

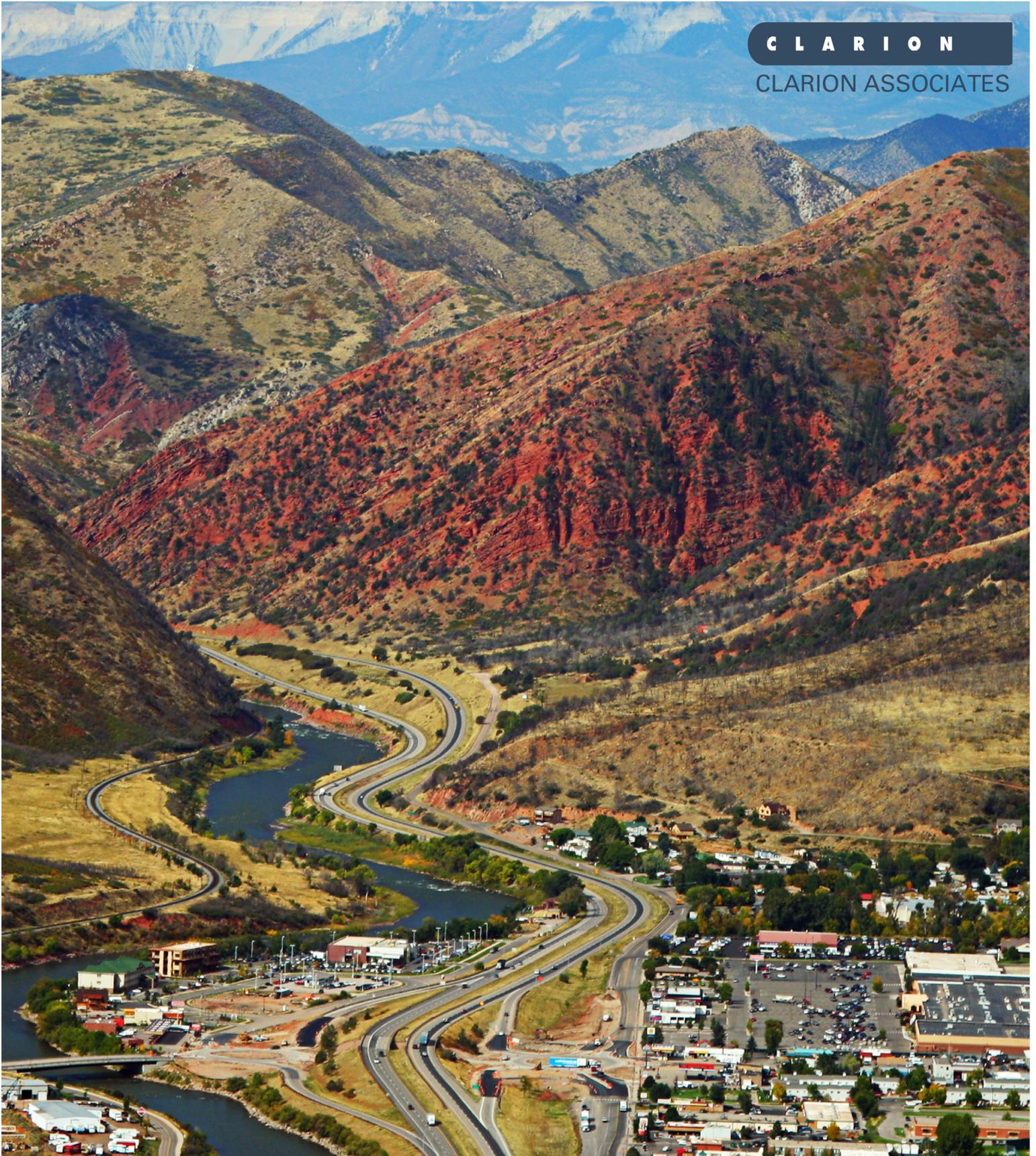
Glenwood Springs, Colorado

November 2015

Development Regulations Analysis and Assessment

CLARION

CLARION ASSOCIATES



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1: Project Overview and Summary

Project Overview

The City of Glenwood Springs initiated this assessment of the current Glenwood Springs Development Regulations (Title 070 of the Municipal Code) to identify strengths and weaknesses and to help set the stage for future updates.

The development regulations are regulatory tools that provide direction on how development and redevelopment will occur within the City. In theory, Title 070 should be the key instrument for implementing the Comprehensive Plan, which was significantly updated in 2011. However, the current regulations are outdated. Since Title 070's original adoption in 1980, its organization has not been significantly updated. Instead, dozens of major amendments addressing new issues (like commercial and residential design standards and medical marijuana regulations) have been merely inserted at the end of the original document, resulting in repetition and inconsistencies and no clear overall structure. Stakeholders have expressed concern that the regulations must be improved to both encourage and require the type and scale of development that is desired in Glenwood Springs. A new code is needed that will act as an incentive to promote economic development and attract business and industry while also promoting quality of life and creating a healthy community.

The City retained Clarion Associates to assist with this assessment process, and to bring our experience and perspective from working with communities throughout Colorado and the nation. The code assessment project began in the summer of 2015 with a series of stakeholder interviews and an independent analysis of the existing development ordinances to determine:

- Ways in which the current regulations work well;
- Ways in which the current regulations are ineffective or difficult to use;
- Areas of consistency and inconsistency between existing local policies and practices, the adopted plans, and the existing ordinance language;
- Ways to make the revised documents more user-friendly;
- Modifications necessary to streamline the development review process; and
- Necessary changes related to new statutory and/or case law.

Those interviewed included City staff, City Council, Planning Commission, and various stakeholders in the development process (e.g., developers, business owners, and development professionals such as engineers and planners). An online survey was posted to the City's website to collect additional feedback.

Clarion team members reviewed the Comprehensive Plan, sample staff reports, and other relevant plans, policies, and procedures. The team also toured the City with staff members. The City hopes to utilize the results of this project to establish a framework for a separate code rewrite project that will begin in 2016.

Report Organization

Following this **Project Overview and Summary** (Part 1), the document is organized into three main parts:

In Part 2, the **Key Areas to Improve the Regulations** identify major themes that emerged from our review of the City's regulations, the interviews conducted during and since the project kick-off meetings, our tour of the City, and our knowledge of best practices in development regulations used by communities in Colorado and across the nation. The discussion of each issue includes recommendations

or suggestions on how a new code might modify current regulations to better address concerns pertinent to that issue.

The major recommendations discussed in this section are organized in the following categories:

- 1. Streamline the Development Review Procedures;**
- 2. Fine-Tune and Improve the Zone Districts and Land Uses;**
- 3. Consolidated and Upgrade the Development Standards; and**
- 4. Create a More User-Friendly Code and Supporting Materials.**

Part 3’s **Annotated Outline of a New Code** presents an article-by-article outline showing what a new development code would look like if the City elects to move forward with the recommendations in this report. The Annotated Outline provides a general understanding of the structure of an updated code, and shows the scope and content of each article.

Part 4, **Detailed Review of Current Development Regulations** includes a section-by-section review of Title 070 with recommendations for improvements.

Elements of Successful Code Revision Projects

In our experience, successful code revision efforts share a number of common features. These are benchmarks that local governments and citizens can use to test their current code and to guide the drafting of revisions. These key features include:

- Citizens and code users should have opportunities for meaningful input before changes are set in stone.
- Revisions should help to implement adopted plans and be based on input from elected officials, advisory committee members, staff, developers, and citizens.
- Revisions should be based on a methodical analysis of the strengths and weaknesses of the current code and how it relates to community goals. There are no one-size-fits-all answers.
- At a minimum, revisions should result in a code that includes:
 - A logical organization and user-friendly formatting;
 - Substantive review standards that are clear, consistent, and illustrated where appropriate;
 - Legally-defensible standards and processes; and
 - Enforcement and administrative provisions that are realistic based on available local resources and staff.

Summary of Recommendations

The table below is organized around the four key themes introduced in Part 2 of this report and summarizes all recommendations included in Part 2.

Theme	Recommendations
Streamline the Development Review Procedures	
Reconsider the Major/Minor Development Classifications	<ul style="list-style-type: none"> ▪ Delegate more projects down from Council review. ▪ Create a new category of minor development permits subject to staff review and approval only. ▪ Rewrite the development permit thresholds for greater clarity.

Theme	Recommendations
Rethink the Development Permit Review Process	<ul style="list-style-type: none"> ▪ Calibrate the submittal requirements for development permits; ▪ Consider dividing the development permit review process into stages (or separating out construction documents review as its own process); and ▪ Establish a new optional master plan process for larger projects.
Establish an Administrative Adjustment Procedure	<ul style="list-style-type: none"> ▪ Establish an administrative adjustment procedure.
Remove Development Review Timelines from the Code	<ul style="list-style-type: none"> ▪ Remove development review timelines from the code and place them in a separate administrative manual.
Establish Standard Review Procedures	<ul style="list-style-type: none"> ▪ Include formalized standard review procedures for the procedural steps and requirements described above; and ▪ Follow the standard review procedures with application-specific review procedures that reference applicable standard procedures and note any variations and additions particular to that type of application.
Create a Separate Administrative Manual and Engineering Standards	<ul style="list-style-type: none"> ▪ Remove technical material for placement in a separate administrative manual or engineering standards.
Fine-Tune the Zoning Districts and Land Uses	
Rewrite the Hillside Preservation Overlay Zone	<ul style="list-style-type: none"> ▪ Rewrite the Hillside Preservation Overlay Zone. Clarify whether both a base district and overlay district are needed. ▪ Reconsider intent and applicability (specifically the issue of commercially zoned lots). ▪ Rewrite standards to eliminate vague language, add flexibility, and add graphics.
Create One or More New Mixed-Use Districts	<ul style="list-style-type: none"> ▪ Establish two new mixed-use districts: one neighborhood-scale and one regional-scale.
Rewrite the PUD	<ul style="list-style-type: none"> ▪ Rewrite the PUD procedure consistent with the new goals specified in this report.
Develop a Consolidated Use Table	<ul style="list-style-type: none"> ▪ Create a consolidated land use table.
Categorize and Define All Use Tables	<ul style="list-style-type: none"> ▪ Categorize use types within larger categories and subcategories; ▪ Update definitions to ensure clarity, legal consistency, and that all uses are defined; ▪ Remove obsolete uses; and ▪ Introduce new use types to reflect contemporary uses.
Ensure All Districts Allow Appropriate Land Uses	<ul style="list-style-type: none"> ▪ Revise the allowable uses per zoning district to best reflect the intent of each district. ▪ Add district purpose statements to help in the evaluation of the appropriateness of land uses within each district.
Consolidate and Upgrade the Development Standards	
Remove Ambiguous and Subjective Language	<ul style="list-style-type: none"> ▪ Rewrite development standards to eliminate vague, subjective language; and ▪ Introduce additional flexibility by adding optional approaches and menus wherever possible.
Consolidate and Update the Design Standards	<ul style="list-style-type: none"> ▪ Consolidate the Downtown, Commercial, and Residential design standards to eliminate overlap and clarify which standards control in case of conflict.
Focus on Infill and Redevelopment	<ul style="list-style-type: none"> ▪ Review dimensional standards and development standards to ensure they accommodate infill and redevelopment.

Theme	Recommendations
Rewrite the Parking and Sign Sections	<ul style="list-style-type: none"> ▪ Rewrite the parking and sign sections of the code.
Reconsider the Role of Historic Preservation	<ul style="list-style-type: none"> ▪ Reconsider the role of the HPC, beginning by formalizing their responsibility to review projects involving historic resources. Longer-term, consider additional opportunities for greater HPC input; ▪ Strengthen the preservation standards in the code by removing ambiguous, subjective standards and consolidating the standards with other types of design controls; ▪ Require notice of demolition requests for historic buildings be referred to the HPC before final approval; ▪ Add standards to help evaluate younger properties that meet the threshold for historic designation; and ▪ Pursue outside funding and technical assistance to conduct new surveys and improve the factual basis for historic preservation in Glenwood.
Create a More User-Friendly Code and Supporting Materials	
Reorganize the Code	<ul style="list-style-type: none"> ▪ Reorganize the new code according to the Annotated Outline in this report.
Add Illustrations, Photographs, and Other Graphics	<ul style="list-style-type: none"> ▪ Introduce graphics and visual aids (summary tables, photographs, flowcharts, illustrations, etc.) to explain regulations.
Improve the Page Layout	<ul style="list-style-type: none"> ▪ Design and implement a new page layout, including a clear numbering system that establishes a clear hierarchy of provisions.
Define Key Terms, Consolidate Definitions, and Use Clear Language	<ul style="list-style-type: none"> ▪ Define all key terms; ▪ Revise complex or confusing definitions for clarity; and ▪ Review all code language and rewrite for clarity as needed.
Enhance the Online Platform	<ul style="list-style-type: none"> ▪ Identify an appropriate online code platform early in the update process; ▪ Incorporate hyperlinked cross-references to other applicable sections; and ▪ Build in a search function on each page of the online code viewer.

2: Key Areas to Improve the Development Regulations

Four major themes for improving Glenwood Springs' current development regulations emerged from the Clarion team's interviews and our review of City regulations and plans. These themes present an organized way to discuss the strengths and weaknesses of the current regulations and they guide Part 3's suggested outline for a reorganized and updated code. They include:

- Streamline the Development Review Procedures;
- Fine-tune the Zone Districts and Land Uses;
- Consolidate and Upgrade the Development Standards; and
- Create a More User-Friendly Code and Supporting Materials.

Each of these themes is discussed below. Additional detailed comments appear later in this report in the section-by-section review in Part 4.

Streamline the Development Review Procedures

The majority of comments we heard from stakeholders dealt with the development review process. A few aspects of the process were complimented (such as the City's recent strengthening of the Development Review Committee). Interviewees also expressed respect and support for City staff, who they feel do a good job administering and enforcing the code, despite the document's challenges and limitations.

However, most comments were somewhat critical. Generally, developers and design professionals reported that they believe too much time, energy, and effort is required to initiate a project in Glenwood Springs and move it through from conception to approval to construction. Some of their reported issues include:

- A high level of detail is required in early submissions for most projects, resulting in applicants having to spend time and money early to prepare technical plans and studies to support applications for which they have little certainty will be approved. Examples include requiring detailed construction drawings early in the application process, and requiring significant detail early on about stormwater quality/treatment.
- An inflexible code leads to numerous variance requests on most applications, complicating the approval process and leading to more uncertainty.
- Even relatively small projects require public hearings and approval by either the Planning Commission and/or City Council, which creates additional expense and uncertainty.
- Mandatory timelines in the code force quick review by City departments, sometimes resulting in inconsistent or incomplete comments from the City.
- The code does not spell out important aspects of the process (including submittal requirements), resulting in some inconsistencies and applicant confusion.
- Beyond the procedures, ambiguous code language (such as in the design standards) can create uncertainty and delay. Applicants, staff, and officials may have different interpretations of code language as it applies to a particular project.

As a result of these issues, many representatives from the development community reported feeling they must charge a premium to prepare development applications in the Glenwood, versus other communities in the region. While we rarely meet with development representatives who feel a City's review process is

perfect, we do believe there is some merit in the concerns expressed above that could be addressed in a code rewrite. This section of the report first provides an overview of the current development review process, and then suggests strategies to address the concerns above and streamline the system.

Overview of the Current Development Permit Review Process

Most development projects in Glenwood Springs must obtain a development permit pursuant to the process established in Section 070.020.020. This involves review for compliance with development and design standards in Title 070 and other City requirements (and is often called “site plan review” in other communities). Very small projects are exempt from the development permit requirement, including construction of a new one- or two-family dwelling on an existing lot; alteration, repair, or addition to an existing structure; and construction of one or more dwelling units inside an existing building in a commercial district (meeting certain criteria).

Projects that require a permit are classified as either “major” or “minor,” according to thresholds established in 070.020.030, which are decided by the City Council or the Planning Commission, respectively. The following chart lists the criteria that distinguish major and minor projects.

Minor Development	Major Development
<ul style="list-style-type: none"> ▪ Construction or modification of residential structure that results in 3-5 dwelling units ▪ Construction of nonresidential building w/<10 required parking spaces ▪ Nonresidential addition or modification to existing structure increasing floor area by >25% to <50%, or increasing required parking spaces by >10 (but development <1000 sq ft exempt) ▪ Construction or expansion of parking lot as principal use with ≥10 spaces ▪ Construction or expansion of parking structure as principal or accessory use with ≤10 spaces <p>Exceptions (if these factors exist, development counts as major) :</p> <ul style="list-style-type: none"> ▪ Extension of municipal facilities beyond City-approved plans or that requires City Council approval ▪ Dedication of land requiring City maintenance 	<ul style="list-style-type: none"> ▪ Any freestanding structure that requires a development permit and does not qualify as “minor” ▪ Modification to existing structure with ≤6 dwelling units ▪ Nonresidential addition or modification that increases floor area ≥50% (but development <1000 sq ft exempt) ▪ Construction or expansion of parking structure as principal or accessory use with >10 spaces

Both major and minor projects follow a similar path:

- Mandatory pre-application conference (including sketch plan);
- Conceptual review (major projects only);
- Submission of development plan application;
- Department/agency internal review;
- Applicant meeting with City departments (“within three weeks of the Planning Commission application deadline”);
- Planning Commission review and recommendation (major) or decision (minor); and
- City Council review and decision (major).

The sections below discuss a variety of new strategies and tools that could be used to streamline Glenwood's procedures and address some of the stakeholder concerns mentioned above.

Reconsider the Major/Minor Development Permit Classifications

The distinction between major and minor projects results in a relatively large number of applications being classified as major projects and brought before the City Council. This has some advantages, particularly since Council review creates valuable opportunities for public feedback. Yet, stakeholders believe the current system results in unnecessary delay, especially for relatively small projects, since Council review requires time to notice and hold public hearings. Further, some applicants assert that Council review creates uncertainty by occasionally "redesigning" projects from the dais, typically because the underlying standards are ambiguous.

We recommend several potential strategies to address this issue:

Delegate more projects down from Council review. The City should consider raising the threshold for projects considered "major," so that fewer go to Council and more go to the Planning Commission (or potentially the staff – discussed below). There is no "correct" dividing line between major and minor development plans and the line is different in every community. The threshold for major projects should be objective, such as the size of the development (e.g., below or above 50 dwelling units or 50,000 square feet of nonresidential floor area), though it can also be defined in terms of certain uses or development in certain locations. Glenwood's current code does provide objective thresholds as noted in the table above, but they are relatively low.

Specific new thresholds should be proposed and evaluated during the drafting of the new code. They could build off the current framework but simply raise the standards; for example, 10 dwelling units (versus six). It might also be simpler to base the nonresidential threshold for major projects on square footage, rather than required parking spaces.

We heard some interest from Council members in greater delegation of projects to the Commission or staff. They emphasized, however, that certain projects—for example, those involving big-box retail—always should be considered at the Council level.

Generally, the need for delegation reflects Glenwood's growth from a town to a small city that is faced with many urban-scale development issues. In small communities with limited staff, most development can be efficiently reviewed and decided by the Council. As communities become larger and more urbanized, however, the number and complexity of development proposals increase, as do the demands on the council to deal with issues not related to development. The governing bodies find it necessary and desirable to delegate development review authority to the staff, or at least to the Planning Commission. Furthermore, many standards are very technical and require professional expertise to apply. City staff is more likely to have that expertise than any elected or appointed official.

Create a new category of minor projects subject to staff approval. Beyond reevaluating the major/minor threshold, the City should consider creating a new category of staff-only approvals for relatively minor applications—without Commission or Council review. In many other jurisdictions, staff is given final approval authority over development plans. The elected officials set clear, objective standards through an initial legislative review and adoption, and then rely on professional staff to apply those standards fairly and effectively. This can reduce the time required for plan review and minimize uncertainty. If an applicant disagrees with the staff review or conditions imposed, they can appeal to the Commission or Council. Unlike rezoning decisions or special use permit reviews, which inherently involve policy issues and subjective determinations, development plan review generally involves yes-or-no

determinations of whether a plan meets objective standards, especially for smaller projects. The more objective the standards, the greater the opportunity for staff-level review.

This could result in a three-tiered system for Glenwood, with the Council retaining plan review authority over the largest or most controversial types of development, the Planning Commission with review authority for other major development, and staff with authority over minor projects. The Director and Commission also would have authority to refer any site plans to the Council. Again, we recommend proposing and discussing specific thresholds during the drafting process.

Rewrite the thresholds for greater clarity. Regardless of where the thresholds ultimately are established and whether staff is granted authority, the development permit provisions should be rewritten in a clear, unambiguous manner that is easy for all code users to understand. The current standards are confusing to many stakeholders (some of whom believe that thresholds overlap, so that a project could fit in more than one category).

Recommendations:

- Delegate more projects down from Council review.
- Create a new category of minor development permits subject to staff review and approval only.
- Rewrite the development permit thresholds for greater clarity.

Rethink the Development Permit Review Process

Noted above, stakeholders believe too much detail is required for development permits too early in the process, requiring applicants to spend relatively large amounts of time and money without having any sense of the City's reaction to the project—especially whether the project is politically feasible.

- We heard anecdotes of projects that followed expensive, lengthy pathways from conception to Council review, only to fail at a late hour because of the denial of one of several attached variances.
- There is a lack of meaningful review of big-picture issues (including density, uses, circulation pattern, and overall site layout) early in the review of major projects.
- There is a perception that applicants have no control over last-minute, unpredictable staff comments that can make or break a project.
- An inflexible code requires applicants to commit to details early on, then provides no mechanism to change details later in the process. Subsequent changes require reopening the original approval.

The current Glenwood system follows a one-size-fits-all approach and generally requires the same information for every application, and holds all approvals until the end of the process. This is how thousands of other communities operate around the country. Yet, we believe there is merit in considering a new system that would be more proportional, in which the level of upfront effort and commitment is scaled to both the size of the project and the amount of early assurance given by the City. To accomplish this, the City should consider refining the current development permit process and supplementing it with a more finely grained set of tools. There are many approaches to consider that have been adopted in other communities.

One approach is to simply **calibrate the submittal requirements for development permits**. Less information should be required for smaller projects with fewer impacts, and more information required for more significant applications. Examples of submittals that might be unnecessary for smaller projects are

traffic impact analyses and detailed architectural elevations. The submittals could either be waived at the discretion of the Director (as is done in Garfield County), or an initial determination could simply be made that certain materials are not necessary for smaller projects (Glenwood's Development Review Committee likely could make this determination).

In addition to requiring less information for small projects, another approach would be to **divide the development review process into stages, especially for major projects**. The initial submittals would involve more high-level, conceptual information and less detail. Technical supporting documents (especially construction drawings) would be required later, perhaps the building permit stage, once the City grants tentative approval on the larger concepts.

- Denver, for example, divides its Site Development Plan process into two phases. A first "concept/pre-application phase" allows the applicant and staff to identify any significant issues that will affect the basic design and feasibility of the project. Information required includes key site information, existing and proposed building footprints, proposed building elevations and build-to lines. At a Concept Review meeting with staff, the City team provides verbal comments and talks about applicable code requirements. Next, the "formal phase" begins with a detailed site plan and proceeds through to the final approval (either by the Development Review Committee or by the Planning Board, depending on type of project). Staff reviews detailed plans and submittals required for final approval (i.e. technical data, drainage studies, transportation studies, design review compliance issues and other requirements).
- Alternatively, the City could separate out the submission of detailed construction drawings as its own process. In Morrisville, North Carolina (in the Research Triangle), the town first requires site plan approval for most projects to review compliance with general development and design standards. (The Planning Director approves minor site plans and the Town Council approves major site plans). A separate process called "Construction Plan Approval" follows site plan approval. Construction Plan Approval by the Town Engineer is required before issuance of a Building Permit or Certificate of Compliance/Occupancy for any most development activity. It may be submitted and reviewed concurrently with an application for major or minor site plan approval or subdivision approval. Approval authorizes submittal of an application for a Building Permit. (Vesting under North Carolina law occurs with submission of a site-specific development plan, which is either the site plan or special use permit application.)

Another approach would be to **establish a new, optional master plan process**. This would provide an opportunity for the developer of a large project to submit and obtain approval of a high-level concept plan before committing the time and money needed to develop specific plans. Such an earlier document goes by different names in different places; it often is called a "master plan." It generally shows the overall physical character of a proposed large development, including major circulation systems, major open spaces, and the allocation of major land uses and development intensities among various segments and/or phases of the development. (It is similar to a PUD, but is intended to work within code requirements, rather than proposing substantial deviations from the code as is done with a PUD).



Approval of a master plan does not authorize any actual development, but rather gives the developer a limited time period (perhaps five years) in which to obtain final approvals of detailed plans for the

development shown on the master plan (generally phase by phase). During that time period, the developer could be authorized to pursue final approvals of the proposed development administratively, in accordance with the general parameters set by the approved master plan and otherwise in accordance with the standards applicable at the time of the final approvals. This would give the developer the assurance needed to commit time and money towards completion of the development and thus encourage the advanced planning of large integrated developments and construction of approved site improvements that might not be otherwise proposed.

We recommend that the new code provide developers the option of seeking master plan approval before submitting applications for development plan approval or preliminary subdivision plat approval for larger sites. The actual minimum threshold would require further discussion—for example, five acres or more, or 100,000 square feet of commercial floor area or more. A good example of where master plan approval could be appropriate in Glenwood is redevelopment of one of the secondary center areas identified in the Comprehensive Plan.

A new master plan could replace Glenwood's current conceptual plan procedure, which applies to major development review projects and authorizes the Council to hear early presentations of a development concept and make non-binding comments. However, we heard frank comments that, while the idea is worthwhile, the tool in practice is not effective and actually creates a false sense of confidence. Not enough information is required to make a meaningful evaluation of key project details, and any good feedback is ultimately negated when actual specifics are put on paper.

Recommendations:

- Calibrate the submittal requirements for development permits;
- Consider dividing the development permit review process into stages (or separating out construction documents review as its own process); and
- Establish a new optional master plan process for larger projects.

Establish an Administrative Adjustment Procedure

It is common in Glenwood for development review applications (whether major or minor) to be accompanied by at least one variance request, often many. We heard it is typical to see from a half-dozen to more than 20 variance requests with an application, most of which are usually approved. The code authorizes a variety of specific types of variances, such as the "design variance" in the Downtown Design Standards (070.30.160) and the general "zoning variance" (070.040.050). Most use the same general language and require a showing of unique conditions related to the site that would create "exceptional practical difficulties" or "undue hardship" if the strict code standards would apply. Each variance request requires a separate vote. The variances are another source of frustration for applicants and staff, who all note that variance requests create additional delay and unpredictability.

In part, the high number of variances is a result of inflexible development standards, which are addressed later in this report. From a procedural perspective, the high number of variances results from not having any tools that allow staff the authority to grant limited relief in targeted circumstances. Variances also appear to have simply become part of the culture in Glenwood, an expected part of doing business.

Many communities use an administrative adjustment procedure to authorize staff to approve minor deviations from certain dimensional or development standards (such as those listed below) based on specific criteria. The procedure is intended to provide relief where strict application of the standards would otherwise create unnecessary difficulties. Such a procedure could specifically identify standards that are commonly adjusted in Glenwood Springs, and would prevent having to file a request for variance.

The extent of the deviation is typically limited to five or 10 percent; however, greater percentages could be considered for areas where redevelopment is encouraged or additional flexibility is desired. Applications seeking flexibility beyond those allowed by this administrative adjustment process would typically require a variance (due to hardship) or a rezoning. Criteria for administrative adjustments should require that the deviation not undermine the intent of the underlying regulation, and that the deviation would not impose greater impacts on adjacent properties than would be imposed through strict compliance. Examples of standards that are more frequently subject to administrative adjustments include:

- Minimum lot width and minimum lot coverage
- Minimum setbacks
- Maximum building, lighting, fence, or screening height
- Minimum required number of parking spaces
- Minimum perimeter landscaping area width
- Maximum lighting levels

Many Colorado communities have adopted this tool. Mesa County, for example, authorizes administrative adjustments to any numeric dimensional or development standard in its code, except those related to building height, residential density, and non-residential intensity.

Recommendations:

- Establish an administrative adjustment procedure.

Remove Development Review Timelines from the Code

Setting timelines for development review involves a balancing act in any community. On the one hand, the private sector desires an expeditious process to minimize time and money spent on the overall project. The community needs sufficient time, however, to adequately consider proposed new developments.

A common observation by stakeholders in our Glenwood interviews was that the code imposes artificial and sometimes unrealistic deadlines on the review process, resulting in potential frustration for both the staff and applicants. Specific timeframes for development review are included in the current Title 070 and mandate certain actions by certain deadlines. For example, City departments must meet to review a completed development review application “within three weeks of the Planning Commission application deadline.”

While timeframes are intended to keep the process moving and avoid unnecessary delay, they can have unintended consequences. We heard from staff, officials, and stakeholders that the timeframes are too specific and—especially on major projects—do not allow for consistent application of regulations or reconciliation of conflicting staff comments. The concern seems to be that the overall process is quick, which applicants like, yet the tradeoff is that they have little time to respond to staff comments that come late in the process.

We recommend removing specifics of the development review timeline from the code itself and locating them in an administrative manual or user’s guide, where they can be updated as necessary without going through formal code amendment process. Or, the Director should be given authority to extend certain deadlines with the approval of the applicant for major projects. Additional detail on the administrative

manual is provided in this report under the theme, “Create a User-Friendly Code and Supporting Materials.”

Recommendations:

- Remove development review timelines from the code and place them in a separate administrative manual.

Establish Standard Review Procedures

Glenwood’s regulations call for a number of different permits and approvals, such as rezonings, subdivision plats, and special use permits. Some procedural steps are common to many of these different applications. For example, all require an application to be submitted and the application to be reviewed by staff to ensure it is complete before further review. If a public hearing is required, notice requirements apply.

These basic steps are woven through a number of review procedures in Title 070, primarily Article 020. Though the procedures are mostly consolidated, the level of detail for each process is inconsistent and many key details are left unanswered. Because they were often written at different times and with specific issues in mind, there is some inconsistency in how the apparently same step or requirement is addressed in the various procedures. Some procedures spell out a review step or requirement (like a pre-application conference) in detail, while others merely mention the step or requirement (or only imply it), leaving it up to the applicant, interested parties, other code users, and City staff to guess about whether and how it applies to a particular review procedure.

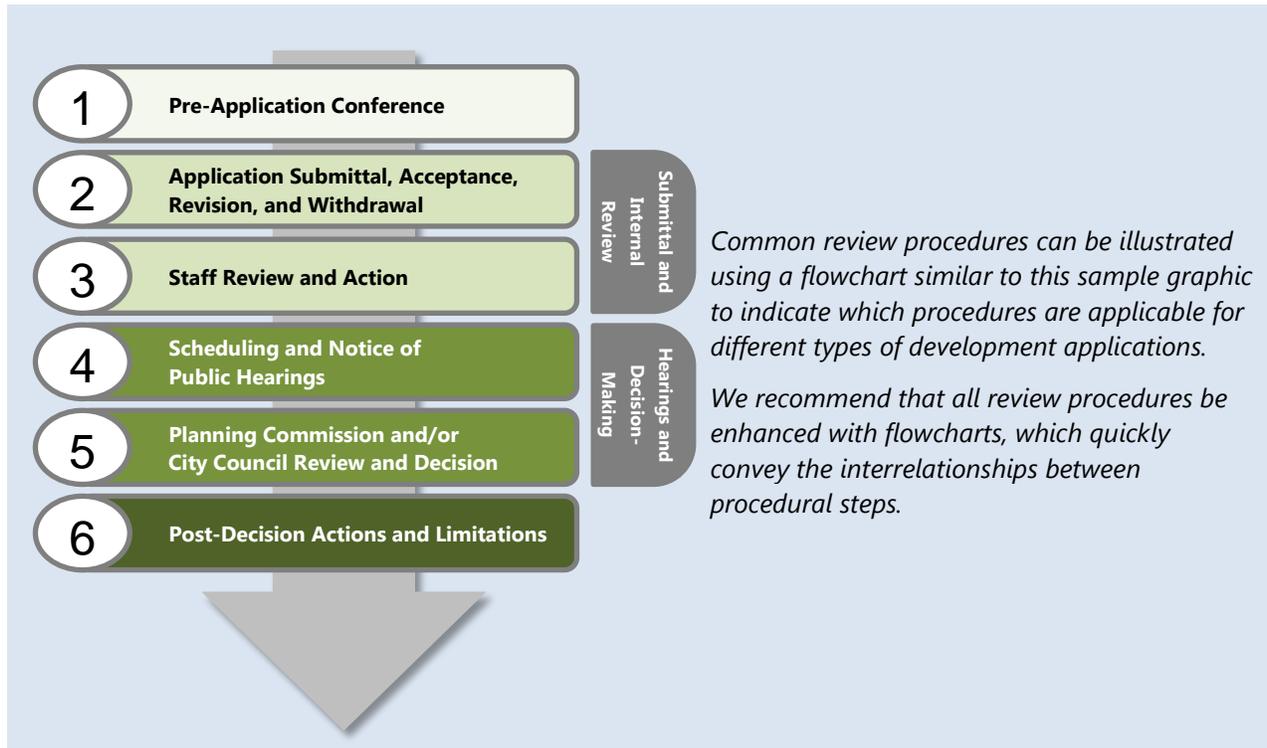
Such an arrangement makes the code longer, with unnecessary duplication of provisions addressing the same or similar steps and requirements. Such duplication also burdens the City with the need to be very careful that when amending a step or requirement in one review procedure, it must consider making the same amendment to the same step or requirement in other review procedures; otherwise, the review procedures will end up inconsistent again.

Modern development codes frequently consolidate the common elements of each review process; a local example is the Garfield County code. Doing so helps code users better understand the City’s basic procedural steps and requirements, avoids unnecessary duplication of provisions, ensures consistent application of generally applicable procedural steps and requirements, and eliminates the need to amend multiple sections of the development regulations if a standard procedural provision is revised.

We suggest the following common procedural elements:

- **Pre-application staff conference**—A meeting of a prospective applicant with City staff that provides an opportunity for the prospective applicant to learn about or confirm application requirements and to present conceptual development plans for informal preliminary staff input regarding potential code compliance issues (and suggestions on how best to resolve such issues). Such conferences are already held in Glenwood.
- **Pre-application neighborhood meeting**—A meeting at which prospective applicants for major development proposals present conceptual development plans to the owners and residents/occupants of properties surrounding proposed development site. City staff would not necessarily have any role in this meeting or be required to attend, but the applicant would have to submit proof the meeting was held.
- **Application submittal and acceptance**—Application submittal and staff review of the application to determine whether it is complete—i.e., contains all prescribed plans and information necessary to make an adequately informed decision about the proposal’s compliance with applicable development regulations—and thus can be accepted for review
- **Staff review and action**
 - Distribution of the application to City staff and outside agencies for review and comment as to its compliance with applicable regulations

- Collection, consolidation, and finalization of staff review comments
- Transmittal of staff review comments to the applicant with an invitation to revise the application
- Applicant preparation and submittal of a revised application
- Acceptance and staff review of and comments on the revised application
- Either a final decision by staff or a staff report and recommendation to forward to an advisory board and/or decision-making board



- **Public hearing scheduling and notice**
 - Scheduling of any required public hearing on the application
 - The types (published, posted, mailed), content, and timing of hearing notices
- **Advisory board review and action**
 - Review of (and hearing on) the application
 - Either a final decision by the board or a recommendation to forward to a decision-making board
- **Decision-making review and action**
 - Review of (and hearing on) the application
 - A final decision of approval, approval with conditions, or denial
- **Public hearing proceedings**—how public hearings are conducted (e.g., order of speakers, limitations on speakers) and special requirements for quasi-judicial hearings (e.g., sworn testimony)
- **Post-decision actions and limitations**
 - Notice of the final decision to the applicant (and other interested parties)
 - Opportunity for the applicant and affected parties to appeal the final decision
 - Procedures for amending the approved plan, ideally distinguishing between minor and minor amendments (the latter being required to restart the approval process)
 - Approval expiration—i.e., how long an application approval is valid as authorization to start development or apply for subsequent development permits and approvals, and how that time period might be extended (e.g., approval valid for one year, with up to two one-year extensions)
 - Possible limitations on the submittal of applications for the same or similar development proposal (to avoid attempts to wear down the City until the proposal is approved)

Recommendations:

- Include formalized standard review procedures for the procedural steps and requirements described above; and
- Follow the standard review procedures with application-specific review procedures that reference applicable standard procedures and note any variations and additions particular to that type of application.

Create a Separate Administrative Manual and Engineering Standards

Title 070 contains some technical information that does not necessarily have to be in the code itself, such as lists of submittal requirements and specific fee amounts. For example, the fees in lieu of park dedication are in 070.030.150. Most communities prefer to keep such information outside the code, so it may be updated administratively without going through a formal code amendment.

We recommend removing such technical information in a separate document to improve the user-friendliness of the Development Regulations. Communities often call the separate document an "Administrative Manual," or a "User's Guide." Formats vary widely, from a simple collection of handouts, to an illustrated handbook. Increasingly, communities store such information either partially or wholly on their website. Regardless of the location and format, if such information is outside the code it is much easier to amend administratively. During this rewrite process, the code drafters should flag the technical and administrative content that should be removed from the code and place it in a separate "bin" document for inclusion in a new manual by the City.

Related, the City has recently begun a separate project to develop an independent set of standard specifications and engineering details. That type of information is critical to code users and provides important information about the City's expectations for technical requirements. That new document should remain separate from the new Title 070, and any existing engineering standards in the code (e.g., water and wastewater standards) should be removed to that new document.

Recommendations:

Remove technical material for placement in a separate administrative manual or engineering standards.

Fine-Tune the Zoning Districts and Land Uses

The zoning districts in any community should accommodate a wide range and mixture of housing types, commercial and industrial businesses, institutional uses, and recreational opportunities, within and across districts. In evaluating the lineup of zoning districts in any code update, we typically consider the following:

- Is the intent of each district clear and does the district name match the intent?
- Is the district currently used, or is it unnecessary or obsolete?
- Are new districts needed (e.g., new mixed-use districts)?
- Are any districts so similar in purpose and standards that they overlap and could be consolidated?
- Are the dimensional standards for each district (setbacks, density, and height) appropriately tailored to the purpose of the district?
- Do the uses allowed in each district match the district's intent?

At the highest level, it is necessary to confirm that the set of districts is appropriate to meet the needs of Glenwood Springs now and in the future and is sufficient to implement the Comprehensive Plan. At a more specific level, the standards of each district should be reviewed and updated if necessary to reflect new City goals and policies. For instance, we heard that increased density and height may be appropriate in the downtown, subject to strong design standards to preserve character and protect nearby neighborhoods.

Based on our review of Glenwood's Title 070 and our meetings with staff and stakeholders, we believe the lineup of zoning districts in Glenwood Springs generally is in good shape. In our meetings, only a handful of zoning district issues came up – they involved the Hillside Protection Overlay, the PUD, and the downtown. Perhaps even more important than the zoning district lineup is the uses allowed within the districts, particularly their organization and format. Each of those issues is addressed in the sections below.

Rewrite the Hillside Preservation Overlay Zone

The only zoning district that came up repeatedly in our interviews as needing substantial revision is the Hillside Preservation district. The district is intended to protect areas of steep slopes, ridgelines, and unstable geologic conditions that line the hillsides that frame the city. We understand that, during the Comprehensive Plan process, citizens expressed support for the district's important role in protecting the hillsides. However, a variety of concerns are apparent, based on our interviews and our review of Title 070:

- The code is inconsistent as to whether there actually are two hillside districts or one. Section 070.040.030(a) presents two different districts – the Hillside Preservation (HP) base district and the Hillside Preservation Overlay Zone (HPOZ)—but the standards appear to deal exclusively with the overlay zone (HPOZ). Most stakeholders refer to the district as HPOZ. Yet, the zoning map shows a HP Hillside Preservation base district. (We understand that the HP zone was in place prior to adoption of the overlay.)



- The applicability of the district is confusing. According to the code, areas “affected by” the overlay zone are all those areas above 6,000 feet in elevation, areas identified in the Comprehensive Plan as being within a defined Urban Development Area, and areas affected by certain slope, soil, and geologic conditions. The text defining these specific areas is challenging to understand and interpret, for staff, officials, and the public. On platted lots and rights-of-way with inadequate streets and utilities, the challenges with applying HPOZ are magnified.
- Generally, the district is considered a barrier to development and redevelopment in Glenwood. In particular, we heard that it is difficult to build single-family homes in the district. On the other hand, the HPOZ currently precludes the redevelopment of commercially zoned properties to anything but single-family homes, which is a particular problem for properties along S. Grand Avenue. (Tentative solutions suggested by staff to address this issue are to allow the construction of a single-family home as an administrative process; to allow the addition of internal ADUs administratively; and to increase the maximum size of accessory buildings from 500 to 600 square feet, which would allow for construction of a two-car garage.)
- The intent of the HPOZ is to protect views and sensitive hazard areas, but the HPOZ is allegedly applying to many properties that go beyond its original purpose (e.g., along a stream, because of slope conditions along the banks).
- Full, detailed construction drawings are required early in the development review process for projects proposed in the HPOZ. We heard that this is an especially big impediment to development in the HPOZ. This relates to concerns discussed earlier in this report – a significant amount of technical detail is required for projects before their general suitability for a site is known.
- There are concerns that the City is inconsistent in determining what properties fall within the district. The Director should be the one who determines whether or not the HPOZ should apply to individual lots (not staff). The decision should be based on information provided by the applicant from a licensed surveyor or engineer indicating the slope of the property.

The district should be rewritten as part of the code update. There are a variety of important issues here that require further discussion before specific recommendations are possible. Discussions will need to revisit the original intent of the district and clarify applicability. Was there originally a need for both a base district and an overlay district? If so, that original intent has been lost in piecemeal code amendments over time. The City should discuss whether some areas should be simply off limits to development because of extreme steep slopes.

The HPOZ standards themselves are not unusual, but—like many standards in the Glenwood code—need to be rewritten to eliminate vague language and ambiguity, and should be supplemented with illustrations and graphics, and need to provide more options and menus to allow flexible solutions for constrained sites. There are many communities in Colorado (such as Colorado Springs, the original model for Glenwood’s HPOZ), that have successful hillside preservation ordinances that can serve as models for the rewrite.

Recommendations

- Rewrite the Hillside Preservation Overlay Zone. Clarify whether both a base district and overlay district are needed.
- Reconsider intent and applicability (specifically the issue of commercially zoned lots).
- Rewrite standards to eliminate vague language, add flexibility, and add graphics.

Create One or More New Mixed-Use Districts

Though some residential uses are allowed in the downtown core, there is no mixed-use zone district established by the current Glenwood code. This may impede the implementation of goals and policies related to environmental conservation, sustainability, and affordable/work force housing. As well, it could be a contributing factor in the number of non-conforming uses and buildings and the overuse of the variance process.

Mixed-use development offers many advantages over traditional zoning that segregates uses. It is designed to allow residential and nonresidential uses to be developed as part of the same project or site, such as when condominiums are built over or next to small-scale retail stores or offices. The combination can allow people to live, work, and shop in one location without necessarily getting into a car for every trip. Mixed-use development thus can help lower vehicle miles traveled, reducing overall traffic congestion and air pollution. If properly crafted, mixed-use districts are designed to allow for a broader combination of uses by-right. Generally, this appeals to developers because they no longer have to jump through multiple hoops (e.g., variances, special use permits, PUDs, etc.) to get a creative combination of uses approved.

While mixed-use development is not appropriate everywhere, it does have advantages that make it a good option for Glenwood Springs to consider closely in the code update. The mixed-use zones may not be immediately necessary, but they could help provide the tools to encourage further redevelopment consistent with the Comprehensive Plan. For example, mixed-use zones may be appropriate to help redevelop shopping centers and other secondary centers identified in the plan at nodes where redevelopment and additional density are desired. The development of the confluence area could also be a possible location for mixed-use development.

For discussion purposes, we propose two new districts for Glenwood: one neighborhood-scale (i.e., smaller areas of five to 10 acres), and one regional-scale district (over 10 acres). Both districts should be designed to emphasize pedestrian-scale development and the relationship of buildings to the streetscape, and to minimize the presence of off-street parking along street frontages. The focus of these districts will be more on the particular urban form desired, rather than the uses allowed within the districts. Illustrations and graphics will help convey the intended character of the districts. If additional design or other development standards are needed, they can be added to the code's development standards article, though many of the existing commercial and downtown standards can be tailored to apply to the mixed-use districts.

Recommendations

- Establish two new mixed-use districts: one neighborhood-scale and one regional-scale.

Rewrite the PUD

The Planned Unit Development section in the Glenwood code (Article 070.070) should be completely replaced as part of the code update. As written, the current district is confusing, awkward, and unwieldy. It is intended to be applied as a base district, but (similar to an overlay) requires the applicant and City to designate the area zoned PUD with various district-type classifications, which do not line up with other districts used elsewhere in the code. We



understand that challenges with administering the PUD are partly the reason for so many variance requests in Glenwood.

Even though the new code should be designed with better districts and more flexibility to lessen the need for PUD applications, there still will be a need for a PUD process for those unusual, large, or complex projects that need to be processed outside of the base zoning districts and procedures. To accommodate such projects, the PUD procedure should be rewritten. Several issues should be addressed:

- The new PUD procedure should be located in the new administration article, along with other procedures. It should be identified as a particular type of rezoning and subject to the general rezoning criteria, in addition to any PUD-specific approval criteria developed during the code update. The new standard review procedures discussed earlier in this report (such as a requirement that an application be “complete” before it is processed) should apply to the PUD procedure.
- A PUD plan should be required as part of the rezoning that includes all specific standards negotiated for that particular project. All underlying code requirements should continue to apply in a PUD unless specifically modified or exempted in the PUD plan.
- There currently are no approval criteria for PUDs. There are performance measures and design guidelines for PUDs (e.g., open space requirements), but they do not take the form of criteria used to directly evaluate each proposal. New approval criteria are necessary. The code drafters should draw from criteria that have proven effective in other communities for planned developments.
- The code should state that PUDs are required to provide benefits to the community, in exchange for the opportunity of gaining approval outside of the base zoning districts and procedures. A list of types of community benefits should be included in the approval criteria—for example, a minimum amount of common open space, or higher quality design than would otherwise be required.
- PUDs should be reserved for unusual, large, or exemplary projects. This can be accomplished in part through a minimum size requirement – a typical threshold is 5-10 acres. In addition, PUDs should be specifically authorized for smaller-scale infill and redevelopment projects where physical limitations because of the already-built environment are a factor. The code should prohibit the PUD process from being used when the variance or administrative adjustment procedures could achieve a similar result.
- The code should establish procedures for amending PUDs, including distinguishing minor amendments (which often can be approved administratively) from major amendments, which require a more involved process. We understand that, currently, Glenwood requires modifications to PUDs to be processed as rezonings.

Recommendations:

- Rewrite the PUD procedure consistent with the new goals specified in this report.

Develop a Consolidated Use Table

Under the existing code, permitted, temporary, and accessory uses are spread throughout multiple locations. Many uses are identified in Article 070.040 (Zoning). However, certain uses subject to state and/or local government licensing requirements (e.g., marijuana, mobile homes) are in other parts of the Municipal Code. There is no tool for understanding and comparing all uses in one location.

We recommend creating a new consolidated use table that includes all districts and all uses allowed in Glenwood. This will allow for side-by-side district comparisons and help the City evaluate whether or not the allowed uses are aligned with the intent of each district. Accessory and temporary uses will also be consolidated in the table, but they will be identified separately (i.e., grouped at the end of the table) to stress the difference between primary and accessory uses. Cross-references will direct the reader to any use-specific standards, either in Title 070 or elsewhere in the Municipal Code. An example of a well-organized use table from another community is provided below.

Recommendation:	
▪	Create a consolidated land use table.

TABLE 5.1-1 TABLE OF ALLOWED USES		Residential					Commercial/ Mixed-Use					Other			Use-specific Standards
Use Category	Use Type	R-S	R-N	R-L	R-M	R-H	AC	CO	CT	CC	MU	OS	PR	PF	
RESIDENTIAL USES															
Household Living	Attached or stand-alone townhouse			●	●	●									
	Cabin housing		●	●	●	●				●	●				5.2.2
	Duplex		●	●	●	●									
	Fractional ownership unit					●	●			●	●				
	Multi-unit dwellings				●	●	●								
	Residential dwelling unit									●	●				
	Residential dwelling unit above ground floor commercial									●	●				
	Residential dwelling unit not along Main Street											●			
	Single-household detached dwelling		●	●	●	●	●								
	Group Living	Group care facility					●								
PUBLIC, INSTITUTIONAL, AND CIVIC USES															
Community and Cultural Facilities	Activities for conservation of natural resources and the environment												●		
	Arts and entertainment center						●	●		●	●				
	Community center							●		●					
	Church			●	●	●				●	●			●	
	Homeowner association recreation facility	●		●	●	●									

Categorize and Define All Use Types

As part of the creation of a master use table, we recommend categorizing individual “use types” within larger categories and subcategories. For example, a broad category of “residential uses” could include a subcategory of “household living,” which could include specific use types such as “single-family detached dwelling.” Similarly, a broad “commercial use” category could include a “retail” subcategory, which could include specific use types such as “general retail, small” and “general retail, large.” This is a more systematic and logical way to organize allowable uses than the current system, which attempts to list any conceivable use. Standards in the ordinance can simply refer to a category of uses and, by definition, include all of the uses within that category rather than listing them individually.

This improved categorization will help to reduce the size of the use lists in Glenwood. For example, the current C-4 district includes a “personal service establishment” subcategory. However, the list goes on to

identify numerous specific uses including “barber or beauty shop,” “shoe repair,” and “tailor shop.” Because the land use impacts of a barber shop are typically no different than those of a tailor, including such lengthy lists of allowable uses only makes the development regulations longer, more difficult to understand, and requires continual inclusion of uses not previously considered by the City. In this example, all the general personal service uses listed could simply be identified in the definition for “personal service establishment.”

Importantly, this update will ensure that each use listed in the table has a corresponding and clear definition, plus examples of activities that meet that definition. Clear definitions save applicants and decision makers time and allow for better decisions because all parties can agree on what constitutes the use at hand. Clarifying use definitions will help make outside developers and design professionals more comfortable with the idea of submitting a development proposal in Glenwood Springs.

Lastly, to help modernize the new code, this rewrite should eliminate obsolete uses (i.e., those no longer allowed, or outdated terms) and also include new contemporary uses such as industrial flex space, live/work units, sustainable energy production, shared office spaces, and uses associated with urban agriculture (e.g., community gardens, produce stands, etc.).

Recommendations:

- Categorize use types within larger categories and subcategories;
- Update definitions to ensure clarity, legal consistency, and that all uses are defined;
- Remove obsolete uses; and
- Introduce new use types to reflect contemporary uses.

Ensure All Districts Allow Appropriate Land Uses

The allowable uses within each district should be compatible with the intent of the district. There may be current land uses that are permitted in Glenwood Springs that are inconsistent with the intended character of their respective districts. The code update and creation of a new master use table will allow for a district-by-district evaluation of the uses allowed within each district. The City should, for example, identify those districts most appropriate (or not) for new use such as those associated with urban agriculture. This analysis might result in a proposal to add new uses to existing districts, or prohibiting some uses in certain districts.



Particular attention also should be paid to special review uses in each district. If special review uses are always being approved (such as office uses in the R/ (such as office uses in the R4 district), they should be considered for a more liberal application in the list of permitted uses for certain base zoning districts. We recommend analyzing the history of approved special review uses to help determine possible reform of permitted uses “by-right.”

Recommendation:

- Revise the allowable uses per zoning district to best reflect the intent of each district.
- Add district purpose statements to help in the evaluation of the appropriateness of land uses within each district.

Consolidate and Upgrade the Development Standards

As the economy continues to rebound, Glenwood Springs is poised to continue growing at a healthy pace over the coming years given the City's strategic location, attractive setting, and high quality of life. While the Glenwood community welcomes new development, citizens we spoke with stressed the need for high-quality projects that respect the City's unique character and setting—and not just be formula-based projects that could be found anywhere in Colorado.

The current Title 070 has a variety of standards regarding development quality, from a new floodplain protection ordinance to an array of building design standards. City officials and staff have done admirable work over many years in developing a thoughtful mix of standards that address a variety of important site and building design issues. The City has done much more than most Colorado communities its size in terms of regulating the quality of new development.

The challenge moving forward will be to take the adopted standards to the next level by:

- Providing more certainty—specifically, by removing vague language and ambiguous standards that have led to unnecessary delays;
- Ensuring that all standards work together, by eliminating repetition and clarifying which standards control in case of conflict between the building design standards and other parts of the code (e.g., sign, landscaping, parking, and exterior lighting standards); and
- Providing greater flexibility (through menus and options) to achieve compliance with the code while still not restricting creativity. We heard frequently that there is no flexibility (“the code is all black or white,” “the code applies a one-size-fits-all approach.”)

The following sections discuss several substantive areas where revisions or additions to current standards are recommended.

Remove Ambiguous and Subjective Language

We heard often that subjective language (e.g., “bright colors”) in the Glenwood code leads to delay and uncertainty and by resulting in negotiation of design-related issues during public hearings.

Generally, for all types of standards, the code should provide greater certainty by avoiding the use of purely subjective language, disconnected from any measurable criteria. For example, the current Downtown Design Standards require color schemes to be “compatible” with those on historic residences, colors that create a “coordinated composition” on new buildings. Staff, decision makers, developers, and the community could all interpret those terms differently. Site and building design issues should be addressed through objective standards whenever possible, with subjective language only playing a secondary role. Objective standards offer a win-win opportunity for both the community and the developer. Clearly stating the city's standards up-front can save time and money for both the City and the owner, as the need for lengthy negotiation on those items is removed.

In updating Glenwood's code, and particularly in rewriting the development standards, it will be important to achieve a balance between ensuring objectivity while also allowing for the flexibility needed to meet unusual circumstances and encourage creativity. To strike this balance, we recommend using menus of alternatives where possible and allowing the property owner options in how compliance with the standards is achieved, rather than prescribing a one-size-fits-all approach.

Recommendation:

- Rewrite development standards to eliminate vague, subjective language; and
- Introduce additional flexibility by adding optional approaches and menus wherever possible.

Consolidate and Update the Design Standards

The Downtown Design Standards, Commercial Design Standards, and Residential Design Standards all are intended to protect the character of the community and ensure high-quality development. They all should be carried forward, albeit with the language improvements noted above.

Importantly, however, the separate standards were introduced into the Glenwood code at different times. Each involved its own drafting and public review process, and as a result each ordinance has its own format and organizational approach. Some sections also mix mandatory standards and optional guidelines. It is not always clear which standards would apply to mixed-use projects. It is also not clear how the standards relate to each other, and which set of standards controls in cases of potential conflict. For example, a downtown project may have to comply with both the Downtown Design Standards and also the general lighting and sign requirements, which may have conflicting standards.



Moving forward, the development of a new code provides an opportunity to consolidate the various design standards and eliminate redundancy. Currently, this issue is addressed by various “more restrictive” clauses, but these require cross-checking to determine which sections apply in case of conflict and, according to stakeholders and staff, make the code difficult to use.

As part of the consolidation, code drafters should work with staff, officials, and the community to ensure the standards are striking the right level of detail. We heard some complaints that the current standards are too detailed in some places (though few specifics were identified).

Recommendation:

- Consolidate the Downtown, Commercial, and Residential design standards to eliminate overlap and clarify which standards control in case of conflict.

Focus on Infill and Redevelopment

As we heard in one interview, “all the easy parcels in Glenwood Springs are taken.” Because most new development will be in the form of infill or redevelopment, the new code must be calibrated to encourage and achieve high-quality reinvestment on these important sites. Infill and redevelopment parcels often present specific challenges ranging from environmental cleanup (e.g., a former gas station site) to compatibility with surrounding, built-up neighborhoods. Although site-specific challenges cannot be eliminated altogether, well-drafted regulations need not add an unnecessary layer of complexity to these context-sensitive



areas.

For redevelopment parcels in particular, many existing development standards were adopted after the original development of a property. Often, compliance with the more recent requirements acts as a deterrent to redevelopment due to a lack of physical land area or financial burdens. More extensive stormwater and detention requirements are one example of such a deterrent. Vacant or underutilized lots can be overlooked when a quick read of the development regulations renders the investment infeasible. Examples of areas where infill and redevelopment should be addressed in the new regulations include:

- **Dimensional requirements.** Setbacks, heights, minimum lot areas, and minimum open space can diminish the possibility for redevelopment or infill on a vacant lot. In Glenwood, there are many nonconforming properties in the downtown due to setback requirements, which presents obstacles to redevelopment.
- **Development standards.** For particularly challenging infill and redevelopment lots, every inch of the site matters. Once required landscaping, parking, and loading standards have been met, many infill sites prevent a project from “penciling out” financially. One way to help make a development more financially feasible is to reduce minimum parking requirements, where possible, without harm to surrounding neighborhoods. For example, most communities find that 1 space/400 square feet (sf) of gross floor area (gfa) is adequate to accommodate general office uses, including financial institutions. Currently, Glenwood requires 1 space 300 sf of gfa.
- **Permitted uses.** A broader list of allowable uses can also help Glenwood to encourage infill and redevelopment.

Recommendation:

- Review dimensional standards and development standards to ensure they accommodate infill and redevelopment projects.

Rewrite the Parking and Sign Sections

Based on our interviews and review of the code, the two most challenging parts of the Glenwood development standards to understand and enforce are the parking requirements (Article 070.050) and the sign standards (Article 070.060). Both should be comprehensively rewritten as part of the code update to ensure they are meeting the City’s policy goals, are user-friendly, and are enforceable. The sign regulations also should be reviewed for content-based standards; recent case law has made the defense of content-based standards even more challenging for local governments, and most such regulations should be removed unless there is a compelling public purpose behind regulating content. Amortization of nonconforming signs could also be considered, though this is usually very controversial and would require further discussion. Additional detail on both sections is contained in the detailed review of the code later in this report.

Recommendation:

- Rewrite the parking and sign sections of the code.

Reconsider the Role of Historic Preservation

One thread that came out of our meetings was the need to reconsider the role of historic preservation in Glenwood Springs. The scope of the current preservation program is modest: there are 12 locally designated historic properties (along with a handful of properties recognized on national and state registers) and no historic districts. The Historic Preservation Commission (HPC) reviews applications for alterations to the locally designated properties following procedures in 070.120. The HPC considers applications at public hearings and awards certifications of alteration for approved projects.



Beyond the designated landmarks, the HPC's role is more ambiguous. In addition to 070.120 (which deals only with landmarks), preservation is addressed in the code primarily in the Downtown Design Standards, specifically the sections beginning with 070.030.158 (f - residential) and (g - commercial). Many key terms in these sections are undefined. The code addresses "basic preservation theory" (e.g., "the concept of integrity") and provides standards that apply to "all contributing structures," which are not clearly identified. Standards require new development to respect and preserve "historic character," but that term has not actually been identified and described to our knowledge.

The current HPC role in the downtown (and elsewhere in the City beyond the 12 local landmarks) is advisory only, and the board has no formal role in design review. Projects in the downtown are reviewed by the Planning Commission, and then City Council if they are considered major projects. The staff forwards applications involving historic properties to the HPC at their discretion. On referred projects, the HPC typically prepares a memo with comments and submits that to the Commission, where it is considered alongside comments from other stakeholders. However, the process reportedly is not consistent. A Council member serves as a liaison to the HPC and sits on the board in an ex officio capacity. Despite that connection, however, there is a general perception that the HPC lacks a strong voice in Commission and Council deliberations.

In our interviews, we heard widespread awareness that historic buildings downtown are a central part of the City's charm and attraction to visitors. However, there is some ambiguity as to what is "historic" in Glenwood and what older resources should require additional design review, beyond the relatively small list of formally designated landmarks. There appears to be support for some higher level of design controls downtown. Without greater awareness of the importance of historic resources to Glenwood's character and economy, future development pressures could overwhelm the City's efforts to maintain its historic sense of place, which is unique in Colorado. This will be especially important as historic buildings in the north part of downtown are subject to redevelopment following the relocation of the bridge.

Possible strategies that should be considered to enhance historic preservation are strengthening the role for the HPC, and/or enactment of stronger standards that better define and protect Glenwood's historic architectural character.

In terms of the HPC:

- HPC members we spoke with expressed interest in a more regular, defined role. A first step could be to formalize the requirement for HPC review of projects involving historic properties in the downtown. Longer-term, some communities have their preservation commission review all projects involving buildings 50 years of age or older.

- The relationship between the HPC and the Downtown Development Authority could be strengthened. Both groups have strong interests in future development in the downtown, as well as preserving and enhancing the historic, pedestrian-friendly character that defines Glenwood Springs to many tourists. We heard of little formal collaboration between the two groups, however. The City should explore mechanisms to create opportunities for collaboration and project development between the two groups, perhaps through annual joint workshops or having members from each group serve as liaisons to the other.
- The HPC needs training in project development review, and in understanding other parts of the City land use review process beyond just preservation. Ultimately, effective preservation boards do not just preserve existing buildings as is; they help ensure that historic buildings are integrated into larger redevelopment projects that meet multiple City goals and contribute to overall successful placemaking.

In terms of stronger preservation controls:

- The term “historic” should be clarified or defined. The code should clearly identify the resources with documented or potential historic character that are subject to design review. This could include any locally designated property; or any property listed on state or national historic registers; or all properties 50 years or older; or it could have some other definition.
- Generally, the standards should be reviewed for ambiguous, subjective language like the other sections of the design standards. There are many sections (e.g., “this is especially important on significant facades”) that include undefined terms and likely would be interpreted differently by different parties.
- One important new tool could be better notification of demolition requests for historic buildings that are not landmarked, especially to the HPC. We heard that there currently is poor/uneven notification about projects affecting older structures that are not designated landmarks. One recent example was when an old barbershop (the oldest building in the City) was torn down, with no notification to the HPC.
- Additional standards are necessary to help evaluate projects that would affect mid-century projects that may technically meet a 50-year threshold for historic eligibility, but which are different in character from the older buildings that meet the traditional image of old Glenwood Springs.

Beyond enhancing the role of the HPC and strengthening standards (and beyond Title 070), there are other program improvements that could help strengthen preservation in Glenwood. In particular, an updated architectural/historical survey is critical to informing decisions about which properties are contributing or eligible, and thus should be subject to closer review and protection. New surveys are especially important in the downtown, since maintenance of “historic” and “architectural” character is required throughout the Downtown Design Standards. A comprehensive survey and list of eligible, contributing, and non-contributing buildings and structures will help by providing a strong legal foundation for preservation-related decisions, and put developers on notice early in the planning and design process that certain eligible and contributing buildings will require additional scrutiny.

Also, future updates to the Comprehensive Plan should look more closely at historic preservation, linking it to other land use goals and prioritizing it alongside other important City programs. There are outside groups (such as History Colorado and Colorado Preservation, Inc.) and funding sources (such as the State Historical Fund) that can provide the technical support and resources necessary to update these programs.

Recommendations:

- Reconsider the role of the HPC, beginning by formalizing their responsibility to review projects involving historic resources. Longer-term, consider additional opportunities for greater HPC input;
- Strengthen the preservation standards in the code by removing ambiguous, subjective standards and consolidating the standards with other types of design controls;
- Require notice of demolition requests for historic buildings be referred to the HPC before final approval;
- Add standards to help evaluate younger properties that meet the threshold for historic designation; and
- Pursue outside funding and technical assistance to conduct new surveys and improve the factual basis for historic preservation in Glenwood.

Create a More User-Friendly Code and Supporting Materials

Many stakeholders commented on the relatively cumbersome nature of the current Title 070 document itself, saying that it is hard to find key information, is poorly organized and redundant, lacks graphics, and generally is challenging to use. As part of any update, it will be important to consider the organization and format of the new code to ensure that it is easy for all users to find the information they need and to present that information in a clear and easy-to-understand format. Making it easier to find and understand information also will improve the efficiency of the review process. Though this is listed as the final category of major improvements, many whom we spoke with stressed the importance of the issue. One interviewee said that a document cleanup should be the first task and should take precedence over all substantive improvements, noting: “You’ve got to clear the brush before you save the trees.”

Reorganize the Code

The current Title 070 is organized into 16 articles. The organization is relatively logical when compared to codes in other communities; for example, most (but not all) procedures are consolidated in Article 070.020. There is room for improvement, however. Definitions are scattered and should be consolidated. Some topics are given their own articles but really could be integrated with other similar materials; for example, standards for mobile homes do not deserve a separate article but should be folded into a larger article dealing with all use regulations. Similarly, exterior lighting provisions could be in a general development standards article, rather than standing on their own. Further, a variety of “miscellaneous code provisions” (such as temporary sales standards) appear in separate articles of the Municipal Code but relate to land use issues and are potential candidates for integrating into Title 070.

A new organization is proposed in the Annotated Outline later in this report. In general, the goal in the new organization should be to consolidate like information in easy-to-find locations. For example, all definitions should be in one spot, as should all procedures. The organization should be designed to place frequently used information where it can be easily referenced, and to remove some of the current repetition in the code by consolidating related information.

Current 070 Organization	Proposed Organization
<ul style="list-style-type: none"> ▪ 010: In General ▪ 020: Application and Review Procedures ▪ 030: Requirements for Design Improvements and Dedications ▪ 040: Zoning ▪ 050: Off-Street Parking Requirements ▪ 060: Signs ▪ 070: Planned Unit Development ▪ 080: Mobile Homes and Mobile Home Parks ▪ 090: Flood Damage Prevention ▪ 100: Development in Areas of Geologic Hazards ▪ 110: Recreation Vehicle Parks ▪ 120: Historic Preservation ▪ 130: Inclusionary Requirements for Community Housing ▪ 140: Exterior Lighting Standards ▪ 150: Commercial Design Standards ▪ 160: Residential Design Standards 	<ul style="list-style-type: none"> ▪ 1: General Provisions ▪ 2: Zoning Districts ▪ 3) Use Regulations ▪ 4) Development Standards ▪ 5) Subdivision Standards ▪ 6) Administration and Procedures ▪ 7) Rules of Construction and Definitions

Recommendation:
 Reorganize the new code according to the Annotated Outline in this report.

Add Illustrations, Photographs, and Other Graphics

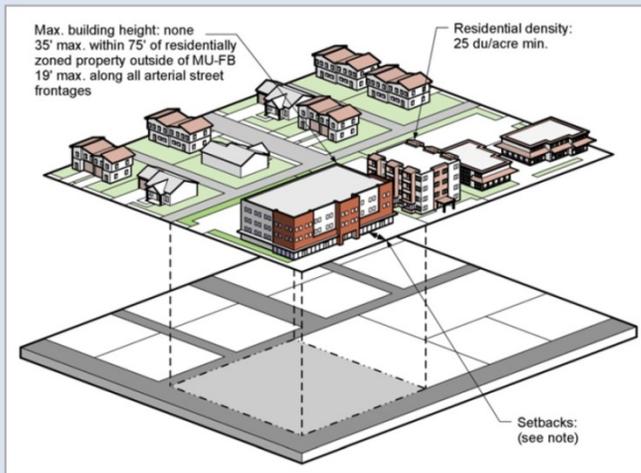
Photographs, tables, flowcharts, illustrations, and other graphics are helpful in conveying information concisely. The City’s current development regulations are text-heavy and include very few such graphics. We recommend expanding the use of visual aids in a new code to help explain how the regulations are intended to work – for example, by clearly showing how dimensional standards are measured and how development standards (parking, landscaping, building design, etc.) are applied. The few graphics that do exist in the current regulations should be replaced with simplified and cleaner images.

Sample graphics from other codes prepared by Clarion are shown on the following page. They are included here simply to illustrate a small range of possible formats. Each community is unique in how they choose to illustrate a code (freehand versus software, heavy detail versus light detail, etc.). Other sample graphics include the use table and procedural flowchart shown earlier in this report.

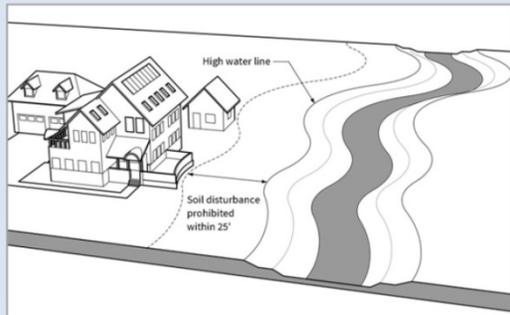
Code graphics can be effectively drafted using a number of different software programs. Simple diagrams and tables can be produced using Microsoft Word, and more complex drawings depicting dimensional standards can be drafted using products such as Trimble’s SketchUp and Adobe Creative Suite (Photoshop, Illustrator, and InDesign). These programs allow staff to quickly create and update drawings depicting dimensional standards. There are front-end costs associated with purchasing these software packages and with training; however, they save staff time in the long run, and are better suited for graphics than word processing programs such as Microsoft Word. Using graphics software programs also will help the City quickly update drawings that illustrate dimensional and other standards as they are amended in the future.

Recommendation:

Introduce graphics and visual aids (summary tables, photographs, flowcharts, illustrations, etc.) to explain regulations.



This recent drawing illustrates some of the basic dimensional requirements for a mixed-use zoning district. Each draft zoning district in this community includes a similar graphic to depict general lot and building dimensional standards.



The graphics above were recently developed for the Town of Frisco, Colorado. The drawing on the left illustrates stream buffer requirements, and the drawing on the right depicts basic building design standards in the residential overlay district. Throughout Frisco's draft updated code, Clarion used this simplified, yet elegant black and white style template for each of the graphics produced.

The draft drawing to the right illustrates building height requirements for a small town along their Main Street. For particularly complex provisions, graphics like these go a long way in communicating the minimum requirements.



Improve the Page Layout

Beyond adding new graphics, the page layout of the new code should be improved. The current Title 070 is typical of many ordinances that have been assembled by different people over many years, and thus have some inconsistent formatting resulting from piecemeal amendments. A few issues stand out:

- The current numbering system, for instance, is not consistently applied throughout the document. As an example of a minor current inconsistency, sections 070.040.010 and 040.020 (right next to each other in the document) use two different numbering systems. Another example is 070.050.090 and 050.100.
- Different articles use different fonts.
- There is no master Table of Contents.
- Later code amendments either do not have page numbers or have page numbers that do not relate back to the rest of 070.

Several types of revisions are necessary. First, a new, simpler numbering system should be adopted in Title 070 that is consistently applied and easy to understand. Also, a new document layout will establish a clear hierarchy of provisions and enable code users to understand more quickly where in the document a particular provision is located. In addition to a clearly defined hierarchy, this new layout should include headers, footers, page numbers, and illustrations with captions to make the code more user-friendly. It will be important to discuss proposed format improvements with the City Clerk's office.

The following graphic illustrates a sample improved layout from another code.

This sample page layout illustrates how headers, text, graphics, and use of page numbers help to modernize a code and make it more user-friendly.

Recommendations:

- Design and implement a new page layout, including a clear numbering system that establishes a clear hierarchy of provisions.

Define Key Terms, Consolidate Definitions, and Use Clear Language

In terms of user-friendliness, the use of clear and precise language is just as important as document organization and format. In the current Glenwood Springs regulations, definitions are spread throughout multiple locations. Many are in 010.010, but some appear in targeted locations (e.g., home occupation and sign sections). Some of these are repeated in more than one place. Many key terms like “drive-through” are currently undefined, and sometimes there is confusion over similar terms (e.g., “drive-in” and drive-through”). The regulations also contain multiple, often conflicting definitions of the same terms (e.g., “indoor commercial recreational use.”) In the new code, all key terms (including all use types) should be defined and inconsistent definitions should be reconciled in one consolidated set of definitions. Any regulatory language should be removed and relocated into the main body of the code.

Beyond the definitions, all text in the code should be reviewed and rewritten as necessary to provide greater clarity. The code drafters should identify and wring out “legalese” and “plannerese” and replace jargon with plain language. The goal should be a code that all stakeholders can understand, from the individual landowner looking to expand his house to the professional planning a new development.

Recommendations:

- Define all key terms;
- Revise complex or confusing definitions for clarity; and
- Review all code language and rewrite for clarity as needed.

Enhance the Online Platform

Several stakeholders expressed concern with the current City website, noting that it contains outdated information, and that navigating through the site and accessing information can be difficult. We understand that the City has recently initiated a project to prepare a comprehensive update of the site. Once completed, the site should contain links to an online version of the code.

There are many interesting advancements to consider in the field of online codes. Many communities are publishing their land development regulations (and entire municipal codes) online in lieu of printing large documents for distribution. It is no longer a question of whether or not to provide access to development regulations online, but a question of how to do it. Choosing the right online code platform involves considerations of cost, staff preferences, types of ordinances, and ease of continual maintenance.

Key features to include new online codes include hyperlinked cross-references to other applicable sections of the Municipal Code, and a master table of contents that constantly appears on the browser window. Also, building in a search function within each code page can enhance the usability of the online ordinances. Users can currently search the municipal code from the City website, but it does not highlight the text you are looking for once you open up the related document. There are several providers of online code platform services such as American Legal, Municipal Code Publishing, Visual Interactive Code (Clarion Associates), and Colorado Code, to name a few. We recommend identifying an appropriate online platform early in the development regulations update process so that a document format can be selected that is consistent with the chosen online platform.

Recommendations:

- Identify an appropriate online code platform early in the update process;
- Incorporate hyperlinked cross-references to other applicable sections; and
- Build in a search function on each page of the online code viewer.

3: Annotated Outline of a New Development Code

This part of the report provides an overview of what the proposed structure and general content of a new code for Glenwood Springs might look like if the recommendations from Parts 2 and 4 of this report are implemented. This outline is structured as a new Title 070 – Glenwood Springs Development Code. It is intended as a starting point for further dialogue. It is tailored for Glenwood Springs, building on our experience with successful code projects throughout Colorado and the nation.

Each proposed section indicates (with blue shading) which articles and sections from the current Glenwood Springs regulations (mostly from Title 070) would be folded into the proposed new code sections.

General Provisions

This article will include provisions that are applicable to the code as a whole, including the following:

Title, Effective Date, and Mapping

This section will establish the title of the code, its effective date, and describe how the official zoning map and district boundaries are maintained.

Purpose and Intent

This section will describe generally why the code is important to the City of Glenwood Springs and how it regulates land development to protect the public health, safety, and welfare of the City.

Authority, Applicability, and Jurisdiction

This section will describe the code’s applicability to development or redevelopment (unless otherwise exempted), the code’s application to governmental agencies, how internal code conflicts are resolved, and a statement on the code’s relationship to private covenants.

Transition from Prior Regulations

This section will describe how prior building permits, violations, nonconformities, and development approvals will be processed by the new code. It could also include an option for pending applications to be reviewed and decided under the current regulations or the new code.

Nonconformities

This section will describe how legal nonconformities are administered and enforced. The section will include standards for nonconforming uses, nonconforming structures, nonconforming lots, nonconforming signs, and nonconforming site features. The current nonconformity regulations are scattered throughout Title 070. We recommend relocating all nonconformities in this first article with other general provisions. Some communities prefer to leave nonconformities as a stand-alone article.

Enforcement

This section will describe how Glenwood Springs enforces the code, including standards for violations, penalties and remedies, and authorized enforcement officers. As with many other sections in the code, we recommend relocating specific information that may change frequently to an administrative manual. For the enforcement section, that might include dollar amounts for fees and penalties.

Severability

This section will clarify that any specific standard in the code that is invalidated by a court, shall not affect the application or validity of any other standard in the code not included by that court's judgment.

Current Sections

Articles and sections from the current Title 070 to be incorporated into this new article include:

Article 070.010 – In General

- 020: Purposes
- 060: Applicability
- 070: Conflicts with code and charter
- 080: Validity of provisions, severability
- 090: Enforcement

Article 070.030 – Requirements for Design Improvements and Dedications

- 170: Nonconforming design, improvements, and dedications

Article 070.040 – Zoning

- 010: Purposes of article
- 030(q): Nonconforming uses, structures, and lots

Article 070.060 – Signs

- 070: Nonconforming signs

Article 070.090 – Flood Damage Prevention

- 220: Nonconforming uses

Article 070.140 – Exterior Lighting Standards

- 030: Nonconforming lighting

Zoning Districts

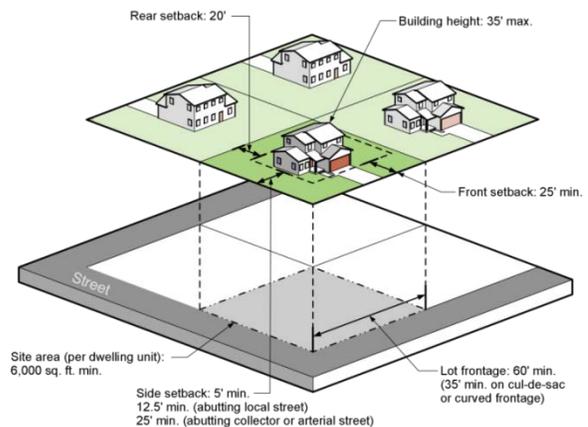
The zoning districts article establishes the base zoning districts, PUDs, overlay districts, and describes how the districts relate to one another.

Zoning Districts Established

This section will summarize the lineup of zoning districts, according to earlier recommendations for consolidation, elimination, and creation of new districts. A table will be incorporated similar to the example provided earlier in this assessment.

Residential Districts

This section will include zoning district information for all residential districts in the City. Each district will include a purpose statement, a summary table for applicable dimensional standards (height, setbacks, lot area requirements), and any standards that are applicable to that specific district. We recommend including graphics that illustrate the dimensional standards for each district. Some communities also supplement their zoning districts with conceptual graphics or photographs depicting typical development in each district. (References to residential design standards will be necessary, as well.)



An example from another jurisdiction of dimensional standards depicted on an illustration for a low-density residential district.

Mixed-Use and Nonresidential Districts

This section will include zoning district information for all mixed-use districts and other nonresidential (such as commercial and industrial) districts. The components included in residential districts will also be included for all other districts in the code (purpose, summary of dimensions, district-specific standards, and graphics).

Special Purpose Districts

This section will include zoning information for all special purpose districts, such as the resort district and PUDs.

Overlay Districts

This section will describe the purpose and applicability of overlay districts, summarize how they are administered, and include specific overlay district information for the Hillside Preservation overlay, which will require substantial revisions as mentioned earlier in this assessment.

Dimensional Standards and Exceptions

This section will summarize the dimensional standards for all zoning districts. This will include summary tables with dimensional standards for the following:

- Lot standards (e.g., minimum lot area, minimum open space, maximum lot coverage)
- Setbacks (minimum yard requirements)
- Building standards (maximum height, minimum distance between structures)

A summary of the key dimensional standards will be included in a short summary table for each zoning district. Following the dimensional standards tables, a list of exceptions and encroachments will be included, as well as references to the residential design standards. This will describe what types of structures, building elements, or site features are either exceptions from dimensional standards (such as uncovered patios), or may encroach into required areas (such as spires, bay windows, and rooftop solar).

Current Sections

Articles from the current Glenwood Springs Development Code to be incorporated into this new article include:

Article 070.040 – Zoning

030: District regulations (except for use-related or procedural information)

Article 070.070 – Planned Unit Development

030: Standards and requirements

Use Regulations

This article will contain all of the standards applicable to specific land uses. The current development code includes land uses and applicable standards within each zoning district, which makes comparative analysis across districts difficult.

Table of Allowed Uses

The table of allowed uses will summarize allowable uses by zoning district, indicating the level of approval required (by-right, special use permit, or not permitted), and will include cross-references to additional standards that apply to a specific use. This table will reduce the overall length of the code, reduce the potential for inconsistencies throughout districts, and provide an opportunity to compare uses across districts without navigating between code sections. As discussed previously in this assessment, the current list of uses will be consolidated into fewer specific uses in broad categories.

Use-Specific Standards

This section will incorporate standards that apply to specific land uses, such as telecommunications, home occupations, drive-throughs, outdoor storage, marijuana facilities, and other uses that have unique impacts or

standards associated with them. Use-specific standards are currently scattered throughout the development code and we recommend consolidating them into this single section of a use regulations article. Use-specific standards will be cross-referenced in the table of allowed uses to provide quick access to additional standards for any given land use. When the code is drafted, additional use-specific standards may be necessary to address concerns as they come to light.

Accessory and Temporary Uses and Structures

This section will describe the standards for accessory uses (such as home occupations), accessory structures (such as detached garages), temporary uses (such as construction offices), and temporary structures (such as produce stands). Accessory uses will be shown in the table of allowed uses, likely marked with an “A,” or at the end of the table in its own category of uses. Temporary uses will likely be included at the end of the allowed uses table marked with a “T.” As with primary uses, use-specific standards will apply to accessory and temporary uses where necessary.

Current Sections

Articles from the current Glenwood Springs Municipal Code to be incorporated into this new article include:

Article 050.030 – Temporary Sales and Structures

Everything specific to the use and structures, excluding procedural information

Article 050.080 – Medical Marijuana

Everything except for definitions

Article 050.090 – Retail Marijuana

Everything except for definitions

Article 070.040 – Zoning

030: District regulations (except for district or procedural information)

040: Special review

090: Accessory dwelling units

110: Backyard chickens

Article 070.080 – Mobile Homes and Mobile Home Parks

Everything specific to the use, excluding procedural information

Article 070.110 – Recreation Vehicle Parks

Everything specific to the use, excluding procedural information

Article 070.130 – Inclusionary Residential Requirements for Community Housing

Everything specific to the use, excluding procedural information

Development Standards

Development standards incorporate site layout, building design, and operational standards. While the districts and uses articles focus on what a property owner can do with their property, and where they can do it, the development standards regulate the quality of development.

Site Layout Standards

This section will describe the standards for site layout features, including:

- Preservation of natural site features;
- Stormwater drainage and erosion control;
- Landscaping;
- Access, circulation, and connectivity; and
- Parking, loading, and stacking.

Each of these components is important to how the physical site is laid out for development, and will be organized in the code “from the ground up.” Some of the current standards are working well and require minor cleanup; however, the new code should simplify the signage and parking standards for clarity. The code should also ensure consistency with building code regulations and ADA requirements. (Note that some of these materials may be more appropriate

in the new engineering manual currently being prepared; appropriate cross-references to that document should be included in the Development Code.)

Neighborhood Protection Standards

Communities sometimes include a separate section dedicated to neighborhood protection standards. This could include standards for development and redevelopment near existing low-density residential districts to ensure adequate mitigation of potential impacts. This section could include building “stepbacks,” reductions of light pole height, increased setbacks, additional buffering or screening requirements, and further controls on service areas or drive-throughs. These types of standards can be integrated into the development standards or located in a stand-alone section.

Building Design Standards

Any building design standards that apply to multiple districts will be located here. This section will include much of the information currently located in the Downtown Design Standards (Article 070.030.158), Commercial Design Standards (Article 070.150), and the Residential Design Standards (Article 070.160). These standards will be revisited to determine the appropriate level of detail and to remove redundancy. Additionally, the new code should explore more flexible options for complying with the design standards, as discussed above in the major themes.

Operational Standards

This section will include standards for operational facilities associated with site development, such as off-street parking, lighting, signs, and screening and fencing. Performance standards that are more specific to nuisance regulations (noise and odor) will be relocated elsewhere in the municipal code.

Current Sections

Articles from the current Glenwood Springs Development Regulations to be incorporated into this new article include:

Article 070.030 Requirements for Design Improvements and Dedications

030: Suitability of land for development

040: Drainage

050: Erosion and sediment control, stormwater quality, stabilization and revegetation

090: Access

100: Off-street parking

158: Downtown design standards

Article 070.050 – Off-Street Parking Requirements

Article 070.060 – Signs

Article 070.090 – Flood Damage Prevention

Article 070.100 – Development in Areas of Geologic Hazards

Article 070.140 – Exterior Lighting Standards

Article 070.150 – Commercial Design Standards

Article 070.160 – Residential Design Standards

Subdivision Standards

This section will include the standards that apply to landowners seeking to subdivide land for development (any standards that might apply to both subdivision and redevelopment would be located in the Development Standards article). Subdivision procedures will be located in the new Administration article. Content for this new article may include:

- Lot and block layout;
- Street standards;
- Sensitive area protection;
- Walkability and mobility;
- Requirements for sidewalks and trails;

- Common open space standards;
- Dedication of school and park lands; and
- Developer agreements for improvements.

Current Sections

Articles from the current Glenwood Springs Development Code to be considered for incorporation into this new article are listed below. Again, however, engineering and technical standards should be removed from the current Title 070 and be relocated to a separate technical manual.

Article 070.030 Requirements for Design Improvements and Dedications

- 035: Uniform street standards
- 060: Lot and block design
- 070: Streets and alleys
- 080: Sidewalks
- 110: Water distribution
- 120: Wastewater collection
- 130: Underground utilities
- 140: Boundary survey and monumentation
- 150: Dedications
- 155: Requirements for design improvements and dedications of open space
- 180: Exceptions regarding streets
- 190: Assurance for completion of public improvements
- 200: Acceptance by City of public improvements

Administration and Procedures

This article will describe the review and approval procedures for the various types of development applications, with revisions to the current standards as described earlier in this assessment. This article will address some of the concerns we heard related to procedures, including requiring less detail for development applications prior to building permit or construction phase, redefining thresholds for minor and major developments, and incorporating more objective approval criteria throughout the procedures. Please see the discussion above in Part 2 of this report for additional detail on proposed improvements to the procedures.

Summary Table of Development Review Procedures

This first section will incorporate a table similar to the one below from another jurisdiction, summarizing the basic requirements for review and approval of any development application in this code. The table will be organized by type of application (e.g., ordinance and plan amendments), review authorities (e.g., Planning Commission), and will identify other specific requirements such as which types of approvals require public hearings.

SUMMARY TABLE OF REVIEW PROCEDURES				
R = Recommendation D = Decision A = Appeal Decider < > = Public Hearing O = Optional M = Mandatory S = Sketch Plan				
Application Review Procedure (Does not include all application types)	Pre-Application Conference	Staff Review	Planning Commission	Town Council
Plan and Ordinance Amendments				
Zoning Amendment	O	R	<R>	<D>
Development Permits and Approvals				
Conditional Use Application	O	R	<R>	<D>
Planned Unit Development	M	R	S, <R>	<D>
Single-Family or Duplex	O	D		
Multifamily Residential/Commercial Application	M	R	S, <D>	
Small Project Application	O	D		
Exterior Finish Application	O	D		
Modification to Approved Development Application	O	R	D	<A>
Modification to Non-conformity	O	D <350 square feet	<D> > 350 square feet	
Outdoor Commercial Display	O	D	O	
Subdivision Approvals				
Annexation	M	R	<R>	<D>
Preliminary Plat	M	R	<D>	
Final Plat	M	D		
Minor Subdivision or Resubdivision	M	D	O	O
Flexibility and Relief Procedures				
Variance from Zoning Regulations	O	R	<D>	

Sample Table of Review Procedures (from another community)

Common Development Review Procedures

Common review procedures identify and describe the procedures that apply to most development applications in the City. Proposed common review procedures for Glenwood are described earlier in this report. Any common procedure from the current development code, such as application submittal requirements, public noticing procedures, and hearing procedures will be located here rather than repeating for every specific application type. This will reduce the overall length of the code and eliminate the possibility of conflicting provisions as the code is updated over time.

Ordinance and Plan Amendment Procedures

This section will include review and approval procedures for applications such as rezonings, text amendments, and amendments to the comprehensive plan. This section will cross-reference the common review procedures where possible, and will include additional standards that apply to specific applications types. For example, the rezoning section might cross-reference the staff review standards from common review procedures, but include an additional provision requiring a traffic impact analysis.

Development Permits and Procedures

This section will include review and approval procedures for applications such as minor and major development reviews and special review (special use permits). As described above, this section will cross-reference common review procedures and include application-specific modifications. Cities often maintain floodplain development permitting procedures outside the overall administration and procedures section of the code due to the unique nature and length of the provisions. The same is true for historic preservation procedures (designations, certificates, etc.).

Subdivision Procedures

This section will include review and approval procedures for subdivision and condominiumization applications.

Flexibility and Relief Procedures

This section will include review and approval procedures for applications such as appeals, variances, vested rights, and administrative adjustments.

Review and Decision-Making Bodies

This final section will describe the powers and duties, membership, and basic meeting procedures for the various review and decision-making authorities for development applications.

Current Sections

Articles from the current Glenwood Springs Municipal Code to be incorporated into this new article include:

Article 020.020 – Boards and Commissions

- 020: Composition of boards and commissions*
- 030: Powers and duties of boards and commissions*
- 040: Appointment, removal, term and vacancies of boards and commissions*

Article 020.030 – Conduct and Procedures for Meetings

- 060: Public hearings*

Article 050.030 – Temporary Sales and Structures

- Procedural information for permits, excluding use standards which will be located in the use regulations*

Article 070.010 – In General

- 030: Public notices*
- 050: Appeals*

Article 070.020 Application and Review Procedures*Entire article***Article 070.030 Requirements for Design Improvements and Dedications***160: Design Variance***Article 070.040 – Zoning***040: Special review**050: Zoning variance**060: Rezoning**070: Concurrent review**080: Amendment to zone district regulations***Article 070.050 – Off-Street Parking Requirements***110: Variance***Article 070.070 – Planned Unit Development***040: PUD review procedures***Article 070.090 – Flood Damage Prevention***Appropriate location for floodplain development procedures requires further discussion***Article 070.100 – Development in Areas of Geologic Hazards***040: Variance**041: Appeal of administrative decision***Article 070.110 – Recreation Vehicle Parks***080: Variance***Article 070.120 – Historic Preservation***Appropriate location for historic preservation procedures requires further discussion***Article 070.140 – Exterior Lighting Standards***060: Exemptions and variances***Article 070.160 – Residential Design Standards***050: Alternative compliance**060: Design variance procedure***Rules of Construction and Definitions**

The definitions in the current Glenwood Springs development code are scattered throughout Title 070. Although many definitions are included in the first article, there are several other articles such as Signs, PUDs, Mobile Homes, Flood Damage Prevention, RV Parks, Historic Preservation, Inclusionary Housing, and Exterior Lighting that include additional definitions related to those articles. We recommend consolidating all definitions at the end of the code, similar to where glossaries are located for other technical documents.

Rules of Construction

This section will describe how specific terms shall be interpreted throughout the code, including lists and examples, computation of time, public officials mentioned in the code, mandatory vs. discretionary terms, conjunctions, tenses and plurals, and conflicts between text and illustrations.

Definitions of Use Categories and Specific Use Types

This section will include definitions for use categories (e.g., group living, agricultural, manufacturing, utilities) and will also include a definition for specific uses included in the new Table of Allowed Uses.

Other Terms Defined

This section will include definitions for all other terms in the code, including acronyms, dimensional and terms of measurement, procedural terms, and development standards and design terms.

Current Sections

Articles from the current Glenwood Springs Municipal Code to be incorporated into this new article include:

Article 050.080 – Medical Marijuana

020: Definitions

Article 050.090 – Retail Marijuana

020: Definitions

Article 070.010 – In General

010: Definitions

Article 070.060 – Signs

080: Definitions

Article 070.025 – Planned Unit Development

025: Definitions

Article 070.030 – Requirements for Design Improvements and Dedications

158(c): Definitions

Article 070.080 – Mobile Homes and Mobile Home Parks

020: Definitions

Article 070.110 – Recreation Vehicle Parks

030: Definitions

Article 070.120 – Historic Preservation

265: Definitions

Article 070.130 – Inclusionary Residential Requirements for Community Housing

020: Definitions

Article 070.140 – Exterior Lighting Standards

020: Definitions

Article 070.150 – Commercial Design Standards

040: Definitions

Article 070.160 – Residential Design Standards

080: Definitions

4: Detailed Review of Current Regulations

This section provides a more detailed review of the current Glenwood Springs Development Regulations (Title 070 of the Municipal Code). It is based on our review of the code and includes observations, questions, and recommendations regarding language, organization, and content. The table lists only those sections for which we have comments. Broader issues (including most feedback from stakeholders) are addressed in Part 2 of this document, above, and a preview of the reorganized code and a summary of its contents are found in the Annotated Outline – Part 3 of this report.

Article/Section	Comments
Article 070.010 In General	
Table of Contents	<ul style="list-style-type: none"> Update to include all contents of Title 070. Include a summary overall table for entire document, along with detailed contents for each article.
070.010.010 Definitions	<ul style="list-style-type: none"> Generally, consolidate all definitions from 070 into one Definitions Article and relocate to end of code. Remove and relocate regulatory language from individual definitions into main body of ordinance as development standards or use-specific standards (e.g., "Child care center"; "Child care home"; "Child care home (large)"). Add illustrations for terms related to dimensional standards (e.g., lot size, building placement) and others as necessary. Update and clarify illustrations for building height. Delete unused, obsolete, and commonly understood terms. Include missing terms. Delete definitions of common acronyms (e.g., "PUD") and relocate to a list of acronyms used in the ordinance if warranted. Define all use types. Reconcile inconsistent definitions where possible (e.g., two separate definitions for "indoor commercial recreational use.")
070.010.020 Purposes	<ul style="list-style-type: none"> Reference implementation of the Comprehensive Plan and its goals and policies instead of "City goals and policies." (This term is defined in the definitions section as the adopted Comprehensive Plan, however the Comprehensive Plan should be referenced by its name throughout the code to avoid confusion.)
070.010.030 Public Notice	<ul style="list-style-type: none"> Relocate and consolidate all public notice procedures into new Administration article, as part of standard review procedures. We heard that current processes may not be reflected in the public notice procedures. Update public notice procedures to reflect current or intended practice. Define acceptable proof of notice. Owners of record as of date of mailing may be difficult to comply with. Consider changing to owners of record within a certain time frame, e.g. 30 days, of the public hearing. Clarify the contents required for each type of public notices (mailed, posted, and published).
070.010.040 Development Review Fee Schedule	<ul style="list-style-type: none"> Retain authorization to set fees and maintain a fee schedule outside the code for ease of updating. Consolidate all fees to the fee schedule and remove specific references to fees and fee-in-lieu requirements in various sections of the current code. State when fees are to be paid.
070.010.050 Appeals	<ul style="list-style-type: none"> Relocate to new Administration article and standardize format along with other procedures. Add requirement that letter appealing decision include section of the code that is inconsistent with the decision being appealed. Include an appeals tree in procedures section. Define "aggrieved person" and "any party" to avoid frivolous appeals. Standardize responsible party for notice requirements of appeals and variances. (Why is the CD Department responsible for notice in the case of appeals and the applicant responsible in the case of variances?) Reference standards for deciding appeals.
070.010.060 Applicability	<ul style="list-style-type: none"> Odd placement of this section; it states applicability of entire Title, yet is buried here. Relocate and update in new General Provisions article. Update transition provisions to reflect new code adoption. Include a timeframe for in-process applications to opt for review under new code upon adoption.
070.010.061	<ul style="list-style-type: none"> Use consistent terminology for housing, e.g., "Affordable Housing Project" versus "Community

Article/Section	Comments
Incentives for Affordable Housing Projects	<p>Housing" (Article 070.130). Clarify housing goals, the size and type of projects eligible for fee waivers (e.g., only projects that are 100% affordable housing or the housing units that are deed restricted and meet certain income guidelines?).</p> <ul style="list-style-type: none"> Consolidate with contents of Article 070.130 "Inclusionary Residential Requirements for Community Housing." Ensure consistent terminology and deed restriction requirements. Relocate fees/fees exemptions to fee schedule and consider allowing fee exemption without City Council approval while maintaining standards for exemption. Relocate definitions to new Definitions article.
070.010.070 Conflicts with Code and Charter	<ul style="list-style-type: none"> Relocate to a new General Provisions article. Include conflicts with state and federal regulations.
070.010.080 Validity of Provisions, Severability	<ul style="list-style-type: none"> Relocate to a new General Provisions article.
070.010.090 Enforcement	<ul style="list-style-type: none"> Relocate to a new General Provisions article. Expand to include who has enforcement authority, remedies, continuing violations and penalties.
Article 070.020 Application and Review Procedures	
070.020.020 Development Permits	<ul style="list-style-type: none"> See Major Themes – Reconsider thresholds for minor vs. major developments. Consider more options for administrative review with objective standards for review of building design. See Major Themes – The current regulations are not user-friendly. The procedures are difficult to understand as written. Consider incorporating a summary table of review procedures that shows basic review steps with review authority identified. (We understand staff is using checklists to better guide the application process.) Clarify review process for applications that do not require a development permit but do need to comply with the Residential Design Standards.
070.020.030 Classification of Developments	
070.020.040 Pre-application Conference for Development Review	<ul style="list-style-type: none"> See Major Themes – Carry forward as part of new standard review procedures. 70.020.040(a): Consider alternate forms for plan illustrations (e.g., computer-generated graphics). 070.020.040(b): It is unusual for the reviewing body to determine the application procedure for a development request. Eliminate authorization for Planning Commission to determine major/minor development process; new code should include clearer, more objective thresholds. Consider expanding pre-app requirement. We heard it might be useful for special use permit applications (and may be used for them already in practice).
070.020.050 Minor Development Review	<ul style="list-style-type: none"> See Major Themes – Timeframes for review and comment are too specific and do not allow for consistent application of regulations or reconciliation of conflicting staff comments. See Major Themes – High level of detail is required early in the process prior to predictable outcomes. See Major Themes – Reconsider thresholds for minor vs. major developments. Consider delegating approval to Commission or staff for some types of development review proposals. Staff is developing a standard list of submittal materials for all development applications. 070.020.050(e): Include criteria (e.g., compliance with Comprehensive Plan) for Planning Commission approval or denial of application. Make references to Code, Comprehensive Plan and City goals and policies consistent across approval bodies. Clarify the role/authority of outside consultant in review of major development proposals. Expand section dealing with changes to approved plans; clarify what constitutes a minor change that be approved administratively. Rewrite criteria for major approval. Typically the criteria for approval should be the same across all entities, but the current code lists separate criteria for Commission and the Council. Discuss whether to retain provision allowing anyone from the public to challenge the number of continuances on a major project review.
070.020.060 Major Development Review	
070.020.070 Subdivision Plat Requirements	<ul style="list-style-type: none"> See Major Themes – The current regulations are not user-friendly Relocate to new Administration article and standardize format along with other procedures. Relocate fees for subdivision review in fee schedule. 070.020.080(d): Include criteria for approval of subdivision plat related to meeting City engineering standards and zoning district requirements. 070.020.090(b)(2) and (8): Exempt minor subdivisions from conceptual review process and City
070.020.080 Subdivision Review with Development	

Article/Section	Comments
Plan	<ul style="list-style-type: none"> Council hearing. Conform final submission requirements with other approvals. Update language to reflect current methods of electronic files transfer and record-keeping.
070.020.090 Subdivision Review Without Development Plan	
070.020.091 Simplified Procedure for Minor Subdivisions Without Development Plan	
070.020.095 Lot Boundary Adjustments	
070.020.100 Condominiumization	
070.020.105 Format of Final Submissions	
70.20.110 Annexation	<ul style="list-style-type: none"> Too wordy. Rewrite to simplify. Update to be current with Colorado State Statutes. Include standards for approval of annexations and procedures for application and review. Clarify how annexation is coordinated with other development review processes (concurrent review). Reference authority to charge fees for annexation and include annexation application fees and all fees associated with the approval of an annexation (e.g., recording of annexation documents), including attorney fees, in fees schedule.
070.020.120 Vested Property Rights	<ul style="list-style-type: none"> Clarify that vested property rights must be specifically requested and approved. As written it appears that a standard development plan, subdivision plat or special review use site plan are vested upon approval by City Council. It is unusual for a notice to be published upon the approval of vested property rights. Consider eliminating the post-approval publication requirement. Require clear labeling of plans with vested property rights (e.g., "Site-Specific Development Plan for the Vesting of Property Rights"). Update fee based on current notice costs and relocate to fees schedule for ease of maintaining fee charged in line with actual costs. Review time frames for compliance with conditions/development agreements for development plans, subdivision plats and special review use site plans to ensure that vested property rights do not linger beyond the intended 3-year time period.
Article 070.030 Requirements for Design Improvements and Dedications	
In General	<ul style="list-style-type: none"> See Major Themes – Consider improvements to supporting documents, e.g., consolidated engineering manual for design improvements. See Major Themes – Too much detail is required early in the process. We understand that major design changes sometimes are requested late in the review process creating uncertainty. The level of detail and upfront commitment in the improvement design should be commensurate with the stage of the approval and permitting process. See Major Themes – Consider improvements to supporting documents, e.g., consolidated engineering manual with updated specifications for infrastructure improvements.
070.030.020 Applicability	<ul style="list-style-type: none"> Clarify the types of development the requirements of this section are applied to. Language in Article 070.020.030 "Classification of Developments" implies these standards are applied as necessary to developments that do not require a development permit.
070.030.030 Suitability of Land for Development	<ul style="list-style-type: none"> Consolidate all standards related to natural hazards and special protection areas.
070.030.035 Uniform Street Standards	<ul style="list-style-type: none"> Consolidate with other street standards (e.g., Sections 070.030.070 through 070.030.100). Clarify what criteria are to be used for a variance from Street Standards and the procedure for a variance. This section references itself for determining variances from the Street Standards but no

Article/Section	Comments
070.030.040 Drainage	<p>criteria are in this section.</p> <ul style="list-style-type: none"> Consider relocating this material to the new engineering standards manual. Consider including alternatives for green infrastructure design for storm water management standards. 070.030.040(b): Specify design standards to be used for drainage improvements. Current reference is that improvements be designed to meet the criteria of this Section however no design criteria are in this Section.
070.030.050 Erosion and Sediment Control, Stabilization and Revegetation	<ul style="list-style-type: none"> Identify specific thresholds (rather than criteria for a discretionary decision by the City Engineer) for requiring plans addressing these site issues to ensure consistency in requirements for all development proposals. See Major Themes – Too much too soon/level of design should be appropriate to review phase of development proposal (e.g., sketch level at sketch plan; conceptual at conceptual review).
070.030.060 Lot and Block Design	<ul style="list-style-type: none"> 070.030.060(b): Consider flexible public street frontage requirements to better accommodate infill development without the use of a variance. Discuss with Engineering/Public Works. Coordinate requirements with Uniform Street Standards and other street standards in the code.
070.030.070 Streets and Alleys	<ul style="list-style-type: none"> Consolidate with Uniform Street Standards section.
070.030.080 Sidewalks	<ul style="list-style-type: none"> We understand there are inconsistencies in the language and references to adopted street standards. Language should be consistent with the language and terminology used on the "Street Classification Map."
070.030.090 Access	
070.030.100 Off-Street Parking	<ul style="list-style-type: none"> Rewrite standards to minimize need for variance for access to a lot.
070.030.150 Dedications	<ul style="list-style-type: none"> Confirm/update standards for calculation of park land, open space and school land dedication and waiver criteria. Align standards with type, size and location of development (e.g., to encourage infill development different standards may be appropriate).
070.030.155 Requirements for Design Improvements and Dedications of Open Space	<ul style="list-style-type: none"> Update baseline for payment-in-lieu. Maintain authority to establish payment-in-lieu here and include fees in fee schedule for regular updating 070.030.150(c): Include criteria to determine when to require a Fisherman's easement or habitat protection easement. 070.030.150(d): Include standards for varying/waiving school land dedication when affordable housing is provided in the development. (Requires discussion with School District.) 070.030.150(e): Fire and Emergency Services Fee currently being updated by Fire District. This fee should be referenced here and included in the fee schedule for ease of updating. 070.030.155(b): Reconsider open space requirements for small residential developments. It can be difficult for smaller residential developments to meet common open space requirements and this requirement can inhibit infill development where desired. 070.030.155(f): For vertical mixed-use developments clearly identify the types of common amenities that can be accepted in in-lieu of meeting the common open space requirement.to minimize re-design and increase predictability.
070.030.158 Downtown Design Standards	<ul style="list-style-type: none"> See Major Themes – Eliminate redundancy among downtown, commercial, and residential standards. Consider options to streamline approach and use more menus, options and allowed alternatives. Review variance process and options for defined alternatives and/or administrative process for some types of variances. Consider options for administrative approval of some design components. See Major Themes – Reconsider role of historic preservation. Identify key input points for HPC review of development in the downtown, authority for review and improved coordination of comments with Planning Commission review. Standards reference "historic character," which has not been formally defined. Standards reference "contributing" structures, which have not been identified. See Major Themes – The code lacks objective standards. See Major Themes – Introduce administrative adjustment to minimize the need for design variances. Define/clarify vague or ambiguous terms, e.g., (d)(1)b.4, "Additions shall be distinguishable from the original building through subtle changes in material or construction techniques." (d)(2)b.1, "Bright colors shall be reserved to highlight decorative trim..." (d)(2)b.3, "Color shall be used to create a coordinated composition for the structure." (e)(2)a.4, "Upper floors shall be perceived as being more opaque..." (e)(3)b.1, "Enhancement of open spaces through the generous use of plantings shall be encouraged." Generally, rewrite voluntary guidelines as mandatory standards, or remove from code. 070.030.158 (b)(3), Design Variance: It is uncommon for the "unusual hardship" standards used for lot and setback variances to be used as the criteria for architectural design variances. Identify

Article/Section	Comments
	<p>standards and criteria appropriate for variances to the Downtown Design Standards and use a consistent set of procedures to review variance requests. (e.g., the Special Review Use process is specified to waive subsection (e)(2)c.1 which allows a different material to be used than that specified in this design requirement).</p> <ul style="list-style-type: none"> Remove references to specific structures (e.g., "corner of Cooper and 9th"). Considering consolidating standards for landscaping, parking lots and structures, screening, lighting with City-wide standards for these items.
070.030.160 Design Variance	<ul style="list-style-type: none"> See Major Themes – Variance process is being abused. Consider consolidating with other variance procedures, including more objective standards and including flexibility in procedures for minor modifications. Consider administrative approvals for minor modifications of design standards.
070.030.170 Nonconforming Design, Improvements and Dedications	<ul style="list-style-type: none"> Consider establishing a sliding scale by which redevelopment projects must bring certain nonconforming site features into compliance based on the size of the project (e.g., a project of greater than 50% of assessed building value must bring nonconforming parking and landscaping into compliance). (We understand this was tried in the past but there were challenges in interpreting and applying the standards to particular sites.)
070.030.180 Exceptions Regarding Streets	<ul style="list-style-type: none"> Relocate to street standards section. 070.030.180(a): Consider including criteria for this waiver and clarify if criteria in paragraphs (b) and (c) must be met for a waiver to be granted. 070.030.180(b): Clarify decision-making authority for development of a lot bordering a street not meeting minimum right-of-way. Consider establishing this as a standard rather than a discretionary decision. If remains discretionary, identify criteria for making the decision. Generally, we recommend clarifying that all private streets must meet public street standards.
070.030.190 Assurance for Completion of Public Improvements 070.030.200 Acceptance by City of Public Improvements	<ul style="list-style-type: none"> Set specific guarantee amounts based on estimated costs of improvements, e.g., 1-1/2 times the estimated cost to install the improvement based on City Engineer current standard cost estimates. Include requirements for guarantees for completion of all public improvements, not just street trees, soil stabilization and landscaping. Reference guidelines for as-built drawing (currently provided in a checklist) and include the guidelines in a standard engineering manual. Identify private improvements that function like public improvements and include requirements for completion in development agreements. The manner in which security may be provided for private improvements needs to be codified.
Article 070.040 Zoning	
070.070.030(a) Hillside Preservation Overlay Zone and Hillside Preservation District	<ul style="list-style-type: none"> See Major Themes – Reconsider applicability and intent of the Hillside Preservation Overlay Zone and Hillside Preservation District, especially as related to areas zoned and/or developed for commercial uses.
070.040.030 District Regulations	<ul style="list-style-type: none"> See Major Themes – Eliminate redundancy in design standards (e.g., performance standards for special review uses in individual districts should be coordinated with commercial, residential and downtown standards, and relocated as use-specific standards or development standards). See Major Themes – User-friendliness. We recommend uses and use-specific standards be listed in a summary table for ease of access to information spanning all Glenwood Springs zone districts. Organize uses into general categories and specific use types (which may allow for the consolidation or removal of some very specific use types in the current ordinance, e.g., "Reading room"). Some districts are missing statement of purpose and intent necessary to evaluate the appropriateness of uses allowed. We recommend capturing dimensional standards related to setbacks, lot size, height, and floor area ratio in a summary table for all zone districts. Special dimensional requirements for special lot configurations (e.g., corner lots) and for the downtown, commercial and residential design standards should be reflected in this summary table. Define all use types listed and remove common incidental uses (e.g., gardening is listed as a use in the R/1/40, with a use specific standard, and in R/1/16 with no standard, but it is not defined). We heard that the floor area ratio in the R/1/20 Zone District is not used. Reconsider whether a floor area ratio requirement is necessary for single family residential districts. Relocate special review use performance standards in the commercial and industrial zone districts

Article/Section	Comments
	<p>(e.g., fencing, screening) to use specific standards and development standards sections. Revise performance standards to coordinate with Commercial Design Standards and Residential Standards, as required.</p> <ul style="list-style-type: none"> Some zone districts have a category called "Additional Uses." These uses should be combined with permitted uses. Consolidate accessory uses in the land use table for all zone districts with use-specific standards referenced in the table (the same as permitted uses). Consolidate temporary uses in the land use table for all zone districts with use-specific standards referenced in the table (the same as permitted uses). Include a temporary use permit process in procedures section and identify other zone districts where temporary uses may occur (Currently temporary uses only appear to be allowed in the C/2 zone district). Clarify what types of residential uses are allowed in the I/1, I/2 and I/L zone districts. Make review criteria for residential uses more objective, e.g., define what constitutes "designed to accommodate residential uses." Clarify if the review criteria apply to an accessory residential use. Consider residential design standards appropriate for and specific to mobile homes and mobile home parks. Consider creating a new Hospital district (base or overlay). Currently the hospital is located in the R/4-residential transitional zone, meaning that every time the hospital wants to modify its site (even adding a new sign), it must go through an approval process, seek variances, etc.
070.040.040 Special Review	<ul style="list-style-type: none"> See Major Themes – Relocate to new procedures article and standardize format along with other procedures. See Major Themes – Timeframes for review and comment is too specific and does not allow for consistent application of regulations or reconciliation of conflicting staff comments. 070.040.040(a)(1): Clarify what criteria all special uses must comply with. Uses listed with additional standards are not consistent in referencing the general criteria of this section (e.g., (14) Large child homes and child care centers does while Personal Care Boarding Home does not). Relocate all standards to use-specific standards or neighborhood protection standards (e.g., limit for guest stays for bed and breakfast lodge; distance limits for adult entertainment establishments). Consolidate information needed as part of an application to (e.g., verification of compliance with FCC standards for telecommunications facilities). Relocate standards for enforcement (e.g., requirement to remove telecommunications facility if ceases regular operation).
070.040.050 Zoning Variance	<ul style="list-style-type: none"> See Major Themes – overuse of the variance process. Establish an administrative adjustment tool and introduce more options generally to minimize need for variances. See Major Themes – Relocate to new procedures article and standardize format along with other procedures. All variance requests go to Planning Commission – there is no Board of Adjustment. Is this a problem and does it lead to confusion about what the variance process can be used for?
070.040.060 Rezoning	<ul style="list-style-type: none"> See Major Themes – Relocate to new procedures article and standardize format along with other procedures. Clarify what parties may initiate consideration of a rezoning. Consider adding criteria for when a party may initiate a rezoning.
070.040.080 Amendment to Zone District Regulations	<ul style="list-style-type: none"> See Major Themes – Relocate to new procedures article and standardize format along with other procedures. Broaden this procedure to clarify that it may be used to amend any part of Title 070, not just the zone district regulations.
070.040.090 Accessory Dwelling Units	<ul style="list-style-type: none"> Relocate to new Use Regulations article, in new section on accessory uses and structures. Specify approval authority for ADU permits (Director?). Relocate procedures to procedures section. Identify steps for review of "Compatibility" standard (4). Consider remedies if ADU is not occupied or is lost (e.g., incorporated back into single-family, if attached, or converted to an accessory use, if detached).
070.040.100 Home Occupations	<ul style="list-style-type: none"> Relocate to new Use Regulations article, in new section on accessory uses and structures. Relocate procedures to procedures section. Integrate definitions into new master definitions article.
070.040.110 Backyard Chickens	
070.040.120 Short Term Rentals	

Article/Section	Comments
070.040.130 Accessory Tourist Rental	<ul style="list-style-type: none"> Incorporate new City adopted language.
Article 070.050 Off-Street Parking Requirements	
In General:	<ul style="list-style-type: none"> Staff is in the process of rewriting this section.
070.050.010 Purpose of Article	<ul style="list-style-type: none"> Revise purpose to address environmental and alternative transportation effects related to well-designed parking, e.g. encouraging alternative transportation options, reducing heat build-up from large expanses of pavement and helping reduce stormwater runoff.
070.050.020 Minimum Standards	<ul style="list-style-type: none"> Consider whether maximum parking standards for some areas may be appropriate and/or adding criteria for review of parking that exceeds the minimum required.
070.050.040 Applicability	<ul style="list-style-type: none"> Subsections (a) and (b) should be updated and incorporated into transitional provisions for the new ordinance. Subsections (c), (d) and (e) should be relocated to Section 070.050.060 to explain how the parking standards are applied when buildings are expanded, a use is changed or a building is abandoned and re-used. As previously noted, all definitions should be combined in one definitions section
070.050.050 Procedure and Administration	<ul style="list-style-type: none"> Cross reference this section with the development permit provisions and identify how this requirement relates to the development permit process.
070.050.060 Number of Parking Spaces required	<ul style="list-style-type: none"> Review all minimum parking requirements against current industry best practices. Align uses listed for parking standards with permitted and special review uses in zone districts. Each use listed in the land use table should have a corresponding parking requirement. Relocate design standards to use-specific standards or development standards for parking (e.g., "10% reduction for multiple-family if two parking spaces/unit are within footprint of building"). Reconsider requirement for parking to be within the footprint of multiple-family buildings. Consolidate parking reductions (e.g., reduction for parking areas within building footprint, reduction for providing bicycle or alternative vehicle parking spaces). Add more options for alternatives to required parking. Add bicycle parking requirements for both residential and commercial uses.
070.050.080 Joint Use of Parking Spaces	<ul style="list-style-type: none"> As written this provision applies only to mixed-use buildings. Consider expanding joint-use parking requirements to include mixed-use developments. Review all joint-use parking requirements against current industry best practices for mixed-use buildings and developments.
070.050.090 Common Parking Area	<ul style="list-style-type: none"> See above.
070.050.100 Design of Parking Areas	<ul style="list-style-type: none"> See Major Themes – Update and eliminate redundancy among design standards. In particular, reconcile these parking design standards with the general commercial design standards. See Major Themes – Make document more use-friendly. Update illustrations and include more graphics to explain dimensional standards. See Major Themes – Variance process is being abused and the various variance procedures should be consolidated. Include Design variance and parking requirements variance with other variance procedures. Consider including flexibility in procedures for administrative/minor modifications to parking standards. Consider including layout/dimensional standards, striping requirements, snow storage, etc. in an administrative or engineering manual Evaluate tree protection provisions; this is the only place in the code where they appear. Consider relocating and enhancing as part of a new section on protection of existing natural resources. Consolidate all landscaping standards for consistent application of landscaping criteria and enforcement to all developments. Include mechanisms for enforcement and penalties. It is confusing to have a minor modification provision for changes to parking variances/alternative transportation programs approved by Planning and Zoning Commission. (See subsection 070.050.110(b)(4)). Standardize this administrative relief with other variance procedures and include in variance section.
070.050.110 Variance	
Article 070.060 Signs	

Article/Section	Comments
In General	<ul style="list-style-type: none"> • See Major Themes – Update development standards (especially signs and parking) to focus on user-friendliness, enforceability, and clarity. • Review article to identify and remove content-based regulations (e.g., temporary signs, ideological signs, political campaign signs).
070.060.010 Purpose	<ul style="list-style-type: none"> • Clarify how sign code and sign districts relate to design standards for downtown, commercial and residential.
070.060.020 Administration	<ul style="list-style-type: none"> • Update to reference latest version of Uniform Sign Code or sign chapter of International Building Code. Consider how these regulations overlap the sign code and clearly state how they are used in conjunction with the sign code. • Relocate procedures for sign permits to procedures section.
070.060.030 General Provisions	<ul style="list-style-type: none"> • See Major Themes – “Too much too soon.” Too much detail is required for development plans early in the process prior to a predictable outcome or feasibility of approval. Consider reviewing proposed signs and Master Sign Plans later in the review process.
070.060.040 Special Provisions	<ul style="list-style-type: none"> • Clarify types of signs eligible for a special use permit in the public right-of-way • Consider streamlining process for approval of revocable license to encroach over right-of-way for projecting pedestrian-oriented signs (e.g., blade signs). • Consolidate variance process with other variance procedures. Include standards for variance to Master Sign Plan, and consider authorizing administrative variances for minor adjustments. • Clarify relationship of community business signs with other design standards. Identify approving authority, who may apply, and process for approval. • Include temporary signs as a type of sign, clarify when permits are required, and identify approval authority. • Relocate standards for non-residential use signs in residential zone districts to commercial sign regulations. • Consolidate historic landmark criteria for signs with historic landmark designation criteria.
070.060.050 Sign and District Regulations	<ul style="list-style-type: none"> • See Major Themes – Update and clean-up development standards, especially related to signage and parking. • See Major Themes – Current regulations are not user-friendly. Insert graphics to illustrate sign requirements. • 070.060.050(a): The language is inconsistent. This subsection “recognizes six geographic/use districts” but there is no language adopting these districts. Later subsections have mandatory language requiring specific standards for signs in each of the six districts “recognized” in this section. Consider including or referencing a map showing the boundaries of the six districts. Consolidate with other commercial sign regulations. • 070.060.050(b): Include/clarify sign regulations for projects with both single and multi-family components (mixed residential developments). Clarify if these standards relate to the six sign districts in subsection (a). • 070.060.050(c): Align commercial sign regulations and Master sign plan requirement with other design standards and processes. Consider phased approach for Master sign plans so level of detail is commensurate with development review stage. • Consider consolidating sign dimensional requirements for districts and sign-types in a table format. • Include process/flexible standards to accommodate new signage when existing commercial buildings are re-purposed.
070.060.060 Design Guidelines	<ul style="list-style-type: none"> • See Major Themes – Eliminate redundancy among design standards. • See Major Themes – Current regulations are not user-friendly. Insert graphics to illustrate sign design guidelines. • 070.060.060(a): Relocate explanation of sign area calculation. This is not a design guideline. • 070.060.060(b) and (c): These two subsections duplicate previous subsections of this article (See 070.060.020(a) and 070.060.050(c))
070.060.070 Non-conforming Signs	<ul style="list-style-type: none"> • Consolidate with other nonconformity provisions in code. Consider thresholds for requiring nonconforming signs to come into conformance in certain major redevelopments.
070.060.080 Definitions	<ul style="list-style-type: none"> • All terms used in sign regulations should be defined and incorporated into one Definitions section
Article 070.070 Planned Unit Development	
070.070.010 Planned Unit Development	<ul style="list-style-type: none"> • See Major Themes – Restructure and update the PUD process. Eliminate obsolete references, e.g., “site review committee.” Remove requirements to create new “zoning districts” that do not relate to

Article/Section	Comments
070.070.020 Purposes	any districts used elsewhere in the code.
070.070.025 Definitions	<ul style="list-style-type: none"> See Major Themes – Current regulations are not use-friendly. Insert illustrations/graphics to illustrate common open space and landscaping standards.
070.070.030 Standards and Requirements	<ul style="list-style-type: none"> Consider targeting the PUD process to achieve specific City goals and limit the proliferation of PUDs throughout the City. Clarify what the desired benefit is over standard district regulations, e.g., the PUD will result in protection of natural resources, reduction in traffic, increased use of alternate transportation, increase affordable housing or attainment of other City goals and plans.
070.070.040 P.U.D. Review Procedures	<ul style="list-style-type: none"> Clarify that all code standards apply in PUDs, unless specifically modified in the PUD approval process. Include PUD procedures in rezoning procedures and identify the process for amendments to a PUD. Relocate open space standards to the new general Development Standards article, since more developments than PUDs likely will be required to provide open space. Reconsider the type of land accepted for open space and the amount of open space required. Apply open space standards that achieve the City’s goals for active open space without being onerous to developers. Update landscaping standards to accommodate low-water landscaping options. Consider standards for trail design and placement.
Article 070.080 Mobile Homes and Mobile Home Parks	
All	<ul style="list-style-type: none"> Update to remove outdated standards and information. Incorporate standards and design requirements based on best practices. Incorporate as a use in the land use table and specify the zone districts where allowed. Relocate definitions to definitions section and standards to use-specific standards for mobile homes and mobile home parks in the new ordinance. Relocate procedures and enforcement to those sections in new code.
Article 070.090 Flood Damage Prevention	
All	<ul style="list-style-type: none"> Recently updated and adopted. Integrate into new code.
Article 070.100 Development in Areas of Geologic Hazards	
All	<ul style="list-style-type: none"> See Major Themes – “Too much, too soon.” Clarify when geologic hazard information is considered in the development review process and what level of detail is necessary. Review for alignment with new Flood Damage Prevention regulations. Include within new Development Standards article with other regulations related to sensitive lands protection and/or natural hazard mitigation (e.g., floodplain). Identify where copies of the official geologic hazards report and map are available. Consider simplifying the description of the geologic hazard district/including in a standards manual for ease of updating.
Article 070.110 Recreation Vehicle Parks	
All	<ul style="list-style-type: none"> Incorporate as a use in the land use table and specify the zone districts where allowed. Relocate definitions to definitions article and standards to use-specific standards for mobile homes and mobile home parks in the new code. Relocate procedures and enforcement to those sections in new code.
Article 070.120 Historic Preservation	
In General	<ul style="list-style-type: none"> See Major Themes – Reconsider role of historic preservation. Reconsider the role of the HPC, beginning by formalizing their responsibility to review projects involving historic resources. Longer-term, consider additional opportunities for greater HPC input. Strengthen the preservation standards in the code by removing ambiguous, subjective standards and consolidating the standards with other types of design controls. Require notice of demolition requests for historic buildings be referred to the HPC before final approval. Add standards to help evaluate younger properties that meet the threshold for historic designation.

Article/Section	Comments
	<ul style="list-style-type: none"> Pursue outside funding and technical assistance to conduct new surveys and improve the factual basis for historic preservation in Glenwood.
070.120.005 Purpose	<ul style="list-style-type: none"> Update and clarify the criteria for designating landmarks.
070.120.010 Designation of Landmarks and Historic Districts	<ul style="list-style-type: none"> Update landmark designation process, notice requirements, timeframe for approval, and recordation requirements. Identify how historic preservation alteration certificate review is coordinated with commercial, residential and downtown design standards Consider including a more defined role and authority for Historic Preservation Commission to provide review and comment on development proposals within certain districts and within a specified distance of identified historic resources.
070.120.015 City Council Procedures	<ul style="list-style-type: none"> There is no section or cross-reference to a section creating the Glenwood Springs Historic Preservation Commission, describing its composition, terms of office, authority, powers and duties.
070.120.160 Landmark Alteration Certificate Application and Staff Review	<ul style="list-style-type: none"> Include or cross-reference standards for findings of no significant impact and findings that proposed work would create a significant impact Clarify that the decision of no significant impact is final and HPC cannot ask to review this determination by the subcommittee
070.120.210 Property Maintenance Required	<ul style="list-style-type: none"> Consider using language in the positive to describe an owner’s affirmative responsibilities to maintain the property in good condition (e.g., shall maintain the roof, exterior walls and special features to prevent deterioration beyond the condition of the structure upon designation).
070.120.220 Recognition of Structures of Merit	<ul style="list-style-type: none"> Clarify if there is an adopted list of Structures of Merit and identify how to obtain a copy of the list. Consider producing a map indicating landmarked structures and Structures of Merit. Include notice to Historic Preservation Commission of any application affecting a buildings on the Structures of Merit list (e.g., development applications, building permits, demolition permits or any other permit affecting the structure)
070.120.265 Definitions	<ul style="list-style-type: none"> Include only those terms used in this Article (e.g., “demolition by neglect” is defined but not used)
Article 070.130 Inclusionary Residential Requirements for Community Housing	
In General	<ul style="list-style-type: none"> Further discussion needed. A current moratorium on these requirements is in place and we understand may be extended. It is unclear the extent to which the City wishes to maintain these standards for potential future application. The definition for “community housing” is confusing. It describes a deed restriction but not what such housing is. The requirement that all fractions be rounded to nearest whole number seems to conflict with the Fee-In-Lieu provision allowing payments when mitigation results in a fraction of a unit. 070.130.060(b): This section should be retitled as it refers to how the rent and sales price of community housing units is calculated. Consider referencing this calculation in a document outside the ordinance for ease of updating (this is consistent with the fee schedule for permits and development reviews)
Article 070.140 Exterior Lighting Standards	
All	<ul style="list-style-type: none"> See Major Themes – Regulations are not user-friendly. The exterior lighting section generally is complex which can make it challenging for applicants and difficult to both administer and enforce. Consider simplifying the provisions while maintaining the standards. Insert graphics to illustrate lighting concepts and dimensional standards for lighting. Consolidate with other development standards and put into a table format to make information more accessible to reader and create a better understanding of the requirements for each lighting district. Clarify how lighting plans are reviewed, when they are reviewed in the permitting process and who approves Consolidate all exemptions and variances into one process with clear steps and consistent approval authority (e.g., Public Works Director provides approval for walkway illumination variance but is Community Development Director or Planning Commission elsewhere). Update lighting districts to match any revisions to the overall zoning district lineup.

Article/Section	Comments
Article 070.150 Commercial Design Standards	
All	<ul style="list-style-type: none"> • See Major Themes – Eliminate redundancy among downtown, commercial, and residential standards. Consider options to streamline approach and use more menus, options and allowed alternatives. • Insert graphics (and update existing graphics) to illustrate design concepts. • Consolidate standards commonly used for all types of commercial development (e.g., requirement for bicycle parking) in development standards section. • 070.150.020(d): Alternative methods. Emphasize the availability of this tool, which many stakeholders are not aware of. Clarify criteria when alternative methods would be acceptable. Generally throughout article, identify points at which alternatives may be considered, and in what form, to provide more predictability to the process.
Article 070.160 Residential Design Standards	
070.160.010 Purposes	<ul style="list-style-type: none"> • See Major Themes – Eliminate redundancy among downtown, commercial, and residential standards. Consider options to streamline approach and use more menus, options and allowed alternatives. • Clarify how these standards apply to in-fill development versus new residential subdivisions. • Insert graphics (and update existing graphics if necessary, though these are relatively strong) to illustrate design concepts. • Review variance process and identify options for administrative process for some types of variances.
Miscellaneous Code Sections	
020.030.060 Public Hearings	<ul style="list-style-type: none"> • Integrate into new Administration article as part of new standard review procedures.
Article 05.030 Temporary Sales and Structures	
All	<ul style="list-style-type: none"> • Incorporate into new Use Regulations article in new section devoted to temporary uses and structures. • Incorporate into new consolidated land use table. • Update to reflect current practice. Reference Parks Department as the approving authority for temporary sales in all City parks. • Summarize reviewing authority of other departments for specific temporary uses and structures (e.g., Fire Department and Engineering Department). • Consider designating the Community Development Director as the approving authority for temporary use permits. • Staff notes that special events, temporary sales, and sidewalk use permits all need overhaul. The administration of these types of uses is fragmented among departments.
Article 05.080 Medical Marijuana / Article 05.090 Retail Marijuana	
All	<ul style="list-style-type: none"> • These are relatively new and no substantive amendments are proposed. • Use-specific standards for medical marijuana and retail marijuana should be included in the new Use Regulations article (use-specific standards) in the new code (e.g., distance requirements from schools and spacing requirements between other marijuana establishments). • Cross-reference and define all classes of retail marijuana in zoning code. • All references to sign design requirements should be in the sign section of the code.
Right-of-way Encroachments; Licenses to Encroach	
090.040.085 Right-of-way encroachments; Licenses to Encroach	<ul style="list-style-type: none"> • Consider placement in new development code, versus maintaining this elsewhere in Municipal Code; further discussion needed. Could be integrated into new Administration article of 070. • Cross-reference with sign regulations. • Clarify process for administrative review and approval. Consider an administrative review process for underground encroachments. • Reconsider the requirement for a majority of property owners within a certain distance to endorse the application. Consider a notice requirement rather than written endorsement.

Article/Section	Comments
	<ul style="list-style-type: none">• Define all types of encroachment, e.g. "semi-permanent".• Remove obsolete criteria for review and include objective and relevant criteria for decision-making.• Create a new process for temporary vendors in/on city rights-of-way. Currently staff uses the License to Encroach process. It is burdensome for applicants and staff, and the review criteria do not fit the situation.