.040.110(g)(4)c., Internally Illuminated Signs.
- (9) *Lighting of Outdoor Recreation and Entertainment Facilities.*
  - a. *Hours of Operation.* Exterior lighting of recreation or entertainment event facilities shall be turned off no later than one (1) hour after the end of the event.
  - b. *Illumination Standards.* Where outdoor recreation and/or entertainment areas are to be illuminated, lighting fixtures shall be mounted and directed no higher than sixty-two (62) degrees up from vertical so that no direct illumination extends off the site.
- (10) *Street Lighting.*
  - a. *Applicability.*
    1. Street lighting associated with a development application submitted pursuant to Article 070.060: Administration and Procedures, shall be provided by the applicant or developer and approved by the Electric Department Superintendent or the Director of the Public Works Department before installation.
    2. Street lights on private streets are required to be part of an overall lighting plan that is subject to the approval of the Electric Department Superintendent or the Director of the Public Works Department. If the Superintendent or Director determines that the expertise of a professional lighting consultant/engineer is required to determine compliance with

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this Subsection, the City shall have the option of hiring a professional lighting consultant, selected by the City, funded by the applicant or developer.

b. *Standards.*

1. *IES Guidelines.*

- i. Street lighting shall conform to the guidelines as published by the Illuminating Engineering Society (IES), provided that lighting levels do not exceed levels specified in the guidelines by more than two-tenths ( 2/10) of a foot-candle.
- ii. Uniformity ratios shall not exceed that suggested by the IES guidelines.
- iii. The lighting plan submitted with the applicable development permit shall include a street lighting plan that demonstrates compliance with IES standards for fixtures to be used; the type and wattage of lamps (bulbs); the proposed mounting heights; and spacing.
- iv. All street lighting fixtures shall be full cut-off fixtures.
- v. Bistro lighting shall not be allowed as street lighting for purposes of this Subsection.

2. *Mounting Height.* Mounting heights shall not exceed sixteen (16) feet for fixtures that do not protrude over streets and thirty (30) feet for fixtures that do protrude over the street.

3. *Location.*

- i. Street lights shall be located in the public right-of-way, except for street lights provided along private streets.
- ii. Streets with a sidewalk along only one (1) side of the street shall have street lights located on the same side of the street with the sidewalk.

(11) *Installation and Maintenance.*

- a. *Compliance with Building Code and other Applicable Codes.* Exterior lighting fixtures shall comply with the building code and other applicable codes as adopted by the City.
- b. *Maintenance.* Exterior lighting shall be maintained in good structural condition at all times.
- c. *Electrical Service Underground.* New electrical service required for exterior lighting shall be located underground unless the fixtures are directly mounted on utility poles.

(g) *Supplemental Lighting Standards—District 1.* The following supplemental standards shall apply to Lighting District 1:

(1) *Fixtures.*

- a. *Shielding.* Fixtures shall be full cut-off.
- b. *Decorative Fixtures.* Low-wattage landscape lighting, bollards, and other hidden light sources that create hidden effects may be allowed as background lighting and in certain applications pursuant to Subsection 070.040.100(f)(7).

(2) *Height.* Exterior lighting shall not exceed a maximum height of twelve (12) feet unless such lighting is:

- a. Street lighting provided by the City and/or a public entity;
- b. Used for parking and vehicle circulation areas, outdoor sales/display areas, security, or other types of lighting addressed elsewhere in this Section;

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- c. Building-mounted lighting directed downward at a sign or building façade; or
  - d. Fully shielded lighting on above-grade decks or balconies.
- (h) *Supplemental Lighting Standards—Districts 2 and 3.* The following supplemental standards shall apply to Lighting Districts 2 and 3:
- (1) *Fixture Shielding.*
    - a. Freestanding fixtures shall be full cut-off.
    - b. Floodlight fixtures and lamps shall be focused on the task, fully shielded, down-directed, and screened from adjacent properties to prevent glare and trespass pursuant to Table 040.10. Floodlight intensity shall not exceed two thousand (2,000) lumens per bulb and shall not exceed four thousand (4,000) lumens per fixture, with a maximum of two (2) bulbs per fixture.
    - c. All other exterior fixtures shall be fully shielded or shall comply with the following:
      - 1. A fixture that allows light to escape above the horizontal (ninety (90) degrees from vertical) shall have frosted lenses or lamps and the total light output shall not exceed five hundred five (505) lumens.
      - 2. A fixture that does not allow light to escape above the horizontal shall have frosted lenses or lamps and the total light output shall not exceed seven hundred fifty (750) lumens.
  - (2) *Height.* Freestanding exterior lighting shall not exceed twelve (12) feet in height. Parking lot lighting shall comply with Subsection 070.040.100(f)(4).
  - (3) *Common Area Entrances.* Photocells may be used at entrances to common areas on multifamily residential properties.

(Ord. No. 19-2018, § 2(Exh. A), 8-2-2018; Ord. No. 3-2019, § 2(Exh. A), 1-31-2019; Ord. No. 3-2021, § 2(Exh. A), 5-20-2021)

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**070.070.020 Definitions of Use Categories and Specific Use Types.**

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(a) *Residential Uses.*

- (1) *Household Living.* Uses in this category are characterized by residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Common accessory uses include recreational activities, gardens, personal storage buildings, and residential parking.
  - a. *Dwelling, Live-Work.* A dwelling unit combining both a residential living space and also an integrated work space principally used by one (1) or more of the residents. The unit typically has a storefront, workspace or studio, and public display area on the ground floor, with residential located either on the upper floor or in the back of the workspace.
  - b. *Dwelling, Multifamily.* A building or buildings located on a single lot including three (3) or more dwelling units, each of which is designed for one (1) family, with separate housekeeping and cooking facilities for each. Multifamily dwellings are often stacked vertically, sharing both common vertical and horizontal walls and ceilings. Multifamily dwellings do not include those uses meeting the definition of single-family townhouse dwelling.
  - c. *Dwelling, Townhouse.* A building that contains three (3) or more dwelling units, each having primary ground floor access to the outside and are attached to each other by common party walls without openings.
  - d. *Dwelling, Single-Family Detached.* One (1) building on one (1) lot designed to be occupied by not more than one (1) family.
  - e. *Dwelling, Two-Family.* A building designed as a single structure that contains two (2) separate dwelling units, each of which is designed to be occupied as a separate residence by one (1) family or household.
  - f. *Mobile Home Park.* Any plat of ground upon which two (2) or more mobile homes are located and occupied for dwelling or sleeping purposes, regardless of whether or not a charge is made for such accommodations.
  - g. *Accessory Dwelling Unit.* A separate, complete, dwelling unit containing separate facilities for sleeping, cooking, and sanitation that is contained within or attached to a detached single-family dwelling, or detached from it on the same property.
- (2) *Group Living.* Uses in this category are characterized by residential occupancy of a structure by a group of people who do not meet the definition of "household living." Tenancy is arranged on a month-to-month or longer basis and the size of the group may be larger than a family. Group living usually includes common eating areas for residents, and residents may receive care, training, or treatment. Caregivers often reside at the site. Accessory uses commonly include recreational facilities, personal storage buildings, gardens, and parking.
  - a. *Convalescent or Nursing Home.* An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals whom are unable to care for themselves.

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- b. *Personal Care Boarding Home.* An assisted living residence that provides room and board to not less than three (3) and not more than six (6) adults eighteen (18) years of age or older and who, because of impaired capacity for independent living, elect protective oversight, personal services, and social care but do not require twenty-four-hour nursing or medical care. Personal care boarding homes shall not serve clients requiring a secured environment as defined by 6 C.C.R. 1011-1, Section 1.102, and shall not include residential facilities for those living together as a result of prior criminal offenses.
- (b) *Public, Institutional, and Civic Uses.*
- (1) *Community and Cultural Facilities.* Uses in this category include buildings and facilities owned, operated, or occupied by a governmental or non-profit entity providing a service to the public.
- a. *Assembly.* A facility intended primarily for organized services, meetings, events, or programs to benefit, educate, entertain, or promote discourse, with membership not required for participation. Examples include community centers, places of worship, meeting or lecture halls, or exhibition rooms. If an assembly use is ancillary to another principal use, and has a gross floor area of less than five thousand (5,000) square feet, it is considered part of that use and is not considered a separate principal use.
- b. *Civic Facility.* Any noncommercial public facility housing uses for the prepose of promoting the general health, safety, and welfare of the citizens of Glenwood Springs. Some civic facilities are also considered government offices.
- c. *Club or Lodge.* An organization and its premises operating on a membership basis for the promotion of interests of the members including facilities for business organizations; facilities or spaces for physical exercise and recreational activities; civic, social, and fraternal organizations, and other similar organizations, but which shall not include a club for the smoking or other consumption of medical or retail marijuana or marijuana products.
- d. *Community-Centered Board Facility.* An administrative facility maintained or operated by a Community Centered Board as authorized in C.R.S. § 27-10.5-101 et seq. as amended, where the Community Centered Board provides case management services to persons with developmental disabilities, determines eligibility of those persons within a specified geographical areas, serves as the single point of entry for persons to receive services and support, and provides authorized services and support to those persons either directly or by purchasing services and supports from service agencies.
- (2) *Adult and Child Care Facilities.* Uses in this category include temporary care facilities on a less than twenty-four-hour basis for adults and children of varying ages. Activities include supervision, education, and recreation for care facility participants. Accessory uses commonly include recreation, personal storage buildings, and parking.
- a. *Adult Day Care.* A facility, whether in a private home or institutional setting, providing temporary care and supervision for persons eighteen (18) years of age or older. Care is provided for periods of less than twenty-four (24) hours a day and does not include overnight care.
- b. *Child Care Center, Large.* A facility that is maintained for the whole or part of a day for the care of twelve (12) or more children who are eighteen (18) years of age or younger and who are not related to the owner, operator, or manager of the facility, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children and those facilities that give twenty-four-hour care for children and includes those facilities for children under the age of six

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(6) years with stated educational purposes operated in conjunction with a public, private or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private or parochial elementary school system of at least six (6) grades or operated as a component of a school district's preschool program operated pursuant to the Colorado Preschool and Kindergarten Program Act, C.R.S. § 22-28-101 et seq., as amended. The term shall not include any facility licensed as a family child care home or foster care home.

- c. *Child Care Center, Small.* A facility that is maintained for the whole or part of a day for the care of up to twelve (12) children who are eighteen (18) years of age or younger and who are not related to the owner, operator, or manager of the facility, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes facilities commonly known as day care centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children and those facilities that give twenty-four-hour care for children and includes those facilities for children under the age of six (6) years with stated educational purposes operated in conjunction with a public, private or parochial college or a private or parochial school; except that the term shall not apply to any kindergarten maintained in connection with a public, private or parochial elementary school system of at least six (6) grades or operated as a component of a school district's preschool program operated pursuant to the Colorado Preschool and Kindergarten Program Act, C.R.S. § 22-28-101 et seq., as amended. The term shall not include any facility licensed as a family child care home or foster care home.
  - d. *Family Child Care Home (up to twelve (12) children).* An occupied residence in which a qualified person or persons who live in the home provide child care for twelve (12) or less children who are not related to the person or persons providing the care, as defined and regulated by the Colorado Department of Human Services Child Care Facility Licensing regulations for child care facility licensing. Individual parking standards apply from all correlating residential use.
- (3) *Educational Facilities.* Uses in this category include public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, including colleges and college campuses. Accessory uses commonly include play areas, cafeterias, recreation areas, auditoriums, and day care facilities.
- a. *School.* Any public or private school meeting all requirements of the compulsory education laws of the state and providing instruction to students in kindergarten through grade 12 and that are licensed through the State of Colorado. This does not include home-schooling facilities that are located within residential structures or other structures on a part-time basis.
- (4) *Health Care Facilities.* Uses in this category are characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, or other physical or mental conditions. Accessory uses may include laboratories, outpatient, or training facilities, and parking or other amenities primarily for the use of employees in the firm or building.
- a. *Hospital.* A state-licensed facility providing accommodation and medical care of sick and injured persons, not including group-care institutions or medical and dental clinics.
  - b. *Medical or Dental Clinic.* A facility for the examination and treatment of human outpatients provided that patients are not kept overnight.
- (5) *Parks and Open Space.* Uses in this category focus on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses may include clubhouses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking.

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- a. *Park, Playground, and Open Space.* Land designated for parks and recreation uses or to be left in a generally natural state, regardless of whether it is owned by a public entity or whether it is open to the general public.
- (6) *Transit Uses.* Uses in this category are primarily associated with the operation of public transportation services and facilities. Accessory uses may include limited convenience retail, cafeterias, parking, and personal storage.
- a. *Transit Stop.* An area posted as a place where transit passengers board or exit.
  - b. *Transit Terminal or Station.* A passenger terminal or loading facility for a private or public transit system, including a private shuttle service.
- (c) *Commercial Uses.*
- (1) *Agriculture and Animal-Related Services.* This category includes agricultural and farming activities, including nurseries and facilities for processing and selling agricultural products. Agricultural uses involve farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal husbandry. Animal-related uses include the boarding and care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas.
- a. *Commercial Farming, Animal Husbandry, and Plant Husbandry.* The land use of animal husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, aquaculture, hydroponics, together with necessary accompanying accessory uses, buildings, or structures for housing, packing, treating, or storing said products. This definition includes associated dwellings for those involved in agricultural uses.
  - b. *Community Garden.* A public or not-for-profit area for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one (1) person or family. Incidental sales are permitted.
  - c. *Kennel.* A facility where the training, grooming, or boarding of dogs, cats, or other animals is conducted as a business.
  - d. *Sale of Produce or Plants Raised on Premises.* A sales table or kiosk of locally grown food crops and goods or non-food ornamental crops such as flowers, that is located at the site of a community garden or agricultural property and operates during the time of year coinciding with the growing season. Does not include any marijuana-related use.
  - e. *Veterinarian Hospital or Clinic.* An establishment for licensed practitioners engaged in practicing veterinary medicine, dentistry, or surgery.
- (2) *Adult Entertainment Establishments.* Uses in this category include entertainment that is distinguished or characterized by an emphasis on material depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- a. *Adult Entertainment Establishment.* An adult bookstore, adult mini motion picture theatre, adult motion picture theatre, adult motion picture arcade, adult cabaret, adult drive-in theatre, adult live entertainment arcade, or adult services establishment.
- (3) *Food and Beverage Establishments.* Uses in this category include establishments that serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking.
- a. *Bar, Lounge, or Tavern.* An eating and drinking establishment providing or dispensing by the drink for on-site consumption fermented malt beverages, and/or malt, special malt, vinous, or spirituous liquors, and in which the sale of food products is secondary. A bar, lounge, or tavern may include the provision of live entertainment and/or dancing; however, shall not include any adult entertainment.

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- b. *Microbrewery, Distillery, or Winery.* A small brewery, cidery, distillery, or winery serving beer, wine, or other alcohol for consumption onsite or sale of the same for consumption off the premises, but is not sold to other drinking establishments or restaurants. A limited quantity, up to twenty-five (25) percent of total annual production, may be sold to wholesalers. Such uses may operate in conjunction with a bar, lounge, or tavern and/or a restaurant.
  - c. *Restaurant.* A commercial establishment where food and beverages are prepared, served, and consumed primarily within the principal building.
  - d. *Restaurant, with Drive-Through.* A commercial establishment where food and beverages are prepared, served, and consumed either within the principal building, or ordered by customers at a walk-up or drive-up counter to be consumed on or offsite.
- (4) *Funeral and Interment Services.* Uses in this category include establishments for the preparation of the deceased for burial and the display of the deceased and rituals connected with, and conducted before, burial or cremation.
- a. *Cemetery.* Land used or intended to be used for the burial of human remains and dedicated for cemetery purposes. Cemetery purposes include columbaria, crematoriums, mausoleums, and mortuaries operated in conjunction with the cemetery.
  - b. *Funeral Home, Columbarium, Crematorium, or Mortuary.* An establishment for the preparation of the deceased for burial and the display of the deceased and rituals connected with, and conducted before, burial or cremation. This definition includes other undertaking establishments such as columbaria, crematoria, and may include a facility for the permanent storage of cremated remains of the dead. This use type does not include cemeteries.
- (5) *Lodging Facilities.* Uses in this category include facilities where lodging, meals, and other services are provided to visitors and guests for a fee for a defined period of time. Accessory uses may include storage, cafeterias, limited retail, health and recreation facilities, and parking or other amenities. Uses in this category primarily include facilities where lodging, meals, and other services are provided to transient visitors and guests for a fee for a defined period of time less than thirty (30) days per instance. Transient lodging for any period of less than thirty (30) consecutive days shall pay accommodation tax.
- a. *Accessory Tourist Rental.* 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.
  - b. *Bed and Breakfast.* A detached single-family dwelling, that is owner-occupied or occupied by a resident manager, where individual bedrooms are offered as single accommodations to guests for transient lodging and which facility includes incidental eating and drinking service from a single kitchen serving only residents and guests and is not operated in the manner of a commercial restaurant, or as a facility for commercial activities such as for-profit private parties or receptions, retail sales or similar activities. Bed and breakfasts shall have a minimum of two (2) bedrooms available for lodging and one (1) bedroom available for the owner or manager residing on site.
  - c. *Boarding House.* A building or portion of a building, other than a hotel, motel, or multifamily dwelling wherein non-transient lodging and/or meals are provided in bedrooms, sleeping units, or efficiency dwelling units, for six (6) or more persons for compensation. Such compensation may include money, services, or other things of value.
  - d. *Hotel, Motel, Hostel, or Lodge.* A building or group of buildings where transient lodging is offered in bedrooms, sleeping rooms, and dwelling units. The building or buildings must include an on-site check in lobby serving as a guest reception, waiting, and gathering area. The building or

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buildings may include accessory facilities such as parking, restaurants, meeting rooms, recreation areas or similar facilities commonly associated with lodging. The term hotel/motel does not include Bed and Breakfast, Short-Term Rental or an Accessory Tourist Rental.

- e. *Short-Term Rental.* The rental of an entire dwelling unit for monetary consideration for a period of time less than thirty (30) consecutive days, not including a bed and breakfast, residency unit, boarding or rooming house, or hotel, motel, hostel, or lodge. This definition does not include offering the use of one's property where no fee is charged or collected.
  - f. *Extended-Stay Hotel.* Any structure consisting of one (1) or more buildings, with more than five (5) dwelling units with provisions for living, sanitation, and sleeping, that is specifically constructed, kept, used, maintained, advertised, and held out to the public to be a place where temporary residence is offered to persons for non-transient extended stays or stays longer than thirty (30) days, regardless of the presence of rentals or leases for shorter periods of time. Extended-stay hotels must include individual kitchenette facilities.
- (6) *Maintenance and Repair Services.* Uses in this category include those engaged in repair or maintenance of equipment, home appliances, and building components. Accessory uses may include fleet and employee parking and storage yards.
- a. *Repair Facility, Major.* Repair, rebuilding, and painting of agricultural, industrial, implements, and equipment not customarily used in the home but excluding automobile and vehicular repair.
  - b. *Repair Facility, Minor.* The maintenance and rehabilitation of appliances customarily used in the home including washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners, and hair dryers.
- (7) *Marijuana Businesses.* Uses in this category are primarily engaged in cultivating, manufacturing, testing, and sales of medical and/or retail marijuana.
- a. *Medical Marijuana Business, Excluding Cultivation.* Marijuana that is grown, produced, manufactured, sold, transmitted, or dispensed for medical use to the extent permitted by Article IVIII, Section 14 of the Colorado Constitution, Article 10 of Title 44 C.R.S., and any other applicable state or City law or regulation. The term "medical marijuana business" shall not include the private possession, distribution, and medical use of marijuana and cultivation of up to six (6) plants by an individual patient or caregiver for one (1) patient in the residence of the patient to the extent permitted by Article XVIII, Sec. 14 of the Colorado Constitution, Article 10 of Title 44 C.R.S. and any other applicable state or City law or regulation. The presence of more than six (6) marijuana plants on a property shall constitute a "medical marijuana business" regardless of the number of patients residing on the property.
  - b. *Retail Marijuana Business, Excluding Cultivation.* The retail sale, storage, product manufacturing or testing of marijuana to the extent permitted by Article XVIII, Section 16 of the Colorado Constitution and in various provisions of the Colorado Marijuana Code, Article 10 of Title 44, C.R.S., and any other applicable state or City law or regulation.
- (8) *Natural Medicine Business.* Uses in this category are primarily engaged in healing offices, cultivating, manufacturing, and testing.
- a. *Healing Center.* A facility where an entity is licensed by the State Licensing Authority pursuant to article 50 of title 44 that permits a facilitator to provide and supervise natural medicine services for a participant.
  - b. *Natural Medicine Cultivation Facility.* A location where regulated natural medicine is grown, harvested, and prepared in order to be transferred and distributed to either a healing center,

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- facilitator, a natural medicine products manufacturer, or to another natural medicine cultivation facility.
- c. *Natural Medicine Products Manufacturer.* A location where a business manufactures regulated natural medicine products for transfer to a healing center, facilitator, or to another natural medicine products manufacturer.
  - d. *Natural Medicine Testing Facility.* A public or private laboratory licensed, or approved by the Division, to perform testing and research on regulated natural medicine and regulated natural medicine product.
- (9) *Office, Business, and Professional Services.* Uses in this category provide executive, management, administrative, governmental, or professional services, but do not sell merchandise except as incidental to a permitted use. Typical uses include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, call centers, and similar offices. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.
- a. *Administrative, Professional, or Government Office.* A building in which services are performed including administrative, professional, governmental, or clerical operations. This use includes accessory uses such as restaurants, coffee shops, and limited retail sales.
  - b. *Bank or Financial Institution.* An establishment that provides retail banking, mortgage lending, and financial services to individuals and businesses, and including check-cashing facilities. Accessory uses may include automatic teller machines, offices, and parking.
  - c. *Printing and Copying Establishment.* An establishment that reproduces, in printed form, individual orders from an individual, business, profession, service, industry, or government organization.
- (10) *Personal Services.* Uses in this category provide individual services related to personal needs directly to customers at the site of the business, or that receive goods from or return goods to the customer, which have been treated or processed at that location or another location.
- a. *Commercial Laundry and Dry Cleaning.* An establishment engaged in dry-cleaning, laundry, and linen services for the public or for businesses or institutions. This use includes pressing, repair, and dry-cleaning primarily for pick-up from and distribution to customers located off-site.
  - b. *Personal Service, General.* An establishment that provides repair, care, maintenance or customizing of wearing apparel or other personal articles or human grooming services and includes such uses as beauty/barber shops, dry cleaning pickup, shoe repair, alterations, spas, and tanning salons.
  - c. *Self-Service Laundry.* An establishment providing washing, drying, or dry-cleaning machines on the premises for rental use to the general public. This definition includes automatic, self-service only, or hand laundries.
- (11) *Recreation and Entertainment, Indoor.* Uses in this category provide recreation and entertainment activities entirely within a building. Accessory uses may include limited retail, concessions, parking, and maintenance facilities.
- a. *Indoor Recreation Facility.* A commercial recreational use conducted entirely within a building, including arcade, arena, art gallery and studio, art center, assembly hall, athletic and health clubs, auditorium, bowling alley, community center, conference center, exhibit hall, gymnasium, library, movie theater, museum, performance theater, pool or billiard hall, skating rink, swimming pool, and tennis court.

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- (12) *Recreation and Entertainment, Outdoor.* Uses in this category provide recreation and entertainment activities mostly outdoors or partially within a building. Accessory uses may include limited retail, concessions, parking, and maintenance facilities.
- a. *Commercial Outdoor Recreation Use.* A commercial recreational use conducted entirely or partially outside of a building, characterized by potentially moderate impacts on traffic, the natural environment and the surrounding neighborhood, including athletic field; miniature golf; skateboard park; swimming, bathing, wading and other therapeutic facilities; tennis, handball and basketball courts; batting cages; and trampoline facilities.
  - b. *Commercial Outdoor Recreation Use - Concentrated.* [reserved]
  - c. *Golf Course or Country Club.* A club organized and operated for social and outdoor recreation purposes including golf courses, hunting and fishing, or other similar uses. This definition includes incidental accessory uses and structures.
  - d. *Recreational Vehicle Park.* An outdoor facility designed for overnight accommodation of human beings in motorized vehicles, rustic cabins and shelters, or trailers for recreation, education, naturalist, or vacation purposes. Office, retail, and other commercial uses commonly established in such facilities and related parking structures shall be allowed as accessory appurtenances.
- (13) *Retail Sales.* Uses in this category are involved in the sale, lease, or rent of new or used products directly to the general public, but not specifically or exclusively for the purpose of resale. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for on-site sale.
- a. *Building Materials and Supply Store.* An establishment engaged in the storage, distribution, and sale of building materials such as brick, tile, cement, insulation, floor covering, lighting, plumbing supplies, electrical supplies, cabinetry and roofing materials. Accessory uses may include repair or delivery services and outside sale of plants and gardening supplies.
  - b. *Convenience Store.* A small retail establishment designed and stocked to sell primarily food, beverages, and other household supplies to customers for offsite use or consumption.
  - c. *Flea Market or Swap Meet.* An indoor or outdoor premises where the primary use is the sale of new or used household goods, personal effects, tools, art work, small household appliances, and similar merchandise, objects, or equipment in small quantities, in broken stalls, lots or parcels, not in bulk, for the use or consumption by the immediate purchaser in a building, open air, or partly enclosed booths or stalls not within a wholly enclosed building. This definition shall not include wholesale sales establishments or rental services establishments, but shall include personal service establishments, food services establishments, and auction establishments. This definition does not pertain to retail sidewalk sales or garage sales.
  - d. *Grocery Store.* A retail establishment that primarily sells food, but may also sell convenience and household goods for offsite use or consumption.
  - e. *Liquor Store.* A retail establishment operating under a valid retail liquor store license that sells sealed alcoholic beverages for offsite consumption. A liquor store may sell other items allowed under the Colorado Liquor Code, C.R.S. § 12-47-101 et seq.
  - f. *Lumber Yard.* An establishment for the sale of lumber and other materials customarily used in the construction of buildings and other structures, which includes facilities for outdoor storage.
  - g. *Pawn Shop.* An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker). Retail sales also take place of primarily used items.

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- h. *Retail, General.* A facility or area for the retail sale of general merchandise or food to the general public for direct use and not for wholesale. This use includes but is not limited to sale of general merchandise, appliances, clothing and other apparel, convenience and specialty foods, dry goods, flowers and household plants, hardware and similar consumer goods.
  - i. *Retail, Shopping Center.* A development that includes more than one (1) multiple-tenant or single-tenant retail facility, or other retail use located on a development site or on a combination of development sites.
- (14) *Vehicles and Equipment.* Uses in this category include a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage and offices.
- a. *Automotive Fuel Sales and Service Station.* An establishment primarily engaged in selling gasoline and lubricating oils and which may sell other convenience merchandise or perform minor repair work.
  - b. *Automotive Parts and Accessories Sales.* An establishment that sells primarily new parts, tires, and other accessories for automobiles, light trucks, motorcycles, and similar vehicles. This definition does not include establishments dealing primarily in used parts, including junk or salvage operations.
  - c. *Automotive Repair Shop.* The servicing of automobiles, including mechanical work, body work, and painting, entirely within a building.
  - d. *Automotive Sales or Leasing.* The sale, display, lease, rental, or storage of light motor vehicles, including automobiles, vans, light trucks, light trailers, boats, ATVs, snowmobiles, and recreational vehicles. This definition shall not include salvage operations, scrap operations, vehicle impound yards, or commercial parking lots available for short-term use.
  - e. *Automobile Wash.* A facility for the cleaning of automobiles or other motor vehicles, operated by the public or by on-site employees, whether or not in conjunction with other goods or services provided to customers.
  - f. *Parking as a Principal Use.* The ownership, lease, operation, or management of a commercial surface parking lot, above-ground structure, or below-ground structure in which fees are charged.
  - g. *Equipment Sales and Rental.* The sales and rental of supplies and equipment primarily intended for homeowner use and minor residential gardening and construction projects, but not including car or truck rentals. All maintenance of equipment shall be conducted within an enclosed building.
  - h. *Mobile Home Sales.* The sale, display, lease, rental, or storage of mobile homes.
  - i. Primary Use Electric Vehicle Charging Project. Any proposed development of a direct current fast current (DCFC) electric vehicle (EV) charging stations and equipment that serves as the primary function and land use on the subject property.
- (d) *Industrial Uses.*
- (1) *Industrial Services.* Uses in this category include the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Contractors and similar uses perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage.
- a. *Airport/Aviation-Related Business.* Any area of land that is used or intended for use for the landing or take-off of aircraft, and any appurtenant areas that are used or intended for use for

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airport buildings or other airport facilities or rights-of-way, including taxi-ways, aircraft storage and tie-down areas, hangers, helipads, and other related buildings and open spaces. Aviation-related businesses utilize aircraft and require close proximity to the airport to function, including, but not limited to: aircraft servicing, fueling, or leasing; private aviation clubs or associations; and tours or transportation companies.

- b. *Asphalt or Concrete Batch Plant.* A facility that manufactures or prepares bituminous paving materials, aggregate concrete, or bulk cement.
  - c. *Motor or Rail Freight Terminal.* A facility in which goods shipped by truck or rail are loaded, unloaded, or transferred between trucks and trains for shipping or distribution, together with incidental storage, maintenance, and administrative offices.
  - d. *Natural Resource Extraction or Processing.* The extraction and processing of minerals, sand, gravel, and ores, from their natural occurrences and the distribution of extracted materials.
  - e. *Printing or Publishing Facility.* A commercial facility that reproduces a large quantity of copies or books and other printed material including newspapers and magazines, including the storage and transshipment of such goods.
  - f. *Research and Development Facility.* A facility including research, synthesis, analysis, development and testing laboratories, including the fabrication, assembly, mixing, and preparation of equipment and components necessary to the conduct of such activities.
- (2) *Manufacturing and Production.* Uses in this category include all transformative processes, regardless of whether or not the new product is finished or semi-finished. This use category includes firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory uses may include retail sales, offices, storage, cafeterias, employee amenities, parking, warehousing, and repair facilities.
- a. *Brewery or Bottling Plant.* A facility in which processing and production of beverages occurs, including canning, bottling, and packaging for sale and/or distribution to retailers, drinking establishments, restaurants, or wholesalers. This use may include on-site consumption (a tasting room) as an accessory use.
  - b. *Fabrication, Manufacturing, and Testing Facility.* Uses and facilities involving assembling, distributing, fabricating, manufacturing, packaging, printing, processing, publishing, recycling, repairing, servicing, storing, or wholesaling of goods or products.
  - c. *Food Processing and Packing Plant.* The sorting, treatment, or preparation of food products for sale or as inputs to further processing. Examples include bakeries and baking plants; cold storage establishments; creamery operations, and frozen food lockers. This use does not include commercial feedlots, meatpacking, poultry dressing, stockyards, fat rendering, or the tanning, cutting, curing, cleaning or storing of green hides or skins.
  - d. *Craft Manufacturing.* An indoor facility for the assembly of hand-fabricated parts or hand-fabrication of custom or craft products using predominantly hand tools or domestic-scaled mechanical or other equipment including but not exclusive of blacksmith or metal work; makers of clocks, saddles, boats, cabinets, furniture, 3-D printing.
- (3) *Marijuana Businesses.* Uses in this category are primarily engaged in cultivating, manufacturing, testing, and sales of medical and/or retail marijuana.

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- a. *Marijuana Cultivation, with or without Retail or Medical Business.* The retail sale, cultivation, storage, product manufacturing or testing of marijuana to the extent permitted by Article XVIII, Section 16 of the Colorado Constitution and in various provisions of the Colorado Marijuana Code, Article 10 of Title 44, C.R.S., and any other applicable state or City law or regulation.
- (4) *Natural Medicine Business.* Uses in this category are primarily engaged in healing offices, cultivating, manufacturing, and testing.
- (5) *Storage and Warehousing.* Uses in this category are engaged in the storage or movement of goods for themselves or other businesses. Goods are generally delivered to other businesses or the final consumer, except for some will-call pickups. There are typically few customers present. Accessory uses may include offices, truck fleet parking, and maintenance areas.
- a. *Bulk Materials or Machinery Storage.* An establishment engaged in the storage of oils, lubricants, grains, mineral products, machinery, or other goods or commodities not defined elsewhere in this Code as a specific type of warehousing or storage.
  - b. *Contractor Offices and Equipment Storage Yards.* A building and related outdoor areas used to store and maintain construction equipment and other materials and facilities customarily required in the building trade by a construction contractor. This use may include showrooms and shops for the display and sale of electrical, plumbing, heating, air conditioning, sheet metal, and other material in connection with contracting services.
  - c. *Mini-Warehouse or Storage.* A building or group of buildings that are rented and designed, through individual compartments or controlled stalls for self-service storage purposes.
  - d. *Storage of Hazardous Liquids and Gasses.* A facility or site engaged in the storage and handling of flammable or otherwise hazardous materials, liquids, waste, or gasses.
  - e. *Warehousing.* A building used primarily for the storage and distribution of goods and materials. This use shall include incidental accessory uses including offices, showrooms, and limited retail sales.
- (6) *Waste and Salvage.* Uses in this category receive solid or liquid wastes from others for disposal on the site or for transfer to another location. The category includes uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products.
- a. *Salvage Yard.* A lot, parcel, development site, structure, or business operation that is primarily used for sales of, processing, or dismantling junk or similar material.
- (7) *Utilities.* Uses in this category includes all lines, buildings, easements, passageways, or structures used or intended to be used by any public or private utility related to the provision, distribution, collection, transmission, or disposal of power, oil, gas, water, sanitary sewage, communication signals, or other similar services at a local level.
- a. *Commercial Television, Radio, or Microwave Tower.* A structure for the transmission of broadcasting of radio, TV, microwave, or radar signals.
  - b. *Geothermal Heat Exchange.* Equipment for the collection of geothermal energy and its conversion to electrical energy for use on the same property or for incidental sale to a public utility.

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- c. *Solar Energy System, Large-Scale.* A roof, ground, or wall mounted device and/or system that collects and converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy.
  - d. *Wastewater Treatment Facility.* A facility used to collect and treat wastewater for a defined services area that typically has employees on site.
  - e. *Wind Power Generation Tower.* A wind energy conversion system which is elevated by means of a monopole tower and is not located on another supporting structure. Guyed, lattice, or other non-monopole style towers shall not meet this definition.
- (e) *Accessory Uses and Structures.*
- (1) *Accessory Use Electric Vehicle Charging Project.* A proposed development of direct current fast charging (DCFC) electric vehicle (EV) charging stations and equipment that are incidental and subordinate to the primary use on the subject property.
  - (2)~~(1)~~ *Backyard Chickens.* The non-commercial keeping, raising, and/or housing of chicken hens as an accessory use of property.
  - (3)~~(2)~~ *Home Occupation.* A business, occupation, or activity undertaken for compensation within a residence in a residential zoning district and that is incidental to the use of that structure as a dwelling unit. A home occupation shall not be interpreted to include the following uses: Kennels, veterinary clinics, pet animal breeding operations; medical clinics, dental clinics, hospitals; restaurants, clubs, drinking establishments; motor or recreational vehicle repair, storage rental, painting, or wrecking; adult entertainment establishments; undertaking or funeral parlors; on-site retail sales of items made or produced off-site; or marijuana businesses.
  - (4)~~(3)~~ *Portable Storage Container.* Any temporary, transportable, movable or portable container which is delivered to and placed outdoors on private property for storage purposes. A portable storage container does not include a refuse container.
  - (5)~~(4)~~ *Parking Structure.* A structure below and/or above grade, constructed and used for the temporary parking or motor vehicles.
  - (6)~~(5)~~ *Solar Energy System, Small-Scale.* A roof, ground, or wall mounted device and/or system that collects and converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy. Net Metered Residential solar systems are limited to an installed capacity of ten (10) KW. Net Metered Commercial solar systems are limited to an installed capacity of twenty-five (25) KW.
- (f) *Temporary Uses and Structures.*
- (1) *Temporary Sales and Structures.* An impermanent structure or land area intended for temporary and/or seasonal sales, with the intent to discontinue the use and structure upon the expiration of a set time period.
  - (2) *Temporary Special Event.* A temporary use of land for the purposes of a public or private event including circuses, carnivals, parties, fairs, or other celebrations that may reasonably attract large crowds.

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

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**Language which is struck through is proposed to be removed**

**Language which is underlined is proposed to be added.**

**070.070.030 All Other Terms Defined.**

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*Abandoned sign.* A sign that depicts or refers to a product, use, service, activity, condition, or person that has changed in such a fashion that the sign is no longer a correct identification or description that no longer exists at the location referred to in the sign or that no longer exists in any way or at any place. Signs in good repair of licensed seasonal uses shall not be classified as abandoned signs.

*Accent material.* Material covering thirty (30) percent or less of the exterior wall elevations.

*Access way.* A driveway of any length of which the purpose is to provide vehicular access between the public right-of-way and parking areas located on a lot.

*Accessory structure.* A detached subordinate structure located on the same lot as the principal building, the use of which is incidental to the principal building or use of the lot. Unless approved as an accessory dwelling unit that meets the standards of Subsection 070.030.040(d)(1), Accessory Dwelling Units, such structure shall not be used for living or sleeping quarters in a residential zoning district.

*Active programmed recreation turf.* Grass used for recreation that is one thousand five hundred (1,500) contiguous square feet or greater; co-located with facilities; and located at least ten (10) feet from a street or interior-facing parking lot unless the turf area is at least thirty (30) feet in all dimensions or immediately adjacent to an athletic field.

*Active transit stop.* A transit stop with current regularly scheduled service.

*Addition.* An extension or increase in floor area or height of an existing building or structure.

*Adjacent.* The condition where two (2) or more parcels share common property lines or where two (2) parcels are separated only by an alley, easement, or street.

*Administrative adjustment.* A development approval authorizing limited deviations from certain provisions of this Code's dimensional or numerical development standards that is reviewed by the Director under Subsection 070.060.070(b).

*Administrative manual.* A manual containing details regarding the development review procedures, information for potential applicants, and development review forms.

*Alley.* A minor or secondary right-of-way that provides only a secondary means of access to abutting property and that is used primarily for vehicular service to the back or side of properties that otherwise front on a street.

*Alteration.* Any construction or renovation to an existing structure other than a repair or addition.

*Animated or moving sign.* A sign or any portion of a sign that has any moving, rotating, or otherwise physically animated sign or that gives the illusion of a change of position.

*Applicant.* A person whom submits a development application requesting a development permit or approval authorized by this Code.

*Architectural feature.* A part, portion, or projection of a building or structure that contributes to its character or style, exclusive of signs, that is not necessary for the structural integrity of the building or to make a building habitable.

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*Area median income (AMI).* The median household income estimates and program income limits compiled and released annually for Garfield County by the United States Department of Housing and Urban Development (HUD).

*Athletic field turf.* Grass used for sports or physical education that is one thousand five hundred (1,500) contiguous square feet or greater; not less than thirty (30) feet in any dimension; and located at a school, daycare, religious institution, recreation center, senior center, park or water park. Athletic field turf may be located less than ten (10) feet from a street or interior-facing parking lot if the contiguous turf area is at least thirty (30) feet in all dimensions

*Attached sign.* Any sign painted, incorporated in, or fixed to the building and any sign consisting of cutout letters or devices affixed to the building with no background design on the building and extending no more than twelve (12) inches.

*Average elevation of ground.* The average elevation between two (2) points, twenty (20) feet either side of the centerline of the sign parallel to the sign face.

*Awning.* A movable shelter or shading device supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

*Awning/canopy/marquee sign.* A sign displayed on the surface of an awning, canopy, or marquee.

*Balcony.* An unenclosed platform structure supported by and projecting from or inset into the exterior of a building gaining sole access from said building, and designed and intended for either decorative purposes or lounging, dining, and similar activities.

*Banner sign.* A temporary sign made of fabric or any non-rigid material with no enclosing framework.

*Bioswale.* A long, channeled depression or trench that receives rainwater runoff (as from a parking lot) and has vegetation (such as grasses, flowering herbs, and shrubs) and organic matter (such as mulch) to slow water infiltration and filter out pollutants.

*Bistro lighting.* Any ornamental lighting of low voltage (twelve (12) volts or less per bulb) located primarily for the benefit of business patrons and employees or in common gathering spaces.

*Block.* A unit of land bounded by streets or by a combination of streets and parks or open space, railroad rights-of-way, waterways, or any barrier to the continuity of development.

*Block face.* Individual or collection of properties abutting one (1) side of a street or public right-of-way and lying between the two (2) nearest intersecting streets or rights-of-way, or intersecting right-of-way and railroad right-of-way, un-subdivided land, water course, or City boundary. Corner properties may be considered to be located on more than one (1) block face.

*Buffer.* Open spaces, landscaped areas, fences, walls or any combination of the same, used to physically separate or screen one (1) use or property from another to visually shield or block noise, lights, or other nuisances.

*Building.* Any permanent structure built for the shelter or enclosure of persons, animals, materials, or personal property of any kind, not including a porch, deck, fence, retaining wall, or similar non-enclosed structure. All buildings shall be considered "structures"; however, not all structures shall be considered buildings. See definition for "structure."

*Building envelope.* Lines enclosing a horizontal and vertical space where a building is to be constructed, which lines indicate the maximum exterior dimensions of the proposed building but do not necessarily depict the shape of the exterior walls of the building.

*Building form.* The shape and structure of a building as distinguished from its substance or material.

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*Building frontage.* The horizontal, linear dimension of that side of a building that abuts a street, parking area, mall or other circulation area open to the general public and that has either a main window display of the business or a public entrance to the building.

*Building height.* The vertical distance above finished grade measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the midpoint of the highest gable of a pitched or hipped roof. See Subsection 070.020.200(d), Building Height, for additional details and exceptions.

*Building mass.* The three-dimensional bulk of a building height, width, and depth.

*Building official.* The Building Inspector for the City or his/her designee.

*Building scale.* The size and proportion of a building as distinguished from its substance or material.

*Building, accessory.* A building or structure that is subordinate or incidental to, and on the same lot or on a contiguous lot in the same ownership, as the principal building or use on the property.

*Building, principal.* A building from which the principal use of the lot is conducted and/or located.

*Canopy.* A permanent, flat-roof shelter covering a sidewalk, driveway, or other similar area, that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extended from the ground.

*Capital improvements.*

- (a) Fire protection or emergency medical, rescue and ambulance service planning, preliminary architectural and engineering services, architectural and engineering design studies, land surveys, land acquisition, site improvements and off-site improvements associated with new or expanded facilities used for fire protection or emergency medical, rescue and ambulance service;
- (b) Construction of buildings and facilities used for fire protection or emergency medical, rescue and ambulance services; and
- (c) Purchase of fire suppression or emergency medical, rescue and ambulance apparatus and equipment, including communications equipment, with an average useful life of at least five (5) years, necessary to adequately protect and defend new development and its inhabitants.

*Certificate of Occupancy.* A document issued by the Building Official pursuant to the Building Code that allows the occupancy and use of buildings and structures, certifying that such buildings, structures, and uses have been constructed and will be used in compliance with the Municipal Code.

*Character.* Those attributes, qualities, and features that make up and distinguish a development or neighborhood and give such development or neighborhood a sense of purpose, function, definition, and uniqueness.

*Chicken coop.* An enclosed and secured facility for housing chicken hens.

*City.* The City of Glenwood Springs, in the County of Garfield and State of Colorado.

*City Code.* The City of Glenwood Springs Municipal Code, as amended.

*Civic use.* Any use intended to be conducted in a facility or upon land that is owned and operated for public use by school districts, a place of worship, or by a city, county, state, or the federal government.

*Code.* This Development Code, Title 070 of the Glenwood Springs Municipal Code, as amended.

*Commercial development.* Any development activity except development activity intended solely for residential or civic use.

*Community housing or community housing unit.* A residential dwelling unit within the City of Glenwood Springs that is deed restricted in accordance with this article and the City of Glenwood Springs' Community

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Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with a deed restriction approved by the City of Glenwood Springs City Council or its designee.

*Community housing rental unit.* A community housing unit that is deed-restricted in accordance with this article and the City of Glenwood Springs' Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with deed restrictions approved by the City of Glenwood Springs City Council or its designee, to establish a maximum rental prices, as well as residency, employment and income qualifications for owners and occupants.

*Community Housing Residency Requirements and Guidelines.* The requirements adopted by resolution by the City Council, from time to time, which may include, but shall not be limited to, standards concerning the procedure for qualifying to own or rent community housing units; the requirements (e.g. residency) for qualifying to own or rent community housing units; forms of approved deed restrictions; limitations on appreciation of sales prices of community housing; procedures for sale of community housing; priorities for persons bidding to purchase community housing units; maximum sales and rental rate increases; standards for the number of residents per dwelling unit; quality of construction requirements for new community housing units; and possible incentives for the construction of community housing. The Community Housing Residency Requirements and Guidelines, and amendments thereto, shall be adopted following a duly noticed public hearing at which such guidelines are considered.

*Community housing for sale unit.* A community housing unit that is deed-restricted in accordance with this article and the City of Glenwood Springs' Community Housing Requirements and Guidelines, as approved and amended from time to time by resolution by the City Council, and in accordance with a deed restrictions approved by the City of Glenwood Springs City Council or its designee to establish maximum initial sales and resale prices, as well as residency, employment and income qualifications for owners and occupants.

*Compact vehicle parking.* A vehicle parking space whose dimensions are smaller than a standard vehicle parking space, and that is intended to be occupied by smaller vehicles.

*Compatibility.* The characteristics of different uses, activities, or designs that allow such uses, activities, or designs to be located near or adjacent to each other without adverse impacts. Some elements affecting compatibility include height, scale, mass, and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as."

*Compatible or compatibility.* Consistent with, harmonious with and/or enhancing the mixture of complementary architectural styles either of the architecture of an individual structure or the character of the surrounding structures. The delicate historic character and scale of districts may be overwhelmed and disrupted by buildings out of proportion to those surrounding structures or styles which do not respect the existing historic neighborhood.

*Comprehensive Plan.* The Comprehensive Plan for the City, stating the goals, recommendations, and policies as adopted by the Planning Commission and City Council.

*Condominium.* A common interest community in which portions of the real estate are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of the separate ownership portions. A common interest community is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

*Condominium unit.* A physical portion of the common interest community which is designated for separate ownership or occupancy and the boundaries of which are described in or determined from the declaration. If a unit in a cooperative is owned by a unit owner or is sold, conveyed, voluntarily or involuntarily encumbered, or otherwise transferred by a unit owner, the interest in that unit which is owned, sold, conveyed, encumbered, or

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otherwise transferred is the right to possession of that unit under a proprietary lease, coupled with the allocated interests of that unit, and the association's interest in that unit is not thereby affected.

*Condominiumization.* The division of a building or buildings and land into separate interests, normally called condominium units for the purpose of sale. Condominiumization shall comply with the standards and procedures in Subsection 070.060.060(d).

*Construction or construct.* The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

*Contiguous.* In contact with or sharing a common border, boundary, or property line.

*Contributing.* A "contributing" property adds to the historic architectural qualities, historic associations, or archaeological values for which the district is significant because: a) it was present during a period of significance and possesses historic integrity reflected in its character at that time or it is capable of yielding important information about the period; b) it independently meets the National Register criteria; and c) it meets the Glenwood Springs Historic Preservation criteria.

*Contributing building structure, site/area, or object.* A building, structure, site/area, or object that reflects the historical or architectural character of an historic district, as defined by GSHPC designation pursuant to Section 070.050.020, Designation of Local Landmarks and Historic Districts.

*Copy.* Any words, letters, figures, designs, symbols, fixtures, or colors, or motion, illumination, or projected images.

*Cornice.* A horizontal molding projecting along the top of a wall.

*Crosswalk.* A pedestrian pathway that cuts across a block to facilitate pedestrian access to adjacent streets and properties.

*Deciduous.* A plant that drops all leaves once per year.

*Deck.* A roofless outdoor space built as an above ground platform, freestanding or attached, projecting from the wall of a structure and supported by posts or pillars.

*Deed restriction.* A contract entered into between the City and the owner or purchaser of real property identifying the conditions of occupancy and resale.

*Demolition by neglect.* Neglect in the maintenance of any building resulting in any one (1) or more of the following:

- a) The deterioration of a building to the extent that it creates or permits a hazardous or unsafe condition as determined by the Building Department.
- b) The deterioration of a building characterized by one (1) or more of the following:
  1. Those buildings which have parts thereof which are so attached that they may fall and injure members of the public or property.
  2. Deteriorated or inadequate foundation.
  3. Defective or deteriorated floor supports or floor supports insufficient to carry imposed loads with safety.
  4. Members of walls or other vertical supports that are insufficient to carry imposed loads with safety.
  5. Members of ceiling, roof, ceilings, and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration.
  6. Fireplaces or chimneys which list, bulge or settle due to defective material or deterioration.

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7. Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

*Demolition or Demolish.* Any act or process that destroys in part or in whole a landmark or a structure within a historic district.

*Density.* A ratio of dwelling units to gross land area.

*Design standard.* A requirement for a minimum level of site and/or building quality, as set forth in Section 070.040.080, Residential Site and Building Design, and Section 070.040.090, Nonresidential and Mixed-Use Site and Building Design.

*Designated use area (landscaping).* Grass designated for special use at cemeteries and mortuaries.

*Developer.* Any person, firm, partnership, joint venture, limited liability company, association, or corporation who participates as owner, promoter, developer, or sales agent in the planning, platting, development, promotion, sale, or lease of a subdivision or development.

*Development.* The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, logging, excavation, landfill or land disturbance; or any use or extension of use that alters the character of the property.

*Development Code.* Title 070 of the Glenwood Springs Municipal Code, as amended.

*Development permit.* Any of the approvals authorized by Section 070.060.050, Development Permits, including site/architectural plan review, master plan, construction plans, location and extent review, and special use permit.

*Development review committee.* The Development Review Committee (DRC) of the City of Glenwood Springs.

*Development site sign.* An on-premises sign in connection with a development in progress.

*Development, mixed-use.* A building or group of buildings, planned as a unified and complimentary whole, and containing both residential and nonresidential uses.

*Directional sign.* Any on-site sign that directs the necessary movement of pedestrians or vehicular traffic without reference to the name of the business, products sold or services offered. This definition includes signs locating public facilities such as rest rooms and emergency facilities.

*Director.* The Director of the Department of Community Development charged with the administration and enforcement of this Code, or the duly authorized representative of the Director.

*Disturbed area.* Any grading, scraping, excavating, trenching, filling of land, dumping of fill materials (including but not limited to dumping of soil, concrete, and construction debris), bulk outdoor storage, clearing of trees or vegetation, and any construction in preparation for development, reconstruction, or significant alteration of a structure.

*Dormer.* A window set upright in a sloping roof. Also used to refer to the roofed projection in which such window is set.

*Downtown core.* Area of land located south of the Colorado River, north of 13th Street, east of School Street, and west of Cleveland Avenue, and including North Glenwood, generally east of Laurel Avenue. The area includes Block 1—67, Glenwood Springs Original Town Site as platted in 1913, excluding outlots 1 through 33; and includes the South Addition as platted in 1936.

*Driveway.* A private access way providing access between a street and destinations points within an adjacent property.

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*Dwelling or dwelling unit.* A building or portion of a building designed and intended to be used by a person or family for private residential occupancy. A dwelling has its own separate entrance, permanent plumbing, and is equipped with facilities for sleeping, bathing, and cooking.

*Easement.* A grant by a property for use of land for designated private or public purposes by another agency or the public.

*Electric Vehicle Charging Port.* A power supply device that provides electrical current charging for electric vehicles. One electric vehicle charging port provides power for one vehicle and are classified into the following categories:

- a) *Direct Current Fast Charging (DCFC).* High speed charging that provides about 50-350 kW of power per hour and uses a 480V three-phase outlet.
- b) *Level 2 Charging.* Mid-speed charging that provides about 7-19 kW of power per hour and uses a 240V outlet.
- c) *Level 1 Charging.* Slow charging that provides about 1-2 kW of power per hour and uses a 120V outlet.

*Electric Charging Project.* A proposed development of Primary or Accessory Electric Vehicle Charging Stations and Equipment, which may include other supporting site improvements like landscaping, lighting, or weather protection.

*Elevation.* The external faces of a building; also a mechanically accurate "head-on" drawing of any one (1) face of a building or object, without any allowance for the effect of the laws of perspective.

*Eligible.* A property that has been determined by the State Historic Preservation Officer or the National Parks Service, Department of the Interior, to meet the National Register of Historic Places Criteria for Evaluation.

*Emergency service provider.* A governmental entity providing fire protection, emergency medical, rescue and ambulance services or any combination of such services.

*Emergency services.* Fire protection, emergency medical, rescue and ambulance services or any combination of such services.

*Emergency services impact fee.* A fee for fire protection or emergency medical, rescue and ambulance service established by Subsection 070.040.030(g)(5).

*Employee/qualified resident.* A person who is employed on the basis of a minimum of one thousand five hundred (1,500) hours worked per calendar year in the employment area, which averages thirty (30) hours per week for a minimum of ten (10) months per year, physically working the employment area and who resides in the community housing unit as their sole and exclusive place of residence a minimum nine (9) months of a twelve-month period. Priority will be given to employees/qualified residents employed within the City of Glenwood Springs boundaries or someone who has receive a local employment exemption pursuant to the Community Housing Residency Requirements and Guidelines.

*Employment area.* Glenwood Springs municipal boundary.

*Encroachment.* A private improvement, structure, or obstruction extending into or located within, upon, above, or under any public right-of-way or public easement.

*Engineering standards.* City of Glenwood Springs Engineering Standards.

*Evergreen.* A plant that retains leaves and/or needles year-round.

*Exterior architectural appearance.* The architectural character and general composition of the exterior of a structure, including, but not limited to, the kind, color and texture of the building material and the type, design and character of all windows, doors, light fixtures, signs, and appurtenant elements.

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*Façade.* Any side of a building that faces a street or open space. The front façade is the front or principal face of a building.

*Fence.* A man-made barrier of any material or combination of materials erected to enclose, screen, or separate areas.

*Final plans.* Technical engineered drawings demonstrating compliance with this Code, the Building Code, and the City of Glenwood Springs Engineering Standards. Review and approval of final plans shall be pursuant to Subsection 070.060.050(c).

*Finished grade.* The final elevation of the ground surface after completion of authorized development and associated manmade alterations of the ground surface such as grading, grubbing, fillings, or excavating.

*Fire protection.* The prevention and extinguishment of fire, protection of life and property from fire, and enforcement of municipal, county, district and state fire prevention codes.

*Fixture.* A complete lighting unit, consisting of a lamp, reflector, refractor or lens, wiring and sockets.

*Fixture height or mounting height.* The vertical distance from the ground directly below the centerline of the fixture to the lowest direct light-emitting part of the fixture.

*Flag.* Any fabric containing distinctive colors, patterns, or symbols used as an emblem, symbol, standard, or decoration and which is hoisted on a permanent flagpole or otherwise displayed from a building.

*Floodlight.* A light fixture equipped with a reflector or reflector type bulb designed to broadly light a scene or object with minimal control. The beam spread of floodlights may range from "spot" lights of ten (10) to twenty (20) degrees to "floods" with angles of thirty-five (35) or more degrees.

*Floor area.* The total habitable horizontal area of all floors in a building. Bathroom, toilet compartments, closets, halls, storage or utility space, garages, and similar areas are not considered habitable space.

*Flush-mounted or recessed fixture.* A fixture that is mounted above the ceiling (or behind a wall or other surface) with the opening of the fixture even with the surface.

*Focal point (nonresidential and mixed use).* A box formed from lines extending thirty (30) feet away from intersecting property lines on corner lots. As noted in Figure 040-24 of Section 070.040.090.

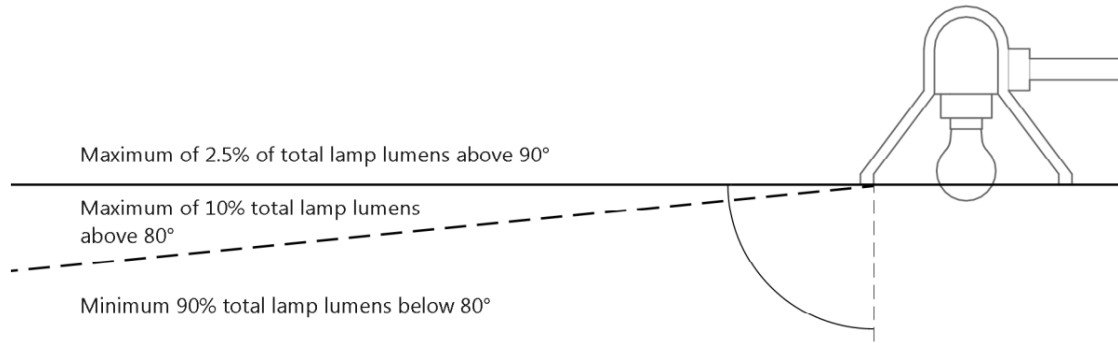
*Foot-candle (fc).* A measure of light falling on a given surface or a unit of illumination of a surface that is equal to one (1) lumen per square foot. One (1) foot-candle is equal to the amount of light generated by one (1) candle shining on a square foot surface one (1) foot away. Foot-candles can be measured both horizontally and vertically by a foot-candle or light meter. Foot-candles shall be measured at grade level by a digital light meter, unless otherwise noted in Section 070.040.100, Exterior Lighting.

*Footprint.* For purposes of this Code, the physical area covered by a building or structure.

*Free range.* Chicken hens being allowed to move about within an open area on the property without the benefit of a chicken coop or run.

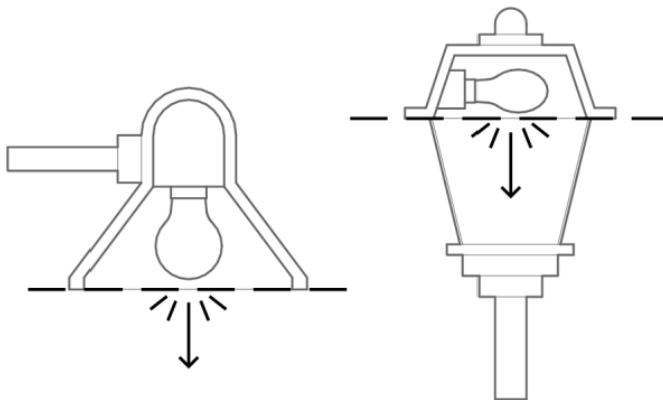
*Freestanding sign.* Any sign that is structurally separate from the building housing the use to which the sign pertains.

*Full cut-off fixture.* A fixture light distribution where a maximum of two and one-half (2½) percent of the total lamp lumens may be emitted ninety (90) degrees above the lowest point of a sphere; a maximum of ten (10) percent of the total lamp lumens may be emitted between eighty (80) and ninety (90) degrees above the lowest point of a sphere; and ninety (90) percent of the total lamp lumens must fall below eighty (80) degrees of the lowest point of a sphere. (Figure 070-1)



**Figure 070-1: Full Cut-Off Fixture**

*Fully shielded light.* Light fixtures shielded or constructed so that no light rays are directly emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report. The fixture must also be properly installed and adjusted to effectively down direct light in order to comply with the definition. Exemptions from this definition may be allowed for aesthetic lighting elements, such as shades with perforated patterns and opaque diffusers. (Figure 070-2)



**Figure 070-2: Fully Shielded Light**

*Functional turf.* An irrigated grass area that provides a recreational benefit to the community and is:

- a) Located at least ten (10) feet from a street, installed on slopes less than twenty-five (25) percent and not installed within street medians, along streetscapes or at the front of entryways to parks, commercial sites, neighborhoods, or subdivisions.
- b) Active/programmed recreation turf, athletic fields, designated-use-area turf, golf course play areas, some pet relief turf, playground turf or resident area turf.

*Gable roof.* A pitched roof with a ridge and vertical ends.

*Ghost sign.* An old sign which may or may not be applicable to the building or use where it is located that appears faded and is not maintained. Ghost signs must be designated as historical signs. Ghost signs usually appear on masonry structures and the image appears when wet.

*Glare.* An intense light that is overpowering and visually unpleasant.

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*Golf course play area.* Grass in driving ranges, chipping and putting greens, tee boxes, greens, fairways and rough.

*Grade, finished.* The average of the ground elevations at the center of all walls of a building, following completion of site grading. If a wall is parallel to and within five (5) feet of a sidewalk, finished grade is measured at the sidewalk.

*Gross floor area.* The total square footage of all finished and unfinished and enclosed floors of the building, including but not limited to living areas, garages, storage, utility spaces, and enclosed porches. Crawl spaces are not included in gross floor area calculations.

*Gross income.* The total income, including alimony and child support, derived from a business, trust, employment, Social Security benefits of any type and from income-producing property, before deductions for expenses, depreciation, taxes, and similar allowances.

*GSHPC.* The Glenwood Springs Historic Preservation Commission.

*Hardship.* A condition by which the property in question cannot be put to reasonable use under existing regulations, subject to a showing of proof under Subsection 070.060.070(a), Variance.

*Heat island effect.* Developed or built up areas that are hotter than undeveloped or rural areas due to the sun's effect on dry exposed surfaces such as roofs and pavement. Heat islands typically occur during the day and at night, and are stronger during the hot summer months.

*Height, building.* See "Building Height."

*Height, sign.* For freestanding signs, the vertical distance between the average elevation of the ground adjoining the sign and the level of the highest point of the sign.

*High intensity discharge light source (HID).* A light source characterized by an arc tube or discharge capsule that produces light, with typical sources being metal halide, high pressure sodium, and other similar types which are developed in accordance with accepted industry standards.

*Hip roof.* A roof with sloped ends instead of vertical ends.

*Historic building, improvement, structure, site, or object.* A building, structure, site, or object that that has been designated by the City Council pursuant to Article 070.050: Historic Preservation, as a local landmark or as contributing to a local historic district; or that is officially designated or has been determined eligible to be on the national or state registers of historic places.

*Historic designation sign.* A sign, designated by the City Council, as having historical significance to the City.

*Historic district.* An area designated as an "historic district" by ordinance of the City Council, which may contain within definable geographic boundaries one (1) or more landmarks, and which may have within its boundaries other properties, improvements or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmarks located within the historic district.

*Holiday decorations.* Ornamental materials temporarily displayed on traditionally accepted holidays.

*Holiday lighting.* Lighting displays from November 15 through February 28 of the following year.

*Hydrozone.* Landscape zones of different water requirements that group plants together with similar water needs in the following four (4) categories:

- a) High hydrozone: Eighteen (18) gallons/s.f./season.
- b) Moderate hydrozone: Ten (10) gallons/s.f./season.
- c) Low hydrozone: Three (3) gallons/s.f./season.

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d) Very low hydrozone: Zero (0) gallons/s.f./season.

*Illuminating Engineering Society (IES).* The Illuminating Engineering Society is an association of professionals in the field of lighting and related professions. Its membership is made up of engineers, architects, designers, manufacturers, contractors, distributors, utility personnel, educators, students, and scientists.

*Illumination, direct.* Lighting by means of an unshielded light source, including neon tubing but not including electronic message signs, that is effectively visible as part of a sign, where light travels directly from the source to the viewers' eyes.

*Illumination, indirect.* Lighting by the surface of a light source that is directed at the reflecting surface in such a way as to illuminate the sign from the front or a light source that is primarily designed to illuminate the entire building façade upon which a sign is displayed, but does not include lighting that is primarily used for purposes other than sign illumination, including without limitation, parking lot lights or lights inside a building that may silhouette a window sign that are not primarily installed to serve as illumination of a sign.

*Illumination, internal.* Lighting by means of a light source that is within a sign having a translucent background and silhouettes opaque letters or designs, or that is within letters or designs that are themselves made of translucent material.

*Impervious surface.* An asphalt, concrete, or other surface that is not a component of a porous paving system.

*Improvements.* For the purposes of this Code, the community public works and facilities determined to be necessary in relation to proposed development, including, but not limited to; access drives, landscaping, parking facilities, sanitary sewers, site and street lighting, storm drainage facilities, street facilities, traffic control facilities, and water facilities. All required improvements shall comply with current requirements and standards as established in this Code and other applicable sections of the Municipal Code.

*Inclusionary community housing.* The policy of requiring community housing in residential developments to ensure adequate housing stock for local residents and to maintain or increase the current ratio of primary to second home ownership in the City of Glenwood Springs.

*Infill residential.* Residential development on a parcel or tract of land that shares a common lot line with at least two (2) existing single-family homes and is located within a residential zoning district. Infill development generally occurs on lots that are already subdivided, and that are less than one (1) acre in size and located within established single-family neighborhoods; however, some larger parcels may also be included in this definition.

*Inflatable sign.* Any sign of non-rigid material that utilizes air or other gases, either under pressure or heated, to maintain its shape.

*Initial sales price.* The maximum price for which a price capped community housing for sale unit may be initially sold.

*Interior sign.* See "window sign."

*Lamp.* A bulb, an outer glass envelope, and metal base enclosing a filament or arc tube and electrodes.

*Landmark.* A property or structure designated as a landmark by ordinance of the City Council, pursuant to procedures prescribed herein, that is worthy of rehabilitation, restoration and preservation because of its historic and/or architectural significance to the City.

*Landmark alteration certificate.* A certificate issued after approval of plans for alteration, construction, removal or demolition of a landmark or of a structure within an historic district.

*Landscape elements.* Annual plants, benches, chairs, perennial plants, planters, shrubs, statuary, trees, yard ornaments, and similar elements.

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*Landscape strip.* A landscaped area located within the public right-of-way between the sidewalk and the edge of curb or pavement.

*Landscape, landscaping.* Live plant materials or areas designed, planted, preserved, and maintained with live plant materials, including perennial ground covers, trees, shrubs, and grasses.

*Legally subdivided.* Land that has been the subject of a plat filed with the Garfield County Clerk and Recorder that legally establishes boundaries or lot lines or for which a subdivision approval has been issued.

*Light pollution.* The excess illumination of the nighttime environment that results in the loss of visibility of the stars.

*Light source.* The element of a lighting fixture that is the point of origin of the lumens emitted by the fixture.

*Light trespass.* The shining of light produced beyond the boundaries of the property on which it is located, where light is produced by a light fixture or reflected light.

*Limits of disturbance.* The specific area(s) of a site established pursuant to Subsection 070.040.020(a)(4), Limits of Disturbance, within which construction and development activity shall be contained. The limits of disturbance shall be shown on the site/architectural plan and shall include all principal and accessory buildings and structures, driveways, septic fields, and areas used during construction activities.

*Linear lighting.* The use of visible or concealed light sources, including neon tubes, fluorescent tubing, and other surface-mounted or recessed light sources that describe or outline the features of a structure such as the roofline, all or part of the perimeter, the façade, walls, soffit, or other structural component, that results in the attraction of attention to the feature or structure. Lighting of drive-under canopies with a light band a maximum of ten (10) inches in width and that emit a light level of one and one-half (½) foot-candles or less, measured ten (10) feet from the source, are exempted from this definition.

*Lot.* A unit, plot, or parcel of land or assemblage of contiguous parcels of land as established by survey, plat, or deed.

*Lot Coverage.* The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures excepting the percentage covered by ground-mounted small scale solar energy systems.

*Lumen.* A measure of light energy generated by a light source. Manufacturers list lumen ratings for all their lamps. Average lumen ratings are slightly lower than initial lumen ratings, as all light sources produce less light as they age.

*Marquee.* A permanent, rigid, flat, roof-like structure attached to and wholly supported by a building, and projecting over the primary entrance to a building.

*Marquee sign.* A sign depicted upon, attached to, or supported by a marquee.

*Masonry.* Stonework, brickwork, or concrete masonry unit (CMU) bonded with mortar by a mason.

*Master plan.* An optional procedure for large and complex projects whereby an applicant may obtain overall entitlements of a development project prior to submitting for site/architectural plan and/or construction plan approval pursuant to the procedures in Subsection 070.060.050(b), Master Plan.

*Master sign plan.* A comprehensive sign program for a multi-use building or multi-building commercial development.

*Maximum extent feasible.* As determined by the Director, no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

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*Maximum extent practicable.* The degree to which a project meets an adopted standard in which all possible efforts to comply with the standard or to minimize harmful or adverse effects have been undertaken by the applicant, but full compliance cannot be achieved, and no feasible or practical alternative exists. Economic considerations may be taken into account, but shall not be the overriding factor determining "maximum extent practicable."

*Mean average.* The mean average is calculated by summing all values in a series and dividing by the number of values in that series. For example, the mean average of the values 5, 7, 9, and 11 is 8 ( $5+7+9+11/4$  or  $32/4 = 8$ ).

*Mechanical and utility equipment.* Mechanical and utility equipment includes, but is not limited to transformers, air conditioning units, heating and soft water tanks, television antennas/satellite dishes, security apparatus, and electric and gas meters. Mechanical and utility equipment does not include solar panels.

*Median average.* The median average is calculated by taking the "middle" value of all values in a series. For example, the median average of the values 5, 7, 8, 9, and 10 is 8 (two (2) values are below 8 and two (2) values are above 8). In the case where there is an even number of values, the median average shall equal the mean average of the middle two (2) values. For example, the median average of the values 5, 7, 9, and 11 is 8 (mean average of 7 and 9, or  $9+7/2 = 8$ ).

*Minor subdivision.* Any subdivision meeting the applicability standards in Subsection 070.060.060(a), Minor Subdivision.

*Mobile home, dependent.* Means a mobile home that has no toilet, bathtub or shower facilities.

*Mobile home, independent.* Means a mobile home that has a toilet and a bathtub or shower.

*Mobile home space.* Means a plot of ground within a mobile home park designated for the accommodation of one (1) mobile home.

*Monument sign.* A freestanding ground sign typically containing design elements such as a base, columns, borders, topper, or cap specifically intended for the display of the sign.

*Multi-family development.* A structure or part thereof designed exclusively for occupancy by two (2) or more families and commonly referred to as a duplex (two-family dwelling), triplex, fourplex, townhouse, or apartment house.

*Multi-tenant building.* Any nonresidential building with more than one (1) tenant or use. The issuance of multiple sales tax licenses by the City is not necessarily a criteria to determine multiuse building status.

*Natural grade.* The vertical elevation of the existing ground surface prior to excavation, filling, or disturbance.

*Neighboring.* A lot or parcel of land that shares a common lot line(s) with another lot or parcel of land. A property that shares only a corner with another property is excluded from this definition.

*Nonconforming lot.* A lawfully established lot created prior to adoption of this Code that does not comply with the minimum lot size requirements of this Code.

*Nonconforming sign.* A lawfully established sign constructed or installed prior to adoption of this Code that does not comply with the sign regulations of this Code.

*Nonconforming sign.* Any sign that was lawfully erected and maintained under prior codes but that does not meet the provisions of this Code.

*Nonconforming site feature.* Any driveway, off-street parking and loading, landscaping, buffer, screening, or exterior lighting that lawfully existed prior to adoption of this Code but does not comply with the driveway, off-street parking and loading, landscaping, buffer, screening, or exterior lighting standards of this Code.

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*Nonconforming structure.* A lawfully established building or structure constructed or installed prior to adoption of this Code that does not comply with the area, height, or placement regulations of this Code.

*Nonconforming use.* A use that lawfully existed prior to adoption of this Code, but does not comply with the terms of this Code.

*Nonconformity.* An existing use, structure, lot of record, or sign that was lawfully established prior to the effective date of this Code and that does not conform to one (1) or more provisions of this Code.

*Nonconformity, illegal.* An existing use, structure, lot of record, or sign that does not conform with one (1) or more provisions of this Code and that was not lawfully established before the effective date of this Code.

*Noncontributing.* A "noncontributing" property does not add to historic architectural qualities, historic associations, or archaeological values, usually because of alterations, additions or other changes. If the property no longer possesses integrity reflecting its character at the time or is incapable of yielding information about the period, then it is considered noncontributing. Many buildings are rated noncontributing simply because the building was constructed within the last fifty (50) years.

*Non-infill residential.* Residential development, on a parcel not zoned residential or on a parcel or tract of land, zoned residential, which shares common lot lines with fewer than two (2) existing single-family homes. Non-infill development will generally occur in non-residential zone districts or on residentially-zoned parcels located outside of established single-family neighborhoods; however, some parcels greater than one (1) acre in size located in established single-family neighborhoods may also be included in this definition.

*Nonliving ground cover.* Any material used in landscaping including, but not limited to, concrete, gravel, bark, mulch, asphalt, stone and brick.

*Nonstructural trim.* The molding, battens, caps, nailing strips, latticing, cut-outs, letters, and other nonessential structures that are attached to the sign structure.

*Occupancy.* The purpose for which a building or structure is used or intended to be used; and, in the case of residential uses, such term can also refer to the number of persons who reside within a building, dwelling unit, or other structure.

*Off-premises sign.* Any off-premises sign, including without limitation, a billboard or general outdoor advertising device, that directs attention to a use, product, service, or activity conducted, sold or offered elsewhere than on the same property or within the same building upon which such sign is located.

*Off-site parking.* A site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and landscaped areas that is located outside the subject property boundary.

*Off-street parking.* Parking that is not located in a public or private right-of-way.

*Open space.* An area or areas suitable for passive and/or active recreational use, that provides visual relief to developed areas or that is set aside to protect water, air, wildlife habitat, vegetation, or significant or scenic views providing benefit to the particular development, surrounding environment, and/or surrounding community.

*Open space, active.* Common open space improved with permanent recreational facilities such as trails, playground equipment, ball courts, or playing fields.

*Open space, common.* A type of open space reserved for the use of the residents of a development or subdivision and their guests for passive and/or active recreation.

*Open space, passive.* Common open space lacking permanent recreational improvements.

*Open space, private.* The outdoor living area adjoining a dwelling unit or owned by or otherwise limited to the use of the residents of a particular dwelling unit. Examples include private patios, courtyards, and yard areas.

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*Ordinary repairs and maintenance.* Work done on a building in order to correct any deterioration of, decay of or damage to a building or any part thereof in order to restore the same as nearly as practical to its condition prior to such deterioration, decay or damage.

*Orient.* To bring in relation to, or adjust to, the surroundings, situation, or environment; to place with the most important parts facing in certain directions; and/or to set or arrange in a determinate position.

*Owner of record.* The person, corporation, or other legal entity listed as owner on the records of the County Clerk and Recorder.

*Parapet.* The extension of the main walls of a building above the roof level.

*Parcel.* An area within legally described boundaries under common ownership and capable of being separately conveyed.

*Park models.* A trailer-type recreational vehicle designed to provide temporary accommodation for recreation, camping, or seasonal use. Park models are not intended to be permanently affixed to the property as a residence.

*Parking area.* A contiguous area provided for parking, including driveways, maneuvering space, parking lot landscaping areas, snow storage areas, and other ancillary space in addition to vehicle parking spaces.

*Parking demand.* The total number of off-street parking spaces needed to park the vehicles associated with the operations of and individuals present at a particular site, use, or structure.

*Permanent sign.* Any sign that is permanently affixed or attached to the ground or to any structure.

*Pet relief area.* Grass at a property providing commercial and retail services for pets, such as veterinarian and boarding facilities. The area must not exceed two hundred (200) square feet.

*Phasing.* A plan for construction of a development in portions over time, including time ranges that shall be specified in the development application.

*Photocell.* A type of resistor that can be used to detect light. Also commonly known as a CdS (Cadmium-Sulfide) cell, photoresistor, or LDR (light dependent resistor).

*Planned unit development (or PUD).* A development designed to accommodate varied types of development in patterns or layouts not otherwise permissible in other zoning districts established by this Code. Planned Unit Developments are designed to provide additional amenities or benefits to the City in return for flexibility in the design, layout, and dimensions of the development. Approval of a PUD shall require a rezoning pursuant to Subsection 070.060.040(b), Rezoning to PUD.

*Planning commission.* The Planning and Zoning Commission of the City of Glenwood Springs.

*Plat.* A map delineating the subdivision of land, commonly showing lots, blocks, streets, and other features relevant to the development of land pursuant to this Code, used as an instrument for recording real estate interests with the Garfield County Clerk and Recorder.

*Playground turf.* Grass in designated play areas with playground amenities, including, but not limited to, slides, swings and climbing structures on homeowner association owned/managed property or at a public park, water park, school, daycare, recreation center, senior center or religious institution. Playground turf may be located less than ten (10) feet from a street if fenced.

*Pole sign.* A freestanding sign erected on a frame, mast, or pole that is affixed to the ground and not attached to any building.

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

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*Porous paving system.* A system providing erosion control, softening hard surfaces, reducing stormwater/snowmelt runoff, and/or providing green space. The system includes concrete, plastic, or other systems which may incorporate grass or other landscaped spaces.

*Portable sign.* Any sign not permanently attached to the ground or a building, not including signs attached to vehicles, except vehicles parked specifically for the purpose of signage.

*Premises.* The land, building, or portion of the building occupied by the land use or activity being conducted.

*Primary material.* Material covering seventy (70) percent or more of the exterior wall elevations.

*Primary street.* The street from which the development faces or is accessed. Primary street frontages do not include alleys, interior parking courts, or other secondary access points.

*Principal use.* The primary or predominant use of any lot, building, or structure.

*Projecting sign.* A sign attached to a building or extending in whole or in part fifteen (15) inches or more horizontally beyond the façade of a building to which the sign is attached, but does not include a marquee sign.

*Public hearing.* A formal meeting held under public notice intended to inform the public and obtain public input.

*Public improvements.* Any improvement, facility, or service, together with its associate site and any right-of-way necessary to provide transportation, drainage, utilities, or similar essential services and facilities, that is usually owned and operated by a government entity or agency.

*Public sign.* A sign required by 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, civic and special events, public notices, and other official and legal notices.

*Reader board.* An accessory sign cabinet contained within a distinct border that allows for changeable copy.

*Recreation, active.* Outdoor leisure activities requiring permanent recreational improvements to the area in which they are performed. These areas are intensively used and may include improvements such as trails, playground equipment, ball courts, or playing fields.

*Recreation, passive.* Outdoor leisure activities that do not require permanent recreational improvements to open space areas. Examples include picnicking, hiking unimproved trails, enjoyment of scenery, and play in open grassy areas.

*Recreational vehicle.* Means a portable structure not more than eight (8) feet wide and thirty-five (35) feet long that is designed for extended highway travel, to be driven as or pulled by a private vehicle which requires no special permit for the same, and which is intended as a portable dwelling for vacation and recreational purposes only; or a camp car, motorhome or tent trailer, with or without motor power, and identified as a recreational vehicle by the manufacturer.

*Redevelopment.* Development on a tract of land with existing structures where all or a majority of the existing structures would be razed and a new structure or structures built.

*Reflected light.* The light that is reflected off surfaces, becoming a secondary light source.

*Related accessory equipment.* The transmission equipment customarily used with, and incidental to WCF antennas, including by way of example, coaxial or fiber-optic cable, regular and backup power supply and remote radio units.

*Relocation.* Any relocation of a structure on its site or to another site.

*Repair.* The reconstruction or renewal of any part of an existing building for the purpose of its maintenance.

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*Required rear yard.* A yard extending the full width of the lot, the depth of which is measured in the horizontal setback distance, based on the applicable zoning district and are set forth in Article 070.020: Zoning Districts, from the rear lot line.

*Resident area turf.* Grass up to one hundred fifty (150) square feet per dwelling unit at multi-family residential properties, multi-family mixed use properties, or assisted living and rehabilitation centers used by tenants for recreation or leisure. May not be located in parking lots, streetscapes or other non-accessible areas.

*Resident occupied community housing.* Housing with a deed restriction recorded against it requiring that it be owned or occupied by an employee/qualified resident as its primary residence as set forth in this article and the City of Glenwood Springs Housing Residency Requirements and Guidelines.

*Rezoning.* A change in the zoning district classification applied to land by the Zoning Map, reviewed and decided by the City Council under Subsection 070.060.040(a), Rezoning.

*Right-of-way.* Any strip or area of land, including surface, overhead, or underground, granted by deed, easement, dedication, prescription, or lease, for construction and maintenance according to designated use, such as for streets and highways, drainage ditches, irrigation canals, etc.

*Roof form.* The shape of a roof, of which there are many variations. The most common roof forms are sloped roofs (roofs constructed of flat sections that are sloped) and flat roofs. Sloped roofs include side gable roofs or end gable roofs (based on whether the gable ends are on the sides or front and back of the building), and may have dormers. The edges of flat roofs (particularly along the front of a building) are commonly defined by parapets and/or cornices.

*Roof sign.* A sign painted on the roof of a building, supported by poles, uprights, or braces, extending from the roof of a building, or projecting above the roof of a building, but does not include a sign projecting from or attached to a façade wall.

*Run.* When associated with backyard chickens, a "run" is an enclosed and secured facility where chicken hens are able to move around more freely than within a chicken coop.

*Screening.* A method of visually shielding or obscuring a nearby structure, building, or use on an abutting or adjacent property or lot from another by fencing, walls, berms, or densely planted vegetation.

*Setback.* The minimum distance between a lot line and a building or structure required by this Code.

*Shared parking.* The joint use of a parking area by more than one (1) use.

*Sidewalk.* Any portion of the street between the curb, or the lateral line of the roadway and the adjacent property line, intended for the use of pedestrians.

*Sight distance triangle.* The area around an intersection where no obstructions above forty-two (42) inches in height are permitted, and as specifically determined by the City Engineer as prescribed in the Engineering Standards.

*Sign.* Any object or device or part of an object or device situated outdoors that is used to identify, direct, or attract attention to an object, person, institution, organization, purpose, product, service, contract, event, or location by means of copy. Examples include: words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images that are visible from any street, alley, or other public right-of-way.

*Sign area.* The entire area contained within the face of a sign, including all ornamentation or decoration used to attract attention. The sign area shall be the sum of the area of all letters, words, or symbols that can be contained in lines forming the smallest plane geometric shapes around all such letters, words, or symbols having eight (8) or fewer segments.

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*Sign on a parked vehicle.* A sign placed on or affixed to vehicles and/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 where the apparent purpose is to advertise a product, use, service, or activity or direct people to a property.

*Sign structure.* Any supports, uprights, braces, or framework of a sign.

*Significance.* The value placed on a building relating to its architectural or historical importance, as defined by Article 070.050: Historic Preservation.

*Single-tenant building.* A building occupied by one (1) tenant or use.

*Site/architectural plan.* A plan drawn to scale showing uses and structures proposed for a lot or parcel.

*Site/architectural plan approval.* Approval of site/architectural plans according to the procedures in Subsection 070.060.050(a).

*Site-specific development plan.* A plan that has obtained final development approval under the standards and procedures contained in this Code, and that describes with reasonable certainty the type and intensity of use for a specific parcel or parcels of property, and includes all terms and conditions of approval. A site-specific development plan includes only the following application types:

- a. Master plan;
- b. Administrative site/architectural plan;
- c. Minor site/architectural plan;
- d. Major site/architectural plan;
- e. Planned unit development; and
- f. Final plat.

*Special use permit.* A permit issued pursuant to Subsection 070.060.050(e), Special Use Permit, for uses designated in the allowable use table (Table 030.1) as requiring special use permit approval.

*Start of construction.* The date the building permit was issued, including substantial improvements, provided that the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, installation of piles, construction of columns or any work beyond the stage of excavation or the placement of a manufactured home on a foundation.

*Stop work order.* An order issued by the Director that directs the person responsible for an activity in violation of this Code to cease and desist such activity.

*Street.* Any highway, street, avenue, or common place or square, bridge, viaduct, underpass, overpass, tunnel or causeway, dedicated to the City or otherwise devoted to common public use, excluding alleys.

*Street, private.* A way of access to two (2) or more parcels of land that is open to vehicular ingress and egress, and that is owned and maintained by affected property owners, but that is not considered to be a driveway.

*Streetscape.* Landscape materials located adjacent to street rights-of-way intended to enhance, soften, or screen the view of a building, structure, or land use.

*Structure.* Anything that is constructed or erected and located on or under the ground, or attached to something fixed to the ground, including a walled and roofed building, wall, fence, pergola, and/or a gas or liquid storage tank that is principally above ground.

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*Subdivision.* The division of a lot, tract, or parcel of land into two (2) or more lots, sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, including any resubdivision. In some contexts, the term "subdivision" may also describe the process of subdividing land or the land subdivided.

*Substantial compliance.* Unless a specific permit or process establishes different criteria, a permit or plan substantially complies with the applicable approval criteria if the proposed use or development: does not significantly (i) alter the basic relationship of the proposed development to adjacent property; (ii) change the uses permitted; (iii) increase the maximum density, floor area ratio, or height; (iv) decrease the amount of required off street parking; or (v) reduce the minimum yards required at the boundary of the site.

*Suspended sign.* A sign suspended from the ceiling of an awning, marquee, or canopy.

*Tandem parking.* A parking space in which two (2) vehicles are parked end-to-end or stacked vertically using lift equipment and in which one (1) vehicle must be moved before the second vehicle can access a street, driveway, alley, parking lot, or parking garage driving aisle.

*Temporary Sign.* A sign, banner, or similar device or display that is intended for a limited duration of display.

*Temporary use.* Any outdoor retail and/or wholesale sales use on a short-term basis, including, but not limited to: produce stands, peddlers, solicitors, hawkers, itinerant merchants, and transient merchants, and excluding temporary promotions or sidewalk sales by permanent businesses on their own property.

*Temporary use permit.* A permit issued pursuant to Section 070.030.050, Temporary Uses and Structures.

*Time-temperature-date sign.* A sign that displays the current time, outdoor temperature, date of the month, or any combination of that information.

*Tract.* An area, parcel, site, piece of land, or property that is the subject of a development application. For subdivisions, the term is used for units of land created for and limited by deed restriction or dedication to a specific use, including access, utility placement, open space, or natural resource areas.

*Traffic-control sign.* Any government sign used to direct or control the movement of motor vehicles and/or pedestrians within public streets, alleys, or rights-of-way.

*Tree lawn.* See "landscape strip."

*Twinkle lighting.* String lighting of low voltage (not greater than 2.5 volts per light).

*Uniformity ratio.* The ratio of average illumination to minimum illumination (unless noted otherwise).

*Use.* The utilization of land and property as permitted by this Code. Allowable uses for each zoning district are listed in Table 030.1.

*Variance.* A development permit authorizing a deviation from the standards of this Code where strict application of this Code results in a hardship due to circumstances with a particular lot and that is reviewed and decided pursuant to Subsection 070.060.070(a), Variance.

*Vertical foot-candles.* A measurement of illuminance intensity on a vertical surface, such as a wall or billboard.

*Vested property right.* The right to undertake and complete the development and use of property under the terms and conditions of a site-specific development plan and any accompanying permit or agreement.

*Walkway.* An off-street hard-surfaced walk or raised pedestrian path.

*Wall sign.* A sign displayed upon or against the wall of an enclosed building, where the exposed face of the sign is in a plane parallel to the plane of the wall and extends no more than fifteen (15) inches horizontally from the face of the wall.

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*Wetland.* An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

*Wind sign.* A sign consisting of one (1) or more flags, pennants, ribbons, spinners, streamers, captive balloons, or other objects or material fastened in such a manner as to move upon being subjected to pressure by wind.

*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.

*Yard sign.* A non-permanent sign constructed of paper, vinyl, plastic, wood, metal, or other material that is intended to be displayed for a limited duration.

*Zoning district.* A specific delineated area on the Zoning Map within which uniform standards govern the use, placement, spacing, size, and form of land and buildings.

*Zoning map.* The official zoning map as adopted by the City of Glenwood Springs.

(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)



## INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Glenwood Springs Post Independent** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(970) 945-8515**.

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Notice Name: CDA-000050-2026 Public Notice

See Proof on Next Page

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Emery Ellingson emery.ellingson@cogs.us (970) 384-6472	Glenwood Springs Post Independent

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06/12/2026: Other	22.26
06/19/2026: Other	16.19
Affidavit Fee	10.00
<hr/>	
Subtotal	\$48.45
Tax	\$0.00
Processing Fee	\$4.85
<b>Total</b>	<b>\$53.30</b>

**PUBLIC NOTICE**

Notice is hereby given that the City of Glenwood Springs Planning and Zoning Commission will conduct a public hearing to consider a Code Amendment application related to Electric Vehicle Charging Stations, per Section 070.060.040(c) of the *Municipal Code of the City of Glenwood Springs, Colorado* (Municipal Code). Interested parties will have the opportunity to appear and provide testimony during the public hearing.

**Applicant:** City of Glenwood Springs

**What:** The applications propose revisions to various sections of the Municipal Code, including but not limited to, Section 070.070.020 Definitions of Use Categories and Specific Use Types, Section 070.030.020 Table of Allowed Uses, Section 070.40.100 Exterior Lighting, Section 070.070.030 All Other Terms Defined,

**Date:** June 23, 2026

**Time:** 6:00pm

**Location:** City Hall, Council Chambers, 101 West 8th Street, Glenwood Springs, CO 81601.

**Comments:** Please submit any written comments by email to [emery.ellingson@cogs.us](mailto:emery.ellingson@cogs.us) or by mail to Emery Ellingson, 101 West Eighth Street, Glenwood Springs, CO 81601.

Application and associated materials are available for review in the Economic and Community Development Department during normal business hours or by calling (970) 384-6450. 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](mailto:bryana.starbuck@cogs.us) or 970-309-7521.

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