

MEMORANDUM

TO: City Council and Planning and Zoning Commission
FROM: Steve Westbay
DATE: March 20, 2009
RE: Joint Meeting Discussion Topics

At their meeting on March 18th the Planning and Zoning Commission identified a list of discussion topics they would like to address with you. These topics include the time line, the scope of the zoning application review process and the contents of the annexation agreement. This memorandum provides a summary review of these topics.

TIME LINE

The P&Z calendar is specifically set to address only the Gunnison Rising PUD Zoning application. Scheduled meetings for the next month are as follows:

- March 25th Joint Work Session – P&Z will open the regular meeting and address some minor business and then go into the joint work session.
- March 28th P&Z Work Session – Saturday afternoon beginning at noon.
- April 1st P& Z Work Session – Wednesday evening, which may convene earlier than usual.
- April 8th P& Z Public Hearing – Open the Public Hearing at 7:00 PM and will likely continue the hearing for at least two weeks.
- April 22nd P&Z Meeting – Wednesday evening, which may convene earlier than usual.
- April 29th P&Z Meeting – Wednesday evening, which may convene earlier than usual.

SCOPE OF ZONING APPLICATION REVIEW PROCESS

The Zoning review process consist of three basic components: 1) Review of the application materials; 2) ensuring that due process and procedures are properly conducted; and 3) assessing the application in relation to the *Land Development Code* standards for a Planned Unit Development Zoning application.

Application Review. Review of the application submittal is focusing on the proposed Development Standards and the proposed *Master Plan* components. The P&Z has conducted three meetings during the past month, with the emphasis on the proposed Development Standards. The applicant has had the opportunity to be at the table during these discussions and this participation is helping to facilitate a process that directly addresses issues and will eliminate a host of issues that would otherwise be the Council's responsibility to address. Although it is taking some time to conduct this review, it is the most efficient way to move forward. **Enclosure 1** is an update addressing changes to the Development Standards.

The other important element of the application review relates to *Master Plan* documents and their guiding influence upon the future development of the PUD. PUD Master Plans include the following:

- *Land Use Master Plan*;
- *Park, Trails and Open Space Master Plan*;
- *Stormwater Master Plan*;
- *Development Phasing Plan*;
- *Road and Circulation Master Plan*; and,
- *Waste and Wastewater Master Plan*.

The Planning Commission will set forth adequate meeting time to review these master plan documents. However, it is understood that the *Stormwater Master Plan* will not be available for review at this point in the process.

Due Process and Procedures. While the annexation process is a legislative action, the zoning application process as stipulated in the *Land Development Code* is being followed. This requires formal review of the application to determine that the contents meet the *Code* mandates. Formal public hearing notices and posting of the property have been completed. The other due process function is to hold the formal public hearing to hear public comments and enter documents into the public record.

Procedures and requirements for planned unit development zoning are addressed in Section 15.150 of the *Land Development Code* (Enclosure 2). Section 15.150.070 defines PUD application review procedures, specifies PUD application requirements, and establishes the means for PUD amendments.

The review procedure is identical to any other proposed Zoning Map Amendment and includes a public hearing with the Planning and Zoning Commission. Thereafter, the P&Z is directed to make a recommendation for approval, a recommendation for denial, or recommendation to remand. The P&Z also has the prerogative to recommend approval with conditions.

PUD Zoning Standards. The review of PUD zoning standards is directly related to the process and procedure because these standards must be reviewed to ensure the proposed development fulfills the compliance mandates. PUD Zoning Standards are found in Section 15.150.060 and Section 15.60.060 of the *Land Development Code*. Section 15.150.060 defines four standards that must be met for all zoning applications, and Section 15.60.060 contains a list of eight standards that must be met by a PUD zoning application. The related standards are provided in Enclosure 3 of this memorandum.

ANNEXATION AGREEMENT

Prior to meeting with P&Z, the City Council will be conducting a work session to address the draft annexation agreement. The P&Z felt that it would be prudent to discuss the contents of the Agreement because it has a direct relationship to the PUD Zoning and Development Standards. P&Z members have been provided a copy of the latest annexation agreement document. It is likely that P&Z members may have specific questions regarding the agreement content and how it relates to the PUD zoning considerations.

CONCLUSION

The Planning and Zoning Commission anticipated that the meeting may not take up the entire evening, but felt these and other topics are important to discuss. The P&Z also feels that it is important to maintain an open line of communication with the Council during this review to ensure an orderly and efficient process. If there are any additional materials you may need prior to the meeting please feel free to contact me.

ENCLOSURE 1

TO: Planning and Zoning Commission
FROM: Steve Westbay
DATE: February 23, 2009
REVISED March 4, 2009; March 18, 2009
RE: Proposed Staff Amendments to the Gunnison Rising PUD Code – February 13, 2009

TITLE: Change the Title to read: *Gunnison Rising PUD Development Standards*

TABLE OF CONTENTS: Provide a table of contents with page numbers for related sections.

CHAPTER 1: INTRODUCTION

NOTE: Figure 1.1 is at a scale that makes recognizing the spatial information is useless. Either provide a map that clearly depicts relevant information or do not include it in the document.

Section 1.2, Page 7 bottom. Delete the following statement **~~“...Approximately 420 acres of land north of the Gunnison PUD boundary that was included in the Gunnison Rising Master Plan is no longer a part of the PUD area. Another 230 acres of developable land that is east of the PUD boundary was also included in the Gunnison Rising Master Plan was identified as a Developing Resources Zone. That area is not part of the Gunnison Rising PUD, but may be annexed at a future time.”~~**

Section 1.3.2, Page 8. Delete the following statement: **~~“...The intent is to create greater market diversity which in turn would allow for a wider range of housing price points within the Gunnison Valley.”~~**

Section 1.3.5, Page 8. Write the last sentence to read as follows: **~~“...The 44-acre site that is planned for mixed use is adjacent to Western State College, and would provide a higher-density commercial and residential uses to serve the college employees and students as well as other residents, who desire the convenience of housing, retail and employment uses within the same site.”~~**

Section 1.3.8 Page 9. Delete the last sentence which reads as follows: **~~“...The provision of these uses will increase the community’s job base, and bring in tax revenue to support the the City of Gunnison.”~~**

Amended 3/18/09 Section 1.4.1, Page 9. Rewrite the last sentence to read as follows:

“...Development in or disturbances to floodplain areas are prohibited except as provided by the applicable standards found herein (Sections 16.1 and 16.2) or those standards found in the City of Gunnison Municipal Code, as it may be amended. In all cases the more restrictive standard shall apply.” ~~generally not allowed without processing and documentation through the Federal Emergency Manage Agency (FEMA).~~

Section 1.4.2, Page 9. Delete the last sentence and replace it with the following: **“...All development disturbance improvements shall be located a minimum of 100 feet from any designated wetland as shown on the map.”**

Section 1.6.1, Page 10. Delete the last three sentences which read as follows: **~~“...The proposed RV resort will generate a new tourist destination, to expand upon the tourist opportunities, the number one economic generator for the region. Finally, additional sales tax dollars will be provided to the City of Gunnison once the new retail and other business uses are in place, and a real estate transfer fee will provide an on-going income to the City coffers. In summary, the development of Gunnison Rising will increase the quantity and variety of housing in the community, provide business and employment opportunities, and enhance the community’s recreational opportunities.”~~**

Section 1.7.1, Page 10. The section will be amended to read as follows: **“...All development within the Gunnison Rising PUD will conform to the PUD design standards and design review procedures. All development of land and legal responsibilities of Gunnison Rising inhabitants shall be subject to the regulations and municipal laws set forth in the *City of Gunnison Land Development Code* as it may be amended in the future, unless specifically exempted through the provisions established by Section 2.2 this PUD Code. The provisions of the PUD Code do not exonerate compliance requirements with any state or federal regulations that may apply to this PUD.”**

CHAPTER 2: GENERAL PROVISIONS

Section 2.1, Page 11, 1st sentence, 1st line: What is the **“PUD plan?”**

Amended 3/4/09 Section 2.1, Page 11, 2nd sentence, 3rd line: What is meant by *“This PUD statement...?”* Change to read: **“...These PUD Development Standards and the PUD Zoning Map establish the zoning for the site; designate the location of specific uses, densities, and dimensional standards. Table 2.1 establishes the specific land use district designations, assigns residential unit caps (minimum and maximum), establishes the number of recreation vehicle space allocations, and sets forth the maximum amount of non-residential floor area.”**

Amended 3/4/09 **NOTE:** There seems to be redundancy between this Section (2.1) and Section 2.4.

Table 2.1, Page 11: **Delete the asterisk statement:** The applicant’s land planner stated that this density transfer methodology is used by other communities. Even if other communities use this concept it is contrary to the Land Development Code. The Land Development Code specifically states that change in density must be accomplished through a PUD Major Change (see 15.150.070 F.1, Major Changes).

Table 2.1, Page 11: Change Non-residential Square Feet to read **“...Gross Floor Area Non-Residential.”**

Amended 3/18/09 **NOTE** regarding Table 2.1, Page 11: The R-2 and R-2M Districts contemplate certain non-residential uses through conditional use review/approval. Table 2.1 should be amended to recognize this fact.

Section 2.2 Page 12: Delete the entire section and replace it with the following narrative:

“ 2.2 All development standards set forth in the *Gunnison Land Development Code*, and as it may be amended in the future, shall apply to the Gunnison Rising PUD except for the following standards that specifically regulate this Planned Unit Development:

Amended 3/4/09

1. Permitted Use. Each proposed district zone contains a specific list of permitted uses. Only those stated uses shall be allowed within each PUD district zone.

Amended 3/18/09

2. Parking Standards. These Gunnison Rising PUD Development Standards assign specific number of parking spaces required for each specific permitted use. Aisle dimensions, ADA space dimensions and numbers, screening, and landscape requirements shall be pursuant to provision of the Gunnison Municipal Code as it may be amended.

3. Dimensional Standards including minimum lot size, minimum frontage width, minimum lot depth, net unit density, setbacks, minimum landscaped area, maximum parking area, and height are established by these PUD Development Standards.

4. Landscaping standards.

5. Fencing and Screening.

6. Snow storage.

7. Architectural Standards.

Amended 3/4/09

~~8. Connectivity applied to the CRV and IM Districts only.~~

Note: The connectivity element should be established by the Roadway Master Plan and taken out of the PUD Development Standards.

9. Access and Street Standard applied to the CRV District.

10. Wetland Setback standards.

11. Habitat and Wildlife Management.”

“2.2.1. Definitions. Definitions contained in the Gunnison Land Development Code, as they may be amended, shall apply to the Gunnison Rising PUD, except for the definitions stated herein.

**Lot line, Front
Lot line, Rear.
Townhouse or row house
Attached Single Family Dwelling
Event Center”**

Amended 3/4/09 Amended 3/18/09

Section 2.3, Agricultural uses, Pg#12, Change this section to read: “...Existing grazing and agricultural uses on the properties contained within the Gunnison Rising PUD may continue to operate as they have historically, until such time as the land they occupy is developed. It shall be the responsibility of said land owner whose property is used for domestic livestock grazing to construct and maintain fences to separate the livestock from adjacent developed areas. Areas to be fenced include, but are not limited to, boundaries adjacent to the ~~existing city limits~~, developed areas within ~~the annexation~~ the Gunnison Rising PUD, developed trails, park and open space, and hay meadow areas held in title by the state or federal government. ~~The City has the right to prohibit live stock grazing on the Gunnison Rising annexation if issues and problems arise from the use.~~

Irrigation uses for hay meadow production shall not interfere with adjacent development; the property owner irrigating for hay production shall be responsible for the construction and maintenance of ditches and structures that divert irrigation water around developed areas as necessary. The management and maintenance of the Cemetery Ditch and related structures shall be the responsibility of those property owners using this irrigation water source. ~~The City shall have the right to prohibit irrigation on the Gunnison Rising annexation if problems arise.”~~

Section 2.4, Permitted Uses/Design Standards, Pg#12, Change this section to read: “...The permitted uses of property, the density and intensity of use, and the dimensional standards, shall be regulated pursuant to the specific provisions of these Development Standards. Furthermore, future development shall be obligated to meet the concepts, intentions and development forms as set forth in the following Master Plans:

- Land Use Master Plan
- Parks, Trails and Open Space Master Plan
- Stormwater Master Plan;
- Development Phasing Plan
- Road and Circulation Master Plan
- Water and Wastewater Master Plan

Any proposed changes to this PUD shall be subject to the provisions for Major Changes, or Insubstantial Changes as stipulated by the *Gunnison Land Development Code*, as it may be amended in the future.”

Amended 3/4/09 **NOTE:** Check the Annexation Agreement for language requirements for developing a stormwater master plan.

Section 2.7, Master Covenants and sub-area Covenants, Pg#13, Change the second sentence to read: **“...If a conflict arises between the covenants and the PUD Development Standards the more restrictive standards shall apply.”**

Section 2.8, Density Conformance and tracking, Pg#13, *Change this section to read as follows:*
“...Density Conformance and Tracking. At the time of sketch plan subdivision, or submittal of any site specific development plan application, the applicant shall provide to the Community Development Department a table on the plat or development site plan identifying the density of land use, number of dwelling units and/or amount of non-residential gross floor area, and a tally of quantities of dwelling units and gross floor area figures already allocated from previous developments within the PUD.

Amended 3/4/09 **NOTE:** Additional discussion regarding this topic is needed.

Amended 3/4/09

Section 2.9, Buffer Construction and Maintenance, Pg#13: *Add a new section that reads as follows:* **“...Buffer Construction and Maintenance. Construction and maintenance of all designated buffers along the Highway 50 rights-of-way, or as required on District boundaries shall be the responsibility of the Gunnison Rising Metropolitan District.”**

NOTE: Additional discussion regarding this topic is needed. The applicant feels it should be the property owner or HOA that is responsible for the landscape maintenance.

CHAPTER 3: DEVELOPMENT REVIEW PROCEDURES

Delete this entire chapter. There are no provisions in the Gunnison Land Development Code that permit a PUD to set forth Development Review Procedures. However, if the applicant wishes to establish a “design review” process it seems reasonable to allow. It is contemplated that the design review would be applied to site-specific development plans and with an emphasis on architectural design, building materials, landscaping, lighting and other related “design oriented” control standards. The design review could be a function of the HOA design review board, and a written HOA approval could be required prior to issuance of building permits.

Added 3/4/09 ***CHAPTER 4: RESIDENTIAL (R-1) DISTRICT***

NOTE: City staff submitted the following narrative to the applicant’s land use planner and asked for comment. Their comments will be provided to P&Z by Wednesday’s meeting (3/4/09).

Section 4.1, Purposes, Pg#17, *Change this section to read as follows:* **“... Purpose. The purpose of this residential (R-1) district is to provide for a residential neighborhood comprised of detached single-family dwellings on large lots at relative low densities (i.e. 3 to 4 acre lot sizes).**

Amended 3/18/09 **In order to minimize impacts to the land and adjacent habitat, a concept termed “Nature’s Envelope — where the buildings and driveways are in effect “enveloped” by the surrounding landscape — will be incorporated in the site planning of every structure preservation areas and building envelopes will be provided for all subdivided lots within the R-1 District. Construction of all improvements will be undertaken in such a way that the**

integrity of the natural areas is preserved and the home/building ~~looks as though it has been placed gently into the midst~~ are integrated into ~~of it~~ undisturbed surroundings.

~~One benefit of the "Nature's Envelope" approach is that a true sense of place is maintained; the home's landscape reflects the original characteristics of the region. Another benefit is that, unlike conventional landscapes, natural landscapes are compatible to wildlife habitat. Additionally, the natural landscape surround the home/building provides the easiest, most foolproof gardening imaginable. In the "Nature's Envelope" concept each lot consist of a Natural Area and a Building Envelope, which includes a Transitional Area and Private Area.~~

~~Amended 3/18/09~~ The Building Envelope is that portion of each lot within which all construction activity and improvements to included driveways must occur. Alterations to the existing landscape will be permitted only within this building envelope area. During the subdivision process, Building Envelopes for each lot will be established with recognition of existing wetlands, topographic features, views, water features, and other natural features. Amendments to the building envelopes may be allowed as an insubstantial change as long as the change is consistent with the standards set forth in this Chapter 4.

~~Amended 3/18/09~~ The ~~Natural Area Envelope~~ Preservation Area is that portion of the lot which lies outside of the Building Envelope and must remain essentially undisturbed, even during construction. No activity that may denude the natural vegetation or soils is permitted. In the event revegetation of a ~~Natural Area Envelope~~ Preservation Area must occur, only plant indigenous to the general area of the development may be use. Natural features that should be preserved within this area include steep slopes, ridges and knolls, rock outcrops, wetlands, oxbows, ponds, critical habitat, or other areas as determined through the subdivision process.

~~The Transition Area is that part of the Building Envelope which is visible from the road and neighboring properties, or is adjacent to the Natural Area Envelope. The transitional area establishes a gradational relationship between the Natural Area and the approved non-indigenous plant material permitted within the Private Area.~~

~~The Private Area Envelope is that part of the Building Envelope immediately surrounding the dwelling footprint or which is not visible from the road, or can be hidden by walls or berms, and are separated from the natural area by the transitional area or wall screening. For example, private areas may include courtyards, atriums, pergolas and other similar structures, and ornamental plantings not indigenous to the area."~~

Table 4.1, R-1 PERMITTED USES AND PARKING STANDARDS, Pg#17, Change the title of this table to read: **"...R-1 PERMITTED USES AND PARKING STANDARDS SPACE REQUIREMENTS"**

~~Amended 3/18/09~~ Section 4.3, Development Standards, Pg#17, Change this section to read: **"... Development Standards. Standards for the R-1 District zone are not based on traditional**

dimensional standards; however, Building Envelopes shall be limited to a maximum of 40 percent of the total lot area. Rather, a clustered single family residential development will result, with up to four lots being accessed from one shared private road. The subdivision review process (sketch, preliminary and final plat) shall designate specific Building Envelopes and ~~Natural Area Envelopes~~ Preservation Areas. The following are provisions specifying uses and restrictions associated with the Building Envelopes and Natural Area Envelopes.”

Amended 3/18/09 Section 4.3.1, Landscaping, Pg#18, *Change this section to read as follows:*

“...Permitted Uses, Activities and Improvements in Building Envelopes. All major improvements, including but not limited building footprints, driveways, parking areas, buried utilities, and accessory structures shall be located in within the Building Envelope. Building envelopes shall be located entirely outside the designated Base Flood Elevation area, and shall be located at least 100-feet from any delineated wetland either within the PUD or adjacent to the PUD boundary.”

NOTE: Include Defensible Space needs for wildfires.

Section 4.3.2, Fencing, Pg#18, Change this section to read: “...Permitted Uses, Activities and Improvements in ~~Natural Area Envelopes~~ the Preservation Areas. Use of ~~natural areas~~ Preservation Areas shall be restricted to landscaping using indigenous species as defined in Appendix E, gardens, livestock fencing, and permanent stormwater facilities; general maintenance to include mowing and haying is permitted. ~~of natural area the~~. Grazing by domestic livestock is permitted as long as denudation of soil and native vegetation does not occur as a result of domestic grazing. ~~Natural Area Envelopes~~ Preservation Areas shall not be disturbed during construction. In the event of soil and/or vegetation disturbance occurs, immediate revegetation ~~of a Natural Area Envelope~~ must occur, using approved plant species (Appendix E).”

NEW Section 4.3.3, Building Envelope Landscaping, Pg#18, The new Section 4.3.3 section should read as follows: “...**4.3.3 Building Envelope Landscaping. Building Envelope landscaping may be as lush and varied as desired by the owner. Grass lawns shall be limited and located within the Private Area Envelope. The Private Area Envelope shall comprise at least 20 percent of the Building Envelope. Grass lawns and other ornamental vegetation species are permitted; however, no noxious weed as specified by the Colorado Department of Agricultural Noxious Weed List shall be permitted.**” NOTE: Include consideration for defensible space.

NEW Section 4.3.4, Add a new section (4.3.4) to read as follows: “...**4.3.4 Snow Storage. An area within the boundary of each platted lot, equal to 15 percent of the driveway and exterior parking area, shall be provided for on-site snow storage. Snow storage areas shall be designated on all site plans submitted with building permit applications.**”

Amended 3/4/09 **CHAPTER 5: RESIDENTIAL (R-2) DISTRICT**

Amended 3/18/09 Section 5.1, Purpose, Pg#21, Change the 1st sentence to read: “...**The purpose of the this residential (R-2) district is to provide for residential neighborhoods comprised of detached single family dwelling unit lots and attached single family dwelling unit (duplex units) lots on smaller lots than permitted in the Gunnison...**”

Section 5.2, Permitted Uses and Parking Standards, Pg#21, Change is section to read: “...**Table 5.1 establishes the permitted uses and parking spaces required for the district zone uses. Uses not listed in Table 5.1 are prohibited. Furthermore, more than one detached single family unit is not permitted on any individual lot.**”

Table 5.1, R-2 PERMITTED USES AND PARKING STANDARDS, Pg#21, Change the title of this table to read: “...**R-2 PERMITTED USES AND PARKING STANDARDS SPACE REQUIREMENTS**”

Table 5.1, Delete the following conditional use: “...**Church, parish home and religious education building.**”

Table 5.2: Change the following table to read:

TABLE 5.2: R-2 DIMENSIONAL STANDARDS

Standard	Requirement
Maximum Net Density (units per acre)	6
Minimum lot size – single family (square feet)	7,000 per unit square feet
Minimum lot size per unit – attached single family townhomes (square feet)	4,000 square feet per unit
Minimum lot frontage – single family	70'
Minimum lot frontage – duplex attached single family*	40' per unit
Minimum lot depth	100'
Minimum landscape coverage	40 percent 60% of landscape area
Maximum lot coverage: buildings	40%
Maximum lot coverage: driveway & exterior parking	15 percent 20%
Minimum snow storage area	15 percent 10% of of the driveway and exterior parking area
Minimum setback from side lot line – first story/up to 22' tall	7.5'
Minimum setback from side lot line – second story/greater than 22' tall as measured on the primarily northern façade of the structure	7.5 feet provided that one additional foot of setback shall be required for each two feet (a 1:2

	ratio) of building height over 22 feet 7.5' plus one additional foot for every 3' in height above 22'
Minimum setback from rear lot line – principal building	25'
Minimum setback from rear lot line for accessory structures 120s.f. or less	5'
Minimum setback from front lot line**	16'
Front yard setback for a garage	20'
Corner lot setbacks from front and side lot lines	16'15'(F) 12'(S)
Maximum building height	35'
* "Common party wall" is required between units within a duplex dwelling. **Projections into front yard setback are allowed for porches and stoops, as required by Chapter 17.	

Amended 3/18/09 Figures 5.1 through 5.4, Pg# 22-24, Change the Accessory Bldg. Setback statements to read: **"...5' Setback, Accessory Bldg. < 120 square feet and less than a 12 foot height."**

NOTE: Figure 5.3, R-2 SETBACKS – Duplex Corner Lot, Pg#23, This figure needs to depict the entire footprint with two units illustrated.

Section 5.3.1, Landscaping, Pg#24, **Note:** The outline alphabetic outline sequence is not accurate.

Amended 3/18/09 Section 5.3.1, Landscaping, Pg#24, Change this section to read:

"a. Landscaping

- 1. Minimum landscaped area with living cover shall be a minimum of 60 percent of the total required landscape area.**
- 2. No less than one deciduous tree and one coniferous tree, and two shrubs shall be planted for each 1,000 square feet of landscape area required.**
- 3. In addition to the trees required in Section 5.3.1.b (above), street yard trees shall be provided at the quantity of one tree, either coniferous or deciduous, per front lot line. In no case shall street trees be applied at a quantity of less than one tree for every 70 feet of lot frontage.**
- 4. In addition to the standards defined in this Section 5.3.1, all provisions of Chapter 14 (Landscaping and Fencing Standards) shall apply. In the event there is a conflict between these Section 5.3.1 standards and those standards in Chapter 15, the more restrictive provisions shall apply."**

NOTE: P&Z noted concern regarding the impact of trees upon solar gain potential.

Amended 3/18/09 Section 5.3.1, b,a, Snow Storage, Pg#24, Change this statement to read: **"...1. An area within the boundary of each platted lot, equal to 15 percent of the driveway and**

exterior parking area, shall be provided on the lot for private snow storage. Snow storage areas shall be designated on all site plans submitted with building permit applications.”

CHAPTER 6: DUPLEX/MULTI- FAMILY (R-2M) RESIDENTIAL VILLAGE DISTRICT

Table 6.1, R-2M PERMITTED USES AND PARKING STANDARDS, Pg#25, Change the title of this table to read: “...PERMITTED USES AND PARKING STANDARDS SPACE REQUIREMENTS”

Note: Table 6.1, Pg#25, A hospice may not be an appropriate use for this district.

Table 6.1, Pg#25 Change Duplex and attached single family dwellings to read: “...Attached single family (duplex).”

Table 6.2, **Note:** During previous review of these dimensional standards city staff asked the developer to explain the rational of the varying densities and how other dimensional standards function in relation to proposed higher density uses; an explanation has not be established. The following dimensional standard table is proposed by city staff for the PUD R-2M District.

Standard	Single-family ***	Single family attached***	Townhome (2)	Multiple Family & Apartment (1)
Maximum Net Density (units / acre)	5	7	14	20
Minimum lot size per dwelling unit	3500	3,500	1,500	2,500 1-Story 2,000 2-Story 1,500 3-Story
Minimum lot frontage – standard lot	40'	80'	18'	120'
Minimum lot frontage – corner lot	50'	45'	30'	
Minimum lot depth	100'	100'	100'	100'
Minimum landscape coverage	40%	40%	40%	30%
Maximum lot coverage: buildings	45%	45%	45%	50%
Maximum lot coverage: driveway & exterior parking	15%	15%	15%	20%
Minimum snow storage area, as percent of paved area	15%	15%	15%	25%
Minimum setback from side lot line	7.5 feet provided that one additional foot of setback shall be required for each three feet (a 1:3 ratio) of building height over 22 feet			
Minimum setback from rear lot line – principal building (Front loaded lots)	10 feet provided that one additional foot of setback shall be required for each three feet (a 1:3 ratio) of building height over 22 feet.			
Minimum setback from HYW 50 ROW	50	50	50	50
Minimum setback from rear lot line – principal building (Rear loaded lots)	10'	10'	10'	5'

Minimum setback from rear lot line— accessory bldg < 120 sf	5'	5'	5'	5'
Minimum setback from front lot line (Front loaded lots)	15'	15'	15'	5'
Minimum setback from front lot line (Rear loaded lots)	5'	5'	5'	5'
Front yard setback for a garage	20'	20'	20'	20'
Corner lot setbacks from front and side lot lines	15'(F) 12'(S)	15'(F) 12'(S)	15'(F) 12'(S)	15'(F) 12'(S)
Maximum building height	35'	35'	35'	35'
<p>*Assumes common landscaped areas exist within the townhome development ** Minimum building separation for townhome/row houses and apartment buildings shall be 20 feet *** Alleys shall be provided for certain developments as set forth in Section 6.3.4, below. (1) More than one building may be established on a single lot (see Sec. 6.4, Complexes). (2) Minimum combined frontage of Townhome Lots shall be 100'</p>				

Amended 3/18/09

Amended 3/18/09

NOTE: Further discussion of the Townhome dimensional standards is needed. Snow storage and landscape topics need to be address.

NOTE: Section 6.3.1, Landscaping, Pg#29, Has there been consideration for setbacks and buffering on HWY 50?

Section 6.3.1 Landscaping, Pg#29, Change this section to read:

“...6.3.1 Landscaping

- a. **Minimum landscaped area with living cover shall be a minimum of 60 percent of the total required landscape area.**
- b. **No less than one deciduous tree and one Coniferous tree, and two shrubs shall be planted for each 1,000 square feet of landscape area required.**
- c. **In addition to the trees require in Section 5.3.1.b (above), street yard trees shall be provided at the quantity of one tree, either coniferous or deciduous, per front lot line. In no case shall street trees be applied at a quantity of less than one tree for every 70 feet of lot frontage.**
- d. **In addition to the standards defined in this Section 6.4, all provisions of Chapter 14 (Landscaping and Fencing Standards) shall apply. In the event there is a conflict between these standards (Section 5.3.1) and standards in Chapter 15, the more restrictive provisions shall apply.”**

Section 6.3.3.a, Snow Storage, Pg#29, Change this statement to read: **“...An area within the boundary of each platted lot, equal to 15 percent of the driveway and exterior parking area, shall be provided for on-site snow storage. Snow storage areas shall be designated on all site plans submitted with building permit applications.”**

Section 6.3.4 Alleys, Pg#30, Change this section to read: **“...Unless the city decides to accept such dedications at subdivision, all alleys in the R2-M district shall be established as private rights-of-way with a minimum width of 22 feet; however, these private rights-of-way shall be dedicated as public utility easements. “**

1.1.1 6.4 COMPLEXES

1.1.2 6.4.1 Applicability

The standards of this section are intended to serve as residential townhouse and multi-family dwelling complexes which may be established on a single unified parcel, provided that the following requirements are met.

1.1.3 6.4.2 Defined

A group of two or more multifamily buildings and/or other operations on an unsubdivided parcel, operating under one name or presenting other elements of a unified image of identity to the public.

1.1.4 6.4.3 Building Design

All complexes shall exhibit a unity of design through the use of similar elements such as rooflines, materials, window arrangement, sign location, and details. (See Chapter 17, PUD Development Standards).

6.4.4 Landscaping

Landscaping area requirements may be developed through a unified plan, which must emphasize unique common areas within the complex, buffering between units and adjacent lots, and provisions for attractive street frontage.

6.4.5 Common Parking Areas

Common parking areas shall be established for complexes in a manner that provides limited and safe access from public rights-of-way and that provide buffering and/or screening between the public rights-of-way and parking and accessways. No more than one-third of the parking spaces shall be located within the front yard of the complex. Parking spaces and accessways shall not be located within 10 feet of an adjacent lot.

Added 3/4/09 CHAPTER 7: COMMERCIAL DISTRICT

Amended 3/18/09

NOTE: During the P&Z meeting, consideration was given to combine the travel plaza (C-District) and the IM District by assigning these areas the IM District designation. Work is proceeding to assess this change.

Section 7.2, Permitted Uses, Pg#31, **NOTE:** These uses and their character requires special consideration to ensure that screening and buffering are appropriate visual impact from the highway and that environmental degradation does not occur upon adjacent open spaces areas.

Table 7.1, C DISTRICT PERMITTED USES AND PARKING STANDARDS, Pg#31, Change the title of this table to read: **“...PERMITTED USES AND PARKING STANDARDS SPACE REQUIREMENTS”**

NOTE: Table 7.1, Pg#31, Define what specifically constitutes a “Travel Plaza.”

Section 7.3 Permitted Uses and Parking Standards, Pg#31, Change this section to read: **“... Those uses specified in Table 7.1, below are the only uses that may be granted within this PUD Commercial District. However, each proposed building permit for new construction, building additions and remodels shall be subject to Conditional Use application review with the City Gunnison Planning and Zoning Commission. In addition to the Conditional Use criteria and standards set forth by the *Gunnison Land Development Code*, as it may be amended, the following criteria statements shall be met by all proposed development within this PUD Commercial District.**

- 1. No uses other than buffers, landscaping, buried utilities, and pedestrian paths shall be located within 25 feet from the east District boundary.**
- 2. Buffers as specified in Section 7.3.1.e of these development standards shall be constructed and maintain along the east and south boundaries of this PUD Commercial District.**
- 3. The conditional use applicant shall provide visual diagrams depicting the buffer and proposed building and improvements. At least three perspective views from the various locations along the east approach of 50 Highway shall be provided.**
- 4. The Planning and Zoning Commission may increase the buffer width, planting density, and berm dimensions to mitigate visual impact, noise, lighting and other impacts from the proposed use.**
- 5. The applicant shall provide architectural drawings to include site plan, all building locations and material samples of siding and roof materials and color samples for these exterior materials.**
- 6. The Planning and Zoning Commission may require changes in building location, mass, form, and exterior material**
- 7. No Conditional Use application will be considered until a Final Drainage Report has been submitted to and approved by the Community Development Director.**
- 8. The Planning and Zoning Commission shall review the proposed uses and proposed storm water control facilities (both construction and permanent BMP’s) to ensure that these uses do no have negative impact to water quality.**
- 9. In no case shall the discharge from this PUD Commercial District exceed the historic runoff volumes and discharge rates as found on the site prior to development.”**
- 10. No Conditional Use Application will be considered until a Highway Access Control plan is approved by the Colorado Department of Transportation.”**

Amended 3/18/09 Table 7.2, Change this table to read:

Standard	Requirement
Minimum lot size	21,780 sf

Minimum Driveway/road intersection setback from Highway	250'
Maximum lot coverage-buildings, driveways, exterior parking, open storage	70%
Minimum lot frontage setback- Highway 50	100'
Minimum boundary setback from Equestrian Meadow O/E District –east	25'
Minimum boundary setback from unincorporated Gunnison County-south	25'
Minimum setback from front lot line – interior lot lines not adjacent to a district boundary	Set by P&Z, see boundary setbacks
Minimum setback from side lot line – interior lot lines not adjacent to a district boundary	Set by P&Z, see boundary setbacks
Minimum setback from rear lot line – interior lot lines not adjacent to a district boundary	Set by P&Z, see boundary setbacks
Minimum Landscaping area	30 percent unless amended by the P&Z
Maximum building height	35'
<i>* Development standards shall be determined through review of the proposed development plan, according to the procedures outlined in Chapter 3 of this PUD code.</i>	

Amended 3/18/09 Section 7.3.1.e.IV, Berm Height, Pg#32, Change the 1st sentence to read: “**...Berms within the buffer shall be a minimum of four feet high, shall have a maximum 4:1 slope (horizontal:vertical), and shall undulate to provide a varied shape that mimics natural landforms.**”

Section 7.3.2.d, Fences and Screening, Pg#32, Change the 1st sentence to read: “**...Screens shall be constructed of six foot opaque fence constructed of wood, wood composite, split-faced block or other material approved by the Planning and Zoning Commission during the required conditional use application review.**”

Section 7.3.3.a, Snow Storage, Pg#32, Change the 1st sentence to read: “**...An area within the boundary of each platted lot, equal to 15 percent of the driveway, exterior parking area, and exterior storage, shall be provided for on-site snow storage. Snow storage areas shall be designated on all site plans submitted with building permit applications.**”

Section 7.3.4.a Connectivity, Pg#32, Change the 2nd sentence to read: “**...This shall be accomplished with public rights-of-way or private roads interconnecting the C District and IM District.**”

Section 7.3.4.b, Connectivity, Pg#32, Change the 2nd sentence to read: “...**Sidewalk connections between adjoining uses are required and will be located within public or private rights-of-way.**”

Added 3/4/09 **CHAPTER 8: COMMERCIAL/MIXED USE (CM) DISTRICT**

The following statements, with some minor editorial revisions, were provided by staff to the applicant on January 30, 2009 and they still apply.

Chapter 8, General Note: The latest land use plan illustrates a conceptual layout of proposed roadways. This layout leads automobiles to the highway and restricts the access of pedestrians and automobiles onto Georgia and College Avenue. An illustrative design depicting the relationship of the western annexation area to the College and existing city edge was requested during the phase 1 and phase 2 annexation reviews. This planning document would still be very valuable.

Table 8.1, CM DISTRICT PERMITTED USES AND PARKING STANDARDS, Pg#33, *Change the title of this table to read: “...**CM DISTRICT PERMITTED USES AND PARKING STANDARDS SPACE REQUIREMENTS**”*

Table 8.1, Pg#33, Asterisk * *Delete asterisks that reads: “...~~*On-street parking may be included in meeting these requirements.~~*

Table 8.1, Pg#33, asterisk **, **NOTE:** There is concern regarding the amount of retail floor area that may be available within this CM District. The applicant intends to donate approximately 10 acres to the WSC Foundation, reducing the effective commercial space to approximately 34 acres. Entitling this district to have another 12 acres dedicated to multiple family development will further reduce to retail area (± 22 acres). Assuming that 25% of the effective area is required for rights-of-way and easements leaves approximately 16.5 acres for retail development. While this amount of land area is sufficient to accommodate the proposed 174,000 square feet of retail floor area, specific road alignments and lot configurations may limit the size of retail establishments within this District.

Table 8.1, Pg#33, **NOTE:** It has been my understanding that residential units are intended to be integrated into retail, institutional, and service facilities. Integrating commercial and service uses is paramount to the success of this mixed use – specifically providing ground floor retail and residential uses in upper stories. Allowing multiple family developments as a permitted use could result in a significant loss of needed retail and service floor area.

Section 8.2 Development Standards, Pg#33, **NOTE:** Specific site development standards need to be established. This concern was noted by city staff provided to the applicant on January 30, 2009.

Table 8.2, CM District Dimensional Standards, Pg#34, **NOTE:** As stated in the comments regarding *Development Review Procedures*, (Chapter 3) several issues of concern exist.

Contents of Table 8.2 add to this concern because no dimensional standards are proposed. Will commercial floor area ratios (CRFA) be established for the commercial area?

Section 8.3.5, Additional Standards, Pg#36, **NOTE:** The narrative defining design form is ambiguous in several instances, and graphic representations would be helpful to define intent. These design standard statements are primarily directed at architectural form but contain no direction regarding streetscape function, landscaping, pedestrian circulation, connectivity to adjacent uses and parking. It may be appropriate to apply the city's Large Retail Development Standards to this District.

Added 3/4/09 **CHAPTER 9: COMMERCIAL RV RESORT (CRV) DISTRICT**

The following statements, with some minor editorial revisions, were provided by staff to the applicant on January 30, 2009 and they still apply.

Section 9.3 Development Standards, Pg#38, **NOTE:** The zoning document should define specifically what constitutes a "For-Sale Lot", "Rental Lot", and "Park Unit Lot." It should also designate the number of lots for sale and the number of rental lots.

Section 9.3.3, Access and Streets, Pg#39, **NOTE:** Gated access is permitted under by the criteria. Emergency vehicle access and circulation, complying with the International Fire Code or future codes, must be ensured. Designating roads as emergency vehicle easements is appropriate but specific designs need to ensure emergency vehicle access and circulation.

Section 9.3.4, Parking, Pg# 39, **NOTE:** The parking standards are vague and provide no real direction.

Section 9.4, Architectural Character, Pg#39, **NOTE:** Chapter is to be deleted, and specific site development review standards need to be established.

Section 9.5, Physical and Operational Standards, Pg#39, **NOTE:** The narrative makes no senses. What constitutes a "*Final PUD Submittal*"?

Section 9.5, Physical and Operational Standards, Pg#39, **NOTE:** The "details" to be addressed under a final plan are very ambiguous.

Added 3/4/09 **CHAPTER 10: COMMERCIAL WESTERN PAVILION (C/WP) DISTRICT**

The following statements, with some minor editorial revisions, were provided by staff to the applicant on January 30, 2009 and they still apply.

Chapter 10, **NOTE:** The Western Pavilion is directly under the airport flight zone, and lighting and building height are likely to be major concerns of the Airport. Chapter 15 contains no information regarding the regulation of outdoor lighting.

Chapter 10, **NOTE:** Based on submittal information the Western Pavilion is within the revised floodplain zone (Base Flood Elevation). The premise of the annexation from the onset was that development would not impede upon designed floodplains. If this is still a valid planning objective, the expansion of the Western Pavilion, with additional facilities intended for public occupancy is problematic. It seems reasonable that the existing use be granted to continue into the future, but the expansion of existing facilities be excluded.

Chapter 10 **NOTE:** Site conditions in the Western Pavilion severally limit expansion, and create problems for future services extension and maintenance. Access maintenance and sewer maintenance are of concern. The site will likely be greater than 400' from the sewer trunk main, and under the annexation Agreement language would not need to hook onto central sewer because of the measurement function.

Chapter 10, Table 15.2, Pg#41, *Asterisks, **NOTE:** This statement implies that the I-Bar Pavilion may be subdivided and contain individual lots. Subdivision of the site seems to be out of character with the intended purposes and long-term viability of this site's function.

Added 3/4/09 **CHAPTER 11: INDUSTRIAL MODIFIED (IM) DISTRICT**

The following statements, with some minor editorial revisions, were provided by staff to the applicant on January 30, 2009 and they still apply.

Chapter 11, **NOTE:** Ditch and trail easements are very critical to the function of this site. The box culvert is also an important outfall point for stormwater originating north of the highway. Adequate easement widths are needed and the proposed 25-foot width stated in Section 8.6 of the Annexation Agreement is not sufficient.

Chapter 11, **NOTE:** On-site stormwater detention will be needed to ensure that protection of stormwater quantity and quality.

Table 11.2, Dimensional Standards, Pg#44, **NOTE:** Provisions allow 90% coverage, with 60 percent allowed for buildings and 30% pavement. This intensity of use will be difficult to screen and buffer from adjacent uses.

Table 11.2, Dimensional Standards, Pg#44, **NOTE:** Is open storage permitted? It seems that this is the reason for a 30% pavement coverage. Such open storage will be located within the lot setbacks and thus be difficult to screen and buffer.

Section 11.3.1.d, Landscape buffer, Pg#44, Change this statement to read: **"...Landscaped Buffer. A 30 foot wide bermed and landscaped buffer shall be provided along the District boundaries to the north along the Highway 50 rights-of-way, the District Boundary adjacent to the Gunnison Pioneer site, the west boundary and the south boundary."**

Section 11.3.1.3.IV Berm Height, Pg#44, Change this statement to read: **"...A berm within the buffer shall be located adjacent to the entire Highway rights-of-way. The buffer shall be a minimum of four feet high, shall have a maximum 4:1 slope (horizontal:vertical), and shall undulate to provide a varied shape that mimics natural landforms."**

Section 11.3.3.a, Snow Storage, Pg#45, Change this statement to read: **“...An area within the boundary each platted lot, equal to 15 percent of the driveway and exterior parking area, shall be provided for on-site snow storage. Snow storage areas shall be designated on all site plans submitted with building permit applications.”**

Added 3/4/09 **CHAPTER 12: STATE AND FEDERAL GOVERNMENT (GOV) ZONING DISTRICT**

The following statements, with some minor editorial revisions, were provided by staff to the applicant on January 30, 2009 and they still apply.

Chapter 12, Table 12.1, Permitted Uses, Pg#47, **NOTE:** Provide a list of all specific accessory use contemplated in this District.

Table 12.1, Permitted Uses, Pg#47, **NOTE:** It is very unclear as to the land use authority that the city may invoke upon this site. Is the applicant working in agreement provisions for land dedication that would permit the city's availability to control land uses and activities on state owned lands?

Table 12.2, Dimensional Standards, Asterisks 1, Pg#45, **NOTE:** As previously stated the proposed development review process is ambiguous. There are no set procedures, no designated process and no criteria for implementation. It is appropriate to design latitude through a site-specific review process, but specific criterion guiding the thematic direction is needed.

Section 12.4, Architectural Character, Pg#48, **NOTE:** The proposed architectural design guidelines contained in Chapter 17 have very little bearing on the development element proposed in this Government District.

ENCLOSURE 2

**ZONING AMENDMENT PROCEDURES – INCLUDING PUD APPLICATION
SECTION 15.150**

15.150.010 General.

The text of this land development code and the boundaries of zone districts, as depicted on the official zoning map, may be amended, supplemented or repealed pursuant to the procedures and standards of this chapter. (Ord. 1-1997 § 1; Code 1997 § 15-15-1).

- B. Initiation of Map Amendment. An amendment to the official zoning map may be initiated by the city council, the planning and zoning commission, the community development director or the owner of, or holder of, a recognized interest in that real property whose zoning is proposed to be amended. (Ord. 1-1997 § 1; Code 1997 § 15-15-2).

15.150.030 Procedure.

An applicant requesting an amendment shall follow the stages of the city of Gunnison land development process outlined below.

- A. Preapplication Conference. Attendance at a preapplication conference is optional, but recommended, for a private applicant intending to submit an application for an amendment to the text of this land development code or the boundaries of zoning districts as depicted on the official zoning map.
- B. Submit Application. The applicant shall submit a complete development application to the community development director which contains those materials listed in GMC 15.150.040, Application contents. The community development director shall be responsible for submitting the application materials for an amendment initiated by the city council or commission.
- C. Staff Review. The community development director shall review the application to determine whether it is complete, as specified in GMC 15.120.040(A), Completeness Review. The community development director shall forward a report to the commission which summarizes the application's compliance with the applicable review standards contained in GMC 15.150.050, Review standards for text amendments, or GMC 15.150.060, Review standards for map amendments, and other applicable provisions of this land development code. The technical comments and professional recommendations of other agencies and organizations may be solicited in drafting the report.
- D. Public Notice. Public notice that the planning and zoning commission will conduct a hearing to consider the application for an amendment to the text of this title or the boundaries of zoning districts, as depicted on the official zoning map, shall be provided as specified in GMC 15.120.050, Stage 4: provision of public notice.
- E. Action by Commission. The commission shall hold a public hearing to review the conformance of the development application with all applicable provisions of this land development code. The commission shall make a recommendation that the city council approve, approve with conditions, or deny the application, or shall remand the application to the applicant with instructions for modification or additional information or action.
- F. Public Notice and Action by Council. The city council shall consider the recommendations of the commission at a public hearing. Public notice that the city council will conduct a hearing to consider the recommendations of the commission shall be provided as specified in GMC 15.120.050, Stage 4: provision of public notice. The council shall, by ordinance, approve or deny the proposed amendment or shall remand it to the applicant with instructions for modification or additional information or action.

G. Actions Following Approval. Upon approval of the amendment, and the filing and, if applicable, recordation of any documents required by the approval, the community development director shall place the amendment on the official zoning map or shall cause the amended text of this land development code to be officially codified. Each amendment shall be noted on the official zoning map, together with the ordinance number and date, date of correction, and initials of the draftsman making the change. (Ord. 1-1997 § 1; Code 1997 § 15-15-3).

15.150.040 Application contents.

An application for amendment to the text of this land development code or the boundaries of zone districts, as depicted on the official zoning map, shall contain the following:

A. Minimum Contents. The minimum contents for all applications specified in GMC 15.120.030(C), Minimum Application Contents.

~~B. Precise Wording of Text Amendment. If an amendment to the text of the land development code is proposed, the precise amended wording shall be provided.~~

C. Map Amendment. If the application requests an amendment to the official zoning map, it shall include:

1. Zone Districts. The present zone district designation(s) of the property and the zoning of all adjacent properties.
2. Survey Map. An accurate survey map of the property proposed for amendment, stating the area of the property proposed to be amended in square feet or acres.
3. Existing Uses. A description of existing uses on the property and on all adjacent properties.
4. Statement of Intended Development. A written statement by the applicant identifying the intended use or development of the subject parcel and the timing of said development, describing the community need for the change in zoning, and explaining the effect the change in zoning would have on surrounding uses. (Ord. 1-1997 § 1; Code 1997 § 15-15-4).

15.150.070 Additional procedures and requirements for planned unit development zoning districts.

An application for an amendment to the boundaries of zone districts, as depicted on the official zoning map, to create a planned unit development zone shall follow these additional procedures and submit additional information as follows:

A. PUD Zoning District Application Review Procedures. Every PUD shall be reviewed in two stages: the zoning plan and the development plan. The purpose of the PUD zoning plan review shall be to:

1. Establish permissible type, location and densities of land uses;
2. Determine permissible design standards to be applied to PUD development;
3. Determine compatibility of the PUD proposal with the city master plan and other adopted plans and with the purposes of this chapter; and
4. Provide a basis for PUD zoning.

B. Additional Application Contents. Additional material shall be submitted at defined stages in the application review process.

1. Preapplication Conference. In addition to the proposal requirements listed in GMC 15.120.020(B), for the preapplication conference listed in 15.150.030(A) a conceptual drawing of the PUD zoning plan shall be provided to the community development director depicting:
 - a. Topography of land to be developed;
 - b. Existing and proposed major traffic circulation system with typical street widths;
 - c. Proposed zoning, densities, types of uses and their locations within the PUD;
 - d. Proposed design standards to be applied to PUD development;
 - e. Potential common open space areas and park land areas; and
 - f. Location of utilities and existing development on the land.
2. Zoning Plan Submittal. Upon submission of the application as defined in GMC 15.150.030(B), the applicant shall provide to the community development director:
 - a. The minimum contents listed in GMC 15.150.040(A) and the map amendment information in GMC 15.150.040(C);
 - b. Twenty copies of the PUD zoning plan map which shall be 24 inches by 36 inches in size, with north arrow and scale and with title and date in lower right corner at a scale of one inch equals 50 feet, or larger, which depicts the area within the boundaries of the proposed PUD and which depicts all of the information as follows:
 - i. A zoning plan indicating the broad concept of the proposed development, the location of each use and the location of existing lots, blocks or other parcels within each area. The plan shall indicate:
 - (A) Generally, where each type of use is located within the PUD and an indication of the total acreage which will be devoted to each use.
 - (B) Proposed districts labeled on the plan with the symbol of the most similar zoning classification in the land development code. In the case of residential zone districts, the symbol shall be followed by a hyphen and a numerical representation of the maximum density allowed in that district. For example: a single-family residential district with a minimum lot size of 12,000 square feet would be labeled R1-12,000.
 - (C) Areas designated for residential uses shall also indicate the maximum number of dwelling units per gross acre permitted for each residential area including sizes of building lots and types of dwellings anticipated.
 - (D) The minimum acreage which will be dedicated to common open space, the proposed use and location of open space.
 - (E) Internal circulation systems: locations of arterial streets, collector streets, pedestrian and bike trails.

- (F) The acreage and location of areas to be dedicated for school sites or other public uses.
 - (G) Descriptions of the general character of all proposed land use districts in the PUD and plans showing the location and size of each district within the PUD.
 - (H) Provisions for water, irrigation ditches, sewer, refuse collection, storm water collection, telephone, electricity, gas and cable television, if applicable.
 - (I) Development standards and other restrictions to be applied to each proposed district or reference to standards in similar zone districts contained in the land development code which shall apply to each proposed use in particular areas, such as: building setbacks, height limits, access requirement and grade or slope restrictions, special provision addressing the Entrance Overlay district or other overlay districts, parking, landscaping and snow storage requirements and sign regulations.
 - (J) Written and graphic material demonstrating to the planning commission and city council how modifications will produce a living environment, landscape quality and lifestyle better than that produced by the existing standards.
- ii. A site topographic map showing at least two-foot contour intervals for slopes of 10 percent or less, five-foot contour intervals for slopes over 10 percent, major vegetation elements, streams, rivers, ditches and area subject to 100-year flooding.
 - iii. A written statement of concept for the PUD containing the following information:
 - (A) An explanation of the objectives to be achieved by the PUD and a statement of purpose for each zone district within the PUD;
 - (B) A development schedule indicating the improvements included in each phase and the approximate dates when construction of the various stages of the PUD are anticipated to begin and be completed;
 - (C) Copies of any special covenants, conditions and restrictions which will govern the use or occupancy of the PUD; provided, that the applicant may impose additional covenants, conditions and restrictions on any particular area in connection with the platting of such area;
 - (D) A statement by a licensed engineer which shall provide evidence of the following:
 - (1) Based on anticipated demand, the proposed water source is adequate to serve the PUD.
 - (2) Based on anticipated demand, the proposed method of sewage treatment and existing sewage treatment facilities are adequate to serve the PUD.
 - (3) The general manner in which storm drainage will be handled.

- (4) The general manner in which provision will be made for any potential natural hazards in the area such as steep slopes, erosive soils, avalanche areas, landslide areas, floodplain areas and unstable soils;
 - (E) Easements showing vested legal access for ingress and egress from a public road to the PUD in accordance with Chapter 15.110 GMC;
 - (F) Evidence that the PUD has been designed with consideration of the site's natural environment and the surrounding area and does not unreasonably destroy or displace wildlife, natural vegetation or unique natural or historic features; and
 - (G) Any other information or exhibits which the applicant or the community development director deems pertinent in evaluating the proposed PUD.
- C. Application Review. Upon acceptance of the PUD zoning plan application, a review of that application shall commence according to GMC 15.150.030(C) through (G) and GMC 15.120.040 through 15.120.070.
- D. Filing of Final PUD Zoning Plan. If a PUD zoning plan is approved, a reproducible mylar copy shall be filed with the city clerk and department of community development in addition to those required documents listed in GMC 15.120.070.
- E. Development Plan. If a PUD zoning plan falls within Chapter 15.160 GMC and requires a subdivision approval as defined in GMC 15.160.030, within one year of a PUD zoning plan approval the applicant shall submit a development plan for the PUD according to the requirements of Chapter 15.160 GMC and it shall be processed according to the requirements of Chapter 15.120 GMC. If the developer cannot submit a development plan within one year of the zoning plan approval, the developer shall submit a letter requesting an extension of time to the community development director prior to expiration of the one-year period. The community development director may grant extensions for reasonable waiver requests for up to a total of three years from the date of the zoning plan approval. Should a developer not be able to submit a development plan in a timely manner, the city has the right to rezone the property in accordance with this land development code.
- F. Changes. The planned unit development shall be developed only according to the approved and recorded zoning plan and development plan and all supporting data. The recorded final PUD zoning plan and development plan and supporting data, together with all recorded amendments, shall be binding on the applicants, their successors, grantees, and assigns and shall limit and control the use of premises and location of structures in the PUD as set forth therein. Changes to the recorded final PUD zoning plan may be made as follows:
 - 1. Major Changes. Changes which alter the concept or intent of the planned unit development including increases in density, changes in the height of buildings, reductions in proposed open space, changes in the development sequencing, changes in road standards, or changes in the final governing agreements, provisions, or covenants may be approved only by submission and reconsideration of a new PUD zoning plan and supporting data.
 - a. If major changes are proposed, a new public hearing shall be required during resubmission of the PUD zoning plan.

- b. All changes to the first recorded final PUD zoning plan shall be recorded with the Gunnison County clerk and recorder as amendments to the final PUD zoning plan except as provided in subsection (F)(2) of this section.
2. Insubstantial Changes. The community development director may approve changes in the planned unit development which insubstantially change the concept, intent or substance of the development. Insubstantial changes shall be limited to changes addressing the engineering or technical constraints discovered during the development which could not be anticipated during the original approval process, or any other change which has no material effect on the character of the approved PUD zoning plan, the representations made by the applicant or the conditions of the approval. (Ord. 2-2001 § 5; Ord. 1-1997 § 1; Code 1997 § 15-15-7).

ENCLOSURE 3

PUD ZONING STANDARDS

Section 15.150.060

Section 15.60.060

15.150.060 Review standards for map amendments.

An application for an amendment to the official zoning map shall comply with the following standards:

- A. Consistent with Master Plan. The proposed amendment shall be consistent with the city of Gunnison master plan.
- B. Consistent with Purpose of Zone District. The proposed amendment shall be consistent with the purpose of the zone district to which the property is to be designated.
- C. Compatibility with Surrounding Zone Districts and Uses. The development permitted by the proposed amendment shall be compatible with surrounding zone districts, land uses, and neighborhood character.
- D. Changed Conditions or Error. The applicant shall demonstrate that conditions affecting the subject parcel or the surrounding neighborhood have changed, or that due to incorrect assumptions or conclusions about the property, one or more errors in the boundaries shown on the official zoning map have occurred. (Ord. 1-1997 § 1; Code 1997 § 15-15-6).

15.60.060 Planned Unit Development.

- A. Purpose. A Planned Unit Development (PUD) is a land area such that varying land uses and innovative design and layout of the development provide significant benefits to both the developer and the city over standard, uniform lot and block patterns and design. Such benefits include the provision of open space for the benefit of the residents and other users, the conservation of natural landscape features, provision of affordable housing, employment opportunities, variety in land use patterns and more efficient provision of services and utilities.

In a PUD, the various land use elements are designed so that they interrelate cohesively with each other; therefore, strict application of standard zone district regulations becomes unnecessary, and instead, other specific design requirements are included in the PUD. The boundary between the PUD and adjacent zone districts requires particular attention to ensure that land use patterns are compatible.

To enable a more thorough analysis of a PUD, more information is required about the proposal than would be required if development were being pursued within conventional zoning districts.

The approval of a PUD constitutes a zone district amendment and is established by rezoning an area in an existing zone district to PUD zoning or by initial zoning of newly annexed territory to PUD zoning.

A PUD proposal must meet the majority, but not all, of the following specific purposes:

The purpose of a PUD is:

1. To encourage innovation in residential, commercial and industrial development so that the needs of the population may be met by greater variety in type, design and layout of buildings and land uses and by the conservation and more efficient use of open space;
 2. To encourage land development that, to the greatest extent possible, preserves natural vegetation; respects natural topographic and geologic conditions; incorporates the unique, natural and scenic features of the landscape; and refrains from adversely affecting flood corridors, soil, drainage, and other natural ecological conditions;
 3. To combine and coordinate architectural styles, building forms, and structural/visual relationships within an environment that allows mixing of different land uses in an innovative and functionally efficient manner;
 4. To allow efficient design and use of solar access;
 5. To provide for adequate, accessible, and properly located open and recreation space, schools or other facilities;
 6. To provide for necessary commercial, recreational, cultural, transportation and education facilities conveniently located to housing;
 7. To promote the efficient use of land resulting in networks of utilities, streets and other infrastructure features that maximize the allocation of fiscal and natural resources;
 8. To enable new land developments to be compatible with adjacent and nearby land developments;
 9. To ensure that development takes account of environmentally sensitive areas, and occurs on land physically suited to construction;
 10. To allow unique and unusual land uses to be planned for and located in a manner that ensures harmony with the surrounding community and achieves beneficial relationships with the surrounding area; and
 11. To create a method for the permanent preservation of historic buildings, landmarks and/or sites.
- B. Applicability. The proposed PUD zone district site must be under single ownership and/or modified control. A PUD zone district application is considered a zoning map amendment under this land development code.

C. Standards. Every PUD shall be in conformance with the Gunnison Municipal Code, the city master plan and other adopted plans. Design and layout requirements otherwise applicable to the development and zone district regulations may be varied within a PUD where the variation will produce a benefit to the community over traditional zone district standards. The following standards and requirements shall apply to all PUD zone districts:

1. Land Use District Designations. Every PUD shall be divided into one or more land use districts with one or more of the following designations:

- R-1 Single-Family Residential district
- R-1M Modified Single-Family Residential district
- R-2 Duplex Residential district
- R-2M Duplex/Multifamily Residential district
- R-3 Multifamily Residential district
- B-1 Professional Business district
- C Commercial district
- I Industrial district
- EO Entrance Overlay district
- O Open Space district

Names of PUD land use districts may be slightly modified to more accurately describe the primary character of the land use categories included within them. The specific land use district designation shall contain the appropriate range of uses allowed in the land use district and maximum building density allowed.

2. Open Space Land Use District. For the purpose of a PUD zone district only, an O Open Space land use district may be used for the purpose of defining areas within a PUD zone district to be used for either public or private open space and recreation uses. Within a PUD zone district, Open Space land use districts shall be limited to indoor and outdoor recreation and community facilities characterized by potentially light or moderate impacts on traffic, the natural environment, and the surrounding neighborhood. Such facilities include, but are not limited to, country clubs; golf courses; athletic fields; skateboard parks; swimming, bathing, wading and other therapeutic facilities; tennis, handball, and basketball courts; and ice skating rinks. Open Space land use districts may also include natural areas such as public parks, trails, greenbelts, or natural land preservation areas. Open Space land areas may not be used for high intensity commercial recreation such as aerial tramways; alpine or water slides; amusement rides; auto, cycle and go-cart race tracks; campgrounds; stadiums; drive-in theaters; horse or dog racing tracks; shooting ranges; stables; zoos or other similar commercial recreation uses.
3. Land Use District Uses. Specific uses permitted within a PUD zone land use district must be of a type and so located as to be compatible with surrounding neighborhoods, community character and the city master plan and other adopted plans. Uses proposed must be compatible with the area of the proposed project and shall not be detrimental to the public health, welfare or safety, nor substantially diminish or impair property values in the neighborhood in which the PUD is to

be located. The uses potentially allowed within any PUD zone land use district shall be appropriately classified as allowed uses, conditional uses and prohibited uses for the corresponding land use district as defined in GMC 15.70.010. Within each PUD zone land use district, specified uses shall be allowed only as set forth in the approved final PUD zoning plan and development permit. Conditions may be imposed on such uses by the city, and any such conditions shall be set forth in the final PUD zoning plan.

4. Land Use District Density. The net density of a PUD land use district zone is not necessarily required to precisely correspond with the net density of zoning on adjacent properties, but instead should reflect the existing character of the area or the character of the area proposed in the city master plan and other adopted plans. The density should result from the proper design of the PUD including provision of adequate infrastructure, open space, amenities, complementary building types and design. Maximum net density, either expressed as maximum residential units or maximum square footage of nonresidential uses, shall be specified in the PUD zone districts.
5. Open Space. At least 20 percent of the total gross area of every PUD shall consist of common open space. At least half of this common open space shall be developed for recreation which may include play fields, tennis courts, picnic sites, trails, fishing access and similar recreation sites for use by all PUD residents. Provisions shall be made for permanent care and maintenance of open spaces according to the provisions in GMC 15.160.100(F).

For residential PUDs of less than five acres or nonresidential PUDs of any size, a fee in lieu of open space may be granted at the discretion of the city council. This fee should be equal to the market rate of one-half of the required common open space land not provided. Any fee in lieu paid as a result of an open space requirement must be spent on park land purchases or improvements for city parks and recreation facilities.

6. Community Benefits. In return for flexibility in land use mix and design standards, the goal of a PUD is to provide a higher quality of development than found in traditional zone districts. Every PUD must consider and offer community benefits in the form of park land dedication, public recreation facilities including community centers, trails, greenbelts, natural and/or historic preservation areas, and other amenities which may be identified in the city master plan and other adopted plans, or which may be goals of the city council.
7. PUD Perimeter. The boundary between a PUD and adjacent land uses shall provide an adequate transition between land uses.
8. Phasing of Development. Where a PUD is developed in phases, a proportional amount of any required open space, recreation areas and other community benefits shall be included in each phase such that the project, as it is built, will comply with the overall density and open space requirements of this code at the completion of each phase of development. Phasing shall be accomplished such that, with the completion of any phase of the development, it is consistent with the city master plan and other adopted plans. (Ord. 2-2001 § 4; Ord. 1-1997 § 1; Code 1997 § 15-6-6).